UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 91st CONGRESS
FIRST SESSION

VOLUME 115—PART 3

FEBRUARY 5, 1969, TO FEBRUARY 21, 1969
(PAGES 2775 TO 4178)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1969

United States
of America

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HOUSE OF REPRESENTATIVES—*Wednesday, February 5, 1969*

The House met at 12 o'clock noon.

Rev. Russell R. Lester, the United Presbyterian Church, Bement, Ill., offered the following prayer:

Eternal God, our Father, Creator of heaven and earth, Prompter of man's inward spirit, Judge of all man's action, we humbly wait upon You this day.

We recognize the gifts of reason, patient thought, and sound action bestowed upon us. Grant pardon if we have misused these blessings; forgive if, by our indiscriminate use, we have offended and hurt others. Grant to us a deeper understanding of man's responsibility to one another; man's equal opportunity to serve both You and his native land.

O Lord, fulfill in the lives of these who are the chosen leaders of government, Your will as it is reflected in attitudes expressed and actions taken as they seriously, honestly, and faithfully discharge their duties.

In Your holy name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 769. An act to name the bridge to be constructed across the Mississippi River linking the States of Tennessee and Missouri in honor of a former Member of the House, Robert A. "Fats" Everett.

RESIGNATION FROM COMMITTEE ON UN-AMERICAN ACTIVITIES

The SPEAKER laid before the House the following resignation from a committee:

FEBRUARY, 5, 1969.

Hon. JOHN McCORMACK,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: My resignation from the House Committee on Un-American Activities is hereby submitted with the request that it be recorded as effective immediately.

Respectfully,

DEL CLAWSON.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

DESIGNATION AS MEMBERS OF JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

The SPEAKER laid before the House the following communication:

JANUARY 29, 1969.

Hon. JOHN W. McCORMACK,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: Pursuant to section 8002 of the Internal Revenue Code of 1954, the following Members of the Committee on Ways and Means have been designated as members of the Joint Committee on Internal Revenue Taxation: Hon. WILBUR D. MILLS, Hon. HALE BOGGS, Hon. JOHN C. WATTS, Hon. JOHN W. BYRNES, Hon. JAMES B. UTT.

Sincerely yours,

WILBUR D. MILLS,
Chairman.

COMMUNICATION RECOMMENDING MEMBERS FOR JOINT COMMITTEE ON DEFENSE PRODUCTION

The SPEAKER laid before the House the following communication:

FEBRUARY 5, 1969.

Hon. JOHN W. McCORMACK,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: As you know, pursuant to section 712(a)(2) of the Defense Production Act of 1950 (title 50, Appendix, United States Code, section 2162(a)(2)) it is the duty of the chairman of the Committee on Banking and Currency to suggest five members of the committee to be members of the Joint Committee on Defense Production.

I sincerely hope that the following members meet with your approval: WRIGHT PATMAN, WILLIAM A. BARRETT, LEONOR K. SULLIVAN, WILLIAM B. WIDNALL, W. E. (BILL) BROCK.

With kindest regards and best wishes, I am,

Sincerely,

WRIGHT PATMAN,
Chairman.

CONGRESSIONAL SALARY

(Mr. PRICE of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include a telegram.)

Mr. PRICE of Illinois. Mr. Speaker, the proposal for raising the salaries of Members of the Congress has generated much debate and discussion.

Today, I received a telegram which expresses a most important consideration on this topic.

The telegram comes from Louis M. Loeb, chairman of a special committee on congressional ethics of the Association of the Bar of the City of New York. This committee, with a grant from the Ford Foundation, is engaged in a 2-year study of "Ethical Standards and Conflict of Interest" in the Congress.

I insert the telegram in the RECORD at this point:

NEW YORK, N.Y.,
February 4, 1969.

Hon. MELVIN PRICE,
House Office Building,
Washington, D.C.:

As part of this committee's study of ethical aspects of congressional service, we have examined the congressional salary and allowance structure. We believe that an increase in salaries would reduce Members' dependence on outside income and thereby reduce their exposure to conflicts of interest. We therefore strongly urge you to support the proposed congressional salary increase.

LOUIS M. LOEB,
Chairman, Special Commission on Congressional Ethics, Association of the Bar of the City of New York.

COMMITTEE ON UN-AMERICAN ACTIVITIES

(Mr. ICHORD asked and was given permission to address the House for 1 minute.)

Mr. ICHORD. Mr. Speaker, today's Washington Post on page 2, published an account of yesterday's proceedings before the Rules Committee during which I and other Members testified on House Resolution 89, my resolution to change the name and mandate of the Committee on Un-American Activities.

The Post account reported that in my appearance before the Rules Committee yesterday I, in referring to the Committee on Un-American Activities said: "What we are concerned about is political action."

The quotation is incorrect. What I actually said was that what the committee was concerned with was group action to overthrow the Government by force, violence and various other criminal and unlawful means as distinguished from efforts to change institutions of government through the democratic process.

I would also like to mention another inaccuracy in the Post account which would be immediately apparent to all Members of the House, but not to the public. The Post reporter stated that I had indicated that the Committee on Un-American Activities could probably operate this year with a budget of $375 million, the same as it did last year. Obviously, the Post account should have said $375,000.

U.S. ARMY BRIEFING ON CHEMICAL AND BIOLOGICAL WARFARE PROGRAM

(Mr. McCARTHY asked and was given permission to address the House for 1 minute.)

Mr. McCARTHY. Mr. Speaker, at the suggestion of my fellow New Yorkers (Mr. PIKE and Mr. STRATTON), both members of the Armed Services Committee, I am today requesting the Army to provide a briefing for New York Members of the House and any other interested Members about the Army's chemical and biological warfare program.

I would hope that the briefing would satisfy my questions about, first of all, the basic reasons and the necessity for the program; and, second, what the safeguards are—it would seem from NBC news that adequate safeguards have not been provided, in particular in one case recently in Utah; and, third, to what extent do they use nonmilitary organizations as "fronts." NBC news alleges that the Smithsonian Institution was used as a "front" and that certain universities were subverted into participating in this program without the full knowledge of the administration of these universities.

Finally, I would hope they could provide some enlightenment on the defoliation project in Vietnam. It seems to me this is chipping away at the basic policy of this Government, as enunciated by President Franklin Roosevelt, that we would not initiate gas warfare. If this policy should be eroded, then, indeed, we would be in a dangerous position in that these weapons might possibly be used against us. One does not require a terribly fertile imagination to conjure up the ghastly possibilities that could result from large-scale use of chemical and biological agents.

NEWSPAPER PRESERVATION ACT

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, today I am cosponsoring the Newspaper Preservation Act. This legislation was introduced in the 90th Congress, and the Senate made some changes that should be carefully considered by the House for adoption.

But, Mr. Speaker, the importance of this legislation is underscored by the fact that during the past 50 years we have witnessed the disappearance—through suspension of publication or merger—of a vast number of American newspapers, most of which were published in or about our urban centers. The primary reason for this trend is entirely attributable to economics; lack of enough advertising and circulation to keep pace with competition.

In an endeavor to survive, some 44 newspapers in 22 cities entered into agency or joint newspaper operating arrangements.

However, in 1965, the Justice Department filed antitrust action against one of these joint arrangements; a case which has been appealed to the U.S. Supreme Court.

It is obvious that if the Department of Justice should be successful in its attempt to break up these joint ventures, then at least one newspaper in each of these joint operating cities will revert to its former perilous financial condition and ultimately either will be forced to suspend publication or sell to its competitor.

I urge swift action on this bill, Mr. Speaker, for there is far more at stake in this issue than the success of some of the Nation's newspapers. The people's right to a free press is at issue, and early action on this legislation is vital. We must protect the press so they can protect the public.

THOUGHTS ABOUT THE SALARY INCREASE

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER. Mr. Speaker, it seems that the horrendous salary increase which so many of us have strongly opposed will be enacted into law. I am reminded of an old Kentuckian who thought he was crossing into the great beyond, and as the sun sank slowly into the west, casting its benign rays over the horizon, he motioned to his wife to come over to his bedside.

"Mary," he whispered, "you remember that old trunk in the basement?"

"Yes, John," she answered tearfully, "I believe there is an old trunk down there."

"Well, Mary," he whispered, "there is a quart of bourbon, fine old bourbon in it. Go down and get it."

"Yes, John," she said. "What then?"

John gave her specific instructions. He told her to fill his glass with finely crushed ice, to bruise some mint, and to stir it up in the glass, with just a pinch of sugar. Then he told her to pour the bourbon liberally over the concoction and to decorate it with sprigs of mint, then to set it aside until frost formed on the outside of the glass. "And, then, Mary," gasped the old man, his voice now all but extinct, "bring it up here to me and when you bring it in here, Mary, no matter what I do or say, make me take it."

So many of us who have fought so valiantly, after this iniquitous bill is passed and the tumult and the shouting dies, will say, "No matter what I say or do, Mary, make me take it."

INFLATION AND THE FEDERAL PAY INCREASE

(Mr. RUTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. RUTH. Mr. Speaker, one of the most important domestic problems facing our Nation is inflation. Pending before Congress at this time is a matter which will have a direct effect on this important matter—the proposal to increase congressional salaries. Perhaps as a freshman it is a bit soon for me to comment on matters affecting Members of the House who have been here and borne great responsibility for many years. However, it is apparent to me and to residents of my district that the Congress must take the lead in curtailing Federal spending to curb the cheapening of the dollar.

Congressional salaries have a decided influence on all Federal pay structures. In effect we, by our actions, will automatically increase Federal pay for officials in the executive and judicial branches of Government. While I am acutely aware that the present congressional pay does not purchase what it did when it was set, as a former member of the city council in my hometown, I am also aware that Federal pay at all levels compares most favorably with State, county, and city salaries. Although there are many who feel the increase can be justified, I must oppose the pay increase on the grounds that the present timing is ill advised. If we really want to attack inflation, a salary raise seems to me to be a peculiar beginning, a psychological error, and a quick way to remove the lid on the boiling pot.

Mr. Speaker, I strongly urge that Congress delay consideration of salary increases until settlement of the Vietnam war, balancing of the Federal budget, removal of the 10-percent surtax, and until a time when we are outside the jaws of inflation.

FEDERAL PAY INCREASE

(Mr. DICKINSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DICKINSON. Mr. Speaker, the Federal Government is supposed to be doing everything possible to curb inflation. Yet, at this very moment we are considering raising the pay, and raising it quite substantially, of ourselves, our colleagues in the Senate Chamber, Cabinet officers, Supreme Court Justices, and Federal judges. How can we justly complain of the average of nearly a 7-percent wage increase for all people in nonfarm categories last year when we allow our salaries to be raised one and a half times that over a 5-year period?

Mr. Speaker, I supported the pay raise for the President. I thought it just and right that I do so. He is the Chief Executive of the most powerful nation in the world. Besides, the new scale is only slightly out of line with the $100,000 he received 20 years ago and the $75,000 before that. It takes a $100,000 raise nowadays, because of the inflationary trend and the tax bite, for us to be sure the President will realize $35,000 out of the raise.

This pay boost we are now considering affects about 2,200 people. It is estimated that its total cost to the taxpayer is between $23 and $25 million annually. I am, therefore, introducing a resolution to disapprove all of the recommendations of the President of the United States with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970.

I would like to add, though, since Members of Congress do not have an expense allowance, I think that provisions for such an allowance which would take care of incidental expenses with the office and travel are needed. But I do not believe expense money should come through the medium of a salary increase.

ADJOURNMENT FROM FRIDAY, FEBRUARY 7, TO MONDAY, FEBRUARY 17

Mr. ALBERT. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 124), and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. Con. Res. 124

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Friday, February 7, 1969, they stand adjourned until 12 o'clock meridian, Monday, February 17, 1969.

Mr. ALBERT. Mr. Speaker, the Members will note that this resolution provides for adjournment on the 7th, although we had announced earlier in the House that we would adjourn on the 6th of February. The reason for this change is that the Senate will not be in session until the 7th of February.

However, there will be no legislative business on Friday, February 7. We will meet on that day only for the purpose of adjournment.

Mr. GROSS. Mr. Speaker, a resolution to provide an adjournment of Congress from February 7 to February 17 should not be adopted until the House of Representatives has given full consideration to and voted on the outrageous pay increases for the legislative, executive, and judicial branches of the Government.

Every Member of the House of Representatives is well aware that these increases will go into effect automatically next week during their vacation unless there is further action on the part of the House.

Any agreement here today to adjourn the House through next week means slamming the door on the last vestige of hope that the House will give this multimillion-dollar proposal the consideration it deserves and it will be an outright repudiation of the assurances previously given that Members of this body would have the opportunity to work their will on any such proposal as this.

(Mr. HALL asked and was given permission to extend his remarks at this point in the Record.)

Mr. HALL. Mr. Speaker, I greatly appreciate this opportunity to testify in favor of the House resolution that would reject the exorbitant congressional pay raises recommended by the Presidential Pay Commission.

The importance of the lack of favorable action by the Committee on Rules cannot be overemphasized. The Rules Committee action may be the last opportunity to express the will and opinion of the people in stopping the parliamentary and statutory shenanigans that have assisted this raid upon the Treasury. I do not believe the Congress should "recess" and leave its own pay raise unvoted. Our accomplishments to date hardly merit a recess.

The other body, yesterday, did possess the courage to have a rollcall vote. I must admit that I am not pleased with the results of that vote, but the other body does not represent the people, it represents the States.

Mr. Speaker, it is very easy to "rationalize" this pay increase. Congress has already—and over my vote—delegated its power to a Commission, and we only need keep saying to ourselves that it is the Commission that is making the recommendations. The Congress need not take affirmative action. If we disapprove, all we need do is exercise a veto. Yet, under the "reverse veto," a clever little mechanism that was written into the salary commission bill, the taxpayer is confronted by the old "shell game," when he tries to fix responsibility for this raid on the Treasury. We may try to assist the bewildered taxpayer and point our finger to the Presidential Pay Commission since they made the recommendations. We can also point to former President Johnson, who with minor changes, formally submitted the changes. This is the easy way out. But, it is our responsibility in this House. If Congress is to remain a coequal branch of Government we learn to say this is our responsibility and is our constitutional decision. Nothing could be more true than the case at hand. We gave the Commission its power and authority.

But again former President Johnson no longer holds an elective office and is resting on the banks of the Pedernales. Again, the responsibility is ours.

Mr. Speaker, inflation is running rampant in this country. It is probably the biggest single threat to our country. We have heard that over 2 percent, and said that an annual 5-percent increase of the cost of living will be disastrous. What, therefore, does a 41-percent increase in congressional salaries represent? How can we increase our salaries by this amount and other top governmental salaries by 40, 50, or 72 percent, and keep our fiscal house in order? Are we so blind? We will surely have to increase civil service and military pay by at least 10 or 12 percent. This then would represent an annual cost of $4 to $5 billion, or about one-half of the revenue to be derived from the 1-year extension of the 10-percent surcharge. What then of wage scales in private industry? We have said that the wage-line should be held to 4 or 5 percent. We have said in turn that prices should also be held in line. Will labor and management believe us and assist us? The answer is quite obvious when congressional pay is increased a hyper-inflationary and ridiculous 41 percent. Will we then move on to fix jobs. If so, are we not socialized in fact?

Mr. Speaker, the House of Representatives must not shirk its responsibilities. The people are not being fooled by what is going on. They demand a rollcall vote. They want their elected representatives to face their responsibilities. They also want inflation stopped. They look to us to set the pattern and example. Personally, I object to both the strategy, the handling, and the timing of this evasion of responsibility by subterfuge.

Therefore, I respectfully request that this distinguished body give its approval to the resolution that would allow the people's will to be done.

The SPEAKER. The question is on the concurrent resolution.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 240, nays 125, not voting 66, as follows:

[Roll No. 14]

YEAS—240

Adair
Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baring
Barrett
Battin
Belcher
Berry
Biaggi
Biester
Bingham
Blanton
Blatnik
Boland
Bow
Brademas
Brasco
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Camp
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Chisholm
Clausen, Don H.
Clawson, Del
Cleveland
Conte
Corman
Coughlin
Cowger
Culver
Daddario
Daniels, N.J.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Derwinski
Diggs
Dingell
Donohue
Dorn
Downing
Dulski
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Flood
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Garmatz
Gilbert
Gonzalez
Goodling
Gray
Griffin
Griffiths
Grover
Gubser
Halpern
Hamilton
Hanley
Hanna
Harvey
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, N.C.
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Koch
Kuykendall
Kyros
Leggett
Lennon
Lipscomb
Long, Md.
McCloskey
McCulloch
McDonald, Mich.
McEwen
McFall
McMillan
Madden
Martin
Mathias
Matsunaga
Meeds
Meskill
Michel
Mikva
Miller, Calif.
Minish
Mollohan
Monagan
Murphy, Ill.
Myers
Nedzi
O'Hara
Olsen
Patman
Patten
Pepper
Philbin
Pike
Podell
Preyer, N.C.
Price, Ill.
Pucinski
Purcell
Quie
Railsback
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Rivers
Roberts
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ruth
Ryan
Sandman
Schneebeli
Shipley
Sisk
Slack
Smith, Calif.
Smith, Iowa
Stafford
Stanton
Steed
Steiger, Ariz.
Stephens
Stokes
Stratton
Sullivan
Symington
Taft
Talcott
Taylor
Thompson, N.J.
Tiernan
Tunney
Udall

Ullman
Utt
Van Deerlin
Vander Jagt
Waggonner
Waldie
Watts
Whalen
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Young
Zablocki

NAYS—125

Abernethy
Alexander
Andrews, Ala.
Beall, Md.
Bell, Calif.
Bennett
Betts
Bevill
Blackburn
Bray
Brinkley
Brown, Ohio
Burke, Fla.
Bush
Caffery
Chappell
Clancy
Collier
Collins
Colmer
Conable
Cramer
Daniel, Va.
Denney
Dennis
Devine
Dickinson
Dowdy
Duncan
Dwyer
Esch
Fish
Fisher
Flowers
Flynt
Foreman
Frey
Gaydos
Gettys
Gross
Gude
Hagan
Haley
Hall
Hammerschmidt
Hansen, Idaho
Hastings
Henderson
Hogan
Hull
Hunt
Hutchinson
Kyl
Landgrebe
Langen
Latta
Lloyd
Lujan
McClory
McClure
McKneally
MacGregor
Mahon
Mann
Marsh
May
Mayne
Miller, Ohio
Minshall
Mize
Montgomery
Moss
Natcher
Nelsen
Nichols
Passman
Pelly
Perkins
Pickle
Pirnie
Poage
Poff
Pollock
Price, Tex.
Pryor, Ark.
Randall
Rarick
Riegle
Robison
Rogers, Fla.
Roth
Roudebush
Satterfield
Saylor
Schadeberg
Scherle
Schwengel
Scott
Sebelius
Shriver
Sikes
Skubitz
Smith, N.Y.
Snyder
Stubblefield
Stuckey
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Vigorito
Wampler
Watkins
Watson
Weicker
Whalley
White
Whitehurst
Whitten
Winn
Wold
Wylie
Wyman
Yatron
Zion
Zwach

NOT VOTING—66

Abbitt
Ashbrook
Bates
Boggs
Bolling
Clark
Clay
Cohelan
Conyers
Corbett
Cunningham
Davis, Ga.
Dent
Findley
Foley
Frelinghuysen
Fulton, Tenn.
Gallagher
Giaimo
Gibbons
Green, Oreg.
Green, Pa.
Hansen, Wash.
Harsha
Hathaway
Jones, Ala.
Karth
Kirwan
Landrum
Long, La.
Lowenstein
Lukens
McCarthy
McDade
Macdonald, Mass.
Mailliard
Mills
Mink
Mizell
Moorhead
Morgan
Morse
Morton
Mosher
Murphy, N.Y.
Nix
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Pettis
Powell
Quillen
Ronan
Rumsfeld
Ruppe
St Germain
St. Onge
Scheuer
Springer
Staggers
Steiger, Wis.
Teague, Tex.
Vanik
Wydler
Yates

So the concurrent resolution was agreed to.

Mr. CAFFERY changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO APPOINT COMMISSIONS, BOARDS, AND COMMITTEES AUTHORIZED BY LAW OR BY THE HOUSE DURING THE ADJOURNMENT FROM FEBRUARY 7 TO FEBRUARY 17

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until February 17, 1969, the Speaker be authorized to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

OBJECTION TO DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON FEBRUARY 19

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule on Wednesday, February 19, 1969, be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have permission to sit while the House is in session during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. ANDERSON of Tennessee. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain priviledged reports.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

CREATING A SELECT COMMITTEE TO CONDUCT STUDIES AND INVESTIGATIONS OF THE PROBLEMS OF SMALL BUSINESS

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 66 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 66

Resolved, That, effective January 3, 1969, there is hereby created a select committee to be composed of fifteen Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

SEC. 2. It shall be the duty of such committee to conduct studies and investigations of the problems of all types of small business, existing, arising, or that may arise, with particular reference to (1) the factors which have impeded or may impede the normal operations, growth, and development of small business; (2) the administration of Federal laws relating specifically to small business to determine whether such laws and their administration adequately serve the needs of small business; (3) whether Government agencies adequately serve and give due consideration to the problems of small business; and (4) to study and investigate problems of small business enterprises generally, and to obtain all facts possible in relation thereto which would not only be of public interest but which would aid the Congress in enacting remedial legislation: *Provided,* That the committee shall not invade any subject matter under active investigation by any standing committee of the House.

SEC. 3. The committee may from time to time submit to the House such reports as it deems advisable and prior to the close of the present Congress shall submit to the House its final report on the results of its study and investigation, together with such recommendations as it deems advisable. Any report submitted when the House is not in session may be filed with the Clerk of the House.

SEC. 4. For the purpose of this resolution the committee or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House has recessed or adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as the committee deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

SEC. 5. The majority of the members of the committee shall constitute a quorum for the transaction of business, except two or more shall constitute a quorum for the purpose of taking of evidence including sworn testimony.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754(b) of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the committee for expenses of its Members or other Members or employees traveling abroad.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SELECT COMMITTEE TO CONDUCT STUDIES AND INVESTIGATIONS OF PROBLEMS OF SMALL BUSINESS

The SPEAKER. Pursuant to the provisions of House Resolution 66, 91st Congress, the Chair appoints as members of the Select Committee To Conduct Studies and Investigations of the Problems of Small Business the following Members of the House: Mr. EVINS of Tennessee, chairman; Mr. PATMAN, Mr. STEED, Mr. KLUCZYNSKI, Mr. DINGELL, Mr. SMITH of Iowa, Mr. CORMAN, Mr. ADDABBO, Mr. HUNGATE, Mr. CONTE, Mr. BROYHILL of North Carolina, Mr. HORTON, Mr. BURTON of Utah, Mr. STANTON, and Mr. BUTTON.

AUTHORIZING THE COMMITTEE ON THE JUDICIARY TO CONDUCT STUDIES AND INVESTIGATIONS RELATING TO CERTAIN MATTERS WITHIN ITS JURISDICTION

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee

on Rules, I call up House Resolution 93 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 93

Resolved, That, effective from January 3, 1969, the Committee on the Judiciary, acting as a whole or by subcommittee, is authorized to conduct full and complete investigations and studies relating to the following matters coming within the jurisdiction of the committee; namely—

(1) relating to the administration and operation of general immigration and nationality laws and the resettlement of refugees, including such activities of the Intergovernmental Committee for European Migration which affect immigration in the United States, or involving violation of the immigra- of private relief legislation;

(2) involving claims, both public and private, against the United States;

(3) involving the operation and administration of national penal institutions, in- tion laws of the United States through abuse cluding personnel and inmates therein;

(4) relating to judicial proceedings and the administration of Federal courts and personnel thereof, including local courts in territories and possessions;

(5) relating to the operation and administration of the antitrust laws, including the Sherman Act, the Clayton Act, and the Federal Trade Commission Act; and

(6) involving the operation and administration of Federal statutes, rules, and regulations relating to crime and criminal procedure; and

(7) involving the operation and administration of the Submerged Lands Act and the Outer Continental Shelf Lands Act; and

(8) relating to State taxation of interstate commerce:

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the committee for expenses of its members or other Members or employees traveling abroad.

The **SPEAKER**. The Clerk will report the committee amendments.

Mr. **SMITH** of California. Mr. Speaker, I ask unanimous consent that the amendments be considered as read. They are all practically the same as they have been in previous years.

The **SPEAKER**. Without objection, the committee amendments will be considered as read and printed in the Record at this point.

There was no objection.

The committee amendments are as follows:

On page 3, line 11, strike out "necessary." and insert: "necessary: *Provided*, That for the purpose of carrying out this resolution, with respect to paragraphs (1) and (7), the committee or subcommittee is authorized to sit and act outside the United States."

On page 3, delete lines 16 to 22, inclusive, and in lieu thereof insert the following language after line 15:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on the Judiciary of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code, for the purposes of carrying out the committee's authority as set forth in paragraphs (1) and (7) of this resolution: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

"Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection."

Mr. **GROSS**. Mr. Speaker, will the gentleman yield?

Mr. **ANDERSON** of Tennessee. I yield to the gentleman from Iowa for the purpose of a question.

Mr. **GROSS**. Mr. Speaker, may I inquire of the gentleman from Tennessee—why for the purpose of a question only?

I have no amendments to offer, but I am curious to know why?

Mr. **ANDERSON** of Tennessee. I have no authority to yield the floor and I assumed the gentleman had a question.

Mr. **GROSS**. If the gentleman will yield further, the gentleman from Tennessee would not be yielding the floor if he were yielding to me; would he?

Mr. **ANDERSON** of Tennessee. I yield to the gentleman from Iowa, except for the purpose of an amendment—yes.

Mr. **GROSS**. I still do not have an answer to the question as to why the qualification of the gentleman in yielding with respect to an amendment?

Mr. **ANDERSON** of Tennessee. I just want to make it clear to the gentleman that I am yielding to the gentleman except that I do not yield for the purpose of discussion or for the introduction of any amendment.

Mr. **GROSS**. Would there be something wrong with offering an amendment to one of these resolutions?

Mr. **ANDERSON** of Tennessee. I am not authorized to yield for that purpose because the Committee on Rules has acted on these resolutions and I am acting in the capacity of their representative to present them on the floor.

Mr. **GROSS**. Has the Committee on Rules adopted a rule within the committee that prohibits the offering of an amendment to any resolution that it sends to the floor of the House?

Mr. **ANDERSON** of Tennessee. That is the customary practice of the Committee on Rules.

Mr. **GROSS**. It is the customary practice to do what?

Mr. **ANDERSON** of Tennessee. To control the time so as to present the resolution intact to the House and to not open it up for amendment on the House floor.

Mr. **GROSS**. As in the case of a resolution pending before the Rules Committee this morning, the Rules Committee has not adopted the policy that the House is not entitled to work its will upon a resolution on the House floor; is that correct?

Mr. **ANDERSON** of Tennessee. The statement of the gentleman may be a slight oversimplification in that the decision this morning took into account past precedents and also the danger and fear, in the judgment of members of the committee, of the establishment of a precedent in discharging a committee from its responsibilities in relation to legislation that could have a very adverse effect upon the future course of business of the House.

Mr. **GROSS**. Mr. Speaker, will the gentleman yield further?

Mr. **ANDERSON** of Tennessee. I am glad to yield to the gentleman from Iowa.

Mr. **GROSS**. With respect to the action taken by the Rules Committee this morning, had the committee voted the resolution to the House floor, that action would not have created a precedent; is that not true?

Mr. **ANDERSON** of Tennessee. To my knowledge, under a very, very different set of circumstances, with which I must confess I am not faimilar, because I was not a member at that time, a bill was taken from a regular committee. However, that was under very exceptional and different circumstances than those confronting the Rules Committee this morning.

Mr. **GROSS**. If the gentleman will yield further, would not the gentleman agree with me that the House today is confronted with a very exceptional legislative situation in which a pay raise for Members of the House will go into effect automatically next week without there having been any hearings or consideration on the part of the House? Would the gentleman not agree that that is an exceptional way of applying legislative procedure?

Mr. **ANDERSON** of Tennessee. The gentleman has stated his opinion. I do not want to put myself in the position of validating his opinion. I have my own ideas on it, which I am not prepared to discuss at this time.

Mr. **GROSS**. If the gentleman will

yield further, in order to assuage any fears that the gentleman might have concerning this particular resolution, I have no amendment to offer, but I would like to ask what has developed from the travels of the Judiciary Committee abroad in connection with the proposals contained in this resolution. What has happened to benefit the Congress from those travels? Has the gentleman's committee inquired into the results of those trips abroad?

Mr. ANDERSON of Tennessee. This was a set of amendments designed strictly to expedite the business of the House and as a matter of efficiency. Perhaps the distinguished gentleman from California (Mr. SMITH) has something to add.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Tennessee. I am glad to yield to the gentleman from California.

Mr. SMITH of California. In connection with this resolution from the Judiciary Committee, since its inception the United States of America has been a member of the Intergovernmental Committee for European Migration, which we refer to as "ICEM." They hold two meetings in Geneva each year with certain members present. It costs $2,200 to print up a resolution on travel. It just occurred to me that, since we would have to take that action, why should we ask the gentleman from New York (Mr. CELLER), the chairman of the committee, to come up with a resolution when they have to go to the ICEM committee meeting? We are members and we have to attend. There is no question about it. So I have offered the amendment.

In regard to the Intergovernmental Committee for European Migration, and particularly item (7), involving the operation and administration of the Submerged Lands Act and the Outer Continental Shelf Lands Act, the gentleman from Louisiana, Mr. Willis, a former member, was up every year with that particular resolution. It was always granted.

I thought we would save the time of the House and we would save the cost of printing if in those two instances we would give the Judiciary Committee the authority in the manner proposed. I have no thought in my mind that the gentleman from New York will send the whole committee to Geneva, because he never has. I was on that committee for a number of years and the travel was in my opinion justifiable. In connection with items (2), (3), (4), (5), (6), and (8). If the Judiciary Committee desires to travel, they will have to then bring to the Rules Committee a special resolution.

Mr. GROSS. Mr. Speaker, will the gentleman from Tennessee yield to me so I may ask the gentleman from California a question?

Mr. ANDERSON of Tennessee. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, the original question was, What has resulted from these trips abroad on the part of the Judiciary Committee? Does the Rules Committee in approving resolutions of this kind make any inquiry as to the results to the taxpayers of these trips—or any other committee, for that matter?

Mr. SMITH of California. Mr. Speaker, I can give the gentleman from Iowa a personal experience. I attended the ICEM Committee one time, and subsequent thereto, I visited every refugee camp in Europe, as a result of which most of them were closed down. One saved us $94,000 a year. As a result of the report and statement and legislation, supported by the late distinguished gentleman from Pennsylvania, Mr. Walter, we have now closed every one of those camps which were costing us hundreds of thousands of dollars each year. That I know.

On the other subject, the one on the Submerged Land Act, that is a problem on which I cannot say what happened, but I am certain the committee has some reports on it.

As far as ICEM, I will stand up and be counted against all arguments that we have done a good job on that program, and it has saved us a great deal of money.

Mr. ANDERSON of Tennessee. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the committee amendments.

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON ARMED SERVICES TO CONDUCT INVESTIGATION AND STUDY OF PROCUREMENT BY THE DEPARTMENT OF DEFENSE, PERSONNEL LAWS ADMINISTERED BY AND USE OF FUNDS BY SUCH DEPARTMENT, AND SCIENTIFIC RESEARCH IN SUPPORT OF THE ARMED SERVICES

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 105 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 105

Resolved, That effective from January 3, 1969, the Committee on Armed Services, acting as a whole or by subcommittee appointed by the chairman of the Committee on Armed Services, is authorized to conduct a full and complete investigation and study of all matters—

(1) relating to the procurement, use, and disposition of material, equipment, supplies, and services, and the acquisition, use, and disposition of real property, by or within the Department of Defense;

(2) relating to the military and civilian personnel under the jurisdiction of the Department of Defense;

(3) involving the laws, regulations, and directives administered by or within the Department of Defense;

(4) involving the use of appropriated and nonappropriated funds by or within the Department of Defense;

(5) relating to scientific research and development in support of the armed services; and

(6) all other matters within the legislative jurisdiction conferred by law or the Rules of the House of Representatives upon the Committee on Armed Services.

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within or without the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Armed Services of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. SMITH of California (during the reading). Mr. Speaker, this resolution is precisely the same, word for word, as those passed in previous Congresses. I ask unanimous consent that it be considered as read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO MAKE STUDIES AND INVESTIGATIONS WITHIN ITS JURISDICTION

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 116 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 116

Resolved, That effective January 3, 1969, the Committee on Interstate and Foreign Commerce may make investigations and studies into matters within its jurisdiction including the following:

(1) Policies with respect to competition among the various modes of transportation, whether rail, air, motor, water, or pipeline; measures for increased safety; ownership and control of transportation facilities; adequacy of the national transportation system for defense and the needs of an expanding economy.

(2) Policies with respect to the promotion of the development of civil aviation; measures for increased safety; restrictions which impede the free flow of air commerce; promotion of travel and tourism; routes, rates, accounts, and subsidy payments; airport construction, hazards of adjacency to airports, and condemnation of airspace, aircraft, and airline liability; aircraft research and development, and market for American aircraft; air navigational aids and traffic control;

(3) Allocation of radio spectrum; community antenna television; pay television; satellite communications; ownership, control, and operations of communications and related facilities; policies with respect to competition among various modes of communication, including voice and record communications and data processing; policies with respect to governmental communications systems; coordination of communication policies both domestic and foreign; impact of foreign operations, international agreements, and international organizations on domestic and foreign communications; technical developments in the communications field;

(4) Adequacy of the protection to investors afforded by the disclosure and regulatory provisions of the various securities Acts;

(5) Adequacy of petroleum, natural gas, and electric energy resources for defense and the needs for an expanding economy; adequacy, promotion, regulation, and safety of the facilities for extraction or generation, transmission, and distribution of such resources; development of synthetic liquid fuel processes; regulation of security issues of and control of natural gas pipeline companies;

(6) Advertising, fair competition, packaging, and labeling;

(7) Research in weather, including air pollution and smog, and artificially induced weather;

(8) Effects of inflation upon benefits provided under railroad retirement and railroad unemployment programs; and inequities in provisions of statutes relating thereto, with comparison of benefits under the social security system;

(9) Adequacy of medical facilities, medical personnel, and medical teaching and training facilities; research into human diseases; provisions for medical care; efficient and effective quarantine; protection to users against incorrectly labeled and deleterious foods, drugs, cosmetics, and devices; and other matters relating to public health; protection of the public against abuse of barbiturates, amphetamines, and other dangerous drugs;

(10) The War Claims Act and the Trading With the Enemy Act, including the provisions relating to direct foreign investment;

(11) Current and prospective consumption of newsprint and other papers used in the printing of newspapers, magazines or such other publications as are admitted to second-class mailing privileges; current and prospective production and supply of such papers, factors affecting such supply, and possibilities of additional production through the use of alternative source materials;

(12) Traffic accidents on the streets and highways of the United States; factors responsible for such accidents, the resulting deaths, personal injuries, and compensation for damages, economic losses, and measures for increased motor vehicle safety; and

(13) The administration of provisions of law relating to the above subjects and all others which are in the jurisdiction of such committee.

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purposes of such investigations and studies the committee, or any subcommittee thereof, may sit and act during the present Congress at such times and places within or outside the United States, whether the House has recessed or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee may report to the House at any time during the present Congress the results of any investigation or study made under authority of this resolution, together with such recommendations as it deems appropriate. Any such report shall be filed with the Clerk of the House if the House is not in session.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Interstate and Foreign Commerce of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. SMITH of California (during the reading). Mr. Speaker, this resolution is, word for word, identical with those previously passed. I ask unanimous consent that it be considered as having been read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

(Mr. MOSS asked and was given permission to extend his remarks at this point in the Record.)

Mr. MOSS. Mr. Speaker, at this time I had proposed to offer an amendment to House Resolution 116, which would clarify the fact that the committee, exercising its inherent constitutional and statutory right of legislative oversight, does have at least the same degree of power as the administrative commissions and board subject to its jurisdiction. But, after further study I find that such a clarification would be surplusage. Certainly, the independent regulatory commissions, as arms or agents of Congress, cannot have power greater than that of their principal. Nor can the constitutional right of oversight be any less broad in its exercise than the delegated statutory rights of the independent agencies.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON VETERANS' AFFAIRS TO CONDUCT INVESTIGATION AND STUDY WITH RESPECT TO CERTAIN MATTERS WITHIN ITS JURISDICTION

Mr. ANDERSON of Tennessee. Mr. Speaker, I call up House Resolution 47 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 47

Resolved, That, effective from January 3, 1969, the Committee on Veterans' Affairs, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of the following programs of benefits for veterans and their dependents and survivors:

(1) The programs of compensation and pension;

(2) The programs of hospitalization, domiciliary care, nursing home care, medical and dental care and treatment, and furnishing of prosthetic appliances;

(3) The insurance and indemnity programs;

(4) The housing and business loan programs, and the program of furnishing assistance for the acquisition of specially adapted housing;

(5) The programs of education and training (including vocational rehabilitation); and

(6) The furnishing of burial allowances: with a view to determining whether or not such programs are being conducted economically, efficiently, in the best interests of the Government and the beneficiaries of such programs, and in such a manner as to avoid the misuse of Government funds; whether or not such programs adequately serve the needs and protect the welfare of the beneficiaries of such programs; and whether changes in the law or in the administration and operation of the programs either will lead to greater efficiency and economy or will make such programs more adequately serve the needs of the beneficiaries of such programs.

The committee is also authorized to conduct a full and complete investigation and study to determine—

(1) the extent to which appeals for charitable contributions are made to the American people, or segments thereof, in the name of American veterans by appealing to the desire of the American people to assist such veterans and their survivors or dependents;

(2) whether an undue proportion of such charitable contributions is used to meet the expenses of conducting such appeals and for other administrative expenses rather than for providing services for or benefits to veterans;

(3) whether any of such appeals are fraudulent in nature;

(4) whether additional supervision of the fund-raising activities conducted by organizations chartered by Act of Congress in the name of veterans is necessary or desirable; and

(5) the existence of any other abuses connected with charitable appeals made in the name of veterans.

The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), as soon as practicable during the present Congress, the results of its investigations and studies, together with such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether or not the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such records, documents, and papers, to administer oaths, and to take such testimony as it deems necessary, except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member.

SEC. 2. In addition, the Committee on Veterans' Affairs is authorized to send not more than five members of such committee and not more than two staff assistants to the Republic of the Philippines and South Vietnam for the purpose of conducting a full and complete investigation and study into the disability compensation and pension program, the death compensation and death pension program, the dependency and indemnity compensation program, insurance, education, vocational rehabilitation, hospital and medical care, and other subjects properly coming within the jurisdiction of said committee in the Republic of the Philippines and in the case of American veterans and servicemen in South Vietnam the abovementioned subjects and the servicemen's group life insurance program: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Veterans' Affairs of the House of Representatives and employees engaged in carrying out ther official duties under section 190d of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. ANDERSON of Tennessee (during the reading). Mr. Speaker, I ask unanimous consent that the resolution may be considered as read. It is identical to those presented previously, except for an amendment clarifying the jurisdiction over cemeteries.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

Mr. GROSS. Mr. Speaker, reserving the right to object, would that amendment apply to the italicized language on page 5, section 3 of the bill? Is that what the gentleman is alluding to as the new language that has been added?

Mr. ANDERSON of Tennessee. Would the gentleman kindly repeat the question?

Mr. GROSS. Is the italicized language on page 5, section 3, new language included in this resolution? Is that the reason why it is italicized?

Mr. SMITH of California. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I am glad to yield to the gentleman from California.

Mr. SMITH of California. Mr. Speaker, in answer to the inquiry of the gentleman from Iowa, last year, after quite some extensive discussions, it was decided by the House of Representatives to turn jurisdiction of the subject of cemeteries over to the Veterans' Affairs Committee with the exception, I believe, of monumental cemeteries and, perhaps, one or two other special types of cemeteries throughout the world. We approved that. The resolution was brought in during the middle of the session, and was added as authority.

These cemeteries are located throughout the world. It was necessary to come in with a request for a travel resolution to visit the cemeteries.

My understanding is that if they are going to make a detailed study of these cemeteries they cannot do so without a travel resolution. I offered this language for that one purpose only, of allowing cemetery travel outside of the United States for investigation.

I have full confidence in the gentleman from Texas (Mr. TEAGUE), and believe it will not in any way be junkets or anything like that. The Rules Committee, I am certain, would immediately agree to any resolution to that effect, as we did last year.

That is the language in section 3, page 5, which is new language, and was an amendment offered by the gentleman from California.

Mr. GROSS. Let me thank the gentleman for his explanation.

Let me ask a question. Is Arlington National Cemetery now within the purview of the Veterans' Affairs Committee?

Mr. SMITH of California. Did the gentleman say Arlington?

Mr. GROSS. Arlington National Cemetery.

Mr. SMITH of California. I believe it is.

We have had a cemetery somewhere, Mr. Speaker, which is a congressional cemetery for burying Congressmen in. I do not believe any of us know where it is, but there is a cemetery out there for that.

I believe that is under the Veterans' Affairs Committee. I believe Arlington is under the Veterans' Affairs Committee.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Iowa.

Mr. KYL. The gentleman from California has explained the situation very correctly. The only cemeteries which are not under the Veterans' Affairs Committee now are those which are parts of historic sites, battlefields or monuments, where those cemeteries are actually part of the preservation which has another designation, and therefore, come under the Department of the Interior and the Committee on Interior and Insular Affairs rather than the Committee on Veterans' Affairs. In all other cases these are now included under the jurisdiction of the Veterans' Affairs Committee.

Mr. SMITH of California. I thank the gentleman.

Mr. GROSS. In the submission by the Committee on Veterans' Affairs of this resolution, was there any indication that the Committee on Veterans' Affairs proposes to look into the situation at Arlington National Cemetery and the burial restrictions which have been placed upon servicemen and members of their immediate families in that cemetery?

Mr. SMITH of California. On the presentation of this resolution, I do not recall. I do recall that last year, when the request was made to turn over jurisdiction to them, we were assured by the gentleman from Texas (Mr. TEAGUE) at that time that it would be one of the subject matters he would go into.

Mr. GROSS. Now it develops, after a period of secrecy and hush-hush procedures that former Secretary of Defense Robert Strange McNamara apparently entered into some kind of a deal to allot about a quarter acre of land in Arlington National Cemetery for the purpose, along with nearly a half million dollars of the taxpayers' money, of building a memorial to Robert F. Kennedy.

Was there any submission of evidence, when this resolution came before the Rules Committee, that the Veterans' Affairs Committee would look into this kind of an allocation of land when servicemen and their families are put on notice that there is an acute shortage of space in Arlington National Cemetery and that they may not be able to be buried there?

Mr. SMITH of California. There was no discussion of the subject you mention when this resolution was brought up. It gives them the jurisdiction. I suggest that it be brought to the attention of the gentleman from Texas (Mr. TEAGUE). We did not discuss that.

Mr. GROSS. I further call the attention of the Committee on Rules to the fact that there is a former President and former Chief Justice of the U.S. Supreme Court, buried in Arlington National Cemetery, by the name of William Howard Taft, whose remains require no part of a quarter of an acre of land. There is also buried in Arlington National Cemetery General of the Armies John J. Pershing, whose remains require no part of a quarter of an acre of land.

Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER** pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Tennessee?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to ask if, beginning with line 20 on page 3, the authorization to sit and act during the entire present Congress is traditional and previously accepted language and if the rights of the individual Members are protected by the balance of that section 1(5) wherein it says further that there is an exception and that when the House is in session they shall ask permission from day to day.

Mr. ANDERSON of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Tennessee.

Mr. ANDERSON of Tennessee. The language is the same as used previously except for section 3 relating to the jurisdiction on cemeteries.

Mr. HALL. I thank the gentleman. Then I understand there is no new language from line 20 on page 3 through line 10 on page 4?

Mr. ANDERSON of Tennessee. That is correct.

Mr. HALL. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

COMMITTEE AMENDMENTS

The **SPEAKER** pro tempore. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: On page 5, after line 2, insert the following paragraph:

"SEC. 3. The Committee is authorized to conduct a full and complete investigation and study of the establishment, operation, and maintenance of cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior. For the purposes of this section the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, as it deems necessary. The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

On page 5, line 3, immediately before "Notwithstanding", insert "SEC. 4."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO MAKE INVESTIGATIONS

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 21 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 21

Resolved, That effective from January 3, 1969, the Committee on Interior and Insular Affairs may make investigations and studies as required in connection with bills, resolutions, and other matters referred to it and, more specifically or in addition thereto, in connection with the following matters within its jurisdiction:

(1)(a) The status, progress, and administration of irrigation, reclamation, and other water resources development programs of the Department of the Interior and of other agencies insofar as the latter affect the work of the Department of the Interior with respect to such programs, including (i) policies and procedures relating to such programs, (ii) projects previously authorized, (iii) projects proposed for authorization and construction, and (iv) developments under the Small Reclamation Projects Act and the Rehabilitation and Betterment Act; (b) compacts relating to the use and apportionment of interstate waters; (c) the application to Federal agencies and activities of State laws governing the control, appropriation, and distribution of water; (d) the saline water research and development program; (e) the water resources research program; and (f) water resources planning conducted pursuant to the Water Resources Planning Act, including the establishment of river basin commissions and financial assistance to the States for water and related land resources planning.

(2)(a) The administration and operation of the mining and mineral leasing laws, including those which govern the development, utilization, and conservation of oil, gas, helium, geothermal steam, and associated resources of the public and other Federal lands; (b) mineral resources of the public lands and mining interests generally, including the conditions, problems, and needs of the mining and minerals industries; (c) mineral resources surveys and the exploration, development, production, and conservation of mineral resources; (d) research facilities needed to improve the position of the domestic mining and minerals industries; (e) capability of mining schools to support research facilities and assure domestic industry of a continuing source of technical talent; (f) proposed long-range domestic minerals programs, including availability of domestic minerals to fulfill all domestic requirements; (g) impact upon domestic mining industries caused by the transfer or disposal of excess and surplus Government-owned metals and minerals; and (h) the effects upon domestic mining industries resulting from the world metal situation and the means available to the Government to permit domestic mining industries to compete favorably in domestic and world markets, including cooperation with established international organizations.

(3)(a) The status, progress, and administration of the national park system and its units, including national seashores, national riverways, and national recreation areas, and of other recreational developments on public domain lands or reservations created out of the public domain and on areas under the jurisdiction of or affecting the Department of the Interior; and (b) national outdoor recreation plans and the administration of the land and water conservation fund.

(4)(a) The administration and operation of the laws governing the development, utilization, and conservation of the surface and subsurface resources of public lands administered by the Department of the Interior, of forest reserves created out of the public domain and of areas of the Outer Continental Shelf; (b) administration and operation of the Wilderness Act; and (c) the withdrawal or restriction on use of public domain or Outer Continental Shelf lands, including reservations created out of the public domain, by military and nonmilitary agencies of the Government from normal operation of the public land and mining laws and the Outer Continental Shelf Lands Act.

(5)(a) The administration of Indian affairs by agencies of the Government participating therein, the programs and policies of those agencies, the adequacy of existing Indian legislation, and the effectiveness with which it is being administered; (b) the release of Indian tribes and bands from Federal supervision, preparation therefor, and the effects thereof; (c) the availability to Indians of health, education, and welfare services and the extent to which they are receiving the full benefit of Federal programs in these areas; (d) the utilization of tribal lands and other resources, with particular attention to the means of developing the skill and aptitudes required for such utilization.

(6) The status, progress, and administration of the territories and insular possessions of the United States, Puerto Rico, and the Trust Territory of the Pacific Islands; the operation and administration of the Revised Virgin Islands Organic Act of 1954, the Virgin Islands Corporation Act of 1949, and Guam Organic Act of 1950, all as amended; local conditions bearing upon and the provisions to be included in organic acts for American Samoa and the Trust Territory of the Pacific Islands; the extension of various laws of the United States to American Samoa and the Trust Territory of the Pacific Islands; the granting of citizenship to residents of American Samoa; operations of the Peace Corps in the Trust Territory of the Pacific Islands; and American interests in Antarctica.

SEC. 2. For the purposes of making such investigations and studies, the committee, or any subcommittee thereof, may sit, hold hearings, and act during the present Congress at such times and places within the United States, its territories and possessions, Puerto Rico, the Trust Territory of the Pacific Islands, and the Pacific flag areas of the United States as the nature of the investigation or study requires, and be represented at any meeting called by an established international organization to consider matters that affect the areas of jurisdiction of the committee; may do so not only during the session but also during periods of recess and adjournment; and may require, by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Interior and Insular Affairs of the House of Representatives and its members and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided* (1) That no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) that no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose; (4) that each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. SMITH of California (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the Record.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from California?

There was no objection.

COMMITTEE AMENDMENT

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 5, line 7, strike out "Antarctica." and insert: "Antarctica: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

Mr. SMITH of California. Mr. Speaker, will the gentleman from Tennessee yield to me at this point?

Mr. ANDERSON of Tennessee. I yield to the gentleman from California.

Mr. SMITH of California, Mr. Speaker, this is an amendment which the Committee on Rules included to the effect that the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House of Representatives. This is standard language which we place in every resolution in an effort to avoid conflicts and duplications.

In this particular resolution, as well as in the next one to follow, apparently when they were drawn originally, this particular sentence was inadvertently left out. The Committee on Rules felt that it should be placed in this resolution as well as House Resolution 76. Therefore, this amendment was offered to accomplish that purpose.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. ANDERSON of Tennessee. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON DISTRICT OF COLUMBIA TO CONDUCT INVESTIGATION AND STUDY OF THE ORGANIZATION, MANAGEMENT, OPERATION, AND ADMINISTRATION OF DEPARTMENTS AND AGENCIES OF THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 76 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 76

Resolved, That the Committee on the District of Columbia, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of the following:

(1) the organization, management, operation, and administration of any department or agency of the government of the District of Columbia;

(2) the organization, management, operation, and administration of any independent agency or instrumentality of government operating solely in the District of Columbia; and

(3) those operations or activities directly affecting the District of Columbia, of any governmental agency or instrumentality operating on a regional basis entirely within the Washington metropolitan area.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on the District of Columbia for expenses of its members or other Members or employees traveling abroad.

Mr. ANDERSON of Tennessee (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

COMMITTEE AMENDMENT

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 3, strike out "area." and insert "area: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

The committee amendment was agreed to.

Mr. ANDERSON of Tennessee. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUSQUEHANNA RIVER BASIN COMPACT BILL

(Mr. FLOOD asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. FLOOD. Mr. Speaker, I am introducing today, for myself and many colleagues, a bill consenting to the Susquehanna River Basin compact and making the United States a signatory party thereto.

By any standard the Susquehanna River Basin is a major basin. The river is 448 miles in length, the 24th longest river in the United States. From its source, Otsego Lake in New York, it flows southward through Pennsylvania to the sea near the head of Chesapeake Bay at Havre de Grace, Md. The river drains an area of 27,500 square miles, the 17th largest basin in the United States. In the basin live 3,121,000 people.

The Susquehanna River drains more than 46 percent of the entire area of the Commonwealth of Pennsylvania and more than 1 in 5 of its people live in the basin. Seventy-six percent of the basin's area is in Pennsylvania, and 80 percent of its population are Pennsylvanians.

A single administrative agency to plan and coordinate programs is required to provide for the optimum conservation, development, utilization and management of the water and related land resources of this vast, relatively undeveloped region. The only means to this end is a Federal-interstate compact, the Susquehanna River Basin compact. It has already been enacted by the States of Maryland and New York and Commonwealth of Pennsylvania. What remains is enactment by the Congress.

Mr. Speaker, the Susquehanna compact is not the first of its type. In 1961 the Congress enacted the Delaware River Basin compact. It joins together in a common effort the four States of that basin, New York, Pennsylvania, New Jersey, and Delaware, and the United States. In all essential respects the Susquehanna and Delaware compacts are substantially similar. Indeed, most of the language of the Susquehanna is copied from Delaware. It cannot be said, therefore, that this type of instrument is untried. Moreover, that two of the States of the Delaware compact—Pennsylvania and New York—think well enough of that Federal-interstate compact to enact virtually the same arrangement for the Susquehanna is eloquent testimony to the efficacy of the Susquehanna River Basin compact. Only in two significant substantive respects do the two compacts differ. The Susquehanna compact is more explicit than the Delaware in empowering the Federal-interstate Commission to promote proper flood plain zoning and management. This change has merit in its own right, but, in addition, it serves to promote the policy the Congress enunciated in the National Flood Insurance Act of 1968, enacted as title XIII of the Housing and Urban Development Act of 1968. The new Federal statute requires effective State and local land use management in flood plains as a prerequisite to the issuance of flood insurance policies.

The second difference lies in the greater attention given by the Susquehanna compact to amenities such as the preservation and enhancement of scenic values and historical and cultural sites. I note once more this aspect of the compact is particularly important since the Susquehanna is the last remaining relatively undeveloped major basin of the Northeast-Middle Atlantic region, the most densely populated part of the country.

The compact is a long, complex document. It is broad in scope as just the listing of its substantive articles will show. They include: Water supply, water quality management and control, flood protection, watershed management, recreation, hydroelectric power, and withdrawals and diversions in protected areas and emergencies.

The purposes of the compact in general "are to promote interstate comity; to remove causes of possible controversy; to make secure and protect developments within the States; to encourage and provide for the planning, conservation, utilization, development, management, and control of the water resources of the basin; to provide for cooperation and coordinated planning and action by the signatory parties with respect to water resources; and to apply the principle of equal and uniform treatment to all users of water and of water related facilities without regard to political boundaries."

In recognition of the fact that the water resources of the basin are of local, State, regional, and national importance the compact provides for the establishment of the Susquehanna River Basin Commission composed of the very topmost level of State officials—the Governors or their immediate representatives—and a direct representative of the President. It is empowered to develop and effectuate plans, policies and projects relating to the water resources of the basin:

> It shall adopt and promote uniform and coordinated policies for water conservation and management . . . [and] shall encourage and direct the planning, development, operation, and subject to applicable laws, the financing of water resources projects according to such plans and policies.

As I have indicated, the compact is broad in scope. Necessarily, those powers conferred on the Susquehanna River Basin Commission are broad. But the compact also provides that:

> It is the express intent of the signatory parties that the commission shall engage in the construction, operation, and maintenance of a project *only* when the project is necessary to the execution of the comprehensive plan and *no other competent agency is in a position to act, or such agency fails to act.* (Emphasis supplied.)

Moreover, the signatory parties affirm as their stated policy 'to preserve and utilize the functions, powers, and duties of the existing offices and agencies of government to the extent consistent with this compact, and the commission is directed to utilize those offices and agencies for the purposes of this compact.

The document provides expressly that:

> Nothing in this compact shall be construed to repeal, modify or qualify the authority of any signatory party to enact any legislation or enforce any additional conditions and restrictions within its jurisdiction.

The powers of the Congress are specifically protected. Article 1.4 states:

> Nothing in this compact shall be construed to relinquish the functions, powers, or duties of the Congress of the United States with respect to the control of any navigable waters within the basin, nor shall any provisions hereof be construed in derogation of any of the constitutional powers to regulate commerce among the states and with foreign nations. The power and right of the Congress to withdraw the Federal Government as a party to this compact or to revise or modify the terms, conditions, and provisions under which it may remain a party by amendment, repeal, or modification of any Federal statute applicable hereto is recognized by the signatory parties.

The bill that I am introducing also contains a number of reservations and conditions with respect to Federal participation in the compact. In the main, these follow the Delaware compact precedent, but there are some changes.

The Susquehanna compact makes it clear that the U.S. member of the Susquehanna River Basin Commission is to be the direct representative of the President. This is the intent of the Delaware compact and the Federal enabling statute, and, for that matter, the practice that has been followed. It was recognized that the coordinative authority of Governors with respect to State agencies made it necessary that the Federal member of the commission be directly responsible to the head of the Federal executive branch.

It was felt necessary, too, to clarify the assurance contained in the Delaware compact and repeated in the Susquehanna that, except as specifically required by the compact, or reservations in the enabling statute, the responsibilities of other Federal of other Federal agencies are not affected. In any event, the language of this bill makes it clear that the Congress reserves its full authority to legislate.

Several provisions of the Delaware statute, provisions carried over in the Susquehanna, are designed to make the Federal-interstate Commission a Federal agency for some purposes, but not for others. In several instances, however, a change from the Delaware model is warranted.

One of these makes clear that the Susquehanna River Basin Commission is not a Federal agency for purposes of the Federal Water Power Act. The reservation to the Susquehanna goes on to provide that no license from the Federal Power Commission to develop a project for hydroelectric power generation would be required if the project were one authorized by the Congress, and if the authorization included hydroelectric power.

The Delaware statute continues in unmodified form the jurisdiction of the Federal Water Pollution Control Administration over water quality in the Delaware River. This seems rather anomalous since the Federal-interstate Commission has regulatory authority over water quality, and one of its members is the President's representative. As a matter of fact, the U.S. member on the Delaware River Basin Commission is the Secretary of the Interior. To avoid this anomaly, the Susquehanna bill provides for a limitation on the applicability of the Federal Water Pollution Control Act in those instances in which the U.S. member concurs in Commission action regarding water quality.

Mr. Speaker, the proposal we are making is not a hastily conceived one. The Interstate Advisory Committee on the Susquehanna River Basin met for the first time in May 1962. The advisory committee, which continues to exist under legislation enacted by each of the States, is made up of representatives of both the legislative and executive branches of the respective State governments. In 1964 the advisory committee established a special task force to draft a document, the ultimate product of which is before this body. Between its first meeting in June 1964 and its final one in March 1966, the task force met 19 times. Periodically the parent body reviewed the work of the task force, and in April 1966, approved the Susquehanna River Basin compact for publication and distribution. Following the document's publication, the advisory committee distributed it widely. Copies were sent to Federal, State, and local agencies and to interested private persons. Many comments and suggestions were received, and many of these were incorporated in the draft document that was presented to the legislatures. In 1967, the compact was adopted by Maryland and New York, in 1968 by Pennsylvania.

The Susquehanna River Basin compact is but the second Federal-interstate compact the Congress has been called upon to consider. The compact device, however, is a very familiar one. Recognition of its use was given in article I, section 10 of the Constitution which states that:

> No State shall, without the Consent of Congress . . . enter into any Agreement or Compact with another State or a foreign power.

At least 13 agreements were concluded during the colonial period. One, the Potomac River compact of 1785, was in effect until it was replaced a few years ago. Since the Constitution went into effect more than 150 interstate compacts have been adopted. The device has been used in such diverse fields as education, planning and development, transportation, conservation and corrections. It has a long and honorable history in regard to apportionment of water, water pollution control and water resources development. In short, the compact is the accepted device to bring about cooperation among governments to achieve a common end. With four major governments, the three States and the United States, sharing jurisdiction in the Susquehanna River Basin, the only way that each may meet its responsibilities in the region is through their acting together. This the Susquehanna River Basin compact makes possible.

The Susquehanna is the last major relatively undeveloped river basin in the Northeast-Middle Atlantic region. Accordingly, it is particularly in need of a Federal-interstate coordinating mechanism to guide the conservation, development, and administration of its resources in a manner which will most efficiently serve the needs of its population, and which will preserve and enhance its value as a scenic and recreational asset for the tens of millions who live within several hundred miles of the basin. Fine as the individual programs of many Federal agencies may be, and valuable as the efforts of the three separate States and each of their agencies may be, a comprehensive and coordinated governmental management instrument is by far the best hope of safeguarding and maximizing the usefulness of the Susquehanna in a way that will accord proper recognition and give effect to the State, regional, and national interests involved. Because the extreme population pressures already ringing the basin are bound to accelerate the trend toward fragmented, duplicative, and unplanned development, an overall, combined instrument for the legal and administrative coordination of Federal and State activity is urgent. The dangers of fragmentation arise, on the one hand, from the separatism of Federal agencies and, on the other, from the individuality of State programs.

The Susquehanna River Basin compact can provide the means of overcoming these difficulties. If Congress also enacts it, the document will be both Federal and State law. Consequently, all of the governments and agencies working in any part of the basin will be brought within a single framework. The Susquehanna River Basin Commission composed of the very topmost level of State representation—the Governors or their immediate representatives—and a direct representative of the President will come into operation. While the Commission will be an administrative body in its own right, the compact contains specific safeguards against its displacing existing agencies—Federal, State, or local. Coordination will be achieved, while permitting all existing talents and facilities to be employed.

I repeat, the Susquehanna compact would not be the first of its type. In 1961 the Congress enacted the Delaware River Basin compact. While it was made clear at the time that the Federal-interstate compact was an experiment, and some Federal agencies took the position that it should not be regarded as a precedent, the record of achievement under the Delaware compact demonstrates that a similar instrument would be most advantageous for the Susquehanna Basin. The Delaware River Basin Commission successfully managed the acute water shortage of the mid-1960's without denying essential supplies to any of the public and private entities dependent on Delaware Basin water, including the tremendous metropolitan complexes of New York City and Philadelphia. It also succeeded in formulating and harmonizing a set of basinwide water quality standards for submission to the Secretary of the Interior under the Water Quality Act of 1965. This is the only instance of such an accomplishment in the entire Nation, and it was done in an area of varied and complex water problems embracing parts of four States. Third, the Delaware Commission is spearheading the studies necessary to protect the environment in the Delaware Water Gap National Recreation Area. Since this involves the close meshing of the planning, developmental and conservation activities of Pennsylvania, New Jersey, New York, and the Federal Government, it is doubtful that it could be properly undertaken at all in the absence of the Delaware compact. Finally, the compact has established the intergovernmental operating agency which was able to act as the local sponsor of several Federal reservoir projects. Since the benefits of each of these projects will be substantially interstate in character, no one State, and certainly no combination of local governments within a State, was in a position to give the necessary local assurances. It is submitted that these four major accomplishments illustrate what could be done on the Susquehanna, if a similar compact and Federal enabling statute were enacted by Congress for that basin.

I repeat, only in two significant substantive respects do the two compacts differ. The Susquehanna compact is more explicit in empowering the Federal-interstate Commission to promote proper flood plain zoning and management. Not only is this an important advance, but it is directly in line with the policies of the Congress which enacted the National Flood Insurance Act of 1968 as title 13 of the Omnibus Housing Act. This new Federal statute requires effective State and local land use management in flood plains as a prerequisite to the availability of insurance under the Federal program.

I emphasize, the second difference is in the greater attention to concern with amenities such as scenic values and historical and cultural sites. This is particularly significant for the Susquehanna because as pointed out earlier, this basin is the last remaining relatively undeveloped major basin in the most densely populated part of the entire Nation.

The Susquehanna compact must be part of a Federal statute which will do two things: First, enact it into Federal law, thereby making the United States a full participant; and second, contain such auxiliary provisions as are desirable to fit the compact into the general pattern of Federal law. Section 1 of the bill accomplishes the first task. Section 2 covers the second requirement in much the same fashion as similar provisions of the Federal enabling statute for the Delaware River Basin compact. However, there are several differences between the Susquehanna bill and the "reservations" included as part of the Delaware statute. These are indicated below, together with the reasons for the changes.

Section 2(q) of the Susquehanna bill is identical with section 15.1(r) of the Delaware statute, except for the addition of language making it clear that the U.S. member of the Susquehanna River Basin Commission is to be the direct representative of the President. This is the intent of the Delaware compact and of the Federal enabling statute. It was recognized that to match the coordinative authority of the Governors with respect to the activities of State agencies, it was necessary that the Federal member of the Commission be directly responsible to the head of the Federal executive branch. However, a draft Executive order recently sent to the Bureau of the Budget by the Water Resources Council would have subjected the Federal members of compact commissions to check by both field level interdepartmental committees and the Water Resources Council. Fortunately, the President has not issued the order, but the auspices under which it was proposed appears to make it desirable that Congress reinforce its original intent. Impeding and downgrading the President's representative on a Federal-interstate body would give individual Federal agencies powers of delay and ultimate vetoes properly exercised only by Congress and the President, and would materially impair the coordinating capability of the compact.

In this same connection, it should be noted that a draft of enabling legislation for the Susquehanna compact presented to the States by the Water Resources Council would give the U.S. member a veto over Commission action. The Delaware statute confines such power to Congress and the President and carefully details the procedures and circumstances for its exercise, in order to make clear that any such action is intended to be extraordinary, and only for truly compelling reasons.

Section 2(r) of the Susquehanna bill is equivalent to section 15.1(s) of the Delaware statute in purpose and meaning. Both provide assurance that, except as specifically required by the compact, or reservations in the enabling statute, the responsibilities of other Federal agencies are unaffected. If it were not for the recent suggestions that individual executive agencies should be unilaterally free to offer their own interpretations of any other act of Congress as a basis for disregarding the compact and the Federal-Interstate Commission, alteration of the Delaware statute's language on this point probably would not have occurred to anyone. However, it now seems desirable to make it even clearer that in enacting the Susquehanna compact, the Congress reserves its full authority to legislate, and that it is not conferring a like authority on individual segments of the executive branch.

Several provisions of the Delaware statute are designed to make the Federal-Interstate Commission a Federal agency for some purposes but not for others. On the whole, there is no difficulty with this concept. In fact, the basic value of the

Susquehanna River Basin Commission is that it will be a hybrid, able to accomplish tasks that neither Federal nor State Governments could do separately. However, it would be well to improve on the Delaware statute in several particulars.

First. It has been suggested that in section 2(1)—the comparable provision to section 15.1(m) of the Delaware statute—it would be appropriate to make it clear that the Susquehanna River Basin Commission is not a Federal agency for purposes of the Federal Water Power Act. I say again a consequence would be to require the commission to obtain a license from the FPC if it should decide to develop a project for hydroelectric power generation. The Susquehanna bill incorporates this suggestion, but it also provides that no such license would be required, if the project is one authorized by the Congress, and if the authorization includes hydroelectric power.

Second. The Delaware statute continues the jurisdiction in unmodified form of the Federal Water Pollution Control Administration over water quality in the Delaware River. This seems rather anomalous, because the Federal-interstate Commission has regulatory authority over water quality and one of the members of the Commission is the President's representative. In fact, on the Delaware River Basin Commission, the Secretary of the Interior is himself the U.S. member. In order to remove this anomaly, the Susquehanna bill provides for a limitation on the applicability of the Federal Water Pollution Control Act in which the U.S. member of the Susquehanna Commission concurs in Commission action regarding water quality control. It seems destructive to authorize the Federal executive branch to proceed in two independent and possibly conflicting ways to abate pollution.

Third. The general effect of the Delaware statute and its interpretation by the Civil Service Commission has been to exclude employees of the Federal-interstate Commission from coverage by the Federal employees retirement system and other Federal employee fringe benefits. Since such a commission it not entirely a Federal agency, there is justice in the position. However, it would be desirable to authorize the Federal agencies administering employee benefit plans to make coverage agreements with the Federal-interstate Commission. If the Commission were willing to pay the full employer's share, and the Commission's employees were required to pay the remainder of the premiums, there would be no cost to the Federal Government. States make such arrangements with interstate agencies in which they participate. Accordingly, section 2(m) of the Susquehanna bill authorizes the making of coverage agreements. Otherwise, it is identical with the Delaware statute provision.

Finally, two provisions of the Delaware statute have been omitted from the Susquehanna bill, because their purposes are accomplished by provisions of the Susquehanna compact itself. These provisions of the Delaware statute are: Sections 15.1 (d) and (h).

Mr. Speaker, I submit in the best interest of this Nation this bill should become law.

A list of Pennsylvania sponsors and the House joint resolution follows:

PENNSYLVANIA MEMBERS COSPONSORING CONGRESSMAN DANIEL J. FLOOD'S BILL TO ESTABLISH THE SUSQUEHANNA RIVER BASIN COMPACT

Mr. SCHNEEBELI, Mr. ROONEY, Mr. EILBERG, Mr. NIX, Mr. FULTON, Mr. GAYDOS, Mr. JOHNSON, Mr. MOORHEAD, Mr. BIESTER, Mr. GREEN, Mr. DENT, Mr. BARRETT, Mr. VIGORITO, Mr. CLARK, Mr. WATKINS, Mr. BYRNE, and Mr. McDADE.

H.J. RES. 380

Joint resolution consenting to the Susquehanna River Basin Compact, enacting the same into law thereby making the United States a signatory party; making certain reservations on behalf of the United States, and for related purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SUSQUEHANNA RIVER BASIN COMPACT

SECTION 1. The consent of Congress is hereby given to the Susquehanna River Basin Compact in the form substantially as follows, and the Compact is hereby enacted into law thereby making the United States a signatory party thereto.

"SUSQUEHANNA RIVER BASIN COMPACT

"PREAMBLE

"Whereas the signatory parties hereto recognize the water resources of the Susquehanna River Basin as regional assets vested with local, state, and national interest for which they have a joint responsibility; and declare as follows:

"1. The conservation, utilization, development, management, and control of the water resources of the Susquehanna River Basin under comprehensive multiple purpose planning will bring the greatest benefits and produce the most efficient service in the public interest; and

"2. This comprehensive planning administered by a basin-wide agency will provide flood damage reduction, conservation and development of surface and ground water supply for municipal, industrial, and agricultural, uses, development of recreational facilities in relation to reservoirs, lakes and streams, propagation of fish and game, promotion of forest land management, soil conservation, and watershed projects, protection and aid to fisheries, development of hydroelectric power potentialities, improved navigation, control of the movement of salt water, abatement and control of water pollution, and regulation of stream flows toward the attainment of these goals; and

"3. The water resources of the basin are presently subject to the duplicating, overlapping, and uncoordinated administration of a large number of governmental agencies which exercise a multiplicity of powers resulting in a splintering of authority and responsibility; and

"4. The Interstate Advisory Committee on the Susquehanna River Basin, created by action of the states of New York, Pennsylvania, and Maryland, on the basis of its studies and deliberation has concluded that regional development of the Susquehanna River Basin is feasible, advisable, and urgently needed, and has recommended that an intergovernmental compact with Federal participation be consummated to this end; and

"5. The Congress of the United States and the executive branch of the Federal government have recognized a national interest in the Susquehanna River Basin by authorizing and directing the Corps of Engineers of the Department of the Army, the Department of Agriculture, the Department of Health, Education and Welfare, the Department of Interior, and other Federal agencies to cooperate in making comprehensive surveys and reports concerning the water resources of the Susquehanna River Basin in which individually or severally the technical aid and assistance of many Federal and state agencies have been enlisted, and which are being or have been coordinated through a Susquehanna River Basin Study Coordinating Committee on which the Corps of Engineers of the Department of the Army, the Department of Agriculture, the Department of Commerce, the Department of Health, Education and Welfare, the Department of Interior, the Department of Housing and Urban Development and its predecessor Housing and Home Finance Agency, the Federal Power Commission, and the States of New York, Pennsylvania, and Maryland are or were represented; and

"6. Some three million people live and work in the Susquehanna River Basin and its environs, and the government, employment, industry, and economic development of the entire region and the health, safety, and general well being of its population are and will continue to be affected vitally by the conservation, utilization, development, management, and control of the water resources of the basin; and

"7. Demands upon the water resources of the basin are expected to mount because of anticipated increases in population and by reason of industrial and economic growth of the basin and its service area; and

"8. Water resources planning and development are technical, complex, and expensive, often requiring fifteen to twenty years from the conception to the completion of large or extensive projects; and

"9. The public interest requires that facilities must be ready and operative when and where needed, to avoid the damages of unexpected floods or prolonged drought, and for other purposes; and

"10. The Interstate Advisory Committee on the Susquehanna River Basin has prepared a draft of an intergovernmental compact for the creation of a basin agency, and the signatory parties desire to effectuate the purposes thereof; Now therefore

"The States of New York and Maryland and the Commonwealth of Pennsylvania, and the United States of America hereby solemnly covenant and agree with each other, upon the enactment of concurrent legislation by the Congress of the United States and by the respective state legislatures, to the Susquehanna River Basin Compact which consists of this Preamble and the Articles that follow.

"ARTICLE 1

"SHORT TITLE, DEFINITIONS, PURPOSES, AND LIMITATIONS

"SECTION 1.1—SHORT TITLE. This compact shall be known and may be cited as the Susquehanna River Basin Compact.

"1.2—DEFINITIONS. For the purpose of this compact, and of any supplemental or concurring legislation enacted pursuant to it:

"1. 'Basin' shall mean the area of drainage of the Susquehanna River and its tributaries into Chesapeake Bay to the southern edge of the Pennsylvania Railroad bridge between Havre de Grace and Perryville, Maryland.

"2. 'Commission' shall mean the Susquehanna River Basin Commission hereby created, and the term 'Commissioner' shall mean a member of the commission.

"3. 'Cost' shall mean direct and indirect expenditures, commitment, and net induced adverse effects, whether or not compensated for, used or incurred in connection with the establishment, acquisition, construction, maintenance, and operation of a project.

"4. 'Diversion' shall mean the transfer of water into or from the basin.

"5. 'Facility' shall mean any real or personal property, within or without the basin, and improvements thereof or thereon, and any and all rights of way, water, water rights, plants structures, machinery, and equipment acquired, constructed, operated, or maintained for the beneficial use of water resources or related land uses or otherwise including, without limiting the generality of the foregoing, any and all things and appurtenances necessary, useful, or convenient for the control, collection, storage, withdrawal, diversion, release, treatment, transmission, sale, or exchange of water; or for navigation thereon, or the development and use of hydroelectric energy and power, and public recreational facilities; or the propagation of fish and wildlife; or to conserve and protect the water resources of the basin or any existing or future water supply source, or to facilitate any other uses of any of them.

"6. 'Federal government' shall mean the government of the United States of America, and any appropriate branch, department, bureau, or division thereof, as the case may be.

"7. 'Project' shall mean any work, service, or activity which is separately planned, financed, or identified by the commission, or any separate facility undertaken or to be undertaken by the commission or otherwise within a specified area, for the conservation, utilization, control, development, or management of water resources which can be established and utilized independently or as an addition to an existing facility and can be considered as a separate entity for purposes of evaluation.

"8. 'Signatory party' shall mean a state or commonwealth party to this compact, or the Federal government.

"9. 'Waters' shall mean both surface and underground waters which are contained within the drainage area of the Susquehanna River in the states of New York, Pennsylvania, and Maryland.

"10. 'Water resources' shall include all waters and related natural resources within the basin.

"11. 'Withdrawal' shall mean a taking or removal of water from any source within the basin for use within the basin.

"12. 'Person' shall mean an individual, corporation, partnership, unincorporated association, and the like and shall have no gender, and the singular shall include the plural.

"1.3—Purpose and Findings. The legislative bodies of the respective signatory parties hereby find and declare:

"1. The water resources of the Susquehanna River Basin are effected with a local, state, regional, and national interest, and the planning, conservation, utilization, development, management, and control of these resources, under appropriate arrangements for intergovernmental cooperation, are public purposes of the respective signatory parties.

"2. The water resources of the basin are subject to the sovereign rights and responsibilities of the signatory parties, and it is the purpose of this compact to provide for a joint exercise of these powers of sovereignty in the common interest of the people of the region.

"3. The water resources of the basin are functionally interrelated, and the uses of these resources are interdependent. A single administrative agency is therefore essential for effective and economical direction, supervision, and coordination of water resources efforts and programs of federal, state, and local governments and of private enterprise.

"4. Present and future demands require increasing economies and efficiencies in the use and reuse of water resources, and these can be brought about only by comprehensive planning, programming, and management under the direction of a single administrative agency.

"5. In general, the purposes of this compact are to promote interstate comity; to remove causes of possible controversy; to make secure and protect developments within the states; to encourage and provide for the planning, conservation, utilization, development, management, and control of the water resources of the basin; to provide for cooperative and coordinated planning and action by the signatory parties with respect to water resources; and to apply the principle of equal and uniform treatment to all users of water and of water related facilities without regard to political boundaries.

"6. It is the express intent of the signatory parties that the commission shall engage in the construction, operation, and maintenance of a project only when the project is necessary to the execution of the comprehensive plan and no other competent agency is in a position to act, or such agency fails to act.

"1.4—Powers of Congress; Withdrawal. Nothing in this compact shall be construed to relinquish the functions, powers, or duties of the Congress of the United States with respect to the control of any navigable waters within the basin, nor shall any provisions hereof be construed in deregation of any of the constitutional powers of the Congress to regulate commerce among the states and with foreign nations. The power and right of the Congress to withdraw the Federal government as a party to this compact or to revise or modify the terms, conditions, and provisions under which it may remain a party by amendment, repeal, or modification of any Federal statute applicable hereto is recognized by the signatory parties.

"1.5—Duration of Compact.

"(a) The duration of this compact shall be for an initial period of 100 years from its effective date, and it shall be continued for additional periods of 100 years if not less than 20 years nor more than 25 years prior to the termination of the initial period or any succeeding period none of the signatory states, by authority of an act of its legislature, notifies the commission of intention to terminate the compact at the end of the then current 100-year period.

"(b) In the event this compact should be terminated by operation of paragraph (a) above, the commission shall be dissolved, its assets and liabilities transferred in accordance with the equities of the signatory parties therein, and its corporate affairs wound up in accordance with agreement of the signatory parties or, failing agreement, by act of the Congress.

"ARTICLE 2

"ORGANIZATION AND AREA

"Section 2.1—Commission Created. The Susquehanna River Basin Commission is hereby created as a body politic and corporate, with succession for the duration of this compact, as an agency and instrumentality of the governments of the respective signatory parties.

"2.2—Commission Membership. The members of the commission shall be the governor or the designee of the governor of each signatory state, to act for him, and one member to be appointed by the President of the United States to serve at the pleasure of the President.

"2.3—Alternates. An alternate from each signatory party shall be appointed by its member of the commission unless otherwise provided by the laws of the signatory party. The alternate, in the absence of the member, shall represent the member and act for him.

In the event of a vacancy in the office of alternate, it shall be filled in the same manner as the original appointment.

"2.4—Compensation. Members of the commission and alternates shall serve without compensation from the commission but may be reimbursed for necessary expenses incurred in and incident to the performance of their duties.

"2.5—Voting Power. Each member is entitled to one vote. No action of the commission may be taken unless three of the four members vote in favor thereof.

"2.6—Organization and Procedure. The commission shall provide for its own organization and procedure, and shall adopt the rules and regulations governing its meetings and transactions. It shall organize annually by the election of a chairman and vice-chairman from among its members. It shall provide by its rules for the appointment by each member in his discretion of an advisory to serve without compensation from the commission, who may attend all meetings of the commission and its committees.

"2.7—Jurisdiction of the Commission. The commission shall have, exercise, and discharge its functions, powers, and duties within the limits of the basin. Outside the basin, the commission shall act at its discretion, but only to the extent necessary to implement its responsibilities within the basin, and where necessary subject to the consent of the state wherein it proposes to act.

"ARTICLE 3

"POWERS AND DUTIES OF THE COMMISSION

"Section 3.1—General. The Commission shall develop and effectuate plans, policies, and projects relating to the water resources of the basin. It shall adopt and promote uniform and coordinated policies for water resources conservation and management in the basin. It shall encourage and direct the planning, development, operation, and subject to applicable laws the financing of water resources projects according to such plans and policies.

"3.2—Policy. It is the policy of the signatory parties to preserve and utilize the functions, powers, and duties of the existing offices and agencies of government to the extent consistent with this compact, and the commission is directed to utilize those offices and agencies for the purposes of this compact.

"3.3—Comprehensive Plan, Program and Budgets. The commission in accordance with Article 14 of this compact, shall formulate and adopt:

"1. A comprehensive plan, after consultation with appropriate water users and interested public bodies for the immediate and long range development and use of the water resources of the basin:

"2. A water resources program, based upon the comprehensive plan, which shall include a systematic presentation of the quantity and quality of water resources needs of the area to be served for such reasonably foreseeable period as the commission may determine, balanced by existing and proposed projects required to satisfy such needs, including all public and private projects affecting the basin, together with a separate statement of the projects proposed to be undertaken by the commission during such period; and

"3. An annual current expense budget and an annual capital budget consistent with the commission's program, projects, and facilities for the budget period.

"3.4—Powers of Commission. The commission may:

"1. Plan, design, acquire, construct, reconstruct, complete, own, improve, extend, develop, operate, and maintain any and all projects, facilities, properties, activities, and services which are determined by the commission to be necessary, convenient, or useful for the purposes of this compact.

"2. Establish standards of planning, design, and operation of all projects and facilities in the basin to the extent they affect water resources, including without limitation thereto water, sewage and other waste treatment plants and facilities, pipelines, transmission lines, stream and lake recreational facilities, trunk mains for water distribution, local flood protection works, watershed management programs, and ground water recharging operations.

"3. Conduct and sponsor research on water resources and their planning, use, conservation, management, development, control, and protection, and the capacity, adaptability, and best utility of each facility thereof, and collect, compile, correlate, analyze, report, and interpret data on water resources and uses in the basin, including without limitation thereto the relation of water to other resources, industrial water technology, ground water movement, relation between water price and water demand and other economic factors, and general hydrological conditions.

"4. Collect, compile, coordinate, and interpret systematic surface and ground water data, and publicize such information when and as needed for water uses, flood warning, quality maintenance, or other purposes.

"5. Conduct ground and surface water investigations, tests, and operations, and compile data relating thereto, as may be required to formulate and administer the comprehensive plan.

"6. Prepare, publish, and disseminate information and reports concerning the water problems of the basin and for the presentation of the needs and resources of the basin and policies of the commission to executive and legislative branches of the signatory parties.

"7. Negotiate loans, grants, gifts, services, or other aids as may be lawfully available from public or private sources to finance or assist in effectuating any of the purposes of this compact, and receive and accept them upon terms and conditions, and subject to provisions, as may be required by Federal or state law or as the commission may deem necessary or desirable.

"8. Exercise such other and different powers as may be delegated to it by this compact or otherwise pursuant to law, and have and exercise all powers necessary or convenient to carry out its express powers and other powers which reasonably may be implied therefrom.

"9. Adopt, amend, and repeal rules and regulations to implement this compact.

"3.5—Duties of the Commission. The commission shall:

"1. Develop and effectuate plans, policies, and projects relating to water resources, adopt, promote, and coordinate policies and standards for water resources conservation, control, utilization, and management, and promote and implement the planning, development, and financing of water resources projects.

"2. Undertake investigations, studies, and surveys, and acquire, construct, operate, and maintain projects and facilities in regard to the water resources of the basin, whenever it is deemed necessary to do so to activate or effectuate any of the provisions of this compact.

"3. Administer, manage, and control water resources in all matters determined by the commission to be interstate in nature or to have a major effect on the water resources and water resources management.

"4. Assume jurisdiction in any matter affecting water resources whenever it determines after investigation and public hearing upon due notice given, that the effectuation of the comprehensive plan or the implementation of this compact so requires. If the commission finds upon subsequent hearing requested by an affected signatory party that the party will take the necessary action, the commission may relinquish jurisdiction.

"5. Investigate and determine if the requirements of the compact or the rules and regulations of the commission are complied with, and if satisfactory progress has not been made, institute an action or actions in its own name in any state or federal court of competent jurisdiction to compel compliance with any and all of the provisions of this compact or any of the rules and regulations of the commission adopted pursuant thereto. An action shall be instituted in the name of the commission and shall be conducted by its own counsel.

"3.6—Cooperative Legislation and Further Jurisdiction.

"(a) Each of the signatory parties agrees that it will seek enactment of such additional legislation as will be required to enable its officers, departments, commissions, boards, and agents to accomplish effectively the obligations and duties assumed under the terms of this compact.

"(b) Nothing in the compact shall be construed to repeal, modify or qualify the authority of any signatory party to enact any legislation or enforce any additional conditions and restrictions within its jurisdiction.

"3.7—Coordination and Cooperation. The commission shall promote and aid the coordination of the activities and programs of Federal, state, municipal, and private agencies concerned with water resources administration in the basin. To this end, but without limitation thereto, the commission may:

"1. Advise, consult, contract, financially assist, or otherwise cooperate with any and all such agencies;

"2. Employ any other agency or instrumentality of any of the signatory parties or of any political subdivision thereof, in the design, construction, operation, and maintenance of structures, and the installation and management of river control systems, or for any other purpose;

"3. Develop and adopt plans and specifications for particular water resources projects and facilities which so far as consistent with the comprehensive plan incorporate any separate plans of other public and private organizations operating in the basin, and permit the decentralized administration thereof;

"4. Qualify as a sponsoring agency under any Federal legislation heretofore or hereafter enacted to provide financial or other assistance for the planning, conservation, utilization, development, management, or control of water resources.

"3.8—Allocations, Diversions, and Releases.

"(a) The commission shall have power from time to time as the need appears, to allocate the waters of the basin to and among the states signatory to this compact and impose related conditions, obligations, and release requirements.

"(b) The commission shall have power from time to time as the need appears to enter into agreements with other river basin commissions or other states with respect to in-basin and out-of-basin allocations, withdrawals, and diversions.

"(c) No allocation of waters made pursuant to this section shall constitute a prior appropriation of the waters of the basin or confer any superiority of right in respect to the use of those waters, nor shall any such action be deemed to constitute an apportionment of the waters of the basin among the parties hereto. This subsection shall not be deemed to limit or restrict the power of the commission to enter into covenants with respect to water supply, with a duration not exceeding the life of this compact, as it may deem necessary for the benefit or development of the water resources of the basin.

"3.9—Rates and Charges. The commission, from time to time after public hearing upon due notice given may fix, alter, and revise rates, rentals, charges, and tolls, and classifications thereof, without regulation or control by any department, office, or agency of any signatory party, for the use of facilities owned or operated by it, and any services or products which it provides.

"3.10—Referral and Review. No projects affecting the water resources of the basin, except those not requiring review and approval by the commission under paragraph 3 following, shall be undertaken by any person, governmental authority or other entity prior to submission to and approval by the commission or appropriate agencies of the signatory parties for review.

"1. All water resources projects for which a permit or other form of permission to proceed with construction or implementation is required by legislative action of a signatory party or by rule or regulation of an office or agency of a signatory party having functions, powers, and duties in the planning, conservation, development, management, or control of water resources shall be submitted as heretofore to the appropriate office or agency of the signatory party for review and approval. To assure that the commission is apprised of all projects within the basin, monthly reports and listings of all permits granted, or similar actions taken, by offices or agencies of the signatory parties shall be submitted to the commission in a manner prescribed by it.

"Those projects which also require commission approval pursuant to the provisions of paragraphs 2 (ii) and 2 (iii) following shall be submitted to the commission through appropriate offices or agencies of a signatory party, except that, if no agency of a signatory party has jurisdiction, such projects shall be submitted directly to the commission in such manner as the commission shall prescribe.

"2. Approval of the commission shall be required for, but not limited to, the following:

"(i) All projects on or crossing the boundary between any two signatory states;

"(ii) Any project involving the diversion of water;

"(iii) Any project within the boundaries of any signatory state found and determined by the commission or by any agency of a signatory party having functions, powers, and duties in the planning, conservation, development, management, or control of water resources to have a significant effect on water resources within another signatory state; and

"(iv) Any project which has been included by the commission after hearing, as provided in Article 14, Section 14.1, as a part of the commission's comprehensive plan for the development of the water resources of the basin, or which would have a significant effect upon the plan.

"3. Review and approval by the commission shall not be required for:

"(i) Projects which fall into an exempt classification or designation established by legislative action of a signatory party or by rule or regulation of an office or agency of a signatory party having functions, powers, and duties in the planning, conservation, development, management, or control of water resources. The sponsors of those projects are not required to obtain a permit or other form of permission to proceed with construction or implementation, unless it is determined by the commission or by the agency of a signatory party that such project or projects may cause an adverse, adverse cumulative, or an interstate effect on water resources of the basin, and the project sponsor has been notified in writing by the commission or by the agency of a signatory party that commission approval is required.

"(ii) Projects which are classified by the commission as not requiring its review and approval for so long as they are so classified.

"4. The commission shall approve a project if it determines that the project is not detrimental to the proper conservation, development, management, or control of the water resources of the basin and may modify and approve as modified, or may disapprove the project, if it determines that the project is not in the best interest of the conservation, development, management, or control of the basin's water resources, or is in conflict with the comprehensive plan.

"5. The commission, after consultation with the appropriate offices or agencies of the signatory parties shall establish the procedure of submission, review, and consideration of projects. Any procedure for review and approval of diversions of water shall include public hearing on due notice given with opportunity for interested persons, agencies, governmental units, and signatory parties to be heard and to present evidence. A complete transcript of the proceedings at the hearing shall be made and preserved, and it shall be made available under rules for that purpose adopted by the commission.

"6. Any determination of the commission pursuant to this article or any article of the compact providing for judicial review shall be subject to such judicial review in any court of competent jurisdiction, provided that an action or proceeding for such review is commenced within 90 days from the effective date of the determination sought to be reviewed; but a determination of the commission concerning a diversion, under Section 3.10–2(ii) with the claimed effect of reducing below a proper minimum the flow of water in that portion of the basin within the area of a signatory party, shall be subject to judicial review under the particular provisions of paragraph 7 below.

"7. Any signatory party deeming itself aggrieved by an action of the commission concerning a diversion under Section 3.10–2(ii) with the claimed effect of reducing below a proper minimum the flow of water in that portion of the basin which lies within the area of that signatory party, and notwithstanding the powers provided to the commission by this compact, may have review of commission action approving the diversion in the Supreme Court of the United States; provided that a proceeding for such review is commenced within one year from the date of action sought to be reviewed. Any such review shall be on the record made before the commission. The action of the commission shall be affirmed, unless the court finds that it is not supported by substantial evidence.

"3.11—Advisory Committees. The commission may constitute and empower advisory committees.

"ARTICLE 4

"WATER SUPPLY

"Section 4.1—Generally. The commission shall have power to develop, implement, and effectuate plans and projects for the use of the water of the basin for domestic municipal, agricultural, and industrial water supply. To this end, without limitation thereto, it may provide for, construct, acquire, operate, and maintain dams, reservoirs, and other facilities for utilization of surface and ground water resources, and all related structures, appurtenances, and equipment on the river and its tributaries and at such off-river sites as it may find appropriate, and may regulate and control the use thereof.

"4.2—Storage and Release of Waters

"(a) The commission shall have power to acquire, construct, operate, and control projects and facilities for the storage and release of waters, for the regulation of flows and supplies of surface and ground waters of the basin, for the protection of public health, stream quality control, economic development, improvement of fisheries, recreation, dilution and abatement of pollution, the prevention of undue salinity, and other purposes.

"(b) No signatory party shall permit any augmentation of flow to be diminished by the diversion of any water of the basin during any period in which waters are being released from storage under the direction of the commission for the purpose of augmenting such flow, except in cases where the diversion is authorized by this compact, or by the commission pursuant thereto, or by the judgment, order, or decree of a court of competent jurisdiction.

"4.3—Assessable Improvements. The commission may provide water management and regulation in the main stream or any tributary in the basin and, in accordance with the procedures of applicable state laws, may assess on an annual basis or otherwise the cost thereof upon water users or any classification of them specially benefited thereby to a measurable extent, provided that no such assessment shall exceed the actual benefit to any water user. Any such assessment shall follow the procedure prescribed by law for local improvement assessments and shall be subject to review in any court of competent jurisdiction.

"4.4—Coordination. Prior to entering upon the execution of any project authorized by this article, the commission shall review and consider all existing rights, plans, and programs of the signatory parties, their political subdivisions, private parties, and water users which are pertinent to such project, and shall hold a public hearing on each proposed project.

"4.5—Additional Powers. In connection with any project authorized by this article, the commission shall have power to provide storage, treatment, pumping, and transmission facilities, but nothing herein shall be construed to authorize the commission to engage in the business of distributing water.

"ARTICLE 5

"WATER QUALITY MANAGEMENT AND CONTROL

"Section 5.1—General Powers

"(a) The commission may undertake or contract for investigations, studies, and surveys pertaining to existing water quality, effects of varied actual or projected operations on water quality, new compounds and materials and probable future water quality in the basin. The commission may receive, expand, and administer funds. Federal, state, local, or private as may be available to carry out these functions relating to water quality investigations.

"(b) The commission may acquire, construct, operate, and maintain projects and facilities for the management and control of water quality in the basin whenever the commission deems necessary to activate or effectuate any of the provisions of this compact.

"5.2—Policy and Standards.

"(a) In order to conserve, protect, and utilize the water quality of the basin in accordance with the best interests of the people of the basin and the states, it shall be the policy of the commission to encourage and coordinate the efforts of the signatory parties to prevent, reduce, control, and eliminate water pollution and to maintain water quality as required by the comprehensive plan.

"(b) The legislative intent in enacting this article is to give specific emphasis to the primary role of the states in water quality management and control.

"(c) The commission shall recommend to the signatory parties the establishment, modification, or amendment of standards of quality for any waters of the basin in relation to their reasonable and necessary use as the commission shall deem to be in the public interest.

"(d) The commission shall encourage cooperation and uniform enforcement programs and policies by the water quality control agencies of the signatory parties in meeting the water quality standards established in the comprehensive plan.

"(e) The commission may assume jurisdiction whenever it determines after investigation and public hearing upon due notice given that the effectuation of the comprehensive plan so requires. After such investigation, notice, and hearing, the commission may adopt such rules, regulations, and water quality standards as may be required to preserve, protect, improve, and develop the quality of the waters of the basin in accordance with the comprehensive plan.

"5.3—Cooperative Administration and Enforcement.

"(a) Each of the signatory parties agrees to prohibit and control pollution of the waters of the basin according to the requirements of this compact and to cooperate faithfully in the control of future pollution in and abatement of existing pollution from the waters of the basin.

"(b) The commission shall have the authority to investigate and determine if the requirements of the compact or the rules, regulations, and water quality standards of the commission are complied with and if satisfactory progress has not been made, may institute an action or actions in its own name in the proper court or courts of competent jurisdiction to compel compliance with any and all of the provisions of this compact or any of the rules, regulations, and water quality standards of the commission adopted pursuant thereto.

"5.4—Further Jurisdiction. Nothing in this compact shall be construed to repeal, modify, or qualify the authority of any signatory party to enact any legislation or enforce any additional conditions and restrictions to lessen or prevent the pollution of waters within its jurisdiction.

"ARTICLE 6

"FLOOD PROTECTION

"Section 6.1—Flood Control Authority. The commission may plan, design, construct, and operate and maintain projects and facilities it deems necessary or desirable for flood plain development and flood damage reduction. It shall have power to operate such facilities and to store and release waters of the Susquehanna River and its tributaries and elsewhere within the basin, in such manner, at such times, and under such regulations as the commission may deem appropriate to meet flood conditions as they may arise.

"6.2—Regulation.

"(a) The commission may study and determine the nature and extent of the flood plains of the Susquehanna River and its tributaries. Upon the basis of the studies, it may delineate areas subject to flooding, including but not limited to a classification of lands with reference to relative risk of flooding and the establishment of standards for flood plain use which will promote economic development and safeguard the public health, welfare, safety, and property. Prior to the adoption of any standards delineating the area or defining the use, the commission shall hold public hearings with respect to the substance of the standards in the manner provided by Article 15. The proposed standards shall be available from the commission at the time notice is given, and interested persons shall be given an opportunity to be heard thereon at the hearings.

"(b) The commission shall have power to promulgate, adopt, amend, and repeal from time to time as necessary, standards relating to the nature and extent of the uses of land in areas subject to flooding.

"(c) In taking action pursuant to subsection (b) of this section and as a prerequisite thereto, the commission shall consider the effect of particular uses of the flood plain in question on the health and safety of persons and property in the basin, the economic and technical feasibility of measures available for the development and protection of the flood plain, and the responsibilities, if any, of local, state, and federal governments connected with the use or proposed use of the flood plain in question. The commission shall regulate the use of particular flood plains in the manner and degree it finds necessary for the factors enumerated in this subsection, but only with the consent of the affected signatory state, and shall suspend such regulation when and so long as the signatory party or parties, or political subdivision possessing jurisdiction have in force applicable laws which the commission finds give adequate protection for the purpose of this section.

"(d) In order to conserve, protect, and utilize the Susquehanna River and its tributaries in accordance with the best interests of the people of the basin and the signatory parties, it shall be the policy of the commission to encourage and coordinate the efforts of the signatory parties to control modification of the river and its tributaries by encroachment.

"6.3—Flood Lands Acquisition. The commission shall have power to acquire the fee or any lesser interest in lands and improvements thereon within the area of a flood plain for the purpose of regulating the use or types of construction of such property to minimize the flood hazard, convert the property to uses or types of construction appropriate to flood plain conditions, or prevent constructions or obstructions that reduce the ability of the river channel and flood plain to carry flood water.

"6.4—Existing Structures. No rule or regulation issued by the commission pursuant to this compact shall be construed to require the demolition, removal, or alteration of any structure in place or under construction prior to the issuance thereof, without the payment of just compensation therefor. However, new construction or any addition to or alteration in any existing structure made or commenced subsequent to the issuance of such rule or regulation, or amendment, shall conform thereto.

"6.5—Police Powers. The regulation of use of flood plain lands is within the police powers of the signatory states for the protection of public health and the safety of the people and their property and shall not be deemed a taking of land or lands for which compensation shall be paid to the owners thereof.

"6.6—Cooperation. Each of the signatory parties agrees to control flood plain use along and encroachment upon the Susquehanna River and its tributaries and to cooperate faithfully in these respects.

"6.7—Other Authority. Nothing in this article shall be construed to prevent or in any way to limit the power of any signatory party, or any agency or subdivision thereof, to issue or adopt and enforce any requirement or requirements with respect to flood plain use or construction thereon more stringent than the rules, regulations, or encroachment lines in force pursuant to this article. The commission may appear in any court of competent jurisdiction to bring actions or proceedings in law or equity to enforce the provisions of this article.

"6.8—Debris. The signatory states agree that dumping or littering upon or in the waters of the Susquehanna River or its tributaries or upon the frozen surfaces thereof of any rubbish, trash, litter, debris, abandoned properties, waste material, or offensive matter, is prohibited and that the law enforcement officials of each state shall enforce this prohibition.

"Article 7

"WATERSHED MANAGEMENT

"Section 7.1—Watersheds Generally. The commission shall promote sound practices of watershed management in the basin, including projects and facilities to retard runoff and waterflow and prevent soil erosion.

"7.2—Soil Conservation and Land and Forest Management. The commission, subject to the limitations in Section 7.4(b) may acquire, sponsor, or operate facilities and projects to encourage soil conservation, prevent and control erosion, and promote land reclamation and sound land and forest management.

"7.3—Fish and Wildlife. The commission, subject to the limitations in Section 7.4(b) may acquire, sponsor, or operate projects and facilities for the maintenance and improvement of fish and wildlife habitat related to the water resources of the basin.

"7.4—Cooperative Planning and Operation.

"(a) The commission shall cooperate with the appropriate agencies of the signatory parties and with other public and private agencies in the planning and effectuation of a coordinated program of facilities and projects authorized by this article.

"(b) The commission shall not acquire or operate any such project or facility unless it has first found and determined that no other suitable unit or agency of government is in a position to acquire or operate the same upon reasonable conditions, or such unit or agency fails to do so.

"Article 8

"RECREATION

"Section 8.1—Development. The commission may provide for the development of water related public sports and recreational facilities. The commission on its own account or in cooperation with a signatory party, political subdivision or any agency thereof, may provide for the construction, maintenance, and administration of such facilities, subject to the provisions of Section 8.2 hereof.

"8.2—Cooperative Planning and Operation.

"(a) The commission shall cooperate with the appropriate agencies of the signatory parties and with other public and private agencies in the planning and effectuation of a coordinated program of facilities and projects authorized by this article.

"(b) The commission shall not operate any such project or facility unless it has first found and determined that no other suitable unit or agency of government is available to operate the same upon reasonable conditions.

"8.3—Operation and Maintenance. The commission, within limits prescribed by this article, shall:

"1. Encourage activities of other public agencies having water related recreational interests and assist in the coordination thereof;

"2. Recommend standards for the development and administration of water related recreational facilities;

"3. Provide for the administration, operation, and maintenance of recreation facilities owned or controlled by the commission and for the letting and supervision of private concessions in accordance with this article.

"8.4—Concessions. The commission, after public hearing upon due notice given shall provide by regulation a procedure for the award of contracts for private concessions in connection with its recreational facilities, including any renewal or extension thereof, under terms and conditions determined by the commission.

"Article 9

"OTHER PUBLIC VALUES

"Section 9.1—Inherent Values. The signatory parties agree that it is a purpose of this compact in effectuating the conservation and management of water resources to preserve and promote the economic and other value inherent in the historic and the scenic and other natural amenities of the Susquehanna River Basin for the enjoyment and enrichment of future generations, for the promotion and protection of tourist attractions in the basin, and for the maintenance of the economic health of allied enterprises and occupations so as to effect orderly, balanced, and considered development in the basin.

"9.2—Project Compatibility. To this end, the signatory parties agree that in the consideration, authorization, construction, maintenance, and operation of all water resources projects in the Susquehanna basin, their agencies and subdivisions, and the Susquehanna River Basin Commission will consider the compatibility of such projects with these other public values.

"9.3—Regulation Standards. The commission may recommend to governmental units with jurisdiction within areas considered for scenic or historic designation minimum standards of regulation of land and water use and such other protective measures as the commission may deem desirable.

"9.4—Local Area Protection. The commission may draft and recommend for adoption ordinances and regulations which would assist, promote, develop, and protect those areas and the character of their communities. Local governments may consider parts of their area which have been designated scenic or historic areas under the provisions of this article separately from the municipality as a whole, and pursuant to the laws of the state governing the adoption of those regulations generally may enact regulations limited to the designated area. In making recommendations to a local government which is partly in and partly out of such a scenic or historic area the commission may make recommendations for the entire municipality.

"Article 10

"HYDROELECTRIC POWER

"Section 10.1—Development. The waters of the Susquehanna River and its tributaries may be impounded and used by or under authority of the commission for the generation of hydroelectric power and hydroelectric energy in accordance with the comprehensive plan.

"10.2—Power Generation. The commission may develop and operate, or authorize to be developed and operated, dams and related facilities and appurtenances for the purpose of generating hydroelectric power and hydroelectric energy.

"10.3—Transmission. The commission may provide facilities for the transmission of hydroelectric power and hydroelectric energy produced by it where such facilities are not otherwise available upon reasonable terms, for the purpose of wholesale marketing of power and nothing herein shall be construed to authorize the commission to engage in the business of direct sale to consumers.

"10.4—Development Contracts. The commission, after public hearing upon due notice given may enter into contracts on reasonable terms, consideration, and duration under which public utilities or public agencies may develop hydroelectric power and hydroelectric energy through the use of dams, related facilities, and appurtenances.

"10.5—Rates and Charges. Rates and charges fixed by the commission for power which is produced by its facilities shall be reasonable, nondiscriminatory, and just.

"Article 11

"REGULATION OF WITHDRAWAL AND DIVERSIONS; PROTECTED AREAS AND EMERGENCIES

"Section 11.1—Power of Regulation. The commission may regulate and control withdrawals and diversions from surface waters and ground waters of the basin, as provided by this article. The commission may enter into agreements with the signatory parties relating to the exercise of such power or regulation or control and may delegate to any of them such powers of the commission as it may deem necessary or desirable.

"11.2—Determination of Protected Area. The commission, from time to time after public hearing upon due notice given may determine and delineate such areas within the basin wherein the demands upon supply made by water users have developed or threaten to develop to such a degree as to create a water shortage or impair or conflict with the requirements or effectuation of the comprehensive plan, and any such area may be designated as a protected area, with the consent of the member or members from the affected state or states. The commission, whenever it determines that such shortage no longer exists, shall terminate the protected status of such area and shall give public notice of such determination,

"11.3—Diversion and Withdrawal Permits. In any protected areas so determined and delineated, no person shall divert or withdraw water for domestic, municipal, agricultural, or industrial uses in excess of such quantities as the commission may prescribe by general regulations, except (1) pursuant to a permit granted under this article, or (2) pursuant to a permit or approval heretofore granted under the laws of any of the signatory states.

"11.4—Emergency.

"(a) In the event of a drought which may cause an actual and immediate shortage of available water supply within the basin, or within any part thereof, the commission after public hearing upon due notice given may determine and delineate the area of the shortage and by unanimous vote declare a drought emergency therein. For the duration of the drought emergency as determined by the commission, it thereupon may direct increases or decreases in any allocations, diversions, or releases previously granted or required, for a limited time to meet the emergency condition.

"(b) In the event of a disaster or catastrophe other than drought, natural or manmade, which causes or may cause an actual and immediate shortage of available and usable water, the commission by unanimous consent may impose direct controls on the use of water and shall take such action as is necessary to coordinate the effort of federal, state, and local agencies and other persons and entities affected.

"11.5—Standards. Permits shall be granted, modified, or denied, as the case may be, to avoid such depletion of the natural stream flows and ground waters in the protected area or in an emergency area as will adversely affect the comprehensive plan or the just and equitable interests and rights of other lawful users of the same source, giving due regard to the need to balance and reconcile alternative and conflicting uses in the event of an actual or threatened shortage of water of the quality required.

"11.6—Judicial Review. The determinations and delineations of the commission pursuant to Section 11.2 and the granting, modification or denial of permits pursuant to Sections 11.3, 11.4, and 11.5 shall be subject to judicial review in any court of competent jurisdiction.

"11.7—Maintenance of Records. Each signatory party shall provide for the maintenance and preservation of such records of authorized diversions and withdrawals and the annual volume thereof as the commission shall prescribe. Such records and supplementary reports shall be furnished to the commission at its request.

"11.8—Existing State Systems. Whenever the commission finds it necessary or desirable to exercise the powers conferred with respect to emergencies by this article, any diversion or withdrawal permits authorized or issued under the laws of any of the signatory states shall be superseded to the extent of any conflict with the control and regulation exercised by the commission.

"Article 12

"INTERGOVERNMENTAL RELATIONS

"Section 12.1—Federal Agencies and Projects. For the purposes of avoiding conflicts of jurisdiction and of giving full effect to the commission as a regional agency of the signatory parties, the following rules shall govern Federal projects affecting the water resources of the basin, subject in each case to the provisions of Section 1.4 of this compact:

"1. The planning of all projects related to powers delegated to the commission by this compact shall be undertaken in consultation with the commission.

"2. No expenditure or commitment shall be made for or on account of the construction, acquisition, or operation of any project or facility nor shall it be deemed authorized, unless it shall have first been included by the commission in the comprehensive plan.

"3. Each Federal agency otherwise authorized by law to plan, design, construct, operate or maintain any project or facility in or for the basin shall continue to have, exercise, and discharge such authority except as specifically provided by this section.

"12.2—State and Local Agencies and Projects. For the purposes of avoiding conflicts of jurisdiction and of giving full effect to the commission as a regional agency of the signatory parties, the following rules shall govern projects of the signatory states, their political subdivisions and public corporations affecting water resources of the basin:

"1. The planning of all projects related to powers delegated to the commission by this compact shall be undertaken in consultation with the commission;

"2. No expenditure or commitment shall be made for or on account of the construction, acquisition, or operation of any project or facility unless it first has been included by the commission in the comprehensive plan;

"3. Each state and local agency otherwise authorized by law to plan, design, construct, operate, or maintain any project or facility in or for the basin shall continue to have, exercise and discharge such authority, except as specifically provided by this section.

"12.3—Reserved Taxing Powers of States. Each of the signatory parties reserves the right to levy, assess, and collect fees, charges, and taxes on or measured by the withdrawal or diversion of waters of the basin for use within the jurisdiction of the respective signatory parties.

"12.4—Project Costs and Evaluation Standards. The commission shall establish uniform standards and procedures for the evaluation, determination of benefits, and cost allocations of projects affecting the basin, and for the determination of project priorities, pursuant to the requirements of the comprehensive plan and its water resources program. The commission shall develop equitable cost sharing and reimbursement formulas for the signatory parties including:

"1. Uniform and consistent procedures for the allocation of project costs among purposes included in multiple-purpose programs;

"2. Contracts and arrangements for sharing financial responsibility among and with signatory parties, public bodies, groups, and private enterprise, and for the supervision of their performance;

"3. Establishment and supervision of a system of accounts for reimbursement purposes and directing the payments and charges to be made from such accounts;

"4. Determining the basis and apportioning amounts (i) of reimbursable revenues to be paid signatory parties or their political subdivisions, and (ii) of payments in lieu of taxes to any of them.

"12.5—Cooperative Services. The commission shall furnish technical services, advice, and consultation to authorized agencies of the signatory parties with respect to the water resources of the basin, and each of the signatory parties pledges itself to provide technical and administrative service to the commission upon request, within the limits of available appropriations, and to cooperate generally with the commission for the purposes of this compact, and the cost of such service may be reimbursable whenever the parties deem appropriate.

"Article 13

"CAPITAL FINANCING

"Section 13.1—Borrowing Power. The commission may borrow money for any of the purposes of this compact and may issue its negotiable bonds and other evidences of indebtedness in respect thereto.

"All such bonds and evidences of indebtedness shall be payable solely out of the properties and revenues of the commission without recourse to taxation. The bonds and other obligations of the commission, except as may be otherwise provided in the indenture under which they were issued, shall be direct and general obligations of the commission, and the full faith and credit of the commission are hereby pledged for the prompt payment of the debt service thereon and for the fulfillment of all other undertakings of the commission assumed by it to or for the benefit of the holders thereof.

"13.2—Funds and Expenses. The purposes of this compact shall include without limitation thereto all costs of any project or facility or any part thereof, including interest during a period of construction and a reasonable time thereafter and any incidental expenses (legal, engineering, fiscal, financial consultant, and other expenses) connected with issuing and disposing of the bonds: all amounts required for the creation of an operating fund, construction fund, reserve fund, sinking fund, or other special fund; all other expenses connected with the planning, design, acquisition, construction, completion, improvement, or reconstruction of any facility or any part thereof; and reimbursement of advances by the commission or by others for such purposes and for working capital.

"13.3—Credit Excluded; Officers, State and Municipal. The commission shall have no power to pledge the credit of any signatory party or of any county or municipality, or to impose any obligation for payment of the bonds upon any signatory party or any county or municipality. Neither the commissioners nor any person executing the bonds shall be liable personally on the bonds of the commission or be subject to any personal liability or accountability by reason of the issuance thereof.

"13.4—Funding and Refunding. Whenever the commission deems it expedient, it may fund and refund its bonds and other obligations, whether or not such bonds and obligations have matured. It may provide for the issuance, sale or exchange of refunding bonds for the purpose of redeeming or retiring any bonds (including payment of any premium, duplicate interest, or cash adjustment required in connection therewith) issued by the commission or issued by any other issuing body, the proceeds of the sale of which have been applied to any facility acquired by the commission or which are payable out of the revenues of any facility acquired by the commission. Bonds may be issued partly to refund bonds and other obligations then outstanding, and partly for any other purpose of the commission. All provisions of this compact applicable to the issuance of bonds are applicable to refunding bonds and to the issuance, sale, or exchange thereof.

"13.5—Bonds: Authorization Generally. Bonds and other indebtedness of the commission shall be authorized by resolution of the commission. The validity of the authorization and issuance of any bonds by the commission shall not be dependent upon or affected in any way by: (1) the disposition of bond proceeds by the commission or by contract, commitment or action taken with respect to such proceeds; or (2) the failure to complete any part of the project for which bonds are authorized to be issued. The commission may issue bonds in one or more series and may provide for one or more consolidated bond issues, in such principal amounts and with such terms and provisions as the commission may deem necessary. The bonds may be secured by a pledge of all or any part of the property, revenues, and franchises under its control. Bonds may be issued by the commission in such amount, with such maturities and in such denominations and form or forms, whether coupon or registered, as to both principal and interest, as may be determined by the commission. The commission may provide for redemption of bonds prior to maturity on such notice and at such time or times and with such redemption provisions, including premiums, as the commission may determine.

"13.6—Bonds, Resolutions and Indentures Generally. The commission may determine and enter into indentures providing for the principal amount, date or dates, maturities, interest rate, denominations, form, registration, transfer, interchange, and other provisions of the bonds and coupons and the terms and conditions upon which the same shall be executed, issued, secured, sold, paid, redeemed, funded, and refunded. The resolution of the commission authorizing any bond or any indenture so authorized under which the bonds are issued may include all such covenants and other provisions other than any restriction on the regulatory powers vested in the commission by this compact as the commission may deem necessary or desirable for the issue, payment, security, protection, or marketing of the bonds, including without limitation covenants and other provisions as to the rates or amounts of fees, rents, and other charges to be charged or made for use of the facilities; the use, pledge, custody, securing, application, and disposition of such revenues, of the proceeds of the bonds, and of any other moneys of the commission; the operation, maintenance, repair, and reconstruction of the facilities and the amounts which may be expended therefor; the sale, lease, or other disposition of the facilities; the insuring of the facilities and of the revenues derived therefrom; the construction or other acquisition of other facilities, the issuance of additional bonds or other indebtedness; the rights of the bondholders and of any trustee for the bondholders upon default by the commission or otherwise; and the modification of the provisions of the indenture and of the bonds. Reference on the face of the bonds to such resolution or indenture by its date of adoption or the apparent date on the face thereof is sufficient to incorporate all of the provisions thereof and of this compact into the body of the bonds and their appurtenant coupons. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of the indenture and of this compact and is bound thereby.

"13.7—Maximum Maturity. No bond or its terms shall mature in more than fifty years from its own date, or on any date subsequent to the duration of this compact, and in the event any authorized issue is divided into two or more series or divisions, the maximum maturity date herein authorized shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

"13.8—Tax Exemption. All bonds issued by the commission under the provisions of this compact and the interest thereon shall at all times be free and exempt from all taxation by or under authority of any of the signatory parties, except for transfer, inheritance and estate taxes.

"13.9—Interest. Bonds shall bear interest at a rate of not to exceed six percent per annum, payable annually or semi-annually.

"13.10—Place of Payment. The commission may provide for the payment of the principal and interest of bonds at any place or places within or without the signatory states, and in any specified lawful coin or currency of the United States of America.

"13.11—Execution. The commission may provide for the execution and authentication of bonds by the manual, lithographed, or printed facsimile signature of officers of the commission, and by additional authentication by a trustee or fiscal agent appointed by the commission. If any of the officers whose signatures or countersignatures appear upon the bonds or coupons ceases to be an officer before the delivery of the bonds or coupons, his signature or countersignature is nevertheless valid and of the same force and effect as if the officer had remained in office until the delivery of the bonds and coupons.

"13.12—Holding Own Bonds. The commission shall have power out of any funds available therefor to purchase its bonds and may hold, cancel, or resell such bonds.

"13.13—Sale. The commission may fix terms and conditions for the sale or other disposition of any authorized issue of bonds. The commission may sell at less than their par or face value, but no issue of bonds may be sold at an aggregate price below the par or face value thereof if such sale would result in a net interest cost to the commission calculated upon the entire issue so sold of more than six percent per annum payable semi-annually, according to standard tables of bond values. All bonds issued and sold for cash pursuant to this compact shall be sold on sealed proposals to the highest bidder. Prior to such sale, the commission shall advertise for bids by publication of a notice of sale not less than ten days prior to the date of sale, at least once in a newspaper of general circulation printed and published in New York City carrying municipal bonds notices and devoted primarily to financial news. The commission may reject any and all bids submitted and may thereafter sell the bonds so advertised for sale at private sale to any financially responsible bidder under such terms and conditions as it deems most advantageous to the public interest, but the bonds shall not be sold at a net interest cost calculated upon the entire issue so advertised, greater than the lowest bid which was rejected. In the event the commission desires to issue its bonds in exchange for an existing facility or portion thereof, or in exchange for bonds secured by the revenues of an existing facility, it may exchange such bonds for the existing facility or portion thereof or for the bonds so secured, plus an additional amount of cash, without advertising such bonds for sale.

"13.14—Negotiability. All bonds issued under the provisions of this compact are negotiable instruments, except when registered in the name of a registered owner.

"13.15—Legal Investments. Bonds of the commission shall be legal investments for savings banks, fiduciaries and public funds in each of the signatory states.

"13.16—Validation Proceedings. Prior to the issuance of any bonds, the commission may institute a special proceeding to determine the legality of proceedings to issue the bonds and their validity under the laws of any of the signatory parties. Such proceedings shall be instituted and prosecuted in rem, and the judgment rendered therein shall be conclusive against all persons whomsoever and against each of the signatory parties.

"13.17—Recording. No indenture need be recorded or filed in any public office, other than the office of the commission. The pledge of revenues provided in any indenture shall take effect forthwith as provided therein and irrespective of the date of receipts of such revenues by the commission or the indenture trustee. Such pledge shall be effective as provided in the indenture without physical delivery of the revenues to the commission or the indenture trustee.

"13.18—Pledged Revenues. Bond redemption and interest payments, to the extent provided in the resolution or indenture, shall constitute a first, direct and exclusive charge and lien on all such rates, rents, tolls, fees, and charges and other revenues and interest thereon received from the use and operation of the facility, and on any sinking or other funds created therefrom. All such rates, rents, tolls, fees, charges and other revenues, together with interest thereon, shall constitute a trust fund for the security and payment of such bonds, and except as and to the extent provided in the indenture with respect to the payment therefrom of expenses for other purposes including administration, operation, maintenance, improvements, or extensions of the facilities or other purposes shall not be used or pledged for any other purpose so long as such bonds, or any of them, are outstanding, and unpaid.

"13.19—Remedies. The holder of any bond may for the equal benefit and protection of all holders of bonds similarly situated: (1) by mandamus or other appropriate proceedings require and compel the performance of any of the duties imposed upon the commission or assumed by it, its officers, agents, or employees under the provisions of any indenture, in connection with the acquisition, construction, operation, maintenance, repair, reconstruction, or insurance of the facilities, or in connection with the collection, deposit, investment, application, and disbursement of the rates, rents, tolls, fees, charges, and other revenues derived from the operation and use of the facilities, or in connection with the deposit, investment, and disbursement of the proceeds received from the sale of bonds; or (2) by action or suit in a court of competent jurisdiction of any signatory party require the commission to account as if it were the trustee of an express trust, or enjoin any acts or things which may be unlawful or in violation of the rights of the holders of the bonds. The enumeration of such rights and remedies, however, does not exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds.

"13.20—Capital Financing by Signatory Parties: Guarantees.

"(a) The signatory parties shall provide such capital funds required for projects of the commission as may be authorized by their respective statutes in accordance with a cost sharing plan prepared pursuant to Article 12 of this compact; but nothing in this section shall be deemed to impose any mandatory obligation on any of the signatory parties other than such obligations as may be assumed by a signatory party in connection with a specific project or facility.

"(b) Bonds of the commission, notwithstanding any other provision of this compact, may be executed and delivered to any duly authorized agency of any of the signatory parties without public offering and may be sold and resold with or without the guaranty of such signatory party, subject to and in accordance with the constitutions of the respective signatory parties.

"(c) The Commission may receive and accept, and the signatory parties may make, loans, grants, appropriations, advances, and payments of reimbursable or nonreimbursable funds or property in any form for the capital or operating purposes of the commission.

"Article 14

"plan, program and budgets

"Section 14.1—Comprehensive Plan. The commission shall develop and adopt, and may from time to time review and revise, a comprehensive plan for the immediate and long range development and use of the water resources of the basin. The plan shall include all public and private projects and facilities which are required, in the judgment of the commission, for the optimum planning, development, conservation, utilization, management, and control of the water resources of the basin to meet present and future needs. The commission may adopt a comprehensive plan or any revision thereof in such part or parts as it may deem appropriate, provided that before the adoption of the plan or any part or revision thereof the commission shall consult with water users and interested public bodies and public utilities and shall consider and give due regard to the findings and recommendations of the various agencies of the signatory parties, their political subdivisions, and interested groups. The commission shall conduct public hearings upon due notice given with respect to the comprehensive plan prior to the adoption of the plan or any part of the revision thereof, except that public and private projects and facilities which, in the judgment of the commission, are not required for the optimum planning, development, conservation, utilization, management, and control of the water resources of the basin and which, in the judgment of the commission, will not significantly affect the water resources of the basin, may be added directly to the comprehensive plan at any time at the discretion of the commission without public hearing thereon. The comprehensive plan shall take into consideration the effect of the plan or any part thereof upon the receiving waters of Chesapeake Bay.

"14.2—WATER RESOURCES PROGRAM. The commission shall annually adopt a water resources program, based upon the comprehensive plan, consisting of the projects and facilities which the commission proposes to be undertaken by the commission and by other authorized governmental and private agencies, organizations, and persons during the ensuing six years or such other reasonably foreseeable period as the commission may determine. The water resources program shall include a systematic presentation of:

"1. The quantity and quality of water resources needs for such period;

"2. The existing and proposed projects and facilities required to satisfy such needs, including all public and private projects to be anticipated; and

"3. A separate statement of the projects proposed to be undertaken by the commission during such period.

"14.3—ANNUAL CURRENT EXPENSE AND CAPITAL BUDGETS.

"(a) The commission shall annually adopt a capital budget including all capital projects it proposes to undertake or continue during the budget period containing a statement of the estimated cost of each project and the method of financing thereof.

"(b) The commission shall annually adopt a current expense budget for each fiscal year. Such budget shall include the commission's estimated expenses for administration, operation, maintenance, and repairs, including a separate statement thereof for each project, together with its cost allocation. The total of such expenses shall be balanced by the commission's estimated revenues from all sources, including the cost allocations undertaken by any of the signatory parties in connection with any project. Following the adoption of the annual current expense budget by the commission, the executive director of the commission shall:

"1. Certify to the respective signatory parties the amounts due in accordance with existing cost sharing established for each project; and

"2. Transmit certified copies of such budget to the principal budget officer of the respective signatory parties at such time and in such manner as may be required under their respective budgetary procedures. The amount required to balance the current expense budget in addition to the aggregate amount of item 1 above and all other revenues available to the commission shall be apportioned equitably among the signatory parties by unanimous vote of the commission, and the amount of such apportionment to each signatory party shall be certified together with the budget.

"(c) The respective signatory parties covenant and agree to include the amounts so apportioned for the support of the current expense budget in their respective budgets next to be adopted, subject to such review and approval as may be required by their respective budgetary processes. Such amounts shall be due and payable to the commission in quarterly installments during its fiscal year, provided that the commission may draw upon its working capital to finance its current expense budget pending remittance by the signatory parties.

"ARTICLE 15

"GENERAL PROVISIONS

"SECTION 15.1—AUXILIARY POWERS OF COMMISSION; FUNCTIONS OF COMMISSIONERS.

"(a) The commission, for the purposes of this compact, may:

"1. Adopt and use a corporate seal, enter into contracts, and sue and be sued in any court of competent jurisdiction;

"2. Receive and accept such payments, appropriations, grants, gifts, loans, advances, and other funds, properties, and services as may be transferred or made available to it by any signatory party or by any other public or private corporation or individual, and enter into agreements to make reimbursement for all or part thereof;

"3. Provide for, acquire, and adopt detailed engineering, administrative, financial, and operating plans and specifications to effectuate, maintain, or develop any facility or project;

"4. Control and regulate the use of facilities owned or operated by the commission;

"5. Acquire, own, operate, maintain, control, sell and convey real and personal property and any interest therein by contract, purchase, lease, license, mortgage, or otherwise as it may deem necessary for any project or facility, including any and all appurtenances thereto necessary, useful, or convenient for such ownership, operation, control, maintenance, or conveyance.

"6. Have and exercise all corporate powers essential to the declared objects and purposes of the commission.

"(b) The commissioners, subject to the provisions of this compact, shall:

"1. Serve as the governing body of the commission, and exercise and discharge its powers and duties, except as otherwise provided by or pursuant to this compact;

"2. Determine the character of and the necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed, and paid subject to any provisions of law specifically applicable to agencies or instrumentalities created by this compact;

"3. Provide for the internal organization and administration of the commission;

"4. Appoint the principal officers of the commission and delegate to and allocate among them administrative functions, powers and duties;

"5. Create and abolish offices, employments, and positions as it deems necessary for the purposes of the commission, and subject to the provisions of this article, fix and provide for the qualifications, appointments, removal, term, tenure, compensation, pension, and retirement rights of its officers and employees;

"6. Let and execute contracts to carry out the powers of the commission.

"15.2—REGULATIONS; ENFORCEMENT.—The commission may:

"1. Make and enforce rules and regulations for the effectuation, application, and enforcement of this compact; and it may adopt and enforce practices and schedules for or in connection with the use, maintenance, and administration of projects and facilities it may own or operate and any product or service rendered thereby; provided that any rule or regulation, other than one which deals solely with the internal management of the commission, shall not be effective unless and until filed in accordance with the law of the respective signatory parties applicable to administrative rules and regulations generally; and

"2. Designate any officer, agent, or employee of the commission to be an investigator or watchman and such person shall be vested with the powers of a peace officer of the state in which he is duly assigned to perform his duties.

"15.3—TAX EXEMPTIONS. The commission, its property, functions, and activities shall be exempt from taxation by or under the authority of any of the signatory parties or any political subdivision thereof; provided that in lieu of property taxes the commission, as to its specific projects, shall make payments to local taxing districts in annual amounts which shall equal the taxes lawfully assessed upon property for the tax year next prior to its acquisition by the commission for a period of ten years. The nature and amount of such payments shall be reviewed by the commission at the end of ten years, and from time to time thereafter, upon reasonable notice and opportunity to be heard to the affected taxing district, and the payments may be thereupon terminated or continued in such reasonable amount as may be necessary or desirable to take into account hardships incurred and benefits received by the taxing jurisdiction which are attributable to the project.

"15.4—MEETINGS; PUBLIC HEARING; RECORDS, MINUTES.

"(a) All meetings of the commission shall be open to the public.

"(b) The commission shall conduct at least one public hearing in each state prior to the adoption of the initial comprehensive plan. In all other cases wherein this compact requires a public hearing, such hearing shall be held upon not less than twenty days' public notice given by posting at the offices of the commission, and published at least once in a newspaper or newspapers of general circulation in the area or areas affected. The commission shall also provide forthwith for distribution of such notice to the press and by the mailing of a copy thereof to any person who shall request such notices.

"(c) The minutes of the commission shall be a public record open to inspection at its offices during regular business hours.

"15.5—OFFICERS GENERALLY.

"(a) The officers of the commission shall consist of an executive director and such additional officers, deputies, and assistants as the commission may determine. The executive director shall be appointed and may be removed by the affirmative vote of a majority of the full membership of the commission. All other officers and employees shall be appointed or dismissed by the executive director under such rules of procedure as the commission may establish.

"(b) In the appointment and promotion of officers and employees for the commission, no political, racial, religious, or residence test or qualification shall be permitted or given consideration, but all such appointments and promotions shall be solely on the basis of merit and fitness. Any officer or employee of the commission who is found by the commission to be guilty of a violation of this section shall be immediately dismissed.

"15.6—OATH OF OFFICE. An oath of office in such form as the commission shall prescribe shall be taken, subscribed, and filed with the commission by the executive director and by each officer appointed by him not later than fifteen days after the appointment.

"15.7—BOND. Each officer shall give such bond and in such form and amount as the commission may require, for which the commission shall pay the premium.

"15.8—PROHIBITED ACTIVITIES.

"(a) No commissioner, officer or employee shall:

"1. Be financially interested, either directly or indirectly, in any contract, sale, purchase, lease, or transfer of real or personal property to which the commission is a party;

"2. Solicit or accept money or any other thing of value in addition to the compensation or expense paid him by the commission for services performed within the scope of his official duties;

"3. Offer money or any thing of value for or in consideration of obtaining an appointment, promotion, or privilege in his employment with the commission.

"(b) Any officer or employee who willfully violates any of the provisions of this section shall forfeit his office or employment.

"(c) Any contract or agreement knowingly made in contravention of this section is void.

"(d) Officers and employees of the commission shall be subject, in addition to the provisions of this section, to such criminal and civil sanctions for misconduct in office as may be imposed by Federal law and the law of the signatory state in which such misconduct occurs.

"15.9—Purchasing. Contracts for the construction, reconstruction or improvement of any facility when the expenditure required exceeds ten thousand dollars, and contracts for the purchase of services, supplies, equipment, and materials when the expenditure required exceeds five thousand dollars shall be advertised and let upon sealed bids to the lowest responsible bidder. Notice requesting such bids shall be published in a manner reasonably likely to attract prospective bidders, which publication shall be made at least thirty days before bids are received and in at least two newspapers of general circulation in the basin. The commission may reject any and all bids and readvertise in its discretion. If after rejecting bids the commission determines and resolves that in its opinion the supplies, equipment, and materials may be purchased at a lower price in the open market, the commission may give each responsible bidder an opportunity to negotiate a price and may proceed to purchase the supplies, equipment, and materials in the open market at a negotiated price which is lower than the lowest rejected bid of a responsible bidder, without further observance of the provisions requiring bids or notice. The commission shall adopt rules and regulations to provide for purchasing from the lowest responsible bidder when sealed bids, notice, and publication are not required by this section. The commission may suspend and waive the provisions of this section requiring competitive bids whenever:

"1. The purchase is to be made from or the contract to be made with the Federal or any state government or any agency or political subdivision thereof or pursuant to any open and bulk purchase contract of any of them;

"2. The public exigency requires the immediate delivery of the articles or performance of the service;

"3. Only one source of supply is available;

"4. The equipment to be purchased is of a technical nature and the procurement thereof without advertising is necessary in order to assure standardization of equipment and interchangeability of parts in the public interest; or

"5. Services are to be provided of a specialized or professional nature.

"15.10—Insurance. The commission may self-insure or purchase insurance and pay the premium therefor against loss or damage to any of its properties, against liability for injury to persons or property; and against loss of revenue from any cause whatsoever. Such insurance coverage shall be in such form and amount as the commission may determine, subject to the requirements of any agreement arising out of the issuance of bonds by the commission.

"15.11—Annual Independent Audit.

"(a) As soon as practical after the closing of the fiscal year an audit shall be made of the financial accounts of the commission. The audit shall be made by qualified certified public accountants selected by the commission, who have no personal interest direct or indirect in the financial affairs of the commission or any of its officers or employees. The report of audit shall be prepared in accordance with accepted accounting practices and shall be filed with the chairman and such other officers as the commission may direct. Copies of the report shall be distributed to each commissioner and shall be made available for public distribution.

"(b) Each signatory party by its duly authorized officers shall be entitled to examine and audit at any time all of the books, documents, records, files, and accounts and all other papers, things, or property of the commission. The representatives of the signatory parties shall have access to all books, documents, records, accounts, reports, files, and all other papers, things, or property belonging to or in use by the commission and necessary to facilitate the audit and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians.

"(c) The financial transactions of the commission shall be subject to adult by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where the accounts of the commission are kept.

"(d) Any officer or employee who shall refuse to give all required assistance and information to the accountants selected by the commission or to the authorized officers of any signatory party or who shall refuse to submit to them for examination such books, documents, records, files, accounts, papers, things, or property as may be requested shall forfeit his office.

"15.12—Reports. The commission shall make and publish an annual report to the legislative bodies of the signatory parties and to the public reporting on its programs, operations, and finances. It may also prepare, publish, and distribute such other public reports and informational material as it may deem necessary or desirable.

"15.13—Grants, Loans, or Payments by States or Political Subdivisions.

"(a) Any or all of the signatory parties or any political subdivision thereof may:

"1. Appropriate to the commission such funds as may be necessary to pay preliminary expenses such as the expenses incurred in the making of borings, and other studies of subsurface conditions, in the preparation of contracts for the sale of water and in the preparation of detailed plans and estimates required for the financing of a project;

"2. Advance to the commission, either as grants or loans, such funds as may be necessary or convenient to finance the operation and management of or construction by the commission of any facility or project;

"3. Make payments to the commission for benefits received or to be received from the operation of any of the projects or facilities of the commission.

"(b) Any funds which may be loaned to the commission either by a signatory party or a political subdivision thereof shall be repaid by the commission through the issuance of bonds or out of other income of the commission, such repayment to be made within such period and upon such terms as may be agreed upon between the commission and the signatory party or political subdivision making the loan.

"15.14—Condemnation Proceedings.

"(a) The commission shall have the power to acquire by condemnation the fee or any lesser interest in lands, lands lying under water, development rights in land, riparian rights, water rights, waters and other real or personal property within the basin for any project or facility authorized pursuant to this compact. This grant of power of eminent domain includes but is not limited to the power to condemn for the purposes of this compact any property already devoted to a public use, by whomsoever owned or held, other than property of a signatory party. Any condemnation of any property or franchises owned or used by a municipal or privately owned public utility, unless the affected public utility facility is to be relocated or replaced, shall be subject to the authority of such state board, commission, or other body as may have regulatory jurisdiction over such public utility.

"(b) The power of condemnation referred to in subsection (a) shall be exercised in accordance with the provisions of the state condemnation law in force in the signatory state in which the property is located. If there is no applicable state condemnation law, the power of condemnation shall be exercised in accordance with the provisions of Federal condemnation law.

"(c) Any award or compensation for the taking of property pursuant to this article shall be paid by the commission, and none of the signatory parties nor any other agency, instrumentality or political subdivision thereof shall be liable for such award or compensation.

"15.15—Conveyance of Lands and Relocation of Public Facilities.

"(a) The respective officers, agencies, departments, commissions, or bodies having jurisdiction and control over real and personal property owned by the signatory parties are authorized and empowered to transfer and convey in accordance with the laws of the respective parties to the commission any such property as may be necessary or convenient to the effectuation of the authorized purposes of the commission.

"(b) Each political subdivision of each of the signatory parties, notwithstanding any contrary provisions of law, is authorized and empowered to grant and convey to the commission, upon the commission's request, any real property or any interest therein owned by such political subdivision including lands lying under water and lands already devoted to public use which may be necessary or convenient to the effectuation of the authorized purposes of the commission.

"(c) Any highway, public utility, or other public facility which will be dislocated by reason of a project deemed necessary by the commission to effectuate the authorized purposes of this compact shall be relocated and the cost thereof shall be paid in accordance with the law of the state in which the facility is located; provided that the cost of such relocation payable by the commission shall not in any event exceed the expenditure required to serve the public convenience and necessity.

"15.16—Rights of Way. Permission is hereby granted to the commission to locate, construct, and maintain any aqueducts, lines, pipes, conduits, and auxiliary facilities authorized to be acquired, constructed, owned, operated, or maintained by the commission in, over, under, or across any streets and highways now or hereafter owned, opened, or dedicated to or for public use, subject to such reasonable conditions as the highway department of the signatory party may require.

"15.17—Penalty. Any person, association, or corporation who violates or attempts or conspires to violate any provisions of this compact or any rule, regulation, or order of the commission duly made, promulgated, or issued pursuant to the compact in addition to any other remedy, penalty, or consequence provided by law shall be punishable as may be provided by statute of any of the signatory parties within which the violation is committed; provided that in the absence of such provision any such person, association, or corporation shall be liable to a penalty of not less than $50 nor more than $1,000 for each such violation to be fixed by the court which the commission may recover in its own name in any court of competent jurisdiction, and in a summary proceeding where available under the practice and procedure of such court. For the purposes of this section in the event of a continuing offense each day of such violation, attempt, or conspiracy shall constitute a separate offense.

"15.18—Tort Liability. The commission shall be responsible for claims arising out of the negligent acts or omissions of its officers, agents, and employees only to the extent and subject to the procedures prescribed by law generally with respect to officers, agents, and employees of the government of the United States.

"15.19—Effect on Riparian Rights. Nothing contained in this compact shall be construed as affecting or intending to affect or in any way to interfere with the law of the respective signatory parties relating to riparian rights.

"15.20—Amendments and Supplements. Amendments and supplements to this compact to implement the purposes thereof may be adopted by legislative action of any of the signatory parties concurred in by all of the others.

"15.21—Construction and Severability. The provisions of this compact and of agreements thereunder shall be severable and if any phrase, clause, sentence, or provision of the Susquehanna River Basin Compact or such agreement is declared to be unconstitutional or the applicability thereof to any signatory party, agency, or person is held invalid, the constitutionality of the remainder of such compact or such agreement and the applicability thereof to any other signatory party, agency, person, or circumstance shall not be affected thereby. It is the legislative intent that the provisions of such compact be reasonably and liberally construed.

"15.22—Effective Date; Execution. This compact shall become binding and effective thirty days after the enactment of concurring legislation by the Federal government, the states of Maryland and New York, and the Commonwealth of Pennsylvania. The compact shall be signed and sealed in five identical original copies by the respective chief executive of the signatory parties. One such copy shall be filed with the Secretary of State of each of the signatory parties or in accordance with the laws of the state in which the filing is made, and one copy shall be filed and retained in the archives of the commission upon its organization."

RESERVATIONS

Sec. 2. In the exercise of the powers reserved to the Congress, pursuant to section 1.4 of the compact, the consent to and participation in the compact by the United States is subject to the following conditions and reservations;

(a) Notwithstanding any provision of the Susquehanna River Basin Compact the Susquehanna River Basin Commission shall not undertake any project (as defined in such compact), other than a project for which State supplied funds only will be used, beyond the planning stage until—

(1) such commission has submitted to the Congress such complete plans and estimates for such project as may be necessary to make an engineering evaluation of such project, including—

(A) where the project will serve more than one purpose, an allocation of costs among the purposes served and an estimate of the ratio of benefits to costs for each such purpose.

(B) an apportionment of costs among the beneficiaries of the project, including the portion of the costs to be borne by the Federal government and by State and local governments, and

(C) a proposal for financing the project, including the terms of any proposed bonds or other evidences of indebtedness to be used for such purpose, and

(2) such project has been authorized by Act of Congress.

(b) No provision of Section 3.9 of the compact shall be deemed to authorize the commission to impose any charge for water withdrawals or diversions from the basin if such withdrawals or diversions could lawfully have been made without charge on the effective date of the compact or to impose any charges with respect to commercial navigation within the basin, jurisdiction over which is reserved to the Federal Government: *Provided*, That this paragraph shall be applicable to the extent not inconsistent with Section 1.4 of this compact.

(c) Nothing contained in the compact shall be deemed to restrict the executive powers of the President in the event of a national emergency.

(d) Nothing contained in the compact shall be construed as impairing or in any manner affecting the applicability to all Federal funds budgeted and appropriated for use by the commission of such authority over budgetary and appropriation matters as the President and Congress may have with respect to agencies in the Executive Branch of the Federal Government.

(e) Except to the same extent that State bonds are or may continue to be free or exempt from Federal taxation under the internal revenue laws of the United States, nothing contained in the compact shall be construed as freeing or exempting from internal revenue taxation in any manner whatsoever any bonds issued by the commission, their transfer, or the income therefrom (including any profits made on the sale thereof).

(f) Nothing contained in the compact shall be construed to obligate the United States legally or morally to pay the principal or interest on any bonds issued by the Susquehanna River Basin Commission.

(g) All laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting and decorating, of projects, buildings and works which are undertaken by the commission or are financially assisted by it, shall be paid wages at rates not less than those prevailing on similar construction in the locality so determined by the Secretary of Labor in accordance with the Davis Bacon Act, as amended (40 U.S.C 276a-276a-5), and every such employee shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any work-week in excess of eight hours in any workday or forty hours in any work-week, as the case may be. A provision stating the minimum wages thus determined and the requirement that overtime be paid as above provided shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project The Secretary of Labor shall have, with respect to the administration and enforcement of labor standards specified in this provision, the supervisory, investigatory and other authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176, 64 Stat. 1267, 5 U.S.C. 133a–15, and Section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended, 40 U.S.C. 276(c)).

(h) The commission shall insure that there is no discrimination on the ground of race, color, religion, or national origin in (1) the programs and activities of the commission, (2) the employment practices of the commission, and (3) the employment practices of parties entering into contracts with the commission, including construction contracts and contracts for private concessions in connection with recreational facilities.

(i) Contracts for the manufacture or furnishing of materials, supplies, articles and equipment with the commission which are in excess of $10,000 shall be subject to the provisions of the Walsh-Healey Public Contracts Act (41 U.S.C. 35 et seq.).

(j) Nothing contained in this Act or in the compact shall be construed as superseding or limiting the functions, under any other law, of the Secretary of the Interior or of any other officer or agency of the United States, relating to water pollution: *Provided*, That the exercise of such functions shall not limit the authority of the commission to control, prevent, or abate water pollution: *And provided further*, That the Secretary of the Interior shall not undertake or proceed with any "conference" or take any step subsequent thereto which is inconsistent with a decision of the Susquehanna River Basin Commission made with the concurrence of the member appointed by the President.

(k) The provisions of section 8.4 of article 8 of the compact shall not be construed to apply to facilities operated pursuant to any other Federal law.

(l) For the purposes of the Federal Tort Claims Act of June 25, 1948 (62 Stat. 982), as amended (28 U.S.C. 171 and sec. 1346(b)) and the Tucker Act of March 3, 1887 (24 Stat. 505), as amended (28 U.S.C., secs. 1346(a) (2), 1402, 1491, 1496, 1501, 1503, 2411, 2412, 2501), and the Administrative Procedure Act of June 11, 1946 (60 Stat. 237), as amended (5 U.S.C., secs. 551 through 558, 701 through 706), and the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended (U.S.C., secs. 791–823), the commission shall not be considered a Federal agency. However, any project of the commission which has been authorized by the Congress and whose authorization includes the construction of electric power generating capability shall not require licensure by the Federal Power Commission.

(m) The officers and employees of the commission (other than the United States member, alternate United States member, and advisors, and personnel employed by the United States member under direct Federal appropriation) shall not be deemed to be, for any purpose, officers or employees of the United States or to become entitled at any time by reason of employment by the commission to any compensation or benefit payable or made available by the United States solely and directly to its officers or employees. However, any agency or officer of the United States administering a retirement system, health insurance plan or program, or other plan or program of employee benefits for Federal employees may contract with the Susquehanna River Basin Commission for the coverage of its employees in such system, plan or program on terms equivalent to those available to the covered Federal employees. Any such contract shall provide for the payment by the commission of such sum or sums as will represent a contribution or contributions equal to that made for the benefit of like numbers and grades of Federal employees covered by the system, plan or program, and for all other necessary matters.

(n) Neither the compact nor this Act shall be deemed to enlarge the authority of any Federal agency other than the commission to participate in or to provide funds for projects or activities in the Susquehanna River Basin.

(o) The United States District Courts shall have original jurisdiction of all cases or controversies arising under the compact, and this Act and any case or controversy so arising initiated in a State Court shall be removable to the appropriate United States District Court in the manner provided by Sec. 1446, Title 28, USC. Nothing contained in the compact or elsewhere in this Act shall be construed as a waiver by the United States of its immunity from suit.

(p) The right to alter, amend, or repeal this Act is hereby expressly reserved. The right is hereby reserved to the Congress or any of its standing committees to require the disclosure and furnishing of such information and data by the Susquehanna River Basin Commission as is deemed appropriate by the Congress or any such committee.

(q) The United States member on the commission shall consult with all appropriate departments and agencies of the United States on a continuing basis, but he shall be the direct representative of the President and all his actions on the commission shall be in that capacity and in the manner specified by the compact and the

provision of this Act. The provisions of Sections 2.4 and 2.6 of Article 2 of the compact notwithstanding, the member and alternate member appointed by the President and advisor there referred to may be paid compensation by the United States, such compensation to be fixed by the President at the rates which he shall deem to prevail in respect to comparable officers in the executive branch.

(r) 1. Nothing contained in this Act or in the compact shall impair or affect the constitutional authority of the United States or any of its powers, rights, functions, or jurisdiction under other existing legislation in and over the area or waters which are the subject of the compact including projects of the commission: *Provided,* That whenever a comprehensive plan, or any part or revision thereof, has been adopted with the concurrence of the member appointed by the President, the exercise of any powers conferred by law on any officer, agency or instrumentality of the United States with regard to water and related land resources in the Susquehanna River Basin shall not substantially conflict with any such portion of such comprehensive plan and the provisions of Section 3.10 and Article 12 of the compact shall be applicable to the extent necessary to avoid such substantial conflict: *Provided further,* That whenever the President shall find and determine that the national interest so requires, he may suspend, modify or delete any provision of the comprehensive plan to the extent necessary to permit action by the affected agency or officer in accord with the national interest. Such action shall be taken by executive order in which such finding and determination shall be set forth.

2. Any future Act of the Congress having the effect of amending this Act, modifying the terms of participation by the United States in the compact or permitting the exercise of a power by any agency, officer or instrumentality of the United States in a manner inconsistent with this Act or the compact or any decision, rule or regulation of the commission lawfully made, shall be only by express amendment of this Act.

3. For the purposes of paragraph 1 hereof, concurrence by the member appointed by the President shall be presumed unless within 60 days after notice of him of adpotion of the comprehensive plan, or any part or revision thereof, he shall file with the commission notices of his nonconcurrence. Each concurrence of the member appointed by the President in the adoption of the comprehensive plan or any part or revision thereof may be withdrawn by notice filed with the commission at any time between the first and sixtieth day of the sixth year after the initial adoption of the comprehensive plan and of every sixth year thereafter.

(s) In the event that any phrase, clause, sentence or provision of Section 1.4 of Article 1 of the compact, is declared to be unconstitutional under the constitution of any of the signatory parties, or the applicability thereof to any signatory party, agency or person is held invalid by a court of last resort of competent jurisdiction, the United States shall cease to be a party to the compact, except to the extent that the President deems remaining a party necessary and proper to protect the national interest, and shall cease to be bound by the terms thereof.

(t) All Acts or parts of Acts inconsistent with the provisions of this Act are hereby amended for the purpose of this Act to the extent necessary to carry out the provisions of this Act: Provided, however, That no act of the Commission shall have the effect of repealing, modifying or amending any Federal law.

EFFECTUATION

SEC. 3.

(a) The President is authorized to take such action as may be necessary and proper, in his discretion, to effectuate the compact and the initial organization and operation of the commission thereunder.

(b) Executive departments and other agencies of the Executive Branch of the Federal Government shall cooperate with and furnish appropriate assistance to the United States member. Such assistance shall include the furnishing of services and facilities and may include the detailing of personnel to the United States member. Appropriations are hereby authorized as necessary for the carrying out of the functions of the United States member, including appropriations for the employment of personnel by the United States member.

Mr. MORTON. Mr. Speaker, I am introducing, on my own behalf and on behalf of the Maryland delegation, a bill to grant the consent of Congress to the Susquehanna River Basin compact and to enact the compact thereby making the United States a signatory party to it.

Only a small portion of the Susquehanna River Basin is in Maryland, but the significance of the river to the State cannot be measured by the relatively few miles of its length or square miles of its drainage area that are within its boundaries. What occurs or fails to occur upstream has a vital effect on downstream use and on the river's receiving waters, the Chesapeake Bay.

The Susquehanna River Basin is an extremely varied one. Large parts of it are rural, but others are highly industrialized urban areas. Some stretches of the river are polluted by industrial and municipal wastes and acid mine drainage. In places, flooding is a major problem. Uses of the river vary from municipal and industrial water supply to recreation to fishing and to assimilation of wastes. By and large, however, in the midst of the most highly urbanized, highly industrialized region in the country, the Susquehanna River Basin remains a relatively undeveloped area.

That the Susquehanna River Basin is relatively undeveloped and that the population pressure from an increasingly affluent and complex society will not long permit the relative lack of development to continue are the reason why the Susquehanna River Basin compact is a timely proposal. Today we can take steps to avert the consequences of fragmened, unplanned, duplicative development. Should we hesitate in taking such steps, we shall have to bear the burden—the very costly burden by any standard of measurement—of undertaking to find solutions to the problems that we have permitted to grow.

In Maryland we are particularly concerned with the impact of the river on Chesapeake Bay. Approximately 80 percent of the fresh water supply of the upper bay is received from the Susquehanna River. Little enough do we know about the effects of degraded water quality on marine life, but we do know that fish and other marine life are able to survive within a very narrow environmental range. The bay is a magnificent resource. In its waters grow clams, oysters and other shellfish. From it are taken many kinds of fish by both commercial and sports fishermen. Many forms of wildlife nest on its shores and marshes. All of these creatures can be endangered by our folly or our carelessness in not maintaining the delicate ecological balance they need.

Mr. Speaker, what is proposed for the Susquehanna River Basin is a bold scheme, but it is neither illogical nor unprecedented. Briefly stated, the Susquehanna River Basin compact would harness as a team the resources and talents of the relevant Federal agencies and the several States of the basin to effect the "conservation, utilization, development management, and control of the water resources of the Susquehanna River Basin under comprehensive multiple purpose planning."

Each of the three States of the basin, Maryland, Pennsylvania, and New York, have adopted the compact. In so doing, they have declared their commitment to "comprehensive planning administered by a basinwide agency, which will provide flood damage reduction, conservation and development of surface and ground water supply for municipal, industrial, and agricultural uses, development of recreational facilities in relation to reservoirs, lakes and streams, propogation of fish and game, promotion of forest land management, soil conservation, and watershed projects, protection and aid to fisheries, development of hydroelectric power potentialities, improved navigation, control of the movement of salt water, abatement and control of water pollution, and regulation of stream flows toward the attainment of these goals."

The compact would create the Susquehanna River Basin Commission. It would be composed of the Governors of the basin States, or their designees to act for them, and a direct representative of the President.

The Commission is directed to formulate and adopt, after consultation with appropriate water users and interested public bodies, a comprehensive plan for the immediate and long range development and use of the water resources of the region.

On the basis of the comprehensive plan, the Commission is to develop a water resources program. The compact directs that the program consider water quantity and quality needs for the reasonably foreseeable future and existing and proposed public and private projects required to satisfy such needs. After striking a balance of needs and projects to meet them, the Commission is to prepare a separate statement of projects it proposes to undertake during the period.

Given such broad responsibilities, the Commission is granted commensurate powers. It is made an operating agency in its own right. It is instructed to "establish standards of planning, design, and operation of all projects and facilities in the basin to the extent they affect water resources." It may conduct and sponsor research. It is to "collect, compile, coordinate, and interpret systematic surface and ground water data and conduct ground and surface water investigations, tests, and operations." It has a responsibility to "prepare, publish, and disseminate information and reports."

Appropriate safeguards are included in the compact to temper the use of the broad powers given to the Commission. The States are, as they should be, reluctant to bestow authority on a multijurisdictional agency. Throughout the compact, the Commission is enjoined not to disturb the existing agencies of the signatory parties, the three States and the United States, in the exercise of duties conferred upon them. For example the signatory parties declare it to be their policy "to preserve and utilize the functions, powers, and duties of the existing offices and agencies of government to the extent consistent with this compact, and the Commission is directed to utilize those offices and agencies for the purposes of this compact." Also, in the purpose clause, the "express intent" of the signatory parties is avowed to be "that the Commission shall engage in the construction, operation, and maintenance of a project only when the project is necessary to the execution of the comprehensive plan and no other competent agency is in a position to act, or such agency fails to act."

Elsewhere it is declared that:

> Nothing in this compact shall be construed to repeal, modify or qualify the authority of any signatory party to enact any legislation or enforce any additional conditions and restrictions within its jurisdiction.

The compact also provides that there shall be hearings on adequate notice given, and makes provision for judicial review of decisions or actions taken by the Commission.

Particular attention is given to the powers of Congress. The control of navigable waters and over commerce among the States and with foreign nations—powers conferred upon the Congress by the Constitution—are not to be affected by any construction of the language of the compact. Expressly recognized is the power and right of the Congress to withdraw the Federal Government as a party, or to modify the terms and conditions under which it shall remain a party.

As has been indicated, the Susquehanna compact is very similar to the Delaware River Basin compact. As in the case of the Delaware compact, there is an enabling act for the Susquehanna. This, too, is very similar to the Delaware model. Several provisions differ in detail. Two, for example, make explicit what in the Delaware compact enabling act were implicit. One specifies that the U.S. member of the Commission shall be the direct representative of the President. The other makes more clear than did the earlier enabling act that, except as the specific provisions of the compact or enabling act require, the responsibilities of other Federal agencies are unaffected.

Two other enabling act changes merit attention. One provides that the Susquehanna River Basin Commission is not to be considered a Federal agency for purposes of the Federal Water Power Act, adding that it not be required to secure a license from the Federal Power Commission if it should decide to develop a project for hydroelectric power generation provided that the project were one authorized by Congress and the authorization included hydroelectric power.

The other would modify the applicability of the Federal Water Pollution Control Act. Since the compact provides that the Commission have regulatory authority over water quality, the proposed reservation limits the jurisdiction of the Federal Water Pollution Control Administration in those cases in which the U.S. member of the Commission concurs in Commission action regarding water quality.

In the compact itself, there are only two significant substantive differences between the Delaware and Susquehanna. The latter compact is more explicit in conferring power on the Commission to promote adequate flood plain management and use. This is in line with the objectives of the flood insurance statute enacted by the Congress as a part of the Housing and Urban Development Act. The other has to do with a greater attention given in the Susquehanna compact to the preservation and enhancement of scenic values and historic and cultural sites.

Mr. Speaker, in the Susquehanna River Basin, four sovereign parties exercise rights and responsibilities—the States of Maryland and New York, the Commonwealth of Pennsylvania and the United States. Each has a major role to play within its respective geographical jurisdiction. None can evade the heavy burden of its responsibilities. Without some means to pool their efforts, however, they can operate at cross purposes. The river flows through the area with no regard to the lines we draw on maps. Since it will continue to do, and in doing so define and describe the region better than any mapmaker can, it is we who must recognize the inevitable. We must organize to deal with the problems and take advantage of the opportunities that the Susquehanna presents. This is what the Susquehanna River Basin compact is intended to make possible.

There will be development of the basin. It can be, if we do not act to direct it, of the willy-nilly variety. Should we take timely action to join the basin States in the Susquehanna compact, we can insure that there will be "effective and economical direction, supervision, and coordination of water resources efforts and programs of Federal, State, and local governments and of private enterprise to bring the greatest benefits and produce the most efficient service in the public interest.

GENERAL LEAVE TO EXTEND

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may be allowed 5 legislative days in which to revise and extend their remarks in connection with the Susquehanna River Basin compact introduced by me today for the Commonwealth of Pennsylvania, by the gentleman from New York (Mr. CELLER) for the State of New York, and by the gentleman from Maryland (Mr. MORTON) for the State of Maryland.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

UNJUST GRAZING FEE INCREASE POSES THREAT TO LIVESTOCK INDUSTRY

(Mr. JOHNSON of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. JOHNSON of California. Mr. Speaker, I rise to call to the attention of my colleagues an action taken earlier this month by the Departments of Agriculture and Interior, which, if permitted to stand unchallenged, will have an extremely disastrous effect upon one of our basic western industries which already is caught in the vice of a cost-price squeeze. I refer to the livestock industry which has suffered from many difficulties over the years, including the adverse effect of heavy imports of meat products, the ever-increasing cost of labor, increased taxes, and other problems.

Now we have piled upon these other burdens an unwarranted and excessive increase in fees charged by the Federal Government for grazing livestock on public lands.

In the 11 Western States, including California, much of the grazing of livestock takes place on federally owned lands administered by the U.S. Forest Service and the Bureau of Land Management. In my own Second Congressional District, approximately 18 million acres of land are in this category. The grazing areas of the northern and central California area, that I represent, are almost entirely federally owned with some of the counties in my district having only 10 to 20 percent of the land in private ownership, so you can see that, whether we like it or not, we are dependent upon the public lands of the BLM and the Forest Service for grazing our livestock.

It should be emphasized that this grazing of livestock on public lands is in accordance with the congressionally dictated principles of multiple use of these lands and in accordance with sound range management practices. Therefore we must recognize it as a rightful use of our public lands. I emphasize this because arguments presented for increasing grazing fees maintained that this action would force some of the "marginal operators" to give up their permits to the benefit of the public lands. First of all, I challenge the statement that elimination of grazing would benefit the public lands and will discuss this further later but, at this point, I want to stress that it is not the business of the Government to adopt any policy with the intention, implied or stated, of forcing any legitimate businessman into bankruptcy.

It is true many livestock operators caught in the present cost-price squeeze are earning barely more than poverty levels of income. They are working long hours and taking economic risks for a return of $3,000 to $4,000 a year, but for most of them this is the only life they know, this is the life they have grown up with and this is the life and business they will follow until they die unless forced into bankruptcy by some arbitrary Federal act such as the unrealistic increase in grazing fees ordered by the Secretaries of Agriculture and Interior a few days ago.

This action by these two Departments, operating under extreme pressure from the Bureau of the Budget, was not a hasty one but followed one of the most comprehensive surveys ever made by any Federal agency known as the 1966 Western Livestock Grazing Survey. The tragic thing about it is, however, that after this survey was completed, the Federal agencies threw out one of the basic criteria

which, prior to and during exhaustive studies, had been agreed to by the Departments, the Bureau of the Budget, and the industry; namely, the inclusion of the dollar market value of the Federal grazing permit as a production cost. The elimination of this factor, as you can see from the tabulations which I would like to include at this point, is sufficient to destroy the validity of the entire study.

TABLE I.—U.S. FOREST SERVICE—AVERAGE COSTS PER ANIMAL UNIT MONTH FROM GRAZING FEE STUDY[1] (CATTLE)

Items	Average nonfee cost per animal unit month of running livestock on Forest Service lands[2]	Average cost per animal unit month of running livestock on private lands
1. Annual capitalized market value of the grazing permit[3]	$1.52	
2. Private lease rate		$1.86
3. Lost animals	.61	.38
4. Association fees	.19	
5. Veterinarian	.13	.14
6. Moving livestock to and from allotment	.33	.24
7. Herding	.47	.16
8. Salting and feeding	.41	.85
9. Driving to and from allotment	.41	.27
10. Water	.04	.07
11. Horses	.23	.10
12. Fence maintenance	.27	.28
13. Water maintenance	.18	.10
14. Development depreciations	.13	.02
15. Other costs	.17	.12
Total cost per animal unit month	5.09	4.59

[1] Represents all national Forest Service lands in survey.

[2] Represents the average nonfee costs of running livestock on Forest Service lands. The average grazing fee in 1966 was $0.51 per animal unit month for cattle.

[3] Capitalized at 6 percent (the cost of money) and represents the annual capitalized dollar market value of the permit which was, based upon the study, an average of $25.35 per animal unit month on a national basis (regions I–VI). (The computation was as follows: $25.35×6 percent=$1.52/animal unit month.)

TABLE II.—BUREAU OF LAND MANAGEMENT—AVERAGE COSTS PER ANIMAL UNIT MONTH FROM GRAZING FEE STUDY[1] (CATTLE AND SHEEP)

Items	Average nonfee cost per animal unit month of running livestock on BLM lands[2]	Average cost per animal unit month of running livestock on private lands
1. Capitalized grazing permit[3]	$0.87	
2. Private lease rate		$1.82
3. Lost animals	.60	.40
4. Association fees	.04	
5. Veterinarian	.10	.14
6. Moving livestock to and from allotment	.21	.24
7. Herding	.49	.20
8. Salting and feeding	.69	.87
9. Driving to and from allotment	.31	.28
10. Water	.11	.07
11. Horses	.12	.09
12. Fence maintenance	.21	.27
13. Water maintenance	.20	.10
14. Development depreciations	.11	.02
15. Other costs	.14	.13
Total cost per animal unit month	4.20	4.63

[1] Represents all BLM grazing districts.

[2] Represents the average nonfee costs of running livestock on BLM lands. The average grazing fee in 1966 was $0.33 per animal unit month.

[3] Capitalized at 6 percent (cost of money) and represents the annual capitalized dollar market value of the permit which was, based upon the study, an average of $14.41 per animal unit month on a national basis. (The computation was as follows: $14.41×6 percent=$0.87 per animal unit month.

The 1966 Western Livestock Grazing Survey, the results of which are summarized above, was conducted for the purpose of establishing a sound economic basis and equitable comparison of total grazing costs for running cattle and sheep on public versus private lands. The cost criteria that were included in the study were agreed to by the Statistical Reporting Service of the Department of Agriculture, which conducted the study, the Bureau of the Budget, the Bureau of Land Management, and the Forest Service, as well as the range livestock industry.

There were 15 individual public and private cost items included in the study, including the dollar market value of the livestock grazing permit. Over 14,000 individual questionnaires were compiled, 10,000 of which were completed by SRS by securing individual cost records from ranchers in the western part of the United States. A large number of lending institutions also completed questionnaires relative to the dollar market value of the livestock grazing permit. The range livestock industry cooperated with the study in good faith on the basis that an area by area, or region by region comparison of all grazing costs for private and public lands would serve as an equitable and realistic means of establishing the economic value of forage and thereby a reasonable grazing fee level and structure. Without this cooperation, the study could not have been made.

In the case of Federal lands administered by the Forest Service, the 1966 Western Livestock Grazing Survey clearly indicated that by comparing total grazing costs, Forest Service permittees were already paying full economic value for the forage. Therefore, in contrast to the proposed grazing fee increases for Forest Service lands made by the Secretary of Agriculture, no grazing fee increases are justified in 1969 for domestic livestock running on Forest Service lands. Actually, the comprehensive grazing fee study indicated that range livestock permittees are paying more than economic value for forage.

Without the inclusion of the annual capitalized dollar value of the grazing permit in the comparison of total nonfee grazing costs, an equitable and reasonable grazing fee cannot be established. The American National Cattlemen's Association, speaking for the beef cattlemen of the Nation, objects violently to the grazing fee proposal.

I certainly share these views and I believe that the association has stated its position extremely well, and, therefore, Mr. Speaker, I would like to insert the comments filed by the association on three basic factors at issue in this matter:

A. GRAZING FEE PROPOSAL—U.S. FOREST SERVICE LANDS

The grazing permit, since 1905, as administered by the Forest Service, has accumulated value and become a definite cost of doing business for the following reasons:

1. In order for the livestock operator to be granted a grazing permit in the first place, most permittees must have sufficient private land and/or water resources to sustain their livestock while they are not running on federal land . . . the commensurability requirement. This and other requirements by law and regulation have, by necessity, forced the dollar market value of the permit to be capitalized into the total ranch investment structure. As a result, the dollar market value of the grazing permit has been considered over the years to be a non-depreciable asset, like land, and to exist in perpetuity, like most ranches, even though the permit itself has been also continually associated with a high degree of economic risk.

2. In addition to the livestock grazing permit serving as an integral part of the investment structure of the entire ranching operation, it is also considered by the agricultural lending institutions as a key element in determining whether short, intermediate or long term credit will be extended to ranching operations dependent upon the use of federal lands to graze livestock.

3. The average value of the livestock grazing permit, based upon the results of the 1966 Western Livestock Grazing Survey, on Forest Service lands was $25.35 per AUM. This permit value as a specific investment and cost over the years has been recognized by the Department of Defense (i.e. the Engle Act of 1942), the Internal Revenue Service with respect to settling estate matters, the Farmers Home Administration in loaning money to range cattle and sheep operators currently and by the many other agricultural lending institutions throughout the West loaning money to these same range livestock operations.

4. A major portion of the current value of the livestock grazing permit has accumulated and increased in value over the years as a result of the thousands of dollars that many range livestock operators have invested into range improvements of many kinds, both on public and private lands. For a number of years if it were not for the money spent by stockmen on range improvements of all kinds, there would not have been any range improvements if federal funds appropriated for this purpose were cut to zero.

Because range improvements take the form of water development, clearing of brush and noxious weeds, re-seeding of ranges, building and maintaining roads, etc., these range improvements not only add to the productivity and value of the range for livestock grazing, but they also resulted in many reciprocal benefits to the public in general.

As in the case of the private lease rate, the livestock grazing permit also reflects the taxes paid by the livestock operator on private lands.

The dollar market value of the grazing permit also is closely associated with such important factors as: weaning weights, calving percentages, and the general condition and health of the cattle and sheep running on these federal lands. It was understood prior to the time the study was conducted, that these important quality and economic factors could only be reflected through the capitalized dollar value of the grazing permit as an annual cost of doing business. Otherwise, these and similar important costs and value factors would not have been reflected in the study.

5. The matter of security of investment also has had a significant influence on the accumulated value of the permit over the years, since it would not be possible to maintain an economic unit in almost all cases without the availability and use of federal lands for livestock grazing during all or a portion of the year.

B. PUBLIC BENEFITS

1. Range cattle and sheep operators using public lands in connection with their private lands for grazing livestock have over the years provided access to the public lands and thereby making available their private lands for easy and convenient access. Considerable time is spent by typical range livestock permittees in giving direction to hunters, fishermen, and others interested in traversing their private lands to gain access to the public lands. These same people are often provided with water, car and automobile repair, the use of a telephone, meals, etc., at no cost.

The value of the livestock grazing permit is also affected and very closely related to the multiple-use concept. The average value borne out by the 1966 study of $25.35 per AUM for Forest Service lands would, in most cases, double or triple in value if such a permit gave the range livestock operator exclusive use and control of the federal lands on which his livestock run . . . but, of course, such is not the case.

2. Another specific and significant example of public benefits relates to the large amount of money and many hours spent by representative range livestock permittees in building and maintaining roads on public lands at their own expense, in developing and maintaining water facilities, developing and increasing the quantity and quality of forage, etc. These and other factors not only increased the capability of increasing the quantity and quality of food and fiber for the American people, but also results in substantial public benefits in the form of increased access to both public and private lands, availability of water for human consumption and wildlife, and, of course, increased and improved forage for wildlife, as well as substantially improving upon the watershed and management of the entire federal land.

C. ECONOMIC IMPACT OF GRAZING FEE CHANGES

The new formula for grazing fees will have the following impact on the range livestock and rural communities involved:

1. A net decapitalization or loss in equity in these range cattle and sheep operations from 25% to 50%, including a total loss in the dollar value of the grazing permit which is now capitalized into the total ranching operation.

2. A substantial loss in ranch equity and increased operating expenses resulting from the Grazing Fee formula would force the liquidation of many range livestock operators and place the livestock lending institutions involved in a position of having to make a very critical review of whether they any longer could justify extending short term, intermediate, or long term credit to livestock operations dependent upon the use of federal grazing lands.

3. The government grazing fee proposal would also cause a severe adverse economic impact on the many rural communities throughout the Western United States, who are either totally or largely dependent upon the economic stability and perpetuation of the livestock industry. Such a grazing fee proposal would amount to many millions of dollars lost by many local businesses and governments who are dependent upon a healthy and economically stable livestock industry".

Mr. Speaker, the facts of life are that the industry and government recognize the dollar value of a grazing permit. This has been true for many, many years. Local government collects taxes based on the possessory interest the livestock operator has in the Federal lands as is reflected by the dollar value of the grazing fee permit.

The only reason that I have heard for elimination of this factor from the 1966 grazing fee was a fear that including the value of the permit would recognize a proprietary interest in the public lands. I think, Mr. Speaker, that this response is grasping at straws. The facts of life are that the permits do have value and I do not believe the Federal Government can close its eyes to the fact. Anyway, the mere fact that the cash value of a permit is included in a study of fee structures in no way could be interpreted as giving the permit holder a proprietary interest in the Federal lands.

When the proposed decision was published last November, I opposed the new formulas based on the general philosophy that it was not timely and contrary to the findings of the 1966 study. My views were contained in the following letter dated December 7, 1968, which was directed to the Secretary of Agriculture and the Secretary of the Interior:

DEAR MR. SECRETARY: In recent days, I have had an opportunity to discuss with many members of the livestock industry the proposed increase of grazing fees on National Forests and public lands.

As you are well aware, the increases covering a period of the next ten years amount to approximately 400 percent on public lands under Bureau of Land Management jurisdiction and 200 percent on National Forest lands. I think this is not only excessive but also, in view of the present situation, it is untimely and premature.

As you well know, the Public Land Law Review Commission currently is giving active consideration to all aspects of public land utilization and it had been the wishes of Congress and the appropriate Committees of Congress that fundamental changes in land management such as certainly these adjustments are should be deferred until after the completion of the Public Land Law Review Commission studies. Accordingly, Mr. Secretary, I believe that in order to avoid disruption of this industry which is basic to our economy, we should defer implementation of these proposed adjustments until the Public Land Law Review Commission completes its work.

Frankly, I do not believe there is any urgency to these proposed changes which would preclude this deferment. However, if you are convinced there is such an urgency that these changes cannot wait for the recommendations of the Public Land Law Review Commission and Congressional consideration of these recommendations, we should at least wait until the appropriate Committees of Congress can hold hearings on these proposals early next year. I have requested that such hearings be held.

This delay, until at least the opening of the 91st Congress, is especially important at this time in view of the fact that we are on the eve of a new Administration.

In view of the allegations which have been raised since November 15th that the suggested adjustments are contrary to the facts revealed in the 1966–67 grazing fee study and survey, the new Administration and the 91st Congress must have an opportunity to evaluate the recommendations published by your agency last month.

Sincerely yours,
HAROLD T. (BIZZ) JOHNSON,
Member of Congress.

I still feel very strongly that the Congress of the United States, the Public Land Law Review Commisison and a new administration inaugurated January 20 should have an opportunity to review the situation prior to the implementation of the new fee structure. But no, Mr. Speaker, the two Secretaries, with a scant 6 days left in office, took this action which could destroy a major segment of the livestock industry.

Mr. Speaker, the livestock industry in no way wants to shirk its responsibilities and is willing to pay a reasonable fee to use the Federal lands. I should note that grazing fees paid to the Forest Service alone during 1967 totaled $4,183,348.

It is cruel and unjust that the basic criteria agreed to by all concerned, including the Federal agencies, prior to the start of the study should be eliminated arbitrarily in the final hours of decision. The livestock industry acted in good faith, the Federal agencies failed to respond in kind.

It is my hope that Congress and the appropriate committees in the House of Representatives and the U.S. Senate will conduct a thorough investigation of this entire matter as soon as possible for I feel a gross injustice has been perpetrated and it must be corrected immediately.

NEW OIL DRILLING REGULATIONS ARE QUESTIONABLE

(Mr. BROWN of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, two articles in this morning's Washington Post justify the fears I voiced yesterday about the dangers of more oil pollution problems occurring off our coastlines. I insert the two articles in the RECORD at this point:

POLLUTION HEADS SHOREWARD

(By Robert C. Jensen)

Secretary of the Interior Walter J. Hickel ordered his Department engineers yesterday to draft new and tighter drilling regulations aimed at preventing oil slick disasters like the one that is endangering Southern California beaches.

At the same time Hickel ordered a thorough review of the Department's regulations governing the leasing of lands on the Outer Continental Shelf. Such a review would take into consideration the protest of conservationists who argue that such oil leases should never be granted.

"The regulations have not been reviewed for the most part for some 15 years," Hickel said. "I am making every possible effort to update the procedures in order to meet today's advanced technological drilling methods."

In the meantime a change in winds brought the huge oil slick within two miles of the beaches near Santa Barbara in Ventura County.

The oil slick, which is fed by a 1000-gallon-an-hour gusher from a well in the Santa Barbara Channel, measures about 10 by 20 miles. This is an area only slightly less than three times as large as the District of Columbia.

The Union Oil Co. said that progress was being made in stemming the flow from the leaking well. A valve was opened about 700 feet below the ocean floor. This made it possible to force mud into the defective well to stop the leak.

The tighter drilling regulations ordered by Hickel are already in effect in the Santa Barbara Channel. They were worked out Monday night with Interior Department and oil company engineers after Hickel's inspection trip.

The new regulations call for more frequent testing of blowout prevention devices, more rigid procedures on drilling mud, and the installation of additional casing where required.

Humble Oil Co., the largest leaseholder in the Santa Barbara Channel, resumed drilling yesterday. It was reported to have been following these regulations before the disaster. The other oil companies were given permission to resume drilling, which had been halted temporarily after Hickel's visit.

Hickel believes that Union Oil was following Interior Department regulations and was not negligent in connection with the leak that began last Tuesday when an undersea geyser erupted while a drill bit was being changed.

The fault lay in the old regulations, Hickel said.

This view was challenged by the conservationist Sierra Club. It demanded the appointment of an independent board of inquiry.

"The public is entitled to know what building codes have not been enforced on oil platform construction, what research has been conducted on drilling in a high risk earthquake area and what caused the failure of the Union Oil operation," a Sierra Club spokesman said.

The air and water pollution subcommittee of the Senate Public Works Committee is continuing its hearings today. Asked to appear are Fred Hartley, president of Union Oil; George Clyde, supervisor of Santa Barbara County, and spokesmen from the American Petroleum Institute.

The oil slick has been held back from the beaches by offshore winds. But those winds calmed yesterday and the tides and currents carried the slick closer to land.

The slick surrounded Anacapa Island, a rocky and barren national monument and game preserve 20 miles off the Ventura County coast. Hundreds of seals that use the island as a refuge were imperiled. A few miles away, a portion of uninhabited Santa Cruz Island was awash with oil.

Conservationists report that thousands of sea gulls and other shore birds have perished in the oil. They also fear that many of the seals on Anacapa Island will die when they venture into the contaminated water for food.

LEASES PROFITABLE TO UNITED STATES

(By Spencer Rich)

Offshore oil and gas leases are big business for the United States Government—very big business.

Last year they brought in $1.6 billion in rentals, royalties and bonus payments. The amount almost certainly will increase as new techniques are developed for taking minerals from underwater areas on the Continental Shelf.

The Federal leasing system has come in for new scrutiny in the past week because the giant oil slick threatening the California coast is coming from the site of an oil rig that Union Oil Co. put up on offshore lands leased from the Federal Government.

The company obtained the lease under the system of bonus bidding that applies for all offshore holdings of the United States on the Continental Shelf. Union Oil bid $61,418,000 and walked away with a lease for 5,400 acres of underwater land.

The Federal Government keeps the amount bid as a bonus. In addition, Union must pay $3-an-acre rental fee per year, and a royalty, when the well starts producing, equal to 16⅔ per cent of the production of the well.

The successful Union bid, on Feb. 6, 1968, involved one of 71 parcels totalling 363,181 acres off the California coast to which oil companies obtained leases. From the winning bids on the 71 leases, the Government realized $602.7 million in bonuses.

Later in the year, 110 offshore leases along the Texas coast went for $595.9 million, and 16 leases off Louisiana for $149.9 million in bonuses. In each case rentals and eventually royalties also are payable.

The revenues from the off-shore leases all go to the Federal Government. This differs from the revenues received for oil and gas leases on the public land areas of the United States, where a similar leasing system applies (though without bids in certain areas and with only a 12½ per cent royalty). Revenues from the land areas go 10 per cent to the Treasury, 37½ per cent to the states of location and 52½ per cent to help finance reclamation projects.

Revenues from the off-shore leases—because of the giant bonus bids paid by oil companies in recent years—are vastly greater than for the dry land areas. While the offshore total in 1968 was just under $1.6 billion, the total for land areas was less than $150 million. About 12 or 13 per cent of all U.S. oil and gas production comes from Government-leased areas.

The Federal offshore leasing system applies only to underwater areas reserved for Federal jurisdiction by Congressional action in 1953. Two bills passed that year gave the states control over the immediate offshore ("tidelands") areas—going out to three miles or somewhat further—and reserved everything beyond that for the Federal Government. The states have their own leasing and revenue systems for the "tidelands" areas.

In the Federal leases, drillers must agree to curb oil spillage and pollution and use safe methods.

By last September there were 996 offshore leases covering 4.3 million acres, but probably no more than half had producing wells. Of the total, 778 leases were off Louisiana, 135 off Texas, 72 off California, 8 off Oregon and 3 off Washington.

There are no leases off the East Coast, although several companies have engaged in exploratory work there.

While it is heartening—even though it is tragically ex post facto—to see Interior Secretary Hickel pressing for strict drilling regulations, I can find no reason whatsoever to rationalize the decision made which allows the oil companies to resume their drilling operations. As I said yesterday, a temporary-voluntary restraint is wholely inadequate.

The drilling halt must be continued. I wonder how stringent are the new regulations which are permitting the large oil companies to start drilling again. Do we know the probability of another eruption?

At this point it appears the regulations will only be as strong as the oil industry lets them be. The Interior Department should take a firm position, and if the Department is unwilling to make such a decision itself, it should be Congress' job to do so. Again, I urge Secretary Hickel to declare a 1-year moratorium on all offshore drilling operations until a series of rigid guidelines can be established.

THE HORROR STORY OF THE 20TH CENTURY

(Mr. JOELSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOELSON. Mr. Speaker, a report recently issued by the U.S. Arms Control and Disarmament Agency covering world military expenditures for the years 1966 and 1967 is the horror story of the 20th century. Although the statistics contained in the report may be dry reading, the awful facts underlying them have a shattering and frightening impact.

The report indicates that global expenditures for military purposes have reached a new record high level. From $132 billion in 1964, they rose to $138 billion in 1965, $159 billion in 1966, and an estimated $182 billion in 1967. There is no indication that the increase will be arrested, and we are coming dangerously close to the $200 billion mark.

It is easy to talk freely about $1 billion but we must keep in mind that a billion still contains 1,000 million. In view of the staggering billions of dollars expended throughout the world for the arms race, it is difficult to comprehend why any Member of Congress would want to deny to the Arms Control and Disarmament Agency their annual appropriation of approximately $9 million for their tasks of slowing down the race.

The report discloses that worldwide military expenditures take more than 7 percent of the world's gross product. This is found to be more than 40 percent greater than worldwide expenditures on public education by all levels of Government, and more than three times the world expenditures on public health. The average annual expenditure per soldier around the world is $7,800. The average annual expenditures for the people in the world between the age of 5 and 19 for public education is $100 a year. Public outlays for health care average far less than $50 per person annually.

The report of the U.S. Arms Control and Disarmament Agency also discloses that throughout the world, more than 20 million people are on active duty in armed forces, and well over 30 million more persons are engaged in the business of equipping and supplying these armed forces.

I think it is a sign of our times that the disclosures of the report have not received banner headlines. Evidently our era is so inured to slaughter that these shocking facts are not considered newsworthy. I believe that it is our particular challenge to be disturbed and concerned about the diversion of our wealth, our talent, and our manpower from peaceful constructive pursuits to bloodshed and destruction.

TO PUT AN END TO AIRCRAFT HIJACKING

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, yesterday's newspapers carried the account of two more attempted hijackings of American commercial aircraft—the 13th and 14th this year.

This brings the total of hijackings perpetuated during the past 5 years to 54.

Mr. Speaker, the continuation of this situation is intolerable. Hundreds, even thousands of lives are being endangered by the irresponsible actions of a handful of individuals who find their "one moment of glory," or their escape from reality, in the act of hijacking our aircraft.

As the ranking member of the Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs, I have endeavored to do everything possible to remedy this situation.

Our subcommittee has conferred with Government and airline industry officials, held hearings, explored and urged various ways of discouraging hijackers from committing their foolhardy acts.

Judging from an expert analysis of the apparent emotional and psychological make-up of the bulk of the hijackers, there is little that will dissuade them from commiting these crimes short of just and stiff punishment; and in order to receive such punishment, they have to be returned to the country whose aircraft has been hijacked.

This, apparently, is the only thing that will work.

Mr. Speaker, since the Castro regime in Cuba, the haven of all the hijackers, has shown no evidence of willingness to bring an end to these acts of air piracy, some effective pressure will have to be exerted to change the present situation.

I am today introducing a resolution which could produce the change we all desire.

This could be done by achieving international consensus to suspend all air travel to and from, and the extension of landing and other air services to, any country which fails to return a hijacked plane, its crew and passengers, and the hijacker or hijackers, to the country in which the hijacked plane is registered.

Three separate steps are outlined in my resolution to accomplish this objective.

First, the President of the United States would be urged to use moral suasion on the countries whose airlines travel to and from Cuba, and those countries which extend landing and other service privileges to Cuban aircraft;

Second, the President would evidence the readiness of the U.S. Government to enter into formal international arrangements providing for the prompt return of hijacked aircraft, their crews and passengers, and the hijackers; and

Third, the U.S. Government would attempt to prevail on the International Civil Aviation Organization, a prestigious international body associated with the United Nations, to sponsor a protocol to the Tokyo convention, aimed specifically at hijackers.

I hope, Mr. Speaker, that the House will adopt my resolution promptly, thus conveying to the President an expression of our concern and suggestions for remedying the present situation.

FORMATION OF UNITED TRANSPORTATION UNION

(Mr. ANDERSON of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of Tennessee. Mr. Speaker, there occurred on New Year's Day an event of major importance in the conduct of our Nation's economic life. It was an act of solid progress, trust, and rational brotherhood. Because the news media gave sparse attention to the event, I would like to take this opportunity to commend to the attention of every Member of this House the formation of the United Transportation Union, AFL–CIO.

The creation of the UTU means that more than 80 percent of the men who operate the Nations' trains are now organized under a democratic, unified leadership. There is now one great voice, one strategic leadership, where there were previously four smaller, proudly independent, but frankly less effective railway trade unions.

The new strength and unity realized by the multiracial UTU has long been urged by responsible leaders in the highest echelons of Government and industry. All have sought a single, effective voice for railway safety, for unified productive bargaining, for fewer labor disputes, for fairer and more substantial worker benefits, and for reduced interunion rivalry and jurisdictional conflict which profits no one.

Mr. Speaker, in the creation of the United Transportation Union, I see solid gain for this Nation—for the workers, for management, for the Government, for the hundreds of millions of customers and passengers of the great American rail system. It is in every way appropriate that we recognize and warmly commend this powerful new organization, and salute the four operating railroad unions which respectively took the long view and swallowed a century of proud rivalry to form the UTU.

No one should suppose that the creation of the UTU was a simple transformation accomplished by the stroke of a pen, high in an executive suite far from the noise and sweat of the rail yards. This was hammered out in the way of American labor, man to man in every local, in every shop and yard. Never in the history of this country have four unions consummated a merger. And no four unions had prouder traditions or a more intense rivalry, inevitable among organizations whose jurisdictions overlap.

But when the chips were really down, when the interests of their members, their industry, and their Nation dictated that the railway unions dissolve their separate identities and act as a single organization, they did precisely that.

To list the four is to conjure up the specter of the hard, dangerous years of American labor in its infancy.

Consider the Brotherhood of Firemen and Enginemen, the union of Eugene Debbs, founded in 1877; the Switchmen's Union of North America, founded in 1886, the first railroad operating union affiliated with the American Federation of Labor, founder and owner of Labor Newspaper and the Union Labor Life Insurance Co.; the Order of Railway Conductors and Brakemen, at the one century mark, the oldest of all, and the union of T. J. "Tommie" Wright; and the Brotherhood of Railroad Trainmen, founded in 1883 to become the largest of the railroad workers unions. Its president, Charles Luna, is now the president of the United Transportation Union.

These were among the first names in American unionism. These were the unions that fought for the most basic right of workers in this country to join unions. These were the unions that hoisted their picket signs as the only shields they had against rifle fire. They banded together for simple things, like the collection of funds to let railroad widows bury their dead who had worked in an industry "so dangerous that no insurance company would cover its workers."

Later, when the American Federation of Labor and the Congress of Industrial Organizations came into being, they had a cornerstone to build on, a cornerstone laid by railroad labor.

Let these names be enshrined in the cornerstone of this Republic. At the end of this statement I have included a brief history of the four great unions which formally ceased to exist on January 1, 1969, but which will live on, stronger than ever, with the United Transportation Union.

Many commentators and analysts, both American and foreign, have noted with excitement a number of major changes in U.S. economic structure and practice within the past decade. Most often cited are fast spreading automation and cybernation along with their revolutionizing effects; the thick interaction between the academic and business communities; the trend toward corporate diversification and conglomerate mergers. The formation of the UTU represents a vigorous, realistic response by a leading part of the labor sector to these fresh conditions of the late 20th century. In short, the railroad trades have given notice that they will not be outflanked or underorganized in securing full participation in the economic progress of our time. This augers well for the transportation industry, for the labor movement, and for the Nation.

I believe that Americans will note with appreciation and hope the brief statement of principles which was adopted by the four merging operating railroad unions. The very capable president of the strong new UTU has amplified that statement of principles in his own excellent summation.

If these statements have meaning—and I have no doubt they do—the American public will at last have a powerful voice in the railroad industry. This is only fitting when it is realized how very much public treasure and sacrifice went into the building of our magnificent system of rails.

Two points stand out clearly in the UTU merger statements—the need for rail safety and the clear need to bring our railroads back into the passenger business. The public voice has been heard on both these issues and now it has a powerful supporter in the UTU.

To the members of UTU, we can say: Know the principles on which you were founded. Fight for those principles because your Nation needs them. We salute a great new union, as old as American unionism itself and yet as new as today—the United Transportation Union—and its first president, Charles Luna.

Text of Joint Statement by Presidents of the Four Unifying Organizations: Charles Luna (BRT), H. E. Gilbert (BLF&E), C. F. Lane (ORC&B) and N. P. Speirs (SUNA)

We have united to improve our strength as a union, and as individuals.

This shrinking industry no longer makes it possible for the traditional individual unions to meet the demands of the times.

We have united to save our energy for constructive purposes—to end the battle of craft against craft; working man against working man.

We have united to bring the combined strength of operating men together to find better transportation through legislation and negotiation.

We have united to provide a way, a medium, and an organization for transportation workers to join and find common solutions to the problems of the working man, the public, and the industry in this field of transportation.

We invite cooperation, a joint effort and consolidation with other railroad unions, and other transportation unions.

Extension of Remarks Concerning Founding Principles of the United Transportation Union—Text of President Charles Luna's Statement

By this move of unification we expect to strengthen each craft within the industry, and to give each man in the industry additional strength. Particularly this move should make more effective an individual and his organization in the operating end of the railroad business.

We will now be able to apply our united strength to problems, not only the problems of our members but also of our industry.

We plan to formulate public opinions, to recommend public laws which will benefit this nation and its people in the light of economic and social needs of today.

We feel this move will enable the railroad man to enjoy a good income and to have self respect in his industry. We need a good growing industry, and we intend to devote ourselves to that end.

We already are initiating research on the matters of safety and the mass transportation law.

Safety has been declining on the railroad. We feel it is due to the computerization of railroading—management has taken men out of the railroading industry and replaced them with a non-human response of punched cards and the unfeeling control of machines.

We want the human factor returned to railroading.

We are preparing for the next Congress a broad mass transportation bill aimed at the basic problems of transportation, which we feel underlie many of the problems facing the urban areas of this nation.

Many of the innercities' problems stem from poor transportation in the major population corridors, and we hope to attack this problem through our proposed bill.

We also want innovation in the industry. We want the railroads of this nation to begin thinking a little bit ahead of time, so that they are ready for changing industry and economy when it comes, not have to follow in the wake of other modes of transportation.

They have followed the old ways too long. Just because the tracks lie still and never move is no reason to turn the industry into stagnation.

This is an expanding nation and economy. We want our industry to lead in this expansion.

We also look for ways and means to cooperate with and extend the influence of the transportation employee of this nation in all modes of transportation. We certainly hope to cooperate in a broad way with other transportation unions especially in political and social areas.

A Brief History of the Four Unions Forming United Transportation Union

BROTHERHOOD OF RAILROAD TRAINMEN

In 1883: The Brotherhood of Railroad Trainmen is organized. Railworkers' wages average a little more than $1 a day. One third of the nation's railroad brakemen killed or maimed that year. An estimated 70% of all train crews could expect injury within five years of service.

In 1885: The Insurance Department of BRT comes into existence. Death benefits increased to $600. Membership of the Brotherhood reaches 4,500.

In 1887: Main objectives of the Trainmen stated in the union publication: "Railway managers and superintendents recognize in the Brotherhood a school for the mental, moral and physical improvement of its members, and consequently a better and more desirable class of men, who can be depended upon at all times, and into whose care and watchfulness thousands of lives and millions of dollars worth of property can be safely entrusted."

In 1889: The BRT, in conjunction with the Brotherhood of Locomotive Firemen, enlisted the support of the Hon. L. S. Coffin, a former Railroad Commissioner of Iowa, to take their struggle for better working conditions before Washington lawmakers. Membership base expanded to include railroad workers in more than 14 different trade classifications.

In 1933: Interstate bus operators were organized by BRT. (The BRT had 11,000 bus operators under 101 contracts held with U.S. bus companies).

In 1956: The Brotherhood of Railroad Trainmen reaches its all-time membership peak of 217,176. A decline since then to about 200,000 reflects declining employment on the nation's railroads.

In 1968: BRT president Charles Luna is named president of United Transportation Union.

BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN

In 1873: Lodge No. 1 of the Brotherhood of Locomotive Firemen was organized by Joshua Leach and 10 Erie Railroad firemen at Port Jervis, New York.

From 1877–80: BLF headquarters moved to Indianapolis. Major railroad strikes, a railroad management drive against BLF, and widespread unemployment causes setback in BLF growth.

In 1881: Eugene V. Debs elected general secretary-treasurer and Magazine editor.

From 1882–92: Rapid growth period of BLF. By the 16th Convention at Cincinnati, Ohio, in 1892, 480 lodges, representing 26,000 members.

In 1893: Eugene V. Debs departs BLF to form The American Railway Union.

In 1906: BLF name changed to Brotherhood of Locomotive Firemen and Enginemen.

In 1912: The first federal arbitration board appointed under the "Erdman Act" to settle a dispute over wages and working conditions is considered to have favored management and is a bitter disappointment to the BLF&E and locomotive firemen and enginemen.

From 1916–19: "United We Stand" is the rallying call of all train service unions in an all-out fight for the eight-hour day.

From 1934–38: BLF&E fights for mechanical stokers, power reverse gears and Railroad Retirement Act. The latter is signed into law by President Franklin D. Roosevelt on June 27, 1934.

From 1941–51: BLF&E diesel electric movement gains wage boosts and equal rates for firemen-helpers on diesel locomotives in the United States. Three BLF&E wage movements in these years bring higher rates of pay to locomotive enginemen.

From 1956–58: Diesel helper disputes with the Canadian Pacific and Canadian National Railways result in BLF&E strikes and "Royal Kellock Commission" hearings. Kellock decision to eliminate many locomotive firemen on freight and yard jobs welcomed by railroad management and upheld by Canadian government. BLF&E monthly and annual Safety Award Program inaugurated.

In 1962: U.S. railroads follow pattern of Canadian fireman-helper fight. Huge carrier propaganda campaign initiated against all railroad employes—particularly firemen and brakemen. BLF&E strikes over fireman issue. President H. E. Gilbert and the Brotherhood hit with contempt-of-court fines and threats of jail sentences. Some BLF&E officers in Southeast jailed. Dispute ends in the two-year Arbitration Award 282 which removes firemen-helpers from many freight and yard jobs.

In 1966: U.S. Department of Labor recognizes BLF&E's Apprenticeship Program. Congress acts to correct grievance machinery of NRAB; passes HR–706, permitting the establishment of special adjustment boards to decide on huge docket of cases.

In 1968: ORC&B, BART, SUNA, and BLF&E initiate unity plans. Ten-man committees meet in Hot Springs, Arkansas. Unity Agreement and Constitution forged. Governing bodies ratify. Members vote. BLF&E membership votes overwhelmingly to join other unions in formation of the United Transportation Union.

ORDER OF RAILWAY CONDUCTORS AND BRAKEMEN

In 1868: T. J. "Tommie" Wright organizes small band of Illinois Central conductors into the first "Conductors' Union," known as Division No. 1 Conductor's Brotherhood. Though founded initially as a fraternal group, the men quickly realize their most important common problem is being grossly underpaid.

First International Convention held in Columbus, Ohio, with conductors attending from all over the United States.

In 1878: At its convention, Brotherhood adopts the name "Order of Railway Conductors of America." Secretary-treasurer named at this convention is a resident of Cedar Rapids, Iowa, and he keeps his records at his home. Cedar Rapids later chosen as permanent home of the Grand Division and its officers.

In 1890: Order adopts a strike clause and begins militant policy of fighting for wages, hours, rules, safety and other issues.

In 1907: Thirty-nine years after Tommie Wright had first gathered his little band of pioneers, the ORC and other railroad labor prevailed upon Congress to pass legislation limiting the hours a railroader could work to 16 out of 24.

In 1942: The Order of Sleeping Car Conductors amalgamated with the ORC.

In 1954: Grand Division takes action changing name to the Order of Railway Conductors and Brakemen. The Order has been accepting brakemen as members for 20 years.

In 1965: On June 25 five years of bitter struggle that began with a multi-million dollar advertising campaign by the carriers in which they called their employes "featherbedders" climaxed with a settlement which maintains the roadman's dual basis of pay (100 miles or eight hours). In addition, paid holidays and expenses away from home won for road employes.

SWITCHMEN'S UNION OF NORTH AMERICA

In 1870: Switchmen employed on the railroads around Chicago, work twelve hours a day every day in the month for $50. Realizing their helplessness in bargaining with employers on an individual basis, switchmen band together in an organization of their own in the Chicago yards.

In 1886: As the need for a national organization became evident, switchmen meet in Chicago, to form the Switchmen's Mutual Aid Association of the United States of America, forerunner of SUNA.

From 1888–94: Lockout on the Chicago North Western Railroad, and disastrous strike on the Chicago Burlington and Quincy, bring on untimely death of the Switchmen's Mutual Aid Association. On October 23, 1894, locals of switchmen meet in Kansas City, Missouri, to establish Switchmen's Union of North America.

From 1906–35: Switchmen's Union affiliates with the American Federation of Labor in 1906, and for almost fifty years is the only railroad operating union affiliated with the AFL. SUNA is a charter member of the Railway Labor Executives' Association after joining RLEA in 1926. SUNA becomes a founder and owner of *Labor Newspaper* as well as the Union Labor Life Insurance Company. SUNA affiliates with the Canadian Labor Congress in 1935.

From 1935–68: The Switchmen's Union, organized along craft lines to improve the wages and working conditions of switchmen, has a long history of militant action against

the excesses of railroad management and a tradition of joining with others to protect and advance the economic and political rights of all workers.

THE GREAT PLAINS CONSERVATION PROGRAM

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEPPE. Mr. Speaker, early in this session I introduced legislation to extend the Great Plains conservation program for an additional 10 years. I joined with the gentleman from Montana (Mr. Battin) and 16 other Republican House Members in sponsoring H.R. 2062. This bill authorizes an increase from $150 million to $250 million in program funds and extends the act to December 31, 1981. The current authority for the Great Plains conservation program expires on December 31, 1971.

A great beginning has been made under this program, but the job is far from complete. More than 31,500 farmers and ranchers have entered into long-term conservation commitments involving 57,279,220 acres.

For North Dakota alone, 3,488 producers have signed contracts covering 4,674,119 acres. This involves cost-share obligations of $7,334,739 in 30 North Dakota counties and more than $110 million nationally. All of North Dakota's west district counties, except Wells, are included in the program, together with Stutsman County in the east district.

Created by Congress in 1956, the Great Plains program was designed to assist farmers and ranchers in applying conservation programs to entire units. Special emphasis is placed upon converting land unsuitable for sustained crop production to permanent grass.

The critical conservation needs of the program areas in the 10 Great Plains States cannot be met by the end of 1971. The authority should be extended another 10 years, with adequate financing, to help meet the problems of protracted drought which undoubtedly will arise in the future as they have in the past.

Mr. Speaker, this is a program of proven value that must be continued. Under this program, local, State, and Federal interests have worked together in the development and conservation of natural resources for the maximum benefit of the American people. I urge passage of H.R. 2062 so that this effort may continue.

THE LATE RALPH McGILL

(Mr. CONTE asked and was given permission to address the House for 1 minute.)

Mr. CONTE. Mr. Speaker, on February 4, 1969, Ralph McGill, publisher of the Atlanta Constitution, was silenced by a fatal heart attack. Where abuse and threats of violence had failed, death succeeded in stilling the courageous voice of the Pulitzer Prize-winning journalist.

In an era when "Southern liberal" seemed to be a contradiction in terms, Ralph McGill stood forth as an example of dedicated humanitarianism and sincere conviction.

"I've never struck my flag," he said, and his banner became a rallying point for concerned Americans. For black and white, for young and old, his moral indignation became the clear expression of their own ideal of human justice.

In 1958, Ralph McGill received the Pulitzer Prize for "long, courageous and effective editorial leadership." He was awarded the Presidential Medal of Freedom in 1964. These, however, are but small measures of the man: a man who earned the admiration and fervent support of his well-wishers, and even the grudging respect of his most committed enemies; a man whom it was my pleasure and privilege to know.

If we congratulate ourselves on the civil rights advances of the past decade, we cannot afford to forget the hatred and calumny incurred by the honesty of Ralph McGill. He helped show us the path to human dignity.

Let us not, lacking his eloquent prod, falter in our progress toward racial equality. Instead, let us rededicate ourselves, in memory of Ralph McGill, to completing the work for which he labored so long.

There is time, now, to honor the memory of a great man. Serious reflection on the principles and character of Ralph McGill will but intensify the flame of moral commitment he strove so diligently to kindle.

Ralph McGill's example forcefully contradicts the contentions of those who cry that the fire of moral fervor must give way to the flames of destruction. The accomplishments of Ralph McGill prove the efficacy of nonviolent social change.

While so many today rattle swords, I mourn the loss of one who triumphed so eloquently with the pen, Ralph McGill.

RUTH AND JOHN RACHETTO

(Mr. BERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BERRY. Mr. Speaker, I am today introducing a private bill to provide for the sale of 327.64 acres of land to Ruth Rachetto and her brother-in-law, John Rachetto. This is land upon which there was a mining claim, which was foreclosed by the Department for the reason that it was not being worked as a mining claim and no action was ever taken to prove it up.

The facts are briefly these: 51 years ago an attorney, the highly respected county judge of Lawrence County, sold to the father of John and Frank Rachetto the 327.64 acres described in the bill. He gave the elder Rachetto a quitclaim deed which the Rachettos thought, down through the years, was a good title. They did not know until foreclosure proceedings were started that there had never been a patent issued on the land and the only claim they had was a mineral claim.

The land is located some 3 or 4 miles from Deadwood, S. Dak., and is, of course, mountainous. But there is on this half section about 70 acres of good productive soil. In the 50 years the Rachettos owned the land, or thought they owned the land, they cut the timber, grubbed out the stumps, hauled the rock, and generally plowed the tillable land with a walking plow. Through the years they were able to put these 70 acres under cultivation and into alfalfa. Today the bulk of this 70 acres is as good as any alfalfa field in the State of South Dakota, primarily because of the husband-like manner in which this land was cared for. The Rachettos had a dairy farm; year after year the manure was spread upon the land and made extra productive because of this husband-like treatment. They took this good care of the land because they thought it belonged to them. They thought they were building it up for their own use and benefit and they thought they were enhancing the value by many hours of labor, sweat, and the backaches they put into it.

It was not until 3 or 4 years ago when the Department of the Interior started foreclosure proceedings that the Rachettos discovered they did not have good title to the property upon which they had put so much hard work and effort.

The Rachettos were permitted to buy back 5 acres of land upon which the buildings are located, but during these troublesome years Frank Rachetto was dying of cancer, so Ruth, as well as John, suffered additional mental anguish.

The bill which I am introducing would simply give to these people the right to purchase these 327.64 acres which is actually completely surrounded by deeded land and which has proven to be very difficult for the Department to handle. It would give them an opportunity to purchase their land at an appraised price. This would let them have what they thought they had down through the years and at the same time, relieve the Federal Government of the burden of trying to handle the property. Both the taxpayers and the Rachettos will be better off if this legislation is passed.

WIDOW'S EQUITY BILL

(Mr. GUBSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUBSER. Mr. Speaker, today I am introducing legislation which would make it possible for career servicemen to provide for their surviving spouses in the same manner which is possible for those who retire from the civil service.

My bill will probably be referred to as the "Widow's Equity Bill" and I am hopeful that it will be enacted into law at this session.

This is the year in which we will take concrete and definite steps in the direction of eliminating military conscription as a means of providing the manpower our military services require. To do this we must make a career in the service attractive.

Certainly there is no area which is more meaningful to the American family man than providing for the security of his widow. There is little doubt that this is a principal reason why a service career has been so unattractive that we are forced to employ the draft.

In recent years this legislative body has taken giant steps in passing legislation to reward the personnel of our Armed Forces for their services and dedication to the preservation of our Nation and the safety of the free world. Our prime motivation in passing these beneficial laws has been to assure that the men and women of our fighting forces have a standard of living equal to that which they are defending.

We are constantly striving for comparability of wages and benefits among all of our Federal employees. One by one, we are abolishing the inequities of employment compensation existing between the military and Federal civilian work force.

Aside from the obvious imbalances in actual pay existing between military personnel and their Federal civilian counterparts, the most glaring and most easily discernible difference existing is that affecting the right of military retirees who die of non-service-connected disabilities to provide their survivors with a meaningful annuity.

Among all career Federal employees, only the military retiree has no adequate and equitable system available under which he can provide properly for the dependents who survive his death from a cause which is not service connected.

Despite the fact that the military man, along with his family, endures the hardships and deprivations of a military career, contributes to his retired pay by subsisting on depressed wages for the major portion of his adult life, once he retires and dies of a non-service-connected cause, his retired pay ceases and his widow and children do not receive one red cent of the retired pay to which he was entitled.

In striking contrast, every other Federal retiree may leave his widow and children at least 55 percent of the retired pay he was receiving at the time of his demise, no matter what the cause of death.

In 1953 with the passage of Public Law 83-239—the Uniformed Services Contingency Option Act—the Congress endeavored to answer the military man's need for an equitable survivor annuity plan. At the time of its enactment great hopes were held for the plan. We were assured that it would meet the needs of the military retiree. Experience has proven that it provides neither the required coverage nor the degree of comparability to other Federal employee survivor annuity plans that military men should be able to expect.

The provisions of the original law were so restrictive that it has been amended seven times in 15 years; including changing its name to the "Retired Serviceman's Family Protection Plan"—RSFPP— in an effort to make it more acceptable to potential participants.

Each amendment liberalized the law in hopes of gaining participation by those eligible. However, the truth of the matter is that by the end of fiscal year 1969 the participation will have increased by a mere 8 percent to the low participation rate of less than 15 percent of all eligible military retirees.

The table below, based on Department of Defense statistics, presents the true figures on participation and clearly demonstrates the failure of the Retired Serviceman's Family Protection Plan to achieve its goal. Only 22 percent of all retired commissioned officers and less than 11 percent of all enlisted retirees are in the program.

ESTIMATED RETIREES PARTICIPATING IN RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN FISCAL YEAR 1969[1]

	Total retirees	RSFPP participants	Percentage of participation
Commissioned retirees	247, 230	54, 815	22. 17
Enlisted retirees	452, 272	48, 561	10. 73
Additional participants[2]		1, 164	
Grand total	699, 502	104, 540	14. 94
Total survivors receiving RSFPP annuities, 7,435.			

[1] Department of Defense figures. They do not reflect any withdrawals from the plan under Public Law 90-485.

[2] These are retired personnel who pay RSFPP premiums by cash due to waiving military retired pay because of VA benefits or retiring under civil service laws.

Obviously, the program is not meeting the needs of those who have the greatest need for an equitable survivor annuity program—the enlisted retirees.

The military retiree's main objections to the retired serviceman's family protection plan are its high cost and complex provisions which defy simple explanation so that the program can be easily understood by participants.

During the legislative hearing on amendments to the program in the 90th Congress, Brig. Gen. William W. Berg, USAF, then Deputy Assistant Secretary of Defense for Manpower, testifying for the Department of Defense, stated:

> If H.R. 12323 is enacted, we intend to make a considerable effort to bring the liberalized benefits of the program to the attention of all our people.

Thus, it was conceded that the Department of Defense had a huge selling job on its hands to convince the retirees the plan is worthy of their consideration.

The cost of the retired serviceman's family protection plan is borne entirely by the participating members with the exception of minimal administrative operational costs which are borne by the Government. The cost to the participating member is based upon: the options elected, the percentage of his retirement pay which he elects to leave his surviving dependents—under the law this amount cannot exceed one-half of his reduced retirement pay—and his age at the time of retirement as well as the age of his spouse or youngest child.

An analysis of costs to the participants of the military and the civil service survivor annuity programs quickly shows the basic inequity between the two. The chart below shows that the enlisted military retiree pays 2½ to 5½ times as much for his survivor annuity. The same is true for the commissioned officer retiree.

Grade	Years of service	Age at retirement	Survivor's annuity payable (monthly)	Military deductions (options 1 and 4 at ½)	Civil service deduction for the same annuity
E-5	20	40	$64. 43	$11. 14	$2. 93
E-6	24	44	89. 82	18. 37	4. 08
E-7	30	50	149. 45	38. 61	6. 79

Compare, if you will the complex RSFPP with its maze of provisions and restrictions to the simple, equitable, and practical program that civil service employees have. At the time of retirement the civil service employee can elect the amount on which to base his survivor annuity. He may choose his full retired pay as a base if he desires. His retired pay is then reduced by 2½ percent of the first $3,600 of the base he elected and 10 percent of any amount above the first $3,600 elected. His surviving dependent will then receive 55 percent of the gross amount he elected as the base. It is as simple as that.

There is no wonder the retired serviceman's family protection plan attracts less than 15 percent of the military retirees; while the civil service survivor annuity program attracts more than 90 percent of all civil service retirees.

It should be apparent by now to one and all that no amount of patching and amending RSFPP will produce an equitable and meaningful survivor annuity program with the maximum participation deserved by all. RSFPP has too many basic failings and its provisions are based on too many faulty misconceptions to ever be responsive to piecemeal doctoring. The patient is much too sick for the "take two aspirin and call me back in a couple of weeks" treatment which has characterized its history for the past decade and a half.

Military retirees will continue to hold the unenviable distinction of being the only Federal employees not covered by an adequate survivor annuity program until Congress provides them with an equal opportunity in this field with other Federal employees. The correction of this inequity by the creation of a completely new and uncomplicated program can and should be speedily and simply accomplished.

To this end I am, today, introducing legislation which will accomplish these main purposes:

First. It will provide two types of annuities for retired servicemen's survivors. One, for married retirees, will be automatic unless declined in writing at the time of retirement. The other, for unmarried retirees, will provide an annuity to a named person having an insurable interest in the retiree. This latter type of survivor annuity may only be elected by those retiring in good health.

Second. For a reduced amount of his retired pay during his retired lifetime, the serviceman will be able to provide a predetermined annuity for his survivors. The formula will be the same used for civil service survivor annuities.

That formula is: a 2½-percent reduction in the retiring serviceman's own retired pay of any amount up to $3,600 he specifies as a base for the survivor benefit, plus 10 percent of any amount up to the limit of his own full retired pay above $3,600. The survivor benefit will be 55 percent of whatever amount of his retired pay the retiring serviceman specifies—all or just a portion.

Third. It will end future additional participation in RSFPP. Those now enrolled in this plan will be given a one-time opportunity to enroll in the new survivor program, as will all other retirees. Those choosing not to take part in the new program may continue in RSFPP, but the plan will eventually end by attrition. Because of its financial soundness—assets well over an estimated $172 million by end of fiscal year 1970—RSFPP should be self-liquidating.

The plan proposed by this legislation is patterned as closely as possible after that which governs survivor annuities for civilian employees of the Government. No proposal could provide a greater degree of comparability than one which essentially duplicates that of the group with which comparability is sought.

It meets other criteria deemed necessary to success.

It will be comparable in price. No longer will the serviceman employee of the Government pay two to six times the amount paid by the civil service worker for a dollar's worth of survivor annuity protection.

It will be, at least in comparison to the present RSFPP formula, simple to explain and simple to understand.

It will be more flexible than the present system, more responsive to the changing situations and needs of the individual. Yet, it will not give the serviceman any undue advantage over his fellow Government employee. It will bring him into proper alinement with the rest of the Federal employee force.

And, it is believed, it will retain the financial soundness which has been the hallmark of RSFPP. The difference is, however, that under the new plan the Government will share in the cost of the program for servicemen, just as it now shares the costs for its civilian employees. The financial burden will no longer be borne exclusively by the retired military man.

The new plan will have at least one other advantage.

It will not have the disadvantage of being associated with RSFPP, and thus will not inherit the natural animosity which the discredited program, after 15 years of unsatisfactory operation, despite numerous changes, seems to generate in servicemen. It will be a fresh start, free of any taint or distrust which has built up against RSFPP. This, too, should be a "plus" auguring for its success.

These factors—equality with other Federal workers, flexibility, simplicity, soundness and, if you will—experienced newness—all should work toward greatly increased participation.

And all this without giving the serviceman anything beyond that which is, and has been for many years, available to the remainder of the Federal employee community.

In our continuing endeavors to achieve compensation comparability for all Federal employees, let us not hesitate to correct the survivor annuity inequity. To ignore this pressing problem is to penalize the dependents of those who serve our Nation without question in time of peace and in time of war. Their service and dedication assures that each of us may enjoy the fruits of our free way of life. Can we honestly deny the same fruits to their surviving loved ones?

Adm. David L. McDonald, USN, the former Chief of Naval Operations, summed it up so eloquently in 1965 when he testified before the Armed Services Committee stating:

> I do not believe the American bluejacket expects extravagance on the part of the Congress and the American people. He is concerned only to the extent that he receives a just share in the growth of the economy and is satisfied that the needs of his family are met.

Therefore, I ask that my colleagues join me in support of this measure to establish a policy of "Widow's Equity" for the future widows and surviving dependent children of our military retirees.

CONGRESSIONAL REFORM

(Mr. CONABLE asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. CONABLE. Mr. Speaker, on behalf of the gentleman from Illinois (Mr. RUMSFELD) and 23 other Republican colleagues, I have today filed a bill embodying the recommendations of the Joint Committee on Congressional Organization. I would like to call the attention of my colleagues to this bill and also to the section-by-section analysis that is being placed in the RECORD. This is a clean bill. A great deal of work has been done on it to remove technical objections following last year's effort to move this through the House. I hope that a great many Congressmen of good will in both parties will cosponsor this legislation to provide as broad a base of support as possible.

TITLE I—THE COMMITTEE SYSTEM

SECTION 101

Section 101 is a technical section relating to the rulemaking power of the Senate and House. The language of this section is the same in all of the reorganization bills.

SECTION 102a

Subsection (a) of section 102 makes applicable to the Senate a procedure already contained in House rules to permit the calling of a special committee meeting upon written request of a majority of the committee.

The second half of this subsection provides that in the absence of the chairman, a committee meeting shall be presided over by the senior majority party member present.

These provisions carry out the joint committee's recommendations 1 and 2 on page 8 of the final report. The language is taken from the original reorganization bill as introduced by Congressman Tom Curtis.

SECTION 102b

Subsection (b) of section 102 carries out these recommendations of the joint committee—Nos. 7 and 8, final report, page 10:

> Meetings for the transaction of committee business shall be open to the public except when the committee by a majority vote orders an executive session, and
>
> Results of roll call votes on bills and amendments, including votes of individual members, shall be made public immediately following the meeting, and the committee report shall include a tabulation of the vote by member.

The attempt here is to open activities of committees to the full extent feasible and to make known the votes of individual members in committee. In those cases involving national security or other confidential matters, a simple majority vote of the committee can close the meeting.

Again, we have used the language of the original Curtis bill.

SECTION 102c

Subsection (c) of section 102 carries out the joint committee's recommendation 4 on page 8 of the final report, as follows:

> The present rule requiring the chairman of a committee to report promptly any measure approved by the committee shall be amended to provide that under no circumstances shall the report be filed later than 7 days after written request of a majority of the committee to make such report.

We have retained the language of the Senate-passed bill, which is original bill language.

SECTION 102d

Subsection (d) of section 102 flatly prohibits proxy voting in committee. We realize that this is a controversial matter, but we would call to the attention of our colleagues in the House the following paragraph from the joint committee's final report, page 9:

> Although proxies may serve a useful purpose by allowing members to go on record when conflicting demands on their time make it difficult for them to be present for a committee vote, the evils of the practice outweigh this advantage. The use of proxies discourages committee attendance. It frequently permits the chairman or ranking minority member to control a bill in the face of major "live" opposition. You cannot argue with a proxy; a proxy cannot consider an offered amendment; a proxy cannot compromise. No one suggests that proxy voting should be permitted on floor votes—yet a member's vote in a closely divided committee may be far more significant than the vote of a member on the floor on the same bill. It is time to abandon a practice leading to legislation in which many committee members play no responsible role.

When the reorganization bill was before the Senate in 1967, that body amended section 102 with respect to proxy voting. Because of very significant differences in the committee burdens of Members of the Senate and House, the Senate will want to reexamine this provision as it applies to the Senate. However, we have restored the original bill language to apply to both Houses and urge our colleagues in the House of Representatives to adopt the flat prohibition of proxy voting in House committees.

SECTION 102 e–e

Paragraph "e" of subsection 102e provides a minimum guarantee of 2 days for Members to file minority or supplemental views in committee reports.

This is the recommendation made by

the joint committee—No. 14, final report, page 12—and while we are not convinced that 2 days is really sufficient for the filing of views in many cases, we have retained the language of the original bill, which contains also the sensible requirement that the report be distributed to all members of the committee in advance of the filing of additional views.

SECTION 102 e–f

No. 15 of the joint committee's recommendations directed to "committee procedures" really concerns floor procedure:

> Except for a declaration of war or national emergency, no floor vote shall be taken on a measure reported by a committee until the committee report and committee hearings, if any, have been available for at least 3 days.

The Senate added waiver language to exempt bills in the imminence of first, sine die adjournment; second, expiration of the act sought to be amended, or third, to meet immediate financial needs of the Government. In our opinion, this would have nearly destroyed the provision. The joint committee argued that—

> A bill (which means *any* bill) that cannot survive a 3-day scrutiny of its provisions is a bill that should not be enacted. Proper consideration must be given to important legislation even in the closing days of a session.

We would add especially in the closing days of a session and suggest that this should apply to any subject taken up for consideration in either body. Accordingly, we have returned to the language of the original bill and tightened up even that language by inserting the phrase "measure or matter" and specifying that no measure or matter shall be taken up, much less finally voted upon, until the report and hearings, if there were printed hearings, have been available for at least 3 days.

We think this is a key provision of the bill and would remind our colleagues that such a rule already obtains with respect to general appropriation bills in the House—House rule XXII, paragraph 6.

SECTION 102 e–g

Paragraph (g) of section 102e attempts to implement the joint committee's view that subcommittees should be more closely supervised by their full committees. It does so by requiring each standing committee to file one annual resolution for funds for staff in excess of the statutory limit. That single annual resolution is to specify by name and amount all subcommittees to be funded for that year, and it must be filed by January 31 or not later than 30 days after a majority of the committee's members have been designated. Whenever a committee seeks later additional funds, its request will have to be accompanied by an explicit statement of the reason such funds were not sought in the first resolution. The recommendation of the joint committee appears on page 13 of its final report—No. 19.

SECTION 102h

In paragraph "h" of subsection 102e, we have gone back to the Curtis bill to pick up two of the joint committee's recommendations that somehow disappeared in the bill that was considered by the Senate. On page 13 of its final report, the joint committee recommended that:

> 18. Each subcommittee shall follow the rules of procedure of its parent committee.
>
> * * * * *
>
> 20. The rules of every committee shall be printed at the beginning of each Congress.

We think these are useful improvements. With the proliferation of subcommittees, the danger arises that some of these units may stray from the main committee's path of operation. As the committees are enjoined from adopting procedures not consistent with the procedures of the House, we believe the subcommittee similarly should be enjoined from adopting procedures not consistent with those of its parent committee.

We also think it would be useful to have the rules of every committee printed at the beginning of every Congress.

SECTION 102 e–i

This paragraph, exempting both Appropriations Committees from the foregoing provisions of section 102, was added to the bill by an amendment in the Senate. Actually, the Appropriations Committees already were exempted under the 1946 act, to which section 102 of this bill is an amendment, but since the statute is a little difficult to read on this point, we have left in the clarifying language of paragraph "i."

SECTION 103 a–a

The provision requires that each standing committee, with the usual exception of the Appropriations Committees, give public notice of the date, place, and subject matter of any hearing at least 1 week before the hearing begins, unless the committee determines that there is good cause to begin the hearing at an earlier date.

The joint committee originally recommended 2 weeks—No. 9, page 11. As the figure here is a floor, not a ceiling, 1 week would seem to be a reasonable requirement, and we have retained the Senate amendment.

SECTION 103 a–b

This provision requires that committee hearings, again with the exception of the Appropriations Committees, which are covered in section 231a of title II, be open to the public unless the committee determines that the testimony to be taken, first, may relate to a matter of national security; second, may tend to reflect adversely upon the character or reputation of any individual; or third, may divulge matters deemed confidential under other provisions of law or Government regulation. These open hearings may be broadcast and telecast under such rules as the committee may adopt.

This paragraph carries out Nos. 5 and 6 of the joint committee's recommendations on page 10 of the final report. The third exemption—providing for closed hearings if the subject matter concerns information confidential under provisions of law—was added by Senate amendment.

We have retained the language of the Senate-passed bill except for certain particulars relating to the telecasting and broadcasting provision, where we have borrowed some improved language from the Smith bill making it clear that telecasts and broadcasts may not be conducted under commercial sponsorship, and including still and motion photography in the provision.

SECTION 103 a–c

No. 11 of the joint committee's first 20 recommendations says:

> Each committee shall require all witnesses appearing before it to file, at least 2 days before their appearance, written statements of their proposed testimony unless the committee finds good cause for the failure to file such a statement. The staff shall prepare digests of such statements for the use of committee members.

The Senate amended this provision in order to reduce the time to 1 day and to substitute permissive language for the mandatory wording relating to digests. We believe the Senate language is more realistic on both counts than the joint committee's recommendation and have retained the wording of the Senate-passed bill.

SECTION 103 a–d

Paragraph "d" provides that upon conclusion of a day's hearing, if so requested by the committee, the staff shall prepare a summary of that day's testimony for the use of the committee's members. Upon approval of the chairman and the ranking minority member, such summaries may be printed in the committee's hearings.

Again, we have used the language of the Senate-passed bill, which was modified to leave both preparation and printing of summaries to the discretion of each committee. As in the previous provision, the joint committee's original recommendation contained mandatory language. We believe the flexibility of the Senate language is preferable.

SECTION 103 a–e

Paragraph (e) carries out the joint committee's recommendation No. 12 on page 11, as follows:

> In the event hearings have been called by a committee, the minority shall be entitled on request to call witnesses of its choice during at least 1 day of the hearings.

SECTION 103 a–f

As pointed out earlier, the Appropriations Committees are treated in title II with respect to open hearings, telecasting and broadcasting, and so forth. Paragraph "f" simply makes it clear that the Appropriations Committees, and we have added the House Committees on Rules and on Standards of Official Conduct, are exempt from the foregoing provisions of section 103 as they are set forth in this place in the bill.

SECTION 104

The joint committee made two recommendations with respect to "committee scheduling," as follows—page 13:

> 16. Committees shall be permitted to conduct hearings during floor sessions by obtaining consent of the majority and minority leaders or their representatives, and
>
> 17. Committees should schedule their business on a 5-day work week.

The Senate amended section 104 to allow Senate committees to sit for any purpose while the Senate is in session. We have not altered the Senate-approved language for the Senate.

However, we have restricted the application of this provision in the House to the conduct of hearings while the House is in general debate provided a bill is not being read for amendment. We feel strongly that Members should be on the floor during the amendment procedure, which is a critical stage in the legislative process. The section does not apply to the Committees on Appropriations, Government Operations, Rules, and Un-American Activities.

The recommendation for committee business on a 5-day week is admonitory—note the word "should" instead of "shall." We support the recommendation but believe that the first order of business is to get a 5-day schedule of floor business, after which the committee problem probably will resolve itself.

SECTION 105 a–a

The amendments made by section 105 require legislative review by standing committees on a year-round, consistent basis.

The 1946 Reorganization Act required committees to "exercise continuous watchfulness" over the execution of the laws within their jurisdictions. Unfortunately, the phrase "continuous watchfulness" has come to have so many interpretations that for all practical purposes it is almost without meaning.

Paragraph (a) of subsection 105a of our bill, which is identical to the Senate-passed bill and is original bill language, restates the oversight function of committees in stronger, more comprehensive terms, requiring each standing committee to "review and study, on a continuing basis, the application, operation, administration, and execution of those laws, or parts of laws," under the committee's jurisdiction.

SECTION 105 a–b

Paragraph (b) enumerates in some detail what is expected of committees in carrying out their responsibility of legislative review as restated in paragraph "a":

> (b) Each standing committee of the Senate and House of Representatives shall—
>
> (1) conduct the reviews and studies required generally by subsection (a) of this section;
>
> (2) analyze, appraise, and evaluate reports and other data of the Comptroller General of the United States, and of any other officer or agency of the Government, which are pertinent to reviews, studies, programs, projects, and other matters within the purview of this section and may request the Comptroller General to investigate any report on any matter relating to the receipt, disbursement, and application of public funds under such laws;
>
> (3) keep currently informed with respect to the regulations, procedures, practices, and policies of the Government pertaining to the application, operation, administration, and execution of the laws, and parts of laws, the subject matter of which is within the jurisdiction of the committee;
>
> (4) conduct such activities as are necessary and appropriate to carry out the general review and study policies of the committee under this section, including reviews of programs of grants-in-aid referred to in section 252(c) of the Legislative Reorganization Act of 1967; and
>
> (5) obtain current information regarding—
>
> (A) the progress, status, and results of reviews, studies, programs, and projects conducted under this section,
>
> (B) the regulations, procedures, practices, and policies of the Government referred to in subparagraph (3) of this subsection, and
>
> (C) all other matters within the purview of this subsection.

SECTION 105 a–c

Paragraph "c" entitles each standing committee to hire a "review specialist," in addition to the regular professional staff, to assist the committee in meeting its review responsibilities as redefined in the previous subsections.

Originally, the specific review functions were assigned to the review specialist as an individual. The Senate felt that it should be the responsibility of each committee to fulfill the review requirements, and the bill was amended to permit the hiring of a review specialist if the committee so desired, but to require the committee to meet its responsibilities of legislative review whether it uses the assistance of a "review specialist" as such or not.

We have retained the language of the Senate-passed bill.

SECTION 105 a–d, e, f

Paragraphs "d" through "f", which are original bill language, require each committee to submit to its House no later than March 31 each year a report of the committee's review activities under this section. Escape language is provided for matters "which, in the opinion of the committee, should not be made public in the interest of national security." Provision is made for copies of the reports to be sent to the President and other appropriate officials of the Government.

SECTION 105 a–g

Paragraph "g" exempts both Appropriations Committees, the Select Committee on Standards and Conduct of the Senate, and the House Committees on Rules and on Standards of Official Conduct from the foregoing provisions of this section.

SECTION 105 b

Subsection "b" redesignates "oversight" as "review." Apparently, "oversight" has a connotation of error in the original law, whereas "review" carries no such stigma.

This is original bill language. The recommendation may be found on page 23 following of the final report, together with the remainder of the joint committee's recommendations under "Legislative Review."

SECTION 106

For reasons not entirely clear, it has been the practice to print reports of conference committees as reports of the House of Representatives. During consideration of a conference report in the Senate, Senators have had to use and refer to the House report. Section 106 allows the report of a conference committee to be printed as a document in each House.

It has been the custom as well for the conferees on the part of the House to prepare the report. Section 106 specifies that reports of conference committees are to be prepared jointly by the conferees on the part of both Houses, with provision for the filing of additional individual explanatory views as an appendix to the report.

If the time for debate on a conference report is limited, section 106 provides that the time shall be divided equally between the majority and minority parties of that House. Although the joint committee's recommendation (page 25) clearly defines the battleground as between those who favor and those who are opposed to the report, we were advised that this distinction is not a preferred basis for recognition by the leadership. Therefore, we have adopted modified language similar to that in the Bolling bill which divides the time equally between the parties. Both Houses traditionally have functioned on this basis, and we believe the end result will not be significantly different in assuring that the voices of proponents and opponents of the report will be heard.

SUMMARY—I

This completes title I, and I want to suggest to my colleagues that this is an uncommonly modest package of committee "reforms." At the same time, I want to say that if we enact these provisions without further delay and procrastination, I believe we can feel that we have accomplished a good piece of work toward democratization and modernization of the committee process.

Members will note the omission of three whole sections from title I of our bill; namely, old section 121 relating to committee jurisdiction in the Senate, old section 131 relating to committee jurisdiction in the House, and old section 122 making changes in membership of Senate committees.

If the joint committee's recommendations in these areas were reasonable at the time they were made, the findings on which they were based must be somewhat outdated now. In section 402 of our bill, we have instructed the new, permanent Joint Committee on Congressional Operations to undertake a fresh review and study of the whole committee jurisdiction subject. In the interim, nothing in our bill precludes separate action in either House which might resolve problems of an immediate or temporary nature.

TITLE II—FISCAL CONTROLS

SECTION 202

Section 202 directs the Secretary of the Treasury and the Director of the Bureau of the Budget, in cooperation with the Comptroller General, to set up and maintain a standardized information and data processing system for budgetary and fiscal data, for use by all Federal agencies.

This section carries out the first recommendation of the joint committee under "Fiscal Controls"—page 27—with the exception that in our bill, as in most of the reorganization bills introduced since the Senate passed S. 355, the Comptroller General is to advise and cooperate with the Secretary of the Treasury and the Director of the Bureau of the Budget, rather than share functional responsibility with them. This reflects the position of the Comptroller General as an agent of the Congress rather than of the executive branch.

SECTION 203

Section 203 directs the Secretary of the Treasury and the Director of the Bureau of the Budget, again in cooperation with the Comptroller General, to set and maintain standard classifications of Federal programs, activities, receipts, and expenditures. The initial classifications are to be established on or before December 31, 1969. An annual report is required on or before September 1.

This portion of the title refers to the joint committee's recommendation numbered 2(a) on page 27 of the final report.

SECTION 204

Section 204, putting into statutory language the joint committee's recommendation 2(b), directs the Comptroller General to provide Congress with information concerning the location and nature of data available in the various Federal agencies with respect to programs, activities, receipts, and expenditures of those agencies. This information shall be furnished to any Member of the House or Senate, or any committee or joint committee, upon request, together with summary tables of such data to the extent feasible.

Other bills have excluded the right of the individual Member of Congress to request this information. We feel it is important for every one of us to be able to request this data, and we have retained the original bill language.

SECTION 205

Section 205 directs the Comptroller General to have available in the General Accounting Office employees who are expert in analyzing and conducting cost-effectiveness studies of Government programs. Upon request of any committee or joint committee, he is to assign such experts on a temporary basis to assist the committee and its staff in conducting cost-effectiveness studies of programs under the committee's jurisdiction.

This is original bill language and carries recommendation 2(c) of the final report.

SECTION 206

Recommendation 2(d) of the joint committee is provided for in section 206, which directs the Comptroller General to collect information and data available in the various Federal agencies with respect to changes in the figures shown in the budget as submitted by the President, to furnish to each Member and committee of both Houses, from time to time, reports showing revised budget information and totals reflecting the information and data which he has collected, and, to the extent feasible, upon request of Members or committees, to furnish tabulations of such budget information.

We have retained the original bill language.

SECTIONS 207 AND 208

Subsection (a) of section 207 authorizes the Comptroller General to establish within the GAO such organizational divisions as he thinks will best help him carry out the responsibilities imposed on him by the provisions of this bill.

Subsection (b) authorizes the Comptroller General to hire consultants at a rate not in excess of $200 per day. No consultant may be hired for more than 120 days during any calendar year, and not more than 15 such consultants may be so employed by the GAO at any one time.

Subsection (c) requires the Comptroller General to include information on the performance of these new functions in his annual report to Congress.

All of these items have been retained from the Senate-passed bill. It may be that the Comptroller General does not need this kind of explicit authority to create divisions within the GAO for the better performance of the GAO's functions, but if there is any confusion on the point, this language sets the record straight.

The figures on the number of consultants and rate of reimbursement were recommended by the GAO.

Authority for these provisions is implied in the recommendations and supporting language of the joint committee under "Fiscal Controls."

Section 208 is a definition clause, clarifying the term "Federal agency."

SECTION 221

Section 221 provides for supplemental budget information to be sent to the Congress, as follows:

> (b) On June 1 of each year, beginning with 1970, the President shall transmit to the Congress a supplemental summary of the Budget transmitted in January of such year for the ensuing fiscal year. Such supplemental summary shall reflect all changes relating to that fiscal year which have occurred since the transmittal of the Budget, including changes caused by—
>
> (1) revisions in estimates of expenditures and receipts,
>
> (2) estimated expenditures and proposed appropriations which were not included in the Budget as transmitted,
>
> (3) appropriations enacted after transmittal of the Budget, and
>
> (4) the enactment of laws (other than appropriation Acts) after the transmittal of the Budget.
>
> (c) On or before June 1 of each year, the President shall transmit to the Congress, in such form and detail as he may determine—
>
> (1) summaries of estimated expenditures, for the four fiscal years following the ensuing fiscal year for which the Budget was transmitted in January of such year, which will be required under continuing programs which have a legal commitment for future years or are considered mandatory under existing law, and
>
> (2) summaries of estimated expenditures in fiscal years following such ensuing fiscal year of balances carried over from such ensuing fiscal year.
>
> (d) The Budget shall include information showing the gross amount of expenditures and estimated expenditures of all programs of the Government.

This section carries out the joint committee's multipart recommendation numbered 3 on pages 29 and 30 of the final report, except for paragraph "f", which is covered in section 231.

SECTION 231a

Consistent with the provisions of section 103 to apply to standing committees of both Houses except the Appropriations Committee, section 231a provides for open hearings of the Appropriations Committees, with telecasting and broadcasting permission under such rules as the committee might adopt.

This provision conforms to recommendation 7 on page 32 of the final report.

SECTION 231 b–e

Subsections (b) through (e) of section 231 require the Appropriations Committees to hold public hearings on the budget within 30 days after its transmittal to the Congress. These hearings, which may be joint, are to include testimony from the Secretary of the Treasury, the Director of the Bureau of the Budget, and the Chairman of the Council of Economic Advisers. The hearings are to examine particularly: first, the basic recommendations and budgetary policies of the President in the presentation of the budget; and second, the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts. Each Member of the House and Senate is to be furnished with a copy of the printed transcript of the hearings.

This language, which is original bill language, carries out recommendation No. 5 on page 31 and paragraph "f" of recommendation 3 in the same section.

SECTION 231f

The 1946 Reorganization Act provided for the formulation of a legislative budget by action of a joint committee composed of the entire membership of the revenue-raising and Appropriations Committees. For various reasons, including the unwieldy size of the committee, the idea did not work, and no further attempts were made in this direction after the failure of the first effort. In 1966, the Joint Committee on the Organization of Congress decided to recommend repeal of this section of the 1946 act.

This language, which is original bill language, fulfills recommendation 4 on page 31 of the final report.

SECTION 232

Section 232 directs the Appropriations Committees, or their duly authorized subcommittees, to review the budget for each fiscal year for the specific purpose of examining and reviewing multiagency programs, that is, those programs for which estimated expenditures or proposed appropriations contained in the budget are to be made by, or under the control of, two or more Federal agencies.

This is original bill language and carries out recommendation 6 on page 32 of the final report.

SECTION 233a

For technical reasons, the Appropriations Committees were exempted from the provisions of section 102, in title I, which includes the prohibition against proxy voting. Subsection (a) of section 233, in title II, applies this prohibition to the Appropriations Committees, consistent with the recommendation of the Joint Committee—No. 3, page 8—to abolish proxy voting from all committees.

SECTION 233b

Subsection (b) of section 233 requires that the committee report accompanying each appropriation bill include an analysis of the major factors taken into consideration by the Appropriations Committee in reporting the bill and recommending the appropriations contained therein. The report must also state the consideration given by the Appropriations Committee to cost-effectiveness analyses or studies relating to programs for which funds are carried in the bill and furnished to the Appropriations Committee by the appropriate legislative committee.

This is original bill language and carries out recommendation 8 on page 33 of the final report.

SECTION 233C

Subsection (c) of section 233 requires that reports accompanying supplemental or deficiency appropriation bills include an explanation of the nature of the request for each supplemental or deficiency appropriation and the reason such request was not made or could not have been made for inclusion in the regular appropriation bill for the fiscal year or could not be withheld for inclusion in the regular appropriation bill for the following fiscal year.

This is also original bill language and carries out recommendation 10 on page 33 of the final report.

SECTION 234

Section 234 requires a yea-and-nay vote on final passage in each House on any appropriation bill. This carries out the joint committee's recommendation 9 on page 33.

The provision does not apply to the adoption of the conference report, which is also in accord with the joint committee's recommendation. Of course, any Member of the House can demand the yeas and nays on any question.

SECTION 235

Section 235 was added to the Senate-passed bill by adoption of an amendment requiring first, that any provision to change the compensation of Members of Congress be considered as a separate item from the rest of whatever measure it is contained in, and second, that it be approved or disapproved by rollcall vote.

SECTION 241

Section 241 directs the Comptroller General, at the request of any committee or joint committee, to explain to and discuss with the committee and/or its staff any report made by the GAO which would assist the committee in its consideration of proposed legislation—including requests for appropriations—or its review of any program or the activities of any Federal agency within its jurisdiction.

We have borrowed improved language from the Smith bill assigning this responsibility to the Comptroller General rather than specifying that he shall designate employees of the GAO to do the explaining and discussing. Of course, the Comptroller General has that authority implied.

This section carries out recommendation 11a on page 34 of the final report.

SECTION 242

Section 242 directs the Comptroller General to deliver copies of all GAO reports to Congress specifically to: (1) the Committees on Appropriations, (2) the Government Operations Committees, and (3) "any other committee which has requested information on any program or part thereof, or any Federal agency, which is the subject of such report."

This is modified language to carry out recommendation 11b, final report, page 34.

SECTION 243

Section 243 concerns responses by Government agencies to GAO reports. The bill states:

> Whenever the General Accounting Office has made a report which contains recommendations to the head of any Federal agency, such agency shall, in connection with the first request for appropriations for that agency submitted to the Congress more than 60 days after the date of such report, submit a written statement to the Committees on Appropriations of the House and Senate of the action taken by such agency with respect to such recommendations.

This embodies recommendation 11c and is original bill language.

SECTION 251

Section 251 requires the report accompanying each bill or joint resolution from a legislative committee to contain estimates of the committee as to the cost of carrying out the bill for the then-current and next 5 fiscal years, or the duration of the program, if less than 5 years, and a comparison of these cost estimates with any cost estimates made by any executive agency, or a statement of the reasons why the furnishing of such information is impracticable.

In the case of a measure affecting revenues, such report shall require only an estimate of the gain or loss in revenue for a period of 1 year.

We have used the language of the Senate-passed bill, which contains the escape clause providing for an explanatory statement in the event the committee cannot comply with the cost estimate requirement. However, we have deleted specific language added by the Senate to the effect that a point of order may be made against any report that does not meet one or the other of these requirements. A point of order can always be made against any measure that does not comply with the requirements of that House.

Section 251 carries out recommendation 12a on page 35 of the final report.

SECTIONS 252 AND 253

Section 252 directs each committee or joint committee of legislative jurisdiction, when recommending enactment of legislation: First, to endeavor to insure that all continuing Government programs, and all continuing activities of Federal agencies, are appropriated for annually; second, to review, from time to time, any program under its jurisdiction which is not appropriated for annually to ascertain whether such program could be modified so that appropriations therefor would be made annually; and, third, to make a complete review periodically of grant-in-aid programs.

Section 253 is a technical section which defines legislative jurisdiction.

This is original bill language, to provide for paragraphs b, c, and d of recommendation 12, final report page 35.

This completes title II, which remains largely in its original reorganization bill form.

TITLE III—SOURCES OF INFORMATION

SECTION 301A

Technically, subsection (a) of section 301 increases the professional staff of all standing committees of both Houses—except the Appropriations Committees, which have never suffered any staff limitation—from four positions to six. I will elaborate on this in a minute.

Subsection (a) further provides that if they so desire, a majority of the minority members of the committee may select for appointment two of the six professional staff employees, who shall be responsible to the minority and whose employment shall be terminated by the minority. We have added clauses which clarify this section and which protect incumbent employees—I will come to these later on in my remarks.

I ask the indulgence of my colleagues at this point in permitting me to elaborate a bit on what this so-called minority staffing section of the bill does and does not mean.

First, I would ask Members to look on page 75 of the joint committee's final report, where there is a listing of the staff positions of committees of both Houses as of July 22, 1966:

Of the 15 standing committees of the Senate, exclusive of appropriations, only three—the Committees on Agriculture and Forestry, the District of Columbia, and Finance—had staffs that did not exceed the statutory limits of the 1946 act.

Similarly in the House, only six of our committees had staffs that were not in excess of the statutory limitation.

This was nearly 3 years ago, and a review of the staffing reports of committees subsequent to the joint committee's final report will show that staffing requirements have increased overall.

The 1946 Reorganization Act resulted in a major shakeup of committee jurisdictions and realinement in both Houses. In providing staff for the new committees, the Congress adopted language proposed by the first Joint Organization Committee to write into the rules of both Houses a ceiling of four professional and six clerical positions for each standing committee, exclusive of the Committees on Appropriations, and language declaring that all of the positions were to be filled on a nonpartisan basis.

There were two basic errors here. One was the idea that all committees could function with roughly the same amount of staff. The other was that all committees would function on a nonpartisan basis. This is no condemnation of the joint committee's work—a quarter of a century ago, both of these ideas may have looked very practical. It is only to say that over the years, neither of these ideas has worked out for all committees.

Again referring to the tabulation of staff positions as of July 22, 1966, we see a total of 206 positions listed for the Senate Judiciary Committee, compared with a total of three positions for the House Rules Committee. Technically, both of these committees are entitled to a total of 10 positions—four professional and six clerical, under the 1946 act.

As a practical solution, committees have gone to their respective administration committee in each House from time to time for additional funds to hire staff. With the occasional denial of a request for minority staff, these requests are usually sent to the floor and approved without discussion.

Nor is there an element of secrecy here, since each standing committee by law must report the name, title, and salary of each of its employees every 6 months, and for the House at least, these tabulations are routinely printed in the CONGRESSIONAL RECORD.

But we submit that this is no way to run our railroad, and we came to the following decision with respect to committee staffing in the reorganization bill:

In all of the subsections, with a technical clarification here and there, we have retained the language of the Senate-passed bill, which for the most part is original bill language and conforms to the joint committee's recommendations in this area. I will comment on each piece as it appears in the bill.

We have added language in section 402, prescribing the duties of the new Joint Committee on Congressional Operations, instructing the committee to make a fresh study of committee jurisdictions, workload problems, operations, and staffing requirements in both Houses.

The result of the several-pronged attack in this bill will be to provide a minimum guarantee of minority staff where and when the need arises—if it does—I should point out that most committees have resolved staffing questions in a very amicable fashion—to provide a better overview of the whole question by requiring committees to combine their additional staffing funds requests in one annual authorization resolution; by permitting committees to hire some consultants to augment the regular staff when needed, and in general to patch up matters until the new joint committee has had time to compile current figures and conduct a careful study from which we can extract recommendations for more efficient operation in the future.

SECTION 301b

Subsection (b) of section 301 extends the principle of minority staff to clerical positions. The 1946 Reorganization Act set a limit of six on the number of clerical positions for each committee. The 1969 bill retains that figure but says that if a majority of the minority members of the committee so desire, they may select for appointment at least one of these six clerical employees.

Again, I want to point out that this whole numbers game is unrealistic. All our bill does, pending a fresh study of committee staffing requirements and recommendations by the new Joint Committee on Congressional Operations, is to provide some very minimal relief in cases, if there are any, in which the minority of a committee is attempting to function without adequate staff assistance.

SECTION 301 c–g

This is a contingency clause to cover the situation in which a minority staff appointment is made at a time when no permanent vacancy exists. Clause (g) provides that the new employee shall be paid from the contingent fund of the respective staff until such time as the vacancy is resolved.

SECTION 301 c–h

Paragraph (h) of subsection 301c provides that committee staff appointed by the minority under the foregoing provisions, as well as staff appointed under the annual authorization for additional staff, shall be accorded equitable treatment with respect to the fixing of salary rates, assignment of facilities, and accessibility of committee records.

This is original bill language, not amended by the Senate, and carries out the joint committee's third recommendation on page 21 of the final report.

SECTION 301 c–i

Paragraph (i) authorizes each standing committee of either House, upon approval of its respective Administration Committee, to procure temporary—defined as not in excess of 1 year—or intermittent services of consultants or organizations.

Services of organizations shall be procured by contract; services of individual consultants may be procured either by contract or by employment. Selection of individuals and organizations shall be by joint action of the chairman and ranking minority member, and the committee is required to submit relevant background information on the consultant or consultant organization to the Administration Committee of that House.

This is original bill language and carries out recommendation 4 on page 22 of the final report.

SECTION 301 c–j

Paragraph (j) authorizes each standing committee, on approval of its respective Administration Committee and subject to the availability of funds for such purposes, to assist professional staff members in obtaining specialized training connected with their jobs.

This assistance may take the form of continuance of salary during the period of training, or a grant of money for tuition, fees, or other expenses, or both, and the committee is authorized to obtain an agreement from the employee to continue in employment with the committee for a reasonable time upon completion of his training.

This is original bill language and carries out the joint committee's recommendation 5 beginning on page 22.

SECTION 301d

Subsection (d) of 301 provides for bringing salaries of some Senate committee employees into line with those of their opposite numbers in the House. This is an equity clause, added to the bill by adoption of an amendment in the Senate.

SECTION 301 e AND f

These are technical paragraphs to clarify the policy of the permanent staffing provisions of section 301 already explained, with protection for incumbent employees.

SECTION 331

Section 331 redesignates the Legislative Reference Service as the Legislative Research Service, in order to more accurately reflect the Service's true activity, and spells out its modern duties in clearer terms, emphasizing that the Service shall be directly responsive and responsible to Congress. Provision is made for the position of a Deputy Director, for some additional specialists, and for LRS to make intermittent use of experts and scholars outside the Library when needed.

For purposes of emphasis, we have also retained language added by the Senate authorizing LRS to acquire and utilize automatic data processing equipment to facilitate the performance of its functions.

The recommendations of the joint committee concerning LRS are numbered 1 through 11, pages 39 through 42 of the final report.

SECTION 332

Section 332 authorizes one professional and two clerical staff positions for the Joint Committee on the Library and requires the committee to submit an annual report to Congress on the activities of the Legislative Research Service. This fulfills the joint committee's recommendation 10 on page 42 of the final report.

SECTION 333

Section 333 comprises technical language to repeal the law that established the Office of Coordinator of Information for the House of Representatives. Subsequent to the recommendation of the joint committee to abolish this office—final report page 42—the House Appropriations Committee has declined to appropriate funds for its continuing operation, and this language in the bill reflects the fact in law.

SECTION 334

Section 334 is a saving provision for the protection of incumbent employees of the Legislative Reference Service.

SECTION 401

Section 401 establishes a permanent Joint Committee on Congressional Operations, to be composed of six Senators and six Representatives, equally divided between the two major parties in each House. This is identical to the composition of both predecessor committees—the joint committee of 1945, and the recent one of 1965.

The recommendation contained in the final report calls for a partisan joint committee of 10 members, I call the attention of my colleagues to item 13 of the supplemental views of Congressmen Curtis, HALL, and CLEVELAND, page 91 of the final report, which urges that the new joint committee be evenly bipartisan. Experience has shown that bipartisanship on this kind of committee assures that all points of view will be heard and equal attention given to all suggestions. We believe, also, that recommendations which eventually emerge from a bipartisan joint committee stand a better chance of being accepted by the membership of both Houses as having been motivated by considerations of what would be best for all concerned in making any changes in the operation of the Congress.

Accordingly, we have stipulated in our bill that the chairmanship, as well as the membership, of the joint committee shall be evenly divided between the two Houses and the two parties.

SECTION 402 a–b

Subsections (a) and (b) of section 402 set forth the duties of the Joint Committee on Congressional Operations. On this question, our bill is significantly different from the Senate-passed bill and all subsequent versions.

First, we have retained all of the duties imposed on the new joint committee in the Senate-passed bill, as follows:

To make a continuing study of the organization and operation of the Congress and recommend improvements with a view toward strengthening Congress, simplifying its operations, improving its relationships with other branches of the Government, and enabling it better to meet its constitutional responsibilities—this clause is modeled on the now traditional language of the establishing resolutions of the joint commitees in 1945 and 1965;

To make a continuing study of automatic data processing and information retrieval systems and recommend feasible uses of such systems by the Congress;

To identify court proceedings or actions of vital interest to the Congress and provide for the appropriate court representation on behalf of Congress when necessary, and

As provided for in subsection (b), to take over the responsibilities and functions of the Joint Committee on the Disposition of Executive Papers.

Then, we have imposed on the joint committee these additional responsibilities, with the requirement that in each instance the committee report to Congress by a day certain.

First, we have asked the joint committee to make a study of the procedures of both Houses in dealing with citations for contempt of Congress, and second, a study of the facilities, including gallery facilities, available to the public in its visits to the U.S. Capitol and the means of improving such facilities in order to present to the public an informative view of the Congress.

Both of these matters have been studied in detail and recommendations have been made in both instances. The joint committee should be able to complete its work on these items within a year.

Next, we have asked the joint committee to make a study of the role of the Congress, and the exercise, application, and effect of its authority, with respect to the engagement of the Armed Forces of the United States in armed conflict in overseas areas without a formal declaration of war by the Congress, and a study of the jurisdictions and staff resources of the committees of Congress.

The report and recommendations with respect to these studies shall be submitted to the Congress not later than 2 years after the effective date of this section.

Finally, we have asked the joint committee to make studies as follows:

The problems relating to the application, operation, and enforcement of the provisions of section 1913 of title 18, United States Code, relating to lobbying with appropriated funds;

The resources and facilities available to Members of Congress for the effective performance of their legislative and representative functions;

The relative advantages of incumbent Members of the House and Senate and their opponents in primary and general elections to the Senate and House respectively, and

The procedures of the Senate and House in dealing with contested elections in their respective Houses. The report and recommendations of the joint committee with respect to these studies shall be submitted to the Congress not later than 3 years after the effective date of this section.

I want to emphasize that these studies were not just dreamed up. Each one of these questions, for one reason or another, was deferred by the recent joint committee. References to most of them can be found in the supplemental views of Congressmen Curtis, HALL, CLEVELAND, and HECHLER to the joint committee's final report.

I also want to remind my colleagues that these are only studies. The joint committee has not been given legislative jurisdiction and its responsibility extends only to the filing of a report in each case.

SECTION 402C

Subsection (c) of section 402 requires the joint committee to report from time to time on any other matters within its jurisdiction. We have amended this paragraph to require at least one annual report of the committee.

SECTION 403

Section 403 gives the joint committee the usual powers to sit and act, to require the attendance of witnesses, and so forth. The section also specifies that recommendations made by the joint committee must have the approval of a majority of the committee's members.

The first part of section 403 is implied in the recommendation to establish a permanent joint committee. The majority vote requirement was drawn from rule 5 of the recent joint committee and assures that all recommendations issuing from the new joint committee must have bipartisan backing from the committee's members from each House.

SECTION 404

Section 404 authorizes the joint committee to appoint the same number of professional and clerical staff—six of each—as are allowed other standing committees. We have added language stipulating that the staff must be chosen by a majority vote of the full committee after background information on each candidate for selection has been distributed to all members of the committee.

The joint committee is also authorized to contract for services of temporary experts and consultants and to hire such additional personnel as it might need to carry out its functions with respect to the disposition of executive papers.

SECTION 405

Section 405 directs the joint committee to keep a record of its actions, including votes of members on rollcall votes, to keep files, and so forth. This is standard language.

SECTION 406

Section 406 provides for the transfer of the functions of the Joint Committee on the Disposition of Executive Papers to the new Joint Committee on Congressional Operations.

This carries out recommendation 3, on page 46 of the final report.

SECTION 407

Section 407 creates an Office of Placement and Office Management of the Congress, under the supervision of the Joint Committee on Congressional Operations, for the purpose of accepting applications for employment with Congress, testing qualifications of applicants, and, upon request, furnishing Members, committees, and officers of both Houses advice and information on office management and practices. The bill clearly states that no Member, committee, or officer of either House is required to use the facilities of this office.

The final report references are to recommendation 6, on page 47, and recommendation 3, on page 50.

We have retained the original bill language.

SECTION 408

Section 408 provides for the expenses of the joint committee to be paid from the contingent fund of the House of Representatives, from funds appropriated for the joint committee upon vouchers approved by the chairman.

SECTION 421

Section 421 clarifies the authority of the elected officers of the Senate and House with respect to employees under their supervision. Specifically, these officers may prescribe periods of training for employees to be completed either prior to assignment to duty or on the job, and they may promulgate and enforce regulations governing the performance of duties by employees under their jurisdiction.

This section carries out recommendation 1 on page 49 of the final report.

SECTION 422

Section 422 directs the Capitol Police Board to formulate a plan for conversion of the Capitol Police force to a professional force. The chief of the Metropolitan Police force is directed to provide such information and assistance as will help the Board carry out its responsibility under this section. "At the earliest practicable date," the Board is to report to Congress its findings and recommendations.

The reference here is to recommendation 2 on page 49 of the final report. We have retained the language of the Senate-passed bill in all important respects even though some efforts already have been made to professionalize the Capitol Police force.

SECTION 423

Section 423 changes the age requirements for Senate and House pages by providing that no person may serve as a page until he has completed the 12th grade of school, or during a session which begins after his 22d birthday. Certain pay provisions are amended, and the section requires pages to serve at least 3 months.

The pages who currently serve the Senate and House will not be affected by this bill. However, when these boys have finished high school, the page school will be abolished as no longer necessary.

The joint committee's recommendation on pages is found on page 51 of the final report, item 4.

We have added the following clause from Congressman BOLLING's bill:

> Nor shall a person be appointed as a page until his parents or legal guardian is fully informed in writing as to the nature of the work, salary, working conditions, including hours and scheduling, and available housing accommodations.

SECTION 424

Section 424 establishes an official Capitol Guide Service, under the direction, supervision, and control of a Capitol Guide Board to consist of the Architect of the Capitol and the Sergeants at Arms of both Houses, and provide that guided tours of the Capitol shall be free to the public.

This section was added by Senate amendment. There is a reference to the subject in recommendation 5 on page 51 of the final report.

We have used the language of the Smith bill which reflects the latest technical revisions with respect to salary rates, and so forth.

SECTION 433

Section 433 amends the Legislative Reorganization Act of 1946 in order to provide that:

> Not later than the last day in the month of July in each year, the two houses shall adjourn (1) sine die, or (2) to a day certain subsequent to August 31 of such year, which shall be fixed by concurrent resolution adopted in each house by roll call vote. This section shall not be applicable in any year if on the last day of July of such year a state of war exists pursuant to a declaration of war by the Congress.

The joint committee's recommendation for an August recess is found on page 55 of the final report.

As Members know, the legal adjournment date for Congress is July 31. As Members also know, we have not met that date for many years. There was a good deal of testimony before the joint committee favoring an August recess for Congress.

While the trend to year-round sessions of Congress may be irreversible and an August recess necessary, we have modified section 433 to allow the Congress to meet during August for any other urgent reason should such a contingency arise.

SECTIONS 441–444

Part 4, comprising sections 441 through 444, provides that the Postmaster General shall appoint postmasters of all classes in accordance with civil service examinations, laws, and rules. Members of Congress are prohibited from soliciting favored treatment for any applicants. However, if requested by the Postmaster General, a Member may supply information on a former employee.

Rural mail carriers similarly are to come under civil service regulations.

The usual saving provision protects postmasters and mail carriers already appointed.

The joint committee's recommendation aimed at removing patronage from the U.S. postal service is found on page 56 of the final report. We have retained the language of the original bill for the most part, making changes in technical wording but not altering the policy of the bill.

SECTIONS 451–455

Sections 451–455 comprise language from Congressman BOLLING's bill designed to eliminate congressional responsibility for making military service academy appointments, at the same time retaining geographical representation to each academy. Applicants under the new provisions will be selected on the basis of merit as established by competitive examinations.

SECTION 471

Section 471, comprising several pages of formidable-looking figures, carries out recommendation 7 on page 52 of the final report to convert the basic rate system of computing clerk hire in the House to a system of gross rates only. The policy here is very simple; it is only the technical apparatus that gives this part of the bill such a complicated appearance.

I might remind my colleagues in the House that the Senate, by independent action, already has converted its pay system to gross figures.

SECTION 481

Section 481 makes allowance, under certain circumstances, for use of the contingent fund of the House for temporary sick leave pay, as follows:

Upon request of the Congressman, and with proper medical verification, a staff employee who has been on the Member's payroll for at least 2 years of continuous service and has been absent because of illness for more than 30 days shall be paid from the contingent fund of the House rather than from the Member's clerk hire allowance for up to 6 months of sick leave.

What this provision does is to free the clerk hire position of an employee who is suffering extended illness for the Member who needs to hire a temporary employee to continue that work until the absent employee returns, without discontinuing the absent employee's salary.

SECTION 482

This section, added by amendment when the reorganization bill was before the Senate in 1967, provides that stationery allowances of Senators and Representatives shall be available only for stationery and other office supplies for official business use in the Washington, State, and district offices. Any portion of any allowance not used for this purpose shall revert to the general fund of the Treasury at the end of the period for which it was available.

I call the attention of my colleagues to the fact that on July 9, 1968, the Senate agreed to an amendment to the Legislative Branch Appropriations Act of 1969 applying this provision to the Senate.

Our bill establishes this policy for both Houses on a permanent basis.

TITLE V—REGULATION OF LOBBYING (ENTIRE TITLE)

Title V consists entirely of amendments to the Federal Regulation of Lobbying Act (U.S.C. title 2, chap. 8A), enacted as title III of the Legislative Reorganization Act of 1946. For this reason, the various sections within the title do not relate to the authorizing recommendations in the final report as neatly as they do in the rest of the bill. I will cite the references at those points I consider most appropriate.

Our bill retains the language of the original bill, as approved by the Senate without amendment. Wherever necessary, technical revisions have been made in the language to conform with changes in existing law since March 7, 1967, but there has been no policy change from the original recommendations made by the joint committee under the heading of "Lobby Regulation," pages 52 through 55 of the final report.

Section 501 provides the definition clause to support section 506.

Section 502, in conjunction with 504, provides that where contributions are received or expenditures made in part for lobbying purposes and in part for any other purposes, the statements required to be filed by persons engaging in lobbying activities shall include only the portions thereof devoted to lobbying purposes, "except that if the relative proportions cannot be ascertained with reasonable certainty," such statements shall show total receipts and expenditures together with an estimate by the registrant of the part thereof which was for lobbying purposes, and the part thereof which was for other purposes. The reference here is to recommendation 2 on page 53 of the final report.

Section 503 amends the old law so as to increase from 2 to 5 years as the period for which statements filed under the act must be retained. Here the reference is to subparagraph (a) of recommendation 3 on page 53 of the final report. Section 503 also contains technical language reflecting the requirement that the statements are to be filed with the Comptroller General.

Section 504 changes the "principal purpose" requirement under the old law to substantial purpose controlling. That is, under the new law, any person who has as a substantial purpose of his operation the influencing of the passage or defeat of legislation must register in accordance with the requirements set forth in the new law. This carries out recommendation 1 on page 52 of the final report.

Section 505 requires full disclosure of contingent fee arrangements and places broadcasting on a parity with the press in regard to both exemptions and reporting requirements. These provisions reflect recommendation 4 on page 54 and recommendation 5 on page 55 of the final report.

Section 506 and parts of other sections transfer the administration of the Lobbying Act from the Clerk of the House and the Secretary of the Senate to the Comptroller General of the United States. The section also details the duties and powers of the new administrator. These provisions reflect the joint committee's recommendation 3 on page 53 of the final report.

Section 507 provides penalties for violation of the act.

Title VI contains effective dates.

THE OUTSTANDING SERVICE OF FORMER CONGRESSMAN PORTER HARDY, JR.

(Mr. WHITEHURST asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WHITEHURST. Mr. Speaker, I am sure my colleagues in the House of Representatives are aware of the distinguished record of my predecessor, the now retired Congressman from the Second Congressional District of Virginia, Mr. Porter Hardy, Jr.

During former Congressman Hardy's 22 years of service, his dedication to duty and to the welfare of the American people was unsurpassed.

Expressions of gratitude for his services have been documented many times in the past, and will continue to be so documented in the future.

Recently, one such plaudit was called to my attention.

It is in the form of a resolution adopted by the Hampton Roads Sanitation District Commission, and I include it in the RECORD immediately following my remarks:

EXCERPT FROM MINUTES OF THE MEETING OF THE HAMPTON ROADS SANITATION DISTRICT COMMISSION HELD ON JANUARY 29, 1969

Commissioner Ripley told the Commission that Representative Porter Hardy, who retired at the end of his term in Congress, has been of outstanding help to the Commission in many instances in their dealings with the Federal Government. He suggested that a proper resolution be prepared and spread on the minutes of this meeting, recognizing the outstanding efforts on the District's behalf by Mr. Hardy. Mr. Ripley made a motion to this effect, which was seconded by Mr. Gresham, and the following resolution was unanimously adopted:

"Whereas, the Honorable Porter Hardy, Jr. has represented the Second Congressional District of Virginia in the Congress of the United States with honor and distinction for the past 24 years; and

"Whereas he did decide not to offer again for election to this office, but did choose to retire at the end of his term on January 4, 1969; and

"Whereas during his years of service as a representative of the Second Congressional District of Virginia in the Congress of the United States, he did unstintingly devote himself to the duties of his office and the people whom he represented and did relentlessly strive to promote the best interests of the people of his District, never forgetting the individual, neighbor and friend who looked to him to act in their behalf; and

"Whereas Congressman Hardy, during his term of office, did manifest a particular interest in the work that the Hampton Roads Sanitation District has been trying to accomplish and has time and again taken of his valuable time to help the District, and his efforts have contributed to accomplishments of inestimable value to the District;

"Now, therefore, be it resolved that for the Commission, the members of its staff and the citizens which it serves, the Hampton Roads Sanitation District does hereby express its commendation and sincere gratitude to Congressman Hardy for his dedicated efforts, high competence and continued personal concern for the affairs of the Hampton Roads Sanitation District and his contribution in the furtherance of pollution abatement in the waters of Hampton Roads and Chesapeake Bay, and directs that a copy of this Resolution be spread on the permanent official minutes of the Commission, and a copy be provided to the Honorable G. William Whitehurst, the incumbent Representative of the Second District of Virginia to the Congress of the United States, with the request that he have it made a part of the official record of the Congress of the United States."

EUROPEAN ECONOMIC COMMUNITY CONSIDERING PROPOSAL TO LEVY TAX ON CERTAIN SEED OILS AND OILSEED MEALS

(Mr. RAILSBACK asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. RAILSBACK. Mr. Speaker, the six nations that comprise the European Economic Community are currently considering a proposal to levy a tax on certain seed oils and oilseed meals. Under this proposal soybean oil and meal that is imported from the United States would be taxed. The purpose of the tax is to raise the price of margarine, for which soybean oil is used, so that consumers will buy butter, thus helping to solve the butter surplus problem in the Common Market.

This proposal was made last December by Mr. Sicco Mansholt, vice president of the Commission of the European Community and its principal agricultural spokesman. If this tax is enacted, its effect on the United States could be disastrous. Our delicate balance-of-payments situation could be completely upset, and our agricultural program could be seriously affected.

Soybean and soybean product exports to the EEC represent over one-third of all U.S. agricultural exports to the Common Market and total about one-half billion dollars per year. If the exports of soybeans are restricted, our trade balance would be upset and we would be forced to act to correct it. This could result in reciprocal tariff impositions that could cancel out all of the gains and achievements that were made in the Dillon and Kennedy rounds of trade negotiations.

In addition, if we export less soybeans, this would mean that our Government would be forced to buy more of them This would add significantly to the costs our Government incurs under agricultural support programs that are administered by the Commodity Credit Corporation.

Mr. Speaker, I have written to the Secretaries of Agriculture, Commerce, and State, urging them to do everything possible to insure that the EEC does not impose this tax. I am delighted to report that all of these persons have indicated their strong opposition to this proposed tax and their willingness to cooperate in urging whatever measures may be necessary for our Government to take to prevent enactment of this tax. I would like, at this point, to have printed in the RECORD copies of their or their representative's answers to me on this matter:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 15, 1969.

Hon. THOMAS F. RAILSBACK,
House of Representatives.

DEAR MR. RAILSBACK: Thank you for your letter of January 2 on behalf of Mr. William J. Kuhfuss concerning the Common Market proposal to impose a consumption tax on seed oils and oilseed meals.

I feel that this matter of continued open access to the European Community markets for our soybeans and soybean products is one of the most important trade problems to confront American farmers since I became Secretary of Agriculture. If this proposed action by the Community should take place, I can think of nothing that would do more to turn back the clock on the effort we have made to improve access to foreign markets for our farm products.

As you may know, on December 9, 1968, Mr. Sicco Mansholt (Vice President of the Commission of the European Community and its principal agricultural spokesman) announced that the Commission was about to propose a consumption tax of $60 per metric ton on vegetable oils and $30 per metric ton on cake and meal. This measure would be designed to help solve the mounting butter surplus problem in the Community.

My views are fully shared by responsible officials of this Administration and the U.S. Government has formally told the officials of the Community that their proposed action would reduce sharply the Community's imports of oilseeds and oilseed products and would result in a massive impairment of the present access available to American exports under GATT. We made it clear that this would leave us no choice but to retaliate on a large scale against the products their countries sell us. You may have seen in newspaper stories the thought that our retaliation might include such important exports as European automobiles, typewriters, office equipment, wines, and similar items that Americans buy from them in large amounts.

When I was in Europe recently, at a press conference in Paris I said that if the Community persists with this plan, our action in return would make the chicken war look pale in comparison. What we, in fact, are saying to the Community is that what it does to its agriculture is more than an agricultural matter—it concerns the whole economy of Western Europe. If the cost to help European agriculture is high, then let their industry pay the expense—but not ask the United States to pay it.

We have the strong support of American agricultural and trade groups in our efforts to keep Community markets open and we are making representation to the Community through all available channels. This is a very important matter on which we all stand together.

Our latest information is that the Council of Ministers of the European Community may consider this tax proposal later this month.

Sincerely,

ORVILLE L. FREEMAN.

DEPARTMENT OF STATE,
Washington, D.C., January 10, 1969.

Hon. TOM RAILSBACK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RAILSBACK: The Secretary has asked me to reply to your communication of January 2nd containing your views and those of your constituent, William J. Kuhfuss, President of the Illinois Agricultural Association on the proposed tax on oilseed products within the European Community.

We have made our objection to the proposed tax very clear to officials of the European Community at the highest level and to responsible officials of the member states. We have told them that such a tax would seriously affect US-EC trade relations and have warned them that if the tax should be adopted, we would act swiftly to restore the balance of trade advantage between us. We appreciate your whole hearted support of our efforts to dissuade the Europeans from adopting such a tax. You can be sure that we will continue these efforts.

If I can be of any further assistance on this or any other matter, please do not hesitate to let me know.

Sincerely,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

U.S. DEPARTMENT OF COMMERCE,
BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
Washington, D.C., January 9, 1969.

Hon. TOM RAILSBACK,
House of Representatives,
Washington, D.C.

DEAR MR. RAILSBACK: This is in reply to your letter of January 2, 1969 to the Secretary of Commerce concerning the European

Economic Community's proposed tax on vegetable oil and meal including soybean oil and meal.

This proposal, which was made by Vice President Sicco Mansholt of the Commission of European Communities to the December 10 meeting of the Council of Ministers of the European Community, would impose a tax on certain domestic and imported oils, meals and oil-bearing materials consumed in the European Common Market. The particular problem that the proposed tax is designed to alleviate is the huge butter surplus which has arisen as a result of the Common Agricultural Policy.

The United States Government has followed these developments closely and has expressed its serious concern regarding the possible effect on American trade. On December 16, United States Ambassador J. Robert Schaetzel presented an aide memoire on the subject to Vice President Mansholt. So far no specific proposal for taxes on fats and oils has been agreed on by the Commission for submission to the Council.

We recognize the important consequences that a tax of this sort could have for American soybean producers, processors and foreign traders and we will continue to give the matter our careful attention.

The United States Government is following developments closely and is taking every opportunity to present its very strong views on the matter to the European Economic Community. You can also be sure that the United States Government will continue to protect the trade interests of its producers.

If we can be of further assistance to you, please let us know.

Sincerely yours,

CHARLES A. LEWIS,
Director, Office of Consumer Goods.

REPRESENTATIVE PEPPER INTRODUCES LEGISLATION TO SET UP A DEPARTMENT OF YOUTH AFFAIRS AT CABINET LEVEL

(Mr. PEPPER asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I am today introducing a bill to create a Cabinet-level Department of Youth Affairs for the purpose of involving young Americans directly in the affairs and responsibilities of government.

We are in the midst of a troubled and troubling period in the history of our young Nation; a time when too many young Americans are losing their faith in a government they view as unresponsive to the ideas and ideals of youth.

A smaller number of our youth have gone so far as to take to the streets in protest and virtually lay siege to college and university campuses.

This is both regrettable and tragic.

A few weeks ago a distinguished and concerned State committeewoman from Florida, Mrs. Malvin (Sophia) Englander, suggested that the Nation's young people needed a spokesman, one of their own, to present the ideas of youth directly to the President.

It is a suggestion that has come at precisely the opportune moment. Both of the major party presidential candidates in the past national election pledged to give the Nation's youth a direct voice in the policies and decisions of Government.

From the timely suggestion of Mrs. Englander came the idea for a Department of Youth Affairs.

The bill I am introducing today would specifically transfer to the new Cabinet-level Department the Offices of the Peace Corps, Volunteers in Service to America, and the National Teacher Corps.

These three agencies were chosen because they rely heavily on the enlistment and active participation of the Nation's young people. The bill further provides that the President transfer to the new Department of Youth Affairs those agencies already existing that he deems suitable responsibilities for the new Department.

In addition, I further propose an Office of Youth Participation be created in the Department of Youth Affairs.

This Office, of which at least half of the employees would be between the ages of 16 and 24, would seek to direct young Americans to paid and volunteer work in their local communities. Funds for the establishment of local offices and for the administration of grants-in-aid to public agencies and nonprofit private organizations would be provided for.

The Secretary of the Department of Youth Affairs shall also appoint an Advisory Commission on Youth Participation with members from youth organizations in schools, colleges, and universities.

The Advisory Commission will advise the Secretary on policy matter; consult with and advise the heads of Federal agencies administering programs which directly affect the lives of young people; hold and publish hearings; and conduct and publish studies on problems and issues of concern to young Americans.

And because I believe that today's generation of young Americans is better educated and has accepted civic responsibility at a much earlier age, I am also introducing legislation today to lower the voting age to 18.

Mr. Speaker, I include the text of the Department of Youth Affairs bill in the RECORD, as follows:

H.R. 6259

A bill to create a department of youth affairs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT

SECTION 1. There is hereby established an executive department which shall be known as the Department of Youth Affairs (hereafter in this Act referred to as the "Department").

OFFICERS OF DEPARTMENTS

SEC. 2. (a) There shall be at the head of the Department a Secretary of Youth Affairs (hereafter in this Act referred to as the "Secretary") who shall be appointed by the President, by and with advice and consent of the Senate, and who shall receive compensation at the rate prescribed by law for the heads of executive departments. The Department shall be administered under the supervision and direction of the Secretary.

(b) There shall be in the Department an Under Secretary of Youth Affairs and such Assistant Secretaries as shall be determined by the President to be necessary, each of whom shall be appointed by the President, by and with the advice and consent of the Senate, shall perform such functions and duties as the Secretary may prescribe, and shall receive compensation at the rate provided by law for under secretaries and assistant secretaries, respectively, of executive departments. The Under Secretary (or, during the absence or disability of the Under Secretary, or in the event of a vacancy in the office of the Under Secretary, an Assistant Secretary determined according to such order as the Secretary shall prescribe) shall act as Secretary during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary.

TRANSFER OF FUNCTIONS

SEC. 3. The functions of—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964 (relating to VISTA), and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965 (relating to the Teacher Corps), are hereby transferred to the Secretary of Youth Affairs.

TRANSFER OF RECORDS, PERSONNEL, ETC.

SEC. 4. There are hereby transferred to the Secretary all personnel, property, records, obligations, and commitments of, and all unexpended balances of appropriations, allocations, and other funds available (or to be made available) to——

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964, and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965,

REFERENCES

SEC. 5. Any reference to—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964, and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965,

in any other law, rule, regulation, certificate, directive, instruction, or other official paper in force on, or which will become effective after, the date of the enactment of this Act shall be deemed to refer and apply to the Secretary of Youth Affairs.

EFFECT ON EXISTING OFFICIAL ACTIONS

SEC. 6. (a) Notwithstanding the preceding sections of this Act, all delegations of authority, orders, regulations, certificates, directives, issuances, and other official actions of—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964, and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965,

which are in force on the date of the enactment of this Act shall continue in full force and effect until modified, amended, superseded, or revoked by the Secretary.

(b) Notwithstanding the preceding sections of this Act, all boards, councils, committees, and similar organizations and groups established by—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964, and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965,

pursuant to law may be abolished or continued by action of the Secretary.

OFFICE OF YOUTH PARTICIPATION

SEC. 7. (a) There is additionally established in the Department of Youth Affairs a United States Office of Youth Participation (hereinafter referred to as the "Office").

(b) The Director of the Office shall be appointed by the Secretary and shall be compensated at the rate prescribed for level 5 under section 5316 of title 5, United States Code. There shall be a Deputy Director of the Office who shall be compensated at a rate not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of title 5.

(c) At least half of the employees of the Office, classified in grade GS–7 and above, pursuant to section 5104 of title 5, United States Code, shall be persons between the ages of sixteen and twenty-four at the time of their appointments to their positions, and the Office shall establish a personnel policy which encourages the maintenance of this proportion. The Director shall establish a policy which assures that employees of the Office are representative of a broad range of experience, background, and personal characteristics, with respect to sex, educational attainment, residence, occupation, ethnic origin, and age within the age limits prescribed in the preceding sentence.

(d) The Office of Youth Participation shall—

(1) establish and administer a program of grants-in-aid to public agencies and nonprofit private organizations which shall be made available on application and under terms prescribed by the Office, for—

(A) the establishment of similar Offices of Youth Participation and Commissions on Youth Participation under the supervision of governments of the States and the District of Columbia, which will perform at the State level those functions specified in this section;

(B) the development and administration, by such public agencies and nonprofit private organizations, of programs designed to recruit, select, train, and employ youth up to age twenty-four as paid and nonpaid volunteers in social and economic programs of benefit to local communities, especially programs which concern youth generally and programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination, and achieving equal justice under law for all citizens;

(C) the development of coherent plans and programs, by such public agencies and private nonprofit organizations, which insure the meaningful participation of youth up to age twenty-four in policymaking bodies of governmental and private organizations which administer social and economic programs, especially programs which concern youth generally and programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination, and achieving equal justice under law for all citizens;

(2) establish jointly with other Federal agencies administering programs which concern youth generally and programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination, and achieving equal justice under law for all citizens, a national program under which youth up to age twenty-four shall be recruited, selected, trained, and employed as volunteers in paid and nonpaid positions in such programs.

(e) The Director of the Office shall establish with the heads of Volunteers in Service to America, the Peace Corps, the Teacher Corps, the Job Corps, the Neighborhood Youth Corps, the President's Council on Youth Opportunity and other Federal agencies concerned with youth participation, cooperative administrative arrangements which insure that such agencies assist in furthering the objectives of this section, including the establishment of means for the exchange of information about volunteer opportunities and applicants for volunteer positions.

(f) In volunteer programs assisted under this section, the Office shall insure, to the greatest extent possible, that such programs—

(1) are planned and administered by public agencies and nonprofit organizations which are composed of youths up to age twenty-four, or which show evidence of substantial participation of such youths;

(2) engage volunteers in ways that permit and encourage them to assist in the planning, administration, and evaluation of policies and programs;

(3) where appropriate, assign volunteers to work directly with clients and beneficiaries of programs;

(4) provide experience which leads to careers for volunteers in the fields in which they work; and

(5) where appropriate, make use of expert technical assistance in planning and administering such programs.

(g) Volunteers in any program assisted pursuant to this section—

(1) shall not be deemed to be Federal employees, except as provided by the Secretary of Youth Affairs, after consultation with the Civil Service Commission; and

(2) shall be compensated, including necessary expenses, as determined by the Secretary of Youth Affairs, except that in the case of Federal volunteer programs (the Secretary shall consult with the head of the Federal agency concerned before establishing rates of compensation and expenses.

ADVISORY COMMISSION ON YOUTH PARTICIPATION

SEC. 8. (a) The Secretary of Youth Affairs shall appoint an Advisory Commission on Youth Participation (hereinafter referred to as the "Commission"), which shall be composed of nine members, at least five of whom shall be persons between the ages of eighteen and twenty-four at the time of their appointments. The Director of the Office shall be an ex officio member of the Commission.

(b) The Secretary of Youth Affairs shall seek recommendations as to the membership of the Commission from youth organizations in schools, colleges and universities, and from other youth organizations, and shall appoint members of the Commission for two-year terms, except that the terms of the members first appointed may be for a greater or lesser period in order to assure that the terms of not more than three members shall expire at the same time. In appointing members of the Commission, the Secretary shall seek to insure that they are representative of a broad range of experience, background, and personal characteristics, with respect to sex, educational attainment, residence, occupation, ethnic origin, and between the ages of eighteen and twenty-four at the time of their appointments.

(c) Members of the Commission shall select from their number a Chairman and Cochairman, who shall serve in those positions for one year.

(d) Members of the Commisison shall be compensated, including necessary expenses, as determined by the Secretary of Youth Affairs. The Secretary shall provide the Commission with necessary staff support.

(e) The Commission shall—

(1) advise the Secretary of Youth Affairs with respect to policy matters concerning the administration of this section and with respect to ways of increasing the involvement of youth;

(2) consult with and advise the heads of Federal agencies administering programs which directly affect the lives of young people, including, but not limited to, the Selective Service System, the Justice Department, and the Office of Economic Opportunity, as to ways of improving such programs and making them more responsive to the needs and concerns of young people; and

(3) hold and publish hearings, and conduct and publish studies, on problems and issues of concern to youth in American society, and make recommendations from time to time for additional means of incorporating young people more fully in meaningful and responsible roles in the American society and economy.

ADDITIONAL TRANSFERS

SEC. 9. The President is authorized to transfer to the Secretary any other functions relating primarily to youth in the areas of health, education, military service, employment, and related areas not otherwise transferred by this Act, together with such personal property, records, obligations, commitments, appropriations, allocations, and other funds as he determines necessary to carry out any function so transferred under authority of this Section.

DELEGATION OF FUNCTIONS

SEC. 10. The Secretary may authorize the performance of any of the functions vested in him by this Act by any other officer or employee of the Department.

SEAL

SEC. 11. The Secretary shall cause a seal of office to be made for the Department, of such design as the President shall approve, and judicial notice shall be taken thereof.

EFFECTIVE DATE

SEC. 12. This Act, and the amendments made by it, shall take effect when specified by Executive order of the President, but in no case later than one year after the date of its enactment.

PEKING WANTS TALKS WITH UNITED STATES

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FEIGHAN. Mr. Speaker, Peking has decided to resume ambassadorial talks with the United States this month in Warsaw. This decision carries with it a proposal to join in a declaration of peaceful coexistence with a demand that the United States get out of Taiwan and turn this Chinese Nationalist territory over to Peking.

There is nothing new to the offer of peaceful coexistence at the expense of Taiwan. What is new and significant is that Peking desires to resume talks. Let us examine the possible hidden motives for Peking's overture.

China watchers in Europe choose to interpret Peking's urge to resume ambassadorial talks as a move to embarrass the Soviet Union, speculating that the Russians fear a United States-Chinese rapprochement even more than they fear a united, armed Germany, if that is possible.

Actually, the big story to come out of China these days is the "Great Proletarian Revolution." After experimenting with such impractical methods as land reform, socialism, and communism over the past two decades, Mao Tse-tung's recent attempts to effect a total purge of the Chinese society under the banner of the Great Proletarian Cultural Revolution, has foundered in economic chaos and social disruption. The third 5-year plan has been shelved, and future economic planning suspended.

The economy now seems to be moving like a riderless horse. The Chinese Communist Party, as a unified nationwide instrument has been shattered. What seems to be holding China together at the moment is a loose coalition of senior generals in Peking, a handful of moderate party chiefs led by Premier Chou en-lai, and the autonomous military chiefs of the 13 military districts, some of which are being hard pressed to suppress open rebellion, and a general state of anarchy.

From this general picture of China today, all the symptoms of the end of a Mao dynasty are visible. They are disloyalty of many ministers in government; division in the army; undefined borders between loyalty and disloyalty; unrest among the peasants and the wandering youth of China—the Red Guards; and, an infallible sign, the appearance of secret societies mushrooming in many provinces, and considered by the Peking press as the main enemy which must be annihilated.

The immediate problem in China today is the lack of food. Floods and a drought have created shortages in both wheat and rice, thereby forcing Peking this year to buy from Australia some $145 million worth of wheat, sorely depleting its foreign exchange reserves.

In view of these considerations Peking's offer to join in a "peaceful coexistence" pact may be an effort to relieve internal pressures, and to prepare the way for aid from abroad.

Nevertheless, the upcoming meeting with Peking's representative on the 20th of this month in Warsaw may provide as much interest as the Paris peace talks. Further to that, the Warsaw meeting may provide the United States an opportunity to break the Paris deadlock through the Chinese intercession with Hanoi.

DIRECT, POPULAR ELECTION FOR THE PRESIDENT

(Mr. KASTENMEIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KASTENMEIER. Mr. Speaker, the elections of 1968 are now history. The possibility that no presidential candidate would receive a majority of the electoral college votes, thus requiring the House of Representative to choose a President, failed to materialize. A President was elected and no great constitutional crisis developed. However, it has become more apparent than ever that there is a great need for a significant change in our electoral process.

The electoral college is outdated. It was devised for an 18th century union of divisive, competing States. The factors of voting franchise and population which also contributed to its adoption have long since disappeared from our society. The electoral college also is undemocratic in that it allows for the distinct possibility that the popular will of the people can be thwarted under this system.

Likewise, the anomalous and ill-defined status of the presidential elector is most troublesome. Nowhere in the Constitution is there any specific requirement binding electors to vote for the candidates of their parties. The fact that electors almost always vote for their party's candidates might seem to indicate that no real danger exists in this area. However, events in several recent elections have emphasized that there is genuine peril in having intermediate electors.

For example, in 1968, one of the 13 Republican electors from North Carolina refused to vote for Richard Nixon although he handily carried that State. In 1960, one of the Republican electors from Oklahoma voted for the late Senator Harry F. Byrd, who was not even a candidate for President. Four years earlier, the Democratic Party was the victim of the defection of an Alabama elector although Stevenson carried that State. In 1948, a Tennessee man ran as an elector on both the Democratic and States Rights tickets. The Democrats carried the State but one electoral vote was cast for STROM THURMOND.

Another problem related to that of the unfaithful pledged elector is that of the unpledged elector. Unpledged electors disappeared from the American scene around 1800 only to reappear in 1960 in a few States permitting the nomination of such electors. In the 1960 Democratic primary in Alabama, six unpledged and five pledged electors were nominated as the Democratic electors. Thus, the Democratic voters of Alabama had no way of voting for a slate of 11 electors pledged to the candidate of the national Democratic Party. In the 1964 election the unpledged elector once again appeared. A full slate of unpledged electors was nominated in the Alabama Democratic Party. As a result, the Democratic voters of that State had no opportunity to register a vote for the Johnson ticket.

Because of the design of the constitutional fathers that electors be free agents, the predominant view is that they are under no legally enforceable obligation to vote a particular way. The recent congressional action in the case of the North Carolina elector enforced this position and served to remove, once and for all, any doubt that the electors are free to ignore the wishes of the voters and cast their ballots anyway they see fit.

There are several proposals now being considered to reform our method of electing a President.

The automatic electoral vote plan would abolish the office of elector but retain the electoral votes of each State. Under the plan, the electoral vote of each State would be automatically awarded to the candidate receiving the greatest number of votes for President in the State. This proposal, while it would settle the problem of the unfaithful elector is only a token reform since it still contains the antiquated electoral college machinery which allows for the possibility that a candidate not preferred by the majority of voters could be elected President.

Under the so-called proportional plan for election of the President, the States would retain their present number of electoral votes. However, instead of awarding all the votes in a State to the candidate receiving the greatest statewide vote, as is now the case, the State's electoral vote would be divided in proportion to the statewide popular vote for the candidates. Thus, if a State had three electoral votes and 60 percent of the voters favored candidate X, candidate X would receive 60 percent of 3 votes or 1.8 electoral votes, the remainder going to the other candidate or candidates.

The proportional system would create a strange shift in the importance of States in presidential elections. The key factor in such a plan become the margin of victory in each State, and the important prizes would be the one-party States rather than the large States with their huge block of electoral votes. The big States tend to have healthy and strong two-party systems and the results, unlike those produced by the traditional one-party States, tend to be very close. An excellent example can be illustrated by the following instance. Had a proportional plan been in effect in 1948, Truman would have carried Georgia by enough popular votes to lead Dewey there by five electoral votes, 7.3 to 2.2. Dewey, on the other hand, carried New York, New Jersey, Pennsylvania, Michigan, Indiana, and Connecticut. But his popular vote margins in those States were small, and the Dewey electoral votes of those six States put together, 67.7 to 64.9 for Truman, would not have enabled the New York Governor to offset Truman's lead of five electoral votes that he would have picked up in Georgia alone.

Using this system, Hancock would have defeated Garfield in 1880, even though Garfield received a greater number of popular votes. William Jennings Bryan would have won over McKinley in 1896, although McKinley received 50.9 percent of the popular vote.

Another proposal is the district plan; that is, a system in which each elector would be named according to how each congressional district voted in a presidential election. The candidate who received the largest number of votes in a congressional district would win the elector. The candidate getting the greatest number of statewide votes would be entitled to the two electors at large.

The likelihood of a President being elected with less popular votes than his opponent would be greatly increased with the district plan. In fact, had this been in effect in 1960, Nixon carrying a greater number of congressional districts, would have won the Presidency, 279 electoral votes to 244, even though he had fewer popular votes than Kennedy.

If a district proposal were adopted, a Pandora's box of gerrymandering would result. State legislatures would be drawing district boundaries to favor not only congressional candidates in their own States, but to favor the national standardbearer of the party in power in each of those States.

Furthermore, the district proposal would move in the opposite direction from the national election. Whereas the latter would enlarge the unit in which popular elections are held from State to the Nation, the district plan would narrow it from the State to the congressional districts. Instead of focusing on national problems in a national campaign, the emphasis would, to a considerable degree, be shifted to matters of local concern with a particular district.

With more than two candidates running for the Presidency, it is possible for no candidate to receive a majority of the electoral votes under the present system, even with the automatic electoral vote plan, the proportional and the district proposals.

In 1824, although Andrew Jackson received more electoral votes and more popular votes than did John Quincy Adams, two other candidates prevented Jackson from obtaining a majority of the electoral votes and the election fell into the House of Representatives, which gave a majority of its votes to Adams.

Under the proportional system, the influence of third parties would increase considerably since each vote for any candidate would enter into the final tally, thus permitting a relatively small minority vote, distributed among a number of States, to block the election of either of the major candidates. In the 1948, 1960 and 1968 elections, no presidential candidate would have gotten a majority of the electoral votes, thus necessitating a contingent election.

With respect to the district plan, I would not be surprised if no candidate last year carried a majority of the congressional districts, which would then have resulted in the need for a contingent election.

If no candidate receives a majority of electoral votes, the Constitution stipulates that the President would be selected from among the three leading candidates by the House, with each State delegation having one vote and with an absolute majority being necessary for election. The Vice President would be chosen from among the two leading candidates by the Senate, with each Senator having one vote and an absolute majority again being required.

The voting by the States is anomalous, for there can be no justification for the distribution of power among the States in a contingent election being different from that in the popular election. The very existence of that difference, moreover, may be an incentive to attempt to cause the election to be thrown into the House where the influence of some States would be greatly increased.

Furthermore, this contingent election lends itself to political intrigue and machination. Stalemates could occur if no one party controlled 26 State delegations. Had the 1948 and 1968 elections been thrown into the House, a deadlock would have occurred. The breaking of such a situation would almost inevitably be accompanied, at least in appearance, if not in reality, with the making of political deals in exchange for votes, such as that which happened in 1824. This voting, then, by State delegations in the constitutionally prescribed contingent election is both unjust and undemocratic.

Mr. Speaker, the only reform which can meet all the major problems of the electoral college system in a realistic manner is the institution of a direct popular vote for all the people for the President of the United States, and today I am introducing a proposed constitutional amendment to abolish the electoral college and to provide for the direct popular election of the President.

Each American citizen should get full and equal benefits of his right to vote and of his vote itself. The direct election of the President will guarantee this. It, also, is the natural culmination of the one-man, one-vote principle. Every voter in every State will have his voice heard. Furthermore, the direct election proposal insures that the presidential candidate with the largest number of votes would be elected President. This, of course, is not true under the present system nor would it be under any of the other proposed alternatives.

My proposed constitutional amendment states that the persons joined as candidates for President and Vice President, having the greatest number of votes, shall be the President-elect and the Vice-President-elect. This differs from a number of other proposals which carry the requirement of a plurality of at least 40 percent to be elected President, and in the event that no candidate received such a percentage, a runoff would then be held between the two top candidates.

The rationale for having a percentage requirement and a runoff is to assure a reasonable mandate to the person elected President. Also, a 40-percent figure, together with a national runoff, would operate to discourage splinter parties from trying to decide the outcome of a presidential election.

However well intentioned this percentage requirement may be, an historical analysis of partisan elections shows that it is unlikely that a winning candidate will receive less than 40 percent of the vote. This occurred only twice in our history. John Quincy Adams received around 30 percent of the popular vote in 1824 and Abraham Lincoln obtained a little more than 39 percent in 1860. A list of those Presidents receiving less than 50 percent of the vote follows:

John Quincy Adams, 1824: 30.54 percent.
Polk, 1844: 49.56 percent.
Taylor, 1848: 47.35 percent.
Buchanan, 1856: 45.63 percent.
Lincoln, 1860: 39.79 percent.
Hayes, 1876: 48.04 percent.
Garfield, 1880: 48.32 percent.
Cleveland, 1884: 48.53 percent.
Benjamin Harrison, 1888: 47.86 percent.
Cleveland, 1892: 46.04 percent.
Wilson, 1912: 41.85 percent.
Truman, 1948: 49.26 percent.
Kennedy, 1960: 49.71 percent.
Nixon, 1968: 43.16 percent.

We can also learn from history that two Presidents who got around 40 percent of the vote, Lincoln and Wilson, were anything but weak Presidents. Both these men rank among our greatest Chief Executives.

As to the assumption that a runoff is necessary in order to prevent the weakening of the two party system by splinter groups, there is nothing to prove that the plurality vote system encourages a plethora of minor parties on the State and congressional district levels. The two party system is a well established tradition and there is no proliferation of third parties challenging the two parties for Senate or House seats or for State governorships or control of State legislatures. Based on this experience, there should be no reason why the plurality system would promote minor parties in presidential politics. If anything, a runoff would encourage fragmentation in the first election by encouraging people to enter it who might not otherwise be credible candidates. It also encourages voters to support candidates that they otherwise would not think about if it were a final election.

Mr. Speaker, the only reform which can meet all the major problems of the electoral college in a realistic and most democratic manner is the institution of a direct popular vote for the President. This would eliminate the undemocratic electoral college vote system, the problem of unfaithful electors, the contingent election and the danger of a popular vote loser entering the White House. Direct popular vote puts the choice of the President squarely where it ought to be, directly in the hands of the people.

ANNUNZIO CALLS FOR INVESTIGATION OF RISING GHETTO INSURANCE COSTS

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, I am inserting in the RECORD two news stories from Chicago's Daily News which deals with the implementation of the urban insurance program which was enacted last summer as part of the Housing and Urban Development Act of 1968. These news reports are typical of many which have appeared in the Chicago papers in recent weeks.

If there is any basis at all to the stories—and I have good reasons to believe there is—they are a firm indication that the purpose and intent of the Congress in passing this legislation has been distorted beyond belief.

Perhaps even more important, the hundreds of thousands of beleagured property owners whose property and businesses are deteriorating have suffered a cruel hoax to which the Congress was unwittingly a party.

We were assured throughout the legislative process that the insurance industry, together with the State commissioners, would set up FAIR plans which would make basic lines of essential property insurance available to inner city residents and owners.

The statutory scheme provided an incentive in the creation for participation in these plans by requiring such participation as a condition of receiving the Federal riot reinsurance benefits.

It was hoped that these FAIR plans would do away with practices such as redlining, blackouts, and arbitrary cancellations. It was also hoped that making essential property insurance available at fair rates and without regard to environmental hazards would serve a social purpose because the ready availability of insurance would help to stop blight, inner city deterioration, and loss of business. Moreover, property owners could obtain adequate financing for improvement of their property.

These news stories, and other communications from my district, report that where the FAIR plans are operative, premiums are at double and triple

the rates previously charged and that there are long waiting lists of applicants. Bear in mind that this shoddy performance is going on while at the same time the Department of Housing and Urban Development is in the process of providing reinsurance for riot losses.

Mr. Speaker, from the time the bill was first proposed and referred to the Committee on Banking and Currency, of which I am a member, I had grave doubts about its efficacy without a strong Federal hand to make sure that it would do what its supporters claimed it would do.

Both in committee and on the floor I sponsored amendments which would offer the guarantee of effective implementation. One of my amendments would have set up compulsory assigned risk pools for implementation of the FAIR plans within 90 days after the enactment of the act, rather than the 2 years now provided. I felt then, as I do now, that the obligations imposed on the industry should be concurrent with the Federal benefits conferred.

Another of my amendments would have required the reinstatement of all policies in the inner city areas which were canceled after the April 1968 riots. My intent was that, since the Federal riot reinsurance program alleviated the risk of loss due to riots, there was no reason on God's green earth why policies canceled because of this risk should not be reinstated.

Unfortunately, because of the urgency of the housing legislation, the fears of additional riots last summer and the lateness of the session, my amendments were not passed. However, language was included in the committee report which reflected their intent.

I recall the history of these amendments not in the spirit of "I told you so," but if the situation in Chicago is as grave as I think it is, we should reexamine this program with a view toward adopting amendatory legislation along these lines immediately.

Mr. Speaker, the Federal riot reinsurance program was given a lifetime of 5 years. It is extremely urgent that the Congress make sure that the remainder of its brief life will fulfill the social and economic purposes for which it was created.

I have this day written to the Honorable Wright Patman, the distinguished chairman of the Committee on Banking and Currency and urged that he appoint a special subcommitee to conduct hearings in Chicago and elsewhere, if necessary. The subcommittee should commence its work now so that any remedial action recommended can be taken early this session.

At this point I insert in the Record two articles appearing in the Chicago Daily News on February 1 and 3, 1969, as well as a copy of my letter to Chairman Patman:

Rates Defy U.S. Rules: Ghetto Insurance Gouge: High Fees Hurt Firms, Churches

(By William Clements)

Property owners in Chicago's ghetto are being charged double and even triple the normal fire-insurance rates despite federal legislation to curb such practices.

Small business firms and churches in or near potential riot areas have been hit particularly hard by the rising rates.

The higher premium costs are applied to old and new buildings, whether or not they have experienced fire loss in recent years.

The property owners getting hit with double and triple rates are insured under the so-called FAIR plan, which took effect in Illinois last September.

The plan is a federally backed reinsurance program with nearly all companies writing fire insurance in the state participating.

The companies, in effect, form a pool and are given properties to insure on an assigned risk basis.

Purpose of the plan is to provide insurance for properties in areas hit by riots in recent years. Many companies have refused to write fire policies in ghetto areas because of the fear of riots.

About 350 policies have been written under the plan thus far, with thousands of applications waiting approval.

Recipients of policies under the pool program have complained to The Daily News that the sky-high premiums could force them to take their business out of the city.

"You have to get out eventually, you can't exist here with costs going up like this," said Jerry Crandall, co-owner of Harmony Fashion Clothiers Inc., 949 E. 63d St.

Crandall's business is in a building completely rehabilitated six years ago. Insurance inspectors found no defects when they looked at the property last fall, he said.

Yet, he stated, premium costs under the new assigned-risk policy he received in January are exactly double what he was paying two years ago. He now pays $884 a year for $28,000 of fire and extended coverage.

Elmer F. Reske, director of the FAIR program and a spokesman for the insurance industry, has told critics of the plan that it "is not a bargain." He admits rates will go up.

He said the response to the program has been good, with some 35 applications a day coming in.

One West Madison businessman who was forced into the FAIR plan because he had trouble getting fire coverage—and then had his rates doubled—complained:

"I can't see why doubling my premium costs makes me any more desirable. If I was a risk before, I am a risk now. There is no reason why the rates have to go up that high."

He is paying $2,891 a year for fire coverage of $75,000 under the assigned-risk plan.

The man said his property never has been damaged by fire or riot in the 27 years he has been at his Near West Side location.

The rioting that erupted last April after the assassination of the Rev. Dr. Martin Luther King Jr. didn't come within ten blocks of his store, he said.

Andrew Frank, owner of the Star Department Store, 1327 E. 63rd St., is bitter about the high rates he received under the risk plan:

"Nobody knows where they are getting these figures from—it's like pulling them out of a hat. I can't understand it and neither can my insurance broker."

Frank is paying $3,750 this year for fire insurance of $100,000 on the contents of his building. This is twice what he paid last year.

On the building itself, he pays $1,375 for $50,000 of coverage—triple last year's rate.

Said a La Salle St. insurance broker, who asked not to be identified:

"People are fleeing from the inner city because they either can't get insurance or the rates are too high. Under such conditions, how can they stay?

"What is happening is exactly the opposite of what the city fathers want. But this whole thing is a boon to the fire underwriting business in Illinois."

Only time will tell, of course, whether it is a boon or bust to the insurance industry.

Because of potential rioting, many companies have refused to issue fire policies in ghetto areas.

The money collected in premiums, they reasoned, wouldn't come near matching the losses of properties destroyed by fire.

Recognizing this hardship of the ghetto dweller, Congress last May passed the FAIR plan (its full title: the Urban Property Protection and Insurance Act.)

The language of the bill allowed for slight increases in premium rates, but its intent was to keep the lid on runaway costs.

Congress feared that huge jumps in premium rates could cause a wholesale departure of businesses into the suburbs, crippling the inner city economy.

The bill required that each state pass enabling legislation following federal guidelines.

With this in mind—and thinking primarily of Chicago and Cook County—the Illinois General Assembly last July passed an emergency bill designed to make basic property insurance available in urban areas.

As suggested in the federal act, the Illinois Property Insurance Placement Facility was created to process applications for fire and extended coverage under the assigned-risk pool.

The facility, under the direction of Reske, arranges for the inspection of ghetto properties by employes of the Illinois Inspection and Rating Bureau.

Both the facility—at 175 W. Jackson—and the bureau are financed by contributions from the insurance industry of Illinois.

About 300 companies writing insurance in Illinois participate in the FAIR plan.

Inspectors are told—and this is made clear in the legislation—that the location of a building is not to be a factor in determining whether a policy is issued, nor can it be used as a basis for raising premium rates.

Certain surcharges (added costs) are allowed for such things as defective wiring, poor maintenance or the age of a building.

The adding of surcharges to basic rates apparently is the principal reason premiums are jumping so high.

Reske, late last year, warned that the pool "is not a program for bargain hunters."

"We are not in competition with the available market," he stressed.

Reske told The Daily News that pool rates on substandard buildings in the ghetto could be increased as much as 5 times and the insurance company would still be within the guidelines established by the state.

Critics of the programs complain that the guidelines are being misused and suggest that a limit be placed on rate increases.

Rep. Anthony Scariano (D-Park Forest), one of the sponsors of the bill, said the FAIR plan has turned into a "racket" and said a definite "ceiling should be put on the amount a premium can be increased."

"We figure that someone going into an assigned risk pool would face a slight increase in premiums," Scariano said. "But these costs have gone up exorbitantly. This is ridiculous."

Scariano and several insurance brokers pointed out that the policies written under the FAIR plan are always at least doubled, often much higher.

Judson Miner, an attorney who works at the Mandel Legal Aid Clinic at the University of Chicago, charged that the insurance industry—through the facility and bureau—completely controls the risk pool plan and is twisting it to its own advantage.

"This certainly is not the way Congress intended it to be," Miner said. "Operational control should be in the hands of the Illinois Department of Insurance, a public agency, with the facility and the insurance industry serving only as advisers.

"Just the opposite is true in Illinois and because of it the little guy is being hurt."

Steve Tallackson, executive secretary of the Woodlawn Businessmen's Assn., said many companies are canceling policies based on normal rates and then reinsuring the same property at higher premiums under the assigned risk pool.

Another way the FAIR plan hurts the ghetto dweller is the rule that policies are written for one year only.

This means the inner-city property owner is deprived of the 10-percent discount usually allowed on a 3-year insurance contract.

Those who find the pool too expensive are being hurt economically in other ways.

The Rev. John Baggett, pastor of the Woodlawn United Methodist Church, 1208 E. 64th St., had a $500,000 fire insurance policy on the church last year with an annual premium of $1,100.

Shortly after the FAIR plan took effect, he was informed his policy would not be renewed.

His broker told him, he could get insured for $500,000 under the pool, but that it would cost him $4,400 a year, four times the previous rate.

Mr. Baggett told the broker his congregation couldn't afford it. The broker then worked out a plan whereby the church will be insured for $50,000—$450,000 less than the coverage for 1963—and it will cost $1,500 a year, $400 more than last year.

Mr. Baggett said his church has not been touched by fire or riot and that he cannot understand the proposed hike under the FAIR plan.

[From the Chicago (Ill.) Daily News, Feb. 3, 1969]

INSURANCE PROBE ASKED BY SCARIANO

(By William Clements)

State Rep. Anthony Scariano called Monday for an immediate investigation of insurance-writing practices in Chicago's ghettos.

The legislator said a top-to-bottom review of a federally backed insurance program is needed before "the whole thing becomes more of a racket than it is now."

The Park Forest Democrat made the request in a letter to House Speaker Ralph T. Smith (R-Alton).

Scariano urged Smith to convene the 10-member Joint Insurance Study Commission, of which Smith is chairman. The commission consists of five members each from the House and Senate.

Scariano acted after The Daily News disclosed Saturday that property owners in the ghetto are being charged double and even triple normal premiums for fire insurance.

The sudden increase in insurance rates have occurred despite federal legislation to stop such practices.

Congress passed a bill last year designed to give "fair access to everybody" who wanted fire insurance coverage.

The bill was aimed primarily at the ghetto dweller, who has found it increasingly difficult in recent years to get sufficient insurance on his property.

Companies have balked at writing ghetto policies because of a fear of rioting.

The companies reasoned that premium rates wouldn't come near matching the cost of properties destroyed by fire.

Congress made it clear, though, that premium charges under the so-called FAIR plan should be kept low.

The Illinois plan, which took effect last September, has jumped rates so high that ghetto businessmen say they eventually will be forced to move to the suburbs.

One property owner in the 4000 block of W. Madison told The Daily News that his rates increased six times over what they were a year ago.

"How can they expect us to stay here with this sort of thing going on?" he asked. "It's as though the state is intentionally driving us out."

He said his store was not hit by rioting that broke out last April after the assassination of the Rev. Dr. Martin Luther King Jr.

Scarino and Rep. Edward Copeland (R-Chicago) called the rising rates "ridiculous" and said it appears that the FAIR plan is running just the reverse of the way Congress intended it to run.

Copeland said he hopes Smith's commission will begin to look into the charges right away.

Elmer F. Reske, director of the Illinois Property Placement Facility—which operates the FAIR plan—said it is not "a program for bargain-hunters."

He said that rates on ghetto property could be increased as much as 500 percent.

Critics contend that the facility should not control the FAIR plan, in as much as the facility is owned by the insurance industry of Illinois.

They contend that the Illinois Department of Insurance, a public agency, was intended by Congress to run the program.

About 390 companies writing fire insurance in Illinois participate in the FAIR plan.

About 350 fire insurance policies have been written under the plan. All rates have at least been doubled with many going much higher.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 5, 1969.

Hon. WRIGHT PATMAN,
Chairman, Committee on Banking and Currency, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are copies of clippings from the Chicago Daily News on February 1 and 3, 1969. According to these stories, which have been confirmed by other reports from my district, premium rates for insurance under the FAIR plans have doubled and tripled. Further, the insurance under the plans is not being made available on any appreciable scale to those who most need it.

As you know the FAIR plans are an integral part of the Urban Reinsurance Act which we passed last session. They were designed as a voluntary program whereby the insurance industry would cooperate to end the pernicious insurance practices of blackouts, red lining and arbitrary cancellations in our inner city areas. As an incentive to industry participation in these plans we required such participation as a condition to obtaining the federal riot reinsurance.

Our most important purpose in enacting this legislation was based on the hope that by making essential lines of property insurance available to them, the inner city property owners would assist in ending urban blight and deterioration. We were led to believe that the availability of such insurance would encourage the improvement of their properties.

Now it appears that our objective was thwarted. We may have committed the federal government to a huge financial risk on either false representations or faulty implementation. In any event, the inner city property owner is not getting what he was promised. Recent history has shown that these circumstances can lead to serious consequences. It is of the utmost importance that we examine this situation quickly and closely and institute remedial action immediately.

Therefore, I request that you appoint a special subcommittee of the Committee on Banking and Currency to begin hearings in Chicago, and other areas if need be, at the earliest possible date.

When this legislation was first brought before our Committee you and I shared misgivings as to whether it was a practicable program as proposed. I am fearful that our doubts were justified.

I appreciate your continued interest.

With kindest regards, I am,

Sincerely,

FRANK ANNUNZIO,
Member of Congress.

FULL DEBATE AND RECORD VOTE NEEDED ON THE PAY RAISE

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, the issue of pay increases for the Congress and other Federal executives is a matter of great concern to many Members and is one that requires full debate by the House. Unfortunately, the House Rules Committee tabled my bill and that of the gentleman from Iowa (Mr. GROSS) and eight other colleagues which disapproved the raise. If the House does not act by February 13, the pay increases ordered by President Johnson and endorsed by the new administration will automatically take effect.

Traditionally, and indeed constitutionally, the Congress is responsible for setting its own salary, and the pay of other top Federal executives as well as that of all Government employees. In 1967 Congress included in the civil service and postal employees pay bill a provision allowing the President to set top Government salaries, subject only to a congressional vote. I voted to strike this section.

If the House fails to debate and give full consideration to the sweeping raises proposed, we will again see a power of the Congress delegated to the White House.

This Nation is facing a time when the need to hold down on spending, to take every measure against inflation, and to keep the budget in balance, is of primary importance. The pay increases which have been ordered limit room for legitimate, constructive action on the part of Congress—unless the issue is opened for debate.

There may well be wisdom in increasing pay for some of the categories listed in the order. But I do not agree with this package, and feel that there are many of my colleagues who share this opinion.

I have introduced legislation, House Resolution 153, disapproving this "take-one, take-all" package deal, and I wrote the chairman of the Rules Committee asking that this legislation be sent to the House floor. The House should debate and reject this pay package, and then proceed to consider executive, judicial, and legislative pay scales in an orderly and proper manner.

Unless we do consider each pay level on its own merit, with full discussion, debate, and a record vote by each Member, the House will not be working its will on a vital issue for which it is directly responsible to the American people.

PROPOSED LEGISLATION TO ENABLE WOMEN WITH 30 YEARS COVERAGE UNDER SOCIAL SECURITY TO RECEIVE FULL RETIREMENT BENEFITS AT AGE 62

(Mr. ST GERMAIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ST GERMAIN. Mr. Speaker, currently, there are some 26 million females gainfully employed in our Nation's labor market, representing over 35 percent of the total number of citizens employed in these United States.

These women have had, and are having, a profound effect upon our Nation's economy and way of life as their numbers, buying power, and importance continue to increase.

Our gross national product, rapidly approaching a trillion dollars, is the most fantastic and enviable materialistic achievement yet known to man. An incredible growth has been realized in our gross national product, rising from $284.7 billion in 1950 to approximately $800 billion today, and paralleling—or perhaps stimulating would be a better word—this growth has been the expansion of the female role in our labor market and economy.

The greatness of the female contribution to our Nation's economy and well-being cannot be questioned. We only wonder about the degree of this greatness as we acknowledge their valued contribution.

In an effort to effectively acknowledge this contribution to our Nation's economy and well-being, I introduce legislation in the 90th Congress designed to enable the women of our Nation's labor force with 30 years coverage under social security to receive full benefits at the age of 62.

I rise today to reintroduce this legislation which was cosponsored by more than 50 Members of this body in the 90th Congress and which received vigorous support from constituents across the land.

Under legislation enacted in 1956, women are able to receive 80 percent of the benefits due to them if they should retire at age 62. Now, I consider it appropriate and wise that we permit them full—not 80 percent—benefits at age 62, and many other members, whose names also appear on this bill, concur with me.

Mr. Speaker, the gentlemen whose names appear on this bill are not asking for a "giveaway." We are urging the Congress to recognize the great contributions made by the women of our land towards the incredible growth of our Nation's economy during the past 30 years and whose labor continues to spark further growth in our economy.

The initial recipients of this legislation are those women who joined the labor force when our Nation was just beginning to overcome a depression, and whose labor may very well have accounted for our Nation's recovery from that economic disaster.

Let me reiterate that this legislation would only apply to those women who have faithfully contributed to this fund for 30 full years—that is, 120 quarters.

Now as we all know, a person can gain full social security coverage if he has contributed to the fund for every quarter after 1950 up to, but not including, the year he or she reaches age 65. In other words, it is possible that a person could gain full benefits at age 65 if he had only contributed to the fund for 18 quarters. In some special instances, even six quarters would enable one to gain full benefits.

The legislation I introduce today speaks not in terms of six quarters or 18 quarters, but in terms of 120 quarters. That is, recipients must have contributed to the fund for at least 30 years or 120 quarters.

We are addressing ourselves to those hard-working productive Americans whose names do not appear on the welfare rolls during these past 30 years. We are speaking about those strong Americans who are greatly responsible for the growth of assets in the social security trust funds from $267.2 million 30 years ago to the present $25.5 billion.

We are asking that Congress now realize the extent of their contribution and permit them to retire with full benefits at age 62. We are not giving them anything that they do not deserve. It is not a "giveaway." Rather, it is a way for our Nation to say thank you for a job well done to the women of our land who have indeed contributed far more than they could possibly receive from the social security program.

On behalf of all the Members who have cosponsored this bill, I ask that this body act expeditiously and favorably on this legislation.

We have a debt to repay and a commitment to meet. The debt, of course, is to those who have labored so long, and the commitment is to the younger people who are available to replace those who retire. This bill would free many jobs for these younger people and thus enable us to live up to our standing commitment of maintaining the highest possible level of employment.

Let us now live up to this debt and commitment.

ABOLISHING THE NATIONAL CAPITAL PLANNING COMMISSION

(Mr. SCOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SCOTT. Mr. Speaker, I have today introduced a bill to abolish the National Capital Planning Commission and to transfer its functions to the Commissioner of the District of Columbia.

As most of you know, I represent a nearby Virginia district and my constituents are concerned about the problem of getting in and out of Washington. Last Monday my office received more than 10 telephone calls from commuters who indicated they had spent up to an hour more than the usual time in getting to work. Each asked what my office was going to do about it. In my opinion, this is the most important local problem to the people of suburban Virginia.

Since election to Congress I have tried in every possible way to improve the lot of the commuter, even holding a conference together with other Washington area Congressmen last year and inviting representatives of the highway departments of Maryland, the District of Columbia, and Virginia to determine their views and to suggest methods in which the problems of the commuter could be reduced.

The Congress included a provision in the Interstate Highway Act of 1968 directing the construction of an Interstate System within the District of Columbia and including the Three Sisters Bridge. This bridge would be reached from the Virginia side over a proposed Interstate 266. However, the head of the department of highways of Virginia has recently advised me that Interstate 266 has been eliminated from the Interstate System of Highways by the Department of Transportation upon the recommendation of District of Columbia officials without any advance notice to the Virginia Department of Highways or any opportunity for the highway department in the State where the road would be constructed to be heard. He concluded his letter by stating that the Virginia Department of Highways still intend to build this interstate road. This is a ridiculous situation and in my opinion should be resolved by the Congress and the Department of Transportation. I have discussed this matter with the Secretary of Transportation and am hopeful that he will use the prestige of his office to resolve the dilemma.

An editorial appeared in the January 1969, edition of the American Motorist magazine which set forth a number of instances over the years in which the National Capital Planning Commission has delayed the construction of necessary highways and bridges. There is no doubt that we need a well coordinated system of transportation which would not only include freeways but would provide for rapid rail transportation throughout the Washington metropolitan area here by subways or surface rapid rail. Neither should suffer at the benefit of the other and Congress in the past has indicated it subscribes to this plan. For some reason, the National Capital Planning Commission is unwilling to follow the mandate of the Congress and a few months ago acted directly in conflict with the congressional mandate in recommending the elimination of the Three Sisters Bridge and changing the approved highway system within the District of Columbia. My office has received numerous letters from people and organizations which are indignant about the behavior of the Commission. While we may not always agree with the actions of the District of Columbia government, the Commissioner, and other officials of the District of Columbia are responsible at least to an extent to both the President and to the Congress. Therefore, my bill would transfer the functions of the Planning Commission to the District of Columbia government.

I ask your help and your support in attempting to minimize the transportation problems in our area. Many of you are commuters and know from firsthand experience the problems of the commuter. The National Capital Planning Commission is part of our problem and not part of the solution. It should be abolished.

The editorial of the American Motorist magazine is set forth in full below:

Whither Thou Goest, NCPC?

The strange and erratic behavior of the National Capital Planning Commission on the question of highways in the District of Columbia culminated last month in a vote to scuttle the Three Sisters Bridge and the North Central Freeway—and, in effect, a rational transportation system for the Nation's Capital.

For the seventh time within the last eight years, the National Capital Planning Commission has slithered from one position to another on this question.

In 1960 the NCPC gave its blessing to the Three Sisters Bridge.

In 1962 the NCPC decided to defer the Three Sisters Bridge for a while.

In 1966 the NCPC voted to approve a complete freeway system including a Three Sisters Bridge.

In 1967 the NCPC asked the Department of Transportation to study the idea of a tunnel at the Three Sisters site rather than a bridge.

In 1967, after DOT said that a bridge at that site was a better idea, the NCPC, on May 5, agreed to stage-three approval of the bridge.

In 1967, the NCPC, on September 14, refused to give stage-four approval to the bridge.

In 1968 the NCPC, disregarding the recommendations of its own staff voted to eliminate the Three Sisters Bridge from the District's freeway system.

What, one is forced to ask, will the National Capital Planning Commission do tomorrow? No one, least of all the NCPC, seems to know.

We do, however, know what will happen if their latest decision is allowed to stand. More automobiles will clog residential streets. The result—more accidents and fatalities.

More and more time will be consumed getting to and from work. The result—more businesses will move to the suburbs. The result of this: a decrease in the taxes collected by the city and a rising rate of unemployment among the city's population.

A rational and orderly freeway system has been developed during the last 20 years. During this time, 33 major studies costing 20 million dollars have been made of our highway system. All but one have supported the need for the Three Sisters Bridge.

Why, after all this time and money, do we still not have even the beginnings of an adequate freeway system? Because the inability of city planners and officials to make firm decisions has a long history in Washington—as evidenced by the vacillation of the NCPC during the last eight years.

Congress has shown the courage in the past to assume this responsibility. We believe that they should do so now.

MINIMUM FEDERAL INCOME TAX

(Mr. MONAGAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, I am introducing legislation today with a twofold purposes: to correct an intolerable abuse and to strengthen our country's financial resources.

My bill provides for a minimum Federal income tax on individuals and corporations enjoying substantial incomes who would otherwise pay no tax whatsoever. No right thinking citizen, I claim, would deny that the problem of income tax avoidance by the wealthy has now reached serious proportions. People are concerned about the high-income recipients who pay little or no Federal income taxes. For example, the extreme cases are 155 tax returns in 1967 with adjusted gross incomes above $200,000 on which no Federal income taxes were paid, including 21 returns with incomes above $1 million.

This unjust and wasteful system of collecting Federal revenues must be reformed or the country and the Congress may well face what former Treasury Secretary Barr has called a taxpayer revolt. This rebellion will come not from the poor but from the tens of millions of middle class families and individuals with incomes of $7,000 to $20,000 whose tax payments now are based generally on the full ordinary rates and who pay over half of our individual income taxes.

The question then is not whether there should be tax reform but what path it should take. My feeling is that a straightforward imposition of a minimum income tax will achieve the most efficient and most equitable results in curtailing the avoidance of income taxes by the wealthy. Surely it is not unreasonable to require that everyone able to do so pay some minimum tax.

So complex and vast is our tax structure now that a number of features of our tax laws are used in various combinations on the returns of those with larger incomes who pay no tax. The most common provisions utilized to achieve the result of no tax liability are:

First, the unlimited charitable contribution deduction.

Second, the exclusion of interest on tax-exempt State and municipal bonds.

Third, charitable contributions of appreciated property where the contribution deduction includes gains which have not been taxed to the individual.

Fourth, percentage depletion derived from income from the extractive industries.

Fifth, large amounts of income taxed at capital gains rates.

Sixth, depreciation on real estate making use of the fast depreciation methods.

Seventh, farm losses which have been offset against nonfarm income.

This bill would cut evenly across all the avenues taken to produce no tax liability. Moreover, the rate of minimum income taxation proposed is a prudent and just one. Those individuals and those corporations to be taxed under the law would in no way be discriminated against; instead their tax liabilities would be brought more into line with the tax liabilities of the vast majority of American taxpayers with medium-sized incomes.

AGRICULTURAL SUBSIDIES PLACED IN PERSPECTIVE

(Mr. TALCOTT asked and was given permission to address the House for 1 minute and to include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, the question of Government subsidies, particularly agricultural subsidies, have been the subject of much public discussion of late. Many of these discussions appear to be based on emotion rather than fact. It is for this reason that I call to the attention of my colleagues a perceptive editorial in the Corcoran, Calif., Journal written by its distinguished editor and publisher, Mr. Percy M. Whiteside:

FARMERS DESERVE MEDALS FOR U.S. CROP COOPERATION

When the first Congress of the United States convened in 1789, after adopting the form of oath of office to be taken by government officials, its initial action was the enactment of a tariff law (as a subsidy) to protect and promote farming, industry and the infant American merchant fleet.

This established the basic principle of government support, directly and indirectly, to those things which were held as vital to the growth and prosperity of our nation.

From this early beginning, subsidies through the years have taken many forms.

As early as 1827 Congress made appropriations and granted free right-of-way privileges to private canal builders to support and encourage a system of inland waterways as the then best means of interstate transportation of goods and people. This was in addition to giving canal builders 6,340,339 acres of land; then between 1860 and 1871 "gave" the then newly expanding railroads 180,000,000 acres of land as an outright grant and subsidy.

After the advent of the automobile, the government has gradually given untold billions of dollars as subsidies for the building of millions of miles of roads for its American motorists. This is still going on by th billions of dollars of taxpayers' mone annually.

(Incidentally the Postal Department has also been subsidized to meet its deficits yearly in mail handling to the tune of several billion dollars.)

Again comes further travel and transportation needs in the form of aviation and airlines. This modern need is also being subsidized by our government at considerable cost—but we think with good reason.

Also, in recent years, industrial development, the "needs" of labor, scientific progress and literally 100 other forms of government, financed or substantially assisted and subsidy supported programs and projects have almost become commonplace in mentioning millions, and even billions of dollars annually in government expenditures of the taxpayers' dollars.

What we resent, very bitterly and righteously, is that although helpful governmental subsidies are granted for innumerable other reasons, the very minute that agriculture is included—we hear great wailing at the subsidy wall by a Senator or two that farmers are "getting rich" at the expense of the government and taxpayers.

That is absolutely NOT true.

In the first place these attempts to smear the American farmers for cooperating with the government's own programs, which are almost always at an actual loss to the individual farmer.

In the second place, the "wails" come only from Senators who represent non-farming, metropolitan or industrial states and are simply seeking to stir up selfish votes to promote their own individual political interests.

And, in the third place, their contentions are entirely false as compared to the facts.

These are:

1. Farm subsidies save the American people billions of dollars yearly in otherwise added taxes.

2. Were it not for the "renting" of farm land by the government, as much as $5,000,000,000 a year would have to be added to government expense in purchasing surplus farm crops produced. (This includes cotton, grain, sugar, milk, poultry and many other crops and products under controlled prices.)

3. Interest alone on the difference in the billions of dollars which would be required from the government far more than repays the taxpayer and the treasury of the United States for the comparatively small amount paid to farmers and producers for their cooperation in crop control programs.

4. Exports of crops and products, such as the "Food for Peace" program is of great benefit to our nation in many ways in good will and actual help in feeding the people of many foreign nations besides boosting our commercial exports by billions of dollars yearly in foreign purchases to stem the serious outflow of gold from this Country.

There are many more ways in which American farmers have made great contributions to the general economy, prosperity and prog-

ress of our Country—even though still unprotected against continually decreasing market prices for their crops and the great gambles which they grimly risk, year after year, against the adversities of often disastrous weather conditions.

Unless our good Congressmen such as Burt Talcott, Bob Mathias and several hundred others are able to prevail and prevent the further fast decimation of the American farmer, together with the help of a majority of the United States Senators, we fear for the fateful and dreadful day when farming, food and fibre have been trampled underground by senseless, selfish politicians.

While there is still time, to save agriculture as we know it today, we hope that Congress will recognize its great contribution under the American form of subsidies, and award medals of recognition to all farmers who have given their full cooperation in the subsidy program advanced by the government.

LOWERING THE NATIONAL MINIMUM VOTING AGE TO 18

The SPEAKER pro tempore. Under previous order of the House the gentleman from New Jersey (Mr. HOWARD) is recognized for 1 hour.

Mr. HOWARD. Mr. Speaker, on January 3, 1969, I introduced House Joint Resolution 18, as I did in the 90th Congress, proposing an amendment to the Constitution providing that any person 18 years or older should not be denied the right to vote.

Legislation to lower the national minimum voting age was first introduced in 1942. Support for this measure has been growing rapidly ever since, and now includes such groups as the National Student Association, the National Education Association, prominent leaders of both political parties, as well as the National Young Democrats and National Young Republicans. It was supported by both of the recent presidential candidates, and was included in both party platforms.

I am particularly pleased to be able to discuss this matter today, because this morning marked the official beginning of an organization known as the Youth Franchise Coalition. This group will be a spearhead organization working on a national level to promote passage of this legislation in Congress, and ratification by the States. This organizational meeting was attended by representatives from many organizations, including those mentioned above, as well as many prominent persons from the Congress. I am very proud to be associated with these young people whose efforts thus far have been not only competent, but innovative and courageous. They deserve all success.

I feel very strongly that our citizens in the 18-, 19-, and 20-year-old bracket must be given the opportunity to participate in decisions which determine the course of the country they will be leading in the coming years. The arbitrary age of 21 for voting privileges in most of our States dates back to the dark ages, and is no longer valid in any way. We ask so much of our youth today, in the way of maturity and participation; and yet we deny them the full exercise of that maturity—the right to participate in the election of their representatives in Government.

The 18-, 19-, and 20-year-old people in this country are better educated, better read, and more conscious of the expanding world around them than ever before in our history. They are not only aware of political activity, but are interested and concerned for the future of their country. During the past election alone, the youth of this Nation accomplished so much, worked incredibly hard to further their beliefs, but in the end, they were not allowed to express their choice in the ballot box. They could speak out, but could not make themselves heard in the most effective way.

I think it is admirable to note that these citizens are striving to be able to express their beliefs, to make themselves heard from within the established system—rather than using less acceptable means of making themselves heard from without. It is important that we support these efforts. It is important that the young people of our Nation have a say in the building of their future.

But what about the more basic reason for giving our 18- to 20-year-old citizens the privilege of voting? I mentioned earlier that we ask a great deal of them in the way of maturity and responsibility. In most of our States, 18-year-olds must stand trial in criminal court—they are no longer considered juveniles under the law. In most States one need only be 18 years of age to marry without parental consent. In many States 18-year-olds may enter into written contract and be held responsible—they are not considered juveniles. In many States this age group can make wills; they can purchase insurance. The child labor provision of the Fair Labor Standards Act does not apply to one 18 or older. Welfare aid cannot be given to one 18 or over unless he or she is handicapped. They have been given the responsibility of the lives of others as they drive cars and purchase guns and ammunition.

All these privileges and responsibilities are given at or by the age of 18—what about the privilege and responsibility of voting?

Further, what about the principles on which our beloved country was founded? Many 18-year-olds hold jobs and pay taxes—whatever happened to taxation without representation? Under the Democratic principles set forth by our Founding Fathers, all responsible citizens were given the privilege of choosing those men who make the policies of our internal and international affairs—our young men who are drafted into the armed services at 18, are carrying out our countrys policies, but have had no voice in choosing those who make those policies.

By the age of 18, most Americans have completed their formal education. They have just completed courses in the functioning of a democracy, and the founding of their country. They are at their highest peak of interest. That is the time when they should be initiated into the responsibility and privilege of voting. Those who study voting behavior have noted that persons in the 21 to 30 year age bracket have one of the lowest voting participation averages in the electorate. They suggest that one cause of this is the denial of the vote between the ages of 18 and 21, when the enthusiasm is the highest. On the other hand, studies of the 18 and 21 voting group in Kentucky have indicated that this unfortunate trend is to some degree offset by permitting this age bracket to vote.

It is a well known fact that the median age in our population is getting lower and lower, while at the same time our older citizens are living much longer. The result is an imbalance in the electorate. Giving our 18-year-old citizens the right to participate in the voting process will counteract this imbalance. We must combine the experience and wisdom of age with the energy and active interest of the young.

In conclusion, we should note that the majority of the population of this country supports the need for lowering the minimum voting age. Those who have studied the electoral process in the four States where the voting age is below 21 already have been much encouraged by the enthusiasm of this age group as they study the questions and issues. Their idealism and concern for the future, their education and background, make them among the most intelligent voters today. The combination of all the pertinent factors makes it all the more incumbent on this Congress to insure that these citizens are given the right to vote. Not too long ago, we passed the voting rights act, but that legislation leaves much to be desired because it excludes those having the most concern for the future—let us make certain that the 91st Congress acknowledges their concern by giving them a voice in that future.

Mr. Speaker, we can say many, many things and give many, many reasons why our 18-year-olds in this country should vote. But the greatest argument for 18-year-olds voting is the 18-year-old American of today. Should anyone have a vague idea concerning our young people, thinking they may be distraught or discouraged—we might ask that person to visit our schools and our universities and find out what they are doing and talk to the young people. They would be amazed to learn how intelligent they are, how concerned they are, and how much they want to take part in the governing processes of this country.

We need only go back a very few months to see that these young people are concerned. We saw how many of them—because they believed in an ideal, and they believed in a direction for this country—left their schools, for a semester to go to the cold snows of New Hampshire to ring doorbells and to talk to people about something that they believed in. Whether we believed in their candidate or not, and whether we believed as they did concerning Vietnam, we must be heartened by the fact that they were willing to do this and go through this hardship to try to promote the kind of country they want in the future.

These young people went from the snows of New Hampshire to the plains of Kansas and out to California because they believed in something. They worked within our established processes.

Many have noticed the things that have happened on the college campuses. But whether it be at Berkeley or Columbia, one thing that we adults can be happy and grateful for, is that these young people care and they care enough to try to do something for their country.

All of us who went through the recent

election were certainly made to feel very grateful that so many young people took part in our congressional campaigns. They worked evening after evening, and on weekends, and rang doorbells. They used this method of trying to talk to adults who can vote—and urging them to vote a certain way.

Many of us had the opportunity to see these young people on election day while we waited for the returns to come in. There was great frustration there because the rest of us could go down to the polling places and make an affirmative and direct gesture by voting. This was denied to these young people.

Let us deny it to them no longer.

Our young people today have many questions—questions that we must try to answer. We may not be able to answer all these questions in our time, but it is a good and hopeful sign that they are concerned enough to be asking them and thinking about them.

We may talk about the war in Vietnam and tell them that we are saving the people of South Vietnam. They ask, why we have to do it in a way that is killing and injuring about 200,000 of the South Vietnamese civilians and women and children. That is a difficult question to answer.

Oh, we brag about our civil rights. They say, "Why is it that so many of the young people in this country can fight in our wars but they cannot live in our suburbs?" Where is the answer to that? We may justifiably be able to tell them, "Things in this country are much better than they used to be." And they can reply, "Yes, but why are they still as bad as they are?"

So we in the 91st Congress should deal with those who are asking the questions, groping for solutions. We should not only demand great responsibility from them, but we should give them a basic responsibility and privilege. Let us hope that from this House of Representatives, in this 91st Congress, it will be said that we have made the young people in this country truly partners in developing our future, because we legislators are not legislating our future. We are legislating their future.

Mr. WILLIAM D. FORD. Mr. Speaker, I am happy to note today the organizational meeting of the Youth Franchise Coalition which will spearhead activities aimed at extending the right to vote to those who have reached age 18.

The move to lower the voting age to 18 has come before the Congress time and time again. Each time Congress has failed to secure the right of suffrage for our young adults between the ages of 18 and 20. This failure, I think, can be attributed to lack of determination and a tenacious clinging to tradition for tradition's sake.

Mr. Speaker, I hope that this year we will demonstrate to our young people and to our citizens as a whole that we are aware that times are changing and that quick answers are required for old problems.

In the past several years this country has witnessed a significant growth in the maturity and social awareness of our younger citizens. While a few of them have yielded to violence and disruption to demonstrate their frustration with the problems of our society, many, many more are involved in making meaningful contributions toward solving these problems.

Having just come through a presidential election year, we are all aware of the contributions made by the young Democrats and the young Republicans. Our young people serve in VISTA; in the Peace Corps; in church organizations, concerned with the betterment of our society; and of course, in the Armed Forces, defending our constitutional right to select our own Representatives and shape our Government.

The responsible young adult of today is better informed, better educated, and better prepared to assume the full duties and rights of citizenship than any of his predecessors. Current surveys indicate that today's youth read more newspapers, more magazines, and more books than their fathers and grandfathers ever did.

Mr. Speaker, with so much evidence before us that young adults of 18, 19, and 20 are qualified to vote and participate in our Government, I hope that the Congress will see fit to broaden the base of democracy and let them in. In 1953, Hubert H. Humphrey told his colleagues in the Senate that—

> Extending the suffrage to 18-year-olds will broaden the base of democracy not only by the number of young people which it immediately adds to our voting population; but also by encouraging the participation of these people at an age when they are enthusiastic and interested in government and politics.

He observed at that time that—

> This will enable us to make real inroads in voter apathy in the United States.

Mr. ADAMS. Mr. Speaker, on Monday, I introduced House Joint Resolution 342 to lower the voting age to 18. This resolution, which I originally introduced in the 90th Congress, calls for a constitutional amendment to enfranchise 18-year-olds.

I feel that the tremendous improvements in our educational and communication systems have produced a generation that is much better educated than any in American history and thus ready for the franchise. A high percentage of today's youth graduate from high school. The young men of this generation are required to defend their country at 18 and they have responded magnificently. Government policies with regard to the draft and foreign affairs affect their lives more vitally than they do any other segment of the American population. Their voices should be added to the voting population.

It may seem unusual, but the average person at 18 is better informed regarding his Government and tends to register more readily at 18 than at 21. The young person at 18 is generally still in a stable home environment, attending high school, and is involved in formal educational courses on government. During the 3 years between 18 and 21, the average young person leaves home to work, serve in the Armed Forces, attend college, or be married. Often these young people move to other States with difficult residence requirements on registration and absentee voting. A combination of these factors often results in many young people not being able to vote until they are 25 or 30. At this later age, they usually have become burdened with many other responsibilities and are less informed about those seeking office. They frequently fail to ever effectively participate in their Government.

A final factor is that our young people have responded in magnificent fashion to the responsibilities of this age, not only by serving in the Armed Forces but by participating in programs such as the Peace Corps, Vista, and in addition, they have tried to participate in politics. They want to be a part of America's institutions and if they are able to participate in the American democracy by voting at 18, then they will be given a constructive alternative to demonstrating in the streets.

Mr. Speaker, lowering the voting age below 21 has already been accepted in three States with no adverse effects, and I hope it will become a national policy. In the meantime, I hope the State of Washington will adopt such a program.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. I am happy to yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Speaker, I have been an advocate for a number of years of lowering the voting age. In fact, House Joint Resolution 32, which I introduced, is pending before the Judiciary Committee. It would grant the right to vote to persons 18 years old and also to all members of the Armed Forces on active duty.

I have a great deal of respect for the youth of America. Our young people have distinguished themselves in the military, in the Peace Corps, in Vista, in their involvement with the complex issues confronting our society. Their awareness and concern with the destiny of our country is indeed impressive.

My personal contact with young people in my congressional office has extended over many years. I personally have 11 interns working for me. All are college students and most are in the 18 to 21 age group. My conversations with them and their performance as part of my staff have confirmed my conviction that 18-year-olds are certainly capable of voting intelligently and often more intelligently then older members of our society.

Mr. HELSTOSKI. Mr. Speaker, I am pleased to have this opportunity to rise in support of legislation which would permit our 18-year-olds the right to cast their vote in our elections.

I am firmly convinced that the time has arrived that we place this right into the hands of those who will follow us in charting the course of this Nation.

Leaders of both parties in this House have expressed their support of this idea through the introduction of the many bills now pending before the Judiciary Committee. I can see no reason why this 91st Congress should not take favorable and early action on the pending bills.

Any delay in this respect amounts to an extension of time during which our young men and women are denied the right to become full partners in our society.

We pursue a course of welcoming young citizens into the service organizations; of urging them to participate in political and government activities; we expound on the need for youth involvement and the need of responsible actions by young people. And we continue to withhold from them the most vital outlet of expression—the ballot.

In looking into the past, our Nation has manifested its wisdom in extending the right to vote by including women in our electoral structure. This action took place in 1920 and, in 1964, we chose to remove the prerequisite of payment of a poll tax as a part of our voting process. These two constitutional amendments permitted our Government to function on the broadest possible scale of citizen participation. We now have the opportunity to afford this right to more than 10 million citizens between the ages of 18 and 21. Our country would benefit greatly by this action which should be our primary objective during this session of Congress.

Mr. Speaker, I have constantly advocated lowering the voting age. It was my privilege to introduce measures to that effect ever since I first came to Congress as the Representative of the Ninth Congressional District of New Jersey. The arguments in favor of this matter are numerous and one of the main ones is found in the Democratic Party Convention platform section on youth, which states:

> We will support a Constitutional amendment lowering the voting age to 18.

We can make good on that promise that is long overdue.

It is my belief that the young people of this generation are more enlightened and better prepared educationally than were Americans of previous generations.

Our youthful voters will bring fresh enthusiasm and ideals into our political arena. If you have any doubt as to their desire to be a part of the political scene, I can only refer you to the political campaigns of just a few months ago. Untold hours of volunteer help was given to the major candidates for the high office of President and Vice President, as well as to candidates for the Congress, and lesser community offices.

Mr. Speaker, let us no longer deny the right to the ballot to our young generation. Let us develop a full partnership between the experience of our generation and the vitality of our future generation.

Mr. FASCELL. Mr. Speaker, I am strongly in favor of extending the voting privilege to those citizens between the ages of 18 and 21, and join with our colleagues today in saluting the recent organization of the Youth Franchise Coalition—the first national effort on behalf of lowering the voting age.

The idea to lower the voting age has been under continuing review since at least 1942, when the late Senator from Michigan, Mr. Vandenberg, sponsored a joint resolution in the Senate to extend the voting privilege, and the then Representative and now Senator from West Virginia, Mr. RANDOLPH, introduced a similar joint resolution in the House. Since that time, many, many proposals have been sponsored in both the House and the Senate to extend the voting privilege. In the 90th Congress I sponsored a joint resolution which would submit to the States a constitutional amendment prohibiting denial of the vote on account of age to anyone 18 years of age or older.

Today, even more so than in 1942 or ever before, our youth deserve the right to vote. They are undoubtedly better equipped than before to exercise responsibly the voting privilege. The average 18-year-old has just completed high school studies in American history and civics. In 47 of our 50 States, courses in American Government, comparative government, political process, American history, and others are required of each high school graduate. Thus, the 18-year-old, just out of high school, is well informed about the political process, and is eager to join in it. He is prime for civic responsibility. By refusing him the vote, we pull the rug from beneath his feet, and leave him suspended for 3 years. The consequences show in our voting statistics. Studies indicate that the 21 to 30 age voter group has one of the poorer turnout average. One very probable reason for this could be the interim period between 18 and 21 when our young citizens are not permitted to vote. Too often, interest wanes. The initial impetus to join in the political process is squandered.

I think it is significant for me to point out that I have been receiving an increasing number of letters from high school seniors who express their strong support for lowering the voting age. Many of them cite their recent studies and their anxiousness to be participants in the processes they have read about. Our democracy was built on, and continues to grow on, the basis of individual concern and participation—we should not let this interested group disperse without allowing them the opportunity to participate. Their idealism and enthusiasm would indeed bring a fresh breeze to the conduct of politics.

In addition, there is the controversial argument that those who are old enough to fight are old enough to vote. Critics of this proposition suggest that no correlation holds between the qualities needed to vote intelligently and those requisite to fighting. This is a matter of opinion, of course. It seems to me, nonetheless, that both fighting and voting assume a sense of duty and responsibility in the individual. I submit that our 18-, 19-, and 20-year-olds have displayed a keen sense of duty and responsibility when it comes to fighting for our country. I believe they will make equally responsible voters.

An even stronger reason for extending the vote to young people, as I have mentioned before, are the serious legal responsibilities which appertain to them. For example, youngsters between the ages of 18 and 21 can sign job contracts and are required to pay property and income taxes, and many do. They are considered adults by insurance companies and can sign contracts for coverage which are legal and binding. All of these responsibilities imply a measure of intelligence and good sense among 18- to 21-year-olds. They raise the inevitable question: "If we can trust them with these responsibilities, how can we then deny them the vote?"

In addition to the support this proposal has received in the Congress, the President's Commission on Registration and Voting Participation in its 1963 report stated that it believed the low-voter participation of the age group from 21 to 30 may stem from the fact that "by the time they have turned 21 many young people are so far removed from the stimulation of the educational process that their interest in public affairs has waned." Their conclusion agrees with my own. The Commission recommended that each State give careful consideration to reducing the minimum voting age to 18. Almost all of the States have considered lowering the voting age. In my own State of Florida, the senate passed a proposed constitutional amendment in 1967 to lower the voting age. In addition, the constitutional revision commission in Florida recommended lowering the age to 18. Unfortunately, the State house of representatives did not share the senate's support for the proposal and no change was effected in 1968 when the State revised its constitution. However, the push to lower the age has again been started, this time in the house by Dade County Representative Gerald Lewis who has submitted a proposal to amend the constitution.

The activities throughout the country—in the Congress, in State legislatures, and among students, have shown me that there is a very strong sentiment in favor of the lower voting age proposal. Heretofore, however, there has not been a national organization to help spearhead the campaign. I hope that the Youth Franchise Coalition can provide this central organization. The coalition was initiated by the National Education Association, which met early in December of 1968 with a number of national organizations. It is a nonpartisan coalition of youth and adult organizations including the following:

The Citizens Division of the Democratic Party.
The Committee for Community Affairs.
National Association for the Advancement of Colored People, Youth Division.
National Education Association.
Student NEA.
U.S. National Student Association.
U.S. Youth Council.
Young Democrat Clubs of America.
Young Republic National Federation.

I strongly hope that the coalition is able to formulate a workable and effective program for furthering the campaign for extending the voting privilege, and that the Congress will act to meet this national demand.

Mr. MOORHEAD. Mr. Speaker, Oscar Wilde once wrote:

> The youth of America is their oldest tradition;
> It has been going on now for 300 years.

And I submit it is a fine tradition.

When we think of the word youth, we think of vigor, freshness, activity, and promise.

The young people of this country have shown that they embody all of these qualities, and with minor exceptions, responsibility.

Because of the nature of our society,

and the reality of instant communications, 18-year-olds today are far more more educated and more involved than their predecessors.

As a father of teenagers, as a Member of Congress who has had summer interns working with my staff, and in my experience speaking before the high school and college students in my congressional district, it is my feeling that the young people of today are the brightest and finest in the world. For the most part, they will live up to the faith and trust we place in them.

It is a privilege for me to speak on behalf of the 18-year-old voting rights amendment which I introduced 2 years ago in the 90th Congress, and reintroduced this week, and to include my statements of February 21 and March 21, 1967, as further evidence of my support:

[From the CONGRESSIONAL RECORD, Feb. 21, 1967]

Mr. MOORHEAD. Mr. Speaker, I am introducing today a joint resolution proposing an amendment to the Constitution of the United States that would extend the right to vote to all our citizens who have attained the age of 18 years.

Mr. Speaker, it was my privilege during the last election campaign to address and answer questions from members of two political science classes at one of Pittsburgh's fine high schools, Taylor Allderdice.

I was impressed with the broad knowledge the students had of the American political system and their understanding of the issues involved in my own local campaign. They displayed a strong interest in the affairs of their city, their State, and their Nation, and expressed a keen desire to demonstrate their sense of responsibility by voting.

Since the election, I have asked several of my colleagues about their experiences with young people in their districts, and their reactions confirm my feeling that American youth today is well informed, well versed in the American political process, and eminently qualified to participate in that process through voting in elections at all levels.

In fact, Mr. Speaker, it is at the age of 18 that most of our young citizens are most strongly motivated to become responsible contributors to our democratic system.

In the later high school years, they are offered a broad range of history, social science, political science, and civics courses, all designed to heighten their interest in and their sense of responsibility for our Nation's democratic process.

At the same time, improvements in all our communications media make it possible for our young citizens to stay abreast of events in their localities, in their States, and across the land. Their studies enable them to interpret what they see, hear, and read with a great deal of sophistication.

But, Mr. Speaker, of our 2,900,000 high school graduates this year, only 55 percent, or 1,595,000 young people, will go on to some form of higher education. The others, 1,305,000 of them, will enter the labor market or the Armed Forces to begin participating fully in the productive or protective functions of our national life.

For these youthful citizens, all of whom must live under the laws we pass and some of whom must die for the policies we support, there is a 3-year wait before they can claim a voice in determining these laws and policies—the right to vote.

These are 3 years in which their early interest in politics and their desire to vote may subside permanently, 3 years in which the chance to develop a habit of voting may be lost, perhaps forever.

For college students, this problem is less acute. Their awakened interest in politics and public issues is nurtured in both curricular and extracurricular activities. They can develop the habit of voting in campus mock elections and political polls. They emerge from college at 21 ready to exercise their right to vote.

Mr. Speaker, I think it can be fairly argued that 45 percent of our Nation's young people—increasingly well educated, affluent and influential young people—are being denied at a critical stage in their lives the privilege and responsibility of voting.

I sincerely believe that a constitutional amendment granting all our citizens who have reached the age of 18 the right to vote would prove itself of great value not only to our young people but to the Nation as a whole.

I urge my colleagues on both sides of the aisle to introduce similar joint resolutions, so that we may quickly extend the privilege of full participation in our democratic process to the fine young citizens of this and future generations.

[From the CONGRESSIONAL RECORD, Mar. 21, 1967]

ACTION FOR THE 18-YEAR-OLD VOTE

(Extension of Remarks of Hon. WILLIAM S. MOORHEAD, of Pennsylvania, in the House of Representatives, Tuesday March 21, 1967)

Mr. MOORHEAD. Mr. Speaker, a month ago today I introduced a resolution providing that—

"The right to vote of citizens of the United States who have attained the age of 18 years shall not be denied or abridged by the United States or by any State on account of age."

Many of my colleagues have introduced similar bills during this Congress.

In a statement on the floor of this body at the time I introduced House Joint Resolution 348, I said:

"American youth today is well-informed, well-versed in the American political process, and eminently qualified to participate in that process through voting."

I noted also that the many young people to whom I talked during my last campaign "displayed a strong interest in the affairs of their city, their State and their Nation, and expressed a keen desire to demonstrate their sense of responsibility by voting."

As evidence of the strong desire our young citizens feel to participate in our democratic processes through voting, I include in the RECORD at this point an article by Robert Johnson, from the Pittsburgh Press of March 16, 1967.

The article concerns the formation of an organization of Pittsburgh high school students, their parents and their teachers, called Make It 18. The organization, dedicated to seeing that the voting age is lowered to 18, is less than 2 weeks' old, and already has more than 120 members.

I urge my colleagues to read Mr. Johnson's article to see what compelling arguments these articulate young people present for lowering the voting age to 18.

The article follows:

"VOTE AT 18 BID HAS PERSONAL TOUCH

"(By Robert Johnson)

"Mike Waligorski will be 18 years old next August and a most welcome birthday present as far as he's concerned, would be the right to vote.

"Mike, a senior at South High School, is president of 'Make It Eighteen,' a group of students, parents and teachers dedicated to lowering the voting age.

"A FAST START

"Only a week old, the organization boasts a membership of more than 120.

" 'Of course we all feel that if you're old enough to fight and die for your country you're old enough to vote,' Mike said. 'But there are other considerations.'

" 'The population is growing younger,' he said. 'Everything is getting younger. Youth is taking over anyway and pretty soon we're going to have to vote.'

" 'I'd like to vote because I'd like to have a say in what's going on,' Mike said. 'I don't like to be left out.'

"The vice president of the organization, Mike Zizis, 18, a senior, insisted:

" 'We're not the future generation. We're the now generation.

" 'We're tired of leaving everything up to other people and having them tell us whether we can breathe and what to do. We deserve a chance to prove our maturity in a world of fast-maturing attitudes.'

"Secretary Mary Jane Stelmach, 16, a junior, said 'the voting age should be changed because most students get their training for voting in high school.'

" 'If there's a three-year pause before they can vote they forget what they've learned,' she said. 'If you have the training you should be able to use it.'

"WHERE IDEA ORIGINATED

"The idea for 'Make It Eighteen' originated in the classroom of Robert E. Wright, an 11th and 12th grade history and English teacher at South High.

" 'We were talking about voting a couple of weeks ago,' Mr. Wright said, 'and one of the students asked, 'Why can't we vote?'

" 'I told them it's the law. I told them the only thing they could do was change the law by amending the State or Federal Constitutions.

" 'There's a bill in Congress which would lower the voting age to 18, so we decided to attack on both the State and Federal levels.'

"RECEIVED APPROVAL

"Before the students could organize and solicit funds, however, their project had to receive the approval of Principal John M. McLaughlin.

" 'As a matter of personal feeling I don't think the idea has any merit,' Dr. McLaughlin said in authorizing the project. 'I don't agree with them, but I think they're entitled to their opinions.'

" 'We've been organized about a week now,' said Mr. Wright. 'Our biggest problem is funds. There's a fee of 15 cents a year so it took 100 members to get $15.'

" 'We placed an ad in The Press which cost $9.79 and rented a post office box for three months at $1.50 a month,' he said 'That was the end of our $15.'

"The ad first appeared in the personal section of The Press want ads Saturday and ran through yesterday.

" 'So far we've enrolled over 100 students and 20 adults and we've only been on this for a few days,' Mr. Wright said.

Mr. ANDERSON of California. Mr. Speaker, I agree with many of my colleagues and an overwhelming majority of the American public—66 percent according to a 1968 Gallup poll—that the time has arrived to extend the voting franchise to 18-year-olds.

By way of background, this proposal is not new. It was first put forward by Senator Arthur Vandenberg in 1942. Since then, Georgia became the first State to permit voting by persons under 21 in 1943. In 1955, the State of Kentucky took similar action, permitting 18-year-olds to vote. In 1959, when they entered the Union, the constitutions of Alaska and Hawaii provided, respectively, voting by those 19 and older and those 20 and older. In every session of Congress since 1942, there have been proposals to extend the right of suffrage to 18-year-olds. In fact, in the 90th session of Congress, over 50 resolutions were introduced calling for such a constitutional amendment.

Today, there are many cogent reasons favoring lowering the voting age. First, young people are better educated than ever before. The Office of Education reports that today 75 percent of our young people graduate from high school and 40 percent attend college. This compares favorably to the situation in 1940 when only 45 percent completed high school and 16 percent went on to college.

Not only are young adults for the most part better educated than their parents, but also they have had the facilities to be more knowledgeable about public affairs. Almost every State in the Union requires high school instruction in the history of the United States including a working knowledge of the U.S. Constitution. In addition, many young people actively participate in public service through Vista, Job Corps, Peace Corps, Teachers Corps, and community action programs. Further, mass communication and opportunity for travel have given young people broad exposure to the great problems and issues facing our country and the world.

In the third place, our young adults have shown tremendous eagerness and enthusiasm for working in political campaigns and in particular the 1968 presidential campaign. I am sure many Members can cite the valuable assistance which young persons have provided in their campaigns as well as in their offices. This participation in politics and Government provides important training for roles as future leaders of our country and our communities. As active participants in the process of campaigning for their candidates, they should not be forced to remain passive spectators in the process of electing their candidates.

Fourth, young persons are demonstrating their desire for the right to vote by mobilizing a broad national effort. They are not merely sitting back asking Congress to give them this right but instead are mounting a broad-based campaign across the country. One group, for instance, called LUV—Let Us Vote—has almost overnight established college and high school chapters across this Nation to express their concern for 18-year-old voting. Another group, Youth Franchise Coalition, has been set up in cooperation with the National Education Association for a concerted national effort to secure passage of a constitutional amendment to extend voting rights to 18-year-old citizens.

Finally, Mr. Speaker, we require persons between the ages of 18 and 21 to act as adults. In many respects, both State and Federal laws and courts classify them as adults, for example, marriage, draft, criminal liability, and right to enter certain legal contracts. Thus, it is certainly not unreasonable to ask that they be treated as adults when it comes to exercising our highest privilege of citizenship, the right to vote.

They are in fact adults. They possess, on the whole, more knowledge and interest in government and the political process than do their parents. They bring a fresh and lively approach to politics which should not be allowed to wane between 18 and 21. They can and do exercise an intelligent vote as four of our States can testify by their experience, and, as recent events have proven, when they are frustrated by exclusion from the decisionmaking process affecting their vital interests, they may attempt to find answers outside our Democratic system. For all these reasons and others, I think it would be of great benefit to our country to include these young people in the electorate.

Presidents Eisenhower, Kennedy, Johnson, and Nixon have endorsed the proposal to extend the right to vote to 18-year-olds. The time has come to grant young people full participation in our Democratic process.

I strongly support the right to vote for these 11 million presently disenfranchised citizens.

Mr. MIKVA. Mr. Speaker, I rise with enthusiasm to support the remarks and the proposal of my colleague from New Jersey (Mr. HOWARD) to enfranchise the 18-year-old citizens of the United States. As a representative in the Illinois State Legislature for 10 years, I consistently supported proposals in my own State to allow 18-year-olds to vote. I felt then, as I do now, that when our Government asks young men to perform military service, to go abroad—sometimes never to return—to fight their country's wars, the least that we, their representatives, can do is to extend to these young citizens the right to have their votes count in choosing elected spokesmen.

Mr. Speaker, in this day and age when a high percentage of our citizens over 18 but under 21 are in college, and an even higher percentage have completed high school or comparable secondary education, it is no longer possible to say—as perhaps it once was—that 18-year-olds are not sufficiently educated or intellectually qualified to vote intelligently. If anything, the younger generations are probably better qualified, taken as a whole, than those which preceded them to fulfill the responsibilities of citizenship. The increasing political activism among college students and college-age youth bears eloquent witness to their interest in current affairs and their desire to participate in the political process in America. To deny them this opportunity would be not only to do them an injustice, it would be to rob ourselves of an essential source of vigor and enthusiasm for the American political process.

The political activism which I have referred to has been increasingly apparent in recent years. It was the effort of young people, many of them ironically enough too young to vote in their own States, which first crystalized the dissatisfaction of all the people with the terrible war in Vietnam. Whether one supported Senator McCARTHY or not, it is impossible to deny the impact which he and his initially youthful supporters had on the American political system. It is both unfair and shortsighted for us to say to these young, enthusiastic, well-informed Americans, "yes, you may participate in campaigns," "yes, you may work actively to generate support for your candidates," but to say in the same breath, "no, you cannot vote." The contradictions of the present disenfranchisement of most Americans under 21 years of age are apparent to all who seriously consider the significant role which these young people have played and are playing in American life today. It is for this reason, among others which have been mentioned by my colleagues today, that I support Mr. HOWARD's proposal for a constitutional amendment to lower the voting age for all Americans to 18.

Mr. BYRNE of Pennsylvania. Mr. Speaker, today I join with the distinguished gentleman from New Jersey (Mr. HOWARD) in support of a constitutional amendment to lower the voting age in the United States to 18.

Young men and women attain by their 18th birthday a degree of education, experience, and practical knowledge much more advanced than was the case in earlier generations. This is because their schools are better and more of them have completed high school by the time they become 18 than other such persons in recent years.

They are also better qualified to vote today because radio, television, periodicals, and newspapers expose them to the affairs of their communities, State, Nation, and the world to a degree impossible in earlier generations.

Today young people are the best informed in all history. They are fully prepared for the responsibilities of citizenship and, in my view, entitled to assume those responsibilities which I have no doubt they would discharge with great distinction.

When the question comes up whether a person as young as 18 is qualified to vote it reminds me of the statement once made by the late and beloved Speaker of the House of Representatives, Mr. Sam Rayburn.

Said Mr. Rayburn:

> It makes me tired to hear all this talk about the young generation going to hell in a hack. They are a lot smarter than I was at their age.

I concur with Mr. Rayburn's fine statement.

In 1962, a national Children's Preference Study by the American Hobby Federation pointed out that 78 percent of our young people read a newspaper every day—a 10-percent increase from the previous survey; that 80 percent reported reading 10 or more books a year—a 7-percent increase over the 1960 tabulation, and that 84 percent, compared with 73 percent in 1960, said they read weekly and monthly magazines. These figures are surely higher now.

Thirty years ago, only 32 percent, or about one-third of adults in the United States between the ages of 25 and 34 were high school garduates. In 1962, according to the Bureau of the Census, the proportion of high school graduates in the same age group had risen to 64 percent, or about two-thirds of the population.

Thirty or more years ago, the argument might have been made that experience should make up for lack of education in qualifying young people to vote. This argument no longer holds. The great majority of young people in the age group of 18 to 21 have completed secondary education, have studied American history and political institutions, and are, on the average, far more qualified to vote at 18 than their predecessors of 30 years ago.

And I believe that the combination of education and real political responsibility would engender in young people a deep sense of obligation to participate in the electoral process and tremendous enthusiasm regarding public affairs.

In other words, by the time young people reach the age of 18 they are well read and, as often pointed out, very politically minded. Educators have stressed that—and I quote:

> The real value of education comes not from its acquisition but from its association with responsibility.

For many Americans, high school represents their last formal education. Having just completed courses in American history and government, they are enthusiastic about politics and they are informed. Yet we deny them access to the ballot.

Mr. Speaker, as a natural deduction from the above arguments, I believe we should extend voting privileges to 18-year-olds. I respectfully urge the swift passage of this legislation in the House of Representatives.

Mr. DANIELS of New Jersey. Mr. Speaker, I am proud to rise in support of the proposition put forth by my able and distinguished colleague, the gentleman from New Jersey (Mr. Howard). I too share his belief that our 18-year-old Americans should no longer be denied the franchise.

Mr. Speaker, those Americans who are between the ages of 18 and 21 are the beneficiaries of the greatest system of mass education that has ever been attempted on this planet. They are the best educated young people in our history.

Young Americans have a vital stake in the processes of government. Simple justice demands that those whose lives are shaped by government ought to have a say in the running of that government.

Political leaders representing a wide spectrum of thought have endorsed this proposal including such diverse personalities as President Nixon, Lyndon B. Johnson, Barry Goldwater, Hubert H. Humphrey, the late Adlai Stevenson, and the late and beloved Eleanor Roosevelt.

Mr. Speaker, I am fully in favor of extending the franchise to our young people and in conclusion I would like to express my appreciation for the leadership role played by Congressman Howard.

He has been a tower of strength in this cause and he has worked tirelessly to rally support both in this House and among the voters in the State of New Jersey.

Mr. TIERNAN. Mr. Speaker, I am pleased to join with my other colleagues in support of House Joint Resolution 18, a proposed amendment to the constitution giving 18-year-olds the right to vote. I would like to point out that on January 16, I introduced a similar resolution, House Joint Resolution 272.

Professor Clinton Rossiter in "Goals for Americans" writes:

> The American future rests rather on the quality of our votes—and of our participation of every kind—than it does on the quantity. What America needs is not more voters, but more *good* voters, men and women who are informed, understanding and responsible.

I believe participation to be the key word in this passage. It is up to us to allow the participation of our younger citizens in the governmental process by giving them the right to vote.

We have all heard the phrase "participatory politics" discussed in one form or another. But it took on true meaning during the year 1968 when thousands of college students played an active role in developing the political history of that sometimes sad and tragic year. I think that the most important point to be remembered about their enthusiasm and ardor is not that it was shattered in Chicago, not that they became disillusioned and disappointed, but rather, that they cared enough in the beginning to give up the secure life of a student to work in the several primaries for causes they felt to be just. The young people of this country who involved themselves in the political process have left and indelible mark. The ideas, enthusiasm, and perspectives that they brought to the campaign trail were truly a part of a "new politics."

The subject of making 18-year-olds eligible to vote in Federal elections has been before the Congress for many years, but for a variety of reasons, has never been approved. Most of the arguments for this proposal are well known to all of my colleagues.

Let me just say that I believe the 18-year-old citizen today is better educated and better equipped intellectually to exercise the right to vote than was his counterpart of 20 and 30 years ago. It is the opinion of many that at age 18, the citizen student may be more apt to place the national interest above parochial and special interests. I agree with this observation.

Today, the age group of 18 to 21 carries the main burden of fighting our wars and maintaining the defense and security of the Nation. They stand responsible for the welfare of the families they bring into the world. They are allowed the legal right to enter into binding written contracts such as wills, leases, insurance, and thus assume all of the responsibility inherent with this right.

They are allowed to enter our civil service and pay substantial taxes to the Federal Government. They are allowed to be adults in practically every way, with one exception; they are not allowed the right to cast their vote for people who could have the ultimate effect on their lives.

In short, we have offered the 18-year-old citizen our assistance, our good wishes, our advice and admonitions, the right to fight and die for their country in battles chosen by their elders, the right to make certain decisions, provided they do not conflict with their elders' wishes—all these and more have been given freely, but we except them from the right to vote.

President John F. Kennedy once said:

> The future promise of any nation can be directly measured by the present prospects of its youth. This nation is increasingly dependent on the opportunities, capabilities and vitality of those who are soon to bear its chief responsibilities.

I have seen the responsibility, capability, and vitality of young citizens who take an active interest in their Government. We have all borne witness to the youthful and sincere enthusiasm of the new politics of 1968.

We should now act to allow the young adult full participation in the political process.

Mr. Speaker, I urge the adoption of this resolution proposing a constitutional amendment to lower the eligible voting age to 18.

Mr. DONOHUE. Mr. Speaker, in my conviction the time has come in the affairs of this Nation to reassess the proposition of whether or not the youth of this country should be permitted to vote at the age of 18. I think they should.

Therefore, I have today introduced a joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older.

I earnestly believe that the average American 19-year-old today is better educated, more mature, and has a higher sense of personal responsibility and involvement than ever before.

Knowledge, and the opportunity to gain it, is increasing at a rate unparalleled in previous history.

Our youth, today, are extraordinarily knowledgeable on national issues committed to the betterment of our society and articulate in their convictions.

From the age of 18 to 21, they are certainly, in these times, helping to shoulder the burdens of our society, and they do it mostly with sound judgment; they pay income and property tax, and they bear arms. Surely we must extend every consideration to their right, then, to participate in the decisions of government which establish local, State, and national policy.

As so often asserted by Abraham Lincoln, the basic premise of a democracy assumes that all those who help bear the burdens of society will share in the decisionmaking process of that society.

In order to give our youth their rightful share in decisionmaking, I hope and urge that this Congress will favorably act on my proposal, and similar proposals that have been filed by a great many Members of Congress, before this session adjourns.

Mr. RODINO. Mr. Speaker, I am indeed pleased to have this opportunity to rise in support of legislation to lower the voting age to 18, an effort which has been spearheaded by my distinguished colleague from New Jersey, Representative James J. Howard.

I have long advocated such a constitutional amendment, and I was delighted when former President Johnson, in June of 1968, formally endorsed this proposal. As he stated in his special message to the Congress:

> No single, enduring question has so engaged generation after generation of Americans as this: Who among our citizens shall be eligible to participate as voters in determining the course of our public affairs?

The record bears out the merits of such change. For statistics show that only 6 percent of the population could qualify as voters in colonial America, while today about 65 percent meet the legal requirements.

The period between the birth of the Nation and the present has been marked by dramatic extensions of voting privileges to new groups that previously had been denied enfranchisement. These groups included those who owned no property, those in the small-taxpayer class, former slaves and women—generally in that order in most States.

It was not until 1919, after a militant struggle that spanned half a century, that the Congress proposed the 19th amendment to the Constitution, granting suffrage to women. Fourteen months went by before the necessary approval by three-fourths of the State legislatures made it the law of the land, on August 6, 1920.

And it is worthwhile to stress that the dire predictions of those who opposed granting women the right to vote have long since been forgotten. There was no chaos, no confusion, no problems. Women proved to be at least as capable as men in exercising sound judgment and intelligence at the polls.

Now I believe most strongly that the same positive results achieved by women's suffrage will accrue from lowering the voting age to 18. For we must remember that growing up is a gradual, individual process. It varies greatly from person to person. Nothing magical occurs on the day one becomes 21.

Our young people are more mature than some elders are willing to admit. The 18-year-old of today, by virtue of expanded and improved public education is undoubtedly better equipped for the task of voting than the 21-year-old of a century ago. In all my contacts with young people today I have found them to be serious, well-informed and alert to the major problems and issues of the day. They ask intelligent questions about pending legislation and welcome enlightening answers.

Oliver Wendell Holmes, Jr., once observed that "no generalization is wholly true, not even this one." And it is true that some young people are irresponsible and some have serious problems with the law, but such troublemakers are the exception. The vast majority of youth has earned our confidence.

So I have again joined in sponsoring legislation, in the form of a constitutional amendment, to extend the right to vote to 18-year-olds who otherwise meet voting qualifications.

In the meantime, I am also moving ahead with implementation of my plan to create a youth congress for high school students in the 10th District of New Jersey which I represent. The principals of each of the high schools in the district have been contacted and the next steps will be determined by their awaited suggestions.

I conceive the Youth Congress as an opportunity to give students a chance to participate in representative democracy, to provide a forum for the free exchange of ideas and opinions on current issues, and as a means of direct communication between teenagers and their Congressman on issues of mutual interest and concern.

Under the format I am considering, representation in the Youth Congress would be determined by school population, with one representative to be elected for each 500 students. This formula would result in a congress of 43 members from all the high schools in the district. Details involving such questions as eligibility of representatives, method of selection and frequency of meetings will be decided soon, and I would hope that the Youth Congress will be ready to organize and begin its work in the very near future. Let me emphasize that I am most eager for this project to get underway, and the sooner it is activated the better.

Mr. Speaker, I am convinced that the Nation is the poorer for not permitting our young people to participate in the democratic experience. And I heartily concur with President Johnson's statement that:

> America can only prosper from the infusion of youthful energy, initiative, vigor and intelligence into our political processes. . . . For a nation without faith in its sons and daughters is a nation without faith in itself.

I urge the most earnest and serious consideration of this legislation at the earliest possible opportunity so we will reaffirm our faith in the youth of America and achieve action to grant full and positive participation in American Government to the young people who will inherit its responsibilities, problems, and challenges in the years ahead.

GENERAL LEAVE

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks concerning the subject of my special order of today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

EXECUTIVE, LEGISLATIVE, AND JUDICIAL PAY RAISE

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Iowa (Mr. GROSS) is recognized for 1 hour.

Mr. GROSS. Mr. Speaker, on January 15 of this year there came from the Bureau of the Budget the recommended budget to the Congress of ex-President Lyndon Johnson. Apparently included in that budget was a recommendation for a pay increase—an outrageous pay increase—for the Members of Congress, the judiciary, and the executive branch of the Government.

Mr. HALL. Mr. Speaker, will the gentleman yield at that point?

Mr. GROSS. I am glad to yield to the gentleman from Missouri.

Mr. HALL. The gentleman in the well is bringing up a very interesting point, one which is a matter of record on this floor before. It is considerably questionable whether or not this so-called supplement involving the report of the Presidential Pay Commission was indeed, in fact, submitted on the day before, the day of the budget message, or even the day after the message. I think the gentleman will recall that this "supplement" was found actually in only two instances, in two copies of the budget. A thorough search of the document, a thorough search of the budget distribution of the Bureau of the Budget to the Members, a search of the Committee on Appropriations copies failed to reveal that this supplement had been inserted as an extra or flyleaf in the budget, the budget in brief, or any of the ancillary documents; is that not correct?

Mr. GROSS. That is correct. I would remind my friend from Missouri that I thought when I first spoke I said "apparently" it was submitted with the budget.

Mr. HALL. Indeed, the gentleman did, if he will yield further. And I think this is pertinent because at the time of the parliamentary inquiry a few days later we made the point that there might be some devious stratagem, and I believe the gentleman from Iowa made the point as to what would then be the effective date, depending upon when the Chair actually received the so-called supplement.

Mr. GROSS. Mr. Speaker, I ask my good friend, the gentleman from Missouri, is it not true that on that day of January 15, after this pay increase recommendation was allegedly submitted, we made inquiry of the Speaker and we were told that it came inserted in the pages of what might be called Budget of the United States in Brief. This is not even the budget in full of the Sears, Roebuck catalog size. It was supposed to be inserted in this Budget Brief and the submission was represented by this piece of paper I hold in my hand. Is it not true, that this is what the gentleman from Missouri and the gentleman from Iowa were shown as being the submission to the Congress?

Mr. HALL. If the gentleman from Iowa will yield further, he is thoroughly correct. I identify that document here. It was said that it was obtainable from the document room, but 2 days later it was not. I would stipulate that a call to the Budget Bureau was answered by saying, "If you want one, it will be delivered to you." This was 2 days after January 15.

Mr. GROSS. This is what might be described, for want of any other description, as "looseleaf legislation."

Mr. HALL. I refer to it as an insert, as a matter after the thought.

Mr. GROSS. I doubt very much that most of the Members of the House have ever seen this document.

Mr. HALL. I question it very much.

Mr. GROSS. It has no legislative form. It is not a bill. It is not a resolution. It is a legislative monstrosity. It consists of four pages, 6 by 9 inches, on which there is printing on only three pages. I challenge anyone on the floor of the House to show me a bill, a resolution, or a document in the nature of legislation representing the pay increase that a few moments ago some 241 Members of the House approved when they voted for a vacation next week. They know that in the absence of further action the pay raise will go into effect automatically while they are at their homes on vacation.

This I say again is shocking legislative procedure. This is "looseleaf legislation."

On January 15 I immediately filed a disapproving resolution, which was sent to the House Post Office and Civil Service Committee. I hoped against hope that there would be hearings so that we might follow some modicum of normal legislative proceedings. What happened? The chairman of that committee refused to grant a hearing.

On January 16, sensing that the Committee on Post Office and Civil Service would refuse a hearing, I introduced another resolution asking the Rules Committee to take from the Post Office and Civil Service Committee House Resolution 133, so the House might have some semblance of an opportunity to work its will.

Last week I was notified and other Members of Congress were notified there would be a hearing before the Rules Committee on my resolution at 10:30 this morning. Yesterday afternoon, out of thin air and for reasons best known to members of the Rules Committee, notice was sent to the offices of those who had indicated they desired to appear before the Rules Committee, saying the hearing was off; that the committee would meet in closed-door session at 11 o'clock this morning.

The Rules Committee met at 11 o'clock this morning, and by a vote of 12 to 3 tabled my resolution and thus slammed the door on the last opportunity to provide any kind of decent legislative consideration of this outlandish pay increase for Members of Congress.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker, I should like to ask the gentleman at the microphone, who appears to be greatly disturbed by this action, if there is anything in this pay raise which will compel any Member of the House to take that pay raise? Is it not true that he can refuse the raise?

Mr. GROSS. Is it not true what?

Mr. BURKE of Massachusetts. That he can refuse to take the raise?

Mr. GROSS. I am not sure that he can. I am not a lawyer. I do not know whether there is Federal law on that subject.

Mr. BURKE of Massachusetts. I am pretty sure.

Mr. GROSS. Just a minute. I have the time. The gentleman can get 60 minutes when I get through.

I am told that in some States one cannot refuse to take the pay provided for the office. I do not know whether that is the law in the State of Iowa or not.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield for one more question?

Mr. GROSS. I will yield to the gentleman. Has the gentleman ever refused to take a pay increase?

Mr. BURKE of Massachusetts. No.

Mr. GROSS. That is what I thought.

Mr. BURKE of Massachusetts. I believe I am worth the money I am paid.

Mr. GROSS. Yes.

Mr. BURKE of Massachusetts. I can understand the apprehension of some Members, in view of their absentee records and in view of the little work or little constructive work they do around here. I can understand their being apprehensive about taking a pay raise. When one looks at them one might say, "Well, would you pay that man that much money?"

There was a question in the minds even of some individual Members themselves, as to what they are worth.

But I say there is nothing in the law that prevents a Member of this House from turning back the pay raise.

I believe if I felt as strongly as the gentleman from Iowa does or the gentleman from Missouri does I certainly would not accept that pay raise. I would fight against it.

Mr. GROSS. Yes.

Mr. BURKE of Massachusetts. I have noticed something through the years. In fact, I recall one time, in the Massachusetts legislature, a fellow who led the fight against a pay raise——

Mr. GROSS. Let me interrupt to say this: I hope the gentleman will not go too far in using Massachusetts as an example of all that is virtuous.

Mr. BURKE of Massachusetts. I have never claimed being virtuous.

I should like to say this: The Member who spoke the loudest against the pay raise, once the pay raise was granted, it was interesting to note, was the first one to arrive to collect the pay raise.

Mr. GROSS. If I decided not to take this pay raise, would the gentleman permit me, without implying I am a demagog or something of that kind——

Mr. BURKE of Massachusetts. I am not.

Mr. GROSS. Just a minute. The gentleman can answer the question. Of course, I will yield to him for that purpose.

Would the gentleman allow me to select my own charity? Would the gentleman want me to pay taxes on a return of salary to the Federal Government and to the State of Iowa?

Will the gentleman help me out with any tax problems when the time comes?

Mr. BURKE of Massachusetts. To answer the first question, I have never doubted the gentleman's sincerity. I believe he is one of the most sincere Members of the House. I am merely pointing out what the record indicated on some people who spoke so loudly against pay raises.

If I felt the same way the gentleman from Iowa does, I would refuse to take it. I would feel almost morally bound to refuse to take it.

Mr. GROSS. I suppose that if the gentleman thought there was no necessity to hire more police in his hometown or increase their pay, and if his home were being burglarized or he being assaulted, he would not call for help from the police simply because he had not voted for additions to the police force or to increase their pay?

Or, if the gentleman had a fire in his home, and he had voted against providing more firetrucks or more firemen, he would let his house burn down; he would not call upon the fire department to help him out?

Mr. BURKE of Massachusetts. I should like to say to the gentleman, in 20 years of legislative life I have never voted against the firemen or policemen. I believe they are underpaid, and I have always voted for them, so I will never be confronted with that problem.

However, I am pointing out that those people who object to this pay raise in the House of Representatives should have the moral feeling that they should not accept this raise. If I felt that strongly about it, I would certainly feel very embarrassed about accepting the raise if it were given to me.

Mr. GROSS. Would the gentleman permit me to decide what charity I would give the pay increase if I elect to do so? I would like to be the one who makes the decision. I hope he will not suggest the Federal Government. I would hate to think I was returning the money to the Federal Government to help pay the salary increase for the gentleman, who always votes for salary increases and every other spending measure.

Mr. BURKE of Massachusetts. I assume you think it is charity if you do not accept the raise. Is that what you are saying?

Mr. GROSS. No. I did not say anything of the kind.

Mr. BURKE of Massachusetts. I think if I was so critical of the procedure that is taking place here, then I would never accept the raise. I assume that you will take the raise if it is voted. I do not want to embarrass you and ask you if you will take it, but I assume from your remarks here that you will.

Mr. GROSS. Since you have already assumed that I would, you do not need to ask me the question.

Mr. BURKE of Massachusetts. You say it is charity, and some people feel that charity begins at home.

Mr. GROSS. I will say to the gentleman that I will cross that bridge when I get to it, and it will not be long before we get to it, because today the Committee on Rules slammed the door on any further action in this matter.

Let me say to the gentleman also that this is not alone a question of a pay increase but a question of the procedures that have been used to ram this bill through without any consideration on the part of the House of Representatives.

Mr. BURKE of Massachusetts. And I say to you, if this is true and if you feel as strongly as you do and if there are any other Members who feel as strongly as you do, then I feel all who have these strong sentiments would have the moral obligations to refuse to accept this raise.

Mr. GROSS. Suppose you let me be the guardian of my own morals. I would appreciate that.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding.

I think the gentleman has made the point as clear as anyone could to the gentleman from Massachusetts with his usual great moral compunction. I would say it is a question here of the responsibility of the individually elected Members of the House and their right to vote rather than to have a veto in reverse.

Second, there is a question of timing

here so that this thing has the effect of law on St. Valentine's Day, which will be a massacre of the taxpayers, as I said yesterday on the floor of the House.

Third, there is the devious strategy wherein we originally erred in relegating our authority to the executive branch or to a commission thereof.

I think the gentleman has made these points well.

Inasmuch as the gentleman from Massachusetts (Mr. BURKE) mentioned my name, I would say that I believe he would be the last in his great erudition to say that the profligacy of the present Government indicates that it should best determine where to spend the moneys, that are otherwise allocated by defect or by vote of anybody in the Congress or by decision of the executive branch of the Government, that was to come to its highest elected legislators in the land.

I thank the gentleman for yielding.

Mr. GROSS. What I wanted to say, among other things, to the Committee on Rules this morning, but the door was slammed and there was no opportunity, is that more than 34 Members of the House have either sponsored or cosponsored resolutions, including House Resolution No. 133, which have been referred to the Committee on Post Office and Civil Service providing for disapproval of the recommendations of the former President with respect to the rates of pay for officials in the executive, legislative, and judicial branches of the Government.

There are a multitude of reasons why the House of Representatives has a clear responsibility to vote on this outrageous proposal and, in so doing, reject these unconscionable pay increases.

The ill-conceived legislation which has resulted in this mess was approved as an amendment to the Postal Revenue and Federal Salary Act of 1967. Under section 225 of that law the Congress unwisely and supinely delegated its authority over adjusting salaries of top Government officials to a commission.

There were no congressional hearings on the amendment that delegated this power, nor have there been any hearings on President Johnson's recommendations for salary increases. In effect the Congress is being asked to permit this proposal to become effective without being furnished justification, without hearings, without debate, or without an opportunity to vote.

I should liked to have asked someone in this Nixon administration why President Johnson cut the Kappel Commission recommendation for an increase to $50,000 in congressional salaries down to $42,500. Is anyone else interested in knowing why this was cut? What was the justification? Can anyone on the floor tell me why it was cut to $42,500, and why were other commission recommended salaries reduced? What compelled this? Silence, deep silence, greets all these questions.

Not even the author of section 225, the gentleman from Arizona (Mr. UDALL), was so callous as to suggest that Congress should be gagged and not permitted to vote on this proposal.

On the contrary, the legislative history of this law shows clearly that it was intended that the House of Representatives shall vote on the proposal.

During debate on Public Law 90-206 on October 11, 1967, I offered an amendment to strike out the provision delegating this power to the President. During the ensuing debate Mr. UDALL, author of the provision, Mr. ANDERSON of Illinois, and Mr. HOLIFIELD developed legislative intent as follows:

> Mr. ANDERSON of Illinois. Does the gentleman from California now make the point that by the actions of this Commission we will escape a vote on the question of raising our salaries? I cannot conceive of this Commission coming back with a recommendation for an increase in the President's budget without our having to consider a disapproval resolution which would be filed by someone and which would call for a vote thereon.
>
> Mr. HOLIFIELD. I do not seek the privilege of not voting on a salary raise. I seek the judicial evaluation as to whether we should have it or not, an evaluation to be determined by an impartial body outside of ourselves. That is what I seek. I do not mind voting upon it. I have done it heretofore. And, I shall be happy to do so again.
>
> Mr. UDALL. Mr. Chairman, will the gentleman yield?
>
> Mr. HOLIFIELD. I yield to the gentleman from Arizona.
>
> Mr. UDALL. Mr. Chairman, the gentleman from Illinois has referred to the fact that this question would have to be voted upon in any event if this Commission should recommend an increase in pay. It is true that they would have to vote on a pay raise for a Member of Congress and that they will have that opportunity.

Later when the conference report was considered on December 11, 1967, I addressed a question to Mr. UDALL and he replied, as follows:

> Mr. UDALL. That is right. They are only recommendations which take effect in the event Congress does not veto them or pass another provision of law. We could get a quorum here very quickly if the President tried either to raise or to lower the salaries in a manner which was considered offensive to the House. As a matter of fact I think we could have no trouble at all raising a quorum if this should happen.

Thus, legislative intent on this issue is clear. The author of this provision as well as other Members of the House intended that all Members of the House should be given an opportunity to vote to approve or to reject the President's salary recommendations.

Congress must be permitted to vote on this proposal and reject it by reason of a serious constitutional question with respect to the way in which salaries of Members of Congress are being fixed under this irregular and, I submit, unconstitutional procedure. Article 1, section 6, clause 1 of the Constitution states:

> The Senators and Representatives shall receive a compensation for their services, *to be ascertained by law*, and paid out of the Treasury of the United States.

The procedure under which we are considering congressional salary increases—section 225 of Public Law 90-206—does not conform to the foregoing constitutional requirement.

Webster's Dictionary defines "ascertain" to mean "to make certain, exact, or precise." In other words, the Constitution says that salaries of Members of Congress must be determined by specific law with exactness. The procedure under which we are now considering congressional pay increases does not meet this constitutional requirement.

The legislative delegation of authority to the Chief Executive to set our salaries was not restrictive. It was not exact or precise. There were no standards or criteria for the Commission or for the President. The sky was the limit.

Congressional salaries are not being fixed in an exact amount by law in conformity with the Constitution unless Congress by law adopts affirmatively the recommendation of the President. Public Law 90-206 establishing the procedure under which recommendations are made to the Congress regarding congressional salaries may not be substituted for the constitutional requirement that such salaries be "ascertained by law" as required by article 1, section 6, clause 1 of the Constitution. Otherwise the constitutional requirement has no meaning.

All persons who are knowledgeable on this subject are aware that in approving section 225 of Public Law 90-206, Congress could avoid the responsibility of voting pay increases to its Members. This intent clearly violates the constitutional requirement.

Mr. Speaker, in furtherance of my contention that the President's proposal should be voted on and defeated, permit me to discuss the merit—or lack of merit—contained in that proposal.

Today we are threatened with the greatest adverse economic impact on our people in history resulting from the pressures of inflation. Mr. Kappel and his associates are apparently not concerned about this problem which faces every wage earner and every housewife in our country. They seem to have the fallacious notion that in order to attract and retain individuals in the top levels of Government there must be unconscionable pay increases.

Yet, the turnover, except for deaths or retirements, is almost negligible.

From what I have observed in the past 2 weeks there is not much turnover in some areas even with a change of administration.

Even at salary levels which the Kappel Commission finds inadequate there has never been a measurable exodus of top Federal officials for higher paying jobs in private industry. Had Kappel wanted to present all the facts he would have included in his report the fringe benefits of top Federal officials as well as the fringe benefits of executives outside the Government when he made his comparisons.

For example, the heads of bureaus in Federal departments and agencies, which is the lowest executive level, now receive higher salaries than those paid to the Governors of at least 26 States. Should the salaries of Members of Congress be increased this year to $42,500 it would represent a higher percentage—89 percent—pay increase since 1955 than that received by any other group of workers in America. This is uncalled for and cannot be justified.

Let us consider briefly other advantages accruing to top Federal executives aside from the normal fringe benefits which the Kappel report treated with deafening silence.

The lavish offices, private dining rooms, chauffered and air-conditioned automobiles, preferred travel and hotel accommodations, entertainment, special passports, sumptuous wining and dining, services of Federal employees for all manner of unofficial chores, and a host of other special privileges are the normal supplemental benefits enjoyed by these high Federal officials.

I shall not comment on the propriety of these supplemental benefits, but I do contend that it is impossible for us to explain to the American people why these Federal officials require annual pay increases ranging from 28 to 71 percent.

Furthermore, I am not raising these matters for any purpose of exposure, because they are generally well known.

I say to you that the top level of officials and employees in this Government are now well treated in the matter of compensation and fringe benefits. Members of the Federal judiciary are already well paid and when they retire, either because of disability or for age, they draw incomparable pensions to which they have contributed not a dollar.

Yes, boost the pay of the Associate Justices of the Supreme Court to $60,000 and the Chief Justice to $62,500. Then they retire—at $60,000 and $62,500 a year.

Perhaps this is one way to test whether the present Chief Justice of the Supreme Court, who handed in his resignation last year, was actuated then by the political motive of trying to dictate as his successor, Abe Fortas. Maybe the $62,500 a year will help him make up his mind now as to whether he wants to retire.

What is the cost of the entire salary grab package? Or can anyone estimate the increase in cost, plus the increased costs of retirement benefits that always go with increased pay. How many of you know what this will cost in retirement benefits and on top of the pay increase? Does anyone know with any real degree of certainty? There have been no hearings. Does anyone care about the facts?

We do know that the Federal employees' retirement fund is $52 billion in the red—this we know, and the taxpayers are going to be asked in a very few years to cough up about $2 billion annually simply to make the retirement fund solvent.

Make no mistake, the flame you are fueling, with these pay increases, is the flame of inflation, and further erosion of the dollar.

What would I say if I were a union negotiator in a wage dispute? What would I say the minute this bill automatically goes into effect next Thursday while the Members of the House are enjoying a vacation?

I ask, if I were a union representative, Why are you offering my people 3 or 4 percent when the President of the United States has had his salary, with the approval of Congress, increased 100 percent? And you, the Members of Congress, have approved an increase of 28 to 71 percent for yourselves and others. Do you think you could settle with me for 3 or 4 percent?

Mr. Speaker, this will trigger a chain reaction of increases around the country, and you mark what I tell you.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. I rise, first, to commend the gentleman from Iowa, my colleague, for taking this time to call to our attention and to the attention of interested citizens throughout the land the problems that are involved in the legislation he is talking about. I commend him for this fight.

I am especially interested in what he has said about the effects on the economy, the inflationary aspect of this proposition. I also agree with him and others that is a question that every Member of Congress ought to face squarely. We ought to have a chance to vote it up or down after, as the gentleman has so well said, some very pertinent and penetrating and revealing questions have been asked.

I would also like to make this observation: raising the salaries of the Members of the Congress without at the same time raising standards of procedure I believe is not in the public interest. We have had a bill before the House that calls for procedural reform and congressional reform. This has not been acted upon. It would vastly increase the effectiveness and efficiency of the Congress. So I think this relates.

I agree also—I underscore and repeat —that this proposal needs a hearing. Every Member of Congress who has a question about it ought to have an opportunity to ask that question and, indeed, to make some suggestions on how this can best be done, if indeed it should be done, and when it should be done.

Mr. GROSS. I thank the gentleman from Iowa for his remarks.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. I was interested in the gentleman's remarks about officials being wined and dined, because it has been my experience, and I know that of many other Members, that we pick up the check a good deal more frequently than those who wine and dine us when our constituents come here.

Second, on the question of travel privileges, which the gentleman mentioned, many of us who frequently make trips home on weekends, as many of us do every weekend, find it very difficult to make advance reservations. I certainly have been bounced off airplanes very frequently on a standby reservation. I do not think Members of the Congress are treated any differently than the average citizen. When these travel privileges to which the gentleman refers appear, I would be interested in seeing them.

Third, the amount of travel, of course, that a Member of Congress does far exceeds the official allowance which is granted. The official allowance is greater now than it used to be, but I know of no business, industry, State government, or any other occupation where a person traveling on official business does not get full compensation for that travel. I am not referring to political trips. I am referring to business trips, and the travel within your district, of course, mounts up. I do not think the gentleman has fully and fairly presented the financial picture and burden which the average Member of Congress confronts.

Mr. GROSS. I did not set out here today to make a case for the average Member of Congress. I am opposed to the pay increase. I think $30,000 a year is adequate.

The gentleman from West Virginia talks about the wining and dining. I am sure the gentleman knows this Congress appropriates about a million dollars a year for representation allowances for the State Department alone. Does the gentleman recall, or does he have any idea how much is being spent Government-wide on representation allowances? I invite the gentleman to look at the appropriation bills as they come in and to just tote them up. I think the gentleman will be astounded.

As far as the poverty-stricken officials of the Government are concerned, the line forms to the right when a job is opened somewhere. I do not know of any dearth of applications for jobs since the new administration has taken over. If the jobs are swimming in poverty, why are these people clamoring and falling all over each other to get them?

The gentleman talked about travel. I can recall a gentleman, the Vice President of the United States, Mr. Humphrey by name, whose Air Force jet was sent back from Scranton to Washington to pick up the tuxedo he forgot to put aboard the plane at National Airport. When one can get jet planes running around over the country for purposes of picking up forgotten tuxedos, one has pretty good travel accommodations to go along with the job.

Mr. HECHLER of West Virginia. Mr. Speaker, if the gentleman from Iowa will yield further, I have read about that incident. It happened without the knowledge and consent of the Vice President.

Mr. GROSS. The Vice President called me after that occurrence. It was the only time I have had an opportunity to converse with him, so I can assure the gentleman the Vice President had some knowledge of what was going on.

Mr. HALL. Mr. Speaker, will the gentleman from Iowa yield again?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Iowa taking this time in the well and commend him for portraying this not only to other legislators in the Congress but to the people of the United States. It is a sad day when the personal Representatives of the people are denied by any stratagem the right to vote up or down their own pay increase, declared by the Congress to be their prime duty.

The gentleman from Iowa asked a moment ago whether any Member on the floor had any knowledge why the President recommended less than the so-called Kappel Commission, an amendment of Public Law 90-206 as recommended. I believe that Commission recommended congressional annual salaries of $50,000. The massacre that is going into effect on Valentine's Day is for $42,500 per annum. We have been closed out through the Committee on Rules and this body today from voting up or down on this resolution, even though the other body acted yesterday. Give them credit—at least they voted up or down on a resolution.

I believe the gentleman has reason to know, and if not, I will inform him, there was a pretty high-level conference held with the leaders of the Congress on both sides of the aisle in both bodies, in the White House, and the word was simply passed that the freight would not bear it. There were those who had voiced opposition to what this Commission recommended. The gentleman in the well and I voted against it in the original legislation. As the gentleman in the well said in his preliminary remarks, he submitted an amendment to strike out this part of the Commission's duties in Public Law 90–206. The word was passed that the freight just would not bear it. The leaders did not think they could get this silencing effect in the House or a favorable vote in the other body if they went for the full $50,000 of the taxpayers' money.

The gentleman certainly knows that in lieu of that $7,500 deduction, there is a sneaker or two in this Commission report that will have the effect of law on next Thursday, such as an increased tax-free exemption over and above the $3,000 we all use because of the very items of travel and intradistrict expense and so forth that the gentleman from West Virginia mentioned. Does the gentleman not know this? This is up from $3,000 to $5,500. There are also other exemptions for the judiciary and the legislative and the executive branches, with special care for the Vice President and the speaker and the majority leader and the minority leader and the President pro tempore of the Senate.

These are all in that famed supplement which arrived here so late, but it was because of this high level conference that the President recommended less that the Commission reported.

Mr. GROSS. I am glad to have the gentleman's observation and concurrence.

I am amazed that in this time of debt, deficit and financial crisis ex-President Johnson and now President Nixon would support the establishment of such a precept for the Nation. Are they saying and will Congress now join them in telling the American people that the way to halt inflation and avert financial chaos is to increase the salaries of those already well paid by 28 to 71 percent? This is compounding the evil which they claim to be fighting.

Mr. Speaker, by any reasonable standard and by any objective measurement, ranging from the constitutionality and legislative intent of section 225, Public Law 90–206, to the merits of the proposal contained in the 1970 budget message I insist, first, that the House of Representatives be required to vote on this matter; and second, that in its present form and legislative history the proposal ought to be rejected out of hand.

Mr. MAYNE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Iowa.

Mr. MAYNE. Mr. Speaker, this morning's action by the Rules Committee tabling a resolution to bring the 41 percent pay increase for Senators and Congressmen to the floor dooms the efforts of Members who have been striving to stop this increase from going into effect.

I want to thank the gentleman from Iowa for yielding to me so that I can voice my strong objection to this result. As my colleagues know, I have been opposing this $12,500 increase since it was recommended by President Johnson on January 15.

On the following day, the 16th, I introduced H.R. 138, to block the increase; and since that time I have been voicing my opposition to such a pay hike repeatedly in speeches here in the well of the House. I have said that it was unnecessary, unwise, inflationary in the extreme, and could not come at a worse time so far as the new administration's plans to curb inflation are concerned.

If Congress accepts such an increase for itself, it will make itself and the administration highly vulnerable to the demands of every pressure group which lobbies for higher wages, higher profits, and more Government spending for its own particular clientele. We will be in a much weaker position to hold the line on spending and to check inflation if we do not show a little more restraint so far as our own salaries are concerned.

My resolution, H.R. 138, was referred to the House Committee on Post Office and Civil Service on January 16, but the members of this committee were not even elected by the House until January 29. As soon as they were elected, I sent them and their chairman the following letter, under date of January 30:

Hon. Thaddeus J. Dulski,
Chairman, Committee on Post Office and Civil Service, House of Representatives, Washington, D.C.

Dear Mr. Chairman: Although the members of your committee were elected by the House yesterday, I am very concerned that no announcement has yet been made of plans to call the committee together.

There are disturbing rumors that you do not intend even to organize the committee until after the 41% increase in congressional pay proposed by former President Johnson will have gone into effect on February 14th.

On January 16, my resolution, H. Res. 138, which would disapprove this increase for both Senators and Representatives, was referred to your committee. I respectfully and urgently request that you call the committee together at the earliest possible time to consider and act upon H. Res. 138, H. Res. 133, and the other resolutions similarly referred which would block the proposed increases. These resolutions should be reported to the Floor early next week to afford sufficient time for the full House to work its will after the resolutions have been debated fairly and openly.

It is my considered judgment that failure of your committee even to consider these resolutions blocking pay increases which to say the least are highly controversial would subject not only your committee but the entire House to severe and justified public condemnation.

A copy of this letter is being sent to each member of your committee and by said copy I respectfully urge the full membership of the committee as well as its chairman to report the above resolutions to the Floor not later than early next week.

Sincerely yours,

Wiley Mayne,
Member of Congress.

To this date, except for an oral acknowledgment from the gentleman from Iowa who preceded me in the well, I have received absolutely no acknowledgment of that letter. When I was informed last week that the Committee on Rules would conduct a hearing on House Resolution 142 this morning, I asked for the privilege of testifying before the committee in opposition to the pay increase, and I was assured that that privilege would be afforded me. Therefore, I was surprised and disappointed yesterday afternoon when I was informed by a staff member of the committee that the committee had changed its mind and would go into executive session this morning rather than allow me and others to be heard. Therefore I sent the following letter, under date of February 4, to the committee chairman, which was delivered to his office yesterday afternoon:

Congress of the United States,
House of Representatives,
Washington, D.C., February 4, 1969.

Hon. William M. Colmer,
Chairman, Committee on Rules, House of Representatives, Washington, D.C.

Dear Mr. Chairman: I have just been advised by telephone that your committee will go into executive session at 11 a.m. Wednesday, February 5th, to decide whether or not it wants to conduct hearings on the Congressional pay raise.

When my administrative assistant called the committee last week, he was told that members would be granted the courtesy of testifying before the committee in person, and your staffer accepted my name as one of those to be heard on Wednesday.

I have accordingly been telling my constituents that I will make an appearance before your committee at the Wednesday meeting, and they are counting on me to reflect their views by expressing my strong opposition to an increase in the salaries of Congressmen and Senators as proposed by President Johnson. I wish to speak in support of H. Res. 138 introduced by me to block such increases, and also in support of H. Res. 133, introduced by Mr. Gross.

I enclose a copy of my letter to Chairman Thaddeus Dulski of the House Post Office and Civil Service Committee, on this same subject.

I urgently petition you and your committee to grant me and others who wish to appear before you an immediate hearing on the above resolutions. I cannot believe that you would deny us an opportunity to be heard, particularly after we have been led to believe by the committee staff that such a hearing would be afforded. If this 41% pay increase is allowed to go into effect while the resolutions referred to are still bottled up in committee, the House will deserve the widespread public condemnation which it will most assuredly receive.

Sincerely yours,

Wiley Mayne,
Member of Congress.

Mr. Speaker, this morning I went with the gentleman from Iowa (Mr. Gross) to the Committee on Rules and discussed my request to be heard there with several members of the committee. However, as the gentleman from Iowa has said, no hearing was held and the committee went into executive session and tabled the matter.

I sincerely believe that both the Committee on Post Office and Civil Service and the Committee on Rules have made a serious mistake in allowing salaries to be raised in this manner after denial of open debate and careful consideration by the full House.

While I was naturally disappointed by the outcome of yesterday's vote in the other body, at least Senators on both sides of the issue demonstrated their faith in the democratic process by standing up to be counted in a recorded vote. They did not refuse to consider the justification, if any, of their own pay increase on its merits. They took the necessary steps to see that this very controversial matter was decided openly and not permitted to die in committee. We Members of this House of Representatives should do no less.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Let me thank my colleague from Iowa (Mr. Mayne), for the vigorous fight he has made against this proposal. I yield to the gentleman from Georgia (Mr. Flynt).

Mr. FLYNT. Mr. Speaker, first let me say that I commend the gentleman from Iowa (Mr. Gross) for taking this time and making the statement that he has.

As the gentleman has, I have also offered two resolutions, one of which was referred to the Committee on Post Office and Civil Service and the other to the Committee on Rules.

I did not expect that the resolutions which were referred to the Committee on Post Office and Civil Service would be taken up and considered. However, I had been given what I considered to be a firm assurance that the resolutions which had been referred to the Committee on Rules would be taken up. I was not given any assurance that favorable action would be taken thereon. But I was given the assurance that the Committee on Rules would give us an opportunity to be heard.

Subsequent to that verbal assurance I received a notice that a meeting of the Committee on Rules had been scheduled for 10:30 a.m. today, Wednesday, February 5, 1969, at which time those who desired to speak for or against the resolutions which had been referred by the Speaker to the Committee on Rules would be given an opportunity to be heard. However, late yesterday afternoon I was informed that the 10:30 meeting had been canceled and that I would not be given an opportunity to appear before the Committee on Rules. I was told that instead of the 10:30 meeting which would be held, the Committee on Rules would go into executive session at 11:00 o'clock today, Wednesday morning, February 5, 1969, and take such action as it saw fit on these resolutions. I am informed that three members of the Committee on Rules did vote to hear us. I thank those three who so voted.

Now, Mr. Speaker, when the bill providing for the Presidential Commission To Set Certain Executive, Judiciary, and Legislative Salaries was considered in the House of Representatives in 1967, a great many questions were asked concerning the procedures which would be followed. I know that I was told informally—and I think that I was told in response to a question asked on the floor of the House—that if and when a recommendation came in from the Commission on executive, judiciary, and legislative salaries—came in and was filed with the Congress—my recollection is that I was told specifically that the House of Representatives would be given an opportunity to work its will one way or the other upon the contents of such report that might be sent to us. I think that my recollection is accurate. It is my further recollection that early in the first session of the 91st Congress the gentleman now in the well in making a reservation of objection to a unanimous-consent request with reference to the bringing up of the bill to increase the salary of the President of the United States, in making his reservation of objection to the unanimous-consent request asked in substantially these words:

> Do I understand that by withdrawing my objection to the unanimous-consent request now pending, does this mean that the House of Representatives will be foreclosed the opportunity to vote on the recommendations contained in the Kappel Commission report?

Mr. GROSS. That is right.

Mr. FLYNT. I would like, Mr. Speaker, if I may, to ask the distinguished gentleman from Iowa (Mr. Gross) if I have substantially stated the colloquy which took place on the floor of the House of Representatives at that time.

Mr. GROSS. The gentleman from Georgia is correct.

Mr. FLYNT. Mr. Speaker, I have no personal quarrel whatsoever with those who would prefer not to vote on this matter which is apparently going to die in committee without a vote. I do object strenuously to the procedure being followed. If they prefer this action to take place without the House of Representatives working its will and expressing that will by a rollcall vote, I have no personal quarrel. I have never had any quarrel with any Member of this body with reference to how he votes on any particular issue. How any Member of this body votes on any issue which comes up is a matter, Mr. Speaker, which addresses itself to that particular Member and to that Member alone. Therefore, I would never, Mr. Speaker, undertake to superimpose my judgment over the judgment of another Member of this body upon a matter affecting his own judgment and his own conscience. By this same reasoning I resent any man or any group of men superimposing his or their judgment over my judgment by denying a vote on a highly controversial issue.

Mr. Speaker, in view of the assurances which many of us have been given over the period of the past 2 years that exactly what is going to happen would not happen, I am disappointed in the processes and procedures of the House of Representatives which make this possible.

Mr. Speaker, I would have no personal quarrel with any Member on how he would vote on any particular phase of this issue which is about to become law by nonaction, and by failure of the House of Representatives to act. However, I deplore those procedures which make it possible for valid agreements to be violated in this manner.

Mr. GROSS. I appreciate very much the remarks of the gentleman from Georgia.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. GROSS. If I have time remaining I will yield to the gentleman, but first let me reiterate that this is a tragic and sad day when the House of Representatives refuses to properly meet its responsibilities to the public it is supposed to serve.

Mr. BURKE of Massachusetts. Mr. Speaker, I would just like to point out some matters and correct some of the impressions that might have been gained around here about this grandiose salary of Congressmen.

I have in my hand here the monthly statement for the month of January issued by the Sergeant at Arms on February first. It shows my salary as $2,500 a month. Payment for regular life insurance deducted, $19.07. Payment to group health insurance, $11.57. Federal withholding tax, $717.30. Payment to retirement fund, $187.50. This representing a withholding of $935.44. The net amount of the check is $1,564.56 for the month.

Just to give the Members a little idea of the practical side of things, the expense of an apartment here in Washington is about $240 to $260 a month if you have a family with you. That amounts to over $3,000 a year. Then you have to maintain your home back in your district. Last year, I believe, I was allowed the expense for 10 round trips for the year.

If the Member is in a district like mine, he travels back and forth every weekend and has 45 to 50 trips a year, his expenses for traveling back and forth to his district would run approximately $3,500 a year, which would bring the net amount down to about $12,000.

Out of the $12,000 the Member is supposed to maintain his home back in his district and pay his expenses there. He is supposed to take care of entertainment, on a reasonable level, of those constituents of his who might come here, some nice family with two or three children. You like to take them in the House restaurant and possibly spend $3 or $4 on them. That all adds up.

Then there are the charitable contributions the Member is called upon to make.

Then every 2 years he is up for reelection, and he has to dig down in his pocket unless he has some financial angels ready to pick up the bill for him.

What I am pointing out is that the big trouble today in the legislative offices of this country, not only here in the Nation's Capital, but in every State capital in the country, is that they are beginning to become rich men's clubs, where only the wealthy can afford to serve, because you either have to be wealthy, on the one hand, or corrupt on the other, because you will not be able to meet the staggering expenses of legislative offices. This condition has been brought about by the American system of politics. It is not anyone's fault. Surely I do not want to vote for a salary of $42,500 when I realize we could operate under a salary of $22,000, and then get an expense account of $5,000 and come out ahead of the picture.

So to be a little bit specific and fair about this, I want to announce publicly and openly that I shall vote for the pay raise. I have been for it since the very beginning and I have never made any secret about it. I believe your constituents back home are entitled to have this information. I include the following information:

MEMORANDUM: OFFICE OF THE SERGEANT AT ARMS, U.S. HOUSE OF REPRESENTATIVES

February 1, 1969.

Hon. JAMES A. BURKE,

MY DEAR CONGRESSMAN: For your information and record, the following deductions have been made from your monthly salary.

Salary for the month	$2,500.00
Payment to optional life insurance	(1)
Payment to regular life insurance	19.07
Payment to group health insurance	[2] 11.57
Federal withholding tax	717.30
Payment to retirement fund	187.50
Total deductions	935.44
Net amount (check) (credit to account)	1,564.56

[1] Waived.

[2] Increase in health insurance.

Under the proposed salary adjustment the following would be the approximate deductions for the same period.

Salary for the month	$3,541.00
Payment to life insurance	19.07
Payment to group insurance	11.57
Federal withholding tax	1,541,70
Payment to retirement fund	265.66
Total deductions	1,838.00
Net Amount credit to account	1,703.00

The SPEAKER pro tempore. (Mr. ALBERT). The time of the gentleman from Iowa has expired.

Mr. BURKE of Massachusetts. Mr. Speaker, I would ask unanimous consent that the gentleman from Iowa may proceed for 5 additional minutes.

The SPEAKER pro tempore. The Chair will state that the gentleman from Iowa has consumed 1 hour. Under the rules of the House, a Member can be recognized for only 1 hour. The Chair would suggest that the gentleman from Massachusetts obtain time later.

THE ROAD TO PEACE IN VIETNAM

The SPEAKER pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from Ohio (Mr. FEIGHAN) is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, matters of procedure have been settled at the Paris peace talks. Soon, we hope, there will be agreement on an agenda so the various delegations can proceed with the issues at stake. In the meantime fighting will accompany the talking. Apparently Hanoi prefers it this way.

The road to peace at Paris will be long, difficult and, at times, frustrating. For example, Hanoi's asking price for peace in Vietnam are the following as expressed in their own language:

First. The United States must withdraw all its troops and weapons, dismantle all military bases, and cancel its military alliance with South Vietnam.

Second. Pending the peaceful reunification of Vietnam, the two zones must refrain from joining any military alliance with foreign countries.

Third. The internal affairs of South Vietnam must be settled by the Vietnamese people themselves with the National Liberation Front, which is the Vietcong, participating.

Fourth. The peaceful reunification of Vietnam is to be settled by the Vietnamese people in both zones, without foreign interference.

In short, these demands call for our unconditional withdrawal from Vietnam with no assurance that the sovereignty of the Republic of Vietnam will be preserved. Also, these demands would result in the dissolution of the Southeast Asia Treaty Organization, our Asian counterpart to NATO. Nevertheless, we have advised Hanoi, that along with other subjects, we will be willing to discuss these four conditions.

The point from which the United States will negotiate is best expressed in terms of the peace agreement of the Geneva Convention of 1954. This agreement stipulated that:

First. Laos and Cambodia be recognized as independent states;

Second. Vietnam be partitioned at the 17th parallel, the north to come under Hanoi's control, and the south to remain free;

Third. Troops or guerrilla forces under Hanoi's control in South Vietnam to be recalled north.

Hanoi has committed countless violations of this agreement, eventually causing the Council of Ministers of the Southeast Asia Treaty Organization to issue a communique stating:

> The defeat of this Communist campaign is essential not only to the security of the Republic of Vietnam but to that of Southeast Asia.

The rest is history.

In addition to using the terms of the Geneva agreement at Paris as part of the agenda, the American delegation will bring up the subject of repatriation of U.S. prisoners now in the hands of Hanoi. Unlike in Korea, where this item was last on the agenda, and took over 2 years to resolve, I strongly recommend that this subject have early priority at Paris. Our information on the status of our boys in enemy hands is most unsatisfactory.

We have no definite count on survivors, and no information concerning their health. Early discussion of this item on the agenda will go a long way to test the good intentions of Hanoi at the negotiating table.

Such are the prospects of an agenda. The two opposing positions are at present rather far apart, and their discussion can be time consuming. In negotiating, however, we must discipline ourselves to adhere strictly to certain principles.

Insist that an acceptable truce must be achieved within a specified time period. If there is procrastination the talks should be broken off.

Require the opposition to match words with deeds.

Recognize that the opposition regards the conference table as part of a propaganda program to improve their image, after having failed to win on the battlefield.

Never make a concession for which there is not an exact reciprocation.

As I previously stated, the road ahead at Paris is likely to be long and frustrating, but our negotiating position is likely to improve with the passage of time. Within the scope of limited objectives we have demonstrated a military superiority in Vietnam. We are accelerating our training and equipping program for the new expanded Vietnamese army which will take our place, and it is not unreasonable to expect a reduction of our military forces by the close of this year.

THE SUSQUEHANNA RIVER BASIN COMPACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROBISON) is recognized for 10 minutes.

Mr. ROBISON. Mr. Speaker, I am extremely pleased to join today with other House Members from New York in sponsoring legislation in Congress to consent to the establishment of the long-awaited Susquehanna River Basin compact between the basin States of New York, Pennsylvania, and Maryland, and making the United States a signatory part to such compact.

This is a goal I have long envisioned—and a goal that, nearly 9 years ago, prompted my successful efforts to obtain congressional approval of a comprehensive restudy of the North Branch of the Susquehanna River to be conducted by the Army Corps of Engineers but with the participation of all interested Federal agencies and appropriate agencies of the State of New York. The restudy, with my support, was subsequently broadened so as to encompass the entire, three-State river basin, and the work therein involved is now nearing completion so that we can look forward to receiving the information and recommendations thereby produced for our river basin in the very near future.

As I said before an Appropriations Committee subcommittee, back on May 8, 1962, what I was hoping to see produced was a plan for "the development of our entire river basin, as opposed to the former piece-meal approach to the needs of the various communities situated therein, so as to insure the fullest possible economic benefit to all the people living along its banks and to the Nation, as well."

Once that plan has been considered by the several governmental and private entities interested in the full development and protection of our river, and by the general public, as well, it will need some form of Federal-interstate coordinating mechanism, or agency, to put it into effect. And this proposal, to establish a Susquehanna River Basin compact—modeled after the successful Delaware River Basin compact that Congress approved in 1961—will provide precisely that sort of mechanism.

The establishment of such a compact will help guide the conservation, development and administration of our river basin's resources in such a manner as to most efficiently serve the needs of its population, and which will preserve and enhance its value as a scenic and recreational asset for the tens of millions who live within several hundreds of miles of the basin.

Such an arrangement gives us the best chance for the comprehensive and coordinated management of our river in such a fashion as to offer, by far and away, the best hope of safeguarding and maximizing the Susquehanna's usefulness not only to us, but to generations to come.

I have eagerly awaited the day when this kind of legislation could be introduced in Congress. I am vastly encouraged about its prospects by the fact that, as its chief sponsor, one finds the Honorable Emanuel Celler, of New York, chairman of the House Judiciary Committee which must consider it and act thereon before the House, itself, can act. This fact, alone, gives its prospects a bright future and, now that the three States are in accord on the provisions involved in the compact, I hope we can expect favorable congressional action this year.

SECRETARY OF DEFENSE SHOULD DELAY CONSTRUCTION AND LAND ACQUISITION ON THE SENTINEL ANTI-BALLISTIC-MISSILE SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. McClory) is recognized for 10 minutes.

Mr. McCLORY. Mr. Speaker, I am today urging the Secretary of Defense to delay construction and land acquisition relative to the so-called Sentinel antiballistic-missile system.

Mr. Speaker, I might say that I have been a staunch supporter of an effective ABM system including appropriations in this Chamber in behalf of the development and the deployment of such a system. I might say further than I did not change my position when a decision was made by the Department of the Army and the Department of Defense to locate a Sentinel anti-ballistic-missile base in my district.

While I suggested that some other location would be preferable, at the same time I have persisted in my support of this system. However, there was a lengthy discussion on this subject yesterday in the other Chamber, and a commitment was made by the chairman of the Committee on Armed Services of the other body that further hearings would be held, and the chairman himself indicates a delay in the construction and land acquisition to further deploy this Sentinel anti-ballistic-missile system. According to his statement which appears at page 2732 of the Congressional Record of February 4, the chairman, Senator Stennis said:

> There will be hearings on this matter before any appreciable amount of physical work is done on the site.

The chairman suggested that we "not rush" and that we "not reach definite conclusions now."

I also understand that the chairman of the Committee on Armed Services of this body, the gentleman from South Carolina (Mr. Rivers), has also indicated that he would delay further hearings on this subject. It seems to me that this is a wise step for a great many reasons. A brief delay will provide further opportunities for research and development with respect to possible technological or scientific defects that need to be corrected.

The delay will also provide an opportunity for this administration to review its position and to express its attitude with regard to this subject. Particularly, I am thinking of President Nixon's historic inaugural address in which he emphasized the necessity of our role as "peacemakers." The President's initiative met with an almost immediate response from the Soviet Union.

There are other indications that perhaps some discussions or negotiations may take place with regard to controlling nuclear and other weapons, including a possible reduction of nuclear arms. In the light of these developments it would seem important to postpone for the time being at least further steps toward the construction of the Sentinel ABM bases in various parts of the country.

I want to emphasize that it seems to me most important for us to develop a policy of defense against enemy nuclear attack. To continue with the existing policy of relying solely on a counter-offensive or a retaliatory striking force, that is, to depend entirely on offensive nuclear weapons, seems to me a disastrous policy which fails to take into consideration the protection of the lives and property of our Nation. Such a policy depends entirely on the principle of "deterrence" and contemplates a possible annihilation of a nuclear enemy. I do not believe the policy would work against Red China.

So, in taking the position that I am today, I do not want to indicate in any sense that I am retreating from a position in support of a defensive system to intercept and destroy enemy ballistic missiles. Of course, if it is possible to avoid the development of such a system pursuant to an effective agreement or treaty to control nuclear and other weapons, there would be tremendous savings involved. I would certainly support any opportunity to effect the savings in money that would result from any reduction in defense expenditures.

However, there are no indications that I have received that the Red Chinese or the Soviet Union are letting up in any way in their development of nuclear or other weapons and we should not be misled by any misinformation or by any wishful thinking on our part that somehow or other by delaying steps we might take that we would thereby encourage them to delay or postpone their actions.

On the other hand, there seem to be many reasons why a brief delay would be helpful at this point. Certainly since the Sentinel system is designed to meet a Red Chinese nuclear attack in the years from 1972 to 1974, which are the possible dates that are being talked about, it seems to me, that we can have such a brief delay without jeopardizing in any way the lives and the property of our people that are intended to e protected by the Sentinel ABM system.

Accordingly, Mr. Speaker, I hope the Secretary of Defense in his wisdom will see fit to delay the acquisition of land in my district and in other areas in the country where it is intended to deploy the Sentinel anti-ballistic-missile bases and also to delay construction of such systems for the time being.

Mr. PATTEN. Mr. Speaker, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from New Jersey.

Mr. PATTEN. You know, the gentleman is talking so confidently—does he have some inside information that the White House is going to really postpone this program?

Mr. McCLORY. I do not have any inside information at all. The information concerning the delay recommended by the chairman of the House Armed Services Committee, was related to me today; and also the Congressional Record, which I received today reveals the statements made by the chairman of the Armed Services Committee of the other body at page 2732. In view of that I think the Secretary of Defense would be wise to postpone steps toward acquisition of land and toward construction of the Sentinel system pending further hearings in this body and in the other body.

Mr. PATTEN. I thought that several things had happened in the last 24 hours and I could smell a little smoke. Being one of the Republican leaders, I thought the gentleman could inform me.

Mr. McCLORY. Since one of these bases is intended to be deployed in my district, I would certainly get the "smoke" at an early stage. However, I have no information other than that to which I have made reference.

Mr. PATTEN. Remember 1961, when the Russians became very peaceful about controlling radiation? The first thing we knew, they were throwing 50-megaton bombs into the air, when the rest of us thought they were going to stop all testing. Every time they get quiet, they drop another shoe. I just wondered what was coming next.

Mr. McCLORY. I am not relying on any soft attitude on the part of the Soviet Union or the Red Chinese. On the other hand, if we are able to negotiate some kind of arms control agreement, particularly with regard to nuclear weapons, I would want to do everything possible to accomplish such a result. It is possible today with satellite reconnaissance to detect any violation of any such agreement. In further reliance upon that, I do hope that some negotiations can occur so that we can control and, if possible, reduce the expensive nuclear and other arms which we are presently required to produce in order to provide adequately for the national defense.

LOWERING THE VOTING AGE TO 18

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia, (Mr. Hechler) is recognized for 10 minutes.

Mr. HECHLER of West Virginia. Mr. Speaker, I would like to commend the gentleman from New Jersey (Mr. Howard) and other sponsors of resolutions to lower the voting age to 18. It is my understanding, Mr. Speaker, that in those States which have acted through State legislation to lower the voting age below 21, the practice in those elections, where those under 21 have voted, has been a healthy one.

I should like to ask the gentleman from New Jersey whether he has any information concerning those four States where the under-21 voting age has been set by the State legislatures.

Mr. HOWARD. Mr. Speaker, will the gentleman yield?

Mr. HECHLER of West Virginia. I yield to the gentleman from New Jersey.

Mr. HOWARD. I thank the gentleman from West Virginia for taking this time to comment on the 18-year-old vote, and I should like to commend him for the leadership role he has taken for so many years in attempting to have this legislation passed so that in every State in our country the 18-, 19-, and 20-year-old youngsters may be permitted to vote.

In the States where there is a vote below the age of 21 the indications are it has worked very, very well.

Throughout the country we know that the young people take part in political campaigns and that they do the hard work which is necessary. Certainly in New Jersey and in West Virginia, I am sure, everyone is grateful for the effort these young people make. We make no bones about the fact that we do want their help, we do want their work, and we do want their effort, whether it be ringing doorbells or being in shopping centers.

These other four States have gone far beyond us. They have shown the young people we also want their judgment and we want it to be an official judgment. The only place we can recognize their good judgment is by permitting them into the voting booths.

Mr. HECHLER of West Virginia. I thank the gentleman from New Jersey for those observations.

It has certainly been my observation and experience that in the State of Kentucky, which adjoins and is a neighbor of West Virginia, the 18-year-old vote has worked extremely well. It has meant that many young people have taken a new interest in the problems facing their Government and the problems of the world. It has meant also that in their social studies and other studies in the schools they attend they have taken a more energetic interest in the subjects they study.

LET'S STRIKE ANOTHER BLOW AGAINST SMUT PEDDLERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. CUNNINGHAM) is recognized for 10 minutes.

Mr. CUNNINGHAM. Mr. Speaker, three-quarters of all arrests for crime in the United States each year are people under 25 years of age. The greatest class of criminals in the United States are 15 years of age, and the second greatest class are 16-year-olds. One thousand five hundred teenagers a day are afflicted with venereal diseases. Rape in the United States has increased 78 percent since 1960, and this rate rose 7 percent from 1966 to 1967 nationwide. The FBI will, in a short time, release figures showing that the increase in rapes over the 1967 total will be 17 percent nationwide.

The American public is taking advantage of the Cunningham Act, 90-206, and 113,268 complaints have been received by the Post Office Department, and 92,163 postal orders have been issued to pandering mailers directing them to cease sending like material to the homes of complainants. About 300 requests for court orders have been filed with the Department of Justice. Yet this is not enough.

We are dealing with a fire, and obscenity and pandering advertising are gasoline which greedy mailers splash on the obscenity fire at the rate of 100 million pieces of objectionable material a year through the U.S. Post Office Department. These figures are based on the President's Commission on Law Enforcement and Administration of Justice, recent FBI, and Public Health Service figures.

WHERE DO WE STAND?

Crime is then largely a youth problem and becoming more so. The 15- and 24-year-old group is the fastest growing part of the population. The growth of crime is much faster than the growth of our population, but the problems that our youth are having are part of the nationwide crime problem. If we are to start solving the crime problem we must start with the problems young people have. The problem of adolescence is for the most part adjusting relationships to the opposite sex and these relationships are being twisted by the free distribution of obscenity and the greed of smut merchants. The curse of very young lives is "obscenity."

WHAT IS OBSCENITY?

Obscenity inflames the curiosity of the young and their imagination. Most obscene materials are directed at the very young. Smut mailers pay a very high price for the names of youngsters in the 12-to-14 age bracket. It is a great wrong because it presents members of the opposite sex as subjects for physical satisfaction only. In addition, members of the opposite sex are presented as masochistic creatures who can only respond to cruelty.

A teenage boy who lives in his imagination on a diet of obscenity can think of young girls only in terms of their being things. Obscenity, like all literature, teaches, and it teaches that women and girls are only subjects for aggression. The complicated and beautiful relationship between men and women is presented as based on hostility. Obscenity promises immediate gratification. It builds a need for immediate gratification—a "freedom now" from self-control and humaneness. The obscenity mixture is about eight parts sadism. A young man's normal decent protectiveness toward females is twisted into hostility, hate, and aggressiveness. Usually the freezing of affection toward parents and members of the family follow. We need only look to Chicago and ask ourselves how the young people who attacked the police with plastic bags filled with excrement, their mouths filled with filth more profound than anything heard in the stockyards prior to that time, and who, in addition, threw reserve weapons such as golf balls filled with nails, got that way. What kind of parents will they make, what kind of children will they have? Calling this type of action new politics does not answer any question. It only confers a twisted blessing. Once damaged by obscenity and attitudes formed, years of psychiatry is the only cure to restore a full personality. This theory on the effect of obscenity is based on "Society and the Sex Criminal," by Gladys Schultz, and Postal Operations Subcommittee hearings in 1967.

FILTH FOR PROFIT, A BIG BUSINESS

You may say that "granting obscenity is bad for individual youths, is it a nationwide problem that cannot be left to local communities?"

The answer is "No" because 100 million copies of objectionable material are sent through the U.S. mails every year at subsidized rates. Half a billion dollars worth of this material is distributed by mail or truck and express. Pornography is a big business and its bigness comes from the unwitting help of the American people through a subsidized mail service.

WHAT CAN WE DO ABOUT IT?

Since the Cunningham bill became law as part of the 1967 Postal Rates Act, I have given considerable thought to what further steps we can take. Now the American family can demand that their names be removed from mailing lists.

Since pornography is a cold, hard business, I think we need a further law that will end the subsidy for pornographers. If the pornographers lost their second- and third-class mailing permits and the right to send material by fourth-class rates, a great deal of the profit would be taken out of the obscenity business. Recent judicial decisions may permit the free exchange of ideas between consenting adults. But I see no reason why the American people should pay out of their own pockets for the fast and complete distribution of the U.S. mails. There is no obligation on the part of the American people to make pornography profitable.

For this reason I am today introducing a bill that will end second-, third-, and fourth-class mail rates for those mailers who distribute obscenity by mail. Administrative hearings will be held by the Postmaster General before he or a representative makes a ruling in an individual case. Appeal rights will be given in that cases can be taken to the Federal courts and as far as the U.S. Supreme Court. Justice will be slow, but I am convinced it will be certain. I do not think the Supreme Court will demand that the American taxpayer continue to pay the bill of these mailers.

Mr. Speaker, I know that this will be a long fight. Obtaining for Americans the right to have their names removed from smut merchant mailing lists took years. But I think that now that the first blow has been struck, we will be able to move much faster. The times have changed. Judges are changing their minds as well as citizens who knew long ago that the tide of obscenity had to be rolled back.

QUIBBLING BESTS COMMONSENSE ON HIGH COURT

(Mr. ABERNETHY asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. ABERNETHY. Mr. Speaker, at

times, though rarely, we hear it said that decisions being handed down by the Warren court are not making problems for our police departments in the enforcement of criminal laws. But the vast majority of Americans know the situation is quite to the contrary.

As reported in a column which appeared in the Evening Star of last night, the court has created another loophole for criminals to escape punishment. This timely and effective column, written by James L. Kilpatrick, is commended to the reading of all Americans, as follows:

QUIBBLING BESTS COMMONSENSE ON HIGH COURT

Back in the summer of 1965, FBI agents in St. Louis got a hot tip on one William Spinelli. He was known to them as "a bookmaker, an associate of bookmakers, a gambler, and an associate of gamblers." Their tip came from an informant who had been passing along reliable leads on a weekly basis for the preceding two years.

The informant said Spinelli was making book in an apartment at 1108 Indian Circle Drive; the informant even provided the numbers of two telephones installed in the apartment. FBI agents trailed Spinelli for five days; they confirmed the pattern of his goings and comings. Then they obtained a search warrant from a U.S. Commissioner, alleging under oath that they expected to find gambling paraphernalia in the apartment.

At 5 o'clock on one August afternoon, they staked out the place. When Spinelli emerged two hours later, they nabbed him, searched the apartment, and sure enough, there were the tools of the bookmaker's trade. Spinelli had equipped himself with not two telephones, but five. A jury trial followed; Spinelli was convicted of violating federal gambling laws, and sentenced to three years in prison plus a $5,000 fine.

Spinelli appealed, resting his case almost wholly upon the validity of the search warrant. Eventually, the entire Eighth Circuit Court of Appeals, sitting en banc, voted 6-2 to uphold the warrant and to sustain the conviction.

This past week, in its most dismaying opinion of this term, the Supreme Court voted 5-3 to set Spinelli free. The opinion was a triumph of pettifoggery over common sense; it was a shocking manifestation of the court's kid-glove solicitude for criminal defendants. And it is all the more disappointing to see that the majority opinion was written by Justice Harlan, who ordinarily is one of the soundest men on the court. If Harlan has now gone over to the nitpickers and bleeding hearts, one despairs of seeing a return to sanity in our criminal law.

The majority's objection was that the FBI agents had failed to establish "probable cause" for the search warrant to issue. Every criminal lawyer in the country must have danced with joy on reading this conclusion. If the farfetched principles laid down by Harlan in the Spinelli case should be applied retroactively, our prison wardens may toss their keys away.

No one questions the vital place that the Fourth Amendment occupies in the palladium of our liberties: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized."

As Justice Jackson remarked 20 years ago, the protections of the Fourth "belong to the catalog of indispensable freedoms." No thoughtful person would advocate the free-and-easy issuance of search warrants. But until the Spinelli opinion came along last week, it had been generally assumed—as six judges of the Eighth Circuit assumed—that the information presented by the FBI agents, under oath, was more than sufficient to establish "probable cause."

The Spinelli decision will place heavy new burdens upon our overburdened law enforcement officers. It will provide a hundred new legalistic loopholes for the big fish of organized crime to swim around in.

The court's opinion last June in Bumper vs. North Carolina was bad enough. In that case, the court reversed the conviction of a brutal rapist on a moonbeam line of reasoning. Police went to the suspect's home, owned by his grandmother, and advised her they had a warrant. "Come on in," she said. "I let them search. It was all my own free will." Police found a rifle that had figured in the crime. But Bumper's conviction was reversed: The evidence as to the warrant was not clear.

The Spinelli decision is far more damaging than last year's opinion in Bumper. It goes way beyond the previous landmark case of Aguilar vs. Texas, decided five years ago. Justice Black, who dissented, called the majority's action "indefensible" and "unbelievable." The words are too mild. The action was outrageous.

THE INCOME TAX—A TAX FRAUD?

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, much time and effort has been devoted to a most thorough and detailed study of the Federal income tax system by Dr. Martin A. Larsen.

This critique on a maligned source of Federal fundraising will be of interest to all our colleagues. It covers the entire history of the income tax—pointing to gross inequities placed on the productive middle-class American.

The report also exposes tax loopholes available to special interest groups, and proposes action to make the burden of taxes be fairly borne by all our citizens.

I include the full report, which has been published by Liberty Lobby, 300 Inpendence Avenue SE., Washington, D.C., at this point in the RECORD:

THE GREAT TAX FRAUD

(By Dr. Martin A. Larson)

The purpose of this publication is simple and direct:

1—To plug the loopholes and end the inequities in the federal income tax; and thus

2—Make it possible to

(a) Raise individual exemptions from $600—the present individual exemption—to levels at which any income necessary to maintain a decent, contemporary living standard will be immune to such taxation;

(b) Reduce the present estate and income taxes to reasonable percentages, but apply them universally; and

(c) Provide the Treasury with income sufficient not only to meet all current necessities but also to reduce the national debt substantially.

When the first tax was collected under the 16th Amendment after its ratification in 1913, the exemption on incomes for single persons was $3,000 and on families, $4,000. During the Twenties, it was placed at $3,500 for married couples with an additional $400 for each dependent child.

We propose that the yardsticks on which these exemptions were based be made permanent and immutable. Since the first substantial collections under the income tax occurred in 1916, we use that as our base for extrapolation. The index of all commodities (with 1957–59 as 100) stood at 46.8 in 1916, 54.8 in 1926, 105.5 in 1966, and 109 in 1968. These exemptions of 1926–28 were therefore equal to those of 1913–16.

However, since $1.00 in 1916 had the purchasing power of $2.35 in 1966 and about $2.55 in 1968, it would be necessary, in order to retain the position of 1913–16, for exemptions on single and family incomes to stand at $7,365 and $9,825 in 1968. Combining the original concepts with those of the Twenties, which took into account the cost of rearing children, we arrive at the results which follow and which provide for family exemptions up to $15,000.

Our analysis and proposals constitute a permanent solution, since exemptions, under them, would follow the cost-of-living index. Prices will probably continue to increase, possibly more rapidly than in the past; the gross national product will, no doubt, expand; and all financial totals will be larger. The principles we advance will, however, remain constant and universally applicable: the specific amounts will change from year to year, but the ratios will remain substantially unaltered.

SPECIFIC PROPOSALS

We therefore advocate that—

1—An exemption of $8,000 for incomes of single persons be established, and

2—An exemption of $10,000 for the head of a household; an additional $1,000 for each dependent child; but with a $15,000 limitation on total family exemptions.

3—Any contribution to Social Security or to a retirement fund or trust not be classified as income; and the same principle to apply to windfalls, such as gains from gambling or the sale of a home.

4—All other deductions (except those necessary in trade or business); and all other exclusions, allowances, exemptions, loopholes, favoritism, or discrimination now in the Internal Revenue Code be eliminated.

5—All capital gains (except those from the sale of depreciable property used in trade or business—which should be left as now) be treated as earned or ordinary income.

6—The following rate-schedules be established:

(a) 20% on any portion of taxable income below $15,000.

(b) 25% on taxable income between $15,000 and $50,000.

(c) 50% on taxable income exceeding $50,000.

7—The present Social Security system and employer contributions to it be phased out gradually in favor of individual trust-funds, and that

8—The level of exemptions be adjusted at regular intervals in case of inflation or deflation: thus their amount will follow the cost-of-living index.

THE CERTAIN RESULTS

1—This reform will abolish the personal federal tax liability for more than 80% of our people. Think of it—some 56,000,000 Americans freed for good from struggling with Forms 1040, W2, and W4 ad infinitum—to say nothing of the terrible burden of coming up with the money.

2—It would have reduced the tax-liability of low- and middle-income groups by about $29 billion in 1963 and by $22 billion in 1964; but, by closing loopholes, taxing all income equitably, and eliminating a multiplicity of exemptions, allowances, deductions, and exclusions, at least $40 billion of additional revenue would have become available to the Treasury for a net gain of $20 billion in 1964. Although all totals will be larger in future years, ratios will remain the same.

3—It will free employers from making contributions to Social Security and the necessity of transmitting funds to the federal Treasury; it will enormously reduce the cost of collecting taxes by enabling the Internal Revenue Service to concentrate on large incomes, and on foundations, corporations, and other large financial entities now virtually or entirely tax-exempt; it will free millions of Americans from the fear and agony now inflicted upon them by the agents of the Treasury; it will replace an impossibly complex and elaborate Code with another which will be simple, easily understood and administered, as well as universally equitable; and, finally, it will enable our people to create ample retirement funds for themselves without undue sacrifice or hardship.

THE PRACTICAL PROGRAM

Since the preparation of a short and equitable code is a task for specialists, we do not here spell out a definite statute; its formulation should be entrusted to a Commission, established by Congress for that precise purpose.

Tax equity reform, we are convinced, will not require a Constitutional amendment but can be accomplished legislatively, through the action of the Congress.

Since this program must be implemented if the American way of life is to survive, we consider it not only imperative but inevitable. Our objective is to demonstrate why this is true and what must be done to accomplish this massive reconstitution.

PART I—BACKGROUND AND NATURE OF THE PERSONAL FEDERAL INCOME TAX

The metamorphosis

The federal income tax, which began in 1913 as a purring kitten, has now grown into a devouring tiger. Instead of being progressive, it has become regressive with a vengeance; that is, it falls most heavily upon modest and middle incomes.

The crafty, the powerful, the favored, have been able to write into the Code a multiplicity of provisions to shift almost the entire burden upon the hard-working and law-abiding middle classes.

Thousands of millionaires, as well as others enjoying large or unearned incomes, foundations, so-called cooperatives and "charities," and other organizations, now paying little or nothing, should share the burden of maintaining our society.

There are great numbers whose vast incomes derive from inherited or accumulated investments; their revenues are not geared to production or social service; and they should not escape all responsibility. Those whose spendable earnings reach $50,000 will suffer no injustice by paying $8,750 (25% of $35,000) to the government; and those whose net annual revenues total $2 million should be happy to retain one half of their incomes.

The drive to establish tax-equity will be opposed by highly articulate lobbyists for favored individuals, exempt organizations, and "charities," who will swoop down upon Congress like great vultures armed with threats in one talon and bribes in the other.

These tax-avoiders are found in two principal categories: (1) multimillionaires and others with large incomes who have devised ways to escape taxes on most of their personal revenues; and (2) a multiplicity of totally or largely exempt organizations, going blithely on their primrose pathways to inordinate wealth, fortune, and power at the expense of the general public.

THE TYPICAL AMERICAN

According to the *Saturday Evening Post,* the following was a profile of the average middle class man in 1966–67: he was a 45-year-old voter, earning nearly $7,500, living in a suburban home valued at $13,000 ($6,800 mortgage, with annual interest of $400 plus amortization); additional payments included $100 in interest on other loans, $700 income tax, $200–$300 state and local excises, $250 real estate levies, and $290 Social Security.

This took about one-third of his income, leaving $5,000 to feed and clothe his family of four or five, pay for medical care and all other items, including college education for his offspring.

Consider a typical middle class couple: an independent businessman, whose wife is an efficient private secretary, both in their late forties, with no dependents. They earn about $8,500 each and should be building an estate for ultimate independence.

However, state and federal income taxes, real estate, sales, and excise levies total $5,797. In addition, they pay $1,500 in hidden and indirect taxes on goods and services. They work more than 23 weeks a year to meet these excises—41% of their total earnings. This leaves about $11,000, of which they can save less than $500. If their contributions to Social Security and to an annuity program were excludable and if they had no federal income tax to pay, they could build an estate of $140,000 in 20 years on the basis of their present income.

An empire of bureaucrats

In Washington, the curious visitor may discover that Big Brother has nearly 3,000,000 civilian employees who do his bidding night and day.

Of these, in 1968, 1,204,900 are civilians in the Department of Defense; and 845,490 comprise the hard-core federal bureaucrats under the direct control of the White House.

Between Sept. 25, 1966, and April, 1967, 108,910 unnecessary personnel were added at a cost of more than $700 million a year, to increase the total to 2,852,796.

The federal government employs nearly 100,000 bureaucrats whose salaries are in the $20,000 range. In addition, these servants of the people enjoy princely expense accounts and many fringe benefits which increase their cost to the taxpayers by at least 20%.

Big Brother has grown into a dragon-giant on the theory that his little siblings must have a beneficent guardian. But his services are not precisely free: in fact, their price is staggering.

According to the official Budget for 1968, he will collect $126,937,000,000 in personal and corporation income taxes and in excise, customs, and miscellaneous levies; and an additional $48,128,000,000 for trust funds, making a total of $175,065,000,000.

For 1969, another $11 billion is to be heaped upon this total. However, even this incomprehensible sum, requiring an average contribution of $3,500 from every family in the United States, will still fall far short of meeting the ravenous demands of the Great Octopus.

For the federal deficit may surpass $20 billion in 1968–69; and to prepare for this contingency, the Administration forced through Congress in 1967 a bill increasing the debt-limit from $329 to $365 billion. The result can only be more inflation, and the consequent impoverishment of our people.

In 1968, the government is paying its civilian employees $23,350,000,000, an average of $8,210, in addition to fringe benefits. This, of course, includes janitors, elevator operators, typists, file clerks, maintenance men, and others even more humble.

Note how the federal establishment has grown!

FEDERAL EMPLOYMENT AND PAYROLLS

Year	Employees	Ratio to population	Payroll	Average pay
1895	189,000	1 to 370	(1)	----------
1905	300,600	1 to 280	(1)	----------
1915	476,368	1 to 211	(1)	----------
1925	532,798	1 to 218	(1)	----------
1930	592,000	1 to 208	$1,092,000,000	$1,845
1935	805,000	1 to 158	1,382,000,000	1,715
1940	1,053,000	1 to 135	1,908,000,000	1,908
1945	3,526,000	1 to 37	8,019,000,000	2,274
1955	2,402,000	1 to 69	10,295,000,000	4,285
1960	2,430,000	1 to 74	13,242,000,000	5,450
1965	2,539,000	1 to 76	16,984,000,000	6,689
1968	2,615,000	1 to 69	23,350,000,000	8,930

[1] Not available.

These totals include the employees in the Executive Branch of the federal government only.

The President's cornucopia

The federal complex has a great many departments and agencies, with a multiplicity of subdivisions. One is particularly intriguing: it is simply called Funds Appropriated to the President, for which $5,895,356,000 was allocated in 1966.

This one item is more than three times as much as it cost to operate the federal establishment in the Twenties, and costs the average American family $108 a year. Some eleven agencies or programs are included, among them one called Economic Assistance, which expended $2,462,940,000 in 1966, and has an allocation of $2,530,420,000 for 1968 in the Budget.

The bureaucrat

A bureaucracy is an administrative hierarchy with common interests involving power and wealth. Its members do not engage in the productive process; instead, they dictate the general policies by which others operate the socio-economic organism.

Such power-structures are found in "charitable" foundations; in churches, in tax-exempt organizations of various kinds, in civil government. The most deadly of all is an ecclesiastical theocracy which seizes control of the state in order to exercise unrestricted tyranny over all dissident ideologies.

Getting rid of the bureaucrat is like lifting the Rock of Gibraltar barehanded. Any move to restrict him, reduce his income, or put him to useful work evokes screams of protest. He is not easily separated from the privileges and prospects of his secure and superior living.

The bureaucrat is a cog in a great machine. He must be devoid of originality or creativity. He takes orders from his superiors and relays them to his inferiors. With him, mediocrity is a way of life, for he advances in the ranks through obedience and conformity. He soon loses the last vestige of ethical principle, since this would deter promotion. He is an animated lump of clay; the less observant he is of the evil around him, the better his chances of preferment.

The slightest criticism of the system in which he is a cog or of the superiors who control his destiny would be fatal. In short, the bureaucrat is a moral and intellectual degenerate, the most contemptible creature that crawls between earth and sky.

The bureaucrat is overpaid and underworked. His sole virtue consists in obedience and conformity. If he shows any tendency toward individualism, he is sent to a psychiatrist, declared unfit for duty, and blacklisted for life.

Nevertheless, into his hands the American people have now committed their lives, their earnings, and their destiny.

The supreme triumph

Our Constitution stands as one of the most magnificent creations of the human intellect; this nation was designed to set men free from the dead hand of bureaucracy. A happy combination of circumstances made possible the achievements that have taken place on American soil.

Here was a vast continent, teeming with almost every natural resource and advantage, and yet, for practical purposes, unoccupied, since the Indians had not developed the techniques necessary to support a large population.

The American pioneers were the finest among those who had rebelled against the tyrannies of the Old World, and our Founding Fathers were among the wisest and bravest men of history. They traded their blood for independence; and in our Constitution they devised what is probably the most superb political document ever to emanate from the spirit of man.

Our political organization has been comparatively successful because we have permitted individuals to rise to whatever level they can achieve by useful labor, perseverance, and ability; we have based success upon free enterprise and personal responsibility; and we have refused to knuckle under to political or theocratic bureaucracies.

The free American spirit has produced such artistic development and material wealth that these have become available or potentially so to citizens in a degree elsewhere unknown.

True, during the Twenties our productive capacity grew so rapidly that universal affluence seemed inevitable; but because we then lacked the experience necessary to distribute farm and factory products in equity, the mighty but delicate economic organism ground to a halt; and almost universal stagnation, unemployment, and bankruptcy stalked the land.

The betrayal

With a little time and a decent opportunity, free enterprise could have reinvigorated the economy; but demagogues and opportunists seized the chance to begin the process of American enslavement.

The great banking houses used the emergency to accomplish this objective; and Roosevelt, elected on the promise that he would reduce taxes by 25% and eliminate all government waste, soon succumbed to the enormous pressures of the financiers.

Power passed from farmers, manufacturers, and business and professional men to the money-lenders, union leaders, fanatical do-gooders, and hungry bureaucrats, reaching, at last, for their place in the sun.

And so began the great American betrayal.

The octopus

The following indicates how the federal establishment has expanded:

FEDERAL RECEIPTS AND THEIR RATIO TO PRIVATE INCOME

Year	Total receipts	Cost per capita	Ratio to private income (percent)
1792	$3,669,960	$0.96	----------
1800	10,848,749	2.00	1.6
1820	17,880,670	1.90	2.0
1840	19,480,115	1.10	1.2
1860	56,064,608	1.85	1.4
1866	558,032,620	15.94	9.0
1880	333,526,611	6.60	5.0
1900	567,240,852	7.50	3.9
1920	5,407,580,252	59.80	8.8
1924	4,012,044,702	36.50	6.9
1940	5,387,124,670	41.10	6.6
1945	46,456,554,580	320.00	24.7
1950	57,900,000,000	383.00	24.7
1960	133,800,000,000	748.00	32.0
1968	175,600,000,000	848.00	32.9

In 1792, therefore, the per capita annual cost of the federal government was 96 cents, which was collected almost entirely from excises and customs duties. There was no substantial change until the Civil War, which increased the per capita burden to nearly $16.00 for the average American. After several decades of reduced expenditures, World War I pushed up the cost to $51.

Between 1924 and 1940, there was again little change; but World War II triggered such enormous increases that the per capita outlay rose to $320. *And then a new phenomenon appeared;* for, instead of falling, as after all previous wars, the exactions of the federal government continued to increase, so that now they take from all Americans very nearly one-third of their total income.

THE TRAGEDY

This unique development resulted from the pressure of finance capital and a bureaucracy which had no intention of abdicating after years of power and privilege. The cost of the war had risen to astronomical heights, and the great money-men had become rich beyond mortal dreams. On the other hand, the OPA was established to make it impossible for millions of small business men and investors to save a penny, or even to survive.

While their costs doubled or tripled, they were rigidly restricted to prewar and depression prices. A third or more of all the small investors in the United States were forced to liquidate at about 25 cents on the dollar, and tens of thousands of small business men went bankrupt because of the manner in which hostile bureaucrats interpreted and administered the price-control law.

While various classes of parasites filled their coffers, millions of our best citizens were reduced to poverty. The loot of the war went, first, to the great bankers; second, to the manufacturers of war materiel; and, third, to the burgeoning federal bureaucracy.

THE FEDERAL DEBT AND THE INTEREST ON IT

Year	Debt	Per capita	Annual interest
1791	$75,463,000	$20.00	$2,349,437
1800	82,976,000	16.00	3,374,705
1820	91,016,000	9.66	5,126,097
1840	3,573,000	.21	174,598
1860	64,844,000	2.06	3,177,315
1870	2,436,453,000	61.06	129,235,500
1890	1,122,397,000	17.06	36,160,333
1915	1,191,264,000	11.85	22,902,897
1920	24,299,321,000	228.23	1,020,257,624
1930	16,185,310,000	131.51	659,347,013
1944	201,003,387,000	1,455.67	3,849,000,000
1950	257,357,000,000	1,705.00	5,750,000,000
1960	286,331,000,000	1,610.00	9,180,000,000
1965	317,274,000,000	1,627.00	11,346,000,000
1968 (estimated)	350,000,000,000	1,750.00	14,050,000,000

Under pressure from the financial community, the national debt began to rise in 1935; and by 1936, the income tax had been increased so that even the poor could not escape it.

But it was World War II that gave fantastic impetus to the waste and extravagance which have resulted in the conditions now rampant.

In 1926, the federal government collected $3.78 billion, of which $823 million was used to reduce the national debt; but during 1942 to 1945, inclusive, the New Deal managed to collect $122.4 billion, spend $306.7, and increase the national debt from $49 to $259 billion.

The cost of the Revolutionary War and that of 1812–14 had been liquidated by 1840; and the debt incurred during the Civil War was sharply reduced afterward, as was that of World War I. But following World War II the debt has continued to grow, with the interest increasing almost 300% since 1944. The share of each American family in this obligation now approaches $7,000.

Grew like topsy

In 1968–69, the Administration proposes increasing the federal budget about $50 billion over 1966; and, since the deficit for 1967–68 may exceed $25 billion, we can expect nothing in the future—barring drastic measures—except an ever-increasing debt, maintained at ever-ballooning rates of interest.

This item alone is $15 billion in 1968–69, and will continue to grow progressively; in forty years, it may total $1,000 billion. During an average lifetime, therefore, the federal government will probably collect some $25 or $30 thousand from every American family to pay interest alone.

If there are 80 million family units in the United States in 1985, each may be paying not less than $600 or more each year for the privilege of supporting this one burden.

Waste and brainwash

By eliminating tax-avoidance and placing all business operations under similar taxation, *even without reducing expenditures,* at least 80% of all Americans could be excused from paying the personal federal income tax; nevertheless, a brief analysis of federal waste, incompetence, and extravagance is pertinent.

Enormous and omnipresent, these are such that the bewildered taxpayer, laboring to conserve a dollar, is simply overwhelmed.

Although such expenditures are specifically outlawed and there is no provision for them in the budget, the Administration nevertheless spent $425,000,000 in 1966–67, to influence voters into supporting its programs, with 6,858 persons occupied in such publicity.

Federal waste is so vast, widespread, and corrosive that it is simply incomprehensible. While the President was snapping out White House lights to save money and declaring that he was cutting Executive Branch employment by 25,000 he actually added 334,711 to the federal payroll.

The total of money and the near-infinity of items involved in the budget overwhelm the ordinary mind. But any person willing to dig into this jungle is virtually certain to discover ineptitude, inefficiency, and apparent peculation such as should send the perpetrators to a prison rock pile.

Rep. Otis Pike (D-N.Y.) found that the Defense Department, while declaring that it had made a bargain purchase, paid $33,398 for some hardware items regularly selling for $210; it also paid $26.60 each for bolts retailing at $4; and $1.55 for 15-cent washers. The Pentagon was forced to admit the accuracy of the charges.

Why not a taxpayers' court

Since the federal government is so avid in its pursuit of the taxpayers' money, should not wasting it be a criminal offense? When there is evidence of obvious misuse, why cannot we have a Taxpayers' Court empowered to send guilty bureaucrats to prison and to impose heavy fines? Is it not a greater crime to waste or embezzle public funds than for a taxpayer to retain his own?

The Export-Import Bank has, as of 1968, borrowed $13.5 billion from the federal government at 2.4%; this is used as credit advanced to foreigners so they can buy American manufactures. Since such loans are repaid, if at all, in virtually worthless currencies, this project is simply one by which favored corporations sell huge quantities of goods, which are thus virtually given away to entrenched foreign interests.

The Department of Housing and Urban Development has now borrowed $2,787,980,000 *interest free*—with no end in sight.

Our government spent $100 million to build 18 miles of useless highway ending nowhere in a Vietnam jungle.

The greatest waste of all, however, is what is called Foreign Aid. It would cost us $100 billion a year to create a living standard of $200 per capita in the so-called backward or "developing" countries. We have sent so much credit-money abroad that if payment were demanded, it would require approximately $20 billion more in gold than now exists in all our reserves.

Between 1945 and 1966, our foreign aid "totalled $116,065 million, of which $12,300 million was used to buy back our own gold." This entire program has done little other than make enemies; it has helped practically no one, at least any that are deserving.

It has already brought us to the brink of national bankruptcy; and it seems that it could have been motivated by nothing except a subconscious compulsion toward national suicide.

The American income tax

Washington has bureaus in profusion, all dispensing money as if it were golden leaves dropping from autumnal trees. However, one agency stands out above all others; and, because it exacts the toll by which all others operate, its activity is crucial: the Internal Revenue Service.

Our first income tax was imposed during the Civil War emergency. Then, in 1893, Congress enacted a uniform levy of 2% on all incomes exceeding $4,000. When the Supreme Court declared this unconstitutional, agitation began for the 16th Amendment which was finally approved February 3, 1913. Woodrow Wilson had just been elected President, the Democrats were in power, and World War I threatened. The first substantial revenue under the new law was collected in 1916.

The original concept

Every income-tax law ever enacted was—at its inception—based upon the philosophy that it must not touch any portion of income necessary to maintain a decent contemporary living standard. In 1916, the levy was 1% of family incomes exceeding $4,000 (equal to $9,825 in 1968). A surtax of 1% was imposed on incomes between $20,000 and $50,000; this rose gradually to 6% at $500,000.

During World War I Congress reduced exemptions for married couples to $2,000 and increased the surtax on incomes over $100,000 to 65%. A married man with an income of $25,000 paid $2,850—but there were only 5.5 million who paid any tax at all.

When the Republicans returned to power in 1921, they gradually reduced the top levy to 20%, increased exemptions for married couples to $3,500, and established an additional exemption of $400 for each dependent child. A family of four paid $83 in 1928 on a $10,000 income.

The New Deal, even in the depths of the depression, quickly reduced the exemptions for a married couple to $2,500. In 1940, this was further lowered to $2,000; in 1941 to $1,500; in 1942 to $1,200; and in 1944, the exemption for each member of the family shrank to $500. Minimum rates were raised from 4 to 20%; maximum from 79 to 91%.

The 1913 kitten had turned into a voracious tiger. And ever since, these emergency war rates have become more and more onerous; today a $600 exemption (passed by the Republicans in 1947) equals far less than $500 in 1944.

GROWTH OF THE PERSONAL FEDERAL INCOME TAX

Year	Number of returns	Number taxable returns	Total tax	Average tax	Ratio of taxpayers in population
1913	358,000	(?)	$28,000,000	$78	
1916	437,000	363,000	173,000,000	476	1 in each 281
1920	7,260,000	5,518,000	1,075,000,000	195	1 in each 19.3.
1925	4,171,000	2,501,000	735,000,000	294	1 in each 46.3.
1930	3,708,000	2,038,000	477,000,000	234	1 in each 60.3
1935	4,575,000	2,111,000	657,000,000	311	1 in each 60.3.
1940	14,665,000	7,505,000	1,496,000,000	200	1 in each 17.9.
1945	49,865,000	42,764,000	17,225,000,000	403	1 in each 3.1.
1950	52,656,000	38,187,000	18,375,000,000	481	1 in each 3.9.
1960	60,593,000	48,061,000	39,464,000,000	820	1 in each 3.8.
1968	66,000,000	55,000,000	73,200,000,000	1,331	1 in each 3.7.

In these statistics are writ large the most crucial factor in American history during the last 60 years. In 1916, only one person in 281 paid anything; but during World War II such payments were made by one in every 19. In 1925, fewer than 10% of American families paid income taxes. In 1968, there are more taxable returns than families.

In 1929, the personal income tax was 1.15% of the national income; in 1968, 55 million are paying 21%, an average of $1,331, plus any new surtax that may be imposed. In 1925, the per capita personal income tax was $6.37; in 1968, it was $360.

In 1925, it was $29 for each family; in 1968, it is $1,470. Since the peak war year of 1945, this tax has increased almost 300% and now takes about 20% of the national income.

The Internal Revenue Code has created a new American industry. The Internal Revenue Service itself in 1968 had 65,109 employees and its cost of operation is $838,600,000.

But this is only the beginning—in order to keep minute records and wage constant warfare with the IRS, private individuals and corporations must employ armies of experts for their defense. Failure to take the utmost precautions will almost certainly prove fatal; completely honest reporting based on logic and reason may at any time result in utter ruin.

We believe that taxpayers must spend at least $2 or $3 billion a year to prepare returns and protect themselves, bringing the total cost of collecting and paying the federal income tax to $3 or $4 billion.

With the help and counsel of his experts, the multimillionaire is thus able not only to protect himself but also to utilize countless loopholes which make multiple tax-avoidance a legal possibility.

Needless to say, few can employ such high-priced tax counsel. The small businessman is quite helpless; even if he spent all his time studying the Code and court decisions, he still could not guide himself with assurance. If he trusts his own reason or ethics, he will surely be doomed; the Code has neither logic nor justice.

A helpless Congress

Even Congress cannot possibly comprehend the Code. With *few* exceptions, it simply passes what the bureaucrats propose. Only glaring inequities causing a general outcry will be eliminated. Neither the courts nor IRS itself can comprehend the Code; the individual taxpayer facing this agency is like an ant crushed under a military tank.

Under 1967 schedules, the levy upon incomes reaches 45% at $18,000, 62% at $50,000, and 70% at $100,000. Until 1964, the tax on an income of $18,000 was 53%, after which the percentage rose to 91%.

The total income tax, therefore, including state levies, could, in some cases, have exceeded 92%. If such exactions had actually been enforced, there would have been little incentive to attain a high bracket, for a million-dollar income in a state with a 10% levy would have left only $80,000.

Had the wealthy actually paid such rates, the American elite would have been the most frustrated and defeated ruling class in history. Those who are inventive, superior, acquisitive, crafty, energetic, successful, or ruthless enough to create huge incomes or to amass vast fortunes, are, however, also capable of protecting both, especially by perforating the Code with more loopholes than a sieve.

It is intriguing and informative to analyze the composite returns of the American elite—those with incomes exceeding $500,000. In 1963, 1,187 were in this category; in 1965, almost 2,000. In 1964, 482 incomes exceeded $1 million; in 1965, 646 were in this category. In 1963, 20 of 371 incomes exceeding $1 million paid no tax whatever; in 1964, these numbered 35.

Analysis of million-dollar incomes in 1963

Number	371
Total taxable returns	351
Adjusted gross income	$808,639,000
Taxable income	$543,693,000
Tax paid	$326,477,000
Ratio of Tax to adjusted gross income (percent)	40
Rate on taxable income (percent)	60

However, since the adjusted gross excluded nearly half of all capital gains as well as various other forms of income; and since the adjusted gross was again cut sharply by various exemptions and deductions to obtain the taxable, the following reflects a less inaccurate picture:

Million-dollar incomes in 1963

Long-term capital gains	$741,838,000
(Reduced in adjusted gross to)	(415,285,000)
Salaries	17,041,000
Business and profession	8,225,000
Dividends	349,460,000
Interest	13,649,000
Capital gains plus dividends	1,091,298,000
Percentage of total income	94.3
Rents	$1,539,000
Royalties	5,551,000
Partnerships	13,472,000
Estates and trusts	4,800,000
Miscellaneous	1,068,000
Gross income	1,156,633,000
Ratio of tax (percent)	28.2

Even these totals, however, are far from complete—for they exclude gifts, bequests, inheritances, most pension income, insurance benefits, interest from exempt bonds, rentals reduced by depreciation, royalties eliminated by depletion allowances, and various other sources, which, if included, would reduce the tax-ratio by several additional points.

We must, therefore, conclude that the effective rate of tax paid by the supermillionaires cannot exceed 24%.

The exempt favorites

The Code doubly burdens our most useful and constructive citizens by providing extraordinary exemptions for certain favored individuals and organizations, who pay at most only a small portion of what they should. In Part II we do not exhaust this subject, but we do show that if all persons and organizations were equitably taxed, individual incomes could be exempted sufficiently for them to maintain a decent living standard without federal taxation.

No doubt current evasion and fraud are of such proportions that the federal Treasury is annually deprived of many billions of dollars. And if IRS were freed from its pursuit of small taxpayers, it could concentrate on the criminals who do not pay what they owe under the law.

However, our principal concern is not tax-evasion but legal avoidance, which certainly involves vastly greater sums. It is not the outright criminals who are creating the onerous burdens now borne by our decent citizens.

It is, instead, the great and respectable, the powerful and privileged, the lords of life who grow rich by the legal escape hatches provided in the Code; who buy the services of Congressmen so that they plant loopholes for them in the law; and who spend vast sums to influence all media of communication to twist and obscure the truth concerning the income tax.

It may be that those thus favored under the Code spend one-third or one-half as much to obtain and perpetuate their immunities as they would pay in taxes under an equitable system.

PART II—TECHNIQUES OF AVOIDANCE

The charitable foundation

Foundations constitute one of the more common means of tax-avoidance used by corporations, multimillionaires, and thousands of enterprising middle-income individuals, not only to avoid estate levies, but also to escape taxation on current revenues.

Establishing a foundation offers these advantages to the donor, who can:

1. Continue to control his wealth in perpetuity

2. Designate its management, appointing relatives, friends, or employees as directors

3. Borrow venture capital on attractive terms

4. Escape all or much of his income taxes, particularly by contributing appreciated property, works of art, frozen assets, or white elephant estates—with full deductibility at high valuations.

Since exact definitions do not exist, great confusion surrounds the precise nature of trusts, funds, foundations, and other tax-exempt entities, such as educational, scientific, literary, religious, and other "charitable" institutions. Sec. 501 (c) of the Code lists 17 general categories of tax-exempt organizations classified according to membership and purpose.

Thousands of Groups

There are literally hundreds of thousands of such organizations, described in Sec. 170 (c) of the Code, contributions to which are deductible from adjusted gross income by their donors and which are named in the *Cumulative List* published by the IRS. This contained about 150,000 names in 1964. Since many of these represent churches with thousands of separate congregations, Mortimer Caplin, then IRS Commissioner, estimated that in 1960 there were 1,200,000 tax-exempt entities in the United States.

Just how many of these are "foundations" no one knows. Since the IRS must certify such organization for exemption, it is strange that this agency does not know their number.

In 1948, the Treasury Department estimated there were about 10,000, but in spite of the law requiring detailed foundation reports, the Reese Congressional Committee could obtain no definite information.

In 1964, Secretary Dillon testified, "the Treasury does not know how many foundations there are."

Later Congressman Patman complained bitterly that he could obtain no factual information either from the Treasury or the IRS.

Mortimer Caplin told the Patman Committee that 12,295 exempt organizations filed information returns in 1952 and 45,124 in 1960; he added that 18,298 new "private" foundations were certified from 1954–62. An elaborate table in *Treasury Department Report on Private Foundations* breaks down statistics on 14,850 foundations.

Nature of Foundations

In general, foundations are of two kinds:

1—those set up by testators to avoid the estate tax; and

2—those created by individuals, families, or corporations to reduce current income taxes and to serve as a conduit for various "charitable" and other financial activities, often for their own profit or benefit.

The best known foundations were established to preserve intact certain huge family fortunes, 77% of which would otherwise have gone to the federal government (plus state inheritance taxes).

Often a single family establishes a cluster of them: the Fords have seven, Carnegies five, Rockefellers twelve. Separate funds are often established for individual family members, and even for relatives.

Most prevalent by far—especially since 1945—are the family foundations, large and small, existing as parallel business enterprises. For example, p. 154 of the 1964 Cumulative List shows nine Glazer and seven Glickman foundations; on p. 209, there are 34 under the name of Kaplan. All, of course, were organized as nonprofit entities, with a declared educational, literary, scientific, cultural, religious, or other charitable objective. Although each is operated by its individual founder, any item of property he contributes to it is deductible. Millionaires can thus eliminate all or a large portion of their personal taxes year after year; and such giving can actually save huge sums.

When a foundation is established, (1) the property conveyed to it is a deductible contribution to charity; (2) upon the death of the donor, it is immune to all inheritance and estate taxes; (3) the fortune or business remains intact; (4) if the donor is a parent-company, it continues in business exactly as before; (5) the foundation itself is exempt from all taxation in perpetuity; and (6) the individuals comprising the interlocking directorate can aggrandize themselves by transactions neither charitable nor ethical but quite legal.

Endless Diversity

There is scarcely a wealthy family or significant corporation in the country without its own private foundation. For example, Disneyland is owned by the Walt Disney Foundation. IRS granted tax-exemption to Playboy Foundation "for 'a study of the effect of smut on public morals.' " Among the gifts of this foundation is a grant of $50,000 to the University of Indiana to continue the sex-studies launched by Dr. Kinsey.

Not all foundations have such lofty objectives. An aging Portland, Oreg., millionaire, Spencer R. Collins, organized the St. Genevieve Foundation, which for years supported twin sisters who furnished said elderly gentleman "companionship"; one was paid $36,000 as caretaker of a luxurious house owned by the foundation. Since IRS does not even know how many foundations exist, countless charities may be of similar character.

Tax Free Funds for Israel

Senator Fulbright's Foreign Relations Committee hearings in 1963 established that the Jewish Agency for Israel, Inc., the United Jewish Appeal, the United Israel Appeal, the Palestine Foundation, and the American Zionist Council are all recognized by IRS as "charities," contributions to which are deductible.

The United Jewish Appeal alone had raised more than $1.5 billion in 1963.

Americans Building Constitutionally, Barrington, Ill., now offers to launch professionals, such as doctors, lawyers, architects, engineers, etc., upon the primrose path of tax-immunity.

It claimed 800 members or clients in 1967 scattered over the 50 states; more are being recruited vigorously, and all learn the secrets of foundation-living at the Barrington Institute. These foundations provide such charity as college educations for the children of "administrators."

Since no new legislation resulted from the extensive 1962–64 hearings of Congressman Patman's Committee on Foundations, the only restrictions are in Sec. 503(c) of the Code, which prohibit foundations from (1) lending income or corpus without reasonable interest and security; (2) paying excessive prices; (3) offering its services to anyone on a preferential basis; (4) paying excessive compensation to employees; (5) selling for less than reasonable value; (6) engaging in any transaction substantially diverting income or corpus to the trust creator, a substantial contributor, member of such person's family or a corporation which he owns or controls.

Under these provisions, the ABC foundations seem quite as secure as those set up by the Fords and Rockefellers. Since scholarships (immune to taxation under the Code) paid even to a lineal descendant could not constitute "a substantial diversion of income or corpus," certainly these "charities" can be eliminated or brought under taxation only by such new legislation as that proposed by Congressman Patman; or, better yet, by the reforms advocated in this publication.

The Charitable Deduction

Not only are foundations themselves immune from income taxation. The Code also "grants income, gift, and estate tax deductions to persons contributing to them. . . . In 1963 . . . the charitable deductions claimed by individuals, corporations, and estates" as contributions to exempt entities "diminished Federal revenues by a total of approximately $2,800 million," according to the official *Treasury Department Report* of February 2, 1965.

The 1962 assets of foundations concerning which the Treasury had some specific knowledge in 1965 totalled $16.3 billion.

Among these, the Ford Foundation controlled the largest corpus of accumulations; between 1951 and 1960, the book value of its holdings increased from $492,676,255 to $2,003,027,684. In 1962, its income was $463,900,502. The market value of its securities now probably exceeds $5 billion.

Pursuing the small businessman or investor, IRS displays unrivalled zeal, but it exhibits extraordinary indifference concerning trusts and foundations. Congressman Patman's Committee studies disclosed that 575 foundations with income exceeding $4.6 billion (1961–64) had disbursements of about $2.2 billion (48%) to "charity," and expenses of $499,959,711. Generously IRS ruled that income in the form of interest, contributions, and capital gains need not be disbursed, yet capital losses may be charged in full against dividend income. Blessed with such immunity and encouragement, the foundations have expanded rapidly into colossi threatening our very existence.

Foundations may be set up for any one of a thousand tax-dodging purposes. Sometimes—although this is contrary to the law—they are established to finance political projects, to reward political hacks (as one of the Rockefeller foundations did). But one of the more common and flagrant foundation abuses is stock-market manipulation.

Between 1951 and 1961, 534 foundations poured $8.6 billion through the exchanges and made capital gains of $1.8 billion. Between 1961 and 1964, 575 of them made $1,339 million this way. The enormous portfolios at the disposal of the large foundations enable them to inflate or depress market prices; Mr. Patman's analysis was that the stock-market crash of 1962 resulted from foundation manipulation.

Fraud and Abuse

Foundations were among the first tax-exempts to profit outrageously through the now popular purchase-and-leaseback operation, by which all parties avoid heavy taxation and place their competitors on the road to bankruptcy.

The Sears Foundation loaned money to its parent corporation at 3%. In fact, foundations have gone into money-lending on a large scale; they risk funds on unsecured loans to favored clients; sometimes they borrow at 4.5 and reloan at 10%; they even lend money for foreign investment.

A prevalent abuse practiced by the interlocking management of corporations and foundations is self-dealing, in which a variety of transactions enrich the donor or parent corporation at the expense of the foundation—and the taxpayers.

More and more capital is fleeing from taxpaying enterprises into foundations, which own and control an ever-increasing number of corporations.

The Solution

When the Ford Foundation obtained 90% of the stock in the Ford Corporation, the family achieved several great objectives and advantages *in addition to tax-exemption,* constituting ample motivation for its creation.

Without current and perpetual tax-immunity, there would be even-handed justice, for we are not convinced that family accumulations should be confiscated through estate taxation.

On the other hand, that all income from Ford stock should go untaxed simply because some words were inscribed on a piece of paper seems even more absurd; for even if the Ford Foundation were to pay a normal corporation tax, it would still have hundreds of millions at its disposal every year for charity.

Foundations pose such a grave danger that some, including Congressman Patman, advocate a 25-year limitation on tenure. However, a simpler and more equitable solution is: Let them exist, but tax them exactly as if they were corporations-for-profit. Only voluntary contributions received by any organization, secular or religious, from their members or the public, should be immune to taxation.

If foundations paid their share of taxes, the onerous burdens on 65,000,000 taxpayers could be greatly relieved—the most exalted charity of all.

We hold that

1—All trusts, foundations, investment charity funds, etc., should pay taxes on all passive or active business income;

2—If they did, some $3 billion additional revenue would accrue to the U.S.; but

3—If the present course continues, losses will hit $6 billion or more by 1980, and by the end of the century there will be virtually no limit to the expansion of foundations and the additional taxes extracted from Americans.

Special immunities

All tax exempts may receive tax free—not only contributions from members and the public—but also unlimited "passive income"—royalties, interest, rentals, and capital gains. Most private secular organizations must file information returns, and if they engage in business competition, they must file returns on Form 990–T, paying full corporation taxes.

To illustrate: Any certified secular "charity" may derive tax-free rent from a building in which a retail establishment operates; but if the tax-exempt *itself* operates such a business, the income becomes taxable.

Religious organizations and sacerdotal personnel occupy a uniquely favored position. All these are free, not only from taxation, but also from disclosure.

For example, the headquarters of a denomination, an association of churches such as the National Council of Churches, or even a single independent congregation, can set up a publishing house and distribute millions of books, or it could own and operate a hotel or a steel mill exempt, not only from taxation, but also from disclosure.

We can only guess concerning the total unrelated business income now accruing to "charities," especially religious entities. Possibly hundreds of thousands of commercial properties are already owned by churches.

Such violations of the First Amendment are not confined to a few churches: they are widespread among many denominations. Hundreds of instances could be cited; and those yet concealed must be infinitely more numerous.

Persecution Versus Subsidies

However, as with so much else, there is another side to the coin. IRS is used by the Administration to enrich its supporters and to harrass and destroy its opponents.

Since, under existing law, tax-exemption for donors to churches and charities is virtually mandatory for survival, IRS has practical life and death power over them.

Exempt entities are forbidden to devote any substantial portion of their income or activities to influencing legislation or supporting candidates for political office. What constitutes "political activity" or a "substantial portion" therefore become crucial questions—bureaucratic decisions concerning these spell extinction or proliferation.

Billy James Hargis, his entire church organization, and his publication, The Christion Crusade, recently incurred the wrath of the IRS. Should not the same yardstick be applied everywhere? Is Hargis no more guilty of political activity than many others who not only enjoy complete immunity but even receive immense subsidies in direct violation of the First Amendment?

The IRS has not only deprived the donors of the Hargis organization of their exemption: it has even reclassified his church in Tulsa as a private business for profit, which, as such, must pay taxes on its income, withhold and remit income and Social Security taxes, and contribute equally with its employees to the latter: a requirement from which all churches are specifically exempted under Sec. 107 (1) and (2) of the Code.

But this is only the beginning: the IRS has now made this ruling retroactive in direct violation of Art. I, Sec. 9, of the Constitution. Although the Hargis organization has been recognized as a church for 17 years, and, as such, entitled to all religious exemptions, and specifically from Social Security, it seems that this was an error from the beginning.

On Jan. 19, 1968, on a 24-hour notice, the Hargis church was forced to pay $61,691.70 in Social Security for the years 1961–66, although the IRS had classified it as a church throughout this period.

NCC's Political Implications

Of course there are certain political implications in broadcasts and publications by Hargis, but no more pervasive than those of the National Council of Churches or many others.

These organizations are not in the slightest danger of losing their exemptions, and some of them even gain huge government subsidies, specifically outlawed in the Constitution.

While labor unions and other groups may prosecute their political activities without limitation, the World Youth Crusade for Freedom, has been denied the tax-exemption necessary for survival. Its crime seems to be that it does not support the Administration.

We certainly do not propose that voluntary contributions to churches be taxed; however, many people feel that it is an outrage for them to receive tax-free business income in competition with their own members and other businessmen.

Summary

If the Code is not revised, the holdings of charities, churches, and other similar exempts will go on increasing until the burden on the remaining taxpayers becomes intolerable.

It is reasonable to conclude that if religious personnel were to pay taxes as do others; if "charitable" exempts were taxed on their unrelated business income; and if the immunities of churches, associations of churches, religious orders, and their members were terminated, the federal Treasury would receive at least $3 billion a year more than it does.

However, if we continue on the present collision course, the current loss will undoubtedly expand to not less than $6 billion by 1980; and beyond that, we can foresee nothing short of fearful cataclysms and ultimate revolutionary expropriation, such as have ruptured and ravaged the tragic past, again, and again, and again.

The Federal power combine

The Department of the Interior has a vast complex of dams and power stations built and operated by the Bureau of Reclamation, which "plans, constructs, and operates facilities to irrigate lands . . . and develop related hydro-electric power . . . in the 17 Western States and Alaska." In addition, work "will be under way in 1968 on 29 projects and 17 units of the Missouri River Basin including . . . projects with estimated costs totalling $133 million." It also operates and will greatly expand a variety of other electric facilities in a 10-state area of the Southeast. By June 30, 1966, 96 Western projects and 13 in the Missouri Basin had been completed, which, together with scheduled additions, are costing $6,061,564,000. The installed capacity of the southeastern power plants alone now totals 2,462,375 Kw's.

Scores of projects completed or under construction are listed in the *Appendix* to the *Budget*. Appropriations for this purpose reached $13,387,000,000 in 1967 and will require at least $18 billion. *The Inventory Report on Real Property by the United States* gives the following information for June 30, 1966:

Cost of facilities belonging to the Department of Interior

[In millions]

Utility systems	$5, 400
Power development and distribution	5, 148
Reclamation and irrigation projects	2, 022
Total	12, 570

The Bureau of Reclamation poured $807 million into its power cartels during the 12 months preceding July, 1967. Further, 84% of its investment is in utility and transmission systems—a field in which it directly competes with taxpaying enterprise—and only 16% of it is devoted to irrigation.

The TVA

In addition to the vast complex of Reclamation Power Projects, the Tennessee Valley Authority was created under a special act of Congress in 1933 as an independent agency "for the unified development of a river basin comprising parts of seven States."

Total assets of the Authority are $3,043,646,000; borrowings from the public, $495 million; and *interest-free* loans from the government, $2,030,995,000. Its revenues from the sale of 93.1 billion KWH's are $366,400,000 in 1968; nevertheless, it operates under a deficit of $376,147,000, which, of course, must be contributed by the taxpayers.

So here we have a giant utility constructed with interest-free funds which, so far from being repaid, are constantly being augmented. It has gone into a multiplicity of competitive, tax-exempt enterprises, on all of which it loses huge sums of money.

The Agency costs taxpayers more than $100 million a year for interest alone, and almost another $400 million for deficits; if the facility were operated by private industry, it would certainly be paying $200 million in federal income tax.

If TVA were sold, the Treasury and the taxpayers (in addition to the money accruing from the sale) would profit as follows:

Potential savings from the sale of TVA

Recapture of interest	$100, 000, 000
Annual deficit	400, 000, 000
Income taxes to be expected	200, 000, 000
Total	700, 000, 000

The TVA alone is therefore costing the federal taxpayers $700 million a year, a sum which, by conservative estimate, will grow to $1 billion in 1980. This, of course, is in addition to ad valorem levies, revenues from investors, and income taxes to the state.

INVESTMENT AND LOSSES IN FEDERAL POWERPLANTS

	1968 investment	Tax loss	
		1968–70	1980
REA	$8, 200, 000, 000	$600, 000, 000	$1, 500, 000, 000
Reclamation projects	14, 000, 000, 000	2, 600, 000, 000	5, 000, 000, 000
TVA	2, 100, 000, 000	700, 000, 000	1, 000, 000, 000
Total	24, 300, 000, 000	3, 900, 000, 000	7, 500, 000, 000

Summary

If, then, we were to abolish the tax avoidance now enjoyed by the farm co-ops, the building and loan associations, the mutual

savings banks, the insurance companies, the credit unions, the REA, the Reclamation Projects, the TVA, and other tax-exempts engaged in competitive business, we could expect the following results:

POTENTIAL GAINS FOR THE FEDERAL TREASURY

	1968–70	1980
1. From farm cooperatives	$2,000,000,000	$3,000,000,000
2. From the money-lenders	1,800,000,000	3,200,000,000
3. From the reclamation projects	2,600,000,000	5,000,000,000
4. From the REA	600,000,000	1,500,000,000
5. From the TVA	700,000,000	1,000,000,000
Total	7,700,000,000	13,700,000,000

Gambling: Paradise for criminals

We conclude, therefore, that the 1968-70 loss to the federal Treasury totals about $7.7 billion, which will grow to $13.7 billion in 1980.

The extent of illicit gambling, its effect on government and law enforcement, and the enormous potential revenue which it siphons away from the Treasury, should be matters of vital concern. If we believed that gambling could be eliminated by law, persuasion, religion, force, or any other known means, we would not hesistate to call for its total extirpation; but since this is obviously impossible, the sole issue is whether gambling shall continue as a criminal activity or be made to serve the needs of society.

The people forced the adoption of the Volstead Act as the 18th Amendment to the Constitution in 1919. However, since a large portion of the people did not believe in Prohibition and since even more considered social drinking a private matter, it proved unenforceable.

No one will deny that the fantastic profits from criminal traffic in booze went to mobs and killers: the government never got a penny of it at all; in fact, it was compelled to spend huge sums in attempts to control the crimes which were a by-product of Prohibition.

Since the thirsty multitudes enriched the mobs who purveyed their liquor, the latter soon developed great commercial enterprises in prostitution, narcotics, and murder-for-hire. And since these activities could flourish only when the government looked the other way, the underworld used a substantial portion of its income to purchase politicians and law-enforcement agencies, or to place their own agents in the seats of power.

Prohibition resulted in such shocking corruption that it was repealed by an overwhelming vote on Dec. 5, 1933. The terrorists who had flourished for more than a decade sought other fields, but their consequent activities are still very much in our midst.

Crimes engendered by Prohibition cost the taxpayers untold millions, while in 1965 the U.S. collected excise taxes totalling $3,773,000,000 on the sale of alcoholic beverages.

The New Underworld

Some Prohibition mobsters established themselves in conventional business; the majority, however, continued in variant forms of crime, supplying people with illict merchandise or service. Most of all, they turned to gambling.

The previous generation of gangsters, rum runners, hoodlums, and killers have now become the Mob, the Mafia, the Cosa Nostra. This underworld has an army of lesser hoodlums operating the rackets, collecting the loot, and committing murder whenever expedient.

The Mob buys up politicians wholesale, puts the "Fix" on sheriffs and police chiefs, and penetrates every level of law enforcement. Very few can long remain immune to its money, power and terror.

The Syndicate is everywhere; but gambling, without which it would soon shrivel away, is its principal source of vitality. For sports betting is a weakness shared by millions of American males and a business thoroughly dominated by the Mob. Each year it handles an estimated $20 billion in illegal bets, of which it keeps $7 billion profits.

The Mob has skimmed untold millions from the casinos of Las Vegas, transported the loot to banks in Switzerland, and then "borrowed" it back for investment in apparently legitimate business.

The Spoils

Although IRS can account for only 2% of it, the Justice Department estimates that:

1—Americans lose some $50 billion a year in gambling

2—90 million persons pour this enormous and untaxed sum into the coffers of the gambling lords

3—70% of all Americans gamble to some extent

4—1,600,000 persons are engaged in bookmaking, handling $64 billion annually for horse racing alone.

But this is only the beginning: the numbers racket takes $350,000 a day in Harlem and $600 million annually from New York City; the estimated revenue of 200 crime lords from gambling alone ranges from $10 to $20 billion yearly.

According to an article by Pete Hamil in *Playboy,* there is only one way to eradicate this cancer: by making gambling a federal monopoly, like the national defense or the coinage and printing of money and currency.

Some sincerely believe that legalized gambling would drive the poor into utter destitution; the Drys said the same before the repeal of Prohibition.

Yet there is nothing to indicate that Las Vegas residents gamble any more than their counterparts elsewhere: it is the visitors who play the slots and the gaming tables. Nor would any heavy or large-scale betting be necessary to furnish enormous revenue for the federal Treasury.

As Mr. Hamil points out in *Playboy:* "If each of 90,000,000 gamblers in the country bought one four-dollar ticket on each of the weekly, monthly, and annual lotteries, the gross . . . would be $24 billion, of which the government's share would be 30 percent, or $7 billion.

Horse and dog tracks skim 15 to 20% off every bet, and since illegal wagering must provide a "handle" of at least $100 billion, the federal Treasury could, at regular track rates, obtain at least $15 or $20 billion from this source. The only losers would be the underworld, luxuriating on tax-free revenues of $50 billion or more every year.

Price of Illicit Gambling

Mr. Hamil estimates that taxing at 30% the current profits from illegal gambling would yield $30 billion a year. If gambling were to continue at its present scope, and pay a gross tax of only 15%, it would yield a minimum of $10 billion above administration costs, which would at least double by 1980.

Even more important is the fact that it would eliminate the largest source of income now available to the underworld; no longer would police and other officials be subject to the corruption that is now so prevalent; and many hundreds of thousands of persons now engaged in a criminal pursuit would become honorable citizens, contributing to the support of the federal government and reducing the onerous burdens of the middle classes.

The exempt securities

Congressman Richard Ottinger observed that "one of the nation's richer women put a $56 million legacy into tax-free bonds and was in the enviable position of enjoying a yearly income of more than $1.5 million without having to report it on her income tax return."

Because the Code excludes interest on state or local bonds from gross revenue, an individual may have a multi-million dollar cash income without paying any taxes or even making a return!

In 1965, $97.5 billion of such securities were in force; their average yield was 3.28%, whereas federals paid 4.21 and corporates 4.64%. Local bonds, therefore, provided a tax-free, non-reportable income of $3,207,740,000.

Since almost all of this went into high-bracket incomes, it occasioned a tax-avoidance of some $2 billion. Even such giant utilities as the Salt River Project of Arizona, with a $50 million revenue from the sale of thermal power, can sell unlimited quantities of bonds, the interest from which is tax-exempt to investors.

Wholly tax-exempt securities have zoomed from $35 billion in 1940 to about three times that total now, and about $10 billion of such new bonds are floated annually.

The most intriguing aspect of this extraordinary development is the growth of industrial municipal bonds. In 1967, the Investment Bankers of America estimated that these will "top $1 billion in new issues, double last year's total." Possibly this type will soon outstrip all other tax-exempt bonds.

If exemptions on local securities were eliminated, the prices of old issues would, of course, decline somewhat; and the interest rates on new ones would rise to the level of the federals; but the ordinary taxpayer could be benefitted materially by shifting this burden where it belongs. And the federal Treasury would be enriched by $2 billion in 1970 and by at least $4 billion in 1980.

Capital gains

In 1959, 266 returns reported an average taxable income of $2 million; and 3% of the nation's taxpayers received 36% of the $12.3 billion in long-term gains—during a year when the stock market, because of the great steel strike, was in the doldrums.

Capital assets consist of non-depreciable property with no established cash value, which can rise or fall in price with the market or economic conditions: common forms are vacant land, industrial shares, government securities, convertible bonds, the good will of a business, etc.

When stocks, bonds, and other securities or capital assets are sold above cost, the profit is a capital gain. If the property has been held less than six months, any profit must be listed as earned or ordinary income; if held longer, it is a long-term gain, only half of which is reported under adjusted gross income; or, by an alternative method, the total gain may be taxed at 25%.

In 1964, total adjusted gross income from the sale of capital assets was $8,286 million. This, however, excluded approximately half the gain, which, without the exclusions, totalled $14,494,605,000 in 1963.

Among taxable adjusted gross incomes, this item was reduced to $7,468,326,000, of which only $6,704,542,000 was finally taxable. In short only 47% of the long-term capital gain was taxed at all. And long-term profit exceeded taxable income by almost $200 million.

Capital gains in the top brackets—Incomes exceeding $100,000

Gross income	$7,318,709,000
Adjusted gross income	6,123,376,000
Capital gains	3,402,935,000
Capital gains excluded from adjusted gross	1,195,333,000
Taxable income	4,508,212,000
Tax paid	2,459,708,000
Ratio of capital gains to gross income (percent)	47.7
Ratio of tax to gross income (percent)	36.6

Of the $14,494,600,000 derived from all capital gains, $1,479,993,000 was reported on returns which had no tax liability; of the $13,014,612.000 remaining, $3.4 billion went to incomes exceeding $100,000; since, how-

ever, only $2.2 billion of this appeared as adjusted gross income, on which an average levy of 11% was imposed, this yielded only $483 million.

The Treasury received a grand total of $1.03 billion on gross capital gains of nearly $14.5 billion—an average of 6.6%. An average tax of 25% would have yielded $3,824 million; half of it taxed at 25% and the remainder at 50% would have produced $5,636 million. Our proposal would have meant $4.5 billion more revenue in 1963.

Profits from securities, vacant land, etc., should be taxed like ordinary income, but at reasonable rates: 25% on any taxable portion exceeding $15,000, and 50% on that above $50,000, would be equitable—but with no deductions, exemptions, exclusions, allowances, or loopholes, except the 5% exclusion from income for deposits in retirement trusts.

Since the Treasury received little more than $1 billion in 1963 from long-term capital gains totalling $14.5 billion, it is evident that this income was undertaxed by at least $2.4 billion.

Since profits in this category have increased since 1963 by leaps and bounds, our proposals would increase revenue at least $3 billion in 1970; and, in 1980, by not less than $6 billion—taxes otherwise avoided and lost.

Bequests and gifts

Under present law, the first $60,000 of a decedent's property is exempt from estate tax; a spouse is entitled to an additional 50% marital deduction.

Thus, if a man leaves $120,000 to his wife, all of it will be immune; if the sum is $200,000, $100,000 plus $60,000 will be exempt, while the remaining $40,000 will be taxed; the first $5,000 at 3% and the second at 7%, a ratio which rises to 11, 14, and 18% for each additional $10,000. The levy on $100,000 is $20,700; at $10 million, the tax rises to 77% and totals, $6,088,200.

The estate tax produced $2,111 million in 1964 and $2,454 in 1965; during these years, gift taxes totaled $305 and $291 million respectively. These two sources generated an income which grew from $924 million in 1955 to $3,301 million in 1967. These sums are, however, insignificant compared with the total value of wealthy decedents' estates.

Since large gifts and estates are taxed up to 57.75 and 77% respectively, how can vast accumulations of wealth, passing from generation to generation, yield so little revenue? One thing is certain: it is not the great fortunes that pay the gift or estate taxes—it is the millions of middle-class people who do not make the necessary preparations to avoid them.

Any wealthy person can avoid considerable estate-taxation through gifts.

For example, a man may give his wife $30,000 tax-free plus half of all community property, in addition to the $60,000 exempted from estate taxation. He may also give $3,000 on the same terms to any number of other individuals annually. In this manner, a half million dollars may easily escape the tax collector from a single estate.

Or a man may convey to each prospective heir $20,000 annually at an additional cost to himself of only $1,200, substituting a 6% levy for one as high as 77%. However, since most people prefer to control their accumulations throughout their lives, they usually dispose of them in carefully prepared wills.

Who Pays the Piper?

The great bulk of estate taxes undoubtedly come from median accumulations modestly in excess of $120,000 at the death of the husband or wife and those exceeding $60,000 at the death of the survivor. Since millions in this category have not made sufficient preparation to protect what they have, large—even major—portions of their life-savings constantly fall prey to the probate courts, the lawyers, and the tax-collectors in truly heartrending tragedies.

The wealthy, however, have learned how to protect their estates.

Walt Disney bequeathed half of his $58 million to the Disney Foundation, his private charity trust and Disneyland owner. The other half was set up in a trust fund for his wife, children, and grandchildren; this, therefore, will also escape virtually all taxation unto the third generation—and possibly beyond. A fortune which would have paid the federal government more than $43 million thus goes scot-free.

A book by John D. Cunnion, published by Business Reports, describes the intricacies of 62 wills, all of which illustrate various methods by which estates may escape the tax collector.

Some Reasonable Proposals

We believe that exemptions on estates should at least be doubled, so that a spouse could receive $250,000 tax-free; we believe also that special provisions should be established covering median-sized family businesses and corporations so that they could be transmitted intact.

The confiscatory 77% estate tax has simply resulted in a complex of loopholes depriving the Treasury of many times more revenue than would be lost by reducing the estate tax to 25%—and ending all legal avoidances.

The Double Standard

The IRS prison house has various exit portals; for example, when a man's assets include vacant land or stocks bought years previously at prices far less than present market value; or consists of real estate which has been almost entirely depreciated, only the original cost of the former or the book value of the latter need be computed in determining the estate. For example, stock purchased for $10,000 but now worth $100,000, comprises only a $10,000 item, which the heirs can, after the expiration of one year, sell for $100,000 without incurring any ordinary, estate, or *capital gain* tax-liability. In short, it is possible for heirs to receive and sell property worth millions without incurring one penny of tax-obligation.

The Treasury Department estimates that $13 billion of unrealized long-term appreciation in securities, real estate, etc., escapes all estate and income taxation annually in this manner.

If this actual profit were subjected to present estate-taxes, the federal revenues would probably be enhanced by nearly $5 billion; if estates or heirs were charged the normal capital gains tax, this alone would yield at least an additional $3 billion—which is more than all estate taxes total at the present time.

Compulsive charity

One might well suspect that influential "charities" have had a strong hand in concocting the Internal Revenue Code: for huge profits are possible through gifts to them.

Let us suppose that a man has some stock or other property which has quadrupled in value; if he sells it, he must pay a 25% capital gains tax on the appreciation.

However, he can set this up as a trust-gift to a college, a church or some other "charity"; receive the entire income from it for life; and yet deduct from his own taxable income—*without paying any capital gains tax*—the total present value of the property. Had he sold it first, he would have had to pay the tax, could deduct only the residue as a contribution, and would have had no further income from it.

Under Sec. 170 (b), as amended in paragraph (5), a taxpayer and his "charity" are accorded a novel and extraordinary privilege. If the value of a contribution exceeds the 30% limitation permissible in any one year, the donor may carry forward the excess for five additional years, or until the deduction is entirely exhausted.

Thus, if 30% of the donor's adjusted gross income is $20,000, he may deduct from taxable income a total of $120,000 over a period of six years. And he may continue to operate the property and draw full income from it during the remainder of his life.

In 1964, Sec. 170 (b) (1) of the Code was amended by the addition which established what is called "the Unlimited Charitable Deduction." As a result of this, a man may have a multimillion-dollar income, and by donating some appreciated securities to his own foundation escape all tax-liability.

Gold in Unrealized Gains

Even without the Unlimited Charitable Deduction or the 5-year carryover, however, tremendous profits are available through the contribution of unrealized capital values to "charity." By donating an asset which originally cost $2.4 million but is now worth $14.4 million to his college or his church, a man may actually end up with $1,650,000 more than if he had given nothing at all.

And a gift of $2.5 million to his own private foundation will cost him less than half of what he actually puts into another pocket. Transactions like these are being consummated by wealthy men every day, and that is one of the principal reasons why we have so many private trusts and foundations.

The abuses we are discussing have become so notorious that Washington may at last be ready for some kind of action. According to *U.S. News & World Report*, "the Administration is readying proposals for a drastic overhaul of the laws under which people are taxed on sizable gifts they make" (to relatives and others) "and the estates which they leave at death."

If these proposals are adopted (1) tax-avoidance by means of such gifts "would be all but wiped out;" (2) the incentive to hold appreciated assets until death would be eliminated; (3) the burden of estate taxes on the average executive, the middle-class professionals, and the median family business or corporation would be eased; and (4) as the rules are tightened and the loopholes closed, the top tax rate of 77% on estates would be sharply reduced and, perhaps, the estate exemptions increased proportionately to inflation since 1942.

Even if these proposals were enacted into law, they would still leave undisturbed the right to receive full deductions on the unrealized gains of capital assets given to charities, including foundations controlled by the donor.

Should the above proposals become law, federal revenues would be increased by at least $4 billion in 1970; should the same rules be applied to charitable contributions also, this sum would be not less than $5 billion.

However, if nothing is done, the potential losses to the Treasury will certainly mount to $10 billion by 1980. The reforms, therefore, should go all the way; all unrealized capital gains, no matter what their ultimate destination, should have the same status before the law, and should be taxed when transferred to other ownership, no matter what this may be.

Even this, however, by no means reflects the entire picture, for these taxpayers enjoyed substantial but excludable revenues from tax-exempt gifts, bequests, pensions, interest on state and local bonds, rentals reduced by depreciation, royalties eliminated by depletion allowances, and various other sources.

It is certain that the actual incomes could not have averaged less than $700,000: their combined tax rate must, therefore, have been less than 27%; even so, it was three points higher than for those whose incomes exceeded $1 million!

The American elite

At the apex of American life, several thousand individuals or families reside in the economic stratosphere.

Incomes exceeding $200,000 in 1963

Number	6, 679
Returns without taxable income	88
Gross income	$4, 040, 020, 000
Adjusted gross income	2, 922, 058, 000
Taxable income	2, 136, 096, 000
Tax paid	1, 246, 787, 000
Long-term capital gains	2, 242, 962, 000
Excludable capital gains from adjusted gross	1, 065, 085, 000
Capital gains included in adjusted gross	1, 177, 877, 000
Dividends received	1, 228, 579, 000
Interest received	85, 810, 000
Capital gains plus dividends and interest	3, 557, 351, 000
Ratio of these to gross income (percent)	88
Ratio to taxable income (percent)	167
Average gross income	$604, 800
Average income from capital gains	336, 000
Average included in adjusted gross income	176, 000
Average excludable from adjusted gross	160, 000
Average income from dividends and capital gains	520, 000
Average retained from income	418, 200
Average tax paid	186, 700
Average effective rate of tax (percent)	30. 8

The devices employed by upper-bracket taxpayers to avoid or reduce their tax liability are too elaborate and complicated to describe here in detail.

These are among the more popular: (1) purchase of state, county, and municipal securities; (2) investments in stocks which can later be sold at a large profit; (3) conversion of ordinary income into capital gains; (4) transformation of ordinary income into tax-free investments; (5) division of income within a family; (6) deducting heavy entertainment costs as business expenses; and (7) creation of investment trusts and phantom corporations.

Since, however, some of these devices are available only for those who have very large incomes and who can command the most expert counsel and service, they are unsuitable for hundreds of thousands of investors with smaller incomes, but who, nevertheless, thirst with almost equal avidity to increase their estates by reducing their tax obligations. Here we find those who, earning perhaps from $20,000 to $100,000 of gross income, are discovering a great variety of ways by which to reduce their tax liabilities.

How the Successful Do It

There is a wide circle of strategic individuals whose incomes, after exclusions, are ample to maintain the good life but whose taxes seriously deter building an estate: upper echelons of government bureaucrats, successful businessmen, leading professionals in architecture, engineering, education, law, and medicine; and outstanding entertainment personalities.

They do not indeed control vast fortunes or manipulate great corporations or foundations: but they are essential to all substantial aggregations of capital; or they are so successful in their private business or profession that the tax collector threatens a grievous curtailment of their incomes.

In common with the most affluent, they are faced with the problem of reducing the federal income tax on a $30,000 or $50,000 income to what is normally due on *half* this amount, even as their more opulent brethren seek to avoid all obligations on 75% of million-dollar revenues.

Statistics below show the extent to which incomes in the $20,000 to $100,000 range depend upon industrial securities, for they derived $8,743,440,000 from this source, which was $142.7 million more than they paid in taxes.

And since their profits from such investments continued to increase in bearish as well as in bullish years, we know that such gains must have resulted largely from controlled manipulation. It is also worthy of note that the larger the income, the greater the proportion of capital gains.

Let us assume that a man with a $25,000 salary makes an additional $16,000 on capital gains for 25 years in succession if he saves all of this with accruing interest at 5%, he will accumulate an estate of $768,000.

If he saves only the untaxed portion, and uses the other half to pay his taxes, he will still achieve a nest egg of $384,000.

Incomes ranging from $20,000 to $100,000 in 1963

Number	1, 186, 667
Untaxable returns	3, 775
Gross income	$40, 791, 297, 000
Adjusted gross income	38, 683, 987, 000
Taxable income	30, 204, 141, 000
Tax paid	8, 600, 729, 000
Gain from sale of long-term capital assets	4, 600, 729, 000
Adjusted income from sales of long-term assets	2, 227, 586, 000
Excludable capital gains	2, 097, 310, 000
Average gross income	34, 350
Taxable average income	25, 450
Retained income of average taxpayer	27, 150
Average tax paid	7, 245
Average effective rate of tax (percent)	21. 1

Principal sources of income

Salaries	$17, 327, 072, 000
Gain from sale of long-term capital assets (512,962 recipients)	4, 324, 896, 000
Income from dividends (786,091 recipients)	4, 418, 544, 000
Total from dividends and capital gains	8, 743, 440, 000
Business or profession	6, 743, 711, 000
Interest	1, 576, 566, 000
Taxable pensions and annuities	180, 030, 000
Rents	773, 947, 000
Royalties	107, 408, 000
Partnerships	4, 640, 021, 000
Estates and trusts	232, 206, 000

The crucial importance of capital gains can be seen from the fact that if a married man receives a straight salary of $100,000 and has only a standard deduction, his federal tax will be $45,180.

If, however, his salary is $25,000 and he receives additional compensation of $75,000 in the form of long-term capital gains, he will owe only $21,505—a savings of $23,675, which will total $589,375 in 25 years, and, if accumulated at 5%, will grow to well over a million dollars.

We must bear in mind that the totals here given are only a premonition of the future. Industrial dividends, which totalled $11.4 billion in 1963, grew to $21.5 billion in 1966—an increase of 90%.

By 1970, this revenue will probably reach $30 billion and by 1980, $50 billion. Since capital gains grow proportionately and since corporation executives, under the present system, will take increasing portions of their compensation in the form of securities, it becomes obvious that unless this abuse is remedied, the Treasury will be losing billions in 1970 because of this one loophole, and many more billions in 1980.

If the tax-avoidance discussed in the preceding paragraphs and others of a similar nature had been outlawed in 1963, the Treasury would have been enriched by at least $3 billion; if nothing is done, however, that sum will be at least $4 billion in 1970; and such losses may become at least $6 billion by 1980.

Analysis and summary

With exemptions of $8,000 and exclusions of 5% for payments into retirement trusts, single individuals with incomes of less than $15,000 would not have contributed heavily to the federal income tax in 1964.

Since there were only 756,230 in that category; since their gross income was approximately $8.2 billion; since personal exemptions would have totalled $6 billion; and since another $300,000,000 might have been excludable from otherwise taxable income under our reforms as payments into retirement trusts, only $2.7 billion would have been taxable, which, at 20% would have produced $540 million.

Heads of households, entitled to a base exemption of $10,000 and an aditional $1,000 for dependent children, would have had approximately $8.4 billion of taxable income with a total tax liability of $1.7 billion.

The Treasury would, therefore, have had $2.4 billion of revenue from incomes below $15,000.

Although the 1964 rates were lower than those of 1963, the total revenue fell only from $48.2 to $46.8 billion; and the rates among the various classes of taxpayers remained substantially unchanged.

The 23,656,000 returns of 1964 with adjusted gross incomes of less than $3,000 paid only 2.7% of the total tax; the average $53, was therefore scarcely worth the cost of processing.

It was the taxpayers in the $3,000-$15,000 category who carried the principal burden: for they paid 62.8% of the total tax.

Since those with adjusted gross incomes between $15,000 and $50,000 paid another 22.3%, these two ranges contributed 85.1% of the total personal income tax (compared to 88.9% in 1963).

Meanwhile, those exceeding the $50,000 level, with a combined adjusted gross income of $17.26 billion and a probable true income of $23 billion, paid rates of 34.1% on adjusted gross and 30.7% on probable true income—which was almost identical to the percentage of the previous year.

PERSONAL INCOME TAX, 1964
[In millions]

From families/individuals with gross income	Tax collected, 1964	Projected revenue under tax equity reform
Below $15,000	$30, 648	$5, 750
$15,000 to $50,000	10, 484	8, 575
Over $50,000	5, 692	10, 300
Total	46, 824	24, 625
Net difference	$22, 199	

Note that (1) without present exemptions, allowances, exclusions, and deductions, a great many incomes now below the $15,000 line would rise substantially above it; and (2) the 2,454,432 incomes exceeding $15,000 in 1964 would have had exclusions probably totaling $4 billion as payments into retirement trusts, which would reduce the Treasury revenue by approximately $1 billion.

If, then, all single incomes up to $8,000 and family incomes up to $10,000 had been exempt; if 5% exclusions had been permitted for payment into retirement funds or trusts, with a limitation of $1,500; if rates of 20, 25, and 50% had been in effect, as we have proposed; if a limit of $15,000 had been placed on all family exemptions; and if all other deductions had been eliminated, we would have had the results indicated above.

Under our proposals, therefore, the reduction in Treasury income would have been only $22,199 million in 1964. Since the revenue accruing to the Treasury from the personal income tax rose to $55.4 billion in 1996, and is estimated at $62.2 and $73.2 billion in 1967 and 1968, we may be quite certain that the increases of previous years are a continuing and inevitable development.

Including the new surtax, the personal income tax will produce almost $80 billion in 1968 and even more in 1969.

Under a simplified system of taxation, then, about 55 million out of 65 million who filed reports and 41 of 51 million who paid taxes in 1964 would have been exempt:

The number of taxpayers would have been reduced to about 10 million; the Treasury would have received $25 billion less from those with adjusted gross incomes below $50,000.

But by eliminating deductions, exclusions, allowances, and exemptions, even while cutting income taxes from 70 to 50% in the highest ranges, the Treasury would still have received $24.6 billion. The net loss of $22.2 billion could easily have been obtained from sources now largely or wholly exempt, which should be asked to pay their share.

It is not our province to spell out the exact provisions of a new statute embodying our proposals for tax equity. This should be left in the capable hands of Rep. Wilbur D. Mills (D-Ark.), chairman of the House Ways and Means Committee, in which all tax legislation must originate.

The Progressive Benefits

These statistics have already receded into history. There are now many more taxpayers and those in the higher levels have vastly increased incomes. In 1968, the federal government expects to obtain 56.7% more in personal income taxes, even without a surtax, than the $46.8 billion in 1964.

Million-dollar incomes increased from 371 in 1963 to 646 in 1966. We may be sure, therefore, that under our plan the 50% tax on incomes exceeding $50,000 would produce at least $20 billion in 1968 and $40 billion in 1980.

We are also well aware that the statistics for 1963–64 are outdated, and will be much more so in 1980. However, under present tax schedules, the proportions will remain substantially constant.

Any further reduction of Treasury income from the lower brackets as a result of our reform will be fully offset by increased revenues from the higher brackets and from sources now undertaxed or exempt.

In the limited space available here, it is not possible to deal with all areas of tax avoidance in detail, and in fact some must be omitted entirely. These are covered fully in my book *The Great Tax Fraud*, to be published by Devin-Adair and available from Liberty Lobby. Note particularly "Pension and Welfare Funds" and "Tax Exempts in Competition" (chapters X and XI).

Since, therefore, well over $40 billion in new revenue would have been available to the Treasury in 1963 and 1964 under our Proposals for Tax-Equity Reform, we may, with confidence, declare that we could meet all obligations and yet apply nearly $20 billion annually to the reduction of the national debt.

For the majority of Americans this Reform would constitute an unrivaled boom; for single individuals earning less than $8,500 and for families with less than $15,000, there would be virtually no tax.

For those in the $15,000 to $50,000 range, it would provide a simplified system of taxation, remove manifold anxieties and dangers, and reduce their tax liabilities by about 25%.

The millionaires and billionaires would receive ample consideration in the form of equitable and uniform treatment; and they would be provided with generous cash retentions for spending and reinvestment.

Their returns would be infinitely simplified; they could dispense with their high-priced lawyers, accountants, and tax experts; they would retain more than half their incomes; and they would at last perform a portion of their duty by contributing reasonably to the support of the country which has endowed them so magnificently.

SUMMARY—NEW POTENTIAL REVENUE AVAILABLE FROM VARIOUS SOURCES UNDER PROPOSALS FOR TAX-EQUITY REFORM

[In billions of dollars]

	1968–70	1980
The "Charitable" Foundation	$3.0	$6.0
Churches and charities	3.0	6.0
Pension and welfare funds	4.0	8.0
Tax-exempts in competition	7.7	13.7
Depletion allowances	5.0	10.0
Gambling	10.0	20.0
Exempt securities	2.0	4.0
Capital gains	3.0	6.0
Bequests and gifts	5.0	10.0
The American elite	4.0	6.0
Total	46.7	89.7
Reduction because of duplication	4.0	10.0
Net additional revenue	42.2	79.7

Conclusion

Expectations

These proposals would achieve one of the greatest forward steps in the history of government. They would:

1—Free about 80 or 85% of our people from the extortions of an incomprehensible law

2—Enable millions to enjoy a decent life and build a reasonable estate

3—Remove the taint of economic pressure from voluntary support of church and other charity

4—Leave local government sufficient support for schools and other necessary services

5—Strengthen the republican process by placing more of the taxpayer's money in agencies he can to some extent supervise

6—Persuade the rich to work for government efficiency and reduce the federal establishment to the scope intended by the Founding Fathers

7—Save employers untold billions now spent transmitting income and Social Security taxes to the government

8—Reward citizens in proportion to their contributions

9—Insist on justice, equal rights, personal responsibility, and free enterprise

10—Release most of the Nation's money to the control of those who earn it, thereby creating unparalleled prosperity, since middle income people are the producers and careful spenders whose incomes are quickly channeled into trade. Increased business thus generated would produce additional taxes probably replacing half the revenue lost under our proposed exemptions.

It is unlikely that this program will be fully implemented at once; the tax structure must be gradually overhauled. For example, all income taxes for those with less than $8,000 (single) or $15,000 (family) cannot be abolished instantly; they must be reduced gradually.

TRIBUTE TO A DEDICATED PUBLIC SERVANT: HENRY J. HOLTZCLAW

(Mr. CONTE asked and was given permission to extend his remarks at this point in the RECORD and include extraneous matter.)

Mr. CONTE. Mr. Speaker, on January 21, Henry J. Holtzclaw, former Director of the Bureau of Printing and Engraving, passed away at his Florida home.

As a member of the Treasury-Post Office Subcommittee of the Appropriations Committee, I knew and worked with Director Holtzclaw for 9 years, from my election to Congress until his retirement in 1957.

His retirement also marked the completion of 50 years of Federal service in the Bureau of Printing and Engraving. During this time, Henry J. Holtzclaw set an outstanding example for Federal employees by his dedication, imagination, and administrative talent.

A small measure of the respect and admiration I felt for Director Holtzclaw is reflected in the remarks I made during the Treasury-Post Office Subcommittee hearings in 1957, before Director Holtzclaw's retirement. Under leave to extend my remarks, I would like at this time to insert that tribute in the RECORD:

A TRIBUTE TO A DEDICATED PUBLIC SERVANT: HENRY J. HOLTZCLAW

I am sure all of us in the Congress share the desire that our Government will continue to be able to attract some of the most capable and dedicated young people in our society to careers in the public service. In spite of the criticisms that must be made from time to time over the seemingly clumsy, duplicative procedures that are an inherent part, it seems, of any bureaucratic establishment, we cannot deny that the present stature and greatness of this country is due in no small measure to the selfless, gifted activities of our civil servants.

These are the men and women through the decades who have maintained the pace of expansion within the confines of an organized code of law, who have seen to the Nation's needs in every aspect of our society and our economy, from agriculture to the national defense; from our health to our commerce; and from our natural resources to our monetary resources.

Their record of service is second to none anywhere in the world and anywhere in history. It is because of this tradition that a career in the Federal civil service enjoys more prestige, more stature, and more status than similar service in any other Government in the world.

Those of us in this body who are privileged to serve on some of the Committees whose job it is to associate with the Treasury Department have had occasion in recent years to come to know a man who, as much as any in our time, symbolizes the self-effacing dedication and the quiet skills of the career civil servant, the career public officer.

I speak of Henry J. Holtzclaw, Director of the Bureau of Printing and Engraving.

This agency constitutes our nation's sole source of currency, and if its responsibilities were confined to that single operation, it would fulfill a function vital to the national interest. The Bureau, however, does a great deal more.

For the Post Office Department, the Bureau prints the single and multicolored postage stamps which are a source of great national pride.

For the Department of Agriculture, the Bureau prints food coupons, and for the Department of Defense, it prints military debentures.

In addition to these responsibilities, the Bureau manufactures Federal Reserve notes, savings bonds, and various other instruments of public debt.

Clearly, the Director of the Bureau of Printing and Engraving must preside over a wide range of activities, and in doing so, he must continually pursue quality of craftsmanship in all his products. As Director, however, his responsibilities go far beyond simple quality control. He must devote much of his energies and attention to the problems of the work force and staff relations. As a public servant, he must be continually conscious of deriving the maximum possible utility from the public finances.

In sum, then, the Director of the Bureau must be quality conscious, cost conscious, and conscious of the problems and needs of the work force. This constitutes a formidable burden for any man, but Director Holtzclaw has performed his duties with distinction, and, in fact, has pioneered new methods of administration.

Director Holtzclaw began his distinguished career in the Bureau of Engraving and Printing on October 8, 1917. Originally a machinist's helper, he rose to become an engineering draftsman, and associate mechanical engineer, and a mechanical expert and designer. In 1938, he became the first Chief of the Office of Research and Development, where he remained until 1949, when he was promoted to the position of Assistant Director of the Bureau. He remained Assistant Director until 1951, when he was promoted to Associate Director. On December 3, 1954, Mr. Holtzclaw was appointed Director of the Bureau, and has rendered outstanding service in that position ever since.

Since Mr. Holtzclaw became Director of the Bureau, the United States has earned the reputation of having the most difficult currency in the world to counterfeit. According to Treasury Department figures, the yearly per capita loss to the general public is only one-quarter of one per cent, or less than $50,000. The excellent record is certainly a reflection of the efforts of our law-enforcement agencies, but, more importantly, it is a reflection of the quality of craftsmanship at the Bureau of Engraving and Printing.

In addition to demanding high quality craftsmanship in the production of our currency, Director Holtzclaw has also consistently opposed efforts to place our currency on a multi-colored basis. His reason for doing so is the already established value of our currency. The paper is distinctive, and the engravings are neither ostentatious nor trivial, but rather, they suitably express the national heritage in which we take so much pride. Furthermore, since they have become familiar to the public, the change to a currency of different sizes and colors would only result in confusion and make counterfeiting much less difficult.

Mr. Holtzclaw's concentration is also apparent in the postage stamps printed by the Bureau, specifically the new multicolored stamp program which has drawn wide acclaim. An example of the characteristic quality of this program is the 4-cent Winslow Homer stamp which was first put on sale on December 15, 1962. This stamp is a reproduction of the original painting "Breezing Up" that hangs in the National Gallery.

A further example of quality in Bureau craftsmanship is the 4-cent Christmas stamp of 1963. This stamp was so popular that 862 million were sold, and the volume would certainly have exceeded 1 billion had the Bureau been able to meet the demand for that particular stamp.

One final example displays not only the quality of craftsmanship effected at the Bureau, but also the efficient administration practiced under Director Holtzclaw's guidance. I speak of the stamp put on sale throughout the country on February 20, 1962, in celebration of the first U.S. manned-orbital space flight. This stamp, which, incidentally, was placed on sale barely minutes after Colonel Glenn had successfully completed his flight, was designed and printed under maximum security conditions with only a dozen of the 150 employees involved knowing the full circumstances of the operation.

In conjunction with his emphasis on quality, Director Holtzclaw is installing in the Bureau a nine-color, web-fed, intaglio printing process. It will be the only one of its kind anywhere, and promises to further enhance the quality of our multicolored postage stamps.

As an administrator, Director Holtzclaw should be considered a pioneer in the field of labor relations. Modernization is necessary for any industry or operation concerned with efficient production, but in many instances members of the work force have suffered as a result. Men too old to be retrained for other gainful employment becoming to their former skills and seniority are caught in the jaws of a society eager to modernize, yet reluctant to provide for the displaced.

Recognizing this unfortunate reality of modern society, as early as 1957 Director Holtzclaw extended to all employees of the Bureau his personal guarantee that none would be separated involuntarily, and that modernization would be geared to manpower availability and work force attrition. In 1951, the Bureau employed 6,528 persons, the estimate employed for fiscal year 1967 is 3,213, a difference of 3,315 persons. This remarkable reduction of the work force was accomplished without a single involuntary separation and was accompanied by a 370-percent increase in unit productivity. The farsightedness of this guarantee of job security is a lesson from which all employers should benefit.

The guarantee of job security to all employees, however, is not the only wise and equitable labor policy practiced in Director Holtzclaw's administration. In 1951, Mr. Holtzclaw issued a policy statement which set forth the fact that the hiring and promotion of employees would be based solely on merit and would be without regard to race, color, or national origin. This policy preceded by 6 years any formal policy enunciated by the Civil Service Commission. Taken on his own initiative and completely without pressure, this policy represents only what Mr. Holtzclaw considered fair and equitable. That 66 percent of the Bureau's work force are Negroes bears witness to the fact that his policy has been adhered to.

Mr. Holtzclaw's nondiscrimination policy and his determination to gear modernization to manpower availability and work force attrition expresses a deep recognition and concern for human values. Most important of all, however, has been his ability to adhere to these policies, while attaining a high degree of modernization in production techniques.

Through modernization and progressive management, Director Holtzclaw has been consistently able to reduce unit costs in the face of ever-growing costs of labor and materials and increasing costs of production. From July 1, 1951, through the estimates for fiscal year 1967, the average annual salaries and wages of all Bureau positions will increase from $3,641 to $6,439, an increase of 86 percent. The average cost of materials during this same period will increase 22 percent. These increased costs, coupled with additional responsibilities, have forced the Bureau to assume additional annual costs of $5,520,000.

During this same time period, however, the average cost of currency and Federal Reserve notes has decreased from $9.91 to $8.41 a thousand. The cost would actually have increased to $19 a thousand had it not been for an annual recurring savings of $17,875,000 realized through management and technological improvements implemented during this period.

This savings is largely the result of the addition of 12 new currency presses, eight in 1957 and four in 1965. These high-speed presses allow printing by the dry intaglio process from 32-subject plates, instead of the old wet intaglio process from 18-subject plates. Not only has this meant savings from increased efficiency, but also implementation of the dry intaglio process has increased the average life of a dollar bill by 30%, thus realizing an annual savings of 1.2 million dollars. These savings, coupled with products of the highest quality and progressive labor policies, constitute a remarkable contribution by Director Holtzclaw to the American public.

In recognition of his distinguished service, Director Holtzclaw received the National Civil Service League's "Career Service Award" in 1957. In July of 1964, the Secretary of the Treasury nominated Director Holtzclaw for the President's Award for Distinguished Federal Civilian Service, and in September of 1964 the Secretary presented to Mr. Holtzclaw the Treasury's highest award, the Exceptional Service Award, in recognition of his "unparalleled example of dedication to economy in Government and effective accomplishment of mission."

Director Holtzclaw has accumulated an exceptional record in public service. He has been a pioneer in technological improvement and industrial relations. His department's products are of unparalleled quality. He has achieved unprecedented savings in government operations. He deserves our recognition and the recognition of the American public, for we are extremely fortunate to have as a dedicated, capable and resourceful a public servant as Mr. Henry J. Holtzclaw.

GUN CONTROL BILL RESTRICTS YOUTH

(Mr. BERRY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BERRY. Mr. Speaker, I have asked consent to insert in the RECORD an article on the new gun control law as seen from the eyes of a teenage youth in my district. The article was written by Bart Dean, of Rapid City, S. Dak.

The young writer points out the undue and unnecessary restrictions of the law. While it may not have been the intent of Congress to impose these hardships, they nevertheless exist under the law and do cause teenage youth considerable inconvenience. An example which is not included in this article is that the young man saved up enough money for a good gun, but then had to buy it in his father's name. The father is also required to go to the store and buy the ammunition which this gun uses for trapshooting.

This picture becomes all the more ridiculous when it is considered that these same teenagers when they reach the age of 18 are not only eligible for the draft, but are drafted and required to carry guns in the defense of our country.

I am sure this particular article will be of interest to every Member of Congress, and I do think that because of the hardships pointed out by Bart Dean some amendments should be made in the existing gun law.

The article follows:

GUN CONTROL BILL RESTRICTS YOUTH

(By Bart Dean)

On Dec. 16, 1968, a federal law became effective which drastically alters the freedom and rights of the teen-age sportsman and imposes certain limitations on all sportsmen throughout the country.

The Gun Control Act of 1968, as passed by the Congress of the United States and signed by President Johnson, very tightly restricts the sale and disposition of firearms and ammunition and also prohibits the sale of hand guns or hand gun ammunition to anyone under 21.

A further provision of the law makes it illegal to sell firearms to anyone not from a bordering state and stipulates that the bordering state must have passed legislation permitting such sales.

The law requires records to be kept concerning all sales of guns and ammunition. It states that anyone selling firearms or ammunition must have a federal firearms license and must also account for every box of ammunition and every gun sold and an accurate record of all components sold.

In order to buy a box of ammunition or any loading components the sportsman must now give his name, address, date of birth, show adequate identification and have the number of the identification recorded with the dealer or merchant. Furthermore, the dealer must record the date, the manufacturer of the item, the caliber and the quantity. These records must be kept in the store at all times and are open for inspection by anyone so desiring. The individual must also swear that he is not a fugitive from justice or under indictment for, or has been convicted of a felony; is not a narcotic addict, an unlawful user of marijuana or any depressant, stimulant or narcotic drug; or is not an adjudged mental incompetent or has been committed to any mental institution.

Also required by the law is Form 4473, Firearms Transaction Record, put out by the Alcohol and Tobacco Tax Division of the Department of the Treasury-Internal Revenue Service. This form contains four parts:

Section A, which is a description of the firearm stating the type, model, caliber, serial number, and manufacturer;

Section B, containing the buyer's name and address, his height, weight, race, date of birth and place of birth;

Section C, a verification of identity which contains the verifying officials signature, title and location of the official's office as well as the buyer's signature, type of identification, the number of the person's identification (driver's license, Social Security card, etc.) and the date; and

Section D, which is a statement of transfer which contains the seller's signature and title. The buyer must also swear to the restrictions covering mental illness, conviction of crimes and drug addiction, etc.

Vocal opponents of any form of gun registration have loudly declared that the 1968 federal law, while not as restrictive as total gun control, is plenty confining. These people say it virtually amounts to gun registration. One provision of the law, as explained in this article does in fact account for all gun sales from Dec. 16, 1968, onward. The provision requiring the registration of ammunition amounts to a form of gun registration and invasion of privacy, critics say. They point to the record of the kind and caliber of ammunition an individual purchases, this is a tip off to the kind of gun the person owns.

Some well informed people have argued that teen-agers do not need guns. In some areas of the nation this may be true. However, in South Dakota and adjoining western and midwestern states many children—and their parents—look forward to the time when they may take to the field and accompany "Dad" on hunting sojourns. Records of hunting licenses will show that in South Dakota hunting is enjoyed by a large percentage of the teen-age population. The State Game and Fish Department encourages this sport by issuing a general hunting license free of charge to persons between 12 and 16 years of age who have completed firearms safety courses. These courses are usually offered as an approved activity of the public school system.

Shooting is a sport taught by the YMCA and by the Boy Scouts of America and many high schools have gun clubs or sponsor rifle teams. It is so highly regarded by the Boy Scouts that a merit badge is given for marksmanship. Youth leaders feel this recreation teaches a boy to think and to handle firearms safely and often provides extra food for the winter as wild game is a regular dish on many tables.

Critics point out further inconveniences to the teen-age sportsman. They cite the example of the boy of 17 who has been an avid hunter since he was legally qualified to carry a gun in the field and has hunted alone since reaching the age of 16. Up until this time, he has been able to purchase his own ammunition (perhaps with money earned on a part-time or summer job) and could, if he so desired, buy a rifle or shotgun. Now, under existing laws, one of his parents must buy the ammunition or gun for him. Opponents of the law say the teen-ager is deprived of learning one aspect of the management of money and control of his own actions.

Many young men reload shells to save or make money or as a hobby. Under the new law a boy cannot purchase components needed for loading the shells until he is 18 and if he is loading shells for others he is doing so against the law and will be unable to legally do so until he is 21 at which time he must buy a $10 license if he expects to reload shells for his friends. This license must be renewed each year. What had previously been a money saving activity . . . or a relaxing hobby . . . for many teen-agers has now become a business under government control.

Many teen-agers and their parents feel that the new federal law, while perhaps justified in controlling the sale of hand guns and ammunition to street gangs in metropolitan areas, has already worked a severe hardship on the young South Dakota sportsman and young people who enjoy Sunday target practice and participation in trap shoots. They feel the federal law is an unnecessary restriction on the law abiding teen-ager and proclaim that those bent on breaking the law will probably pay very little attention to it or any other law. Supporters say the new law will curtail juvenile crime and prevent indiscriminate sale of ammunition to irresponsible young people and those bent on using firearms in crime.

PROPOSED BIPARTISAN COMMISSION ON PRESIDENTIAL ELECTION REFORM

(Mr. MIZE asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, I have cosponsored legislation calling for creation of a bipartisan commission to study election reform. The Commission envisioned in our bill would be composed of three members appointed by the Speaker of the House, three Senators appointed by the Vice President, three officials from the executive branch nominated by the President, and three persons from the private sector, also appointed by the President.

The Commission would address itself to the process by which Americans choose their President and Vice President. It would be required to report to the Congress and the people 1 year after enactment of our bill.

Mr. Speaker, many citizens are frustrated by the national convention nominating process. In those States where there is no direct primary election for President, the rank and file of both political parties feel disenfranchised. They quite properly assert they are denied full participation in selection of their party's nominee for the highest office in the land. Political organizations in some areas fail to reflect the sentiment of the people they are chosen to represent. Candidate selection is often held in the grasp of a mere fragment of the total party membership.

Broad-based political involvement at a local level, and wide membership in political parties is seldom achieved. Some people see this as one failure of our political system.

Further, there has been widespread dissatisfaction with the electoral college, and its function in the selection of our President and Vice President. In 1968, the electoral college provided President Nixon with a clear majority. But what if he had fallen a few electoral votes short of an outright majority? A constitutional crisis was averted last year, but the future is not so secure.

The Commission would have the responsibility of studying the dilemma of the electoral college. It would, if it chose, recommend an amendment to the U.S. Constitution to guarantee popular election of the Chief Executive.

Mr. Speaker, I have no idea what recommendations this blue-ribbon panel would make. I am confident the "pros and cons" of a national presidential preference primary would be discussed fully. Direct election of the President would be compared with the electoral college system on the one hand, and with the several proposed modifications of the electoral college on the other.

Out of the deliberations should come a report which thinking Americans could carefully discuss and assess. Congress and the people deserve the benefit of such a report, for together they have the responsibility to initiate and approve amendments to the Constitution. Such an awesome task cannot be properly discharged unless every possible means of assistance is fully employed.

MIZE OFFERS BILL TO FIGHT DISTRICT OF COLUMBIA CRIME

(Mr. MIZE asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, President Nixon's message on crime in the District of Columbia was a reasoned, moderate approach to a most serious problem. Everyone is aware that the rate of reported crimes of violence in the Nation's Capital has increased alarmingly in recent years, but few are aware that the rate for January 1969, was almost 100 percent above that of a single year ago.

The President recommends aggressive action in several different areas, for crime control in a modern American city is exceedingly complex. It defies the quick answer—the simple solution. Mr. Nixon has promised no utopia. He has advanced a program which, if fully implemented, will be a creditable response to the specter of crime stalking Washington.

MAJOR EXECUTIVE RECOMMENDATIONS

First, and perhaps foremost, Mr. Nixon has advocated the reorganization of the courts of the District of Columbia. His specific proposal provides for 10 additional judges to handle the heavy caseload, totally beyond the capacity of the existing structure to accommodate.

As a practical matter, the prosecutors

have dropped charges against many defendants likely to be convicted if brought to trial. Often defendants stand trial on only one charge, while accused of a multitude of offenses. Such practice is unconscionable, without doubt, but current limitations have permitted no alternative.

The President recommends appointment of 40 additional assistant U.S. attorneys to prosecute, and has extended his support to the Legal Aid Agency's request for an increase in its staff of public defenders. He also recommends acquisition of 1,000 additional police officers. Only they can perform the necessary preventive measures so essential in effective crime control.

AMENDMENT OF BAIL REFORM ACT URGED

Mr. Speaker, one of Mr. Nixon's most urgent recommendations was amendment of the Bail Reform Act of 1966. Under the provisions of this act, a judge is required to release a defendant on personal recognizance, pending trial, if he can establish residence and show that he is likely to appear in court when called.

This act is controlling in all cases throughout the United States where defendants are accused of a Federal crime, such as bank robbery. But its greatest impact is in the District of Columbia, where there is no State jurisdiction, and all crimes are "Federal" crimes. Thus, in the District, defendants accused of crimes of violence, if they can establish some basis for relief, are required by law to be released prior to their trial.

In Washington, hundreds of accused rapists, rioters, armed robbers, and sometimes even murderers, have been released under the Bail Reform Act. The results have been tragic.

Of course, if none of these defendants so released ever committed a crime while out on personal bond, there would be no problem. But as a matter of fact, the recidivist rate in Washington approaches 40 percent for accused felons.

Mr. Speaker, every District of Columbia judge who releases 10 accused felons, as he is required to do by law can expect four of them to commit additional felonies prior to trial.

When Congress passed the Bail Reform Act of 1966, such a high recidivist rate was not anticipated. Members of Congress were not fully informed of the gross delays of justice in the courts.

AMENDMENT TO BAIL REFORM ACT PROPOSAL

Mr. Speaker, today this Congress is fully informed. It is essential that the Bail Reform Act be amended to permit judges to detain, prior to trial, those defendants which they believe will be a menace to society. In the Judicature Act of 1789, the First Congress provided that judges may detain those accused of capital crimes, if they are deemed too dangerous to be permitted freedom prior to trial. Today, judges in the District of Columbia must be permitted that same discretion in noncapital cases. If proper safeguards are applied, a defendant's right to due process will not be infringed upon.

In order to meet this need, I am today introducing legislation identical to that prepared by the distinguished ranking minority member of the House Judiciary Committee, the gentleman from Ohio (Mr. McCULLOCH); the distinguished minority leader of the House, the gentleman from Michigan (Mr. GERALD R. FORD); and others.

This legislation would amend the Bail Reform Act to accomplish the ends which I have discussed, and further would demand that stiff penalties be imposed upon those who, free on bond, commit crimes, or fail to appear when called by the court.

Mr. Speaker, the President has called upon the Congress to enact this type of legislation. The success of the fight against crime in the Nation's Capital depends upon full implementation of the President's program for a safer Capital City. The other body is already holding hearings. I urge the Members of the House to take action on this legislative proposal at the earliest possible time.

CASUALTY-RELATED LIVING EXPENSE REIMBURSEMENT SHOULD NOT BE TAXABLE INCOME

(Mr. SHRIVER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SHRIVER. Mr. Speaker, today I am reintroducing legislation which will correct an unintentional inequity in the Internal Revenue Code. As the Code now stands, persons whose homes are damaged by a casualty, this is by fire, tornado, hurricane, or other catastrophe, and who are reimbursed by their insurance companies for additional living expenses incurred while their homes are being repaired, must declare such reimbursement as taxable income. This, clearly, was not the intent of Congress in the establishment of the present code.

Many of my constituents in the Fourth District and other residents of the State of Kansas have felt the expense and heartache of severe damage to their homes in the so-called "tornado alley." However, recent news accounts of natural disasters on a nationwide scale make it clear that this is not a narrow, sectional phenomenon. Fires and storms affect the districts of every Member of Congress. I urge my colleagues to join with me in seeking overdue legislative relief for our homeowners who have experienced such losses. This bill would amend the Internal Revenue Code of 1954 to exclude from gross taxable income any reimbursement received from insurance companies for these additional living expenses.

I introduced this bill during the 90th Congress after receiving several inquiries from persons who had suffered the loss of their homes only to be faced with additional loss due to this loophole in our tax code. Correspondence received from the Internal Revenue Service 1 year ago in response to my questions makes it clear that officials in the IRS are aware of this unfair burden placed upon insured individuals who experience such losses. In fact, the Chief of the Individual Income Tax Branch informed the Committee for Legislative Recommendations of the IRS of this situation so that it might consider recommending legislative relief to the Office of the Assistant Secretary of the Treasury for Tax Policy.

Unfortunately, the departmental report on this bill requested from the Treasury Department last year by the House Ways and Means Committee was never received. However, I shall request such a departmental report on this legislation again this year. It is my hope that the correction of this basic inequity would be considered along with other legislation when the House Ways and Means Committee begins tax reform hearings later this month.

SINGLE PERSONS TAX REFORM ACT

(Mr. SHRIVER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SHRIVER. Mr. Speaker, today I am reintroducing legislation to end the present system of tax discrimination against single persons who are maintaining their own households. This single persons tax reform bill extends head of household benefits to anyone, regardless of age or previous marital status, who furnishes over 50 percent of the cost of maintaining his or her own household.

I introduced identical legislation during the 90th Congress. However, due to other pressing demands, no action was taken. It is encouraging to note that the House Ways and Means Committee will give attention to this bill during its tax reform hearings beginning February 18.

The discrimination against single persons which this bill seeks to reduce has been in the Internal Revenue Code since 1948. In that year, Congress extended income-splitting to married couples for the Federal income tax. The purpose was to adjust the Federal code to provisions in several State tax laws, but the result has been a tax inequity against single persons.

The present law is unrealistic in that it gives no recognition to the expenses that single persons have in maintaining a household. Under the split-income provision it is assumed that it costs twice as much for two persons to live as it does for one. This is not so. Studies of family budgets indicate that it costs about three-fourths as much for one person to live as it does for two. These expenses of single persons, be they widowed, divorced or separated, or unmarried, deserve to be recognized in a tax law.

American taxpayers are overburdened with local, State and Federal taxes. Thus, it is doubly important that the inequities in our tax structure be eliminated as quickly as possible. This legislation will give necessary relief to those single taxpayers who are now inequitably taxed.

CONGRESSIONAL PAY RAISE

(Mr. LANGEN asked and was given permission to extend his remarks at this point in the RECORD and to include a newspaper item.)

Mr. LANGEN. Mr. Speaker, it is no secret that I am opposing the proposed congressional salary raises at this time. I previously joined with others in this body in introducing legislation to rescind the pay hikes.

Apparently a good many of my constituents agree with me. A letter to the editor appeared last week in the Lake Region Press of Alexandria, Minn., and was signed simply "Many Many Farmers." The letter actually is addressed to each of us in this Congress, and it is my hope that you will take particular note of it. It is therefore inserted at this point in the Record:

Dear Congressman: I read in the paper you were going to raise your salary up to $50,000 a year. According to my calculations, that represents a pay increase of 67%. That's quite a pay hike, you know it?

It doesn't seem right, somehow, to set your sights so high because pay raises of 5% are considered too high for other government employees, I understand. I suppose, being in the Congress makes a difference in how a person feels about things, though. I wonder if you ever give a ——— how we feel anymore.

Man, it would take a lot of wheat at present prices to pay for that increase, you know it? Let's see now. Wheat was posted at $1.25 per bushel in our elevator today. Since the pay increase we've been talking about amounts to $20,000 a year, it would take 16,000 bushels of wheat at $1.25 per bushel to pay for it.

The average yield in our country, according to the people at the ASCS office, is 25 bushels per acre. Do you realize you are asking for the total production from 640 acres of wheat or the net production from about 2,000 or maybe as much as 3,000 acres of wheat? Man, if I got full parity price for my wheat, I could get along pretty well, without any other income, from about one-third that many bushels per year (or acres per year).

We farmers are getting mighty dissatisfied with our slice of the "Affluent Society" pie. We'd be mighty pleased to hear that you, Congressman, are introducing legislation—sort of paralleling your pay raise, you know—which will give us the "equalizer" we need to continue in the farming business.

Yours truly,

Many Many Farmers.

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, the editor of the Johnstown, Pa., Observer, received an item that he passed along to his readers which I think should be passed along to my colleagues as a measure of the load of taxes that the American taxpayer is shouldering.

The writer of the article, "How Come I've Got This Dollar Left?" is obviously speaking for the great majority of American taxpayers, not just those in my district.

I commend the article and its message especially to our colleagues on the Ways and Means Committee who clearly have the ability, and responsibility, to ease the financial strain on our citizens:

How Come I've Got This Dollar Left?

One of our Ebensburg readers sent us the following item. We'd like to pass it along:

"I think I'm in big trouble.

"I was going through my pockets today and I found something I can't explain.

"A dollar.

"Yes, a whole dollar.

"I've paid my income tax, and my state tax. I've paid amusement tax, sales tax, hospital tax.

"I've paid taxes for Medicare and old age benefits.

"I've paid the liquor tax, the cigarette tax, the automobile tax, the school tax and the tax to put up a bridge at the other end of the country.

"When I paid my lawyer 600 bucks, I pay tax on that—and so does he. I pay tax on the money I gave the baby-sitter and real estate salesman and the man who makes out my income tax form each year.

"So how come I've still got a dollar?

"Obviously, I've made a mistake somewhere and overlooked a tax.

"But I distinctly remember paying my road tax, the excise tax, the defense tax, and the tax to provide more scholarships for kids to go to the university so they can tell me how rotten the system is.

"I've paid my taxes for sewers, bombs, wheat for India, the Senate, hockey rinks and public transportation.

"Yes, I've paid my water tax.

"And when they charge us an air tax to clean up the pollution, I'll pay that, too.

"I confess I haven't paid my death taxes yet.

"But I will.

"I've paid my taxes for parks, fire protection, law enforcement. I've paid my taxes to help the farmer, the Indian and the unmarried mother.

"I wouldn't dream of going fishing, owning a dog or getting married without first paying the tax.

"I pay taxes on the toothpaste I use when I get up in the morning and I pay taxes on the pillow I rest my head on when the day is over.

"How come I've got this dollar in my pocket? Where did it come from? Did somebody put it there to get me in trouble? Is there a tax when you find a dollar like that?

"I'm not sure.

"But I know the government is going to be sore when they find out I've got it."

VIETNAM AND THE SECOND CONFERENCE OF THE WORLD ANTI-COMMUNIST LEAGUE

(Mr. DERWINSKI asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. DERWINSKI. Mr. Speaker, this past December 15–20, the Second Conference of the World Anti-Communist League was held in Saigon, Vietnam. It is not without extensive political significance that some 200 anti-Communist leaders from the free world convened in this capital for the conference. At a time when the free Vietnamese are fighting for their survival both on the battlefield and also in Paris, the conference proved to be a boundless source of inspiration and encouragement to them. Its results were felt throughout Asia.

For the benefit of our Members and our people in their understanding of WACL and how Asians view the Vietnam problem, I commend the following addresses and notes pertaining to this conference: First, an address by President Nguyen Van Thieu of Vietnam; second, an address by Prime Minister Tran Van Huong; third, remarks by President Thieu at a state dinner; fourth, an address by Dr. Ku Cheng-kang, chairman of the 1968 WACL Council; fifth, a provocative lecture "On the Necessity of a Vietnam Strategy," by Chief of Staff Gen. Cao Van Vien; sixth, a message from President Chung Hee Park of Korea; seventh, a short article by Dr. Lev E. Dobriansky, of Georgetown University, "Stand Fast In Paris Talks"; eighth, WACL's resolution in support of 10th anniversary of Captive Nations Week; and ninth, the Vietnamese position on the Paris peace talks:

Speech of the President of the Republic of Vietnam at the Opening Session of the General Conference of the World Anti-Communist League and the Asian Peoples' Anti-Communist League, Saigon, December 16, 1968

Mr. Chairman, Distinguished Delegates and Observers, Ladies and Gentlemen, on behalf of the government and the people of the Republic of Vietnam, I extend to you our warmest and most sincere welcome.

I would also like to convey my best wishes to all the people you represent.

Ladies and Gentlemen,

Your presence here today will certainly be considered by future generations as the most crucial historic event of an era when all the nations in the world are united in a common effort to obstruct the communist invasion and establish and maintain freedom, equality and happiness. You are the symbol of our firm determination to succeed in this noble cause.

Your attendance today dramatizes to the world our struggle for justice, freedom and equality. At the same time, you are evidence of the highly valuable international cooperation of our time.

I believe that your presence here will give a chance to all nations and social communities to understand each other better, and to improve and develop existing international cooperation. To attain such goals, I would like to offer you an opportunity to understand a country whose fate affects you all. I invite you to understand its people, the Vietnamese people, as well as the momentous events here which have been the permanent concern of the world.

Today, at this conference hall, I would like to tell you what the Vietnamese people wish to tell all their friends, the freedom-loving and justice-preserving people in the world.

These are the facts closely related to a world wide movement which has to be considered as a common international mission to halt communist aggression. These are the facts about the circumstances, the lessons and the formulas that the Vietnamese people have experienced, endured and applied in order to win a final victory for freedom. These also are the multi-facial images that will bear witness to the different meanings of this struggle which the Vietnamese people have pursued and recognized as a responsibility in our position as an outpost of the Free World.

Ladies and Gentlemen, fourteen years ago, the communist imperialists successfully carried out the first part of their scheme to expand their influence in Southeast Asia when they occupied the northern territory of our country thanks to the 1954 Geneva agreements. The agreements were strongly opposed by the Vietnamese people, who did not sign them. At that time, however, a weak country's call for help in a just cause did not arouse the human conscience, which was buried beneath the shady, opportunistic intrigues of world politics. Under such circumstances, the remaining half of our country was subjected to heavy pressure by international Communism for 14 years.

Today, the whole world has clearly understood the cruel war that the Vietnamese people must face. The communist terrorist activities occurred almost incessantly: every day, every hour, everywhere in our country. After occupying the northern half of the country, the communists did not stop their invasion, as some people falsely believed. On the contrary, the communists increased their efforts to expand their influence all over Southeast Asia. The remaining part of Vietnam was their first target. To win this prize, the communists followed a policy of terrorism. According to the strategy, the enemy's morale should be the first bastion destroyed. Therefore, the communists created unsafe conditions in the remaining territory in order to depress our morale, to discourage and terrify the Vietnamese people by brutally frustrating all their efforts to resist. Thanks to the communications media, the whole world knows that over 300 thousand communist cadres and troops, supported and armed by the communist bloc, are present on our territory to fight for their goal. But these are only the remaining of 401,000 communist cadres infiltrated from Dec. 19, 1959 to Nov. 30, 1968, after having suffered several losses.

These troops are reinforced at the rate varying from 6,000 to 16,000 men per month. Replacements enter South Viet-Nam through the Laotian border areas and through the DMZ, supposedly created by the 1954 Geneva Agreement to prevent all armed contacts between the communists and our half of this country.

With such regular reinforcements, and above all with their policy of crushing the human dignity and even the lives of all people who are for or against them, the communists could launch many acts of terrorism, destruction and death without much difficulty.

Before the March 31 decision to limit the bombing to a part of the North, in the first three months of 1968, the communists had launched 3049 acts of terrorism—shelling, ambushing, attacking and destroying the isolate villages, assassinating innocent civilians, including women and children.

In the following six months, the communists created 6149 similar incidents. The above data prove that the communist terroristic attacks have increased since the day we declared our partial bombing halt on North Vietnam. In November alone, after the total bombing halt declaration, the communists shelled 181 times into the provinces and districts of South Vietnam taking the lives of 502 people and wounding many others, the majority of them were always innocent women and children.

Could you imagine that on the day the total bombing halt of the North was declared, the communists shelled a church situated not very far from this Conference Room with a rocket? It was All Saints Day, and the people were congregating in the church for a mass. There were 80 victims of this shelling—20 dead and 60 wounded.

Despite the silence of this Conference Room, you can be sure that at this very moment when I speak to you, somewhere in this country, at least one if not many of my compatriots are being massacred. They are ordinary farmers, workers, or businessmen busy in their daily work; they could be public health specialists or teachers who are taking care of the local inhabitants or teaching a class; they could be the children themselves, who are just reading their first lessons. The communists massacre these innocent people because they are easy targets. Moreover, the communists believe that the more they use terrorism, the faster they will undermine our will to resist.

However, there is one thing I am sure of: no Vietnamese are discouraged about their country's prospects in its encounter with the communist invasion. In the contrary, thanks to terrorist acts like the ones I have mentioned, the Vietnamese people have come to a better understanding of the real nature of Communism. They know fighting tactics and the objectives of the communist ideology, and they are aware of the fate that this doctrine has reserved for human kind.

All of these facts reaffirm our belief that we must have the right to choose between Communism and a calm life, full of freedom, equality and happiness. Our people are determined to reject Communism and take the road leading toward a noble life of their own making. And, in every moment of difficulty, our people have fought incessantly to protect their right of self-determination. The communists want to throw Vietnam into disorder, and make the Vietnamese people weary and fearful, but their tactics have been rendered ineffective. The concrete successes of our constructive programs are the most eloquent proofs of our stability. Toward the end of 1965, Vietnam's over-all condition was described as quiet, but full of potential trouble. Within the next 20 months, that image was totally shattered by events. Our fiery struggles to fight and build have demonstrated our determination to reject Communism, to lead the Vietnamese people in overcoming the most difficult obstacles, to reinstate faith within all freedom-loving men that Communism will undoubtedly be annihilated in the end. In this relatively short period of time, our closely concerted efforts on the battlefield and on the domestic front have helped us master the military situation, establish political stability, and achieve the most glorious victory of all—the creation of a democracy, with all its constitutional provisions. The improvement in our situation is demonstrated by the communist change of strategy—from armed invasion of our country, they have turned to a political struggle. Communist imperialism has been exploiting the peace-loving mind of the Vietnamese people. In this new attack, they hope to gain the victory which they have failed to win militarily for many years. Communist propagandists have mobilized all their resources to distort the true nature of the struggle that the Vietnamese people have been carrying on.

They are now trying to create misconceptions of the role of the Allied Forces in our struggle. In other words, the communists are trying to take possession of the beacon of freedom, which never exists under communist regimes. Because we have denied their acts of reprisal, except in the territory they control in the North, they hope to benefit from the political issue they have created by holding peace campaigns.

Ladies and Gentlemen,

Despite these communist efforts, I believe that the true nature of the struggle we wage is still recognized by all freedom-loving people and the public opinion of the world. The Vietnamese people know that the present effort aims at protecting the whole territory from the fanatic ambition of the communist imperialists. Our actions, though they are military ones, remain those of indisputable self-defense. The Vietnamese people are basically a peace-loving people. Historically, every Vietnamese has hated and loathed warfare. Yet, Vietnam also possesses a heroic tradition, manifested by our history of fighting to preserve intact the country of our ancestors. Due to this tradition, and to our concept of the supreme right of the nation—the right to live a humane and just life—Vietnamese also know when to fight, when to accept war as a means of survival and improvement. We know that destruction, death and suffering are some of war's effects. However, war has another result: it prevents the spread of such disasters.

This result is the goal of the Vietnamese and other peoples struggling against imperialist communist aggression.

The people of Vietnam also see that due to the crucial position of their country, if the communists win the war here, not only Southeast Asia, but the peace of the whole world will be seriously threatened. Recognizing the importance of the situation here, the Vietnamese have really accepted a most dangerous and painful challenge for the benefit of the whole human race. They obviously fight not only for their people's right to live, or for their country's future peace, but also for all mankinds. For Vietnam is not the final aim of the communists: it is merely part of the strategy they employ on the way to their final objective of conquering the world. Consequently, for many years the Vietnamese have been engaged in a war with a world communist bloc, not with a regional communist force. In an effort to prevent an awful disaster in our age, this country has played the role of a bastion protecting an immense rear, the Free World.

Ladies and Gentlemen, I do not wish to request compensation from any country. I merely emphasize the facts.

I have often insisted that this age is one in which all countries of the world have a common mission—the prevention of disastrous communist aggression. Playing the role of bastion for the Free World, Vietnam just makes some contributions to that mission. Carrying on its task, it is merely bound by its obligations to humanity.

By this, I mean that our people carry on the struggle, not because of any concept of knighthood, but because of these feelings of responsibility.

Our people have proved their fidelity to the concept of responsibility. They promise to overcome all obstacles, to continue to lead an international struggle for the existence of all humanity.

From now on, the Vietnamese people have the right to ask for the cooperation of all free nations in achieving the justice which is the aim of our fight.

Already, many countries have responded to our call. Their support, aid, and cooperation in all types of activity have contributed greatly to the success of the Vietnamese fight. For that precious assistance, they receive the gratitude of the Vietnamese people and all mankind. That precious contribution, however, could not change the true nature of the conflict in Vietnam.

The Vietnamese government and people use their concept of the war's character as the basis for all political solutions to reestablish peace in this part of the world. As we see it, the actual situation of Vietnam is summarized in three important points:

First: The Republic of Vietnam has been a victim of communist aggression, with Hanoi used as a spearhead of invasion.

Second: The presence of the allied countries in Vietnam merely demonstrates the spirit of international cooperation, of sharing a common task—the fight against communist aggression to preserve human peace.

Third: The Vietnamese people have adopted democracy and will preserve it at any price.

A political solution will not respond to the legitimate aims of Vietnamese people and of all peace-loving peoples if it does not recognize these three important points.

All political solutions which do not respond to these points will destroy the spirit of international cooperation, and lead the common fight against communist aggression to a disastrous defeat.

To solve the above points, the government and the people of Vietnam base all their moves toward peace on the following demands:

Communist imperialism must stop all activities under any form against the Republic of Vietnam, because this war was started by the communist imperialists with their strategy of aggression.

Since the Republic of Vietnam has been a direct victim of their invasion, the communist imperialists must deal directly with the government and the people of Vietnam about all items concerning our situation.

Since the Vietnamese people have adopted democracy as the basis for all political activities and social organizations, the government and the people of Vietnam will never accept any communist organization in our territories.

That position is the best one for the Vietnamese people to adopt in order to serve the supreme right of the nation.

That position also illustrates the Vietnamese people's promise to participate in the international anti-communist mission.

That position is reaffirmed as an unchangeable position of the government and the people of Vietnam, a most logical, reasonable and just position.

All circumstances, all further challenges, will only arouse the Vietnamese people's firm determination to protect the above position and to demolish by force all aggressive intrigues of communist imperialism.

Mr. Chairman, Distinguished Delegates and Observers, Ladies and Gentlemen, I have just presented to you the main aspects of our situation: our choice of the ideal of Freedom, our efforts to maintain that choice, and the basic stand that the Vietnamese people have adopted in order to solve the war by a political formula.

I hope my presentation has given you an opportunity to understand thoroughly our country, as well as the crucial importance of a spirit of international cooperation during the current situation. The fate that has been oppressing Vietnam would be a standard one for every country in the world, were the communist doctrine to spread there.

That fate is the suffering from war dangers, and a confused, upset condition of living which has to include more destruction than construction. That fate is the worry caused by a threat to enslave, to smash, to bring a dark future to a society that could loose its reasons for living: freedom, justice and happiness.

Certainly, no country in this world would like to suffer such an end. Certainly, no country in this world would refuse to help push back this menace. This correct understanding and logical demand have showed us the crucial importance of an international cooperative spirit since its most immediate effects will be the active and effective contributions to the struggle against the oppressions that the communists have created in every nation.

I believe that with a firm resolve of international cooperation, we can easily succeed in building up a force capable of smashing any attempts from the communist empire.

In other words, with international cooperation the right cause could be protected efficiently, justice would be carried out everywhere, and the ideal of freedom would certainly snatch the final victory and return happiness to mankind.

Mr. Chairman, Distinguished Delegates and Observers, Ladies and Gentlemen, The formation of this World Anti-Communist League, of which you are representatives, expresses today's clearsighted understanding of the necessity for international cooperation if mankind is to survive and progress.

With a total of 53 member units representing nations and organizations of all nationalities and with the participation of over 30 organizational units from all over the world, the World Anti-Communist League highlights the wide acceptance of the concept of cooperation as well as the genuinely anti-communist stance of the world.

I hope and I am convinced that in the near future the World Anti-Communist League will play the positive role of an international anti-communist force, helping to accomplish the mission of our age: the defeat of Communist aggression, the restoration of happiness of all people of the world, the promise of progress to future generations.

I hope that in this second General Conference, the problems I have mentioned will be examined and solved by your intelligence, as well by the firm desire for victory that you have brought from all over the world into this Conference Room. I would also particularly remind you that you are at a front line of the international anti-communist war. This hazard is not in vain, for you may realize clearly what is happening. Your presence here gives you facts, upon which you may base the best formula of resistance—such a formula was the main objective of your previous annual meeting.

I thank you for having given me an opportunity to express in words the just cause of the people of Vietnam, and I sincerely wish you success in the General Conference.

Again, through you I would like to send the warm salutations of the people of Vietnam to the fellow fighters and the freedom-loving people all over the world. At the same time, I would give to you and then our people's determined promise to continue till final success our fight for a right cause, justice, and happiness of mankind.

SPEECH OF PRIME MINISTER TRAN VAN HUONG BEFORE THE ASIAN PEOPLE'S ANTI-COMMUNIST LEAGUE, SAIGON, DECEMBER 19, 1968

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen, this Capital of Vietnam takes singular pride in its choice as the site of the World Anti-Communist League and Asian Peoples' Anti-Communist Conference.

I join the President of the Republic of Vietnam who addressed the opening session of the World Anti-Communist League Conference last Monday in conveying to you most warm and sincere greetings of the Government and People of Vietnam.

Everybody is well aware that the situation in Vietnam has reached a crucial stage, perhaps its most decisive phase since the Communist launched their war of aggression on this country.

Your convening here, the activities of your conference, and above all the anti-Communist ideal that your League has championed the past 14 years and is upholding with boundless perseverance and unwavering faith—all these provide encouragement and much confidence for our people in their struggle against aggression and fortify their resolve to solve the problems of war and attain restoration of peace.

More than anyone else you are conversant with the conditions and experience arising from a challenge to realise the true nature and extent of the impact of this devastating war.

The aggressor has always cloaked his nefarious design with such terms as "war of liberation" or people's war."

The nearsighted and the highly gullible are prone to be deceived into thinking that this is an internecine conflict, a sort of civil war involving people of the same blood. But you and I know it for what it really is, that is naked aggression by the Communist imperlialists who seek to impose their dream of subjugation of not only 14 million South Vietnamese but also of Asia and the whole world.

This is not mere accusation or idle speculation but concrete fact proven by the policy of the aggressor.

Red China's Lin Piao publicly declared three years ago that a special characteristic of the Chinese Revolution is to seize the rural areas to encircle the cities, finally occupy the cities and thus win victory throughout the country.

In outlining this strategy of world conquest, Lin Piao likened North America and Western Europe to the cities of the world and Asia, Africa, and South America to the rural areas in his anology.

It is obvious that this war which our people are bravely shouldering constitutes one phase—perhaps the fiercest—in the plan for world conquest by the Communist imperialists.

Once this bastion of the Republic of Vietnam falls into Communists hands, the free nations of Southeast Asia will one by one be threatened, invaded and finally subjugated.

As such Free World nations in Europe and America cannot be sure that they shall be able to preserve their sovereignty and protect their people, let alone go to the rescue of their friends in Asia.

Awareness of these Communist goals constitutes in itself the initial step towards a wise solution of the Vietnamese problem since peace, a true peace, just and durable, cannot be brought about by the surrender of a nation, especially when that nation has sacrificed so much blood in one generation for the ideal of freedom.

Neither can peace be attained by concessions to the aggressor on the battlefield or the conference table.

The aggressor should return to his former position! This is the sole, minimum, logical and simplest approach to a solution of the Vietnam issue and a true peace settlement which the South Vietnamese have been longing for.

It is indeed heartbreaking for us Asians when we consider that here in Asia, the cradle of the greatest religions and virtues of mankind, we now see hundreds of millions of Asians oppressed, trampled by the iron heels of believers of the most despotic, atheistic, and inhuman doctrine that history has ever known.

It is also tragic that millions of other Asians, for instance the Vietnamese people, are once again being torn to pieces by the Communist dream of expansion.

Nevertheless, we are of the firm conviction that Asian philosophy and morals are still our sources of strength, enthusiasm, and hope for victory. With hard struggle and reconstruction efforts a free, peaceful and happy Asia shall once again emerge.

I believe that you share with me this cherished thought, a desire that motivates all your endeavours.

I sincerely wish your Conference greatest and most satisfactory success.

TOAST BY THE PRESIDENT OF THE REPUBLIC OF VIETNAM

(At the dinner in honor of the Delegates and Observers to the Second Conference of the World Anti-Communist League and the Fourteenth Conference of the Asian Peoples' Anti-Communist League)

Mr. Chairman of the World Anti-Communist League, Mr. Chairman of the Asian Peoples' Anti-Communist League, Distinguished Delegates and Observers, Ladies and Gentlemen, I am very happy to welcome you in our midst tonight. It is highly significant that your Conference is held this year in the Capital of our Republic which has been and continues to be on the front line of the struggle for freedom, in the face of the relentless efforts of International Communism to extend its rule over this part of the world.

Our thoughts today go to all the noble fighters who have given their lives for the defense of freedom, and to all the peoples who are now suffering under the yoke of Communist Imperialism.

How the peoples in the Countries occupied by the forces of Communist tyranny feel about Communism have been made abundantly clear on many dramatic occasions: At the conclusion of the Korean war, over 22,000 Communist Chinese and North Korean prisoners of war under the custody of United Nations Forces chose freedom in the face of Communist threats and blandishments. The Communist Chinese soldiers were supposed to be "volunteers" fighting against the United Nations Forces. And yet, they chose not to return to their homeland, when they were given an opportunity to escape Communism.

In Viet-Nam, when the 1954 Geneva Agreements partitioned the country and placed the Northern part of Viet-Nam under Communist rule, nearly one million people abandoned all their possessions, their homes and their ancestral lands to seek refuge and freedom in South Viet-Nam, in spite of Communist obstructions and intimidations. Many more would have followed the same path to freedom if they had the possibility.

In Eastern Europe, the valiant insurrection of the Hungarian people in 1956, and the recent attempt of the Czechoslovak people against Soviet Russia's domination have indicated eloquently that in the East as well as in the West people everywhere have the abiding attachment and deep aspirations for freedom.

However, since the end of World War II, the Iron Curtain of Communism has not receded. On the contrary, it has stretched over Eastern Europe, the Chinese Mainland, North Korea and North Viet-Nam. It is menacing to extend over the whole of Southeast Asia if the frontline of resistance against Communist expansion in the Republic of Vietnam is to yield under Communist pressures.

What accounts for the advance of the Iron Curtain? According to an old Asian adage, we have to analyze the past in order to face the future.

It appears to me that there are four major reasons which account for the expansion of Communism in the past two decades:

1—The *illusions* in the Free World about the reasonableness of Communist leaders,

2—The flaws was weaknesses in the practice of *containment* in facing Communist expansion,

3—The method of *war by proxy* used by the major Communist powers, and the Communist strategy of war by *infiltration* and *subversion*,

4—The greater *solidarity* of the Communist bloc in comparison with the divergences of views and self doubts among the free nations.

I believe that an objective examination of these main points will help us to meet the Communist challenges more effectively.

First, the Communist expansion at the end of World War II was due in no small measure to the *great illusions* in the Free World based on the wishful thinking that the Communist leaders were essentially social reformers who had been pushed by circumstances to extreme methods, and who could become reasonable and constructive if only we gave them the chance. We have seen that the great hopes that the idealists in the Free World placed on "Old Joe," the late Joseph Stalin, during World War II have ended in tragic disillusionment.

Another example of dangerous wishful thinking was the belief during the Chinese Civil War that Mao Tse Tung and his colleagues were only agrarian reformers. The rude awakening which followed the Communist takeover of the Chinese Mainland has not dampened the feeling among certain segments of public opinion in free and neutral countries that the Peiping regime has behaved in an irresponsible manner only because it has been isolated, and that the remedy to this situation would be the recognition of the Peiping regime by the Free World, and the acceptance of the participation of the aggressive and tyrannical Peiping regime in all the activities of international life.

Today, another dangerous wishful thinking is in the making among some quarters in the Free World. That is the theory that Ho Chi Minh in North Viet-Nam has been pushed by circumstances to be a Communist although he is a nationalist at heart, and that, given adequate opportunities, he can become a Tito of Southeast Asia.

No belief is more illusory and more dangerous.

Ho Chi Minh has become for a long time a fanatic Communist, and he has never hesitated to sacrifice the national interests of Viet-Nam to promote the interests of International Communism. An evidence of this is his liquidation of the nationalist patriots during the Vietnamese struggle for National independence, and his establishment of a Communist regime when this was highly damaging to the cause of Vietnamese independence, at a time when Mainland China was not yet Communist, Russia was too far away for help, and the establishment of a Communist regime in Viet-Nam discouraged any help which might come from the victorious Allies at the end of World War II.

Besides, we should not lose sight of the fact that Tito has been able to maintain an autonomous Yugoslavia because Yugoslavia does not have any common borders with Soviet Russia, otherwise it would have already suffered the fate of Hungary and Czechoslovakia. North Viet-Nam on the contrary has a long common border with Communist China, and could never maintain a defiant or independent line of action from Communist China.

We should also keep in mind that a Communist Viet-Nam can become another center of Communist aggression and expansion regardless of whether it can be independent or not of Communist China, in the same fashion that Communist China has become another center of Communist aggression regardless of whether it is in harmonious relations or not with Soviet Russia.

The *second factor* in the Communist advances since the end of World War II is the nature and practice of the *containment policy* against Communism in the last two decades. In the face of a wholly defensive policy of the Free World, International Communism has been constantly probing in various areas of the world in their relentless drive for expansion. Unless containment *at least* strictly guarantees the *status quo*, each gain for the Communist camp is a net and definite loss for us.

Against an aggressor who has made no secret of his ultimate purpose of world domination, we should keep him on the defensive, and maintain the flame of hope in the hearts of the multitude of people now living under Communist tyranny.

In its drive for expansion, International Communism has been skillfully alternating armed aggressions and negotiations. But as the late President John F. Kennedy pointed out, the Communist approach to negotiations is "What is mine is mine, what is yours is negotiable". The Free World should be constantly aware of this warning if we want to hold our ground against Communist expansion.

The *third* element in the struggle between International Communism and the Free World is the fact that the Communist powers have, in the context of the nuclear stalemate, invented the method of *war by proxy*, by instigating, supporting, and arming insurrections and aggressions committed by their satellites and agents. In this fashion, they intend to bog down and wear out the great powers of the Free World, while avoiding direct retaliations against themselves.

As you remember, as early as 1961, Khrushchev publicly supported the so-called "wars of national liberation".

A few years later, in 1965, Lin Piao developed the theory that Communism should be expanded first over the underdeveloped areas of the world leading to the gradual isolation and collapse of the great powers of the West, in the same fashion that the Chinese Communists first took over the rural areas before they surrounded and submerged the cities on the Chinese Mainland.

In this machiavellian strategy, the Communists have perfected the tactics of aggression by infiltration, subversion and terrorism.

Nowhere are these strategy and tactics put into practice more vividly than in Viet-Nam.

The war in Viet-Nam is a test case. If successful in Viet-Nam, the Communists will certainly apply again these strategy and tactics, with more fervor than ever, not only in the surrounding areas of Southeast Asia, but in other areas of the world as well.

The *fourth* factor which deserves consideration is the fact that, in this ideological struggle, the Communists enjoy far greater solidarity among the Communist bloc than a free country, fighting for self-defense, can enjoy from other countries of the Free World.

In the Viet-Nam war, militarily the North Vietnamese aggressors have been receiving large supplies of modern weapons from Soviet Russia, Communist China, and the Communist countries of Eastern Europe. A part of these supplies are even transported to North Viet-Nam by ships from free countries of the West.

While a number of people in the West criticize our defense of freedom in Viet-Nam, one of the big arguments between Soviet Russia and Communist China is as to who, between the two, is actually helping more the North Vietnamese Communists, while each of them claims to contribute the greater share, and to support more fully the North Vietnamese aggression.

In political warfare, not only all the Communist countries but also Communist and leftist organizations everywhere, in neutral as well as in free countries, give the Viet-Cong constant and enthusiastic support, while the free peoples are divided by divergences and self doubts and sometimes dwell more in the shortcomings of the defenders than on the crimes of the aggressors.

Mankind is now at an important juncture of history.

To defend freedom, free people everywhere must stand solidary and united. We must maintain our firm purposes and persevere in our efforts.

The answer to Communist expansion is not in unilateral concessions, but in the establishment of conditions which could strengthen our common defense, and would hopefully bring back some day the light of freedom to the oppressed peoples now suffering under Communist slavery.

In the Free World, the classification has been made between the "hawks" and the "doves."

Among those who are dedicated to the ideals of freedom, I do not think that the differences are really substantial between the hawks and the doves.

I do not believe that the so-called hawks love to wage war for the sake of war, and I do not believe that the so-called doves are willing to sacrifice freedom to have a peace which can be only temporary.

I am however concerned about the "ostriches" who think that they can conjure away the storm by putting their heads under the sand.

To achieve the peace of the free and of the brave, we should be constantly vigilant, and be ready and willing to make sacrifices if need be, and to have the courage and the wisdom to persevere until freedom is preserved and secured.

In this pursuit, may I ask you, Ladies and Gentlemen, to join me in a toast to the triumph of freedom and justice throughout all the corners of this world, and to the everlasting solidarity among free men everywhere.

ADDRESS BY DR. KU CHENG-KANG, CHAIRMAN OF THE 1968 WACL COUNCIL, AT THE OPENING CEREMONY OF THE SECOND CONFERENCE OF THE WORLD ANTI-COMMUNIST LEAGUE

I have the honor to declare the formal opening of the Second Conference of the World Anti-Communist League.

Since its first Conference at Taipei of the Republic of China, in September, 1967, the World Anti-Communist League has taken up the historic mission of fighting for human freedom and world peace.

In the last fifteen months we have seen a rising tide of freedom against the forces of enslavement in all parts of the world. Though the liberalization movement in Eastern Europe and particularly that in Czechoslovakia has been temporarily suppressed by Soviet armed might, the flames of freedom will continue to burn until they become an unextinguishable conflagration. The continued intensification of the anti-Communist and anti-Mao Tse-Tung struggle on the Chinese mainland has kept the Peiping regime on the brink of collapse. The intensified internal conflicts and mutual rivalries in the Communist bloc as well as the gradual awakening of the free peoples to the need for stronger unity to resist Communist aggression show unmistakably that the forces of freedom are becoming ever stronger.

In this titanic struggle for freedom, all of us of the World Anti-Communist League will be our best in Asia, Africa, Europe, and the Americas. Our just cause, our firm stand, and our positive actions will make the League the vanguard of the times. Before turning over my responsibilities as Chairman of the Council to my distinguished successor, I wish to salute all member units of the League for the important contributions they have made to the common cause in the last fifteen months.

Of course, not everything is as rosy as we should like it to be. The air is still thick with appeasement and International Communism is still threatening to expand outward both in the Orient and in the West. Soviet military forces have extended towards the Middle East and the Mediterranean. Chinese Communist infiltration, subversion, and armed threats have been directed against many Nations in Asia. And recent developments in Vietnam with the Paris peace talks are confronting Asia with a grave crisis in her struggles for freedom. It is against such a background that the Second Conference of the League is being held at foremost front line of the fight for freedom; the capital of the Republic of Viet-Nam. The time and place of the Conference are ample evidence of its extraordinary political significance.

On behalf of the League, I want to pay our highest respect to President Nguyen Van Thieu of the Republic of Vietnam, whose Government and people are gallantly resisting Communist aggression, and to the American and other allied forces who have been making immense sacrifices in important contributions in the fight for the preservation of the independence and freedom of Vietnam. I must also express my sincere appreciation for the elaborate arrangements made by the Host Chapter for the second WACL Conference and the 14th APACL Conference in the midst of a full-scale war. Moreover, I extend my hearty welcome to all of you distinguished Delegates and Observers, who have come from long distances to attend the Conferences here in spite of all difficulties and dangers.

We meet in Saigon today to express the support that the forces of justice unanimously render to the Republic of Vietnam in its fight for freedom and independence, to show the solidarity of the free peoples in their uncompromising struggle against the wicked forces of Communism. We are meeting here in order that the world situation may develop in a more correct direction and open up the prospects of a brighter future for the cause of freedom, and for the early realization of the aims and objectives of League.

Therefore, we must work in unison to insure the success of this Conference and to make our influence more widely felt. As I see it, what we should work for here is the formulation of a common global strategy against Communism so that all the forces of freedom may work in coordination and take concerted action to defeat the enemy. For this reason, the meeting of the Executive Board in Saigon last May resolved that at this Conference there should be a special session devoted to the subject of "Countermeasures to the So-called People's War". The fruitful findings of the discussion shall become the substance for a common global strategy. With your permission, I should like to offer my own personal views as to what its basic principles should be.

First, its aims should be the preservation of the freedom and security of the entire free world, paying equal attention to both Europe and Asia, so that the free world may present a united front against a divided Communist camp.

Secondly, it should fight back against any Communist aggression by the combined strength and concerted action of the free world, with regional, collective security organizations established to frustrate the enemy's tactics of defeat-in-detail.

Thirdly, it should take counter offensive measures against the enemy on all fronts, ideological, political, economic, and social, in order to weaken the enemy and intensify his internal crisis to insure victory in necessary military actions.

Fourthly it should take advantage of the internal conflicts of International Communism and first strike against its most madly adventurous and isolated entity, while at the same time, giving active support to those fighting for freedom behind the Iron Curtain in order to hasten the early disintegration of the Communist tyranny.

Fifthly, it should assert the firm conviction that freedom will ultimately triumph and thus doing away with the mistaken policies of appeasement.

These five points have been arrived at through painful experiences in long-time struggles with Communism by many free nations. I believe that to follow these principles will insure victory. The Declaration of the League and the Common Program of Action adopted at the First Conference have already shown that these are the aims and purposes of our endeavors. May these form part of our discussions and resolutions so that other people will be persuaded to accept them for implementation.

We are most concerned over the peace talks in Paris. We firmly support the principle that any peace settlement should be based on preserving the independence and freedom of the Republic of Vietnam and maintaining a lasting peace in Asia. The allies must not fall into the Communists' peacetrap, nor allow them to gain at the conference table what they have failed to get on the battlefield. We hope that the NATO will be further strengthened, that an Asian and Pacific Regional Collective Security Organization will be soon created, and that there will be in Africa and Latin America their respective arrangements for common defense and mutual security. We will support efforts made by all nations to resist Communist aggression and to frustrate all Communist attempts at infiltration and subversion. We will give all possible moral and material support to the liberalization movement in Eastern Europe, the anti-Communist and anti-Mao Tse-tung struggle on the Chinese mainland, the anti-Kim Il Sung struggle in North Korea, the anti-Ho Chi Minh struggle in North Vietnam and to all other enslaved peoples in their struggles for freedom. We will promote stronger mutual economic assistance and technical cooperation among the free nations and urge the highly developed nations to render necessary and adequate assistance to the many developing nations in Asia, Africa, and Latin America in order to strengthen the free world. We will give expression to the best qualities of Oriental and Western humanism to fight better on the ideological front. In particular, we expect that the United States will, abiding by the basic principles on which the United States has been founded and in the light of actual needs, adopt a global strategy that pays equal attention to both Europe and Asia, and play the leading role in facilitating the achievement of the objectives I have submitted to you.

In closing, I want to thank all member units and friends of the League for their wholehearted cooperation and support given me during my tenure of office as Chairman of the WACL Council, especially for their warm response to the statements I have made on important developments of the world situation from time to time. My thanks are due to Dr. Jose Ma. Hernandez, Secretary-General of the WACL, for his hard work and cooperation. Now I have the honor to present Dr. Phan Huy Quat, whom we all know and respect, the Chairman of this Conference, a position to which he was elected at yesterday's meeting of the WACL Council. I am sure that under his able leadership, our League will see great growth and development. I wish the Conference every success in the early realization of the aims and purposes of the WACL and the consequent victory of the cause of freedom. And the best of health to all of you.

On the Necessity of a Vietnam Strategy

(By Gen. Cao Van Vien)

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen, for reasons beyond my control, I am faced tonight with the great honor and also the great challenge of speaking to you. I consider it a great honor, for at no time in my long career as a soldier and a military leader have I been given the task of addressing such a distinguished audience.

A great challenge, it also is, for among the many guests and officials here tonight, a great many—possibly the entire congregation—are heads and shoulders above me in intellectual capacity. But a challenge is a challenge, and as you know, an airborne officer never refuses a challenge, however difficult it may be.

The topic, which I have chosen for tonight, of course, has something to do with my profession. It is the problem of a proper strategy, which we of the Free World should devise and adopt to bring the Vietnam conflict to an end, successfully.

Mr. Chairman, Ladies and Gentlemen, in the olden days, when war was still the monopolistic concern of emperors and kings and a small number of captains with political ambitions, Strategy enjoyed an incomparable reputation as a science. It was considered as an essential instrument of victory or the very cause of defeat in all military conflicts.

Against this context, one easily understands why the name of Karl von Clausewitz (1780–1831) became a household word, and Sun-tze's grew to be venerated in both East and West. Also against this context, one appreciates why Liu Pei, one of the scions of the famed Han dynasty, humbled himself three times to win the services of Kwon Ming, the most remarkable strategic mind of the Three Kingdoms period.

With the great scientific strides made by man in the past hundred years, however, the nature of war itself appears to have changed. Instead of a confrontation of wills, it seems to have grown into a contest basically involving such material means as industrial capabilities, production of weapons, and others. In the present day, war also has become total in character, encompassing all aspects of a nation's life and bringing about a radical change in principles guiding its conduct.

On the basis of history-making developments in the recent past, one can say that such notions as military doctrines, strategies and tactics have given way to technical inventions and scientific discoveries as potential solutions to the problems created by the state of war. Contemporary history includes many examples pointing to the bankruptcy of Strategy as the primary war-winning factor.

It is my view that France defeated Germany in World War I *not* because of a better strategy and, thus, its strategically inexplicable victory over the German armies in 1918 includes the very seeds of its debacle twenty years later. I am also of the opinion that the Anglo-U.S. Alliance of the early forties, after saving Western civilization from the prospects of a new Dark Age made more protracted and terrible by novel scientific inventions, forfeited one third of mankind to Communism in the decade following V-Day simply because of the non-existence of a proper strategy.

Let me also tell you of my view that the Korean and Indochina wars ended in conditions unfavorable for the Free World simply because it did not have a proper global strategy to counter the new perils engendered by that of the Communists, which is based on "revolutionary" wars and "limited" conflicts.

In the case of the present Vietnam crisis, too, the many great difficulties encountered by the forces of Freedom should not be traced to our lack of manpower or material resources or to our unwillingness to endure hardship. They should instead be attributed to the absence of a doctrine that should encompass, as the enemy's does, all fields of activities—political, military, economic and diplomatic—out of which a proper military strategy may be developed.

It is a matter of course that if such a strategy may be devised, the initiative would be ours in all respects, and one of its natural consequences would be the reduction of the enemy to the defensive and the limitation of his freedom of action. But before I may venture a few ideas on the proper strategy to be adopted for the Vietnam conflict, let us first have a look at the various strategic tenets that were developed and formulated through the ages, and some of the main points of the most important and lasting doctrines.

In the words of nineteen-century author Karl von Clausewitz "Strategy is the art of making use of a nation's military capabilities to realize its political objectives." Many years later, in 1939, an English military student by the name of Liddell Hart and a French writer by the name of Raymond Aron also gave similar definitions.

In my opinion, such a definition is rather narrow in scope as it gives too much importance to the purely military aspects of a conflict and too little consideration to what Napoleon Bonaparte (1768–1821) referred to as the "sacred part" of strategy. Without this, strategy would be nothing but the totality of war techniques at a given time and, thus, would include such immovable rules as may be applicable to any army, anywhere and at any time. If such is the case, there cannot be more than a strategy. Indeed, strategy cannot be so very simple.

Before going any further, let me try first to define strategy as *the art of influencing the outcome of a conflict of wills, especially through the use of force.* It thus ensues that any strategy should be made up of three separate parts: (a) the planned objective, (b) the means available for its realization, and (c) the plan according to which the said means are used for its attainment.

In the course of the long history of human conflicts, there have been devised many strategies and strategic doctrines. I shall not mention them all, though. What, I think, is of interest to us at the present moment is the strategic approach the Communists have been using—rather successfully—in their avowed conquest of the world.

Communist theoreticians are, of course, many. But leading them all are Vladimir Ilich Oulianow alias Lenin and Josef Vissarionovich Dzugashvili alias Stalin. Both men were known to consider revolutionary wars as the principal means of realization of their global objectives and they have proposed the three following concepts: unity among the people and armed forces, primary importance of the rear, and psychological preparation before any military action of importance.

The first of these principles has had its clearest reflection in the war opposing the Communist and Nationalist forces over 20 years ago on the Chinese mainland. In other revolutionary wars, which take place in smaller geographical contexts, the second principle is of the greatest importance. A winning counter strategy must therefore include measures to eliminate base areas, as they are havens Communist troops may rest and recuperate to prepare their next moves under the safest conditions. So far as the psychological preparation is concerned; it should be noted that this is nothing new as it has been implemented by the armed forces of every country but the Communists have on the whole attached more importance to the practice than non-Communist countries.

China's Mao Tse-tung was to expand and adapt these principles to the particular conditions of Asian and African countries in the late forties and fifties. Through his many writings, Mao proposes six principles: withdraw when the enemy advances, attack when the enemy withdraws, strategy of the few against the many, tactics of the many against the few, live on the enemy's supply, and let the army live among the people as fish in water.

But, still in Mao's view, one of the prerequisites for a successful prosecution of revolutionary wars is the ability of the leaders to mobilize the people politically. Said he: "What is political mobilization? Political mobilization of the masses requires that the people and the armed forces be well aware of the political objectives of the struggle. Each and every soldier and citizen must fully grasp the necessity of prosecuting the war effort and how it affects him personally."

It thus is evident that Mao pays great attention to the problem of mobilization of the masses, allying the masses closely with the armed forces and using man as the main instrument of struggle. Lin Piao was to develop the Maoist theory and use it as the main principle guiding the conduct of the many wars Communist China has been a party to.

Lin is not exactly a military strategist as his contribution to martial literature consists merely of interpretative articles of Mao's thoughts, especially since the Chinese Communist leader stopped writing on military affairs in 1941. As Minister of Defense, however, Lin once sketched Peking's strategy in a long newspaper article that stressed the importance of the two following principles: unity among the people and the armed forces, and encirclement of the townships by the countryside.

In the Vietnam war, the insurgents have constantly tried to apply Lin's principles. Thus, if we are to resist them successfully, we have to give careful consideration to these two strategic points in our attempt to devise a proper counter-insurgency approach.

Against Mao's and Lin's strategic thoughts, military leaders the Free World over, it must be said, have not come up with anything effective enough to counteract them. What are known as gradual dissuasion and flexible response have proved to be inadequate and their deficiencies have led to many limited conflicts. Such conflicts as the wars in Korea, Indochina, North Africa, the Middle East, and the Congo, and such crises as the ones in Hungary, Cuba, and Berlin, are more than adequate proof that these deficiencies may very well gradually erode the military posture of the Free World and tip the balance in favor of the Communists.

Indeed, for nearly a quarter of a century, the Moscow-Peking axis has been rather successful in nibbling away at the free nations of the world, in their effort to enslave mankind, they have consistently refused to directly challenge the U.S. but have tried with different degrees of success to convert wars of independence into anti-American struggles. For whoever knows that this indirect strategy has been instrumental in the elimination of the West from continental China and a considerable part of Southeast Asia, and also should be viewed as the cause of so many of the Free World's headaches in the Middle East, Latin America, and Vietnam, its efficiency seems beyond question.

At the base of this indirect strategy is the idea of establishing a security margin and of attempting to enlarge that margin while trying to reduce that of the enemy. The larger this security margin, also called freedom of action or initiative, the more varied the tactics one may employ. Let us look at the Vietnam conflict and the security margin respectively enjoyed by Washington and Hanoi.

For many years, the U.S. has had but two choices: either to continue to fight with self-imposed restraints or half-heartedly as it is now doing, or bring the war to North Vietnam and be ready for a much broader conflict that may lead to World War III. Meantime, North Vietnam and the National Liberation Front (NLF) of South Vietnam may assault the American embassy in Saigon, encircle Khe-sanh, attack South Vietnamese cities, mine such internationally frequented waterways as the River of Saigon, pound at merchant ships, raid and mortar hospitals, murder hundreds of innocent civilians, and kidnap third country nationals, without precipitating a decisive counterblow.

Why is that so? An answer to the question may be found in the very nature of the Communist strategy, which is one encompassing the entire world and whose success or failure definitely depends on certain external and internal factors.

Vis-a-vis the outside world, the Communists resort to all forms of peaceful struggle. For whoever may not be convinced of their effectiveness, a quick look at present-day America and the immense domestic problems created by the Vietnam war, would be enough to make him revise his opinion. Communist agents the world over have repeatedly appealed to the American people not to support "this dirty war" and by doing so, they have been rather successful in giving the average American a complex of guilt that has its clearest reflections in anti-war movements and the number of U.S. draft-dodgers.

In addition to the above, international public opinion has also been maneuvered to create as many difficulties as possible for the American administration within the U.S. through what may be called the political and psychological front. This, as a rule, takes the form of continued psychological warfare actions that aim at the erosion of popular confidence in Washington in the handling of the simplest domestic development which ostensibly has nothing to do with the Vietnam conflict.

In the implementation of the indirect strategies, however, the real decision is sought more often than not at the level of the local conflict where three decisive elements are clearly distinguished: material capabilities, moral strength, and duration of the fighting period.

If one's material strength should exceed that of the enemy to a considerable extent, the other two factors need not be substantial. If not, one should be well motivated and prepared for a long struggle. These factors influenced Russian strategy in Czechoslovakia and in Korea but results varied greatly from one case to the other because the U.S. reacted differently in each instance.

In so-called revolutionary wars, the rebels, as a rule, do not have strong military means. They, therefore, have to think of their struggle in terms of years and decades, hoping to demoralize their opponents. In this context, it seems only a matter of course that such a conflict always is fought on two equally important planes: the military plane and the psychological plane.

In the present situation in Vietnam, all these elements are clearly in evidence. The lower morale of the Communist troops, which was very high in the early years of the insurrection, is being offset by an increasing reliance on material means. And although the Hanoi leadership still speak of continuing the fight for another decade or two, indications are many pointing to their desire to reach a decision much earlier than the end of this century.

With all of these points in mind, I have sketched a Vietnam strategy that does not claim to be the only one possible at this time. For all its imperfections, let me enumerate its main points before setting to the task of discussing its merits and limitations. This strategy, which I would call one of isolation, includes seven steps:

(1) Separation of the guerrillas from the local population so that their infrastructure may be eliminated; (2) Isolation of the local and regional troops from Main Force units so that they may not rely on one another and be more easily destroyed; (3) Neutralization of in-country base areas; (4) Neutralization of base areas in neighboring countries; (5) Establishment of an anti-infiltration barrier along the 17th Parallel from Dong-ha to Savannakhet; (6) Separation of the enemy's front and his rear by an amphibious landing in the area of Vinh or Ha-tinh; (7) Formulation of a Thai-Lao-Viet-Khmer alliance.

Most of the measures enumerated are purely military in character and cannot be expected to solve the Vietnam problem entirely. Prior to discussing them in detail, let me once again emphasize the total character of this our conflict, for the solution of which there must be a set of social, economic, and political measures likely to strengthen our military position and consolidate our gains on the battlefield.

At the base of the Strategy of Isolation should be our unmitigated adherence to the principle of service to the people. Only if the average person is convinced of the Government's good intentions, can he be expected to keep away from the Communists, thus depriving them of the opportunity to live among the people as fish in water. Only then can the legitimate administration succeed in eradicating the Communist infrastructure in the villages and, in so doing, wreck the enemy's strategy of encirclement of the urban areas by the countryside.

In order to isolate the enemy from the people, the administration must constantly make a many-pronged effort which should not only result in better security and well-being for the masses but also must seek their approval and allegiance, thereby reducing popular grievances and depriving the insurgents of the condition *sine qua non* for fostering subversive warfare in hiding among a discontented people. At this point, I should like to recall the observations of a French writer by the name of Roger Trinquier, author of *La Guerre Modern* (Modern Warfare), where he shows himself to be a very shrewd observer of military developments in modern times. Trinquier suggests among other things that the problem of revolutionary wars can only be solved by meeting the peoples' aspirations with the help of a system of cadres imbued with the spirit of public service.

Before going further, let me once more go back to Lin Piao's principle of encirclement of the townships by the countryside, which, I think, is the basis of the Communists' global strategy as well as the one they follow in limited conflicts. Possibly the single exception, which confirms the general rule, is their *Tet* assault on the cities of South Vietnam but they might have embarked on that road with the hope of gaining control of the countryside as a bonus payment for their bold attacks on the cities.

Against such a strategy, ours also should place the emphasis on the countryside. We Vietnamese should devote all our time, energy and resources to the Revoluntary Development program so as to liberate the countryside. In this undertaking, the Malaysian experiment can supply us with many valuable lessons. Like the Kuala Lumpur government, ours should not shirk from strong measures, especially when these constitute the only answer to the difficult problem of population control, without which nothing may be undertaken to improve their standard of living and make them positively loyal to the Republic.

Militarily, however, the liberation of the countryside is inadequate as a counter insurgency measure. It is a matter of common knowledge that the Communist military strategy is one combining guerrilla and classical warfare, using local troops for small harassing actions and large units infiltrated from North Vietnam for their major operations. If those forces should be permitted to complement one another, the Vietnam conflict may last for a very long time, indeed.

For this reason, if we should simply work toward the elimination of guerrilla elements without containing the flow of infiltrators, the result would not be hard to predict. Infiltration from North Vietnam must be checked completely if the Communist threat is to be brought under control in the South. It is my view that air raids over North Vietnam cannot completely interdict the constant flow of arms and men into South Vietnam. Something else must be attempted.

Let us now look at a map of Asia and consider the geographical position of the Philippines, Malaysia, and the Republic of Korea, which at one point or another in their recent histories, have been faced with a Communist-sponsored insurrection. These countries are either archipelagoes or peninsulas connected to the Asian continent by a narrow neck of land. As Communist infiltration naturally came from the sea, the anti-infiltration task was made much easier than in Vietnam.

In the case of our country, which has a long land frontier to the West as well as an equally extensive coastline to the East, there are many natural sea and land corridors of infiltrations, through which the Communists have been able to carry the materials of war to their South Vietnamese accolytes much more easily than to their comrades in Korea, the Philippines and Malaysia.

After trying many formulas to curb North Vietnamese infiltration, the allies have found none to be adequate. It is my view that a barrier cutting through all the main corridors of infiltration should be established South of the 17th Parallel, going from Dong-ha in Quang-tri Province to the Laotian city of Savannakhet on the Lao-Thai border. Let me also tell you that this defensive system should not be a Maginot or Siegfried-type line or a curtain of barbed wire. Rather, it should be a system of operational bases manned by about three divisions of troops, whose task would be to eliminate Communist elements presently warring in Southern Laos and threatening South Vietnam and Thailand.

This project of a barrier, however, would not be welcomed by the neutralist government of Laos as it can be construed as a violation of the 1962 Geneva Agreement. Should the difficulties encountered in this undertaking be insurmountable, the allies in Vietnam would have yet another option: an invasion of the southern panhandle of North Vietnam.

Of course, as the Republic of Vietnam does not nurture any territorial ambition, such an action would not result in the occupation of North Vietnamese land. The landing of troops North of the present demarcation line between the two Vietnams should simply aim at imposing a solution on Hanoi.

If this option were to be selected, the landing could be made just North of the 18th Parallel and South of the Song-ca river, in the area of Ben-thuy from where allied troops could push through to Linh-cam and Nape or from Linh-cam to the Mu-gia Pass, where the enemy is known to concentrate his troops for the Southward March. In short, the plan would secure the occupation of the general area where the Ho Chi Minh trail begins, thus interdicting Communist infiltration at its very source. Such a plan would probably be feasible with the deployment of three infantry divisions and two armored divisions.

The suggested course of action would per force be construed as a violation of the 1954 Geneva Agreements on Vietnam but the time may come when consideration of such subtleties of international law will have to give way to the requirements of the battlefield, especially if the truth should dawn on policy-makers in allied countries that limits imposed on military commanders may forever deprive them of the victory they deserve.

However, with or without such an approach to a solution to the problem of war in Vietnam, the security of Indochina in the years to come can only be assured by a combination of military and political measures that should ultimately result in a Thai-Lao-Viet-Khmer alliance. Such an alliance will sooner or later come into being, for all these Indochinese states are presently threatened by Communist imperialism, and regardless of their political systems, will some day recognize that a united front is the only effective course to counter Hanoi's aggression.

In other words, the Thai-Lao-Viet-Khmer alliance is a strategic measure that could put an end to North Vietnam's territorial and ideological ambitions by isolating the Hanoi *régime* from their local communist henchmen. South Asian stability will then be on much safer ground and the Chinese threat much less serious.

Before concluding this talk, let me reiterate that the present Vietnam conflict is total in character, that it demands a solution which should not only be politico-military but also should not neglect such other aspects as diplomacy, culture, education and economy.

Mr. Chairman, Ladies and Gentlemen, the war in Vietnam has lasted long enough to convince us that a totally new approach should be devised to successfully counter the Communist danger. Successful we must be, for otherwise there will be more Vietnams in the years to come. The current disturbances in Thailand constitute, I think, the most eloquent proof that the Reds have not in any way abandoned their final aim of world conquest—in spite of their loud protests of adherence to the notion of co-existence.

So long as poverty prevails in the world, Communist agents can easily start subversive wars and so long as there is a big difference between have and have-not nations, Lin Piao's "encirclement of the townships by the countryside" still stands the chance of leading Communism to a global victory. For, on a global plane, "the townships" are the industrial nations of Europe and North America and "the countryside" consists of the underdeveloped countries of Asia, Africa and Latin America. World domination by Peking, thus, is a definite possibility we have to counter at any cost.

The Free World, just in order to survive, should demonstrate unity and determination. United, we are very strong, and determined to be free, we will remain free. But we have to close ranks *now* and stop bickering among ourselves for petty causes. A united front is our sole road to salvation, for we must remember that the enemy is still pretty much alive and waiting for a propitious moment to strike what may be the *coup de grâce* for our cherished Liberty.

If we are united, it will not be very difficult to devise an effective global strategy to counter the Communist peril. It is my humble view that anti-Communist fighters should drive this point home to their governments and peoples, for realization of this verity is the prerequisite for the crystallization of an anti-Communist strategy that may contain the Reds and convince them of the necessity to leave free nations alone.

Thank you for your attention.

MESSAGE FROM HIS EXCELLENCY PARK, CHUNG HEE TO THE SECOND WORLD ANTI-COMMUNIST LEAGUE CONFERENCE, DECEMBER 16, 1968

Mr. Chairman, honorable delegates, ladies and gentlemen! I express my sincere appreciation to all of you for your dedicated efforts to maintain the peace and security of the free nations of the world during the past year. You have fought against Communist aggression and brigandage with firm determination under the spirit of the charter adopted at the inaugural meeting of the World Anti-Communist League.

During the 50 years that have passed since the Bolshevik Revolution of 1917, the inconsistency between theory and practice of communism has been clearly proved, and they still hope to subjugate the entire world by subversion or open aggression.

During the past year alone, Soviet Russia invaded Czechoslovakia with Warsaw Pact troops to crush a reviving desire for freedom so deeply cherished by the Czechs; North Vietnam continues its acts of hostility; and Communist North Korea adds to its efforts to infiltrate our free republic in the vain hope of overthrowing our freely elected government.

The threat of Communist China against all Asian countries continues to increase.

It is our task to come to the aid of all those who are so heroically fighting against Communist aggression. Now is the time for us to pledge ourselves in unity to persevere at all costs until the monstrous red shadow of communism has been replaced by the light of freedom throughout the world.

Honorable delegates! I am firmly convinced that the World Anti-Communist League has a very great part to play in the crusade for world freedom. In each of your countries it is you who will guide, instruct and lead your people. It is you who will work for international unity. I fervently pray for your success in this great task for which you have so courageously volunteered. You are, indeed, volunteers for freedom!

History of mankind has always been on the side of justice. Victory will be God's reward to those who fought for the justice. It is my earnest wish that the successful completion of this conference will bear valuable fruit of eventual victory over communism.

STAND FAST IN PARIS TALKS

(By Prof. Lev E. Dobriansky)

A recent trip to South Vietnam has convinced me that if we're to achieve victory in Vietnam, our representatives must hold and stand fast in the Paris peace talks. This conclusion is based on discussions I was privileged to enjoy with Vietnamese President Nguyen Van Thieu, Prime Minister Tran Van Houng, U.S. Ambassador Ellsworth Bunker, and scores of others grappling with the problem in Saigon. Anything less than a principled and courageous stand at Paris will mean eventual disaster for freedom in Vietnam and throughout southeast Asia.

The purpose of my visit to Vietnam in December was threefold: fact-finding, service as an observer at both the World Anti-Communist League Conference and that of the Asian Peoples' Anti-Communist League, and the opportunity of discussing fundamental issues with people at the highest levels in this war area. My purpose was more than adequately realized, and the politico-economic knowledge I acquired at first hand is precious in itself. This was obtained not only from the reams of material given me but also from conversations with delegates to the conferences, the President and his cabinet members at the Presidential Palace, the Chief of Staff of AVN, General Cao Van Vien, and others at various dinners and business meetings.

In a sense, Saigon is less secure than other parts of South Vietnam. As the capitol of this courageous and rapidly developing Republic, it is the chief target for infiltration, subversion, and terrorism on the part of the Red aggressors, which proximately embraces totalitarian Hanoi and its twin arms, the political National Liberation Front and the guerrilla Viet Cong, and ultimately includes Red China and the chief tangible supporter, Russian Moscow. Bombardments by our B52s were heard daily and in the early hours of the morning. Despite the obvious risks of attending such international conferences in Saigon at this time, the armed protection provided by the President seemed ample. Only one delegate was assassinated, and one permanently maimed as a result of a thrown grenade.

In two addresses to the WACL conference I emphasized the primacy of the threat of Soviet Russian imperio-colonialism in Asia and the necessity for a strong position against any concessions to the Red aggressors in Paris. On the basis of my own work *The Vulnerable Russians*, an autographed copy of which was presented to President Thieu, I also stressed the captive nation status of North Vietnam and the vulnerabilities of the Soviet Russians who are the main backers of Ho Chi Minh. Incidentally, the President was particularly intrigued by the jacket of *The Vulnerable Russians* because of its chess game overtones. A fundamental fact, which is too frequently ignored in American discussions on Vietnam, is that the Red-sponsored Vietnam war is an integral and inseparable part of the global conflict. One among many of the gross myths circulated in this country, both by calculating Communists and their New Left associates and by well-meaning but uninformed Americans, is that this "dirty war" is an isolated phenomenon.

Another occasion during which I stressed this and other myths circulating in the United States was the dinner hosted by General Vien. It was my privilege to deliver the response to the General's address and also to moderate the questions and answers. I dwelled heavily on the classical Russian pattern of total war as seen in Vietnam. Most Americans are unaware of the fact that the mythical "George Washington" Ho Chi Minh, whose hands reak with the blood of hundreds of thousands of patriotic Vietnamese who also fought against French colonialism, is a graduate of Moscow's political warfare school, the Far Eastern University. In this case, the classical pattern encompasses the myths of this being simply a civil war, the NLF being an indigenous contender of the democratically elected Saigon government, the spurious "George Washington" being a Vietnamese nationalist and an independent agent, the Americans being "imperialists" and "aggressors" etc. Substantially, this pattern has been repeated over and over again—in Eastern Europe, China, Korea, Cuba etc.—and the basic question is simply how many more lessons do we need to learn about the enemy, his intentions, and his designs?

In conclusion, it cannot be too strongly emphasized that the classical Russian pattern, executed in this case by Hanoi, extends to the diplomatic domain as well as to others. Diplomacy is an operational instrument of valuable import for Red political warriors as is economics, military science, propaganda and a host of other activities. As I pointed out in one of my Saigon addresses, "The Red totalitarian axis of Moscow-Peking-Hanoi is attempting to achieve at the conference table what it has been unable to attain on the battlefield." The Vietnam war can be brought to a successful conclusion if we hold in Paris and permit the military to secure South Vietnam. This means that in Paris our representatives must refuse recognition to the NLF, a paper political organization, as a separate bargaining entity and, above all, to accede to any coalition government idea. The history of Eastern Europe is replete with the driving wedge of coalitionism leading to Red takeovers. This is the objective Moscow, Peking, and Hanoi seek, and they're depending on past American experience, impatience, and losses, as well as persistent anti-Vietnam war propaganda and demonstrations in the United States, to achieve this goal. My theory in this context is that Moscow is increasingly feeling the economic burden of supporting Hanoi and with its mounting costs in the Middle East, would like to realize relief through American appeasement in Paris. Seeing things in balance and perspective is the sine qua non of this situation. The tour to Saigon afforded this to me.

RESOLUTION IN SUPPORT OF THE 10TH ANNIVERSARY OF THE CAPTIVE NATIONS WEEK, JULY 13–19, 1969

In view of the fact that since 1959—when the U.S. Congress passed the Captive Nations Week Resolution and President Dwight D. Eisenhower signed it into Public Law 86–90—All Communist Capitols have bitterly denounced the Annual Week as being inimical to their fundamental interests; and also in view of the fact that to the mounting consternation of Moscow, Peiping, Havana and others, the Captive Nations Week Movement has steadily grown in the United States, and every President in this decade has issued a proclamation in behalf of the independence and freedom of every captive nation in Central Europe, the Soviet Union, Asia and Cuba;

In the belief that the movement to support freedom and liberation of all captive nations has now taken hold in numerous other countries in the free world as evidenced by week observances in the Republic of China, Korea, Argentina, Australia and a number of other countries;

Maintaining that, for the security of the free world and for cold war victory over the deadly forces of communism and Sino-Soviet, Russian imperio-colonialism, it is indispensable for all free men regularly to make known their determination never to acquiesce to the permanent captivity of the 27 nations in the red empire;

The Second Conference of the World Anti-Communist League now resolves that:

The League and its members and associated groups will exert every effort to make the 10th Anniversary of Captive Nations Week on July 13–19, 1969, the most successful yet by:

1. Urging each head of state to issue a captive week proclamation patterned after that of the President of the United States;

2. Conducting observances of the Week in member countries and utilizing all media so that our combined message will be conveyed to the Captive Nations; and

3. Dispatching the published results of this event to the National Captive Nations Committee in Washington, D.C., for their appropriate transmission to the United States Congress and the President of the United States.

Submitted by Rama Swarup, Chief Delegation, India.

Vietnamese Delegation's Position on the Paris Peace Talks

Ladies and Gentlemen, while the world opinion is in favor of the Paris peace talks, the communists in South Vietnam abusing the name of deliberation continue terrorist acts, assassination to kill countless women and innocent children. In western countries: Americans bored with the lasting war begin to put forth inaccurate policies. A great number of political leaders as well as religious ones hypnotized by communist propaganda support peace by requesting for the U.S. bombing halt. Invisibly, they have encouraged the communists to prolong terrorism and assassination.

On November 1, 1968 right after President Johnson's order to halt bombing over Hanoi, the government and the National Assembly of the Republic of Vietnam, though they did not oppose the bombing halt, professed their position. The westerners hypnotized by the communists were astonished, thinking that the Vietnamese government was so strict. They made such criticism: Why can't you live together in peace and forget enmity while you are also Vietnamese. In Europe, the Communist parties of Italy, France, Belgium, etc. . . . still remain in the community of these nations.

These mistakes exist so long as you are unaware of the true nature of communism, especially Mao-Tse-Tung communism and Ho Chi Minh communism. The French communists and the Italian communists carry on their struggles in the observance of law and politics. The Soviet communists, communist China, and the Vietnamese communists step by step use their armed forces in terrorist acts and assassination to take over the government.

The Communists of 1917, always follow the same way:

1. Internally, they kill every non-communist element and deny whatever form of opposition. (The Soviet invasion in Czechoslovakia is a typical example).

2. Externally, they make incessant expansion. Russia entirely respects this project of expansion of the Tzarist regime. Mao-Tse-Tung on the other hand directs his view to Southeast Asia, India, South America, Africa.

Strategically the Communists always carry on the program on external organization beginning with all forms of coalition, Liberation to isolate and antagonize opposite parties among themselves. When holding the power to govern, they kill the elements which have closely cooperated with them (Coup d'Etat in Prague in 1948).

Where armed force does not prevail the Communists make temporary peace and realize the strategy of one step backward for the sake of two steps forward.

In Viet Nam, the Indochinese Communists under Ho Chi Minh's leadership have accurately executed this strategy:

After the birth of the Communist party on January 6, 1931 in Hong Kong, the communist elements were taught that if they were captured by the French secret agents, what they would say was to denounce the nationalist elements, their accomplices.

In 1942, Ho Chi Minh vowed to join Vietnam Cach Mang Dong Minh Hoi (a United National Front) assigned to set up cells in the North, Ho deceived Nguyen Hai Than, Truong Boi Cong etc. . . . in placing the resistance organization under the direction of the communist cadres. Only until the Conference at Lieu Chau was held, Ho began his professed treachery.

In 1946, under the pressure of the Chinese troops and with the threat of the French, Ho Chi Minh set up a national communist government to lull the nationalist elements. As soon as they come to terms with the French (convention de Fontainebleau), the communists use all their force to destroy all nationalist parties. The Vietnamese people still remember the events concerning On Nhu Hau, Vinh Yen, Yen Bay, the Troskyte cadres Duong Bach Mai, Ta Thu Thau, Tran Van Thach, the nationalist leaders, Hoa Hao Pope Huynh Phu So, Ho Van Nga, Nguyen Van Sam, Truong Tu Anh.

In 1954, bored with the everlasting resistance the Communists signed an agreement on the division of VN. But at that time, they disperse their underground cadres, hide their weapons to prepare for the present aggression.

In 1962, the Communists signed the Laotian Agreement so as to employ Laotian territory to send men and weapons to South VN.

The world opinion is unaware of the communist preparations since 1950. At the time, the Communist China made up a free Government of Thailand in Yung Nam. The North Vietnamese communists on the other hand prepared for the infiltration into Laos; they recruited the guerrila war experienced platoon leaders dyed their teeth black had them practice chewing bitter nut, smoking black tobacco. These cadres were sent to Sam women, disguising themselves as Laotian Nua, Xieng Khuang and married Laotian people. That is Laotian Liberation Front namely Pathet Laos whose leader Souphana Phouvong set his headquarters at Do Luong (Nghe An north of Central Vietnam).

They have forgotten that Ho Chi Minh, an efficient aide of Borodine, who had been elected Political Commissar of South East Asia for a long time.

Therefore, we must understand the invasion of South Vietnam as inevitable since South Vietnam obstructs the Communist expansion.

Therefore, this war is only the first step of communist Mao Tse Tung's scheme of expansion.

Therefore, the struggle of the Vietnamese people is also the struggle to protect this outpost of the Free World.

Today when the world opinion is misled, when the Americans are weary under the pressure of various peace movements, Thailand, the Philippines, Indonesia are still worrying about whether they should go all out against Communism or not? Accept a neutrality is only the beginning of a surrender and letting the communists annihilate us.

When has this present war restarted? After 1954, the underground communist cadres gradually consolidated their organization in the rural area. From 1958, assassinations began. In December 1960, the National Liberation Front was organized. The communists had converted the previous policies of the United Vietnam Front into those of the National Liberation Front. At that time, the U.S. had not intervened in Vietnam. The U.S. only helped settling the refugees and their help was of a completely social and economic nature. There was no "foreign invasion" and there was no need for a liberation. The communists continued increasing their infiltration of troops and arms. In December 1964, the Maddox was attacked. In January 1965, a number of U.S. installations in Vietnam at Danang were shelled. Only then that the U.S. started bombing the North as a retaliatory measure. In April 1965, the Government of Vietnam formally requested military help from the U.S. in order to efficiently protect freedom.

The U.S. Armed Forces only came to Vietnam on the request of the Republic of Vietnam. How could this act be branded as an "American invasion".

This is also a misunderstanding on the part of the U.S. political circle, especially the excessive honesty of our American friends. On an international scale the Government and also the U.S. politicians have turned themselves, into the masters of this present war. The communists have taken advantage of this short coming, and led many people within the Free World to criticize the U.S. as a powerful country in the process of annihilating a tiny North Vietnam.

In fact, everyone knows that the U.S. only wages a limited war with limited means in order to "halt all expanding invasion".

Due to these misunderstandings of the U.S. politicians, due to the one-sided reasoning of many political and religious leaders of America and Europe, the Vietnam war now has been considered as a U.S.-North Vietnam war.

From this basic error, a "solution to end the Vietnam war" has been wrongly initiated.

How can there be negotiations when war has never been declared?

How can we talk of a U.S.-North Vietnam negotiation when the U.S. is only invited to help South Vietnam?

How can there be negotiations when there is no invader on the one hand, and the willingness to recognize the National Liberation Front on the other?

How can there be negotiations when we already know that whenever thirsty communism remains, there will be no permanent peace?

How can there be negotiations when the cease fire agreement signed at Pan Mun Jom have extended from 1952 to the present?

How can negotiations bring fruitful results when Germany has been parted since 1945, when the North Korea and South Korea situation still remain a concern?

There can be no real peace when only temporary armistice is possible.

How can we deceive ourselves when the Western Bloc has not clearly recognized the situation.

When the hot war stops, the cold war will continue.

The cease fire is only a temporary appeasement between communism and the Free World.

When the Vietnam furnace momentarily stops, another furnace in Thailand or somewhere else will start.

If our aspirations for peace are excessive, if we only dream of construction, sooner or later, we will have to face another total war created by the communists that will be even more ferocious than the II World War.

Ladies and Gentlemen:

Through the above presentation, you have probably understood our position on peace for the Vietnamese people:

1—The prime condition must be that North Vietnam has to engage in a solemn and direct discussion with the Republic of Vietnam. The U.S. intervene only on the request of Vietnam, therefore, a U.S. North Vietnam negotiation is infeasible.

2—The basic condition is the return to the condition after the 1954 Agreement:

(a) Re-establish the Demilitarized Zone.

(b) Re-establish enlarged family relation.

(c) Stop the cold war, the two parts will concentrate their efforts in construction, stop all attacks, each to his own part, free choice of friends, the laws have been declared, the constitution has been adopted, each part will keep its own sovereignty.

(d) The unification will wait until time erases all hatred, until the North sincerely refrains from using force, until the people in the two parts can freely and truly use their voting privilege.

(e) Every South Vietnamese can live in this nation, and all of their civil rights if they respect the Constitution adopted on 1 April 1967.

(f) Adopting the above conditions, the armed forces of the foreign countries will gradually withdraw from South Vietnam.

The North Vietnamese troops will be sent back to the North. A joint committee composed of representatives of North Vietnam, the Republic of Vietnam and the United Nations will be set up to control the withdrawal.

The troops of the United States and the allied nations have come to this country upon the request of the Republic of Vietnam and therefore any more of these troops should be arranged between the government of the Republic of Vietnam and these friendly countries so that the withdrawal will not cause any trouble and particularly will not give a chance to North Vietnam to launch a surprise attack. The Republic of Vietnam has right to request a number of the allied forces to stay at a number of bases until the goodwill required of the North Vietnamese will be clearly proved. The armed forces of the Republic of Vietnam will be strengthened, which is however the internal affairs of this country.

The above basic points represent our stand in the following problems which have been always faced by the Vietnamese.

1. *The Coalition Problem:* As experienced in the past, we have adopted coalition with the communist for two times. We understand that the North Vietnam communist will never cease to get use of its power or accept a lawful political struggle like other communists in Europe and America.

2. *The General Election:* The concept of one man one vote will be considered only in a country where the people may be really empowered to vote. In Vietnam, this right is deprived of by communist terrorism and assassination and consequently the result of the election will be easily attained by themselves.

The concept of one man one vote will be valid only when it is covered by the present constitution of the Republic of Vietnam. The people will have civil right when the communist or its menace still exists.

3. *The Cease-Fire:* The Vietnam war has no front line, Communist Cadres have infiltrated by small groups everywhere. A cease-fire will mean the withdrawal of the North Vietnamese troops from the territory of the Republic of Vietnam and the centralization of the allied forces in one base. The armed forces of the Republic of Vietnam will continue their mission in re-establishing order and carrying out police operation within the border.

4. *The Guarantee:* Peace should be guaranteed. Who will insure the withdrawal of the North Vietnamese troops which will be removed to Cambodia or Laos and will return right after that?

The International Control Committee has proved its incapability. The United Nations is not recognized by North Vietnam. The Armed forces of the friendly nations are considered the guarantee as required. The allied forces may be requested by ourselves to leave a maximum strength of 100,000 people to control the Cambodian and Laos frontiers and along the 17th parallel. The North Vietnam may have the same control on the other side of the border with the help of the Russian or Polish troops.

5. *The Negotiation:* After the exchange of the family information will be adopted by both sides, the economic transactions will be arranged and carried out step by step provided that such relations should not be exploited for propaganda purpose by any side.

The cultural relation will be reconsidered as the communist propaganda is prohibited in the Republic of Vietnam.

Ladies and Gentlemen,

Being the soldier fighting for freedom, we understand too well the communist deceitful scheme.

After careful study, we need to make all peoples of the world to understand thoroughly the true nature of the war in Vietnam.

If you accomplish such mission, you have not only realistically support the Vietnamese people but also fought for the Peace for mankind.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Monagan, on February 6, for 15 minutes; to revise and extend his remarks and to include extraneous matter.

Mr. Fascell, on May 20, for 60 minutes; to revise and extend his remarks and to include extraneous matter.

Mr. Gross, for 60 minutes, today; to revise and extend his remarks and to include certain pertinent material.

Mr. Feighan, for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. McClure) to revise and extend their remarks and include extraneous matter:)

Mr. Halpern, for 30 minutes, on February 6.

Mr. Robison, for 10 minutes, today.

Mr. McClory, for 10 minutes, today.

Mr. Hechler of West Virginia, for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Cunningham (at the request of Mr. McClory), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Howard) to revise and extend their remarks and include extraneous matter:)

Mr. Culver, for 10 minutes, today.

Mr. Flood, for 1 hour, on February 18.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Rarick in two instances and to include extraneous matter.

Mr. Conte.

Mr. Holifield, for Thursday, February 6; and to include extraneous matter in the body of the Record.

Mr. William D. Ford (at the request of Mr. Howard), to follow Mr. Howard's special order of today.

Mr. Adams (at the request of Mr. Howard), to follow the remarks of Mr. William D. Ford during the special order of Mr. Howard of today.

Mr. Gross to extend his remarks immediately preceding the vote on the adjournment resolution.

Mr. Hall to extend his remarks immediately preceding the vote on the adjournment resolution.

(The following Members (at the request of Mr. McClure) to extend their remarks and include extraneous matter in the Extensions of Remarks of the Record:)

Mr. Pollock.

Mrs. May.

Mr. Langen.

Mr. Derwinski in three instances.

Mr. Schadeberg.

Mr. Halpern in two instances.

Mr. Quie in two instances.

Mr. Mize.

Mr. Robison.

Mr. Ashbrook.

Mr. Steiger of Wisconsin in two instances.

Mr. Denney.

Mr. Kleppe.

Mr. Horton.

Mr. Kuykendall.

Mr. Hosmer in two instances.

Mr. Anderson of Illinois in two instances.

Mr. Reid of New York in three instances.

Mr. Zwach.

Mr. Watson.

Mr. McDonald of Michigan.

Mr. Miller of Ohio in two instances.

Mr. Wyman in three instances.

Mr. Bow.

Mr. Betts.

Mr. Rhodes.

Mr. McClure.

Mr. Myers.

Mr. Adair.

Mr. Chamberlain.

Mr. Nelsen in three instances.

Mr. Bray in two instances.

Mr. Broyhill of Virginia in two instances.

Mr. Railsback.

Mr. Arends.

Mr. Shriver.

Mr. Fulton of Pennsylvania in five instances.

(The following Members (at the request of Mr. Howard) to revise and extend their remarks and include extraneous matter:)

Mr. O'Hara in two instances.

Mr. Dingell.

Mr. Casey in two instances.

Mr. William D. Ford in three instances.

Mr. Evins of Tennessee in two instances.

Mr. Fraser.

Mr. Fuqua.

Mrs. Griffiths in two instances.

Mr. Hanna in two instances.

Mr. Podell in two instances.

Mr. Stuckey in two instances.

Mr. Gonzalez in seven instances.

Mr. Cohelan in four instances.

Mr. Celler in two instances.

Mr. Rooney of New York.

Mr. Wolff in four instances.

Mr. Daniels of New Jersey in two instances.

Mr. Boggs.

Mr. Patten in two instances.

Mr. Dulski in three instances.

Mr. Tunney.

Mr. Delaney in two instances.

Mr. Perkins in two instances.

Mr. Pickle in five instances.

Mr. Ullman in five instances.

Mr. Pepper.

Mr. Friedel in three instances.

Mr. de la Garza in two instances.

Mr. Ryan in three instances.

Mr. Brasco.

Mr. Miller of California in five instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 769. An act to name the bridge to be constructed across the Mississippi River linking the States of Tennessee and Missouri in honor of a former Member of the House, Robert A. "Fats" Everett; to the Committee on Public Works.

ADJOURNMENT

Mr. HOWARD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Thursday, February 6, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

484. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting notification of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

485. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting notification of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Army National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

486. A letter from the Comptroller General of the United States, transmitting a report of requirements contracting and other aspects of small purchases in the Department of Defense; to the Committee on Government Operations.

487. A letter from the Secretary of Commerce, transmitting an annual report on the activities of the Office of State Technical Services for fiscal year 1968, pursuant to the provisions of section 14(b) of the State Technical Services Act of 1965; to the Committee on Interstate and Foreign Commerce.

488. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Federal Communications Commission as of December 31, 1968, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLMER: Committee on Rules. H. Res. 89. Resolution to amend the Rules of the House of Representatives to change the name of the Committee on Un-American Activities, and for other purposes; (Rept. No. 91–15). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 6167. A bill to provide that the U.S. District Court for the Western Division of the Northern District of the State of Illinois may hold court at Rockford, Ill.; to the Committee on the Judiciary.

By Mr. ANDERSON of Tennessee:

H.R. 6168. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 6169. A bill to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building; to the Committee on Public Works.

By Mr. ASHLEY:

H.R. 6170. A bill to authorize the disposal of 100,000 short tons of lead from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

By Mr. AYRES (for himself and Mr. Quie):

H.R. 6171. A bill to establish a Department of Education and Manpower; to the Committee on Government Operations.

By Mr. BELL of California:

H.R. 6172. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 6173. A bill to amend the Military Selective Service Act of 1967 in order to provide for the deferment of police officers from training and service under such act; to the Committee on Armed Services.

H.R. 6174. A bill to amend title 10, United States Code to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 6175. A bill to provide an elected Mayor, City Council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 6176. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

H.R. 6177. A bill to enable citizens of the United States who change their residences to vote in presidential elections, and for other purposes; to the Committee on House Administration.

H.R. 6178. A bill to provide for an Administrative Counsel of the Congress; to the Committee on House Administration.

H.R. 6179. A bill to amend the Federal Food, Drug, and Cosmetic Act to protect children and others from accidental death or injury by authorizing safety closures to be required for drug containers; to the Committee on Interstate and Foreign Commerce.

H.R. 6180. A bill to amend the Hazardous Substances Act to provide safe packaging of toxic household substances in order to protect children; to the Committee on Interstate and Foreign Commerce.

H.R. 6181. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

H.R. 6182. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Science and Astronautics.

H.R. 6183. A bill to provide a percentage deduction for certain expenses paid for the higher education of the taxpayer, his spouse, and his dependents; to the Committee on Ways and Means.

H.R. 6184. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 6185. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income exemption of $1,200 for a taxpayer or spouse who is a student at an institution of higher education; to the Committee on Ways and Means.

By Mr. BENNETT (for himself, Mr. Abbitt, Mr. Addabbo, Mr. Bevill, Mr. Byrne of Pennsylvania, Mr. Cabell, Mr. Carter, Mr. Frey, Mr. Gettys, Mr. Halpern, Mr. Lipscomb, Mr. Pirnie, Mr. Pollock, Mr. Stubblefield, Mr. Utt, and Mr. Williams):

H.R. 6186. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. BETTS:

H.R. 6187. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. BIESTER:

H.R. 6188. A bill to amend chapter 235 of title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States; to the Committee on the Judiciary.

By Mr. BOLLING:

H.R. 6189. A bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

H.R. 6190. A bill authorizing the construction of certain improvements on the Blue River, vicinity of Kansas City, Mo., and Kans. in the interest of flood control, water quality control, recreation, and fish and wildlife enhancement; to the Committee on Public Works.

By Mr. BRASCO:

H.R. 6191. A bill proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

H.R. 6192. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. BRAY:

H.R. 6193. A bill to protect consumers and others against misbranding, false invoicing, and false advertising of decorative wood and simulated wood products; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Massachusetts:

H.R. 6194. A bill to amend the Internal Revenue Code of 1954 to provide loss carryover rules where an insurance company becomes taxable as a different type of insurance company; to the Committee on Ways and Means.

By Mr. CAREY:

H.R. 6195. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 6196. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 6197. A bill to amend chapter 44 of title 18, United States Code, to strengthen the penalty provision applicable to a Federal felony committeed with a firearm; to the Committee on the Judiciary.

H.R. 6198. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

H.R. 6199. A bill to amend the Internal Revenue Code of 1954 to modify the provisions relating to taxes on wagering to insure the constitutional rights of taxpayers, to facilitate the collection of such taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. CUNNINGHAM (for himself and Mr. McClory):

H.R. 6200. A bill to provide for the withdrawal of second-class and third-class mailing permits of mail users who have used these permits systematically in the mailing of obscene, sadistic, lewd, or pandering mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DELANEY:

H.R. 6201. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 6202. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 6203. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. DENT (for himself, Mr. Perkins, Mr. Gaydos, Mr. Daniels of New Jersey, Mr. Hathaway, Mr. Burton of California, Mr. Scheuer, Mr. Carey, and Mr. Thompson of New Jersey):

H.R. 6204. A bill to strengthen and improve the protections for the interests of participants in and beneficiaries of employee welfare and pension benefit plans, and for other purposes; to the Committee on Education and Labor.

By Mr. DINGELL:

H.R. 6205. A bill to require that any recording of any song or other verbal material set to music which is sold in interstate commerce be accompanied by a printed copy of the words thereto; to the Committee on Interstate and Foreign Commerce.

H.R. 6206. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

H.R. 6207. A bill to impose a minimum income tax on certain individuals and corporations with substantial incomes; to the Committee on Ways and Means.

H.R. 6208. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 6209. A bill to authorize the acquisition and maintenance of the Goddard rocket launching site in accordance with the act of August 25, 1916, as amended and supplemented; to the Committee on Interior and Insular Affairs.

H.R. 6210. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act for the purpose of strengthening and facilitating mutual cooperation and assistance, including training of personnel, in the administration and enforcement of that act and of State and local laws relating to food, drugs, devices, or cosmetics, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 6211. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act as to improve the safety and reliability of drugs; to the Committee on Interstate and Foreign Commerce.

H.R. 6212. A bill to amend title 18 of the United States Code to make the robbery of a cooperative bank, which is a member of the Federal home loan bank, a crime; to the Committee on the Judiciary.

H.R. 6213. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Ways and Means.

H.R. 6214. A bill to provide for the orderly marketing of articles imported into the United States, to establish a flexible basis for the adjustment by the U.S. economy to expanded trade, and to afford foreign supplying nations a fair share of the growth or change in the U.S. market; to the Committee on Ways and Means.

H.R. 6215. A bill to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low income and lower middle income persons; to the Committee on Ways and Means.

H.R. 6216. A bill to establish a system for the sharing of certain Federal tax receipts with the States; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 6217. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 6218. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, fish and wildlife, or the coastal economy posed by certain releases of fluids or other substances carried in oceangoing vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 6219. A bill to provide the Coast Guard with authority to conduct research and development for the purpose of dealing with the release of harmful fluids carried in vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 6220. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 6221. A bill to maintain and improve the income of producers of crude pine gum, to stabilize production of crude pine gum, and for other purposes; to the Committee on Agriculture.

By Mr. EDWARDS of California:

H.R. 6222. A bill to provide for meeting the manpower needs of the Armed Forces of the United States through a completely voluntary system of enlistments, and to further improve, upgrade, and strengthen such Armed Forces, and for other purposes; to the Committee on Rules.

By Mr. EVANS of Colorado:

H.R. 6223. A bill to provide for the establishment of the Florissant Fossil Beds National Monument in the State of Colorado; to the Committee on Interior and Insular Affairs.

By Mr. GILBERT:

H.R. 6224. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 6225. A bill to amend the Communications Act of 1934 to provide for the licensing of television networks to assure that their operations are in the public interest; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H.R. 6226. A bill to amend title 10 of the United States Code to establish an equitable survivors' annuity plan for the uniformed services; to the Committee on Armed Services.

By Mr. HANLEY:

H.R. 6227. A bill to amend section 5 of the Water Pollution Control Act, as amended, to authorize the Secretary of the Interior to undertake a research and demonstration program for the improvement of the quality of the Nation's lake waters; to the Committee on Public Works.

By Mr. HAWKINS (for himself, Mr. Reid of New York, Mr. Burton of California, Mr. Carey, Mrs. Chisholm, Mr. Corman, Mr. Diggs, Mr. Edwards of California, Mr. Kastenmeier, Mr. Morse, Mr. Rees, Mr. Ryan, Mr. Scheuer, Mr. Stokes, Mr. Tunney, and Mr. Charles H. Wilson):

H.R. 6228. A bill to further promote equal employment opportunities of American workers; to the Committee on Education and Labor.

By Mr. REID of New York (for himself, Mr. Hawkins, Mr. Anderson of California, Mr. Brown of California, Mr. Clay, Mr. Cohelan, Mr. Dawson, Mr. Halpern, Mr. Hathaway, Mr. Meeds, Mr. Nix, Mr. O'Hara, Mr. Quie, Mr. Roybal, Mr. Thompson of New Jersey, and Mr. Van Deerlin):

H.R. 6229. A bill to further promote equal employment opportunities for American workers; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H.R. 6230. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 6231. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 6232. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 6233. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. HICKS:

H.R. 6234. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. HORTON:

H.R. 6235. A bill to provide for the issuance of a special postage stamp honoring the 100th anniversary of professional baseball; to the Committee on Post Office and Civil Service.

H.R. 6236. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HOWARD:

H.R. 6237. A bill to amend title XVIII of the Social Security Act so as to include, among the health insurance benefits covered under part B thereof, coverage of certain drugs; to the Committee on Ways and Means.

By Mr. JOHNSON of Pennsylvania:

H.R. 6238. A bill to amend title 10, United States Code to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. JONES of North Carolina:

H.R. 6239. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 6240. A bill to amend the act entitled "An act authorizing the village of Baudette, State of Minnesota, its public successors or public assigns, to construct, maintain, and operate a toll bridge across the Rainy River at or near Baudette, Minnesota," approved December 21, 1950; to the Committee on Foreign Affairs.

By Mr. LEGGETT:

H.R. 6241. A bill to amend the Federal Water Pollution Control Act to prevent pollution of water by oil, and to establish a revolving fund for the removal of oil discharged into or upon the navigable waters of the United States or adjoining shorelines; to the Committee on Public Works.

H.R. 6242. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 6243. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. McCLURE (for himself and Mr. HANSEN of Idaho):

H.R. 6244. A bill to enable the Secretary of Agriculture to extend financial assistance to desertland entrymen to the same extent as such assistance is available to homestead entrymen; to the Committee on Agriculture.

H.R. 6245. A bill to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of the Federal reclamation laws; to the Committee on Interior and Insular Affairs.

H.R. 6246. A bill to permit a compact or agreement between the several States relating to taxation of multistate taxpayers; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 6247. A bill to retain May 30 as Memorial Day and November 11 as Veterans Day; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 6248. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the initial phase of the East Side division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MATSUNAGA:

H.R. 6249. A bill to amend the Federal Aviation Act of 1958 to provide that certain provisions of insurance contracts covering loss of life or personal injury of passengers being transported in air transportation shall be null and void; to the Committee on Interstate and Foreign Commerce.

H.R. 6250. A bill to amend the Federal Aviation Act of 1958 to require additional precautionary measures aboard certain aircraft in the interest of the safety of the traveling public, and to make it a felony to carry or attempt to carry firearms or explosives on board commercial aircraft; to the Committee on Interstate and Foreign Commerce.

By Mr. MESKILL:

H.R. 6251. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 6252. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. MIZE:

H.R. 6253. A bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 6254. A bill to impose a minimum income tax on certain individuals and corporations with substantial incomes; to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 6255. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 6256. A bill to prohibit certain conflicts of interest on the part of officers of the Government having responsibilities with respect to the banking and monetary system; to the Committee on Banking and Currency.

By Mr. PATTEN:

H.R. 6257. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 6258. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 6259. A bill to create a Department of Youth Affairs; to the Committee on Government Operations.

By Mr. PODELL:

H.R. 6260. A bill to provide Federal assistance to improve the educational services in public and private nonprofit child day care centers; to the Committee on Education and Labor.

H.R. 6261. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 6262. A bill to provide funds on behalf of a grateful Nation in honor of John F. Kennedy, 35th President of the United States, to be used in support of construction of educational facilities at Kennedy College, Wahoo, Nebr., as a distinguished and permanent living memorial to his life and deeds; to the Committee on Education and Labor.

By Mr. QUILLEN:

H.R. 6263. A bill to prohibit the Administrator of Veterans' Affairs from requiring an annual income statement from certain pensioners who are 72 years of age or older; to the Committee on Veterans' Affairs.

H.R. 6264. A bill to provide for orderly trade in glycine; to the Committee on Ways and Means.

By Mr. QUILLEN (for himself and Mr. RIVERS):

H.R. 6265. A bill to provide that a headstone or marker be furnished at Government expense for the unmarked grave of any Medal of Honor recipient; to the Committee on Armed Services.

By Mr. RANDALL:

H.R. 6266. A bill to provide for orderly trade in iron ore, iron, and steel mill products; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 6267. A bill to provide that disabled individuals entitled to disability insurance benefits under section 223 of the Social Security Act or to child's or widow's insurance benefits on the basis of disability under section 202 of such act, and individuals in the corresponding categories under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. RIEGLE:

H.R. 6268. A bill to provide for the establishment of a Commission on Afro-American History and Culture; to the Committee on Education and Labor.

By Mr. RIVERS:

H.R. 6269. A bill to provide for the striking of medals in commemoration of the 300th anniversary of the founding of the State of South Carolina; to the Committee on Banking and Currency.

By Mr. RODINO:

H.R. 6270. A bill for the elimination of health danger to coal miners resulting from the inhalation of coal dust; to the Committee on Education and Labor.

H.R. 6271. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Education and Labor.

H.R. 6272. A bill to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

H.R. 6273. A bill to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSTENKOWSKI:

H.R. 6274. A bill to provide funds on behalf of a grateful Nation in honor of John Fitzgerald Kennedy, 35th President of the United States, to be used in support of educational facilities at John F. Kennedy College, Wahoo, Nebr., as a distinguished and permanent living memorial to his life and deeds; to the Committee on Education and Labor.

H.R. 6275. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. ROTH:

H.R. 6276. A bill to provide for the elimination of all grade crossings along the high-speed rail line between Washington and New York City; to the Committee on Public Works.

By Mr. ROTH (for himself, Mr. FREY, Mr. MIZELL, and Mr. WEICKER):

H.R. 6277. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. RUMSFELD (for himself, Mr. Cleveland, Mr. Schwengel, Mr. Anderson of Illinois, Mr. Taft, Mr. Biester, Mr. Brock, Mr. Bush, Mr. Conable, Mr. Coughlin, Mr. Dellenback, Mr. Erlenborn, Mr. Grover, Mr. Harvey, Mr. McClory, Mr. MacGregor, Mr. Michel, Mr. Morse, Mr. Morton, Mr. Quie, Mr. Railsback, Mr. Ruppe, Mr. Steiger of Wisconsin, Mr. Whalen, and Mr. Wydler):

H.R. 6278. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. ST GERMAIN (for himself, Mr. Broomfield, Mr. Johnson of California, Mr. Denney, Mr. Fulton of Tennessee, Mr. Daniels of New Jersey, Mr. Edwards of California, Mr. Donohue, Mr. Barrett, Mr. Halpern, Mr. Farbstein, Mr. Karth, Mr. Boland, Mr. Duncan, Mr. Howard, Mr. Sisk, Mrs. Hansen of Washington, Mr. Kyros, Mr. Nedzi, Mr. Bevill, Mr. Cowger, Mr. Hays, Mr. Roberts, Mr. St. Onge, and Mr. Hosmer):

H.R. 6279. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. ST GERMAIN (for himself, Mr. Dent, Mr. Nix, Mr. Goodling, Mr. Daddario, Mr. Miller of California, Mr. Dorn, Mr. Button, Mr. Price of Illinois, Mr. Brown of California, Mr. Pollock, Mr. Biaggi, Mr. Esch, Mr. Steed, Mr. Horton, Mr. Gilbert, Mr. Carey, Mr. Reuss, Mr. Pepper, Mr. Ottinger, Mr. Bingham, and Mr. Gettys):

H.R. 6280. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. ST GERMAIN (for himself, Mr. Rogers of Colorado, Mrs. Mink, Mr. Matsunaga, Mr. Gonzalez, Mr. Mollohan, Mr. Friedel, Mr. Hathaway, Mr. Randall, Mr. Fisher, Mr. Charles H. Wilson, Mr. Joelson, Mr. Burke of Florida, Mr. Gallagher, Mr. Riegle, Mr. Eilberg, Mr. Pucinski, Mr. Conyers, Mr. Mikva, Mr. Tiernan, Mr. Anderson of Tennessee, Mr. Dulski, Mr. Diggs, Mr. Hicks, and Mr. Waldie):

H.R. 6281. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. SCHADEBERG:

H.R. 6282. A bill to amend title 23, United States Code, to authorize additional mileage to permit needed adjustments in the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 6283. A bill to amend the Internal Revenue Code of 1954 to grant an additional income tax exemption for each dependent of the taxpayer who is permanently handicapped; to the Committee on Ways and Means.

H.R. 6284. A bill to amend the Internal Revenue Code of 1954 to remove all limitations upon the amount of the deduction allowed a taxpayer for medical, dental, and related expenses; to the Committee on Ways and Means.

H.R. 6285. A bill to amend the Internal Revenue Code of 1954 to allow an individual an income tax deduction for the expenses of transportation to and from work; to the Committee on Ways and Means.

H.R. 6286. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. SCOTT:

H.R. 6287. A bill to abolish the National Capital Planning Commission and to transfer its functions to the Commissioner of the District of Columbia; to the Committee on the District of Columbia.

H.R. 6288. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 6289. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 6290. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to any individual who may not make a joint return but maintains his own household as his home; to the Committee on Ways and Means.

H.R. 6291. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income amounts received for additional living expenses arising out of a casualty loss to the residence of the taxpayer and paid pursuant to a policy insuring such residence; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 6292. A bill to name the Veterans' Administration hospital at 2615 Clinton Avenue, Fresno, Calif., the B. W. Gearhart Veterans' Hospital; to the Committee on Veterans' Affairs.

By Mr. STEIGER of Arizona:

H.R. 6293. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TALCOTT:

H.R. 6294. A bill to auhorize the Secretary of the Army to undertake a study of landslides and flood control in Monterey and San Luis Obispo Counties, Calif.; to the Committee on Public Works.

By Mr. TUNNEY:

H.R. 6295. A bill to amend title 37 of the United States Code in order to provide for the payment of an allowance to members of the uniformed services in missing status; to the Committee on Armed Services.

H.R. 6296. A bill to create a commission to make a comprehensive study and investigation of the discharge of oil and other pollutants from vessels, onshore and offshore facilities, and other sources into or upon the navigable waters of the United States or adjoining shorelines; to the Committee on Public Works.

H.R. 6297. A bill to provide for the establishment of a national cemetery in Riverside County in the State of California; to the Committee on Veterans' Affairs.

H.R. 6298. A bill to provide for the construction of a Veterans' Administration hospital of 1,000 beds in the Riverside-San Bernardino area of the State of California; to the Committee on Veterans' Affairs.

By Mr. ULLMAN:

H.R. 6299. A bill to authorize the Administrator of the Federal Aviation Administration to release restrictions on the use of certain real property conveyed to the city of Redmond, Oreg., for airport purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. UTT:

H.R. 6300. A bill to amend the Internal Revenue Code of 1954 with respect to the estate tax treatment of certain interests created by community property laws in employees' trusts and retirement annuity contracts; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 6301. A bill creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. WAMPLER:

H.R. 6302. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

H.R. 6303. A bill to amend the Internal Revenue Code of 1954 to increase the amount of credit allowable for investment in property used to protect the health of miners; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 6304. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

By Mr. FLOOD (for himself, Mr. Schneebeli, Mr. Rooney of Pennsylvania, Mr. Eilberg, Mr. Nix, Mr. Fulton of Pennsylvania, Mr. Gaydos, Mr. Johnson of Pennsylvania, Mr. Moorhead, Mr. Biester, Mr. Green of Pennsylvania, Mr. Dent, Mr. Barrett, Mr. Vigorito, Mr. Clark, Mr. Watkins, Mr. Byrne of Pennsylvania,, Mr. McDade, and Mr. Coughlin):

H.J. Res. 380. Joint resolution consenting to the Susquehanna River Basin compact, enacting the same into law thereby making the United States a signatory party; making certain reservations on the behalf of the United States, and for related purposes; to the Committee on the Judiciary.

By Mr. CELLER (for himself, Mr. Biaggi, Mr. Bingham, Mr. Carey, Mr. Conable, Mr. Delaney, Mr. Dulski, Mr. Farbstein, Mr. Halpern, Mr. Hanley, Mr. Koch, Mr. McEwen, Mr. McKneally, Mr. Murphy of New York, Mr. Pike, Mr. Pirnie, Mr. Podell, Mr. Reid of New York, Mr. Robison, Mr. Rosenthal, Mr. Scheuer, and Mr. Wolff):

H.J. Res. 381. Joint resolution consenting to the Susquehanna River Basin compact, enacting the same into law thereby making the United States a signatory party; making certain reservations on behalf of the United States, and for related purposes; to the Committee on the Judiciary.

By Mr. MORTON (for himself, Mr. Fallon, Mr. Garmatz, Mr. Friedel, Mr. Long of Maryland, Mr. Gude, Mr. Beall of Maryland, and Mr. Hogan):

H.J. Res. 382. Joint resolution consenting to the Susquehanna River Basin compact, enacting the same into law thereby making the United States a signatory party; making certain reservations on behalf of the United States, and for related purposes; to the Committee on the Judiciary.

By Mr. ANDERSON of Tennessee:

H.J. Res. 383. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. BELL of California:

H.J. Res. 384. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

H.J. Res. 385. Joint resolution authorizing the President to proclaim annually the week including August 15 as "National Allegiance Week"; to the Committee on the Judiciary.

H.J. Res. 386. Joint resolution authorizing the President to proclaim annually the week including September 15 and 16 as "National Hispanic Heritage Week"; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.J. Res. 387. Joint resolution to declare the policy of the United States with respect to the recommended identification of its historical economic system involving responsible individual enterprise of free men; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.J. Res. 388. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CONTE:

H.J. Res. 389. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.J. Res. 390. Joint resolution authorizing the President to proclaim annually the week including February 14 (the birthday of Frederick Douglass) as "Afro-American History Week"; to the Committee on the Judiciary.

H.J. Res. 391. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

H.J. Res. 392. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.J. Res. 393. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FLOOD:

H.J. Res. 394. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. WILLIAM D. FORD:

H.J. Res. 395. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. GILBERT:

H.J. Res. 396. Joint Resolution designating January 15 of each year as "Martin Luther King Day"; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.J. Res. 397. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. KLEPPE:

H.J. Res. 398. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. LENNON:

H.J. Res. 399. Joint Resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. McCULLOCH:

H.J. Res. 400. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 401. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 402. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. MILLS:

H.J. Res. 403. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. PEPPER:

H.J. Res. 404. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.J. Res. 405. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.J. Res. 406. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROTH:

H.J. Res. 407. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.J. Res. 408. Joint resolution to create a Joint Committee on Crime, the Courts, and Law Enforcement; to the Committee on Rules.

By Mr. SKUBITZ:

H.J. Res. 409. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. TAYLOR:

H.J. Res. 410. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.J. Res. 411. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TEAGUE of California (by request):

H.J. Res. 412. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. ZWACH:

H.J. Res. 413. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. BELL of California:

H. Con. Res. 125. Concurrent resolution to express the sense of the Congress relating to the Nigeria-Biafra area; to the Committee on Foreign Affairs.

By Mr. FEIGHAN:

H. Con. Res. 126. Concurrent resolution expressing the sense of the Congress relating to the furnishing of relief assistance to persons affected by the Nigerian civil war; to the Committee on Foreign Affairs.

By Mr. LUKENS (for himself, Mr. Anderson of Illinois, Mr. Biaggi, Mr. Boland, Mr. Brock, Mr. Cleveland, Mr. Don H. Clausen, Mr. Del Clawson, Mr. Cunningham, Mr. Dawson, Mr. Dellenback, Mr. Dickinson, Mr. Edwards of California, Mr. Fisher, Mr. Hunt, Mr. Johnson of Pennsylvania, Mr. McDonald of Michigan, Mr. Moss, Mr. Nelsen, Mr. Podell, Mr. Schadeberg, Mr. Talcott, Mr. Zion, Mr. Zwach, and Mr. Fulton of Pennsylvania):

H. Con. Res. 127. Concurrent resolution, Biafra: The need for an immediate ceasefire; to the Committee on Foreign Affairs.

By Mr. LUKENS (for himself and Mr. Friedel):

H. Con. Res. 128. Concurrent resolution, Biafra: The need for an immediate ceasefire; to the Committee on Foreign Affairs.

By Mr. NELSEN:

H. Con. Res. 129. Concurrent resolution urging the President of the United States to take appropriate action to protect U.S. exports of certain agricultural commodities; to the Committee on Ways and Means.

By Mr. RIEGLE:

H. Con. Res. 130. Concurrent resolution to express the sense of the Congress relating to the Nigeria-Biafra area; to the Committee on Foreign Affairs.

By Mr. WHITTEN:

H. Con. Res. 131. Concurrent resolution expressing the opposition of the Congress to the proposed consumption taxes of the European Economic Community on oilseed products; to the Committee on Ways and Means.

By Mr. ROSTENKOWSKI:

H. Con. Res. 132. Concurrent resolution expressing the sense of the Congress relating to the furnishing of relief assistance to persons affected by the Nigerian civil war; to the Committee on Foreign Affairs.

By Mr. BROTZMAN:

H. Res. 210. A resolution, disapproval of rates of pay recommendations; to the Committee on Post Office and Civil Service.

By Mr. CULVER:

H. Res. 211. A resolution to amend rules X, XII, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 212. A resolution to amend rule XI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. DAWSON:

H. Res. 213. A resolution to authorize the Committee on Government Operations to conduct studies and investigations with respect to matters within its jurisdiction, and for other purposes; to the Committee on Rules.

H. Res. 214. A resolution providing for the expenses of conducting studies and investigations authorized by rule XI (8) incurred by the Committee on Government Operations; to the Committee on House Administration.

By Mr. DICKINSON:

H. Res. 215. A resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

By Mr. DULSKI:

H. Res. 216. A resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. EVINS of Tennessee:

H. Res. 217. A resolution to provide funds for the study and investigation authorized by House Resolution 66; to the Committee on House Administration.

By Mr. FASCELL and Mr. CHAPPELL:

H. Res. 218. A resolution relative to the hijacking of U.S. aircraft; to the Committee on Foreign Affairs.

By Mr. HANNA:

H. Res. 219. A resolution to designate the year of 1969 as "International DeMolay Year"; to the Committee on the Judiciary.

By Mr. MONAGAN:

H. Res. 220. A resolution to establish the Select Committee on Coordinated Crime Control; to the Committee on Rules.

By Mr. TALCOTT:

H. Res. 221. A resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

By Mr. WINN:

H. Res. 222. A resolution disapproving the recommendations of the President with respect to the rates of pay of Members of Congress transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 6305. A bill for the relief of Miss Josephine Martinez; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 6306. A bill for the relief of Manohar U. Hasrajani; to the Committee on the Judiciary.

H.R. 6307. A bill for the relief of Angelo Ventrella, Vincenza Ventrella, Oronzo Ventrella, and Mary Ventrella; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 6308. A bill to provide for the conveyance of certain property of the United States located in Lawrence County, S. Dak., to John and Ruth Rachetto; to the Committee on Interior and Insular Affairs.

By Mr. BIAGGI:

H.R. 6309. A bill for the relief of Giovanni Avitabile; to the Committee on the Judiciary.

H.R. 6310. A bill for the relief of Rosaria Cuciuffo; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 6311. A bill for the relief of Michael Rutt; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 6312. A bill for the relief of Florencia H. Fernandez; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 6313. A bill for the relief of Antonina Amadeo; to the Committee on the Judiciary.

H.R. 6314. A bill for the relief of Bernardo Amato; to the Committee on the Judiciary.

H.R. 6315. A bill for the relief of Guiseppi Ancona, Maria Ancona, and their daughter, Maria Ancona; to the Committee on the Judiciary.

H.R. 6316. A bill for the relief of Concetta D'Amico; to the Committee on the Judiciary.

H.R. 6317. A bill for the relief of Filippo Di Maria and Calogero Di Maria; to the Committee on the Judiciary.

H.R. 6318. A bill for the relief of Giuseppe DiMartino; to the Committee on the Judiciary.

H.R. 6319. A bill for the relief of Luciano Dimino, Antonina Scarpulla Dimino, and Maria Giuseppina Dimino; to the Committee on the Judiciary.

H.R. 6320. A bill for the relief of Giovanni Li Vorsi; to the Committee on the Judiciary.

H.R. 6321. A bill for the relief of Luigi Lo Mascolo; to the Committee on the Judiciary.

H.R. 6322. A bill for the relief of Faro Mazzola; to the Committee on the Judiciary.

H.R. 6323. A bill for the relief of Marco Pezzino and Rosaria Pezzino; to the Committee on the Judiciary.

H.R. 6324. A bill for the relief of Giuseppe Purpura; to the Committee on the Judiciary.

H.R. 6325. A bill for the relief of Francesco Rosa; to the Committee on the Judiciary.

H.R. 6326. A bill for the relief of Lionel Rovira; to the Committee on the Judiciary.

H.R. 6327. A bill for the relief of Antonino Speciale; to the Committee on the Judiciary.

H.R. 6328. A bill for the relief of Giuseppe, Calogera, and Giovanna Turco; to the Committee on the Judiciary.

H.R. 6329. A bill for the relief of Stefano Vaccaro; to the Committee on the Judiciary.

H.R. 6330. A bill for the relief of Andrea and Sabina Ventilato and Maria Teresa Ventilato; to the Committee on the Judiciary.

H.R. 6331. A bill for the relief of Francesco Vitale; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 6332. A bill for the relief of Franco and Ida Angelucci; to the Committee on the Judiciary.

H.R. 6333. A bill for the relief of Antonio Balsamo and Maria Balsamo; to the Committee on the Judiciary.

H.R. 6334. A bill for the relief of Antonio Alberto Gomes Barbosa; to the Committee on the Judiciary.

H.R. 6335. A bill for the relief of Alessandro Berardinelli and family; to the Committee on the Judiciary.

H.R. 6336. A bill for the relief of Rosina Cavaliero; to the Committee on the Judiciary.

H.R. 6337. A bill for the relief of Biagio Ciccarello; to the Committee on the Judiciary.

H.R. 6338. A bill for the relief of Giorgio Colarusso; to the Committee on the Judiciary.

H.R. 6339. A bill for the relief of Silverio Conte, his wife, Lucia Conte, their son, Aniello Conte, and their daughter, Silvanna Conte; to the Committee on the Judiciary.

H.R. 6340. A bill for the relief of Gaetano D'Antona; to the Committee on the Judiciary.

H.R. 6341. A bill for the relief of Jose Santos Fontes; to the Committee on the Judiciary.

H.R. 6342. A bill for the relief of Ekaterini Giannasmidou; to the Committee on the Judiciary.

H.R. 6343. A bill for the relief of Constantinos and Anna Kritikos; to the Committee on the Judiciary.

H.R. 6344. A bill for the relief of Caterina Leto; to the Committee on the Judiciary.

H.R. 6345. A bill for the relief of Matteo Marascia; to the Committee on the Judiciary.

H.R. 6346. A bill for the relief of Giuseppe Matorano; to the Committee on the Judiciary.

H.R. 6347. A bill for the relief of Konstantinos Orfanakos; to the Committee on the Judiciary.

H.R. 6348. A bill for the relief of Calogero Palermo and Adelina Turco Palermo; to the Committee on the Judiciary.

H.R. 6349. A bill for the relief of Guido Paribello; to the Committee on the Judiciary.

H.R. 6350. A bill for the relief of Ioannis Perris, also known as John Perris; to the Committee on the Judiciary.

H.R. 6351. A bill for the relief of Camola Pulicono; to the Committee on the Judiciary.

H.R. 6352. A bill for the relief of Mario Rossi; to the Committee on the Judiciary.

H.R. 6353. A bill for the relief of Ettore Salerno; to the Committee on the Judiciary.

H.R. 6354. A bill for the relief of Franseco Spadaro; to the Committee on the Judiciary.

H.R. 6355. A bill for the relief of Giuseppe Tarara; to the Committee on the Judiciary.

H.R. 6356. A bill for the relief of Vasil and Anthoula Thanasis; to the Committee on the Judiciary.

H.R. 6357. A bill for the relief of Arnaldo M. Xavier; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 6358. A bill for the relief of Palmira Guasergna Panettiere; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 6359 A bill for the relief of Dr. Edgardo S. Alday; to the Committee on the Judiciary.

H.R. 6360. A bill for the relief of Rosa Binetti; to the Committee on the Judiciary.

H.R. 6361. A bill for the relief of Arnaldo Cefalo and his wife, Cristina Cefalo; to the Committee on the Judiciary.

H.R. 6362. A bill for the relief of Angelo Ferrante and his wife, Maria Ferrante, and their son, Daniel Ferrante; to the Committee on the Judiciary.

H.R. 6363. A bill for the relief of Pietro Ferrantelli; to the Committee on the Judiciary.

H.R. 6364. A bill for the relief of Mrs. Solita Nahon Herman; to the Committee on the Judiciary.

H.R. 6365. A bill for the relief of Catalina Chien Hsia; to the Committee on the Judiciary.

H.R. 6366. A bill for the relief of Mrs. Aranka Mlinko; to the Committee on the Judiciary.

H.R. 6367. A bill for the relief of Piadosa Rodio; to the Committee on the Judiciary.

H.R. 6368. A bill for the relief of Mercedita O. Rodriguez; to the Committee on the Judiciary.

H.R. 6369. A bill for the relief of Ninfa Gemma Sinagra; to the Committee on the Judiciary.

H.R. 6370. A bill for the relief of Antonino Urso; to the Committee on the Judiciary.

H.R. 6371. A bill for the relief of Hoan Roah Yuan; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 6372. A bill for the relief of Kudret Gonlualcak; to the Committee on the Judiciary.

H.R. 6373. A bill for the relief of Giuseppe Musa; to the Committee on the Judiciary.

By Mr. DANIELS of New Jersey:

H.R. 6374. A bill for the relief of Arcangelo Borrelli; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 6375. A bill for the relief of Amalia P. Montero; to the Committee on the Judiciary.

H.R. 6376. A bill for the relief of Tove Belstrup Nielsen; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R 6377. A bill for the relief of Lt. Col. Earl Spofford Brown, U.S. Army Reserve (retired); to the Committee on the Judiciary.

H.R. 6378. A bill for the relief of Noel S. Marston; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 6379. A bill for the relief of Mr. and Mrs. Anselm C. Griffith and children; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 6380. A bill for the relief of Suey Fong Lee; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 6381. A bill for the relief of John Anthony Bacsalmassy; to the Committee on the Judiciary.

H.R. 6382. A bill for the relief of Julita Capote; to the Committee on the Judiciary.

H.R. 6383. A bill for the relief of Antonio Ciancio; to the Committee on the Judiciary.

H.R. 6384. A bill for the relief of Luciano Di Salvo; to the Committee on the Judiciary.

H.R. 6385. A bill for the relief of Frank J. Kreysa; to the Committee on the Judiciary.

H.R. 6386. A bill for the relief of the estate of Albert W. Small; to the Committee on the Judiciary.

H.R. 6387. A bill for the relief of Stamatina Zoe; to the Committee on the Judiciary.

By Mr. HAGAN:

H.R. 6388. A bill for the relief of Donald W. Wotring; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 6389. A bill for the relief of Visitacion Enriquez Maypa; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 6390. A bill for the relief of Pio de Flavlis; to the Committee on the Judiciary..

H.R. 6391. A bill for the relief of Carmen Mercado; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 6392. A bill for the relief of Raffaele Antoci; to the Committee on the Judiciary.

H.R. 6393. A bill for the relief of Domenico Graziadio; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 6394. A bill for the relief of Maria Manuala de Jesus Gambino; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 6395. A bill for the relief of Maria Leilany Fernandes Leite; to the Committee on the Judiciary.

H.R. 6396. A bill for the relief of Francesco P. Massafra; to the Committee on the Judiciary.

H.R. 6397. A bill for the relief of Mostafa Mirhashemi; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 6398. A bill for the relief of Ventura Latorre, Alba M. Latorre, Ricardo Latorre, Roberto Latorre, and Hernando Latorre; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 6399. A bill for the relief of Efigenia Agbayani Quitasol; to the Committee on the Judiciary.

By Mr. MANN:

H.R. 6400. A bill for the relief of Reddick B. Still, Jr., and Richard Carpenter; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 6401. A bill for the relief of Miss Margaret Gale; to the Committee on the Judiciary.

By Mr. MIZE:

H.R. 6402. A bill for the relief of Sanborn Lumber Co., Inc.; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 6403. A bill for the relief of Anna Ruzzo; to the Committee on the Judiciary.

H.R. 6404. A bill for the relief of Myron Stachawiez; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 6405. A bill for the relief of Jon R. Olson; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 6406. A bill for the relief of Michele Barbera; to the Committee on the Judiciary.

H.R. 6407. A bill for the relief of Mohamed Khaled Mokayesh; to the Committee on the Judiciary.

H.R. 6408. A bill for the relief of Sushil Kumar Verma; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 6409. A bill for the relief of Gaetano Battiniello; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 6410. A bill for the relief of Expedito Soriano Angco; to the Committee on the Judiciary.

H.R. 6411. A bill for the relief of Marcelo P. Antolin; to the Committee on the Judiciary.

H.R. 6412. A bill for the relief of Sicinio V. Apigo, Sr.; to the Committee on the Judiciary.

H.R. 6413. A bill for the relief of Ricardo B. Bellosillo; to the Committee on the Judiciary.

H.R. 6414. A bill for the relief of May Avila Bermudez; to the Committee on the Judiciary.

H.R. 6415. A bill for the relief of Honesto P. Bombon; to the Committee on the Judiciary.

H.R. 6416. A bill for the relief of Julio F. Buenaventura; to the Committee on the Judiciary.

H.R. 6417. A bill for the relief of Apolinar Cabiao; to the Committee on the Judiciary.

H.R. 6418. A bill for the relief of Jose P. Campos; to the Committee on the Judiciary.

H.R. 6419. A bill for the relief of Estrella B. Cleto; to the Committee on the Judiciary.

H.R. 6420. A bill for the relief of Patria M. Cordero; to the Committee on the Judiciary.

H.R. 6421. A bill for the relief of Lorenza J. de Leon; to the Committee on the Judiciary.

H.R. 6422. A bill for the relief of Eleuteria P. de Mesa; to the Committee on the Judiciary.

H.R. 6423. A bill for the relief of Jaime Pico de Vera; to the Committee on the Judiciary.

H.R. 6424. A bill for the relief of Editha F. Dumo; to the Committee on the Judiciary.

H.R. 6425. A bill for the relief of Dominador G. Ferreria; to the Committee on the Judiciary.

H.R. 6426. A bill for the relief of Rosendo J. Franada; to the Committee on the Judiciary.

H.R. 6427. A bill for the relief of Mathilda M. Guanso; to the Committee on the Judiciary.

H.R. 6428. A bill for the relief of Miss Belen T. Guerrero; to the Committee on the Judiciary.

H.R. 6429. A bill for the relief of Miss Bok Soon Lee; to the Committee on the Judiciary.

H.R. 6430. A bill for the relief of Isidro L. Marcojos; to the Committee of the Judiciary.

H.R. 6431. A bill for the relief of Alfredo S. A. Marfori; to the Committee on the Judiciary.

H.R. 6432. A bill for the relief of Zacarias Quitorianc Montero; to the Committee on the Judiciary.

H.R. 6433. A bill for the relief of Zenda B. Paguyo; to the Committee on the Judiciary.

H.R. 6434. A bill for the relief of Bernardita C. Perena; to the Committee on the Judiciary.

H.R. 6435. A bill for the relief of Felisa C. Perena; to the Committee on the Judiciary.

H.R. 6436. A bill for the relief of Elenita Sandil Policarpio; to the Committee on the Judiciary.

H.R. 6437. A bill for the relief of Rene Angel C. Primitivo; to the Committee on the Judiciary.

H.R. 6438. A bill for the relief of Crisostomo P. Punzal; to the Committee on the Judiciary.

H.R. 6439. A bill for the relief of Leoncio and Agipita Poblete Punzal; to the Committee on the Judiciary.

H.R. 6440. A bill for the relief of Isabelita C. Reniedo; to the Committee on the Judiciary.

H.R. 6441. A bill for the relief of Angelina R. Reyes; to the Committee on the Judiciary.

H.R. 6442. A bill for the relief of Concordia Alcaraz Sandel; to the Committee on the Judiciary.

H.R. 6443. A bill for the relief of Rosalina C. Sibayan; to the Committee on the Judiciary.

H.R. 6444. A bill for the relief of Rosenda H. Taong; to the Committee on the Judiciary.

H.R. 6445. A bill for the relief of Maremma H. Unite; to the Committee on the Judiciary.

H.R. 6446. A bill for the relief of Bienvenido F. Velasco; to the Committee on the Judiciary.

H.R. 6447. A bill for the relief of Elena F. Viloria; to the Committee on the Judiciary.

H.R. 6448. A bill for the relief of Mrs. Beatriz S. Vinluan and Bruno S. Vinluan, Jr., her minor son; to the Committee on the Judiciary.

By Mr. PICKLE:

H.R. 6449. A bill for the relief of Cho Young Suk; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 6450. A bill for the relief of Rivka Avital and her infant daughter, Samdar Avital; to the Committee on the Judiciary.

By Mr. REES:

H.R. 6451. A bill for the relief of Rebecca Yaker Appelbaum; to the Committee on the Judiciary.

H.R. 6452. A bill for the relief of Vicente C. Capacite; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 6453. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, Jr., and William A. Anders; to the Committee on Armed Services.

By Mr. ROSTENKOWSKI:

H.R. 6454. A bill for the relief of Giuseppe Tornatore; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 6455. A bill for the relief of Maria Celeste de Almeida Albuquerque; to the Committee on the Judiciary.

H.R. 6456. A bill for the relief of Antonio Martins Da Silva; to the Committee on the Judiciary.

H.R. 6457. A bill for the relief of Alzira Fernandes Marques; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 6458. A bill for the relief of Dr. Jacques Charbonniez; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 6459. A bill for the relief of Mrs. Jasmine T. Dillon; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 6460. A bill for the relief of Rafael F. Calaguas; to the Committee on the Judiciary.

H.R. 6461. A bill for the relief of Orlando D'Amato; to the Committee on the Judiciary.

By Mr. VIGORITO:

H.R. 6462. A bill for the relief of Elio Domestici; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 6463. A bill for the relief of Josephine P. Hynes; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII.

49. By the SPEAKER: Petition of Henning B. Dieter, Chattanooga, Tenn., relative to confiscation of property; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

THE QUEST FOR LIBERTY—CONGRESSMAN WILLIAM J. GREEN SALUTES UKRAINIANS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. MOORHEAD. Mr. Speaker, in this 51st anniversary year of Ukrainian freedom, regrettably she is not free. But freedom that counts is in the hearts and minds of the people, and the Ukrainians have never lost their fighting spirit and brave determination to be free.

My distinguished colleague from Pennsylvania, WILLIAM J. GREEN, of Philadelphia, delivered a very stirring address honoring these courageous people before a Ukrainian Independence Day celebration recently at Benjamin Franklin High School in Philadelphia.

Under unanimous consent I include the very eloquent remarks on the subject of freedom given by my friend and fellow Pennsylvanian at this point in the RECORD:

REMARKS OF CONGRESSMAN WILLIAM J. GREEN, UKRAINIAN INDEPENDENCE DAY CELEBRATION, BENJAMIN FRANKLIN HIGH SCHOOL, PHILADELPHIA, JANUARY 26, 1969

Let me say at the outset that I was pleased and honored by your invitation to speak here this evening. I accepted that invitation immediately. I did so because you were holding—as John Kennedy once said—a "Celebration of Freedom."

And wherever Freedom is honored or the struggle for Freedom goes on . . . that is where I want to be.

I need not review for you the long history of struggle, sacrifice and heroism of the Ukrainian people.

You know that history better than I.

You yourselves—and the generations that came before you—have been part of that struggle.

And I salute you for it.

Your story—and that of the Ukrainian Nation—will go down in history as one of man's great struggles against tyranny and oppression.

I have come here tonight because I want to help you remind America and the world that tyranny is not dead.

It lives on—in Europe, Asia and other parts of the world.

It raises its head at the Berlin Wall.

It stalks the streets of Prague.

And it dominates the great City of Kiev in the heart of the Ukraine.

I want to join you tonight in reminding America that there are still parts of the world that desperately want to be free . . . people who hunger for the freedom to speak their minds . . . worship as they please and work as their talent and inclination dictates.

And there is no struggle in this world which symbolizes that desire more strongly than the struggle of the Ukrainian Nation.

The Ukraine is the oldest victim of Communist domination.

Fifty-one years ago, the Ukraine proclaimed its independence.

But forty-nine years ago, it was overwhelmed by Russian force.

For nearly half a Century, the people of the Ukraine have known what it is to live under Communist domination.

They can tell the World a story that many have never known and many more would prefer to forget.

They can tell what it means to have lived with Stalin on one side and Hitler on the other.

They can tell of the heroism of the Ukrainian insurgent Army during World War Two and how it fought both the Nazis and the Russian Secret Police.

They can tell of the bloody Post-War persecutions and reprisals which swept the Ukraine but never broke its spirit.

They can tell of the systematic deportation of Ukrainians to Central Russia, the terror and assassinations of Ukrainian Leaders—even those who have led the cause of Ukrainian freedom in other Nations.

And finally, they can tell of the religious persecution and exploitation which Russia has delivered upon their Nation.

Other Nations have had their story told in brief headlines. . . .

The uprisings in Poland. . . .

The bloodshed on the streets of Budapest. . . .

The Russian tanks in the City of Prague. . . .

And the quick death for trying to escape over the Berlin Wall.

But the Ukrainian experience has, indeed, been the "Long, Twilight struggle" of man's desire to be free and his refusal to accept tyranny under any name.

And so, I come here to tell you not to let this Country forget . . . not to let the Free World forget that tonight, on the other side of the World . . . there are brave and decent people who want to be free.

And I have also come here to tell you that I, as a Representative of the people to their Government in Washington . . . shall not let our Government forget that the struggle for freedom—here in America and throughout the World—is the moral responsibility of this Nation and its free men.

Let us all—tonight—re-dedicate ourselves to the cause of freedom for all men. And let us honor the brave and courageous people of the Ukraine who stand tonight as the living symbol of that struggle for Freedom.

Thank you.

COAL MINE HEALTH AND SAFETY

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. HECHLER of West Virginia. Mr. Speaker, I believe that all Members who will be debating and voting on coal mine health and safety legislation will be interested in the series of articles which appeared in the February 2, 1969, Charleston, W. Va., Gazette:

BLEAK PROSPECTS FOR CHANGE

(By George Lawless)

Less than three weeks after the Consol No. 9 explosion at Mannington snuffed out 78 lives, Secretary of Interior Stewart Udall convened a conference in Washington to discuss the problem of how to make coal mining safer.

Because the public interest in disaster dwindles swiftly, the testimony of mine safety and public health officials at the conference received scant attention by the news media.

The public was being titillated by such monumental events as the then President-elect Nixon's cabinet choices—including Alaska Gov. Walter Hickel as future chief of Interior. On Hickel will rest the burden of pushing through Congress any meaningful new coal mine safety legislation in the new Congress.

Sec. Udall, perhaps looking back at Mannington, trotted out a beefed-up version of the belated Federal Coal Mine Safety and Health Act of 1968, which was introduced in the House by the lame-duck Administration last Sept. 11.

The new bill, according to New York Times reporter Ben Franklin, filled some "gaps" created by the 1952 Federal Coal Mine Safety Act originally introduced in the dying days of the Truman Administration by Rep. Ken Hechler, D. W. Va.

Basically, the gaps to be filled involved: Dropping the distinction between gassy and non-gassy mines and adoption of a uniform methane gas standard (methane explosion caused the Mannington disaster); relatively strong civil penalties for both mine operators and employes were introduced; federal mine safety jurisdiction was enlarged to include both strip and augur mines; and, finally, coal mine respiratory health standards were developed.

The latter standards were included largely as a result of the prodding in Congressional testimony last spring by public advocate Ralph Nader, and Drs. I. E. Buff of Charleston and Hawley Welles of Morgantown.

Some of the most damning testimony at Udall's December conference came from Jerome B. Gordon, an associate of Nader and author-expert on worker safety problems.

"The Farmington . . . disaster has caught everyone responsible for mine safety unawares and has exposed the sham that passes for public interest in industrial safety prevention and control in the United States," Gordon charged.

"We have had three notable mine disasters this year (1968)—two of them in West Virginia and one in Louisiana. In two of the three cases—Farmington and Belle Isle, La.—the mines were inspected by Federal Bureau of Mines safety officials. In both cases, extensive violations were found, mine operator officials apprised of them, but nothing was done to insure compliance by the U.S. Department of Interior—the responsible agency for federal mine safety regulation.

"What we have here are sufficient grounds for the filing of charges of criminal negligence by the surviving families of the mine fatalities against the mine operators, mine union leadership and an executive agency notorious for its subservient behavior in the face of substantive industry opposition to federal involvement in safety matters—the Department of Interior."

Gordon said the behavior of the United Mine Workers union leaves much to be desired from the viewpoint of their constituents—the soft coal miners and their families. "Their (UMW) long history of tacit condonement of a non-support policy for mine safety and health matters put them very much in league with the companies and the federal government," Gorden declared.

He suggested that union and government officials could insist on some safety measures which would be of relatively little expense to the coal industry.

One is dispersement of "life support suits" for trapped miners or rescue workers; these self-contained breathing units could be installed throughout the industry for about $20 million, Gordon said. Another immediate stop would be stiff regulations on underground water mapping, a rule that could have prevented the Hominy Falls disaster.

"Other things we're shooting for," Gordon said last week, "include a separately administered mine compensation and rehabilitation system. We must take it out of the hands of the UMW, which has done an obviously poor job." He said there should be a model mine compensation and rehabilitation law administered by the federal government.

"Included under the Occupational Health and Safety Act of 1969 is a provision for amending basic social security legislation to provide a recourse for individuals who have had long-term disability," Gordon said. This provision would involve the loosening of the definitions of eligibility for disabled workers.

Gordon calls the present keeping and reporting of statistics on mine fatalities and permanent and partial disablements, as well as occupational health incidences, "less than reliable."

In too many states, he says, basic raw data on the incidence of occupational health hazards is just not reported. While the shock effect of deaths is unseemly in the extreme, the real problems are work accidents and the oppressive misery of respiratory diseases as in the case of pneumoconiosis, he contends.

It is on the matter of compensation for these latter ailments that Gordon reserves his strongest words. Noting that the Commonwealth of Kentucky has moved to compensate respiratory disease cases in the mining industry, Gordon said "the same cannot be said for the neighboring state of West Virginia, where only three cases of black lung (pneumoconiosis) disease have ever been compensated."

". . . One wonders about the adequacy of the awards made to the surviving families of the Farmington disaster," Gordon mused. "There have been news stories estimating the monthly income benefit for the surviving families of the disaster at $500. The truth of the matter is that the figure is the combination of West Virginia's worksmen's compensation and UMW welfare fund payments, so that the size of the actual benefit is overstated.

"The reality will hit those unfortunate households when, in five years time, they will be forced to rely on their meager savings and public welfare payments."

Gordon suggested that an exhaustive study, similar to those conducted by federal agencies following airline and ship and bridge disasters, be initiated in the Consol No. 9 investigation.

Gordon concluded that changes for the benefit of the miner will come only if enough grass roots support can be generated for public and congressional action.

"Hopefully, it will come soon, perhaps in the start of the 91st Congress' first session. However, with an unfriendly administration on safety matters . . . invested into office last month, the prospects are, unfortunately, bleak."

BLACK COAL, BAD ODDS

(By Harry Kelly)

WASHINGTON.—With the lights on the hard hats glowing yellow the miners tramped down the long steep tunnel toward black coal and bad odds.

As they walked, swinging their lunch buckets, they complained about a television commentator's observation at the time of last November's West Virginia mine disaster that "coal miners expect to die underground."

"Look," said one. "I been 25 years in the mines and I don't expect to die in one. I sure as hell don't."

"I seen one lit—explode once," said another. "I was at the entrance and it seared the back of my neck. Killed two of 'em. But they asked for it. They said 'There ain't no gas in this mine' and they lit a match. Boom!"

Despite the miners' tough, cock-sure attitude, the men who pry coal from the earth face the worst safety statistics of any major industry.

A White House expert even figures that because of greater mechanization, and "black lung," coal mining may be more hazardous than ever before for the individual miner.

A man who spends his working-life in the mines faces one chance in 12 of being killed in an accident; at least one chance in five of suffering lung disease. He also can figure on suffering three or four injuries severe enough to keep him off the job.

An airplane pilot can get insurance at the standard rate; a coal miner cannot.

Now, suddenly, Uncle Sam is moving to try to improve those odds. As usual, it took a disaster, 78 West Virginia miners killed in an explosion that entombed them last Nov. 20.

The U.S. Bureau of Mines has taken most of the heat. It was accused of failing to protect the miners and of being production oriented. Now, says a union official, "it is closing mines right and left."

Despite this accelerated federal activity, 22 miners have been killed since the West Virginia explosion. But none died in a spectacular accident, and their deaths went largely unnoticed.

"Everyone gets excited when we have an explosion," said President W. A. Boyle of the United Mine Workers Union. "We don't have any trouble getting all this help during the time it is still warm, but let it cool off a little. . ."

After the West Virginia disaster, Secretary of Interior Stewart L. Udall acknowledged. "Regrettably, I must report that we have found the bureau could have done more than it has done, and we must take the responsibility for all of the shortcomings."

At a one-day mine safety conference after the explosion, a spectator asked how unsafe mines remain open, to take more lives. Answering his own question, the man charged that mining is "a crooked business," and spoke of bribery and payoffs including tickets to football games. But he offered no evidence.

Another veteran miner spelled out his anger in a letter to his congressman:

"I would like to know why the federal and state inspectors always notify the coal company before they make an inspection. I know they do this because the mine foreman always tell section foremen the day before to get everything fixed up for the inspectors will be here tomorrow.

"So they have the men go around and throw a little rock dust over the coal dust, set a few extra timbers, get the electric cables off the bottom and fix everything in general until the inspector leaves.

"And then they forget about safety until next inspection."

A crusader for mine safety, Dr. I. E. Buff, a member of the West Virginia Pollution and Control Commission, told the Washington meeting that inspectors were not enforcing regulations already on the books.

A spokesman for another safety crusader, Ralph Nader, charged there were grounds for filing criminal neglect charges against the Bureau of Mines, as well as against mine union leaders and mine operators.

UMW president Boyle blamed the bureau, saying it had fallen behind the times: "The Federal Bureau of mines is inspecting mines and writing reports in the same manner it has for years."

There were, as Udall described them, other short-comings. Relatively few mine closure notices were issued. Inspectors did not issue the notice if a safety violation was corrected immediately.

For instance, in 1967 only 1,162 orders withdrawing the men from a mine—or section of mine—because of imminent danger were issued by inspectors—compared with more than 15,000 law violations noted by them.

A government expert, S. David Freeman of the executive office of the President's science and technology staff, told the safety conference:

"As productivity increased through mechanization the safety record leveled off and there has been virtually no improvement over the past decade or so. When you add the increase in debilitating lung diseases, which have apparently become much more prevalent in the past 10 or 15 years as mechanization increased, some would conclude that our record for health and safety in the coal mines is actually getting worse."

The U.S. Public Health Service has estimated that one miner in five—or 125,000 working miners now—suffers from some stage of coal miners' pneumoconiosis or "black lung."

Some medical crusaders believe the disease is even more common. Autopsies of 1,000 miners showed evidence of "black lung" in four out of five.

As part of the flurry of activity after the West Virginia disaster, the Public Health Service recommended a standard for coal dust level in mines.

John F. O'Leary, who became director of the Bureau of Mines just before the explosion, issued a blizzard of new orders.

Within one week under his whip, there were 25 closures—compared with four or six in the previous week.

The 42-year-old O'Leary, a career government man, ordered:

That the number of spot inspections be increased from 200–300 a year to at least 1,000. In December, there were 600.

That no advance notice of inspections be given to mine operators or unions under any circumstances.

That the bureau make a special inspection of any mine or complaint of a safety violation from a union representative, a safety committee or a minimum of three employees, with a guarantee that the source of complaint will be kept secret.

That notices be issued in the case of every violation, even those corrected immediately.

That either improperly dusted coal or accumulations of methane gas in excess of 1.5 per cent in a mine already classed as gassy be the basis for an order withdrawing the men.

What has the impact been?

In more than 11 months between Jan. 1, 1968, and the West Virginia disaster there were 129 orders issued withdrawing men from mines because of imminent hazard of disaster.

In the three months since the mine explosion, there have been 102 such orders issued.

BUREAU ON THE SPOT

(By John Yago)

WASHINGTON.—The U.S. Bureau of Mines has been in the spotlight of public attention since last November's disaster at the Consolidation Coal Co. mine at Mannington roused interest in the health and safety conditions faced by the nation's coal mines.

As the agency responsible for enforcement of federal laws governing mining—"hard rock" as well as coal—the bureau is the focal point around which agitation for change in this federal control is swirling.

The Mannington disaster prompted a new review of the 1952 Coal Mine Safety Act, the present basic guide of government control. New regulations were issued, primarily to tighten up on federal inspection of coal mines, and the law is now being carefully studied to give its provisions the most rigid interpretation possible in reducing mining hazards.

But what the bureau is able to do in the next few years will be largely determined outside its own walls. What it is physically able to do and what it is allowed to do will be decided in the laboratory and in the halls of Congress.

MONEY SOUGHT

Congress this year will have before it several proposals—two have already been introduced—to rewrite the Mine Safety Act, making substantial changes and for the first time including significant attacks on respiratory disease such as pneumoconiosis, or black lung. Present law mentions coal dust only as a potential explosive hazard, not as dangerous to health.

Although the Johnson administration had a safety bill introduced last September, it was too late for action.

The laboratories, where research is conducted or sponsored by the Bureau of Mines, will hopefully provide the knowledge to make the mines safer and healthier places in which to work.

For health and safety research, the bureau this year is seeking $3.3 million in the new budget, a 50 per cent increase over the $2.2 million appropriated last year.

There are two principal areas in which the bureau seems to be concerned regarding health and safety.

One deals with methane gas concentrations and explosions, and the other with heavy concentrations of coal dust in mines.

In addition, it is studying the results of government-sponsored safety courses for miners and supervisors to see how effective they are in reducing mine accidents.

Critical to reducing the underground explosions that usually cause the major disasters is a method of detecting dangerous conditions and doing something about them. Work is already under way on equipment that will detect what bureau scientists call an "incipient ignition" or an explosion just about to happen.

CRITICAL QUESTION

The problem here isn't particularly technology, for explosive methane gas can be readily detected and there are various methods of dampening a fire.

The critical question is time, time that is measured in a fraction of a second between a spark and a shattering explosion.

The bureau says a device is being developed to detect that spark and release a deluge of flame quencher in the fraction of a second before the explosion is set off.

The sensor uses ultraviolet ray radiation to detect an explosive situation and break an aluminum container of flame quenching chemicals. Perfection of the device, however, is as much as two years away and then industry must be persuaded to manufacture and sell it to mine operators.

Earl P. Shoub, chief of the bureau's division of accident prevention and health, said this explosion preventive equipment is very complex, but its use would alleviate one of the major hazards in mining.

The second, according to Shoub, is dust reduction.

"We desperately need to know now to mine by American methods efficiently and produce less harmful size component dust," he said.

The big villains in the antidust battle are the continuous mining machines introduced in quantity since World War II which are responsible for both the high coal output of American mines and the large amounts of dust in the working areas.

Shoub believes these machines can be adapted to produce significantly less dust without impairing production, but the job isn't an easy one.

Several groups are working on the problem, and the bureau is currently surveying their activities so there will be less chance of duplication when it undertakes its own efforts.

Research also is being done on respirators for miners to wear, but Shoub believes all of the precautions are merely second lines of defense against dust. The real need is not to generate dust in the first place.

Toward this end, techniques developed in Great Britain are being studied for possible adoption here although the British method of mining differs from the American and has a lower per-man production record.

There are, however, 17 American mines using the British long wall method—without the expensive continuous miners—and production is higher than their European counterparts. But, Shoub cautioned, these American mines may be perfectly suited to the British method which couldn't be universally adaptable.

MORE INSPECTORS

While the Bureau of Mines awards contracts for much of its research work to outside organizations, it maintains its own experimental mine at Bruceton, Pa., near Pittsburgh. There it conducts research on underground dust and methane explosions, sparks, ventilation, dust collection and other mining problems. The bureau's explosives laboratory also is located on the 270-acre Bruceton site.

A key to improving the health and safety conditions in mines is compliance with regulations laid down to improve these conditions.

In the wake of Mannington, there were demands that inspection procedures be improved and made more strict. The bureau did just last month when it issued administrative orders calling for more spot checks of mines, unannounced inspections and generally stricter enforcement of safety and health regulations.

To step up the effort even further, the proposed new mine safety bill includes fines for violators of regulations.

The new budget also includes funds to add 55 men to the bureau's present force of 248 inspectors.

THE HOT EDGE OF HELL

(By Jeanne Rasmussen)

At Farmington, a man stood staring at a large wall map that detailed the catacombs of the Consol No. 9 mine.

"Two days ago," he said brokenly, "my brother told me: 'That mine's gonna' blow any day. If it does, don't bother to come looking for me—you'll never find me.' "

For 78 men working the "Cat-Eye" shift of No. 9 on the morning of Nov. 20, 1968, the prophecy came true.

Once again, miners' fate had been written in dust, seared by flames, and sealed in cement.

The rich Pittsburgh coal seam, which underlies most of Marion County, is seven feet thick in the Farmington-Mannington vicinity. It is here, also, where the worst disaster in the annals of coal mining history occurred at nearby Monongah, on Dec. 6 1907, when 361 men were killed in a violent underground explosion. Flames, dust and smoke shot out of the No. 6 and No. 8 portals like an erupting volcano, and the power house by the No. 8 shaft was said to have been crushed like paper-mache'.

The Jamison Coal and Coke Co., which owned several mines in the area, eventually sold their interests to Consolidated.

The northern mine fields had been marked by a number of disasters, all due to explosions. The first recorded, occurred on May 15, 1901 in the Chatham Mine at Farmington, killing 10 men.

On Oct. 19, 1916, Jamison No. 7 at Barrackville exploded, killing 10.

On Jan. 14, 1926, an explosion in Jamison No. 8 at Farmington killed 19 workers.

On Nov. 13, 1954, Consol No. 9 at Farmington (formerly owned by Jamison) exploded taking the lives of 16 men.

To this list must now be added Consol No. 9's latest fatality statistics.

The history of repeated disasters often caused mine owners and operators to change the name of the mine frequently, since it was difficult to get new workers in a mine rumored as "bad." As far as can be determined, however, at least three major disasters have occurred at the Farmington operation.

"Remember '54 . . ." miners and area residents say in guarded whispers. Even now, they are reluctant to speak of it, and confide only to trusted friends.

After the explosion that year the shafts of No. 9 had been ordered sealed after about three days, they state; When unsealed about three months later, reports filtered through the area, despite carefully prepared company statements to the contrary. Three men, it was said, had been found barricaded by brattice cloth . . . and had lived for several weeks in the underground tomb, marking each day off by scratches on the wall. One man, it had been rumored, had marked the last date of his survival on a piece of slate, which had reportedly been found still clutched in his hand.

Four men who "talked" were said to have been fired.

"It was a lesson to others," one old miner confided. Coal operators have a way of dealing with 'squealers.'

"Everybody was scared to talk, and it couldn't be proved." After the latest explosion, when the decision was announced to seal the portals of Consol No. 9 on Friday, Nov. 29, 1968—the day after Thanksgiving, miners muttered among themselves and families seemed resigned. A few, however, strongly opposed the action. One was Tony Megna, a school principal from Ohio, who had voiced opposition from the beginning.

Megna pleaded for officials to delay sealing of the shafts and begged for additional drills to test every area of the mine—not just the working areas. His pleas were eventually disregarded, as coal officials concluded "There is no hope for sustenance of life" and announced that "sealing of the portals will be done immediately."

Ironically, a similar disaster occurred at the St. Paul Mine, Cherry, Ill., back in 1909. It happened on Nov. 13, the same date as the 1954 explosion at Consol No. 9. The Cherry mine fire had become a blazing inferno, and when all efforts had been apparently made to extinguish it, the word came: "Choke it,"—seal the shafts . . . despite the fact that more than 200 men were still trapped below. Stunned families pleaded: "Please open the mine . . ."

James Penna, official of the UMWA, supported their belief.

"The closing of those shafts was a crime," he stated. "It was done for the purpose of saving the property of the mining company and the action was taken without regard to the lives of the miners.

"I have been a practical miner for 28 years," he declared angrily, "and in my opinion, old experienced men would never rush to their death in thick smoke while they had a chance to save their lives by retreating to the remote parts of the workings . . ."

Authorities, however, were certain and in agreement about one point—not a man could still be alive. Not a man could have survived first the fire, then the gases.

Besides them, the faithful waited and prayed for a miracle.

When inspectors went into the mine about seven days later, they discovered 21 miners who had retreated to a remote, unworked-in portion of the mine. Here, the men had barricaded themselves in an airtight tomb and miraculously, managed to survive.

Slab Fork is a slope mine in Wyoming County. The Slab Fork mine ant-tunnels into the earth at an incline of about 300 feet. The men who mine this coal bed work mostly on their knees, since the seam is only between 32 and 42 inches high in most areas.

One day, working one-and-a-half miles inside the mine, Weldon Miller turned to Hasel Tackett, a continuous miner operator, and said:

"Let's get out of here, Tacky—there's no air!"

Miller had been pulling the cable of the continuous miner when "everything exploded," blowing his hardshell hat off his head and knocking him to the floor of the mine. Groping for an escape route, Miller was halted time and again by the thick coal dust and intense heat.

His life was saved, he now declares, by a fellow-miner, Shelby Williams, who dragged him into "clean air."

Other miners, believing themselves to be human torches, described rolling on the floor in an attempt to "put out the fire."

One of the eight men to survive the explosion and flash fire which occurred July 24, 1968 at the Slab Fork No. 8 mine, Weldon Miller, described the experience "like a cloud of fire." His hands and face were charred; his eyes stared through lashless rims and the words came slowly, through painfully-burned lips. His wrists were bandaged where gloves had melted into the skin.

Sitting on his hospital bed in Beckley, the 25 year mining veteran planned to return to his job as soon as possible.

"It's a living," he shrugged, "and besides, if I make it four more years, I can retire."

Probably no single factor in coal mining safety is more important than proper ventilation. Mine experts hold to the principle that no man ever lost his life by gas when a mine was properly ventilated.

Two miles inside the subterranean passageway of the Saxewell No. 8 mine at Hominy Falls, 25 miners were trapped by a raging torrent of water, on May 6, 1968. Ten men, working a glittering black vein of coal with a continuous miner deep inside the mine, were trapped when a thick wall collapsed releasing an internal hemorrhage of millions of gallons of acrid mine water.

"Like a small Johnstown flood inside a coal mine," commented Jim Comstock, editor of the West Virginia Hillbilly, a weekly paper published at nearby Richwood.

The breakthrough, it was learned, came from a nearby adjacent mine, abandoned and left to collect water for over 12 years.

After five days, 15 miners were safely rescued, but hope for ten others was all but abandoned.

"I knew he was dead," said Helen McClung, wife of one of the remaining victims, "but somehow, I just couldn't give up hope . . ."

But on the tenth day, six additional men were brought to the surface, alive and praising God. Four bodies were recovered several hours later. Renick McClung, father of nine children, was one of the dead.

Newspapers around the world proclaimed "The Miracle of Hominy Falls," and Helen McClung hugged a little tow-headed girl against her and wondered how she might buy the rented cinderblock house that had been home.

"Miracles" for the McClung family—as well as four others, were non-existent. The price of survival—and a little bit of security, depended on harsh reality.

While one cannot question the fact that the survival of 21 men without a Noah's Ark was indeed a phenomenon, the working miner of today cannot continue to rely on "miracles," while mining engineers provide inaccurate maps based on improbable surveys and some owners and operators fail to acknowledge and enforce even the most basic of safety precautions.

After official hearings, held in Summersville and Charleston, it was concluded that "engineering errors" were the basic cause of the Hominy Falls disaster.

One miner testified: "If we'd known we were that close, we would have drilled boreholes . . ."

Even in light of this latent observation, several miners recalled wading through water at least 10 inches deep on the mine's floor.

"Sure, they should have drilled test holes," one miner commented angrily, but that takes time. It's an unpardonable sin to shut down a piece of machinery!"

The Federal Coal Mine Safety Act Amendment of 1965 specifies:

"Whenever any working place in an underground mine approaches within 50 feet of abandoned workings (as certified by competent engineers or surveyors), or within 200 feet of any other abandoned workings of such mine which cannot be inspected and which may contain dangerous accumulations of water or gas . . . boreholes shall be drilled to a distance of at least 20 feet in advance of the face . . . and drilled sufficiently close to each other to insure that the advancing face will not accidentally hole through . . ."

The history of coal mining is underlaid with tragedy and stigmatized with poverty. "Miracles" are too far and few in between. Many miners still tend to regard survival as "God's will," lifting the burden of responsibility from those less competent.

Who pays? The Maust Co., operators and owners of the Saxsewell mine, "portal to portal" wages to accident victims and families of the deceased. United Mine Workers' Welfare and Retirement Fund allots $5,000 in monthly installments to widows and children of "working miners" (until January, 1967, the amount was $1,000), extended over a five-year period, at which time hospital and medical benefits are also terminated.

"It doesn't matter how much they pay," Helen McClung said in a tear-tinged voice, "nothing would be worth Renick's life."

Gaunt, shaggy-haired Ben Boyce, a disabled miner from Mingo County, speaks with a halting mountain dialect. But it proved no handicap when he described the shocking circumstances of a mine disaster in testimony in Washington, D.C., February, 1968. The hearings, conducted by the Select Subcommittee on Labor of the Committee on Education and Labor, House of Representatives, were held for the purpose of establishing an "Occupational Safety and Health Act of 1968." Although testimony was heard from several miners, coal mine safety was not included.

Presiding at the session was Rep. James G. O'Hara of Michigan.

Boyce, whose career began at age 12, when he was employed as a "trapper" for Consolidated Coal Co., in Kentucky, stated:

"I worked for Island Creek No. 22 (near Holden, for 18 years, 11 months and 20 days. I run a motor.

The mine had a fire in 1960. We got out and they shut down. When we got the men out, 18 was kilt' . . . two was Garfield Hensley and Clyde Wylie."

According to Boyce, company officials exerted pressure for him to sign a statement blaming Hensley and Wylie for the fire, as well as the deaths of the 16 other men.

"They had a cutoff the day before. He changed Garfield to the day shift and put me in his place on the 'Hoot-Owl.'

"I gave 'em 20 empties (coal cars) off the rear of the tram and went to the bottom. The dispatcher told me the mine was on fire. I got the fire truck and went back up there, but 'hit was stopped up with rock dust—'hit wouldn't work."

Ben's voice filled with rage.

"I couldn't see no reason that our men had started the fire. But," he added fiercely, "even if I knowed 'hit to be true, I wouldn't sign a statement as that nohow. They was my brothers in the union . . ."

After he refused to sign the statement, Ben says his foreman declared angrily: "The first chance I get, I'll fire you or lay you off."

Eight months later, Boyce lost his job.

He was hired by another Island Creek mine—No. 25, but abruptly was told by the "company physician" (Employed by Island Creek) that he had "bad tuberculosis and shouldn't even drive his car home." All previous health examinations (done by the same physician) Ben related, were normal and listed him in "excellent health."

Rejected for employment time and again, Ben, his wife Faye, and eleven children barely survived. One member of the family—a baby girl, didn't make it. Rushed to the nearby Holden Hospital with a severe respiratory ailment, the child was refused admittance because Boyce no longer possessed a hospital card. She's buried in a tiny grave on the outer edge of a small rusty creek.

Eventually forced to seek work under the Federal and State ADCU (Aid to Dependent Children of the Unemployed) Program, Boyce cut weeds along state highways.

Disqualified from retraining programs because of age, health and limited education, Boyce encountered a new problem: Upon the slightest exertion, he became severely short-winded.

"I couldn't even push a wheel-borrow' without havin' to sit a spell and rest," he commented.

Examined at the Beckley Appalachian Regional Hospital, Boyce's tests showed the all-too-familiar evidence of lung impairment from long exposure to dust. (There was no indication from X-rays or skin testing that he had ever had tuberculosis).

What becomes of the Ben Boyce's? The worked-out, used-up, and cast-aside victims of industrial exploitation?

At age 47, his sole income is a $251. monthly social security check. Nine Boyce children are left to be educated, and Ben is determined.

Mostly, his days are spent watching fuzzy pictures on a $20 used television, or tinkering with the carburetor of a broken-down automobile . . . all in the shadow of a sign which proclaims: "Heart of the billion dollar coal field."

It was a humid Saturday morning in July, 1966, when Mount Hope became hell.

A violent explosion, which occurred about 14,000 feet from the driftmouth of the Siltix mine at Mount Hope, killed seven men and injured two who were in the direct blast impact. Approximately 39 other miners escaped unharmed by barricading themselves off in a small ante-room.

An investigation, conducted by the Federal Bureau of Mines, Department of Mines, United Mine Workers of America and representatives of the coal company, began two days after the disaster.

Their investigation concluded that the blast had been triggered by an electric "arc" which in turn, ignited concentrations of methane gas.

"The explosion could have been prevented by adherence to known principles of safe operation," the report stated.

Other findings brought to light showed that only the section foreman had carried a flame safety lamp (used for detecting concentrations of methane gas), and not enough safety lamps had been available to provide each equipment operator with one.

It was further noted that "tests for gas had not been made at working regions of the coal face before crews began moving electrical equipment in, and two separate splits of air from the same intake were not controlled to provide continuous and sufficient ventilation."

Coal mine safety and health legislation has been slow in coming and remains inadequate. For years, it has been a boil on the face of industry—brought to a head only in the glaring light of public exposure and indignation.

Complicating the problem is the effective enforcement of safety and health standards. At present, some mine operators find it less expensive to be fined, than to provide safe working conditions for their employes.

"Do you gentlemen have any opinion of the efficiency of the enforcement and inspection for safety in the places you have worked?" O'Hara asked during the Occupational Safety and Health hearings.

"We do not have any state inspections," a miner replied, "because the company knows a week ahead of time when they are coming so they can prepare for 'hit. I have doubled back and made extra shifts for rock dust because they were coming."

"Sure," another miner agreed, "Many a time I have been paid time and a half or double time to clean up . . . put the red light on the motor, or rock dust, before the state inspector made his visit. They preach this safety, but they don't practice it!"

"The way I figure it," adds another still-employed miner, "The Feds notify the state inspector and then he tells the operator."

Preliminary hearings on the Consol No. 9 disaster, held in the Federal Building at Fairmont, brought caustic comments from a number of the rescued men.

One of the miners' rescued from the "Cat-Eye" explosion, told members of the hearing that he preferred to save his testimony and present it before Congress—"where it can do some good and not be whitewashed . . ."

"I have seen several failures toward safety features and if we bring it before the company, they look down their noses at us," he said.

Others testified that rock dusting had not been adequate, water pressure was not sufficient and ventilating fans "never did work right."

Another miner rescued from the Cat-Eye shift, was openly critical, stating that some mine safety procedures were either ignored or there wasn't ample time to practice them.

"The company might see fit to hold it against me for telling the truth," the 50-year-old miner concluded, "but we owe it to the men that died. We owe it to their families, we owe it to other miners and especially, we owe it to ourselves."

Gary Martin looks more like a college athlete than a coal miner.

"It's about the only kind of work a man can do around here and make enough money to support a family—especially if he doesn't have a college education . . ." he explains.

Martin has three children. They count their blessings, because Gary Martin was one of the men who barely escaped the Consol 9 disaster.

Wages, he points out, terminated with the first explosion. When he received his check, he was paid for only eight days' work. Already deducted from the amount was a burial fee, insurance dues . . . and $61.00 he still owed the "company store."

The tragedy at Farmington initiated a Mine Safety Conference, held under the auspices of the Department of the Interior and the then secretary of the interior, Stewart L. Udall. Invited participants included governors, congressmen, heads of bureaus, federal officials, industry and union representatives, and an assortment of other invited and uninvited guests.

Constructive criticism and advice was abundant.

John O'Leary, director of the Bureau of Mines, issued numerous "effective immediately" memorandums to inspectors in the field. One, in particular, stated that "under no circumstances shall prior notification of a federal inspection of any coal mine be given to management or labor."

Secretary Udall pointed out that the present laws were primarily aimed at the "so-called major disasters. Yet," he said, "nearly two and one-half times as many coal miners died this year in roof falls, haulage and other accidents as in the kind of catastrophe that occurred at Farmington."

W. A. "Tony" Boyle, president of the UMWA, declared that "modern thinking should be adopted by the Bureau of Mines.

"I am always concerned with the condition of coal mines after inspectors complete their inspections and leave the mines," he said, "coal operators know their routine. This has not changed over the years. They know the inspectors visit the large mines three times a year and small mines twice a year. When the inspector has completed his work and departed, the operator knows he won't be back for four months. At the end of about three months and three weeks, the operator, who has ignored the law, starts putting his mine in shape. I suggest that the bureau revamp its housekeeping or inspection procedures!

"All men who die in disasters die needlessly," Boyle asserted angrily.

Boyle proposed the establishment of a "rescue chamber," which could be located throughout the mine at certain places, sealed and ventilated with an opening to the surface through which men could retreat to protect themselves from deadly gases in the event of a mine explosion.

"They cost money," he observed, "but so does human life."

Dr. Hawey A. Wells, a pathologist from Morgantown, represented a group of physicians at the conference.

"We are here to emphasize our conviction that mine fires and black lungs are not acts of God," he told the assembled crowd, "they are simply the result of disregard of basic safety and health practices. The record speaks for itself: The Bureau of Mines and the Public Health Service have not done their jobs."

Dr. I. E. Buff of Charleston presented a dramatic highlight when he showed color slides of miners' black lung sections.

In a letter dated March 23 to Secretary Udall, Ralph Nader challenged:

"What is needed at the outset is for national concern to be drawn to what undeniably amounted to a national tragedy . . ."

But the tragedies weren't national, and they didn't make headlines. They were regional . . . deaths from slate falls, flash fires, equipment—recorded as a matter of life in coal mining communities. Obituaries and mutilations that were, for the most part, unsensational.

A sample of regional news for the month of August revealed: "Nine Miners Found Dead in Kentucky," trapped by an explosion two miles inside the shaft of the River Queen Mine, operated by the Peabody Coal Co. at Greenville, Ky.

On August 15, three Logan County, miners were killed in a slate fall at the Amherst Coal Co. slope mine near Man. An estimated 100 miners were working the mine when about 800 tons of rock and coal collapsed the tunnel. It was duly noted that six men had been killed in a similar disaster at the same mine in February 1958. Workers had complained frequently about the "bad top."

In Washington, Pennsylvania, a mine foreman was charged with "involuntary manslaughter" in the death of a Uniontown miner, killed Aug. 14 when a mine roof fell on him at the Montour Mine No. 4—owned by the Pittsburgh Consolidation Coal Co. Placed under $1,000 bond by Washington County coroner, Farrell Jackson, the coroner charged that the foreman "maintained one of the lousiest, most decrepit mine operations I have ever seen in Western Pennsylvania!"

On August 22, a Logan County miner was electrocuted while working at the No. 5 mine of Island Creek Coal Co. near Sharples; and the return to work of 450 men employed by the Ireland Mine of Consolidation Coal Co. near Moundsville, received local press coverage.

The walkout had been called to protest a gas leakage and improper ventilation at the mine—a drastic step, considering the toleration of most mine employes.

Quietly, death continued to stalk the coal miner.

And then it happened. It happened at a place called Farmington, where miners complained of "gassy" conditions and nobody did anything about it.

It happened before the operators of Consol No. 9 could throw their annual Christmas party, and awarded a bonus to the foreman with the highest production record.

It happened before Thanksgiving—when a man who worked in the mine might sit down and simply give thanks to God for being alive.

It happened before Christmas, and kids learned that "Daddy" was more important than make-believe Santa Claus.

It was a national tragedy, and national concern suddenly focused on the small rolling hill section of Farmington, where 78 human beings died prematurely in a disaster that could and should have been prevented.

Representative **Ken Hechler**, D.-W.Va., put the question on the line: What is more important? To close down a mine . . . or to close down a man?"

The Operators Say

(Note.—The following is a statement by the West Virginia Coal Assn. on the prospects and problems of the industry, especially as they pertain to markets and the current drive for "black lung" compensation in the state legislature.)

In a large measure, the coal industry has helped infuse West Virginia with a wealth that has eroded the depressing Appalachia picture.

Miners earn from $30 to $40 a day now, plus benefits worth more than $10 a day and they are assured of steady work by virtue of long-term contracts for metallurgical and utility coals. They own modern homes and commute to work in new automobiles. Bathhouses make it impossible to distinguish the coal miner from his neighbors in other jobs. He is paid more than any other industrial worker in West Virginia except for chemical and steel workers. He can expect to live to age 74, four years longer than the average United States male, according to the United Mine Workers' Welfare and Retirement Fund.

The entire state of West Virginia is also a beneficiary of a resurging coal industry. Last year coal contributed approximately $30 million to the state in direct and indirect taxes. $312 million in wages were spent in West Virginia grocery stores, clothing stores, for housing and for other necessities and luxuries.

Better than $250 million was spent for supplies, thereby supporting numerous satellite industries and their employes.

From a shivering sparrow which poorly wintered the years when it lost almost all of its steam locomotive market and almost all of its home heating market, the coal industry is now developing into the productive, proverbial goose.

There are those who, greedy for their immediate desires, would open up this goose for a single golden egg.

However, the coal industry is presently standing up well under new challenges. A nuclear power competitor subsidized by federal tax dollars, iron curtain coal dumped at a loss for American dollars, markets lost because of unreasonable air pollution standards and additional expenses occasioned by environmental pollution control standards, are among these challenges.

New Canadian and Australian coal fields, increased coal production in other states and advantages of market proximity enjoyed by these states are other challenges to the continued strength of West Virginia's coal industry.

As if these were not problems enough, the industry is now faced with an unrealistic attack in the form of a highly emotional thrust to rewrite the state's workmen's compensation laws without regard to the welfare of the coal miners and the industry itself.

In view of proposed legislation concerning coal workers' pneumoconiosis or "black lung," coal, the cornerstone of West Virginia's economy, is being seriously threatened because of a lack of understanding and misrepresentation of fact.

This legislation may severely hamper the coal industry and do great injustice to the coal worker.

Briefly, the proposed legislation assumes that after working only two years in the mines, a coal worker with any respiratory ailment has "automatically" contracted "black lung," and is entitled to an award under the state's Workmen's Compensation laws.

This presumption is without precedent anywhere in the world. In fact, respiratory disease is the largest single public health problem of non-coal workers.

An extensive pneumoconiosis study has been conducted by Dr. Rowland Burns, a Huntington internal medicine physician specializing in lung ailments. Dr. Burns' study has been endorsed by the Cabell County Medical Society and shows that coal workers may work in the mines for 20 years with 70 per cent of them showing no X-ray evidence of coal dust retention.

Furthermore, this study shows that miners may work for a lifetime in the coal industry with only 5 to 7 per cent developing lung complications which could result in significant disability. This represents quite a difference from the inference of Dr. I. E. Buff, Charleston's outspoken "black lung" critic, that 80 per cent of soft coal miners suffer from "black lung."

It is not only false but also ridiculous to say, as a few have said, that a miner will either be killed in a mine accident or, if not, then by "black lung."

In recent months there has been considerable misinformation going to the West Virginia public concerning "black lung" and the coverage of the condition under the state's Workmen's Compensation laws.

What is pneumoconiosis? Dust in the lungs. Coal workers' pneumoconiosis (black lung) means coal dust in the lungs. Silicosis is a pneumoconiosis caused by rock or sand dust in the lungs. Miners often breathe both coal and silica dust.

Cigarette smoke also is dust. According to Dr. Wolfgang T. Ulmer, a West German lung physiologist of international renown, one single cigarette exposes the smoker to a greater amount of dust than a miner is exposed to in three 8-hour shifts in the mines.

Persons with pneumoconiosis may or may not be disabled. It is an established medical fact that many persons with pneumoconiosis are not disabled.

Because it is frequently impossible to determine whether a disabled living miner has silicosis or coal workers' pneumoconiosis, thousands of claims have been paid by West Virginia's Silicosis Medical Board without regard to the distinction.

What is important to this board of doctors is that if the disabled man is a miner with dust in his lungs, then he is compensated for any resulting disability.

Anyone who says that Workmen's Compensation benefits are not being paid in West Virginia for the disease called "black lung" is not stating the truth.

A workmen's compensation law similar to that of Pennsylvania has been suggested for West Virginia's miners. This type law is bad for both the miner and the state. Unlike West Virginia's law, a Pennsylvania miner must be totally and permanently disabled before he is entitled to a single penny. His claim is heard by a referee with no medical training and may be appealed to a board of three lawyers.

On the other hand, upon discovering dust in the lungs, West Virginia's three-doctor silicosis board may award the miner $1,000 even without a showing of disability. If the miner is disabled, an award is made according to the per cent of disability up to $188 per month for life. Compare this to Pennsylvania's maximum life award of $75 a month.

There is a crying need for the industry to adopt public health practices which would keep tabs upon the health of the miner and protect those who would become disabled from further exposure. There is a need to screen applicants from the industry if they evidence a predisposition towards contracting miner's lung ailments. There is a need to have an all-out drive to eliminate cigarette smoking among miners.

There is a need to utilize the best and most knowledgeable medical minds in the world to arrive at truths which may benefit our miners. If meaningful dust standards are to be adopted for the industry, they should be based upon thorough, objective studies.

West Virginia's coal industry realizes the need to face squarely its problems both outside the industry as well as within the industry with respect to the safety and welfare of its miners. It is committed to do so.

With over 56 billion tons of recoverable coal reserves, there is gold in the West Virginia hills. At the present rate of production, the industry could keep producing its golden eggs for almost 400 more years—so long as coal remains competitive in the marketplace.

The UMW Side

(By Lewis E. Evans and Rex Lauck)

The fight of the United Mine Workers of America for coal mine safety began the instant the union was formed in 1890. One of its basic aims as stated in the preamble to the union's constitution was to fight for safer and healthier working conditions for coal miners in the United States and Canada.

Much of the progress in coal mine safety has only come after horrible mine disasters, two of the most publicized of which took place in West Virginia. On Dec. 6, 1907, a coal mine at Monongah, near Fairmont, blew up, killing 361 men, the highest toll of any mining accident ever to take place in the U.S.

The latest dramatic horror which also took place in West Virginia was the explosion and fire at Consol No. 9 Mine, Mountaineer Coal Co., near Farmington, on Nov. 20, 1968, which killed 78 miners.

The 1907 holocaust at Monongah and other tragedies which followed closely led to the creation of the U.S. Bureau of Mines in 1910 and also caused several coal mining states to pass mine safety laws. Under the 1910 law, the Bureau of Mines did nothing except promote health and safety activities. It had no power to enter or inspect coal mines or to force coal operators to operate them in a safe manner. State laws, too, initially were weak and improved only after local disasters brought about public indignation which forced politicians grudgingly to pass improved but still-weak safety laws.

The sole force to agitate for mine safety laws was the union of the coal miners, the United Mine Workers of America. Its great international presidents, including John Mitchell, John L. Lewis, Tom Kennedy, and now Tony Boyle, spent, and in Boyle's case still spend, much of their waking hours in working for improved safety legislation at Federal and state levels.

Success of their efforts has seemingly been slow, because the UMWA has always had to fight for these laws against the opposition of the coal operators—all of them—plus politicians controlled by coal operators, state departments of mines controlled by coal operators, and in some instances in earlier years opposition of directors of the U.S. Bureau of Mines controlled by coal operators.

The West Virginia district presidents, including the late Bill Blizzard; George Titler, now international vice president; the late Van Bittner; and the incumbent presidents, Ray Humphreys, Larkin Philpott, and Cecil Urbaniak, all labored for improved mine safety. The latter three will this year, with Gov. Arch Moore's promised support, try to get a model "black lung" law passed in the Mountain state.

As a first step this law would make coal workers' pneumoconiosis compensable under the West Virginia compensation law similar to the compensation plan now used in the state of Pennsylvania. Under the Pennsylvania law a coal miner disabled by this dread disease receives the sum of $12,750 at the rate of $60 a week, and when his money is used up the miner receives $75 a month for the rest of his life. ("Gov. Raymond Shafer of Pennsylvania recently vetoed a bill passed by both houses of the state legislature that would have raised this latter payment to $100 a month.")

The fight to make "black lung" a compensable disease is not restricted to West Virginia. The UMWA's President Boyle has ordered all district presidents of the union to lobby for legislation that would bring coal workers' pneumoconiosis under state compensation laws in all coal mining states. Only three now do so. In addition to Pennsylvania, the other two are Virginia and Alabama.

After the Consol No. 9 disaster, public indignation was again aroused, as it has been so many times in past years by mine tragedies. The American people, who can apparently take casually 60,000 traffic fatalities a year and idly glance at headlines announcing the death of 100 persons in an airplane crash, were deeply moved by the horror of the unnecessary deaths of 78 men working deep beneath the earth.

INSPECTIONS BEEFED UP

Already this public hue and cry has brought about progress in coal mine safety. John F. O'Leary, the new director of the U.S. Bureau of Mines, has issued seven directives beefing up inspection procedures to be followed by U.S. coal mine inspectors. To call these improvements in enforcement of the federal coal mine safety act belated, has got to be the understatement of the year. The United Mine Workers of America has pressed for these and other improved inspection procedures ever since the act was passed in 1952, more than 16 years ago. It was not until December, 1968, after the tragedy at Farmington, that the bureau took any action on the union's demands for strict enforcement of the existing laws.

In spite of the fact that the UMWA has criticized the 1952 Federal Coal Mine Safety Act as being too weak, it must not be forgotten that it could have been a much better and more effective law had it been enforced properly. God knows how many coal miners' lives might have been saved had the O'Leary directive been put into full and forceful effect in 1952 instead of 1968. Secretary of the Interior Stewart Udall had nearly eight years to tighten up inspection procedures and his Republican predecessors wasted the eight previous years.

The Interior Department has also submitted to the Congress proposed amendments to the coal mine safety act that would strengthen that act in many needed areas and which would greatly improve coal mine safety if the act is passed and properly enforced. The UMWA will support this bill but will offer amendments of its own to strengthen the bill's provisions.

One of these, for instance, will be a requirement to provide explosion-proof chambers near production areas in underground mines. These will include double, explosion-proof doors and access to fresh air via a hole to the surface which can also be used to lower medical supplies, food and water to trapped men.

UMWA President Boyle has drafted a bill which goes after the problem of coal dust as a health hazard. It is being sponsored in the Senate by Sen. Jennings Randolph, D–W. Va., and in the House by Rep. Carl Perkins, D-Ky., chairman of the House Labor Committee. The UMWA's bill provides for control of dust in the mine and states:

"A health danger shall be deemed to exist in a mine or area thereof if the coal dust level . . . exceeds three milligrams of respirable dust (five microns or less) per cubic meter of air."

"The bill would provide that if this dust level is exceeded the mine or portion of it containing the dangerous dust would be shut down.

MONITORING OF COAL DUST LEVELS

The Boyle bill would also require:

"Sec. 9. Each operator of a mine to which section 3 applies shall—

"(1) continuously monitor the level of coal dust in all of the mine through the use of approved sensing devices and by such other means as the Director shall prescribe, "(2) keep such records as the Director deems necessary to enable him to carry out effective inspections under section 3, and

"(3) at all Bituminous and Lignite underground coal mines, adopt procedures to assure that all coal to be mined must first be undercut, centercut, topcut or sheared.

"*Provided, however,* that other mining methods may be used if the operator can conclusively demonstrate to the Director, or a duly authorized representative of the Bureau as authorized in section 3, and to the employees in the mine, or their collective bargaining representatives, that such mining methods can be accomplished without exceeding the dust level set forth in this act.

"PENALTIES

"SEC. 10. (a) Any operator of a mine notified of an order made pursuant to section 3 or section 6, requiring him to cause persons to be withdrawn from, and to be debarred from entering, any area of such mine who wilfully fails to comply with such order shall be fined not more than $5,000.

"(b) Any agent of an operator of a mine, knowing of the making of an order requiring such operator to cause persons to be withdrawn from, and to be debarred from entering, any area of such mine, who willfully directs, authorizes or causes any person, other than one who is lawfully authorized to enter or be in such area, to enter or be in such area while such order is in effect, shall be fined not more than $5,000.

"OTHER PENALTIES CITED

"(c) Any person, knowing of the making of an order requiring an operator of a mine to cause persons to be withdrawn from, and to be debarred from entering, any area of such mine, who enters such area or remains therein while such order is in effect, shall, unless he is a person who is lawfully authorized to enter or be in such area, be fined not more than $5,000.

"(d) Any owner, lessee, agent, manager, superintendent, or other person having control or supervision of any coal mine subject to section 3 who refuses to admit the Director or any duly authorized representative of the Bureau to such mine, pursuant to section 3(c) shall be fined not more than $500.

"(e) Any Operator of a mine who violates section 9 shall be fined not more than $500 for the first such violation, and shall be fined not more than $1,000, or imprisoned not more than 30 days, or both, for each subsequent violation."

The bill would take effect one year after passage.

After the Farmington disaster many politicians, anxious to see themselves on television, called for immediate action to prevent such tragedies in the future. They will now have a chance to support such legislation at both Federal and state levels. The UMWA will need all the political help it can muster to secure passage of safety legislation now before the Congress, and before the West Virginia legislature. All politicians could and should also take a huge step forward to protect coal miners from black lung, particularly to pass laws to compensate adequately those for whom it is now too late, whose lungs have been almost completely destroyed by this dread plague.

Black Lung: What Is It? Malingering or Black Death?

(By Jeanne Rasmussen)

It is 7:30 a.m. on Monday morning—a "typical day" at the Pulmonary Laboratory, located in the Appalachian Regional Hospital, Beckley. (BARH).

In a hallway just outside the glass-enclosed research area, four men sit on straight wooden chairs looking strangely like chickens on a roost. Clean-shaven and neatly dressed, none present the appearance of illness normally associated with a doctor's waiting room. They talk easily among themselves, and occasionally, the muffled echo of their laughter wafts down the hospital corridor.

A technician approaches and indicates that the men are to come with him. They rise slowly and follow with shuffling feet. A smile of bravado passes between them. Apprehension jerks at the stomach, flutters in the throat, clutches at the chest—but it does not show outwardly: A coal miner learns early to conceal his fears.

Following an electrocardiogram the first patient is then interviewed by the doctor, Donald L. Rasmussen, M.D., a pulmonary physiologist, board-certified internist and director of the laboratory.

"What brings you here to see us?" he asks.

"Well, Doc . . . I been having all kinds of trouble with my wind," the miner replies. "I want to know what's the matter. I want to know if I got silicosis . . . and how much . . ."

If the man fails to volunteer this information himself, Rasmussen usually poses the question for him:

"Do you have any trouble with your wind?"

Often, the response is immediate: "No." But Don Rasmussen has learned to wait, for after a pause, the miner invariably will add: ". . . unless I go to do something."

Shortness of breath, the key symptom of coal workers' pneumoconiosis (or "black lung disease), is usually described as having been noticed about two to four years previously, with discomfort becoming progressively worse.

Over the past five years at BARH, Dr. Rasmussen has conducted a research project on about 3,000 bituminous miners . . . reportedly the largest amount of clinical data assembled in the United States. During the past two-and-one-half years, approximately 2,500 miners have been studied at the research facility.

Formerly chief of the Appalachian Coal Miner's Research Unit, Division of Occupational Health, U.S. Public Health Service. (USPHS) Rasmussen resigned his position in 1966 to continue his studies in an independent capacity . . . and the USPHS program moved to Morgantown.

"Approximately 60 per cent of the men we see here are still working in the mines," Dr. Rasmussen says. "The average age is somewhere in the early 50's, although the youngest we've seen was 23 and the oldest was about 74. Occasionally, they're sent here because someone found something on X-ray examination that looked like dust . . . 'silicosis or coal pneumoconiosis,' . . . and the patient and physician are somewhat anxious. Physicians haven't caught on to the fact that a miner's X-rays can be positive for a long long time before there is any shortness of breath or abnormality of lung function tests."

According to Dr. Rasmussen, lung disease (in varying degrees) has been found in 90 per cent of the men studied. Significant lung disease—"that which interferes with the capability to work," is apparent in at least 50 per cent of the number studied.

PNEUMOCONIOSIS NOT NEW

Miners have frequently been accused of "malingering," or pretending illness which doesn't exist to gain compensation. This "anxiety," Rasmussen points out, has often been dubbed "laziness" or "compensationitis" by many physicians in the Appalachian area who, for one reason or another, fail to acquaint themselves with the facts, or refuse to acknowledge the presence of serious lung disease.

"Actually, we find very few men who want to stop working," Dr. Rasmussen says. "Even when tests show severe impairment." As an example, he cites the statement made by a 56-year-old miner who pleaded: "Doc, I got one more kid to get through college. After that, it don't matter what happens to me."

Black lung disease (coal workers' pneumoconiosis) is as old as the hills of Appalachia. Dust disease was described in England over a century ago, but it wasn't until 1935 that it was acknowledged in America. In West Virginia, the Workmen's Compensation Fund was created by the Legislature of 1915 to "provide medical attention for injuries received while at work . . . and provision for widows and orphans of men killed in industry." But it dealt with the outward manifestations of maiming and death, and remained blissfully ignorant of the effects of coal dust . . . which destroys silently . . . as well as explosively. Yet ever since the first pick was swung into "black diamond" back in the 1800's, men have breathed the tiny particles of dust into lungs which accumulated the deposits in unbelievable amounts, creating irreparable damage.

While "silicosis," (a term derived from rock dust, which contains silicon dioxide) is now generally recognized as an "occupational disease," it would seem that the presence and subsequent ravages of coal dust (which causes "black lung") have just been discovered!

From the hills of West Virginia to the hallowed halls of Washington, doctors, lawyers, politicians and journalists have suddenly become outspoken authorities on the subject. The word is out: Coal Miners are dying from coal dust!

From a past era when a miner's life was considered less important than the loss of a mule, we have progressed to the point of openly demanding better health standards in the nation's number-one death-trap . . . the coal mine.

While the future of the coal industry never looked more promising, the plight of the miner grows chronically depressing. West Virginia leads all other states in coal production, with approximately 30 per cent of the U.S. total. Over 149 million tons were produced in 1966. The result, however, has been a kind of "Robin-hood in reverse" economy, presided over by a gargantuan giant called "King Coal." While providing the world with the riches of civilization, he has virtually ignored the health and welfare of his own people.

Despite mechanization, improved techniques and attempts to legislate safer working conditions, coal mining remains one of the world's most hazardous occupations. The death rate of coal miners is twice that of any other occupational group in the United States. Diseases of the respiratory system, once said to account for five times as many deaths as that of the general working male population, are now believed to be much more prevalent than first thought. Physicians studying coal miners over recent years have noted with alarm the white shadows on X-ray, and stared in disbelief when autopsies yielded blackened, coal-encrusted lungs.

The conclusion was not pretty: If a miner managed to avoid accidents while working in the mines, eventually he would fall victim to a slow-stalking, progressively-disabling killer—dust.

Eugene King, a miner from Russellville, sat in the pulmonary laboratory waiting his turn on the bicycle (called an ergometer). He is a quiet man, with slightly stooped posture. His hair is streaked with white. A small plastic tube (containing a thin-walled balloon at the end) has just been inserted through his nose and lowered to the bottom one-third of his esophagus, where pressure changes during breathing will be measured while he exercises on the bicycle. On his left arm, an eight-inch plastic catheter disappears into the left radial artery. During the day-long period of testing, arterial blood samples will be obtained at appropriate times.

King was exercised on the bicycle at increasing levels, allowing rest periods in between. When he seemed to have difficulty completing a level, technicians made collections of expired air and blood (through the 4th to 6th minute) and other tests. While Dr. Rasmussen observed his performance, an EKG Telemeter audiosignal monitored King's heart rhythm. After completing exercise at the 100-watt level (considered equal to moderate exercise), on two occasions with "considerable distress," King was described as exhibiting "at least a moderate amount of impairment."

Referred to the laboratory because of a noticeable shortness of breath when he "tried to do something," King stepped off the bicycle and gasping for breath, collapsed into a nearby chair. Temporarily . . . he seemed to have forgotten the amputated stump which had once served as his right arm.

"Black lung . . . miner's asthma, silicosis"—are familiar terms in the coal mining areas of Appalachia. Yet the exact definition and distinction seem vague—even to physicians. Before it is possible to define—or even attempt to pinpoint the difficulty, a specific definition must be established.

"Pneumoconiosis," the medical word, is a general term which simply means "dust disease in the lung." "Silicosis" is a pneumoconiosis (or dust disease) caused by silicon dioxide. "Coal pneumoconiosis" (or "black lung") is a specific disease caused by the inhalation of coal dust. Coal dust, however, can be mixed with any number of other dusts, possibly even silica, and "among these miners who have 'classical silicosis,' coal dust disease can also exist."

Cletus B. Hanley, West Virginia Compensation Commissioner, has stated: "There is a principle in law that you list specific things, enumerate them, then anything not listed is not covered.

"Our law follows this principle: We don't list specific conditions, except for silicosis. Therefore, any occupational disease is covered if it meets the tests set up by law."

James Jeter, a Kanawha County lawyer who specializes in compensation cases, was quoted as saying:

"The real problem is in establishing that the condition exists. Coal miners think they've got it if they're able to cough up black dust."

"Lung disease is among the most difficult to prove," Jeter added, "because X-rays are usually a key part of the evidence and many lung conditions cannot easily be verified by X-ray. The claim is awfully hard to verify when it involves the lung . . ."

"The only means of establishing a definite diagnosis is by microscopic examination of the lung tissue after biopsy (a surgical procedure of removing a small part of lung tissue) or autopsy. Biopsy is a 'helluva thing to subject a man to . . . and autopsy only proves a point. I'd shout it from the housetops if possible," Dr. Rasmussen said. "There is no way to make the distinction by even the most sophisticated lung-function studies! Since the exact nature of all the toxic substances in the mine atmosphere remains unknown, there is no reason to conclude that other factors—in addition to coal dust and silicone dioxide—may not also produce injury to the lungs."

While the working miner of today has achieved one of the highest wages in American industry, he also incurs the most risk.

"Miners are becoming impaired much earlier because of the intense dust produced by modern mining equipment," Rasmussen explains. "The men most exposed to coal dust and most likely to show significant impairment (regardless of X-ray findings), are those who work at the face—predominantly cutting machine operators, shot firemen, coal drillers, roof bolters, loading machine operators . . . even section foremen. Motormen, on the other hand, are more likely to show classical silicosis than any other occupational group in the mines. Our studies here are beginning to show that face workers and shuttle car operators—even though they're younger than the average motorman, are as impaired—or possibly more so, than the older workers who have been in the mines much longer."

THE MINE SAFETY ACT

Coal dust, under provisions of the Federal Mine Safety Act, is restricted only when it is considered an explosion hazard. The dust, however, is not only dangerous in terms of explosiveness, but also clogs and destroys the tiny arteries in the lungs, causing severe respiratory difficulties and all too frequently, right ventricular failure of the heart. As fine as baby talcum, the black particles sift silently into breathing passageways, accumulates in ears and nose, and clings persistently around the eyes. Face masks, once initiated as a precaution, are not strictly enforced and few miners will wear one. Also, their actual effectiveness has never been determined.

"When a man can't breathe good nohow," one miner declared, "it don't help none to be smothered in a mask!"

"Some of the industry people do try," Dr. Rasmussen says, "but no one has ever told them what 'safe standards' of dust are in the mines—because nobody really knows. All previous measurements were designed to prevent explosions, and such information was usually obtained when conditions were optimal. Until recently, no one considered the possibility of lung damage."

Earl Stafford, a soft-spoken gentleman with a lean build and steel-gray hair (described in a Sunday Gagette-Mail State Magazine article by William Blizzard in April of 1966, as well as other national publications), lives at Blackberry City, in Mingo County. Approximately 200 men of working age live at Blackberry City, but only eight are employed. The remainder are disabled miners.

Stafford consulted a doctor in 1965 because he was "short-winded." Referred to physicians in Beckley (who were then conducting the U.S. Public Health Service study), Stafford related:

"I run a motor and I've got to get out and walk around cars. I just plumb run out of breath. If it don't get better, I'll have to quit. If you don't work . . . the company don't want you."

Earl Stafford was found to have "a good degree of impairment," by Beckley doctors, but since he would be eligible for a $100 monthly retirement pension in eight years, Stafford hoped to continue working.

When it appeared humanly impossible to continue working in the mines, Stafford reluctantly applied for workman's compensation: and was eventually granted a 30 per cent disability after his case was reviewed by physicians on the Compensation Board (although his work capacity loss was estimated at between 60 and 75 per cent by Dr. Rasmussen). Awarded a total compensation of $5,040, paid at the maximum of $42.00 per week, Stafford received the last payment in July.

"Seems like coal miners is the least thought-of people in the whole world," he comments perceptively.

"There is considerably more pulmonary impairment in the miners of the region—at least in Southern West Virginia, Eastern Kentucky and Southwestern Virginia, than is generally recognized," Dr. Rasmussen adds. "Many of these miners have significant impairment, but their X-rays reveal only minimal evidence of dust disease. Methods of evaluating this type of impairment, unfortunately, are not adequate."

George McClain of Beaver, worked approximately 13 years in the mines, was then told by a recruiting physician in 1942 that he had "tuberculosis." Because of over-filled state sanitariums, McClain was confined to his home for a year; admitted to the TB hospital the following year, he spent 13 months in the institution.

Just before he was discharged, a doctor informed McClain that he had "miner's asthma," or "third-stage silicosis."

A two-year statute of limitations, however, prevented McClain from obtaining workman's compensation, and he also discovered that he was not eligible for social security benefits. A subsequent physical examination revealed that McClain showed no evidence of ever having had active tuberculosis.

Today, George McClain receives $41.00 a month from the state welfare program. He shares a crumbling frame house with his 80-year-old mother. The aged woman is quite feeble, and McClain has since developed right heart failure as a result of his lung disease.

His face etched in futility, McClain eased himself into an arthritic-looking hickory rocker.

"I 'reccon ever-thing goes against me," he muttered sadly.

APPALLING STATISTICS

In an address to the West Virginia University School of Medicine's "Centennial Symposium on Coal Workers' Pneumoconiosis" last year, Dr. Lorin E. Kerr, assistant to the executive Medical officer, United Mine Workers Welfare & Retirement Fund, stated that "responsible persons avoid facing known facts about the ravages of coal dust in human lungs."

Dr. Kerr blamed "legislators, company lawyers and 'employer-oriented' physicians" . . . for not meeting the problems of crippling and deadly lung disease among miners.

"Coal miners live with coal dust and far too many die from coal dust," he told the group. "As far as many physicians and lawyers are concerned, silicosis remains the only important occupational dust disease."

Kerr pointed out "appalling statistics," stressing that about 70,000 American coal miners are afflicted with pneumoconiosis, with an estimated 13,500 too disabled to continue working.

"It's time for a clear-eyed look to hasten relief for long-suffering," Dr. Kerr concluded, noting that the cause of pneumoconiosis could be eliminated if companies would improve techniques of controlling lingering dust in the mines.

Ralph Nader, a Washington attorney and writer (best known for his crusade against un-safe standards in the automobile industry), joined in the issue, accusing the Bureau of Mines of not "meeting its responsibility to protect the safety and health of mine workers."

In letters to then Secretary of the Interior, Stewart L. Udall, and Sen. Ralph Yarborough, D-Tex., Nader stated that "UMW leadership has been persuaded by coal management into choosing the alleged health of the industry over the health of its workers. . . . The choice has been to ignore needed safety improvements and especially preventive dust control. The UMWA Journal," Nader writes, "devotes endless space to the threat of other energy sources to coal but virtually nothing to the crucial matter of coal dust hazards. The union has built hospitals to receive the human debris from the mines, but has done very little to push for preventive dust control."

Outlining major reasons why he believed a Congressional inquiry was necessary, Nader said: "What is needed . . . is for national concern to be drawn to what undeniably amounts to a national tragedy. The time is long overdue for some vigorous feelings and action—for the health and safety of our nation's coal miners."

Dr. I. E. Buff, a Charleston cardiologist and member of the West Virginia Air Pollution Control Commission, is a man who intends to move mountains in West Virginia, if necessary. Buff has often been called "eccentric" or "radical" by some members of the coal "echelon," yet the Charleston physician has succeeded in bringing the problem of "black lung" to national attention.

Appalled by the industry's attempts to recruit miners from high school classes near Charleston, Buff had the "audacity" to ask for "equal time," to emphasize to students the health hazards of coal mining. More recently, Dr. Buff publicly accused Cletus Hanley of "playing politics," and asserted that "black lung" was not covered under West Virginia compensation laws.

Commissioner Hanley defended his position by replying that the state laws were extremely liberal, and covered any kind of occupational disease which might occur. He referred to a "partial list of black lung claims over the past four years which," according to Hanley, "showed a total of 14. Four received compensation, two are still in litigation and the remainder were rejected for various reasons. . . ."

"Why do most miners have to hire a lawyer to get anything at all . . . and why are so many rejected?" Buff recountered.

"If I say a man has coal pneumoconiosis," Dr. Rasmussen explains, "then I'm not allowed to testify before the silicosis medical board." It all came about, he says, when Cletus Hanley sent Charlie Price (counselor for the board) with a message:

"The Commissioner says if you do not specifically testify about the disease silicosis, you are not to testify."

(Coal pneumoconiosis or "black lung" is listed by the Occupational Disease Board as "an occupational disease which is incurred in the course of, and resulting from employment.")

Recorded in the transcript of hearings in one case a few years ago, Rasmussen cites the testimony of one member of the board (no longer there) who stated: "The Occupational Disease Board does not believe in the diagnosis of coal workers' pneumoconiosis (black lung)."

"In his judgment," Rasmussen adds, "this was simply the result of a bunch of damned doctors down in Beckley trying to make a name for themselves."

Rufus Robertson, a hefty Negro coal miner, had been a roof-bolter all his life. Diagnosed as having "simple-dust disease" (according to an X-ray classification) by one physician, he was later examined in the Appalachian Hospital (Beckley) by Dr. Rasmussen, who found the man to be in "early right heart failure." Approximately six months later, Rufus Robertson died. An autopsy, performed at the time of death, showed evidence of heavy coal deposits around the arteries. There was no other sign of vessel abnormality and no blood clots, but "the right ventricle," according to the pathology report, "was much larger and heavier than normal, and showed signs of having developed sudden failure."

"The cause of his death could only be attributed to his lung disease," Rasmussen says, "which was coal pneumoconiosis."

After five years, Robertson's widow was finally granted an award by the Occupational Disease Board. ("Undoubtedly, one of the four compensation cases which Mr. Hanley referred to," Dr. Rasmussen comments wryly.)

The Occupational Disease Medical Board is made up of three physicians, appointed by the commissioner. Their term consists of six years. The function of the board is "to determine all medical cases for compensation (for occupational diseases) other than silicosis."

Section 8-e, Workmen's Compensation Law (OD Medical Board) states that "if the employe be living, he shall appear at the time and place specified and submit to examination . . . including clinical and X-ray examination, as the board may require."

The law also states that "all evidence of medical and X-ray examinations, showing past or present condition of the employe, be submitted."

Dr. Hawey A. Wells, a pathologist formerly associated with the U.S. Public Health Study at Beckley, now examines the lungs of deceased miners at Conemaugh Valley Memorial Hospital in Johnstown, Pa.

"There is no justice in the present criteria which is based on X-rays and simple breathing tests," Dr. Wells states. "It either allows the Santa Claus' doctor to give everybody compensation, or the 'tax saver' physician to deny even the debilitated miner compensation."

Dr. Wells, who reportedly, has accused the Public Health Service of "withholding adverse information on the health effects of pneumoconiosis among coal miners," recently appealed to medical and coal industry officials to "do everything you can" to force the PHS to release the data. Dr. Wells, who performed one-third of the studies on a controlled sample of 3,150 coal miners, charged that the PHS "suppressed key findings, including the geographic distribution of the incidence of the disease."

COOPERATION NEEDED

"Autopsy data in central Pennsylvania is similar to that of Southern West Virginia," Wells stated. "However, in Northern West Virginia and Western Pennsylvania, the lungs I have seen on autopsy and miners that I have examined clinically, don't appear to be as frequently involved with severe dust disease.

"I'd recommend a strict medical and legal definition of the disease ("black lung"), which can only come about by honest, intelligent research," Wells added. "I would plead with the government to cooperate with unions and companies in making this definition. It is the only way to diagnose early and rehabilitate the miner before irrevocable damage occurs—before it's too late!"

"The present separate silicosis medical board should be done away with," Dr. Rasmussen believes "Because of the load involved, we need to have a separate 'Occupational Respiratory Disease Board' to consider the problems of respiratory disease relating to all industry in the state, and including all suspected or proven cases from an occupational cause."

Dr. Werner A. Laqueur, pathologist at the Appalachian Regional Hospital, Beckley, has conducted autopsies on well over 1,000 miners. Results show that about 10 per cent of the autopsy cases have microscopic evidence of classical silicosis. The remaining majority have coal pneumoconiosis, or "black lung" disease.

"We have to be very careful," Laqueur explains, "because anatomically, the problem is quite complicated. You see, in the beginning . . . the disease can easily be distinguished; but later on, the findings become very complex because of the natural processes of aging in the lung, as well as concomitant disease. . . .

"Most of my autopsies are done on far-advanced cases—people, say, considerably beyond sixty. I'd say it takes at least 20 years before a miner gets symptoms. To establish the natural history of the disease is difficult. Since some people believe the early lesion is vascular (pertaining to blood vessels), it needs to be established without a doubt—which is difficult to come by, since few coal miners die of dust disease in their 20's."

Laqueur, as well as many of his colleagues, believes that an autopsy should be done on every coal miner who dies, regardless of the cause of death.

Philip E. Enterline, a Ph. D., formerly chief of biometrics for the division of occupational health, USPHS, stated (at a meeting of the Public Health Assn., Kansas City, Mo.) in 1963:

"It seems unlikely that mortality rates for any single large occupational group in the United States exceed those noted here for coal miners. Some of this excess is no doubt due to diseases and conditions which arise from the working environment and from dust inhalation, while some must reflect the social and economic environment in which coal miners have been held by our society. . . . Poor health is not a 'necessary evil' for workers in the coal mining industry!"

Studies done at the research laboratory in Beckley point to a strong indication that coal pneumoconiosis affects the small arteries of the lung to a far greater degree, and much earlier than the air passageways. A number of other authorities in the field of lung disease admit that the findings are not only possible but quite probable.

Dust, probably the most important substance breathed in the mines, is believed to collect around the tiny arteries in the Lung.

"When enough arteries are surrounded by enough dust," Dr. Rasmussen states, "the normal function of the arteries is disturbed. This not only interferes with the distribution of blood to the air sacs, but also causes an increase in the work being performed by the right ventricle. This leads to enlargement of the muscle in the right ventricle (due to an excess work load) and eventually, can end in heart failure.

"Lung diseases produce disability because they lead to shortness of breath," Dr. Rasmussen explains. "Other complications and even death may occur later, but shortness of breath is the factor which limits a miner's working ability. Other diseases not related to the lung must, of course, be first ruled out."

According to Dr. Rasmussen, shortness of breath in patients with lung disease is caused by two main factors, or combinations of the two. First, there is an interference with the man's ability to move air into and out of the lungs, and secondly, there is a need to breathe more air in and out of the lungs than normal. Often, he says, the two factors are present in the same patient.

"The more typical coal miner, who has definite disability as a result of the dust deposition in the lung, usually has little or no difficulty moving air in and out," Dr. Rasmussen states. "Tests used to measure breathing capacity and vital capacity (such as blowing tests) are generally normal, or nearly so. The main problem is that the man breathes much more air than normal during light or moderate exercise. At the same time, tests reveal an increased resistance to the movement of oxygen from the lung to the arterial blood."

FEELS DONE IN

Dr. Rasmussen and others believe there is actually no clear-cut relationship between what the X-ray reveals and "how the patient feels, or what the results of his tests show."

"The appearance of the chest X-ray bears practically no relationship to the degree of impairment a miner may suffer," Dr. Rasmussen emphasizes. He points out that a miner's X-rays may look like advanced coal dust disease, and yet the man may be entirely well. Others, who are often seriously impaired by dust in the mines, show only minimal evidence on X-rays. Yet, by law or varied interpretations of law, they are found to be ineligible for compensation.

"Compensation is unjustly denied because of insistence of a specific X-ray pattern," Dr. Rasmussen concludes.

It has been estimated that as many as 125,000 of approximately 144,000 coal miners in the nation suffer from some degree of coal dust disease. In West Virginia, it is believed that more than 20,000 miners are impaired.

"When a miner is convinced you aren't out to 'do him in' and that you aren't 'hostile' (I suspect he's used to this kind of attitude), and after he's almost passed out trying to do all the exercise tests we put him through . . . " Dr. Rasmussen says intently, "Well, then . . . he'll start to tell you about how he feels when he goes out to bring in a little bit of wood . . . or a bucket of coal, or water from his well . . . and how he feels 'almost done in' by these simple chores. What he's done is this: he's stopped trying to answer your fancy medical questions, your big, scientific words, and he finally gets around to just 'talking' to you. God knows, he isn't trying to convince you he's sick . . . but he's telling you that something that's so easy, so much taken for granted . . . some routine activity that shouldn't bother anybody and never used to bother him . . . has now become almost impossible to perform.

"I don't care what the skeptics say, they'll never convince me these guys are such good actors that they're just pulling my leg."

Because the necessary concern and cautions have not been forthcoming from either industry or the UMWA to set standards of coal dust in the mines, President Johnson recently sent a 52-page bill to Congress, asking that new coal mine safety regulations be enacted and enforced. Among provisions listed, the bill "empowered the Secretary of the Interior to draw up, promulgate and enforce new safety standards as the need arises, and empowers him and the Secretary of Health, Education and Welfare to develop, issue and enforce health standards against black lung disease and other health risks . . ."

Unfortunately, the bill was introduced too late in the session, and no action was taken. Sponsors hope that this congress will see fit to insure the nation's coal miners of safer, saner and healthier working conditions than formerly provided.

THE MINE INSPECTOR

(By Harry Kelly)

Uncle Sam's eyes in the coal mines are inspectors like Charles Rath.

He works out of the U.S. Bureau of Mines office in Vincennes, Ind. He started in the mines as a teen-ager and worked his way up to mine foreman before going with the Bureau. He's 40, pleasant and sharp. The miners seem to respect him.

After an hour's drive through snow—and a brief stop at a roadside diner for biscuits and gravy—he arrived at the Thunderbird mine at 7:30 a.m.

The sky was still dark. Lights in the tipple gleamed. Inside a foreman was using compressed air to clean lamps the miners use to detect methane gas. Thunderbird is a gassy mine. The lamps seem old fashioned.

The Thunderbird employs 237 men on three shifts, six days a week. A power company buys all the coal.

Miners are paid portal to portal. About 8 a.m. they started down the long tunnel that also houses the conveyor. It's steep, so steep that the miners leaned backward as they walked, sliding their hands along a steel railing to break the momentum. It was like going down a very steep hill with a wind at your back.

Practically all the miners were middle-aged, but they are tough and in good shape.

The inspector was showing a little weight around the middle. But he made it with no sweat, trudging along with a bag carrying his equipment swung over his shoulder.

About 300 yards under the snow-covered Southern Indiana pastureland the miners climbed into low flatish covered cars.

Each has room for six miners, three facing each other with their legs stuck out and their hard hats practically touching the roof.

The tow has an electric motor. It was slow going and the ride was dusty, as the cars stirred up rock dust spread to keep down the coal dust.

"Did you shovel your neighbor's drive?" a miner asked in the darkness.

"Not me. It's better women do that. Shoveling snow is not good for a man's heart . . ."

It took 45 minutes to penetrate the three miles to the section where the men were working.

The work is all done with machines. There wasn't a shovel in sight.

About the only illumination was from the lights on the machines and on the miners' hardhats.

Once, and not so long ago either, these were oil lamps, but flame can set off an explosion. Now the lights are powered by batteries.

The knot of miners working in this section gathered around one machine for a safety meeting. "We have one every Monday," said the foreman, glancing at the inspector.

Rath began peering around. He checked the equipment for defects that might cause an explosion.

As the miners started work, the shaft looked like some bizarre scene in a science fiction movie—like "War Under the Earth," or something.

The eyes glowed brightly on a big metal bug called a loader. Steel legs swept coal into a steel mouth. Shuttles swung around sharp corners. A drilling machine bored holes for explosive shots.

A concussion from a shot opening up the coal blew through this underworld like a gust of wind.

Rath was working. He checked the coal dust and took his lamp into dark corners. If a little halo appeared on the flame it meant gas. He also carried a meter for more refined checks and little vacuum bottles to take air samples.

He talked to the foreman, the miners, the mechanic.

"Everything okay? . . . Any problems? . . . Is that working all right?"

Some mines take a week to inspect, some less. Some big ones can take a month.

With the speed of modern mining machinery, a section that is safe when the inspector inspects it may be unsafe the next minute.

"We can't stand over their shoulders every second," said Rath. The ultimate safety responsibility, he believes, lies with the mine owners and the miners themselves.

Here at Thunderbird there are sections not being worked, but that have not been sealed. So he has to inspect them, too.

"Sometimes I have to force myself to do it," admitted Ted Rath. "But I do it. It's part of the job."

The unworked section was a dark catacomb without lights or directional arrows. Rath had to climb over—and sometimes through—rooffalls and crunch over roofscales that peeled off the ceiling. It's rooffalls that kill most miners.

Seldom do you walk upright. Miners have developed a twisted bent walk. A novice learns quickly, and repeatedly, the need for a hardhat.

Prowling through 50 yards no higher than 5 feet is a better test of fitness than an army obstacle course. When Rath removed his hard hat his hair was plastered with sweat.

It's time to quit for the day. The inspector talked to the foreman by telephone.

"Everything looks fine here, old buddy."

He hailed a ride on an electric jeep. On an upgrade it barely crawls. But the closer the entrance—and the outside air—the colder it got. Pretty soon the inspector's chin felt numb. The miner driving the jeep wore a ski-type helmet that covered most of his face. "You should have one of these," he said.

Finally the ride was over. It may have taken 40 minutes but it seemed like hours.

In the washroom the face in the mirror was black. It could have been that of a miner 100 years ago. The best thing so far in the day was the shower, but it came too late. The muscles were already stiffening.

THE MASKED ANGELS

(By William Blizzard)

The coal miner pushed off his hard hat and wiped his blackened face with a grimy hand from which, as the result of a long-forgotten slate fall, the first joints of the index and little fingers were missing.

The miner had just been carried, grasping and half conscious, from a drift mouth in the side of a West Virginia hill. From this drift mouth, or mine entry, evil-smelling black smoke poured as if from a factory smoke-stack.

A mine whistle, generally used to mark shift changes, screamed incessantly. Up the road from the valley below, trucks and automobiles, wheels spinning, raced toward the roaring mine mouth.

Behind the vehicles, men with strained faces and wide eyes ran on foot, their shoes kicking up great gouts of blood-colored red dog from the rough road. And behind the men, arms outstretched, clutching toward buried husbands and brothers, clutching toward hope that fate had spared their own, came the women eyes staring with fear, mouths forced open by anguish that knew no sound.

The rescued coal miner saw little of this scene, although from past experience he knew it well. He accepted a canteen of water from the marked figure standing above him.

"Thank God," he said. "When I first looked up and saw you through the smoke, back in that mine, I figured you might be an angel. But when I recognized that mask I knew I was going to be down here in this world for a while longer."

The man behind the mask smiled, then hurried to join his team mates, to see if the district inspector was going to permit another fast trip into the burning coal mine.

The man in the mask was one of the members of a mine-rescue team, one of hundreds of coal miners in West Virginia and other coal-mining states trained for instant rescue and aid to survivors of coal-mine fires and explosions. The mask he was wearing was known to him and his fellow workers as a self-contained oxygen breathing apparatus. With it he could work for at least two hours in an atmosphere that wouldn't keep a turtle alive.

Such men are little noticed by the general public, or even by people in their own mining communities, during normal times when coal spews from the earth without major peril to coal producers. But when the earth growls and chews up men and belches smoke and flame, mine-rescue workers are the most important actors on the scene, the masked angels of the mining camp.

Such masked angels are usually members of the National Mine Rescue Assn., a Pittsburgh based group that was formed in June 1924. The founding, or its initial steps, began after a first-aid contest in Fayette County, Pa., at the home of William G. Duncan.

The pioneer safety men assembled in Duncan's home where John T. Ryan, C. O. Roberts, George S. McCaa, J. E. Struble, J. V. Berry, George W. Riggs, and George H. Deike. They discussed the need for a mine-rescue organization and formed plans for its launching.

A little later, these men met with others of similar interests and a constitution and by laws were adopted. All men at both meetings were declared charter members of "The Smoke Eaters Assn."

The Smoke Eaters soon discovered they had unwittingly usurped the chartered name of a fireman's organization. As a result, they changed their title to the National Mine Rescue Assn., an accurate, if more prosaic name, they yet retain.

This is not to say that post-explosion mine rescue was not attempted before 1924. But there was remarkably little of it done in the early days of United States mining.

According to Woods G. Talman, safety director of U.S. Steel's Coal Division, the first large-scale commercial coal mining in this country, mining that produced coal burned in blacksmith forges, was on the James River in Virginia, in 1702, and the first coal was shipped on that river in 1758.

Talman's booklet, "The Selfless Ones," prepared for an NMRA meeting in 1961 and updated in 1962, is, incidentally, the source of much information in this article, and is herewith gratefully acknowledged.

Commercial mining did not become widespread in Virginia until after the beginning of the 19th century. When it did, mine disasters followed almost immediately, beginning with a methane explosion that killed several men prior to 1818 in mines called "Heath's pits."

The first explosion of record was at the Black Heath Mine near Richmond on March 18, 1839. Black Heath was a fearful harbinger of things to come, for the explosion, like most since, was unimaginably violent, crushing or asphyxiating all within the earth.

Two men, somehow protected by a crevice near the mine mouth, survived, but 53 miners were killed. According to Talman, no rescue efforts were made.

This is not surprising, for it is hard to see how they could have helped. "Afterdamp," as in most mine explosions, killed most of the men, and would certainly have killed any rescue worker foolish enough to enter the mine prior to ventilation.

As it is known—and has been known since at least 1839—that combination of carbon monoxide, carbon dioxide, nitrogen, and other gases occurring after such blasts are responsible for most deaths in mine explosions, the concerned layman wonders why portable breathing apparatus, usable in a death-dealing atmosphere, has not been developed by the coal industry, the U.S. government, or some imaginative inventor.

It has been developed, of course, for members of mine-rescue teams, but such devices are far too bulky to be practicable for individual miners on a workaday basis. A crash program for the development of such devices seems long overdue.

Even if they made breathing possible only for a short time they could mean the difference, in many cases, between life and death.

Coal miners do have available, it should be noted, a "self-rescue" device worn on the belt that can help a miner to breathe under adverse conditions for 30 minutes. It is useless, however, in an atmosphere devoid of oxygen, as a mine atmosphere generally is after a blast.

The first rescue efforts after a mine explosion, so far as is known, occured on Aug. 14, 1871, in a Pittston, Pa., anthracite mine. The efforts, however, were relatively minimal and quite fruitless, although the rescuers brought 17 lifeless bodies to the surface.

A mine inspector and five or six helpers were more successful on Oct. 27, 1884, at Uniontown, Pa., where 14 men were killed. Some miners, overcome with afterdamp, were taken outside the mine where they recovered.

But mine-rescue teams could do little after mine explosions without some method of remaining alive in the afterdamp. This meant some sort of self-contained breathing apparatus in most cases, for many so-called gas masks are useless in an atmosphere that can't support life.

Such self-contained breathing apparatus for mine use was introduced in the United States as early as 1905, but was slow in being perfected. When it failed to work in an atmosphere without oxygen the masked angel wearing it quite literally earned his title: he departed this life.

From 1908 to the present, it is recorded that 35 mine-rescue men, wearing such apparatus, lost their lives. Almost two thirds of these accidents occurred from 1908 to 1921, only one since 1940.

The dangers of mine-rescue efforts in the old days are underlined by the experience of a rescue party of 11 men on March 19, 1906, after a West Virginia explosion. The party went into a mine where 13 men had perished the day before, and their open-flame carbide lamps set off another explosion, killing all 11 would-be rescuers.

Thomas A. Edison's electric mine lamp, first placed in service on a limited basis in West Virginia in 1915, helped to prevent later repetitions of this tragedy.

Today, mine inspectors are reluctant to risk the lives of their men to attempt the rescue of men who may already be dead. It is done, but on a volunteer basis and only after considering all the facts in each individual case.

Too often, such masked angels can do little except retrieve bodies and make preliminary reports on the nature and extent of the blast. For major explosions in coal mines are deadly. The initial blast may shake the earth and shatter men in the process, but the after effects of the explosion, as before noted, may be even more lethal.

For the blast produces gases, including carbon monoxide, that quickly expunge life. Mine rescue workers with their breathing devices may survive in this afterdamp, as the miners call it, but survival for long without such gear is impossible.

At Hominy Falls, W. Va., in May, 1968, 21 of 25 trapped miners were saved after up to 10 days entombment, but methane and coal-dust explosions were not involved. Flood waters from ancient diggings threatened these men, and the four victims drowned.

Sometimes, as happened most recently at Humphrey No. 7 mine near Morgantown, coalminers can barricade themselves against smoke and gases, but a great deal of luck is involved, particularly is being able to get sufficient fresh air to remain alive until help arrives. And no explosion was involved at Humphrey, a fact of great significance.

Until some way is found to enable trapped miners to breathe in an explosion-created atmosphere, the best-intentional masked angel will often be of little use, and entombed miners will die as surely as if they were suddenly thrust under 100 feet of water.

It is hard to believe, but from 1901 through 1910, 3,316 coal miners were killed at work in 111 major mining disasters. This dismal, horrible record led to the creation, in 1910, within the Dept. of Interior, of the United States Bureau of Mines ". . . to make diligent investigation of the methods of mining, especially in relation to the safety of miners, and the appliances best adapted to prevent accidents. . . ."

It seemed hardly a moment too soon, yet the powers of the new bureau seemed unimpressive. Not until 1941, if my source of information is correct, did federal inspectors have the right to enter coal mines.

West Virginia did its share toward the creation of the U.S. Bureau of Mines with the great butchery at Monogah on Dec. 6, 1907, when at least 361 miners (no one knows, for sure, the total) were killed in an explosion that holds the U.S. records for high score in coal mining's death's-head Olympics.

But that is another story. Yet the story of the National Mine Rescue Assn. parallels it, in that Welch Post No. 1 at Gary was formed after the Bartley explosion in McDowell County on Jan. 10, 1940, killed 91 men.

It appears to be a lamentable fact that mine-safety progress occurs only after public apathy is shocked into awareness by human sacrifice.

In the early days of 1940, William Morris, E. L. Chatfield, Percy and Jim Gille, Glenn Bearden and Jack Pero, all of Welch, tried to get an NMRA charter, but not enough people were interested, in the Welch area for a charter to be granted.

But not long after the Bartley explosion Welch Post No. 1 was organized, with 61 charter members. The main organizer, Fred J. Bailey, was named president.

Aside from the parent organization in Pittsburgh, there are NMRA posts in only three states: Kentucky, Illinois, and West Virginia. Memberships in all of them is largely composed of safety directors of coal companies, mine inspectors, safety inspectors, and mine rescue teams.

There are varied degrees of membership, depending upon the nature and duration of a member's service. In West Virginia, NMRA now has 350 members and 57 life members.

Most of the present high-ranking officials of the W. Va. Dept. of Mines are life members of NMRA, Elmer Workman, current director of the Dept. of Mines (awaiting replacement by a Republican), is such a life member, as is his safety director, Robert J. Marrs.

In West Virginia, mine-rescue stations are maintained dually by the Dept. of Mines and coal companies, 27 stations for each of them. Workman recently explained how such stations work in his department:

"We have proper equipment," he said, "stored at each of these 27 stations, and we train mine-rescue men there. Such men are paid seven dollars each time they come out for class, but for actual rescue work are paid top wages—$33 a day, plus overtime—according to the UMW scale.

"Last year, which was about average, we trained 322 mine-rescue men in 35 classes, and 605 men in accidents and their prevention. In the 27 company-owned rescue stations, they employ 224 men to perform similar training functions."

The West Virginia Dept. of Mines, by the way, was created long before its federal counterpart. Mine inspection began in West Virginia, under Oscar A. Veazey, in September, 1883, the year the department was created.

Every year, mine-rescue teams, both state and company trained, from all over West Virginia hold competions among themselves. Similar national competitions, featuring first aid and mine rescue, are held in alternate years in one of the coal producing states, and area meets are also held in many mining centers to keep in practice.

Much of the training of mine-rescue teams involves the use of breathing equipment—masks of one sort or another that enable men to live in polluted or oxygenless atmospheres. Obviously, men using such equipment must know it thoroughly, for their lives depend upon it.

In the early years of mine rescue, such equipment came largely from Germany and England. But it has been U.S. produced for many years and consists of two basic types: masks designed for use in an atmosphere with enough oxygen to maintain life, and self-contained breathing apparatus that has its own oxygen supply and may be used in an atmosphere without oxygen, provided no corrosive elements are present.

Mine-rescue men must have yearly physical examinations, must have no major physical difficulties involving the heart or lungs, and must be no more than 50 years of age. Psychologically, they must be stable enough to withstand what can be, in emergencies, extremely trying circumstances.

The masked angels are important men when needed, little thought of, at least by the general public when all is going well in the coal-mining industry.

OUR RESPONSIBILITY

(By John G. Morgan)

"It is difficult for me to understand how a state which is a prime producer of soft coal should not also be the leader among states in the adoption of modern safety laws."

So declared Gov. Arch A. Moore Jr. in his first message to the West Virginia Legislature.

"I think we of the State of West Virginia have an extraordinary responsibility in this area," Moore added. He further pledged that he will offer proposals "that hopefully, and in a novel way, will make our state a leader in the field of coal mine safety."

The Governor announced his support of legislation to make certain that miners afflicted with "black lung" disease can receive compensation under state laws.

As essential as coal mining is to the economics of the state, he said "it is also incumbent upon us to provide for the health of those now engaged in that vital industry."

Moore thus set the tone of the new administration in the field of coal mine safety. This part of his speech was practically a full notice that he will urge stronger laws and regulations to preserve life and limb in the mines.

The Governor could scarcely do less in the wake of mine disasters last year at Hominy Falls and Farmington—disasters which spoiled previous excellent safety records.

Few realize now that in 1967 West Virginia had its best mine safety performance since the state started keeping records 70 years earlier.

Official figures reflected a fatality rate of 0.84 per million man hours during 1967, compared to 1.13 in 1966, 1.29 in 1965, 1.22 in 1964 and 1.81 in 1963.

Even in 1968, before the thunderous blast at Farmington, Marion County, killed or trapped 78 miners, the state had a comparatively good record of 1.09 man hours. Preparation of laws and regulations to improve the record marred by disaster is now in a fluid state as the new administration looks at the past to learn its lessons and looks at the future with an eye toward taking advantage of every new idea and every technological advancement to make the underground world safer for miners.

During the past few weeks, before and after Moore took office, the State Mines Department staff, headed by Director Elmer C. Workman, union officials and operators put their heads together on proposed laws and regulations that would achieve these goals:

A foolproof system of mine mapping that would guard against another Hominy Falls type of disaster, with the workings of one mine located too close to another. Mapping would be supervised by a professional engineer.

More mine inspectors and higher salaries for them.

A new definition of "return air," meaning that after a volume of air has passed through and ventilated all the working places on a so-called "air-split," it shall then be designated as return air.

Haulage lights on the rear, as well as the front, of machinery moving in the mines.

The need for a good mapping program has received much emphasis in the general discussions about mine safety.

Among other things, the maps would show all shafts, slopes, drifts, tunnels, entries, rooms, crosscuts and all other excavations. Additional information on the maps would show:

The outline of existing and extracted pillars, since designating an area "pillard" or "mined out," without the outline of the mined pillars, is unacceptable.

Direction of all air currents, using arrows.

Abandoned portion or portions of the mine.

The outcrop of the coal bed within the bounds of the property assigned to the mine.

The boundary lines of the coal rights assigned to the mine.

The known underground working in the same coal bed on the adjoining properties within 1,000 feet of such mine works and projections.

The elevations of the top and bottom of each shaft and slope, all drifts and the bottom along at least two parallel entries in each set of main and panel entries at horizontal intervals, not exceeding 200 feet.

Location of the principal streams and bodies of water on the surface, location of any impounded bodies of water inside the mine, and location of all boreholes penetrating the coal mine, and the location of oil and gas wells, high pressure pipe lines, high voltage power lines, principal roads and occupied dwellings.

One of the most significant provisions given study for the proposed law would permit any miner to examine a company mine map "if he has reason to believe that a working place is in the proximity to other workings that may contain impounded water or noxious gases."

Mine Director Workman made this simple but profound remark about safety in a coal mine:

"A bad top never killed anybody."

This simply means, he explained, that if a miner is informed that a top is bad, he doesn't get under it. This rule permeates all the rules of safety in a coal mine.

Workman believes it's impossible to attain perfection in mine safety because of the element of human error. He estimated that at least 90 percent of all fatalities in coal mines can be attributed to human error.

WHY THE SURPRISE AT "PUEBLO" SEIZURE?

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. MICHEL. Mr. Speaker, while it will be some time before we get all the facts surrounding the seizure of the U.S.S. *Pueblo*, the early reports from the naval court of inquiry have produced the surprising revelation that apparently no one in the naval chain of command had any idea that the ship might possibly be attacked or seized.

As pointed out in an article by Mr. Richard Halloran appearing in the Sunday, February 2, edition of the Washington Post, the natural question arises as to—

"What made everyone so sure the North Koreans would not try something so audacious as capturing that ship?"

The article raises some very significant and pointed questions and I insert it in the RECORD at this point:

WHY THE SURPRISE AT "PUEBLO" SEIZURE?

(By Richard Halloran)

The question nobody seems to have asked yet in the Pueblo inquiry is: What made everyone so sure the North Koreans would not try something so audacious as capturing that ship?

Cmdr. Lloyd Bucher, captain of the ship, testified in answer to a question from the board of inquiry: "No, sir, I never considered I would ever be attacked on this mission. It never occurred to me . . . it never occurred to me that I would ever be put in the position I found myself in that afternoon."

Capt. Thomas Dwyer, in charge of naval intelligence in Japan at the time of the Pueblo's capture, testified in closed session that he did not even know the North Koreans had publicly warned the United States against such missions.

Rear Adm. Frank L. Johnson, the Navy commander in Japan at that time, testified that such a seizure was considered "highly improbable." He defined this as, "in effect, there is almost no chance of this happening."

"The feasibility of this type of operation," Johnson said of the Pueblo's mission, "is dependent to a large degree on the safety provided by the time-honored recognition of the freedom of the seas. This has gone on for over 150 years. No public vessel had been seized in all that time. This was a very excellent precedent on which to base the safety of any one individual ship."

Yet in June, 1967, only seven months earlier, Israeli aircraft and patrol boats strafed and torpedoed the USS Liberty, a ship similar to the Pueblo on a similar mission on the high seas in the Mediterranean.

That was the case of a *friendly* nation attacking an American ship and by accident. Did it not occur to anyone that a *hostile* nation might do so and deliberately?

There was no attempt to capture the *Liberty* but the distinction between an attack and a seizure is surely only one of minor degree. In military terms, capture is the logical objective of attack.

Consider the evidence of North Korean hostility toward the United States in the following facts, all obtained from overt, public sources:

On Nov. 2, 1966, the day President Johnson left Seoul after a state visit, the North Koreans ambushed and killed six American and one South Korean soldier in the southern portion of the demilitarized zone that divides Korea.

That was the first incident in a marked upsurge of flagrant violations of the Korean armistice and clearly aggressive actions by the North Koreans.

During 1967, the North Koreans killed 131 American and South Korean soldiers and wounded 294 more in attacks along and below the DMZ. There were a total of 445 firefights along the DMZ, plus more in the South Korean interior.

Moreover, two American camps were shot up. There were artillery exchanges and at least one small tank battle. Two railroad trains were sabotaged.

At sea, numerous South Korean fishing vessels were captured. A South Korean patrol boat was blown out of the water by North Korean ships similar to those that attacked the Pueblo. There were other exchanges of fire inside and outside territorial waters, north and south of an imaginary extension of the DMZ.

In December, 1967, North Korean Premier Kim Il-sung reiterated in the clearest terms the North Korean intention to reunify all of Korea under Communist domination by force of arms. It was the third time that he personally had done so and each time he emphasized that American forces were the target of priority.

On Jan. 6, 1968, five days before Pueblo left Japan, and again on Jan. 11, the day the ship sailed, North Korean broadcasts warned against spy ships off their coast and said they were determined to take counter measures.

Most flagrant of all, the North Koreans sent 31 men into Seoul in an attempt to assassinate South Korean President Park Chung Hee. This blatant evidence of North Korean belligerence occurred on the night of Jan. 21—a full 36 hours before the Pueblo was seized. It would be interesting to know whether Bucher had been apprised of it.

He may not have been for all three experienced naval officers testified that, in effect, they had no idea the North Koreans were in a threatening mood and would violate the freedom of the high seas, just as they had violated so much on land and at sea before.

Nor have the five admirals on the board of inquiry delved deeply into this point. Rear Adm. Marshall W. White asked Adm. Johnson whether the DMZ intrusions had not made him think the same thing might happen at sea—"a so-called crossing of the DMZ in the water."

Johnson replied that the chances were so remote "a bookmaker would give you such fantastic odds that even someone as rich as Howard Hughes could not pay off on it."

No one could have predicted, of course, exactly what the North Koreans might do, any more than any other event can be predicted. Gen. Charles H. Bonesteel III, the commander of American forces in South Korea and a perceptive student of his North Korean adversaries, has often called Kim Il-sung a "meglomaniac" and said he would never try to guess what Kim would do next.

One might also have been surprised at the audacity of the North Korean seizure of the Pueblo. But little could have been more audacious for North Korea than to send armed soldiers into South Korea to assassinate the President.

But the basic question remains, in light of all the other evidence: What made everyone so sure that the North Koreans would not try it?

JOB TRAINING DILEMMA

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. PICKLE. Mr. Speaker, the Job Corps has been one of the most outstanding programs in recent years, and I am proud that we in central Texas have one of the best Job Corps centers in the Nation.

As we all know, there has been a great deal of discussion lately about the future of the Office of Economic Opportunity and the programs operated by them. Only in the past few days we have seen accounts indicating that OEO will be allowed to expire, or that its functions will be shifted elsewhere.

Whatever decisions are made in this respect, I feel it is imperative that the kind of Job Corps projects we have at Camp Gary in San Marcos, Tex., be maintained at a full level. The Gary center has been one of the most successful ones in the country, and as was said by one constituent—a member of a central Texas school board which had a lot of excavating work done by Gary Job Corpsmen—there is no monetary way accurately to measure the immense value of the training being given at Camp Gary.

Over the past year, I have extended invitations to Chairman CARL PERKINS of the House Education and Labor Committee to visit Gary. I have also invited his committee colleagues. Many have visited Gary and seen the fine work done there, but I hope soon that a large representative group might visit Gary. While the efforts going on there are by no means perfect, I can firmly say that we do have one of the best possible vehicles in Gary for reclaiming a young man and giving him a hope in life.

It is my feeling that the Job Corps program can be made to work better than any other one in OEO, and, in fact, I feel that this is already the case.

Mr. Speaker, in the Sunday Washington Post, Eve Edstrom wrote a penetrating and interesting article on what we can expect in job training. I was particularly pleased that the Gary center was singled out as one worthy of special comment by this forthright and capable reporter.

At this point in the RECORD, I am pleased to reprint this article:

JOB TRAINING DILEMMA: NIXON SEEKS MORE PRIVATE FIRMS FOR TASK, CONDEMNS INDUSTRY-RUN JOB CORPS

(By Eve Edstrom)

In the course of his campaigning for the Presidency, Richard Nixon made two promises that Washington now finds hard to reconcile.

On the one hand, he called for a far greater enlistment of private industry to solve America's social problems because private enterprise "is the greatest instrument" for change and progress.

On the other hand, he condemned as a "failure" the one Federal antipoverty program that America's industrial giants have been most deeply involved in.

That program is the Job Corps and Mr. Nixon said it should be killed.

SEEK TO SAVE IT

Currently, representatives of such large corporations as Litton, Xerox, Westinghouse and Burroughs are drafting recommendations to prevent the Job Corps from being abolished.

To give Mr. Nixon a face-saver, the industrialists would change the name of the Job Corps. It has been suggested that it be called a "growth opportunities" or a "residential skills" program.

But the game—cost-plus-fixed-fee contracts with private industry to run residential centers for training unskilled youth—would be the same.

Yet there is little evidence that the private corporations have been successful in fulfilling their chief mission—that of developing new approaches to educate boys and girls that the public schools couldn't hold.

"The harsh fact is that (the Job Corps) has helped only a minority of those who sought its aid, despite the relatively ample resources that were allocated to it," Sar A. Levitan has concluded.

Levitan, in a 58-page evaluation of the Job Corps for George Washington University's Center of Manpower Policy Studies, found that the most successful center was one operated by an independent, nonprofit corporation established by the State of Texas.

The Texas center at Gary is the largest in the Nation, with an enrollment of 3000. Business was involved to develop training materials and to place corpsmen. But the center is run by top-level state educators.

"The experience of Gary suggests that, given more adequate support (including money) from businesses and the community at large, the educational system might fare better in serving the disadvantaged," Levitan said.

This is exactly the point that Rep. Edith Green (D-Ore.) has consistenly made as she has hammered away at the "high costs and questionable results" of the Job Corps. If existing educational systems had the financial underpinning of the Corps, she has said, they could have done far greater good for greater numbers.

A principal target of Mrs. Green's criticism has been the Parks Center in California which is run by Litton. She cites a November, 1967 review of the Parks operation by the General Accounting Office to show how poverty funds have been wasted.

WASTE WRITTEN OFF

The GAO report noted that Litton contracted with its subsidiaries for thousands of dollars worth of educational materials and equipment that was too sophisticated for poorly educated Job Corpsmen. Levitan writes off such "waste" as attributable to the early experimental nature of the Job Corps program.

In fact, many of the Job Corps' difficulties cannot be blamed on the private contractors. They had nothing to do with the initial haphazard screening procedures that sent many youths to Job Corps centers only to have them drop out before they could benefit from the program.

The private contractors would now like to correct this by being responsible for screening as well as job placements so that training programs can be better matched to available jobs. They also would like to siphon off 15 and 16-year-olds from the program, and focus on the 17- to 21-year-olds.

It was Litton that sold the first Poverty War chief, Sargent Shriver, on hiring private corporations to operate Job Corps centers. And Litton's president, Roy L. Ash, is close to President Nixon, having been selected to study the organization of the Executive Branch of the Government.

But whether Litton and other industrial powerhouses will be able to persuade President Nixon that the Job Corps—costing about $1 billion since 1965—by whatever name, should be retained is an unanswered question.

TRIBUTE TO A DEDICATED DOCTOR

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. MURPHY of New York. Mr. Speaker, over the years, I have had the privilege of working in conjunction with a truly dedicated man in obtaining greatly needed medical care for disabled veterans. Recently, that man, Dr. Philip R. Casesa, medical director of the Veterans' Administration Hospital, Brooklyn, N.Y., was honored by Richmond County Post No. 248 of the Veterans of Foreign Wars. Under leave of extension of remarks, I include the remarks of Mr. Charles A. Di Sogra, VFW national aide-de-camp and the joint speech of Michael and Camille Di Sogra, past post and county VFW commanders, in the RECORD:

REMARKS OF CHARLES A. DI SOGRA

Tonight we pay tribute to Doctor Philip R. Casesa, a medical career officer of the Veterans Administration, for his 25 years of dedicated service to his country and our disabled veterans.

Dr. Casesa has been Director of Veterans Administration Hospital, Brooklyn, N.Y. since September, 1960; and has exercised the highest level of administrative skill and resourcefulness in planning and co-ordinating the Veterans Administration Hospital program.

He has demonstrated exceptional leadership for the outstanding ability as a capable and efficient administrator and fostered harmonious relationships with the local community; and Doctor Casesa has given unselfishly and with the highest degree of professionalism towards furthering the Veterans Administration program among veteran leaders in the community and with whom he developed and maintained a close personal liaison.

Largely through the efforts of the Honorable John M. Murphy, Member of Congress 16th Congressional District, New York, and Doctor Casesa, beds for veteran patients, was established in the U.S. Public Health Service Hospital, Staten Island, New York.

We do proudly cite Doctor Philip R. Casesa, for his leadership, sound judgment and unwavering devotion of duty in keeping with the highest traditions of the Veterans of Foreign Wars of the United States.

PHILIP R. CASESA, M.D.

It has been said that the only thing that distinguishes failure from success in ones pursuit of certain goals is the attitude with which one approaches things and with this philosophy in mind; Dr. Philip R. Casesa, a career Medical Officer in the Veterans Administration, imbued with a dream, determination and faith during his early childhood days, entered the study of medicine in his later years, to choose the honored profession of Hippocrates (460?-377? B.C.)—influential author, teacher and celebrated physician, who was and is still called "the father of medicine," who practiced among peoples throughout the ancient world. Thus, through the days of his life, Dr. Casesa, was dedicated to the brotherhood of healing and allied health fields. His long and illustrious career in the practice of his art is appreciated by all men.

Dr. Casesa, a native of Agrigento, Sicily, Italy, was born June 6, 1909. Sicily, often referred to as a most beautiful island in the Mediterranean sea, was inhabited at the dawn of history by a people called Siculi or Sicani, who, according to tradition, crossed over into the island from the southern extremity of

Italy. They were members of the great Latino-Italian family. However, the recorded history of Sicily begins with the establishment of Greek and Phenician colonies, who left their mark on the land. A study of Sicily and the customs of its inhabitants tells us much of its legacy, a mixture of beauty and a culturally rich past. When we get to know these people we capture some of the unique qualities which shaped Sicily's destiny. Agrigentum or Acragas, a city of antiquity, was situated near the s. coast of Sicily. It was founded by a colony of Rhodians and Cretans from Gela about 582 B.C. It was the second Greek colony established in Sicily. Agrigentum, early acquired prominence under the rule of Phalaris, and was an important trading, religious and cultural center. It is also worth noting that Hippocrates roamed the hills of these colonies to practice the art of medicine. Agrigento is currently the capital and episcopal see of the same name. Various interesting ruins of ancient Agrigentum are extant, notably the temple of Hercules. The Cathedral in Agrigento dates from the 13th century. The modern city of Agrigento occupies part of its ancient site. Agrigentum, retained its dignity through ancient times and still retains this status under its modern name of Agrigento. Dr. Casesa, a man of great warmth and energy, is married to former Rose Giammalvo, and they are the proud parents of two children, Marie and James.

Dr. Casesa attended elementary and secondary school in New York City, graduating from Boys High School, Brooklyn, in 1927. He pursued his higher education at Long Island University, Brooklyn, (1927–29), and at Tufts College, Medford, Mass. (1929–30). Subsequently, after three years of studies, he received his doctorate in Medicine from Boston University School of Medicine, in 1934. Dr. Casesa's many Postgraduate advance courses in Medicine were attained at New York University Graduate School of Medicine; American College of Physicians, and American College of Hospital Administrators. Dr. Casesa was licensed to practice medicine in New York State and New Jersey in 1934. His first medical appointment was an 18 months residency (rotating internship) at St. Elizabeth Hospital, Boston, which was completed in July, 1935. Doctor Casesa then went into private practice in Brooklyn, and remained in this field until July, 1942.

Dr. Casesa's first VA assignment was at Waco, Texas, as a staff physician in July, 1942, serving until Jan., 1944. Following three months of service on the VA medical staff at Columbia, S.C., he was commissioned a Captain in the Army Medical Corps and discharged with the rank of Major in 1946. His post war VA assignment was as a Medical Officer and Chief of the VA Outpatient Service, Bronx, N.Y. In May, 1947, his duties were then performed as Chief of Staff of the VA Outpatient Clinic, Brooklyn, N.Y., serving until Sept., 1956. Dr. Casesa's development and utilization created a most efficient staff which meant better medical treatment and care of the sick. One who possessed leadership, initiative and excellent communication between his Staff, patients and the community.

In Sept., 1960, in recognition of his long distinguished service, he was appointed Hospital Director, of the Brooklyn VA Hospital, a job that entailed planning and supervising the whole medical program of this large VA complex. During his tenure he has been receptive to new ideas and new approaches. Looking for better ways to do things, thereby accomplishing his goals and objectives in a better hospital program for our veterans. Dr. Casesa's effectiveness in organizing and planning in the management of VA Hospital programs has generated enthusiasm for their mission, gaining the cooperation and loyalty of those concerned. His high degree of professional, medical and practical skill is in evidence and respected.

Dr. Casesa is a member of American College of Hospital Administrators and Hospital Council of Brooklyn, Queens and Staten Island. His other fraternal, civic, veteran, and professional affiliations are: Kings County Medical Society; New York State Medical Society; American Medical Association; Brooklyn Internal Medical Society; Fellow, American College of Chest Physicians; New York State Society of Internal Medicine; American Society of Internal Medicine; Anfuso-Sessa Post, American Legion; Dyker Heights Civic Association, Inc.; President, Better Brooklyn Committee & Brooklyn Hall of Fame; Adjunct Professor, Biology, C. W. Post College, Greenvale, N.Y.; Consultant, Medical Technology; Who's Who in America (current listing); Courtesy Staff of St. Mary's Hospital, Brooklyn.

His realistic literary output of professional papers published in the New York State Journal of Medicine include: "Transient Bundle Branch Block"—Nov. 15, 1950; "Localized Pretibial Myxedema"—Mar. 15, 1952; "Outpatient Medical Care for Veterans"—Dr. A. Norman & Dr. P. R. Casesa—Mar. 15, 1954; "Familial Leptocytosis"—May 15, 1956; and, "A Home Care Program in Physical Medicine and Rehabilitation"—Dr. P. R. Casesa & Dr. S. Feuer—published in the DM & S Information Bulletin—Oct., 1954.

Like sands through the Hour Glass, Dr. Casesa's ability to establish good relations with the public and with officers and employees; to lead in a humane manner; and willingness to teach and help subordinates develop their full potential, is a criteria based on integrity. One of this country's acknowledged authorities on veteran care, Dr. Casesa is, his fellow physicians agree, a touchstone of current information on the subject. Our confidence in the future of the VA Hospital Program has never been greater during our many visits with veterans. With each passing year Dr. Casesa adds a greater depth of meaning to the phrase "efficient and quality medical care to those in need" by striving to engender, qualities of initiative in order to make the VA Hospital Program the best.

We are especially grateful for your support in paying tribute to a congenial quiet-spoken man of understanding. Our entire V.F.W. organization is highly commendable of his accomplishments. We have profound appreciation and admiration for him for his professional assistance rendered to our ailing veterans. This, then, has been a brief résumé of Dr. Casesa which tells you what he was and is. Dedicated to hard work, to the good of our nation, and this nation's veterans. Indeed a fine American. A great man. A patriot of the highest caliber. A physician of unequaled skill. A true leader of men. Remember him. Remember him well. Men like him built the Veterans Administration Hospital Program. Men like him earned the Veterans Administration her universally fine record and reputation in the care of our disabled veterans.

In closing, we wish our Honored Guest and his family, happiness and contentment, each and every day in the years to follow.

BOAZ WINS SECOND AWARD

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. BEVILL. Mr. Speaker, for the second year in a row, the city of Boaz, Ala., in my congressional district has been recognized nationally for its efforts in the National Cleanup Contest.

I am extremely proud of Boaz, Mr. Speaker, and offer at this time a news article from the Boaz Leader which tells of this city's contributions to keeping our Nation clean and its outstanding efforts in the contest. The article follows:

The community betterment efforts of Boaz have won a Distinguished Achievement Award in the 1968 National Clean Up Contest in which the city was in competition with communities of under 25,000 population from across the country. This national contest is sponsored annually in Washington, D.C., by the National Clean Up-Paint up-Fix Up Bureau.

Presentation of the award to community representatives will take place at a special ceremony February 25 at the Statler Hilton Hotel in Washington. The awards ceremony, which climaxes the 1969 National Congress on Beautification also sponsored by the Clean Up Bureau, will receive national press coverage.

Boaz created and increased community awareness with the use of a special civic improvement sheet which alerted individuals, firms, etc. to the need for improvements in the city. Projects carried out included a "Plant Up" program and antilitter and general spruce up campaigns, essay and poster contests, a "Yard of the Week" program, and "Weed Week" filled out activities.

CABINET VOICE FOR CONSUMER

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. DULSKI. Mr. Speaker, I am today joining in the sponsorship of legislation to create a new Department of Consumer Affairs in the executive department.

The position of Special Assistant for Consumer Affairs was created on the White House staff by the late President John F. Kennedy, a position which for the first time gave the consumer a real voice in the top level of our Government.

President Johnson continued this White House staff recognition while he was Chief Executive.

While the two women who served in this position—Mrs. Esther Peterson and Miss Betty Furness—did an excellent job to the extent that they had the opportunity, I feel we really need to have a Cabinet-level voice not just a special assistant.

In the meantime, however, I certainly hope that President Nixon will follow the leadership of his predecessor and at least name a successor to Miss Furness. We need a special assistant to keep an eye on consumer affairs until a department can be created.

The need for Cabinet-level coordination becomes apparent, it seems to me, when you take into account the fact that there are now 33 different Federal agencies which are trying to administer some 260 consumer protection programs which have been enacted into law in recent years.

The wide range of consumer laws today makes it unreasonable to expect coordination with so many different agencies involved. The same sort of maze is what brought about the Department of Housing and Urban Development in 1965 and the Department of Transportation in 1966.

The need for the consumer protection laws is clear, but their effectiveness is restricted by the inefficient organization that exists.

I am also joining in sponsorship of legislation to provide Federal grants-in-aid for the establishment and strengthening of State and local consumer protection offices.

Consumer protection requires coordination at all levels of government, State and local as well as national.

A STRAWBERRY FARMER SPEAKS OUT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. RARICK. Mr. Speaker, Mr. Carl Drude, Jr., is a strawberry farmer in my Louisiana district who has spoken out for the strawberry farmer.

Blessed by the Creator with pleasant weather, good soil, ready access to city markets and ports, this part of Louisiana has for nearly 100 years been able to support its people by raising strawberries and other truck produce.

Now our farmers find that while elements of nature are favorable, the grave threat to their livelihood comes from the foreign policy of their own Government which has all but removed any protection from foreign imports. Now these American strawberry producers cannot compete pricewise.

We in Congress must recognize the plight of our own people—at least as readily as that of so-called developing nations. Prompt action is necessary to rehabilitate our foreign policy so that it protects our people, rather than have it hurt our food producers.

A year ago, I introduced legislation to amend the tariff schedules and to impose limitations on foreign imports but have been unable to muster enough interest to get hearings or constructive relief.

This Congress, I have reintroduced H.R. 571 and 572 and so that our colleagues may readily appreciate the position of the Louisiana strawberry farmers, I include Mr. Drude's remarks which appear in the Hammond Daily Star for January 24 in full text, followed by the provisions of my proposed legislation:

A STRAWBERRY FARMER SPEAKS OUT

(By Carl Drude Jr.)

Our state department in Washington, which seems more interested in making friends of Mexican producers and others with Mexican import interests, are trying hard to convince the American public that Mexican imports are not a threat to U.S. producers, although it is hard to argue the facts.

Imports of frozen strawberries from Mexico have increased from a yearly average of 23 million pounds in 1959–61 to 83 million pounds in 1966. This caused a drop in prices because of oversupply.

Imports of fresh strawberries increased from 387,000 pounds in 1960 to around 25 million pounds in 1967. Over 27 percent of the strawberries eaten in the United States in 1968 were imported.

Fresh tomato imports jumped from 245 million pounds in 1963–64 to nearly 400 million pounds in 1966–67. Disease and weather curtailed exports to the U.S. last year, but they can be expected to be heavy this season.

Cucumber imports went from 18 million pounds in 1964 to 58 million pounds in 1967.

U.S. prices and market needs will greatly influence timing, total amounts, and whether the product is fresh or processed, even though imports of Mexican-grown fruit and vegetables are likely to increase. Mexican tomato growers say that they can ship a 22-pound flat of tomatoes into the U.S. for less than $3.50 to Nogales, Ariz. If the prices are too low, the tomatoes are processed.

The main cause of the sudden increase in Mexican production and exports are the large shifts in American growers and capital into Mexico following the cutoff of bracero and offshore labor.

But, the Mexican producers don't have all the advantages. First, the area in which most of the fruit and vegetables are grown is 2,500 miles from Chicago. Costs soar with the increase in freight rates, U.S. tariffs, Mexican export duties and other inspection costs.

Mexican equipment, fertilizer, pesticides and packaging materials are higher than their equivalancies in the U.S. Much of the merchandise comes from the U.S. Tractors and other equipment costs 50 to 60 per cent more in Mexico than in America.

Yet, the Mexican grower does have some advantages. Labor is cheap and an unskilled laborer receives approximately $1.72 per 8-hour day. Dams and irrigation projects will open several million acres for cultivation. The Mexican climate is favorable, but heavy rains provide a big drawback. Also, some of the growers have American partners. When the bracero returned home, the Americans took their capital experience, marketing know-how and went into successful farming below the border for themselves.

Solutions for the American farmer, if he is to remain in business, are multiple.

Since powerful union lobbyists in Washington won't tolerate the spiraling increases on all that the farmers buy, the government could take steps to halt the rise in costs.

Fruits and vegetables could be subsidized in the U.S. Presently they aren't.

Farmers could band together and form co-operatives in which their purchasing power would save them money. Organizing would aid them politically as well as in marketing power. In the past the farmers have not demonstrated organizational strength on either a local or national level.

Though irrational, the farmers could simply get out of the fruit and vegetable business until markets get high enough to meet the farmers' demands. However, most farmers (except part-timers) need every year's crops to sustain themselves.

A final solution would be for the farmers to become productive enough to simply outdo the extra costs of production. Such a method seems to be the best one at the present time. Newer varieties, cultural practices, frost and heat control techniques and better marketing methods are already taking place and keep the U.S. grower in business.

H.R. 571

A bill to impose import limitations on fresh, prepared, or preserved strawberries

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the aggregate quantity of fresh, prepared, or preserved strawberries specified in items 146.58, 146.60, and 146.75 of the Tariff Schedules of the United States (19 U.S.C. 1202) and of paste and pulp of strawberries specified in item 152.74 of such Schedules which may be imported into the United States in calendar year 1969 or in any subsequent calendar year shall not exceed 5 per centum of the average annual consumption in the United States of such fresh, prepared, or preserved strawberries and paste and pulp of strawberries during the five calendar years immediately preceding such calendar year.

(b) The Secretary of Agriculture, for each calendar year after 1968, shall, before the beginning of such year, determine, publish, and certify to the Secretary of the Treasury the aggregate quantity prescribed for such calendar year by subsection (a). In making such determination for any calendar year, the Secretary of Agriculture shall use estimates for any portion of the immediately preceding calendar year for which final statistics are not available.

(c) The Secretary of Agriculture shall allocate the aggregate quantity of such fresh, prepared, or preserved strawberries and paste and pulp of strawberries which may be imported in any calendar year after 1968 among supplying countries on the basis of the shares of such countries supplied to the United States market during the five calendar years immediately preceding such calendar year, except that due account may be given to special factors which have affected or may affect the trade in such articles.

(d) The Secretary of Agriculture shall issue such regulations as he determines to be necessary to prevent circumventions of the purposes of this Act. All determinations by the Secretary of Agriculture under this Act shall be final.

H.R. 572

A bill to amend the Tariff Schedules of the United States with respect to the rates of duty on fresh, prepared, or preserved strawberries

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That schedule 1, part 9, subpart B of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended—

(1) by striking out items 146.58 and 146.60 and inserting in lieu thereof the following new items:

"	Strawberries:		
146.57	If products of Mexico	5.25c per lb	
	Other:		
146.58	If entered during the period from June 15 to September 15, inclusive, in any year	2.0c per lb	10.25c per lb
146.60	If entered at any other time	4.0c per lb	10.25c per lb".

and

(2) by striking out item 146.75 and inserting in lieu thereof the following new items:

"	Strawberries:		
146.76	If products of Mexico	60% ad val	
146.77	Other	30% ad val	70% ad val
146.79	Other berries	30% ad val	70% ad val".

SEC. 2. The amendments made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

WAR ON CRIME

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. McCLORY. Mr. Speaker, in connection with advancing the war against crime, it is vitally essential that we improve the administration of justice and expedite the handling of criminal cases. Utilizing automatic data processing can contribute substantially to the efficient operation of the court system and the more expeditious handling of litigation—including criminal cases.

A specialist in ADP and the related field of operations research is our information science specialist in the Legislative Reference Service in the Library of Congress—Robert L. Chartrand. Bob Chartrand, who has also had extensive experience in the private sector, recently authored a significant article on the value of automatic data processing as it relates to the administration of justice. Bob Chartrand's article was featured in the December 1968 issue of the Journal of the American Judication Society and is reproduced herewith, as follows:

Systems Technology and Judicial Administration

(By Robert L. Chartrand)

(Note.—The views expressed in this paper are those of the author and are not necessarily those of the Legislative Reference Service nor the Library of Congress. Copies of Mr. Chartrand's full report, "Deficiencies in Judicial Administration," are obtainable from the American Judicature Society.)

The citizenry of these United States exists in an environment which epitomizes continual change and complexity of a high order. As our society has striven to absorb the products of science and technology, it has had to do so under the impetus provided by a rapidly increasing population of unprecedented mobility. The kaleidoscopic changes inherent in the contemporary milieu are affecting the mores, the institutions, and the course of justice throughout the nation.

The effectiveness of our courts—at all levels and in all localities—is a function of the judges who must render decisions and the judicial administrators who are responsible for the scheduling, docketing, screening, and preparation of documentation of both criminal and civil cases. Today, a great many courts are plagued with congestion and drawn out handling of cases. The results: delay of due process and, upon occasion, obstructed justice.

There is a growing consensus among judges, lawyers, legislators, and society at large that new tools and techniques must be identified, placed in operation, and evaluated in order that the judicial functioning be improved sufficiently to overcome the prevalent problems. Chief Justice Earl Warren stated:

"It seems to me there is a definite need for thorough analysis and study of the mechanics—in its physical aspects—of carrying on the business of our courts. I am led to this belief by the accomplishments of new data processing method employed in other fields—medicine, for example." [1]

Judicial administration involves the handling of a great deal of narrative and statistical information. This information must be, in many instances, specially structured, indexed, stored, manipulated, and retrieved according to criteria that will satisfy a diverse user group. With the advent of automatic data processing (ADP), a new dimension to handling efficiently the requisite data has come into being that may be of benefit to the decision-makers on the bench and the court administrators who manage the daily operations which affect judge, counsel, and client alike.

Far-sighted leadership in the judiciary is allocating increasing resources—both personnel and money—in order to discover how ADP and related information handling techniques can be of assistance in this particular environment. Nearly fifty state, county, and municipal court systems have machine-oriented support systems in being, while other jurisdictions are experimenting to determine the ways in which ADP can fulfill their priority needs.

During the past decade, a number of imaginative and energetic groups in industry, and universities, at various governmental levels, and in joint endeavors, have worked to enhance judicial administrative capabilities across the nation. Among the areas in focus has been the application of ADP devices and programs.

Applications where computers or punched card equipment have proven to be of significant assistance in improving judicial administration include: the preparation of selected data on caseloads by trial firms and individual lawyer, creation and maintenance of inventories and of indexes to cases, chronologies of cases, periodical tabulations of selected law firms' and court backlogs, and reports of cases filed, pending, or terminated. Computer support also has proven valuable in handling jury information: the selection of individual jurors, determination of jury composition, and management and ancillary (e.g., payroll) data.

In addition to using ADP in performing information retrieval, those responsible for improving judicial administration also are learning that the computerized simulation of a court system—perhaps taking the form of a carefully defined "model" of a given court operation—may provide salient information indicating identifiable strengths and weaknesses. The "systems approach," then, with its spectrum of tools and techniques, *can* help the American courts to overcome some of their problems. Perhaps the best expression of the role of technology in the courts appeared in the study performed by the Institute for Defense Analyses:

"Modern management techniques can help to achieve the most efficient use of the available resources, within the limits of procedure designed to ensure the due administration of justice." [2]

The utilization of proven mathematical analysis in the study of courtroom operations, administrative data loads, and the interaction between key system components was scrutinized in the IDA study. Stress was placed on the fact that simulated pretesting provides a first estimate of the effects of proposed changes on resources, work-loads, and delays.

The initial analytical effort by Drs. Navarro and Taylor of IDA (see their article in Judicature, August-September, 1967, pp. 47–52) featured the development of a computer simulation of court processing functions. The time delay problem was considered through the mechanism of studying 1,550 felony defendants whose cases were initiated in 1965. The development and use of this experimental model allowed analysis of procedures to be conducted without disrupting on-going daily court operations. The Courtsim model was activated through the use of an existing simulation language, the General Purpose Systems Simulator (GPSS), developed by the International Business Machines Corporation.

Various members of the United States Congress have long sought to pass legislation which would result in raising the level of performance of courts throughout the country. One focus of activity during the 90th Congress has been on bills introduced both in the Senate and House of Representatives which would provide for the creation of a Federal Judicial Center. In urging that ADP be utilized in court systems in the future, one supporter, Representative William M. McCulloch of Ohio, took care to present the perspective from which the new tool should be viewed:

"The use of computers by courts does not mean an abandoning of traditional legal duties and functions. To the contrary, it is the addition of improved legal skills and tools, less susceptible to error and capable of high speed efficiency. The implications for the future are obvious."

Yet a more positive delineation of the role of ADP in judicial administration was set forth in the wording of a bill (H.R. 7091) introduced by Representative Robert McClory of Illinois which specifically included phraseology calling for examination of the application of automatic processing and systems procedures to the federal courts. Favorable action by both chambers resulted in the enactment of Public Law 90–219. The Federal Judicial Center has as its first director retired Justice Tom C. Clark, who has long been concerned with improving court operation.

Also active within the Congress has been the Subcommittee on Improvements in Judicial Machinery (Senator Joseph D. Tydings of Maryland, chairman) of the Senate Committee on the Judiciary. Senator Tydings, in discussing court congestion and delay, has examined intensively the role which management consultants and systems analysts might fulfill in any study of existing court procedures. Hearings were held by the Subcommittee in mid-1967 in connection with the proposed National Court Assistance Act; the resulting testimony and supoprting documentation are contained in "Deficiencies in Judicial Administration." [3]

Another approach has been the efficiency study of the District of Columbia courts which was initiated in April 1968 with financing from the Ford Foundation, the Eugene and Agnes E. Meyer Foundation, and the Russell Sage Foundation. The "Court Management Study" will concentrate on improvements in the current methods of handling cases (both civil and criminal) and will include the calendaring and scheduling of cases. The structure, jurisdiction, and procedures of the subject courts, as well as court organization and supporting systems, will be examined. The recommendations of the study team will be presented to the Committee on the Administration of Justice, for use with the Judicial Council of the District of Columbia Circuit (see Judicature, November 1968, p. 168).

In recent years the American Bar Association has moved forward positively to strengthen judicial administration. Leadership was provided by Justice Tom C. Clark and his colleagues in the Section of Judicial Administration. A Joint Committee for the Effective Administration of Justice was created and commenced working with the National Conference of State Trial Judges to develop a comprehensive program of seminars bearing upon judicial problems of local concern. In 1964 the National College of State Trial Judges was founded. The importance attached by the College to the potential of ADP in assisting the court administrator was reflected in the commissioning of a special presentation in 1967 on "The Role of Automatic Data Processing in Improving Judicial Administration." [4]

The University of California at Los Angeles (UCLA) also has recognized the need to merge the perspectives and techniques of the scientist and the lawyar. A Law-Science Research Center has been established to study the future role of technology and society. Its staff has participated in such milestone projects as "A Study of Data Processing in the Los Angeles Superior Court." [5]

Concern over efficiency in judicial operations has not been limited to the United

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Footnotes at end of article.

States. Charles S. Rhyne, President of the World Peace Through Law Center, has been instrumental in forming a World Association of Judges, which includes among its goals the use of modern techniques, such as computerized records, by the international judiciary.

SYSTEM SIZE AND COURT CASELOAD RANGE

	Computers				
	Medium		Small	Punched card	
Annual dollar cost	(Above 225,000)	(225,000—150,000)	(130,000—75,000)	(50,000—20,000)	Manual
Cases per year:					
Criminal:					
Felonies	Above 5,000	6,000—2,000	4,000—1,500	2,000—400	Under 400.
Minor crimes	Above 30,000	32,000—11,000	21,000—6,000	10,000—2,000	Under 2,000.
Civil:					
General civil	Above 7,000	7,500—2,500	5,000—1,500	2,000—500	Under 500.
Divorce, nonsupport and probate	Above 30,000	30,000—10,000	20,000—6,000	10,000—2,000	Under 2,000.
Small civil actions	Above 75,000	75,000—25,000	50,000—15,000	20,000—5,000	Under 5,000.
City-county population	Above 1,500,000	500,000-1,500,000	300,000-1,000,000	100,000-300,000	Under 100,000.
Number of city-counties in each size group	10	(55)← Overlap	→(85) 300	(200)	2,700

STATE AND LOCAL USE OF ADP

Although the potential of the electronic computer and associated devices for judicial users still is incompletely understood, there is a growing number of state, county, and municipal court systems where ADP is used regularly. Among the decisions which must be made by the would-be user of ADP is whether such equipment actually expedites data handling, and if cost-effectiveness can be achieved. There have been instances of smaller courts becoming enamored of the flashing lights and spinning tape reels, and embarking upon a course of equipment use which was neither truly helpful nor within the established budget. An excellent comparison of manual versus punched card versus computer (both small and medium) systems was prepared by Norbert A. Halloran, and appears above:[6]

New machine-supported systems are going into operation in all sections of the country. The Secretariat of the National Conference of Court Administrators distributed a questionnaire in 1965 which provided an initial listing of those states, counties, municipalities, and territorities which have installed some form of automatic data processing equipment for use in court operations. This information, together with later status indicators,[7] provides an overview of the scope of activity:

Alaska*
Arizona*
California: 10 counties, 12 muncipalities
Colorado*: 2 counties, Denver
Connecticut*: East Hartford
District of Columbia
Georgia: Fulton County
Hawaii*
Illinois: Cook County
Indiana*
Iowa: Polk County
Kansas*
Louisiana: New Orleans
Maryland: 2 counties
Massachusetts: Boston
Minnesota: Hennepin County
Missouri: Clayton County
New Jersey* Hudson County
New York*: Suffolk and Dutchess Counties, New York City
Ohio: Summit County
Oregon: 5 counties
Pennsylvania: Allegheny County and Philadelphia
Puerto Rico
Texas: Dallas and Houston Counties

* State systems.

The willingness of the leadership of these court systems to try out new devices, programs, and procedures reflects the priority which has been assigned to improving court administration.

For example, the application of ADP equipment and techniques to selected operations of the Los Angeles County courts has been carried out in an evolutionary fashion, commencing with a study begun in 1961 by the System Development Corporation. Three Superior Court functions were earmarked for analysis: processing of civil files, preparation of statistical reports, and an analysis of records in the Conciliation Court. Following this scrutiny of system activities emphasizing document origin, flow, content, and impact on the overall system, a second phase effort treating the entire court was undertaken. Today, ongoing activity in the Superior Court area resulting from the recommendations of the Special Committee on Data Processing includes: random juror selection, the issuance of jury summons, and statistical data on case activity.

With the creation of the Court and Law Enforcement Data Center in 1965, a series of new systems improvement activities were started. Municipal and Superior Court, as well as the Sheriff's Department and County Clerk's operations, were selected for ADP servicing—for example, the handling of prior offenders' records, prisoner movement, historical records of traffic offenders (both in the Municipal and Superior Courts), and a calendaring system for the Superior Court—with extensive use of disk files and peripheral access devices. Subsequent effort is to be expended in the District Attorney's and Public Defender's Offices. Projected equipment support features an IBM 360/40 with nearly 200 keyboard and video screen terminals, to begin January 1, 1969.

The development of such long term projects requires sustained management determination to expend precious resources and the patience to await meaningful results.

The trend throughout the United States is for judges and court administrators to study new ways and means of alleviating existing problems such as congestion and delay. While the many electronic processing devices have been part of the modern scene for nearly two decades, many persons still view the new technology with distrust and apprehension. Perhaps the most essential consideration for each person or group who is thinking about using ADP is this: precisely how and to what extent can a machine-centered information handling system improve the current operation? All too often this "moment of truth" is postponed, with subsequent problems for all.

In the realm of judicial administration, as in all other areas where information handling is so vital, man must work continually to expand the horizons of his thinking and his day-to-day performance. Dean Roscoe Pound in 1906 urged his colleagues to move with the times, apply new techniques, and introduce those procedural reforms which would help society:

"The public seldom realizes how much it is interested in maintaining the highest scientific standard in the administration of justice."[8]

The pressures upon those who are charged with dispensing justice and ensuring due process are, today, often many degrees of magnitude greater than those of only a generation ago. Those who comprise the contemporary judiciary now may view the advantages which may be derived from applying scientific problem solving techniques and man-machine procedures to those problems which have become virtually inherent in the court operational environment. Technology has its place, however, and man must monitor carefully his use of the innovative mechanisms:

"Mechanical devices and electronic wizardry will handle the routine procedures of the court very nicely but justice will always be dependent upon the decisions of conscientious and dedicated students of the law. The wisdom and compasion displayed by our trained judiciary can never be duplicated by any machine."[9]

In the years to come, the effects of population growth and the intensification of human existence caused by megalopolitan living may bring new threats to individual freedom and the survival of collective rights. The judiciary of the nation will have to assess ever more accurately their efforts in terms of the welfare of the people. Justice under law, a heritage priceless to all Americans, will become more than an accepted right. It will stand as the most cherished possession of mankind.

Footnotes at end of article.

FOOTNOTES

[1] Warren, Earl. Address delivered at the annual meeting of the American Law Institute, Washington, D.C., May 18, 1966. p. 9.

[2] Navarro, Joseph A. and Jean G. Taylor, *Data Analyses and Simulation of a Court System for the Processing of Criminal Cases.* Reproduced from the Task Force Report: Science and Technology, a report to the President's Commission on Law Enforcement and Administration of Justice. Prepared by the Institute for Defense Analyses, Arlington, Virginia, June, 1967. p. 37.

[3] U.S. Congress. Senate. Committee on the Judiciary. Subcommittee on Improvements in Judicial Machinery. Deficiencies in judicial administration. Hearings before the Subcommittee, 90th Congress, 1st session, April 18-19, June 27, July 20, 1967. U.S. Government Printing Office, Washington, D.C., 1968. 470 p.

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MEN OF THE YEAR IN SERVICE TO AGRICULTURE

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. NICHOLS. Mr. Speaker, each year the Progressive Farmer magazine honors a "Man of the Year in Service to Agriculture" in each of the States in which the magazine is distributed. The most recent recipient of the award in Alabama is our State commissioner of agriculture and industries, Commissioner Richard Beard. In receiving this award, Commissioner Beard joins such distinguished Alabamians as the late Senator John H. Bankhead, Senator Lister Hill, who just recently left the Senate, and our senior Senator JOHN SPARKMAN.

At this point, I would like to insert in the RECORD the citation which appeared in the January 1969 Progressive Farmer announcing that Commissioner Richard Beard had been named "Man of the Year":

MEN OF THE YEAR IN SERVICE TO AGRICULTURE

He's honest. He does the best job he knows how to do. He's able. Put them all together and you have an unusual public servant. These words from a career employee of Alabama's Department of Agriculture and Industries aptly describe the head of the department, Commissioner Beard.

More farmer than politician, Richard Beard has done such a remarkable job of getting maximum production and income from the 275-acre farm he developed that more than 15,000 farmers and businessmen have visited his farm during the past few years. But he's been a full-time public servant since taking office in 1967.

Even before then he joined with members of the State Board of Agriculture in urging the Alabama legislature to appropriate funds for a study of his department. He later was instrumental in bringing about a reorganization based on recommendations of the study group. These changes have enabled members of the department to function more efficiently and to give greater service to the people of Alabama.

The following comparisons of last year's activities to those of other years are used as examples of their increased efficiencies.

Collected and analyzed 3,500 samples of feed—a 19% increase over 1967 and a 150% increase over 1966.

Inspected 18,037 scales, 18,237 gasoline pumps, and 97,109 packages during the first 10 months of 1968 resulting in 33,863 condemnations as compared to 12,943 two years ago.

INADEQUATE INDIVIDUAL TAX EXEMPTION

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. ZWACH. Mr. Speaker, in 1947, nearly 22 years ago, Congress established a $600 per person exemption for individuals before determining the tax due to the Federal Government.

During these 22 years, we have established and funded a massive Marshall plan which has revitalized war ravaged Europe, it has seen a time when we have funded programs to go to the moon and return, we have largely financed the Korean war and the Vietnam conflict, we have witnessed a remaking of the world map since 1947, and we have also experienced a great change from the decision of Congress at that time that "$600 was determined to be the minimum amount needed for maintaining a decent standard of living."

The consumer price index in 1947 was 77.8 percent of the 100 percent base of the 1957–59 period. In November 1968, this index was at the record level of 123.4 percent, or an increase of 56.6 percent since 1947. This reflects a portion of the astronomical increases in interest rates, service charges, college educational costs, housing, and so forth. It is high time that major improvements and revision be made on our income tax laws and regulations to close the loopholes and to become realistic in the exemptions authorized per person. My bill changes this to $1,200 from the present inadequate level of $600.

The effect of this change would be to leave nearly $17.3 billion in the hands of those who earned it, and thus permit them to more nearly meet and accomplish their life's goals.

I have received hundreds of letters from honest, hardworking parents who tell of their individual problems of coping with the higher costs foisted on them through continued Government deficit spending, and who plead for the need of increasing the personal exemption to a level more nearly consistent with today's costs and prices.

The adoption of this change will help over 100 million taxpayers in 1 year, and this matter of only $50 a month increase will avoid the time-wasting efforts of filing their reports and then having them scrutinized by the Federal Government of nearly 19 million taxpayers.

I am not advocating that we should have a deficit, or that an unbalanced budget will develop because I want to leave over $17 billion back in the deposits of 19 million people. This revenue can easily be made up by the plugging of loopholes now in the laws so that as much as $50 billion in taxes are not paid. If all this were to be collected, then the individual exemption might well be increased to nearly $2,000, and still provide over $30 billion in new Federal revenue.

A PLAN TO EVACUATE THE JEWS FROM IRAQ

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. HALPERN. Mr. Speaker, it is indeed proper to mourn for the 14 human souls, Jewish and non-Jewish, who were so notoriously mass murdered by hanging in the streets of Baghdad, Iraq. Civilization cries out against this return to the barbarity of the German Nazis by the government of Iraq.

But we must do more than merely cry out. We must embark on an action plan to save the survivors. The remaining estimated 2,500 Jews in Iraq are all under virtual house arrest. They face restrictions modeled after the Nazi Nurnberg laws. They may not emigrate from the country. Scores are in jail. Many are now facing phony trials. Such as the so-called trials conducted by the Gestapo judges of Nazi Germany. We fear more mass executions from day to day in this campaign of genocide.

The government of the United States can do little because Iraq broke off diplomatic relations with Washington during the 6-day war of 1967. The fanatical generals and colonels who act as military dictators of Iraq have voiced public contempt for anything the U.S. government might say.

Indeed, the State Department has indicated that it might even be counterproductive for Washington to intercede directly. One of the charges against those held in Baghdad jails, including even an American gentile citizen, is that they are spies for the United States.

Therefore, I am proposing to our Secretary of State an action plan to save the surviving Jews in Iraq.

The government of India is the government with the most influence with Iraq. Indeed, India may be Iraq's closest friend. Iraq chose India to represent Iraqi diplomatic interests in Washington after the Iraqi embassy was closed.

I propose that the United States enlist the offices of India, a country that has received as much as a billion dollars a year in various forms of loans and economic assistance from the United States, which reflects the humanitarianism of the American people. I will suggest that India show a special measure of compassion for the Jewish victims of Iraq, just as we have shown compassion for the hungry masses of India.

India can do this through her special status as diplomatic representatives of Iraq in the United States. Specifically, India can propose to Iraq whom she represents and with which she is on such good terms, that Air India provide an emergency air lift, a flying carpet of compassion, to remove the Jews from Iraq.

The estimated 2,500 Jews of Iraq could be flown out by Air India in less than a week. Other airlines could rush to lend planes to Air India just as the airlines of the world sped to the assistance of the Arab airlines after the Israeli action at Beirut. At Beirut not a single life was taken. But at Baghdad human beings are being liquidated in naked genocide.

The government of India would be compensated for the special expenses including air fares, by appropriate philanthropies. Special visas could be issued by the U.S. Government under the immigration provisions providing emergency sanctuary for refugees from religious or political persecution.

I believe that the Government of India should make the rescue of the Jewish community in Iraq a matter of utmost priority. Pending before the subcommittee on international finance of the House Committee on Banking and Currency, a subcommittee on which I happen to serve as the ranking Republican member, is a bill crucial to India.

It is a bill authorizing a 4-year commitment to the International Development Association. The largest single beneficiary of this bill is the Government of India. Indeed, some have argued that India is receiving a disproportionately large amount of aid and there is some opposition to the bill. However, I am mindful of the human plight of India's millions of underprivileged and am taking this into account as I form my own opinion.

But I would be less than frank if I did not state my belief that a country like India, which receives massive U.S. food-for-peace grants, U.S. Government loans and assistance of all kinds, both directly and indirectly, should show a little compassion for the helpless Jews of Iraq. It would be in keeping with the finest traditions of Mahatma Gandhi who so eloquently denounced Adolf Hitler's persecution of the Jews.

Last Saturday, President Nixon devoted the entire session of the U.S. National Security Council, his top advisers on diplomatic, military, and security matters, to the crisis in the Middle East. Indeed, this was the only subject taken up in many hours of White House discussions. The conclusions, of course, have not been publicly announced.

But I am now confident on the basis of my own information that the President will not rush headlong into any deals which would involve a sellout of Israel. I can also reassure you today that the President expressed concern about the situation of the Jews in Iraq at yesterday's meeting.

The President is convinced that the most important threat to world peace exists in the Middle East. But he is not pushing the panic button. He is avoiding possible missteps that might compromise Israel's right to peace and security.

I can assure you today that the President has resisted various pressures for a headlong surrender to pressures for a so-called imposed settlement injurious to Israel. He is acting cautiously and with a cool determination to preserve the peace and security of all the countries of the region.

While the outlines of the new American policy are not yet clear—indeed, the President has not yet made up his mind on basic options—one thing is certain. It is that he understands that the Russians are exaggerating the crisis in a self-serving manner in a bid to help their Arab friends and to further penetrate the region. I am confident President Nixon recognizes that the threat to Israel is also a grave threat to the national security interests of the United States.

USE IMPORT DUTIES TO ASSIST RURAL CITIES AND VILLAGES THAT ARE HURT BY IMPORTS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. ZWACH. Mr. Speaker, there has been a great erosion of business activity in our smaller rural cities and villages. This is due largely to the loss of family farms and lower farm net income.

The fall of farm prices to their present level of 72 percent of parity is due to many factors at work in our changing economy, but one of the contributing factors has been the steady increase of imports of competing agricultural products.

Another has been the increased cost of farming. Our Nation has changed from a largely agricultural country to a highly industrialized one. Each remaining farmer has had the increased responsibility of more mouths to feed and that has meant greater investments in machinery, fertilizer, herbicides, as well as in more sophisticated feed supplements for livestock.

Faced with these mounting costs, farmers have been forced to shop harder for the products they buy and this has cut into the business volume of the small towns.

It has been said that one business in the country villages dies with the loss of four farm units. It is foolish to allow the continuation of this trend. Our farmers and our small towns both need our help.

There is a way to help these small towns without placing an extra burden on the taxpayers. Under my bill, their adversaries would in fact become their benefactors.

I propose using the pool of funds accumulated by the assessment of duties on our imports to help our rural communities. Besides the uses specified in section 22 of the Import Act of 1935, a fourth use would be specified for these funds.

This fourth use, as proposed in my bill, provides that $300 million would be available from the import duty fund under the 1935 act, for loans or grants to rural communities to be used for the installation or expansion of public services such as water and sewer systems and other facilities needed for the location of new industries in these areas.

This action is needed as a step toward the revitalization of our countryside.

THE LITTLEST PRINTING SHOP THRIVES AMONG THE GIANTS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. EILBERG. Mr. Speaker, in the Philadelphia Evening Bulletin on Monday, January 13, 1969, appears a column by writer James Smart concerning David Snyder, who resides at 6003 Castor Avenue, Philadelphia, Pa., in the Fourth Congressional District.

It is my pleasure to know this gentleman, a distinguished citizen of our community, who is active in many civic, fraternal, and religious affairs.

I should like to share Mr. Smart's column with my colleagues and so, his column follows:

THE LITTLEST PRINTING SHOP THRIVES AMONG THE GIANTS

(By James Smart)

Among the printers who belong to the Graphic Arts Council of the Delaware Valley are Curtis Publishing Co. and Cuneo Eastern Press and David Snyder.

Curtis prints things like Holiday and Ladies Home Journal. Cuneo prints things like Life and Time. Snyder prints things like stationery and bar mitzvah announcements.

Snyder has the only one-man print shop in the council.

He has his shop in the basement of his row house on Castor av. above Comly, just off Oxford Circle.

Because this is Printing Week, I stopped in to ask Snyder what it's like to be the smallest member of a giant printing industry organization.

"There are not too many shops like mine around," said Snyder. "And most little shops don't seem to want to join the council.

"For one thing, I don't think some of them realize that the dues you pay depend on the size of the shop."

He said he gets the advantage of group Blue Cross rates from his membership, and can use the council's debt collection service. Once the council office spent two years collecting a debt of $35 for him.

But, he admitted, he doesn't bother attending council seminars on labor relations.

He was hand-setting type for a business letter for a local automobile salesman.

In the low basement room were cabinets of type, two job presses, boxes of envelopes, stacks of paper and jars of ink. Inky rollers hung from an overhead water pipe on loops of string.

"Many printers won't do business cards or envelopes any more," he said." "Some small printers found they could work in bigger shops and get $5 an hour plus benefits.

"But I do all right. I've been busy ever since I got here."

Snyder went to work for $5 a week in a print shop after graduation from Northeast High School in 1933. After three years, he got a chance for a better paying job in the Post Office.

He was in the Army later, and then worked for the Veterans Administration.

"Printing was my hobby," he said. "I had a press in the basement of my house."

In 1950, he started his one-man shop. He sets and prints almost everything himself, although he farms out some typesetting, offset printing and wedding invitation work.

"My son, Alan, used to help me when he was going to Northeast." Snyder said. "He had to work two hours a day. I taught him to set type, run the press. He went to Penn.

Now he's a big CPA with the SEC down in Washington.

"My daughter Barbara's a senior at Kent State in Ohio. She's going to be married in June. The only problem I don't have is the invitations."

His wife, Frances, came down the cellar steps with a stack of printed forms, 3,000 each of pink, white and yellow, that she had been collating in the living room.

"She's the delivery driver and the wedding invitation consultant," Snyder said.

He began setting type again, deftly picking the metal letters from the little wooden compartments in a flat tray.

The phone rang, and he answered.

"I'm working on your letter now," he said. "You can pick it up on your way home from work . . . Lunch time? . . . Sure, you can get it then."

He finished setting the type for the letter, talking while doing it, telling about his equipment.

"I'm proud of my collection of type," he said as he locked the type in a galley. "I've got Brush up to 48 point, and I have Coronet . . ."

He placed the job on the press with wooden blocks, put in paper, and pulled a lever. The Heidelberg 10x15 job press started flailing its windmill arms, and a stack of printed letters began to appear.

Curtis or Cuneo could hardly have done it better.

TRIBUTE TO AVERELL HARRIMAN

HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1969

Mr. MURPHY of Illinois. Mr. Speaker, I join my colleagues in paying tribute to one of the world's greatest statesmen, W. Averell Harriman.

Mr. Harriman, who just a few weeks ago returned from the Paris peace talks where he served as our chief negotiator, originally came to Washington in 1934 to serve as Administrator of the National Recovery Administration. During the next 35 years, he served his country in such positions as Special White House Representative, Ambassador to Russia, Britain and NATO, Director of the Mutual Security Agency, Secretary of Commerce, Governor of New York, and successively Assistant and Under Secretary of State. During this period, he dealt with every prominent world leader from Stalin and Churchill to Nehru, Tito, Mossadegh, Tshombe, and Nasser. He has had more different Government positions than any American since John Quincy Adams and no man has served longer in higher and more diverse posts.

During the course of my work on the House Committee on Foreign Affairs, I came to know Governor Harriman well. I found him to be a patient, persistent, and pragmatic man; one not obsessed by shibboleths. He brought to each endeavor a capacity for zealous application, an insatiable appetite for work, and a curiosity that few half his age could match.

I could extoll Ambassador Harriman's abilities at length, but I can pay no greater tribute than to express my sincere conviction that our country is infinitely richer because he has served it. He will always occupy a high rank in the history of this country. His character, his many achievements, and his faithful service will be an inspiration to many for generations to come.

LEGISLATIVE PROGRAM, 1969, AFFILIATED YOUNG DEMOCRATS OF NEW YORK STATE

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. FARBSTEIN. Mr. Speaker, under leave to extend my remarks I am pleased to submit for the information of my colleagues the legislative program adopted by the Affiliated Young Democrats of New York State for the year 1969:

AFFILIATED YOUNG DEMOCRATS, INC., OF NEW YORK STATE ADOPT STATE LEGISLATIVE PROGRAM FOR 1969 ON JANUARY 23, AT THE HOTEL PICCADILLY, 227 WEST 45TH STREET, NEW YORK CITY

The State Legislative Committee of the Affiliated Young Democrats at a meeting held Thursday evening, January 23rd at the Hotel Piccadilly, 227 West 45th Street, New York City, unanimously endorsed their State Legislative Program for 1969; which will be introduced by their members in the State Assembly and Senate.

LEGISLATIVE PROGRAM FOR 1969

1. Greater protection and preservation of our natural resources.

A. Continue fight against pollution; clean water and shores.

2. Lower voting age to 19 years.

3. Liberalize Abortion Law.

4. Strengthen our Divorce Laws.

5. Require State Legislature to keep transcripts of all proceedings, and open to public.

6. Mandatory free education to all State and City Universities and Community Colleges.

7. Change Penal Law to allow tenants and property owners to protect their property.

8. Strengthen Laws as to prison terms for Narcotic sellers.

9. Tighten laws to enforce Compulsory Auto Insurance Law.

10. Create State Recreation Department.

11. Stronger Code of Ethics.

12. Bonus for Korean and Vietnam Veterans.

13. Raise drinking age to 21 years.

14. Raise Minimum Wage to $1.75 an hour.

15. Strengthen Taylor Law against strikes.

16. Law to enforce sale or purchase of Cigarettes, tobacco and cigars to anyone under 18 years of age.

17. Raise the Juvenile Jurisdiction of the Courts from 16 to 18 years; all youthful offenders should be put in different Institutions than adults.

18. More incentive Scholarships to assist needy students to go to college.

19. Permanent Personal Registration be changed in New York City to do away with less congestion.

A. Do not have to Register if person moves in the same County of New York City, only mail to Board of Elections notarized change of address.

B. Do not have to re-register, unless a person fails to vote in two consecutive National Elections.

20. Cost of Campaign for election of all Political Offices in the State should be mandatory by law, after a study as to a reasonable cost.

June T. Shaw and Kenneth A. Banks are Co-chairman of the State Legislative Committee of the Affiliated Young Democrats.

RAY MARTIN WRITES ON HEALTH AND SAFETY IN THE COAL MINES

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. HECHLER of West Virginia. Mr. Speaker, national attention is focused on coal mine health and safety whenever there is a disaster in the coal mines. Since the November 20 disaster at Farmington, W. Va., which resulted in the deaths of 78 miners, many questions have been raised as to what can and should be done to protect the lives and safety of the men who work in these dangerous conditions.

Ray Martin of the Morgantown (W. Va.) Dominion-News, a member of the National Conference of Editorial Writers, has examined this subject in depth in a series of articles which should be carefully read by all those interested in taking constructive action to clean up the mines and make them safer for those who work in them. These articles should provide a sound basis for action in this vital and complex area.

There follows a biography of the author of these articles, Ray Martin, and the text of the articles during the period from December 4, 1968, through January 31, 1969:

BIOGRAPHY OF RAY MARTIN

Born at Baltimore, Maryland, on March 19, 1924. Married. No children. Army veteran of World War II.

Educated in the public schools of Baltimore City, Baltimore City College, University of Maryland, Johns Hopkins University, and Armstrong State College, Savannah, Ga.

Cited for coverage of state government affairs in a historic joint resolution of the Connecticut General Assembly. Holds citations from the Baltimore and Westminster, Md., City Councils. Awarded Certificate of Distinguished Citizenship by the State of Maryland. Holder of the Gold Quill, a journalism award granted by the National Council, Boy Scouts of America. Cited by the Glen Burnie (Md.) Lions Club and the Chambers of Commerce of Glen Burnie and Westminster for outstanding community service. Recipient of the first citizenship award of the Student Senate of the Willimantic State College. Nominated for four Pulitzer Prizes. Awarded special commendation for editorial writing by the Maryland Press Association. Won balloting in "Man of Year" poll conducted by Educational Television Network in Connecticut for 1967.

Member of Sigma Delta Chi, National Conference of Editorial Writers. Listed in Who's Who in the East. Member of American Academy of Political and Social Science and the Academy of Political Science.

Former vice president of the Savannah and Anne Arundel County Press Clubs.

Professional Background:

From June, 1968, until the present time, city editor of The Dominion-News, Morgantown, West Virginia.

Prior to coming to Morgantown, served as editor of the Willimantic (Conn.) Daily Chronicle.

Previous to that served as editorial page editor, Savannah News-Press, Savannah, Ga.; editorial page editor, The Knickerbocker News, Albany, N.Y.; managing editor, The Anne Arundel Star, Glen Burnie, Md.; editor, Carroll County Times, Westminster, Md.; Hudson Dispatch, Union City, N.J.

Since starting with the Baltimore (Md.)

Evening Sun, has covered city and state government in Maryland, Georgia New York, Connecticut and West Virginia. Experience includes Capitol Hill correspondence from Washington.

We Must Make Sure Miner Fatalism Will Not Continue

Ray Martin, City Editor of The Dominion-News, is writing a series of articles on present mine safety laws, how they are administered, and many of the cold, frightening facts of mine accidents, fatalities and injuries.

In describing mine safety regulations, inspections and inspectors' findings, Mr. Martin is performing a public service.

Many long-time residents of this mining area are getting a clearer picture than they had before of responsibilities for safety in the mines, results and inadequacies of present precautions.

Mr. Martin's third article was postponed from today's paper because of the hearing in Fairmont and other demands on the news space. It will appear tomorrow. He has spent time at the Bureau of Mines headquarters in Washington, interviewed John F. O'Leary, who recently advanced to the position of director, and has studied many U.S. mine inspectors' reports.

Some facts heretofore unpublished are that there were 18 fatalities in West Virginia industries in October, 12 of them coal miners. Twenty-seven children were left fatherless by the 18 industrial accidents, and miners accounted for 1,110 West Virginia workmen's compensation cases in October, meaning that 1,110 miners were injured in nonfatal mine accidents in our state in a single month.

The West Virginia Safety Council held a conference on industrial safety in Fairmont in October and no representatives of mine operators or miners' union attended, Mr. Martin was told.

Mr. O'Leary said in Washington Wednesday the United States, that leads the world in so many advancements, has much to learn from Europe in mine safety.

"Their fatality rates and their whole range of safety controls are better than ours. . . . The government companies apparently work together more over there.

"We haven't done in my agency all we could have done to reduce safety hazards. The union, the United Mine Workers of America, and the companies can do more. And so can the miners themselves."

Mr. O'Leary's comments are borne out by the fact that last year there were 27,742 violations reported by inspectors nationally in large mines, 11,014 such violations in West Virginia's large mines, and 94,749 violations nationally in smaller mines and 17,000 violations in small West Virginia mines. Our state in 1967 accounted for 1,979 of the nation's 7,269 active mines, both large and small.

One of the most disturbing things Mr. O'Leary said, and which we have observed, is that "the fatalism which surrounds coal mining is the greatest safety hazard we have to combat."

The fatalism must be eliminated. It can be only when companies, union, the men, the federal and state mine safety laws and their enforcement are brought around to the standards of Europe—and higher.

Yesterday's testimony in Fairmont added, if anything, to the uneasy feeling that too many people accept "everything is the way it is and nothing can be done about it."

This newspaper is not going to forget the horror in Mountaineer Mine No. 9 between Nov. 20 and Nov. 29, 1968 and we do not intend to permit the Federal Government, State Government, operators, union and miners or the voters to forget about it and accept half-way measures that have followed previous accidents.

The 78 men—the latest large-scale mine disaster victims—must not have died in vain.

A Nation's Conscience Is Aroused: More Must Be Done for Mine Safety

(Editor's Note.—This is the first in a series of articles relative to mine safety, legislation concerning mining operations, research and the effort to make mining a safer occupation.)

(By Ray Martin)

In a message issued at the Texas White House last Saturday, President Johnson said the decision to seal the explosion-wracked soft coal mine at Mannington "is a final and tragic acknowledgement of human failure," in mine safety laws.

The President's reference was to the disaster which struck Farmington No. 9 mine Nov. 20. Twenty-one miners escaped or were rescued and 78 were presumed to be trapped in the mine when it was sealed to snuff out flames in the early morning hours of Nov. 30.

"The hearts and prayers of America go out to them," Mr. Johnson said, referring to the families of the miners sealed into the fiery tomb."

"But we owe these families more than sympathy. The men and women of our mining communities must have our promise that such shocking tragedies will not be repeated," the President said.

The President recalled that he had asked Congress last September for an act to improve the coal mine safety law.

"But no number of laws, no amount of inspection and enforcement, can ever eliminate the hazards that confront our mine workers every day.

"The only safeguard against those dangers is the daily concern of the employers and workers, the constant concern of management and labor to value protection as well as production," the President declared.

In commenting on the Mannington disaster, the Christian Science Monitor said editorially: "We cannot believe that modern technology plus a more fervent determination to do what is right and required could not measurably increase miner's safety. If any corners are being cut, if any technological devices are being overlooked, if any research is being neglected, this must be remedied at once. If conscience is not enough to bring this about, state and federal regulations must.

"It is sometimes said, fatalistically, that mining has always been hazardous and always will be. But there need be no such dispiriting acceptance of disaster or danger. All normal constructive human activity can be made safe and secure. This fact must be realized—and acted upon."

Except for an amendment in 1966 there have been no changes in the Federal Coal Mine Safety Act of 1952. The 1966 amendment made the act applicable to mines employing less than 15 miners.

In the decade prior to the 1952 federal law, the United States Government could only offer advice dealing with safe operation of mines. Before 1941 the federal government had no authority, however weak, to pursue mine safety measures.

Officials at the Department of Interior say that the federal government entered the mine safety field primarily at the request of state governments. It was thought that U.S. inspectors would be able to do a more effective job at maintaining safety than state officials.

The effectiveness of the federal program has been criticized in the wake of the Mannington disaster. There has been only one recorded instance of a penalty being invoked since the adoption of the 1952 law.

Ralph Nader, the consumer protection and automobile safety crusader, said "the situation of coal miners in this country is reminiscent of medieval times."

Speaking at the University of Notre Dame two days after the Mannington disaster, Mr. Nader declared: Political representatives in Washington and in the statehouses of states such as West Virginia and Kentucky represent coal; they do not represent coal miners."

Earlier this year Mr. Nader charged that thousands of American coal miners faced unnecessary risks because the U.S. Bureau of Mines was "the captive" of the coal industry in drafting mine safety regulations.

He charged that the coal industry, the United Mine Workers and the Government had all shown more concern about maintaining the low-cost production advantages of coal in the high competitive fuel market than about the safety and health of mine workers.

Secretary of the Interior Udall has candidly admitted, in the wake of the Mannington disaster, that neither industry, labor nor his department "has done enough." His department readily admits that more than 80 per cent of the country's underground mines were in violation of one or more of the federal safety requirements last year.

Completing editorially, The Washington Post said: "The existing law is widely admitted to be inadequate and too loosely enforced. The ugly truth is that the country has winked at potential death traps in mines in the vain hope that good fortune would save us from large-scale tragedies. The grief, suffering and economic loss that has now overwhelmed Mannington should be ample warning that this neglect is no longer tolerable."

The United Mine Workers of America and the Bituminous Coal Operators' Association, representing a majority of the soft coal producers in the United States, recognize the federal law in their contractual agreement.

Under the heading of "Mine Safety Program," the contract signed Oct. 14, 1968, contains this language:

"(a) Mine Safety Code.

"The Federal Mine Safety Codes for Bituminous Coal and Lignite Mines of the United States, Part I—underground mines and Part II—strip mines, promulgated and approved Oct. 8, 1953, by the Secretary of the Interior are hereby adopted and incorporated by reference in this contract as a code for health and safety in bituminous and lignite mines of the parties of the first part.

"(b) Enforcement.

"(1) Reports of the federal coal mine inspector: Whenever inspectors of the United States Bureau of Mines, in making their inspections in accordance with authority as provided in Public Law 49 and Public Law 552 find there are violations of the Federal Mine Safety Code and make recommendations for the elimination of such noncompliance, the operators shall promptly comply with such recommendations, except as modified in paragraph two of this subsection.

"(2) Whenever either party to the contract feels that compliance with the recommendations of the federal mine inspectors as provided above would cause irreparable damage or great injustice, they may appeal such recommendation to the Joint Industry Safety Committee as hereinafter provided."

Many officials at the Bureau of Mines headquarters in Washington said they were not aware of the clause in the union-management contract which would supersede the inspectors' findings.

One ranking official, who asked not to be identified, agreed that the contract was in effect a conspiracy to violate federal laws. This, he said, is a matter which should concern the Justice Department and should have been noticed in the Interior Department previously.

Bureau of Mines Has Many Duties: Federal Mine Safety Act Flagrantly Violated

(By Ray Martin)

The Bureau of Mines was established July 1, 1910 in the Department of Interior by an act of Congress on May 16 of that year. It was transferred to the Department of Commerce in 1925 and returned to the Interior

Department in 1934 under the President's reorganization powers.

The Bureau conducts programs designed to conserve and develop mineral resources and to promote safety and healthful working conditions in the mineral industries. Its activities are divided into six major categories: minerals research. fuels research, explosives research, mineral resources, helium, health and safety and economics and statistics.

The United States Government Organization Manual defines the health and safety mission of the Bureau of Mines as follows:

"Programs are conducted to reduce fatalities and injuries and improve health and safety conditions in the mineral industries. This is accomplished through research to devise acceptable standards for mining operations; training of mine personnel in safe practices and rescue recovery methods; and, under certain circumstances, closure of unsafe mines."

There are three bureau installations in West Virginia. Two are inspection field offices: Mount Hope has 58 inspectors and Morgantown has a staff of 22. The Morgantown office on Collins Ferry Road also houses one of the bureau's 10 principal minerals research centers.

Established in 1962, the Coal Research Bureau of West Virginia University's School of Mines also gets some federal money in support of its various projects.

The federal coal mine inspection program was established to carry out provisions of Public Law 49, approved by the 77th Congress on May 7, 1941. This Act was subsequently amended and designated Title I, Advisory Powers Relating to Health and Safety Conditions in Mines, under Public Law 552 approved by the 82nd Congress on July 16, 1952.

Public Law 552 includes Title II, Prevention of Major Disasters in Mines, and is known as the Federal Coal Mine Safety Act.

The 1952 act was passed as a result of public indignation and demands for enforcement powers for federal coal mine inspectors following seven major coal mine disasters between Jan. 15, 1951, and March 27, 1952. The Government defines a major disaster as any accident that causes the death of five or more persons.

The Federal Coal Mine Safety Act was further amended by Public Law 376, approved by the 89th Congress on March 26, 1966, to extend the provisions of Title II to all underground coal mines regardless of the number of persons employed. However, mines employing less than 15 men underground and mines using black blasting powder specifically permitted by state statutes were exempt from the act's provisions until Oct. 1, 1966.

Under the provisions of Title I, the Secretary of the Interior, acting through the U.S. Bureau of Mines, is authorized and empowered to make, or cause to be made, annual or necessary inspections and investigations in coal mines, the products of which regularly enter commerce or the operations of which substantially affect commerce.

The principal functions of the federal coal mine inspectors under Title I are to determine the causes of accidents and occupational diseases in coal mines and then endeavor to eliminate or ameliorate them (1) by revealing, through personal conferences with mine personnel, correspondence, and published reports, the unhealthful and unsafe conditions and practices existing in the mines and (2) by recommending practical means for correcting the conditions observed.

Title I does not provide any enforcement powers. Therefore, compliance with the recommendations of the inspectors is not mandatory under its provision. It does give inspectors the right to enter mines for inspection purposes.

Title II is designed to prevent major disasters in coal mines. Compliance with its mine safety provisions is mandatory.

Under this section of the law, each mine is to be inspected at least annually to determine whether an imminent danger described in Section 203(a) exists, whether any of the mine safety provisions of Section 209 are being violated, or whether any mine is gassy as prescribed in Section 203(f).

Under Section 203(a) the inspector can order the mine closed if there is danger that a mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident will occur before the danger can be eliminated.

Section 203(f) deals with the detection of methane gas and directs the inspector to issue a notice to the operator requiring compliance of the provisions of Section 209.

Section 209 prescribes standards for ventilation, roof support, rock dusting, electrical equipment, fire protection and several miscellaneous provisions.

The federal law also provides for joint State-Federal coal mine inspections. Agreements have been approved and are in effect in Alaska, North Carolina, North Dakota, Oklahoma, Washington, Wyoming and Virginia.

In the period between July 16, 1952 and Dec. 31, 1967, a total of 1,131 withdrawal orders were issued by inspectors under Section 203(a). West Virginia with 328 orders topped the list of 29 states in which there is mining activity. Kentucky ranked second with 206 closures. The breakdown of West Virginia orders were: man-trip 74; man-hoist 0; mine fire 127; explosion 117; and inundation 10.

During 1967, 171 orders were issued in the 29 states. Kentucky ranked first with 67 and West Virginia second with 51.

There were 7,269 active mines in the U.S. in 1967. Of this total, 1,979 were in West Virginia.

In his annual report to Congress, Walter R. Hibbard, Bureau of Mines director, noted that only two West Virginia mines were found to be free of violations during 1967 inspections.

There were 914 inspections at state mines employing more than 15 miners underground and 1,381 in mines with less than 15. The report showed that 11,014 violations were observed in the large mines, the largest number in the nation.

A total of 17,970 violations were observed in the smaller mines, ranking second to Kentucky's 22,032.

Nationally, there were 27,742 violations in large mines and 94,749 in the smaller mines.

Mr. Hibbard's report showed that 5,079 violations in the large mines were recorded in reports, while 13,237 were noted for the small mines. Listed as abated during inspections were 5,935 violations in large mines and 4,733 in the smaller mines.

Bureau of Mines records in Washington show that since August, 1964, there were 145 violations of the Mine Safety Act and Safety Code recorded by inspectors at the Farmington No. 9 mine in Mannington. Details of earlier inspections are not available since records are automatically destroyed after five years.

One of the most consistent violations noted in inspectors' reports over the four-year period was one dealing with rock dusting.

Bureau records indicated that closure orders affecting parts of Farmington No. 9 mine issued after the explosion of Nov. 13, 1954, and a fire closure order issued Nov. 1, 1956, were still in effect until early this year. Three areas of the mine at Mannington were covered by the orders.

The closure orders were annulled sometime between Dec. 30, 1967 and April 2, 1968. Bureau officials in Washington were not able to determine from available records when the order was rescinded.

The Mannington mine is classified as "gassy" on Bureau records. Its August, 1964, inspection report showed that 2,358,000 cubic feet of methane was liberated in a 24-hour period. Four years later that figure was increased to 7,918,000 cubic feet.

Bureau records show at least one incidence in which ventilation equipment is being operated in accordance with an order of the Joint Industrial Safety Committee which was created by the UMWA-operators labor contract. It shows a June 6, 1964, date.

The mine at Mannington was inspected in August 1964, February 1965, July 1965, November 1965, March 1966, July 1966, December 1966, March 1967, August 1967, December 1967, April 1968 and August 1968. Violations reported during those inspections respectively, were: 12, 18, 12, 14, 12, 9, 10, 17, 14, 9, 11 and 12.

ABILITY MUST BE SHOWN: MINE INSPECTORS FACE TOUGH TESTS

(By Ray Martin)

The Federal Coal Mine Safety Act provides that applicants for jobs as mine inspectors must have had at least five years practical experience in the mining of coal. In addition, they must demonstrate their knowledge, skill, and ability to perform the duties of the position at the level for which they apply.

Applicants are required to pass a written examination given by the Civil Service Commission which tests knowledge of the Federal Coal Mine Safety Act and the Federal Mine Safety Codes, both bituminous and anthracite.

The written examination also tests the applicant's ability to solve arithmetic problems as applied to mine safety, ability to prepare and understand written reports, and a knowledge of the principles of mining and mine safety, including knowledge of first aid and mine rescue as taught in the mining industry.

A passing grade of at least 70 in both the written test and in the evaluation of the applicant's experience and training is required.

The applicants must also pass a very strict physical examination before appointment. The presence of varicose veins, for example, would disqualify an applicant.

Applicants for mine inspector positions must be 18 and there is no maximum age limit.

New inspectors are placed on probation for a year and are given intensive training at the Bureau of Mines Central Experiment Station at Pittsburgh.

In the 1967 report to Congress, Walter R. Hibbard, who served as Bureau director at the time, recommended the Civil Service Retirement Act be amended to provide more liberal retirement benefits for coal mine inspectors. Mr. Hibbard said:

"Because of their arduous duties, coal mine inspectors and investigators must have sturdy physical qualifications, and the experience requirements make it difficult to obtain young men. It is rare that any man has such experience before the age of 30; consequently most appointees have been 40 years of age or older. Their physical abilities decline rapidly after 55, and after 60 most inspectors and investigators lack the physical stamina and agility to cope efficiently with the arduous efforts of their regular work or the hazardous emergencies which they constantly face.

"The combination of arduous and hazardous duties plus the high average entrance age means that few coal mine inspectors and investigators can hope to accumulate sufficient years of service to achieve an adequate retirement annuity. Enactment of legislation to provide more liberal retirement benefits for these people will improve Government services in that it will permit the acquisition of younger and more efficient personnel by encouraging the better qualified men in industry to seek employment and allow for systematic retirement without undue hardship of those who can no longer safely and efficiently fulfill the required duties after serving the Government well and faithfully."

As of Jan. 1, 1967, there were 260 mine inspectors and investigators assigned to the Bureau's five field offices.

A spokesman for the Bureau's inspection headquarters in Washington said the Bureau could not hire 25 new qualified inspectors if it were told to do so immediately. If 25 applicants could be found, the spokesman said, half of them would be disqualified during the probation period.

The Federal Mine Safety Codes are used as the basis for determining unsafe and unhealthy conditions and practices in all coal mines inspected, and the Mine Safety Provisions of Title II of the Federal Coal Mine Safety Act are mandatory at all underground coal mines.

Generally, neither the mine operators nor the miners are notified of an impending inspection. The Bureau doesn't regard a telephone call on the day preceding an inspection to determine if the mine will be working as advance notice.

The manual for coal mine inspectors, revised in September, 1968, requires that larger underground mines be inspected at least three times each calendar year. Smaller underground mines are inspected at least twice each year.

The regular inspection work may require one day or several weeks, depending on the size of the mine, the thickness and pitch of coal beds, the system of mining, the degree of concentration of working places, the prevalence of hazardous conditions and practices, and other factors.

The inspector is required to inspect every working place in the mine, all active haulageways, entrances to abandoned workings, accessible old working airways, escapeways, other places where men work or travel or where dangerous conditions might exist, electric equipment and installations, haulage facilities, first aid equipment, ventilation facilities, communication installations, roof and rib conditions, blasting practices, surface plant, etc.

He also is required to test for gas and for oxygen deficiency in all mines and to collect samples of mine air and mine dusts for chemical analysis, if necessary, to determine precisely the conditions with respect to noxious and explosive gases, oxygen content, and coal dust and rock dust.

In multiple-shift operations the inspector is required to devote part of his time to inspection on each shift so that hazards are not inadvertently overlooked.

In addition, unannounced "spot-check" inspections are made between regular inspections of certain mines where experience indicates lack of sincere endeavor by the operator to comply with accepted safety standards between inspections.

Records at the Bureau of Mines headquarters in Washington show there have been 59 regular inspections at the Farmington No. 9 mine at Mannington and at least two "spot-check" inspections.

Bureau policy has been to avoid sending inspectors into areas where they were previously employed as miners. Each inspector is assigned mines that he inspects regularly, contingent on the availability of manpower at the time, every fourth inspection of a mine is conducted by an inspector from a different area. This is done, the Bureau says, "to assure that hazards are not being overlooked."

FEDERAL INSPECTION RECORD—122,491 MINE VIOLATIONS IN 1967

(By Ray Martin)

The U.S. Bureau of Mines has investigated major mine disasters, one in which five or more men were killed since its inception in 1910 as part of its accident prevention program.

The bureau also has investigated explosions and fires in which less than five or no lives were lost, but before 1950 it was not general practice to investigate fatalities resulting from occurrences other than mine fires or explosions.

There have been 219,416 regular inspections of coal mines since 1941.

In the period between Jan. 1, 1967 and Dec. 31, 1967 inspectors observed 122,491 violations of the Federal Mine Safety Code while making 7,778 inspections. Seventeen per cent of violations were corrected during the period of inspection, according to inspectors' reports.

During the same period, 15,434 violations of the Federal Mine Safety Act were observed. Of this number, 13,132 were said to have been corrected during the course of inspection.

During 1967, inspectors issued 1,140 notices at 718 mines giving operators a "reasonable time" to totally abate violations of Section 209 of the Federal Mine Safety Act. A total of 1,162 notices were issued for violations which are subject to re-inspection in 90 days.

Inspectors issued 331 notices granting additional time for the abatement of violations. It was reported that 2,181 violations of the Mine Safety Act were totally abated between time of original inspection and special inspection.

The Bureau issued 171 withdrawal orders at 116 mines during 1967 for imminent hazards which could lead to death of miners. Since July 16, 1952 a total of 1,131 such orders have been issued. Of that total, 328 affected West Virginia mines, the largest number issued in the 29 coal mining states.

A total of 251 withdrawal orders for failure to abate violations which could substantially contribute to a disaster-type accident have been issued since March 26, 1966. This "resulted from the unwarrantable failure of the operator to comply with provisions of Section 209" the Bureau of Mines report for 1967 states. They were issued at 157 mines. During 1967, 68 of these orders were issued against 44 mines in West Virginia.

Thirty-eight withdrawal orders were issued for repeat violations of Section 209 in some mines which received the orders mentioned in the paragraph above. The 38 orders were issued to 21 mines in the period between March 26, 1966 and Dec. 31, 1967. Seventeen such orders were written against eight West Virginia mines last year, the highest reported for any of the 29 coal mining states.

Distribution of final reports of inspections of coal mines is as follows:

Company official, one or more copies.

One copy to the Safety Division, United Mine Workers of America, Washington.

One copy to the UMWA Welfare and Retirement Fund office in Washington.

Two copies to the UMWA district office in cases where the mine inspected is covered by contract.

Two copies to the state department of mines.

One copy to the Joint Industry Safety Committee.

In addition to the inspector's copy, the subdistrict, district and Washington headquarters of the Bureau of Mines inspection division each got one copy.

The Injury and Employment Statistics Division of the Bureau gets a copy of the first inspection report during each year for each mine inspected.

When the mine is located on Indian land or government property, a copy is sent to the Geological Survey's Washington office and to the district mining supervisor.

The regional office of the Division of Mineral Resources gets a copy of the report on original inspection of mines and the first inspection report each year.

A cooperative agreement with the Wage and Hour and Public Contracts Division of the Department of Labor provides that the Bureau of Mines field offices inform the regional offices of the Labor Department divisions of violations of the Federal Mine Safety Code in mines that supply coal directly or indirectly to a Government agency. The operators of such mines face cancellation of Government contracts if the hazards are not eliminated promptly. The Labor Department gets a copy of inspection reports when it is known that the mine's output is used by the Government.

Revised in September, 1968, the Coal Mine Inspectors' Manual issued by the Bureau of Mines contains detailed instruction on inspection techniques and the preparation of reports.

Page 4 of the Inspectors' Manual contains this notation:

"There has been some constructive criticism offered to the Bureau of Mines because of the apparent superficiality of coal mine inspection work on the part of some inspectors. There is, in fact, substantial evidence that at least some federal coal mine inspectors spent a large portion of their time on trivialities and consequently fail to devote sufficient time and attention to the prevention of disasters and other serious accidents.

"It has also been observed that some inspectors are content with bringing about compliance with Title II of the Federal Coal Mine Safety Act, without giving any attention or study to the disaster potential beyond the specific requirements of the Act.

"The training and experience afforded federal inspectors in the course of their employment in the Bureau should qualify them as experts in all phases of accident and disaster prevention technology, and it is expected that they should be of substantial assistance to the industry in developing and maintaining safer mining conditions beyond the mere requirements of the Act."

A special investigation of a mine disclosed that three continuous mining machines in a section continued operating after a breakdown of carloading facilities, and the loose coal from the machines was stored at several locations in the section for several shifts.

The inspector did not issue a notice under Section 209 even though he did not know for sure when the stored coal would be loaded out. Inspectors were told when a similar condition is observed, a violation notice should be issued, giving a reasonable time to correct it.

"The most vital area insofar as prevention of explosion disasters is concerned is between the section loading point and the working faces and, in view thereof, each inspector must make absolutely certain that dangerous accumulations of coal dust in the vital areas are cleaned up and removed from the mine and that such areas are rock dusted thoroughly," states a note on Page 4 of the Inspectors' Manual.

Reference is made on Page 97 of the manual to an operator who ignored a violation of a section of the Code which was cited in 17 successive inspection reports.

"When air-or-dust-sample analyses received after a routine inspection has been completed indicate a violation of the Federal Coal Mine Safety Act not hitherto known to exist, the following procedures shall be observed: a. If the violation is abated before midnight of the same day the operator is notified, a notice shall not be issued, and the violation shall be considered as corrected during the inspection and shall be recorded in Part IV of the report," states a section of Page 106 of the manual.

This statement appears on Page 98 of the manual:

"Some inspectors are not giving due consideration to certain conditions in some mines that present imminent dangers that warrant summary withdrawal of men from the mine. This refers to those mines in which multiple violations of the provisions of Section 209 of the Federal Coal Mine Safety Act or other hazards are present, any one of which, taken individually, could not be considered of imminent nature, but a combination of several of which presents all the requisites of a potential disaster as covered under Section (a)(1). During and following each inspection, the over-all perspective conditions found shall be studied carefully to determine whether such a combination of hazards exists, so that prompt action will be taken to have the men withdrawn from the area involved under the provisions of Section 203(a)(1)."

First U.S. Mine Explosion in 1810: Government Research Program Began Studies in 1908

(By Ray Martin)

H. B. Humphrey, Bureau of Mines health and safety engineer, completed work on the manuscript for "Historical Summary of Coal Mine Explosions in The United States" in 1957.

Published as Information Circular 7900 by the Bureau in 1959, Mr. Humphrey summarized the results of his study in these words:

"Explosions of gas and dust in coal mines have caused death and injury to miners and destruction of workings in all countries where coal is mined. In the United States the first reported explosion was in 1810; explosions have continued to the present.

"The danger to men in a mine when an explosion occurs is not always measured by the violence created or by their nearness to the area through which flame and violence extend. As many, perhaps more, men have died from gases and lack of oxygen (known as 'after damp') than have been killed by the blast and heat.

"Mine explosions often are caused by a combination of factors, including concentration of methane in air, formation of clouds of dust, and the presence of a flame or spark. These explosion factors have varied with changes in mining methods and practices over the years, but the basic causes have always been the same.

"Understanding of the causes and acceptance of ways to guard against explosions and their effect have been slow to spread from investigators to officials and then to bosses and miners.

"To a considerable extent there has been a belief that explosions were a mining risk that might be put off but could not be prevented. Such belief is based on the human failure to maintain and observe necessary precautions.

"These failures, caused by inertia to change, carelessness, or reliance on continuance of past explosion-free years, are being reduced in number and effect by education of miners and supervisors and acceptance of higher prevention standards."

Government research on the prevention of mine explosions began in the Technologic Branch of the Federal Geological Survey of the U.S. Department of the Interior in 1908. This was a result of a succession of disastrous coal mine explosions that caused the death of 1,148 miners in eight mines in the U.S. in 1907. Included in that group of disasters was the worst mine explosion in this nation—an underground blast in the soft coal fields of West Virginia that killed 362 men (more or less—exact records were not kept then of men underground) at Monongah Mines Nos. 6 and 8 on Dec. 6, 1907. These mines are about 12 miles from the site of the Farmington No. 9 disaster which occurred Nov. 20, 1968. (Sixteen miners lost their lives at Farmington No. 9 when an explosion wracked the mine on Nov. 13, 1954.)

The first recorded mine explosion in West Virginia occurred on March 27, 1880. It was at Gaston Mine in Marion County and two miners were killed.

Indiana and West Virginia were the sixth and seventh states, respectively, to enact mining laws in 1879.

Provision was made by Congress in July 1910 to transfer to the Bureau of Mines the duties of the Technologic Branch of the Federal Geological Survey.

In charge of the section of the Bureau devoted to mine rescue work and training and investigation of mine explosions and fires, was J. W. Paul. After serving as chief of the West Virginia Department of Mines, he joined the Technologic Branch of the Geological Survey in 1908 and came with that group into the U.S. Bureau of Mines. He was a leader in developing the mine safety work of the Bureau and the inventor of the Paul oxygen breathing apparatus. Later he was in charge of the Experimental Mine at Bruceton, Pa., and then the head of the staff set up to study roof falls.

In the 34 years that followed the disaster at Monongah—or the next 295 mine explosions and 7,301 miners' deaths by mutilation, fire or suffocation—the U.S. Bureau of Mines was not even empowered to send its inspectors on mine owners' property, except by consent.

It was not until 1941, after more than 12,000 mine explosion deaths, that the Bureau finally won the power to inspect—and then its only power to correct was publicity, a stream of press releases reporting the grossest violations. They received scant attention.

The coal industry up to then had won its legislative battles by crying "states' rights"—let the states inspect the mines—and by gravely predicting that stricter safety standards would bankrupt the industry.

In the meantime the Bureau of Mines was shifted from the Department of Interior to the Department of Commerce in 1925. It was returned to Interior in 1934 under the President's reorganization powers.

In May 1946, after strikes closed many of the bituminous coal mines, they were put under control of the Government by Executive Order 9728. The order of seizure directed the Secretary of the Interior to take possession of mines affected by the strike and to operate them under the existing management as Coal Mines Administrator.

Secretary Julius A. Krug and John L. Lewis, president of the United Mine Workers of America, entered into an agreement on May 29, 1946, which contained certain provisions designed to improve safety conditions and practices in the mines involved.

This concept of safety regulations by contract supplemented regulation by state statute.

The Krug-Lewis agreement led to the issuance of the Federal Mine Safety Code for Bituminous Coal and Lignite Mines of the United States, dated July 24, 1946.

The primary responsibility of the Coal Mines Administrator was to maintain the output of coal at a high level of production; on the other hand, under the agreement, his obligation was to put a reasonable safety code into effect.

The Code was intended to obtain as great a measure of safety as possible without jeopardizing the production of coal. For these reasons the requirements of the Code were not as severe or inclusive as the safety standards employed by the Bureau of Mines in its procedures under the Coal Mine Inspection Act of 1941.

The power of enforcement was vested in the Administrator and not in the inspectors of the Bureau of Mines, whose responsibility was to make inspections and to report to the Administrator violations of the code and any imminent dangers.

Page 231 of the Humphrey study contains this comment:

"The Code was a compromise between the recommended standards and current practices and conditions. Even so, immediate and complete enforcement was not intended, since new equipment would have to be obtained and extensive changes made in many mines to conform with the Code requirements."

The Burning Springs (Kermit, W. Va.) explosion in January 1951 and the Buttonwood (Wilkes-Barre, Pa.) explosion in March of that year broke the longest disaster-free period in the history of American coal mining. Both were caused by ignition of undetected gas accumulations in working places. Six major explosion disasters occurred between Jan. 18, 1951, and Feb. 2, 1952.

The Orient No. 2 (West Frankfort, Ill.) disaster on Dec. 21, 1951, which killed 119, brought action in Congress on bills that had been pending to give enforcement powers to federal coal mine inspectors. Because these bills, as originally drawn up, gave complete regulatory power to the federal agency, whereas it had always belonged to the states, the bills had not been enacted, although hearings had been held and one had passed the Senate.

A bill was drawn up to grant enforcement powers for safety measures to prevent major mine disasters and became law on July 16, 1952. Known as the Federal Coal Mine Safety Act, it applied only to those mines employing 15 or more men regularly underground.

The 1952 Act incorporates, as Title I, the Coal Mine Inspection and Investigation Act of May 7, 1941, which gave the Government inspectors authority to enter and inspect mines but no power to enforce their recommendations. Title II of the 1952 law contains the "teeth"; federal inspectors are empowered to require compliance with the mine safety provisions, or certain penalities may be invoked.

However, the act is designed primarily to prevent major disasters from explosions, fires, inundation, and man-trip or man-hoist accidents. It does not cover the ordinary day-to-day type of hazards, which the Congress specifically reserved to the jurisdiction of the state mining departments.

The 1952 Act is still the basic law, and although there have been four explosion-free years since its passage—1955, 1956, 1964 and 1967—the death toll in the 15 years it has been in effect including the most recent major disaster on Nov. 20 at Farmington No. 9 is 376 dead, thousands of others injured and disabled.

An amendment in 1966 made the provisions of Title II applicable to all underground mines. It thus removed the exemption that "dog-hole" or mines employing less than 15 men underground had enjoyed for 14 years.

Last September, President Johnson submitted proposed legislation to Congress to strengthen the 1952 Act. It received no committee hearings and died with the adjournment of Congress.

Rep. Ken Hechler, D-W. Va., who introduced the White House measure, said he will reintroduce it again in January when the new Congress convenes. Hearings are scheduled for early February.

No Hearings Held on Bill: President Proposed Tough Mine Safety Law

(By Ray Martin)

The U.S. Bureau of Mines was to have delivered a report to the Congress on the "sufficiency" of existing legislation on March 26, 1968.

A day earlier, Ralph Nader, the consumer protection and automobile safety crusader, charged that thousands of American coal miners faced unnecessary risks because the Bureau of Mines was the "captive" of the coal industry in drafting mine safety regulations.

He charged that the coal industry, the United Mine Workers and the Government had all shown more concern about maintaining the low-cost production advantages of coal in the highly competitive fuel market than about the safety and health of mine workers.

In a four-page letter to Secretary of Interior Stewart L. Udall, Mr. Nader demanded a list of all meetings on proposed mine safety requirements between top officials of the

Bureau of Mines and officers of the Bituminous Coal Operators' Association and the mineworkers union.

Bureau of Mines spokesmen could not definitely confirm that there had been such meetings. George L. Judy, president of the operators' association, acknowledged that officials of his organization had had some meetings with Bureau people during February and March.

The New York Times reported on March 26 that the Capitol-bound report was "undergoing a careful review" in the light of Mr. Nader's criticism, and "it is probably going to be delayed."

It was not only "delayed," it was never sent to Capitol Hill.

A bureau spokesman yesterday confirmed this fact and said that instead the Bureau prepared a draft copy of the Federal Coal Mine Health and Safety Act of 1968. The Bureau's proposals didn't meet with White House approval and President Johnson had the measure rewritten to make it more effective.

In his annual report for 1967, Bureau of Mines Director Walter R. Hibbard said:

"A comprehensive report on the 'Sufficiency of the Safety Requirements of the Federal Coal Mine Safety Act as amended' required by Public Law 89–376 effective March 26, 1966 was submitted to Congress by the Secretary of the Interior. This report outlined in detail proposed changes in the Act to further improve the safety provisions thereof and it was suggested that action be delayed for one year on all but four of the 20 suggested changes to permit further study of the present Act and the collection of field data to support the recommendations proposed. A final report will be submitted to the Congress before March 26, 1968."

The White House bill was sent to Congress in September and was introduced in the House by Rep. Ken Hechler of Huntington. The West Virginia Democrat plans to reintroduce the measure, with amendments, when Congress convenes next month.

President Johnson sent letters to Vice President Hubert H. Humphrey, presiding officer of the Senate, and House Speaker John W. McCormack on Sept. 11 urging passage of the new mine safety bill.

"When President Harry Truman signed the Coal Mine Safety Act 16 years ago, he declared that, 'the legislation falls far short of the recommendation I submitted to the Congress to meet the urgent problems in this field,' " Mr. Johnson said.

Continuing, he told the congressional leaders, "The record shows just how far short that measure fell. Since 1952, over 5,500 miners have been killed on the job. Another 250,000 were seriously disabled. No one knows how many thousands more have died, their lungs blackened by the ravages of coal dust disease—pneumoconiosis.

"Today, despite the safety measures on the books, coal mining remains the most dangerous and hazardous occupation for the American worker. The National Safety Council reports that of the 40 major industries in this country, coal mining ranks highest in frequently and severity of death and injury.

"We have succeeded in preventing many of the major coal mine disasters that took dozens of lives at a time," the President said. "But coal miners are still crushed by cave-ins, burned by explosions, maimed by antiquated and unsafe equipment. They still pay with their health for the right of earning a living because the air they breathe is thick with coal dust. At the very least, one out of every 10 active miners—and one out of every five retired miners—suffer from a serious respiratory disease. For the tens of thousands of miners so afflicted, the shortness of breath may shorten their lives."

After citing two accidents in West Virginia and one in Kentucky, Mr. Johnson said, "There was nothing inevitable about these disasters. They happened because our coal mine safety laws are inadequate, and because even existing laws are all to frequently ignored.

"At the present time," the President said, "Federal inspectors have too little jurisdiction over the working face of the mines, where nearly half of the fatal accidents occur. They cannot tell a mine owner to shore up a sagging roof in this area. They cannot require the replacement of a potentially hazardous machine. They cannot require a reduction in the level of coal dust in the air to safe limits because the laws do not even touch on the problem of health standards. They have no jurisdiction at all over the nation's 2,250 surface mines, which account for almost 40 per cent of our coal production.

"Our inspectors are not even backed by effective enforcement penalties where the law does apply. It is a measure of this weakness that last year more than 80 per cent of the nation's nearly 6,000 underground coal mines were in violation of one or more federal safety standards," Mr. Johnson said.

The White House measure provided, for the first time:

Extension of federal enforcement to the face of the mine, the area where so many deaths and injuries occur, as well as correcting 18 other specific safety omissions in the present law.

Abolition of the "grandfather clause" which allows old and unsafe electrical equipment to be used.

The Secretary of Interior with authority to develop and issue safety standards as the need arises rather than turning to Congress for every change in safety regulations. The secretary now has this power in the metal mining industry.

A way to reduce the human devastation of coal dust disease by requiring the Secretary of Health, Education, and Welfare to develop health criteria, and the Secretary of Interior, following such criteria, to issue health standards and enforce them.

Meaningful and effective sanctions for failure to comply with the terms of the law; criminal penalties and higher fines for willful violations, civil penalties and injunctions to deter and stop unsafe practices.

Extension of the law's reach to surface coal mines.

Creates simplified and streamlined enforcement procedures to require quick correction of hazardous conditions.

The penalty section, for example, impowers the Secretary of Interior to levy a penalty of up to $1,000 for each violation of health and safety standards. In the case of continuing violations, each day would constitute a separate offense.

Persons who willfully violate or refuse to comply with orders can be fined up to $5,000 or imprisoned for six months, or both, for the first offense. A subsequent conviction would bring a $10,000 fine and a jail sentence up to one year, or both.

"The cost of this measure will be small," Mr. Johnson said. "Its benefits will be large, not only in terms of the lives it can save and the injuries it can prevent, but in practical terms of dollars and cents. Last year alone, over 1.8 million man-days were lost to the nation and the mine owners as a result of job-related deaths and injuries. Many millions of dollars in workmen's compensation payments were awarded to injured and disabled miners.

"I realize that it is late in the session. But the health and safety of America's 144,000 coal miners deserve immediate * * * the President told the Vice President and the Speaker of the House.

No committee hearings were held on the President's mine safety proposals prior to the adjournment of Congress.

(The next article in this series will describe the types of violations of the Federal Mine Safety Act found by mine inspectors.)

A 600 Percent Increase Ordered: Mine Inspections Will Be Hiked by O'Leary

(By Ray Martin)

Washington.—A 600 per cent increase in the number of spot inspections of underground mines was ordered Wednesday by Bureau of Mines Director John O'Leary.

O'Leary said the number of such inspections conducted annually would be increased to 1,000 "in order to keep the general level of maintenance of the mines to the extent we can." There were 175 spot inspections during 1967, he said.

On the eve of a one-day meeting called by Secretary of Interior Stewart Udall to "reexamine" and "reevaluate" the nation's coal mine safety program, O'Leary stressed that the Bureau's authority was delineated by the Federal Coal Mine Safety Act.

"There are a few things we can do that we aren't doing," he said.

After announcing the increase in the number of spot inspections, O'Leary said there would be other "relatively modest changes" in the Bureau's administration of the existing mining law. He did not elaborate on the changes, however. "But above all we need new authority," he said.

O'Leary said it would be impossible to station mine inspectors on an around-the-clock basis at the country's 6,000 mines. He also cited the size of some of the mines as a prohibitive factor. He said, for example, that Farmington No. 9 mine at Mannington, W. Va., was about equal to the size of the Borough of Manhattan in New York City.

Efforts of some locals of the United Mine Workers of America to have a full-time paid safety committeeman in each mine have been rejected by the union's international headquarters according to Frank Wilhelm, president of UMW Local 6295 at Isabella, Pa.

Rep. Ken Hechler, Huntington, W. Va., Democrat, told O'Leary:

"You ought to take your Bureau of Mines by the scruff of the neck and shake them and get some of the dead wood out of there and get more people who really believe in safety rather than production."

O'Leary partially disputed Hechler's contention regarding Bureau employes. He said that those charged with the responsibility of safety are devoted to it, referring primarily to the inspectors in the field.

The Bureau of Mines director then said: "I think we would have to recognize that there has been a period of about a year in which the Bureau of Mines has not had the sort of strong leadership that it should have had in this field and that's being remedied now. We are picking it up by the scruff of the neck and shaking it."

O'Leary was apparently referring to his immediate predecessor, Walter Hibbard Jr. Hibbard, who left the post in April after holding it for little more than a year, told a Senate committee on one occasion that he had been in a coal mine only once in his life.

During the course of a televised interview on NBC's "Today" show Wednesday, John Corcoran, president of Consolidation Coal Co., owner of the Mountaineer Coal Co., which operated Farmington No. 9 mine, was asked if he thought the mine was safe prior to the Nov. 20 explosion. He replied:

"Yes. In my opinion that mine was safe. Let me say this. We in Consol felt prior to this disaster that we had done a pretty good job in promoting mine safety and reducing accidents."

Continuing, Corcoran said, "Inspections alone will not solve this problem. We must do more research. We must increase our knowledge. We must find out what it is that makes these things happen. Because in all honesty, as I indicated before, this just can't happen.

"It just cannot happen again," Consol's president said.

In response to a question about Bureau of Mines inspectors reporting violations in the last 24 inspections at Farmington No. 9 mine, including those dealing with rock dust, Corcoran said:

"You've got to understand what these inspections really amount to. Don't misunderstand me, I don't condone a single violation. I would hope that we all could achieve perfection. But we don't always do that.

"You have got to keep in mind that some of the violations that were cited are such things as having a cover off a gear box. Such things as a man failing to wear a given type of protective equipment."

Asked specifically about rock dusting, Corcoran declared:

"The federal inspection that was made prior to this disaster. There were 125 samples taken of rock dusting that was done in that mine. Only three of 125 samples proved to be substandard. One of these, for example, was 1,200 feet from the working face. Now, again, I don't condone a sample that is substandard.

"But I say to you and any expert, who has examined that mine or any other mine, would agree that the three violations or citations on that examination have absolutely nothing to do with that explosion. Have nothing to do with the cause of it and could not under any circumstances have contributed to extending the explosion.

"I'm not condoning violations," Corcoran said. "But I'm saying as firmly and as factually as I know how to say it that, none of the violations, none of the citations, had the slighest effect on this explosion."

The Consol president was asked if, in view of the Mannington disaster, any further instructions had been issued to the persons at the company's other mines relative to safety. Corcoran replied:

"Well, as I said earlier, we have strived diligently to make our mines as safe as we know how to make them and I might point out again that I think we have done a reasonably good job. Although I'm not in any position, with having faced a tragedy of this magnitude, to say that there isn't more we can do. There is more we can do and we are constantly striving to achieve a perfect record with no citations and certainly our people are constantly under instructions to be sure that these—even the minor violations—do not occur, but occasionally they do occur."

Congressman Hechler said, "I think every time we have one of these tragedies we go through the same thing. It's almost as if the scripts were already written in advance.

"Everybody wrings their hands and says 'we have to do more.' But the time has now come when we must decide that the precious value of human life is far more important than the dollars to be gotten from production."

Continuing, the West Virginia Democrat said, "I think what we have to do is to write into the law as we do in the Federal Aviation Act that safety is the first priority. As President Johnson said in his statement on Nov. 30, there must be a commitment on both the part of management and labor that protection is as important as production. There must be written into the law (the fact) that safety is more important than production."

Asked about the cost of increased safety measures, Hechler cited the fact that Consolidation Coal Co. had been acquired by Continental Oil through the exchange of $538 million in cash and stocks. The congressman said the prospects for the coal industry "look good" and noted that Consol has a contract with a Monroe, Mich., power plant to provide it with four million tons of West Virginia coal annually. The Huntington Democrat also cited the possibility of converting coal into gasoline and this would result in even greater demands for coal.

Corcoran then said, "I would go a step further than the congressman. I think that not only is protection equally important with production. I think protection is more important than production."

The Consol president pointed out that his company, was already doing without any law the things which would have been required under the law introduced in Congress last September.

Hechler then mentioned mine deaths and injuries other than those resulting from explosions, stressing the need for "tough legislation."

Corcoran then sought to defend Bureau of Mines inspectors, contending that they wouldn't condone any hazards since they were underground themselves.

In a sharp retort, O'Leary said, "There are definite limitations on their authority. They cannot, under existing law, get to the basic causes of most of the accidents that occur in the mines."

"I agree with that," Corcoran said.

Continuing, Consol's president said, "That's why I pointed out that in our own mines, we have already gone far beyond what the law requires. And we're already doing things that are in the bill that is now being proposed for Congress and we are quite willing to do these things because I'm not willing to put a dollar sign on safety. We must do whatever must be done."

Hechler again cited mine accident figures, noting there were 3,500 accidents in West Virginia this year. This, he said, means that one out of every 10 men who go into the coal mines is bound to have an accident.

"This is completely unacceptable," the congressman declared.

"We can influence our destiny. We might not be able to control it, but we shouldn't be fatalistic about this business," Hechler said.

O'Leary said there were three tiers in the quest for mine safety. First, he said, management must concern itself with safety. Second, the people who work in the mines must adopt safe work habits. Third, is the need for the Government to formulate an adequate set of safety standards and assure that they are enforced.

The Bureau of Mines director said the new spot inspections would be conducted without prior notice to the operators. He indicated that apparently a "few" operators had been notified in the past.

Strict adherence to the new policy would probably result in telling inspectors not to call mines the day before their arrival to determine whether the mine will be in operation the following day.

The Bureau is in the process of developing a plan whereby individual miners will be able to request that inspections be conducted at specific mines. Presumably, this will be patterned after policies used in the Armed Forces in the submission of complaints to the inspector general's office.

After 16 years of study, the Government Monday recommended the first federal standard to reduce coal dust, which causes an incurable lung disease blamed for more miner's deaths than accidents.

The Department of Health, Education and Welfare acknowledged that the United States is the only major coal-producing country that does not have a Government standard for keeping down coal dust. Authority to enforce the standard still must be sought.

HEW's recommended standard is set at not more than three milligrams of respirable coal dust per cubic meter of air as measured by Mining Research Establishment instruments.

Public Health Service studies completed in 1964 found that almost 10 per cent of the active soft coal miners and 20 per cent of the former miners in the Appalachian area showed X-ray evidence of pneumoconiosis, or black lung disease. A final report on that study is expected soon.

FOR COAL MINE SAFETY: RANDOLPH TO SPONSOR LEGISLATION

WASHINGTON.—Sen. Jennings Randolph, D., W. Va., Wednesday notified Secretary of the Interior Stewart L. Udall that he will sponsor legislation in the 91st Congress "dedicated to improvement of coal mine safety and federal enforcement."

Randolph's message to Udall came on the eve of a coal mine safety conference to be held Thursday at the Department of Interior. Nearly 200 persons including Gov. Hulett C. Smith of West Virginia have been invited to the one-day session.

In the message to Udall, the West Virginia senator said "as a senior majority member of the Senate Labor Committee, I will insist on, work for, and participate diligently in thorough hearings of coal mining practices and safety procedures and on the legislation that may be necessary to strengthen them."

Coal as a basic fuel and as an ingredient of "sophisticated new fuels and related products—coal as a pipeline gas—coal converted to liquid fuels and coal as an industry with market demands for increasing production, have the prospects of a greater future," Randolph told Secretary Udall.

"Consequently," the senator declared, "there is a greater obligation on the industry, on the union of miners, and on Government to make sure that safety in the mines is enhanced.

"There is no escaping the fact that even without the fatalities and the handicaps of the recent major coal mine disaster in West Virginia, the labor force available to the production expanding coal industry has reached a critically short supply condition. We have been working to establish a manpower development and training program in the interest of expanding the trained labor force to be available to the coal mining industry," Randolph added.

Continuing, he said, "If such tragic events as the recent disaster near Mannington, W. Va., are not to cast doubts on coal mine safety and the legal and administrative capacity of the Government to stimulate and enforce the best and the necessary in safety practices, there must be prompt and unified action—cooperative action—by the coal industry, the coal miners' union, and governments, both state and federal.

The West Virginia senator said he believes the Congress and the incoming national administration, as well as the legislatures and executive establishments of the coal producing states, "will give coal mine safety legislation in the coming year the high priority consideration which has been accentuated by the recent disaster in which 78 West Virginia coal miners' lives were lost."

GOVERNOR SAYS WVU, STATE TO AID SAFETY

WASHINGTON.—Gov. Hulett C. Smith, the third official to speak at the Interior Department's "conference to make coal mining safe" Wednesday said he believed "some meaningful improvements can be made at the state level."

The West Virginia governor said, "state law at this time prevents the Coal Research Bureau from undertaking research into hazard factors and safety procedures. While the School of Mines itself is continuing to work in this field, it is evident that coordination and cooperation must be assured."

Asked to explain the source of prohibition of safety studies at the CRB, located at West Virginia University, Governor Smith said the 1962 law creating the CRB carefully defined its functions. These, he said, are oriented toward finding new uses for coal and coal products.

The Governor said WVU's School of Mines had achieved international prominence in such areas as roof safety, diesel power usage in mining operations, and proposals to reduce methane gas concentrations, but "certain reorganizational procedures greatly slowed down one of these critical activities in the late 1950s."

Continuing, he said, "a methane drainage research proposal was developed at West Virginia University. This proposal could have eliminated many of the hazards associated with methane gas in underground mines through a process of draining methane gas from mine locations before the actual extraction of coal was to begin. By a process of water infusion and fracturing, the methane could have been removed, and—in fact—could have been sold to natural gas producers, thus minimizing the cost of the entire operation.

"The proposal, as submitted, drew active resistance from the U.S. Bureau of Mines, and eventually was channeled to the U.S. Office of Coal Research for approval.

"However, there was a moratorium on new research projects of this caliber at this time, and the project was never funded for implementation by the state, nor undertaken by federal authorities, according to J. W. Leonard, director of the WVU Coal Research Bureau," the Governor said.

Governor Smith said there was a need for a higher level of cooperation and exchange of information between agencies working on all aspects of mining.

"I plan to propose to the West Virginia Legislature that the law which prohibits the Coal Research Bureau from engaging its safety research be amended and made less restrictive," the Governor said. "I also shall commend the desirability of such legislation to my successor when he takes office on Jan. 13, and urge him to seek additional funds for the School of Mines for research efforts."

Gov.-elect Arch A. Moore Jr. was present at the conference, but made no statements.

The governor indicated that he would ask the Legislature to review the mining law and "bring it up to date." Smith said he would ask his Republican successor to join him in supporting the review of mine laws.

"The West Virginia Department of Mines has indicated a need for 10 additional inspectors for coal mining operations, although the department indicates its supervisory staff seems adequate in numbers and proficiency. I am, therefore, taking steps to provide 10 additional inspector positions in the budget which I shall submit to the Legislature prior to leaving office early next year, and to urge that the salaries of these inspectors and their qualifications be reviewed," Governor Smith said.

The governor said it would be "unjust" to suggest that passage of the Mine Health and Safety Act of 1968 alone could have averted the tragedy at Mannington, W. Va., on Nov. 20.

"However, I believe that it is apparent that stronger mine safety legislation, backed up by adequate and coordinated enforcement, certainly will save the lives of many of the men who go into the coal mines each day—knowing that they do so at the risk of life and limb, because coal mining always has been and probably always will be, one of mankind's most hazardous occupations," Governor Smith said.

The governor indicated his approval of many of the provisions contained in legislation submitted to Congress last September by President Johnson.

On Mines: O'Leary Issues Orders

WASHINGTON—U.S. Bureau of Mines Director John F. O'Leary Thursday released the text of six orders to coal mine inspectors designed to improve the bureau's inspection procedure under existing laws.

The first order directs inspectors to immediately increase the number of spot check visits to underground mines. O'Leary wants the inspectors to conduct at least 1,000 such inspections each year. During 1967 they spot checked on 175 occasions.

The order means that each inspector will have to make an average of five spot checks annually.

In O'Leary's words "The mines where such inspections are to be conducted shall be selected at random and are to include the better operated mines, as well as mines where it is suspected that an operator is not complying with the act and code between regular inspections."

Inspectors were told that if violations of the act are observed, a complete regular inspection of the entire mine shall be started promptly.

"If the members of the safety committee at a mine, or any three employes at a mine, or any representatives of the mine workers' organization that has jurisdiction at the mine desire to bring to my attention any mine conditions or practices that they may deem hazardous, they should be invited and urged to do so by signed letter addressed to me in Washington. These persons should be assured that such letters will be held in strict confidence," O'Leary told the inspectors.

Another order states that no bureau employe shall review with persons outside the bureau any report of a coal mine inspection, any report of a coal mine investigation, or any report of a coal mine disaster before such reports are officially released for distribution.

Appropriate notices shall be issued promptly for all violations of the provisions of section 209 of the Federal Coal Mine Safety Act, O'Leary told his inspectors. Such notices, he said, shall be written underground promptly after a violation is observed and handed to the mine official who accompanies the inspector. The notices are to be posted on a bulletin board, too.

Inspectors were directed to record observed violations of the federal mine safety code in the inspection report as violations regardless of when they were corrected. The action taken to abate the violation is to be recorded immediately following the statement of violation.

O'Leary instructed his inspectors to list on the last page of their reports of regular inspections the number of observed violations of the act and code by date of inspection. Violations are to be identified and the number of times a violation was observed are to precede the identification of the violation. This order applies to inspections of mines which require more than one day to complete.

"Experience has demonstrated that the presence of inadequately inerted coal dust in gassy mines can propogate explosions initiated by the ignition of methane or other ignition sources. Consequently, in a gassy mine the presence of observable inadequately inerted coal dust creates a danger that a mine explosion or a mine fire will occur in such mine immediately or before the imminence of such danger can be eliminated and shall be cause for the making of an order of withdrawal under section 203 (A) (1)," O'Leary told inspectors in another memorandum.

Wirtz Hurls Challenge at Corcoran and Boyle—Mine Safety Action Urged Immediately

(By Ray Martin)

WASHINGTON.—Secretary of Labor Willard Wirtz Thursday challenged the willingness and readiness of a coal mine executive and a union leader to take effective action in the interest of mine safety.

Wirtz' targets were John Corcoran, president of Consolidation Coal Co., and W. A. (Tony) Boyle, United Mine Workers president.

The two men were in the parade of government, industry and education officials who made statements at a conference on mine safety called by Secretary of Interior Stewart Udall.

Udall called the one-day conference on Nov. 29, the day that 78 miners were sealed into an underground tomb at Consol's No. 9 mine at Mannington, W. Va. The men were trapped in an explosion in the mine Nov. 20.

Corcoran said, "There can be no question that the health and safety of employees in the coal mining industry must be given first priority."

The Pittsburgh-based coal executive added, "I cannot and do not accept the all-too-prevalent attitude that periodic disasters are inherent and an unavoidable risk of the industry."

After outlining the company's current research programs the Consol executive said, "We are prepared to cooperate fully by contributing time, talent and money to any new and promising areas of research which may be undertaken by joint government and industry groups."

Continuing, Corcoran said, "In the regulatory area, we favor and will support any meaningful and constructive changes in laws and regulations that will improve coal mine safety. We would, of course, urge that all laws and regulations relating to safety must be strictly and uniformly enforced."

He said he also spoke for the National Coal Assn., American Mining Congress and the Bituminous Coal Operators Assn. The latter group represents the coal mine operators in negotiations and contractural arrangements with the United Mine Workers of America.

Immediately prior to Corcoran's statements, Surgeon General William Stewart told the group assembled in the Interior Dept. Auditorium details of the Public Health Service's recommendations for coal dust control standards.

This standard calls for a respirable dust level in the coal mines not to exceed three milligrams per cubic centimeter of air.

The PHS officials said the standard recommended to the Dept. of Interior, if properly enforced throughout the soft coal mining industry, would make a significant reduction in new cases of pneumoconiosis (black lung) and decrease the rate of progress of old cases.

Wirtz asked Corcoran if Consol was prepared to implement the coal dust regulation.

Corcoran said he would agree to it in "a minute" but asserted that "standards haven't been developed."

The labor secretary then asserted that the coal company executive "reduced everything to platitudes."

Corcoran then said that if the HEW standard "is the right standard, then we'll support it."

He suggested that it must first be determined if the health agency's recommendation is based on "scientific evidence."

The coal company official reiterated the point that he didn't put a dollar sign on safety.

Wirtz then asked Corcoran if Corcoran would implement the standard at once rather than in stages over a period of time, assuming that he were convinced of the standard's validity.

Corcoran then pledged immediate implementation under those circumstances.

Turning to Boyle, Wirtz questioned why the UMW had never taken any action to get enforcement under an agreement between the labor and interior departments.

The agreement calls for the cancellation of government with any mine which violates federal safety standards.

The Labor Secretary also wanted to know why individual miners appeared to remain "silent" about safety issues. He also questioned why Boyle had opposed imposition of penalties on miners who violate safety laws during the course of hearings on the 1966 amendment to the mining law.

Boyle said that miners paid a penalty with their lives and that operators controlled all operations in the mine and thus were the responsible parties.

After saying that he doubted that any miner had violated mine safety laws, Boyle said that on a number of occasions the UMW has pulled men out of mines for safety reasons.

The UMW chief asked whether it would be necessary to bring the widows and children of dead miners to Washington next month in order to get Congressional legislation on mine safety.

"We won't need a resurrection city," Boyle said. "We'll bring them in my bus, if you want, have them testify and send them home."

Rep. Ken Hechler, a Huntington, W. Va., Democrat, recalled Francis H. Pierpont's criticism of state mining practices in 1886 following an explosion at Newburg.

Pierpont, who lived in Fairmont, said that "No attention is paid to the inspector's judgment and the mine is still worked. . . . The whole legislation looks like a grim joke gotten up to pacify the miners to give an office and in no way offend the mine owners."

The congressman said the first thing a Task Force on Coal Mine Safety did in 1963 was to arrange a Federal-State Coal Mine Safety Conference.

No one at the conference challenged the difference between the PHS recommendation and that of the Interior Dept. The latter agency would do it on a gradual basis. Under that plan, mines would have a year in which to meet a standard based on 4.5 milligrams of dust rather than three milligrams.

In a lengthy statement, the United Mine Workers president traced the history of efforts to obtain safer working conditions. He said most critics failed to recognize the roll UMW has played.

He said the late President Franklin Roosevelt had Interior Secretary Harold Ickes arrange a conference on mine safety in 1938. Twenty persons were invited. Only two coal operators attended, Boyle said.

The UMW official said the organization's safety efforts have encountered opposition from industry, from government, from coal-mining states and "even at times from the general public." He said such opposition has compelled the union to accept compromise legislation in order to secure passage of safety measures.

Among the suggestions offered by Boyle was the establishment of rescue chambers located throughout a mine at certain locations, sealed and ventilated with an opening to the surface through which men could retreat to protect themselves from deadly carbon monoxide in case of a mine explosion.

The union president charged the Bureau of Mines is inspecting mines and writing reports in the same manner that it has for the last 20 years.

Boyle told the conference that Consolidation Coal Co. was the only operator which supported the UMW's efforts to get a mine safety law passed by Congress in 1966.

Labor Secretary Wirtz said "blaming Congress is likely to be an easy way out for most of us."

Hechler indicated that a conference seems to follow every mining disaster and questioned the value of the one held here Thursday.

He wondered whether Congress would have the courage to enact a really meaningful coal mine health and safety law.

"Will the Bituminous Coal Operators Assn. go out and try to weaken the law and drive loopholes at the expense of those who work in the mines?" the Congressman asked.

Hechler cited the emphasis placed on safety in the Federal Aviation Act and said similar priorities have to be placed in mine safety laws.

"We must write health and safety into new legislation to make it unmistakably clear that this generation and its successors value human life above production and profit," Hechler said.

"If we do our job, we won't have to have any more coal mine safety conferences," he added.

Hechler had a verbal brush with Wirtz, too. Wirtz wanted to know why there wasn't more cooperation in health and safety matters between the legislative and executive branches of government.

Jerome B. Gordon, an associate of Ralph Nader, described the problem facing the conference as "the current disarray and future prospects of change in federal mine safety policy."

Gordon cited three mine disasters this year—two in West Virginia and one in Louisiana. In the case of Mannington, W. Va., and Belle Isle, La., disasters he said the mine inspectors found extensive violations but nothing was done to insure compliance by the Interior Dept.

"What we have here are sufficient grounds for the filing of charges of criminal negligence against the mine operators, mine union leadership and executive agency for its subservient behavior in the face of substantive industry opposition to federal control in safety matters," Gordon asserted.

He challenged the accuracy of statistics of mine injuries and fatalities.

He scored the Bureau of Mines practice of submitting pre-publication copies of reports on mine disasters to both mine operators and mine union reviews for "editing" prior to official release.

Gordon said the chances for change in mine safety under the incoming Nixon administration appear "black."

He said coal operators weren't the real foes of safety legislation. He said it was the owners of the mines. Railroads, steel companies and oil companies were said to be the mine owners.

Interior Secretary Udall opened the conference with a review of legislation which the department will submit to Congress next year. It follows the pattern of the bill submitted by President Johnson in September with some modification.

During the course of his remarks, Udall acknowledged that Nader had been "correct in his charges concerning the Bureau of Mines" last March.

In his remarks, the Surgeon General cited the role of the University Hospital in Morgantown, W. Va., and the Appalachian Laboratory for Occupational Diseases is also in Morgantown in the effort to combat the effects of black lung disease.

Sen. Robert C. Byrd, D-W. Va., announced that he would sponsor mine safety legislation next year.

Others appearing at the conference included Charles T. Holland, dean of WVU's School of Mines; Benjamin Linsky, air pollution control administrator, WVU; Rep. James Kee and Secretary of State-elect Jay Rockefeller.

Interior Department Remained Silent On Major Mine Safety Law Changes

(By Ray Martin)

The passage of time has a habit of changing attitudes. Memories tend to be short and thus the ravages of time can almost obliterate dire and chaotic situations.

Twenty-one months ago, in March 1967, Secretary of Interior Stewart Udall made a report to Congress on a special study made by the Bureau of Mines to determine the "sufficiency" of the safety requirements of the Federal Coal Mine Safety Act of 1952, as amended by Congress in 1966.

The second paragraph of the 1967 report states:

The study, now completed, has disclosed that rather extensive revision would be advisable to protect mine workers from loss of life and mine property from destruction."

Three paragraphs later, after a brief explanation of the study's contents, the report states:

It is suggested that the changes in the Act numbered 1, 4, 5, and 6 could appropriately be made now, but that the other changes should be deferred for at least one more year, so that the present Act may be studied further and a better evaluation of its application made. A supplemental report will be submitted prior to March 26, 1968."

The "supplemental" report was never submitted to Congress. Questions raised by Ralph Nader, the consumer protection and automobile safety crusader, on March 25, 1963, led to a "careful review" of the Capitol-bound report.

The Bureau of Mines prepared a draft copy of the Federal Coal Mine Health and Safety Act of 1968 as a substitute for the report. The proposals didn't meet with White House approval and President Johnson has had the measure rewritten to make it more effective. The President's bill was introduced in Congress in September by Rep. Ken Hechler of West Virginia.

Mr. Nader had charged that thousands of American coal miners faced unnecessary risks because the Bureau of Mines was the "captive" of the coal industry in drafting mine safety regulations.

The 1967 report to Congress, listed the possible changes in the Act "in the order of their probability of reducing mine accidents and improving the effectiveness of the federal inspection service."

The first proposal was for extension of mandatory roof support requirements to include "working faces where the majority of workers are injured by falls of roof, face, or ribs and where disaster potential is virtually always possible."

Delay was recommended for the next two proposals. They concerned the deletion of the "grandfather clauses" from provisions governing use of electrical equipment, thus making use of permissible equipment mandatory in gassy mines and an increase in the quality of air in all mines.

With respect to the latter proposal, the report said, "These requirements should greatly reduce gas ignitions, which all too frequently become explosions."

Action was suggested on the next three proposals. They would:

1. Require some means of directing the ventilation current from the last crosscut to the working face where gas is almost frequently liberated and where ignitions occur with alarming frequency.
2. Require that each mechanized section of a gassy mine be ventilated by a separate split intake of air.
3. Require that idle or abandoned sections be inspected for gas and other hazards before men enter or work therein.

No action was taken to amend the law in 1967 or 1968 with respect to the four points listed by the Secretary of Interior in the March 1967 report to Congress.

The remaining 14 points on which the report said action could be delayed until 1968 included:

Rescinding the provision that air from unsealed abandoned areas may be used to ventilate active face areas.

Rescinding the provision that air that has passed through an abandoned panel which is inaccessible for inspection or air that has been used to ventilate a pillar line may be used to ventilate an active face area.

Require that only permissible explosives or permissible blasting devices be used underground in mines and that these be used in a permissible manner.

Require that gas tests be made before and after the firing of each shot or group of shots to minimize the possibility of gas being ignited by blasting.

Require at least two separate and distinct travelable escapeways from each working section of a mine.

Require that only fire-resistant hydraulic fluids be used in the hydraulic systems of underground equipment.

Require that deluge-type water sprays with temperature actuators, or equally effective devices, be installed at belt-conveyor drives to combat fire.

Require that electrical equipment be kept free of accumulations of oil, grease, and fine coal to minimize the fire hazard.

Require that precautions necessary for the safe use of belt conveyors to transport men be mandatory.

Clarify the requirements for collecting air samples in order to classify a mine as gassy.

Extend authority to duly authorized representatives of the Bureau of Mines to annul imminent-danger closure orders to eliminate the time and expense now incurred by lack of such authority.

Modify the cooperative Bureau-State Plan inspection system which wastes time, increases the expense of inspecting mines, and has not been widely accepted by the major coal-producing states.

Revise Section 105 to require mine operators to report the man hours worked in order that injury statistics may be calculated properly and thus be more meaningful.

Revise Section 209(g)(4) to permit the use of plastic (or equivalent containers (for oil and grease) which might be better than metal, but which were not available when the Act was passed.

Although the 1967 report suggested a year's delay on the "grandfather clause" section, Page 7 of the document had this to say on the subject:

"The 'grandfather clause' in the law since 1952 have permitted the continued use of nonpermissible equipment, thereby giving the owner an opportunity to wear out equipment which he owned. However, 15 years have elapsed since the passage of Title II of the Act, which would indicate that the equipment may never wear out because all the parts of an entire machine may have been replaced during this period. However, the same serial number is retained, and such procedure could be continued ad infinitum. Hence, the safety afforded by permissible equipment might never be realized in certain mines."

The tragedy that occurred at Farmington at 5:30 a.m. Nov. 20 has served as a catalyst to generate a revived interest in mine safety. On Nov. 29, the day that Farmington No. 9 mine was sealed with 78 miners underground, Secretary Udall announced that a conference "to make coal mining safe" would be held in Washington on Dec. 12.

"The people of this country no longer will accept the disgraceful health and safety record that has characterized this major industry," Secretary Udall said as he opened the Washington conference.

Continuing, he said, "We consider ourselves an enlightened people. Ours is an affluent society, technologically as advanced as any on earth. Yet we have accepted, even condoned, an attitude of fatalism that belongs to an age darker than the deepest recess of any coal mine. At every level of responsibility, from the individual miner to the highest councils of government, we have looked with horror on the spectres of death and disease that haunt our mines. Then we have shrugged our shoulders and said to ourselves: 'Well, coal mining is an inherently hazardous business,' or 'It's too bad of course, but as long as coal is mined men inevitably will die underground.'

"We no longer can continue on this path. We cannot continue to ignore harsh reality in the hope that it will go away. More important, we all must face up to our responsibilities. Management must realize that it has the primary responsibility for health and safety in our coal mines, assisted in no small measure by the men working in the mines. The Federal Government can establish the standards and assist in the process through inspections and training, but, in the last analysis, management and labor must see to it that good safety practices are observed," Secretary Udall said.

Since the disaster at Farmington, Secretary Udall said his staff has been striving to answer the question: "What can be done to guarantee a safe and healthful working environment to the men who mine our coal?"

Approaches to the question were along three principal lines. First, the department sought to determine whether it was doing everything possible under present law. Second, the department closely scrutinized the strong mine health and safety measure proposed by President Johnson last September to see what further refinements are possible.

UDALL UNVEILS NEW MINING LAW AFTER CRITICIZING CONGRESS

(By Ray Martin)

Before unveiling the text of the proposed Federal Coal Mine Health and Safety Act of 1969 at the Washington conference "to make coal mining safe," Interior Secretary Stewart Udall commented on Bureau of Mines activity under the existing law.

"Regrettably," Secretary Udall said, "I must report that we have found that the Bureau could have done more than it has done."

Elaborating, he said, "The Bureau traditionally has sought to achieve the objectives of our coal mine safety laws by encouraging the cooperation of mine operators and workers. Federal inspectors have brought their enforcement powers into play only on a limited basis, relying in the main on attempts to obtain voluntary compliance with the law's provisions.

"This approach, which perhaps relied too heavily on persuasion, was natural outgrowth of the Bureau's experience during a decade of operation under the Federal Coal Mine Inspection Act of 1941, which endowed the Government's coal mine inspectors with advisory powers only. Moreover, the Bureau's experience over more than a quarter century has shown clearly that the willingness of both management and labor to accept their share of responsibility for safety varies markedly from one mine to another.

"It is clear now that persuasion alone cannot do the job," the secretary said.

Secretary Udall then reviewed six new directives designed to strengthen inspection under the existing law that were issued by Bureau of Mines Director John O'Leary.

These new orders, among other items, call for the issuance of violation notices for every violation found by inspectors and eliminate the practice of telephoning mines a day prior to inspection to determine if the mine will be operating. Also outlawed by the O'Leary directives is the practice of letting representatives of management and labor "edit" reports on mine disaster prior to their release to the public.

It was in 1952, the secretary pointed out, 42 years after the public outcry at the wanton sacrifice of human life in the underground coal mine industry led to the establishment of the Bureau of Mines, that the Government took its first timorous and hesitant step away from voluntarism in the effort to prevent major mine disasters.

"The hesitant, indeed the almost apologetic, manner in which the Federal Government entered the field of enforcing mine safety standards is illustrated by the fact that the 1952 Act was designed to control the occurrence of major disasters only—those which as the the legislative history observes, take the lives of five or more miners in a single accident," Secretary Udall said.

Continuing, he said, "The non-disaster type of safety as well as the entire field of health were not only not covered; the intention to do so was expressly disavowed! And this, in the face of the fact that major disasters even then accounted for not more than 10 per cent of the fatalities in underground coal mining.

"The causes of 90 per cent of the fatalities in coal mining as well as the entire field of health were left where Congress found them in 1952—outside the scope of the federal law," Secretary Udall said.

He said nothing more graphically illustrates the limited nature of federal concern with mine safety under the present law than the example cited by the House committee reporting out the 1952 legislation—that of "permissible equipment."

"The only concern that the Bureau of Mines was to have with 'permissible equipment' was to determine whether its design, construction, and operation were such that it would not cause a mine explosion or a mine fire. The committee stressed the fact that the legislation it was reporting out did not require the equipment to be designed or maintained with regard to the health and safety of the operator or the men working around the equipment. The Federal law, the committee underscored would not protect the operator or the men from, and these are direct quotes, 'the lack of, or inadequacy of, guards or protective devices'," Secretary Udall said.

As he introduced the department's proposed legislation to the nearly 300 people in the Interior Department auditorium on Dec. 12, Secretary Udall said, "We would like your views on how it can be improved, recognizing that we still have time before Congress convenes and before we must finalize it for the 91st Congress."

In its "declaration of purpose," the proposed law states, in part, "That the operators of such mines have the primary responsibility to prevent the existence of unsafe and unhealthful conditions and practices in such mines with the assistance of persons working in such mines."

The proposed law, according to the secretary, would replace the 1952 Act and "provide a flexibility of response that is urgently needed as the technology of coal extraction changes and new mining hazards appear."

As far back as 1938, with the passage of the Federal Food, Drug, and Cosmetic Act, Congress recognized the necessity for flexibility of response. That Act gave the agency responsible for its administration freedom to develop and promulgate mandatory health and safety standards and revise old ones as the need is apparent.

The need for such flexibility in an age of rapid technological change has been acknowledged time and again by Congress during the past decade in such legislation as the Aviation Act of 1958, the Water Quality Act of 1965, the National Traffic and Motor Vehicle Act of 1966, the Federal Metal and Nonmetallic Mine Safety Act of 1966, the Clean Air Act of 1967, the Natural Gas Pipeline Safety Act of 1968, and the Radiation Control for Health and Safety Act of 1968.

Pending formulation of new standards, the department's proposed law provides for continuing on an interim basis, with some improvements and additions, the safety standards for underground coal mines that are now in the existing law. These interim standards would remain in effect until changed by regulation of the Secretary of the Interior.

Seven sections of the proposed law would take effect 90 days after its passage by Congress and the remainder would become effective upon adoption. This means, for example, the Secretary of the Interior has 15 months to prepare safety standards for surface coal mines and no specific time in which to chart new standards for the underground mines.

In the development of such standards, the secretary is obligated to consult with other interested federal agencies, representatives of the States and coal mine operators and workers.

A significant feature of the proposal is that it would, for the first time promulgate an interim health standard for underground coal mines. The standard was developed by the Secretary of Health, Education, and Welfare and published a week ago. It requires that all mines must reduce respirable dust concentrations at the active working places to achieve as soon as technically feasible an interim mandatory health standard of three milligrams of dust per cubic meter of air. The Interior Department would publish the compliance schedule in the Federal Register 60 days after enactment of the new law.

Secretary Udall said, "It is our present thinking that the first step in the schedule would be to require that all mines meet a standard of 4.5 milligrams of respirable dust per cubic meter of air not later than one year after enactment."

The proposed law would extend the secretary's health and safety responsibilities to surface coal mines, such as strip and auger mines, which now supply well over a third of our domestic coal production and account for roughly 12 per cent of the fatal and nonfatal injuries in the coal mining industry.

A major thrust of the proposal is in the provisions it makes for coping with the causes of the many fatal and nonfatal injuries that are in the accident category, resulting mainly from carelessness or negligence on the part of management or labor.

According to Bureau of Mines preliminary figures for this year, 203 of the 290 fatalities recorded were in the "accident" rather than the "disaster" category.

The proposal would incorporate several other improvements on the existing law. It would:

Authorize inspections and investigations of coal mines for various purposes, including development and promulgation and enforcement of mandatory health and safety standards.

Authorize the appointment of advisory committees to assist the secretary in carrying out his responsibilities.

Provide for the issuance of withdrawal orders by the inspector in cases of imminent danger. The latter means the existence of conditions or practices in coal mines which could reasonably be expected to cause death or serious physical harm before such conditions or practices can be abated, such as a roof fall. (The present law limits authority in this respect to mine explosions, mine fires, mine inundation, or man-trip and man-hoist accidents, the so-called major disaster type conditions.)

Require the inspector to issue notices in all cases of violations of the mandatory standards which would not result in an imminent danger. Failure to comply could result in the issuance of a withdrawal order.

Provide that all withdrawal orders would remain in effect until modified or terminated by the inspector.

Provide injunctive relief.

Provide for the assessment of a civil penalty of not less than $500 or more than $10,000 on the operator of a coal mine in which a violation of a mandatory health or safety standard occurs. Each violation is a separate offense. The penalty may be compromised by the secretary, but the findings must be published in the Federal Register.

Provide for the assessment of a civil penalty of not less than $25 and not more than $500 on persons who work in the coal mine and who themselves violate the mandatory health or safety standard.

Provides that whoever knowingly violates or fails or refuses to comply with any order issued under the Act shall, upon conviction, be punished by a fine of not more than $5,000, or by imprisonment for not more than six months, or both. A second conviction would bring a fine up to $10,000, a year in jail, or both.

Remove the differences in standards as between gassy and non-gassy mines. All mines would be subject to same standards.

Require a roof control plan approved by the secretary for the face and other active working places as well as the travelways and roadways.

Require pre-shift examinations at all mines.

Require examinations for methane in face workings of mines where electrically driven equipment is operated at least every 20 minutes.

Require that all electric face equipment in a coal mine shall be permissible and be maintained in a permissible condition. Mine-by-mine exceptions where nonpermissible equipment is in use and replacement equipment is not available can be authorized by the secretary.

Require accurate and up-to-date maps showing all active workings, all worked out and abandoned areas, elevations, escapeways, adjacent mine workings, mines above and below, water pools above, and oil and gas wells in such mine.

Require at least two separate and distinct travelable passageways clearly marked as escapeways which shall be maintained in safe condition.

In concluding his remarks, Secretary Udall said, "I understand that not far from the scene of the Farmington tragedy there stands a monument to the memory of 16 miners who died more than 14 years ago as the result of an explosion in the same mine that now has claimed the lives of 78 others. Doubtless another monument will one day be dedicated to these latest victims of coal mining.

"We, who are meeting here today, have an opportunity to build another kind of monument—a monument to the living, which can be more durable than any that is made of stone. To build that monument we must be determined and united in our purpose and constant in our dedication to the cause of humanity," the secretary added.

Following Two Mine Disasters: Linsky's Hypothesis Predicts Prompt and Sweeping Action

(By Ray Martin)

When Secretary of Interior Stewart L. Udall announced his one-day conference "to make coal mining safe" he said, "I believe it essential now to examine the full range of federal and state programs for protection of miners and to reevaluate the effectiveness of discharge of responsibilities by government, management and labor. Views of all informed persons who share my concern should be made known."

Eight college and university educators attended the Dec. 12 conference in Washington, including two from West Virginia University.

"My attendance here is for the College of Engineering of WVU," said Benjamin Linsky, who ended the parade of witnesses before Secretary Udall and Labor Secretary Willard Wirtz.

"I am not a mine specialist, but have been a flammable gas and dust explosion specialist and safety engineer. Because I have been and am now an air pollution control engineering specialist and control program administrator, it was thought probable that this broad environmental engineering background might bring to light some fresh approach that could be explored with people and groups who are skilled in mining," said Professor Linsky.

Continuing, he said, "Two such ideas have come to mind so far. One of them may be useful to you right now.

"It takes two similar disasters within the memory of living public leaders to bring about expensive or otherwise troublesome legislated changes for the public environment," the WVU professor said.

This fifth hypothesis of semi-social physics, he said, rose out of the Study Club fire in Detroit followed by the Coconut Grove fire in Boston and the Meuse Valley, Belgium, smog followed by the Donora, Pa., smog. The two London smog disasters within the 1950s led to similar action there.

"Now, the Hominy Falls disaster followed by the Farmington disaster seems to provide another such example," Professor Linsky said.

Fortunately, when these events occur in pairs, even though the first one is shrugged off as being an "unusual" combination ("one in 100 million"), the second one cannot be shrugged away by conscientious leaders, the professor pointed out.

"Also, fortunately, when the catastrophic legislation and administrative programs are brought into being, the entire subject area is moved in on. Thus I would expect new and reinforced nation-wide fire safety, mechanical safety, and occupational disease laws and programs, not just for coal miners, during the next year," said Professor Linsky.

The approach taken by Dean Charles T. Holland of WVU's School of Mines was somewhat different than that of other educators. Leaving early because of other commitments, Dean Holland's prepared remarks were read by George E. Evans Jr. of the Kentucky Coal Association.

"This meeting is being held primarily because we have been rudely jolted recently by a serious mine explosion. As the matter stands right now, we do not even know what led to this explosion. It may not have had anything to do with our laws, or inspectors, or the matters that we will consider here," the dean's text said.

Continuing, he said, "Mining is a hazardous occupation, and additional attention should have been given to mine safety years ago. Doubtlessly suggestions will be made today for increased legislation, stricter legislation, for more research, and possibly deeper research into mine safety, for more inspectors, and stricter inspection, and more frequent inspections. All of these things, undoubtedly can contribute to mine safety and all, especially those pertaining to research are worthy of consideration.

"We have piled federal mine inspectors on top of state inspectors, and then we have increased the number of both; and yet these disastrous accidents continue to occur. Evidently, our research findings are not being applied, or not applied in the right way. Our laws are not being properly interpreted, or not being applied with the maximum benefit; and our inspections are not reaching the core of the matter. So it would seem that something beyond more legislation, spending more money on research, and additional inspectors is needed," Dean Holland said.

The WVU dean said that part of the "something that is lacking" is an insufficient number of properly trained men to supervise the mines, to engineer them, to inspect them, and to carry out safety provisions provided by mining laws. He said there were two reasons for this situation.

"Since 1953, an insufficient number of young men have the requisite training entering the mining industry have been available to provide the personnel for the engineers, managers, general managers, executives, superintendents, and mine foremen in our coal mines, and other mines," the dean said.

He noted there were about 100 graduates a year to supply the needs of the hard-rock mining, non-metallic and coal mining industries.

"The second fact that has helped to cut down the number of men qualified to take on the advanced training needed to look after our safety requirements is that since 1950, panels of unemployed men have existed at our mines, and as a result comparatively few high school graduates have been employed, especially the better trained and more capable high school graduates, during that period in the mines. Hence, the mining industry has been operating extensively throughout the country seriously undermanned insofar as technical and scientifically trained personnel are concerned," Dean Holland said.

"Until this situation is remedied, piling more laws on our present laws, or increasing the research over our present research effort is not going to be very effective. Insofar as additional properly qualified inspectors are concerned, we can only get them by robbing segments of the industry which need them for safety reasons more urgently than the inspection force does," he said.

Dean Holland called for the initiation of a program designed to attract more young men to the mining industry and hence available for collegiate training.

"It is useless to expect the schools to get out and hunt them up. We do not have the money to do it, nor do we have the staff. This is a job that will have to be done by the Federal Government, the state government, and the mining industry acting in unison," the dean said.

Continuing, he said, "The second thing is, now that the panel of unemployed has been pretty well dissipated, we should be encouraging the better qualified high school students who do not go into our colleges for engineering training and managerial training to accept positions in the coal industry; and third to provide a means of training for them at the mines or close to the mines that will give them the technical education necessary for them to rise to the positions of say general mine foreman even superintendent. Such training can be gotten through extension programs, or through community colleges, or even by correspondence schools. These young men who come to us from high schools who have the ability to take on training of this kind, should be encouraged in every way possible by the management to do so."

Dean Holland observed that WVU has an extension program that operates better than most states. Some states, he said, do not have anything of this nature. He said that money for extension training could be obtained from state legislators, or the industry itself might put up the money to carry on the training.

"The training need not be concerned entirely with mining subjects, certainly good mechanics and good electricians are just as essential to mine safety as are good mine foremen, good assistant foremen, and good safety people. Without top-notch maintenance, safety is largely a hollow word.

"It is important," Dean Holland stressed," to urge that this work be carried on under the direction of mining people who understand the situation, and who have the welfare of the industry at heart.

"The program should not be supervised by general extension people or others who have little or no sympathy for the mines: nor should such people be in a position so that they can control the programs. This type of training should be under the strict control of mining people," Dean Holland said.

Concluding his prepared remarks at the Washington conference, Dean Holland said, "If the suggestions above are followed, we can do a lot in comparatively short time to improve our situation insofar as the supply for qualified properly trained men are concerned to apply the things that we know will make for safe mining. If these are not done, more research, more laws, and more inspection is largely going to be wasted."

PENNSYLVANIAN TELLS HEARING WEATHER AFFECTS COAL MINES

(By Ray Martin)

The march of science and technology has been under way in the coal industry as in other sectors of the national economy, with the result that the average miner now extracts six times as much coal in a day as his father did 20 years ago.

Yet today's 144,000 miners are no safer underground than were their predecessors. The toll of death and disability—higher in coal mining than 39 other major industries—varies little from year to year. Given the fact that the coal industry is making money, one is impelled to wonder why.

"I am afraid that I would have to attribute this failure along with many others in our nation to lack of sense for priorities in our national affairs," was the way Dean C. L. Hosler put it in Washington on Dec. 12 at the conference "to make mining safe."

The dean of the College of Earth and Mineral Sciences at Pennsylvania State University observed that we spend billions of dollars in glamour areas to apply technology and "to assure the safety of astronauts and clerks in the Pentagon."

He said we have spent similar billions for the development of atomic energy for peaceful uses with all of the attendant safety research and education and then posed the question of how many billions have been spent for research to improve the efficiency and safety of mining operations "which are a primary source of the wealth of our nation and which employs hundreds of thousands of people."

Dean Hosler told the audience in the Interior Department auditorium that "one by one, the Departments of Mining at Lehigh University, Carnegie Tech., Ohio State University, Illinois and Lafayette have closed down and the programs at the Universities of Pittsburgh and Kentucky are in jeopardy due to lack of interest on the part of either Government or industry in preserving an educational structure to promote education and research in mining and mineral engineering fields absolutely vital to the survival of our nation in peace or in war."

He said the research the academic community has done has often been peripheral to the real problems of mine safety because money was not available to attack them.

The dean cited the problems his state was having in obtaining funds for training programs which would lead to an associate degree in mining technology.

"My first discouragement with mine safety measures came 20 years ago when I conducted and published a study clearly demonstrating a cause and effect relationship between weather changes and the occurrence of dangerous conditions in mines," Dean Hosler said.

"Having noted that in England a warning system based on similar studies has been in effect for the last 15 years, it is understandable that I have been somewhat disappointed that up until today no such steps has been taken in the United States.

"Where is there a mine in which the time and space variations of dust and methane are known and monitored? To the best of my knowledge, spot checks are usually made that are not representative of any other place in the mine or any other time than when taken. It isn't as if we can't do it. We simply do not do it," the dean said.

Concluding these remarks, Dean Hosler said, "I feel a great sense of failure and frustration after each disaster when I check the atmospheric pressure trace and realize that on most occasions a warning could have been issued in advance of the occurrence of dangerous amounts of gas and dust."

"POORMOUTH" ATTITUDE HURTS COAL INDUSTRY

(By Ray Martin)

Although the question of rapid temperature fluctuations in coal mines was downgraded in the wake of the Nov. 20 disaster at Farmington No. 9 mine, it is reported that Bethlehem Steel Co. has for years doubled and tripled safety precautions at its coal mines whenever there is a sharp drop in temperatures during the winter months.

Dr. Robert Stefanko, head of the Department of Mining at Penn State, told the Washington conference that "coal mining has become extremely complex with its high degree of mechanization.

"While continuous mining may have improved economic conditions, it has created greater potential hazards. Higher penetration rates and a production of more fines contributes to greater methane liberation," he said.

Continuing, Dr. Stefanko said, "The spark-generating capability of bits striking hard occlusions in the coal seam and the more complex electrical system maintenance create potential ignition hazards. At the same time, the bulk of the machine makes effective face ventilation more difficult. Finally, mining is proceeding to greater depth which generally means more gassy conditions."

After citing a decline in attendance at continuing education courses in mining subjects and the shortage of college-level students pursuing mining careers, Dr. Stefanko posed the question of how the industry got into its present plight. Answering it, he said:

"Certainly the economic situation until recently was not bright. During the 1950s the market and subsequent production of coal shrank markedly. Mines were shut down and unemployment was rampant. Companies were reduced to 'poor-mouthing' in order to receive tax and other concessions.

"As President John Corcoran of Consolidation Coal Co. recently said, the industry did such a good job of downrating itself that now it cannot attract the people that a vigorous industry demands.

"An industry cannot have two images: a black one to wring concessions from Government, and a bright one to attract talent for the industry.

"The industry spends less money for research than any other—a tiny fraction of 1 per cent of its sales. Its answer generally is to let the Bureau of Mines do it—and how well does the industry support education and training?

"Scholarships for mining engineering are practically non-existent," Dr. Stefanko said. "An industry with such policies toward education and research could not help but arrive at its present deplorable position."

Dr. Stefanko concluded: "Too long have shoulders been shrugged and dangerous practices accepted as inherent in the industry. Not enough has been done to improve safety. Instead of trying to assess blame, constructive programs should be adopted to eliminate today's safety problems."

Dr. John J. Reed of the Department of Mining Engineering, Colorado School of Mining, said, "Instrumentation is available, in rudimentary form, to warn of impending rock falls underground, but it is used more in construction than in mining. Research can develop more such warning systems if funds and personnel are made available, and education can assist those working underground to utilize such new tools to prevent accidents.

"Adequate state departments of mines are the exception rather than the rule, for lack of interest, funds, and educational qualifications for technical personnel. Yet mining in one form or another is a basic industry in every state," Dr. Reed said.

"Many of the coal companies carry out their mine development plans under the direction of someone other than a mining engineer," said Dr. George Richard Hill, dean, College of Mines and Mineral Industries, University of Utah.

"In the concern for minimizing the costs of coal production, those responsible for the development may overlook engineering safety features due to their lack of comprehensive engineering training," the dean observed.

Continuing, the Utah educator said, "Unfortunately as curricula in mining engineering become more sophisticated and as pressures for more general education courses increase within universities, courses on mine ventilation and safety practices have been reduced.

"More research should be directed toward mine safety in mining engineering departments of universities. The input from fundamental research in related areas is readily available to assist in the design of new equipment for mine safety. The U.S. Bureau of Mines should receive funds for supporting contract research with universities for this purpose," Dr. Hill said.

Ernest M. Spokes, chairman of the University of Missouri's Department of Mining and Petroleum Engineering, said that "we must be ready to change our safety codes to meet technological changes as they appear, instead of reacting to them several years after they have been in effect.

"New information is useful only when it gets to the proper people. We need to devote more time to safety at company staff meetings, union meetings, mining institutes, seminars, and conventions of professional societies. We should have short courses in safety as part of our continuing education programs for engineers and executives.

"It is a truism that a safety program reflects the concern of the highest company officials. That concern can be fully generated only by those officials who have been properly educated in the broadest aspects of safety, including the costs to the corporation and society," the Missouri educator said.

"Most of the needed technology for safe operation of mines is probably available," declared W. G. Worcester, Virginia Polytechnic Institute's dean of engineering. "It should be sought out and applied, with due regard for the social and economic factors that distinguish the mining system from the other systems. The key to this approach may be the deliberate involvement not only of those skilled in mining, but of people with a broad range of skills and training in areas other than mining, who may be able to suggest fresh approaches from a new perspective, and who can bring to the mining problem the knowledge that has been developed in other fields."

Dean Worcester called on the Interior Department to form "task forces" to investigate all of the events that led to the Mannington mine disaster; catalog the applicable research findings already available; evaluate the research now in progress, or in the proposal stage; solicit from all sources new ideas and new approaches; and to develop estimates of time and cost for a comprehensive program.

"In the short term," Dean Worcester said, "it should be possible to improve the safety and reliability of power and communications systems, the control of ventilation, the in situ rock properties and some of the human behavioral problems that lead to accidents through carelessness.

"Longer-range studies should deal with rescue vehicles capable of operating under extremely adverse conditions—even in a burning mine; life-support systems to keep men alive while a rescue is effected; new communications techniques, less vulnerable to disruption in the event of disaster; remotely-controlled or automatic mining machinery; techniques for mining in a nonexplosive atmosphere; techniques for the removal and use of methane; dust control or collection; improve cutting machinery; and reliability studies of all the components of the mining system," Dean Worcester said.

On the Need for New Mining Laws Senators, Representatives Have Differing Views

(By Ray Martin)

"I'm horrified at the disaster," said George Judy, president of the Bituminous Coal Operators Association, referring to the Nov. 20 disaster at Farmington No. 9 mine in Mannington.

"But let's not go off half-cocked. Are you going to take all the airplanes out of the sky because they crack up and kill 78 people? A submarine went down here recently with people aboard, but as far as I know they haven't shut down all the submarines," Mr. Judy said.

He was objecting to legislation proposed by the Administration which would give the Secretary of Interior tough new controls over mine safety and permit him for the first time to keep standards abreast of changing mining methods. The legislation was proposed prior to the November disaster, but some coal operators have seized on the West Virginia tragedy as if it were an isolated incident and the safety proposals a punitive response.

The coal industry may speak out for or against legislation. The President may issue an impassioned plea. The mine workers' unions may take a position on proposed laws. Some segments of the general public may be heard from on the matter at hand. It is the members of Congress, both House and Senate, who must act to change the existing federal laws concerning coal mining safety. What have they said?

Arch A. Moore Jr., Governor-elect and member of the U.S. House of Representatives from West Virginia's First District, which includes Marion County—the scene of the Nov. 20 tragedy—attended the Dec. 12 conference "to make mining safe" but made no public statements.

The state's Second District member of the House, Harley O. Staggers, said that whenever there is a disaster of this scope, there are those who immediately want to "pass a law."

Commenting, in the wake of last month's disaster, Representative Staggers said, "No one knows at this point what the facts are, and we must determine those facts before rushing into the enactment of new legislation."

The Second District congressman added that "if there is need for additional legislation, I will support it."

On the day of the Washington conference, Sen. Robert C. Byrd announced his intention to introduce a broad-ranging bill granting tax credits to mining companies installing miners' health protection equipment in their mine facilities.

The bill would double the present 7 per cent tax credit allowable on new investments.

"Passage of this bill would be an important step toward the elimination of the unsafe conditions existing in some mines which take the lives of miners, either through accident or disease," Senator Byrd predicted.

"In coal mining, for example, companies using the bill's provisions could obtain tax benefits on the purchase of dust suppression equipment designed to prevent pneumoconiosis among miners. The purchase of respirators might similarly be covered," the senator said.

Although present for a segment of the Washington conference, Senator Byrd did not take an active role in it.

Prior to the conference, Sen. Jennings Randolph sent Secretary of Interior Stewart L. Udall a four-page letter. In that letter, Senator Randolph recalled that he was one of the floor managers for the May 7, 1941 law which provided for advisory inspection of coal mines. He also cited his efforts in behalf of the 1966 law which made the provisions of the 1952 applicable to mines employing less than 15 miners underground.

"I give assurance that I will sponsor legislation in the 91st Congress dedicated to improvement of coal mine safety and federal enforcement. Any measure I may introduce will be one which I would endorse in principle, but probably not in all of its provisions and details. Such a bill, in company with those which I presume will be introduced by other senators and representatives, will form the basis for what I hope will be thorough hearings. As a senior majority members of the Senate Labor Committee, I will insist on, work for, and participate diligently in thorough hearings on coal mining practices and safety procedures and on the legislation that may be needed to strengthen them," Senator Randolph told Secretary Udall.

Rep. James Kee of West Virginia's Fifth District told the Washington conference that "our mines must be made safer; our mines must be made healthy."

Regarding the Mannington disaster, Representative Kee said, "I only hope there is enough evidence left to determine what caused it."

In a statement entered into the record at the conference, Sen. Hugh Scott, R.-Pa., said, "The recent mine disasters which have occurred in our country are doubly tragic because they might have been pevented. Too often they have resulted not from natural or unavoidable causes, but from faulty equipment, inadequate preventive measures, and disinterest in the plight of the miners.

"In this age of technological innovation, not enough has been done to protect the physical safety of miners. In an age of scientific and medical breakthroughs, little has been done to prevent or cure 'black lung,' a respiratory disease which causes the death of about 1,000 coal miners each year in Pennsylvania alone," Senator Scott said.

The Pennsylvanian said his state is currently studying the problem of how to control this occupational disease and report is expected about Feb. 1, 1969.

Rep. Daniel J. Flood, D.-Pa., listed a five-point program to strengthen the mine safety laws at the conference. The items listed by Representative Flood were:

1. Constant maintenance of positive communication facilities from the working face to the surface.

2. Additional research to perfect present devices that instantly detect explosive gas and mandatory installation of such devices in the working area and other strategic locations. This is appropriately necessary due to the rapid technological advances of mining machinery that enables cutting and loading machines to remove the coal at very rapid rates.

3. Improvement of ventilation procedures and coal dust suppression techniques to protect the health of the miner and reduce explosion hazards.

4. Construction and maintenance of adequate escapeways, properly located.

5. Strong provisions relating to the installation, use, and repair of electrical facilities and machinery.

Looking directly at the top leaders of government, industry and labor, Congressman Flood declared, "The men don't feel adequately instructed in safety. I don't care what you tell me. I've talked to the men."

(The next article in this series will describe the activities of Rep. Ben Hechler, Huntington Democrat, in seeking increased safety in the nation's mines.)

West Virginia's Representative Ken Hechler Has Keen Interest in Mine Safety

(By Ray Martin)

"The 'instant' experts and the ill-informed are, as usual pointing the finger of blame at the coal industry, at the U.S. Bureau of Mines, at the United Mine Workers of America and at coal mining safety laws," proclaims an editorial in the Dec. 1, 1968, issue of the United Mine Workers Journal.

The editorial goes on to state: "The facts are that there is no simple answer to the question of why such disasters occur. The coal industry, the Union and the state and federal agencies and coal mine safety men do know what causes such tragedies and they do know, in theory, how to prevent such disasters.

"We do know that coal mining is now and always has been the nation's most hazardous industry. We do know that constant vigilance and constant cooperation among all coal mining men is essential if men's lives are not to be snuffed out in such disasters."

Elsewhere in the same issues of the Journal, Assistant Editor Rex Lauck, reporting on the Nov. 20 disaster at Mannington, wrote:

"A few national figures took advantage of an opportunity for publicity to take a 'cheap shot' at the union, management and federal and state governments. While those four groups were working feverishly together in an attempt to rescue the trapped men the 'instant experts' were being interviewed and filmed in Washington and New York far from danger and far from any knowledge of coal mining. This group included Ralph Nader, Sen. Gaylord Nelson (D. Wis.), Secretary of Interior Stewart Udall and Rep. Ken Hechler (D., W. Va.).

"The UMWA will submit mine safety and health legislation of its own to the 92nd (sic) Congress. It is at that time that we will find out who the true friends of the miners are. It will be those who support legislation aimed at improving coal mine health and safety, not those who take advantage of the rash of publicity which comes after mine disasters to get themselves on national television and page one of the daily papers," Mr. Lauck wrote.

Representative Hechler, a Huntington Democrat, has a personal motto. It is: "Better to jump the gun than not to move when the gun goes off."

Born Sept. 20, 1914, two miles outside the town of Roslyn on New York's Long Island, the Fourth District congressman has an early identity with West Virginia through his grandfather, George Hechler. The grandfather was a Union Army volunteer at Parkersburg in 1861 and was mustered out as a corporal at Wheeling in 1865, having been wounded at Antietam and fighting in major battles.

After education at Swarthmore College and Columbia University, Representative Hechler served on the faculties of Columbia, Princeton and Marshall Universities. He was a research assistant to Judge Samuel L. Rosenman and President Franklin D. Roosevelt. Prior to World War II, he held posts with several federal agencies. He entered the Army as a private in 1942 and a year later was commissioned as a second lieutenant. He was discharged with the rank of major and holds five battle stars from Normandy to the Elbe.

The Huntington Democrat is no stranger to mines, miners and mine safety. He had a major role in fashioning the legislation which President Truman sent to Congress in the 1950s. It was emasculated by the legislators and what emerged has been known as the Federal Mine Safety Act of 1952.

The 1952 law gave federal mine inspectors the power of positive action only in the five instances of imminent danger.

It was Representative Hechler who introduced President Johnson's measure in Congress in September. No hearings were held on the bill. He plans to introduce an even stronger bill when the 91st Congress convenes next month.

Following the disaster at Consol's Farmington No. 9 mine, Representative Hechler said, "Coal miners don't have to die. In a civilized society, it is nothing short of criminal to allow the present conditions to continue in the coal mines. Federal and state mine safety laws are weak, most coal companies seem to know when the inspectors will appear, enforcement of safety standards is weak and entangled in red tape, the union leaders seem more interested in high wages than in health and safety, there is no aggressive attack on the health hazards of coal dust which causes 'black lung', the coal miners and their families have been steeled to take a fatalistic attitude toward death and injury, and both Congress and the general public have been complacent and apathetic.

"From Monongah to Mannington, the same script is grimly familiar. The national searchlight is focused on a disaster. The company officials promise that everything possible is being done. The families wait stoically. The union leaders say that everything possible is being done. The surviving coal miners and their sons say that, of course, they will go back into the mines. Soon everybody goes back to the status quo until the next disaster strikes in the coal mines.

"Coal miners have a right to live, to breathe, and to be protected by 20th Century safety standards. The nation must rise up and demand that strong and effective mine safety legislation be passed by Congress," the Huntington Democrat said.

On Dec. 6, the anniversary of this nation's worst coal mine disaster, killing 361 miners in 1907 at Monongah—within 10 miles of the Nov. 20 disaster at Mannington, Representative Hechler said, "Once again those who should be leading the parade for strong mine safety laws are dragging their feet."

He complimented local mine union leaders and men down at the working level in West Virginia who are urging specific and constructive improvements in the mine safety laws and its enforcement.

"I'm sure that those progressive coal operators in West Virginia are ready to put safety measures into effect, contrary to the backward attitude expressed by the Bituminous Coal Operators of America," the congressman said.

Continuing, he said, "There was a time 40 years ago when airline pilots were charged higher life insurance rates because of the hazards of their occupation. Today, with the Federal Aviation Act placing a high priority on safety and the progress made in air safety, airline pilots can get life insurance at standard rates.

"If you're an underground coal miner and try to get life insurance, you can buy it now but only if you pay a higher than normal rate, according to the Life Insurance Institute of America.

"I'm not going to give up this fight until coal mining is a far safer occupation, and coal miners can get normal insurance rates," Representative Hechler said.

The Huntington Democrat then listed a number of ways in which the federal mine safety law could be strengthened. Six days later many of these proposals were among those enumerated by Secretary of Interior Stewart Udall at the Washington conference "to make coal mining safe."

In commenting on the first federal recommendation of health standarads designed to reduce the coal dust which produces "black lung" disease among coal miners, Representative Hechler said, "It seems rather ridiculous to me that we take steps to sterilize drinking water for coal miners, see that their children are vaccinated against smallpox, typhoid fever and other such diseases, and, yet, let the miners themselves descend into the pits with little protection from coal dust which causes 'black lung' or pneumoconiosis."

The U.S. Public Health Service of the Department of Health, Education and Welfare made its recommendation public Dec. 9, three days before the Washington conference. Under present law the federal government has no power to enforce the recommended coal dust standard.

Representative Hechler and his aide, Dick Leonard, were on hand during the entire time that Secretary Udall's conference was in progress. During that session the congressman questioned the value of conferences following disasters, when little or nothing seemed to be accomplished.

Prior to the conference, the West Virginia Democrat appeared on a television program with Bureau of Mines Director John O'Leary and John Corcoran, president of Consolidation Coal Co., which has been transmitted around the world.

The congressman continues to get mail from all parts of the globe and the inevitable question raised, he says, is why does it take so long to get meaningful mine safety laws enacted.

Udall Confirms Accuracy of Nader's Mine Safety Charges

(By Ray Martin)

Speaking in South Bend, Ind., at the University of Notre Dame in the wake of the Nov. 20 disaster at Mannington, Ralph Nader said "the situation of coal miners in this country is reminiscent of medieval times."

He then told his university audience: "Political representatives in Washington and in the statehouse of states such as West Virginia and Kentucky represent coal; they do not represent coal miners."

Mr. Nader has already fought the automobile, gas pipeline, and fish and meat packing industries, often bringing about reforms that few observers thought were possible when he began his public criticisms.

On March 25, 1968, Mr. Nader charged that thousands of American coal miners faced unnecessary risks because the U.S. Bureau of Mines was the "captive" of the coal industry in drafting mine safety regulations.

He charged that the coal industry, the United Mine Workers and the Government had all shown more concern about maintaining the low-cost production advantages of coal in the high competitive fuel market than about the safety and health of mine workers.

The March, 1968, attack was Mr. Nader's first against the coal industry, and it was made at what Washington officials said was an awkward time for all of the parties involved. Mr. Nader's charge against the allegedly "preferential" treatment given the views of the coal industry and the union on new mine safety proposals came on the eve of a report by the Bureau of Mines to the Congress on the "sufficiency" of existing legislation.

That report was due on Capitol Hill March 26. It never got there. At the time Interior Department sources said it was "undergoing a careful review" in the light of Mr. Nader's criticism.

The young Washington lawyer had written a four-page letter to Secretary of Interior Udall demanding a list of all meetings on proposed mine safety requirements between top officials of the Bureau of Mines and officers of the Bituminous Coal Operators' Association and the mineworkers union.

Spokesmen for both the association and the union confirmed that there had been "routine" meetings with federal officials on the proposals. Bureau of Mines spokesmen said that they could not definitely confirm such meetings.

Walter R. Hibbard Jr., then serving as Bureau of Mines director, specifically denied Mr. Nader's assertion that the bureau was "the captive of mining interests."

As he concluded his remarks in Washington on Dec. 12, 1968, at the conference "to make coal mining safe," Secretary Udall said, "In all honesty, Ralph Nader was right when he wrote me earlier this year."

Jerome B. Gordon, Mr. Nader's associate, spoke on his behalf at the Washington conference convened by Secretary Udall.

"The Mannington, W. Va., Consol Mine disaster has caught everyone responsible for mine safety unawares and has exposed the sham that passes for public interest in industrial safety prevention and control in the United States," Mr. Gordon said.

Continuing, he said, "We have had three notable mine disasters this year—two of them in West Virginia and one in Louisiana. In two of the three cases, the Mannington, W. Va., and the Belle Isle La., catastrophes, the mines were inspected by Federal Bureau of Mines safety officials. In both cases, extensive violations were found, mine operator officials apprized of them, but nothing was done to insure compliance by the U.S. Department of the Interior—the responsible agency for federal mine safety regulation.

"What we have here are sufficient grounds for the filing of charges of criminal negligence against the mine operators, mine union leadership and an executive agency notorious for its subservient behavior in the face of substantive industry opposition to federal in safety matters," Mr. Gordon said.

He said the lack of an aggressive mine safety and health stance on the part of the U.M.W. would seem to indicate that they value the gradual elimination of the coal miner through his destruction and the fear that this generates as well as the realtive mechanization of mining production itself than they do protecting him, and ultimately his family, on the job.

Mr. Gordon said the U.M.W. was not alone in this regard. He cited the "noticeable lack of active support by the union movement" for the Occupational Safety and Health Act of 1968. He said this would seem to "indicate that the safety and health of the entire labor movement are very low down in the pecking order of important things to do."

Continuing, Mr. Nader's associate said, "Over the intervening weeks between the start of the Mannington, W. Va., disaster and this meeting today, there has been a cauldron of criticism, countercharges and, belatedly, announcement of remedial steps in mine safety.

"Mine operators have displayed the ultimate sin of 'hubris'—arrogant pride, by disdaining the necessity for development of new mine safety standards. Union officials have called hypocritically for greater federal involvement for mine worker protection, after their less than adequate public support for both the Occupational Safety and Health Act of 1968 and the Mine Safety Act of 1968.

"The U.S. Public Health Service has announced to the world that they have condescended to institute coal dust standards in mining after a 16 year investigation. How kind of them to say something after D. I. E. Buff of the West Virginia Air Pollution Commission has consistently displayed overwhelming evidence of the necessity for coal dust standards for the past several years," Mr. Gordon said.

He then posed a number of questions: What is to be done? What kind of program of action should be adopted? What are the prospects for immediate remedial action by the incoming administration and the new Congress?

He then proceeded to answer the questions.

"First, let's not kid ourselves the present statistics of mine fatalities and permanent and partial disablements as well as occupational health incidences are less than reliable," Mr. Gordon declared.

He said the accident "reporting system" places a heavy premium upon employer compliance and is subject to underenumeration and definitional errors. He said more reliable sources of basic mine safety information are needed.

"Inspections are a sometime thing. They have no real meaning in terms of having, at present, police powers to issue fines and cease and desist orders to hazardous mine operations. The 1968 Mine Safety Act had that kind of muscle," Mr. Gordon said.

"We need drastically increased research and development efforts channelled through the Office of Coal Research at Interior into new processes of mining that mitigate the production of potentially explosive gaseous by-products and provide for adequate rock dusting and venting of gulleries to keep the level of coal dust in the mine to a minimum.

"We need manpower retraining programs and, concomitantly, sufficiently significant greater alternate job opportunities for miners and potential miners in these regions to get them off the treadmill to extinction.

"Let's use a little of the expertise of my colleagues in the systems analysis profession to conduct the policy studies and analyses that will tell the Interior Department and the Congress where, and in what amount, resources should be allocated for the achievement of better mine safety conditions. Let's find out just what the range of the preferred combinations of accident reporting, research and development, occupational health and rehabilitation delivery systems would be to tackle this job," Mr. Gordon said.

He then asked: "What are the chances for change in mine safety?"

Answering, he said, "Right now they are black. As black as the coal drawn forth from the nation's mines and as black as the acrid smoke that boiled forth from the funeral pyres of Consol Mine No. 9. Why?

"The public forgets all too easily. The half-life of the impact of the deaths of those 78 fathers and sons is already past, and the opportunity for exploiting it, beneficially, has virtually evaporated.

"The incoming administration has adopted a 'laissez faire' attitude on worker safety reform generally, and has had a notorious affiliation with organizations unresponsive to mine safety specifically.

"For example," Mr. Gordon told the Washington conference, "President-elect Nixon was a principle in a law firm that provided corporate counsel in a variety of regulatory matters to the Cargill Co., owner and operator of the Belle Isle, La., salt mine, site of 25 mine deaths this past March.

"The Cargill Co. did not show ostensible compliance with fire protecting and fire fighting equipment violations and recommendations made by this Department in August of 1967; although the lack of such arrangements was a significant factor in the March, 1968 disaster."

Continuing, Mr. Gordon said, "The candor of the (Interior) Department in assessing blame for the causes of specific mine disasters is another roadblock to reform. The practice of submitting confidential pre-publication copies of reports on specific mine disasters to both mine operator and mine union reviewers for 'editing' only compounds the difficulty of determining negligence in specific cases and prevents the formulation of beneficial public comment leading to possible remedial action and change.

"If the Federal Aviation Agency can assess causes in aircraft accidents, then I think the Interior Department should be mature enough to accomplish the same task for mine disasters," Mr. Gordon said.

"Change for the benefit of the miner will come only if enough grass roots support can be generated for public and congressional action. I'm afraid, that it will be up to the concerned few among the invited guests at this hearing to prepare the necessary spadework for such an eventuality.

"Hopefully, it will come soon, perhaps at the start of the First Session of the 91st Congress. However, with an unfriendly administration on safety matters to be invested into office next month, the prospects are unfortunately, bleak," Mr. Gordon said.

LEE WHITE, FPC CHAIRMAN, URGES ACTION ON MINE SAFETY

(By Ray Martin)

"It is a matter of grave concern to every thinking citizen, both within and outside the Government, that so high a price in human life must still be paid for the extraction of the nation's coal resources," Assistant U.S. Attorney General Clyde O. Martz told the Washington conference "to make coal mining safe."

"There is awareness on the part of underground workers of uncontrolled hazards in particular mines; yet they are often deterred for economic reasons from raising their voices or declining the work," he said.

Continuing, the federal legal official said, "There is jurisdiction in State and Federal governments to require safe working conditions, and reasonably adequate legislation in the Federal Coal Mine Safety Act of 1941, as amended in 1952 and 1960, but we are advised that this legislation has not been uniformly enforced.

"Following the recent disaster near Farmington, W. Va., Secretary Udall has voiced the concern of all; more importantly he has called for action as a Government response to that concern. The Attorney General supports his position and pledges the assistance of the Department of Justice in finding appropriate solutions and in enforcing the administrative action of the Interior Department," Mr. Martz said in the statement which was entered in the record of the Dec. 12, 1968, conference.

In an obvious comment on the U.S. Bureau of Mines practice of seeking "cooperation" of mine operators in the matter of mine safety, Lee C. White, chairman of the Federal Power Commission, said, "You can go further with a kind word and a gun than you can with a kind word alone."

He attributed the original quotation to Chicago gangster Al Capone.

Chairman White told the Washington conference the electric power industry, over which the FPC has rather broad regulatory jurisdiction, is the largest single user of coal in the United States, accounting for approximately 50 per cent of domestic coal production.

In 1967, the electric power industry purchased 274 million tons of coal and almost two-thirds of the thermally produced power was generated using coal as a fuel, he said.

"The cost of coal is one of the principal determinants of the ultimate rates which the nation's consumers must pay for their electric power," Chairman White said. "The other industry over which the FPC has rather broad authority is natural gas, which since the end of World War II has been the coal industry's most aggressive competitor."

The FPC chairman said both the natural gas and electric power industries have been faced in recent years with problems similar to those which are now confronting the coal industry.

In the natural gas field, a pipeline explosion in Natchitoches, La., in March, 1965, which took the lives of 17 persons, focused the public's attention on the inherently dangerous nature of pipeline operations and in recognition of this, Congress, in 1968, passed the Pipeline Safety Bill the FPC chief pointed out.

Chairman White noted in the electric power field, the Northeast blackout of Nov. 9–10, 1965, created widespread interest in remedial measures to enhance the safety and reliability of our nations bulk power supply. Congress, he said, is now actively considering such legislation.

"In both of these instances," Chairman White said, "dormant public interest in safety and reliability was galvanized by a dramatic or tragic incident involving danger to human life and substantial loss of property. It was no defense to plead that compared to others, these industries had relatively good records, for the public is simply unwilling to tolerate the continuation of the conditions which permitted these incidents to happen.

"Two of the principal arguments against the Pipeline Safety Act and the proposed electric power reliability legislation were: (1) that the period immediately following a dramatic public incident is highly emotionally charged and this is not the appropriate atmosphere in which to consider what may be the best long-range solution; and (2) that the economic burden imposed by the remedial measures would be intolerable.

"No responsible person would quarrel with the fact that solutions which are conceived in emotion and approved in panic probably would not be the most sensible solution to problems like electric power reliability or pipeline or mine safety—but this does not mean that a moratorium should be called on all remedial activity.

"Surely, responsible and knowledgeable men are capable of dispassionate consideration of what steps need to be taken. Thus, the recent time tragedy should act as an impetus to seeking solutions to the vexing problems of mine safety rather than as a reason for further delay," Chairman White said.

Continuing, the FPC chairman said, "The argument that enhanced safety standards will impose undue economic burdens cannot be passed over lightly for it is definitely pertinent to any solutions that are proposed. But again, the fact safety costs money cannot be used as a defense of the status quo.

"It was not accepted in the area of natural gas pipeline safety, and I do not believe it will be accepted by the Congress or the public with respect to mine safety," Chairman White said.

The FPC chairman noted that in the last four years Congress has enacted legislation to protect the American public against death and destruction on our highways, against flammable clothing and blankets, hazardous appliances, dangerous toys, electronic radiation and unsafe tires, as well as against pipeline accidents.

"The public expects business to make positive contribution to the quality (as well as quantity) of our society and to carry out its responsibilities with due regard for the health and well-being of our citizens and with minimum intrusion upon our environment. This means that business and industrial practices which were accepted in the past are not necessarily adequate to satisfy our more sophisticated contemporary society," Chairman White said.

Continuing, the FPC chairman said, "There is no doubt in my mind that mine safety is a national goal of the highest priority; neither is there any doubt that the relatively poor record of the past, coupled with the recent tragic loss of 78 lives, provides an appropriate occasion to focus on how these problems might best be solved.

"If enhanced safety standards mean that increased costs must be passed on the ultimate consumers, I am confident that they will be willing to pay the necessary increment. Moreover, in the case of electric power consumers who have been enjoying the progressively lower rates which technology and the economies of scale have permitted, there is no reason to believe that higher fuel costs would necessarily mean higher rates.

"I would urge, therefore, that all interested parties work with all of the resources at their disposal toward assuring that remedial measures are undertaken to enhance mine safety without further delay," Chairman White said.

(The attitudes of other key Government officials will be the subject of the next article in this series.)

HECHLER, NADER ATTACK COAL SAFETY INERTIA

(By Ray Martin)

WASHINGTON.—A Nixon cabinet member-designate and the Department of Health, Education and Welfare's concern with pneumoconiosis (black lung) were the subjects of two separate attacks here Thursday.

Rep. Ken Hechler, a Huntington, W. Va., Democrat, asserted that "effective coal mine safety legislation may be in jeopardy if Alaska Gov. Walter J. Hickel becomes Interior Secretary in the administration of President-elect Richard M. Nixon.

"Nothing in Governor Hickel's record of public announcements indicates that he will insist on tough new regulations to protect the lives and health of men working in the coal mines," the Fourth District congressman said.

Representative Hechler also said that "public interest in strong mine safety laws has already begun to fade now that the shock of the Nov. 20 mine tragedy near Mannington, W. Va., is wearing off.

"It will take leadership by the new President and at the cabinet level to spotlight public attention on what must be done to protect coal miners against black lung and the dangerous conditions which kill, burn and maim thousands of miners every day," Hechler said.

"But even assuming that Congress enacts a law with teeth in it," Representative Hechler said, "such a law would be meaningless if it is enforced by a lackadaisical secretary of the interior whose interest and attention are directed elsewhere."

Opposition to Hickel's confirmation by the Senate has been growing. Conservation groups throughout the country have expressed opposition to Hickel's stated position on public lands.

Ralph Nader, consumer protection critic, called on HEW Secretary Wilbur Cohen to supply an accounting of funds appropriated for the Bureau of Occupational Safety and Health for research on the causes and control of pneumoconiosis for the past five years.

Referring to a recent statement made by Secretary Cohen which indicated "there is much left to do," Nader said occupational health and safety must be in the front rank of importance.

"This hazardous exposure to working men and women is far more serious than the conventional statistics of 14,500 deaths, 2 million disabling injuries, and $6 billion in economic loss," Nader said.

Continuing, he said, "The more insidious impacts of toxicity from carbon monoxide, dust, and a wide range of chemicals have not yet been quantified. The Department has failed utterly to give this problem the leadership and seriousness that it so badly needs.

"The states are spending an average of 40 cents per year per worker on industrial health and safety, with huge areas totally ignored," Nader declared.

"Black lung is the major public health problem in several states—especially West Virginia and Kentucky. Until your Department, under the pressure of the recent Farmington disaster and other recent exposures, issued dust standards for containing the onset of this disease, the principal activity of the federal government has been researching the nature, etiology and prevalence of this disease," Nader told Secretary Cohen in a three-page letter.

"Unlike European countries, this country has no coal dust standard in effect and, with the exception of Pennsylvania, Alabama and apparently Virginia this year, coal miner's black lung is not covered by workmen's compensation laws—that is, in practice, states such as West Virginia and Kentucky have not considered such a disease as work-related.

Coal mine operators, the United Mine Workers' leadership and the U.S. Bureau of Mines bear heavy responsibility for this state of affairs," Nader said.

"Your Department," Nader told Cohen, "lost a major opportunity nearly a decade ago to forge the facts that would have fostered more vigorous public policy. A glimmer of what this opportunity was came from a survey by the Bureau of Occupational Safety and Health on the widespread prevalence of black lung and subsequent research at the Appalachian Regional Hospital in Beckley, W. Va., showing that the prevalence may well be much higher."

Nader asserted that the $5 million in appropriations that the HEW has received since 1953 for black lung research "has little to show for itself" apart from the prevalence study and the aborted research effort at Beckley.

"Poor management, petty bureaucratic infighting, and well known belief by the physician in charge of the research program that a safe dust level for coal mines could not be set because of political and economic factors," Nader said.

Continuing, he said, "Dr. Murray Brown has outraged more than one responsible person in Government by the degree to which his political antenna has over-ridden his professional obligations as a physician vis-a-vis the coal miner's black lung disease.

"Because of the eroding impact of this research non-program on discovery and action against black lung and because of the effects on other, long-neglected diseases, and investigation by a detached group of knowledgeable citizens of the pneumoconiosis program under the Bureau of Occupational Safety and Health is needed," Nader said.

Nader said the areas of the inquiry should increase.

1. The events leading to the resignation of physicians and the closing down of the occupational health program field station in Beckley.

2. The circumstances leading to the resignations of physicians from the staff of the Bureau of Occupational Safety and Health's Appalachian Laboratories for Occupational Respiratory Diseases, charging administrative harassment and lack of equipment despite available funds.

3. The refusal of the Bureau of Occupational Safety and Health to provide funds for the transportation of miners examined under contract to the National Institutes of Health for further work-ups by a physician being paid out of HEW funds.

In regard to this point, Nader said funds were ultimately furnished by the UMWA Welfare and Retirement Fund.

4. The failure by the Bureau for over a year to use its only qualified mining engineer in the East to investigate dust levels in the soft mines.

5. The refusal of the Bureau's Appalachian Laboratories to establish and maintain liaison with hospitals and clinics in mining areas to assure a readily available source of patients.

"The laboratories, by self-admission, say that 'miners are admitted to the University Hospital in Morgantown for study at the rate of one to two per week' and that 'studies have been completed on 35 miners to date' in a year and a half," Nader said.

"At this rate 35 studied in the first 18 months of operation, it will take eight years to complete the 'study sample of 200 needed before initial conclusions can be made.'

"This record of ineptitude prevails while an epidemic of black lung disease is raging," Nader declared.

"Dr. Lorin Kerr of the UMWA Welfare and Retirement Fund called the role of physicians here one of the greatest disgraces in modern medicine. Vested economic interests, and their control over state and national governmental policy on coal miner health, have infected HEW with an institutionalized malaise and paralysis.

"The facts about the Bureau are not unknown to your staff and the remaining time in office is not too short for something to be done about it," Nader told Secretary Cohen.

Nader asked the HEW secretary for details on expenditures, names, titles, job descriptions and locations of work under the Bureau's program, equipment purchased and its location, and administrative and travel costs. He also requested a list of all meetings relating to dust levels in foreign and domestic soft coal mines which were attended by Bureau representatives, including dates, personnel attending and any minutes of such meetings.

Nader told Secretary Cohen: "I would appreciate hearing from you about the black lung research program conducted by the Bureau of Occupational Safety and Health and that Bureau's reply to serious charges by Drs. Rasmussen, Wells and Sciple of mismanagement, indifference, and subservience to economic and political interests that have almost rendered the 15 year long program a nullity.

"These charges are known to the Department inasmuch as they were made in writing on the occasion of two of these physicians' resignations. It is incumbent upon the Department to reply to these criticisms and I look forward to seeing such a reply," Nader said.

Congress Gets First Mine Safety Bill—Mixed Opinions Held on State's Mine Law

(By Ray Martin)

The first mine safety bill of the 91st Congress is now a matter of record.

It was introduced yesterday by Rep. John Dent of Pennsylvania. The measure he sponsored is identical to the Federal Mine Safety and Health Act of 1968 introduced last September by Rep. Ken Hechler of West Virginia's Fourth District.

Representative Hechler said last night that he did not join in sponsorship of the Dent bill because he plans to introduce "a much stronger" piece of legislation. The Huntington Democrat indicated that he might sponsor two separate bills. One would deal with mine safety and the other with occupational health.

While Congress was getting its first piece of mine safety legislation, members of the state legislature from Monongalia County were expressing their views on the need or lack of a need to amend West Virginia's mining laws.

State Sen. William Moreland said, "This is an extremely technical matter and I am not certain that the laws need strengthening or whether it is the rules and regulations the U.S. Bureau of Mines and the State Department of Mines promulgates which need revision.

"I know of no bill dealing with amendments to the mine safety law which is being discussed at the present time," the former Senate majority leader said.

Senator Moreland said there were several proposed bills dealing with black lung under consideration. He said he had a strong suspicion that the sillicosis provision in the workmen's compensation law would be broadened to place the burden of proof on the employer rather than the employe as it is now.

The senator said that one of the problems concerning miners and other workers' occupational diseases is the reluctance of the medical profession to label them as such.

Senator Moreland said that he was not aware of the United Mine Workers activity, if any, with regard to state legislation. He indicated that the Department of Mines was making a study of its authority to upgrade aspects of its operations.

The senator said that if it is determined that the state agency has the authority to upgrade its operations and doesn't do it voluntarily then the legislature should do something.

Delegate Robert Dinsmore said he had no legislation in mind, adding that legislative needs have been discovered through research.

"Legislation can solve a lot, but not everything. Miners have something to do with it," Delegate Dinsmore said.

The newest member of the county delegation to the legislature noted the accident ratio between large and small mines. He called for strict enforcement of mine regulations, stressing that the face of the mine "is the most dangerous place."

Delegate Harry U. Howell said that stricter enforcement of present laws are needed along with some new legislation. He tended to agree with Delegate Dinsmore that smaller miners posed a greater problem, saying "no one gets up in arms about the two men killed at a mine in the southern part of the state."

Delegate Howell said, "I am hoping that any place the law needs strengthening, it will be strengthened."

Delegate Cliff Hoard said, "From what I have been told by miners, all we need is enforcement of the legislation we now have."

He said he hadn't heard of any plans to amend the mine safety law; was aware of plans of two Raleigh County legislators to introduce a bill to compensate miners suffering from respiratory diseases.

Delegates Jackie Withhrow and Ted Stacey, both Democrats, said the measure would make the workmen's compensation commission show such diseases were nonoccupational.

Current laws require the individual to prove that his disease resulted from his occupation.

Under terms of the proposed law, it would be presumed that persons with respiratory diseases, who had worked in a mine for two years and contacted the disease as a result of their employment.

Nixon Cabinet Choice Controversial—Randolph To Question Hickel

(By Ray Martin)

Washington.—As chairman of the Senate Public Works Committee, Sen. Jennings Randolph, D.-W. Va., will participate in the questioning of Walter J. Hickel, President-elect Richard Nixon's choice for secretary of interior, by the Senate Interior and Insular Affairs Committee Wednesday.

The West Virginia senator was invited to take part in the session because his committee has jurisdiction over pollution control laws administered by the Interior Department. He is expected to be accompanied to the hearing by Sen. Edmund Muskie, D.-Maine, author of Pollution control legislation.

Logically, Randolph also could pose questions concerning Hickel's views about the Bureau of Mines and mine safety. The West Virginia Democrat as the senior member of his party on the Labor and Public Welfare Committee will probably chair that committee's hearings on mine safety legislation in the 91st Congress.

Wednesday's questioning which could extend over a three or four day period, could prove to be a knotty problem for the Senate. Some Capitol Hill observers see a parallel between it and the recent controversy over President Johnson's nomination of Justice Abe Fortas to fill the non-existing vacancy as chief justice of the U.S. Supreme Court.

Secretary of Interior Stewart Udall, a Democrat, has not left his post and the President-elect is not yet in a legal position to submit nominations to the Senate for confirmation.

Some senators indicated they were willing to get around the legal hurdles by regarding Wednesday's session as an informal hearing by Sen. Henry Jackson, D.-Wash., and members of his committee.

Hickel, Nixon's most controversial Cabinet choice and the one facing the most questioning, is hoping the Wednesday session and his private visits with senators will help change his image.

The Alaskan governor has been paying courtesy calls on senators who would not be taking an active role in Wednesday's hearing. He sought such an appointment with Randolph.

Hickel is getting support from Alaskan Sen. Theodore Stevens, a Republican whom the governor appointed to fill a full six-year term left vacant by the death of E. L. Bartlett in December.

Stevens is sending a letter to each senator, defending Hickel and citing his conservation record as governor.

After a press conference here and some statements Hickel has made, many conservation-minded legislators are worried about his conservation views, or are not certain what they are.

There also are rumors that Hickel will be questioned about business dealings which, critics say, could be a conflict of interest with his new position.

"The more I read about this fellow the more doubts I have," said Sen. George S. McGovern, D.-S.D., a member of the Interior Committee.

McGovern said that the secretary of interior usually is thought of as a "trustee" of the nation's resources rather than a champion of business and industrial development.

"Hickel has given an indication that he is more concerned with business and industrial development than with resources," the senator said.

McGovern said it is "conceivable" that Hickel's nomination could be rejected by the Senate, but that he doesn't expect that to happen.

Hickel told Sen. Frank E. Moss, D-Utah, that he has been misunderstood because of press accounts of his views and said he was looking forward to the hearing to set the record straight.

Shortly after Nixon announced his intention to name Hickel to the Cabinet, a former Federal Wildlife Service biologist in Alaska said of Hickel: "He will look at a piece of land and he'll see it as a place for oil or industry."

In his first press conference as secretary-designate, Hickel questioned "a policy of conservation for conservation's sake."

He also renewed his war with departing Secretary Udall over Udall's withdrawal of several hundred million acres of federal land potentially available to Alaska.

"What Udall can do by executive order," Hickel snapped, "I can undo."

At another press conference, Hickel also criticized the nationwide pollution standards set by Udall. "You can't have one standard for the whole country," the secretary-designate declared.

Conservationists assert that as governor, Hickel overruled the Alaska Fish and Game Board on several occasions at the request of local politicians. They maintain that when a governor interferes directly with decisions made by a body of men appointed by him in the first place, it indicates that politics comes before resource management.

Tens of thousands of letters have been sent to members of the Senate expressing opposition to Hickel's appointment on the basis of his stated views and past action relative to conservation.

Some members of Congress, among them West Virginia's Rep. Ken Hechler, have questioned Hickel's silence about mine safety proposals. Alaska has six strip coal mines.

As if Hickel's troubles with the vocal band of conservationists weren't enough, other critics are accusing him of being entirely too sympathetic to Alaskan oil interests and decidely unsympathetic to Eskimos and Indians, many of whom come under Interior Department protection.

Leaders of the 54,000-member Alaska Federation of Natives, representing 19 native groups, will be present at Wednesday's hearing before the Senate committee.

The natives—Eskimos, Indians and Aleuts who make up a fifth of Alaska's population—became concerned after Hickel was quoted as saying he wants to lift the land freeze imposed by Udall two years ago.

The freeze delays Alaska's selection of 103 million of the state's 375 million acres, as allowed under statehood terms, until Congress rules on land claims by the natives.

As governor, Hickel tried to pry the land loose, saying the natives could be fairly treated while the state developed economically.

In a letter to Hickel as secretary-designate, the native federation demands 40 million acres and $500 million in compensation for natives.

Sen. William Proxmire, D-Wisc., and other members of Congress have expressed concern about the relationship between Hickel, who until his 1966 election as governor was chairman of the Anchorage National Gas Co. and a director of the Alaska Pipeline Co., and Robert O. Anderson, a major stockholder in Atlantic Richfield Co., which owns vast tracts of oil acreage on Alaska's North Slope.

Development of the North Slope will be costly. It will be worth it, observers say, if the price of oil remains near the current $3 a barrel mark. That will only happen if cheaper foreign imports, at about $1.75 a barrel, are kept out of the U.S.

Hickel already is on record with the statement that domestic markets cannot be left "wide open" to imports of foreign oil.

Another oil matter is the object of concern among some members of Congress. The concern is evidenced because it in effect pits one West Virginia coal operator against another for the first time in Capitol Hill observers' memories.

Consolidated Coal Co. lobbyists are expressing their opposition to hopes of Island Creek Coal Company's parent firm, Occidental Oil, getting free port facilities in New England. Consolidation Coal is a part of Continental Oil Co.

The hearing on Hickel will start about two hours before senators can introduce any legislation in the current session of Congress. Senate rules prohibit introduction of bills until after the President's State-of-the Union Message has been received. President Johnson will deliver that message in person at 9 p.m. Tuesday to a joint session of Congress. The Senate will meet at noon Wednesday.

U.S. Official and Mine Leader Attack HEW Health Standard

(By Ray Martin)

The Department of Health, Education, and Welfare has been criticized for taking 16 years to proclaim a health standard for the soft coal industry in the United States.

Three days after announcement of the proposed standard on Dec. 9, 1968, industry and Government spokesmen went on record against prompt enforcement of the HEW proposal.

Thirty days ago HEW recommended the first federal standard which could be used to lower respirable dust levels in coal mines. This standard calls for a respirable dust level in the coal mines not to exceed 3.0 milligrams per cubic meter of air as measured by the Mining Research Establishment horizontal elutriator instrument.

Surgeon General William H. Stewart, addressing the Dec. 12, 1968, conference to "make coal mining safe," said "We developed this standard primarily in an effort to reduce the incidence of soft coal workers' pneumoconiosis. This chronic chest disease, which is caused by the accumulation of fine coal dust particles in the lung, conservatively affects more than 100,000 soft coal workers.

"This standard which we have recommended to the U.S. Department of the Interior could, if properly enforced throughout the soft coal mining industry, make a significant reduction in new cases of pneumoconiosis and decrease the rate of progression of old cases," Dr. Stewart said.

He noted that HEW has no authority specifically directed to the health conditions in the coal mining industry.

"However, as the federal agency whose primary concern is in protecting the health of all Americans, we do, nevertheless, have a responsibility to try to assure that no citizen lives or works under conditions that are harmful to his health or general welfare, the surgeon general said.

The Federal Coal Mine Health and Safety Act of 1968 introduced in Congress last September by Rep. Ken Hechler of Huntington provided for the establishment of health standards. The initial health criteria were to be prepared within five months after adoption of the law by Congress. HEW was charged with this responsibility and the Department of Interior was to enforce the standards in the mines.

Interior Secretary Stewart Udall acknowledged the HEW proposal at the Dec. 12 conference and then said: "It is our present thinking that the first step in the schedule would be to require that all mines meet a standard of 4.5 milligrams of respirable dust per cubic meter of air not later than one year after enactment."

John Corcoran, president of Consolidation Coal Co., told the conference "there can be no question that the health and safety of employees in the coal mining industry must be given first priority."

Continuing, Mr. Corcoran said, "In the regulatory area, we favor and will support any meaningful and constructive changes in laws and regulations that will improve coal mine safety. We would, of course, urge that all laws and regulations relating to safety must be strictly and uniformly enforced."

The Pittsburgh-based coal executive said he also spoke for the National Coal Association, American Mining Congress and the Bituminous Coal Operators Association. The latter group represents coal mine operators in negotiations and contractural arrangements with the United Mine Workers of America.

Secretary of Labor Willard Wirtz asked Mr. Corcoran if Consol was prepared to implement the coal dust regulation.

Mr. Corcoran said he would agree to it in "a minute" but asserted that "standards haven't been developed."

The Consol executive suggested that it must first be determined if the HEW recommendation is based on "scientific evidence."

Secretary Wirtz then asked Mr. Corcoran if he would implement the standard at once rather than in stages over a period of time, assuming that he were convinced of the standard's validity.

Mr. Corcoran then pledged immediate implementation under those circumstances.

Surgeon General Stewart said, "For over 30 years, the (HEW) Department has undertaken some cooperative studies with the Bureau of Mines on miners' health problems. However, it was not until 1963, that the Department received for the first time funds for the direct support of operations in this area. Our first major project was a prevalance study of soft coal miners which covered not only Appalachia but other coal mining areas.

"It was this study that established that soft coal workers' pneumoconiosis, commonly referred to as 'black lung', was an occupational respiratory disease of serious and previously unrecognized magnitude.

"Our research showed that 1 in 10 men in the mines and 1 in 5 of the former miners in Appalachia had X-ray evidence of this chronic respiratory disease. Further, research supported by the Department at the former UMWA Welfare and Retirement Fund Hospital in Beckley, W. Va., indicated that the incidence of disease is probably higher than indicated by X-rays," the surgeon general said.

Continuing, he said, "In 1966, the Department established the Appalachian Laboratory for Occupational Respiratory Diseases in Morgantown, W. Va. Research is currently under way to determine more precisely the role of coal dust in soft coal workers' pneumoconiosis, to develop early diagnostic techniques, and to discover methods to halt the progression of or to manage this disease.

"At the present time, the emphasis is on studying miners admitted to the University Hospital. There the newest techniques of pulmonary and cardiac testing and biochemical analysis are used in their evaluations. The Laboratory is also the base for epidemiological studies on coal workers pneumoconiosis," Dr. Stewart said.

Scheduled to begin soon is a research and clinical study, to be made in cooperation with the Bureau of Mines, on a group of over 5,000 miners working in 34 mines, predominantly in Appalachia, the surgeon general noted.

The miners in the study group will receive an initial medical examination to determine the amount of pulmonary disease present in the group. They will be re-examined at approximately five year intervals to correlate the development of disease to the environmental conditions in the mines where they work.

"We are also conducting animal studies on the possible synergistic effect between infectious and other agents and coal dust as well as research on the development of more precise coal dust sampling equipment and procedures," Dr. Stewart said.

Continuing, he said, "In brief, the goal of our research program is to develop the knowledge which will allow men to work in the coal mines without endangering their health.

"The standard we have recommended is based on the best available current knowledge. If additional experience shows that our recommendation needs to be either modified or strengthened, we will do so. In the meantime, we firmly believe that the standard if adopted and enforced will be a major step forward in reducing pneumoconiosis among coal miners," the surgeon general said.

U.S. Researcher Says Mine Safety Requires New Engineers

(By Ray Martin)

Basically, there are two ways of tackling the problem of reducing hazards of underground mining, according to Dr. Thomas E. Howard, director of mining research for the U.S. Bureau of Mines.

The first deals with the mining process, as it is, and involves continuing intensive study of the various parts of the process—the men, the machines and the environment in which they work—to identify and define dangerous situations.

Based on this study, Dr. Howard says, safe operating and emergency procedures can be established and safeguards protective devices and warning instruments and systems developed. Concurrently, sound regulations are developed and provision made for their rigorous enforcement. Ideally, regulations are continually modified, as necessary, to take care of technologic change, Dr. Howard notes.

The second approach, he says is to deal with the mining process in terms of what it should become; that is, to attack the roots of the problems through research aimed at developing a mining technology that is intrinsically safe—a technology in which the sources of the hazards have been eliminated.

"Note that I said mining technology," Dr. Howard said in a report entered in the record of the conference "to make mining safe" held in Washington Dec. 12, 1968.

"It is important to recognize that this approach must go far beyond what is normally considered health and safety research, such as work on dust control, permissibility, protective equipment, warning devices and the like. It must be a fundamental approach to the process of production seeking new ways of accomplishing the various steps required to get coal or ores out of the ground—new ways that avoid the dangers of the old," Dr. Howard said.

Historically, health and safety activities of the mining community, both private and public, have been confined largely to the first approach, or what might be called the "protective technology" route.

Any comprehensive new thrust toward improving health and safety in mines must include a maximum effort in this direction to make presently available production techniques as safe as possible, Dr. Howard observed.

"But this kind of effort alone will not be enough," he said. "Since it is directed toward production technology, as it exists, it can only provide interim solutions to the problems, which, of course, change, and, in many cases, become aggravated as production technology evolves.

"Real and lasting solutions will also require an all-out effort along the second path to develop new mining systems, that are inherently safe," Dr. Howard said.

Continuing, he said, "This sounds like a large order. Is it practical? And if it is why haven't we taken this 'new inherently safe technology' route before?"

Answering his own questions, Dr. Howard said:

"Without question, it is a large order. But the Bureau of Mines opened the door slightly on this tremendous task about five years ago. Since then, we have learned enough to be confident that it is practical. And in the process, we have developed a small group of scientific and engineering specialists who could serve as the nucleus for an expanded national research effort to develop inherently safe mining technology.

"It must be understood that the Bureau of Mines cannot do the job alone. The best talents of all concerned—Government (both state and federal), industry, labor and the academic community—will be required. But we are convinced that the efforts of all, applied properly, can develop improved production technology that will make mining as safe as any other occupation that involves man's working in an essentially alien environment.

"The key to the kind of technologic advance we need lies in a systems approach to the planning and conduct of mine research and development. This strategy has evolved only during recent years and as yet has not been applied widely outside the aerospace and defense fields.

"Heretofore, in mining as in most other fields of technology, it has been generally accepted that technologic advance had to be evolutionary and therefore largely uncontrollable. We assumed that we had to take the new developments as they came along and then try to make them safe.

"One of the most important results of the rapid growth of research since World War II has been the demonstration that such a premise is not necessarily valid—that the advance of technology can, in fact, be directed," Dr. Howard said.

He declared that the evolution of the systems approach makes possible a new departure in efforts to remove mining from the top of the list of unsafe occupations.

This approach, he said, holds particular promise for underground mining where the constraints imposed by close quarters in which men must work, emphasize the critical interdependence of the various elements of the system.

"The manner in which we accomplish any single step in a mining operation is likely to have a profound effect on how we must accomplish some of the others," Dr. Howard said.

"For example," he added, "in a given gassy coalbed, two of the principal mining factors that affect the amount of methane liberated into the mine workings are the rate of extraction and the way the coal is broken loose from the solid seam. In general, other things being equal, the faster we move and the finer we break the coal the more methane we liberate.

"The more methane liberated the more ventilating air we must bring to the point of liberation to dilute the methane and prevent it from becoming explosive. But more air means a higher air velocity, which, in turn, will suspend a higher concentration of dust particles and increase the danger of explosion and the hazard of respiratory disease," Dr. Howard said.

Noting that while specific requirements will differ for each mining operation, Dr. Howard listed several requirements that could be used as a starting point for establishing research and development objectives. The ideal system must, of course, fit, or conform to, the physical characteristics of the mineral deposit. It must provide a safe and healthful working environment for the men who operate it. It must make a profit. It must operate in such a manner that the national goals of resource conservation are served. It must do minimum damage, or provide for repair to the land and environment.

"Our ideal mining system must satisfy all five of these requirements simultaneously, but above all, it must be safe," Dr. Howard declared.

Turning to the problems of coal mine explosions, he said it was primarily one of environmental control. Explosions result from unwanted ingredients, methane and coal dust, becoming part of the mine atmosphere.

Dr. Howard then subjected the problem to the two different approaches.

"The first avenue, which is, of course, the 'protective technology' path, is the one that has been generally followed in the United States. Taking this first approach both methane and dust are diluted, the former with ventilating air and the latter with rock dust, to maintain non-combustible mixtures.

"This is obviously the simplest approach to the problem," Dr. Howard said, "because it permits solutions that lie almost entirely within one subsystem-environmental control. The complications of having to introduce complementary improvements and modifications in other subsystems are avoided. There are, of course, other ways in which methane, the key ingredient in the explosion problem, might be made noncombustible. It might be burned as it bleeds through the mining face. It could be collected near the face and passed through a reactor to be inert before being discharged into the ventilating system. Diluents superior to rock dust for treating coal dust to make it noncombustible might be found. And there are a number of other possibilities."

He noted that because the rate of methane emission into the mine can vary widely from place to place and time to time, a completely effective system would require a ventilation system capable of delivering instantly, on demand, widely varying amounts of air anywhere in the mine. The system, he added, would have to be automatically controlled by a foolproof, continuous detection-measurement system with sensors distributed throughout the mine. Any other techniques for diluting, or otherwise rendering the methane noncombustible as it enters the mine would have to meet the same criteria, it was pointed out.

"Now for the other or 'new technology' route. How can we minimize and control the amount of methane entering and accumulating in a mine? And how can we reduce the formation and accumulation of coal dust?

"Asking questions like these," Dr. Howard said, "immediately brings out the systems aspects of the problem; because, before we can answer them we must find the answers to even more basic questions. For example: Where does the methane come from? How much of the gas that we have to contend with comes from the face? the ribs? the roof? the floor? the broken coal? What determines the rate at which gas enters a mine opening? Why does the rate sometimes vary widely from place to place and from time to time within a mine? How is the coal dust generated? Where and how does it accumulate? etc."

To find answers to these fundamental questions, Dr. Howard noted that researchers must look into all of the elements of the mining system, as well as the physical characteristics of the coal and formations in which it occurs.

"There can be no doubt that the explosion problem has roots in all four of the major elements of the mining process and their interactions with the coal and rock in which they function. For example, the rate of methane emission from broken coal depends on the amount of gas absorbed in the coal and size of the fragments into which the coal is broken. So part of the solution to the problem may be in the fragmentation subsystem; it might be a mining machine with an improved cutting head that would produce a maximum of coarse coal. Such a solution would also, of course, reduce the dust problem," Dr. Howard said.

He observed that the Bureau of Mines research on control of methane began about five years ago. He said the problem hasn't been solved but that research has progressed to the point that there is confidence that it can be solved.

Dr. Howard declared that the ultimate answer to health and safety in mining was good engineering.

"But it must be engineering of a caliber not now possible. For until we vastly improve and quantify our knowledge of the fundamental character and properties of rocks and minerals, and their behavior from the perspective of the entire mining process we will not be able to design a mining operation in the modern engineering sense. Furthermore, the kind of new machines and tools that will make mining not only safer but more efficient, will only come from a better understanding of the earth's crust, as a material and a medium in which to work," Dr. Howard said.

Continuing, he said, "The miner's biggest handicap has always been that he is unable to see into the solid rock and mineral surrounding the excavation he is making and predict accurately and consistently what will happen when he penetrates it. So his guiding precept through the ages has been 'expect the unexpected.' And he has become fatalistic about the surprises which are the causes of most of his accidents.

"But these surprises can be eliminated. Our adventures into aerospace and the depths of the ocean have already demonstrated that research can provide the new knowledge and the extensions of men's senses, such as radar and sonar, necessary for him to function safely in environments much more hostile than the depths of the solid earth," Dr. Howard noted in conclusion.

"Not Nearly Strong Enough"—Hechler Raps L. B. J. Mine Proposals

(By Ray Martin)

Washington.—A West Virginia congressman Wednesday voiced criticism of the Johnson Administration's mine safety and health proposals scheduled for introduction in the House of Representatives Thursday.

Rep. Ken Hechler, Huntington Democrat, made his comments as the legislative proposals arrived on Capitol Hill from the Department of the Interior Wednesday too late for introduction. Rep. Carl D. Perkins, a Hind-man, Ky., Demorcat and chairman of the House Education and Labor Committee, is slated to sponsor the measure drafted by the Interior Department.

A spokesman for Secretary Stewart Udall's department said the 1969 proposal was stronger than the agency's 1968 measure. Hechler introduced the administration's 1968 bill in September after it had been rewritten in the White House.

The new legislation would eliminate present distinctions between gassy and nongassy mines for inspection purposes. It also calls for civil penalties against employes as well as mine operators who violate the safety code.

The administration bill calls for the establishment of mandatory health standards for coal mines. Included is one that would ultimately call for a maximum of 3 milligrams of respirable dust per cubic meter of air. An interim standard of 4.5 milligrams is specified in the legislative proposal and mine operators would be given one year after enactment of the law to achieve that goal.

The Interior Department spokesman said the new proposal closely follows the one outlined by Secretary Udall at the Dec. 12 conference "to make coal mining safe."

The coal mine bill arrived on Capitol Hill 24 hours before Secretary Udall was due to proclaim the first federal health and safety standards ever developed for the nation's non-coal mines. These standards are expected to be published in Thursday's issue of the Federal Register and take effect upon publication.

Representative Hechler said, "From what I have seen and heard, the new coal mine health and safety bill is an improvement, but not nearly strong enough to do an effective job of protecting the miners.

"For example," the West Virginia Democrat said, "there isn't adequate protection of miners against black lung—the dreaded pneumoconiosis. Last month the Public Health Service recommended that a standard of 3 milligrams of respirable coal dust per cubic meter of air was needed to protect the health of those working in mines. Yet the administration bill considerably weakens this provision by requiring a standard of 4.5 milligrams and this lower standard is not mandatory until one year after enactment of legislation."

The Huntington Democrat plans to introduce mine safety legislation himself. He said he delayed his bill until he had an opportunity to determine the contents of the administration's proposal.

"In the bill I will introduce," Hechler said, "I will make a standard of 3 milligrams immediately applicable.

"I am deeply concerned that the Bureau of Mines, which by tradition is production-oriented, will retain authority to administer the legislation.

"I feel that the Department of Labor, which is traditionally primarily oriented toward employees should be given full enforcement authority under provisions of new bill," Hechler said.

The West Virginian stressed that "we must insure that safety and health and their protection are given top most priority in the advancement of new legislation."

In his budget message, President Johnson Wednesday asked for funds to add 55 new men to the present roster of 248 coal mine inspectors. The added staff would enable the Bureau of Mines to increase spot inspections and give greater concentration to the smaller coal mines than in the past.

Bureau of Mines Director John O'Leary expressed concern that the increased spot inspection program might hinder plans for a minimum of three inspections of each mine annually. He said it was possible that the bureau might be forced to seek a supplemental appropriation to hire additional personnel in order to reach the three-a-year inspection goal.

The total staff of the Bureau of Mines in 1968 fiscal year was 8.088. It will rise to an estimated 8.828 in fiscal 1969 and projected for the year which begins in July is a staff numbering 11,121.

During 1967 inspectors conducted 5,316 inspections. The total for 1968 is expected to be 5,800 when statistics are compiled. It is projected that 5,900 inspections will be conducted in 1969.

Sources close to the White House said the Nov. 20 disaster at Farmington No. 9 mine at Mannington played a major role in the President's decision to seek more funds for methane gas research.

Mr. Johnson requested $1,593,000 "to accelerate development of technology necessary to minimize the hazard of mining in a methane environment."

The Bureau of Mines current appropriation for methane gas research is 393,000.

Safety and Health Bill, Including Mines, Introduced in House

(By Ray Martin)

Washington.—Rep. James G. O'Hara, D.-Mich., Thursday introduced a tough, wide-ranging worker safety and health bill, which is applicable to coal mines, in the House of Representatives—the Occupational Safety and Health Act of 1969. Twenty-five members of the House joined O'Hara in sponsorship of the legislation.

The new legislation is the successor to a bill recommended by President Johnson last year and introduced by O'Hara. A modified bill was reported out of the House Committee on Education and Labor, but died in the Rules Committee.

The Michigan Democrat said federal action to insure worker safety is necessary because of the unwillingness or inability of many states to develop effective programs of safety and health standards. As a result, very hazardous industries seek out plant sites in states with weak programs.

In a statement Thursday, O'Hara declared that "There can be no doubt that there is a severe occupational safety and health hazard problem in this nation.

"Some 14,500 workers are killed every year, just from occupational accidents, and a literally uncounted number die from occupational diseases.

"Of lesser importance but of major significance, is the $7 billion plus lost to the gross national product because of industrial accidents.

"The recent coal mine disaster at Mannington, W. Va., captured the headline and brought forth from all parties concerned renewed determination to do something about occupational safety and health, but it is the day-to-day accident and disease toll, unnoticed because it is so common, which is the really significant problem in all areas of American industry.

"There are too many deaths, too many injuries, too much time and money lost to industrial accidents and disease. As a civilized nation, we can no longer tolerate this frightful toll," O'Hara declared.

The bill, which is stronger than the one reported last year by the committee, authorizes the secretary of labor to establish standards for occupational safety and health, and to enforce those standards through both administrative and judicial proceedings. The standards may be set by adoption of existing federal standards, adoption of "consensus standards", already worked out by private organizations and concurred in by all interested parties involved in an industry, through adoption of other private standards on an interim basis; or through consultation with advisory committees, representative of management, labor, the professions and the public.

The O'Hara bill provides a procedure by which a state may develop a safety standards and enforcement plan and submit it to the secretary of labor for approval. If the secretary approves such a plan, which must contain a number of assurances set forth in the bill, the secretary and the state agency will have concurrent jurisdiction for at least a year, following which the secretary may delegate his jurisdiction entirely to the state, to the extent the state plan covers the field.

Even in these cases, the secretary retains the right to make periodic inspections within a state whose plan has been accepted, and he may withdraw approval if he finds that the state is not performing in accord with its assurances. Unlike the bill reported last year, there are no provisions for judicial review of the secretary's refusal to accept a state plan or his decision to withdraw approval.

The 1969 bill allows the secretary of labor to assume jurisdiction in cases where existing statutes have conferred jurisdiction on other federal agencies. He could, under this provision, take occupational safety and health jurisdiction from the Bureau of Mines with regard to mines, from the various transportation agencies with regard to railroads and air traffic, and from the Atomic Energy Commission with regard to nuclear installations.

Other provisions of the 1969 proposal are taken from last year's reported bill, including provisions for research activities by the Department of Health, Education and Welfare, the requirement that federal agencies develop standards governing their own internal operations, and provisions for employer and employe education.

O'Hara was joined in introducing the legislation by Rep. Carl Perkins, D.-Ky., chairman of the House Education and Labor Committee, and Reps. Joseph Addabbo, Jonathan Bingham, George E. Brown Jr., Hugh L. Carey, John Conyers Jr., John H. Dent, Bob Eckhardt, Don Edwards, Joshua Eilberg, Michael A. Feighan, William D. Ford, Cornelius F. Gallagher, Jacob H. Gilbert, James J. Howard, Joseph E. Karth, Abner J. Mikva, William S. Moorhead, Bertram L. Podell, Benjamin S. Rosenthal, William F. Ryan, James H. Scheuer, Fernand St Germain, Frank Thompson Jr., and Joseph G. Minish.

On the other side of Capitol Hill the legislative recommendation of the U.S. Bureau of Mines and the Department of the Interior was introduced as a bill in the Senate by Sen. Jennings Randolph, D.-W. Va.

A similar bill was introduced in the House by Rep. Carl Perkins, D.-Ky.

Randolph, commenting at the introduction of the bill, told the Senate that recent mine disasters such as that which took 78 lives last November at Mountaineer No. 9 mine near Farmington, W. Va., "have created an awareness that the coal mine safety laws and the administration and enforcement of those laws need to be modernized and tightened.

"There is likewise an awareness that miners' occupational health needs more attention than it is receiving," the West Virginia senator said.

Randolph, ranking majority member of the Senate Labor Committee to which the measure was referred for hearings, said that he concurs with the Bureau of Mines proposal in principle, but recognizes that Senate provisions of the measure could—"and probably should"—be changed after the committee hears all witnesses in the hearings.

Safety Legislation: Mine Operators, Unionists Hold Differing Views on Law

(By Ray Martin)

Attitudes of mine operators and their representatives differ on the need for new mine safety legislation. As is to be expected, some of the views of the workers' representatives tends to be in contrast to those of management.

These views range from no change in the existing laws through a modicum of change to complete revision of applicable mining laws and regulations.

A representative of the Rocky Mountain Coal Mining Institute, whose members operate mines in Colorado, Utah, New Mexico and Wyoming, holds the opinion that the mining laws as they now exist with the states and the federal government are adequate.

John A. Reeves, headquartered in Denver, said, "Every mine accident or disaster which has occurred could have been prevented if the present laws were obeyed. The problem is much more complicated than legislating stricter laws or increasing the number of inspectors in the health and safety division.

"To legislate more punitive mining laws will have the effect of discouraging men from entering our industry," Mr. Reeves declared.

"The coal industry needs to attract the very finest people obtainable, and impediments to attracting them should not be inaugurated," Mr. Reeves continued.

"In our opinion, safe operations can only be realized through total cooperation from top management down through all ranks of the company. Management must be mature and sensible enough to realize that the only way to mine coal is to produce it safely, and the men must be sensible enough to accept the safety training and to work safely. It appears that the real problem in coal mine safety is one of education and research.

"In the field of education there are many areas where improvements can be made. It is useless to write laws requiring machines with greater permissibility requirements if we do not have mechanics who know how to maintain them. It is useless to write stricter laws regarding the methods of mining coal if skilled miners are not available," Mr. Reeves said.

Continuing, he said, "The Institute commends the inspection departments of the state and federal government for their efforts in safety, and believes the problem of mine safety will be solved only through total cooperation of all persons concerned.

"The Rocky Mountain Coal Mining Institute desires to go on record as being against additional federal legislation, and strongly recommends that the federal and state programs divert additional energies to educational and research programs," the Institute representative said.

Some support of Mr. Reeves' position is given by Commissioner H. N. Kirkpatrick of the Kentucky Department of Mines.

Commissioner Kirkpatrick said, "In our opinion both the Kentucky and federal mining laws are basically sound, and provide an adequate framework for reasonable mine safety assuming compliance and proper administration. However, periodic reviews of existing legislation are advisable and modification should be recommended to reflect changes related to improved technology.

"A comprehensive study of the mining laws of Kentucky is now under way to determine those changes which appear advisable because of technological progress in the period since the last amendment to the law in 1952.

"In this respect, preliminary studies are now being conducted by the Department of Mines and Minerals and other agencies of state government. Any recommendations for changes to the law forthcoming from these studies will be presented to the 1970 General Assembly of the Commonwealth," the commissioner said.

"Before anyone arbitrarily decides that existing federal laws are inadequate," he added, "we believe they, too, should be subjected to the same type of constructive and objective appraisal. In 1967 the U.S. coal industry experienced the best year in its recorded history so far as fatalities are concerned.

"We caution that solutions which may be economically destructive of one industry must be accompanied by commensurate government cooperation and incentives.

"We emphasize our desire that any proposed legislation reflect workable solutions to proven problems and not be an emotional overreaction which will work to the disadvantage of all elements concerned," Mr. Kirkpatrick asserted.

The disaster which occurred in Mannington Nov. 20 was a saddening and sobering experience for John Corcoran, president of Consolidation Coal Co.

Mr. Corcoran said it occurred at a time when Consol felt it had made significant progress in reducing mine accidents and mine fatalities.

"At the time of this tragedy we had reached a point where it did not seem possible that an accident of this magnitude could occur in one of our mines," Mr. Corcoran said.

"But it did occur. And because it did occur we must now accept the fact that our efforts to date have not been adequate, even though we do not yet know why or how our efforts failed us," he said.

"I cannot and do not accept the all too prevalent attitude that periodic disasters are an inherent and unavoidable risk of the industry. The mere existence of this fatalistic outlook is evidence of the insufficiency of our knowledge and the need for additional research."

The Consol president told the Dec. 12 conference in Washington "to make coal mining safe" that his company was prepared to cooperate fully by contributing time, talent and money to any new and promising areas of research which may be undertaken jointly by government and industry groups.

"In the regulatory area, we favor and will support any meaningful and constructive changes in laws and regulations that will improve coal mine safety. We would of course, urge that all laws and regulations relating to safety must be strictly and uniformly enforced," Mr. Corcoran told the conference in the auditorium of the Department of Interior.

At the conclusion of his remarks last month, Mr. Corcoran said he spoke for himself as well as the American Mining Congress, the National Coal Association and the Bituminous Coal Operators Association. The latter group represents the industry in contract negotiations with the United Mine Workers of America.

In response to a question from Secretary of Labor Willard Wirtz, Mr. Corcoran said Consol would not implement the Public Health Service's recommended standard for maximum coal dust levels in mines until he was convinced that it was based on scientific evidence and was a proper standard.

During the conference, W. A. (Tony) Boyle, UMWA president, pointed out that Consol was the only company that assisted the mine workers in efforts to obtain passage of a strong mine safety law in Congress in 1966.

"Deep mine catastrophes such as we have witnessed recently and in the past can be controlled and prevented by the rigid enforcement of the safety laws of the federal and state governments. It is the duty of both management and labor to assist in the enforcement of these laws," Paul Byrge, president of the Southern Labor Union, said.

"A vital need of the industry, in the field of safety, is a training program, utilizing modern training aids, which will demonstrate to the coal miner, who is exposed to the dangers of underground mining, his personal need to be safety conscious. Only through such a program, with mandatory attendance paid by federal funds if necessary, can the coal miner be instilled with the constant need for safety practices," Mr. Byrge said.

"Sufficient laws have been enacted on both a federal and state level" he continued. "One of the greatest needs is to make the individual coal miner aware of what these laws are. A training program can greatly improve safety practices and reduce the chances of human error causing another underground catastrophe. We strongly urge that such a training program be implemented at the earliest possible date.

"We also recommend that enforcement of safety laws be made on a non-discriminatory basis and that the large mines be required to comply with these laws on at least the same basis as the small mines. In the larger mines the lives of more individuals are at stake and the human element is compounded by the increased number of coal miners," the Southern Labor Union president said.

The UMWA president noted that his union's safety efforts have encountered opposition from industry, from government, from coal mining states and even at times from the general public. Such opposition, he said, has compelled the UMWA to accept compromise legislation in order to secure passage of safety measures.

"Public support for mine safety legislation is strongest after mine disasters. But, the groundwork for such legislation has been laid years before by the officials of the UMWA. This was true in the 1941 legislation, in the 1952 legislation, and in the 1966 legislation," Mr. Boyle said.

"We need an improvement in our present laws relating to safety standards; we need health legislation to protect coal miners from lung diseases caused by the inhalation of dust in mining operations. Equally important, we need proper enforcement and compliance with those laws."

The UMWA president said the bill President Johnson sent to Congress on coal mine safety and health was, in the main, a "good bill." That bill was introduced by Rep. Ken Hechler, a West Virginia Democrat.

"However, we believe it could stand some changes," Mr. Boyle said. "It will have our support with certain improvements."

The UMWA president has objected to proposals that individual coal miners be subjected to penalties for violation of safety regulations. He maintains that the miners comply with the directives of the operators who run the mines and that mine operators are responsible for all violations of codes and laws.

Time Here for Black Lung Law

(By Ray Martin)

Beckley.—The large number of coal miners who gathered at Park Junior High School here Saturday afternoon seem firmly convinced of Victor Hugo's admonition that "no army can withstand the strength of an idea whose time has come."

The miners' idea is that the time has come—and to many it is long overdue—for the State of West Virginia to adopt a meaningful compensation program for pneumoconiosis or "black lung."

Conservative estimates place at 500 the number of miners attending the "rally" here to listen to a trio of doctors who spearhead the Physicians' Committee for Miners' Health and Safety. Similar size audiences have shown up at rallies held in Welch, Delbarton, Logan, Marmet, and Vivian.

The Pineville Courthouse will be the scene of another miners' meeting Sunday afternoon at 5 o'clock.

Meetings have been scheduled in Fairmount and Moundsville next Saturday, which will precede a mass rally in the Charleston Civic Center on Sunday at 2 p.m. The Fairmount meeting is set for 4 p.m. at the Fairmount West High School.

The Charleston meeting will solidify the miners' legislative campaign strategy. In addition to the numerous area meetings, the "grassroots movement" has arranged for a substantial number of miners to circulate in the Statehouse halls every day the Legislature is in session. Damaged lungs are on display.

Formation of the West Virginia Black Lung Association was announced Saturday. The association met at the Montgomery City Hall and will meet there at 7 p.m. every Sunday.

Charles Brooks of Kanawa City is association president and has invited the public as well as miners to attend the weekly sessions. The group is dedicated to passage of appropriate legislation dealing with the disease.

Brooks said contributions to assist work may be sent to the association in care of Ernest Riddle, treasurer, Cannelton, W. Va. 25036.

Former State Sen. Paul Kauffman of Kanawha County has been retained as the miner's formal lobbyist.

Plans for a formal march on the State Capitol were proposed at the Welch meeting. These will probably be shelved in favor of more sophisticated methods of convincing the General Assembly of the need for black lung legislation.

A black lung compensation bill has been introduced in the House of Delegates by Dels. Thomas (Blue) Goodwin, D-Boone, and Cleo Jones, R-Kanawha. Sen Neal Kinsolving, R-Kanawha, plans to introduce a similar measure in the Senate.

Kinsolving introduced a black lung bill two years ago. It died in committee.

Woodrow Mullins of Gallagher, Kanawha County, is acting as spokesman for the miner's group.

He said the miners' drive came to life because "we became more aware of the causes of the disease." He attributed this awareness to Dr. I. E. Buff, a Charleston heart specialist and public member of the State Air Pollution Control Commission; Dr. Donald Rasmussen of Beckley and Dr. H. A. Wells of Johnstown, Pa.

The three doctors head the physicians committee and have been speaking each weekend recently at the area miners' meetings.

Asked if the group would also be working at the same time for new mine safety legislation, Mullins said, "No, we'll take one thing at a time."

While the doctors' appearances at the meetings have concentrated on black lung their concern for miners' health and safety has a much wider base.

Speaking for the doctors at Secretary of Interior Stewart Udall's conference "to make mining safe," Dr. Wells said, "We are a committee of physicians who are responsible for the day-to-day care of sick and disabled coal miners. As such, we are entrusted with information these men cannot, or will not, give to anyone else.

"We are here today (Dec. 12, 1968) to emphasize our conviction that mine fires and black lungs are not acts of God. They are simply the result of disregard of basic safety and health practices. The record speaks for itself; the Bureau of Mines and the Public Health Service have not done their jobs.

"We will, therefore, present the confidential information which we have and will continue to collect, to the next Congress which we hope will be more responsible, Dr. Wells concluded.

Members of the Physicians' Committee live in West Virginia, Virginia and Pennsylvania.

Dr. Buff warned that the legislative campaign on both the state and federal levels faces great difficulty "because you have to fight four lobbies."

They are, he said, the coal operators, railroad, oil and steel lobbies.

"These are probably the most powerful interests not only in the State of West Virginia but in the entire nation," Dr. Buff said.

Dr. Buff suggested that the coal miner disabled with black lung should be paid $250 a month for eight years and then $75 a month until death.

The compensation law which the miners seek is similar to the Pennsylvania statute for occupational diseases. It would differ in that benefit payments would come out of workmen's compensation rather than the state's general fund. Compensation funds come from assessed payments from employers.

The black lung issue has divided the medical profession and sharpened the natural economic segmentation. Motives have been impunged.

The Cabell County Medical Society is in the process of trying to mobilize West Virginia's 1,300 physicians against the three doctors and the miners.

The Society adopted a resolution presented by Dr. Rowland Burns calling the widespread publicity concerning coal workers' pneumoconiosis "alarming appeals based upon evidence open to serious question of its validity."

Each of the miners' meetings follows a similar pattern.

"Here," says Dr. Wells, holding up something thin, dry and fragile before his audience, "is a slice of one of your brother's lungs."

The 32-year-old doctor, who teaches at West Virginia University one day a week, closes his fists on the object until it crumples to bits and floats to the floor. "Dust and dust. Just as black as can be."

Dr. Wells introduces himself as a pathologist.

"I have to do the autopsiesm," he says.

Dr. Rasmussen exhibits mounted sections of lungs.

Dr. Buff says the long-run objective is no compensation for disabled miners but to make the disease so expensive for the operators that they will "clean up the mines."

The Charleston heart specialist accused the coal mine owners of "suppressing brains" by maintaining low quality schools that would assure adequate manpower for mining jobs.

"The schools are terrible," he declared.

"They don't want you to have a good education."

Dr. Buff, 60, said that medical care in West Virginia, with a few exceptions, was second and third class and that some of the doctors were in league with coal companies to disqualify a job applicant with suspected lung trouble. He said the state compensation law was so full of loopholes that only four black lung victims have won awards in four years, whereas Pennsylvania paid $57 million in such benefits in 1967.

Asked what lead him to take up this cause, Dr. Buff said, "I guess it was all these lung failures that they were calling heart attacks."

The Charleston doctor estimates that at least 20,000 miners in West Virginia are afflicted with some form of lung disorder.

"You get black lung from working in mines, not from cigarettes, not from tobacco," he tells audiences. "This is caused by the greatest loophole finders that ever existed."

Many of the miners seek the floor to talk about their symptoms and their disabilities.

Dr. Wells sent a sharp letter to Dr. Charles Andrews, vice president for medical affairs at WVU, accusing him not only of supporting the opinion that cigarette smoking caused black lung but also questioning whether his motivations were affected by "pressures and interests unworthy of any member of an academic institution."

Dr. Andrews denied having made such a statement and said he would not indulge in a dialogue about motives. He said he had delivered papers linking cigarette smoking with chronic bronchitis in miners.

"Part of the problem," Dr. Andrews said, "is what is black lung? Coal miners have lung diseases, but to lump them all under black lung is where we get into trouble. The key question is, does coal dust cause emphysema? It may prove to be so, but right now we don't know."

The WVU vice president said he would issue a statement about black lung and research on the problem Sunday.

Members of the medical fraternity hold strong views about the three doctors who have been talking to the miners, particularly the two younger physicians.

It is said that if research is faulty, then the two must share some of the blame because they have been part of that research effort.

It is readily agreed that the position taken by the trio is a "minority one" and it could very well be substantiated as fact within the next decade. At the present, however, the majority view is to give the minority opinion no credence whatsoever.

Government Set To Fight "Black Lung"

(By Ray Martin)

WASHINGTON.—In the closing hours of President Johnson's administration, Health, Education and Welfare Secretary Wilbur J. Cohen ordered an attack on pneumoconiosis, long neglected by federal and state agencies in the United States.

Secretary Cohen recognized the disease—commonly called "black lung"—as "a serious occupational health problem, an official step long urged by those concerned with the health of coal miners."

The HEW secretary ordered an eight-point program instituted under Charles C. Johnson Jr., administrator of the cabinet agency's Consumer Protection and Environmental Health Service.

Cohen's action was disclosed in a letter to Ralph Nader, consumer protection critic.

The retiring secretary regretted "that the short time remaining to me . . . will not permit me to continue my official interest," and said "I am confident that under Mr. Johnson's leadership" there will be pressure for action.

Earlier this month Nader wrote Cohen saying HEW "has failed utterly to give this problem the leadership and seriousness that it so badly needs."

The young Washington lawyer charged that the states were spending on the average of 40 cents per year per worker on industrial health and safety, with huge areas totally ignored.

Nader told Cohen that HEW lost a major opportunity nearly a decade ago to forge the facts that would have fostered more vigorous public policy. He said a glimmer of that opportunity came from a survey by the Bureau of Occupational Safety and Health on the widespread prevalence of black lung and subsequent research at the Appalachian Regional Hospital in Beckley, W. Va., showing that the prevalence may well be much higher.

"Poor management, petty bureaucratic infighting, and well known belief by the physician in charge of the research program that a safe dust level for coal mines could not be set because of political and economic factors," was one of the reasons cited by Nader.

"Dr. Murray Brown has outraged more than one responsible person in Government by the degree to which his political antenna has over-ridden his professional obligations as a physician vis-a-vis the coal miner's black lung disease," Nader told Cohen.

Also called "miner's asthma," pneumoconiosis has increased in the U.S. with the use of machines to rip away coal seams, filling the air with fine dust.

The U.S. Public Health Service has estimated that one miner in five—125,000 working miners currently—suffers from some stage of the disease.

Crusaders like Dr. I. E. Buff, a Charleston, W. Va., heart specialist, think the disease is far more common. Autopsies of 1,000 miners showed evidences of the disease in four out of five.

Advocates of black lung legislation have also pointed to lack of effective dust control in mines, to lack of local regulation and to "vague" standards even in the Coal Mine Safety Act proposed by President Johnson last September.

Cohen said the Environmental Health Service has taken a "long overdue action of recommending an interim national standard of respirable dust, not to exceed 3 milligrams per cubic meter of air" in mines.

Legislation proposed by Secretary of Interior Stewart Udall last month and introduced in Congress earlier this month would lower that standard to 4.5 milligrams and give coal mine operators a year from time of the law's enactment to implement the lower standard.

"We must refine the interim standards," Cohen said. "We must develop better diagnostic procedures. We must develop methods for treatment. We must develop better coal dust control procedures, and must examine the adequacy of existing legislation."

The program Cohen ordered would seek to carry out these steps and, in cooperation with the Labor Department, review present control and compensation laws and "disseminate recommendations for federal and state legislation."

The disease is covered by compensation laws in only three states, the HEW secretary said, "and in only one is the law even reasonably adequate." The three are Pennsylvania, Virginia and Alabama, with Pennsylvania's law regarded as the best by HEW.

Dr. Buff thinks compensation for black lung will soon be a reality in West Virginia.

He predicted that if the West Virginia legislators allow the proposed changes in the Workmen's Compensation Law to die in committee, they are dead politically from now on.

Dr. Buff advocated that coal be taxed 10 cents a ton for lung disease in all states where mining is an industry to prevent competition, and that "railroads give up a little to compensate for the damages to miners' lungs."

The Charleston physician has denounced researchers of the Appalachian Laboratory at West Virginia University in Morgantown.

WVU issued an analysis Sunday saying only one per cent of miners with black lung are actually disabled by it, and that, when disability occurs, the cause more likely is cigarette smoking.

Dr. Buff retaliated by accusing the WVU researchers of "having the corporate interests (of the coal industry) at heart."

He called the WVU project one of the most expensive medical projects in existence. He said only 34 persons had been examined in a three-year program which has cost the federal government $3.5 million.

The Charleston doctor said research was important but the WVU researchers apparently recommend a course of inaction while they complete more studies.

"We must never put ourselves in the position of coddling this disease which is not treatable or curable, but is only preventable. Let us not put ourselves in the position of letting people die while we are making up our minds," Dr. Buff said in response to the statement issued by Dr. Charles E. Andrews, provost for health sciences at WVU.

Meanwhile, on Capitol Hill, Sen. Jennings Randolph, D-W. Va., said he plans to introduce Tuesday a mine health and safety proposal suggested by the United Mine Workers of America.

"Fear for Their Jobs" Hampers Free Expression About Mine Disaster—Miners, Their Wives, Union Leaders Speak Out

(By Ray Martin)

Almost 60 days have passed since the fate of 78 West Virginians was sealed in the Farmington No. 9 mine at Mannington as the result of explosions and fire which raged through the mine on Nov. 20, 1968.

Since the disaster, many individuals, including miners and wives of miners, as well as organizations have communicated their feelings and ideas to members of Congress.

Referring to the status of mine safety legislation, the American Jewish Council expressed its opinion in three words: "What a scandal!"

The secretary of a United Mine Workers of America local union in West Virginia told a congressman: "The miners do need the very strictest of legislation enacted and put into effect and strongly enforced by government and the coal companies.

"There are top leading officials in other categories who for some reason don't want any stronger laws enacted. The miners are being forced back to the position they were in before they were given the unions by the Roosevelt Administration in the early 1930s," the union official said.

"Fear for their jobs and some other matters are hampering miners from speaking out, like they should. They need assurance from some government agency that they will be backed up from the ravages of the coal company officers. Unless this is done they still are doomed forever," the UMWA leader said.

In a letter to Cecil J. Urbaniak, president District 31, UMWA, Robert L. Scragg, president of Com-Nav Electronic, Inc., Huntington, said: "We as a company, were appalled by the lack of communications that just were not available in this tragic time of need.

"As you know, our whole company's existence is based on 'Safety in the Maritime Industry Through the Use of Electronic Communications and Navigational Devices.' We, as a company, were unaware that some reasonable semblance of direct communications between the men underground and the men above ground did not exist. We ask the question, why? At the present time, our company, and others, are involved in direct communications systems that serve moving objects on the ground, under water, and in space over distances of thousands of miles; why were there no communications between the men at Farmington?

"We have listened to many discussions of safety, of every nature, in every conceivable situation, and always without exception, communications is the vital link to safety.

"We wish, at this time, to make it known that this company will make every effort to make certain that communications becomes an every day tool of the mines. In this effort, we will work with or for any private industry, agency of the government, or any organization wishing to accomplish this goal," Mr. Scragg said.

A miner with 22 years of service from Anawalt said that a mine foreman had told him "we have to get everything in top shape because the 'man', meaning the inspector, will be here next week."

The same miner said, "I also believe that anyone caught, whether it be a mine worker or the company, in violation of the state or federal mine laws should be taken to court and tried by jury and, if found guilty, they should be prosecuted to the fullest extent of law."

A miner's wife in Van said, "I do not agree with the Williamson lawyer who stated publicly that we should drop it, newswise, because it was giving the state a black eye. I feel if anyone was getting a black eye, it was the operators and inspectors and probably justly so.

"I was not surprised when the first news reports stated that the names and number trapped at Mannington could not be determined because the lamp house and mine foreman's office were destroyed in the first explosion. However, the mine law manual now states that a continual and up-to-date check lists of all persons under ground at any given time will be kept at a distance far enough away so as not to be destroyed in the event of fire or explosion.

"I assume Consolidation was using the most common form of check list among West Virginia mines," the miner's wife said.

"There is no longer a 'lamp house man' to know who gets what lamp. Most places, each man is assigned a lamp and 'charge rack.' At the beginning of his shift he takes his lamp off charge—leaving his rack empty. If his charger has not operated correctly, his lamp is not charged, so he quite frequently has to take another and put his back.

"There is no one to issue him another lamp, and he must have one before entering the mines. Therefore, just how correct is this form of check list?

"This is not speculation and it does happen. I recently found out that a good number of mines cannot tell you, without calling inside, if a man is working over or is working someone else's shift or even if he is still inside the mines after his shift is finished.

"Several years ago the law went into effect that each man under ground would be issued a metal identification tag which would be attached to his safety belt and lamp. Also one placed outside for check. These were issued at first, then nothing. One company out of the last four where my husband has been employed have issued ID tags.

"Nothing has ever been said about how many of the 'company' men trapped were certified. If it is like most places, chances are that more of the union men trapped were certified than the 'company' men. Most companies, if they care to check, will probably find that they have more certified men working under the union than they have as foremen.

"The companies do not offer enough for a man to leave the union, so he hides the fact that he is certified and hires in under UMWA. Why should he give up the protection of the union for $650 or $36.50 per day? So the companies use 'crew chief' or certification examination flunk outs as foremen. This may seem harsh but the fact remains that this is too often the case and there are no other words to use.

"If the companies are made to use only certified men, men who have studied and passed their examination, much as a lawyer or doctor have to be licensed, they will have to offer these men a better 'deal' to get them and keep them," the miner's wife said.

The woman referred to the president of Consolidated Coal Co., stating that violations in the Mannington mine were "minor." John Corcoran, she said, mentioned the absence of a gear box cover.

"If this were not necessary, it would not be a violation," she said. "Several of these minor violations might well lead to a major accident," the woman added.

"I understand, one of the changes (in the law) is to be that a man may notifv the officials of a violation or ask for an inspection in secret. Why in secret? As it stands now—an operator of the above mentioned piece of equipment in violation, is well within his rights to refuse to operate it until the cover is replaced. The company then begins to classify him as a trouble maker so he will, in most cases, ignore the situation. If he has to report in secret the situation is not much better.

"If the companies know that an individual can report a violation in the open and not be afraid of repercussions, there should be fewer violations," the miner's wife said.

The woman from Van told her congressman: "Possibly I have said too much already, but anytime an individual in the industry says anything against it, the first remark you get is 'why should you complain, look at the fat raise they got.'

"This is not the case because this 'fat raise' brought up the price of coal to those men who still use coal, plus local markets upped the price of food, etc., so much so that it has been figured that these men lost 37 cents from this 'fat raise.'

"The case is—I am simply one wife who wishes the industry would abide by safety regulations religiously so that I may not be faced with the same situation as the wives at Mannington," the miner's wife said.

(The next article in this series will report on additional views expressed by miners, their wives and others to members of Congress.)

For the Coal Mines: Nevada Geologist Suggests New Inspection System

(By Ray Martin)

While members of Congress have been inundated with letters containing comments and suggestions since the Nov. 20 mine disaster at Mannington, miners in West Virginia were expressing their concern for safety and health a month before the 78 miners were entombed in Marion County.

In October, 1968, the officers and members of Local Union 8454, United Mine Workers of America, at Lorado asked congressmen from West Virginia to support a change in the state law.

That petition read:

"We, the officers and members of Local Union 8554, United Mine Workers of America, Lorado, W. Va., strongly urged you to support Dr. I. E. Buff's plea to the next session of the West Virginia Legislature, that a law be put into effect, which states, 'When a miner is told he is suffering from pneumoconiosis or as it is more commonly known, "black lung" disease, he will be eligible for the following benefits under this law:

" 'He will be paid a fixed amount monthly for five years This amount will be determined by the Workmen's Compensation Commission.

" 'After five years, he will then be paid a fixed amount until his death.'

"We also propose that this law be retroactive for 10 years," the UMWA local's petition stated.

Dr. Buff, who has been criticized by some members of the legislature for not presenting his proposals for study prior to the convening of the legislature, has suggested that miners disabled by black lung get $250 a month for eight years and $75 a month until death.

A Mt. Jackson, Va., miner who has worked in mines in that state, Pennsylvania and West Virginia told a congressman: "I know that inspectors don't do what they are supposed to do or make inspections when they should in coal mines, strip pits or rock quarries."

The same miner told of observing an 11-year-old boy operating a front-end loader at a mine site. The Virginian reported that he had suffered a back injury and had been declared ineligible for compensation.

A West Virginia miner, who became disabled in 1963, and who had worked in the mine since 1926, told Rep. Ken Hechler that he would not discuss mine safety with the United Mine Workers, coal mine operators, the U.S. Bureau of Mines or the West Virginia Department of Mines.

He said, "These groups do not want to do anything or will not try to correct it."

The writer of the letter identified himself as a former safety commissioner with the State Department of Mines. He also served as a mine inspector.

"I will discuss this matter with you, a congressional committee, or any group that can give me assurance that the matter will be given due consideration," the West Virginian said.

Tony Megna, high school principal in Plain City, Ohio, lost his brother in the Farming No. 9 disaster. He received a letter bearing on the disaster from Burton J. Westman, a consulting mining geologist, in Las Vegas, Nev. The author of the letter sent a copy of it to Sen. Gaylord Nelson, D.-Wis., and Mr. Megna sent a copy of it to Rep. Ken Hechler, D.-W. Va.

After extending condolence to Mr. Megna. Mr. Westman said, "I have known the effect of such avoidable loss because I grew up in a large mining district of Northern Michigan where loss of life and limb was a common event—until certain safety practices were brought about. That dreaded long blasts of a mine whistle whenever a serious accident occurred still can be heard after all these years.

"I am now a consulting geologist but I started out after high school as a miner but went on to obtain a degree in mining geology and, after service in World War II, gained experience in mining and construction and particularly core drilling.

"But the foremost interest," the Nevada geologist said, "due to several near fatal rock falls as a miner, has been underground safety. And because of this and the shocking events of this disaster, I believe that you will want to know that something can be done to avert further events of this nature.

"First, I would like to comment on the shocking scene viewed on television regarding the drilling of those probe holes after the blast and fire. Why in God's name did they use diamond drills? No slower method could have been possibly used!

"Just why wasn't a rotary rig brought in with a down-the-hole hammer which could have drilled a large hole—at least six inches—in a fraction of the time? I am certain that each hole would not have taken more that one day to put down. These drills are in common use all over the world.

"If I recalled correctly, a few years ago, a 23-inch well was drilled to over 2,000 feet, cased and completed for a water well in three or four days for the Navy out on the Mojave Desert in California south of here—just to cite an example of the speed.

"I doubt that there was any part of that mine where those men were that could not have been penetrated in a few days—and supplied with fresh air and where the fires were inject foam, and other fire fighting chemicals.

"Secondly, I wish to comment on the recent 'debate' over mine safety practices and so-called inspections which were made. Here I shall cite the record of the mine disasters which were so frequent in the Michigan (and Wisconsin) iron mines caused, not by gas or fires, but extremely bad, caving ground.

"It was not until the mining companies were forced to institute new mining methods and, above all, institute and enforce mine safety program fostered admittedly by the U.S. Bureau of Mines but enforced by the local people. And, here is where these disasters can be averted as they have been in the Michigan mines where the USBM Holmes Award is given to the mining company with the best safety record which in recent years runs into millions of accident-free man hours where formerly such could be only counted in hours," Mr. Westman said.

"But this record of achievement rests solely on a locally elective officer, the mine inspector. Each mining county has one and he is the one who has complete authority to enforce safe mining practices. Not the state or the federal government.

"The representative of the mining families and one experienced in all practical phases of underground mining. He is not an appointive federal official who came out of the books. He is not one to hem and haw when disaster strikes and does not make tongue in cheek comments from a polished desk in Washington. He makes his decisions at the mine face and if unsafe practices are found they are corrected right now—not given until midnight to correct an infraction before issuing a citation, or, if need be, close down the mine as is his full right to do. . . .

"Thirdly, I wish to comment on the explosive nature of coal mines. Surely there must be a better way to control dust explosions other than the expensive, time-consuming bagging, haulage and distribution of rock dust used to coat accumulations of coal dust discharged into the mine from the cutting machines," the Nevada geologist said.

"I would think that such (dust) could be abated by creating a negative pressure at the face particularly in and about the digging machines," he said. "The evacuated air then passed through portable dust collectors would permit removal from the mine of this highly explosive material rather than trying to cover it up where it now settles. Also, it may be possible to remove settled dust by a piped in vacuum cleaning system whereby the cleaning crew would keep working areas free of dust until such time when an area becomes remote enough that rock dusting would be more practical. As for the inaccessible areas other than caved ground, wouldn't chemical wetting agents be more effective over a longer period of time?

"As for explosions caused by accumulations of gas, the coal mining industry has been plagued by this from the start but in all the literature I have never read of any attempts to bleed off this formational gas before it is encountered at the working face.

"There is little difference in the entrapment of this gas than that which accumulates in other natural reservoirs such as an oil or gas structure. It is entrapped due to the natural process of coal formation in an impermeable environment and pressurized by overlaying column of rock. Penetrating this environment releases this gas as mining advances. Most of the time, fortunately, it is a slow 'bleeding' process but there have been many instances of extremely violent rupturing of the coal seam such as one mine in the Saar, I believe, blew coal clear out to the surface with heavy loss of life and without a thermal explosion.

"The pathetically slow drill holes put down at Consol No. 9 encountered 'explosive accumulations of gas' to quote the press releases. Just why this gas 'accumulates' when advance long hole drilling vented to the surface would prevent such gas from entering the workings. Such advance drilling can be done readily from the underground along the seams and, in very gaseous seams, tapped by drill holes from the surface," Mr. Westman said.

"It would appear that mine safety has always been an after-the-fact activity. The slow advance of the safety of miners is clearly portrayed in 'Coal Through the Ages' by Howard N. Eavenson, A.I.M.E. Series, 1942, and others.

"The need is urgent for preventive safety measures and stringent enforcement of safety regulations. As in the Illinois coal mine disasters not too long ago, here again dusting with rock flour was not continuous The miners, union officials, the company officials and the inspectors were aware of this. This was brought to light—after the disasterous fires. I believe that such enforcement of safety regulations can and should be placed in the hands of a county mine inspector who represents no one but the miners and the community which elects him.

"I could elaborate further on safety practices or, rather, the lack of same as witnessed by the undersigned when he was head foreman and assistant superintendent of a large quarry operation in a midwestern state and how he was maligned by the company officials for instituting safety by revising outmoded practices or equipment ignored by both the company, the unions and the miners," Mr. Westman said.

John L. O'Leary, director of the U.S. Bureau of Mines, recently appeared on a special television program with Rep. Ken Hechler, D-W. Va. During the course of the program Mr. O'Leary expressed support for the Huntington Democrat's position that strong health and safety provsions must be written into new federal legislation.

Strong Law on Black Lung Urged

(By Ray Martin)

FAIRMOUNT.—Cecil J. Urbaniak, president of District 31, UMWA, Saturday indicated strong support for efforts to obtain a "black lung" law in West Virginia.

Speaking at a miners' rally in the Fairmont West High School auditorium, Urbaniak said, "At present, it is not a matter of whether you have black lung or not, but how do you prove it."

The mine union official said, "There are only two ways of determining the presence of pneumoconiosis for sure. One is through a biopsy—taking a slice of a man's lung—or by autopsy after his death."

Urbaniak said the UMWA is in the process of preparing its version of black lung legislation for the state, at the request of W. A. (Tony) Boyle, UMWA national president.

When it appeared, to some members of the audience, that there might be potential conflicts and divided loyalties—between support for the UMWA measure and one sponsored by the West Virginia Black Lung Association—Urbaniak said that the UMWA would support the association's measure or any other bill if it contained stronger and better recommendations than his organization's proposal.

The District 31 president promised a demonstration in Charleston "if that's what it takes." Urbaniak made the statement after a miner suggested that UMWA provide buses to take its members to Charleston the day the hearings are held on black lung bills.

The tentative date for those hearings is Feb. 11.

Attendance at the meeting here and the one held in Moundsville earlier in the day did not measure up to expectations. Many of the miners noted that, with the exception of the Morgantown newspapers, only scant notice of the meetings was published in newspapers or broadcast on radio.

The miners said, "Black lung does exist in the northern part of the state, and we do support this effort. Give us notice and we'll go anywhere to support this legislation."

Dr. H. A. Wells of Johnstown Pa., one of the members of the Physician Committee for Miners' Health and Safety, urged the miners to attend Sunday's meeting at the Charleston Civic Center. Miners from throughout the state are expected at the 2 p.m. session.

Dr. Wells, who teaches at West Virginia University one day a week, said much of the medical literature on black lung is "confusing" to doctors. Some of it says "miners are sick in the head—they are neurotics."

"I believe it," Dr. Wells said, "anybody who goes back in those holes probably is sick in the head."

The son-in-law of Rep. Harley O. Staggers, D-W.Va., noted the U.S. Public Health Service recommended dust standards of three milligrams of respirable dust per cubic meter.

He asserted that West Virginia mines show measurements of between 400–500 milligrams of dust per cubic meter.

"If you don't do something about it, you are sick in the head," Wells told the miners.

Dr. Donald Rasmussen of Beckley told the group that the coal operators of the state had retained a group to battle the legislation. This group, he said, offers to pay each West Virginian $50 to answer six questions which can be compiled and shown to the Legislature as proof that doctors of the state see no great problems with or the need for black lung compensation laws.

Dr. I. E. Buff of Charleston, head of the physicians' committee, showed slides of lungs in various stages of the crippling disease.

Dr. Buff criticized Welfare Department personnel for classifying disabled coal miners as "lazy."

"How on earth can a man get a job when he can't breathe when he walks upstairs?" the doctor asked.

He said the welfare workers were practicing medicine and "we're going to have to get these people for practicing without a license."

Dr. Buff charged that a large number of bills will be introduced in the Legislature "to confuse" the miners.

"We'll let you know which is the right bill—the one that will protect you," the doctor told the miners.

Representatives of the West Virginia Black Lung Association were present and explained their mission.

A number of those in the audience made contributions and one miner offered to give the association $1,000 to help the cause. He suffers from black lung, he said.

Monongalia County Commissioner Joseph E. Kun was in the audience. A member of one of the rescue teams at the Mannington disaster, Kun expressed disappointment that he was apparently the only miner from the country to attend the meeting. He was accompanied by a small group of Morgantown residents.

No area members of the State Legislature were present, although all were invited, Dr. Wells said.

MINERS RAP WVU FACULTY AND (TONY) BOYLE

(By Ray Martin)

CHARLESTON.—Criticism of actions of some West Virginia University faculty members and a challenge to W. A. (Tony) Boyle, United Mine Workers of America national president, highlighted a meeting of about 3,000 coal miners in the Charleston Civic Center Sunday.

The challenge to Boyle came in the unanimous adoption of a resolution which was proposed after a message from Ralph Nader was read asserting the UMWA president "has neglected his responsibility to protect coal miners."

The resolution invites Boyle to come to West Virginia and testify before the Legislature in support of proposed laws which would enable disabled coal miners to get compensation for black lung.

Dr. I. E. Buff, Charleston heart specialist and member of the State Air Pollution Control Commission, voiced criticism of the tactics employed by a member of the WVU faculty.

"A newspaper editor brought a man to my office who was introduced as a graduate student at WVU and who wanted to learn something about black lung," Dr. Buff said.

"I cooperated and worked with the student, as I would with any student," Dr. Buff said.

"The next thing I know is that this graduate student turns out to be a professor in the WVU journalism department and he prepares a 'yellow sheet' which is distributed at the Legislature. That 'yellow sheet' attacks me and the work that I have been doing in connection with black lung.

"I'm sure the university president has no knowledge of this kind of activity of his faculty members," Dr. Buff said.

Nader's message was read to the Civic Center audience by Rep. Ken Hechler, Huntington Democrat, who described the message's author as "an independent and incorruptible person" who has been speaking out for mine, health and safety long before the Nov. 20 disaster at Mannington.

"Your gathering here makes it clear to the coal mine operators and those groups and individuals that do their bidding that no longer are you going to tolerate a situation that makes coal miners cheaper than coal," the Nader message began.

"You are not going to tolerate corporate profiteering at the expense of your right to breathe freely and of your right to safety in the mines. You are not going to tolerate puppet-like physicians, employed by the coal operators, disgracing their profession by saying that black lung is not all that bad and that miners can learn to live with it.

"From now on the coal miners, whose bodies are being abused and whose lungs are being destroyed, are going to be the ones who say how bad black lung is and what they have coming to them from a power structure that long ago forgot that miners are human beings whose needs come before corporate balance sheets and production quotas.

"Those in the West Virginia Legislature who will listen to your needs deserve your support against powerful lobbies. Those in the Legislature who do not listen to your needs must be taught that they were elected to represent people not coal," Nader said in his message.

"This meeting today and the crises of black lung and other mining hazards would not have occurred if the United Mine Workers leadership in Washington and their like-minded representatives in the field had been doing their job of protecting the workers' health and safety.

"Those UMW locals who are struggling for safety and compensation know how difficult it is to get the UMW leadership in Washington moving against the coal operators in this area. I doubt whether there is any union in this country whose highly paid leadership has been as insensitive and inactive toward the miners' health and safety conditions.

"Yes, the UMW Journal gives you the comforting words and the sad regrets: but when the chips are down, the UMW leadership follows the lead of the coal mine operators in Washington and in the coal mining states," the Nader message said.

"It is your right and duty to demand that your union's Washington leadership get out of their comfortable offices and start fighting for your health, safety and compensation rights—not with lip service to make you think they are doing so, but with action and dedication and some of the sweat that you deal out in the mines.

"The record is overwhelming that Mr. Tony Boyle has neglected his responsibility to protect coal miners. At the Farmington disaster in November, his first public comment was to praise the company even though he knew that the company had violated federal mine safety standards designed to prevent such explosions.

"He made it appear that all such disasters are inherent in the dangers of coal mining. Well, there is nothing accidental about these disasters—they are caused by unsafe practices. A couple of weeks later Mr. Boyle had his writers in the UMW Journal criticize, not the coal company, but those individuals who spoke up for the miners and criticized the coal company," Nader said in his message.

He said that the miners, who are members of UMWA, had the right and duty to ask Boyle to explain his failure to protect their health and safety against the operators' desires. Nader listed five questions for Boyle to answer.

Nader's points:

"He (Boyle) has failed to secure adequate compensation in the UMW contract for all death, injuries and coal dust disablement suffered by mine workers. The UMW leadership could and should have demanded that employers take out adequate insurance to assure prompt and complete payment of workers regardless of the final obligation. The contract, instead, merely requires the coal operators to satisfy state laws on the subject, and pay 40 cents per ton benefits to the welfare and retirement fund—money which is then loaned out to the coal mine operators. Remember that the coal industry is making spectacular profits, breaking all records in return on their investment, and still Mr. Boyle didn't get adequate compensation for you.

"Mr. Boyle has failed to secure adequate state laws to correct deficiences in inspection and enforcement and in worker compensation. When has the national leadership of the UMW ever testified in any of the state capitols when the battle was being waged there? When have they ever led? Not only has the UMW leadership not testified, but it has not sent written endorsement of safety measures to statehouses, nor has the UMW sent informational material to these battlefronts.

"Mr. Boyle has failed to push for a vigorous federal safety program. His testimony before the House Education and Labor Committee (on Aug. 8, 1963) was confined to the provisions of the bill then put before the committee by the industry-dominated Bureau of Mines. He did not then push for the safety provisions known by experts and you to be needed, e.g., immediate abolition of grandfather clauses for unsafe electrical equipment, coal dust standards, penalties for law violations by the companies.

"Mr. Boyle has failed to develop any adequate safety procedures within the UMW hierarchy in order to secure and advance the rights won in contract negotiations. The size of this failure is best illustrated by the fact that while there are over 125,000 United Mine Workers, Mr. Boyle has a mine safety division consisting of one full-time professional employe. Just one! The harm to individual miners that has occurred because of failure if the UMW safety division can, unfortunately, be summed up by noting that there has not been one revision of the federal coal mine safety code in over 15 years. By all humane standards, the code is antiquated and should be revised. Mr. Boyle remains silent. Why?

"Mr. Boyle has failed to place, in your most recent contract, other needed medical, health and safety benefits. The recently negotiated three-year contract with the coal industry gives UMW workers less real benefits than any comparable contract secured by working men in the last 20 years. For example, the deficiencies of this contract include no compensation for lost time safety closing of the mines due to the fault of management, no requirement for dust prevention procedures, no requirement for toilet facilities in the working area, etc."

The Nader message concluded with these words:

"The time has come for you to invite Mr. Boyle to West Virginia and have him exercise his right of replying to these facts. You may conclude that he is no longer worthy of being your leader, that you need new leadership that will fight for your rights and not snuggle up close to the coal operators and forget about the men who are paying the dues and paying the price."

Over the weekend, Sen. Jennings Randolph came out in defense of UMWA's leaders. He said the union "must not be accused of lacking zeal and effort on behalf of coal miners." There are no more devoted men to the causes of safety and health—and payrolls of their members than Tony Boyle and George Titler and their associates and assistants," Randolph said.

West Virginia's senior senator was critical of suggestions that some mines should be closed because of poor safety conditions.

Closure of mines to eliminate safety risks is not any more practical than closing chemical or power plants to eliminate air and water pollution, he said.

Randolph said that although he agrees with some provisions in the UMW and Department of Interior bills which he introduced in the Senate, he wants to remain flexible until hearings are held.

Representative Hechler began his remarks to the Civic Center audience by noting that the policy committee of the state medical association was meeting in the city at the same time.

Jesting, he said he had just received word from the secret meeting of doctors and that was "black lung is good for you." The message was displayed on a large sign board. The congressman followed his by displaying a 12-pound bologna and the comment "this is what that is."

The medical group's policy committee was meeting at Charleston Memorial Hospital to consider adoption of a request from the Cabell and Kanawha County Medical Societies that the state group go on record in opposition to the drive for black lung compensation.

Dr. Donald Rasmussen, one of the three doctors who are targets of the medical societies' move, asked the policy committee not to act until he and his colleagues had had an opportunity to present their evidence and recent findings relative to the disease. The other two are Dr. I. E. Buff and Dr. Hawley A. Wells.

The committee adopted a resolution calling for creation of a medical board to study black lung.

In his remarks, Hechler said, "What you're doing today will inspire people all over West Virginia to say—let's give the government back to the people, let's remember that the individual human being counts more than wealth and power, and let's make sure that those who run the show never forget that West Virginia's state motto—Montani Semper Liberi—has been repeatedly violated by political and economic practices in this state."

After commenting on the accusations hurled against Doctors Buff, Rasmussen and Wells, Hechler said, "You know what amazes me when I start talking about coal mine health and safety legislation with my friends? Lots of them say: 'Oh, well, maybe we'll get a compromise bill. All legislation is compromise.'

"I just don't understand that kind of talk. I say: 'What do you mean, compromise?' Compromise a coal miner's life? Compromise his safety: compromise his lungs? There's no compromise when you're talking about human beings who are gassed, crushed, burned and trapped in the mines. Four thousand coal miners were killed or injured in West Virginia in 1968. How can you talk about compromise when that is the stark, grim record."

The Huntington Democrat said, "Do you know what they're talking about in Washington today? Some of the slick operators behind the scenes are saying: 'Let's not panic now about this new coal mine legislation. Let's figure out a way to slow it down. The excitement after the Nov. 20 tragedy is dying down, so let's just see if we can compromise this a little.' That's what they're saying.

"So some of the top leadership of the United Mine Workers in Washington are going around quietly to their friends and saying: 'It's our viewpoint that strict federal legislation on health standards won't pass. So we the UMW leadership think you boys in Congress ought to separate out the health from the safety legislation. Then you can enact just the safety part and let the health business go by the boards.' "

Hechler asserted the top leadership of the UMW would tell the miners that they were for health as much as safety and point to the fact that they drafted and introduced a separate bill for health and will testify for it in the hearings.

"Now I charge today that this is just a plot to defeat the health proposals which are necessary for your protection," Hechler said. "So I think you here today should rise up and demand that any legislation which Congress enacts should cover both health and safety in one bill, and that it must be passed before the high-paid lawyers get busy to drive their loopholes into the legislation.

"I predict today that if you allow health and safety legislation to be separated, the steam will go out of the public support which you now have for the legislation and you'll wind up with the same kind of weak bill which is now on the statute books," the congressman said.

He renewed his contentions that individual miners as well as the companies should be fined for willful violation of safety regulations. The audience signified its concurrence.

Boyle, the UMW president, opposes penalties for miners.

The three doctors who have been appearing at smaller rallies throughout the state arranged by the West Virginia Black Lung Association made brief remarks.

Former State Sen. Paul Kaufmann, retained as lobbyist by the association, addressed the group and announced that Sen. W. T. Brotherton Jr., Charleston Democrat and Del. Robert K. Holliday, Oak Hill Democrat, would introduce the association's proposals in bill form this week.

Kaufmann described Del. Warren McCraw's bill in the House as the strongest of the six bills which have been introduced concerning miners' health. McCraw, a Wyoming County Democrat, addressed the miners briefly.

The presence of Secretary of State John D. (Jay) Rockefeller was acknowledged.

Following the Civic Center rally, several hundred miners assembled on the steps of the State Capitol for a minute of silent prayer for the 78 miners who died at Mannington and the four who lost their lives at Hominy Falls last year.

Dr. Wells concluded the brief memorial service with this prayer:

"Dear God, those of us assembled here today on the steps of our state's Capitol—whose very existence is symbolized by the motto that 'mountaineers are always free'—acknowledge with reverence that we are all members of Your kingdom. We beseech you to look with favor toward the solution of the human crisis in the kingdom of coal.

"Guide us, O Thou great Jehovah as we pilgrim through the barren land. We are weak, but Thou are mighty. Hold us with your powerful hand. Grant us the strength to wage the battles in the halls of the Legislature and in the halls of the United States Congress to preserve and protect the lives created in and endowed by your image.

"Confer upon the elected officials, who hold the power of mortal life and death in their hands, the wisdom to answer our fervent prayers. In doing so, they will be carrying out that great commandment: do unto others as you would have done unto you. Amen."

ONE HUNDRED VIOLATIONS FOUND BY UNITED STATES AT MINE—INSPECTOR AT MINE ON JANUARY 6

(By Ray Martin)

MOUNT MORRIS, PA.—The last U.S. Bureau of Mines inspection of the Humphrey No. 7 coal mine here disclosed nearly 100 violations of the Federal Coal Mine Safety Act and the Federal Coal Mine Safety Code. The latter is enforceable through contract provisions between the United Mine Workers of America and coal company management.

That inspection was concluded Jan. 6.

All of the violations reportedly were corrected before the federal inspectors from the Morgantown district office completed their tour of the mine.

Complete details of the inspection were not available late Tuesday following the roof fall and fire which trapped 12 miners for six hours. All escaped safely and one was treated at University Hospital in Morgantown for smoke inhalation.

A Bureau of Mines spokesman said three inspections conducted between August, 1968, and January, 1969, all showed a pattern of many small and, for the most part, technical but repeated violations.

A spokesman for Consolidation Coal Co., parent firm of Christopher Coal Co., operator of the mine, said the mine has operated without a fatality for 11 years. That fatality, he said, was caused by a roof fall.

Records on file with the West Virginia State Department of Mines in Charleston, by contrast, showed that very few mine law violations had been found inside the Humphrey No. 7 mine.

The last state inspection was completed Oct. 31 and seven violations of the code were corrected on the spot. Other inspections June 1, 1968, and March 15, 1968, turned up five and eight inspections, respectively.

One of the state inspectors, Frank Rutledge, returned to the mine Nov. 29, 1968, for a surprise spot check and found two minor violations of the state law. He had inspected the mine for 15 days during October.

After word of the mine fire here reached the nation's capital, Rep. Ken Hechler, D.-W. Va., said, "The fiery near disaster in the coal mine near the Pennsylvania-West Virginia border underscores the urgent need for early passage of coal mine health and safety legislation."

The West Virginian urged committee chairman in both the House and Senate to start hearings immediately and speed up their time table in order to put legislation on the floor this spring.

"The Congress can no longer afford to delay," Hechler said. "We cannot afford to fiddle while coal miners burn, get crushed or die. In the name of humanity this Congress must act," he declared.

The Huntington Democrat revealed that President Nixon asked about pending mine legislation during his visit to the Capitol Tuesday.

"He asked me a question or two about the bill and gave me a little advice, too," Hechler said.

He didn't disclose what the advice was.

WHEN FIRES OCCUR IN MINES—POLICY OF MINE INSPECTORS BEING REVIEWED

(By Ray Martin)

WASHINGTON.—U.S. Bureau of Mines policy concerning action of its coal mine inspectors when fires occur in mines is in the process of review.

John O'Leary, bureau director, made the announcement Wednesday when asked to clarify the agency's procedure in cases of mine fires.

O'Leary was asked about reports that his inspectors had an agreement with mine operators not to investigate fires which were extinguished in 10 minutes or less, with no injuries.

The query was prompted by reports that three fires occurred at the same location in the Humphery No. 7 mine at Mt. Morris, Pa., between Jan. 20 and Jan. 23. The fires allegedly were not reported to the Bureau of Mines at Morgantown, W. Va., or the mine safety committee.

Twelve miners were trapped in the Mt. Morris mine for nearly six hours Tuesday when a roof fall triggered a fire. More than 100 miners escaped soon after the alarm was sounded.

O'Leary said his office had been informed of the January fire reports by members of the UMW.

He explained that the 10-minute rule had been in effect since 1966 when the law was questioned by a Monongalia County, W. Va., miner. That miner wrote to President Johnson and the White House referred the letter to the Bureau of Mines for action and reply.

The 1952 law states, in part, "All mine accidents resulting in the death of one or more persons, mine fires other than minor fires that are extinguished promptly upon discovery, and mine explosions shall be reported immediately to the nearest office of the federal coal mine inspector or other representative of the Health and Safety Division, U.S. Bureau of Mines.

"No mine shall resume operations following a mine disaster until such mine has been inspected in its entirety by a federal coal mine inspector and found by him to be in safe condition to operate."

The Bureau of Mines chief said the word "promptly" posed a problem and his predecessors formulated the 10-minute rule.

Members of the mine safety committee at the Mt. Morris mine compiled records showing 190 recommendations concerning safety act violations and unsafe practices at the mine since Nov. 27, 1968.

Federal inspectors reported 100 violations of law and code at the mine Jan. 6, 1969. All were said to have been corrected before inspectors left the mine.

Safety committee records note that except for the last three fires at Humphrey No. 7 no notations were found in the fireboss' reports at the mine. They cite 13 ignitions in a 26-month period prior to the Tuesday fire.

Committee records indicated twice weekly inspections prior to the disaster at Mannington, W. Va. Nov. 20, which claimed 78 lives. Since that time the union elected committee has been conducting weekly inspections.

On Dec. 12 the safety committee asked that "boards" be placed in escapeways when miners had to make turns in order to exit from the mine in an emergency. It was not done.

Members of the committee expressed the belief that installation of the "boards" would have facilitated the escape of the miners Tuesday.

Committee records indicated that requests were previously made for installation of telephone lines between the ground level and the base of shafts used for emergency exists. Such lines were not installed and the committee members assert there was a 20-minute delay in establishing communications between the ground and the miners who waited to be lifted to the surface.

The mine committee also questioned the amount of time required to bring the men to the surface. Faster means must be developed, the members said.

Committee members favor the installation of blast-and-fire-proof rescue chambers in mines. It was recommended that such shelters be placed 1,000 feet apart in mines.

A spokesman for the committee said, "The company hires more men for production but not for safety maintenance. We ask them to make the mines safe. The answer we get is that they don't have enough men."

It was learned that plans are being made to hold a mass meeting of Monongalia County miners. That meeting would have as its theme "common safety problems" faced by miners in the West Virginia county.

In his inspection of the Humphrey No. 7 mine at Mt. Morris, the federal mine inspector allowed the company three days to correct a rock dusting deficiency. Eight samples of coal dust which were analyzed showed the incombustible content ranging from 39 to 60.5 per cent. Law requires that it be not less than 65 per cent.

The inspector's notice gave the coal company from Jan. 3 to 8 a.m. Jan. 6 to correct the violation. The report noted that is was abated.

It was also noted there was inadequately supported roof at three locations along 7 south haulageway, and at one location near A1, 3 north loading point. This, too, was corrected, according to the inspector.

There was about 250 tons of coal stored in the No. 4 entry 3 north near the A9 section loading point; excessive accumulations of float dust were overlying 2 to 6 inches of rock dust for a distance of 500 feet in by the dumping point along No. 6 entry 2 west, and for a distance of 300 feet in the Nos. 1 and 2 entries north out by No. 1 entry A1 section; and there were excessive accumulations of spilled oil and grease in a portable compressor car and excessive oil spillages in the decker of the continuous miner in 10 right off 5 south.

The violations were abated, the inspector said in his report.

Other violations listed included the failure of three personnel carriers to have fire extinguishers; insufficient rock dust applications and various deficiencies in electrical equipment.

The inspector said one roof-bolting machine in the B5 section was not tightening bolts to required torque, and the intersection at the 4 north supply track switch was not completely bolted.

He said 24 shuttle cars and six loading machines were not effectively frame-grounded inasmuch as the diodes were not maintained in operating condition. He also cited a trailing cable for the car hoist in 3 south. It was equipped with short-circuit protection of too high ampere value.

In his report, which is on file at the Bureau of Mines headquarters here, the inspector also noted that seven trailing cables had exposed conductor wires at 16 locations.

Boyle, UMW President, May Back Miners' Bill

(By Ray Martin)

Top officials from the United Mine Workers of America headquarters in Washington will appear before a state legislative committee Feb. 11.

On that date a joint meeting of the Senate and House Judiciary Committee will hear testimony on proposals which would make pneumoconiosis, or black lung, a compensable disease under West Virginia's Workmen's Compensation Law.

Rex Lauck, editor of the United Mine Workers Journal, said yesterday that he and UMW Vice President George Titler would be in Charleston for the hearings. They will be joined by other union officials.

Mr. Lauck said that it was not known whether W. A. (Tony) Boyle, UMW president, would attend the Charleston hearing. The Journal editor said Mr. Boyle was out of town and had not had an opportunity to respond to the resolution adopted at a miners' rally in Charleston last Sunday. He did not rule out the possibility that the UMW president would join other union officials in West Virginia's capital city next month.

Referring to the purpose of the Charleston hearings, Mr. Lauck said that the union had been "silent" in the past, but a forthcoming issue of the UMW Journal "will speak out, both editorially and newswise."

During the course of Sunday's mass meeting in the Charleston Civic Center, Dr. I. E. Buff, Charleston heart specialist and head of the Physicians' Committee for Miners' Health and Safety, voiced criticism of the tactics allegedly employed by a member of the West Virginia University faculty.

He said, "A newspaper editor brought a man to my office who was introduced as a graduate student at WVU and who wanted to learn something about black lung.

"I cooperated and worked with the student, as I would with any student," Dr. Buff told the Charleston audience.

"The next thing I know is that this graduate student turns out to be a professor in the WVU journalism department and he prepares a 'yellow sheet' which is distributed at the Legislature. That yellow sheet attacks me and the work that I have been doing in connection with black lung.

"I'm sure the university president has no knowledge of this kind of activity by his faculty members," Dr. Buff said.

Although Dr. Buff didn't identify the WVU faculty member at the public meeting, he was subsequently identified by the doctor as David A. Wiley, an assistant professor of journalism.

Asked about Dr. Buff's allegations, Mr. Wiley denied having had any role in distributing any material to members of the State Legislature. He said he hadn't been in Charleston for months.

The WVU faculty member explained that last summer he was employed as a consultant to the West Virginia Hillbilly and it was in this capacity that he visited Dr. Buff and other persons in the state to gather material for a special edition on pollution in the state.

Mr. Wiley said, "I identified myself as a consultant to Hillbilly and a WVU faculty member during the winter months.

"I never hid my identity for a single moment and this is the first I learned that my relations with Dr. Buff were less than cordial," Mr. Wiley said.

The Hillbilly issue was published Nov. 30.

The WVU faculty member said that he had checked with the publishing company and learned that it had not made reprints of articles written by him about Dr. Buff or doctors holding opposing views. The company didn't authorize any reprints, either, the WVU staff member said.

Dr. Buff said yesterday that the reprints sent to the legislature didn't indicate the identity of the sender but did note Mr. Wiley as the author. The Charleston doctor said similar material is appearing in Kentucky.

Mr. Wiley said he would undertake an investigation to determine the source of the reprints. He said he deplored the practice and the use to which they were being put.

Meanwhile Dr. Buff and Mr. Wiley theorized that one of the organized coal industry lobby groups might be behind the move to discredit Dr. Buff.

This week many newspapers in the state received anonymous material attacking Dr. Buff's position on black lung. The material came in blank envelopes bearing a Parkersburg postal cancellation.

Dr. Buff still insisted, however, that the WVU faculty member had misled him last year.

UNTOUCHABLES COALITION—"THE NEW TEAM"

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. RARICK. Mr. Speaker, judging from the names of the many appointees to high positions in our Government it becomes apparent that the party in power is a coalition—not all Republicans, not all Democrats—but a conglomeration of philosophical untouchables.

Under unaminous consent I place the Herald of Freedom for Feburary 7, 1969, published by Frank Capell of Zarephath, N.J., at this point in my remarks:

HON. WILLIAM P. ROGERS

A funny thing happened on the way to the White House. President Nixon's stated desire to "clean house" in the State Department died and the "untouchables" and security risks apparently need have no sleepless nights over the appointment of William P. Rogers as Secretary of State. Mr. Nixon was quoted as stating: "I want a secretary of state who will join me in cleaning house in the State Department. We are going to clean house up there. It has never been done. It wasn't even done during the Eisenhower administration." Since Mr. Rogers was a behind-the-scenes plotter in the torpedoing of the one man who did try to "clean house" (the much maligned Sen. Joseph McCarthy) during the Eisenhower administration, he was surely not selected for his "housecleaning" abilities.

William Pierce Rogers was born in Norfolk, N.Y. on June 23, 1913, the son of Harrison Alexander Rogers and the former Myra Beswick. His father was an insurance agent. When he was thirteen his mother died and he went to live with his maternal grandparents, Mr. & Mrs. Pierce Beswick, in Canton, N.Y. He attended Colgate University on a scholarship and graduated with an A.B. degree in 1934. He continued his education, also with the help of scholarships, in Cornell Law School, obtaining his L.L.B. in 1937. He was editor of the Cornell Law Quarterly in 1935, 1936 and 1937. While still a student, he married a fellow law student, Miss Adele Langston, of Wenonah, N.J., on June 27, 1936. The couple has one daughter, Dale, and three sons, Anthony Wood, Jeffry Langston and Douglas Langston. Mrs. Rogers graduated from law school but never practiced law.

Upon graduation, Rogers joined the New York law firm of Cadwalader, Wickersham & Taft but left shortly, having been appointed an Assistant District Attorney on January 1, 1938, by the racket-busting New York District Attorney, Thomas A. Dewey. Rogers served in the U.S. Navy from August, 1942 (lieutenant, j.g.) to January, 1946 when he was released to inactive duty as a lieutenant commander. He returned to the New York District Attorney's office under Frank Hogan who was then the District Attorney.

In April 1947 Rogers resigned from the District Attorney's office to become counsel to the Senate's Special Committee to Investigate the National Defense Program for which former Sen. Burton K. Wheeler was special consultant. In March 1948 this committee was succeeded by the Senate investigations subcommittee of the Senate Executive Expenditures Committee. The chairman was Sen. Clyde R. Hoey, a Democrat of North Carolina, who asked Rogers to remain as chief counsel even though he was a Republican. Rogers' only known anti-Communist activity occurred during this period. He brought to light information which led to the perjury conviction of the Commerce Department's William Remington "for lying about passing secret information to Soviet spy Elizabeth Bentley." Remington, however, had already been exposed so this was no great blow to the Communists.

Rogers' other accomplishments during his stint with the Senate committee were the jailing of Maj. Gen. Bennett E. Myers for inducing a witness to lie to the committee during a war contracts investigation and a perjury indictment against John Maragon, a White House intimate, in the investigation of the "five per centers." Rogers left the committee March 1, 1950 to join the Washington office of the New York law firm of Dwight, Royall, Harris, Koegel & Caskey, called the "world's largest law firm." In 1952 he offered his services in the campaign to secure the Republican presidential nomination for Gen. Dwight Eisenhower. He was active at the Republican convention and worked with Herbert Brownell, Jr. on the fight with the Taft faction. He helped promote the (false) charge of a Taft "steal" of delegates which won the day for the Eisenhower group. He accompanied Richard Nixon, the Vice-Presidential nominee, on his campaign tours and became a close friend. He had known Nixon previously and reportedly counselled him during the Hiss-Chambers affair.

Following the Eisenhower victory, Rogers was appointed Deputy Attorney General at Nixon's request. He was chief liaison officer of the Department of Justice with Congress and other Federal Government departments and agencies. When the Attorney General, Herbert Brownell, resigned in October 1957, Rogers was immediately appointed to succeed him. Anthony Lewis of the N.Y. Times stated prophetically: "Rogers is important not only because he is a member of the (Eisenhower) Cabinet; among the close advisers of the President, he is closest to the Vice President—officially and personally. In a Nixon Administration, Rogers would be even closer than he is at present to the center of American political power."

The N.Y. Times profile on Mr. Rogers (12/11/68) states:

"In two of his gravest moments of personal crisis, Mr. Nixon turned to Mr. Rogers as his most intimate counselor.

"During the election campaign of 1952, there were charges that Mr. Nixon was being personally financed by several wealthy backers in California who hoped to benefit from his political influence.

"Although a number of Mr. Nixon's advisers were suggesting that Mr. Nixon withdraw as the candidate for Vice President, Mr. Rogers advised him to stand fast.

"He helped to make arrangements for Mr. Nixon's famous 'Checkers' speech on television, which helped him recapture the good opinion of President Eisenhower and the public. . . .

". . . In September, 1955, when President Eisenhower suffered a heart attack, leaving Mr. Nixon uncertain what action to take, he headed for Mr. Roger's big, rambling white frame home in Bethesda, Md., to seek advice."

Rogers played a principal role during the Eisenhower administration in the drafting of the Civil Rights Act of 1957 and the establishing of the Civil Rights Division of the Department of Justice. The sending of federal troops in 1957 to Little Rock, Arkansas, was the first use of government power to force integration upon the South. Rogers wrote the brief justifying the use of the troops. Rogers is known as a strong advocate of civil rights; both he and his wife have been contributors to and sponsors of the Washington, D.C. Negro Student Fund. One of the founders of this fund was Lydia Katzenbach, wife of Nicholas Katzenbach who is being retained as a special consultant by the State Department under Rogers. Other contributors and sponsors of this fund have been Adam Yarmolinsky and the late Robert F. Kennedy.

One of Rogers' most important activities during the Eisenhower administration was the plot to put an end to the anti-Communist crusade of the late Sen. Joseph McCarthy of Wisconsin. According to the report of the Hearing before the Special Subcommittee on Investigations of the Committee on Government Operations in the Special Senate Investigation on Charges and Counter-charges (involving Secretary of the Army Robert T. Stevens, John G. Adams, H. Struve Hensel and Senator Joe McCarthy, Roy M. Cohn, and Francis P. Carr) William P. Rogers, then Deputy Attorney General, was one of the chief plotters in the undermining of Sen. McCarthy. Also involved was another Nixon appointee, Henry Cabot Lodge, who was at the time the U.S. Ambassador to the United Nations.

Lodge, according to a press release in November, 1953, was working on leave with the White House, after the recess of the United Nations, "in connection with matters on Capitol Hill or matters relating to the Senate." This was brought out in the testimony before the Special Senate Subcommittee to explain his presence at a meeting held on January 21, 1954 in the office of the Attorney General. Also present were Attorney General Brownell, Deputy Attorney General Rogers; White House aides, Sherman Adams and Gerald Morgan; and John G. Adams, counselor, Department of the Army.

As a result of this conference, the decision was made for John Adams to start compiling notes to be used as the basis for filing charges against Senator McCarthy and members of his staff. Adams (John) testified:

"The meeting finally concluded with the decision that I should call on the Republican members of the investigating subcommittee . . . and point out to them the two problems which I had discussed with the Attorney General's office." One of these "problems" was the fact that Sen. McCarthy planned hearings on the loyalty board which had been clearing Communists, according to the Senator.

As is well known, the plotters were successful. The charges against Sen. McCarthy were given to the press even before they were presented to the Senators. McCarthy was "censured" by his colleagues and rendered ineffective in his efforts to clean out the Communists he knew were being harbored in the U.S. Government. All this was the result of a well-planned operation hatched in the highest echelons of the executive department, but with Secretary of the Army Robert Stevens taking the "responsibility" for it. Actually much of the "responsibility" should rest upon the shoulders of our present Secretary of State, William P. Rogers.

Upon his shoulders also should rest the responsibility of having Helmut Sonnenfeldt move into the sensitive position of national security assistant to Henry A. Kissinger in the White House. If Rogers as Attorney General had moved against Sonnenfeldt he would not be in government today. The January 22, 1969 edition of the Government Employees Exchange stated:

"An event which might 'precipitate' events which now are merely 'looming' . . . is the likely announcement of an appointment to the National Security Council. The person involved, who is backed principally because of 'urgings by Dr. Kissinger,' is known to have been in very serious trouble in the latter half of the Eisenhower administration because of alleged 'leaks of top secret and secret' classified information to members of a foreign embassy with whom he had frequent and close associations.

"According to the informant, this person, a State Department employee at the time, was the subject of an intense FBI inquiry which concluded that evidence suggested that the classified information had been passed. For this reason, the FBI, the Department of Justice and the Department of State held discussions about prosecution but the proposal was abandoned allegedly because the State Department would not agree to 'declassify,' that is, make available to the prosecutor, the 'contents of the secret telegrams.' The State Department alleged that, despite the evidence the FBI had, it was not in the interest of the U.S. government to have the telegrams become public knowledge because they contained discussions with the head of a foreign state on matters which, if revealed, would 'embarrass' the United States."

The person involved in this incident was reportedly Sonnenfeldt and the foreign power involved was allegedly Israel. The courageous newslady, Sarah McClendon, recently wrote in one of her columns:

"Helmut Sonnenfeldt, director of the Office of Research and Analysis for the USSR and Eastern Europe, has been asked by Kissinger to accompany him to work in the White House.

"This is particularly disturbing to Naval Intelligence whose people remembered that Sonnenfeldt was the one who predicted the Soviets would never put missiles in Cuba."

Miss McClendon also commented on one of the several dubious persons asked by the new Secretary of State to remain in their present jobs. She stated:

"One of the hottest contentions centering about Nixon's head is Rogers' invitation to Idar Rimestad to stay on at State and be in charge of all personnel. Rimestad is the deputy under secretary of state for management, a key job when it comes to putting the finger on all other employees. . . .

"Several US Senators including Republican John Tower say if Rimestad has been serving in this job under the present Establishment, and he is going to handle personnel under the new, how can there be the 'house cleaning' which Nixon promised?"

Rimestad has been instrumental in keeping ousted State Department security chief, Otto Otepka, from obtaining justice. Rogers is reportedly on the horns of a dilemma as to how to make good President Nixon's pre-election promises to see that Otepka obtains justice while not giving him a position of importance. The State Department just isn't big enough for an Otepka and a Rimestad who reportedly secretly learned Russian, has conferred privately with Soviet nationals and whose views are allegedly pro-Soviet and anti-American, going all the way back to 1946.

Another State Department employee being kept on "temporarily" by Rogers is William P. Bundy, described as one of the Johnson administration's ranking policy makers in Vietnam. Bundy is married to Mary Acheson, daughter of Dean Acheson and was in charge of raising funds for the defense of Alger Hiss. Alger's brother Donald, identified as an espionage and Soviet agent, is a partner in Dean Acheson's law firm.

Nicholas Katzenbach has been appointed special consultant to Secretary of State Rogers and has been issued a diplomatic passport. Katzenbach and his wife, Lydia, studied law under Abe Fortas at Yale University. Mrs. Katzenbach (the former Lydia Stokes) comes from a family with many leftists. Her aunt, Rose Pastor Stokes, was a notorious Communist with a police record. Her uncle, James Graham Phelps Stokes, was president of the Fabian Intercollegiate Socialist Society and Counsellor for the Bolshevik Russian Information Bureau in the U.S.

One of the last acts of Under Secretary of State Nicholas Katzenbach was to issue security clearance to John Paton Davies, a serious security risk who was involved in promoting the cause of Communist China. Davies was cleared to work as a consultant at the CIA-financed Center for International Studies at MIT which has a contract with the Arms Control and Disarmament Agency. The clearance was given with the obvious consent of the new Secretary of State Rogers since he shortly thereafter appointed Katzenbach as a special consultant. The MIT center has on its staff identified Communist Harold Isaacs who was involved in the Sorge Spy Ring.

Secretary Rogers has also appointed George W. Ball as special consultant and he, too, has been issued a diplomatic passport. George Ball had been recommended for appointment as Under Secretary of State by Adam Yarmolinsky (a serious security risk) who had worked in George Ball's law office in Washington, D.C. from 1951 to 1954. Like others in the new Nixon administration, Ball is a member of the Council on Foreign Relations and the Bilderbergers.

In his column, Washington Beat, of the Washington, D.C. Sunday Star of January 19, 1969, Leslie Carpenter wrote:

"Before the election last November, a lawyer who is one of Nixon's closest friends and will be secretary of state, William P. Rogers, wrote Nixon a letter recommending that Nixon name Justice Abe Fortas as chief justice if Nixon won." While it is not expected that Nixon will follow this recommendation since there would be no more reason to believe Fortas could be confirmed now than there was previously, it would be interesting to know the purpose of such a letter. Was it for political purposes or was Rogers sincere in wanting a person with Fortas' Communist-front background and beliefs for the Chief Justice of the Supreme Court of the United States? Neither is a pleasant thought.

Secretary Rogers has approved of the promotions recommended by the Dean Rusk State Department for Edwin M. Martin to be given the grade of career ambassador. Martin has been reported as a serious security risk with a Communist-front background. Secretary Rogers has also approved the promotion of David H. Popper to become career minister. Popper, one of the State Department untouchables, is another security risk with a history of affiliation with subversive causes and close association with agents of Soviet Intelligence, discussed in the January 26, 1968 issue of the Herald of Freedom.

When the late Bobby Kennedy succeeded William Rogers as Attorney General in 1961, Rogers returned to his Washington law firm and at the time of his appointment by President Nixon was a senior partner with an income of about $300,000 per year. Among his clients were 20th Century-Fox, the Associated Press and the International Herald Tribune. Rogers has been attorney for the ultra-liberal Washington Post and a member of their board of directors as well as a director of WTOP-TV which is controlled by the Washington Post. Before he became Attorney General in the Eisenhower administration, Rogers had represented and done work for columnist, Drew Pearson.

Time magazine of December 20, 1968 tells us that Secretary Rogers' "life-style is not pretentious." He has a home in Bethesda, Md. and a New York apartment overlooking the East River. In a book called, "The Rich and the Super-Rich," mention is made of a swanky apartment house, the UN Plaza Building, 48th Street and East River where, it is claimed, apartments cost from $26,000 to $150,000 (purchase price) and maintenance costs run from $12,000 per year up. Among the tenants are heads of several newspapers and magazines, including the head of Time magazine, Mrs. Agnes Meyer, owner of the Washington Post, the late Robert F. Kennedy, and Secretary of State William P. Rogers.

Rogers is definitely a member of the "Eastern Establishment" as is his former boss, Thomas Dewey who used his reputation as a "racket-buster" to propel himself into the New York governorship, that oft-used springboard for the try for the top job. Overconfidence and his refusal to use copious "dirt" on the Democrats lost Dewey the presidency in 1948 and no one was more surprised than Harry Truman to find he had been reelected when Dewey thought he had it "in the bag."

Rogers is described as a kind of Republican Clark Clifford and his appointment was "welcomed in Washington by Democrats and Republicans alike." He has taken no stand on Vietnam and has written no books for which to be held accountable. An interview in Life magazine quotes him as stating: "It's important to have people who are not abrasive and don't aggravate problems by their personal behavior."

President Nixon has called Rogers "the best negotiator in the world," while Rogers says: "The only thing a Cabinet officer should have in mind is the success of the Administration." Nixon is looking forward to an "era of negotiation" with the Communists so it is obvious that we have need of a "superb negotiator." Life magazine quotes Rogers as stating:

"I think it's important for the political leaders and the public to give the New Administration time to work out the problems we're faced with. When I discussed this with congressmen, I urged them to be very thoughtful before they made any critical comments about the negotiations in Paris, and to ask themselves whether they served any constructive purpose. There's a great desire on the part of some people to know exactly what plans are in the negotiations, but it would be a mistake to make these public. . . . We hope for six months or so of patience and calm."

The American people also have hopes, for an honest, pro-American administration which will clean out the untouchables who have been so securely entrenched for so many years.

A SALUTE TO ERNEST R. NORTON

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. HANNA. Mr. Speaker, on February 8, 1969, Orange County educators will honor Mr. Ernest Norton. Mr. Norton, currently the assistant superintendent, business services for the Orange County School District, has served our community since 1948.

Mr. Norton entered the service of the county superintendent of schools in 1948, serving as a speech therapist for schools in the county. In 1956 he transferred from the speech department to the business office as assistant business manager, and became assistant superintendent, business services in January 1963.

Mr. Norton is known to the school administrators of Orange County as an authority in the area of school finance and legislation. He is probably known equally well as one who spends many hours working with various professional groups, in addition to his normal workday in the county office. Mr. Norton has always found time to participate in the Boy Scouts of America, service groups, and is an active member in the United Presbyterian Church of Santa Ana.

His helpful assistance to the schools in Orange County has been extremely valuable. His untiring efforts on behalf of youth activities have earned him the admiration and respect of the community.

It is a privilege for me to bring to the attention of the Congress the record of this fine gentlemen. The education community of Orange County is indeed fortunate to have a man of the energy, dedication, and ability Ernest Norton represents.

ALLENTOWN NEWSPAPERMAN APPRAISES THE JOHNSON ADMINISTRATION

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, recently, while President Lyndon B. Johnson was concluding his official duties and historians prepared for the decades of analysis and judging which ultimately will determine his stature among American Presidents, the editorial pages of most of the Nation's newspapers devoted attention to assessing the Johnson years.

These editorial reviews seemed inclined to agree that President Johnson's administration earned for itself a position of substantial prominence in the annals of history.

Among the assessments of the Johnson administration which seemed particularly outstanding appeared on the editorial page of the Sunday Call-Chronicle newspaper published in Allentown, Pa., on January 19, 1969.

Mr. Edward D. Miller of the Miller family which has long been synonymous with journalism in eastern Pennsylvania appraised the Johnson administration in "An Open Letter to Lyndon Johnson." I would like to include it in the RECORD for the information of my colleagues:

AN OPEN LETTER TO LYNDON JOHNSON

DEAR MR. JOHNSON: It's been a long five years. Tomorrow you can ride down Pennsylvania Avenue and feel the weight of the world being lifted from your shoulders. I'm not sure it's happening the way you would have wished.

Watching you in action during these years has been our job, but it's been great sport too. You've done a great deal, and whether we agreed with your aims or not, we couldn't ignore your impact upon America.

Personally, I think your high point was your voting-rights speech to Congress during the Selma, Ala., crisis in 1965. Let's face it, your Southern background and uneven Senate record on civil rights made many of us concerned with this problem skeptical of your commitment. That speech and the legislation which followed, cast out all those doubts. Historians, I'm sure, will also rank that as a major achievement, for you stood up to be counted when you were needed.

There is a great deal more you can be proud of. Medicare was only an idea until you found the means to make it possible. It won't be long before it's taken for granted, like Social Security, so I hope people may remember who made it a way of life.

Looking back, those years you were trying to bring justice and opportunity to your people were good years. You realized education was the cornerstone of progress in America, so you jumped in with both feet—college scholarships, Head Start, building funds, research grants and a host of other commitments to education.

Housing. People don't realize what you started here because only the foundations have been put down. Hopefully, in years to come when our cities are rebuilt and people do have a chance to buy a decent house in a neighborhood of their choice, somebody will look back and say, "You know, Lyndon Johnson had a lot to do with this."

"A lot to do . . ." is an understatement. The Model Cities program gives us the opportunity to experiment with means to rebuild a nation. When you think of it, no civilization in history has ever tried that, but that didn't seem to stop you. Rent supplements to families unable to afford decent housing was also your creation. A lot of folks looked upon it as another federal giveaway, but you said no—it was only a chance to give someone else a chance.

Many of these ideas haven't yet had an opportunity to develop completely, but you gave us the tools to rebuild. All we need now is the will to use them.

We could go on and on here. Immigration laws were updated because you felt them to be unfair. Efforts were begun to make America beautiful again by cleaning up the streams and rivers, by doing something about the fouling of the air, by preserving vast tracts of irreplacable wilderness. You started efforts to end the nuclear arms race, first with a test-ban treaty, then with a nonproliferation treaty. We have a long way to go in all these efforts, but you started us on the way.

It's too bad we can't end the letter here. If we could, we would have cause to rank you immediately among the great presidents. Historians may still do that, but first you will have to stand before the bar of history and be judged for all your efforts. The first item on the agenda will probably be Vietnam.

Vietnam has been around for thousands of years, but we didn't give it much thought before the Gulf of Tonkin. The few years since then have seemed like a thousand. History may yet overrule public dissent and frustration and declare you were right, but it will have to override a lot of misgivings. What seems to be the greatest tragedy is the nagging question, was it worth it? It took thousands of American lives, and we believe you when you say no one realizes that more than you do. But was it really worth it?

It has taken a vast amount of our treasures, resources which could have been used to push forward your plans for our cities, our poor, our disadvantaged. But was it really worth it?

Most of the bitterness of the past few years seems to be dying down in the glow of an upcoming administration. That may not last long, but at least you won't be the target any more. But as a thinking man you'll have to wonder, as I'm sure you have in the past, was it really worth it? Was the price paid for still undetermined gains or losses in Vietnam too high? In the past we have been quick to pass judgment on that question. Since it is now out of your hands, we'll let the historians wrestle with it. You've had enough.

For the first time in 38 years, you are about to sit on the sidelines. Your State of the Union address, challenging the Congress and the Nixon Administration, will make it difficult to undo your efforts of the past and will put the LBJ brand on much of what is done in the future. Richard Nixon probably isn't too happy about that, but he should have expected it. Your administration will be a tough act to follow in more ways than one. It's been a long five years.

UKRAINE'S INDEPENDENCE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. ZWACH. Mr. Speaker, just about 51 years ago, the people of Ukraine became a united and free nation. While this independence lasted only a short time, still the strong seeds of love of independence and the willingness to accept the responsibility of retaining their freedom, sprouted and have grown.

The great octopus in bear's clothing from the north invaded them and crushed their new freedom. Russia's much more recent action of sending troops and heavy military equipment into Czechoslovakia to again suppress the fires of freedom, indicate the great fear in Communist Russia of the snowballing reactions of people in the search of freedom.

The crusade to regain freedom for people is indeed a noble and just one, and a cause that our United States should continue to uphold.

I am pleased to help in commemorating this cherished hope. I pray that the Communist fear will be replaced by an understanding of the great benefits a nation can harvest from having a citizenry of freedom-loving people. Thus, any recognition given to Ukrainians today by me, is only the smallest of recognition for the years that they have suffered with the loss of their freedom. May the flame kindle forever.

A TRIBUTE TO THE LATE HONORABLE PAUL FORESHELL SCHENCK

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 23, 1969

Mr. HALPERN. Mr. Speaker, I would like to join my colleagues in the House in eulogizing a great man who was both a fine legislator and a dear friend. The news of his death on November 3 was sorrowful indeed for those of us who remember his unfailing good humor, his deep warmth and sincerity, his profound respect and love for his fellow man.

No Member of this House could have been more dedicated in attending to his legislative duties than Paul was, or more tireless in offering his help when it was needed by constituents or colleagues. His was the genuine humility and courtesy of the true gentleman.

In his work on the Committee on Interstate and Foreign Commerce, Paul made a fine and lasting contribution. His early entrance into the fight for air pollution controls and better automobile safety standards was typical of his lifelong concern for the health and welfare of all Americans. He lived by a "good neighbor" philosophy that was the guide and measure of all his actions during a long career of dedicated public service.

Paul loved and believed in young people. As a teacher, Boy Scout leader and executive, and director of recreation for many years in his home city of Dayton, he contributed unstintingly not only his time, leadership, and advice, but also his understanding and compassion.

I would like to join with all my colleagues in paying tribute to the memory of this fine man, and in expressing my great sorrow at his passing. His widow, family, and friends have my deepest sympathy in their tragic loss.

REDUCE THE VOTING AGE

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. PODELL. Mr. Speaker, today I reintroduce my resolution, proposing an amendment to the U.S. Constitution reducing the voting age from 21 to 18 years. I suggest, Mr. Speaker, that such an amendment is a matter of gravest urgency since it goes to the very heart of the democratic process.

The history of our Nation and that of every other democratic country shows a steady progression toward extension of the voting franchise. There was a time during our early years that we maintained a property qualification; that we denied the franchise to women; that we did not have direct election of U.S. Senators. It is only in recent years that we have rid ourselves of poll tax payments as a qualification for voting. With civil rights legislation we have just begun to secure this right to our Negro population. Demands are now rising in every part of our country for the direct election of the President and the Vice President.

Given the right to vote to that part of our population within the 18-to-21-year age group is a significant part of that forward thrust toward more democracy and increased responsibility for larger groups of people. There is no reason why our Nation should be saddled with notions of maturity which find their roots in the Middle Ages.

The notion that youngsters do not reach an age of maturity and responsibility until their 21st birthday had its roots in antiquity and in a social order whose circumstances are no longer relevant to contemporary times. Just a half century ago, less than 30 percent of the high-school-age population attended high school and only 17 percent of that group graduated. Today, more than 85 percent of Americans of that age group attend high school and more than three-quarters of them receive diplomas.

Again, 50 years ago less than 600,000 attended college, less than 8 percent of the 18-to-21 population. College enrollment today exceeds 5 million, pointing to the fact that almost half in that age group are attending college.

There is nothing sacrosanct about setting the voting age at 21. Both Kentucky and Georgia set the voting age at 18. Alaska and Hawaii set the age at 20. Obviously, no basic reason exists for denying the right to vote to those who have reached their 18th birthday.

In essence, this proposed amendment asserts that in our time—the last third of the 20th century—the age of 18 is an appropriate dividing line between children and adults in terms of their ability to participate in our Nation's democratic process. In general, we deny the franchise to aliens, felons, lunatics, and children. There is no warrant for retaining the odious assumption that the 18-to-21-year-old age group falls within any of those categories.

The process for amending the Constitution is a difficult one. First, it requires approval by a two-thirds vote of each House of Congress. Then it must be ratified by three-quarters of the State legislatures. If the experience in New York State has any validity, it will be extremely difficult to get the ratification of three-quarters of the State legislatures, even on the assumption that two-thirds of the House and Senate membership is prepared to initiate the amending process. Yet the arguments in its favor are so persuasive that I am convinced that the reduction in the voting age is a realistically attainable political objective.

OPENING BUSINESS OPPORTUNITIES FOR ALL

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 27, 1969

Mr. McCARTHY. Mr. Speaker, the Anti-Defamation League of western New York State in cooperation with the Small Business Administration, the Buffalo Chamber of Commerce and other local associations has undertaken a program to help black Americans open businesses of their own. These groups assist individuals in obtaining financing to open small businesses. One man, for example, was able to borrow money through the assistance of the Anti-Defamation League to expand his clothing business. Another was able to take over a bakery that had recently come on the market.

The unusual aspect of this program is that a large number of those assisted are black Americans, those who are very often unable to get financing from traditional sources. The help of the Anti-Defamation League and the Small Business Administration eliminates this barrier to entrepreneurship. They are to be commended for this effort. I also believe that the following article describing the work being done should be included in the RECORD:

ANOTHER STEREOTYPE SHATTERED

It was the end of the usual kind of hectic day in the Anti-Defamation League offices in Buffalo when a number of Negro men and women, including a husband and wife, were in the hall asking building attendants the location of the ADL offices. Suddenly the ADL offices were filled with more people than they could hold.

The reason for this onsurge was the latest meeting in a project urged by Lester Gross, President of Buffalo's Chic Maid Knitting Mills and ADL National Commissioner from Buffalo, for the purpose of ADL joining in the program being urged by Howard Samuels, National Director of the Small Business Administration and others for the purpose of assisting individuals in the black community to get started in ownership of business in the black areas of the city.

This particular meeting, one of a number held in connection with the program, was attended by a committee comprising ADL board members, representatives of the Small Business Administration Buffalo Office, a representative of the Chamber of Commerce, and representatives of the East Side Business Associates, headed by Ernie Warlick. Mr. Warlick, one of Buffalo's top sportscasters, and former star of the Buffalo Bills, is a member of Buffalo's black community, as are the East Side Business Associates.

For the many in the white community who have heard the stereotype, "There is no point in trying to do anything with 'them' because they don't want to work", (the "them" meaning black people, of course) this meeting would have been a revelation. Not only did all of the applicants for assistance want to work, but, without exception, they were all presently working at steady jobs with solid backgrounds of work behind them, and in their "off time" were working on ways in which to get into business for themselves.

Typical of the applicants was Ralph Bennett, (I am not using his correct name in so far as at this writing he might not yet have terminated his employment.) 34 years old, married with five children who has worked at one of the country's major chemical firms for 17 years. Mr. Bennett goes into New York City approximately once a month and buys clothing from a manufacturer which he peddles house to house in the Buffalo area in his spare time. Having heard of the business ownership project, he contacted the ADL office with the hope that he might be able to secure a loan for the purpose of establishing a clothing business. One of the ADL Board members serving on the Committee who operates a chain of clothing concerns in Western New York immediately offered assistance to Mr. Bennett, while Mr. Frank Izzo, Buffalo Director of the Small Business Administration also present at the meeting assured Mr. Bennett that he would have no difficulty in securing financing. To individuals in the Jewish community in particular, the story of Mr. Bennett could be nothing less than heartwarming, remembering how many of our Jewish forebearers arriving in this country with a few cents, if that, in their pockets started on the road to financial security and well-being in similar manner.

A second case, typical of others, involved Henry Blackwell, (here again I am not using his correct name) 24 years old, married with one child. Mr. Blackwell is presently a bus driver for one of the public transportation systems in the Western New York area. Mr. Blackwell said that he wanted to go into the bakery business indicating that both he and his wife had some experience in baking. At this, Frank Izzo, the Small Business Administration Director jumped up exclaiming "I have been looking for someone like you." It turned out that in nearby Niagara Falls the Small Business Administration had made a loan to a woman for the operation of a donut bakery complete with equipment and a vehicle for making deliveries. Unfortunately the woman had just had a heart attack, as a result of which someone was needed to take over the business. As of this writing it appears that within an hour's time at the offices of the ADL, the future of Mr. Blackwell, 24 year old citizen, might have been dramatically altered.

Prior to the meeting at which Mr. Bennett and Mr. Blackwell received their assistance, various exploratory meetings had been going on. During the process of these exploratory meetings, the Syracuse Executive Committee of the ADL under the chairmanship of Sidney Grossman, Assistant Attorney General for the State of New York in charge of the Syracuse Attorney General's Office, initiated a similar program. Mr. Grossman appointed Alex Holstein, Jr. of Syracuse to head a committee which started holding meeting with a business group from the black community called the Central City Business Association headed by Mr. Winston Gaskins, owner of a pharmacy in Syracuse. Mr. Gaskins happens to be one of the first black pharmacy owners in the Central New York area. The ADL Committee and the Central City Business Association decided to call the project the Central City Business Project.

Sidney Grossman and Alex Holstein together with Norman Edell, Director of the Syracuse Jewish Welfare Federation, then enlisted the aid of the Syracuse Jewish Welfare Federation which enthusiastically agreed to become a co-sponsor of the project. Mr. Gaskins at the same time secured the assistance of the Small Business Administration. It should be indicated here that Mr. Gaskins' Central City Business Association had been doing this work all along; however, having a group of white business men with experience in many types of business to assist and counsel the new entrepreneurs was of course most readily welcomed by Mr. Gaskins and his group. In addition, ADL Executive Committee member Alex Holstein being a member of the Board of the Syracuse Chamber of Commerce was able to enlist the assistance of the Syracuse Chamber of Commerce in the project just as Jack Bunis, ADL Buffalo Executive Committee member who is President of the Buffalo Chamber of Commerce had enlisted the assistance of the Buffalo Chamber in this project.

A number of important strands weave themselves throughout both the Buffalo and Syracuse projects. For example, the many businessmen involved in both projects in addition to others in the white community have seen that the stereotype of black people "not wanting to work" is not only a stereotype but a falsehood. They have seen that black people are like any other people whether they be white, green, yellow or purple—for every person who doesn't want to work there are countless numbers who do.

Another lesson we learned is that the stories we hear about black people not wanting white help are a myth. The numbers of black people that have appeared before our committees in both Buffalo and Syracuse were not only anxious for help from wherever it came but without being "Uncle Toms", were demonstrative in their appreciation of the assistance, thus making us realize that for every black partisan of violence as a means of Negroes attaining a place in society, there are countless others who have the initiative and drive to realize that one way to beat the obvious discriminations which do exist, is for them to get into a position where through either education, acquiring a skill, or acquiring economic independence, prejudice against blacks might still exist, but just as was done by so many in the Jewish community discrimination itself will at least not be able to "keep them down".

A third lesson brought home to us is the unique role that B'nai B'rith and ADL members can play in this aspect of the urban crisis. In view of the many types of business and profession which our constituents are in, every large Jewish community in the United States has among its members virtually every conceivable type of business or professional experience which can be made available on a volunteer basis to members of the black community. In addition, contact of our Board members with other community leadership such as is found in Chambers of Commerce, the Small Business Administration, Bank institutions and other business related organizations is of course invaluable.

Lester Gross in commenting on how his suggestion had expanded into two of New York State's major cities (with a third program under way, by way of assistance to the Business Opportunities Corporation in Rochester, New York) remarked—"let's face it. The black community understandably, and it is important, is asking for black ownership. We as Jews have seen the values and independence that can come from self-employment, as difficult as the struggle is to attain self-employment. ADL has spent years in assisting black people, as well as others, to get into the mainstream of American life. Certainly one of the avenues leading into the mainstream is through business ownership."

The error of the myth that pepole in depressed groups aren't working "because they don't want to work" was brought home to us in another respect.

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The Chamber and its Job Opportunities Council then seized the ball and did what can only be called as slightly less than a miraculous job and what the Urban Action Clearing House of the United States Chamber of Commerce has since described as having "enabled hundreds of unemployed men to move into meaningful jobs". The Clearing House report goes on to say "Buffalo leaders have proved something even more important in the long term. They have dispelled cliche antagonisms, broken historic barriers to change, and have firmly established a teamwork philosophy among many elements of the area".

Among the many major and, at that time unprecedented steps taken by the Buffalo Chamber were a complete involvement of organizations and grass roots representatives in the black community in the establishment of a non-profit corporation called the Opportunities Development Corporation, with a full time Executive Director.

The Opportunity Development Corporation (ODC) had three objectives: finding jobs, training jobless, and gathering information.

The ODC in turn set up project JET (jobs, education, training) and with $40,000 (grown to $100,000 over a three year period) which was provided by the Chamber of Commerce for the first year of operation, the program was on its way.

Since that time in 1964, due again to the initiative and aggressiveness of Chamber of Commerce and ODC officers, committee, and staff—the program has been funded by a number of federal grants, including among others a $514,000 grant from the United States Department of Transportation and a $114,000 grant from the United States Department of Labor.

Among the many involved and complex aspects of this program, other phases of the program were developed such as, to mention only a few, a special training program for the ODC training staff, as a result of which in one summer along 200 prospective tutors were trained at the State University College at Buffalo.

Meanwhile the Job Development staff of the JET project began a canvass of employers which during the first year of operation alone resulted in over 10,000 personal contacts with over 2,000 employers.

At the same time, a "Reach-Out" program started to make contacts with potential trainees, using such methods as house to house visits, businesses in the CORE area of the city, church, social, recreation groups, etc.

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Through Project JET more than 1200 heads of households have been placed in jobs. Of this number, 390 were previously on welfare. The Buffalo Chamber of Commerce can be extremely proud that JET was the first program of its type in the United States.

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Another project of ODC has been project JUSTICE (Journeymen Under Specific Training In Construction Employment) the purpose of which has been to train minority group men to become journeymen mechanics in construction trades. We are informed by the Chamber of Commerce that this is also the first program of its type in the United States.

What is the sum total of all this? For one thing, we in the Western New York ADL feel tremendous pride in the Buffalo Chamber of Commerce not only for its foresightedness in responding to our original suggestion, but we also can have nothing but admiration for the thousands of hours put in by Chamber members to say nothing of the dollars themselves expended by the Chamber, in addition to the organizing skills, the endless contacts that had to be made with all manner of governmental agencies, the countless frustrations that have to enter into such an undertaking, and the travail of the hundreds of meetings represented by all manner of differing views and attitudes.

In addition, however, we learned a fourth lesson which can be added to the three mentioned earlier. That is, that ADL can play one of its most meaningful roles towards dynamic community change by way of being a catalyst in bringing the right idea together with the right people at the right time.

THE ONLY SUBMARINE SCHOOL IN THE UNITED STATES

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. ST. ONGE. Mr. Speaker, New London, Conn., located in my congressional district, is known as the submarine capital of the world. This title has been earned by the fact that New London is the home of our largest submarine base, the site of important training and research facilities, and a center for the construction of submarines.

An essential part of the training at the base is performed by the submarine school for basic enlisted men, located across the Thames River in Groton, Conn. The activities of this school were described recently in the New London Day by staff writer Carol Miller. The article points out that this is the only school of its kind in the country.

I am sure my colleagues will find this item of particular interest because of the description it provides of the fine training given the men who operate our nuclear submarine fleet. The article reads as follows:

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(By Carol Miller)

GROTON.—Sixty-three hundred young men a year are entering the only school of its kind in the country.

About three-fourths of them will make it through the eight-week curriculum that comprises the Submarine School for basic enlisted men at the Submarine Base.

This course is just one of about 200 offered at the Base. But it is by far the largest, involving about one fourth of the persons assigned to the Base. Only by completing the course can an enlisted man become a submariner and go on to qualify and win his silver dolphins.

CELEBRITY GRADUATES

Through the school have passed the men of the ill-fated Thresher and Scorpion, as well as celebrities such as Glenn Ford and Tony Curtis.

A great deal is crammed into eight weeks. With no time for repetition, information is a "one-time shot," says the school's director, Lt. John P. McGovern.

The rate of failure is high, particularly among direct imports from the civilian community, he says, because the school takes a different approach to teaching. Theory is stressed. In addition to nonrepetition, the learning material is so highly classified that none can be removed from the classroom.

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"We want the cream," says McGovern. "We're not carrying students on our back."

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Enrollment is running just about at maximum. Years ago most of the men were prepared for diesel subs. Later it was fast attack. Now the demand is for fleet ballistic missile nuclear. The FBMS require twice as many men in their crews as older types. The school's output has had to double to keep up, says McGovern, and the courses have become more sophisticated with the subs.

HERE'S TYPICAL STUDENT

A typical student is Seaman Apprentice Martin Kozerefski of Norwich. Nineteen-years-old, he's been in the Navy since June and at the Submarine School for five weeks.

"I was always most interested in the Sub Base down here," he says, "but I hadn't really given it much thought."

But during basic training when he was asked to note preferences, he indicated submarine work.

If he successfully completes the school, he hopes to go to a higher school as about 15 per cent of the graduates do. Otherwise if passed, he'll be stationed aboard a sub.

Home is so close that Kozerefski can find social life there, but he doesn't have much spare time. "You can slack off," he says, "but that will reflect on your marks."

NIGHT SCHOOL WISE

With tests and quizzes every week, going to night school is wise. It is open for individual study. Persons falling behind are especially urged to attend.

Grading is on the 4.0 system, with a 2.5 required to pass. Average, says Kozerefski, is about 3.0, or a B in civilian schooling.

Besides school, Kozerefski, like all students, stands duty once every four days. That means acting as security guard, standing watch in barracks or being on a work detail.

Other days he's at liberty to go anywhere within a 50-mile radius, which usually means home. Sometimes he takes advantage of the base's recreation facilities: the enlisted men's club, theater or bowling alley. "It's rather nice," he says.

Kozerefski's goal in the Navy is to get his silver dolphins, which he refers to as "the status symbol."

They make for an easier life, a little more respect. "Once you qualify, people sort of look up to you."

LOOKS FORWARD TO DUTY

Kozerefski is looking forward to submarine duty, although he's never been out on one.

In fact, if he had not taken a tour through one on his own time, he would never have been on a real sub.

The entire eight weeks of training is land-based. The course calls for two one-day cruises, says McGovern, but none ever go out any more because of "commitments." There just aren't enough submarines, he says.

Classroom teaching is supplemented by trainers, which simulate conditions aboard a sub.

On some, students can learn to dive and resurface. The diesel sub trainer is composed of wheels, dials and gauges within a large suspended three-sided box. The box takes on a see-saw motion as two students at a time operate it from within.

An instructor handles other mechanisms outside and shouts commands such as "One degree down bubble," which is answered by "One degree down bubble, aye, aye sir." A mistake in the trainer is only embarrassing; in a submarine it could be fatal.

The men learn how to fight fires and are tested to withstand atmospheric pressure. The USS Firefish is a smoke tank on the base. Through it climb students learning to breathe through oxygen masks connected to tanks strapped on their backs.

In wet trainers, submarine pipes are simulated—with leaks. The instructor can control ruptures. The tank is quiet, then suddenly water bursts from a hole in a pipe or sometimes from several holes and the students rush to use tools or their own clothing to stop the leaks. It's a frenzied, wet, dirty procedure; but it's demanded training in case of a real casualty at sea.

A new class starts every two weeks, so four classes are always in residence. Each class averages 225 students.

(Officers go through a similar school. Besides the one in Groton, there is another at Pearl Harbor. Their course lasts six months during which they go to sea twice. A new officers' class starts every three months. Officers eventually try to qualify for gold dolphins.)

McGovern's assistant, Warrant Officer William Anderson, calls the enlisted men's school, the "naval university for submarines." All volunteers from the regular Navy, students first pass additional medical tests and investigation into their community backgrounds. All have graduated from boot camp so there are no marching classes or obstacle courses. No person is indiscriminately flunked. Each in danger of failing goes before an academic review board, where a slackard doesn't get a second chance.

"I consider it a challenge," says Kozerefski. "Everything in the Navy so far has been a challenge."

ASSISTANCE TO DAY CARE CENTERS

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. GILBERT. Mr. Speaker, I have reintroduced my bill to provide educational assistance to children in public and private, nonprofit day care centers.

I am compelled, Mr. Speaker, by the utter reasonableness of this proposal. One of the great problems in the administration of our social welfare programs is assembling the people who might potentially benefit from them. In the nonprofit day care centers we have, so to speak, a captive audience. The children are there, being cared for, usually in a fashion designed to achieve nothing more than the passage of time until a mother returns from work. This bill will provide the means for making this time worthwhile for these youngsters. It is a Headstart program, built into the lives of the children who can most benefit from it. I see this bill not as a social experiment but, on the contrary, as a sure means of helping children who are ready and waiting to be helped.

My bill, entitled "Preschool Centers Supplementary Education Act," would authorize for fiscal 1970 and for each succeeding fiscal year a sum of $300,000,000 for grants to be administered by the States. The bill provides that the States, to receive these funds, must meet certain standards. I regard this as an excellent, high-return program to meet the problems of our times.

CONDEMNATION OF MASS EXECUTIONS BY UNITED STATES ESSENTIAL IF MIDDLE EAST WAR IS TO BE AVERTED

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. CRAMER. Mr. Speaker, I rise in support of Secretary of State Rogers' condemnation of the mass executions of Jews by the Iraqi Government.

I think it is incumbent upon all of us who abhor this odious event to publicly and vigorously condemn it. History has taught us that silence can too easily be interpreted as indifference and this is true unfortunately, too often, even relating to the most inhumane and barbaric acts.

Secret trials followed by mass executions have no place in a civilized society. Indeed, their continuation can possibly lead to another Middle East confrontation with dire consequences for the entire world.

I call upon the Iraqi Government to halt these unconscionable murders and I commend our Secretary of State for his forthright condemnation when he, on January 27, 1969, said:

The spectacle of mass executions is repugnant to the conscience of the world.

Sidney Grossman and Alex Holstein together with Norman Edell, Director of the Syracuse Jewish Welfare Federation, then enlisted the aid of the Syracuse Jewish Welfare Federation which enthusiastically agreed to become a co-sponsor of the project. Mr. Gaskins at the same time secured the assistance of the Small Business Administration. It should be indicated here that Mr. Gaskins' Central City Business Association had been doing this work all along; however, having a group of white business men with experience in many types of business to assist and counsel the new entrepreneurs was of course most readily welcomed by Mr. Gaskins and his group. In addition, ADL Executive Committee member Alex Holstein being a member of the Board of the Syracuse Chamber of Commerce was able to enlist the assistance of the Syracuse Chamber of Commerce in the project just as Jack Bunis, ADL Buffalo Executive Committee member who is President of the Buffalo Chamber of Commerce had enlisted the assistance of the Buffalo Chamber in this project.

A number of important strands weave themselves throughout both the Buffalo and Syracuse projects. For example, the many businessmen involved in both projects in addition to others in the white community have seen that the stereotype of black people "not wanting to work" is not only a stereotype but a falsehood. They have seen that black people are like any other people whether they be white, green, yellow or purple—for every person who doesn't want to work there are countless numbers who do.

Another lesson we learned is that the stories we hear about black people not wanting white help are a myth. The numbers of black people that have appeared before our committees in both Buffalo and Syracuse were not only anxious for help from wherever it came but without being "Uncle Toms", were demonstrative in their appreciation of the assistance, thus making us realize that for every black partisan of violence as a means of Negroes attaining a place in society, there are countless others who have the initiative and drive to realize that one way to beat the obvious discriminations which do exist, is for them to get into a position where through either education, acquiring a skill, or acquiring economic independence, prejudice against blacks might still exist, but just as was done by so many in the Jewish community discrimination itself will at least not be able to "keep them down".

A third lesson brought home to us is the unique role that B'nai B'rith and ADL members can play in this aspect of the urban crisis. In view of the many types of business and profession which our constituents are in, every large Jewish community in the United States has among its members virtually every conceivable type of business or professional experience which can be made available on a volunteer basis to members of the black community. In addition, contact of our Board members with other community leadership such as is found in Chambers of Commerce, the Small Business Administration, Bank institutions and other business related organizations is of course invaluable.

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A typical student is Seaman Apprentice Martin Kozerefski of Norwich. Nineteen-years-old, he's been in the Navy since June and at the Submarine School for five weeks.

"I was always most interested in the Sub Base down here," he says, "but I hadn't really given it much thought."

But during basic training when he was asked to note preferences, he indicated submarine work.

If he successfully completes the school, he hopes to go to a higher school as about 15 per cent of the graduates do. Otherwise if passed, he'll be stationed aboard a sub.

Home is so close that Kozerefski can find social life there, but he doesn't have much spare time. "You can slack off," he says, "but that will reflect on your marks."

NIGHT SCHOOL WISE

With tests and quizzes every week, going to night school is wise. It is open for individual study. Persons falling behind are especially urged to attend.

Grading is on the 4.0 system, with a 2.5 required to pass. Average, says Kozerefski, is about 3.0, or a B in civilian schooling.

Besides school, Kozerefski, like all students, stands duty once every four days. That means acting as security guard, standing watch in barracks or being on a work detail.

Other days he's at liberty to go anywhere within a 50-mile radius, which usually means home. Sometimes he takes advantage of the base's recreation facilities: the enlisted men's club, theater or bowling alley. "It's rather nice," he says.

Kozerefski's goal in the Navy is to get his silver dolphins, which he refers to as "the status symbol."

They make for an easier life, a little more respect. "Once you qualify, people sort of look up to you."

LOOKS FORWARD TO DUTY

Kozerefski is looking forward to submarine duty, although he's never been out on one.

In fact, if he had not taken a tour through one on his own time, he would never have been on a real sub.

The entire eight weeks of training is land-based. The course calls for two one-day cruises, says McGovern, but none ever go out any more because of "commitments." There just aren't enough submarines, he says.

Classroom teaching is supplemented by trainers, which simulate conditions aboard a sub.

On some, students can learn to dive and resurface. The diesel sub trainer is composed of wheels, dials and gauges within a large suspended three-sided box. The box takes on a see-saw motion as two students at a time operate it from within.

An instructor handles other mechanisms outside and shouts commands such as "One degree down bubble," which is answered by "One degree down bubble, aye, aye sir." A mistake in the trainer is only embarrassing; in a submarine it could be fatal.

The men learn how to fight fires and are tested to withstand atmospheric pressure. The USS Firefish is a smoke tank on the base. Through it climb students learning to breathe through oxygen masks connected to tanks strapped on their backs.

In wet trainers, submarine pipes are simulated—with leaks. The instructor can control ruptures. The tank is quiet, then suddenly water bursts from a hole in a pipe or sometimes from several holes and the students rush to use tools or their own clothing to stop the leaks. It's a frenzied, wet, dirty procedure; but it's demanded training in case of a real casualty at sea.

A new class starts every two weeks, so four classes are always in residence. Each class averages 225 students.

(Officers go through a similar school. Besides the one in Groton, there is another at Pearl Harbor. Their course lasts six months during which they go to sea twice. A new officers' class starts every three months. Officers eventually try to qualify for gold dolphins.)

McGovern's assistant, Warrant Officer William Anderson, calls the enlisted men's school, the "naval university for submarines." All volunteers from the regular Navy, students first pass additional medical tests and investigation into their community backgrounds. All have graduated from boot camp so there are no marching classes or obstacle courses. No person is indiscriminately flunked. Each in danger of failing goes before an academic review board, where a slackard doesn't get a second chance.

"I consider it a challenge," says Kozerefski. "Everything in the Navy so far has been a challenge."

ASSISTANCE TO DAY CARE CENTERS

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. GILBERT. Mr. Speaker, I have reintroduced my bill to provide educational assistance to children in public and private, nonprofit day care centers.

I am compelled, Mr. Speaker, by the utter reasonableness of this proposal. One of the great problems in the administration of our social welfare programs is assembling the people who might potentially benefit from them. In the nonprofit day care centers we have, so to speak, a captive audience. The children are there, being cared for, usually in a fashion designed to achieve nothing more than the passage of time until a mother returns from work. This bill will provide the means for making this time worthwhile for these youngsters. It is a Headstart program, built into the lives of the children who can most benefit from it. I see this bill not as a social experiment but, on the contrary, as a sure means of helping children who are ready and waiting to be helped.

My bill, entitled "Preschool Centers Supplementary Education Act," would authorize for fiscal 1970 and for each succeeding fiscal year a sum of $300,000,000 for grants to be administered by the States. The bill provides that the States, to receive these funds, must meet certain standards. I regard this as an excellent, high-return program to meet the problems of our times.

CONDEMNATION OF MASS EXECUTIONS BY UNITED STATES ESSENTIAL IF MIDDLE EAST WAR IS TO BE AVERTED

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. CRAMER. Mr. Speaker, I rise in support of Secretary of State Rogers' condemnation of the mass executions of Jews by the Iraqi Government.

I think it is incumbent upon all of us who abhor this odious event to publicly and vigorously condemn it. History has taught us that silence can too easily be interpreted as indifference and this is true unfortunately, too often, even relating to the most inhumane and barbaric acts.

Secret trials followed by mass executions have no place in a civilized society. Indeed, their continuation can possibly lead to another Middle East confrontation with dire consequences for the entire world.

I call upon the Iraqi Government to halt these unconscionable murders and I commend our Secretary of State for his forthright condemnation when he, on January 27, 1969, said:

The spectacle of mass executions is repugnant to the conscience of the world.

JUNIOR ACHIEVEMENT OF UNION COUNTY, N.J., GROWS IN SERVICE AND ACHIEVEMENT

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mrs. DWYER. Mr. Speaker, for several years now, it has been my happy opportunity to inform our colleagues about the activities and accomplishments of Junior Achievement of Union County, N.J., one of the country's most outstanding examples of successful JA operations. As many of our colleagues know, Junior Achievement consists in the practical introduction of younger people to the actual operation of business organizations through the establishment of junior companies which, aided by adult advisers from individual cooperating industries, produce and market their own products under realistic business conditions.

During the present academic year, Junior Achievement of Union County has grown to record size, with at least 31 JA companies established and in operation and the energies and interest of more than 900 boys and girls from 23 public and parochial high schools actively involved.

The climax of this year's program, entitled "Operation Aruba," will be an award trip to that interesting young country for about 30 of the most successful Junior Achievers accompanied by approximately 12 adult representatives of business, education, and government—a trip designed to reward the Achievers and introduce them to the economy and society of Aruba.

It is important to note, Mr. Speaker, that the growth of Junior Achievement of Union County is occurring at a time when responsible business leaders are recognizing and accepting the challenge to participate actively in efforts to solve our most pressing urban problems. By introducing high school students to the operations of business and industry, those responsible are not only strengthening our free enterprise system but are encouraging young people to stay in school, to obtain the training and education they need, to recognize the great opportunities which the business community is generating, and to become productive and responsible citizens.

Under leave to extend my remarks, therefore, it is a special pleasure once again to bring to the attention of our colleagues this remarkable work by including herewith a detailed presentation of "Operation Aruba" prepared by the very effective executive vice president of Junior Achievement of Union County, J. Kenneth Roden, together with a covering letter from Harry P. Frank, publisher of the Daily Journal of Elizabeth, N.J., and a member of JA's board of directors.

THE DAILY JOURNAL,
Elizabeth, N.J.

HON. FLORENCE P. DWYER,
Congress of the United States,
House of Representatives,
Washington, D.C.

MY DEAR MRS. DWYER: Knowing of your continued interest in Junior Achievement of Union County and the fine work being done by our young people, their adult advisers from industry, and those industries which sponsor our junior companies, I am sure you will find the attached material on Junior Achievement's 1968–1969 youth incentive project "Operation Aruba" of interest.

Once again, Junior Achievement of Union County has planned a dynamic and positive youth incentive and economic education project titled "Operation Aruba" to expand the Junior Achievement learn-by-doing program and demonstrate to our young people the workings, values and rewards of our Free Enterprise System. You will note that the climax of "Operation Aruba" will be an award trip for about 30 of our Junior Achievers with about 12 adult representatives from business, education and government to Aruba. Lt. Governor of Aruba, O. S. Henriquez; Ben Nixon, Lago Oil & Transport Co., Ltd., Gustave Nouel, President of the Aruba Trade & Industry Association, Arturo M. Arends, President, Chamber of Commerce of Aruba and Jan M. Verdaasdonk, President, Aruba Rotary Club, other civic organizations and educational leaders have wholeheartedly endorsed the project.

This year we have 31 Junior Achievement companies, the largest number we have ever had, already in operation and have assigned over 900 boys and girls to the various companies. These students represent the 23 public and parochial high schools as per the attached list.

If you could have a report on "Operation Aruba" entered into the Congressional Record, I am sure it would inspire the Junior Achievers and their families, as well as everyone else connected with Junior Achievement in this area, to an even greater effort in support of our American Free Enterprise System.

Our mutual friend, J. Kenneth Roden, Executive Vice President of Junior Achievement of Union County, is in charge of the project. Please feel free to contact him at (201) 355–1002 if you require any further information. In any event, I have asked Mr. Roden to keep you informed from time to time on the results of the project.

With best wishes and kindest regards.

Sincerely yours,

HARRY P. FRANK,
Publisher.

AWARD WINNING JUNIOR ACHIEVERS TO VISIT ARUBA—PROSPEROUS CARIBBEAN ISLE

JUNIOR ACHIEVEMENT OF
UNION COUNTY, INC.,
Elizabeth, N.J., November 11, 1968.

To: Junior Achievement sponsors, advisers, company presidents, and high school principals.
From: J. Kenneth Roden, executive vice president.
Subject: Operation Aruba.

Junior Achievement is a dynamic, positive program which develops a better understanding of how business operates, its problems, its rewards, and its invaluable contributions to a better life for all people.

There is a definite and continuing need for all who are associated with Junior Achievement to inspire our young people to rededicate themselves to the principles of Free Enterprise. We must effectively teach and demonstrate that our Free Enterprise System is not just a system for carrying on business but much more: The best system for promoting human progress while preserving individual freedom—the system which leads the world in industrial growth and high standards of living.

AN INCENTIVE FOR JUNIOR ACHIEVERS

Operation Aruba will be a three-pronged youth incentive, economic education, and public relations project. It will continue throughout the Junior Achievement program year. It will be climaxed with a week-long visit to Aruba, beginning May 5, 1969, by about 30 to 35 Junior Achievers accompanied by adult advisers from industry.

In Aruba the Junior Achievers will have an opportunity to develop personal knowledge of the industrial, educational, scientific and cultural activities of the Island, which is an autonomous part of the Kingdom of the Netherlands. They will return better prepared to assume their future responsibilities as voters, community leaders, employees and managers in a world where international relationships are becoming increasingly more important.

The group will meet Aruba's Lieutenant Governor and other government leaders, businessmen and industrialists and educators, and their families. Arrangements are being worked out in cooperation with the Lieutenant Governor, officials of Lago Oil & Transport Company, members of the Aruba Trade and Industry Association, the Chamber of Commerce of Aruba, the Aruba Tourist Bureau and the Rotary and other civic organizations.

Extensive press, radio and television coverage, locally and in Aruba, will be planned throughout the 1968–1969 Junior Achievement program year, as well as during the visit to Aruba.

WHY ARUBA?

Because Aruba, most western of the Netherlands Antilles, 15 miles off the coast of Venezuela, is one of the most prosperous Caribbean islands, site of the world's largest oil refinery, the world's largest salt water evaporating plant, and an important shipping and trading center. Responding to government stimulation, the hotel and tourism industries are fast developing into important economic factors. We believe Aruba offers a unique case study of private enterprise in action.

In Aruba there will be visits to industrial installations, schools and cultural sites. Arrangements will be made for the Junior Achievers to meet with students and to be guests in homes of executives and officials of the host organizations.

The most important phase of the visit will be a day spent with industrialists at their places of business and participation in discussions of production techniques, management responsibilities and employment opportunities.

OBJECTIVES OF OPERATION ARUBA

Operation Aruba has been planned and developed by the Board of Directors of Junior Achievement of Union County to meet our present-day challenges. Its objectives are:

(1) *To provide Junior Achievers and Advisers with a positive educational and incentive program designed to stimulate full understanding of the principles, motivations and rewards of Free Enterprise*

Operation Aruba will demonstrate that every individual, employee, manager, or community leader, must be ever aware that the vigor of our private enterprise system depends upon a heritage that attaches prime importance to opportunity for the individual, personal initiative, responsibility and competence. It will demonstrate that people are the priceless asset of any business organization and that each human being is a unique talent which, given an opportunity for expression, can add value to a company.

(2) *To give Junior Achievers actively engaged in owning and operating their own junior companies an opportunity to feel the pulsebeat of industry and international trade, and to learn first-hand the economic facts of life in business at home and abroad*

Emphasis will be on the need for profits and a high level of individual competence and productivity, without errors. The effect of business profits upon the everyday lives of young people, their families, and the community and the economy as a whole will be stressed.

Operation Aruba will demonstrate that each individual's contribution, if properly utilized, will result in a profit to himself, to his employer, to the community and nation. It will further assure continued growth, prosperity and stability of the economy and will show how corporate profits become job producers.

The experience of international travel by jet aircraft will demonstrate to the Junior Achievers how, under the Free Enterprise system, research and development in the transportation industry and aggressive promotion, have advanced international trade, travel and communications and narrowed the world's horizons, thus improving human relationships.

(3) *To have successful businessmen, experienced in the various stages of education and business advancement, convince the Junior Achievers of the dollars and cents value of a high school diploma and to demonstrate clearly the increased income and opportunities available to those who obtain higher education or seek technical or specialized training*

The project will demonstrate how profitable and essential continued education can be and how short-range thinking with emphasis on short-term income opportunities and job security, without personal initiative and productivity and responsible leadership, fail to develop the full potential of the individual.

(4) *To maintain the high standards of performance, productivity, and prestige of the Junior Achievement program*

Special emphasis will be placed on stimulating superior performance at all levels of Junior Achievement activity, development of personal initiative, creative thinking, responsible leadership, good attendance, punctuality and accuracy. Improved production techniques to reduce operating costs will be encouraged. Aggressive safety and quality control programs will be required. Sales incentive programs will be emphasized.

(5) *To demonstrate to Junior Achievers, parents, educators and the community at large the degree of interest which local businessmen have in young people, and to give recognition to business and industrial sponsors and supporters of Junior Achievement for their unselfish efforts on behalf of young people*

This program will demonstrate to the community that local business and industrial organizations are good neighbors, willing to help prepare young people to accept responsibilities of business management and professional and community leadership.

There will be widespread publicity about Operation Aruba and opportunities for good employee and community relations will be initiated by Junior Achievement on behalf of its sponsors and other participants.

(6) *To give Junior Achievers an opportunity to become goodwill ambassadors and to feel first-hand the pulsebeat of international relations*

The Junior Achievers will develop a keener understanding of the importance of sincere cooperation in international relations in all areas: human relations, government, and particularly business and industry. They will be introduced to the many aspects of life outside the United States through their visits and association with businessmen and professional people, government officials and educational groups.

COMMUNITY PARTICIPATION

There will be extensive community participation in Operation Aruba. Every effort will be made to stimulate the entire community to rededicate themselves to the principles of Free Enterprise.

NOMINATION AND SELECTION OF ACHIEVERS FOR THE AWARD TRIP

In April outstanding Junior Achievers will be selected for the award trip, scheduled to begin May 5, 1969.

Provided that the Junior Achievement company and its individual Junior Achiever members have met the standards set forth in the Performance Standards Bulletin, the company will have the privilege of nominating members for participation in the Operation Aruba award trip. Consideration should be given only to outstanding Junior Achievers based on performance in the following areas:

Leadership; personal initiative and creative thinking; appearance, grooming, poise; ability to get along with young people and adults; originality of product; production and sales techniques and their successful application; attendance and punctuality; adherence to and proper execution of safety regulations; good quality control; accuracy of company records; knowledge of Junior Achievement company operations; knowledge of sponsoring company's activities; knowledge and understanding of the values, workings and benefits to the individual of the Free Enterprise System; knowledge of the history, culture and economic development of Aruba; and future educational and employment plans of the Junior Achiever and degree to which they are being implemented.

The degree of personal participation in bringing the Junior Achievement company into full participation in Operation Aruba should be an important factor in the selection of nominees. Bear in mind that the Junior Achievers who visit Aruba will be representatives of our industrial and educational community and will be guests of important citizens there.

A nomination form will be provided by Junior Achievement with instructions for completion and the due date.

All nominees will be interviewed by a special Junior Achievement Awards Panel, at a time and place to be specified by Junior Achievement.

Selection of Junior Achievers who will participate in the award trip will be announced about three weeks in advance, when instructions will be issued for obtaining written permission from parents or guardians. Travel requirements and other pre-trip details will be discussed.

INCENTIVE PROGRAM COMMITTEE

The Board of Directors of Junior Achievement of Union County has delegated responsibility for the planning and execution of Operation Aruba to Mr. J. Kenneth Roden, Executive Vice President. He will be responsible for liaison with American and Aruba government officials and agencies, and other participating organizations.

The Board of Directors has named a Committee to advise and assist Mr. Roden. Members of the Incentive Program Committee are: James D. Abeles, President, Purolator, Inc.; Joseph Ayares, President, New Jersey Chapter, Public Relations Society of America; William M. Bristol, III, Group Vice President, Bristol-Myers Company; John J. Conlon, Vice President, Phelps Dodge Copper Products Corporation; Harry P. Frank, Publisher, The Daily Journal; John Mossey, President, Wayne Steel Company; Honorable Richard R. O'Connor, O'Connor, Morss & O'Connor, General Counsel for Junior Achievement of Union County, Inc.; J. Kenneth Roden, Executive Vice President, Junior Achievement of Union County, Inc.; Barbara A. Walker, Administrative Assistant to the Chairman, Indian Head Inc.; and F. A. Westphal, Manager, Bayway Refinery, Humble Oil & Refining Company.

PRIORITIES TO REALIZE FULL POTENTIAL OF OPERATION ARUBA

Our Junior Achievement companies must get off to a very good start with practical, top quality products which will sell well. Attendance must continue at a very good rate. Operation Aruba is designed to help Advisers maintain this momentum of production and sales, and the enthusiastic participation of every Junior Achiever and Adviser. It will help your Junior Achievement company meet and maintain our Performance Standards.

Start now to prepare for full participation in Operation Aruba.

Review this bulletin carefully and announce Operation Aruba to your company members.

Tell your top management executives and your company publications editor about Operation Aruba. Make sure they realize the potential for good employee and community relations through participation in this youth incentive and economic education project.

PARTICIPATING ORGANIZATIONS

Included among the many organizations participating in Operation Aruba are:

Anchor Corporation; Airco Welding Products Division; Arthur Andersen & Co.; Aruba Chamber of Commerce; Aruba Government Information Service; Aruba Rotary; Aruba Tourist Bureau; Aruba Trade and Industry Association; The Austin Company; Beckman Instruments, Inc.; Bell Telephone Laboratories, Inc.; Murry Hill and Holmdel, N.J.; Bishop Industries, Inc.; Bristol-Myers Products, Bristol-Myers Company; Burry Biscuit Division, The Quaker Oats Company; Chevron Oil Company; The Daily Journal; Enjay Chemical Company; FMC Corporation; GAF Corporation; GM Assembly Division, General Motors Corporation.

General Electric Company; Humble Oil & Refining Company; Industrial Management Club of Elizabeth; International Business Machines Corporation; Lago Oil & Transport Company; Linden Industrial Association; Merck & Co., Inc.; New Departure-Hyatt Bearing Division, General Motors Corporation; New Jersey Bell Telephone Company; New Jersey Manufacturers Association; New Jersey State Chamber of Commerce; North Jersey Purchasing Agents Association; Phelps Dodge Copper Products Corporation; Public Relations Society of America, New Jersey Chapter; Public Service Electric & Gas Company; Purolator, Inc.; Quinn & Boden Company, Inc.; Radio Corporation of America; Schering Laboratories Division, Schering Corporation; Peter J. Schweitzer Division, Kimberly-Clark Corporation; Simmons Company; The Singer Company; Union County Chapter, New Jersey Society of Certified Public Accountants; Weston Intsruments, Inc.; White-Pharmaco; and Young Presidents Organization, New Jersey Chapter.

PARTICIPATING HIGH SCHOOLS

Abraham Clark High School, Arthur L. Johnson Regional High School, Battin High School, Carteret High School, Cranford High School, David Brearley High School, Hillside Avenue Junior High School, Hillside High School, Linden High School, Middletown High School, Mother Seton Regional High School, Orange Avenue Junior High School, Rahway High School, Red Bank Catholic High School, Red Bank High School, Roselle Catholic High School, Roselle Park High School, Sacred Heart High School, St. Mary's High School, St. Patrick's High School, Thomas Edison Vocational School, Thomas Jefferson High School, and Union High School.

REORGANIZATION ACT

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. FEIGHAN. Mr. Speaker, I fully support the President's request to extend the Reorganization Act. Extension of this act will give President Nixon the necessary latitude to efficiently organize the executive branch. The following editorial

reflecting my point of view appeared in the Plain Dealer on February 1, 1969.

REORGANIZATION ACT

Congress should waste no time in acting upon President Nixon's request to extend the Reorganization Act of 1949.

The act permits a president to reorganize the executive branch of government on his own authority through abolition, transfer or consolidation of agency functions. Without the act a president would have to submit carefully drawn legislation to Congress each time he wished to make a change.

The act usually has been routinely extended by congressional consent every two years, but it was permitted to lapse on Dec. 31. Its passage is necessary if the new President is to be able to shape the executive branch to his liking.

ANTI-DEFAMATION LEAGUE REPORT ON THE JAPANESE BOYCOTT OF ISRAEL

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. EILBERG. Mr. Speaker, while acts of Arab terrorism are occurring in the Middle East, we should not overlook attitudes of governments elsewhere toward the struggle of Israel to survive.

Recently the Anti-Defamation League of B'nai B'rith studied the Japanese boycott of Israel. I think many of my colleagues will agree that the report which follows is discouraging, and also that officials of our Government should communicate with the Japanese Government our concern and displeasure over any kind of boycott of Israel.

The following is the Anti-Defamation League progress report on the Japanese boycott of Israel, dated January 1969:

INTRODUCTION

Despite a professed concern with the boycott of Israel by significant Japanese business interests—reports of which have been widely published—the Government of Japan has yet to adopt a policy which would assist its business community in resisting pressures from the Arab bloc. As a result, a number of large Japanese businesses have stuck to their refusal, in some cases, to trade with Israel, or their unwillingness, in others, to consider Israeli requests for expansion of existing agreements or entry into new ones.

On the basis of data now available, the Anti-Defamation League finds signs of worry within the Japanese business world itself, and on high governmental levels—but little, if any, meaningful activity from either segment.

In early May, 1968, during its National Commission meeting, ADL released its findings on the Japanese boycott of Israel; named specific Japanese companies which had yielded to Arab pressure and curtailed trade with Israel; traced the two-year history of meetings with representatives in this country of the Japanese government, business interests, and Trade Center; and called upon the Government of Japan to establish a government policy that would oppose restriction of trade with nations friendly to Japan, and afford government assistance to Japanese companies defying pressures from those who advocate such restriction, i.e., the Arab states.

ADL documented in economic terms the irrationality of the trade boycott of Israel by Japan—e.g., Israel's per capita income being higher than that of any Arab country save Kuwait—and, in moral terms, the hypocrisy of Japanese business interests' lobbying for freedom from trade restrictions with the United States while supporting such restrictions vis-a-vis Israel.

The ADL findings were published in a major story in the *New York Times*, as well as in the *Wall Street Journal* and other influential papers and business newsletters throughout the U.S., Europe and the Far East. A wave of indignation swept American businessmen—non-Jewish as well as Jewish—who have dealings with Japanese companies, and many informed ADL of their intention to make known such indignation to their Japanese counterparts. Subsequent reports in the daily and Anglo-Jewish press confirmed that letters and cables had indeed been sent by Americans to Japanese firms both here and in Japan.

RESULTS

On the positive side, two effects can be documented: (1) *some* Japanese companies have declared their intention to change their restrictive policies in relation to Israel; (2) the Government of Japan—officially silent on the whole matter before the dissemination of ADL's study—issued a series of statements professing a preference for nonrestrictive practices—and thereby acknowledged the boycott of Israel, which it had not done before.

Negatively, however, two parallel—and more significant—effects are demonstrable: (1) denials by a variety of large Japanese firms accompanied the continued silence of still others; (2) while it acknowledged that Japanese business interests had been boycotting Israel and expressed concern about such practices, the Government of Japan said, in effect, that it was powerless to correct the situation because it traditionally maintained a policy of noninterference in Japanese companies' trade relations with other countries.

This report will describe below in detail the effects of publication of the ADL's earlier study; it will indicate those Japanese firms which have changed, or express a willingness to change, their restrictive trade policies toward Israel, as well as those who remain recalcitrant; and it will offer evidence to support the conclusion that until the Japanese government establishes a firm policy—clearly enunciated to its business community—opposing boycotts of countries friendly to Japan (similar to policies legislated by many countries of the world, including the United States), the Japanese business boycott of Israel will remain a harmful ingredient in the relationship between the two countries.

CHANGE IN POLICY

As noted in earlier ADL reports, several Japanese firms, after meetings with the League, abandoned the Arab boycott of Israel. The *Fuji Photo Film Company* informed its American distributors that its policy had been changed and it has since appointed a distributor in Israel and exhibited in the 1968 Tel Aviv International Trade Fair.

The *Nissei Sangyco Company, Ltd.* a subsidiary of *Hitachi, Ltd.*, manufacturers of radios, television and electrical appliances, agreed to open trade relations with Israel, also after conferences with ADL.

Similarly, the *Kawcsaki Dockyards*, part of the multimillion-dollar *Kawasaki Corporation*, revised its previous boycott decision and agreed to resume trade relations with Israeli maritime interests.

Several Japanese firms that have been cited in the boycott situation have denied they support boycott policies in relation to Israel and several denials have been evidenced to be valid.

1. *Hayakawa Electric Company* of Osaka, Japan, manufacturers of television sets and calculators under the name of "Sharp," have demonstrated that they are exporting to Israel through the Shriro Trading Co., Ltd. and that their products are being imported into Israel by Inpolex, an Israeli import firm.

2. *Yamaha* was one of two manufacturers of motorcycles cited in the boycott situation who had refused to deal with Israel. The *Yamaha International Corporation* of California took issue with the allegation, saying that "Yamaha motorcycles are sold in 67 countries of the freeworld, *including Israel.*" However, as late as November 1967, *Yamaha Motors Co. Ltd.* was on record stating, ". . . our company's policy (is) our products are not exported to your country." Confronted with these contradictory statements, the California source admitted no Yamaha cycles were exported to Israel, "because the motorcycle market in that country is small; however," the letter continued, "sales of Yamaha Outboard Motors are growing at a most satisfactory rate, and the Yamaha piano now commands 20% of the Israeli piano market . . ."

Yamaha Motors Company, Ltd., and *Yamaha Shokai*, manufacturers, exporters and importers of musical instruments. *Yamaha International Corporation* probably represents both firms in international trade; the study referred only to Yamaha Motors Company.

The facts indicate that *Yamaha Shokai* is selling musical instruments to Israel and even contemplating the establishment of a plant in Israel, but no motorcycles have to date been sold to Israel in spite of Israeli offers to buy them.

STILL BOYCOTTING

No change in policy toward Israel has been forthcoming from such giants as *Sumitomo, Mitsubishi*, and *Mitsui*, who have maintained silence during the stir created by the ADL study.

Similar silence and apparent unwillingness to reverse existing boycott policies have been the response of the *Suzuki Motor Co., Ltd., Nippon Electric* and *Shiba Electric*.

In the case of *Marubeni-Iida*, one of the several huge and diversified manufacturing firms that ADL named as participating in the boycott, the firm, in talks here with the League, had indicated the company's agreement to reverse its former policies, and had stated that *Marubeni-Iida* was now prepared to use Israeli flagships. When several specific shipments were to be transported on Israeli shipping lines, however, instructions were issued by *Marubeni-Iida* forbidding use of "Israeli flagships."

The *Toyota Motor Co.* reacting to the ADL study through its public relations representative in the United States, called the ADL to say that Toyota was not engaged in a boycott of Israel. This was early in May, and since then, despite several calls from ADL to the public relations office, no documentation has been offered to substantiate any trade between Toyota and Israel.

THE POSITION OF THE JAPANESE GOVERNMENT

For several years during which Japanese business appears increasingly to have acquiesced in the Arab boycott restrictions against Israel, the Government of Japan maintained an official silence on the matter. After a story released in Tokyo appeared in the *New York Times* of April 21, a series of statements began to emerge from Japanese government officials, and the public indignation aroused upon the release in May of ADL's study appears to have intensified this.

Typical of the inherent contradictions in the Japanese official position is the response to an ADL-prompted query from Russell S. Codman, Jr., honorary Consul General of Japan in Boston, by Yasuhiko Nara, Consul General of Japan in New York City. Mr. Nara wrote the following:

The position of the Japanese Government has been, from the very beginning of the establishment of the Arab Boycott office, completely neutral. The Japanese Government has, in the past, never encouraged or discouraged any of the Japanese companies from trading with either Israel or the Arab countries. Whether a company has more leaning towards Israel or the Arab countries is entirely up to each company concerned. This has been the position taken by the government and has been acknowledged both by Israel and the Arab countries. The company that is trading is, thus, *assuming its own risks in trading with any of the parties* (italics ADL). To reiterate our position, the Japanese Government has never intervened in any of its companies in the choice of trading partners. The Government thinks that there should be amicable relations with both of the parties concerned. In other words, the Government is completely neutral and wishes to promote friendly relations with both parties. . . .

The contradiction in the foregoing is that while the Government of Japan *seems* to advocate free trade principles and *seems* to want to encourage trade with Israel, it steadfastly maintains the position that it can do nothing about the boycott situation. It equates neutrality with passivity.

It is the contention of the League that the failure thus far of the Japanese government to implement what it says is a policy of economic "neutrality" in the Arab-Israeli conflict amounts to acquiescence by omission in the Arab boycott. (Abraham H. Foxman, director, Middle East Department.)

A NEW ROLE FOR PRIVATE INDUSTRY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. FRASER. Mr. Speaker, during the last few years I have been encouraged by the new efforts of private industry to meet the job needs of special groups in our society. Job opportunities in the business section—JOBS—and other new manpower programs have shown that the resources of the private industry can be used effectively for social as well as economic purposes.

In a speech to the National Rehabilitation Association, Dr. Paul M. Ellwood, Jr., director of the American Rehabilitation Foundation, has presented a useful analysis of the new role that private enterprise can play in the vocational rehabilitation process. I want to take this opportunity to insert Dr. Ellwood's speech in the Record:

THE REHABILITATION-INDUSTRIAL COMPLEX

(Donald K. Dabelstein Memorial Lecture presented by Paul M. Ellwood, Jr., M.D., executive director American Rehabilitation Foundation, before the annual meeting of the National Rehabilitation Association, New Orleans, La., October 22, 1968)

The choice of a title for this address may seem an unfortunate one. Much has been made of the alarming specter of a *military*-industrial complex—generals and armament industries joined in a coalition for amassing power and profits. The term "rehabilitation-industrial complex" may evoke unfavorable connotations. Yet, government is turning with increasing frequency to the private sector to undertake peaceful and socially desirable public enterprises—low-cost housing, education, and even management of the Post Office. If the profit-seeking free enterprise system is capable of delivering the mail, perhaps it may also be capable of delivering vocational rehabilitation. If the rulers of the "new industrial state" *can* be put to work performing high-level rehabilitation for more people, then, by all means, let's form a coalition. If they can do the job, then what this country needs is a mighty rehabilitation-industrial complex!

These remarks will outline a plan which calls for the creation of a new market for rehabilitation candidates. It involves evaluation of individual vocational rehabilitation candidates by the public agency—establishing financial incentives for potential employers at a sufficiently high level to induce many of them to seek to hire the candidate, plus additional incentives to employers for providing training and prolonged employment.

This concept regards jobs in private industry not only as an end, that is, the culmination of the vocational rehabilitation process, but as a means of more efficiently performing this process. Carrying on vocational rehabilitation in the real-work setting could be expected to result in more realistic measures to adapt the man to the job and the job to the man and to provide training of direct relevance to job requirements.

Two points should be emphasized in defining the scope of these remarks:

First, they deal with the full range of causes of unemployment where government intervention is required for remediation. References to "clients" and "vocational rehabilitation candidates" should be understood to mean all who are classified as unemployed and dependent, from whatever cause, not just the physically disabled. Included in this definition are the socially deprived, school drop-outs, and the technologically unemployed.

Second, what I have to say is predicated on the assumption that medical and psychotherapeutic services will be purchased and financed separately; the program outlined here is directed exclusively toward providing *employment*.

It is possible to identify certain special attributes of private industry that may well be utilized—exploited, if you will—to advance the goals of vocational rehabilitation.

These special attributes have been described by Walter Heller, a leading architect of the New Economics. He credits private enterprise with three major strengths—first, its cybernetics—the *"incredible capacity to receive and generate information and to respond to it";* second, *its hardheadedness and technical efficiency*, and third, its contribution to political democracy by *keeping economic decisions free and decentralized.*

Taking these three specialized capabilities, how might each be placed in the service of vocational rehabilitation? It is not enough to say that private enterprise has the potential to advance the goals of vocational rehabilitation. A strategy must be devised which will release this potential and channel it along lines that directly parallel the objectives of rehabilitation.

The critical question is how to activate, for vocational rehabilitation, the *unique drives* and skills of the business machine. What really *turns industry on?*

The answer, of course, is profit. This is the motive power behind private industry's hardheadedness and efficiency, its drive for high productivity and quality at the lowest possible cost.

It is essential to construct a "vocational rehabilitation market" which reproduces, insofar as possible, the conditions which normally "turn on" the profit-seeking, private enterprise system. The uneven results of many of the business-sponsored social programs of recent months are perhaps traceable in large part to the tendency to place too much reliance on the social conscience of the private sector.

A recent discussion of private enterprise and public programs in the *Harvard Business Review* made the point eloquently:

"If we all understood the basic ground rules of private enterprise a little better, we would realize that the large corporation is not a rain god, and that no amount of prayer and incantation will unleash its power. The spectacle of otherwise sophisticated people going on bended knee to companies and pleading with them to have the kind of conscience and moral sensibilities only rarely found in individuals is nothing less than laughable . . . Fundamentally, a corporation is like a computer in that it is programmed in the language of dollars and cents."

In a "rehabilitation-industrial" market, profits must provide incentives to accomplish the true objectives of vocational rehabilitation. In other words, profits must induce industry to perform functions directly aligned to the public interest. In vocational rehabilitation, the public interest may be defined as the goal of securing stable, remunerative employment in private industry for the greatest possible number of clients.

Economists speak of "efficient incentives". In order to align the interests of employers with the objectives of vocational rehabilitation, it is necessary to provide efficient incentives which will induce the employer to:

1. Hire the client in the first place.
2. Continue to employ him over a significant period of time.
3. Develop and upgrade his job skills.
4. Increase his earning power.

This calls for a plan which offers the employer an opportunity to realize a profit for advancing each of these objectives.

A fairly simple system might be constructed along the following lines:

1. Offer an initial subsidy for hiring and training the client. The level of the subsidy would be based on the relative ease or difficulty of bringing the employee's performance up to a normal level of productivity. This subsidy would cover a relatively short period of time.

2. An additional bonus payment would be offered as an incentive to prolong the period of employment. A period of eighteen months is suggested, based on evidence that a relatively extended period of employment is an indicator of continued job stability.

3. Finally, a formula of incentives based on the employee's progress measured in terms of increased job skills, responsibility and earning power would be necessary. The employer would receive incentive payments scaled in proportion to the employee's earnings. This schedule of incentives should be sustained over a prolonged period, perhaps as long as five years. The original employer should be eligible for these payments even if the employee moves to another job. This could have two possible effects. It would lessen the possibility of restricting the employee's freedom to move to another job. In addition, it could encourage employers to establish large-scale vocational rehabilitation programs for the purpose of earning revenues by placing large numbers of employees in companies other than their own.

The profit potential lies in the employer's ability to bring employees to performance levels which pay off in productivity at less cost than the subsidies and bonuses he receives.

Under this plan, the public agencies' vocational counselor would, in effect, act as the agent for the job candidate. He would perform the key role in the screening, evaluation and placement process. It would be his responsibility to establish the schedule of incentives necessary to secure an adequate number of job opportunities.

But while the rehabilitation agency and the employer are negotiating their agreements, what happens to the client? Does he become a mere chattel to be bargained for? Naturally, any plan of this type must safeguard the individual, according full recognition to his rights of freedom of choice, self-determination, and equality of opportunity. Rehabilitation has traditionally placed paramount emphasis on the individual. As a result of this orientation to the individual, the methods of vocational rehabilitation have not been technically or philosophically compatible with some of the mass-scale group-oriented job programs that have been mobilized recently. The plan proposed here offers the possibility of providing jobs on a broader scale without abrogating individual rights or disregarding human values. If anything, it is designed to enhance individual rights.

First, it would have the effect of widening the client's freedom of choice by bringing a uniform and consistent set of incentives to bear on the total industrial complex, not limiting its appeal to a select group of enlightened, well-intentioned employers. It speaks in the universal commercial language of profit. By expanding the number of possible employers, the client enjoys greater latitude in choosing among a number of possible job opportunities.

Furthermore, the provision for scaling subsidies and payments in accordance with employability rating would have the effect of weighting the incentives to make opportunities for low-rated employees approximately equal to those for the high-rated employee. The practice of placing "the best man in the best job" excludes many clients.

In review, it will be seen that the basic features of this proposed program are designed to take advantage of the special capabilities of the private enterprise sector.

The hardheadedness and technical efficiency of private industry is brought into play by the introduction of the profit motive to the process of vocational rehabilitation. Under the incentive structure outlined above, the employer, in effect, would be pitting his technical efficiency against the problems of rehabilitation, engaging in risk taking by wagering that he can bring an employee to normal productivity at less cost than incentive payments. The decentralization of industry, offering a means of inducing a wide diversity of entrepreneurs to engage in rehabilitation, is one of the conditions which safeguards the client's freedom of choice. The vital role of industry's capacity to receive and generate information will become apparent as we now take up the question of government's role as a "buyer" of rehabilitation services.

To paraphrase a well-known dictum of former defense secretary Robert S. McNamara, the goal of rehabilitation is to assure the greatest possible opportunity for employment to the largest possible number of clients at the lowest sound cost. This is another way of saying that the rehabilitation agency is faced with the necessity of applying the principles of cost-effectiveness, which are, of course, identified with the exacting, coldly analytical decision-making processes of the defense department. Is this style of decision-making compatible with the intensely personal and subjective realm of rehabilitation?

The original exponent of cost-effective analysis, Charles J. Hitch, may have anticipated some of the apprehensions of rehabilitators when he wrote:

". . . the suspicion still persists that cost-effectiveness studies put 'dollars before national security' or will result in our going to war with 'cut-rate, cut-quality, cheapest-to-buy' weapons. Virtually every attempt we make to explain the inexorable logic of relating cost to . . . effectiveness seems to shatter itself on the argument—'Nothing but the best will do for our boys.' "

The same objections could be voiced by rehabilitators:

"Cost-effectiveness places dollars before human values."

"It results in dehumanizing rehabilitation."

"Nothing but the best will do for our clients."

Rehabilitation, like all other fields, must assume a limited supply of resources as a *constant factor* to be reckoned with as a basic condition of programming and planning. Cost-effectiveness is, of course, a method of determining whether a dollar spent here will go farther than a dollar spent elsewhere. Theoretically, our limited rehabilitation dollars could be expected to produce greater benefits for more people if they were allocated in this way. If government is to become a sophisticated buyer of vocational rehabilitation and bargain successfully for client benefits with private industry, a prediction and control system is needed which must fulfill four requirements:

First, it must be capable of accurately forecasting each client's employability and needs for special rehabilitation services not available through industry.

Second, it must set incentives at a level which produces a reasonable number of good job opportunities for the client.

Third, it must follow the progress of clients on the job and make appropriate incentive payments.

Fourth, it must be a dynamic and flexible system capable of adjusting incentive levels based on the success of clients in finding and holding jobs under varying labor market conditions.

The case for a "rehabilitation-industrial complex" stands or falls on the prediction and control issue. It is workable only if those representing the public interest and acting on behalf of the client are equipped with these essential management tools. In fact, the methods of the rehabilitation agency must be, in their own way, no less hard-headed and efficient than the methods of the industries with which they are negotiating. The attempt to take advantage of the efficiency of the private sector does not relieve the public sector of the obligation to be efficient. If anything, it increases the obligation to exercise especially stringent management, since the public sector is delegating a portion of its responsibility to the private sector. The tough-minded and demanding procurement policies of the Department of Defense, which are based upon rigorous product definition and contract control techniques, have produced fundamental improvements in the performance and overall efficiency of the industrial organizations with which it deals.

Is it possible to devise precise prediction and control techniques for rehabilitation? Can the infinitely complex array of facts, observations, personal traits, and complications that present themselves to the rehabilitator be reduced to an objective, measurable and predictable formula? Faced with the overwhelming number of variables that affect outcome, rehabilitators have tended to regard forecasts of rehabilitation results as impossible of attainment.

Nowhere are the awesome dimensions of prediction and control more evident than in the medical problem presented by stroke. We are dealing with a problem in which: the brain and virtually every major physiological subsystem is involved, the treatment responsibility is divided, improvement is slow and multifaceted, and subsequent strokes are a constant threat.

Yet, it appears that in the midst of all of these complexities and uncertainties, certain indicators can be identified which predict with a surprising degree of accuracy the outcome of stroke. Stroke outcome predictors have been investigated at the American Rehabilitation Foundation for more than six years in a series of studies sponsored by the Rehabilitation Services Administration. At first, the complexity and elusiveness of the pursuit was frankly staggering. The investigators began with the several thousand diagnostic observations that can be recorded in an exhaustive work-up of a single stroke patient. Eventually, these were narrowed down to slightly more than 1,000 observations which could be classified under a group of 250 characteristics. As the studies proceed, the data suggest that the number of decisive predictors that permit accurate forecasts of stroke outcome may be narrowed to as few as 20. Further, forecasts based on these predictors are proving more reliable than those based on the clinical judgments of an experienced rehabilitation team.

Moreover, the predictors project a broader spectrum of outcomes than the conventional medical prognosis, provided they are designed to forecast psychological behavior, communication ability, and social outcomes, as well as physical function.

In a problem directly related to vocational rehabilitation, research results have also moved from complexity to simplicity. In studies dealing with the measurement of eligibility for Disability Insurance Benefits, the research began with a bewildering array of items. Approximately 2,000 items were examined to provide comprehensive medical, social, vocational, psychological and occupational evaluations of 685 D.I.B. applicants. A basic purpose was to assess the relationships between these diagnostic observations and the likelihood of returning to work. A series of numerical rating scales form the basis of a *decision simulating process*. Using multiple regression analysis, it was found that only five variables were needed to make an appropriate referral for vocational rehabilitation. In a "competition" with a multiprofessional team, the numerical simulator performed as well in referring for vocational rehabilitation persons who were subsequently employed. However, the simulator performed far better than the rehabilitation team in avoiding the error of referring for rehabilitation those persons who in actuality proved to be unemployable.

All this convinces me that manageable, precise and reliable prediction and control techniques for vocational rehabilitation are feasible. These methods can provide the basis for the government's negotiations with industry. They would establish uniform guidelines for cost-effective decisions on expenditures for pre-employment services. They would provide for forecasting of employability and evaluation of employment outcomes. They would also provide the "market information" required for a rational system of "relative pricing" in negotiating with industry for job opportunities.

It is important to conceive the control function under discussion as an ongoing process, subject to continuous adjustment and capable of sensitive response to feedback. In developing the control function, we can simultaneously employ the principles of cybernetics and behavior modifications. In cybernetics the viability of information system is based on its linkage to a response mechanism. Too many of our attempts at continuously gathering data falter or fail because they are not linked to action. The behavior modifiers add another condition—responding to positive as well as unfavorable information. A schedule of positive reinforcers (rewards) is deemed preferable to negative reinforcers (punishments). As presently organized, rehabilitation receives feedback confined chiefly to negative reinforcers. Its responses are set to react to failure—the client's loss of his job, the development of a medical complication. The response is set in motion only after the breakdown occurs. The plan for a rehabilitation-industrial complex is based on a system that would respond to positive feedback—the awarding of incentives for success . . . success in prolonging employment . . . success in increasing the client's earning power. Naturally, the system would be set to cope with failure—to retrain the client who loses his job or experiences some other form of breakdown. The constant flow of information about success and failure, if it precisely describes rehabilitation clients on real jobs, gives us the feedback we need to readjust incentives to changing client and labor market conditions, thus providing government with the same cybernetic capabilities as the industrial side of the complex.

The foregoing emphasizes the essential function of prediction and control techniques in the efficient operation of a rehabilitation-industrial complex. The same prediction and control capability has important implications for national manpower policy. While I hesitate to venture into this lofty realm, the possibilities that present themselves are too exciting to resist.

These remarks are prompted by the calls for social indicators and in response to recommendations found in the Annual Report of Economic Advisers for 1968. The report states:

"To carry out their tasks, policy makers must have the benefit of accurate diagnoses of the current state of demand and the best possible forecasts of prospective demand.

"Indeed, forecasting of some kind is indispensable . . . Because policy cannot be devised and implemented instantly, and because its effects on the economy operate with a lag, *decisions are inevitably tied to predictions.*"

The report then recommends improvements in economic statistics as a principal means of enhancing the quality of the predictions made by policy makers:

"The Federal statistics recording current economic developments are the compass by which policymakers must chart their course. The United States has the most accurate, comprehensive and detailed economic statistics in the world, based on information that has consistently improved in accuracy, speed and coverage. Yet the need for accurate and timely statistical data keeps outrunning the available information."

Although we are collecting increasingly elaborate statistics on unemployment, we are very far from having information which even approximates the accuracy of that available on other aspects of the economy. This lack of information severely limits national manpower policy making.

The enviable accomplishment of the New Economics is the apparent ability to identify the strategic points at which a minimum of intervention will "make things happen" throughout the entire economy. An adjustment in interest rates by the Federal Reserve System produces a chain of predicted reactions in the total industrial complex and among millions of consumers.

The success of national policy decisions depends on the ability of the total constellation of subsystems—regional, state and local—to react promptly and predictably?

Precise prediction and control mechanisms are needed if local programs are to be "set" to respond at their level to adjustments in national policy. Flexible, effective national policies, in turn, depend on accurate information generated by local agencies.

Any effort to rationalize manpower programs through the development of social indicators and the establishment of social policies and goals must be based upon the ability to produce and measure local responses.

The New Rehabilitation market can be expected to produce information which will enhance this ability. It will produce "on-line" information that continuously reflects the prevailing demand for labor, the characteristics of the unemployment population and the cost of employment. Thus it will become possible to forecast the effects of national program changes throughout a broadly decentralized and diversified democratic society.

The characteristics of the unemployed population are constantly changing. Shifts in the labor market—the demand for workers—occur periodically. These changes affect not only the number of workers needed, but the kinds of jobs that are available, and hence the skills and training required to fill them.

These are elementary principles, of course. But the ability of policy makers to mount timely and accurate responses to these cyclic phenomena is too limited. Under the plan we are discussing, it would be possible to determine with a high degree of accuracy the policies required to respond to the cyclic changes in the job market and the unemployment population. Knowing the cost of securing work for given classifications of unemployed persons under given labor market conditions, it would be possible to predict the impact of a given level of expenditure. In periods of high employment, a policy of tight money for employment programs would be appropriate; in periods of low employment, restraints would be relaxed. Under some conditions, the creation of jobs through public works might be indicated. The nature of unemployment would also call for varied response; a high rate of white collar unemployment would, for example, call for a different response than a high rate of blue collar unemployment.

The practical implementation of these prosposals naturally represents an ambitious undertaking. Are these realistic expectations?

The answer may depend on the rank we give to the problem of unemployment and social displacement. Let me put it this way: The richness and precision required of an information system seems to bear a direct relationship to the fatefulness of the decisions prompted by that information.

For example, the decisions and responses governing our nuclear defenses or space programs are guided by an unceasing flow of information which must be exhaustive in its richness and precise to the minutest calibration. Similarly, the fatefulness of economic decisions are guided by abundant and accurate information and, as we have seen, the shapers of economic policy call for constant improvement in the quantity and quality of economic statistics.

The conclusion seems clear: Unemployment is a root cause of social disruption which, we are continually being warned, can reach cataclysmic proportions. There is a decided discrepancy between the fatefulness of the decisions facing us in this area and the social indicators presently available for guiding decision makers.

The task of developing methods whose dimensions match the dimensions of the problem, however monumental, therefore seems necessary. The basic methodology for vocational rehabilitation is available, as the experience I have related indicates. It is now necessary to expand and accelerate the application of this methodology.

Dramatic improvements in the technology of measuring, monitoring, and predicting the behavior of the labor market could lead to fundamental changes in the structure for execution of manpower policies. It is conceivable, for example, that an "Employment Reserve System", comparable to the Federal Reserve System might be employed to stabilize and regulate employment. A pool of funds might be held in reserve, not for the purpose of providing financial assistance to the unemployed, but, when necessary, to accelerate employment programs. For example, in a period of low employment, funds would be released to increase and upgrade incentives for employing vocational rehabilitation clients. The flow of funds would be regulated in accordance with the market indicators reflecting costs of employment, characteristics of the unemployed population, and the nature of prevailing labor demands.

Revenues for the creation of this financial reserve could be drawn from government and from employers, based on the size of their work force. The rationale for government's contribution is obvious: Funds for the alleviation of unemployment could be expected to reduce public assistance costs. The incentive for employers would be just as real, if not as obvious. Employers incur substantial costs resulting from unemployment, not only indirectly in the form of increased tax revenues for public assistance, but directly in the form of unemployment insurance payments to workers who have been laid off. The annual cost of such payments totals nearly two billion dollars.

The tenor of these remarks may suggest a blind and unquestioning faith in the private enterprise system, a captivation with the catch-phrases concerning miracles of efficiency performed by American industry. The professional is as likely to be taken in by the mystique of business as the businessman is likely to venerate the professional mystique. Hopefully, this impression has been dispelled. The plan proposed here simply regards private enterprise as a functioning apparatus which represents an available medium for advancing the objectives of vocational rehabilitation. The attempt has been made to identify the special strengths of the private sector and suggest how they might be put to work for vocational rehabilitation. Prediction and control techniques have been suggested which are designed to provide effective regulation of the New Rehabilitation Market in the public interest.

But even if the concept of a rehabilitation-industrial complex is rejected out of hand, the very act of exploring such a prospect may have yielded some instructive insights. In contemplating the possibility of delegating a broad area of responsibility to the private sector, the need for the public sector to set exacting management conditions became evident. We saw that efficient methods of information gathering, prediction and control are essential to the regulation of a New Rehabilitation Market.

Should we regard these methods as any the less essential to the public management of vocational rehabilitation, wholly apart from any concept of a rehabilitation-industrial complex? Vocational rehabilitation has been entrusted with an expanded mission. The problems it must deal with are more pressing and fateful than ever before. It must do more things for more people than ever before. Its clientele embraces a wider spectrum of disabilities—social, emotional, as well as physical. These new demands call for increased effectiveness of performance and increased productivity from both rehabilitation dollars and rehabilitation manpower.

The trend toward greater state and local responsibility for allocation of health and welfare funds emphasizes the need for decision-making mechanisms which are independent of tight Federal controls, yet which respond to national policies.

In short, the need for precision in rehabilitation management is equally as urgent whether the responsibility remains in the public sector or is shared with the private sector. Whatever the direction, the refinement of the technology of prediction and control is the essential prerequisite. Research and development in this area is a logical first step. If successful, vocational rehabilitation would be equipped to apply these new techniques in established public programs or in a rehabilitation-industrial complex.

MITCHELL HAS WHAT IT TAKES

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. MYERS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article which appeared in the St. Louis, Mo., Globe-Democrat of January 18–19, 1969:

> **Mitchell Has What It Takes**
>
> Some critics of incoming Attorney General John Mitchell have suggested he may be of questionable effectiveness because he lacks experience in such areas as civil rights, antitrust cases, dealing with organized crime and other issues which might come before the Justice Department.
>
> What they overlook is that Mitchell gives every indication that he is a man who will do what his predecessor did all too reluctantly in certain instances—enforce the law and prosecute offenders vigorously.
>
> Crime has reached the point in this country that a hard-line law enforcement man such as Mitchell is urgently needed in this post, which has been occupied in recent years by men more concerned with espousing their sociological views on crime than in enforcing the law.
>
> In the case of Gov. Walter Hickel of Alaska, a chorus of critics are trying to paint him as a despoiler of land and resources because he indicated he disagreed with a policy of withdrawing a large area of land for conservation and "lock it up for no reason."
>
> To date no one has shown that Alaska Gov. Hickel has anything more than a balanced view on conservation. He has indicated he will continue to pursue a policy of intelligently conserving the nation's land and resources. But he also will recognize the need for developing resources such as oil deposits in Alaska when this is the wisest course.

CONSUMER CREDIT PROTECTION

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. FASCELL. Mr. Speaker, credit is one of the foundation stones of our modern economy. Without the availability of credit, economic development would be severely curtailed. Access to credit is indispensable to the businessman, and to the individual as well. For this reason, complex credit systems have been developed in this Nation over many years to fill the vast need for operating capital and personal financing. It is hardly surprising that within this elaborate system, from time to time, minor flaws may occur. Such, I believe, is the case in the present practice of withholding information on credit ratings from individuals whose economic and personal well-being may be unfairly jeopardized by the ratings.

I am happy to cosponsor today, with my colleague, Mr. ZABLOCKI, of Wisconsin, legislation to correct this evil by making available to any individual the basis of an adverse credit report on himself so that he may have the opportunity of refuting any incorrect evidence used against him.

This legislation, to be known as the Fair Credit Reporting Act, is proposed as an amendment to the Truth-in-Lending Act. It would establish "due practice" in credit rating and reporting businesses on much the same basis as is now commonly found in our basic legal system.

Not only would this bill allow an individual to see a report prepared on himself by a credit reporting agency, it would also require credit reporting agencies to keep their reports confidential. This would help insure the individual's right to privacy in the collection and reporting of information which is increasingly more detailed and vital to his affairs.

As I have said, the credit reporting business is necessary and, indeed, required in our modern economy. The great majority of agencies, no doubt, develop accurate information and protect privacy. This legislation would not interfere with the continued successful operation of credit reporting agencies, but instead would help maintain public confidence in and respect for their activities by guaranteeing individuals a means of redress for any unfair injury that may occur.

As my good friend and respected colleague, Congressman ZABLOCKI, has pointed out, the fact that the vast majority of cases are handled without abuse to the individual does not justify the many cases of error and mistaken identity in credit reports now being discovered. He said:

> In fact, such erroneous reports can practically destroy a person and yet the agencies, as part of their established mode of operation, will not give the person the chance to correct a mistake in his report. It is therefore obvious that regulation of the industry is needed to protect the individual.

Mr. Speaker, I agree with the need for greater protection for our citizens, and therefore I am delighted to cosponsor this legislation designed to protect the consumer against malicious, arbitrary, and erroneous credit reports.

LEGISLATION TO STRENGTHEN THE FEDERAL EQUAL EMPLOYMENT OPPORTUNITY ACT

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. REID of New York. Mr. Speaker, today I am joining with my colleague, Mr. HAWKINS, of California, and 28 other Members in introducing legislation to strengthen the Federal Equal Employment Opportunity Act.

Legislation similar to this was first drafted by James Roosevelt and myself and was passed by the House in 1966, but failed in the Senate. Federal officials feel that these powers are essential if the objective of equal employment opportunity is to be brought within reach. Thirty State commissions, including that in New York, now have the powers which would be granted to the Federal Commission under this act.

Briefly, this bill would amend title VII of the Civil Rights Act of 1964 to confer upon the EEOC authority to issue judicially enforceable cease-and-desist orders directing the discontinuance of discriminatory employment practices. The Commission's power under existing law is limited to conciliation. In addition, our bill would extend coverage of the law to employers and labor organizations with eight or more employees or members. The present law exempts units of less than 25.

I urge my colleagues to join in giving the EEOC effective enforcement power in our effort to grant equal employment opportunity to all Americans.

ELECTION REFORM IS URGENT NEED

Hon. ROBERT H. (BOB) MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. MOLLOHAN. Mr. Speaker, last week I joined some 37 other Members of the House in the introduction of House Joint Resolution 317, proposing an amendment to the Constitution to provide for direct popular election of the President and Vice President of the United States.

This amendment would insure that the man with the most votes will win the election. It abolishes all the trappings of electoral votes and says that the popular vote—the vote of the people—will determine who shall be President.

Mr. Speaker, a very fine editorial was published by the Wheeling News Register on the subject on January 10, 1969, and I am including it in my remarks:

> **Election Reform Is Urgent Need**
>
> The need for reform of the Electoral College method of electing a president of the United States was demonstrated clearly again earlier this week when Congress formally certified the electoral victory of Richard M. Nixon.
>
> After an afternoon of debate over the right of a maverick elector from North Carolina to ignore the majority of his state's voters and cast his ballot for George C. Wallace, the election of Mr. Nixon as president and Spiro Agnew as vice president was formally proclaimed. It was just one more instance pointing up the dire need for change of this system which was introduced in 1804 and which is both archaic and dangerous.
>
> We will not soon forget that on election night last Nov. 5, there was genuine fear in the country that the next forty days and forty nights would find America swept by the severest political storm of the century. The concern was based on the strong possibility that neither candidate for president would win the 270 votes needed to carry the Electoral College and that the President would not be selected until January.
>
> There was ample reason for this anxiety since if, for instance, California had not gone to Mr. Nixon by a margin of 200,000 votes but instead had gone for Vice President Hubert Humphrey, the Electoral College would have been stalemated. The way would have been open for weeks of wheeling and dealing over the votes of the elector, with Mr. George Wallace attempting to play the role of the kingmaker with his 45 votes.
>
> The Founding Fathers introduced the Electoral College from a complete mistrust of the people. Their system has been modified in practice, since the electors are pledged to vote for specific candidates, but not by law, since the electors do not legally have to carry out their pledges. This was demonstrated again this week when Congress upheld the maverick elector from North Carolina.
>
> It seems to us that the best method for reform is to abolish the Electoral College and permit Americans to elect their President by a direct popular vote. The one-man, one-vote proposal is opposed by many who

believe that while change is needed, the states should retain a role in a revamped Electoral College. But the point missed is that states do not vote, people do vote. The President, who represents all of the people, should be elected by them directly.

Some of the discussion about reforming the system has centered on legally committing the Electors to vote as instructed by the people, or by abolishing the Electoral College but assigning the same Electoral votes to the states. There would still be a chance of distorting the popular will since there is no exact correlation between Electoral votes and the popular vote, Mr. Nixon in the recent election won 43 per cent of the popular vote but 56 per cent of the Electoral votes. It would be possible for a candidate to win a popular majority and lose the election, as has happened.

The election of a President, it seems to us, is a place for a popular decision. We favor a system allowing Americans the right to vote directly for their President.

It was Thomas Jefferson in his first inaugural address on March 4, 1801, who said, "sometimes it is said that man cannot be trusted with the government of himself. Can he, then, be trusted with the government of others? Or have we found angels in the forms of kings to govern him?"

RESOLUTION IN SUPPORT OF ISRAEL

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. COLLIER. Mr. Speaker, on January 10, the Maine Township—Illinois—Regular Republican Organization adopted a resolution declaring its support of Israel in that nation's struggle against imperialistic communism. Inasmuch as this resolution eloquently demonstrates that the people of my district are aware of the fact that the Arabs and the Soviet Union are endangering the peace of the Middle East, I am inserting it in the RECORD:

RESOLUTION IN SUPPORT OF ISRAEL

Whereas, The Republican Party in general and, specifically, the Republican Party of Maine Township, Illinois, is dedicated to the preservation of peace and freedom in the world and is unalterably opposed to the encroachment of communism on freedom as a threat to global peace, and

Whereas, the failure of American foreign policy in the Middle East has led not only to undue communist influence in that area but also to direct arming of Arab states by the Soviet Union, and

Whereas, communist influence and arms in the Middle East menace the freedom of Israel, and

Whereas, the recent Israeli action in Lebanon against property, but not against human life, has been condemned in the main by nations not friendly to the United States, and

Whereas, the United Nations resolution that criticized this Israeli action is symptomatic of a hypocritical double-standard by which Arab raids and atrocities are ignored while whatever Israel does in defense is condemned

Now, therefore, be it resolved that the Maine Township Regular Republican Organization:

1. Declare its support of Israel in this latest of many crises, and

2. Go on record as urging a policy of permanent peace in the Middle East and for public acknowledgement by all nations of the world of the sovereignty, territorial integrity and political independence of every State in the area and its right to live, in freedom and in peace, within secure and recognized boundaries.

Be it further resolved that the Secretary of this organization be empowered to distribute copies of this Resolution to appropriate bodies and to make copies available to any organization, be it local, state or national, that may be interested in a similar expression of support.

Adopted this 10th day of January, 1969.

Attested to by:

JOHN F. CALEF,
President.
JOAN HALL,
Secretary.
FLOYD T. FULLE,
Committeeman.

TRAFFIC IN NARCOTICS AND DANGEROUS DRUGS

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. ROONEY of New York. Mr. Speaker, within recent weeks one of our most eminent American business leaders was prevailed upon to speak on the timely subject of "Traffic in Narcotics and Dangerous Drugs." Hardly a day passes without our attention being called to crime and violence directly associated with narcotic usage or traffic in drugs. It is for these reasons that I think the message of my good friend Samuel F. Pryor is of particular interest to the public as well as to the Members of this body.

Sam Pryor, who as senior vice president helped to build a world organization of Pan American Airways, is a man dedicated to public service and the betterment of mankind. He has devoted many years to the Boys' Clubs of America and Little League Foundation giving them his wise counsel and unstinting help in the same manner he has served his Government as a consultant and as an official representative to international meetings and conferences. In his capacity as a consultant to the Department of State he is a foremost leader of that fine group of American businessmen and professional leaders who are giving so generously of their time and experience in helping to achieve some degree of perfection in our foreign affairs. For these efforts he is deserving of our commendation and our gratitude.

Sam Pryor can speak with authority on the subject of narcotics and drugs because he studied it for many years and also attended and was graduated from our U.S. Treasury Narcotic Agents' School in Washington. He represented the U.S. Government at the last six annual meetings of Interpol—the International Criminal Police Organization—in various parts of the world. He served as an agent and acts as an adviser for the Bureau of Narcotics and Dangerous Drugs in the U.S. Department of Justice.

Yes, Mr. Speaker, as a result of his wide travels and his expertise gained by careful study of every aspect of the drug traffic, Sam Pryor speaks with the voice of authority. For these reasons I include the text of an address given by him at the Don Bosco-Holy Name Breakfast on December 8, 1968:

TRAFFIC IN NARCOTICS AND DANGEROUS DRUGS

I wish it was my privilege to talk to you this morning on many other interesting subjects that I have seen around our world where my business has taken me for thirty years and before that visiting most of the countries of the world at a very early age, but this morning I have been asked to talk about—"Traffic in Narcotics and Dangerous Drugs".

If some of you young people go on to run a business or even an airline—you will quickly discover that difficult problems can be put aside *but* can never be dismissed. We can try and try again to solve them without facing the unpleasant facts and *we* will fail every time. We can try to sweep facts under the *table* or *bed* out of sight, *but* they will still be there. Facts must be faced and, so often, the unpleasant facts lie close to home.

Travel abroad sharpens those facts. Travel abroad *often* opens our eyes to dangers which lie at our very feet.

So this morning I am going to talk to you about the most unpleasant facts and the most dangerous facts that we all young and old are facing in this community—this beautiful community and country and even the World where we are living. This traffic in narcotics and dangerous drugs is truly a world problem. Two months ago I attended the meeting of Interpol—the International Criminal Police organization and there at Tehran in Iran seventy-five countries of this world were in agreement as to the dangers we all were facing in dangerous drug abuse.

I became interested many years ago because as a Director of the Boy's Club of America—I saw what was happening to so many good boys because of lacking something interesting to do and lack of guidance turned them to experimenting with narcotics, leading them to ruin—even *death*.

Then because of the great privilege of being able to travel abroad, I saw many of the ruins of ancient cities which are now either in ruins or buried underneath desert sands. Roman ruins in Europe, Italy—all over the Middle East—the ancient pre-Christion Kingdoms of Quataban, Petra, Timna, the Hadhuramut, Saba—the home of the Queen of Sheba, the great lost city of Shabwa—ancient frankincense City of Sumhuran, and our own continent the ancient city—Chichen-Itza in the Yucatan.

Some of these civilizations have been buried now for over 2,000 years. Each of these cities, in its proper time, stood at the *peak* of achievement and accomplishments. Each exerted its influence throughout the then known world. Each was the leader of its time.

Pondering over these ruins caused me to wonder about ourselves. Now how much time do we have? And how wisely are we using it? To these questions we old and young must provide the answers.

As Arnold Toynbee, the great historian has documented, in case of civilization after civilization, complete destruction comes from *within*. Egypt, Babylon, Crete, Greece, Assyria and in our own hemisphere the Mayas, and the Incas were *not* destroyed from without. When the final test came, these *great* cultural, once healthy systems found themselves *spiritually* sick and helpless. They could not defend themselves, because they had already lost *faith* in *themselves*.

Now at what time in the history of these lost civilizations did the parents begin to neglect the guidance of their children through *not* educating them to facts and the dangers in life, at what time did their school teachers fail to alert the pupils to the facts of dangerous narcotics? At what time did their spiritual leaders fail to guide them?

These thoughts caused me to look for facts. Could this happen to our Country? Are we going the way these other civilizations have gone?

I attended and graduated from the United States Treasury Narcotic Agents' School in Washington—then was sent as an observer to the Interpol meetings in many parts of the world these last six years—then became adviser and agent for the Bureau of Narcotics and Dangerous Drugs, United States Department of Justice.

Now I am *not* going to tell you about the dangers of heroin and LSD. The most stupid individual young or old knows these drugs are dangerous—that they lead to a living death or sudden death, look what happened in Norwalk last week. The boy they left to die in the hospital was better off than the two other boys that had left him, for if they don't stop their addiction now they will die a slow *living* death.

One comment on LSD by Dr. Loria, Chairman of the Committee on Public Health and Sub-Committee on Narcotics addiction—

The increasing, often irresponsible publicity given to LSD use, the inaccuracy of many of the articles and reports by the news media, and the frequent glorification of hallucinogens without adequate details regarding their dangers, have resulted in increasing experimentation by young, misguided, often unstable individuals. A market is being created which did not exist previously. As a consequence the admission rate for LSD induced psychoses at Bellevue Hospital has doubled in the last two months. If this trend continues, if flamboyant reporting overshadows effective education concerning the dangers of LSD and other potent hallucinogens, then we can expect a sharp increase in adverse reactions which may indeed create a public health *crisis* among young persons in our society, including those in high school and college.

Now, let's talk about the drug we hear so much about also damned with the inaccuracy of many of the articles and reports by the news media—What is it. Let's read what the United Nations says about marijuana—

CANNABIS

The products of the plant *Cannabis Sativa L.* have been used by millions of people as an intoxicant over the last four or five thousand years. The hemp plant or the crude drug derived from it and folk preparations of the hemp drug are known under almost two hundred different names. The best known are Indian hemp, hashish, marijuana and bhang.

There are few inhabited areas of the globe where cannabis cannot be grown successfully. Depending on the soil and the degree of cultivation, this weed-like *plant* may reach a height of from one to twenty feet. It is also used in industry as a source of fiber and as a seed. The narcotic resin is found in the flowering tops, particularly of the female plant.

The use of cannabis as a narcotic drug occurs in many countries and is widely spread in Africa, the Middle East and South America. It is used in various forms. People sometimes smoke it, combined with tobacco, and mix its resin with drinks or in sweetmeats. Such use is still tolerated in certain countries. It has recently been forbidden in Morocco and Tunisia, where cannabis was sold under the name of *kif* or *takrouri*. In many countries, however, the abuse of cannabis gives rise to a problem not only because it is in itself dangerous but also because it only too frequently leads to very much more serious drug addiction, particularly to heroin addiction (as in the United States). Although aggregate statistics on the number of cannabis addicts are not available, seizures by the police and information in official reports show that there are certainly millions of them. Illicit traffickers can obtain cannabis fairly easily because it grows wild in many regions and is cultivated illicitly in out-of-the-way areas.

Cannabis has become, from the medical point of view, an obsolete remedy. It has therefore been recommended that its use be discontinued in medical practice. Certain properties of the products of the cannabis plant and, in particular, the possible antibiotic properties of the resinous parts of the plant have recently been studied in some countries, but the World Health Organization has concluded that the case has not been proved for extracting useful drugs from cannabis, particularly of the antibiotic type. Cannabis is still used for the treatment of certain ailments by local medical practitioners in India and Pakistan.

Let's see what Dr. Boomquist says that makes *"Teens Try Dope."*

Curiosity? Fear? Boredom? Bravado?—The *more you know about the problem, the more you can help.*

Could my youngster or yours meet up with a drug addict—even become one himself? It's possible. The U.S. today is the biggest market for illicit narcotic traffic in the Western world. Each year thousands of teenagers—good boys and girls, not just those already "in trouble" with the law—are threatened by innocent association with narcotics users and "pushers."

In Gardena, California, for example, 42 children—most not from underprivileged or minority-group families but from middle class homes—were arrested for using narcotics in the city schools. In San Diego, parents of 22 boys and girls, ages 14 to 17, were as shocked as Gardena parents when their youngsters were picked up at a narcotics party.

What does Dr. Haislip, Attorney Advisor, U.S. Bureau of Narcotics say about marijuana and its relationship to crime and insanity—

CRIME AND INSANITY

The effects of marijuana on the activity of the brain are undoubtedly the most profound and constitute the greatest source of danger to the user and the persons around him. Recent experiments on human subjects utilizing natural marijuana extracts of tetrahydrocannabinol have led to the conclusion that sufficient doses of marijuana "can cause psychotic reactions in almost any individual." It is in this manner that marijuana has earned its reputation for inducing criminal behavior. Those who have studied users of marijuana have found that:

"Excessive indulgence in cannabis is apt to produce in healthy individuals and more so in susceptible individuals, mental confusion which may lead to delusions with restlessness and disordered movements. Intellectual impairment as well as disorientation may show itself in various ways, such as weakening of moral sense, habit of telling lies, prostitution, theft, pilfering, sex perversions and other disgraceful practices. Sometimes indulgence may release subconscious impulses and lead to violent crimes."

The files of the Bureau of Narcotics are punctuated with murders and atrocities committed under the influence of marijuana. Earlier studies conducted in New Orleans disclosed that the number of marijuana users among major criminals was very high. Even the LaGuardia report of 1944, which is so often cited as support for the harmlessness of marijuana, found that in a number of tests subjects:

". . . there were alterations in behavior giving rise to antisocial expression. This was shown by unconventional acts not permitted in public, anxiety reactions, opposition and antagonism, and eroticism. Effects such as these would be considered conducive to acts of violence."

In regard to the connection of crime with marijuana a well known newspaper publisher said:

"When I read the testimony of the kitchen employee of the Ambassador Hotel describing the look on the face of the young Arab holding the pistol after Robert Kennedy was shot as a "sickly smile", I recalled the origin of the word "Assassin." It's an Arabic word meaning "eater of or user of hashish." You will find this definition in your dictionary.

What Jules Saltman, a well known writer on medical and health subjects and consultant in educational materials for leading health foundations says we can do about drug abuse:

"A dying man, riddled with cancer, has his unbearable pain eased by morphine, so that his end may come with peace and dignity.

A businesswoman, safely through a heart attack, but with full recovery threatened by insomnia, finds sleep by taking a pill—a barbiturate.

A weary doctor maintains his all-night vigil at the bedside of a sick child with the help of an amphetamine . . . a mental patient is reassured and calmed by a tranquilizer . . . a person with epilepsy controls his seizures and lives a normal life, thanks to another drug.

These are examples of drug use—medically sound examples of man's victories over pain and disease.

ON THE OTHER HAND

His sense of honesty and decency wiped out by his need for narcotics, a man steals for money to support his addiction . . . a teen-age girl takes to prostitution for the same reason . . . a young boy, after suffering the agonies of narcotic withdrawal, in his haste to find relief takes an overdose—and dies.

A beautiful and successful young woman, reputedly dependent for years on daily rations of alcohol and pills, one day takes a massive overdose—by design or by accident. She too dies.

A truckdriver of the fog-shrouded New Jersey Turnpike driving at almost twice the 35-mile limit strikes another truck and starts a chain of collisions. Twelve trucks and three cars are involved and six people killed: The first driver—and several others—had taken amphetamines to keep "alert."

These are examples of drug abuse.

It would be impossible to relate all the ways man uses the potent drugs he has discovered. When taken under stringent medical controls, very many are beneficial. Yet, so much drug abuse exists that the harmful effects seem to outnumber helpful ones.

Now you young people don't be afraid of being called chicken—hit over the head anybody who tries to persuade you to buy or try it.

If you don't like the word "Informer"—be an Adviser to the Police Department—advise them who are selling it and who is buying it. Let's all join together in stopping what is not only hurting people of all ages in our Country and world but what may destroy our great civilization.

May God bless you and help in this task.

NATIONAL LUNG INSTITUTE

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. COHELAN. Mr. Speaker, I have today introduced a bill to establish a

National Lung Institute, whose purpose is to combat emphysema, chronic bronchitis, and other respiratory diseases.

A National Lung Institute will combine in one place the several Federal efforts now being waged against these diseases and to increase the research, personnel training, and treatment for their cure. Establishment of the Institute is strongly endorsed by the National Tuberculosis and Respiratory Disease Association and by its medical section, the National Thoracic Society. It also has the endorsement of two distinguished physicians from my congressional district whose counsel I value highly in medical matters. They are Dr. John R. Goldsmith, who has made significant contributions to the epidemiologic work on chronic respiratory diseases, and Dr. John Gompertz, former president of the National Tuberculosis and Respiratory Disease Association.

The U.S. Public Health Service reports that 5 million Americans have emphysema or chronic bronchitis and that another 6 million now suffer from asthma. The complexity of our industrial and environmental pollution problems has contributed to the marked increase in the number of victims of these diseases. They now rank among the 10 leading causes of death, primarily due to the dramatic increase in deaths from emphysema in recent years. Except for heart disease, emphysema causes disability of more workers than any other disease, forcing approximately 16,000 workers to retire prematurely each year and costing more than $90 million in social security benefits annually. There is no way to measure the incalculable costs in suffering and deaths suffered annually from these dread diseases.

Mr. Speaker, I insert the text of my bill at this point and respectfully request its careful consideration and support by my colleagues:

A bill to amend the Public Health Service Act to provide for the establishment of a National Lung Institute

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV of the Public Health Service Act (42 U.S.C., ch. 6A, subch. III) is amended by adding at the end thereof the following new part:

"PART G—NATIONAL LUNG INSTITUTE

"ESTABLISHMENT

"SEC. 461. The Secretary of Health, Education, and Welfare (hereafter in this part referred to as the 'Secretary') is authorized and directed to establish in the Public Health Service an institute for the conduct and support of research and training relating to emphysema and other chronic respiratory diseases, including but not limited to such conditions as chronic bronchitis, asthma, and tuberculosis, as well as research and training in the special health problems and requirements of persons afflicted with such diseases, and conditions of the lung.

"ESTABLISHMENT OF ADVISORY COUNCIL

"SEC. 462. (a) The Secretary is authorized and directed to establish an advisory council to advise, consult with, and make recommendations to him on matters relating to the activities of the National Lung Institute.

"(b) The provisions relating to the composition, terms of office of members, and reappointment of members of advisory councils under section 432(a) shall be applicable to the council established under this section.

"(c) Upon appointment of such council, it shall assume all or such part as the Secretary may specify of the duties, functions, and powers of the National Advisory Health Council relating to the research or training projects with which such council established under this part is concerned and such portion as the Secretary may specify of the duties, functions, and powers of any other advisory council established under this Act relating to such projects.

"FUNCTIONS

"SEC. 463. The Secretary shall, through the National Lung Institute established under this part, carry out the purposes of section 301 with respect to the conduct and support of research on the lung and its conditions with special emphasis on emphysema and other chronic respiratory diseases, including the special health problems and requirements of persons afflicted with such diseases, except that the Secretary shall determine the areas in which and the extent to which he will carry out such purposes of section 301 through such institute or an institute established by or under other provisions of this Act, or both of them, when both such institutes have functions with respect to the same subject matter. The Secretary is also authorized to provide training and instruction and establish and maintain traineeships and fellowships, in the National Lung Institute and elsewhere in matters relating to diagnosis, prevention, and treatment of emphysema and related respiratory diseases and conditions of the lung with such stipends and allowances (including travel and subsistence expenses) for trainees and fellows as he deems necessary, and in addition, provide for such training, instruction, and traineeships and for such fellowships through grants to public or other nonprofit institutions."

GASOLINE GIVEAWAYS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. CONTE. Mr. Speaker, the use of promotional games and contests by gasoline companies is a subject of great concern to me. Evidence presented at hearings before the House Select Committee on Small Business, of which I am now privileged to serve as ranking minority member; has indicated that both gasoline dealers and consumers have legitimate complaints about the conduct of giveaway games. And it seems hard to justify the enormous expense of promoting these games at a time when gasoline and heating oil continue to increase, especially in hard-pressed New England. Apparently, the oil companies are passing on promotional costs to the overburdened consumer.

I was pleased to note that the editors of the New York Times, on Thursday, January 2, expressed their concern about the hidden cost to the consumer of gasoline games. The editorial, entitled, "Hidden Game Costs," cites a recent Federal Trade Commission study which reached essentially the same conclusions as our committee. And the Times makes a point that surely needs to be made: The consumer ought to know how much he is paying for gasoline giveaways.

The editorial follows:

HIDDEN GAME COSTS

On gasoline pumps and next to supermarket cash registers, Federal, state and city taxes are often prominently printed. The implication is that the car owner or shopper is paying those extra pennies because of the Government. There is one charge, however, that does not appear, prominently or otherwise. It is the extra cost to the consumer for so-called free giveaways and contests.

The Federal Trade Commission is finally catching up with this popular method of retailing, which disputes the adage that you can get something for nothing. It is not telling businessmen how to sell their goods or to stop using tokens, stamps, game pieces, etc. What it is discovering is that the dice are heavily loaded against the consumer forced to pay for these gimmicks.

An F.T.C. staff study shows that the advertised chances of winning merchandise or money are "patently false." Instead, the fix is in to achieve promotional ends and that the game odds are about the same as trying to outfox a Las Vegas croupier. The main point disclosed is that the costs of the promotional games are partially passed along to the consumers.

The commission must move in on these operations which gamble with the consumer's pennies and dollars. Regulation is called for; indeed, the leading producers of these retail games claim that abuses have been eliminated and they are willing to cooperate with the commission in formulating guidelines.

In the meantime, the car owner and the supermarket shopper must be told how much he is paying extra for the dubious privilege of gambling. Let that be posted prominently, too.

NIGERIAN-BIAFRAN WAR

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. McDONALD of Michigan. Mr. Speaker, free men everywhere have rarely been so united as they are today in what much be considered universal compassion for the people of Biafra.

I do not intend to discuss the politics of the strife that has left hundreds of thousands dead in the past 18 months, many thousands as the result of brutal warfare, many more thousands as the result of starvation.

The distinguished gentleman from Ohio, wno has observed at first hand the horror of the Nigerian-Biafran war, has offered a resolution seeking a cease-fire that would permit the shipment of relief supplies to the Biafran people.

I concur most emphatically in his position and am happy to have this opportunity to join as a cosponsor.

It is common knowledge that Biafra and sections of Nigeria are in the deathgrip of starvation.

Women and children are dying daily by the thousands.

The people of Biafra are prepared to fight to the end. This civil war, therefore, amounts to a war of genocide.

Such a situation is beyond the tolerance of mankind.

I therefore urge the adoption of this resolution, so that Congress will be firmly on record in support of the President in whatever diplomatic moves he is able to make to bring about a cease-fire.

AFRICAN REBEL LEADER KILLED

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. REID of New York. Mr. Speaker, as my colleagues by now know, Eduardo Mondlane, president of the Mozambique Liberation Front—frelimo—was assassinated in Dar es Salaam, Tanzania, on February 3. His death constitutes a severe loss to Africa, and President Nyerere of Tanzania has ordered that Dr. Mondlane be buried "with all the honors deserving for a hero who died for his country's freedom. Those who have committed this evil deed are enemies of Africa's freedom."

Dr. Mondlane was one of those leaders in Africa who was genuinely committed to the notions of freedom, human liberty, and the rights of man as we Americans know them. He was not motivated by racial hatred, but was committed to his people and the need to gain for them the freedom and opportunity which we as Americans value so highly. His tragic assassination again brings to the forefront our concern over the loss of many leaders of the world who were concerned for the rights of all mankind—Martin Luther King, John F. Kennedy, Robert Kennedy. It is to be hoped that those who follow Dr. Mondlane will continue his struggle for political rights for his people.

I include in the RECORD the Washington Post's account of Dr. Mondlane's assassination, which appeared on February 4.

AFRICAN REBEL LEADER KILLED

(By Anthony Astrachan)

Washington Post Foreign Service

NAIROBI, KENYA, February 3.—Eduardo Mondlane, president of the Mozambique Liberation Front (Frelimo) and the African nationalist leader best known in the West, was assassinated by a bomb explosion today in Dar es Salaam, Tanzania.

Tanzanian police were reported to believe that a time bomb was planted in the chair he was working in at the beachhouse of Betty King, an American.

They took several Mozambicans into custody for questioning.

Last May, Mozambique rivals of Dr. Mondlane stormed the main office of Frelimo, located in Dar es Salaam, and slashed three members of the staff. One later died.

Dr. Mondlane survived a fractional fight within Frelimo and was re-elected president at a Congress inside Mozambique in July, but it is possible one of his opponents came back for revenge.

President Julius Nyerere of Tanzania ordered that Dr. Mondlane should be buried "with all the honors deserving for a hero who died for his country's freedom . . . Those who have committed this evil deed are enemies of Africa's freedom."

"I may be killed any day, but there will be victory," Dr. Mondlane used to say. It sounded like revolutionary rhetoric from a mild-mannered man whose belly laugh and stentorian tones when angry were African, but whose conversation style was American. Now he has been killed.

Under Dr. Mondlane, Frelimo tactics were to fight a small war with a minimum of terrorism, but to imitate the Vietcong in guerrilla training and in seeking control of rural areas and populations while leaving the Portuguese rulers isolated in the towns.

Observers will be watching to see if these tactics are changed under his lieutenants, Uria Simango and Marcellino Dos Santos, whom the Portuguese describe as more leftist than Dr. Mondlane.

Frelimo's war against the Portuguese occupies 40,000 colonial troops in Mozambique's northern districts. The rebel force is estimated at more than 3000, but a good deal less than the 15,000 Mondlane used to claim.

The success of the rebel campaign is hard to measure. Both sides have made apparently exaggerated claims, and independent foreign visitors to Mozambique cannot move about freely. Frelimo forces can roam freely in about 8 per cent of the country, though they claim much more territory. Whatever the figures, Frelimo's is the most successful guerrilla movement in white-controlled southern Africa.

The rebels' biggest problem is finding adequate supplies and funds. Like Southeast Asian Communists, they must get food, shelter and often protection from the natives to succeed. The Organization of African Unity gives Frelimo official support, but neither OAU or its members have the resources needed for a successful war against Portugal.

Dr. Mondlane himself took arms and aid gladly from the East, but kept Frelimo lines open to the United States and Britain as few other African nationalists could. His school for Mozambique refugees was once aided by the Ford Foundation, and Frelimo's educational efforts still draw assistance from other Western sources.

Dr. Mondlane was emphatic in his insistence that non-Africans who chose to stay in liberated Mozambique would be welcome.

Born the son of a chief in 1920, Dr. Mondlane was educated by Protestant missionaries in Mozambique, then in South Africa and Portugal, and finally graduated from Oberlin College and Northwestern University in the U.S. He met his American wife, Janet, at Northwestern. He later studied at Harvard and taught anthropology at Syracuse.

It was not unusual to see Dr. Mondlane taking his son, one of three children, to the movie of the American football game of the week in Dares Salaam last November.

He insisted on his Africanness, however, in reply to dissentient Mozambicans and others who charged him with living to well and being to close to the West.

Dr. Mondlane was no military commander. Ten days before he died, he was in Khartoum for a meeting of African nationalists. He spoke there of Frelimo's intention to sabotage the Cabora Bassa Dam, Africa's largest, on which construction will soon start in the hope it will transform the Mozambique economy.

The damsite is rocky, precipitous, almost bare of cover—about the most difficult type of terrain for guerrilla operations.

It will be interesting to see if Frelimo tries to make destruction of the dam Dr. Mondlane's first memorial. Many of his Western friends would prefer to think of the Mozambique Institute near Dar es Salaam, set up to give secondary education to Mozambicans, and the Frelimo primary schools inside Mozambique, as more fitting ones.

TEST THE SUPERSONIC BOOM

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. McCARTHY. Mr. Speaker, I have learned today that the National Aeronautics and Space Administration and the Air Force are retiring the XB–70, the largest supersonic aircraft ever built in the United States. I do not think that this action should be taken because in doing so, we are losing an opportunity to make a realistic test of the effects of the supersonic boom on the population of the United States. The XB–70 is the closest approximation of the proposed supersonic transport that will exist until the SST is actually built. The XB–70 has flown more than 106 hours at supersonic speeds, some at speeds in excess of mach 3. The XB–70 has flown with a weight of 538,000 pounds, very close to the estimated 500,000-pound weight of the SST.

The Secretary of Transportation has said that we will not fly the supersonic transport over the land areas of the United States unless the sonic boom is generally acceptable to the public. What better opportunity do we have to determine whether the boom is acceptable than with a careful test program conducted with the XB–70?

I strongly urge the Secretary of Transportation to arrange with the Air Force and NASA to use the XB–70 to test the public acceptability of the sonic boom. In doing so, he would be acting in keeping with H.R. 3400, the aircraft noise abatement bill, passed during the last session of Congress.

A CALM BEGINNING

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. ADAIR. Mr. Speaker, an editorial in the Chicago Sun-Times of January 21, 1969, pays deserved tribute to President Nixon. I include the complete editorial at this point of my remarks for the benefit of my colleagues:

A CALM BEGINNING

President Nixon took over the nation's leadership with a calm and candid appraisal of what ails America and the world.

He offered no immediate and grand solutions, no great crusade, no sweeping changes. Nevertheless the very tone of the new President's first address was auspicious evidence of the change that Mr. Nixon will bring to the federal government.

Mr. Nixon held out hope for peace in the world because, he wisely noted, the people of the world want peace and the leaders of the world are afraid of war. And he held out hope for solutions to America's own problems, also noting wisely that they are caused by a crisis of the spirit and not from lack of material things in this affluent society.

Mr. Nixon spoke of America's "ragged" spirit, of the empty lives of so many Americans, awaiting fulfillment, of America's youth, more passionately driven by conscience than any generation in American history. And he offered not new government programs to solve these problems of the spirit but told of the need for Americans to stop shouting at each other and to listen to what is being said.

This is simple but sound advice, for if Americans are to work together at all, as they must, they must listen to each other and learn from one another, the old from the young as well as the reverse, whites from blacks as well as the reverse and the affluent from those who are alienated from the affluent society.

The White House, Mr. Nixon promised, would set an example in listening—to the voices of quiet anguish, to those who have despaired of being heard, to those who have been left out.

President Johnson had asked that Americans come reason together but Mr. Nixon was promising to listen first and to set the stage for reasoning. He offered a surcease from inflated rhetoric that promises more than it can deliver. He warned against the angry rhetoric that fans discontents into hatreds, a reference no doubt to the demonstrators who also were on the scene in Washington.

For those who have feared that a Republican administration would forsake the nation's responsibilities in the social and economic fields, Mr. Nixon pledged that the government will "and must" continue to pursue the goals of full employment, better housing, excellence in education, in rebuilding the cities and protecting the environment. But these, he said, require fuller participation by all Americans in the process of government.

Inauguration speeches inevitably reflect the state of the Union. Franklin Roosevelt in the 1933 depression said all Americans had to fear was fear itself. Harry Truman in postwar 1949 announced the "Point Four" foreign aid program. Dwight Eisenhower in 1953 warned against denial of human equality, foreshadowing civil rights legislation. John Kennedy in 1961 said citizens must place the cause of country before personal comfort and convenience. And now Mr. Nixon in these prosperous but strident times speaks of the simple need for Americans to lower their voices and get on with the job that can and must be done by government and the people working together.

Mr. Nixon himself set an example for America in his earnest, dispassionate but deeply concerned approach to the problems of America's spirit and the discord in the world. The style of the man in the White House is an influential factor in the course of the nation. Mr. Nixon has made a sound and impressive start. The hopes and happiness of millions here and abroad are for the next four years greatly dependent on him.

ELBERT "CAP" PIERSON COMMENDED

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. PATTEN. Mr. Speaker, at times during the past year there has been some talk as to whether our federal system was on trial as never before in our Nation's history, with the exception of the Civil War.

I was glad to read that the National Advisory Commission on Intergovernmental Relations has given us a more optimistic report indicating that things are looking up. Last year people were in despair. Assassinations, racial turmoil, crime, war, third parties, doubts about the future, questioning of the Nation's basic philosophy kept piling up. Now we feel that the American people are getting together.

Everyone knows that our local government still has the greatest power when it comes to law enforcement, education of our children, and the conduct of our social fabric.

I have always felt we had a good system in South Brunswick. On Saturday, February 8, a local official will be honored after serving 42 years as township clerk of South Brunswick, N.J. It is the service and dedication of men like Elbert "Cap" Pierson who encourage me. All these years he has been head of elections at the local level, and I cannot recall any criticism of his integrity as to how the elections were conducted.

Throughout the tremendous growth of this beautiful area, Mr. Pierson has been clerk and chief advisor to the mayor and council, bringing a wealth of sound advice to help them carry out their duties.

There are thousands of good Americans like "Cap" who serve on committees, as heads of councils, as mayors of communities, with little or no financial reward, to help our democratic process click. I do not know of any better system.

I want to pay tribute to "Cap" and men like him who have served us long, efficiently, and honestly.

MR. NIXON'S GOOD BEGINNING

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. McCLURE. Mr. Speaker, the reaction across our country to the first few days of the new administration has been almost invariably favorable. Setting the tone was the very impressive inaugural address by President Nixon. I was impressed by the editorial statement of the St. Louis Post-Dispatch on January 21, 1969. I insert it in the RECORD at this point:

MR. NIXON'S GOOD BEGINNING

A nation weary of violent rhetoric will respond eagerly to President Nixon's inaugural plea for such a "simple thing" as lowering our voices. His own low-keyed address, eloquent at times, set a good example. It was, above all, notably lacking in cold-war rhetoric. His emphasis on the honorable role of peacemaker to which he said the nation is called, his invitation of co-operation in reducing the burden of armaments, his aspiration for an open world in which "no people, great or small, will live in angry isolation," his "sacred commitment" to "consecrate my office, my energies and all the wisdom I can summon to peace among nations"—all this inspires hope that he will move swiftly to end the Vietnam war, and go on to moderate the cold war through an "era of negotiation" which seeks peaceful competition "not in extending dominion but in enriching the life of man."

Mr. Nixon is wise enough to know that the world and national problems which confront him are not to be solved by tone of voice alone. The great office on which he enters cannot be a passive one. His is not a merely ceremonial function of stating noble goals. There must be leadership, there must be movement, there must be action; and the disorders which marked the inaugural parade were a remainder that Mr. Nixon may not have too much time in which to match his hopeful words with effective leadership for the great cause of peace in the world and unity at home.

The new President regards his historic role as comparable to Franklin D. Roosevelt's 36 years ago, with the difference that the nation's troubles today do not concern material well-being so much as a "crisis of the spirit." He indicated several times a belief that it is not new laws and new expenditures that are needed, but rather "to reach beyond government, to enlist the legions of the concerned and the committed."

He may be right in anticipating a period of consolidation, dedicated less to legislative innovation than to realization of the goals already adopted. But he would be tragically wrong to confuse such a period with one of standing still. "We will press urgently forward," he said, toward full employment, better housing, excellence in education, urban reconstruction in "protecting our environment and enhancing the quality of life," in realizing full equality for all Americans, "black and white together." How he carries out that pledge of forward movement will determine the character of his presidency.

Mr. Nixon clearly hopes to serve two terms; he would like to be president in 1976, when the nation celebrates its 200th anniversary, and to feel that America during his tenure had surmounted its "crisis of the spirit." The magnitude of his task is suggested by the fact that his election did not express the clear mandate of a united people, but rather by the narrowness of his margin emphasized the divisions among us. As the first President in 120 years to be inaugurated without a congressional majority of his own party, he faces an exceptionally urgent need to win the confidence of that half of the country which did not vote for him.

It can be done. John F. Kennedy went into office by an equally narrow majority, and yet in three short years won a place in the nation's heart which would have assured him of a triumph in 1964 had he lived. Franklin D. Roosevelt won the doubters and the skeptics so overwhelmingly to his side that his second election was indeed a national mandate. If Mr. Nixon would emulate them he must be a strong president, a positive president, not content to preside over a divided nation marking time in uneasy truce, but determined to realize, tangibly and demonstrably, the ideals he stated so well.

Because it is the Vietnam war and the burden of armaments that have retarded social advance at home, nothing is more important to the Nixon Administration than the peace to which the new President dedicated himself. In the past, Mr. Nixon was a leading exponent of the cold war, of the arms race it spawned, of those policies which led us into the morass of Vietnam. Yet as national policies can change with wisdom and experience so it can be hoped that Mr. Nixon, in the maturity which has brought him to national leadership at last, can become the instrument of a historic new direction for America. If he does, a grateful nation would be happy, we think, to see him as its bicentennial president in 1976.

A BILL TO MODIFY OUR ELECTORAL SYSTEM

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. POLLOCK. Mr. Speaker, today I have introduced a bill which calls for a change in our Constitution. This bill will modify our electoral system for choosing the President of the United States. My bill retains the concept of the electoral vote and thus protects one of the guarantees given to the less populous States when they were admitted to the Union; but my bill does away with the electoral college as it now exists.

Under the provisions of the bill each State will have a total number of electoral votes equal to the total number of Senators and Representatives to which the State is entitled in the Congress. It will be the duty of each State legislature to divide the State into a number of electoral districts equal to the number of Representatives in Congress. Two of the electoral votes of each State will go to the candidacy receiving the greatest number of popular votes in the State. The remaining electoral votes will go by district to the candidacy winning the greatest number of popular votes in such electoral district.

The presidential candidacy which receives the greatest number of electoral votes nationwide will become President and Vice President provided this candidacy receives at least 45 percent of the popular vote. If a candidacy does not receive 45 percent of the popular vote, a runoff election will be held between the two candidacies receiving the greatest number of electoral votes. Thus, my bill will protect that fundamental concept which our Founding Fathers drafted into the Constitution which makes our Union a nation of individual States.

When the Union was formed, the smaller States were guaranteed certain protections, such as equal representation in the U.S. Senate versus the population representation in the House of Representatives. This was carried one step further when the small States were given a number of electoral votes for President of the United States equal to the number of their Senators and Representatives.

My proposal will perpetuate this fundamental concept of political integrity which has historically been safeguarded to the several States of this great Nation.

AN IMPRESSIVE PLEA

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. RHODES. Mr. Speaker, I call the attention of my colleagues to the editorial of the Bangor, Maine, Daily News of Tuesday, January 21, 1969, and include it in my remarks at this point:

An Impressive Plea

We think the majority of American citizens were favorably impressed by the low-key inaugural address delivered by Richard M. Nixon as he became President yesterday. In pleading for national unity, he expressed some simple truths.

He noted that the nation has been suffering from "a fever of words."

It has come about, he said, "from inflated rhetoric that promises more than it could possibly deliver; from angry rhetoric that fans discontents into hatred, from bombastic rhetoric that postures instead of persuades."

This has been all too true. Politicians have been promising pie-in-the-sky. Angry agitators have done more to divide than harmonize racial relations. They have employed bullhorn belligerence to denounce the established American way of life.

Nixon called upon Americans to lower their voices "so that the words can be heard . . . We cannot learn from one another until we stop shouting at one another." Shouting and blustering settle nothing. Constructive achievements cannot be brought about amid destruction, distraction and disruption.

Nor, observed the new President, can the government solve problems by going it alone.

In the last score of years, Nixon said, the "government has passed more laws, spent more money, initiated more programs, than in all our previous history" and now "we are approaching the limits of what government alone can do. What has to be done, has to be done by the government and people together or it will not be done at all."

More plain truth. The nation's people and their governments at all levels must be participants. Simply passing more laws in Washington or adopting costly federal programs with attractive labels hasn't and never will solve the country's ills either at home or abroad.

The President spoke hopefully and with determination of progressing toward a peaceful world and an improved society at home. Of the first, he said:

"Because the people of the world want peace and the leaders are afraid of war, the times are on the side of peace."

As to domestic ills, Nixon said:

"We can build a great cathedral of the spirit—each of us raising it one stone at a time as he reaches out to his neighbor, helping, caring, doing."

Nixon recognizes the grave problems that confront the nation. And he knows what is essential to solving them—a spirit of unity and dedication. He has set the right course for the new administration.

NO TRAPPINGS OF BOMBAST

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. NELSEN. Mr. Speaker, my attention has been called to an editorial that appeared in the St. Louis Globe Democrat. I feel this editorial gives a keen appraisal of the inaugural speech and I ask consent to place it in the Record:

[From the St. Louis (Mo.) Globe-Democrat, Jan. 21, 1969]

No Trappings of Bombast

President Richard M. Nixon's inaugural speech was delivered in welcome low key, void of political braggadocio or apostrophe to flamboyant goals, it was a carefully prepared inspirational talk, designed to set the tempo for an Administration he dedicated to seeking peace at home and abroad.

Nothing is more sorely needed, deeply desired and possibly more difficult to achieve. We are, over the nation and the world, he said, "rich in goods, but ragged in spirit, reaching with magnificent precision for the moon, but falling into raucous discord here on earth."

Mr. Nixon did not specify how this discord can be dispelled. He left that till later, with a clear implication he will offer implementation through concrete policy and acts.

The new President declared we are approaching the limits of what government alone can do. He did not observe that Washington in recent years has poured tax money like water into every problem that arose, as though dollars were the miracle medicine for every ill. Perhaps that would have been superfluous.

He urgently petitioned enlistment of the "legions or the concerned and committed" in the struggle for amity. The lesson of the past agony is that "without the people we can do nothing; with the people we can do everything."

He pleaded for building a "cathedral of the "spirit," which seeks a cause larger than an individual's self. He asked a sense of compassion, help and understanding, domestic and abroad—a rejection of "shouting," a return to rational confidence and determination for tranquility among ourselves.

"In these difficult years," the President said, "America has suffered from a fever of words, from inflated rhetoric that promises more than it can possibly deliver; from angry rhetoric that fans discontent into hatreds; from bombastic rhetoric that postures instead of persuading."

Who will doubt this analysis? If this was a criticism of the Johnson years, apparently it was not intended to be.

It is, however, a distillate of truth. That truth indeed is largely responsible for the so-called credibility gap, the racial unrest and the disenchantment with failure of government social nostrums to solve a widespread malaise among the disadvantaged.

Inherent in Mr. Nixon's message yesterday after he was sworn in as the thirty-seventh President of the United States, are three significant portents of the new Administration's purposes:

1) "Decent order" so that crime, rioting in streets and on campuses shall be halted and security among us be restored. Law enforcement with justice—and effectiveness;

2) A consolidation of present federal programs—and in some cases a weeding-out; and a respite from vast, new programs instigated out of federal government;

3) And peace in the world—first in Vietnam, then everywhere truculence and nationalism harass the freedom and concord of nations.

The President is under no misapprehension that a peaceful world will come easily, and certainly not by merely "wishing" for it. Yet he feels the times are on the side of peace, because "the people of the world want peace, and the leaders are afraid of war." The world's peoples certainly yearn for peace; let's hope Mr. Nixon is right about the leaders.

This is becoming an era of negotiation for peace, considers Mr. Nixon. He added to his oath of office a pledge to consecrate his office and energies to peace among nations.

But he made clear that no nation should be misled into feeling such an attitude suggests weakness. "Let us leave no doubt," he said, "that we will be as strong as we need to be for as long as we need to be."

Mr. Nixon's first speech as President was reassuring, temperate, confidence building, eloquent with no trappings of bombast.

HANGING OF JEWS IS BARBARIC

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. KUYKENDALL. Mr. Speaker, every decent human being on earth is appalled at the barbaric crime perpetrated against nine Jewish citizens of Iraq. It was thought that all nations had learned a bitter lesson of what attempted genocide and persecution against a people because of their race and religion led to at the hands of Hitler and the Nazis. With this horror still fresh in our memories it is unthinkable that any civilized nation would so soon resort to pogroms intended to exterminate Jews because they are Jews.

The United States should take the lead in serving notice that the slaughter of people because of race or religion must be stopped immediately.

I join with those who today mourn the fate of the victims of Iraq's barbarism in this instance, and pray that there will be no further such uncivilized acts.

LETTERS TO WASHINGTON

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. STUCKEY. Mr. Speaker, generally, the letters which are received in our congressional office in Washington are from the adults of our district. However, occasionally, I hear from some of our young generation. And, each time that I have heard from one of our younger citizens, it has been a rewarding experience. I believe that if each adult in the Eighth District could read some of these letters they would more fully realize what a responsible group of young people we have.

One young citizen can burn his draft card and it is headlines across the country. A handful of young people can disrupt a college campus, and it becomes national news. The immediate reaction of adults is that all young people are irrational—and incapable of assuming their role in the adult world.

However, I have repeatedly defended our young people and their dependability as responsible adults. And, I have done so, because I am convinced that these people making headlines represent only a mere fraction of our youth.

Several months ago, I received a letter from a young lady who I would consider to be typical of the young people not only in our district, but also our State and our Nation—those young people who do not make headlines because they have not committed some sensational act of violence or disobedience of the law.

The letter which I received was attached to a letter to the editor of one of our newspapers and had been written by a classmate of the young lady writing to me.

The letter to the editor read:

> I am 18 years old and for the first time in my life, I shall be able to vote for the President of the United States. I should be happy and thrilled that I will be able to exercise my right to vote in the American political system.
>
> I am scared, along with millions of other Americans, the writer continued—

It was said a long time ago "United we stand, divided we fall."

The writer asked:

> Doesn't that statement apply to us?

She also said that we hear about all the bad things in the United States, but what about the good things. She asked:

> Are we too split to stand up for what's right instead of what's wrong?

She closed her letter by saying:

> Whether a person is young or old, rich or poor, black or white, Republican or Democrat—he is still an American. We are all Americans. I think we should start acting like it.

The young lady who sent a copy of this letter to the editor to me, added her comments with which I heartily agree.

She said:

> Many adults condemn all teenagers because of what just a minority of them do.

She said that the young people "do not have the much-needed leadership of the adults and that they do not have the trust of the older citizens."

Her question of me was:

> Why don't more people take an interest in the teenagers of today and give us a chance to prove ourselves?

One particular phrase of the letter particularly impressed me:

> Speaking for myself and many other teenagers, would you please help us to be recognized—not as rioters or marchers, but as the teenagers who would like to see peace and tranquillity among the people of this nation?

I want to take this opportunity to respond to this young lady who I think is truly typical of our younger generation and who I think bears the frustration which is typical of our younger generation. Yes, I will help you to be recognized. Yes, I will continue to work with you.

And, I would like to call on the other adults of our district to recognize the potential of these young people. Bring them into community life, give them a voice in community affairs, listen to their thoughts and ideas on the important problems of today. Maybe, and just probably, what they have to say will lead to workable solutions for some of our mounting problems of community living.

RETENTION OF CHAIRMAN SEABORG OF ATOMIC ENERGY COMMISSION MAINTAINS VALUABLE CONTINUITY

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. EVINS of Tennessee. Mr. Speaker, the Honorable Glenn T. Seaborg, Chairman of the Atomic Energy Commission, has been retained for continued service by the new administration, and certainly he is richly deserving of this vote of confidence.

In this connection, I place herewith in the RECORD an editorial from the Oak Ridger, the excellent daily newspaper of Oak Ridge, Tenn.—the Atomic City—because of the interest of my colleagues and the American people in the important affairs of the Atomic Energy Commission.

The editorial follows:

SEABORG'S RETENTION MAINTAINS A MOST VALUABLE CONTINUITY

The view has been expressed that President Nixon should have retained Wilbur Cohen as Secretary of Health, Education and Welfare. Cohen was above politics, Judith Randal wrote in "Washington Closeup" last week. He was the workhorse who made a succession of partisan secretarial appointments look good. And he loved the work—was utterly dedicated to making the department's programs meaningful.

President Nixon replaced Cohen, who only moved up to the secretaryship in the last months of the Johnson administration. Robert Finch, his longtime California political intimate, was named to the post.

Happily, however, President Nixon has chosen not to replace another with California ties; Glenn T. Seaborg, chairman of the U.S. Atomic Energy Commission. No single act of the administration adds to our confidence as does this development this week.

Chairman Seaborg has a long way to go to become comparable with J. Edgar Hoover. The head of the Federal Bureau of Investigation has been through several transitions of party in the White House. Still, the continuity that Seaborg has now established within the AEC is a most valuable thing for the whole nuclear program and it is heartening that President Nixon has recognized this.

It is even more heartening that Seaborg has agreed to stay at the job when he could undoubtedly command many times more the salary in private employment. Indeed, considering that the chairman has a large family of children to educate, his continuing in office represents a major personal sacrifice.

Chairman Seaborg's predecessors were all men of great ability. None, however, had the pure science—and particularly pure nuclear science background that he has.

Oak Ridge has benefitted especially from his intense personal interest in the transuranium elements research here—his very own field. Oak Ridge National Laboratory has, during his term of office, developed into the world's primary center for production and research with these fascinating, exciting elements.

But not only this pet project, but many other significant local efforts have had the benefit of a much more sympathetic ear at the highest echelons of the AEC. Of very current local meaning is the Molten Salt Reactor project that local scientists feel has so much promise. Chairman Seaborg has indicated recently that he has also become convinced.

Chairman Seaborg was recently honored for his splendid ability, and willingness, to convey the nuclear message—the whole inspirational science and technology message—to the general public. He has made scores of speeches telling of the dazzling possibilities of the next ten and 20 years.

Yet another important reason for his remaining in the government is the possibility that, during the Nixon administration, there could be substantial steps toward the organization of a federal Department of Science—a new department combining the many scientific efforts now primarily federal in nature—space, medicine, atomic energy. Indeed, if this is ever done, and there are many good arguments for it, the man undoubtedly most qualified to be the first Secretary of Science—one with both tremendous scientific and government know how—would be Seaborg himself.

PROTECTIVE JOURNALISM WRONG

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. SCHADEBERG. Mr. Speaker, a recent speech by the managing editor of one of the fine daily newspapers in my district made a lot of sense. Today, when the American people are hounded by exponents of what is called "interpretive journalism," it is refreshing to look at another side of the coin, as managing editor Robert E. Rhodes of the Janesville Daily Gazette has done. Bob Rhodes speaks about "protective journalism" in his usually able manner, and as I understand the thrust of his pertinent remarks, he is plugging for a universal return among our newspapers and other news dispensers in the Nation of that good, old-fashioned virtue, "the truth and nothing but the truth," for the American people. His comments as carried in the Janesville Daily Gazette on January 28, 1969, follow:

"Protective Journalism" Is Wrong, Editor Says

"Protective journalism" has no place in the newspapers of today, Robert E. Rhodes, managing editor of the Janesville Gazette, told Rotary members yesterday.

Rhodes said "protective journalism" is what would result if editors or publishers succumbed to pressures to withhold or play down news which might prove embarrassing to a member of the community or an advertiser of the newspaper. To bow to such pressures is wrong, Rhodes declared.

If the story or picture is news by itself, he said, it remains news despite objections which might be made to it by an advertiser or an individual or group.

Rhodes said there are many instances where persons involved in crimes of one degree or another seek to have that information withheld from the newspaper. "That simply cannot be done," he said. "Because if you did it for one person you would have to do it for the next and then where would you draw the line?"

He said any newspaper would prefer not to have to print any bad news, but this is not possible. "Once a newspaper has to print the bad news it cannot be selective about whose bad news will be published."

Rhodes spoke also about the increasing demands for the available space in the newspaper and cited two sets of statistics to back up his claim. A check of the Gazette society page, he said, gave the following picture: In 1967 there were 599 weddings reported; in 1968 there were 898, or 299 more. In 1967 there were 528 engagements reported; in 1968 there were 732, or 204 more.

In the obituary section a comparison was made of December last year and December 10 years ago. Ten years ago there 198 obituaries reported, last year there were 242, or 44 more.

"Some people don't understand why we have to eliminate some articles of information from wedding stories, such as what the bride's mother wore, who sang and what songs, and other details such as that," Rhodes said. "And they sometimes don't understand why we no longer can list the pallbearers and other information in obituaries. It's strictly a question of space and trying to fit all the news in and keep it all in perspective."

Bill Bessire, general sales and promotion manager for Radio Station WCLO, and Gerald Fritz, manager of Total TV, were inducted as new members.

FRANK CARLSON OF KANSAS ASSUMES NEW DUTIES

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. MIZE. Mr. Speaker, former Senator Frank Carlson of Kansas has been honored in many ways throughout his long, productive career in public service. Senator Carlson has deserved all the tributes paid him through the years, for he has been willing to undertake the difficult assignments, and perform the arduous tasks which are the requisites of progress in a challenging world.

Senator Carlson has retired from the Senate, but he clearly has not removed himself from the arena of public affairs.

I am pleased to take this opportunity to congratulate Senator Carlson on his appointment as chairman of the Committee on the World Food Crisis. He succeeds Herschel Newsom, master of the National Grange, who resigned to join the U.S. Tariff Commission.

Senator Carlson brings to his new post a lifelong concern for the problems of food supply and population balance in this precarious world. His legislative record speaks clearly of his humanitarianism, his compassion, and his dedication to the eradication of malnutrition and hunger.

As chairman of the Committee on the World Food Crisis, Senator Carlson will lead a distinguished committee of concerned Americans, including the Honorable Clifford Hope, former chairman of the House Agriculture Committee, who now resides in Garden City, Kans.

The committee is nonprofit, supported by donation, and is dedicated to promoting U.S. programs and policies which serve to mitigate suffering throughout the world.

One of the committee's most notable achievements was the Second International Conference on War on Hunger, held in Washington, D.C., in February 1968. The conference brought together leaders from the Congress, the administration, the private sector, and the academic world. All shared a common purpose: to discuss and analyze what must be done to escalate the war on hunger. Vice President Humphrey keynoted the conference. Congressman Bob Poage and Bob Dole, now Senator Carlson's successor in the Senate, were present to discuss legislative approaches and solutions.

One of the primary objectives of the committee has been to promote extension and expansion of commodity distribution under Public Law 480, called Food for Peace.

Since its inception, Public Law 480 has underwritten the distribution of over $18 billion worth of food to a hungry world. The widespread popularity of food for peace can be attributed, in part, to the unswerving support of the Committee on the World Food Crisis.

Senator Carlson, as he undertakes these new responsibilities, will remember the lessons of a lifetime of legislating, and will provide the committee with both competent and inspiring leadership.

REMARKS OF DORIS L. SASSOWER

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. REID of New York. Mr. Speaker, on January 25, Mrs. Doris L. Sassower, president of the New York Women's Bar Association and a constituent of mine, delivered a speech before the National Conference of Bar Presidents in Chicago. This was the first time in the history of the conference that a woman bar president had been invited to speak to this all-male group.

With the question of women's rights and problems of equality so much in the news today, I think that Mrs. Sassower's speech may be of particular interest to my colleagues, and I am therefore including it in the Record at this point:

Remarks of Doris L. Sassower, President of the New York Women's Bar Association Delivered at the Midyear Meeting of the National Conference of Bar Presidents, Chicago, January 25, 1969.

Mr. Chairman, distinguished colleagues, ladies and gentlemen:

I appear before you, as a woman lawyer, to discuss a problem that cries for the attention of the American bar. We have managed to close our eyes to it in the past, yet it follows us wherever we go. What I am discussing is the disadvantaged position of American women in our profession—and the dimension of the problem is demonstrated here at this very gathering.

I ask you to look about you, and count the number of women here in attendance. Assume that all of them are lawyers. Is this a proportion that America's women or America's lawyers can be proud of?

Last year, in my own State of New York, the Legislature created 125 new judgeships. Here was an unprecedented chance for executive and political leaders to breathe new life into the phrase "equality of opportunity."

What happened? Of the 50 new Supreme Court judgeships for the state, not one went to a woman—though certainly there were women of proven ability sitting on the lower court bench. Of the 25 new Civil Court judgeships for New York City, only one went to a woman. Eleven new appointive Criminal Court judgeships were filled by the City of New York last month, and two new Family Court judgeships—not one by a woman.

I'm not talking about a small country town or one of our backward states, but about New York City and New York State . . . the leaders in this country's march toward social justice.

How is it possible for a state like New York to have 125 new judicial vacancies and come up with a list that includes only one woman in all of New York City, only one in the rest of the State—and both filling lower court positions?

Shouldn't we be honest with ourselves, and admit that, despite the undoubted progress that has been made, the American ideal of equal treatment and equal opportunity is still only an ideal for our women lawyers?

The number of women lawyers has grown from one in 1869 to over 8,000. Women are now admitted to the bar throughout the nation and elevated to judicial offices. It is possible to say that theoretically there is no position in the legal profession that cannot be filled by a woman.

Yet, women lawyers now approximate only one out of every 40 lawyers. Considering that women constitute 51% of the nation's population and that a law school education is now relatively easy for women to obtain, this is a minor accomplishment. It looks even worse when you compare it to the ratio of one woman to every 28 lawyers practicing in 1950.

So then, what's wrong with today's women lawyers? Fifty years ago, the first woman ascended the bench. Yet among the 9700 judges in the United States today, her successors constitute not a multitude, but a mere handful. The last published Directory of American Judges listed less than 200!

Taking New York as an example, there is no woman in the Appellate Division of any of the Judicial Departments, no woman on the State Court of Appeals, no woman on the U.S. Court of Appeals for the Second Circuit, only one woman on the federal district court.

Even more discouraging—every woman judge who left the bench in New York through death or retirement in recent years has been replaced by a man!

At the very top, the Supreme Court of the United States has yet to see its first woman judge, although barriers of religion and race have been broken.

If the number of women judges shows a dismal failure to fulfill the early promise of the trail-blazing women in the law, the same is true of the number of women on law school faculties, in prosecuting and government agencies, large law firms and private practice.

In the year 1966, of about 2,500 teaching positions in law schools throughout the United States, only 51 were held by full-time women faculty members.

In government, top-level legal jobs, are still usually held by men.

And in 3,000 firms rated as "leading" in the profession by the 1957 Bar Register, only 32 reported a woman law partner.

Is there something wrong with today's women lawyers? Are they responsible for this singularly uninspiring situation? A serious study would show the answer is no.

There are many brilliant, competent, dedicated women lawyers carrying on the tradition of Florence Allen, who served as Chief Judge of a U.S. Circuit Court of Appeals.

The failure of women to occupy high legal positions in significant numbers reflects the current situation of American women generally. Only a negligible percentage of executive jobs are held by women. And although women are a majority of the population and of the electorate, the political status of women in our society has been recently described as "one of the great disappointments of the 20th Century." No woman sits in the cabinet as she did in F.D.R.'s day; there is only one woman Senator, and the number of women in the House of Representatives today is less than it was 10 years ago.

What has held back women lawyers has been in large part, of course, the basic difficulty of being a woman.

More than half of all working women are married. Today's women lawyers, too, see no reason to sacrifice the possibility of marriage and child-rearing as women of an earlier generation felt compelled to do.

But, those who do combine full-time professional and family responsibilities often find the load too heavy. There is a deplorably high number of women "drop-outs" in the profession. An income survey conducted not long ago by the U.S. Department of Commerce showed that only about 25 percent of women lawyers remained in practice long enough to reach their peak earning power.

The solution to this problem of women lawyers is the same as the solution to the problem of all working women: Revision of the tax laws to permit deduction of home and child care—and development of government aided child-care facilities.

It is time for the American Bar Association, and other organized bar groups to give their support to such legislation. These proposals are in the national interest. And the legal profession would gain new strength from the ranks of talented women who will thereby be enabled to practice.

An even stronger obstacle to women's entering and advancing in the law is a lingering bias—whether due to prejudice or inertia—within the profession itself.

Now that our nation is concerned with the problem of inequality of opportunity, the question may well be raised whether the fact that so few women are employed in responsible legal positions is not prima facie evidence of violation of rights secured by the Civil Rights Act of 1964 or state statutes like New York's Human Rights Act.

The time has come for the leaders of the organized bar to recognize their responsibility to open the profession to everyone able to make a contribution to it. The affirmative approach that is being taken today to encourage Negroes and other minorities to self-fulfillment and societal involvement is just as applicable to women.

Concerted efforts should be made by nominating and appointing authorities, from the White House down, to seek out qualified women for judicial and public offices. Every large law firm should examine its hiring and promotion policies with a view to putting to use the abilities of female attorneys.

Each government agency, U.S. Attorney and District Attorney's Office should put its own house in order and set the standard for private industry by not only hiring, but actively recruiting capable women.

Despite the problems of marriage and family responsibilities, there are hundreds, if not thousands, of women who could perform such jobs admirably on a full-time basis. If government and private law offices wish to end the de facto discrimination that still demeans the profession, they could also establish part-time opportunities to enable additional thousands of present and would-be women lawyers to participate productively in the law.

A pilot project of 22 highly trained women to work as a part-time talent pool in the Department of Health, Education and Welfare was last year created in response to President Johnson's comment that "the underutilization of American women continues to be the most tragic and senseless waste of the century." Similar arrangements are desirable and feasible for women lawyers.

In all this, the double burden of discrimination that falls on women who are also members of minority groups must not be overlooked. In working to increase the number of Negro lawyers in this country, let us make sure that some of those Negroes aided are women!

If there is something wrong with today's woman lawyer, it is that she relies too much on individual effort instead of participating in the organized activities of the Bar.

As Presidents of bar associations, you must realize the added strength which women lawyers could give by participation in your programs. The time has come for you to show women lawyers that their participation is welcome and needed. This can be done by enlisting them as members, by giving them committee appointments and chairmanships, by encouraging them to be visible and vocal as officers and members of your boards of directors, by giving attention to their special needs, by insisting upon equal opportunities for women among the prospective employers who seek to use your legal placement services.

On a nation-wide basis, there is need for a broad cooperative effort to encourage more women to choose a career in law.

The entrance of women students into our law schools is our best hope for the future—and that number is increasing. At New York University Law School, for example, the entering class of '68 had a 20 percent female enrollment.

In spite of all the obstacles, it is obvious more and more American women do want to become lawyers. In this regard, they are no different from women in other countries. However, in other countries they fare more favorably.

I reported some of these achievements in an article in the October-November 1968 issue of Trial Magazine which I hope you will read for further information on this entire subject.

Let us note that the last figures show that in Denmark women comprised 50 percent of the law students, that women account for 36 percent of the lawyers in the Soviet Union, and that women judges in Germany are 30 percent of the total number.

It may be a long time before American women have equal status with their colleagues in these countries, but isn't it time we got started?

It is my understanding that I am the first woman to address the National Conference of Bar Presidents. I believe I will not be the last. For this promising beginning, I wish to thank the forward-looking Chairman of this Conference, Mr. Chesterfield Smith. With the help of the enlightened leaders of the Bar, I hope to see more women lawyers participate in coming conferences, and in all ways fulfill their proper obligations to themselves and to the profession.

Thank you.

LICENSE THE TV NETWORKS

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. GONZALEZ. Mr. Speaker, the very heart of a free and democratic society rests in free speech and a free and responsible press. A free people absolutely must have liberty to think and speak for themselves, and they must also have reliable, responsible sources of information on matters of public interest and concern. The people of this country have come to rely heavily on television for a source of news. Television is capable of reaching millions of people instantly. A television news story has an impact that is difficult to imagine. This electronic medium thus has vast powers to inform people, to contribute to the discussion and formation of opinion that is central to the democratic process. Yet where there is power to inform there is also power to misinform; I believe that the television networks have made great achievements in broadcast journalism but they have also demonstrated at times an alarming lack of responsibility. The public today has no means of assuring itself that television news is accurate and objective and no way of obtaining redress if it should be irresponsible. In the newspaper field there is at least an element of competition that helps keep news reliable. But the only entry to a television network is through that network; and a network can choke off any news that it does not want to broadcast, or refuse to broadcast any correction of an inaccurate record. Because of this, and because of the immense impact that television can have on information and opinion I believe that there must be some device to help assure that the public interest is protected by something more than the conscience of the networks—a conscience that, judging by the general content of broadcasting today, is very flexible indeed.

If a network broadcasts false or misleading news and insists on abusing the airways, the only way to correct the situation now is for the Federal Communications Commission to refuse renewal of licenses to network owned broadcast facilities. The Commission is incapable journalism," it is refreshing to look at another side of the coin, as managing editor Robert E. Rhodes of the Janesville Daily Gazette has done. Bob Rhodes speaks about "protective journalism" in his usually able manner, and as I understand the thrust of his pertinent remarks, he is plugging for a universal return among our newspapers and other news dispensers in the Nation of that good, old-fashioned virtue, "the truth and nothing but the truth," for the American people. His comments as carried in the Janesville Daily Gazette on January 28, 1969, follow:

"PROTECTIVE JOURNALISM" IS WRONG, EDITOR SAYS

"Protective journalism" has no place in the newspapers of today, Robert E. Rhodes, managing editor of the Janesville Gazette, told Rotary members yesterday.

Rhodes said "protective journalism" is what would result if editors or publishers succumbed to pressures to withhold or play down news which might prove embarrassing to a member of the community or an advertiser of the newspaper. To bow to such pressures is wrong, Rhodes declared.

If the story or picture is news by itself, he said, it remains news despite objections which might be made to it by an advertiser or an individual or group.

Rhodes said there are many instances where persons involved in crimes of one degree or another seek to have that information withheld from the newspaper. "That simply cannot be done," he said. "Because if you did it for one person you would have to do it for the next and then where would you draw the line?"

He said any newspaper would prefer not to have to print any bad news, but this is not possible. "Once a newspaper has to print the bad news it cannot be selective about whose bad news will be published."

Rhodes spoke also about the increasing demands for the available space in the newspaper and cited two sets of statistics to back up his claim. A check of the Gazette society page, he said, gave the following picture: In 1967 there were 599 weddings reported; in 1968 there were 898, or 299 more. In 1967 there were 528 engagements reported; in 1968 there were 732, or 204 more.

In the obituary section a comparison was made of December last year and December 10 years ago. Ten years ago there 198 obituaries reported, last year there were 242, or 44 more.

"Some people don't understand why we have to eliminate some articles of information from wedding stories, such as what the bride's mother wore, who sang and what songs, and other details such as that," Rhodes said. "And they sometimes don't understand why we no longer can list the pallbearers and other information in obituaries. It's strictly a question of space and trying to fit all the news in and keep it all in perspective."

Bill Bessire, general sales and promotion manager for Radio Station WCLO, and Gerald Fritz, manager of Total TV, were inducted as new members.

FRANK CARLSON OF KANSAS ASSUMES NEW DUTIES

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. MIZE. Mr. Speaker, former Senator Frank Carlson of Kansas has been honored in many ways throughout his long, productive career in public service. Senator Carlson has deserved all the tributes paid him through the years, for he has been willing to undertake the difficult assignments, and perform the arduous tasks which are the requisites of progress in a challenging world.

Senator Carlson has retired from the Senate, but he clearly has not removed himself from the arena of public affairs.

I am pleased to take this opportunity to congratulate Senator Carlson on his appointment as chairman of the Committee on the World Food Crisis. He succeeds Herschel Newsom, master of the National Grange, who resigned to join the U.S. Tariff Commission.

Senator Carlson brings to his new post a lifelong concern for the problems of food supply and population balance in this precarious world. His legislative record speaks clearly of his humanitarianism, his compassion, and his dedication to the eradication of malnutrition and hunger.

As chairman of the Committee on the World Food Crisis, Senator Carlson will lead a distinguished committee of concerned Americans, including the Honorable Clifford Hope, former chairman of the House Agriculture Committee, who now resides in Garden City, Kans.

The committee is nonprofit, supported by donation, and is dedicated to promoting U.S. programs and policies which serve to mitigate suffering throughout the world.

One of the committee's most notable achievements was the Second International Conference on War on Hunger, held in Washington, D.C., in February 1968. The conference brought together leaders from the Congress, the administration, the private sector, and the academic world. All shared a common purpose: to discuss and analyze what must be done to escalate the war on hunger. Vice President Humphrey keynoted the conference. Congressman BOB POAGE and BOB DOLE, now Senator Carlson's successor in the Senate, were present to discuss legislative approaches and solutions.

One of the primary objectives of the committee has been to promote extension and expansion of commodity distribution under Public Law 480, called Food for Peace.

Since its inception, Public Law 480 has underwritten the distribution of over $18 billion worth of food to a hungry world. The widespread popularity of food for peace can be attributed, in part, to the unswerving support of the Committee on the World Food Crisis.

Senator Carlson, as he undertakes these new responsibilities, will remember the lessons of a lifetime of legislating, and will provide the committee with both competent and inspiring leadership.

REMARKS OF DORIS L. SASSOWER

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. REID of New York. Mr. Speaker, on January 25, Mrs. Doris L. Sassower, president of the New York Women's Bar Association and a constituent of mine, delivered a speech before the National Conference of Bar Presidents in Chicago. This was the first time in the history of the conference that a woman bar president had been invited to speak to this all-male group.

With the question of women's rights and problems of equality so much in the news today, I think that Mrs. Sassower's speech may be of particular interest to my colleagues, and I am therefore including it in the RECORD at this point:

REMARKS OF DORIS L. SASSOWER, PRESIDENT OF THE NEW YORK WOMEN'S BAR ASSOCIATION DELIVERED AT THE MIDYEAR MEETING OF THE NATIONAL CONFERENCE OF BAR PRESIDENTS, CHICAGO, JANUARY 25, 1969.

Mr. Chairman, distinguished colleagues, ladies and gentlemen:

I appear before you, as a woman lawyer, to discuss a problem that cries for the attention of the American bar. We have managed to close our eyes to it in the past, yet it follows us wherever we go. What I am discussing is the disadvantaged position of American women in our profession—and the dimension of the problem is demonstrated here at this very gathering.

I ask you to look about you, and count the number of women here in attendance. Assume that all of them are lawyers. Is this a proportion that America's women or America's lawyers can be proud of?

Last year, in my own State of New York, the Legislature created 125 new judgeships. Here was an unprecedented chance for executive and political leaders to breathe new life into the phrase "equality of opportunity."

What happened? Of the 50 new Supreme Court judgeships for the state, not one went to a woman—though certainly there were women of proven ability sitting on the lower court bench. Of the 25 new Civil Court judgeships for New York City, only one went to a woman. Eleven new appointive Criminal Court judgeships were filled by the City of New York last month, and two new Family Court judgeships—not one by a woman.

I'm not talking about a small country town or one of our backward states, but about New York City and New York State . . . the leaders in this country's march toward social justice.

How is it possible for a state like New York to have 125 new judicial vacancies and come up with a list that includes only one woman in all of New York City, only one in the rest of the State—and both filling lower court positions?

Shouldn't we be honest with ourselves, and admit that, despite the undoubted progress that has been made, the American ideal of equal treatment and equal opportunity is still only an ideal for our women lawyers?

The number of women lawyers has grown from one in 1869 to over 8,000. Women are now admitted to the bar throughout the nation and elevated to judicial offices. It is possible to say that theoretically there is no position in the legal profession that cannot be filled by a woman.

Yet, women lawyers now approximate only one out of every 40 lawyers. Considering that women constitute 51% of the nation's population and that a law school education is now relatively easy for women to obtain, this is a minor accomplishment. It looks even worse when you compare it to the ratio of one woman to every 28 lawyers practicing in 1950.

So then, what's wrong with today's women lawyers? Fifty years ago, the first woman ascended the bench. Yet among the 9700 judges in the United States today, her successors constitute not a multitude, but a mere handful. The last published Directory of American Judges listed less than 200!

Taking New York as an example, there is no woman in the Appellate Division of any of the Judicial Departments, no woman on the State Court of Appeals, no woman on the U.S. Court of Appeals for the Second Circuit, only one woman on the federal district court.

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In the year 1966, of about 2,500 teaching positions in law schools throughout the United States, only 51 were held by full-time women faculty members.

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And in 3,000 firms rated as "leading" in the profession by the 1957 Bar Register, only 32 reported a woman law partner.

Is there something wrong with today's women lawyers? Are they responsible for this singularly uninspiring situation? A serious study would show the answer is no.

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The failure of women to occupy high legal positions in significant numbers reflects the current situation of American women generally. Only a negligible percentage of executive jobs are held by women. And although women are a majority of the population and of the electorate, the political status of women in our society has been recently described as "one of the great disappointments of the 20th Century." No woman sits in the cabinet as she did in F.D.R.'s day; there is only one woman Senator, and the number of women in the House of Representatives today is less than it was 10 years ago.

What has held back women lawyers has been in large part, of course, the basic difficulty of being a woman.

More than half of all working women are married. Today's women lawyers, too, see no reason to sacrifice the possibility of marriage and child-rearing as women of an earlier generation felt compelled to do.

But, those who do combine full-time professional and family responsibilities often find the load too heavy. There is a deplorably high number of women "drop-outs" in the profession. An income survey conducted not long ago by the U.S. Department of Commerce showed that only about 25 percent of women lawyers remained in practice long enough to reach their peak earning power.

The solution to this problem of women lawyers is the same as the solution to the problem of all working women: Revision of the tax laws to permit deduction of home and child care—and development of government aided child-care facilities.

It is time for the American Bar Association, and other organized bar groups to give their support to such legislation. These proposals are in the national interest. And the legal profession would gain new strength from the ranks of talented women who will thereby be enabled to practice.

An even stronger obstacle to women's entering and advancing in the law is a lingering bias—whether due to prejudice or inertia—within the profession itself.

Now that our nation is concerned with the problem of inequality of opportunity, the question may well be raised whether the fact that so few women are employed in responsible legal positions is not prima facie evidence of violation of rights secured by the Civil Rights Act of 1964 or state statutes like New York's Human Rights Act.

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I reported some of these achievements in an article in the October-November 1968 issue of Trial Magazine which I hope you will read for further information on this entire subject.

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Thank you.

LICENSE THE TV NETWORKS

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. GONZALEZ. Mr. Speaker, the very heart of a free and democratic society rests in free speech and a free and responsible press. A free people absolutely must have liberty to think and speak for themselves, and they must also have reliable, responsible sources of information on matters of public interest and concern. The people of this country have come to rely heavily on television for a source of news. Television is capable of reaching millions of people instantly. A television news story has an impact that is difficult to imagine. This electronic medium thus has vast powers to inform people, to contribute to the discussion and formation of opinion that is central to the democratic process. Yet where there is power to inform there is also power to misinform; I believe that the television networks have made great achievements in broadcast journalism but they have also demonstrated at times an alarming lack of responsibility. The public today has no means of assuring itself that television news is accurate and objective and no way of obtaining redress if it should be irresponsible. In the newspaper field there is at least an element of competition that helps keep news reliable. But the only entry to a television network is through that network; and a network can choke off any news that it does not want to broadcast, or refuse to broadcast any correction of an inaccurate record. Because of this, and because of the immense impact that television can have on information and opinion I believe that there must be some device to help assure that the public interest is protected by something more than the conscience of the networks—a conscience that, judging by the general content of broadcasting today, is very flexible indeed.

If a network broadcasts false or misleading news and insists on abusing the airways, the only way to correct the situation now is for the Federal Communications Commission to refuse renewal of licenses to network owned broadcast facilities. The Commission is incapable of using this tool, and in any event punishing the outlet is no way to approach correcting the real defendant, which is the originator of the program, and that is the network. The network controls what is to be broadcast and when, by and large, the station is helpless if the network gives it an inaccurate or poor presentation. It seems to me that the quality of programing would improve perceptibly if the networks could be held accountable for their broadcasts. Therefore the networks should be licensed, and should be held accountable for their programing through a license renewal procedure. Only in this way can there be any public accounting for a network's actions.

I do not seek censorship, nor do I seek any curb on creativity or free expression. What I do ask for is some method to protect the public from false news broadcasts or irresponsible broadcasters. The television journalist must, by the nature of his profession and the nature of pay arrangements, find news that sells. The circumstances are tempting for a journalist to find a story that sells, without too much regard to whether it is reliable or not. Last year, CBS broadcast a program called "Hunger in America" which opened with a picture that purported to show a baby dying of hunger. But the fact is that this horrible, shocking picture happened not to be true at all. The network, far from correcting the record on this and other untrue or misleading elements in the program, rebroadcast it and promoted it. To this day copies of the film are available for showing to anyone who is interested, and the film has never been corrected in any respect. The network need not be concerned that anyone can penalize it for its curious actions, for it has to answer only to its own conscience. A conscience as flexible as that demonstrated in this instance is not one that the public interest can be trusted to.

I am happy to note that the Citizens Committee for Broadcasting is concerned about the general quality of broadcasting today. The committee is undertaking a concerted effort to improve broadcast quality, and among other things, will consider the feasibility of a licensing system for networks. I believe that public accountability is the only way to assure public responsibility, and that a licensing system is the most practical way to achieve this. I am therefore offering for the consideration of the House a bill to create a licensing system for broadcast networks.

NIXON SPEECH AN IMPRESSIVE WAY TO BEGIN

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. ARENDS. Mr. Speaker, under leave to extend my remarks I include an editorial by that outstanding columnist David Lawrence, praising President Nixon's extraordinarily fine inaugural address:

NIXON SPEECH AN IMPRESSIVE WAY TO BEGIN

(By David Lawrence)

WASHINGTON.—President Nixon's address to the nation immediately after he took the oath of office Monday was impressive.

There were no innuendos of political partisanship, no criticisms of the preceding administration, no words of boastfulness or extravagant promise. It was just the message of a man who emphasized his own confidence that the American people could unite and go "forward together."

Naturally no specific courses of action relating to pending problems were outlined. The speech was rather an attempt to achieve a unity of thought behind the fundamental principles which must guide the new administration and the country.

The address did not ignore the realities of the age: the factional differences, the bitterness between groups and the uprisings of dissent. He said:

"In these difficult years, America has suffered from a fever of words; from inflated rhetoric that promises more than it can deliver; from angry rhetoric that fans discontents into hatreds; from bombastic rhetoric that postures instead of persuading.

"We cannot learn from one another until we stop shouting at one another, until we speak quietly enough so that our words can be heard as well as our voices.

"For its part, government will listen. We will strive to listen in new ways—to the voices of quiet anguish, the voices that speak without words, the voices of the heart, to the injured voices, the anxious voices, the voices that have despaired of being heard."

This is an appeal to reason as against movements of protest by violence and disorder. Mr. Nixon broadened his theme to cover world affairs, too.

He declared that "the peace we seek to win is not victory over any other people, but the peace that comes with healing in its wings; with compassion for those who have suffered; with understanding for those who have opposed us; with the opportunity for all the peoples of this earth to choose their own destiny."

Mr. Nixon's address will be appraised in history as a timely presentation of thoughts which lie deep in the hearts of the American people.

On the whole, the inaugural of 1969 was a significant example of how well the spirit and will toward unity can be emphasized even in an event that marked the defeat of one party and the victory of another.

GATHERING THE LIGHT

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, I commend to my colleagues an excellent editorial which appeared in the Boston Herald Traveler on President Nixon's inaugural address and what it should mean to the American people.

GATHERING THE LIGHT

Richard M. Nixon summoned the American people yesterday to meet the future by heeding the injunction: "Let us gather the light."

By gathering the light instead of cursing the darkness, by caring and doing, the nation can build, in President Nixon's words, "a great cathedral of the spirit." After becoming the 37th President of the United States in a simple but solemn ceremony that symbolized not only the transfer of the awesome authority of the Presidency but also the continuity of the nation's institutions, President Nixon addressed himself to the need for a richness of spirit as the sources of peace at home and abroad.

The pursuit of peace was the paramount theme of President's Nixon's inaugural address, peace among nations, among races, among contending groups in our own society. Americans must go forward together and Americans must go forward with all of mankind.

"Where peace is unknown," President Nixon urged, "make it welcome; where peace is fragile, make it strong; where peace is temporary, make it permanent." Peace at home will not come until the war of rhetoric is de-escalated, until the ideological fevers and the passions of group interests are cooled. The surfeit of harangues must give way to honest dialogue.

"We cannot learn from one another," President Nixon warned, "until we stop shouting at one another—until we speak quietly enough so that our words can be heard as well as our voices."

If Richard Nixon can secure peace in the world and bring tranquility to the sometimes tumultuous dissension in the United States, he will exceed the highest expectations of his administration. But President Nixon has been careful to distinguish between goals and promises, for he realizes that promises without product have dashed the faith of many alienated Americans.

And he knows, about all, that despite the far-reaching powers of the Presidency, he will need, in a thousand direct and indirect ways, the support of the American people. "Without the people we can do nothing; with the people we can do everything."

The people, however, too often expect the President alone to do everything. He is invested with enormous responsibilities; he is the Chief Executive, with all the administrative burdens that implies; he is also the chief initiator of legislation, the commander-in-chief of the Armed Services, the ultimate maker of foreign policy, the head of his political party, the living symbol of the United States, and the leader of the free world.

But the President's power is not unlimited, and even his constitutional powers are curbed by formal and informal checks and balances. One of these informal reins on the Presidency and the national government is the power of the people, expressed in manifold ways and exercised through both governmental and non-governmental channels.

After a hectic, dissentious and violent year, the quiet order and congeniality of the transition that reached its climax yesterday are reassuring to Americans. But dark problems remain. With the power of the people behind him, President Richard M. Nixon should be able to give the United States responsible and responsive leadership in an era eager for gatherers of light.

ASTRONAUTS ADDRESS BEFORE CONGRESS IS UNFORGETTABLE EVENT

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. BOGGS. Mr. Speaker, last month's visit to this Chamber by Astronauts Borman, Anders, and Lovell was a moving experience for all Americans. It was particularly dramatic for those of us who were privileged to be present, both on the floor and in the galleries. The following article is by Mr. Gene Yoes, Jr., publisher of the St. Charles Parish Herald, St. Charles Parish, La. I found it a particularly moving account of the astronauts' visit, and I call it to the attention of my colleagues:

ASTRONAUTS ADDRESS BEFORE CONGRESS IS UNFORGETTABLE EVENT

(By Gene Yoes, Jr.)

WASHINGTON, D.C.—This is a personal story. It is about a very moving, emotional experience we had in Washington, D.C., last week.

Cong. Hale Boggs reached into his pocket and handed this writer one ticket to the gallery of the U.S. House of Representatives. He said it was the only ticket he had.

We knew that James Lovell, Frank Borman and William Anders were in Washington. After giving the ticket, Cong. Boggs excused himself because he was wanted at the White House.

With a busy business schedule behind us and more business meetings ahead, we slipped out of the Congressman's office in the Capitol trying to weigh the advisability of using the ticket.

A friend of ours, wise in the ways of Washington, said "you had better go. That's probably the only ticket he has to give away and people all over Washington would like to get it."

So, we returned to the Capitol. It was almost too late. Policemen surrounded the building. They were determined to keep us out and insisted our ticket was no good.

We were determined to get in. Black limousines a mile long were debarking passengers at a ground floor entrance. We slipped in the line.

The passengers were foreigners. Later we discovered they were ambassadors from over the world. Inside the building, we were directed to the House gallery where a folding chair had been hid in the corner for us.

Television cameras from the three major networks were already set for us. The House Chamber was almost empty. We looked for familiar faces. There were none.

Then Con. Eddie Hébert from Louisiana came in followed by Cong. John Rarick of Baton Rouge and Otto Passman of North Louisiana. Cong. Boggs entered with Carl Albert, the democratic majority leader.

One by one, recognizable faces appeared. Then the venerable John McCormack, ageless speaker of the House, rapped his gavel. For no reason, we recalled a newspaper story years ago that the Speaker always dines alone with Mrs. McCormack every night when he is in Washington, the city of endless cocktail parties and political dinners.

We had forgotten that democrats sat on one side of the aisle and republicans sat on the other side.

Mr. McCormack rapped the gavel. The chamber was almost empty. A voice from an unseen man boomed from the back of the chamber. From the depths of memory came the name "Fishbait Miller." It may not be the correct name. The voice announced the arrival of the members of the Senate.

There was Everett Dirksen, to us the most magnificent member of the Senate. And Sen. Russell of Georgia. And Sen. Russell Long of Louisiana. And Teddy Kennedy of Massachusetts. He needed a haircut.

Seeing Teddy, you thought of Bobby and you thought of Jack. They once sat here. Now they rest on a hill across the Potomac. Vice President Hubert Humphrey went to stand by Mr. McCormack.

The voice from the back of chamber, the sergeant at arms whose name may be "Fishbait Miller," boomed again and again.

The ambassadors from over the world, the ones who helped me get back into the Capitol, entered. Secretary of State Dean Rusk led the president's cabinet into the room.

The long-suffering but proud Chief Justice of the Supreme Court, Earl Warren, led his fellow justices to a front row seat. Justice Hugo Black was there. Justice Thurgood Marshall looked proud, his skin only a degree darker than the other justices.

Those of us who were spectators stood with each introduction by the Sergeant at arms. It became a physical fitness exercise as the leadership of our nation moved into the House chamber.

Then Mr. McCormack named Cong. Boggs and other members of the house to escort the astronauts into the Chamber. Vice President Humphrey named Sen. Dirksen and other senators to escort the astronauts.

When James Lovell, Frank Borman and William Anders walked into the chamber, this writer's eyes sort of got puddled.

In the puddle, we saw Lovell, Borman and Anders as specks as they emerged from the back side of the moon for the first time.

Intermittently, our eyes would clear and see the astronauts in the House chamber, being introduced one by one, watching as their families were introduced, making short speeches.

During the puddles, we saw them leaving earth orbit at almost 25,000 miles per hour.

Or plotting their course as they left the earth, moving rapidly in its orbit around the sun, for the moon, moving rapidly in its orbit around the earth.

Or settling down as their 25,000 mile per hour speed was reduced to about 3,500 miles per hour as the earth turned into a speck behind them.

Or gathering speed as the moon's gravitational pull drew them into greater velocity.

Or firing jets that would reduce their speed so that they could circle the moon.

Or peering out the windows of the Apollo spacecraft to get closer looks at the moon.

Or firing their onboard jets to escape the orbit of the moon at the precise moment in time needed to allow them to intercept the rapidly moving earth.

Or debating their course back into the earth's atmosphere where even a minor miscalculation would have meant death.

We really didn't hear much of the astronaut speech. But we did live through a moment in time that we will always remember. In some little way, we lived through their magnificent journey into the universe, the first of its kind ever.

We were proud.

NOTED EDUCATOR, DR. FRANK CORDASCO, SEES CATHOLIC SCHOOLS "FIGHTING FOR THEIR LIFE"

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, on January 19, 1969, the Newark Star-Ledger published a most interesting article concerning the role of the Catholic school in the core city.

The article in question, which is written by Robert J. Braun, gives the views of a very distinguished constituent of mine, Dr. Frank Cordasco, a resident of West New York, N.J., who has been nationally acclaimed for his studies of urban educational problems and particularly those dealing with Spanish-speaking students.

Dr. Cordasco is to my knowledge the first lay member of the board of education of the Archdiocese of Newark and his appointment by Archbishop Boland is, I am sure, a harbinger of good news for the archdiocesan school system. Dr. Cordasco is a man of great dedication and enthusiasm as well as formidable intellect. In brief, he is the kind of man who gets a job done.

Mr. Speaker, his views on the role of the religiously oriented school and its relationships with the residents of our ghettos and barrios is worthy of the attention of all Members of this House. Having received permission, I insert it at this point in the RECORD.

The article follows:

CATHOLIC SCHOOLS FIGHTING FOR THEIR SURVIVAL

(By Robert J. Braun)

At this point, stock in Catholic education in the Newark archdiocese is not high.

At this point, as in the last several years, parish schools in the archdiocese, particularly in the urban areas, have been losing money to increasing costs and students to the public schools.

Add to this the recent condemnation of the archdiocese as "racist" by a group of 20 priests, and the picture looks gloomy indeed for a school system which provides education for 151,139 elementary and secondary school children.

SOME OPTIMISM

But, at this point, there is reason for some qualified optimism within the archdiocesan school system, an optimism which has replaced a "God will provide," fatalistic attitude that had prevailed in recent months.

The new optimism is based on the recent creation of positions for laymen on the archdiocesan board of education. The board, in the past, has been entirely composed of clerics—all of them monsignori, considered profoundly a part of the "Establishment."

Of course, the assignment of laymen to a board won't prevent the chronic closing of schools—five were closed last year—or a drop in the enrollment—more than 5,000 students less this year than last—but a spokesman for the archdiocese did say the board would take direct action to improve matters:

"This formation of a new board," he said, "is part of the updating of the Catholic Church even in its educational aspects. The updating was given impetus by the Second Vatican Council."

A LOOK AT MERITS

To determine whether the archdiocese is sincere about reform, one would have to look at the laymen appointed. And one of the first appointed was Dr. Frank Cordasco, an educational sociologist from Montclair State College.

Dr. Cordasco's credits are impressive. He is an author of considerable merit and some of his books are used as texts on the problems of disadvantaged students.

He has been given much of the credit for the formulation of Title VII of the federal Elementary and Secondary Education Act of 1965 which will provide programs for bilingual education—an important step in providing opportunity for Hispanic minority children.

A CONSULTANT

An educational consultant to the Migration Division of the Commonwealth of Puerto Rico, he has worked as an educational consultant to such cities as Baltimore, Philadelphia, Chicago and St. Louis.

In recognition of his work with minority groups, Dr. Cordasco last year was awarded a Brotherhood Award by the National Conference of Christians and Jews.

Still a board of prominent citizens with impressive credits doesn't really mean much unless the board acts. Two characteristics of member Cordasco could indicate the board will act—he is fiercely dedicated to the continuance of a Catholic education "presence" in ghetto areas and he is an advocate of greater community involvement and control of schools in urban areas.

BETTER OFF

"I would say that, because of the compassionate response of many in the religious community, where the poor child finds himself in Catholic schools, he is immeasurably better off than if he were in a public school."

The Catholic schools, Dr. Cordasco points out, offer the "priceless ingredient" of dedication by the teachers.

"The nuns in those schools teach for $1,000 a year. Would anyone else?"

These schools, he points out, can provide the self-esteem and identity that children in minority groups search, often so fruitlessly in the public schools.

MORE FREEDOM

"These Catholic schools are not restricted by an oppressive bureaucracy," he said and he pointed out that this aspect allows the private schools much more freedom, and more opportunity, to cope with the ills of urban education.

"They can act to bring people into their schools without reference to licensing procedures—which, after all, act to license out people in the public schools rather than to bring in qualified people."

In this way, he said, "the Cuban with a doctorate in pedagogy (education) who would not be qualified to teach in the public schools. Or, they can go into the community and find a liberal arts graduate who has talent but who cannot teach because he doesn't have the necessary number of professional education credits.

LESS VULNERABLE

Dr. Cordasco also pointed out that the Catholic schools would have a better chance to involve people in the black or Puerto Rican community than would the public schools which are vulnerable to outside attack by people who are against so-called "decentralization."

(When someone accidentally used the word "decentralization" to describe a reorganization of Newark's school administration, a reorganization which, if anything, strengthened the central power of the board, a great controversy arose which still has not been clarified.)

The educator—urbanologist admits these elements are the positive side of the archdiocesan educational system. He also admits to a negative side which he said was brought out by the 20 dissident priests.

"HORROR OF LIFE"

"These young priests spoke from the anguish and the desperation of their fellow human beings in the center-city community. They correctly delineated the absolute horror of life there," he said.

But, Cordasco, was quick to point out, they erred in attacking the archdiocese and Archbishop Thomas A. Boland as having "racist tendencies."

"This is absurd," he said. "But they felt they had to strike out and whom else did they have to hurt but their leadership?"

He pointed out that just the decision to include lay people on the new archdiocesan school board "was prima facie evidence" of the archbishop's commitment to the cities.

DEFENDS ARCHBISHOP

"It is one thing for these young priests to react out of despair. However, I would categorically reject as being without evidence of any kind any charge of racism against the archbishop or the archdiocese," he said.

But these young priests, he said, should know that the problems of the cities are "insurmountable without the kind of gigantic resources which the people of New Jersey should be willing to provide."

To the state and federal governments, he said, is where these priests should have directed their reactions. And there, he added, is where he expects the new archiocesan board to direct its fire in coming weeks and months.

AID FROM STATE

Dr. Cordasco charged that the state must assume more responsibility for the underwriting of private education. "It must do this," he said, "under the theory that the money will benefit the child—rather than go to the Catholic church.

"And there is the corollary to this that the state must know it would have to provide education for present Catholic school children if the archiocesan system closed down," Dr. Cordasco said.

The educator also charged that the state had not given to the Catholic schools the money to which it was entitled under federal education legislation.

CATHOLICS' ROLE

"Greater resources can be made available to private schools through Title I and other federal funds." He called "injudicious" the manner in which U.S. monies were distributed in New Jersey.

He also called on Eduction Commissioner Carl Marburger to revive the now defunct idea of the "Statewide Conference on Urban Education" and to include in it discussion of the role of the Catholic Church in the area of urban education.

Referring to some authorities who charge that the Catholic Church is financially bankrupt in the cities and should abandon the schools there, Dr. Cordasco said:

"You can clearly see the inability of the entire state to underwrite the resources of the public schools in the city. Why should anyone question why the Catholic schools, with their limited resources, have trouble?"

But, he said, the Church must remain in the city as a mark of its "sincere and continuing commitment."

FAMED CONCORDIA CHOIR WILL SING AT CONSTITUTION HALL

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. KLEPPE. Mr. Speaker, it is with great pride and pleasure that I call attention to the scheduled appearance of one of America's finest choral groups, the Concordia Choir, at Constitution Hall in Washington, Sunday, February 16, 1969, at 8 p.m.

As a member of the board of regents of Concordia College, Moorhead, Minn., I am especially proud of the director, Dr. Paul J. Christiansen, head of the department of music, and the 65 fine young men and women of the choir. Dr. Christiansen is the son of F. Melius Christiansen, who directed the world famous St. Olaf Choir for many years.

The Concordia Choir won wide acclaim on a recent tour of Norway, Holland, Germany, and Austria, with special concerts at the Brussels World's Fair and the Vienna Music Festival. They have toured the Nation in recent years and will be appearing in a number of midwestern cities and eastern cities this season. The tour for 1969 takes the group through Minnesota, South Dakota, Wisconsin, Michigan, Illinois, Indiana, Pennsylvania, Washington, D.C., Massachusetts, Ohio, New York, and Maryland.

Singing a capella, the choir will present a program ranging from 16th century classics down through the Badn era to the contemporary masters. Several favorite works by the director's father will also be heard.

In its years of public appearances, the Concordia Choir has been lauded from coast to coast as one of the foremost American choral groups. Critics have applauded the "subtle perfection," the "sheer beauty" and the "incredibly fine tone quality" of the choir. The European tour was no less triumphal. The critics and press of all countries were unanimous in their praise of these musicians. This enthusiasm has been substantiated by critics from New York to San Francisco in the years since.

BETTS WANTS ACTION AGAINST PORNOGRAPHY

HON. JACKSON E. BETTS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. BETTS. Mr. Speaker, the modest attack Congress has launched thus far to curb the torrent of obscene and pornographic materials circulating in this country barely scratches the surface of what needs to be done to combat this problem. The 91st Congress and Nixon administration, acting in a concentrated effort, have a responsibility to write effective legislation and establish necessary administrative machinery to stop purveyors of pornography. While it is true the Supreme Court has restricted the full scope of restraint over distribution of smut, there is much that can and must be done, notwithstanding some of the wishes of the Court.

My constituents have sent samples of objectional material and in meetings throughout the Eighth District, people express concern that Congress must act, especially where the postal system is used to spread this filth. I believe the Nixon administration must take new initiatives through the Justice Department and Post Office Department. In addition, the recently created Commission on Obscenity and Pornography, and expertise of Members of the House and Senate, can join through congressional hearings in a broad-scale attack on this growing menace. Let me submit three specific recommendations for action.

Last summer Congress funded the Commission on Obscenity and Pornography, which has the responsibility under Public Law 90–100:

> To study the nature and volume of traffic in obscene and pornographic materials. To study effects of obscenity and pornography on minors. To recommend legislative, administrative, and other appropriate action that the Commission may feel necessary to regulate the flow of such traffic without interfer-

> ing with constitutional rights. To evaluate existing laws pertaining to obscenity and pornography and to evaluate and recommend definitions therefor.

I understand the Commission now plans to issue only a progress report this year with legislative proposals and other recommendations delayed until July 1970. This is too long to wait because even if the report receives wide acceptance, it could take another 2 years to secure final congressional action and administrative enforcement. Thus, I have written the following letter to Dr. William Lockhart, Chairman of the Commission:

Congress of the United States,
House of Representatives,
Washington, D.C., February 5, 1969.
Dr. William Lockhart,
Chairman, Commission on Obscenity and Pornography, Washington, D.C.

Dear Doctor Lockhart: The need for concrete proposals to curb the torrent of pornographic material circulating in this country is well recognized, I know, by you and the members of this Commission. Your concern is keenly shared by my constituents, many of whom have spoken to me in recent weeks about legislative action to stop the flow of this filth by restricting the use of the mails to smut peddlers and imposing criminal penalties on such activities.

I understand you are initiating extensive studies in each of the areas of responsibility charged to the Commission by Congress. Although new knowledge on the impact of noxious material on young people would be useful, I believe a consolidation and analysis of state and local experience in this field, review of the work of the Post Office Department and Department of Justice, and related privately conducted research, can lead to fruitful legislative recommendations. It would be regrettable if measures to make it a criminal offense to mail obscene material to children under 16 did not receive your support. A number of other new laws will be needed, I feel, and certainly the Commission should be in the forefront of this campaign with specific proposals advanced in the near future.

This letter is to express my continuing concern about the problem of obscenity and pornography and to urge your submission as soon as possible of a number of recommendations to Congress.

Sincerely,

Jackson E. Betts.

Second, I am pleased to join my able colleague, William T. Cahill, of New Jersey, in sponsoring a bill designed to combat the sale of pornography to children. This legislation, drafted to conform to recent Supreme Court decisions, would provide Federal authorities with decisive powers to crack down on obscenity racketeers by:

First. Prohibiting mail-order sales of smut to school-age children;

Second. Make the unsolicited mailing of hard-core pornography, or offers to sell hard-core pornography, to any family with children under 16 a Federal crime.

Unlike previous legislation regulating the distribution of objectionable sexual materials, this bill is specifically directed to the protection of children. It therefore does not attempt to employ the usual and constitutionally difficult criteria of pornography, but rather sets forth with particularity the materials proscribed for the mailing to children or families with children.

While this legislation treats only part of the smut problem, the most vociferous objections are raised to having such materials mailed to young people.

I am convinced that there are many thousands of such parents in our country—parents who do not want their kids to be subjected to vivid descriptions of sodomy, bestiality, lesbianism, sadism, and masochism—who do not want their children's sexual education and experiences to be guided by the fantastic distortions of smut merchants.

However, in the absence of legislation regulating sale of obscene materials to minors, juveniles have become the natural prey of pornographers. Supplied with filth through channels of interstate commerce, newsstands in almost every community in the Nation offer lurid and explicit descriptions of sexual acts and abuses to anyone, regardless of age, who will pay the pornographer's price.

Further, it appears that unscrupulous publishers and dealers are increasingly using the U.S. mails as a pipeline for the unconscionable flow of smut and obscenity to minors. I am informed by the Post Office Department that in 1968 alone it received over 165,000 formal complaints from recipients of unsolicited offensive mailings. Investigation of this staggering volume of complaints reveals that most of them were from parents of school-age children.

Public Law 90–206 which was enacted by the last Congress has provided parents with some degree of protection. Under this "antipandering" statute, any post office patron receiving material which he considers objectionable can request the post office to order his name expunged from the sender's mailing list. While I find this regulation encouraging, I am convinced that the protection thus afforded families with schoolchildren is inadequate—

First, because this legislation places the considerable burden of enforcement on the innocent recipient and post office authorities. Parents receiving unsolicited and objectionable mailings must first ascertain and follow post office procedures before invoking the act's protections. Subsequently, postal authorities must process and handle the recipient's application generally at substantial administrative cost and expense. However, the sole penalty placed on the smut merchant is that he has lost a name from his mailing list.

Second, the protections of this act are available only after the objectionable mailing has been received in the recipient's household. Apart from the substantial possibility that the mailing will have found its way into children's hands, the act provides no deterrent to unsolicited mailings by smut merchants.

I would emphasize that my bill does not seek to limit freedom of speech or expression in the adult world. It does, however, place responsibility for unsolicited offensive mailings to children and families on obscenity rackeeters who are little concerned by artistic values. The bill would make clear that pornographers would be required to determine whether their mailing lists include the names of families with school-age children.

The third recommendation for action lies with the officials of the Nixon administration who have the investigatory personnel and legal expertise to insure full, aggressive enforcement of all existing statutes in this field. I am not at all convinced that Post Office Department findings nor the reports by the Federal Bureau of Investigation were pressed to the limits of the law by Attorney General Clark. The new team in the Justice Department must give obscenity and pornography their proper priority in their realm of responsibilities.

Mr. Speaker, scores of my colleagues have urged Congress to lead the way for the American people on this issue. I join the call for swift and firm action.

IT IS TIME TO CONSOLIDATE OUR NATIONAL CEMETERY SYSTEM

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. HORTON. Mr. Speaker, this Nation has maintained a sacred tradition to provide members and veterans of the armed services with a burial place in a national cemetery since the Civil War.

However, 100 years of mismanagement, fractured jurisdiction, lack of planning and a nonexpansion policy since 1950 have taken their toll. We are running out of burial space for veterans.

Five different agencies now administer our cemetery system. The closing down of more is imminent as the increasing demand for space continues to move on a collision course with the rigid nonexpansion policy of the last three administrations.

Mr. Speaker, the 91st Congress must remedy this glaring weakness in our national cemetery program.

It is time to consolidate. We must eliminate the fractured jurisdictions and varying regulations that hamper a regulated and planned growth of our national cemetery system.

I can think of no better way to do this than by transferring the jurisdiction of the five administering agencies to the Veterans' Administration, as the legislation I am introducing today does.

This bill places the direction of our national cemeteries system under the jurisdiction of the Veterans' Administration because the VA can provide the management and leadership necessary to strengthen and expand the program.

Besides consolidating the administration of this system into one agency, this bill establishes an 11-member Battle Monument Commission to advise the President, the Administrator of Veterans' Affairs, and the Congress on the administration of the national cemetery system, the selection of cemetery sites, and the erection of appropriate memorials and monuments.

The provisions of this legislation also direct the Administrator of Veterans' Affairs to study and submit recommendations to the Congress concerning: First, criteria to govern development and operation of the national cemetery system; second, relationship of the national cemetery system to other burial benefits provided to servicemen and veterans; and, third, steps to be taken to conform the existing system to the recommended criteria of the study.

The Administrator's study will include specific recommendations as to the future utilization and development of the Arlington National Cemetery as well. Studies are vital if we are to manage our resources effectively and provide for future growth.

The lack of available space and fractured jurisdictions become readily apparent when the present system is surveyed.

Presently the Battle Monuments Commission, the Veterans' Administration, the National Park Service, the Army, and the Department of the Interior administer national cemeteries.

The Battle Monument Commission controls 23 oversea cemeteries, which are closed to burial except for bodies found on battlefields.

The Veterans' Administration has 24 cemeteries, six of which are closed.

The National Park Service controls, as national monuments, 13 cemeteries, which encompass 175 acres. Six of these cemeteries are still open, but availability for future burials is limited.

Of the four cemetery systems managed by Federal agencies, the cemetery system operated by the Army is the largest. It has 85 cemeteries under its jurisdiction. However, the policy of the Defense Department has been to fill up existing cemeteries and then go out of business.

The Department of the Interior manages, as part of the National Park Service, cemeteries transferred from Army jurisdiction in 1933. Their use and desirability has been described as marginal.

Mr. Speaker, since 1950 no new cemeteries have been added. The Army has estimated that another 21 national cemeteries will become inactive in the next 10 years. Available space is one of the most pressing problems in the management of our national cemeteries system.

Another glaring weakness is that no national cemeteries exist near major population centers such as Boston, Buffalo-Rochester, Chicago, Cleveland, Dallas, Detroit, Miami, and others. Most are found around old Civil War sites.

It is my hope that the study recommended in my bill will correct this situation by proposing future sites be located around urban population centers.

Mr. Speaker, supposedly eligibility for burial in federally operated cemeteries extends to approximately 26 million living ex-servicemen. However in practice eligibility has been limited by the restricted availability of space and by geographical distribution.

Naturally not all eligible veterans will want to utilize this privilege. However, our Government should be prepared to provide for the present and future needs of veterans who need and deserve this privilege.

Moreover, this Government should be prepared to maintain a system that is geographically balanced so that veterans can be buried near their homes.

The plan I have just outlined for you, Mr. Speaker, is a sensible solution to our national cemetery space and jurisdiction crisis. Passage of this measure would mean that Congress is prepared to uphold a sacred obligation to its veterans and soldiers, and I earnestly hope that all my colleagues will join with me in support of the national cemeteries bill.

PER DIEM PAYMENTS FOR THE CREW OF THE "PUEBLO" AND VIETNAM PRISONERS OF WAR

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. TUNNEY. Mr. Speaker, the Vietnam war and the capture of the *Pueblo* have brought to light the need for the allocation of per diem payments for prisoners of war.

According to the Department of Defense, there is no permanent statute which authorizes payments over and above normal pay and allowances to a member of the armed services who are in a "missing or POW status."

However, additional payments were authorized prisoners of war for World War II personnel and the Korean war. I am inserting in the RECORD a copy of a letter which I have received from the Department of Defense giving the background information on this matter. I feel that per diem payments should be made to prisoners of war today and I am introducing legislation to make this possible.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., January 14, 1969.

Hon. JOHN V. TUNNEY,
House of Representatives,
Washington, D.C.

DEAR MR. TUNNEY: Reference is made to your recent letter concerning payments received by members of the services while they are prisoners of war.

The authority for continuation of pay and allowances to a member who is in a missing status is Chapter 10, Title 37, United States Code. This superseded 50 U.S.C. App. 1001–1015. The statute provides that such member would be entitled to receive or have credited to his account the same pay and allowances to which he was entitled at the beginning of the missing status or may thereafter become entitled to. Pay and allowances is defined to include basic pay, special pay, incentive pay, basic allowance for quarters, basic allowance for subsistence, and station per diem allowances for not more than 90 days.

Because there are some allowances payable to members that are not included in the definition the Comptroller General of the United States was asked for a ruling regarding enlisted uniform maintenance allowance and family separation allowance. In 44 Comp. Gen. 657 he held that payment of permanent items of pay and allowances may continue to be credited to a member's account provided no change occurs in conditions of entitlement. As an example of changed conditions the Comptroller General cited a case of a member who was receiving basic allowance for quarters for a dependent wife and then after going into a missing status the member loses his dependent. Basic allowance for quarters must be stopped. In the decision he held that cash clothing allowance provided for enlisted personnel could not be continued as it was not an item enumerated in the law. However, he permitted continued payment of the family separation allowance, even though it is not specifically included in the law, because of its relation to basic allowance for quarters.

There is no permanent statute which authorizes payments over and above those indicated above. However, additional payments were authorized prisoners of war for World War II personnel and the Korea hostilities. These payments were authorized by Public Law 896, 80th Congress (62 Stat. 1240) for World War II personnel and Public Law 615, 83rd Congress (68 Stat. 759) for personnel captured in Korea. Section 2 of Public Law 615 provides in part as follows:

"* * * (2) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by any prisoner of war for compensation for the failure of the hostile force by which he was held as a prisoner of war or its agents, to furnish him the quantity or quality of food prescribed for prisoners of war under the terms of the Geneva Convention of July 27, 1929. The compensation allowed to any prisoner of war under the provisions of this paragraph shall be at the rate of $1 for each day on which he was held as a prisoner of war and on which such hostile force, or its agents, failed to furnish him such quantity or quality of food. * * *".

I hope the foregoing satisfactorily explains the matter to you.

Sincerely,

ROBERT C. MOOT,
Assistant Secretary of Defense.

CONCERN EXPRESSED OVER INFLATION

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. FUQUA. Mr. Speaker, the following is a resolution which was sent to me by the Gainesville Florida Campus Federal Credit Union at the University of Florida, Gainesville, Fla.

I think it is well worth reading, for it expresses the deep concern over the erosion of real income by inflation. It is my feeling that this is the most serious problem facing our Nation today and I urge you to read these very thoughtful comments as an expression of the concern which this problem is causing all Americans today:

RESOLUTION

To the Honorable DAVID M. KENNEDY,
Secretary of the Treasury:

Whereas, the Gainesville Florida Campus Federal Credit Union was the first campus credit union and 171st credit union in the nation to be chartered under Federal law; and

Whereas, the purpose of the Gainesville Florida Campus Federal Credit Union, as well as the Federal Credit Union Act, is to promote thrift of its members; and

Whereas, the Gainesville Florida Campus Federal Credit Union has 6,372 members with total shares valued at $3,942,028.60, many of the members, 4,952 or 78 percent, have less than $500.00 in shares and in some cases, their

shareholdings represent their entire savings; and

Whereas, the dividend of our Union for 1968 fiscal year was 5¼ percent which would have represented some benefits for our members had it not been for inflation which was at the rate of 4.7 percent before income and other taxes; and

Whereas, the Administration, The Federal Reserve Board, Congress and the Council of Economic Advisers are quite aware of how to control inflation; and

Whereas, over the past many years a policy of inflation has been pursued. This policy has had the effect of transferring the incomes of the small savers to the large resource owners and other benefactors. This inflationary policy has been by design and with complete disregard for those who attempt to follow a course of thrift as a protection against want today and in the future; and

Whereas, it is the responsibility of those who handle our fiscal and monetary affairs to insure a stable dollar in order that justice and equal treatment may prevail: Now, therefore, be it

Resolved, by the members of the Gainesville Florida Campus Federal Credit Union, **That Secretary of the Treasury, The Federal Reserve Board, the Council of Economic Advisers and the Congress of the United States take the proper steps, which are well known, to curb inflation so that the 6,372 members of the Gainesville Florida Campus Federal Credit Union and the 12,210 (1967) other Federal Credit Unions with their combined membership of 9,873,777 (1967) and the 10,858 (1967) state chartered credit unions with a combined membership of 9,188,998 (1967) members may invest their savings in these credit unions with the assurance that their savings will not in the future be dissipated by inflation. Furthermore, our members, together with all people, should be assured that they can invest a part of their income in U.S. Savings Bonds, retirement programs and insurance policies and be assured that when these savings are needed, they will have a dollar purchasing power equivalent to the dollar they invested; and be it further**

Resolved, **That a copy of this resolution be sent to the Honorable McChesney Martin, Chairman of the Federal Reserve Board; Honorable Paul W. McCracken, Chairman of the Council of Economic Advisers; Honorable Spessard S. Holland, U.S. Senator from Florida; Honorable Ed Gurney, U.S. Senator from Florida; Honorable Don Fuqua, Representative of the Second Congressional District of Florida; Honorable Robert H. Finch, Secretary of Health, Education and Welfare.**

JANUARY 29, 1969.

ARTHUR MCNEELY,
President.
DONALD C. BUNTING,
Vice President.
LOUISE HINTON,
Secretary-Treasurer.

JANUARY 29, 1969.

LEGISLATION DESIGNED TO KEEP PORNOGRAPHIC MATERIAL OUT OF THE HANDS OF MINORS

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. DELANEY. Mr. Speaker, today I am introducing legislation designed to keep pornographic material out of the hands of minors.

I have received numerous letters from concerned parents who are deeply disturbed about the ready availability of blatent pornography and obscenity in our Nation today. I am convinced that there are many thousands of such parents in our country today who do not want their children subjected to vivid descriptions of sex and sexual perversion. They do not want their children's sexual education to be guided by the fantastic distortions of the smut merchants.

The peddlers of this filth represent a billion dollar industry whose traffic in pornographic materials has reached a figure in excess of 20 million pieces annually. As many know, there is hardly a magazine stand in the Nation where you cannot find smut and perversion of every type and description. This foul material, both on newsstands and sent boldly through the mails, preys upon our impressionable youth and has a corrosive effect on our entire society.

Testimony before congressional committees by police officials and medical doctors has brought out that there is a direct relationship between the prevalence of pornographic material and the rapidly increasing incidence of sex crimes.

Last year the Post Office Department received over 168,000 complaints with reference to pandering advertising. The overwhelming majority of these were from parents complaining about receipt of this material through the mail addressed to their children. Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, has stated that:

> A peddler who assaults our children's minds is as clearly a sexual offender as a man who molests a child's body.

I share Mr. Hoover's view and believe we should do everything possible, within constitutional limits, to assure that our youth are protected from this degenerate matter. This is a national problem which requires national action fully coordinated with the States and local communities.

In April of last year the Supreme Court held in *Ginsberg* v. *New York* (390 U.S. 629), that a New York statute which prohibited the sale to persons under 17 years of age of materials defined to be obscene to them was constitutional. At the same time the Court recognized that the same material might not be obscene to adults.

My bill does not seek to limit freedom of speech or expression in the adult world. Rather, it is designed to support the constitutionally accepted principle, basic to our society, of allowing parents to control the education of their children. I believe this measure will effectively enable parents to protect their children from offensive sexual material, and urge that early committee hearings be scheduled on this legislation.

FEDERAL PAY SQUEEZE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. PUCINSKI. Mr. Speaker, recently the Chicago Daily News carried an excellent editorial on the question of increasing the salary for Members of Congress and members of the Cabinet.

I believe the Daily News has stated the case most succinctly and I place in the RECORD today the editorial in its entirety.

The editorial follows:

FEDERAL PAY SQUEEZE

To become deputy secretary of defense, David Packard, the West Coast Industrialist, will take a pay cut of about $970,000 a year. Sec. of State William Rogers will take a reduction of some $250,000, while the two bankers designated as Treasury and Commerce secretaries respectively—David Kennedy and Maurice Stans—will each lose in the neighborhood of $200,000 a year. That adds up to a whopping lot of public spirit.

Nobody is suggesting that the federal government ought to match wage levels of private industry for its top executives; the less tangible rewards of public service can be expected to make up part of the difference.

But public service should not involve such hardships as unaffordable monetary sacrifice or reduction of living standards, and it ought to be rewarded well enough that the incumbents needn't all be millionaires in their own right or be forced to "moonlight" to make ends meet.

The 12 Cabinet officers now receive $35,000 a year—a modest executive salary for anyone in Washington who is expected to live and entertain well. Congressmen receive $30,000; the vice president, $43,000; the President, $100,000.

A congressional committee has proposed raising these and other high level federal salaries from 30 to 100 per cent. It would pay the President $200,000, the vice president $67,500; Cabinet members $60,000; congressmen $50,000, and sub-Cabinet officials between $40,000 and $50,000.

These strike us as fair pay scales for some of the world's most important and demanding jobs.

THE CASE FOR A LOWER VOTING AGE

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. PEPPER. Mr. Speaker, once more I introduce legislation to lower the voting age, as I did in the 89th and 90th Congresses. It is said that each idea has its time, its moment in history. We are, in my estimation, rapidly approaching that time for voting by those 18 to 21 years of age.

More than 65 percent of the American public, according to a 1968 Gallup poll, are favorably disposed to a lower voting age. In the 90th Congress many resolutions were introduced in this Chamber to lower the voting age, and in the other Chamber hearings on voting age proposals were held by the Subcommittee on Constitutional Amendments. Not since 1954 has the situation been so amenable to this proposition.

Even 15 years ago, when the Senate came within an eyelash of passing a joint resolution to lower the voting age, it was clear that those between 18 and 21 were adequately prepared to exercise the franchise. Now this is abundantly evident. Moreover, it is evident that our failure to engage young adults in the political processes of America, and in particular to accord them a vote in representative government has been a serious oversight.

Why do I say that?

Simply this, Mr. Speaker. Every day decisions are made at all levels of government which affect these young people. Yet, their voices are not heard and their votes are not cast in the elections which determine who shall make policy in this Republic of ours. It is sufficiently clear that not only is this unjust but also that many of those between 18 and 21 are no longer willing to abide this situation. When decisions are made to go to war, young men between 18 and 21 are personally affected by them. In itself this is no ironclad reason for extending the franchise to young people, but, given their self-interest in such decisions, it is a telling argument favoring their inclusion in the electorate.

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Today, physical and mental maturity is achieved by age 18. If this were not so, then many privileges and obligations accorded persons 18 to 21 would be denied them. The privilege of marriage, for example; or the obligation to pay taxes; or the obligation to be tried in adult criminal court. In many States persons over 18 are permitted to own and carry firearms. In many ways we treat them as adults and expect them to act as adults, but when it comes to voting we treat them as children.

Mr. Speaker, let us uniformly begin treating them as adults and, I daresay, they will acquit themselves as well or better than older adults in the voting booth. They will bring pep and energy to our electoral politics and they will provide a needed balance in the electorate. In introducing this proposal I am hopeful that action will be taken by the 91st Congress to lower the voting age.

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Secretary Hardin is the fourth Nebraskan to hold a cabinet post. Preceding him as Agriculture Secretary was J. Sterling Morton. William Jennings Bryan was Secretary of State and, more recently, Fred Seaton of Hastings was Secretary of Interior.

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The new Congress brought a new responsibility, and privilege, to my job as Congressman. A position on the House Veterans Affairs Committee was given to me in addition to reassignment on the Public Works Committee.

Because of my interest in Veterans legislation and facilities, such as the Lincoln Veterans Hospital, I am enthusiastic about serving in this new capacity.

As this new session begins, I encourage you to communicate with me whenever the need arises.

A representative democracy is only strong when citizens know that they are being represented. I am sincerely trying to reflect your views as your Congressman, and letters and telephone calls from you make my job more meaningful.

WRITE, PHONE, WIRE

Washington, D.C. office: 1531 Longworth H.O.B., Phone 202-225-4806.

Lincoln, Nebraska office: 120 North 12th Street, Phone 402-432-8541.

Norfolk, Nebraska office: Post Office Building:

WASHINGTON NEWSLETTER

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include the following report to my constituents:

WASHINGTON NEWSLETTER

(By WILLIAM A. STEIGER, Member of Congress)

JANUARY 21, 1969.

A NEW PRESIDENT AND A NEW CONGRESS

DEAR FRIEND: 1969 begins with the advent of the Nixon Administration and the start of the 91st Congress.

It is an honor for me to have the opportunity again to represent the Sixth District in the House of Representatives. The trust placed in me carries with it a very great responsibility to work on your behalf and to do the best I can in working toward solutions to the problems we face as a people.

While the new Administration assumed office only yesterday, work has been going on for some time to select Executive agency personnel and to prepare President Nixon's programs. The selection of Wisconsin's Melvin Laird as Secretary of Defense ranks as a highlight of the appointments thus far; we can be proud of this designation of world-wide responsibilities to our uniquely able neighbor from the Seventh District.

The events yesterday—the inaugural ceremony and address—the parade which featured the Lowell P. Goodrich Sr. High School Band of Fond du Lac—the inaugural ball in the evening—were each of them impressive. They set the necessary stage and theme for the enormous work to be done by all of us, the work that can be accomplished if we make a commitment to go "Forward Together."

COMMISSION NAMES 17 FOR ACADEMY APPOINTMENTS

The Sixth District Commission on Congressional Appointments this month announced their selections for the U.S. Service Academies for the classes entering June 1969.

The Commission selected nine district students as principal nominees to fill the district's vacancies at the academies. Three of the students were appointed to the U.S. Naval Academy, two to the U.S. Military Academy, one to the Air Force Academy, and three to the Merchant Marine Academy.

The 12 member Commission which I appointed in 1967 and which has been reappointed this year, selected nine nominees and eight alternates from more than 35 applicants who competed on the basis of grades, activities, leadership potential and fitness. The Commission members spent a good deal of voluntary time and effort on these selections, and I am grateful for their hard work.

Members of the Commission are:

Dr. Bernard S. Adams, Ripon; Mrs. Terrence De Block, Mequon; Frank M. Kennedy, Cedarburg; Harry H. Kind, Menasha; John C. Miller, Berlin; Mrs. Carlton O. Rogge, Fond du Lac; George M. Schickert, Jr., West Bend; Donald J. Steinfort, Oshkosh; Wilfrid Turba, Elkhart Lake; Gaylord Unbehaun, Brillion; Tim Werner, Oostburg; and Bernard C. Ziegler, West Bend.

Their nominees are as follows.

Air Force Academy

Colorado Springs (one vacancy).

Principal Nominee: Karl A. Spiegelberg, Neenah High School (son of Mr. & Mrs. Arlin C. Spiegelberg, 216 Elm St., Neenah).

First Alternate: Steven C. Soerens, Oostburg High School (son of Mr. and Mrs. Wilton D. Soerens, Hingham).

Second Alternate: Richard P. Galloway, Jr., St. Mary High School, Menasha (son of Mr. and Mrs. Richard Galloway, 650 Lake Crest Drive, Menasha).

U.S. Naval Academy

Annapolis (three vacancies).

Principal Nominee: Patrick E. Linton, Oshkosh High School (son of Dr. & Mrs. Stanley Linton, 1035 Oak St., Oshkosh).

Principal Nominee: Bruce M. Wentzel, Omro High School (son of Mr. and Mrs. Bruce E. Wentzel, Route 2, Omro).

Principal Nominee: Rolan C. Rohde, Ripon Senior High Sch. (son of Mr. and Mrs. Hubert L. Rohde, Route 2, Ripon).

Alternates: Kevin M. Fallon, West Bend High School (son of Mr. and Mrs. Joseph A. Fallon, 5803 Highway Z, West Bend); Michael Allen Dimick, Cedarburg High School (son of Mr. & Mrs. Russell A. Dimick, 706 Western Ave., Cedarburg); and Patrick R. Lederer, Grafton High School (son of Mr. & Mrs. Edward Lederer, 1618 2nd Ave., Grafton).

U.S. Military Academy

West Point (two vacancies).

Principal Nominee: James F. De Broux, Port Washington High School (son of Mr. and Mrs. Norbert De Broux, 424 N. Franklin Street, Port Washington).

Principal Nominee: Stephen J. Flood, Campion Jesuit High School (son of Dr. and Mrs. James E. Flood, 395 Maple Avenue, Fond du Lac).

Alternates: Roy A. Duxstad, Oshkosh High School (son of Mr. and Mrs. Robert Duxstad, 1221 Eastman St., Oshkosh); James A. Brust, Marquette University High Sch. (son of Mr. and Mrs. John Brust, Route 1, Slinger); and Jeffrey W. Towner, freshman at Ripon College (son of Mr. & Mrs. William A. Towner, 145 Daleview Dr., Plymouth).

Merchant Marine Academy

Kings Point, N.Y. (*three nominations*).

Berry E. Joas, Omro High School (son of Mr. Richard Joas, Route 1, Winneconne).

Peter F. Lee, Oshkosh High School (son of Mrs. June F. Lee, 937 Evans St., Oshkosh).

James M. Birschbach, Fond du Lac Branch Campus of WSU-O (son of Mr. and Mrs. Melvin A. Birschbach, 189 Amory Street, Fond du Lac).

All principals and alternates are to be congratulated for their selection through stiff competition, and I know those finally chosen will represent our Sixth District well at the academies.

"IT'S YOUR WORLD," CONSERVATION YEARBOOK AVAILABLE

The latest Conservation Yearbook, "It's Your World," published by the U.S. Department of the Interior, has been made available for $2.00 per copy. Persons interested in purchasing the book should send a check or money order to the Superintendent of Documents, Washington, D.C. 20402. This volume is one of a series of yearbooks which the Interior Department has published.

THREE FROM WISCONSIN LISTED AMONG 10 OUTSTANDING BY U.S. JAYCEES

I was overwhelmed to receive an award last week as one of the ten outstanding young men in America. This award belongs not to me alone but to the people of the Sixth District and to the many who have helped me during my first term in Congress and in my three terms in the Wisconsin legislature. While my thanks go to the U.S. Jaycees, appreciation for this award must also go to my wife, Janie, and to my parents, and the teachers and adults in Wisconsin who have long been working with youth activities, particularly at Oshkosh High School.

Also named to the national list of ten were Bart Starr, 35-year-old quarterback of the Green Bay Packers, and Wesley D. Pavalon, 35-year-old founder of the nationwide Career Academy training schools, and the head of the group which brought the Bucks basketball team to Milwaukee.

The seven other winners of this year's TOYM award are: Robert J. Acosta, 29, Chatsworth, California, blind teacher and founder of organizations for blind teachers and students; James F. Hoge, Jr., 33, of Chicago, Illinois, editor of the Chicago Sun Times; Navy Chaplain Raymond W. Johnson, 34, Pensacola, Florida, a Silver Star Medal winner; James R. Jones, 29, Muskogee, Oklahoma, a lawyer and advisor to President Johnson; tennis star Lt. Arthur R. Ashe, Jr., 25, Richmond, Virginia; four minute miler James R. Ryun, 21, Wichita, Kansas; and Sam Wyly, 34, Dallas, Texas, president of the University Computing Company.

WHERE YOU CAN REACH ME

This month my Washington staff and I moved to a new and larger office in the Longworth House Office Building. Please note the change below.

In Washington: Room 1025, Longworth House Office Building, Washington, D.C. 20515 (phone 202—225-2476).

In Oshkosh: Room 201, Post Office Building, Oshkosh 54901 (phone 231-6333).

In Fond du Lac: Room 205, Post Office Building, Fond du Lac 54935 (phone 922-1180).

In Sheboygan: Room 205, Post Office Building, Sheboygan 53081 (phone 452-3313).

STEPS TAKEN TO REMOVE POLITICS FROM POST OFFICE JOBS

Since the start of this new Congress, I have moved to implement my proposal to remove political influence over the appointment of postmasters and rural carriers.

You may recall the first bill I introduced in 1967 was to take politics out of the Post Office, I have re-introduced this legislation (H.R. 1369) in the 91st Congress, and will push for action by the House.

Traditionally postmaster and rural carrier appointments are made at the recommendation of a Member of Congress whose party controls the White House.

With the new President being a Republican, I am now called upon to make recommendations in the Sixth District when a postal vacancy occurs. However, since I am making every effort to remove from party politics all appointments of postmasters and rural carriers in the Sixth Congressional District, I will make no recommendations.

To gain agreement from those most immediately affected, this matter has been discussed with the Republican executive board in the Sixth District. They have endorsed my plan to assure nonpartisan appointments to the postal service in our district. Appointments will be based on merit determined through a U.S. Civil Service examination rather than on political party influence.

In all cases where my recommendation may be sought during the Nixon Administration, I will request that vacancies in these positions be filled by the top-ranking applicant on a list of those qualified and eligible after an open, competitive examination.

Best regards,

WILLIAM A. STEIGER,
Member of Congress.

PROGRESS OF GRAPHICS INDUSTRY

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. BRASCO. Mr. Speaker, the graphics industry is today playing an increasingly important role in our economy. It has become an indispensable tool to both heavy and light industry, to large and small businesses, to manufacturers as well as service companies. Almost every facet of business today utilizes, in some form, graphic design services.

I would, therefore, like to call to your attention the outstanding achievements of BJB Graphics, Inc., of New York, one of the leading graphic design studios in the country. This firm has established itself both as a leader and a strong voice for its industry. It has concerned itself not only with its own corporate growth, but the healthy growth and stability of the graphics field in general. It continues to strive for the highest ethical practices, new job opportunities for those who wish to enter the field, and new and modern

Simply this, Mr. Speaker. Every day decisions are made at all levels of government which affect these young people. Yet, their voices are not heard and their votes are not cast in the elections which determine who shall make policy in this Republic of ours. It is sufficiently clear that not only is this unjust but also that many of those between 18 and 21 are no longer willing to abide this situation. When decisions are made to go to war, young men between 18 and 21 are personally affected by them. In itself this is no ironclad reason for extending the franchise to young people, but, given their self-interest in such decisions, it is a telling argument favoring their inclusion in the electorate.

There are other and even better reasons why the vote should be accorded them. The distinguished chairman of the House Committee on the Judiciary once pointed out that the prerequisites for voting—intelligent voting—include "the abilities to choose, to separate promise from performance, to evaluate on the basis of fact."

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Norfolk, Nebraska office: Post Office Building:

WASHINGTON NEWSLETTER

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include the following report to my constituents:

WASHINGTON NEWSLETTER

(By WILLIAM A. STEIGER, Member of Congress)

JANUARY 21, 1969.

A NEW PRESIDENT AND A NEW CONGRESS

DEAR FRIEND: 1969 begins with the advent of the Nixon Administration and the start of the 91st Congress.

It is an honor for me to have the opportunity again to represent the Sixth District in the House of Representatives. The trust placed in me carries with it a very great responsibility to work on your behalf and to do the best I can in working toward solutions to the problems we face as a people.

While the new Administration assumed office only yesterday, work has been going on for some time to select Executive agency personnel and to prepare President Nixon's programs. The selection of Wisconsin's Melvin Laird as Secretary of Defense ranks as a highlight of the appointments thus far; we can be proud of this designation of world-wide responsibilities to our uniquely able neighbor from the Seventh District.

The events yesterday—the inaugural ceremony and address—the parade which featured the Lowell P. Goodrich Sr. High School Band of Fond du Lac—the inaugural ball in the evening—were each of them impressive. They set the necessary stage and theme for the enormous work to be done by all of us, the work that can be accomplished if we make a commitment to go "Forward Together."

COMMISSION NAMES 17 FOR ACADEMY APPOINTMENTS

The Sixth District Commission on Congressional Appointments this month announced their selections for the U.S. Service Academies for the classes entering June 1969.

The Commission selected nine district students as principal nominees to fill the district's vacancies at the academies. Three of the students were appointed to the U.S. Naval Academy, two to the U.S. Military Academy, one to the Air Force Academy, and three to the Merchant Marine Academy.

The 12 member Commission which I appointed in 1967 and which has been reappointed this year, selected nine nominees and eight alternates from more than 35 applicants who competed on the basis of grades, activities, leadership potential and fitness. The Commission members spent a good deal of voluntary time and effort on these selections, and I am grateful for their hard work.

Members of the Commission are:

Dr. Bernard S. Adams, Ripon; Mrs. Terrence De Block, Mequon; Frank M. Kennedy, Cedarburg; Harry H. Kind, Menasha; John C. Miller, Berlin; Mrs. Carlton O. Rogge, Fond du Lac; George M. Schickert, Jr., West Bend; Donald J. Steinfort, Oshkosh; Wilfrid Turba, Elkhart Lake; Gaylord Unbehaun, Brillion; Tim Werner, Oostburg; and Bernard C. Ziegler, West Bend.

Their nominees are as follows.

Air Force Academy

Colorado Springs (one vacancy).

Principal Nominee: Karl A. Spiegelberg, Neenah High School (son of Mr. & Mrs. Arlin C. Spiegelberg, 216 Elm St., Neenah).

First Alternate: Steven C. Soerens, Oostburg High School (son of Mr. and Mrs. Wilton D. Soerens, Hingham).

Second Alternate: Richard P. Galloway, Jr., St. Mary High School, Menasha (son of Mr. and Mrs. Richard Galloway, 650 Lake Crest Drive, Menasha).

U.S. Naval Academy

Annapolis (three vacancies).

Principal Nominee: Patrick E. Linton, Oshkosh High School (son of Dr. & Mrs. Stanley Linton, 1035 Oak St., Oshkosh).

Principal Nominee: Bruce M. Wentzel, Omro High School (son of Mr. and Mrs. Bruce E. Wentzel, Route 2, Omro).

Principal Nominee: Rolan C. Rohde, Ripon Senior High Sch. (son of Mr. and Mrs. Hubert L. Rohde, Route 2, Ripon).

Alternates: Kevin M. Fallon, West Bend High School (son of Mr. and Mrs. Joseph A. Fallon, 5803 Highway Z, West Bend); Michael Allen Dimick, Cedarburg High School (son of Mr. & Mrs. Russell A. Dimick, 706 Western Ave., Cedarburg); and Patrick R. Lederer, Grafton High School (son of Mr. & Mrs. Edward Lederer, 1618 2nd Ave., Grafton).

U.S. Military Academy

West Point (two vacancies).

Principal Nominee: James F. De Broux, Port Washington High School (son of Mr. and Mrs. Norbert De Broux, 424 N. Franklin Street, Port Washington).

Principal Nominee: Stephen J. Flood, Campion Jesuit High School (son of Dr. and Mrs. James E. Flood, 395 Maple Avenue, Fond du Lac).

Alternates: Roy A. Duxstad, Oshkosh High School (son of Mr. and Mrs. Robert Duxstad, 1221 Eastman St., Oshkosh); James A. Brust, Marquette University High Sch. (son of Mr. and Mrs. John Brust, Route 1, Slinger); and Jeffrey W. Towner, freshman at Ripon College (son of Mr. & Mrs. William A. Towner, 145 Daleview Dr., Plymouth).

Merchant Marine Academy

Kings Point, N.Y. (*three nominations*).

Berry E. Joas, Omro High School (son of Mr. Richard Joas, Route 1, Winneconne).

Peter F. Lee, Oshkosh High School (son of Mrs. June F. Lee, 937 Evans St., Oshkosh).

James M. Birschbach, Fond du Lac Branch Campus of WSU-O (son of Mr. and Mrs. Melvin A. Birschbach, 189 Amory Street, Fond du Lac).

All principals and alternates are to be congratulated for their selection through stiff competition, and I know those finally chosen will represent our Sixth District well at the academies.

"IT'S YOUR WORLD," CONSERVATION YEARBOOK AVAILABLE

The latest Conservation Yearbook, "It's Your World," published by the U.S. Department of the Interior, has been made available for $2.00 per copy. Persons interested in purchasing the book should send a check or money order to the Superintendent of Documents, Washington, D.C. 20402. This volume is one of a series of yearbooks which the Interior Department has published.

THREE FROM WISCONSIN LISTED AMONG 10 OUTSTANDING BY U.S. JAYCEES

I was overwhelmed to receive an award last week as one of the ten outstanding young men in America. This award belongs not to me alone but to the people of the Sixth District and to the many who have helped me during my first term in Congress and in my three terms in the Wisconsin legislature. While my thanks go to the U.S. Jaycees, appreciation for this award must also go to my wife, Janie, and to my parents, and the teachers and adults in Wisconsin who have long been working with youth activities, particularly at Oshkosh High School.

Also named to the national list of ten were Bart Starr, 35-year-old quarterback of the Green Bay Packers, and Wesley D. Pavalon, 35-year-old founder of the nationwide Career Academy training schools, and the head of the group which brought the Bucks basketball team to Milwaukee.

The seven other winners of this year's TOYM award are: Robert J. Acosta, 29, Chatsworth, California, blind teacher and founder of organizations for blind teachers and students; James F. Hoge, Jr., 33, of Chicago, Illinois, editor of the Chicago Sun Times; Navy Chaplain Raymond W. Johnson, 34, Pensacola, Florida, a Silver Star Medal winner; James R. Jones, 29, Muskogee, Oklahoma, a lawyer and advisor to President Johnson; tennis star Lt. Arthur R. Ashe, Jr., 25, Richmond, Virginia; four minute miler James R. Ryun, 21, Wichita, Kansas; and Sam Wyly, 34, Dallas, Texas, president of the University Computing Company.

WHERE YOU CAN REACH ME

This month my Washington staff and I moved to a new and larger office in the Longworth House Office Building. Please note the change below.

In Washington: Room 1025, Longworth House Office Building, Washington, D.C. 20515 (phone 202—225-2476).

In Oshkosh: Room 201, Post Office Building, Oshkosh 54901 (phone 231-6333).

In Fond du Lac: Room 205, Post Office Building, Fond du Lac 54935 (phone 922-1180).

In Sheboygan: Room 205, Post Office Building, Sheboygan 53081 (phone 452-3313).

STEPS TAKEN TO REMOVE POLITICS FROM POST OFFICE JOBS

Since the start of this new Congress, I have moved to implement my proposal to remove political influence over the appointment of postmasters and rural carriers.

You may recall the first bill I introduced in 1967 was to take politics out of the Post Office, I have re-introduced this legislation (H.R. 1369) in the 91st Congress, and will push for action by the House.

Traditionally postmaster and rural carrier appointments are made at the recommendation of a Member of Congress whose party controls the White House.

With the new President being a Republican, I am now called upon to make recommendations in the Sixth District when a postal vacancy occurs. However, since I am making every effort to remove from party politics all appointments of postmasters and rural carriers in the Sixth Congressional District, I will make no recommendations.

To gain agreement from those most immediately affected, this matter has been discussed with the Republican executive board in the Sixth District. They have endorsed my plan to assure nonpartisan appointments to the postal service in our district. Appointments will be based on merit determined through a U.S. Civil Service examination rather than on political party influence.

In all cases where my recommendation may be sought during the Nixon Administration, I will request that vacancies in these positions be filled by the top-ranking applicant on a list of those qualified and eligible after an open, competitive examination.

Best regards,

WILLIAM A. STEIGER,
Member of Congress.

PROGRESS OF GRAPHICS INDUSTRY

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. BRASCO. Mr. Speaker, the graphics industry is today playing an increasingly important role in our economy. It has become an indispensable tool to both heavy and light industry, to large and small businesses, to manufacturers as well as service companies. Almost every facet of business today utilizes, in some form, graphic design services.

I would, therefore, like to call to your attention the outstanding achievements of BJB Graphics, Inc., of New York, one of the leading graphic design studios in the country. This firm has established itself both as a leader and a strong voice for its industry. It has concerned itself not only with its own corporate growth, but the healthy growth and stability of the graphics field in general. It continues to strive for the highest ethical practices, new job opportunities for those who wish to enter the field, and new and modern ideas and innovations that can benefit industry.

BJB Graphics, Inc., is a product of the American free enterprise system. It is a credit to this system and, hopefully, will serve as an example for other firms to follow. Founded in 1951 by Irving Binder, Robert Bollin, and Harold Just, its only assets were the talents of its three principals and their confidence in themselves and their industry.

Today, BJB Graphics creates and executes sales promotion literature, catalogs, direct mail campaigns, audio-visual slide presentations, brochures, packaging designs, exhibits, displays, and other sales and promotional materials for many of the world's most prominent companies. It recently became one of the first publicly held graphic studios in the country, setting still another example for companies in its field to follow.

It is hoped that the graphics field continues to grow and prosper in the years ahead. For, surely, it has become one of the most accurate barometers of our economy. Its growth can only insure the continued growth of all industries, both large and small, in this country.

ELECTORAL REFORM

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, on January 28, I joined in introducing for consideration by the House, House Joint Resolution 317—a joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States.

The events of this past year have underscored the need for electoral reform and made it clear to the American people that the time for election reform is here. As the Nation watched presidential returns pour in on the night of November 5, 1968, the possibilities of what could happen and the realities of some things that did happen were staggering. As the minutes ticked by, and the vote tally boards clicked on, the Nation watched in amazement as news commentators listed all the bizarre possibilities. A President could have been elected who received fewer popular votes than his major opponent. The outcome of the entire election could have been thrown into the House of Representatives. In that case each State would have had only one vote and a majority of 26 votes would have been necessary to elect a President—thus opening up a Pandora's box of possible deadlocked State delegations and third-party bargaining power. The vote in the House could not have taken place until at least January 6 which would have left the Nation and the world in an extended period of uncertainty. If the election went to the House, it would have been possible for the Senate to have chosen a Vice President from a different party than that of the President chosen by the House. Although none of these possibilities became realities, they were imminent enough to make the need for reform clear.

All over the Nation votes cast were discounted because only those cast for the candidate receiving a plurality of the votes in a State are effective under our present "winner take all" system of casting electoral votes of the several States in the electoral college.

All over the Nation people thought they were voting for the candidate of one of the national parties. They were not. They were voting for a slate of electors whose names were usually not even on the ballot. Under the present system there is no constitutional requirement that these electors vote for the same candidate that the voters did. The "faithless elector" from North Carolina who cast his vote for George Wallace this year, despite the fact that a majority of the votes cast in his State were for Richard Nixon, provided a vivid example of how individual voters, and in fact, the majority of voters might be disenfranchised under our present system.

While there are difficulties inherent in any of the electoral reform proposals, it is clear that reform is necessary. Direct popular election offers the possibility of bringing together presidential electoral practice and the expectations and good judgment of the American voter. In order that the electoral reform of a direct presidential election may be fully effective, I think that amendments should be offered at the proper time to provide for the contingency of State requests for a recount of the votes cast. A national commission on the certification of presidential and vice presidential votes should be established. This commission's functions should include the conduct and supervision of such recounts. There might be included a provision that, in the event of a recount of a State's votes where the total number of presidential votes cast in that State would not change the outcome of a Presidential election as determined by the popular vote not contested by a recount, the candidate clearly receiving a majority vote would be declared to be the winner without delay to await the outcome of such recount.

These items have troubled many persons who, like me, have long sought a workable alternative to the present electoral college as a way to permit maximum participation by individual citizens in the election of their President and Vice President.

FOR EXPULSION WITHOUT AMNESTY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. DERWINSKI. Mr. Speaker, we are aware that the latest victim of radical student behavior is the University of Chicago. The pattern at Chicago follows the classic blueprint used by subversive and anarchist groups to create campus turmoil.

The Chicago Tribune has provided a very objective insight into the Chicago situation in editorial carried February 3 which commented very vigorously on the policy that the university would do well to adopt. It follows:

FOR EXPULSION WITHOUT AMNESTY

The University of Chicago has a well deserved reputation both for high academic standards and for placing a minimum of limitations on its faculties and students. These days the character of the university administration is being tested by a few hundred student members of the academic community.

Only university administrators can determine how well the University of Chicago will withstand the current test. But nearly every adult in greater Chicago and scores of millions beyond our city will have ideas about what the university should do and judgments on what it does do.

From the viewpoint of everyone except the handful of anarchists who constitute the hard-core disrupters and who identify with them, success in coping with the current troubles means ending quickly the seizure of administrative offices—and on terms discouraging to resort to disruptive tactics at other times and places. Speed is necessary to minimize the interference with the vast majority in the university who want to get on with their proper work now. Terms discouraging to disruption are needed to deter repetitions of outrages.

Early in the current seizure, an unnamed university official said, "If this continues, we will close the school or seek court help." The choice should be an easy one: Seek court help. Closing the school even momentarily represents defeat for the institution and victory for the anarchists determined to impair it.

Many will inquire, "Why not call upon either university security men or [if they are too few to do the job] city police to remove the squatters bodily?" Why not? University spokesmen are not at the moment answering such questions. If they did, they might express anxiety lest they topple ever larger blocs in the academic community into defiance of the administration. Even more likely, they might express reluctance to invoke muscle in a community which characteristically settles disagreements by appeals to reason and evidence.

The muscular disrupters count on this reluctance to use muscle. But it is high time, on the Midway and elsewhere, to be resolute.

Resolution might mean telephoning the chief of police. But a university is not without power over its own. We suspect that a no-nonsense proclamation that disruption of university processes means prompt expulsion, without any expectation of amnesty, would spell success for President Edward Levi and his administration. Chicago has a selective admissions office. Its students have brains and have shown the capacity and intention of using them. If the university gives them the message, they will get the message.

If any should not get it, follow thru. Expel them, cease sheltering them from arrest, and let other high-ranking schools reassert the well established practice of not admitting people ineligible to reenter the school they last attended.

The lark of a sit-in or even a serious effort to subvert one's alma mater will not appeal if the price is lasting damage to one's own career. That price is too high for any but dangerous fanatics to pay. It is not too high for the University of Chicago and other schools beleaguered by anarchists to exact.

THE NEED FOR A NATIONAL OCEANIC AND ATMOSPHERIC AGENCY

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, I think it is most encouraging to note that President Nixon's first message to Congress is one which asks for an extension of his authority to propose Government reorganization plans. We are all aware of the urgency of this request in light of the long overdue need for reform in the executive branch. I would hope that we could grant this authority immediately so that the President could get on with his plans for reorganization. If I may quote from President Nixon's message:

> New times call for new ideas and fresh approaches. To meet the needs of today and tomorrow, and to achieve a new level of efficiency, the executive branch requires flexibility in its organization.

The President reminded us that since 1932 Congress has recognized the need of the President to modernize the Federal machinery. Given the complexities of the times, that need is more pressing now than ever before in our Nation's history.

Today I would like to address myself to one such reform proposal which is directed at our "new times" and which is the embodiment of "new ideas and new approaches." I am speaking of the need for a National Oceanic and Atmospheric Agency and I would hope that this will receive high priority on the President's list of reform proposals.

The proposal to which I am referring is one of many made by the President's Commission on Marine Science, Engineering and Resources in a report released on January 11 of this year. As you will recall, the Commission was established under the authority of Public Law 89-454 known as the Marine Resources and Engineering Development Act of 1966. The recommendations of the 15-member Commission under the chairmanship of Mr. Julius A. Stratton are the product of an exhaustive 2-year study. The findings and recommendations of the Commission are detailed in their 534-page report entitled, "Our Nation and the Sea." We are all greatly indebted to the Stratton Commission for this scholarly and most illuminating report.

As I have mentioned before, the proposal for a National Oceanic and Atmospheric Agency, or NOAA, is but one of many made by the Commission, and yet it is the one item which the Commission urges for immediate adoption. In the words of the report:

> We believe that it will mobilize the resources of our government in the most effective manner to lend strength and power to the Nation's marine commitment. The incremental cost in taking prompt action for consolidation will in itself be relatively small. The added effectiveness for the fulfillment of the national program should be enormous.

It is for this reason that I am calling attention to the proposal at this time. The Commission has ably demonstrated the need and urgency for such a reform. At a time when Executive reorganization is receiving such widespread attention, it is incumbent upon us in the executive and legislative branches to give careful and immediate consideration to proposals such as those made by the Stratton Commission.

Why do we need a new independent agency such as the National Oceanic and Atmospheric Agency? To borrow from the words of the Commission report:

> Marine missions have proliferated throughout the Federal Government, but most programs are too small to achieve real effectiveness. There are voids and overlaps. . . . The Commission finds that the present Federal organization cannot meet the changing, broadening aspects of marine affairs. . . . A new, strong Federal focus for marine activity is essential to a national ocean effort.

The Commission report carefully documents the argument that present attempts to coordinate marine activities are woefully inadequate. And the report makes clear that without proper coordination we may well lose out in one of the greatest opportunities available to man to improve his condition here on earth. To quote again from the report:

> The Ocean does not yield its food and mineral treasures easily; damaged environments are not restored by scattered attacks or the good intentions of a few; the planet's dominant element cannot be understood, utilized, enjoyed or controlled by diffuse and uncoordinated efforts. The Nation's stake can only be realized by a determined national effort great enough for the vast and rewarding task ahead.

Mr. Speaker, there is little doubt that our last great frontier here on earth, the sea, does offer the key to the very survival of mankind. Its potential for new food, drugs and minerals is inestimable and we have only begun to tap this vital resource.

The proper exploitation of this new frontier can make a great contribution in terms of expanding the economy, creating new jobs and products and meeting the challenges of the population explosion. In the words of the Stratton Commission:

> The Nation's stake in the oceans is therefore an important part of its stake in the very future of man's world.

With the prospect of the world's population doubling by the turn of the century and the population of our own country approaching the 350-million mark, we can no longer afford to stumble along on half-programs and fragmented efforts to develop our vast marine resources. We must pay close heed to the findings and recommendations of the Stratton Commission and take appropriate action. I think we should turn our immediate attention to the Commission's proposal to establish the National Oceanic and Atmospheric Agency to coordinate our efforts in this area.

Under unanimous consent I submit an article appearing in the February 1, 1969, issue of the Saturday Review entitled, "The Pulse of Earth: Exploring the Air-Water Sea" for inclusion in the CONGRESSIONAL RECORD. In this perceptive article by John Lear, the exciting potential of the sea is discussed along with the need for the National Oceanic and Atmospheric Agency.

The article follows:

THE PULSE OF EARTH: EXPLORING THE AIR-WATER SEA

(By John Lear)

The pulsebeat of planet Earth has not yet been counted. But a pulse is there. Several manifestations of it are regularly observed. A rhythmic throbbing in the magnetic shell enclosing the planet arises from the solar wind and has been detected by spaceships sent from Earth. Within the magnetic sheath, Earth's atmosphere expands and contracts with cyclic heating and cooling of the sun as day passes into night and into day again. Below the atmosphere, Earth's oceans rise and fall in amplitudes that must be approximated rather than measured exactly because the terrestrial crust on which the observers ride is also undulating in answer to the tidal pull of the moon.

Popular awareness of the exciting potential of a grand pattern is so narrowly confined that a political document reflecting some practical sense of the scientific reality is startling to come upon. And just that kind of rare public paper reached print during January 1969 through the initiative of former President Lyndon B. Johnson's Commission on Marine Science, Engineering, and Resources.

The commission's proposals did not explicitly extend into the magnetosphere. But they did treat Earth's oceans and atmosphere as one continuous, constantly interacting sea. The report further strained the bounds of political conventionality by advocating the creation of a new federal agency authorized to coordinate and direct peaceful exploration of the air and water from seven miles below to somewhere beyond 30 miles above the visible horizon.

The name suggested for the proposed exploration center was National Oceanic and Atmospheric Agency, or NOAA.

Was there any premeditation about this acronym?

Was there any intent to recall another, quite similar name?

If so, the report of the Commission on Marine Science, Engineering, and Resources made no mention of it. Nevertheless, a certain parallel could hardly be escaped. Noah was the name given in the book of Genesis to the character in ancient literature (he had another name in the older Sumerian account of the same event) who was called upon to transplant selected species of earthly life after men so fouled their habitat as to make it no longer livable by the old standards of decency. And one of the responsibilities assigned to modern NOAA is to rescue modern man from his own excrement. The assignment was couched in echoes of biblical phraseology: "Today, man's damage to the environment too often is ignored because of immediate economic advantage. To maximize the present economy at the expense of the future is to perpetuate the pattern of previous generations, whose sins against the planet we have inherited."

The call for NOAA has an historical significance on that score alone. But the idea of NOAA towers even higher than that. It is the closest approach yet made to a Department of Science in the Cabinet of the President of the United States. It could be the beginning of a method to set priorities on government spending for science, a means of mating scientific discovery and its technological offspring to the seen and felt needs of society.

Consider the immediately crucial social problems NOAA would be fitted to attack:

World-wide hunger. Because of the population explosion, peoples scattered around the planet—especially in lands that only now are developing as economic entities—are living at or near starvation levels. Their numbers will increase with time. The seas are a major source of the most inexpensive foods known.

Disease. Always a plague to man, it generates endless demand for medicines. The pharmacology of the sea is known only faintly, but that little packet of knowledge includes the fact that seagoing creatures have chemical means of fighting cancer and regulating behavior of the heart.

Natural disaster. Much of nature's havoc is wreaked in the air and on the surface of the oceans. Together, the atmosphere and the sea hold the heat of the sun and bandy the clouds about. Surveillance of the two in a continuous spectrum will certainly lead to more accurate weather forecasts and possibly to weather modifications.

Man's inhumanity to man. Whether measured in terms of power to pollute the environment or of failure to take the frailty of the human nervous system into account, this is a snakepit of problems that can be approached from the sea in a number of different directions. The waters of the Earth can work a soothing influence on overwrought nerves. Not the least promising prospects are eye-pleasing waterfront developments in coastal and lakeside cities.

Wastes. Esthetic disposal of these is an Augean job that must be done soon to accommodate the rising demand for potable water and for recreation.

Government reform. The American federal system is near breakdown. New mechanisms are urgently required to bring local, state, and national laws and regulations into harmony. Nowhere are the possibilities greater than in the nation's water and airways.

The hope of peace. Cooperation among the nations in exploring Earth's oceans and atmosphere can enlarge the area of non-belligerent status that was established by the international agreements governing Antarctica. A global weather-watch, for example, would hold benefits for all commensurate with the best efforts of all.

Another hoped-for consequence of NOAA ought to be noted. This would be a stimulating effect on the expanding economy that all of us have come to rely on for personal prosperity. As population expands (by the year 2000 the inhabitants of this country alone are expected to number 350 million) the need for jobs will multiply. Already, thoughtful people are worrying about a possible slump in employment and a slippage in technological capability after the Aeronautics and Space Administration lands a man on the moon. Most, if not all, of the big privately owned manufacturing complexes now profiting from rich contracts with NASA have started to interest themselves in ocean floor exploration. Essentially the same skills are required to build vehicles capable of navigating extraterrestrial space and the deep sea. Extreme pressures and temperatures must be dealt with in both environments. Working parts must be rugged, dependable, and long-lasting. Remotely controlled robots must be devised to gather information inaccessible to humans, store it for release on command, and deliver it in easily readable form. Space technology cannot simply be transferred to seafaring purposes, however; the shift opens an immense new research frontier. For it turns out to be harder to transmit reliable messages from the bottom of the Pacific Ocean to La Jolla on the coast of California than from Houston, Texas, to the moon.

After one of the early company of astronauts, U.S. Navy Commander F. Scott Carpenter, joined the aqualung crew that worked in Sealab II on a shallow sea floor several years ago, he commented bitingly on the backward state of oceanic technology in contrast to the advanced technological state represented by spaceships. The report of the Commission on Marine Science, Engineering, and Resources was, if anything, more caustic. It called oceanic research instrumentation "inefficient, unreliable, inadequate"—thus further diminishing the validity of NASA's reiterated claims of terrestrial "spin-offs" from extraterrestrial space research.

The specifications for NOAA explicitly disavow any grandiose visions. "NOAA would not be the instrument of a 'crash' program but . . . would work for orderly and revolutionary progress into the sea," the report of the Commission on Marine Science, Engineering, and Resources stated. NOAA's primary mission would be to "ensure the sure and wise use of the marine environment in the best interests of the United States"; the new agency would function as "the principal instrumentation within the federal government for administration of the civil marine, and atmospheric programs."

The possibility that NOAA might ultimately grow into a Department of Science can be inferred from the report's observation that NOAA should be looked upon as "a step in a building process." An earlier step in the process had been the creation of ESSA (Environmental Science Services Administration) through combination of the old Weather Bureau, the Coast and Geodetic Survey, and the Central Radio Propagation Laboratory of the Bureau of Standards. NOAA would absorb ESSA (now part of the Commerce Department) along with the Coast Guard (thus removing it from the new United States Department of Transportation), the Bureau of Commercial Fisheries and marine and anadromous fisheries functions of the Bureau of Sport Fisheries and Wildlife (from the Department of Interior), the National Sea Grant Program (copied after the land-grant scheme through which American colleges did so much to advance agriculture) recently inaugurated by the National Science Foundation, the [Great] Lake Survey (from U.S. Army Engineers), and the National Oceanographic Data Center.

Through acquisition of the Coast Guard and ESSA, NOAA would immediately assume global proportions, with the Coast Guard Academy as a top-flight training school and with established connections to the United Nations that would also relate to the State Department. NOAA would command 320 seagoing ships, a fleet of research and observational aircraft, a set of high-speed data-recording systems, thirty eight scientific laboratories, and a staff of 55,000 people—20 per cent of them highly trained professionals, 40 per cent specially trained technicians. The activities of this sizable force would have to be meshed with the traditional activities of the Navy, the Army Engineers, the Atomic Energy Commission, NASA, and the Department of Interior—all of which now carry responsibility for one or another aspect of atmospheric and oceanic behavior. The National Science Foundation would relinquish to NOAA the funding authority NSF now holds over weather modification research, and over the National Center for Atmospheric Research at Boulder, Colorado; otherwise, NOAA would respect the present domain of NSF.

No ordinary scientist is likely to complete this intricate welding process successfully, the Commission on Marine Science, Engineering, and Resources recognized. "Only . . . a superb manager who knows the myriad problems and interrelationships of sea programs and who appreciates NOAA's potential to advance man's mastery of the seas" can do the job, the commission report said. And even a systems-management genius would fail without quick access to the White House. The report therefore recommended that NOAA be an independent agency and that its chief report directly to the President.

As quickly as this "superb manager" can be located, he should be put into office with strong legislation to protect his back. Regular reports from him to the Congress and the President would be guaranteed by a National Advisory Committee for the Oceans appointed by the President with the advice and consent of the Senate. That is the one point labeled "for immediate adoption" in the entire report on NOAA. There is no time to lose, the fifteen commission members, headed by Ford Foundation Board Chairman Julius Stratton, declared unanimously. Some of their sense of urgency came from simple observation of how much had happened during the two years of their deliberations. Off-shore oil well drills were going down 640 feet below the sea floor when President Johnson appointed the commission on January 9, 1967, under the authority Congress gave him in the Marine Resources and Engineering Development Act of the previous June. When the report was issued on January 9, 1969, the oil well drills were 1,300 feet under the sea floor. Man-in-the-sea experiments were lasting for several days in 1967; now they last for several weeks. And deep sea submersibles today are able to cruise at a depth of a nautical mile.

Another source of the sense of urgency was the commission report's divergence from other recent reports predicting quick riches from the sea. The commission found no reason for rosy optimism. Man has a very long way to go before he plumbs the oceans, much less understands what he sees there—if, indeed, he can see very much. Even at depths of 1,000 feet, divers discover that mental concentration can be a major effort and that when their brains do reach decisions their muscles are slow to respond. One diver thought he was turning his body through a quarter circle; his torso did turn, but his feet stayed where they had been and his leg bones separated at the knee joints. Vocal cords are also affected by the pressures of the sea; instead of normal, clearly enunciated words, they produce squawking sounds like those Walt Disney invented for the speech of Donald Duck; communication is consequently difficult, often impossible. The cold of the dark and dirty water is so penetrating that Commander Carpenter saw fellow divers enduring body tremors with amplitudes of four inches.

Given NOAA, the Commission for Marine Science, Engineering, and Resources was ready to go slowly. It plainly wanted to avoid duplicating the offensive flamboyance of NASA. It wanted even more to prevent clashes between NOAA and the Navy. It wanted most of all to escape disturbance of the international liaison of ESSA with the U.N., and to promote universal popularity of the International Decade of Exploration that Washington has been pushing for the 1970's.

The international motivations were dominant for excellent reasons. It was a U.N. law-of-the-sea conference in 1958 that wakened Washington to the paucity of oceanic knowledge. One of the conventions adopted at that meeting fixed the limit of sovereignty over the sea bottom at whatever line is drawn by a 600-foot depth of water. Sovereignty implies not only ownership but right to exploit. The land area of the United States was extended by one-third of its former total extent by this convention, which acquired legal force in 1964.

EXTENDING THE RIGHT TO VOTE TO CITIZENS 18 YEARS OF AGE OR OLDER

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. ZWACH. Mr. Speaker, I am today introducing a House joint resolution which proposes an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older. This bill was introduced in the past Congress but did not receive action. There is a great deal of organized activity in some of the States of an educational nature leading up to individual State action.

It is my sincere belief that while the minorities at our colleges get 95 percent of the press and television coverage and exist largely in order to get this national coverage. It is also my opinion that the vast majority of our collegians and 18-, 19-, and 20-year-olds do not agree with the destructive shenanigans of the minority, but in order to suppress it, they would also have to become engaged in acts of violence.

The editorial page of the December issue of the Minnesota Journal of Education states:

> This could answer in small measure the complaint from that dissident minority who find demonstration and protest the only outlet for their expression of disapproval with the manner in which the nation's affairs are conducted. We will not repeat the many truisms regarding the obligation to serve in the military service at 18 without the right to decide on the country's course of action in its international involvement. The fact remains that the 18-year-old of today is prepared, by education, by experience, and by exposure to public affairs both in America and throughout the world to exercise the privilege of voting. To continue to deny this right in itself limits the precepts of democracy. It diminishes our modern concept of democracy.
>
> The median age of all Americans at the time of the 1960 census was 29.5 years. Approximately 10 million Americans are in the age group of 18–21 years of age. A larger number of young men and women graduate from college than ever before, and more are going on to college. Many, if not most, young men and women have seen more of their own country—and indeed the other countries of the world—than their parents had at a similar age. They know and understand our social and political customs, and more important in many respects, they know and understand the social and political customs of peoples throughout the world. No nation is investing a greater share of its material resources in preparing its young people for constructive citizenship, but few countries have been more lax in considering and reacting to the views of its young people than our country.

I commend this bill to your consideration and hope that this Congress may act upon its adoption.

NIGERIA-BIAFRA RELIEF

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. COHELAN. Mr. Speaker, in Africa, at this moment, a fratricidal war is threatening the lives of millions of people. The threat is not from armies, or even nuclear weapons, but from starvation.

In both Nigeria and Biafra reliable reports indicate that millions of people may die if food is not soon in coming.

The United States has been as neutral in this civil war as it is possible to be. We have imposed a complete arms embargo on shipments of military supplies to both sides. We have contributed money, food and transportation in the humanitarian effort to relieve mass starvation.

However, our efforts have not been enough. Starvation continues.

The United States can and must do more.

As a Member of the House of Representatives, and more particularly as a member of the Appropriations Subcommittee immediately concerned with foreign aid, I urge the new administration to intensify our efforts to alleviate the suffering by enlarging our contributions of money, food and transportation.

I am, today, joining the other concerned Members of this body who have introduced concurrent resolutions to formally urge the President to take this increased relief action.

The text of the resolution appears below:

> RESOLUTION
>
> Whereas reliable reports indicate that there is a tragic loss of life in the Nigerian Civil War caused by starvation and disease in areas controlled by the Federal Government and under the control of the "Biafran" authorities;
>
> Whereas present relief operations are inhibited by poor roads, bad weather, inadequate transport, and the inaccessibility of certain areas to overland supplies; and
>
> Whereas increased shipments of food and medical supplies are needed to reduce the tragic rate of starvation; Now, therefore, be it
>
> *Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress (1) that the President should act to increase significantly the amount of surplus food stocks, relief monies, noncombat aircraft, and such other vehicles of transportation as may be necessary for relief purposes; and this relief assistance should be made available to and at the request of the Organization of African Unity, UNICEF, the International Committee of the Red Cross, and such other suitable religious and charitable relief agencies now or hereafter operating in the area with the consent of the responsible authorities; and (2) the Government of the United States should solicit the cooperation of other nations in this humanitarian effort.

THE AMMUNITION FARCE

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. ULLMAN. Mr. Speaker, I would like to bring to the attention of my colleagues an editorial regarding the ammunition recordkeeping provisions of the Firearms Control Act of 1968. This editorial appears in the February issue of the American Rifleman and points up the need to repeal these burdensome and objectionable ammunition provisions of the Gun Control Act. I include the article in the RECORD at this point:

> THE AMMUNITION FARCE
>
> If a Federal law required every motorist who bought gas to give his name, address, age, and driver's license identification because a few hoodlums use gasoline for Molotov cocktails, the public protest would rock the Nation.
>
> Something similar has been imposed on firearms owners under the 1968 Gun Control Law, and an outcry against it as being outrageous and ridiculous is shaping up. Without guessing at the decibel count, it can be predicted that it will be highly audible.
>
> An estimated 40 to 50 million Americans buy ammunition at some time or another for some legal purpose. They have as much right to do so, unharassed by red tape and legalistic nonsense, as the purchasers of gasoline, liquor, cigarettes, television sets, or anything else.
>
> The Gun Control Law passed by Congress last October virtually says as much. Its preamble asserts that it is intended to control crime and is *not* intended "to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms. . . ."
>
> Obviously, firearms cannot be used without ammunition. So the Congress apparently intended that law-abiding citizens should have unhampered access to ammunition.
>
> Yet, somewhat in contradiction to this ringing resolve, the law as passed required under Sec. 922b(5) that dealers keep in their records "the name, age and place of residence" of individuals and the identity of corporations buying ammunition.
>
> While the Federal administrators of the law have sought to apply this requirement as reasonably as possible, it affects an estimated 100,000 firearms dealers and perhaps 2 to 5 times that many assorted businesses which sell ammunition but not guns. In rural and isolated areas, groceries, drugstores, filling stations and the like stock small arms cartridges and shells. Thus hundreds of thousands of dealers are being obligated, if they choose to stay in business, to keep detailed records of every sale and every buyer. The mass of paperwork threatens to be as monumental as it is useless.
>
> Very little if any of all this can serve the least purpose in reducing crime, the avowed aim of the Gun Control Law. Ammunition carries no serial numbers, many cartridge cases are reloaded and lose some of their already limited identity, and, as leading U.S. experts pointed out in this magazine (Oct., 1968, pages 37–47), it can be exceedingly difficult to trace ammunition that has been used illegally even when there are apparent connections between specific rounds and a definite crime.
>
> Actually, ammunition is as numerous and anonymous as the sands of the sea—or matches in the hands of millions of smokers. (Arson is a major crime. Who proposes curbing arson by registering match buyers?)
>
> The requirement that every honest person who buys so much as a 75¢ box of .22 rimfire cartridges give personal data and identification and be registered on a dealer record goes counter to the declared purpose of the Gun Control Law and constitutes an unwarranted and unnecessary burden on both buyer and seller.
>
> From time to time, lawmakers with the best of intentions have banned liquor, contraceptives, and supposedly naughty books. Without entering into the pros and cons, it can be said that the usual result of such bans is to boost the black market sales of the prohibited items.
>
> Without question, the ammunition restrictions can readily be changed and there is reason to hope that they will be.
>
> Soon after Congress convened, Rep. Al Ullman (2d Dist., Oreg.) introduced a bill, H.R. 913, to exempt smallarms ammunition from provisions of the 1968 Gun Control Act. It was referred to the House Judiciary Committee. Other such measures may be expected in both Senate and House.

The Congress could render a distinct service to many millions of good Americans by amending the Gun Control Law to confine it to its expressed purpose of repressing crime without harassing law-abiding citizens with silly, pointless regulations.

HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. EDWARDS of California. Mr. Speaker, yesterday I appeared before the House Rules Committee and presented a statement in which I was joined by my colleague on the Judiciary Committee, Mr. Abner J. Mikva, in opposition to House Resolution 89, which would change the name and the mandate of the Committee on Un-American Activities. In view of the fact that we may be debating this matter on the floor of the House in the near future, I request that our statement be inserted in the Congressional Record so that other Members of the House may be considering this matter in advance of our vote. Mr. Speaker, I am particularly distressed that the Committee on Rules did not hold hearings on the 32 resolutions already introduced by other Members of the House which have a direct bearing on the same question, namely the action the House should take regarding the Committee on Un-American Activities.

The statement follows:

Statement by Don Edwards, Democrat, of California, and Abner J. Mikva, Democrat, of Illinois, Before the Committee on Rules, House of Representatives, on House Resolution 89, To Change the Name and Mandate of the Committee on Un-American Activities, February 4, 1969

Mr. Chairman, I appear before you today in opposition to H. Res. 89, which would rename the Committee on Un-American Activities as the Committee on Internal Security and would also re-word its mandate. The jurisdiction of the Committee would be over "Communist and other subversive activities affecting the internal security of the United States." It would be authorized to make investigations of:

(1) "The extent, character, objectives and activities . . . of organizations or groups . . . their members, agents and affiliates, which seek to establish, or assist in the establishment of, totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or of any state thereof, by force, violence, treachery, espionage, sabotage, insurrection or any unlawful means.

(2) "The extent, character, objectives and activities within the United States of organizations or groups, their members, agents and affiliates which incite or employ acts of force, violence, terrorism or any unlawful means, to obstruct or oppose the lawful authority of the government of the United States and the execution of any law or policy affecting the internal security in the United States . . ."

Although the words would be different, nothing would be changed. Indeed, we have the commendably candid statement of this resolution's principal author, Chairman Richard Ichord of the Committee on Un-American Activities, when he introduced a similar resolution in the 90th Congress (Congressional Record, vol. 113, pt. 1, p. 725):

"The point I would like to stress above all else is that my purpose in introducing this resolution is to preserve, for the Committee, the full jurisdiction and all the powers it has possessed during the almost 29 years of its operation under its present mandate.

"I have introduced this resolution, not because I am opposed to the Committee or to the areas in which it has made investigations in the past, but because it is my desire to strengthen the Committee in every possible way, clarify its mandate and eliminate any possible misunderstanding and confusion about the specific powers and jurisdiction of the Committee."

Nothing that the Committee has done in the past is disavowed. None of the investigations which have prompted more criticism of the House of Representatives than the action of any other committee in its history are to be repudiated. What has happened in the past can and will happen in the future—even with this re-working of name and mandate.

To be absolutely sure, even the resolution itself says, "Nothing in this resolution shall affect the validity of any action or proceeding of the Committee on Un-American Activities or of the House of Representatives before the date of adoption of this resolution . . ."

All of the objections to the Committee that have existed in the past, to its operations, to its staff, to the circus type atmosphere which has permeated many of its hearings, would still be feasible under the new name and mandate.

It is true that in the few hearings chaired by the present chairman, he has attempted to maintain a dignity and decorum that has been lacking on too many occasions in the past. Nevertheless, he has not been successful, as he cannot be, because it is the Committee, the very existence of the Committee that is wrong. No amount of stern control of the gavel will change the fact that this Commitee should not have come into existence at all and should long since have departed from the scene.

You may remember that even a prior chairman of the Committee, Congressman Francis Walter, stated that he was one of the forty-two men who voted against creating the committee as a standing committee, along with present Speaker of the House, John W. McCormack.

No matter how the mandate is changed, no matter how it is limited (and it is not) what is sought to be maintained is a permanent standing investigating committee to investigate not how government agencies enforce the law or how the appropriations made by Congress are spent—a proper legislative oversight function—but to investigate members of the public to determine if they have said the wrong thing, joined the wrong group or violated the laws. Even if the free speech issue were totally eliminated from the mandate—and it is not—the committee would still be at variance with the constitutional traditions of our country, because it asserts the right to call individuals before it whom it accuses of committing crimes. Those individuals are given none of the procedural rights which our Anglo-Saxon Law has historically insisted are necessary in a free society: The right of a grand jury of one's peers to determine whether probable cause dictates an indictment; the right to know the specific charges against the individual; the right to the effective assistance of counsel; the right not to be tried by a kangaroo court, but before an impartial jury and a neutral judge.

None of these rights are accorded by this committee, it has not accorded them in the past, and there is no indication that it will accord them in the future. It has, in the past, candidly said that its purpose is to expose individuals to the "pitiless glare of publicity". Is that a proper legislative function? It is not and can not be. Even the committee in more recent years has acknowledged that fact by backing away from that contention.

We have investigative agencies of the executive branch of the government, including the FBI and police departments throughout the country. They have investigative resources and training which makes the staff of the Committee seem like Keystone Cops by comparison. It is with those investigative agencies that we must place our reliance in protecting the security of the country. If they are not doing their job, then it is up to the Congress to provide the funds or the manpower so that they can do their job. However, I have heard little criticism of the Federal Bureau of Investigation in protecting this country against spies and saboteurs.

The proposed change of mandate does not eliminate the First Amendment problem in the present mandate of the Committee or eliminate the problems of vagueness and indefiniteness that Congressman Ichord conceded do now exist. The proposed new mandate is not spelled out in "clear, unambiguous language." The Committee would be authorized "to investigate groups which seek to establish a totalitarian dictatorship within the United States" with no limitation that the establishment be made by force or violence. There are those who fear that many of the statements made by Independent American Party presidential candidate, George C. Wallace, were those which would have many of the attributes of a totalitarian dictatorship. He spoke loosely of eliminating constitutional rights for a portion of the population. Many of his statements seemed to be aimed directly at undercutting the independence of the judiciary.

I am not suggesting that the proponents of H. Res. 89 would investigate Mr. Wallace and the Independent American Party, but, I am saying, that under this mandate, the Committee at some time in the future, could contend that it had the authority and jurisdiction to make such an investigation.

The mandate would authorize an investigation of a group which seeks to alter the form of government of the United States by "treachery". What does that mean? Could it include a group which is willing to make a political deal in order to enlarge its political strength? The words have no accepted legal definition.

Section (b) (2) authorizes the investigation of groups which would "seek to obstruct or oppose the lawful authority of the government of the United States and the execution of any law or policy affecting the internal security of the United States". Would this include investigating governors of states which engage in massive resistance to school desegregation? If the Committee conceives that "organized rioting, burning, looting and other tragic acts of violence" are encompassed within its mandate in the past, then nothing would be outside of the purview of internal security in the United States. Would not the massive defiance of law by school boards, state boards of education and governors, be considered insurrection or obstruction or opposition "to the lawful authority of the government of the United States"?

For those who take comfort in the thought that there is little likelihood that the present committee would engage in investigations of that kind, do not forget that committee membership changes. For those who have applauded the committee in the past, don't be so sure that you will always want to applaud it in the future, depending on whether you agree with its targets or not.

Although, the proponents of this resolution disclaim any intention of changing the mandate or jurisdiction of the Committee, it is clear that it would intrude on areas of criminal law, previously within the jurisdiction of the Committee on the Judiciary of which we happen to be members. No one has seriously challenged the competency of that Committee to provide the necessary legislative tools to protect the internal security of this country. It has, in the past, reported many criminal laws aimed at espionage, sabotage and other acts which seriously affect national security. Those laws, in contrast to the ones which have emanated from this Committee have not been tied up with constitutional challenges and have been operating effectively. The legislative product of the House Committee on Un-American Activities still have not been responsible for putting a single person in jail. Indeed, they have been responsible for tying up the resources of the executive branch defending those laws against constitutional challenges. The Internal Security Act of 1950, although finally upheld by the Court, is and always has been unworkable. The Communist Control Act of 1954 never has been utilized, since no one is quite able to figure out what it means. The other Acts of the Committee have never been utilized, in spite of the cries of woe which accompanied their passage, that the country was doomed if they were not enacted into law.

There are, presently pending, before this Committee some thirty-two resolutions which would result in ending the existence of the Committee on Un-American Activities and making more definite the jurisdiction of the Judiciary Committee in the internal security field over which it now has plenary jurisdiction. Similar proposals have been introduced in past Congresses. None of them have ever had a hearing by this Committee in which their proponents would have an opportunity to urge their adoption. Those resolutions deserve their day in court.

H. Res. 89, in conclusion, should not be reported. It would merely put new trappings on a thoroughly bad institution. Now is not the time to sanitize a committee which in the past, has undercut the dignity of the House and infringed on the rights of American citizens. Dressing it up in new clothes will not change it. It will continue to have the "full jurisdiction and all the powers it has possessed during the almost twenty-nine years of its operation." It is about time that we put it out of existence, thereby, putting our own house in order.

THE NATION'S FARM AND URBAN PROBLEMS

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mrs. MAY. Mr. Speaker, as a member of the House Committee on Agriculture, I am especially aware of the relationship between the Nation's farm and urban problems. Recently, Mr. Robert C. Liebenow, president of the Corn Refiners Association, made an eloquent and thoughtful address on this subject before the Airport Rotary Club of Los Angeles. Inasmuch as Mr. Liebenow's address sheds fresh insight on this vitally important subject, I have unanimous consent to place it in the CONGRESSIONAL RECORD:

REMARKS OF ROBERT C. LIEBENOW, PRESIDENT, CORN REFINERS ASSOCIATION, INC., BEFORE THE ROTARY CLUB, LOS ANGELES, CALIF., JANUARY 9, 1969

To begin with, let me offer a note of reassurance.

I did not come here armed with the facts and figures to forecast next year's corn crop, nor did I come to discuss the present situation in livestock. I prescribe those subjects as the quick cure for post-luncheon insomnia.

Still, agriculture is my field—agri-business if you will—and I'm a bit fearful of straying too far from it. So, instead of crops and livestock, I've decided to stick to a short report on the weather—the weather as it affects people, not crops, and the effect that the change it brings is having on urban America, as well as rural America.

At the moment, the forecast does not seem very optimistic. A quick glance at the horizon tells us that clouds are brewing, and they may be stormy.

Perhaps there is no way to ward them off, but certainly we can prepare by recognizing that many of the problems of the space-starved city and the opportunity-starved countryside share a common thread.

In a generation we have seen new technology wipe out millions of jobs in farming, mining, and lumbering. Between 1950 and 1960, while U.S. population grew by one-fifth, the population of our rural communities dropped by 15 percent. We have seen the dust of disuse collect in one rural community after another.

Flourishing manufacturing towns and railroad centers deteriorated into mere aggregations of grocery stores, filling stations, taverns, cafes and small garages. Each of you has seen the hollow shells, scarred by boarded-up stores and big, half-empty houses—shrinking to a point that they could neither attract nor hold young doctors, dentists and lawyers . . . to a point that it became harder to build and maintain good schools and churches and hospitals and playgrounds.

But these communities did not pay the price of decay alone.

Gradually, it began to take longer in our cities to cross downtown in a car than it used to take in a cart. Too many people in too little space bred increasing congestion, noise, tension, polluted water and poisoned air. These are the results in part of a rural-urban imbalance that has put America out of joint.

Why and *how* did this happen? In part, I think the answer is this: we didn't understand what was going on in our country. Too much was changing—and at a too rapid rate.

Lacking understanding, we lacked the motivation to respond quickly to these problems. A rising concern about crime, congestion, poverty, and relief costs, yes. A growing annoyance at the abrasions of suburban living, yes. A vague disquiet over polluted water, poisoned air, and proliferated ugliness, yes.

But no general and widespread awareness of unbalanced growth. No true realization of our rapid descent into a condition in which—without effective action—mass concentration of people in virtually unlivable conditions would become fixed reality, hard to alter and nearly impossible to readjust.

I don't want to paint a picture that is overly grim, but I'm afraid that America still does not have a sense of the total crisis. Many people still see no need for a unified, clear-cut national growth policy, nor do they see the clear and close relationship between urban and rural problems.

And if we're going to achieve anything closely resembling balance in this country, we need not piecemeal, but comprehensive planning.

This country just can't afford over the next few decades to concentrate another 50 million or more people in very large metropolitan centers. Already for too many people the city has become a prison.

The historian Arnold Toynbee puts the danger in historical perspective. He points out that, "The imprisoned town dwellers of the past have been apt to develop an ugly temper. . . . An inescapable city cannot be a seedbed for vegetables or cereals, but it has often been a seedbed for riots and revolutions."

Nationally, the problem of country to city migration persists. The Department of Agriculture's Economic Research Service estimates that almost a quarter of a million persons leave rural America for the cities each year.

Certainly the impact here in Los Angeles has been crushing. The latest Census Bureau figures show that Los Angeles and Orange Counties alone netted well above 600,000 people through migration in the first six years of this decade alone.

Today, the Department of Agriculture projects that 44 percent of those entering the agricultural work force during the next decade must look elsewhere to find employment.

This means—especially when you couple the fact with the high rural birth rate that persists among the young who migrate to cities—that each year the Negro ghettos of this country grow by a net of half a million persons.

Obviously, the risks involved in sardining more and more people into less and less space are cause for grave concern and serious attention.

THE ALTERNATIVES

Certainly, I don't intend to pose here as an expert on the problem of rural-urban imbalance. After negotiating the traffic-snarled highways around Washington and Chicago for years, I'm beginning to think I might qualify on that score.

There must be an alternative.

From my observation, in one way or another it will involve rural America as a pressure valve for the cities.

Already, other nations are embarked on such a course. In England, more than 20 flourishing new cities have been built—and more are being planned.

It seems certain that sooner or later we *must* decentralize some of our commercial and industrial activity—that we *must* build new towns outside of metropolitan America—that we *must* encourage families to relocate—that we *must* invest considerable sums in the development of rural areas.

To do it, we must remold opinion, and we must reshape the Department of Agriculture.

On the first front, urban Americans need to attain a greater awareness of rural problems.

They should *know* and understand that farm programs aren't a billion dollar boondoggle for a bunch of fat cat farmers who don't need help anyway.

The *must* know and understand that assistance under the commodity programs, for example, can't be equated with welfare handouts.

They must know and understand that too little attention to the special problems of the small farmer has had a part in too much congestion in our cities.

They will have to care.

Today, with less than 50 congressmen from districts with 20 percent or more farm population, out of 435 Representatives, it has become impossible to pass farm programs or to get appropriations to handle farm programs without the help of urban congressmen.

You, as leaders of this great metropolitan community, can help reshape opinion on this score. And I urge you to do so.

As I said earlier, the Department of Agriculture itself must undergo some change.

I think some of our urban congressmen have had this in mind for quite some time. One of the first bills introduced at the beginning of each session of Congress is a resolution that usually reads—quote—"At no time shall the number of employees of the Department of Agriculture exceed the number of farmers in the United States." Well, the gaff in that is almost gone.

Obviously, the Department could use a good overhauling. For a start, it should be renamed the Department of Rural Affairs. Its present responsibilities now extend far beyond the needs of farmers, although these remain—and justly so—its principal responsibilities.

Today, the Department is charged with supplying adequate lunches for school children and adequate diets for hungry people; with dealing with growing nations that represent new markets; and with providing adequate food at reasonable prices to consumers. The Secretary of Agriculture himself, under the existing system, ends up wearing more hats than anyone in the Cabinet.

Unquestionably, the job of Secretary of Agriculture has become the most thankless in our government. The man who holds this office has a large and highly visible constituency. And certainly even his critics would concede that Secretary Freeman has the qualities of imagination and diligence. Yet these found him no great favor with his constituents because too often he was hamstrung by an antiquated organizational structure.

For this reason, too often the Secretary of Agriculture finds himself in the same position as Pat O'Mally when Father O'Sullivan came to give him the last rites.

"Now, Patrick," says the Father, "are you ready to accept the Lord and renounce the devil?"

"Sure, Father," Pat says weakly, "I accept the Lord, but I don't believe I'm in a position right now to antagonize *anyone*."

It is a problem. It can be changed.

Moreover, the present framework is grossly unfair to farmers. For one thing, the public tends to view the Department's entire budget as aid for farmers, when actually only about half of it goes into programs that assist farmers directly.

Beyond that we need badly to eliminate the present fragmented approach to problems such as help for the rural poor and in programs that provide technical assistance to farmers.

SUMMARY

As I said at the outset, there are clouds in the forecast. Unless we can revitalize the rural areas of this country, the rebuilding job for our cities may never really begin. I believe there is a growing awareness that these problems represent two sides of the same coin. This, coupled with bold planning and action, can help us solve the people-space equation.

The trend has now taken us to a point that seven out of ten Americans now occupy less than two percent of the land. That trend need not continue.

It won't if we believe, as Ernest Hemingway once wrote, that "The world is a fine place and worth fighting for."

NASA DESERVES HIGH PRIORITY

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. MILLER of California. Mr. Speaker, the Plain Dealer of Cleveland, Ohio, published an editorial on December 30, entitled "NASA Deserves High Priority." The editor of the paper forcefully points up the reasons why NASA's space program should be supported.

I commend its reading to my colleagues:

NASA Deserves High Priority

The remarkable achievements of the Apollo 8 moonshot should remind Congress and the nation that the continued success of the U.S. space program depends on an adequate budget.

Sufficient funds will be made available for the National Aeronautics and Space Administration (NASA) to carry the Apollo project to its conclusion next year with a manned landing on the moon. What remains in question is how far Congress is willing to go beyond that point.

NASA's original budget request of $5.1 billion for the current fiscal year was quickly pared by the President to $4.37 billion. Another cut, this time by a congressional committee, lowered the figure to $4 billion and now it appears that the final amount may be slightly under $4 billion.

There has been talk about further reductions in coming years.

Some programs not directly related to Apollo have been delayed or canceled by NASA. The agency's work force has fallen from a peak two years ago of 420,000 employees to about 200,000.

In a speech here in September, James E. Webb, who has since retired as NASA's administrator—bemoaned the cutbacks and said the Soviet Union's space program was ahead of the United States'. He said:

"The true cost of these actions (cutbacks) will be measured in future years, not only by the opportunities we have lost and the high cost of re-establishing large booster production lines. (The costs will also be measured) by the time, anxiety and doubts of our ability which will attend a position of being forced in the 1970's to try and catch up as we had to 10 years ago."

Those who argue that the country should be spending more money on important domestic programs are correct. But these increases should not have to come at the expense of American space exploration and newly-born world prestige.

NASA's needs deserve high priority. There should be no lost opportunities. When the first American sets foot on the moon next year, his accomplishment should symbolize a beginning, not an ending.

MY PHILOSOPHY OF LIFE

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. SIKES. Mr. Speaker, sometimes inspiration is borne of sorrow and this was never more aptly shown than in the story of Jan Newberry Cooley.

Jan was a lovely young woman with devoted and loving parents, husband, and sister. Almost on the threshold of adult life, she was taken from us after a long and painful illness. Her courage and steadfast faith in God, family, and country was most touching.

Jan's philosophy of life was written as a Bay High School senior in 1958 and it is in this beautifully worded testimonial that we can all find inspiration; the same inspiration which carried Jan through 7 years of suffering and which helped her and her family to endure through the long and hopeless battle for life and health which was to be denied her.

I recommend her story for careful and thoughtful reading. It is indeed an inspirational message:

My Philosophy of Life

(As written by Jan Newberry, Bay High School senior, 1958)

An outlook on life. Yes, that is what my philosophy of life really is. The way that I judge people and things, the way I react to certain things and the way that I live every day, are based on certain principles and ideals, which I call my philosophy of life.

To begin with, I have tried to base my life on one certain thing to guide all of my actions, thoughts and ideals, throughout my lifetime. To me, this one thing is more important than anything else. I know that my love and belief in God has influenced my life and has caused me to live the way I have. It is because of this, that I have chosen the following as my beliefs and have tried to make them a pattern for my life.

Religion comes first, as it should. What is life without the love for a Higher Being than yourself? By having a Supreme Being for a leader, I feel that I am doing what is right and what is expected of me. I have a strong faith, which I do not believe can be destroyed, and I will pattern my life, my decisions, and my actions, on this belief.

Character. Everyone must have character of some kind. My character is not a great one by any means, but I feel that through the years each disappointment, each victory and each experience, has added a little more strength to my character.

There is one big topic that comes under the title of character, this being, one's morals. How I feel about certain things like smoking, drinking and other bad habits, is a *strong* belief—*to leave them alone*. By basing my life on the teachings of the Bible, I find no place in my life for drinking, smoking and other things of this nature. I have always tried to keep my morals *high!* Sometimes, I find it very *tempting* to go *against* the ideals, which I have set as a guide for my life, but in the end I always find my reward; the reward of pleasant satisfaction!

A very strong belief of mine is that every person must have *Love,* although some have it much more than others. This is one word that should always be in capital letters, for this world of ours could not survive if it were not for *Love!*

I have a great love for people. This love developed as a child and is one thing I am proud to possess. I cannot understand how people can live without a great love for their fellow man, *every single* one of them, no matter what his *race, creed* or *color*. I have always believed that we were all created equal, and that *everyone* needs a *chance,* whether it be his *first, second* or his *hundredth*. If everyone *loved* and *cared,* what a wonderful world we would live in!

I love my country! I am so fortunate to live in a free country, that I can't help but love it to the fullest. I love what it stands for and I love it for what it has given to me as a citizen of the United States of America!

This brings up the subject of citizenship. How I do admire this word and what it stands for! I have always tried to be a *good* citizen and have worked hard to *improve* myself, in order to better myself, as a citizen. I have found that to be a citizen and a *good* one, you must work and work hard! You must love the work that you are doing and think *only* of how it is going to *help society* and the *cause* for which you are doing it. It is in times such as these, that you have to forget about *yourself* for a while and think of *others*.

My relationship with people already has been covered for the most part, and yet, I have not mentioned my relationship with those I love the most, which is my family and close friends. My relationship with my family is a close one, which I pray will remain that way forever! My parents have been my guide and through this close relationship with them, have I gained my beliefs, my strength, character and my *love!*

I try to keep my relationship between myself and my friends one of happiness and one that is *ideal!* My friends mean a great deal to me, and I always want my relationship with them, and my new friends, to be only the *best!*

Marriage is one thing that I am looking forward to with great joy, for I know it won't be too long before *I* will be establishing a *new* home in this country of mine. I want to marry the kind of boy who has set up his philosophy of life in about the same manner as *I*. He must have a love of God that proves *stronger* than *any temptation*. I want my marriage based on strong grounds of *Love, Security* and *Faith*. My desire is to rear my children in a home environment which they will be proud of; one that offers the kind of training that they must have to face the problems of life.

What about my feeling about death? I know that this wonderful life I am living must come to an end, sooner or later, and I want to be prepared to meet it with *faith*, and with an outlook of joy and not *fear*. I believe that there is a life more wonderful than even the greatest poets can imagine or put into their lines of rhyme, and that someday I will meet my Maker in this land of paradise!

With all these things that I have based my life on, I must have a *goal* I want to reach. I *do* have a goal in life! This goal is to do the *best* I can and to live right in every way. A little saying I learned once can better explain it: "I am *only one*, but *I am one; I can't* do *everything*, but I can do *something;* What I *can* do, I *ought* to do; and by the *Grace of God, I Will Do.*"

There are other things my life is based on, as is the case of everyone, but I think I covered the main ones. I have my parents to thank, always, for giving me the life that they have, and for the teachings they have taught me.

Yes, I have a philosophy of life and one that I want to *improve* and *uphold* all the days of my life!

TAX CREDIT FOR HIGHER EDUCATION EXPENSES

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. SHRIVER. Mr. Speaker, I am today reintroducing legislation to allow a tax credit for certain higher education expenses. This bill will provide for any taxpayer a credit against his annual Federal tax liability of up to $325 on the first $1,500 paid by him for higher education expenses for himself or any other individual. These expenses include tuition, fees, books, supplies and equipment required at any institution of higher education.

I have introduced similar legislation in the past and am well aware that had it not been for budgetary pressures brought on by priorities established by the previous administration, such legislation would certainly have been adopted by Congress. Therefore, it is imperative at this time when the House Ways and Means Committee is beginning hearings on reforms and changes in our tax code that special consideration be given to this measure as an investment in our Nation's future.

Educated citizens are truly our greatest national resource. Without a strong system no nation can hope for more than temporary greatness. We have enjoyed outstanding success in educating our people and have more nearly achieved educational excellence in this country than in virtually all other nations in the world. We cannot afford to turn our backs on the source of our strength.

We all know how much the expenses of providing a college education have been rising in recent years and that they will probably continue this rise in the future. Our major problem is to find the best solution to ease the financial burden on the parents of college students and, in turn, also benefit our institutions of higher education.

As Members of Congress, it is our responsibility to devise a solution to this cost problem which will benefit both moderate- and low-income families and students. We must preserve the healthy diversity in our higher education system by assisting all of our institutions, be they large or small, private or public. And most important, we must accomplish these goals with the least amount of governmental interference in our educational community.

While admittedly not a cure-all, the income tax credit outlined in this bill will provide relief for strained family budgets, and it will allow for the continued independence and diversity of our institutions of higher education.

Studies indicate that under this bill 62 percent of the dollar benefit of the tax credit would go to families with incomes between $3,000 and $10,000 per year. These families comprise 62 percent of our population. Ninety-one percent of the benefit would go to families with incomes below $20,000.

It would be my hope that the provision in the bill which allows the tax credit to anyone who pays the expenses of a college student regardless of the relationship between the two individuals would lead to increased private scholarship assistance to low-income students. This would be in line with President Nixon's efforts to involve voluntary citizen participation in meeting the needs of our Nation.

Mr. Speaker, the tax credit for higher education expenses is a workable solution to a growing national problem. We must assure that the future of our fine educational system will be maintained and that the thousands of qualified present and future students will be able to enjoy the benefits of the highest quality higher education possible. I urge my colleagues of both political parties to join with me in supporting this bill in the interests of our future growth as a strong Nation.

THE MAYO CLINIC

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. QUIE. Mr. Speaker, the Mayo Clinic in Rochester, Minn., is known the world over as the greatest medical institution. This is located in Minnesota's First District which I am honored to represent.

Established by Dr. William Mayo and Dr. Charles Mayo at the turn of the century, the clinic has developed a reputation for diagnosing and treating illnesses when all other doctors and medical institutions have failed. Countless patients tell of Mayo doctors determining the cause of their illness when previous attempts have been fruitless.

The clinic is a unique institution. It has grown as its reputation has spread around the world, but the quality of its care has not suffered with this growth. Patients still encounter the doctor-patient relationship which has disappeared in other large institutions. I have yet to meet a patient who was not satisfied with the treatment he received and came away knowing that he had access to the most competent medical care in the world.

Mr. Speaker, to enhance the understanding of and appreciation for the Mayo Clinic, I include the informative article appearing in the January 31, 1969, Wall Street Journal, in the RECORD:

THE MAYO CLINIC: THOUGH MEDICAL CENTER CLAIMS NO MIRACLES, PATIENTS FLOCK TO IT—FOUR HOURS IN WAITING ROOM ARE SOMETIMES MADDENING, BUT DOCTORS ARE THOROUGH—TALES OF DR. WILL AND DR. CHARLIE

(By George Grimsrud)

ROCHESTER, MINN.—What is there about the Mayo Clinic that makes so many people—the famous and the obscure alike—think it's the best place to go for medical care?

It can't be the convenience. First of all, there's the problem of getting an appointment: Except for emergency cases, patients must wait as long as four months just to get on the schedule. Then there's the matter of driving, flying or taking a bus to this small city in the southeastern corner of Minnesota where the clinic is situated. Once here most patients can plan to spend a dreary four hours or more in the clinic's waiting room—which doesn't even provide magazines—before seeing a doctor.

Moreover, the clinic's doctors make no claims that a patient will receive any better care here than he might obtain closer to home, "We don't work miracles here," says one Mayo doctor. "Our facilities are no better or no worse than any of several large medical centers in the country."

FARMERS AND ROYALTY

But none of this seems to deter potential patients. More than 150,000 persons, ranging from affluent hypochondriacs to the incurably ill, were treated at the clinic in 1968, and at least that many are expected to use its services this year. Patients come from all 50 states and most of the countries of the world; they include farmers from nearby Iowa and royalty from Europe. Dr. Burtin E. Montgomery, chairman of the board of trustees of the American Medical Associatiin, was here recently for a checkup, Johnny Carson, Danny Kaye, Billy Graham, Joe DiMaggio and King Feisal of Saudi Arabia all have been Mayo patients.

The clinic's chief attraction appears to be its reputation for combining solidly competent diagnosis and treatment with extraordinary concern for the comfort and psychological well-being of the patient—despite the waiting-room ordeal.

For celebrities, there is yet another attraction: The clinic's long-standing reputation for protecting the privacy of its guests. Press interviews with patients are forbidden, and cameras aren't permitted inside the clinic. Clinic officials say they won't knowingly lie about whether a patient is registered, but some reporters claim the clinic is sometimes less than candid when responding to queries about celebrities.

JACK BENNY ON VIOLIN

Of course, not all of the clinic's famous patients care about privacy. Jack Benny played his violin at a concert of the Rochester Symphony Orchestra when he was here for a checkup in 1965, and Ed Sullivan hosted a local talent show on a trip here in 1966. Years ago the late Adm. Richard E. Byrd notified the clinic that he was coming, demanded complete secrecy—and then showed up in a full-dress uniform that made his presence hard to conceal.

Much of the clinic's medical reputation dates back to the work of the now-legendary Mayo brothers, William and Charles. They founded the clinic at the turn of the century. The brothers, affectionately known to their patients and colleagues as Dr. Will and Dr. Charlie, won world-wide fame for their advanced surgical techniques (Dr. Will specialized in abdominal surgery, while Dr. Charlie concentrated on the head and neck) and for their ability to treat vast numbers of patients without sacrificing the personal touch.

"Dr. Charlie would walk into some little old lady's hospital room and say, 'Hi, I'm Charlie Mayo,' and the next day she would be cured," claims one long-time resident of Rochester.

Nowadays there are no Mayos at the Mayo Clinic; the last member of the family to practice there was the late Dr. Charles W. Mayo, a son of Dr. Charlie who retired in 1963 and was killed in an auto accident last summer. But the clinic does have 1,200 other doctors, a full range of laboratory facilities and the world's largest graduate school of medicine. The school trains one of every 50 specialists in the U.S.

THREE DAYS, EIGHT DOCTORS

The average patient who visits the Mayo Clinic for a routine checkup or for a diagnostic examination spends three days here, is examined by eight doctors and undergoes 15 laboratory tests. His bill averages $200 to $300, plus hotel, restaurant and transportation expenses. If the patient has an ailment that requires hospitalization or long-term treatment by the clinic staff, the bill, of course, is larger.

A visit normally begins on a Monday morning in the massive walnut and marble lobby of the 19-story Mayo Building in downtown Rochester. Most examinations take several days, so they start early in the week. On a typical Monday, patients start arriving at 5:30 a.m. They are assigned numbers, and they sit down to talk, knit, write letters, stare at the walls or read their own books or magazines until their numbers are called. The clinic doesn't provide reading material, a spokesman says, because there are just too many patients. At any given time, more than 1,000 patients are likely to be gathered in the main waiting room. One Chicago woman says that during her four hours in the waiting room she met "some very nice people"—but altogether she found the wait to be "maddening and disgusting."

Once the long wait is over, however, the clinic's emphasis on close personal attention becomes more evident. The patient goes into an examination room where a resident doctor—actually a fellow of the graduate school of medicine—takes the patient's personal medical history and gives him a general physical examination. This takes about an hour and a half.

Then the patient is examined by a staff doctor, usually a specialist in internal medicine. This doctor becomes the patient's personal physician for as long as the patient remains under care of the clinic. The internist's examination takes about 45 minutes. Afterward, he consults with the resident in private to discuss the case and exchange tentative diagnoses.

After the two examinations, the patient undergoes a series of blood tests, X-rays, urinalyses and other routine tests. Additional specialized tests may also be administered and several medical specialists may also be called in, depending on the patient's specific complaints. Someone complaining of indigestion, for example, may wind up taking several additional tests and seeing doctors who specialize in the alimentary system, heart, lungs, kidneys and nervous system.

For many patients, the time and care taken by the clinic's doctors more than make up for the inconveniences. "I knew this place was big and I expected to wait," says a Madison, Wis., woman who visited the clinic for treatment of a hip ailment. "I didn't really mind it. Once I got in to see the doctors, I was amazed at how much time they spent with me. They didn't try to rush me through."

When a patient has completed all his tests, he sits down for a long, leisurely talk with his personal physician, who carefully explains the results of his examination. Mayo doctors don't pull any punches in laying out the full results; clinic officials say that even if a person has a terminal illness, he will be told. "We believe in telling the patient the truth," says Dr. Daniel Connolly, a Mayo cardiologist. "We don't like relatives who insist that we spare the patient the truth about how serious his illness is."

A CURE FOR DIZZINESS

Often, of course, the news isn't so bad. Howard West, a veterans employment representative for the Department of Labor in Chicago, says he went to Rochester to learn the cause of his chronic dizziness. "I'd been to a half a dozen doctors at home, and each one had a different theory," he says. "I was taking about eight pills a day. I was a zombie when I got to Rochester." But at the clinic Mr. West was told the pills weren't necessary. "My doctor said I had too much tension," says Mr. West. "He recommended that I slow down and get hold of myself."

If a patient requires hospitalization, the clinic arranges for admission to one of two local hospitals, the 950-bed St. Mary's Hospital or to the 573-bed Rochester Methodist Hospital. Though the clinic doesn't maintain a hospital of its own, its doctors staff the two Rochester hospitals.

In many ways, the entire city of Rochester is an extension of the clinic. At the municipal airport, owned by a clinic affiliate, Mayo personnel meet incoming flights with wheelchairs. Downtown at the Kahler Hotel, Rochester's largest, the doors in a new wing are extra wide to accommodate wheelchairs. The Kahler's bathtubs have sides two inches lower than normal to make getting in and out easier for less agile guests. The hotel's restaurants offer dietetic meals, and nurses are almost always on duty at the hotel.

DRUG STORES AND FUNERAL HOMES

Of Rochester's 50,000 residents, more than 7,000 are employed either at the clinic or the hospitals. The city also has 15 drugstores, three hospital supply houses, four opticians and a store specializing in artificial limbs. There are also a dozen funeral homes discreetly tucked away on side streets.

Aside from the clinic and hospitals, Rochester's only other major employer is an International Business Machines Corp. research and manufacturing facility that employs 4,000. The only other industry is agriculture-oriented—a vegetable canning plant, a turkey hatchery and a fertilizer factory.

Rochester, with its tree-shaded streets and attractive old houses, has a small-town air that, for many big-city patients, makes a visit to the clinic a welcome escape from urban pressures. "The people are so friendly, especially the waitresses and the clerks," says one woman from Wilmette, Ill., a prosperous Chicago suburb.

The small-town casualness is sometimes deceptive, however. Actually, the clinic and its supporting facilities are a highly complex operation. Record-keeping alone is a major undertaking. Patients' records are shuttled about by a pneumatic tube system that can transport papers at 60 miles an hour between the clinic and St. Mary's Hospital, more than a mile away. The Harwick Building, an eight-story record center completed in 1962, contains more than six million X-rays and the case histories of the 2.7 million patients treated at the clinic since the present record-keeping system was set up in 1907. It also contains most of the human tissue and organs removed by Mayo surgeons over the years. The tissue and organs are used mainly in research and as exhibits for the instruction of graduate students.

Altogether, the clinic has six buildings, all connected by a pedestrian subway network so that a patient who comes during the harsh Minnesota winter need never go outdoors. The subway, lined with gift shops and other small businesses, also links the clinic buildings with the Methodist Hospital, two hotels and a motel.

The Mayo medical complex was organized in its present form in 1915. The basic operating unit is the Mayo Clinic, a "voluntary association of physicians" whose revenues come chiefly from patients' fees; last year, they amounted to $43 million. About $1 million of the clinic's revenues are paid each year to the Mayo Foundation, a nonprofit corporation that owns the clinic properties and sponsors research and medical education activities.

The clinic is administered by a board of governors, consisting of nine doctors and two professional administrators. Unlike the days when the Mayo brothers ran the clinic, management operations now are handled by a seemingly infinite number of committees appointed by the board of governors. The board chairman is Dr. L. Emmerson Ward, a 49-year-old rheumatologist who still sees patients on a part-time basis.

SOAKING THE RICH

In its early days, the clinic had a sliding scale of fees. The business office would simply ask the patient how much he could pay. One result was that the clinic gained a reputation for soaking the rich and subsidizing the poor. Occasionally, old-timers recall, the Mayos even gave a destitute patient money for a train ticket home.

Today the clinic insists that fixed fees have replaced the sliding scales. About $1 million in bills are still written off each year, however.

Though salaries of Mayo physicians are among the clinic's most closely guarded secrets, sources close to the clinic say the average doctor earns about $35,000 a year, not particularly high by the standards of the medical profession. "Most of us feel we could make more money in other types of institutions," says one doctor, "but we're not paupers either."

Mayo doctors receive no bonuses or other compensation besides salary. Sources say salaries are determined by the doctors' specialties and their length of service. Thus, a beginning internist might make $20,000 a year, while a veteran surgeon might earn more than $40,000.

Luring doctors to a remote community in Minnesota might appear difficult, but doctors find some advantages in living here. "Doctors here have more prestige than in any other city in the country," says one Rochester native. "Every club wants doctors in it." A study by a sociology class at Rochester Junior College showed that the city's churches claim as members three times as many doctors as live in the entire city.

ELECTORAL REFORM

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. PHILBIN. Mr. Speaker, with unanimous consent to revise and extend my remarks in the RECORD, I include therein a very thoughtful article by the able commentator, Mr. John S. Knight, entitled "Electoral System Needs Reform."

If anything, the caption of this very timely article would seem to be an understatement.

Experience clearly shows that the electoral system does not measure up to the needs of the country for efficient, accurate, fair election results for the Presidency. At best, it is a very cumbersome, intricate, inadequate mechanism for electing Presidents in any age—let alone in the jet-space age in which we live.

Obviously, the Congress must move, as rapidly as it can, to institute a penetrating, comprehensive study of this whole question, and devise a way that will insure the election of President on a popular basis that will work efficiently, accurately and democratically and eliminate the obvious defects and injustices of the present electoral system.

To be sure, we must seek to protect the rights of minority groups. In this instance, it would seem that our first job is to protect adequately the rights of both the majority and the minority.

In fact, we should and certainly must work to eliminate minority control in our elective system and in the undemocratic way it works in some very important areas to impose minority control and rule upon the country. Minority rights under majority rule must prevail, but they must not decimate the principle of majority rule.

The Supreme Court has ruled that the one-man, one-vote principle must be recognized in all American elections. Already, this principle has been applied to congressional districts, and to State and local elections, not always wisely and well.

It has not as yet been applied to the U.S. Senate, where there are shocking disparities between the number of votes required to elect its different Members from various States. This is the one remaining area where the one-man, one-vote principle seems to be flagrantly and most unjustly flouted.

The exemption is based on the theory that U.S. Senators are in effect ambassadors to the Federal Government from the several, sovereign States. In these advanced days, however, such an outmoded theory is hardly constitutionally justified nor does it accord with ordinary commonsense and justice.

If we are going to have a democratic society, based upon equal representation for all, there can be no arid areas where this principle does not apply, and we certainly must come to grips with this question.

It is not enough to say that we will study electoral college reform and the extension of the principle—one-man, one-vote—to our American political society; we must commence most careful scrutiny and study of these questions by the Congress without delay.

As Americans, we are proud of institutions that have served us well, but when they become outmoded, outworn, inadequate, or incapable of performing the job that has to be done to keep our rapidly growing country democratically sound, well balanced and fair as regards constitutionally valid representational needs, they must be changed.

This Government is not only a free Republic, it is based on a written Constitution that constitutes one of the greatest documents of freedom ever conceived in the minds of men.

This great charter of human freedom must be kept up to date. It must be adapted to the forward march of the country in the jet-space age.

Its principles must be verified for every generation, and it must be fashioned, when necessary, to meet every need of the people in terms of free government, democratic principles, and justice for all free citizens and residents of this country. There can be no legalistic areas or ghettos where citizens are arbitrarily deprived of their primary constitutional rights.

I urge, Mr. Speaker, that the Congress immediately start the task of reforming the electoral college and totally implementing the one-man, one-vote principle to end the evils of disproportionate representation.

The fact that this action has not been taken before does not mean that it should not be taken now. It should be pressed with a true sense of urgency to do justice to all American citizens as well as the privileged and the specially favored living in fantastically unjust and artificially fabricated legalistic and judicially ordained sanctuaries of exemption and favortism.

We cannot further dally or delay.

To the contrary, the need demands that action should be pressed with all possible, practicable speed, consistent with thorough study and mature deliberation of the kind required in matters that are of such great importance to the preservation and enrichment of democracy and freedom.

The above-mentioned article follows:

ELECTORAL SYSTEM NEEDS REFORM

(By John S. Knight)

In the anxious early hours of Wednesday, Nov. 6, no one could say with certainty whether the next president of the United States would be Richard M. Nixon or Hubert Horatio Humphrey.

The prospect of having the choice made by the House of Representatives—with all of the delays and attendant infighting that would ensue—brought dismay and concern to the American people.

Fortunately for all of us, one of the candidates—Nixon—did receive a majority in the electoral college and a slight lead over Vice President Humphrey in the popular vote.

So the nagging question was resolved, at least in this year's presidential election. But the fears of what might have happened have not been allayed. Thus we see a rising demand either for abolition of the electoral college or the adoption of badly needed reforms.

Unless we get on with this job immediately, all proposed reforms will founder as have hundreds of suggestions in the past. The Wall Street Journal reminds us, "It's tough to work up enthusiasm for roof-patching when it's not raining. Campaigns for change tend to peter out as disputed elections recede into the history books."

ABOLISH THE COLLEGE

I am not convinced that abolition of the electoral college and substituting for it a direct popular vote is the total answer.

This year, for instance, the popular vote was so close that had that system been in effect, we might yet not know whether Nixon or Humphrey emerged the winner.

Demands for recounts, contested ballots, court suits and absentee ballots could have delayed the official result for days or even weeks. The same situation might have prevailed in 1960 when John F. Kennedy defeated Nixon by a popular vote margin even smaller than Nixon's victory over Hubert Humphrey.

Suppose, for instance, that Nixon had cried foul in Chicago and Cook County where the counting of nonexistent votes from graveyards, unoccupied buildings and phony addresses is not an uncommon practice. As it was, Jack Kennedy carried Illinois over Dick Nixon by a mere 8,858.

An honest count in Cook County might well have reversed the outcome.

Or looking at it another way, the popular vote could have elected Hubert Humphrey this year while Nixon was carrying 32 states to only 13 for Hubert and five for George Wallace.

PROTECT SMALL STATES

Malcolm B. Johnson, editor of the Tallahassee Democrat, says, "The Constitution retains two clauses which protect the Smalls from being starved by the Bigs—the presidential electoral vote and the equal representation of all states in the senate."

Since 34 percent of the senators represent 17 states with 12 percent of the electoral vote and only six percent popular vote, Editor Johnson doubts that the "Smalls" would ever yield this power to the "Bigs" by ratifying a constitutional amendment scrapping the electoral college.

One proposal which is meeting with some favor is to divide each state's popular vote in proportion to the votes received by the candidates. In Florida, for instance, Nixon would this year have received six electoral votes and Humphrey and Wallace four each rather than winner take all.

If electoral votes were allotted in proportion to the popular result and a tie resulted, a national runoff between the two leading candidates could resolve that question.

Another plan calls for the selection of electors in each congressional district with another two going to the winning candidate in each state.

THE PRIMARIES

Admittedly, none of these approaches is without flaw. But a general reform of election procedures must not be delayed.

This conviction applies with equal force to our archaic and unrepresentative way of selecting major candidates for the presidency. The present primary system denies the franchise to all but a handful of states.

In Ohio this year, where Gov. James A. Rhodes was the "favorite son," Republican voters had no choice other than to vote for Rhodes. Presidential hopefuls such as Nixon and Rockefeller didn't enter the state for fear of offending Ohio's politically potent governor.

A national primary in which the voters of both parties would express their respective choice is one suggested solution. By this method the successful candidates would truly be the choices of the people.

Many people who see the necessity of reform in the election machinery seem to believe that everything will be solved if only we abolish the electoral college.

This is the easy conclusion but not a perceptive one as I have attempted to indicate.

The first step is to inaugurate studies by either a presidential or a congressional commission to determine what reforms are both possible and politically feasible.

Since the months and years go by with frightening rapidity, the time to start this work is the day after Richard M. Nixon becomes the 37th president of the United States.

POVERTY AIDE TAKES A LONG VIEW

HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. PERKINS. Mr. Speaker, Joe Loftus of the New York Times has written an excellent article about some of the low-visibility, yet dramatic, changes that have taken place during the past 5 years as a result of the Office of Employment Opportunity's efforts in focusing national attention on the problems of the poor. It is a quiet story of success which I hope my colleagues will find time to read. The article follows:

[From the New York Times, Feb. 1, 1969]

POVERTY AIDE TAKES A LONG VIEW

(By Joseph A. Loftus)

WASHINGTON, January 31.—Alviso, Calif., is a little mud town about an hour out of San Francisco, inhabited by a few thousand Mexican-American migrant workers.

Their poverty level made them eligible to apply for a community health center, financed by the Office of Economic Opportunity. They had no doctors and little hope of getting any.

Then somebody read in a newspaper that two San Francisco doctors were in tax trouble and were about to be jailed. A few of the migrants went to San Francisco and suggested to the authorities that there was a place worse than jail—Alviso.

The authorities agreed, and Alviso got its doctors, and an attractive health center that cost the taxpayers less than $20,000. The men of Alviso built it themselves. It is still operating and has its own medical staff.

COOPERATION BY DOCTORS

The experience in Alviso is significant because it tells something important about the poverty program that does not readily meet the eye—the program has gradually led to changes in some of the more conservative institutions in the nation.

The decision to assign the two doctors to Alviso, rather than to jail, required the cooperation of two of those institutions—the tax and judicial fraternities. It also required the support of organized medicine, which, contrary to early expectations, has helped to establish 40 other comprehensive family medical centers set up by O.E.O. in poor neighborhoods.

At the moment, the antipoverty agency is in the spotlight because of the disappearance of $2.7-million in antipoverty funds in New York City, criticism that too much policy discretion has been given to the poor, and the apparent determination of the Nixon Administration to reduce the agency's operational area.

Bertrand M. Harding, a career civil servant who is now director of the agency, says that he sees the agency in a longer, broader perspective but concedes that the staff's daily diet of incoming news has not been good for morale.

FUNCTION OF AGENCY

When the story of the agency is told in that longer, broader perspective, Mr. Harding believes, its impact may be measured less in the number of dollars spent (or stolen), or in the number of individuals raised above the poverty line, and more in the institutional changes effected.

"America has probably seen more institutional change in the last few years than in any similar period of our history," the director says.

For that he gives the antipoverty agency a large part of the credit, or blame. Its function never was to distribute dollars to the poor but to change the circumstances that made and helped keep some people poor.

To the comfortable, "change" can be a threatening word, Mr. Harding says. It has brought criticism and resistance. But, even so, he says, many significant changes have been accepted in the institutions of law, medicine, education, and even religion. The changes, in his view, literally run into the hundreds, but they have low visibility—often low, local visibility.

CHANGE AMONG LAWYERS

For example, the American legal fraternity used to be virtually a closed institution. About 1 percent of the lawyers came from minority groups, Mr. Harding estimated.

The antipoverty agency has now been joined by the American and National Bar Associations and the American Association of Law Schools in actively recruiting members of minority groups into law schools and the legal profession. Last year the agency provided the Council on Legal Education Opportunity $500,000 to facilitate the entry into law schools of at least 300 minority group students.

Law school curriculums have changed, too. More than 90 law schools are offering courses in poverty law and some have set up neighborhood law offices and clinics, financed in some cases by the agency's research and demonstration grants.

The impact has been so great that 15 states have passed laws to permit second- and third-year law students to engage in limited practice.

RIGHTS FOR TENANTS

Poverty law deals with such problems as tenant rights and fraudulent consumer contracts and other special problems of the poor.

A project of the antipoverty agency at the University of Detroit Law School led the Michigan Legislature to enact laws that gave tenants a new bill of rights. The new laws made building code enforcement a civil matter and gave tenants the right to go directly to court instead of contending with the municipal bureaucracy and political wire-pulling.

These laws also require that all leases include a pledge by the landlord to keep the premises in "livable" condition. They hold that tenants may not be evicted for exercising lawful rights, such as reporting code violations.

Another institution undergoing change because of the antipoverty agency is education. Project Head Start was established for disadvantaged preschool children four years ago over the opposition of many experts and school boards. Now that two million children have been served in more than 13,000 Head Start centers, few experts seriously deny the value of the program.

NEW VIEW IN CLERGY

Higher education has also been affected. About 300 colleges are operating an Upward Bound program to stimulate the underachieving, C-average high school student to continue his education. Typically, the 7,500 young people who have been served by college students in the program came from poverty backgrounds and were candidates for perpetuating that poverty.

Churches typically used to preach a religion of success. The churches more and more have been preaching a religion of compassion.

A lot of ministers, priests and rabbis came to believe that the slum was where they should be because that was where men were suffering most. The National Council of Churches operate migrant labor programs. Ministers and priests are on Community Action boards, and hundreds of nuns teach in Head Start programs.

On the local level, Community Action agencies have stimulated institutional change in many different ways.

In Camden, N.J., for example, the local poverty agency persuaded physicians and 45 pharmacists to help poor, elderly citizens by providing many drugs under their generic names instead of the higher-priced trade-name versions of the same drugs.

SANITARY DISTRICT FORMED

In southern Alameda County, Calif., the Community Action agency developed a policy of organizing programs and spinning them off to established agencies. For example, it organized volunteer teachers for an adult language and literacy class that was taken over and expanded by the school system.

It organized a child care center with nonprofessional aides that is to be taken over by the school system and linked with a job training program.

It researched the need for sewage facilities, leading to the formation of a sanitary district by three cities—Fremont, Newark, and Union City.

The antipoverty program, with O.E.O. at its center, has given high visibility nationally to the one-seventh of Americans who were poor. Community Action agencies achieved that on the local level, each in its own way with its own programs under local initiative.

A VOICE FOR THE POOR

Through many of these agencies the poor have found a voice and a platform, and in some cases they literally marched on city hall. Many politicians felt threatened, and they in turn threatened the antipoverty program.

A 1967 amendment to the Economic Opportunity Act gave local elected officials authority to take over Community Action agencies. Few did. Community Action's militant advocacy in the early days has simmered down without stilling the voices of the poor.

Robert A. Levine, who recently resigned as the antipoverty agency's assistant director for research, plans, programs and evaluation, summed it up this way:

"In the early days, Community Action did have a tendency to mount its horse and charge in all directions, piercing many windmills with many lances. To some extent this is still true, and there are still some people in O.E.O. who wish it were even more true. But they are not directing Community Action. And community action is not going to go away."

DRAMATIC AND CONSTRUCTIVE FIRST STEPS TOWARD SOLUTIONS TO SOME MAJOR PROBLEMS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call to the attention of the U.S. Congress and the American people the following article by Mary McGrory from the Evening Star

which describes our new President's dramatic and constructive first steps toward solutions to some of the major problems of our Nation's Capital:

POINT OF VIEW: NIXON A HIT IN GHETTO DRIVE

(By Mary McGrory)

Mayor Walter Washington, belatedly reconciled to sharing his chair with the President, called Friday "an extremely bright day for the District of Columbia." It was the same for Richard Nixon, who braved a ghetto and was, for the first time in his life, greeted as a "soul brother."

The residents of the grimy, burnt-out Shaw neighborhood were as much surprised to see their new President as if they had been told he had led the Cabinet in singing "We Shall Overcome."

Nothing in his campaign, save vague references to "black capitalism" and a glossy brochure entitled "Bridges to Human Dignity," suggested a preoccupation with the plight of the Negro poor.

His unexpected visit to an urban renewal ceremony in a riot-blighted slum was, by nightfall, being greeted as a master political stroke. In 15 minutes, he affirmatively shook up the black community of Washington, which had voted overwhelmingly against him and had dreaded his presidency as an era of repression and neglect.

ACTIVISTS PRESS

The rehabilitation of the Shaw area was set in motion at breakneck speed by White House activists, who wanted to show the country how quickly the federal elephant can move when the President says "go."

Having shown the have-nots that he cared, Nixon hurried back to the White House and reassured the haves, who feel increasingly menaced by the capital's crime rate.

He called for long-range and long-advocated schemes to increase the number of policemen and judges. The most eloquent passages in his message were devoted to restoration of the battered areas of the city, which one British visitor compared to the devastation of wartime London:

"These rotting, boarded-up structures are a rebuke to us all and an oppressive, demoralizing environment for those who live in their shadow."

EXAMPLE HOPED

The Shaw project will employ local black architects and artisans, hopefully setting an example for other cities.

The President's decision to become mayor of Washington was effected with such dispatch that it left the official occupant of the post slightly miffed. Mayor Washington was informed of the President's imminent crime program on television, just like everybody else.

The next night he appeared at a civil rights dinner and spoke defensively about conditions in the Capital:

"This is my fourth event tonight . . . and I can safely say that not everyone is at home hiding under the bed."

The black and white coalition at the dinner to honor Hubert Humphrey laughed and applauded.

The fact is, however, that "crime in the streets" is no joke and no longer regarded as a racist slogan in code. Bank robbers have moved steadily closer to the White House, and some of the best parts of town have felt the results of social unrest, as hostess Gwen Cafritz, denuded of her diamonds, can attest.

The night before the crime message, the Sulgrave Club, a temple of high society, was defiled by a shooting on the front steps. A number of notable Republicans, including Herb Klein, Nixon's communications man, rushed to the victim's aid.

Crime has replaced Vietnam as Topic A in Washington, and it is, unlike the war, a unifying theme. Everyone is against it and hopes that Richard Nixon will be victorious in his efforts to stamp it out.

POPULAR ADOPTION

His adoption of the federal city, an orphan of government is a popular move.

Washington, which only recently acquired a mayor and City Council, is under the thumb of congressional committees dominated by Southerners. The general attitude was reflected by Sen. Robert C. Byrd of West Virginia, who as chairman of an appropriations subcommittee, dispatched General Accounting Office investigators to the homes of the poor, to poke behind shower curtains and into closets in search of violators of the "man-in-the-house" rule of welfare regulations.

Lyndon Johnson also had a dream of making Washington a model city, but Vietnam diverted him and the money, and Mrs. Johnson did the honors for the family in the slums.

Now Nixon has gone where most thought he feared to tread, and if his actions reinforce his gesture, he may be on his way to cracking a constituency that is just as surprised as he is at how well their first encounter came off.

WHAT YOU CAN DO TO IMPROVE TV

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD an excellent article appearing in Harper's magazine by Commissioner Nicholas Johnson, of the Federal Communications Commission, entitled "The Easy Chair: What You Can Do To Improve TV."

It would appear that this kind of information for the television viewers by an outstanding public servant should achieve the broadest possible dissemination.

For this reason I am inserting the article in the CONGRESSIONAL RECORD, as follows:

THE EASY CHAIR: WHAT YOU CAN DO TO IMPROVE TV

(By Nicholas Johnson [1])

Critics of radio and television are generally agreed that the Federal Communications Commission is a far from effective guardian of the "public interest" in broadcasting. It has failed—according to one widely accepted view—because it has, in effect, been "captured" by the industry it was established to regulate. How did this come about? And what can you do about it? Many people have written me letters asking essentially that question. This article is an attempt at an answer.

So far as I know, the problem is not that sinister forces staged a coup one dark night in the FCC's headquarters at 20th and M Street in Washington. The problem is much more subtle, and common to virtually all regulatory agencies. As James Landis put it in his devastating report to President Kennedy: ". . . it is the daily machine-gun-like impact on both agency and its staff of industry representations that makes for industry orientation on the part of many honest and capable agency members as well as agency staffs."

The remedy, in my view, is not going to come from spontaneous government action. Ordinary citizens can, must—and upon occasion do—influence those administrative decisions. But *effective* citizen representation requires considerably more sophistication than has been generally evidenced.

One basic principle, which I will call "the law of effective reform," is this: in order to get relief from legal institutions (Congress, courts, agencies) one must assert, first, the factual basis for the grievance and the specific parties involved; second, the legal principle that indicates relief is due (Constitutional provision, statute, regulation, court or agency decision); and third, the precise remedy sought (new legislation or regulations, license revocation, fines, or an order changing practices. When this principle is not understood, which is most of the time, the most legitimate public protests from thousands of citizens fall like drops of rain upon lonely and uncharted seas. But by understanding and using the right strategy the meekest among us can roll back the ocean.

Here is an illustration of both points.

The health hazards of cigarette smoking and, especially, the impact of TV cigarette commercials on teen-agers, have been matters of wide concern for a good many years. Yet despite ominous government reports, and despite the warning notice now printed on cigarette packages, the commercials continued, cigarette consumption increased, and more and more teen-agers picked up a habit which TV told them was the road to sexual prowess and a fun-packed adult world. A Federal Trade Commission report deplored the impact of cigarette commercials. Senator Robert Kennedy had suggested legislation outlawing them. Hundreds of thousands of Americans wrote letters to everybody they could think of—Senators, Congressmen, the networks, advertisers, the FTC—and the FCC. Most got replies; some did not. But nothing happened.

This protest failed I believe, because it ignored "the law of effective reform." Vague feelings rather than facts were presented. The letter writers were not specific about who had done something wrong. They did not refer to any legal principle that had been violated. And, finally, they did not seek a precise remedy. Indeed, many such letters begin, "Can't the FCC do something about . . .?" The answer is that it can't—or at least that it won't—until you tell it just what you want it to do.

Fortunately, however, there was one young man who understood the "law of effective reform" and attacked the problem accordingly. He was John Banzhaf, a New York lawyer in his twenties. Mr. Banzhaf, too, wrote to "Washington." But his "letter" was different. He called it a "Fairness Complaint." In it he specified an offender: the CBS-owned flagship station in New York City, WCBS. He said the station ran great quantities of cigarette commercials. He then referred to a legal principle, the "fairness doctrine," which has evolved over the years from the Communications Act, FCC regulations, and FCC and court decisions.[2] It provides, in summary, that a broadcaster has an obligation to treat "controversial issues of public importance" fairly, and to present all sides of such issues during the course of his programming. The remedy it provides, and which John Banzhaf sought, is that the FCC can order a station complained of to present the omitted points of view. (The FCC generally leaves it up to the station to decide how this is to be done.) In this case, said Mr. Banzhaf, the debate about cigarette smoking is "a controversial issue of public importance." Cigarette commercials constitute the presentation of a particular point of view. (Cigarette smoking is associated with vigor, success, and good times.) WCBS had failed, he said, to present the other point of view. (Cigarette smoking is also associated with gruesome lingering illnesses and death.) The "fairness doctrine" requires, therefore, that the FCC order WCBS (and, by implication, all other stations) to present information about the health hazards of cigarette smoking.

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[1] Mr. Johnson began a seven-year term on the Federal Communications Commission in 1966. He is a former practicing attorney and Berkeley law professor, and was appointed U.S. Maritime Administrator in 1964 at the age of twenty-nine.

[2] A pamphlet known as "The Fairness Primer" is available free on request from the FCC, Washington, D.C. 20554. Other free pamphlets describe the rules concerning the right of rebuttal to personal attacks and the equal-time rights of political candidates. Such rules of responsible conduct are under almost constant legal challenge by the networks and broadcasters, as they are now.

Mr. Banzhaf won. A potential of some fifty to one hundred million dollars' worth of free anti-smoking commercials are now being presented in the course of a year over radio and television. As a result of his rather simple act and investment in a six-cent stamp he has produced a result that federal officials and hundreds of thousands of concerned Americans has been unable to bring about: cigarette consumption has declined in our nation for the first time in its history.

The point of this story is not that "one man can make a difference" (although he can, and did), or that the "fairness doctrine" is the magic solution to all complaints about broadcasting (although it has not been used as much as it might). The point is that for each citizen grievance (about broadcasting or other matters) there is one particular course of action suggested by "the law of effective reform" that will bring the quickest and most thorough results in the most efficient and cheapest way. Any effective reformer must spend at least as much energy planning that optimum strategy as executing it. You *can* fight city hall, the "little man" *can* do effective battle with massive corporate and governmental institutions, the government *can* be made to be responsive to an individual citizen's desires. The individual's frustration in our institutionalized society comes only from ignorance, not impotence. Those who preach the necessity for revolution in this country might do better to study and practice the strategy of utilizing presently available techniques of reform.

It is obviously impossible to spell out in advance all potential grievances about broadcasting, let alone the optimum remedy for each, especially in a short article. But a few more examples may be useful.

Though you may not know it, you can, and should, have a voice in deciding who will operate radio and TV stations in your community. This is the citizen's ultimate control over broadcast programming. A broadcast station "owner" is using the public's property—the airwaves—and Congress has provided that he cannot "own" this property in the sense that the corner druggist owns his drugstore. A broadcaster is like an elected official, and his license entitles him to no more than a three-year term, after which he must either have his license renewed by the FCC or be turned out of office. You—his constituents—who are supposed to vote in this election often do not even know it is being held. All the licenses in each state expire at the same time. (For example, New York broadcasters' licenses are renewed June 1, 1969. Other expiration dates can be obtained from the FCC.) Any local organization with a stake in the quality of broadcasting (church, union, civil-rights groups, or civic club) can appear as a party in a license-renewal proceeding by writing the FCC that it wishes to be a party, expressing its views in writing, or requesting an oral hearing. It can not only participate in the FCC proceeding, but—often more important—it can appeal to a court for reversal if the FCC grants the renewal unjustifiably.

This right was first established five years ago, when the United Church of Christ, along with two leaders of the Jackson, Mississippi, Negro community, the Reverend Robert L. T. Smith and Mr. Aaron Henry, filed with the FCC a petition to deny the application for license renewal of the local TV station, WLBT. Their petition, which represented the culmination of a decade of complaints by Jackson Negroes against WLBT, alleged that the station systematically excluded Negroes from access to its facilities and that it had systematically promoted segregationist views and denied presentation of opposing views supported by Negroes.

The Commission, which tended to regard these public intruders as some sort of unfamiliar pestilence to be scourged from its corridors, refused to accord the petitioners "standing" to participate in the renewal proceedings as parties. These representatives of the Jackson black community took an appeal to the District of Columbia Court of Appeals and won. The Court held that local citizens *do* have "standing" as parties before the FCC, remanded the proceeding to the Commission for another hearing, and retained jurisdiction to finally dispose of the case. The FCC subsequently held the hearing, admitting the Church as an active party to the proceeding. It has since granted the station a renewal—over the dissenting protests of Commissioner Kenneth A. Cox and myself—and at this writing the matter is back before the Court for ultimate resolution.

Others have argued that public participation in the license renewal process be made easier. Congressman John Moss says, "It is time to make every single broadcast license renewal application subject to a public proceeding within the city or region where the station is located." Consumers Union has urged that broadcasters be required to carry more meaningful and regular announcements about the public's rights. And Thomas B. Hoving's National Citizens Committee for Broadcasting (609 Fifth Avenue, New York, New York 10017) is showing signs of possessing the capacity and courage to play a very constructive role in this regard.

Agency legal action is not, of course, the only form of popular participation in policy formation. John Banzhaf could have organized mass picketing, protesting the immorality of stations and tobacco manufacturers profiting from the promotion of disease and death. The church could have obtained thousands of signatures on a petition and sent it to the President or to Jackson's Congressman. Either could have conducted a sit-in at the FCC or at station WLBT. (WNDT–TV in New York was seized by twenty hippies during a broadcast-in about a year ago.) The point is not that the activities they chose to pursue were somewhat more gentlemanly. It's that the appropriate legal remedy may be the most efficient and effective path to reform.

Within the past two years a number of other groups have bestirred themselves, by effective legal means, about the broadcasting situation in their communities. Four interesting cases are illustrative. One concerns the renewal application of radio station WXUR in Media, Pennsylvania. Some nineteen local organizations banded together and hired a Washington lawyer to protest WXUR's alleged policy of carrying masses of right-wing political programming unrelieved by programs promoting other viewpoints. They requested, and obtained, a public hearing in their own home town.

On different grounds a group of Los Angeles businessmen petitioned the Commission not to renew the license of TV station KHJ. They charge it has provided inadequate local service to the area. Moreover, these businessmen have asserted their rights under the Communications Act to apply for a license to operate this profitable station themselves.

In Ashtabula, Ohio, a local of the Retail Clerks Union petitioned the Commission to deny license renewal to several nearby radio stations which refused to carry the local's paid advertisements urging consumers to boycott a department store with which it had been involved in a labor dispute. It argued that the fairness doctrine required the stations to match the department store's commercials urging people to shop at the store with the union's contrary message.

Another protest was filed from St. Louis by organizations of young blacks who believed three local Negro-oriented ("soul") radio stations were not providing adequate service to the city's Negro population. (A station in Dayton was picketed for similar reasons with signs protesting "Soul Music Is Not Enough.")

On a national level, the American Civil Liberties Union intervened in the FCC's proceeding involving the proposed takeover of ABC by International Telephone & Telegraph Corporation. (The Justice Department ultimately appealed the FCC-approved merger to the U.S. Court of Appeals, and the parties called it off before the Court resolved the matter.)

The AFL–CIO has taken a general interest in the application of the fairness doctrine, especially, of course, when unions are attacked. The Washington-based Institute for American Democracy exists solely to combat hate programming and publishes "How to Combat Air Pollution" and a newsletter (1330 Massachusetts Avenue, Washington, D.C. 20005). John Banzhaf is now supported in his follow-up activities by an organization called Action on Smoking and Health (2238 Fifth Avenue, New York, New York 10037). He has urged a license revocation proceeding against NBC-owned WNBC in New York on the grounds that it has failed to comply with the FCC's cigarette fairness ruling, and intervened in the renewals of several California stations. (In an "unrelated" action the NBC network subsequently volunteered to put on a fixed number of anti-cigarette-smoking commercials during prime-time television programming last fall.) A group of good music lovers in Chicago ("The Citizens Committee to Save WFMT–FM") has made an effort to prevent The Chicago Tribune from acquiring the station.[3] A similar group in Atlanta inundated the FCC with mail protesting the possible loss of broadcast classical music in that city. A new national group, "Television Improvement Society of America" (1500 Massachusetts, Washington, D.C. 20005), has been formed to combat violence on television.

The American Civil Liberties Union has recently suggested that, instead of relying on the spontaneous activities of existing organizations or the formation of ad hoc groups, the FCC set up local committees of citizen volunteers to monitor local radio and TV, particularly with respect to the fairness doctrine. Monitoring is one of the most important aspects of effective broadcasting reform. It is an ideal group project for people of all ages, but must be done right to be useful. The United Church of Christ has had the most exeprience.

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[3] Other organizations concern themselves with broadcasting generally. They include the American Council for Better Broadcasts (17 West Main, Madison, Wisconsin 53703) and the National Association for Better Broadcasting (373 North Western Avenue, Los Angeles, California 90004). A number of church groups are involved, such as the Office of Communications of the United Church of Christ (289 Park Avenue, New York, New York 10010), the Television, Radio and Film Commission of the Methodist Church (475 Riverside Drive, New York, New York 10027), and the Broadcasting and Film Commission of the National Council of Churches at the same address. The *Columbia Journalism Review* (Columbia University, New York, New York 10027) is a quarterly that comments on the performance of both broadcasting and the print media.

Unfortunately there are few presently recognized legal rights or remedies that will affect the quality of programs, protect us from an inundation of commercials, or guarantee the opportunity to express our views or talents over the airwaves. There will be in time—when you, and others like you, finally harness your outrage and your imagination to "the law of effective reform" and pull other newly recognized legal rights into our stable of remedies.

But for now the best defense is still to turn off your set or switch stations. Since the broadcasters are in the audience-delivering business they would undoubtedly respond if enough people refused to watch or listen; but such an effort is admittedly hard, if not impossible, to organize.

On the other hand, it is easy enough to write or phone a local station manager and even to arrange a conference with him. He is not likely to be unresponsive. Similarly, letters to network presidents and to advertisers can be influential. (If one tenth of one per cent of the audience of the average network series show were to request its continuation it probably would not be canceled.) You can also send such general letters to the FCC, which, if you request, will be included in the station's "complaint file" for consideration at license renewal time. However, they will not have maximum impact unless a citizens' group subsequently appears as a party contesting the license renewal.

In fairness to the broadcasters, it should be said that citizens' groups and listeners and viewers are not generally too helpful when it comes to suggesting new program ideas. What many organizations *think* would be a good program often turns out to be a dud. When offered free air time, many organizations do not take it, or do not follow through for a sustained period. (On the other hand, some radio-station managers who have been offered locally produced programs of good quality have turned them down in favor of cheaper and easier disc-jockey or phone-in shows.)

Many communities have the blessing of community-supported noncommercial stations. The Pacifica Foundation operates radio stations WBAI in New York, KPFA in Berkeley, and KPRK in Los Angeles. Seattle has listener-supported KRAB. Public television stations (or "educational television") now exist in about 150 communities (such as Channel 13 in New York and Channel 28 in Los Angeles). Such stations should be especially responsive to listener-viewer commendation, criticism, and contributions, since most are heavily dependent upon audience financial support. If your town doesn't have such a station you might want to investigate starting one. If cable television is to be installed as a profit-making venture in your community (instead of community-owned) you will want to be sure the licensing authority (often the city council) requires it to provide a number of "free" channels for educational programming to schools and community programming to homes.

Television and radio probably have as much effect upon our lives as any other single force. About 95 per cent of American homes have receivers, and the television set is on in the average home from five to six hours a day. This is clearly America's number one consumer product, our most powerful potential force for good—or evil.

Moreover, the whole theoretical foundation of American broadcasting is the tie of a local station to its community and its local service. The station is licensed to serve the needs of the local community. And if it is not doing so we should seriously consider substituting direct satellite-to-home (or cable) broadcasting for a system that gives away 95 per cent of the public's most valuable airwaves to the private profit of 7,350 local stations. FCC regulations require the station to survey the community's local needs, and to provide programming to those needs. Station files at the FCC are supposed to be filled with comments from local citizens. The three-year license-renewal process is designed to encourage local participation.

In fact, greater community involvement in stations' affairs ought to be welcomed by the more responsible broadcasters—better local service is usually translated into larger audiences and higher commercial rates and profits.

The philosophy and rhetoric of participatory democracy is on the rise. All that remains is to translate its abundant energy and ideals into effective action. The legal process often offers the easiest route to results. Yet legal rights and powers lie about unknown and unused. Increasing sophistication has been reflected in greater public participation at the FCC. I, for one, welcome it.

ADM. JOHN HOWARD CASSADY

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. ROGERS of Florida. Mr. Speaker, our Nation has lost a distinguished citizen, whom I admired greatly, in the passing of Adm. John Howard Cassady, commanding officer of the aircraft carrier U.S.S. *Saratoga* during World War II, and a former commander of the U.S. 6th Fleet. He died in his home at 400 NE. Fifth Avenue, Boca Raton, Fla., on Saturday, January 25, 1969, at the age of 72.

A native of Spencer, Ind., Admiral Cassady graduated from the U.S. Naval Academy in 1918, class of 1919.

He commanded the *Saratoga* from August 1943 until July 1944, participating in a series of successful raids against enemy-held islands in the central and south Pacific.

In 1950 Admiral Cassady became Deputy Chief of Naval Operations for Air. He commanded the U.S. 6th Fleet from 1952 until 1954, and he then became Commander in Chief, Naval Forces, Eastern Atlantic and Mediterranean, with the rank of full admiral. He retired from the Navy on May 1, 1956.

Following his naval retirement Admiral Cassady became president of the Flight Safety Foundation in New York City. In 1958 he moved to Boca Raton, Fla., where he resided until his death. He was a member of the civil service board in Boca Raton and director of the board for the Southeastern District Hospital, Palm Beach County.

Admiral Cassady was awarded the Legion of Merit with two gold stars and combat "V." He also had the World War I Victory Medal; destroyer clasp; the American Defense Service Medal, fleet clasp; American Campaign Medal; Asiatic-Pacific Campaign Medal with four stars; World War II Victory Medal; National Defense Service Medal. He also held the degree of honorary commander of the military division of the Most Excellent Order of the British Empire, Companion of the Order of the Bath, awarded him by the Government of Great Britain, and the Order of Phoenix—grand officer—awarded by the Government of Greece.

One of the Navy's most experienced carrier aviators, Admiral Cassady made numerous speeches on naval air operations, and participated in naval-civilian orientation courses.

Admiral Cassady is survived by two sons, William F. Cassady, of 10 East Camino Real, Boca Raton, Fla.; and John H. Cassady, Jr., of 59 Palmer Square, West Princeton, N.J.; one sister, Mrs. Henry Wample, of Heritage, Tenn., and six grandchildren. Admiral Cassady's first wife, the former Sallie Lozano Dold, of Washington, D.C., died in 1958. He later married Genevieve Tyner Straus, of New York City, who died in 1965.

Burial services with full military honors were conducted in Arlington National Cemetery at 1 p.m., Friday, January 31, 1969.

CONGRESSMAN DELANEY INTRODUCES BILL TO INCREASE OUTSIDE INCOME ALLOWANCE OF SOCIAL SECURITY BENEFICIARIES

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. DELANEY. Mr. Speaker, the U.S. Department of Labor recently announced that during 1968 the American people experienced the worst period of inflation in 17 years. Surely those hardest hit by inflated prices are our senior citizens, a great many of whom are living on meager fixed incomes.

I feel it is imperative that we provide them some relief from this depressing situation, and today am introducing a bill which would permit social security recipients to earn up to $3,000 annually without suffering deductions from their social security benefits.

Figures released by the Government show that the 1968 Consumer Price Index advanced 4.7 percent nationally, and 5.3 percent in the New York City area. The tragedy of this situation is that the necessities of life—medical care, mortgage interest rates, food, and apparel—reflected the greatest increase. Unquestionably, these advancing costs place an almost unbearable burden on the limited income of older people.

Under the poverty program, those earning less than $3,200 a year are considered to live in poverty and are entitled to Federal benefits. Surely those who have worked hard all their lives with the expectation of spending their old age in a modicum of modest comfort should not be placed in a worse position than welfare clients because of an inflationary spiral over which they have no control.

Page after page of the daily papers are filled with ads seeking competent employees, indicating that there are more jobs than qualified people to fill them. I am sure that a great many of our senior citizens, with their wisdom, skills, and years of experience in a multitude of crafts, could be of great assistance to these prospective employers at this time.

Unfortunately, social security laws presently discourage their entry into the labor market, even on a reasonable part-time basis.

Enactment of my bill would not only provide much needed assistance to our senior citizens, but would materially help employers in locating competent and experienced employees, particularly at this time when labor is in such short supply.

ISRAEL'S SECURITY IS NOT INTERNATIONALLY NEGOTIABLE

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. PODELL. Mr. Speaker, of late there have appeared in respected journals a series of items regarding a prospective settlement in the Middle East. It seems that each of these plans seeks to give to the Arabs at the conference table what they were denied on the battlefield. Each of these plans envisage the negotiability of the rights Israel has won and protected at such high cost.

It seems that this Nation is eagerly seeking to subscribe to the French plan that calls for American concurrence in a Soviet drive to eviscerate Israel's defenses.

France is Israel's enemy as much as she is America's. France serves Soviet ends in working for this conference on the Middle East. She is the running dog of the Kremlin, seeking to curry the favor of Arab despots and bask in the reflected glow of the Communist superstate. At the United Nations, the anti-Israel forces whine unceasingly for American acquiescence in this hoped-for repetition of 1938 and Munich. The Arabs have shown nothing but intransigence and brutality. There is no reason in the world for Israel to allow her military security to be comprised through such a four-power conference.

I condemn in the strongest terms any American agreement with the Soviet plan for Israel's destruction. I condemn vehemently any American concurrence in De Gaulle's attempt to destroy Israel. I condemn the attempt to strip Israel of her military gains which are her strongest bargaining card.

International guarantees are fine for editorial pages and the floor of the United Nations. They are worthless to the Israelis who would face Arab terror and death should these guarantees prove worthless. How worthy were the guarantees given to Czechoslovakia in 1938? How strongly did the great powers of 1938 enforce the rights of the Czechs? Ask the Czechs today, as they groan under the Soviet boot.

Think of the merciless advantage the Arabs would take of any Israel compromise and agreement to false guarantees. Think of the fedayeen and the newly rearmed Arab armies, licking their chops at the thought of another chance at Israel, with the odds on their side for a change. Shall America dare to take the triumphant sword from the hand of Israel so she will stand vulnerable and naked before her enemies? Shall the United States betray the Israelis for the worthless words and guarantees of the United Nations, the Arab States and the Soviet Union?

I thought better of Mr. Nixon. I thought better of some of the people around him. I thought better of the American foreign policy establishment. It is obvious that Scranton-type thinking permeates the new advisers on the Middle East. This could result in the extinction of Israel. Mr. Speaker, I place no faith in these overtures. I place no faith in these promised guarantees. I place no faith in the honeyed words and glib promises of the Soviet Union and her Arab clients.

And I have nothing but contempt for the Arab-Soviet lapdog, De Gaulle's France. Let the gentlemen in the befogged areas of Foggy Bottom take notice that Israel's friends will not take such suggestions seriously. Their idea of a solution to the Middle East is the same as the Arab's solution—the extinguishing of the State of Israel.

I cannot believe that America would acquiesce in such a move, much less support it.

CONGRESSIONAL PAY RAISE

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. MILLER of Ohio. Mr. Speaker, today the Rules Committee blocked legislation from coming to the floor of the House of Representatives that would lead to a vote by the House Members on a pay increase.

I believe firmly that the House Members should be allowed to debate and work their will on the resolution concerning pay increases from 28 to 71 percent.

At a time when inflation is causing those people living on fixed incomes to do without many of the necessities of life the Federal Government should not start another round of inflationary pay increases that would harm those on fixed incomes and those earning a minimum salary.

During this period when talk of holding the line against inflation is uppermost it seems almost unreasonable that we could sit by and allow this increase to come about.

Today we had a vote as to whether or not the House should recess from Febuary 7 to 17. Since the Commission's recommendation will go into effect the 14th, I feel we should stay in session and attempt to pass legislation which would block this pay increase. Therefore, I voted "no" on the resolution to recess until February 17.

I want to go on record as opposing the pay increase and had this issue come to the floor for consideration I would have voted against the increase.

BETTER HOMES AND GARDENS TAX REFORM ARTICLE

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. REUSS. Mr. Speaker, on January 29, 1969, I was joined by nine of my colleagues, Mr. MEEDS, Mr. REES, Mr. WILLIAM D. FORD, Mr. MOORHEAD, Mr. ADAMS, Mr. BINGHAM, Mr. BROWN of California, Mr. ZABLOCKI, and Mr. EDWARDS of California, in introducing H.R. 5250, the Tax Reform Act of 1969.

The Tax Reform Act is a 13-point reform package that would bring in some $9 billion in extra revenue and make unnecessary the proposed extension of the 10-percent tax surcharge.

The November issue of Better Homes and Gardens contains an excellent article on tax reform entitled "Our Income-Tax Mess: Is There Any Way Out" by Peter Lindberg and George Bush in which many of the reforms contained in H.R. 5250 are discussed. The article deals in intelligent and readable fashion with such controversial issues as the oil depletion allowance, tax-exempt bond income, capital gains, the unlimited charitable deduction, estate and gift taxes, hobby farms, the $100 dividend exclusion, and the proposal for a minimum-maximum tax on individuals.

I commend this article to my colleagues and ask that it be printed at this point in the RECORD:

OUR INCOME-TAX MESS: IS THERE ANY WAY OUT?

(By Peter Lindberg and George Bush)

(NOTE.—Of all the puzzling ways of government, the whys and hows of our income tax are probably the most mysterious. Rates are supposedly progressive, rising up to 70 percent in the top bracket—yet your family is taxed a greater percentage of its income than are many millionaires. Indeed, according to the latest figures, 18 individuals with personal incomes of more than one million dollars paid no income tax at all in 1966.

(If you're over 65 and blind, you get two extra exemptions; if you're over 65 and paralyzed, you get only one. Make money on stocks instead of by the hour, and your tax obligation is almost automatically cut in half. Single people get hit so hard that it actually pays them to get married. Sell your home for more than it cost you, and you must account for the profit; sell it for less, and you ordinarily cannot deduct your loss.

(The list of inequities and inconsistencies is so complex that only an expert can take full advantage of tax-saving devices. And here the average breadwinner is strictly out of luck. Most legal "loopholes" pay off only where big money is involved.

(To make matters even more frustrating, nobody seems quite sure what income taxation is all about these days. Is it to finance the operations of government? Is it to redistribute the income, to channel funds from the richer to the poorer? Is it to fight inflation by absorbing some of your extra money, rather than letting inflation run its damaging course?

(Considering all this, it's no wonder the tax system is both confusing and open to boondoggling by politicians. It's also no wonder that the system is making cynics out of so many.

(Obviously something must be done, and it isn't surprising that "tax reform" has become a magic phrase in this election year. But none of the proposed changes is a panacea. Each has its pros and cons. For this reason, and because the Treasury some months ago was considering a tax reform program for introduction by the present administration, *Better Homes and Gardens* decided to explore the major inequities and solutions.)

OIL AND GAS DEPLETION ALLOWANCE

Most tax reformers long have had an eye on this controversial bit of favoritism that allows oil producers to deduct 27.5 percent of the gross income from their wells before they even start figuring their taxes. True, this deduction can't exceed half of taxable income—i.e., the income after expenses (without subtracting depletion). But this deduction is allowed annually for the full life of a well without relation to the dollar amount invested. Thus, the deduction limit isn't much of a problem for most of the oil industry. What's more, to help on the deductible expense picture, oil people may claim "intangible drilling and development costs" as current outlays instead of spreading them over a number of years as other industries must do with similar expenditures.

It's no revelation, then, that there's little left to tax. And while there *are* a number of high-bracket individuals on this long-running gravy train, corporations generally make the most use of it.

Opponents of the allowance, like former Senator Paul Douglas of Illinois and Senator Albert Gore of Tennessee, have a point when they say that it has outlived its purpose since it was instituted in World War I to stimulate oil exploration. Today, say these critics, it's an unwarranted gift and privilege, regardless of how many people benefit.

Defenders of the allowance also have some arguments. They maintain the relatively low price you pay for gasoline is a result of the depletion allowance. Others, like Senator Jack Miller of Iowa, have said the depletion allowance helps our oil companies compete in the world's petroleum market.

Not surprisingly, while a reduction of the allowance is often recommended, few reformers suggest abolishing it entirely. Even Rep. Henry S. Reuss of Wisconsin, in his tabled tax bill of 1967, merely proposed cutting it to 15 percent, thereby increasing federal revenues by an estimated 500 million dollars a year. This compromise shows how difficult it is to be idealistic about taxes: In principle, the allowance represents an inequity, whether it's 27.5 or 15 percent.

TAX-EXEMPT BOND INCOME

If you're very rich, you can avoid paying income taxes altogether by investing your wealth in tax-exempt bonds that are issued by municipalities and other local governmental bodies to raise money for schools, roads, water purification plants, and other projects. Because such securities are tax-exempt, the issuing community can pay a lower interest rate and still compete successfully for funds in the capital market. Where an ordinary corporate bond may pay 5 percent or even more these days, tax-free school bonds, for instance, may be floated at only 3 or 4 percent. Yet they are extremely attractive to those taxpayers in the 50 percent tax bracket or above.

Why not raise the interest rate on municipal bonds and make them taxable? Simply because communities could not afford to pay the high interest rates of the open market. Even as it is, they often have a hard time meeting their financial obligations. If exempts were abolished, local taxes most likely would rise (although for every dollar now saved in *local* taxes with exempts, *federal* taxpayers lose $1.25 to $1.50, the difference going to high-bracket taxpayers).

The solutions? One is an across-the-board minimum tax—regardless of source of income. We'll talk about this later. Another is a suggestion made by some economists that the federal government could get by cheaper by making up the difference between the interest rate the community can afford to pay and the going market rate.

CAPITAL GAINS

Make money in the stock market—or in any other capital investment or income-producing property—and you often can cut your tax bill at least by half, provided you hang on to your investment six months and a day. The most you'd ever have to pay (if you're in the 50 percent or over tax bracket) is 25 percent of your gain, not including the new surtax.

Take the assembly-line worker earning $7,000 a year who files a standard 1040 form. He has to pay roughly $1,100 in tax. Another taxpayer whose sole income is $7,000 made from long-term capital gains on stock investments gets by with a $400 tax bill. On the face of it, that's a tremendous injustice. But this law was written to stimulate risk investment. Without risk investing, a country cannot grow. There must be some incentive for you to put your money into a project where you might lose it. Indeed, some countries don't tax capital gains at all.

Thus, it's not likely that the capital gains advantage will be—or should be—abolished entirely. But many lawmakers would change the provisions. They point out that there's a big difference between a man who invests his money in a long-range project, and the speculator who buys stock and sells it at a profit right after the six months are up. Various informal proposals have been put forward, such as lengthening the required holding period for the maximum tax benefit from six months to, say, five years, with intermediate points allowing lesser benefits. Another proposal is to do away with the 25 percent maximum and simply tax capital gains at half the regular rate applicable to the taxpayer, with rates then ranging up to 35 percent.

UNLIMITED CHARITABLE DEDUCTIONS

This is a net little wrinkle, and you'll have to read carefully to follow it.

You, as the average taxpayer, cannot deduct more than 30 percent of your total income for contributions to charity no matter how much you actually give (though you can carry over unused contributions to the next five years). A little-known law, however, lets a taxpayer deduct gifts to charity without limit in a given year if—in that year and eight of ten preceding years—his charitable contributions plus federal income taxes paid exceeded 90 percent of taxable income.

Now what does this mean? One thing it does *not* mean is that a millionaire actually must give away or pay in taxes more than 90 percent of his income all those years. The key word here is *taxable*. By investing so he receives income from capital gains, tax-exempt interest on municipal bonds, and oil property, he can reduce his *taxable* income to a minimum. In actuality, his federal income taxes and his gifts together can be much less than 90 percent of what he earns.

Example: A man with a million-a-year income, half from municipal bonds and half from long-term capital gains, could contribute to charity and pay taxes of just over $225,000 a year for eight years and still qualify for this tax break. Then in the ninth year, he could make a gift in excess of $225,000 and escape paying taxes entirely for that year.

If the unlimited charitable deduction provision were abolished, the government would gain about 50 million dollars a year in taxes. But there's also an argument for allowing this privilege to continue. Remember that the millionaire *does indeed* give this money away to a worthy cause. If he didn't contribute generously, the money would have to come from elsewhere, most likely from a government source. The question then narrows down to one of control of the charitable funds. Who should decide how much money goes to which charities? The millionaire as the individual donor, or the government?

INHERITED SECURITIES

By not taxing capital gains at death, the government last year lost out on an estimated 2½ billion dollars in revenue (or about a tenth of that years deficit). What's involved here is this: A taxpayer buys stock worth $5,000. By the day of his death, the stock's value has increased to, say, $15,000. If he sold it one minute before his death, he'd owe capital gains tax—a maximum of $2,500 on the profit. But if the stock is not sold and passes on to his heirs, *neither* he nor his heirs have to pay income tax on the increase in value. The heirs' only responsibility for taxes is on any future profit they receive.

President Kennedy tried unsuccesfully to plug this loophole in his tax reform package of 1962. Congressman Reuss tried again in his aborted tax bill of 1967. Reuss' charge was that the provision greatly favors those who have large amounts of accumulated wealth.

But many congressmen balked at the hardships that would result from requiring an additional income tax at death. Something they might accept, however, would be a requirement that an estate or heir must use the same income tax base for property as the deceased, rather than the higher appreciated value allowed under present law. This would result in the heirs' paying an income tax, not at the time of the death of decedent, but when they sold the inherited property.

FEDERAL ESTATE TAXES

According to the tax-rate schedule, federal estate taxes *are* steep. The gross tax rates on taxable estates run up to 37 percent on one-million-dollar estates to 77 percent on estates over ten million dollars. Yet the actual tax paid runs from 15 percent at the $500,000-to-one-million level up to no more than 24 percent, then tapers off above the $20-million mark.

How does this happen? Well, simply by leaving his estate to his wife, a taxpayer can exclude up to half that money from *any tax* on his estate. Available to all estates, it's obviously most useful to large ones—i.e., being able to leave half of a 20-million-dollar estate to your wife and be taxed at the 10-million rate. But even at the lower end of the income scale, it in effect lets you leave $120,000 tax-free to your wife—$60,000 under the estate-tax exemption clause, another $60,000 under the marital deduction clause. Some say this doesn't offer permanent tax escape, since money is taxed when the donee dies. But it can save tax, since the estate is divided into two smaller taxable packets, each taxed at lower rates than if combined. And the donee has the use—and interest from—the money that otherwise would go to the Treasury. Result? For the Treasury, a hefty revenue loss. (When the marital deduction was adopted in 1948, it lowered estate tax revenues by one-third.)

But there's even more tax-relief mileage built into our present federal estate laws. Simply by leaving money *in trust* to his wife or children—rather than by outright bequest—a man can save surprising amounts of tax money. His wife or children get all the income from the estate—such as interest on bonds—during their lifetime. When they die, the property is not subject to estate tax—and, if it's left in trust for the children, an entire generation escapes paying estate tax. Obviously, the leverage increases with wealth. On an eight-million dollar estate, for instance, bequeathing 2.4 million in trust to the children could save roughly 1½ million dollars in taxes. (To insure that he pays even *less* tax, the same cautious man can make use of the gift-tax loophole described below—all perfectly legal.)

The solution? Taxing inheritances on a generation-to-generation basis, as the British now do, is one way suggested to recoup the Treasury's loss of an estimated 100 million dollars yearly.

THE GIFT-TAX GAME

According to more than one tax reformer, some 900 million dollars in tax revenue elude the Treasury annually via the gift-tax route. Of course, there is a law requiring tax to be paid whenever someone transfers property to another during his lifetime. But consider this often lucrative exception. Any taxpayer can give $3,000 a year ($6,000 a couple) *without* tax to each of as many people as he wants. Besides this, a taxpayer can give an additional $30.000 in his lifetime ($60,000 a couple) without tax, *not counting* the annual $3,000-a-year gifts.

Take this common gift-tax scenario. Couple X, early in their marriage, start giving $6,000 a year (tax-free, of course) to each of their four children. In addition to these $6,000 chunks, they spread another $60,000 among them. In 25 years, under normal circumstances, couple X could give their four children something like $660,000—all untouched by tax.

But the gift-tax law holds some added tax-avoidance potential. First, any gift in excess of the tax-free limits is taxed at only three-fourths of the death tax rate. Next, since both gift and estate taxes rise on a graduated basis, further tax relief is given by adding up the gift tax pile separately from the estate tax pile (as if from two separate taxpayers).

Though revenue loss from the gift-tax gimmick is substantial, it isn't generally considered the gravest threat to Treasury revenue. Most people still are loathe to let go of big chunks of property without keeping some control over them. One simple proposal: Make the gift-tax rates the same as estate taxes. Other suggestions resemble the 1950 proposal by former Secretary of the Treasury John W. Snyder, which would combine estate and gift taxes into one rate schedule.

THE DEPRECIATION GAMBIT

Few tax reformers will argue that income-producing property should not be depreciated. After all, it suffers wear and tear in use. Today the law provides a number of methods by which such property may be depreciated over its useful life, with the depreciation written off as a direct expense against income.

But there are abuses, too, despite the restrictions in sections 1245 and 1250 of the 1964 IRS code. For example, a man can borrow 10 million dollars to erect an income-producing building, not put a dollar of his money into the property, and still take depreciation deductions on the full 10-million-dollar investment—such as an office building or apartments.

The rental depreciation device works well on a smaller scale, too, from duplexes to small apartments. You can borrow the purchase money and write off depreciation annually—as well as writing off the interest you pay on the borrowed cash. With other "costs" tossed in, the write-offs can come close to—or exceed—the rental income on paper. On top of this, you'll still have a net cash flow.

THE GENTLEMAN FARMER

Though not technically a "loophole," farming illustrates how a fellow lucky enough to have some extra money can operate a farm largely at the government's expense. Say he'd like to own a farm. So he buys one and becomes a gentleman farmer. If it doesn't make money, he writes off his farm losses against other income.

In effect, then, other taxpayers are financing his operation for him. Race horses, which can be income-producing if they're fast enough, also fall into this leisure-living category of tax write-offs, with Uncle Sam paying their feed.

Unlike a racing stable, the so-called "hobby farm" has another undesirable social byproduct besides the tax revenue loss. Hobby farming, ineffectual as it may be, cuts into revenues of people who make their living through farming.

However, there *are* some tests a gentleman farmer's operation must meet. First, there's the five-year, $50,000 limit on operating losses which can be deducted. In addition, if the farm is adjudged a "hobby," the losses from it are not deductible. (Although, if the farm *is* being operated for profit, losses would be deductible.)

THE DIVIDEND TAX SHELTER

As many smaller investors know, any taxpayer may exclude the first $100 of his income from dividends. If a man and wife jointly own stock, they can exclude up to $100 apiece from their dividend income.

Of all the so-called tax shelters, this one probably is least open to criticism as a refuge for the wealthy. Yet in terms of lost revenue to the Treasury, it means 250 million dollars a year.

And to many, the current dividend collection process is an inefficient, makeshift device. In the flurry of paper work, corporations can't always report to IRS the name of every shareholder who's received dividends of $10 or more. Then too, more than a few taxpayers miss recording dividends in their 1040s.

Tax experts like Washington lawyer Mortimer Caplin, head of the IRS during John Kennedy's administration, have continued to press for this fairly straightforward, red-tape-free solution: Make corporations withhold the dividend tax *before* sending out the payments to shareholders. It would require no more paper work than reporting the names of individuals, and would do away with the uncertainties of reporting by both the companies and the taxpayer. Though corporations still might argue that it's a double tax, it would at least be fair, simple, and reliable.

UP THE "SINGLES" CREEK WITHOUT A LOBBY

A family may groan about its tax bill, and may resent the big-ticket operators who get away with paying less than their share, but actually the American family takes advantage of the biggest loophole of all. Thanks to the built-in split-income provision, your income is treated as though you and your wife had each earned half of it—and you're taxed at a considerably lower rate. More than that, you get a personal exemption of $600 for each member of your family, and chances are that as a homeowner you itemize your tax return and show hefty deductions for real estate tax and mortgage interest. As a result, a typical tax bill for an income of $9,000 is about $800.

Now consider the plight of the single person. With an income of $9,000, he pays an average tax of $1,500. None of these breaks are on his side. He can't take advantage of the income-splitting provision. He gets only one exemption. Chances are he rents rather than owns, and finds it useless to itemize his deductions.

You may argue that it costs a lot of money to raise children, and you are right. But even childless couples can in effect "split" their income, get two exemptions—and may well find it advantageous to itemize. In short, the system basically assumes it costs twice as much for two people to live together as it does one.

But this isn't so. According to Joseph Pechman, director of economic studies for Brookings Institution, it costs a couple just 1½ times more to live than it does one person. Evidently, this set up *is* unfair to the single person—especially to the single woman, who not only must earn her living but must also secure her future. But it isn't likely that this inequality will be changed soon.

It simply would cost the Treasury too much revenue to give singles the same income-splitting privilege as marrieds—an estimated two billion dollars a year. On the other hand, eliminating the income-splitting provision entirely could bring the Treasury enormous revenue—but the proposal probably could not survive the storm of protest from married couples.

Yet from the sociological point of view, families *are* the foundation of our society. They produce the next generation. They provide the bulk of taxes. More exactly, it's the family unit that backs our community improvements—from improved schools to new streets and water purification plants. With few exceptions, notably New York City, single people are not involved in such civic progress—and they *do* pay less per capita in local taxes and assessments.

THE UNREALISTIC $600 EXEMPTION

Today the $600 exemption is on its way to becoming a token deduction. Even with the 1964 addition of a minimum standard deduction for a taxpayer (generally $200 plus $100 for each exemption up to $1,000 total), "deductions" haven't kept pace with the cost of living. Example: Since 1948, when the $600 exemption was approved, basic expenses—such as food, rent, clothing—have increased 50 percent, and medical expenses have climbed nearly 90 percent.

Economist Pechman points out that by 1939 living standards, for example, the limit of $2,400 for a couple with two children is worth just $1,057 today. And because personal exemptions become proportionately more crucial to family well-being at lower-income levels, this erosion of the $600 exemption is even more painful.

Why, with all the hue and cry from the taxpayer, hasn't the $600 exemption been boosted? For one thing, by Treasury terms, it's an extremely expensive change. An increase of $600 to $700, it's estimated, would cost the government around three billion dollars a year; a boost from $600 to $800 would cost somewhere near six billion dollars. Besides this, it's said, the increase would benefit many who really don't need it.

Of the solutions now proposed, one by Rep. Herbert Tenzer of New York would put the exemption at $1,000. Tenzer argues that though it's expensive, this increase would take the economic strain off the low, fixed, and middle-income groups—and would reduce the cost of present state and local welfare programs. Less dramatic on the surface is another plan to increase the standard deduction limit, now set at $1,000. This move, say economists like Pechman, would in effect reduce a family's tax bill, but cost the Treasury less.

COLLEGE-EXPENSE DEDUCTIONS

To the parents of an expensively tuitioned child, a deduction for college expenses would make ample sense. At the same time, it illustrates as much as any other tax reform plan the observation by former IRS chief Caplin. "Our taxes," he said, "reflect a continuing struggle among contending interests for the privilege of paying the least."

For childless couples and single taxpayers, the education-expense deduction is obviously unfair. To them, educational costs are a personal expense—like buying a suit or paying rent—which should be absorbed by individuals without a tax deduction. But those in favor stress the resulting improvement in educational standards, and see it as a necessary investment in the future.

Thus, college-expense deductions raise a highly controversial issue: the obvious social benefits versus the tremendous revenue loss to Treasury resulting from adoption of this reform—a loss that *could* lead to a general rise in all taxes.

As with any tax reform issue, though, no two solutions are alike. Yet one by Rep. Tenzer does offer a seemingly workable beginning. His plan would provide a sliding-scale deduction, rather than a set amount for all income levels. A taxpayer in the 22 percent bracket (about $5,000 a year taxable income) would be allowed to deduct 78 percent of his education expenses for tuition, textbooks, equipment, room, and board. One in the 42 percent bracket (about $17,000 a year) would be allowed to deduct 58 percent of college expenses.

Whether the Tenzer plan—or a similar one from Sen. Abraham Ribicoff of Connecticut—is the complete answer is immaterial. Today there *is* a pressing need for tax relief on education expenses. And, this judgment was strongly seconded by some 300,000 informed, money-wise consumers who answered our recent Consumer Questionnaire (see the June 1968 issue).

WHERE DO WE GO FROM HERE?

By now, tax reform experts—even the most dedicated—recognize that the day of the sweeping reform is past. As is well demonstrated by the piles of stymied tax reform plans (such as Wilbur Mills' 1960 bill), tax reform is no overnight job. It's a tedious, provision-by-provision process, aptly compared by economist Walter Heller, former chairman of President Kennedy's Economic Advisory Council, to the bunker-to-bunker fighting on Iwo Jima during World War II.

In the initial stages, tax measures must be weighed by Treasury and Congressional committees against several factors—the possible revenue gain (or loss), the economic effects, immediate and long-range, and the social or fiscal impact. Then there are the political pressures on the administration and Congress, particularly from well-funded lobbies trying to preserve tax benefits for the wealthy. At the same time, there's a reluctance to pass any tax reform that would anger the great block of lower and middle-income families. Obviously, the tax reform measures that make it through this gauntlet are rare indeed.

What hope is there then? For many—from economists like Heller to tax experts like Stanley S. Surrey, Assistant Secretary of the Treasury, and Sen. Russell Long of Louisiana—the *minimum tax* is a crucial step in tax reform.

HOW THE MINIMUM TAX WORKS

Although there are several variations, it works something like this. First, you'd figure your tax the way the present tax law reads, using all the special provisions, preferences, and exemptions now available. Then you'd compute your tax a second time, putting back all the income you excluded the first time. You wouldn't take the depletion allowance or the charitable deductions. You'd restore your capital gains and put them back in full, along with, say, municipal bond interest. Once you'd done that and figured the tax, you would take a percentage of the total—10 percent, 20 percent, or whatever the law required—and pay that amount *if* it added up to more than your first method.

Recently, the Treasury Department has been considering a minimum tax proposal much like this. It would require taxpayers to compute their tax, allowing all their current deductions. Then they would have to figure their tax without the benefit of some major "loopholes"—capital gains, mineral depletion, tax-exempt bonds—and compute a certain percent of whatever total they came up with. Finally, they'd owe the Treasury whichever was higher, the first or second total.

Established immediately, the minimum tax would accomplish two things: (1) it would reduce the drain on Treasury tax revenue via the upper-income loopholes; (2) it would instantly spread the tax burden more fairly among taxpayers.

Though it wouldn't account for a vast windfall in Treasury revenue, the Treasury's minimum tax plan above *would* bring in a respectable sum. It also would mean that lower-income families (especially those on a straight salary with no access to special tax shelters) would know that the wealthy were at least paying some tax. And for future tax reform legislation, the minimum tax would do one critical job: By making tax shelters subject to *some* tax (and therefore less desirable), it would ease the way toward neutralizing or at least adjusting these shelters one by one.

WHY CRACK DOWN?

There are several solid economic reasons against tax privileges. These shelters or "havens" draw money into the channels that get the special tax privileges, and thus too little investment money reaches those channels that the "free market" system says are the most efficient places for the money to go.

For instance, if the free market sends out signals for investment money, so much is attracted to oil exploration, so much to cattle and so on. But the moment you change the rules of the game, say by broadcasting that any dollars that go into oil get double or triple return under tax law, you suck more investment dollars into the oil business and away from other competing channels. The depletion allowance for oil now draws about a billion dollars a year more in investments into that industry than it would otherwise. Among other things, this means the economy is going to produce less efficiently, less effectively than if the market system dictated the flow of money.

Most economists agree that there *are* times when it makes sense to channel investment money in certain directions, though. The oil depletion allowance originated during World War I, when we desperately needed more oil exploration production. The seven percent investment credit of 1962 was passed to push more money into plant machinery and equipment in *all* industries, and boost a lagging economy.

Yet what about our present needs—money for housing, ghetto rehabilitation, job training, and elimination of water and air pollution? If these are compelling problems, couldn't government solve them more effectively by *direct* investment spending or subsidy? Direct spending is no more costly, since reducing a person's tax is just as expensive as paying out that money through a budget, where it can be accounted for. Unfortunately, the tax preference—or "backdoor spending"—is popular because it doesn't show up on the expenditure side of the national budget. To many tax reformers, this is one insidious thing about tax preferences: They provide Congress a way of appropriating money that never appears in the President's budget or in the Congressional budget.

In the end, though, there's more to tax reform than making everyone pay his share, bringing in revenue to the Treasury, or making our economic machinery work more efficiently. Tax-reform—careful, deliberate reform—must come about to restore faith in our tax system.

Granted, our current tax structure is administered more efficiently than tax systems in many other countries. And it is true that as taxpayers, we hand over less to our government than do taxpayers in almost any other nation. (U.S. taxes are 28 percent of Gross National Product, compared to 30 to 40 percent in many other countries of the world.)

Still, our current tax inequities are steadily undermining public confidence in the whole tax system. That's why tax reform has to come, no matter how painful the process. And the reform must be a true *restructuring* that makes sense at both ends of the economic ladder. In the process, you may feel the bite. But that is the price of a fairer, more balanced tax system. And because tax reform is open to the uncertainties of the legislative and administrative process, it needs a loud clear commitment by you the taxpayer to see it through.

GENERATION GAP MUST BE CLOSED

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. STUCKEY. Mr. Speaker, I insert the following article concerning the position which I have taken on the generation gap in this country in the Record.

Congressman Stuckey has been speaking about a problem which has become one of major concern to each and every citizen in our country . . . The Communication Gap between the generations.

Stuckey says that as our young people under 25 now make up almost half of the population of the entire country that they are becoming cognizant of the strength of their number . . . and they are demanding more loudly than ever to be listened to.

The 8th District Congressman says that youth today is more concerned and more involved than ever before. And, he says that this is good, particularly since the average age in the U.S. is rapidly approaching 25.

"It is true that many of our young people today have a right to feel indignant. Because we still see them excluded from the workings of our communities and our government—their government—and they are not stupid—they can see it too."

When speaking on this subject, Stuckey remands his listeners that although wisdom may come with age, it is the courage of the young that got our nation moving and it is that same courage that is necessary to keep it moving forward. He says it was a group of young revolutionaries who were responsible for the founding of our nation.

And, throughout the history of this great country of ours, it has been the energy of such young minds and their drive for change that has propelled our nation forward. The founding fathers of our country, Stuckey says, had an average age of 43 . . . and the reason that was so high was because Ben Franklin who no one would deny was truly a wise man was 81 years old when the Constitution was written. However, James Madison, the father of our Constitution was only 36. Rep. Stuckey says that it is becoming increasingly obvious that leadership in this country must be revitalized. And, he says that this means the youth of our country must be given a sounder and more effective opportunity to be heard.

"If they are not," Stuckey says, "then that group of radicals who would disrupt and destroy will overshadow the true voice of our young people.

"Already," says the Congressman, "one of the major contributions of the communication gap between the generations if the fact that a handful of young people have gone to extreme measures to make their voices and opinions heard by the senior citizens—and in many instances these older citizens who have been responsible for repressing the voice of youth have reacted in dismay and have branded *all* young people as irresponsible and irrational."

"It's becoming a vicious cycle, and there is a growing mistrust between the members of our younger generation and the more senior members of our society."

"We must not allow this gap to continue to widen," Stuckey says.

Although the 8th District Representative believes that the main burden of responsibility of closing the gap lies with those members of our society who are between 25 and 40, he says that it is encumbent upon every citizen, young and old to be more understanding and to work together.

In speaking to younger audiences, Stuckey says, "I have repeatedly defended our young people and their dependability as responsible adults . . . and, I have done so, because I am convinced that the hippies who are making headlines represent only a mere fraction of our youth." "If I believed otherwise," Stuckey says, "I would probably throw up my arms in despair, pack up my wife and children and move to the remotest part of the country—fully believing that the future of our country could not possibly survive under the direction of our future leaders."

"However, I do not believe that the so-called 'Society drop-outs' we read about are truly representative of today's young people."

As a matter of fact, Stuckey says that a survey which was recently released by the National Student Association shows that of 101 colleges and universities surveyed from January 1 to June 15 of 1968, showed that less than 3 out of 100 students enrolled in those colleges participated in campus demonstrations.

"This means that two and six-tenths percent of the American college students are giving American campus life a black eye, arousing the whole country, and producing the impression that our youth has gone haywire," says Rep. Stuckey.

"These young people are giving the impression across the country that their antics are representative of our American youth. Their voices are drowning the voices of the majority of our young people in this country."

"It is necessary that we hear from the responsible youth of this country. It is necessary that their voices be raised above those of society's drop-outs."

While calling on the responsible youth of our country to step forward, Stuckey has also been calling on the older members of society to give these young people a chance to be heard above their radical counterparts.

"It is up to you," Stuckey has told educators, and business and civic leaders, "To guide these energies of our young, and to cultivate the abilities of these . . . shall we call them . . . 'Instigators for Change.'"

Stuckey has promised each of his audiences that they will be hearing more from him on the subject of the communication gap. He says that during the past year he has become deeply concerned with the problem of communication between adults and young people.

"This problem has to be solved," Stuckey says, "The day when young people had to follow the dictates of their elders, because, if for no other reason, they were outnumbered, has passed. And, if the older folks don't wake up and realize that this is no longer the case, they are going to wake up too late and find that the younger generation outnumbers them, and will use the power of their numbers to enforce what could possibly be unwise decisions and policies.

"In order to maintain an orderly society and achieve the goals to which we strive . . . we must employ both . . . the energies and innovation of youth and the experience and wisdom of the older generation," Stuckey says.

ARNOLD ENGINEERING DEVELOPMENT CENTER CONTINUES VITAL ROLE IN NATION'S DEFENSE PROGRAM

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. EVINS of Tennessee. Mr. Speaker, the Arnold Engineering Development Center in Tullahoma, Tenn., has made increasingly important contributions to the Nation's defense and space programs.

Arnold Engineering Development Center, located in the Fourth Congressional District which I am honored to represent in the Congress, is a facility with unique testing capabilities which, for example, brought the Apollo 8 to Arnold Engineering Development Center for testing as well as the F–111 "swingwing" plane and the C5–A Galaxy, demonstrating the versatility and capacity of this base.

In this connection, I am placing herewith in the RECORD an article from the Tullahoma News and Guardian, Tullahoma, Tenn., which outlines highlights of Arnold Engineering Development Center activities during the past year. The article follows:

AEDC's WORK DURING PAST YEAR WAS VITAL TO NATION'S DEFENSE

Arnold Center played a vital role in testing for the Apollo 8 moon flight, the F–111 "swing-wing" plane, C5–A Galaxy, which is the world's largest transport plane, and other aircraft vital to the nation's defense, a look-back at the center's accomplishments for 1968 shows.

Though the center felt the impact of a $2 million cut in Federal funds allocated for its operating contractor, ARO, things began to pick up again in July, when an additional $2.8 million was added for extra work.

R. M. Williams, president of ARO, said the fund cut resulted in reductions in work shifts, personnel, materials and new equipment, but by November, the center had begun some limited hiring and recall of employees who were laid off.

"Other additions to the contract are in the discussion stage," he said, adding, "The curve is starting to climb again."

Mr. Williams also noted that ARO reported more than $8 million in cost reduction programs and value engineering savings last year. "This really means that an additional $8 million worth of work was accomplished beyond the changes in the contract," he said.

In addition, the company's newest division, AROdyne, has already made a proposal being considered by one aerospace industry, and is investigating other business possibilities for 1969, Mr. Williams said. The division will make available the "engineering and management experience of ARO personnel to a variety of commercial markets."

And something else has been added—ARO bought a twin-engine Beech aircraft which can carry eight passengers, and hired a professional pilot to facilitate travel by company personnel.

Brig. Gen. Gustav Lundquist, commander of the center, noted that work began in 1968 for the center's new airport, between Tullahoma and Manchester. Other additions for which work or plans were begun include a liquid propellant storage area and a new warehouse.

"We on the Arnold Center team must continue to assist the country in maintaining its present momentum in aerospace research and development and to meet any potential threat from abroad," General Lundquist said. "This indeed requires vision, imagination, technically qualified foresight and a great deal of courage on the part of all of us."

Major improvements were made in two facilities in the past year: the modification of J-1 test cell for testing large fan turbojet engines and the completion of the four-foot transonic tunnel for conventional weapons separation testing.

In addition, three systems were designed, fabricated and installed in the Mark I chamber to permit testing of the Titan III rocket's trans-stage: an aerodynamic heating system, solar simulation system and a vehicle handling system.

Also during 1968, tests were conducted at the center on the sea-launched Poseidon and land-launched Minuteman III missiles, both of which have since passed their first flight tests.

And the center also awarded a new three-year contract with the National Aeronautics and Space Administration with options to negotiate work for each successive fiscal year.

Changes and improvements were reported in every department at the center. Among them:

The plant protection division developed a new disaster operations plan, arranging with the State Office of Civil Defense to calibrate all radiological monitoring equipment in center fallout shelters annually.

The finance section compiled the lowest payroll preparation error rate in center history.

The general services department reported the largest savings in manhours and money in the history of the company because of refinements and improvements of "our existing organization and internal operations."

Summing up the center's accomplishments in the past year, Gen. Lundquist said, "In the past, Arnold Center has met the challenge. We must strive to keep AEDC as Gen. James Ferguson, commander of the Air Force Systems Command describes it: 'The most versatile and prolific test complex in the free world.'"

INCREASE OUTSIDE INCOME LIMITATION UNDER SOCIAL SECURITY

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, on January 9, 1969, I introduced H.R. 2649, a bill to increase the outside income limitation permitted social security annuitants without loss of benefit from $1,690 annually to $3,000.

Mr. Speaker, there are thousands of senior citizens who can make a great contribution to this Nation's economic well-being if we would modify the present restrictive limitation on outside income permitted social security recipients.

In addition, Mr. Speaker, these older Americans also can have the personal satisfaction that comes from being able to make one's own way in the world. At a time when we are short of skilled labor in this country, it is national folly to encourage persons with years and years of experience in the labor market to remain in enforced idleness when they want to work and are able to work.

In addition, Mr. Speaker, I have always supported the enactment of a cost of living feature to social security payments so that those who subsist on these payments will not be victims of inflation.

Mr. Speaker, recently I received a petition signed by senior citizens attending a food-stamp meeting in Jersey City. I include this petition in the RECORD following my remarks.

I do hope, in conclusion, in 1969 we will make the well-being of American older citizens a major priority. Simple justice demands that we do at least this.

The petition follows:

Hon. DOMINICK V. DANIELS,
House of Representatives,
Washington, D.C.:

We, the undersigned, respectfully request that you and your fellow congressmen review and update the present Social Security regulations.

1. Social Security benefits adjusted to the constant spiraling cost of living; and

2. Provide an opportunity to augment ones income to a realistic social and economic level without suffering total loss of Social Security benefits.

(List of petitioners not printed.)

PROPOSED COMMON MARKET TARIFF ON OILSEEDS THREATEN TRADE, FARMERS, CONSUMERS

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. NELSEN. Mr. Speaker, on December 19, the European Economic Community announced a proposal for an internal tax on all oilseed products. The main thrust of the tax would be against soybean oil and meal, chiefly supplied by the United States, for use in the Common Market nations. Today I am offering a resolution urging the President to take all appropriate actions against the offending countries if they go through with the proposal. In the fiscal year 1967–68, the EEC nations purchased $447,573,000 of America's oilseeds and products.

The proposed new tax is aimed at discouraging the use of oilseed products in order to create a market for Europe's huge dairy surpluses. Because of artificially high support prices, the EEC nations have acquired surpluses in amounts that make the problem of getting rid of them a major one. It seems that they have not considered the logical possibility of lowering their support prices. Instead, they have decided to work toward pricing oilseed products out of the cooking oil and feed markets, replacing the oil with cut-price butter and the meal with casein.

The proposal is the logical extension of an illogical policy. The United States can grow the oil and meal products the Common Market countries need at a far lower cost. Their dairy prices are inflated, and huge surpluses have resulted. These are the same surpluses, we should note, that EEC nations try to dump in America as inexpensive cheeses and butterfat mixtures. To the Eurocrat, the surpluses seem to offer a possible means of supplying a domestic cooking oil for consumers and protein source for feeds.

The impact of a big cut in our half-billion-dollar market would be felt in every soybean producing area of our country. It would raise the price of feed and margarine to farmers and consumers in the EEC, and it would tend to lower the price farmers received for their oilseeds in America. It would drastically raise the cost of our oilseed farm programs.

We must do everything we can to prevent the implementation of the proposed tax. Harsh retaliatory measures must be taken if the tax is executed. It has been estimated that on a dollar-for-dollar basis, a proportionate tariff on a Volkswagen coming to the United States would be $800. Small cars, low-price wine, cheeses, synthetics, and textiles are but a few of the items Europeans sell to America that could be hit in retaliation for the soybean tariff. One wonders what the reaction of the Germans would be if Volkswagens were to be taxed to that high level. French wine makers, Italian cheesemakers, and Dutch weavers should look critically at their leaders' proposal.

The proposed action of the EEC violates the spirit and the letter of the multilateral trade agreements concluded in Geneva in 1967, and the countermeasures the action would provide might trigger a new wave of protectionism. The free world can ill afford such a reaction in these times of financial crises and international turmoil.

I am in hopes hearings can be held on this resolution in the near future to dramatize the importance of this little-noticed development. I urge my colleagues to join me in the effort to do all that we in Congress can to strengthen the position of our bargainers and to dissuade the Common Market from their proposed course of action.

I include the text of my resolution in the RECORD at this point:

H. CON. RES. 129

Concurrent resolution urging the President of the United States to take appropriate action to protect United States exports of certain agricultural commodities

Whereas United States exports of soybeans and soybean oils, other oilseed, feed grains, and related products would be severely affected if the oilseed products consumption taxes currently being considered by the European Economic Community are imposed;

Whereas the Congress considers that the imposition of such taxes by the Community would adversely affect domestic agricultural programs;

Whereas the imposition of such taxes by the European Economic Community would, in addition, create instability in the American oilseed markets and would increase the cost of administering the sections of the Food and Agriculture Act of 1949 as amended that apply to oilseeds and oilseed products: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the President is urged, in the event that the European Economic Community imposes consumption taxes on oilseed products, to take any action authorized by law considered by him to be appropriate to overcome the effect which such taxes would have on American agriculture.

WHAT YOU CAN DO ABOUT THE URBAN CRISIS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, the December 30, 1968, Public Affairs bulletin, published by the Chase Manhattan Bank, cites some specific ideas on how individuals in the private sector can become active in solving urban problems:

There is something each of us can do—

The bulletin points out—

and the joint efforts of enough concerned citizens hold out the best hope for conquering the ills of our cities. "We have an ample supply of handwringers," says John Gardner, head of the Urban Coalition. "We are in very short supply of people willing to lend a hand."

I would like to include the full text of the bulletin as part of my remarks:

WHAT YOU CAN DO ABOUT THE URBAN CRISIS

The plight of our cities and of the people who live in them no longer needs any documentation. Our eyes, our ears, our noses, our nerves tell us more eloquently than any statistics that our cities are in deep trouble.

There is no single solution, and certainly no simple one. "This is such a mixture of physical, financial and psychological questions as to confound the best minds we have," said President Johnson.

But there is something each of us can do, and the joint efforts of enough concerned citizens hold out the best hope for conquering the ills of our cities. "We have an ample supply of handwringers," says John Gardner, head of the Urban Coalition. "We are in very short supply of people willing to lend a hand."

VOLUNTEERS ALL

Virtually everything we know today as social services—children's shelters, home nursing, family service agencies, halfway houses, clinics, welfare agencies—were pioneered by volunteer citizens who became concerned about neglected human needs in their communities and took steps to help. Now, in this time of change and turbulence, volunteers are needed more than ever. "Volunteers bring a sense of commitment and interest," says Ruth Hagy Brod, director of the Volunteer Coordinating Council in New York. "They improve the quality of city services because they're not calous, and in a highly alienated society, when someone does something for someone else without pay, it's a sign you really care."

Across the nation an army of volunteers—thousands of your fellow citizens—are devoting time, energy, ingenuity and initiative to urban ills. Why not join the "army?" Recruits are desperately needed and the opportunity for service lies right at hand.

A MAJORITY OF ONE

You don't need an elaborate organization or large bankroll to launch your own community aid project. Your own wits, energy and dedication are enough.

For instance, you can collect and distribute clothing, books, food and other items in short supply among the urban poor.

You can use the free resources of the city's playgrounds, parks, museums or libraries to sponsor recreational or cultural projects.

You can form a committee to write letters, prepare data and consult with elected officials on pressing urban problems.

The list is endless, and thousands of your fellow citizens have shown the way. For example—

On New York's Lower East Side, Humberto Aponte, an insurance claims adjustor who was born on a poor farm in Puerto Rico, runs a one-man housing clinic in his spare time. Armed with only a battered typewriter, he battles for his neighbors who often lack the knowledge and resources to fight back against slum landlords.

First in Hartford, and then in New York, 27-year-old Ned Coll created an organization called the Revitalization Corps which functions as a kind of non-governmental domestic Peace Corps through a variety of grass-roots programs. Coll's "Operation Suburbia," for example, placed 100 city children from Hartford and New York in suburban homes for several weeks last summer. Other projects include tutoring and campaigning for better schools—all on $5,000 a year, privately raised.

In Harlem, Miss Cora T. Walker, who for years has been telling her neighbors: "Quit complaining about problems. Do something about them!," launched a $5 per share supermarket last spring. Called the Harlem River Consumers Cooperative, Inc., it provides jobs for 80 Harlem men and women and lower prices for housewives on shopping day. Seventeen teenagers traveled from door to door to sell shares in the cooperative.

IN UNION THEIRS IS STRENGTH

If your inclination is to "join" rather than act on your own, there are innumerable organizations and groups that will welcome your participation. Let's look at what some of them already are accomplishing in various parts of the country on major aspects of the urban crisis.

Education

A good education is the greatest single weapon for combating the cycle of poverty, despair and disorder that festers in so many of our cities. The education problem, as we all know, is beset by conflicting pressures. Yet in scores of communities, heartening results have been achieved by groups who found that there were practical steps they could take right in their neighborhoods.

In Bridgeport, Connecticut, the School Volunteer Association, made up of some 375 black and white volunteers, tutors children with reading problems. The school superintendent calls the volunteers' work "an academic tender-loving-care that you couldn't buy."

In another typical community, women volunteers of a Stay-in-School Committee have been encouraging high school dropouts to return to school by establishing personal contact to get at the basis of each youngster's problem. With the help of church, service and community groups, they find dropouts part-time jobs and help them maintain their morale and keep their school and job performances up.

In New York City, a group of 70 young businessmen has set up an organization called SEO—Sponsors for Educational Opportunity, Inc. SEO searches for ghetto boys and girls with top potential and helps them get into the better colleges and universities. The SEO members entertain the students in their homes, build up a personal relationship, look into family problems and seek scholarships and summer jobs. Most of the 150 students SEO has selected for sponsorship are already in college. Says Harold Davis, whom SEO helped to win a scholarship to Wesleyan: "Ninety-nine per cent of the boys I grew up with are dead, in jail or on drugs—It's a miracle I'm alive."

Jobs

A job often makes the difference between becoming a useful citizen with a sense of hope and responsibility, or a public charge and possibly a criminal. James Rudd, leader of a group of 50 businessmen in Hempstead, New York, who banded together to help local youths find jobs, says: "There were plenty of Negro kids in this community who felt that they could become leaders by having the guts to stand up and throw a brick. I wanted to channel this energy into getting jobs instead."

In Indianapolis, a Voluntary Advisory Corps (VAC) has been helping unemployed persons overcome obstacles that have prevented them from finding and keeping a job. The only special skill required of a VAC volunteer is that he be a successful breadwinner—a person with a job who pays his bills and deals with his employers and fellow workers successfully month in and month out. The VAC volunteer meets with a job-seeker, usually referred by an employer who has been unable to offer him a job. In a series of sessions, the volunteer advises the job-seeker about how and where to apply for a job within his capabilities, how to prepare for interviews and fill out the necessary forms and how to bring out his positive factors that will appeal to an employer.

Sometimes just a bit of community encouragement is all that is needed to generate effective self-help programs. In Washington, D.C., a group of teenagers, given such encouragement, banded together as "The Working Magnificents" and sent out flyers that said:

"What jobs have you found for these industrious young men in your neighborhood? They can rake leaves, paint your porch floor, clean up your yard, shellac your inside floors, clean out your basement, wash and polish your car, get rid of your rats and roaches, and do any other such jobs. . . ."

Crime

The President's Riot Commission last spring drew a collective profile of the "counter-rioters"—after interviewing many ghetto residents who worked to prevent the riots. The report stressed that "the counter-rioter's actions and attitudes reflected his substantially greater stake in the social system." In other words, the key is: a stake in the community.

A number of volunteer groups throughout the country have sought to apply that message. In Indianapolis, a group of women started modestly, seeking to curb crime, persuade dropouts to return to school and obtain a new light on one dark street.

Thousands of women in the community have joined the campaign. They have helped keep scores of children in school, gotten hundreds of new street lights and established a "court-watchers" program to keep tabs on the efficiency of the courts. They have also begun a "one-woman-one-child" program in which one woman helps to solve the problems of one disturbed child, whether he needs a new sweater, help with his schoolwork or a job for his unemployed father.

An incident in Chicago recently gave eloquent testimony to the value of such programs. A 16-year-old hefted a fist-sized rock in his hand, then suddenly thrust it toward Lucy Lewis, a city anti-poverty worker. "Here," he told her, "I've got something for you. You kept me so busy I never had a chance to throw it."

HOW DO YOU START?

Chase Volunteers for Community Action (CVCA) has been created to help Chase staff members who want to do voluntary work on community problems in their spare time. It acts as liaison with various private and public groups and agencies that are seeking volunteer help.

Through CVCA you can take youngsters for a boat ride around the city, or to a museum, to a ball game or the circus; help out in child care centers; tutor children in remedial reading or other subjects; teach them to paint, sew or make handcrafted articles in workshops; or counsel adults on job difficulties, family finances or other problems.

To get started in these and various other activities and projects, telephone CVCA on Extension 4314.

Many Chase officers are working to assist economic development in disadvantaged areas—through Bank programs, the Interracial Council for Business Opportunity, the Bedford-Stuyvesant Restoration Corporation, the New York Coalition and other groups. Volunteers provide managerial assistance to minority-group clients who want to start their own businesses and who need advice about financing, credit, marketing and other problems; or who already have their own businesses, but have run into difficulties.

"GREATER, BETTER AND MORE BEAUTIFUL . . ."

In the Golden Age of Ancient Greece, every young Athenian as he came of age took this oath of citizenship:

"Thus in all these ways, we will transmit this City not less but greater, better and more beautiful than it was transmitted to us."

Perhaps we should all take our own version of that oath.

A PLAN TO EVACUATE THE JEWS OF IRAQ

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. HALPERN. Mr. Speaker, it is indeed proper to mourn for the 14 human souls, Jewish and non-Jewish, who were so notoriously mass murdered by hanging in the streets of Baghdad, Iraq. Civilization cries out against this return to the barbarity of the German Nazis by the Government of Iraq.

But we must do more than merely cry out. We must embark on an action plan to save the survivors. The remaining estimated 2,500 Jews in Iraq are all under virtual house arrest. They face restrictions modeled after the Nazi Nurnberg laws. They may not emigrate from the country. Scores are in jail. Many are now facing phony trials, such as the so-called trials conducted by the Gestapo judges of Nazi Germany. We fear more mass executions from day to day in this campaign of genocide.

The Government of the United States can do little because Iraq broke off diplomatic relations with Washington during the 6-day war of 1967. The fanatical generals and colonels who act as military dictators of Iraq have voiced public contempt for anything the U.S. Government might say.

Indeed, the State Department has indicated that it might even be counterproductive for Washington to intercede directly. One of the charges against those held in Baghdad jails, including even an American gentile citizen, is that they are spies for the United States.

I am proposing, therefore, to our Secretary of State, an action plan to save the surviving Jews of Iraq.

The Government of India is the government with the most influence with Iraq. Indeed, India might be Iraq's closest friend. Iraq chose India to represent Iraqui diplomatic interests in Washington after the Iraqui embassy was closed.

I propose that the United States enlist the offices of India, a country that has received as much as a billion dollars a year in various forms of loans and economic assistance from the United States, which reflects the humanitarianism of the American people. I will suggest today that India show a special measure of compassion for the Jewish victims of Iraq, just as we have shown compassion for the hungry masses of India.

India can do this through her special status as diplomatic representative of Iraq in the United States. Specifically, India can propose to Iraq, whom she represents and with which she is on such good terms, that Air India provide an emergency air lift, a flying carpet of compassion, to remove the Jews from Iraq.

The estimated 2,500 Jews of Iraq could be flown out by Air India in less than a week. Other airlines could rush to lend planes to Air India just as the airlines of the world sped to the assistance of the Arab airlines after the Israeli action at Beirut. At Beirut not a single life was taken. But at Baghdad human beings are being liquidated in naked genocide.

The Government of India would be compensated for the special expenses including air fares, by appropriate philanthropies. Special visas could be issued by the U.S. Government under the immigration provisions providing emergency sanctuary for refugees from religious or political persecution.

I believe that the Government of India should make the rescue of the Jewish community in Iraq a matter of utmost priority. Pending before the Subcommittee on International Finance of the House Committee on Banking and Currency, a subcommittee on which I happen to serve as the ranking Republican member, is a bill crucial to India.

It is a bill authorizing a 4-year commitment to the International Development Association. The largest single beneficiary of this bill is the Government of India. Indeed, some have argued that India is receiving a disproportionately large amount of aid and there is some opposition to the bill. However, I am mindful of the human plight of India's millions of underprivileged and am taking this into account as I form my own opinion.

But I would be less than frank to state to this audience that a country like India, which receives massive U.S. food-for-peace grants, U.S. Government loans, and assistance of all kinds, both directly and indirectly, should show a little compassion for the helpless Jews of Iraq. It would be in keeping with the finest traditions of Mahatma Gandhi who so eloquently denounced Adolf Hitler's persecution of the Jews.

Last Saturday President Nixon devoted the entire session of the U.S. National Security Council, his top advisers on diplomatic, military, and security matters, to the crisis in the Middle East. Indeed, this was the only subject taken up in many hours of White House discussions. The conclusions, of course, have not been publicly announced.

But I am now confident on the basis of my own information that the President will not rush headlong into any deals with France or the Soviet Union which would involve a sellout of Israel. I can also reassure you today that the President expressed concern about the situation of the Jews in Iraq at the meeting.

The President is convinced that the most important threat to world peace exists in the Middle East. But he is not pushing the panic button. He is avoiding possible missteps that might compromise Israel's right to peace and security.

I can assure you today that the President has resisted various pressures for a headlong surrender to pressures for a so-called "imposed" settlement injurious to Israel. He is acting cautiously and with a cool determination to preserve the peace and security of all the countries of the region.

While the outlines of the new American policy are not yet clear—indeed, the President has not yet made up his mind on basic options—one thing is certain. It is that he understands that the Russians are exaggerating the crisis in a self-serving manner in a bid to help their Arab friends and to further penetrate the region. President Nixon recognizes that the threat to Israel is also a grave threat to the national security interests of the United States.

NIXON: THE REPUTATION AND THE REALITY

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. BOW. Mr. Speaker, I wish to include in the RECORD an excellent article on our new President, Richard M. Nixon, by Jack Leacacos whom many of us know as the very able Washington correspondent of the Cleveland Plain Dealer.

As chief of the Plain Dealer's Washington Bureau, Mr. Leacacos has a background in national affairs that lends particular insight to his story of Mr. Nixon's career:

NIXON: THE REPUTATION AND THE REALITY

(By John P. Leacacos)

WASHINGTON.—Finally, tomorrow at noon, 11 days after his 56th birthday—America and the world will be able to see Richard Milhous Nixon, front and center of the stage, and never to depart from it for four long years. Then and only then can the new president begin to display his character and personal style in action, by deeds as well as irretrievable words, by his posture and at what angle and direction he leans into the sky.

Yet, paradoxically, ever since Nixon's photo-finish victory last Nov. 5, there has been a growing and smoldering curiosity about the man and what kind of a president he would make, despite the fact Nixon has been a nationally known figure for 20 years. It's as if an unbelieving country never quite thought he'd make it.

But he did all right. Now everybody has to take Nixon seriously, for he is indisputably the new president, and in the great tradition of American politics, every new president deserves a fair shake and every citizen is duty-bound to give him the benefit of the doubt.

Why the confused impressions, the grudging acceptance by some, the apparent mystery of who is the true Richard Nixon?

It may be useful, therefore, to attempt to explain, as far as one can, how the strawman effigy of Nixon came about and why, by and large, Nixon has had one of the worst press reputations in American history, though unfair.

For one thing, Nixon retains his small-town, grass-roots aura, his past high positions and converse with the great of the world notwithstanding. He is not a buddy-buddy type who has been barbered and glossed over into a politican who can be all things to all men. He has a deep reserve, does not wear his heart on his sleeve for the gentlemen of the press to stroke into friendly headlines.

The fact that he has been consistently himself as a basically unreachable Nixon is reflected in press clips which go back two decades. And one of the first things reporters have to do when writing about a public figure is to resort to the filed clips. Thus, in one sense, the straw-man picture gets repeated—and repeated.

Two more basic reasons come into play. From his very entry into politics, his 1946 upset victory over popular Rep. Jerry Voorhis, a Democrat, in his home district of Whittier in California, through his role in the exposure of Alger Hiss, his bare-knuckles defeat of Helen Gahagan Douglas for the U.S. Senate and his meteoric rise to vice president in 1952, Nixon has been the No. 1 *bete noire* and savage butt of the Democrats and the vast liberal and articulate majority who supported them for almost two generations.

Sen. Robert A. Taft of Ohio and President Dwight D. Eisenhower never drew such vindictive fire. The first was of the great 19th Century mold, the second to much a "father of his country" figure. But Nixon was the new, aggressive and dangerous symbol cast as the threat to the welfare-state gains and illusions of a whole area.

More subtle but perhaps even more pervasive in engineering anti-Nixon animosity and shrouding him in misunderstanding was the disillusionment of the nation over the aftermath of World War II, fought to insure a peaceful, democratic world—only to find totalitarian Soviet Russian imperialism thrusting a chagrined United States into constant crisis.

The pro-Soviet predilections of the 1930s and Communist Utopia, before the 1939 Nazi-Soviet non-aggression pact, left many feeling like fools. Nixon was the lightning rod to draw the abuse for the awakening sensations of self-guilt. Nixon was the unwitting victim of the maelstrom of the tides of history.

The Nixon, indeed, seems at times a scroll of many personalities in search of a character: anti-Communist inquisitor, partisan zealot, press scapegoat, liberal bogeyman, protocol figurehead, Quaker quietist, relentless climber, crusading evangelist, indefatigable lawyer, world statesman, anti-hero of the Jet Set, and ideal son, father and husband.

Who, then, is Nixon? What are the components of his soul? What is his character inside the public shell? What made Richard Milhous Nixon what he is today?

Nixon himself is amused at all the attempts to psychoanalyze him.

"It's a lot of fun and I don't mind it," he told a TV interviewer. Further: "as far as that charisma and public relations tricks that are supposed to make you look like a matinee idol, forget it. If that is what the American people want in a president, I am not their man."

Yet Nixon's self-depreciation is not entirely accurate. This correspondent has seen Nixon on at least three occasions—twice at the Gridiron Club in Washington, once at the New York dinner in memory of Cardinal Spellman last fall, when . . . at his ease at a non-political and semi-social event . . . he looked handsome, most amiable, even elegant enough to qualify for the Town and Country-Vogue ambiance. So went the comment at the time among the reporters.

Talking to scores of persons in New York and Washington recently and reading reams of material in trying to penetrate the multi-faceted Nixon personality, this correspondent found one surprising concensus: There was a not generally known, an almost secret, side to the Nixon character. It was his deep feeling about religion.

He got it from his Quaker mother, Hannah, who set the example of the Quaker principles of the "inner light" and good works, a light that was to be made visible by simplicity, purity, truthfulness, high standards of personal integrity.

Nixon also got it from his father, Frank, who was always "on top of us all the time to abide by the Ten Commandments," as Edward Nixon, the president-elect's brother, told me.

The manifestations of religion invariably evoke deep feeling in Nixon. During the singing of the "Battle Hymn of the Republic" by the congregation in the Mormon Tabernacle during a campaign stop in Salt Lake City, Nixon turned to a friend and said: "Look at their faces. They believe in their religion."

Nixon, however, is loath to talk about religion except to intimate friends. He has been desperately afraid to talk religion in the past for fear he would be accused of so doing for political gain. The Rev. Billy Graham, whom Nixon has known and talked to confidentially for 18 years, describes the president-elect as even "fatalistic," that Nixon truly believes that a Divine Providence controls the affairs of men and that in 1968 Nixon was fully prepared in his soul to lose, if thus it had to be.

In the 1960 election, Catholic associates of Nixon said, he laid down strict rules to avoid all references to the religion of his rival, John F. Kennedy, despite pleas from his campaign workers that the Democratic candidate was subtly benefiting from the issue. After the election was lost, on the ride back from California to Washington, Nixon's first comment to Peter M. Flanigan, a Dillon Read partner and Nixon volunteer: "at least we've laid to rest the ghost of bigotry in this country."

A peek at the private Nixon inside the public figure was provided by his brother, Ed Nixon, 38, or 17 years the new president's junior. Another brother, Donald, 53, is a marketing consultant in California. Two other brothers died as children. Richard made his first and lasting impact on the youngest when Ed was 7, he recalled. His mother, Hannah Nixon, Grandmother Almira Milhous, the matriarch of the family, and Ed drove 2,000 miles in the family Chevy to see Dick graduate from Duke University Law School in North Carolina. Ed said: "Dick was the head of the family and the leader of all the brothers. It was a big thing. It impressed me."

As almost a second father to the youngest brother, the man who becomes president tomorrow used to try to inject some of his own built-in adrenalin and competitive spirit into Ed. "He was always driving me to do my best. He tried to make me go out for track. He'd say when I had to go to the store for a pound of butter, 'Let's see how fast you can do it' and he'd time me with a stopwatch."

Ed, however, missed all of the political campaigns until last year. He'd been in school, got a master of science degree in geology, been a U.S. Navy helicopter pilot for seven years. Meeting Richard in Seattle in 1967, he had asked his brother to let him become "involved" in any campaign if Richard decided to run for the presidency in 1968. So last fall Ed supervised a staff of 75 at the Nixon headquarters in New York, arranging for "personalized" answers to 100,000 letters to Nixon before the election and 50,000 in the first two weeks after.

"He wanted us to give attention to details in human matters as well as business matters," Ed added.

After Richard established himself as a lawyer in New York, Ed visited him once or twice a year. The brothers used to take long walks down Park Avenue and talk of everything under the sun. Ed noted to himself that here was a man who had been exposed to the full fury of the crosswinds of the times, had been shaken and tested, had asked himself a lot of questions and emerged grown and deepened from the challenges.

"Often Richard would ask, 'What are we coming to? What are we coming to?' as they discussed the world. The appearance and fashions of men had little effect on Richard.

"But what's behind their eyes is important," he would exclaim.

Perhaps the best rationale Ed could find to explain what most impelled his big brother to come back from the lip of political oblivion in 1962 when he lost the governor's race in California lay in the speech the Republican presidential candidate gave last Oct. 2 in Williamsburg, Va. The locale itself was a revered place for Nixon for his forebears on both sides go back to pre-Revolutionary days. In the speech, which got little public notice at the time, Nixon said, in part:

"I believe that a nation, like a person, has a spirit . . . that a national spirit comes to the fore in times of national crisis . . . that it speaks to its own time with a different message directed to the problems of that time.

"Whenever America falls short, that spirit appears—not to comfort us, but to make demands on us. Not to salve our conscience, but to spur our conscience.

"The great eras of change are clear enough for us in retrospect. But to the men living through those times, America was upset and uncertain; strong currents of opinion roiled the waters and hatreds flared. That is the kind of era we are going through right now.

"We are told of a man who was seen digging around the walls of his house; when he was asked why, he said: 'I am letting the dark out of my cellar.' That is what we must do now; as we dig for the demands of change, we must let the dark out of our cellars."

The Nixon paradox was once epitomized by a friend, the Rev. John F. Cronin of the National Catholic Welfare Conference. He described Nixon as a "complex character, a politician who could have been a poet; immersed in worldly affairs, yet with the qualities of a mystic: a hard fighter, yet sensitive and kindly."

Rose Mary Woods, Nixon's secretary for 17 years, paints her boss (to whom she will be executive secretary in the White House) as "shy basically, not a pusher, but retiring; the things he does for people one never hears about." And glimpses into his family life: "He comes home and flicks on all the lights and turns on the music." And his Spartan diet to keep trim; cottage cheese regularly, sometimes with peach juice or ketchup to keep it from becoming too banal.

Billy Graham, cheerfully confessing to bias, avers Nixon is a "warm person, but this does not come through in the press or on TV." Nixon is "thoughtful about friends, remembers birthdays and anniversaries and special gifts; there's nothing he won't do for a friend. He takes kidding and likes to kid back."

The words "compassionate" and "extremely sensitive" are frequently encountered among his acquaintances, with the immediate reminder that Nixon personally abhors making a spectacle of himself in emotion. In 1960, an associate recalled, after he had so narrowly lost to John F. Kennedy, on the plane ride back to Washington from California, the plane was full of weeping secretaries. Nixon reached out and took on the load of grief. He proceeded to sit with each one individually, put his arm around her and console her out of the heartbroken despair of defeat.

Probably the best clue to the Nixon character is found in his upbringing and the kind of a mother and father he had. The Nixons were originally stern Methodists and the Milhouses gentle Quakers. Grandmother Milhous came from Mount Pleasant, O., and father Frank Nixon from Vinton County.

Frank Nixon seems to have been an original of the Terrible-Tempered Mr. Bang and a man of hard views fiercely articulated. Hannah Nixon was a selfless, tireless woman, almost a lay saint. Ed characterized his mother as the "epitome of patience," his father as an "advocate of immediate action."

Hannah who died in 1967, admitted that "even Frank Nixon accepted in most instances Richard's judgment, and he was a man with strong opinions of his own." From his mother, Richard Nixon learned tolerance and piety, from his father strict morality and high competitiveness.

Ed called it the "most successful combination in the family of a high sense of justice and perseverance, tempered with patience in executing decisions." The president-to-be, in fact became the arbitrator of the family arguments which taught him early the art of compromise and mediation.

Frank Nixon, who died in 1956, in fact seems to have been quite a heller, a veritable 19th Century character when everything was taken personally, no matter what the cost socially or politically.

Frank Nixon has been variously described as rambunctious, a martinet, an original do-it-yourself expert—at farming, engine repair, housebuilding and grocery merchandising, tactless, brusque, pugnacious, heavy-handed, opinionated, grim, a fighting cock, impatient, intolerant, irascible, as demanding on others as he was on himself, moody, argumentative, rigid, uncompromising, outspoken, strong-willed, stubborn, unpredictable, and not giving a damn whose feelings he lacerated.

But he was also a man of utter probity, just, of earthy humor, possessed of a knack with children, an ideal pedagogue, and dependent enough on his wife, so as to become a Quaker himself, unfit for it temperamentally though he was.

Ed Nixon said of his father. "He had the competitive spirit. He seemed to have the attitude, 'I can do anything any man can do' and he tried to, and he wanted to do it better than anyone else, though he only had a sixth grade education. It gave him tremendous drive to excel." It was a big influence on Richard.

The "dignity of labor" was literal with Frank Nixon. He quoted the Bible: "By the sweat of thy brow shalt thou eat bread." Playing was daydreaming. The highest state of work was organized thinking. Therefore, the prime duty of parents was to insure the education of their young.

Frank Nixon's explosive, volatile and emotional temper kept the family in a continuous state of tension. When he criticized others or laid down the law, he minced no words, but never entirely closed his mind to the appeal of abstract reason. Inevitably, for there was hell to pay for the sons, including Richard, when they misstepped on the strict code of Nixon behavior, they got whopped. Richard Nixon told an interviewer once:

"Dad was very strict. When you got into mischief, you had to be pretty convincing to avoid punishment. I used to tell my brothers not to argue with him because with patience and humility, we could all get along. He expected to be obeyed under all circumstances. If he wanted something, he wanted it at once. He had a hot temper and I learned early that the only way to deal with him was to abide by the rules he laid down."

The future president was thus not only fired to tempered hardness in this crucible of passionate morals, but also burnished by the arduous labor of economic necessity. There was no overindulgence of any kind. Richard Nixon told Bela Konitzer, his biographer of some 10 years ago:

"It is true we had hardships, but I should like to emphasize we didn't consider them particularly hard. Everything any of us boys were to have, whether an education or a new suit, we had to work very hard for it. We learned not only the value of a dollar and the importance of work, but developed a high competitive spirit. One of our hardest chores was picking string beans. We had to work 12 hours to earn one dollar." To this day, Nixon can't stand the sight of string beans, he added.

From his father, Richard also learned early about politics. The father read all the newspapers and made his daily colorful comments on what was going on in the world, including the scandal of Teapot Dome in the 1920s, which gave vent to one of the earliest expressions of Richard's ambitions at 12 years of age. He wanted to be a crusading lawyer, one that couldn't be bribed.

Richard learned to idolize President Theodore Roosevelt and even Robert LaFollette, who were the admired of his father. This hard school helped develop in Richard Nixon the combination of disciplined self-control and the art of the possible, which became a hallmark in later years.

The love of politics, in a larger sense, was also instilled by his grandmother Almira Milhous. She loved Abraham Lincoln and filled young Nixon with stories of the great President and the national traditions. She had a favorite poem of Longfellow's which Nixon cherished—"The Psalm of Life," with its first two verses:

"Lives of great men oft remind us
We can make our lives sublime
And departing, leave behind us
Footprints on the sands of time.

"Footprints that perhaps another
Sailing o'er life's stormy main
A forlorn or shipwrecked brother
Seeing, may take heart again."

Mother Hannah had her own pervasive influence on her son. Hannah was friendly, sympathetic, an "eloquent listener," as one friend described her. She lived her Quaker religion. Grocery store customers whom her husband had offended, would come to pour out their grievances to Hannah. She was patient and considerate, tempering her husband's vehemence or bolstering his ego when he felt down and blue.

She never raised her voice. She said once: "I tried not to yell at my children. It does something to a child."

She related to interviewers at one time that Richard was a daydreamer as a boy and bored by small talk, that he was good at mashing potatoes (using a circular whipping motion instead of an up-and-down stomping), that he never got into fist fights, only word fights or arguments.

Richard, indeed, became a champion debater in high school, loving to argue about anything and taking any side, just for the sake of debate; a loner and no ladies' man. Asked in 1960 whether (even then) there was a "new Nixon," Hannah replied:

"No, he has always been exactly the same. I never knew a person to change so little. From the time he first understood the world around him, he has reacted the same to the same situations. Most boys go through a mischievous period, then they grow up and think they know all the answers. None of these things happened to Richard. He was very mature when he was 5 or 6 years old. He was interested in things way beyond the grasp of a boy his age. He was thoughtful and serious. He always made such a weight. That's an expression we Quakers use for a person who doesn't carry his responsibilities lightly."

The seeds of the politician-statesman were being planted and sprouting through the Nixon youth. At the Quakers' Whittier College in his hometown, he became a prize debater of the West Coast. He fought for liberalization of the strict Whittier rules: to hold a dance once a month. His political idols grew in number under the stimulus of his history professor, Paul G. Smith, later president of Whittier. Franklin Delano Roosevelt and Woodrow Wilson were added to the Nixon pantheon in the Carlyle rule of "great men make history," so was Winston Churchill later on, and also Wendell Willkie.

He read the entire 10 volumes of the Hay-Nicolay history of Lincoln. Prof. Smith remarked afterwards that Nixon had a remarkable ability to give answers in exams of "exceptional cogency and brevity" and "completely accurate in a surprisingly simple manner." His teachers early discerned one of the Nixon intellectual traits of today: a marked ability to find the core of a problem.

Nixon's early intensive reading in U.S. history has continued and expanded into a steady reading diet on history and biography about America, England, Europe, and in latter years, about China, Japan, and the Far East. In recent weeks he has read Arthur Krock's "Memoirs" and books on Britain, China, Vietnam and political morals. He even has this writer's "Fires in the In-Basket: the ABC's of the State Department" on the library shelf just behind his desk in his Fifth Avenue apartment.

In college, Nixon also got to love dramatics and the stage. It helped break down his wall of solemn reserve. He learned to project his feelings to impersonal audiences whereas he had feared to show emotion in small groups. He ran for student offices as regularly as a clock and won all, but one time.

And continuously and unfailingly there was the Nixon habit of unremitting work, hard work to make up for whatever he thought he lacked in brilliance. When he went to Duke's Law School he won the nickname of "Gloomy Gus" because he was so intent on his studies, and also that of "The Man With the Iron Butt" because he felt he had to work as hard as he could to stay on top and keep his scholarship. A roommate of that time said:

"Dick never expected anything good to happen to him unless it were earned. Any time anyone started blowing rosy bubbles, you could count on Dick to burst them with a pinprick of reality. He wasn't really gloomy; he simply carried an antidote to false hopes."

Nixon's tenacity and incredible industry and traits already listed came through again when this correspondent talked to his associates of recent months. He still reads speeches of great men in history and of today. He added Charles de Gaulle to his admirations. He still does not like to chew desultorily around a subject, but wants to get to the heart of it.

The words—"dedication," "inner courage," "limitless capacity for work," "soul searching," "perseverance," "stamina," are almost a refrain. His grandmother's faculty of "eloquent listening" seems to have been reborn in the grandson and honed to an art.

"For a man in his position who can do all the talking, he is a marvelous listener—as long as you keep to the subject, otherwise he will show boredom," said one friend.

Ed Nixon said the art was no recent Nixon acquisition. "Dick," his brother continued, "can read your thought by listening, by asking you a few questions, and do it so effectively that without inserting his own opinion, he seems to have influenced your views."

His closest personal friend, Robert Finch, continually is amazed, he said, at how extraordinarily sensitive Nixon remains despite acquiring layers of toughness in political combat. Nixon, Finch remarked, is continually organizing his day's business, starting late the night before, getting all he wants done concisely on one page, in short, a top list-maker.

His secretary, Rose Mary Woods, explained another facet of the Nixon flair for organization before action. Before he ever starts to dictate a speech, he stays alone and makes anywhere from five to eight or nine outlines.

Nixon's colleagues at the law firm in which he was a partner since 1963—Nixon, Mudge, Rose, Guthrie, Alexander and Mitchell—were frankly startled at his intellectual capacity as a lawyer, the ability to distill a great complex of facts into the determinative issue which would resolve a problem, and even more surprising, an offbeat flair for thinking beyond the usual context of a situation and to spot matters which had been overlooked.

In one of his first cases for the firm before the U.S. Supreme Court, Nixon dictated an immediate post mortem of his own performance which analyzed his own faults, weaknesses and timing, which the partners rated as a plain tour de force of instant analysis.

Nixon had come to the firm, announcing he had burned his political bridegs behind him, after his California defeat in 1962. It was also quite an encounter for the partners of the conservative and respected firm who were mostly introverts and far from public attention in careers. Naturally, they had read about Nixon as a politician. Meeting him in person had the quality of the unexpected, a complex image suddenly reduced to a simple and recognizable human being. As one partner told the writer:

"I liked him immediately, though I was a Democrat. He was instantly easy to talk to. I felt he was a many-sided man and I wondered how he would make the transition from public to private life, to our rather anonymous group. I found I at least had common roots with Nixon; for both of us, hard work was a personal rudder. He worked at it; it did not come easy.

"He was very moderate in normal expression, very aware of struggle in the human condition. He had one of the most disciplined minds I had ever met. He did things slowly and carefully and did not seem to be comfortable with decisions arrived at too quickly. Above all, he seemed to have a sense of pace in his own life, a sense of history, what you might call a feeling of destiny."

Among his political associates in the Republican party, there has been somewhat of a surprise expressed by several at finding Nixon more forceful and dynamic than they remembered from 1960. Said one: "He has grown in eight years in exile. He now eagerly seeks advice. He has a new emphatic quality in private."

Said another who knew Nixon during the Eisenhower years "At Cabinet meetings often the President used to ask the vice president (Nixon) to sum up the conclusions of the various speakers which Nixon did very succinctly. Now he asks us our opinions round the table and sums it up for us and makes the decisions."

Still another: "Nixon says that four years at the center of things is worth waiting 40 on the outside. It is this idealism that has kept him from becoming tawdry about politics."

An outside technician: "He has a unique meshing mind for a political leader."

Lastly, a senior government bureaucrat: "I don't know Nixon, but as far as I can remember my history, he comes to the presidency possibly better prepared than any president since our founding fathers in the early 19th Century.

One thing is certain, as Nixon outlined it in his most basic philosophical speech of the campaign, on the presidency: he clearly intends to use the high office to re-commit the nation to the moral principles with which he has himself been inculcated since childhood. The country could use some uplift. His problem will be how to fuse reality into the vision. We will begin to know tomorrow.

CONGRESSIONAL REORGANIZATION

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, today I join with 24 of my colleagues in introducing the Legislative Reorganization Act of 1969. I think it is in keeping with the President's request for authority to reorganize the executive branch that we in the Congress likewise set out to put our own house in order. If the executive and legislative branches are truly to go "forward together" in leading this Nation, we must both be attired in dress suited to the climate and styles of our times.

There can be little question that the proposed congressional reforms are long overdue. We are all aware that the last major reform package of this nature was the La Follette-Monroney Act of 1946. I need not explain in detail the necessity for a new act. The 23-year interim, characterized by social, economic, and technological upheavals, bears witness to itself. The 1946 act could not possibly be expected to address itself to the problems of the sixties and seventies. It is obvious that Congress must reequip itself with the machinery fitted to the times.

We recognized this back in 1965 when we formed the Joint Committee on the Organization of Congress with the express purpose of "strengthening the Congress, simplifying its operations, improving its relations with the other branches of the U.S. Government, and enabling it better to meet its responsibilities under the Constitution."

At that time, I joined many of my colleagues in this Chamber in expressing concern over what various political observers and scholars have termed "an age of legislative decline" and "the parliamentary crisis of the West." We all recognize how many of our powers we had relinquished to the Executive due to our own inadequacies and how much this shift in initiative and power threatened the fine balance created by the Constitution.

The Joint Committee on the Organization of Congress heard nearly 200 witnesses whose testimony is contained in 15 volumes of hearings. The resulting report and recommendations of the Monroney-Madden committee were submitted to the Congress in mid-1966. Despite the urgency and reasonableness of these reform proposals, we are still sitting on them. I think it is time we acted.

What are the provisions of our reform package? With minor exceptions they are essentially the same as those offered by the joint committee following its exhaustive study. We commend the committee on the fine work it has done and are in concurrence with its findings and recommendations.

Title I of our bill calls for the improvement of the committee system by providing, among other things, for more openness on the Hill. We have been widely criticized, and with some justification, for running a closed Congress. We have been taken to task for barring our doors too often to the public which we have been elected to serve. Title I calls for open meetings, public disclosure of votes, and allowance for the broadcasting and televising of open hearings along with public notice of these hearings.

If we are to reach the public and strengthen our image, we must do so by creating an atmosphere of openness. Then and only then can we hope to drive away the cloud of misunderstanding and negativism that separates us from those we represent.

In addition to these provisions, title I is aimed at creating a more responsible and responsive committee system. It prohibits voting by proxy in committee; it provides for prompt filing of committee reports and minority views; it provides for a 3-day interim between the date the report is made available to Members and when it is taken up for consideration on the floor. It also includes provisions for adequate annual allowances for additional majority and minority staffing, the right of minority committee members to call witnesses, and better performance of the committee's legislative oversight function.

Title II is aimed at strengthening the role of Congress in the area of fiscal control. Among other provisions are those involving the updating of current outmoded practices for reviewing and processing budget information. There is a strong need for the use of modern data processing equipment by the Congress and the modernization of GAO machinery used for budget reviews and the analysis of cost-effectiveness studies. Title II would provide a closer and more comprehensive scrutiny of the budget by requiring, within 30 days after the submission of the budget, the appearances of the Budget Director, Secretary of the Treasury, and Chairman of the President's Council of Economic Advisers before the Appropriations Committee of both Houses.

Title II would also require a closer examination of multiagency programs, open hearings of the Appropriations Committees of both the House and Senate, compulsory rollcall votes on all appropriations bills, a greater role for legislative committees in projecting costs of proposed legislation as well as review of fixed obligation and grant-in-aid programs, and annual appropriations review of such programs.

Title III expands and strengthens the information bank available to Senators and Representatives. It would provide for additional, better-trained and better-paid staff personnel; it would allow for committee access to consultants; and it would upgrade the Legislative Reference Service, including the utilization of data processing techniques.

Title IV points to the need for a continuing effort to improve upon the housekeeping efforts of the Congress. This would be the primary responsibility of a proposed permanent Joint Committee on Congressional Operations. Title IV would also authorize the establishment of a Placement Office and a Management Office to assist Members in securing trained personnel and in proper management techniques.

This section also calls for an August recess, would remove postmasters and rural mail carriers from the patronage system and puts appointments to Military Academies on a merit basis.

Finally, Mr. Speaker, title V, which amends the Regulation of Lobbying Act by requiring stricter supervision of lobbying activities. Title V would do this by expanding present registration requirements to include any individuals or organizations which solicit or receive funds in connection with influencing legislation. It would also require a more complete disclosure of lobbying expenditures. And finally, it would shift the responsibility for maintenance and publication of lobby registration records to the General Accounting Office.

Mr. Speaker, I urge every Member of this Chamber to give the Legislative Reorganization Act of 1969 his careful consideration. The time for action is now. Passage of this bill will greatly strengthen the Congress as a coequal branch of the Government and prepare it to face the coming decade with competence and assurance. Failure to act will spell our further decline and our final abdication to the Executive in the control over the legislative process.

FARM LABOR

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. COHELAN. Mr. Speaker, I am, today, introducing legislation to extend the Federal law of labor management relations to agricultural workers.

This legislation is long overdue.

In fact, I myself have introduced bills similar to the one I am introducing today in every Congress since 1963. Last year, the Special Subcommittee on Labor of the House Committee on Education and Labor held extensive hearings on the subject of extending the protections of the National Labor Relations Act to farm laborers. The Full Committee on Education and Labor reported out a clean bill extending these protections. But the session ended with the legislation pigeonholed in the House Rules Committee.

This year is the year to break the logjam. This is the year to allow the full House and the Congress to work its will on this legislation.

As one who has had a long and an active interest in the plight of farmworkers, I would like to take a few moments to review the record of farm labor relations.

Since 1935 industrial workers have enjoyed the federally protected right to hold supervised elections to determine, by secret ballot, whether a union should represent them and if so, which union. These workers have enjoyed the right to bargain collectively, and in good faith, with their employers. Moreover, workers have been guaranteed their employment free of arbitrary dismissal for union activities. Management has enjoyed the benefits of being free from proscribed unfair labor practices on the part of workers or their unions.

On the whole, both labor and management have prospered from the growth of orderly and lawfully authorized relations.

Not surprisingly, in the agricultural sector, the absence of these protections for labor and management have been painfully obvious.

Throughout the 34 years during which industrial workers have been protected, agricultural workers have been unprotected. It is not without coincidence that during this period industrial workers have received higher wages, better working conditions, improved fringe benefits, and greater job security. At the same time, agricultural workers have fallen farther and farther behind the rest of working America.

Farm wages are the lowest of any sector of the economy. Farm working conditions are among the worst and the most dangerous, and yet the innovation of safety practices and workmen's compensation benefits has been among the most meager.

Until only recently agricultural workers were not even guaranteed the minimum wage. And even with it they are not guaranteed a minimum subsistence. The minimum wage today is $1.60 an hour, or $3,328 a year if one works a 40-hour week, 52 weeks a year. This figure is only $28 above the latest poverty ceiling for a family of four. If the farm laborer works only seasonally, he will make less than the poverty ceiling even at the minimum wage. And so it is that the guaranteed wage guarantees him only poverty.

The record seems clear that farm labor has not gotten its fair share.

It also seems clear that management has suffered. Farm labor relations have continuously been marked by strikes, boycotts, and violence.

Today, at this very moment, the boycott of California grapes in support of the farmworkers is nationwide.

Further still, farm managers have been in constant fear of an insufficient farm labor force. Improved farm labor management relations should help to increase the availability of farm labor through hiring hall practices and through bargained improvements in wages and working conditions.

In sum, farmers and workers both stand to gain from orderly and supervised labor relations.

The bill I have introduced today would extend the protections of the NLRA only to those laborers on farms with sales of more than $50,000 a year in interstate commerce. Latest figures show that this would include only 108,000 of the country's 3.2 million farms, but it would cover 45 percent of the farmworkers. I would support, and in fact I may introduce legislation which would go further and cover more workers, but I want, at this time, to again sponsor the minimum necessary legislation.

I am pleased to note that this year 19 distinguished Senators, including all the Democratic presidential candidates in 1968, have also joined in introducing this legislation.

I would hope that the combined efforts of these legislators and others who join us plus the coincidence of the interests and benefits of farmers and laborers, would this year, at long last, result in the passage of this much-needed legislation.

RESTORE THE OPPORTUNITY THAT HAS BEEN TAKEN AWAY FROM OUR CHILDREN

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, today I am reintroducing a proposed amendment to the Constitution to permit prayers and reading from Scriptures on a voluntary basis in public schools and institutions; and to permit making reference to belief in, reliance upon, or invoking the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony, school institution, or place, or upon any coinage, currency, or obligation of the United States.

In June of 1962, and again in June of 1963, the U.S. Supreme Court rendered decisions which, for all practical purposes, put an end to prayer in public schools. Many Americans bitterly complained about these two decisions because of their belief that students should have an opportunity to participate in prayer in our schools if they desired.

I firmly believe that it is up to you and me, the representatives of the people of our great Nation, to restore the opportunity that has been taken away from our children by these Supreme Court rulings. To me, they represent an attack on the very foundation of our Republic. This Nation was conceived under God, as demonstrated by the Declaration of Independence, and has survived and prospered all these years only with His help.

Reverence was once one of the virtues that we learned at our mother's knee, and which the teacher was responsible for continuing in the schoolroom. Even though a child might not have been fortunate enough to have learned such virtues at home, he was exposed to them as a part of his necessary education.

With these principles in mind, I am reintroducing a proposed amendment to the Constitution to help, at least in part, the parents and schools of our Nation to again bring to our children the greatest teachings ever to enlighten mankind.

COMPUTERS FOR THE CONGRESS: A COORDINATED APPROACH

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. MOORHEAD. Mr. Speaker, when I introduced my bill, H.R. 20422, authorizing the establishment of a Legislative Data Processing Center in the last session, I said:

> In the jet age, representative democracy cannot keep up with its responsibilities using horse and buggy techniques. Computers cannot make congressional decisions, but as our world gets more complex, Congress will be unable to make rational decisions without computers. With private enterprise, the Executive Branch, and even State legislatures in the computer age, Congress must change its ways or it will fail the American people.

If the Congress is indeed to discharge its responsibilities as a legislative body, or even be able to be an effective counterbalance to the executive branch of the Federal Government, it is going to be imperative that it have better and more timely information and more sophisticated analysis on which to base its decisions. Otherwise, representative government as we have known it, will be relegated to little more than a farce.

There are currently several projects underway to bring Congress into the computer age, and I am hopeful that in my bill we can coordinate our efforts.

In this regard, I am pleased to call to the attention of my colleagues a recent bibliography prepared by the Legislative Reference Service, Library of Congress, listing selected books, articles and speeches discussing developments in the use of computer technology from various source levels, which is indicative of the support for this new technology. Particularly worthy of note is probably the most recent major work of concern to us as Congressmen: "Information Support, Program Budgeting, and the Congress," by Robert Chartrand, Kenneth Janda and Michael Hugo. This book includes the featured papers of the 2-day seminar sponsored by the American Enterprise Institute, in which some of you participated; I highly recommend it.

The Congress, State Legislatures, and Computer Technology—Selected References

The contemporary Congressman and State legislator share a need for improved information support in order to fulfill their diverse responsibilities. The continued refinement of computer equipment, programs, and man-machine techniques has made it possible for numerous tasks formerly handled manually to be performed by automatic data processing. This selective listing of books, articles, briefs, and speeches features developments in the use of computer technology by the United States Congress, various State legislatures, and in the political environment in general.

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CALENDAR OF EVENTS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure for me to call to the attention of the Congress and the American people the fine Calendar of Events of the National Gallery of Art for February 1969.

The Gallery again offers a wide variety of tours, lectures, and concerts, which are open to all residents of the Washington area and visitors to our Nation's Capital.

We in Congress are proud of this attractive schedule of cultural events and know they will provide enjoyment for many of our citizens and foreign guests this month.

The Calendar of Events follows:

National Gallery of Art Calendar of Events, February 1969

MONDAY, JAN. 27, THROUGH SUNDAY, FEB. 2

* Painting of the week: François-Hubert Drouais, *Group Portrait* (Samuel H. Kress Collection) Gallery 53. Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *Music in Art*. Rotunda. Tues. through Sat. 1:00; Sun. 2:30.

Tour: *Introduction to the Collection*. Rotunda. Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *Giotto and the Arena Chapel. Guest Speaker:* James H. Stubblebine, Chairman, Department of Art, Rutgers College, New Brunswick; Lecture Hall 4:00.

Sunday concert: Vaghy String Quartet. In residence at Queen's University, Kingston, Ontario; East Garden Court 8:00.

MONDAY, FEB. 3, THROUGH SUNDAY, FEB. 9

* Painting of the week: Luini. *The Illusion of Cephalus* (Samuel H. Kress Collection) Gallery 26. Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *Architecture in Art*. Rotunda. Tues. through Sat. 1:00; Sun. 2:30.

Tour: *Introduction to the Collection*. Rotunda. Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *The Artist as Reporter. Guest Speaker:* Paul Hogarth, professor of Art, Philadelphia College of Art, Philadelphia; Lecture Hall 4:00.

Sunday concert: Curtis Smith, *Pianist*. East Garden Court 8:00.

MONDAY, FEB. 10, THROUGH SUNDAY, FEB. 16

*Painting of the week: Fra Filippo Lippi. *The Annunciation* (Samuel H. Kress Collection) Gallery 4. Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *The Nude in Art*. Rotunda. Tues. through Sat. 1:00; Sun. 2:30.

Tour: *Introduction to the Collection*. Rotunda. Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *Kandinsky's Road towards Abstraction. Guest Speaker:* Hans Konrad Roethel, Dierctor, Staedtische Galerie, Munich; Lecture Hall 4:00.

Sunday concert: Mark Howard, *Baritone*; Donald Hassard, *Pianist*. East Garden Court 8:00.

MONDAY, FEB. 17, THROUGH SUNDAY, FEB. 23

*Painting of the week: Edward Savage. *The Washington Family* (Andrew Mellon Collection) Gallery 64. Tues. through Thurs., and Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *Costume in Art*. Rotunda. Tues. through Thurs., and Sat. 1:00; Sun. 2:30.

Tour: *Introduction to the Collection*. Rotunda. Mon. through Sat. 11:00 & 3:00; Fri. (Washington's Birthday Holiday) 1:00; Sun. 5:00.

Sunday lecture: *Art as a Mode of Knowledge: The Power of Artifacts. Guest Speaker:* Jacob Bronowski, A. W. Mellon Lecturer in the Fine Arts. Lecture Hall 4:00.

Sunday concert: Barbara Blanchard, *Soprano;* Robert Jones, *Pianist*. East Garden Court 8:00.

Recent acquisition: *An Architectural Fantasy* (c. 1670) by the Dutch master Jan van der Heyden (1637–1712) is on view in Gallery 49. The panel was purchased through the Ailsa Mellon Bruce Fund.

The only painting by van der Heyden to enter the collection in Washington has been recorded in famous European collections during more than two centuries. It was included in the great exhibition of Dutch art at the Royal Academy, London, in 1952–53 and, more recently, in the memorable exhibition "In the Light of Vermeer," held at The Hague and in Paris in 1966–67.

Of this acquisition, Dr. Egbert Haverkamp-Begemann, Dutch painting authority and Kress Professor-in-Residence at the Gallery, says, "The National Gallery is fortunate indeed to have acquired this beautiful example of Jan van der Heyden's work." Dr. Begemann notes the paintings' careful detail and the painter's feeling for light. "The artist has placed imaginary classicized buildings in a rural setting, thereby creating an architectural capriccio that precedes by many decades the imaginary views of Guardi and Canaletto."

It is a curious fact that Jan van der Heyden, the outstanding architectural painter of his time in Holland, was the inventor of a fire fighting machine. In middle age he became engrossed with problems of urban fire control, devoting much of his time to this civic responsibility. Eventually, he assumed the post of General Fire Chief of Amsterdam. In 1960, together with his son, van der Heyden published *Brandspuitenboek* (Fire Engine Book) with a number of etchings based on his drawings.

A. W. Mellon lectures: *Jacob Bronowski* of the Salk Institute for Biological Studies commences the eighteenth annual series of A. W. Mellon Lectures in the Fine Arts, Sunday, February 23, in the Auditorium. Subject of the six consecutive lectures is *Art as a Mode of Knowledge*.

The birds of America: Print by America's leading artist-naturalist John James Audubon are on view through February 16 in the Central Gallery. Selected from a rare elephant folio in the collection of the National Gallery.

J. M. W. Turner: Continuing on the Main Floor is an exhibition of 16 paintings by Joseph Mallord William Turner from the extensive British collection of Mr. and Mrs. Paul Mellon. A catalogue is available with introduction by John Walker and text by Ross Watson. 10" x 7½", 32 pages, 16 black-and-white illustrations. $2.75 postpaid.

New reproductions—*Color Postcards:* Florentine, *Angel of the Annunciation* (stained glass); Index of American Design, *Rag Doll "Tilly"* and *New Mexican Retablo: Virgin Annunciate;* Masolino, *The Annunciation;* Master of Flémalle and Assistants, *Madonna and Child with Saints in the Enclosed Garden;* Andrea della Robbia, *The Adoration of the Child;* Titian, *Madonna and Child with the Infant Saint John in a Landscape;* Veronese, *The Finding of Moses;* Zurbarán, *Santa Lucia*.

Film showings: The NBC-Television film *American Profile: The National Gallery of Art* is shown in the Auditorium Saturdays at 2:00 p.m.

Recorded tours—*The Director's Tour:* A 45-minute tour of 20 National Gallery masterpieces selected and described by John Walker, Director. The portable tape units rent for 25¢ for one person, 35¢ for two. Available in English, French, Spanish, and German.

Tour of Selected Galleries: A discussion of works of art in 28 galleries. Talks in each room, which may be taken in any order, last approximately 15 minutes. The small radio receiving sets rent for 25¢.

Gallery hours: Weekdays 10 a.m. to 5 p.m. Sundays 12 noon to 10 p.m. Admission is free to the building and to all scheduled programs.

Cafeteria hours: Weekdays, Luncheon Service 11 a.m. to 2 p.m.; Snack Service 2 p.m. to 4 p.m. Sundays, Dinner Service 2 p.m. to 7 p.m.

All concerts, with intermission talks by members of the National Gallery Staff, are broadcast by Station WGMS-AM (570) and FM (103.5).

Inquiries concerning the Gallery's educational services should be addressed to the Educational Office or telephoned to 737–4215, ext. 272.

UNTOUCHABLES UNDAUNTED—JACOB BEAM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. RARICK. Mr. Speaker, since the nomination of Jacob D. Beam to be the new Ambassador to Russia is of great interest now, I am requesting unanimous consent to insert in the Record at this point a reprint from my remarks in the Congressional Record, volume 114, part 3, page 2860, which includes a most interesting revelation by Mr. Frank A. Capell, editor of the Herald of Freedom, a report by the Osth Information Service, and a news story from the Federal Employees Exchange:

[From the Congressional Record, Feb. 12, 1968]

THE "UNTOUCHABLE" PARADE

(By Hon. John R. Rarick, of Louisiana, in the House of Representatives, Thursday, February 8, 1968)

Mr. Rarick. Mr. Speaker, just as the Red Vietcong were able to infiltrate South Vietnam and on New Year's Day rise to the surface in a suicidal battle against the citizens, we can better appreciate the constant threat from the American Vietcong, the "Untouchables" who are planted in our country—in our Government.

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*11" x 14" reproductions with texts for sale this week—15¢ each. (If mailed, 25¢ each.)

Mr. Capell's "Untouchables, Part VII" should be revolting enough to awaken every patriotic American—liberal, moderate, or conservative—to demand action for removal of these undesirable untouchables.

The President of the United States must appreciate the danger from Madam Jerzy Michalowski, wife of the current Polish Ambassador to the United States and stationed here in Washington, D.C. the nerve center of our Republic.

Her removal needs only that President Johnson declare her husband, Ambassador Michalowski, persona non grata. Why doesn't he do it?

Mr. Speaker, under unanimous consent I follow my remarks with "Untouchables, Part VII" from the Herald of Freedom and a clipping from the Government Employes Exchange here in the District of Columbia dated February 7:

[From the Herald of Freedom, Feb. 9, 1968]

"THE UNTOUCHABLES—VII

"Now emerging as possibility more than an innocent and duped bystander in the Warsaw Spy and Sex Scandals is the American Ambassador to Poland at that time, Jacob D. Beam. The Government Employees EXCHANGE, a liberal bi-weekly dedicated to civil service reform, owned and edited by Mr. Sidney Goldberg, carried a story concerning Beam's involvement in its January 10, 1968 issue. Under the red headline, 'Sex Scandals Involve Beam', the story stated that Madam Jerzy Michalowski, a Communist agent, 'has been positively identified as "one of the chief architects of the 'Warsaw Sex and Spy Scandals' " ' which disrupted the American Embassy in Warsaw during the incumbency of Ambassador Jacob Beam. . . . In addition, the informant stated the woman has also been identified 'without any question of doubt' as having maintained an 'intimate personal relationship' with Mr. Beam from 1957 to 1961. . . ."

"Jacob Dyneley Beam, now U.S. Ambassador to Czechoslovakia, was born in Princeton, N.J. on March 24, 1908, the son of Jacob Newman Beam (a Princeton professor) and the former Mary Prince. He graduated from Kent School and Princeton with an A.B. degree in 1929. During 1930 Beam studied at Cambridge University in England and in 1931 he began his career with the U.S. State Department as a clerk in the U.S. Consulate in Geneva, Switzerland. He was promoted to vice-counsel and remained in Geneva until 1934, his work there being mainly the observing and reporting of the activities of the League of Nations and the International Labor Office.

"On November 24, 1934 Beam was made third secretary at the American Embassy in Berlin where he remained until August 1, 1940. In Berlin he was on the staff of Ambassador William E. Dodd, the last U.S. ambassador to Nazi Germany. The Ambassador's daughter, Martha, occupied her time in Berlin as a Soviet agent and even made a try at seducing Hitler. She failed but Unity Mitford, sister of U.S. Communist Jessica Mitford (author of 'The American Way of Death'), succeeded in becoming Hitler's mistress. Also in Germany during this period was Howard Trivers who later became involved in the intricate web of the Warsaw Spy and Sex Scandals.

"Martha Dodd, also known as Martha Eccles Dodd, Mrs. George Bassett Roberts and finally Mrs. Alfred K. Stern, was finally indicted on two counts of espionage conspiracy in September 1957 along with her husband, Stern. The Sterns have never been tried as they were in Mexico at the time of the indictment and clandestinely fled behind the Iron Curtain to Czechoslovakia. The Dec. 13, 1967 issue of The Government Employees' Exchange had this to say about Martha Dodd's relationship with Howard Trivers:

" 'The career of Foreign Service Officer–1 Howard Trivers, at present American Consul-General in Zurich, Switzerland has been included in a "probe and scrutiny" by a "top-secret" British Security Survey Team operating in the United States for the past seven months. . . .

" 'The interest of the Survey Team in Howard Trivers originated in information the British received concerning HARD Trivers' contacts during the years 1932–38 when he was attending the Universities of Heidelberg and Freiberg, Germany, the source stated. Part of this information indicated Howard Trivers had been a member of a private courier service organized by Martha Dodd, the daughter of U.S. Ambassador to Germany. . . .'

"Other sources report that Trivers was recommended to Martha Dodd by his Princeton classmate, Jacob Beam. Trivers will be remembered as the man to whom Foreign Service Officer Stephen Koczak reported some subversive activities of his superior, Thomas A. Donovan, thereby setting into action the events which brought an end to Koczak's State Department career, through the conniving of the 'insiders.'

"A description of Martha Dodd Stern is found on pages 4885 and 6 of the Senate Internal Security Hearings on 'Scope of Soviet Activity in the United States.' The information is from a series of articles which appeared in the N.Y. Journal-American Nov. 10–20, 1957 written by Jack Soble (Soviet spy indicted with Martha Dodd) with Jack Lotto.

" 'When the door opened, the beautiful stranger threw her arms around me in tight embrace and gave me a long, passionate kiss.

" 'This was my introduction to Martha Dodd Stern, daughter of the late United States Ambassador to Germany, William E. Dodd.

" 'All I had said was "I am Sam."

" 'This was the code name given me by my Soviet secret police superior to use in contacting her husband, multimillionaire Alfred K. Stern.

" 'The Sterns, who became my close friends after that first meeting in their swank New York apartment in the winter of 1944, were exact personality opposites. But they were as one in their ardent espousal of Communist causes.

" 'The slightly built, ever-dapper Stern chased after the Russians to be allowed to do their bidding. Perhaps it was because he was completely over-shadowed, thoroughly dominated by his wife.

" 'All this quiet, cultured and highly educated businessman had to offer was money. And he was free with it to back Soviet-approved activities. He financed the Boris Morros music company as a business front for Soviet espionage. Likewise, his money helped create pro-Communist propaganda organizations like the Institute of Pacific Relations.

" 'Gay, vivacious Martha, 11 years younger than her second husband, was always seeking new adventures, and liked to talk about them over martinis.

" 'And it was over a round of drinks that Martha told me a strange story of her twisted loyalty to the Soviet Union.

" 'Apparently to impress me, she bragged how she had spied on her own father for the Russians. She said that during her father's term as Ambassador in Berlin in the early 1930's she had had a love affair with an official of the Soviet Embassy, who actually was an NKVD agent.

" 'At his behest, Martha related, she stole information from the secret files of the United States Embassy—to which she had easy access—and turned it over to the agent.

" 'This exciting woman, who was seldom without a cocktail in easy reach, had once even trysted with Hitler and later described the Fuehrer as a "frigid celibate." '

"Martha's impression of the six-foot-two Dyneley Beam has not been recorded for posterity, although she had plenty of time to form an impression as Beam was at the Berlin Embassy for six years until August 1940. In April 1941 he was sent to the American Embassy in London as vice-consul and third secretary, remaining until the fall of 1944. From early 1945 to August 1947 he was back in Germany, acting as political adviser on German affairs at Supreme Headquarters, Allied Expeditionary Force, under General Eisenhower. It was during this period that German and Nazi documents were captured which contained information concerning Howard Trivers, among others, and then mysteriously 'disappeared,' according to The Government Employees' Exchange.

"Beam now returned to Washington, D.C. becoming chief of the division of Central European affairs in October 1947 (Howard Trivers was his Assistant Chief) and acting special assistant in the office of German and Austrian affairs in March 1949. Outlining Beam's career, Current Biography 1959 states at this point:

" 'For the next few years Beam's attention was centered on problems of the Far East Having gone to Batavia, Java as consul general in October 1949, he served as the United States representative when the sovereignty of that area was transferred in 1950 from the Netherlands to the new government of Indonesia. As soon as a diplomatic mission was established at Indonesia's capital city, Djakarta (formerly Batavia), he assumed the duties of counselor of the American Embassy, and from October 1950 to April 1951 he had the additional responsibilities of the acting United States representative on the United Nations Commission for Indonesia.'

"The breaking up of colonial empires was an important part of the Communist plan implemented at the close of World War II. Communist spokesmen in the U.N. and elsewhere were bleating for the 'national aspirations' of the colonies to be recognized and the granting of 'independence' to them. Communist agents had been active in supplying information upon which these demands for 'independence' were based. Once such agent was a personal recruit of Martha Dodd Stern. She was Jane Foster, a San Francisco aristocrat, described by Jack Soble, (Scope of Soviet Activity in the United States, p. 4882, on):

" 'Jane Foster Zlatovski spelled sex appeal.

" 'This slim, trim modernist artist, who had been born and raised on a aristocratic Nob Hill in San Francisco, willingly turned her assets into a Soviet spy weapon.

" 'Coldly, methodically, this attractive woman worked on American military and intelligence agents to shed their inhibitions and secrets.

" 'If anybody could be described as a modern-day Mata Hari, that would be the hard-drinking, intensely jealous Jane. For nearly 10 years she turned in her reports, with photographs, on American intelligence and counterintelligence agents. . . .

" 'When I first met this dedicated Communist Party member she had just finished a 3-year job with the supersecret Office of Startegic Services.

" 'She was in New York on a vacation before moving into another sensitive spot with the United States Army in Vienna and Salzburg, Austria . . .

" 'Like her German spy prototype, Jane was married to a ner'er-do-well Army Officer George Zlatovski, of Duluth, Minn. (born in Russia-Ed.), at the time a lieutenant in the United States Army Intelligence.

" 'He also became a Soviet agent under my command. His work was to bring terror and fear to many refugees who had fled to the safety of the United States from behind the Iron Curtain.

" 'The first time I met Jane, I was impressed with her strong dedication to the "cause."

" 'Her first report, apparently, also made a big impact in the Kremlin.

" 'I received verification of this fact in February 1946, when I picked up a newspaper less than 2 months after Jane had turned over a report on Indonesia she obtained while in the employ of the OSS . . .

" 'As I read his (Manuilsky—a Stalin collaborator) speech, which accused the British of suppressing the nationalist ambitions of the Indonesians, I thought I recognized statements I had seen before.

" 'Then it hit me. Manuilsky was fortifying his attack with quotations taken word for word from the report Jane had handed to me.

" 'Her document was given to me around Christmas of 1945 at the home of Alfred and Martha Stern, wealthy 'angels' of Communist causes and financiers of business fronts for Soviet spy activities . . .

" 'Jane was recruited for our ring by her old friend and drinking companion, Martha . . .

" 'Over rounds of martinis, which she devoured like water, Jane outlined her philosophy of Marxism-Leninism, and how she and her husband, George, were prepared to go to any lengths to be useful to the Soviet Union.

" 'She told me how she had worked for the OSS in Indonesia while married to a Netherlands envoy. . .

" 'For Jane Foster Zlatovski soft light music, and wine were strictly necessary business atmosphere.

" 'Between stolen kisses, she collected for her Soviet bosses many of the secrets confidences, and itemized human frailties of American intelligence agencies in Austria and France.

" 'On weekend affairs, when whisky glasses were seldom empty, and her targets sufficiently relaxed and off guard, her camera clicked during lighthearted frolicking.

" 'In this manner, this attractive, dedicated Soviet agent obtained compromising details on the sexual, drinking, and gambling habits of men whos identities were closely shielded.

" 'Her husband, George, an Army intelligence officer, showered his attention on women secretaries in sensitive United States agencies. . . .'

"This is the modus operandi of a typical Soviet agent successfully used to compromise United States employees and force them to work for the Communists. The exact same plan was used during the Warsaw Spy and Sex Scandals. Jane and George Zlatovski were indicted on July 8, 1957 on two counts of espionage conspiracy but have never been tried as they fled to France.

"Looking to the future, Jacob Beam prepared himself by taking courses in the Russian language and history at his own expense. Thus prepared he began a career of U.S. representative behind the Iron Curtain. He went to Belgrade, Yugoslavia in April 1952. It was here that he met and started dating Miss Margaret Glassford, an officer employed by the U.S. Information Service in Belgrade. They were married in November 1952 and have a son Jacob Alexander Beam. It was in Belgrade also that Beam became friendly with Daroslav Vlahovich, a Foreign Service Officer.

"In November 1952 he went to Moscow and was there at the time of Stalin's death and the subsequent power struggle. In June 1953 Beam began a tour of duty in Washington but was still occupied with affairs in Communist countries. Current Biography states: 'As deputy director of the policy planning board, he helped to outline long-range diplomatic strategy for the State Department.' Then in June 1957 he was nominated by President Eisenhower as United States Ambassador to Poland and arrived in Warsaw in August 1957. He also had another important job—holding meetings with the Chinese Communists. These were terribly important and strictly secret. Realizing this, the Soviets proceeded to bug the new Embassy building and compromise practically the complete staff, including the Marine guards.

"In the Warsaw Embassy was Edward Symans, the long-time Soviet agent whom Beam had first met in Berlin. Also on the staff was Daroslav Vlahovich who had been transferred to Warsaw at Beam's personal request. When the State Department in Washington wanted to quickly transfer Symans and Vlahovich, the prime espionage suspects, out of Warsaw it was Ambassador Beam who insisted they be allowed to complete their tour of duty. It was during this period from 1952 to 1961 that Beam reportedly was involved in 'an intimate personal relationship' with Mme. Jerzy Michalowski, the wife of the present Ambassador to the U.S. from Poland who was at that time Director General of the Polish Foreign Ministry. Born Myra Zandel on November 23, 1914, Mme. Michalowski might be described as a thoroughly modern Mata Hari.

"Her first husband was Dr. Ignace Zlotowski, head of a special Soviet-Polish espionage unit attempting to acquire atomic information in the United States. Zlotowski, whose real name was reportedly Goldman or Goldberg, worked under the cover of being a professor at the University of Minnesota 1941 to 1942, at Vassar 1942 to 1944 and Ohio State University 1944 to 1946. In the early 1940's Myra Zlotowski obtained a position with the Office of War Information and, when her husband left the East Coast for Ohio State University, became known as the wife of Stefan Arski, another OWI employee who worked on the "Polish desk." Arski's real name was Arthur Salman and he assisted the OWI in its efforts to suppress the story of the Soviet massacre of 15,000 Polish officers and soldiers in the Katyn Forest Massacre. The Communists tried to put the blame on the Nazis but subsequent investigations proved that it was the work of the Communists themselves. After Arski returned to Poland he became editor of the Communist paper Robotnik (The Worker), an outspoken anti-American organ.

"The present Mme. Michalowski has reportedly been an agent of the Soviet and later Polish Communist Party Central Committee since 1936. As wife of the important Michalowski, who had been in London at the same time Beam was stationed there, she leads a very busy life and is now being glamorized as a Washington hostess. Her life in Warsaw was described in the book 'Poland Little Known' as follows:

" '. . . Roving everywhere is Maria Zientarowa known also as Stefan Wilcosz or Michalina Wilkoszowa or Tadeusz Makowski or Jan Michalski or Stefan Welczar, former friend of comrade Kliszko, former wife of Arski, the Editor-in-Chief of "Swiat" when he was an employee of OWI, and at present the wife of the Director of the Ministry of Foreign Affairs Jerz Michalowski. . .'

"Myra, through her 'friendship' with Ambassador Beam, was able to get information which she fed back to her Soviet bosses. It is now presumed that the high ranking Polish intelligence officer who was supplying the United States with valuable security information from Warsaw was forced to seek refuge in the United States because of her. She is also credited with arranging the Scarbeck Case to take the heat off the important real agents, with Beam himself supplying the information to Dikeos who reportedly broke the case.

"Edith Kermit Roosevelt in her column, Between the Lines, discusses Mme. Michalowski and states:

" 'The various marriages of a Warsaw charmer may provide the incentive that could force the issue of Communist espionage and policy manipulation into the limelight. . . . White House and State Department circles have remained silent. They have confided that they fear the revelations could spark 'a new wave of McCarthyism in the United States.' "

"Although 'McCarthyism' has been made a dirty word by the liberal press, it is exactly what we need today. It has been estimated that the activities of Sen. Joe McCarthy set the Communist timetable back ten years. Ed Hunter, originator of the term "brainwashing," states in his publication, Tactics:

" 'The present, pervasive anti-anticommunist propaganda climate was created out of the debris of the McCarthy era. Sen. Joseph R. McCarthy contributed mightily to the cleansing of our Augean stables, but was shot down and killed, in the psychological warfare manner, in the middle of the battle. If the communist infiltration of the White House, the State Department, our military, and other agencies of government had not been frontally attacked, inflicting great damage to the red forces, and forcing them to fall back at many points, it is difficult to see how we could have survived.'

"We have now reached the stage again where it is difficult to see how we can survive if another cleaning job is not done. How many more Mata Haris are roaming the cocktail circuit and the diplomatic dinners, charming their way into government secrets? More important, what use is being made of these secrets and the roster of "human frailties" of government personnel? Strangely enough the State Department does not seem worried about this angle. The angle they are interested in is: Who is exposing the fact that these things are going on and what can we get on them to make them stop?

"The Government Employees' Exchange of January 10, 1968 states:

" 'In other developments, a different source said that the top secret British Security Survey Team,' . . . has extended its operations to Canada and Mexico. In Canada its inquiries have encompassed liaison with the Royal Canadian Mounted Police, especially in connection with the trips of State Department officials to Canada to obtain information on 'payola' payments allegedly made by Dictator Rafael Trujillo to Congressmen and Senators. The State Department officials were especially interested in establishing whether payments were made to Senators on the Senate Internal Security Subcommittee investigating State Department security and the Otto F. Otepka case.

" 'The British Security Survey Team' operating in Canada and Mexico is especially interested in the activities of Charles Lyons. . . .

'The State Department Action is a two-pronged cover up of the subversive activities of its employees and attempt to 'get' those exposing them. The State Department officials involved in this conspiracy, which ties them in with varying degrees of espionage, Communism, subversive activities and involvement with female Soviet agents, are endangering the security of our country. The fact that nothing is done to remove the security risks and prosecute those guilty of various security offenses proves the existence of a powerful clique of "Untouchables."

OSTH INFORMATION SERVICE
BERRYVILLE, VA.

JACOB DYNELEY BEAM

"Jake" Beam, as New York Times writer Peter Grose familiarly calls him in a favorable article published on February 1, 1969, is to be Nixon's envoy to the Soviet Union. During the period when Beam was Ambassador to Poland and lived in the Embassy at Warsaw, he tolerated a two-way operation of the Soviet's KGB and the UB (the Polish Secret Police). The story is told in the Otepka Case hearings, but the reader may purchase Imperial Agent, The Goleniewski-Romanov Case, by Guy Richards, published by Devin-Adair Co. in 1966, $5.95, available from The Bookmailer, 30 W. Price St., Linden, N.J. 07036, for a quick resume. While Beam was

Ambassador a young married American foreign service officer named Irwin N. Scarbeck was induced by a Polish girl to turn over to her classified American documents. Scarbeck was later tried, convicted and sentenced to prison on espionage charges by a Federal judge in Washington, D.C.

Four other diplomats were compromised by women working under KGB–UB direction. They were later transferred. The wife of another foreign service officer was charmed into accepting an escorted tour to Moscow by a KGB-trained gigolo and photographed in situations of varying degrees of potential embarrassment. The photos were designed to coerce her into working secretly for the Reds.

The embassy's security guards were compromised by pretty Polish girls who had been trained by the KGB and UB. As Guy Richards put it, they simply moved into the Leathernecks' dormitory after hours "and shacked up with their men." The Marines were eventually moved and the case was whitewashed.

The KGB's own professional operative in the embassy was an American diplomat who kept supplying his masters with reams of documents.

The KGB itself decided Scarbeck could be sacrificed and exposed in order that their real veteran agent at the embassy would remain unknown. Guy Richards wrote that while Scarbeck had been useful to the KGB nevertheless what he supplied them was picayune compared to that which was turned over by the man the Russians sacrificed Scarbeck to save. (The important man later proved to be Edward Symans (Symanski) from Grand Rapids, Michigan.) Symans' post was about two echelons below that of Ambassador Beam. When he was called to Washington expecting to go before a grand jury just as Scarbeck had, he was surprised to be allowed to resign quietly.

The entire situation had been known to Polish Army officer, Colonel Michal Goleniewski, who was helping the United States by exposing Communist agents abroad. He thought his information was going to J. Edgar Hoover, but instead it was intercepted by CIA operatives.

Guy Richards wondered whether the Communist agents had also decided to test the mettle of Ambassador Jacob Beam with a woman whose guile and charms were commensurate with his rank. Beam, at the time, was married, but that would not have deterred the KGB. Richards, who had interviewed Goleniewski before writing his book, said if Beam were slated for seduction you can bet the woman came prepared.

On January 10, 1968 the Government Employees' Exchange quoted a source stating positively that Madam Jerzy Michalowski, the "wife" of the current Polish Ambassador to the United States, had been identified as "one of the chief architects of the Warsaw Sex and Spy scandals, and had maintained an "intimate personal relationship" with Mr. Beam from 1957 to 1961. Her reputation was that of being "brilliant in the expertise of the male soul and body." On the basis of her "intimate personal relationship" with Ambassador Beam, according to the Exchange's source who had over 30 years of career service in the State Department, Madam Michalowski, in 1960, obtained from Beam details about the dispatches being sent the CIA by Goleniewski. As a result of her discoveries from the Ambassador, Polish and Soviet intelligence agencies uncovered the identity of Goleniewski who had to flee to West Berlin in December of 1960. It had also been Madam Michalowski and Polish agents who had plotted the "discovery" of Scarbeck "in bed with Ursala Discher" within hours of the flight of Goleniewski.

There is much more to the story, but the above is sufficient to show that Jacob "Jake" Beam is a very poor choice to send into the American Embassy in Moscow.

[From the Government Employees Exchange, Feb. 7, 1968]

Secret Agent's Role in Warsaw Scandals Clarified

In its January 10 issue, *The Exchange* reported that Madam Jerzy Michalowski, the "wife" of the current Polish Ambassador to the United States, had been positively identified as "one of the chief architects" of the "Warsaw Sex and Spy Scandals" which disrupted the American Embassy in Warsaw during the incumbency of Ambassador Jacob Beam. Mrs. Michalowski was also identified as having maintained an "intimate personal relationship" with Mr. Beam from 1957 to 1961.

The Exchange also reported that date that on the basis of her "intimate personal relationship" with Ambassador Beam, Madam Michalowski, in 1960, obtained from Ambassador Beam details about the dispatches being sent the Central Intelligence Agency by a "Lt Col Michael Goleniewski," an American "agent in place" who had first revealed to United States authorities the existence of the sex and spy scandals in Warsaw. Further, *The Exchange* reported that "as a result of her discoveries from Ambassador Beam, Madam Michalowski, her husband Jerzy Michalowski (then Director of the Polish Foreign Ministry) and Soviet Intelligence agencies uncovered the identity" of "Lt Col Goleniewioski" who had to flee to West Berlin.

The Exchange report of January 10 intentionally did not indicate how or where "Lt Col Goleniewski" was communicating with American officials or how or where Ambassador Beam learned of his existence or of his report. However, because of certain wrong interpretations or distortions being placed on the January 10 report, a "witting source" has consented to the publication by *The Exchange* of the fact that Ambassador Beam, who had never met "Lt Col Goleniewski," first learned of the existence of the "American agent in place" while the Ambassador was on "consultation" in the State Department in Washington.

Ambassador Beam's own sources in the State Department "consultation" were Deputy Under Secretary of State for Administration Loy Henderson and Assistant Secretary of State for Security William Boswell, the source further indicated to *The Exchange*. Under Secretary Henderson and Ambassador Beam, together with Ambassador E. Allen Lightner Jr. and Consul General Howard Trivers, the latter two involved in the so-called "Stephen A. Koczak selection out case," are all members of the so-called Henderson-Princeton Pact group of Ivy League "old school tie" Foreign Service Officers, the source indicated.

Under Secretary Henderson told Ambassador Beam, the source stated, that the State Department had received its information personally from Richard M. Bissell, Jr., the CIA's Deputy Director for Operations who, as readers of The Exchange will recall, later coordinated the disastrous "Bay of Pigs" action in Cuba which resulted in his own resignation as well as the departure from CIA of its Director, Allen Dulles.

When informing Under Secretary Henderson of the details of the dispatches of "Lt Col Goleniewski" regarding American members of the American Embassy in Warsaw identified as Soviet agents, or otherwise "compromised," Mr. Bissell has requested that none of the suspected American officials in Warsaw be "alerted" by any personnel actions or transfers without prior approval of such action by CIA, the source revealed. To prevent any "inadvertent" personnel actions in Warsaw itself, Mr. Bissell and Under Secretary Henderson had agreed to recall Ambassador Beam for "consultations" and to have him personally informed about the situation in his Embassy, the source stated.

The reason Ambassador Beam had been "totally unaware previously" of the existence and activities of "Lt. Col. Goleniewski," the source explained, was that "Lt Col Goleniewski" was careful to avoid the American Embassy in Warsaw and has sent all his messages to American officials, addressed to FBI Director J. Edgar Hoover, through his own couriers who dispatched the material from Switzerland or other Western European countries. Thus, Ambassador Beam had never met "Lt Col Goleniewski," the source revealed.

In his meetings with Under Secretary Henderson and Assistant Secretary Boswell, Ambassador Beam did not learn the name of "Lt Col Goleniewski," the source stated, because Mr. Bissell had not communicated it to the State Department. However, the information he did receive was sufficiently detailed so that, when Madam Jerzy Michalowski obtained it subsequently in Warsaw from Ambassador Beam, the Soviet intelligence organization was able to identify "Lt Col Goleniewski" as the American "agent in place," the source stated. This required "Lt Col Goleniewski" to flee for his life to West Berlin and ended his activities as an American agent in the Soviet camp, the source concluded.

NEED FOR A SPECIAL HOUSE COMMITTEE ON THE CAPTIVE NATIONS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. DULSKI. Mr. Speaker, the Russian invasion of Czechoslovakia points up as more urgent than ever the creation of a Special House Committee on the Captive Nations.

What colonialist Moscow feared most from a liberalized Czechoslovakia was the impact and repercussions throughout the empire, particularly among the captive non-Russian nations in the Soviet Union.

I have today introduced legislation calling for the creation of the special committee on the House. I am most hopeful this year that we can obtain early hearings on this important proposal.

It was just 10 years ago that Congress approved legislation calling for an observance each July of Captive Nations Week. This 10th anniversary year of the congressional action is a most fitting time for creation of the special committee.

The interesting story of 10 years of Captive Nations Week has been related by Dr. Lev E. Dobriansky of Georgetown University in a detailed article in the December issue of the WACL Bulletin, a publication of the World Anti-Communist League:

Ten Years of Captive Nations Week

(By Dr. Lev E. Dobriansky)

In July, 1968 the Tenth Observance of Captive Nations Week was celebrated in the United States and seventeen foreign countries. Since that first July in 1959, immediately after the United States Congress passed the Captive Nations Week Resolution and President Dwight D. Eisenhower signed it into Public Law 86–90, we, and then in time our allies have conducted ten annual weeks in symbolic behalf of the captive nations as one of the chief keys to the security of the Free World and the freedom and independence of all nations. A tradition has been built and solidly maintained. This is no mean feat, considering the powerful forces that have in this long period militated against the resolution and have sought the elimination of the Week.

At the time of the tenth observance many friends inquired of the writer as to how he now felt about the movement, its rate of growth, the main obstacles confronting it, the reactions of the Red regimes, and its prospects and institutional significance. Having been in it from the very beginning, the writer was asked on both TV and radio programs to assess these ten observances of Captive Nations Week. "Do you think it has accomplished what it set out to do?" "How has 'the disintegration of the Communist monolith' affected the course and goals of the movement?" "Why hasn't Captive Nations Week received far greater publicity in the United States than has actually been the case?" "What do you think of its future?" "Are the captive nations still captive?"

These are some of the questions that dominated the discussions during the tenth observance. And this article contains the answers that were given to these and other questions raised by interested and concerned Americans. Actually, many of these questions aren't new. They've been raised time and time again in the past. But for some reason, perhaps the "10th" itself, they received more widespread currency than before. Thus, in a real sense, this presentation is an accounting of one's observations and reflections on a movement that will enjoy an eleventh anniversary in 1969, during the week of July 13–19. The observations and reflections are purposed not only to answer the recurring questions but also to penetrate the confetti diplomacy of this decade which has really caused many to ask these questions.

THE ERA OF CONFETTI DIPLOMACY

Of course, the easy approach would be to answer these dominant questions in a yes or no fashion and then refer the questioner to a mass of literature dealing with the subject for nearly a decade. Yes, the Week is accomplishing what it set out to do. The so-called disintegration of the Communist monolith favorably reinforces the course and goals of the movement, particularly the force of patriotic nationalism which the Resolution stresses. At the start, Captive Nations Week received World-Wide publicity, but as many in powerful places began to fear its implications, the pressure was on to play it down as much as possible. The future of Captive Nations Week is guaranteed by the congressional resolution itself; so long as there are the captive nations in the Soviet Union and elsewhere, the Week has its existential basis for the long and substantiating future. Needless to say, squabbles and rivalries between and among totalitarian Communist Parties, which dominate the regimes of the Red states, do not make the peoples, the nations themselves, any less captive.

In this period of confetti diplomacy, with paper treaties and paper bridges of understanding as far as the captive nations are concerned, these are the direct and well-substantiated answers to the prevailing questions of the moment. The factual bases and detailed background to these specific answers can be easily acquired by consulting the outstanding literature on this fundamental subject. The book by professor Smal-Stocki will give the inquirer a keen insight into the captive non-Russian nations in the Soviet Union. This dimension is a blind spot for most Americans. The writer's own current work provides in outline the origin, development, and meaningful ramifications of the Captive Nations Week tradition and institution. The book has received many favorable reviews, but the one that intrigues the author starts this way, "This is an impassioned volume in which the author depicts the United States as a gigantic fool, unwilling to be convinced of Russian ruthlessness and unwilling to react positively to the Communists' continual aggression." Where the passion comes in the writer himself can't tell, but for the most extensive documentation of the subject, the reader will find this volume valuable.

During this decade numerous other source materials came into being to analyze the congressional resolution, describe the meaning of the movement, and to justify its existence in the light of changing developments in the Red Empire. The book *Captive Nations Week, Red Nightmare, Freedom's Hope* furnishes an excellent account of Congress' role in the annual Week. "Why Captive Nations Week?" is an informative article, pointing out that despite the Chinese-Russian rift and other rifts in the Red Empire, more than 27 nations are still held captive in the Red Empire. A background article on "The Roots of Russia" still goes a long way in contributing to an understanding of Moscow's current repressions in the Soviet Union, its heavy involvement in the Middle East and in Asia, and its graduated handling of the Czecho-Slovak crisis. As we shall see more clearly with the passing of the years, the real enemy is not the mythology of Communism, at best a psycho-political tool of deception and assigned philosophical respectability, but rather a crude Soviet Russian imperio-colonialism, which was well depicted with reference to Captive Nations Week a few years ago. The mythical independence of Rumania, the introduction of Liebermanism in the U.S.S.R., the squeals of a Castro and the rantings of Peking, the demands for Czecho-Slovak reform, and the continued meanderings of a Tito, none of these superficial developments have in anyway altered the main thrust of Soviet Russian imperio-colonialism. Equally applicable to today's conditions as they were only a few years ago are a dozen pieces on the captive nations. For example, "Captive Nations *vs.* Red States" advances the crucial distinction between the nation, the people itself, and the Red-dominated state, and explodes the whole notion of building bridges that serve to entrench the Communist apparatus. Too often, Americans fail to draw this basic distinction, as shown by the erroneous concept of Communist nation, and fall for schemes which only on balance conduce to the benefit of the particular Red regime. Another example is the fundamental deterrent value of the captive nations, taken as a whole, against the outbreak of a global war. With rampant insecurity sown for the Red regimes, the oppressed peoples could alter the aggressive designs of these regimes. There isn't one such regime that doesn't support the aggression of Hanoi against the Republic of South Vietnam. "Forget the Captive Nations?" has been the prime objective of Moscow and its syndicate members, but as the article with this title clearly demonstrates, the realization of this aim in the United States and elsewhere would be a tremendous psycho-political victory for the Red aggressors.

Despite all that has been written, said, and done about the captive nations and their significance for world peace and freedom, the course pursued by two Administrations in this decade has been detrimental to the cause of these nations and inhibiting to the movement in the Free World. Added to this has been the protracted ignorance and even illogic on the part of several of our popular opinion media. The evidence also shows a certain amount of insincerity and self-defeating expediency concerning our policies toward the Red regimes and the captive nations in this era of confetti diplomacy.

As the writer publicly stated before an official body of the 1968 Republican National Convention, both Administrations in the 60's have pursued "a confetti diplomacy in regard to the main enemy, which can be accurately depicted as the international dimension of the credibility gap." The statement continued, "The while train of papermaking—the Test Ban Treaty, Consular Convention, Outer Space Treaty, the Non-Proliferation one and even the Moscow-New York flight run—are so much confetti on the scale of fundamental problems, serving to hoodwink our people as to the harsh realities in the Red Empire and the real threats to our security. The Consular Treaty as written, doesn't even make semantic sense. These superficialities tend, in the myopic tradition of the Roosevelt Administration over two decades ago, to convey an implicit partnership between Independent America and Imperio-Colonialist Moscow. None of these treaties is of any concrete net advantage to us, and each is of nothing-to-lose-much-to-gain-advantage to Moscow. The confetti helps to enshroud the real enemy of Soviet Russian imperio-colonialism and its communist weapons which are dramatically at work today in Czechoslovakia."

With regard to the captive nations, which after all involves the basic issues of Soviet Russian power, aggression, and continual threat to the independence of nations in the Free World, the crucial point is the virtual surrender by the United States of its enormous ideologic power in favor of what is deemed a pragmatic "Soviet-American survival pact." [12] The fear of "mutual annihilation," or better "nuclearitis," is what supposedly has led us to placate Moscow with fundamentally meaningless treaties as far as the main issues are concerned, to play down the cause of the captive nations, to permit the historic meaning and significance of America in terms of national independence and self-determination to seriously corrode, and, as Franklin Roosevelt attempted to do in a period devoid of nuclear weapons, to consummate an implicit partnership with the last remaining empire of its size for the ostensible purpose of maintaining world peace. We have even sacrificed an across-the-board superiority in weaponry for a tenuous parity in order to display our national desire and want for a live-and-let-live existence. These are the dangerous straits into which Moscow's skillful policy of "peaceful coexistence" has led us.

It is no accident as concerns the Tenth Captive Nations Week Observance and the forthcoming elections in the United States that for demonstration effect Moscow plunged into a gestural rash of ratifying the Consular Convention, advancing and signing the non-proliferation pact, calling for new talks on control of missile systems, and opening up the Moscow-New York flight run. It sought certain responses and successfully obtained them. Reveling in the web of confetti diplomacy, President Johnson, who still thinks the Soviet Union is a nation, views all this as having "proved that our two countries can behave as responsible members of the family of nations. And that is a very hopeful sign indeed. Not realizing that all this has been from Moscow's viewpoint a vital and integal part of its Cold War against the United States, he sees it as steps toward the cessation of the Cold War for "I believe," he naively proclaims, "that the old" antagonisms which we call the Cold War must fade—and will fade."

Viewed against the real background of Russian Cold War operations on all continents, the responses to Moscow's diplomatic maneuvers are almost Pavlovian in nature. This was shown, too, in the President's proclamation of Captive Nations Week which, issued on July 10, reads as follows:

"THE WHITE HOUSE—A PROCLAMATION ON CAPTIVE NATIONS WEEK, 1968, BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

"Whereas the joint resolution approved July 17, 1959 (73 Stat. 212) authorizes and requests the President of the United States of America to issue a proclamation each year designating the third week in July as 'Captive Nations Week' until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

"Whereas human freedom, national independence, and justice are fundamental rights of all peoples; and

"Whereas the enjoyment of these rights, to which all peoples justly aspire, remains severely limited or denied in many areas of the world; and

"Whereas the United States of America, in keeping with the principles on which it was founded, has sought consistently to promote the observance of fundamental human rights throughout the world;

"Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do hereby designate the week beginning July 14, 1968 as Captive Nations Week.

"In witness whereof I have hereunto set my hand this tenth day of July in the year of our Lord nineteen hundred and sixty-eight, and of the Independence of the United States of America the one hundred and ninety-third.

"LYNDON B. JOHNSON."

One need only compare this proclamation with previous ones to appreciate the trend of ideologic emasculation so necessary to the illusory content of our confetti diplomacy. For one, the Secretary of State's signature has been quietly disposed of in order to reduce the proclamation's official standing. Also, in sharp contrast to all preceding proclamations, the 1968 one disposed of the President's public invitation "I invite the people of the United States of America to observe this week with appropriate ceremonies and activities, and I urge them to give renewed devotion to the just aspirations of all peoples for national independence and human liberty. This is highly indicative of the sorry state we have drifted into while Moscow feverishly promotes its Cold War operations.

A quick glance at these operations encompasses an unrelenting drive to demolish NATO, to convert the Mediterranean into a Red lake, to establish Russian hegemony in the Middle East, and to undermine all Free Asian efforts toward expanded freedom. Working directly and also through Red syndicate members and Communist Parties in the Free World, Moscow is striking different keys and playing various tunes as it extends its interests in Asia, Africa, and Latin America. Through necessary intermediation, it naturally has a keen interest in political warfare developments on the American terrain. Woven into all of this, its anti-American propaganda continues at a high pitch. Upon the assassination of Senator Kennedy, *Tass* didn't hesitate to call it "a new, convincing example of the terrifying gangster 'democracy' in the United States." Moscow's government paper hammered away at the old reliable, "Imperialism carries violence within itself," and Brezhnev let it be known that the United States is a "rotting society, a degrading society, a decadent society," words with an old Hitlerian ring. Such statements are a daily diet in Moscow's propaganda network, and the chief aggressive thrust against the United States has been and is psycho-political, for which this country in its illusions of peace and co-engagement is ill-prepared.

PROTRACTED IGNORANCE ON CAPTIVE NATIONS

One of the paramount objectives of Captive Nations Week is the education of the American people regarding the captive nations, especially those in the Soviet Union. In this decade, remarkable progress has been made in this respect. But we would be deluding ourselves to think that the task is close to completion. If this were so, our policy toward the Soviet Union and the Red empire would be sensibly different. Much remains to be done to overcome and eradicate numerous strands of protracted ignorance and even obscurantism in many sectors of our Nation.

For a more thorough study of this unfortunate condition the reader might well find several sections of my book on *The Vulnerable Russians* of profitable worth. Here, let us just cite a few examples where public opinion is being swayed. A columnist who has been taunting former Vice President Nixon for his performance with Nikita Khrushchev back in 1959, writes that "Just before he arrived, Congress had passed the so-called Captive Nations Week Resolution calling for the liberty of the 'captive nations' of Latvia, Lithuania and Estonia, now under the Soviet Union," This balderdash is aggravated later when in another article the reader is told that the Captive Nations Week resolution "was a resolution periodically passed at the initiative of certain Baltic refugees, calling for the liberation of Estonia, Latvia and Lithuania, now part of the Soviet." This is the kind of nonsense being fed the American people. It is doubtful that the writers ever read the resolution, which goes far beyond the captive Baltic states, had never anything to do with the initiative of "Baltic refugees," and is not periodically passed. With their nonsense as a background, the reader can safely discount much of what they say about Nixon. The second chapter in my work on Nixon's "Testimony of American Bewilderment" presents an objective account of the episode.

In his acceptance speech in Miami, Mr. Nixon emphasized, "To find the truth, to seek the truth and to live with the truth, that's what we will do." Should he win, ample opportunity will arise to apply this commitment in connection with the captive nations. Surely, in the hoped-for environment statements such as this—"Khrushchev was then nettled because just before Nixon's departure, the U.S. Congress had adopted a routine resolution referring to the slave peoples within the Soviet orbit"—could scarcely thrive. The writer, who availed himself of the first New York to Moscow run, significantly during Captive Nations Week, evidently doesn't know how the supposedly routine resolution emerged, and for him the U.S.S.R. is a "nation."

Considering the appeasement and diplomatic confetti atmosphere in this country, it was no easy task to promote a captive nations plank in the 1968 Republican Platform. It is a general plank that fails to include the captive nations of Asia and Cuba. Some of the reactions in the press cause one to wonder about journalistic knowledgeability and honesty. In a supposedly interpretative report one writer views it as "the usual anachronistic references to the 'captive nations' of Eastern Europe," as though that area is free, independent, and self-determining. The editors of the *Washington Post* display their usual fatuousness and disregard for honest expression in an editorial that gloats over the generality of the plank, excluding any enumeration of the captive nations such as occurred in the forthright 1964 Republican Platform. With silly intent, Armenia is compared with Quebec and "the Ukraine" was supposed to have been captured between 1960 and 1964. As for journalistic honesty, the reader should compare this editorial with the *Post's* April 28 one on the "Cause of the Ukraine," where concerning Ukrainian independence it states "The last time a separate Ukrainian government tried that was in 1918" and "Soviet troops suppressed it with a vengeance still bitterly recalled." Many satisfied readers of the article "From Moscow's 'Izvestia' to Washington's 'Post'" can appreciate these dialectics.

STEADY GROWTH OF THE WEEK'S OBSERVANCE

What is truly remarkable is the fact that in spite of the heavy forces opposing Captive Nations Week, the annual observance has steadily grown and expanded over these years. One need only peruse the pages of the *Congressional Record* since 1959 to see the scope extent of the annual Week. Traditionally, Congress observes it with impressive report and dedication. About 35 Governors and over 40 Mayors of our large cities issue their proclamations of the Week. Activities under the guidance of the National Captive Nations Committee in Washington are conducted by local committees in cities ranging from Boston to Los Angeles, Miami to Seattle, New York, Philadelphia, Cleveland, Buffalo, Chicago, St. Louis and many others.

The press coverage in these cities is fairly impressive, and change in circumstances will undoubtedly project it further. For example, the column by Ted Lewis in the July 16, 1968 issue of the *New York Daily News* publicized the Week for millions of New York readers. TV and radio reporting of the Week is not as extensive as it should be, but here, too, future international developments will determine more than anything else the range of such reporting. The Georgetown University TV-Radio Forum has consistently staged programs that have had a broad audience through its network. These and other functional bases of the Week would be greatly enlarged should another nation fall captive or Soviet Russian power express itself overtly and massively in Czechoslovakia or elsewhere. Tragic though such events may be, we must be prepared for them and their policy implications.

One of the outstanding developments of the movement has been its reception in foreign countries. In seventeen countries, ranging from Korea to Australia, India to Turkey, and West Germany to Argentina, the observance is now held regularly. Particularly in Asia, the movement has gained a firm foot-hold. For years now the Republic of China has been in the forefront of Captive Nations Weeks rallies. For the first time, the Republic of Korea issued a Captive Nations Week stamp to commemorate the tenth observance. Requests for a similar stamp in the United States, the home of the Week, were denied. It appears that the closer a nation is to the battleline of freedom the deeper its understanding is of the issues at hand.

A new and highly important development arose at the end of 1967 when the first conference of the World Anti-Communist League adopted a resolution on the 10th Observance of Captive Nations Week. The resolution called for maximum effort on the part of its members and affiliates, representing over 80 countries, to advance the captive nations movement. Meeting in Taipei, Free China, the members of WACL enthusiastically undertook to implement the resolution in the years ahead. They understood quite well the psycho-political nature of the world struggle and the time element involved. Thus, if America as a sleeping giant follows the present confetti course, the captive nations cause can find permanent support from those nations immediately threatened on an overt basis by the Red Empire. Better that its future is insured by firm hearts rather than confused minds.

THE RED TOTALITARIAN DREAD OF THE WEEK

On evidence, except for our relatively declining military strength, there has been no other factor that the Red totalitarians have dreaded more than the Captive Nations Resolution and Week. This expressed fear is not, as some simpletons have scoffed at, induced by the resolution and the Week themselves, but rather by their implications, potential implementation, and practical ramifications. The nature of the prime enemy, the essential history of the Red Empire, the victims of this tragic history, the essence of victory over it, and a firm basis for psycho-political action—all these fundamental ingredients are in the resolution and the forum of the annual Week. It requires only some sober reflection to discern these. Moscow recognized all this instantly, and as the following samples show, so have its syndicate members:

Nikita S. Khrushchev, July 1959: "This resolution stinks." (Then, according to Vice President Nixon, "he spelled out what he meant in earthy four letter words.")

Khrushchev, October 1959: Take, for instance, the much to-be-regretted decision of the American Congress to hold the so-called

'Captive Nations Week' and to pray for their liberation. In this case words other than 'rolling back' were used, but the gist remained the same, the same appeal for interference in other people's affairs."

Nicholas V. Podgorny, U.N., October 1960: "Some members of the U.S. Congress, who apparently are not too busy with state affairs, deliver moving speeches, using the same mimeographed crib concerning the so-called 'week of captive nations' . . ."

Moscow, 1961: "It is not at all fortuitous that this time the farce presented by the 'Captive Nations Week' should coincide with the hullabaloo created by American propaganda around the West Berlin question." (Khrushchev again denounced the Week at the Communist Party Congress in October, 1961).

"On the basis of the 'weeks' held in the past, we already know what these appropriate ceremonies represent—unbridled anti-Soviet and anti-communist slander . . . Yes, it is only thanks to American bayonets that oppressors of freedom and blood-thirsty dictators are sustained in power in a number of countries of the Latin American continent and Southeastern Asia."

Moscow, 1962: (In 1962 the Russian imperio-colonialists scored a victory in getting UNESCO--to publish the scandalous and fraudulent *Equality of Rights Between Races and Nationalities in the U.S.S.R.*)

"Is it not high time to discontinue the 'Captive Nations Week' in the United States? That is just as much a dead horse as the 'Hungarian Question.'"

Moscow, January 1963: "The President of the United States, losing his sense of reality, has declared 'a week of the Captive Nations and is trying to turn attention away from the struggle of the Negroes for their liberation.'"

Pravda, Moscow, July 8, 1963: "Kennedy is a third-class clown proclaiming 'Captive Nations Week,' which is a despicable animal campaign of the U.S. ruling circles."

Pyongyang Radio, N. Korea, July 10, 1963: "With every passing year, 'Captive Nations Week' becomes a nuisance. The stupid situation in which the Washington legislators and rulers found themselves is becoming evident even for those who earnestly propagate the imperialistic policy of the U.S.A."

Izvestia, Moscow, July 15, 1964: "An annual, pitiful undertaking. One could treat it as a joke . . . One could treat it like that, if it were not for the fact that Captive Nations Week, an annual undertaking organized by men who having long since lost contact with their actions, is supported by the U.S. Congress and by a proclamation of the President of the U.S."

Trybuna, Ludu, Poland, July 27, 1965: Mikhail Suslov, chief Russian ideologist, Vilnius, Lithuania, July 17, 1965. "Especially disgusting is the villainous demagogy of the imperialistic chieftains of the United States. Each year they organize the so-called captive nations week, hypocritically pretending to be defenders of nations that have escaped from their yoke. These international gendarmes, stranglers of freedom and independence, would like again to enslave the free nations of Lithuania, Latvia, and Estonia. But that will never happen."

Political Affairs, 1966: "Criminals . . . are active in the organizations of the so-called 'captive nations' . . . have their own press and conduct war-inciting activities through demonstration, picket lines, etc. . . . are often connected with similar organizations in other countries in Europe and Latin America."

Izvestia, July 7, 1967: "The thing is that every year in July the rulers in Washington put on an eye-sore of a propaganda spectacle, titled 'Captive Nations Week'. . . This time the advent of the notorious 'Week' is being violently commented upon by the reactionary American Press."

These are only a meager portion of the vehemence and vituperation poured on this movement. What, above all, the totalitarian Red regimes need is relative security and stability in their empire in order to gain necessary time for political and economic consolidation, reconciliation between and among the squabbling Communist Parties, more technologic progress and augmented material means to meet expanding Cold War commitments in the underdeveloped world, and greater overall military strength to challenge directly the power of the United States. The captive nations cause strikes at the very basis of their strategic plan for the years ahead.

TOWARD THE 10TH ANNIVERSARY OF CAPTIVE NATIONS WEEK

As was mentioned above, in the period of July 13–19, 1969 the Tenth Anniversary of Captive Nations Week will be celebrated here and abroad. For it was in July, 1959 that Congress passed the Captive Nations Week resolution upon which this annual observance is founded. Plans for this anniversary are already underway. But the most effective planning must take into account the fact that the annual observance is in large part a springboard for the discussion of issues which are important to the cause and must be advanced and supported through the year. In the last analysis, it is these issues and their determination that provides the substance for the perpetuation of the Week and the positive progress of the captive nations movement.

The dominant issues are many and require in their own right detailed exposition and analysis. However, here we can review them quickly with brief comment in relation to our fundamental educational task. First, the advocacy of a debate in the United Nations on Soviet Russian imperio-colonialism. Despite President Kennedy's move in this direction in 1961, no such debate has ever been held in the U.N. forum. As concern the captive non-Russian nations in the USSR, the need for this is more urgent than ever before. Russian genocide of these nations will only strengthen Soviet Russian totalitarianism against the Free World. Second, a full-scale review in Congress of U.S. policy toward the USSR. Here, too, never in our history have we undertaken such a review. It would be unprecedented and most productive for our national course.

Third, opposition to liberalized East-West trade without political concessions. Our trade experiences with totalitarian states in the pre-World War II period should provide solid historical lessons for not repeating our mistakes again. Fourth, the establishment of a Special Committee on the Captive Nations in the U.S. House of Representatives. There is no agency, public or private, in this country that continually investigates the interrelated developments in the captive nations as a whole. The multiple advantages of such a committee to the fund of knowledge and security of the United States and its allies scarcely require emphasis. Fifth, the creation of a Freedom Academy by congressional passage of the Freedom Academy bill. For the struggle ahead, the deficiencies in the psycho-political warfare preparations and equipment of Americans are grave, indeed. And nowhere have they come to full light than in South Vietnam itself. The plain fact is that, as in any other activity, we cannot hope to cope with the thrusts and gyrations of Red political warfare without methodical training in this discipline.

A sixth issue and objective is victory in Vietnam, clearly defined as South Vietnamese liberation of the 17 million captive North Vietnamese. It is one of the sorry aspects of our Vietnam experience that none of our leaders even mention the captive plight of the North Vietnamese people. A positive victory cannot be realized without their freedom. Seventh, close examination of the situation of Russian consulates in our country. Despite the ratification of the US-USSR Consular Convention, our position against it still is valid and true. Bearing on the Dirksen-State Department agreement which made ratification possible, we should oppose the placement of Russian consulates in cities with a heavy East European ethnic complex. And eighth, the evolvement of a new U.S. policy of unfinished liberation. This policy is based on premises of political warfare, such as the totalitarian Red regimes persistently wage, and is the best guarantee against more Vietnams and the outbreak of a global war. The alternative to our present policy of patched-up containment is clear, far less costly, and more productive for world freedom, thus our freedom.

These, then, are the formidable issues confronting all who understand and support the strategic value of the captive nations in toto. One does not expect the average American to grasp the insight that there will never be peace of a genuine sort in the world as long as the Soviet Union exists. But such will be the case until the Free World begins to concentrate on the key captive non-Russian nations in the USSR, peacefully, understandingly, and courageously. Until that time arrives and given the illusions of our confetti diplomacy, we had better keep reciting the long list of captive nations as provided in the new brochure of the National Captive Nations Committee, with the overhanging question "Who's Next?"

"The Captive Nations: Who's Next?"

"Country, people, and year of Communist domination:

Armenia	1920
Azerbaijan	1920
Byelorussia	1920
Cossackia	1920
Georgia	1920
Udel-Ural	1920
North Caucasia	1920
Ukraine	1920
Far Eastern Republic	1922
Turkistan	1922
Mongolian People's Republic	1924
Estonia	1940
Latvia	1940
Lithuania	1940
Albania	1946
Bulgaria	1946
Serbia, Croatia, Slovenia, etc. in Yugoslavia	1946
Poland	1947
Rumania	1947
Czecho-Slovakia	1948
North Korea	1948
Hungary	1949
East Germany	1949
Mainland China	1949
Tibet	1951
North Vietnam	1954
Cuba	1960

"Who's Next? South Vietnam? Algeria? Colombia? Congo? Laos? Tanzania? Bolivia? Thailand? Greece? Guatemala? Chile?"

CALLS FOR QUICK VIET RESULTS COURT DISASTER

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. DERWINSKI. Mr. Speaker, as the Paris talks continue without any apparent progress, disillusionment sets in, as well-intended pacifist groups, and also radical groups with Communist leadership, are carrying on a constant barrage within the United States against the position being maintained in Vietnam. Therefore, I feel the article by Crosby S. Noyes in the Thursday, January 23, Evening Star merits review since it is very objective and possibly prophetic on Vietnam negotiations:

CALLS FOR QUICK VIET RESULTS COURT DISASTER

(By Crosby S. Noyes)

Now that the negotiators in Paris have settled down to serious business, it is essential that the pressure in this country for quick results be brought under control.

Patience in a negotiation of this kind is the key to success. The impatience that has marked the Johnson administration during the preliminary phases of the Paris talks is sure guarantee of failure.

Impatience to get the talks started was understandable enough for an administration that quite literally sacrificed itself in the hope of moving toward a settlement of the war in Vietnam. The prospect of an interminable bickering over the procedural aspects of the Paris conference was hard to accept calmly.

Yet surely, the show of impatience and urgency in itself has compromised the success of the substantive talks that have now begun.

Unless the American public has been grievously deceived, the purpose of these talks is not to prove how eager we are to throw in the towel and hand over South Vietnam to the Communists. It is rather to find out whether the Communists have now decided to give up their effort to take over the country by force and agree to a political compromise acceptable to the majority of the people involved.

If this is the case, it was most unlikely that any technical problems would have prevented the opening of the Paris talks. If it is not, the fact that they have now started is no guarantee that we have moved any closer to a peaceful settlement of the 20-year-old conflict.

For this is the essence of the situation: On the basis of the military position in Vietnam, we and our allies are entitled to believe in the possibility of an acceptable political solution. For their part, the Communists, on the basis of the political situation in the United States, are entitled to believe in the possibility of a surrender.

All of us may be in Paris on false assumptions. And when it comes to how the cookie may eventually crumble, everything that happens, including results on the battlefield or off-the-cuff comments by Cabinet officers, will weigh in the balance.

In this critical contest there is no denying that the United States is at a disadvantage.

Weak as they may be militarily, the North Vietnamese and the Viet Cong are still capable of presenting an inflexible and apparently united front at home and at the bargaining table. No Westerner at this point can pretend to know the real objectives of the Communists in the Paris talks. The concessions that they may be willing to make, the shape of the final settlement, are entirely matters of conjecture.

In contrast, the enemy can be in no doubt whatever about the weaknesses and contradictions of his opposition. The slightest tactical disagreement between the government in Washington and the government in Saigon is immediately inflated to the proportions of a major crisis. So far there has been no clear definition of the kind of settlement which we would be prepared to accept. And the pressure for rapid results has dominated the proceedings.

It is essential, now that the serious talks have started, that this pressure be relieved. So far as the North Vietnamese are concerned, the negotiations in Paris are nothing more than an extension of the war in Vietnam—a new dimension to the struggle which they have carried on in one form or another since the end of World War II.

On our side as well, the attitude must be the same. This is not a peace conference in the ordinary historical sense. The talks in Paris are in fact nothing more than a political projection of a military contest that is still hanging in the balance. And in this contest, the determination—and the patience—of the opposing sides is the all-essential element.

A demand in this country for quick results in the negotiations is a sure prescription for disaster.

It is quite possible that the Communists hope to win in Paris what they have not been able to win on the battlefields in Vietnam. It is conceivable that they will succeed, unless the war and the negotiations are clearly seen as aspects of the same conflict.

THE BUDGET, THE ECONOMY, AND THE CONGRESSIONAL ROLE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. MOORHEAD. Mr. Speaker, what is the fiscal 1970 outlook for the GNP, personal income, corporate profits, the condition of the credit markets, and the balance of payments? In view of this outlook should the Congress hold down expenditures, hold down borrowing programs, take special pains to minimize our uses of foreign exchange, continue the surtax, show a surplus in the budget?

Depending upon these decisions what will the impact be on the unemployment rates? What are the country's needs in the way of programs—Headstart, job training, defense, health, elementary, and secondary education, and so forth?

Does the Congress as a whole provide its Members with an independent view of these critical questions before we fulfill our constitutional duty of controlling and allocating the revenues of the United States? Or do we rely almost exclusively on the executive branch's analysis and estimates? Or do we, in fact, generally ignore these questions?

Joseph W. Barr, former Secretary of the Treasury and my former colleague in the Congress, recently addressed himself to this question in a paper entitled "Improving the Financial Effectiveness of the Congress."

I think his views are doubly relevant as he has served in both the legislative and executive branches of the Federal Government and has worked intimately with the budget process on both sides.

Of historical note, Mr. Barr is the first former Congressman to serve in the post of the Secretary of the Treasury in nearly a quarter of a century.

I hope his proposals will stimulate discussion on this issue which I feel is so critical to the congressional decision-making process.

I include in the RECORD, at this point, Mr. Barr's paper for the attention of my colleagues:

IMPROVING THE FINANCIAL EFFECTIVENESS OF THE CONGRESS

(By Joseph W. Barr—Member of the 86th Congress, 1959–1960; Assistant to the Secretary of the Treasury, 1961–1964; Chairman of the Federal Deposit Insurance Corporation, 1964–1965; Under Secretary of the Treasury, 1965-1968; Secretary of the Treasury, 1968–1969)

(Submitted with deep affection for a magnificent institution—the Congress of the United States.)

FOREWORD

In a decade of public service, I have watched the claims on the tax dollar of the Federal Government mount with inexorable regularity. Ten years ago the principal contenders for the tax dollar were Defense, Agriculture, Veterans, and Public Works, and, to a lesser degree, housing and foreign aid.

To this list has now been added elementary and secondary education, higher education, health insurance, urban programs and space. A look to the future reveals clearly that coming up over the horizon are enormous claims to combat pollution of our environment, to develop mass transit systems in our cities, to rebuild huge portions of our urban areas, and to provide some systems for family allowances or a negative income tax to replace many of our current social programs.

I can only conclude from what I can see and what I can foresee that the competition for Federal revenues will remain high and can quite probably intensify.

While the fight to get a share of the tax dollar is and and will be the most visible and best understood, there will probably be an almost equally difficult struggle involving credit programs and foreign exchange.

This Nation does *not* generate unlimited quantities of savings. The current emphasis on loan programs cannot be expanded indefinitely without subjecting our credit markets to impossible strains and interfering brutally with the demands of the private economy for credit.

It is equally true that this Nation does *not* generate unlimited amounts of foreign exchange. Decisions to deploy our troops overseas with their resulting exchange costs must be weighed against the demands of travelers, investors, lenders, and importers who want to use the foreign exchange earned by the Nation for their purposes.

In summary, this Nation has enormous but not unlimited capabilities. The foreseeable demands for Federal expenditures, for Federal credit, and for Federal uses of foreign exchange will probably strain our capabilities, and may possibly exceed them at times.

It is precisely in this setting that the Congress can become enormously effective—if it wants to be. In the final analysis, the real power of a legislative body—especially the United States Congress lies with its control—over the purse strings. Its power to decide the total level of expenditures and to allocate this total among various programs, plus its power to control the supporting taxes and borrowing, give the Congress all the power necessary to become as effective as it wants to be.

The Revenue and Expenditures Control Act of 1968 is a clear example. Once the Congress got the problems of domestic credit demands, inflationary tendencies, international consequences and those Siamese twins—expenditures and revenues—clearly in focus, it acted with surprising unanimity and stunning results. This one act pulled the Nation back from a horrified contemplation of financial chaos to a current position of great financial strength. The only pity is that Congressional procedures were sorely strained and an inordinate delay piled up before action was taken. The cost of the delay is clearly reflected in our price levels.

This one example gives me great hope for the future. It points the way towards an increased measure of financial effectiveness for the Congress. It has inspired this ex-Member of the Club, who frankly loves the institution, to try to synthesize his "inside-outside" experience as a guide for the future as the Congress tries to find its way among the clamorous demands for tax dollars, credit and foreign exchange.

Knowing full well the incredible demands made on the reading time of Members, I am summarizing my proposals in the following two pages. Those who are interested are welcome indeed to accompany me through the full exposition.

SUMMARY

The problem

I. Budgetary Confusion

Until 1968 the Congress was confronted with four budgets—legislative, administrative, cash, and the Federal Sector of the National Income Accounts. Confusion was understandable and almost unavoidable. Fortunately, this problem has been eliminated and the new budget shows at a glance the total of the President's legislative requests (NOA); total spending and receipts and total lending and repayments, a deficit or surplus that has economic meaning, how the total program will be financed, and the pressures the budget will put on private credit markets. (See Page 10 of the Budget Document.)

II. Procedures

The Congress fragments its decisions on the budget and rarely if ever looks at the budget as a whole or considers its impact on the economy, on credit markets, or on our balance of payments position.

The proposal

Establish a *Congressional budget* by April of each year.

How to do it:

(1) Have the Congress debate and pass by March 1 a joint resolution establishing the Congressional opinion of economic prospects for the current year.

The Joint Economic Committee after hearings starting early in January could submit just such a resolution for debate and passage by March 1.

(2) The revenue and appropriations committees of both Houses could also begin hearings and studies early in January designed to produce a legislative budget resolution for debate and approval by April 1. This legislative budget would be debated against the background of the economic assumptions approved on March 1. It would show the following.

(a) The Congressional target for total spending.

(b) The Congressional target for total lending.

(c) The foreign exchange costs of the spending-lending programs.

(d) A program for financing the spending-lending budgets.

(e) A program for financing the foreign exchange costs of Federal programs.

(f) An explanation and defense of the priorities involved.

(g) The impact of the total program on private credit markets.

(3) After approving a resolution embodying an economic opinion and a *legislative* budget, the Congress can proceed as usual with its fragmented approach to the budget. They will, however, be able to do so against their own target and their own budget.

Conclusion

This is *not* an impossible recommendation. The Congress essentially followed this very procedure in the Revenue and Expenditure Control Act of 1968.

It is responsive to the constitutional intent of vesting control over money in the Congress.

It offers some hope of a rational approach to resolving the priority of claims on Federal resources that I see looming ahead.

It will put the Congress back on a more equal posture with the President.

DISCUSSION

The problem

When I came to the Congress in 1959 I discovered that where money was involved, there was plenty of heat but very little light. I had a dreadful time understanding the accounting system and small wonder. At that time the Executive used two budgets—the Administrative budget and the Cash budget. The economists relied on the Federal Sector of the National Income Accounts. On the other hand, the Congress used an appropriation-designed budget to give the Government *authority* to create obligations.

The President's budgets were all in terms of expenditures—*spending*. The National Income Accounts also focused on spending. But the Congressional budget had little to do with *spending*. It was designed to grant to the various departments and agencies the authority to *contract* to spend money. The actual spending resulting from any one year's appropriations might be years in the future.

Added to all this confusion were what seemed like Alice-in-Wonderland concepts when compared with the orderly and established practices of business. For some incredible reason, a *loan* was counted as an expenditure, and a *loan repayment* as a *negative expenditure*—whatever that means.

The old familiar concepts of accruals and depreciation were almost completely absent. No one ever discussed how much credit we could safely take out of our national savings; and when anyone asked about foreign exchange costs, all they usually got was a blank stare.

I will argue that not over twenty-five percent of the Members of the 86th Congress could give a lucid and understandable description of the accounting system of the United States. I frankly doubt if that number has gone up substantially today.

I will admit that I was not one of the twenty-five percent who understood the system in 1959. Frankly this position shocked me. I did not expect to be a military, diplomatic or agricultural expert overnight. However, I had come to the Congress with an M.A. in economics, and fifteen years of solid business experience with a heavy emphasis on finance. To flounder around on money matters as I did was terribly frustrating and downright embarrassing.

This is a disgraceful situation. If the business of the Congress is money, how can the Congress hope to be effective unless it understands the rudimentary principles of the budget and our national accounts?

Fortunately today this lack of understanding is unnecessary and can be easily cured. The Budget Commission of 1967 under the Chairmanship of Secretary of the Treasury Kennedy and including Chairman Mahon and Congressman Bow, Ex-Chairman Hayden and Senator Young as members presented recommendations to the President which were adopted in the January, 1968, budget submission. They are starkly simple.

The new budget sets down clearly how much *obligational authority* the President is asking the Congress to approve. It then sets out how much the Government will *spend* and how much it will receive; and finally how much it will lend and receive in repayments. The figures from the spending-lending budget produce a deficit or surplus which quite accurately (for the first time) shows how much money will have to be borrowed or how much debt can be repaid, and also shows (again for the first time) whether the budget will tend to stimulate or depress the economy.

Under the old system, I insist, it was virtually impossible for Members fully to understand the budget and accounting systems. *Members can understand this system.*

I would estimate that two to three hours of reading and two to three hours of discussion with Budget or Treasury officials can prepare any Member to be fully conversant with the budget and our accounts.

I conclude this section with one recommendation and one offer. The *recommendation*—the Congress should order the Budget Bureau, in cooperation with the staffs of the Treasury and the Appropriations Committees, to prepare a short and simple textbook entitled "Accounting and Budget Principles of the United States Government."

My offer.—I will volunteer two days of my time after February 1 to run a seminar for new Congressmen on budget and accounting procedures. To make the presentation nonpartisan, I will also volunteer to find a Republican Treasury official or Budget Director to balance the program with me.

New Members should not be forced to put up with the argument I got in 1959, "Listen, this system was good enough for General Grant, how come it isn't good enough for you!"

Now that the United States has a budget that can be understood by an average Member, what stands in the way of improved Congressional financial effectiveness? At the risk of oversimplifying, I would answer that question in one word—*procedures*. Most Members are men of intelligence and understanding, but an Einstein could not bring orderly reasoning to the chaotic proceedings of the Congress as it moves to decide on money issues.

Perhaps the best way to illustrate this contention is to contrast the decision-making procedures in the Executive and in the Congress.

In the Executive, the decision-making process starts in the fall as the departments and agencies begin their preliminary discussions with the Bureau of the Budget on their requirements for funds in the new fiscal year. About this time the Troika (staff economists of the Bureau of the Budget, Treasury and CEA) begin their estimates of the shape and dimensions of the national economy for the upcoming calendar year. As they complete their preliminary projections, the Treasury staff begins to estimate what the Federal revenues will be—given these economic assumptions.

By early in December our economic estimates are growing harder, and we have a chance to compare them with private estimates. The Federal Reserve Board is brought in for consultation and a report is submitted to the President giving him our best estimate of GNP for the coming year, Federal revenues, and our recommendation for fiscal policy.

For instance this year we recommended to the President that GNP for CY 1969 would be about $921 billion, that Federal revenues for FY 1969 would be about $186.1 billion (with expenditures at $183.7 billion, giving a surplus of $2.4 billion); that Federal revenues would be about $198.7 billion for FY 1970 (if the surtax were kept on). We told the President that all this was a picture of an economy under strain and that we should:

1. Hold down expenditures.
2. Hold down borrowing programs.
3. Take special pains to minimize our uses of foreign exchange.
4. Continue the surtax.
5. Show a surplus again in FY 1970.

From these recommendations the President was prepared to make his final expenditure and lending decisions and to transmit his budget to the Congress.

I would submit that this is a fairly orderly procedure enabling the President to make his decisions on the basis of:

1. What the country needs in the way of programs.
2. What is the best program level for the economy in terms of (a) stimulus or restraint, (b) credit availability, (c) availability of foreign exchange.

Now let's see what happens in the Congress. First of all, the President's economic report is shunted off to the Joint Economic Committee for hearings. They then issue a report which few Members read. There is never a full-fledged floor debate on the economic forecasts which are the logical starting point for the Congressional decision-making process.

Next the budget recommendations are chopped up and parceled out to various Appropriations Subcommittees who report these budget slices to the floor usually beginning about May. *Never once* (with the exception of 1968) *does the Congress address itself to the question of a total figure for expenditures and lending.* This overall target should be the logical second step in the decision-making process after there is agreement on the economic forecasts.

I will admit that the *total* figures are debated when a debt limit increase is requested. But the setting of the debate is so ludicrous that it has little relevance. In essence these debt limit debates revolve around the question of whether the Congress will let the Secretary of the Treasury pay the bills (by borrowing) which they have already authorized.

The debt limit and a tax request are also the only opportunities the Ways and Means and Finance Committees have to bring the question of revenues and their relation to expenditures before the Congress.

It is small wonder that in August a Member can be confused as to just what he is doing when he votes for or against an appropriation. He has not heard a debate on the economic assumptions. He has not heard a debate on *total* spending and lending levels; he has not heard a debate on revenues and their relations to the budget. All he *has* heard has been a lot of sound and fury over various *slices* of the budget.

When I contrast this predicament with the orderly flow of recommendations, assumptions and planning that is spread before the President as he moves toward a budget decision, I am inevitably moved to sympathy for the Member and wonder that the system works at all.

THE PROPOSAL

To become fully effective in finance, the Congress needs to take three basic steps:

(1) Organize its procedures so that early in every session it can establish a *Congressional* budget which can be used as a guideline and a target along with the President's budget.

(2) Recognize and spell out the financial consequences of the Congressional budget—does it require an increase in the debt limit, an increase in taxes, or can debt be paid off or taxes reduced.

(3) Establish clearly the *priorities* involved in the allocation of tax dollars, Federal credit and guaranties, and foreign exchanges.

Let's assume that the Congress sets a date of April 1 as the date for establishing a legislative budget. (This date incidentally could be fairly realistic because it is about the time that the authorizing committees and appropriation sub-committees get down to work.)

What steps would be involved? Let me outline a possible course of action.

(1) The place to begin is with the economic projections for the calendar year just beginning. The President's economic report comes up between the 15th and 20th of January, and the Joint Economic Committee should begin examining Government and private witnesses at once on the economic report. The J.E.C. could complete hearings and recommend to both Houses a resolution to be debated and acted upon by March 1. This resolution sets forth the Congressional opinion on gross national product, personal income, corporate profits, the condition of the credit markets and balance of payments prospects.

The chief difference between this proposal and current procedures is that now the J.E.C. proceeds leisurely with its hearings and then files a report which is never read except by a few professional economists. I am proposing that they proceed promptly with hearings which will result in a resolution that will be debated, possibly amended, and then reconciled by both Houses.

These economic projections are the starting point of the budget process and all Members, not just a handful on the J.E.C., should be involved.

(2) While the J.E.C. is examining the economic report, the Appropriations Committees of both Houses should begin their study of *total budget* expenditures. Their target date for final recommendations should be March 15.

Their final recommendation should include the Committee's best judgment of what the total new obligational authority and expenditures for the next fiscal year should be. They should be prepared to break down the total by budget functions (national defense, commerce, health and education, etc.) and be ready to defend the priorities they have established for the allocation of the tax dollar.

The Appropriations Committees should also be prepared to recommend and defend the impact of the spending-lending totals on the balance of payments position of the United States. They should spell out clearly what the budget will cost in terms of Deutsche marks, French and Swiss francs, Italian lira, Japanese yen, etc. as well as in terms of tax dollars. I realize that this is a *complete innovation, but it is long overdue.* For example, when the Appropriations Commitees vote the funds to deploy our troops and ships and aircraft around the world today, it costs about $3.5 billion in foreign currencies. The Defense appropriation is silent on this crucial point.

These foreign currency costs must be anticipated and spelled out as clearly as tax dollar costs and some plan must be established for either earning or borrowing them. Action may be required to limit the access of travelers, importers, bankers and investors to the projected pool of foreign exchange earnings. But, *first of all,* the foreign exchange costs of federal programs—defense is by far the largest—must be identified and explained. This is clearly the responsibility of the Appropriations Committees.

In this regard I would advise the Congress to request that the President in his budget spell out clearly how much each program will cost in terms of foreign exchange. This information has been compiled and developed in the Bureau of the Budget since about 1961 and will pose little additional workload.

(3) Some committee—either Appropriations or Banking and Currency—should begin early in January to examine the lending and credit guarantee programs in the President's budget. Direct lending and guarantee programs have expanded rapidly in recent years and may well be better suited than appropriations to meet the pollution, urban, and housing problems of the Nation. However, simply because there is no expenditure of tax dollars in these programs, it should not be assumed that there is no cost to the Nation. If undue strain is placed on our available credit supplies, interest rates can rise to a point where the cost is huge.

(4) The examination of the revenue side of the legislative budget can begin early in January in the Ways and Means and Finance Committees. They can call government and private witnesses to test the accuracy of the Treasury's projections. They can begin a preliminary study of how the President's budget should be financed—is an increase in the debt limit or a tax increase necessary? Or conversely, after the Congressional economic projections have been established, whether debt should be repaid or taxes reduced.

It seems to me that the Ways and Means and Finance Committees should also address themselves to the question of how the *foreign exchange* costs of the President's budget should be financed.

I realize that foreign exchange earnings are not taxes, but they are the *revenues* that finance the Nation's foreign exchange *expenditures*—private as well as Federal. So the two revenue committees are the logical place to undertake this study.

Unless I am badly fooled, the nation will need some sort of balance of payments program for several years. The revenue committees seem to be the proper place to consider these programs and to see to it that pressure is maintained on the Congress to hold down to à minimum the foreign exchange costs of the Federal Government.

(5) The final step in the process would be for the Appropriations and Ways and Means Committees in the House and Appropriations and Finance in the Senate to join in a resolution to be submitted for debate in each House that would spell out:

(a) The Congressional target for totaling spending.

(b) The Congressional target for total lending.

(c) The foreign exchange costs of the spending-lending programs.

(d) A program for financing the spending-lending budgets.

(e) A program for financing the foreign exchange costs of Federal programs.

(f) An explanation and defense of the priorities involved.

(g) The impact of the total program on private credit markets.

If this joint resolution were submitted by March 15, it could be debated in each House against the action taken by March 1 on the economic projections for the current year. Any difference between the two Houses should be reconciled by April 1, and a final legislative budget established.

I can already hear the cries of those who would insist, "This is impossible—it is incredibly unwieldy." May I simply reply that these proposals are precisely what the Congress did in 1968 in the Revenue and Expenditure Control Act of 1968. In that Act the House established a legislative target $10 billion below the President's January 1 recommendation for *new obligational authority* for FY 1969; and $6 billion below the President's recommendation for *expenditures* for FY 1969. It decided that economic projections called for a budget close to balance if inflation were to be restrained, credit markets protected from heavy federal borrowing, and our balance of payments position protected. It provided for an increase in taxes to finance the legislative budget totals.

Furthermore, the Congress met its targets. The new obligational authority finally enacted into law showed a reduction of $13.2 billion—$3.2 billion more than the original target for the covered programs. Expenditures covered under the Act are projected to show a reduction of $8.3 billion—$2.3 billion more than the original target.

So the real essence of these proposals is not visionary—they were accomplished in 1968. Only two elements of my proposals were absent from last year's action—a formal debate and passage of a resolution establishing the view of the Congress on economic projects for the year. And secondly, a formal examination of the balance of payments costs of Federal programs and formal recommendations on how these costs should be financed.

A more telling argument against these proposals could go like this, "Yes, but 1968 was a year of financial crisis. In a more normal year the Congress might simply refuse to act—just as they junked the Monroney-Lafollette Act of 1946 which contained much the same principles."

This might be the case, but times and committee Chairmen have changed. Chairman Mahon and Ranking Member Bow have conducted extensive hearings on the *total* budget for the past four years late in January or early in February. It would be a simple step to move from hearings to a resolution such as I have described.

Secondly, Ways and Means has been studying the total revenue and expenditure picture in depth for two years—1967–1968. These two Committees last year did get together and submit a Congressional budget in the Tax Act.

Thirdly, a Congressional budget need not be a *mandate* as it was in 1968. A budget is a *plan of action*. But no plan is absolutely binding, and a Congressional budget should not be considered so. It should be considered as a target figure to give Members a point of reference as they vote the individual slices of the budget.

Therefore, I believe that the times and the men may well be right to try just such an approach. Certainly there is nothing to stop the try except the *will*. The staffs of the J.E.C., Appropriations and Revenue Committees are competent and adequate. The proposed timing comes at a slack period of Congressional activity. We now have a comprehensive budget and finally there are mountains of statistics available on the hitherto neglected foreign exchange costs of Federal programs.

If this procedure of establishing a Congressional budget—or some similar proposal is not adopted—I can only conclude with some sadness that the power of the Congress over money will continue to decline.

As claims for the Federal dollar mount in intensity and complexity, the Congress will be increasingly exposed to the battle cry of the pressure groups, "Divide and Conquer." The opportunity to "single shot" Members as they consider money bills on the old fragmented approach will be irresistible. When education bills are up, for example, these bills will be pushed for a week or so as the most important item in the budget. (And it may well be.) Then the focus shifts to defense and defense for a time is the crucial budget figure. As each new appropriation bill is reported out that particular appropriation gets top priority from the people who want the money.

While I would not knowingly impugn Presidents, I must admit that it is very clear from the Treasury end of the street that the best way to get the most money out of the Congress is to follow this "single shot" approach. If it has occurred to me, I am certain it must have also been even more apparent to the occupants of the White House.

CONCLUSION

Frankly, my heart goes out to Members of Congress who are trying to fulfill their Constitutional duty to control and to allocate the revenues of the United States. The responsibilities they bear and the pressures they encounter are enormous. This paper is submitted with the hope that it may stimulate useful thought and discussion. I do not contend that it is the "last word." It is simply the result of my decade of experience and observation.

However, my recommendation is not an impossible one. The Congress followed almost this recommended procedure in the Revenue and Control Act of 1968.

It is responsive to the Constitutional intent of vesting control over money matters in the Congress.

It offers some hope of a rational approach to resolving the claims on Federal resources that I see looming ahead.

It will put the Congress back on a more equal posture with the President.

To all Members I can state with feeling that I leave office with great affection and deep admiration for the Congress of the United States. I also offer my services in any way that may be helpful.

BAR-ILAN UNIVERSITY OF ISRAEL SALUTES CHIEF JUSTICE EARL WARREN

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. ROONEY of New York. Mr. Speaker, on last Sunday evening I had the distinct honor of attending the convocation dinner of Bar-Ilan University in the grand ballroom of the Waldorf-Astoria Hotel in New York. At that time this young vibrant university, which in so many ways reflects the spirit that is Israel today, conferred an honorary doctor of laws degree on the Honorable Earl Warren, Chief Justice of the United States.

Bar-Ilan University was a creation of American Jewry some 15 years ago. It was from its beginning conceived as an American University in Israel and as such was designed with the idea of facilitating student exchanges between the two countries. From its small beginning of some 80 students, it today has an enrollment of over 4,000 men and women from Israel, the United States and 35 other nations. Like Israel the university in the past decade and a half has undergone a tremendous transition and expansion. And again, like Israel, this growth has not been accomplished without a share of heartache and a heavy dosage of just plain hard work.

Mr. Speaker, under the permission heretofore granted me by unanimous consent of the House I include herewith the program of the Bar-Ilan University convocation dinner and the address made at that time by the Honorable Earl Warren, Chief Justice of the United States:

BAR-ILAN UNIVERSITY CONVOCATION DINNER FEBRUARY 2, 1969, WALDORF-ASTORIA

(Dais processional.)

Anthems: Spec/4 Stephen J. Texon, soloist, First U.S. Army Band.

Invocation: Rabbi Walter S. Wurzburger, Congregation Shaaray Tefila, Far Rockaway, New York.

Grace.

Welcoming Remarks: Albert Parker, Chairman.

Greetings: Phillip Stollman, Chairman, Board of Trustees.

Presentation: Dr. Jacob E. Goldman, Member, Board of Trustees.

Response: Chancellor Joseph H. Lookstein.

ACADEMIC CONVOCATION

Conferral of honorary Doctor of Laws degree upon the Chief Justice of the Supreme Court of the United States, the Honorable Earl Warren.

The Candidate will be presented by Dr. Max Jammer, President.

Conferral of Degree: Dr. Joseph H. Lookstein, Chancellor.

Address: The Honorable Earl Warren.

REMARKS OF THE HONORABLE EARL WARREN

I am honored to become a member of the family of Bar-Ilan University, that young and vibrant University that has made such rapid strides in establishing a great center of learning in only a few years. It usually takes generations to firmly establish a center of learning in the academic world. It is a real distinction to become the newest alumnus of any outstanding University today. In fact, there is only one greater distinction in academic life and that is to become the youngest alumnus. I do not aspire, of course, to such a distinction. I have no quarrel with Father Time and I would not turn the clock back if I had the choice to do so. But I confess it would be interesting at least to sit by the side of the road and observe what the young people of this college generation will do with the knowledge they acquire in their academic and graduate years. I am of the firm opinion that they will do well with it, that they will exceed contributions made by former generations, including our own.

We have been in a great race with time to develop the natural sciences and to explore the unknown.

It is no exaggeration to say that we have left in our wake problems that can end either in the liberation of mankind or in the destruction of our civilization. We look to education to avoid the latter. In the course of our search for answers, the youth of today acquire a broader education and a commitment to causes that have heretofore been neglected for generations and sometimes for centuries. There are more young people dedicated to good causes today than at any other time we of the older generation know about. In spite of the materialistic world in which we are living, increasing numbers of young students today are pursuing causes that offer them more in satisfaction than in money. They are worried about the fundamentals of life—dignity of the individual, equality of opportunity, peace between men and between nations, and the problems of the poor.

By comparison, there were but few college students who were thinking seriously about such matters in my college generation. Now they are not only thinking about such problems—they are troubled by them, and are trying to bring their influence to bear to eliminate the evils that are involved in them. I am sure that in the end good must come from their involvement. Their approach is often not understandable to us and there are times when we are irritated by their sharp departures from custom, but if we are at all observing, it seems to me in appraising the youth of today we must accept the fact that the vast majority of them are more knowledgeable than heretofore and are actuated by a sincere desire to remedy many of the wrongs of the past.

I am sure that Bar-Ilan University has such an outlook and that it is making a great effort to channel this great reservoir of knowledge and energy into channels that will enlighten and humanize the world. I can say this with some confidence because I have visited Bar-Ilan in far-away Israel. I have visited with members of its faculty and its students. I have reviewed some of the projects of its great School of Social Work which in the brief decade and a half it has been in existence has come to be recognized as one of the great schools in that part of the world.

What problems they are facing at this time! Israel is today facing squarely problems that have beset other countries, including our own, for centuries. At Bar-Ilan I saw students of many nationalities, many tongues, many shades of color, and many religious faiths. They all worked together in peace and in harmony on profound questions, some of which have defied the ages. Many of these problems have been catapulted upon Israel because in recent years it has opened its doors to persecuted people from every part of the world. I have seen them arrive there, shipload at a time, carrying everything they owned in this world in a little hand package of no monetary value. They arrive in Israel as poor as any of the Negro slaves who were brought to our country up to a century or so ago.

But there is one great distinction between the two classes of immigrants. In our early days they were met at the dock by auctioneers who sold their bodies into permanent slavery and degradation. The new arrivals in Israel, on the other hand, are met at the dock by organized social workers who proceed to find them a home, a place to work, and an honorable place in the community. The nation immediately dedicated itself to making them equals in the life of the nation.

Had we done that in America, there is little doubt but what most of the problems of our cities and of the poorest rural parts of our nation could have been avoided. We recognized the principle, but we temporized with its fulfillment. In our Declaration of Independence we solemnly stated: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." But when we wrote our Constitution we temporized and we prohibited the Congress from interfering with the slave traffic for a period of thirty years, and we continued the evil institution of slavery for decades beyond that.

It was not until the late 1860's, after a great Civil War, that we again rededicated ourselves to the doctrine that all men are created equal. At that time we adopted three constitutional amendments—the Thirteenth, which abolished slavery forever; the Fourteenth, which guaranteed to all citizens of the land, without regard to color, due process of law and equal protection under the laws; the Fifteenth Amendment assured the black people of our country that they should have an equal right to vote.

And here we are, 100 years later, still arguing, and in many instances equivocating, about whether these rights are really meaningful or whether they should be restricted by narrow and parsimonious application. Frankness should compel us to admit that our "stop and go" application of these equitable principles has built up an explosive condition from which we are now "reaping the whirlwind."

It is to be sincerely hoped by all people of good will that Israel, in trying to preserve the dignity of all its human beings, will meet with the success that its noble effort justifies. The work done in this School of Social Work will, I am sure, greatly accelerate that result.

I notice now in the literature of the University that a new law school is being projected. That is a most important development because more law schools in that part of the world are badly needed and it is well known that even under normal conditions the law lags behind the social sciences. So where they can work together in the solution of problems, we find a balance that can give meaning to both disciplines. I congratulate you, Dr. Lookstein, and your Board of Trustees, on your foresight in bringing these two disciplines into focus on the world's greatest problem.

Bar-Ilan University, which incorporates the dynamics of the West and the collective wisdom of the prophets of the East, can and, I am sure, will make a magnificent contribution to the tranquillity of Israel and to the enlightenment of the world. Dr. Lookstein, normally when one leaves us for a considerable period of time and goes to a distant place, we have a sense of loss, but we have no such feeling tonight because you are going to the Bar-Ilan campus. Having in mind the great contribution you have already made to this new University and to the cause of education generally, we are happy to have you continue your great work both here and in Israel to the end that Bar-Ilan may, to our mutual benefit, become one of the great centers of learning in the world.

HERO WELCOMED HOME

HON. ELIGIO de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. DE LA GARZA. Mr. Speaker, a young hero came home to McAllen, Tex., from the wars. James Nicholas "Nikki" Rowe who had escaped after 5 years imprisonment with the Vietcong. I have called the attention of this House before to his great courage.

McAllen had a big day to welcome back its hero and the Veterans of Foreign Wars Barracks No. 1258 at McAllen was active in the program honoring his return.

Today I received from the publicity chairman of McAllen's VFW Post a copy of Nikki's speech that he made at the rally. I thought everyone would like to read this young man's words straight from his heart after 5 years of imprisonment.

The speech follows:

HERO WELCOMED HOME

(Major James N. Rowe's response to his introduction at McAllen January 15, 1969. The notes were hand written on the helicopter en route from Ft. Sam Houston to McAllen and we have a Xerox copy of the original in his handwriting.)

A little over two weeks ago, I was in a field of reeds in Viet Nam looking up at an American helicopter which was landing to pick me up—it was a beautiful sight—I felt at that time an elation and happiness which are beyond description; a thankfulness which I think you can understand. I had regained my freedom and was taking the first step toward home.

To be able to return to my family, my home and all the people that I know and loved was more than I deserved—I was thankful and very happy.

I had no idea, no forewarning, that I would receive the welcome which you have given me—I've searched for words to express how I feel and found that no matter how I tried to phrase it, no matter what words I used, I never quite managed to be able to say exactly what I actually felt, because the warmth of welcome, the love, the thoughtfulness which you have extended to me are beyond description.

I thank you for all you have done for my parents while I was away—the finest parents a son could have. I thank you for the strength and support which your prayers gave me while I was imprisoned. Although there was a physical separation of thousands of miles, your thoughts and prayers formed a bond which provided for me the strength and determination to survive.

And today I am truly overwhelmed by this reception. Five and a half years ago I came home on my final leave prior to departing for Viet Nam. Because of where I was going and what I was going to do, I paused awhile and took a clearer look than ever before at my home, my family, my hometown, my friends and the multitude of good things I enjoyed as a result of being an American.

I saw then many things which I had overlooked in the rush of everyday life. I realized than as I was about to step out of the security, freedom and comfort of the environment under which I had been living, that while I was able to enjoy these benefits as a day to day thing, I had tended to disregard and take them for granted. This was on my mind when I went to Viet Nam.

On 29th October 1963, I was captured by the Viet Cong and learned not only what it is like to lose one's freedom but also came face to face with the ideology which, in its due time, requires that our way of life be destroyed. I experienced the temporary loss of freedom due to 5 years of captivity and over a period of time, came to see the total loss of all that I held, due to Communist subversion in the future.

The threat exists and the greatest weakness in our country is the apathy, the complacency, which is present because we fail to see, fail to realize, just how fortunate we are to live in a free land like America. We have our internal problems but, we, as Americans with our form of government, can solve our own problems—if the American citizen will realize his responsibilities, will work constructively toward realization of true, complete democracy in our land.

The key to a strong, free United States is strong national unity. Far too often, a violent, vocal minority gains headlines and is thus made representative of the American peoples desires.

There are many Americans contented to sit in their own private worlds and if not personally involved in the issue, remain silent—this is the point where the American citizen must awaken, realize the responsibilities as a citizen and join in, with others, in supporting, protecting and developing our way of life and our country.

The sacrifices that Americans have made in Viet Nam were made and are made that the American people can continue to live in a land of opportunity and freedom—the American soldiers in Viet Nam are doing an outstanding job in the face of adverse conditions never before experienced by U.S. troops. Reports of racial violence and civil disorder, of radical dissension and opposition to our government and way of life are all picked up and relayed to U.S. Troops and POW's by the Viet Cong—in order to shake a man's faith in his country—yet American troops continue to fulfill their duty, particularly American Negro Servicemen, who are doing a job of which not only the Negro Citizens of America, but also the entire American people can be proud.

If the American people respond to their duty, as citizens, realize what we actually have as Americans, and work to protect it at home, then we, who serve in foreign lands are strengthened, knowing we are defending family, home and loved ones against a common enemy.

I feel but one of thousands of Americans who have gone to Viet Nam to serve our country. I feel that the welcome which I have received; the outpouring of warmth and affection, include a recognition of all men who have served in Viet Nam.

I pay tribute at this time to the men present who have served from the mountains of Quang Nam and Quang Din to the flat rice paddies of the Danang peninsula.

I pay tribute to these men, still serving—and particularly to my unit of which I am extremely proud, the United States Special Forces.

I pay tribute to the Veterans of past U.S. wars and to their contributions to our nation. My father is a Veteran of World War One—also my mother.

I ask you to think for a moment about the men who have laid down their lives in the defense of our country and our ideals. Their sacrifices cannot be measured in terms of dollars and cents; for the loss of a life, understandably, no amount of national wealth can make up. The loss is engraved deeply in the hearts of families across the nation—the trooper who gives his life is no longer afflicted by the pain, anguish and anxiety which we find in daily life—yet the family, and loved ones, must remain behind and bear a burden of sorrow and loss.

I would ask, that you as American people, open your hearts to their families—gather them into the great heart of America during their time of trial and need.

And finally I pay deepest tribute to you, my friends and neighbors of McAllen—and to the American people—for showing me that patriotism and Faith in God are not dead in the United States, and because there are people like you for us to defend—our sacrifices have not been made in vain. Thank you!

MAVERICK ELECTOR'S TESTIMONY: AN ANTIDOTE TO COMPLACENCY

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. O'HARA. Mr. Speaker, on January 6, when the House and the Senate met to count the electoral votes cast for President, the senior Senator from Maine (Mr. MUSKIE) and I challenged the vote of an elector from North Carolina.

This elector, Dr. Lloyd W. Bailey was a member of the Republican slate elected when the voters of North Carolina gave Mr. Nixon a plurality of the votes cast.

However, Dr. Bailey ignored this mandate and instead cast his ballot for third party candidate George C. Wallace.

In initiating the challenge, the Senator from Maine and I endeavored to dramatize the present situation in which electors may be free to cast their ballots as they wish—irrespective of the desires of the voters.

As you know, the junior Senator from Indiana (Mr. BAYH), chairman of the Senate's Constitutional Amendments Subcommittee, has begun hearings on proposals to alter our system of electing our President.

He has introduced Senate Joint Resolution 1, which would provide for direct election of the President. Recently, 37 Members of the House joined with the Representative from Illinois (Mr. ANDERSON) and me to introduce House Joint Resolution 317 and House Joint Resolution 318, which are identical to the Bayh resolution.

In the course of the Senate hearings, the subcommittee called Dr. Bailey to testify.

While testifying in opposition to any change in the system, Dr. Bailey delivered an eloquent argument for reform. As a proponent of the present system, he described its inherent danger better than any critic I have heard.

As Post writer Merlo J. Pusey observed:

> The country is indebted to Dr. Lloyd W. Bailey for a dramatic illustration of how vulnerable its electoral system is.

A straightforward report of Dr. Bailey's testimony was carried by the Washington Post in its editions of Saturday, January 25, written by reporter Dave Broder. Subsequently, Broder and Pusey wrote analysis articles on Dr. Bailey's testimony.

If any of my colleagues do not realize the urgency of the issue, I recommend these three articles as an antidote for complacency and request that they be printed in the RECORD:

MAVERICK ELECTOR HITS REFORM PLANS, WARNS ON TREND TOWARD DEMOCRACY

(By David S. Broder)

Dr. Lloyd W. Bailey, the "faithless elector" from North Carolina, told a fascinated group of Senators yesterday that the United States is "dangerously close" to becoming a democracy and that abolition of the Electoral College might doom the Nation's republican form of government.

Bailey, a Rocky Mount ophthalmologist, made no apology for having voted for George Wallace even though he was chosen as a Nixon elector.

His defection—which survived a legal challenge in Congress earlier this month—has been cited by advocates of electoral reform as a prime example of the dangers of the existing system.

But the conservative doctor argued forcefully that the Electoral College "is much more vital" today than ever and urged Congress to encourage electors to be "absolutely free" in their choice of a President.

"Then," he told the Constitutional Amendments Subcommittee considering alternatives to the Electoral College "we'll have elections which are carried out by informed people . . . who are patriotic and take the time to go into things."

Two of the three Subcommittee members—Sens. Strom Thurmond (R-S.C.) and Sam J. Ervin Jr. (D-N.C.)—told Bailey they shared his opposition to the proposal for direct, popular election of the President sponsored by Subcommittee Chairman Birch Bayh (D-Ind.).

Thurmond went further. He said he thought the proposal to free all presidential electors from obligation to support party nominees "is not a bad system. It would take the Presidency out of politics."

On the second day of its hearings on various reform proposals, the Subcommittee also heard Theodore C. Sorensen, former counsel to President Kennedy, advocate the direct-election plan and testify that the arguments Kennedy made in defeating a 1956 change in the Electoral College were no longer relevant to the political scene.

But the focus of attention was on Bailey, the avowed John Birch Society member whose defection was the subject of a lively Congressional debate when the electoral votes were counted Jan. 6. The Senate and House, in separate votes, upheld his right to be recorded for Wallace.

The slightly built physician told Bayh that "if the Electoral College is abolished or emasculated, we will be transformed by the same stroke of the pen into a political democracy. Our founding fathers went to great lengths to keep us from having a democracy because they knew that no democracy in history has survived. Yet, we are dangerously close to becoming one today on the national level."

Bailey drew his definition of "democracy" from a 1928 United States Army training manual, which he said called it a "government of the masses . . . (which) results in mobacracy and (whose) attitude toward property is communistic."

Bayh observed that this did not sound like the usual definition of the word.

In arguing for complete freedom for presidential electors, Bailey said that most ordinary voters are "intentionally misinformed" by the press. He said that in his own case, the major news services and television networks had refused to carry his explanation for switching his vote from Mr. Nixon to Wallace.

"You feel there is some kind of a national conspiracy, a gross cabal to distort the news?" Bayh asked him.

"Well, it would appear so," Bailey said. "I cannot prove this, but the evidence is pretty clear to me."

The physician said that when he was named as North Carolina's 2d District Republican elector he took no pledge to support any candidate. He had hoped the Republicans would nominate Thurmond or California Gov. Ronald Reagan, he said, and when they did not, "I supported Governor Wallace and I voted for him in the general election."

Nonetheless, Bailey said, he was at first prepared to cast his electoral vote for Mr. Nixon, who carried North Carolina but finished third behind Wallace and Hubert Humphrey in the 2d District.

What changed his mind, he said, was Mr. Nixon's appointment to Administration jobs of Robert D. Murphy, Henry A. Kissinger, Paul W. McCracken and Daniel P. Moynihan, all of whom he said he recognized as members of the Council on Foreign Relations, a group whose goals he said "appear to be uncomfortably close to those of the international Communist conspiracy."

When Mr. Nixon asked Chief Justice Earl Warren to complete his term, Bailey said, "I realized it was incumbent upon me to make a decision based upon loyalty to my country rather than loyalty to my political party."

Under questioning by Thurmond, however, Bailey said he would not have switched to Wallace if his vote had been necessary for Mr. Nixon's electoral majority. The reason, he said, was that he believed Humphrey would have a "pretty good chance" if the election had been thrown into the House, and that was something he did not want to risk.

"FAITHLESS ELECTOR" PROVES NEED FOR ELECTORAL REFORM

(By David S. Broder)

The most intriguing aspect in the testimony of Dr. Lloyd W. Bailey, the North Carolina Republican presidential elector who bolted to George Wallace, was his account of the process that made him one of the few Americans actually empowered to help choose the new President.

Sen. Birch Bayh (D-Ind.) invited the Rocky Mount ophthamologist to appear before his Constitutional Amendments subcommittee last week in hopes the Bailey case would demonstrate the need for electoral reform.

The results were better than Bayh could have hoped. The good doctor proved to be a man so totally candid and so splendidly self-righteous that he showed the present system for what it is—not just awkward but dangerously absurd. His story is a case study in the casual irresponsibility of the electoral college system.

Dr. Bailey explained that he went to the 2d District GOP convention last February, "knowing that I would be proposed for nomination to the position of presidential elector. I did not seek this position, but I did not decline it. . . . We were in the position of having to find people to fill every office in the party structure. No one else was proposed for presidential elector, so I was nominated.

"This was a number of months before we even knew who the presidential nominees would be," he noted. "There was no discussion of party loyalty, there was no pledge, and there was no commitment made to any candidate."

Personally, Dr. Bailey said, he was disappointed when the Republican convention nominated Richard Nixon, rather than Strom Thurmond or Ronald Reagan. Therefore, he felt no twinge of conscience last fall in supporting and voting for George Wallace.

North Carolina is one of those States that neither pledges presidential electors to support Party nominees nor bothers to list their names on the ballot. In a system of symmetrical irresponsibility, the electors are as unknown to the voters who elect them as they are free of obligation to heed their wishes.

"As an example of how lightly the position of Republican elector was taken," Dr. Bailey told the subcommittee, "I had even forgotten that I was the elector until I was reminded of it by Dr. Stroud, the 2d District Republican chairman, shortly before the general election."

Those who wish may scoff, but Dr. Bailey is a busy man; it is a long time from February to November; and it is easy to see how that little extracurricular chore of choosing the President might have slipped his mind.

But the doctor is also a conscientious man, whose interest in public affairs had long since been evidenced by his membership in the John Birch Society. Once reminded of his duty as an elector, he began to pay close attention to Mr. Nixon's activities. His first instinct, he testified, was to give Mr. Nixon his electoral vote, even though the 2d District had supported his personal choice, Mr. Wallace.

But then Dr. Bailey noticed the President-elect had named a half-dozen staff members whom he recognized (from reading Dan Smoot's book, "Invisible Government") as members of the Council on Foreign Relations, a sinister group whose goals, he told the subcommittee, "appear to be uncomfortably close to those of the international Communist criminal conspiracy." When Mr. Nixon asked that other Birch Society nemesis, Chief Justice Earl Warren, to remain in office and to administer the presidential oath, the "forgetful elector" was moved by conscience and love of country to become "the faithless elector." Rejecting the suggestion that he resign his post as "cowardice under fire," Dr. Bailey, on the appointed day in December, calmly and deliberately cast one of the 12 electoral votes Mr. Nixon had won in North Carolina for Wallace. He was only the fifth elector in the last 150 years to vote his conscience, rather than his party, but his constitutional right to do so was solemnly affirmed by both houses of Congress when the electoral vote was officially canvassed early in January.

By their decision, the lawmakers served notice—in headline-size type—that any elector, however chosen, was free under our present system to do exactly what Dr. Bailey had done. The doctor himself told the subcommittee he hopes his example will be widely imitated.

The mass of voters, he said, have been so victimized by the distortions of the news media that it would be preferable to have the President chosen by "informed men" like himself, who (with the help of Dan Smoot and Robert Welch) "take the time to go into things."

UNFAITHFUL ELECTOR POINTS UP A PERIL

(By Merlo J. Pusey)

The country is indebted to Dr. Lloyd W. Bailey for a dramatic illustration of how vulnerable its electoral system is. The unfaithful elector from North Carolina not only defends his right to deceive and doublecross the voters of his State. He even tries to make a virtue of his political chicanery.

Beginning in 1796 when a Federalist elector voted for Thomas Jefferson instead of John Adams, six individuals entrusted with the responsibility of casting electoral votes have defied the wishes of the people who elected them. But most of these deviations from the rule have been regarded as freaks. Now Dr. Bailey would free all electors from any obligation to vote for the nominee of their party. His objective: to avoid the perils of turning our republican form of government into a democracy.

This testimony given before the Senate Constitutional Amendments Subcommittee might be dismissed as the ravings of a John Birch Society extremist, except for the fact that our electoral system is now wide open to that kind of manipulation. Congress decided a few weeks ago that it had no right to throw out the electoral vote of Dr. Bailey because he had been elected as a Republican and then voted for George Wallace.

Dr. Bailey is saying in effect that dumbcluck voters should not be allowed to choose the President. It should be done for them by enlightened electors like himself who would be free to change and rechange their minds even after election day if the postelection conduct of a candidate should prove disappointing. One of the reasons Mr. Nixon lost Dr. Bailey's vote was his agreement with Chief Justice Warren that the latter should remain on the Supreme Court for the remainder of the current term.

Under this theory, our national election would be a gamble, or perhaps more accurately, a gigantic game of blind man's bluff. Voters would go to the polls without any assurance as to what their votes would mean. They would have to vote in the dark, hoping that the free agent who might be chosen would deign to carry out the majority wishes.

No one should suppose, however, that this is a new wrinkle in our electoral system. In 1960 both Alabama and Mississippi elected groups of unpledged electors—a familiar device for taking the choice out of the hands of the voters and giving it to the politicians. In the end the politicians of those two states decreed that the unpledged electors should vote for Sen. Harry F. Byrd, who had not even been a presidential candidate.

The new factor in the current situation is that Congress has acknowledged it has no effective means of holding electors to their pledges, whether explicitly given or implied. Majorities in both the House and Senate were horrified by the proposal of Senator Muskie and Representative O'Hara that Congress refuse to count the vote cast by the unfaithful elector. Such action, they feared, might open the door to political manipulation by discarding any elector votes challenged on the ground that they had not been regularly given.

The inability or unwillingness of Congress to act does not necessarily mean, however, that nothing can be done. North Carolina might well have disciplined its doublecrosser. It is true that North Carolina law does not bind electors chosen in that State on a party ballot to vote for that party's presidential candidate. But it creates a powerful moral obligation by eliminating the names of the electors from the ballot. In fact, voters in North Carolina cast their ballots only for the presidential candidates, and the electors supporting the winning candidate are deemed to have been elected only by reason of his victory.

Why should not the State or the defrauded voters sue Dr. Bailey because of his wrongful conduct? Such a suit might seem to be an exercise in futility since the challenged vote has already been cast and since it had no bearing on the outcome of the election anyway. But it might help to clarify the rights of voters to have their votes faithfully reflected in the so-called electoral college in future contests.

Voters or the state might succeed where Congress failed because of the great weight that is given to the power of the state legislatures to control the selection of electors. The Constitution says that "each state shall appoint (electors) in such manner as the legislature thereof may direct." The legislature of North Carolina directed that they should be chosen at the polls with only the candidates for whom they stood listed on the ballot.

Dr. Bailey presumably did not violate the Constitution but he grossly abused the system set up by North Carolina under a grant of constitutional power. It would be salutary for the states to demonstrate through the courts or otherwise that abuses of this sort will not be tolerated. But the psychological effects of such a demonstration might not prove to be an effective remedy in future cases, for electoral votes are cast in secret, and unless an unfaithful elector admits his offense there is no way of knowing about it until after the state has certified the vote and Congress has opened the votes for counting.

Some states attempt to keep their electors in line by prescribing punishment for betrayals, but here too the remedy is of doubtful usefulness. The only effective course is to get rid of the electors entirely by means of a constitutional amendment.

A visitor from another world would doubtless say that it is insane for a great power to rely upon the vagaries of 50 different state laws for the election of its President in any event. But this is the kind of system we have. No doubt it is utopian to suppose that all of its defects can be corrected in one reform measure. But if Congress doesn't move forward with some kind of constructive amendment at the current session it will be wide open to the charge of leaving the Presidency exposed to blind voting as well as to the kind of bargain-counter dealing that George Wallace proposed.

TOWARD A SPACE AGE TRANSPORTATION POLICY

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. FRIEDEL. Mr. Speaker, Mr. Alfred E. Perlman, president of the Penn Central Co., delivered a major address dealing with transportation problems within the United States, entitled "Toward a Space Age Transportation Policy," at a luncheon on January 28, 1969, sponsored by the Federal Bar Association's Council for Transportation Law and Railroad Law Committee. Mr. Perlman's address was delivered at the National Lawyers Club in Washington, D.C., to a capacity audience including Representatives of the Congress, Federal transportation regulatory agencies, and the transportation industry.

The Federal Bar Association's Council for Transportation Law, under the guidance of its chairman, H. Neil Garson, Esq., is planning a continuing dialog by leaders in government and the transportation industry concerning this vital problem.

As chairman of the Transportation and Aeronautics Subcommittee, I found Mr. Perlman's remarks very interesting and informative and I insert them at this point in the RECORD for review by all my colleagues:

TOWARD A SPACE AGE TRANSPORTATION POLICY

(Remarks by Alfred E. Perlman, president, Penn Central Co., before the Federal Bar Association, Washington, D.C., January 28, 1969)

From the title of my talk, you might suspect that we do not have a space age transportation policy today. If you do, your suspicions are entirely correct. We do have a space age technology but we emphatically do not have a space age transportation policy.

In fact, we don't even have a jet age or a diesel age policy. We in the transportation industry are living under the constraints of a horse and buggy transportation policy. It evolved from the monopolistic days of railroads, when there may have been some rationalization for such a policy.

Even at that time there was not in every instance an economically valid reason for all the restraints imposed. But at least the early regulations could be rationalized by the purposes they sought to achieve.

In the early days of railroad regulation, the railroad industry was able to bear the burdens of regulation. The industry had, in fact, a monopoly on land transportation which it had wrested from the horse and buggy or team and wagon. The costs of regulation could be distributed among the users of rail transportation.

Today, however, transportation competition has changed the picture. No longer can the railroad afford to carry commodities, such as raw materials, at a loss and make up the difference on high-rated commodities. No longer can we expect to make up through increased rates on refined sugar or on flour, the non-compensatory rates on sugar beets or grain. Competition, from motor carriers, air and water carriers and, indeed, competition from our customers themselves, has changed the railroad's ability to absorb the cost of loss operations.

Market oriented pricing policies are relatively new to the railroad industry. The value of service concept died hard. The idea of pricing transportation products to reflect the cost of their production began to gain momentum only about ten years ago.

It has been approximately five years since the New York Central first instituted its marketing department, customer, service and cost oriented. Today, there is still resistance among tradition-bound railroad officials to ideas of product marketing that are commonplace in other industries.

If resistance in the railroad industry is still occasionally found, that in the regulatory agencies is flourishing. We need look no further than the Ingot Molds case or the Big John grain cases to illustrate the myopia with which regulatory agencies have attacked the cost pricing concept in the transportation industry.

The Interstate Commerce Commission's minimum, rate regulatory powers were justified on the grounds of protection of competition, that is, the preservation of our competitors' inherent advantages. In effect, what the Commission is attempting to do is to preserve competitors, a vastly different thing from the preservation of competition. Preserving competition is a progressive, positive attitude. Competition rewards the aggressive competitor.

Preserving competitors, on the other hand, is precisely the opposite. It protects the incompetent and the inefficient. If company A, for example, cannot perform as efficiently as company B, then company A must fail. There is no alternative under free enterprise.

If our national policy with respect to other industries had been that which prevails in the transportation industry, we would have a regulatory commission zealously protecting the competitive status of buggy manufacturers from the depredations of the auto industry. You can see why I refer to horse and buggy regulation.

Protecting competitors is regressive and insures lack of progress in the industry being regulated. Regulation and competition are natural enemies. They do not function in harness.

Where monopoly exists, as in the telephone and utility industries, regulation may function well as a substitute for competition. But where competition exits, and particularly, competition with unregulated competitors, as in the transportation industry, regulation only serves to limit the ability of the regulated industry to compete.

In an address I made in Syracuse last November, which some of you may have read, I attempted to respond to those critics of the common carrier industry, who contend that that industry blames regulation and the regulatory policy of the nation for our industry's own lack of efficiency. I believe that these critics are demonstrably wrong. Over a ten year period, from 1957 to 1967, the purchasing power of the dollar declined approximately 25%. During that same period, the cost to our customers to move a ton of freight one mile decreased from 1.48 cents to 1.33 cents.

In other words, the 1957 dollar would have bought almost 35 per cent more transportation in 1967 than it did in 1957. In the same period, the telephone company, which is supposed to be a model of efficient automation, raised its price from 5 to 10 cents per call—a 100 per cent increase. That fact, it seems to me, adequately refutes the arguments on railroad efficiency.

No, the answer is obsolete regulatory policy and we can clearly demonstrate the widening gap between regulation and reality by a few examples.

I have already mentioned the rate problem and the regulatory policy which insists on rewarding inefficiency in an effort, sure ultimately to be ineffective, to preserve competitors at the expense of competition.

Let us examine now another facet of regulatory policy that is utterly obsolete. I refer to efforts by regulators to promote objectives which are basically political in the broad sense by the device of regulation.

In a monopoly situation, it is possible to achieve political ends by regulation, because the regulator has the power to reward the industry for the performance of political tasks. For example, the Federal Power Commission can and will require Consolidated Edison in New York to achieve any number of political objectives as the price of constructing a hydroelectric plant at Cornwall, New York.

Con Ed will put its plant underground; it will replace the present unsightly waterfront with parks and recreational areas; it will put power lines underground; all of these at greatly added cost to the basic hydro-electric generator project. Why? Because the Federal Power Commission will permit the additional costs to be included in the rate base. And the buyers of power from Consolidated Edison will ultimately pay for the fringe benefits supplied to the citizens of Cornwall.

Other examples come to mind. A telephone company may extend service to a presently unprofitable area, with the assurance that the capital outlay will be reimbursed from rates to existing customers.

In the case of transportation, however, regulators have lost the power to compensate common carriers for services they may require the common carrier to perform. The Interstate Commerce Act contemplates a 5.75 per cent rate of return on railroad property. In 1967, the rate was 1.8 per cent in Eastern territory and in 1968 the return will be something lower.

With the advent of competition, and particularly the ability of our customers to provide do-it-yourself transportation, regulation no longer can assure the transportation industry that it could make up on highly rated commodities the losses it sustained on unprofitable services.

Yet, almost incomprehensibly, the regulators, both Federal and state, blandly ignore their loss of power to compensate. They continue to exact the penalties of unprofitable service.

No more striking example exists of this paradox than the passenger problem. In my opinion, in view of the position taken by the various regulators, no more critical problem exists for the transportation industry than the railroad passenger problem. I deliberately include the entire transportation industry, despite the fact that the passenger burden is largely borne by comparatively few railroads.

I do this for the following reason. The transportation industry is interdependent to a much greater extent than even its components seem at times to be aware. The future of common carrier truck lines and common carrier barge lines and common carrier airlines is inextricably interwoven with the fortunes of the railroad industry.

If, as is not beyond the realm of possibility, the railroad industry, or even a substantial part of it, is mired into nationalization by the burden of passenger deficits, then it will not go alone. Experience in other nations has shown that the nationalization of the railroad industry has been a forerunner to a prompt takeover of the entire transportation industry of that nation, not to mention the other basic industries.

The Penn Central carries, at a staggering cost, approximately one-third of the railroad passengers of the nation. In 1967, the combined deficit of the Pennsylvania and New York Central railroads was approximately $85 million. In 1968, that figure rose to approximately $100 million. Obviously, even the Penn Central cannot long carry a burden of this magnitude.

What has been the response of the regulators to efforts to eliminate this costly, unneeded and unpatronized passenger service? In far too many instances, the unjustifiable answer has been—continue to run the trains.

A recent example was the order to continue the operation of all the long haul trains of the former New Haven Railroad, despite an order three years ago which would have permitted a substantial restructuring of this service. And despite the fact that the burden of operating these very trains precipitated, if it did not indeed cause, the most recent bankruptcy of the New Haven.

Regulators apparently are little concerned with the problem of payment to the railroads for providing passenger service. Obviously, these services only added costs to our freight customers. Freight customers do not and will not willingly permit absorption of passenger losses in the freight rate structure, and will divert to competing modes or engage in private transportation. That, of course, means that the cost of providing passenger service must be carved out of the body of the railroad.

This may indicate to some of you the reason railroads are diversifying outside the field of transportation. When government bonds produce three times the return that railroad operations produce, it is difficult for railroad management to justify investment for railroad purposes.

Is there an answer to the passenger train problem? There are at least two. The first answer is to face that fact that the long haul passenger train is no longer necessary nor wanted. It has become, in essence, a standby service for the airlines, and its continued existence cannot be justified economically.

If, however, as seems to be the case, the regulators and the politicians are unwilling to face this provable fact, then let the burden of providing passenger service fall on those who insist on its continuation—the general public, as represented by the regulatory agencies. If it is necessary for the public convenience (I will not concede public necessity) that deficit passenger trains be continued in operation, then the public should foot the bill.

Is this subsidy? It is no more a subsidy than the Post Office operation is a subsidy. And if it is a subsidy, it is a subsidizing of the passenger, not of the railroad. There are, as you know, men in high positions in railroad circles who reject the concept of "public service at public expense." I am not among them.

These men purport to see passenger subsidies as a first step on the path to railroad nationalization. In my opinion, the shortest route to nationalization of the railroads and indeed of all transportation industries, is a continuation of the present myopic regulatory policies in the railroad passenger area.

And certainly the air and truck lines are not nationalized even though huge sums come from the public treasury for their benefit.

Thus far, we have concerned ourselves with the failure of regulation to keep up with reality by clinging to obsolete concepts, such as monopoly pricing theories, the value of service concept, and the effort to achieve political objectives through regulatory pressures. These are essentially limited applications of regulatory power.

The next area I would like to discuss is not so much a misguided application of regulatory power as it is a basic misinterpretation in the implementation of national transportation policy—the prohibition against transport diversification.

The United States is unique in that it is the only nation in the world that prohibits common ownership of the several modes of transportation. In describing this prohibition, I called it a "misinterpretation" of natural transportation policy.

For I cannot believe that the framers of that policy would have deliberately devised a system which would so completely preclude the efficient exploitation of the tools of transportation; which would insure the most wasteful system of transportation; which would exact the highest possible transportation price from the general public; and which would forever deny the general public the quality of service to which it is entitled. If such results were intended, the statement of policy and the statutes should so state in unmistakable language. As you know, they do not.

With the exception of the Panama Canal Act, there is no flat prohibition against common ownership of rail, motor, air and water carriers. The statutes have been interpreted by regulatory agencies to require a showing of special circumstance before a railroad may acquire a motor, air or water carrier. The reverse is not true.

The regulatory agencies have further refined the showing of special circumstance to the point that it is virtually impossible for a railroad to use effectively another mode of transportation in its operations. For example, Penn Central cannot truck a load of freight 142 miles from New York to Albany because that traffic must go through a key point en route—Poughkeepsie.

The benefits of common ownership to the public are obvious. A true transportation company, with freedom to use all the tools of the trade to proper advantage, could tailor its rates and service to meet the particular need of a customer. For example, a single shipper may have a variety of products to move between common origin and destination points.

The need for speed in delivery will vary for a number of factors, such as value, perishability, inventory control and the like. A shipment of film may require highest priority to keep Hollywood production schedules on time, while a carload of ore or lumber may be deliberately scheduled to arrive at a time consistent with the programmed consumption of stored inventory.

Today, to arrange a number of movements, responsive to these factors, among carriers of different modes is awkward and time-consuming, and the resultant service is almost sure to be inefficient and uncoordinated.

Under common ownership, the transportation company could provide the appropriate mode of service, or combination of modes that best suited the shipper's needs and at a price reflecting the cost of providing the service.

For example, if a shipment were highly valued, or if it was urgently needed on the Pacific coast, so that time in transit was a dominant factor, a through movement by air could be provided in less than a day with motor pick up and delivery at, say, one hundred dollars.

If second morning delivery would meet the requirements, the transportation company could provide motor carrier service to some intermediate city, where an entire planeload destined to the coast could be assembled from many areas, and shipped at a rate of seventy-five dollars. Third morning delivery by through TrailVan service to Chicago and air to Los Angeles would be priced at fifty dollars.

A combination of motor carrier and high-speed piggyback could be offered at thirty dollars, for fourth morning delivery. And if time in transit were not a particular problem, regular rail or motor freight service could be offered at a proportionately lower rate.

Thus, the shipper could select, from a wide range of services, priced to reflect the advantages and disadvantages of each, the particular service best suited to his needs—a decision difficult, if not impossible, to make effectively today.

But the shipper would not be the only beneficiary under a policy permitting common ownership. The transportation company would present to its management opportunities for efficient and economical use of its components that are impractical, if not impossible today. Today, for example, there is competition between the various modes of transportation for traffic that is uneconomic for at least one if not all of the modes.

Wasteful though it may seem, there are various good reasons for this situation. The total business of a particular customer may be so sufficiently attractive that certain less economic segments are sought in order to secure the total traffic. In the passenger area, the railroads continue to compete with the airlines between New York and Chicago, despite our loss in providing the service, simply because we are not permitted to discontinue the service. Similarly, the airlines offer short haul passenger service on which they cannot and do not hope to earn a profit.

At a dinner last week, for example, I discussed this problem with the president of one of the major trunk line air carriers, who readily conceded that a haul of 200 miles was unprofitable for his airline, but was provided as a part of a total service concept.

True transportation companies could eliminate such waste, with enormous savings in total transportation costs. These savings would not only materially improve the financial health of the industry, but would reduce the cost of transportation to the using public.

I am well aware that there is considerable opposition to the concept of common ownership. The opposition of those who have vested interests in the status quo—motor, air and water carrier—is, in my judgment, misguided. They assert that common ownership is unnecessary. They concede that very real benefits exist and that the benefits would be substantial, but they maintain that the same benefits could be obtained through coordination. I cannot agree.

Experience has shown that coordination is far less effective than common ownership in producing beneficial results. Our neighbor to the north gives us patent proof of this conclusion. Further, coordination among competitors simply cannot be fully effective. Problems of customer relations, profits, operating convenience and the like virtually preclude effective cooperation.

But entirely aside from selfish motivation, the fear of monopoly has convinced certain scholars that the present system, despite its recognized wastefulness, is preferable to common ownership. There are at least two irrefutable answers to this argument.

The first is enlightened regulation. There would be, under common ownership, a continued framework of regulation which could be made, if it is not already, adequate to protect the public. And the second answer is, of course, competition.

Several transportation companies, regional or national in scope, would provide vigorous competition for the available traffic. Further, competition among total transportation companies would be productive competition, rewarding efficiency and innovation. This is in sharp contrast to today's policy of protecting competitors, with the stagnating influence to which I have already referred.

Finally, the ultimate and greatest beneficiary of common ownership would be the nation and its economy. Our country is in deadly competition with other nations of the world. Our productive capacity and the economy of our production are the keys to the maintenance of our position of leadership in the free world.

The cost of transportation as a percentage of production costs is far too high. A reduction in the total transportation bill, coupled with increased quality of transportation service, would have a salutary effect on national productivity. When such a result can be readily achieved, merely by eliminating the inexcusable waste of the existing system, it is high time we moved forward.

As I said earlier, we are the only nation in the world which insists on this uneconomic compartmentalization of our transportation resources. The time is overdue to trade in our horse and buggy regulatory policies for policies which will recognize that we have entered the space age. The transportation industry is technically and philosophically ready to move forward. What are we waiting for?

SUSQUEHANNA RIVER BASIN COMPACT

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. CELLER. Mr. Speaker, on my own behalf and on behalf of Mr. BIAGGI, Mr. BINGHAM, Mr. CAREY, Mr. CONABLE, Mr. DELANEY, Mr. DULSKI, Mr. FARBSTEIN, Mr. HALPERN, Mr. HANLEY, Mr. KOCH, Mr. McEWEN, Mr. MCKNEALLY, Mr. MURPHY of New York, Mr. PIKE, Mr. PIRNIE, Mr. PODELL, Mr. REID of New York, Mr. ROBISON, Mr. ROSENTHAL, Mr. SCHEUER, and Mr. WOLFF, I have today introduced a bill to grant the consent of Congress to the Susquehanna River Basin compact and to make the United States a party to the compact.

The major portion of the Susquehanna River Basin is in Pennsylvania, but its approximately 6,300 square miles that lie in New York represent nearly one-seventh of the total area of the State. Also, more than one in every 20 New Yorkers live in the basin.

Although the conservation, development and use of the basin's water and other natural resources are of the greatest significance to residents of the basin, what is done or not done in the basin is also of major interest to the millions of people who are its neighbors, including those who reside in the great metropolitan areas of New York City, Philadelphia, and Baltimore.

This interest can best be served by bringing together the resources and the talents of the States and of the United States. This is what the Susquehanna River Basin compact is designed to achieve.

The Susquehanna compact follows very closely the Delaware River Basin compact, enacted by the Congress in 1961. Two of the four member States of the Delaware—New York and Pennsylvania—are also members of the Susquehanna.

Like the Delaware, the Susquehanna compact provides for a commission made up of the governors, or their representatives, and a representative of the President. The Commission is directed to formulate and adopt:

First. A comprehensive plan, after consultation with appropriate water users and interested public bodies for the immediate and long range development and use of the water resources of the basin;

Second. A water resources program, based upon the comprehensive plan, which shall include a systematic presentation of the quantity and quality of water resources needs of the area to be served for such reasonably foreseeable period as the Commission may determine, balanced by existing and proposed projects required to satisfy such needs, including all public and private projects affecting the basin, together with a separate statement of the projects proposed to be undertaken by the Commission during such period; and

Third. An annual current expenses budget and an annual capital budget consistent with the Commission's program, projects, and facilities for the budget period.

This is the core of the compact. The Commission's plan and program are to cover such matters as water supply; water quality management and control; flood protection; watershed management; recreation; fish and wildlife habitat; preservation and enhancement of scenic and historical sites; hydroelectric power; and withdrawals and diversions in protected areas and during emergencies.

What is proposed is a comprehensive plan and program for the planning, conservation, development, utilization, management, and control of the basin's water resources. Since what is proposed in the Susquehanna compact is similar to what has been granted in the case of the Delaware River Basin compact, it would be well to examine the record of the Federal-Interstate Commission established by that instrument.

In its 7 years, the Delaware River Basin Commission managed successfully the severe water shortage of the mid-1960's. It did so without denying essential supplies to any of the public and private entities dependent on Delaware Basin water, including the major metropolitan complexes of New York City and Philadelphia.

The Commission formulated and harmonized a set of basinwide water quality standards for submission to the Secretary of the Interior under the Water Quality Act of 1965. This is the only instance of such an accomplishment in the entire Nation, and it was done in an area of varied and complex water problems and conditions covering parts of four States.

Presently the Commission is taking the lead in the studies necessary to protect the environment in the Delaware Water Gap National Recreation Area. In so doing, it is coordinating planning, development and conservation activities of Pennsylvania, New Jersey, New York, and the Federal Government. In the absence of the compact, it is doubtful that this could be accomplished.

Last, the Commission has acted as local sponsor in a number of Federal reservoir projects. Since the benefits of each of these projects will be substantially interstate in character, no one State, and certainly no combination of local governments within a State, was in a position to give the necessary local assurances.

These several accomplishments, it is submitted, indicate what could be done on the Susquehanna if a compact similar to the Delaware and the appropriate enabling statute were enacted by the Congress.

The compact imposes major responsibilities on the Susquehanna River Basin Commission, and gives the Commission broad powers. These powers are not unlimited, however. For example, although the Commission may function as an operating agency, one of the purpose clauses declares it to be "the express intent of the signatory parties that the Commission shall engage in the construction, operation, and maintenance of a project only when the project is necessary to the execution of the comprehensive plan and no other agency is in a position to act, or such agency fails to act."

Similarly, in conferring powers and duties on the Commission, the signatory parties enunciate it as their policy "to preserve and utilize the functions, powers, and duties of existing offices and agencies of government to the extent consistent with this compact, and the commission is directed to utilize those offices and agencies for the purposes of this compact."

Throughout the document the Commission is enjoined to encourage the undertaking of activities by the signatory parties. For instance, the compact declares:

> It shall be the policy of the commission to encourage and coordinate the efforts of the signatory parties to prevent, reduce, control, and eliminate water pollution and to maintain water quality as required by the comprehensive plan.

Nor does the compact preempt the field with respect to matters subject to its jurisdiction. In the same article, it is provided that "Nothing in this compact shall be construed to repeal, modify, or qualify the authority of any signatory party to enact any legislation or enforce any additional conditions and restrictions to lessen or prevent the pollution of waters within its jurisdiction."

In no respect it is stated is the compact to be construed "to relinquish the functions, powers, or duties of the Congress of the United States with respect to the control of any navigable waters—nor any provision—in derogation of any of the constitutional powers of the Congress to regulate commerce." The same section recognizes "the power and the right of the Congress to withdraw the Federal Government as a party to this compact or to revise or modify the terms, conditions, and provisions under which it may remain a party by amendment, repeal, or modification."

The compact provides for an annual audit of the financial accounts of the Commission by qualified certified public accountants. Also, any of the books, documents, records, files, and accounts and all other papers, things, or property of the Commission shall be open to examination or audit by any of the signatory parties at any time. Financial transactions shall be subject to audit by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions. Of course, an annual report is required to be made to the several State legislatures and to the Congress.

In the bill, in addition to the compact, there are a number of conditions and reservations on which are based the consent to and participation in the compact by the United States. Again, these are similar to those contained in the Delaware Compact enabling act.

The Susquehanna River Basin Commission is forbidden to carry any project beyond the planning stage, unless only State-supplied funds will be used, until there are submitted to the Congress: complete plans and estimates, including an allocation of costs if more than one purpose is to be served together with an estimated cost-benefit ratio for each purpose; an apportionment of costs among beneficiaries, including those to be borne by the Federal, State, and local governments; and a proposal to finance the project, including terms of any proposed bonds; and such project has been authorized by act of Congress.

The compact in no way is to restrict the executive powers of the President in the event of a national emergency.

Federal funds budgeted and appropriated for use by the Commission will be subject to the same control by the President and Congress as are funds budgeted and appropriated to agencies of the executive branch.

Nothing in the compact is to be construed to obligate the United States to pay the principal or interest on bonds issued by the Commission.

The provisions of the Davis-Bacon and Walsh-Healey Acts are made applicable to the activities of the Commission.

The Commission is required to insure that there shall be no discrimination on account of race, color, religion, or national origin in any of its programs or activities and employment practices or the employment practices of its contractors.

The U.S. district courts shall have original jurisdiction of all cases or controversies arising under the compact or enabling statute. Any case or controversy initiated in a State court shall be removable to the appropriate U.S. district court. Nothing contained in the compact or enabling act shall be construed as a waiver by the United States of its immunity from suit.

By the terms of the enabling statute, the right to alter, amend, or repeal it is expressly reserved. An express reservation is made on behalf of the Congress or any of its standing committees with respect to the disclosure and furnishing of such information by the committee as may be deemed appropriate by the Congress or any such committee.

Mr. Speaker, in the preamble to the compact, the signatory parties "recognize the water resources of the Susquehanna River Basin as regional assets vested with local, State, and national interest for which they have a joint responsibility." Having so recognized, the other signatory parties, the States of New York and Maryland and the Commonwealth of Pennsylvania, have enacted the Susquehanna River Basin compact. Now it is the fourth signatory party, the United States, that is called upon to act. From our experience with the Delaware River Basin compact, an instrument very similar to the Susquehanna compact, we have learned of the efficacy of a Federal-interstate arrangement. In enacting this compact we shall provide for the joint exercise of the sovereign rights and responsibilities shared by the several signatory parties.

SHERIFF PREFERS DILLON TO WASHINGTON DUTY

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. WATSON. Mr. Speaker, while the professional do-gooders continue to devise new methods of harassment for law-enforcement officers in the District of Columbia, such as the ridiculous guidelines to be followed in using the police service revolver, the common criminal continues to laugh up his sleeve at the whole sorry episode.

Certainly, no one would be so presumptuous as to offer a simple, quick solution to the very complex problem of crime in the city of Washington, but as a cab driver here told me the other day, what Washington needs is a few law-enforcement officers from my State of South Carolina to straighten out this mess. Such an officer is Dillon County, S.C. Sheriff Roy J. Lee.

Mr. Speaker, Sheriff Lee is no-nonsense in the matter of law enforcement. In fact, his reputation is so outstanding that he was among 80 special officers selected from throughout the United States to aid with security at the inauguration of our President.

Sheriff Lee, in the following article which appeared in the February 3 issue of the Charleston, S.C., News & Courier, offers some very thought-provoking observations on crime and law enforcement in the District of Columbia. I commend this article to my colleagues and the people of the Nation and include it as a part of my remarks, as follows:

SHERIFF PREFERS DILLON TO WASHINGTON DUTY

(By Eppie Richbourg)

DILLON.—Sheriff Roy J. Lee "wouldn't be a policeman in the District of Columbia if they paid me $25,000 a year."

Dillon County's chief law enforcement officer made the observation after being chosen from South Carolina, along with 79 other officers throughout the country, "to aid with security at the inauguration of President Richard Nixon."

Lee said, "If you think we've got it bad here, you should see what those men in Washington have to put up with."

Probably one of the worst things he noted is the abuse, verbal and otherwise, policemen are forced to take. Lee recalled a report prior to the inauguration parade of a run on oven cleaner.

"That gave officers a few bad moments, particularly those who had to work the Hippie-Yippie parade section," he said. "That stuff would have blinded an officer had it been thrown in his face. Yet all he or his partner would have been allowed to do was try to run down the assailant."

Recalling observations and conversations while in the nation's capital, Lee said officers in D.C. average 15–20 felony cases per day.

"A number of big robberies in one 24 hour period is nothing to them," he said.

Remembering a bulletin board at the police department out of which he worked during his four-day visit, Lee said, "There's a notice there instructing all officers how to use a service revolver. But they cannot shoot at a violator of the law, regardless of the act he may be committing, unless they see a weapon in his hand. They may only run him down and try to capture him."

Lee said any officer failing to abide by the notice is in trouble and knows he will not be backed by the department.

Describing what many persons feel is mostly television drama on programs concerning law enforcement, the sheriff said, "It's all true. Every morning they have a line-up. And if a suspect is brought in at 1 or 2 a.m. officers have to avail him of his rights then. If he wants a lawyer and doesn't have one, there's a name and number of a lawyer and a bonding agent to call. Usually the suspect is freed under bond before daylight. Apparently they seldom go to jail before trial."

Juveniles are dealt with similarly in the city.

"With an average of 70 per cent of their cases juvenile, officers say they must apprehend the juvenile suspect, then call his parents. The youngster will be released in parents' custody and not come to trial for six months to a year," he noted.

Another thing Lee noted was the number of sex violations.

"They have so many in Washington there's a separate division at police headquarters, labeled SEX, to deal with the cases," he said.

At the presidential inauguration, Sheriff Lee said he was impressed most by two things:

First, the "unbelievable security" provided by secret service agents, FBI, U.S. troops and members of the metropolitan police forces.

Second, he was struck with the fact the nation's VIPs "are really just people who do the same normal everyday things in the same manner that we do."

During the ceremony, Lee noticed the expressions on faces of the principals.

"President and Mrs. Nixon looked happier than anyone there; former President Johnson the most relieved, and former vice-president Humphrey the saddest looking one I've seen in a long time, he said.

Since the day of television has taken much of the surprise element from such events, Lee found the inauguration much as expected, except for security. And being an officer of the law for most of his adult life, the sheriff enjoyed most that security in which he was involved.

"Those security people really are great," he said. "You just can't believe how well organized they are and how perfect in their jobs."

So much of that security is never realized by the general public, Lee said.

"Even at the balls, there's no way possible to identify security people. The plain clothes policemen and policewomen mingle in the crowd, and you can't possibly pick them out," he noted.

Six different cards told the story of a person's status and where he would be allowed to go at the inauguration. A special Nixon card would get the bearer anywhere he wanted to be, but Lee recalled a slight tremor of panic that passed over security when two Nixon cards were reported missing.

The word was quickly passed to be on the lookout for numbers 135 and 140. And although he was never informed, Lee is "sure they were just as quickly found."

Working in the fugitive section along with three other men, and located at the foot of a staircase leading to all network booths, Lee said there was never any doubt as to what his duties were.

"After the briefing we got, there was no way to go wrong. I probably was far more concerned with not losing a cracker-jack box, toy looking badge they pinned on our lapels that opened doors to us. In the wrong hands, those badges could have caused trouble," he said.

MAXIMUM PENALTY FOR GUN CRIMES ASSESSED BY COURAGEOUS JUDGE

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. CASEY. Mr. Speaker, I stand here today to express my heartiest congratulations to the courageous position taken last week by U.S. District Judge George L. Hart, Jr., in sentencing those found guilty of armed robbery in the District of Columbia.

He slapped one armed robber with a 15-years-to-life sentence, and according to news reports, sternly warned that "anyone else convicted by a jury before me on an armed robbery can expect similar treatment."

This is the answer to our great and growing national disgrace of gun crimes, and we in this body which enacted the District of Columbia Crime Reduction Act of 1967, have reason to be proud of our action and that of Judge Hart in setting such stiff penalties.

Lest there be any doubt on the need for stiff sentencing as a deterrent to crime, I cite another article of the recent days which shows that robbery in the District of Columbia for the month of December 1968 totaled 629 cases. This is a terrifying increase of 452 percent over the same month of 1965.

Judge Hart has pointed the way to his fellow jurists to curb crime, particularly crimes of violence committed with a firearm. I only hope that his colleagues have the guts to follow suit.

Mr. Speaker, under unanimous consent I insert these two articles at this point in the RECORD:

ROBBER GETS UP TO LIFE BY 1967 LAW

(By Donald Hirzel)

A federal judge today tapped a section of the D.C. Crime Reduction Act of 1967 which permits life sentences for crimes of violence with use of weapons to impose a 15-years-to-life sentence on a man who robbed a liquor store of $622.

U.S. District Court Judge George L. Hart

Jr. gave notice that "anyone else convicted by a jury before me on an armed robbery can expect similar treatment."

The law became effective on Dec. 27, 1967, and is believed to have been used only once before in the court.

The reason it has not, according to court officials, is that the court backlog is so great most crimes tried within the last year were committed prior to its enactment.

However, from now on most of the cases being processed will involve offenses which occurred following enactment.

The defendant before Hart today was James McCoy, 25, of the 1600 block of Kenyon St. NW., who had been found guilty of armed robbery, assault with a dangerous weapon and possession a prohibited weapon—a sawed-off shotgun.

He received 15 years to life for the armed robbery, 40 months to 10 years for assault and one year for the prohibited weapon. The two lesser charges will be served concurrently with the armed robbery sentence.

McCoy was charged with the $622 holdup of the Congressional Liquor Store, 406 First St. SE, last June 22, with another man.

McCoy was armed with the shotgun and his partner had a pistol. The store owner resisted the robbery and was hit with a whiskey bottle and the pistol butt as the two escaped.

Witnesses noted the tag number of the escape car and on July 11 McCoy was arrested and charged with the robbery.

He was released on bond and on Sept. 9 was arrested on charges of forgery and released on personal bond until his trial on the robbery charge.

McCoy denied any involvement in the holdup.

Defense attorney James Hughes filed an appeal and asked that McCoy be released pending the outcome.

Hart replied that "the nature of the attack indicates that he is a walking keg of dynamite on the street," and refused release.

ROBBERIES DOUBLED IN LATE 1968

Robberies reported to Washington police in November increased 107.3 per cent over November, 1967.

And holdups in December increased 116 per cent over December, 1967.

Monthly reported crime statistics issued by the Police Department yesterday reveal that 1074 robberies were reported in November, compared with 520 in the same month a year earlier.

For the full year ending in November, 4055 robberies were reported, compared with 2458 robberies reported the previous year, for a 64.9 per cent increase.

Overall, major crime reported in November, 1968, was up 23.2 per cent over November, 1967. For the full year, all major crimes reported were up 27.9 per cent.

High police officials say that, although many categories of crime reporting are not particularly reliable indicators of crime trends, armed robbery is and has been a generally consistent barometer, and has been reported accurately for some time.

Armed robbery (holdup) totals are included in the general robbery total, and do not include such crimes as purse snatchings and yokings.

While armed robberies in December were more than double the holdups recorded for December, 1967, they were 452 per cent higher than those of December, 1965.

Here are the figures on reported holdups:

December 1965	114
December 1966	224
December 1967	291
December 1968	629

Said one police official:

"It's no change of reporting. It's that bad."

SUPPORT FOR THEODORE R. McKELDIN TO INDIAN CLAIMS COMMISSION

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1969

Mr. FRIEDEL. Mr. Speaker, I have gone on record, with other members of the Maryland delegation, as earnestly supporting the appointment of Theodore R. McKeldin to the Indian Claims Commission.

Just last week the Baltimore Jewish Times, which is read by over 100,000 Marylanders, carried an article detailing the background of this outstanding Marylander. I am inserting this item in the RECORD to call to the attention of the other Members of Congress the qualifications of this remarkable individual and the reasons why we, in Maryland, are in favor of his appointment.

REFLECTIONS: McKELDIN AND THE JEWS

(By M. Hirsh Goldberg)

The Mayor's office in Baltimore is probably the only Mayor's office in America to have a mezuzah on its door post! The story behind this is fascinating because the man who placed the mezuzah there was an Episcopalian in the last year of his second term as Mayor of Baltimore—a unique and remarkable individual by the name of Theodore Roosevelt McKeldin.

I was with Mayor McKeldin when he put up the mezuzah, for I had the exceedingly good fortune of serving as his press secretary during the last year and a half of his term. He had received the mezuzah as a gift from the captain of the Israeli ship "Shalom" on which he had just taken a Caribbean cruise. When he returned to Baltimore, he showed me the mezuzah—a beautiful sterling silver piece with the tiny parchment paper and Hebrew lettering of the Shma prayer visible through the back. He asked me to get some tiny nails so that he could place the mezuzah on the doorpost of his office. "Hirsh," he said in those McKeldinesque tones, "Let's show the goyim what a mezuzah is."

I got two small nails and a prayerbook containing the blessing for affixing the mezuzah. With yarmulkahs on our heads, I read the blessing in Hebrew, the Mayor repeated it and then he read the English out loud. Then, with me holding the mezuzah against the doorpost, Mayor McKeldin hammered in the two nails.

The incident, which at McKeldin's insistence took place with no one present but myself, the Mayor and his personal secretary, Mrs. Mildred Momberger (in fact, this is the first time the incident is being told about publicly), demonstrates a unique aspect in not only American politics, but in human relationships. For McKeldin, twice Governor of Maryland, and twice Mayor of Baltimore, is a religious Christian who truly feels—and has consistently demonstrated—a love for the Jewish people. Indeed, throughout his career in and out of public office, he has conducted a remarkable relationship with the Jewish people.

McKeldin first became involved with Jews when, at the age of 26 as secretary to Baltimore Mayor Broening in 1927, he encountered Simon E. Sobeloff, then the deputy city solicitor.

"Simon Sobeloff taught me my first real lessons about social justice," McKeldin once told me. "He did more than anyone else to influence my social attitudes. I was immediately impressed with his thinking and his judgment."

NO. 1 ADVISOR

Calling Sobeloff "one of the most brilliant minds in Maryland," McKeldin said that throughout his public life Sobeloff was his number one advisor and that from his first campaign in 1939 it was Sobeloff who wrote the most important speeches.

When he became Governor, McKeldin appointed Sobeloff as the chief judge of the Maryland Court of Appeals—the first Jew to be appointed to the Court.

McKeldin often noted the irony of this. "Just think, with all of the great Jewish legal minds in Maryland, no Jew had ever been appointed to the State's Court of Appeals until Sobeloff. What a waste of talent because of religion!"

McKeldin, who had nominated Dwight Eisenhower for president in 1952, even went to see Eisenhower about appointing Sobeloff to be Solicitor General of the United States.

"President Eisenhower asked me if Sobeloff was really as good as I said he was. I said to him, 'You remember that great speech I gave nominating you?' He said he had. I said 'Well, Sobeloff wrote it.' Eisenhower laughed and said he would appoint Sobeloff."

ONE OF MANY

Sobeloff is only one of many Jews who have been close to McKeldin throughout his career. Another is M. William Adelson, often cited as a brilliant lawyer and a political genius. Others are Judge Joseph Allen, whom McKeldin named as his City Solicitor during his last term as Mayor; Dr. Leon Sachs, executive director of the Baltimore Jewish Council, whom McKeldin often called on for his expertise on labor matters; and Dr. Abel Wolman, world-renowned authority on water resources, whom McKeldin utilized as a consultant to the City's vital Bureau of Public Works.

But any such list of Jewish names linked with McKeldin's could be endless. Jack Levin, Victor Frenkil, Al Shuger are just three of many other close friends McKeldin has among Maryland Jewry. And those befriended by McKeldin are legion.

Even Hyman Pressman got his start in politics because of McKeldin. McKeldin first encountered a 15 year old Pressman when serving Mayor Broening. McKeldin set up a speaking schedule for Pressman during one of the campaigns, billing him as "the boy orator." Years later in 1963, McKeldin took Pressman, defeated in the Democratic primary, on his ticket for Comptroller and the two went on to victory at the polls in the municipal elections.

SARANAC LAKE SPEECH

If McKeldin's relationship with Jews first flowered in his association with Sobeloff, his love affair with the State of Israel began with an off-the-cuff speech he delivered at Saranac Lake, New York, in 1951. Speaking at the invitation of his good friend Louis Sagner to the Commercial Law League of America Convention, then Governor McKeldin endorsed the merit of buying Israel bonds. Sitting in the audience was a member of the American Council for Judaism, a Jewish anti-Zionist organization. The Council member soon after wrote to McKeldin criticizing him for taking such a stand since, according to the letter writer, "a number of Jewish people do not endorse the idea of allegiance to Israel."

Shocked by such a view, McKeldin consulted with Sobeloff and then, together with Sobeloff, drafted a three-page letter answering point by point such items as the theory that allegiance to Israel compromises an American Jew's loyalty to his country ("I do not see how the Americanism of any of my Jewish friends is impaired if they showed a natural warmth and sympathy for a young nation whose ideals are quite identical to those of our land.")

McKeldin concluded by saying: "I spoke as

I did at Saranac . . . because I am one of those Christians who believes completely and literally in God's promise to restore Israel to its ancient home. I rejoice that this is happening in my day. I am filled with admiration for the valor and sacrifice of the small population of Israel which has successfully withstood the attacks of its more numerous enemies in the very hour of its birth. I am proud that the United States through the United Nations had a part in establishing this new sister nation, and I feel privileged as an American to assist in a small way in this work."

A MILLION COPIES

The contents of this letter eventually came to the attention of the Israel Bond organization. The impassioned defense of Israel, the deep commitment of a Christian to world Jewry so impressed those who saw it that requests for copies began coming in. In response to a request from the Israel Bond people, McKeldin agreed to have the letter reproduced and distributed. Eventually, a million copies of the letter were made and sent throughout the world.

The letter also led Israel Bonds to ask McKeldin to speak at various Bond raising functions. McKeldin agreed, and since then has spoken throughout the country for Israel Bonds, including giving the first speech for Israel Bonds in Dallas, Texas. He has helped sell hundreds of thousands of dollars worth of bonds, as well as buying thousands of dollars worth himself.

His work for Jewish causes has not been confined to Israel Bonds. He has helped raise money for local organizations like the Talmudical Academy and for national groups like the United Jewish Appeal and the Jewish National Fund. In fact, as Mayor he raised hundreds of dollars for the JNF by keeping a blue JNF pushka box on his mayor's desk and requesting contributions from his visitors. He always said that whatever his guests gave he would match. During the Six-Day War, a reporter, noting this often-said statement, put a $100 bill in the pushka McKeldin quickly called the Baltimore JNF office and told them he had a $200 contribution for the JNF's land reclamation efforts.

TRIPS TO ISRAEL

McKeldin's interest in and open identification with the Jewish religion are apparent in many ways. He has traveled to Israel five times—in 1952, 1955, 1958, 1962 and again in 1968. He carries every day in his pocket a black and gold yarmulke of crocheted wool which he got in Kfar Batya in Israel, and many times I have seen him don the yarmulke when receiving rabbis or speaking at Jewish functions. He wears almost every day a watch with a Hebrew lettered face. And he openly greets Jews—and many time Gentiles—with "Shalom." Inscribing his book about Baltimore entitled "No Mean City," he will many times include in actual Hebrew the phrase Shalom Urvacha, meaning "Peace and blessing." His yiddish includes another greeting: Kim gazunt un gay gazunt ("Come in health and go in health.")

What explains this rarity of humanitarianism expressed in the life and thinking of this man? Why this obvious love for the Jewish people? Why this identification and interest in Judaism that far exceeds any personal or political reasons?

First, I believe Theodore McKeldin had been attracted to the Jews because of his overall commitment to helping minority groups and fighting injustice. Throughout his forty years in public life, he consistently championed racial and religious justice, long before it became politically palatable.

"I hate injustice—all forms of injustice," he once told me. "I've dedicated my entire life to fighting injustice."

PERSONALLY INVOLVED

As a poor boy from South Baltimore, he grew up identifying with the downtrodden. He was therefore personally involved with the plight of any group battered by prejudice, and when he greeted Negroes with, "Hi, my brother" or referred to Jews as "lantsmen" he was speaking openly from his soul.

But the second and most important reason for his development of a strong bond with Jewry is the fact that Theodore McKeldin is a deeply religious person.

Believing firmly in prayer, McKeldin is drawn to the people who introduced prayer to One Supreme Being. He knows both the Old and the New Testament better than any other layman I know. He probably would have been a minister, as he told me on numerous occasions, if he had had the money to go through the long schooling necessary ("If I had been a Catholic, I would have been a priest, but the Protestants and the Jews do little to help those who feel a calling."). Thus, his sense of righteousness and his belief in the beauty of the religious way of life quite possibly find an illuminating example in the Jews. Viewing a photo of Israeli troops praying at the Western Wall following the Six-Day War, he said to me, "What other army captures a city with a prayer book and a prayer shawl?"

BIBLICAL KINSMEN

Dr. Leon Sachs, a close McKeldin friend over many years, summed it up best when he said of him, "He is a sincere Christian who views the Jews as a biblical kinsmen. He undoubtedly feels because of his religious nature that Judaism, the mother of Christianity, is something special and that the Jewish people themselves do have a mission in this world. He therefore feels a strong affinity for the Jewish people."

In the mayoralty campaign of 1963, McKeldin watched the election returns come in on a television set in his campaign hotel room. As the votes were counted from five of the six city districts, he saw Philip Goodman, the first Jewish mayor of Baltimore, leading him by 400 votes. With votes yet to be counted in the Fifth District, the city's predominately Jewish district, McKeldin turned to his wife and said, "It's all over. I'll never beat Phil Goodman in his own district." He started to leave the room as his daughter called out, "The figures are changing." McKeldin said he knew, visualizing the crushing defeat. But his daughter persisted, saying he was now pulling ahead. Amazed, McKeldin returned to the TV set and watched dumbfounded as the Jews of Baltimore gave him a 4,000 vote majority and his second term as Mayor.

The love affair between McKeldin and the Jews was obviously mutual!

HOUSE OF REPRESENTATIVES—*Thursday, February 6, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

And the Lord went before them by day in a pillar of cloud to lead them along the way, and by night in a pillar of fire to give them light.—Exodus 13: 21.

O God, our Father, in generation after generation men have sought Thee and have found that Thy faithfulness never fails, Thy love never falters, and Thy strength never fades. Our fathers walked by the guidance of Thy spirit and rested in Thy mercy, so to us, their children, be Thou a pillar of cloud by day and a pillar of fire by night to give us light upon our way, strength to walk along it, and peace in our hearts.

Remove the veil from every heart and unite us into one people as we walk together toward the promised land where free men shall dwell together in peace and good will.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

APPOINTMENT AS MEMBERS OF THE COMMISSION ON REVISION OF THE CRIMINAL LAWS OF THE DISTRICT OF COLUMBIA

The SPEAKER. Pursuant to the provisions of section 1002, Public Law 90–226, the Chair appoints as members of the Commission on Revision of the Criminal Laws of the District of Columbia the following Members on the part of the House: Mr. DOWDY and Mr. HOGAN.

APPOINTMENT AS MEMBERS OF THE FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 372, 84th Congress, as amended, the Chair appoints as members of the Franklin Delano Roosevelt Memorial Commission the following Members on the part of the House: Mr. THOMPSON of New Jersey, Mr. MURPHY of New York, Mr. HALPERN, and Mr. FISH.

APPOINTMENT AS MEMBERS OF THE COMMITTEE ON THE HOUSE RECORDING STUDIO

The SPEAKER. Pursuant to the provisions of section 105(c), Public Law 624, 84th Congress, the Chair appoints as members of the Committee on the House Recording Studio the following Members on the part of the House: Mr. STEED, Mr. COHELAN, and Mr. KYL.

APPOINTMENT AS MEMBERS OF THE NATIONAL COMMISSION ON FIRE PREVENTION AND CONTROL

The SPEAKER. Pursuant to the provisions of section 202(b), Public Law 90–259, the Chair appoints as members of the National Commission on Fire Prevention and Control the following Members on the part of the House: Mr. MILLER of California, and Mr. PETTIS.

APPOINTMENT AS MEMBERS OF THE JOINT COMMITTEE ON IMMIGRATION AND NATIONALITY POLICY

The SPEAKER. Pursuant to the provisions of section 401(a), Public Law 414, 82d Congress, the Chair appoints as members of the Joint Committee on Immigration and Nationality Policy the following Members on the part of the House: Mr. CELLER, Mr. FEIGHAN, Mr. RODINO, Mr. MCCULLOCH, and Mr. CAHILL.

RESTRAINT ON MIDEAST—WARNING AGAINST IMPOSED SETTLEMENT

(Mr. FARBSTEIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FARBSTEIN. Mr. Speaker, I read with dismay the reports that the United States has agreed to enter preliminary discussions with the Governments of France, Great Britain, and the Soviet Union on the Middle East situation. I urge the United States to approach such talks with both restraint and caution. The consultations which would presumably take place at the United Nations between the permanent representatives of the so-called Big Four would attempt to find ways and means of solving the Middle East crisis.

The United States must, however, avoid any suggestions which would either diminish the position of Israel or which would seem to impose any conditions. Solution to the situation in the Middle East can only be arrived at through direct negotiations between the Arabs and Israelis. While the announced purposes of such informal discussions would appear to give added prestige and support to the Jarring efforts to find some area of agreement between the antagonists, there is always the possibility that such talks could eventually lead to efforts by some to impose a settlement in the area.

If the Soviet Union and France can use their influence upon the Arab States to negotiate honestly and sincerely within a framework of explicit recognition of Israel sovereignty and a permanent end to hostilities, then the U.N. talks may make a worthwhile contribution to a peaceful Middle East.

For this reason any proposals which might result from these talks at the United Nations can only be the basis for negotiations between the Arab and Israeli Governments.

Any solution to the Middle East crisis should embody the five principles enunciated by President Lyndon B. Johnson in statements on June 19, 1967, and September 10, 1968. The five principles were: Recognition of the right of every nation to live in peace and have this right respected by its neighbors; freedom of innocent maritime passage in international waterways; limitation of the arms race; respect for the political independence and territorial integrity of all countries; and progress in solving the refugee problem. The fifth principle—progress in solving the refugee problem—would have to take into consideration the entire history of the refugees in the Middle East.

Efforts to impose a peace settlement have failed in the past and they will fail again unless these principles are adhered to. Peace can come only if both sides respect the right of each to exist. This cannot be imposed; it must come from a realization that there is no alternative.

I, therefore, hope that President Nixon will not accept any agreement to impose a peace in the area, and that he will use all of the prestige of the Office of President of the United States to urge the Arabs and Israelis to reach agreement with each other.

RESTORATION OF HUMAN RIGHTS IN IRAQ

(Mr. FARBSTEIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FARBSTEIN. Mr. Speaker, the atrocious spectacle occasioned by the public execution of 14 Iraqi citizens, nine of whom were Jews, raises once again the specter of extinction of a minority group only because of their religious beliefs.

The persecution of the Jews in Iraq has been well documented over the years. Economic sanctions and travel restrictions have made it impossible for the pitifully few Jews remaining in Iraq to either sustain themselves properly or to emigrate from Iraq. Now the process of persecution and discrimination has taken a macabre turn with the recent hangings. And we are told by the Iraqi Government that the trials and presumably the executions will continue, although the executions will not again be public. But, Mr. Speaker, it does not make one bit of difference if a wrongful act is committed in public or private. The unfortunate victims of the recent hangings would be no less dead had the act been committed within the closed confines of the prison walls.

Mr. Speaker, there must be a place in this world to which civilized nations can turn in a collective effort to put a stop to barbarous treatment of human beings. The only body is the United Nations. For it is only by condemnation of such governments as Iraq by the entire world community is there a possibility of putting a stop to the genocidal acts.

Today it is the Jews, tomorrow it may be the Catholics, maybe even the Moslems. We must persevere in our efforts to preserve the right of people to worship as they see fit. For this reason, I am introducing this resolution condemning the Government of Iraq for perpetrating this violent act of murder, and further to express the sense of Congress that the President instruct the permanent representative to the United Nations to ask for a special meeting of the Security Council in an effort to find a way to put an end to these senseless murders before even more are committed.

Mr. Speaker, these violations of human rights and lack of human decency must be investigated thoroughly—and now.

Following is text of resolution and a list of the sponsors:

H. RES. 226

Whereas the Government of Iraq has violated all of the principles of common decency by making a public spectacle of the execution of fourteen Iraqi citizens of whom nine were Jews;

Whereas all vestiges of civilized behavior were lost when the bodies of the victims were publicly displayed at the gates to the city; and

Whereas the Government of Iraq appears to be oblivious to the condemnation which this atrocious act, signifying their return to the age of barbarity, has aroused throughout the world;

Whereas more secret trials followed by public executions can only inflame emotions and decrease the opportunity for peace and stability in the Middle East;

Whereas the Government of Iraq has by its actions violated the principles embodied in the Charter of the United Nations; and

Whereas it is the policy of the United States to respect the principle of equal rights, the dignity of the individual and the equal rights of all people regardless of race, color or creed: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives of the United States that the secret trial and public execution of Iraqi citizens be condemned and that the House of Representatives respectfully request the President of the United States to instruct the Permanent Representative of the United States to the United Nations to request a special meeting of the United Nations Security Council to seek ways and means of preserving the human rights of the people of Iraq.

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CONDEMNATION OF IRAQ

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. VANIK. Mr. Speaker, I would like to rise in support of the House resolution introduced today by 48 Members of this Chamber condemning the Government of Iraq for its action of January 27 in which the peace of the Middle East was further threatened by the public execution of 14 persons, nine of them members of the Jewish faith.

This atrocity is a barbaric action belonging to the Dark Ages. Executions such as this following secret trials are a complete violation of the principles of the United Nations. Iraq's attitude toward the State of Israel raises the suspicion, which cannot be dispelled, that nine men were hung for their religious beliefs rather than their alleged crimes.

Despite the outcry which her action has caused among men of good will throughout the world, it is reported that Iraq is starting a new series of secret, mass spy trials involving 35 people, including 13 Jews. It is reported that several dozen more persons have been held for months on charges of espionage and sabotage.

I know, Mr. Speaker, that these executions have deeply shocked the greater Cleveland community which I represent. On Monday night, February 3, a mass rally was held to protest the action of the government of Iraq. That night and since then, over 2,200 Clevelanders have signed petitions deploring the atrocity.

It is my hope that the whole House will support the resolution we are introducing today to condemn these acts and request our permanent representative to the United Nations to call a special meeting of the U.N. Security Council to seek ways and means of preserving the human rights of the people of Iraq.

Only if the human rights of minorities are preserved in each country of the Middle East will peace ever be possible in that troubled area. We cannot condone, we must condemn the actions of the Baghdad regime which ignores the rights of individuals and the safety of millions.

SALARY RAISES—A VICTORY FOR WHOM?

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, now that the Rules Committee has tabled any possibility of bringing the Federal salary increase to the floor for approval or disapproval by the full membership, we hear the rumor—"This is a victory." Apparently the pay raise is now automatic on February 14, 1969, and there can be no vote—no chance to show our constituents opposition to this increase of 41 percent on our own salary.

"A victory for whom?" may haunt us. For we, the recipients of a salary increase, were not even permitted an opportunity to express by record vote the wishes of our people.

A strange victory when we consider that the action of a few must have assumed the attitude that the full membership could not be entrusted with our own decision as to whether or not we approve of this increase. The inference is that gag action was necessary to keep the bill from the membership because—had the pay bill been discharged the Members would have voted to kill it.

Will we benefit by a pay raise, when we can anticipate the increase will be immediately offset by additional inflationary increases in other areas of the economy. Can we not expect that the private and public sector will immediately follow suit—and justify their increases on our leadership?

Labor will demand appropriate increases, the farmers will feel justified in seeking higher prices or larger supports—business executives will feel free to upgrade their salaries to induce capable men into the ranks of free enterprise. Caution against inflation has been scattered to the winds. In short, the entire producing economy of our country will overnight be dissatisfied. We have but opened a Pandora's box to a renewal of revolutionary inflation.

Many among the citizenry already feel themselves aggrieved—our retired citizens, pensioners, salaried people, and welfare recipients can be expected to see in our indiscretion the need for reaction so they, too, can offset the spiraling losses in the purchasing price of our dollar.

And what of our young men in the military forces? In Vietnam under combat conditions a private receives $186.40 per month, a captain receives $621.80 per month. These are men who face death at any moment. Can we refuse to grant them a 41-percent military pay raise?

Salaries and costs have already all but priced us out of competition on the world market. Where will there be victory on the world exchange from such action?

Consider also the precedent now established—that is, that a committee can circumvent the wishes of the full membership of the House. Can we distinguish such action from taxation without representation?

Can we allay, as unfounded, the growing uneasiness of our people that a committee may be established to raise taxes without any vote or the opportunity of the constituents to express disapproval. Government which denies its people a voice is not representative government. Rather, it is called government by committees—soviets.

The pay raise may be considered a victory by some, but I fear it will be a short-lived victory which can only usher in further chaos and disorder among our concerned people.

SCHOOL SUPERINTENDENTS SURVEY—PART II

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include pertinent material and tables.)

Mr. PERKINS. Mr. Speaker, the tabulations of the questionnaire which was sent to over 20,000 school superintendents is continuing. The basic purpose of this questionnaire is to draw upon the personal experience of school superintendents so as to assist the committee in making objective judgments with regard to the future direction of Federal education legislation. The responses have been most helpful in gaining an insight into the feelings of the superintendents who implement the programs established through this legislation.

Since the committee has already begun hearings on extension of the Elementary and Secondary Education Act, this would be a most propitious time to share with my colleagues some of the responses to the question—"In general, have the recent enactments of Congress furnishing support for elementary and secondary education been of great, substantial, moderate or little value?" Our analysis of the responses to this question indicate that, indeed, the majority of superintendents are convinced that recent Federal education programs have been of concrete assistance. Of those responding, 74.2 percent indicated that recent enactments have been of great, substantial, or moderate value. As I stated last week, approximately 70 percent of the responding school superintendents stated that ESEA is underfunded in their school district. Principally because of limited funds, uncertainty as to the amount of funds to be received, and actual reductions in levels of support, a certain number, however only about 12 percent, indicated that recent enactments have been of less than moderate value. In contrast to this, 18 percent of the superintendents who responded were most enthusiastic about recent enactments, feeling strongly enough about these programs to state that Federal assistance has been of "great" value as is evidenced in the following table:

PERCENT OF RESPONSES INDICATING RECENT ENACTMENTS OF CONGRESS FURNISHING SUPPORT FOR ELEMENTARY AND SECONDARY EDUCATION HAVE BEEN OF "GREAT" VALUE

States by region	Total percentage	School enrollment				
		Under 1,000	1,000 to 4,999	5,000 to 34,999	35,000 to 99,999	100,000 plus
New England	11.4	14.2	8.3	19.4	0	...
Connecticut	8.8	20.0	0	22.2	...	...
Maine	6.2	20.0	4.2	0	...	...
Massachusetts	8.4	6.6	7.5	13.3	0	...
New Hampshire	13.6	50.0	12.5	0	...	...
Rhode Island	25.0	0	16.6	60.0	...	...
Vermont	23.5	33.3	21.4	...	...	...
Mideast	12.6	11.8	11.6	14.4	66.6	0
Delaware	0	0	0	0	...	...
Maryland	11.1	...	50.0	...	...	...
New Jersey	11.8	10.5	11.4	15.8	...	...
New York	13.0	14.0	9.7	18.0	50.0	0
Pennsylvania	13.2	10.5	13.0	13.2	100.0	...
Great Lakes	12.0	2.4	13.1	13.4	66.6	20.0
Illinois	11.4	9.0	14.1	12.5	...	0
Indiana	10.4	0	12.5	8.3	0	0
Michigan	11.6	3.6	13.2	12.0	...	100.0
Ohio	16.0	9.1	15.8	16.6	100.0	0
Wisconsin	9.6	9.6	8.6	16.6	...	0
Plains	15.6	14.8	16.6	18.0	0	100.0
Iowa	13.6	12.4	11.8	33.3	0	...
Kansas	16.0	16.2	13.5	33.3	0	...
Minnesota	11.8	12.4	10.0	16.6	0	...
Missouri	14.6	11.1	20.8	0	0	100.0
Nebraska	18.0	19.1	16.6	0	...	...
North Dakota	16.9	14.6	22.2	50.0	...	...
South Dakota	26.6	22.8	41.2	0	...	...
Southeast	31.8	27.2	32.6	36.0	13.3	0
Alabama	59.0	50.0	57.1	80.0	50.0	...
Arkansas	32.6	28.6	39.0	28.6	...	...
Southeast—Continued						
Florida	37.5	50.0	12.5	66.6	...	...
Georgia	20.0	0	21.6	16.6	33.3	...
Kentucky	36.2	33.3	38.8	38.4	0	...
Louisiana	29.4	...	0	41.6	0	...
Mississippi	34.1	...	33.3	35.7	...	...
North Carolina	34.0	...	27.7	39.2	0	...
South Carolina	30.0	...	36.3	25.0	0	...
Tennessee	28.8	12.5	41.6	18.1	0	0
Virginia	23.5	...	14.8	38.0	0	0
West V rginia	15.0	...	33.3	0	0	...
Southwest	33.8	36.4	30.0	17.1	50.0	0
Arizona	31.1	33.3	31.6	25.0	0	...
New Mexico	22.9	18.8	31.2	0	...	...
Oklahoma	49.1	47.1	57.6	25.0	...	...
Texas	28.8	32.4	25.9	16.6	66.6	0
Rocky Mountain	12.8	10.9	33.8	15.8	33.3	...
Colorado	9.5	8.1	10.0	25.0	0	...
Idaho	25.0	25.0	33.3	0	...	...
Montana	9.7	8.7	8.3	33.3	...	...
Utah	23.0	...	16.6	16.6	100.0	...
Wyoming	6.6	5.2	11.1	0	...	...
Far West	15.4	14.0	18.1	12.6	21.4	0
Alaska	12.5	0	0	...	100.0	...
California	16.6	12.9	21.9	14.1	18.2	0
Nevada	22.2	50.0	0	100.0	0	...
Oregon	4.8	3.2	6.8	0	...	...
Washington	18.6	23.8	20.6	0	0	...
United States	18.4	17.5	18.3	20.1	25.0	18.2

Many of those who said that Federal assistance has been "great" were quite enthusiastic about programs which were made possible through Federal assistance. Others cited the progress that has been made in their schools because of the Federal enactment. The number in parentheses following the city is the enrollment figure:

Dayton, Ohio (58,500): "Recent enactments, of course, for elementary and secondary education have been of *great* value in promoting new programs, creating innovations and allowing for expansion of services to the educationally deprived youth and adults."

New Orleans, Louisiana (109,684): "In my judgment, the recent enactments of Congress which have provided support for elementary and secondary education have been of great value. The value of such legislation lies not only in the improved quality of education which has been made possible but also in the increase in aspiration levels of millions of disadvantaged youth. Hope has been promised for a better educational world where previously there was no hope. Moreover, I am firmly convinced that aid for the disadvantaged has resulted in improvement in the education of children in areas which are not classified as disadvantaged. Certain provisions such as Title II of ESEA and the use of Title I funds for special education classes have had across the board beneficial results.

Leavenworth, Kansas (66,048): "Recent enactments of Congress for support of elementary-secondary education have provided locally: greatly improved libraries and library service, summer reading improvement programs; travel allowance to college girls from local college to public schools to become individual tutors for junior high students; teacher aides to provide clerical and supervisory assistance to teachers with large class loans; medical and dental care to individual students from low income."

Brookings, South Dakota (2,794): "Recent Federal support for elementary and secondary education has been of great value, not only in the educational funds that it has provided but I believe that it has had a great effect on calling the attention of situations to be of urgent nature and of the problems of education in this country."

Tuscumbia, Alabama (2,421): "The Elementary and Secondary Education Act has added great impetus for change and improvement. It has played a significant role in upgrading education in the south and other parts of the nation."

Naco, Arizona (321): "We are a small Mexican border school with very inadequate funding, a bilingual program, and provincial attitudes; the support has been of very great value to us."

Richmond, California (43,779): "Recent support to schools by the Congress has been of great value. There still is much progress and work to be accomplished in this difficult task."

Akron, Ohio (59,000): "Of great value: (a) they have changed attitudes; (b) bought equipment and materials; (c) permitted experiment; and (d) inspired innovative thinking."

Pauls Valley, Oklahoma (2,027): "Categorical aid has been of great value indeed. I shudder to think what our Oklahoma public school system would be like today if there had been no Federal assistance."

Numerous superintendents, in their evaluation of Federal education programs, made specific mention of the Elementary and Secondary Education Act. Title I of ESEA received a high evaluation from a substantial number. The following are examples of this type of response:

Mount Pleasant, Texas (2,825): "We feel that recent enactments of Congress in regard to education have been of great value to the local educational agency in providing educational opportunities to all youth regardless of economic, ethnic or educable background. Within our own district we are able to validate the increase of the learning level of seventy percent (70%) of our economically and educably deprived at least one grade level since the implementation of our remedial programs which are available to us under the Elementary and Secondary Education Act. In addition, the vocational programs available under the Vocational Act of 1963 are of tremendous value to all youth of our district."

Donna, Texas (3,850): "In the past, this district, which has a high concentration of disadvantaged youth, could not effect substantial educational change because of inadequate finances. A condition of lethargy existed among the professional personnel who could see no possibility for improvement. All of this has now been changed with the influence of Federal legislation. Through ESEA, special programs now exist and an atmosphere of anticipated improvement exists among both faculty and students."

Coulee City, Washington (204): "ESEA funds have greatly improved the educational program of our school system."

Lee County, South Carolina (6,200): "ESEA has and continues to have a great impact on the quality of the educational process in this state. All of the other Acts—NDEA, Vocational etc., have also been highly effective, if somewhat restrictive. There must be more if we are to even reach the goal of providing educational opportunities that will permit children to achieve to the maximum of their potential."

Banks County, Georgia (1,347): "ESEA has helped our school district tremendously since enactment of law by Congress. Our school district is located in the Ninth Congressional District in North Georgia. ESEA has enabled our district to purchase equipment, reduce teacher pupil rate, help with lunches, clothing, reading (remedial) and many other projects. Without Title I ESEA it would have taken our district 10 years to reach the present level that we now have. In my opinion, ESEA has done more to improve education in my area than all the other federal projects combined."

Sandersville, Georgia (5,300): "Through our Title I PL 89–10 money, we have increased our attendance to 97%, overall an increase in attendance over three years ago of 19%. Through our Title III PL 89–10 project, we have raised the reading levels of all our children and experimenting with a public kindergarten and a program for multiple handicapped children—the programs have been of great value."

Strathmore, California (372): "The ESEA Title I is a good program and has really been of great value in this particular school. I am positive it has improved education as a whole."

Frederick, Maryland (18,356): "Federal aid for support of elementary and secondary education has been of substantial value to this school system. Title I particularly has enabled us to help many children in many ways that we could not do without use of these funds."

Juneau, Alaska (Department of Education) (70,000): "ESEA has been of great value as 'seed' money. Over 50% of the schools in the state have made modifications in their locally supported school systems based upon evaluation of their Title I ESEA programs."

Kansas City, Missouri (75,000): "Congressional legislation has had a substantial effect in our school system, especially ESEA Title I, Vocational Education, PL 874, and and the Cafeteria Subsidy. Title III projects *may* be promising, as may be EPDA."

Montpelier, Vermont (2.100): "Truly, the ESEA, especially its first three Titles have been of value to this school system—consistent with the funds provided. Title III has been particularly meaningful here."

Supertintendents who indicated that Federal enactments have been of substantial value frequently were most complimentary about the programs in their additional comments. The following comments are illustrious:

Hamden, Connecticut (9,600): "The provisions of ESEA and NDEA have had a real impact upon our schools. The former in allowing us to provide programs for children we never would have financed, and to innovate and try to move frontiers into new areas. The latter has done more for teacher improvement and supplying us with classroom materials than anything the state or local community has done. It has worked toward closing the gap between technology and practice."

Warminster, Pennsylvania (11,859): "After 30 years in school work, 25 of which have been in administration, I believe that the Federal Government has done more for schools than ever before and has been of great value despite the reductions. Never in my experience have I had so much equipment, so much staff or so much opportunity. I realize that these things can be done at the local level, but it must be pointed out that since they were not done here at the state level, the Federal Government's contribution has been of substantial value."

Long Beach, California (71,334): "Recent enactments of Congress have been of substantial value. Without the aid provided, many worthwhile programs could not have been supported. Local and state resources are being severely pressed to provide the basic educational needs for the average pupil."

Others, such as the superintendent of schools for the Dixie School District in San Rafael, Calif., with an enrollment of 4,923, suggested that we must do much more:

> The answer to your question five must be that the recent enactments of Congress for furnishing support for elementary and secondary education have been of substantial value. However, we have only begun to improve our educational system and much more is needed if our young are to be properly prepared to meet the demands of the last 20th century and early 21st century.

Many of the superintendents felt that they would consider the programs of great value had they been fully funded or funded far enough in advance to allow administrative planning for the funds made available. A statement by the Superintendent of the San Diego city schools and reiterated by many other superintendents reflects this view:

> Recent federal programs have been of substantial assistance. The tasks facing the large urban school districts, however, call for extraordinary assistance.

The following responses are typical of the many superintendents who share the same opinion:

Parkersburg, West Virginia (19,800): "Help has been moderate, simply because funds have been moderate. We must increase federal participation fourfold at least if the impact is to be substantial."

Boswell, Ohio (1,600): "Moderate—after the war—suggest that more money be directed to education."

Bellaire, Michigan (520): "I believe that the recent enactments of Congress supporting education for the public schools have been of substantial value. But, they have stopped just short of being 'great'. This I realize would take more money but I believe this would be the best investment government can make today."

Greenwood, Mississippi (6,068): "Recent enactments of Congress give substantial support to our school district. We have made the best progress ever experienced in the district. We could not operate an adequate program without the ESEA funds. We can solve our problems with enough money and enough time."

The tables which follow contain the percent responses indicating that Federal assistance has been of "substantial" and "moderate" value:

PERCENT OF RESPONSES INDICATING RECENT ENACTMENTS OF CONGRESS FURNISHING SUPPORT FOR ELEMENTARY AND SECONDARY EDUCATION HAVE BEEN OF "SUBSTANTIAL" VALUE

States by region	Total percentage	School enrollment: Under 1,000	1,000 to 4,999	5,000 to 34,999	35,000 to 99,999	100,000 plus
New England	19.8	20.0	17.5	27.7	0	----------
Connecticut	17.6	20.0	15.0	22.2	----------	----------
Maine	25.0	20.0	29.2	0	----------	----------
Massachusetts	16.9	20.0	12.5	26.6	0	----------
New Hampshire	27.2	50.0	18.8	50.0	----------	----------
Rhode Island	18.8	0	16.6	40.0	----------	----------
Vermont	17.6	33.3	14.2	----------	----------	----------
Mideast	21.7	14.8	23.2	22.8	33.3	100.0
Delaware	36.4	0	66.6	0	----------	----------
Maryland	66.6	----------	50.0	71.4	----------	----------
New Jersey	15.2	2.6	21.3	21.0	----------	----------
New York	21.6	23.2	19.4	22.0	50.0	100.0
Pennsylvania	22.8	21.0	24.6	18.0	0	----------
Great Lakes	21.2	16.4	23.3	21.6	33.3	40.0
Illinois	16.2	14.8	17.1	16.6	----------	100.0
Indiana	24.0	0	25.0	33.3	100.0	0
Michigan	25.5	25.0	28.9	16.0	----------	0
Ohio	25.2	27.2	24.8	29.1	0	0
Wisconsin	18.5	14.5	21.0	16.6	----------	100.0
Plains	22.0	21.3	25.0	12.0	40.0	0
Iowa	26.7	28.8	27.4	8.3	0	----------
Kansas	22.4	17.5	32.4	16.6	50.0	----------
Minnesota	19.8	19.4	21.6	16.6	0	----------
Missouri	23.2	25.9	22.4	7.1	100.0	0
Nebraska	27.0	25.0	33.3	33.3	----------	----------
North Dakota	11.8	10.4	22.2	0	----------	----------
South Dakota	16.0	15.8	17.6	0	----------	----------
Southeast	33.0	29.8	31.9	34.1	53.3	50.0
Alabama	22.7	50.0	28.6	13.3	50.0	----------
Arkansas	29.8	30.3	24.4	57.1	----------	----------
Florida	18.8	0	12.5	33.3	----------	----------
Georgia	30.9	33.3	29.7	33.3	33.3	----------
Kentucky	34.4	16.6	33.3	30.8	100.0	----------
Louisiana	52.9	----------	100.0	33.3	100.0	----------
Mississippi	39.0	----------	40.7	35.7	----------	----------
North Carolina	36.2	----------	50.0	28.6	0	----------
South Carolina	25.0	----------	27.2	25.0	0	----------
Tennessee	35.5	37.5	20.8	54.5	100.0	100.0
Virginia	35.2	----------	33.3	42.8	0	0
West Virginia	45.0	----------	33.3	50.0	100.0	----------
Southwest	26.2	22.8	33.0	22.8	0	0
Arizona	22.2	14.2	31.6	25.0	0	----------
New Mexico	37.1	31.2	50.0	0	----------	----------
Oklahoma	25.8	26.4	24.2	25.0	----------	----------
Texas	25.7	20.9	33.3	25.0	0	0
Rocky Mountain	33.0	34.3	33.8	26.3	0	----------
Colorado	34.9	37.8	35.0	25.0	0	----------
Idaho	37.5	29.1	50.0	50.0	----------	----------
Montana	23.6	22.8	33.3	0	----------	----------
Utah	15.4	----------	16.6	16.6	0	----------
Wyoming	20.0	15.7	22.0	50.0	----------	----------
Far West	25.8	19.7	25.1	36.8	28.6	100.0
Alaska	25.0	25.0	33.3	----------	0	----------
California	26.0	20.4	22.8	35.8	27.2	100.0
Nevada	22.2	0	40.0	0	0	----------
Oregon	22.6	22.5	24.1	0	----------	----------
Washington	27.9	16.6	31.0	50.0	100.0	----------
United States	24.6	21.7	25.8	27.3	33.3	45.4

PERCENT OF RESPONSES INDICATING RECENT ENACTMENTS OF CONGRESS FURNISHING SUPPORT FOR ELEMENTARY AND SECONDARY EDUCATION HAVE BEEN OF "MODERATE" VALUE

States by region	Total percentage	School enrollment: Under 1,000	1,000 to 4,999	5,000 to 34,999	35,000 to 99,999	100,000 plus
New England	40.6	37.1	41.6	38.8	100.0	----------
Connecticut	29.4	0	35.0	33.3	----------	----------
Maine	50.0	40.0	45.8	100.0	----------	----------
Massachusetts	50.7	40.0	52.5	53.3	100.0	----------
New Hampshire	40.9	50.0	50.0	0	----------	----------
Rhode Island	31.2	60.0	33.3	0	----------	----------
Vermont	11.8	33.3	7.1	----------	----------	----------
Mideast	39.2	46.5	39.0	34.7	0	0
Delaware	36.4	0	33.3	50.0	----------	----------
Maryland	11.1	----------	0	14.2	----------	----------
New Jersey	43.2	52.6	39.3	36.8	----------	----------
New York	41.7	44.2	46.6	32.0	0	0
Pennsylvania	35.6	42.1	33.8	39.4	0	----------
Great Lakes	33.1	35.6	30.6	42.2	0	40.0
Illinois	31.7	30.3	33.3	33.3	----------	0
Indiana	34.4	70.0	27.8	41.6	0	100.0
Michigan	28.4	35.7	20.4	48.0	----------	0
Ohio	36.0	31.8	35.2	45.8	0	100.0
Wisconsin	36.5	41.9	32.0	41.6	----------	0
Plains	35.6	35.2	34.7	44.0	40.0	0
Iowa	39.1	38.1	43.1	33.3	0	----------
Kansas	29.6	32.5	24.3	16.6	50.0	----------
Minnesota	41.9	41.6	38.3	58.3	100.0	----------
Missouri	35.4	33.3	35.8	50.0	0	0
Nebraska	30.3	29.4	33.3	33.3	----------	----------
North Dakota	35.6	35.4	33.3	50.0	----------	----------
South Dakota	29.3	31.6	17.6	100.0	----------	----------
Southeast	20.4	23.4	19.4	19.8	26.6	50.0
Alabama	13.6	0	14.2	20.0	0	----------
Arkansas	21.1	19.6	24.4	14.2	----------	----------
Florida	31.2	50.0	50.0	0	----------	----------
Georgia	30.9	33.3	29.7	33.3	33.3	----------
Kentucky	18.0	33.3	16.6	23.0	0	----------
Louisiana	11.8	----------	0	16.6	0	----------
Mississippi	9.8	----------	11.1	7.1	----------	----------
North Carolina	14.8	----------	11.1	14.2	100.0	----------
South Carolina	30.0	----------	18.1	50.0	0	----------
Tennessee	22.2	25.0	25.0	18.1	0	0
Virginia	21.5	----------	14.8	14.2	100.0	100.0
West Virginia	25.0	----------	0	50.0	0	----------
Southwest	19.2	18.7	17.0	28.6	50.0	100.0
Arizona	17.7	9.5	15.8	50.0	100.0	----------
New Mexico	11.4	12.5	12.5	0	----------	----------
Oklahoma	11.2	13.8	6.0	0	----------	----------
Texas	23.9	23.6	21.2	33.3	33.3	100.0
Rocky Mountain	28.8	26.2	32.2	15.8	33.3	----------
Colorado	33.3	35.1	35.0	0	50.0	----------
Idaho	15.0	16.6	8.3	25.0	----------	----------
Montana	27.8	31.6	16.6	0	----------	----------
Utah	53.8	----------	66.6	50.0	0	----------
Wyoming	30.0	21.0	55.5	0	----------	----------
Far West	30.0	32.0	29.8	25.2	35.7	0
Alaska	50.0	75.0	33.3	----------	0	----------
California	28.4	31.1	29.5	21.8	36.4	0
Nevada	55.6	50.0	60.0	0	100.0	----------
Oregon	30.6	25.8	31.0	100.0	----------	----------
Washington	30.2	33.3	24.1	35.7	0	----------
United States	31.2	30.9	30.3	30.7	31.2	36.4

The problem most frequently discussed by superintendents who responded "substantial" or "moderate" is that of funding. Many of the responses indicated that the funds were too limited to allow for an adequate program. Others felt that the uncertainty of the amount was a major obstacle to an effective program. Typical responses are as follows:

Myrtle Point, Oregon (1,463): "The recent enactments of Congress furnishing support for elementary and secondary education have been of substantial help, particularly in the starting of new programs and in the giving of extra teacher time and materials to students of low and exceptional ability. The difficulty has been in trying to maintain a program when the funds vary from year to year. Our little district received approximately $20,000 the first year to operate from January to September and we are now receiving approximately $16,000 to operate the entire school year. The programs started the first year were successful and received parent and teacher approval to such an extent that the reduction in federal monies has been made up by local funds, which puts an increased burden on our already overburdened local property taxpayers."

Bothell, Washington (9,107): "Substantial. However, the uncertainty of the amount and length of time of funding have caused much concern in conjunction with long range planning."

Markham, Illinois (3,532): "I feel that recent enactments of Congress furnishing support for education have been of substantial value to this school district and ones in the surrounding area. I feel that Title II of the ESEA has been very influential and important inasmuch as it attempts to supplement an area that has not always been given the attention by school officials as required. I feel this particular title is important, also, since it requires that the local effort be sustained or increased in order to qualify the following year for funds. School districts are required to invest these funds in books and materials rather than personnel which I feel is very important. It is my personal preference that funds be increased for this title on the highest priority."

Alexis, Illinois (660): "Federal support of elementary and secondary education has been of very moderate value, due to the meager funds appropriated."

Lockport, Illinois (385): "Extremely moderate value. Our allotment for Title II (ESEA) will not go far. We are making the best effort possible, but our library still rates 'below Class IV' which is lower than the lowest classification."

Willimantic, Connecticut (1,300): "I believe that the recent enactments of Congress to furnish support for elementary and secondary education are of moderate value mainly because the amount of money has been small."

Cumberland, Maryland (16,456): "Enactments of Congress furnishing support for elementary and secondary education have been of substantial value in Allegany County; however, much more is needed and any reductions would be extremely painful."

Roseville, California (2,518): "I would say that Congressional support for education lies somewhere between substantial and moderate. Certainly, with the present trend, it is rapidly approaching the latter. I firmly believe that if the Federal Government had maintained or would maintain its original level of support under ESEA that the effect on education, both at the elementary and secondary level, would have been much greater."

A very small percentage of the superintendents feel that Federal assistance has been of little value. As indicated in the table which follows, this was a response primarily from smaller school districts:

PERCENT OF RESPONSES INDICATING RECENT ENACTMENTS OF CONGRESS FURNISHING SUPPORT FOR ELEMENTARY AND SECONDARY EDUCATION HAVE BEEN OF "LITTLE" VALUE

States by region	Total percentage	School enrollment: Under 1,000	1,000 to 4,999	5,000 to 34,999	35,000 to 99,999	100,000 plus
New England	13.5	17.1	16.6	0	0	----------
Connecticut	14.7	0	25.0	0	----------	----------
Maine	15.6	20.0	16.6	0	----------	----------
Massachusetts	14.0	20.0	17.5	0	0	----------
New Hampshire	4.5	0	6.2	0	----------	----------
Rhode Island	18.8	40.0	16.6	0	----------	----------
Vermont	11.8	0	14.2	----------	----------	----------
Mideast	13.0	10.8	13.9	12.7	0	0
Delaware	9.1	0	0	25.0	----------	----------
Maryland	0	----------	0	0	----------	----------
New Jersey	15.2	18.4	16.4	5.2	----------	----------
New York	12.0	7.0	14.6	12.0	0	0
Pennsylvania	13.2	5.2	13.0	18.4	0	----------

PERCENT OF RESPONSES INDICATING RECENT ENACTMENTS OF CONGRESS FURNISHING SUPPORT FOR ELEMENTARY AND SECONDARY EDUCATION HAVE BEEN OF "LITTLE" VALUE—Continued

States by region	Total percentage	School enrollment: Under 1,000	1,000 to 4,999	5,000 to 34,999	35,000 to 99,999	100,000 plus
Great Lakes	14.2	9.0	14.8	8.2	0	....
Illinois	11.0	3.2	18.2	20.8	....	0
Indiana	12.5	10.0	15.2	0	0	0
Michigan	12.4	10.7	14.4	8.0	....	0
Ohio	13.9	22.7	15.2	0	0	0
Wisconsin	11.5	14.5	9.8	8.3	....	0
Plains	12.8	14.0	10.0	16.0	0	0
Iowa	6.2	7.2	3.9	8.3	0	....
Kansas	13.6	17.5	8.1	0	0	....
Minnesota	14.0	15.5	13.3	0	0	....
Missouri	20.7	20.9	16.4	42.8	0	0
Nebraska	11.2	13.2	0	33.3	....	....
North Dakota	10.2	12.5	0	0	....	....
South Dakota	9.3	8.7	11.8	0	....	....
Southeast	4.8	7.7	6.0	1.8	0	0
Alabama	0	0	0	0	0	....
Arkansas	2.8	5.4	0	0	....	....
Florida	6.2	0	12.5	0	....	....
Georgia	3.6	0	5.4	0	0	....
Kentucky	6.8	16.6	8.3	0	0	....
Louisiana	0	....	0	0	0	....
Mississippi	9.8	....	11.1	7.1	....	....
North Carolina	4.2	....	0	7.1	0	....
South Carolina	0	....	0	0	0	....
Southeast—Continued						
Tennessee	6.6	25.0	4.2	0	0	0
Virginia	9.8	....	18.5	0	0	0
West Virginia	5.0	....	11.1	0	0	....
Southwest	10.0	10.6	9.0	11.4	0	0
Arizona	15.6	23.8	10.5	0	0	....
New Mexico	17.1	31.2	6.2	0	....	....
Oklahoma	6.4	33.3	6.0	0	....	....
Texas	9.8	8.8	10.1	16.6	0	0
Rocky Mountain	16.0	17.5	10.2	21.0	33.3	....
Colorado	9.5	8.1	10.0	0	50.0	....
Idaho	10.0	8.3	8.3	25.0	....	....
Montana	25.0	22.8	25.0	66.6	....	....
Utah	7.6	....	0	16.6	0	....
Wyoming	20.0	31.6	0	0	....	....
Far West	15.0	16.2	14.6	14.7	7.1	0
Alaska	12.5	0	33.3	....	0	....
California	12.8	14.0	10.4	15.4	9.1	0
Nevada	0	0	0	0	0	....
Oregon	24.2	22.6	27.6	0	....	....
Washington	17.4	19.0	17.2	14.2	0	....
United States	12.2	13.8	12.1	9.2	4.2	0

The majority of the superintendents giving this response indicated that the problem was one of limited funds. Most felt they received very limited assistance because of the small size of their school districts, and many others initially received such assistance, proceeded with a program and then the following year, received no funds. Typical of the feeling expressed by superintendent who responded "little value," is the response from McDonald, Pa.—2,299:

> I feel that the recent enactments of Congress for school districts at first were substantial, now I believe little because of the cuts in the programs financially.

Some additional responses along this line follow:

> Burlington, Washington (2,605): "In general, recent enactments have been of moderate to little value because the allocation to the districts of our size do not allow for an extensive enough program development. For example, approximately six percent of our student body is Mexican-American. Our allocation for providing help in Cultural Deprivation of these students amounts to $10,500. It helps, we are doing a better job than we used to, but it is a long way from solving the problem."
>
> Lakewood, Colorado (6,000): "At this point I feel it is of little value because of the amount of money involved. I personally feel that the money for library materials has been of great value. All the other programs under ESEA have been so minor that they have little effect."
>
> East Whittier, California (12,000): "For the East Whittier District in particular, recent Federal enactments have been from moderate to little value for the simple reason there hasn't been enough money available for us to really do the job. We are most appreciative of NDEA funds and hope that this will not be cut back. Hopefully, there could be a massive increase also in EPDA funds."
>
> Wakeeney, Kansas (1,000): "Moderate to little. We just don't receive enough funds to have any appreciable effect on our program."
>
> Nazareth, Pennsylvania (3,400): "Limited funds provide moderate to little value."
>
> Hamilton, North Dakota (50): "Little value since we are small."

In summary, Mr. Speaker, I should point out that in response to this question, superintendents freely commented, frequently at length, about the strengths and the weaknesses of recent Federal legislation designed to benefit elementary and secondary education. Clearly, many expressed concern about certain problems such as late funding, curtailment in funds, and uncertainty with respect to the amount of money they would receive. The responses I have included here today indicate some of these problems. But when one views all of the responses, it is clear that the benefits derived from the programs clearly outweigh the problems which we are experiencing in these early years of program implementation.

The superintendent of Charleston County School District in South Carolina, a district which serves 60,000 students, responded to question 5 of the questionnaire as follows:

> In our school district, when one compares the benefits gained from federal funding with the problems encountered from federal funding, we find that the benefits greatly outweigh the problems.

I think Superintendent Garrett's statement reflects not only the situation in his district, but also represents quite well a widespread feeling with respect to these programs. Our committee survey indicates too that superintendents agree with Superintendent Garrett's closing statement:

> It is my opinion that our school system and many other school systems in the United States would be in severe trouble without such Federal funding.

AMEND MEAT INSPECTION LAW

(Mr. FISHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FISHER. Mr. Speaker, since the passage late in 1967 of the Wholesome Meat Act, the Department of Agriculture has had its hands full trying to reach agreements with the various States regarding the sanitation standards to be enforced, and to recruit enough Federal inspectors to do the expanded job imposed on the Department by the law.

The intent of Congress in passing the legislation was to assure consumers of safe and sanitary meat supplies. It was not the intention of Congress to drive out of business many small slaughtering and packing firms which have long been doing business, and which follow good sanitary practices. Yet I have received complaints that some of the technical requirements facing small packing plants may be impractical and unrealistic, and while not actually improving sanitation conditions, impose such a financial burden upon the plant operators that their continued existence is threatened.

With this in mind, Mr. Speaker, I have drafted and introduce a bill which would amend the present law by giving the Secretary of Agriculture the discretionary authority to exempt certain plants from the statutes provided they are only in intrastate commerce. It is the same authority which he now has in regard to territories of the United States.

I voted against the 1967 act, and we now know that measure was ill advised.

ACTION OF YESTERDAY BY THE FEDERAL COMMUNICATIONS COMMISSION WITH REFERENCE TO CIGARETTE ADVERTISING ON RADIO AND TELEVISION

(Mr. SATTERFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SATTERFIELD. Mr. Speaker, the action taken yesterday by the Federal Communications Commission with respect to cigarette advertising on radio and television is simply one more instance of arbitrary and capricious action by a regulatory agency.

Once again the Federal Communications Commission has brazenly reached out to appropriate unto itself new jurisdiction, beyond that which Congress has delegated to it.

In making its pronouncement on a matter it knows Congress will be considering this year, the FCC is attempting to intimidate the free exercise of congressional will and to usurp congressional authority.

I resent this effort deeply and condemn it. I urge all Members of this body to do likewise.

SUPPORT PRESIDENT NIXON

(Mr. DORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORN. Mr. Speaker, our President, Richard Nixon, is confronted with grave problems in the United States and throughout the world. The Vietnam war still plagues the world, with another Vietnam Communist offensive threatening. The Near East is at the boiling point. The Soviet occupation of Czechoslovakia exposes the Berlin corridor to more pressure and possible harassment. Turmoil is seething in the Caribbean. Here at home, we are faced with explosive situations on our campuses, crime on the increase, and violence in the urban areas. To solve these problems, the President needs unity and the President needs our support. The American people should unite behind the Commander in Chief. This is no time for partisanship or special interests. The President has an awesome responsibility. He cannot bear these colossal burdens alone. The President needs our help here in the Congress and that of the American people. President Nixon is well equipped to lead our Nation during these times of crises. He is experienced, having served in our Armed Forces, here in the House of Representatives, in the Senate, and as Vice President of the United States. Those who lambast the President and tear down the Office of the Presidency are pulling the house down upon themselves. We must have confidence in our leaders and support the President in the national interests. I call upon my colleagues here in the Congress, of both political parties, to support our President so that he might lead America into the greatest era in the history of the world. Through unity, we can win the peace and preserve freedom for all time to come. The destiny of free peoples everywhere hangs in the balance. The percentage is about 50–50 between freedom and slavery throughout the world. Let us not be the ones to tip the scales against us. Let us support our President and respect the dignity of that high and exhaulted office. Henry Grady, the late, great editor of the Atlanta Constitution once said:

> Back of the President and above him stand the American people. What the people are—that, and nothing else—will the President be.

YESTERDAY'S U.S. DISTRICT COURT DECISION OPENS THE DOORS OF COLLEGE CAMPUSES OF AMERICA TO WHOEVER MIGHT WISH TO SPEAK ON ANY SUBJECT

(Mr. NICHOLS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. NICHOLS. Mr. Speaker, yesterday in Montgomery, Ala., Judge Frank M. Johnson, of the U.S. district court handed down a decision, the effect of which opens the doors of college campuses of America to whoever might wish to speak on any subject he pleases and takes away longstanding and recognized prerogatives of college university presidents and their advisers over campus affairs.

The speaker in question at my own Auburn University, Auburn, Ala., is the recognized advocate of counseling young men across the country to evade the draft—One Rev. William Sloan Coffin, chaplain of Yale. Reverend Coffin along with Dr. Benjamin Spock have prided themselves in collecting draft cards and presenting them en masse, to the selective service boards as a protest movement against this country's commitment in Southeast Asia.

Auburn president, Dr. Harry Philpott had correctly ruled against his speaking on the Auburn campus because of Reverend Coffin's previous conviction in a U.S. district court in Boston on a charge of conspiracy in aiding and abetting of young men to resist the draft. President Philpott further said that speakers who advocate disobedience to Federal law or who violate Federal law should not be allowed to speak on the Auburn campus, in that one of the fundamental aspects of education is to instill in our American citizenry respect for the laws of this country.

The court's decision is all the more objectionable, in that the court order stipulates that a suitable auditorium must be provided by Auburn University and that school funds must be provided in defraying travel expenses and paying honorarium to this convicted felon who goes about this country preaching disobedience to laws and counseling the campus youth of this country to follow the "Hell no, I won't go" doctrine.

Mr. Speaker, I view this decision as just another case in which the Federal courts of this country, through their liberal interpretations of the laws of the land, are making contributions to the cause of those who would destroy that which has traditionally and inherently made our country great.

I would like to place in the Record a brief résumé of Reverend Coffin's activities which might shed some light on his philosophy and his goals:

Rev. William Sloane Coffin, Jr., Chaplain, Yale University

Reverend Coffin was convicted for conpiracy to aid, abet and counsel violations of the Selective Service law and was sentenced on July 10, 1968 to a prison term of two years and was fined $5,000.

He was listed among co-plaintiffs with the W.E.B. DuBois Clubs of America in a suit filed in Federal Court in April 1966 against the U.S. Attorney General and the Subversive Activities Control Board (SACB), to restrain all further proceedings before the SACB in the case of the Attorney General v. W.E.B. DuBois Clubs of America on the grounds that the Internal Security Act of 1950 is unconstitutional. The W.E.B. DuBois Clubs of America is the youth front of the Communist Party, U.S.A.

Reverend Coffin was listed among the sponsors of The DuBois Centennial Celebration which was held at Carnegie Hall, New York, on February 23, 1968. This affair was sponsored by a quarterly Negro journal called Freedomways, a publication of the Communist Party, U.SA

He has been an official of the National Conference for New Politics (NCNP), a leftist organization which has been highly infiltrated by identified members of the Communist Party, U.S.A., and other subversives. In 1966, Reverend Coffin was listed as a member of the NCNP's National Council, and in 1967 was reported to be a member of this group's Executive Board of the National Council.

Reverend Coffin spoke at the Lincoln Memorial, Washington, D.C., on October 21, 1967, at a mass demonstration sponsored by the National Committee to End the War in Vietnam, a Communist-dominated organization.

He also addressed another anti-war rally held in New York City on April 27, 1968. This event was under the auspices of the Fifth Avenue Vietnam Peace Parade Committee, which has a mixed group of identified Communists, notorious fellow travelers, and pacifists in its leadership.

According to *The New York Times* of May 26, 1961, Reverend Coffin was arrested in Montgomery, Alabama, on charges of disorderly conduct in connection with his participation in the Freedom Rides and integrated sit-ins.

He has participated in the activities of the Clergy and Laymen Concerned About Vietnam, an agitational anti-war organization. Reverend Coffin has served as a member of this organization and has also spoken at rallies in its behalf during 1967 and 1968.

Reverend Coffin was listed as an initial signer of "A Call to Resist" which urged civil disobedience regarding the Selective Service law. This Call was sponsored by the Committee for Draft Resistance, San Francisco, and was distributed during 1967. According to the *Guardian* of March 16, 1968, Coffin and another individual, led some 5,000 demonstrators through New Haven, Connecticut, to the Armed Forces induction center on March 2, 1968 chanting "Resist, don't enlist."

He was listed among consultants on the preparation of "National Vietnam Examination" which was utilized in a classroom at Florida State University during the fall of 1966. The "National Vietnam Examination" was a project of the Inter-University Committee for Debate on Foreign Policy and the Students for a Democratic Society (SDS). SDS is an anarchist organization which is led nationally by self-admitted communist revolutionaries.

OPPOSITION TO SALARY INCREASES

(Mr. BOLAND asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BOLAND. Mr. Speaker, I want to express my opposition to the major new salary increases proposed for the Congress, the judicial branch and the top echelon of the executive branch.

The increases—40 percent for Congressmen, 50 percent for Federal judges, 35 to 70 percent for high-ranking administration officials—now appear certain to go into effect on the scheduled date of February 14. The Senate voted this week to reject a resolution that would have vetoed the pay raises.

I feel strongly, Mr. Speaker, that we in the House of Representatives should at least have a chance to debate and vote on a package of pay raises that will cost the taxpayers almost $25 million yearly.

I realize, of course, that Congressmen and other Government officials frankly deserve a significant increase in salary. Faced with mounting responsibilities, forced to pay many extraneous yet necessary expenses out of their own pockets, they have become more and more financially pressed over the past several years.

But—plainly, Mr. Speaker—this is not the time for salary increases of the magnitude proposed by President Johnson and his Commission on Governmental Salaries. Inflation is still a major problem in the United States, driving up prices at a rate virtually unprecedented in recent American history.

Taxpayers are being forced to dig deeper and deeper into their pocketbooks each year. The taxpayers in my congressional district, for example, face steep new increases in State taxes as well as a possible extension of the 10-percent Federal surtax.

How, in good conscience, can we ask the American taxpayer to pay higher rates when the Congress itself contributes to the economy's inflationary spiral by sanctioning $25 million in new salary increases?

How, for that matter, can we ask labor and industry to exercise restraint in wage rates and consumer prices?

It is clear, Mr. Speaker, that the time is not right for major governmental salary increases.

PERMISSION FOR JOINT ECONOMIC COMMITTEE TO HAVE UNTIL APRIL 1, 1969, TO FILE A REPORT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Joint Economic Committee be granted an extension of time from March 1, 1969, to April 1, 1969, to file a report of its findings and recommendations with respect to the Economic Report of the President as required by section 5(b)(3) of Public Law 304, 79th Congress.

I might add, Mr. Speaker, that it has been necessary for the Joint Economic Committee to defer its hearings until the latter part of February and early March in order to give the new administration an opportunity to consider the issues and prepare their testimony. Consequently, it is necessary to have a later filing date.

I would also add, Mr. Speaker, that this has been cleared by the ranking minority member, the gentleman from New Jersey (Mr. WIDNALL), in the House, and by Senator JAVITS in the Senate, and by the vice chairman, Senator PROXMIRE, and by the chairman of the committee.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

"WASHINGTON WELCOMES CRIME PLAN"

(Mr. POAGE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and include extraneous material.)

Mr. POAGE. Mr. Speaker, I do not believe that I have ever appeared before the House and have had an opportunity to quote with approval the writings of Mr. Drew Pearson, but his letter to his grandson, which was published this morning was called to my attention by a friend. I consider that in this letter the author did give a very fine and fair analysis of the crime situation in Washington, D.C., and elsewhere. I especially commend the suggestion that every able-bodied individual should be required to work for all the aid which is extended to him.

Mr. Speaker, I believe in work for all who will work, help for all who cannot work, and hell for all who will not work. I, therefore, include as a part of my remarks the article by Mr. Drew Pearson:

WASHINGTON WELCOMES CRIME PLAN

(NOTE.—Drew Pearson's column today takes the form of a letter to his grandson, Joseph P. Arnold.)

WASHINGTON, D.C.,
February 5, 1969.

DEAR JOE: President Nixon last week scored a big hit with people in the Nation's Capital by announcing a program to combat crime. It scored an especially big hit with Negro residents, because the great majority of Negroes are honest and law-abiding and they are the chief sufferers from robberies, and holdups by their own people.

Margaret Brown has been so worried about the many holdups in her neighborhood that she has been frightened to go home at night even though we send her by taxi. Negroes would have even been glad if the President had declared martial law in the District of Columbia.

Actually there wasn't anything really new in Nixon's crime remedies. They were very similar to the earlier recommendations of the D.C. Crime Commission which Attorney General Ramsey Clark had been trying to put through a budget-pruning Congress for months.

But the fact that a new President got behind these proposals and made them his own is important, because a new broom sweeps clean and Congress will now almost certainly have to appropriate the money even if it does go over the budget ceiling to pay for 10 more judges, 40 more prosecutors, 1000 more policemen, various court functionaries, etc.

All of these are important, and President Nixon was wise enough to call the editors of the local Washington newspapers into his office to announce the anticrime program, which gave it added emphasis.

THE FAMILY

But Nixon's anticrime proposals were chiefly protective, rather than preventive, and there were two very important preventive proposals which he did not touch upon. One of them was something no President can do much about—the broken family. The other was something no President has dared do anything about—crime and violence on television. No President so far has admonished the all-powerful TV networks regarding the shameful manner in which they are inspiring crime and violence among the Nation's children.

Both of these things—the family and television—are probably the most important factors in generating crime.

As you know, your grandfather has been chairman of Big Brothers in the national Capital area for about ten years, and it's our job to try to supply Big Brother advisers for fatherless boys. We find, and all the experts find, that if a boy or girl has a good family, they usually stay out of trouble.

The Lower East Side of New York used to be one of the slums of the Nation where lived Jewish immigrants who could hardly speak English. But they understood the importance of family love and discipline and their children have now become some of the outstanding citizens of New York and the Nation.

As I said, President Nixon can't do much about families. But the rest of us can, first within our own families, second by helping other youngsters on the verge of trouble.

Especially the law-abiding Negro families need to help the thousands of fatherless, illegitimate Negro children born in Washington and every big Northern city. This is because Negro women come up from the South and find themselves in Northern cities without family ties, without church influence or the stabilizing contacts of their former community. So they fall back on the easiest way to make a living and increase the population with "welfare babies" who grow up, many of them, to make a living through muggings and robbery.

They sit in front of television all day watching the number of shootings on the top-rated programs, and the TV commercials which tell you that you don't have to pay for a vacation trip to Florida—you can go now and pay later. So these fatherless boys and girls figure they can take a short-cut to joining the affluent society by using the crime and violence techniques they see on television.

There are two remedies for this. One easy one is to regulate TV programs exactly as they are regulated in France, England and Germany.

The other remedy is to revive the old Civilian Conservation Corps of Franklin Roosevelt's day in order to get teen-agers off the streets.

This will not be easy and it will cost money. But it's better than having thousands of idle teen-agers cluttering up the pool halls and making the streets unsafe after dark. No matter how many police we hire or how many jails we build, they cannot solve the problem. While President Nixon has made a good start toward decreasing crime and he should be congratulated, we have to go one long step further from community protection to crime prevention.

Love,

YOUR GRANDFATHER.

SANTA BARBARA OIL DISASTER DEMONSTRATES NEED FOR FEDERAL LAWS

(Mr. TUNNEY asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. TUNNEY. Mr. Speaker, the oil ruining the beaches of California and killing the birds and marine life, while unexpected in its severity, cannot be said to be something we could never have anticipated.

The French Riviera, San Juan, P.R.,

the *Torrey Canyon*, Rehoboth Beach, Del., and the problems in the Canal Zone and the St. Lawrence Seaway, have been sufficient to put reasonable men on notice that precautionary steps should be taken to prevent further disasters or at least ease their impact.

I was, therefore, surprised to have it brought to my attention that the Department of the Interior has done little to develop expertise in the area of oil emulsifiers, the chemicals used either to disperse or collect floating oil.

The Department maintains that it lacks authority to certify emulsifiers and we are left with the situation that the oil companies are free to select any oil emulsifier whatsoever, using the broadest possible guidelines.

This means that the future of the marine ecology is left in the hands of persons perhaps totally unfamiliar with what the effects of the emulsifier they select will be on the future of wildlife in the area treated. The consideration of the company executive will be to reduce the civil liability of the company rather than to preserve the environment. This is the type of conflict the Government is established to resolve.

The Federal Government certifies herbicides and pesticides for use rather than permitting self-regulation. Pollution of our air and water have become a concern of government because business considerations too often overrode public policy. If the Department of the Interior lacks the authority to regulate the use of oil emulsifiers to establish standards to be met, to test and certify, then it is a serious omission in our body of laws. It is an omission I intend to rectify.

I will be introducing legislation shortly to give the Department of the Interior the authority to establish a program that will meet the problems associated with oil spillage and leakage.

It does not mean that I believe such disasters are a necessary part of our technology. I have already introduced legislation to create a commission to establish priorities, and to make recommendations for future use of our natural resources. However, we must be prepared for future occurrences while we are also working on the means to prevent or limit them.

Mr. Speaker, I might add that it seems to me that this regulation of the use of oil emulsifiers is long overdue, and I cannot understand why the Department has not taken action long before they allowed the drilling to take place off the coast of California.

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mr. TUNNEY. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS. Mr Speaker, I thank the gentleman for yielding.

Mr. Speaker, I believe that if the distinguished gentleman from California will check he will find that approximately 2 years ago the Sun Oil Co. did turn over what I believe is a very efficient emulsifier of crude oil to the Government.

I believe this product was demonstrated in the Delaware River and was turned over, I believe, to the Department of the Interior. The gentleman might check on that.

Mr. TUNNEY. Yes, but the Department has no authority to certify it.

Mr. WILLIAMS. At least I know that you have a useful product and it has been determined to be efficient.

FORMER ATTORNEY GENERAL WILLIAM RAMSEY CLARK

(Mr. MIKVA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MIKVA. Mr. Speaker, it is my pleasure today to pay tribute to a great American; to a man who, history will certainly show, has done more for the cause of decent law enforcement in the United States than any Attorney General within memory; to a man whose devotion to "law" has never allowed him to forget that the law is a bulwark against tyranny as well as the means for convicting and incarcerating wrongdoers. I speak of former Attorney General William Ramsey Clark.

During the recent presidential campaign, much was said about the need to deal effectively with the national crisis in law enforcement. Although our country has always recognized the primacy of local responsibility for law enforcement, we heard calls for massive Federal efforts to guarantee "law and order." But Ramsey Clark recognized that law enforcement must remain essentially a local responsibility. As Mr. Quinn Tamm, executive director of the International Association of Chiefs of Police, has pointed out, Ramsey Clark did more during his relatively short time as Attorney General in support of local law enforcement—to aid and assist those really responsible for law and order—than any man who preceded him in the job.

All Americans were shocked and saddened during 1967 and 1968 by the terrible outbreaks of violence and destruction which occurred in the populous urban areas of this Nation. But Ramsey Clark was more than shocked and saddened. He worked diligently and successfully to develop the kind of restrained and effective techniques for dealing with massive civil disorder recommended by the Kerner Commission. However, Ramsey Clark's approach to massive civil disorder never attempted, as did some participants in the recent campaigns, to find simplified answers to the enormous complex problems of civil disturbances—never did he endorse the shortcuts or the quick solutions. He realized that the only long-term solution to the unrest which infects our cities is to remedy the underlying causes of such unrest, that symptomatic treatment of crime—hanging judges and stiffer criminal penalties—is no more a curative, much less a preventive, than is symptomatic treatment of our bodily ills.

Attorney General Clark refused—in my opinion wisely—to use the wiretapping and eavesdropping authority which the Federal Government was granted in title III of last year's Omnibus Crime Control and Safe Streets Act. This refusal, some would have us believe, showed a lack of zeal in pursuing the sinister participants in organized crime. But in reality, Ramsey Clark's decisions not to use the broad—some of us would say overly broad—wiretapping and eavesdropping authorizations resulted from a profound commitment to the elemental values of privacy, freedom of communication and freedom from the fear of omnipresent government surveillance. Only in cases where the national security was clearly jeopardized, Ramsey Clark believed, was there sufficient justification to contravene the traditional freedoms which Americans regard as fundamental. In this decision Ramsey Clark distinguished himself, to use Justice Brandeis' apt phrase, not only as a man of zeal, but as a man of understanding as well.

Some observers have said, Mr. Speaker, that because of the near-hysterical atmosphere which developed in some quarters on the subject of "law and order," that Ramsey Clark as Attorney General will never receive the evaluation he deserves. I would argue the reverse. To me Ramsey Clark was eminently the right man, in the right place at the right time, and history will so show.

He was the right man because he came from a distinguished family of jurists. An 18-century ancestor served as British solicitor in Ireland before settling in America. His paternal grandfather, William H. Clark, was a noted Dallas trial lawyer and president of the Texas Bar Association; his maternal grandfather, W. F. Ramsey, was a Texas Supreme Court justice. His father, of course, retired from the U.S. Supreme Court to open the way for his son's appointment as Attorney General on March 10, 1967. But Ramsey Clark was the right man for more reasons than his family's distinguished service at the bar. After obtaining both M.A. and J.D. degrees from the University of Chicago, in 1950, Ramsey Clark entered a successful Dallas law practice and later was appointed by President John F. Kennedy to head the Lands Division in the Justice Department. In that post he won the admiration and respect of all by the same quiet competence which later impressed the Nation when he was Attorney General. In February 1965, Ramsey Clark was sworn in as Deputy Attorney General, and in 1966 as Acting Attorney General when Nicholas Katzenbach transferred to the Department of State.

Ramsey Clark was also in the right place. He was in the right place because the Department of Justice carried, in the year following the Civil Rights Act of 1964 and the Voting Rights Act of 1965, a major share of the responsibility for enforcement of this landmark civil rights legislation. There are many examples of Ramsey Clark's dedication to full rights for all Americans. The story I like best is the answer which he gave to the distinguished Senator from North Carolina, Senator ERVIN, during his confirmation hearing before the Senate Judiciary Committee. The Senator had asked how many more pounds and pages of civil rights bills—beyond the 1,212 pages and 15 pounds he already had—would be submitted by the Department of Justice. Ramsey Clark answered simply:

> As many pounds and pages as we need to ensure the rights of all Americans.

Finally, Mr. Speaker, Ramsey Clark was Attorney General at the right time. For it was during his tenure in office that the debate on law and order and the means to achieve them reached its most fevered pitch. In the mist of the harsh remonstrance and the frenzied calls for Federal action, Ramsey Clark's cool, reasoned, and restrained approach helped to steady a nation which was on the verge of hysteria. What the times required was exactly what Ramsey Clark could give: an approach to law enforcement which dealt with problems as they are, not as we might imagine them; which saw that solutions ultimately depend on long, quiet, devoted work, not on rhetorical appeals to emotion and sometimes to prejudice. Thus, Ramsey Clark was most assuredly the right man for the times.

Of all the many accomplishments of Ramsey Clark, and of the Justice Department under his direction—enforcement of the Voting Rights Act of 1965, passage of new Federal legislation to aid local law enforcement authorities, development of reasonable and restrained techniques for control of massive civil disorder, prosecution of the Federal drive against organized crime, fostering of a new and more enlightened approach toward juvenile delinquency and its control and prevention—of all these accomplishments, Mr. Speaker, it seems to me that one thing will stand out about Ramsey Clark in the memory of his fellow citizens. That is Ramsey Clark's unstinting devotion to the idea that decent law enforcement is possible without impairing our traditional safeguards against tyranny, and that ultimately the worth of our society will be reckoned by history not in terms of how many criminals we convict, jail, or execute, but rather by the extent to which we have preserved and extended the freedom of that society.

RETIREMENT OF FRANK H. WEITZEL

(Mr. HOLIFIELD asked and was given permission to address the House for 1 minute.)

Mr. HOLIFIELD. Mr. Speaker, a great public servant and good friend, Frank H. Weitzel, completed his 15-year term as Assistant Comptroller General on January 17, 1969. He leaves that post after a long and distinguished career, and he will carry with him the best wishes and the grateful appreciation of a host of friends, associates and others in Government, academic, and business life who have come to know, respect, and admire Frank Weitzel.

His career is almost a classic one, the messenger boy who started in the General Accounting Office in 1923 at the age of 16 at a salary of $14 a week. He went back to finish high school and then studied law at the George Washington University Law School evenings after work. He continued his association with the General Accounting Office in a legal and administrative capacity for a period of 45 years, 42 of them in unbroken service.

It is hard to think of the General Accounting Office without Frank Weitzel. Through his long and dedicated service in the General Accounting Office, he became an institution in himself. Probably he knows more about that organization than any other living man, and his knowledge of the Government is exceedingly vast, for the General Accounting Office is an agency which concerns itself with all the operations of Government.

I have known Frank Weitzel for most of my congressional years of service, which commenced in 1942. As you well know, Mr. Speaker, our committee, the Government Operations Committee, on which you served for many years, has a close working relationship with the General Accounting Office. We receive and examine its reports and are assisted in many ways in our investigations by GAO staff and facilities. On many, many occasions Frank Weitzel has counseled with us, has advised us, has argued and sometimes differed with us, but he has always been wise and patient and hard working and a true servant of the Congress without regard to partisan considerations.

After all these years Frank Weitzel deserves a well-earned rest, but I do not like to think of him as retiring from public service and the affairs of Government. His wealth of experience, his intimate knowledge of the workings of Government, his sharp legal mind which has been honed on many problems requiring Comptroller General rulings, his excellent relationships with the Congress—all these should be brought to bear in a continuing productive career. Frank Weitzel is a seasoned veteran in Government, but you could not tell it from his youthful countenance and his cheerful disposition. He has much to offer, and we all hope that he will be around for a long time.

Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from Illinois (Mr. DAWSON), the gentleman from North Carolina (Mr. FOUNTAIN), the gentleman from California (Mr. MOSS), the gentleman from Florida (Mr. FASCELL), the gentleman from Wisconsin (Mr. REUSS), and the gentleman from Minnesota (Mr. BLATNIK) be allowed to have their remarks on this subject matter follow my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DAWSON. Mr. Speaker, the Committee on Government Operations has legislative jurisdiction over the General Accounting Office. We receive and act upon its reports to Congress, we utilize its services extensively, and we keep a careful eye on its operations.

As chairman of the committee, and as a member of the committee before that, I have known, worked with and relied on Frank H. Weitzel for many years. His wise counsel and advice, his unstinting assistance and his devotion to Congress and to the citizens of the United States have been unsurpassed in my experience and observation. His outstanding ability and his uncommon integrity have been widely acclaimed.

Frank Weitzel's career and his service to his country have been truly remarkable. The details are well-known and I will not discuss them at length here.

What I want to do is express the gratitude of myself and the members of the Committee on Government Operations to Frank Weitzel and to state publicly that we, the Congress, and the Nation will sorely miss his wisdom and his work. I frankly regret the circumstances which make it impossible for him to continue as Assistant Comptroller General. And finally, with the utmost sincerity, all of us wish him well in any venture he may now undertake, and we wish for him and his family the happiness and contentment they so richly deserve.

Mr. FOUNTAIN. Mr. Speaker, I want to associate myself with those who have paid such well-deserved tribute to Frank Weitzel.

Very few men have equaled the many years of service Frank Weitzel has given to the Nation. Even fewer can approach the almost unparalleled contribution he has made to the promotion of efficiency and economy in the operation of the Federal Government.

During the 14 years in which I have been privileged to serve as chairman of the Intergovernmental Relations Subcommittee of the Committee on Government Operations, there have been many occasions on which Frank Weitzel has personally made substantial contributions to the effectiveness of the subcommittee's work.

I want to take this opportunity to express my deep appreciation to Frank Weitzel. Knowing Frank Weitzel, I am confident that his retirement from the General Accounting Office will not mean the end of his dedication to the public interest and that he will continue to advance that cause for many years to come.

Mr. MOSS. Mr. Speaker, on January 17, 1969, Frank Harvey Weitzel completed his 15-year tenure of office as the Assistant Comptroller General of the United States and closed the doors on a career with the U.S. General Accounting Office that spanned more than 45 years. The brilliant career of this extraordinary native of the District of Columbia is, perhaps, unparalleled in the history of any other Government agency.

His remarkable success story with the General Accounting Office started in 1923 at the age of 16 while attending Western High School in the District of Columbia. He started as a part-time messenger; the equivalent of a GS–1. During the next 30 years, prior to his appointment as the Assistant Comptroller General, Mr. Weitzel performed numerous jobs and held a variety of important positions in the GAO. He was instrumental in developing legislation which established policies and procedures for fiscal controls in Government operations. It has been stated by his friends and associates that there was not a job in GAO that Frank could not do—and better than the incumbent.

An exceptionally high IQ, combined with an extraordinary capacity for hard work, accounted for his unusual professional and scholastic accomplishments. He was graduated from Western High School in 1926 with honors and won a scholarship to George Washington University. Employed by the GAO during the day, he attended George Washington University at night and received his bachelor of arts degree in 1931, graduating with "highest distinction" and his bachelor of laws degree from the same university in 1935, graduating with "distinction." In 1956, he received a special award as George Washington University's outstanding alumni of the year. Perhaps the caption under his picture in the high school yearbook best summarizes his scholastic achievements—"The type who gets 100 percent on the Latin test that everyone else flunks."

On October 7, 1953, he was selected by President Eisenhower to be the Assistant Comptroller General of the United States. The selection came as no surprise to his friends and associates and it was heartily applauded in the Halls of Congress.

On October 12, 1953, he took the oath of office, an oath which for the past 15 years he has upheld with incomparable distinction. He is a member of the bar of the U.S. Court of Appeals for the District of Columbia and the Supreme Court of the United States, a member of the Phi Sigma Kappa fraternity, the Phi Delta Phi legal fraternity, and the Order of the Coif Legal Honor Society; a founder and member of the Federal Government Accountants Association, a trustee of the District of Columbia Division of the American Cancer Society, a trustee of the William A. Jump Memorial Foundation, an alumni trustee of George Washington University, the recipient of the Federal Government Accountants Association's award in June 1965 for distinguished leadership in improving financial management in the Government the recipient of the Federal Government Accountants Asssociation's annual author's contest award of merit in June 1965, a renowned public speaker, an elder of the Georgetown Presbyterian Church and a collector of old and rare books and antiques.

I can think of no more appropriate words to summarize the ability, character, integrity and ideals of this extraordinary gentleman than those expressed by Comptroller General Lindsay Warren in commenting on his appointment, for the words have proven throughout our close association during the past 15 years to be as true today as they were then:

> In ability, character and integrity Frank Weitzel is the peer of any man I know. He is a man of lofty character, great integrity, outstanding ability and high ideals. He is fair, patient, steadfast and unafraid. There is no finer example of the career public servant which he has so brilliantly typified. His appointment has thrilled not only the General Accounting Office but the Government as a whole.

Frank Weitzel's dedicated and inspiring service to his country and this community will not be forgotten.

Mr. FASCELL. Mr. Speaker, I would like to express a personal and official tribute to a recent retiree who served the United States with distinction for almost a half century. The Honorable Frank H. Weitzel, retiring as the Assistant Comptroller General of the United States brought great dedication to that office. His guidance and leadership in that enormously important office proved invaluable. For more than 45 years he served with the General Accounting Office, starting in at the ground floor level as a messenger, and rising to the top.

The General Accounting Office, familiarly characterized as the "watchdog" agency, annually audits and supervises the expenditures and receipts of billions of dollars by the executive branch of the Federal Government. More than that, as an arm of the Congress it provides meaningful assistance to the legislative branch's task of overseeing the multitudinous operations of Federal agencies, with a view to maximizing their economy and efficiency.

The Committee on Government Operations, the House's oversight committee, has been particularly fortunate in having Frank Weitzel to call on for assistance over a wide span of years. He could always be counted on to provide it with accurate data, analysis and the benefit of recommendations based upon his vast experience and his capacity for digging into the heart of problem areas.

As chairman of that committee's Legal and Monetary Affairs Subcommittee I want publicly to record and to thank him for the many occasions on which the subcommittee has been the beneficiary of his thorough and conscientious efforts.

When Frank Weitzel was appointed Assistant Comptroller General in 1953, then Comptroller General Lindsay C. Warren applauded President Eisenhower for his selection, saying that the President would "never make a better appointment." That judgment has stood the test of time, for he made that prediction come true by his devotion to duty and effectiveness.

It is with both regret and my best wishes that I note his retirement from the GAO and from public service. The Congress, and we Members, shall miss him.

Mr. REUSS. Mr. Speaker, it has been said that the General Accounting Office and Frank Weitzel grew up together. That is not quite true: The GAO was 2 years old and Frank Weitzel was 16 when he began to work there.

Now, 45 years later, we salute him as he retires from Government service and from his position as Assistant Comptroller General of the United States.

As a member of the House Committee on Government Operations, I have on many occasions worked closely with Frank Weitzel on matters of mutual concern. The high regard which I have for him comes from personal knowledge of his great abilities and dedication to the public interest.

The word "integrity" is used so often that there is always a danger it will sound platitudinous. Yet, I can think of no other word to describe this quality in Frank Weitzel. "Integrity" is a way of life with him. He is a man of unwavering character and real substance.

He has indeed had a distinguished career—starting with his first position as a messenger in the GAO's Claims Division and culminating with his service for 15 years as the Assistant U.S. Comptroller General.

There has to be a reason for this, and I would like to share with you the remark recently made to me by a GAO staff man who has worked with him. "Frank is one of the most pleasant people you would ever want to meet," this gentleman said. "Even when he criticizes a proposed report or letter it is always constructive criticism." And that, to me, tells a great deal about Frank Weitzel and his effectiveness in the GAO.

These exceptional talents have been widely recognized. In 1965, he received the Federal Government Accountants Association's Award for distinguished leadership in improving financial management in the Government. Last year, Comptroller General Staats conferred on him the Comptroller General's Award for "an exemplary career of service to the General Accounting Office, the Congress and the Nation."

Frank Weitzel has been the personification of diligence in his work. He has worked closely with the Comptrollers General and others in improving the quality and efficiency of the GAO's work. Today, the GAO prepares and issues, annually, over 900 audit reports; over 4,000 Comptroller General decisions; and over 700 legislative and legal reports to the Congress. That is a prodigious output—an output that in fiscal year 1968 netted the Government $232.8 million and additional unmeasurable savings resulting from improved Government operations.

It is with a profound sense of gratitude that I say to Frank Weitzel: "Thank you for a job well done; you have served your country honorably, and above and beyond the call of duty."

Mr. BLATNIK. Mr. Speaker, I would like to add my word of tribute to those being expressed for Frank H. Weitzel, Assistant Comptroller General of the United States. I have known him for many years and have been impressed by his dedication to service in the General Accounting Office. He has always given prompt responses to inquiries and requests that we have made of him and we have been aided in many ways.

Frank Weitzel has been a pillar of strength in ferreting out waste and inefficiencies in the vast structure of the Federal Government and bringing these to the attention of the House and Senate. Our Government and the country as a whole have benefited by his great work. He will long be remembered.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. GROSS. Mr Speaker, I would like to be included in the laudatory remarks of the gentleman in connection with the retirement of Frank H. Weitzel.

I concur wholeheartedly in the gentleman's remarks.

Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAHON. Mr. Speaker, I am grateful for this opportunity to join in tribute to one of our very finest career public servants, the Honorable Frank H. Weitzel, who, after some 43 years of continuous Federal service, has retired as Assistant Comptroller General of the United States. I have known something of the man and the high quality of his service to the Congress and in the public interest generally. I regard both highly.

Of unquestioned ability, Frank has served with great energy and fidelity and with high distinction. From a $14 a week messenger back in the 1920's, he rose to become the right-hand man of the Comptroller General.

Frank Weitzel, through his own shining efforts, joined that relatively small but highly select company of men and women who have long served the Nation by serving their Government. He understood Congress and its problems and needs. He knew much about Government generally. He held a deep and abiding respect for Congress as an institution.

Frank Weitzel epitomized excellence in the public service. In the words of the Prophet Isaiah, he lifted up a standard for others—a standard of excellence in public service. One of his shining characteristics is his unimpeachable integrity; it stands out like a red thread in the linen of his life. Of fair and open mind, willing always to listen, he sought to do what was right.

He has been a great force for good in the management and administration of the laws, especially in those relating to fiscal affairs. He had a heavy hand in drafting some of our milestone fiscal legislation.

The General Accounting Office is an agency of the legislative branch. I say without qualification that not only the legislative branch but the entire Government is losing one of its finest officers and advisers in Frank Weitzel. He was our good and always helpful friend.

Mr. McCORMACK. Mr. Speaker, I am greatly pleased to join with other Members of the House in paying tribute to Frank H. Weitzel, Assistant Comptroller General, who is completing his 15-year term of office. Of course, Mr. Weitzel's association with the General Accounting Office goes back many years. He started as a messenger boy in 1923 in the Claims Division. Since 1927 he served in the General Accounting Office without a break until the present time.

In his several capacities, Mr. Weitzel has dealt with legal, organizational, and procedural matters in the Federal Government and has been an expert adviser to the Congress on many legislative problems.

It is heartening to know that in our American democracy men can rise from humble beginnings to places of honor and distinction in the Government of the United States. Frank Weitzel certainly is one of those who, by hard work and dedicated service and willingness to learn and apply himself, has risen to high rank in the public service. He deserves acclaim because the job he has done so long and so well is one which only persons of dedication and integrity can do. He has strived constantly to improve the workings of our democracy, to make Government ever more efficient and honest and able to cope with the great problems of contemporary life.

The General Accounting Office is a unique institution in the annals of American Government. I will not say that Frank Weitzel is a unique individual in the GAO because there are many devoted public servants there. But Mr. Weitzel has practically grown up with the GAO, and when the first half century of its history is written, certainly his part will be set down as a prominent one.

We extend to Mr. Weitzel our best wishes for a long, healthy, and happy life, and know that he will continue to contribute to the welfare of his community, Government, and the Nation.

Mr. MONAGAN. Mr. Speaker, I am delighted today to include my own words of recognition and appreciation for Frank Weitzel's distinguished public service as Assistant Comptroller General of the United States.

In establishing the positions of Comptroller General and Assistant Comptroller General in 1921, the Congress assigned to each a term of 15 years. On January 17 of this year, Frank Weitzel completed his statutory term of office and is retiring after nearly 45 years with the General Accounting Office.

As a member of the Committee on Government Operations, I have special awareness of the scope and effectiveness of GAO's assistance to the Congress. I have found this assistance characterized by the high standard of excellence long traditional with the GAO. Frank Weitzel has made a tremendous contribution to the continuity of this tradition.

He has been widely recognized as one of the outstanding Government officials of our time. His brilliant mind has been matched by diligence and devotion. Attending George Washington University at night, he won, with distinction, both A.B. and law degrees. In 1953, his qualities evoked the recommendation of the then Comptroller General, Lindsay Warren, that he be considered for Assistant Comptroller General. In 1954, the President submitted the nomination and the Senate confirmed it.

Besides acting in the absence or incapacity of the Comptroller General, the Assistant Comptroller General performs such duties as the Comptroller General may assign to him. In carrying out these duties and sharing the enormous workload of the Comptroller General, Frank Weitzel has fully reflected and justified the high confidence which the Comptroller General has reposed in him. Beyond that, his career has been graced by the deep personal regard and esteem in which he is held throughout the GAO. This has come not only from his able service but from the warmth and kindness he showed to officials and employees at every level.

Frank Weitzel, who probably knows as much about the inner workings of our Government as any man, will be sorely missed. From the superb example of dedicated professionalism which his career represents, we can all take inspiration. For it, I am glad to express my gratitude to Frank Weitzel and my good wishes for him in the years to come.

Mr. BOLAND. Mr. Speaker, upon the occasion of the retirement of Frank H. Weitzel, Assistant Comptroller General, I would like to join my colleagues in expressing gratitude and appreciation for the services of this remarkably competent public servant.

To carry out the duties of a position such as his requires a special combination of abilities and attributes not often enough understood. Indeed, Frank H. Weitzel has consistently throughout his long and useful career demonstrated a striking combination of competence, perseverance, and integrity.

His facility to master the plethora of facts, figures, and policy proposals is indicative of a high degree of managerial competence.

Mr. Weitzel has testified many times before a subcommittee on which I serve—the Appropriations Committee's Subcommittee on HUD and Independent Offices. In each case I was impressed with his obvious ability, his command of facts and figures relevant to his testimony, his straightforward manner, his efforts to protect the interests of the American taxpayers and the American Government.

His long years of service, furthermore, are in themselves proof of a determination to see a job through despite the inevitable frustrations and distractions which any worthwhile service can expect to encounter in the process of its successful conclusion.

And finally, and most outstandingly, the integrity of Frank H. Weitzel serves to underscore his ability as a public administrator. His unstinted efforts on behalf of the William A. Jump Memorial Foundation, his association with the Hahnemann Hospital, and his service as trustee of the District of Columbia division of the American Cancer Society testify to his sense of human and civic responsibilities.

A fitting tribute to Frank H. Weitzel is that of former Comptroller General

Lindsay C. Warren upon Mr. Weitzel's appointment as Assistant Comptroller General:

> In ability, character and integrity, Frank Weitzel is the peer of any man I know. His selection will be most pleasing to the Congress and to the Government at large. I am grateful to the President. He will never make a better appointment.

GENERAL LEAVE TO EXTEND

Mr. HOLIFIELD. Mr. Speaker, since the gentleman from Iowa (Mr. GROSS) has made this request, I would also ask unanimous consent that any Member of Congress who knows and appreciates the work that Frank Weitzel has done as a servant of the Congress be allowed also to extend their remarks on his retirement.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

HUNGER IN THE UNITED STATES, PRECISE ACTION IS NEEDED

(Mr. BENNETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENNETT. Mr. Speaker, a small agency within the Department of Health, Education, and Welfare should be created to prevent any people in America from starving to death.

Mr. Speaker, I have reintroduced legislation which I believe will cut through the governmental redtape and bureaucracy which permits children to starve in America.

My bill directs the Secretary of Health, Education, and Welfare to meet the responsibility and challenge of death from hunger in America. It is not designed to meet the total undernourishment problem in the United States as I feel any such broad, new legislation would not pass at this time and probably should not in view of the other pressing priorities on the taxpayers now.

I was deeply shocked and distressed to learn for the first time from the CBS program on hunger last year that some people do, in fact, die of hunger in our affluent and beloved country. There is simply no excuse for this. It happens despite the expenditure of many billions of dollars each year for the relief of poverty. It was at that time I introduced a bill to get at the people who starve to death in America.

It must be because of redtape and lack of precise concentration on the areas of greatest need, for we all know that not everyone on relief in our country lives on anywhere near such a distressing level of existence.

The Government now spends over $1 billion on food programs, including the food stamp program reaching 2.4 million; the family food assistance program to 6.1 million, and the free and partly paid school lunch program going to almost 20 million children.

My legislation puts the responsibility of meeting the hunger problem specifically on the shoulders of the Secretary of Health, Education, and Welfare, with great flexibility and discretion in his hands so that this horrible situation can be eliminated.

The Secretary of Health, Education, and Welfare would create a Commission on Hunger within his department, composed of 10 staff members from the Department. He would be authorized to utilize the facilities and staffs of the health and welfare departments in the States to carry out his duties. He would also provide information and facilities requested and required by persons in low-income families to assist in meeting the problems of overpopulation.

I was pleased to see that former Health, Education, and Welfare Secretary Wilbur Cohen supported my suggestion in his January 10, 1969 statement before the Senate Nutrition Committee, proposing a similar office in the Department. I am hopeful for favorable departmental reports and hearings on my bill.

HOUSING ACT AMENDMENTS

(Mr. BINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BINGHAM. Mr. Speaker, I have today introduced with the support of a number of my colleagues from New York, a bill incorporating six brief amendments to existing housing legislation which are of vital importance to thousands of low- and middle-income residents of New York City and other major metropolitan areas.

In the Housing and Urban Development Act of 1968, the Congress last year significantly broadened the provisions for Federal Government participation in the construction of rental and cooperative housing for families of low and moderate income. The new section 236 added to the National Housing Act, together with the continuing program under section 221(d)(3), seemed to make possible a much-needed acceleration of housing starts in these critical categories. In practice, however, these provisions have not worked as effectively as we might have hoped, particularly in such high-cost urban areas as New York. It might be helpful, Mr. Speaker, if I were to review the amendments which I have today proposed and note how each would contribute to eliminating the obstacles which now beset the 221(d)(3) and 236 programs.

The first two sections of my proposed bill both deal with the problem posed by spiraling construction costs. Section 1 would raise the maximum size of the mortgage which may be insured under these two programs from the present limit of $12,500,000 to $30,000,000. Under the existing limitation, any project planned in New York with more than about 500 apartments must be divided into sections and separately mortgaged, with each mortgage separately meeting the terms and criteria established by the Federal Housing Administration. The resulting administrative tangles are monumental. How do you divide structures which provide commercial rent? Which half of the project bears the cost of garages or unusual site work? Other FHA programs provide for much higher limits, ranging from $20,000,000 to $50,000,000, and New York City presently has designated sponsors in several urban renewal areas for projects in excess of 500 units. Thus, it is essential that the mortgage limit for the 221(d)(3) and 236 programs be revised upward to a more realistic level of $30,000,000, so that rising costs need not be accommodated by shrinking apartments nor critically needed housing be delayed by procedural difficulties.

The second section of the draft bill would take further account of soaring costs by raising the statutory limit on per-unit costs in housing insured under the 221(d)(3) and 236 programs. At present, the law provides that the stated maximum per-unit costs may be exceeded by 45 percent in high-cost areas so designated by the FHA. In New York, where construction costs have been rising an estimated 7 percent annually, these limits have become unrealistic for high-rise fireproof construction. They permit, in effect, only six-story, semifireproof, nonunion buildings without parking. In most areas of the city, however, we are dealing with reconstruction of densely populated urban renewal areas whose residents wish to see as many apartments replaced as are demolished. Thus, upward revision of the statutory limit on per-unit costs is necessary if the program is not to be choked off in the higher cost urban areas.

The next three sections of the measure I have proposed deal more directly with the people who live in section 236 projects—or who would likely to if the program could be made more appealing. The range of available tenants under existing statutes proved to be unduly narrow. Maximum incomes for prospective tenants are rigidly fixed in the law, and only a small percentage of these tenants may have incomes exceeding public housing maximums even by 35 percent. Since the minimum income is, in effect, whatever is required to sustain the carrying charges, the minimum has gone up along with rising costs and is now far too close to the statutory maximum to permit ready marketing of apartments in section 236 projects. This has been true particularly for the larger units, since families with three or four children cannot pay 25 percent of their income for housing as the law requires. I have thus proposed, in section 3 of my draft bill, to institute a sliding scale which would reduce the percentage of income which larger families must pay for apartments in projects insured under section 236.

I have also proposed, in the fourth section of the bill, to remove from section 236 its present rigid specifications as to maximum income limits. Instead, authority would be given to the Secretary of Housing and Urban Development to set these limits by administrative action, according preference, as at present, to families with incomes within the lowest practicable limits. And in section 5 of the bill, I have proposed to eliminate the present limit of 20 percent on the number of units in a section 236 project for which rent supplements may be paid. The existing limitation, embodied in the Housing and Urban Development Act of 1965, has had both economic and social effects. By eliminating poorer people from the housing, it has further narrowed the range of potential tenants. At the same time, it has prevented many of the poorer residents of urban renewal sites from participating in the housing developments which displace them. Thus, this restriction has proved both unwise and unjust, and should now be dropped.

Mr. Speaker, these three amendments, in combination, would provide the section 236 program with needed flexibility to attract a wider range of potential tenants and thus greatly increase the marketability and overall value of the program.

My final proposal, Mr. Speaker, would provide for the extension of the special assistance program under section 305 of the National Housing Act which has been so important in maintaining the impetus of the 221(d)(3) program. The Housing and Urban Development Act of 1968 authorized a 1-year extension of this special assistance program, largely in order to give the new section 236 program time to begin functioning properly. Our experience thus far suggests, however, that the 221(d)(3) and 236 programs are quite distinct. Most community groups in New York, for example, who are advised of both programs and in fact have a choice of housing reject the 236 program as infeasible in its present form. While the other amendments I have proposed would relax some of the rigid requirements of the 236 program which now limit its appeal, I believe it is essential that special assistance remain available to the 221(d)(3) program for at least another year while evaluation of the 236 program continues. Thus, section 6 of my bill would authorize a further 1-year extension of the special assistance program under section 305 at the same level as has already been authorized for the coming fiscal year.

Mr. Speaker, I hope that this bill will receive the urgent and sympathetic consideration of my colleagues in the House. The housing needs of urban America are indeed desperate, and only if existing programs are made to work with maximum effectiveness can we hope to meet responsibilities in this area.

HOUSING ACT AMENDMENTS

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, the National Housing Act, and in particular sections 221(d)(3) and 236, while intended to provide dramatic assistance in the creation of new housing, has proven to be of the least help to the major urban areas where in fact the need is greatest.

The programs under these sections, because of built-in restrictions, have had very little impact on the city of New York, where there are now over 800,000 substandard housing units out of approximately 2½ million units. Those nonprofit organizations and churches which have sought to build housing in Manhattan have been frustrated. To meet the particular needs of Manhattan and the city of New York, and so as to interest these nonprofit groups once again to enter the housing field, I have joined with nine urban Congressmen from the city of New York to introduce amendments to the Housing Act. Those amendments which would affect the city of New York most particularly are:

First, to raise the mortgage limits of projects to more realistic levels and provide for higher per unit apartment costs; and

Second, broaden the range of eligible tenants, in particular making eligible the larger families, by reducing the maximum income limits and the percentage of income required to be paid as rent, and having these requirements made a matter of administrative regulation rather than fixed by law.

Shelter is a basic need which clearly has not and apparently cannot be met by private enterprise alone. There must be assistance on every governmental level to deal with the high cost of housing and limit the ever-spiraling rent increases which are taking place in the city of New York. If these amendments are enacted into law, they should have some impact on this horrendous problem.

LEGISLATION TO REPEAL THE COMMISSION ON EXECUTIVE, LEGISLATIVE, AND JUDICIAL SALARIES

(Mr. ROGERS of Florida asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing legislation which would repeal the Commission on Executive, Legislative, and Judicial Salaries.

This Commission, established by Public Law 90-206 which was approved December 16, 1967, is required to make recommendations to the President, at 4-year intervals, on the rates of pay for Senators, Representatives, Federal judges, Cabinet officers and other agency heads, and certain other officials in the executive, legislative, and judicial branches.

This basic purpose of the Commission is, Mr. Speaker, perhaps necessary and I would give the benefit of the doubt to the need for such a body to make such recommendations.

However, I take serious issue with the procedure by which such recommendations of the Commission become law.

The law requires that the President, in his budget following receipt of the Commission report, set forth his recommendations with respect to the exact rates of pay he deems advisable for those offices and positions covered by the law.

The President's recommendations become effective 30 days following transmittal of the budget, unless in the meantime other rates have been enacted by law or at least one House of Congress has enacted legislation which specifically disapproves of all or part of the recommendations.

I challenge the wisdom of this procedure, and, indeed, joined with the gentleman from Iowa (Mr. GROSS) and eight others in the introduction of resolutions to disagree to the recommendation of the Commission as submitted by the President.

As we have seen, this resolution was not reported by the Committee on Rules, and I think that it is unfortunate that the American people whom we represent and who pay our salaries could not be accorded the simple respect of a rollcall vote on this important matter as was done in the Senate.

Therefore, I am also introducing a resolution today which would amend rule XXI of the rules of the House to provide that no bill or resolution making an appropriation shall be passed without a yea-and-nay vote.

I introduced a similar resolution in the 90th Congress, and I am hopeful that my colleagues will recognize the wisdom and propriety in the adoption of such a resolution.

I might remind my colleagues that clause 1, section 6, article I of the U.S. Constitution provides as follows:

> The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.

I doubt, Mr. Speaker, whether the Founding Fathers envisioned that the definition of "law" in that section of the Constitution would include a commission to recommend salaries and that the recommendation of the Commission, through the President, would become fact without a vote in both Houses of Congress.

MEETING THE PROBLEM OF OIL POLLUTION

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, I am today joining with my distinguished colleague from Maryland, the chairman of the Committee on Merchant Marine and Fisheries (Mr. GARMATZ), in the introduction of legislation to meet the menace of oil pollution which at this very hour is destroying fish and wildlife off the coast of California, and is damaging the beach of the Santa Barbara area.

This legislation, the Oil Pollution Act of 1969, is desperately needed to prevent the disasters which have become all too frequent in recent years. There was the *Torrey Canyon* disaster in March of 1967 which, although not in American waters, brought the seriousness of this matter to the world's attention. Then, in March of 1968, the *Ocean Eagle* broke up in the entrance to San Juan Harbor causing extensive damage to the beaches there.

This legislation would amend the Fish and Wildlife Coordination Act to require anyone who wishes to drill or otherwise prospect for, or mine, extract, or dispose of, any oil or gas which is located beneath any navigable water of the United States to obtain, and have at all times, a valid permit for such operation from the Secretary of the Interior.

This permit would be issued after notice and public hearing in order to determine that the proposed operation will not result in any damage to or loss of any wildlife or in the pollution of any navigable water of the United States.

HIGHER EDUCATION BILL OF RIGHTS

(Mr. REID of New York asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. REID of New York. Mr. Speaker, I am introducing today two bills comprising the higher education bill of rights which implement many of the recommendations of the Carnegie Commission on the Future of Higher Education, chaired by Dr. Clark Kerr. These bills are being cosponsored by my able colleague, the gentleman from Indiana (Mr. BRADEMAS).

The report and this legislation rest on the principle that the improvement of higher education is a national goal, deserving of the highest priority on the national agenda. We conceive of our universities serving the needs of the Nation as we move forward, with both the academic community and the country as a whole committed to an involved society, pledged to seek peace abroad and lasting solutions to our domestic crises.

> None of our deepest national problems can be solved without the human resources and knowledge made available by higher education—

Noted the report of the Association of American Universities entitled "The Federal Financing of Higher Education"—

> The importance to a nation of our kind of a broad, diversified, vigorous, and growing system of higher education is fundamental.

The purpose of our bills is to provide equal access to the education of their choice for all qualified Americans while maintaining a high standard of academic excellence.

This legislation seeks to place before the Congress some of the essential elements of a cohesive and farsighted policy for American higher education. During this session of the Congress, the Education and Labor Committee in the House and the Labor and Public Welfare Committee in the Senate will be holding hearings on various aspects of higher education. I hope that our bills will serve as possible benchmarks in a thoughtful dialogue among the universities, the Congress, and the executive branch.

The first year of operation for programs established under this legislation is 1971. This is lead time provided for planning, not procrastination. We cannot afford to wait until the war in Vietnam is over to begin planning to meet the needs of higher education. We must provide adequate resources now and more substantial funds later for these crucial programs.

Also, a related item of serious concern is our existing draft policy. Pending enactment of legislation reforming the draft and limiting exposure to 1 year, action by Executive order is essential to change the unfair and inconsistent regulations presently governing the Selective Service System; otherwise we will have few young men in a position to benefit from the college and graduate programs this legislation proposes.

While the Kerr report concentrates on the next 5 years when higher education will face urgent and immediate problems, former President Johnson called for a "long-range plan for the support of higher education in America" in his 1968 state of the Union message.

John Gardner, then Secretary of Health, Education, and Welfare, established an advisory committee, chaired by Dr. Alice Rivlin, Assistant Secretary for Planning and Evaluation, pursuant to that request. The Rivlin report, though differing in emphasis and certain particulars from the Carnegie report, also stresses the need for a coherent national design expanding Federal support of higher education.

What is the plight of the universities that requires a Federal commitment of a new order of magnitude? Their financial difficulties stem from two factors: increasing enrollment and rising costs. Together, the pressures of rising student enrollments and greater expenditures are beginning to outpace our ability to provide education of excellence to all students.

A century ago, enrollment in institutions of higher learning in our Nation was only about 50,000 students. Today's enrollment is almost 6 million students on a full-time equivalent basis. More than half of this growth took place in the period from 1958 to 1967. Two percent of young Americans entered college 100 years ago. Today, the figure is over 40 percent.

Estimates indicate that by 1976, if we are to make a higher education possible for all Americans, the Nation's colleges and universities and those responsible for their financial support must provide new facilities for 3 million additional students—or a total of 8 to 9 million students by 1976.

These figures, however impressive, are deceptive. In education, as in many aspects of increasing American affluence, the gap between the poor and the majority of the American people is not being narrowed. For example, only 7 percent of those now attending college come from families in the Nation's lowest family income quartile. Almost half of the undergraduate college students today are from families with incomes in the highest quartile. Statistics indicate that in the highest socioeconomic quartile, 19 out of 20 students in the top fifth ability grouping attend college within 5 years after high school graduation. Yet only 10 out of 20 students of equal ability from the lowest socioeconomic quartile make it to college.

Financial problems, however, are by no means limited to lower income families. Students from families in the $15,000 to $20,000 range frequently encounter insurmountable obstacles in seeking loans and are generally very limited in their eligibility for scholarships. Yet if they have one or several brothers or sisters in colleges, or if their parents face large medical bills or other accumulated debts, these students may often find it impossible to go to college. Regardless of the family income, financial circumstances often result in no higher education for their children. In my judgment, legislation must deal meaningfully with the problems facing middle-income families.

In terms of rising costs, total institutional expenditures for higher education climbed from $5.2 billion in 1957–58 to about $17.2 billion in 1967–68, an increase of 231 percent. It is estimated that expenditures of higher education institutions will total about $41 billion in 1976–77 for a projected enrollment of 9 million students. New construction of $2 billion annually for the next 10 years is needed. New technologies, new areas of study, new and expanded interdisciplinary programs all cost appreciably more than the traditional forms of instruction.

In addition, the larger number of disadvantaged students entering college will mean that special facilities and instruction must be made available to assist in their adjustment to college training and to insure their success. These added expenditures increase the total instructional cost per student and widen the gap between tuition payments and what the college must actually spend to educate a student.

Our present Federal student aid programs—NDEA and guaranteed loans, work-study and educational opportunity grants—provide financial assistance for only 1.8 million undergraduates this fiscal year, and our graduate fellowship program in all Government agencies reached only 94,000 students. For aid to students and institutions, the Federal Government is spending only $4 billion in the current fiscal year, a sum less in the aggregate than that spent for the highway program and that spent for farm price supports.

The Rivlin report indicates that all institutions, both public and private, obtain about one-fifth of their income from tuition and fees, one-fifth from the Federal Government, and one-fifth from State governments. Endowment income and private giving account for about 7½ percent. In private institutions alone, 34 percent of income comes from tuition and fees, 24 percent from the Federal Government, 1½ percent from State governments, and 14½ percent from endowment and private philanthropy.

To raise fees further may mean that these colleges will gradually cease to be accessible to students of ability regardless of their family income. Public universities, similarly, wish to preserve the tradition of quality education at a very low cost to the student. Greater support from alumni, business and others in the private sector is essential both to the financial stability of colleges and to the maintenance of a sound relationship based on our private enterprise system, but it is not expected to change substantially as a percentage of university income.

Therefore, it is clear that rising expenditures mean that the Federal Government's contribution of 20 to 25 percent of income must increase to one-third of university income if institutions of higher learning are to maintain quality and serve larger student bodies. To meet the needs of some 3 million additional students in the next 5 to 6 years will require a national commitment of a wholly new order. The Carnegie Commission estimates that Federal expenditures for education will have to rise by about $10 billion initially and ultimately by about $70 billion. This represents about one-seventh of the projected additional Federal revenues over the next several years.

The major bill that we are introducing would reach some 3.6 million students in fiscal 1971, growing to 5.8 million in 1977. This would be at an initial cost, including institutional assistance and funds for added construction and for new urban colleges, of $5.1 billion in 1971 and $9.2 billion in 1977. In addition, 8,000 to 11,000 medical students would be offered increased scholarship assistance through one aspect of the second bill, which totals $443 million in 1971 and $471 million in 1977. Further, 20 new medical schools would be established to graduate 2,000 additional doctors annually, starting in 1978.

The first table compares present expenditures and students aided with proposals contained in our bill and gives an overall cost summary of the proposals, and the second table summarizes the medical school provisions:

SUMMARY OF COST AND STUDENTS ASSISTED

[Dollar amounts in millions]

	Existing fiscal year 1969		Fiscal year 1971		Fiscal year 1972		Fiscal year 1973	
	Expenditure	Number of students	Expenditure	Number of students	Expenditure	Number of students	Expenditure	Number of students
Educational opportunity grants	$133.6	258,200	$1,300	2,192,000	$1,400	2,316,000	$1,500	2,583,000
Work-study	146.0	375,000	689	1,378,000	727	1,454,000	816	1,632,000
Supplementary matching	(1)	(1)	200	(2)	250	(2)	300	(2)
Scholarship grants to institutions	(1)	(1)	130	(3)	140	(3)	150	(3)
Cost of education supplements	(1)	(1)	1,700		1,900		2,100	
Graduate fellowships	70.0	[4] 15,000	112	14,000	232	29,000	360	45,000
NDEA loans	[5] (267.1)	[5] (450,000)	(6)	(6)	(6)	(6)	(6)	(6)
Guaranteed loans	[5] (641.2)	[5] (750,000)	(6)	(6)	(6)	(6)	(6)	(6)
Research override	(1)	(1)	182		209		238	
Improvement of undergraduate instruction	(1)	(1)	50		50		50	
Academic construction loans	400.0		530		690		830	
Startup grants for Junior plus urban colleges	(1)	(1)	200		200		200	
Total	749.6	648,200	5,093	3,584,000	5,798	3,799,000	6,544	4,260,000

	Fiscal year 1974		Fiscal year 1975		Fiscal year 1976		Fiscal year 1977	
	Expenditure	Number of students	Expenditure	Number of students	Expenditure	Number of students	Expenditure	Number of students
Educational opportunity grants	$1,600	2,886,000	$1,700	3,184,000	$1,800	3,456,000	$1,900	3,588,000
Work-study	906	1,812,000	990	1,880,000	1,073	2,146,000	1,101	2,202,000
Supplementary matching	350	(2)	400	(2)	450	(2)	500	(2)
Scholarship grants to institutions	160	(3)	170	(3)	180	(3)	190	(3)
Cost of education supplements	2,700		3,000		3,400		3,900	
Graduate fellowships	448	56,000	528	66,000	560	70,000	584	73,000
NDEA loans	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Guaranteed loans	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Research override	269		302		335		368	
Improvement of undergraduate instruction	50		50		50		50	
Academic construction loans	880		890		910		610	
Startup grants for junior and urban colleges	100		100		100			
Total	7,463	4,754,000	8,130	5,130,000	8,858	5,672,000	9,203	5,863,000

[1] Does not presently exist.
[2] Same as EOG.
[3] At discretion of colleges.
[4] Title IV NDEA.
[5] Not included in total.
[6] No projections available; depends on budgetary situation.

MEDICAL EDUCATION ASSISTANCE

[Dollar amounts in millions]

	Fiscal year 1971		Fiscal year 1972		Fiscal year 1973		Fiscal year 1974		Fiscal year 1975		Fiscal year 1976		Fiscal year 1977	
	Authorized	Number of students	Authorized	Number of students	Authorized	Number of students	Authorized	Number of students	Authorized	Number of students	Authorized	Number of students	Authorized	Number of students
Scholarships	$29	8,200	$31	8,800	$32	9,100	$34	9,700	$36	10,200	$38	10,800	$40	11,100
Institutional payments	232		247		264		282		301		323		345	
100 percent Federal share of construction	142		144		148		152		156		80		86	
Startup grants for 20 new medical schools	40		40		40		40	[1] 400	40	[1] 800	0	[1] 1,200	0	[1] 1,600
Total	443		462		484		508		533		441		471	

[1] New doctors; a total of 2,000 annually starting in 1978.

Our principal bill contains the following elements:

First. The educational opportunity grant program of title IV–A of the Higher Education Act would be expanded to provide assistance to "qualified individuals who need financial assistance to obtain" the benefits of higher education, instead of the present "exceptional financial need" requirement. It is estimated that about 2.2 million grants would be made in 1971 and 3.6 million in 1977, in contrast to the 258,000 available in the current fiscal year. For the first time, Federal scholarships would be available to students from middle-income families as the program is expected to reach about the lower three-fifths of the income range.

Grants would also be extended to students for 2 years of graduate work. Stipends would depend on need, with upper limits established for students in each stage of their course of study. The operation of the program would be changed to provide direct applications for these grants by the student to the Commissioner of Education who would determine the amount to which the student is entitled.

This procedure would in no way interfere with the student's choice of college and would, in fact, make his selection less dependent on the financial aid that a particular college could offer him.

Second. A new program of Federal scholarship grants to institutions is proposed under which each institution would receive an amount equal to 10 percent of the total sum of educational opportunity grants held by students at that institution. Colleges could use these funds to award scholarships to any student in need, according to their own criteria. Again, it is intended that these funds will enable the college to make scholarship aid available to students from middle-income families.

Third. A new program of supplementary matching grants would be established to match any non-Federal grants received by a recipient of an EOG. No student would receive more than one-half the amount of his original EOG. These incentive awards will have the beneficial effect of encouraging more private scholarship contributions.

Fourth. The work-study program is amended by increasing the authorizations, as indicated on the chart, so that three and a half times the present number of students can participate.

Fifth. Cost of education supplements are provided for each institution attended by a recipient of an EOG, in varying amounts starting in 1971 with $525 for a lower division undergraduate, $700 for an upper division undergraduate, and $1,050 for a first- or second-year graduate student. These amounts would increase in stages to $700, $900, and $1,500, respectively, by 1976–77.

There is considerable feeling among educators and educational administrators—including those at land-grant and private universities—that institutional grants should be made by the Federal Government on a broader basis, beyond being tied to the number of recipients of other forms of aid. I believe in the main that this is a sound idea and one that may prove to be a very important element in any package of proposals that seeks to rescue postsecondary education from its financial difficulties. This is especially necessary on the university level, where graduate departments, often with expensive equipment and technologies, consume a large amount of academic budgets. The problem is that agreement is yet to be reached on the formula for making such grants; several have been proposed and I hope that this subject will be given closer study in the very near future.

Sixth. Title IV of the NDEA is amended to establish an expanded graduate fellowship program. Instead of the present 7,500 first-year fellowships, 14,000 would be awarded in 1971; 15,000 in 1972; 16,000 in 1973; 18,000 in 1974; and 20,000 in each of 1975, 1976, and 1977. The total number of students supported in each year would, of course, be considerably larger as the program would enable a student to receive a fellowship for up to 5 years—the 3 years presently in the law plus 2 additional years recommended by the Kerr report for work on a dissertation. Payments made to the institution would be raised from $3,500 to $5,000 per fellowship student.

Half of the fellowships would be awarded by national competition, on the basis of ability rather than financial need, and the other half would be awarded to universities for deserving graduate programs.

In particular, the bill requires that special emphasis be given to encouraging study of the humanities and social sciences. Decisions of the past decade have frequently not reflected the values and sense of judgment that knowledge of the humanities can provide. Ample voices are raised on behalf of the military-industrial complex, yet the character and quality of our judgment in Government may well depend on giving increased emphasis to the humanities in the coming years. Indeed it is abundantly clear that thoughtful, far-reaching decisions in Government would benefit from a more solid foundation in the humanities.

One effect of this method of allocating fellowships would be to strengthen particular graduate departments at particular institutions. I believe that this is important in light of the fact that the 42 members of the Association of American Universities award 52 percent of the graduate and professional degrees and 75 percent of the Ph. D. degrees granted in the United States each year.

Prof. John Perry Miller, dean of the Yale Graduate School, has commented that—

> Title IV has suffered in comparison with N.S.F. and N.I.H. by not having a national competition in which departments and universities are judged publicly by the potential students' choice of schools, and the undergraduate colleges judged by the success of their students in winning in the national competition. This is an important innovation—one way of rewarding excellence.

Seventh. Authorizations for loans for academic construction will be increased from the present $400 to $530 million in fiscal year 1971 and $890 million in fiscal 1975.

Eighth. A new program of startup grants for new public community colleges and 4-year colleges located in urban areas would be established by our bills. The Commissioner would be authorized to make grants for up to 80 percent of the planning and non-construction costs of these new institutions, but not to exceed $10 million per institution. It is expected that the grants will more likely average $1 million per institution. These funds will help meet the much greater costs of, among other things, land acquisition, site clearance, renovation of buildings, that pertain in major metropolitan areas, and, in so doing, recognize the importance of institutions of higher learning located in the very inner city communities whose residents they will serve. It is estimated that 500 community colleges and 50 urban 4-year colleges should be established by 1976.

Ninth. Both the Carnegie and Rivlin reports recommend a research override or sustaining grant, amounting to 10 percent of total Federal research grants to each university. Our bill provides that institutions may use these funds for unrestricted research or teaching purposes. It is expected that this provision will make it easier to obtain funding for smaller projects and planning projects, as well as for research by younger faculty members.

Federal support for university research has fallen off sharply since 1962, following a 25-percent annual increase for the preceding 6 years. The Carnegie Commission feels that it is important that the pace once again be stepped up, from the $1.5 billion in Federal support in 1968 to $2 billion in 1971 and $4.05 billion in 1976. This, however, presents a practical problem inasmuch as Federal research grants are spread over more than 40 different pieces of legislation and agencies. While this may be a satisfactory method of review and determination of proposals, careful study is needed to ascertain the best way of raising the level of support in this complex of programs. I would hope that such a study will be undertaken both in the Congress and in the executive without further delay.

Tenth. Pursuant to a recommendation in the Rivlin report, a new project-grant program to support experiments to improve the quality of undergraduate teaching and to devise new instructional programs is established. It is hoped that applications for these grants will be reviewed at the Federal level by experts in the field as well as selected student representatives. The projects contemplated include strengthening undergraduate faculties, addition of new programs to curriculums, acquisition of materials and equipment needed for particular instructional projects, and cooperation with other institutions. Ideally, this new program should concentrate on fields not now covered by other Federal agencies or on fields that cut across disciplinary lines, such as the humanities.

Eleventh. The Commissioner is directed to conduct a study of the feasibility of establishing and implementing a plan for a self-sustaining national student loan bank. This study will include consideration of the various alternative proposals made in this connection and will, hopefully, result in a plan that would make the availability of loans less dependent on the commercial money market and less of an economic burden to the borrower once his education is completed. It is well to remember that there is a certain reluctance among families to take on additional debts even if there is a possibility of forgiveness.

Both the Carnegie and Rivlin reports base much of their student assistance plans on relatively easy access to loans in order to enable a student to attend the college of his choice, rather than the least expensive or the one at which he can obtain the greatest scholarship support.

Twelfth. Pursuant to a recommendation in the Rivlin report, the Commissioner is also directed to make a study of the desirability of legislation consolidating various categorical programs of support for higher education. The intention of this provision is to provide greater flexibility to institutions to meet their most critical needs.

The second bill makes four changes in programs affecting medical education:

First. In addition to scholarship programs existing under the Health Professions Educational Assistance Amendments of 1965, our bill proposes 4-year stipends of $3,500 annually to medical students, based on need. It is expected that at least 8,200 students in medical schools will be assisted by this provision in the first year and at least 11,000 in the last. This is between a fourth and a fifth of expected enrollment.

Second. Beyond the institutional grants available to medical schools under the Health Manpower Act of 1968, my bill would establish additional institutional payments to schools of medicine based on a formula which includes $4,000 for each student working toward the M.D., $2,000 for each student above the 1966 enrollment, and $2,250 for each resident and intern.

Third. The construction grant program of the Health Professions Educational Assistance Act of 1963 would be amended so that the Federal Government would pay 100 percent of the costs incurred by medical schools under this program, instead of the present 66⅔ percent.

Fourth. In order to encourage the establishment of four new medical schools in each of the next 5 years, my bill authorizes start-up grants to meet the initial nonconstruction costs of, for example, planning and land acquisition. Such grants could not exceed $10 million per institution.

The 20 new medical schools called for in this bill contrast sharply with the 12 new institutions opened between 1964 and 1968. Some 2,000 doctors a year are expected to be graduated from these 20 schools starting in 1978.

Medical education is the only discipline singled out by the Carnegie report for special consideration. The reasons are several. First, the Department of Health, Education, and Welfare estimates that we need 52,000 more physicians right now and that by 1976 we will still need 41,000. Even if our medical schools will be turning out 10,000 graduates a year by 1976, this is slow progress, considering the need. Second, this branch of higher education has financial problems that distinguish it from other graduate programs. Medical schools face extremely high costs in terms of more expensive equipment and facilities. In this respect, they are a severe drain on the resources of the universities with which they are associated.

Finally, I should like to bring to the attention of my colleagues the names of the members of these two distinguished panels of educators and leading public figures who have made these farsighted recommendations for higher education. The Carnegie Commission consists of Ralph M. Besse, chairman of the board, Cleveland Electric Illuminating Co.; Joseph P. Cosand, president, the Junior College District of St. Louis; William Friday, president of the University of North Carolina; David D. Henry, president of the University of Illinois; Rev. Theodore M. Hesburgh, president of the University of Notre Dame; Carl Kaysen, director of the Institute for Advanced Study at Princeton; Katharine E. McBride, president of Bryn Mawr College; James A Perkins, president of Cornell University; Clifton W. Phalen, chairman of the executive committee, Marine Midland Banks; Nathan M. Pusey, president of Harvard University; David Riesman, professor of social sciences at Harvard; the Honorable William Scranton; and Norton Simon, president of Hunt Food and Industries, Inc.

The advisory committee preparing the report to the President, "Toward a Long-Range Plan for Federal Financial Support for Higher Education," included Lynn M. Bartlett, Assistant Secretary of Health, Education, and Welfare for Education; William Carey, Assistant Director, Human Resources, Bureau of the Budget; Leland J. Haworth, Director, National Science Foundation; Donald F. Hornig, special assistant to the President for science and technology; Harold Howe II, Commissioner of Education; Barnaby C. Keeney, Chairman, National Endowment for the Humanities; Philip R. Lee, Assistant Secretary of Health, Education, and Welfare for Health and Scientific Affairs; and Robert Q. Marston, Director, National Institutes of Health.

In summary, it is imperative that we in the Congress begin to meet the higher education goals of this Nation now. To delay, we have learned, means either that we do not act at all or that we act when our chance of effectiveness is diminished. The quality of our civilization to come will depend on this Congress recognizing its responsibilities. Enactment of a program for higher education is one of these obligations and we must fulfill it.

THE HIGHER EDUCATION BILL OF RIGHTS

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, I am pleased today to join my distinguished colleague, the gentleman from New York (Mr. Reid) in introducing the higher education bill of rights, which authorizes a 7-year program designed to meet the burgeoning needs of American colleges and universities.

Mr. Speaker, as the gentleman from New York (Mr. Reid) has noted in his statement to the House, this legislation reflects the recommendations of the Carnegie Commission on the Future of Higher Education, headed by Dr. Clark Kerr, former president of the University of California. The commission's report, "Quality and Equality: New Levels of Federal Responsibility for Higher Education," issued last November, is a balanced and informed effort to define a national policy for higher education. The report provides the basis for most of the provisions contained in the measures we have introduced.

WIDE SPECTRUM OF VIEWS IN CARNEGIE REPORT

Mr. Speaker, I want to point out that in shaping its recommendations, the Carnegie Commission has drawn upon the widest possible spectrum of advice and opinions. The commission has sought the views of scholars, students, college administrators, trustees, and alumni, as well as leaders in business, government, and educational organizations.

Moreover, the commission itself, made up of 15 distinguished Americans, includes representatives of all types of institutions of higher education—public, private, land-grant, and junior colleges. One member, I should like to note, hails from my own congressional district in Indiana, Rev. Theodore M. Hesburgh, C.S.C., president of the University of Notre Dame and one of the most distinguished leaders in American life.

QUALITY AND EQUALITY

The Carnegie Commission report and the legislation we now propose focus on two essential goals for American higher education in the years just ahead: quality of result and equality of access. In the words of the Carnegie report:

> Our colleges and universities must maintain and strengthen academic quality if our intellectual resources are to prove equal to the challenges of contemporary society. At the same time, the nation's campuses must act energetically and even aggressively to open new channels to equality of educational opportunity.

To achieve these aims, it is clear that the Federal Government is going to have to assume an increasing level of responsibility for supporting higher education.

The Federal Government, of course, already makes significant contributions to financing higher education in our country. Indeed, in the past 10 years we have witnessed a remarkable growth in both the amount and kinds of Federal aid to colleges and universities. Since the National Defense Education Act of 1958, the last five Congresses have voted funds for research, preparation of teachers, construction of facilities, student aid, community service, and adult education.

The total Federal investment in higher education has expanded from a little over $1.1 billion in 1958 to an estimated $94.5 billion in the current fiscal year—or about 23 percent of all support for higher education.

FINANCIAL STRAIN ON COLLEGES AND UNIVERSITIES

In spite of this substantial Federal investment, however, there are indications from many quarters today that the financial strain on colleges and universities is increasing at an unprecedented rate. Mounting enrollment presssures; an expanded volume of research activity; a widening commitment to public service functions outside the university; the sharp rise in graduate and professional education as well as many other new demands on the colleges and universities have contributed to steep increases in expenditures. Income from endowments and gifts, income from tuition and fees, and income from State and local government sources are simply not providing adequate resources to meet these needs.

College and university administrators by necessity, therefore, are looking to the Federal Government to shoulder a greater share of the financial burden of higher education. Last year, for example, the American Association of Universities, representing 42 major universities, declared that the Nation's system of higher learning faces "a severe and worsening fiscal crisis, and whether it can in fact do what is needed will depend on increased financial assistance from all available sources, but especially and particularly from the Federal Government." The association appealed for Federal support for all types of institutions, warning that without such support the widening gap between institutional income and expenditures would pose a "threat to the nature and vitality of American higher education."

THE NECESSARY FEDERAL COMMITMENT

The proposed higher education bill of rights seeks to provide the Federal financial commitment to higher education that will be necessary in the coming decade. It authorizes programs for both underwriting student costs through greatly expanded grant assistance and providing supplemental support to institutions. In addition, a separate bill authorizes expanded assistance for medical education.

Mr. Speaker, my colleague from New York has discussed in detail the specific provisions of the bills, and I shall not repeat this analysis here. I should like only to say that I hope all Members will give close consideration to these proposed measures in the months ahead.

I hope, moreover, that the legislation we introduce today will serve as the starting point for a wide discussion, both in and out of Government, on the ele-

ments of a broad-gaged, coordinated, national policy for higher education.

Mr. Speaker, I want to insert at this point in the RECORD the text of the Carnegie Commission report, "Quality and Equality: New Levels of Federal Responsibility for Higher Education":

QUALITY AND EQUALITY: NEW LEVELS OF FEDERAL RESPONSIBILITY FOR HIGHER EDUCATION

(A special report and recommendations by the Carnegie Commission on Higher Education, December 1968)

(*We should like to emphasize that the proposals made in this Report are specifically intended for the short-run period ahead, when higher education and the nation face urgent and immediate problems. The Carnegie Commission has sought to build upon the best features of existing programs and to recommend forms of aid which can be revised or replaced at any time, with the minimum of disruption to long-range planning, as better solutions are evolved through experience and research. Longer-run answers may ultimately be found in different kinds of support programs, and through innovations in educational structure, curriculum, and technology. But we cannot afford to defer the meeting of important national needs for academic quality and the extension of equality of opportunity while we continue our search for the long-run answers.*)

FOREWORD

In early 1967 the Carnegie Foundation for the Advancement of Teaching created a 15-member Commission on Higher Education to examine and make recommendations regarding the many vital issues facing higher education in the United States as we approach the year 2000. The Carnegie Foundation made clear to the Commission that it was not being asked to speak for higher education but rather about higher education and its needs and contributions in relation to the nation's social concerns and purposes.

The Commission then mapped out these major areas of higher education for study and investigation: structure, function, and governance; innovation and change; demand, resources, and expenditures; and efficiency in the use of resources. Research projects have already been initiated in several of these areas, and studies being conducted elsewhere are under review. The Commission will issue a final report containing its findings and recommendations at the conclusion of its activities several years from now.

Because of the urgency of some problems in the sphere of higher education and the need for early action, the Commission has decided to issue special reports on such topics as soon as data are available to indicate desirable short-run measures and the Commission has had the opportunity to clarify its views and to develop specific recommendations.

This Report, *Quality and Equality: New Levels of Federal Responsibility for Higher Education,* is the first in the series. The Commission hopes that it will prove useful and persuasive to those members of the 1969 Congress of the United States and of the executive branch who have key responsibilities in the area of higher education.

The recommendations in this Report are supported by all the present members of the Carnegie Commission on Higher Education. Although individual members differed occasionally on details and wording, there was surprising unanimity on the need for, and the general levels of, federal aid and on the broad directions of implementation.

It should be pointed out that Mr. Roy E. Larsen, Chairman of the Executive Committee of Time, Inc., and an original member of the Commission, found it necessary to resign in mid-1968 because of the pressure of other commitments. We wish to record here our deep appreciation of his valuable contributions to the early planning sessions of the Commission and to our initial considerations of the topic of federal aid to higher education.

We wish also to express our gratitude for the many helpful suggestions of those consulted during the development of our proposals.

Finally, we wish to thank the members of our staff, and particularly Miss Virginia Smith, for their assistance in the preparation of this Report.

MEMBERS OF COMMISSION

Ralph M. Besse, Chairman of the Board, The Cleveland Electric Illuminating Company.

Joseph P. Cosand, President, The Junior College District of St. Louis.

William Friday, President, University of North Carolina.

David D. Henry, President, University of Illinois.

Theodore M. Hesburgh, C.S.C., President, University of Notre Dame.

Carl Kaysen, Director, Institute for Advanced Study at Princeton.

Katharine E. McBride, President, Bryn Mawr College.

James A. Perkins, President, Cornell University.

Clifton W. Phalen, Chairman of the Executive Committee, Marine Midland Banks.

Nathan M. Pusey, President, Harvard University.

David Riesman, Professor of Social Sciences, Harvard University.

The Honorable William W. Scranton.

Norton Simon, Hunt Food and Industries, Inc.

Clark Kerr, Chairman.

1. THE NATION'S NEEDS FOR HIGHER EDUCATION

From the beginnings of the Republic, education at various levels has played a vital role in the building of a strong democratic society. At earlier stages in the nation's development, this role was chiefly the responsibility of the primary and secondary institutions. Now, as education through high school has become almost universal, as knowledge has increased, as the professional and intellectual demands of modern society have become ever more complex and exacting, the responsibility has shifted increasingly to America's colleges and universities.

Today, the nation looks to our institutions of higher learning to meet many of our most important needs:

More and more Americans, with aspirations for a better life, assume the necessity of a college education.

Equality of opportunity through education, including higher education, is beginning to appear as a realistic goal for the less privileged young members of our society.

The economy is dependent upon basic research and advancing technology, and upon the higher skills needed to make that technology effective, to assure national economic growth and well-being.

More managers, teachers, and professionals of all sorts are required to serve our complex society. More health personnel are essential to staff the fastest-growing segment of the national endeavor.

The cultural contributions of higher education take on wider dimensions as rising levels of education and growing affluence and leisure make possible greater concern with the quality of life in the United States.

Above all, the nation and the world depend crucially upon rigorous and creative ideas for the solution to profoundly complex issues.

What the American nation needs and expects from higher education in the critical years just ahead can be summed up in two phrases: quality of result and equality of access. Our colleges and universities must maintain and strengthen academic quality if our intellectual resources are to prove equal to the challenges of contemporary society. At the same time, the nation's campuses must act energetically and even aggressively to open new channels to equality of educational opportunity.

2. HIGHER EDUCATION'S POTENTIAL TO MEET THE NEEDS

Does American higher education have the necessary resources to meet *at the same time* the nation's expectations for protection of academic quality and for expansion of equality of educational opportunity? Can our colleges and universities find ways to encourage and accommodate growing numbers of students, many of whom will need special financial and academic assistance, while preserving essential margins of academic excellence?

In January, 1968, the National Association of State Universities and Land-Grant Colleges had this to say about the response of public institutions to the shortage of resources:

"To maintain quality, they have raised student charges substantially, turned away qualified students, limited enrollment, and refused requests for urgently needed public service."

Three months later the Association of American Universities issued this statement:

"American higher education is experiencing critical and widespread financial pressures. Virtually every type of college and university faces a widening gap between annual income and the level of expenditures required to undertake needed expansion and improvement—or even, in many cases, to sustain normal operation."

To evaluate the present and potential financial strength of higher education, it is necessary to examine four essential factors: growth in size, growth in functions, rising costs, and sources of funds.

Growth in size

Higher education is currently encountering pressures created in large part by its own record of accomplishments. A century ago, enrollment in higher education in the United States was only about 50,000 students. Today's enrollment is almost 6 million students on a full-time equivalent (FTE) basis. More than half of this growth took place in the decade from 1958 to 1967. Estimates indicate that enrollment will pass 8 million by 1976, and this figure may well rise to 9 million if Carnegie Commission or other proposals are adopted to remove financial barriers for students from low-income families.

These enrollment data reflect not only the growing population of the United States and the growing share of that population in the younger age brackets, but also the rapidly increasing proportions of young people who seek higher education. A century ago, 2 percent of young Americans entered college. Now the figure is over 40 percent and is still rising.

Parental expectations or hopes of children's college attendance are now widespread. A Gallup poll shows that 97 percent of all parents questioned want their children to enter college. The national trend appears to be toward extending universal education beyond high school and through at least some years of higher education.

It should be noted, however, that the proportions of young people enrolled in higher education vary considerably from one part of the country to another. Percentages are more than twice as high for the Western states of Arizona, Utah, and California, as those for the Southern States of Mississippi, Georgia, South Carolina, and Alabama.

It is apparent that the nation's colleges and universities and those responsible for their financial support must provide new facilities for 3 million additional students by 1976–77. To fall short of this goal would be to limit the movement toward greater equality of access to higher education.

Enrollment will continue to rise after 1976–77 for about another decade, but at a slower rate, and will then level off until the year 2000. The heaviest costs of further expansion will be met in the period ending about 1980.

Growth in functions

Sheer numbers of students do not, of course, tell the entire story of institutional growth. Colleges and universities in the United States have also grown steadily in the number and complexity of functions they have assumed in response to both the expansion of knowledge and the needs of society.

Instruction has increased in total duration, in curricular range, and in specialization. Research has burgeoned. Graduate and professional programs have multiplied. Colleges and universities are performing a wide variety of important public services directed toward meeting civic and social problems.

This trend will continue in the future as higher education responds to new public needs. Today our institutions are being asked to extend their research efforts on the problems of the cities. They are expected to train additional doctors and medical support personnel to meet the nation's expanding activities in the important field of health care. There is a growing obligation to provide postdoctoral training and continuing education in a variety of fast-developing fields.

These expanding functions have brought our institutions of higher education to a central role in the well-being of our society. But they have also added greatly to the pressures of rising numbers of students and rising costs.

Rising costs

The continuing expansion of our higher education facilities will be expensive in any case. But the financial problems are made more severe by the fact that higher education costs per student are rising rapidly. Total institutional expenditures for higher education climbed from $5.2 billion in 1957–58 to about $17.2 billion in 1967–68, an increase of 231 percent as compared with a 119 percent increase in enrollments for the same period. It is estimated that expenditures of higher education institutions will total about $41 billion in 1976–77 for a projected FTE enrollment of 9 million students.

Institutional expenditures are the major costs but not the total costs of higher education. Certain government and private expenditures for higher education purposes are not reflected fully or at all in institutional spending data. Federal administrative costs for various higher education programs are not, of course, passed on to the institution. Federal student aid under the GI Bill and Social Security Act and some forms of state student aid go directly to the student, and only a portion of that aid enters the institutional revenue-expenditure data via tuition and institutional room-and-board payments. Expenditures of GIs and other students for books, supplies, differential living expenses, and other associated higher education costs which are incurred outside the institution also do not appear in the institutional data.

Unfortunately, the determination of the total cost of higher education is difficult and, inevitably, somewhat arbitrary, and no reliable estimates of the total cost are currently available. This Report, therefore, will rely primarily on use of the fairly well-established data on institutional expenditures for higher education. It is the institutional expenditure total that the Commission estimates will rise to $41 billion in 1976–77.

In terms of the gross national product (GNP), expenditures by higher education institutions rose from approximately 1 percent in 1957, when the GNP was $432 billion, to slightly more than 2 percent in 1967, when the GNP was $763 billion. Institutional expenditures will need to be about 3 percent by 1976–77, at which time the GNP will be about $1,400 billion.

Many factors aside from the general level of inflation have contributed to rising costs per student. Faculty salaries, which had lagged for some years, have been rising faster than the general level of wages and salaries. Graduate work has increased in importance, and it is more expensive. More sophisticated and costly research and teaching tools are required.

For many other activities of society, rising costs are offset in substantial part by accompanying rises in productivity. Unfortunately, higher education has not and perhaps cannot offset its rising costs in this manner. Despite improvements in college management and experiments in programmed learning and other new techniques, no major ways are likely to be found in the short run which will make it possible to educate more students at the same level of expenditures without lowering academic quality. The search for techniques to improve educational productivity without endangering quality should be actively pressed forward; as was indicated in the Foreword to this Report, efficiency in the use of resources is one of the major areas of higher education mapped out for study by the Carnegie Commission. In the meantime, it is inevitable that costs per student will continue to rise.

Sources of funds

Higher education has long received some federal assistance, but the chief financing burden has been borne by state and local governments and the private sector. It is a striking testimonial to their faith in higher education that they have financed the enormous expansion to date, and that they are girding to do still more in the future. But there are limits.

Many state and local governments whose expenditures for higher education are already large would experience great difficulties in providing the additional support needed, both because of tax base limits and because of the other essential needs for public funds. Some states whose past expenditures for higher education have lagged should, of course, provide additional funds in substantial amounts. State support, however, has been a falling share, and it is realistic to expect it to fall still more.

Private resources, initially the major support for all higher education in this country, have provided about half of the institutional funds required for higher education in recent years. With expectations of rising per capita income, and with a relatively high income elasticity for educational expenses, private resources should continue to provide half of the expanded financial support for higher education—a heavy increase in absolute dollar amounts. It would be unrealistic to assume, however, that the private share can be increased in percentage terms over the next few years. This continued heavy reliance on private sources of support for higher education will be helpful to the preservation of autonomy and diversity in American higher education.

The federal government, with revenue available from the graduated income tax, is the major source now realistically able to raise its general revenues faster than the gross national product and thus able to offset the decline in the share borne by the states.

State, local, and private sources combined now pay about four-fifths of total higher education institutional expenditures, and the federal government pays one-fifth. While the absolute amounts paid by all sectors must continue to rise substantially, federal support levels in dollar terms will need to triple in the immediate future. The federal government's proportionate share of institutional support will need to rise from about one-fifth at present (almost $4 billion) to about one-third (over $13 billion) of the new total by 1976–77.

[Dollar amounts in billions]

	1957–58		1967–68		1976–77	
	Amount	Percent	Amount	Percent	Amount	Percent
State and local	$1.7	33	$4.7	27	$7	17
Private	2.8	54	9.0	52	21	51
Federal	.7	13	3.5	21	13	32
Total	5.2	100	17.2	100	41	100

Further federal support necessary to achieve goals of quality and equality

The Carnegie Commission believes a much greater federal investment is now essential if the growth of higher education is not to be curbed at the very time that the national need is so crucial for our best ideas and intellectual skills and for the broadest possible extension of equality of opportunity.

The severity of the problem is not uniform throughout higher education. Some institutional levels, some geographical areas, some kinds of institutions face more critical financial needs than others. Overall data may disguise the serious nature of the problems for many institutions and students. Capacity not fully utilized in some areas is nevertheless inaccessible to students being turned away from overcrowded local facilities if those students lack the financial means to travel to and live in other areas. Available financial resources at one institution or system of institutions are not transferable to others. Improved resource planning on one campus does not help solve financial shortages at another whose resources are already being inventively utilized to the maximum.

Although the financial impacts have differed, most institutions have by now had to absorb so many of these pressures that formerly available margins in facilities and resources have been depleted. These institutions are now being forced to choose among the alternatives of limiting enrollments, raising tuition fees, postponing expansion and new programs, or allowing quality to deteriorate. These alternatives are already being employed in varying degrees throughout higher education.

The adverse effects upon national needs are all too clear. Enrollment limitations and higher tuition fees (unless offset by grants and loans to those with low incomes) penalize first the very group of students for whom the goal of greater equality of opportunity is intended. Postponing expansions and new programs means deferring activities that may be among the most urgently needed at the present, such as the training of additional health science personnel or research on urban problems. Sacrificing general quality weakens the vital intellectual resources of the nation.

We believe that national needs in the areas of academic quality and equality of opportunity require new levels of federal support for higher education.

3. THE FEDERAL CONCERN WITH HIGHER EDUCATION

The well-being of higher education in the United States is a concern which the federal government shares with state and local governments and private individuals and organizations charged with primary responsibility for our colleges and universities. Higher education fulfills purposes which are national as well as regional and local, and public as well as private, in their scope and impacts. College graduates and holders of advanced and professional degrees are highly mobile geographically; they are participants in what is essentially a continental market. And it is precisely this broad market which has been an important factor in the prosperity of the nation as a whole. Thus it is appropriate that federal as well as state and local support be given to the nation's institutions of higher education.

The federal government has, in fact, helped to support higher education over the years, with such federal actions as the land-grant movement of post-Civil War days, National Youth Administration programs for needy students during the Depression of the 1930s, aid for science programs during and after World War II, student aid to returning veterans through the GI Bill, and in recent years a growing range of measures to assist various aspects of higher education.

By 1967–68, federal aid given directly to institutions of higher education and to various student aid programs (not including veterans' and social security education benefits) had reached a total of almost $4 billion and was being channeled through a variety of programs to some 2,100 colleges and universities and several hundred thousand students throughout the United States.

	Billions
Research and development	$1.45
Construction	.57
Student aid	.62
Institutional support	.44
Other	.37
Total	3.45

But the nation's needs for higher education, and thus the needs of higher education for more resources, continue to climb. In the next few years, federal support levels should be tripled if the federal government is to assist state and local governments and the private sector in expanding higher education as an essential investment in the nation's future.

In urging these support levels, the Carnegie Commission is not unmindful of the other and pressing national needs for which federal funds must be allocated. In the broad area of education alone, there are urgent calls for aid at primary and secondary levels and for vocational training. Institutions involved in these levels of education face an array of array of urgent problems, and we warmly support higher levels of aid, including more federal assistance, for these other segments of education. Our focus in this Special Report, however, is the financial problems of our colleges and universities. We believe that federal aid to higher education warrants a high priority among other federal programs, both because of the importance of the specific national needs which higher education serves and because intellectual resources are indispensable to the resolution of so many other high-priority national issues.

The proposed net increase in federal aid to institutions of higher education by 1976–77 is approximately $10 billion over current federal support levels. Projected growth of federal revenue would indicate that the net increment to federal revenue (over "work load" increases in costs) will reach about $70 billion by 1976–77. Thus the proposed increase in federal aid to institutions of higher education would require one-seventh of the expected additions to available federal revenues over the next few years for new programs. The Commission is convinced that the federal government can meet this new level of responsibility for higher education without penalty to other urgent national priorities.

4. FORMS OF FEDERAL SUPPORT

The Carnegie Commission believes that federal support of higher education should be based upon the related concerns of contributions to the national welfare and to the vitality and effectiveness of the institutions of higher education themselves.

The forms of federal aid employed should satisfy the following requirements:

Draw forth to the extent possible, rather than merely replace, state and private support.

Provide for flexibility and periodic reevaluation to determine whether changing national needs warrant reallocations.

Assist both public and private institutions—the latter, of course, for nonsectarian purposes only.

Improve equality of educational opportunity for all able young people.

Rely heavily upon market processes through free student choice of institution and field of study.

Preserve institutional autonomy and integrity.

Encourage diversity.

Provide an incentive for innovation.

Maintain among distinguished institutions of learning a margin of excellence, a premium for quality.

Use competitive principles in the support of academic quality, through nationwide competition for graduate fellowships and for institutional proposals in various special program fields.

It is the Carnegie Commission's judgment that the best immediate means of federal aid to higher education are:

Grants and loans to individual students to move toward the nation's goal of equal educational opportunity.

Support to institutions to meet increased costs of expanding enrollment and to strengthen areas of particular national concern.

Extension of support for research, for construction, and for special programs.

Two other widely discussed approaches are considered by the Commission as far less desirable than extension of existing programs. One such approach, tax credits to parents of children in college, would not aid low-income families where the need is greatest. Another, general subsidies to the several states, would fail to provide the coordination and perspective necessary to assure expansion of programs of primary national concern.

5. FEDERAL AID PROPOSALS

The following proposals are those which the Carnegie Commission believes will best meet the most urgent financing problems associated with higher education through 1976–77. While most of the recommendations would result in expansion or augmentation of existing programs, new programs suitable for use in a short-run period are also proposed. No attempt is made here to incorporate or comment upon all existing federal aid activities relating to higher education.

Student aid and related institutional grants

The Carnegie Commission believes that one of the most urgent national priorities for higher education between now and 1976–77 is the removal of financial barriers for all youth who enroll in our diverse colleges and universities, whether in academic or occupational programs. A second important priority is support for talented graduate students who can meet the nation's needs for a wide variety of professionals, technical specialists, researchers, and college teachers.

The federal government presently provides limited amounts of student aid under a number of separate programs, some restricted to one or another major subject field, some based on need, some on ability, some channeled through the GI Bill. Today's graduating high school student often has difficulty in determining what student aid is available to him. Each program has separate requirements and applications. Often he must enroll in a college or university and then see if that institution still has funds available under particular programs. To replace these separate and limited programs (though not, of course, the GI Bill), the Commission proposes a substantially expanded program consisting of educational opportunity grants based on need, a work-study program, student loans, a counseling and information program, a graduate talent search and development program, and doctoral fellowships based on ability.

The Commission's program of student aid is based upon these premises:

1. Student aid must be adequate to remove effectively the financial barriers which now prevent many qualified students from entering or continuing higher education.

2. Basic grants supplemented by work-study payments should be scaled to differing educational expenses in the lower division, upper division, and graduate years. With the growth of the community college movement and urban facilities, most students will be able to attend low-cost institutions near home for at least the first two years.

3. The grant program should be augmented by a loan program making possible greater flexibility in choice of college to the needy student and providing a readily available source of college financing with repayment deferred for all students regardless of need.

4. Maximum flexibility and fullest utilization of aid funds will be accomplished if the major portion of these funds is kept in one national reservoir and granted to individual students who exercise free choice of institution and disciplinary fields. If funds are allocated by institution or region or field, problems of over- and under-use will inevitably arise and require time-consuming and costly transfer procedures. The "national reservoir" approach has worked very successfully under the GI Bill. For administrative purposes, however, grant payments would be made to students by their selected institutions rather than directly by the government.

Educational opportunity grants

Equality of opportunity in the United States today is increasingly related to equality of access to education. And we have not yet achieved equality of access to education; financial barriers and racial barriers block the way for many potentially able young Americans. Almost half of the undergraduate college students in the United States now come from the country's highest family income quartile; only 7 percent come from the lowest income quartile.

Complete figures are not available for socioeconomic distribution of graduate enrollment, but fragmentary figures suggest that an even lower proportion of graduate students comes from the two lowest quartiles.

The proportion of Negroes in the American college population is less than half the proportion of Negroes in the population as a whole, and half the Negroes in colleges attend predominantly Negro colleges.

Financial barriers to higher education result in a demonstrable loss of national talent. In the highest socioeconomic quartile, 19 out of 20 students ranking in the top ability group (the highest 20 percent) enter college within five years after high school graduation; in the lowest socioeconomic quartile, only 10 out of 20 in the highest ability group enter college.

Although the federal government, in the past, has provided financial aid to college students through the GI Bill, loans, and student work programs in the Depression, it was not until the Higher Education Act of 1965 that a program of educational opportunity grants was established. Under this program 225,000 undergraduate students from low-income families received grants in 1966–67. Adoption of a clear policy to remove financial barriers should make grants available to about 1.7 million students (27 percent of total entrollment) in 1970–71 and approximately 2.9 million students (32 percent of total enrollment) in 1976–77.

Approximately family income quartile:	Average family income
High (above $10,000)	$16, 016
Second ($6,000 to $10,000)	8, 359
Third ($3,000 to $6,000)	5, 549
Low (below $3,000)	2, 321

Recommendation

The Commission recommends strengthening and expanding the present program of educational opportunity grants based on need by providing:

1. That the level of funding be increased so that all college students with demonstrated need will be assured of some financial aid to meet expenses at institutions which they select

2. That grants based on need be available for a period not to exceed four years of undergraduate study and two years of study toward a graduate degree

Determination of need. It will be necessary to derive a simple need formula based on such factors as total family income over the past several years, total family assets, and number and ages of children. The Commission assumes that a maximum grant would often be necessary at the lowest income quartile, that perhaps half of the maximum grant would be the average requirement at the second lowest quartile, and that only a few grants would be made to students from families on the lower borders of the upper half of the income range.

Amounts of grants. Assuming full need, maximum grants would be:

a. $750 per year to a student during his first two years of work toward an undergraduate degree or certificate

b. $1,000 per year to a student during his third and fourth years of work toward an undergraduate degree

c. $1,000 per year for a maximum of two years to a student working toward a graduate degree

No grant would be made unless the student is eligible for a grant in an amount of $200 or more.

It should be noted that the amounts in (*a*) *and* (*b*) above may be augmented by supplementary matching grants and work-study payments provided in the recommendations below.

Level of funding. It is estimated that the program of educational opportunity grants set forth above would require federal funding as follows:

Year:	*Billions*
1970–71	$0. 9
1971–72	1. 0
1972–73	1. 1
1973–74	1. 3
1974–75	1. 4
1975–76	1. 6
1976–77	1. 6

Supplementary matching grants

Institutions are expected to seek additional funds from private, state, and local government sources for undergraduate educational opportunity grants. It is estimated that over $600 million in student aid funds was obtained from these sources in 1966–67. It is not known what proportion of these student aid funds was used for grants to students from low-income families. To encourage commitment of more funds from these sources for such grants and to provide greater choice of selection of college for the student, the Commission proposes a program of supplementary matching grants.

Recommendation

The Commission recommends that an undergraduate student holding an educational opportunity grant and receiving added grants from nonfederal sources be given a supplementary federal grant in an amount matching the nonfederal grants but not exceeding one-half of the student's original educational opportunity grant.

An upper-division student with full need might, for example, hold a $1,000 educational opportunity grant. If he were awarded an additional state or private grant of $400, he would thereby become eligible for a federal supplementary matching grant of $400, bringing his total grant level for the year to $1,800. If a holder of a $1,000 educational opportunity grant were to be given an added $700 from state or private sources, he could receive a federal supplementary matching grant of $500 (the upper limit of one-half of the amount of his original educational opportunity grant), for a total grant level of $2,200 per year.

Level of funding. It is estimated that this program would require federal funding as follows:

Year:	*Millions*
1970–71	$110
1971–72	140
1972–73	180
1973–74	230
1974–75	280
1975–76	340
1976–77	380

Federal scholarship grants to institutions

The Commission recognizes that any formula for need applied on a nationwide basis may not adequately cover individual hardship cases. To provide some greater degree of flexibility in the allocation of grants to students with financial need, the Commission proposes that some additional scholarship funds be given directly to institutions where holders of educational opportunity grants are enrolled. The college or university would then allocate these funds to students as determined by the institution's own definition of student need.

Recommendation

The Commission recommends that each college and university be given a scholarship fund for needy students equal to 10 percent of the total sum of educational opportunity grants (*not including supplementary matching grants*) *held by students at that institution.*

Level of funding. Federal funding requirements for this program are estimated as follows:

Year:	*Millions*
1970–71	$90
1971–72	95
1972–73	105
1973–74	120
1974–75	135
1975–76	150
1976–77	160

Work-study program

During the Depression, the federally funded National Youth Administration provided payment for part-time jobs to more than 10 percent of all students then enrolled in higher education. More recently, the college work-study program was established. Originally under the Economic Opportunity Act of 1964, it was continued as a part of the Higher Education Act of 1965. The purpose of the programs is to stimulate and promote part-time employment for students—particularly those from low-income families—who need the work to stay in school. Through federal grants to institutions of higher education, the program provides work opportunities on campus and in public or private nonprofit agencies engaged in community service off campus. Students may work an average of 15 hours a week while classes are in session and not more than 40 while they are not in session.

During fiscal 1968, 310,000 students participated in this program, the federal share costing an estimated $112.5 million. The work-study program has generated enthusiasm among participating students, colleges and agencies, especially at the state and community college levels. Significant numbers of economically disadvantaged youths are enabled to enter and stay in college. These students perform tasks important to academic institutions and agencies serving the community. In tangible and practical ways they develop an additional framework of relationships wtih the academic community. Work-study is one of the most valuable forms of student aid and ought to be incorporated in any federal program to assist students.

Recommendation

The Commission recommends that federal funds be provided to finance institutionally administered part-time employment for undergraduate students. Institutions should use these funds to enable students, who meet in general terms the federal need criteria, to earn up to $500 per year. Off-campus assignments of educational importance, such as tutorial work, should be encouraged.

Because students from lower socioeconomic groups may experience educational disadvantages in their initial college years, it might be desirable to place some limits on their work-study program participation at the lower-division level. Upper-division students, and lower-division students to the extent consistent with their educational needs, should be encouraged to take part in the work-study program.

Level of funding. This program would require estimated levels of federal funding as follows:

Year:	*Millions*
1970–71	$510
1971–72	540
1972–73	620
1973–74	700
1974–75	775
1975–76	850
1976–77	870

Counseling and information program

The National Defense Education Act of 1958 authorized establishment of a broad program throughout all levels of education for guidance, counseling, and testing of students and for identification and encouragement of able students to continue their education. One of the stated purposes of that program was to encourage students with outstanding aptitudes and ability to complete secondary school, take the necessary courses for admission to institutions of higher education, and enter such institutions. In 1959 $7.4 million was initially appropriated for the program. The appropriation for 1967 was $24.5 million.

The Commission believes, because of the importance of decisions made at the high school level about college attendance, that it is imperative to strengthen counseling and information programs. Students who possess the ability to go on to college-level academic work should be identified, assisted in finding the right college, and advised on the availability of financial aid. Identification of these students early in their high school careers would make it possible to channel them into curricula which would better equip them for higher education. Those with other interests and qualifications who can benefit either from further development before their prospects are clear or from more vocationally oriented education should be guided into courses at the appropriate institution. But not every high school graduate should be guided toward further formal education at that time, and this decision too is an important counseling responsibility.

The federal program should include support of research activities to develop better ways to identify qualified students, particularly those from disadvantaged groups. Federal training courses should be established for high school teachers and counselors to keep them up to date on financial aid, college programs, and career possibilities. Information centers should be established in metropolitan centers so that parents and students may obtain information about career possibilities and opportunities for higher education.

Colleges and universities should be encouraged to use a portion of their work-study program funds to enable their students to work with high school and elementary school students in various tutoring and counseling programs.

Recommendation

The Commission recommends that the present federal aid program of guidance, counseling, and testing for identification and encouragement of able students be expanded to include the elements described above and that funding for the program be increased to $30 million in 1970–71, rising to $40 million in 1976–77.

Graduate-talent search and development program

The nation's 2,300 institutions of higher education vary greatly, not only in function, but also in educational effectiveness. As a result, some students have earned their bachelor's degrees at institutions that have found it difficult, often because of financial pressures, to attain a desirable level of quality in their educational programs. Colleges of this type, often found in the economically depressed areas of the nation, may be the only facilities accessible to many students from low-income families and, in some sections of the country, to students from racial minorities. The developing institutions program, mentioned later in these proposals, is concerned with improving the quality of these colleges. But this improvement cannot be quickly achieved.

At the very time when the nation has growing needs for specialized personnel in health, welfare, technical, and professional fields and in elementary and secondary teaching, it is particularly unfortunate that some students who have completed their undergraduate training find that they are not adequately prepared to undertake graduate programs in these and other needed areas. It is equally unfortunate that some of these students come from the very groups of the population that need opportunities to participate more fully and at increasingly higher levels in the nation's work force.

As a partial remedy to this situation, the Commission urges that a federal program be funded under which certain universities, selected on the basis of specific program proposals, undertake the task of identifying potentially able graduates who have not received undergraduate training adequate to permit immediate pursuit of graduate studies. The programs could vary considerably in nature, but each would provide up to one year of intensive work to enable program participants to undertake their graduate studies more succesfully. Students selected would receive a stipend based on need for the duration of the program.

Recommendation

The Commission recommends that certain universities be selected on the basis of program proposals submitted to national panels to undertake specific graduate talent search and development programs, and that federal funding be made available for such programs in the amount of $25 million in 1970–71, rising to $100 million in 1976–77.

Doctoral fellowship program

For several years, various federal agencies have offered doctoral fellowships and traineeships to students selected largely on the basis of achievement. Grants of this type were made to over 30,000 doctoral students in 1967.

The Commission has recommended above that educational opportunity grants based on need should be made available to first-level graduate students for a maximum of two years during work toward a graduate degree. In addition, the Commission proposes a program of loans (see the recommendation below) to assist students at all levels of undergraduate and graduate study.

Because of the great importance of encouraging the most able of our young students to continue their graduate studies at the highest level, the Commission proposes a federally financed doctoral fellowship program based on ability for students in all fields of intellectual endeavor. This program would provide stipends to talented students working toward the Ph. D. or equivalent research doctorate degree during the intensive period of their research for the doctoral thesis.

Recommendation

The Commission recommends establishment of a doctoral fellowship program with selection based upon demonstrated academic ability without reference to need, with fellowships in the amount of $3,000 annually for a maximum of two years to graduate students advanced to candidacy for a Ph. D. or equivalent research doctorate, the total number of such first-year fellowships to equal three-fourths of the national total of earned doctorates in the previous year.

Selection. Of the total number of fellowships to be awarded annually, half would be selected by national competition. The other half would be granted on the basis of allocations to institutions for certain departments or interdepartmental major programs designated by national panels of experts, and the institutions and departments would then apply their own ability criteria for selection of recipients. Selection would be extended into the social sciences and humanities and not limited to the sciences and health professions as is largely true at present.

Teaching assistantships. A graduate student holding a doctoral fellowship would be expected to devote full time to his academic work, but could be required by the university as a part of his degree program to hold a teaching assistantship and would be permitted to receive a teaching assistantship stipend from the university.

Level of funding. It is estimated that federal expenditures for this program would be:

Year:	*Millions*
1970–71	$105
1971–72	110
1972–73	120
1973–74	130
1974–75	150
1975–76	160
1976–77	165

National student loan bank

The Commission's opportunity grant and work-study recommendations are designed to remove financial barriers to higher education for students from low-income families. However, this is not the only kind of student assistance that is needed in a situation of rising educational costs. Grant recipients might wish to attend institutions far from their homes or with high tuitions, at costs greater than the ceilings appropriate to a grant program based on need. For many middle-income families, especially those with several children in college, the burdens of meeting the costs of higher education out of current income are large. Older students increasingly assume the role of independent adults, and continued financial dependence on their families poses significant problems. For, all these reasons, a widely available student loan program in which need is not a condition of eligibility is desirable as a supplement to the programs already proposed.

Economic considerations reinforce this judgment. On the whole, members of the population who have more education enjoy significantly higher earnings than those with less, and this correlation holds broadly over the whole educational spectrum. In one respect, therefore, higher education enhances the earning power of individuals, thus providing the economic basis for repayment of debts incurred to finance that education. In this sense such laws can be viewed as financing individuals' investments in productive though nontangible capital.

Further, the social benefits of higher education which affect the whole nation, over and above those accruing to the individuals receiving it, justify a federal government effort in this area. Additionally, higher incomes result in higher tax payments to the federal government.

The desirability of federal participation in loan programs has already been recognized in such past program as the National Student Defense Loan program established in 1958 and the Guaranteed Loan program established in 1965. These together had outstanding loans of over a billion dollars by 1966–67.

However, the existing loan programs have important difficulties, the greatest of which is an inadequate level of funding. Others include limitations of eligibility in terms of need, 10-year repayment periods which have imposed high burdens and discouraged applicants, and ineffective attempts to make them recruiting devices for such occupations as teaching. What is needed is a much larger loan program of a quite different character.

A particular kind of loan program—namely, one with contingent repayment provisions under which the borrower contracts to pay back a fixed percentage of his income per $1,000 of debt each year for a long period (30 to 40 years)—has a number of important additional advantages which recommend it strongly over a conventional fixed-contract type of loan.

First, such a loan program would contribute significantly to a further equalization of educational opportunity. If the loan program as a whole were on a self-sustaining basis (as defined below), those whose post-education incomes were highest would help pay for the costs of education of those whose posteducation incomes were lower. Since posteducation incomes are correlated among other things with incomes of the students' families, this would spread the cost of equalization of opportunity over both the current and the succeeding generations.

Second, the prospect of repayment would be a lesser deterrent under a contingent loan program than under a conventional fixed-contract program. This would lead to a wider use of loans since risks would be shared.

Third, the program would further emphasize the independence of the student by encouraging him to meet a larger proportion of his educational costs through a loan.

Certain difficulties which such a contingent loan proposal appears to raise are manageable. Two, in particular, have received wide attention: the possibility of adverse selection of applicants that would prejudice the solvency of the program and the so-called negative dowry of college-educated women who marry and leave the labor force. Detailed studies of the design of such a program (for example, that by Karl Shell and others) show that these difficulties can be met. Further careful study and drafting of such a program are, however, highly necessary.

The Commission recommends this loan program as a supplement to our other proposals, rather than as the basic or sole program for both student and institutional support.

Recommendation

The Commission recommends that a federal contingent loan program be created for which all students, regardless of need, would be eligible. With interest figured on the basis *of federal borrowing costs, the program should be self-sustaining, except for administrative costs which would be met out of appropriations. Undergraduates would be eligible to borrow up to $2,500 per year, and graduate students up to $3,500 per year, for educational purposes. No student should be entitled to receive more in loans, all types of grants, and work-study payments in any year than the costs of education, including subsistence costs, as officially recognized by the institution in which he is enrolled.*

The program would be administered through the institutions of higher education, which will have the relevant information on grants and work-study payments to loan applicants.

Level of funding. A loan program of this sort must be viewed as clearly experimental; it is difficult to predict the extent to which it will be used. But if loans are to be made available to students without reference to need, it will be necessary to have the initial level of funding for the loan program high enough to eliminate any requirements for setting priorities among loan applicants. The Commission suggests that funding be made available to provide student loans totaling $2.5 billion in 1970–71, possibly increasing to as much as $5 billion in new student loans in 1976–77.

It is also difficult to predict the level of federal expenditures which would be required by this loan program. Although designed to be self-supporting, the program would require, particularly in the initial years, annual federal appropriations amounting to perhaps 5 percent of new loans committed that year for administrative costs and contingencies. This would amount to about $125 million in 1970–71, rising to $250 million in 1976–77.

Part-time students

Growing requirements for retraining during a person's lifetime and the probability that low-income students will have to work part-time suggest that the importance of part-time enrollment may increase in the future. All the programs recommended above are stated in terms of full-time students. The programs should, however, through the implementing legislation, be adapted to provide proportional aid to part-time students.

Cost-of-education supplements to institutions

The proposed expansion of financial aid programs to make it possible for more students to attend universities and colleges will add to the present financial problems of these institutions. The full costs of education are not met through tuition payments. Moreover, the increase in numbers of disadvantaged students will tend to raise per-student instructional costs, because many of these students will need special educational assistance such as tutoring, counseling, and perhaps remedial training in special areas. Cost considerations should not be permitted to discourage colleges and universities from effectively recruiting and assisting potentially able young people no matter what their socioeconomic background might be.

At the doctoral level, the gap between tuition levels and full instructional costs is even greater. To some extent, this problem has been recognized in the past through federal programs which provide cost-of-education supplements to institutions attended by students holding federal graduate fellowships.

The Commission believes that this concept should be continued for the doctoral fellowship program and extended to the educational opportunity grant program as well.

Recommendation

The Commission recommends that the federal government grant cost-of-education supplements to colleges and universities based on the numbers and levels of students holding federal grants enrolled in the institutions.

Amounts of grants. Accredited colleges and universities, and institutions deemed potentially eligible for accreditation except for their recent date of establishment, would receive the following amounts for each federal grant holder enrolled:

Student level	1970–71	Rising to 1976–77
Lower division	$525	$750
Upper division	700	1,000
First-level graduate	1,050	1,500
Doctoral	3,500	5,000

Educational assistance programs. As the student aid program brings into higher education a greater number of disadvantaged students, the problem of providing them with special educational assistance such as counseling and tutoring will become increasingly important. The Commission assumes that a portion of the cost-of-education supplement would be used by the institution to undertake programs giving special attention to the educational needs of students who, largely because of socioeconomic factors, have been under an educational disadvantage.

Cost-of-education supplements as guides to future institutional support programs. These supplements could be used by the institutions at their own discretion to meet general operating costs. Thus they would provide some useful body of experience with general federal support of institutions—experience which could be used as a basis for consideration of the many proposals now being made for such institutional grants. The cost-of-education supplement program is proposed to meet immediate short-run needs, but it will also give the Commission and others both time and valuable data for analysis of the impacts, benefits, and problems involved in proposed programs for long-range institutional support and in the particular formulas being suggested for such programs.

This experience will augment the valuable consideration and study which have already been given to broad programs of institutional support by state study groups such as that proposed for New York and by several education associations. Statements of the various education associations have been reprinted in the Carnegie Commission publication *Alternative Methods of Federal Funding for Higher Education*, prepared by Ronald Wolk. In addition, the American Council on Education has recently issued a comparison of several proposed formulas for institutional grants.

The Commission hopes and expects that many students with grants would be drawn into the smaller colleges across the nation, where they would receive more individual attention and have a better opportunity to participate in the life of the total campus community. Many of these colleges would have the capacity to receive more students if they were given financial support to offset, in part, their added costs. They would thus also have a greater opportunity to diversify their student bodies, as so many of them now wish to do.

Level of funding. It is estimated that federal expenditures for cost-of-education supplements would be:

Year:	*Billions*
1970–71	$1.13
1971–72	1.28
1972–73	1.53
1973–74	1.94
1974–75	2.17
1975–76	2.51
1976–77	2.71

The Carnegie Commission hopes in the near future to make a study of and recommendations on state support to private colleges and universities.

Medical education

Medical and health services education is the one major subject area in higher education that the Carnegie Commission has singled out for specific federal aid proposals. The reasons are several: the great needs of the nation in the health field, the growing public concern with these needs as evidenced by Medicare and the many state and local health programs, the high cost of medical training facilities, the fact that new medical education facilities are needed to serve geographical regions without reference to state boundaries, and, finally, the high mobility of medical school graduates, many and even most of whom do not remain to practice within the states that provided their instruction.

It is estimated that facilities to provide spaces for about 75 percent more medical students will be required by 1976–77 to meet the nation's rapidly growing need for medical services over and above the spaces available in 1966, when Medicare came into operation. In contrast to the rapid increase of enrollments in most other fields of higher education, the supply of medical school graduates has grown relatively slowly since the 1920s, and it is apparent that vigorous new efforts must be made to provide more training facilities and to encourage more students to undertake training. At the present time, 20 percent of the new doctors starting practice in the United States each year have received their training abroad, and sometimes it is of a distinctly lower quality than that provided by medical schools in the United States. Additionally, health care is not now adequately available in many rural areas and urban ghettos.

Instructional and capital outlay costs for medical schools far outstrip the levels in other schools of professional education, including schools in which other health personnel are trained; and financing the major part of the needed expansion of such facilities from state and private resources is almost impossible.

Studies now underway give some promise that reorganization of medical education and of medical practice itself can lead to reduced costs of both medical education and medical care. Federal funds should be made available to support the development of expanded training programs for health support personnel. But these possibilities do not provide full solution to the financing problems confronting medical education.

The federal government has been undertaking increasing levels of support for medical school construction ($18 million in 1966–67 and $55 million in 1967–68) and training ($42 million in 1966–67 and $53 million in 1967–68), but the Carnegie Commission believes higher federal levels are required.

Recommendation

The Commission recommends establishment of a substantial program of federal aid for medical education and health services for the purposes of:

Stimulating expansion of capacity at existing medical schools

Planning additional medical schools distributed on a geographical basis to provide needed service to areas not now served

Expanding educational facilities and developing new programs for the training of medical care support personnel

Increasing availability of health services in the community of the medical school and the quality of health care delivery

Student aid. A student aid program for medical students should be adopted to provide grants on the basis of need in amounts up to $3,500 per year for four years, with free choice of institution.

It should be noted that medical students also have access to loans under the expanded loan program recommended above.

Institutional payments. Payments to institutions would be equal to the sum of the following amounts:

1. The institution's enrollment of students working toward the M.D. multiplied by $4,000
2. That portion of the enrollment working toward the M.D. in excess of such enrollment in the fall of 1966 multiplied by $2,000
3. The total number of residents and interns multiplied by $2,250, provided that no individual student shall be counted for more than four years, and provided further that the resident and intern program is conducted under the auspices of an accredited medical school either at its own or at an affiliated hospital

The amounts in (1) and (2) above should be adjusted for medical schools with three-year programs to enable those schools to receive the same amount of institutional aid as four-year schools.

Institutions would be free to use these institutional payments for support of any program which has as its major purpose the instruction of medical students.

Construction funds. Construction funds should be made available at the level of 100 percent for creation of new places, with additional funds for renovation and replacement.

Start-up grants. Start-grants should be made available for nonconstruction costs for approximately 20 new medical schools at the rate of four per year for five years, not to exceed $10 million per school. These schools should be located in geographical areas not now adequately served by existing medical schools, with a sufficient population base to warrant a medical school, and with a university capable of providing a good environment for a medical school.

Community health service programs. Federal support should be made available for development of programs by medical schools designed to extend the availability and effectiveness of community health programs.

Training of support medical personnel. Federal funds should be made available for programs designed to increase the number of support medical personnel. Such personnel can be trained comparatively quickly and inexpensively. In some fields, such as pediatrics, they can assume a substantial share of the services now performed by M.D.s if they are given proper supervision by an M.D.

Level of funding. It is estimated that federal expenditures for the medical and health services education program outlined above would be:

Year:	*Billions*
1970–71	$0.33
1971–72	.35
1972–73	.37
1973–74	.39
1974–75	.42
1975–76	.40
1976–77	.43

Medical education today is undergoing more constructive self-examination than it has since the Flexner report of 1910 and more than is going on in any other field of higher education. This is both impressive and commendable. The new medical schools recommended here can take advantage of the new ideas being born. Expansion of existing schools can provide opportunities for the new types of training for new types of doctors and support personnel now being envisioned. The medical profession as a whole is welcoming expansion of personnel and experimentation in training of personnel and delivery of health care as never before, to its great credit and the nation's great advantage; and the medical students of today encourage these progressive tendencies.

This openness to new concepts and new horizons of service should be fully encouraged as the federal government extends the basic support to medical education which it has given so successfully in the past to medical research. The second great transformation of medical education and research (the Flexner report having given rise to the first) is now underway, and the United States once again will greatly benefit. The new schools of medicine can be new in program as well as in physical identity; the expanded schools can be greater in their variety and relevance to modern needs as well as greater in size. Medical schools are on the threshold of becoming as important to the quality of urban life as the colleges of agriculture under the land-grant movement have been to rural life.

New money can now be matched by new ideas. Both are important—but the new ideas are the more important. The Carnegie Commission hopes subsequently to make suggestions on the future of medical education and its financing, and fully realizes that better use of health care facilities and personnel is as important as the enlargement of facilities and personnel.

Construction

During the late 1950s and the 1960s the great surge in college enrollment led to a growing deficiency in facilities. It was in recognition of this deficiency that the Higher Education Facilities Act was passed in 1963. But the increased federal aid came late and at too low a level to close the gap. By 1967 college and university instructional facilities would have had to be expanded by 20 percent to provide fully adequate space for the new levels of enrollment. This continuing deficiency resulted, in part, from the federal budgetary stringency which led to decreasing levels of support for college construction at a time when enrollment continued to rise.

Projected levels of enrollment suggest a further increase in this deficiency unless levels of federal support under the Higher Education Facilities Act can be increased. To keep pace with expanding enrollment, while holding the existing deficiency at its 20 percent level, about $2 billion of federal funds should be available annually for college and university construction.

At present, funds are channeled principally into new construction. We believe more attention should be directed to the use of construction grants for renovation, an approach which might provide some additional facilities more quickly and at lower costs.

During the last academic year 72 new colleges were established. Many more new campuses will be needed over the next few years, and campuses of particular types.

The advance of the junior college movement over the last decade has greatly increased the accessibility of higher education to hundreds of thousands of American youth. A further extension of the growing junior college movement will continue this significant trend.

Colleges to serve the inner-city youth are urgently required in many of our major metropolitan areas. To meet this need, it is estimated that 500 community colleges and 50 urban four-year colleges should be established by 1976.

These new colleges, particularly in urban areas where land is expensive, will have heavier than usual initial costs. The Commission's proposals for construction aid include start-up grants for these institutions.

The Commission believes that support for construction is one of the most desirable mechanisms for channeling federal aid to colleges and universities. Such support carries with it very limited opportunties for control of educational policy; it increases the real assets of the nation; and, combined with matching requirements, it stimulates rather than replaces other sources of financial support for higher education.

Recommendation

Construction grants:

1. The Commission recommends that the amount of federal grants for academic construction be increased from the present provision (two-fifths of construction costs for junior colleges and one-third for other institutions) to one-half of the total amounts required by all institutions for construction, renovation, and replacement of facilities.

2. In addition, the Commission recommends that start-up grants be provided for planning and nonconstruction costs for new junior college and urban institutions, not to exceed $10 million per institution but averaging more nearly $1 million per institution.

Construction loans: The Commission recommends that funding levels for the academic facilities construction loan program be increased to provide sufficient loan funds for an additional 25 percent of needed new construction costs.

It should be noted that institutions could thus finance up to 75 percent of new construction through a combination of federal grants and loans.

Level of funding. It is estimated that federal expenditures for construction grants and loan obligation levels would be:

[In billions of dollars]

Year	Grants	Loan obligations
1970–71	1.26	0.53
1971–72	1.58	.69
1972–73	1.86	.83
1973–74	1.87	.88
1974–75	1.88	.89
1975–76	1.92	.91
1976–77	1.22	.61

Funding levels will continue to decline after 1976–1977 as enrollment levels stabilize in the 1980s.

The Commission recognizes that major improvements are possible in the intensity of space utilization and assumes that some of the estimated 20 percent deficiency across the nation can be offset by improved utilization.

Loans for student housing. For several years, federal loans for student housing have constituted an important form of federal aid to higher education. The Commission believes that this support is important to the educational effectiveness of many colleges and universities and urges continuation of the student housing loan program. This Report does not, however, include any recommendations on future levels of support for housing loans. The comparative emphasis on college housing and on privately supplied housing requires careful study campus by campus. College housing is of particular importance to the private liberal arts college with a residential character.

Research

One of the most essential functions of higher education is its contribution to the advance of knowledge in the nation. In recognition of this contribution the federal government has played a substantial role in providing major support for university-based research.

Since the federal government first undertook massive support of research in the universities during World War II, research expenditures have been a very large part of total federal expenditures on higher education. In the early postwar years, nearly half of the total federal support for higher education was directed to science research, and by 1958 the proportion had risen to two-thirds. Research now accounts for about one-third of the total federal funds flowing to higher education institutions.

More significantly, federal funding has been the primary source of support for university-based research activities. Today approximately three-quarters of all university research is federally financed. In some highly research-oriented universities, the figure is almost 90 percent.

The rate of increase of federal support to university research is thus the key element in its ability to expand. During the period from 1956 to 1962, federal support of academic research increased at a rate of about 25 percent per year, but the rate of increase has slowed sharply since 1962. Last year's increase in federal support for academic research was only 2 percent.

It is the Commission's belief that university research, and thus federal support for university research, must increase substantially over the next several years. Both the past increase (before the recent slowdown) and the proposed increase in federal support are based on several factors:

1. Enrollment of doctoral candidates has risen sharply over the last several years and will continue to rise at an average rate of 6.6 percent annually through 1975.

2. Costs of research, like costs of instruction, are rising more rapidly than the costs of the general economy.

3. The new technology, which makes considerable expansion possible in the scope, nature, and quality of research, is also adding to the cost of research.

4. Critical social problems demand greater research efforts in many areas, including the social sciences.

Recommendations

The Commission recommends that the level of federal funding for university and college research be increased over the next several years but with the annual rate of increase declining from 15 percent in 1970–71 to 10 percent in 1976–77. This rate of increase reflects expanding doctoral enrollments, use of more costly technology, and the need for expansion into new fields of research.

The Commission further recommends that a grant amounting to 10 percent of the total research grants received annually by an institution be made to that institution to be used at its discretion. The sum required for this purpose is to be included within the percentages noted immediately above.

Procedures: The present federal system for awarding research grants through multiple agencies based on review and determination of merit of each proposal seems to work relatively well; the Commission does not, therefore, recommend any basic change in the present procedure. However, it might be desirable for all granting agencies to adopt the practice now sometimes used of giving low priority to inclusion of funds for released faculty time, particularly at universities where the teaching load is relatively low; conversely, efforts should be made to increase the teaching services of research personnel, and federal policy can encourage this.

The present system does sometimes make it difficult for colleges and universities to obtain federal research funds for small projects and for planning projects, and young faculty members may be under considerable disadvantage in competing for research funds. The proposed 10 percent supplementary grant to institutions would make it possible for them to provide grants for these purposes.

Level of funding: With one modification, the current level of federal funding for research can properly be used as a base for projecting desirable future levels of support. To some extent research funds are now used to provide traineeships for candidates for research doctorates. If the Commission's proposal for research doctoral fellowships is accepted, this need will be met directly through that program. In projecting future levels of federal funding for research, the Commission has started from a base lower than the present level of support, thus eliminating possible duplication between the present use of research funds and the proposed research doctoral fellowship program.

It is estimated that federal funds for support of research as outlined above would be:

Year:	*Billions*
1970–71	$2.00
1971–72	2.30
1972–73	2.62
1973–74	2.96
1974–75	3.32
1975–76	3.68
1976–77	4.05

Special programs

The federal government has been both sensitive and responsive to areas of particular need in higher education and has established a number of special programs to provide federal assistance for these areas.

Recommendation

The Commission has not given consideration to all of these special programs, but does recommend increased funding for the following three programs: aid to developing institutions, library support, and international studies.

Aid to developing institutions: Many of the nation's existing colleges have failed to reach their full capability because of limitations of resources. If expanded educational opportunity is to be provided in the United States, these colleges must become full participants in the academic community. Since 1965, the Office of Education, through its developing-college program, has given some financial aid to such colleges, starting with $5 million in 1966 and increasing to $30 million in 1967. In too many instances the level of aid to institutions has not been sufficient to enable significant development, but only to tide them over for another year. Through this program some of these colleges might well be encouraged to combine with each other or with neighboring institutions. This program in its entirety can be of particular value to areas which are deficient in educational opportunity. The Commission recommends that funding for the developing college program be increased from its present level of $20 million to $100 million.

Library support: A basic tool of any college or university is its library. The current expansion of knowledge, with the resultant massive explosion in literature in all fields, has sharply increased the cost of even the minimal library for an undergraduate college. Major universities with their heavy emphasis on graduate education and research, face even greater increases in their annual library expenditures. The higher education law does provide support for college and research libraries, but the level of funding has been low. In 1966, although $50 million was authorized, only $10 million was appropriated. In 1967 and 1968 the appropriation was increased to $25 million. The Commission recommends that the full authorization of $50 million be made available in 1970–71 and be increased to $100 million by 1976, and that libraries which serve a regional need be given a high priority for grants under this program.

International studies: The years since World War II have witnessed an unprecedented growth in the number of new and independent nations in the world. The problems of their economic and political development and of their accommodation into the international sphere have accentuated the need for stronger university-based programs of international studies. The International Education Act of 1966 authorized some grant programs in this area, but no funds have yet been appropriated. More centers for comprehensive training and research both on specific geographical areas and on particular fields or issues in world affairs should be encouraged. The Commission recommends that the $90 million authorized for this program be appropriated in 1970–71 and that funding be increased to $100 million by 1976–77.

Level of funding: The National Foundation for the Development of Higher Education would be initiating new special programs which, after their developmental phases, would be transferred to appropriate federal agencies.

Total funding for these special programs described above and for the others now in prospect might require $800 million by 1976–77.

National Foundation for the Development of Higher Education

Research and graduate instruction in the nation's universities have been greatly strengthened over the past two decades, in large part because of substantial research support by the federal government. Parallel gains of this magnitude have not been made in other areas of higher education, such as undergraduate curriculum development, instructional techniques, utilization of resources, and new program areas.

The Commission believes that the federal government can play an extremely valuable role in encouraging developmental programs in higher education by providing initial funds for such undertakings. The continuing rise in the costs of higher education makes it particularly important to develop existing facilities to their greatest potential and to try out new methods and techniques in order to improve operational efficiency and quality. But many institutions find that they do not have a margin of funds for such undertakings.

The Commission proposes the establishment of a National Foundation for the Development of Higher Education to provide encouragement, advice, review, and financial support for institutional programs designed to provide new directions in curricula, strengthening of essential areas that have fallen behind or that have never been adequately developed because of inadequate funding, and development of programs to improve educational processes and techniques. The Foundation would be a governmental agency operating under the direction of a board and organized along the lines of the National Science Foundation.

It is intended that all programs funded through the Foundation would be short-run or developmental in character. Programs once experimented with, developed, and proved successful under the National Foundation would be transferred into the special programs category mentioned earlier and administered on a permanent basis by other agencies of the federal government, usually the Office of Education.

Examples of developmental programs which might be funded by the Foundation are the following:

Improvement of undergraduate education: Criticism of the quality of undergraduate education has become widespread during the past few years. The recent focus of national attention on research needs and associated graduate instruction has undoubtedly occasioned some neglect of the undergraduate area. In addition, many undergraduate students across the nation have evinced new interest in undergraduate programs which minimize the fragmenting effects of specialization and which emphasize relevance to the current problems of our society. A healthy mood of reform is evident on many campuses and could be encouraged through the National Foundation.

Services to elementary and secondary education: The quality of education at the primary and secondary levels has an obvious bearing on the number and quality of students who enter our colleges and universities, and it is particularly important in assuring greater equality of access to higher education. In recent years, institutions of higher education have begun to assume more responsibility for assistance to the earlier levels in the educational process, providing supplementary training programs for teachers, help in curriculum design, consultation in connection with school problems such as integration, and other similar services. The federal government has given support to these programs in particular areas. In 1967–68, for example, the National Science Foundation awarded grants of $46 million for teacher training programs in the sciences, and the Office of Education provided over $12 million for a program of experienced-teacher fellowships. The National Foundation could review new service programs, which through improving the quality of education at the primary and secondary levels would have valuable consequences for higher education as well.

Regional liberal arts centers: Many undergraduate liberal arts colleges have formed consortia to permit them to use more effectively the resources available to each institution. This development could be encouraged through the National Foundation. The Commission urges that federal funds be made available to regional liberal arts centers which would be established by groups of colleges for the purpose of increasing quality, scope, and diversity in undergraduate education, of stimulating more economical and effective use of administrative and teaching personnel, and of sharing library and computer facilities.

The new technology: The newly created program of Networks for Knowledge and ongoing programs providing financial assistance for computer use at universities and colleges should be continued. The National Foundation could be particularly helpful, however, in evaluating proposals for experimental or pilot programs designed to determine the effectiveness of new educational uses of the whole range of modern technology.

Urban-grant activities: The land-grant college movement had a significant effect on the nature of the public and, to some extent, the private university. Today, the pressing problems of the city are calling for a new evaluation of the university's relationship to the city.

If universities and colleges are to aid in the solutions of the complex problems of the inner city, they will have to develop new curricular programs and new concepts of public service. Such developmental programs, during their early phases, could be funded under the National Foundation.

Recommendation

The Commission recommends establishment of a National Foundation for the Development of Higher Education whose functions would be to encourage, advise, review, and provide financial support for institutional programs designed to give new directions in curricula, to strengthen essential areas that have fallen behind or never been adequately developed because of inadequate funding, and to develop programs for improvement of educational processes and techniques.

Level of funding: The Commission suggests that the Foundation for the Development of Higher Education be funded at a level of approximately $100 million in 1970–71, rising to $200 million in 1976–77.

CONCLUSION

The Carnegie Commission has undertaken an independent analysis of the needs of higher education and the needs of the nation as related to the services of higher education. Our analysis has led to the conclusion that federal aid to higher education, beyond the needed expansion of existing programs, should be directed toward the meeting of two urgent national priorities.

One of these priorities is to achieve greater equality of opportunity for all able young people, both for their own benefit and for the benefit of the nation. Today, young persons whose families are in the top half of the income range have a three times greater chance of entering college than those whose families are in the lower half. We believe it is a realistic goal to improve this ratio to two to one by 1976, the two-hundredth anniversary of the Declaration of Independence, with its promise of equality. Our proposals would draw 1 million additional students into college attendance through what might be called a "Civilian Bill of Educational Rights" for qualified youth without adequate financial means.

The second priority is a substantial expansion of health service personnel. Specifically we recommend federal support to increase medical school places for the training of doctors by three-quarters by 1976 and to develop programs for training new types of medical support personnel. This will require the enlargement of existing medical centers and the creation of as many as 20 new centers.

We also propose the continuation and expansion of a number of existing programs: for construction—including start-up grants for, 500 new two-year community colleges and 50 four-year urban colleges; for research—including substantial extension of support beyond the sciences; for the training of Ph.D.s in all academic areas rather than primarily in the sciences; and for new endeavors to strengthen the system of higher education—including the creation of a National Foundation for the Development of Higher Education, which will encourage experimental programs such as those for the improvement of undergraduate instruction and for urban-grant activities.

These new priorities and the expansion of existing programs will cost approximately $10 billion per year by 1976, or about one-seventh of the $70 billion in additional federal revenues prospectively available by that year for new national priorities. We recognize the many other valuable purposes for which this increment will be needed, but we consider that a one-seventh share for higher education is warranted.

Our proposals envision keeping the share of private funds for the support of insitutions of higher education at their present level of one-half. We feel that this level of private support is important for the autonomy and diversity of higher education. To assure that federal support is given in forms compatible with this private emphasis, we recommend an expanded student aid program giving the student freedom of choice among institutions, a feature which proved so effective under the GI Bill of Rights. This freedom of choice would be further broadened through a proposed student loan bank.

The total governmental share would remain at one-half, with the federal portion rising and the state portion falling, as has been true for the past decade. The federal government has the greater ability to increase its contribution. Also the new emphasis on equality of opportunity, the increase in health care personnel, the training of Ph. D.'s for employment throughout the nation, the support of scientific discovery, and the strengthening of the whole system of higher education as a great national resource all reflect increasing national concern and responsibilities.

The Commission's proposals anticipate that the percentage of the GNP spent through institutions of higher education will rise by one-half from 2 to 3 percent. In the past decade the percentage doubled, from 1 to 2 percent, as enrollments doubled, and it now seems reasonable that the percentage should rise by one-half in the period to 1976, when enrollments will rise by one-half. Throughout this period the forms of service to society are taking on new dimensions in response to changing needs of society. There have been and there will be more knowledge, more training, and more service as higher education provides the intellectual sources of technical and social advance.

The prospects beyond 1976 are not clear. But, as enrollments stabilize, it would seem likely that subsequent support will rise roughly with the rise in GNP and will not require a significantly higher percentage of the GNP. The period from 1956 to 1976 will be viewed as the great period of expansion for higher education—the period in which the tidal wave of students was accommodated, and adjustment was made to the impact of greatly augmented scientific research.

We believe that the nation has a great stake in a dynamic, healthy, and flexible system of higher education, and our recommendations are intended to add to the strength and the progress of the system as well as to make possible greater service to society. The major aims of the proposals are:

To provide student aid in sufficient amounts to assure that no qualified student must forgo or cut short his pursuit of higher education because of financial barriers

To assist institutions of higher education with funds for expansion of physical facilities and for added instructional costs to assure the necessary places for all qualified students

To encourage graduate training of professional personnel, with particular emphasis on medical education, to fill critical national needs for practitioners in the health sciences

To support the most talented Ph.D. candidates and the institutions that train them at levels which will preserve and enhance the highest academic quality

To continue support of university research, a function which has already contributed so greatly to the national welfare and which holds the best promise of solutions to new problems of vital public concern

To provide special aid for new directions in curricula, for important areas that have fallen behind through inadequate funding, and for programs to improve educational processes and techniques

The total cost of the various federal aid programs recommended in this Report would be almost $7 billion in 1970–71 and would rise to almost $13 billion in 1976–77. The current cost of comparable federal aid programs is about $3.5 billion. The federal share of the funding of higher education institutions would rise from 21 to 32 percent, and the state share would fall from 27 to 17 percent. The private share would remain at approximately 50 percent.

Even with the levels of federal support proposed here, state and private sources will find the financial burden of basic support of higher education extremely heavy over the decade ahead. Institutions of higher education for their part will find it absolutely essential to make the most efficient and economical use of their available resources, to exercise the utmost restraint and care in the provision of new programs and facilities, and to reexamine their budgetary standards and practices. The Commission believes that quality can be maintained during a difficult fiscal period by scrupulous evaluation of all current and proposed educational programs.

Federal policy toward higher education and support of higher education require constant and careful overall review. We recommend the establishment of a Council of Advisers on Higher Education attached to the White House to undertake studies and recommend policy on the model of the Council of Economic Advisers.

American higher education is today a basic national resource. It affects the hopes and aspirations of the total population.

ESTIMATED FEDERAL EXPENDITURES FOR COMMISSION PROPOSALS, 1970–71 AND 1976–77

[In billions of dollars]

	1970–71	1976–77
Student and programs	1.91	3.56
Educational opportunity grants	1.10	2.14
[Basic student grants]	(.90)	(1.60)
[Supplementary matching grants]	(.11)	(.38)
[Institutional scholarship funds]	(.09)	(.16)
Work-study program	.51	.87
Counseling program	.03	.04
Graduate talent search	.03	.10
Doctoral fellowships	.11	.16
Loan program	.13	.25
Cost-of-education supplements	1.13	2.71
Medical education program	.33	.43
Student aid	.03	.04
General support grants	.23	.35
Construction	.07	.04
Construction	1.26	1.22
Research	2.00	4.05
Foundation for the development of higher education	.10	.20
Special programs	.30	.80
Total	7.03	12.97

ESTIMATED FEDERAL LOAN COMMITMENTS UNDER COMMISSION PROPOSALS, 1970–71 AND 1976–77

	1970–71	1976–77
Construction	0.53	0.61
Student loans	2.50	5.00

As education through high school has become almost universal, as knowledge has expanded, as the professional and intellectual demands of modern society have become ever more complex and demanding, the nation has looked increasingly to America's colleges and universities to meet many of our most important national needs: For furtherance of individual aspirations; for equality of educational and thus economic and social opportunity; for scientific and technological advances to stimulate economic growth; for highly trained personnel to serve a complex society; for cultural enrichment of the quality of life; and for the ideas so crucial to solution of profoundly complex issues.

[In billions of dollars]

	1967–68	1976–77
Research and development	1.45	4.05
Student aid	.62	3.60
Institutional support cost of education supplements	.44	3.06
Construction	.57	1.26
Other	.37	1.25
Total	3.45	13.22

Note: The total of $13,022,000,000 for 1976–77 includes Federal expenditures for Commission proposals and an estimated $250,000,000 for certain programs of Federal support to higher education institutions not covered in Commission proposals but expected to be continued. The 1967–68 institutional support figure includes an estimated amount for fellowship and traineeship program expenditures through institutions of higher education which are retained by institutions to defray partially the costs of the training programs.

What the American nation now needs from higher education can be summed up in two words: quality and equality. Our colleges and universities must preserve academic quality if our intellectual resources are to prove equal to the challenges of contemporary life. And the campuses must act boldly to open new channels to equality of educational opportunity.

But these essential national needs will not be fully met unless the federal government assumes new levels of responsibility for higher education. The Carnegie Commission believes that a much greater federal investment is now essential if the growth of higher education is not to be curbed at the very time that the national need demands our best ideas and intellectual skills and the broadest possible extension of equality of opportunity.

Mr. Speaker, I should also like to draw attention to another recent and significant report on higher education, entitled "Toward a Long-Range Plan for Federal Financial Support for Higher Education," prepared under the direction of Dr. Alice Rivlin, Assistant Secretary for Planning and Evaluation, Department of Health, Education, and Welfare. This report, containing recommendations similar to those of the Carnegie Commission, will soon be printed and made available by the Government Printing Office. At this point I would like to insert in the RECORD only the summary of the Rivlin report and the letter of transmittal from the former Secretary of Health, Education, and Welfare, Wilbur Cohen, to the President.

The material follows:

THE RIVLIN REPORT ON HIGHER EDUCATION

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., January 6, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: In your Education Message of February 1968, you directed the Secretary of Health, Education, and Welfare to "begin preparing a long-range plan for the support of higher education in America." In response to your request, I am transmitting this report on a long-range plan for Federal financial support for higher education.

Yours will be remembered as an Administration which looked squarely at the needs of education and acted boldly to meet them. The 1960's have seen an unprecedented increase in the Federal commitment to higher education—from $2.5 billion in 1963 to almost $6 billion in 1968. Clearly, America's colleges and universities owe much of their vitality and growth to such landmark laws as the Higher Education Facilities Act of 1963 and the Higher Education Act of 1965. The Higher Education Amendments of 1968 represent another major step in the strengthening of higher education.

Yet, despite this progress, many students are still prevented from entering and completing college by lack of funds. Moreover, there are many doubts about the future financial health of higher education, especially its ability to take on large numbers of additional students, and to bear the burden of paying for high-quality education at the graduate level.

Expenditures by institutions of higher education have increased from about 1.4% of the gross national product in 1960 to about 2.3% at the present time. It is essential that we make as our goal an increase to about 3.3% by 1976 in order that higher education may offer high-quality education to the 10 million young people who will be attending college at that time.

This report reviews the objectives of financial support for higher education, examines the financial barriers to meeting these objectives, and recommends a program of Federal action.

The report concludes that Federal aid to higher education in the future should emphasize two major national commitments:

It should promote *equality of opportunity* by ensuring that all able students can afford to go on to post-secondary education, and that institutions are able to accommodate them.

It should strengthen *graduate education and research* by providing support for graduate students and developing institutional capacity for graduate teaching and research at an increasing number of centers of excellence.

Enclosed is the summary of the nine major recommendations in the report.

One important long-run issue not resolved by the report is: Should higher education, like secondary education, be provided free of charge to all? Many believe that society as a whole benefits so much from having highly educated citizens that the full cost of higher education should be borne by the taxpayers. Others believe that the benefits of higher education to the students themselves are so great that they and their families should pay at least part of the cost.

Although this issue will continue to be debated in future years, it is clear that present public resources would not permit the establishment of a higher education system totally financed by the taxpayer. For the foreseeable future, we will have to rely on various sources of funds if we are to build and maintain a strong higher education system open to all. Funds from all sources must be increased to meet our objectives.

We must continue to rely on a variety of sources to help students pay the cost of higher education:

Increased family incomes will make it possible and appropriate for many parents to make substantial and possibly increased contributions to the higher education of their children.

Consideration of the benefits derived by industry and expanding corporate financial capacity will combine to support increased contributions from this source.

The increased earnings higher education provides for students suggest that students themselves should be expected to pay part of the costs of their education out of these future earnings, and experiments should be continued with various long-term long repayment methods.

But, there will still be many able students who cannot afford to pursue their education beyond high school unless the Federal Government expands its present student aid programs sufficiently to constitute a guarantee that all those who can do satisfactory post-secondary work will have the funds to go. This report recommends expanding and building upon existing programs such as the educational opportunity grants and the college work-study program. If the recommendations of the report were implemented, Federal aid would be available to the majority of college students who now come from families under $9,000 and to the thousands of potential college students from these families for whom the lack of financial aid presently creates a barrier to the pursuit of higher education. The number of students receiving Federal grants and loans would increase from the present one and one-quarter million to more than six million by 1976.

The national interest demands that public student financial aid be directed primarily to those individuals who otherwise would not attend college. It should be given where it is needed most, where it permits an individual to pursue higher education who, without aid, could not have done so.

Equality of opportunity in higher education is an empty goal unless colleges and universities have the resources to provide high-quality education to those who enroll. Part of these resources must come from tuition and fees, part from State and local government, part from private giving. But these resources alone will not be sufficient. The Federal Government must also increase its aid directly to institutions to augment the resources available to these institutions.

It seems particularly appropriate and necessary for the Federal Government to expand three kinds of institutional aid:

1. Cost-of-education allowances paid to institutions which enroll federally aided students: The report recommends enactment of cost-of-education allowances for undergraduate student aid programs and increases in such allowances already paid at the graduate level.

2. Aid for graduate education and research: Specialists with graduate degrees

and the research which they make possible are a national resource. States and individual institutions cannot afford to provide this costly resource for the Nation as a whole. The Federal Government must take an increasingly larger financial role in this area. The report recommends a variety of ways of strengthening graduate education and research and increasing the number of centers of excellence.

3. Aid for the capital cost of institutional expansion: New and expanding institutions and those who must replace deteriorating plant and equipment need special help. Federal funds are now available under a variety of programs for construction and equipment. The report recommends consolidation of these programs to give institutions more flexibility in using these funds in accordance with their own plans and priorities.

At the present, all Federal aid for higher education (excluding research) is about $3.7 billion a year. The recommendations in this report would by 1976 increase this total to about $11 billion.

In the future, other types of Federal aid may be necessary, perhaps including institutional aid to colleges and universities on a formula basis. It seems more important now to devote available Federal funds to expanding student aid and to the three specialized forms of institutional aid listed above. Further consideration of other types of institutional grants is, of course, not foreclosed. However, much is still to be learned about the impact of formula aid on the quality of higher education, on the balance between public and private colleges, and on the maintenance and growth of support by State and local governments. Congress should be encouraged to continue its examination of all kinds of institutional grants and see if a plan can be formulated which merits support.

Respectfully yours,

WILBUR J. COHEN,
Secretary.

SUMMARY OF MAJOR RECOMMENDATIONS

A. Improving equality of opportunity

Although a high proportion of American young people obtain a higher education, this opportunity is unequally distributed. The report finds that students with the same level of achievement in high school are far less likely to attend college if they come from a low-income family than if they come from a middle-class background. Lack of funds, not lack of ability, is preventing many students from entering and completing college.

1. *Recommendation*—A major expansion of Federal grants for needy and lower middle-income students. This program would assure every student with the ability sufficient funds to pursue a post-secondary education. The recommended program would provide almost half of all full-time students with some grant-in-aid. The amount of aid would depend on a student's family income, but more liberal "need criteria" would greatly broaden the base of Federally-aided students.

In addition, equalization of opportunity can be enhanced through fuller funding of the Developing Institutions Program (Title III HEA of 1965) and the newly enacted program of Special Services for Disadvantaged Students.

Loan funds must also play an important role in student financing. They supplement grants to low-income students and enable middle and upper-income students and their families to spread the heavy cost of higher education over a period of years.

2. *Recommendation*—A national student loan bank to remedy deficiencies in present Federal loan programs. The bank would make long-term loans to students and ensure a larger supply of capital on easier terms in order to allow all students to supplement family contributions, work-study, and scholarship funds. The bank would provide an assured flow of funds regardless of geographic location of students or money market conditions in the economy.

B. Improving the quality of higher education

While it is difficult to define "quality" precisely in higher education, it is clear that increasing the effectiveness of the higher education offered to students necessitates increasing the resources available to institutions to attract qualified faculty and to improve facilities, libraries, and teaching methods.

While the report does not find evidence of an imminent "crisis" in higher education finance, there is clearly a need for increasing the flow of Federal resources to higher educational institutions in the future, and ensuring that the institutions bearing the burden of rapid increases in enrollment (which would be accelerated by the recommended programs of student aid) have the resources necessary to provide quality education for this increasing body of students.

3. *Recommendation.*—A cost-of-education allowance should be paid to institutions accepting students aided under the grant program. These funds could be spent at the discretion of the institution to improve the quality of its education. This form of institutional aid would be of most benefit to institutions which were rapidly expanding and which were carrying the burden of educating a high proportion of low-income students.

Improving educational quality takes more than money. There is also a need for a new focus on improving the quality of teaching.

4. *Recommendation.*—A new project grant program to support experiments to improve the quality of undergraduate teaching, and to devise new institutional programs designed to emphasize the importance of teaching.

C. Improving graduate education and research

The Federal Government has a particular responsibility for strengthening the Nation's capacity to produce highly trained specialists in all fields and to advance knowledge through research. The report finds that although Federal support has contributed greatly to the strengthening of research and graduate education in recent years, this support itself has led to some imbalances and difficulties. Institutions need some discretionary funds to provide support for younger researchers, for development of new fields of study, and for redressing some of the imbalances between classroom teaching and research and between science and other disciplines.

5. *Recommendation:* A substantial expansion of NDEA graduate fellowships and an increase in cost-of-education allowances attached to all Federal fellowships. These increases will permit graduate institutions to provide a more balanced program of graduate student support and will enable them to fund research and curricular projects at their own discretion.

6. *Recommendation:* Expanded funding for existing NSF, NIH, and OE institutional grants to speed the development of new centers of excellence at the graduate level, and establishment of a similar program under the National Foundation on the Arts and the Humanities.

7. *Recommendation:* To supplement existing research programs, a program of "sustaining grants" equal to a percentage of Federal research awards received by institutions of higher education. These grants would be completely untied; institutions could use them for research or teaching purposes, thus broadening the range of meaningful decisions made at the university level.

D. Encouraging wise use of resources by institutions

All of the other goals can be met more effectively if resources in higher education are used efficiently, if waste is reduced, and if obsolete practices are eliminated. In general, the institutions themselves are the best judges of what they need to serve students effectively. Federal aid on a project basis or tied to particular types of expenditures may be ineffective in meeting the most urgent needs of particular institutions.

8. *Recommendation*: Existing programs for construction and equipment purchase in several Federal agencies should be consolidated so that institutions would be given a block allocation of funds, the detailed uses of which would reflect the particular needs of the recipient institution.

9. *Recommendation*: A program of grants to institutions for planning and evaluation of the functions and operations of the institution to improve the efficiency of resource utilization.

In addition, the recommended institutional aid in the form of cost of education allowances and "sustaining grants" will provide institutions with substantial additional resources to be used at their discretion.

COSTS AND PRIORITIES

The program outlined in the accompanying report would grow to $6.3 billion per year in additional funds by FY 1976. Other Federal programs (excluding research) for higher education would add at least another $1 billion.

About $4 billion of this total is attributable to the expanded Federal grants for needy students program, and the cost-of-education allowances of that program. This is, by far, the item of highest priority in our recommendations.

PROPOSED PAY INCREASE

(Mr. GAYDOS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GAYDOS. Mr. Speaker, the proposed congressional and administrative salary increases recently recommended by a special congressional commission has stimulated much controversial discussion in and out of Government circles. I have publicly stated on numerous occasions that I am a newly elected Congressman learning my duties and obligations to our constituents and I have no right to advocate or to expect a salary increase of any kind. I sought this office with full knowledge of the compensation provided.

It appears to me that the various salary increases for the President, Cabinet members, administrative appointees, on down to the Members of Congress, are most untimely in light of escalating taxes and the obvious need of this Congress to curtail unnecessary spending. There is presently an immediate and pressing need for the American people to regain confidence in all of our elected officials, local, State, and Federal. The suggested unreasonable salary increases do little to reestablish this confidence and trust of the people in their elected officials.

There is obvious justification for the criticism against the proposed salary increases which are grossly out of proportion to the established guidelines followed during the recent labor contract negotiations which affected hundreds of thousands of employees' paychecks throughout the country. It is fundamentally unfair to advocate skimpy raises for the working man and then recommend and support 40- to 70-percent salary increases for supposed servants of the people.

The primary purpose for these remarks is to set forth my position on this controversial matter consistently—in Congress and my home district.

ENCOURAGEMENT OF INSTALLATION OF INDUSTRIAL AIR AND WATER POLLUTION CONTROL FACILITIES

(Mr. WYLIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYLIE. Mr. Speaker, in the 90th Congress I introduced legislation designated as H.R. 6000, which was intended to encourage installation of antipollution devices by industrial firms. This bill did not reach committee consideration in that session.

Because the need for control of pollution continues to increase, I have reintroduced that legislative proposal in the 91st Congress.

This is a bill to amend the Internal Revenue Code of 1954 to encourage installation of industrial air and water pollution control facilities by providing a 60-month amortization of the cost of such facilities.

For further comment on the problem and the need for this legislation, I respectfully refer my colleagues to the CONGRESSIONAL RECORD of February 23, 1967.

MIZE CALLS FOR RELIEF FOR STARVATION IN BIAFRA

(Mr. MIZE asked and was given permission to revise and extend his remarks at this point in the RECORD).

Mr. MIZE. Mr. Speaker, all of us are aware starvation and disease are ravaging the people of Biafra and, to a lesser extent, the people of Nigeria. Reliable estimates indicate that as many as 2 million have died in recent months. Substantial relief must be provided to that unhappy land.

Cruel as war may be, starvation must surely be more cruel. Famine decimates a population, taking first the weakest—the children, the elderly, and the physically disabled. Those surviving are so drained of energy and resourcefulness that they seldom have the strength to restore the land and reestablish an effective commodity distribution system. Past experience has shown it takes a generation or more to recover from such disaster.

THE NEED IS NOW

Mr. Speaker, if increased food supplies and medicine are not soon provided the people of Biafra, widespread famine will be inevitable before the coming summer has passed. These unfortunate millions may be spared such a fate if our Nation moves quickly to their aid.

It has often been said, "A man never stands so tall, as when he stoops to help a child." So also may it be said that America never stands so tall as when she provides assistance to the innocent victims of foreign disaster.

Our Nation has provided food to relieve famine in India. We have met emergency requirements in literally hundreds of disasters abroad in recent years. Some examples of this humanitarian aid will serve to document the precedent.

PRECEDENT OF HUMANITARIANISM

U.S. foreign disaster relief is coordinated by the Agency for International Development, under the direction of the Foreign Disaster Relief Coordinator. Capitalizing on a shoestring budget, an imaginative use of the intergovernmental telephone system, and the good will of administrators throughout the Federal service, the half-dozen employees of the Disaster Relief Coordination Office have mustered timely assistance for persons in emergency throughout the world.

In the first few months of 1968 alone, this office responded to floods in Ethiopia, Kenya, and Tanzania. Relief was provided to victims of drought in Lesotho and Botswana. Tornadoes in Malagasy and Mauritius, and a tragic landslide in the Congo caused conditions demanding emergency supplies. Our Government was able to respond.

The United States helped stem outbreaks of cholera in Pakistan and Malaysia, polio in Turkey, and the plague in Indonesia. Earthquakes in Greece, Iran, and Iraq, and volcanic eruptions in the Philippines created intolerable local conditions which our Government was able to mitigate.

This partial list shows that our Nation has traditionally responded to emergency and provided disaster relief, without political concessions or excessive involvement in the internal affairs of recipient nations.

Disaster relief, essentially, is humanitarian, and should remain so.

A CALL FOR U.S. ACTION

With this tradition in mind, and with a view toward mitigating the conditions of desperate want in Biafra, I have joined many of my colleagues in introducing House Concurrent Resolution 98, calling upon this Government to increase significantly the surplus food stocks, relief moneys, noncombat aircraft, and such other transportation equipment and assistance as may be necessary to stem the floodtide of famine sweeping the land.

In order to insure that this aid may not be misinterpreted as an involvement in the civil war raging in Nigeria, our resolution clearly states that the additional supplies be made available to charitable and relief organizations already in the field extending aid to the limit of their resources.

POLITICAL INVOLVEMENT AVOIDED

The resolution also calls upon this Government to enlist the assistance of other concerned nations in meeting the human challenge.

Mr. Speaker, if intelligently applied, this aid can save millions of lives, on both sides of the conflict. It will avoid all political commitments which could later prove embarrassing to the United States.

I urge action on our resolution at the earliest possible time, for in the few minutes that I have been speaking, perhaps a hundred more have died from starvation in Biafra. Such conditions are intolerable, and the only apparent relief for these people is the action which I today recommend.

The cause, in essence, is the dignity of humankind. Our own sense of personal dignity demands prompt action to promote the survival of our fellow man.

EEC SHOULD RECONSIDER PROPOSAL TO TAX U.S. SOYBEAN OIL AND MEAL

(Mr. MIZE asked and was given permission to revise and extend his remarks at this point in the RECORD.)

Mr. MIZE. Mr. Speaker, the nations of the European Economic Community are considering action which would severely damage the Kansas farmer, U.S. agribusiness, and the U.S. balance-of-payments position in the immediate future.

The Council of Ministers of the EEC is seriously considering a proposal to impose an internal tax of $60 per ton on soybean oil, and to further impose an internal tax of $30 per ton on soybean meal. A decision may come in 30 days. If this proposal is approved, the United States stands to lose an export market of nearly $500-million per year. Soybeans today represent a third of the total U.S. agricultural export to these nations.

Mr. Speaker, farmers in my State of Kansas have responded to the need to reduce production of wheat and feed grains, and have developed a thriving soybean production as a substitute crop. In regions where dryland farming is predominant, such substitute crops are extremely difficult to develop.

In 1968, Kansas farmers harvested nearly 1 million acres of beans, yielding 23.9 million bushels. The market price has remained relatively good at about $2.40 per bushel. The Kansas projected planting for 1969 is 980,000 acres and moisture conditions are favorable for a good crop. But if the European market is taken from us, surpluses will grow at home. Intolerable pressure will build to impose severe acreage restrictions, and reduce the support price.

The United States negotiated the right to sell soybeans in the Common Market community. While proposed "internal taxes" will not technically violate the letter of our agreement, they do indeed violate the substantive understanding reached after many U.S. concessions at the Kennedy round of trade talks.

The Europeans agreed to refrain from imposing tariffs on our soybean products. These so-called "internal taxes," while not literally "tariffs," will accomplish the same thing. Their proposed level is so absurdly high that adoption of the schedule would effectively deny U.S. access to the European soybean market.

Mr. Speaker, everyone remembers the famous "chicken war" between U.S. exporters and the EEC. The chicken market represented only $22 million for U.S. exporters. That controversy pales into insignificance when one considers the $500-million market endangered today.

Clearly, the United States must bring all pressure to bear on the member Nations of the EEC, and urge them to reject this self-defeating temptation to revert to protectionism. Violation of the spirit of our carefully worked-out agreement cannot contribute to better relations between the EEC and the United States.

Mr. Speaker, our soybean exporters and farmers are justifiably outraged by this action contemplated by our European trading partners. They reason that trade must be a two-way street. I urge the administration, and individual Members of Congress to speak out, and to collectively take whatever action is necessary to preserve our crucial soybean market in the European Economic Community.

MIZE SUPPORTS EXTENSION OF GREAT PLAINS CONSERVATION PROGRAM

(Mr. MIZE asked and was given permission to revise and extend his remarks at this point in the RECORD.)

Mr. MIZE. Mr. Speaker, as one of the sponsors of legislation to extend and expand the provisions of the Great Plains conservation program, I want to point out this program was first enacted under President Eisenhower in 1956. Through the years since then, it has proved one of the most productive conservation efforts ever undertaken by the Federal Government.

The GPCP combines the individual farmer's unequaled knowledge of his own land with the Federal Government's technical resources to produce an exceptionally efficient working arrangement between the two. Under the program, farmers and ranchers enter into long-term contracts with the Government, on a cost-sharing basis, to promote soil and water conservation on individual holdings. More than 31,500 farmers and ranchers have entered into such contracts, improving more than 57 million acres of valuable crop and rangeland. The cost to the Government has been a thrifty $108 million through fiscal 1968.

Mr. Speaker, this program was initiated to promote long-term agreements, for it is clear that conservation of soil and water resources demands careful development of practices unsuited for short-term accomplishment.

AUTHORIZATION TO EXPIRE

Current authorizing legislation for the Great Plains conservation program is due to expire at the end of calendar year 1971. Thus, the Government is currently denied the opportunity to enter into 10-year contracts with landholders, and much of the effectiveness of the program is reduced as each year passes.

Under the bill which I have cosponsored, H.R. 2062, the GPCP would be extended for 10 full years, and its authorization would be increased to $250 million. I urge each Member to support this legislation, for every American is the beneficiary when good conservation practices are extended to the rich but vulnerable agricultural base which provides our food and fiber.

FARMER AS PUBLIC SERVANT

Mr. Speaker, a farmer is more than an independent businessman. He is more than a producer. He is a "public servant" in a sense, for the land which he maintains produces an abundance essential to our national security, our continued prosperity, and freedom from want.

The Great Plains conservation program has been operative in hundreds of counties in the Midwest, designated as "participating counties" by the Secretary of Agriculture. These participating counties are particularly prone to erosion by wind and water. While no counties in my congressional district have been so designated, Kansas does have 62 of its 105 counties which have received benefits over the years.

If the program can be expanded as our bill envisions, it is likely that its application can be extended to those areas in the Great Plains which today are excluded, but have need, nonetheless, for increased protection from the ravages and extremes of erosion.

Mr. Speaker, for insurance against future want, and for timely development of soil and water conservation on a cost-sharing basis, I urge early consideration of this legislation.

THE SALE OF PORNOGRAPHY TO MINORS

(Mr. WIDNALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WIDNALL. Mr. Speaker, the sale of pornography to minors is big business, and is becoming bigger every day. The unsolicited, mail-order distribution of smut gets into the home and into the hands of children, and there is little that concerned parents can do about it.

I will tomorrow introduce legislation prohibiting the mail-order distribution of pornography to minors, or to families with minors. This bill would put the burden of stopping this trafficking in filth on the purveyors themselves, since they would be subject to criminal sanction if they mailed offensive material to minors. Existing Federal law does prohibit the mailing of obscene material, but the courts have struggled for many years to define "obscene."

The Supreme Court held just last year that the sale of pornography to minors may be much more restricted than to adults. The Court recognized the special responsibility of parents in rearing their children. Now the Congress has an opportunity to aid parents and put a crimp in the activities of smut merchants.

Legislation passed last year permits any postal patron receiving material which he considers objectionable to request the post office to order his name taken off the sender's mailing list. This is but a small step, and does not really meet the problem. First, the material must be in the home before the recipient can object, allowing young children access to books and magazines which their parents do not want them to see. And second, if the recipient does have his name removed from the list, which involves considerable time and effort on the part of both the recipient and the post office, the sender has merely lost a name. If he is convicted under my bill of sending offensive material to minors, he stands to lose far more: up to $5,000 and 5 years for the first offense, and $10,000 and 10 years for subsequent offenses.

Mr. Speaker, many people have criticized the Supreme Court for some of its decisions. But here the Court has very specifically set out an area in which legislation is valid, and, I believe, necessary. It would be a shame if the Congress did not take this opportunity to substantially reduce the availability of pornography to the group which may well be most affected by it.

I would urge the House to move swiftly on this legislation. It will effectively allow parents to protect their children from offensive material in a constitutionally valid manner.

LEGISLATIVE, JUDICIAL, AND EXECUTIVE PAY INCREASE

(Mr. STEIGER of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEIGER of Wisconsin. Mr. Speaker, I regret the action of the Committee on Rules in not reporting to the floor a resolution of disapproval on the salary increases proposed for Members of Congress and executive officials.

I would vote for such a resolution, but regardless of the position I take, I believe that the American people deserve to have the House face the issue squarely.

The other body at least was willing to vote on the salary question and I think the House should do so also.

GOOD NEWS FROM POSTMASTER GENERAL ON REMOVING POLITICS FROM POST OFFICE

(Mr. STEIGER of Wisconsin asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. STEIGER of Wisconsin. Mr. Speaker, the first bill I introduced in my first term in the Congress was designed to take patronage out of the Post Office. Therefore, it comes as very good news that President Nixon and Postmaster General Blount announced yesterday that they intend to end the patronage system for selecting postmasters.

One of the main targets of my bill, which I reintroduced in this Congress, and of yesterday's order from the Postmaster General is the present practice of leaving open postmaster jobs while various political powers struggle over patronage. The present system permits postmasterships to stand vacant for extended periods of time. Major post offices with annual receipts in the millions of dollars have been without a postmaster for many months. No organization can tolerate being without a manager for extended periods of time without suffering great losses of efficiency and morale. For example, Mr. Speaker, in my own district, a major first-class post office went without a postmaster for 15 months.

This is one reason that we have been developing a declining mail service. While costs continue to rise, employee morale has gone downhill. From now on, selection of postmasters will be based solely on civil service merit examinations. The new system will encourage the promotion of postmasters from within the ranks of the postal service.

While the removal of patronage from the postal service is a significant and overdue step, it is only one of a number of actions needed to provide the American people with better mail service. The Government and the Post Office still have a long way to go in moving the mail as fast and as effectively as they should. Hopefully, the removal of the patronage system will be the beginning of better postal service.

KENNEDY GRAVE FUNDS

(Mr. GROSS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. GROSS. Mr. Speaker, one of the Washington newspapers today carries two letters from citizens outraged over the Government's plan to spend nearly half a million dollars for a huge memorial to Robert F. Kennedy in Arlington National Cemetery.

As I said here 2 days ago, this project must be given careful scrutiny by the Congress with a view to rejecting it.

Here we have the sad spectacle of telling families of servicemen, on the one hand, that space in the cemetery is acutely short and, on the other hand, announcing to these same families and the public at large that they will have to foot the bill for an elaborate memorial on a quarter acre of that scarce land. I include the two letters to the editor for insertion in the RECORD at this point:

KENNEDY GRAVE FUNDS

Even though we are but two lowly airmen in the U.S. Air Force, we feel that we must express some small measure of surprise and even indignation at the $431,000 appropriation recommended by the Defense Department "to provide public access routes to a grave in Arlington National Cemetery for Robert F. Kennedy" (RFK Site Approved by Nixon," *The Washington Post*, Feb. 2).

No doubt RFK does deserve a better gravesite than all the others who have died or who will die in the service of their country or will be given final resting places in Arlington. But Mr. Kennedy himself would have rather seen the nearly half million dollars spent on one of the many projects he supported for underprivileged but very much alive people instead of on a glorified gravesite which these same people probably could never afford to visit anyway.

Maybe the U.S. Government, in all its wisdom and with all its money, can afford to appropriate funds for yet another far-fetched Defense Department project, but we still wish it could manage to pay us, on time, the $113 it has agreed to pay us each month.

AMN. JAMES A. BLOMQUIST.
AMN. MICHAEL E. FLEMING.
FORT MYER.

Could you explain why the taxpayers are called upon to furnish $430,000 as half the cost of an elaborate gravesite and public access at Arlington Cemetery for Senator Kennedy? A President is one thing, a Senator another. Really, the situation is all out of proportion, in my humble opinion.

PRISCILLA S. RANDOLPH.
WASHINGTON.

NIXON AND THE PAY RAISE

(Mr. GROSS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. GROSS. Mr. Speaker, I wish to compliment the editorial writer of the Washington Evening News for his straightforward presentation of the facts in connection with the outrageous pay increase for the legislative, executive, and judicial branches of Government.

It is a 28-to-70 pay increase on which the Members of the House of Representatives have never had an opportunity to freely work their will and on which they have dodged a direct vote. Instead it is being slipped through the back door.

The editorial follows:

NIXON AND THE PAY RAISE

We think we can understand why President Nixon has not rejected that $100,000 raise in pay voted him by Congress and why he is going along with the Johnson proposal for fatter salaries for members of Congress.

He is a practical man, and he doesn't want to offend the members of Congress, a majority of whom are on the other side of the partisan fence anyway.

Most of the members of Congress, it is quite plain, want that $12,500 raise (more than 40 per cent) proposed by President Johnson just before he went back to Texas.

And under a cute little law passed by Congress in 1967, Congress can have this pay raise by simply not doing anything about it. The 1967 law set up a commission to recommend pay scales for Congress, judges and top government officials. Under the law, if the President passed these recommendations along to Congress in his budget, the pay raises would be effective in 30 days unless Congress specifically rejected them.

Altho some of the more conscientious members of Congress are trying, there is virtually no prospect that Congress will do any such thing. Mr. Nixon's approval of the Congressional salary hike, of course, dims the prospect even more.

Rep. H. R. Gross of Iowa is one of the few who has spoken out in opposition to the pay raise.

"It is incomprehensible," he says, "in view of the 10 per cent increase in federal taxes last year and the demands for economy in government to halt inflation that Congress would even entertain the thought of a huge pay raise."

Rep. Gross is under no illusions about his chances of making this argument stick. But he thinks at least the members of Congress ought to vote on a resolution to reject or approve the pay raise, "so that the taxpayers may know who is raiding the Treasury."

If the Congressmen think they are worth all that money, then they certainly ought to have the courage (or gall) in the face of all those government deficits and rising prices, to stand up and be counted, instead of going at it in this sneaky way.

RETIREMENT PAY FOR RETIRED MILITARY PERSONNEL

(Mr. WHITEHURST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHITEHURST. Mr. Speaker, today I have introduced a bill, in an attempt to eliminate an injustice perpetrated on our retired military personnel, that will compute the retired pay of those who entered the service prior to May 31, 1958 on current duty rates.

The need for this legislation is obvious.

As a result of the Military Pay Act of 1958, effective June 1 of that year, the retired military personnel of our Armed Forces suffered a serious loss in their compensation due to the precipitous suspension of a law that had been on the books for almost 100 years. The system Congress had eliminated contained specific provisions entitling uniformed services personnel to retired pay based on current active duty rates.

The 500,000 persons who served in two world wars, Korea, and Vietnam, did not have a signed contract with the Government promising that this system would be continued after their service was completed. They did, however, believe there was a moral obligation on the part of the Government not to reduce these benefits after they had been earned. Faith in this belief was strengthened by repeated governmental statements to this effect.

However, under this 1958 law, retirees who entered upon a military career prior to that date, are now drawing seven different rates, depending on the date they retired from active duty. None of these rates are as equitable as was possible under the former law. As a matter of fact, the lowest rate is for the oldest group of retirees and the highest rate is for the youngest. As future pay raises are granted, the disparity between these two groups will continue to increase.

I feel that the bill I have introduced is not only a fair adjustment which will be acceptable to our military retirees, but at the same time will serve to discharge the moral responsibility that our Government has toward these men.

I stand by the sentiments expressed by a Justice of the Supreme Court when, in an opinion pertaining to a case involving the right of the U.S. Government to take reservation land that had been guaranteed to the Tuscarora Indians in perpetuity, he stated:

> Great Nations, like great men, should keep their word.

BOY SCOUTS ANNIVERSARY

(Mr. GUDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUDE. Mr. Speaker, from February 7 through February 13, the Nation will be celebrating the 59th birthday of the Boy Scouts of America. This widespread and invaluable organization was begun right here in Washington on this day, February 6, 1910, by James E. West, and today, the National Capital Area Council is the largest in the country, extending from almost to Baltimore south to Richmond, Va. There are over 2,000 Boy Scout leaders in the metropolitan area who are helping to shape the lives of over 78,000 boys, and there are new troops being formed daily.

Here in Washington, there are troops meeting in schools, churches, and lodges all over the city from New York Avenue

Presbyterian Church to the Urban Center at New Jersey and K, with leadership emerging from the business community, the clergy, teachers, and the military bases in the metropolitan area, Bolling, Andrews, and Fort McNair. The programs in the area are extensive and comprehensive. Two summers ago, a camping program was started at Roosevelt Island in which youths from the inner city had the opportunity to spend 3 days in a wide-open, natural environment.

An effort about which I am particularly laudatory was just recently initiated. The council has just added to its ranks a troop of 21 probationers from the juvenile court. Efforts such as this are gravely needed—here are a group of truly dedicated individuals who are deeply aware of the needs of the young people, in the inner city, and in the surrounding suburbs. There is no generation gap in the Boy Scouts of America. I hope that during this next week, we in the Congress and all of our constituents will honor this group, the Boy Scouts of America, on its 59th anniversary—59 years of invaluable service and genuine productive efforts to create pride in every boy, in himself and in his community. Let us remember the theme of 1969 for the Boy Scouts—"Boy Power—Man Power," America's manpower begins with boypower.

POST OFFICE TAKEN OUT OF POLITICS

(Mr. MESKILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESKILL. Mr. Speaker, I read with great interest the release issued yesterday by Postmaster General Winton Blount that postmaster and rural carrier appointments would be removed from politics and that effective immediately the Civil Service Commission would conduct open competitive examinations for these positions. I am sure that most Americans will welcome this announcement.

After carefully reading the entire release and the accompanying statement of the Postmaster General, I do have two great concerns. One is caused by some inconsistencies which appear in his statement. The Postmaster General states that his new policy should encourage career employees. Presently postmaster and rural carrier vacancies can be filled under the law through the promotion from within the Department of a career employee. Mr. Blount states that now all vacancies will be filled by open competitive examinations. I believe this will increase the chances for noncareer employees to take these positions and discourage career employees.

My other great concern is that he makes no mention of the veterans. Presently, veterans receive five points and disabled veterans receive 10 points preference and cannot be passed over in making an appointment. The same protection applies to their widows.

While he discusses new legislation for the Post Office Department, the Postmaster General makes no mention of the veteran or his widow. I certainly hope that he does not intend to tamper with the preferences which are now given under the law.

I have written a letter to Postmaster General Blount today. The letter reads as follows:

FEBRUARY 6, 1969.

Hon. WINTON M. BLOUNT,
Postmaster General,
Washington, D.C.

DEAR MR. POSTMASTER GENERAL: I read with great interest your General Release No. 30 issued Wednesday, February 5, concerning taking the Post Office Department out of politics. I believe that a great majority of the people will applaud this announcement.

I do find statements included in your release inconsistent and confusing, however. In stating that we must provide the American people with the best possible postal service you say, "The removal of these essentially career jobs from patronage is a vital step toward achieving that goal."

This conflicts with your initial statement that the Civil Service Commission will conduct *open competitive exams* for all new postmasters and rural carriers. Under the present law vacancies can be filled non-competitively from within the postal service. Holding open competitive exams will increase the possibility of non-career people filling positions which you have referred to as "essentially career jobs." I would greatly appreciate an explanation of your position, since you state that the new policy "should encourage career employees."

I am further disturbed by the fact that you make no mention of protecting veterans who may compete for these positions. I certainly hope that you have no intention of recommending legislation eliminating the five and ten point veterans preference.

I would greatly appreciate an early answer to my questions.

Sincerely,

THOMAS J. MESKILL,
Member of Congress.

LIST OF FOREIGN-FLAG VESSELS ARRIVING IN NORTH VIETNAM ON OR AFTER JANUARY 25, 1966

(Mr. CHAMBERLAIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHAMBERLAIN. Mr. Speaker, on January 14, I presented a year-end report on the problem of free-world-flag ships in North Vietnamese trade during 1968. The Department of Defense has just provided me with the first figures for 1969 and I regret to report that the level of this traffic continues at a disturbing level. During this past January, eight ships flying the British flag, two flying the flag of Somalia, and one the flag of Cyprus arrived in North Vietnam. This compares to the 10 such free-world ship arrivals in 1968 and the six arrivals in January 1967.

I should also like to draw the attention of my colleagues to the U.S. Maritime Administration's report No. 24 entitled "List of Foreign Flag Vessels Arriving in North Vietnam on or After January 25, 1966," based on information received through January 24, 1969. The vessels named in this list are prohibited from carrying U.S. Government financed cargoes out of U.S. ports, and I include it in its entirety at the conclusion of my remarks.

It should be noted, however, that this is not a complete list. Report No. 24 includes the names of some 26 free-world vessels but in fact, for either security reasons, or because of the unlikelihood that they would ever come to American ports, a sizable number of free-world-flag ships have not been listed. In addition the Maritime Administration list gives no indication of the number of times these vessels have gone to North Vietnam and many of them have been there more than once.

Indeed during 1968 there were a total of 149 free-world-flag ship arrivals in North Vietnam.

While our main attention is focused on the peace table at Paris and on other signs of progress, so long as the war continues we must not ignore the ugly facts of this drawn-out struggle and realize that without adequate supplies the enemy could not prolong the conflict.

REPORT NO. 24—LIST OF FOREIGN-FLAG VESSELS ARRIVING IN NORTH VIETNAM ON OR AFTER JANUARY 25, 1966

Section 1. The President has approved a policy of denying the carriage of United States Government-financed cargoes shipped from the United States on foreign flag vessels which called at North Vietnam ports on or after January 25, 1966.

The Maritime Administration is making available to the appropriate United States Government Departments the follownig list of such vessels which arrived in North Vietnam ports on or after January 25, 1966, based on information received through January 24, 1969. This list does not include vessels under the registration of countries, including the Soviet Union and Communist China, which normally do not have vessels calling at United States ports.

Flag of registry, name of ship	*Gross tonnage*
Total, all flags, 58 ships	399,467
Polish (32 ships)	243,514
Andrezj Strug	6,919
Beniowski	10,443
Djakarta	6,915
Emilia Plater	6,718
Energetyk	10,876
Florian Ceynowa	6,784
General Sikorski	6,785
Hanka Sawicka	6,944
Hanoi	6,914
Hugo Kollataj	3,755
Jan Matejko	6,748
Janek Krasicki	6,904
Jozef Conrad	8,730
Kapitan Kosko	6,629
Kochanowski	8,231
Konopnicka	9,690
Kraszewski	10,363
Lelewel	7,817
Ludwik Solski	6,904
Marceli Nowotko	6,660
Mickiewicz	4,344
Moniuszko	9,247
Norwid	5,512
Nowowiejski	9,186
Pawel Finder	4,911
Phenian	6,923
Przyjazn Narodow	8,876
Stefan Okrzeja	6,620
Szymanowski	9,203
Transportowiec	10,854
Wieniawski	9,190
Wladyslaw Broniewski	6,919

Flag of registry, name of ship—Continued

	Gross tonnage
British (15 ships)	85,647
Court Harwell	7,133
Dartford	2,739
Fortune Glory	5,832
Greenford	2,964
Isabel Erica	7,105
Kingford	2,911
Meadow Court [1] (trip to North Vietnam under ex-name Ardrossmore—British)	5,820
Rochford	3,324
Rosetta Maud [1] (trip to North Vietnam under ex-name Andtara—British)	5,795
Ruthy Ann	7,361
Shienfoon	7,127
Shun On [1] (trip to North Vietnam under ex-name Pundua—British)	7,295
Shun Wah (previous trip to North Vietnam under ex-name Vercharmian—British)	7,265
Taipieng (tanker)	5,676
Tetrarch [2] (trips to North Vietnam under ex-name Ardrowan—British)	7,300
Cypriot (6 ships)	41,386
Acme	7,173
Agenor [1] (trip to North Vietnam—Greek)	7,139
Amfithea	5,171
Antonia II	7,303
Laurel	7,297
Marianthi	7,303
Somali (2 ships)	16,082
Shun Tai (trip to North Vietnam—British)	7,085
Yvonne	8,997
Greek (1 ship)	6,724
Leonis [1] (trip to North Vietnam under ex-name Shirley Christine—British)	6,724
Panamanian (1 ship)	1,889
Salamanca [1] (trip to North Vietnam under ex-name Milford—British)	1,889
Singapore (1 ship)	4,225
Lucky Dragon [2]	4,225

[1] Ships appearing on the List which have made no trips to North Vietnam under the present registry.

[2] Added to Report No. 23 appearing in the Federal Register issue of December 17, 1968.

Section 2. In accordance with approved procedures, the vessels listed below which called at North Vietnam on or after January 25, 1966, have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) that such vessels will not, thenceforth, be employed in the North Vietnam trade so long as it remains the policy of the United States Government to discourage such trade and;

(b) that no other vessels under their control will thenceforth be employed in the North Vietnam trade, except as provided in paragraph (c) and;

(c) that vessels under their control which are covered by contractual obligations, including charters, entered into prior to January 25, 1966, requiring their employment in the North Vietnam trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

Flag of registry, name of ship

a. Since last report: none.
b. Previous reports:

Flag of registry:	*Number of ships*
British	1
Italian	1

Section 3. The following number of vessels have been removed from this list since they have been broken up, sunk or wrecked.

Flag of registry:	*Broken up, sunk, or wrecked*
British	3
Cypriot	3
Greek	1
Lebanese	2
Maltese	1
Polish	1

By Order of Acting Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

Date: January 29, 1969.

CONGRESSMAN ANNUNZIO INTRODUCES RESOLUTION CONDEMNING IRAQ FOR JEWISH PERSECUTION

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANNUNZIO. Mr. Speaker, I am pleased to join my distinguished colleague, Hon. LEONARD FARBSTEIN, from New York, as well as many other Members in cosponsoring the resolution presented today condemning the Government of Iraq for persecution of the Jews.

If there was any shred of doubt among men of good will concerning the treatment of the Jews in the Arab Nations, the events of January 27, 1969, should have served as sufficient proof that persecution of the Jews not only lives, but thrives among the Arab people. To make a public spectacle of the hanging of 14 men is an unpardonable display of barbarism, reminiscent of precivilized man. That nine of those men were Jews, executed for their religious faith as much as for the trumped-up charges offered to the so-called court, clearly demonstrates that Arab hatred toward Israel and the Jews knows no bounds. In an age when we are constantly reminded of "man's inhumanity to man," the Iraqis have reach a new low in depravity.

As if the first series of trials were not enough, the Iraqi Government has announced that the second round in the farce has begun. It would be just that—a farce—if the results were not so ominous. Because of the theatrics of the Iraqi court, men may die, just as the 14 died before them, as public monuments to insanity. While it is too late to help those who died on January 27, it is not too late to condemn the Iraqi Government and people for their obvious disregard of human dignity. That protest must make extremely clear our rejection of the Arab persecution of the Jews, for whatever reasons the Arab dictators may offer. Our protest must make extremely clear the support of the United States for the undeniable rights of the Jews in whatever country they may reside, by force or choice, and that the United States totally and unequivocally rejects any abrogation of the rights and dignity of men for whatever reason.

By requesting that this matter be considered by the United Nations, we will provide both the forum for presenting the facts of Arab denial of the rights of the Jews and a chance for the escape of those Jews still held in Arab countries as hostages in the Arab-Israeli dispute. The machinery for the release and emigration of the captive Jews exists within the United Nations, and we seek the means by which that machinery can be set in motion. If we hesitate, there may be more innocent Jews on the scaffolds of Baghdad, and who knows what other cities in the region.

I support this resolution and the purpose to which it is dedicated, that the United States take the lead in finding refuge for the tortured Jewish minority in the Arab world. I most heartily support the condemnation of the Iraqi regime for its immoral display of ignorance and hatred.

AMENDMENTS TO SALARY COMMISSION PROCEDURES

(Mr. RANDALL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. RANDALL. Mr. Speaker, I have today introduced a series of amendments to Public Law 90-206, which was H.R. 7977, approved in December of 1967. This carried the very innocent title, "To Adjust the Rates of Basic Compensation for Certain Officers and Employees of the Federal Government."

You may recall this was the measure we passed near the end of the first session of the 90th Congress which necessarily raised postal rates in order to give some long needed pay increases to our thousands of faithful postal employees. Yet the provision creating a Presidential Salary Commission was not only ill advised, but now is revealed to contain provisions that no Member could hardly have intended to support in the light of the way the Commission plan has worked in practice.

Accordingly, I have proposed today an almost new section 225, which if passed by the Congress will in my opinon insure sorely needed corrections in Salary Commission procedures.

First, my amendment will provide and insure that no lame duck President can make salary recommendations, because our measure would place the Commission on a calendar year rather than a fiscal year basis and would move forward by 1 year the quadrennial cycle for implementing salary adjustments. Another requirement is that the Commission must make its recommendations to the President no later than July 1. Even if the Commission fails to act until the last year of a President's term of office, this provision will mean that the recommendation must be submitted over 6 months before his term ends. There is a further requirement that the President must advise the Congress no later than August 1 as to his recommendations to the Congress of salary changes in the executive, legislative and judicial branches. Even though his budget message may not be required until January, our new requirement will make it necessary that the President pass on his own recommendations to the Congress in order that, if this period should ever fall in an election year, there will remain the months of August, September, and October for the issue to be subject to debate in the campaign. Thus every candidate, if called upon, will have to state clearly his position on such salary recommendations.

Still another provision I have supplied as an amendment is the requirement that there be a 180-day waiting period after the budget message is submitted before the raises shall become effective; and finally, the requirement that there shall be a rollcall vote in both the House and Senate necessary to indicate acceptance of the pay raise recommendations.

ORGANIZATION OF HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

(Mr. ICHORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ICHORD. Mr. Speaker, the House Committee on Un-American Activities, which I have the honor to chair, met today for the purpose of reorganizing. As we enter upon the important duties confided to us by the mandate of the House, it has been my desire to establish a sound basis for the fair and effective operation of the committee. In this effort I have the stanch support of the distinguished members of my committee.

A major point of business was the preparation and adoption of revised committee rules, a copy of which I append to my statement today for the information of the House. The rules the committee has adopted are the most comprehensive and the fairest rules ever adopted by a committee of this Congress and go as far as possible in protecting the rights of persons appearing before the committee while still constituting a workable set of rules for a legislative body keeping in mind its purposes. Other proposals likewise considered, which I shall briefly note hereafter, include a revision of House rule XI with respect to the certification of contempts, and an amendment to the contempt statute (2 U.S.C. 192, 194) to lay a basis for the prosecution of misbehavior before committees of the Congress.

The House Committee on Un-American Activities was the first committee to adopt written rules of procedure, the substance of which were, in fact, some years ago incorporated in rule XI of the House. The late Congressman Clyde Doyle, of California, a member of the House Committee on Un-American Activities, in fact drafted the resolution, presently clause 27 of House rule XI, which was adopted by the House in 1955 with a view toward establishing a fair code of procedure for all committees of the House.

Distinguished commentators on congressional investigation, including the late Mr. Justice Frankfurter, have taken the position that congressional inquiry should remain unfettered if it is effectively to serve its constitutional purposes. We share the basic concern expressed in that point of view. While sharing that concern in drafting the present rules, we have also been mindful that liberty is not license. To borrow the words of Chief Judge Prettyman, a learned jurist of the court of appeals, liberty is achieved by rules which correlate every man's actions to every other man's rights and that liberty, in short, involves reasonable restraints so that the exercise of rights and duties of one may not operate to oppress another. We believe that the rules we have today adopted, strike the happy median.

Nevertheless, we have not lost sight of the fact that we are preparing rules for an investigative and legislative committee and not rules of a court. We are in an area of the administration of law where the discipline of men complements certain fixed rules. This discipline, within the framework of specific rules, should be accepted practically as a reasonable guarantee to the exercise of power that conforms to the spirit of our institutions and finds expression in the concept of due process. In this way, the disturbance to the individual affected by the exercise of power is minimized while yielding to the broader and more imperative demands of the Nation's interest. The distinguished lawyer and former Senator, George Wharton Pepper, aptly said:

> Let it once and for all be understood that the power of inquiry exists, that its possession is a great public trust and that the American people are going to pour out the vials of their wrath upon those who prove themselves unworthy of the trust.

I want to take this occasion to state that in drafting the present revision of the committee rules, we have had the benefit of a good deal of spadework on this subject in the reports of the American Bar Association and the proposals of several Members of Congress. I am pleased to note that the new rules substantially embrace the proposals made by Mr. GONZALEZ in this Congress (H.R. 46), together with the provisions of the proposed Code of Investigative Procedure adopted in 1954 by the American Bar Association which had made a thorough study of the investigative procedures of the House and Senate.

A further matter of concern to me and to several other Members of Congress has been the processing of contempt prosecutions pursuant to sections 102 and 104 of the Revised Statutes (2 U.S.C. 192, 194), which directs the Speaker of the House to certify to the appropriate U.S. attorney for prosecution committee reports with respect to refusals of witnesses to testify or produce papers. It has been suggested that such reports of contempt should be filtered through special committees which would have the duty to study and make recommendations to the House and Speaker prior to certification. I think such a course desirable and useful, and for that purpose I am proposing an amendment to House Rule XI, clause 27, a copy of which I likewise place in the RECORD at the conclusion of my remarks.

Another related subject of great concern to me is the inadequacy of legislation for prosecuting acts of misbehavior of counsel, witnesses, and others in the presence of committees and subcommittees of Congress. It seems to me that unless we have statutory base for prosecuting such misbehavior, we may tend to lose control of the hearing room and find ourselves unable to maintain and preserve the dignity and authority of Congress through its committees. In these troubled days the problem is becoming one of increasing importance. I will not burden this statement by detailing the existing legal situation, except to say that present statutes are inadequate. There is a distinct need for authority similar to that possessed by courts in the misbehavior provisions of section 401, title 18, U.S. Code. I have been in dicussion on this subject with Senator McCLELLAN and Senator EASTLAND, and I hope shortly to lay a proposal before the House for remedial legislation. I would hope that this proposal and the above amendment setting up a separate contempt citation committee will be passed and that each be considered in the light of the other, although they will be referred under the rules to different committees, as each does complement the other.

COMMITTEE RULES OF PROCEDURE

I—INITIATION OF INVESTIGATIONS

No investigation shall be undertaken by the Committee unless authorized by a majority of the members thereof. Committee investigations shall be limited to those legislative purposes committed to it by the mandate of the House. The subjects of inquiry of any investigation shall be specified in the Committee resolution authorizing such investigation.

II—COMMITTEE AND SUBCOMMITTEE MEETINGS—QUORUM—APPOINTMENT OF SUBCOMMITTEES

A—Committee or subcommittee meetings to make authorizations or decisions with respect to investigations shall be called only upon a minimum of 24 hours' written or verbal notice to the office of each member while the Congress is in session, and 3 days' written notice when not in session. Any objection to the sufficiency of notice of any meeting shall be deemed waived, unless written objection is filed with the Chairman of the Committee or subcommittee.

B—The Chairman of the Committee is authorized and empowered from time to time to appoint subcommittees, and to reconstitute the membership thereof, composed of three or more members of the Committee, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of conducting any investigation initiated by the Committee or performing any and all acts which the Committee as a whole is authorized to perform for the purpose of any such investigation. No subcommittee shall have the authority to release executive testimony, or to report any measure or recommendation to the House.

III—DELEGATION OF AUTHORITY TO SUBCOMMITTEES

In addition to the general authority delegated to subcommittees under the preceding section, each subcommittee is delegated authority:

A—Subject to the provisions of section X hereof, to determine by majority vote thereof whether the hearings conducted by it shall be open to the public or shall be in executive session; and

B—To admit to the hearing room whatever public information media it deems advisable or necessary, provided that the decision of the subcommittee shall not be in conflict with the rulings of the Speaker of the House of Representatives.

IV—SUBPENAING OF WITNESSES

A—Subpenas may be issued under the signature of the Chairman of the Committee or of any subcommittee, or by any member designated by such chairman, when authorized by a majority of the members of such Committee or subcommittee, and may be served by any person designated by any such Chairman or member.

B—Each subpena shall contain a statement of the Committee resolution authorizing the particular investigation with respect to which the witness is summoned to testify or to produce papers, and shall contain a statement notifying the witness that if he desires a conference with a representative of the Committee prior to the date of the hearing, he may call or write to counsel of the Committee.

C—Witnesses shall be subpenaed at a reasonably sufficient time in advance of any hearing, said time to be determined by the Committee or subcommittee, in order to give the witness an opportunity to prepare for the hearing and to employ counsel, should he so desire.

V—PUBLICATION OF NAMES OF SUBPENAED WITNESSES

No member of the Committee or staff shall make public the name of any witness subpenaed before the Committee or subcommittee prior to the date and time set for his appearance.

VI—DISTRIBUTION OF RULES

All witnesses appearing before the Committee or subcommittee shall be furnished a printed copy of the Rules of Procedure of the Committee and clause 27 of Rule XI of the House of Representatives.

VII—WITNESS FEES AND TRAVEL ALLOWANCE

Each witness who has been subpenaed, upon the completion of his testimony before the Committee or subcommittee, may report to the office of counsel of the Committee, Cannon House Office Building, Washington, D.C., and there sign appropriate vouchers for travel allowances and attendance fees. If hearings are held in cities other than Washington, D.C., the witness may contact the counsel of the Commmittee, or his representative, prior to leaving the hearing room.

VIII—SUBJECTS OF INVESTIGATION

The subjects of any investigation in connection with which witnesses are summoned or shall otherwise appear, shall be publicly announced in an opening statement before administration of oath or affirmation or receipt of testimony at any hearing and a copy thereof shall be made available to each witness. The information sought to be elicited at the hearings shall be germane to the subject as so stated.

IX—TESTIMONY UNDER OATH

A—All witnesses at public or executive investigative hearings who testify as to matters of fact shall give all testimony under oath or affirmation which shall be administered by the Chairman or a member of the Committee or subcommittee.

B—No witness shall be compelled to testify under oath or affirmation at any Committee or subcommittee hearing unless a quorum of the Committee or subcommittee is present to receive such testimony.

X—EXECUTIVE HEARINGS

A—The Committee or subcommittee shall receive evidence or testimony in executive session—

(1) When the Committee or subcommittee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person in proceedings pursuant to House Rule XI, 27 (m);

(2) When the Committee or subcommittee determines that the interrogation of a witness in a public hearing might compromise classified information, or might endanger the national security; or

(3) When the Committee or subcommittee determines that the interrogation of a witness in a public hearing might tend adversely to affect the national interest.

B—Testimony or evidence given in executive session and the identity of witnesses called to testify in such session shall not be disclosed by any member or employee of the Committee without the Committee's approval.

C—No person shall be allowed to be present during a hearing of a Committee or subcommittee held in executive session, except members and employes of the Committee, the witness and his counsel, officials, stenographers, or interpreters of the Committee, and any other person whose presence the Commitee or subcommittee deems indispensable for the conduct of the hearing.

XI—RELEASE OF TESTIMONY TAKEN IN EXECUTIVE SESSION

A—No testimony taken or material presented in an executive session, or any summary or excerpt thereof, shall be made public or presented at a public hearing, either in whole or in part, unless authorized by a majority of the Committee.

B—No evidence or testimony, or any summary or excerpt thereof, given in executive session which the Committee determines may tend to defame, degrade, or incriminate any person shall be released, or presented at a public hearing, unless such person shall have been afforded the opportunities provided by House Rule XI, 27(m), and any pertinent evidence or testimony given by such person, or on his behalf, is made a part of the transcript, summary, or excerpt to be released.

C—Persons afforded opportunities under House Rule XI, 27(m), shall be advised that testimony, or an extract or summary thereof, received pursuant to such rule may subsequently be publicly released or offered at a public hearing.

XII—TRANSCRIPTS OF TESTIMONY

A—A complete and accurate record shall be made of all testimony and proceedings at Committee and subcommittee hearings.

B—A witness examined under oath or affirmation in a hearing shall, upon request, be given a reasonable opportunity before any transcript is made public to inspect the transcript of his testimony to determine whether it was correctly transcribed and may, if he so desires, be accompanied by his counsel during such inspection.

C—A witness or his counsel may copy at the office of the Committee, or obtain for his own use at his own expense, a transcript of any testimony of the witness which has been given publicly or made public, and with the approval of a majority of the Committee may obtain for his own use and at his own expense a copy of the transcript of any executive testimony of the witness which has not been made public. The witness or his counsel shall be permitted to examine the transcript of his testimony taken in executive session.

D—Any corrections in the transcript of the testimony of the witness which the witness desires to make shall be submitted in writing to the counsel of the Committee within five (5) days of the taking of his testimony, and the request shall be acted upon by the Committee or subcommittee receiving such testimony.

XIII—COMMITTEE REPORTS OR PUBLICATIONS

A—No Committee report or document shall be made or released to the public without the approval of a majority of the Committee, and no statement of the contents of such report, or document, shall be released by any member of the Committee or its staff prior to its official issuance. Drafts of such reports or documents shall be submitted to the office of each Committee member at least 3 days in advance of the meeting at which it is to be considered for release.

B—Whenever a minority of the Committee dissents from a report or document approved by a majority thereof, the minority shall be given a reasonable time in which to prepare a minority report, which shall be filed at the same time as the majority report, and published in the same volume or document.

C—A report or document made public by the Committee concerning any investigation in which sworn testimony was taken shall include pertinent testimony received in rebuttal taken during such investigation, unless the same has been previously made public, or is made public concurrently with the report or publication.

XIV—ADDITIONAL RIGHTS OF PERSONS AFFECTED BY A HEARING OR COMMITTEE PUBLICATION

Any person who believes that his character or reputation has been adversely affected by evidence or testimony adduced in a public hearing, or in the released testimony of an executive hearing, or in the published reports or documents of the Committee, within a reasonable time shall:

(1) Communicate with the counsel of the Committee; and/or

(2) Request in writing an opportunity to appear, at his own expense, in person before the Committee or any subcommittee thereof to testify as a witness in public or executive session.

The Committee or subcommittee shall make such determination with respect to such communication or request, and shall take such other action, as to reason and justice shall pertain, including an allowance of witness fees and travel.

XV—RIGHTS OF WITNESSES WHILE TESTIFYING [1]

A person testifying under oath or affirmation before the Committee or subcommittee shall have the following rights:

(a) To be accompanied by counsel of his own choosing. The Committee seeks factual testimony within the personal knowledge of the witness, and such testimony must be given by the witness himself.

(b) To make complete and concise answers to questions and, when necessary, to make concise explanations of such answers. The witness shall be limited to giving information relevant and germane to the subject under investigation.

(c) Rulings upon legal objections interposed by the witness or his counsel to procedures or to the admissibility of testimony and evidence shall be made by the presiding member of the Committee or subcommittee, and such rulings shall be the rulings of the Committee or subcommittee, unless a disagreement thereon is expressed by a majority of the said Committee or subcommittee.

(d) Communications claimed to be privileged, as between husband and wife, attorney and client, physician and patient, clergyman or priest and penitent, and between a State or Federal law enforcement officer and informant, shall be respected, and one spouse shall not be questioned concerning the activities of the other, but the Committee or subcommittee shall not be bound to make its rulings with regard thereto or on the reception of evidence or the examination of witnesses except as required by the Rules of the House of Representatives.[2]

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[1] All witnesses are invited at any time to confer with Committee counsel prior to hearings.

[2] The rules of legislative bodies and their committees differ from those of courts. The procedures of any body must be geared to its purpose. Courts have one purpose, Congressional Committees another. Courts conduct trials to determine guilt or innocence, or to adjudicate rights. Court proceedings are

(e) Any witness desiring to make a prepared or written statement for the record of the proceedings shall file a copy of such statement with the counsel of the Committee not less than 48 hours in advance of the hearing at which the statement is to be presented. All such statements or portions thereof so received which are relevant and germane to the subject of investigation may, at the conclusion of the testimony of the witness and with the approval of a majority of the Committee or subcommittee members, be inserted in the official transcript of the proceedings. In addition, the witness may make a statement, which shall be brief and relevant to the subject matter of his examination, at the conclusion of his testimony. However, statements which take the form of personal attacks by the witness upon the motives of the Committee or subcommittee, the personal characters of any Members of the Congress or of the Committee staff, and intemperate statements or statements clearly in the nature of accusation, are not deemed to be relevant or germane, shall not be made, and may be stricken from the record of the proceedings.

(f) If the witness so requests, he shall not be photographed while he is testifying, nor shall his testimony be broadcast or recorded for broadcast by radio or television.

XVI—PARTICIPATION AND CONDUCT OF COUNSEL IN HEARING

A—The participation of counsel on behalf of his client during the course of any hearing, and while the witness is testifying, shall be limited to advising his client as to his legal rights.

B—Prior to the administration of the oath or affirmation to his client, counsel shall be permitted to state his objections to the jurisdiction of the Committee or subcommittee, or to procedures claimed to violate his client's legal rights. Counsel shall state such objections briefly and temperately, and shall comply with the rulings and limitations thereon by the presiding member of the Committee or subcommittee.

C—At the conclusion of the interrogation of his client, counsel shall be permitted to make such reasonable and pertinent requests upon the Committee or subcommittee as he shall deem necessary to protect his client's rights. These requests shall be ruled upon by the Committee or subcommittee conducting the hearing.

D—Counsel for witnesses shall conduct himself in a professional, ethical, and proper manner. His failure to do so shall, upon a finding to that effect by a majority of the Committee or subcommittee before which the witness is appearing, subject such counsel to disciplinary action which may include warning, censure, removal of counsel from the hearing room, or a recommendation of contempt proceedings. In case of such removal of counsel, the witness shall have a reasonable time to obtain other counsel, said time to be determined by the Committee or subcommittee. Should the witness deliberately or capriciously fail or refuse to obtain the services of other counsel within such reasonable time, the hearing shall continue and the testimony of such witness shall be heard without benefit of counsel.

XVII—CONTEMPT OF CONGRESS

No recommendation that a witness be cited for contempt of Congress shall be forwarded to the House of Representatives unless and until the Committee has, upon notice to all its members, met and considered the alleged contempt and, by a majority of the Committee, voted that such recommendation be made.

H. Res. —

Resolution

Resolved, That Rule XI of the Rules of the House of Representatives is amended by adding immediately after clause 27(q) the following:

"(r) No report to the House, or statement of facts reported to and filed with the Speaker of the House, with respect to any alleged failure or contempt under section 104 of the Revised Statutes (2 U.S.C. 194) shall be certified by the Speaker of the House to the appropriate United States attorney under such section except following the referral of such report or statement to, and a report thereon by, the special committee created under this paragraph. At the commencement of each Congress the Speaker of the House shall appoint a special committee which shall be composed of seven members, one of whom he shall designate as chairman and not more than four of whom shall be of the same political party, to consider each such report or statement of alleged failure or contempt. It shall be the duty of the special committee to study each report or statement referred to it under this paragraph and, as soon as practicable after each such referral, to report to the House, or to the Speaker of the House when the House is not in session, the results of its study, together with such recommendations as it may deem appropriate. The report of the special committee shall include, among other things, a statement of its opinion whether the committee or subcommittee before which the alleged failure or contempt occurred exceeded the scope of its authority, violated the constitutional rights of the person alleged to be in contempt, or otherwise acted in a manner contrary to law or to any applicable legislative rules."

THE PROPOSED FCC BAN ON CIGARETTE ADVERTISING

(Mr. WYMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYMAN. Mr. Speaker, as a Member of this body without the slightest connection with the tobacco industry, I am, nevertheless, concerned to learn of the proposal by the Federal Communications Commission to ban all advertising of cigarettes on the Nation's radio and television stations. My concern does not derive from a tender solicitude for the economic interests of either the media or the industry. It derives from the suggestion that such a power has been given by Congress to a regulatory agency in the absence of a finding that smoking of cigarettes is virtually synonymous with poison.

Admittedly, the use of tobacco or alocohol—or for that matter perhaps any nonedible substance—when excessive can be demonstrably harmful to the human body. Yet this is a far cry from the factual situation applicable to occasional smoking of tobacco. Nothing has changed of late in regard to the facts concerning the harmfulness of cigarettes except perhaps the style and size of the cigarettes themselves. If it was harmful 5 years ago, or 10 years ago, it is harmful today. But it is the excessive use that harms, and this requires a degree of participation in his own undoing, so to speak, by the person who is harmed, and this can readily be covered by adequate required warnings. Outlawing all advertising by fiat in these circumstances is arbitrarily discriminatory against a single industry. Perhaps it may be a fact that it does not help anyone's lungs to smoke cigarettes and inhale, but virtually nobody is provably going to die of lung cancer from smoking if they hold their consumption down to a few cigarettes a day.

The proposed edict of the FCC that all cigarette advertising should be banned appears to me to be a grasp for power by a Federal agency beyond its proper regulatory function. While the agency at this point has merely started the ball rolling by filing a notice of proposed rulemaking, and the opportunity to file objections and appear at hearings for or against this action will lie ahead, it is a distressing feature of this proposal that a Federal agency should take it upon itself to assert sweeping power of this nature on the basis of its own determination and without new legislation.

Requiring warnings on packages or in advertising that the use of cigarettes may be harmful to one's health is one thing, but to attempt to ban all advertising of cigarettes by administrative decree, in my opinion, exceeds the present statutory powers of the FCC.

An extreme and unreasonable attempt at regulatory action by any Federal commission in the absence of affirmative legislative authority from the Congress is something I cannot support. I doubt Congress would provide this without a finding from the Food and Drug Administration that the case against smoking is vastly stronger than has yet been publicly established. Encouragement of voluntary abstention from acceptance of cigarettes or liquor advertising on the part of broadcasters is one thing—an order prohibiting it by a regulatory agency is quite another. In the absence of specific authorization this is, as one Commissioner has said, "an unreasonable and arbitrary" action.

HUAC IS HUAC—WHATEVER THE NAME

(Mr. RYAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, House Resolution 89, which would change not only the name but extend the jurisdiction of the House Un-American Activities Committee, was considered by the Committee on Rules on February 4 and reported favorably the very same day. I testified in opposition to the resolution, pointing out how approval would only serve to give the Un-American Activities Committee a new mandate. I regret that the Committee on Rules did not hold a full hearing and consider the other pending resolutions concerning the committee which would have either eliminated it entirely or transferred its area of concern to the Committee on the Judiciary.

The House leadership has now sched-

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adversary in nature; committee proceedings are not. Committees hold hearings to develop information that will assist in the enactment of legislation. Courtroom procedures are not followed in Congressional hearings or vice versa, because any attempt to apply the rules of one to the other would tend to frustrate the attainment of the different purposes for which they were created. Court procedures governing the reception of evidence and the examination of witnesses are not binding on the Committees of the Congress.

uled House Resolution 89 for floor action on February 18, immediately after the recess, which provides very little opportunity for adequate consideration.

Furthermore, the Rules Committee failed to report the resolution under a rule which would permit amendments to be offered. Therefore, if the Member handling the resolution refuses to yield for an amendment, as is to be expected, it will not be possible to offer any amendments unless, of course, the previous question is defeated. Both the haste and procedure under which this measure will be brought to the floor are causes for deep concern for Members who have serious constitutional and other questions to raise about the substantive and far-reaching changes which are envisioned in House Resolution 89.

As I have repeatedly pointed out, the House Un-American Activities Committee serves no useful legislative purpose; its purpose has been to harass and expose. It has flaunted our constitutional principles of justice and due process and brought discredit upon the House of Representatives.

House Resolution 89 asks that this committee's mandate now be broadened to include additional areas of inquiry, and that its name be changed to the "Committee on Internal Security." What would the effect of these changes be? Let me turn first to the first part of the resolution: the proposed change in name.

During the past several years, the opposition to the Un-American Activities Committee has grown both in numbers and in influence. More Members of Congress have begun to publicly express their opposition to the committee, and a distinguished body of lawyers and jurists have urged that the committee be eliminated. Larger and larger numbers of citizens are beginning to question the very concept of a special committee of Congress to investigate "un-American" activities.

The attempt made through this resolution to cloak the committee's activities in a more euphemistic and respectable-sounding name is, I believe, directly related to this growing opposition. For the name of the committee has itself become a symbol of the vagueness and arbitrariness under which its activities are carried on. By changing the name, the sponsors of this resolution hope to give the impression that the committee has been given new certification by the Congress to carry on its investigations.

The second part of this resolution, which would enlarge the mandate of the present House Un-American Activities Committee, would give the committee significantly broader powers than are presently authorized in rule XI of the Rules of the House. Rule XI currently gives it authority to investigate "the extent, character, and objects of un-American propaganda activities in the United States," and to determine the diffusion of "un-American propaganda." Under the provisions of House Resolution 89 the committee's mandate would not be limited to the investigation of propaganda but would extend to organizations and groups.

These changes would give the committee the congressional sanction to initiate new investigations into peace, student and other groups which the committee has already investigated—albeit under dubious authority—under its old mandate. None of the committee's previous investigations suggests this extension of its powers would be in the interest of the internal security of the United States.

In addition, the powers proposed in House Resolution 89 trespass upon the jurisdiction of the House Judiciary Committee, of which I am a member. As the chairman of the Judiciary Committee (Mr. CELLER) has pointed out in his letter to the Rules Committee opposing this resolution, the powers which this bill proposes be invested in the Committee on Internal Security by paragraphs 11(b)1, 11(b)2, and 11(b)3, clearly overlap the Judiciary Committee's power to investigate crime, espionage, sedition, and other areas of criminal jurisdiction. I would also point out that the Senate committee which—at least in name—corresponds to the committee proposed in House Resolution 89 exists as a subcommittee of the Senate Judiciary Committee. Since there has yet been no explanation as to why the House Un-American Activities Committee is better qualified to carry on these functions than the Judiciary Committee, it must be assumed that the sponsors of this resolution do not offer this legislation as a way of improving the investigation of seditious or treasonous activities. Past experience suggests that the powers sought in this resolution would not be used to investigate espionage or sedition but would rather be used to justify the harrassing and exposing tactics which the committee has habitually invoked. The mandate provided by this resolution would give the Un-American Activities Committee even more latitude than it now has to invoke its own subjective standards of "seditious" or "treasonous" or even "treacherous" activity. The vagueness and ambiguousness of the language constitute additional reasons for rejecting this resolution.

Finally, I would point out again that a number of other resolutions dealing with the Un-American Activities Committee are pending before the Rules Committee. I do not believe that House Resolution 89 should be considered until the Members have been made fully aware of the alternatives offered by these other resolutions. At the Democratic caucus on January 2 I attempted to offer an amendment to the rules, which would have eliminated the committee. However, it was ruled out of order to offer any amendment to the rules. In the past our efforts to amend the rules on the opening day of Congress have met the same fate.

Now that there is the possibility of considering the question of the House Un-American Activities Committee on its own merits without the parliamentary complications of opening the door for other and undesirable changes in the rules, the opportunity is being foreclosed by bringing the matter to the floor under what is in effect a closed rule and without adequate opportunity for Members to consider the alternatives.

To invest this committee with a new mandate to investigate any group or organization which it believes in its subjective opinion to be "subversive" or, according to the language of the resolution, only "treacherous" will only invite further infringements upon basic civil liberties.

OFFICE OF COAL RESEARCH EDUCATION PROGRAM

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SAYLOR. Mr. Speaker, within the past 2 weeks a staff member of the Oak Ridge Associated University, a nonprofit institution subsidized by the Atomic Energy Commission, visited schools in Cambria County, Pa., with a mobile display called "This Atomic World." He will be in Pennsylvania until March 31 with 1-day stands in various communities, then return to his home base out of which some 20 other units are involved in similar activity around the country.

Each unit goes to approximately 160 schools per year.

In addition, there is a permanent unit, a Life Science Radiation Laboratory, located at Franklin Institute in Philadelphia. It is operated by an Oak Ridge Associated University staff member who puts on demonstrations on the biological aspects of radiation.

Mr. Speaker, it occurs to me that in spending billions of dollars for these and other activities under the auspices of the AEC to boost a fuel whose safety factors, long-term availability, and cost are still in question, the Government is neglecting the source of energy which is essential to keep America's industry viable, her homes lighted, and her defense functional. Grownups and students alike may find fascination and uncertainty in the atom, but they need to understand the dependability and indispensability of coal.

For this reason I intend to propose to the Office of Coal Research that it should undertake an educational program designed to portray the importance of coal to the Nation's economy and security. An OCR program of this nature would have the dual advantage of assuring adequate personnel for the mines and giving young men an opportunity to enter an industry where there are steady work and good wages for professional engineers and skilled technicians.

Most of today's large mines are opened on the basis of a 20- or 30-year contract with an electric power company or for the purpose of supplying a steel company for many years into the future, thus removing the question of shutdowns and layoffs. Last week Pennsylvania's Bureau of Employment Security reported that the $170.10 average weekly wage of coal miners was highest among all workers during December in the four-county Pittsburgh labor area.

There is also the aspect of the environment that cannot be expected to be expected to be reported in full if the Federal fuel education program is to be limited to AEC faculty direction. While the problem of contamination from nuclear powerplants is still far from resolved, the coal industry has made remarkable progress in attacking pollution of land, air, and water. What is more, industry management and the United Mine Workers of America are cooperating with Federal and State Governments in a determined program to improve health and safety in the mines.

These are matters that should be brought to the attention of our students and of the general public, for without the growth of the coal industry this country is not going to grow. It is important not only to Pennsylvania and other coal-producing States east of the Mississippi River, but because of the unprecedented demands for energy all over this land there is no single State that will not rely more and more upon an adequate supply of coal for industry and/or domestic use through electric power requirements.

My colleagues from North Dakota, Montana, Colorado, Utah, Arizona, New Mexico, and Washington will immediately recognize the desirability of an education program to bring about a broad understanding and appreciation of the coal industry, especially among young men seeking careers. There is a coal rush underway in the rich reserve areas of the West and only by encouraging production there and in the Midwest and Appalachian States can we be certain that this country will never want for heat and power.

COMMENDING THE LEADERSHIP OF THE BOY SCOUTS OF AMERICA

Mr. ALBERT. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 133) and ask unanimous consent for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. Con. Res. 133

Whereas the Boy Scouts of America, an organization of American boys, was chartered by an Act of Congress in 1916; and

Whereas approximately 6,000,000 boys are currently members of this great youth organization: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the leadership of the Boy Scouts of America be commended for their fine work and praised for continually directing the Boy Scouts into programs which encourage Americanism and pride in our country's heritage.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object—and I shall not object—I merely wish to observe that while I support this Concurrent Resolution 133 and the purpose of it, I would have been more pleased had the distinguished majority leader and other leaders of the House brought to the floor House Resolution 133, which would have provided for disapproval of the outlandish pay increase for Members of Congress and the executive and judicial branches of government.

Mr. ALBERT. I am afraid I might have had some objection, had I done that, I say to my distinguished friend.

Mr. BLANTON. Mr. Speaker, today I rise to honor one of the most outstanding youth organizations in our Nation, the Boy Scouts of America. In recognition of their contribution and service, we celebrate the week of February 7 through February 13. I, therefore, at this time would like to introduce in behalf of myself and cosponsors a concurrent resolution in recognition of the Boy Scouts of America, an organization of American boys, which was chartered by an act of Congress in 1916 and has an approximate membership of 6 million boys. I resolve that this Congress commend the leadership of the Boy Scouts of America for their fine work and praise them for continually directing the Boy Scouts into programs which encourage Americanism and pride in our country's heritage for which we are all indebted. I know from personal acquaintance with Boy Scouts throughout the Nation that they are a group of superior caliber and high moral standings. I feel it only fitting and proper that we today pay tribute to this great organization.

Mr. GERALD R. FORD. Mr. Speaker, I join with my colleagues in paying tribute to a great organization, the Boy Scouts of America, which will be 59 years old on Saturday. It was on February 8, 1910, that this organization which has done so much good was incorporated. I was an Eagle Scout as a boy, and so I know at firsthand how the Boy Scouts of America nurture the ingredients that go into making a good American citizen. This is an organization which promotes respect for the law, love of God, and love of country. In this era when crime and disrespect for the law are increasing, it is more important than ever that law-abiding Americans support the Boy Scouts of America. Never before in our Nation's history have we so urgently needed the help of this fine organization.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee (Mr. Blanton), the author of the concurrent resolution, may extend his remarks immediately prior to passage of the concurrent resolution; and I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUPPLEMENTAL APPROPRIATION, 1969

Mr. MAHON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 414) making a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes, and I ask unanimous consent that the joint resolution be considered in the House as in the Committee of the Whole.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas for the immediate consideration of the joint resolution?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas that the joint resolution be considered in the House as in the Committee of the Whole?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. Res. 414

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sum is appropriated out of any money in the Treasury not otherwise appropriated, to supply a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes, namely:

DEPARTMENT OF LABOR

Bureau of Employment Security

For an additional amount for "Unemployment compensation for Federal employees and ex-servicemen", $36,000,000.

Mr. MAHON. Mr. Speaker, I move to strike the last word.

Mr. Speaker, this is a joint resolution which provides an appropriation of $36,000,000 for unemployment compensation for Federal employees and, more especially for ex-servicemen.

This request came to Congress in a supplemental request in mid-January. It is a routine request. The funds are reqired by law.

The appropriations for this legislation are normally handled by the Subcommittee on Labor, and Health, Education, and Welfare, headed by the gentleman from Pennsylvania, Mr. Flood, who is here beside me and would be glad to answer any technical questions that Members may have. However, I know of no objection and no controversy.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Speaker, I thank the gentleman for yielding to me.

There is no objection to this appropriation on the part of the minority side of the committee. It is a matter of appropriating the $36 million which is in the budget message sent to us.

I am advised that the balance available as of February 1 was $4 million, and that probably will be used, within the next week.

These payments are made to ex-servicemen coming from Vietnam and other areas of the world. When they are discharged and cannot find employment they are entitled to this under the law. It would seem to be a great mistake if we did not provide the money so that these veterans could be paid. This also provides for unemployed Federal workers. It is an obligation which must be met. It seems to me it is advisable to meet it at this time.

Mr. MAHON. We are advised that if we do not provide the funds now, payments due next week cannot be made.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

When in January did this come down?

Did the request come in with the budget on January 15?

Mr. MAHON. Yes. It is a part of the whole program of the Government. It was cranked into the budget, specifically—in the budget that came to Congress last month.

Mr. GROSS. Let me ask the gentleman: Is this a result of a failure of the Johnson administration to request enough money for this purpose?

Mr. MAHON. We provided some $92 million last year, which was our best estimate at that time, but it has proven to be inadequate. The year before it was $93 million and the year before that $90 million. It has fluctuated, and it is somewhat unpredictable for in advance. This was the best estimate that could be made at that time. We appropriated the full budget request last year.

Mr. GROSS. It is apparently increasing, but from what the gentleman just said apparently the figures, the total expenditures, were not too far apart in each of those years. How many submissions of a deficiency of this kind have we had in the last 3 years? Have we had one every year?

Mr. MAHON. We had one last year.

Mr. GROSS. Did you have one the year before?

Mr. MAHON. We did not.

Mr. GROSS. But you had an underestimated budget last year and this is the second year in succession that the Johnson administration sent up a patently underestimated budget. Is that true?

Mr. MAHON. I would not say it was patently underestimated. It is a matter of one not being able to foretell how many Federal employees will be entitled to unemployment compensation payments and how many Vietnam veterans and other veterans will be entitled to it. It is somewhat unpredictable. I would assume the Budget Director, whether he be a Democrat or a Republican, would usually hold it down to the lowest figure reasonably possible, but you just cannot predict the amount which will be due, as a matter of law, well over a year ahead of time. And that is what they are required to do under our budget system.

Mr. GROSS. But $36 million seems to be quite an underestimation for this particular purpose.

Mr. MAHON. It was, but the original estimate was about the same as the previous 2 years' experience.

Mr. GROSS. With the number of exservicemen growing and they knew that it was growing, how could they underestimate to this extent? That is the point I am trying to make. Was this for the purpose of making their budget look good when they submitted it a year ago?

Mr. MAHON. I would not believe so, but, of course, the object is and the effort is always made to hold the figures as low as they reasonably can be.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman from Texas yielding.

As I understand it, this is to make up for previously committed funds for our returning servicemen and unemployed Federal employees, and it is a "must" as far as the Congress is concerned in the opinion of the chairman of the Committee on Appropriations and the subcommittee chairman and certainly the distinguished ranking minority member of the committee from Ohio.

Mr. MAHON. Yes.

Mr. HALL. My concern, first of all, is that there has been an underestimate in order to make budget figures look good, as was just brought out by my distinguished colleague from Iowa.

Beyond that, Mr. Speaker, I wonder if the distinguished chairman could give us any indication or pledge that we will not have additional fragmented deficiency actions—by unanimous consent—in this or in other departments before the new appropriation bill comes out.

Mr. MAHON. The new budget of last month contained well over $4 billion in supplemental requests for fiscal 1969. That was presented to us in mid-January. We would like to consider them all in one package, in one bill, but in view of the fact that the funds for the purposes explained here have almost been exhausted, it was felt that action had to be taken before the recess in this particular field.

Now, we might get into this kind of thing on some other portion of the pending supplemental requests. However, I do not foresee it at the moment. Yet I cannot foreclose the idea that there may be other items which will have to be taken up separately.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I appreciate the gentleman's statement. I understand it is estimated that this fund will run out of money by February 10 while we are in our infamous recess. But, be that as it may, what I want to know is whether or not there will be other reports brought up, and other such requests made, before we have an opportunity to act upon the budgeted appropriations bills as a whole? Of course, I know that depends upon the authorizing activities of the legislative committees. However, can we have some assurance that this so-called supplemental or emergency deficiency action wherein unanimous consent is requested will not be repeated again unless it is absolutely necessary, and that it will show up in the deficit or surplus as reported for this particular fiscal year?

Mr. MAHON. Well, we have not had an opportunity yet to have before us the new Director of the Bureau of the Budget, the new Secretary of the Treasury, and other witnesses. We cannot foresee just what may develop with reference to the subject. But I would hope that we could have one bill for the whole package of supplementals at a later time and I would hope that would be the first regular bill that the House would consider from the Committee on Appropriations. But these funds were all in the budget. This $36 million is not outside the forecast that was made in the new budget as to a projected surplus.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, the $36 million that we pass here today—and I think we must pass here today and I therefore agree with the gentleman's statement—will be deducted from the alleged Johnson surplus even though that surplus involved trust funds; is that correct?

Mr. MAHON. No; not in any way. It has already been taken into consideration in computing the surplus. It was cranked into the figures for fiscal 1969 sent up in the President's budget for 1970. This does not change the surplus predicted in the budget.

Mr. HALL. I see, then, that we have to revert to the statements made in the well of the House so often that the surplus was from the trust funds and the revolving funds; whereas the actual expenditure funds will be in a deficit situation, but this will not add to that deficit?

Mr. MAHON. This will not subtract from the surplus heretofore projected for fiscal 1969 in the new budget received last month.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF U.S. DELEGATION TO THE MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86–420, the Chair appoints as members of the U.S. delegation of the Mexico-United States Interparliamentary Group the following members on the part of the House: Mr. Nix, chairman; Mr. Wright, Mr. Johnson of California, Mr. Gonzalez, Mr. de la Garza, Mr. Fraser, Mr. Symington, Mr. Springer, Mr. Morse, Mr. Harvey, Mr. Whalley, and Mr. Bush.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I have taken this time for the purpose of asking the distinguished majority leader the program for the week of February 17.

Mr. ALBERT. Mr. Speaker, Will the gentleman yield?

Mr. GERALD R. FORD. I yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, the program for the House of Representatives for the week of February 17 is as follows:

On Monday there are three suspensions:

H.R. 4622, to insure preservation of all disability compensation evaluations in effect for 20 or more years;

Second, H.R. 3689, to cede to the State of Montana concurrent jurisdiction with the United States over the Veterans' Administration Center, Fort Harrison, Mont; and

Third, H.R. 684, to make certain technical corrections in title 38, United States Code.

For Tuesday and the balance of the week, House Resolution 89, to change the name of the Committee on Un-American Activities to Committee on Internal Security.

Mr. Speaker, this announcement is made subject to the usual reservation that any further program will be announced later.

AUTHORIZING THE CLERK TO RECEIVE MESSAGES AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS NOTWITHSTANDING ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday, February 17, 1969, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, this poses an inquiry:

On next Friday, which I believe is February 14, the pay increase bill is supposed to go into effect because as of now there has been no disapproval of it.

I would ask if that would require any signing on the part of the Speaker of the House?

I would also ask what the document would be that the Speaker signs?

Mr. ALBERT. I would say in reply to the inquiry of the gentleman from Iowa that that would be a matter that should be addressed to the Speaker.

PARLIAMENTARY INQUIRY

Mr. GROSS. Then, Mr. Speaker, I would make a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. My parliamentary inquiry is this, Mr. Speaker:

Is the Speaker of the House going to sign any document—and I know of no other way to describe it, because there is no bill, resolution, or anything else representing, as far as I know, the pay increase.

As a matter of legislative record, will the Speaker be required to sign any document next week involving the increase in pay for the Members of Congress, the executive branch, and the judicial branch of the Government?

The SPEAKER. The Chair, in reply to the inquiry of the gentleman from Iowa, would state that the House has just passed a joint resolution which, if the Senate acts upon it, will have to be signed by the Speaker, and the Vice President or Presiding Officer of the Senate.

The Chair understands that the inquiry of the gentleman from Iowa is in relation to the proposed pay increase?

Mr. GROSS. That is correct, Mr. Speaker.

The SPEAKER. The Chair will state that the Chair has no knowledge of any action to be taken by the Chair in signing any document such as an enrolled bill in relation to this matter, but the Chair would make the additional observation that, if it were necessary to sign such a document—and as the Chair stated previously, the Chair can see no necessity for such a document—then the Chair would do it with pleasure.

Mr. GROSS. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Am I correct that there is no enrolled bill?

The SPEAKER. The Chair will state that it is the understanding of the Chair that the pay increase will not require signing of any enrolled bill. It is further the understanding of the Chair that when the 30 days expire, then the pay raise recommendation automatically goes into effect as provided by law.

Mr. GROSS. I thank the Speaker.

Mr. ALBERT. Mr. Speaker, I renew my unanimous-consent request.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON FEBRUARY 19

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday, February 19, 1969, may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

REFORMING THE METHOD OF CHOOSING A PRESIDENT

(Mr. McCULLOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCULLOCH. Mr. Speaker, yesterday, I introduced three separate proposals for reforming the method of choosing a President. The three proposals embody different solutions to the problem—the district plan, the proportional plan, and the popular plan.

I did so both to indicate the scope of my search for the best solution and to make clear my conviction that the present method of electing a President needs refashioning.

The present structure is inadequate for at least seven reasons:

First. It allows a candidate with fewer popular votes to be elected President. This happened in 1888 when Harrison, with 47.86 percent, defeated Cleveland, with 48.66 percent; in 1876 when the electoral commission decided that Hayes, with 48.04 percent, defeated Tilden, with 50.99 percent; and in 1824 when the House elected John Quincy Adams, with 30.54 percent, although Jackson, with 43.13 percent, received more popular votes.

Second. It allows electors to disregard the vote of the people in casting their ballot in the electoral college. This occurred in 1796, 1820, 1824—although that is disputed—1943, 1956, 1960, and 1968. The lengthy testimony before a Senate subcommittee in 1961 by Mr. Henry D. Irwin, a Republican elector from Oklahoma in 1960, should illustrate the unnecessary danger in the present system. In 1960, Mr. Irwin attempted to organize the electors to vote for someone other than either Kennedy or Nixon.

Such future attempts may all fail. However, why should such opportunities exist? Electors no longer are chosen as the men best able to choose a President. As far back as 1826, Senator Benton reported to the Senate that—

> The electors have degenerated into mere agents, in a case which requires no agency, and where the agent is useless, if he is faithful, and dangerous if he is not.

Third. When no candidate receives a majority of the electoral votes, the election devolves upon the House of Representatives with every State having an equal vote. This is called undemocratic. It is. But it was so intended. Only twice has the House elected the President—in 1800 and in 1824. But the contingency looms over every close election.

Fourth. Since every State has plenary power over appointing electors, practical politics has forced every State to adopt a unit rule whereby the State delivers to the winner of the State all of its electoral votes. The unit rule has the following effects:

It promotes voting fraud because the entire election can hinge on a few popular votes in heavily populated States;

Likewise, the effect of accident in counting popular votes can be disproportionate to the mistake;

The heavily populated States have disproportionate power;

Minority groups voting en bloc cast the "swing" votes in these key States which are generally close and thus receive a disproportionate amount of attention;

The minority party in so-called sure States is effectively disenfranchised;

The incentive to vote in the "sure" States is diminished; and

There is the chance that a candidate who wins the small States by a large margin and loses the big States by a narrow margin may, although he has the highest popular vote, lose the election.

Fifth. Because every State has as many electoral votes as it has Representatives and Senators in the Congress, there is a disparity between the people power and the electoral power of every State. This is true not only because of the two bonus votes allotted each State but because every State, no matter how sparsely populated, is given one Representative in the House and thus one electoral vote.

This inequity is crossed with the countervailing inequity of the unit rule, noted before. The net result is that the voting power—the ability of a voter to affect the outcome—of a voter in a large State is inherently much greater than that of a voter in a smaller State. It can be mathematically demonstrated that the inequity of the unit rule is greater than the inequity of bonus votes.

Sixth. The present system does not feature a fail-safe method for counting the electoral vote, as the debacle in 1876, clearly demonstrates. The 12th amendment states: "The President of the Senate shall, in the presence of the Senate and House of Representatives open all the certificates and the votes shall then be counted." What law—State or Federal—determines disputes arising over a State's electoral vote?

Seventh. The anachronism of the electoral college is clearly seen in that it makes no provision for the death of candidates occurring between "the time of chusing the electors and the day on which they shall give their votes." The reason for this lapse is that constitutionally the election takes place on the latter day and not on the day on which the States permit their citizens to indicate their preferences. Section 3 of the 20th amendment provides:

> If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President.

A person becomes a President-elect only after he is "elected," and a person is elected only by receiving a majority in the electoral college.

Thus, if the winning candidate were to die before the electoral college voted, the election of the President—in a very real sense—would devolve directly upon the national committee of the winning candidate's party. Thus if Richard Nixon had died on the day after the November election, the Republican National Committee would have filled the vacancy. No doubt, the Republican electors would have acted accordingly in casting their votes. In such a case, the electors could not have elected Nixon and thereby allowed AGNEW to become President by operation of the 20th amendment because Nixon would not have been a "person" within the meaning of the 12th amendment.

The seven failings indicate that reform is necessary. The disease is clear; the remedy is not.

Yesterday, the House Committee on the Judiciary began its hearings on proposals to amend the Constitution. I shall diligently attend those hearings. I will listen to all sides of the question. I hope that the committee will report out a resolution in the best interests of the Nation, which can and will be adopted by both the House and the Senate and then ratified by the required number of the States.

CONGRESSIONAL REFORM: NEW HAMPSHIRE GENERAL COURT SETS AN EXAMPLE

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, following these remarks, I shall place in the RECORD the text of the inaugural address delivered in January by the speaker of the New Hampshire House of Representatives, the Honorable Marshall Cobleigh. In it, he describes reforms that have been undertaken or are being undertaken in the legislature of the Granite State.

My purpose in bringing this to the attention of the House is to stress the backwardness of our own procedures and hope to embarass my fellow Members, as I am embarrassed, into collective action.

Speaker Cobleigh cites one of my favorite quotations from the great Jefferson and I shall repeat it in these remarks:

> Laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also and keep pace with the times.

Congress has not advanced with the times. The only change it has made recently, which has had any public impact is to accept substantial increases in the pay of the Members, after abdicating its responsibilities in this area to a special commission.

The Senate did pass a congressional reform bill last year but it was blocked in the House. The trouble lies in this body, which will have another chance to cleanse itself of the sin of diffidence this year by approving the Legislative Reorganization Act of 1969, sponsored by myself and numerous other Members from both parties.

Because this subject is so important to the future of effective representative government I will summarize the contents of this bill.

TITLE I

Title I improves "the committee system," by providing for:

First, open meetings of committees and public disclosures of votes taken in committee meetings;

Second, prompt filing of committee reports;

Third, abolition of proxy voting in committee;

Fourth, the right of a minority of the members of any committee to file additional views to the committee report;

Fifth, a prohibition against floor consideration of a bill until the committee report has been available to Members at least 3 days;

Sixth, annual authorization for additional committee staff, with fair consideration for adequate staff needs of the minority;

Seventh, public notice of committee hearings and provision for live telecasting and broadcasting of open committee hearings;

Eighth, advance receipt of statements of committee witnesses and summaries of daily testimony;

Ninth, the right of minority members of a committee to call witnesses;

Tenth, committee hearings while the House or Senate is in session;

Eleventh, better performance by all committees of the legislative oversight function; that is, review of the administration of existing laws; and

Twelfth, the allowance of additional explanatory views in conference reports, and equal time in the debate of conference reports.

TITLE II

Title II strengthens congressional "fiscal controls" by providing for:

First, the use of automatic data processing of Federal budget information;

Second, involvement of the General Accounting Office in the establishment of a standard classification code of activities and expenditures, and more efficient location of budget information, provision for expert assistance in the analysis of cost-effectiveness studies, and preparation of tabulations of budget data;

Third, improvement of the budget document;

Fourth, the appearance before the full Appropriations Committee of each house of the Director of the Bureau of the Budget, the Secretary of the Treasury, and the Chairman of the President's Council of Economic Advisers within 30 days after submission of the budget;

Fifth, closer examination of multiagency programs;

Sixth, open hearings of the Appropriations Committees of both the House and the Senate;

Seventh, mandatory rollcall votes on all appropriations bills;

Eighth, more comprehensive reports on supplemental and deficiency bills; and

Ninth, greater participation by the legislative committees through a projection of costs on new legislation in committee reports, review of fixed obligation and grant-in-aid programs, and authorization of programs in such a manner that they will be subject to annual appropriations review.

TITLE III

Title III improves the "sources of information" of Senators and Representatives by providing for:

First, additional professional staff for committees, including professional and clerical staff for minority members of any committee;

Second, comparability of pay of Senate and House committee staff personnel;

Third, use of consultants by committees;

Fourth, specialized training for professional staff of committees; and

Fifth, improvements in the Legislative Reference Service of the Library of Congress; including authorization for use of automatic data processing techniques.

TITLE IV

Title IV improves "Congress as an institution" by providing for—

First, a permanent Joint Committee on Congressional Operations.

Second, an office of Office Placement and Office Management to assist Members and committees in securing trained personnel and office management advice;

Third, greater authority for the elected officers of each House to supervise employees under their jurisdiction;

Fourth, improvements in the Capitol Police, Senate and House pages, and the Capitol guide service;

Fifth, an August recess;

Sixth, removal of postmasters and rural mail carriers from the patronage system;

Seventh, appointments to military academies on a merit basis;

Eighth, conversion of the complicated base pay system in the House of Representatives to gross salary figures; and

Ninth, return of excess stationery allowances to the general fund rather than to the personal funds of the Representatives.

TITLE V

Title V amends the Federal Regulation of Lobbying Act by providing for:

First, the broadening of coverage to

require registration by individuals and organizations who solicit or receive funds and have influencing of legislation as a "substantial purpose;"

Second, a more complete disclosure of lobbying expenditures;

Third, the transfer of the responsibility of the maintenance and publication of lobby registration records to the General Accounting Office; and

Fourth, the disclosure of arrangements of contingent fees for purposes of influencing legislation.

Title VI contains the effective dates of the legislation.

I hope that everyone who peruses this summary will go to read the inspiring statement of Speaker Cobleigh, of New Hampshire. He will then know not only what determined men are determined to do, but can see what such determination has accomplished in a legislative body of equal or greater tradition and of nearly equal size.

I commend Speaker Cobleigh and the members of the New Hampshire General Court, past and present, who contributed to these advances and to the general welfare. The text of his address, as reprinted in the January 16 issue of Roll Call, follows:

STATEMENT OF MARSHALL COBLEIGH, SPEAKER, NEW HAMPSHIRE HOUSE

The federal-state system is on trial. State government is on trial. The New Hampshire General Court is on trial. The 400-member House is on trial. And how we perform in solving the vital problems facing us in the next 90 legislative days will determine in a large measure whether or not these institutions will survive and remain a viable force of government.

I am distressed by the attitude of the public towards the New Hampshire Legislature; and, in fact, against all legislatures across the country. Facing facts, to some degree the public's attitude is our own fault and is a product of the way our legislature is organized and the manner in which it functions. The need for respect and confidence in our legislative process and in legislative procedures has become more important as the impact of state legislation has become more widespread. Yet, certain of our procedures have resulted in the raising of questions as to whether all proposals before the legislature receive equally fair treatment.

Where else would you see committee chairman pocket veto good bills and prevent them from being debated on the floor of this House? Where else would you find a $330 million business that did not even furnish each of its committees with a permanent room where they can meet when they choose and keep their records? Where else do you find policy-making bodies arriving at major decisions affecting hundreds of thousands of people without first receiving reports from qualified staff? Where else would you find a business that works six months out of two years?

QUILLS AND SPITTOONS

A legislature slowed by archaic rules, underpaid, limited by time, and inadequately informed, obviously, has great difficulty in doing an effective job. Only the absence of quill pens, and spittoons distinguishes the present day General Court from the days when some of these rules and procedures I seek to change were adopted.

It is time we changed the structure of our Legislature to utilize modern decision-making systems. It is no longer adequate to maintain a structure designed so the individual members can get home each night to tend their crops. It is no longer adequate to meet at a time of day that was set because of the train schedule when we no longer have any passenger trains in the State of New Hampshire.

This is an important business with which we are entrusted. As former Mass. Senator John Powers said:

"No matter what business you may be engaged in, the General Court can make or break you. We decide the minimum salaries you must pay. We decide the days and hours you may be open. We decide the prices you may charge. We tax your business, your buildings, your stock.

"We draw the broad outlines, both financial and curricular, upon which your children's education is based. We create and maintain jurisdiction over the city and town governments which tax your homes, hire your teachers, provide police and fire protection, and collect your garbage.

"We construct the highways on which you travel. We tax your gasoline, your cigarettes, your liquor. We license the doctors who treat you when you are ill, the nurses who care for you, and the men who bury you; as well as plumbers, electricians, pharmacists, engineers and a hundred other professional and trades people with whom you deal every day of your life."

Yet the public does not respect us, and pays us only $100 a year and yet still complains about our caliber and our performance.

LACKS CITED

As the veteran members know our Legislature suffers from inadequate professional staff! from lack of comprehensive organization; and is handicapped by restrictions imposed by the State Constitution as to when it can meet. Generally speaking, the Legislature lacks the tools for detailed analysis of the effectiveness of state programs.

In putting the N. H. Legislature's problems in perspective, I think it is fair to state that, while we have many outdated practices, we are actually much further advanced than many of our sister states, and credit for this, of course must go to my predecessors in this office, and particularly to Stewart Lamprey, who in his ten years at the helm of one or the other branches of this legislature, has innovated many reforms in a quiet way, Jefferson said:

"Laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times."

I believe state governments must be modernized before they can expect to reverse the trend toward federal assumption of the state's traditional responsibilities. It is clear the drafters of our Constitution envisioned three branches of government with a system of checks and balances. While the Constitution provides the framework, it is necessary that each branch assumes its responsibility by operating efficiently.

FEDERAL EROSION

If we do not modernize our procedures to solve N.H.'s problems in N.H., then the slow erosion by the federal process will become an avalanche of unbelievable proportions. It is when the states are not responsive to the people and their problems, that the federal government moves into the vacuum.

The issue is not state's rights, but state's responsibilities. The challenge is to develop a legislature capable of acting on problems rather than belatedly reacting under pressure of other units of government. At stake is the future of representative democracy in a complex technological era. The rewards of legislative reform can mean better use of tax money, revenue raised by the states as well as that raised by the federal government. The rewards of legislative reform can mean improved human welfare and a safe-guarding of individual liberty.

The important first step is a strong, efficient, and effective state legislature.

I have already, in my capacity as Majority Leader of the 1967–68 legislature, initiated some steps to improve the efficiency, and thus the professional quality, of our legislature. In September we formulated eight task forces to study our current procedures, and it's my pleasure to announce that as a result of their activity and dedicated service, we can unveil today a legislative intern program which has been arranged through the cooperation of the University of N.H. and Dartmouth College as a pilot program to make available twelve students to the legislative branch of government for research and staff assistance. I might further add that this will be done at no cost whatsoever to the Legislature during this session.

As a result of this move, I can announce to you that I have been able to eliminate ten untrained positions on our legislative staff at a savings of close to $20,000. This was done not by firing veteran employees, but by not replacing unskilled employees with additional unskilled employees. I can further announce that we have set a policy of hiring no defeated legislators as legislative attaches, and that we have adopted a policy of using personnel tests in the selection of any new legislative employees.

CITES NEW STEPS

As you know, we will be voting later on today on proposals developed by my task force to consider revisions of the legislative rules and procedures, directed toward increasing the efficiency of our operation without injury to the democratic method. In these proposals we are seeking to replace one major deadline—the July 1st deadline—with a series of smaller deadlines so that we can more equally distribute the legislative workload. We are also proposing for your approval a realignment of our committee structure for the same reasons. We have prepared the first orientation manual for new members, and while it is a modest effort, at least it is a step in the right direction. I will propose a Constitutional amendment call for the Legislature to take office upon election and to organize in November so we will not again be delayed by division of authority. We are making a comprehensive study of the legislature's duplicating and printing facilities with the hope of reducing our substantial expenditure in this area without decreasing our efficiency.

For the first time in the history of the N.H. Legislature, every committee will have a permanent room so that it may better schedule its activities and so that they can meet longer each day and thus generate more business for floor activity early in the session.

FULL-TIME COMMITTEES

It is imperative that committees have a room of their own, have adequate meeting time, and that they meet every day until all bills have been cleared from the committees. We can no longer afford the luxury of one hour a day committee hearings. We must redistribute the committee workload and we must work the committees longer and harder. For this reason I propose a change in the starting time of the daily session. I will not prejudge whether a change to morning sessions or afternoon sessions would be more effective. I therefore propose that next week we try afternoon sessions with the committee meeting in the morning. That the week after we try morning sessions with the committee meetings in the afternoon. The third week we go back to the old system of 11:00 meeting. On the fourth week I would propose a referendum to determine the best meeting time after the entire house has had a week's try of each procedure.

I consider it essential that we implement the recommendations of the various committees that are proposing rules changes especially those rules that would establish deadlines for (1) the introduction of bills; (2) for the early consideration of bills by committee; and the elimination of the pocket veto; (3) for the completion of action by the originating house; and (4) for the completion of final legislative action. I think we can all agree that the idea of working a few hours each day for the first month or two of each session and then working around the clock for the last month of the session can only have a serious detrimental effect for the entire State and the legislative process.

PAY REFORMS

As I'm sure you can see by now, I love this House of Representatives, and I believe strongly in it and I seek to make it more effective. I am going to propose for your consideration under Constitutional Amendment No. 1 a proposal to take the antiquated pay provision for the Legislature out of our Constitution, amending the Constitution by having the pay and expense allowance for Legislators set a year before each session by a Blue Ribbon Commission—one half of whom will be appointed by the Governor and one half of whom will be appointed by the Supreme Court of our State. I think that this proposal will meet the objections of the citizens who have feared allowing us to set our own pay and will establish a vehicle for eliminating a problem that makes it a real sacrifice for many of us to serve in this body.

Regarding the size of the House, I do not propose to support any reduction in the size of our House. I do not think that 400 is a magic number but I support the citizen-legislator concept. I recognize there are those who differ with me on this issue. I know that government is the art of the possible. I am convinced that it is impossible to reduce the size of the Legislature except at a Constitutional Convention; therefore, I will exert my energies in making those changes that are attainable. I would point out, however, to those of you who support keeping the Legislature at its present size that you have a responsibility to make this Legislature effective, and I'm convinced that to make it effective, we must adopt the rule changes that will be proposed later on today. Because there has been a problem of communication between the leadership and the membership I will today institute a system of utilizing three assistant majority leaders, a party whip, and six section leaders so that we can more effectively communicate and have a meaningful discussion of our proposals.

INEFFICIENCY COSTLY

Majority Leader: Harlan Logan.

Assistant Majority Leaders: Webster Bridges, Lawrence MacKenzie, David Sterling.

Section Leaders: Donald Hayes, Donald Welch, William Andrews, Maurice MacDonald, Theodora Aucella, Jeanette Gelt.

We will propose making the Legislature a continuing body during the biennium for which it is elected; we will support annual sessions or at least allowing the Legislature to spread the number of legislative days over the biennium.

We will make the functions and interrelationships of the Legislative Council, the Judicial Council, the Fiscal Committee, the Office of Legislative Services, and other such groups the subject of a comprehensive study.

It is hoped that such moves would place the legislature in a position in the formulation of public policy rather than in the position of merely reacting to expanding federal legislation and the many competing pressures of citizens for more services.

Staff and facilities are necessary to improve the information available and expedite other aspects of the legislative process. The cost of an inefficient legislature is difficult to determine but should be estimated in relation to the cost of these improvements.

Because I am concerned about the survival of the legislative branch of government and in fact state government itself, I am today appointing a Blue Ribbon Legislative Advisory Committee whose responsibility will be to make a broad and comprehensive study of the organization, facilities, functions, and needs of the General Court—with the goal of discovering and recommending ways and means of improving and strengthening the ability of the General Court to fulfill its responsibilities in our representative democracy.

CLEVELAND PROPOSES ELECTORAL COLLEGE REFORM

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, in the last presidential election, the United States came perilously close to a major constitutional crisis. All of us who sat up that long November night watching the returns come in, will remember it was not until the following morning that we knew a President had been elected.

Had the voting patterns in a few key States changed ever so slightly, the election would have been thrown into the House of Representatives, and the result, I fear, might have been chaos. I do not think we can let that warning go unheeded.

There have been many proposals put forward for electoral reform, direct election, a district plan, and others. I feel my plan combines the best elements of all of them, and I ask my colleagues in the House to consider its merits.

To begin with, we should recognize that a constitutional amendment whereby the President is elected directly by popular vote is unlikely to be accepted. I know this plan has had some support in the House, but I remind my colleagues that we need the approval of 38 States to ratify the amendment.

The federal system was designed by our forefathers, and wisely so, to protect the rights of the smaller States. I doubt very much these States would accept any proposal weakening the federal system, which the direct vote plan would do.

PROPORTIONAL ELECTORAL VOTES

My proposal then is to keep the federal system and the electoral college, but to do away with the electors. Furthermore, I recommend that a State's electoral votes be divided among the candidates according to how many popular votes each of them received.

Under the present system, the candidate who carries a State receives all of that State's electoral votes, even if he wins the popular vote by only one vote. This is unwise and unfair and should be changed. In some States it encourages poor voter participation.

Under my plan, if a presidential candidate receives 60 percent of a State's popular vote, he would receive 60 percent of the electoral vote. In the case of New Hampshire, therefore, he would receive 2.4 of our 4 electoral votes.

To win the election, a candidate would need at least 40 percent of the electoral vote. Otherwise, a runoff election would be held between the two candidates receiving the most electoral votes.

I feel my proposal is strong because it retains the federal system which is so much a part of the American heritage. At the same time, it abolishes some of the major weaknesses of our present method of choosing a President. It takes the House of Representatives out of the picture, and it removes the threat of the unfaithful elector.

STRENGTHEN TWO-PARTY SYSTEM

My plan might also strengthen the two-party system of government. The winning candidate would need a minimum of only 40 percent of the electoral votes, instead of the present 50 percent. And even if third- and fourth-party candidates were successful in preventing a first-round victory, they would be eliminated in the runoff election.

There is one other advantage as well. The United States has a notably poor voter participation record in elections. Last November 5, barely 60 percent of those eligible to vote actually exercised that right. In many European countries, voter turnout often exceeds 80 percent and sometimes even 90 percent. In South Vietnam's elections of September 1967, 83 percent of the registered voting population went to the polls.

In America, the turnout of voters is particularly poor in States that are overwhelmingly dominated by one party. In these areas, there is little incentive for good voter participation. Many voters feel it is not worth their time to vote, since the result of the election in their State is practically a foregone conclusion.

Under a system where the electoral vote is divided proportionally to the popular vote, a man's vote takes on increased importance. Political parties, therefore, whether firmly in the majority or otherwise, would work harder to turn out a larger vote.

Mr. Speaker, electoral reform is a matter of extreme urgency and importance. The United States has been playing, in effect, a game of electoral roulette every 4 years in its election of the President. I do not think we can afford to let that game continue.

THE CASE FOR AN ALL-VOLUNTEER ARMY

The SPEAKER. Under a previous order of the House, the gentleman from Vermont (Mr. Stafford) is recognized for 60 minutes.

Mr. STAFFORD. Mr. Speaker, I am happy to join several of my colleagues today in once again giving special emphasis to the case for an all-volunteer army.

In days when the subject was not as popular as it appears to be today, I joined four of my colleagues in conducting an in-depth study of the Selective Service System, the demands of the Defense Establishment and every relevant area of current manpower procurement policy. The results of this study were published October 31, 1967, in a book entitled "How To End the Draft; The Case for an All-Volunteer Army."

We pointed out at that time that not one of the 31 specific recommendations which we had made would commit the U.S. Government to an irreversible course toward a voluntary system which would jeopardize national security. We went on to state:

> Each of the reforms described would amount to an adjustment of current policy

> leading toward the evolution of an all-volunteer system. We do not advocate the abolition of Selective Service. We advocate a program of reforms which individually and collectively can work to reduce the size of draft calls—hopefully down to zero.

Among the basic conclusions reached by our study, I would today like to reemphasize three.

First. An all-volunteer Armed Forces may be possible within 2 to 5 years, if preliminary steps are taken now in pursuit of that objective. This is true even if we must maintain the current force levels required by the Vietnam war.

Second. We are opposed to raising military pay to a level in excess of civilian pay scales—and we believe it would be unwise to create an all-volunteer military force if this were the only means by which it could be achieved.

Third. On the other hand, current military pay is not only not an inducement to enlistment, it is an obstacle to enlistment. To the degree possible, military pay should be made commensurate with pay for equivalent jobs in the civilian economy.

Twice during the 90th Congress, I introduced legislation to bring military pay up to these standards. Today, I am pleased to reintroduce this legislation with the hope that it will receive positive consideration by the Congress.

Finally, let me say that I am delighted that the ideas we espoused in October 1967 have received more than passing support and attention from our new Chief Executive, President Nixon, from several Members of the Senate, from a growing number of colleagues here in the House of Representatives, and even from some corners of that labyrinth which we affectionately refer to as the Pentagon.

President Nixon particularly is to be commended for the official and active support he is giving to the effort to bring our Military Establishment up to date. His efforts to implement the concept of an all-volunteer military force with a concurrent gradual reduction in the need for compulsory service deserve the backing of all of us here in the House of Representatives.

My colleagues and I are, therefore, also introducing today a House resolution expressing endorsement of these efforts by the President. Since many of the changes required to implement the reforms may be made by the administration, through the Department of Defense and the selective service system, without any action by the Congress, we believe it is important for the House of Representatives to so express its endorsement of these efforts by President Nixon.

I encourage your consideration of this resolution, as well as your support for implementing legislation which has now been introduced.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. I am happy to yield to the gentleman from New York.

Mr. HORTON. I wish to thank the gentleman for yielding and to indicate my wholehearted support of this resolution and the action of the President in pursuing the concept of an all-volunteer army.

As the gentleman from Vermont knows, he, I, the gentleman from Ohio (Mr. Whalen), and the gentleman from Kansas (Mr. Shriver) have worked on this concept for many months. We have worked with the idea of fostering this concept of an all-volunteer army.

I am hopeful that through the support of the President and the efforts of the President and the Department of Defense we can see a realization of this concept.

I want to take this opportunity to congratulate the gentleman from Vermont, for his leadership in this study group and the work that he undertook in connection with the book we published, "How To End the Draft," which details the concept of an all-volunteer army and his leadership in bringing before Congress today the resolution that is being introduced.

Those of us who wrote "How To End the Draft" firmly believe that the debate on the draft must be kept as constructive and responsible as possible.

Mr. Speaker, our President, Richard M. Nixon, has actively urged draft reform, and has endorsed the volunteer force concept. We in Congress must work to bring about the fulfillment of what has truly become a national commitment to draft reform.

Mr. STAFFORD. I thank the gentleman from New York very much. I want to express to him my appreciation for all his contributions to the book and the resolution we have here today.

Mr. WHALEN. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. I am happy to yield to the distinguished gentleman from Ohio.

Mr. WHALEN. As one of the four coauthors in the House of the book "How To End the Draft; The Case for an All-Volunteer Army," I would like to congratulate the gentleman from Vermont, one of my coauthors, for taking this special order this afternoon. I share his views and those of the gentleman from New York (Mr. Horton) with respect to the administration taking the leadership in the evolution of an all-volunteer Army policy.

I am pleased to join my coauthors, Messrs. Horton, Shriver, and Stafford, in sponsoring this resolution in which 43 other Members of the House are participating.

In 1967, we undertook our study in the context of keeping the debate on the draft as constructive and responsible as possible. It was not undertaken because of the war in Vietnam nor was it in any way a criticism of military or foreign policies of the United States. Rather, let me reiterate, we attempted only to outline the reforms which would amount to an adjustment of current policy leading toward an all-voluntary Armed Forces. We did not, nor do we now, advocate the abolition of the selective service. We do advocate a program of reforms which individually and collectively can work to reduce the size of draft calls, hopefully, as the gentleman from Vermont has indicated, down to zero.

Mr. Speaker, often the subject of the draft is debated only in emotional terms. I trust that as a result of the President's deep interest in this matter, we, in this Congress, can be the innovators of a more equitable, effective, and efficient military manpower procurement policy.

Mr. STAFFORD. Mr. Speaker, I express my appreciation to the gentleman from Ohio for his contribution to the book, to the resolution, and to this dialog.

(Mr. SHRIVER (at the request of Mr. Stafford) was granted permission to extend his remarks at this point in the Record.)

Mr. SHRIVER. Mr. Speaker, I am happy today to join with my colleagues in cosponsoring the resolution endorsing President Nixon's efforts to begin preparation for an all-volunteer military force for our country. As one of the coauthors of an extensive study of our Selective Service System, "How To End the Draft: The Case for an All-Volunteer Army." I am satisfied that our efforts have helped to bring this issue before the American people for extensive discussion and eventual action.

With the recent Presidential directive to the Defense Department to begin detailed plans for an all-voluntary Army, President Nixon and Secretary Laird have taken the first positive steps toward modernizing our manpower policies in recent history.

In the free society of our Nation and in view of our growing population base from which an adequate military force can be raised, it is time to reexamine the necessity for service enforced by conscription. It is interesting to note that of all our uniformed services only the U.S. Army has relied to a major extent on compulsory service to fill its manpower needs. It should be pointed out, however, that some form of universal registration will still be needed to fill manpower needs in times of national emergency even with an all-voluntary Army.

The resolution introduced today concludes with the statement:

"The House of Representatives will welcome for consideration legislation needed to implement the concept of an all-voluntary military force with a concurrent gradual reduction in the need for compulsory service."

In keeping with this statement it is my intention in the coming weeks to continue my study of our Selective Service System, and to introduce appropriate legislation both to make the present system more equitable and to prepare the way for the all-volunteer Army in the future.

Mr. Speaker, in closing I would like to include in my remarks an excellent editorial which appeared in the Hutchinson, Kans., News last Monday entitled, "Volunteer Army":

Volunteer Army

> President Nixon is making good on one of his campaign promises. He has instructed the Defense Department to draw up a detailed plan for discontinuing selective service to be implemented as soon as a substantial reduction in spending in Vietnam is possible.
>
> The present draft system should be done away with. It discriminates against those young men who for any reason are unable to continue their education beyond the high school level. Those who remain in college have been able to avoid their obligation for military duty.
>
> Manning the defense forces with volunteers will be more expensive, of course. It will be necessary to increase military pay and to add fringe benefits to attract enlistments in sufficient numbers.

Present estimates are the increased cost will be from $6 billion to $7 billion a year. But there will be compensating economies. Under the existing system it is highly expensive to train men who spend no more than two or three years in uniform. With a force made up largely of career men, the training bill will be sharply reduced.

The United States has had to depend on conscripts since prior to World War 2. That is considerably more than long enough. It should depend for its defense on those who volunteer for service.

WANTED: A CONSENSUS THAT SUPPORTS LAW ENFORCEMENT

The **SPEAKER** pro tempore (Mr. Patten). Under a previous order of the House, the gentleman from Connecticut (Mr. Monagan) is recognized for 15 minutes.

Mr. **MONAGAN**. Mr. Speaker, we continue to live in disgraceful conditions of lack of respect for law and order, resulting in the intolerable situation that law-abiding citizens dare not venture from their homes without danger of attack. We live in fear. The direct losses suffered by businessmen, individuals, and the communities of the Nation as a direct result of crime and criminals have reached astronomical proportions. The indirect losses are also severe.

We have heard a great deal about the introduction of adequate controls since last year when we thought conditions of crime had reached their peak. Unfortunately, our crime statistics continue to reach new heights and the Nation's Capital has become one of the focal points of criminality. It is heartening that President Nixon has given attention to the Washington crime and violence problem in the first days of his administration. Since the extremely dangerous conditions that prevail here raise questions concerning the effectiveness of Federal control, it is gratifying to see that consideration is being given to curbing means of crime by permitting judges to hold in jail hardened criminals awaiting trial who seem likely to commit further offenses if released. We need more judges, we need more courts, we need more police. More than anything else we need a consensus that supports law enforcement and a greater effectiveness in coordination among local, State, and National police agencies.

Our most important domestic objective today must be the maintenance of public order and the inculcation of respect for law. I had these problems in mind during the 90th Congress when I introduced legislation to create a House committee to study the resources available to each level of government in combating crime, the efforts being made by each, the duplication of effort, the need for additional assistance and the particular types of criminal activity faced at each level of government.

There continues to be a need for such a top level study but the need for prompt top level action becomes more acute. I feel that the House should initiate and pursue such a study, promptly make the appropriate recommendations and provide the necessary assistance to begin the work of restoring tranquillity and security in the Nation.

I have again filed legislation to establish a Committee on Coordinated Crime Control, as a select committee of the House, to investigate criminal activity in the United States with a view toward determining the scope of current efforts at the local, State, and Federal governments to combat crime and the resources available to each level of government for this purpose.

The Committee on Coordinated Crime Control would be composed of 12 members appointed by the Speaker of the House who would also designate a chairman; not more than six of the members would represent the same political party.

I have in the past warned that we must place our faith in democratic enforcement of the law by strengthening our efforts in the traditional form and must repel suggestions of repression. We must keep this warning uppermost in mind as we contemplate our course of action to control acts of crime and subversion which in many instances represent a calculated attack upon our society and our institutions.

The Congress and Executive have taken some preliminary steps and we have provided some funds but it is apparent that we are moving neither swiftly nor forcibly enough and that the increasing crime statistics make obvious the need for a greater concentration of endeavor and additional expenditures together with more effective use of present and projected resources. If dire consequences are to be prevented, success in anticrime efforts is imperative at all levels of government with all public agencies working effectively and in harmony.

Mr. Speaker, I offer this resolution with the hope that it will be given prompt and favorable consideration.

DEPARTMENT OF PEACE

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York (Mr. Halpern) is recognized for 30 minutes.

Mr. **HALPERN**. Mr. Speaker, everyone of us is vitally concerned about the subject of peace. I cannot conceive in this day and age of anything that is more important to any American citizen than the question of securing peace throughout the world.

It is tragic that mankind—so successful in developing the most intricate technological devices, in discovering the most obscure and complex secrets of nature, in conquering vast new worlds through space exploration—has failed so miserably at the task of living peacefully with his fellow man. We have achieved a trip to the moon, Mr. Speaker. Has not the time come to achieve the adventure of a peaceful earth?

Surely we share the conviction that there is no easy road to peace and security. We must reevaluate our concepts of the true meaning of peace and place it in a positive frame of reference.

It is for this reason and to take a step in that direction, that Senator Hartke and I are today introducing a bill to establish a Department of Peace, with a Secretary of Peace at its head, and to create a Joint Committee on Peace and International Cooperation in the Congress. We are joined in the sponsorship of this legislation by 58 colleagues in the House and 14 Members in the other body. They are: Senators Bayh, Byrd of West Virginia, Cranston, Hatfield, Inouye, Mansfield, Metcalf, Muskie, Nelson, Pell, Randolph, Ribicoff, Yarborough, and Young of Ohio; and Representatives Addabbo, Glenn Anderson of California, Bell, Biaggi, Blatnik, Boland, Button, Brasco, Brown of California, Burton of California, Byrne of Pennsylvania, Conte, Conyers, Daniels, Dellenback, Dent, Diggs, Donohue, Dulski, Dwyer, Edwards of California, Eilberg, Farbstein, Fraser, Friedel, Fulton of Pennsylvania, Fulton of Tennessee, Gray, Hawkins, Heckler of Massachusetts, Helstoski, Horton, Jacobs, Joelson, Karth, Koch, McCloskey, Matsunaga, Mikva, Minish, Mollohan, Moorhead, Nix, Ottinger, Pelly, Pepper, Podell, Rees, Reuss, Rosenthal, Roybal, Ryan, Scheuer, St. Onge, Sullivan, Vanik, Waldie, and Charles Wilson of California.

The bill transfers to the Department of Peace certain existing agencies and functions of our Government and establishes new concepts for the resolution of international conflict.

The Peace Corps, the Agency for International Development, and the Arms Control and Disarmament Agency will be transferred to the Department, as will those functions of the State Department that pertain to the specialized agencies of the United Nations.

The bill also gives the Secretary of Peace jurisdiction over the International Agricultural Development Service, now in the Department of Agriculture. In addition, this measure will establish the International Peace Institute under the Secretary of Peace.

The purpose of the Department shall be to promote the cause and advancement of peace by this Nation throughout the world. The Secretary will develop and recommend to the President appropriate plans, policies, and programs designed to foster peace. He will coordinate all activities of our Government affecting the preservation or promotion of peace. The Secretary will cooperate with the governments of other nations in research and planning for the peaceful resolution of international conflict, and he would encourage similar action by private institutions. He would also encourage and assist the interchange of ideas and persons between private institutions and groups in the United States and those in other countries. Further, he would encourage the work of private institutions and groups aimed at the resolution of international conflict.

The purpose of the International Peace Institute is to furnish training and instruction to prepare citizens of the United States for service relating to the field of promoting international understanding and peace. This will operate much like the military service academies except that its graduates will be trained for employment by the Department of Peace, by international organizations, or private agencies whose activities are related to peace.

The Joint Committee on Peace and International Cooperation which the bill creates in the Congress will study matters relating to the Department of Peace, coordinate programs, and guide the several committees of Congress dealing with relevant legislation. This committee would be comprised of seven members each from the Senate and House.

The idea of a Peace Office in the executive branch is not new. In fact, we can trace the beginnings of this movement back to the early 1790's when two distinguished Americans—one black and one white—set forth similar proposals. In the fall of 1792, in the first edition of "Banneker's Almanack and Ephemeris of the Year of Our Lord 1793," Benjamin Banneker, a surveyor, mathematician, and astronomer who was sometimes called the "Black Ben Franklin," included an essay proposing a Peace Department.

And, in 1799, Dr. Benjamin Rush, a signer of the Declaration of Independence, wrote "A Plan for a Peace Office for the United States." He advocated a Secretary of Peace to balance the Secretary of War role in the President's Cabinet.

Similar proposals were echoed during the course of the 19th century by various publicists and legislators but none of these efforts led to constructive action. There were several initiatives in the 20th century taken in the U.S. Congress to establish varying forms of a Peace Agency.

As recently as 1955, President Eisenhower took a step in this direction, creating by Executive order, a special Peace Office within the State Department, headed by a special Presidential assistant with Cabinet rank.

The President noted at that time:

> The massive resources required for modern armaments, the huge diversions of materials and of energy, the heavy burdens of taxation, the demands for years of service of vast numbers of men, the unprecedented destructive power of new weapons and the international tensions which powerful armaments aggravate, have been of deep concern for many years.

Since then, Congress established the Peace Corps; it created the Arms Control and Disarmament Agency; it extended the foreign aid programs and established the Agency for International Development.

Despite these steps, however, there is today in the Government of the United States no one actually in charge of peace. There is no Cabinet-level department working at the problem full time to the exclusion of other responsibilities.

Peace is everyone's concern and no one's job, a situation which probably explains why, despite repeated expressions of determination, we have failed to convert a peacekeeping intent into a peacekeeping capability.

We must recognize that the State Department is not, and can never properly be, a Peace Office. Every Secretary of State since Thomas Jefferson has seen his duty as Jefferson saw it: to handle foreign affairs to the best interest and advantage of the United States. And that is as it should be.

The Department of Peace, as we envisage it, will define and advance our larger interests with new techniques and new energy. It will extend to the area of foreign affairs the philosophy of checks and balances which has worked so well within our federal system of government.

The bill we are introducing is broad in its scope, for it develops new concepts, blends them with existing programs and attempts at long last to redefine our national purpose as one dedicated toward peace. It will reassure and encourage rational people everywhere, for truth slips through barbed wires and climbs over great walls.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. HALPERN. I am delighted to yield to the distinguished gentleman from New York.

Mr. HORTON. Mr. Speaker, I thank my colleague from New York for yielding to me at this time.

Mr. Speaker, I want to commend the gentleman in the well for his leadership in his fight for the establishment of a Department of Peace. Probably more than anyone else in the House or Senate, the gentleman from New York (Mr. HALPERN) is responsible for the concept of a Department of Peace now embodied in the bill being introduced today.

I believe that many of my colleagues are not aware of the fact that the gentleman from New York has been working on the concepts embodied in this measure ever since he has been a Member of the House of Representatives. However, it was only recently that he authored the bill which we introduced today.

There has already been widespread support throughout the country for a Department of Peace. Many dignitaries in the fields of the arts and sciences, as well as leaders from the field of education, have indicated their support for this bill. Many of those are here today in Washington, D.C., lending national support for the principles and provisions set forth in this legislation.

I would like to take this opportunity to indicate my cosponsorship of this measure, and to express my full support for the concept upon which it is based: the promotion of peace among nations.

I urge my colleagues to do everything they can to have hearings held on this bill as soon as possible. I also urge speedy passage of this important measure out of committee so that it can be brought to the House floor for the House to work its will.

It is time, Mr. Speaker, that we do have established in the executive branch of the Government a department especially directed toward the institution of peace.

It is time that the American people have a spokesman at the Cabinet level to speak on behalf of peace in the councils of the Cabinet, at meetings at the White House, and to the Nation to inform them of the efforts being made in this special area.

Over the years we have developed programs aimed at promoting peace throughout the world, but these have been scattered under various departments and agencies. We must face reality—no single agency in the Government of the United States has overall charge of peacekeeping and peaceseeking activities.

This bill, under the auspices of the Department of Peace, would define and advance the interests of the United States in reaching world peace. It would balance at the highest level of Government the roles of the State and Defense Departments, placing its objectives on an equal level with them.

For the first time the rest of the world would have a true picture of what we are really doing to bring about and maintain peace around the globe.

By consolidating existing agencies such as the Peace Corps and Agency for International Development under the Department of Peace, our efforts to help other nations help themselves will have new thrust and impetus.

The time is ripe to set up a permanent full-scale department working exclusively for peace as envisioned in the legislation before you today. Our hopes for the future demand that we strive for peace throughout the world.

That is why, Mr. Speaker, I want to commend the gentleman from New York for his leadership in developing a new concept which, if passed, would immeasurably help man to live in harmony with his neighbor. The antithesis of peace is war. That is why our overriding national purpose must be dedicated to the goal of peace.

I thank those who have cosponsored this bill and I urge my other colleagues in the House to get behind this concept and support it. Hopefully, we can have a bill enacted in the 91st Congress which will take the first step toward the establishment of a Department of Peace.

Mr. HALPERN. I thank the gentleman for his generous remarks, and I wish to express my gratitude for the valuable contributions he has made to this legislation. He has been a stalwart supporter of this bill since its inception and is responsible for much of the backing it has received.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. HALPERN. I am delighted to yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Speaker, I am glad to take this time to join the gentleman in the presentation of the proposition he offers to the House, the creation of a Department of Peace.

I am glad he referred to the early history of our endeavors in this regard. I think it is not wrong to recall—and you will probably do so later on in your remarks—the fact that this Nation has a pretty good reputation in this regard already. We are qualified both by attitude and by experience. It was in 1901 when the Nobel Peace Award was established. Since that time 15 representatives of our country have received that award. This is more than any two or three nations combined can boast of. It is a very significant record.

As you know, sir, you represent a community that has furnished some magnificent leaders in this Nation. It was Nicholas Murray Butler who took over a little school, a junior college, and built it into a tremendous university, Columbia University, who early had a very great interest in this field. He wrote a series of articles entitled "The International Mind," which is worthwhile reading even today. He was instrumental in getting the Carnegie Foundation to set up a Foundation for Peace. He, along with many important leaders of Congress, was responsible for setting up the World Court. He was one of the recipients of the Nobel Peace Award. So was Elihu Root, who was from your State, and so was Teddy Roosevelt.

We have a reputation to be proud of and a record to point to and a base to operate from.

I am happy to see the gentleman take this leadership which he has taken in this regard. Hopefully the bill that you and I want will get serious consideration so that we can work officially with the talents available here and across this land help to strengthen this administration and the State Department in the promotion of what the world yearns for so much; that is, peace and tranquillity.

Thank you.

Mr. HALPERN. Mr. Speaker, I want to thank the gentleman from Iowa (Mr. SCHWENGEL) for his kind words. We certainly appreciate his association with this legislation. He has been a pillar of strength in so many good causes and meaningful legislative issues in this House. It is indeed a privilege to have the gentleman with us in this monumental endeavor.

Mr. RYAN. Mr. Speaker, I am pleased to join my colleagues in again introducing a bill to create a Department of Peace, which could greatly enhance the prospects for a deescalation in international tensions. I sponsored similar legislation, H.R. 19650, in the 90th Congress, and I commend the able gentleman from New York for his initiative.

A Department of Peace, headed by a Secretary who had a working mandate to press the need for peace upon the executive and legislative branches of the Government, would institutionalize a perspective that is urgently needed in the councils of government. It would also provide a means for Americans anxious to achieve peace to press their case upon governmental leaders. Both of these functions would expand the influence of those who seek to reduce the possibility of international military conflict.

Mr. Speaker, all Government agencies, in addition to carrying out the programs mandated to them by Congress and the executive branch, speak for certain constituencies which are particularly involved or committed to the issues with which these agencies deal. The Department of Agriculture provides a vehicle for farmers to express their views and to make their needs known. The Department of Commerce and the Department of Labor similarly give special attention to the needs of their constituencies. The fact that the desire for peace transcends established "constituencies" should not prevent us from creating a central institution which can devote all of its time to working for peace.

There is a need for a department which can speak on behalf of the peace constituency, which is steadily growing larger. This constituency played an important role in bringing about the current reassessment of our international posture. It helped to convince former President Johnson to reverse the policy of escalation in Vietnam and to seek instead a negotiated diplomatic settlement. More and more Americans are recognizing the threat to world peace which conflicts like the Vietnamese war represent and are demanding substantive changes in our foreign policy. This constituency needs to have ready access to governmental policymakers. A Department of Peace would provide that access.

In a recent series of articles published in the Washington Post, Bernard D. Nossiter discussed the plans and expectations of many of the large aerospace companies when, and if, the war in Vietnam is brought to an end. Almost all of the officials of these firms whom Mr. Nossiter interviewed showed scant interest in converting their military production operations to industrial ends which could help to solve our domestic ills. Instead, they looked forward to a steady expansion of the production of military "overkill" hardware. These industries act as a lobbying force on Congress and the executive branch. They have the special ear of procurement officers and policy planners in the Department of Defense. The imbalance of the present Federal budget—which allocates 40 percent of the total expenditures of the Federal Government to "defense"—testifies to the effectiveness of this lobbying force.

Under the provisions of our bill to create a Department of Peace the Secretary of Peace would be given Cabinet-level status. He would administer programs aimed at achieving a general peace which are already in existence, such as the Arms Control and Disarmament Agency, as well as new programs which are developed by his Department. Operating as he would at the Cabinet level, the Secretary of Peace would be in a position to act as a full-time advocate for peace and, hopefully, to offset some of the pressures placed upon the executive branch by the arms and weaponry lobby. Many officials in the Government are, of course, presently attempting to play this role. But the present arrangement diffuses these individuals among several agencies and thus diminishes their effectiveness. The creation of a Department of Peace would, by concentrating energies and resources, enhance the efforts of those working to achieve peace.

The expansion in support for this bill this year is indicative of the broad-based support for this legislation. The American people want peace. Increasingly, they are recognizing that if peace is to be achieved there must be strong institutions devoted to the development of policies which are calculated to promote peace.

The creation of a Department of Peace would constitute an important step in the creation of the new perspectives required to achieve a general and lasting peace.

Mr. PODELL. Mr. Speaker, our love of peace must be exhibited openly to the world.

Mr. Speaker, I have joined in sponsoring a proposal calling for the establishment of a Department of Peace. Such a measure deserves the most serious consideration from the Congress of the United States. There are several major reasons for us to give favorable consideration to this endeavor. At present the world teeters on the brink of an abyss. It has teetered in this manner since the first atomic explosion. The arsenals of the world's great powers bulge with weapons so horrifying as to boggle the imagination of mankind. These weapons are being mass produced on a continuing basis. Their sophistication as weapons systems is matched and surpassed only by their power of destruction.

At present there is nuclear and thermonuclear hardware in existence to destroy the life of every man, woman, and child on the planet. In addition, several superstates, including our own, are working secretly on major instruments of destruction in the fields of chemical and bacteriological warfare. We hear talk bubble to the surface of the Nation's press of anthrax bombs and cholera bacilli, all to be utilized in world war.

The oceans of the world are patrolled by submarines each capable of destroying continents. Russian missile submarines are being built to match ours. Red China is rapidly moving along in each of these areas, we are led to believe.

Weapons systems are being junked which could alter the balance of power in most areas of the world. Client states of major powers play deadly little games of international roulette, not realizing that interlocking alliances can pull superstates into local struggles. Regional nationalism aggravated by miniature Hitlers and Napoleons pose menaces to all mankind. Geopolitics rules the world, and the major powers dare not allow these many pots to boil over, scalding the entire mass of mankind.

It is as essential for us to elevate the search for peace to a Cabinet level as it is for us to do the same for the waging of war. We almost worship war in the Nation today. Everywhere are the signs of militarism, and they are growing. We have a Military Establishment under which the Nation groans. Billions are shoveled into the military maw, and yet it cries for more. The Pentagon and the Department of Defense are institutions which seemingly defy challenge. Shall we not create a small counterweight to them which would symbolize our Nation's devotion to peace and the highest principles of mankind?

A Department of Peace could gather all our Nation's helter-skelter efforts toward that goal into one agency which could and would coordinate these efforts. Its umbrella could shelter and nourish viable ideas and proposals aimed at alleviating tensions, just as the Pentagon does the same for new weapons systems.

This proposal does not seek to institutionalize the search for peace as a fly becomes imbedded in amber. It does not seek to fossilize peace by formalizing its search. Rather it attempts to focus the efforts of many who are wasting much of their efforts. Sanction of such a Government department would show what America really wants. It would allow the world to gaze upon our peacemakers as well as upon our arsenals. This is not a flight of fancy. For if we do not attempt to make progress on this front, we shall be doomed to become the captives of our own engines of destruction. In such a case, we shall roll down the slope of menace and over the brink of disaster into the abyss of doom. We have an opportunity to make a significant contribution to the well being of our country, the world and the future. Let us not lose the opportunity.

Men remember the peacemakers with love and those who wage war with fear. The battles of the legions of Rome are long over and forgotten. Their works of peace are recalled, enshrined, and visited. Their laws and their men of wisdom are ennobled in our memories, not their masters of slaughter.

Let is be said of America that we fought not to enslave other men, but to free them. Let it also be said of us that we strove to bring light and serenity to men's lives instead of doom and strife.

Mr. KOCH. Mr. Speaker, I am pleased today to join with 57 of my colleagues in the House to sponsor legislation establishing a Department of Peace at the Cabinet level. It calls for the creation of a Department of Peace which will incorporate the Agency for International Development, the Peace Corps, and the Arms Control and Disarmament Agency into a single agency whose primary function will be to "promote the cause and advancement of peace" in the world community. It is viewed by some as the liaison to all of the multilateral international organizations, leaving bilateral arrangements within the scope of the State Department.

Another feature will be the creation of an International Peace Institute within the Department to furnish training and instruction to eligible citizens to serve in peace-related and international organization fields. The Institute will then be a prime source for recruitment in furthering the goals of the Department.

With the introduction of this bill, we have formally translated the basic desires of this Nation into action, giving added emphasis to the underlying goals of our country—the establishment of international harmony and peace.

I am heartened and inspired by the widespread support the proposal has received, both in the private and governmental sectors. Perhaps this points to a new day when a Department of Peace will at the very least receive as much attention and budgeting support as the Department of Defense.

GENERAL LEAVE

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to extend their remarks on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

BACK-DOOR PAY RAISES

The SPEAKER pro tempore (Mr. PATTEN). Under a previous order of the House, the gentleman from Missouri (Mr. RANDALL) is recognized for 15 minutes.

Mr. RANDALL. Mr. Speaker, since the formation of the first Congress, we have been able to get along fairly well with the system under which Congress legislates after a free and open debate followed most often on important issues by a roll call vote so that the people may know how their elected lawmakers have conducted the public's business.

But a little over a year ago, in December 1967, the Congress decided to go underground and in the Postal and Salary Act of 1967 bound together in one package a grand conglomeration of legislative give and take. This was H.R. 7977 which subsequently became Public Law 90–206. It was a measure filled with "sweeteners". There were a lot of quid pro quos. Buried in the bill was section 225 that provided for pay increases following proposals by a Commission on Executive, Legislative, and Judicial Salaries. This later came to be known as the Kappel Commission. Frankly some of us discovered the Commission's provision buried in a recommital motion which would have also set aside and rendered sterile the meritorious and badly needed pay raises for our loyal postal and Federal employees at that time.

But over all, the entire measure contained several bad features. The Commission could make its recommendations quadrennially or only once in 4 years. This meant that at least once every 8 years a lameduck President with only a few days left in his term of office as outgoing President could pass the buck to a new President perhaps of different political persuasion from his successor.

Worse still, coming at the beginning of a term of Congress, the leadership of the new Congress would be occupied with many priority procedures. New rules have to be considered and adopted; committees reorganized; staffs organized; and remember all of this is coincident every 4 years with the excitement and time-consuming activities taken up by planning and carrying out all of the programs associated with a Presidential inauguration.

It is not difficult to see that such salary recommendations, coming at the end of a President's term and the beginning of a new Congress, make it most difficult—if not impossible—to negate or reject the recommendations. What happened this year is typical and perhaps a perfect example of the operation of the act. The President made his recommendations on January 15. Even then the announcement had already been made that the Lincoln Day recess would begin the night of February 6. Under the best conditions and most perfect circumstances, this would have left only 23 days for the Congress to consider the matter of raising its own pay.

While the foregoing is an indictment against the mechanical problems and difficulties attendant upon the commission method of raising the salaries of Congress, the courts, Cabinet officers, and other Federal employees, there are also imperfections in procedure. In my opinion that which is of much greater severity is the principle that Congress has delegated its authority to the executive branch. I submit this is not only wrong in principle; it may even be contrary to the Constitution.

Congress should, ought, and must, if it intends to demonstrate its responsibility, retain the constitutional authority granted it for considering the merits of any proposal that would adjust the salaries of Federal employees. The mere fact that our own salaries are involved should provide no excuse, reason, or justification for the Members of Congress to in any way shift, avoid, or abdicate this authority. What has happened is that there is a sort of casual procedure we have indulged in up to this point, by permitting recommendations to become effective if for some reason they just happen not to be rejected.

I am sure no one could claim as a result of our comments that we are trying to deny to any of the categories of Federal employees that they are entitled to some upward adjustment in their salaries. I feel certain that most Members would support by record vote some increase in their salaries if it was no greater in size or percent than those heretofore granted our postal employees, our social security retirees, or the members of the armed services. On the other hand, there is the unheard of 41-percent increase for Members of Congress.

The real fault and the worst complaint about the present exercise in salary increases is that it is a back-door approach to the problem. The voters in our district have trusted me enough to elect me six consecutive times as their Representative in the Congress. I recognize that trust is a two-way street. I know it is my duty and responsibility to trust my constituents. By that I must show my trust in them enough to debate for the public record the extent to which I am willing to commit myself to be entitled to a pay raise.

Over the past few years I have enthusiastically voted for pay raises for the postal and civil service employees, ranging from 12 to 14 percent. I have supported raises for members of our Armed Forces and increases for our social security retirees. It is fair to say that the same inflationary forces that justified these increases apply also to the pay of Federal judges, high officials in the Federal Government, and yes, even Members of Congress are not exempt. I happen to be a Member who has no law practice or no ownership of any business in which I can share the profits while serving in Congress. Yet, every one of us knew when we filed for office in 1968 what the salary would be. It is interesting to note that for the 435 House seats and the 34 Senate seats that were at stake, or for 469 jobs, there were 1,009 general election candidates and more than 7,000 primary candidates for less than 500 jobs. Yes, Mr. Speaker, every one of these aspirants knew the pay of Members of Congress.

Returning to the central theme of my remarks, I repeat once again that the real issue is not how much a Member of Congress is worth, or how much a Federal judge or a Federal department head should earn. One of the two real issues is the fiscal problems we face in this country today, and the other is the preservation of the legislative process.

On the fiscal question we should be reminded that our debt stands at $364 billion. We may even have to raise the debt limit again this spring. Over my protest and without my support the Congress enacted last year a 10-percent surtax intended to raise $7 billion. It now appears this tax will be extended beyond the June 30 expiration date. How is it possible to say that there exists fiscal responsibility, or for that matter, any responsibility in a procedure which raises the pay of Members of Congress by $6 million and yet conceals from the taxpayers the names of the lawmakers who approve of this increase.

Moreover, I cannot see any way to escape the escalative effects of the raise to be approved. Oh, it is not just the $6 million for Members of Congress. If we allow ourselves to receive a 41-percent increase, our congressional staffs will be the next to ask for a raise. Then once again all the lower-paid Federal employees, the postal workers, the military, and the retirees. If Congress gets for itself a 41-percent increase, all of the other Federal categories will feel entitled to and demand increases, and when they put on the pressure how can a Member refuse to grant these requests?

President Johnson a while back asked organized labor to hold their wage demands to the 3½-to-5-percent range. Those who then cooperated could quite rightfully now decide that they had been left out. They could without too much criticism demand that the contracts be reopened.

The really sobering thought and the question that is almost without answer is, where will it all end? Inflation increased by more than 4 percent last year. It is my considered opinion that when this 41-percent raise in congressional salaries becomes effective, it will inspire other raises that will cause the 4 percent to be far exceeded in 1969.

If I may be permitted, I would like to return for some comment on the other major issue in this whole question of salary increases. It is a matter which is of almost equal concern with that of inflation. It is the disruption of the legislative process or the abdication by Congress of its legislative authority by creating the device through which the Executive can, without limit, commit funds for salary purposes. This mechanism not only deprives the Congress of its constitutional responsibility for handling public funds, but it places more authority in the hands of the President than can ever be justified.

I doubt if the architects of this section 225 yet realize that in the statute which they created authorizing the President to make recommendations for increases in salaries, there is not one single word to prevent him from making reductions by the use of the punitive process even to the point of elimination of some Federal posts that the President may dislike or prefer to see discontinued, but which Congress in its wisdom has not seen fit to abolish.

An entire commission or Federal agency could be wiped out or rendered totally ineffective by the simple expedient of severe salary cuts contained in a package of recommendations with a lot of desirable increases sufficient in amount and to a sufficient number of recipients as to discourage negative action by Congress, and particularly a Congress hardpressed to organize itself in the first days of a new session.

Oh, I know the proponents of section 225, creating the Commission, will say there is a sort of veto in reverse. But why go at this problem the very opposite from the way it should be handled; that is, by letting the President legislate and the Congress veto instead of the other way around? The slight power of congressional veto as it is now provided in section 225 comes under circumstances that make it very difficult, if not impossible, to exercise at the beginning of a new session. That is why I suggest that my amendments to section 225 are so important.

It is hardly a secret that I have been critical of section 225. Yet one can never criticize without offering alternatives. I do not propose to scrap or abolish completely the Commission on Salaries, because some of its functions such as study and research are of some value and should be retained. However, I have provided, first, that not 30 days, but 90 days, be provided before the recommendations become effective, in order that there may be time to thoughtfully consider the amounts of pay increases. I have also provided for the necessity of a rollcall vote before these increases can be accepted. I have prepared an amendment to section 225 to, second, readjust the quadrennial period and to eliminate recommendations from a President with less than 6 months remaining in his term of office. This provision would so adjust the timing of recommendations as to make certain that every such proposal be subject to debate either prior to or during a political campaign.

Mr. Speaker, I sincerely hope the amendments I have proposed will be given hearing by the Post Office and Civil Service Committee. I submit we should never again be caught in the same circumstances as we have this year under existing law.

CENSUS REFORM HAS 109 SPONSORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BETTS) is recognized for 10 minutes.

Mr. BETTS. Mr. Speaker, congressional demands for reforms in the 1970 decennial census continue to increase. This call for repeal of the jail sentence penalty entirely and removal of the $100 fine from all but a few subjects essential to the population count stems from public condemnation of present Census Bureau policies. There are now 109 sponsors of this legislation.

Census reform is a bipartisan effort and its advocates span the spectrum of political viewpoints. The 109 sponsors represent districts in 36 States and Puerto Rico. These Congressmen serve more than 44 million Americans. This demand to limit criminal penalties on decennial census questions has been prompted by the Census Bureau's exceeding the proper limits of population enumeration by continually expanding the length, complexity, and inclusion of overly personal questions in the census. Letters from irate constituents, newspaper editorials and articles, and the personal judgment of my colleagues after reviewing the actual forms to be used in 1970 are the sources of the opposition to present Census Bureau plans.

Mr. Speaker, I am aware of the views of the clientele of the Census Bureau, the statistical user community. Although the Census Director says his Bureau serves the public, citizens who provide this data on themselves are on the short end of Census Bureau consideration. Large corporations are behind the extensive household utility items such as questions asking if a person has a television, clothes washing machine, dryer, home food freezer, and so forth, and Government officials who have an insatiable appetite to extract more and more facts about the American citizenery have prodded inclusion of dozens of income, marital, education, housing, and employment subjects. The cozy relationship between the Census Bureau and Federal statistical users has gone beyond the semblance of public service. I believe this is an unwholesome alliance which causes improper expansion of the collection of personal data under threat of fine or imprisonment. I have yet to find anyone who can justify a $100 fine or a 60-day jail sentence if a person refuses to indicate whether he owns a car, second home, or how much rent he pays. This is totally incompatible with the fabric of American constitutional government.

When hearings are scheduled on these 109 census reform bills the lineup of vested interests arguing for the status quo will be long and impressive. As is so often the case, the general public who are the providers of all personal information, will have no highly paid lobbyist on their behalf. I suggest that all my colleagues who want census penalties repealed, to request an opportunity to testify before the Census and Statistics Subcommittee of the House Post Office and Civil Service Committee. If these spokesmen for the people of this country would bring the letters, relate personal conversations with alarmed constituents, collect the many newspaper and broadcast editorials, and discuss their own judgement about the propriety of the 1970 census, I feel certain we will meet success. Nevertheless we must anticipate an uphill fight to restore rights of personal privacy in the census and affirm the intended constitutional purpose of this enumeration of our population.

Mr. Speaker, at this point I include the names of each sponsor of census reform bills and a list of some of the Nation's newspapers which have endorsed these proposals:

SPONSORS OF CENSUS REFORM LEGISLATION

E. Ross Adair, of Indiana.
Joseph P. Addabbo, of New York.
John B. Anderson, of Illinois.
John M. Ashbrook, of Ohio.
Walter S. Baring, of Nevada.
James F. Battin, of Montana.
Page Belcher, of Oklahoma.
Jackson E. Betts, of Ohio.
Edward G. Biester, of Pennsylvania.

Benjamin B. Blackburn, of Georgia.
Edward P. Boland, of Massachusetts.
W. E. Brock, of Tennessee.
William S. Broomfield, of Michigan.
Garry Brown, of Michigan.
John Buchanan, of Alabama.
J. Herbert Burke, of Florida.
George Bush, of Texas.
Earle Cabell, of Texas.
Charles E. Chamberlain, of Michigan.
Frank M. Clark, of Pennsylvania.
Del Clawson, of California.
Harold R. Collier, of Illinois.
Barber B. Conable, of New York.
Silvio O. Conte, of Massachusetts.
Jorge L. Córdova, of Puerto Rico.
William O. Cowger, of Kentucky.
Glenn R. Davis, of Wisconsin.
John R. Dellenback, of Oregon.
David W. Dennis, of Indiana.
Edward J. Derwinski, of Illinois.
Samuel L. Devine, of Ohio.
William L. Dickinson, of Alabama.
John J. Duncan, of Tennessee.
John N. Erlenborn, of Illinois.
Paul Findley, of Illinois.
O. C. Fisher, of Texas.
George A. Goodling, of Pennsylvania.
Charles H. Griffin, of Mississippi.
Martha W. Griffiths, of Michigan.
James R. Grover, of New York.
Gilbert Gude, of Maryland.
James A. Haley, of Florida.
Durward G. Hall, of Missouri.
Seymour Halpern, of New York.
John Paul Hammerschmidt, of Arkansas.
Margaret M. Heckler, of Massachusetts.
William L. Hungate, of Missouri.
John E. Hunt, of New Jersey.
Edward Hutchinson, of Michigan.
Carleton J. King, of New York.
Thomas S. Kleppe, of North Dakota.
John Kyl, of Iowa.
Peter N. Kyros, of Maine.
Robert L. Leggett, of California.
Glenard P. Lipscomb, of California.
Manuel Lujan, of New Mexico.
Donald E. Lukens, of Ohio.
Robert McClory, of Illinois.
Paul N. McCloskey, of California.
William M. McCulloch, of Ohio.
Jack H. McDonald, of Michigan.
Martin B. McKneally, of New York.
Catherine May, of Washington.
Thomas J. Meskill, of Connecticut.
Robert H. Michel, of Illinois.
Clarence E. Miller, of Ohio.
Wilbur D. Mills, of Arkansas.
William E. Minshall, of Ohio.
G. V. Montgomery, of Mississippi.
John E. Moss, of California.
Lucien N. Nedzi, of Michigan.
Ancher Nelsen, of Minnesota.
Jerry L. Pettis, of California.
Richard H. Poff, of Virginia.
Howard W. Pollock, of Alaska.
Adam C. Powell, of New York.
Robert Price, of Texas.
David Pryor, of Arkansas.
James H. Quillen, of Tennessee.
John R. Rarick, of Louisiana.
John J. Rhodes, of Arizona.
Donald W. Riegle, of Michigan.
Howard W. Robison, of New York.
Paul G. Rogers, of Florida.
William V. Roth, of Delaware.
Richard L. Roudebush, of Indiana.
John P. Saylor, of Pennsylvania.
Henry C. Schadeberg, of Wisconsin.
Herman T. Schneebeli, of Pennsylvania.
Fred Schwengel, of Iowa.
William Lloyd Scott, of Virginia.
H. Allen Smith, of California.
J. William Stanton, of Ohio.
Sam Steiger, of Arizona.
Samuel S. Stratton, of New York.
Robert Taft, Jr., of Ohio.
Burt Talcott, of California.
Charles M. Teague, of California.
Vernon W. Thomson, of Wisconsin.
John V. Tunney, of California.
James B. Utt, of California.
Charles A. Vanik, of Ohio.
Joe D. Waggonner, Jr., of Louisiana.
Jerome R. Waldie, of California.
J. Irving Whalley, of Pennsylvania.
William Whitehurst, of Virginia.
Charles E. Wiggins, of California.
Lawrence G. Williams, of Pennsylvania.
John M. Zwach, of Minnesota.

Newspapers Endorsing Census Reform

The Daily Star Journal, Warrensburg, Mo.
Passaic Herald News, Passaic, N.J.
St. Alban's Messenger, St. Albans, Vt.
Columbus Dispatch, Columbus, Ohio.
The Titusville Herald, Titusville, Pa.
Manchester Union Leader, Manchester, N.H.
News-Democrat, Belleville, Ill.
Syracuse Post Standard, Syracuse, N.Y.
New York Daily News, New York, N.Y.
The Muskegon Chronicle, Muskegon, Mich.
News, Shelbyville, Ind.
The Hoosier Purchaser, Indianapolis, Ind.
The Tulsa Tribune, Tulsa, Okla.
Advance-News, Ogdensburg, N.Y.
Sacramento Bee, Sacramento, Calif.
The Wall Street Journal, New York, N.Y.
The Indianapolis Star, Indianapolis, Ind.
Meriden Journal, Meriden, Conn.
The Sunday Star-News, Wilmington, N.C.
Billings Gazette, Billings, Mont.
Independent-Press-Telegram, Long Beach, Calif.
Sentinel, Woodstock, Ill.
Capital, Sedalia, Mo.
Herald, Stanford, Fla.
Star-Banner, Ocala, Fla.
Citizen-News, Dalton, Ga.
Valley Courier, Alamosa, Colo.
Times Union, Albany, N.Y.
Toledo Times, Toledo, Ohio.
Dothan Eagle, Dothan, Ala.
St. Louis Globe-Democrat, St. Louis, Mo.
Omaha World Herald, Omaha, Nebr.
Mansfield News-Journal, Mansfield, Ohio.
Newark Evening News, Newark, N.J.
Akron Beacon Journal, Akron, Ohio.
Chicago American, Chicago, Ill.
Arkansas Democrat, Little Rock, Ark.
The Philadelphia Inquirer, Philadelphia, Pa.
Jackson Citizen Patriot, Jackson, Mich.
The Toledo Blade, Toledo, Ohio.
The Evening News, Perth Amboy, N.J.
Memphis Germantown Star, Memphis, Tenn.
Salem Evening News, Salem, Mass.
The State, Columbia, S.C.
Times Picayune, New Orleans, La.
States-Item, New Orleans, La.
Chronicle, San Francisco, Calif.
Register, New Haven, Conn.
American, Chicago, Ill.
News Sentinel, Fort Wayne, Ind.
Tacoma News Tribune, Tacoma, Wash.
Lincoln Daily Courier, Lincoln, Ill.
The Decatur Review, Decatur, Ill.

LEADING CONSERVATIONISTS COMMENT ON H.R. 3114, CONSERVATION ADVISERS ACT OF 1969

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. Reuss) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, on January 13, I introduced H.R. 3114, the Conservation Advisers Act of 1969. The bill would set up a high level three-man Council of Conservation Advisers to pull together all the conservation activities of the Federal Government. The Council is modeled after the highly successful Council of Economic Advisers, except that members would have staggered 6-year terms rather than serving at the pleasure of the President as members of the Council of Economic Advisers do.

The bill also would establish a Senate-House Joint Conservation Committee modeled after the Joint Economic Committee.

Before introducing this bill, I sent copies of it in draft form to scores of of the Nation's leading conservationists and conservation organizations. Their letters and comments were both gratifying and helpful, and many of the suggestions they made have been incorporated in the bill. I would, therefore, like to include in the Record at this point some of the letters I received. They follow:

The Appalachian Trail Conference,
Kingsport, Tenn., December 20, 1968.

Hon. Henry S. Reuss,
Rayburn House Office Bulding,
Washington, D.C.

My Dear Mr. Reuss: I would like to thank you for your letter of November 22 and copy of the bill you propose to introduce in the next session of Congress to establish a Commission on Conservation. It was thoughtful of you to distribute copies of this proposed legislation for comment before you introduce it.

I feel that it is highly important that some body be set up which has broader responsibilities than either the Congress or the Administration in looking after the natural resources of our country. Furthermore, it would seem that for maximum effectiveness this body should be non-political.

I have become aware of several proposals of this nature, including your own. I have not had an opportunity to study all of these proposals, so at this point I am a little uncertain as to what is the best approach to accomplish the objective we all have in mind.

In your section 2, lines 7 and 8, would it be possible to define more precisely the quality of environment we want? For example, that which fosters and promotes the general welfare is often a matter of opinion and the word "quality" in itself does not expressly require "high quality."

In line 12 of section 2 you might wish to add "undeveloped open space" to the list.

In section 5. (a), I would suggest that the joint eight members of the Senate and eight members from the House each consist of four members of the majority party and four members of the minority party making this Joint Conservation Committee as non-political as possible.

I would be interested in following the progress of your bill and would appreciate receiving a copy of it following its introduction in the 91st Congress.

Sincerely,

Stanley A. Murray,
Chairman.

Chemsford, Mass.,
December 8, 1968.

Dear Congressman Reuss: Thank you for letting me see a copy of your proposed bill to establish a Commission and a Committee on Conservation.

I speak now strictly as an individual, although I am currently the President of Trout Unlimited. At a meeting of our Executive Committee I shall discuss your bill and when it is finalized and introduced we shall very probably express TU's thoughts on the matter.

Let me first ask a question: do you propose that the three man Commission be set up on a full time basis? The job is so big that it is possible that it would have to be. Hence, the salaries involved will be dependent on the answer to this question.

You are proposing that the annual report of the Commission be ready January 20 and that the Committee file its report by March 1. Does this give the Committee enough time for its job?

Should the Committee be as non-partisan as possible and if so would four members from each party better serve this aid instead of five and three?

At the moment these are my only thoughts.

I think your idea has a considerable amount of merit and I will be most interested in the final draft. We surely need some serious efforts to coordinate the ideas and efforts of the various agencies dealing with these enormously vital matters—matters on which depend in a measure the very existence of our people.

Sincerely,

Martin Bovey.

Federation of Western Outdoor Clubs,
Bozeman, Mont., December 6, 1966.

Hon. Henry S. Reuss,
House Office Building,
Washington, D.C.

Dear Sir: Thank you for sending a copy of the proposed "Conservation Commission Act of 1969." There is no doubt as to the need of some coordination between government agencies as well as between them and the public. Your bill may well start the ball rolling that will bring about this aim. Something with some teeth in it to require coordinating action must be considered.

The Commission only advises a Joint Committee that in turn suggests programs and changes to legislative committees. No mention is made of required action that may need to be taken to make a correction of existing malfunction of agencies or departments of the government.

Don't we need something with more authority to see that necessary changes are made? Recommendations are not enough.

Technology and science have drawn our world nations close together. Incredible progress in the destruction of the non-renewable resources through this same technology and science is a relentless threat to our survival. As a nation then we should take a firm hand in the total field of world ecology which is suggested, but not required, by the "Conservation Commission Act"

Very truly yours,

Kenneth K. Baldwin,
President.

State of Wisconsin,
Soil Conservation Board,
Madison, Wis., December 9, 1968.

Congressman Henry S. Reuss,
House of Representatives,
Washington, D.C.

Dear Congressman Reuss: Thank you very much for providing the Board with a copy of your proposed legislation on the establishment of a Commission on Conservation and a joint Senate-House Conservation Committee. This certainly is a commendable piece of legislation since it hits closer to anything we have in the way of bringing about some semblance of a national natural resource policy. I believe most of us would agree that this is the only reasonable approach to natural resources since they are in mobile reach of everyone and since our emphasis in the future must be on development of our resources.

The Soil Conservation Board will not meet in time for consideration and comment on your proposed bill. I have no further comments or recommendations to make except to say that what is needed is a truly national natural resources policy.

Sincerely,

William J. Horvath,
Executive Secretary.

American Fisheries Society,
Washington, D.C., December 12, 1968.

Hon. Henry S. Reuss,
House of Representatives,
Washington, D.C.

Dear Mr. Reuss: I was very pleased to receive your proposed bill for establishing an independent commission on conservation.

This appears to me to be a very fine bill, a very fine move, and a specific need. I am enthusiastic about your bill and want you to know that in behalf of the officers and members of the American Fisheries Society we encourage the passage of such a bill. You may look forward to our support.

I note where the Executive Secretary of the American Fisheries Society has written you his views concerning this bill and has pointed out that you should use the word fish in conjunction with wildlife wherein it occurs in the bill. I want you to know that I believe that Dr. Hutton is correct in this, and I feel strongly the word wildlife does not imply at all times the field of fisheries and aquatic life. Some say that it does. There is much evidence to indicate that it does not. It would be advisable I am sure, for you to put the word fish and other aquatic life along with wildlife.

I shall be pleased to be kept informed on the status of your bill and if at all possible for me to testify in behalf of this bill when the hearings are held, I will be happy to do so.

Sincerely,

Elwood A. Seaman.

Illinois Natural History Survey,
Urbana, Ill., December 19, 1968.

Hon. Henry S. Reuss,
House of Representatives,
Washington, D.C.

Dear Mr. Reuss: My attention has been directed to your plans to introduce a bill at the beginning of the next session of Congress that would establish a high-level Commission on Conservation as well as a Senate-House Joint Conservation Committee. I understand that you are willing to receive comments and suggestions on this legislation.

In my judgment, the objectives of the bill are sound and are intended to provide the focus of attention and evaluation that is long, long overdue. I suspect you will encounter substantial objection to certain portions of the bill (particularly Section 4(a)(4)) by several departments and agencies of the government who are not anxious to have the effectiveness of their programs examined too carefully by a knowledgeable and influential group, but I hope such objections will not deter your efforts to achieve the legislation. Some 15 years of intimate association with agencies of the federal government have suggested to me that such objections are more often based on a threat to the agency's program than on what is good for the American public. I am quite sure that is not news to you.

There are several points that I might question, too. With two exceptions, however, they are minor items in the long run and are probably not worth the time of either of us to pursue further. My first exception concerns what is meant by natural resources in the bill. Are you referring to *all* natural resources including minerals, gas, oil, etc., or do you mean living and/or renewable natural resources? My other exception involves a point that bothers me considerably with reference to living or renewable natural resources. In our usual definition of the term we often consider all manner of living things and the immediate environment in which they live. Why do we not include man—specifically brainpower and special skills—in the definition? Surely we must recognize that brainpower is the most precious resource this country owns. Without it we would not have had the weapons and materials that won our major wars, and we would not have the production capabilities of modern agriculture, the remarkable advances in medicine and surgery, the achievements of our space program, or the extraordinary developments in industrial technology. Without it we do not have a chance of winning the population-food supply problem that is now on the horizon as history's most critical threat to our civilization—more specifically, to the adult generation of the children now in elementary school. Yet brainpower is the resource with which we are most cavalier in our treatment and planning. The shameful misuse of our mentally talented young persons in current military draft practices is a prime example. Our nation's sights have always been set too low. We go overboard for this cause or that one but fail to recognize that the greatest threat of all is bearing down on us rapidly and—believe me—the cards are stacked against us at the present time. I hadn't intended to get off on this type of discussion but it does illustrate why I am concerned that our human skills and talents must be included among the natural resources we need to conserve, and use in the wisest most effective manner.

One more point. I wonder if a blue ribbon Commission of 5 rather than 3 members might not be more effective and bring a wider variety of necessary talents to bear on the problems for which we evidently share mutual concern.

I am most pleased to have this opportunity to express my thoughts on the contents of your bill. May I wish you good luck and Godspeed in achieving its successful passage through the Congress.

Sincerely yours,

George Sprugel, Jr., *Chief.*

The Association of
Interpretive Naturalists, Inc.,
Derwood, Md., December 12, 1968.

Hon. Henry S. Reuss,
House of Representatives,
Washington, D.C.

My Dear Mr. Reuss: This professional organization of environmental interpreters thanks you for the opportunity to comment on your proposed bill "Conservation Commission Act of 1969." You may be sure that we support any legislation which seeks to weld the efforts of Federal, state, and local governments in the job of environmental rehabilitation. It seems that your commission would at long last provide direction for the very many agencies and organizations concerned with conservation and the enhancement of the environment.

We approve your proposal to stagger commissioners' terms of office to at least partially offset political considerations and feel that you have provided safeguards to insure that this would truly be a gold bond commission. We have long felt that conservation interests should be represented by some entity directly responsible to the President and to the Congress.

We stand ready to support your fine effort in any way we might assist.

Sincerely yours,

Stanton G. Ernst,
President.

National Fisheries Institute, Inc.,
Washington, D.C., December 17, 1968.

Hon. Henry Reuss,
House Office Building,
Washington, D.C.

Dear Congressman Reuss: Thank you for sending the National Fisheries Institute a copy of your proposed bill to establish a Commission on Conservation.

We have reviewed this and at this point do not believe there is a requirement for the establishment of another commission. We had hoped that the Consumer Protection and Environmental Health Service, together with the Department of Interior, could just as easily provide the Congress, the President and the nation a report on the state of our environment.

Again, thanks for the opportunity to review this proposal.

Sincerely yours,

LEE J. WEDDIG,
Executive Director.

MASSACHUSETTS FOREST
AND PARK ASSOCIATION,
Boston, Mass., December 11, 1968.

Hon. HENRY S. REUSS,
House Office Building,
Washington, D.C.

MY DEAR MR. REUSS: We were pleased to receive your letter of November twenty-second, transmitting a copy of your bill to establish an independent Commission on Conservation.

It strikes me as a forward-looking, well conceived piece of legislation. In the face of growing environmental problems, it is timely to give conservation the kind of emphasis spelled out in your bill. We pledge our support in working for its passage, and we would appreciate being kept informed of its progress.

Sincerely yours,

BENJAMIN W. NASON,
Executive Director.

CORNELL UNIVERSITY,
DIVISION OF BIOLOGICAL SCIENCES,
Ithaca, N.Y., December 2, 1968.

Hon. HENRY S. REUSS,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE REUSS: Your letter of November 22 and the copy of your proposed bill was sent to Dr. Rexford Daubenmire as President of the Ecological Society of America. Since I succeeded Dr. Daubenmire as President in August 1967, it was forwarded to me. Dr. John E. Cantlon of Michigan State University has now succeeded me as President but, since he is out of the country, I shall presume to answer.

I think my reservations about this bill are adequately summarized in my statement on pp. 172–173 of the "Joint House-Senate Colloquium to discuss a National Policy for the Environment" (Ninetieth Congress, Second Session, July 17, 1968, No. 8). No three-man commission could be expected to encompass the necessary range of qualifications for the task envisioned. And, unless the range of competencies to be included on the commission is specified in detail, you may be assured of a cynical reception by those who understand and are genuinely alarmed by what is happening to our environment.

Ecologists, and conservationists generally, will applaud the motives inspiring a bill like this but, in my opinion, will not support it because of a conviction that something much more definitive and with powers beyond writing an annual report is urgently needed.

Respectfully,

LAMONT C. COLE,
Professor of Ecology.

AMERICAN COMMITTEE FOR
INTERNATIONAL WILD LIFE PROTECTION,
Washington, D.C., December 30, 1968.

Hon. HENRY S. REUSS,
House of Representatives
Washington, D.C.

MY DEAR CONGRESSMAN: I am sorry not to have been able to respond earlier to your request of 22 November for comments on the draft bill you propose to introduce to Congress for the establishment of an independent Commission on Conservation and a Joint Conservation Committee.

You are to be congratulated on this excellent bill, which so clearly fulfills an urgent need for policy guidance of our complicated government structure at the present time dealing with federal efforts to maintain the quality of our natural environment. I have two suggestions you may wish to consider.

In Section 2, the Declaration of Policy, line 11, when you speak of the utilization of natural resources to meet human, economic, and national defense requirements, I would suggest the word "ecological" be added after the word "economic." I realize the ecological approach is one that is included by implication, but believe it would strengthen the policy to have the wording in the statement.

My second suggestion is that the Commission should concern itself not only with the quality of the environment in our Nation, but also with the effects of our actions that contaminate the biosphere and affect people as well as plants and animals on a world-wide basis. For example, DDT in the Antarctic penguins, or other side effects from man's tampering with living portions of ecosystems. While I realize you do not wish to get involved in the area of international conservation, it would be valuable and important to include it somehow in your terms of reference for the new Commission.

If you think well of these suggestions, I would appreciate your passing them on to Senator McGovern.

With best wishes for the success of this important bill.

Sincerely yours,

HAROLD J. COOLIDGE,
Chairman.

MINNESOTA-WISCONSIN BOUNDARY
AREA COMMISSION,
Hudson, Wis., November 17, 1968.

Hon. HENRY S. REUSS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN REUSS: Thank you for your letter of November 22nd informing us of the proposed bill regarding a national commission on conservation. I have replaced Dr. H. Peter Odegard as executive director of the Boundary Area Commission and am honored to be among those from whom you seek advice on such matters.

I assume that the membership of such a proposed commission would be made up of private citizens rather than agency personnel. The experience of our own Commission indicates that this is a good way to give some officials status and recognition to the "public interest" in the development of governmental policies on conservation and resource development matters. I wonder, however, whether or not limitation of three persons in the makeup of such a commission would provide a broad enough base for development of constructive policy recommendations. In one sense, the output of such a small group, worthwhile and rational as it might be, might easily be looked upon as being too narrow since it would not have had the benefit of the input of very many individuals at the commission level. In order to be more representative of the broad spectrum of public interest, then, it might seem prudent to consider expanding the membership of such a commission to perhaps seven or nine members.

In another sense, it would seem that the functional aspects of the commission's operation would be enhanced by having a larger number of commissioners. This would allow for the establishment of subcommittees within the commission itself for the purposes of looking into specific aspects of conservation problems and opportunities, and would also allow for more latitude in the conduct of commission meetings themselves where it might be easier to arrange for the attendance of a majority of the members of a larger body.

The most laudable feature of the proposal, in my opinion, is the establishment of the Senate-House Joint Conservation Committee in Congress. How nice it would have been to have had such a committee to resolve problems between the two bodies on such matters as the Wild and Scenic Rivers Act and the proposal to prohibit pollution of navigable waters in the nation by vessels.

We would appreciate your cooperation in keeping us posted on the progress of this proposed legislation, and thank you again for seeking our advice on its preparation.

Very truly yours,

JAMES M. HARRISON,
Executive Director.

STONY BROOK-MILLSTONE WATERSHEDS ASSOCIATION,
Pennington, N.J., November 27, 1968.

Re Proposed Bill on Conservation.

HON. HENRY S. REUSS,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN REUSS: I have one or two observations to make in relation to the captioned matter.

The word Conservation is so badly overworked and so little understood that I would propose substituting "Physical environment" for it.

In spelling out the qualifications of the Commission Members one might add that they must be people with ecological perspective. What I am in effect saying is that a well trained forester, wildlife manager, soil scientist, botanist, biologist, or what have you would not qualify as a Commissioner unless he had the broad perspective of seeing his own expertise and knowledge in relation to all other disciplines concerned with the physical environment. This would not be easy but it is germane and fundamental to bringing your declaration of policy to fruition. Good luck.

Cordially,

PAUL M. VANWEGEN,
President.

AMERICAN FISHERIES SOCIETY,
Washington, D.C., November 26, 1968.

Hon. HENRY S. REUSS,
Rayburn House Office Building,
House of Representatives,
Washington, D.C.

DEAR MR. REUSS: After one reading of your proposed bill whereby an independent Commission on Conservation would be established to coordinate the conservation policies of the various departments and agencies of the Federal government etc., I highly commend you for your efforts. I feel that such a proposal will fill a void that has existed throughout our Nation's history.

I strongly urge you to add the word "fish" at the places indicated on pages 1, 3 and 4 of your draft copy which I am enclosing. As you probably know, many people do not include "fish" in this definition of "wildlife." After a more careful reading of your bill, it is possible that I will comment further.

Sincerely yours,

ROBERT F. HUTTON,
Executive Secretary.

BOB & BESSIE WELDER
WILDLIFE FOUNDATION,
Sinton, Tex., November 27, 1968.

Hon. HENRY S. REUSS
U.S. House of Representatives
Rayburn House Office Building,
Washington, D.C.

MY DEAR CONGRESSMAN: It is a great honor and pleasure to receive your letter of 22 November transmitting the proposed bill which you hope to introduce early in January 1969, to be called the "Conservation Commission Act of 1969."

May I state very frankly that I think you have done a remarkably fine job with this.

I like your Declaration of Policy. There are few points in this with which I believe anyone who knows anything of the subject matter could take exception. I think you are rendering a great public service in the effort you are making.

The only minor suggestion I can offer is that you might want to consider whether or not your Commission of Three is adequate since you are dealing with five or more major subjects. I would suggest that you give consideration to the possibility of changing your three-man commission to a five-man commission, so that you can get members who are knowledgeable in the five subjects to be treated. It seems to me these subjects logically divide into air, soil, water, wildlife-forestry-grazing, and outdoor recreation, including scenic or open spaces.

It seems to me your proposal would be a great step forward as we have been needing something like this for quite some time. Those of us in the conservation field greatly appreciate your leadership and interest in this important field. I shall study the proposal further and if any other ideas come to me that seem to be at all significant, I will write you again. I have been in your office on a few occasions in years past and talked with you regarding various conservation matters when I was an official of the U.S. Fish and Wildlife Service. I was in Washington, D.C. last week but did not have opportunity to call either at your office or at the office of other outstanding congressmen with whom I am fairly well acquainted.

With kindest personal regards and, again, our sincere thanks for your great leadership in the important field of conservation.

Sincerely yours,
CLARENCE COTTAM, *Director,*
Welder Wildlife Foundation.

LEWIS & CLARK TRAIL COMMISSION,
November 27, 1968.
Hon. HENRY S. REUSS,
Milwaukee, Wis.

DEAR CONGRESSMAN REUSS: V. L. Clark, Chairman, Board of Trustees of the J. N. "Ding" Darling Foundation, has shared with me your form communication of November 22 in regard to your proposed bill to be introduced at the 91st session of Congress, to be known as the Conservation Commission Act of 1969. I am replying not only as Vice Chairman of the Darling Foundation, but perhaps more particularly as Chairman of the Lewis and Clark Trail Commission, as a member of the Advisory Council to the Public Land Law Review Commission and as one tremendously interested in the causes of our natural values and our people's outdoor heritage.

I have had the opportunity within the last two months to review in detail the colloquium held this summer by various members of Congress and the administration in regard to the establishment of a national policy in behalf of natural values and our natural environment of this nation. Although this conference was not very well publicized, I think it was a tremendously important meeting and I congratulate you and the others who had a part in this splendid beginning effort to establish a national policy on environment. Your bill I believe would complement and perhaps serve as a catalyst in saving many of the natural values and natural resources that are going to be so much in our peoples' well-being in the years to come. Certainly I as an individual, and I am sure that we of the Darling Foundation, would think highly of this bill. Although our Foundation is not permitted as you well know to lobby, since we are a nonprofit corporation, I am sure that as an individual and other trustees of our Foundation, we can well express a personal view with complete propriety.

You may be interested in knowing that I intend to present as a member of the Advisory Council to the Public Land Law Review Commission, a recommendation in this general area in regard to the establishment of a national policy on environmental control and appreciation. It's interesting to note that the context of my statement parallels your proposed bill.

We were regretful that you could not be present with us at our last Lewis and Clark Trail Commission meeting held in Portland. It was one of our best meetings and we also had the second of our scheduled three public hearings. This went excellently and with some fine recommendations by those who appeared. Our next meeting of the Commission will be held in the St. Louis, Missouri and Wood River, Illinois area May 14–16. I am hopeful that you can be present. This undoubtedly will be the last meeting of our Commission in view of the fact that the expiration date under Public Law 88–630 is October, 1969. You'll be hearing from me in regard to a unanimous motion at the meeting in Portland of our Commission, which asks Congress to extend our Commission in approximately the same format. Hopefully you would see fit to support such an effort.

It's a pleasure indeed to be visiting with you again even though by letter. With sincere good wishes.

Cordially yours,
SHERRY R. FISHER,
Chairman, Lewis & Clark Trail Commission.

HAWK MOUNTAIN
SANCTUARY ASSOCIATION,
Kempton, Pa., December 6, 1968.
Hon. HENRY S. REUSS,
Milwaukee, Wis.

DEAR CONGRESSMAN REUSS: Thank you for your letter of November 22 and for the opportunity of commenting on your proposed bill setting up a Commission on Conservation. I do have a few suggestions which you may wish to consider.

To make the qualifications of the Commissioners a little more definite, might it not be worthwhile to insert in Section 3(a) after "training, experience, attainments," the following: "and broad knowledge in the biological and ecological fields,".

Maybe this would be redundant but in Section 3(c)(2) I suggest the insertion of "environment-changing activities" after "natural resource conservation and development,". If this suggestion were adopted, you would have to insert "activities" after "conditions" in the 4th line of the paragraph and after "developments" in the last line.

Because I do not thoroughly understand the workings of Washington and because I feel that the success of any effort along your suggested lines is going to come principally from public pressure, possibly you would like to insert "and shall make public" after "Congress" in the 2nd line of Section 4(a). Maybe this is covered in Section 3(d) but it doesn't seem to me this is clearly so.

Again, many thanks for the opportunity to comment on this very fine and much-needed legislation. If we can be of any further help to you or Senator McGovern, please let us know.

Sincerely,
JOSEPH W. TAYLOR.

THE WILDLIFE SOCIETY,
Washington, D.C., November 27, 1968.
Hon. HENRY S. REUSS,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN REUSS: Thank you very much for your November 22nd transmittal of a proposed bill to establish a conservation commission.

I think the basic objectives and major details which your proposed bill are aimed at establishing are most worthwhile and I want to encourage you to carry through with your plans.

Several questions do arise which might have some importance:

Do "conservation", "conservationist", etc. need definition for the purposes of the bill?

Can a three-man commission be so constituted that there is an equitable distribution, or balance, between the various approaches to "conservation"? Perhaps a larger commission, though a bit more unwieldly, would provide better balance.

In Section 3(b), 3(f), and 5(e), are these an open-end checkbook which Congress cannot control?

Do Sections 3(e)(2) and Section 5(d) impose a manpower-fiscal burden upon federal bureaus for which they may not have planned or budgeted?

Please do keep me informed of progress on your bill. I wish you well with it.

Most sincerely,
FRED G. EVENDEN,
Executive Director.

DEPARTMENT OF NATURAL RESOURCES,
Lansing, Mich., December 27, 1968.
Hon. HENRY S. REUSS,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. REUSS: In behalf of the Michigan Department of Natural Resources, I wholeheartedly support your proposed bill which would establish a commission on conservation, charged with the responsibility of making recommendations which would preserve and improve the quality of our environment.

It has been our firm conviction that we urgently need a comprehensive national policy with respect to environmental pollution. While we do have segments of such a policy in the Air and Water Pollution Law, the Land and Water Conservation Fund Act, and various other measures, we clearly lack an overall policy with respect to our goals and objectives in preserving environmental quality. Your bill would appear to be a very logical way of attacking this problem.

It is equally important that the various states assume more responsibility in preventing environmental pollution. We are particularly impressed with recent action taken by the State of California in establishing an Environmental Quality Council. There is an urgent need for a similar body to be established in Michigan, and, I suspect, in many other states.

In summary, you may be sure that the Michigan Department of Natural Resources will strongly support your proposed bill to establish a commission on conservation. In this regard, we would appreciate your advice and counsel as to how we can be most helpful in securing the passage of this legislation.

Sincerely,
A. GENE GAZLAY,
Assistant Director.

THE DESERT PROTECTIVE COUNCIL, INC.,
La Quinta, Calif., December 24, 1968.
Subject: Environmental improvement and protection in conservation.
Hon. HENRY S. REUSS,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN REUSS: Thank you for a copy of your proposed Bill that will provide for a Conservation Commission of three citizens appointed by the President and a provision for a joint Congressional Committee on Conservation. Also thank you for asking for my comment on your proposal, long overdue, and questionably sufficient to reverse the present rapid deterioration of the enviornment.

While it may seem to be nit-picking, I should seriously consider dropping the word "conservation" and employ a more descriptive and meaningful term that embodies an ecological intent, such as "Commission on Environmental Improvement and Protection". There are good and sufficient reasons for such change. The word "conservation" is badly mutilated and abused. May we point out that so many "conservation projects" have been little more than tinseled gimmicks to sell more bows and arrows, guns and shotgun shells, and the great majority of the public may well be apathetic for just such reasons.

The end results of your plan will be just as good as the members of the Commission. If the Secretary-Treasurer of the Sporting Arms and Ammunition Manufacturers Institute is one of the Commissioners, as he has been an advisor for the American Association for Health, Physical Education and Recreation, a subsidiary of the National Educational Association, you can well guess the quality of the "conservation product".

Lastly, if the action merely equates the wonders and values of the natural world with bushels of potatoes and onions, you can expect little stimulation of our coming generation to develop an attitude of reverence and love, which is the essential ingredient in the formation of a genuine conservationist.

Sincerely,

Henry M. Weber.

North Carolina
Recreation Commission,
Raleigh, N.C., December 31, 1968.

Hon. Henry S. Reuss,
House of Representatives,
Washington, D.C.

Dear Congressman Reuss: In reviewing your proposal as to the "Conservation Commission Act of 1969" several points are suggested. We shall share our experience with you.

(1) The proposed bill is of a very general nature. Terms seem to be used interchangeably throughout the bill which express, interchangeably, the functions, powers, duties and related actions by which they are to be achieved. It might be difficult, for example, for laymen or professionals to relate words used on page 5, Section 3, (c), (4) to those found in Section 3, (e), (1).

There are many existing governmental agencies at all levels (Federal, State, county and municipal or combination thereof), private non-profit and private for profit that can and would contribute to the establishment of policy and in providing direction for human, natural and man-made resource preservation, acquisition, development and use. It appears to us that, as you have it, there is danger that it will be a federally skewed body, without sensitivity as to state and local needs, and with little contact as to the private and commercial sectors.

(2) In the introductory brief the word "coordination" is used relative to conservation policies by governmental agencies (all levels). Coordination implies only force. We do not believe that coordination can be accomplished without cooperation. Cooperation implies voluntary action. Involvement of all sectors, governmental, private non-profit and private for profit must be established, much of which can, only, be voluntary, at the very inception of the idea or there will be another superimposed pressure that tends to cause resistance, because it is not sensitive to real needs.

(3) We are concerned that the proposed bill follows old and outdated, established, federal patterns, which we are trying to change. It might permit the federal staff which is employed by the Commission to, again, (in the old pattern) develop guidelines, requirements and policies which can be inconsistent with the intent of any Congress-enacted legislation. This is often done now. If any coordination is done by the federal staff, in such a setting, with state and local government officials and the private sectors, they are usually asked to react (by such a federal staff) to new procedures in an allowed time period that is too short to permit adequate consideration of the federally developed recommendations. This is partly caused because the federal agency is given new staff resources to handle the new duties, while state and local governments often must assume new responsibilities without commensurate staff additions.

Your bill proposes a sixteen-member Joint Conservation Committee, composed of eight members of the Senate and eight members of the House, as outlined in Section 5. In order to avoid another statute that only creates another body with potential federal controls, with only one of the purposes being to control existing Federal conservation programs, it appears to us that we shall need a more broadly respresentative board. Not only would we need Congressmen familiar with and having access to Federal conservation programs but also, to include carefully selected lay citizen leadership and recreation, park and other career personnel from state and local government levels. After all, in the final analyses, these are the ones which are to be served through and by any action taken by the Conservation Commission. Representation should come, thus, from a combination of all of these aspects of concern which, admittedly, is not the easy way.

The easier way, with just one or a few of these resources being tapped, has been the historic background of too many Federal statutes which were conceived and developed with the very best of service intent, but for only one aspect of need.

We have endeavored to provide you with our honest and carefully conceived thoughts based upon our 23 years of advisory and consultant service to the fields of public, private and commercial recreation throughout North Carolina and in other states. Our remarks have been drafted with a sincere intent to advise with you concerning your proposed legislation, and are admittedly frank.

Sincerely yours,

Ralph J. Andrews,
Director.

Rob & Bessie Welder Wildlife
Foundation,
Sinton, Tex., January 14, 1969.

Hon. Henry S. Reuss,
Rayburn House Office Building,
Washington, D.C.

Dear Congressman Reuss: I am delighted with the Press Release that tells of the new bill you have introduced to establish a top level Council of Conservation Advisers to coordintae the nation's conservation and ecological activities. This is one of the most fundamental and needed bits of legislation that I know of. During my 25 years as a government employee in the Fish and Wildlife Service, I saw numerous examples of the need of coordination and objective communication between bureaus and departments. It seems to me in addition to this top-level activity the Secretaries of at least Interior and Agriculture should be encouraged to set up coordination committees of their own that would coordinate plans, programs and proposals that are contradictory or overlapping. Very frequently these run counter to each other. Controls are needed but they should be objective and they should be coordinated. Likewise, in land management and development there needs to be coordination. This is sadly wanting. I should like to see the President-elect himself take action to see that his own departments coordinate their efforts in this respect. There is need of coordination at least between Interior, Agriculture, Public Health, the Army Engineers and the Soil Conservation Service.

Again, my congratulations for your clear thinking and for presenting this very wise proposal. Your record in conservation is outstanding and all of us interested in the conservation field will ever be grateful to you.

With warm regards,

Sincerely yours,

Clarence Cottam,
Director, Welder Wildlife Foundation.

The Trailfinders,
Banning, Calif., January 7, 1969.

Hon. Henry S. Reuss,
House of Representatives,
Washington, D.C.

Dear Congressman Reuss: Thanks very much indeed for sending me a copy of your bill proposing a high-level Commission on Conservation.

In view of the deep concern many of us share regarding recent statements made by Mr. Nixon's selection of Governor Hickel to serve as Secretary of the Interior, I feel that your move is most timely.

I shall do what I can to interest our California delegation to the Congress in the matter.

Sincerely yours,

Harry C. James.

Citizens Natural Resources
Association of Wisconsin,
December 20, 1968.

Hon. Henry S. Reuss,
House of Representatives,
Rayburn House Office Building,
Washington, D.C.

Dear Congressman Reuss: Please excuse my delay in answering your letter of November 22 relative to your proposed bill establishing a Federal Commission on Conservation. I have taken the opportunity to confer with a number of groups and many individuals in order to get a good cross section of opinions on your proposal.

My personal opinion is that there is a real need for improved coordination and understanding of the scope and interaction of various federal and state programs which have an affect upon our natural resources. A high level Commission on Conservation might be able to exert real influence on such programs. I found that the general sentiment of people contacted ran along these lines.

If I can be of any assistance in the support of this legislation, please call on me.

Sincerely yours,

Frederick M. Baumgartner,
President, CNRA.

American Water Resources Association,
Minneapolis, Minn., January 6, 1969.

Hon. Henry S. Reuss,
Rayburn House Office Building,
Washington, D.C.

Dear Mr. Reuss: My attention has just been drawn to a letter from you dated November 22, 1968, transmitting a proposed bill to be submitted to Congress creating a Commission on Conservation.

From my personal viewpoint, the objectives of the bill appear to both fill a real national need and to give a voice to an element of our population that too often feels left out in important national decisions. I regret that I cannot comment on behalf of the American Water Resources Association at this time. There will be an Executive Committee meeting of that organization in March, and I will bring the proposed bill before that meeting. I will be interested in being kept informed of the progress of the bill in the meantime.

Very truly yours,

Edward Silberman,
President.

Water Resources Association
of the Delaware River Basin,
Philadelphia, Pa., December 31, 1968.

Hon. Henry S. Reuss,
U.S. Congress,
Washington, D.C.

Dear Congressman Reuss: This is a reply to your letter in which you asked WRA's reaction to your proposal to introduce a Bill which would set up a high-level, three man Commission on Conservation to report each year on the state of our environment and recommend appropriate action.

Although I did not poll our 650 member organization, nevertheless I did query a representative number of our Directors in search of reaction of our membership from a variety of disciplines and backgrounds.

Approximately 80% of those responding were not in favor of the proposed Conservation Commission. The reasoning behind this majority stand is that creation of one more group on Conservation will merely tend to cause more confusion in Federal Conservation activity that now consists of overlapping agency activities. Instead, WRA suggests that reorganization of existing agencies into one body covering all environmental problems would be a more valuable effort, plus the provision for adequate administrative and supervisory effort to assure accomplishment of things already covered by law.

Further, WRA feels strongly that President-elect Nixon's Environmental Task Force and the Congressional Ad Hoc Committee on the Environment should adequately cover the same functions as the proposed Commission.

Thank you for this opportunity to review this proposed Bill.

Very truly yours,

PAUL M. FELTON,
Executive Director.

KINGSPORT, TENN.,
December 9, 1968.

Hon. HENRY S. REUSS,
House of Representatives,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. REUSS: Your proposed bill concerning creation of a Commission on Conservation and a Senate-House Joint Conservation Committee was circulated through me by Mr. Stan Murray, Chairman of the Appalachian Trail Conference.

I wholeheartedly agree with the concept of the bill and its goals. Please let me know when the bill is introduced in the House, and its counterpart in the Senate.

Very truly yours,

L. POWELL FOSTER.

NATIONAL RECREATION AND
PARK ASSOCIATION,
Washington, D.C., December 10, 1968.

Hon. HENRY S. REUSS,
House of Representatives,
Washington, D.C.

DEAR MR. REUSS: Thank you for your letter of November 22 enclosing a draft of a bill which you plan to introduce at the coming session of the Congress, to establish a three-man Commission on Conservation and a Senate-House Joint Conservation Committee.

I believe that the general purpose of your proposed bill is excellent.

You may want to consider including in your bill a limit on the amount of funds that are authorized to be appropriated for each fiscal year. You may also want to consider the possibility of including an expiration date, say five years after enactment, so that the Congress would automatically have an opportunity to amend the act in such ways as the five years of experience would have shown to be desirable or to terminate it if that appeared to be desirable. No doubt such details will be brought up for consideration if hearings on your proposed bill are held.

I appreciated very much the opportunity to read your proposed bill and to have the opportunity of commenting on it.

Sincerely,

SAL J. PREZIOSO,
Executive Vice President.

LAW OFFICES OF LEO THOMAS CONNOR,
Philadelphia, Pa., November 27, 1968.

Hon. HENRY S. REUSS,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN REUSS: Thank you for your letter of November 22, 1968 addressed to the Indian Rights Association relative to your plan to introduce a Bill in the next Session of Congress for the establishment of a Conservation Commission.

Our Association is wholeheartedly in favor of the principles of your Bill and of Conservation in general, and we wish you eminent success in having your Bill enacted into Law.

Faithfully yours,

LEO T. CONNOR,
President.

NEW YORK-NEW JERSEY
TRAIL CONFERENCE, INC.,
New York, N.Y., January 10, 1969.

Re Conservation Commission Act of 1969.

Hon. HENRY S. REUSS,
Rayburn House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE REUSS: I reviewed your proposed bill to create a Conservation Commission.

I understand that no head of a Government department, including the Secretary of the Interior, would be a member of the Commission. The Commission should be completely independent of any department and free to speak its mind on conservation, natural resources, and natural environment.

The objective of the Commission should not be, as stated in Section 3(a), "to promote . . . development, and utilization of natural resources . . ." The various Government departments, federal and state, are presently organized and empowered to perform such promotion. The emphasis should be on conservation, improvement of human environment, and wise use of natural resources. I presume that the Commission would be able to recommend any reorganization of federal department functions and authority to the end that Government programs will be reviewed, coordinated and evaluated as to their effects on conservation, resources, and human ecology prior to approval of such programs. A plan, for example, has been proposed to reorganize the Department of the Interior.

The bill on the whole is an important forward step.

Very respectfully yours,

JOHN A. DANIELSEN.

LOUISVILLE, KY.,
January 19, 1969.

Hon. HENRY S. REUSS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN REUSS: Thank you and bless you for introducing a bill to establish a Council of Conservation Advisers and a Joint Congressional Conservation Committee. This advance is imperative to the efforts to preserve the land, protect wildlife and rescue and restore our environment. Under Secretary Udall the Interior Department has been conservation-oriented and has done marvelous, often very difficult things. Also, too often it was powerless to aid in conservation battles because it had no voice in decisions making policies or permitting actions affecting ecology, a livable, quality environment, the land, waters, wildlife, etc. This legislation will greatly improve the possibility of saving "our good earth", especially now with a new administrator in the Interior Department, and your efforts will eventually be praised and appreciated by those who presently may not care.

I assume the Council will include ecologists, "senior scientists" and leading conservationists. We probably would still need a Department of Natural Resources, to which the Forest Service would be transferred, and which could prohibit destructive activities of the Engin. Corps, the FPC and AEC. Also we need a Conservation Amendment to the Constitution someday soon. This is a tremendous step. When you have time, I hope you will let me know to what Committees it has been assigned.

Sincerely,

MRS. WINIFRED HELPER.

CULVER PROPOSES CONGRESSIONAL REFORM IN AREA OF INTERNAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. CULVER) is recognized for 15 minutes.

Mr. CULVER. Mr. Speaker, during the 90th Congress I had the opportunity to serve as a member of the Committee on Un-American Activities until I recently accepted another committee position. My experience on the committee has been both informative and valuable.

Based on this experience as well as a long concern for the problem, I have formed certain ideas as to how the Congress can best discharge its dual responsibilities of protecting the internal security of our Nation and guarding the civil liberties of our Nation's citizens.

Yesterday, I submitted two resolutions on this subject which I hope will be considered at an appropriate point. As a prelude to such consideration, I wish to urge that full hearings be scheduled on this most vexing and important subject.

The time is opportune for the Congress to consider anew its responsibilities in this area. Serious divisions strain our society. We in the Congress should do everything to mend and nothing to tear. The past excesses of the Committee on Un-American Activities have fostered excesses on the part of its critics, and so contributed to a destructive spiral of reaction and counterreaction.

Four new members have just been appointed to the committee. The committee also has a new chairman, who has opened this very question himself by introducing legislation to change the name of the committee. While I have grave doubts about the wisdom of House Resolution 89 and its omission of any concern for committee procedures it does signify a concern that propaganda should be removed as a subject of investigation. The proposal thereby recognizes, although in my opinion it does not give effect to, the proposition that one man's propaganda is another man's cherished beliefs. Neither may be intruded upon under our Constitution by laws or by lawmaking.

For these reasons I believe the responsible course is not hasty action on any particular proposal. Our action in this area over the past, including the very establishment of the committee as a standing committee 24 years ago, has often been characterized by political emotion rather than by patient examination. Full hearings would give the Congress the best opportunity to develop the wise—and constitutional—balance between civil liberties and internal security.

It is a step in the right direction to eliminate those vague words of seeming authority—propaganda and un-American—as House Resolution 89 proposes. But we delude ourselves if we think that the problems spawned by this committee will be solved even in part, if we merely change words and fail to grip the very serious root issues suggested by those words. We should not set sail here under a false flag—either we are genuinely interested in reform or we are engaging in political public relations.

In my judgment, meaningful reform in this area must involve a more precise and confining mandate for investigations concerning matters of internal security. Such an effort would at the least seek to weigh the respective interests of internal security and civil liberty and mark out as clearly as possible in the legislation and in the legislative history the respective boundaries of each interest, however wide or narrow. Change which maintains the full authority of investigation is not reform, in my judgment.

The mischief of the HCUA as presently constituted is, very simply, that the Congress grants investigating powers that are inimical to constitutional principles and unwise as legislative policy. The public has a right to expect the Congress to frame its inquiries with more clarity and care than the present formulation suggests.

In my judgment, any meaningful changes must carefully formulate categories of activities—not organizations—which may be investigated. The vice of any investigating authority that creates a category of organizations which may be investigated is that once an organization falls within the category, all activities—innocent ones as well as threatening ones—may be investigated.

The problem, of course, is that the innocent activities are most often those of speech, association, and belief. These have been probed consistently by the HCUA in the past and if the powers of investigation are maintained intact, nothing will preclude their being probed again in the future.

We operate under the Constitution; and we operate of necessity in this field under the Constitution as faithfully and conscientiously expounded by the courts. The Congress has its own responsibility to itself to assure the integrity of the legislative process. But let us remember what the first amendment actually says: "The Congress shall pass no law" abridging the freedom of speech; it is we ourselves who are restrained.

We can and should, therefore, draw guidance from the decisions of the Supreme Court. I might add that if we succeed in putting our own house in better order, one beneficial result may be to give the Court somewhat less business in this realm.

The cases decided by the Supreme Court—and I would invite attention to the subheading, "Supreme Court Decisions and Proposed Resolutions," further in my statement—suggest two guides which the Congress should bear in mind when considering the needed revision of the Committee on Un-American Activities' authority and procedures. First, where confrontations between the interests of internal security and the interests of free speech seem likely, the Congress should address the internal security interests with regulation drawn no more broadly than those interests require. Second, where confrontations between these opposing interests seem inevitable, the Congress should carefully determine whether the internal security interests are sufficiently "overriding and compelling" to warrant an intrusion upon first amendment freedoms.

Such a process of deliberation by the Congress will, I submit, encourage a more exact and careful definition of the national interest, and thereby foster a scope of permissible investigation which makes the fewest possible incursions into the preserve of the first amendment.

The very times in which we live suggest a pragmatic reason why the investigating authority should not be cast as broadly as it presently is. In the past the HCUA has often functioned under its overly broad mandate to provide gratuitous publicity to those they purport to oppose at the expense of the reputation of Congress. As these groups increasingly seek out rather than shun the spotlight of the mass media, the Congress needs some assurance that its committees will not become unwitting foils for publicity-seeking extremists.

Mr. Speaker, I have prepared my own resolution on this subject which I believe avoids the defects I have noted. It prescribes a more precise and narrow investigating authority for a subcommittee of the Judiciary Committee, and I believe my resolution's approach would assure a more effective discharge of congressional responsibilities in this most sensitive area. It provides the following investigating authority:

> The Committee is authorized to investigate for legislative purposes those activities of groups or organizations which involve espionage, sabotage, insurrection, force or other coercive acts when such activities attempt to alter or overthrow the lawful authority of the Government of the United States.

In my view, any genuine threat to the internal security of our country lies in the area of espionage, sabotage, and force—not speech, assembly, or thought. In limiting investigations to acts of this sort, we address the real internal security interests of the country. And by addressing only those interests, we avoid the fatal defect of unnecessary incursion into the realm of political activities protected by the first amendment. This I believe my resolution will accomplish; and I hope the Congress will give its consideration to the resolution at the appropriate time.

In addition, I would respectfully submit that the Congress should also consider the soundness of investigating committee procedures in its deliberations on this subject. I have proposed a "Code of Fair Committee Conduct" in a second resolution which would be substituted for section 27 of House rule XI. Such a code would help insure that all persons dealt with by investigating committees are dealt with fairly.

To briefly summarize its most salient features:

It would provide for a regular system of committee approval before investigations are initiated, hearings are held, reports or committee prints are released, or measures are recommended to the House;

It would protect the rights of a minority viewpoint on the committee through adequate notice of hearings and the substance of testimony to be offered, and through the allowance of a reasonable time to prepare a minority report;

It would insure that defamatory or degrading information about any person's political or religious beliefs or associations is not taken in public committee session or otherwise made public unless the person is afforded an effective right of reply;

It would insure the highest reliability in investigating committee information by providing witnesses a reasonable opportunity to more fully develop pertinent factual questions under inquiry at the conclusion of their testimony;

It would provide in general that committee files on the beliefs and associations of individuals remain confidential to the Congress unless released by a committee majority in each case; and

It would regularize committee procedures for citing an individual to the House for contempt.

We all are agreed, I am sure, that the Congress has no powers of investigation to expose for the sake of exposure. Such a code would give reality to that principle. Equally important in my view, it would build in procedures which history has shown are most likely to produce the most accurate and complete information. It would therefore be a significant step toward assuring that the Congress time and the taxpayers' dollars are not wasted gathering unreliable information with no relevance to our legislative business.

You will note from my resolution concerning the scope of investigative authority that I have proposed that all internal security functions be consolidated within the Committee on the Judiciary. I propose this because I believe the demands of reasonable administration suggest a consolidation of internal security functions in the Judiciary Committee which presently has jurisdiction over espionage as well as the criminal code in general and because I believe that assignments in this highly sensitive area bearing so immediately on constitutional responsibilities and restraints should go to Members who are lawyers by education and who can bring to bear the required judicial temperament.

In conclusion, there is no subject to which we as Members of Congress have a greater obligation than the protection of the very life of our Nation against those who would destroy it, and the preservation of our constitutional freedoms against those who would defy them. The reconciling of civil liberties with internal security is a most exacting task. Appealing formulations can be found on each side of the equation. On the one hand, the Supreme Court has written that:

> The right of a government to maintain its existence—self-preservation—is the most pervasive aspect of sovereignty. (*Dennis* v. *United States,* 341 U.S. 494, 519 (1951).).

On the other hand, the Court has also stated that:

> For almost two centuries, our country has taken singular pride in the democratic ideals enshrined in its Constitution, and the most cherished of those ideals have found expression in the First Amendment. It would indeed be ironic if, in the name of national defense, we would sanction the subversion of one of those liberties—the freedom of association—which makes the defense of the Nation worthwhile. (*United States* v. *Robel,* 389 U.S. 258, 264 (1967).)

I would seek to embrace both of these competing values. We must respond to any real threats to our internal security; at the same time we must protect our heritage of civil liberties. In short, we must seek in our own times what other generations of public officials have labored after: the assurance of continued life and vitality for our political institutions, brought about by means that make the life of those institutions worth continuing.

I believe the Congress would perform a distinct service by scheduling full hearings and inviting distinguished experts to testify on the wise—and constitutional—balance we must strike between these values.

SUPREME COURT DECISIONS AND PROPOSED RESOLUTIONS

In *Barenblatt* v. *United States,* 360 U.S. 109 (1959), the Supreme Court applied the so-called balancing test to uphold questions asked of a witness about his past associations with the Communist Party. The Court made clear, however, how it had weighted the balance between the Government's interest in internal security and the individual's interest in first amendment freedoms. It stated that:

> Because the case concerned communism, the legislative action was allowable, in a non-communist context, the Court added, these facts would certainly have raised constitutional issues of the gravest character. (At 128. See also, *Wilkinson* v. *United States,* 365 U.S. 399 (1961), and *Braden* v. *United States,* 365 U.S. 431 (1961).)

In 1963, *Gibson* v. *Florida Leg. Investigation Comm.,* 372 U.S. 539 (1963), presented a similar issue involving the Miami NAACP and its membership list which the Court held could not validly be subpenaed. The Court confined Barenblatt narrowly to its facts, and reformulated its balancing test to require "a substantial relation between the information sought and a subject of overriding and compelling state interest—at 546.

In *DeGregory* v. *Atty. Gen. of New Hampshire,* 383 U.S. 825 (1966), the Court once more faced the question of a witness' refusal to answer questions about his past associations. Like Barenblatt, these questions involved the Communist Party but in this case the Court reached the opposite result and held the questions invalid. It found no showing of 'overriding and compelling state interest' that would warrant intrusion into the realm of political and associational privacy protected by the first amendment—at 829.

After DeGregory, little remains of the premise for Barenblatt's balancing test: the presumption of national interest attending all Communist investigations. Henceforth, the judicial thumb will be on the opposite side of the balancing scales: the Government will have to build a careful record which shows an "overriding and compelling interest" in the constitutionally privileged information being sought.

The Supreme Court has had particular occasion to comment on both the mandate of authority and the procedures followed by the HCUA. Its leading decision in this respect is *Watkins* v. *United States,* 354 U.S. 178 (1957). The Court there observed:

> An excessively broad charter, like that of the House Un-American Activities Committee, places the courts in an untenable position if they are to strike a balance between the public need for a particular interrogation and the right of citizens to carry on their affairs free from unnecessary governmental interference. It is impossible in such a situation to ascertain whether any legislative purpose justifies the disclosures sought and, if so, the importance of that information to the Congress in furtherance of its legislative function. The reason no court can make this critical judgment is that the House of Representatives itself has never made it. (at 206)

Simply narrowing the mandate of authority alone will not assure adequate or appropriate safeguards for the constitutionally protected values of speech, belief, and association. The troublesome nature of HCUA investigations in this regard was aptly summarized by the Supreme Court, again in the Watkins case:

> The mere summoning of a witness and compelling him to testify, against his will, about his beliefs, expressions or associations is a measure of governmental interference. And when those forced revelations concern matters that are unorthodox, unpopular, or even hateful to the general public, the reaction in the life of the witness may be disastrous. This effect is even more harsh when it is disclosed and judged by current standards rather than those contemporary with the matters exposed. Nor does the witness alone suffer the consequences. Those who are identified by witnesses and thereby placed in the same glare of publicity are equally subject to public stigma, scorn and obloquy. Beyond that, there is the more subtle and immeasureable effect upon those who tend to adhere to the most orthodox and uncontroversial views and associations in order to avoid a similar fate at some future time. That this impact is partly the result of nongovernmental activity by private persons cannot relieve the investigators of their responsibility for initiating the reaction. (at 198)

Adverse effects such as these should not be allowed to impede or detract from the legitimate legislative purpose of committee investigations. Neither should they undermine public confidence in the integrity of congressional procedures. We should make it perfectly plain that none of our committees is intended to operate as a kind of highly publicized grand jury sitting in continuous session. To that end I have proposed two resolutions designed to match our constitutional responsibilities with the applicable constitutional restraints. The text of these two resolutions follow:

H. Res. 211

Resolved, That rule XII of the Rules of the House of Representatives is amended—

(1) by striking out clause 19;

(2) by renumbering clauses 20 through 31 as clauses 19 through 30, respectively;

(3) by striking out the word "espionage" of clause 12(c); and

(4) by inserting immediately after clause 12(s) the following new section:

"(t) Internal security. The committee is authorized to investigate for legislative purposes those activities of groups or organizations which involve espionage, sabotage, insurrection, force or other coercive acts when such activities attempt to alter or overthrow the lawful authority of the Government of the United States.

"For the purpose of any such investigation, the committee, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpoenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member."

Sec. 2. (a) Rule X of the Rules of the House of Representatives is amended—

(1) by striking out clause 1(s); and

(2) by redesignating clauses 1(t) and 1(u) as clauses 1(s) and 1(t), respectively.

(b) Clause 31 of rule XI of the Rules of the House of Representatives is amended by striking out "and Un-American Activities" and inserting immediately after "Government Operations" the word "and".

(c) Clause 2 of rule XIII of the Rules of the House of Representatives is amended by striking out "clause 22" and inserting in lieu thereof "clause 21".

Sec. 3. As of the date of adoption of this resolution, all property of the Committee on Un-American Activities is hereby transferred to the Committee on the Judiciary and shall be available for use by the latter committee to the same extent as if such property was originally that of the Committee on the Judiciary.

Sec. 4. Nothing in this resolution shall affect (1) the validity of any action or proceeding of the Committee on Un-American Activities or of the House of Representatives before the date of adoption of this resolution, or (2) the validity of any action or proceeding by any officer or agency of the executive branch of the Government, or by any court of competent jurisdiction based on any action or proceeding referred to in clause (1) of this sentence.

H. Res. 212

Resolved, That rule XI of the Rules of the House of Representatives is amended by striking out clause 27 and inserting immediately after clause 26 the following new clause:

"27. Code of Fair Committee Conduct".

COMMITTEE ORGANIZATION

Sec. 1. (a) The rules of the House are the rules of its committees so far as applicable, except that a motion to recess from day to day is a motion of high privilege in committees. Committees may adopt additional rules not inconsistent therewith.

(b) Each committee shall keep a complete record of all committee action. Such record shall include a record of the votes on any question on which a record vote is demanded.

(c) All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee, and such records shall be the property of the House and all Members of the House shall have access to such records. Each committee is authorized to have printed and bound testimony and other data presented at hearings held by the committee.

COMMITTEE REPORTS

Sec. 2. (a) It shall be the duty of the chairman of each committee to report or cause to be reported promptly to the House any measure approved by his committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(b) No measure or recommendation shall be reported from any committee unless a majority of the committee were actually present.

(c) No report shall be made to the House, and no report or committee print shall be released to the public without the approval of the committee.

(d) Whenever a minority of a committee dissents from a report approved by a majority, the minority shall be given a reasonable time after distribution of the majority report to members of the committee in which to prepare a minority report. Such minority report shall thereafter be filed at the same time as the majority report and shall be published in the same document as the majority report.

COMMITTEE INVESTIGATIONS

SEC. 3. (a) All committee investigations shall be conducted within the limits of the authority conferred by these rules upon the committee.

(b) No investigation shall be initiated unless approved by a majority of the committee, but preliminary inquires that do not require the issuance of subpenas or the holding of hearings may be initiated by the committee staff with the approval of the chairman of the committee.

(c) The subject under inquiry shall be announced with particularity at the beginning of every hearing and information sought to be elicited at such hearing shall be pertinent to the subject announced.

SEC. 4. (a) No evidence or testimony taken in executive session may be released or used in public sessions until released by a majority vote of the committee.

(b) The identity of witnesses called to testify before the committee in executive session shall be confidential information until released by a majority vote of the committee.

(c) Committee information from any and all sources concerning the beliefs and associations of an individual shall be confidential to the Congress unless it and its source or sources are fully disclosed at an open hearing of the committee or released by a majority vote on the committee in each case: *Provided*, That nothing herein shall limit the access of duly authorized officials of the executive branch to such information.

COMMITTEE HEARINGS

SEC. 5. (a) Each committee shall, so far as practicable, require all witnesses appearing before it to file at least 48 hours in advance of the hearing written statements of their proposed testimony, and to limit their oral presentation to brief summaries of their argument. The staff of each committee shall promptly distribute copies of such statements and shall prepare digests of such statements for the use of committee members.

(b) Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence, which shall be not less than two.

SEC. 6. (a) No committee hearing shall be held without the approval of a majority of the committee.

(b) Except as provided in section 7 and the subsections below, all hearings conducted by committees shall be open to the public; a committee may hold executive sessions—

(1) for the purpose of marking up bills or voting; or

(2) if the committee so determines by a majority vote.

SEC. 7. (a) Whenever it appears that any evidence or testimony to be received in open session may tend to defame, degrade, incriminate or seriously embarrass any person because of his political or religious beliefs or associations, the committee shall receive such evidence or testimony in executive session.

(b) If the committee decides to release or to publicize evidence taken in executive session which tends to defame, degrade, or incriminate or seriously embarrass any person because of his political or religious beliefs or associations, or if evidence received in public session tends to that effect, it shall—

(1) afford such person an opportunity voluntarily to appear as a witness on his own behalf;

(2) receive and execute on good cause shown requests from such person to subpena additional witnesses and/or the production of documents;

(3) afford such person the right briefly to cross examine in person or by counsel the witness or witnesses who adduced such evidence; and

(4) make public such rebuttal evidence at the same time it releases or publicizes such public or executive session evidence or any part thereof.

SEC. 8. (a) A list of witnesses to be subpenaed shall be circulated to all committee members in advance; upon the request of any such member the committee shall vote whether to issue a subpena.

(b) All subpenas shall state with particularity the name of the witness, the time and place of the hearing, the subject under inquiry and the documents to be produced.

(c) Witnesses subpenaed to appear at a hearing shall be given a reasonable opportunity to prepare for the hearing and to retain and consult counsel.

SEC. 9 (a) A copy of the committee rules, if any, and paragraph 27 of rule XI of the House of Representatives shall be made available to witnesses.

(b) Witnesses may be accompanied by counsel for the purpose of advising them concerning their rights. Counsel may briefly state any objections on behalf of the witness and the grounds therefor.

(c) At the close of questioning of the witness, counsel may briefly examine the witness on the subject under inquiry.

(d) Witnesses shall be allowed a reasonable time after their testimony in which to file a brief statement pertinent to the subject under inquiry with the committee which shall become a part of the hearing record.

SEC. 10 (a) A complete and accurate transcript of all testimony and proceedings at committee hearings shall be made.

(b) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee. In cases of indigency, the committee may waive such payment.

COMMITTEE DECORUM

SEC. 11 (a) The chairman may punish breaches of order and decorum by censure and exclusion from the hearings; and the committee may cite the offender to the House of contempt pursuant to title 2, United States Code, section 194.

(b) Whenever any person summoned as a witness to give testimony or to produce documents upon the matter under inquiry defaults, or refuses to answer any question pertinent to the question under inquiry, the committee may order the witness to show cause why he should not appear, produce documents or answer the question propounded. If the witness improperly refuses to appear, produce documents or answer the question propounded, the committee may cite such person to the House for contempt pursuant to title 2, United States Code, section 194.

(c) No recommendation that a person be cited for contempt shall be forwarded to the Congress until the committee has, upon notice to all its members, met and approved such recommendation by a majority vote.

DELEGATION OF COMMITTEE AUTHORITY

SEC. 12 (a) Any and all authority given the committee under this section of rule XI may be delegated by the committee to any subcommittee: *Provided*, That no authority may be delegated under section 2(c) or section 11(c).

(b) All limitation herein before expressed as to committee action shall fully apply as to action by any subcommittee.

UPWARD AND ONWARD TO NEW HORIZONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. STAGGERS) is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, the irrepressible American appeared in these legislative halls recently—in fact, three of them did. They had been out on a little "skylarking" trip—to the moon and back. Here to greet them were the high official representatives of most of the organized societies on earth. These, though about to burst with pride and admiration, managed to suppress their deep feelings beneath a few warm words and some hearty cheers. The returning voyagers responded with some light "kidding" of each other and the assembled officialdom.

Is not that just like Americans? No invocation of the high drama of the occasion. No boast of pomp and power. No wallowing in heroics. We were proud of our men. That is all there was to it.

Not that the astronauts were unaware of what had gone into the expedition into space. They referred to the discoveries of scientists through the ages, Galileo and Keppler and the rest. They spoke of the mathematical calculations necessary to plan such a trip. They acknowledged the tedious and painstaking task of developing and perfecting the necessary machinery, and the immense cost of it all. But they made light of it. It was just doing what comes naturally. And the result was inevitable. And that is what makes it American, and normal.

Most Americans are preoccupied with what we call the everyday tasks of living. We are ignorant of what goes on in the highly compartmentalized areas of science and art and philosophy. Perhaps we are indifferent to them, even contemptuous. And so when some truly remarkable feat is presented to us as an accomplishment, we do not know enough about what is involved in it to understand it, and so appreciate it.

But when some important policy of government is being formulated, or when some new medical technique is being invented, or when a trip to the moon is being planned, somebody had better know what he is doing. Technical journals do report on the fine points of the game, at length. One of these journals, Aviation Week & Space Technology, gives some hint of the high accuracy of rapidly moving objects necessary to get back to earth from a moon orbit, and which I venture to quote with the hope that most of us can understand it:

> At the conclusion of the historic lunar orbital flight, the crew accomplished the critical maneuver of deorbiting the moon and establishing an earth return trajectory. This maneuver had to be conducted behind the moon, out of contact with earth's tracking and communications network.
>
> The trans-earth insertion burn was a 3-min. 23 sec. firing of the 20,500-lb.-thrust SPS engine, 5 sec. over from the desired time. However, the spacecraft received a

velocity addition of 3,522.8 fps., (feet per second) only 0.5 fps. more than the predicted value. Resulting velocity of 8,841 fps. successfully put the Apollo 8 on the desired trajectory to earth.

Apollo 8's highly accurate return through the earth's atmosphere qualified the Block 2 version of its onboard guidance and navigation system for future lunar return missions. This version has 2,048 word capacity in its erasable memory, twice the number of the earlier Block 1 version.

The AC Electronics system had to steer the spacecraft to hit a corridor 26 naut. mi. wide from the point of the last mid-course correction 167,500 naut. mi. from earth and at an angle of 6.5 deg. from the local horizontal, within plus or minus 1 deg. at a velocity of 36,220 fps. (about 7 miles per second.)

Evidently the ability to make such calculations and then build them into operational hardware can not be acquired by the hippies and yippies and all the assorted malcontents who clutter up our university campuses, and who refuse to learn anything themselves, and who do what they can to prevent anybody else from learning. And these are the ones who complain to the effect that all these billions of dollars wasted on the space effort might be better used in giving all the benefits of modern achievement to the incompetents who never seem to be able to find a place for themselves in this age of unparalleled opportunity.

For these—and for all of us—the spacemen had one profound thought. Said Colonel Borman:

> Exploration really is the essence of the human spirit, and to pause, to falter, to turn our back on the quest for knowledge, is to perish, and I hope that we never forget that.
>
> Now, I would be a very shallow human being if I did not confess to you that while I am deeply committed to our space exploration program, and to unlocking the secrets of the universe and of the moon, I am even more deeply committed to the future of this country and this earth.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Riegle (at the request of Mr. Gerald R. Ford), from February 6, 1969, through February 26, 1969, on account of official business.

Mr. Lowenstein (at the request of Mr. Patten), for Thursday, February 6, 1969, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Randall, for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Reuss (at the request of Mr. Anderson of California), for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Culver (at the request of Mr. Anderson of California), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Staggers (at the request of Mr. Anderson of California), for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Betts (at the request of Mr. Miller of Ohio), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

(The following Members (at the request of Mr. Miller of Ohio) and to include extraneous matter:)

Mr. Wyatt.
Mr. Poff.
Mr. Scott.
Mr. Skubitz in two instances.
Mr. Schadeberg.
Mr. Anderson of Illinois.
Mr. Gerald R. Ford.
Mr. Cederberg.
Mr. Broomfield.
Mr. Chamberlain.
Mr. Harvey.
Mr. Hutchinson
Mr. Vander Jagt.
Mr. Ruppe.
Mr. Esch.
Mr. Riegle.
Mr. McDonald of Michigan.
Mrs. Reid of Illinois in two instances.
Mrs. Dwyer.
Mr. Hammerschmidt
Mr. Brown of Michigan.
Mrs. Heckler of Massachusetts in two instances.
Mr. Horton in five instances.
Mr. Cunningham.
Mr. Quie.
Mr. Reid of New York.
Mr. Miller of Ohio.
Mrs. Dwyer in three instances.
Mr. Bell.
Mr. Langen.
Mr. Nelsen in two instances.

(The following Members (at the request of Mr. Anderson of California) and to include extraneous matter:)

Mr. Ottinger in three instances.
Mr. Boland in three instances.
Mr. Griffiths in two instances.
Mr. Bingham.
Mrs. Chisholm.
Mr. Feighan in two instances.
Mr. Patman in three instances.
Mr. Podell in two instances.
Mr. Van Deerlin.
Mr. Rees in two instances.
Mr. Hanna in two instances.
Mr. Rogers of Colorado in two instances.
Mr. Natcher.
Mr. Waggonner in four instances.
Mr. O'Neill of Massachusetts in two instances.
Mr. Fisher in four instances.
Mr. Taylor.
Mr. Sikes in five instances.
Mr. Olsen in two instances.
Mr. Rarick in four instances.
Mr. Gonzalez in three instances.
Mr. Fascell in three instances.
Mr. Mikva in two instances.
Mr. Fulton of Tennessee in two instances.
Mr. Tunney in two instances.
Mr. Dent in two instances.
Mr. Reuss in six instances.
Mr. Rooney of Pennsylvania in two instances.
Mr. Koch in four instances.
Mr. St. Onge in two instances.

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 19 minutes p.m.), the House adjourned until tomorrow, Friday, February 7, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

489. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a report of claims settled during the calendar year 1968, pursuant to the provisions of the Military Personnel and Civilian Employees' Claims Act of 1964; to the Committee on the Judiciary.

490. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a report of proposed action to conduct one program at a level in excess of that authorized in the National Aeronautics and Space Administration Authorization Act of 1969, pursuant to the provisions of section 4 of the act and rule XL of the House of Representatives; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RIVERS: Committee on Armed Services. H.R. 3832. A bill to provide the grade of general for the Assistant Commandant of the Marine Corps so long as such office is held by the present incumbent; with an amendment (Rept. No. 91–16). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 6464. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act (and individuals retired for disability under the Railroad Retirement Act of 1937) shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. BELL of California:

H.R. 6465. A bill to establish a Department of Consumer Affairs in order to secure within the Federal Government effective representation of the interests of consumers; to coordinate the administration of consumer services by transferring to such Department certain functions of the Departments of Commerce; Labor, Agriculture; and Health, Education, and Welfare; and other agencies; and for other purposes; to the Committee on Government Operations.

H.R. 6466. A bill to amend the Intergovernmental Cooperation Act of 1968 to improve intergovernmental relationships between the United States and the States and municipalities, and the economy and efficiency of government, by providing Federal cooperation and assistance in the establishment and strengthening of State and local offices of consumer protection; to the Committee on Government Operations.

By Mr. BENNETT:

H.R. 6467. A bill to eliminate hunger in the United States; to the Committee on Education and Labor.

By Mr. BETTS (for himself, Mr. Buchanan, Mr. Conte, Mr. Hungate, Mr. Lujan, Mr. Miller of Ohio, Mr. Nelsen, and Mr. Whalley):

H.R. 6468. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BINGHAM (for himself, Mr. Biaggi, Mr. Brasco, Mr. Carey, Mr. Farbstein, Mrs. Chisholm, Mr. Halpern, Mr. Koch, Mr. Murphy of New York, Mr. Podell, Mr. Rosenthal, and Mr. Ryan):

H.R. 6469. A bill to amend certain provisions of existing law relative to low- and moderate-income housing; to the Committee on Banking and Currency.

By Mr. BURTON of Utah:

H.R. 6470. A bill to change the definition of "ammunition" for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 6471. A bill to amend chapter 55 of title 10, United States Code, to provide additional dental care for dependents of active duty members of the uniformed services; to the Committee on Armed Services.

H.R. 6472. A bill to accelerate the construction and rehabilitation of low- and moderate-income housing in the United States in order to fulfill the national goal declared in the Housing Act of 1949 of "a decent home and a suitable living environment for every American family"; to the Committee on Banking and Currency.

H.R. 6473. A bill to authorize the Secretary of the Interior to acquire certain property of the New Amsterdam Casualty Co. for inclusion in the Independence National Historical Park, Philadelphia, Pa.; to the Committee on Interior and Insular Affairs.

H.R. 6474. A bill to provide for a Federal Athletic Commission to regulate organized sports when and to the extent that such regulation is in the public interest; to the Committee on Interstate and Foreign Commerce.

H.R. 6475. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 6476. A bill to amend the act entitled "An Act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 6477. A bill to provide compensation for firemen not employed by the United States killed or injured in the performance of duty during a civil disorder, and for other purposes; to the Committee on the Judiciary.

H.R. 6478. A bill to amend section 1114 of title 18, United States Code, so as to extend its protection to postmasters, officers, and employees of the field service of the Post Office Department; to the Committee on the Judiciary.

H.R. 6479. A bill to authorize the conduct of certain research and development through the Coast Guard in order to develop an effective electronic guidance system; to the Committee on Merchant Marine and Fisheries.

H.R. 6480. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

H.R. 6481. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. CHAPPELL:

H.R. 6482. A bill to provide for a Veterans' Administration hospital in the Halifax area of Volusia County, Fla.; to the Committee on Veterans' Affairs.

By Mr. CONABLE:

H.R. 6483. A bill to provide a system for the return of Federal income tax revenues to the States to be used exclusively for pollution control, law enforcement, educational, and welfare purposes; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 6484. A bill to appropriate funds for the construction of a multilevel parking facility in connection with the Federal building, 300 North Los Angeles Street, Los Angeles, Calif.; to the Committee on Appropriations.

H.R. 6485. A bill to amend title VII of the Civil Rights Act of 1964 to provide for the application of such title to State and Federal employees; to the Committee on Education and Labor.

H.R. 6486. A bill to improve law enforcement in cities by making available funds to be used to increase police salaries and to add more police officers; to the Committee on the Judiciary.

H.R. 6487. A bill to amend chapter 113 of title 18, United States Code, to prohibit the transportation, use, sale, or receipt, for unlawful purposes, of credit cards in interstate or foreign commerce; to the Committee on the Judiciary.

H.R. 6488. A bill to restrict the mailing of unsolicited credit cards; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 6489. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have never been married or who have been separated or divorced for 1 year or more; to the Committee on Ways and Means.

By Mr. DENNIS:

H.R. 6490. A bill making an appropriation to carry out the Federal Civil Defense Act of 1950 in Wayne County, Ind.; to the Committee on Appropriations.

By Mr. DINGELL:

H.R. 6491. A bill to require disclosure of the specifications of gasoline sold at retail; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN:

H.R. 6492. A bill to amend title II of the Social Security Act to increase to $500 in all cases the amount of the lump-sum death payment thereunder; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 6493. A bill to amend the Federal Meat Inspection Act, as amended by the Wholesome Meat Act; to the Committee on Agriculture.

By Mr. WILLIAM D. FORD:

H.R. 6494. A bill to amend the Internal Revenue Code of 1954 to increase (by providing an additional $600 exemption) the personal income tax exemptions allowable with respect to certain dependents; to the Committee on Ways and Means.

By Mr. GARMATZ (for himself, Mr. Dingell, Mr. Lennon, Mr. Downing, Mr. Pelly, Mr. Keith, Mr. Leggett, Mr. Jones of North Carolina, Mr. Rogers of Florida, Mr. Clark, Mrs. Sullivan, Mr. Hanna, Mr. Ruppe, Mr. Annunzio, Mr. Frey, and Mr. Feighan):

H.R. 6495. A bill to amend the Oil Pollution Act, 1924, for the purpose of controlling oil pollution from vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GAYDOS:

H.R. 6496. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 6497. A bill to provide for orderly trade in iron ore, iron, and steel mill products; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 6498. A bill to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes; to the Committee on Banking and Currency.

By Mr. WYLIE:

H.R. 6499. A bill to amend the Internal Revenue Code of 1954 to encourage the installation of industrial air and water pollution control facilities by providing for a 60-month amortization of the cost of such facilities; to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 6500. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

By Mr. HALPERN (for himself, Mr. Addabbo, Mr. Brasco, Mr. Boland, Mr. Button, Mr. Burton of California, Mr. Conyers, Mr. Dulski, Mr. Edwards of California, Mr. Eilberg, Mr. Fulton of Pennsylvania, Mr. Gray, Mr. Hawkins, Mrs. Heckler of Massachusetts, Mr. Helstoski, Mr. Moorhead, Mr. Nix, Mr. Pelly, Mr. Podell, Mr. Rees, Mr. Reuss, Mr. Rosenthal, Mr. Roybal, and Mr. Ryan):

H.R. 6501. A bill to promote the peaceful resolution of international conflict, and for other purposes; to the Committee on Government Operations.

By Mr. BROWN of California (for himself, Mr. Biaggi, Mr. Blatnik, Mr. Byrne of Pennsylvania, Mr. Daniels of New Jersey, Mr. Dent, Mr. Donohue, Mr. Farbstein, Mr. Fraser, Mr. Fulton of Tennessee, Mr. Jacobs, Mr. Karth, Mr. Joelson, Mr. Koch, Mr. McCloskey, Mr. Matsunaga, Mr. Mikva, Mr. Mollohan, Mr. Ottinger, Mr. Pepper, Mr. St. Onge, Mrs. Sullivan, Mr. Vanik, Mr. Waldie, and Mr. Charles H. Wilson):

H.R. 6502. A bill to promote the peaceful resolution of international conflict, to the Committee on Government Operations.

By Mr. HORTON (for himself, Mr. Anderson of California, Mr. Bell of California, Mr. Conte, Mr. Dellenback, Mr. Diggs, Mrs. Dwyer, Mr. Friedel, Mr. Minish, and Mr. Scheuer):

H.R. 6503. A bill to promote the peaceful resolution of international conflict, and for other purposes; to the Committee on Government Operations.

By Mr. HECHLER of West Virginia:

H.R. 6504. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Education and Labor.

By Mr. HUNT:

H.R. 6505. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

H.R. 6506. A bill to clarify the application of section 1073 of title 18, United States Code; to the Committee on the Judiciary.

H.R. 6507. A bill to amend the Internal Revenue Code of 1954 to provide that certain awards in recognition of outstanding achievement in the field of sports shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. JOHNSON of California (for himself, Mr. Don H. Clausen, Mr. Anderson of California, Mr. Moss, Mr. McFall, Mr. Leggett, Mr. Edwards of California, Mr. Gubser, Mr. Talcott, Mr. Teague of California, Mr. Waldie, Mr. Sisk, Mr. Mathias, Mr. Smith of California, Mr. Hawkins, Mr. Lipscomb, Mr. Rees, Mr. Brown of California, Mr. Roybal, Mr. Charles H. Wilson, Mr. Pettis, Mr. McCloskey, Mr. Holifield, Mr. Van Deerlin, and Mr. Tunney):

H.R. 6508. A bill to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters; to the Committee on Public Works.

By Mr. JOHNSON of California (for himself and Mr. Hanna, Mr. Corman, Mr. Del Clawson, and Bob Wilson):

H.R. 6509. A bill to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters; to the Committee on Public Works.

By Mr. KEE:

H.R. 6510. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 6511. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 6512. A bill to enable citizens of the United States who change their residence to vote in presidential elections, and for other purposes; to the Committee on House Administration.

H.R. 6513. A bill to provide that disabled individuals entitled to disability insurance benefits under section 223 of the Social Security Act or to child's, widow's, or widower's insurance benefits on the basis of disability under section 202 of such act, and individuals in the corresponding categories under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. McKNEALLY:

H.R. 6514. A bill to amend section 404(a)(6) of the Internal Revenue Code of 1954 to provide that certain contributions to plans benefiting self-employed individuals made after the close of the taxable year shall be deemed to have been paid during such year; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 6515. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 6516. A bill to include prepared or preserved beef and veal within the quotas imposed on the importation of certain other meat and meat products; to reduce the percentage applied to certain aggregate quantity estimations used, in part, to determine such quotas from 110 to 100 per centum; and for other purposes; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 6517. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion method for determining the deduction for depletion of oil and gas wells; to the Committee on Ways and Means.

By Mr. MINISH (for himself, Mr. Eilberg, and Mr. St Germain):

H.R. 6518. A bill to provide that household appliances be conspicuously marked to show the foreign country of origin, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MINSHALL:

H.R. 6519. A bill to amend the act entitled "An Act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in or about the construction of the Panama Canal", approved May 19, 1944, as amended, so as to provide benefits for certain persons not now covered by such act; to the Committee on Merchant Marine and Fisheries.

H.R. 6520. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, or the coastal economy posed by certain releases of fluids or other substances carried in oceangoing vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. MOLLOHAN:

H.R. 6521. A bill to increase from $55 to $80 the amount of the minimum primary benefit payable under the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 6522. A bill to assist the States in raising revenues by making more uniform the incidence and rate of tax imposed by States on the severance of minerals; to the Committee on Ways and Means.

By Mr. MOSS (for himself and Mr. McCloskey):

H.R. 6523. A bill to establish the Channel Islands National Park, in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. NELSEN:

H.R. 6524. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. OLSEN:

H.R. 6525. A bill to authorize the Secretary of Agriculture to indemnify farmers whose hay is contaminated with residues of economic poisons; to the Committee on Agriculture.

By Mr. OTTINGER:

H.R. 6526. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

H.R. 6527. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing elgibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 6528. A bill to amend title 5, United States Code, to provide minimum annuities for employee annuitants and spouse survivor annuitants; to the Committee on Post Office and Civil Service.

By Mr. PICKLE:

H.R. 6529. A bill to change the fiscal year of the U.S. Government; to the Committee on Government Operations.

By Mr. PODELL:

H.R. 6530. A bill to provide a special milk program for children; to the Committee on Agriculture.

H.R. 6531. A bill to provide for the establishment of the National Foundation for the Social Sciences in order to promote research, education, training, and scholarship in such sciences; to the Committee on Education and Labor.

By Mr. QUIE:

H.R. 6532. A bill to provide a special milk program for children; to the Committee on Agriculture.

By Mr. RANDALL:

H.R. 6533. A bill to amend Public Law 90–206, relative to the effective date of recommendations submitted to the Congress pursuant to the report of the Commission on Executive, Legislative, and Judicial Salaries, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 6534. A bill to amend section 225 of the Federal Salary Act of 1967 to extend to 180 days the period of time in which the Congress has the opportunity to take action on the recommendations of the President under such section with respect to Federal executive, legislative, and judicial salaries, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REID of New York (for himself and Mr. Brademas):

H.R. 6535. A bill to remove financial barriers so that all high school graduates will have equal opportunity for a postsecondary education of good quality, to strengthen institutions of higher education, and for other purposes; to the Committee on Education and Labor.

H.R. 6536. A bill to amend the Public Health Service Act to provide increased support for medical education; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Florida:

H.R. 6537. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROUDEBUSH:

H.R. 6538. A bill to amend section 1498 of title 28, United States Code, to authorize the use or manufacture, in certain cases, by or for the United States of any invention described in and covered by a patent of the United States; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 6539. A bill to amend the Public Health Service Act to extend for 1 additional year the authorization of project grants for rat control; to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN (for himself, Mr. Green of Pennsylvania, and Mr. Nix):

H.R. 6540. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. ROTH (for himself and Mr. Mann):

H.R. 6541. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

H.R. 6542. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. SATTERFIELD (for himself, Mr. Blanton, Mr. Stuckey, and Mr. Preyer of North Carolina):

H.R. 6543. A bill to extend public health protection with respect to cigarette smoking and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of North Carolina (for himself, Mr. Watson, Mr. Carter, Mr. Kuykendall, Mr. Skubitz, and Mr. Thompson of Georgia):

H.R. 6544. A bill to extend public health protection with respect to cigarette smoking, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS:

H.R. 6545. A bill to extend public health protection with respect to cigarette smoking, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 6546. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of pension; to the Committee on Veterans' Affairs.

By Mr. SIKES:

H.R. 6547. A bill making a supplemental appropriation for school assistance in federally affected areas; to the Committee on Appropriations.

By Mr. SKUBITZ:

H.R. 6548. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. STAFFORD:

H.R. 6549. A bill to amend title 37, United States Code, to increase the rates of basic pay for enlisted members of the uniformed services; to the Committee on Armed Services.

By Mr. STAGGERS:

H.R. 6550. A bill to increase the personal income tax exemption (including the exemptions for dependents and the additional exemptions for old age and blindness) to $1,000 for 1969 and succeeding years; to the Committee on Ways and Means.

By Mr. STEIGER of Wisconsin:

H.R. 6551. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. STUBBLEFIELD:

H.R. 6552. A bill to amend the Public Health Service Act to provide for the establishment of a National Lung Institute; to the Committee on Interstate and Foreign Commerce.

By Mr. SYMINGTON:

H.R. 6553. A bill proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 6554. A bill to establish a Federal oil shale development program, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. UTT:

H.R. 6555. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. UTT (for himself, Mr. Don H. Clausen, Mr. Hanna, Mr. Hosmer, Mr. Talcott, Mr. Van Deerlin, and Mr. Waldie):

H.R. 6556. A bill to amend the Federal Water Pollution Control Act to prevent pollution of water by oil, and to establish a revolving fund for the removal of oil discharged into or upon the navigable waters of the United States or adjoining shorelines; to the Committee on Public Works.

By Mr. VANIK:

H.R. 6557. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

H.R. 6558. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers and single persons who have attained age 30 and maintain their own households; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 6559. A bill to amend title II of the National Housing Act to establish a new program of mortgage insurance to assist in financing the construction or rehabilitation of housing facilities for the mentally retarded; to the Committee on Banking and Currency.

H.R. 6560. A bill to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to provide grants for costs of initiating services in community mental retardation facilities; to the Committee on Interstate and Foreign Commerce.

H.R. 6561. A bill to amend title XIV (and title XVI) of the Social Security Act to permit aid to the permanently and totally disabled to be paid, under approved State plans with Federal matching, to individuals in institutions for the mentally retarded; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 6562. A bill to amend certain provisions of the Internal Revenue Code of 1954 relating to beer, and for other purposes; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 6563. A bill to change the definition of "ammunition" for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. WHITEHURST:

H.R. 6564. A bill to amend title 10, United States Code to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. WYLIE:

H.R. 6565. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for expenses incurred in providing education and training for mentally retarded or physically handicapped children; to the Committee on Ways and Means.

By Mr. MAHON:

H.J. Res. 414. Joint resolution making a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes; to the Committee on Appropriations.

By Mr. ANDERSON of California:

H.J. Res. 415. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.J. Res. 416. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

H.J. Res. 417. Joint resolution to provide for the designation of the second week of May of each year as "National School Safety Patrol Week"; to the Committee on the Judiciary.

By Mr. CHAPPELL:

H.J. Res. 418. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.J. Res. 419. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. COLLIER:

H.J. Res. 420. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. FALLON:

H.J. Res. 421. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HICKS:

H.J. Res. 422. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HORTON:

H.J. Res. 423. Joint resolution to establish a commission to conduct a full and complete investigation of the seizure of the U.S.S. *Pueblo;* to the Committee on Rules.

By Mr. HUNT:

H.J. Res. 424. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.J. Res. 425. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PATMAN:

H.J. Res. 426. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mrs. REID of Illinois:

H.J. Res. 427. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.J. Res. 428. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. TAYLOR:

H.J. Res. 429. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President; to the Committee on the Judiciary.

By Mr. WAGGONNER:

H.J. Res. 430. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of presidential and vice-presidential electors; to the Committee on the Judiciary.

H.J. Res. 431. Joint resolution proposing an amendment to the Constitution of the United States permitting Bible readings and the voluntary recitation of the Lord's Prayer and other nonsectarian prayers in public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. STEIGER of Wisconsin:

H. Con Res. 134. Concurrent resolution expressing the sense of the Congress relating to the furnishing of relief assistance to persons affected by the Nigerian civil war; to the Committee on Foreign Affairs.

By Mr. BROOMFIELD:

H. Res. 223. Resolution to express the sense of the House of Representatives concerning a means toward achieving a stable and durable peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. COLLINS:

H. Res. 224. Resolution expressing the sense of the House of Representatives with respect to the commitment of U.S. Armed Forces; to the Committee on Foreign Affairs.

By Mr. DUNCAN:

H. Res. 225. Resolution making it the sense of the House of Representatives that the secret trial and public execution of Iraqi citizens be condemned and requesting the President of the United States to instruct the permanent representative of the United States to the United Nations to request a special meeting of the United Nations Security Council to seek ways and means of preserving the human rights of the people of Iraq; to the Committee on Foreign Affairs.

By Mr. FARBSTEIN (for himself, Mr. Addabbo, Mr. Anderson of California, Mr. Barrett, Mr. Biaggi, Mr. Bingham, Mr. Brasco, Mr. Don H. Clausen, Mr. Conyers, Mr. Coughlin, Mr. Daddario, Mr. Delaney, Mr. Diggs, Mrs. Dwyer, Mr. Fisher, Mr. Fulton of Pennsylvania, Mr. Gude, Mr. Halpern, Mr. Minish, Mr. Rees, Mr. Rosenthal, Mr. St. Onge, Mr. Scheuer, Mr. Boland and Mr. Williams):

H. Res. 226. Resolution expressing the sense of the House of Representatives with respect to the restoration of human rights in Iraq; to the Committee on Foreign Affairs.

By Mr. ANNUNZIO (for himself, Mr. Brademas, Mr. Burton of California, Mr. Byrne of Pennsylvania, Mr. Cunningham, Mr. Eilberg, Mr. Fascell, Mr. Hawkins, Mr. Horton, Mr. Hosmer, Mr. Madden, Mr. Mollohan, Mr. Nix, Mr. Pepper, Mr. Pike, Mr. Podell, Mr. Price of Illinois, Mr. Rodino, Mr. Ryan, Mr. Sandman, Mr. Vanik, Mr. Vigorito, Mr. Waldie, Mr. Yatron, and Mr. St Germain):

H. Res. 227. Resolution expressing the sense of the House of Representatives with respect to the restoration of human rights in Iraq; to the Committee on Foreign Affairs.

By Mr. HANLEY:

H. Res. 228. Resolution amending the Rules of the House of Representatives to set aside a portion of the gallery for the use of scholars engaged in studies of the House of Representatives; to the Committee on Rules.

By Mr. HORTON (for himself, Mr. Anderson of Illinois, Mr. Andrews of North Dakota, Mr. Biester, Mr. Brock, Mr. Broomfield, Mr. Brown of Michigan, Mr. Buchanan, Mr. Bush, Mr. Button, Mr. Don H. Clausen, and Mr. Cowger):

H. Res. 229. Resolution expressing the sense of the House of Representatives with respect to establishing an all-volunteer military force; to the Committee on Armed Services.

By Mr. SHRIVER (for himself, Mr. Brotzman, Mr. Cleveland, Mr. Conte, Mr. Esch, Mr. Frelinghuysen, Mr. Fulton of Pennsylvania, Mrs. Heckler of Massachusetts, Mr. Hosmer, Mr. McCulloch, Mr. McDonald of Michigan, and Mr. McKneally):

H. Res. 230. Resolution expressing the sense of the House of Representatives with respect to establishing an all-volunteer military force; to the Committee on Armed Services.

By Mr. STAFFORD (for himself, Mr. Minshall, Mr. Mize, Mr. Morton, Mr. Morse, Mr. Pelly, Mr. Reid of New York, Mr. Riegle, Mr. Robison, Mr. Ruppe, and Mr. Schwengel):

H. Res. 231. Resolution expressing the sense of the House of Representatives with respect to establishing an all-volunteer military force; to the Committee on Armed Services.

By Mr. WHALEN (for himself, Mr. Collins, Mr. Gude, Mr. Sebelius, Mr. Stanton, Mr. Taft, Mr. Thomson of Wisconsin, Mr. Whitehurst, Mr. Widnall, Mr. Winn, Mr. Zwach, and Mr. Cahill):

H. Res. 232. Resolution expressing the sense of the House of Representatives with respect to establishing an all-volunteer military force; to the Committee on Armed Services.

By Mr. ICHORD (for himself, Mr. Pepper, and Mr. Preyer of North Carolina):

H. Res. 233. Resolution to amend Rule XI of the Rules of the House of Representatives to provide additional procedures with respect to contempt citations in the case of witnesses before committees of the House, and for other purposes; to the Committee on Rules.

By Mr. KING (for himself and Mr. Devine):

H. Res. 234. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. ROGERS of Florida:

H. Res. 235. Resolution to amend the rules of the House of Representatives; to the Committee on Rules.

By Mr. STAFFORD:

H. Res. 236. Resolution providing that the House of Representatives endorses efforts of the President of the United States to begin preparation for an all-volunteer military force; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 6566. A bill for the relief of Jesusa Bacalan; to the Committee on the Judiciary.

By Mr. BELL of California:

H.R. 6567. A bill for the relief of Mie Matsushima; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 6568. A bill for the relief of Mrs. Asuncion Mendoza; to the Committee on the Judiciary.

H.R. 6569. A bill for the relief of Corazon Paca; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 6570. A bill for the relief of Clothilde Margarita Cordero-Guerrero; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 6571. A bill for the relief of Alessandro Lentini; to the Committee on the Judiciary.

H.R. 6572. A bill for the relief of Francesco Sciortino; to the Committee on the Judiciary.

H.R. 6573. A bill for the relief of Giuseppe Turco, Calogera Gennaro Turco, and Giovanna Turco; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 6574. A bill for the relief of Dr. and Mrs. Sirus Amiri; to the Committee on the Judiciary.

H.R. 6575. A bill for the relief of Miss Elma H. Ashton; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 6576. A bill to authorize the transfer of two vessels to the Harry Lundeberg School of Seamanship for nontransportation use in the training of merchant marine personnel; to the Committee on Armed Services.

By Mr. CHAPPELL:

H.R. 6577. A bill for the relief of Herbert W. Lindsay and Marie Lindsay; to the Committee on Interior and Insular Affairs.

H.R. 6578. A bill for the relief of James R. Dickson; to the Committee on the Judiciary.

H.R. 6579. A bill for the relief of Boleslaw Juchniewicz; to the Committee on the Judiciary.

By Mr. CULVER:

H.R. 6580. A bill for the relief of Maria D. Medeiros; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 6581. A bill for the relief of Bernard A. Hegemann; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 6582. A bill for the relief of Giuseppe Bunomo; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 6583. A bill for the relief of the American Journal of Nursing; to the Committee on the Judiciary.

H.R. 6584. A bill for the relief of Corbie F. Cochran, Jr.; to the Committee on the Judiciary.

H.R. 6585. A bill for the relief of Mr. and Mrs. A. F. Elgin; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 6586. A bill for the relief of Louise Adda Phillips; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 6587. A bill for the relief of Constantino R. Cabunoc and Purificacion T. Cabunoc; to the Committee on the Judiciary.

H.R. 6588. A bill for the relief of Salvio P. Cerrada and Constancia A. Cerrada; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 6589. A bill for the relief of Gotel and Ester Blachar and son Alejandro; to the Committee on the Judiciary.

H.R. 6590. A bill for the relief of Alfio Quaceci, his wife Antonia, and their minor children; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 6591. A bill for the relief of Emanuel Licitra; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 6592. A bill for the relief of Neil Bernard Poole; to the Committee on the Judiciary.

By Mr. MacGREGOR:

H.R. 6593. A bill for the relief of Martha Pilworn Kim; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 6594. A bill for the relief of Joseph P. Hennessey; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 6595. A bill for the relief of Dr. Pin-Yang Chen; to the Committee on the Judiciary.

H.R. 6596. A bill for the relief of Li Chik Sang; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 6597. A bill for the relief of Galila Frid; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 6598. A bill for the relief of Mrs. Cardone Via Orotoza Praino and her children, Salvatore, Michele, and Marcello; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 6599. A bill for the relief of Mrs. Paraskevi Giouroukos; to the Committee on the Judiciary.

H.R. 6600. A bill for the relief of Panagiotis, Georgia, and Constantina Malliaras; to the Committee on the Judiciary.

H.R. 6601. A bill for the relief of Mrs. Czeslawa Niewiarowska; to the Committee on the Judiciary.

H.R. 6602. A bill for the relief of Benjamin, Esperanza, and Rowell Reyes; to the Committee on the Judiciary.

By Mr. REES:

H.R. 6603. A bill for the relief of Harvey Hart; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 6604. A bill for the relief of Elena C. Vda. Smith; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 6605. A bill to allow the Sierra Club to retain its status as a tax-exempt organization until its right to this status has been adjudicated; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 6606. A bill for the relief of Antonino Greco; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 6607. A bill to confer U.S. citizenship posthumously upon Sp. 4 Klaus Josef Strauss; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

50. By the SPEAKER: Petition of Henry Stoner, Portland, Oreg., relative to U.S. citizenship; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

MICHIGAN'S "MRS. REPUBLICAN"—ELLY PERTERSON

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. GERALD R. FORD. Mr. Speaker, a time of retirement is a time of looking back as well as looking forward. And so today the Michigan delegation in Congress takes this time to look at the record of one of the most outstanding individuals ever to head the Michigan Republican Party.

Mr. Speaker, the delegation looks at Mrs. Elly Peterson and feels a great sense of loss in her retirement as State Republican chairman. For Elly Peterson is a remarkable woman. She is not only a woman of great charm, but a woman of great ability. She has been a tremendous asset to the Republican Party in Michigan and in the Nation.

Yet her contribution should not be so narrowly described, because Elly Peterson is not narrowly partisan. Her views as expressed in her party work have always extended beyond partisanship to the good of her State and the good of the Nation. Simply put, she has been a servant of the people while serving as the head of a political organization. That in itself is a remarkable achievement. But this is what is inherent in Elly's personality, and perhaps that is why everyone who knows her is delighted by her.

Elly Peterson served the Republican Party as State chairman and as assistant national chairman. She performed superbly in both roles. No superlatives expressed on her behalf can be counted an exaggeration.

Now that Elly is leaving the post of Michigan Republican chairman, she deserves the best sendoff it is possible to arrange. Elly is a great gal, and we in the Michigan congressional delegation want everyone to know it.

Mr. CEDERBERG. Mr. Speaker, in Michigan we have witnessed an extremely successful venture into the philosophy of the Equal Opportunity Act by applying it to the management of political affairs.

Mrs. Republican is none other than Mrs. Elly M. Peterson, of Charlotte, Mich., who is really and truly a product of the precinct and her rise through the ranks to one of the top positions in the national political organization has been phenomenal.

At the age of 21 she was busy working in the ranks of the Young Republican organization in Illinois and she no sooner moved to the State of Michigan than she became deeply embroiled in political activity. Her vigorous work among the Republican women's organization in our State was an important factor in wresting State control out of the hands of the opposition party and placing at the helm of Michigan's government Gov. George Romney, now a member of President Nixon's Cabinet.

Mrs. Peterson has run the gamut of positions within the Republican Party, a career just climaxed by her election to the Republican National Committee from the State of Michigan.

To name a few of her assignments, I should mention she was for 3 years aide to one of our Republican State chairmen; she was a field service manager for the party; she was executive director of the Republican National Committee, and later assistant to the party's national chairman. She was the first woman to be nominated by Michigan Republicans for the U.S. Senate; she was unanimously selected Republican State chairman and served two terms in that office and is the first woman in the Nation to be elected State chairman of her party.

Mrs. Peterson has been devoting her almost limitless energies, fighting, through the political party of her choice, for the achievement of goals which she is convinced are necessary to maintain this country and its government under the sound principles drafted by our forefathers.

It has been a pleasure to work with Mrs. Peterson and to assist her in her efforts to effectively put into operation the principles for which her party stands.

Mr. BROOMFIELD. Mr. Speaker, after some years of disappointment, Michigan Republicans have discovered a new confidence and a fresh ability to win. That new Republican vigor has been demonstrated both at the polls and in mounting party strength.

One source of that new found spirit and success has been the strong inspirational leadership of Gov. George Romney.

Another has been the character, dedication, and personality of Mrs. Elly M. Peterson, who has served 4 remarkable years as chairman of the State central committee of Michigan and who is now assuming new duties as national committeewoman.

During those years Republicans have been first in virtually everything in Michigan. And, much of the credit must go to Elly Peterson who is accustomed to being first in whatever she tackles.

Mrs. Peterson was, for example, the first woman in history to be elected chairman of a State Republican organization. That was in 1965.

The year before, she became the first woman in Michigan history from either party to campaign for the U.S. Senate.

A clue to her unusual achievements lies in her exceptional background in public service and Republican Party affairs.

Her career has been a model of growth and progress beginning at the age of 21 when she joined the Young Republican Club of Oak Park, Ill.

A successful organizer in Michigan Republican campaigns, Mrs. Peterson served for 3 years as an aide to the State chairman. In 1961 she was appointed field service manager for the State.

Her specific contribution in organizing the women of Michigan was a major factor in the election of Governor Romney and the end of an entrenched Democratic regime in Michigan.

Mrs. Peterson was elected State vice chairman in 1961 and was reelected in 1963.

In addition to her leadership in Michigan, Mrs. Peterson has a background in national Republican affairs, serving as executive director of the women's division of the Republican National Committee in 1963 and as assistant chairman of the national committee in 1964.

That experience will serve her well in her new duties as national committeewoman.

Mr. Speaker, Michigan has produced more than its share of outstanding Republican leaders during the last several years.

But even measured against that illustrious competition, Mrs. Peterson's contributions remain of the highest quality and the utmost importance.

Mr. CHAMBERLAIN. Mr. Speaker, it is a pleasure to join my colleagues today in paying tribute to Mrs. Elly M. Peterson, who is chairman of the Republican State Central Committee of Michigan, as she prepares to retire from this position after 4 years of distinguished service to the Republican Party of our State.

Elly, as she is affectionately known by all, has served as Republican State chairman since February 1965, and was elected Republican national committeewoman from Michigan in August of last year. Her career has been highlighted by one success after another. After serving in various capacities at Michigan's Republican State headquarters, she was named executive director of the Republican National Committee in September 1963, a position which was changed to assistant chairman 3 months later. These were all big jobs, but she was the right person to handle them. Mrs. Peterson inspires people and knows how to get them involved in activity. In return she receives an outstanding extra effort from those around her. She is a strong force in this so-called man's world making her strength and reason felt among men and women alike. Her ability to recognize the needs of people and the Republican Party's responsibility to those needs has made the Republican Party of Michigan a "grassroots" party.

In 1964, another great distinction came Elly Peterson's way when she became the first woman of either party in Michigan to be nominated for the U.S. Senate. Although she did not win this seat, she won the respect of the citizens of Michigan everywhere she went for her straightforward, honest approach to political problems. Again, her concern for people was the real thrust of her campaign.

After observing her at work in both

Michigan and in Washington, I will never be surprised at anything Elly Peterson accomplishes. As she now moves to the Republican National Committee, she brings a great wealth of talent to her new position that will be of tremendous benefit to our national organization.

We are deeply grateful to Elly Peterson for all her efforts in the past and I am delighted that her forceful personality and ability will continue to be used to guide Republican activities at this higher level. She has my warm wishes as she undertakes her new responsibilities and challenges.

Mr. HARVEY. Mr. Speaker, in joining with my Michigan colleagues in this special and well deserved tribute to Mrs. Elly M. Peterson—always known simply as Elly—it is not my intent to outline or list the many, many honors and achievements of this remarkable lady. I recognize, of course, that these great accomplishments accurately relate the outstanding contributions that Elly has made to our State of Michigan and the Nation as well.

Yet, I really feel that the greatness of Elly never was more illuminating, more emphatic than in a losing cause in 1964. Our Republican Party turned to Elly and, as always, she responded to that call to be our standard bearer for the U.S. Senate.

In becoming the first woman from Michigan of either party to be chosen as the senatorial candidate, Elly quickly proved to be a magnificent campaigner. No one knew better than Elly the tremendous uphill battle. Even in a normal political year, a difficult, if not impossible, situation existed for a statewide Republican candidate. As we know, 1964 was not exactly a normal year.

As expected, Elly lost. But to me, as our campaign trails crossed on several occasions, Elly had the class. She was better in a losing role than most are in the easy winner's role. The real courage, the real integrity of a person is truly reflected during adversity.

Elly had it then and she has it now. We in Michigan are losing a tremendous State chairman, but it will be the Republican National Committee's gain as she takes over as our national committeewoman. I thank you, Elly, for your great leadership and I wish you much future happiness and good health in the years ahead.

Mr. HUTCHINSON. Mr. Speaker, I join my Republican colleagues in the Michigan delegation in congratulating our retiring State chairman, Elly Peterson, upon an outstanding record of achievement in party organization and success. As Republican chairman during the Romney years in Michigan, she played a leading and enthusiastic role. She leaves the post to become Michigan's Republican national committeewoman, and in her new position we are confident she will continue her immense enthusiasm and drive in the Republican cause.

Mr. VANDER JAGT. Mr. Speaker, I have written a letter to Mrs. Elly Peterson to mark her retirement as chairman of the Republican State Central Committee of Michigan and commending her on her devotion to the party. The text of my letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

MRS. ELLY PETERSON,
Michigan State Republican Convention,
Grand Rapids, Mich.

DEAR ELLY: Michigan politics, without you as State Chairman, will never be the same.

You shook the complacency that was miring Republicanism in defeat. You replaced despair with hope. You rebuilt our Party to win smashing victories.

In the jungle of politics you found that it is impossible to make everyone a friend, but you proved your ability to make no one your enemy.

The agonizing dilemma of failure was your challenge. You accepted it and showed the way to success. In leading Michigan's Republican Party into a bright, new era, you earned love, respect and admiration.

We are grateful that you will still serve the cause of Republicanism as National Committeewoman. As we did in the past, we look forward to your even greater accomplishments with a prediction that the Republican Party across the land will gain new strength because of you.

Sincerely,

GUY VANDER JAGT,
Member of Congress.

Mr. RUPPE. Mr. Speaker, politics is the lifeblood of democracy. Politics has been called a dirty game. It also has been characterized as the "noblest undertaking." A political party, a democratic government and, perhaps even a nation, can be no better than the individuals, as professionals and volunteers, who are willing to involve themselves in the partisan political arts. Every now and then out of the partisan battles, as our great political parties vie for leadership at all levels of government, there emerges an individual who combines practical political genius with love of country and genuine human concern. Such an individual makes politics the "noblest undertaking." Such an individual is Michigan's retiring Republican State chairman, Mrs. Elly Peterson.

"Elly," as she is known by literally thousands in Michigan, has brought zest and energy to Republican affairs since she was an active Republican in Illinois at the age of 21. Her political experience is vast. She has been director of the women's division of th Republican National Committee. She has delivered a major address to a Republican National Convention. She has been the Republican nominee for the U.S. Senate in Michigan. She has been assistant chairman of the Republican National Committee.

In 1964, Michigan Republicans were struggling to recover from an election disaster. As congressional seats fell to the opposition, as the State legislature slid to nearly a 2-to-1 margin against the GOP, as Republicans were swept from local office, only the enormously popular Gov. George Romney was to survive. With those dismal results fresh in their minds, the Republican State Central Committee, with Governor Romney's support, unanimously elected Elly Peterson State chairman—the first woman in the Nation ever to be elected to a Republican State chairmanship. Governor Romney and Elly Peterson set out to build a viable united party in Michigan.

From the wreckage of 1964, Elly masterminded the political strategy for 1966. On election day, 1966, the voters of Michigan rendered their verdict. They reelected their Republican Governor to a third term. They elected a Republican Senator, five new Republican Congressmen, created a Republican legislature, and voted major gains for the Republican Party in local races. The victory was stunning. In a politically tough industrial State, the Republican Party under the chairmanship of Elly Peterson, came into its own.

It is Elly's personal qualities that are perhaps the hardest to define. Those human qualities are not only the key to her success in the political arena, but they are, very honestly, the greatest thing about her. She is one of the outstanding political professionals in the Nation. She is also a warm friend to hundreds of Michiganites in every nook and cranny in the State. She rarely forgets a name or a face, and has the gift of making everybody, regardless of station, feel a part of the team and a good friend. Governor or precinct worker—all receive the same exuberant greeting and personal attention.

Elly combines a deep sense of loyalty with a thorough understanding of the American political process. Her indefatigable energy, her ability to make tough decisions, her tenderness and her abiding belief in democracy have uniquely qualified her for the posts she has held. To the Republican Party in Michigan she has given organization, unity, drive, and a forward-looking image. To people and their problems, large or small, she has given of herself. While Elly will be followed by another party chairman of great talent—needless to say we are going to miss her at the helm. I am happy to say, however, that this is not a political obituary because we know she will continue giving to the Republican Party and the Nation.

It is rare that I discuss Republican Party affairs in this Chamber. But the contribution of Elly Peterson reaches far beyond partisan politics. Democrat or Republican, Americans can be thankful that they have active people in the political process like her. Elly, and those like her in both of our great parties, make democracy work. They make politics "the noblest profession."

Mr. ESCH. Mr. Speaker, it is a great privilege for me to pay honor to Mrs. Elly Peterson. Her outstanding leadership to the Republican Party and the State of Michigan deserves wide acclaim.

At the very basis of our modern democracy is the concept of a strong two-party system. The strength of this system depends in large measure, on the many persons who work behind the scenes—not only for candidates but in the active development of a constructive and viable program for their party as a whole. Throughout the Nation there are thousands of such people who give long hours of service so that we who hold elective office may better serve the people. Elly Peterson is the epitomy of these.

As chairman of the Michigan Republican Party, Mrs. Peterson has provided leadership and inspiration in the development of a viable and progressive party program. The State of Michigan today is one of the most dynamic, growing, and progressive States of the Union and I believe that Mrs. Elly Peterson has played a key role in the development of the State's program.

Elly is one of the most forceful and dedicated persons I know. She has provided leadership and inspiration to all of us who have served as Republican candidates during her term as chairman and has had a large share in making our victories possible.

Michigan is fortunate indeed that we will not be losing her services entirely when she retires as Republican State chairman later this month. We are delighted that she will continue in her post as Republican national committeewoman. As a former national vice chairman and longtime member of the Republican National Committee, I know her leadership there will be equally as forceful and helpful to the party and the Nation.

Mr. RIEGLE. Mr. Speaker, it is a personal honor to speak of Mrs. Elly Peterson's leadership on the occasion of her retirement as chairman of the Republic Party in Michigan. The results speak for themselves—the Governorship, a Senate seat, a 2-to-1 majority on the congressional delegation, and a near balance of power in the State house. To get this job done, she has worked to reorganize and rebuild the Republican Party, giving tirelessly and selflessly of her ideas and her energies.

I am personally thankful to Elly Peterson for helping me to get started in public service. Without her encouragement and the support of her very capable State central committee, the opportunity to run for Congress would have been much more difficult.

Elly has brought meaning to the word "teamwork" in the Republican Party—real teamwork that helps everyone to do a better job—teamwork in fundraising, teamwork in party organization, and above all, teamwork of ideas. She has made it possible to have diversity of thought and philosophies while having unity of principle and action. As they say, the name of the game is to win, and Elly Peterson personifies that winning attitude. Together with ex-Governor Romney, she has spread this to the party faithful.

In a sense, her most important contributions have had impact far beyond partisan politics. By opening the party up to all citizens, to all interest groups, and especially to black Americans seeking a greater role in government participation, she has made it possible for every man and woman who wants better government to get involved. By strengthening our party, she is helping to strengthen our political system—by offering better ideas, better candidates, and better competition in public service.

Through the involvement program, she has taken the party into action on the top urban and social problems of our time. This program has now become a model for progressive Republican activity in many other States.

Our good wishes and our support go with Elly as she steps up to membership on the National Republican Committee. Mr. Speaker, it is fitting that we honor this stateswoman of the first magnitude. We look forward to be able to work with her in her new position of leadership. The people of Michigan have benefited before, and now party workers throughout the United States will benefit from her example of dynamic and capable leadership.

Mr. McDONALD of Michigan. Mr. Speaker, as her tenure as chairman of the Michigan Republican Party draws to a close, I wish to congratulate Mrs. Elly Peterson on the role she has played in the resurgence of Republican ideals in our State and to thank her especially for the help and guidance she has provided me.

Elly's dedication to the principles of republicanism, coupled with her keen political insight, has left an indelible mark on the course of our party and on the memories of those who have benefited from her work and friendship.

I sincerely thank Elly and wish her every success as our new national committeewoman.

Mrs. REID of Illinois. Mr. Speaker, it is good to have this opportunity to join in the tribute to Mrs. Elly Peterson, of Michigan, the first woman to be elected State chairman in the history of the Republican Party nationwide, and the first woman from Michigan of either party to be nominated to run for the U.S. Senate.

Elly Peterson's dynamic leadership has served to inspire women throughout America to work for political principles and good government. Her outstanding ability in organizing the women of Michigan is acknowledged to have been a vital factor in the election of Governor Romney, ending many years of Democratic control of that State.

During the 1964 National Convention, in addition to her many specific duties as the then assistant chairman of the Republican National Committee, Elly Peterson gave a major address before the convention's Monday evening session. As always, she was most articulate and a very eloquent voice for Republican philosophy. In 1968, she was a Michigan delegate-at-large to the National Convention in Miami.

We members of the Republican Party are indeed fortunate to have Elly Peterson in our ranks, but her contributions to her community, State, and Nation have by no means been limited to political activity. She has served overseas as hospital secretary, American Red Cross; as county president, American Red Cross and as director, American Red Cross regional blood program. Her memberships include the American Legion Auxiliary; the Business and Professional Women's Club; the Urban League; and she is a lifetime member of the NAACP. Elly Peterson is one of the most remarkable and outstanding women in America today.

Mrs. DWYER. Mr. Speaker, one of the most useful, though informal, functions of Members of Congress is to call attention from time to time to the exploits and accomplishments of those who have distinguished themselves in public or private life.

In doing so, we not only honor those who have earned it but we also help to perpetuate the ideals of service on which the health of our free and participatory system depends.

It is a special pleasure for me, therefore, to join with our colleagues from Michigan in paying tribute to Mrs. Elly Peterson in connection with assuming the office of Republican National committeewoman from Michigan.

This new assignment—however important—is only the latest in a long list of honors and achievements won by Mrs. Peterson, including election as the first woman Republican State chairman in the Nation, election as a delegate at large to the 1968 Republican National Convention, and nomination as the Republican candidate for U.S. Senator from Michigan in 1964, the first woman nominee for that office in the State's history.

Elly Peterson knows politics from the ground up and works at it with skill, dedication, imagination, and intimate knowledge of the electorate. She knows it from the State and local levels as a result of years of effort as an organizer and field service manager with the Republican State committee and as vice chairman of the State committee, culminating in the election of Gov. George Romney to which her organizing of Michigan women was a vital factor. She knows politics, too, from the national level where she served successively as executive director of the women's division of the Republican National Committee in 1963, and as assistant chairman of the National Committee in 1964.

But Elly Peterson has brought more than effective service to the Republican Party. She has contributed the warmth of her personality, an understanding of people and their needs and wishes, and a constructive and progressive point of view.

For Mrs. Elly Peterson, Republican politics has been a career of service, a means of contributing to the strength of America through a free and open and responsive political system.

I am proud, Mr. Speaker, to join with my colleagues in expressing confidence and gratitude that this outstanding woman leader will continue to contribute her great talent and deep concern to the Republican Party and the country.

Mr. HAMMERSCHMIDT. Mr. Speaker, I wish to associate myself with all the fine things being said about Mrs. Elly Peterson. As a former State chairman of the Republican Party in Arkansas, I worked with Elly on many occasions, and know her to be a grand person in the world of politics.

She is now stepping down, after two terms as chairman of the Republican Party in Michigan. I am delighted that she will continue serving her State, our party and country as national committeewoman for Michigan. During her chairmanship Elly provided leadership which enabled Michigan Republicans to compile a marvelous record of achievements, first through an increase in the number of offices held and influence, and next through the development and application of programs of great benefit to the people.

Also leaving the State chairman's office will be Elly's capable administrative assistant, Joyce Braithwaite, who began as Elly's secretary at the start of her first term as State chairman. Joyce will move to the office of Governor Milliken where she will have an opportunity to continue rendering outstanding services in behalf of better government.

I salute both Elly and Joyce as devoted and dedicated and able practitioners of politics. They have done extremely well in strengthening and enhancing the image of the Republican Party.

Mrs. HECKLER of Massachusetts. Mr. Speaker, it is with a great deal of pleasure and pride that I rise to honor Mrs. Elly Peterson, Michigan Republican State Central Committee chairman. After 4 years of dedicated service, Mrs. Peterson expects to retire from her present post to assume the full time responsibilities as Michigan's Republican national committeewoman.

With increasingly rare exception, equality for women is slowly becoming a reality. A woman as outstanding as Mrs. Peterson gives us even more reason to believe in the need to recognize the talents of capable women. The exemplary career of Elly Peterson offers special encouragement to both men and women who are tempted to enter the exciting sphere of politics.

Politics is sometimes regarded as a "rough game," difficult to pursue. It has also been said that education does little to prepare women to assume the awesome responsibilities of political activity. Whatever the apparent barriers, Mrs. Peterson at 21 had her first taste of political life when she joined the Young Republican Club of Oak Park, Ill. From this beginning, her successful adventure in politics continued as her reputation as a dynamic organizer spread throughout Michigan. Recognizing her ability as an expert administrator, she was appointed assistant chairman of the Republican National Committee in 1964. Also in 1964, Elly Peterson became the first woman of either party to be nominated for the U.S. Senate from Michigan. The following year, she was the unanimous choice for Republican State Central Committee chairman. She thus became the first woman in the history of the Republican Party nationwide to be elected State chairman.

Mrs. Elly Peterson's loyalty to the Republican Party and to its political ideology, her willingness to work, her capacity to organize, and her inexhaustible energy are qualities which all can admire.

Mr. BROWN of Michigan. Mr. Speaker, on February 14 and 15, the Republican Party of the State of Michigan will hold its regular biennial State convention in the city of Grand Rapids for the primary purpose of selecting a new State chairman. Although the Republican Party State organizations throughout the Nation, as well as in Michigan, have been doing this for years, this coming Michigan Republican Convention has special and unprecedented meaning.

On February 15, Michigan Republicans will regretfully accept the decision of Elly Peterson to retire from her position as chairman of the Republican State Central Committee. Elly was the first member of the so-called weaker sex to be selected as chairman of a Republican State Party in the history of our Nation. Athough these are the facts, the impressions they leave are untrue. Elly Peterson will never retire from politics or the Republican Party, and her selection last summer at the Republican National Convention as our national committeewoman is immediate proof of this. Nor is Elly Peterson weaker though she wears the garb of her kind.

To again recite the tributes and plaudits expressed by my colleagues regarding her good sense, tireless effort, and political agility would be repugnant to Elly, for she has never sought nor expected the praise that has been due her. But, like a good warrior, she has derived her satisfaction from jobs well done and an examination of her record establishes that her entitlement to self-satisfaction is almost limitless.

On this occasion when we pay tribute to our great State chairman, my position is unique and different from my colleagues. I have participated in the election of Elly as our State chairman on both occasions when she has been selected to lead our party; this makes me sort of a party constituent of Elly's—a member of her electorate. In turn, Elly resides with a great guy—her husband, of course—Col. "Pete" Peterson, within my congressional district in Charlotte, Eaton County, Mich.; and, therefore, is a constituent of mine and a member of my electorate. It is a distinct honor and pleasure to have the State chairman as a constituent, but let me remind my colleagues that having Elly Peterson as a constituent is like being "under the gun" at all times. As she is an able organizer, brainy, a tireless but pleasant worker and political strategist, so, in her opinion, should be her Congressman. And, her vast experience and exposure to political activity have provided her with an unmatched opportunity for innovations in this game of politics which cause one to maintain a hectic pace to keep up with her, but at the same time provides one with an almost unlimited resource of immeasurable value.

No; the coming State convention will not really be the occasion for a retirement, but, rather, it will be an occasion of commencement. A commencement by Elly of a role in which the Nation will derive the benefits of which the State of Michigan heretofore has been the primary recipient.

Elly, thanks for everything, and best wishes to you as you assume your new responsibilities and face your new challenge.

THE NEW "WHIP THE SOUTH" POLICY OF THE DEMOCRATIC NATIONAL COMMITTEE CHAIRMAN

HON. JOE D. WAGGONER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. WAGGONER. Mr. Speaker, when the new chairman of the Democratic National Committee appeared on television a few days after his election, he enunciated a new policy of the committee which should be alarming to every member of the party regardless of the section of the Nation in which he resides. The headline on the Washington Post story covering his television appearance encapsulated that policy in seven words:

> Harris Warns Dixiecrats To Respect Party Stands.

This get-in-line-or-else attitude is, of course, an affront to every Democrat because it says that all party members must subscribe to the liberal-radical philosophy of the disastrous Chicago convention or leave the party. If this policy is implemented, as the new chairman seems determined to do, the party will have taken similar steps to those taken in Britain when the parties were divided along left and right lines. I need not belabor the point that this Nation would be ill-advised to follow the torturous path which Britain has taken.

When the new chairman's position was made clear, I addressed him a letter which, parenthetically, he has not had the courtesy to answer, and urged others of my colleagues to express their opposing views if they did, indeed, disagree with him.

I would like to insert here in the RECORD a copy of my letter to the chairman, a copy of a letter sent him by my esteemed colleague, the gentleman from Mississippi (Mr. ABERNETHY), and finally, a copy of the letter I wrote to several friends in the House asking them to express their individual views to the new chairman.

I hope others will be similarly disturbed by the undemocratic position of the new chairman and likewise express their views to him.

The above-mentioned material follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 27, 1969.

DEAR SENATOR: I have your letter of 17 January in which you ask my help with your new position as Chairman of the Democratic National Committee. I appreciate your contacting me in this regard. I was particularly interested in reading the enclosed copy of your speech of acceptance of this post, all the more so because it is couched in a tone diametrically opposed to the public statements you are quoted in the press as having made on the television program, "Face the Nation" on 19 January.

On that program I am advised that you made it abundantly clear that Southerners must henceforth wholly subscribe to the party positions adopted at the Convention in Chicago or else suffer the consequences. This narrow view of the temperament of the people who refused to support the party nominees, if implemented, will bring about the collapse of the Democratic party, not its rejuvenation. This empirical stance ill-behooves one whose job it is to unite the party. It also indicates a narrow sectionalism that does not take into account the fact that a majority of the states did not support the party nominees. Yet, I saw no quotation that the Mid-West had better toe the mark, or else.

Unity, Senator, can be achieved only by a blending of the separate components, not by seeking to force one section of the nation to bend to the will of another. Your petulant query, "Why should the South be all that different from people who live in the North?" indicates a remarkable artlessness and is best answered by a counter-question, "Why should they not be different; it's a free country, isn't it?"

You have asked for my suggestions as to how to unify and strengthen the Party and my advice is that, rather than rocket off on the tangent of "whipping the South into line", you would be better advised to consult with the men who represent the various sections of the nation and the various political philosophies held by those of us who still call ourselves Democrats. To proceed as you have started, on the tack that all Democrats must swallow the nauseant hodgepodge of liberal-to-radical positions laid out in Chicago, or else, is the unpaved road to party suicide.

I oppose, and the majority of the people I have the honor to represent in Congress, oppose the great bulk of what was said to be the party's platfrom in Chicago, and we will not be threatened, blackmailed or whipped into line. I will be glad to help you moderate the ill-advised extremity of those positions, but I will not lift a finger to help you enforce them. And I think you will find, Senator, that my constituents and I make poor subjects for political blackmail.

When you are ready to discuss how the Democratic Party can revamp itself to more closely reflect a philosophy of commonsense, I will be pleased to give you my thoughts. But, if your position is what it seems to be and you are asking my advice as to how to bend the South to the will of others, my thoughts can be summarized in two words: forget it. Because, if you are successful in your approach, it will mean the destruction of the Democratic Party.

Sincerely yours,

Joe D. Waggonner, Jr.

Congress of the United States,
House of Representatives,
Washington, D.C., February 5, 1969.

Dear Senator: I am so pleased that my colleague, Joe Waggonner, Jr., of Louisiana provided me with a copy of his letter to you under date of January 27. I hope that by this time you have thoroughly digested and absorbed same.

You evidently have forgotten, or else are not aware, of the lean days when northern states, as well as your own, could hardly muster a quorum for a Democratic precinct meeting, much less gain a victory. You undoubtedly have forgotten that northern states for years and particularly in the Harding election, could not elect enough Democrats to even form a committee in either the Senate or House even had all Democrats been given the same assignment. You evidently have forgotten that in those lean years it was the southern Democratic states that stood strong and fast, and saved the Democratic Party from complete extinction. You evidently have forgotten, or else you did not know, that the Democratic Party was founded by a Southerner (Jefferson) and preserved by another Southerner (Jackson). You evidently have forgotten that the Democratic candidates for President and Vice-President in the last election didn't get but about 40 percent of the vote, and your own state got run over by Republicans. Don't be so forgetful, Senator.

You evidently have forgotten the very recent and humiliating defeat the Democratic Party suffered in every southern state (some say, except Texas, but LBJ put Texas in the western region). Everyone knows LBJ is on that lonely ranch now, not by choice but because he was smart enough to run for a storm cellar.

Now, Senator, why don't you issue one more statement and answer the question: Do you want southern states to vote Democratic while you run the show? Please don't quibble. Just answer with a simple yes or no. If we are not wanted, I think you should say so. Clearly, your recent statements indicate that we crawl on our bellys to you on your terms or else it is your desire that we don't show up at all. As I understand, it is under these conditions only that you want the southern states to vote Democratic.

And while I am writing I wish to fully subscribe to everything Mr. Waggonner included in his letter, and then double it.

Sincerely,

Tom G. Abernethy.

Congress of the United States,
House of Representatives,
Washington, D.C.

I have been told that the Democratic National Committee is very pleased that there has been little or no response from Southern Members or Southerners in general to the press and television statements made recently by the new Chairman to the effect that the South will have to get in step with the Party or else.

With the thought you might be interested in my reaction to Senator Harris' statements, I am attaching a copy of a letter I have addressed to him.

In view of the Committee's apparent smugness over the lack of Southern reaction, perhaps you might want to direct a letter to the Senator with your own views. It seems to me that if we do nothing to spell out our protest, we are giving assent to his plan.

All good wishes.

Joe D. Waggonner, Jr.

A MAJOR DISAPPOINTMENT OF THE 90TH CONGRESS

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. TUNNEY. Mr. Speaker, to me, and to many Californians, one of the major disappointments of the 90th Congress was the Senate Judiciary Committee's failure to act on the nomination of U.S. Attorney Cecil Poole to be a U.S. district judge for the northern district of California.

And now the delays and frustration have ended with the President's withdrawal of this excellent nomination.

In the story of the inaction upon this nomination, and what appears to be the vanishing hopes for Mr. Poole's appointment, there is much to embitter a man, but Mr. Poole is not embittered.

The nominee, a brilliant and distinguished lawyer who is a former counsel to the Governor of California, a former assistant district attorney for San Francisco, and a successful private practitioner, was eminently qualified for the nomination, which was made by President Johnson on May 28, 1968.

The press has reported that my colleague, the senior Senator from California, Mr. Murphy, was instrumental in blocking this nomination. If this is so, I think it is extremely unfortunate.

Mr. Poole would have been the first Negro Federal judge west of the Mississippi. His well-deserved elevation would have exemplified the opportunities available to the young people of his race.

Yet today, while Mr. Poole harbors no bitterness about not being confirmed, these young people may have reason to. How does he explain this to children in the ghetto, who may expect society to reward excellence and careers of outstanding accomplishment?

Three other nominations to the Federal bench, submitted to the committee at the same time, were confirmed almost immediately.

Yet, for no apparent reason, Mr. Poole's nomination was pigeonholed. The committee did not even give the nominee the courtesy of a hearing.

GETTING THE FACTS STRAIGHT ON FOREIGN BANKING

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. PATMAN. Mr. Speaker, on December 9, 1968, the Committee on Banking and Currency held preliminary hearings on the legal and economic impact of foreign banking procedures on the United States. Our sole purpose was to inquire into a number of recent court cases and published reports involving the use of foreign banks which operate under secrecy laws to violate American law. Since the hearings were of a preliminary nature, our only witnesses were from the two Federal agencies most prominently mentioned, the Justice Department and the Securities and Exchange Commission. These hearings received widespread publicity as well as a reaction from committee members and others that the situation involves rather serious questions on the efficiency of our fiscal statutes. At the close of the hearings I announced that legislation restricting these abusive practices would be introduced and there would be further hearings.

In its January 20, 1969, issue, Barron's Weekly features a front page article entitled "Assault on Privacy." The article, which was quite critical of the committee and its witnesses is nothing more than a half-baked piece of propaganda for the benefit of certain foreign banking interests. Rather than a point-by-point review of the article, I wrote to the editors of Barron's Weekly and set forth the true history and purpose of our committee's inquiry. It was pointed out that we have no intention of interfering with the internal workings or affairs of any foreign nation.

The article and my reply is submitted for the Record and will appear at the end of these remarks.

However, it should be pointed out that several of the statements in the article verify our committee's concern and require our further inquiry. For example, it has often been contended by Swiss banks and others that the amount of American deposits held are negligible. Yet the article states:

> Completely unmentioned are two rather salient facts: (1) Because of growing distrust in the U.S. dollar, the hand-payment fee for transfers out of banking channels of dollars from here to, say, Geneva, is now up to "4.75% from the top" or even more, compared with only 0.5%–0.75% a few years ago.
>
> Does that not reflect fright and flight produced in our parts rather than "solicitation" by the Swiss? (2) During the recent gold bubble, i.e., when suspicion of the dollar's stability reached new heights, many Ameri-

cans became keenly aware that, after all their dollar is not as good as gold, but that U..S laws deny them the right to own gold, although the citizens of more than five dozen countries may do so.

During those hectic days, the largest, oldest and universally most respected Swiss banks and many smaller ones received by check and in cash, by cable and in ordinary envelopes such huge quantities of dollars from American depositors—many of them pensioners or small savers—that even upon employment of hundreds of extra clerks they could not open the mail fast enough, book the new entries and return receipts—within less than six to eight weeks.

If such huge amounts of American dollars are flowing into foreign secret accounts during our too frequent periods of fiscal crisis, the Committee on Banking and Currency wants to know more about it and will recommend steps to curtail it. We are also curious about the reference to hand-payment fees. We wonder if these hand-payment fees are for some kind of courier service. I am sure the Members of this body will agree that our committee has an obligation to find out.

The article, in at least one respect, makes a good case for limiting the relationship of foreign bank secrecy laws to illegal activities in this country. In defense of the Swiss banks, it asks the question:

> Yet, did not Al Capone and Dutch Schultz and Legs Diamond and their organizations bank with some of the most honorable financial institutions in our country?

Most of us were under the impression that it was precisely because Al Capone used our honorable financial institutions he was brought to justice. If Mr. Rundt and associates are representing Swiss banks, the latter might review the effectiveness of their propagandists.

Again, it cannot be emphasized too often that the committee has no intention of jeopardizing the good relationships between the United States and the great nation of Switzerland. Our only intention is to try and stop the violation of the laws of the United States by those who are subject to them.

I insert the article from Barron's Weekly and my reply at this point in the RECORD:

[From Barron's Weekly, Jan. 20, 1969]

ASSAULT ON PRIVACY: U.S. OFFICIALS OUGHT TO STOP MALIGNING SWISS BANKS

(NOTE.—The timely and spirited commentary that follows was prepared and distributed to clients last week by S. J. Rundt & Associates, leading consultants on international business.)

Insinuations that Swiss banks "may lower their secrecy veil" to accommodate the U.S. Internal Revenue Service, and rumors that a new U.S.-Swiss Tax Treaty is in the making and will provide for "mutual assistance" and "freer exchange of information in cases of suspected violations of U.S. law"—are irresponsible chit-chat in the American press or wishful thinking on the part of a few official Washingtonians both in the outgoing Administration and in Congress, and may be dismissed as just that. It is nonsense that Assistant Attorney General Fred M. Vinson, Jr., and the Confederation's Foreign Department in Bern have initiated negotiations or have negotiated what would be tantamount to a far-reaching abandonment by the Swiss of their age-old tradition as well as their sovereign rights.

It is inconceivable that Switzerland will relinquish her deep-rooted respect for privacy of ownership and/or her historical ground rules governing the relationship between bank and client, both solidly based upon the concept of privileged information, which, until 1914, was indeed, accepted and adhered to throughout the civilized world. Just because almost all other countries have given up what for centuries had been a globally upheld fundamental freedom, the Swiss are not believed to have the slightest inclination to follow suit.

The fairy-tales of sudden Swiss willingness to help other governments track down evaders of non-Swiss taxes, and the fables that Bern had already granted such aid to Rome, allegedly on the basis of a Swiss Court decision, are absurd for several reasons. For one, such departure from Swiss moral credo, social philosophy, political practice and legal precept would require Constitutional changes and ratification by the Confederation's Parliament after popular referendum—none of which is likely to come forth. Secondly, tax evasion is merely a misdemeanor and not a felony in Switzerland, something else which is not easily changed. And thirdly, why should the Swiss banking system give up the very discretion for which it is world renowned and respected?

A vicious campaign against Swiss banking culminated recently in unbelievably unqualified and crude statements by the U.S. Attorney for Southern New York, Robert M. Morgenthau, before the House Banking and Currency Committee. He as well as other carefully "selected" witnesses, apparently with nobody invited to present the side of the accused, stated flatly that not merely sophisticated financiers but hoodlums from the world of organized crime, stock market swindlers and manipulators, smugglers, loan sharks, gamblers, tax dodgers, as well as corporate officers of American concerns were using foreign, mainly Swiss, accounts to stash away their loots to hide profits from U.S. authorities; and that secret numbered accounts have become an increasingly widespread and versatile tool for the evasion of our laws and regulations and for the commission of crimes by American citizens.

The indiscriminate charges of "the Swiss numbers game" and of "wholesale fraud" by the "shenanigans of the Swiss banks" were dutifully reprinted in slick magazines and pulp dailies, in many instances in even more sensational terms than the original assertions. It was, for instance, promiscuously alleged that Swiss banks are "in fact soliciting accounts (in the U.S.)," which is patently not the truth.

The "road to riches via Swiss banks" and the relationship of "mobsters" to the Swiss were dealt with in a generalizing manner as if of all the banks in the world, only those in Switzerland were up to their neck in wholesale crime. Yet, did not Al Capone and Dutch Schultz and Legs Diamond and their organizations bank with some of the most honorable financial institutions in our country? Were there or are there no Latin American dictators who ever banked or are still dealing with some of the finest banks right here in the Land of the Free? Are there not tens of thousands of businessmen abroad who, under some name and address or another, keep their money in our parts, as a rule in direct violation of the currency restrictions or tax laws, of their own countries? Would our banks inform the governments whose exchange curbs or fiscal regulations forbid the maintenance of such clandestine deposits in the U.S.? And, if one newspaper avers that "Numbered accounts have even become popular among New York's high-class prostitutes," do not the tens of thousands of ladies of the evening operating in these United States own safe deposit boxes and keep savings or checking accounts with the finest banks of God's Own Country? Is it appropriate for Mr. Morgenthau blithely to admit: "I have one real vendetta and that is against Swiss banks and those who use them to hide their money and avoid paying taxes"?

Rep. Wright Patman (D., Texas), who heads the House Banking & Currency Committee, apparently felt that he hit political paydirt and promised to sponsor a bill that would bar Americans, both individuals and companies, from dealing with all foreign banks which, on the basis of the laws of their lands, refuse to open their books to U.S. regulatory agencies and to divulge what American citizens or legal residents transact with them. This would also involve, for instance, Panama, Lebanon, the Bahamas, West Germany and Liechtenstein, where under penal code banks and their employes cannot inform outsiders of anything pertaining to transactions between them and their customers. The question arises whether the good Congressman also wishes to lift in this country the privileged relationship between doctors, attorneys and clergymen with their patients, clients and faithful?

Moreover: Is Mr. Patman aware of the fact that the Swiss banking system, from Nationalbank down—although Switzerland is not a member of the International Monetary Fund, and though the Swiss franc is tied directly to gold and not to the dollar—for several years has closely cooperated with the mis-managers of our greenback by propping the U.S. dollar to the tune of hundreds of millions of dollars which the Swiss picked up, little as they wanted them? That again and again francs were lent to the U.S.? And would it not be more appropriate, direct and ultimately more effective, for governments that cannot live with the lenient tax collection methods and with monetary freedom in other countries, first to bring their own social and financial affairs in order rather than to place both blame and burden on nations over which they have no jurisdiction?

It is patently a crass exaggeration that Swiss bank couriers are used extensively by professional gamblers in the U.S. to transfer funds out of this country, as Mr. Morgenthau avers. But if it were the case, why does Mr. Morgenthau not deal with the gamblers in Las Vegas? And if there is mass flight from the U.S. dollar, why do not our authorities here polish and harden our dollar and once more bring it back to the high esteem and respect it enjoyed across the world before it was manhandled by incompetent monetary managers?

Switzerland is no paradise. It is not exclusively inhabited by angels. There do, of course, live within the 25 Cantons some Swiss and non-Swiss individuals bent on fraud; and the Swiss banking system may well be divided into the vast majority of small and large financial institutions meticulously observing morality and laws, and the small minority of those cutting corners and acting without responsibility. But is that not true of practically every place? Are there no crooks in Uruguay, Yemen, Cambodia, the United Kingdom or in the U.S.?

The supervision of the banking system of Switzerland has, indeed, many flaws. If in our country the "Fed" and other supervisory agencies can demand from our banks that they open their books, in Switzerland even Nationalbank cannot poke into the record of private and commercial banks. There are, above all, the many highly reputable banks belonging to the Swiss Bankers Association and those who refused to join—or were not admitted. There are also a hundred or so small non-Swiss banks on Swiss soil, some of which abuse traditional Swiss liberty. But as in criminal law, should one not protect the innocent at least as much as prosecute the criminal?

Banks are not churches anywhere and even churches cannot select and thoroughly check their flock. Messrs. Morgenthau and Patman apparently would like Swiss banks to screen all prospective American depositors to make sure that no crooks are among them. Naturally, any good bank virtually anywhere will make a reasonable effort to ascertain the identity of its customers, especially when large sums are involved. But how can a bank of any country be expected to play the role of Sherlock Holmes, Scotland Yard, the FBI and the District Attorney, rolled into one, for another nation's government? Can our banks here investigate their clients to the satisfaction of the laws of, say, Argentina, the Philippines, or Zambia? And let us be honest: Is there really anywhere such a thing as monetary patriotism in time of peace? Is it not incumbent upon every country to draft its own tax laws and to implement them in a manner satisfactory and practicable to ensure its own efficient and fair revenue collection? And is it not already a matter of co-operation that American depositors with Swiss banks in Switzerland must pay a 30% withholding tax on interest received and other yield, of which five-sixths is repayable provided the American account holder registers in Switzerland that he has satisfied U.S. authorities with regard to taxation in this country, as provided by the Swiss-U.S. Double Taxation Agreement?

Investments in American stocks by Swiss banks are huge indeed. While many of them may in truth be on behalf of their American customers, it is doubtless a fact that most are for the account of clients other than Americans. In this area, Swiss banks cooperate in that all but a handful of very small ones abide by the margin requirements governing stock trading in the U.S., although they are not compelled to do so by Swiss law. The few who do not are invariably found to be nonmembers of the Swiss Bankers Association, and some of them, although established in Switzerland, are not Swiss owned.

In a couple of recent cases, e.g., where U.S. authorities discovered that Arzi Bank—an almost unknown outfit—enabled some of its American customers to put up as little as 10%, this surely was not in the interest of Swiss banking as a whole, because the banking community of the Confederation hardly derives a benefit from countering official U.S. attempts to halt excessive speculation in the largest and most attractive capital market in the world. It should instead be emphasized that the huge purchases of American securities through Swiss banks have substantially helped the U.S. balance-of-payments possition—at least for the time being. And the vast majority of known and truly Swiss banks in Switzerland has, indeed, avoided all transactions in American securities that have not been properly registered with the U.S. Securities & Exchange Commission.

The introduction of still more exchange controls in the U.S., in addition to the Interest Equalization Tax and the curbs on the flow of capital into direct foreign investments, such as Mr. Patman's proposal that legislation make it a criminal offense for U.S. citizens to deal with Swiss banks—can have but one result. It will give the outbound tide of funds from our shores an added push, because it would be clear admisison (a) that the U.S. dollar keeps losing its freedom; (b) that American citizens are losing more and more of their liberties; and last but not least (c) that all is far from well with our greenback. . . . He who excuses himself, merely accuses himself. And this, peculiarly, is why the Swiss banking community has but on rare occasions defended itself against all fanciful accusations so often leveled against it. Besides, as far as the great majority of respectable banks in Switzerland is concerned, it is more difficult for the innocent to prove their innocence than for others to allege their guilt.

The globally respected and well-established Swiss banks offer exquisite service, a background of decades of political stability, as well as maximum flexibility. The last-mentioned exists because banks in Switzerland are not restricted or compartmentalized but may act freely as commercial bankers, savings banks, investment banks, stock brokers, mortgage banks, business agents, trust companies and financial advisers, both domestically and internationally. Whatever the foolish legend, they do not cater to South American dictators or Mafia magnates, and if the oil-rich sheiks of the Middle-East trust them, this has nothing to do with ciphered accounts and bank secrecy. And it should be added that the overwhelming majority of anonymous accounts in Swiss banks belong to Europeans and to citizens of countries ravaged by war, again and again subjected to political upheavals, or the victims of perennial inflation. Important in this connection: Swiss law even forbids Swiss authorities to obtain information from a taxpayer's bank unless there is a High Court's warrant or judgment on criminal grounds.

The fundamental misunderstanding: The American society is one which by and large loves publicity and does not even mind the most glaring neon-light illumination of a man's private life. In tiny—in terms of natural endowment, almost resourceless—densely populated Switzerland—the only nation of all practising direct democracy from the bottom up—privacy is inalienably an individual's civil right, and Swiss abhorrence of "economic nudism" causes this liberty to be guarded so jealously that at times it militates against progress.

The state can never be the master and the government must always remain the servant in Switzerland, because sovereignty, there, is vested directly in the people and this immediacy—almost to the exclusion of the intermediaryship of election or appointed officials—is constantly exercised by the voters on all levels. Moreover, it seems to be noteworthy that while many, here, look with suspicion upon Swiss banks' reticence, Swiss bankers consider the kind of blunt advertising practiced by banks in this country a form of ambulance chasing, incompatible with their professional code of conduct and mores. The accusations that the promotional devices of Swiss banks "include personal calls on U.S. prospects who are shown how secret accounts can beat American laws" fall by the wayside because Swiss financial institutions do not even advertise in our sense in their own home territory. Moreover, Switzerland more frequently than not is inundated by an inflow of unwanted volatile funds. Why then should this avalanche be stepped up?

Completely unmentioned are two rather salient facts: (1) Because of growing distrust in the U.S. dollar, the hand-payment fee for transfers out of banking channels of dollars from here to, say, Geneva, is now up to "4.75% from the top" or even more compared with only 0.5%-0.75% a few years ago. Does that not reflect fright and flight produced in our parts rather than "solicitation" by the Swiss? (2) During the recent gold bubbles, i.e., when suspicion of the dollar's stability reached new highs, many Americans became keenly aware that, after all, their dollar is not as good as gold, but that U.S. laws deny them the right to own gold, although the citizens of more than five dozen countries may do so. During those hectic days, the largest, oldest and universally most respected Swiss banks and many smaller ones received by check and in cash, by cable and in ordinary envelopes such huge quantities of dollars from American depositors—many of them pensioners or small savers—that even upon employment of hundreds of extra clerks they could not open the mail fast enough, book the new entries and return receipts—within less than six to eight weeks.

The bad publicity suffered by Swiss banks, ironically, has so far had only one concrete result: It has made banking in Switzerland so mysterious, so attractive and so desirable—that the dash into Swiss accounts in recent years has gained greatly in both volume and velocity. End-1967, the combined capital and reserves of all Swiss banks together came to only $1.74 billion, yet demand, time and savings deposits with them aggregated $20.1 billion and their combined balance sheet no less than $27.5 billion. Thus, these comprehensive-service organizations must be doing something right. . . . And as Swiss financing rests on a small economic foundation and limited initial capital, it can only be confidence that has propelled it to the worldwide prominence it enjoys.

HOUSE OF REPRESENTATIVES, COMMITTEE ON BANKING AND CURRENCY,
Washington, D.C. January 28, 1969.

To the EDITORS,
Barron's National Business and Financial Weekly, Dow Jones & Co., Chicopee, Mass.

DEAR SIRS: The article in your January 20, 1969, issue entitled "Assault on Privacy" prepared by S. J. Rundt & Associates, is so replete with half truths and self-serving propaganda that it bespeaks a complete misunderstanding of our recent hearings on the *Legal and Economic Impact of Foreign Banking Procedures on the United States*. A point by point review of Mr. Rundt's disconnected diatribe would serve a less useful purpose than an explanation of our Committee's actions.

Members of this Committee have become quite concerned about the use of secret foreign bank facilities as a mechanism in schemes to avoid responsibilities imposed by the laws of the United States. Our concern arose from a number of reported court cases, criminal indictments, agency investigations and the like. Most of these cases were included in the record of our hearings. Even a cursory examination of them amply justifies the Committee's interest.

There are conscious efforts by American citizens and others to engage in activities which undermine the purpose of American banking laws, American securities laws, American tax laws, and American criminal laws. However, it was decided that before launching the legislative process that it would be best to find out the extent of this conduct. Since most of the activities complained of were matters of interest to the Justice Department and the Securities and Exchange Commission and most of the cases came from the New York City area, it was decided to hold hearings of a preliminary nature where officials of these two agencies and their New York offices would be invited to testify.

At the hearings on December 9, 1968, the statement of the Chairman made it quite clear that the hearing was "only a preliminary inquiry to determine if there is a problem sufficient and serious to warrant further legislative action." Any reasonable man reading the testimony of these excellent and experienced witnesses would conclude that further Congressional action is warranted. Accordingly, at the close of the hearings I announced my interest to introduce legislation which would prevent the use of secret foreign banking facilities to avoid responsibilities imposed by American law.

The Committee staff has been working on a draft bill which will hopefully be introduced in the near future. If the Committee decides to take up this bill, there will be full hearings and all interested parties will be given an opportunity to make their views known.

It is unfortunate that this recitation of history has been made necessary by Mr. Rundt's careless treatment of the facts. In the event the Committee has hearings, we shall invite him to appear.

Of greater concern, however, is the implication that the House Committee on Banking and Currency is meddling in Swiss affairs and by some piece of legerdemain is attempting to destroy the banking structure of Switzerland. This is untrue. In my opening remarks at the preliminary hearings I said:

"No country, institution, or person is being accused of any wrongdoing, nor is there any idea of generating undue publicity of the sensationalist type. Our only desire is to obtain more and precise information on this matter which may or may not lead to further hearings and remedial legislation."

We are interested in foreign banking law only insofar as it pertains to the use of such law to violate American law. The Committee staff has been meticulously instructed not to concern themselves with the law of any foreign jurisdiction since it is none of our business. The witnesses at our preliminary hearing observed that the only realistic approach to restriction of the abuses should be directed against domestic wrongdoers, and that legislation, if any, should be couched in purely domestic terms.

Switzerland is a great nation which deserves the highest esteem of all Americans. The fiscal stability and their banking expertise has long been admired by fiscal experts throughout the world. There is absolutely and utterly no intention of doing anything which would jeopardize our friendly relations with that great nation. Our sole concern is the enforcement of American law.

Very truly yours,

WRIGHT PATMAN,
Chairman.

TRIBUTE TO AMERICAN LAW DIVISION

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. CELLER. Mr. Speaker, I want to take this opportunity to pay special tribute to the outstanding scholarship and legal research of the American Law Division of the Legislative Reference Service, Library of Congress, headed by Mr. Harry N. Stein, and also to the Government and General Research Division.

The Committee on the Judiciary processes a wide variety of legislation on diverse subjects, ranging from civil rights to amendments to the Constitution, gun control legislation, and criminal procedures in the Federal courts. In all of these areas, as well as other matters within the legislative jurisdiction of the committee, the small but hard-working and dedicated staff of the American Law Division has provided invaluable assistance in research to the members and staff of the commitee.

In the current hearings on electoral college reform before the Committee on the Judiciary, there will be inserted in the hearing record a series of tables and statistical compilations bearing upon various proposals for revising our presidential election system. These materials bear further testimony to the outstanding research assistance rendered to the Congress by the Legislative Reference Service. The Judiciary Committee is indebted to the members of the staff of the American Law Division who, year in and year out, furnish superlative research assistance and legal analysis on a variety of subjects pending before the committee. I wish to acknowledge publicly their outstanding contribution.

WHERE IS OUR SENSE OF PURPOSE?

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. NELSEN. Mr. Speaker, in the view of Ray Tschimperle, editor of the Chaska (Minn.) Weekly Valley Herald, confusion over what constitutes a sound philosophy of government has contributed to national turmoil and unhappiness. Many of us are inclined to agree, and I am pleased therefore to introduce his thoughtful and provocative commentary into the RECORD.

As Mr. Tschimperle wisely asserts, the year ahead "may prove to be a year of testing of people, not a President—people who sadly need a renewed sense of purpose based on the ideals and principles of self-government."

WHERE IS OUR SENSE OF PURPOSE?

The principal thing that may be said of 1968 is that it was not a particularly felicitous year. It was a year of tragedy, strife, confusion and contradiction. We had continuing prosperity for most people—accompanied by growing domestic dissension. In Viet Nam, U.S. observers spoke optimistically about the military situation. At the same time, the patience of the American public with the war appeared to come to an end. For better or for worse, this country's armed opposition to Communism in Southeast Asia may be terminated in the not-too-distant future.

It will seem to many, in looking back over the past year, that much of our trouble stems from confusion of philosophies and labels—a confusion that has existed for a long time, but in 1968 reached a climax. The confusion is well typified in the career of Mr. Johnson as President. He went into office with the near unanmious support of the people. He carried out his pledge. An unprecedented wave of social legislation became law. Untold billions of federal dollars have been committed to programs of health and Welfare, education, urban rehabilitation, a broad war on poverty and environmental improvement. All of these things have been produced under the label of liberalism. In fact, liberalism has become nearly synonymous with the outpouring of governmental tax funds and broad expansion of government powers. This in itself is perhaps the most confusing and contradictory phenomenon of our times. Historically, liberalism is the antithesis of authoritarian government.

Many reasons have been given for Mr. Johnson's eclipse in popularity, of which the Viet Nam war ranks high. Yet, he brought into full flower the highly popular philosophy of government responsibility for solving social and economic problems. Some call it the welfare state. There is no reason to doubt that Mr. Johnson was sincerely striving to give the people what they thought they wanted. Measured by legislation, he was largely successful. Logically, he should have looked forward to tranquility and strong support. Instead, he got riots. Before the end of his first full term as an elected President of the United States, he fell so low in popular esteem he was compelled to announce that he would not be a candidate for reelection.

It is difficult to believe the Viet Nam war is wholly accountable for the sudden reversal of Mr. Johnson's political fortunes. His misfortune—if it may be called that—could be a symptom of national confusion in a day when love of country is considered juvenile by many, patriotism corny, and Presidents are chosen on the strength of their ability to keep everybody happy. The decline in Mr. Johnson's popularity accelerated when the cost, both in inflation and taxes, of the government's increasing dominance began to be felt.

As a new President prepares to take office, we hear a great deal about the task before him of "bringing the country together." Judgment is being withheld until people can see how he performs. Perhaps it might be well in the coming months for the people to look inward and judge themselves. Our country will become what the people make it. Unless we are ready to accept a dictatorship, we should cease expecting the President of the United States to be all things to all men. He is a fellow citizen filling one of the world's toughest and most dangerous jobs.

In the long run, the President can but reflect the philosophy and purpose of the people. We should not ask the new President to perform like a monkey on a stick. We should ask, what is our philosophy? Do we believe in local initiative? Do we believe in the responsibilities, as well as the rights and liberties of the individual? Do we believe in the American system? The future of the country depends on our answers to these questions. The man in the White House cannot answer them for us. Nineteen hundred and sixty-nine may prove to be a year of testing of people, not a President—people who sadly need a renewed sense of purpose based on the ideals and principles of self-government.

PROTEST AGAINST BARBAROUS ACTS OF IRAQI GOVERNMENT

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. BOLAND. Mr. Speaker, more than 1,500 people met this week at the Jewish Community Center in Springfield, Mass., to protest the Iraqi Government's execution of 14 persons on the pretext of spying charges. The victims—nine of them Jews—were hanged in a barbarous public spectacle unparalleled in recent Middle East history. I feel sure my colleagues join me in strongly endorsing the following resolution adopted at this week's protest meeting in Springfield:

RESOLUTION

We, the Jewish Community of Springfield, Massachusetts, decry and protest the barbarism, brutality, and violation of basic human decencies and human rights which is now occurring in Iraq.

We are further concerned with the pending threat of further executions of alleged spies—Iraqis as well as Americans, Jews as well as non-Jews.

We are concerned with terrorized remnants of Jews in Iraq, Syria, and Egypt, many of whom have been imprisoned and under house arrest for years.

We call upon the President of the United States, the Secretary of State, the Secretary-General of the United Nations, along with appropriate non-governmental agencies to lend their voices in opposition so that further executions will be avoided and the threat of genocide eliminated.

We fervently implore men of all faiths and creed to join with us in expressing their concern in this latest episode of man's inhumanity to man.

Previous commitments prevented me from taking part in the meeting, Mr. Speaker, but I sent the following telegram expressing my views on the mass murder carried out by the Iraqi Government:

TELEGRAM

I join you in strenuously protesting the Iraqi government's execution of fourteen persons accused of spying. The United States and the United Nations, I feel, should promptly and formally condemn this barbarous act. It seems questionable, to say the least, that the UN should condemn Israel for the destruction of a few airplanes and remain discreetly mute at the public hanging of nine Jews and the violent murders of scores of others by Arab terrorists operating within Israel's borders. I hope and pray that Israel will achieve her goal of ending bloodshed in the Middle East and of establishing a just and meaningful peace there. Please inform me of any resolutions adopted at the protest meeting and I will make them known to the President and the Secretary of State.

A NEW THOUGHT, A NEW POSTURE

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. SCHADEBERG. Mr. Speaker, much has been written about the dignity and calmness surrounding the inauguration on January 20 of our new President, Richard Nixon. Few, however, in commenting or writing about this great and stirring event, have touched on the real spirit of the occasion with more insight than the writer of an article in the Chicago Sun-Times. I urge my colleagues to refresh their minds and spirits after this lapse of time since that event by reading the article and sharing the impact it made on Charles Bartlett, the writer.

The article follows:

A NEW THOUGHT, A NEW POSTURE

(By Charles Bartlett)

WASHINGTON.—A nation straining for an expression of Richard M. Nixon's leadership found it Monday in the calm, measured dignity of his inauguration. Even the skies cooperated to furnish a cathedral-like gray cast which gave the occasion an aura that was solemn but not grim, cold but reassuring.

The Democrats contributed by the generous style in which they departed. Lyndon B. Johnson was rarely friendly, more formal, or more presidential than he seemed as he gave up his office. The transfer bore no traces of the searing politics that produced it.

The onlookers seemed to catch quickly the spirit that Mr. Nixon has in mind. The absence of sparkle and jubilation was no more important than the presence of the hippies. The tone of the accession lay somewhere between protest and celebration, and the event gained its quality from its absorbence of both moods.

The impact of the new spirit stemmed from the consistency with which Mr. Nixon applied it. The cautious pace of his appointments, the low key of his pre-inaugural pronouncements, the unprecipitous fashion in which he debarked from the aircraft that carried him to Washington, his unexcited bearing as he stood on the inaugural platform, and his abstention from ringing rhetoric as he addressed the nation became manifestations of a leadership intent on launching an interlude instead of an era.

The key was the assertion "We cannot learn from one another until we stop shouting at one another, until we speak quietly enough so that our words can be heard as well as our voices." That was the new thought, the new posture that the new President offers, a challenge less stimulating than the New Deal or the New Frontier or the Great Society, but nonetheless a response unarguably appropriate to the times.

Mr. Nixon spoke of "the long night of the American spirit," but he left it to the evangelist, Billy Graham, to lash the society for its materialistic and permissive inclinations and the erosion of its values.

He spoke of the measures the government must take in more emphatic and precise terms than his ambivalent campaign had promised. But he also made it clear the government cannot do all that needs to be done.

The sense of balance which Mr. Nixon is prescribing for the country was contained with his speech. It reached out to the young, the Democrats and the hostile, and it weighed the causes for hope against the sources of concern. His words leaned more upon reason than exhortation and they made themselves felt because they were clear and strong and not because they were eloquent.

The test of the occasion will not come in the immediate reaction to it. The test will be Mr. Nixon's success making his inauguration a turning point in popular attitudes. If he can kindle a new readiness to face the harsh dynamics of swift change in a more constructive and less contentious spirit, he will have contributed as much to this moment in history as he possibly could have.

An interlude cannot be the total theme of a Nixon Presidency because it is not in itself enough to carry the country on a progressive course. But an interlude calculated to summon character and composure can be a healing respite and a prelude to something greater and more positive. That seems to be the spirit in which Mr. Nixon intends to exert his calming influence.

VINCENT EDWIN FUMO II

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. DENT. Mr. Speaker, I note with great happiness an event of February 1. In the early hours of that day, in Methodist Hospital, Philadelphia, Pa., Vincent Edwin Fumo II was born to Vincent J. and Susan Ann Fumo. The child is the first for the young couple.

Mr. Speaker, the joy of this occasion is first reserved to the proud parents and relatives. But I wanted the occasion to be acknowledged in the RECORD for at least two reasons. First of all, because the child may grow up to become President of the United States and this public mention of his birth may endear me to him to the point where he will then appoint me Chairman of the Tariff Commission—where I sometimes in frustration thirst to serve. Second, and most seriously, however, because his parents are fine examples of the best our society can produce.

His father, with whom I have had first a professional and now social association for some time, is a teacher and also studies law at Temple University. In addition, his passion for participation in good government should someday lead him into active public service, where I know he will serve with distinction. The child's mother is a beautiful young woman who has chosen the full-time profession of wife and mother, the most noble among the rest.

I know young Vincent is already surrounded with all he needs, and especially with the abundant love of his parents. I will only add my congratulations and the best wishes of us all.

OPINIONS OF INAUGURATION

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. HORTON. Mr. Speaker, there is nothing so sincere as the words which express the feeling of youngsters. I would like to share with my colleagues short essays written by a group of fourth graders from my district at the Williamson Central School in Williamson, N.Y.

If anyone should think that ceremonies get to be old hat, they should read what these youngsters have to say. The feelings they express assure me that the youngsters of today do share a sense of history.

These letters appeared recently in the Williamson Sun, a weekly newspaper.

OPINIONS OF INAUGURATION

The Williamson Central School students of Mrs. Marjorie McCleery's fourth grade watched the inauguration of President Richard Nixon on TV January 20. Mrs. McCleery had her students write their opinions of the inauguration. A few of these are published here:

NIXON

Cindy J.:

"I wonder what Nixon did when he was a boy. Did he have a dog? Mr. Nixon how is Mrs. Nixon? How are you? I like Mr. and Mrs. Nixon and the dogs. Do you have one or two dogs? Do you have a horse? Do you like Snoopy? He likes you. Do you like me?"

FROM THE OLD TO THE NEW

Jackie Weaver:

"Today is a very special occasion. Mr. Johnson is our old President. Nixon is our new one.

"I liked the Inauguration very much. I can't remember having seen one before.

"I liked the bands. There is one thing I dislike about the Inauguration, they have too long prayers."

THE INAUGURATION

Jefferi Covington:

"It was a nice Inauguration.

"I missed Agnew Inauguration because I had to go get milk and ice cream for my class, and that is why I missed Agnew get inaugurated. I saw Nixon get Inaugurated. I liked his speech as well as the Sen. speech. I liked the parade very, very, very much."

MY FEELINGS OF THE INAUGURATION

Bob Verbridge: "It was like New Year's Eve. I felt the thrill go up and down my spine. After he took his hand off the Bible, I said amen, Lord, let this man go into his work safely and come back alive 4 years from now, safely, Amen. As Mr. Johnson left the white house, I could almost feel the joy of sadness go through me. As the office went from hand to hand. May there be light on the roads to come ahead. May it choose to go on getting men like this for all the years to come. I must say one more thing. This man will lead our country onward.

"He will always be a great American."

THE INAUGURATION

Lori Warren: "I thought that it was a very interesting Inauguration. I think that Mr. Nixon will keep our country at peace, and he will make a good President of our country. He seems like a good man. He has a very nice family. He has a big job. I think he is a very special man, and he made a very good speech. I hope he will stop the war. This is the first time I saw a President get sworn in, and I am glad we have a TV in our room. We made hats in our classroom and put Nixon on them. We wore them while we watched TV. We stood at attention while they played the National Anthem. It was an exciting day for all of us."

MY OPINIONS OF THE INAUGURATION

David Cooper: "In school today we saw the Inauguration and I liked it.

"It's too bad Mr. Johnson had to leave. But he was in the White House long enough.

"I don't see why any new President has to open a bubble and stick out his head and wave his arms around. They should just sit in the car and wave to people.

"And I don't see why they need bubble cars either."

MY FEELINGS OF THE INAUGURATION

Judy Yankelunas: "January 20, 1969 was a very exciting day for everyone. For Mr. Johnson it was probably a sad and a happy day for him. For Mr. Nixon it must have been a very happy day for him. In the next 4 years when another man is elected to be President of the United States will Mr. Nixon feel the same way as Mr. Johnson did?"

WHAT I LIKED ABOUT THE INAUGURATION

Nancy Corteville: "When the cars go down the road and the secret service men ran along the sides of the cars. And listening to the speeches and watching the balls in color seeing all the pretty dresses. And watching everybody get sworn in. The parade is fun to watch especially in color because it really is very pretty.

"And then they sometimes show pictures like of the White House at night with its light shining on it. It really is very pretty.

"When they are showing pictures of the President and where he is. It's just a day when almost everyone is happy."

UKRAINIAN-AMERICAN COMMUNITY MARKS ANNIVERSARY

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. CUNNINGHAM. Mr. Speaker, the Ukrainian-American community in Omaha recently observed the 51st anniversary of Ukrainian independence and the 50th anniversary of the Act of Union in a fitting and solemn celebration.

The glorious days of Ukrainian independence are not forgotten. I am proud to pay tribute to the Ukrainian people in my district and those behind the Iron Curtain and fervently hope they will again be free of the Communist yoke.

I include as part of my remarks the following letter from Dmytro Wijtek, chairman of the Ukrainian-American Association, Inc., of Omaha, Nebr.:

January 22, 1969 marked the 51st anniversary of the Proclamation of Independence of Ukraine, and the 50th Anniversary of the Act of Union, whereby all Ukrainian ethnic lands were united into one independent and sovereign state of the Ukrainian nation. The independence of Ukraine was proclaimed in Kiev, the capital of Ukraine, on January 22, 1918, and the Act of Union took place a year later, on January 22, 1919, also in Kiev.

The young Ukrainian democratic republic was immediately recognized by a number of foreign governments, including that of Soviet Russia. The latter, however, almost simultaneously with recognition, began a large-scale invasion of Ukraine. By 1920, Ukraine alone and unaided, succumbed to the superior forces of Communist Russia, and in 1923 had become a part of the Soviet Union.

The freedom-loving people of Ukraine have not accepted Soviet Russian domination and have been fighting for the reestablishment of their independence by all means at their disposal.

During World War II, the Ukrainians organized a powerful underground resistance movement, known as the Ukrainian Insurgent Army (UPA), which fought not only against the Nazi regime, but against the Soviet Russian occupation as well.

Bloody and relentless persecution of Ukrainians continued after the death of Stalin, and it continues now under Breshnev-Kosygin.

Briefly, the Russian rule in Ukraine can be summarized as follows:

Exploitation of Ukraine's economic resources for the benefit of Moscow and its imperialistic ventures in Asia, Africa and Latin America;

Continued deportation of Ukrainians to Central Asia, replacing them with Russian settlers for the purpose of augmenting the Russian ethnic element in Ukraine;

Arrests and trials of "Ukrainian bourgeois nationalists," who in fact are Ukrainian patriots fighting for freedom of their country;

Terror and assassination of Ukrainian leaders outside Ukraine, such as the assassination of Dr. Lev R. Rebet, a noted Ukrainian writer, and Stepan Bandera, head of the Organization of Ukrainian Nationalists (OUN), both of whom were slain by KGB agent Bogdan Stashynsky in Munich, in 1957 and 1959, respectively;

Persecution of all religions in Ukraine, despite the fact that Moscow claims that "religious freedom" is assured to all Soviet citizens;

Enforced Russification, aiming at the cultural and linguistic genocide of the Ukrainian people. A number of Ukrainian intellectuals were arrested, tried and sentenced at hard labor for advocating more freedom for the Ukrainian people. Among them are such known writers as Vyacheslav Chornovil, Svyatoslav Karavansky, Ivan Dzyuba, and many others. In December 1968, the U.N., in defiance of the destruction of Human Rights in Ukraine, awarded a "Human Rights Award" to Prof. Peter R. Nedbailo, a representative of the Ukrainian SSR in the U.N. Human Rights Commission, thus making a mockery of Human Rights Year, 1968.

Today, more than ever, Ukraine is a colony of Communist Russia.

Both the U.S. Congress and the President of the United States expressed their concern over Ukraine by enacting the "Captive Nations Week Resolution" in 1959, whereby Ukraine is enumerated with 21 other non-Russian captive nations in the USSR.

THE SAD "PUEBLO" STORY MUST NOT BE REPEATED

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. FASCELL. Mr. Speaker, all Americans were disheartened by the capture of the U.S. vessel *Pueblo* by North Korea and the subsequent mistreatment of Comdr. Lloyd M. Bucher and his crew. We are glad that Commander Bucher and his men were eventually released after lengthy diplomatic pressure and negotiations. The outcome of the current Navy hearings on the matter is yet to be known, but certainly there will be few plaudits growing out of this sad episode in our history.

While it is fortunate that the explosive incident did not touch off another Korean war, it appears necessary that Congress also hold hearings and examine the facts concerning the *Pueblo* seizure. We must take whatever actions are justified to insure that there are no future repetitions, and I will be personally concerned with seeing that this is the case.

In the meantime, the Nation will be watching the Navy hearings which delve so deeply into our national pride and military tradition. I am pleased to call the attention of my colleagues to an editorial from the Miami Herald of January 23, 1969. This editorial asks penetrating questions about the "sorry naval affair" which it says has many of the undertones of the Pearl Harbor fiasco of more than 27 years ago. I believe that many of my colleagues will be interested in its contents, as follows:

THE SAD "PUEBLO" STORY MUST NOT BE REPEATED

All hands must be heard before public judgment is passed, of course, but the early testimony of the skipper of the intelligence ship Pueblo is disquieting. What Comdr. Lloyd M. Bucher told a Navy court of inquiry in California has many of the undertones of the Pearl Harbor fiasco of more than 27 years ago.

Whatever its political origins, the Japanese attack on Hawaii was successful largely because U.S. commanders had poor communications and improper liaison. The intelligence system broke down.

Cmdr. Bucher has testified that the Pueblo was outgunned by the North Koreans who waylaid her at some point offshore as yet to be determined. He did not resist because, properly, he "saw no point in senselessly sending people to their deaths."

His first warning message to naval headquarters in Japan took 12 to 14 hours in transmission, "as we had feared."

The ship contained few or no "destruct devices" and critical equipment was limited.

During the capture, the day after Pueblo had been detected by North Korean fishing vessels, the radio antenna was shot off. Apparently there was no substitute gear.

According to Cmdr. Bucher's testimony, his fears about inadequate communications and a shortage of destruct devices was passed on to his superiors in Japan, where the vessel was based, before he sailed. But nothing happened.

Again there must be no prejudgments. But if the witness is telling the truth it is clear that Pueblo was a sitting duck for the enemy. The ship could not be defended. Neither could her commander alert headquarters ashore in time to get help.

It had been disclosed earlier that only nuclear bomb equipped planes were available to go to Pueblo's help. Would the extra 12 to 14 hours have enabled the Navy to bring up air support of a conventional nature—fighter-bombers, say, from somewhere in the Pacific?

That is only one of the many questions which must be asked about a sorry naval affair.

This nation is deep in the intelligence business, as are most nations, for its own defense. It will continue that posture, which it is learning with difficulty. Thus there must be no more Pueblos. The public has a right to assurance on that score, and we trust it will come out of the humiliating inquiry into the plight of a brave man and his valiant crew.

PRESIDENT NIXON'S MESSAGE ON CRIME

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. POFF. Mr. Speaker, the following is the text of President Nixon's message on crime in Washington, D.C., his plans for rebuilding the riot-scarred section of the District of Columbia and his position on home rule. Under leave to extend my remarks in the RECORD, I record herewith the President's message:

PRESIDENT NIXON'S MESSAGE ON CRIME

Responsibility begins at home.

The District of Columbia is the Federal city, and the Federal Government cannot evade its share of responsibility for the conditions of life in the District.

For many who live here, those conditions have become intolerable. Violent crimes in the District have increased by almost three times in the last eight years; only two days ago, the local newspapers carried a report that armed robberies had more than doubled in the past year alone.

This violence—raw, vicious violence, hurting most of all those who are poor and work hard—is the surface manifestation of far deeper troubles.

These troubles have been long building. In part, Washington today is reaping a whirlwind sown long since by rural poverty in the South, by failures in education, by racial prejudice and by the sometimes explosive strains of rapid social readjustments.

Because its roots are deep and closely woven, crime in the District cannot be brought under control overnight. Neither can poverty be ended or hatred eliminated or despair overcome in a year. But we can begin.

In the 11 days since the new Administration took office, I have asked the departments and agencies concerned to make an intensive study—as a matter of first priority—of actions that could be taken now toward curbing crime and improving the conditions of life in the city of Washington.

I wish I could report that we had produced a magic formula that would end crime and sweep away despair overnight. We have not. I have determined on a number of actions and recommendations which will provide a start.

These include:

A swift start on restoring those areas devasted nearly ten months ago.

A package of proposals that can at least help toward restoring the safety of life and property.

A commitment to give the people of the District of Columbia the voice they legitimately should have in the public policies that affect their lives.

Before detailing these measures I would like to make two points, both of which may help set the measures themselves in perspective.

I am pleased to report, first, that Mayor Washington and I, together with key members of our respective Administrations, have established the basis for what I confidently expect will be the most effective cooperation yet achieved in the relations between the Federal and city governments.

The basic framework within which we both intend to operate is one of local initiative and responsibility, and the fullest possible Federal support—not only in terms of the necessary money, but also by involving the vast array of technical assistance available from within the Federal departments and agencies headquartered here.

Second, the great majority of these actions and recommendations are in the fields of crime control and the administration of justice. I recognize full well that crime and violence are only part of the complex interweave of problems the District faces, and that in the long run crime itself also requires much more far-reaching and subtle approaches. But the rapidly mounting urgency of the crime crisis in the District marks immediate, direct anti-crime measures as the first-priority task.

There is another reason for this early and urgent emphasis. Crime in America today is both a primary local responsibility and a primary national concern. Here in the District, the Federal Government bears a special responsibility and has a unique opportunity. By searching for new ways of applying the resources of the Federal Government in the war against crime here, we may discover new ways of advancing the war against crime elsewhere.

These measures are by no means a comprehensive list. They represent things that are clearly needed and can be done now. Other crime-control measures will follow, and also additional measures to meet the vast array of the District's other needs.

DEVASTATED AREAS

Scarcely any of the shops and homes destroyed during the riots of last April have been rebuilt, and very few of those damaged have been made habitable or usable again. These rotting, boarded-up structures are a rebuke to us all, and an oppressive, demoralizing environment for those who live in their shadow. They remind us again of the basic fact that the principal victims of violence are those in whose neighborhoods it occurs.

It is not enough merely to patch up what now exists; we must truly rebuild.

The people of the District—especially, of course, the people who live in these areas, and those who own the land—must decide the purposes for which these blocks will be used. The Federal Government can, however, pledge its full support for those Federal programs, which can enable such redevelopment to proceed, and can further pledge the utmost executive energy in responding to formal applications from the District.

We have already begun.

Specifically, Secretary Romney informed me today that the Department of Housing and Urban Development has approved a $29.7 million neighborhood development plan for the Shaw area, including the major portion of the 7th Street neighborhood damaged during last April's riots. This plan, the result of several years of preparation, is an accomplishment of which this city can be proud.

It took Secretary Romney's Department less than 24 hours to approve this plan for the Shaw area, once it was approved by the City Council last Tuesday and submitted for Federal approval Wednesday evening. This unprecedented process illustrates the commitment of this Administration to the meeting of the urgent needs of the capital city.

Mayor Washington has indicated that he intends to seek similar assistance under the Housing and Urban Development Act of 1968 for rehabilitation of the two major areas of riot damage not covered in the Shaw plan—the areas along 14th Street and H Street. I can assure him that this Administration will respond with the same sense of urgency to his requests for help in these areas.

He has promised me a tight but serious timetable under which the first construction in these areas would begin next fall.

While the city prepares for this construction—and decides what to do with the 14th and H Street areas—the Department of Housing and Urban Development will make available $1 million in special interim assistance for improvements in some of the blighted areas. This morning, I watched the first cranes at work clearing rubble to make way for a temporary playground. The District has plans for swings, slides and swimming pools where now there is charred rubble. Street lighting will be improved, roads and sidewalks repaired.

Under Section 514 of the 1968 Housing and Urban Development Act, Mayor Washington has undertaken to provide one-third matching funds for this $1 million, and the District Government will take the initiative in deciding how this money will be spent. The limited assistance to be provided by the Federal Government under this interim program cannot by itself remake these areas. But it is a first step toward making them more livable, an earnest demonstration of our concern and a first sign of hope.

In this connection, I can announce that the 1969 Inaugural Committee, through its chairman, Mr. J. Willard Marriott, has agreed to devote the net proceeds of the Inaugural to the cost of providing playground equipment and other improvements for these parks and playground areas.

CRIME AND JUSTICE

A meaningful assault on crime requires action on a broad array of fronts. But in the midst of a crime crisis, immediate steps are needed to increase the effectiveness of the police and to make justice swifter and more certain.

Toward these ends and as a beginning, I have taken or will propose action in 12 major areas.

1. The courts

I am asking Congress to provide ten more judges for the courts of the District of Columbia. I will ask later for more additional judges as they become necessary upon the reorganization of the District of Columbia court system.

As an interim measure, I would hope that the existing visiting judges program would be expanded in the District. The chief judge of the District of Columbia circuit here has diligently sought the services of visiting judges. I will encourage and aid him in his effort to obtain the services of more judges.

To improve the administration of justice in the District, I have directed the Attorney General to consult with the bench, the bar and the various interested groups to assist in the drafting of appropriate legislation providing for a reorganization and restructuring of our present court system toward the eventual goal of creating one local court of general, civil, criminal and juvenile jurisdiction for the District of Columbia. It is consistent with my support of home rule to urge the creation of a local court system similar to that of the States and other large municipalities.

To perform with full effectiveness, a modern court needs modern computer and management techniques. I have asked the Attorney General to offer his Department's assistance to the study groups in the District that are presently seeking to apply such techniques in the court system.

I have asked the Attorney General to submit specific recommendations for such additional court house personnel, including United States marshals, court clerks, probation officers, law clerks and bailiffs, as are necessary to support not only the present judges but the additional judges that will be requested.

2. U.S. attorneys

The chronic under-staffing of the prosecutor's office has long hampered the efficient administration of justice in the District. It is widely recognized that a ratio of at least two prosecutors for each judge is needed. To achieve that goal, 20 new assistant U.S. Attorneys are required immediately. With the creation of 10 additional judgeships and the contemplated court reorganization, another 20 prosecutors will be required. Consequently I am recommending the authorization of 40 more assistant U.S. attorneys.

A comprehensive reorganization of the Office of the U.S. Attorney is imperative. This should include a restructuring of the office to provide for two-man prosecutor teams in important cases; the development of specialized functions for technical cases such as frauds and other economic crimes, and the creation of a special "violent crimes unit" to handle such crimes as armed bank robberies on a priority basis, as is presently being tried experimentally. In addition, greater emphasis is needed on developing policy guidelines and training programs. On Jan. 14, $120,000 was awarded by the National Institute of Law Enforcement and Criminal Justice for a special study committee. Included in its study is an examination of the prosecutor's office, with a view toward recommending improvements in its operation. I strongly support this study and have instructed the Attorney General to make available the resources of the Department of Justice to assist the committee and to facilitate reorganization found desirable.

In addition, I will seek authorization for the hiring of law clerks and sufficient other personnel for the proper staffing of the U.S. Attorney's office—and for the hiring and use of trained investigators, who are necessary to the effective functioning of the prosecutor's office.

3. *Courthouses*

The local courts already are overflowing the existing Court of General Sessions buildings. Judges are sitting in three different buildings and some in temporary courtrooms. With the creation of additional judges and the eventual transfer of greatly expanded jurisdiction to the local courts, a new courthouse complex becomes a pressing necessity. One hundred thousand dollars has already been utilized for planning for a new courthouse and $3.5 million has been appropriated for site selection. But we must have these facilities now.

Consequently, I am vigorously endorsing the requests presently pending before the Congress for $1,240,000 to be used to complete acquisition and for additional planning. The Administration will fully support the Mayor in such additional requests as are needed to speed the building program. Meanwhile, I have instructed the General Services Administration to assist in providing temporary facilities.

4. *Bail reform*

Problems arising out of the operation of the Bail Reform Act of 1966 are now being considered by the Congress. But substantial changes in this area are needed quickly. Increasing numbers of crimes are being committed by persons already indicted for earlier crimes, but free on pretrial release. Many are now being arrested two, three, even seven times for new offenses while awaiting trials. This requires that a new provision be made in the law, whereby dangerous hard-core recidivists could be held in temporary pretrial detention when they have been charged with crimes and when their continued pretrial release presents a clear danger to the community.

Additionally, crimes committed by persons on pretrial release should be made subject to increased penalties.

Insufficient staffing of the Bail Agency is one of the contributors to crime by those of pretrial release. I support immediate lifting of the ceiling that now constricts the Agency's funding. I will seek appropriations for an initial expansion of the agency from 13 to 35 permanent positions. If the pretrial release system is to protect the rights of the community, the agency must have the capacity for adequate investigation and supervision.

5. *Corrections*

As the local government is painfully aware, the existing facilities and programs of the Department of Corrections are woefully inadequate. On Jan. 16, 1969, the director of the Bureau of Prisons submitted a comprehensive report to Mayor Washington identifying the deficiencies and making a number of recommendations. I join with the Mayor in urging immediate implementation of those recommendations, and I will offer whatever Federal assistance is possible in doing so.

All who have studied the problem agree that far reaching changes are needed in the penal facilities and programs serving the District. I will press vigorously for accomplishment of the needed reforms.

6. *Public defender*

The recent bail reform hearings before the Senate Judiciary Subcommittee on Constitutional Rights have emphasized the important contributions skilled defense counsel can make toward expediting criminal trials.

Too often, inexperienced lawyers who are appointed to represent indigent defendants complicate and delay the trial process by their unfamiliarity with the law and criminal practice. Experience has shown that professional public defenders, on the other hand, not only better safeguard the rights of defendants, but also speed the process of justice. The Legal Aid Agency in the District is a pilot project, which has given every indication of great success if properly supported. I believe the time has come to convert this project into a full-fledged Public Defender program. To make this project possible, I will support the Legal Aid Agency's 1970 budget request for $700,000 to allow an increase in its staff from 22 to 34 attorneys and to assume responsibility for a successful project in offender rehabilitation. This would allow it to become a full-fledged Public Defender's Office with the capacity to represent almost half of the indigent adult and juvenile defendants in the District.

7. *Police Department*

There is no deterrent to crime quite so effective as the public presence of policemen. Several immediate steps are needed to bolster and improve the local police force in the District of Columbia.

The first step is more effective recruitment. Despite diligent recruitment efforts, the police force has hundreds of unfilled vacancies. I have pledged to the Mayor the assistance and full support of this Administration to improve the recruitment process. I will sponsor the establishment of a procedure by which the District can draw upon the experience of other cities. Imaginative and innovative approaches may be necessary.

But even bringing the department up to its presently authorized strength will not secure adequate public protection in these troubled times. Consequently, I am recommending to the Mayor that he request authorization of an additional 1000 police officers for the District, and I will support such a request.

I endorse the Mayor's efforts and those of the police department to reorganize the structure of the department, so as to consolidate functions, reduce duplication and free additional police officers for patrol and enforcement duties. I offer the assistance of the Federal Government in this effort.

I urge our local police officials to give a high priority to planning and development, making use of the increased Federal funds now available for the introduction of new law enforcement techniques.

The Police department also needs the increased assistance of competent legal advisers in this era of evermore complicated criminal law and procedures. I laud the Mayor for his recent appointment to the police department of a legal adviser. However, with the increased burdens on the department it seems advisable to increase the staff and capability of such an office. Not only do the police need to be properly advised as to the performance of their duties, but it is also necessary for the police department to be assured of the Government's support of an interest in the officer's performance of his individual duties.

8. *Public safety*

The potential of this office is great. It is presently vacant. The Mayor informs me that he is diligently searching for the right man to fill the job. I have offered the Mayor this Administration's resources to assist him in selecting the best possible director.

9. *Citizen role*

Increased citizen involvement is essential to any program of crime control and prevention; it is also in keeping with the American tradition. I strongly support the Mayor in his plan to appoint a Criminal Justice Coordinating Committee patterned after similar successful programs in other large cities. It is important that the committee be properly staffed. This could be done with help from the recently created Criminal Justice Planning Office and funded under the Law Enforcement Assistance Act, which provides financial support of up to 90 per cent for such planning activity involving citizen participation. Policy making and planning must have citizen participation and coordination if they are to produce programs that are widely acceptable to the community. I pledge the Mayor the support and assistance of the Federal Government in this area.

10. *Narcotics*

Although the narcotics traffic in the District of Columbia is apparently not dominated by organized crime it has become an acute and growing problem. It is a direct cause of much of the District's crime, by driving the narcotic user to commit crime to support his "habit." Many armed robberies, assaults and bank holdups are directly related to narcotics use.

Consequently, I have instructed the U.S. Bureau of Narcotics and Dangerous Drugs to increase significantly its role in the District of Columbia in enforcing the narcotic and dangerous drug laws. The Bureau has assured me that they will also increase their cooperation with the Metropolitan Police Department in enforcement, training and in making available additional laboratory facilities and expert and technical assistance.

I have also directed the Bureau and the Department of Justice to seek more effective application of the civil commitment provisions of the Narcotics Rehabilitation Act of 1966, which has not yet been widely used.

11. *Juvenile crime*

In recent years the median age of those charged with crime has been ominously dropping. The National Commission on Violence warned this month: "The key to much of the violence in our society seems to lie with the young. Our youth account for an ever-increasing percentage of crime, greater than their increasing percentage of the population . . . It may be here, with tomorrow's generation, that much of the emphasis of our studies and the national response should lie."

I strongly support the city government's efforts to draft a new Juvenile Code, and I am making available technical assistance by Federal authorities. The Department of Justice is already cooperating with the Corporation Counsel and other local officials on the project.

Under the proposed court reorganization, the now isolated and undernourished Juvenile Court would be brought into the new District of Columbia court of general jurisdiction. Thus juveniles would have the advantage of the comprehensive facilities of the new court, including family services and probation assistance.

The pilot Group Home Rehabilitation Project, in which juveniles enjoy retention of community ties, close adult supervision and peer-group controls, gives every appearance of success. Expansion of the project as a substitute for institutionalization and as a possible supplement to probation is desirable. I support the Mayor in his request for increased funding and authorization for such facilities.

The lack of sufficient psychiatric services for the youthful disturbed is a serious obstacle to crime prevention. Young minds gone astray must be helped while still malleable. I will assist the Mayor in his forthcoming request for a well-staffed psychiatric care residential facility for adolescent delinquents.

I also urge that the local government, together with local school officials, prepare a plan to provide for the education of those school children whose disciplinary and truant absence from schools for long periods now causes them to reach adulthood educationally stunted. A substitute educational program must be devised for them, lest they become a burden to themselves and the community.

12. New official

The Attorney General has created a new post within the Justice Department, that of associate deputy attorney general for the administration of criminal justice, with one of the new officials special and continuing responsibilities that of helping improve the administration of justice in the District of Columbia. He has named to the post Mr. Donald Santarelli, a widely experienced expert on the special problems of crime control in the District. One of Mr. Santarelli's functions will be to evaluate and help implement new ideas for more effective anticrime measures in the District.

HOME RULE

For more than 20 years I have supported home rule for the District of Columbia. I continue to support home rule, but I consider the timing of that effort the key, as is proven by its past history of failure. For the present, I will seek within the present system to strengthen the role of the local government in the solution of local problems.

Beyond this, I will press for congressional representation for the District. In accordance both with my own conviction and with the platform pledge of my party, I will support a constitutional amendment to give the 850,000 people of the District at last a voting representative in Congress.

Adding an amendment to our Constitution, however, is a long and difficult process. As an interim measure, I will press this year for legislation that would give the District a nonvoting delegate. The District is a Federal city, but it should not be a Federal colony. Nearly 200 years ago, the people of America confronted the question of taxation without representation. It was not acceptable then; it hardly is justifiable today.

I cannot overemphasize the fact that these reforms are not a panacea. They are a beginning. Some will show modest results quickly; others may show greater results over a longer period of time. More must be done. But as the city moves to modernize its own government, as improved Federal cooperation provides the support so desperately needed, as the citizens of Washington develop a greater awareness of ways in which citizen action can make their city safer and more livable, as progress is made in tackling the stubborn social problems that have sapped the spirit of so many of the District's people. I am confident that together we can make measurable progress toward reviving the spirit and restoring the safety of the Nation's Capital, and making it once again what it ought to be: a proud, glorious city, cherished by every American as part of his heritage and cherished by those who live here as a place of beauty, neighborliness and decency.

ESTONIAN INDEPENDENCE DAY

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. HORTON. Mr. Speaker, to the sturdy and stouthearted Estonian people, whose long history is full of glorious deeds, bending their knees to conquerors and overlords has always been difficult, if not impossible.

The history of Estonia is a history of men fighting with determination to be free. Yet, for two long centuries before 1918, the Estonian people were held in bondage by the callous agents of Russia's czars. They were persecuted for many of their beliefs and their ideals.

Yet, these champions of freedom and liberty clung to their ideals, waiting and watching for their moment of liberation.

When the czarist regime of Russia was shattered in 1917, that moment came. On February 24, 1918, Estonia proclaimed her national independence. For two decades her people lived and worked in freedom in their homeland. Their Government was recognized by other sovereign states and accepted into the world community of nations.

With freedom and the right of self-determination the Estonian people were at long last content with their lot, wanting nothing more than to be left in freedom to steer the coarse of their own destiny.

But, Mr. Speaker, history has not been kind to the Estonian people. A course of international events over which the Estonian people had no control robbed them of their peace and freedom and substituted for it enslavement by the Communist masters of the Soviet Union.

In July 1940, Estonia was invaded and occupied and subsequently annexed by the Soviet Union. During the course of the Second World War the Nazi invaders pushed their way into Estonia, causing the people untold suffering.

When the Communists returned to Estonia toward the end of the war, they came with force and fury. But Estonians refused to bend their knees to their conquerors and overlords. The result—the Estonians live in their homeland like prisoners in prison camps. They have no personal freedom and are under the constant watch of Communist agents.

With the 51st anniversary of Estonian Independence Day approaching on February 24, Mr. Speaker, I feel that this short history of a brave people proves that these dauntless champions of freedom and liberty cannot be silenced and subdued. Hope remains in their hearts.

People seeking freedom will overcome oppression, regardless of the number and power of their foes.

In America we are blessed with freedom. Freedom of choice, freedom of speech, and freedom of thought are taken for granted. We have a government of the people, for the people and by the people, and it is because we have these things that we must not and cannot turn away from those who cry out for help, for hope.

Oppression is never remote. It is waiting just the other side of freedom. Tyranny and enslavement, bitter in their sound and taste to a free man, is a creeping, crawling root of evil. It can never be ignored.

To those waiting, hoping, and praying for freedom in Estonia, I salute you. Self-determination can never be wiped out as long as the lamp of hope glows in the heart of one man.

On the 51st anniversary of Estonian Independence Day, February 24, 1969, I salute the courage and tenacity of all Estonians the world over, and pray that one day Estonia will attain, once again, the freedom and independence that made her homeland so beloved.

STATEMENT BY CHARLES LUNA, PRESIDENT OF UNITED TRANSPORTATION UNION, ON AAR USE OF EPITHETS IN CREW-SIZE DISPUTE

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. OLSEN. Mr. Speaker, Charles Luna, president of the United Transportation Union, has prepared a statement explaining the position of his union in the current railroad dispute. I believe President Luna effectively dispels the charge of "featherbedding," and I believe his commentary deserves the study of those of us in the Congress who are eager to have our rail service returned to an acceptable level.

As President Luna says, since severe reductions of railroad crews began in 1960, our rail service has declined and rates have increased. At the same time, he said, accident rates have climbed steadily.

It seems to me, Mr. Speaker, that statistics bear out this statement. Reductions in crews were made in the name of progress and efficiency. Yet, these reductions have been paralleled by a steady decline of rail service, skyrocketing increases in freight rates, and increased hazards for those railroad workers who remain.

Since 1945 freight rates have climbed by 92 percent. Our wheatgrowers in Montana can testify to the effect these increases, sometimes twice in a single year, have had on agriculture in my State.

I submit the Association of American Railroads—which appears at times to be bent on suicide—could find food for thought in President Luna's remarks. I include his statement and supporting exhibits in the RECORD at this time:

STATEMENT BY CHARLES LUNA, PRESIDENT OF UNITED TRANSPORTATION UNION, ON AAR USE OF EPITHETS IN CREW-SIZED DISPUTE

By resurrecting at great expense a smear term long discredited by nearly every responsible element in the industry, the Association of American Railroads is doing less than nothing for its client members.

The sudden reappearance of the word "featherbedding" argues strongly that railroad management cannot make a case for reduction of crews with decency and logic. Name-calling is a sick kind of refuge for those who have fallen into a poverty of fact and figure.

Our union emphatically believes that our differences with the carriers must be ironed out in hard and serious collective bargaining. We do not feel that newspaper headlines and advertising campaigns will move us one inch nearer a solution.

But it is essential that someone reply when men who style themselves leaders of their industry start recklessly applying tarnish to railroad workers and, through them, to railroading in general.

That the task of defender should fall exclusively to the United Transportation Union is a sad indictment of railroad management. We know that there are many among them who deplore as we do the broad labeling of railroad men as loafers, but they seem satisfied to admit that they haven't the courage to stand up to the Association of American Railroads.

Few employes in any industry work harder than does the railroad man—and their employers know it. They know, too, that the operating railroad worker, whose statistical prospects for getting killed on the job are ten times greater than those of his counterpart in the average factory, does not deserve to be vilified by the industry his blood, sweat and brain helped make great.

The Association argues, of course, that the term does not apply to everyone; only to those the Association decides are not needed in the industry. "You are a featherbedder only if we call you one," they say in effect. "But in the case, don't call us; we'll call you."

We don't presume to tell the Association people how to run their business, but we sincerely feel they, their employes and the nation would be much better off if they would get down to serious collective bargaining with us on the issues.

The carriers' posture as protector of the public is especially hollow in this case. They almost never relate campaigns of this kind to their personal or corporate gain, but only to the welfare of the country and its people. "If we get the crews reduced," they cried, "we will be able to offer better service at lower rates."

Since 1945, crews have been reduced nearly 60 percent, but what has happened in that time to service and rates?

Passenger Service has been virtually demolished. This in itself is an interesting development in view of the carriers' peculiar claims that their passenger operations lost them $700,000,000 a year. Now that they have no passenger service to speak of—in addition to chopping down payrolls—it would seem that the railroads might pass on some significant savings to freight shippers.

But what has actually happened?

Freight rates have climbed steadily since 1945—*in all, 92 percent.*

The record truly does very little for the Association of American Railroads' effort to wear the mantle of public defender.

The facts stand out sharp and clear:

1. Accidents have increased sharply over recent years, in many instances directly proportional to reductions in the size of train crews. (Exhibit, "Employment and Accident Figures, 1945, 1963, 1968")

2. Since 1960, railroad rates have increased and service, most spectacularly passenger, has deteriorated—even though the industry promised then that it could improve service and reduce rates if crews were cut down. They have been cut down—sharply. (Exhibit, "Freight Rate Increase since 6/3/46")

3. The Chairman of Arbitration Board 282, which permitted a reduction in the number of firemen's jobs, testified that the Arbitration Board thought the railroads could eliminate approximately 6,000 firemen-helpers' jobs; the railroads have eliminated over 18,000 (see U.S. Senate Commerce Committee Hearings—1965).

4. The Arbitration Board established procedures for negotiations between the parties during the period the Award was in effect. The railroads refused to meet with the union. (See U.S. Senate Commerce Committee Hearings and Resolution—October, 1965).

5. The United States District Court of Appeals for the District of Columbia found the railroads in violation of the Railway Labor Act because of their refusal to meet and negotiate with their employes. This conviction was upheld by the U.S. Supreme Court when that Court denied the railroads' appeal.

6. The United States District Court of Appeals for the District of Columbia in July, 1967, ordered firemen-helpers restored to crew runs in Washington and Oregon; and this was also affirmed by the United States Supreme Court. There has been only token compliance by a few of the railroads. (Exhibit, "Excerpts from Opinion Rendered by U.S. Court of Appeals for D.C. Circuit, July 31, 1967).

EXHIBIT

Excerpts from opinion rendered by U.S. Court of Appeals for District of Columbia Circuit, July 31, 1967

A. "Our conclusion is that the provisions in the award for establishing new firemen levels did not constitute 'work rules' in the classic sense, as we have used and applied that term, but instead are more accurately described as procedures for establishing new work rules. The history of labor relations agreements in this industry reveals that the manning work rules were expressed in terms of ultimate results . . . and were not formulated in terms of a methodological approach.

"This practical construction of the concept of work rules is reinforced by the Board's expressions treating the mechanics of lists and designations as procedures. Accordingly for purposes of determining what work rules were in force on the last day of the life of Award 282, we do not consider the procedures provided by the award for changing job requirements as being part of the substantive work rules. These procedures, . . . had no effectiveness after the expiration of the award."

B. "In consequence, a carrier is not only prevented from taking 'affirmative acts' under the award to reduce the use of firemen as the District Court properly held, but also, if the carrier was required to keep a fireman on a particular crew as of the last day of the award, it cannot thereafter change the work rule by discontinuing that position except by agreement or in accordance with Section 6. The work rule that continues in force provides for a fireman on this crew and that is not changed because the particular fireman on duty dies or retires."

C. "The National Diesel Agreement was not set aside by the Board. As already noted, the opening section of the award provided the agreements in force continued in effect except as they were modified by the award. The award provided a procedure for modifications during the two-year life of the award. We recognize that it may be turning the clock back to an era that two presidential boards and the neutral members of Board 282 have agreed is technologically outdated but taking into account the structure of Award 282 as issued, *we see no alternative to holding that any new runs created after Award 282 are subject to the National Diesel Agreement, and its requirements of a fireman on each engine crew.*"

D. "Moreover, the National Diesel Agreement is in effect even though the only reason why a change in its work rule was not made under the award during its life time was the fact that the change was blocked by a state's full crew law. *The Supreme Court has expressely held that while such state law was in effect, the Board had no capacity to make a change contrary to its provisions. See Brotherhood of Locomotive Engineers v Chicago, Rock Island & Pacific RR, 382 U.S. 423 (1966)*. The opening sections of the award dealing with the use of firemen and with crew consists provided for the continuation of work rules, however established, unless changed pursuant to the award. The repeal of a full crew law subsequent to the expiration of Award 282 came after expiration of the Board's authority under the temporary statute and after expiration of the power of a carrier to invoke the procedures of the award."

TRAIN ACCIDENTS 1963[1] COMPARED TO 1964, 1965, 1966, 1967

Year	Collisions Number	Percent	Derailments Number	Percent	Other Number	Percent	Total Number	Percent
1963	1,091		3,169		560		4,820	
1964	1,229	+12.6	3,398	+7.2	689	+23.0	5,316	+10.3
1965	1,380	+20.9	3,869	+22.1	718	+28.2	5,967	+23.8
1966	1,552	+42.3	4,447	+40.3	794	+41.8	6,793	+40.9
1967	1,522	+41.8	4,960	+56.5	812	+45.0	7,924	+51.3

[1] Last full calendar year in which helpers-firemen were employed.

Note: Total train accidents as listed in the preliminary reports of the Department of Transportation indicate an upward trend of 9.3 percent for the 1st 11 months of 1968, as compared to the same period of 1967.

Source: ICC or DOT M-400.

EMPLOYMENT FIGURES, YEAREND 1963-67[1]

Service	Yearend 1963	Yearend 1967	Total	
			Number	Percent
Road passenger	4,219	3,110	−1,109	−26.3
Through freight	10,099	6,004	−4,005	−40.0
Local freight	6,591	3,390	−3,201	−48.5
Yard service	20,512	9,344	−11,168	−54.4
Outside hostlers	1,490	1,530	+40	+2.7
Inside hostlers	1,600	1,387	−213	−13.3
Hostler helpers	904	856	−48	−5.3
Total	45,415	25,621	−19,704	−43.4

[1] Comparison of employment of firemen-helpers, hostlers, and hostler-helpers yearend 1963 and yearend 1967 all classes of service on class I railroads in the United States.

Source: DOT M-300.

COMPARISON—EMPLOYMENT ON CLASS I RAILROADS, 1945-68

Total employees:	
August 1945[1] and August 1963[2]	1,667,536
August 1968	667,646
Loss (−59.96 percent)	999,890
Total train and engine service:	
August 1945	326,337
August 1968	182,835
Loss (−56.02 percent)	143,502

[1] Steam locomotives were in general use in 1945.

[2] Engine crew reductions began on a large scale in 1963.

Source: M-300 DOT or ICC.

SUMMARY OF FREIGHT RATE INCREASES SINCE JUNE 30, 1946

Effective date	Percentage	
	Cumulative	Single increments
July 1 1946	6.5	6.5
Jan. 1 1947	16.9	10.4
Oct. 13 1947	25.8	8.9
Jan. 5 1948	33.4	7.6
May 6 1948	37.0	3.6
Aug. 21 1948	38.0	1.0
Jan. 11 1949	43.2	5.2
Sept. 1 1949	46.9	3.7
Apr. 4 1951	49.3	2.4
Aug. 28 1951	53.3	4.0
May 2 1952	60.1	6.8
Mar. 7 1956	65.6	5.5
Dec. 28 1956	70.6	5.0
Aug. 26 1957	75.4	4.8
Feb. 15 1958	77.5	2.1
Oct. 24 1960	79.0	1.5
Aug. 19 1967	82.0	3.0
June 24 1968	85.0	3.0
Dec. 1 1968	92.0	7.0

Following is a biographical sketch of United Transportation Union President Charles Luna:

President Charles Luna began his railroad career as a helper in the Bridge and Building Department of the Santa Fe Railroad in the summer of 1925, and worked during the summers of 1925, '26, '27 and '28 in this department. After finishing high school at Celeste, Texas, he started switching for the Santa Fe in the East Dallas Yard in 1928. He continues to hold seniority as a yardman at this point.

He was born October 21, 1906, at Celeste, Texas.

He joined Lodge 671, Brotherhood of Railroad Trainmen, in 1929 and has held continuous membership in that lodge since. He was elected to the local grievance committee of his lodge in 1936 and was elected chairman of that committee in 1940. He served in that capacity until the end of 1946, at which time he was elected general chairman of the G.C. & S.F. (Sante Fe) and held that position from 1947 through 1954.

During the time he was chairman he served on the 1949 and the 1953 National Wage-Rules Committee. He was elected and served as chairman of the International Association of General Chairmen from 1951 to 1955. From 1943 to 1946, he also served as deputy president and Grand Lodge organizer.

At the 1954 convention he was elected vice president of the Brotherhood of Railroad Trainmen and was assigned to the western territory with headquarters at Denver, Colorado. He was later transferred to the Dallas, Texas, territory.

In 1960, the 31st convention, while in session at Cleveland, Ohio, elected Luna to the position of Assistant to the President. He moved from Dallas to Grand Lodge headquarters on Feb. 1, 1961.

He became President Jan. 1, 1963, when his predecessor, W. P. Kennedy, retired under the policy adopted by the 1960 Convention. This policy, which provides for eventual retirement of all officers at age 65, has been adopted by the UTU.

He was re-elected in October, 1964, at the BRT's 32d Convention in Miami Beach, and was again re-elected by acclamation at the BRT's 33d Convention in Hollywood, Fla., in 1968.

Luna gained a reputation for his tireless efforts to bring about the merger of smaller railroad operating unions into a singularly strong organization. Those efforts culminated on January 1, 1969, with the emergence of the United Transportation Union.

THIS WAS LINCOLN AND THE DEDICATION AT GETTYSBURG

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. ROGERS of Colorado. Mr. Speaker, I have a constituent, Mr. George Fair, of Denver, Colo., who has made a study of the life of Abraham Lincoln, and under unanimous consent I insert in the Extensions of Remarks of the RECORD the writings of Mr. Fair:

THIS WAS LINCOLN

(By George Fair)

One of the most mysterious, inexplicable, complex, melancholic, pensive, tragic, enigmatic, a homely and an awkward man, many times called uncouth, was our 16th President.

He had less than one year of attendance at small primitive, bare, log schools in the hills of Kentucky and southern Indiana. He had toiled and he had known despair. For long years every hope and every dream had turned into bitter failures. Yet he rose above his humble environment to leadership in the law, to the Presidency.

He had few, if any, close or intimate friends. He was utterly devoid of any political glamour. He was a lonely man and often times burdened with sorrow.

He served four undistinguished terms in the Illinois legislature and one mediocre term in Washington as a Congressman. His introduction of the "Spot Resolutions" during the Mexican War had devastating effects on his future political aspirations. He entered Congress with high hopes, he finished his term a disillusioned man.

He was never in his life time a member of any church nor any lodge. But he was to quote the bible to a greater extent in his letters, his speeches than any of his predecessors in the Presidency. He attended the National Presbyterian Church during his time as President in Washington.

The happiest moments of his life were riding the Eighth Judicial Circuit in central Illinois before his term as Congressman in 1847 to 1849 and his campaign for United States Senator in 1858. The Kansas-Nebraska bill before the Congress sponsored by the "Little Giant" Stephen A. Douglas, prompted him to re-enter political life resulting in the famous debates over Illinois.

Two years after his defeat for United States Senator, he emerged as the Republican nominee for President of the United States. To win the nomination at the Convention in Chicago and despite Lincoln's protests from Springfield, Judge Davis entered into several covenants with the delegations from Pennsylvania, Ohio, Missouri and Indiana. Davis said, "Notwithstanding his protests, he ain't here and we are."

He wielded virtually dictatorial powers during the Civil War, for which he was reviled, and criticized as no other President ever has been. But he became the most beloved of our Presidents and the greatest of them all.

He was unique, yet in a wholly unspectacular way. The times helped make him. He was equal to his hour. He saved the Union. It was as if Providence took a hand, marked the man and exalted him that our nation might be preserved.

Such a man was, and is, Abraham Lincoln.

He was a humble man. He once said, "I never had a policy. I have simply tried to do what seemed best each day, as each day came."

He was a man without malice.

He was a man of charity.

He was patient and compassionate.

Yet he stood like a rock when the storms of national life and personal sorrow beat around him. As that rock, he will stand as long as America lives.

THE DEDICATION AT GETTYSBURG

(By George Fair)

The dedication of the national cemetery at Gettysburg on November 19, 1863, furnished the opportunity for a public address unequalled in American history.

The orator of the day at Gettysburg was Edward Everett of Massachusetts. He was a graduate of Harvard, taking first honors in his class, an eloquent orator, a former minister to the Court of St. James, former governor and congressman from his state, Secretary of State in Fillmore's administration, and the author of several books. He took first rank as a polished orator by virtue of his dramatic sense, the musical tones of his voice and the magnetism of his personality.

His speech at the dedication was to depict for the thousands who had thronged the little town of Gettysburg the course of the three days battle which had been fought the first days of the preceding July. Everett spoke of the effect it would have upon the future of a re-united nation. "The bonds that unite us as one people, common national and political interests, a common history, a common interest in this great heritage of blessings, these bonds of union are of perennial force and energy."

There was little of presidential fanfare at Gettysburg. Governor Curtin of Pennsylvania had emphasized that Everett was featured as the orator and the President was placed on the program as an afterthought. Lincoln was invited after Everett and followed him as a speaker at this momentous occasion.

Abraham Lincoln was born in the hills of Kentucky of poor and illiterate parents and reared in backwoods Indiana. He had less than one year of attendance at a small, primitive school. No school had disciplined his mind, no university laid before him the intellectual heritage of the scholar. His insight was wrested from life in pain and in suffering. He had toiled and he had known defeat. For long years every hope and every dream had turned into bitter failures.

After the two hours speech by one of America's most eloquent orators, Lincoln spoke the words that the common man would have used if he had the gift of words, spoke for the common man the thoughts that he would have striven so desperately to fashion into, "a new nation conceived in liberty and dedicated to the proposition that all men are created equal."

"The world will little note nor long remember what we say here, but it can never forget what they did here." Lincoln left Gettysburg in the melancholic belief that he had failed.

Edward Everett wrote to the President the next day, "I should be glad if I could flatter myself that I came as near the central idea of the occasion in two hours as you did in two minutes."

Lincoln's Gettysburg Address was a masterpiece, one of the greatest ever spoken by any man and will live on as long as there is an America and too, as long as men throughout the world strive for Freedom.

THE FUTURE FARMERS OF AMERICA OFFER OPPORTUNITY

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. NATCHER. Mr. Speaker, there was a day in 1950 when the Members of the 81st Congress met in this great Chamber and voted to grant a charter of incorporation, thereby establishing the Future Farmers of America as a national organization for students of vocational agriculture. There are a number of our colleagues on the floor today who perhaps were present on that day and I feel sure that, 19 years later, they remember—and regard this act as one of the more constructive ones of the second session of that Congress.

The FFA movement was begun some years earlier in Kansas City, Mo. Today, 450,000 students in 9,000 local chapters can claim proud membership in an organization that is wholly their own. The program is designed for the farm youth of our country and its primary aim is to develop agricultural leadership, cooperation, and citizenship. In Kentucky, we have 13,000 Future Farmers and I can only say that judging from my association and experience with the chapters in our Second District, the program has been a huge success. We are proud of our Future Farmers and we have a right to be.

By emphasizing vocational and educational objectives FFA members are encouraged not only to become, but to excel as, leaders in American agriculture. Excellence will indeed be needed in the days ahead. There is, however, a challenge in the task of feeding an expanding population. There is an excitement in the projection that the farmer of 1980 will be called upon to feed himself—and 65 other persons. Our Future Farmers know the responsibilities that await them and a great deal of their time and effort is spent in learning new production techniques.

Agriculture today has many facets. While farming and ranching remain America's largest industry, the huge agri-business complex, that includes all the occupations related to farming, is not overlooked. The FFA program therefore includes training in the servicing, supplying, and marketing of farm products, and readies and strengthens the young man who wants a career in agriculture. Many are the opportunities that are open to him and his training in FFA enables him to choose the area best suited to his skills and interests.

Membership in this group offers opportunities quite separate and apart from those of career training. Future Farmers learn how to conduct and participate in meetings, to speak out in public, to work with others for individual and community betterment. The Future Farmers of America truly offer an opportunity for youth.

Perhaps the influence and impact of the Future Farmers can best be judged by the high caliber of the boys who join and the men who graduate from its ranks. They are a credit to their Nation and as they begin the celebration of their national week, I offer them my congratulations, best wishes, and continued support.

FORBEARANCE AT THE UNIVERSITY OF CHICAGO

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. MIKVA. Mr. Speaker, in these days of turbulence, student unrest, and often violence, many have questioned whether it is possible to deal in a rational and restrained way with the provocations of student anarchists. The unfortunate incidents at Columbia University and San Francisco State have led many to wonder whether the techniques of confrontation which some student leaders have adopted may not strain our system of private education to the breaking point. Currently at the University of Chicago, which is located in my congressional district, the Second Congressional District of Illinois, such a confrontation between students and the university administration is taking place. I believe that the University of Chicago, under the wise and restrained leadership of Dr. Edward H. Levi, has shown the way in this difficult area. As the following editorial from the Chicago Daily News of last Tuesday clearly shows, the university has not let itself be goaded into overreaction, or into resort to use of police force, to solve what are essentially internal university problems. I believe that all of us can benefit by observing the example of "civilized, disciplined forbearance by a university rooted in the liberal tradition" which the University of Chicago now presents.

The editorial referred to follows:

FORBEARANCE AT UNIVERSITY OF CHICAGO

> The University of Chicago administration has ample legal grounds to ask the Chicago police to clear the student demonstrators out of the administration building. That the university has refrained from doing so is a tribute, we think, to the wisdom of President Levi and his staff.
>
> In the first place, of course, is the fact that when a campus becomes an arena of crime-and-punishment it moves directly away from its basic, constructive role.
>
> It also plays straight into the hands of the nihilistic anarchistic core of fomenters that believes no compromise is possible, no settlement will do short of knocking down the whole structure.
>
> The strategy of this group has been articulated by some of its leaders. Briefly, it's this: Force or trick the "enemy" (in this case, the administration) into a policy of overkill. When you have goaded the Establishment into calling in the police, and the police have been goaded into using force and perhaps cracking a few heads and spilling a little blood, and the whole thing shows up on the television screens, then you start winning sympathizers and converts to your cause.
>
> It worked at Columbia University and it worked at San Francisco State and other places. It could readily work at the University of Chicago campus, where until now only two or three per cent of the student body has joined the demonstrations.
>
> We congratulate the U. of C. for resisting the temptation—indeed, the powerful pressure—to go down the same road. Depending upon how far the demonstrators carry their disruption, the university may not be able to hold out indefinitely: Serious property destruction or rioting must, of course, be met and checked with adequate force.
>
> But meanwhile we believe not only the U. of C. student body and the people of Chicago, but the nation is witnessing a useful example of civilized, disciplined forbearance by a university rooted in the liberal tradition and deeply aware that its first obligation is to its students.
>
> We believe the university is right for many reasons, and trust that if and when the demonstration passes the point of tolerability it can be ended without the violence its instigators so ardently desire.

THE RENEWED DRIVE TO FORCE COMMUNIST CHINA INTO THE UNITED NATIONS

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. WAGGONNER. Mr. Speaker, as one of those Members who does not, repeat not, believe that communism is old hat, as some who should know better now would have us believe, I am disturbed over the latest drive to seek the admission of Communist China to the United Nations.

The admission question has been very much with us for almost two decades; even longer if we are to consider the years of planning that preceded the formation of the U.N. In all these years, no one has more clearly stated the case against the admission of Communist China than the late Adlai Stevenson when he said:

> Let those members who advocate Peiping's admission seek to exert upon its rulers whatever benign influence they can in the hope of persuading them to accept the standards of the community of nations. Let those rulers respond to these appeals; let them give up trying to impose their demands on this Organization; let them cease their aggression, direct and indirect, and their threats of aggression; let them show respect for the rights of others; let them recognize and accept the independence and diversity of culture and institutions among their neighbors.

When Communist China has done these things which are required of other nations, then will be time enough to discuss its admission.

The former Representative to the United Nations from the United States, Arthur Goldberg, was, unfortunately, one of the group dedicated to Communist China's admission, though he did not publicly admit it until after he had left that post.

The Nixon administration's representative has also expressed a favorable view of the impossible concept of "two Chinas," which is equally unfortunate in view of the President's campaign pledge to make no change in our policy of nonrecognition of the Communists.

With dogged persistence, the extreme left continues to work for the admission of Communist China, subscribing apparently to the dogma of China "expert," John K. Fairbank, who said in the New York Times on March 11, 1966, that he would favor the admission of the Communists "even if they said they would dynamite the place."

The February 11 issue of National Review comments wryly on the new surge of "Love Thy Communist" sentiment in a short article I commend to the attention of every Member. I do so because my conscience demands that the RECORD be clear well in advance of the time when the question of the admission of Communist China will come to a head. The drive is on, gentlemen. I hope every Member will firmly set himself to resist the pressure.

The National Review article follows:

THINKING OF CHAIRMAN MAO

It's lucky we are such staunch disbelievers in Conspiracy Theories. Otherwise we might begin to wonder what's going on in Peking lobby circles. Here are the old reliables of the Center for the Study of Democratic Institutions staging one of their big get-togethers in Santa Barbara to ponder "a new China policy"—i.e. to start the 20th annual drive going for diplomatic recognition of Peking and admission of Red China to the United Nations. On their green acres there showed up from Tokyo, half a world away, a gaggle of left-wing Japanese types well known for their kindly thoughts about Peking, and, from across the continent, a delegation of well-disposed senators headed by J. William Fulbright and shepherded by ex-Ambassador Arthur Goldberg.

Then at the same moment comes news that the National Committee on United States-China Relations, one of the newer subsidiaries of the let's-be-nice-to-Mao conglomerate, will hold *its* conference March 20–21, and who will be the chief speaker but Edward Kennedy, giving the word as handed down from the Santa Barbara conclave.

As it happens, the global path of the Center and the National Committee had been given a preliminary smoothing by an experienced crew across the other ocean, which, paced by the veteran pen of Owen Lattimore, now resident in England, had many comforting things to say about China in the columns of various British journals. Italy's Foreign Minister, Pierto Nenni, a left-wing Socialist, announced January 24 that the Italian government has decided to recognize Communist China, and will soon present the issue in Parliament. On the same day Canadian Prime Minister Trudeau stated he was planning discussions with Peking representatives looking toward "a possible exchange of diplomatic missions."

These critical Western breaks in the anti-Peking front have, and jutifiably, aroused grave concern in Taiwan. Although Mr. Nixon said in his press conference—though rather mildly—that the United States plans no change in its China policy at present, there does seem this time to be the start of a process that may lead to UN membership in the autumn and a flurry of diplomatic recognitions over the next year or two. It is not easy to see what has happened to bring this change of heart. The extravagances of the cultural revolution, the H-bomb brandishing, the intervention in Vietnam, the support of the most extreme elements in Africa and Latin America and among the youth everywhere, surely do not suggest that the current trend of the Chinese Communist government is making it more suitable for taking a normal place in the comity of nations. Recognition of Peking by Paris and London has led not to any improvement in political and trade relations, but to barbarian assaults on French and British diplomats and civilians. It is as true as ever that general recognition would tend to bring almost the whole of the large overseas Chinese communities under Peking's influence and control, and to build Chinese prestige in the Far East and globally.

Maybe Edward Kennedy ought to review his thoughts on the subject.

SUPPORT OF AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES WITH RESPECT TO THE OFFERING OF PRAYER IN PUBLIC BUILDINGS

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mrs. REID of Illinois. Mr. Speaker, today I am introducing a joint resolution proposing a constitutional amendment to permit nondenominational prayer in any public building which is supported in whole or in part through the expenditure of public funds. This is identical to the measure I introduced in the 90th Congress.

The motivation for this resolution is well known to all of my colleagues. The first fundamental principle of our free society is the right of every individual to worship God in his own way. The one single force that gives distinction to the United States of America, unique among all nations, is our heritage of freedom of religion. Ours is the only Nation in history conceived, begun, and continued as a specific monument to God's great plan. To deny our youth, their teachers, and their counselors the privilege of a communal exercise of their allegiance to God as well as to country is, in my opinion, a rejection of our most constant source of power and strength. Millions of America's boys and girls have no exposure to their spiritual God except through the student bodies to which they belong.

There are a great many contradictions in our country, and some of them simply do not make sense. The matter of prohibiting a prayer time for children in our public schools is one of them. Each day when the House convenes, the Speaker gavels for order and then says: "The Chaplain will offer prayer." Chaplains of the House and Senate whose salaries are paid from public funds, offer their prayers in a building built from public funds. When the distinguished Justices of the Supreme Court of the United States are announced by the Court Crier, he asks God to "save this honorable court." But the courts have ruled that prayers by and for children in public schools are prohibited.

In my judgment, these decisions damage our national religious heritage. There is much evidence that the people of our country want the right to have prayers in public schools if they so desire. I believe it is the duty of Congress to submit this question directly to them. This can be done only by a resolution for a constitutional amendment, which when approved by two thirds vote in each House, can then be submitted to the States for final ratification. The people should be allowed to be heard.

A SERMON BY REV. ROBERT R. DAVIS, HAZELWOOD, N.C.

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. TAYLOR. Mr. Speaker, I was impressed by the commonsense, good political judgment, and challenge to improve moral standards contained in a sermon delivered by the Reverend Robert R. Davis, pastor of the Hazelwood Presbyterian Church, Hazelwood, N.C., and published in the Waynesville Mountaineer.

I recommend the following excerpts from this sermon to my colleagues:

HAZELWOOD MINISTER: I'VE HAD ENOUGH OF THE NEW MORALITY

Never before in history has a nation had a better opportunity for the good life than America does today, and I suppose never before has the good in the good life been more perverted to evil.

We have the potential to have the most enjoyable life that man has ever known. We have the best in education, communication, living standards, medicine, travel, recreation, labor and in almost every other area that you want to name. Even the poorer people live better than the kings used to.

Yet never before have we faced a greater crisis. We are a nation in danger—in danger not from outsiders, but in danger of destroying ourselves from within.

Something has happened to America. While she has increased in the standard of living, she has decreased in morality.

In my opinion there are three basic things that cause people to have any moral guidelines in their life. These are religious principles, a fear of getting caught at wrong doing, or an extraordinary amount of good sense that causes them to choose long range goals. Let's see what has happened to these three things in our present American life.

First, in the matter of religious principles, consider what has happened to the church. Much of the church has become irreligious or even immoral. The majority of religious leaders do not know what they believe. In fact, an amazing number aren't even sure that there is a God. They no longer believe the Bible. They have no guidelines for their life to tell them right or wrong. They are like ships that have lost their maps, compass, and rudder.

A second deterrent to people's wrong doings is their fear of getting caught and punished. Forty years ago this fear of getting caught manifested itself in religious thinking as people knew the Bible and feared the Lord. They respected the retribution of God on evil doers, and therefore their conduct was tempered not only in the things that they did in the open, but also in the things that they did secretly. One of our elders in Miami was an old Scotsman who used to say that the thing that influenced his conduct most in his early life was a Bible verse that hung over his bed, "Thou God seest me." The idea of God seeing him all of the time caused him to live right.

But with the passing of years people know less about the Bible and have lost most of their respect and fear of God. They did, however, respect the law of our country. They did not break the law because they were afraid of getting caught and sent to prison. The fear of getting caught is a great help in motivating people to keep the law. (If you don't believe it, figure out how fast you would be going in those 45 mile an hour zones on 19 if you knew for a fact that every state patrolman would be out of the area for a week.)

But here is what has happened in America. Along came a Supreme Court that threw out the punishment for a lot of criminals. In fact, many of the court decisions seem to favor the criminal more than the innocent. In my opinion this did to the criminal element in our nation the same thing that "sic em" does to a dog.

A second thing that happened is that someone came along with an idea called civil disobedience. This idea states that if you do not like a law or feel that it is unjust, you can break it. This ushered in the marches, people laying in front of bulldozers, students taking over colleges, draft card burners, and the like. They did this, and they got away with it. What was discovered was that a mile was wanted for every inch that was given, and they got their mile as they burned down a good bit of Detroit, Washington, Newark, and so on.

Do you realize what would have happened to many of these people in 1944. If a man would have burned his draft card or sent aid to Adolph Hitler, they would have shot him for treason. They would have sent Stokley Carmichael and the rest of his law breaking henchmen to Sing Sing until their hair turned white. They should.

When you call things by their right names, they are indirectly responsible for murder, robbery, rape, arson, treason, and other crimes. But the most dangerous thing that they are guilty of—the thing that I dread most—is that they are guilty of being heroes to a bunch of hero worshipping teenagers who may want to follow in their path . . . only a little more so.

The third factor that causes people to be moral is the good sense to choose long range goals in life. Fifty years ago a young man could set a goal in his life—say of being a doctor or a lawyer—and plan by the time he was 30 or 35 to arrive at that goal. The world was more stable, and they had time to choose goals and arrive at them at their own speed.

But consider the world that the young man of today faces. Here is the threat of nothing but continued warfare at this spot or that spot on the globe; here is the threat of global communism and resultant slavery; and back of all here is the threat of total annihilation by the bomb, germ warfare, radiation, gas, or some other newly arrived at horror. This subconsciously produces tremendous pressure on young people, and so they say, "Why wait for anything; tomorrow may not get here. Let's live it up now while we have the opportunity. Let's live for today while we have it and let tomorrow take care of itself. . ."

Thus long range goals are set aside, and so are the far reaching moral principles.

Because of these three things being coupled to the perverse, sinful nature of mankind, we are going through a moral revolution. The moral values and standards today would have been undreamed of 30 years ago. This truly is the age of the new morality.

What is the new morality? It is the idea that anything is permissible if you want it to be so. There are no rules to determine good or evil . . . only you make them up as you are confronted by various situations. You in your situation decide what is best for you and you alone.

The new morality is here now. Five years ago we talked about the philosophy of the new morality, today if we are to be realistic we must talk about the actuality and the practice of the new morality. We see it all around us.

The tragedy is that this could be the best period in American history and the best life possible to look forward to. But the new morality has spread a sick, thick, black cloud of gloom on our nation's outlook.

Let's bring back the old morality. I have had enough of the new. By our Christian example, protest, actions, and prayer we can do just that. In the name of decency and in the name of Christ, let's reverse the trend of our times as we stand for the word of God and the principles contained therein.

NEW YORK STATE DEVELOPMENT OF ATOMIC ELECTRICITY FACILITIES MUST REMAIN INDEPENDENT OF PRIVATE PRODUCERS

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. BINGHAM. Mr. Speaker, the costs of electricity to the consumer in New York State, and throughout much of New England, are among the highest in the Nation. To reduce those costs, and to increase the dependability of electric service called so dramatically into question by the now infamous "blackout" of New York City and surrounding areas in 1965, requires an active program of research and development by both public and private producers. One of the major prospects for more dependable, lower-cost electricity in New York State and beyond is a system of atomic powerplants to supplement existing hydroelectric facilities.

The Niagara Mohawk Power Corp. has moved boldly and commendably to increase the total output of electricity by developing an atomic power facility, now nearing completion, at Nine Mile Point near Oswego, N.Y.

The public New York State Power Authority has fallen behind private, profit-making utility corporations like Niagara Mohawk in the development of atomic generating facilities. Only after considerable foot-dragging and public protest has the New York Power Authority decided to build its first atomic plant, to be located adjacent to the nearly complete Niagara Mohawk Plant on Nine Mile Point.

Last month, the State power authority, in its application to the Atomic Energy Commission for approval of the new atomic facility, indicated that the plant would be built and owned by the State Authority, but operated by personnel from the Niagara Mohawk Power Corp.

The Watertown, N.Y., Daily Times and its observant Washington correspondent, Alan Emory, have reported the development of this situation and analysed the possible undesirable consequences and implications of this unprecedented merging of public and private efforts in the power field. I endorse the conclusion of the Watertown Times, expressed in an editorial on January 22, 1969, that steps must be taken to insure that "not only will the Oswego project be public from beginning to end, but that its development will be to expand electricity production at the lowest possible cost in behalf of the public which owns the resource" and that "the research and development which is undertaken at Oswego will be for the purpose of spawning new authority plants, their equipping, and manning."

The editorial from the Watertown Daily Times to which I refer follows:

STATE ATOMIC ELECTRICITY

The New York State Power Authority takes a narrow view of its responsibility as an agency of the people. The authority's joint proposal with the Niagara Mohawk power corporation for the authority to build and the utility to operate the Fitzpatrick atomic plant at Oswego is not within the public power policy as enunciated and understood either by the authority or by New York state in the past. By past the reference is to the hydroelectric development at Massena and the redevelopment at Niagara where the power plants generate a total of 2,750,000 kilowatts.

The public power principle is that the resources of the people, the water power of the St. Lawrence and the Niagara, are developed by the public agency in the interests of low-cost electricity. Atomic power is similarly a public resource because it was pioneered and made usable by the federal government through the investment of public monies, first for purposes of atomic weapons in World War II, and since then for peaceful utilization of atoms.

Niagara Mohawk at Nine Mile Point is in the final phases of construction for its own atomic power plant, an installation that exemplifies the imaginative enterprise of the modern day power corporation. This represents an investment by the utility toward the future electrical requirements of upstate New York. Niagara Mohawk planned and scheduled its huge investment almost six years ago. The decision was both hard and realistic, exactly the kind that a private corporation should make.

The power authority, which we have been led to believe has a separate role in power production, undertook the St. Lawrence and Niagara hydro plants 14 years ago as the first steps in asserting a responsibility toward the electrical energy production, demand for which was growing very fast. The authority at the time made the decision that for the present its best interests would be for hydro plants which would be succeeded in construction at the appropriate time by atomic plants.

Two years ago the authority backslid from its atomic ambitions and its plans for the future seemed only to include hydro and either an acquiescence or an agreement that electricity from nuclear energy would be the sole province of the private utilities. In 1967 protest against this restricted ambition of the authority resulted a year later in establishing through new law an atomic career for the authority.

A few months ago the authority announced that its first nuclear powered plant would be built adjacent to the Niagara Mohawk plant at Oswego. For a public and private plant to be located adjacently was not novel; however, now comes the plan for utilization of the state-owned generating station, a $250,000,000 to $300,000,000 publicly owned power plant. It is no more appropriate for the private utility to operate the public plant than it would be appropriate for the public authority to operate the private utility.

The two systems are based on different philosophies. One is a profit enterprise; the other is non-profit. Nowhere else in the country are private utilities running a public power agency. In view of the citizen concern expressed last year in Albany to make a clear assignment to the authority, it would appear that the biggest single public power agency in the state is showing the back of its hand to the very job it was supposed to do.

Governor Rockefeller should insist that the power authority recall its present application before the Atomic Energy Commission and redo the detail in such a fashion as to assure the federal government, the state of New York, and the people of this state that not only will the Oswego project be public from beginning to end, but that its development will be to expand electricity production at the lowest possible cost in behalf of the public which owns the resource. The application should further indicate that as a part of research and development, this will be the first in a series of state-owned nuclear generating facilities. Further, the application should make clear that the research and development which is undertaken at Oswego will be for the purpose of spawning new authority plants, their equipping, and manning.

INADEQUATE FUNDING FOR BASIC BIOMEDICAL RESEARCH

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, there is increasing concern among members of the scientific community about inadequate funding for basic biomedical research. I rise today to call to the attention of my colleagues the fact that all applied research is the ultimate result of original basic research and experimentation. Although organ and tissue transplantations are currently the object of dramatic publicity, these procedures have developed through many years of prolonged basic research, which did not at all times appear relevant to present human application.

It must be further noted that total emphasis on relevant research may jeopardize the scientific validity of conclusion; rather, politically valid conclusions are likely to ensue—and history has demonstrated that political considerations often distort conclusions derived from the scientific process.

The Congress must acknowledge the necessity of continued support for basic biomedical research. "Science in Crisis," an editorial from the January 13, 1969, issue of Hospital Tribune describes the problem in detail. We as legislators must heed the warning—

> Our leadership in the modern world is inseparable from this accelerated investment in science. . . . There is no doubt that this period of remarkable increase in the availability of research funds also represents a period of remarkable accomplishments. . . . Science can be stinted only at our peril.

As a result of the Revenue and Expenditure Control Act of 1968, future scientific applications have been seriously undermined, according to findings of the ad hoc committee of the New York Academy of Sciences.

Dr. Joseph D. Cooper further illustrates the crisis facing science in an article from the same issue of Hospital Tribune. His points are well taken. The young unknown investigators of today are the experts of tomorrow. It is imperative that their investigations—as well as those of scientists of established reputations—be permitted to continue. Thus we in the Congress have a special responsibility through the funding authority for the future progress of science in America.

I submit these articles for the RECORD, for I believe they will be of great interest to all Members of the Congress:

[From the Hospital Tribune, Jan. 13, 1969]

SCIENCE IN CRISIS

The domain of science is vast, and sometimes it has appeared even to sophisticated people that all questions are susceptible of being answered by means of its discipline. Today such a belief has been circumscribed by events, yet no one can deny that our modern world rests on a foundation developed by science. But if our society depends on science more so than any social organization has in the past, the corollary is equally true. Science today depends on our social structure more so than it ever has in the past. That is why the report "The Crisis Facing American Science" by the ad hoc committee of the New York Academy of Sciences (see page 3) deserves prominence and careful attention.

Our leadership in the modern world is inseparable from this accelerated investment in science. Initially, the percentage increases in Federal funds devoted to research were of course enormous. By 1953 the annual increase in Federal expenditures in support of research and development activities was at a rate of 22 per cent per year, and this continued until 1958–59. Since then, and until 1967, the rate of increase declined to about 9 per cent annually.

An editorial on page 9 on November 18, 1967, made these observations: "There is no doubt that this period of remarkable increase in the availability of research funds also represents a period of remarkable accomplishments.

Science and the scientific investigator have benefited, but uneasiness about the entire situation in research appears to be growing presently at a rate not at all dissimilar from the rate of increase in expenditures. And everyone seems to be uneasy: scientists, government—including both the executive and the legislative branches—and the public.

We pointed out that the reasons for uneasiness were diverse. But whatever the reasons for the uneasiness, the undeniable facts were—and are—that by the 1960s our entire system of scientific research and development was based in larger part on Federal expenditures, and so was our system of higher education, including our schools of medicine.

When our American society was primarily an agrarian one, the Federal Government was the primary source of financial support for academic research in agriculture. It was not until World War II that the Federal Government began significant support of the physical sciences, the life sciences, and engineering. A few figures tell the tale. It was not until 1942 that the total expenditures on science in this country reached one billion dollars. In 1950 the total amount of money spent on research and development by all sectors of the economy, including the Federal Government, was $2.9 billion. Of this sum about 6 per cent, or approximately $170,000,000, was directed toward medical and health-related problems. Total expenditures in 1966 were $22 billion, of which 9 per cent, or $2 billion, constituted medical research funds. Approximately 75 per cent of the $22 billion came from the Federal Government.

The "crisis facing American science" has come about because the Revenue and Expenditure Control Act of 1968, enacted by Congress to help control inflationary pressures, required a reduction of $6 billion in Government spending. The consequent retrenchment in scientific research and development has had the effect, in the words of the ad hoc committee, "to seriously undermine the potential benefits of science to the economic and human health of the nation and, in turn, the world." This is a broad statement, but it is wellnigh impossible to deny it. We agree with the ad hoc committee that "scientific research is generally a long-term process" and that "every effort should be made to put the scientific research budget on a long-term multiyear basis."

The committee believes that at present—instead of a reduction—the growth of our economy can support a rate of increase in Federal spending on scientific research of 15 per cent a year, "first, because it is based on society's previous record of response to its many research needs, and second, because it will allow universities to balance research growth with that of graduate education."

Scientific research is not a luxury. It is an essential—if not the essential—element of our entire society. Science may not answer all our problems and questions, but it is the only means of providing the answers to many of our problems and questions.

Science can be stinted only at our peril.

[From the Hospital Tribune, Jan. 13, 1969]

TIME OF CRISIS FOR NIH—NEW DIRECTIONS INDICATED

(By Joseph D. Cooper, Ph.D., professor of government, Howard University; adjunct professor of government and public administration, the American University, Washington, D.C.)

Two happenings at the National Institutes of Health have been disturbing to medical educators and researchers. One is that after 20 years of continuing growth, NIH appropriations are now only holding at their peak of about $1.2 billion a year, not including appropriations for Bureau of Health Manpower recently transferred into NIH. This is still a great deal of money, but it has largely been committed to ongoing work. There is not much flexibility for normal program growth or for new activity starts except at the expense of established projects and programs.

The other is that a changing of the guard took place when, after 13 years as NIH director, Dr. James A. Shannon, whose reputation was built on research, retired on August 31, to be succeeded by a man whose reputation was built in the service area, Dr. Robert Q. Marston. Coincidentally, this occurred at a time of growing speculation that medical service expenditures might overtake research in priority and that academic researchers might lose some of their freedom of choice and action.

This, then, is a time of crisis for NIH grantees, mainly in medical schools, who are concerned not only with dollar levels but with possibilities of having to shift program emphasis under Federal direction.

Some medical academic leaders have acknowledged privately that a "market correction" has been needed, assuming it is followed by a new period of healthy growth. "If the crunch is sufficiently hard and painful," said one medical scientist who is well versed in the politics of science, "it compels clear thinking, reassessment, and discriminating choice. There is bound to be some maldistribution of resources under conditions of easy money. A shake-out will be good."

The other side of this pause for reflection is that a stand-pat budget actually means a cutback. Just to support current commitments, spending must be increased somewhat each year to allow both for inflation and for utilization of more sophisticated resources and developments. Some absorption of these is possible under a level budget through straightforward economies or selective program reductions or both. In the long run, however, a stable budget will compel administrators to curtail program scope under tougher criteria of choice.

What worries the medical schools—mainly the private schools which have been most dependent upon the Federal Government—is that they cannot go forward with commitments to train more doctors, to provide support for newly trained researchers, and to provide physical facilities for education and research. The operational support of private schools is under threat, for research funding has been the back door for support of teaching staff. One hope is that the fiscal crunch might lead to recognition that operational expenses of medical schools must be funded more directly and openly instead of through the dubiously legal and politically unstable expedients of mislabeling the purposes of research funds or of taxing them for educational overhead.

COMPETING GENERATIONS

Hardest hit are young investigators who have completed or are completing training under NIH funding. Ordinarily they would expect to obtain grant support with which to begin their independent professional careers. Now they find themselves in unequal competition for funds preempted by established older investigators. The fear is that many promising young scientists will look away from the medical schools for other opportunities. Recognizing this many institutions are putting support of brains ahead of expenditures on equipment or travel. "This might at last force school administrators and project heads into becoming better managerial economists—almost as if they were spending their own money," was one comment. "If they do some careful inventory, they might find a lot of unused equipment in the closets—electron microscopes, ultracentrifuges, and the like—bought with unused funds. And they can learn how to swap equipment and personnel across departmental and project barriers."

CHOICES INEVITABLE

Earlier that same year, Dr. Alvin M. Weinberg, director of the Oak Ridge National Laboratory, said: "It seems inevitable that science's demands will eventually be limited by what society can allocate to it. We shall then have to make choices . . . among different, often incommensurable, fields of science . . . [and] among the different institutions that receive support for sicence from the Government. . . ."

In 1964, Dr. Charles V. Kidd, then associate NIH director for training, warned the biomedical community of the impending slowdown. He said that competition for relatively scarcer resources would sharpen, making it necessary to choose among grant requests under priority criteria. Competition would also sharpen between allocations of funds for research and development and for exploitation of findings. Established investigators would find themselves in danger of losing their support to younger investigators of more promising creative potential. Finally, faculty members would find themselves increasingly obliged to turn to their own universities for allocation of at least part of their funds from so-called institutional grants—blocks of money given to the universities for flexible suballocation by them at their own discretion.

None of this should imply that the NIH has done other than a tremendous job. Undoubtedly there have been many errors, slippages, misdirections, indirections, and misadventures along the way. These are claimed to be relatively insignificant compared with the impressive NIH accomplishment of creating a national base for the advancement of knowledge for the nation's health. This base, said NIH in July, 1967, includes:

65,000 senior research investigators:

2,000 academic and research institutions with programs of research and training in the health sciences;

30,000 individuals in advanced training in basic science and clinical specialties;

17,000,000 square feet of added research space.

The NIH points out, too, that the knowledge accumulated over a 20-year period has:

Revolutionized the range of diagnostic, therapeutic, and preventive capabilities;

Advanced prognostic expectancies in many disease areas;

Opened penetrating insights into nature and processes of life, biological systems, disease and degenerative processes, and conditions of health.

Undoubtedly there could have been greater efficiency in planning and bringing off this phenomenal growth activity. Whether an emphasis on efficiency would have been compatible with rapid growth is debatable.

Why has this growth come to a grinding halt? And, what of the future? Medical academicians have been blaming their plight upon various factors, but their main rationalization is the cost of the war in Vietnam.

The more likely explanation is that a budgetary squeeze was independently in the making. Five years ago, William D. Carey, then executive assistant director of the U S. Bureau of the Budget, said that funds for research and development "have come so easily during the past decade that in some quarters of the scientific community we find a state of mind that assumes that the miracle of the loaves and the fishes will go on indefinitely and that the mere assertion of a valid scientific need will suffice to turn on the financial gusher once more. I should like to make it plain that the justification for the 16th and 17th billion will have to be very different from the justification which sufficed for the first billion."

SIGNALS APPARENTLY HEEDED

These signals undoubtedly must have been heeded, but there was little anyone could do to arrest the gathering storm. Precipitating factors, of which there were many, included the following:

1. There has been a natural tapering off in the rate of growth, analogous to limitations on growth of any organism.
2. Before Medicare and Medicaid, legislators could display their health voting records mainly through supporting non-controversial research and through bearing down on drug safety and drug costs—always fair game. Now that medical care offers a channel for more visible benefit, legislators may not be attaching the same importance to the deferred promises of research and development, less visible in any case.
3. Congress has apparently spent itself through the post-Sputnik era and now seems to want a pause for reflection on the impact of scientific and social legislation already enacted. The criticisms of NIH grants management by Rep. L. H. Fountain of North Carolina hardened the mood of caution.
4. Some evidence of "antiscience," which the scientific community equates with demonology and extreme reaction, may be discerned. Many grantees have overplayed the politics of promise. Only so long can the same assurances of practical results be given without straining the credulity of the public and the legislature.

Meanwhile, the NIH has been pressed to answer questions such as these: Where are the payoffs from research in terms of approved medical care? Should the bulk of research allocations continue to go to relatively few leading institutions or should they be more uniformly distributed on a geographic basis? Has research funding stimulated a "flight from teaching"? Has the quality of research been declining? Are Federal funds being spent prudently by research grantees under NIH supervision? Has the NIH undermined the authority of the university over its faculty members through earmarking project grants for specific investigators?

NEW DIRECTOR FACES PROBLEMS

These and related questions are part of the inheritance of the new NIH director, Dr. Marston. The answers must be linked to the resolution of broader policy questions which have been preoccupying the Secretary of Health, Education, and Welfare as well as officials within the Executive Office of the President. These cover such matters as the character of national science policy in general, evolving relationships of the Federal Government toward the universities as a whole, evolving Federal policies toward support of medical schools, further developments in Federal policy on medical care, and what are to be specific health goals and social priorities.

In broad perspective, NIH in 1968 completed a first phase of creating a base of knowledge building. NIH was organizationally innovative and ebullient. In the immediate future, greater emphasis will be placed upon perfecting organizational, programmatic, and procedural forms. Managerial neatness will be sought. The imperatives of choosing among alternatives of investment and of providing guidelines for decentralized execution will strengthen forces of centralism. Flexibility, dynamism, and academic autonomy may suffer as limits are placed on free choice.

For the NIH academic clientele, the most critical of oncoming problems may lie less in how much money is appropriated than in how and for what purposes funds are distributed. Somehow and in some proportions, health dollars will be allocated among research, education, and service, but many questions will have to be resolved as to how money is spent within and among these categories. Academic researchers will be most fearful of any moves either to diminish the support of investigator-initiated fundamental research in favor of applied research or to place the former under direct control of university administrators.

In succeeding articles I will take up some of the controversial topics that have implications for the NIH future. Nothing in these articles should be taken to diminish the grand accomplishments of the NIH leadership under Dr. Shannon. It is unlikely that any other course, even with the benefit of hindsight, would have more fruitfully served the nation's interest. What is important now is that the country avoid any discontinuity in the support of knowledge building through biomedical research and in the development of both clinical and research manpower.

PAUL F. SCHENCK

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 23, 1969

Mr. DORN. Mr. Speaker, it was my privilege to serve in this House with Paul F. Schenck throughout the 14 years he served here. I regretted to learn of his passing in Dayton, Ohio, on November 31.

Paul Schenck devoted virtually his entire life to public service. He began teaching school while in his teens, and was dedicated to improving his community, State, and Nation until his passing last fall following our great national elections. Paul Schenck believed in our great private enterprise system. He believed that a healthy private enterprise system with property rights and a reasonable profit was the best way to provide jobs, taxes for schools, and the recreational and civic and social improvements so necessary to modern progress and humanitarian philanthropy.

Although Paul Schenck was a member of the other great political party, our voting records on the great issues of the day were almost identical. He, from the great State of Ohio, knew as well as any man I ever knew, that the national interest called for a balanced economy, sound money, and less centralized Federal power. Paul Schenck firmly believed that a strong America, militarily, was the only answer to aggression and ruthless dictatorship all over the world. He opposed communism in its diabolical scheme to infiltrate, undermine, and eventually conquer the free world. Paul Schenck was a great American who served in the tradition of that great President from his native State of Ohio, William McKinley. This is a better Congress, and we are a better Nation because of his service in the Congress and his dedicated service to his fellowman.

OTTO OTEPKA—PERSECUTION UNRELENTING

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. RARICK. Mr. Speaker, millions of Americans—among them, those employed under civil service—have followed with great interest the case of Otto Otepka—a dedicated civil servant whose only crime was unswerving loyalty to his country.

Most had hoped that with the change of political alinement Mr. Otepka would be restored to his former position. They are aware that at this critical period in our history, we are sorely in need of men with his knowledge and devotion to America.

Failure to restore Mr. Otepka can but be interpreted that the new "team" is dishonoring its commitment to the American people to restore confidence in the State Department.

Mr. Speaker, I place a portion of the current status of the Otepka case, which appeared in the Government Employees Exchange for February 5, 1969, at this point in my remarks so that all of our colleagues may be apprised of what appears to be the latest move to try to break this courageous man:

ROGERS VETOES NIXON OTEPKA CASE REVIEW—OTEPKA SETTLEMENT PROPOSED FOR DROPPING WIRETAP PROBES

In a surprise move reversing completely campaign promises by President Nixon to reexamine thoroughly the Otto F. Otepka case, Secretary of State William P. Rogers let Senator James Eastland know that he does not want Otto F. Otepka to return to his former status as an active security officer in the State Department, this newspaper was informed by a top Senate aide on January 28.

The aide understood that Mr. Otepka might be re-instated "in title" to indicate that in the eyes of the Nixon administration he had been "vindicated and exonerated". However, Mr. Otepka would be given no important security cases to review and he would have to abandon his quest to identify publicly the persons who placed compromising material into his "burn bags" and who ordered the "wire-tapping" of his telephone.

The practical effect of this decision is that Secretary Rogers has thereby endorsed Secretary Rusk's contention that Mr. Otepka is himself now to be regarded as a security risk so far as the position of security officer in the State Department is concerned, the aide commented.

Ironically, Secretary Rogers' decision was communicated to Senator Eastland only a very short time after the issuance of a new security clearance to John Paton Davies by Under Secretary of State Nicholas deBelleville Katzenbach, the source said. This action was interpreted as reversing the action of Secretary of State John Foster Dulles who had ordered Mr. Davies dismissed from the Foreign Service in 1954 as a security risk.

THE MODALITIES

On January 29, another source, personally close to Secretary Rogers, confirmed that "modalities of communication" had been worked out "through intermediaries" between Secretary Rogers and Mr. Otepka.

After obtaining categoric assurances from this newspaper that his identity would not be revealed, this source stated that Secretary Rogers had chosen this course of action, which repudiated President Nixon's campaign promises, after "talks with Secretary Rusk during the transition period." From these talks it became clear to Secretary Rogers that any effort to identify the persons who ordered the "planting" of compromising material in Mr. Otepka's burn bags and who received the tapes of the wiretap of Mr. Otepka's telephone would lead to a "rupture" with Mr. Rusk. This "rupture" would bring the "wrath of the *New York Times* and *The Washington Post* down on Mr. Nixon", the State Department source said.

In addition, the facts now available to Secretary Rogers indicate that the "Kennedy forces would be aroused on Capitol Hill and Sargent Shriver might resign as American Ambassador in Paris", the source stated.

Under these circumstances, Secretary Rogers "hopes" Mr. Otepka would accept a "settlement" vindicating his public honor but not returning him to substantive work.

OTEPKA "COVERED"

Asked why Secretary Rogers thought Mr. Otepka should be agreeable to accepting the "shadow but not the substance" of vindication and restitution, the source said that the State Department had been "keeping tabs" on Mr. Otepka and his associates and Mr. Otepka had been "covered" by hundreds of reports from informers, private detectives, FBI agents, CIA operatives as well as a "surprisingly large number of other persons whom Mr. Otepka regards as his friends and in whom he confides."

From these reports it now appears that Mr. Otepka is both "financially and emotionally exhausted" and was ready to give up the fight for the "substance" of his job, provided the "shadow" of vindication was extended to him. Even more important, the source confided, the Department has received repeated indications that Mr. Otepka's attorney, Roger Robb, was weary of the case and had complained to colleagues that he was losing money by having to turn down more lucrative clients because of the time he had to devote to the Otepka case. The Department knows positively that Mr. Robb is personally "most loath" to go into a long and time-consuming court fight, the source revealed.

THE SETTLEMENT

"The settlement toward which Rogers is groping", the source continued, is to reinstate Mr. Otepka first to his previous civil service grade, from which he was demoted, and then to grant him retroactively his grade-step pay increases. After this, Mr. Otepka would be paid under the settlement for the leave without pay he had taken.

Finally, Mr. Otepka would be re-instated as the Chief Security Evaluator and shortly thereafter "detailed" to some "honorific" job which removed him from an active role in security. Following this, if Mr. Otepka desired, he could be "detailed" or "transferred" to some other Department or Agency or his job "abolished through reorganization", entitling him to immediate retirement if he chose.

TIMING THE CASE

The "timing of the settlement of the case", the source revealed, is presently linked to coincide with the announcement of the departure of Idar Rimestad as Deputy Under Secretary of State for Administration. By "linking the disposition of the Otepka case to the departure of Rimestad", Secretary Rogers hopes to assuage the disappointment and grievance of such supporters of Mr. Otepka as Senator Strom Thurmond and Congressman John Ashbrook who had complained to President Nixon about Mr. Rimestad's retention, the source revealed.

"Mr. Rimestad's head will be the sacrificial offering made to Mr. Otepka's followers", the source revealed.

FDA'S ACTIONS: UNBELIEVABLE

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. WYATT. Mr. Speaker, ideally this Federal Government of ours should function to aid and serve our Nation's people. If it loses sight of this single objective it cancels out the reason for its existence.

The Food and Drug Administration, as an agency of this Government, has been entrusted with the important responsibility, among others, of protecting the American public from dangerous or ineffective drugs and medicines. Should it cease to do this it is flying in the face of Congressional intent and negating the very reason for its existence.

When the FDA begins, as it has, to interpret the law and its authority in a manner that hinders the practice of medicine it is acting against the people's welfare. When it assumes powers it does not legally have, or takes on duties that are only questionably under its jurisdiction, and uses these powers and duties to actually harm our public it is directly abusing the trust placed with it.

With an incredible, bureaucratic insensitivity to the needs of this Nation, the FDA, more and more, is interpreting its powers to the detriment of our people, and is impinging on the practice of medicine to the point of becoming an absolute hindrance to that practice.

Instead of making an extra effort to use its evaluative and regulatory authority over drugs in a rational and positive manner, it seems the FDA is working toward exactly the opposite extreme. In many cases it appears it is using its power to pick petty points to death, to discard rational evaluation and regulation of drugs altogether, and simply to abuse the medical profession for no purpose except abuse. Such a method of handling its Federal duties is starkly dangerous to the health of the American people.

It is inconceivable that this turn of events should have come about as the specific intent of anyone in the Food and Drug Administration. It seems, rather, that circumstance and the ingrown emphasis on procedure rather than substance in that agency's growing bureaucracy have led to this sorry state.

The fact is that the FDA has too immense and important a set of tasks to perform for the present size of that organization. It is simply overwhelmed with procedure and paperwork. As its duties have expanded, as Congress has asked it to accept more and more responsibility, the FDA's actual ability to handle these chores efficiently has decreased in direct proportion to the increase in authority.

A major overhaul of the Food and Drug Administration is long overdue. Immediate reorganization of the agency is a necessity if the health of 200 million Americans is not to be drastically endangered. The delays and abuses of the burgeoning FDA bureaucracy must be eliminated. Efficient and professional handling of drug evaluation and control is an absolute must.

Legislation is currently being prepared to deal directly with this problem by restructuring the FDA's entire drug evaluation mechanism. The matter has become one of great national concern.

An editorial in the January 30th issue of the Medical Tribune presents this problem in clear and succinct language. I present that editorial at this point in the RECORD:

UNBELIEVABLE

We recently received a letter from a dermatologist in New Haven, Conn., who enclosed the following communication that he had received from the technical manager of a pharmaceutical manufacturer: "Your letter requesting samples of the ingredients in our Mycolog Cream has been referred to me.

"Until about a year ago we were pleased to be of service to the medical profession by furnishing samples of the ingredients in this product for patch testing. However at that time we received a notification from the FDA that 'the furnishing of components of this product for use in hypersensitivity testing will require a Notice of Claimed Investigational Exemption for a New Drug for each component so used.' Completed and signed forms are required both from the investigator and the supplier and results of the study must be reported to the FDA. As you may imagine, this constitutes a prohibitively laborious procedure for both you and Squibb. Although we have protested to the FDA, we are presently unable to furnish components of products for hypersensitivity testing. We are very sorry."

The dermatologist described the situtaion as unbelievable and went on to say, "In this case FDA technicalities interfere with good practice of medicine."

Does the law require the FDA to behave in this fashion? We ourselves do not think so, but, conceivably, it is possible to interpret the law as requiring this unseemly behavior. But why should the FDA, whose purpose, we are assured, is that good medicine be practiced to protect the public, make such an interpretation of the law? Does the FDA believe that Congress wanted the law to bear such an interpretation? Surely not. Does the FDA believe the public wants the law interpreted in this fashion? We find this inconceivable. Does the FDA believe that the courts would want the law interpreted in this fashion? But if the FDA without any folderol permitted a manufacturer to provide a physician with the constituent ingredients of a preparation so that he could skin test a patient, who, in heaven's name, would bring this to court as a violation of the law? The patient? The pharmaceutical manufacturer? The physician himself?

The situation is, unhappily, believable, but it is also deplorable. If, for whatever misguided reasons, the FDA believes it is compelled to interpret the law in the fashion described, then it ought to hotfoot it to Congress and ask that the law be amended so that this nonsense is stopped, once and for all. When the practice of good medicine is made difficult by administrative barriers, it is the responsibility of the FDA to promptly eliminate them.

RALPH McGILL

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. FULTON of Tennessee. Mr. Speaker, Mr. Ralph E. McGill, a native Tennessean and one of the outstanding voices of the Southern conscience, has died.

Mr. McGill received the Pultizer Prize in 1958 for his editorials opposing racial injustice in the South and denouncing Ku Klux Klan violence.

His strong voice calling for reason and justice and his clear insight into the social problems of the South and the entire United States will be missed by all of his friends and admirers.

Mr. McGill, born on a farm 10 miles from the community of Soddy, Tenn., attended Vanderbilt University in Nashville and worked for a time as a sports writer for the Nashville Banner. He joined the staff of the Atlanta Constitution in 1929, and served as a writer, executive editor, editor, and then publisher.

He gained fame as an advocate of racial justice in the South and that fame he richly deserves. But, Mr. Speaker, we should all remember that it was Mr. McGill's devotion to the principle of justice in the face of strong, dedicated and vocal opposition that set him apart. And it was his continued dedication to the principle of justice that made his voice one of importance for all of our Nation.

Mr. McGill has been praised by political, social, and business leaders of the Nation and his loss to the Nation has been well documented. But the people of the Nation who will miss his call to equality will be the poor, the unwanted, the unrepresented.

Mr. Speaker, these few words cannot do justice to the leadership Mr. Ralph E. McGill gave so freely to our Nation. The greatest tribute the Members of this body can pay to his memory is to honor his commitment to conscience and justice.

SP4C. FRANK J. MARCONI, U.S. ARMY, KILLED IN VIETNAM

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. OTTINGER. Mr. Speaker, it is my sad duty to report that another one of my constituents, Sp4c. Frank J. Marconi, U.S. Army, of Carmel, N.Y., died in Vietnam last month.

I wish to commend the courage of this young man and to honor his memory by inserting herewith, for inclusion in the RECORD, the following article:

[From the Evening Star, Peekskill (N.Y.) Jan. 28, 1969]

PUTNAM SOLDIER KILLED IN VIETNAM

CARMEL.—Army authorities last night disclosed that Sp. 4 Frank J. Marconi, 19, a member of Troop "C," 1st Squadron, 4th Calvary, of 44 Everett Road, Carmel, had been killed in action in Vietnam. He had previously been listed as missing.

His regiment is attached to the 1st Infantry Division in its operations against Viet Cong in central portions of the Republic of South Vietnam.

He is the son of Mr. and Mrs. Frank A. Marconi, formerly of Yonkers, who purchased and moved to the community about a year ago. In addition to his parents he is survived by two younger brothers, who attend the local public schools.

According to an Army spokesman, the family has indicated funeral services and interment will be in Yonkers, when the soldier's remains arrive in this country.

BILL SCOTT REPORTS

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. SCOTT. Mr. Speaker, each month we send out a newsletter to all residents of the Eighth District of Virginia who have expressed an interest in receiving a report from the Congress and each year we send a questionnaire and a copy of the newsletter to every home in the eighth district by addressing the patrons of each of our post offices.

The response in the past has been very good and I am hopeful that the people of the Eighth District of Virginia will respond to the 158,000 postal patron mailings going out to them this week.

A copy of the newsletter and the questionnaire is inserted at this point in the RECORD for the information of my colleagues:

YOUR CONGRESSMAN, BILL SCOTT, REPORTS

THE PRESIDENT

It was good to have so many of you who attended the Inauguration ceremonies at the Capitol on January 20 stop by the office and visit both before and after the swearing in of our new President. Mr. Nixon appeared to say the things that people wanted to hear and I believe his speech fitted the mood of the day. Certainly we hope that his leadership during the next four years will conform to the good beginning.

LITTLE ACTIVITY IN CONGRESS

Only minor matters have been considered since Congress convened. However, most committees have now been constituted, cabinet officers have been confirmed and more important matters will probably be considered after the Lincoln Day recess. Our office has been attempting to utilize this lull by introducing measures of interest and by laying the foundation for favorable consideration of these measures.

PRINCE WILLIAM COUNTY PROJECT

A bill introduced late in last year's session was approved by the House District of Columbia Committee but did not reach the floor for consideration. Therefore, this measure has been reintroduced and I am hopeful that it will receive early and favorable consideration by the House. The measure authorizes the Government of the District of Columbia to convey to Prince William County 350.4 acres of land adjoining the Potomac River at Featherstone Point approximately 27 miles downstream from Washington. I visited the property a few days ago with county officials and they are unanimous in desiring that title be obtained as soon as possible. Of the total, 158 acres will be used for recreational purposes, 25 acres for a water pollution control plant and the remaining 167.4 acres of marsh land will be diked and made available for a sanitary land fill for both Prince William County and the District of Columbia. County officials advise that the marsh land will be filled within a few years and this land will then also be available to meet local recreational needs in this fast growing county.

WASHINGTON AREA TRAFFIC

Commuting to and from Washington has become increasingly difficult over the years and there have been a multitude of delays in widening existing roads and building new ones. Certainly, we need to have rapid rail transportation but, in my opinion, this is only a part of a well coordinated system of transportation and we also should complete the planned highways in the metropolitan area. One of the agencies which has delayed the construction of highways is the National Capital Planning Commission and I introduced a bill last Wednesday to abolish this Commission and to transfer its functions to the District of Columbia Government. While the D.C. Government of course, is attempting to meet the needs of the inner city and this does sometimes conflict with the interest of suburban Washington, in my opinion authority and responsibility should be combined in the Commissioner of the District of Columbia who is, to an extent, responsible to both the Congress and the President.

An effort is also being made to let the new Secretary of Transportation know of the concern of Virginians with these delays and the hope has been expressed that the impasse between the Congress and the Virginia Department of Highways on one side and the D.C. Government on the other regarding Interstate #66, Interstate #266 and the Three Sisters Bridge can be finally resolved.

HOW BIG IS OUR GOVERNMENT?

Last year Congressman Bill Roth of Delaware attempted to catalogue all federal programs and tried to obtain assistance from various governmental agencies in order to determine where duplications exist. Although he and his staff spent more than eight months in this effort, he was unable to completely accomplish his purpose. Therefore, I have joined with Mr. Roth and other Members of Congress in a two-prong attack on this problem. We have introduced a Program Information Act and an Executive Reorganization and Management Improvement Act. These twin bills would require every federal agency to catalogue the programs it administers, outline what it is doing and how many employees it has. It would also create a ten-member Hoover-type commission to analyze the Federal Government operation and make specific recommendations for changes. Of course, the purpose is to provide better government at lower cost to the tax payers.

MANASSAS CEMETERY

As you know, the closing of Arlington National Cemetery for burial purposes can be expected within a few years and there is no other national cemetery within a reasonable distance of Washington. It has been estimated that one-fifth of the population of the country is eligible for burial in national cemeteries. Therefore, this week I have written to every Member of the House of Representatives, giving them information regarding my bill to establish a veterans cemetery on a portion of Manassas National Battlefield Park and have sought their support. While the Committee on Veterans Affairs will conduct hearings on the nationwide cemetery problem, I wanted the membership of the House to know the facts regarding this area project. Certainly, the Manassas Battlefield is an historic shrine but the use of a portion of the more than 3,000 acres of virtually undeveloped federal land could supplement the Arlington facilities without adding to the Federal Budget. The Director of the National Park Service will accompany me to the Battlefield site on the 10th of this month to see the possibilities and discuss the project.

POST OFFICE DEPARTMENT

Traditionally, the party of the President makes the recommendations to fill vacancies in the positions of Postmaster and Rural Carrier. However, on February 5, the President and Postmaster General announced that the Civil Service Commission will conduct open competitive examinations for all new postmaster and rural carrier vacancies and the top qualified person will be named for each vacancy. This procedure is effective immediately and will tend to remove political patronage from the Post Office Department. In addition, legislation will be introduced to eliminate Senate confirmation of postmasters, making the Postmaster General responsible for all appointments.

OFFICE STAFF

The volume of the work involved in representing 600,000 constituents requires that a considerable portion of the Congressional duties be delegated to the staff. This need to delegate can be illustrated by the fact that a few days ago, while in the Fredericksburg office, 51 people came in to confer on a variety of problems. At the same time, most of the staff was in the Washington office attending to their duties which includes an average of more than 100 letters per day. I returned at the end of the day to sign the mail. We do have a well-qualified and dedicated staff who have become expert in handling their phase of the work and who exercise initiative and independent judgment. You may be interested in the names and primary responsibility of staff members:

Flo Hart—Arranges visits to government buildings by individuals or groups and mails out publications.

Carol Reed—Post Office, Civil Service and employment matters.

Caroline Boubin—Appointments and speaking engagements.

Ann Wurfel—Press relations.

Frances Kiernan—Social Security, Internal Revenue and transportation problems.

Grace Scott—Military and veterans affairs and academy appointments.

Dick Sharood—Legal and legislative.

PUBLICATIONS AVAILABLE

Some of the Agriculture bulletins and other publications available for distribution upon request are listed below. Let me know the names of any of these you would like to receive: Growing Asparagus, Flooded Farms, Standby Electrical Equipment, Plumbing Repairs, Mildew, Detergents, Washing Machines, Family Fare, Our American Government, Questions and Answers on Health Insurance for the Aged, Infant Care, Your Child from 1 to 6.

OPINION POLL

Our annual questionnaire is being sent with this newsletter to every home in the 8th District. This is a continued effort to learn your views as the basis for more effective representation. The results will be tabulated and reported in a later newsletter. While this mailing is going to all postal patrons, future newsletters will be sent only to constituents now on the mailing list and those who ask to be included. You may want to use the following form for that purpose. However, if you have been regularly receiving the newsletter and the address is correct, no further action is necessary.

Congressman WILLIAM L. SCOTT,
House Office Building,
Washington, D.C.:

I am not now receiving "Bill Scott Reports" and would like to be put on the mailing list.

Name ___________________________________
Address _________________________________
City _____________________Zip Code______

WHAT IS YOUR OPINION?

	Yes	No	No opinion
1. Should the method of electing the President and Vice President be changed to provide for:			
a. Direct popular vote?			
b. Representation in the electoral college by congressional district rather than by State?			
c. Binding the States' electors to vote for the candidate who receives the most votes?			
d. Retain present system?			
2. Should the Post Office be reorganized:			
a. By placing all appointments and promotions under the merit system?			
b. By changing it to a nonprofit public corporation?			
c. By private industry taking over postal functions?			
d. Retain present system?			
3. Should the Hatch Act be amended to permit Federal employees to participate in partisan politics:			
a. Locally?			
b. At the State level?			
c. At the Federal level?			
d. Retain present law?			
4. Should the 1970 census:			
a. Be limited to approximately 10 basic questions?			
b. Be continued as in past years?			
c. Be expanded to provide additional information?			
5. To reduce poverty in the country, do you favor:			
a. A guaranteed minimum annual income?			
b. Government employment of relief recipients on public works projects?			
c. Tax incentives to businesses that hire and train unemployed?			
d. Federal welfare programs be retained as they are?			
5. To reduce poverty in the country, do you favor—Con.			
e. Federal welfare programs be expanded?			
f. Federal welfare programs be abolished?			
6. Should the Federal Constitution be amended to provide a uniform law throughout the country authorizing 18-year-olds to vote?			
7. Should the temporary surtax be:			
a. Continued at 10 percent?			
b. Reduced to 5 percent?			
c. Terminated at the end of the fiscal year?			
8. Should the right to bail be restricted when a person accused of a felony is already on bail in connection with a prior crime?			
9. Should military draft be:			
a. Abolished?			
b. Restricted to wartime?			
c. Amended to determine military service by lot?			
10. Should foreign aid:			
a. Be restricted to friendly nations?			
b. Consist only of military assistance?			
c. Consist only of economic assistance?			
d. Be abolished?			
11. Should the District of Columbia have:			
a. Local self-government			
b. A nonvoting delegate in the House of Representatives?			
c. Representatives in both the House and Senate similar to the States?			
12. Should persons convicted of Federal crimes be given additional mandatory sentences if a firearm was used in the commission of the crime?			

MIRACLES: OLD AND NEW

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, I would like to include in the RECORD a translation of an article that appeared on September 30, 1968, in La Informacion, a newspaper published in Santiago, the Dominican Republic.

The article is about the saving of a boy's life. That in itself is somewhat miraculous. But the chain of events that led to that happy occurrence is the miracle of modern technology combined with the aged-old miracle of people.

People who care enough about others to help them, to take care of them. There are a number of people who cared about this little boy: His mother, of course, who wrote a letter to President Johnson, asking him to help save her son from an early death: President Johnson who read the letter and took action; the attaché of Public Affairs at the American Embassy who implemented that action; and the ham operators who relayed information about the case.

One of these operators is James Jacobs of Brookline, Mass. He heard the mother's cry and contacted Dr. Robert Gross, a world famous cardiologist, who operated on the boy.

All of these people, worked together, for a boy they did not know. All that mattered was that he was in danger and that they might be able to help.

The article really speaks for itself. The translation reflects the emotion and the wonder of the acts of all these men. I include it here, not only to tell a wonderful tale, but to remind my colleagues of the importance of each single act. This story reaffirms the obligations of every man to be his brother's keeper. It is uplifting, and encouraging that so many people feel so obliged.

The article follows:

DON'T LET MY SON DIE, PRESIDENT JOHNSON!

As the hot summer days of 1965 went by and among a tragedy of tragedies a Dominican mother ran with anxiety away from death, trying to hide in some charitable corner of this life the piece of her womb that death was trying to snatch away.

Through the streets of misery her cry got entangled, slipping in the impotence of empty hands and of the "desiring is not obtaining".

Anxiety is the mother of despair and even of madness. Don't let my son die! Don't let my son die! The cry resounds like a whiplash on the hearts of those who are unable to help. "I will write to Johnson even if he won't listen to me". Don't let my son die! Don't let my son die! The cry exploded on her ears at the same rhythm of her heart beat.

But President Lyndon B. Johnson, first dignitary of the most powerful nation in the universe, received the letter, and forwarded it to his ambassador in the Dominican Republic, asking him to find a solution for this extremely urgent case.

Mr. Copmann, Attaché of Public Affairs of the embassy, received the letter and hurried to find a solution. The writer of the letter of the Dominican mother is a radio ham, a sort of a modern nomadic knighthood order which allows them to send a S.O.S. among other hams. Hello C.Q., hello C.Q.!! The Hertzian radio waves travel through space touching the doors of every heart.

In Boston beats a generous heart, with capital "H", which belongs to James M. Jacobs. Deep down in his heart the cry of the Dominican mother was heard. Toward that generous heart, towards that saving shelter in Boston the mother runs. C.Q., C.Q.! Mr. Jacobs calls Dr. Robert Gross, a world renowned cardiologist.

Everything is arranged. The Dominican child will be operated on in Boston.

The first operation is a success, but not a complete success. Another operation, or maybe more operations will be necessary for the child to lead a normal life. At a glance the child looks better, he plays and runs down Santiatog Rodriguez Street in his native city. But on the other hand, his sickness has not been conquered; it is waiting. Mr. Jacobs does not give up. Mr. Copmann has a memory. Even if the years go by, nothing will change; the child is not all right and the generous heart is always ready to help (oh; if those generous hearts were ambassadors!)

The sound of the jet is heard in the distance. It is June of 1968. It is on its way to Boston. Now the mother and the child do not fear the height anymore. They are veterans in their hours of flight as they look through the port holes. Boston, at last . . .! There is the miracle of generosity. Both represent the zenith of humanity.

Doctors dressed in white—not everyone dressed in white belongs to the KKK in the United States—stand among the lights; with raised hands they represent a complete purity. Noise of instruments. Instruments that move needles and show the vital rhythms. They open his chest. The heart can be seen. Hours. Surgery hours . . . and the mother prays the most profound prayer to the son of man, to him who gave up his life on a cross for all humanity.

Waiting rooms as the elastic time goes by. Whispers in the distance. Everything is confusing when supreme anxiety oppresses reason. Only faith is left. Stretchers in movement. Nervousness. News. Waiting. Always waiting.

Convalescence. Happiness. Health that restores life. Thankfulness. Gratitude to the generous heart who gave a good heart to the sick child. A real sense of gratitude which makes the chest that holds that heart, hurt with happiness. Tears of joy and gratitude, many of them, which are shed inside that mother's heart.

Return to the country, which is now more beautiful, that can be seen through healthy eyes. Next to her son, Austria Espinal, the happy mother, symbolizes happiness and gratitude. And there, farther than the small beaches which submerge towards the land of Franklin, inventor of the lighting rod, and science, her heart goes to embrace a nation! Mr. Copmann, Mr. James M. Jacobs, and Dr. Robert Gross and an anonymous legion of radio hams, real North Americans, who carry out non-military occupations.

There: The real people of Uncle Sam.

Time wrinkles calendars, but not memories, today Mr. Jacobs is in the Dominican Republic, land which he loves, because he learned to know her. He came to visit the child, almost like his own son, Eduardo Espinal, who revealed to the world a message of faith, faith on mankind. To many this has answered the question of whether man can today practice philanthropy, and to enrich in happiness a poor mother, a very poor mother. And the child today, in the dream that became reality, thanks to tremendous amount of dollars that were sent on him, smiles in gratitude next to his mother. And, Mr. Jacobs also came to deliver a very modern medical equipment to a hospital in the Olympic city of La Vega.

Welcome to Santo Domingo, Mr. Jacobs and family . . .!

MR. SCULPTOR: MOLD ME AN AMERICAN

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. LANGEN. Mr. Speaker, it was my privilege last fall to meet an outstanding young lady in Warren, Minn., by the name of Sondra Maruska. She is a student at the Warren High School, and I am happy to report, is a Teenage Republican in a new group formed under the direction of Mrs. H. G. Myhre.

Young Sondra took pen in hand and wrote a very searching poem in honor of Veteran's Day last year. Her words are so moving and pertinent that I would like to share them with my colleagues in the Congress. Entitled "Mr. Sculptor: Mold Me An American," Miss Maruska's poem is hereby included at this point in the RECORD as it appeared in the Warren Sheaf:

MR. SCULPTOR, MOLD ME AN AMERICAN

(By Miss Sondra Maruska, Warren High School Senior, Veteran's Day, 1968)

The sculptor looked down at me with apprehensive eyes. "I've never done much of this kind of work," he said. "But go ahead, describe what you want, I'll do the best I can."

Mr. Sculptor, I want you to mold me—an American.—

Mold me a man so strong, so brave
That to selfish desires he'll not be a slave.
Shape me a son of liberty's bell
That will toll a song so that hearts will swell.
Form me a fighter, afraid not to stand
In defense of his people, in defense of his land.
A man who'll be proud of his right to dissent,
But who knows when his rights become distorted and bent.
Make me a man who thinks and who cares,
And make me a man who can prove that he dares
To stand up when others are burning our flag
And act to prevent this purposeless plague.
Mold me a man who is young in his heart,
Not warped by age and too old to start
Down the road that will help, the way that will save,
Our land of the free, our home of the brave.
Shape me a citizen who's proud of the fact.
Who'll not deny anyone white or black,
The same rights and freedoms he daily employs,
The privileges and liberties he loves and enjoys.
Make him a mixture of races and creeds,
Able to understand all wants and needs
Of those living with him who constantly say,
"We want our rights, we want them today."
Paint him a patriot, so true to his cause,
Proud of his country, ashamed of its flaws.
Ready to do what he knows must be done
To erase its mistakes till success it has won.
Rear him a rebel, for rebels are right,
When their motives are clearly and wisely in sight.
Our nation was built on the dreams of a few
Who dared to rebel and search for the new.
Mold me a man who's aware of the ones
Who died in defense of their land and its sons.
Carve him with courage to do the same deeds
When called by his country to answer her needs.

Shape him with dignity, wisdom and pride,
Too bold to give up, before he has tried.
Make him ambitious, with work as his means
Of attaining his goals, of fulfilling his dreams.
Give him two eyes so that he can see
The hunger and poverty of those who aren't free.
Two ears that can hear the pitiful pleas
That ask him to help, the pains to ease.
Fill him with faith in a God that's above
Who's price of freedom is nothing but love.
Help him to know that in strength he'll survive
If our love for liberty remains alive.
And when you have finished this sculpture of mine,
With values so perfect, with habits so fine
Set him within the heart of our land
Where he'll be an example for every man.
Now, Mr. Sculptor—
Show me an American just like I've described
And I'll show you an America built on pride
Of her people who believe from their birth
That their land is greatest of all lands on earth.

CIGARETTE ADVERTISING

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. VAN DEERLIN. Mr. Speaker, there is a distinctly offensive quality about much of the cigarette advertising carried on television.

Smokers are depicted as young and beautiful people, cavorting with their weeds on beaches, fields, and other playgrounds.

The implication is clear: Instead of being detrimental to health, smoking must be positively beneficial. If you puff away a lot, on a certain brand, presumably you, the viewer, can anticipate being beautiful and vibrant yourself.

It is difficult to defend the brand of nonsense concerning cigarettes that gluts our airwaves.

And now the Federal Communications Commission has rushed in, and is attempting to outlaw all cigarette ads on radio and television.

In my view, the commission has already stepped out of bounds in this matter. Distasteful as the ads may be, the manufacturers have every right to put them on the air. If a product is legally marketable, it also is—or should be—legal to advertise it. And any attempt to limit the right of the industry to try to sell its product would appear to contravene free speech guarantees of the first amendment.

I have supported and will continue to support the requirement for the warning label on cigarette packages. In fact, I will urge this year, as I have in the past, that the warning label be placed on the front of the pack, rather than on a relatively inconspicuous side panel. The hazardous-to-health notice helps the customer know what he is getting, and the chances he may be taking—without infringing on the basic right of the seller to promote his product.

Congress should extend the Cigarette Labeling and Advertising Act of 1965, which is due to expire June 30. We should retain the prohibition on FCC interference in this field—while at the same time making the compulsory warning more visible.

ELECT PRESIDENT BY POPULAR VOTE

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. FEIGHAN. Mr. Speaker, on February 4, 1969, I introduced House Joint Resolution 364, which provides for election of the President and Vice President of the United States by direct popular vote. It is my belief that the people should elect the President. The Judiciary Committee began hearings yesterday on electoral college reform. As ranking member of the Committee on the Judiciary, I will push for the adoption of my proposal rather than one of the many proposals pending before the committee that would only slightly alter the present law. The only system that is entirely acceptable is one that will assure equal weight to every citizen's vote.

The following is an editorial in the Plain Dealer of February 2, 1969, which emphasizes the importance of accepting my proposal.

ELECT PRESIDENT BY POPULAR VOTE

The time has come for the United States to discard its unfair, undemocratic and dangerous system of electing a president.

This jerry-built, roundly condemned, double-election system should be replaced with a simple direct popular election.

(We are not referring here to the manner in which candidates are selected by their political parties but only to the way in which one of them officially is elected president.)

If ever there was a reason for Americans to trust the selection of the chief executive to a handful of electors, it has long since disappeared.

The injustice of the elector system was exposed as long ago as 1796 when the first faithless elector, a Pennsylvania Federalist, cast his ballot for Thomas Jefferson, the Republican candidate. "What!" complained an outraged Federalist, "Do I choose Samuel Miles to determine for me whether John Adams or Thomas Jefferson shall be president? No, I choose him to act, not to think!"

But the idea persists, among some electors at least, that they enjoy superior judgment than the "uninformed" masses; and constitutionally, the electors may vote for whomever they please.

Last year's faithless elector, Dr. Lloyd W. Bailey of Rocky Mount, N.C., knew better than the voters. Though pledged to Nixon, he voted for George Wallace. He would retain the archaic electoral system because "we are dangerously close to becoming" a democracy.

That we are. And is that bad?

Bailey's vote did not make any difference in the outcome. But it could have.

In a closer electoral contest, it could have thrown the election into the House of Representatives, which could still be trying to elect a president and making dark deals. Like the deal in the 1876 election which in effect gave Rutherford B. Hayes the presidency on his agreement to withdraw federal troops from the old Confederacy. When the troops were withdrawn, violent forces seized power in the South and deprived Negroes of their right to vote. "It would be almost a century until the nation began to rectify the injustices to the southern Negro which stemmed from the price that was paid for peace in the land," writes Neal R. Pierce in "The People's President."

Why a direct popular vote instead of one of the other plans advanced to end the evils of the electoral system?

It is the only plan that would assure the election of the man most voters wanted to be president. (Three times in our history, the Electoral College has given the office to the man who lost in the national popular vote).

It is the plan that has the greatest popular support. (Pollsters say it is favored by up to 79% of the voters).

It is the only plan that would eliminate all the evils of the Electoral College system.

It is the only plan that would give each vote equal weight.

It has a chance to be adopted, because it is picked up support in Congress and in state legislatures around the nation.

It should be adopted and it will be if the citizens who believe in it push their legislators hard enough.

Now is the time to push, with the 1968 election fresh in memory.

BOY SCOUTS OF AMERICA: REPORT TO THE NATION

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, this morning, February 6, 1969, 15 Eagle Scouts who are in the Nation's Capital to make the annual report of the Boy Scouts of America to the President of the United States were honored at breakfast by Members of the House and Senate.

Among the distinguished guests was National Boy Scout Council Treasurer who is also chairman of the board and president of Mack Trucks, Inc., of Allentown, Pa., Zenon C. R. Hansen, who introduced his special guest, Vince Lombardi, at his first formal appearance as a Washington citizen. Also with Mr. Hansen were Bart Starr, Green Bay quarterback, and Clarence "Biggie" Munn, athletic director of Michigan State University.

Tomorrow more than 5,500,000 members of the Boy Scouts of America and 1,500,000 adult volunteer scouters will begin Boy Scout Week observances. The Scouts' slogan for this week of activities is, "America's manpower begins with boypower."

Mr. Speaker, I am pleased to bring to the attention of my colleagues a speech delivered this morning by the distinguished president of the National Council, Boy Scouts of America, Irving Feist:

BOYPOWER, 1976: A LOOK TO THE FUTURE

(Report to the Nation: Congressional Breakfast, February 6, 1969, Washington, D.C., Irving J. Feist, President, Boy Scouts of America)

Honored guests who are giving of your time to be at this breakfast, ladies and gentlemen of Congress, I am—like many of you—one who volunteers his time because I believe that Scouting is important in its influence on boys.

Many of you have indicated to me that we must do more. For we believe that, perhaps, if we had reached more boys and influenced

them more deeply, great segments of our youth would not be in turmoil today.

1968 was our year to set a challenge that will be reached in 1976—the 200th anniversary of the founding of our Nation. And as I have worked in literally hundreds of meetings, I know that we will succeed in our effort to build boypower for the Nation's future.

Even as early as last May, our record-breaking attendance at our annual meeting accepted the mandate from the 90th Congress in its Joint Resolution which said, in part, that the Boy Scouts of America should further advance its services to youth so that "more boys in every segment of our country will be involved in its program and that future generations of Americans will be better prepared."

Boypower '76, this long-range plan to meet the needs of the future, is really based on the purpose of Scouting as it was defined at our beginning in 1910 and in the Federal Charter which was granted in 1916.

We have looked at this purpose carefully in the past year, and we have not changed it, but we have keyed it to the present day.

Our goal, then, for the next seven years is to provide boys with an effective program designed to build desirable qualities of character, to train in the responsibilities of participating citizenship, and to develop in boys personal fitness.

If the boys of today are to be good citizens of tomorrow, they must have personal and stable values firmly based on religious concepts. They must understand the principles of the American social, economic, and governmental systems. They must be knowledgeable about their American heritage and take pride in it. They must understand America's role in the world. They must have a keen respect for the basic rights of all people. They must be prepared to fulfill the varied responsibilities of participating—giving leadership—in American society and in the forums of the world.

The year of 1968 was a memorable year in the lives of all Americans. For many it was a time of doubt and despair. But for most it became a time of hope and renewed faith. Amid unrest and widespread poverty, the people sought answers to many difficult problems.

When we reach the 200th anniversary of our Nation, Scouting will have moved forward with eight years of intensive effort on the prime premise that "America's Manpower Begins with Boypower."

If Scouting has favorably affected the lives of one-fourth of America's boys in the past, there is no reason it cannot more effectively influence a more representative one-third of them in the immediate future. And this means that in 1976, we shall have two million more boys in Scouting than we have today.

Our research studies show that Scouting is highly regarded as part of the American scene. They also show that there is still one-fourth of all boys who want to be Scouts but—for various reasons—haven't had the opportunity. Boypower '76 calls for us to reach into every area where boys are—inner-city, rural America, the suburbs.

American boys today reach out eagerly toward adulthood and have an increasing need to challenge themselves against others in preparation for coping and succeeding in an adult world which stresses practical accomplishment, money, success, and self-improvement. Many of Scouting's values fit into this framework. But we are now working through dozens of national committees of dedicated volunteers so that Scouting will have the best methods to point the way for boys toward contemporary American adulthood.

Camping is still the most popular feature of Scouting for most boys—especially the younger ones—and we shall continue to emphasize the values that come from camping. But, it is true, that those high-school-age boys to whom we offer Exploring—and even some of those who are younger—want to develop themselves for later life. They want to learn useful things that will help in a job. They want to show what they can do on their own. And, as you've heard, they want to be with girls.

So, Scouting during the period of Boypower '76 will keep to its purpose, but it will keep in tune with the times.

This bold, new venture—this crusade, if you please—has clear and measurable goals that will unite our team and focus its efforts. I have met with our Scout leaders across the Nation, and these goals of Boypower '76 are serious commitments to all adults related to Scouting. There have even been meetings with hundreds of representatives from America's news media, and they, too, are excited about the impact that Scouting can make on our Nation through the attainment of the goals of Boypower '76.

We report to you, then—as these Reports to the Nation Scouts will report to President Nixon tomorrow—that Scouting has launched a program that will rekindle the spirit of '76.

We report to you that Scouting is moving into an exciting new era with an ambitious and courageous program to achieve the great destiny that is ours if we but have the will to reach for it.

Ladies and gentlemen, America needs the old-fashioned patriotism which built our heritage. With the help of hundreds of thousands of volunteer leaders, Scouting will deliver.

America needs support for attitudes of respect. And Scouting is pledged to deliver.

America needs young men motivated to self-reliance. And our challenge is that Scouting can deliver.

This is the great opportunity that lies ahead for us. We call it Boypower '76. And we say Scouting is one of the few ways a boy can have a good time while he builds himself into the kind of citizen his community—and his Nation—can be proud of. We say, America gets its great strength and drive from its manpower. But, it is true, too, that America's manpower begins with Boypower. And Boypower '76 is the name of our game.

THE EVIL OF RACISM

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. REES. Mr. Speaker, a very distinguished constituent of mine, Mr. John Factor, is disturbed, as so many of us are, over the inherent evils of racial prejudice. He recently purchased space in the major newspapers in Los Angeles to bring to the readers his own thoughts on the evil of racism.

I would like to have the text of his message printed in the RECORD so his words might be available to all Americans:

THE EVIL OF RACISM

Race prejudice, a universal human ailment, is the most recalcitrant aspect of the evil in man.

Few of us seem to realize how insidious, how universal an evil is racism. Racism is man's gravest threat to man, the maximum of hatred for a minimum of reason, the maximum of cruelty for a minimum of thinking.

God created different kinds of man, men of different colors and races. From one single man all men are descended. The image of God is either in every man or in no man.

To think of man in terms of white, black or yellow is more than an error. It is an eye disease, a cancer of the soul.

The redeeming quality of man lies in his ability to sense his kinship with all men.

There are people in our country whose moral sensitivity suffers a black-out when confronted with the black man's predicament.

Whenever one person is offended, we are all hurt. What begins as inequality of some inevitably ends as inequality of all.

One hundred years ago the emancipation of the Negro was proclaimed. It is time for the white man to strive for self emancipation, to set himself free of bigotry and contempt.

By negligence and silence we have all become accessory before the God of mercy to the injustice committed against the Negroes by men of our nation.

When blood is shed, human eyes see red; when a heart is crushed, it is only God who shares the pain.

The crime of murder is tangible and punishable by law. The sin of insult is imponderable, invisible.

In the Hebrew language one word denotes both crimes. "Bloodshed" in Hebrew, is the word that denotes both murder and humiliation.

Racial tension and strife is both sin and punishment. The Negro's plight, the blighted areas in the large cities, are they not the fruit of our sins?

The shotgun blasts that have killed those leaders who sought justice and the innocent people who were victims of injustice make us cry for shame wherever we are.

Seen in the light of our religious tradition, the Negro problem is the test of our integrity, a magnificent spiritual opportunity.

Our concern must be expressed not symbolically, but literally; not only publicly, but also privately; not only occasionally, but regularly.

What we need is the involvement of every one of us as individuals. What we need is the constant awarenes of the monstrosity of injustice. History has made us all neighbors. The age of moral mediocrity and complacency has run out.

This is a time for commitment, for deed, for action.

UNFAIR TAX TREATMENT OF PERSONS WHO ARE REALLY IN FACT HEADS OF HOUSEHOLDS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. VANIK. Mr. Speaker, present tax provisions discriminate against widows, widowers, and single persons, treating them as single persons even though they may genuinely be heads of their households. Most single persons today operate their own households meeting the full burden of household expense. The tax laws should recognize the special problem of the 4,500,000 single wage earners in the United States.

Therefore, I am today introducing legislation, as I did in the 90th Congress, to remedy this unfair treatment of persons who are really in fact heads of their households.

The following table compares the present tax liability of a single person with what it would be if his income is taxed at the rate applied to married taxpayers filing tax returns as heads of households. This head-of-household rate would apply to unremarried widows, widowers, and single persons over 30 years of age under the legislation which I have introduced.

Total income	$7,500	$10,000	$15,000	$25,000
Personal exemption	600	600	600	600
10-percent deduction	750	1,000	1,500	2,500
Taxable income	6,150	8,400	12,900	21,900
Tax liability (including surtax):				
(a) Single taxpayer rates	$1,285	$1,916	$3,154	$7,680
Percent to total income	17.1	19.1	21.0	30.7
(b) Head-of-household rates	$1,203	$1,760	$2,819	$6,578
Percent to total income	16.0	17.6	18.8	26.3
Tax saving under Vanik bill	$82	$156	$335	$1,102

As you can see from this table, a single person would save $82 under my bill if he made $7,500 per year; $156 if he made $10,000 per year; $335 per year at $15,000; and $1,102 per year if he earned $25,000.

It is my hope that the Ways and Means Committee will be able to consider this bill during its up-coming hearings on tax reform and revision.

A TEACHER AFFECTS ETERNITY

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. PODELL. Mr. Speaker, it is my sad duty to call to the attention of my colleagues the passing last Tuesday evening of a most remarkable gentleman, Mr. Joel Braverman. This sensitive man, consumed by his great love of children dedicated nearly his entire life to their education. He was founder and for years principal of Yeshiva of Flatbush Elementary and Secondary School in Brooklyn. Under his watchful, fatherly eye the fledgling school grew. Nourished by his dedication, strengthened by his vision and tireless energy, the school matured into one of the finest institutes of Hebrew learning in the United States.

I knew Joel Braverman for many years. It was my privilege to have attended the Yeshiva of Flatbush and to have been exposed to this unusual man. I can truthfully say that he played a profound role in my life. He was more than a principal, more than a teacher. He was a friend, a confidant, a guide, a man loved and emulated by the children he loved. He was the kind of man who influenced and shaped the characters of all who came into contact with him. His interest in each child was genuine and he recognized each of us as an indvidual. Children were his whole interest, his whole life. His dedication to them and to their education was uncompromising. Those of us who knew him feel his loss intensely and personally.

The loss of Joel Braverman is too great for the cause of education. He was a giant and a leader in the field of Hebrew education. He was a planner and an architect. He designed and brought to life an educational program of the finest quality. It is because of his efforts that Yeshiva of Flatbush has achieved the outstanding reputation which it has. Private education in this country is a tradition. It testifies to our freedom of religion and of conscience, and our right to direct the upbringing and education of our children. The establishment and operation of an institution like Yeshiva of Flatbush is an exercise and a reinforcement of that right and is, in a very real sense, a contribution to American education. This is part of the legacy which Joel Braverman has left us.

But we will remember him most, I believe, for his warmth, for his great concern for the feelings of others, and of course for his intense love of children. He was the kind of man and friend who makes life more meaningful. Henry Adams once wrote:

> A teacher affects eternity; he can never tell where his influence stops.

It consoles me somewhat to think that Joel Braverman will live on in all the children he influenced and in all their achievements.

CITIZENS LAUDED FOR ASSISTANCE RENDERED DURING CALIFORNIA DISASTER

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. BELL. Mr. Speaker, recently the Los Angeles area which I represent was struck by disastrous rains which released tons of mud on many homes in the 28th District. Had it not been for the generous and tireless efforts of our city's professional agencies, volunteer organizations, and untold hundreds of citizen volunteers, this disaster from which we are still recovering would have been greatly magnified.

I would like to commend those people who gave so willingly of their time and energy to assist their neighbors in a time of crisis. Unfortunately, it is impossible to name individually each of those fine citizens. They came when there was a need and left quietly when the battle was over—satisfied only with a job well done. The groups involved and represented in assisting the 28th District, however, included the Law Enforcement Explorer Scouts, the Civil Air Patrol, student groups from UCLA, a contingent from Loyola University, and individuals from other colleges and universities in the Los Angeles area. Teenagers from all over the city came forward to assist in bagging more than 2,500 tons of sand. Citizen band groups such as REACT and FORE also assisted the National Guard, the Red Cross, and our own Los Angeles Police and Fire Departments.

The generation gap was closed as young and old alike worked shoulder to shoulder for 2 days in torrential rains to save lives and property. Between 400 and 500 citizens were actively involved in this effort and another 400 had to be turned away. They are back now helping to clean up the destruction.

In a time of trouble and conflict these citizens have proved that in our country concern is still alive and "involvement" is not a quality of the past.

I am proud to be their Representative in Congress.

Each of the citizens and all of the organizations who came forward to assist the afflicted residents are worthy of commendation, and, at the very least, deserve our sincere thanks and gratitude.

LET WOMEN DOCTORS RELIEVE SHORTAGE

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mrs. GRIFFITHS. Mr. Speaker, I wish to congratulate Sydney J. Harris for his article entitled, "Let Women Doctors Relieve Shortage." Anyone who reads this article will realize that Mr. Harris is worthy of the Congressional Medal of Honor.

Mr. Speaker, I include the text of the article in the CONGRESSIONAL RECORD:

LET WOMEN DOCTORS RELIEVE SHORTAGE

(By Sydney J. Harris)

I have written about this before, a dozen years ago, but the situation is now worse than it was then, and still nothing much has been done. I refer to the shortage of doctors in the U.S., and our provincial prejudice against women in the medical profession.

Our country could use another quarter-million doctors, but many young men are not able to go through the lengthy and expensive period of medical education; on the other hand, hundreds of thousands of college-trained women could take up the profession if they were encouraged to do so.

The majority of doctors are women in Russia, and in the Scandinavian countries and throughout Europe generally, there are many times more women doctors than we have in the U.S.

Male Chauvinism does not run nearly as high in those countries as it does here. Even female lawyers are frowned upon in the U.S. (both inside and outside the legal profession), are paid less, given more menial assignments, and rarely elevated to positions of any real responsibility in public service, as their male counterparts are.

It may be a plausible (though not, to me, persuasive) argument that women lack the toughness of fibre to make first-rate lawyers; but surely no similar argument applies to their potential abilities as doctors.

In the first place, women tend to be natively more sympathetic to physical ailments than men; women are more aware of their bodies, more sensitive to biological processes; more emotionally engaged in the arts of nursing and nutrition and conservation of health.

Secondly, and just as important, women have a naturally deeper understanding of psychosomatic ailments—which are at the bottom of more than 50 percent of all cases seen by doctors—because their own minds and bodies are so intimately related, so delicately interpenetrated by one another.

And, so far as the technical skills of medicine are concerned, these can be learned by any competent and ordinarily intelligent person of either sex. What chiefly distinguishes a good doctor from a mediocre one is precisely the area in which women excel: the ability to identify with the patient, to communicate and interact on a level beneath the merely verbal and intellectual and clinical.

It is one of the scandals of our society that we fail to extract the vast potential from our women, and still condemn them to second-class citizenship in the profession that needs them most.

CONSUMER INFORMATION IN EUROPE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. ROSENTHAL. Mr. Speaker, those of us who are working for a Federal Department of Consumer Affairs are aware how far behind the European countries we are. Most of the world's industrialized countries, in fact, have already established strong, effective consumer programs with appropriate cabinet representation.

Prof. Hans B. Thorelli, of Indiana University, has described the various ways European consumer organizations, both public and private, are providing consumer information in the following article:

THE TESTMAKERS—A NONCOMPARATIVE STUDY OF ORGANIZED CONSUMER INFORMATION IN EUROPE*

(By Hans B. Thorelli**)

Europe is rapidly becoming consumer oriented. This development is naturally related to the spread of modern marketing management concepts. To no small part the consumer emphasis is also due to the current rise of interest groups, governmental bodies and other institutions exclusively concerned with consumer problems. This paper is focused on organized consumer information agencies engaged in labeling or in comparative testing of products. A variety of forms, from profit-making journals via consumer-subscriber organizations to state-run institutes are discussed. While some standardization of practices is underway, continued experimentation is likely to accompany the further rapid growth of this movement which may be predicted with great confidence. Special interest, and special problems attach to increasing international cooperation in the field.

The most essential aspect of the marketing process—whether viewed from a producer or a consumer viewpoint—is that it is a communications system. Looking at the spectrum of information flowing in the direction of the consumer we find, among other things, advertising, personal selling, user's manuals, homemaker and hobby journals, editorial and critical copy in the newspapers, general education in so far as it upgrades consumership, some specialized consumer education programs, opinion leaders, coffee klatsches, legislated information labels, and a great number of quality seals, marks, and labels issued by standardization bodies and trade associations in various industries. The last few decades—indeed, the last few years[1]—have also witnessed the emergence of what we may call the testmakers, i.e., agencies engaged in labeling or comparative testing of products on an economy-wide basis (or at least without reference to a special industry or group of products). The term organized consumer information is used here, somewhat arbitrarily, to refer to the output of these bodies. It should be observed that many of these organizations also engage in activities other than comparative testing or labeling, such as lobbying on behalf of consumers, operating complaint bureaus, conducting home economics research of a general nature. These other activities fall outside the scope of the study.

The use of the term consumer *information* to denote the business of testing and labeling agencies is deliberate, as the generation, analysis, and dissemination of consumer-relevant product information is the common denominator in their activities. It should be remembered, however, that several of the organizations go beyond the presentation of basic facts into the realm of consumer "guidance" or "protection."

This paper may be viewed as a progress report, at least in the sense that it is impressionistic and exploratory. While based on data from all Western Europe, comprising some forty different organizations, the report almost surely has omitted a few bodies of significance and some factual mistakes have likely been included. (Being dealers in information about products not all testmakers excel in giving information about themselves.) Also, while it is fashionable to call any research comprising more than one observation comparative, we shall be content with the adjective non-comparative. We have, however, devoted a section to a synopsis of what we consider a truly comparative study.

TERMS OF REFERENCE

Whatever the degrees of government planning and regulation, all West European economies are based on private enterprise. In such a competitive enterprise system there can only be one ultimate testing place: the market. To the extent that organized consumer information facilitates rational behavior by the consumer, it will strengthen the economic system. To the extent that these programs, by being overly solicitous, make the consumer a passive rather than an active participant in the marketplace they will weaken the system. While it would carry this survey too far to take up these problems, it is clear that different consumer information systems will tend to have different types of impact on consumers.

Of the need for improved consumer information there can be no doubt. Information about the market has always been to varying degrees imperfect. It would also seem fairly clear that the increase in availability of relevant information has not equalled the increased need for such information in the last few decades. The acceleration and diversification of technical progress, the cornucopia of new products, the intricate complexity of many of them, and the proliferation of product brands, these have resulted in a phenomenal increase in the "functional distance" between the producer and the consumer. The "geographical distance" and the "temporal distance" between them has grown apace with the nationalization and internationalization of local markets. The "legal distance" poses new problems in public rules governing health, safety and fraud. The mechanization of retailing has meant a rapid structural decline in the role of personal selling as a channel of consumer information.

In this changed environment the consumer finds himself with a multi-leveled set of buying criteria, a diversified group of buying decisions brought abruptly to focus by the striking growth in both discretionary income and leisure time. As he is drawn into new and rapidly changing spending areas the consumer often finds that he and, indeed, his peers, have little prior experience to draw on. It is no accident that the prime movers behind organized consumer information have been middle class and professional groups in Western Societies of relative abundance.[2]

The joining of forces to ensure corrective or compensatory action on the part of consumers was at first limited to the traditional consumer cooperatives, whose interest in this area has been moderate. In the late forties and fifties a new kind of consumer association was founded in European countries, sometimes at the instigation of governmental authorities and often with the support of other groups with social aims—family federations, women's associations, trade unions. The common purpose: to promote consumption in the sense of the consumer interest and to put it on an equal basis with production and distribution.

The European Productivity Agency convened a meeting in 1960 to discuss consumer information systems. The specific objective was to study three methods of informing consumers: comparative testing, quality markings, and informative labeling. Each category corresponds to a specific aim, and the various systems employ different ways of compiling and disseminating information. One of the most striking is the difference in the attitude to the producer: the advocates of comparative tests generally refuse to cooperate actively with the producer, whereas the supporters of the other two methods require such collaboration to achieve their ends. Despite these differences, however, these various methods of information share certain aims, as well as difficulties.

Today, though the individual organizations persist in following a chosen method, due to the multiplication or re-combination of groups, many countries in Europe, taken as a whole, are gradually tending toward the use of all methods to achieve their goal. Still organizational preferences can be discerned.

The year 1964 saw a tremendous change in European orientation toward consumer problems—a change in both pace and in the placement of concern. Some of these quickenings were set in motion earlier, but 1964 was a year of a new emphasis on the consumer as such and this at the cabinet level, as one country after another moved to create new agencies, appoint investigations, or grant new monies to private or public bodies in the field.

A further outgrowth of the convergence of goals among consumer organizations has been the formation of international bodies. These as yet serve mainly a clearing-house function. When they have taken independent initiatives, execution in the past has largely been the responsibility of national members. International organizations of special interest in the testing and labeling context are primarily the following:

International Organization of Consumers Unions (The Hague, 1960). 25+ member organizations from some twenty countries, including Consumers Union (U.S.). Broad interest, but focused on comparative testing.

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*This study was carried out with active support of the International Management Development Institute (IMEDE), Lausanne, at which the author was Professor of Marketing in 1964–65. Mrs. Sarah V. Thorelli contributed heavily to the project.

**Professor of Marketing, Indiana University.

[1] It is worth noting that one-third of the organizations surveyed here were not even born when the field was last inventoried, i.e., in an OEEC study based on 1960 data. Among the new organizations are also a great proportion of the most important ones in terms of innovation and impact in the field. Cf. Jean Meynaud, *Better Buying Through Consumer Information*, Paris, Organization for European Economic Cooperation, 1961.

[2] This certainly does not mean that there is no need for consumer information programs in the underdeveloped countries. Only that the need there is not likely to be met spontaneously by local voluntary organizations.

Bureau Européen des Unions de Consommateurs (Brussels, 1962). Hitherto primarily a contact organ for certain consumer groups in the EEC. Will be the sponsor of so-called Eurotests.

Nordiska Kommittén för Konsumentfragor (Inter-Scandinavian Committee on Consumer Matters, Copenhagen, 1958). Denmark, Finland, Norway, Sweden. Inter-governmental. Promotes common approaches, methods, criteria as regards testing.

Centre International pour la Promotion de la Qualité (The Hague, 1962). Austria, Belgium, France, Germany, Holland, Spain, U.K. Thus far has promoted informative labeling as well as quality labeling. London conference 1965 discussed harmonization of national efforts, especially testing methods.

International Organization for Standardization (ISO, Geneva, 1946). In 1964 became interested in SMMP—standard methods of measuring performance of consumer goods. Will work with international and national testing and standardization bodies on this problem.

International Electrotechnical Commission (Geneva). Autonomous affiliate of ISO for standardization of electrical goods. In 1964 initiated work on SMMP for household appliances; hopes to have first recommendations published in 1966.

For the further discussion four categories of activity are distinguished:

1. Comparative Testing
   A. Counseling (with overall product ratings)
   B. Non-counseling (without overall product ratings)
2. Labeling
   A. Quality certification
   B. Information labeling

Comparative testing denotes a special kind of market survey carried out by an independent body. This organization selects the individual samples of the brands of a given product (or products, if the focus is on substitute products) to be tested, and also prescribes the characteristics to be tested, and the test methods to be used. The results obtained for each brand are reported (frequently cross-tabulated). A generalized judgement about the whole product—usually including a consideration of price and of non-testable but relevant features—may be added, in the form of an overall rating, or a categorization in terms of relative recommendability ("best buy", "not acceptable" etc.) as a consumer counseling device (category 1A). Other organizations prefer to let the tests of individual characteristics and products speak for themselves, hence generally do not include any overall product ratings (category 1B).

While the use of brand names complicates the work of the testing bodies by multiplying the number of items to be tested, by facilitating the identification of the product for the consumer, branding makes the system workable. Comparative testing is by far the most difficult and the most expensive scheme to administer. It has the advantage of typically (although not necessarily) giving greater depth of information than labeling, in terms of number of product characteristics embraced. The consumer is also given a great range of information, in that the tests generally comprise a great number, if not all, of the brands available.

Labeling here denotes an activity in which an organization, after establishing certain minimal criteria as to product quality and/or range and depth of information about product characteristics, will permit interested producers to attach the quality seal and/or informative label of the organization to their products, as long as these comply with criteria. Quality certification (category 2A)—based on the agency's notion as to what constitutes product "fitness"—tends to include information labeling as well. At times, however, producers content themselves with only attaching the quality seal to the product. Organizations engaging in information labeling *per se* (category 2B) prefer to let the facts on the label speak for themselves. All economy-wide labeling schemes in existence are voluntary, i.e., dependent on producer cooperation. Routine compliance testing is often entrusted to the producers themselves; all organizations retain the right to undertake control tests *ex officio*. This decentralization makes for economy in operation.

The great advantage of quality seals and information labels is that they provide point-of-purchase data. On the other hand, the number of labeled brands available in a given retail outlet may be small. There are often unlabeled brands among those available; it is not always easy to decide for what reason the producers of unlabeled brands are not in the labeling scheme and what, if anything, this has to do with the quality or characteristics of their products. Due to the relatively lower cost of operation, labeling schemes often embrace a much greater number of different products than comparative testing systems.

Common to the procedures of all these consumer information organizations is that at some stage of events they all involve product testing. Though patterns are changing rapidly it may be convenient to correlate these categories with geographical areas: comparative testing with overall ratings with the U. K., quality certification with the continent and information labeling with Scandinavia. Among the Scandinavian countries Sweden is the classic representative not only of labeling but also of comparative testing of the non-counseling variety. Another generalization: comparative testing in various forms seems to focus on the *market-consumer* relationship, quality marking on the *manufacturer-consumer* relationship, and informative labeling on a *product-consumer* relationship.

Before proceeding to the cross-country overview we may note the striking variety of sponsorship among testing and labeling organizations. These are organizations based on broad individual membership, such as the Consumer's Association in the U.K.; there are private profit-making ventures such as the German DM and Italian Quattrosoldi journals; there are private federated organizations, such as Switzerland's Fondation pour la Protection des Consommateurs. There are government-subsidized but privately administered organizations, such as Union Fédérale de la Consommation in France; there are quasi-government bodies, such as Varudeklarationsförbundet in Finland; there are all-government agencies, such as the Consumer Council in U.K. Frequently organizations with different types of sponsorship exist side by side within a single country, sometimes engaged in different, sometimes in similar activities.

ORGANIZATIONAL FORMS: CROSS-COUNTRY OVERVIEW

In some countries, such as Denmark, all three systems under discussion here are used. In others, the combinations are not as well developed, although in most countries there is quite a flora of interested groups. This pluralistic approach has resulted in many organizations seemingly performing the same function and in many countries comprising the same persons or groups. Unfortunately, the data concerning these organizations are not complete. Several groups are yet to be heard from; undoubtedly many, especially local groups, are as yet not uncovered. These gaps may even distort the picture as a whole, especially on the continent where diverse organizations, some in existence for a long time, have been interested in consumer information systems only in recent years.

Comparative testing

We will discuss first comparative testing organizations which do give an overall product rating (category 1A). The first European organization of this character, where brand-named products were compared, ranked with prices, and results made public, was Neytendasamtökin, the Consumers Union of Iceland, formed in 1953. This spunky organization, with under 10,000 members, was quickly embroiled in litigation due to a warning on a harmful detergent, issued as a result of its published findings. As plaintiff prevailed in lower instances, activities of the organization were hampered, but after N. was vindicated in the high court in 1960 the road is clear for organized consumer information in Iceland. Not concerned wholly with comparative testing, Neytendasamtökin receives a government grant comprising about 20 per cent of its $5,000 plus budget.

The year 1953 also saw the establishment of the Nederlandse Consumenten Bond in Holland, a non-profit organization with 63,000 individual members and 18 organizational members, whose total membership, in turn, reached the 200,000 level in 1964. This organization is totally independent of producers as well as the government. Organizational members are civil service groups, teachers and pensioners. Its annual budget of $70,000 comes from its membership exclusively. By far its most important function is comparative testing. It has on occasion received financial help from labor unions and cooperatives in running tests, and at least once a test was performed by the Consumers' Association in England, financed by Consumers' Union in the United States, for both the Nederlandse Consumenten Bond and l'Association des Consommateurs in Belgium. The list of items tested through 1964 includes some 22 appliances, from refrigerators and washing machines to batteries and exposure meters, and 34 other items, including such things as glue, can openers, cigarettes, toothpaste, tennis balls. Its periodical, *Consumentengids*, appears eleven times a year.

Another Dutch organization, Consumenten Contact Orgaan (CCO) was set up in 1957 by the cooperatives, the Consumenten Bond and three labor groups, with a family organization joining in 1963. A government grant of $28,000 in 1963 was intended to cover 70 per cent of the costs of their comparative testing activities. In its 1964 budget CCO claimed to have about $60,000 for testing; in 1965 about $85,000. A fascinating development here is that this organization actually has made an attempt to cooperate with the producer. He is contacted usually before and after the tests for comments. He receives the general report in draft, and also the technical data concerning his product. CCO publishes an information bulletin ten times a year.

The Norweigan Forbrukerradet also performs its compartive testings in some cooperation with the producer. Of the total budget of this largely governmental body of around $175,000 a year, some 70 per cent comes from public funds. What part of the budget is devoted to comparative tests is unknown. Since their establishment in 1953 they have engaged in informative labeling and quality markings as well. Their popular publication, *Forbrukerrapporten*, with a circulation of 100,000 to 10 per cent of Norway's households, appears ten times a year.

There are two comparative testing organizations in France, Union Fédérale de la Consommation (UFC), established in 1951 and Organisation Générale des Consommateurs (ORGECO), established in 1959. UFC is composed of 36 organizational members, with a group of officers including a member of the Ministry of Finance and Economics, the President of Qualité-France, and a number of consumers and economists. Though not primarily a comparative testing organization, it publishes its results in *Que Choisir?*, a periodical appearing bi-monthly, and a quarterly bulletin. About 60 per cent of its budget comes from the government. The other, ORGECO, has already appointed an officer in charge of its participation in the Eurotests, even though this is thus far a purely experimental development. It publishes bi-monthly the *Information Consommation*, with a top circulation of 25,000 copies. Thirty per cent of its annual budget of about $40,000 is supplied by the government.

Great Britain's Consumers' Association, established in 1957, with a present membership of about 450,000, is perhaps the most active of these comparative testing organizations. Its publication *Which?* has been well received indeed, and its research and editorial staff of 50 is vigorous and has proven to be an effective advocate of this system. It is a dedicated group. Non-profit making in form, it staunchly holds to its policy of no other relationship to producers than that they are invited to comment on CA's results as to technical specifications of products, before these results are published.

CA's pre-test data collection covers such topics as market share, availability, and advertising expenditures. They use panels of consumers and panels of scientists and technicians to help determine which brands to test, sampling procedures and what tests to make. As with all comparative testers, shopping is done anonymously.

With an annual budget of around $1.7 million, this organization is financially equipped to show results. From 1957 to June 1965 the CA tested and reported on over 400 products, some few more than once as newer models appeared or changes occurred, or as different aspects of products became important. In addition CA has reported on such diverse consumer problems as installment buying, funerals, resale price maintenance, and trading stamps.

L'Association des Consommateurs (formerly Union Belge des Consommateurs) was formed in 1957 as a non-profit independent organization of private consumers. With a membership of only 11,000 and a budget of $50,000 annually, this organization publishes in both French and Flemish an eleven-issues-a-year periodical, (*Test Achats* and *Test Aankoop*, respectively) carrying results of its comparative tests. A member of both IOCU and the BEUC, this organization participates in Eurotest and other jointly sponsored tests, several in cooperation with NCB in Holland.

In 1961 Verein für Konsumenteninformation was established in Vienna. Sponsored by labor, agriculture and producer groups (some of which are semi-governmental in nature), it presents a different composition than many of the other consumer associations. Multi-purpose, it has not hesitated, however, to undertake some comparative testings and to issue reports, both intermittent market surveys and a bi-monthly periodical, *Konsument*. Early in its operation it, too, was involved in litigation due to a warning on a dangerous stove. A special feature of this group is the maintenance of a permanent exhibit of recommended products in Vienna. Subscribers account for about 10 per cent of its budget, non-commercial grants for almost 90 per cent.

La Fondation pour la Protection des Consommateurs set up only in September, 1964, in Switzerland by three labor unions and the cooperatives, hopes to perform one test a month. Their tests, as far as is known, have so far dealt with soaps, stockings, and different brands in regular and premium gasoline, professional-type standing hair dryers, and watch repair and service. Not unreasonably, the name of their publication is *Test*.

None of these organizations has its own testing laboratories. Consumers' Association in England does maintain its own facilities for automobile testing. These agencies rely on university and private laboratories.

Dramatic in its appeal is the German *DM*—Verleger Waldemar Schweitzer, a private firm publishing a weekly magazine, *DM*, selling at a price of one *D*eutsche *M*ark. Established in 1961 this magazine had published the results of more than 250 comparative tests by January 1965. It claims a circulation of 500,000, and its fame might suggest the figure were even larger. The yearbook, which carried the results of 91 tests in 1964, was given an initial imprint of 250,000. *DM* maintains its own laboratory near Stuttgart, with 22 engineers and technicians. Unabashed in style, it passes judgment in a flurry of publicity. It has been involved in a great deal of litigation, the most notorious concerned the Volkswagen 1500. To date many matters, including the VW controversy, have been settled, if not amicably, at least finally, out of court. Others are still pending. *DM* also carries other reports, such as services of charwomen, garages, and the waywardness of watchmakers' repair service.

Quattrosoldi (Fourpence) is the other European privately-owned magazine, which publishes results of comparative tests on a monthly basis. Begun in 1961 in Milan, it currently claims a circulation of 200,000. *DM* and *Quattrosoldi* have little in common. *DM* is aggressive, very doggedly certain; *Quattrosoldi* is philosophical, with moral uplift tone. *DM* is terse; *Quattrosoldi* is florid. Both accept advertising; perhaps as much as 25 per cent of the pages in *Quattrosoldi* and about 10 per cent of *DM* are devoted to advertising. *Quattrosoldi* is a glossy, slick, eye-appealing monthly costing 50 cents a copy, with only about 15 per cent of its space devoted to comparative test results; *DM* is a functionally oriented, technically-worded weekly with almost 40 per cent devoted to test results. One of the purposes of *Quattrosoldi* is to provide a means for persons with little savings (fourpence) to invest their money in stocks, and the journal carries regular consumer information reports on leading Italian and international securities. Outside the normal channels of investment, ways have been established through *Quattrosoldi* for the individual to buy as little as one share.

Akin to the testing organizations just described are those comparative testmakers who generally *do not* include overall product ratings (category 1B). Many of these function as sections of home economics institutes or are connected with standards associations, or set up as quasi-independent agencies financed by the government. Their work varies from testing many branded products and reporting on each individually according to specific points to reporting detailed test results run on one specific product or brand. Some develop or set up test methods, such as Germany's Ausschuss für Gebrauchstauglichkeit (AGt), some experiment with alternative methods of performing household functions.

The Danish Statens Husholdningsrad, set up in 1935 but reorganized in 1960 within the province of the Ministry of Interior, conducts group testings on household items and appliances, publishing results bi-monthly in both a popular periodical, *Rad og Resultater*, and a technical journal, *Tekniske Meddelelser*. The testing of small utensils, such as can openers or paring knives, may result in the improved utensils bearing the label "Made in Collaboration with the Government Home Economics Council," or in informative labeling stating characteristics of the article concerned. Husholdningsrad has had its own laboratories since 1956. With a budget of around $200,000 a year this institution has other aspects which border into the quality marking area.

Sweden's Statens Institut för Konsumentfragor, financed by the government with a budget of around $300,000 has roots as far back as 1940, though its present form dates from 1957. Primarily engaged in consumer education broadly, household studies and research, it does a good deal of comparative testing, Viking style. That is, branded products, such as washing machines, are individually tested in many areas of performance, with strictly factual reporting. The products are not ranked; nor are they generally given any rating such as recommended or not recommended. Prices may not be stated. Konsumentinstitutet also conducts tests on request of industry. It publishes a popular periodical, *Rad och Rön*, ten times a year and at least two other series dealing specifically with different product groupings or household functions, such as its famed home laundry and vacuum cleaner studies.

Schweizerisches Institut fur Hauswirtschaft (SIH), established in 1948 by the Women's Third National Congress in Zürich, unites 43 member organizations and others to test products, publishing results in *SIH für Sie* quarterly and *Elektrische Haushaltgeräte* monthly. It also conducts research and studies in many areas of household management. Its funds, about $60,000, come from subscriptions and sale of publications. Two organizations loosely federated in the Commission Suisse des Consommatrices (1963), the Federation Romande des Consommatrices (1959) and Konsumentinnenforum der Deutschen Schweiz und des Kantons Tessin (1963), claim to do testing. As yet, as far as is known, not much has been published.

France's Association Pour la Diffusion des Techniques Ménagères, a non-profit private organization set up in 1952, is composed primarily of some one thousand schools of home economics and nine other organizations with broad appeal. It maintains its own testing house, where it also permits producers to have their products tested. Looking at quality, function and price it publishes brochures on many different products, such as water heaters, sewing machines, freezers, and refrigerators. It also publishes a bulletin quarterly. The government contributes 18 per cent of its annual budget of $40,000.

The Laboratoire Coopératif d'Analyses et de Recherches affiliated to the cooperative movement, is at the disposal of consumer groups for analyses and tests. With a budget of $100,000 including government subsidies, this 1955 organization conducts tests itself on such items as cheese, ham, and frozen fish. It has several publications, such as *Je voudrais savoir* and a *Bulletin d'Information*.

Bundesforschungsanstalt für Hauswirtschaft, sponsored in 1951 by the German Ministry for Food, Agriculture and Forestry and the Board of Home Economics Research, is composed of representatives from home economics schools and the government. Its testing is for fundamental research only, developing test methods and testing *types* of products such as refrigerators, freezers, and mixers.

Germany's Arbeitsgemeischaft der Verbraucherverbände (AGV), a 1953 non-profit federation of twenty member organizations comprising a total of seven million individual members, tests products itself and also uses other testing laboratories, giving out purchase guides and other studies. Its electric iron study gave a complete outline of the market situation: 140 irons with specifications of their most important characteristics and their price. On request single tests are made on behalf of producers. It also develops test methods and elaborates test conditions for other organizations. Of its total income, $75,000 annually, 55 per cent comes from the sale of its publications, two of which are *Verbraucher Politische Korrespondenz*, 36 isues a year, and *Verbraucher Rundschau*, a monthly. The former publication is a broad consumer-policy interest, while the latter focuses on testing.

The new German Stiftung Warentest, not a year old yet, will commission tests from existing scientific and technical institutions. Results will be published in a bi-monthly periodical, but there will be no system of rankings. Funds will come from the Economics Ministry, $100,000 to equip headquarters, and an operating budget this year, 1965, of $500,000, and $1 million for each of 1966 and 1967. They hope to do about 70 tests a year.

The Warentest foundation is a compromise result of several years of sometimes violent debate concerning the role of the federal government in consumer information. While given sizeable resources the agency at least initially leaves no one fully satisfied. Interestingly, the AGV has gotten together with industry and trade to form an Aktionsgemeischaft für Warentestfragen, with the aim to strengthen the cooperation between consumers, trade and industry as regards comparative testing and to support the Stiftung Warentest "by proposals and constructive criticism." As its first contribution this joint venture has published a memorandum to the foundation of considerations which should be taken into account in the selection of commodities for testing.

Two organizations in Belgium test goods, Union Fémine Pour l'Information et la Défense du Consommateurs, and Raad Van Huisvrouwen, both in Brussels. The former, a 1959 non-profit organization, does a more basic type of test: determine composition or properties of products, using results for broader educational work. They do not automatically publish results. The latter organization was set up in 1958 by a labor group to inform itself through testing. These tests may result in recommendations to manufacturers and also to awarding "quality labels."

Quality certification

First in issuing quality marks of the sort described here (category 2A) was Association National Pour la Défense de la Qualité Francaise, better known as Qualité-France. Established in 1947 it was followed by similar organizations in Belgium in 1952 and subsequently in Holland, Germany and Spain. In 1959–1962 Italy also had a similar organization, Instituto Qualità Italia, and for a while it seemed as though Austria's Wirtschaftsförderungsinstitut der Bundeswirtschaftskammer would institute such a system, although this organization now seems more interested in labeling. Austria is still a member of the Centre International Pour la Promotion de la Qualité which held a meeting in London in May of this year (see p. 54 above). Great Britain's Consumer Council is also a full member of this international agency, though it has no quality-marking arrangement nor is it planning to institute one. Other organizations not engaged in quality-marking in the strict sense also participated in the London conference, that is, from Denmark, Sweden and Switzerland.

Qualité-France is governned by a 25 man board with representatives from consumer groups and trade associations, producers, distributors and the government. It is financed by annual fees, user fees and testing charges imposed on participating producers and by government subsidies. The Director-General insists that the agency is administered independently of the government. Encompassing manufactured products in a wide array from foods and textiles to domstic appliances and furniture, Qualité-France had by the end of 1964 issued quality markings to 600 firms manufacturing some 3,000 products. In addition to seven technicians employed full time by Qualité-France, the institution has access to forty outside professional laboratories. Use tests are run by home management organizations or Qualité-France's Consumer Panel of 300 members. Questionnaires are also used to assess the acceptance of their threshold standards. Information concerning quality marks is circulated by bulletins and through an annual catalogue, but as with all labeling organizations consumer awareness is created primarily by the label itself at the point of purchase.

Qualité-France uses a descriptive label, in many ways similar to the information labeling device used in Sweden. The manufacturer is required to use the whole label, giving his specifications which must, of course, meet the minimum but can give a higher range on any characteristic on which the product exceeds the quality threshold. At one time Qualité-France reported that out of two or three hundred cases submitted every month, all but about twenty were withdrawn as soon as the applicants realized what was involved, and only about ten of these were actually approved. Five of the ten largest firms in France are reported to have had products rejected. Moreover, ten to twenty are eliminated every year due to their lowering their quality or modifications made in the technical specifications. Complaints are handled judiciously. Of the two thousand complaints a year one-half are unjustified; the product was used improperly or was completely worn out. Whenever the firm is at fault it is obliged, under its agreement with Qualité-France, to repair or replace the product. Qualité-France thus far has given seals only to French producers.

Qualité-Belgique, Office Pour le Controle de la Qualité, maintains a permanent committee to draw up technical specifications. It is composed of twenty-one members taken from diverse sectors—textiles, chemicals, food service. There are 81 such specifications. This technical committee sets up criteria of approval, selects laboratories, organizes use tests and analyses data collected. If it refuses to grant a label, a detailed report goes to the applicant.

As of October 1964 Qualité-Belgique had outstanding quality marks for 135 firms in textiles, metal manufacturing, clothing, furniture, cleaning materials and household equipment. No permits had been revoked during the period from January to October 1964, but during 1963 four firms who did not fulfill their obligations were excluded. Laboratory analyses reached the 160 mark during the nine-months period. Qualité-Belgique uses local Clubs de Consommateurs (as does Qualité-France to some extent), but their thirty clubs are part of La Ligue des Familles Nombreuses de Belgique, which also circulates (450,000 copies) information on Qualité-Belgique in their weeklies in French and Flemish. Qualité-Belgique's current operations are financed by annual fees and charges to producers for costs of tests and controls. However, it has also issued 3,523 shares of which 2,653 are held by consumer groups. At least as far as finances are concerned, Qualité-Belgique is independent of the government.

The Dutch quality marking organization, Instituut Tot Voorlichting Bij Huishoudelijke Arbeid (IVHA), originally sponsored by the Nederlandse Vereniging van Huisvrouwen, tests and issues quality marks theoretically for all products, except foods, textiles and furniture. By the end of 1964 it had outstanding 517 quality marks. Its monthly *Denken en Doen* gives detailed descriptions of approved goods. IVHA awards quality marks for a two-year period only. After this interval products must be retested before the marks are re-issued. Annual fees charged for the use of the label are set on a sliding scale based on retail price of the commodity.

RAL beim DNA (Ausschuss für Leiferbedingungen und Gütesicherung beim Deutschen Normenausschuss) is both a quality-marking and an informative-labeling organization. Set up within the framework of the 1925 German Standards Commission, this agency also belongs to CIPQ. Adequate instructions on use and handling care necessary to maintain the tested properties of the goods are included on the marking label.

Calitax, the Spanish Calitax Quality Promotion Foundation, located in Barcelona, is also a member of CIPQ and has adopted similar procedures. Minimum threshold specifications are supplied to the manufacturer in advance. He submits his technical specifications or a list of characteristics claimed for the product. After scrutiny, the factory is visited where samples are taken and the equipment and quality control methods examined. Laboratory tests are performed. The staff and manufacturer agree on the information needed and wording of the quality label. National newspaper advertising is used to circulate the names of the articles tested with favorable results. At least forty producers have such markings.

The Danske Husmodres Forbrugerrad dating from 1947 has recently gained added life by introducing last year a new bi-monthly periodical, *Taenk*. This organization consists of representatives from twelve associations representing half a million housewives. It is independent of the government. It seems especially concerned with work dealing with standardization and quality-marking of articles, having established its own quality certification. The manufacturer binds himself by contract to keep certain specifically agreed quality standards and to subject himself to the control of Forbrugerrad.

Belgium's CENATRA, Centre National d'Assistance Technique et de Recherche Appliquée, founded in 1958 at the suggestion of the Ministry of Economic Affairs, has created a number of association marks of approval, primarily washability and laundering marks. In the field of standardized qualifications Germany's AGV has worked out the labeling in the textiles field.

Information labeling

In Europe today it is the Scandinavian countries, Denmark, Finland, Norway and Sweden, which have taken the far lead in information labeling (category 2B). The Molony Committee (Great Britain's Committee on Consumer Protection) reporting in 1962 suggested that, "in any system of consumer protection adequate information is the first line of defence." As a result of their recommendation the Consumer Council will launch in late 1965 or early 1966 a labeling scheme which will have much in common with the Swedish scheme.

Sweden's Varudeklarationsnämnden (VDN) was established in 1951 as an independent affiliate of the Swedish Standards Association. The chairman is appointed by the Government on nomination of the Standards Association. The cooperatives, labor, the government Consumer Council, the government testing laboratories, distributors, producers, agriculture and private consumer groups and the association of home economics teachers, all have representatives on the board of fourteen members. Except in cases where health and safety might be affected (life vests), VDN like other labeling institutions does not call for minimum standards, but issues a list of characteristics about which information has to appear on the label. It also specifies the standard method of measuring performance, as well as the scale, to be used by the producer in evaluating the performance of his product on each characteristic. The label will give all characteristics and the guaranteed performance on each.

Through July 1964, 118 technical specifications were compiled and available, 791 licenses issued to 503 licensees. In many areas, foods, household items and appliances, and wearing apparel, specifications are available. Yet to be established are rules for most consumer durables and luxury goods—areas into which VDN is now moving fast.

The government contributed 55 per cent of VDN's more than $100,000 budget for 1963–64. Eighty-five per cent of the other funds resulted from license fees. VDN also received outside its regular budget some $40,000 from the government Consumer Council to develop test methods. One reason for the relatively low cost of the VDN operation is the decentralization of the system, which mainly relies on producers themselves to check that their products meet the specifications they place on the labels. In adidtion, VDN naturally uses consumer complaints to police manufacturers when necesasry.

Norway's Hovedkomiteen for Varedeklarasjoner og Kvalitetsmerking is primarily engaged in informative labeling, although the name suggests quality marking as well. It was sponsored by the government Forburkerrådet in late 1954, but with representatives from sixteen member organizations. Of a budget of about $17,000, seventy per cent comes from industry and trade, the remainder from the government.

DVN-Dansk Varedeklarations-Naevnd, dating from 1957, has a broad representation from ten national organizations, including the Danish Standards Association, with the chairman the director of the Research Laboratory of the Ministry of Fisheries. Their budget of about $15,000 is financed by contributions from organizations and yearly fees by firms who want goods labeled. By the end of their fiscal year 1963–64 they had 15 specifications, 21 licensees and 126 licenses.

As with other labelers theirs is not a guarantee of quality, but in Denmark, there is more often a requirement that the goods must be "fit" for use to be labeled, in which case there is a lower limit to the quality. DVN also circulates to the other Scandinavian institutes their drafts of specifications before they are adopted. The Danes prefer to have the goods independently tested before manufacturers are permitted to affix the label.

Outside Scandinavia, interest is picking up for informative labeling. In the Netherlands, for instance, a 1950 organization, Nederlandse Huishoudraad (NHR), composed of sixteen women's groups, has been engaged, among other things, in textile labeling since 1957. Together with other organizations, especially Consumenten Contact Orgaan, NHR sponsored in 1964 a brand new agency Stichting Voor Informatieve Etikettering, which has as its aim "to promote informative labeling in the Netherlands" on the Swedish plan.

RAL beim DNA has recently moved into the information labeling area, publishing its first RAL-TESTAT label in May 1965, on a camelhair blanket. The system adopted by this German organization is closely parallel to the Swedish one.

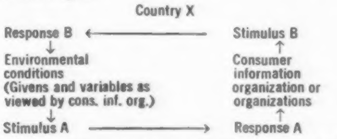
Especially exciting this fall is the anticipated English system of informative labeling, the so-called Tel-Tags. The British will probably apply minimum performance standards somewhat more frequently than their Swedish inspirators. There will be another difference in orientation between the two. In Sweden all groups—producers, consumers, distributors—are included directly in the formation of the specifications and what the labels are to include. In Great Britain, the Consumer Council plans to draft the label in its own labeling section, then to circulate it to consumer bodies. After an outline specification is prepared by the Council, which defines the items included in the label and indicates methods of measuring performance, it is sent to the British Standards Institution (BSI), to trade associations involved, and to other interested parties with expert knowledge. The Labeling Advisory Committee of Consumer Council and BSI representatives, assisted by a Panel of Advisors who represent appropriate manufacturing interests are to meet under the Council's chairmanship to consider the technical aspects of the labels and specifications. Finally the label with outlined performance specifications is discussed by a regular BSI Technical Committee. The task of this Committee is to lay down the standard methods of measuring performance. These will then be published as a British Standard.

Believing that the validity of the information given on the label depends on the manufacturer's having a proper production quality control system and that the manufacturer may need a bit of needling to test an adequate proportion of the goods labeled, the Consumer Council, in the contract made with each manufacturer, will lay down the proportion of output of any given class of goods he must check for performance in accordance with the British Standard methods for that class of label. In addition sample purchases will be made in the open market for independent checking, and the manufacturer's works will be visited at least once a year to ensure that production testing and quality control are satisfactory. BSI will be in charge of these checkings and visits. The system will be open to foreign importers wherever they are situated. In contrast with the Swedish system products in Britain (as in Denmark) will be tested *before* labeling is allowed. Moreover, while the British are planning factory control visits, a procedure also used in the quality-marking systems, such visits are not a regular part of the Swedish scheme.

AN ECOLOGICAL FRAMEWORK FOR A COMPARATIVE STUDY

It was stated by way of introduction that, because of resource limitations, this exploratory study was not comparative in any stringent sense of the word. On the basis of the spadework done it should be possible, however, to outline the contours of meaningful future research focused on cross-cultural comparison.

Institutions do not grow in a vacuum. To fully understand a given consumer information organization one must study it in relation to its environment. Such an environmentalist, or *ecological* approach seems particularly fruitful in the comparative study of organized consumer information. It would seem, further, that the individual country provides a logical starting point. At least at present, organized consumer information is not nearly as significant a phenomenon at the local or the international level as at the national. Most organizations view the national territories and cultures of their respective countries as their natural task environments, and take their cues from that environment. At a later stage we may well find it possible to cluster the nations (including their consumer information systems) into various internationally similar groups. An elementary model of such a framework is given in Fig. 1.


Country X
Response B
Stimulus B
Environmental conditions (Givens and variables as viewed by cons. inf. org.)
Consumer information organization or organizations
Stimulus A
Response A

Stimulus A = environmental factors requiring consumer information organization(s).
Response A = structural and behavioral characteristics of the consumer information organization(s).
Stimulus B = outputs of the organization(s), in terms of test results, quality marks, informative labels, publicity, etc.
Response B = impact on the environment and concomitant changes therein.

Fig. 1 Framework for Ecological Comparison of Consumer Information Systems.

While the action presumably begins with a set of environmental stimuli (A) provoking the creation of organized consumer information, we are really postulating a reiterative interaction process. The "second time around"—indeed every cycle—will see some change in the composition and relative intensity of stimuli as well as responses, due to the dialectic of the interaction process itself, influences from cultures outside of country X, and so on. Please note that no pretense is made that an ecological approach will explain everything about these organizations. Due to "slack" and other factors, the coupling between organizations and their environments is sufficiently loose to permit the survival of mutually fairly different organizations in a given environment. The effect of time lags in the interaction process will often be such as to permit intervening events from interrupting the cause-effect relationships which might have been expected. There are many wholly or partly accidental factors, such as the emergence of weak or strong, single-minded or open-minded leaders of these organizations, and so on. It is maintained, however, that cross-cultural study of the type advocated here would represent a major step towards understanding and predictability in this field.

The data at hand were not sufficient to undertake such a study here. Given more time it should not be too difficult to get a significant body of data for a comparative analysis of stimulus-response relations of the A type. On the other hand, organizational output data (stimulus type B) is amazingly troublesome to obtain, and impact information suitable for quantitative comparison (how many consumers were guided in how many buying decisions, how many manufacturers improved their product, to what degree were consumer-producer relations improved or damaged) is next to unobtainable in most countries. Initially, therefore, we would recommend research focused on stimulus-response relations of the A type. Figure 2 shows an illustrative inventory of environmental and organizational variables of presumed special interest and relevance.

FIGURE 2

Environmental variables

Population size.

Extent of middle class.

Standard of living.

Proliferation of products and brands.

Standard of education in general, of consumer education in particular.

Degree of government intervention in consumer matters.

Polarization of potentially interested groups (propensity for voluntary organizations, heterogeneity in language, religion, regional values, intensity of political cleavages).

Social radicalism, notably extent of debate of marketing ethics, advertising.

Faith in private enterprise in general, degree of buyer-seller trust in particular.

Quality-consciousness.

Liberality in international trade policies.

Faith in wisdom of experts.

Quantity and quality of advertising.

Degree of mechanization of distribution, and such related variables as height of sales and service salaries relative to other salaries, quantity and quality of packaging materials.

Functional, spatial and temporal separation between buyer and seller.[3]

Organizational variables

Number and diversity of consumer information organizations.

Dominating type (comparative testing, quality marking, informative labeling).

Age of organization(s).

Resources.

Sponsors.

Proft and/or non-profit organization(s).

Extent of unrelated activity carried on by the organization(s).

Types of goods and services involved.

Quantity and quality of inter-organizational relations.

Clearly, many of these variables are interdependent. In the environment, for instance, quality-consciousness is probably related to liberality in international trade policies (with concomitant intensity of competition in domestic and overseas markets). On the organizational side, strong government influence is likely to make improbable the co-existence of profit-making organizations (although *DM* in Germany may still survive the Warentest foundation). Too, some of the variables—the general level of education comes to mind—while quite relevant for purposes of comparison between, say, Nigeria and Belgium, may exhibit too little variation within Western Europe to be of much interest in research confined to that area.

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[3] Inclusion of the separation variables was inspired by Robert Bartels, *Comparative Marketing—Wholesaling in Fifteen Countries*, Homewood, Ill., Irwin, 1963, p. 302.

A system of hypotheses for the proposed comparative study is created by relating environmental to organizational variables. Size of population may be positively correlated with presence of profitmaking consumer information organizations.[4] A sizable middle class, as well as a strongly polarized set of interested groups, is likely to result in a relatively great number, and a considerable diversity, of consumer information organizations. Low quality consciousness among consumers and/or producers may set up a preference for quality marking schemes. These are a few illustrations of some of the possibilities which would seem to grow out of this type of research. For some purposes it may also be fruitful simply to relate various organizational variables to each other. This is tantamount to a comparative study of consumer information organizations *per se*, without special reference to their operating environment.

MERIT PROMOTIONS IN THE POSTAL SERVICE

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. FLOWERS. Mr. Speaker, I am pleased and delighted at the remarks made by the Postmaster General, Winton M. Blount, yesterday in announcing a new postal policy removing all postmaster and rural letter carrier appointments from politics. This is a courageous step forward, and is hopefully the first of a series of reassessments of traditional Post Office Department operating procedures which will result in providing the American public with the best possible postal service.

I am, however, concerned about some aspects of Postmaster General Blount's announcement. The wording of yesterday's statement could indicate that merit promotions of career Department employees to postmasterships will no longer be possible. If this is the case, then I am hopeful that further consideration will be given to this matter by the Post Office Department. I am convinced that proper consideration must be given to civil service rated postal employees in order that they may be motivated to seek advancement from within the ranks. Indeed, promotion of experienced, qualified employees would seem to go hand in hand with the elimination of outside influences on Post Office personnel policies. I am certain that the Congress will follow the actions of the Post Office Department and the Civil Service Commission with interest and concern, in order to make certain that the "top qualified person" to whom Postmaster General Blount referred may come from within as well as without the Department, and that due consideration of the status of veterans of military service will be continued.

STATEMENT SUBMITTED TO THE HOUSE COMMITTEE ON RULES BY REPRESENTATIVE SHIRLEY CHISHOLM

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mrs. CHISHOLM. Mr. Speaker, today the Committee on Rules must make a decision on a very important matter. I refer to your decision on whether or not to report Chairman ICHORD's resolution, House Resolution 89, to the floor of the House.

The Ichord resolution would change the name of the House Un-American Activities Committee to the Committee on Internal Security and would greatly expand the committee's mandate to make mischief.

As you know, HUAC has a history of expensive printing and staff bills and a lackluster record of legislative achievements.

Despite the Supreme Court's ruling that a committee may not conduct hearings solely for the purpose of exposure, HUAC has continued to conduct hearings which have rivaled only the "happenings" staged by the hippies, yippies, and flower children for their color and chaos.

The "clarifying language"—as Mr. ICHORD's office prefers to call the language expanding the committee's mandate—provides:

> The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of (1) the extent, character, objectives, and activities within the United States of organizations or groups, whether of foreign or domestic origin, their members, agents, and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means, (2) the extent, character, objectives, and activities within the United States of organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States, and (3) all other questions, including the administration and execution of any law of the United States, or any portion of law, relating to the foregoing that would aid the Congress or any committee of the House in any necessary remedial legislation.

Under this "clarifying language," I expect that the committee would feel free to haul any number of the contemporary protest groups before the committee. I for one feel that these professional demonstrators get enough attention from the national news media as it is, and I do not feel that the American taxpayer should have to foot the bill for their "happenings" before the committee.

Perhaps because of the excesses of HUAC in the past there are some who feel that the name of Committee on Internal Security will enhance the committee's public image. Unfortunately, only the name has been changed. The procedures by which the committee operates have not been changed one iota.

We already have several agencies which perform the function of protecting our internal security. Our local and State police forces, the FBI and the CIA have been performing in that capacity for many years.

It is my firm belief that the interests of this legislative body and this country can best be served not by adopting House Resolution 89 but by adopting House Resolution 134, of which I am a cosponsor. The latter resolution would amend the rules of the House so as to eliminate the House Un-American Activities Committee and affirm the Committee on the Judiciary's responsibility in this area by further defining the Judiciary Committee's responsibilities to include "counterfeiting, sabotage, and other overt acts affecting internal security."

House Resolution 134 would also provide that "all property and records of the former Committee on Un-American Activities are hereby transferred to the Archives, not to be open to official or public inspection."

The final provision is very important because in the past HUAC's "unevaluated files" have been utilized to smear some of our most respected national figures. The reputations of such prominent Americans as Dr. Martin Luther King, Jr., and Eleanor Roosevelt have been besmirched in this manner. All citizens notable and unknown ought to be protected from this sort of ugliness in the future.

JOHN COTTON INSTALLED AS PRESIDENT OF NATIONAL ASSOCIATION OF REAL ESTATE BOARDS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, it has come to my attention that Realtor John Cotton was inaugurated as the National Association of Real Estate Board's 1969 president in Washington on January 28. It was my privilege to meet with Mr. Cotton a few days following his inauguration. His enthusiasm together with his great talent should make him an exemplary leader for the Nation's more than 87,000 realtors.

John Cotton has spent a lifetime in the real estate profession. He has served NAREB both as a director and as a vice president, and is a member of several professional affiliates of the national association.

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[4] Cf. *DM* and *Quattrosoldi*. In Sweden a corresponding journal, *Test*, was published in 1962–63, but was not able to remain in business. *Neue Zürcher Zeitung* on Jan. 20, 1965, expressed the view that perhaps Switzerland, too, was too small to permit a profitmaking venture of this kind.

His inaugural address stressed the serious crisis facing our cities and he urged members of the association to undertake projects that will lead to the solution of these problems. He reiterated the aims and objectives of NAREB's make America better program, and saluted those several boards of realtors throughout the country that are already sponsoring local projects in furtherance of the program. He pleaded with realtors to "become involved" in the solutions to the problems which plague the urban community; and he cites forming a limited-profit company to build low-cost housing, and hiring a Negro as examples of involvement in finding these solutions.

Mr. Speaker, under unanimous consent I include John Cotton's inaugural address in the Record at the conclusion of my remarks:

Inaugural Address of John Cotton

Chairman Davis, honorable and distinguished guests, fellow Realtors and friends; I can never fully express my appreciation for the honor you have bestowed upon me in electing me to the presidency of the National Association of Real Estate Boards. Let me assure you that I approach this undertaking with humility and a realization of the obligation which I have assumed. May God give me the strength and the courage to discharge this responsibility in the fine tradition of the 59 presidents who have preceded me. I pray for, and believe that I will have, the cooperation of a great team of Realtors, today more than 87,000 strong; and I thank God that I will be able to rely upon the counsel of the great men of past years, men such as our immediate past president Lyn Davis who represented us so well during the year just closed.

This ceremony is taking place at a significant time in history and, certainly, a significant place. What greater honor could come to any Realtor from California than to assume this office here in our beautiful national capital almost concurrently with the inauguration of that distinguished Californian, Richard Nixon, as the President of the United States? And in your name I have offered our President the full cooperation of this Association and its membership in 1969. There are other events that set it apart as a new era in human history.

Those of you in the residential field know the term "caravan." For the benefit of others, a caravan is a parade of Realtors and salesmen on a periodical inspection of new listings, sometimes with coffee or breakfast as an early-bird inducement. Often the inspections are detailed—sometimes only cursory from the bus.

Well, now it would appear the government may be going into competition with us in promoting the most extravagant caravan in the history of the universe. Imagine spending $2 billion or more to send out a three-man caravan just to make a windshield inspection of a piece of real estate; and they didn't even come back with a listing because they don't have any comparable sales. As they made their first turn between the moon and the sun, one of the men said to another, "Oh look, it's nearly a full earth tonight." If this had been discussed 35 years ago when I entered the real estate field, it would have had an air of lunacy. Now we call it the Lunar Era, a new era of achievement.

Yes, Apollo 8 was a breathtaking adventure, boldly planned and courageously executed. Man's mastery of nature, his skillful use of new techniques, and superlative command of mind over matter brought about the world's greatest achievement in teamwork. Thousands of scientists and technicians worked millions of man days to mark that indelible time on history's calendar.

All this was a product of American industry and education. It was the product of the *Establishment*, if you please, not of the yippies, the New Left, the self-serving militants or misguided sympathizers shouting obscenities in Chicago or at San Francisco State College. Disciplined imagination and know-how produced this spectacular feat.

What does all this portend for America? Apollo 8 has an additional meaning for us. I see it as a challenge to achieve new heights of precision, of teamwork, of the mastery of techniques. I see in it a message that anything is possible if we set our hearts and minds to it.

Now that we are back to earth; now that Lyn and his crew have splashed down, let's take a look at our objectives for 1969. What are our obligations to the people of America and to the preservation of property ownership?

I have been asked, "Cotton, what is your program going to be in 1969?" Our Association already, through its delegate body, has adopted a definitive Statement of Policy. To those of you who have not read it, I urge you to do so. There is some latitude of activities within the framework of our stated policy—room for emphasis and even specialization which will allow a president's program to unfold, which I may call my program.

A major portion of our community service and public relations activities will continue to be embraced within the framework of our Make America Better Program, with six major objectives and 43 suggested activities which was reaffirmed by our directors and endorsed by the delegate body in convention. MAB is designed to be an action vehicle. Literally hundreds of Realtors and boards have been getting a piece of this action already. I want the emphasis for the other 87,000 of us to be "Become Involved." Do something—don't just talk about it—do it. In selling we have always learned, "Nothing happens until somebody sells something." In MAB we emphasize that nothing happens until somebody does something. Don't wait to accomplish the gigantic, but take a page from our President Nixon's message and involve ourselves in "those small, splendid efforts that make headlines in the neighborhood newspapers instead of the national journal."

What do I mean "Become Involved"? I mean do something that will lead to the solution of the problems of our cities. I mean this is not the time for dialogue or confrontation or just talking about someone else doing it.

Have you ever created a part-time job for a boy or girl? Have you personally ever helped a disadvantaged family get a house? Have you yourself personally ever given a deserving youngster a scholarship? Formed a limited profit company to build housing? Participated in construction of rent supplement units? Have you ever appeared before your city council with a plan to participate in the leased housing program? Have you ever hired a Negro in your office, or if you didn't have a minority applicant, gone out to find one?

By becoming involved, I mean stop talking about what others should do. I mean go out and do it yourself.

Two of the six objectives in MAB relate directly to housing, but its whole concept is based upon the realization that housing alone is neither the cause nor the cure for the deep-rooted economic and sociological crises of our cities.

You can't solve traffic congestion just by building more cars; and just building more houses is not the solution to the urban problem.

An important objective in MAB has to do with law enforcement and reduction of crime, vandalism, and juvenile delinquency. When I was a youngster, it never occurred to me to be afraid on the street alone, day or night. The first civil right for all Americans is to be safe from personal assault. Our Light the Night program and other action ideas in Make America Better are ready for Realtors to push in their communities. Let's pursue them even more vigorously.

Incentives for vocational training tie in with the problem of juvenile delinquency. Take mechanics as an example. According to *U.S. News and World Report*, in 1950 there was one mechanic for every 73 cars and trucks in America. Now there is one mechanic for every 130 vehicles; a shortage. Wouldn't we do better to encourage some of the dropouts from academic classes to enter this field in vocational school? Or carpentry—or masonry? You can help at home in directing emphasis toward vocational education.

Our principal responsibility in the great housing industry is that of the marketing medium. We sell and rent housing in the market. One of our MAB objectives is to "further appropriate programs to assist property owners in marketing housing on a nondiscriminatory basis."

I have been asked, in view of the 1968 law and court interpretations of a 100-year old law, "Do Realtors have an obligation to educate the public in the morality of racial discrimination?" No, that is not our responsibility. But we should impress upon the owners the effect of federal law in determining certain aspects of an owner's rights in disposing of his property. The 1968 Act set up a stage-by-stage program to eliminate color or religion as a factor in the sale or rental of housing. One effect of this law was to punish the broker, since it permitted freedom of choice for the owner who tries to handle the transaction himself, but after this year would deny this right if he employed a broker.

Then the Supreme Court interpretation in the *Jones vs. Mayer* case changed all that. We must take positive steps to inform our clients and the general public, that this decision prohibits—not next year—but *now*—any discrimination against racial groups in the sale or rental of property. In other words, all Americans are under a law *now*, and the owners' exemptions of the Civil Rights Act are, in general, negated.

You may be sure this is an area which our National Association will watch closley in 1969, cooperating with government, in bringing this information to the attention of our membership and the public—and working with the government to make certain that inequities do not develop in the administration of this law.

Just a word about business in 1969. It has been more than 20 years since we saw a peak of real estate activity measured by transfers per capita. Now it seems, another is at hand. From 20 to 24 years is the age at which many young people marry, enter the work force, and set up households. This age bracket numbered about 12 million in 1948, then declined as babies born during the depression years reached maturity. Now, since 1962, the number has increased by four million, and the trend continues up.

In light of developments during the past few weeks, with interest rates at an all-time high for this century, it is not easy to see an early way out of the cyclical changes in financing that have hit the housing industry with force during the past three years. Realtors will have to continue their ingenuity in finding substitutes for usual financing.

At our national level we have a responsibility to provide leadership in this field. The housing industry is too important to the nation's economy to be treated as a financial step-child as it was in 1966. Last year, the outstanding home mortgage debt rose to a quarter trillion—an indication of the magnitude of the industry. New sources of money must be developed. It is time now to take a long-range look at housing and financing problems and abandon the habit of waiting for a crisis before taking action.

In closing—a little shop talk. We often discuss our public interest and our public service, but let's not forget we have businesses to run. Let's remember that it is the profit and loss system that made America what it is today—yes, the Establishment.

Many of you contribute a day a week toward community activities, city, state, or Association projects, and I think you should, but don't be embarrassed to look toward the profit motive in our businesses and to associate with the profit motive when we participate in a rent supplement housing program or other activity. Check first to see how we could do it with a limited profit corporation. In leased housing, check to see how we can fit in as leasing agents, or property managers, or brokers selling to investors and receiving fair remuneration for our services. Private incentive must be kept in the picture if we are to Make America Better.

As we go forward in our public service and in our business activities, let's keep in mind the importance of continuing specialized education through the Realtor Institute courses of our state associations, which we have approved; through the educational programs of our specialized Institutes, Societies, and Councils, and through the universities and colleges with real estate courses which we support.

Let's keep in mind, in implementing our Make America Better Program, that you don't help a man permanently by doing for him what he could and should be doing for himself. Realizing that we must build a better man before we can build a better society, let us concentrate on building a better *opportunity* for the disadvantaged.

Let us have less talk, more action, and all become personally involved.

UNDERSTANDING RURAL PROBLEMS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. HORTON. Mr. Speaker, as a Representative of an urban-rural area I have heard the complaint many times that people in the city just do not understand the problems of the rural areas. It is true that each area has its own problems.

I would like to take this opportunity to share with my colleagues the ideas of one city man who does understand what is happening in the rural communities around him.

Norman J. Baratt, a Rochester, N.Y., attorney, took the time to attend a meeting of persons concerned with the economic development of Wayne County—a rural county to the east of Rochester. His understanding is demonstrated in an article he prepared for the Daily Record, a Rochester law journal.

I am sure, Mr. Speaker, that you and my colleagues will find Mr. Baratt's article enlightening. I am also including an article on the meeting he attended:

[From the Rochester (N.Y.) Daily Record, Dec. 5, 1968]

Industrial Development and the Rural Counties

(By Norman J. Baratt)

The patronizing litany of so many real estate oriented city dwellers, when referring to the rural counties, seems to be "Let the cows inherit that earth!"

I often think it should be the other way around—that the smugness of the urbanite should be tempered with a little "We who are about to die salute you" sentiment.

Both cities and hinterlands have their unique problems, and, as a corollary, their unique opportunities. To write off comparatively undeveloped rural counties is like going through life feasting continuously on half-plums.

Today's real estate investor has to develop regional insight. Anyone who doubts the vitality that is being evidenced in converting agricultural areas into industrial environments should have attended the all day session, a few weeks back, of the workshop sponsored jointly by Wayne Economic Development Corp. and New York State Assn. of Industrial Development Agencies.

Now I'll admit to having more than an academic interest in Wayne County. I'm already involved in several projects there. The perspective, however, transcended the specific county and was applicable to almost every area in the northeast core, which, although constituting only 7% of the country's area, has 43% of the population, 70% of the industrial base, and 53% of the gross national income.

There are profit opportunities in rural county projects, a fact which seems to escape so many city real estate people. In this space age, many seem to have lost sight of the fact that thriving residential, industrial, and commercial areas in suburbia were rural not too long ago.

The three upstate musketeers known as Syracuse, Rochester, and Buffalo are now bursting at the seams, with expansion into adjoining counties inevitable in the very near future. I think that Genesee and Wayne counties will receive the main thrust.

In addition to the spillover from Erie, Monroe and Onondaga counties, there's another factor that so many in the cities lose sight of.

There are now more than 20,000 local industrial development corporations in the country, and almost every one is vying aggressively to attract new industry to the respective community. (Incidentally, industry no longer means belching smokestacks. It means any business enterprise which creates payroll be it retail establishment, nursing home, amusement parks, manufacturing plants, etc.)

The thing is, though, that the community salesmen employed or voluntarily donating their time to attracting new industry realize full well that they cannot do the job alone. They therefore welcome, with open arms, profit-minded private groups intent on implementing specific projects, and stand ready to assist to the limits.

Many of the local development corporations have instituted projects of their own, and although they are not to well known in the city areas, the results have been, or will be Horatio Algerish.

People like George Maloy, past president of the Clyde Industrial Development Corp. Catastrophy threatened their single industry town a few years ago when General Electric announced a pullout. They had the gumption to ask and get the plant from GE, and then they systematically solicited 150 prime prospects until they convinced Parker-Hannifin that Clyde could be a home away from home for several hundred employees. After that triumph, other industry was lured, and now the local development corporation is as active as any.

People like John Mancuso of the Batavia Industrial Center. He's helped mobilize community morale and convinced more than one firm that his neck of the woods is their sort of town.

People like David Woods of WID (centered in Sodus and the northern tier of the county). He's currently spearheading a mammoth project to convert Sodus port, considered by many to be the finest natural harbor on Lake Ontario, into a Rochester gateway for commercial freight and a major coho salmon fishing area to boot.

The New York State Job Development Authority in business for less than seven years, has already provided assistance for 352 projects amounting to $43 million, creating 88,000 direct and peripheral jobs.

Not only JDA, but also the Small Business Administration, bends over backwards to assist in rural area development. There 502 loan program is one of the most soundly conceived and best implemented concepts that has appeared on the national scene. And, of course, many of the new FHA programs lend themselves very well to projects in rural counties.

I came away from that Wayne County workshop convinced that there are many more people waking to the fact of opportunity galore in rural counties adjoining metropolitan areas.

The businessmen and real estate investors in those counties are no longer willing to take a back seat until the city folk come bobbin along. But there's such unlimited potential, real estate-wise, that it's possible for both city and rural investors to share sizeable pieces of the profit pie.

[From the Sodus (N.Y.) Record, Nov. 28, 1968]

One Hundred Twelve Attend County Industrial Meeting Here Last Week

In economic and industrial development, "by just standing still, you fall behind," Larry Sweetland, vice president of the New York State Association of Industrial Development Agencies, told 112 Wayne County business and governmental leaders at a workshop held in Sodus last week Wednesday.

The all-day industrial development workshop held at the Normandy Inn was cosponsored by the NYSAIDA and the Wayne Economic Development Corp.

Sweetland, keynote speaker for the affair, told the group, "Small counties do have a problem. They haven't kept up with the economic growth of New York State as a whole. The have become complacent and haven't taken advantage of the programs that would help them grow and prosper.

"Small communities can't sit back and watch the world go by. By doing so, they lose their greatest resource—their young people."

The workshop was divided into three sections:

"What does Wayne County have to sell?"

"How do we sell it?"

"How do we finance it?"

On the first point, Dr. Steward Denslow, director of the Genesee Finger Lakes Regional Planning Board, presented the regional viewpoint.

He told the group that general government is very important to an industry coming in. It must be up to the expectations of the modern day industrial climate which could be a lot different from what is adequate to Wayne County's rural population today. Wayne must also be receptive to new ideas—"be willing to risk failure in order to establish a firm industrial base," he said.

As to resources, he pointed to adequate underground water and closeness to the lake as two of Wayne's assets. In transportation, he foresaw the need for drastic changes, "additional and higher grade roads integrating the present road system to the county, and building an airport," were some of the changes he called for.

Robert Peterson, Wayne County planner, spoke on the county viewpoint. He pointed to the county's location as an asset, with Lake Ontario on the north, the Thruway on the south and "two of the boomingest towns in the country, Rochester and Syracuse on the west and east."

"There is a good possibility for growth," he said. "In fact, we've predicted great growth. At present there are 75,000 persons in the county. We expect there will be an added 50,000 in the next 20 years and an added 10,000 in the next 50 years. Some of the western towns in the county will increase from 3,000 to 30,000."

"We'll need housing to accommodate this growth—all the way from low cost public housing to expensive, deluxe areas." He said that most of the towns and the county are "starting to gear up for this growth."

Most of the towns and villages are undertaking extensive water and sewer projects. The county is preparing a general development plan and working with other counties in the region. It is also working with the state to improve Routes 104 and 31.

"The county and towns are starting to recognize the need for progress," he concluded.

George Maloy, past president of Clyde Industrial Corp., traced the Clyde story from the "bleak day" of May 4, 1965, when General Electric announced it was going to close its Clyde plant, throwing 500 persons out of work, to the present.

He told of asking GE for the plant free and getting it. And then of sending out 3,000 flyers and putting ads in all major papers in hopes of attracting an industry to the community. This brought in 130 prospects and of these only one really panned out—Parker-Hannifin.

He said, "Economic adversity can be converted to economic success" if everyone will work together for that success. "This can't be reduced to any precise formula. All communities are different. But all must have community desire. Find out your faults and then have the courage to correct them."

Speaking on how to sell the community to a new industry, Joseph Mancuso, president of the Batavia Industrial Center, advised, "I'd live off Rochester and Syracuse. I'd spend my whole day going to firms in those communities and trying to get branches for my town."

He laid down five attributes for the "ideal community."

"A nice place to live.

"Enough help for a small industry.

"Old buildings at low rates—an industrial incubator.

"An industrial park for expansion.

"And an industrial group to help with the financing."

But most of all, he explained, "you must have the desire—not just you, but the whole community must want new industry. And you don't even have to worry about getting new industry if you can't keep the old ones happy. Treat industry fairly—don't try to soak them with taxes."

He also pointed out that the conception of what is an industry must change—"Industry is not factories alone. We have to consider everything—anything that employs people. We're interested in payrolls."

But, he explained, desire alone cannot bring industry to a community. "The community must be ready. Industry isn't interested in what you will do in 10 or 20 years—it wants to know what you have now."

He summed up his advice: "Economic development is preceded by industrial development and industrial development is preceded by community development."

Michael Vadala, State Commerce Department regional manager, speaking on keeping present industries, said the big problem is in communications.

"It is too late to fix a problem when the industry announces it is going to leave a community. We must know about the problem beforehand. We need a pipeline and the Wayne Economic Development Corp. can be that pipeline."

At the luncheon, Assemblyman Joseph Finley asked the group to think about a rapid transit system between Rochester and Wayne County. "It's not more costly than building expressway-type highways."

Rep. Frank Horton, Rochester Republican, called the Wayne County story "one of the great success stores." He told the group they were on the verge of "building a better Wayne County."

EX-CONS FIND HELPING HAND AT CREDIT UNION

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. PATMAN. Mr. Speaker, the credit unions of this country have a slogan—"Not for profit, not for charity, but for service." Perhaps there is no more fitting example of the truth of this slogan than a recently established credit union for ex-convicts in the Boston area.

The Boston credit union does not offer a handout to the ex-convicts but, rather, offers them an opportunity to better their lives and also to rehabilitate the men into useful citizens.

This past weekend I was in Boston to address the Massachusetts CUNA Credit Union Association, and met one of the organizers of the credit union, Mr. Earl R. Eriksen, who is an employee of the Massachusetts CUNA Credit Union Association. I was particularly impressed with Mr. Eriksen's outlook for the future of the credit unions and the benefits to the credit union movement in general that have been received from the establishment of the credit unon for ex-convicts.

The January issue of the Credit Union magazine carries an excellent story on the Boston ex-convict credit union. The article is extremely valuable because it shows that if a group of ex-convicts, with the help of professional credit union organizers, can operate a credit union there is no reason why any group of people cannot make a success of a credit union.

Mr. Speaker, I am enclosing a copy of the credit union article in my remarks so that it can be enjoyed by credit union members across the country. I hope its publication will encourage others to form new credit unions.

The article referred to follows:

Credit Unions for Ex-Cons

Credit unions have some unusual common bonds. These are credit unions for members of a Chinese-American family and for Hollywood movie stars; there are others for members of symphony orchestras and for dishwashers. But who has ever heard of a credit union for ex-convicts?

Eyebrows were raised when J. Bryan Riley and Earl R. Eriksen of Boston began to explore the feasibility of this common bond. Eriksen, who is director of public relations and organization for the Massachusetts CUNA Credit Union Association, admitted that "six years ago we would have been locked up in an institution for even thinking such a thing was possible."

"Today, people listen," he added. "These are changing times, and people seem to be learning that nothing is impossible."

Eriksen and Riley know that Massachusetts Half-Way Houses, Inc., of which Riley is director, would be no ordinary common bond. But would it work?

In Riley's words, "These men are the losers of society. They include the undereducated who for the most part lack a saleable skill. Many have been institutionalized from time to time since they were teen-agers."

As a whole, 70 per cent of Massachusetts' ex-convicts return to prison after release, most of them within six months. These are the men Brooke House—the sole half-way house yet established by the corporation—exposes to "reality therapy," which confronts the men with vivid illustrations of the consequences of their behavior.

Residence in Brooke House, which lasts from three to six months, involves a lot of person-to-person relationships, as well as group meetings. Whether ex-convict or Ph. D. candidate, a staff member makes an issue of questionable thinking or behavior among the 17 to 20 occupants.

Said Riley: "If a guy should complain about the food by throwing it on the wall or hitting the cook on the head, we would control him and then talk to him about the consequences of his behavior, its causes, and some more acceptable reactions. He may have plenty of excuses. His mother was mean, or nobody ever gave him a chance. But we don't accept excuses. He must take full responsibility for his behavior and take the consequences."

A half-way house does, in fact, fill an enormous void among criminal institutions. Most prisons, said Riley, spend 90 per cent of their budget on security and confinement—protecting and avenging society. Yet 97 per cent of all prisoners eventually return to society, and prisons do relatively little to help them adjust.

Brooke House's responses are multiple. Its program includes occupational testing and evaluation. It shares with ex-convicts insights on where to look for education or training, how to find jobs, how to solve legal difficulties, and so on.

One problem it has not been able to solve is money, a universal problem among ex-convicts.

Massachusetts' county jails provide prisoners up to $2.50 upon their release, after as much as two-and-a-half years of detention. The Commonwealth's state prisons provide convicts $50 upon release, including the savings of half the 25 to 50 cents a day earned by prisoners who work in state prison industries.

While a few emerge with more than $50, because of accrued savings, what does $50 buy these days?

Imagine for a moment that you are an ex-convict, resolved to make good upon your release from a prison in the Boston area, Riley invited. You would likely behave as most do.

Leaving the prison gate, you would head for the bus station to buy a $2.50 ticket to Boston. You hit town and want a good steak dinner for a change. It's been a long time. There goes $4.50. Institutional clothing provides a bare minimum, and you can't wait to buy underwear, socks and other items. You also need a haircut, shaving cream, a new razor—goodbye to $10.

Now it's time to visit your parole officer, who will suggest where you can find a room. You don't know the subways and decide that just this once, you'll take a cab—$5. The room will cost $15 for the first week—and it's only a rooming house, which means you'll have to eat out. And that reminds you, it's dinnertime: $1.25.

You've been out of circulation for a long time and become selfconscious about the feel of your institutional clothing. Besides, you have to look for a job tomorrow, and you're convinced that you'll never make the grade in prison clothes. But you have to buy smokes, and you wanted to see a cheap movie tonight. Suddenly, you realize you're already down to $10, and it's your first day out! Those clothes will have to wait.

Suppose you could start a job your parole officer lined up for you on your first night out, an extra streak of luck. Pay day is two weeks away. Could *you* make it on $50? In today's jargon, you'd be "up tight" at the end of the second day.

Of course you could pick up a $5 or $10 bill from the Salvation Army, the Massachusetts Aid to Discharged Prisoners or St. Vincent de Paul Society, but you've got pride, too. There's always a loan shark who will help out—at a price. If you couldn't get a job, of course, you could go on welfare for $28 a week.

What would you do?

Sounds like a big enough need for a credit union!

But could it work?

Said Eriksen: "You've probably heard that 'an ex-con will steal you blind.' Maybe you've also heard 'There is honor among thieves.' During our meetings with these men, we heard more than once, 'This is our last chance to establish our credit. It's our chance of a life-time to really make it.' "

For the ex-cons of Brooke House, it is their last chance. First of all, it was their idea to come to Brooke House, where they knew they would have what in prison was unthinkable—the opportunity to make honest mistakes and to learn from them, instead of being punished for them.

If they should continually fail to use this new freedom responsibly, there is just one alternative: return to prison.

In fact, about 40 per cent of the House's occupants do return to prison, compared to 70 per cent of the ex-prisoner population as a whole.

Potential membership in the credit unions extends beyond the 17 to 20 occupants of the House at any time. All who went through the program are eligible to belong, including the 71 who completed it last year. In fact, membership in the credit union provides a convenient reason to visit the House when things get rough.

Also eligible to belong are the 23 volunteers and employees who comprise the staff, as well as the board of directors, whose 75 members constitute something of a Massachusetts "Who's Who." Its members include Governor John A. Volpe, Endicott Peabody, a former governor, and other distinguished leaders in the professions, business, government and non-profit organizations.

Each working occupant of Brooke House contributes only $17 a week to its operation, and this is insufficient to operate its program. Donations are the key to its growth, as well as its operation. And Massachusetts Half-Way Houses, Inc., has some big hopes, which could one day swell membership in the credit union:

Non-resident ex-convicts, too, could benefit from parts of a half-way program, even though they spend sleeping hours elsewhere.

The Half-Way House might one day keep *potential* convicts out of jail by helping them keep out of trouble.

Facilities are needed for females and youths.

Even among men, the existing program is a mere small-scale demonstration. One downtown Boston jail alone admits 8,000 inmates a year!

The credit union, located at 79 Chandler St., opened its books on September 9, 1968, a few days after Federal Charter 18932 was presented Hugh Jones Jr., a director of Half-Way Houses, by Walter W. Mode, regional director of the Bureau of Federal Credit Unions.

Ex-convicts account for two of the five-member board. All are bonded. The vice-president, too, is an ex-convict, not to mention one of the three members on each the supervisory and credit committees.

By October 11, the credit union's 37 members had accumulated savings of $1,213.76 and had approved four loans totalling $500.

The first loan gave a federal ex-convict, just released, $80 to buy clothing to attend his sister's wedding and buy her a gift. The 24-year-old borrower, training for his first job in life as a window washer, was earning $2.50 an hour, with an earning potential of $4.50 an hour.

Two subsequent loans enabled one member to make a down-payment on furniture and another to buy drafting tools for night study at the Boston Architectural Center.

A cold question remains. The whole idea renews faith in the potential goodness of man. But can it succeed?

"Who knows?" admitted Frank Franzen, the Bureau's associate regional representative in Boston. "It's a pilot project, and you have to start somewhere."

Jones, Half-Way House director, recalled "Nobody believed the halfway house would work, but it has."

Nor has it been many years that mental hospitals have operated on open ward principles, allowing their residents freedom to come and go, Riley added.

"Credit unions in slums are working, too, aren't they?" he asked.

Lawrence Albert, part-time psychologist with Brooke House, added: "Many of these people are driven back to crime by their profound need for money. If forced to take a handout, their old feelings of inferiority return.

"My experience has taught me that handouts only perpetuate feelings of worthlessness and dependency, the feelings already fostered in a correctional institution, but not in the community. If a man had the opportunity to borrow money, this would be a significant sign to him that he was being treated as a responsible, mature person who was expected to make out well so he could pay his loan back.

"The potential of men acting responsibly if treated responsibly is great. Treat them as crazy nuts, and they'll act the part."

Although the fate of Massachusetts Half-Way Houses FCU is unknown, the FCU has already produced some beneficial side effects. Publicity from the experiment generated several phone calls to the Massachusetts League.

"In fact," said Eriksen, "I'm convinced that we organized several new credit unions because of all the publicity we got. I got the feeling that the managements had felt that their employees were not capable of running a credit union. When they heard about the ex-convicts starting one, they began to wonder."

HOW CAN WE MAKE GOVERNMENT MORE RESPONSIVE TO THE WILL AND NEED OF THE PEOPLE?

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. MARSH. Mr. Speaker, in the Sunday edition of the Washington Post appears an article taken from a book recently published entitled "The Age of Discontinuity" by Peter F. Drucker. The article is entitled "Rx for a Sick, Flabby Government." I was much impressed by a number of the points Mr. Drucker made and he certainly raises serious questions as to the direction that we should take in our legislative programs.

The article points to the inadequacies of bureaucracy and seems to me to raise the basic question that confronts us at this time, and that is, how can we make Government more responsive to the will and need of the people?

Because of its length, I have divided it into several insertions, of which this is the first:

[From the Washington Post, Feb. 2, 1969]

Rx for a Sick, Flabby Government

(By Peter F. Drucker)

(Note.—Drucker is on the graduate faculty of New York University. The following article is excerpted by permission from his book "The Age of Discontinuity," published last week by Harper & Row.)

Government surely has never been more prominent than today. The most despotic government of 1900 would not have dared probe into the private affairs of its citizens as income tax collectors now do routinely in the freest society.

Even the czar's secret police did not go in for the security investigations we now take for granted. Nor could any bureaucrat of 1900 have imagined the questionnaires that governments now expect businesses, universities or citizens to fill out in ever-mounting number and ever-increasing detail. At the same time, government has everywhere become the largest employer in the society.

Government is certainly all-pervasive. But is it truly strong? Or is it only big?

There is mounting evidence that government is big rather than strong; that it is fat and flabby rather than powerful; that it costs a great deal but does not achieve much. There is mounting evidence also that the citizen less and less believes in government and is increasingly disenchanted with it. Indeed, government is sick—and just at the time when we need a strong, healthy, and vigorous government.

There is obviously little respect for government among the young—but the adults, the taxpayers, are also increasingly disenchanted. They want still more services from government. But they are everywhere approaching the point where they balk at paying for a bigger government, even though they may still want what government promises to give.

LOVE AFFAIR ENDED

The disenchantment with government cuts across national boundaries and ideological lines. It is as prevalent in Communist as in democratic societies, as common in white as in nonwhite countries. This disenchantment may well be the most profound discontinuity in the world around us. It marks a sharp change in mood and attitude between this generation and its predecessors.

For 70 years or so—from the 1890s to the 1960s—mankind, especially in the developed countries, was hypnotized by government. We were in love with it and saw no limits to its abilities or to its good intentions.

Rarely has there been a more torrid political love affair than that between government and the generations that reached manhood between 1918 and 1960. Anything that anyone felt needed doing during this period was to be turned over to government—and this, everyone seemed to believe, made sure that the job was already done.

The Fabians in Great Britain or the German Social Democrats started their love affair with government before 1900. It became general with World War I, when government, using taxation and the printing press, mobilized social resources way beyond what anyone earlier would have thought possible. When the Great Depression hit, a decade later, everyone immediately turned to government as the savior.

It is pathetic to recall the naive beliefs that prevailed in the late 1930s—such, for instance, as was preached in one of the best-

sellers of the depression years, "To Plan or Not to Plan," by the British Labor economist Barbara Wooton. The book's author, honored by the British government with a life peerage as Lady Wooton, is still alive and active, but nothing is more remote from us today, or less appealing, than the messianic innocence of this fervent love letter to government.

All it says, and it says it on every page, is: "Utopia is here—all that's needed is to take everything away from the wicked, selfish interests and to turn it over to government." World War II reinforced this belief. Again, government proved itself incredibly effective in organizing the energies of society for warfare.

But now our attitudes are in transition. We are rapidly moving to doubt and distrust of government and, in the case of the young, even to rebellion against it. We still, if only out of habit, turn social tasks over to government. We still revise unsuccessful programs over and over again, and assert that nothing is wrong with them that a change in procedures or a "competent administrator" will not cure. But we no longer really believe these promises when we reform a bungled program for the third time.

Who, for instance, any longer believes that administrative changes in the foreign aid program of the United States (or of the United Nations) will really produce rapid worldwide development? Who really believes that the War on Poverty will vanquish poverty in the cities? Who in France believes that one more commission on administrative reform will really change the system? Or who in Russia really believes that a new program of incentives will make the collective farm productive?

We still repeat the slogans of yesteryear. Indeed, we still act on them. But we no longer believe in them. We no longer expect results from government. What was torrid romance between the people and government for so very long has now become a tired, middle-aged liaison which we do not quite know how to break off but which only becomes exacerbated by being dragged out.

What explains this disenchantment with government?

We expected miracles—and that always produces disillusionment. Government, it was widely believed (though only subconsciously), would produce a great many things for nothing. Cost was thought to be a function of who did something rather than of what was being attempted. There is little doubt, for instance, that the British, in adopting the "free health service," believed that medical care would cost nothing.

All that such a health service can be, of course, is a form of "prepaid" medical care. Nurses, doctors, hospitals, drugs and so on have to be paid for by somebody. But everybody expected this "somebody" to be somebody else.

At the least, everyone expected that under a "free" health service, the taxes of the rich would pay for the health care of the poor. But there never are enough rich people around to carry the burden of any general service.

All such plans are, in effect, taxation and compulsory saving that force the individual to pay for something whether he wants it or not. This is their whole rationale, and it is not necessarily a bad rationale. But the illusion persisted that government could somehow make costs go away and produce a great deal for nothing—or at the expense of only an affluent minority.

AUTOMATICALLY CORRECT

This belief has been, in effect, only one facet of a much more general illusion from which the educated and the intellectuals in particular have suffered; that by turning tasks over to government, conflict and decision would be made to go away.

Once the "wicked private interests" had been eliminated, a decision as to the right course of action would be rational and automatic. There would be neither selfishness nor political passion. Belief in government was thus largely a romantic escape from politics and from responsibility.

One root of this argument was a hatred of business, of profit and, above all, of wealth. That motives other than the desire for monetary gain could underlie self-interest and that values other than financial values could underlie conflict did not occur to the generation of the 1930s. Theirs was a world in which economics seemed to be the one obstacle to the millennium.

Power did not appear in their vision—though this blindness in the decade of Hitler and Stalin is hard to imagine, let alone to understand. C. P. Snow's description in "The Masters" (1951) of the conflict for power within the "selfless" and "disinterested" small community of an Oxbridge college profoundly shocked the sensibilities of a generation that had grown up believing that conflicts were always motivated by economic self-interest and could be avoided by eliminating gain; that is, by nationalizing the economy.

One need not be in favor of free enterprise—let alone a friend of wealth—to see the fallacy in this argument. But reason had little to do with the belief in government ownership as the panacea. The argument was simply: "Private business and profits are bad—ergo government ownership must be good." We may still believe in the premise, but we no longer accept the "ergo."

Thus the Labor government felt committed in 1967 to renationalize the British steel industry (just at the time when, ironically, the industry was on the verge of long-term decline and when, therefore, takeover by government meant the highest possible windfall profit for the shareholders). But it immediately declared that the industry would have to be run for profit. It put in as chief executive the purest of archcapitalists, Lord Melchett, heir to one of the world's greatest industrial fortunes (his grandfather and father founded and built Imperial Chemical Industries), a hereditary peer and a top-flight investment banker in addition to being a lifelong Tory!

By contrast, less than 20 years earlier, when steel was first nationalized in Britain by an earlier Labor government, an ideologically "pure" trade union stalwart had been the chief executive-designate.

There is still a good deal of resistance to the responsibility of politics and resentment of the burden of political decision. Indeed, the young today want to "drop out" altogether—in a frightening revival of the hostility to responsibility that made an earlier young generation, 40 years ago, so receptive to totalitarian promises and slogans. But no one, least of all the young, believes any longer that the conflicts, the decisions, the problems would be eliminated by turning things over to government. Government, on the contrary, has itself become one of the wicked "vested interests" for the young.

TWO "ACCOMPLISHMENTS"

The greatest factor in the disenchantment with government is that government has not performed. The record over these last 30 or 40 years has been dismal. Government has proven itself capable of doing only two things with great effectiveness. It can wage war. And it can inflate the currency. Other things it can promise, but only rarely accomplish.

Its record as an industrial manager, in the satellite countries of Eastern Europe as well as in the nationalized industries of Great Britain, has been unimpressive. Whether private enterprise would have done worse is not even relevant. For we expected near-perfection from government as industrial manager. Instead, we only rarely obtained even below-average mediocrity.

Government as a planner has hardly done much better (whether in Communist Czechoslovakia or in de Gaulle's capitalist France). But the greatest disappointment, the great letdown, is the fiasco of the welfare state.

Not many people would want to do without the social services and welfare benefits of an affluent, modern industrial society. But the welfare state promised to do far more than to provide social services. It promised to create a new and happy society. It promised to release creative energies. It promised to do away with ugliness and envy and strife.

No matter how well it is doing its jobs—and in some areas, in some countries, some jobs are being done very well—the welfare state turns out at best to be just another big insurance company, as exciting, as creative and as inspiring as insurance companies tend to be. This explains why President Johnson's spectacular performance in enacting the unfinished welfare tasks of the New Deal failed to make him a hero with the public.

The best we get from government in the welfare state is competent mediocrity. More often, we do not even get that; we get incompetence such as we would not tolerate in an insurance company. In every country, there are big areas of government administration where there is no performance whatever—only costs.

This is true not only of the mess of the big cities, which no government—United States, British, Japanese or Russian—has been able to handle. It is true in education. It is true in transportation. And the more we expand the welfare state, the less capable even of routine mediocrity does it seem to become.

A PAPER HARVEST

I do not know whether Americans are particularly inept at public administration—though they are hardly particularly gifted for it. Perhaps we are only more sensitive than other people to the incompetence and arrogance of bureaucracy because we have had, until recently, comparatively so much less of it than other people.

In any case, we are now appalled to realize that, during the past three decades, Federal payments to the big cities have increased almost a hundredfold for all kinds of programs whereas results from this incredible dollar-flood are singularly unimpressive. What is impressive is the administrative incompetence.

We now have ten times as many government agencies concerned with city problems as we had in 1939. We have increased by a factor of 1000 or so the number of reports and papers that have to be filled out before anything can be done in the city. Social workers in New York City spend some 70 or 80 per cent of their time filling out papers for Washington, for the state government in Albany and for New York City. No more than 20 or 30 per cent of their time, that is, almost an hour and a half a day, is available for their clients, the poor.

As James Reston reported in the New York Times (Nov. 23, 1966), there were then 170 different Federal aid programs on the books, financed by over 400 separate appropriations and administered by 21 Federal departments and agencies aided by 150 Washington bureaus and over 400 regional offices. One congressional session alone passed 20 health programs, 17 new educational programs, 15 new economic development programs, 12 new programs for the cities, 17 new resources development programs and four new manpower training programs, each with its own administrative machinery.

This is not perhaps a fair example—even of American administrative incompetence. That we speak of "urban crisis" when we face a problem of race explains a lot of our troubles. But in other areas, the welfare state has not performed much better. Nor is the administrative mess a peculiarly American phenomenon.

The daily press in Great Britain, in Germany, in Japan, in France, in Scandinavia—and increasingly in the Communist countries as well—reports the same confusion, the same lack of performance, the same proliferation of agencies, of programs, of forms—and the same triumph of accounting rules over results. Everywhere, rivalry between various agencies is replacing concern with results and with responsibility.

ENDS IN THEMSELVES

Modern government has become ungovernable. There is no government today that can still claim control of its bureaucracy and of its various agencies. Government agencies are all becoming autonomous, ends in themselves, and directed by their own desire for power, their own narrow vision rather than by national policy.

This is a threat to the basic capacity of government to give direction and leadership. Increasingly, policy is fragmented and execution is governed by the inertia of the large bureaucratic empires rather than by policy.

Bureaucrats keep on doing what their procedures describe. Their tendency, as is only human, is to identify what is in the best interest of the agency with what is right, and what fits administrative convenience with effectiveness. As a result, the welfare state cannot set priorities. It cannot concentrate its tremendous resources—and therefore does not get anything done.

The President of the United States may still be the most powerful ruler—more powerful than either the prime ministers of parliamentary regimes dependent upon a majority in parliament, or the dictators who can be overthrown by conspiracies against them among the powerful factions within their totalitarian apparatus. And yet even the President of the United States cannot direct national policy any more.

The various bureaucracies do much what they want to do. The Antitrust Division of the Department of Justice, for instance, has been making its own policies and pursuing its own course these last 20 years, with little concern for what the incumbent President believes or orders. The Soil Conservation Service and the Bureau of Reclamation, the Forestry Service and the Weather Bureau, the Federal Trade Commission and the Army Engineers have similarly become "independent" rather than "autonomous."

Not so long ago, policy control by the political organs of government could be taken for granted. Of course, there were "strong" and "weak" Presidents as there were "strong" and "weak" prime ministers. A Franklin Roosevelt or a Winston Churchill could get things done that weaker men could not have accomplished. But this was, people generally believed, because they had the courage of strong convictions, the willingness to lay down bold and effective policies, the ability to mobilize public vision. Today, a "strong" President or a "strong" prime minister is not a man of strong policies; he is the man who knows how to make the lions of the bureaucracy do his biding.

John Kennedy had all the strength of conviction and all the boldness of a "strong" President; this is why he captured the imagination, especially of the young. He had, however, no impact whatever on the bureaucracy. He was a "strong" President in the traditional sense. But he was a singularly ineffectual one. His contemporary, Nikita Khrushchev in Russia, similarly failed to be effective despite his apparent boldness and his popular appeal.

By contrast, bureaucratic men who have no policies and no leadership qualities emerge as effective—they somehow know how to make red tape do their bidding. But then, of course, they use it for the one thing red tape is good for, i.e., bundling up yesterday in neat packages.

This growing disparity between apparent power and actual lack of control is perhaps the greatest crisis of government. We are very good at creating administrative agencies. But no sooner are they called into being than they become ends in themselves, acquire their own constituency as well as a "vested right" to grants from the Treasury, continuing support by the taxpayer and immunity to political direction. No sooner, in other words, are they born than they defy public will and public policy.

COLLAPSE INTO BARONIES

The crisis of government domestically is nothing compared to the crisis of government as an effective organ in international life. In the international arena, government has all but disintegrated. The "sovereign state" no longer functions as the effective organ for political tasks.

This is not happening, as the liberals had always hoped, because a political world community has transcended the narrow, petty boundaries of national states. On the contrary, the national state is everywhere in danger of collapsing into petty parochial baronies—whether French Canada or an independent Flanders, Biafra in West Africa or self-governing Scotland.

To our grandparents, around 1900, it was clear that the trend ran toward larger government units. It was clear to them that the national state created political organisms capable of effecive cooperation in international society. This had been the lesson of 19th century history. Indeed, the century closed with the last "unification," though an imposed one: the taking over of the Boer republics of South Africa by the British and their incorporation into the British Empire.

Since then, the process has been one of steady fission. It began in the Balkan wars, which, undertaken to create larger unified countries, ended by creating more small ones. It has accelerated ever since. Even Czechoslovakia, the most successful of the new countries created in World War I, proved incapable of becoming the effective agent of unification but was torn apart by the strife of the national minorities—German, Hungarian and Slovak—that refused to be "unified."

Not one of the new countries established since World War II has so far created the unified nation that, to the 19th century, was so obviously the end point of history. Instead, we are getting tribal splinters pretending to be national states, imposing on their citizens all the costs of a national state, driven by all the jealousies, resentments and pride of a national state—but incapable of being an effective organ either of domestic government or of the international community. Increasingly, we are fragmenting the world into governmental pygmies, each endowed with tremendous power vis-a-vis its citizens, each perfectly capable of tyranny but incapable of governing.

In 1900, there were fewer than 50 sovereignties in the whole world—20 in Europe and 20 in the Americas, with the rest of the world having fewer than a dozen. World War I increased the number to about 60. Now we have more than 160, with new "ministates" joining the ranks almost every month. Only on the American continents has there been no splintering of sovereignties.

There are 20-odd sovereignties of 1900 that are still, by and large, the political reality of today (except in the rapidly fragmenting Caribbean area). Some of the new sovereignties are very large countries: India, Pakistan, Indonesia. But most of them are smaller than the Central American countries an earlier generation contemptuously dismissed as "banana republics" and much too small to discharge the minimum responsibilities of sovereignty.

Today we have scores of "independent nations" whose population is well below a million people. Indeed, we have some whose population is hardly as large as that of a good-sized village.

DOUBLE JEOPARDY: BLACK AND POOR

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. OTTINGER. Mr. Speaker, during the early days of the Peace Corps I was privileged to meet and work with Franklin H. Williams, a dynamic person who came to the Corps from an outstanding career as special counsel and west coast director of the NAACP and assistant California attorney general. Since 1964, Frank Williams has served with distinction as the U.S. Representative to the U.N. Economic and Social Council and as the U.S. Ambassador to Ghana.

Currently the director of Columbia University's Urban Center, Mr. Williams recently presented an incisive and well-documented paper, at a Syracuse University conference on crime, on capital punishment and the discriminatory practices which are frequently followed. The issues he has raised in this paper are well taken and deserve sober reflection and careful consideration by us all.

I commend this paper to the attention of our colleagues and am pleased to insert it, herewith, for inclusion in the RECORD:

Public opinion favoring the death penalty decreased from 68% in 1953 to 38% last year, according to the latest Gallup poll.

This is a striking statistic, in and of itself. Far from being encouraged, however, I find it dismaying on two counts. First, it is to me incredible that over a third of the country supports what I consider to be a cruel, barbarous and archaic method of punishment. Second, there is increasing evidence that the trend is being reversed: That with the current hue and cry for law and order, people are beginning to push for more severe punishment for crimes up to and including the death penalty.

An ominous example of this is occurring right here in New York State. In November, State Senator Edward Speno released the results of a survey showing that 84 out of 118 New York State judges favored reinstatement of the death penalty for those crimes to which it had previously been applied. In October, he conducted hearings on restoration of the death penalty. Spectators were angry and vociferous in their demands for harsher sentences—including death—and applauded every police demand for a return to executions. The change from the hearings in 1965—when the death penalty was abolished in New York in all but a few cases—was frightening—and to me far more striking than the Gallop poll. All the evidence points to a determined effort to return the death penalty for felony murder in New York in 1969.

We are all aware of what lies behind this new stridency. Americans have been inundated with scare headlines about riots and increased crime rates. The President's Commission on Law Enforcement and Administration of Justice recently reported that "The existence of crime, the talk about crime, and the fear of crime have eroded the basic quality of life of many Americans."

A climate of near-hysteria has polarized the country. On one side are the advocates of law and order. An extreme example of this position is Anthony Imperiale, who stated: "You got law and order, you don't

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Footnotes at end of speech.

need justice, because you got law and order."[1] On the other end of the spectrum are those of us who believe that justice is a basic pre-requisite of a democratic society and the maintenance of law and order must be subject to the guarantees of justice.

There is no escaping the racial overtones of this dichotomy. The fear and guilt of White America, and the anger and frustration of Black America, have been amply documented. The Kerner Report simply made that official. It is *racial* fears and tensions, above all, that are responsible for the Imperiales and the harsher legislation now being advocated.

The battle over capital punishment is a microcosm of this larger Black-White, rich-poor confrontation tearing at our society. Consequently, it is in this framework that I would like to view the issue of death penalty.

Clarence Darrow once wrote that "Questions of this sort . . ., are not settled by reason: They are settled by prejudices and sentiments or by emotion. When they are settled they do not stay settled, for the emotions change as new stimuli are applied to the machine."

The abolition versus retention debate has changed little since the time when Caesar debated Cato on what to do with the Catiline Conspirators.

Ever since the single argument most consistently advanced in favor of capital punishment has been that it deters crime. This argument is tenaciously—one might say irrationally—upheld in the face of numerous statistics, all of which point to the opposite conclusion and show that the presence or absence of the death penalty makes no particular difference in the amount of murder in any given state. Its murder rate will closely parallel that of adjoining states, where conditions of life and social-culture attitudes are similar. A leading midwestern advocate of abolition put it quite succinctly: "The death penalty is related to the homicide rate in the same way an Indian rain dance is related to the production of rain. When the rains come, they come."

Clearly the homicide rate is the product of larger forces than the punishment for murder. For example, the homicide rate in the United States moved upward from 1900 until the middle of the thirties, dropped sharply during the next ten year period, and then started an upward swing after the second World War. The trend does not coincide with the application of the death penalty. To be more specific: A study of the death penalty in Oregon, which was abolished in 1914, restored in 1920, and reabolished in 1964, reveals that the homicide rate was totally independent of the death penalty.

Thorsten Sellin, President of the International Society of Criminology, has made an exhaustive study of the effect of the death penalty on homicide rates. In his report for the Model Penal Code Project of the American Law Institute, he examined in detail the homicide rates in abolition and retention states, and found no correlation between the two. In comparing the homicide rates of Michigan, Indiana and Ohio, for example, he points out that although Michigan is an abolition state, its homicide rate has remained below that of its two neighboring death penalty states throughout the last forty years. Similarly, a comparison of Maine, Vermont and New Hampshire shows the homicide rates moving along similar lines even though Maine has been an abolition state since 1887, and Vermont only partially abolished the death penalty in 1965.

Sellin's data also makes it clear that the abolition or imposition of the death penalty has no bearing on the homicide rate *within* a particular state. Seven American states have completely or partially abolished it and then reintroduced it—usually after a particularly heinous and much-publicized crime. There is no evidence that restoration affected the murder rate in these states.

The experience of other countries bears out this thesis. Seventy-two countries have now abolished the death penalty,[2] and studies in Austria, Germany, Australia and the Netherlands, among others, indicate that there is no relationship between executions and homicide rates.

Sir Ernest Gowers, Chairman of the British Royal Commisison on Capital Punishment, 1949–53, states: "Before serving on the Royal Commission, I, like most people, had given no great thought to this problem. If I had been asked for my opinion, I should probably have said that I was in favour of the death penalty, and disposed to regard abolitionists as people whose hearts were bigger than their heads. Four years of close study of the subject gradually dispelled that feeling. In the end I became convinced that the abolitionists were right in their conclusions—although I could not agree with all their arguments—and that so far from the sentimental approach leading into their camp and the rational one into that of the supporters, it was the other way about." Significantly, he concludes his book—"A life for a life?"—by returning to the question of deterrence:

"There remains the argument", he wrote, "That without the uniquely deterrent value of capital punishment more murders would be committed. This is the only serious utilitarian argument in favour of capital punishment, and the one on which thoughtful supporters of it almost wholly rely. It is also the argument that can be put most readily to the test of evidence in the proper sense of the word: And, as we have seen, such evidence as there is goes to show that the abolition of capital punishment does not in fact have this result."

Supporters of capital punishment also make the case that it protects policemen and prison guards—which is why New York State retains it for murders of law enforcement officers and prison guards. Once again, the evidence shows no relationship between the death penalty and murders of policemen or prison personnel. Sellin studied police homicide rates over a 25 year period in 11 capital punishment states and 6 abolition states: The rate in death penalty states was 1.3 per hundred thousand persons, and 1.2 in abolition states.

Logically, if the death penalty is designed to be a real deterrent, we should let the public witness an execution. As Evelle J. Younger, writing in the American Bar Association Journal, pointed out, "The spectacle might save someone from a crime he might otherwise commit . . . by making our executions as private and as humane as possible, we admit that if any influence at all is exerted, it must be debasing or positively harmful." Douglas Lyons, Leonard Lyons' son, who has been active in the movement to abolish capital punishment in California, now has a case pending against the warden of San Quentin to show cause why the next execution should not be televised—and he has the consent of the condemned man next in line. It is a brilliant idea, because it helps expose the sham of deterrence for what it is. As Camus put it, "Indeed, one must kill publicly or confess that one does not feel authorized to kill. If society justifies the death penalty by the necessity of the example, it must . . . show the executioner's hands each time and force everyone to look at them—the over-delicate citizens and all those who had any responsibility . . . or else it admits that such revolting ceremonies can only incite crime or completely upset opinion."

There are in fact indications that capital punishment may actually be an incentive to murder. James French, the last man to be executed in the United States, on June 2, 1967, refused council. He was electrocuted in the Oklahoma State Prison for strangling his cellmate. Before he died, he told a University of Oklahoma psychiatrist that he was angered that his first conviction did not result in a death sentence. His basic motive in the second murder, he stated, was to force the state to execute him.

Chaplain Byron Eshelman of San Quentin described a similar case, that of a prisoner who committed murder because "He decided he did not want to live, but knew he did not have the courage to kill himself. The thought came to him, after reading about an execution, that if he killed someone else, the state would take his life in return."[3]

Numerous other cases of this nature have been documented. As Professor Henry Weihofen put it, "Capital punishment may serve as an incitement to crime in three cases: First, the suicidal group, . . . second, those to whom the lure of danger has a great appeal—possibly a large group—(for whom) the danger of capital punishment may act as actual incentive to acts like robbery with violence, and third, the exhibitionist group. The exhibitionist wishes for a time successfully to pit his wits against the police . . ., but sooner or later he would arrange things so that he was found out and had the satisfaction of a spectacular trial."[4]

Similarly, Dr. Stuart Palmer wrote, in his book a *Study of Murder*, "Capital punishment probably does not lead to a decrease in known murder because it is not based on psychologically sound principles. People about to commit murder do not rationally weigh the act against the penalty. On the other hand, some individuals have unconscious drives to place themselves in positions where they will be punished with utmost severity."

Unfortunately, whether they desire it or not, murders *do* have spectacular trials. For obvious reasons, murder and rape—which accounted for over 98% of all executions in the United States between 1930 and 1967, are the crimes which receive the most lurid press coverage. We are all familiar with this phenomenon and for a case in point I refer you to Stroble versus California. The point to remember, whether or not the accused are actually guilty in such cases, is that court procedures cannot be impartial—let alone infallible—under such conditions.

We know for a fact that juries are not infallible, because numerous cases of innocent men being executed have been documented. Palmer in the same book, estimated that of the people in several groups studied who were executed or imprisoned for life, ten per cent—ten per cent!—were later found to have been innocent.

Unfortunately, when individuals are executed, it almost invariably puts an end to efforts to establish their innocence. Nevertheless, errors are more likely to occur in death sentence cases because the fact-finding process is muddied by many factors: undue police coercion, newspaper publicity, the low mental state of the accused, the unequal financial resources of the state and the defendant, and the difficulty of obtaining an impartial death-case jury.

You are all familiar with cases of last-minute reprieves. There are a number of cases here in New York where the death penalty was narrowly averted—and the men subsequently freed or their murder convictions reversed. One such is Isidore Zimmerman, sentenced to death in 1938 for the killing of a detective. His sentence was commuted by the Governor at the last minute, and he was therefore able to press his claim of innocence—which he had always maintained. However, it took him 24 years to succeed. He had been so close to execution that his head was shaven and he was asked what he wanted for his last meal. He finally won his freedom when the court of appeals found that a prosecution witness had lied, and the prosecutor had concealed the fact.

Zimmerman's case typifies one of the cruelest aspects of the death penalty: the

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Footnotes at end of speech.

senseless and irrational manner of its application. Less than one per cent of those convicted for non-negligent homicide are actually executed. The rest spend years of uncertainty in death row. There are nearly 500 people in condemned cells throughout the country today. Median elapsed time is now almost 4 years and some of them have been there as long as 13 years. It can be fairly argued, I think, that this delay constitutes the "cruel and unusual punishment" forbidden by the constitution.

Now let's probe deeper into the question of the less than 1% who are actually executed. Who are they? Out of the thousands convicted of capital crimes, why are they, specifically, chosen for the electric chair, the gas chamber, the firing squad or hanging?

Some misguided people still assume that the death penalty is supposed to punish the most heinous offenders, who constitute the handful out of thousands of killers whose execution would most protect society. They are living under a dangerous illusion.

In the first place, the death penalty discriminates quite blatantly against the poor. The middle-class or well-to-do murderer is virtually always eliminated from the ranks of the condemned.

Anyone who can afford a good criminal lawyer obtains better counsel than a defendant who must rely on assigned counsel. A popular myth has developed concerning our system of assigned counsel which would have us believe that the indigent defendant in a capital case received the benefit of the very best legal talent. Unfortunately, this is simply not true. Nor can such a defendant afford the extensive costs involved in preparing an adequate defense—and the state certainly doesn't provide it. As Father Daniel McAlister, former Catholic chaplain at San Quentin points out, in Duffy and Hershberg's *88 Men and 2 Women*, "The death penalty seems to be meant for the poor, uneducated, and legally impotent offender."

In the second place, the death penalty discriminates against Blacks to an extent that is only beginning to be fully clear. Let me illustrate.

First: Of the 3,859 persons executed since 1930, 53.1% were Blacks. If we relate this figure to poverty, the percentage is closer to 100%.

Second: Of the 455 men executed for rape since 1930, 405, or 89%, were Black men convicted of raping White women, 398 of these were convicted in the south, as compared to only 43 Whites. In that same time no White man was executed for this crime by the District of Columbia, Virginia, West Virginia, Florida, Mississippi, Louisiana, or Oklahoma.

Third: forty of the fifty people sent to Sing Sing under sentence of death from New York City between November, 1957 and November, 1962, were Black or Puerto Rican. Twelve of the 50 were executed: One White, one Puerto Rican—and ten Blacks.[5]

In commenting on similar statistics, William Reichert wrote in the Kentucky Law Journal: "While this might seem to imply that Negroes are basically more violent in temperament or nature than are Whites, the facts do not bear out this conclusion. Obviously the law has been brought to bear more heavily on Negroes than Whites."

It is unfortunately true that "When crime and color converge, the individual is in double jeopardy," as Marvin Wolfgang has pointed out in his excellent study, *Crime and Race*. The number of the poor and the uneducated within the White majority is tripled within the Black minority. Thus, even if there were no race bias in the administration of justice, the social and economic system would itself carry a burden of blame for the lack of equal protection and uniformity of treatment.

The story has not changed much since Myrdal wrote his classic study. He described the atmosphere thus: "One has only to visit a southern community at a time when some Negro is on trial for the rape or murder of a White person to obtain a vivid picture of the hate and passion and desire for vengeance which is often aroused in the hearts of the southern Whites . . . under circumstances of this kind it is rather difficult for the jury or even the judge to escape being influenced by the feeling which permeates the throng."

He further reported that, for the period 1920 to 1930, out of 479 Blacks killed by White persons in the south, *over half* were slain by White policemen.

A study of homicides in 10 counties of North Carolina between 1930 and 1940, showed that 94% of the indictments were made when Blacks killed Whites. Of those charged with first degree murder 28% of the Whites who killed Blacks, but *only 15%* of the Blacks who killed Whites, were acquitted. Of those convicted, none of the Whites who killed Blacks was sentenced to death, contrasted with *37%* of the Blacks who killed Whites.

Such statistics bear out the old southern saying amusing to many Whites, but not particularly humorous to Blacks—that if a Black kills a White, it is murder; if a White kills a Black, it is unfortunate. But if a White man kills a White man it is probably in self-defense, unless the fight was over a woman, in which case death was caused by apoplexy.

There are many such studies, all pointing to the same conclusion. Let me cite one more. A study of over 550 homicide cases in Richmond, Virginia, and part of North Carolina disclosed not a single conviction when Whites killed Blacks. When Blacks killed Whites, over 90% were convicted. It was also noted that of the 141 Negro-Negro homicides, not one resulted in the death penalty and only 8 in life imprisonment; but of the 22 cases with Black offenders and White victims, six concluded with a death sentence and seven with life imprisonment.[6]

Not only are Blacks more likely to be convicted of crimes: They are also likely to receive more severe and longer sentences. A review of national prisoner statistics shows that in most states Blacks are committed to prison longer than Whites for the same types of offenses.

Furthermore, about 10 to 14 per cent more Whites than Blacks proportionately are annually granted some form of parole. The increasing number of Blacks in our prisons stems partly from this discriminatory pattern of release.

The trend extends to the commutation of death sentences as well. A 1962 study showed that between 10 and 20 per cent more Blacks than Whites have had their sentence of execution carried out.[7]

Fortunately, a concentrated attack has finally been mounted against the death penalty. The case which triggered its opening campaign was *Hamilton versus Alabama*, in which a Negro was charged with burglary with intent to rape. According to the state's evidence—and they contend there is considerable doubt as to what actually happened—Hamilton entered the apartment of an old woman near Birmingham, Alabama, and was found there looking at her. No one even claims he touched her. Yet he was sentenced to death for burglary with intent to commit rape. The case went to the Supreme Court and the conviction was reversed.

At about the same time, Justice Goldberg wrote a brief opinion in a case questioning whether capital punishment in rape cases was not cruel and unusual punishment, in view of the fact that no life had been taken. Hamilton had not even injured anyone. The NAACP Legal Defense Fund then began gathering statistics which might isolate the racial factor and began pushing the cruel and unusual punishment claim.

Together with Anthony Amsterdam and Marvin Wolfgang of the University of Pennsylvania the fund devised a questionnaire which inquired into every possible factor a jury might take into account in deciding whether to impose life or death, such as the viciousness of the crime, the prior relationship of defendant and victim, the time of the attack, the place, the number of attackers, whether, a simultaneous crime occurred, whether the defendant testified at trial, and an exhaustive array of every other conceivable factor which might influence sentencing.

A team of law students searched the records in 2,500 cases, and the results were subjected to rigorous statistical analysis. The one constant factor in distinguishing between cases receiving the death penalty and those which did not, was race. If the defendant was Black and the victim White, the chance of a death penalty was high. With any other racial combination it was remote.

Armed with these statistics, the fund mounted an all-out attack on the death penalty, on four grounds: Due process; equal protection; lack of standards, and cruel and unusual punishment. As a result of their class actions, all executions in the United States have been stayed. Consequently, death house populations are soaring. In late April, San Quentin prison opened 13 new death cells to help accommodate the overflow of prisoners. As the warden put it, "If we can't carry out the sentence, we should get the men off the row and into a program to help them."

On October 15th, the Supreme Court agreed to consider cases from Arkansas and New Jersey that raise all four of the claims made by the legal defense fund. Conceivably, the court's decision may end the question of capital punishment once and for all.

Whether or not this occurs, there remains a terrifying large body of people to whom increased crime statistics operate like a red flag. Their response is a totally irrational one, because it refuses to even consider the causes or cures of violence. Nor does it recognize the facts themselves. For example, it is a *fact* that police safety is not increased by increased penalties. A recent legislative study in California showed that assaults with deadly weapons on police rose 90% over a five year period of steady increase in penalties for such assaults.[8]

I think all of us would be naive to assume that the Black Power Movement has not triggered much of this fear and desire for repressive measures. Let me quote former Police Chief Wagner, speaking before the Ohio State Legislature in May, 1965: "We need capital punishment to keep the Negro in line."

Wagner, and many, many others like him, are still living in the nineteenth century. They cannot understand that delinquency and crime are, in a sense, normal responses to a society that shuts most Black people out. The Black man suffers more prejudices, discrimination and segregation than the returning White criminal. Grier and Cobbs, in their book, *Black Rage*, document in stark and moving language the unbearable psychological burden of being Black in America. They conclude, quite simply, that the Black man cannot put up with much more.

I submit, therefore, that we must attack crime both before and after the fact. We must first concern ourselves with the conditions that deny Blacks even the minimal promises of the American dream, and lead many to despair and frustration. We must also develop a truly workable system of rehabilitation.

Most penal institutions offer the worst possible preparation for re-entry into society. Nor is much being done to improve the situation, as is shown by the fact that less than 1% of the United States crime budget is spent on research.[9] The 1962 White House

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Conference on Children and Youth revealed that 100,000 children were held in jail each year, because of the lack of detention facilities. Furthermore, 6 out of 10 juvenile probation officers had no social work training; 3 out of 10 state training institutions for delinquents had no staff social workers; and 4 out of 10 state training institutions for delinquents lacked staff psychologists.[10]

How can we possibly expect these children to be "rehabilitated"? And why should we be surprised when we hear that in 1967 the single age producing the most arrests of the greatest violence was fifteen.

These are appalling statistics. In my judgment police "crackdowns" tend, if anything, to increase crime. Our only possible hope will come through offering Black people—and all disadvantaged groups—a chance to participate fully in our society, by improving the conditions that drive them to frustration, despair, and crime. They must be made to believe that they have something to gain—or lose—in American society. And they certainly are never going to believe it unless a lot of private—and public—attitudes change radically. According to the Kerner Report, close to half the White policemen in predominately Black districts in one city showed extreme racial prejudice against Blacks. The witness, a professor at the University of Michigan, went on to say this: "What do I mean by extreme racial prejudice? I mean that they describe Negroes in the terms of the animal kingdom."

You can't realistically expect a Black man to believe in—or even aspire to—the so-called American dream when he confronts such attitudes. It is bad enough to be poor today—but to be poor *and* Black is to be in double jeopardy. If we are to move forward toward justice, it must be justice for all of us, rich or poor, White or Black. America is going to have to put it on the line, and root out the racism permeating our society. Blacks will not wait much longer. The burden of blame for the past—and the burden of proof for the future—belong to White America.

FOOTNOTES

[1] *New York Times* this Last November.

[2] New York Committee to Abolish Capital Punishment.

[3] *Death Row Chaplain,* 1962.

[4] *The Urge to Punish.*

[5] New York Committee to Abolish Capital Punishment.

[6] Guy Johnson, "The Negro and Crime", *The Annals of the American Academy of Political and Social Science,* (1941).

[7] Marvin Wolfgang, Journal of Criminology Law, Criminology and Police Science, 1962.

[8] New York Committee to Abolish Capital Punishment.

[9] Report of the President's Commission on Law Enforcement, 1967.

[10] *White House Conference* on Children and Youth, 1962.

YOUR MOVE, MR. PRESIDENT

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. HANNA. Mr. Speaker, yesterday's Wall Street Journal confronts the Nixon administration with a critical challenge: Will it supply the money needed to stimulate a high level of private participation in meeting our Nation's need for housing? Congress has, in the Housing and Urban Development Act of 1968, demonstrated its commitment to this approach. Corporations, as the Wall Street Journal article reveals, are ready to roll if the Nixon administration will only reveal its readiness to furnish the required increment of Government support. The desire of millions of Americans now living in substandard housing to improve their lot is self-evident. In summary, everyone is anxious to see action. Your move, Mr. President.

The article referred to follows:

Housing the Poor: Plan Aimed at Spurring Private Low Rent Units Awaits Nixon Action—New Corporation Set To Seek Investors if Administration Backs New Aid for Tenants—The Promise of High Returns

(By Monroe W. Karmin)

Washington—The "engine of private enterprise" that Richard Nixon has promised to use for social goals is ready to roll toward the goal of housing the poor.

The National Corporation for Housing Partnerships, created by the Johnson Administration and now awaiting a go-ahead from the Nixon Administration, is confident it can raise $50 million from private industry for "seed money" investment in low-rent housing projects. The planners figure this starter could generate $1.9 billion of financing later on.

But there's a catch. In order to start up the private-enterprise corporation, President Nixon apparently must commit himself to spending more Federal funds—at a time when his aides are searching for budget economies.

"Unless there is a substantial increase in the appropriations requested for rent subsidies, declares Edgar F. Kaiser, the industrialist who heads the corporation, "there's great question whether the corporation is needed or can be of service." In effect, Mr. Kaiser wants the Government to guarantee a supply of tenants through various programs to ease their rent burden.

Will Mr. Nixon comply?

ROMNEY'S ROLE

Mr. Kaiser is optimistic. Noting that the President has rejected resignations offered by the corporation's directors, he says he believes "there will be a substantial (budget) increase for low-income housing."

So far, Urban Secretary George Romney is noncommittal on this point. He simply says that "the bulk of the money (needed for housing) must be stimulated from the private sector." A Romney spokesman adds: "We have a sympathetic concern for the corporation's objectives, but we've reached no decision as to how far we can go."

If the Nixon Administration is willing to go far enough (just asking Congress for increased rent subsidies, without waiting for it to act, is deemed sufficient), then the Kaiser-led corporation is ready to go about the business of formally lining up investors. Mr. Kaiser believes he would have no trouble finding takers, beginning with his own company, Kaiser Industries Corp., and those represented on the corporation's board of directors. These include:

Westinghouse Electric Corp., World Airways, Metropolitan Life Insurance Co., Deere & Co., Ling-Temco-Vought Inc., Loeb-Rhoades & Co., Lomas & Nettleton West Inc. of Dallas, Lazard Freres & Co., Penn Central Co. and the Mechanics & Farmers Bank of Durham, N.C.

BACKING FROM BANKS

A canvass of two dozen other major corporations found many interested parties, Mr. Kaiser reports, and investors are also expected to come from among the 15 big banks that already have agreed to lend the corporation $1.5 million for start-up expenses. They are:

Chase Manhattan Bank, First National City Bank, Bank of America, First National Bank of Houston, First Pennsylvania Banking & Trust Co., Philadelphia, Mellon National Bank & Trust Co. of Pittsburgh, Citizens Southern National Bank of Atlanta, Republic National Bank of Dallas, First National City Bank of Cleveland, First National Bank of St. Louis, First National State Bank of New Jersey in Newark and the Riggs National Bank of Washington.

In addition, more than 300 inquiries have come into corporation headquarters from such diverse potential local investors as the Columbia Gas System Service Corp. of New York City, Formica Corp. of Los Angeles, the International Association of Holiday Inns, based in Memphis, Coggans Realty Co. of Eufaula, Ala., C. Looney Realty of Twin Falls, Idaho, and the Imperial Development Co. of Meadville, Pa.

It's the purpose of the National Corporation for Housing Partnerships (NCHP) to mobilize private industry to help meet the the goal, set in last year's housing act, of producing six million subsidized housing units for low and moderate-income groups over the next decade. (Low incomes are defined as $2,400 to $4,500 per family, moderate incomes as $4,500 to $8,000.)

This means raising total U.S. output of such housing from the present level of about 50,000 units yearly to 600,000 units yearly. The NCHP hopes that perhaps within three years it will be producing 10% of this total, or 60,000 units annually.

SCATTERED PROJECTS

As a starter, the NCHP would like to see work begin on 10,000 units in its first year, distributed among 35 to 50 projects. This would be equal to what the very largest private homebuilder now produces in a year. NCHP officials hope to distribute their prototype projects widely around the country, using different types of technology to provide different types of units for different types of tenants.

"We hope to put our emphasis on providing housing for those who need housing," says Howard R. Moskof, NCHP vice president, "which means black people, white people, Spanish-speaking people and Indians—in the city, in suburban areas and in rural areas."

In addition, the NCHP has other goals in mind.

One is to serve as a catalyst, to stimulate other builders and investors to undertake low-cost housing by showing that it can be done profitably. "We hope that once we demonstrate what we can do in local communities, our success will encourage others to do the same," says Mr. Moskof.

Another aim is to encourage home ownership by the poor. Though the NCHP-sponsored housing would be built as rental units, Mr. Moskof says, "The idea is to build, hold for a reasonable length of time, and convert to condominium, cooperative or nonprofit ownership by tenants." The NCHP has asked the Federal Housing Administration to change its mortgage insurance regulations to ease the conversion.

None of this can be accomplished, in the NCHP view, unless the Government comes through with substantial aid so that low-income tenants can afford the housing—in effect, creating a guaranteed, Government-supported market to attract profit-motivated private industry and investors.

"If you don't have subsidies of one kind or another for the tenants, then you don't have the market," declares Mr. Moskof, "and business can't produce housing for low-income tenants without subsidies."

In particular, the NCHP wants Mr. Nixon to ask Congress to fully finance the program, enacted last year, under which the Government pays a mortgage interest rate subsidy that keeps housing investors' interest costs as low as 1% and thus holds rents down. Congress granted the program $25 million for the current fiscal year (ending June 30) out of an authorized $75 million; the NCHP would like the President to request the $50 million difference for this year, plus $100 million for the year that begins July 1.

Without committing himself to any increase, Secretary Romney has spoken highly of the interest subsidy idea, observing that it originated with Republicans in Congress.

When and if the Nixon Administration promises to seek increased subsidies from Congress, the corporation will seek clearance from the Securities and Exchange Commission for the stock it will issue to participants. It's expected SEC approval could be obtained by spring.

The NCHP hopes to line up 500 charter stockholders, mostly from the business and financial world. Each would be asked to invest $100,000, for a total original investment of $50 million. The corporation would keep $2.5 million of its original capital for operating expenses and create a national partnership (with the same membership of 500) to invest the remaining $47.5 million. This money would be invested in local partnerships, up to a maximum 25% participation in each; local investors would put up the remaining 75% or more to finance the low-rent housing projects in their communities.

It's figured this "seed money," by providing 10% down payments with mortgages covering 90% of the cost, in time could generate $1.9 billion of construction financing. That would be enough to build 130,000 units, officials say.

The attraction to the investors is a potentially handsome return. Not only is it calculated that local housing projects will return a basic 6% profit (distributed among the national and local partners in accordance with their participations), but the advantage of fast tax depreciation would be available to both local and national investors.

Because of this tax advantage, it's calculated that investors would receive an actual return on their investments ranging from 24.4% in a project's second year to 16.8% in its 10th year. That return, says Mr. Muskof, would be "comparable to the yields sought by most industrial investors" and is required to attract private financing to low-cost housing.

A TIME TO SPEAK OUT

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. FARBSTEIN. Mr. Speaker, I bring to the attention of my colleagues a letter written to the editor of the New York Times by Mr. Eugene P. Connolly, a prominent citizen of New York City. The letter is particularly worthy of our consideration at the present time in view of the unfortunate challenges of the blacks in the city of New York:

New York, N.Y.,
January 24, 1969.

The Editor,
The New York Times.

Dear Sir: There is a time to be silent and there is a time to speak out. Now is the time for many voices, black and white, to cry out if we are to save our city from the limitless horrors of an urban society where neighbor hates neighbor and people hate people. To hate is to fear and to fear is to rot.

As one who has lived almost his entire adult life in New York City, no counterpart to what is taking place today has existed in our midst. The feeble, purile efforts of the Nazi Bund just prior to World War II earned them only the contempt of the people and the attempt to win converts to the anti-human cause of the "Master Race" foundered in well-earned ridicule.

What is most alarming is that a small minority is able to create this discord and dissension in a city that has been in the forefront of every meaningful fight for civil liberties in our history as a people. Because New York was the focal point of all immigration and the city represented those of all races and creeds and colors, its sympathies and heart responded to the oppressed and the needy.

Today, when most Americans recognize that the greatest unsolved domestic problem of our nation is to finally and at long last insure to our black brothers the full rights that are theirs by nature and law, it is unthinkable that we permit the development of what is becoming an open and brazen anti-semitism to infect our society by a small minority, unbelievably encouraged by some civic and political leaders who seemingly are unconscious of the effect of their acts. It is tragic that some black leaders adopt a tactic used against their own people for untold generations past.

Hearteningly, black leaders are increasingly speaking out against the prejudice and demagoguery used against them by those who oppose the struggle of the Negro people to obtain their full civil rights.

The incredible reading of anti-semitic poems in classrooms and on the air, or the inclusion of such material in a catalog issued by Mr. Hoving's Metropolitan Museum of Art, are not only shocking but inexcusable.

New Yorkers should be proud that so many dedicated Jewish teachers have chosen what is so often a troubled and difficult area and career. Since there is and has been a serious and growing shortage of teachers, and since the rolls are open to all those qualified, we should be thankful they have been willing to take up that torch on the road of education so basic to the winning of a fruitful life for the students of our ctiy.

Before these incidents become a spreading canker that can poison our relations one to another, let responsible people stand up and be heard while time may still favor our hopes.

Very truly yours,

Eugene P. Connolly.

ELECTORAL COLLEGE REFORM

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. MANN. Mr. Speaker, there are many proposals being put forward to change the electoral college system for electing the President and Vice President. One of the more interesting I have encountered is that of the seventh-grade history class at Evans Junior High School in Spartanburg, S.C., taught by Mrs. Lucy Stroup. I recommend that my fellow Members take a look at their proposal, which shows that intelligent interest in public affairs is not limited by age. This class is to be commended for their initiative in coming up with a solution to this complex problem. I include their amendment in the Record at this point, along with its letter of transmittal:

Evans Junior High School,
Spartanburg, S.C., November 21, 1968.

Hon. James R. Mann,
House Office Building,
Washington, D.C.

Dear Mr. Mann: We are members of a seventh grade history class at Evans Junior High School, and have followed the elections this year with much interest and excitement. We have learned a lot, too.

We are happy to have you as our new representative in Congress, and hope that one of the first jobs you perform will be to propose a Constitutional amendment which would revise the Electoral College system.

Our class has been studying Presidential election processes, and we have discussed weaknesses in the Electoral College system. We have written a proposed amendment to Amendment 12, and we are enclosing a copy for you to read. We suggested five changes in the Electoral College system.

We are hoping that changes will be made before the next Presidential election.

Respectfully yours,

Ricky Satterfield, Jimmy Isom, Donny Powell, Sally Nan Barber, Daniel Weeks, Jim Burchfield, Randy Stroupe, Sotires P. Kaleores, David J. Farmer, Paula Hines, Mary Anne Burch, Lanier Laney, Russell Jones, Merri Turner, Gary Graham, Deede Williams, Faith Cox, Ricky Pennebaker, Steve Jobe, Fran Yoffe, Cathy Patton, Mark Smith, Karen Cavin, Mary Pat Denham, Dale Petty, Ric Thomas, Tom Adams, Kathie Bell, Steve Poole

Proposed Amendment to Amendment 12 of the Constitution

All slates of electors shall meet in their respective states and vote for President and Vice President, casting the exact number of votes received for their candidates in the direct popular election held in their state. They shall sign these votes and transmit them, sealed, to the seat of the Government of the United States directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all certificates, and the votes shall be counted. The Presidential candidate and his Vice Presidential running mate having the largest number of votes, if such number be at least 40 per cent of the total votes cast, shall be declared President and Vice President. If no candidates receive as much as 40 per cent of the total vote, or if candidates receiving 40 per cent have an equal number of votes, then, from the two candidates having the highest number of votes, Congress shall meet jointly and shall choose immediately, by ballot, the President and Vice President. The votes shall be taken by states, with each state casting as many votes as there are members from that state in Congress. A quorum for this purpose shall consist of two-thirds of the whole number of Senators and members of the House of Representatives.

Fran Yoffe,
Mark Smith,
Mary Pat Denham,
Ric Thomas,
Kathie Bell,
Committee Members.

THE NEW PUTNAM, CONN.

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. ST. ONGE. Mr. Speaker, a very interesting article about my hometown of Putnam, Conn., was published recently in the Worcester, Mass., Evening Gazette. The article, entitled "The New Putnam, From Disaster to a Blossoming Community," is written by Albert B. Southwick, the very able chief editorial writer of the Gazette.

Under leave to extend my remarks, I wish to insert this fine article into the Record and to call it to the attention of my colleagues, particularly those of our neighboring New England States. It reads as follows:

THE NEW PUTNAM, FROM DISASTER TO A BLOSSOMING COMMUNITY

(By Albert B. Southwick)

Ask the man on the street in Marlboro how to get to Putnam or Killingly, Conn., and he might scratch his head in puzzlement.

The same might apply to the average person in Shrewsbury—or Worcester—or Auburn—or Fitchburg.

But in two short years, all those communities will have something in common and they will know the quickest way to get to each other.

By the end of 1972, according to current predictions, they will be strung together like daisies in a chain by superhighways Route 52 and Route 290. By the end of 1974, Leominster and Fitchburg will be linked up to the northern extension of Route 52.

The big road has already pushed up from New York, New London and New Haven, through Killingly, Putnam, and Thompson to the Connecticut line at Webster.

It is finished from Gold Star Boulevard here in Worcester to Route 20 in Auburn.

When the gaps are filled in, travel time will be cut dramatically. The winding drive from Worcester to Putnam, which now takes an hour, will be slashed to about 30 minutes of smooth freeway travel.

BLOSSOMING COMMUNITY

All along the route, communities are pondering the implications of the big highway, much as the small towns in upper New York pondered the Erie Canal 140 years ago.

The impact of Route 52 is already being felt in Putnam. In the past few years, the city has blossomed forth as the retail center of northeastern Connecticut. One shopping center, with 17 businesses, is flourishing, a second is being developed in the city, while a third is being planned for the town.

The city. The town. Persons from Massachusetts do a double take when they run up against the quaint relics of government that still hang on in Connecticut. Yes, Virginia, there is a town of Putnam. Also a city of Putnam. The city is only a small part of the town in area, but it contains most of the 8,500 people. The city has a mayor and a council. The town is run by a board of selectmen. Everybody agrees that the arrangement is ridiculous. It may be phased out within a few years.

But if that seems complicated, travel down the road to Danielson and-or-Killingly Danielson, an independent city for all intents and purposes, is a borough of the town of Killingly. Like the folks in the city of Putnam, the folks in the borough of Danielson get taxed twice.

ACT OF GOD

Unlike Putnam, Danielson has not seemed to profit from Route 52. Between 1961 and 1966, when Putnam was increasing its annual retail sales from about $16 million to $25 million, Danielson's retail sales were falling in inverse proportion—from $21 million to $15 million.

The go-getter types in Putnam say that Danielson is too conservative, afraid to take risks. But why should Putnam be so different?

It was partly an act of God, as the insurance companies put it. Putnam was a sleepy, shabby little mill town in the first weeks of August, 1955. Then came Hurricane Diane. The rushing waters of the French and Quinebaug Rivers, which merge just above the city, came thundering through with the force of 100 express trains. More than a hundred homes were wiped out, and another 400 devastated. Dozens of businesses were shattered. The heart of Putnam was scooped out and shoved downstream.

"Instant redevelopment," they still call it.

CHARMING

It might be more accurate to call it "instant demolition," for the center of the town was not completely rebuilt until 1964. Now, thanks to millions of dollars in federal and state funds, and the unfailing concern of Conn. Gov. John Dempsey (he was Putnam's mayor for eight years), and competent leadership at the local level, Putnam is perhaps the most charming little mill town around. The devastated core of downtown along the river is now a lovely park, where people walk and band concerts are held against the backdrop of the waterfalls.

The city is protected from future floods by the West Thompson Dam upstream, completed by the Army Engineers a few years ago.

In addition, the city has built a number of attractive public housing projects. Except for small areas of blight, like the famous "Ballou's Village," there are no slums at all.

Putnam has also been helped in its rehabilitation by a couple of spectacular fires that eliminated some less-than-elegant buildings. Plans are afoot for more civic projects.

Compared to other cities of its size, Putnam is miles ahead in the redevelopment race. Its future looks rosy. But is it all smooth sailing ahead?

A group of prominent citizens chewed that question over at lunch. Robert Bulger, long time head of the Putnam Redevelopment Agency and Housing Authority, and the sparkplug of Putnam's physical renaissance, still thinks much more should be done, especially in the field of housing.

Roger Kinne, former president of the Putnam Area Chamber of Commerce, feels that the tidy prosperous appearance of the city may be somewhat deceptive.

"We've got to find some way to keep our young people here," he asserted, echoing a cry heard in small communities across the land. "We don't have enough for them—no youth center, no art center, no YMCA. Putnam is just not an exciting place for young people."

But if youth does not think Putnam swings, it appeals to others—the settled family people, the old folks. Northeast Connecticut has the highest percentage of persons over 65 in the state.

A drive through the lovely countryside explains why. The rolling fields, the stone walls, the delightful town commons are like something from the last century. Grandma Moses would have loved Woodstock, and Thompson and Pomfret. The area is a sort of oasis from a turbulent world. No wonder many people love it.

LABOR MARKET

And also no wonder that eager youth finds it sedate and unexciting.

What does Putnam want? Does it want to become an industrial center, all hustle and bustle? Mayor R. Roger Brodeur looked pensive at the thought. In many ways, the people of Putnam like it as it is.

But times change. It is getting harder all the time to hire mill help for $2 or $2.50 an hour. Young people head for Hartford, New Haven or New York and the higher wages.

Low wage industries in larger cities have been saved by Puerto Ricans and Negroes. would Putnam want to undertake that sort of sociological transformation?

Even if it wanted to, could it attract wage earners?

"If somebody wanted to come in here tomorrow and build a new factory," said Kinne, "we wouldn't know what to do. We couldn't supply the help. If he brought his own help, we couldn't supply the housing."

Putnam faces precisely the same dilemma faced by hundreds of other small communities.

THEY WOULD LIKE TO KNOW

But it has definite advantages. It is in a splendid location. It has plenty of land for expansion (in the town, if not the city). And it has talented leaders who can see the need of such things as art, recreation, and culture.

And, of course, it has the big highway, open south all the way to New York, and scheduled to open north to Worcester, Marlboro, Fitchburg and Boston in a very few years.

Will those cars and trailer trucks roll right through Putnam, north and south, or will the community become a productive magnet for enterprise and wealth? Will the road bring people in or take people away?

Putnam would like to know.

FASCELL JOINS COLLEAGUES IN URGING U.N. TO CONSIDER IRAQI CRISIS IN SECURITY COUNCIL

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. FASCELL. Mr. Speaker, all Members of Congress, as well as all other Americans and, indeed, all of the civilized world, were shocked by the appalling persecution of Jews recently in Iraq. All of us are determined to do everything humanly possible to end this tragic episode and see that it never resumes.

As one Member of Congress, I have joined with many of my colleagues in sponsoring legislation to end the murder and tyranny of Jewish alleged spies in this Arab nation. We have called on the President to instruct our representative at the United Nations to seek a special meeting of the U.N. Security Council which would seek ways and means of preserving the human rights of the people of Iraq. We reverently hope that this approach will stop the bloodbath. In the meantime, we are also calling on all appropriate international agencies and diplomatic channels to use their influence in preventing the threatened genocide of Jews in Iraq.

If there is any possible other step that the Congress can take, I am sure that we will spare no effort in doing so. We cannot stand idly by while demagogs launch what could be a chilling effort to systematically abolish the Jewish community in Iraq.

Mr. Speaker, a few decades ago the world watched silently as one demagog prepared his master plan to rid his nation of what he called enemies dangerous to the well-being of the State. In his mind, the plan was so thorough that he called it the "Final Solution," indicating that after the completion of his work the problem would no longer exist. By ignoring the demagog and his scheme, by feigning ignorance of its aims, and by pleading noninvolvement, because the "problem" and the "solution" were internal matters and not the business of outsiders, a complacent world allowed the tyrant to begin his practice of genocide.

By the time men of good will were able and willing to assume the responsibility of stopping the tyrant, millions of Jews and other imagined opponents were exterminated by the Nazis. The results of his insane acts are an historical monument to the philosophy of noninvolvement, a condemnation so absolute that men have pledged themselves never to allow "Final Solutions" to happen again.

On a recent Monday morning in Baghdad, the frightening pattern began anew, to the cheers and festive dancing of a deluded populace. On 14-foot scaffolds in the city squares of Iraq, men were executed for crimes against the state, crimes undocumented and unproven. While there is much doubt concerning the validity of the indictments for espionage and spying, there can be no doubt that nine of these men were convicted and killed because of their religion.

In the enlightened nations of the world, religious faith is not a crime, let alone one punishable by death. The thought of religious persecution is abhorrent, but to carry persecution to the extreme of death is nearly beyond human comprehension.

In the Arab States, there are many Jews being held against their will as hostages in the Arab campaign to destroy the State of Israel. Once proud communities of Jews in Iraq, Egypt, Yemen, and Algeria have been decimated to a few frightened people who again face the threat of extermination because of their religious faith.

Past attempts to save these survivors have been met with the same intransigence and unreasonable hatred that has typified the Arab attitude toward the peace offers of Israel. Just as the Arabs have avoided the conference table, they have ignored the ancient plea, "Let my people go." We ask now that the U.N. investigate the conditions of this captive people and find ways to free the Jews of Iraq from the Iraqi generals and judges who mete out their sentence of death without the sanction of law or the benefit of reason.

The other dangerous ramifications of the Iraqi hangings are evident: the atmosphere of crisis in the Middle East has heightened and the cause of peace has been handed a staggering setback. For the cause of world peace, as well as for the cause of simple human mercy, the outrages of Baghdad must be ended at once.

We sincerely hope that the conscience and perseverance of free men everywhere will be enough to halt the acts which have brought us once again in sight of the monster of the "Final Solution"—a monster which, if unleashed again, could destroy us all.

EXTREMISTS FOR PEACE OR PROPHETS OF DOOM?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. RARICK. Mr. Speaker, extremist citizens masquerading in the cloth and parading as prophets of peace must be placed in proper perspective for our people. Their objective is not peace, but doom and death.

Maneuvering under the appealing label of "Clergy and Laymen Concerned About Vietnam," they serve only as Ho Chi Minh's little helpers. Their self-proclaimed objective may be peace, but always on Communist terms. Their disloyal expressions promote death to our loyal sons who serve in South Vietnam, that they, the unfaithful, have freedom to be disloyal.

That they were able to obtain a rendezvous with Mr. Kissinger—security adviser to our President—their mockery of our people by dignifying deserters from the armed services, basking in safety in Swedish sanctuaries, are outrages against all loyal Americans. These are intelligent people who are accountable for their acts and appreciate fully they serve to continue the war and prolong any peace results in Paris.

Most Americans are convinced that the intentions of this bunch of rabble-rousers is but to soften public opinion to a defeatist image in favor of Communist North Vietnam's butchers and to strengthen the Communists for additional concessions at the peace table.

One of their members, William Coffin, was granted the privilege, by force of Federal court order, to address the students of the University of Auburn. The Federal judge further aggravated this disgrace by forcing Auburn to provide facilities and payment from school funds to this convicted felon—a conspirator against the draft laws of our country.

So that our colleagues might have current information on the anti-American activities of these prophets of doom, I insert news releases from the local papers following my remarks:

[From the Washington (D.C.) Post, Feb. 6, 1969]

MRS. KING, CLERICS TALK PEACE WITH KISSINGER

Six leaders of the Nation's religious movement for peace, including Mrs. Martin Luther King Jr., spent 40 minutes at the White House yesterday outlining their views to President Nixon's national security adviser, Henry A. Kissinger.

President Johnson and his staff declined to grant similar White House appointment to representatives of the same group in 1967 and 1968.

The White House session followed an outdoor religious ceremony on the Constitution Avenue steps of the Justice Department at which the peace group, Clergy and Layman Concerned About Vietnam, commissioned an Episcopal priest to serve as pastor-at-large to American deserters in Sweden.

The Rev. William Sloane Coffin, chaplain of Yale University, who acted as spokesman for the group when they left the White House, said Kissinger had given them "a very respectful hearing for which we are very grateful."

QUESTIONS ON WAR

Mr. Coffin was one of several anti-war figures convicted last year of conspiring to abet violations of draft law. An appeal is pending.

Mr. Coffin said he and his colleagues raised the following points with Kissinger:

They questioned the purpose of continuing fighting in Vietnam while the Paris negotiations are under way.

They feel that U.S. peace aims are still unclear, and that the question of whether this country will accept a neutralist government in Vietnam is unanswered.

They asked whether the President's enunciation last week of a policy of nuclear "sufficiency" includes the proposed erection of a "thin" anti-ballistic missile system.

The peace group feels that as the Vietnam conflict draws to a close, amnesty should be granted to imprisoned draft resisters and to persons who have gone to self-exile or into hiding to avoid military service.

The organization also believes that the current mutiny trial of 21 prisoners in the Army's Presidio stockade in San Francisco is unjust and betays "a real note of panic on the part of the military."

DECLINE COMMENT

Following the customary etiquette of meetings with White House officials, Mr. Coffin and others in the group declined to say what Kissinger had said to them.

In addition to Mrs. King, the group also included other familiar peace movement figures: Rabbi Abraham J. Heschel, a professor at Jewish Theological Seminary, New York; the Rev. Richard John Neuhaus, pastor of St. John's Lutheran Church, Brooklyn, N.Y.; Gerhard Elston of the National Council of Churches, and the Rev. Richard Fernandez, national director of Clergy and Laymen Concerned.

About 500 persons marched peacefully from Metropolitan African Methodist Episcopal Church, 1518 M st. nw., along the 15-block route to the Justice Department for the commissioning ceremony.

Mrs. King, who arrived in Washington in the morning, led the marchers as far as 15th and I streets nw. and then covered the remainder of the route by car. She carried a small bunch of violet chrysanthemums.

Organizers of the march said a chronic leg ailment makes it difficult for her to walk long distances and that she also was still fatigued from her just-completed journey to India.

In her talk outside the Justice Department, Mrs. King suggested the present era in America matches Charles Dickens' characterization of the French Revolution: "The worst of times and the best of times."

The Vietnam War—"Goliath's futility," she called it—continues, but "there is an emergence of modesty for the first time among tens of millions of Americans who have recognized we are not the world's policeman."

Echoes of the peace movement's jousts with President Johnson were recalled as Mrs. King spoke of "political leaders who have the temerity to offer both guns and butter as if they were equivalents."

She evoked cheers from the crowd, a group that ranged from long-haired young men and women to elderly couples, as she declared: "I do not want guns, with or without butter."

The Rev. Thomas L. Hayes, who is currently the executive secretary of the Episcopal Peace Fellowship, has agreed to spend a year in Stockholm as the emissary of Clergy and Laymen Concerned to the American deserters living in Sweden.

Officials of the organization estimate that deserters there now number about 300. Possibly another 50 are said to be living in Paris.

At the edge of the group, about 50 counter-demonstrators led by the Rev. Carl McIntire displayed signs calling for victory in Vietnam. Dr. McIntire is a fundamentalist radio preacher.

Caption under picture: Coretta King and members of Clergy and Laymen Concerned About Vietnam commission an Episcopal priest, the Rev. Thomas Hayes, as pastor-at-large to American deserters in Sweden at the Justice Department yesterday. From left, Rev. Richard Neuhaus, a Lutheran minister, Rabbi Abraham Heschel and Mrs. King. In the background is Rev. Richard McSorley, Georgetown University professor.

Caption from picture, Washington Post, January 25, 1969: ACCEPTS TRIBUTE.—Coretta King receives from India's President Zakir Husain the Jawaharlal Nehru Award for

Understanding, given posthumously to slain U.S. civil rights leader Dr. Martin Luther King Jr. Dr. King's widow said she accepted the certificate and check for $13,300, "not as an award for a job accomplished or a victory won," but "as a tribute to a well-fought fight and progress."

[From the Washington (D.C.) Evening Star, Feb. 2, 1969]

Mobilization Against War To Open Here

The third national mobilization of Clergy and Laymen Concerned About Vietnam will be held Monday through Wednesday at Metropolitan AME Church, 1518 M St. NW, and other Washington churches.

Heading the list of scheduled speakers are Sen. George McGovern, D-S.D., and Rep. John Conyers, D-Mich. Both will address the opening session Monday morning at Metropolitan Church.

Hiber Conteris, a Uruguayan novelist, playwright and editor, will speak at an evening session Monday on the U.S. role in developing nations. Other speakers at general sessions and smaller lecture-discussions include Marcus Raskin, Arthur Waskow and Richard Barnet, all of the Institute for Policy Studies here, and David Harris, now appealing a three-year sentence as a draft-resister.

Some of the laymen and clergymen who will take part in the mobilization also were signers of a statement issued last week by Clergy and Laymen Concerned demanding that the Army drop plans to court-martial six soldiers charged with mutiny for taking part in a sit-down at the Presidio Stockade in San Francisco. The soldiers were protesting the killing of a disturbed prisoner who was trying to escape.

Among at least 35 signers were the Rev. John Sheerin, editor of the Catholic World; Rabbi Abraham Heschel, professor of Jewish ethics at Jewish Theological Seminary; Methodist Bishop Francis E. Kearns of Ohio; Harvey Cox, author of "The Secular City," and the Rev. Jon L. Regier, associate general secretary, National Council of Churches. Sheerin and Heschel also will speak during the mobilization.

[From the Washington (D.C.) Evening Star, Feb. 2, 1969]

Communism Topic of Two Friday Talks

Two guest speakers will discuss communism at different Catholic-sponsored events on Friday.

The Rev. Paul Oestreicher, a British journalist and ordained Anglican minister, will speak at 8:15 p.m. Friday in Gaston Hall, Georgetown University. His subject will be "The Christian-Marxist Dialogue."

[From the Washington (D.C.) Post, Feb. 6, 1969]

U.S. Court Voids Ban on Coffin

(By J. M. McFadden)

Montgomery, Ala. February 5.—A Federal judge overruled Auburn University's president here today and ordered that the Rev. William Sloane Coffin, Yale chaplain, be permitted to speak at the Alabama school Friday.

Auburn President Harry Philpott said he would appeal to the Fifth Circuit Court of Appeals in New Orleans and would ask a stay of the court order.

Calling Dr. Philpott's campus speaker rules "blatant political censorship," U.S. District Judge Frank M. Johnson Jr. ordered Auburn to provide Coffin facilities and payment from school funds.

The ruling said Philpott's oral rules controlling speaker invitations are unconstitutional and called them a violation of the First Amendment.

The Yale chaplain was convicted with Dr. Benjamin Spock last year of urging students to resist the Vietnam draft. He is free on appeal.

Last month, Philpott vetoed Coffin's appearance at Auburn and the sponsoring student-faculty group sued in Federal court.

Recreation in Alabama to the court's ruling was swift. Gov. Albert Brewer called the order "an insult . . . to the people of Alabama.

"This decree not only undermines the capable administration of Auburn University," he said, "but even goes so far as to direct" the University to pay a "convicted felon who has sought to influence young people to betray their country."

The court order said the State cannot "regulate the content of the ideas students may hear.

"To so is illegal and thus unconstitutional censorship in its rawest form."

While upholding Philpott's ultimate power to determine whether a speaker is invited to the campus, Johnson said, "This determination may not be made for the wrong reasons or for no reason at all."

Philpott ruled that students could not invite (1) a speaker who could reasonably be expected to advocate breaking a law; (2) a speaker who had been previously convicted of a felony; and (3) a speaker of the type represented by Coffin because he said it would be tantamount to University sanction of what the speaker advocated.

SAILORS OF THE WORLD

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. **DULSKI**. Mr. Speaker, recently many Members had the pleasure of meeting two Polish sailors who had just completed a voyage across the Atlantic in a 22-foot sailboat. They had sailed from Denmark where they had been granted asylum after a successful escape from Poland. They reached Miami last Christmas Eve.

An interesting story of these two brave sailors—Mieczyslaw and Piotr Ejsmont—has been written by Sidney Field in his popular column "Only Human," which appears daily in the New York, N.Y., Daily News.

The article is not only a tribute to these young courageous Poles, however, its deep significance lies in the spirt which motivated their daring adventure.

They named their boat *John* in honor of President Kennedy. They were sailing under a white and red Polish banner with the inscription "FPS"—free Polish sailors. Their dream was to place a wreath on President Kennedy's grave.

By doing so they wanted to tell the world that Communist oppression did not extinguish the love of freedom and centuries old ties between Poland and the West.

The Ejsmonts belong to the generation which has grown up under the postwar totalitarian system that has been imposed upon Poland.

Their deed speaks more eloquently than anything else of Poland's true spirit, and the bankruptcy of communism.

Following is the text of Mr. Field's article in the January 27 edition of the News. I hope it will serve to remind all of us of our continued concern for the people of Poland who, depsite their present fate, retain a deep commitment to freedom and warm friendship for our country:

Sailors of the World

(By Sidney Fields)

The journey covered 7,250 miles over water, from Poland to Denmark to the Canaries and across the Atlantic in a 22-foot sailboat.

The Ejsmont brothers, identical twins, 28, ruddy-faced and bearded six-footers, made the extraordinary voyage for an ordinary reason: they love the sea and its freedom. But even the waters around Poland's proletarian paradise is a prison.

"This is bad for boys who always dream of sailing around the world," said Piotr, pronounced Pete.

"In Poland, even if you have government orders, you cannot leave port without inspection by maritime security police," said Mieczyslaw, pronounced Mike.

"They always come aboard," Pete added, "and if there is more food than what is allowed, it is confiscated, you are fined and you can be put in jail."

They were brought up on the rivers and lakes around Grodno, northeast Poland, part of the vast real estate the Russians gobbled up after World War II. Their parents; a sister, Wanda; and a brother, Jan, are still there.

The twins were trained for the Polish Navy, served for three years and captained tourist boats going to Scandinavia and the Baltic countries. Too confining. So, in 1959, when they were 19, they decided to take a little boat trip to Denmark.

RELEASED AFTER 6 MONTHS

A Polish patrol boat picked them up 10 miles from Copenhagen. They were brought back and jailed. For the next three weeks they were in solitary confinement and interrogated every night.

"They did not believe that we only wanted to sail around," Pete said.

"No, they did not mistreat us," Mike said, "but the food was terrible. We lost 20 pounds."

After six months their xenophobic captors agreed that the teenage twins were not on the CIA payroll and released them. But they were not allowed on the same ship together. After each trip their passports were taken away. For six years they were not permitted to leave Polish waters.

When they could, they carefully planned a second split. In July, 1965, Pete took a boatload of tourists to Copenhagen, told his first mate he was very sick and had to see a doctor at once and ordered him to take the ship back to Poland. When Mike arrived in a second boat, he suddenly got sick, too, and ordered his boat back to Poland. The brothers asked the Danes for political asylum. It was granted.

They then went to work, making beer bottle caps, electric cables, textiles; learned Danish and English; and when they saved enough money proceeded to build a 20-foot sailboat. It took them 10 months. They called it John I, after John F. Kennedy.

"By then we decided to sail to America and lay a wreath on the grave of Kennedy," Pete said.

Mike caught my skeptical eye. "In Poland, Kennedy is more revered than here," he said. "Especially by the young. People were still weeping in the streets three days after he was killed."

They set sail in John I on June 11, 1967. On the night of June 16 they were hit by a Danish freighter, which just kept going. For the next 30 hours the twins frantically bailed water out of their boat with pails. It had no pump. They barely made it to Bremerhaven.

"The boat was finished," Mike said. "A wreck. We had to take a train back to Copenhagen."

They simply began over again. Each held down two jobs. On weekends they built John II, 22 feet long. On May 4, 1968, they left Copenhagen and reached the Canaries in late July. For the next three months they resupplied, repaired and refurbished their boat, while outwaiting the hurricane season. They sailed from the Canaries on Oct. 20. Their first land fall was Antigua, 33 days later.

WREATH ON J. F. K. GRAVE

"Two days from Antigua we had no food left," Pete said. "But we met a Dutch freighter and the captain gave us food, also oranges, and a case of beer and a bottle of whiskey."

"After Antigua," said Mike, "our course was to St. Thomas, past Cuba, to the Bahamas and then Miami. But 50 miles off Cuba a gale came. It washed our food away. So for two days we did not eat. But worse, we were afraid the wind would blow us to Cuba and they wouldn't let us out."

They reached Miami on Christmas Eve and to their delight discovered that a port officer was of Polish extraction. He steered them to the Polish-American Immigration and Relief Committee and they got more Christmas dinner invitations than they could accept.

With the committee's help they made their way to Washington and went directly to Arlington National Cemetery. They laid a wreath on JFK's grave, knelt and prayed, then moved over to Robert Kennedy's grave to say a prayer, too.

"We were sad," Mike said, "but we were content in a way. We kept our pledge."

They were given tourist visas and are now visiting Polish groups around the country. When their visas expire next June, the twins will return to Denmark where they still have an apartment. Will they ever return to Poland?

"After this," said Peter, "even if we were not jailed, Poland would still be a jail. We will try to come to America."

"Who doesn't want to come here?" Mike asked.

"But we still have a big voyage to make," Pete said.

They both nodded, as if they were impatient to start it at once.

"Around Cape Horn," Mike said. "All around the world."

FCC RULING ON CIGARETTE ADVERTISING

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. KOCH. Mr. Speaker, I rise on this occasion to stress certain important implications of yesterday's decision by the Federal Communications Commission to ban cigarette advertisements from the air and to solicit the support of the Members of the House for the FCC's proposed ruling.

In 1965 the Congress passed the Cigarette Labeling Act which precludes the Federal Trade Commission from requiring a health warning in the advertising of cigarettes. The FCC has likewise interpreted this provision as precluding it from taking action against cigarette advertising on radio and television. Congress wisely provided that this provision would last only until July 1, 1969, so that it could carefully reconsider the two factors upon which it based its decision to stay the hand of the FTC.

The first reason was the feeling by some Members that the case against cigarette smoking as a health hazard had not been proven. Yet, whatever doubts remained in 1965 have surely been resolved by the Surgeon General's report of 1968 with the results of thousands of additional research studies clearly showing that deaths attributable to cigarette smoking have reached truly epidemic proportions. The second reason, the promise of voluntary regulation by the tobacco industry, has likewise proved unsuccessful. The FTC has twice indicated that cigarette advertisements have continued to employ the same seductive lures in ever-increasing frequencies, and last year reported how the industry deliberately planted a misleading prosmoking article in True magazine and then meretriciously advertised and promoted the article as though it were prepared by unbiased authority.

The FCC has now put Congress on notice that unless Congress deliberately acts to block it, the Commission will ban all cigarette ads from the public's airways. In so doing, it will follow a recommendation the FTC made to Congress last June. If Congress contravenes such a ban we will be flying in the face of the recommendations of the two agencies most competent in this field and we will be turning our back on the examples of countries such as Great Britain, Denmark, Italy, Norway, Sweden, and Switzerland, all of whom have long since banned such advertising. We will be voting to allow the public airways to be used to seduce over 4,000 children a day—over a million per year—to take up a habit which kills more than 200,000 Americans each year and according to one estimate may kill one-seventh of all Americans now living. Those who are encouraged to smoke are coking the ovens in their own bodies to produce cancer, heart disease, emphysema, and a host of other maladies. Those who would seduce the young and shorten their lives cannot avoid our censure.

The FCC's courageous decision has already been attacked by tobacco and broadcasting interests and urgently needs additional support. I would move, Mr. Speaker, that we in the House stand ready to defend one of the most basic interests of our Nation's people, good health, from those who would subvert it.

TALK OF EARLY RETIREMENT WAS MERELY CONVERSATION

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mrs. GRIFFITHS. Mr. Speaker, last week I read a most interesting article in the Washington Evening Star, entitled "Talk of Early Retirement Was Merely Conversation," written by Joseph Young. Mr. Young was too kind to mention it but, to the end of the story, I believed Farthington was a Congressman. The real truth is that the pay and pension system for Congressmen delays retirement. It should be corrected.

Mr. Speaker, I include the full text of the article in the CONGRESSIONAL RECORD for the benefit of my colleagues:

TALK OF EARLY RETIREMENT WAS MERELY CONVERSATION

(By Joseph Young)

When I first started covering the government beat in the good old days of 1945, one of the first government career officials I met was a chap named Farthington.

Farthington was a trim, youthful 46, bright-eyed, with black hair and a splendid mustache.

He was most helpful in furnishing us with good news leads and we remarked appreciatively that we hoped we would enjoy a long and pleasant association with him.

"I'm afraid not,'' he said. "As soon as I can I'm going to retire."

We expressed surprise, since he was so young.

"Why shouldn't I retire?" he asked, warming up to what apparently was his favorite subject.

"I don't want to hang around until they force me to retire at the mandatory age of 70, feeble and no good to anyone," he said. "No, sir! I want to get out and enjoy life while I'm still young."

We wished him luck and asked when he thought he might take the plunge.

"Well, I'm angling for an involuntary separation so I can get out and get my retirement annuity at the age of 50," he replied.

When he reached the age of 50 and still remained on the job, we expressed mild surprise that he was still there.

"Well, there's a government pay raise coming up this year, and that will boost my high-five-year average salary on which my annuity will be based," Farthington said. "So I'll wait another year."

The next year and another five years came and went and Farthington was still around, and we found the subject of his projected retirement too delicate to mention.

But when Congress was considering the bill to allow employees to retire on full annuities at age 55 after 30 years' service, Farthington brought up the subject himself.

"Once this bill becomes law, I'll get out of here so fast that it will make your head swim," he said, rubbing his hands. "Ah, the life of leisure—Florida, fishing, swimming, afternoon naps."

Congress enacted the bill into law but Farthington remained at his desk.

"I understand Congress is going to liberalize the computation of annuities, so I might as well stick around another year," he explained. "It won't hurt me and will be well worth it."

The computation factors were liberalized. But—you guessed it—Farthington remained on the job.

Even the year when employes were given an 8 percent bonus on retiring, Farthington stayed on.

"With the new pay comparability pay law, our pay raises the next few years will be fantastic and will raise my annuity tremendously when I retire," he rationalized.

As he spoke, we noticed for the first time that his once jet-black hair was gray and his mustache was straggly.

And so it went year after year until last week, when we received a call from him.

"Can you come over and see me?" he asked in a quavering voice. We said we'd be right over, feeling rather guilty that we hadn't called on him in several years.

On arriving at his office, our first impression was that a stranger was seated at his desk. Certainly, this white-haired man with the palsied hands and wrinkled face was a far cry from our friend Farthington. But, alas, it was he.

"Help me, help me!" he cried.

"How?" we asked. "What is the matter?"

"I turned 70 yesterday and they're forcing me to retire," he shouted wildly.

"But I don't want to go—I'm still in my prime and there's another pay raise coming up. Can't you use your influence to get me an exception from the 70-year mandatory retirement age?"

As we started to reply, two burly General Services Administration guards walked into the office unannounced. Approaching Farthington, one of them said, "All right, Pop, this is it. They need your office and you'll have to leave."

"I won't go!" Farthington shouted.

"Then you leave us no alternative," the other guard said, hoisting Farthington over his shoulder like a sack of flour and carrying him struggling from the room.

From down the hall, we heard Farthington's piteous wail: "Help me, I'm too young to retire. Help me, I'm too young . . ."

REPEAL URGED ON CENSUS PENALTIES

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. NELSEN. Mr. Speaker, I am joining a number of colleagues in sponsoring legislation to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population.

The measure would repeal the $100 fine and the 60-day jail sentence which can be imposed on citizens who refuse to reveal highly personal information about themselves and their households on the 1970 census.

It would limit mandatory questions to six, leaving all others to be answered on a voluntary basis. The census, of course, is required by the Constitution every 10 years so that apportionment in the U.S. House of Representatives will be equitable. However, last year it developed that the Census Bureau is planning to send out an extremely lengthy questionnaire, requiring answers to some 120 questions involving 67 subjects. Many of us feel this information at the very least should be elicited voluntarily, without putting citizens under threat of harsh punishment.

At this time, I understand, the Census Bureau is proceeding with its plans to send the long form to every household in America. It does not take a genius to realize that the printing bill for these 62 million complicated forms will be big, to say nothing of the costs of tallying and analyzing all the long, involved results.

So, it seems sensible to assure that citizens need only respond with the main facts required. These facts would involve name, address, age, sex, head of household status, marital status, and persons in the home at time of census. Using a voluntary basis for the remainder, it is likely that the overwhelming majority of Americans would cooperate by supplying the extra details. In fact, such a procedure might very well result in a more accurate census than would be had otherwise.

DIRECT ELECTION OF THE PRESIDENT

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. BOLAND. Mr. Speaker, I testified yesterday before the Judiciary Committee in support of House Joint Resolution 12—a proposed constitutional amendment I have introduced to abolish the electoral college in favor of direct popular election of the President and Vice President.

With permission, Mr. Speaker, I place my testimony in the RECORD at this point:

DIRECT ELECTION OF THE PRESIDENT, STATEMENT IN SUPPORT OF HOUSE RESOLUTION 12

Mr. Chairman, I welcome this opportunity to present to you and the other members of this distinguished subcommittee my views on what is in the opinion of many of us the most important constitutional issue facing this country—reform of the system by which we elect the President. Presidential elections have become increasingly a game of political brinkmanship as we choose the person who may very well be the most important public official in the world. Few people have to be persuaded of this fact; almost everyone recognizes the problem, is deeply concerned, and wants to do something about it.

Thus, the real difficulty is not whether we should act, but what form this action should take. Our dilemma is hardly a new one; it is in fact, as old as the Constitution itself. The Founding Fathers at the Philadelphia Convention in 1787 pondered and debated the matter of electing the President at great length. The electoral college system which they finally settled upon probably did not fully satisfy anybody. Furthermore, indications are that dissatisfaction has been pretty general since that time; the more than 500 proposed amendments concerning the electoral system that have been introduced in Congress are strong testimony to this fact.

I suppose the immediate conclusion one might jump to is that if we have survived thus far with the present system, why is it necessary to change it now? My response is that we have been lucky, that we have received plenty of warnings, that we may not always continue to be lucky, and that there is no logic in relying on luck when we can turn to an alternative that is far more in keeping with our democratic tradition and would be virtually foolproof in assuring the American people that the person they want for President is the same as the one who would take the oath of office on January 20.

We have been lucky because the conditions for a constitutional crisis that are built into our electoral college system have never actually precipitated a crisis of really major proportions. Surely we have come close to it. In 1801 and in 1825 the House of Representatives was required to choose the President because no candidate had received a majority of the electoral vote. The wholly undemocratic and unacceptable provision giving the House the ultimate voice in the selection of the President when there is no electoral majority is still a part of the Constitution. This is not a proper function for the House, and these procedures become all the more grotesque when we realize that this contingent election employs the unit system that gives just one vote to each State, regardless of size.

On three occasions in our history, in 1824, 1876, and 1888, the peculiarities of our election system have placed in the White House a man who actually received fewer popular votes than his major opponent. It is difficult in a country that rightly claims world leadership in democratic government to justify or explain away the constitutional procedures that made possible these results and could easily do so again.

In three of the last six Presidential elections, in 1948, 1960, and again in 1968, the presence of strong third parties or slates of unpledged electors on the ballots of some States have threatened to frustrate the popular will. That we managed to get through these elections without serious trouble was more a matter of good fortune than good sense. The campaign of last year is still fresh enough in our memories for all of us to recall the veiled hints and suggestions of bargains and deals that might have been a part of the election if it had been thrown into the House for a decision. Our electoral system ought to be a shield against this sort of business rather than an invitation to it.

Add to these shortcomings the unit electoral vote of the States, the dangers inherent in the constitutional independence of the electors, and the other weaknesses of our electoral college system, and it is easy to see why it has few defenders.

What alternatives are there to the present electoral system? Three basically different proposals have been developed and examined in great detail as possible replacements. They are: the district plan under which Presidential electors would be chosen by Congressional districts with two Statewide at-large electoral votes going to the candidate who wins the popular vote in the State; the proportional distribution plan under which a State's electoral vote would be divided among the candidates in proportion to each candidate's share of the popular vote; and the direct election plan under which the winner of a majority or a substantial plurality of the popular vote would be elected President.

Under either the district or the proportional plan it would still be possible, as it is now, for a candidate to win the popular vote and still lose the electoral vote and therefore the Presidency. This is the fundamental weakness of both of these plans, although they have other serious shortcomings which make me wonder if either of them would represent very much of an improvement over the system now in use.

This is not true of the direct election plan, and for this reason I have introduced House Joint Resolution 12 to amend the Constitution to provide for the direct election of the President and the Vice President. I shall go into my reasons for supporting direct election in some detail in a few moments, but I should like right now, with the committee's indulgence, to outline briefly the principal provisions of my resolution.

This resolution does away with the electoral college, electoral votes, and, of course, the electors themselves and provides quite simply and straightforwardly that the people of the States and the District of Columbia shall vote directly for the President and the Vice President. The people would cast one ballot for the candidates of their choice, who would be required to join their names and run as a team so that there could be no confusion about who was running for President and who for Vice President. The State Legislatures would keep the powers they now have to prescribe the places and manner of holding the election, and all persons qualified to vote for Members of Congress would be entitled to vote for the President and his running mate. A State could, if it wished, relax its residence requirements for voting for President, and Congress could, if the necessity arose, approve legislation requiring uniform residence and age requirements for the Presidential vote.

Within 45 days following the general election, unless Congress by law sets a different

date, the official responsible for election returns in each State shall send certified lists to the President of the Senate of all persons who received votes as well as the number of votes cast for each. Early in January, sometime between the fourth and the tenth of the month, the President of the Senate, before a joint meeting of the House of Representatives and the Senate, shall open these election certificates and count the votes.

The pair of candidates with the greatest number of votes shall be declared, respectively, President-elect and Vice President-elect if they have received at least 40 percent of the total number of votes cast. In case no team of candidates wins a majority or the 40 percent plurality, Congress must provide by law for a runoff election between the two pairs of candidates who received the greatest number of votes.

The unanswerable and overwhelming argument in favor of direct election is that it is the only plan that would always guarantee that the choice of the people, as expressed in their votes, would be elected President. Every vote throughout the entire United States would carry exactly the same weight and have exactly the same value as every other vote. This to me is democracy in action.

There are other very practical and compelling reasons which make the direct vote alternative so attractive. Words and phrases like the big States, small States, and key States that are now so important at election time would no longer have any special significance. Carrying the States as such would have no particular value because it would be the separate vote of every individual that would count. For this same reason the parties would no longer feel required to rely so heavily on the big States for their candidates.

Opponents of direct election have argued that it could damage the two party system at the grass roots level. In my opinion it would have exactly the opposite effect, especially in those areas where the re-invigoration of a party is most needed—areas which have long been dominated by one party. Under the present unit electoral vote plan there is certainly little incentive for a weak party in a State to bestir itself. It can't carry the State anyway, so why do any work. But under direct election this would not be relevant. The strength of a party would be precisely recorded everywhere in the Nation, and votes within a State for a losing candidate would not be thrown away, as they now are.

Another argument we sometimes hear is that direct election would lead to a proliferation of political parties. As a strong believer in the two-party system I would be very much concerned about this possibility if I thought this argument to be valid. Frankly, I don't think it is. Members of the House and the Senate, Governors, and other Statewide officials have long been elected by direct vote without causing a multiplication of parties. The people are not particularly anxious to waste their votes on parties and candidates that have no chance of winning, and the 40 percent plurality requirement for election in H.J. Res. 12 makes it certain that the victor would have to be the representative of a major party. Of course, the strength of minor parties would be accurately reflected at the polls, but I think it should be and I don't see why anyone should object to this. Incidentally, along these lines, and for the same reasons, there would be less need than at present for the major parties to make excessive concessions to minority groups who may hold a balance of power in certain States.

One of the strongest features of direct election as proposed in my amendment is that it would do away with the need for the House of Representatives to choose the President as is now the case under the contingent election procedures. The choice of President would always be where it should be—with the people in the general election and with the people in the unlikely event that a runoff election is needed.

Direct election is simple, uncomplicated, and easy to understand. The voters would know exactly for whom they are voting. The temptation toward fraud would be greatly reduced, perhaps completely eliminated, in the large States where tampering with a few votes can, under the present system, mean the delivery of a large block of electoral votes.

Adoption of direct election would in one clean sweep wipe out a system that is undemocratic, complicated, and potentially dangerous and replace it with a plan that would in every election give to every voter an equal voice in the selection of the person to fill the most important office in the Nation.

The need for action by Congress is urgent. It is my sincere hope that this committee will favorably report H.J. Res. 12 and that Congress will promptly approve it so that it can be sent to the States for their consideration. I think it is of utmost importance that a direct election plan be in operation in time for the election of 1972.

OIL SHALE LEGISLATION

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. TUNNEY. Mr. Speaker, I introduce, for appropriate reference, a bill to establish a Federal oil shale development program designed to set forth a policy and program for the development of the vast federally owned oil shale resources so as to assure the continued and timely availability of an adequate domestic supply of energy for American needs in the foreseeable future and to obtain for the people of the United States a maximum return from these oil shale and associated mineral resources consistent with the competitive development and marketing of such resources and maximum feasible preservation of environmental quality.

In recent years, public imagination has once again been excited by a description of the great energy resources found in the oil shale deposits in Colorado, Utah, and Wyoming. The Secretary of the Interior has reported that these oil shale resources occur in over 11 million acres and may total as much as 1.8 trillion barrels. This is more than 60 times the present U.S. crude reserves of crude petroleum as estimated by the American Petroleum Institute and represents the potential equivalent of enough oil to meet U.S. needs for hundreds of years.

As the Department of the Interior has further reported, approximately 72 percent of the 11 million acres overlying these oil shale deposits, which contains nearly 80 percent of the known oil shale resources in the area, is federally owned. It is hence clear that this is an enormously valuable resource with great potential for meeting the energy needs of the American people for years to come, and for generating revenues badly needed by the people of the United States to help solve pressing problems affecting the general welfare.

Indeed, some enthusiastic proponents of oil shale development have pictured the national debt dissolving in a flood of oil shale revenue. More recently, it was suggested during the 1968 presidential campaign that revenue from oil shale could be used to finance the necessary improvements in education.

The hard fact, however, is that the first commercial oil shale mine has yet to be dug, the first commercial retort has yet to be built, and recovery processes for associated minerals imbedded in oil shale have yet to be proved—all of which means that the people of the United States have yet to realize any substantial revenue from these important resources. Moreover, the recent experience of the Department of the Interior, which received only three bids for test oil shale leases which it offered, and which had to reject all three of them as too low, indicates that there is no immediate prospect that the public will derive substantial revenues from these resources in the short term future.

In my view, these facts and developments underscore the need for adoption now of a clearly defined, congressionally initiated policy, looking toward the orderly management and profitable development of federally owned oil shale and associated mineral resources for the benefit of all the people of the United States.

In the 90th Congress, proposals looking toward this end were introduced by Senator PROXMIRE (S. 2754) and Senator HANSEN (S. 4190). In addition, many members of this body introduced proposals similar to the Proxmire bill.

The proposal which I introduce today is based on a study of this previously proposed legislation, as well as the Department of the Interior's report on Prospects for Oil Shale Development, issued in May 1968, and a study of the Department's proposed test leases issued in September 1968.

Essentially, my proposal would state a clear congressional policy favoring development of the federally owned oil shale leases by private industry under a competitive leasing program subject to criteria designed to protect the public interest. In this respect, it differs from the Proxmire proposal, which provided for extensive Government research and development activities in planning, but left unresolved the question of how the oil shale resource should ultimately be exploited.

At the same time, my proposal differs from the Hansen proposal by recognizing that immediate production leasing of the oil shale resource is probably not feasible or desirable under present technological and competitive conditions. Accordingly, my proposal would provide for a moratorium on production leasing until July 1, 1973—with certain exceptions for test leases and research and development leases. In the meantime, the Department of the Interior is directed to undertake a research and development program focusing primarily on the development of such technology as the Secretary determines is most necessary to permit the profitable exploitation of federally owned oil shale resources.

In addition, this proposal contains various criteria and features based on the May 1968 Interior Department report, and attempts in some respects to streamline the Proxmire proposal in light of the more recent Interior Department recommendations.

In the final analysis, the basic oil shale policy underlying my proposal is to let American private industry do the job under competitive conditions, and with safeguards to protect the public interest, after the Federal Government, as a prudent landowner, has taken the title clearance, research and development, and other steps necessary to insure that the value of its oil shale resources is known and maximized.

I do not pretend that this proposal is necessarily the final answer to all problems of oil shale development. Indeed, with respect to some problems—for example, of State-Federal revenue sharing, the impact of oil shale on the oil import quota system and vice versa, and the relationship of the depletion allowance to competitive oil shale development—this proposal merely directs studies looking toward further recommendations for informed legislation.

I do suggest, however, that it is long past time for Congress to make clear to the public and to those responsible for administering this vast and important federally owned resource what its policy is with respect to the development of Federal oil shale lands. I therefore hope that other Members of this body will see fit either to join in this proposal, or to sponsor alternative proposals of their own, and that hearings and discussion of this proposal will lead to the adoption of a definitive congressional oil shale development policy during this session.

LOWERING THE VOTING AGE TO 18

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, a great deal is being said at this time regarding the need for reform of our electoral system. A great many proposals, which approach the ultimate objective from numerous directions, have already been introduced in this 91st Congress.

I have spoken in support of a number of reform proposals over a long period of time. One of these, and one which I feel must be an integral part of any changes this Congress may make in our electoral processes, is the extension of the right to vote to 18-, 19-, and 20-year-old Americans.

We have no sound basis to decry voter apathy if we permit a restriction which breeds apathy to stand as a law of the land. And that is precisely what we do when we arouse in high school classrooms the interests of young Americans in our political system and its elective process and then tell these same young citizens on graduation day: "You know what our political system is all about but you cannot vote until you are 21."

We immediately stifle their interest and desire to be active participants in our political system. We douse whatever spark of concern has been aroused in these young citizens by the classroom teachers who have worked for years to instill in young people all of the traits of good citizenship, including full participation in the elective process.

Mr. Speaker, I am reintroducing in this 91st Congress legislation to extend to 18-year-olds the right to vote. They are well prepared to exercise their vote wisely, and I hope that we can recognize their capability in this session.

REMEMBRANCE AND REVERENCE FOR THOSE WHO WERE BELOVED

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. PODELL. Mr. Speaker, all over Europe, with few nations excepted, there are those cemeteries which mark the last resting places of the Jews who perished in Hitler's holocaust. One organization, the Geder Avot, works to preserve these sacred places, marking them as cemeteries and encouraging governments to prevent their desecration.

Chief Rabbi Moses J. Rubin has devoted his life to insuring that these desires are realized. With a small, dedicated staff, he works and travels throughout Europe, seeking to prevent desecration and the abuse of these cemeteries. Often, countries now denuded of Jews have allowed these areas to be put to the most mundane and commercial uses. Roads have gone through some of them. Others have been used as grazing areas. In some instances, the very locations have been razed and their original purpose forgotten. This is not to be suffered. Because of Hitler's terror, where there were once flourishing Jewish communities, there are now few, if any, Jews. It is therefore difficult to prevent unthinking or deliberately callous regimes from carrying forth this quiet obliteration of yesterday's horrors.

These monuments are not only worthy of being preserved and marked for what they are because of their religious and emotional significance to survivors. They are also worthy of preservation and marking because of the lessons their preservation means to the youth now growing up. It is fully important for them to know what happened, and to ask questions accordingly.

Pious Christians aid the Geder Avot in its work. But the work is great and the needs large as well. The entire Jewish world has joined in one way or another to aid Rabbi Rubin in his appointed task. Also, there are cemeteries going back as far as 1,000 years. Many house the remains of prominent Jewish personalities. Many of these cemeteries were deliberately razed or defaced because of the deliberate policy of the Nazi regime. These policies were carried out by the special Nazi troops called "Friedhof battalions," with headquarters in Janov, near Lvov, Poland.

The rabbis of the Jewish world have appealed to the present German regime for aid in the repair and marking of these ravaged memorial places. There are approximately 2,000 of them in the affected countries which require attention.

On February 18, the Bonn government is calling a special conference of its Ministers to discuss and decide on this repeated and fair request. It is my hope that the West German Government will see fit to do the fair and worthwhile thing in this matter.

West Germany's economic situation is the envy of Europe and the wonder of the world. The Ruhr smokes night and day. Red ink is almost unknown in the West German corporate world. "Die firma" pays huge dividends again. The least that the Bonn government can do is to listen to the modest and reasonable request that touches the conscience of that nation. The cemeteries should be marked and preserved as hallowed places. To desecrate the dead is as horrid as to persecute the living. Let the Government of West Germany do justice to them.

My congratulations to Rabbi Rubin and the Geder Avot for their selfless work.

IN SUPPORT OF FREE RELIGIOUS EXPRESSION

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. PATMAN. Mr. Speaker, I have long been convinced that the overwhelming majority of Americans are strongly opposed to restrictions upon our traditional right to invoke the Deity in public schools and in connection with other public activities. This conviction has been strengthened by an outpouring of concern from hundreds of my constituents who are amazed by the criticism which has been directed at the Apollo 8 crew for their inspiring Christmas message while orbiting the moon. I have recently received a petition signed by 136 members of the United Methodist Church in Atlanta, Tex., which, I feel, deserves the careful attention of my colleagues in the House. The petition reads in part:

> We believe that the citizens of a nation which has enjoyed God's blessings and guidance since the time of its inception should not be intimidated nor coerced into denying their faith and belief in such Providence. We believe that such enforced silence would be a desecration of the doctrine of freedom.
>
> We, therefore, would advise the National Aeronautics and Space Administration, our Representatives in Congress, and the membership of the Supreme Court, that we believe that neither the astronauts nor any other citizen of the United States should be denied the expression of their faith, when and as they see fit.

The excellent letter from Mrs. Tom J. Mays, who sent me the petition, eloquently expresses why the petition was sent:

> We have become increasingly concerned over the efforts being made by groups of atheists in this country. We feel that remaining silent will only add weight to the effects they have already produced.

Mr. Speaker, I feel that this House, also, has for too long been silent on this issue. We should remember that the first amendment to our Constitution does not end after saying that—

> Congress shall make no law respecting an establishment of religion—

But, rather it continues—

> or prohibiting the free exercise thereof.

Could it not be said that the Congress, by failing to approve a constitutional amendment to permit free religious expression in public schools and in other public facilities, is, by its inaction, prohibiting the free exercise of religion?

CONGRESS SHOULD TAKE ACTION ON OIL POLLUTION DANGERS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. VANIK. Mr. Speaker, for the last 9 days, 21,000 gallons of raw oil have been daily pouring out of a fissure on the ocean floor created by oil drilling operations. The oil slick, which is continuing to grow, now covers 800 square miles of ocean—an area 11 times as large as the District of Columbia and nearly as large as Rhode Island. The oil has created such a fire danger that the harbor of Santa Barbara has been closed. In addition, Capt. Cliff Matthews, of the California Department of Fish and Game, has said:

> This is building up to be the biggest disaster to ever hit California's bird life. Even if the oil leak were plugged right way, it will take up to two months to clean up the beaches.

Despite the enormity of this natural resources disaster caused by oil drilling, the Department of Interior has allowed drilling in the area to be resumed after a stoppage of only 1 day.

Oil company executives have said that the disaster could have been prevented, perhaps, by the use of stronger and longer drill casings.

The Department of the Interior is beginning to study the requirement of stronger drilling materials and operating regulations.

I believe that the Congress should move to make an independent investigation of the adequacy of present drilling methods. If necessary, engineering standards should be legislated for drilling operations, not only in off-shore tidelands leased from the Federal Government, but in State-owned tidelands, and for drilling operations in all the inland navigable waters of the United States.

I am particularly concerned about uncontrolled drilling operations in the Great Lakes. The water quality of the Great Lakes and the ecology of the entire region are already so deteriorated that a massive oil slick would be a complete disaster. The effect of such an oil slick on the water intake of major cities such as Chicago, Detroit, Cleveland, and Buffalo, would pose a disaster of major proportions.

Action must be taken now before we are faced with the reality of such a disaster. I hope that the relevant congressional committees will not rely on Interior but initiate action on their own.

VIC PRINGLE PIONEER OF POULTRY PROGRESS

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. MARSH. Mr. Speaker, among the privileges of representing the Seventh Congressional District of Virginia is that of being able to boast that the district includes one of the major centers of progressive poultry production in the United States—the Shenandoah Valley.

There are many producers and processors in this region, sending to market in many States high-quality poultry. There are, of course, many brands, and one which has gained great respect in the marketplace is the Rockingham brand. This is the mark of Rockingham Poultry Marketing Cooperative, Inc., based at Broadway, Va., with plants in other communities, and much of the progress of this producer-owned processing and marketing complex over a period of years is to be credited to an enterprising executive staff headed, as general manager, by Vic Pringle, who retired at the close of 1968 after four decades, at least, in the poultry industry.

Vic Pringle was proud to be a Virginia poultryman, but his service to the industry was national and international. His work in developing overseas markets is known and respected by colleagues who were competitors except when the interests of American poultry in general were at stake. His retirement is a loss to the industry, particularly because of the repeated proofs he gave that "free enterprise" still could be effective in agriculture.

On his retirement, I believe these comments, which I made on introducing Vic Pringle to a congressional subcommittee some time ago, will have the assent of other Members of this House representing poultry-producing States who came to know Vic Pringle as a knowledgeable advocate of poultrymen everywhere:

STATEMENT OF HON. JOHN O. MARSH, JR.

It is a pleasure to appear before this very fine subcommittee for the purpose of introducing the next witness, Mr. Vic Pringle, of the Rockingham Poultry Marketing Cooperative, located at Broadway, Va., in the Seventh Congressional District of Virginia, about 70 miles due west of the Nation's Capital.

I think some background on this witness will be helpful to the subcommittee, because of the impact that I am certain he can offer from his background and expertise in reference to this legislation.

The valley of Virginia is one of the largest poultry-producing regions in the world. And although, perhaps, not the largest, it is considered, certainly, the cradle of the modern poultry industry in America.

Mr. Vic Pringle is the general manager of Rockingham Poultry Marketing Cooperative which has produced a symbol of American poultry that you are so familiar with on the shelves of the food cabinets and the markets of the world—the jaunty trademark that you see in freezer chests and on the export packages that are sold all over the world.

He operates four plants: two in Virginia, one in West Virginia, and one in North Carolina. He enjoys a national reputation that is based on some 40 years' experience in the poultry industry, and the growth of his company reflects his leadership ability and management ability of the market, and this has caused him, literally, in this field, to enjoy a national reputation.

Most important to the subcommittee, he has a background of experience in three phases of poultry: first, in the production of the bird, the growing process; second, modern processing, and in this he has been a pioneer; and third, and very importantly—often overlooked in this field—is marketing and packaging.

He was one of the architects of the American business policy which introduced large mass production of poultry into the European Common Market. He has firsthand knowledge of some of the inspection standards and restrictions that are raised as to American poultry in various parts of the world. He has penetrated and developed markets in Latin America and, indeed, in Asia.

It is a pleasure to present this very distinguished Virginian, a constituent of mine, who has meant a great deal to the industry.

VISTA PROGRESS REPORT

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. OTTINGER. Mr. Speaker, recently we witnessed the fourth anniversary of Volunteers in Service to America. Since the first volunteers entered training in January 1965, more than 13,000 more have followed them.

During its 4-year history, VISTA has encountered the inevitable growing pains of a new and unique program. Yet, in this time, it has progressed, grown and matured both in terms of numbers as well as of direction. I am encouraged by the important contributions being made by VISTA volunteers and by the willingness of these dedicated men and women to serve their fellow man.

In December, the Acting Director of VISTA, my good friend Padraic Kennedy, made a progress report to VISTA volunteers and staff. I am sure this report will be of interest to our colleagues and I am pleased to insert it, herewith, for inclusion in the RECORD:

OFFICE OF ECONOMIC OPPORTUNITY,
Washington, D.C., December 16, 1968.

Memorandum for the VISTA volunteers and staff from Padraic Kennedy, Director

A few weeks from now VISTA will celebrate its fourth anniversary. As some will remember, the very first Volunteers entered training on January 4, 1965. More than 13,000 others have followed since that time. VISTA has both grown and changed in the last four years. That is why, as the year draws to a close, I thought it would be a good time to take a moment to review both VISTA's accomplishments and the unfinished tasks still on our agenda.

BETTER PROJECTS

The recently completed analysis of VISTA projects conducted by the Evaluation Division provided the first objective view of VISTA's strengths and weaknesses.

The average score of projects evaluated, for example, was too low. The evaluation reports revealed problems that were common to most projects—the kind of problems that can only be corrected through systematic, agency-wide action. These actions are already under way.

The evaluations pointed out that some VISTA projects were just "deadwood", neither viable in design nor adequate in potential. Regional Administrators have already moved to correct those situations. The weak projects have either been closed down or are being totally redeveloped. Cutting out the "deadwood" will have significant implications. The median evaluation score for all VISTA projects will have been increased by more than 20% when we complete the current close-out and redevelopment process.

Closing projects down, however, is not the only action required. Projects closed out must be replaced by new ones that are significantly better and that offer more effective outlets for the skills and energies of Volunteers. Actually, one of the developments in VISTA that pleases and excites me most is that the new projects are increasingly imaginative and creative.

I'm talking about such recent efforts as the projects sponsored by the New York University and George Washington University Law Schools through which 55 VISTA lawyers give valuable legal assistance to groups of the poor and earn a Masters Degree in Law for their VISTA service; the coalition efforts being run by the Stanford School of Business Administration and East Palo Alto's Black Community Relations Association; the Nashville "Education in Action" program run by a consortium of the five colleges there, in which 25 VISTA Volunteers are helping the universities build a bridge to the poor in order to engage thousands of students in direct and personal community service; the VISTA projects being developed by John Gardner's Urban Coalition to mobilize local businessmen, lawyers, doctors, accountants and other professionals into a part-time technical assistance corps to serve the poor; the new Navajo project; the Health Advocates program in which thirty VISTA Volunteers are working to improve the distribution of emergency food in low income areas of the South and Southwest; and the economic development programs being planned in concert with the National Urban League. Most of these programs exemplify the thrust of VISTA's new philosophy of project development: greater concentration of Volunteers for greater impact; the "team concept" of combining professionally skilled and indigenous Volunteers; the provision of dedicated and full-time supervision; and project goals that are more specific.

BETTER VOLUNTEER SUPERVISION

The evaluation process also confirmed our impression that supervision was VISTA's weakest link. We have now taken fairly sweeping steps to eliminate that problem. Indeed, since the completion of the evaluation process there has been a 180° change in VISTA's approach to the whole issue of supervision. Last year we spent millions of dollars on Volunteers but very little on providing effective supervision for them. This year, recognizing that the kind of local leadership a Volunteer gets is vital to his effectiveness, we will significantly increase our commitment to provide effective leadership for VISTA Volunteers. We are not only investing more in supervision now, we are also concentrating on the selection, training and in-service training of the Volunteers' supervisors. The first training class for supervisors will begin around January 1. Before the end of the fiscal year, I expect that all of our supervisors will have received this training.

BETTER VOLUNTEER TRAINING

The evaluation reports indicated that pre-service training was rated as inadequate by too many Volunteers and sponsors, and that the amount of in-service training provided was often insufficient as well. The Training Division and Regional Administrators, however, have taken action to change that situation. VISTA's new training model relies much more heavily upon on-the-job training. Indeed, Volunteers are now being trained not only in the region for the region—but in the community for the community and often on the job for the job. The result is more realistic and more relevant training.

We have also established a new training plan that will involve our VISTA Regional Training Centers more fully in field operations. The training staff will now be responsible for conducting regular in-service training programs for Volunteers. This should not only result in greater support for the Volunteers, but also provide valuable feedback that will help increase the effectiveness of pre-service VISTA training.

BETTER VOLUNTEERS

One of the most significant changes that has taken place in the past year in VISTA is improved quality of the Volunteers. We are no longer accepting 18 and 19-year-olds—except in very rare cases where superior individual competence or skill are indicated.

We are no longer recruiting among college freshmen and sophomores.

We have launched an all-out effort to attract more college seniors.

And most important of all we are now concentrating on the recruitment of Volunteers with specific professional skills.

These efforts are already paying off.

For instance, VISTA Volunteers are now somewhat older. A year and a half ago 20% of the Volunteers were 18 and 19-year-olds. Today that figure has been cut to 5%—and it's still going down. Only 4% of the August, September and October classes were 18 and 19-year-olds—compared to 15% during the same months of the last year.

One year ago the number of professionally skilled Volunteers in VISTA's ranks was insignificant. This too is changing. Nearly 200 lawyers entered VISTA training in August alone. Today more than 10% of the Volunteers in VISTA have specific professional skills. They include lawyers, business school graduates, architects, community planners, and people trained in the health professions. The January and February classes will have at least the same concentration. And the June class will be composed of 20% trainees with professional skills.

Professionally skilled Volunteers are not, of course, the only answer. Community Volunteers drawn from poverty neighborhoods will play an extremely important part in the future success of the VISTA program. I am impressed with the several programs involving community Volunteers which have been launched in recent months. The Community Volunteer Selection Branch, with its simplified application form and new procedures for selecting Volunteers directly from poverty communities will make it much easier to initiate similar programs in the future.

MORE EFFECTIVE RECRUITING

The improvement in the overall quality of the Volunteers serving in VISTA did not come about accidentally or without effort. It is the direct result of the hard work of VISTA's recruiters, who have created the greatly increased pool of qualified applicants. It may also reflect the fact that former Volunteers are turning out to be VISTA's best recruiters. When we polled former Volunteers and asked: "Knowing what they now know would you join VISTA?" 94% answered "Yes."

The change in the public's response to VISTA in just four years is significant. It was not so long ago that VISTA was considered a "Junior Peace Corps" and dismissed as the "stepchild of the OEO". All that has changed. A recent Gallup Poll indicated that 90% of all college students could now successfully identify VISTA, and 53% were actively interested in joining. Analysis of the polls conducted by both Gallup and Harris on university campuses reveals that VISTA is now running neck and neck with the Peace Corps. Whereas in the past VISTA had a hard time competing with the Peace Corps, the number of students interested in joining VISTA is now *exactly* equal to the number who express interest in joining the Peace Corps.

This surge of interest in VISTA is clearly reflected in the spurt of applications. In the first quarter of this year, VISTA received 100% more applications from direct recruiting efforts than in the same quarter of the previous year. This increase becomes even more impressive when one considers that it comes right on the heels of the record accomplishments of fiscal 1968. In that year 54% more people applied to VISTA than during the previous year. And in the last quarter of the year VISTA's recruiters scored a 139% increase over the same months the year before.

VISTA Recruiters repeatedly pointed out last year that it was self-defeating to recruit people if their applications were processed only after long delays. Too often candidates applied and then had to twiddle their thumbs for months before getting a reply. That situation, however, has now been changed. We have speeded up the entire Applicant Processing system. In October we regionalized much of applicant processing. The result should be increased efficiency and improved services to applicants.

MORE EFFECTIVE PLANNING

We have also undergone a major revolution in the planning area. Last year the regions were not informed of their June training in-put and final year-end goals until late spring. In August of this year, however, each Regional Administrator received a complete National Plan. This Plan spelled out in precise detail the region's year-end goal; the training in-put for each month; the starting date for every training program through the entire fiscal year; the number of Volunteers who would attend each training program; the projected number of scheduled field terminations for each month of the year; the number of expected early terminations, reenrollments and reenlistments for each month; and the expected field, training and total strength for each month of the year.

Furthermore, in November, Regional Administrators were given their VISTA Summer Associates quota, as well as detailed guidelines on how to implement the program. The significance of this action is that this year Regional Administators will have eight months to plan effective programs.

The impact of this planning breakthrough is twofold.

Internally, it means that we have gotten the nitty-gritty issues out of the way early. Regional Administrators will have time to plan ahead effectively and we will all be free to concentrate on the truly important issues facing VISTA in the months ahead.

Externally, its impact is equally significant. For several years VISTA's growth potential has been artificially restrained by severe budget limitations. Those limitations were made, I believe, not so much because of basic questions about the value of the VISTA idea but because we were not yet able to provide data on our program accomplishments that was meaningful to those who held the purse strings. This problem no longer exists. For fiscal year 1970 VISTA was the only program within the OEO to receive a larger budget allocation than was initially requested.

Furthermore, we enjoy strong bi-partisan support in Congress. And President-elect Richard Nixon not only commended VISTA during the recent campaign, he has repeatedly emphasized his intention to expand the potential of voluntarism in this country.

REMAINING ISSUES

None of the above is meant to suggest that VISTA does not still have problems or that there is not a great deal of work to be done.

We need to increase recruiting efficiency so we can be even more demanding in the kind of Volunteers we select for VISTA service.

We need to develop a first rate system for the selection and training of community volunteers.

We have come up with a solution to the old supervision problem. But that solution still needs to be implemented at the field level.

We have conceived and developed the "team concept"—skilled and community volunteers working together under carefully selected and trained supervisors. But the plan must be put into effect all across the nation.

We have phased out many of what are by today's standards our weakest projects. The higher standards of tomorrow will require us to be equally rigorous in evaluating and cutting out "deadwood" in the months ahead.

We have developed a number of imaginative and creative programs in the field; and even more exciting ones are in the planning stage in every region. But an enormous amount remains to be done before we can honestly say that every VISTA project is conceptually sound, offering Volunteers the best possible opportunity to make a significant contribution to the poor and the nation.

A great deal remains to be done. But VISTA is definitely moving in the right direction. I think we can consider the past year as one of significant progress and that we can look to VISTA's future with confidence.

U.S. COURT ORDERS UNIVERSITY TO HEAR CONVICTED FELON

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. WAGGONNER. Mr. Speaker, if there is anyone left in the United States who has even the faintest question in his mind why the university campus is the gathering ground of the young Communist left, a story in today's Washington Post should blow away the clouds in their minds.

The President of Auburn University, one of the Nation's finest universities, has been forbidden to deny school facilities and funds from convicted felon William Sloane Coffin, who poses in his off-hours as a minister of God at Yale University.

Auburn President Philpott tried to forestall a campus disorder by canceling an invitation to Coffin, darling of the new left, to speak at the university, but a U.S. District Court judge has struck down the denial. This outrageous Federal intervention is described in the following news item from the Post:

> U.S. COURT VOIDS BAN ON COFFIN
>
> (By J. M. McFadden)
>
> MONTGOMERY, ALA., February 5.—A Federal judge overruled Auburn University's president here today and ordered that the Rev. William Sloane Coffin, Yale chaplain, be permitted to speak at the Alabama school Friday.
>
> Auburn President Harry Philpott said he would appeal to the Fifth Circuit Court of Appeals in New Orleans and would ask a stay of the court order.
>
> Calling Dr. Philpott's campus speaker rules "blatant political censorship," U.S. District Judge Frank M. Johnson Jr. ordered Auburn to provide Coffin facilities and payment from school funds.
>
> RULES "UNCONSTITUTIONAL"
>
> The ruling said Philpott's oral rules controlling speaker invitations are unconstitutional and called them a violation of the First Amendment.
>
> The Yale chaplain was convicted with Dr. Benjamin Spock last year of urging students to resist the Vietnam draft. He is free on appeal.
>
> Last month, Philpott vetoed Coffin's appearance at Auburn and the sponsoring student-faculty group sued in Federal court.
>
> REACTION TO COURT ORDER
>
> Reaction in Alabama to the court's ruling was swift. Gov. Albert Brewer called the order "an insult . . . to the people of Alabama.
>
> "This decree not only undermines the capable administration of Auburn University," he said, "but even goes so far as to direct" the University to pay a "convicted felon who has sought to influence young people to betray their country."
>
> The court order said the State cannot "regulate the content of the ideas students may hear.
>
> "To do so is illegal and thus unconstitutional censorship in its rawest form."
>
> PHILPOTT'S RULES
>
> While upholding Philpott's ultimate power to determine whether a speaker is invited to the campus, Johnson said, "This determination may not be made for the wrong reasons or for no reason at all."
>
> Phillpott ruled that students could not invite (1) a speaker who could reasonably be expected to advocate breaking a law; (2) a speaker who had been previously convicted of a felony; and (3) a speaker of the type represented by Coffin because he said it would be tantamount to University sanction of what the speaker advocated.
>
> Payment for the Coffin appearance would come from a $10,000 fund acquired from student fees allocated for guest speakers.

LITHUANIAN INDEPENDENCE DAY

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. HORTON. Mr. Speaker, on February 16, 1918, Lithuanian patriots declared the independence of the Lithunian State. During this coming week it is very fitting that the Congress of the United States commemorate this event by reminding the world that Lithuania and its people are determined to continue the fight for reestablishment of their own self-government.

During the 23 years that the Lithuanian people enjoyed self-determination as a free nation, few countries have ever demonstrated its capacity and ability for self-government as well as Lithuania did.

During that short span of independence Lithuania's civic leaders brought about much-needed land reforms. They created and expanded industry, established an adequate transportation system, and enacted social and educational policy that could still serve as an example to other nations of the world.

This great progress was brought to a sudden halt when Lithuania became, once again, the victim of a nation who succeeded in enslaving its people.

Ever since the 12th century, Lithuania's history has been enblazoned with heroic battles for liberty. Even under the yoke of Russian domination, which lasted 120 years, the Lithuanian people never ceased to struggle and agitate in revolt after revolt, trying to be free.

This year I am once again taking a firm stand to assure the people of Lithuania, and all the Baltic States, that the Congress will seek to cause world opinion to restore their inalienable rights.

On the first day of the 91st Congress I introduced a resolution calling for the establishment of a Committee on the Captive Nations to study the facts concerning conditions existing in Lithuania and other captive nations.

It would be the express purpose of the Captive Nations Committee to find means by which the United States can assist the people of the captive nations to retain their national and individual freedom.

Mr. Speaker, I shall not cease in my personal efforts to engender the restoration of the rights possessed by the free nations of the world to all those inhabitants of nations who are subjected to domination and exploitation.

The people of Lithuanian descent in America who have valiantly fought to espouse the cause of freedom and liberty for their people at home are in the best position to judge the merits of freedom against oppression.

We must help them be heard throughout the world community by keeping our Nation as a source of hope to those people who have been placed in the shadows of unwanted Communist domination.

To spread joy, we must spread the word of freedom. To unshackle the bonds of tyranny, we must rededicate ourselves to the cause of freedom for all men.

Soviet domination cannot endure when the spirit of freedom exists as an indestructible flame in the hearts of the Lithuanian people. The desire of all men to choose their own destinies can never be extinguished.

Therefore, Mr. Speaker, let us mark this 51st anniversary of Lithuania's independence by encouraging the continuing struggle for self-determination in all countries of the world and by saluting all the patriots of freedom who fight to bring nations in bondage out of the darkness into the light.

CONGRESSMAN CELLER'S STATEMENT ON THE MIDDLE EAST

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. BRADEMAS. Mr. Speaker, on January 3, 1969, our distinguished colleague from New York, the Honorable EMANUEL CELLER, made a statement in the House with reference to the present dangerous situation in the Middle East. I take this opportunity to associate myself with this statement.

SENATE—*Friday, February 7, 1969*

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, whose we are and whom we serve, we commend our Nation to Thee and Thy servants in this place to the guidance of Thy higher wisdom. Come upon us with renewing power that as we work for others we may show our love for Thee. In our work make us diligent, in our travels give journeying mercies, in our pleasures spare us regrets, in our speech make us instruments of Thy truth, and in all we do may we advance Thy kingdom, that at the end we may be workmen who "needeth not to be ashamed."

Through Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, February 4, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of February 4, 1969, the Secretary of the Senate, on February 7, 1969, received the following message from the House of Representatives:

That, pursuant to section 8002 of the Internal Revenue Code of 1954, the chairman of the Committee on Ways and Means had appointed Mr. MILLS, Mr. BOGGS, Mr. WATTS, Mr. BYRNES of Wisconsin, and Mr. UTT as members of the Joint Committee on Internal Revenue Taxation, on the part of the House.

The message also informed the Senate that, pursuant to section 712(a)(2) of the Defense Production Act of 1950 (title 50, appendix, United States Code, sec. 2162(a)(2)), the chairman of the Committee on Banking and Currency had appointed Mr. PATMAN, Mr. BARRETT, Mrs. SULLIVAN, Mr. WIDNALL, and Mr. BROCK as members of the Joint Committee on Defense Production, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 1, Public Law 372, 84th Congress, as amended, the Speaker had appointed Mr. THOMPSON of New Jersey, Mr. MURPHY of New York, Mr. HALPERN, and Mr. FISH as members of the Franklin Delano Roosevelt Memorial Commission, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 105(c), Public Law 624, 84th Congress, the Speaker had appointed Mr. STEED, Mr. COHELAN, and Mr. KYL as members of the Committee on the House Recording Studio.

The message further informed the Senate that, pursuant to the provisions of section 202(b), Public Law 90-259, the Speaker had appointed Mr. MILLER of California and Mr. PETTIS as members of the National Commission on Fire Prevention and Control, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 1, Public Law 86-420, the Speaker had appointed Mr. NIX, chairman, Mr. WRIGHT, Mr. JOHNSON of California, Mr. GONZALEZ, Mr. DE LA GARZA, Mr. FRASER, Mr. SYMINGTON, Mr. SPRINGER, Mr. MORSE, Mr. HARVEY, Mr. WHALLEY, and Mr. BUSH as members of the U.S. delegation of the Mexico-United States Interparliamentary Group, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 401(a), Public Law 414, 82d Congress, the Speaker had appointed Mr. CELLER, Mr. FEIGHAN, Mr. RODINO, Mr. MCCULLOCH, and Mr. CAHILL as members of the Joint Committee on Immigration and Nationality Policy, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 1002, Public Law 90-226, the Speaker had appointed Mr. DOWDY and Mr. HOGAN as members of the Commission on Revision of the Criminal Laws of the District of Columbia, on the part of the House.

The message announced that the House had passed a joint resolution (H.J. Res. 414) making a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes, in which it requested the concurrence of the Senate.

The message also anounced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 124. Concurrent resolution providing for an adjournment of the two Houses of Congress from Friday, February 7, 1969, to Monday, February 17, 1969; and

H. Con. Res. 133. Concurrent resolution commending the leadership of the Boy Scouts of America for their fine work and contribution to American youth.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of February 4, 1969, messages in writing from the President of the United States were received on February 5, 1969, by the Secretary of the Senate submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on February 5, 1969, see the end of Senate proceedings of today, February 7, 1969.)

MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT CONCERNING THE TREATY ON NONPROLIFERATION OF NUCLEAR WEAPONS

Under authority of the order of the Senate of February 4, 1969, the Secretary of the Senate, on February 5, 1969, received the following message from the President of the United States, which was referred to the Committee on Foreign Relations:

To the Senate of the United States:

After receiving the advice of the National Security Council, I have decided that it will serve the national interest to proceed with the ratification of the Treaty on Non-Proliferation of Nuclear Weapons. Accordingly, I request that the Senate act promptly to consider the Treaty and give its advice and consent to ratification.

I have always supported the goal of halting the spread of nuclear weapons. I opposed ratification of the Treaty last fall in the immediate aftermath of the Soviet invasion of Czechoslovakia. My request at this time in no sense alters my condemnation of that Soviet action.

I believe that ratification of the Treaty at this time would advance this Administration's policy of negotiation rather than confrontation with the USSR.

I believe that the Treaty can be an important step in our endeavor to curb the spread of nuclear weapons and that it advances the purposes of our Atoms for Peace program which I have supported since its inception during President Eisenhower's Administration.

In submitting this request I wish to endorse the commitment made by previous Administration that the United States will, when safeguards are applied under the Treaty, permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States, exclusive of those activities with direct national security significance.

I also reiterate our willingness to join with all Treaty parties to take appropriate measures to insure that potential benefits from peaceful applications of nuclear explosions will be made available to non-nuclear-weapon parties to the Treaty.

Consonant with my purpose to "strengthen the structure of peace," therefore, I urge the Senate's prompt consideration and positive action on this Treaty.

RICHARD NIXON.

THE WHITE HOUSE, *February 5, 1969.*

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of February 4, 1969, Mr. PROXMIRE, from the Joint Economic Committee, on February 6, 1969, submitted a report entitled "Federal Reserve Discount Mechanism: System Proposals for Change" (Rept. No. 8), which was ordered to be printed.

EXECUTIVE REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of February 4, 1969, Mr. YARBOROUGH, from the Committee on Labor and

Public Welfare, reported favorably the following nominations:

James D. Hodgson, of California, to be Under Secretary of Labor;

Arnold R. Weber, of Illinois, to be an Assistant Secretary of Labor;

Elizabeth Duncan Koontz, of North Carolina, to be Director of the Women's Bureau, Department of Labor;

Lee A. DuBridge, of California, to be Director of the Office of Science and Technology; and

Willie J. Usery, Jr., of Georgia, to be an Assistant Secretary of Labor.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

A SUPPLEMENTAL APPROPRIATION

Mr. RUSSELL. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Joint Resolution 414.

The PRESIDING OFFICER laid before the Senate, House Joint Resolution 414, making a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes, which was read twice by its title.

Mr. RUSSELL. I ask unanimous consent that the Senate proceed to its immediate consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. RUSSELL. Mr. President, yesterday the House of Representatives passed this joint resolution, making a supplemental appropriation of $36 million to the Bureau of Employment Security under the Department of Labor for unemployment compensation for Federal employees and ex-servicemen.

Under the program, claims of unemployed Federal employees and ex-servicemen are processed by the State unemployment insurance agencies on the same basis as claims of other unemployed workers whose employment is covered under the State unemployment compensation law. Federal funds are allocated to the States, which act as agents for the Federal Government in the payment of these benefits. The period of extended coverage varies from 22 to 39 weeks among the States. During the first half of fiscal year 1969, the average payment for Federal employees was $44.20 each week for a period of 8.9 weeks, while the average for ex-servicemen was a weekly payment of $44.60 for 5.1 weeks.

The Department of Labor submitted a budget request of $99,800,000 for the 1969 program to the Bureau of the Budget, which in turn approved an estimate of only $92,200,000, the amount of the 1969 appropriatoin.

Separations under each category have exceeded the original estimates; thus, the President's message of January 17, 1969, requesting supplemental appropriations for fiscal year 1969, included an additional $36 million for the program.

The appropriation of funds for this program has become most urgent in that as of February 1, 1969, only $4.4 million remained available. Expenditures for the month of January were $13.8 million. The Department of Labor advises that States will not be able to make payments after the close of business today. Unless funds are provided at once, thousands of persons—including servicemen returned from Vietnam for separation—will go to their local unemployment compensation offices next week to find their payments delayed until these additional funds are appropriated.

I am sure none of us wishes to see the servicemen returning from Vietnam for separation finding it impossible to draw these funds from their local unemployment compensation offices.

I now, by agreement reached with leaders of the Committee on Appropriations, request that this item be promptly passed as now embraced in House Joint Resolution 414.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HRUSKA. Mr. President, on behalf of the minority leader, I am pleased to say that the minority joins in the request for immediate consideration and favorable action. Several colleagues have received word from their States indicating the need for the appropriation—the most recent was received this morning. The junior Senator from Michigan informed me that unless this money is allowed, there will not be any further payments starting on Monday morning.

This obligation has already been contracted. The problem arises because of underestimating the amounts required.

The resolution has been here since the middle of January, and I join in the Senator's request for immediate consideration and favorable action.

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a telegram from the National Legislative Commission of the American Legion, which points out the grave condition that will exist if this joint resolution is not passed.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
February 6, 1969.

Hon. RICHARD B. RUSSELL,
Chairman, Senate Committee on Appropriations, Old Senate Office Building, Washington, D.C.:

The American Legion is deeply concerned that many recently discharged veterans are denied unemployment compensation because UC funds are exhausted. We understand that $19.8 million in supplemental funds for this purpose was requested by the President January 17 last. Failure of the Congress to provide this money prior to the upcoming recess will work a severe hardship on thousands of needy ex-sevicemen across the country. We respectfully urge you to take prompt action to assist these jobless veterans during their readjustment to civilian life.

HERALD E. STRINGER,
Director, National Legislative Commission, the American Legion.

Mr. YOUNG of North Dakota. Mr. President, on many occasions the Congress has had to provide additional sums of money to take care of the needs for the unemployment compensation for Federal employes and ex-servicemen program. I do not believe there is any way a firm estimate can be submitted to Congress on amounts of money which will be necessary to operate this program in any one given fiscal year. These additional funds that we are providing here today in all probability will not be sufficient to carry this program through fiscal year 1969.

Mr. President, I ask unanimous consent to insert in the RECORD a 10-year table showing the amounts provided for this program which includes the supplemental appropriations.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

ESTIMATES

1959	$186,800,000
Supp. (H. Doc. 58)	41,200,000
1960	135,000,000
Supp. (H. Doc. 384)	8,000,000
1961	112,000,000
Supp. (H. Docs. 58 and 91)	70,000,000
1962	147,000,000
1963	131,000,000
Supp. (H. Docs. 61 and 89)	24,000,000
Supp. (H. Doc. 127)	1,100,000
1964	119,000,000
Supp. (H. Doc. 203)	30,000,000
Supp. (H. Doc. 284)	12,000,000
1965	126,000,000
Supp. (H. Doc. 80)	17,000,000
1966	141,000,000
1967	107,000,000
1968	65,000,000
1969	[2] 92,200,000

APPROPRIATIONS

1959	$120,800,000
Supp. (P.L. 30)	40,000,000
1960	125,000,000
Supp. (P.L. 535)	6,000,000
1961	107,000,000
Supp. (P.L. 14): Appropriation	5,648,000
Transfers	[1] 64,352,000
1962	147,000,000
1963	129,000,000
Supp. (P.L. 88-25)	22,000,000
Supp.	
1964	110,000,000
Supp. (P.L. 88-295)	42,000,000
1965	126,000,000
Supp. (P.L. 89-16)	11,000,000
1966	131,000,000
1967	90,000,000
1968	[3] 65,000,000

[1] Transferred from the appropriations "Salaries and expenses, Bureau of Employment Security" and "Grants to States for unemployment compensation and employment service administration."

[2] The Budget indicates that a supplemental appropriation of $28,800,000 will be requested.

[3] Excludes $1,400 thousand for activities transferred in the estimates to "Trade Adjustment Activities." The amounts obligated in 1967 and 1968 are shown in the schedule as comparative transfers.

The VICE PRESIDENT. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the joint resolution.

The joint resolution (H.J. Res. 414)

was ordered to a third reading, was read the third time, and passed.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON PROPOSED ACTION BY NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Acting Chairman, National Aeronautics and Space Administration, transmitting, pursuant to law, a report of the Administration indicating proposed action to conduct one program at a level in excess of the authorization in the National Aeronautics and Space Administration Authorization Act (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

REPORT UNDER ALASKA COMMUNICATIONS DISPOSAL ACT

A letter from the Secretary of Defense, transmitting, pursuant to law, a report on the sale or other transfer of government-owned communications facilities in Alaska (with an accompanying report); to the Committee on Armed Services.

REPORT OF PROPOSED FACILITIES PROJECTS, ARMY NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on the location, nature and estimated cost of additional facilities projects proposed to be undertaken for the Army National Guard; to the Committee on Armed Services.

REPORT ON PROPOSED FACILITIES PROJECTS AIR NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense, reporting, pursuant to law, on the location, nature and estimated cost of certain facilities contracts proposed to be undertaken for the Air National Guard; to the Committee on Armed Services.

REPORT ON NUMBER OF OFFICERS ON DUTY WITH HEADQUARTERS, DEPARTMENT OF THE ARMY

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on the number of officers on duty with Headquarters, Department of the Army and detailed to the Army General Staff on 31 December 1968 (with an accompanying report); to the Committee on Armed Services.

REPORT ON ACTIVITIES OF THE OFFICE OF STATE TECHNICAL SERVICES

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the activities of the Office of State Technical Services, for the fiscal year 1968 (with an accompanying report); to the Committee on Commerce.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on requirements contracting and other aspects of small purchases in the Department of Defense, dated February 5, 1969 (with an accompanying report); to the Committee on Government Operations.

REPORT OF NASA ON EMPLOYEE PERSONAL PROPERTY CLAIMS SETTLED

A letter from the National Aeronautics and Space Administration, transmitting, pursuant to law, a report on employee personal property claims settled during the calendar year 1968 (with an accompanying report); to the Committee on the Judiciary.

REPORT OF DEPARTMENT OF STATE ON EMPLOYEE CLAIMS SETTLED

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting, pursuant to law, a report of claims settled by the Department under the Civilian Employees' Claims Act of 1964, for the calendar year 1968 (with an accompanying report); to the Committee on the Judiciary.

STATUS OF PERMANENT RESIDENCE FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

REPORT OF CIVIL SERVICE COMMISSION ON POSITIONS IN GRADES GS–16, GS–17, AND GS–18

A letter from the Chairman, U.S. Civil Service Commission, transmitting, pursuant to law, a report with respect to positions in grades GS–16, GS–17, and GS–18 (with an accompanying report); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

Resolutions adopted by the World Peace Appeal, New York, N.Y., relating to the recognition of Red China, and so forth; to the Committee on Foreign Relations.

A resolution adopted by the Upper Colorado River Commission, Salt Lake City, Utah, requesting more adequate funding of reclamation projects; to the Committee on Interior and Insular Affairs.

A resolution adopted by the citizens of Grand Portage Indian Reservation, Minn., praying for the abolishment of the Bureau of Indian Affairs; to the Committee on Interior and Insular Affairs.

A letter, in the nature of a petition, from Mrs. Christina North, of United Cultural Appeal, Inc., of Long Island City, N.Y., praying for the appointment of Frederick Douglass; to the Committee on the Judiciary.

A resolution of the General Court of the Commonwealth of Massachusetts; to the Committee on Labor and Public Welfare:

"RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROVIDING FOR THE ABSORPTION BY THE FEDERAL GOVERNMENT OF THE TOTAL COST OF PUBLIC WELFARE

"Whereas public welfare currently comprises over 40% of Massachusetts' annual budget; and

"Whereas the present state budget for public welfare in the current fiscal year amounts to over five hundred million dollars, and is expected to increase greatly; and

"Whereas the increasing costs of Medicaid under present conditions will appreciably add to state budgets in the future; and

"Whereas medicaid is a valuable program for the people of Massachusetts and should be continued; and

"Whereas the cost of welfare programs is basically a federal responsibility; and

"Whereas absorption of welfare costs by the federal government would release hundreds of millions of dollars for both property tax reduction at the local level and needed new progressive programs for the underprivileged at the state level; Now, therefore, be it

"Resolved that the General Court of Massachusetts strongly urges the Congress of the United States to take early favorable action on absorption of costs of public welfare by the federal government so that appropriate planning for property tax reduction and needed new programs for the underprivileged can be initiated in the Commonwealth; and be it further

"Resolved that copies of these resolutions be forwarded by the Secretary of State to the President of the United States, the presiding officer of each branch of the Congress and to the members thereof from the Commonwealth.

"Senate, adopted, January 15, 1969.

"NORMAN L. PIDGEON,
"Clerk.

"House of Representatives, adopted in concurrence, January 20, 1969.

"WALLACE C. MILLS,
"Clerk.

"Attest:

"JOHN F. X. DAVOREN,
"Secretary of the Commonwealth."

REPORTS OF A COMMITTEE

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 76. A bill for the relief of Soon-Hie Cho Young (Rept. No. 24);

S. 85. A bill for the relief of Dr. Jagir Singh Randhawa (Rept. No. 25);

S. 113. A bill for the relief of Dr. Mete V. Altug (Rept. No. 21);

S. 127. A bill for the relief of Dr. Jose Carlos Suarez-Diaz (Rept. No. 22);

S. 129. A bill for the relief of Dr. Jorge P. Garcia (Rept. No. 9);

S. 130. A bill for the relief of Dr. Carlos M. Perez-Abreu (Rept. No. 10);

S. 132. A bill for the relief of Dr. Jose Ramon Fernandez-Gonzalez (Rept. No. 11);

S. 147. A bill for the relief of Dr. Miguel A. Gomez (Rept. No. 12);

S. 148. A bill for the relief of Dr. Juan Alfredo Milera (Rept. No. 13);

S. 149. A bill for the relief of Dr. Miguel Angel Garcia Plasencia (Rept. No. 23);

S. 151. A bill for the relief of Dr. Fermin Ferro (Rept. No. 14);

S. 153. A bill for the relief of Dr. Carlos Jesus Aguilar Lima (Rept. No. 15);

S. 154. A bill for the relief of Dr. Joaquin Francisco Palmerola Cabrea (Rept. No. 16);

S. 155. A bill for the relief of Dr. Jose Ramon Portela y Margolles (Rept. No. 17);

S. 156. A bill for the relief of Dr. Aurelio-Julian Andres Jimenez Cortina (Rept. No. 18);

S. 157. A bill for the relief of Dr. Martiniano L. Orta (Rept. No. 19);

S. 378. A bill for the relief of Peter Rudolf Gross (Rept. No. 26);

S. 490. A bill for the relief of Gyorgy Sebok (Rept. No. 27);

S. 572. A bill for the relief of Dr. Cesar Baro Esteva (Rept. No. 20);

S. 573. A bill for the relief of Dr. Jose R. Guerra (Rept. No. 28);

S. 584. A bill for the relief of Domingo Lamadriz (Rept. No. 29), and

S. 586. A bill for the relief of Nguyen Van Hue (Rept. No. 30).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 112. A bill for the relief of Dr. Kenneth Siu; (Rept. No. 32);

S. 131. A bill for the relief of Dr. Eduardo Fernandez-Dominguez; (Rept. No. 31);

S. 165. A bill for the relief of Basil Rowland Duncan; (Rept. No. 33);

S. 256. A bill to confer U.S. citizenship posthumously upon L. Cpl. Theodore Daniel Van Staveren; (Rept. No. 34);

S. 495. A bill for the relief of Marie-Louise (Mary Louise) Pierce; (Rept. No. 35);

S. 510. A bill for the relief of Stella Dribensky; (Rept. No. 36);

S. 678. A bill for the relief of Francisco Renigio Fabre Solino (Frank R. S. Fabre); (Rept. No. 37);

S. 682. A bill for the relief of Rene E. Montero; (Rept. No. 38); and

S. 686. A bill for the relief of Dr. Juan Antonio Lopez; (Rept. No. 39).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 109. A bill for the relief of Dr. Benito V. Odulio and his wife, Dr. Brunhilda G. Odulio (Rept. No. 40);

S. 319. A bill for the relief of Lilliana Grasseschi Baroni (Rept. No. 41); and

S. 458. A bill for the relief of Yuka Fukunaga (Rept. No. 42).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Martin J. Hillenbrand, of Illinois, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State;

Joseph John Sisco, of Maryland, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State;

Samuel De Palma, of Maryland, a Foreign Service officer of class 1, to be an Assistant Secretary of State; and

Gerard C. Smith, of the District of Columbia, to be Director of the U.S. Arms Control and Disarmament Agency.

By Mr. McGEE, from the Committee on Post Office and Civil Service:

Elmer T. Klassen, of Massachusetts, to be Deputy Postmaster General;

James W. Hargrove, of Texas, to be an Assistant Postmaster General;

Kenneth A. Housman, of Connecticut, to be an Assistant Postmaster General;

John L. O'Marra, of Oklahoma, to be an Assistant Postmaster General; and

David A. Nelson, of Ohio, to be General Counsel of the Post Office Department.

By Mr. BYRD of Virginia, from the Committee on Armed Services:

John W. Warner, of Virginia, to be Under Secretary of the Navy.

By Mrs. SMITH, from the Committee on Armed Services:

Frank Sanders, of Maryland, to be an Assistant Secretary of the Navy.

By Mr. DOMINICK, from the Committee on Armed Services:

Fred J. Russell, of California, to be Deputy Director of the Office of Emergency Preparedness.

Mrs. SMITH. Mr. President, from the Committee on Armed Services I report favorably the nominations of 71 flag and general officers in the Navy, Marine Corps, and Air Force. I ask that these names be placed on the Executive Calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Charles T. Hagan, Jr., and Arthur B. Hanson, for temporary appointment to the grade of major general in the Marine Corps Reserve;

Richard Mulberry, Jr., for temporary appointment to the grade of brigadier general in the Marine Corps Reserve;

Rear Adm. Jackson D. Arnold, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving; and

Col. Fred A. Heimstra, Regular Air Force, and sundry other officers, for temporary appointment in the U.S. Air Force.

Mrs. SMITH. Mr. President, in addition, I report favorably 4,820 appointments and promotions in the Marine Corps in the grade of colonel and below. Since these names have already been printed in the CONGRESSIONAL RECORD I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Rodolfo Alvarez, Jr., and sundry other persons, for appointment and promotion in the Marine Corps.

SENATE RESOLUTION 83 INDEFINITELY POSTPONED

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that Senate Resolution 83, which is now on the calendar, be indefinitely postponed. This matter was disposed of by the vote had on last Tuesday.

The VICE PRESIDENT. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. INOUYE:

S. 925. A bill for the relief of Leung Man Shin and Chau Hang Po; and

S. 926. A bill for the rellief of Egidio De Sanctis; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 927. A bill for the relief of Victor Abadi; to the Committee on the Judiciary.

By Mr. MATHIAS:

S. 928. A bill for the relief of Eckard Natter; and

S. 929. A bill for the relief of Wie Han Kwee and his wife, Relly Bernice Kwee; to the Committee on the Judiciary.

By Mr. FANNIN (for himself and Mr. GOLDWATER):

S. 930. A bill to amend title VII of the Elementary and Secondary Education Act of 1965 in order to authorize bilingual education programs in certain schools for Indian children; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. FANNIN when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN:

S. 931. A bill to restore an appropriate separation of powers within the Federal Government in the area of equal employment opportunities and to preclude encroachment upon the legislative powers and functions of the Congress in this area; to the Committee on the Judiciary.

(See the remarks of Mr. FANNIN when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 932. A bill to provide that the land reserved for any national monument shall not exceed 2,560 acres; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BENNETT when he introduced the above bill, which appear under a separate heading.)

By Mr. STEVENS:

S. 933. A bill to vacate and relinquish the reservation of rights-of-way for certain purposes made pursuant to section 321(d) of title 48, United States Code; to the Committee on Public Works.

S. 934. A bill to authorize the Secretary of the Interior to convey certain land to the city of Anchorage, Alaska; to the Committee on Interior and Insular Affairs.

S. 935. A bill to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities"; to the Committee on Labor and Public Welfare.

S. 936. A bill to promote the replacement and expansion of the U.S. nonsubsidized merchant and fishing fleets; to the Committee on Commerce.

S. 937. A bill to amend title 5 of the United States Code to provide training opportunities to congressional employees, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. STEVENS when he introduced the above bills, which appear under separate headings.)

By Mr. BAKER:

S. 938. A bill to provide for orderly trade in in glycine; to the Committee on Finance.

By Mr. DOMINICK:

S. 939. A bill to amend the Higher Education Act of 1965 in order to provide for a U.S. Foreign Service Corps; to the Committee on Labor and Public Welfare by unanimous consent.

(See the remarks of Mr. DOMINICK when he introduced the above bill, which appear under a separate heading.)

By Mr. JORDAN of Idaho (for himself and Mr. CHURCH):

S. 940. A bill to prohibit the licensing of hydroelectric projects on the Middle Snake River below Hells Canyon Dam for a period of 10 years; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JORDAN of Idaho when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS for himself and Mr. KENNEDY):

S. 941. A bill to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for Mr. CASE, Mr. BROOKE, Mr. GOODELL, Mr. PROXMIRE, Mr. RIBICOFF, and Mr. YOUNG of Ohio):

S. 942. A bill to amend the Federal Aviation Act of 1958 in order to provide for regulation of public exposure to sonic booms by certain aircraft over the United States; to the Committee on Commerce.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for Mr. CASE):

S. 943. A bill to provide that office, industrial, or household appliances and equipment be conspicuously marked to show the foreign country of origin, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. CHURCH (for himself and Mr. JORDAN of Idaho):

S. 944. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the southwest Idaho water development project, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CHURCH when he introduced the above bill, which appear under a separate heading.)

By Mr. CHURCH:

S. 945. A bill for the relief of Rangamma Puttaparthy; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself and Mr. ALLEN):

S. 946. A bill to provide that the reservoir formed by the lock and dam referred to as the "Jones Bluff lock and dam" on the Alabama River, Ala., shall hereafter be known as the Robert F. Henry Reservoir; to the Committee on Public Works.

Mr. Mr. GORE:

S. 947. A bill to authorize additional mileage for the National System of Interstate and Defense Highways and a program to upgrade such system, to authorize appropriations for such purposes, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Gore when he introduced the above bill, which appear under a separate heading.)

S. 948. A bill for the relief of Alan Bruce Lancaster and his wife, Marie Nunez Lancaster; to the Committee on the Judiciary.

By Mr. McCARTHY:

S. 949. A bill for the relief of Alex Peter and Helene A. Antzoulatos; to the Committee on the Judiciary.

By Mr. NELSON:

S. 950. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to provide for a Federal drug compendium which lists all prescription drugs under their generic names together with reliable, complete, and readily accessible prescribing information and includes brand names, suppliers, and a price information supplement, and providing for distribution of the compendium to physicians and others, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE:

S. 951. A bill for the relief of Chuk Wong Yee; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 952. A bill to provide for the appointment of additional district judges, and for other purposes; to the Committee on the Judiciary.

By Mr. HARTKE (for himself and Mr. Hatfield, Mr. Bayh, Mr. Byrd of West Virginia, Mr. Cranston, Mr. Inouye, Mr. Mansfield, Mr. Metcalf, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Randolph, Mr. Ribicoff, Mr. Yarborough, and Mr. Young of Ohio):

S. 953. A bill to promote the peaceful resolution of international conflict, and for other purposes; to the Committee on Foreign Relations, to be referred to the Committee on Government Operations thereafter.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 954. A bill for the relief of Carmelo Grimaldi;

S. 955. A bill for the relief of George Fotis Thomopoulos, Eftihia Thomopoulos, Fotis Thomopoulos, and Asimina Thomopoulos;

S. 956. A bill for the relief of Giuseppe Conte;

S. 957. A bill for the relief of Benjamin Sedico Lopez;

S. 958. A bill for the relief of John Anthony Bacsalmassy;

S. 959. A bill for the relief of Dr. Cristina S. Chan;

S. 960. A bill for the relief of Thi Ho Le Nguyen; and

S. 961. A bill to improve the judicial machinery by providing for Federal jurisdiction and a body of uniform Federal law for cases arising out of aviation and space activities; to the Committee on the Judiciary.

S. 962. A bill to improve education of law enforcement officers, and for other purposes; and

S. 963. A bill to provide for study of the causes of alcoholism and cures for alcoholism, and to provide detoxification units and alcoholic rehabilitation facilities, and for other purposes; to the Committee on Labor and Public Welfare.

S. 964. A bill to expand and improve Federal law enforcement facilities and programs, to assist State and local units of government in expanding and improving their law enforcement programs, to provide for study and research in areas of crime control and crime prevention, to encourage the development of certain experimental rehabilitation programs, and for other purposes;

S. 965. A bill to establish regional divisions in the National Institute of Law Enforcement and Criminal Justice, and for other purposes; and

S. 966. A bill to provide grants for travel for observation and study by State and local law enforcement personnel of the operations of foreign law-enforcement agencies, and for other purposes; to the Committee on the Judiciary.

S. 967. A bill to provide deferments from the draft for persons employed by State or local law-enforcement agencies or correctional institutions; to the Committee on Armed Services.

S. 968. A bill to provide grants for travel for observation and study by state and local law enforcement personnel of the operations of other domestic law-enforcement agencies, and for other purposes;

S. 969. A bill to provide for programs to bring together various State and local law-enforcement officials for periodic meetings, seminars, and consultations, and for other purposes;

S. 970. A bill to provide supplements to salaries of State and local law-enforcement personnel who have achieved certain educational levels, and for other purposes;

S. 971. A bill to increase salaries of certain State and local law-enforcement officers;

S. 972. A bill to provide retirement, injury, and death benefits for personnel of State and local law-enforcement agencies;

S. 973. A bill to provide for development and implementation of youth correctional programs, and for other purposes;

S. 974. A bill to create a position of Assistant Attorney General for Organized Crime, to provide necessary personnel to carry out his responsibilities, to provide for training of State and local law-enforcement personnel in methods of dealing with organized crime, to provide Federal facilities for protective housing of witnesses, and for other purposes;

S. 975. A bill to provide for compelling testimony in certain cases, and for other purposes;

S. 976. A bill to provide increased sentences for certain federal offenses, and for other purposes;

S. 977. A bill to provide for better control of the interstate traffic in firearms, and for other purposes;

S. 978. A bill to create a Commission to study the effect of certain court decisions, and for other purposes;

S. 979. A bill to amend chapter 313, title 18, United States Code, to provide for the commitment of certain individuals acquitted of offenses against the United States solely on the ground of insanity; and

S. 980. A bill to provide courts of the United States with jurisdiction over contract claims against nonappropriated fund activities of the United States, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above-mentioned bills, which appear under separate headings.)

By Mr. TYDINGS (for himself and for Mr. Mathias):

S. 981. A bill to amend title 28 of the United States Code to provide that the U.S. District Court for the District of Maryland shall sit at one additional place; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. HANSEN:

S. 982. A bill to authorize issuance of a special postage stamp for 100th anniversary of establishment of Yellowstone National Park in 1972; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Hansen when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for himself and Mr. Randolph, Mr. Cook, and Mr. Cooper):

S. 983. A bill to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain the Allegheny Parkway in the States of West Virginia, Virginia, and Kentucky, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BYRD of West Virginia:

S. 984. A bill to amend title II of the Social Security Act to lower from 62 to 60 the age at which benefits thereunder may be paid, with appropriate actuarial reductions made in the amounts of such benefits; to the Committee on Finance.

(See the remarks of Mr. Byrd of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for Mr. Montoya):

S. 985. A bill for the relief of George F. Scott and his wife, Margaret Ann Scott; to the Committee on the Judiciary.

(See the remarks of Mr. Byrd of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for Mr. Talmadge):

S. 986. A bill for the relief of Nicholas G. Berryman of Atlanta, Ga.; to the Committee on the Judiciary.

(See the remarks of Mr. Byrd of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH:

S. 987. A bill to amend chapter 23 of title 38, United States Code, to increase the maximum amount which the Administrator of Veterans' Affairs may pay to cover the burial and funeral expenses of certain deceased veterans; to the Committee on Finance.

S. 988. A bill to amend the Railroad Retirement Act of 1937 so as to permit certain individuals retiring thereunder to receive their annuities while serving as an elected public official; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Bayh when he introduced the above bills, which appear under separate headings.)

By Mr. McGOVERN:

S. 989. A bill to provide that the use and occupancy of trust land on the Cheyenne River Sioux Reservation in South Dakota pursuant to section V of Public Law 776 (83d Cong.), 68 Stat. 1192, shall have the same force and effect as a trust patent, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JAVITS:

S. 990. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 991. A bill for the relief of Harold Donald Koza; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 992. A bill to amend the Military Selective Service Act of 1967 to provide for uniform national criteria for the classification of registrants, to authorize a random system of selecting persons for induction into military service, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. MURPHY:

S. 993. A bill to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters; to the Committee on Public Works.

By Mr. TYDINGS:

S.J. Res. 42. A joint resolution to create a Joint Committee To Investigate Crime; to the Committee on the Judiciary.

(See the remarks of Mr. TYDINGS when he introduced the above joint resolution, which appears under a separate heading.)

By Mr. JAVITS:

S.J. Res. 43. A joint resolution authorizing the President to proclaim "National Banking Week"; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. GORE:

S.J. Res. 44. A joint resolution to provide for the designation of the purple iris as the national floral emblem of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. GORE when he introduced the above joint resolution, which appear under a separate heading.)

S. 930—INTRODUCTION OF BILL TO AUTHORIZE BILINGUAL EDUCATION IN CERTAIN SCHOOLS FOR INDIAN CHILDREN

Mr. FANNIN. Mr. President, on behalf of myself and Senator GOLDWATER, I introduce, for appropriate reference, a bill to authorize bilingual education programs in certain Indian schools.

Mr. President, as I have often stated publicly and privately, Indian education is one of our most neglected public obligations. We have too often designed education programs for our Indian children that give little thought to understanding the Indians' attitude, much less giving it expression. We have often talked about the need for local control, but have hesitated to make it a reality for the Indian people.

Although the process is slow and the examples rare, fortunately some changes are beginning to be made. One such example is the innovative Rough Rock Demonstration School located on the Navajo Indian Reservation in Arizona. This school, now in its third year of operation, was organized by the people of that remote community and is controlled by them through a nonprofit corporation, DINE Navajo for "the people". The school is jointly funded by the Bureau of Indian Affairs and the Office of Economic Opportunity. Rough Rock serves over 400 children, as well as many of the adults in the community, in an upgraded system equivalent to grades 1 to 8.

The Rough Rock School Board is composed of seven Navajo men from that area, only one of whom has a sixth-grade education, and yet their decisions affecting school policies and curriculum show a wisdom and understanding which some of our country's best schools might well emulate. Although it is necessary to board the children at this school, because of the vast distances they must travel to attend, the school encourages and, in fact, employs the parents of these children on a rotating basis to act as supervisors in the dormitories. Thus, the emotional problems of children separated from their families, as is often the case with BIA boarding facilities, is removed. Other respected elders of the community are brought in to relate stories and legends of the Navajo, all of which helps instill in these children a sense of pride and dignity in their race.

As evidence of its self-sufficiency, the school has its own laundry, post office, loan fund, and has even developed a purchasing assistance program to aid the people of Rough Rock. Contrasting with BIA schools, the school is not fenced nor locked up after school hours and on weekends but is instead available for all members of the community to use as they desire—school and community are inseparable. At Rough Rock the school is the heart of the community.

For those unfamiliar with the BIA school system and the stark realities of reservation life, these achievements at Rough Rock—and I have cited only a few—may not seem significant. Seated at the base of Black Mesa at the edge of Chinle Valley, it is a land of unmatched beauty, but Rough Rock sustains only a bare existence for the people—their average annual income is $600. Of all the homes, or hogans, in this community, only one has electricity—none have running water and few have better than dirt floors. The nearest paved road is 25 miles away. A pastoral people dependent in large part on their meager sheep and goat herds, the Navajo suffered staggering losses from the blizzards of last winter.

But the greatest obstacle to education for the children of Rough Rock is not so much poverty as it is language. More than 95 percent of the children who begin at the Rough Rock School speak only Navajo. The need for bilingual programs is therefore essential. Unfortunately, the funding problems of this school are reaching a point of crisis. The Bureau of Indian Affairs contribution covers only 300 of the 408 children who attend and is at a level much below that needed for the Rough Rock's special problems. The Office of Economic Opportunity, which has been the main funding source for operational costs, is terminating its obligation at the end of fiscal year 1969.

The Rough Rock School Board, seeking to obtain at least part of the funds needed for its bilingual programs, applied to the Office of Education for funds under title VII of the Elementary and Secondary Education Act, but their request for funds was denied on the grounds that the Rough Rock Demonstration School does not qualify as a "local educational agency," as defined under section 705(a) of that act.

I, therefore, am introducing this amendment to the Elementary and Secondary Education Act that will qualify private, nonprofit corporation schools like Rough Rock for bilingual funds.

While the vast majority of Indian children are educated in our public schools and BIA schools, there still remains a need for other Rough Rocks—schools organized privately by the members of the local community or tribe. At the present time, to the best of my knowledge, the Rough Rock experience is unique. But this is certainly little reason to deny this school the funds it is in such an appropriate position to use on behalf of Indian children. If we are ever to give substance to the promise that our Indian people have a say in the policies which govern them, we must see to it that our Federal programs encourage, not defeat, innovation.

Mr. President, I ask that the text of my proposed bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 930) to amend title VII of the Elementary and Secondary Education Act of 1965 in order to authorize bilingual education programs in certain schools for Indian children, introduced By Mr. FANNIN (for himself and Mr. GOLDWATER), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 930

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective for fiscal years beginning after June 30, 1969, title VII of the Elementary and Secondary Education Act of 1965 is amended by inserting at the end thereof a new section as follows:

"SCHOOLS FOR INDIAN CHILDREN

"SEC. 709. For the purpose of carrying out programs pursuant to this title for individuals on reservations serviced by elementary and secondary schools operated for Indian children, a nonprofit institution or organization, approved by the Commissioner for the purpose of this section, may be considered to be a local educational agency."

S. 931—INTRODUCTION OF BILL TO RESTORE SEPARATION OF POWERS WITHIN THE FEDERAL GOVERNMENT IN THE AREA OF EQUAL EMPLOYMENT OPPORTUNITIES

Mr. FANNIN. Mr. President, I send to the desk, for appropriate reference, a bill to restore the constitutional principle of separation of powers by providing that the remedies under title VII of the Civil Rights Act of 1964 shall be the exclusive means under Federal law of enforcing equal employment rights. All equal employment rights matters will be handled by the Equal Employment Opportunity Commission established by the Congress pursuant to the legislative powers which the Constitution grants to it exclusively, rather than by the Office of Federal Contract Compliance and the many other Federal agencies now involved in these matters, which were created by Executive order and department regulations of doubtful constitutional authority.

Title VII of the Civil Rights Act of 1964 was designed to deal with racial discrimination as an unfair employment practice. This title also established an Equal Employment Opportunity Commission to assist in the solution of discrimination cases. Congress, by entering this area of discrimination in employment, has preempted the field by its declaration of legislative policy. Executive orders, whatever their validity prior to this point, were superseded by the congressional policy expressed in the 1964 statute.

Unfortunately, however, the executive branch often does not share this view and then pays little heed to the separation of powers doctrine. Rather it apparently holds to the position that the statute and the Commission are to be regarded as merely part of a system to enforce equal employment. Thus, as a result of Executive orders, including particularly No. 11246, and regulations, the Equal Employment Opportunity Commission, established by title VII, is today just one part of a growing bureaucracy that has been set up to enforce equal employment rights. As of September 1968, there were no less than 22 Federal agencies with 35 contract compliance officers involved in the area of equal employment rights. Since each agency negotiates agreements, the agreements reached may be overlapping, conflicting, or in any case, are not binding one upon the other. Mr. President, I ask unanimous consent that the list of agencies be printed in the RECORD at this point. Please bear in mind that this list does not include State and local agencies nor does it indicate the programs involved within each Federal agency.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

CONTRACT COMPLIANCE OFFICERS, SEPTEMBER 1968

AGENCY FOR INTERNATIONAL DEVELOPMENT

Mrs. Nira H. Long, Special Assistant for Equal Opportunity, Agency for International Development, New State Building, Washington, D.C. 20523 (Stop 100) 182-8582 (383-8582).

DEPARTMENT OF AGRICULTURE

Mr. William W. Layton, Contract Compliance Officer, Department of Agriculture, Room 227E, Administration Building, 14th St. & Independence Ave. SW., Washington, D.C., 20250 (Stop 209) 111-5355 (388-5355).

ATOMIC ENERGY COMMISSION

Mr. Harry S. Traynor, Assistant to the General Manager, Atomic Energy Commission, Washington, D.C. 20545 (Stop 4) 119-3137 (973-3137).

CIVIL SERVICE COMMISSION

Mr. David F. Williams, Contract Compliance Officer, Civil Service Commission, 1900 E. Street NW., Washington, D.C. 20415 (Stop 227) 183-6161 (343-6161).

DEPARTMENT OF COMMERCE

Honorable David R. Baldwin, Assistant Secretary for Administration, Department of Commerce, Room 5830, Washington, D.C. 20230 (Stop 206) 189-4951 (967-4951).

Mr. Luther C. Steward, Jr., Special Assistant for Equal Opportunity, Department of Commerce, Room 5120, Washington, D.C. 20230 (Stop 206) 189-3940 (967-3940).

DEPARTMENT OF DEFENSE

Honorable Alfred B. Fitt, Assistant Secretary of Defense, (Manpower and Reserve Affairs), Room 3-E-966, The Pentagon, Washington, D.C. 20301, 11-52334 (OX 5-2334).

Lt. Gen. Earl C. Hedlund, Director, Defense Supply Agency and Deputy Contract Compliance Officer for The Department of Defense, Cameron Station, Alexandria, Virginia 22314, 11-81111 (698-1111).

GENERAL SERVICES ADMINISTRATION

Mr. Joe E. Moody, Deputy Administrator and Contracts Compliance Officer, General Services Administration, Washington, D.C. 20405 (Stop 29), 183-4373 (343-4373).

Mr. John J. Brosnahan, Acting Deputy Director (Compliance), Office of Audits and Compliance, General Services Administration, Washington, D.C. 20405 (Stop 29), 183-5385 (343-5385).

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mrs. Ruby G. Martin, Director, Office for Civil Rights, Dept. of Health, Education and Welfare, Room 3012, Regional Office Bldg., Washington, D.C. 20201 (Stop 367), 13-35047 (963-5047).

Mr. Owen P. Kiely, Director, Contract Compliance Division, Office for Civil Rights, Dept. of Health, Education and Welfare, Room 5072, North Building, Washington, D.C. 20201 (Stop 367), 13-20368/69 (962-0368).

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr Walter B. Lewis, Director, Office of Equal Opportunity, Dept. of Housing and Urban Development, Room 10270, 7th and D Streets, SW., Washington, D.C. 20410 (Stop 98), 138-57252 (755-7252).

Mr. Robert A. Sauer, Office of Equal Opportunity, Room 10274, 7th and D Street, SW., Washington, D.C. 20410 (Stop 98), 138-57260 (755-7260).

Mr. John W. Waller, Office of Equal Opportunity, Room 10274, 7th and D Street, SW., Washington, D.C. 20410 (Stop 98), 138-57260 (755-7260).

DEPARTMENT OF THE INTERIOR

Mr. John D. Duncan, Assistant to the Secretary for Urban Relations, Department of the Interior, Washington, D.C. 20240.

Mr. Edward Shelton, Director, Office for Equal Opportunity, Department of the Interior, Room 1345, Washington, D.C. 20240 (Stop 43), 183-5693 (343-5693).

DEPARTMENT OF LABOR

Hon. Leo R. Werts, Assistant Secretary for Administration, Department of Labor, Room 3137, Washington, D.C. 20210 (Stop 205), 110-2013 (961-2013).

Mr. Walter Lehr, Chief, Division of Procurement and Contracting Department of Labor, Room 1418, Washington, D.C. 20210 (Stop 205), 110-2164 (961-2164).

Mr. Arthur A. Chapin, Deputy Contracts Compliance Officer (Manpower), Department of Labor, Room 2112, Washington, D.C. 20210 (Stop 205), 110-2851 (961-2851).

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. George J. Vecchietti, Director of Procurement, National Aeronautics and Space Administration, Room 1245, Federal Office Bldg. #10, Washington, D.C. 20546 (Stop 85), 13-20561 (962-0561).

Mr. Guy Arnett, Deputy Contracts Compliance Officer, Contract Administration Division, National Aeronautics and Space Administration, Rm. 245-C, Federal Office Bldg. #10B, Washington, D.C. 20546 (Stop 85), 13-36283 (963-6283).

NATIONAL SCIENCE FOUNDATION

Mr. Howard S. Schilling, Contract Compliance Officer, National Science Foundation, 1800 G Street NW., Room 529, Washington, D.C. 20550 (Stop 19), 183-7678 (343-7678).

OFFICE OF ECONOMIC OPPORTUNITY

Dr. Maurice A. Dawkins, Assistant Director for Civil Rights, Office of Economic Opportunity, 1200—19th Street NW., Washington, D.C. 20506 (Stop 255), 128-6246 (382-6246).

POST OFFICE DEPARTMENT

Honorable Timothy J. May, General Counsel and Contracts, Compliance Officer, Post Office Department, Room 3226, Washington, D.C. 20260 (Stop 201), 177-8261 (961-8261).

Mr. Clarence H. Featherson, Deputy Contracts Compliance Officer, Post Office Department, Room 4212, Washington, D.C. 20260 (Stop 201), 177-8407 (961-8407).

SMALL BUSINESS ADMINISTRATION

Mr. Edward S. Dulcan, Equal Opportunity Officer, Small Business Administration, Room 531, 1441 L Street, N.W., Washington, D.C. 20416 (Stop 180), 128-5064 (382-5064).

DEPARTMENT OF STATE

Mr. Eddie Williams, Special Assistant to the Deputy Under Secretary for Administration, Department of State, Room 7332, New State Building, Washington, D.C. 20520 (Stop 27), 182-8547 (383-8547).

TENNESSEE VALLEY AUTHORITY

Mr. Raymond L. Forshay, Director of Purchasing, Tennessee Valley Authority, 112 Lupton Building, Chattanooga, Tennessee 37401, Area Code 615, 755-2624.

Mr. Julien W. Campbell, Administrative Officer, Tennessee Valley Authority, 116 Lupton Building, Chattanooga, Tennessee 37401, Area Code 615, 755-2617.

DEPARTMENT OF TRANSPORTATION

Mr. Richard F. Lally, Director of Equal Opportunity, Department of Transportation, Room 116A, Donohue Building, 400 Sixth Street, S.W., Washington, D.C. 20590 (Stop 330), 13-28377 (962-8377).

DEPARTMENT OF THE TREASURY

Honorable Robert A. Wallace, Assistant Secretary and Principal Compliance Officer, Department of the Treasury, Room 3315, Main Treasury Building, Washington, D.C. 20220 (Stop 223), 184-2551 (964-2551).

Mr. David A. Sawyer, Assistant Director, Employment Policy Program, Department of the Treasury, Room 1414, Main Treasury Building, Washington, D.C. 20220 (Stop 223), 184-2995 (964-2995).

U.S. INFORMATION AGENCY

Honorable Richard M. Schmidt, Jr., General Counsel, United States Information Agency, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547 (Stop 121), 182-4090 (383-4090).

VETERANS ADMINISTRATION

Mr. George L. Holland, Director, Investigation and Security Service, Veterans Administration, Room 580, Washington, D.C. 20420 (Stop 73), 148-2904 (389-2904).

Mr. FANNIN. Mr. President, Executive Order No. 11246 was issued September 24, 1965 by the President of the United States pursuant to "the Constitution and statutes of the United States." No provision of the Constitution is cited nor is any particular statute. The same was true of prior Executive orders. Although the Executive orders have never been challenged in court, several commentators had raised the question as to its validity. See Paisley, *Legal Aspects of Nondiscrimination Clauses* (43 Va. Law Rev. 837 (1957)); Miller, *Government Contracts and Social Control* (41 Va. Law Rev. 27 (1955)); Whalen & Phillips, *Government Contracts, Emphasis on Government* (29 Law and Contemporary Problems, 315, 320-321 (1964)).

Whenever the question has been raised in commentaries or by the Government, the answer was invariably that *United States* v. *Lukens Steel* (310 U.S. 113 (1940)), provided the authority for the order. That is simply not so. The only issue litigated in Lukens Steel was the fundamental question of "Standing to Sue." The orders issued in that case were founded upon specific statutory authority, action pursuant to which was challenged. The fundamental statutory enactment was not in issue.

Youngstown Tube & Steel Co. v. *Sawyer* (343 U.S. 579 (1952)) on this issue is much more in point, is subsequent to Lukens Steel and is the leading case on this particular question. As the court noted in Youngstown Steel:

> The president's power, if any, to issue an Executive order must stem either from an act of Congress or from the constitution itself . . . it is clear that if the President had authority to issue the order he did, it must be found in some provision of the constitution . . . the President's order does not direct that a congressional policy be executed in a manner prescribed by congress—it directs that a presidential policy be executed in a manner prescribed by the President . . . in the framework of our constitution, the Presi-

dent's power to see that the laws are faithfully executed refutes the idea that he is to be a lawmaker.

Although it is true that the power of the Government to impose conditions in its procurement contracts is broad, it has limitations on the extent to which a separate and distinct social policy unrelated to the purpose of the contract can be effectuated. Paisley, supra; Miller, supra; Whalen & Phillips, supra; note unconstitutional conditions in Government contracts (73 Harvard Law Review 1595 (1960)); *Green* v. *McElroy* (360 U.S. 474 (1959)); *Cook* v. *United States* (91 U.S. 389, 398 (1875)); *Reading Steel* (268 U.S. 186).

With the passage of title VII of the Civil Rights Act, the validity of the new executive order is limited by that congressional charter evidencing the policy of the United States. The President is not a lawmaker and cannot exceed that policy.

The separation of powers issues raised by this example of executive department law-writing are profound, and it is high time the legislative branch took a close, hard look at this assumption of article I constitutional power by the President.

Mr. President, the need for a remedy for the practical problems caused by this fragmentation of equal employment opportunity programs is equally as urgent. Something must be done now because of the overlapping of functions performed by this multiplicity of Federal agencies. Eventually Federal civil rights programs must be coordinated and brought under a single department. The present pattern of loosely allied programs and independent operation results in great confusion and extensive duplication. From my own investigations into this matter, I have found companies which have been inspected by the Equal Employment Opportunity Commission and have been told to take certain actions to comply with title VII of the Civil Rights Act. After taking these measures, the same company has been visited a few days later by representatives of the Department of Defense and given an entirely new set of requirements to insure compliance with the Executive order on equal employment. Later, the Office of Federal Contract Compliance, under the Department of Labor, has visited the same plant and given the company still another list of requirements. The Department of Justice has then become involved to further scrutinize the company's affairs. And finally, State and local agencies, where they exist, may also get into the act.

Mr. President, I know of one company, noted for its advanced equal employment policies that spent well over a million dollars last year in order to comply with the varied requirements of all the agencies that had been to see them.

There is apparently no effort on the part of the Commission and these agencies to coordinate their activities in this field. And apart from the lack of coordination of effort among the numerous agencies in this area and the resultant duplication of effort and increasing harassment of industry, labor and management alike, it has become apparent that none of the agencies, including the Commission, has evidenced an inclination to carry out the will of Congress. Relying on Executive Order 11246, the policies and practices of these agencies are governed, not by what Congress has established as law, but by their own concept of social progress. Thus, despite the clear language of title VII, section 703(h) which states that "it shall not be an unlawful employment practice for an employer to apply different standards of compensation, or different terms, conditions, or privileges of employment pursuant to a bona fide seniority or merit system, provided that such differences are not the result of an intention to discriminate." The Office of Federal Contract Compliance demanded in one case, that of the Crown Zellerbach Co., that the company institute plantwide seniority in place of departmental or progression lines to comply with the provisions of Executive Order 11246. The questioned seniority provisions were contained in a collective bargaining agreement with a union which objected to their alteration. Negotiations on seniority reached an impasse and, as a strike threat loomed, the OFCC told the company it must change the system unilaterally, if necessary. The union stated that it would file unfair labor practice charges under the National Labor Relations Act against any such unilateral changes in the bargaining agreement. Under these circumstances, Crown Zellerbach was faced with either a strike and possible violation of the National Labor Relations Act or cancellation and blacklisting on present and future Federal contracts. As a result of an OFCC memorandum to Federal contracting agencies, at least one contract was cancelled. Subsequently, the company agreed to institute the seniority system demanded by the OFCC, apparently in response to Government pressure: contempt of court suits were instituted by the union against the company and others for taking such action with the injunction pending, as well as a threatened strike by the union; and action was maintained by the Justice Department to enjoin such a strike and to require the union and company to incorporate the OFCC provisions in their agreement.

Mr. President, these are only a few examples of the confusion and agitation which have developed out of the loosely allied programs and independent operations of these agencies. I ask unanimous consent that there be printed at the conclusion of my remarks two articles appearing in Barron's Weekly written by Shirley Scheibla treating in depth the Federal Government's attempts to provide equal employment opportunities. As I have stated, eventually the entire Federal civil rights program must be coordinated if we are to realize our aims and oft-stated goals in this critical area. My bill will serve the immediate purpose of ending the duplication, overlapping of functions and confusion which is working against these objectives and creating resistance and hostility in the business community. Equally important, Congress will be in a better position to observe whether its policies are being carried out. It is my sincere hope that early consideration will be given to my proposal.

I ask that this bill be referred to the Judiciary Committee.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the articles will be printed in the Record.

The bill (S. 931) to restore an appropriate separation of powers within the Federal Government in the area of equal employment opportunities and to preclude encroachment upon the legislative powers and functions of the Congress in this area, introduced by Mr. Fannin, was received, read twice by its title, and referred to the Committee on the Judiciary, by unanimous consent.

The articles, presented by Mr. Fannin, are as follows:

[From Barron's, Dec. 23, 1968]

Gentleman's Agreement?—Government Is Making Business Its Unwilling Partner in Bias

(By Shirley Scheibla)

Washington.—"I'm no crusader," the worried executive told a reporter recently, "but I'm no bigot either. All I am is a businessman trying to operate my company the best way I know how—which means bidding successfully for contracts I can deliver on, and hiring qualified workers I know can get the job done for me." This employer, however, like thousands of others in the U.S. today, is dependent for most of his business on federal contracting agencies, and Uncle Sam is determined to wipe out racial discrimination in private employment—at any cost. Because of the way Washington has been going about it, the cost can come high.

"If I don't sign a commitment to hire a certain number of nonwhites in each job category," explained the businessman, "the government threatens to deal me out. I face formal complaints by the Equal Employment Opportunity Commission and possible lawsuits by the Justice Department. I stand to lose millions of dollars in contracts—which means that dozens or even hundreds of workers' jobs are placed in jeopardy too, affecting blacks and whites alike. Yet I have no way to guarantee that I can find the people to meet these quotas, particularly in high-skill classifications. And the irony of it is, if I do go all-out with such 'reverse discrimination' in my hiring and firing, I run the very real risk of all-out trouble with organized labor."

BLOCKBUSTER APPROACH

There's little doubt that the government's blockbuster approach to the centuries-old problem of employment bias may be creating as many ills as it has cured. Not surprisingly, Parkinson's Law holds sway here in a chaotic proliferation of policy-making bureaucrats, acting under one or the other of two edicts: the 1964 Civil Rights Act and President Johnson's Executive Order 11246 of 1965, which combine to blanket any employer of at least 50 persons as well as any contract of $10,000 or more involving federal funds. Enforcers include not only the Equal Employment Opportunity Commission (EEOC), but also the Justice Department, the Labor Department's Office of Federal Contract Compliance (OFCC) and each of some 17,000 contracting officers representing 28 other U.S. agencies. Although racial considerations are predominant, incidentally, they have by no means exhausted the government's purview as defined by statute, proclamation and regulatory fiat.

Beyond administrative confusion, however—not to say a clear lack of either coordination or consistency—are problems far more serious. Some official actions, for example, appear to constitute inexcusable abuse of unquestioned authority. Worse still, others may well be illegal if not unconstitutional. Employers have been denied due process; firms have been placed arbitrarily in financial jeopardy. In the name of fair employment, finally, both the National Labor Relations Act and the Civil Rights Act itself plainly seem to have been violated.

UNDUE PROCESS?

The most glaring instances of action without due process have occurred under the aegis of OFCC. Ward McCreedy, acting director of the agency, admits that contracting officers have been holding up awards virtually on a daily basis, because of non-compliance with OFCC regulations. "Across the board," he said recently, "this experience has resulted in the company's submitting a program which does effect compliance. None of these people can demonstrate that they have suffered any financial loss owing to such delays on their bids." But the affected firms tell a different tale: many claim convincingly that the compliance procedure has caused substantial monetary losses. Since several of OFCC's regulations are, to say the least, of dubious legality, the risks to which such employers are exposed would seem to entitle them—before and not after the action has been taken—to their day in court.

What's more, OFCC's parent Labor Department, in determining which contracts are to be held up, appears to be applying a double standard. One notorious case in point involves New York's Neighborhood Youth Corps. As long ago as last May, several agencies were investigating criminal charges against this child of the poverty program. Alleged was the theft of millions of dollars which had been freely parceled out by the Labor Department. On September 13, with the charges still pending, the NYC was awarded an additional $367,000. Michael Aun, information specialist for Labor, explained at the time that the purpose was to keep the Corps going, "until matters could be straightened out." (As it happens, they still haven't been.)

While doling out money to those facing criminal charges, in short, the Department doesn't flinch from interfering with the money-making ability of others whose only sin is the failure to comply instantly with questionable regulations. Mr. McCreedy goes so far as to say that OFCC can (though it hasn't done so yet) suspend all government business with a company while a "discrimination" case is pending.

CREATIVE COMPLIANCE

The businessman's plaint, quoted at the outset, reflects the widespread frustration and anger over Washington's imprecise terms for compliance. Specifically, each contractor now is required to promise in writing that he will hire a certain number of Negro workers for each of the major job categories on his payroll. To begin with, the Civil Rights Act prohibits racial quotas in employment—a coin which, presumably, has two sides. But the government does not set the quotas; it tells private industry to do so, in effect, by applying a curiously vague formula.

Here's how that formula has been expressed: an employer must initiate "affirmative action programs" designed to avoid discrimination. The programs, businessmen are advised by way of clarification, will be expected to utilize the "creativity and ingenuity of American enterprise" in attaining this social goal. But if such a program then fails to win official approval, the company submitting it becomes subject to federal sanctions. That probably makes this the first time in American history that Washington has demanded "creativity" in order to comply with law; the concept has not been spelled out in plain English, much less tested in court. Indeed, the National Association of Manufacturers, after reviewing an OFCC regulation which attempted a broad definition of "affirmative action," characterized it as "difficult to summarize, hard to understand, beyond interpretation. . . ."

NO EASY WAY

It's clear, however, that the government wants detailed, written commitments for the hiring of nonwhites, virtually in every job category. Employers who don't sign such commitments don't get approval of their "affirmative action programs." Those who do sign, meanwhile, soon find that life isn't all that easy. Nobody can be sure about such projected figures, and government officials make a point of not publicly demanding specific quotas—which would, of course, blatantly violate the Civil Rights Act. The employer, then, must come up with numbers which satisfy the federal regulators. However, what suits one agency may not find favor with another; even the bureaucrats within a given agency are likely to disagree. Not least, "quotas" deemed acceptable today may not be so tomorrow, since "affirmative action" is expected to be progressive.

To illustrate, three construction companies in Philadelphia all were low bidders on different U.S.-aided projects. One, Joseph L. Farrell, Inc., got approval from the Department of Health, Education and Welfare (HEW) for its "affirmative action" program. The other two each submitted essentially the same plan, but HEW rejected the program of Harold E. Irwin Co., and the Department of Housing and Urban Development (HUD) the one submitted by Perry J. Goldman Construction Co. When Irwin revised its plan, and won HEW's approval, Goldman duplicated it—but again was turned down. After six months of post-bid negotiations, the Goldman concern finally managed to come up with one acceptable to HUD.

NOT BY NUMBERS?

Adding to the confusion, public statements by government officials, even in the same agency, often are contradictory. Thus, OFCC's McCreedy says it's impossible to deal with people without dealing in numbers, but that job assignments by race merely are "goals"—not "quotas"—and he emphasizes that OFCC does not dictate any such numbers. Last May, however, Charles Doneghy, an OFCC area coordinator, told Columbus, Ohio's Carl M. Geupel Construction Co. that before it could qualify for a $5 million roadbuilding contract involving federal funds, it would have to hire something on the order of 15 Negro operating engineers, 13 journeymen and two apprentices.

Earlier this year in Philadelphia, OFCC area coordinator Bennett Stalvey warned the aforementioned Irwin Co. that a contract would be awarded to the second bidder unless Irwin agreed to hire a representative number of minority-group members. "We want to see," declared Mr. Stalvey, "a manpower table listing the trades, total workers and how many will be minority, Negroes. . . ." Last January, the Philadelphia Bulletin quoted Mr. Stalvey as warning contractors that "if they fail to hire a 'representative number' of Negro workers, they face the possible loss of $100 million in federal contracts to be awarded in six months."

That Philadelphia story ran about a month after Labor Secretary W. Willard Wirtz told the AFL–CIO's Building and Construction Trades convention: "I think it is an error to approach this problem . . . in terms that mean a number of . . . Negroes or whites or anybody else, as being required on every single situation . . . (That) involves quotas in one form or another, and as far as I am concerned . . . that is simply the wrong approach to that problem, and we have got to find a better one."

EEOC QUOTAS

Secretary Wirtz' OFCC apparently is not alone in forcing racial quotas. Last May, Senator Paul J. Fannin (R., Ariz.) told Congress about a letter sent to an employer by EEOC Chairman Clifford Alexander Jr., accusing the businessman of committing unfair employment practices, based on a statistical disparity between the minority composition of the employer's workforce and that of his community's population. "Despite a provision in the (Civil Rights) Act against using ratios or racial balance," Senator Fannin declared, "the (EEOC) does, in fact, use such ratios as one of its preliminary tests to determine whether there has been a violation."

In any case, as more and more companies sign these commitments, finding the necessary job applicants has become increasingly difficult. Both OFCC and EEOC contend it is up to the firms to recruit and train black workers. The written agreements include lists of the sources employers are advised to use for such recruitment. (Sample sources: the Congress of Racial Equality, Neighborhood Youth Corps and Workers Defense League—all active in militant causes but, according to several employers, not much help as job recruiters—as well as more cooperative groups like the Urban League and the National Association for the Advancement of Colored People.) At best, however, productivity is bound to suffer during the apprenticeship period. "Training is a fine idea," says one executive, "but how am I supposed to fill my written commitment in the meantime?"

BROTHERHOOD DAYS

Making matters still more difficult for all concerned is the obstinacy within much of organized labor. Inevitably, a vast amount of government contract work involves construction projects, and the construction industry is burdened with the tradition of union hiring halls—through which the union, not the employer, selects the work force. Accordingly, an employer may find himself signing a federal commitment which he may not be able to implement in practice. OFCC answers that hiring halls which don't supply an adequate personal mix probably are discriminating and, therefore, are illegal. Employers, however, feel obliged to honor their labor contracts (at least until adjudged illegal)—especially since they may have a strike on their hands if they don't.

Hiring halls are but one such area in which OFCC now is demanding action by contractors. The agency also wants sweeping changes in that bulwark of unionism, the seniority system. To make up for past discrimination, OFCC has advised employers to make preferential promotions outside the system, allowing minority-group members to take their seniority along with them in any shift from one department to another—a radical departure in the construction brotherhoods.

Under the National Labor Relations Act, collective bargaining on seniority is mandatory where the NLRB has certified a union to represent workers. But how can an employer bargain when he has been ordered to make specific changes by the OFCC? Asked the question, OFCC replies that it plans to use its influence to help but that "if differences on a seniority contract cannot be resolved, a contractor may have to decide whether to take a strike or lose a (federal) contract."

A union found guilty of discrimination risks losing its NLRB certification, but the legality of certain OFCC and EEOC requirements on seniority is as questionable as some of the others affecting management. In fact EEOC has received complaints of racial discrimination from whites—because of preferential treatment given blacks. To avoid charges that they are encouraging companies to violate the national labor law, both agencies claim they now consult unions, allowing them to become "interested parties" in formal proceedings. On at least one occasion however, an OFCC official refused to make this concession. At a meeting in Cleveland last May, Area Coordinator Doneghy, after checking with Washington, refused to discuss an "affirmative action program" of Carl M. Geupel Construction Co. while representatives of the International Union of Operating Engineers were in the room.

What's more, Donald Slaiman, AFL–CIO Civil Rights Director, told Barron's that OFCC recently launched proceedings to debar Bethlehem Steel from federal contracts (over the issue of seniority) without even consulting the United Steelworkers. The union after protesting, was allowed to become an interested party. (Hearings now are adjourned; a subsequent article in this series will discuss the case.) "Making a union an interested party in proceedings to work out something new is not the same as bargaining collectively," says Thomas W. Miller, Jr., NLRB's information director. But it's not possible to file an unfair labor practice charge against the government; Uncle Sam is exempt from the National Labor Relations Act.

EMPLOYERS' BURDEN

All of this would seem to make government contracting a more precarious business than ever, but the agencies increasingly act as though determined to wreck contractor relations through sheer harassment. The watchword in current federal enforcement of equal job opportunities, indeed, seems to be "guilty until proven innocent." EEOC habitually levels charges against employers without giving them an opportunity beforehand to see the evidence and respond to it. Investigators frequently arrive at a plant unannounced, demanding a look at the records without stating any specific complaint. Not least objectionable to employers, finally, is an OFCC tactic of requiring them to "validate" all personnel tests by proving that such tests don't result in discrimination.

Good intentions aside, Washington's equal employment opportunity campaign clearly is being administered with a bias all its own. "The government couldn't have done a better job of sabotaging the program," one sorely beset employer said recently, "if it had deliberately set out to do so."

[From Barron's, Jan. 20, 1969]

FAIRNESS BY FIAT—SOME EMPLOYES THESE DAYS ARE MORE EQUAL THAN OTHERS

(By Shirley Scheibla)

WASHINGTON.—Late last fall, when top administrators of the Equal Employment Opportunity Commission (EEOC) and the Labor Department's Office of Federal Contract Compliance (OFCC) appeared at a series of four seminars around the country, some 2,000 bothered and bewildered U.S. businessmen showed up. The regional meetings, sponsored jointly by private and public interests, were held in New York, Chicago, Houston and Los Angeles. The stated purpose was to provide forums in which industrial employers, required to comply with federal equal-opportunity regulations or risk the loss of federal contracts (Barron's, December 23, 1968), at last could confront official Washington with their questions about how the program is supposed to work—and, hopefully, discover what they would have to do to live with it.

NOTHING IS CERTAIN

Unfortunately, the sessions turned into fiascos. Far from illuminating regulatory policy and practices, the bureaucrats—alternately know-it-alls and know-nothings—managed only to fog the issues and make matters worse. To a general question from the floor (in New York) as to whether a multi-divisional corporation should decentralize its compliance reporting procedures, Ward McCreedy, OFCC's acting director, replied: "If anybody has any suggestions, we certainly want them. . . ." To a more specific query, on whether a company could be held liable for holding to "something in a contract which was legal when (the contract) was signed," Labor's Deputy Solicitor Alfred G. Albert offered: "I don't know the answer to that question."

Shouldn't a company be informed beforehand of an investigation, someone else wanted to know. "I don't see," responded EEOC's acting director of compliance, Robert L. Randolph, "where notifying some busy corporate executive on Park Avenue in New York is going to help the local unit manager in Turkey Square, Ark." Finally: Does a regional director have authority to implement an agreement resolving complaints of racial bias? "Yes," pronounced Lewis B. Collins, special assistant to the general counsel of EEOC. "No," declared EEOC Commissioner Elizabeth Kuck.

UPMANSHIP DOWN

After two days of this, understandably, busy executives went home—to Park Avenue or Turkey Square—more confused than ever. If talking and reasoning with federal administrators doesn't show employers how to live with programs, what does? So far, the experiences of various companies in trying to arrive at an answer have demonstrated chiefly the great variety of tactics which can mean trouble for employers.

Take the experience of Philip Morris, Inc., which balked when EEOC recommended that the firm scrap its seniority system. Employes of the tobacco company had been entitled to acquire tenure as long as they remained in their own department. Without regard to race or color, if they transferred from one department to another they gave up seniority. EEOC went to court to enforce a change. When Philip Morris was brought before the bar, it found the U.S. District Court at Richmond, Va., more reasonable than the Commission: the court declared that a government agency cannot enforce its own concept of equality without a hearing.

Nevertheless, the company lost its case. When Negroes move to a new department previously "closed" to them, said the court, they must be allowed seniority dating from their initial employment at the plant. No matter that this meant preferential treatment for one class of employes over another. Otherwise, the court ruled, the company's system would perpetuate past discrimination. To all this, the National Association of Manufacturers (one of the sponsors of last fall's forums) commented:

"The practical consequences of decisions like Philip Morris will doubtless be to upset many departmental and other job progression systems despite what the court acknowledged are legitimate management purposes for retaining such arrangements. . . . Negotiated seniority arrangements, based on compromise seldom provide for the precise functional relationship among jobs which the court would require to let the system stand. Courts would become increasingly involved in job analysis and seniority planning, tasks for which they are technically unsuited, and would unduly disrupt industrial relationships."

CONTRARY OPINION

As it happens, however, the courts ultimately may decide that an employer, and not one of the federal agencies, also can be right in such matters. The seniority question particularly seems to remain up in the air. Last October, in a case involving Duke Power Co., the U.S. District Court at Greensboro, N.C., declared: "If the decision in (Philip Morris) may be interpreted to hold that present consequences of past discrimination are covered by the (Civil Rights) Act, this court holds otherwise. There is no reference in the Act to 'present consequences.' Moreover, under no definition of the words therein can the terms 'present consequences of past discrimination' and 'unlawful employment practice' be given synonymous meanings."

The court ruled specifically in the Duke Power case that requiring a high-school education and satisfactory scores on general intelligence (IQ) tests does not constitute illegal racial discrimination. It went so far as to add that pre-employment tests need not be limited to determining an applicant's ability to perform a certain job.

UN FROM WELFARE?

The hiring and advancement of minority-group employes can be especially vexing for personnel directors in urban centers. One large department store in Washington, for example, has attempted to bring its payroll more in line, racially and ethnically, with the city's population mix—which now, of course, is predominantly black. Even though the retailing firm has no government contracts (and hence is not threatened with the specific enforcement penalties available to OFCC), its management has been trying to conform with the spirit of EEOC—but not without difficulty.

"The so-called 'hard-core unemployed' show little interest in unskilled jobs like sales clerks and porters," the store's personnel director complained in a recent interview. "For such work, we can afford to pay only the minimum wage of $1.60 an hour. Most people seem to prefer welfare to that. On relief, a person can get $50 a week or more, depending on his bracket. Our $1.60 an hour works out to $64 for a 40-hour week, which means, in effect, that we're asking a welfare recipient to put in 40 hours of time for a net gain of $14 or less."

The department store, accordingly, has gone along with special-recruitment and personnel-training schemes. Since both involve additional costs, the government offered to help. Specifically, at a meeting arranged for several Washington area retailers, representatives of 35 different federal and local agencies—each with its own programs, each funded separately, and all apparently overlapping in purpose—promised to round up job candidates. "One told us he would set us up immediately with a program for 30 or 40 'hard-core' unemployed," the personnel manager recalled. "I said, 'Let's start with one,' and do you know, he had a hard time coming up with one." Another agency, which promised six 'hard-core' people, managed to provide three. But after a few days on the job, all three quit to go back on relief. "Then we sent our own recruiters into the Negro neighborhoods," the retail official added. "After two solid days, they lined up four new employes. Two weeks later, all four had walked off the job."

HOW TO SUCCEED?

A variation of the same problem arose to plague the department store's personnel-advancement program. "We had a girl who was doing excellent work putting tickets on warehouse merchandise," the same executive went on. "In one year we gave her five raises. Then she came in and said that her community leaders had told her it was time to upgrade herself." With the firm's approval, the girl signed up for training as a typist at the expense of Manpower Development and Training Administration.

After she had completed the course, however, the department store discovered her top speed to be only five words per minute. "We can't do business at that pace," said the personnel director. The store advised the federal employment service that it would take her back in the old job instead, giving her the raises to which she would have been entitled had she not left for training. But both the girl and the government insisted that her new grade was that of typist—"she had an MDTA certificate saying so." The girl turned down the lesser warehouse position, and now draws unemployment compensation for 39 weeks a year as an unemployed typist.

Perhaps the classic case to date involves Crown Zellerbach Corp. Along with one of its labor unions, the giant paper company took the Secretary of Labor to court, with results which adversely affected its government-related business and, after a series of legal actions and counter-actions, served to strengthen the enforcement arm of Labor's OFCC.

BATTLE OF BOGALUSA

The battle began more than five years ago, when the President's Committee on Equal Employment Opportunity (predecessor to both OFCC and EEOC) launched an investigation into alleged racial discrimination at Crown Zellerbach's Bogalusa, La., paper mill. By January 1966, the company had reached an agreement with EEOC to merge a number of its formerly segregated production lines and hire (or transfer) blacks to previously "white-only" jobs.

However, OFCC, for its part, rejected the EEOC agreement. In March, new investigations got under way, this time by both the General Services Administration and the Pentagon, on behalf of OFCC. Negotiations ensued between Crown and the Labor Department agency, but with the United Papermakers and Paperworkers (AFL-CIO) barred from taking part by OFCC order—even though that union, federally certified as the representative of plant employes, legally was entitled to be a party to any talks affecting employment conditions.

The upshot was that Crown Zellerbach signed a new agreement with OFCC, promising special recruitment and training of Negroes, and restricting employment tests to those approved as not discriminatory. (The aforementioned Duke Power court decision may affect the latter point's legality.) The company also was required to keep monthly job-applicant records on a racial basis. Finally, the firm agreed to do its best to change the union contract at Bogalusa regarding seniority. The agency said that in competing for the next higher job, seniority must be computed on the basis of length of employment at the plant instead of experience on the particular job—thereby opening new areas of advancement to minority-group employes. OFCC said the responsibility for compliance rested with management, irrespective of its obligation (or ability) to bargain collectively with employes on such matters.

With the seniority question still hanging—dependent only on "results"—OFCC applied pressure, circulating a "consult memorandum" to all federal agencies: it advised that before the purchase of paper products from Crown Zellerbach, OFCC should be consulted. Some contracting agencies simply took the company off their bidders' list, rather than run the risk of holding up a contract. Others took the memorandum to mean they could sign no new contracts with Crown until OFCC advised otherwise.

The effect was to bar the company from new federal contracts, without a hearing, for an indefinite period. Meanwhile, Crown Zellerbach vainly tried to negotiate a labor-management agreement on seniority satisfactory to OFCC. The agency finally ordered that the changes be made unilaterally by management, threatening "sanctions" if it did not comply. The Papermakers, for their part, threatened to strike if the system were changed without their consent.

MARCHING TOGETHER

Caught in the crossfire, both Crown Zellerbach and the union went to court in cases that were later consolidated. They obtained an order enjoining the Secretary of Labor from withholding federal contracts without a hearing. OFCC then agreed to hold a hearing to determine whether it had wrongly required the firm to change its seniority arrangements. The company then said it would make the seniority changes and promised its employes that if the new system were declared invalid, they would be reimbursed and reinstated according to provisions of the old method.

Unmollified, the union independently sought an injunction against implementation of new rules before a hearing. That case was dismissed, whereupon the Papermakers again announced strike plans. At that point last January, the Justice Department, at OFCC's request, asked the U.S. District Court at New Orleans to enjoin a walkout. The purpose of a strike, said the Justice Department, would be to maintain a seniority system which was illegal because it was discriminatory. The court issued the order banning a strike.

In the wake of its court-backed victory—according to Acting Director McCreedy, seniority at the Bogalusa mill (which was revised the day after the strike was blocked) now is working satisfactorily to the OFCC, and the agency seems to have emerged stronger than ever. For one thing, the Justice Department moved immediately against the same company's box plant at Bogalusa, enjoining enforcement of an allegedly discriminatory system there; the court ordered plant-wide seniority covering all employees hired before the 1964 Civil Rights Act. For another, OFCC retained the power to issue governmentwide "consult memorandums," according to Mr. McCreedy, "despite the Crown Zellerbach decision." Finally, in the opinion of an AFL-CIO spokesman, the decision will enable OFCC to move more expeditiously in future cases of similar labor-management conflict.

OUT OF COURT

Indeed, the agency already had proved that it can effectively harass an employer without resort to the courts. Exhibit A is Timken Roller Bearing Co., which has been the subject of an OFCC probe almost since the day the agency was created. Like Crown Zellerbach, the Ohio manufacturer was able to satisfy all of OFCC's demands except those involving seniority. These, the company said, would have to meet agreement by the United Steelworkers (AFL-CIO), under a contract calling for new negotiations to begin 60 days prior to termination last August 25.

Nevertheless, in November 1967, Timken was ordered to begin immediate negotiations with the Steelworkers toward a revised seniority system. In that event, said the union, full-scale labor-management talks should start at once, despite contract terms. After three months, however, nothing had been agreed upon, and in late February, OFCC held an informal two-day hearing of its own—without union representation. The agency told management it had 60 days to reach agreement correcting the "entire problem" of discrimination in seniority.

Timken and the Steelworkers proceeded with a marathon series of 18 conferences. "Despite the substantial changes which the company has offered to make in the seniority provisions of the 1965 Basic Labor Agreement," a company spokesman finally reported, "The union negotiators were still demanding additional changes which, in the company's opinion, were not required in the Agreement for purposes of compliance (with federal anti-discrimination regulations)."

TIGHTENING THE SCREWS

On May 3, Timken told OFCC it was stymied. On May 23, OFCC announced initiation of debarment proceedings and also told the firm it would "recommend to the Department of Justice that appropriate proceedings be brought to enforce your contractual equal employment obligation. . . ." The company was given 10 days to request a formal OFCC hearing—or immediately lose all present and future government orders, as well as those from any other firms doing business with the government. Timken was faced with a Hobson's choice. It decided a lawsuit would take too long: it might win the point eventually, but lose its shirt in the process. An injunction also seemed out of the question since, unlike Crown Zellerbach, Timken now had been offered a hearing by OFCC.

So Timken accepted the arrangement. Two agonizing months went by before Secretary Wirtz appointed a three-man panel. Hearings were to begin August 27 (two days after the union contract would expire). Meanwhile, OFCC's Mr. McCreedy told the company that, effective July 22, it must give "our compliance officers . . . free and full access to all personnel records, all test records, the employment applications of the last 100 applicants for employment and employment applications for the last 100 unsuccessful applicants for employment."

The officers arrived at Timken headquarters in Canton, Ohio, on July 29 and stayed until August 2, examining material. During that time, notices appeared in bars near the Canton plant urging all Timken employes to meet July 31 at 535 Cherry Avenue to "register all complaints against Timken Roller Bearing." One notice said: "Complaints: No. 1, No white-collar jobs. No. 2, No promotions. No. 3, Discriminating practices."

While seniority generally is regarded as the bulwark of unionism, OFCC's pressure for seniority changes actually strengthened the Steelworkers' position; for years they had wanted a less restrictive system, irrespective of racial overtones. In any case, labor-management relations went from bad to worse. On August 25 (when the contract expired) the United Steelworkers walked out, launching a bitter seven-week strike against Timken Roller Bearing. In those circumstances and with management now completely preoccupied, the August 27 OFCC hearing postponed.

But on October 7, with the plant still struck, Timken representatives were summoned to Washington anyway, for a pretrial hearing by the three panel members. Chairman Harold Summers (who is associate chief trial examiner of the National Labor Relations Board) suggested that Timken meet with the OFCC that very day, to find a settlement and eliminate the need for a hearing. The Timken people did sit down with agency officials and told them a settlement with the union was imminent but refused to disclose bargaining data.

Four days later, the Steelworkers returned to their jobs—under a new contract incorporating complex and rather drastic seniority changes. Previously, Timken had 212 seniority "units" for 9,500 employes and transfers of seniority between units were not permitted. Now there were only four such units covering the entire plant, and transfers from one to another would entail no loss of pay or other rights. The company also promised to notify all employes when openings occur, so that minorities can apply—and can file complaints if they are turned down for reasons they suspect are "discriminatory." Every employe, moreover, would get a 45-day trial period on any new job, to show whether or not he can handle it.

OFCC then discontinued its debarment proceedings—but with certain conditions. Every two months for one year, Timken must file a detailed report on any changes (or denial of changes) in job classifications, including this data: "In the case of Negro employes who are denied a transfer or who fail to qualify, the reasons for such denial or failure shall be fully set forth in the report." In addition, by mid-March Timken must submit a written "affirmative action" program "with respect to recruitment, selection, employment and promotion of officials, managers, professionals, technicians, sales workers and office and clerical workers and apprentices and other trainees. . . ." (The company, meanwhile, may not have seen the end yet; it recently was visited by an investigator from another agency, EEOC.)

WHAT IT PROVES

What has it all proved? OFCC and EEOC spokesmen say the Timken agreement outmodes the highly controversial one obtained nearly two years ago at Newport News Shipbuilding & Dry Dock (Barron's, July 17, 1967), which called for preferential promotions for certain Negroes and special recruit-

ment of blacks. It appears to have done more than that by establishing the precedent that Washington—independently of the courts—can wreak havoc in already troubled labor-management affairs, over the issue of equal opportunity.

S. 932—INTRODUCTION OF "LAND GRAB" PREVENTION ACT

Mr. BENNETT. Mr. President, on January 21, 1969, I told the Senate how outraged many Utahans were by the Johnson administration's last minute land grab which arbitrarily added some 264,000 acres to Arches and Capitol Reef National Monuments. This action was taken under the Antiquities Act of 1906. Since that time I have been working closely with my Republican colleagues in the House, Congressman Laurence J. Burton and Congressman Sherman P. Lloyd, and today I introduce a companion bill to their House bill which would amend the Antiquities Act to prevent such actions in the future.

Under the Taylor Grazing Act the President is unable to withdraw more than 5,000 acres without congressional approval; but the Antiquities Act has no statutory acreage limit. This legislation would provide that no more than four sections, or 2,560 acres, could be reserved by the President. Our bill gives ample protection to the rare cases where it is necessary for the President to act without prior consultation with Congress, but it would preclude future unilateral executive action involving thousands of acres of land.

Almost 300,000 acres of land in the State of Utah were withdrawn without consultation with the elected officials of the State, the congressional delegation, or the interested users, who included mining and grazing interests. No attempt was made through the time-honored method of public hearings to determine the economic impact or the views of the proponents and opponents. Instead, the former Secretary of the Interior Stewart Udall reportedly told the President "he thought" there would be no opposition. However, I understand he did clear it with the eastern wilderness advocates and some others in the West who neglected to speak up. I might mention that one of my more outraged constituents wrote that if we need another national park we should make the L. B. J. ranch one and hire Stewart Udall to run it.

Former President Johnson admitted that he did not include 7 million acres suggested by Secretary Udall because "I believe the taking of this land—without any opportunity for congressional study—would strain the Antiquities Act far beyond its intent and would be poor public policy. Understandably, such action, I am informed, would be opposed by leading Members of Congress having authority in this field who have not had the opportunity to review or pass judgment on the desirability of the taking."

Mr. President, may I respectfully submit that the people of Utah feel they should be afforded the same consideration? We resent the secondary stepchild role the Johnson administration advocated in an announcement.

This amendment to the Antiquities Act would retain the true meaning of the act but would preclude its use for purposes for which it was never intended. I hope this legislation will receive early and favorable consideration by the House and Senate, and so that the Senate Interior Committee and its members can begin the legislative process immediately I introduce it here today.

I request that the bill in its entirety be inserted at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 932) to provide that the land reserved for any national monument shall not exceed 2,560 acres introduced by Mr. Bennett, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 932

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act for the preservation of American antiquities", approved June 8, 1906 (34 Stat. 225), is amended by inserting after "the smallest area" the following: "(which shall in no case exceed 2,560 acres in the aggregate)".

S. 933 THROUGH S. 936—INTRODUCTION OF BILLS RELATING TO ALASKA

Mr. STEVENS. Mr. President, I introduce, for appropriate reference, five bills that were introduced in the 90th Congress by my predecessor the late Bob Bartlett. Four of these bills relate to Bob Bartlett's lifelong goal; a future for Alaskans on equal status with the rest of the citizens of the United States. I am equally dedicated to the achievement of this goal and will work to see it become a reality. These bills are:

First. A bill to amend the 1947 act to do away with the rights-of-way that the Federal Government may have in lands acquired under the 1947 act.

Second. A bill to authorize the Secretary of the Interior to convey the Alaska Railroad Employees Club property on Government Hill in the city of Anchorage.

Third. A bill that corrects provision of existing law which deprives veterans in Hawaii and Alaska of certain hospital care because neither State is included under the contract authority provisions which apply only to noncontiguous U.S. territories, commonwealths, and possessions.

Fourth. A bill that allows merchant vessel operators and fishing vessel owners to commit themselves for the establishment of a vessel replacement reserve fund.

I will speak of the fifth bill in a separate statement.

I ask unanimous consent that these four bills relating to the problems of my State be printed at this point in the Record.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bills, introduced by Mr. Stevens, were received, read twice by their titles, referred to the appropriate committees, and ordered to be printed in the Record, as follows:

S. 933

A bill to vacate and relinquish the reservation of rights-of-way for certain purposes made pursuant to section 321(d) of title 48, United States Code; to the Committee on Public Works

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any right-of-way for roads, roadways, highways, tramways, trails, bridges, and appurtenant structures reserved by section 321(d) of title 48, United States Code (61 Stat. 418, 1947), not utilized by the United States or by the State or territory of Alaska prior to the date of enactment hereof, shall be and hereby is vacated and relinquished by the United States to the end and intent that such reservation shall merge with the fee and be forever extinguished.

S. 934

A bill to authorize the Secretary of the Interior to convey certain land to the city of Anchorage, Alaska; to the Committee on Interior and Insular Affairs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to convey to the city of Anchorage, Alaska, all the right, title, and interest of the United States in and to the tract described in section 2 of this Act, and the improvements thereon.

Sec. 2. The tract to be conveyed under the first section of this Act is a parcel of land lying within the Alaska Railroad Terminal Reserve at Anchorage, Alaska, adjacent to the north addition to the Anchorage townsite and is more specifically described as follows:

Beginning at corner 7 of United States survey 3047; thence north 61 degrees 11 minutes 30 seconds east, 240.73 feet; thence south 28 degrees 48 minutes 30 seconds east, 91.94 feet; thence south 74 degrees 24 minutes east, 86.31 feet; thence south 15 degrees 36 minutes west, 384.37 feet; thence south 46 degrees 36 minutes west, 161.91 feet; thence south 74 degrees 41 minutes 35 seconds west, 161.63 feet; thence north 70 degrees 31 minutes 30 seconds west, 179.23 feet; thence north 19 degrees 28 minutes 30 seconds east, 431.35 feet; thence north 54 degrees 28 minutes 30 seconds east, 78.27 feet, more or less, to the point of beginning, containing approximately 4.70 acres.

Sec. 3. The conveyance made under this Act shall be without monetary consideration, but subject to the provision that if within 25 years after the lands are conveyed by the Secretary of the Interior, the city of Anchorage attempts to transfer title to or control over the tract to another, or the tract is devoted, in whole or in part, to other than recreational or public purposes, without the consent of the Secretary of the Interior, title to the tract automatically shall revert to the United States. The acceptance of any instrument of conveyance under this Act by the city of Anchorage shall constitute an agreement by the city that a determination of the Secretary of the Interior that a breach of the requirements of this section has occurred shall be conclusive with respect to the necessary facts constituting such a breach.

Sec. 4. The conveyance authorized by the Act shall be made subject to the terms and conditions contained in the sublease of the Anchorage Curling Club, Incorporated, dated September 15, 1964.

S. 935

A bill to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities"; to the Committee on Labor and Public Welfare

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (iii) of section 601(4)(c) is amended to read as follows "(iii) for veterans of any war in a State, Territory, Commonwealth, or possession of the United States not contiguous to the forty-eight contiguous States, but authority under this clause (iii) shall expire on December 31, 1975."

S. 936

A bill to promote the replacement and expansion of the United States nonsubsidized merchant and fishing fleets; to the Committee on Commerce

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

AUTHORITY TO NEGOTIATE CONTRACTS

SECTION 1. (a) For the purpose of promoting the construction or acquisition of new merchant vessels or the substantial reconstruction of existing merchant vessels and for other purposes authorized by this Act, the Secretary of Commerce may enter into contracts not to exceed twenty years with any person who is a citizen of the United States if the Secretary determines the person possesses the ability, experience, financial resources, and other qualifications necessary to enable him to conduct the proposed operations of the merchant vessels as to meet competitive conditions and promote United States domestic or foreign commerce.

(b) For the purpose of promoting the construction of new fishing vessels, the Secretary of the Interior may enter into contracts not to exceed twenty years with any person who is a citizen of the United States if the Secretary determines the person possesses the ability, experience, financial resources, and other qualifications necessary to enable him to conduct the proposed operations of the fishing vessel to meet competitive conditions and promote the utilization of fishery resources.

TERMS AND CONDITIONS OF CONTRACT

SEC. 2. The Secretary shall include in each contract a provision—

(a) that any new vessel constructed under a contract will be built in a shipyard in the United States under a contract with a shipbuilder entered into after the effective date of this Act;

(b) that any new vessel acquired under a contract will be one that was built in a shipyard in the United States for the United States Government under a contract with a shipbuilder entered into after the effective date of this Act;

(c) that any vessel substantially reconstructed under a contract will be one that was built in a shipyard in the United States and will be substantially reconstructed in a shipyard in the United States under a contract with a shipbuilder entered into after the effective date of this Act;

(d) that any vessel constructed, acquired, or substantially reconstructed under a contract will be of a type, size, and speed that the Secretary determines to be suitable for use on the high seas or Great Lakes;

(e) that any vessel constructed, acquired or substantially reconstructed under a contract negotiated under section 1(a) will be of a type which the Secretary of the Navy certifies is suitable for economical and speedy conversion into a naval auxiliary or otherwise suitable for use by the United States in the event of war or national emergency;

(f) for the creation and maintenance of a capital reserve fund;

(g) for the approximate number and type of vessels which the contractor will construct, acquire, or substantially reconstruct subject to modifications and extensions upon a showing to the satisfaction of the Secretary of acceptable reasons for modifications or extensions;

(h) for additional terms and conditions consistent with this Act, that the Secretary determines to be necessary to protect the interest of the United States;

(i) for the early replacement of any war-built vessel used in the movement of cargo under section 901(b), Merchant Marine Act, 1936, as amended;

(j) that each contractor agrees not to incur any purchase money indebtedness with respect to any vessel constructed, acquired, or substantially reconstructed under a contract without the prior consent of the Secretary;

(k) that upon failure of the contractor to construct, acquire, or substantially reconstruct any vessel as provided in the contract as modified or extended, all deposits of the contractor will be withdrawn from the fund with the same tax consequences as results from withdrawals from the funds created by section 607, Merchant Marine Act, 1936, as amended, and no further deposits may be made by the contractor until a new contract is negotiated; and

(l) that the contractor agrees that any vessel constructed or acquired under a contract will remain documented under the laws of the United States for twenty-five years from the date of its delivery by the shipbuilder and any vessel reconstructed under a contract will remain documented under the laws of the United States for the remainder of its economic life as determined by the Secretary.

CREATION AND MAINTENANCE OF CAPITAL RESERVE FUND

SEC. 3. (a) Each contractor shall create and maintain for the duration of the contract, in depositories approved by the Secretary, a capital reserve fund under the joint control of the operator and the Secretary.

(b) Each contractor shall deposit in the capital reserve fund as is required to be deposited by subsidized operators under section 607, Merchant Marine Act, 1936, as amended, the proceeds of sales of vessels, the proceeds of insurance and indemnities, the depreciation charges, as earned, and the earnings made on deposits in the capital reserve fund, and shall annually deposit any percentage of differential payments received on the movement of cargo under section 901(b), Merchant Marine Act, 1936, as amended, that the Secretary determines is

WITHDRAWALS FROM THE FUND

SEC. 6. Contractors may withdraw deposits from the fund with the same restriction and limitation, under the same conditions and with the same tax consequences as deposits from profits and is necessary to fulfill the contractor's obligation under the contract.

(c) The contractor may deposit in the fund other earnings from his vessel operations.

TAX DEFERMENT OF DEPOSITS IN THE FUND

SEC. 5. (a) Deposits of capital gains into the fund are taxed in the same manner as deposits of capital gains by subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

(b) Deposits of earnings and differential payments into the fund are taxed in the same manner as deposits of earnings of subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

may be withdrawn from the capital reserve fund by subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

INVESTMENT OF THE FUND

SEC. 7. Contractors may invest deposits in the fund under the conditions and with the same restriction as deposits of subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

DISCONTINUANCE OF DIFFERENTIAL PAYMENTS

SEC. 8. No operator of a nonsubsidized vessel may receive any differential payments for cargo moved by such vessel under section 901(b), Merchant Marine Act, 1936, as amended, unless the operator has concluded a contract with the Secretary under this Act before January 1, 1968.

DEFINITIONS

SEC. 9. In this Act—

(a) "Contract" means a vessel construction, acquisition, or reconstruction contract authorized by this Act.

(b) "Differential payments" means the payments made by the United States Government to operators of United States-flag merchant vessels for the movement of cargo under section 901(b), Merchant Marine Act, 1936, as amended, at rates in excess of world market rates.

(c) "Documented" includes enrolled.

(d) "Earnings from the operation of vessels includes hire from bareboat charters.

(e) "Earnings made on deposits" means earnings on funds deposited as well as earnings on accumulated earnings and gains made on sale of securities.

(f) "Fund" means the capital reserve fund authorized by this Act.

(g) "Nonsubsidized vessel" means any vessel not included in an operating differential subsidy contract under the Merchant Marine Act, 1936, as amended.

(h) "Person" includes corporation.

(i) "Reconstruction" means the substantial reconstruction and major modernization of a vessel if the Secretary determines that the objectives of this Act will be promoted by such reconstruction.

(j) "Secretary" means the Secretary of Commerce in reference to powers and duties relating to contracts for the construction, acquisition, or substantial reconstruction of merchant vessels and means the Secretary of the Interior in reference to powers and duties relating to contracts for the construction of fishing vessels.

(k) "Subsidized operators" means persons who have an operating differential subsidy contract under the Merchant Marine Act, 1936, as amended.

(l) "Vessel" includes non-self-propelled vessels, cargo containers, cargo vans, and other related equipment.

(m) "War-built vessel" means a vessel as defined in section 3, Merchant Ship Sales Act, 1946.

S. 937—INTRODUCTION OF BILL RELATING TO TRAINING OPPORTUNITIES FOR CONGRESSIONAL EMPLOYEES

Mr. STEVENS. Mr. President, I am introducing a bill which was sponsored in the last Congress by the late, respected Senator E. L. Bartlett. This bill would amend the Government Employees Training Act so as to allow congressional employees to participate in the various programs, seminars, training sessions, and interdisciplinary meetings sponsored by the executive branch of our Government for its employees over the last 10 years.

This is a good bill. It has wide bipartisan support. The executive branch and the intellectual community are anxious that it become law. Hearings were held on the measure last year by the Senate Civil Service Subcommittee under the chairmanship of the senior Senator from West Virginia (Mr. RANDOLPH). The hearing itself was conducted by the capable senior Senator from Arizona (Mr.

Fannin). The major portion of the proposal was included within the terms of the general congressional reorganizational measure. As Senators know this failed of passage.

I am hopeful that it will be possible to obtain prompt passage of the bill I introduce today. As a member of the Senate Post Office and Civil Service Committee I intend to do all that I can in its behalf.

Government is huge. Society is complex. Technology becomes ever more bewildering. If the Congress is to uphold its role as a separate and equal branch of the Federal Establishment it must keep itself informed of developments and be competent to deal with them. To do this it must have a staff—as the act states—"abreast of the latest development and technological changes in the scientific, managerial, educational, and professional fields in which they have mission responsibilities." It is that simple; and that difficult.

Passage of this bill will assist Capitol Hill employees to keep abreast of their field. It will allow them to participate in interdepartmental, interdisciplinary programs for the exchange of information and ideas. It will make them better employees and it will assist us to do a better job ourselves.

Mr. President, I ask unanimous consent that a statement made by the late Senator Bartlett and one made by Mr. James M. Mitchell, director, advanced study program, the Brookings Institution, as well as the full text of the bill itself may be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the Record.

The bill (S. 937) to amend title 5 of the United States Code to provide training opportunities to congressional employees, and for other purposes; introduced by Mr. Stevens, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the Record, as follows:

S. 937

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 41 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 4119. Congressional employees

"(a) Subject to the provisions of this section and sections 4106(a)(1)(3), 4107, and 4108 of this title, Congressional employees may be selected and assigned for training by, in, or through Government facilities or non-Government facilities, and the expenses for training may be paid in the same manner and to the same extent as authorized by sections 4104, 4105 (a), (b), and 4109 of this title for employees of agencies under regulations of—

"(1) the President pro tempore of the Senate with respect to employees whose pay is paid by the Secretary of the Senate;

"(2) the Speaker of the House of Representatives with respect to employees whose pay is paid by the Clerk of the House; and

"(3) the Architect of the Capitol with respect to employees of the Office of the Architect of the Capitol and of the Botanic Garden.

The regulations shall specify the extent to which section 4111 of this title shall apply to Congressional employees. The requirement in sections 4106(a)(2) and 4108(c) of this title that action by the head of an agency be under regulations of the Civil Service Commission does not apply to the President pro tempore of the Senate, the Speaker of the House of Representatives, or the Architect of the Capitol.

"(b) The Commission shall provide the President pro tempore of the Senate, the Speaker of the House of Representatives, and the Architect of the Capitol with such advice and assistance as they may request to enable them to carry out this section.

"(c) For the purpose of this chapter, a reference to the head of an agency means—

"(1) the President pro tempore of the Senate with respect to employees whose pay is paid by the Secretary of the Senate;

"(2) the Speaker of the House of Representatives with respect to employees whose pay is paid by the Clerk of the House; and

"(3) the Architect of the Capitol with respect to employees of the Office of the Architect of the Capitol and of the Botanic Garden.

"(d) There are authorized to be appropriated sums necessary to carry out this section."

(b) The analysis of chapter 41 of title 5, United States Code, is amended by adding at the end thereof the following new item: "4119. Congressional employees."

Sec. 2 Section 6101(a)(4) of title 5, United States Code, is amended by inserting in the second sentence ", for a number of hours a day," after "on a day".

The matter presented by Mr. STEVENS, is as follows:

Statement of Hon. E. L. Bartlett, a U.S. Senator From the State of Alaska

Senator Bartlett. Mr. Chairman and members of this distinguished subcommittee, it is a pleasure for me to appear before you to testify in behalf of S. 236, a bill to extend certain benefits of the Government Employees' Training Act to officers and employees of the Senate and House of Representatives.

As Chairman John Macy, of the U.S. Civil Service Commission, has pointed out, the programs to be extended to the employees of Congress have for the past 9 years proven to be most effective in helping employees of various Federal departments and agencies "keep abreast of the latest developments and technological changes in the scientific, managerial, educational, and professional fields in which they have mission responsibilities."

As the members of the subcommittee are very much aware, employees of the legislative branch deal constantly with a shifting and changing world. Today the individual or the institution which is not progressing and keeping up with these changes cannot hope to maintain a competitive position among his or its peers or to serve properly the people of the United States.

I realize we and our employees benefit from a unique educational experience—constant contact with our constituents. This helps, but it is not enough.

The quantity of work of the Congress has increased immensely since I first came here in 1945. If this were the only consideration, it could be accommodated with a corresponding increase in staff.

Unfortunately, it is not the only consideration, for the increase has been qualitative as well as quantitative. Not only is there more work, but it is of a much more technical nature, making it imperative that a staff be competent, professional, highly trained, and aware of the latest developments and concepts in the fields in which it works.

This is no easy task, and it is not assured even by extreme selectivity in recruiting and hiring.

One of the best answers to this delemma found by industry, by Government, and by education itself is continuing education and training.

The Government Employees' Training Act provides for inservice training programs, participation in interagency conferences and seminars, and—on a very selective basis—attendance for a year at a university or scientific institution for training that will assist an employee in dealing with his professional responsibilities.

If amended along the lines of S. 236, these opportunities would be extended to congressional employees.

I understand that some changes must be made in the bill, as it is now written, in order to make it applicable to Congress. These changes would be in the nature of different limitations and eligibility requirements for the training programs, and in the administrative procedures.

I am sure these changes can be accomplished without sacrificing the principles incorporated in the present draft. Recommendations to extend my bill to employees of Congress not included under the original draft should pose no problem either.

I heartily endorse, Mr. Chairman, whatever changes in the language of the bill now before you may be deemed proper.

I foresee a great deal of good coming from this amendment, not the least of which will be the contact and interchange of ideas among individuals of different branches of government.

I see advantages through the attraction of highly qualified people to our offices because advanced training programs will be available to them. A result of this will be a reversal of the present trend of increasing reliance on department administrators and experts in technical areas. "Information independence" for Congress could be a major achievement of this bill.

Mr. Chairman, I am sure all our offices will profit by this, Unfortunately, we Members of the Senate will not be eligible under the provisions of the bill for further training ourselves—our benefits will have to come indirectly.

I am confident that these benefits will far exceed the rather trifling cost of the program, and I urge its swift enactment.

In conclusion, Mr. Chairman, I should like to say that it seems to me that Congress is all too frequently hesitant in giving itself the same advantages that it grants—and properly—to the executive department of the Government.

Statement of James M. Mitchell, Director, Advanced Study Program, the Brookings Institute

Mr. Mitchell. Mr. Chairman, the amount of scientific and technical knowledge available to mankind, measured in terms of publications and manpower, is doubling about every 8 years. Never before has so much knowledge been available to influence public decisions, and never before has it been so important that such knowledge be used.

Members of Congress and congressional staff are at critical crossroad points for selecting and applying knowledge to national problems and needs.

In this statement I will discuss briefly the information explosion and its implications for public policy, describe the advanced study program of The Brookings Institution and its effort to deal with the problem, and report on the two seminars which we have conducted for congressional staff members.

Senator Fannin. Very good.

Mr. Mitchell. The increase in man's knowledge in recent years has greatly modified his environment. With the fund of knowledge increasing so rapidly, continued improvements in communicating this knowledge become essential.

A recent study of the information problem conducted for the American Institute of Biological Sciences reports that it often costs less to perform research than to find out whether it has been done.

It was also reported in the same study that a physician who is a specialist would have to read the equivalent of one book every hour to fully keep up with his field.

The task of informed leadership, then, is to adapt established institutions successfully to rapid change caused by the technological revolution and this explosion of knowledge.

Inevitably the explosion of knowledge has and will continue to have a substantial impact on the determination of public policy at all levels of government. We are faced with the problem of communicating in a meaningful, practical way, research knowledge that bears on public policy to those who are in leadership positions in our society.

Such persons, occupying or moving into positions of responsibility, have little time to refine the views and understanding with which they approach contemporary problems.

A new national educational activity is therefore required in order to make possible the acquisition and interpretation of the enormous amount of new knowledge.

What are some practical ways in which to make this new educational effort? The advanced study program of Brookings, which is the educational division of the institution, is one way. This program has had a slow but steady growth since it was established about 10 years ago.

It draws on a national faculty of academic scholars, members of the Brookings research staff, governmental career specialists, journalists and diplomats, and outstanding figures in politics, business, and labor.

The program has become, in effect, a distinctive institution of higher education for nearly 1,000 senior officials of Government, business, labor, and the professions each year.

Mr. Chairman, I was looking over our annual report for last year and I find that figure is now 1,400. In other words, our program is growing steadily.

Unlike most of the educational or training programs now available for executives in the universities, the departments and agencies of the Government's executive branch and the large business firms, the advanced study program does not seek primarily to improve management methods and techniques.

It is designed to bring relevant knowledge growing out of the technological revolution to the attention of leaders in public and private life, with emphasis on its implications for future decisionmaking, and to enlarge their knowledge of the relationships between Government and society.

This is a very brief statement, Mr. Chairman. If the committee would allow me to, I would very much like to insert a somewhat longer description of the advanced study program in the record.

Senator **Fannin**. That will be very desirable. The committee will agree that that may be done.

Mr. **Mitchell**. Thank you, Mr. Chairman.

(The document referred to follows:)

"THE ADVANCED STUDY PROGRAM—AN ACCOUNT OF THE BROOKINGS CONFERENCES FOR LEADERS IN PUBLIC AND PRIVATE LIFE

"Introduction

"This report offers an account of a Brookings educational program of conferences, seminars, and more extended study opportunities for leaders in public and private life. These are activities that were begun experimentally in 1957 and which have expanded considerably to date.

"For more than half a century Brookings has published for the information of the public its studies of economic, governmental, and foreign policy problems. As an independent, nonpartisan research organization, the Institution has been primarily concerned with the use of knowledge as an aid in dealing with public issues. The Institution has been conscious of the fact that persons occupying or moving into positions of leadership responsibility have little time to refine the views and understanding with which they approach contemporary problems. For some time it has seemed clear that ways must be found to improve their capacity to deal realistically and effectively with current problems.

"Although many kinds of adult education programs have arisen in this country and abroad, few of them are well suited to the requirements of key leaders in American life. For Brookings, a recognition of the urgent need to broaden the understanding and competence of executives in government presented a timely opportunity to explore new ways of reaching mature, busy, responsible officials.

"Brookings began by inaugurating several types of conferences for senior federal executives. This educational effort proved so successful that it was extended to several other leadership groups in public and private life. It has since been emulated in government and by other organizations.

"These activities became a major function of the Institution and are now being carried on in a special division known as the Advanced Study Program. In the ten years since this work was begun some 9,000 senior federal executives and top officials in business, labor and the professions, members of Congress, state and local government officials, and civic leaders have participated in its various activities.

"Under the leadership of a Brookings chairman, and with the assistance of informed specialists, these leaders in public and private life have considered the role of leadership in a democratic society, the operation of government, specific problems of public policy, and major national and international problems. Several hundred leading scholars from universities and research organizations, as well as experts from government, the press, and the diplomatic corps, have participated in the conferences as visiting lecturers and panelists.

"While the research divisions of the Institution explore the dimensions of emerging national and international problems, the Advanced Study Program provides opportunities for policy leaders to enlarge their understanding of events and their ability to use specialized knowledge in formulating policy on problems of public importance. The origins of the Advanced Study Program date back to 1954, when a small advisory group was called together at Brookings to explore what kind of training programs should be established in the government and how executive performance in the senior ranks of the public service could be strengthened. Robert D. Calkins, President of the Institution, was chairman of the study group, which include James M. Mitchell, Associate Director of the National Science Foundaiton, John J. Corson, Director of McKinsey and Company, John W. Macy, Jr. of the Civil Service Commission, and Eugene Zuckert of the Atomic Energy Commission as well as Maynard B. Barnes, Paul T. David, and Milton P. Semer of the Brookings research staff.

"Brookings at that time was beginning to devote increased attention to the problems of leadership in government. Preliminary studies had disclosed that, in marked contrast to the rapid development of training programs in business and industry, little was being done in the government's civilian departments and agencies to increase the competence of top executives to deal with evolving policy problems. The need for strengthening the public service was growing with the government's expanding national and international responsibilities, yet many federal departments were prohibited from expending funds for training purposes.

"The investigations of the study group indicated that federal executives at the top career levels were predominantly inbred, usually with experience in a single department, agency, or bureau. Training for the top four grades in the career structure (GS 15–18) was totally inadequate, since it emphasized primarily techniques of management and was based on the assumption that the executive's responsibilities involved solely his relationships with the employees of his agency. The implication of the federal training efforts was that an individual reaching a position classified at Grade GS 15 had arrived and there was no need to add to his mental stature.

"While all executives must possess qualities of vision, self-confidence, venture-someness, judgment, and catholic curiosity, an executive in the government service must also possess a strong sense of the public interest, an understanding of the need for coordination with the other agencies of the Executive branch, and a political sense to guide relationships between the Legislative and Executive branches. Yet the study group found that no systematic attempt was being made to develop such important qualities.

"These findings led to the conclusion that special training programs should be developed for senior federal executives to broaden their understanding of the problems of government and of its role in American society. The study group urged a series of residential conferences for officials in Grades 15–18 and equivalent military ranks to help them meet their executive responsibilities.

"The recommendations of the study group were endorsed by government officials, and Brookings designed a detailed plan for demonstrating the feasibility and effectiveness of training conferences. Since such a program had never before been attempted, it was proposed on a two-year basis. The experiment was intended to develop effective methods of communication for executives at this level, to demonstrate the value of such training, and to stimulate continuing in-service training programs in the various government departments and agencies.

"Financing was obtained from the Ford Foundation, and the project was organized in 1957 as the Conferences for Federal Executives. Colonial Williamsburg, Virginia was selected as the conference site: its facilities were removed from the distractions of Washington, yet close enough to be easily accessible. Equally important, its historical setting lent purpose to an inquiry into the nature of leadership in democratic government.

"The first 2 years

"Seven conferences of three days to three weeks were held from 1957 to 1959. Separate conferences were held for general administrators, for scientists and science administrators, and for top staff specialists in Grade 15–18. Each individual was carefully chosen. and the groups were limited to twenty-five persons. The content of each conference was varied according to the needs of the participants.

"The scope and basic rationale of the early conferences were built around the theme, 'Exploring Executive Responsibilities.' The common subject matter was organized under four main topics:

"1. *The Job of the Career Executive.*—By beginning with the study of the career executive's job, the common interest of individuals from diverse programs, specialties, and backgrounds was established. The dimensions and requirements of executive work in Government and business were analyzed and discussed. The career executive's role in decision-making and policy formulation and his working relationships with appointed political executives were carefully studied.

"2. *Working in an Institutional Setting.*—

After intensive study of the demands and requirements of the career executive's job, the focus widened to the governmental environment in which he functions—the decision-making process; the distribution of authority between the legislative, executive, and judicial branches; and the modes of cooperation and conflict among these branches. Special attention was given to the organization of the Executive Office of the President and relations between departments and central staff agencies and bureaus and their departments.

"3. *Management in the Federal Government.*—Following study and discussion of the overall governmental mechanisms for problem-solving and administration, attention was concentrated on major management problems facing career executives. Emphasis was placed on management policy and on the responsibility of the executive to take full advantage of insights arising from research in the social sciences to secure effective management. This section closed with an analysis of executive skills and possible ways to improve executive performance.

"4. *Interaction between Government and and Society: Problems of National Policy.*—Throughout the conferences, several sessions were devoted to the consideration of national policy issues. Discussions centered on current economic and manpower trends, the significance of advances in science, maintenance of national security, and America's role in world leadership and other factors influencing policy-making.

"A conference manual, containing extensive introductory material about all subject matter areas and daily guides for reading and discussion, was especially designed for each group and given to participants in advance. To conduct each session, a skilled chairman was selected who could evoke from participants a full and critical exchange of views. Informal talks by distinguished scholars and leading government officials served to lay the foundation for the discussions, and smaller groups were organized within the conferences for deliberation on specific problems. Time was also set aside for individual study.

"Widespread interest in executive training activities was generated, and two major developments followed. The first was the passage of the Government Employees' Training Act of 1958 which made it possible for federal agencies to release staff members for training programs at government expense and removed the need for participants to give up annual leave in order to attend a conference.

"The second development was the growth of training programs in the government itself. By 1962 over 200 interdepartmental training programs were being conducted, including a number operated by the Civil Service Commission that were patterned closely on the Williamsburg conferences. In addition, many departments adopted special programs to develop the capacities of their own executives.

"Although Brookings had not committed itself to continuing the program beyond the two-year period, several government agencies requested that the conferences be continued on a fee basis for their executive personnel. Meanwhile the Institution was taking major steps to broaden its activities as a national Center for Advanced Study. Increased educational activities were projected as an integral function of the Center. On the basis of the 1957–59 experience, a permanent program of conferences was projected to meet the needs of leadership in all segments of our national society.

"Establishment of a Permanent Program

"On July 1, 1959 the Conference Program on Public Affairs was formally established as a separate operating division of the Institution.

"The Program expanded its conferences for federal officials and extended its activities from 1959 to 1962, when its name was changed to the Advanced Study Program. New activities included conferences and seminars for members of Congress and executives, from business, labor, the professions, the senior ranks of state and local government agencies. Fellowship programs for government and non-government officials were initiated to provide more lengthy opportunities for study and research.

"New types of conferences were conducted in various parts of the country to build on the lessons learned at Williamsburg. In addition to conferences designed to enlarge understanding and awareness of executive responsibilities, conferences were organized to apply knowledge to specific issues, bringing policy makers together with scholars and other specialists for an exchange of views to stimulate informed action or decision-making. Several seminars were organized jointly with the research divisions of Brookings and served to demonstrate the value of the conference method as a tool for identifying research needs and narrowing areas of disagreement among experts.

"Requests from various sectors of our society, coupled with the interests of Brookings, have resulted in a continued increase in Advanced Study Program activities since 1962. As the activities expanded, however, the original purposes of the activities were emphasized. Thus, unlike most of the educational or training programs now available in the universities, the agencies of government, and the large business firms, the Advanced Study Program does not seek primarily to improve management methods and techniques. It provides opportunities for study and discussion of important economic, social, and political issues, enlarging the participants' understanding of the relationships between government and society and bringing to their attention relevant knowledge with implications for future decision making.

"The Advanced Study Program has continued to draw on a national faculty of academic scholars, governmental career specialists, members of the Brookings research staff, journalists and diplomats, and outstanding figures in politics, business, and labor to serve as resource persons for its activities. The program has become, in effect, a distinctive institution of higher education which annually serves the educational needs of some 1,400 persons in leadership positions.

"Current activities

"These educational activities, although always experimental in terms of meeting needs and application of methods, have matured to a full program with considerable variety and far reaching contact with leadership in many parts of our pluralistic society. But the Brookings Institution is limited in size and resources. Its educational activities are therefore conducted on a highly selective basis with the measure of "how can we have the greatest impact" always before us.

"Evidence of current scope of the Advanced Study Program is revealed in the following summary description of 1966–67 activities.

"Activities for Government Officials

"Conferences for management and program officials

"Four conferences were conducted for top-level administrative program, and operating officials of federal departments and agencies. The two-week sessions were held at Williamsburg and Virginia Beach, Va., for 100 civilian and military officers. The discussions on political theory, economic policy, science and public policy, foreign policy, and the dynamics of administration.

"Conferences for scientists, engineers, and science administrators

"Three one-week conferences were held in Williamsburg for 78 participants. Topics included science and democratic government, the government role in research and development, science and ethics, creativity, and problems of economic and social policy.

"Conferences for State officials

"Twenty-five officials of the New England states took part in a two-week conference on general public policy issues with specific attention paid to the region's economic problems, federal-state relations, and financing state and local governments. The meeting was held at Exeter, New Hampshire, in cooperation with the New England Center for Continuing Education located at the University of New Hampshire.

"Conferences for Federal executives on business operations

"Four two-week conferences were held in Pittsburgh; Los Angeles and San Francisco; Chicago, and New York and Cleveland. A total of 100 federal executives participated, visiting local plant locations and meetings with corporate officials to discuss their operations and problems and the role of business in national life. A two-day seminar on public policy issues involving relations with business was held at Brookings for 29 of the participants in these programs.

"Conferences for specialists

"A four-week educational program was conducted for 24 Science and Technology Fellows, providing an orientation to major public policy issues and to government operations for senior scientists of the Department of Commerce and the Atomic Energy Commission.

"Twenty-five officials in the Latin American Bureau of the Agency for International Development and of the Department of State participated in a five-day Executive Seminar in Cuernavaca, Mexico, which was devoted to study and discussion of issues and problems relating to political and economic development.

"A three-day seminar on public policy issues was held for 20 science attaches on overseas assignment for the State Department, to discuss broad questions of economic and social policy.

"Conferences for officials of foreign governments

"A series of three seminars was held for 64 science attaches on the Washington embassy staffs of foreign governments. The meetings were sponsored jointly with the American Association for the Advancement of Sciences, and focused on recent scientific developments with public policy implications.

"Several foreign government officials also participated in two of the conferences held in Williamsburg for federal executives.

"Federal executive fellowships

"Nine Federal Executive Fellowships were awarded to senior federal officials. The fellowships enabled them to come to Brookings on leave from their federal assignments for six months to a year, for research on problems in their areas of responsibility.

"Programs for Leaders in Private Life

"Conferences for business executives

"Ten one-week conferences on federal government operations were held in Washington for 287 executives from nearly 100 major American corporations. Participants visited government agencies and met informally with officials, and took part in seminars at Brookings to discuss specific issues with scholars, members of Congress and leaders in the Executive branch.

"Three three-day refresher seminars on public policy issues were held for 67 past participants in the business conferences and Public Affairs Fellowship Program. Two similar conferences were held for some 55 participants in the Massachusetts Institute of Technology Program for Senior Executives.

"Conferences for physicians

"With the support of the Commonwealth Fund, a new series of conferences is being planned for selected leaders of the medical profession. The conferences will be held in different regions of the country, and will be designed to help deepen the insights of medical practitioners into key economic, social, and other factors involved in the provision of health care, and to enhance their ability to improve understanding within the profession of the interactions between medicine and society. An advisory committee of leading doctors, medical educators, and administrators has been named to consult on the development of the series.

"Public affairs fellowships

"Public Affairs Fellowships were awarded to 14 business executives who took part in a 21-week program combining working experience in executive departments and agencies at the policy-making level with an intensive educational program at Brookings and three weeks in congressional offices.

"White House fellowships

"Under a grant from the Carnegie Corporation, a three-week educational program was conducted for the 15 White House Fellows. The program provided an orientation to government operations and problems.

"Conferences for union officials

"Fourteen union vice-presidents and regional directors participated in a four-day conference on public policy issues at Williamsburg. The programs for officers of national and international unions are conducted with the guidance of an Advisory Committee of national leaders in the labor movement.

"Policy Conferences

"Urban policy conferences

"Urban Policy Conferences are conducted in selected metropolitan regions to bring local elective and appointive officials and civic leaders together with social scientists, in an effort to make social science research more effective in the solution of urban problems. The conferences usually consist of twelve one- day seminars held at intervals over a nine-month period.

"Four hundred and five local and state officials and civic leaders were involved in conferences held during the year. They included a series in Wichita, Kansas; Fort Worth, Texas; Little Rock, Ark.; Charlotte, N.C.; and Memphis, Tenn. The programs were conducted in cooperation with Wichita State University, Texas Christian University, the University of Arkansas, the University of North Carolina, and Southwestern College. In addition, special conferences were held for regional leaders in Memphis on the Uses of Urban Information Systems, the Impact of Urbanization on the Structure of Law, Metropolitan Fiscal Policy, and Utilization of Urban Technology.

"In cooperation with the International City Managers Association, regional urban policy conferences were held for city managers in Athens, Ga., and Orono, Maine.

"Science seminars for congressmen and congressional aides

"Five programs were held in this series, which is sponsored jointly with the American Association for the Advancement of Science and the Governmental Studies Program of the Brookings Institution. Participants in the series heard leading scientists discuss technological developments with important implications for public policy. (Two programs for congressional aides were conducted in prior fiscal years.)

"Labor-management conference

"A special two-day conference was held for labor union officials and members of the International City Managers Association to discuss relations between union and management in city manager cities.

"Fiscal and monetary policy conference

"Top officials of leading corporations participated in a four-day discussion of current issues of fiscal and monetary policy with responsible officials of the Treasury Department, the Budget Bureau, the Federal Reserve, Senators, Congressmen, and staff members of appropriate congressional committees.

"Douglas Carter has commented that 'the purpose of [the Brookings programs] is not training but in the purest sense of the word, education. There is no desire to return the middle-aged career executive to a student-teacher relationship, which he is by temperment not prepared to accept. He is by definition a 'participant' in the conference, expected and encouraged to contribute as much of the dialogue as the visiting speakers. . . .' (Developing Leadership for Government, Washington, D.C., 1960). With this point of departure, with carefully selected participants with 'off-the-record' and frank involvement, with highly competent conference chairmen and able expositors from many fields and disciplines, Brookings' Advanced Study Program has provided some of the leadership education which is a national necessity."

Mr. MITCHELL. It is apparent that a small institution like Brookings can do only a very small part of the job of executive education that is needed.

Executive development activities in Government, business, labor, and the universities are moving very slowly and gradually into this field of education. The Civil Service Commission's Bureau of Training, as one example, which we just heard about, is developing an extensive program of conferences and an educational program for career officials in the executive branch at the middle to senior levels here in Washington and at two residential centers.

A few universities are broadening their executive training programs along these lines. Much more should be done, however.

The professional staff of legislative bodies have a particularly vital need to bring research knowledge to bear on their consideration of major issues affecting the economy and the political and social structure of their city, State, or Nation.

Legislators frequently complain that the system of legislative decisionmaking does not provide an adequate basis for informed judgment. Increasing the number of staff members without providing machinery for them to keep up to date in this way is neglecting an important aspect of staffing the Congress.

In the sciences, where the information explosion is well known, a series of conferences for Congressmen and for congressional staff has been conducted by Brookings and the American Association for the Advancement of Science on the policy implications of recent advances in a variety of scientific fields.

The response to these conferences received from congressional staff members has been encouraging.

I would like to add here, Mr. Chairman, that in two such conferences during the last few years, about a hundred participants have taken part from the Hill, about half of them from the Senate and about half from the House.

The reaction from these congressional staff members to this educational experience has been very, very encouraging to us.

The usual educational objectives in our programs are increased knowledge, a reconsideration of attitudes, and improved tools for job performance. We feel that these goals were reasonably well met in these conferences.

We hoped that the participants have increased knowledge in the new sciences, an understanding of new terminology essential for key judgments in the making of public policy, and increased skills for performing a legislative job of analysis and evaluation.

Public policy is increasingly made on the basis of an exploration of the relevant facts available. Congressional hearings are one way of getting to these facts through the testimony of experts.

The role of congressional staff who assist in planning and organizing these hearings is important. To the extent that committee staff members and the office staff of Members of Congress can receive advanced education or training, the work of the Congress will benefit, because the staff extends the reach and range of the Members. A well-trained staff should add to the resources of the individual Members and the congressional committees.

The two Brookings programs that have been organized for congressional staff have been financed with Brookings funds. With few exceptions, the activities of the Advanced Study Program, however, are self-supporting—or nearly so.

Business corporations, labor unions, and Government agencies pay a registration fee for each participant in a Brookings conference. More programs would be designed specifically for congressional staff and offered regularly if the academic institution sponsoring the program could charge a fee that could be paid under the Employees' Training Act.

In my opinion, Mr. Chairman, the legislative employees should be covered by the Training Act, just as executive branch personnel have been covered for nearly 10 years.

Safeguards would, of course, have to be established, just as they have been in the executive branch, to require that the training justifies the expense.

In this complex age, the mere fact that there is new knowledge in a particular field is not enough to insure its use. It must be examined and weighed against other considerations.

Discussion in an educational environment of the implications of the new knowledge is necessary.

One of the outstanding scholars and practitioners in the field of public administration, Lynton Caldwell of the University of Indiana, said in The Journal of Higher Education recently:

"More knowledge is needed, without doubt, but more use must be made now of what we already know. The challenge of the environment has arisen, in part, because higher education has responded too slowly to the changes induced by advanced scientific technology.

"The response of higher education must therefore include the present generation of decision-makers, whose choices *today* determine the possibilities of tomorrow."

In summary, Mr. Chairman, for the career professional employee of the Congress especially, training and educational activities of the kind now available to employees of the executive branch is clearly needed.

Thank you, Mr. Chairman. I will be glad to answer any questions that you or the staff may have.

Senator FANNIN. Thank you, Mr. Mitchell.

On the first page of your statement, Mr. Mitchell, I am very much interested at the bottom of the page where you say:

"It often costs less to perform research than to find out whether it has been done."

Would you say that the use of new techniques, computers, and other equipment, would help in doing away with this duplication?

Mr. MITCHELL. I know that the Congress has considered this problem at length, Mr. Chairman.

Senator FANNIN. How can you overcome the problem?

Mr. MITCHELL. It seems to me that the National Science Foundation is working hard on it and arriving at reasonable solutions.

I used to be associate director of the National Science Foundation. I am reasonably familiar with some of the things that they have tried to do.

This information explosion is an enormous problem, as I said in my testimony. The use of the computer is going to be very, very helpful. And looked at in the broadest perspective, mechanical translation is probably coming some day, so that we will be translating not only materials in English but from other languages as well.

Once we can use mechanical translation as well as computer technology, then the information explosion will be truly upon us.

Senator Fannin. Do you feel that we are making progress?

Mr. Mitchell. Most people don't realize what the problem really is amounting to.

I think we are making progress. I don't think there is any question about it.

I do feel, as I said in somewhat more formal language here, that this is an area of education that this country is seriously neglecting, the education of people who are leaders in our society, because they are so busy that they don't have time to read.

But they will participate in small conferences that are well organized, well planned, and well run.

At least we have found that people from the Government, from the 200 largest corporations in the country, 35 of the top labor unions in the country do participate—not for their middle-level staff but for the presidents of the labor unions, the presidents and vice presidents of the largest corporations in the country.

This is an area to which the universities are not giving enough attention.

Senator Fannin. I certainly agree with you as far as many staff members and the personnel of the Senators' offices are concerned, that they should have this opportunity.

I am just wondering, how are staff members informed about these programs that you have been carrying forward in the past.

Mr. Mitchell. I am afraid that we were less than completely democratic, Mr. Chairman. We did not announce it and say we would be glad to receive applications from anybody who is interested.

What we did was to invite a small group of congressional staff people whom we knew to come down and have lunch with us. We said: "Of the people on the Hill, whom do you think would be interested in a series of seminars on the advancements of science and their implications for public policy?"

And we developed a list of people in Senators' offices, the senatorial staff, and the same in the House of Representatives. And we extended invitations.

My recollection is that about two-thirds of those who were invited accepted.

Senator Fannin. Thank you very kindly. We appreciate very much your being with us this morning.

Mr. Mitchell. Thank you, Mr. Chairman.

Senator Fannin. Mr. John Griner, national president of the American Federation of Government Employees.

S. 939—INTRODUCTION OF BILL TO PROVIDE A U.S. FOREIGN SERVICE CORPS

Mr. DOMINICK. Mr. President, I introduce a bill to amend the Higher Education Act of 1965 to provide a U.S. Foreign Service Corps. In accordance with the ruling of the Parliamentarian in the last Congress, I ask that the bill be referred to the Labor and Public Welfare Committee.

This is the same scholarship program as that contained in S. 3700 of the 90th Congress. It was reported favorably by the Senate Education Subcommittee and the Senate Labor and Public Welfare Committee in July 1968 along with other new titles to the Higher Education Act.

After introduction of the bill last year, I received comments from a number of individuals with prominent professional reputations in international affairs and foreign policy. The following are representative and attest to the interest and support the Corps has aroused:

Adm. Arleigh Burke:

> I read with keen interest the amendment which you introduced to the Higher Education Act. . . . I hope you are successful in getting it through.

The late Allen Dulles:

> I am thoroughly in accord with the objective you have in mind.

Harrison Brown, Foreign Secretary, National Academy of Sciences:

> In my opinion this is an important step forward and I congratulate you on your foresight.

Professor Gabriel Almond, Institute of Political Studies, Stanford University:

> Your plan looks most interesting and worthy of support. I have not had an opportunity to consider it in detail and would appreciate any hearings or further material that you may have on it.

Stephen Bailey, chairman, Policy Institute, Syracuse University Research Corporation, and former dean, Maxwell School of Citizenship:

> I am intrigued and delighted with the notion of a United States Foreign Service Corps which would make use of existing academic institutions in educating and training American citizens for foreign service careers. In my estimation that is a far more efficient way of taking care of the educational needs of existing and prospective foreign service personnel than in the creation of a separate Foreign Service Academy.

Dr. Philip Mosley, associate dean, Faculty of International Affairs, Columbia University:

> It is excellent in both its broad purposes and its realistic provisions for execution of the program. Because of the strenuous efforts made since 1945 by universities and colleges, and by several foundations, the institutions of the country offer a wide range of intensive programs on international affairs generally and on the intensive study of most of the areas of the world. Your bill provides a flexible and efficient way of tapping these large resources of training and research. . . . It could make a tremendous difference in the awareness of our people about our responsibilities in world affairs and in the effectiveness of both the study and the conduct of our foreign policy in its very wide ramifications.

William Langer, professor of history, Harvard University, and former member, advisory board, Foreign Service Institute:

> I am well acquainted with the problems of training for service abroad. I have therefore read your bill with great interest. I think it is an excellent bill, that will do much to strengthen our staffs abroad. I trust that it will soon be enacted into law.

T. Keith Glennan, assistant to the chairman, Urban Coalition:

> I am in agreement with the proposal you have made and hope that this activity can be included in the Omnibus Education Act of 1968.

Theodore Eliot, Jr., vice chairman, board of directors, American Foreign Service Association:

> Your proposal is of great interest to the members of the Association, and comes at a time when the Association is itself examining the problems of recruitment and training of professionals in foreign affairs.

In addition, Ambassador George Allen, Director of the Foreign Service Institute until last fall, advised me by telephone that he was favorably inclined toward the bill, and would like to testify at Senate hearings.

When the bill reached the floor last year, committee jurisdiction was contested by the Foreign Relations Committee. The acting chairman of that committee, Mr. Sparkman, said that if the bill were withdrawn from the 1968 amendments, he would work to see that "early in the next session" it would receive "top priority." The distinguished Senator from Alabama further stated:

> I wish the Senator from Colorado would agree to postpone it until January. I assure him I will do everything I can to get quick action on it.

Faced with further debate on the jurisdictional issue, and delay in passage of the balance of the 1968 amendments, the chairman of the Education Subcommittee, Mr. Morse, urged that I return the bill to the subcommittee, Mr. Morse, urged that I return the bill to the subcommittee and that we arrange hearings "at an early date, which would mean next session."

With these assurances, I reluctantly moved to strike the Corps from the reported bill.

In the 90th Congress, the Parliamentarian ruled this was an education bill, and sent it to our subcommittee. I agree with that ruling and understand he would make the same determination today if called upon to do so.

Nevertheless, recognizing the need to resolve this jurisdictional problem and to move forward with committee hearings and action in this session, and with the strong assurances I have received from both committees, I have agreed that following completion of consideration of this measure by the Senate Labor and Public Welfare Committee, I will ask that it be referred to the Foreign Relations Committee under a mutually satisfactory arrangement to be made at that time. I do so not without reservation since I continue to feel this scholarship program was just as properly referred to the Labor and Public Welfare Committee as was the International Education Act of 1966.

A detailed explanation of the proposed U.S. Foreign Service Corps appears in my remarks for the Congressional Record of June 26, 1968, at page S. 7745. Rather than repeat them at this time, I ask unanimous consent that the text of the bill as well as a section-by-section analysis be printed in the Record at the close of my statement today.

Let me emphasize, however, several points.

This is not a Foreign Service Academy bill. Proposals of that nature have been made in Congress for some 25 years. Little, if any, progress was made, and new direction is needed.

This is not a program to train or to replace Foreign Service officers. There are now about 3,387 active members in that select group known as Foreign Service officers, but more than 22 times that many people—in excess of 75,000—work for the Government in foreign countries in fields ranging from agriculture to engineering to labor and commerce.

The Corps is a comprehensive scholarship program for institutions of higher education throughout the United States. Its purpose is to stimulate interest among students in fields related to foreign relations, to increase educational opportunities in these fields, and to build and maintain the highest caliber of competence for all employees of the Federal Government serving abroad. In short, the principal thrust is on making readily accessible the best possible educational, training, and research facilities in the country.

At least 77 institutions in 31 States, the District of Columbia, and Puerto Rico offer career curricula in international relations. Some 41 institutions in 21 States and the District of Columbia have curriculums for foreign service and diplomacy. The potential for this non-Government educational resource is there, if we will only recognize it and put it to maximum use.

The U.S. Foreign Service Corps was designed with this in mind:

First. It utilizes, rather than competes with, the facilities and academic expertise of educational institutions, public and private, while preserving their control and objectiveness.

Second. It offers varied but carefully coordinated undergraduate and graduate programs including field training for student scholarship recipients as well as inservice training and research.

Third. It harnesses a continual and prepared reservoir of representative talent from diverse sectors of American life with a variety of educational backgounds from many colleges and universities.

Fourth. It provides access to the full breadth of disciplines taught by the top minds in the country.

Fifth. It maintains the desirable flexibility and independence to maximize opportunities for charting new courses and altering old ones in foreign affairs education and practice.

Sixth. It concentrates our investment in people instead of property, avoiding large capital outlays for buildings, grounds, and equipment.

The bill I introduce today is identical to S. 3700 of the last Congress with two exceptions. Additional emphasis has been placed on graduate schooling by increasing the ceiling on the number of such scholarships to 1,500, while decreasing undergraduate scholarships to 3,500. The total number of scholarships remains the same. Payments for subsistence have been adjusted to make them more competitive with the general level of payments in other educational programs.

One consideration in my decision to withdraw the Corps from the 1968 amendments was a letter from the State Department asking that Senate action be deferred "until such time as the appropriate comment can be provided." Two weeks prior, July 1, 1968, the State Department, HEW, GAO, and BOB were asked to provide the committee with their suggestions on the bill. As of January 20, 1969, none had arrived. Precious time has been lost. Seven months should have been ample time to read the bill, and I am confident the new administration will act more expeditiously.

Regrettably, we do not yet have an efficient total system for training personnel from all agencies destined for overseas assignments. Independent efforts of the many departments and agencies cannot meet the challenge. I want to change that.

"Forward Together" can achieve real meaning through the U.S. Foreign Service Corps.

Mr. President, perhaps no other event in our lifetime will serve so well to mark the smallness of the good earth as will the magnificant achievements of Apollo VIII. The need for man to live together in peace and understanding has been awakened in America and around the globe.

The United States needs to listen as well as to act and our foreign service employees, being our first level of governmental contact with persons overseas, need the finest possible training to insure our ability to listen and understand, and to insure our capacity to persuade others of our search for peace.

I ask unanimous consent that the bill and a section-by-section analysis of the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 939) to amend the Higher Education Act of 1965 in order to provide for a U.S. Foreign Service Corps, introduced by Mr. DOMINICK, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, by unanimous consent, and ordered to be printed in the RECORD, as follows:

S. 939

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Higher Education Act of 1965 is amended (1) by redesignating title XII and sections 1201 through 1210, and all references thereto, as title XIII and sections 1301 through 1310, respectively, and (2) by inserting after title XI a new title as follows:

"TITLE XII—UNITED STATES FOREIGN SERVICE CORPS

"ESTABLISHMENT OF CORPS

"SEC. 1201. The Congress recognizes that the world and the universe are growing smaller in terms of time and space which necessitates now, and will demand in the future, constant informed contact, knowledge and understanding among all the peoples of the world in diplomatic, cultural, and commercial exchanges. The success of these exchanges and the survival of the world may depend upon the ability, education, training, and intelligence of the men and women charged with responsibilities relating to the foreign relations of the United States. To assure that there is adequate opportunity for the young men and women of the United States to enter this vast field with the best possible training of their natural abilities and to advance the professional education and training of the officers and employees of the Government currently engaged in the field of foreign relations, there is hereby established, as provided in the succeeding provisions of this title, a Corps to be known as the United States Foreign Service Corps (hereinafter in this title referred to as the 'Corps'). The Corps shall consist of all students admitted to the Corps under section 1205, and all officers and employees of the Government admitted to the Corps under section 1207, who are enrolled in a program of education, training, or research, or a course of study, approved by the Board under section 1204.

"DEFINITIONS

"SEC. 1202. As used in this title—

"(a) 'Government' means the Government of the United States;

"(b) 'non-Federal institution of higher education' means an institution of higher education which is not owned or substantially controlled by the Government of the United States;

"(c) 'Board' means the Board of Trustees of the Corps;

"(d) 'department or agency' means an executive department, a military department, an independent establishment, or a Government corporation as specified in chapter 1 of title 5, United States Code;

"(e) 'training month' means any month during which a member of the Corps admitted under section 1205 is taking at least the minimum level of credit hours in a full-time course of study prescribed by the Board, or is taking field training as assigned by the Board; and

"(f) 'dependent', when used in relation to a dependent of a member of the Corps admitted under section 1205, means an individual who qualifies as a dependent of such member under section 152 of the Internal Revenue Code of 1954, as amended.

"BOARD OF TRUSTEES

"SEC. 1203. (a) The management and supervision of the Corps shall be vested in a Board of Trustees. The Board shall develop and support, as provided hereinafter, programs of education, training, and research in the field of foreign relations designed to prepare, or advance the qualifications of, members of the Corps for service with the United States in positions or programs related to such field.

"(b) The Board shall consist of the Secretary of State, four educators to be appointed by the President, two members of the United States Senate to be appointed by the Vice President, and two members of the House of Representatives to be appointed by the Speaker of the House of Representatives. Not more than one of the trustees appointed from the Senate nor one of the trustees appointed from the House of Representatives shall be of the same political party.

"(c)(1) The term of each member of the Board appointed from the Senate and the House of Representatives shall be two years.

"(2) The term of each member of the Board appointed by the President shall be four years; except that of the first four persons appointed by the President two shall be designated to serve for two years and two shall be designated to serve for four years.

"(3) Members of the Board shall be eligible for reappointment.

"(d) Vacancies created by death or resignation shall be filled in the same manner in which the original appointment was made, except that the person appointed to fill the vacancy shall be appointed only for the unexpired term of the trustee whom he shall succeed.

"(e) Members of the Board shall serve without pay; but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incured in the performance of their duties.

"ESTABLISHMENT OF CORPS PROGRAMS

"SEC. 1204. (a) In order to carry out the purposes of this title, the Board is authorized and directed to make arrangements with qualified non-Federal institutions of higher education providing for the admission of qualified members of the Corps to such institutions for their enrollment in programs operated by and at such institutions which are designed to—

"(1) enable qualified students who are admitted to the Corps prusuant to section 1205 to pursue full-time courses of study approved by the Board relating to the field of foreign relations and leading to the granting of an undergraduate or graduate degree;

"(2) enable qualified officers and employees of the Government having duties or responsibilities in the field of foreign relations who are admitted to the Corps pursuant to section 1207 to pursue, on a voluntary basis and on such terms and conditions as the Board may prescribe, professional education, training and research activities approved by the Board relating to the field of foreign relations, including selected subjects from a general curriculum, or to pursue full-time courses of study approved by the Board relating to the field of foreign relations and leading to an undergraduate or graduate degree; and

"(3) enable selected members of the Corps to engage in research activities approved by the Board relating to the field of foreign relations. In addition, such arrangements shall provide for a program of appropriate orientation and language training by and at such institutions for members of the families of persons admitted to the Corps or of officers and employees of the Government who are not members of the Corps, but have duties or responsibilities in the field of foreign relations, in anticipation of, or on account of, the assignment of such members of the Corps or officers or employees of the Government to a foreign country or area.

"(b) In carrying out its functions under subsection (a), the Board shall not enter into any arrangement with a non-Federal institution of higher education unless such arrangement provides that such institution will offer to members of the Corps, as a part of its curriculum, courses of study or activities of education, training, or research in the field of foreign relations approved by the Board as satisfactory in order to prepare, or advance the qualifications of, members of the Corps for service with the United States in positions or programs related to the field of foreign relations.

"(c) The number of persons who may receive instruction and training under the various programs of the Corps shall be determined by the Board; except that not more than three thousand five hundred students may be admitted under section 1205 as new members of the Corps in any academic year for the purpose of pursuing courses of study leading to an undergraduate degree, and not more than fifteen hundred students may be admitted under section 1205 as new members of the Corps in any academic year for the purpose of pursuing courses of study leading to a graduate degree.

"NOMINATION AND ADMISSION OF STUDENTS INTO CORPS

"SEC. 1205. (a) The Board shall provide for the holding of annual competitive undergraduate and graduate examinations to determine the admission of applicants into the Corps from among students who are nominated pursuant to subsection (c). Such examinations shall test the intellectual capacities and training of the applicant and his aptitude for service in the field of foreign relations. The Board shall develop such examinations in consultation with non-Federal institutions of higher education with which it has made arrangements under section 1204.

"(b) Applicants for the annual undergraduate examination held by the Board shall be citizens of the United States who are graduates of, or attending, a public secondary school in, or any private secondary school accredited by, a State, or a public or private secondary school in a foreign country which in the judgment of the Board provides an educational program for which it awards a certificate of graduation generally accepted as constituting the equivalent of that awarded by secondary schools accredited by a State. Applicants for the annual graduate examination held by the Board shall be citizens of the United States who are graduates of, or attending, an institution of higher education in the United States or of an institution of higher education in a foreign country which provides an educational program for which it awards a degree which in the judgment of the Board is generally accepted as constituting the equivalent of a bachelor's degree awarded by similar institutions in the United States. No applicant shall be eligible to take any such examination unless he has first been nominated pursuant to subsection (c).

"(c)(1) A total of eight thousand four hundred and eighteen applicants shall be nominated each year to take the annual competitive examinations held by the Board as follows:

"(A) two hundred and twenty from the United States at large as follows:

"(i) one hundred nominated by the President,

"(ii) sixty-six nominated by the Vice President, and

"(iii) fifty-four nominated by the Secretary of State;

"(B) thirty from each State, fifteen nominated by each Senator from the State;

"(C) fifteen from each congressional district, nominated by the representative from the district;

"(D) three from each State nominated by the Governor of the State;

"(E) seven from the Commonwealth of Puerto Rico nominated by the Resident Commissioner from Puerto Rico;

"(F) ten from the District of Columbia, nominated by the Commissioner of the District of Columbia;

"(G) three from the Virgin Islands, nominated by the Governor of the Virgin Islands; and

"(H) three from the Canal Zone, nominated by the Governor of the Canal Zone.

"(2) No person may be nominated under clauses (B) through (G), inclusive, of paragraph (1) unless such person is domiciled in the State, or in the congressional district, from which such person is nominated, or in the District of Columbia, the Commonwealth of Puerto Rico, or the Virgin Islands if nominated from one of those places. To be eligible for nomination by the Governor of the Canal Zone, a person must be a resident of the Canal Zone, or a member of the family of a resident of the Canal Zone, or a member of the family of a civilian officer or employee of the United States or the Panama Canal Company residing in the Republic of Panama.

"(3) After the initial three years of operation of the Corps, if the Board determines that the total number of applicants who will be qualified and admitted as new members in the Corps prior to the beginning of any academic year under this section for the purpose of pursuing courses of study during such academic year leading to undergraduate or graduate degrees, respectively, will be below the total number of applicants who may be so admitted to the Corps in accordance with section 1204(c), the Board may nominate to take a competitive examination held prior to such academic year, and select for admission to the Corps, in the order of merit established by such examination, such additional number of eligible applicants as the Board finds will be necessary to meet the needs of the Corps programs in such academic year and will not exceed the limitations set forth in section 1204(c).

"(d) Applicants under this section shall be selected for membership in the Corps in the order of merit established by the annual examinations held by the Board pursuant to this section, but no person shall be eligible for admission as a member of the Corps unless he is a graduate of a public or private secondary school described in subsection (b) in the case of a student intending to pursue a course of study leading to an undergraduate degree or a graduate of an institution of higher education described in subsection (b) in the case of a student intending to pursue a course of study leading to a graduate degree.

"(e) Except as provided in this section, no competitive or other similar examination shall be required for admission of any person as a member of the Corps under this section.

"COMPENSATION AND PAYMENT OF EXPENSES AND SUBSISTENCE FOR STUDENT MEMBERS

"SEC. 1206. (a) Members of the Corps who are admitted under section 1205 and are maintaining satisfactory progress in, and taking at least the minimum level of credit hours in, full-time courses of study as prescribed by the Board shall be compensated for tuition, texts, laboratory fees and associated course materials, and shall receive subsistence payments as provided in this section. No compensation or payments shall be made except in accordance with procedures established by the Board to assure their accuracy and appropriateness.

"(b) The subsistence payments which shall be payable under this section are as follows:

"(1) A single student member shall rereceive $200 subsistence pay per training month.

"(2) A married student member having a dependent spouse shall receive $250 subsistence pay per training month, and if they have a dependent child or children an additional allowance of $30 for each dependent child shall be paid per training month.

"(3) Where both a husband and wife member are students under a Corps program and are cohabiting their joint subsistence pay shall be $300 per training month, and if they have a dependent child or children an additional allowance of $30 for each dependent child shall be paid per training month.

"(4) Where both a husband and a wife member are students under a Corps program and are legally separated they each shall receive the same subsistence pay per training month as would a single student, but if either spouse has a dependent child or children an additional allowance of $30 per training month shall be paid to the entitled spouse for each dependent child.

"(5) Student members shall be granted an additional allowance of $30 per training month for each dependent not a spouse or a child of such student member.

"ADMISSION OF GOVERNMENT OFFICERS AND EMPLOYEES INTO CORPS; EXPENSES AND COMPENSATION

"SEC. 1207. (a) The head of each Government department or agency is authorized (1) to select officers and employees of such department or agency who may volunteer to be admitted to the Corps to pursue education, training or research or a course of study within a Corps program, (2) to pay all or any part of the pay (except overtime, holiday, or night differential pay) of any such officer or employee so selected for the period of such education, training or research, or course of study, as a member of the Corps, and (3) to pay or reimburse such officer or employee for all or part of the necessary expenses of such education, training, or research, or course of study, without regard to section 529 of title 31, United States Code, including the necessary costs of (A) the travel expenses of such officer or employee and the transportation expenses of his immediate family, (B) the expenses of packing, crating, transporting, and temporarily storing, draying and unpacking his household goods and personal effects to the extent authorized by section 5724 of title 5, United States Code, (C) purchase or rental of books, materials and supplies, and (D) all other services or facilities directly related to the education, training, or research or course of study of such officer or employee within a Corps program. The head of each Government department or agency shall prescribe, with the approval of the Board, limitations concerning the number of officers and employees of such department or agency who may be selected for admission to the Corps at the same time and the period of time which may be spent by such officers and employees in study, training, or research or a course of study within a Corps program. The provisions of section 1206 shall not apply to any Government officers or employees admitted to the Corps under this section.

"(b) Appropriations made available to any Government department or agency for the payment of salaries and expenses of officers and employees of such department or agency shall be available for making payments under this section to members of the Corps selected from such department or agency.

"(c) During any period for which any Government officer or employee who is admitted to the Corps under this section is separated from his usual duties of employment with any Government department or agency for the purpose of education, training, or research or a course of study within a Corps program, such officer or employee shall be considered to have performed service, as an officer or employee of such department or agency at the rate of compensation received immediately prior to commencing such education, training, or research or course of study (including any increase in compensation provided by law during the period of such activity) for the purposes of (1) subchapter III (relating to civil service retirement) of chapter 83 of title 5, United States Code, (2) chapter 87 (relating to Federal employees group life insurance) of title 5, United States Code, and (3) chapter 89 (relating to Federal employees group health insurance) of title 5, United States Code.

"(d) Each Government officer or employee who is admitted to the Corps under this section shall, on completion of the period of education, training, or research or a course of study within a Corps program, be entitled to continue service in his former position or a position of at least like seniority and status in the department or agency from which he was selected for such education, training, or research or course of study and shall be entitled to at least the rate of basic pay to which he would have been entitled had he continued in his usual service with such department or agency. On resumption of his usual duties with such department or agency, the department or agency shall restore such officer's or employee's sick leave account, by credit or charge, to its status at the time he commenced education, training, or research or a course of study within a Corps program.

"AGREEMENT TO ENTER INTO OR CONTINUE GOVERNMENT SERVICE AFTER COMPLETING CORPS PROGRAM

"SEC. 1208. The Board shall obtain from each person admitted to the Corps, other than members of a family receiving orientation or language training under section 1204 (a), such agreement as the Board may deem necessary to assure that such person will accept employment with the United States, unless already so employed, and will remain in the employ of the United States, wherever assigned by the employing department or agency, for such period after completion of their education, training, research, or course of study within a Corps program as is prescribed by (1) the Board in the case of students admitted to the Corps under section 1205, or (2) the head of the employing department or agency in the case of Government officers and employees selected for admission to the Corps from such department or agency under section 1207.

"ASSIGNMENT OF STUDENT MEMBERS FOR FIELD TRAINING AND GOVERNMENT SERVICE

"SEC. 1209. (a) During the course of study leading to an undergraduate or graduate degree, each student admitted to the Corps under section 1205 may be assigned at the discretion of the Board for field training with any program of the Government relating to the field of foreign relations conducted by any department or agency of the Government. The period of field training assignment for a Corps member under this subsection may not exceed two consecutive months in any calendar year during the first three years of undergraduate study, nor more than six consecutive months during the fourth year of undergraduate study or any academic year of graduate study.

"(b) Except as otherwise provided by any law of the United States or regulation prescribed by the Board, each student admitted to the Corps under section 1205 shall, upon satisfactory completion of his course of study leading to an undergraduate or graduate degree, or within such period of time thereafter as the Board finds to be reasonable to prepare and submit any thesis or dissertation related to his course of study, be available for assignment in the discretion of and by the Board (1) for hiring or appointment by the United States in connection with any program of the Government relating to the field of foreign relations conducted by any department or agency of the Government, or (2) if such member has completed a course of study leading to a graduate degree, for one year of specialized study in a particular foreign country or area in which he may later be assigned for Government service. Upon satisfactory completion of any such year of specialized study by a member of the Corps, he shall be appointed as a Foreign Service officer by the Secretary of State without the examination provided for in section 516 or 517 of the Foreign Service Act of 1946 (22 U.S.C. 911–912).

"(c) Prior to making any assignments under this section, the Board shall consult with interested departments and agencies of the Government to determine the personnel requirements of their programs relating to the field of foreign relations. To the extent practicable, members of the Corps shall be assigned in accordance with their preferences for a particular Government program.

"ROTATION FOR SERVICE IN THE UNITED STATES

"SEC. 1210. All Corps members who have satisfactorily completed their education, training, or research, or course of study within a Corps program and are employed by, or remain in the employment of, the United States under this title shall be assigned to Government duties within the United States for a minimum of one year during every five that they are employed in any Government program in the field of foreign relations; except that the provisions of this subsection may be waived when the United States is at war as declared by Congress.

"CONTINUATION OF FOREIGN SERVICE INSTITUTE

"SEC. 1211. The Foreign Service Institute, established under title VII of the Foreign Service Act of 1946 (22 U.S.C. 1041–1047) is hereby continued. All functions, powers, and duties of the Secretary of State under such title, relating to the Foreign Service Institute, are hereby transferred to the Board. All property and personnel of the Foreign Service Institute, together with the unexpended balance of any appropriation available for use by such Institute, are hereby transferred to the Board and shall be subject to the control and use of the Board for the furtherance of the objectives of the Corps.

"STAFF OF BOARD

"SEC. 1212. (a) The Board may appoint and fix the compensation of a staff consisting of not more than five professional staff members and such clerical staff members as may be necessary. Such appointments shall be made and such compensation shall be fixed in accordance with the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

"(b) The Board may designate one member from the professional staff who shall serve as the chief staff officer of the Board and shall exercise, under the supervision and in accordance with the policies of the Board, such of the powers and duties granted to the Board as it deems appropriate.

"(c) The Board may procure such temporary and intermittent services as are authorized by section 3109 of title 5, United States Code, but at rates not to exceed $100 a day for individuals.

"ACQUISITION OF REAL OR PERSONAL PROPERTY BY BOARD

"SEC. 1213. The Board shall have the power to acquire and hold property, real or personal, and to receive and accept money or other property, real or personal, bequeathed, devised, or donated, and to use, sell, or otherwise dispose of such property for the purpose of carrying out this title.

"PROHIBITION AGAINST ESTABLISHMENT OF ACADEMY

"SEC. 1214. Except as provided in section 1211, nothing in this title shall be construed to authorize the Board to establish any educational institution, or to appoint or hire any person to serve on the faculty or staff of any educational institution.

"AUTHORIZATION

"SEC. 1215. There are hereby authorized to be appropriated to the Board to carry out the purposes of this title (other than section 1207), $15,000,000 for the fiscal year ending June 30, 1970; $30,000,000 for the fiscal year ending June 30, 1971; $45,000,000 for the fiscal year ending June 30, 1972; and $60,000,000 for the fiscal year ending June 30, 1973; but for the fiscal year ending June 30, 1974, and each succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

The section-by-section analysis of the bill, presented by Mr. DOMINICK, follows:

U.S. FOREIGN SERVICE CORPS—SECTION-BY-SECTION ANALYSIS

Section 1201. Establishment of Corps: To provide more widespread opportunity for entering, and more adequate training of persons entering or already engaged in, the field of foreign relations, a U.S. Foreign Service Corps would be established, consisting of students and Government employees selected for admission under the provisions of this title, and enrolled in a program of education, training, or research, or a course of study approved by the Board of Trustees established hereunder.

Section 1202. Definition: "Government", "non-Federal institution of higher education" (institution not owned or substantially controlled by the Government of the United States), "Board" (Board of Trustees of the U.S. Foreign Service Corps), "department or agency" (including Government corporation), "training month", and "dependent" would be defined.

Section 1203. Board of Trustees: A Board of Trustees (consisting of the Secretary of State, four educators appointed by the President, two Senators, not of the same political party, appointed by the Vice President, and two Representatives, not of the same political party, appointed by the Speaker of the House) would be charged with management and supervision of the Corps, and development and support of programs of education, training, and research, designed to prepare, or advance the qualifications of, members of the Corps for service with the United States in positions or programs related to foreign relations. Members of the Board would serve without pay, but with reimbursement for travel, subsistence, and other necessary expenses, for terms of 2 years

(Senate, House, and first two educator appointees of the President) or 4 years (all other educator appointees of the President, of which two would be appointed every 2 years), and might be reappointed.

Section 1204. Establishment of Corps programs: The Board would be authorized to make arrangements with qualified non-Federal institutions of higher education to admit qualified members of the Corps to programs approved by the Board, including—

(1) in any academic year, not more than 3,500 undergraduate and not more than 1,500 graduate student members, for full-time courses of study leading to, respectively; undergraduate or graduate degrees in foreign relations;

(2) Government employee members for professional education, training, and research activities or for full-time courses of study leading to an undergraduate or graduate degree in foreign relations;

(3) selected members of the Corps for research activities in the field of foreign relations.

The arrangements must include a program for appropriate orientation and language training at the institution for members of the families of persons admitted to the Corps ~~if it is~~ anticipated the Corps member will be assigned to a foreign country or area. Such orientation and language training must also be available for members of the families of officers and employees of the Federal Government who are not Corps members, but who have duties or responsibilities in the field of foreign relations, when it becomes apparent the officer or employee will be assigned to a foreign country or area.

Section 1205. Nomination and admission of students into Corps: The total of 3,500 undergraduate and 1,500 graduate student members of the Corps authorized for admission in any year would be selected in order of merit by annual competitive undergraduate and graduate examinations held by the Board, to test the intellectual capacity, training, and aptitude for foreign affairs of 8,418 persons eligible to take the examination and nominated in accordance with provisions of this section. (After 3 years, if it appeared in any year that this procedure would not qualify for admission into the Corps the number of student members who might be admitted, an additional competitive examination would be given to nominees of the Board.)

Applicants for the annual undergraduate examination would be required to be citizens of the United States who had graduated from, or were attending, a public secondary school in, or a private secondary school accredited by, a State or a secondary school in a foreign country with an educational program approved by the Board. Applicants for the annual graduate examination would be required to be citizens of the United States who had graduated from, or were attending, an institution of higher education in the United States or an institution of higher education in a foreign country which awards a degree which in the Board's judgment is generally accepted as equivalent to a bachelor's degree in the United States. (Before admission into the Corps, a student member would need to have graduated from such secondary school or institution of higher learning, as the case might be.)

The annual competitive examination could be taken only by applicants nominated as follows:

(1) 220 nominated from the United States at large (100 by the President, 66 by the Vice President, 54 by the Secretary of State);

(2) 1,650 nominated from the 50 States (15 by each Senator, 3 by each Governor);

(3) 6,525 nominated from the 435 congressional districts (15 by the Representative from each district);

(4) 10 from the District of Columbia, nominated by the Commissioner of the District of Columbia;

(5) 13 from outlying areas (7 nominated by the Resident Commissioner from Puerto Rico, 3 by the Governor of the Virgin Islands, 3 by the Governor of the Canal Zone).

Total, 8,418.

Except with respect to nominees at large, and from the Canal Zone, nominations could be made only from among persons domiciled in the State, congressional district, or geographic area from which nominated.

Section 1206. Compensation and payment of expenses and subsistence for student members: Student members of the Corps admitted under Section 1205 and maintaining satisfactory progress in courses of study prescribed by the Board would be compensated for tuition, texts, laboratory fees, and associated course materials and would be eligible to receive subsistence payments in accordance with procedures established by the Board. Subsistence payments per training month would be $200 for a single student or a student legally separated, $250 for a married student with a dependent spouse, and $300 for husband and wife student members who are living together. An additional $30 per training month would be paid for each dependent child of a student member, or for a dependent other than his spouse or child.

Section 1207. Admission of Government officers and employees into the Corps; expenses and compensation: The head of each Government department or agency would be authorized to select from among its employees volunteering for admission into the Corps to pursue education, training, or research within the Corps program, to prescribe limitations on the number of employees selected at the same time, and the length of their course of study. From appropriations made available for the payment of salaries and expenses of employees of such department or agency, employees so selected would be authorized to be paid their regular salaries, and (without regard to 31 U.S.C. 529) to be reimbursed for necessary expenses of such education, training, or research (including travel expense of such employee, transportation expenses of his immediate family, cost of transporting or storing his household goods and personal effects to the extent authorized by 5 U.S.C. 5724, purchase or rental of books, materials, and supplies, and other services or facilities related to his education, training, or research). A Government employee's period of education, training, or research within a Corps program would be deemed to be Government service for purposes of civil service retirement, Federal employees' group life and health insurance, and at the completion thereof, the employee would have reemployment rights to a position of at least like seniority and status in the department or agency from which he was selected, with restoration of sick leave credit, and at the rate of pay to which he would have been entitled if he had continued his usual service in such department or agency.

Section 1209. Assignment of student members for field training and Government service: The Board might assign any student member of the Corps admitted under Section 1205 for field training with any Government program relating to foreign relations for not more than 2 consecutive months in any of the first 3 calendar years of his undergraduate study, and for not more than 6 consecutive months during the fourth year of undergraduate study or any academic year of graduate study. Except as otherwise provided by law or by regulation of the Board, a student member who received an undergraduate or graduate degree under the Corps program would be available for assignment by the Board (in consultation with interested departments and agencies of Government and, to the extent practicable, in accordance with the student's preferences (1) to be hired by any department or agency of Government for a program relating to the field of foreign relations, or (2) in the case of a student member who received a graduate degree under the Corps program, for 1 year of specialized study in a foreign country or area in which he might later be assigned for Government service. Only those students selected for such specialized study from those completing a graduate degree would be entitled to be appointed Foreign Service officers by the Secretary of State, without the examination provided in 22 U.S.C. 911–912, upon satisfactory completion of the year of specialized study.

Section 1210. Rotation for service in the United States: Except in time of war declared by Congress, Corps members who satisfactorily completed education, training, or research, or course of study within a Corps program, and who were employed by the United States in the field of foreign relations, would be assigned Government duties within the United States for at least 1 of every 5 years of such employment.

Section 1211. Continuation of Foreign Service Institute: All functions, powers, and duties of the Secretary of State relating to the Foreign Service Institute established under 22 U.S.C. 1041–1047 would be transferred to the Board. All property and personnel of the Foreign Service Institute and the unexpended balance of any appropriation therefor would be transferred to the Board for use in furtherance of the objectives of the Corps.

Section 1212. Staff of Board: The Board would be authorized to make appointments in the competitive service and to fix the compensation, in accordance with civil service classification and general schedule pay rates, of not more than five professional staff members (including a chief staff officer of the Board) and such clerical staff members as might be necessary.

The Board would be authorized to procure temporary or intermittent services pursuant to 5 U.S.C. 3109, at rates not to exceed $100 per day for individuals.

Section 1213. Acquisition of real or personal property by Board: The Board would have the power to acquire, hold, use, sell, or otherwise dispose of property, real or personal, and to accept gifts or bequests, to carry out the purposes of this title.

Section 1214. Prohibition against establishment of academy: The Board would have no authority to establish any educational institution, nor to appoint any person to serve on the faculty or staff of any educational institution except the Foreign Service Institute.

Section 1215. Authorization: To carry out the purposes of this title (except Section 1207), appropriations to the Board would be authorized in the amount of $15 million in fiscal 1970, $30 million in fiscal 1971, $45 million in fiscal 1972, $60 million in fiscal 1973, and in fiscal 1974 and each succeeding fiscal year, such sums as Congress might authorize.

S. 940—INTRODUCTION OF BILL RELATING TO A MORATORIUM FOR DAMS ON THE MIDDLE SNAKE

Mr. JORDAN of Idaho. Mr. President, I introduce today, for appropriate reference, on behalf of myself and my distinguished colleague, Senator CHURCH of Idaho, a bill which will declare a moratorium on the granting of a license for any dam on the Middle Snake River between the Hells Canyon Dam and the site of the Asotin Dam. This would apply for a period of 10 years.

This will be consistent with the 10-year moratorium on the reconnaissance studies of water augmentation for the Southwest from sources outside the Colorado River Basin States as spelled out in the Colorado River development bill and for the 10-year study on the main

Salmon River which is now designated in the study section of the wild and scenic rivers bill. The Columbia River Basin States are a full generation behind the Colorado River Basin States in water resource planning. We expect to make good use of this 10-year period.

First. The Pacific Northwest River Basins Commission was created on March 6, 1967. Studies by this Commission are now going forward in cooperation with agencies of the States of Idaho, Oregon, Washington, Montana, and Wyoming.

Second. The constitution of Idaho was amended in 1964 to authorize a State water resource board. This was funded in 1967. This agency is now building an organization and has started its study and inventory of water and land resources of the State to determine the present and future water needs.

Third We need more facts which current studies will provide.

Mr. President, after having achieved a 10-year moratorium on the Colorado River Project Act in order to preserve our options provided by that moratorium it would be inconsistent and inexcusable to remain silent while dam builders argue over who will build a dam at Appoloosa or Mountain Sheep when the building of either project will foreclose the hard-won options we have thus far successfully defended. For these reasons Senator Church and I intend to insure that Idaho's options in water resource development are kept open and not foreclosed by precipitate action in licensing by the FPC or authorization by the Congress for Federal construction of any dam in the Middle Snake Area.

Some pertinent facts which relate to this situation are—

First. High Mountain Sheep, Appoloosa, and Nez Perce are mutually exclusive, that is, the building of any one would preempt the building of the other two. Nez Perce is superior to the other two in every way because it is located below the confluence of the Salmon and Snake Rivers and will best use the water from both rivers behind a single dam. Consideration of the Nez Perce has yield with pressure to preserve anadromous fish runs.

Second. On January 20, 1958, the FPC denied an application by Pacific Northwest Power Co.—project No. 2173—to build dams at Mountain Sheep and Pleasant Valley. At that time the Commission said:

> Commission determines that applicant's project will not be best adapted to a comprehensive plan of development of the water resources of the region under Section 10(a) of the Federal Power Act after finding that the Nez Perce project would have more flood control benefits and greater power benefits than applicant's proposed project.

Third. The reasons for denying the applicant's application are even more valid now than they were in 1958. Since then preliminary studies disclose:

That the Snake River watersheds will not provide enough water to irrigate the great potential of land adjacent and economically feasible new irrigable lands.

That the best source of supplemental water is Idaho's own Salmon River.

That present salmon runs may already be doomed by the building of the 10 dams below the mouth of the Salmon River that are now either built, under construction, or authorized, or it may be that fisheries research may provide a means of passing fish over dams without the high losses that now occur.

That to achieve Idaho's ultimate reclamation potential both supplemental water supplies and low cost pumping power are essential. Both of these elements are available in the Salmon storage behind Nez Perce Dam with pumpback to project lands by low cost Nez Perce power.

That the building of Nez Perce would not only make possible the use of Salmon River water for upstream consumptive use in the Snake River Basin but would make available for the same purpose a minimum flow of 5,000 cubic feet per second now required by the FPC as a condition in the licensing of Idaho Power Co. at its three-dam complex upstream in the Middle Snake.

Mr. President, Idaho is now at the crossroads. The stakes are high. Within 10 years we must decide which direction to take, whether it be toward achieving our high reclamation potential by full development of the Middle Snake or to maintain an open river. We do not have to make this decision now. Nor do we wish to be forced into a decision by others who are motivated by the single purpose, power. Bear in mind, there are many sources of power including nuclear or fossil fuel generation but the one essential element in making the desert bloom is water.

In Idaho we have a double loyalty in our great love for our vast forests, mountain meadows, open ranges, lakes, and streams. We are determined to protect our great wildlife and recreation resources and we are equally determined to utilize the natural resources of these areas to help us grow and develop fully our industrial and agriculture potential. I believe that these objectives are not incompatible and I hope that Congress will assist us in reaching these objectives by granting a moratorium until our studies have been completed.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 940) to prohibit the licensing of hydroelectric projects on the Middle Snake River below Hells Canyon Dam for a period of 10 years, introduced by Mr. Jordan of Idaho (for himself and Mr. Church), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

TEN-YEAR MORATORIUM FOR MIDDLE SNAKE

Mr. CHURCH. Mr. President, I am pleased to join my distinguished colleague, Senator Jordan of Idaho, in sponsoring this bill to prohibit the licensing of hydroelectric projects on the Middle Snake River below Hells Canyon Dam for a 10-year period.

The thrust of this legislation is to provide time for further appraisal of the Middle Snake in the context of changing time and need.

I am presently persuaded that the construction of a high hydroelectric dam in the Middle Snake would not contribute greatly to the development of Idaho. The power would be sold almost entirely outside the State to large urban centers. An alleged benefit to the fishery has yet to be proved, or even accepted by the best-informed sportsman groups. Federal appropriations for water development projects are limited, and I think it very important to arrange our priorities in such a way that multipurpose projects, which include irrigation, navigation, and flood-control benefits, as well as electric power, and which contribute most to the general growth of our economy, are built ahead of those projects which contribute the least.

Hells Canyon has a long history of conflict in the private versus public power field. I will not go into a detailed chronology, other than to point out that the public and private groups which separately and then jointly filed for licenses to construct dams in the canyon have now reached agreement with the Interior Department for a partnership for which congressional approval will be sought. The record, however, is replete with divided and opposing appraisals. Even now there are questions as to the location of the damsite. Meanwhile, there has been a growing movement against any dams in the canyon, and for establishment of this section of the Snake as a recreational river preserved in its natural state.

Mr. President, this is a magnificent stretch of the river, in a canyon deeper than the Grand Canyon of the Colorado. The Seven Devils peaks rise 8,000 feet above waters that often churn white between sheer rock walls. This is a wild and remote area where thousands of deer and elk graze in wintertime, and which is a natural habitat for cougar, bear, coyote, and other wildlife. Salmon, steelhead, bass, and the mighty sturgeon abound in the river. Migratory waterfowl, wild turkeys, golden eagles, partridges, grouse, and many other birds flock here. Domestic livestock also graze in the area.

Hells Canyon is internationally known to white water boatmen. Many visitors reach the canyon by jet boat from Lewiston, Idaho, or down steep trails from either the Idaho or Oregon side. There are many fine campsites along the river, some of them ancient Indian stopping places with archeological and anthropological importance.

There are, Mr. President, other important reasons for advocating a moratorium. We need more time to assess the possibility of preserving the salmon and steelhead runs. These contribute not only to a burgeoning recreation industry for transient sportsmen, but also to the pleasure of life in our States for many thousands of our citizens. Another 10 years should bring us vital answers that we can only guess at now.

Finally, there is the consideration which must be given to the likelihood that nuclear technology will continue to advance. Its pace in recent years has been such that a high hydroelectric dam, without the enhancement of other public benefits, might be rendered obsolete before it is even completed. When there are so many multipurpose projects that could be completed in the interim, it seems hardly sensible to rush to judgment on building a single purpose—or at most, a dual purpose—dam in this critical stretch of the river.

I think it is also important to point out that there has not been full agreement in the executive branch on the desirability of a hydroelectric project in Hells Canyon. As recently as November 8, 1968, the Department of Agriculture recommended to the Federal Power Commission that it not now license a dam on this stretch of the Snake.

Mr. President, we are not prejudging the issue in seeking this moratorium. We ask only for sufficient time to make sure that this great resource is finally dedicated to its highest and best public use. As Senator Jordan has pointed out, the Columbia Basin States are a full generation behind in resource planning, and we would expect to make good use of this 10-year period. We hope the Congress will approve the moratorium.

INTRODUCTION OF BILLS RELATING TO AMENDMENTS TO THE WAR CLAIMS ACT

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, two bills to amend the War Claims Act of 1948.

The first of these bills (S. 990) would benefit two classes of claimants who have not yet received recognition of their claims. These are, first, refugees from nazism and other tyrannies who became citizens of the United States after their property was seized; and, second, prisoners of war and internees who have personal injury claims. Both these groups of citizens suffered at the hands of our enemies and are entitled, in my judgment, to share in the war claims fund being distributed to these victims.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 990) to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses, introduced by Mr. Javits, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. JAVITS. The second bill (S. 941) would create a preference for religious and nonprofit groups who suffered losses during the war. The Senator from Massachusetts (Mr. Kennedy) is a cosponsor of this measure. Under present law, only small businesses have a preference, and the purpose of my proposal is simply to put these churches and welfare organizations on the same footing as private businesses in pressing their claims. Some of the groups which would be specifically affected are Yale-in-China, B'nai Brith, and numerous Catholic and Protestant groups.

When the original War Claims Act was passed in 1948, small businesses were given a priority in order to put them in a better position vis-a-vis big business, which had already received considerable tax benefits because of its losses. The problem of the nonprofit organization, however, was apparently neglected, and the purpose of this bill is to remedy the situation by creating equal priorities for small business and nonprofit groups.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 941) to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations, introduced by Mr. Javits (for himself and Mr. Kennedy), was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 942—INTRODUCTION OF A BILL DEALING WITH SONIC BOOMS

Mr. JAVITS. Mr. President, on behalf of the Senator from New Jersey (Mr. Case) I introduce, for appropriate reference, a bill to deal with the sonic booms that will be generated a few years hence by commercial supersonic transports.

My bill provides—

First. A 2-year, scientific study of all aspects of the sonic boom by the Federal Aviation Administration in conjunction with six Federal departments and agencies and the National Academy of Sciences. Interim and final reports would be made to the Congress.

Second. That during the period of study, all nonmilitary, overland flights which create sonic booms will be banned. The ban applies to the United States, its territories, and possessions. This prohibition would stand until Congress decides whether to permit overland flights of SST's and, if so, under what conditions.

The SST represents, in the jargon of the engineer, a quantum jump in technology. These planes will fly faster than the speed at which sound travels in the atmosphere, which is somewhere between 650 and 760 miles per hour, depending on the temperature at a particular altitude. They also will create sonic booms which will follow continuously in their track, be audible for miles on either side of the SST, and annoy or startle everyone within earshot.

The danger to the environment from sonic booms is not just theoretical. The Russians already are test flying their TU-144 SST. The French and British are to test their Concorde SST this year and may have it in commercial service within 2 to 3 years. The bigger, faster, and probably noisier, U.S. SST is presently undergoing redesign, but still may be only 5 to 6 years away from commercial duty.

With the commercial supersonic age so relatively near, it is urgent that proper safeguards for the public be written into the law before we are subjected to sonic bombardment. Effective safeguards do not presently exist and I include in this category the wholly inadequate sonic boom control legislation approved by Congress last year.

This law suffers from a debilitating defect—it was based upon inadequate knowledge of the sonic boom, its effects, and how it might be harnessed. For example, reducing the sonic boom apparently will be a difficult task in itself. In its 1968 progress report on "Sonic Boom Generation and Propagation," the National Academy of Sciences brushed aside claims that "any major breakthroughs" in minimizing the sonic boom were on the horizon.

Our knowledge in the area of human response to the boom is equally woeful. For example, what will be the cumulative effect on people of the five to 50 booms a day predicted by an Interior Department study if overland flights at supersonic speeds are permitted? No one knows. Similar questions could be asked about the impact of the boom on many other facets of life and the answer would be about the same: We are not really sure or we plain do not know.

But what we do know of the sonic boom is not at all reassuring. For example, in Oklahoma City about 27 percent of the people who underwent daily sonic bombardment as part of a limited test found the experience intolerable, even though the time of the booms was announced in advance. Sonic booms can and do cause physical damage, including damage to ancient geological formations. We also know that SST acceleration and maneuvering, as well as atmospheric conditions, can intensify the boom with uncertain consequences.

Obviously, before we can properly legislate in an area as complex as this, we must know far more about the phenomenon we are dealing with. The purpose of the study in my bill is to provide the knowledge that will make intelligent action possible.

Until we know the full effect of the sonic boom on man and his environment, the boom that will be generated by commercial SST's must be banned from our territorial areas.

While the FAA has authority to impose a ban on overland flights, it has not done so to date. Its inaction may be more understandable when it is recognized that the FAA also is chief developer of the U.S. SST project and its most enthusiastic promoter.

The FAA's official mission is to develop an "economic" plane—not one tolerable to the eardrums. In terms of protecting the public interest as it carries out its mission, the FAA's position is about like that of the fox that has been put in charge of the chicken coop. The chickens had best beware.

I have been glad to note that the new Secretary of Transportation recognizes the noise problem as well as the technological and economic questions associated with the SST and has asked for a crash study of the entire project. Nevertheless, the final determination on whether to permit overland flights by nonmilitary planes at supersonic speeds is one for Congress to make.

In the case of the SST we have a chance to assess a technological consequence before it engulfs us. We have here the opportunity to find out the price of "progress" before we are required to pay it. The Congress is the appropriate body to decide the basic policy which has such profound implications for our whole society.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 942) to amend the Federal Aviation Act of 1958 in order to provide for regulation of public exposure to sonic booms by certain aircraft over the United

States, introduced by Mr. JAVITS, for Mr. CASE and other Senators, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 942

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 307 of the Federal Aviation Act of 1958 is amended by inserting at the end thereof a new subsection as follows:

"REGULATION OF SONIC BOOMS

"(g) The Administrator shall (1) prohibit nonmilitary aircraft, singly or in any combination thereof, from being operated over the United States (including territories and possessions thereof) in such a way as to produce sonic booms, but such prohibition shall not apply to aircraft used in the investigation and study herein authorized; (2) conduct a full and complete investigation and study for the purpose of determining what exposures to sonic booms (amount and frequency) are detrimental to the health and welfare of any persons, and such investigation and study shall include (A) consultation with the Secretary of Health, Education, and Welfare, the Secretary of Defense, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Commerce, the Administrator of the National Aeronautics and Space Administration, and the President of the National Academy of Sciences, and (B) such research as may be necessary, which shall include, but not be limited to, the startle effect and physiological or psychological problems that result from sonic booms and the possible detrimental effects on preservation of natural beauty and historic shrines; (3) within one year from the date of enactment of this subsection make a report to the Congress on his findings as of that time, together with the written comments of the above-mentioned officials; and (4) no later than two years from the date of enactment of this subsection, report to Congress on the final results of his findings, together with the final written comments of such officials."

S. 943—INTRODUCTION OF BILL TO PROVIDE THAT OFFICE, INDUSTRIAL, OR HOUSEHOLD APPLIANCES AND EQUIPMENT BE CONSPICUOUSLY MARKED TO SHOW FOREIGN COUNTRY OF ORIGIN

Mr. JAVITS. Mr. President, on behalf of Mr. CASE, who is necessarily absent, I introduce the following bill to provide that office, industrial, or household appliances and equipment be conspicuously marked to show the foreign country of origin, and for other purposes.

Immediately following the text of the bill, I ask that there be printed in the RECORD a memorandum prepared by Abe Morganstern, director of research for the International Union of Electrical, Radio, and Machine Workers, to IUE president, Paul Jennings.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and the memorandum will be printed in the RECORD.

The bill (S. 943) to provide that office, industrial, or household appliances and equipment be conspicuously marked to show the foreign country of origin, and for other purposes, introduced by Mr. JAVITS (for Mr. CASE), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 943

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Truth-in-Import Labeling Act".

SEC. 2. (a) No person may import into the United States any office, industrial or household appliances or equipment manufactured, produced, or assembled primarily outside the United States unless a label is permanently attached to such appliance or equipment at a place which is conspicuous at all times.

(b) The label shall indicate in clearly distinguishable letters of the English language the name of the manufacturer, producer, or assembler and the foreign country in which such appliance or equipment was manufactured, produced, or assembled. The letters indicating such foreign country shall be at least one-half the height and width of the name of the make of the appliance or equipment, but not less than one-fourth inch in height.

(c) The label shall be made of metal, except that if the Federal Trade Commission determines that metal is inappropriate, it shall prescribe the material of which the label shall be made.

SEC. 3. A violation of any of the provisions of this Act, or any regulations issued pursuant to this Act, shall constitute an unfair or deceptive act or practice in commerce in violation of section 5(a) of the Federal Trade Commission Act and shall be subject to enforcement under section 5(b) of the Federal Trade Commission Act.

SEC. 4. The Federal Trade Commission is authorized to promulgate rules and regulations to carry out the provisions of this Act.

The memorandum presented by Mr. JAVITS is as follows:

DATA IN SUPPORT OF TRUTH-IN-IMPORT LABELING BILL

(Memorandum to Paul Jennings, President, International Union of Electrical, Radio, and Machine Workers, from Abe Morganstern. Director of Research, February 5, 1969)

1. *Purpose and Intent:* The "Truth in Import Labeling" bill is a necessary and logical extension of the Truth in Labeling Act, designed to protect the American consumer against false and misleading product labeling. The purpose of the "Truth In Import Labeling" bill is to provide the consumer with significant and vital identifying information as to where, by and for whom products imported and sold in the U.S. are manufactured.

There has been a tremendous upsurge in recent years in the quantity of electrical, electronic and manual applicances and machines imported from abroad and marketed in this country under U.S. brandnames. Hundreds of familiar product lines which were once domestically produced are now wholly foreign-made, and yet they are still sold under the domestic label.

The American consumer has come to associate the quality of a product with its label. The consumer may well expect the television set or other appliance he purchases bearing the trade name of Westinghouse, Motorola, etc., to have been manufactured in the U.S., when in fact the product may have been entirely produced by a European, Japanese or other Far East company.

Current labeling practices are aimed at influencing the buying public by providing incomplete, misleading and inaccurate information regarding where a wide variety of imported, domestically-labeled products have been manufactured, and by whom. We believe consumers should know when a domestic manufacturer is no more than a distributor of products, once, but no longer, produced in his domestic plants, while still identified by his brand name. Since vast sums are invested in advertising to influence the consumer, it is only reasonable to insist he be given all the relevant facts. And one of the more relevant facts consumers need to know in order to make intelligent purchase decisions is by whom and where the product has been made.

2. *Extent of False, Inadequate, Misleading Labeling:* Industry statistics refer to two types of imports for given products, total imports and imports under a U.S. brand. In an increasing number of vitally important consumer product lines, U.S.-brand as well as non U.S.-brand imports have been showing a phenomenal rise, while U.S. production of the same products have declined.

The vast majority of radios sold in the U.S. are imports. While domestic production of home radios declined by one-fourth (1¼ million sets) for the period January-September, 1968 as against January–September, 1967, total imports rose by almost 3.2 million sets (to about 20 million sets) during the comparable period. Imports of U.S. brand now equal, and will soon exceed, domestic production. In the first nine months of 1968, 4,150,761 U.S. brand radios were imported from abroad, a 1.1 million increase from the same period in 1967.

For each tape recorder produced in the U.S., over 8 are imported, and as many imports carry a U.S. brand as are produced in this country. While cartridge and cassette recorders make this industry one of the more promising consumer industries in terms of sales, domestic production has declined by nearly 25 percent. Plans of American corporations indicate practically all domestically labeled tape recorders will be produced abroad within the next two or three years.

Imports of U.S. brand phonographs have almost doubled within the past year, while imports of non U.S. brands have declined about 15 percent. Domestically produced units have also registered a decline. Plans of American corporations suggest that most American phono production is shortly to be transferred to plants overseas.

Imports of U.S.-brand TV sets have risen nearly 37 perecnt in the past year, while total imports of TV sets rose nearly 60 percent. In 1968, 2 million sets were imported in the U.S. But imports are certain to accelerate further. Major corporations like Westinghouse, Ford-Philco, Admiral, Sylvania and others are transferring production of color as well as monochrome TV sets to their own plants in other countries or to plants of foreign companies.

These are only a few of the product lines in which domestic production is threatened, and where American manufacturers are more and more becoming distributors of products made by other firms, or by their own foreign affiliates.

It should be noted that domestic-brand import statistics do not include complete units made abroad for distributors like Sears, J. C. Penney, AMC, etc.

3. *A Few specific Examples of Shifts in Production to Foreign Companies and to Foreign Plants of American Corporations*—

Practically all Emerson-labeled radios, hi-fi's and tape recorders, once made by Emerson, are now made by firms located in Japan and Hong Kong. Emerson built its name as one of the outstanding American producers of home radios.

Mitsubishi, Japan, produces all Emerson-labeled 7 and 11 inch portable black and white TV sets. Hitachi, Ltd. and C. Itohn, Japan, now produce all Emerson-labeled 15 and 18 inch color TV sets.

In three years, there was a decline of 450 jobs, or over 25 percent, in Emerson's Jersey City plant.

Westinghouse is closing out all remaining TV production in its Edison, New Jersey, plant. Sets are to be made in Japan by one or more of the following companies: Hitachi, Hayakawa, Matushita, Toshiba, Nippon Electric, Sango. They are also to be made in the Westinghouse Branford, Ontario plant.

All Westinghouse-labeled tape recorders are to be made by Nippon Electric and Jaeco.

Westinghouse-labeled radios are made in Japan and Hong Kong. In 1969, the company expects to import 680,000 of its domestic-labeled radios, about 70 percent, for sale in the U.S.

In two years, the job loss in Edison, New Jersey, was over 2,000. Layoffs are continuing. Total job loss may approach 2,800.

Singer Corporation, Elizabethport, New Jersey, produces most of its household sewing machines for sale in this country in its Scotland and West German plants. Singer is the only remaining producer of household sewing machines in the U.S., using only part of its Elizabethport plant for such production. It is the largest importer and distributor of household sewing machines made abroad. Its labeling and selling techniques fail to identify clearly where the products are made. It sells through its retail outlets to consumers who are led to believe the Singer machine is a domestically made product.

At one time, there were 10,000 production workers in the Elizabethport plant. Current employment is slightly over 2,000.

Singer's Friden Division last year concluded an agreement with Hitachi for the production by Hitachi of Friden-labeled electronic desktop calculators. The electronic calculators are made to Friden's designs and specifications. Friden sells both domestically and abroad.

Burroughs Corporation has an agreement with Hayakawa Electric Company for production by Hayakawa under Burroughs-brand of electronic calculators to be sold in the U.S.

Television Manufacturers of America, Co. (formerly Muntz TV), Wheeling, Illinois, now imports radios and stereos from Japan. The plant's production lines have been cut back more than 50 percent.

Philco-Ford recently imported 15,000 Console TV sets made in Japan under its own label. If the sets sell, plans are to import wholly foreign-made Philco-labeled sets in much larger quantities for sale here.

Norelco distributes cassette recorders made in Netherlands and Austria by its parent company, Philips of Netherlands. The cassettes bear the Norelco label.

Ampex, Bell & Howell, Mercury & Wollensak also distribute under their own label Philips cassette recorders made in Austria and the Netherlands.

Sylvania has begun importing under the Sylvania label black and white TV sets made by its parent company in a G.T.E. plant in Hong Kong. The initial shipment in November, 1968 was small, but it has been described as "its first commercial-sized TV import from Hong Kong." Any sizable increase in shipments would further affect adversely employment in Sylvania's plant in Batavia, New York, which has already suffered a loss of 400 jobs in the past two years.

General Electric has, according to a report by its president at an "Information Meeting for General Electric Share Owners 1968," established manufacturing operations in Ireland and Hong Kong to produce radios and, presumably, other consumer electronic products. General Electric will also this year begin importing under its own label small-size TV sets made for it by a Japanese firm.

Admiral Corporation, according to an article in the December 9, 1968 issue of *Television Digest,* is importing TV sets in large quantities made in its consumer electronics and TV plant in Taiwan. The same article mentions Philco-Ford as an importer of U.S. brand TV sets made in Philco's Taiwan plant. Total TV output in Taiwan in 1968 is estimated at 300,000, compared with 31,000 in 1964.

4. *The Accelerating Trend in Transfer of Production to Non-American Plants of U.S. Corporations:* There has been a wholesale transfer of manufacturing operations to American facilities in foreign lands. Such transfer includes the manufacture of complete units and chassis, major manufacturing and assembly operations abroad with minor final assembly in the U.S., and the manufacture of components to be assembled in domestic plants. It appears the Commerce Department is enthusiastically developing plans for further accelerating the transfer of U.S. production out of this country. An article in the February 3, 1969 issue of *Television Digest* states:

"Asian electronics industry study, intended to help U.S. manufacturers find Far East locations, is being considered by Commerce Department. Study was recommended by U.S. Tokyo Embassy staff report which said rising Japanese labor costs may open Asian market for electronics produced by U.S. subsidiary operations there. Cited as potential plant locations were Korea, Taiwan and Philippines. Business & Defense Services Administration's Communications & Electronics Div. . . . is inviting manufacturers to express interest in the study, submit informational requirements."

While not precisely within the purview of the "Truth-In-Import Labeling" Act as now conceived, recent production shifts of major components and all-but-completed units to American operated plants in Mexico is causing growing alarm to affected American workers. To cite an example:

Electronica de Baja, California, a subsidiary of Warwick Electronics, Chicago, currently produces 6800 Silvertone-labeled portable TV sets a month, shipped back to the U.S. for minor finish-up assembly. The sets are sold by Sears. Production goal within one year is 1500 sets daily. Workers in Mexico receive 5 pesos a day above Mexico's minimum wage. The Warwick plant in Zion, Illinois lost 1200 jobs in two years, dropping from 2,000 down to 800.

Other major corporations recently shifting production, or with plans for shifting production, include General Electric, Ford-Philco and RCA.

Cited below are a number of new American owned and operated plants built, or shortly to be built, in the Far East:

Admiral Corporation, a consumer electronics and TV plant in Taiwan.

Ampex is building a plant in Taiwan for the production of cassette and reel-to-reel tape recorders. Ampex in a joint venture with Tokyo Shibaura Electric has a new manufacturing operation in Hong Kong.

RCA is expected to build a new consumer products plant in Taiwan.

Motorola will build a plant in Taiwan this year to produce subassemblies for export to the U.S.

A number of years ago, production of most Remington typewriters were transferred to the company's European plants. A layoff of some thousands of workers in Sperry-Rand's upstate New York plants resulted.

Production may be transferred in another way, too. For example, Litton Industries acquired Royal-McBee. Two years ago, it acquired Imperial Typewriters in Great Britain. A few months ago, it acquired Triumph and Adlerwerke in West Germany. The Royal Deluxe Model 660 became Imperial 660, precisely the same machine. We do not know to what extent Royal Deluxe 660 exports have been affected, but Royal markets have been assigned to Imperial. We have no way of predicting the effect on exports or imports which will result from the acquisition of Triumph and Adlewerke. But the problems raised by acquisitions (licensing as well) needs further, detailed investigation.

The electronic data procesing and computing machines industry shows the same trend: mergers, acquisitions, transfers of know-how and production abroad. The export of parts to foreign affiliates of U.S. corporations for assembly abroad is effectively cutting down on our exports of completed machines. Within a few years, these foreign plants may be producing their own parts.

5. *Impact on Balance of Trade*: The U.S. trade surplus—excess of exports over imports—in 1968 was reported by the Council of Economic Advisers as $400 million, compared with a surplus of $3.5 billion in 1967. If exports paid for by the U.S. for shipment to other countries are excluded, we had no surplus but a substantial trade deficit. The effect on our balance of payments position is obvious. In years past, the American trade surplus helped reduce our overall payments deficits by billions of dollars. America's share of world export markets have, at the same time, been steadily declining. Restrictions, in addition to tarriffs, have been imposed on a wide variety of electrical, electronic and similar products by other nations determined to protect their domestic producers. Our markets are restricted by a wide variety of such practices. The rapid increase in imports by America firms has greatly contributed, and will further contribute, to our balance of trade problems. The electronics industry, among others once showing a positive trade balance, has shown a sharp and alarming decline. It can no longer effectively contribute to any needed U.S. trade surplus.

6. *Impact on Employment:* The U.S. Labor Department reports a decline of 50,000 jobs in the Radio & TV Receiving Sets and Electronic Components industries between 1966 and 1968. Production worker employment in the Radio and TV industry dropped from an average 135,000 in 1966 to 110,000 in 1968; in Components, from 287,000 to 262,000 during the same period.

The threat of job declines and the certainty of a substantial increase in the labor force within the next few years is an ominous combination. A declining share of the domestic sales market means that minority group job candidates may be denied employment opportunity. Moreover, major growth industries like computing machines will not match sales growth with commensurate employment growth. The visible trend is toward employment declines in growth industries like color TV, tape recorders, stereo and hi-fi's, with marginal employment increases in high growth industries like computing machines—at a time when a vast number of jobs needs to be created.

In summary, we support the "Truth-In-Import Labeling" bill because we believe the American consumer should know, as a basic and relevant element in any purchase decision, where, for whom, and by whom a product has been made. We further believe the American buying public should know all the relevant economic facts at a time when large, multinational corporations have the means and mobility to transfer production, capital and know-how to their own foreign facilities, becoming distributors of products formerly manufactured in domestic plants.

In supporting this bill, we also recognize the difficult problems and broad implications associated with imports. The I.U.E. is carefully studying the problems and implications in all their manifold aspects. In doing so, we intend to pursue all positive approaches and reserve to ourselves the right to hold open all positive options. We intend, on the other-hand, to avoid narrow, simplistic positions.

(NOTE.—Data included in this memo are based on:

(1. Statistics and reports of the Electronic Industries Association. Import figures, including imports of domestic-brand items, are from E.I.A.

(2. Reports of TV Digest and Electronic News on company operations abroad.

(3. U.S. Department of Commerce for total trade figures.

(4. U.S. Department of Labor for employment statistics.

(5. Information on product shifts and plant layoffs from local union sources.)

S. 944—INTRODUCTION OF BILL RELATING TO SOUTHWEST IDAHO WATER DEVELOPMENT PROJECT

Mr. CHURCH. Mr. President, I introduced, on behalf of myself and my colleague, Mr. Jordan of Idaho, a bill to authorize the Secretary of the Interior to construct and operate the southwest Idaho water development project.

The bill is similar to one which Senator Jordan and I introduced in the 90th Congress, and upon which hearings were conducted by the Senate Interior and Insular Affairs Committee. Further action was delayed because of certain problems concerning the proposal. These have been resolved in the new bill which we introduce today.

Mr. President, there is no doubt but what this is one of the finest potential multipurpose projects to be developed in the Far West. The vast and fertile plains along the Snake River in the southwestern section of Idaho would be linked not only to the waters of that river, but also to a network of cold, clear streams that rush down from the nearby mountains—a topographic relationship which provides a uniquely advantageous arrangement for storage, power production, reregulation, reclamation, municipal and industrial water, flood control, improved water quality, fish and wildlife enhancement and recreation.

The project, when complete, would put almost 500,000 kilowatts of new hydro electric power on the line. Nearly 500,000 acres of vacant desert land would be open for cultivation. More than 60,000 acres would receive supplemental water. Growing cities and towns in the area would be afforded new industrial and domestic water supplies. New mountain reservoirs would provide a variety of water recreation.

This project has wide-based support in Idaho. The Idaho Water Resource Board, the State's principal water policy agency; the Idaho Legislature, public and private organizations and numerous state leaders have enthusiastically endorsed the proposal.

Numerous sources will repay the costs of construction. Irrigators will be charged a substantial share of the overall costs, but a part will be charged to recreational benefits. A major portion of the costs would be covered by a project basin account against Federal power-producing sources. Idaho water provides a sizable share of the flow energizing the Columbia River Federal power system so it is both just and necessary that a subshare of the overall cost be repaid through surplus power revenues of the Bonneville Power Administration.

Senator Jordan and I have worked closely in drafting this proposed legislation, and we have worked closely with all of the interested parties in Idaho over the past few years. I understand our Congressmen from Idaho are introducing a similar bill. Indeed, it was a former Idaho Congressman—Compton I. White, who originally suggested that several piecemeal projects long considered be drawn together under one comprehensive plan for this development.

Mr. President, we urge the authorization of the southwest Idaho water development project, one of the most comprehensive and well-developed plans that has ever been presented for the multiple-purpose utilization of a great natural resource.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 944) to authorize the Secretary of the Interior to construct, operate, and maintain the southwest Idaho water development project, and for other purposes, introduced by Mr. Church (for himself and Mr. Jordan of Idaho), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. CHURCH. Mr. President, I ask unanimous consent that my colleague, Mr. Jordan, who also has great interest in this matter, may be recognized at this time for his comments.

The VICE PRESIDENT. The Senator from Idaho (Mr. Jordan) is recognized.

Mr. JORDAN of Idaho. Mr. President, the comprehensive water and land development program for southwest Idaho which Senator Church and I are sponsoring will provide tremendous benefits, not only for our State and for the Northwest but for our Nation.

The stewardship of the wise and balanced uses of our land and water resource is a responsibility we must face realistically if we are to provide opportunities for our future citizens. It is not compatible with proper stewardship to allow precious water from our western watersheds to flood our cities, farms and highways in high water yield years, when, through proper river development we may conserve this water to irrigate crops on thirsty acres.

Irrigated farms provide the base for the economy of our rural towns and cities. Through the construction of a series of dams and tunnels this project will provide flood control and irrigation water. It will improve the conservation and development of fish and wildlife resources, and provide other recreation such as swimming, boating and water skiing. Other benefits include needed electrical power generation as well as municipal and industrial water supply and water quality enhancement.

This is truly a multipurpose project with substantial benefits to the local and State economy and to the Nation as well.

There are also many intangible benefits to such a program in satisfying human needs and desires. Other secondary benefits which are not tangible and difficult to measure include the manpower and materials which will be needed to construct new homes and farm buildings, to provide expanding markets for farm machinery and equipment, to provide increased transportation of goods which are produced, processed, and shipped from the area. It will enhance the tax base on property and income. To some extent these benefits will accrue to other parts of our country. These all must be taken into account.

This project will help solve the problems of the cities by reversing the trend of migration of farmers, ranchers, and rural town dwellers to our already overcrowded cities. We will be contributing to the solutions of our overcrowded city and slum area problems. If we can offer incentives both in environmental factors and increase the income of our farmers, ranchers, and rural workers we may be able to again attract people from the cities to the rural areas. This will help reverse the present trend causing urban congestion, the prime factor in urban problems today.

This particular multipurpose plan will bring approximately one-half million acres into productive use which are now in practically nonuse, covered with sagebrush. It will furnish supplemental water for about 50,000 acres. Power produced from the project is readily marketable in the area. All power costs and all irrigation costs are to be fully repaid. From a dollar and cents standpoint this project will prove to be an investment which will be more than repaid.

According to studies made by the Bureau of Reclamation in the Department of the Interior this proposed project will not unduly interfere with private development on which water may be pumped from the Snake River to irrigate lands which are now being applied for under the Desert Land Act. Federal multipurpose projects such as this supplement the reclamation efforts of the private sector, which is substantial. Private efforts in Idaho have already brought under cultivation fully one-half of the more than 3 million acres now being irrigated in the southern part of the State and continues at the rate of about 50,000 newly irrigated acres per year.

This project involves the use and sometimes the transfer of water in four river basins—some of the studies in the overall plan are yet to be completed. In the bill we are asking that those areas which now have a complete feasibility report be authorized and that studies be accelerated on the other areas which are now under feasibility studies so that this may be a package program which will utilize the water from the Weiser, Payette, Boise and Snake Rivers.

In the United States we are presently concerned with a surplus of certain agricultural crops. This bill contains safeguards for the short run against production which will contribute to commodify surpluses. I am convinced that surplus food problems are more or less temporary. With over a billion people having been born since 1940, I believe our present problem with surpluses is a concern over how to get through a transition period. It requires years to bring a project such as this into production and if we do find that we are facing worldwide shortages of food we cannot expect to have a crash program which will alleviate that situation. We must start now for future authorizations of projects such as the southwest Idaho water development that will help avert a food crisis, which is likely to occur within the next quarter of a century.

Mr. President, I feel that the time to move ahead on this integrated southwest Idaho water development program is now. I believe this bill provides for orderly progress. Idaho is united in support of this project; all members of the Idaho congressional delegation support it; the Honorable Don Samuelson, Governor of Idaho, is giving it his full support; both houses of the Idaho Legislature have memorialized the Congress in favor of this development. The Idaho Water Resource Board which is the official organization of our State in determining priorities of water and land resources supports it. I hope the Congress will look with favor on the project so that we may have it authorized without undue delay.

S. 947—INTRODUCTION OF BILL RELATING TO EXPANSION OF INTERSTATE HIGHWAY SYSTEM

Mr. GORE. Mr. President, the Federal-Aid Highway Act of 1956 launched the largest single public works program in the Nation's history. In addition to accelerating construction and improvement of our primary and secondary Federal-aid highways systems, the act authorized the construction of a 41,000-mile network of National Interstate and Defense Highways.

Construction of the Interstate System, despite problems and delays, has proceeded reasonably according to plan. Approximately 27,000 miles are now open to traffic. Another 6,000 miles are under construction and the remaining mileage is in the preconstruction planning stage. On the basis of present construction schedules the 41,000 miles that were designated when the system was authorized for construction in 1956 will be completed by the end of fiscal 1974.

As additional segments are opened to traffic, the value of the system becomes ever more apparent. So does the need for enlarging and expanding the system to take care of the steadily mounting volume of traffic. In terms of vehicle mileage, highway traffic is increasing at the rate of 4.5 percent per year and there are no signs that the rate of increase will decline in the foreseeable future.

In order for the Interstate System to serve the Nation's needs many additional segments should be added. As an indication of the magnitude of the need, highway officials of Tennessee have formally requested the following additional designations:

Riverfront-Northwest Expressway, in Memphis, 8.9 miles.

Central Freeway, in Chattanooga, 8.6 miles.

From I-155 near Dyersburg to I-124 near Clarksville, 125 miles.

From I-155 near Dyersburg to I-40 near Jackson, 40 miles.

The Tennessee portion of a new segment connecting Memphis and Birmingham, 9 miles.

The Knoxville Belt, in Knoxville, 10 miles.

A segment leading north from Memphis to connect with turnpike facilities at Fulton, Ky., 114 miles.

In addition to these requests for designation that have formally been submitted by the State of Tennessee a limited access divided highway is needed to connect Chattanooga and Memphis. Other needs, too, are becoming apparent, including the widening and the addition of traffic lanes on existing interstate highways in and near metropolitan areas.

Segments such as the foregoing are needed to serve the present and future traffic needs of Tennessee and every other State. Requirements for still further additions, though they may now appear less urgent, will undoubtedly soon develop.

Several years are needed properly to designate, plan, and construct a highway to interstate standards. If expansion of the system is to proceed without interruption, additional mileage should be authorized without delay so that additional segments will be ready for construction as the presently designated system nears completion.

Last year the Congress authorized an additional 1,500 miles of interstate mileage to permit the designation of a few additional segments. But a much larger increase is needed. Accordingly, I am introducing today a bill to authorize the designation and construction of an additional 25,000 miles of highway as a part of the Interstate System.

As authorized in the 1956 act, the Interstate System was to be designed to standards adequate for the volume of traffic anticipated during the succeeding 20 years. Later this provision was amended to require that each segment be designed to standards adequate for the traffic anticipated in the 20-year period following approval of plans and specifications for that particular segment.

By and large, our highway planners have done a good job. Already however, there are many instances in which the traffic load has far surpassed the capacity for which the highway was designed. Even though the system is not yet completed, many segments which have already been opened to traffic, particularly portions thereof adjacent to metropolitan areas, require upgrading by the construction of additional traffic lanes. An interstate highway subjected to traffic volume beyond its design capacity is perhaps even more dangerous than a non-limited access highway where traffic moves at slower speeds.

As things now stand there is a substantial question as to whether interstate funds can be used to upgrade a segment of interstate highway already completed, at least until after the entire system has been constructed. If serious traffic bottlenecks are to be avoided or corrected the process of upgrading where needed should begin now. The bill which I am introducing authorizes the apportionment of additional funds, in the amount of $500 million per year, for the specific purpose of upgrading segments where the need is apparent. Such authorization is necessary to insure that we realize the maximum potential benefit from the tremendous investment already made.

Authorship of the Interstate Highway Acts of 1956 and 1958, known as the Gore-Fallon bills, is a source of pride, but the needs have grown. I urge another major surge in highway improvement.

Mr. President, I am introducing a bill to bring about expansion of the Interstate Highway System, which I send to the desk and ask that it be appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 947) to authorize additional mileage for the National System of Interstate and Defense Highways and a program to upgrade such system, to authorize appropriations for such purposes, and for other purposes, introduced by Mr. GORE, was received, read twice by its title and referred to the Committee on Public Works.

S. 950—INTRODUCTION OF A COMPENDIUM OF PRESCRIPTION DRUGS

Mr. NELSON. Mr. President, I am introducing a bill today, for appropriate reference, which is designed to help protect the health and pocketbooks of the American public.

This bill, first introduced in the 90th Congress, would provide for the publication of a single source of information on drugs which the doctor prescribes for his patients.

If there is a single glaring issue which has emerged from the 20 months of study of the competitive problems in the drug industry by the Senate Monopoly Subcommittee, it is the fact that there is a vast proliferation of publications which contain prescribing information. Yet there is no single authoritative source now published to which a doctor can turn containing the essential information on all drugs manufactured and used for America's health care.

It is a fact that there are many good sources of information on drugs. Some contain information published by the American Medical Association, in one form or another, on the latest drugs.

Another, the "Medical Letter," has a distinguished board of reviewers which reviews drugs. Even prices are reviewed. Yet the publication is limited, and only about 35,000 of the Nation's 250,000 doctors subscribe to it. It does excellent work for as far as it goes.

The "Physicians Desk Reference" seems to be the most widely used volume, but its shortcomings are apparent when one examines it closely. It is a superficial publication of advertisements, paid for by the bigger brand name companies whose drugs are listed under several categories.

The cost of the advertisements was around $115 per column inch last year, and this helps to preclude many good, but small companies from entering into nationwide competition.

The fact is that there is a definite need to investigate the possibilities connected with publishing a true compendium—a blue book of drug information. This bill, I hope, will promulgate a study dealing directly and mainly with the need for this source.

Published by an independent group in conjunction with governmental, industrial, and scientific organizations, it could be most useful.

It should be an intensive, all-inclusive volume. It should list all prescription drugs under their generic names together with reliable, complete, and readily accessible prescribing information. It would include brand names, suppliers, and a price information supplement, all of which would be periodically updated to provide for continuity and information on new drugs, new information, new evidence of side effects or misprescribing. It could show who provided the research, who developed the drug, and who obtained the first patent.

Free distribution would be provided to physicians, hospitals, pharmacists, and others who need this kind of important information.

Over the course of the drug industry study I have been involved in as chairman of the Small Business Subcommittee on Monopoly, many peculiar aspects of the industry have floated to the surface. Unique to the drug industry is its pricing policies and profit structure. We are still looking into this aspect.

But it has become apparent that few doctors truly have an accurate concept of the astonishingly wide range of drug prices to be found for the same drug under the multiplicity of different brand names.

Let me cite an example or two.

The "Medical Letter" of June 2, 1967, published the results of a conclusive study. I do not believe anyone who has ever appeared before the Monopoly Subcommittee has argued that the letter is not a highly authoritative, distinguished, and unbiased drug journal.

The authors of the letter's article said that 22 brands of prednisone, a drug used to treat arthritis, had been studied and had been found to be therapeutically effective.

Of the 22 brands studied, prices varied from a high of $17.90 per 100 tablets to a low of 59 cents per 100 tablets—price to the pharmacist.

The drugs were manufactured by major and small companies.

One large company sold the drug for $17.90, several good, large companies had prices in the vicinity of $2.20, and several smaller generic houses priced their prednisone in the 59 cents to $1 range.

Yet, the company with the $17.90 price controlled the market for an inordinate length of time. Why? Because they were the first company in the marketplace with the drug and had been able to successfully keep their name before the prescribing doctor to the exclusion of the other companies' products.

Another important drug called reserpine again illustrates the wide array of prices for a single drug.

Used as an important treatment for hypertension, reserpine can be sold under many different names. Under one popular brand name, Serpasil, it is sold to the American pharmacist for $39.50 per 1,000 0.25-milligram tablets. At the same time the same company sells the drug in various countries to druggists for prices between $10 and $11 per 1,000 tablets.

However, this same company offered to sell Serpasil to the Defense Supply Agency, the buying agency for the Armed Forces, for $3.95. However, its bid was beaten by another company which was able to sell it for 89 cents. Nevertheless, the manufacturer of Serpasil offered the drug to New York City for $1.10 where it was again beaten by another good, but small company at 72 cents per 1,000 tablets.

The New York Times on November 19, 1968, reported that the State of New York would make a spectacular saving of 95 percent on reserpine by buying the drug under its generic name. Instead of spending $57,967 for the drug, as it did in 1967, it would save about $55,000, spending less than $3,000 for the same amount of the drug.

This only serves to illustrate that if the full facts can be made known to the buying public and the prescribing doctor, substantial savings could be effected. Certainly this is one reason to investigate the merits of a compendium of drug information so that a more intelligent approach can be made to circulating this necessary information on drugs.

Each company which manufactures a prescription drug is now compelled by law to include a sheet of information about the drug in each container it ships. This package insert rarely finds its way to the doctor. Usually it is discarded by the pharmacist.

Even if the package stuffer did get to the doctor, few of the Nation's living doctors would have time to digest all of its contents, and, of course, no price information is included in it.

Yet, this is the only source of unbiased information available to the doctor.

Dr. Walter Modell, an eminent pharmacologist from Cornell University Medical College, stated in an editorial in "Clinical Pharmacology and Therapeutics" that he felt that the stuffer served no useful purpose. In fact, he seems to feel that their only useful purpose is to stuff the drug container since the doctor rarely has an opportunity to receive one or to use it.

This insert now costs the industry about $6 million per year. Estimates by former Commissioner James Goddard of the Food and Drug Administration were that replacement of the insert by a compendium would cost the industry about the same amount of money.

I have posed the question of a compendium to the 136 members of the Pharmaceutical Manufacturers Association. These companies manufacture 95 percent of the prescription drugs consumed in this country.

Many of the responses received were very constructive and embraced the idea, making suggestions on how best to approach the concept. Several of these letters appear at the end of these remarks.

President Johnson endorsed the proposal in his March 4, 1968, health message to Congress:

> The wide array of medication available to the American patient is a tribute to modern science.
>
> But the very abundance of drugs creates problems.
>
> In our society, we normally demand that the consumer be given sufficient information to make a choice between products. But when the consumer is a patient, he must rely exclusively on his doctor's choice of the drug that can best treat his condition.
>
> Yet the doctor is not always in a position to make a fully informed judgment. He has no complete, readily available source of information about the thousands of drugs available.
>
> He must nonetheless make a decision affecting the health, and perhaps the life, of his patient.
>
> To make sure that doctors have accurate, reliable and complete information on the drugs which are available, I recommend that the Congress authorize this year publication of a United States Compendium of Drugs.
>
> This Compendium would be prepared by the Secretary of Health, Education, and Welfare, in cooperation with pharmaceutical manufacturers, who would bear the cost of its publication, and with physicians and pharmacists.
>
> It will give every doctor, pharmacy, hospital, and other health care institution complete and accurate information about prescription drugs—use and dosage, warnings, manufacturers, generic and brand names, and facts about their safety and effectiveness.

The Special Assistant to the President for Consumer Affairs, Betty Furness, wrote to me that this would be a significant step forward.

On December 29, 1968, a report to President Johnson from the Cabinet Committee on Price Stability examined the spiraling costs of medical care. The committee report said that several areas offered "substantial opportunity for reducing medical care costs" and said that the "high price of some drugs" could be lowered by "improving the effectiveness of competition and by increasing the amount of information available to physicians and consumers concerning the quality and price of drugs."

A number of distinguished doctors have either testified or written to me favoring some kind of a compendium. These include Dr. Joshua Lederberg, Washington Post columnist, distinguished geneticist and Nobel prize winner, who gave the proposal his "highest possible endorsement."

The presidents of two major drug companies, Parke, Davis and E. R. Squibb testified in favor of a compendium, and their colloquies before the committee appear at the end of these remarks.

And, of course, Dr. Goddard gave the proposal his unqualified support from the very inception.

The new Commissioner of FDA, Dr. Herbert Ley, was quoted in the October 14 issue of the AMA News as favoring a compendium:

> There is need for one all inclusive compendium containing single entity and combination products and all drugs shipped in interstate commerce that will be available to all physicians, dentists, pharmacists and institutions without charge. It should not be the sole source of information. A comparative approach also is needed. In this field, first we need an excellent textbook on pharmacology, an evaluation and comparison of new drugs that would not be a federal responsibility, and a compendium with a text by the FDA. One question under study is who will pay the bill.

The National Academy of Sciences-National Research Council has been studying the problem for some time. At a meeting of the Drug Research Board, an operating division within the National Research Council's Division of Medical Sciences, on October 21, 1964, passed a resolution that "it adopt in principle the concept of preparing a compendium of information which is now contained in package inserts and of distributing the compendium widely on a complimentary basis in the expectation that the compendium would ultimately supersede the package insert as a means of information on prescription drugs."

In the last several months several doctors have testified before the Monopoly

Committee and, among other things, favored a compendium.

I asked Dr. William B. Bean, professor of medicine at the University of Iowa College of Medicine, if he had given any thought to the "idea of a national compendium."

Dr. Bean stated:

> As you know, there exist certain books brought out or brought up to date every year. There are two or three books on therapy which are private. They are printed as private ventures by publishing houses quite independent of anything but the usual hope for sales that will take care of them, current therapy being just an example of, a sort of a sampling of how different people treat different conditions.
>
> I would agree that it would be eminently desirable if this could be kept in actual fact current, and if it were brought out I think an annual that was fairly well up to date that could somehow get over the inertia built into any publishing and distributing venture, no matter whether it is something like the National Library of Medicine's current index, which may be anywhere from three to ten months behind in actual appearing when you get it in terms of what is the most recent journal that you refer to.
>
> This, it seems to me, if a forum or panel or group could make this across the board, so that all available drugs were catalogued in an up-to-date manner in the way you describe, this would be quite advantageous. I have not thought under whose auspices this should be done or how it might be supported financially, but again I think it might be supported as some of these things like the Drug Index and the Desk References that are produced by the various manufacturers of drugs to identify their product, to tell the indications, the doses, the forms in which the medicine is available, the methods, whether it needs to be injected and if so how, or can be taken by mouth and so on.
>
> All of these things I think would be much better than the way things are now, if an annual or even more frequently updated document could be made available to all practicing physicians and could be used in teaching, could be used in residents in training, could be used particularly by the doctor in practice, who is writing most of the prescriptions today.

At this point I suggested that Dr. Goddard and others of the FDA had testified that it would be important to send out inserts on a quarterly basis or at least several times a year in order that the compendium would be kept current. Dr. Bean answered:

> Some loose leaf format or something else would be desirable, I suppose or essential.

Dr. Franz J. Ingelfinger, editor of the New England Journal of Medicine, testified as follows:

> (The physician) must be even more aware than he is that drug advertisements, or the statements of detail men, like any other advertisement, represent the prejudiced statements of an interested party advocating the virtues of a product in the best terms possible ...
>
> Basically, I would favor a compendium listing, describing and evaluating all drugs that a patient may purchase. ...
>
> The crucial question, of course, is whether an individual practicing physician has the time and the ability to make the necessary judgments, especially since I have indicated that journals cannot screen advertising properly, even with committees.
>
> In the absence of a drug compendium that is all-inclusive and all-informative, I feel that some of our readers look at our advertisements for information to see what is on the market and where they can get it. But I am really not sure how much they really depend on it. ...

Dr. James M. Faulkner, chairman of the Committee on Publications, Massachusetts Medical Society, also appeared to testify. He said:

> It is my opinion that medical education has failed to grasp the significance of the vast proliferation of new drugs which has taken place over the last couple of decades ... Now the practicing physician finds himself obliged to choose between a bewildering array of drugs for which competing claims are made and more often than not he finds himself not only ill-prepared to make correct judgments but at a loss to know where to turn for unbiased information .... The compendium recommended by the Task Force would fill this important unmet need.
>
> It is indeed deplorable that so much of what the medical student and practitioner learn about drug therapy comes to them from pharmaceutical firms who are actively promoting their own products .... They are getting one side of the case superbly presented by the drug houses now.
>
> The practitioner must be given reliable information which will allow him to make comparative judgments of potency and price of the drugs available to him.
>
> The problem posed by the growing dependence of the medical practitioner on the itinerant drug salesman for information on the new drugs is to offer more complete and more reliable information to all practicing physicians ... This could be accomplished by distribution of a Journal of Prescribing and the periodic issuance of a compendium of drugs as recommended by the Task Force.

Dr. George Baehr, chairman of the Public Health Council of the State of New York and distinguished service professor, Mount Sinai School of Medicine, City University of New York, stated:

> The unnecessary prescribing of brand name drugs is fostered by the distribution to physicians, as you know, and as has been stated, of free samples and persuasive literature through thousands of detail men and hundreds of free magazines published by pharmaceutical firms to encourage the use of their innumerable products. Their use is also encouraged by voluminous advertising in virtually all reputable medical journals. A recent issue of the weekly Journal of the American Medical Association devotes 85 pages to text and 186 pages to such advertisements.

Dr. George Nichols, Jr., clinical professor of medicine at Harvard, said:

> It is small wonder, therefore, that the practicing physician, already unable to find time in the day to meet the demands of his patients, turns to the eyecatching advertising pages of his professional journals rather than to the much longer, far more complicated but nevertheless *objective* scientific articles for information about therapeutic agents ... It is equally understandable why the physician has turned so often to the ubiquitous lay drug salesman for guidance and information and to potentially biased commercial institutions for financial support. ...
>
> For example, it is obviously not in the public's interest that the task of keeping the practicing physician abreast of new developments should fall to the necessarily biased drug salesman.
>
> I don't think his (drug salesman) function should be to educate the doctor, Senator, although unfortunately it ends up all too often being his function. .. So the drug salesmen, who are very carefully schooled by their companies ... ends up really educating those physicians who don't read too well or too often, and their education is thereby inevitably biased because one can hardly expect a drug salesman to present totally unbiased views since his job depends on his selling drugs.
>
> The compendium would certainly be convenient. It would certainly be a basic reference ... ultimately, if it was readily available to all physicians, I am sure it would be a big step in the right direction. As you also note, the only thing that approaches such a compendium really at the moment is an interesting volume called the Physicians Desk Reference which is in actual fact nothing but a reprinting of a large list of individual drug manufacturers broadsides about their particular drugs. The information is there but the bias ... is there, too.

And Dr. Clinton S. McGill, an internist from Portland, Oreg., who did not appear as a friend of the Monopoly Committee efforts, said:

> It has been suggested to this committee that a federally sponsored journal of drug information should be published for the use of the medical profession. A national compendium of drugs has also been recommended. These proposals have merit and deserve further study.
>
> And if a compendium or formulary, like the ones ... suggested in the bill ... that is essentially educational and has the information for the use of the physician ... I think that would be valuable.

Mr. President, the need for a good drug compendium has been established. Exactly what the final format would be like is a matter for the experts in Congress, the Food and Drug Administration, and the industry to determine. Further hearings to set out final details are necesary. I hope that this will be done speedily and thoroughly, for Congress bears the responsibility to oversee the health of our people.

I ask unanimous consent that a portion of a statement by Dr. James L. Goddard, M.D., Commissioner of Food and Drugs, Department of Health, Education, and Welfare, statements by other witnesses, letters of correspondence, other documents, and the complete text of the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill statements, and articles will be printed in the RECORD.

The bill (S. 950) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to provide for a Federal drug compendium which lists all prescription drugs under their generic names together with reliable, complete, and readily accessible prescribing information and includes brand names, suppliers, and a price information supplement, and providing for distribution of the compendium to physicians and others, and for other purposes introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 950

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

FINDINGS AND DECLARATION OF PURPOSE

SECTION 1. The Congress hereby finds and declares—

(1) that the tremendous variety and great complexity of modern drugs, and especially

prescription drugs, together with the variety of brand names often used for generically equivalent drugs and the intensive activity for promoting the prescribing thereof, has created a vital need to compile, publish, and make widely available under national auspices, in useful format, to physicians and other licensed practitioners, to Federal, State, and local health agencies, to hospitals, and to others, a reliable and comprehensive compendium of prescription drugs under their established (generic) names, together with the prescribing and other information designed to assure their safe and effective use, and for inclusion in such compendium (or a supplement thereto) of the brand names under which, the suppliers from which, and the prices at which, they are available;

(2) that the publication and dissemination of such a compendium would serve much better the purpose of, and would eliminate the necessity for, the so-called package insert with full prescribing information now required by regulations under the Federal Food, Drug, and Cosmetic Act, with consequent direct benefit to the drug industry (as well as others);

(3) that the genesis of the need for this service and the compensating advantage to the drug industry that will result from it make it reasonable to make the cost of the service, through a fee, a charge upon the industry, with its ultimate incidence left to the workings of the marketplace; and

(4) that to limit this charge to those drugs moving in interstate or foreign commerce would create an unfair competitive burden on such commerce, and that, moreover, because of the pervasiveness of such movement (including the use, in drug manufacture, of components received from without the State in which such component is used), and because the compendium would benefit all drug manufacturers and distributors, any such limitation would be unrealistic and facilitate evasion.

It is therefore the purpose of this Act to provide for such a compendium and for the imposition of the cost thereof accordingly.

FEDERAL DRUG COMPENDIUM

SEC. 2. (a) The Federal Food, Drug, and Cosmetic Act is amended by inserting after section 503 the following new section:

"FEDERAL DRUG COMPENDIUM

"Preparation, Publication, and Distribution

"SEC. 504. (a) (1) The Secretary shall prepare and publish, in a form as convenient, readable, and practical as is feasible for its intended use, and under a distinct and suitable name, a drug compendium in accordance with the provisions of this title, and shall distribute such compendium on a current basis to practitioners licensed by law to prescribe and administer drugs listed therein and make such other distribution of the compendium as in his judgment will promote the purpose of this section.

"(2) The Secretary shall from time to time revise such compendium, or issue supplements thereto, so as to maintain insofar as practicable currency in the contents thereof, and shall publish and distribute such revisions in accordance with paragraph (1).

"Listing of Drugs by Established Name—Prescribing Information

"(b) (1) Such compendium shall list by established name all (so far as practicable) drugs subject to section 503(b) (1) that are lawfully available in the United States, arranged alphabetically and by such other classifications (diagnostic, prophylactic, therapeutic, or otherwise) as the Secretary may deem appropriate and useful, and shall provide for all such drugs listed therein (individually or, where appropriate, by category), as concisely as consistent with the purpose thereof, adequate and reliable prescribing information required or useful for their safe and effective use, including (A) the dosage form or forms in which the drug is available, indications for and conditions of use, effects, routes, methods, frequency, and duration of administration, all relevant side effects and contraindications (including appropriate warnings, precautions, and adverse reactions), and (B) in the case of a drug composed of two or more ingredients, the established names of ingredients and quantitative formula of the drug to the extent required for labels of such drugs by section 502(c). The Secretary may include such additional relevant information as in his judgment would promote proper use of such drugs. If any such drug or ingredient has no established name, the Secretary shall forthwith proceed to designate one therefor in accordance with section 508.

"(2) The Secretary may in addition include in such compendium, by established name, any other drug and information relating thereto, if he determines that the inclusion thereof would be useful to prescribers of drugs or to others for whose use the compendium is intended.

"Inclusion of Brand Names and of Suppliers of Drugs

"(c) The Secretary shall further include in such compendium, or in a supplement thereto, the proprietary names or designations under which a drug listed in the compendium by established name is available, and the names of suppliers (as manufacturers, wholesalers, jobbers, or distributors) from whom drugs that are listed may be obtained.

"Supplement Giving Price Information

"(d) The Secretary may issue, and from time to time revise, a supplement to such compendium, containing price information as to each listed drug on the basis of the price or prices at which such drug is available to community pharmacies from listed suppliers or on such other basis as he determines to be an adequate and reasonable basis for the purpose of price comparison.

"Omission of Drugs on Safety or Efficacy Grounds

"(e) Nothing in this section shall be construed to require the Secretary to include in the compendium any drug, any proprietary name or designation of such drug, any supplier of such drug, or any prescribing information relating to such drug, if he determines that there is substantial doubt as to the safety or compliance with this or other Federal law of such drug, or of such drug when offered under such proprietary name or designation or by such supplier, or of such drug if accompanied by such prescribing information, or if there is a lack of substantial evidence (as defined in section 505(d)) of the effectiveness of such drug under such circumstances.

"Procedure for Seeking Changes in Compendium or Preventing Delisting

"(f) (1) Any person who is adversely affected by the Secretary's inclusion or failure to include in the compendium or an applicable supplement thereto any such drug or other information, or any price information, may petition for an appropriate change and, if the petition is denied by the Secretary, shall, upon request therefor showing reasonable grounds for a hearing, be afforded a hearing on the matter.

"(2) The Secretary, prior to making a final determination to remove from listing in the compendium a drug listed therein, or a proprietary name or designation thereof, or the name of a supplier thereof, shall afford a reasonable opportunity for a hearing on the matter to any person engaged in manufacturing, preparing, propagating, compounding, or processing such drug who has not requested or agreed to such removal and who shows reasonable grounds for such a hearing.

"(3) The final decision of the Secretary under paragraph (1) or (2) shall, if adverse to the petitioner, be subject to judicial review in accordance with the procedure specified in section 505(h). The reviewing court shall not issue any interlocutory order affecting the contents, or the time of publication or distribution, of the compendium or a supplement thereto, but a final judgment may require the prompt publication and distribution of information reflecting the decision of the court.

"Advisory Committee

"(g) (1) For the purpose of advising the Secretary from time to time on matters pertaining to the compendium provided for in this section, there is established in the Department an advisory committee consisting of persons, qualified in the pharmaceutical field, who shall be appointed by the Secretary without regard to the civil service and classification laws, and at least three of whom shall be practitioners licensed by law to prescribe and administer drugs.

"(2) Members of the advisory committee who are not in the regular full-time employ of the United States may, while attending meetings or conferences of the committee or otherwise engaged in the business of the committee, be compensated at a rate fixed by the Secretary but not exceeding $100 per day (or, if higher, the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code), and, while so serving on the business of the committee away from their homes or regular places or business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"Records and Reports Needed for Preparing and Revising Compendium

"(h) (1) For the purpose of carrying out his functions under the foregoing provisions of this section, the Secretary is authorized (A) to require, by order, any person engaged in manufacturing, preparing, compounding, processing, propagating, producing, distributing, or importing any drug to furnish to the Secretary any information available to such person and relevant to any matter bearing on which drugs, or information relating thereto, should be included in the compendium, and (B) to require such persons by regulation to establish and maintain such records of clinical experience and other data with respect to such drugs as may become available to such persons and are relevant to the question of such inclusion, and to afford the Secretary access to such records and to make to the Secretary such reports relating thereto as the Secretary may reasonably require. Orders pursuant to this paragraph shall be served in accordance with section 505(g).

"(2) (A) In case of refusal or failure to obey any order of the Secretary pursuant to clause (A) of paragraph (1), any district court of the United States for the judicial district in which the person charged with such refusal or failure is found or resides or transacts business shall, upon application of the Secretary, have jurisdiction to issue an order requiring such person to comply with the Secretary's order, and any failure to obey such order of the court may be punished by it as contempt thereof.

"(B) The district courts of the United States and of the territories shall have jurisdiction, for cause shown, to restrain violations of regulations or orders of the Secretary issued under this subsection. All proceedings under this paragraph shall be by and in the name of the United States.

"(C) Subpenas for witnesses who are required to attend a court of the United States in any district in any judicial proceeding under this subsection may run into any other district.

"Fees To Defray Cost of Compendium Service

"(i) (1) The Secretary shall by regulation prescribe such fees, to be paid to him by persons engaged in the manufacture, preparation, propagation, compounding, processing, or distribution of drugs intended for humans, as he determines to be necessary to defray the cost of preparing and keeping current, publishing, and distributing the compendium required by this section. Such fees shall be based upon the volume of drug business done by such persons and such other factors as the Secretary may determine to be relevant in distributing the cost of the compendium service equitably within this industry.

"(2) (A) If any amount of such fees is not paid on or before the due date thereof, as provided in such regulations, interest thereon shall accrue and be paid at the rate of 6 per centum per annum and, if no extension of time for payment has been granted by the Secretary and such delinquency on the part of the person liable is intentional or negligent, a civil penalty (which itself shall bear interest until paid) equal to 10 per centum of the delinquent amount shall become due and payable.

"(B) Every person referred to in paragraph (1) of this subsection shall keep such records, render such statements and reports with such verification thereof, and comply with such regulations as the Secretary deems necessary to show whether or not such person is liable for any fees, interest, and penalties under the foregoing provisions of this subsection and the amount (if any) thereof, and shall afford the Secretary access to such records. Compliance with any order or regulation issued pursuant to the preceding sentence shall be enforceable in the manner provided by subsection (h) (2). Negligent or intentional failure of any person to comply with any such order or regulation shall make such person liable to a civil penalty, which shall be in addition to any penalty imposed by subparagraph (A) of this paragraph, equal to 25 per centum of the amount of fees payable with respect to the period in which such failure occurs, and which shall bear interest until paid.

"(3) Fees, interest, and civil penalties imposed by this subsection may be collected by civil action brought into the name of the United States in the proper district court of the United States. The Secretary may, upon application therefor, remit or mitigate any civil penalty provided for under this subsection and ascertain the facts upon all such applications.

"(4) Nothing in this section shall be construed to render inapplicable any provision of criminal law otherwise applicable to any fraudulent record, statement, or report purporting to be kept or made in compliance with this section or with regulations or orders prescribed under this section.

"(5) Fees under this subsection may not be based upon the dispensing to the consumer, or to the sale at retail, or the administration to patients, or drugs by—

"(A) pharmacies which maintain establishments in conformance with applicable local law regulating the practice of pharmacy and medicine and which are regularly engaged in dispensing prescription drugs upon prescriptions of practitioners licensed to prescribe and administer such drugs, or

"(B) practitioners licensed by law to prescribe and administer drugs.

"Revolving Fund

"(j) (1) There is hereby created a drug compendium fund (hereinafter in this section called the 'fund') which shall be available to the Secretary without fiscal year limitation as a revolving fund for the purpose of preparing and keeping current, publishing, and distributing the drug compendium provided for in section 602 of this Act. A business-type budget for the fund shall be prepared, transmitted to Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act) for wholly owned Government corporations.

"(2) The fund shall consist of appropriations made pursuant to this subsection, all amounts received by the Secretary as payments of fees, interest, and penalties under this section, the proceeds of the sale of any copies of the compendium.that are disposed of by sale under other provision of law rather than free distribution under this section, and any other moneys, properties, or assets derived by him from this operation in connection with this section.

"(3) All expenses incurred by the Secretary in carrying out this section, including refunds of overpayments for fees prescribed pursuant to this section, and including payments due by reason of remission or mitigation of penalties under this section, shall be paid from the fund. From time to time and at least at the close of each fiscal year, the Secretary shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations to the fund, less the average undisbursed cash balance in the fund during the year which is attributable to such appropriations. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations. Interest payments may be deferred with approval of the Secretary of the Treasury but any interest payments so deferred shall themselves bear interest. If at any time the Secretary determines that moneys in the fund attributable to appropriations to the fund exceed the present and any reasonably prospective future requirements of the fund in the light of the collections and expected collections from fees prescribed pursuant to this section, such excess may be transferred to the general fund of the Treasury.

"(4) For the purpose of furnishing initial working capital for the fund and from time to time, if necessary, supplying additional working capital pending collection of fees under this section, there are authorized to be appropriated to the fund, for the fiscal year ending June 30, 1969, and subsequent fiscal years, such sums as may be necessary.

"(k) As used in this section (or elsewhere in this Act with reference to this section), the term 'compendium', except when otherwise specified, includes any revision of or supplement to the compendium provided for in this section; and the term 'established name' means such name as defined in section 502(e).

"Administration of Compendium Section

"(l) In administering the provisions of this section the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other agency, institution, organization, or person in accordance with appropriate agreements, and to pay therefor either in advance or by way of reimbursement as may be agreed upon, including printing and binding without regard to other provisions of law or regulations."

(b) Fees prescribed pursuant to section 504(i) of the Federal Food, Drug, and Cosmetic Act, as enacted by this Act, shall not be prescribed with respect to business transactions occurring prior to July 1, 1969.

WAIVER OF DRUG PACKAGE INSERT REQUIREMENT

SEC. 3. (a) Section 502(f) of the Federal Food, Drug, and Cosmetic Act is amended by inserting immediately before the period at the end thereof a colon and the following: "*Provided further*, That in the case of a drug subject to paragraph (1) of section 503(b), except one intended for parenteral administration, which is listed and described with accompanying prescribing information in the compendium established pursuant to section 504, the Secretary shall, if such drug is intended and promoted (including promotion through advertising) solely for the conditions of use described in the compendium, waive any requirement, established by regulation pursuant to the preceding proviso to this paragraph, that the package from which the drug is to be dispensed have on or within it (in addition to necessary label information) labeling (generally in the form of a package insert and referred to as such) bearing information adequate for the safe use (or prescribing) of the drug by licensed practitioners, but this proviso shall not be construed (A) to authorize the Secretary to permit the use of labeling that is misleading in any particular, or (B) to require him to waive any requirement otherwise applicable (pursuant to such preceding proviso) to information on the drug label itself, or (C) to authorize waiver of requirements (under this Act or under regulations pursuant to it) for disclosure in other labeling distributed, or in advertising sponsored, by the manufacturer, packer, or distributor of the drug."

(b) The second proviso added to such section 502(f) by this section shall apply to now existing or hereafter established labeling requirements prescribed by regulation under the first proviso thereto.

CONFORMITY OF PRESCRIPTION DRUG LABELING OR ADVERTISING TO INFORMATION IN COMPENDIUM

SEC. 4. (a) The Federal Food, Drug, and Cosmetic Act is amended by redesignating paragraph (o) of section 502, and references thereto, as paragraph (p) and by inserting immediately before such redesignated paragraph the following new paragraph:

"(o) If (1) it is a drug subject to paragraph (1) of section 503(b) and is listed in the compendium published pursuant to section 504 and (2) (A) such drug (except in case of a drug intended solely for investigational use in accordance with regulations pursuant to section 505 or 507) is intended or promoted (including promotion through advertising) for any condition or use not described in such compendium, or (B) any of its labeling or advertising is inconsistent with the description of, or prescribing information relating to, such drug in such compendium, or (C) any of its labeling or advertising purports to give information required or useful for the use of such drug by the prescriber but omits any prescribing information provided with respect to such drug by such compendium: *Provided*, That a drug shall not be deemed misbranded under this paragraph solely by reason of the failure of its label to contain all of such information if such label is in full conformity with regulations prescribed by the Secretary pursuant to the first proviso to section 502(f)."

(b) The amendment made by this section shall take effect, with respect to any particular drug, on the first day of the second calendar month that begins after the initial publication, in the compendium issued pursuant to section 504 of the Federal Food, Drug, and Cosmetic Act, of the established name of, and prescribing information relating to such drug.

STATEMENT OF JAMES L. GODDARD, M.D., COMMISSIONER OF FOOD AND DRUGS, U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, NOVEMBER 9, 1967

Dr. GODDARD. I will amplify my previous recommendation to this Subcommittee that a Compendium of prescription drugs should be published by the United States.

As you know, vital information concerning all prescription drugs is presently disseminated via the "package insert." A condensation and compilation of "package inserts" into a readily readable compendium distributed without cost to the physicians, pharmacies, hospitals, et cetera, would be a significant step forward in educating the health professions to the safe and effective use of therapeutic agents. It could also relieve the drug industry from the burden of printing the voluminous "package inserts" as such a compendium could appropriately replace this type of labeling.

The content of "package insert" type of labeling is initially approved by FDA during the new drug clearance procedure and is constantly reviewed by our medical staff to insure that the labeling is consistent with current knowledge. Often the "package insert" is the only source of such necessary data on medicines which are prescribed daily.

Unfortunately the information seldom reaches the physician—it remains on the local pharmacist's shelves. Proper utilization of this information is further hampered by the present format of the "package inserts."

Senator NELSON. May I interrupt a moment?

Dr. GODDARD. Certainly.

Senator NELSON. Do you have an estimate on the cost of printing, preparing and supplying these inserts along with the drugs?

Dr. GODDARD. I was advised by the Pharmaceutical Manufacturers Association when—this subject was first raised by them, I might add—when they asked would I consider a drug compendium to replace the package insert, that the program presently costs industry about $6 million a year.

Senator NELSON. Six million?

Dr. GODDARD. Yes, sir.

Senator NELSON. Do I understand you to say that the Pharmaceutical Manufacturers Association raised the question of the preparation of a compendium in place of this?

Dr. GODDARD. Yes. This was in April of 1966. And they pointed out that my predecessor, the matter had been discussed with Commissioner Larrick, and his position was that they could publish a compendium but would have to also continue the use of package inserts for one year in order to evaluate the effectiveness of the compendium.

Now, they were anxious to move ahead with this program but didn't see the necessity for running two programs in tandem for a year.

I agreed at that time that we would not require the package insert for the year after the compendium was published.

And this was the beginning of our discussions on the drug compendium.

Now, we have had nothing but discussions since that time, and I am hard put to understand the recent statement of the president of the PMA where he was critical of my testimony before a Committee on Congress where I expressed my displeasure with the foot dragging—I think I characterized it as that. He said why we are discussing that matter right now.

Well, they are going to discuss it to death. And I think we stand at a unique point in time. With the National Academy of Sciences' efficacy review reports beginning to come back to us, these can form the basis for much of what will be needed in the compendium on the drugs that were marketed between 1938 and 1962. So we truly have an opportunity that is well perceived by the members of the Drug Research Board of the Academy of Sciences and by others in this field. And that is why I am anxious to get on with the job.

Senator NELSON. Are you carrying on continuous discussion with the Pharmaceutical Manufacturing Association respecting this matter?

Dr. GODDARD. We have been through the good offices of the National Academy of Sciences meeting on this, and I say, for many, many months now.

Senator NELSON. Has the Pharmaceutical Manufacturers Association made any specific proposal as to what kind of a compendium they would like to see?

Dr. GODDARD. Yes, sir.

Senator NELSON. Have you discussed with them who would publish it, who would pay for it?

Dr. GODDARD. Yes.

Senator NELSON. What is——

Dr. GODDARD. Let me just state our position for the record, that we feel that the Pharmaceutical Manufacturers Association should pay for it.

I have pointed out that this is an opportunity for them to exercise leadership. They state that they sell—that they manufacture, rather, 95 per cent of the drugs that are sold as prescription drugs. And I say, therefore they should assume the burden of the additional 5 per cent, pay for the publication of a compendium that will be useful to every physician in the country and provide him with comprehensive information on all of the drugs available.

The format we have discussed in some detail, and there does seem to be a problem, I am told, from their point of view with a requirement that I wish to impose, namely, that the drugs be discussed under the generic heading, a brief discussion of the important uses, the dosage, side effects, contraindications for the drug, followed then by a listing of the trade names of the drugs, the dosage forms, and the manufacturers.

Such a book would be cross-indexed by both trade and generic name. But this does seem to be a stumbling block—at least I am told that it is.

Now, on the other hand, this is the only way in which—the people who have been advising me from the Drug Research Board and from the American Medical Association's Council on Drugs feel that a comprehensive, intelligent job could be done. From just the standpoint of format, it seems necessary to do it this way, otherwise there is great duplication, you see, because there may be—there are indeed, I think; some 42 firms or more who produce Rauwolfia serpentina as a prescription drug, and I think there are some 70 firms that—Serpasil under the generic name reserpine has 70 firms manufacturing it.

Well, it does not seem sensible to produce a volume that would have in 70 different places the description of a drug that is, the active ingredient is identical.

Senator NELSON. I guess you address yourself to this question a little later in your statement, but if you produced a compendium, would you contemplate listing every single manufacturer of every drug?

Dr. GODDARD. I hesitate to say every single manufacturer, because, as the Senator knows, there are a number of manufacturers very small doing interstate business only, and I do think just as a practical limitation on size you have to have a cut point somewhere. These individuals, then, would probably not, these individual firms would probably not be listed in such a compendium. But we are interested in having those firms that produce and distribute nationally and even regionally included.

Senator NELSON. How many drugs would be involved?

Dr. GODDARD. Well, there are 21,000 approximately——

Senator NELSON. Different or——

Dr. GODDARD. Different dosage forms of the some 7,000 drugs in the marketplace today. These would all be included.

Senator NELSON. And would a compendium and the drugs included have the approval of FDA?

Dr. GODDARD. It would have to be approved by the Food and Drug Administration since it does serve as a form of labeling. The best possible outcome as far as I am concerned, would be for PMA to exercise leadership in this area, assume the burden and use, if such could be arranged, the format of the PDR, if the owners of PDR were willing to engage in that. I say this because PDR has a great level of acceptance in the country, and this would become competitive, you see.

If such a marriage, if you will, could take place, I think it would find instant acceptance on the part of the practicing physicians, that they would receive this volume each year, as they already have, and they provide them with comprehensive information in terms of coverage of the drugs as opposed to today's PDR which is on the basis of paid advertising, and not—even the major firms do not include all of their drugs in today's PDR. So I think it would be a marked improvement and everyone would benefit.

Senator NELSON. All the drug products listed there would have the approval of FDA?

Dr. GODDARD. Of course, the drugs have to have our approval to be in the marketplace.

Now, if you are saying that we would be offering an implicit warning or guarantee that they are efficacious, until the Academy review is completed, we could not offer such a guarantee. Until we are in a better position to apply therapeutic equivalency than we are today, could we offer the physicians such a guarantee.

But that is our goal. It is an achievable goal, and I think it is one that we can accomplish by 1971, as I have indicated in other testimony.

Senator NELSON. Am I correct in saying that to get approval to be introduced into the marketplace at all, a prescription drug has to meet USP standards?

Dr. GODDARD. If there exists—or NF, yes. Combinations are not in USP, of course, and there are many combination drugs in the marketplace today, too.

Mr. GORDON. Well, there are FDA standards, too, aren't there; for example, on antibiotics?

Dr. GODDARD. Yes, there have to be standards, and we do certify them on a batch-by-batch basis.

Mr. GORDON. Perhaps you cover this later, but how useful and effective are the package inserts—do the doctors really read them?

Dr. GODDARD. Most of the time the physician does not receive them, so he does not really have an opportunity.

I have some here, for example. Here is a package insert. I do not think many physicians are going to receive this, if they even get it.

It has selected laboratory data for patients on this drug, for example, in tabular form. It is very small print.

The answer is no, but the physician does get one particular form, or package inserts on biological products do tend to reach him, and I think that should be continued. It is important. These others, all sorts of sizes, are printed on what is called in the trade bible paper.

Mr. GORDON. What do you mean by "bible paper"?

Dr. GODDARD. Well; it is very thin.

Mr. GORDON. You need a magnifying glass to read the print?

Dr. GODDARD. That is true.

Mr. GORDON. Dr. Goddard, doesn't this present situation really make the doctors more dependent on drug advertising and promotional activity?

Dr. GODDARD. Yes. Of course, that is not their only source of information. But as I have pointed out on numerous occasions the industry does spend a significant amount of their income to educate the physicians through advertising.

Mr. GORDON. Are you using that word with quotation marks?

Dr. GODDARD. Well, I say advertising in this field is a form of education, and I am serious when I make that point. And the AMA also now recognizes this point—has done so apparently in response to a recent position the Internal Revenue Service took with respect to their income on general advertising. They pointed out this was different from most advertising and that it did serve an educational purpose.

And I must agree with that.

Mr. **Gordon**. Who took that position?

Dr. **Goddard**. The AMA.

Mr. **Gordon**. How about the IRS?

Dr. **Goddard**. They haven't responded to this, to my knowledge. But advertising apparently does influence the physicians' choice of the drug. Therefore, I think it is educational. And we are anxious to have a comprehensive, more impartial source of drug information readily available to every physician, every pharmacist and every hospital kept up to date with accurate prescribing information.

Senator **Nelson**. I don't understand the mechanics of the delivery of the package insert. The doctor himself in his office just writes a prescription. The drugs, with some rare exceptions, come into the pharmacy. Does each package of prescription drugs, no matter how small, have to have an insert?

Dr. **Goddard**. That is correct.

Senator **Nelson**. So then the doctor does not come in contact with that package insert——

Dr. **Goddard**. Except for biological products, which tend to go directly to his office.

Senator **Nelson**. What do you mean by "biological"?

Dr. **Goddard**. Well, vaccines and things of this nature, you see.

Senator **Nelson**. That he administers himself?

Dr. **Goddard**. That is correct.

Senator **Nelson**. I see.

Dr. **Goddard**. And intravenous therapy on wards in the hospital tend also to be accompanied by the package insert. But by and large these are received by the pharmacist and thrown away after he has a file of them, you see. And the physician can call the pharmacy and get information on a drug. And some of them do this. But by and large they do not see them. So the system does not accomplish what it set out to accomplish at all.

Senator **Nelson**. And do I understand that it is your position that if there were an acceptable compendium adopted and published, you would be willing to remove the requirement that an insert be used except for biologicals?

Dr. **Goddard**. That is correct.

Senator **Nelson**. Is the insert required by law, or is it the result of an administrative ruling?

Dr. **Goddard**. Those are the conditions for the approval of a new drug. Yes, sir, statutory.

Senator **Nelson**. By statute or by a ruling of the F.D.A.?

Dr. **Goddard**. Statute.

Senator **Nelson**. So you would have to change the law respecting the insert——

Dr. **Goddard**. Mr. Goodrich, do you want to comment on that?

Mr. **Goodrich**. We have authority to exempt a prescription drug from the requirement of that detailed label where it is not necessary for the protection of the public health. We could do so if we had an alternative compendium available to the physician. Then it would not be necessary to carry that information in the packages.

Strong, Cobb, Arner, Inc,
Cleveland, Ohio, November 15, 1967.

Senator Gaylord Nelson,
Chairman, Senate Monopoly Subcommittee, U.S. Senate, Washington, D.C.

Dear Senator Nelson: Your letter of November 3rd has been discussed with our technical, legal and scientific staffs. It is our feeling that a Compendium, which would bring together in one place all of the authoritative information that would enable the medical profession to dispense or prescribe drugs with complete knowledge of their actions and side effects, is a worthwhile undertaking. This Compendium should replace the now substantially useless package inserts required by FDA regulations, which costs the pharmaceutical industry and indirectly the consumer millions of dollars each year.

This Compendium must be prepared by knowledgeable persons from the pharmaceutical, medical, legal, government and academic fields who are aware of the scientific and other complexities involved. It is unlikely that the first edition could encompass all drugs, nor should it. It should consist of the single entity drugs and probably those now listed in the U.S.P. and N.F., which are the most widely used. These drugs should be listed by generic name with references both to trade names and manufacturers.

The Compendium should be a compilation of scientific and medical facts and not a sales advertising tool where prices are included. This type of sales information is readily available from other sources.

If the DA is in agreement, the Compendium could possibly start with the package insert information already reviewed and approved by them. Also data from such references as the Hospital Formulary, Physician Desk Reference, etc. could be the basis of the Compendium.

This project will require several years to complete after a staff has been assembled, and perforce might have to be subsidized by the Federal Government.

The second edition could include many of the combination drugs now being used. Subsequent editions could continue to add drugs as it will take many editions before all drugs are listed.

SCA as well as the whole pharmaceutical industry is looking forward to a National Drug Compendium.

Sincerely,

Fred J. Dahlos,
President.

Hoffmann-La Roche, Inc.,
Nutley, N.J., December 8, 1967.

Hon. Gaylord Nelson,
Chairman, Senate Monopoly Subcommittee, U.S. Senate, Washington, D.C.

Dear Senator Nelson: Thank you for your letter of November 3, 1967, asking for our views on the subject of a drug compendium. I am pleased to have the opportunity to give you the views of my company on this matter. We would support the general idea of a compendium because we believe it could be a useful addition to the existing means of making available information on drug products.

We believe that medical and paramedical personnel should have ready access to complete information necessary to the proper prescribing and dispensing of drug products. We consider the development, preparation and dissemination of such information regarding our own products to be one of our vital responsibilities. The listings of Roche products in such widely-used reference works as the Physicians' Desk Reference (PDR), which are virtually complete reproductions of our package inserts, is evidence of our policy of making available to physicians complete prescribing information on Roche products. As I will discuss in more detail later, we agree with Dr. James Goddard that the PDR, with certain modifications, may be the best vehicle for establishing a drug compendium since it already is widely used by physicians as a source for prescribing information.

Hoffmann-La Roche's support of the general idea of a compendium of information on drug products assumes that such a compendium would be produced in a manner so as to provide physicians and other appropriate persons with complete and current information on drug products essential to medical practice. Among other benefits, a drug compendium with official status could, as noted by Dr. Goddard, provide a preferable alternative to the current package insert requirements. We believe firmly, however, that an official compendium must not limit or impair the physician's prerogative and ability to prescribe those drug products which he believes are in the best interests of his patients. We are certain you would agree that if the current high standards of medical care are to be maintained, "compendium" must not mean "control."

We must also express our opinion that funds and efforts in the health field should not be diverted to any major innovation from the many recognized areas of need which exist until after there has been thorough exploration of all aspects of the proposed project. The concept of a comprehensive drug compendium presents many complex scientific, medical and legal issues, all of which we believe must be explored in depth by an independent "compendium task force" drawn from government, industry and the medical and scientific communities before the project is undertaken. We especially urge that the questions of need and format of a compendium be explored in detail with the medical profession since they would, of course, be the primary users of the publication.

In response to your question on the content of such a compendium, we offer the following comments and suggestions for consideration. We have also included some suggestions on other matters relating to a compendium which we hope will be useful.

We believe the purpose of a comprehensive drug compendium should be to provide necessary information in concise form for the proper and efficient usage of drug products. A total dessertation on use of any drug would probably require too great an amount of space, but the information presented should be sufficient to enable a physician to prescribe a drug confidently.

At the present time, this basic information is contained in "package inserts" which are included in every container of most drugs. These inserts are developed by the manufacturer of a drug and, for new drugs, are approved by th Food and Drug Administration before use. We recommend that a compendium contain substantially the same product information now contained in these inserts.

We do not believe that it would be desirable to alter the respective statutory responsibilities of the drug manufacturers and the Food and Drug Administration with respect to this basic drug prescribing information. In particular, we would recommend against any delegation of the present statutory responsibilities of the manufacturer and the Food and Drug Administration in this area to a third party. This would have the effect of duplicating activities presently performed by the Food and Drug Administration in reviewing new drug applications to determine the adequacy of such information, and could also impair the ability of a manufacturer to disseminate information on its own products.

In the compilation of a drug compendium, careful consideration would have to be given to the question of which drugs should be included. It will have to balance the need for a work of manageable size with the need to provide adequate information on the widest range of drugs which might be of value to the physician in his practice. At the present time there are several thousand drugs available for prescription specification. To include in a compendium information on all of those drugs might cause it to be too unwieldy and awkward for use in everyday practice for most physicians. It may be that a compendium should, initially at least, be limited to the two or three hundred most frequently prescribed drugs.

A major issue with respect to a drug compendium is the format for presenting information on specific drug products. The basic issue seems to be whether a single monograph can provide adequate information on drugs with the same established name but manufactured by different companies. We would be opposed to this approach as being contrary to sound medicine and inconsistent with our competitive system of free enterprise.

There has been much discussion before your Monopoly Subcommittee concerning drugs sold under established or generic names as opposed to proprietary name drug products and the existence or lack of therapeutic equivalency between them. We believe it is clear from the testimony of Dr. Goddard and others that sufficient data is not yet available to answer definitely the question of therapeutic equivalency for chemically similar drugs. And, from a medical standpoint, the question is obviously too important to be answered solely on the basis of assumption.

Our position is that whether a drug product has a proprietary name or is sold under its established name does not determine the drug's quality or therapeutic value. Whether a drug product will have its intended effect can be determined only by appropriate laboratory and clinical tests. When a drug containing a specified amount of a particular active ingredient demonstrates a certain clinical or pharmacological activity, it is possible that another drug containing the same amount of the same active ingredient, if properly compounded into a finished product, will have the same effect. However, it is certainly true that this is not always the case. A second product sold under the same established name may not be in fact a therapeutic duplicate of the first. Furthermore, it is essential to recognize that drugs are used to treat individual patients. Effective and safe action in most cases is not sufficient; failure of a drug to perform, even in isolated instances, can be critical to the individual concerned.

Dr. Goddard has stated that his agency is in the process of developing information in this difficult and complex area for many drug products, but that they do not know the answers at this time to many of the issues. Thus it is highly important that a physican not be required, or even encouraged, to disregard the source of the products which he prescribes. And, from a competitive standpoint, minimizing the distinctions between manufacturers would discourage, not promote, competition. For these reasons, we believe it is essential that a compendium distinguish between drug products which have been demonstrated by appropriate scientific studies to provide consistently the intended therapeutic effect of those which have not.

Some suggestions for preserving the distinction between drugs from different manufacturers in a compendium are (1) to permit manufacturers to list their products individually by company with full information for each product, (2) to permit manufacturers to include following the listing of a drug specific facts pertaining to the clinical experience, usage, particular studies or other materials which would demonstrate proof of effectiveness of their own form of the particular medication, (3) to cite in the compendium those companies which have approved new drug applications, including the dates of approval, and (4) to note whether clinical studies have been done by each listed manufacturer for all dosage forms of the products. Additionally, since some companies make available only the most widely prescribed dosage forms, it is essential that a compendium include information from companies on their range of dosage forms of any given drug. Also, a compendium should not be designed in such a way as to limit the usefulness of trademarks, which, of course, are a basic and important means for identifying manufacturers of drug products.

A drug compendium would need a number of indices enabling ready reference to medications by (1) established names, (2) proprietary names, (3) therapeutic classifications, (4) chemical or pharmacological index, and (5) names of manufacturers. Also, complete and periodic supplementation of the information in a drug compendium would be needed to assure that the information is the latest available.

The questions of how a compendium would be financed and how it would be published are, of course, extremely important. We agree here again with Dr. Goddard that the project should be undertaken by private industry and ultimately recognized and endorsed by government.

The primary responsibility for the development of information regarding drug products rests with the manufacturer. It is also a major and important function of a drug manufacturer to make available to physicians all necessary information relating to its products. We would envision a drug compendium as a further step in this role. We recognize, of course, that the government, and in particular the Food and Drug Administration, has a vital interest and statutory responsibility with respect to drug information provided to physicians. Thus, as already noted, we would support the principle of a combined effort by medicine, industry and government to study the issues and develop the basic guidelines and format for a drug compendium.

The specific vehicle for achieving this combined effort could be an existing private publication, such as the already-mentioned PDR, which is given statutory recognition. There is precedent for this approach in the drug field since the Federal Food, Drug and Cosmetic Act expressly recognizes several private publications as "official compendiums."

At the present time many of the criteria which we suggest for a drug compendium are contained in the PDR, a work currently available to all practicing physicians and used by most of them. We have seen a recent analysis of PDR by the R. A. Gosselin Company, Inc., which indicates that in 1966 over 85 percent of all prescriptions dispensed in the United States by established and proprietary names were for drugs currently listed in the product information section in it. Another study by Alfred Politz Media Studies showed that over 90 percent of all physicians in private practice utilize this publication for prescribing information, many on a daily basis. Thus the basic usefulness of this publication is well established.

The information regarding particular drugs in the PDR "white section" is by legal requirement substantially the same as the information contained in the package insert for the drug. The one substantial change needed to conform it to the standards recommended above would be to include a section providing information on drugs which are sold under established name. These monographs could be arranged alphabetically by drug name and could be followed in each instance with a listing of the companies which manufacture such drugs. The company's name could be cross-referenced to the manufacturers' section of the publication where their specific products would be individually described with full information. We believe that utilization of PDR with this and other additions suggested above would provide a compendium which would serve the purpose of providing information on drugs sold under established name, and, by having individual product listing of manufacturers, avoid the presently unanswerable question of therapeutic equivalency of chemically similar drugs with the same established name. Thus we believe this publication should be considered carefully as a possible solution to the compendium problem, assuming, of course, that the publisher would agree to certain modifications and assuming that affected manufacturers would agree to participation and that the costs of publication would be reasonable.

If the Physicians' Desk Reference or perhaps another existing publication or organization could not assume the responsibility for privately producing such a compendium, it may be desirable to consider the establishment of a quasi-public corporation such as the Communications Satellite Corporation which includes on its Board of Directors several Presidential appointees. These appointees would be drawn from the ranks of government, private industry, and the medical and scientific communities.

A private publication could be financed by payments from participating manufacturers for the listing of their products. An exemption from certain of the requirements relating to the use of package inserts would provide an inducement for manufacturers to participate.

As we noted at the outset of this letter, Roche would support the general idea of a drug compendium designed to provide physicians with current, complete and readily available information on drugs. We further believe that a "compendium task force," as indicated above, should be established, with the concurrence of all interested groups and bodies, to consider the many issues involved, including the suggestions in this letter.

I again express my appreciation for the opportunity to give you our thoughts on this important subject. I hope they will be of value to you in the development of your proposal.

Sincerely,

V. D. MATTIA, M.D.,
President.

TEXAS PHARMACAL CO.,
San Antonio, Tex., December 14, 1967.

Senator GAYLORD NELSON,
Chairman, Senate Monopoly Subcommittee,
Washington, D.C.

DEAR SENATOR NELSON: Reference is made to your letter of November 3, 1967, concerning the possibility of developing a drug compendium.

While I am not familiar in detail with all of the testimony before your committee, I am, of course, acquainted in general with the proposal advanced by Dr. Goddard and have some views on this matter which I am happy to share with you.

The general concept of a drug compendium is certainly an acceptable one in theory. Problems arise in the manner in which the development of such a compendium is implemented. As you may have been informed, such a compendium now exists in the form of the privately published "Physicians' Desk Reference". I know from my own knowledge that this publication is widely used by doctors and is considered to be reliable. The publication is not absolutely complete in that it does not include the products of every drug company in existence. Further, I am not aware that the contents of the publication necessarily have FDA approval; however, my observation has been that the material included in PDR closely follows approved package inserts.

There is little argument that the most useful compendium to the medical profession would be one in which the products of all drug companies would be included, although the expense involved in collecting and presenting information on all drugs of all companies would indeed be significant. If the drugs have received new drug approval from the Food and Drug Administration, presumably the material appearing in such a compendium would be based upon such package insert. However, some of these package inserts tend to be quite lengthy, including matter of little practical use to the practicing physician, so that I would hope some way could be evolved to provide an acceptable condensation as indicated in order to prevent the compendium from becoming unduly bulky and, thereby, destroying its practical value. The ultimate question, of course, is the real need to be filled for the practicing physician, that is not already provided by existing methods, and I have not seen any definitive information on this point.

There would also be the problem of maintaining the compendium up-to-date, but presumably this could be done with periodic supplements, such as now utilized by PDR.

I am told that a suggestion has been made that drug prices should be included in such a compendium. I would strongly oppose this suggestion since it is not clear to me how the prices would be selected. A great deal of the information regarding drug prices which I have recently observed seems highly misleading and confusing. Rather than attempt, therefore, to select a price (wholesale or retail?) for each drug—whether it be the lowest price quoted by anyone regardless of extent of distribution, an "average" price, or a price which might be regarded as a "fair" price—it seems to me best to not include the price. The doctor can always determine any price by calling his pharmacist.

I have also seen suggestions made that drugs be listed under their generic as well as brand names. I see no objection to including generic names in such a compendium, where they exist, since such names already appear on the label of the product. In our own field of specialty, namely dermatologicals, the brand name is practically the only one which would have any meaning to a doctor, since the products we market tend to be composed of several ingredients, properly blended, to which a generic name is not usually applicable. Of course, any compendium that did not include such combination products could not be considered complete.

In summary, as I have indicated, I believe the broad concept of a reliable drug compendium cannot be questioned. The difficulty arises when one attempts, on the one hand, to make it all inclusive and completely accurate, yet recognizes the necessity of keeping it within an acceptable length and expense. I am not sure I know the answers to these problems, but I certainly wish to commend your committee for attempting to shed light on the matter.

Sincerely,

Arthur W. Mueller,
President.

Organon, Inc.,
West Orange, N.J., November 15, 1967.
Hon. Gaylord Nelson,
Chairman, Senate Monopoly Committee, U.S. Senate, Washington, D.C.

Dear Sir: This is in response to your letter dated 3 November 1967.

We are favorably inclined towards the compendium concept. Such compendium of drugs could be useful provided it is worked up carefully with respect to the objectives.

Among the prime objectives would be to assist the prescribing physician. This should provide the guidelines as to what goes into such compendium. It should reflect the expressed views of physicians as to what they would find most useful and significant to facilitate their use of the drugs the pharmaceutical industry has made, and will continue to make available.

Sincerely,

Alan Kusik,
Administrative Vice President.

S. F. Durst & Co., Inc.,
Philadelphia, Pa., November 17, 1967.
Hon. Gaylord Nelson,
U.S. Senate
Washington, D.C.

Dear Senator Nelson: We appreciate receiving your letter of November 3rd, 1967 and welcome the opportunity to give you our thoughts on national compendium of drugs. It may be relevant to point out that we have been handling drugs for the medical profession for thirty-seven years, and are well respected in the geographic areas that we service. We think that a smaller company such as ours that works intimately with thousands of physicians may have some useful thoughts to contribute.

We are in favor of a compendium and believe it should be similar in format to the "Physicians Desk Reference" but greatly expanded to include every item of every company from the largest to the smallest in the pharmaceutical field.

If you would desire additional thoughts on the subject we will be happy to cooperate.

Sincerely,

Richard L. Durst,
President.

Crookes-Barnes Laboratories, Inc.,
Wayne, N.J., December 4, 1967.
Hon. Gaylord Nelson,
Chairman, Senate Monopoly Subcommittee, U.S. Senate, Washington, D.C.

My Dear Senator Nelson: In reference to your letter of November 3 addressed to Mr. Louis E. S. Santamaria, please be advised that I endorse the concept of a compendium of drugs.

It would seem to me, having spent many years in practice, that the compendium should include generic and brand names, the manufacturer of each generic and brand name, some basic pharmacology and adverse reactions.

In general, I feel that an official compendium similar to the Physician's Desk Reference but without the promotion, would be the most valuable.

Sincerely,

Daniel K. Beirne, M.D.,
Vice President.

The Upjohn Co.,
Kalamazoo, Mich., November 17, 1967.
Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: This is in response to your recent letter requesting my views as to the merits of a drug compendium.

I appreciate your courtesy in writing and expression of interest in the position of The Upjohn Company on a subject of such importance to the pharmaceutical industry and the medical profession.

The position of The Upjohn Company is compatible with others who have endorsed the general concept of a drug compendium. It has been our consistent policy to insure full disclosure as to the quality, characteristics and proper usage of the products which we manufacture. Thus, we would certainly support, in principle, the idea of a compendium as a vehicle for providing such relevant information to the medical profession

While one can endorse the principle of a compendium, careful and serious thought must be given to the substantive composition of this publication. I share the view expressed by Dr. Goddard in his testimony before your Subcommittee on November 9, that the compilation of a Drug Labeling Compendium will be a difficult task. Certainly a meaningful compendium must include pertinent information presented in a form best suited to impart essential facts included in package inserts. These facts, as you well know, are related to the quality and characteristics, safety and efficacy of our drug preparations. I think it would be a mistake to include information superfluous to this purpose and do not feel, therefore, that economic data, such as price, would be germane to this publication.

I believe that considerable thought and attention must be given to membership of the committee which will prepare the compendium and be responsible for its content, for the value of this publication will be directly related to the caliber of its format and composition. Careful consideration should be given to this question as well as others which relate to content of the compendium. The views of concerned parties should be elicited in deciding whether all or portions of information presently contained in package inserts should be included. If this document is to group drugs according to specified nomenclature with an accompanying summary of the drugs listed, then standards should be adopted concerning the method of drug selection as well as proper preparation of the summary. There are, after all, delicate distinctions between many drugs which require recognition in a compendium. Furthermore, a policy should be formulated to insure that new drugs approved subsequent to publication of a compendium but prior to release of supplements thereto may be distributed without penalty for not being included in the compendium.

These are but examples of some decisions which must be made prior to the preparation and publication of a compendium. I would suggest that to resolve questions such as these, thought be given to calling a meeting of those people who will be concerned with its use. Among such people would be the Commissioner of the Food and Drug Administration, the Director of the National Institutes of Health, representatives of the pharmaceutical industry and the medical profession. This could provide a blue ribbon committee to study these and other questions of vital importance to the preparation of a worthwhile compendium.

I hope that these brief comments will be of assistance, and wish to assure you of my desire to cooperate.

Sincerely yours,

R. T. Parfet, Jr.

Smith Kline & French Laboratories,
Philadelphia, Pa., November 17, 1967.
Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator Nelson: In reply to your recent letter asking for our comments on the idea of a drug compendium, we believe that the general concept is a good one.

As to content, we feel that there should be a description of each individual nationally marketed drug product of all registered manufacturers, together with full prescribing information as approved by the FDA. Anything less than this would deprive the physician of full information on the specific drug product he may wish to prescribe.

As to the format, we believe that an expansion of the existing Physicians' Desk Reference (PDR), currently the most widely available source of this information, would be the most practical and economical solution to the problem. Further, we would suggest specific controls by the publisher and the FDA to assure that the information on each drug product is complete and up-to-date. Admittedly, such a compendium would significantly increase the size or create additional volumes of the PDR, but we don't believe this would lessen its usefulness to the physician. We also agree that PDR should continue to be supported by the industries whose drug products are included. In the case of products not included for reason of limited distribution (or for any other reason), prescribing information inserts could still be required for inclusion with the commercial package, as at present.

We appreciate the opportunity to express our views on this subject.

Sincerely,

T. M. Rauch.

The White House,
Washington, January 3, 1969.
Hon. Gaylord Nelson,
Committee on Labor and Public Welfare,
Washington, D.C.

Dear Senator Nelson: This is in response to your request for my views on a national drug formulary and a national compendium of information for prescription drugs.

I am pleased to have the opportunity to express my strong support for such a proposal. Full disclosure of information to assist the consumer in getting the best buy for his money, and adequate protection of the public's health are both principles which the Administration supports. A significant step in providing both would be made by publication of a United States Drug Compendium by the Food and Drug Administration.

Inclusion in the Compendium of generic drug names, drug use, dangers, contraindications, side effects, or doses would facilitate accurate prescription and, at lower cost. With knowledge of the generic name, the consumer can do comparative shopping.

While portions of this information are currently available through privately published publications, they do not give indication of use, dangers, contraindications, side effects or doses. They are of some value to the pharmacist, but not of value to the practicing physician, hospital, or social service agency. Compilation of advertising by pharmaceutical firms, also privately published, does not serve the consumer's medical advisers adequately by providing sufficient unbiased information.

If requested by Congressional committees conducting hearings on proposed legislation designed to make possible a national drug formulary and compendium of information for prescription drugs, I would be pleased to testify in behalf of consumers for full disclosure as being in the interest of additional health protection and lowering drug costs to consumers.

Sincerely,

BETTY FURNESS,
Special Assistant to the President for Consumer Affairs.

STANFORD UNIVERSITY
SCHOOL OF MEDICINE,
Palo Alto, Calif., November 16, 1967.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR GAYLORD: * * * You asked me about the value of a drug compendium. This would indeed be an extremely valuable system for drug information. In principal, I would give it the highest possible endorsement.

One should, however, not underestimate the magnitude of such an undertaking since it would represent very nearly a distillation of recent and contemporary medical research. Many of the assertions that should appear in entries in the compendium would be controversial. There is sufficient division of interest and adversary quality that one would, in all fairness, have to make provision for the registration of conflicting opinions. I do not, however, believe that these objections are insurmountable and I would strongly urge a definitional study of such a project as soon as possible.

Such compendium would have the obvious purpose of displacing the inexpressibly bad system of drug advertising that now prevails. As the compendium develops, I foresee that we might move towards a situation where drugs would not be permitted to advertise in any other way. In my opinion, this shift of emphasis from promotional to informational activity on the part of the drug industry would have the most constructive effects in many other problem areas that affect the industry in its relation to public interest at the present time.

The tragedy is that the physicians have not developed their own professional organization to deal with this problem. Even now there would be obvious merit in delegating as much responsibility as possible to professional, non-government agencies for the implementation of these educational programs.

With all best wishes,

Sincerely,

JOSHUA LEDERBERG,
Professor of Genetics.

CHICAGO, ILL.,
March 8, 1968.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: You are certainly on the right track with your proposal to publish a compendium of pharmaceuticals which would include in each case a fair evaluation of that drug's potential for benefit and harm. Such a work would only be really useful if prepared by an independent source and the federal government, which your proposal suggests, is the only independent source able to perform this evaluation. The American Medical Association is obviously too tied to and dependent on the pharmaceutical manufacturers for their evaluations to be trustworthy on this vital subject: it is surely sheer folly to rely entirely on the manufacturers' statements themselves as the currently used Physician's Desk Reference now does.

Despite the clear need for such a work in clinical practice, the fact that the AMA has never issued one clearly shows their unwillingness to interfere with the manufacturers' sponsored PDR, which is, of course, a great sales help to these manufacturers.

I wrote you several weeks ago praising your attempts in the health field. I took the liberty of sending a copy of my letter to you to Secretary Gardner of HEW. Mr. Milton Silverman, Special Assistant to the Assistant Secretary for Health, sent me an answer which showed that he is indeed giving meaningful thought and appraisal of the medical situation in American and is devoting a high level of ability and effort to find new solutions to the present grave problems.

The value of this compendium would, I believe, be much enhanced by a few sections covering the theoretical pharmacological basis of therapeutics with certain groups of drugs whose use became widespread after most physicians now practicing finished medical school. Such important areas as "tranquilizer pharmaceuticals" and the "mycin antibiotics" have not been systematically studied by most physicians in school and for this reason such a section would be most helpful.

Thanking you for your efforts which will ultimately be greatly to the advantage of the health of all citizens, and I believe, will also make the work of physicians far more effective, I am,

Respectfully yours,

JAY H. SCHMIDT, M.D.

Hon. LISTER HILL,
Chairman, Committee on Labor and Public Welfare, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request of February 6, 1967, for a report on S. 720, a bill to amend the Federal Food, Drug, and Cosmetic Act as amended in order to provide for the publishing of a United States Drug Compendium and for other purposes.

The bill would provide for the regular publication of a compendium consisting of the approved labeling of official and trade-name drugs cleared for marketing by the Food and Drug Administration.

At the present time, several thousand drugs are constantly used in medical practice. These drugs are highly sophisticated chemical compounds and present very considerable problems. The potential of the good which a drug can do is in most cases equalled by its potential for danger if it is used under the wrong circumstances, in the wrong quantities, for the wrong disorders, at the wrong time, and for the wrong person. The warnings, cautions, contraindications, and possible side effects of these drugs are stated in the labeling approved by the Bureau of Medicine of the Food and Drug Administration.

Unfortunately, however, the labeling which is addressed to the physician does in effect rarely get to him, because as a matter of practical experience it gets lost somewhere between the manufacturer, the wholesaler, and the retail pharmacist. Nor are these drug labels at present in a form which would facilitate thorough study by the physician, even if he had easy access to them.

The result is that the physician has to rely almost entirely on various means of drug promotion in which the pharmaceutical companies are engaged, such as advertising in medical journals, promotional literature sent directly to the physician, and the like. In many cases, such promotion does not reflect the approved labeling. The physician, the hospital administrator, or the social service agency thus are severely limited in their search for a drug for a particular clinical situation, or in their ability to compare drugs for which similar claims are made.

Nor is there at present a publication which lists objectively the labeling of drugs approved for marketing by the FDA. Such publications as there are either give a list of drugs selected by the editor or are directed to the pharmacist giving ingredient components and so forth, or are compendia of advertising which frequently overstate the beneficial effects of a drug without balancing such statements with indications of dangerous side effects and the like. A Drug Label Compendium published by this Department would list both official and trade-name drugs and thus give the practicing physician, or the hospital administrator, or the social service agency, the opportunity to make an intelligent and informed choice in the use and purchase of drugs necessary to his work. Such a compendium would be a vital, and indeed indispensable, aid to the medical practice in this country and thus to the health and welfare of our people.

Under the provisions of S. 720, the publication of the Drug Label Compendium would be paid for by charging the sponsors of new drugs a fee for New Drug Applications which involve considerable investigational work on the part of the Department and for which so far no charges have been made.

However, it is expected that pharmaceutical manufacturers, who would be permitted to omit package inserts after their drugs have been listed in the Drug Label Compendium, would save substantial amounts now expended for the printing and insertion of these drug labels.

We would therefore recommend that S. 720 be given favorable consideration by your Committee.

We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

——— ———,
Secretary.

[From Medical World News, Aug. 16, 1968]

THE FDA UNDER DR. LEY

(NOTE.—Of all the unfinished business that new FDA Commissioner Herbert L. Ley Jr. has inherited, including the therapeutic equivalency issue and the huge pre-1962 drug review, he considers nothing more important than the proposed drug compendium. In this MWN interview, Dr. Ley argues that a digest of all pertinent data on all drugs in interstate commerce is vital as a reference work for doctors. Since it could lead to a loosening of ad regulations, he feels it ought to be attractive to the drug industry too.)

Q. When Commissioner James L. Goddard left the Food and Drug Administration at the end of June, he voiced a feeling of frustration over his inability to get through to the one group of Americans he most wanted to reach—his fellow physicians. Dr. Ley, how do you feel about that?

A. I share Dr. Goddard's feelings exactly. Closing the communication gap between the

FDA and the nation's physicians is a major challenge. I am especially concerned about the communication problems that come up when the FDA takes action on drugs that the doctor prescribes and his patients use. The recall of anticoagulant drugs from the marketplace last year was publicized in the press across the country and aroused considerable concern among patients using the drugs—quite understandably. Many physicians got phone calls from their patients before they even had a chance to read the newspaper items.

Other problems of communication are less intimately related to our regulatory actions. In our collected files of experience and data here at the FDA, we have a very valuable body of important medical and scientific information. In the past, we have not used articles in scientific and medical journals to summarize the agency's experience in a particular area. In the case of chloramphenicol, for example, the comparison between sales or batch certification figures, which give some measure of the amount of the drug used, and the numbers of cases of the diseases for which chloramphenicol is appropriate would make an interesting medical paper. In my opinion, this type of medical report would be a valuable element for the physician to consider in his judgments involving treatment.

Q. Do you see a greater need for the FDA to act as a therapeutic advisor to the physician?

A. No. That is not our responsibility. But we do have a responsibility to make information on drugs available to the physician.

Q. Dr. Goddard felt that the doctors' knowledge of drugs was rather poor and that they need more education from the FDA in this area. Do you share this view?

A. Not precisely. There is a need for continuing education in this field, but a government agency is not the proper group to take it on. However, such educational programs can function effectively only if they have access to the full factual drug information that resides in our files. That's where our responsibility is.

And this leads very naturally to the drug compendium, which was one of Dr. Goddard's major interest and remains one of mine. I believe the compendium should include all prescription drugs in interstate commerce and be distributed without charge to all physicians and allied medical specialists, medical treatment facilities, and pharmacists.

Q. Didn't a survey sponsored by the Pharmaceutical Manufacturers Association indicate that most physicians believe existing sources of drug information are adequate?

A. That's true, though I am unable to comment on the validity of the sampling process. But here in the agency, because of our close knowledge of the details of the medical reporting on drug usage, we are in a unique position to say that there is need for a well-designed, readable, and comprehensive drug compendium. The past 20 years have brought such a large number of new drug products to the market that it would be difficult, if not impossible, for a physician in daily practice to be intimately aware of all details for use of all of these products. It is just humanly impossible. There is need for continuing education among physicians just as there is among teachers—and even among government employees.

Q. How do you feel about advertising as a source of information for a doctor?

A. Nowadays, advertising is educational as well as promotional. But once an FDA-approved compendium is in the hands of every doctor, I would be perfectly willing to consider the possibility of deleting the requirements for brief summary information in advertising.

Q. Do you think the industry will help pay for the compendium?

A. The initial funding will have to be provided by the government. Later, companies could be assessed on the basis of the number of drug products and the volume of sales.

Q. What will a federal compendium give the doctor that he can't get from the Physicians' Desk Reference and other existing sources?

A. In one volume, he would have information on all drug products in interstate commerce in this country. PDR does not contain that.

Q. But doctors don't use all the drugs on the market, and many feel that PDR has the list pared down to a workable size.

A. There are situations in which the physician finds it very difficult to obtain information on a drug that he may want to use for an unusual or very serious condition. If it is a low-volume drug, it will not be in PDR.

Q. Do you see room for a closer relationship between FDA physicians and the companies submitting new-drug applications?

A. Yes. If the investigational drug studies are properly done, with adequate exchange of information while they are in progress, no firm need ever be embarrassed by having an NDA rejected. We are moving to the belief that a company should have resolved all major questions before the application is filed with us. We would then be able to approve the NDA much more promptly.

Q. Does this mean you will be asserting more direct supervision over the clinical investigation stage?

A. We will be participating more vigorously in discussion and criticism of protocols during this phase. We will not attempt to supervise this type of study directly.

Q. It was recently disclosed that in reviewing a two-year-old study on betahistine hydrochloride (Serc, Unimed), FDA agents went afield and quizzed patients directly (MWN, Aug. 9). One of the agents said this tactic had been used in at least one other instance. Is this kind of direct supervision proper?

A. For investigational drug studies, Congress gives us the responsibility to document and check. In this case, the company should have monitored more closely. Investigation indicates that the new-drug application contains untrue statements of material facts about the status of some of the patients involved in the clinical trials, the drugs they were given, and the results obtained.

Q. Dr. Ley, many doctors feel that the FDA's emphasis on exact labeling takes away the leeway they must have in using drugs to treat their patients. What control do you believe the FDA should exert over the physicians' use of drugs?

A. It's not a matter of control. Our responsibility is to furnish—in package inserts and presently, I hope, in the compendium—the significant information on side effects, adverse reactions and contraindications that the physician needs to initiate therapy with any drug in the marketplace and to judge reactions to therapy.

The controversy over the medicolegal implications of labeling requirements during the past two years has often been more emotional than rational. I was very glad to see that in a recent decision in a malpractice case, the Massachusetts Supreme Court ruled that the package insert is no more and no less important than any other medical reference available to the physician. This decision should do much to alleviate undue concern on the part of the medical profession.

[From AMA News, Oct. 14, 1968]

Meet Herbert L. Ley, Jr., M.D., FDA Chief

Q. There has been much publicity recently about tests disclosing discrepancies in chemical and clinical equivalency of drugs, with brand-name drugs in some cases demonstrating greater clinical effectiveness. How widespread do you believe this might be, and have any answers been forthcoming?

A. There have been fewer than two dozen examples of such discrepancies to date that can be recounted. In the case of a tetracycline tablet, we found that a sugar coating prevented dissolving. The problem was one of crystal size in the fungicide griseofulvin. There have been no detailed explanations yet. We have a hunch that the discrepancies in chloramphenicol may be caused by excipients in the capsule. We need to develop *in vitro* tests that can discriminate as well as human tests.

Q. In line with this, there have been proposals that the Biological Standards Division of the National Institutes of Health be shifted to FDA in order to have all drug and biological clearing work done by a single agency. Is there anything in the works?

A. No, there is nothing new.

Q. Drug advertisements have changed greatly since the Kefauver Drug Law was approved five years ago. Can physicians anticipate future changes?

A. As time goes on, we hope that the efforts of the past several years will continue to produce what we consider very significant changes in the approach and accuracy of drug advertising. The general situation in the advertising area is much better than it was two years ago, but occasionally we receive strong and vigorous complaints from physicians about ads such as that they may go beyond the law in claims of effectiveness or indicated usages.

Q. There has been considerable conflict between FDA and the drug industry over the entire regulatory approach of the agency. How do you view the agency's regulatory role?

A. The objective of the agency is not to take punitive actions on every violation. This would be very shortsighted. The objective, hopefully, is to achieve a change of attitude regarding promotional efforts for prescription drugs. We question whether it is appropriate for drug companies to use conventional promotional techniques such as are employed in selling cars, yachts, houses, etc. In these cases, a customer feedback is possible. The consumer can't be burned too many times because he will refuse to buy the product. The drug consumer, on the other hand, is not in a position to feed back. I feel that it is not appropriate to advertise drugs as other products. I hope the industry will recognize that a much different approach is needed.

Q. Do you discern much progress?

A. With individual firms, yes. There is a very decidedly active interchange of ideas. However, I am still feeling my way with the Pharmaceutical Manufacturers Assn.

Q. Special study groups have recommended that the FDA and the drug industry set up a self-policing code similar to that used by the federal trade commission with industries. What is your opinion?

A. Nothing has been done so far. One problem here is that although the PMA represents most of the large companies, there is no single group representative of the industry as a whole. To date it is impossible to get a spokesman for the entire industry.

Q. Some physicians and research scientists charge that FDA is too strict with experimental drugs and has hampered medical research.

A. The usual contention is that the Kefauver Law has slowed the applications for new drugs. The fact is that when you plot new drug applications year by year for the past 30 years, there is a drop-off starting in 1955 and the downward slope has been uniform since then with apparently no marked effect by the Kefauver amendments. My guess is that there has been no strangulation. The industry is returning to its everyday pace after the World War II stimulus. There is an impression that FDA has slowed progress, an impression I have tried to correct. I find some degree of a lack of understanding of the actual intent of the law relating to safeguards. The intent of Congress was to prevent repetition of the thalidomide episode, to have a line of information on animals of great depth and quality before clinical use.

Q. The Administration has proposed publication of a national drug compendium. Do you favor this?

A. There is need for one all-inclusive compendium containing single entity and combination products and all drugs shipped in interstate commerce that will be available to all physicians, dentists, pharmacists and institutions without charge. It should not be the sole source of information. A comparative approach also is needed. In this field, first we need an excellent text book on pharmacology, an evaluation and comparison of new dugs that would not be a federal responsibility, and a compendium with a text approved by the FDA. One question under study is who will pay the bill.

Q. Will the economy cuts in government affect FDA this year?

A. We are having to decide where to slow down and where to continue the present pace. We can't do as much, but we are not hamstrung.

Q. What do you view as your major problems and your major goals in the drug area?

A. Communications between the industry and FDA. I am principally interested in changing attitudes and concepts. I'm not the sort of person who takes a legalistic approach with every possible violation receiving the penalty called for by the statutes. It is obviously impossible to do this. We should concentrate on the major problem areas and use violations as a means of emphasizing the differences in philosophy and approaches where we are at cross-purposes, expose them to open discussion so that the industry might take appropriate corrective actions.

Q. What would you like to see physicians do to assist you?

A. Physicians have every right to expect promotional efforts for drugs to be objective and factual and honest. If any physician or group of physicians considers that a promotional effort does not meet these criteria, they have every reason to object strongly to the manufacturer, and, especially, to the FDA. I welcome such expressions of concern on the part of physicians. If more physicians would express their true feelings about this, manufacturers would realize that occasionally they are overstepping propriety.

[From Clinical Pharmacology and Therapeutics, November-December 1967.]

How to Stuff a Stuffer and Cook a Wolf

(By Walter Modell, M.D.)

In our protest some months ago of what we considered highly improper use of the drug package stuffer by the FDA, we indicated that these practices had turned the stuffer into the Big Bad Wolf, and that we were afraid.

Our expressions of anxiety have reached many through reprinting in medical journals and even in the Congressional Record, and have brought down an avalanche of letters, most gratifying, but too voluminous to answer individually or print in the Correspondence section. Of the lot, only one letter, from Dr. Herbert L. Ley, Jr., Director of the Bureau of Medicine of the FDA, came to the defense of the stuffer. This lonely letter was republished in this Journal, together with a rebuttal by us. In a second, later defense by Dr. James L. Goddard, which was published in another periodical but was later answered by us in this Journal, the Commissioner attempted alchemy to turn the stuffer into a scientific "distillate."[4] It is not conceivable that these two negative responses are an accurate index of the ratio of stuffer supporters to nonsupporters in the medical profession; it is not conceivable that the stuffer has no champion outside the FDA. But even if this is the case, it is our opinion that the stuffer deserves a better position, a better fate.

At this juncture, therefore, we too would like to come to the defense of the stuffer per se, to express our views on what its lawful function is, a function which we believe has value for the physician and for his patient, providing the FDA carries out its lawful responsibility and does not try to modify or extend it.

The time has come for a sober appraisal of the drug package stuffer, and in this place we propose to appraise it. It could be said that this is the last place for it and this editor the last one to do it. It could be said that we have already shown substantial bias and should therefore disqualify ourselves, but the plain fact is that anyone who knows enough about all the implications of the stuffer situation to write competently about it is, one way or another, also biased. That we have selected ourselves for the job is not to proclaim that we are especially competent or relatively less biased, but rather that we could find no one better. It is surely in our favor that we are not of FDA, the government, or the drug industry, and that we own no drug stock or government bonds. We do, of course, identify with writers and editors as well as with scientists and medical educators, and so have deep personal involvement in the controversy. It may well be that, despite an attempt to be objective, our bias is "busting out all over." We therefore invite readers who detect bias to write to our Correspondence Department and point out where we have allowed it to distort facts and their interpretations in the statement which follows. This is a good place to say that it seems incredible to us that at this late date the FDA has not felt that it owed the scientific community and the medical profession a full explanation and clarification of the status of the drug package stuffer; it has merely praised it. This makes our statement all the more necessary.

THE LEGAL STATUS OF THE STRANGE DEVICE

There is, of course, no document legally called a "stuffer," but neither is there a legal "insert" or a legal "brochure," to call the stuffer what others call it. As long ago interpreted by the FDA and upheld by the courts, the drug package-stuffer, or insert, or brochure, is simply part of the label of the drug package.

However, once the original package is opened by the pharmacist and the drug is dispensed in another container under a physician's prescription, the stuffer is physically and legally separated from the drug, and thereafter only the physician's label (or signature) legally indicates how the drug should be used. *This is how clinical medicine is practiced today.* And legally. The stuffer *is not a legal directive to the physician!* It is a label, a label!

The Food and Drug Act and its several amendments charge the FDA with the function of seeing that no misstatements appear on the label, and that there are no omissions of clinical importance, since it is an integral part of the label and no unlabeled drug can be sold; under the law no new drug can be marketed without an FDA-approved drug stuffer. Some drug advertisements are now also interpreted by the FDA as coming under the scope of their control of labeling. From certain public statements it is conceivable that the FDA also believes it can now direct clinical practices through the medium of the drug industry's advertisements. The drug industry has an easy out here: institutional advertising.

It has taken a long time and some curious stages of legislation and interpretation for the drug package label to metamorphose into its present stature and significance. On the face of it, this high estate, this elevated position, seems unquestionably to be in the public interest. A proper label could be in the interest of the medical practitioner and the drug industry as well.

HOW A STUFFER IS STUFFED

The typical drug stuffer contains information on the chemical and physical features of the drug, the amounts contained, a concise statement on all significant aspects of its pharmacology, a list of the adverse effects which have been observed in animals and reported in man, the clinical uses for which the FDA has recognized evidence of efficacy, the contraindictations, the doses recommended for the uses approved, the forms of the medicament accepted, and a list of publications on the drug.

Some stuffers are very extensive and contain lengthy excerpts from the literature and long bibliographies. The stuffers are generally printed in Lilliputian type and on Bible paper, and are hard to handle and very difficult to read. There is no uniformity, physical or technical. Some stuffers are well printed. Some stuffers are excellent statements indeed. We reprint them in this Journal; we would not do so otherwise. The reader is referred to the stuffer on clomiphene (Clomid), reprinted on the tinted pages of this issue of the Journal, as an exemplar of a good one. Some are not good statements.

When the drug manufacturer is reasonably certain that his nominee for an NDA (New Drug Application) will get FDA approval, he sets into motion a complex mechanism to prepare an account such as that we have described.[4] It is hard to say how long or extensive he may feel constrained to make the first version he offers the FDA, but he tries to make it satisfactory because he wants prompt acceptance. If any question regarding safety has reached public ears, the stuffer is likely to be overlong and defensive. If special instructions in use (e.g., method of injection) are required, this will take space and, sometimes, diagrams.

There are no statistics on first version successes; they must be rare indeed. Almost always there ensues what, although often genially called a "dialogue" by the FDA, is really a bargaining session between the stuffer crew and the FDA. Often each side makes preposterous initial statements in order to mint sufficient coin for the bargaining game. The former defends the drug as being altogether safe in relation to the contemplated use and not deserving of being hobbled by qualifications or excessive precautions or public reminders of adverse reports whose claims are unproved and too rare, anyhow, to ruffle the public's feathers. The FDA, for the public safety and in response to its charge from the Congress, insists on every detail it deems conceivably relevant to the safest possible use and the safest possible effective use. The FDA has the last word.

Many sessions may take place before a stuffer is stuffed to the satisfaction of the FDA and the drug, which has otherwise long been ready, may be packaged and marketed. Unfortunately, records of these bargaining sessions are never made public; only grumbled about in private. This secrecy is characteristic of the FDA's evaluation of the public's interest as against the confidentiality of information presented to it. An even more important unfortunate consequence of this preservation of confidentiality is that the FDA also extends it to established toxic reactions to drugs which are congeners of those now under investigation in man.

Usually it takes some months, often more than a year, before an acceptable stuffer is written. The FDA seems to take this well in its stride, industry is understandably more impatient. So much time and stress are expended in these exercises that it is claimed that drug manufacturers who are anxious to market their new inventions as quickly as possible soften too soon, yield too easily to

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Footnotes at end of article.

FDA demands, and agree to revise stuffers, especially in regard to the lowering of dosages, even when they are convinced that their side is the right side.

Approval does not mean that it will not be long before the stuffer is found faulty for new reasons or new experiences, and a new stuffer will have to be written and substituted for the old.

If the manufacturer changes the form of his medicament in any way, the stuffer will have to be rewritten. Sometimes, however, simple amendments to the stuffer are permitted in the form of a separate, shorter public statement, the "Dear Doctor" letter. These are sent to all physicians advising them of errors or misstatements (designated by the FDA) in the stuffer, the clinical findings which brought these errors to light, and revisions which should be applied to the statements in the old, but otherwise still current, stuffer. All of this may be a bit confusing to those physicians who never got the stuffer in the first place because, while the FDA insists that doctors automatically get all "Dear Doctor" letters or amendments to stuffers, they don't automatically get stuffers, since no machinery has been set up for this. That the "Dear Doctor" letter may also apply to advertisements further complicates matters.

Although the FDA assumes no legal responsibility for any part of the stuffer it approves, and denies that it can be held liable for developments not described in it, doctors and drug manufacturers are not exempt from such responsibility. The FDA now insists that the stuffer is also a rigid directive to doctors, writers, editors, and publishers on matters of maximal dosage. Thus the FDA assumes a new role of executive power without accountability or responsibility. Yet, if the FDA virtually dictates to the manufacturer what the stuffer should say, it is difficult to see how the manufacturer can be held accountable for it.

In the interest of all concerned we would like to raise the question of who should write the stuffer and take the responsibility for it: the drug manufacturer, the FDA, or perhaps an unbiased and disinterested committee of real experts.

WHAT A STUFFER IS NOT

It is not always current. The date of printing of the stuffer is given, but there is no regular schedule of required revision of updating. There is, in fact, no pattern, not even any assurance of promptness in revision when new findings of importance appear in the literature. No mechanism has been set up to enable the physician who wants to consult the stuffer to find out whether it has been superceded by a more recent stuffer or amended by a "Dear Doctor" letter or, more important in our opinion, outdated by clinical experience.

It is not a legal document or a legal directive. The stuffer is merely an unusually long label of a drug package. Its dosage statements do not have the legal stature of the posology of the United States Pharmacopeia, which are passed on by the Congress. There is nothing in the body of present law or even the FDA Regulations (which is simply a proclamation by the Commissioner of his interpretation of the law) which requires physicians to follow stuffer recommendations in writing prescriptions. The legal counsel of the FDA, Mr. Goodrich, has made the statement that a physician who deviates from stuffer recommendations may be interpreted as performing clinical experiments, and he therefore comes under a provision of the Kefauver-Harris Amendment and FDA Regulations which may make him criminally liable unless he has filed an IND. This threat has not yet been upheld by the courts. We trust it never will be.

No matter how hard the FDA staff and the drug manufacturer's staff may have worked on it, as long as the FDA claims the stuffer is a legal document, it cannot also claim that it is a scientific statement, for no scientific statement will claim that it is the last word, or inviolate, or immune to challenge or modification; such an attitude is incompatible with the philosophy of science. Nothing proves that such a stand has practical dangers more clearly than the continued need for revised stuffers and "Dear Doctor" amendments. Only recently, stuffers on diphenidol (Vontrol) had to be substantially modified a few weeks after the drug and stuffer received FDA approval. Despite all its precautions and efforts, the FDA is clearly fallible in guiding the drug industry to perfect stuffers. How, then, can it hold them inviolate?

The attitude of the FDA that the stuffer is unalterable dogma is completely at odds with a primary axiom of therapeutics that each patient provides the material for a new therapeutic experiment, and that the wise physician tailors the dose to suit the patient. Thus the stuffer should be stuffed to fit every kind of patient and the variations possible in each disease. This is not now the case.

It does not make the risk of therapy calculable. Good drug therapy has been classically defined as the carefully weighed decision to accept the risk of medication in favor of the risk of disease without treatment.

Too little is known about a new drug when it first comes on the market to have definitive statistical statements on adversity in initial stuffers. Each time a new reaction is reported in the literature, the relative importance of all the other dangers may have to be reassessed. New reactions may reveal whole new areas of toxic potential not yet mentioned or seriously considered. It may well be that any stuffer which takes less than 5 years of general and widespread clinical experience into account (dealing with variation in race and age, which often relate to genetic, enzymatic, and metabolic differences, etc.) is a premature stuffer, and therefore has relatively little to offer, with respect to the calculatable risk of therapy, to the basis of good therapy. While this limitation also applies to instructions in drug use from all other sources, no scientist will ever claim that he has expressed the final word on anything. Yet here it is that, with the ready access of the FDA to the experience of all concerned, the stuffer could serve a unique purpose as a well-balanced review and statistical statement on adverse reactions. But Mr. Goodrich's interpretation of the FDA position is that judgments published in initial stuffers rule all therapy until revision at some uncertain later date.

In the listing of adverse reactions on stuffers, the FDA does not require statistical statements on reported adverse reactions so that the physician can use the information on drug adversity to decide whether he is subjecting his patient to a substantial risk of agranulocytosis in relieving a headache, or depriving him of a nearly certain prompt cure of his pneumonia because the curative drug causes diarrhea in the rare patient. This is one of the most important failings of the stuffer; it may even confuse or mislead the physician in his choice of drugs. It is obvious that there are great limitations in the data available which make meaningful statistical statements about adverse reactions difficult to provide at an early stage in the experience with a drug. Who is in a better position than the FDA to do this? But the FDA tends to make this very unsatisfactory situation worse rather than better by failing to use or express discrimination in listing adverse reaction in stuffers.

It is not compatible with the concept of generic equivalence. Since the position of the FDA is that a new set of clinical tests is required for each drug admitted to the market by the FDA, and it defines an old drug as new simply if it is manufactured by a new manufacturer, it is clear that *each stuffer applies specifically to a brand of a drug* and that, in practice as well as in principle, the stuffer is incompatible with generic equivalence. Stuffers do differ with brands, even though the same drug is described in each case. This will mean that the physician who collects stuffers will have to have a separate stuffer for each brand of drug. In a good collection of stuffers there may therefore be as many as fifty stuffers on the same drug, simply because the drug is made (or distributed) by fifty companies and there are fifty brands of it. This can go to even more ridiculous lengths. For example, diethylpropion has one stuffer for Tenuate, sold by the William S. Merrell Company, and another stuffer for Tepanil, sold by National Drug Company, even though both are branches of the same company and at precisely the same time the same body of evidence (we mean the same experiments on the same animals and patients) was presented to the FDA in the New Drug Application for each trade-named version of the same drug, and it is a good guess that tablets of both brands come out of the same barrel.

On the same line of reasoning, the FDA stuffer is incompatible with the monographs of the United States Pharmacopeia, legal documents which operate on the basis of generic equivalence.

HOW TO COOK THE WOLF

We believe the stuffer could turn out to be a lamb if we take off the wolf's clothing of Mr. Goodrich's statement that stuffer dosages must be followed—or else.

Good stuffers are sorely needed. They should be the very best possible statements on new drugs, and practical on a reasonably sized drug label. They should carry the weight of recognized medical authority. They should be worth reading. They should be readable. They should be fileable. They should follow good established printing and publishing standards. The FDA should also encourage uniformity in drug manufacture so that generic equivalence is compatible with a good and practical drug stuffer program.

Stuffers should contain useful established facts and only those suspicions which have reasonable support (and are so described), but no fears based on reactions resulting from polypharmacy or personal whim. Stuffers should be label instructions for the physicians to help them treat their patients, not directives depriving them of the flexibility necessary for the best practice, or frightening them so that they do not use the drug where necessary.

At present, the FDA is the only agency in a position to see to it that the stuffer is the distillate of all the scientific research and knowledge that the FDA has claimed it to be.[3] And if the FDA feels that the stuffer has the stature Dr. Goddard claims and deserves all the attention he is demanding for it, it is up to the FDA to see to it that every doctor gets a stuffer every time one is published by a drug manufacturer.

Stuffers should serve the public as the Congress intended the FDA to serve it when, in the Kefauver-Harris legislation, some of which Mr. Goodrich helped to write, it charged FDA to safeguard the public use of drugs by carefully monitoring labeling. Its purpose is to provide a particular kind of information, not to control general communication about drugs. The stuffer cannot be guaranteed to serve any educational purpose if it is also used to serve censorship. That it is proposed as a means of censorship is implicit in Goodrich's requirement that writers who deviate from stuffer recommendations publish a disclaimer. That Mr. Goodrich knows this is censorship was made clear by him at a meeting of the NRC in Washington on Sept. 27. Mr. Goodrich admitted that he

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Footnotes at end of article.

could not conceive of a disclaimer, such as the FDA has already pressed on publishers and authors, which would not at the same time undermine the authority of the communication. In no event was the law designed to be used as the sharp edge of the wedge to open the way for an arm of government to manipulate clinical practices.

Stuffers should not be used, as Mr. Goodrich would have it, as guidelines to publishers, authors, and editors on what can be published or recommended about drug use. And they should not be guidelines for the decisions of the courts, for they are not legal documents or the statements of drug experts made in collaboration after exhaustive review. Today at least, they are the *result of bargaining and compromise* between the employees of the drug industry and of the FDA.

The stuffer is a label by means of which an agency of the executive branch of the government controls drug quality and safeguards public safety, but the FDA may not, through flagrant misuse of the stuffer, assume the role of the legislative or judicial arms of the government, which is what Mr. Goodrich is attempting to do. Finally, if the stuffer were treated only as a label, and not a piece of legislation or a legal directive, it would be far simpler to write an acceptable as well as a useful one.[2]

WOLF, WOLF

The stuffer has been called many things, largely because no one seems to like its correct name. Perhaps it is insufficiently impressive. "Brochure" is clearly undesirable and pretentious, and is reminiscent of the impressive euphemisms used by Madison Avenue to entice the living to buy plots for themselves in the Forest Lawn Cemeteries. "Insert" was delicately surrounded by quotation marks by Dr. Ley when he used it in his letter to us. We suspect that he recalled that some drug manufacturers have made it a genteel synonym for suppository. Perhaps it should be called by its right name, label, for that is what it is: a package label, harmless but helpful. After all, who is afraid of the big bad label? No one could be.

We have called them "stuffers" only because, since most physicians never receive them, stuffing packages seems to be the only use to which they were certain to be put. And that is all the use they will serve until they are made equable, are reviewed and rewritten regularly and frequently, printed in standard form, attain acceptance as concise summaries, and are automatically distributed to all physicians. As matters stand, the sweat, blood, and tears that go into making and accepting a stuffer are hardly justified by the attention they get from the physician, unless, of course, Mr. Goodrich ultimately has his way.

We see no objection in the word label. We are all for precise, correct, and even extensive labeling of drug packages; we are for precise, forthright clarification. Perhaps if we begin by calling this wolf, this insert, this brochure, by his correct, unobjectionable name, he may become the acceptable lamb he really can be.

If we are mistaken, will the FDA kindly identify the animal for us? If the stuffer is not a long, long package label, will the FDA tell the medical professional what else it is, and on whose authority it became it? Does not the FDA owe this to the scientific community and the medical profession? Can the FDA support the taking of a position tantamount to a new regulation without publication?

FOOTNOTES

[1] Ciba Foundation Symposia: Drug responses in man, London, 1967, J. & A. Churchill, Ltd.

[2] DeHaen, P.: The dilemma of the package insert, M. Sc. 16:16, 1967.

[3] F. D. A. papers, CLIN. PHARMACOL. & THERAP. 8:749–754, 1967.

[4] Hodges, R.: New drug applications, F. D. A. Papers 1:27–30, 1967.

[From Drug and Cosmetic Industry, September 1967]

A DRUG COMPENDIUM: IT'S TIME TO BE REASONABLE

(By Donald A. Davis, editor)

Since it is still so early in the game, it is difficult to discern exactly *where* Senator Gaylord Nelson is going with his Senate Small Business Subcommittee's drug industry hearings. Obviously, the heavy stress on wide disparities in drug prices signifies an interest in some form of legislation to curb price discrepancies and possibly even drug profits. However, intermittent changes in direction seem to indicate that the senators have not yet been able to pin down the real source of the trouble, and that they are not yet ready to prescribe a remedy.

But even before the pharmaceutical industry has had a chance to line up its own big guns, it becomes clear that Senator Nelson is maneuvering to secure backing for a secondary objective—a full-fledged, comprehensive drug compendium. And at least to this observer it seems clear that the fight against this relatively minor secondary objective is putting the drug industry into an indefensible corner.

Early in the proceedings the Pharmaceutical Manufacturers Association and individual drug executives made it clear that the very *idea* of a comprehensive drug compendium was, to them, completely abhorrent. In the spring, the PMA flatly rejected a suggestion that it join a conference on the compendium with delegates of the American Pharmaceutical Association, the American Medical Association, and the Drug and Allied Products Guild. In response to strong affirmation by the FDA Commissioner Goddard about the need for such a publication, the PMA continues to disavow the entire idea.

Somehow forgotten in all this is the fact that the drug industry is already deeply involved in the publication of compendia. The "Hospital Formulary", a collection of drug monographs and other information, *is* a compendian. In "The Physician's Desk Reference," which has drawn heavy fire from Commissioner Goddard and other subcommittee witnesses because it is supported by industry advertising and because its information is supplied by maker-companies, the industry already has the outline for what *could become* an acceptable compendium. The step upward from either of these publications to what Commissioner Goddard and Senator Nelson want is a small one indeed. And since Dr. Goddard has expressed willingness to "trade" the rules on package inserts (which he estimates will cost the industry $6 million) for acceptance of the compendium, it becomes difficult to sympathize with the PMA's adamant stand.

Very likely the compendium is seen as eroding the industry's position on generic-vs.-brand name arguments. Another possibility is that drug makers look upon the idea as hampering their activities in medical journal advertising, detailing and other forms of "doctor orientation." A third suggestion is that the industry's conservative element may see any such concession as a sign of weakness—a leak in the dike which will undermine many of the industry's other positions.

However, in view of the acute difficulties in Washington—by last count, two Senate and one House subcommittees were hearing testimony hostile to pharmaceutical manufacturers—the time has come for some form of reasonable concession. The compendium idea is the logical one on which to make such a concession.

Dr. William S. Apple, executive director of the American Pharmaceutical Association, last month warned that, without drastic changes in the basic policies of the pharmaceutical industry, there is a distinct possibility that "the structure of the industry will be drastically recast in the mold of a *public utility.*" Concession on the compendium could provide an expansion of good will that will lessen this possibility.

[From National Academy of Sciences News Report, May 1967]

COMPENDIUM OF DRUGS TO BE PUBLISHED, SENT FREE TO 600,000

Planning is in advanced stages for a vast project that for the first time would without charge put detailed information on all drugs produced in the United States directly into the hands of doctors and eliminate the need for package inserts which now accompany every individual drug container.

Envisioned is a drug compendium published in complete form once a year and updated every two or three months, 600,000 copies of which will be distributed on a complimentary basis to physicians, hospitals, pharmacists, and professional groups legally licensed to prescribe drugs for human use and an estimated additional 600,000 sold in this country and abroad.

The Drug Research Board of the National Academy of Sciences has been making plans for the compendium since 1967 when it established a small ad hoc committee on the subject, but only recently has its planning reached a point where all the concerned parties are in general agreement and, although most of the details still need to be settled, no further major obstacles appear to remain. It seems reasonably certain that, within a period of two to four years, the compendium will be a reality.

NAS WILL NOT PUBLISH

The Academy, having provided a primary stimulus to the proposal through the Drug Research Board, will not be engaged in the actual production and publication of the volumes. Through contracts between the Food and Drug Administration and private pharmaceutical publishers the current "package insert" information will be reviewed and edited for uniformity by expert panels approved by the FDA. The drug manufacturers, through a group such as the Pharmaceutical Manufacturers Association, would support the printing and distribution. Financing would thus be a joint responsibility of industry and the Federal Government.

Estimates of the total annual costs of the project range from $3 million to $8 million.

The Drug Research Board and others have long been unhappy with the present system of using package inserts to announce officially the characteristics of a drug. The inserts do not reach the physicians—the person who prescribes the drug—and, therefore, serve little useful purpose. The pharmacist finds them cluttered, non-uniform, and awkward to handle. The annual cost to the manufacturers of producing the inserts is about $6 million.

EFFICACY STUDIES INCLUDED

According to present plans, the compendium would be the means by which the final results of the Drug Efficacy Study, now in progress by the Drug Research Board for the FDA, would be transmitted to physicians in the United States for reference. All revisions in package insert information eventually carried out at the advice of the Efficacy Study would be incorporated in the compendium. The study is evaluating the effectiveness—in relation to the claims made by the manufacturers on the package inserts—of all prescription drugs placed on the market between 1938 and 1962.

Problems of format have not been entirely solved, but the compendium would consist of a book giving for each drug a description, indications, contraindications, warnings, adverse reactions, management of overdosage, dosage, and the supplier. Such information for all drugs—both single entities and mixtures—is not now available in a single publication.

The volume also will carry entries on drugs marketed both before and since the 1938–

1962 period. A total of about 5,000 drugs are involved.

Information on new drugs and new information on older drugs would be printed and distributed four to six times a year in the form of addenda. The annual volume would incorporate all previous changes.

The interest of the Drug Research Board, which operates within the NRC Division of Medical Sciences, dates to June 1964 when the need for such a compendium was brought up and discussed at one of its regular meetings. At a meeting on October 21, 1964, the board passed a resolution that it "approve in principle the concept of preparing a compendium of information which is now contained in package inserts and of distributing the compendium widely on a complimentary basis in the expectation that the compendium would ultimately supersede the package insert as a means of information on prescription drugs." A three-member committee was set up, and staff work, under the direction of Duke C. Trexler, the board's executive secretary, proceeded. The Food and Drug Administration has recently indicated its strong support for the concept and has asked the board to continue with its planning.

An important conference on plans for the compendium, with representatives from the Academy, both large and small drug manufacturers, and the Government, is scheduled for June 14 to 16 at Ellenville, New York.

[From Drug Trade News, Dec. 16, 1968]

Physicians Want Compendium: FDA

Washington—A great majority of physicians responding to requests for comments on the second interim report of the Department of Health, Education and Welfare's Task Force on Prescription Drugs favors recommendations in the report for a federal drug compendium and a "journal of prescribing," HEW sources say.

Assistant Secretary for Health and Scientific Affairs Philip R. Lee, on Nov. 7, sent a letter to some 300,000 physicians throughout the country asking their reactions to the task force report, but particularly with respect to those two subjects and two others—undergraduate teaching of clinical pharmacology and provision for federally-supported seminars to update physician knowledge of drug therapy.

The responses to the recommendations dealing with a drug compendium and a new journal of prescribing conflict with a survey made earlier this year for the Pharmaceutical Manufacturers Assn. by Opinion Research Corp., of Princeton, N.J. In that sample survey, 64% of physicians said they believed current prescription drug information sources (principally *Physicians Desk Reference*) were adequate, while only 15% saw the need for a new compendium.

Dr. Mark Novitch, assistant to Dr. Lee, said the task force's compendium proposal brought 1,621 comments, of which 1,246, or 77%, were favorable and 375, or 23%, were unfavorable. As to the new journal, Dr. Novitch said, of 1,419 comments, 858, or 60% approved, and 561, or 40%, were opposed.

As of Dec. 4, HEW had received 3,307 responses from physicians to Dr. Lee's letter, Dr. Novitch reported.

A favorable overall tone toward the task force recommendations was expressed by 1,707, or 66.9%, while 529 doctors, or 20.7%, were opposed, and 316, or 12.4% were neutral.

[From the Washington (D.C.) Star]

Drug Study Says Misleading Claims Are Widespread

(By Judith Randal)

Evanston, Ill.—About two-thirds of the nation's 3,000 or so drug formulations have been sold with one or more misleading claims, according to a study by the National Academy of Sciences.

Dr. R. Keith Cannan, special assistant to the president of the academy, said at a meeting of science writers here yesterday that the study, made under contract to the Food and Drug Administration, will mean that pharmaceutical manufacturers will have to revise a substantial amount of the information carried by their packaging and advertising.

However, in speaking at the annual briefing of the Council for the Advancement of Science Writing here, Cannan said almost all these drugs do meet efficacy standards for at least some of the claims they make. His talk substantiated earlier reports of the study which were released last January by the FDA.

The 3,600 drug formulations, Cannan said, do not represent 3,600 different kinds of medication. Some drugs are "me too" preparations made by more than one manufacturer, he explained, not all of which make the same claims for the same product.

EIGHTY-FIVE PERCENT OF DRUGS SOLD

Of the 3,600 formulations, only about 15 per cent can be obtained without prescription. All those surveyed were introduced between 1938 and 1962 and together represent 85–90 per cent of all the drugs being sold.

In all, said Cannan, 2,824 individually different drugs were surveyed by 30 panels of scientists expert in various aspects of pharmacology. He said he was "happy to say" that only about 6 per cent of these had been found to be ineffective for all the claims made by their manufacturers.

Cannan said the panels of experts had used five categories in reporting on the drugs they surveyed. In addition to "effective" and "ineffective" these were "probably effective," "possibly effective" and "effective but."

The "effective but" category, he explained, was reserved for those drugs which are considered beneficial, but outmoded by newer medications which have fewer side effects or some other advantage.

Cannan said that those making the study had been particularly disturbed by the large number of drugs with combinations of ingredients. Prescribing these is considered poor medicine, he said, because the dosage levels are set by the manufacturer, rather than by the physician for the individual patient.

On the other hand, they represent a timesaver to busy doctors and a tremendous source of profit to manufacturers, he said.

Cannan said almost all the final tabulations of the study have now been made and that the remainder will be in the hands of the Food and Drug Administration by the end of 1968. FDA will publish them in the Federal Register sometime next year.

SEES INSERTS INSUFFICIENT

Cannan said he thought that drug package inserts would not sufficiently inform physicians of the changes made necessary by the efficacy study. Too many doctors and pharmacists, he said, either do not read advertising or throw the inserts away.

Instead, he favored the preparation of a compendium—a reference volume on the indications, contraindications, side effects and suggested dosages for each drug. Such a compendium would be most acceptable to doctors and the drug industry, he predicted, if it were parepared by some nonprofit organization, rather than under the auspices of the federal government. The advisability of a compendium has been discussed often and a reference work of this kind was advocated by former FDA Commissioner Dr. James L. Goddard.

[From the New York Times, Nov. 19, 1968]

State To Save 95 Percent on Drug

Albany, Nov. 18.—A 95 percent cut in the cost to New York State of an anti-hypertension drug will be made in the next year through purchase by its generic name, rather than its trade name. Arthur Levitt, State Controller, said the state spent $57,967 for the drug last year, and that about $55,000 of that amount would be saved in a year as the drug was now being bought under its generic name, resperpine.

Squibb Beech-Nut, Inc.,
New York, N.Y., April 22, 1968.

Hon. Senator Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator Nelson: I apologize for the delay in answering your letter of March 8th.

As you probably know, the Pharmaceutical Manufacturers Association has arranged for the Gallup organization to conduct a survey of representative physicians to answer certain fundamental questions concerning the nature of a proposed compendium. I understand that the survey will be completed within the next few weeks. I, therefore, feel that we should wait until we have this information before taking a position on the particular questions that are involved.

I can say, however, that we have been doing a good deal of thinking about this subject in the last six months, and I am becoming more and more convinced that once we know what the American physician really requires and would like to have in the way of a compendium, there will be no insurmountable obstacles in designing one which will fit these needs and desires.

Sincerely,

Richard M. Furlaud,
President.

E-Fougera and Co., Inc.,
Hicksville, N.Y., February 12, 1968.

Hon. Gaylord Nelson,
Chairman, Senate Monopoly Subcommittee,
U.S. Senate, Washington, D.C.

Dear Senator Nelson: Referring to your letter of November 3, 1967, on the question of a compendium of drugs, we wish to apologize for our delay in replying thereto. Due to my extensive travelling after the receipt of your letter, your letter could not receive my personal attention.

It is my personal opinion that the basic concept of a drug compendium is not objectionable. I take the position that any addition to the aids of the medical profession is a good idea. It should be pointed out that such a compendium must be sufficiently inclusive and comprehensive to include references to all drugs, generically classified and/or classified by trade name, so as to be of assistance to the physician.

Yours sincerely,

Dr. Kurt Albert,
President.

Abbott Laboratories,
North Chicago, Ill., November 20, 1967.

Hon. Gaylord Nelson,
Chairman, Senate Monopoly Subcommittee,
Senate Office Building, Washington, D.C.

Dear Senator Nelson: I have purposely delayed replying to your letter of November 3 on the concept of the creation of a comprehensive, widely available compendium of drugs, until I had the opportunity to read the views of Dr. Goddard in his testimony before the Monopoly Subcommittee of the Select Committee on Small Business on August 10, and again on November 9.

After reviewing the transcript of his testimony, I can state that we at Abbott Laboratories have always shared Dr. Goddard's belief that physicians are entitled to all the important information on all drugs in as feasible, prompt, and economical manner as possible. Thus the idea of a compendium consisting, in telegraphic form, of key information," . . . to abbreviate the package insert without compromising public health protection . . ." to use Dr. Goddard's comment before the Committee on November 9, is a worthy objective.

It is at this point that we believe more study should be given to the concept of a compendium. No one really knows what information should be included what format should be followed; who should edit the compendium; who should pay for it; how often it should be issued. Additionally, a survey of what physicians' needs in this area are, what physicians would use, should be undertaken. To create a compendium, a tremendous and expensive task at best, and then to find it ignored by the medical profession, would merely repeat the unhappy history of package inserts. These were required by the FDA over the industry's objection that they would generally not reach the doctor via the package. Experience has confirmed this objection which is in part, the basis for Dr. Goddard's desire for a compendium.

The fact that the meeting of the industry with the National Research Council's Drug Research Board has not produced any definite agreement on a specific compendium leads us to the conclusion that much more thought and examination must be given to this project. To enable us to visualize how it will materialize, more attention must be given to the whole concept by representatives of the medical profession, the pharmaceutical industry and the FDA.

I might add that we at Abbott Laboratories believe that economic information on drugs should be made available to the physician. This is, however, secondary to the primary objective of supplying physicians with key information on all prescription drugs.

Cordially,

George R. Cain.

Burroughs Wellcome & Co.,
Tuckahoe, N.Y., November 15, 1967.

Hon. Gaylord Nelson,
Chairman, Senate Monopoly Subcommittee, U.S. Senate, Washington, D.C.

Dear Senator Nelson: In reply to your letter of November 3, we would be prepared to support the general idea of there being available a drug compendium to provide, in a relatively succinct manner, information regarding drugs and their uses in prevention and treatment of diseases.

We continue to believe that the "Physician's Desk Reference" does provide a very substantial amount of the information needed to assist a physician in determining a drug's degree of effectiveness, its dosage, its indications and contraindications, its important, and proven, side-effects when used alone or with other drugs. It would seem to me that the "Physician's Desk Reference" might be so modified or amended as to provide a compendium, perhaps not entirely perfect or 100% up-to-date, that would give the practicing physician practical information on therapeutic compounds in a reasonably complete manner. As you most likely know, the Drug Research Board, made up of members from the medical profession, the government (N.I.H., F. & D.A.), industry and the academic world, is tackling this problem, complex though it is, to provide a suitable answer. We hope they and their ad hoc committee looking into the problem will be successful.

Relative to the cost involved, it would seem to me that the initial preparatory costs could be divided among the Food and Drug Administration, the Pharmaceutical Manufacturers Association and the American Medical Association. As to who would pay the continuing costs for keeping the compendium up-to-date and issuing new editions, this might be discussed by all involved.

It does appear that a compendium such as a revised "PDR" is needed, but as others have indicated I do not think it is going to replace *all* packing inserts.

Yours sincerely,

W. N. Creasy.

Columbus, Ohio,
November 10, 1968.

Hon. Gaylord Nelson,
Chairman, Senate Monopoly Subcommittee, U.S. Senate, Washington, D.C.:

Replying by telegram since I have been out of the office for several days since your letter arrived. We totally endorse a drug information compendium. We also feel that compilation of this compendium is a responsibility of all drug manufacturers but I am afraid this may take a long time to get everyone to agree and properly subsidize. Perhaps a Federal grant to an ad hoc committee consisting of a small number of reasonable responsible authorities from APHA, NARD, ASHP, AMA, AOA, USP, etc., and the industry can establish basis for such encyclopedias. The only problem here is that a permanent staff must be established to update and upgrade the publication, maintain mailing lists, etc. The compendium should replace the need for package inserts which therefore requires FDA cooperation. FDA could possibly give further consideration to eliminations of full disclosure in ads with additional savings to industry. Ads could simply state refer to dic for full disclosure and hold physicians responsible for checking this out before prescribing. This will save industry hundreds of thousands of dollars and therefore industry should be willing to contribute to costs of the compendium. I personally feel the new and nonofficial drugs as published by Lippincott and as evaluated by the council on drugs of the AMA is a fine start. Additional sections could be included such as cross references of nonproprietary and trade names, index by company, etc. Best wishes, being a native of Manitowoc, Wisconsin, I follow and admire your activities and intentions.

Gerald C. Wojta,
President, Philips Roxane Laboratories.

Riker Laboratories,
Northridge, Calif., November 14, 1967.

Hon. Gaylord Nelson,
Chairman, Senate Monopoly Subcommittee, U.S. Senate, Washington, D.C.

Dear Senator Nelson: Your letter of 3 November 1967 requested my thoughts on the idea of a Drug Compendium. Inasmuch as I feel that the medical profession should have ready access to information on all drugs, I do support the concept of a comprehensive Drug Compendium and would like to present the following specific suggestions relating to such a publication:

1. A Drug Compendium should, in my view, contain a summary of prescribing information on all safe and effective drugs which are manufactured in accordance with quality standards accepted by the F.D.A.

2. Inasmuch as the F.D.A. is a clearing house for all information on drugs, it seems most logical that the Compendium be prepared and promulgated by the F.D.A.

3. Abbreviated prescribing information from that presented in the official package insert should be presented to save space with the Compendium being indexed, as in the case of the Physicians' Desk Reference, by trade name, generic or chemical name and therapeutic indication.

4. Maximum utility of a Compendium requires the devising of a system to keep it up-to-date. I would favor publication of the Compendium in loose-leaf form where revisions would be incorporated as replacement pages to be sent out at intervals, for example quarterly, and used by the recipient to replace existing pages.

5. I would envision such a Compendium as ultimately constituting a Federal Formulary with all drugs listed therein being subject to reimbursement in the event that they are prescribed under various Medicare programs.

I very much appreciate the opportunity to present my thoughts on this matter and hope that the above remarks will be helpful.

Sincerely,

C. R. Adams.

S. B. Penick & Co.,
New York, December 6, 1967.

Senator Gaylord Nelson,
Chairman, Senate Monopoly Subcommittee, Washington, D.C.

Dear Senator Nelson: Your letter of November 3rd addressed to Mr. Albert D. Penick, as President of our company, has not been answered earlier because of the sudden death of my brother on November 9th.

We have followed the discussions about the compendium in a general way. We believe the main point to consider is how valuable such a compendium would be to the practicing physician, more specifically, to the general practitioner. We believe this is the main point and that other considerations are much less relevant.

It is my opinion, based on a long association with the manufacturers of prescription drugs, that the industry will support any reasonable kind of compendium that assists the practicing physician in carrying out his professional duties.

Sincerely,

S. B. Penick, Jr.

The Purdue Frederick Co.,
Yonkers, N.Y., January 10, 1968.

Senator Gaylord Nelson,
Chairman, Senate Monopoly Subcommittee, Washington, D.C.

Dear Senator Nelson: This is in response to your letter asking (1) whether or not we support the general idea of a drug compendium; and (2) for any suggestions we might have as to what should go into such a compendium.

As to number (1), we recognize the value of a compendium drawn in such a way as to be a useful tool for the medical practitioner.

As to item (2), we believe that such a compendium should be drafted after careful study by the medical profession and leaders in the pharmaceutical industry, who should be helpful in establishing criteria.

We thank you for this opportunity of expressing our views.

Sincerely yours,

Raymond R. Sackler, M.D.,
President.

Richardson-Merrell Inc.,
New York, N.Y., December 4, 1967.

Hon. Gaylord Nelson,
Chairman, Subcommittee of Monopoly, Select Committee on Small Business, U.S. Senate, Washington, D.C.

Dear Senator Nelson: I am replying to your two letters of November 3, 1967, to the General Managers of our ethical drug manufacturing divisions, Mr. John K. Lindsay of our Wm. S. Merrell Company Division at Cincinnati, Ohio, and Mr. C. M. McCallister, of our National Drug Company Division at Philadelphia, Pennsylvania.

In reply to your questions, this Company supports the concept of a system of readily referable drug information for the prescribing physician.

Depending upon his type of practice, the physician has available to him several established publications or compendia either on his office bookshelf, at his local medical association or hospital library, or at the pharmacy. In the hospital, he has access also to a formulary prepared by the staff or to the American Hospital Formulary Service. Other reliable sources include the many handbooks, text books and newsletters on pharmacology and therapeutics in the special areas of interest to the physician. Taken together, these publications represent a major portion of the present system for providing printed drug information.

It seems to us that all present efforts should be directed to improvement of this present system of publishing drug information. What is needed for such improvement is primarily the concern of the physicians who actually use the present references. We will be glad to cooperate in adapting our product information to any new requirements desired by doctors.

We, therefore, support your recent comments, Senator, and those of Senator Javits, that further testimony be taken on this subject from representatives of the medical profession. We suggest that this also include some of the other professional associations, such as the American Osteopathic Association, the American Dental Association and The American Society of Hospital Pharmacists.

We would expect that such additional testimony from those mostly concerned would point up any deficiencies that exist and show exactly what kinds of additional or different drug information would be most useful to the 200,000 or more professional persons in the United States who are licensed to prescribe medications.

We appreciate very much the opportunity to offer our comments to you on this important subject.

Sincerely yours,

H. ROBERT MARSCHALK,
President.

THE NORWICH PHARMACAL CO.,
Norwich, N.Y., November 10, 1967.

Hon. GAYLORD NELSON,
Chairman, Senate Monopoly Subcommittee,
U.S. Senate, Washington, D.C.

DEAR SENATOR NELSON: We have been following your hearings with interest and have seen references there and in other sources to a proposed compendium of drugs. We understand that a number of groups have been considering the problems involved in such a project. We have not participated in nor had the benefit of those discussions and may not be aware of all the problems or solutions already explored and perhaps discarded. The following comments which represent our present thinking are made in response to the request in your letter of November 3.

Generally, a readily available compendium including information on all pharamaceutical products would seem to serve a useful purpose as a ready reference for physicians and others in the health-care fields. The present regulatory system which attempts to get this information to physicians by requiring "package inserts" in every package of a prescription drug and "full disclosure" on every written or printed promotion piece is, in our opinion, an unnecessarily wasteful and inefficient means to achieve this objective.

At the present time we doubt that the best solution is to be found in any other governmentally imposed system. Inter-related problems involving financing, the text of the material to be used in the monographs, the range of products to be included, the manner of presentation so as to avoid possibly misleading suggestions of generic equivalency, where data to support such suggestions are not available, etc., do not seem to be subject to resolution by more government action. We would like to suggest that consideration be given to encouraging, through private means, the objective that every physician be provided with a source of drug information in a form suitable for ready reference.

What we envision is one or more publications of the Physician's Desk Reference type, voluntarily supported by payments from industry, the copy used to be regulated by existing Food and Drug Administration regulations, with the products to be included and selected by individual manufacturers. The obvious problems of how to encourage manufacturers to list at least all of their major products in such a compendium, without using the threat of government sanction to support some private publishing enterprise can, we think, be resolved.

First, The Food and Drug Administration's regulations could exempt products which are included in such compendia from existing "package insert" requirements and other informational requirements now applicable to every promotion piece. This, plus the obvious advantage to manufacturers of having their product in the compendium would result in the inclusion of all major products. The second problem could be resolved by providing this exemption only to products which appear in compendia which meet certain specified requirments; e.g., distributed free of cost to all physicians, bound in hard cover for permanent reference, up-dated at least every three months, adequately indexed, etc.

Although for several years there might very well be several such compendia rather than just one, we do not think that requiring physicians to retain a number of such volumes, adequately indexed, would be a high price for physicians to pay if this operation could be kept in the private sector without additional costs to the government. Any other scheme seems to us to carry very real danger of the government appearing and perhaps eventually being forced to actually attempt to make comparative evaluations of the relative merits of various drugs. Hopefully this would not be the intent of any present proposal.

We doubt that any solution of these problems entirely satisfactory to everyone can be readily achieved, but shall follow your proposals with great interest.

Sincerely,

LEWIS F. BONHAM.

ENDO LABORATORIES INC.,
Garden City, N.Y., November 8, 1967.

Senator GAYLORD NELSON,
Chairman, Senate Monopoly Subcommittee,
U.S. Senate, Washington, D.C.

DEAR SENATOR NELSON: Thank you for your letter of November 3, 1967 on the subject of developing a compendium of drugs.

I would favor the general idea of a drug compendium provided it is coupled with the elimination of the requirement for a package insert in the immediate container of drugs. These package inserts are very costly and are of little value because they rarely reach the physician.

It is my understanding that there are several groups working on the format and specifics of such a drug compendium. Therefore, in accordance with your letter, my support of the general idea of a drug compendium is not a commitment to any specific kind of compendium.

Again, my thanks to you for giving me the opportunity to express myself.

Yours very sincerely,

JOSEPH USHKOW,
President.

[From Congressional Quarterly, April 5, 1968]

PRESSURE POINTS

DRUG COMPENDIUM

The American Pharmaceutical Assn. (APHA) March 7 endorsed the principle of President Johnson's proposal to authorize the Department of Health, Education, and Welfare to compile a "U.S. Compendium of Drugs" to be circulated among doctors, pharmacists and hospitals. The Compendium would give the chemical composition of each drug, its uses, warnings, brand and generic names, manufacturer and cost. (***For President's proposal see Weekly Report p. 494.***)

William S. Apple, executive director of the APHA said that the Association had proposed a nine-point program in 1960 to establish a compendium but "since voluntary cooperative efforts to obtain the needed compendium have failed, the President has suggested the only logical alternative." A spokesman for the APHA said that the Association would determine its position on the details of proposed legislation (S 2944, S 3146, HR 15759) at its annual meeting in May.

The APHA represents about 34,000 active pharmacists and has 13,000 student members.

C. Joseph Stetler, President of the American Pharmaceutical Manufacturers Assn. (PMA) said March 4 that the industry considered it "desirable and appropriate" that a drug compendium bill be introduced "so that the issue can be thoroughly explored by appropriate Congressional committees." He said that the PMA found that the "greatest need" at the moment was to find out what physicians need and want and that the PMA has contracted for a national survey to determine the views of the medical profession. "Until we find out" he said, "it is idle to assume that a new compendium is needed or what its format should be."

COMPETITIVE PROBLEMS IN THE DRUG INDUSTRY

(Hearings before the Subcommittee on Monopoly of the Select Committee on Small Business, U.S. Senate, 90th Congress, first session, on present status of competition in the pharmaceutical industry)

EXCERPT FROM STATEMENT OF BURROWS, HAROLD W. H., PRESIDENT, PARKE, DAVIS & CO., POST OFFICE BOX 118, DETROIT, MICH.; ACCOMPANIED BY KENNETH D. M'GREGOR, VICE PRESIDENT AND GENERAL ATTORNEY

Senator **NELSON**. All these prices that I have been reciting, Mr. Burrows, are prices to the druggist. They do not involve the retail price or the markup that he charges, just for clarification of the record.

Would you think it would be of any value to establish a national compendium of drugs? I assume it would have to be done in cooperation with the industry, the medical profession, and other advisers, but that it would have to be done largely, I am assuming, by the Federal Government. Do you think it would be of value to establish a national compendium in which the drugs are all listed by their generic names, brand names, and with all of the known clinical information recited alongside them? A physician would open up the national compendium, and find there all the drugs, their side effects, and the companies that manufacture them. This, of course, would also involve testing by FDA, and also involve putting in the known clinical information? Do you think this type of a national compendium would be of value to the country as a whole?

Mr. **BURROWS**. I think it would as long as the doctor is still allowed his prerogative of prescribing the particular drug of the particular manufacturer that he thinks best, and providing that we, as a manufacturer, are not stopped from attempting to advance and advocate our particular line of products. Those are the ones we know about. Those are the ones that we are in business to make and sell, and those are our potentials for corporate progress for the future.

Senator **NELSON**. I want to be sure that I was understood.

I was saying national compendium, not formulary. I am not suggesting that you have a formulary from which a physician must prescribe. I am simply saying you list the drugs in a national compendium with the pertinent information and the manufacturer as informational matter to the medical profession, the teaching hospitals and the practicing physician. That will be all that is intended, and it should not interfere with the private operations of the drug companies. That is my question.

Mr. **BURROWS**. I can see nothing wrong with having facts on such an important subject as drugs and health available for reference by people who have occasion to use and benefit from such information.

Senator **NELSON**. Thank you.

EXCERPT FROM STATEMENT OF FURLAUD, RICHARD M., PRESIDENT, E. R. SQUIBB & SONS, 460 PARK AVENUE, NEW YORK, N.Y., ACCOMPANIED BY DR. LAWRENCE MARKS, DIRECTOR, DRUG REGULATORY AFFAIRS; EDMUND R. BECKWITH, JR., PRESIDENT, SQUIBB PHARMACEUTICAL CO.; DENNIS FILL, PRESIDENT, SQUIBB INTERNATIONAL CO.; AND RODERICK COWLES, DIRECTOR, QUALITY CONTROL LABORATORY

Senator NELSON. Several witnesses have testified previously as to the desirability of a national compendium. There is legislation pending on the Senate side proposing the creation of such a compendium.

Dr. Goddard testified in favor of a compendium yesterday before Mr. Dingell's committee in the House. He made a very strong statement in favor of a compendium. And I am told that Senator Hart, without having read the record of these hearings, has been critical of the Pharmaceutical Manufacturers Association for not coming out more positively or strongly for a compendium.

By a compendium I mean a listing of drugs by generic name, along with a list of trade names and directions for the use of the drug, its side effects, indications, contraindications, and so forth. There has been much discussion across the country among pharmacists, pharmacologists, the medical profession, as well as testimony before this committee as to the great confusion caused by the multiplicity of drug product names, and about the desirability of having a national compendium. I am not saying a national formulary; I mean a national compendium. Do you have a viewpoint about the desirability of such a compendium?

Mr. FURLAUD. Senator, of course I cannot speak for the industry, but I certainly can give you my personal views.

I am glad you made a distinction between a formulary and a compendium. We would certainly be opposed to a national formulary. But we think the idea of a national compendium has a great deal of merit. We have been giving some thought to it. We think that it is something that should be pursued. It has obvious technical problems in producing it and keeping it up to date. But I personally see no reason why the industry and the Government working together along with representatives of the profession should not be able to work out a perfectly adequate compendium that would give the doctor and the pharmacist what they need to know. After all, the tax bar has succeeded in keeping themselves up to date through services where they can keep track of recent developments in the tax law. And there is no reason why in due course a similar type of program cannot be worked out.

As I say, it is not simple, and it is going to take a lot of hard work. But I should think in due course it will be possible to produce one, and I think it should be produced.

Now, these are my personal views, and do not represent those of anybody else.

Senator NELSON. Your views represent the position of your company, I take it.

Mr. FURLAUD. It represents the position of my company.

EXCERPT FROM STATEMENT OF DR. LEIGHTON E. CLUFF, PROFESSOR AND CHAIRMAN, DEPARTMENT OF MEDICINE, UNIVERSITY OF FLORIDA COLLEGE OF MEDICINE, GAINESVILLE, FLA.

Dr. CLUFF. The exact details and implementation of it is something that will have to be worked out. My own personal feeling is that the leadership for the development of such guidance for the public must come out of the Federal Government, probably out of the Food and Drug Administration.

So far as the physician is concerned, I agree the compendia would be a very desirable thing. Personally, I am not at all convinced that that would solve the problem of the excessive use of drugs by physicians.

I still think that one must recognize that some method must be provided for improving our present guidance to physicians about the use of drugs, rather than, as we do now, depending so heavily upon the pharmaceutical manufacturers' detail representative for the principal education of the physician about drugs.

EXCERPT FROM STATEMENT OF DR. HARRY L. WILLIAMS, PROFESSOR OF PHARMACOLOGY, EMORY UNIVERSITY SCHOOL OF MEDICINE, 1380 SOUTH OXFORD ROAD NE., ATLANTA, GA.

Dr. WILLIAMS. Such a pharmacologist's bible would be a wonderful thing to have, for all of us, for those of us in teaching, too. No, I think this could be done. I think this will have to be done.

S. 953—INTRODUCTION OF BILL ESTABLISHING A DEPARTMENT OF PEACE

Mr. HARTKE. Mr. President, today I am offering, on behalf of myself and Senator HATFIELD, together with 13 other Senators, a bill to establish a Department of Peace as an executive department of the Government. The same bill has been offered in the House of Representatives by Mr. SEYMOUR HALPERN, of New York, Mr. GEORGE E. BROWN, JR., of California, and 58 other Members.

This bill, the Peace Act, closely parallels the bills which Mr. HALPERN and I offered last September, bills which have met with an unprecedented outpouring of response from all over the Nation.

There is in the bill, a declaration of purpose prefacing the entire bill, one which calls to mind the commitments we have made in the past to seek international peace: the Kellogg-Briand Pact of 1929, the Nuremberg Charter of 1945, and certain paragraphs in the United Nations Charter. This bill is designed to help meet those responsibilities for seeking the peaceful resolution of international conflict.

The bill has three parts: Title I establishes the Department of Peace, specifies what present agencies shall be transferred to it, outlines the duties and structure of the Department, and sets forth the administrative provisions under which the Department will operate. Title II deals with the International Peace Institute, a concept which might be called that of a West Point or Annapolis for leadership in peace. Title III establishes a new Joint Committee of the Congress, with seven Members of the House and seven Members of the Senate comprising a Joint Committee on Peace and International Cooperation.

Before looking at these provisions in greater detail, I would like to call attention to the functions of the Department of Peace as they are outlined in the bill. Here is the "why" of this bill, the basic description of its functional role. Five specific responsibilities are listed:

First. The Department is to "develop and recommend to the President appropriate plans, policies, and programs designed to foster peace." Up to the present time, there has been no such broad assignment to any Federal agency. It is true that we have not been without peace plans, peace policies, and peace programs. But they arise in various quarters under a variety of circumstances and they exist without the close coordination a single department will give. Nor has there been authority located in a specific position to do what the second mandate asks:

Second. The Department will "exercise leadership in coordinating all activities of the U.S. Government affecting the preservation or promotion of peace." To exercise such leadership, of course, will require the close cooperation of the Department of Peace with the other Departments, which in most cases have activities falling within the description.

Third. The Department will "cooperate with the governments of other nations in research and planning for the peaceful resolution of international conflict, and encourage similar action by private institutions." Here there are two significant elements, neither of which is presently a statutory responsibility of any agency—peace research, and the encouragement of attention to this area by private institutions.

The fourth mandate brings under the Department of Peace responsibility for aiding "the interchange of ideas and persons between private institutions and groups in the United States and those in other countries."

The fifth is similar—to "encourage the work of private institutions and groups aimed at the resolution of international conflict."

The section dealing with functions of the Department goes on to a directive, saying that it shall—and I emphasize the word—provide recommendations on how current international controversies in which this country has an interest might most appropriately be settled peaceably. Arbitration, for example, might be recommended in one situation, or in another case a specific compromise settlement could be recommended.

All of these provisions, which, like most such bills, are likely to be improved by discussion or through the hearing process, suggest the place that a Department of Peace will take in making a full-time responsibility of studying, correlating, and encouraging U.S. agencies, international activities, and private efforts for achieving "nonviolent resolution of controversy."

Title I goes on to specify that officers of the Department of Peace shall be a Secretary of Peace, an Under Secretary of Peace, and four Assistant Secretaries of Peace, appointed by the President and confirmed by the Senate, together with a General Counsel.

It further specifies several existing agencies whose functions the bill transfers to the new Department: the Agency for International Development; the Peace Corps; the Arms Control and Disarmament Agency; and the functions of the International Agricultural Development Service, now in the Department of Agriculture.

This means that the food-for-peace programs now under AID will be continued as a part of AID as it is transferred to the Department of Peace; but the portions of food for peace now operated by the Department of Agriculture will remain there, as they now do.

The bill also, lays down some specific guidelines for its relationship to the United Nations. The Secretary of Peace, for one thing, is given the responsibility of giving advice to the President as to any person to be appointed to the United Nations or any of its organs or specialized agencies. This is a matter not of nominations; the President will make his own appointments. But it does give him the benefit of the judgment of the Secretary of Peace as the leading expert, under whom will be responsibility for the relationship to specialized U.N. agencies now carried by the State Department.

There is also in title I provision for transfer to the new Secretary, by action of the President, at any time in the first 180 days of "any other agency or office, or part of any agency or office, in the executive branch of the Government," if the President determines that its functions are pertinent to the Peace Department. Where all the functions of an existing agency are transferred, the old agency ceases as the Department becomes its successor. The Secretary will make an annual report to the President, who will transmit it to the Congress. The Secretary is also given 2 years to submit a proposed codification of all laws containing functions transferred.

While the bill does not specify a list of other agencies or parts of agencies which might be transferred, it may be of interest to note the wording of some of our laws concerning some of them. The Atomic Energy Act declares as one of its purposes "to promote world peace," and surely the development of peaceful uses of atomic energy is one of the functions which might be considered under the bill's authority. Likewise, Congress has declared it to be the policy of the United States that "activities in space should be devoted to peaceful purposes for the benefit of all mankind."

I cite these generalized purposes as indicative of the latitude which might well be accorded to the Department, under whose aegis there would be a single, concentrated, effective operating arm of the Government giving the stature, the public recognition wholehearted and unabashed, which is essential for us in this world of ours as we near the 200th anniversary of the Nation's founding. Let me here digress for a moment from the bill itself to note the earnest necessity for the centralizing peace effort which it focuses and promotes.

THE NATURE OF TODAY'S DEMANDS

Today we have entered a new era in history. We have now gone beyond the industrial revolution and the industrial society. We are well into a new age of advanced scientific technology; this is the age of flashing computers working their marvels of assistance to our intellect; it is the age of spaceships to carry men to the moon.

But it is also an age of ferment. We have seen the Russians proving in Czechoslovakia that the time of reliance on sheer physical force as the arbiter of nations has passed. We are finding at home that there are great difficulties in the application of force over against those who apply the very different moral force of nonviolence, that tear gas, mace and nightsticks are no more the answer than are tanks and bombers, napalm and M–16 rifles.

We are seeing the alienation of our youth. They have lost faith in our proclamation because our actions too often prove them to be lipservice only. But at the same time they have not lost an inherent faith in the altruistic service which challenges them in the Peace Corps, in VISTA, in the Teacher Corps. Our youth have thrown themselves vigorously and with enthusiasm into a "new politics" pursued as an effort to refurbish the tarnish of democracy. Almost to a man—or woman—they find the spectacle of Vietnam revolting and brutalizing immorality by their own Government. Nor is this confined to our own youth and our own Nation; one can everywhere in the world see the decline of regard not only for military prowess but for every nation, including the United States, which exercises it.

Now, in this new age, is the time for heuristics—a word we shall hear increasingly, for it means the development of new ideas. The old notions of Napoleon's day, or of World War II, or even of our own sad day of Vietnam, will no longer do. The world has grown too small, too interdependent, too demanding of the living-together brotherhood whose present reality cannot separate us further from Africa, Asia, the depressed and needy. For we see in their disaffection our own limitations increased; we see that truly, in a vibrant phrase, freedom is indivisible. Where in 1776 we fought for freedom, by 1976 we must see to it that no one must fight for freedom, that its peace and pursuit of happiness can be won by the efforts of good will.

But good will of itself can do nothing. It needs organization, leadership, the application of brain and ingenuity, of technology and morality, on a scale such as we have never before attempted. It is this which serves as my vision for the Department of Peace which I propose. It is time to redouble our efforts for peace, not as an adjunct to a State Department too often committed to uphold Defense Department policies, but as a new and positive force in our Nation at its very top-most levels of official structure.

HISTORY OF AN IDEA WHOSE TIME HAS COME

As I noted in testimony before the Democratic platform committee on August 20 in making an appeal for a Department of Peace plank, this idea goes back to the days of our Founding Fathers. Dr. Benjamin Rush, a close associate of Thomas Paine who gave Paine the title for his pamphlet "Common Sense," a signer of the Declaration of Independence and a pioneer of medicine, prison reform, and other social causes, in the 1790's wrote an essay entitled "A Plan of a Peace Office for the United States." I read to the committee members much of that three and a half page document in which he advocates "an office for promoting and preserving perpetual peace in our country." He visioned the Peace Office itself as bearing in its physical surroundings symbols: a collection of ploughshares and pruning-hooks made out of swords and spears; a picture of "an Indian boiling his venison in the same pot with a citizen of Kentucky" and "a St. Domingo planter, a man of color, and a native of Africa, legislating together in the same colonial assembly," among others.

"Let a Secretary of Peace be appointed," he wrote, "to preside in this office."

So the dream, the idea, is as old as the Founding Fathers. Indeed, it is far older, as Dr. Rush recognized in recommending one of the peace symbols for a painting adorning the Peace Office, drawing from Isaiah—"a lion eating straw with an ox, and an adder playing upon the lips of a child."

More practically, and more pertinently, there have been a great many proposals placed before Congress in the last 35 years or so providing for a Department of Peace or similar agency. In 1935 such bills were offered both in the House and in the Senate, as Representative SEYMOUR HALPERN and I are now doing.

The 1935 Senate bill was offered by Senator Matthew Neely, of West Virginia, who also offered it in the 75th and 76th Congress. In the 79th and 80th Congress Senator Alexander Wiley, of Wisconsin, presented a similar bill. In 1947, in the 80th Congress, one of the bills—which would have made such a peace office a part of the State Department—was offered by our own EVERETT DIRKSEN, then a Representative. Another House Member of the time, JENNINGS RANDOLPH, offered a Department of Peace bill in 1945 and again as a Senator in 1959. In 1960 Senator Humphrey introduced a peace agency bill "because of the need for emphasis on peace by this Government—not peace as a byproduct of defense or as a byproduct of the State Department, but rather as a concerted, determined effort by the Government of the United States to dramatize our sincere dedication to the cause of a just and enduring peace."

Others whom we all know have also lifted their voices for a Department of Peace and offered legislation. Among them are Senator Chapman Revercomb in 1947, Representative HARLEY STAGGERS in four successive Congresses beginning with the 81st in 1949, and no less than 35 Members of Congress in the first 6 weeks of the 87th Congress in 1961. In 1945, one will find the then Representative KARL MUNDT, of North Dakota, entering into the debate with an item in the RECORD for May 10 of that year entitled "Needed: A Department of Peace." In the last Congress, during the opening days of 1967, bills were offered in the House by Representative Abraham Multer, of New York, now a Supreme Court Justice of that State, and by Representative CHARLES BENNETT, of Florida.

In 1947 hearings were held in the House by its Committee on Expenditures in the Executive Departments, with the proceedings published under the title "To Create a Department of Peace," in which a bill by Representative MELVIN SNYDER was considered. Two years earlier the House Foreign Affairs Committee held hearings on the Randolph and Ludlow bills, near the end of 1945.

One might well ask, since the idea has been so often presented in one form or another, and since hearings have twice been held, why Congress has never followed through to accomplish the fulfillment of the proposals for a Department of Peace, or a Peace Agency, in the past. By the same token, why should the Hartke-Halpern proposal with sponsors from both sides of the asile expect a different fate?

I believe at least part of the answer is in the changed nature of our world, as I have said. More particularly, and in addition, there is today the overwhelming demand of this Nation that something must be done to save us from any more Vietnams. The people are sick of war, and in particular of this war, which has become the third most costly in our history. We hear and read reports of 408 young men killed in a week, and we know there must be a better way. But as I said before, "peace is everybody's concern and nobody's business" as a regular, high-level, ongoing activity of the Federal Government.

In short, here is a sound idea which has had to wait, as have so many, until the climate of opinion is ripe. Now, I believe, its time has come. I believe in the next session of Congress there will be many more backers, both here and in the millions of Americans who are our constituents, demanding fulfillment of the dream of Dr. Rush for a Peace Office.

PEACE INSTITUTE

Let me return now to the remainder of the bill.

Title II provides that there shall be established under the Secretary of Peace an International Peace Institute. This is modeled after the proposal I made earlier this year in S. 3708, which was introduced on June 28. Its purpose is "to prepare citizens of the United States for service in positions or programs relating to the field of promoting international understanding and peace." Students to the number of 150 are authorized, with a baccalaureate degree as a prerequiste and the places awarded by competitive examinations to be held in each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

The Peace Institute will be coeducational, and its curriculum will be at a graduate level "acceptable for credit toward a graduate degree at accredited colleges and universities." Special emphasis is to be placed on studies which "will best prepare students for leadership in the nonviolent resolution of international conflicts and in the promotion of international understanding and peace."

In many respects the Peace Institute is a parallel to the service academies. We now train at special institutions—West Point, Annapolis, and in Colorado—for leadership in the three branches of military service; certainly it is fully as logical to establish a small institution to train for peace.

Like the academies, those selected as qualified will receive not only the training offered without cost to themselves, but a stipend and allowances. The Institute's Board of Trustees will consist of the Secretary of Peace and two officers of the Department named by him; two Members of the Senate and two of the House, in each case from both sides of the aisle, appointed by the President; the Chairman, or someone he designates, of the Atomic Energy Commission; the Chairman or a designee of the Federal Council on the Arts and Humanities; a Presidentially appointed member from the National Academy of Sciences, chosen after consultation with the president of the National Academy; and two "educators of prominence" appointed by the President. All will have 2-year terms, but may be reappointed.

Since the Board must visit the Institute annually, its functions again are comparable to the academies' Board of Visitors. It must report to the President within 60 days after a visit, which can be more frequent.

But most important, those who win the certificate granted to institute graduates must agree in advance—again as in the Defense service academies—to devote subsequent time to service either in the Government or as an employee of "an international organization or private agency or foundation determined by the Secretary to be engaged in activities relating to the promoting or achieving of international understanding and peace." Since the institute course is for 1 year, the required service is also 1 year. But presumably, once having gone thus far most of the winners of institute appointments will continue in the same field. The staff and instructors may be assigned by the Secretary on a full-time or part-time basis, if his employing agency consents, from any Government agency or department of the executive branch. Of course, he may also choose from other sources as well, but the assignments from other Government spots are treated as though these staff and faculty members continued in the positions from which they come.

This provision for a training institution set out in title II is something we have needed for a long time. Many fine people are engaged both privately and in the Government in working for peace; but we do not as yet have any institution operated by the Government for their training. An International Peace Institute is surely a suitable, and important, means whereby the Department of Peace may extend its leadership in the Nation and the world.

Finally, title V specifies the establishment of a Joint Committee on Peace within Congress. We now have Joint Committees on Atomic Energy and on Defense Production, as well as the Joint Economic Committee, the Joint Committee on Internal Revenue Taxation, on the Library of Congress, and on Printing. Thus, there is well-established precedent, some of it even in fields impinging on areas for which the Department of Peace will have concern, for a combined House and Senate committee of this sort. Seven members of the Joint Committee on Peace will be appointed from the Senate by its President—the Vice President—and seven House Members will be chosen by their Speaker. Party representation will reflect the relative strength of both parties in the two Houses.

The joint committee will be able to hold hearings, to hire experts and consultants, and to draw on the resources of both private and government establishments which are pertinent.

IN CONCLUSION

Mr. President, I want it to be crystal clear that the presentation of this bill is not an exercise in semantics or a propaganda gesture. Mr. HALPERN and I, and our sponsors, are intensely serious about this proposal.

From this should come hearings in the Senate as well as in the House, where twice similar proposals have been the subject of formal committee discussion. From the hearings should come favorable recommendations, and from the recommendations positive affirmative action by Congress. If we have needed a Department of Transportation and a Department of Urban Development, because of the proliferation of independent but related efforts in their field and because the times demand it, then how much more we need the concentrated positive efforts a Department of Peace such as this could command.

When we find the idea of a Peace Office persisting from the time of Dr. Rush and the Founding Fathers to those of EVERETT DIRKSEN as a Representative and Vice President Humphrey as a Senator; when we can forget party lines as has been done on this issue in the past; when we can take advantage of the eager readiness of the country to "do something" for the cause of peace in this time of war—then we have an implicit mandate for action of this sort and not merely talk, saying "Peace, peace," when there is no peace.

Finally, not as a cause for the proposal but as a benefit, we shall reap from this move, there is the economic aspect. With the "little" war in Vietnam costing $4 million an hour, $30 billion plus in a year, wounds and maimings and death by the scores of thousands, the prospect of lessening world conflict is a pleasing prospect of saving us from a great burden. When we fully recognize that force is on the way toward the international scrap heap, as the experience of Russia shows, then we can move more freely toward the decline rather than the expansion of military force and its attendant enormous cost to all of us.

Mr. President, now is the time. I intend to make every serious and credible effort I can to win support for and adoption of this bill, which deserves the bipartisan cooperation which I am sure it will continue to have.

The support and cooperation of the public is reflected in the great volume of mail resulting from introduction of the similar bill in the 90th Congress, and in the number of publications, organizations, and influential individuals who have publicly supported the Department of Peace idea. Yesterday, at a press conference about the legislation, several well known peace advocates from the world of entertainment joined me and several of my cosponsors, together with Representative Halpern and some of the House cosponsors, in statements of support. Paul Newman, Joanne Woodward, Barbara Rush, Donna Reed, and Rod Serling were among them. Others who could not be present sent telegrams. I ask unanimous consent that these telegrams, which were read to the press, may appear in the Congressional Record.

The VICE PRESIDENT. Without objection, it is so ordered.

There being no objection, the telegrams were ordered to be printed in the Record, as follows:

Beverly Hills, Calif.,
February 1, 1969.

Senator Vance Hartke,
Washington, D.C.:

Idea of Peace Department is music to our ears. Your sponsorship has helped to complete harmony.

Mr. and Mrs. Leonard Bernstein.

New Haven, Conn.,
February 4, 1969.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

I am gratified at your initiative in support of proposed department of peace this can be of great importance.

Harold D. Lasswell,
Ford Foundation, Professor of law and the social sciences, Yale University.

Beverly Hills, Calif.,
February 1, 1969.

Senator Vance Hartke,
Washington, D.C.:

Salute sponsorship Peace Department bill, Frederick Schuman's brilliant pamphlet now on your desk tells why.

Mr. and Mrs. Dick Van Dyke.

Beverly Hills, Calif.,
January 27, 1969.

Senator Vance Hartke,
Senate Office Building, Washington, D.C.:

Family death prevents attendance February sixth press conference but I strongly support department peace bill.

Nancy Sinatra.

Los Angeles, Calif.,
February 1, 1969.

Senator Vance Hartke,
Senate Office Building, Washington, D.C.:

Youth of our Nation needs hope. Thank you for sponsoring peace department bill.

Marlo Thomas.

Beverly Hills, Calif.,
February 3, 1969.

Senator Vance Hartke,
Senate, Washington, D.C.:

Congratulations Peace Department bill sponsorship. Count on my help building national support this historic legislation.

Tommy Smothers.

Beverly Hills, Calif.,
January 24, 1969.

Senator Vance Hartke,
House of Representatives, Washington, D.C.:

Wish my magic power on television Bewitched could establish Peace Department. You have that power.

Elizabeth Montgomery.

Beverly Hills, Calif.,
February 1, 1969.

Senator Vance Hartke,
Washington, D.C.:

Peace Department bill being introduced this week needs your active support and cosponsorship.

Mr. and Mrs. Jackie Cooper.

Los Angeles, Calif.,
January 25, 1969.

Senator Vance Hartke,
Washington, D.C.:

Grateful your sponsorship Department Peace bill. Sorry can't leave "Mission Impossible" to join mission possible.

Barbara Bain,
Marty Landau.

Beverly Hills, Calif.,
January 28, 1969.

Senator Vance Hartke,
Washington, D.C.:

Bravo sponsorship Peace Department bill. Recently recorded "Impossible Dream." Now together we'll record possible dream.

Jack Jones.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. BYRD of West Virginia. Did the Senator get any response from James Arness, who plays the part of Matt Dillon?

Mr. HARTKE. I did not. But I compliment the Senator from West Virginia (Mr. Byrd) for being a cosponsor of this bill. I treasure his cooperation, his friendship, and his interest in this matter, and I think it is very important.

If the Senator insists, I shall be glad to contact Matt Dillon.

Mr. BYRD of West Virginia. Mr. President, I said that facetiously.

I compliment the Senator for his foresight and leadership in preparing this bill, and I am grateful for his invitation to me to join as a cosponsor.

Mr. HARTKE. Mr. President, I also ask unanimous consent that the full text of the bill be printed in the Record, and that the bill itself may be referred to the Foreign Relations Committee for consideration, and that it be referred to the Committee on Government Operations thereafter.

The VICE PRESIDENT. The bill will be received; and, without objection, the bill will first be referred to the Committee on Foreign Relations and thereafter to the Committee on Government Operations, and the bill will be printed in the Record.

The bill (S. 953) to promote the peaceful resolution of international conflict, and for other purposes, introduced by Mr. Hartke (for himself and other Senators), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. 953

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Peace Act".

DECLARATION OF PURPOSE

Sec. 2. The Congress declares that the United States has an urgent and continuing responsibility to seek international peace and has undertaken obligations to seek international peace under the Kellogg-Briand Pact of 1929, the Nuremberg Charter of 1945 and article I, paragraph 1, and article II, paragraphs 3 and 4, of the United Nations Charter. It is the purpose of this Act to meet these responsibilities and obligations and to provide the means to seek and achieve the peaceful resolution of international conflict.

TITLE I—DEPARTMENT OF PEACE

ESTABLISHMENT OF DEPARTMENT

Sec. 101. There is hereby established at the seat of government, as an executive department of the United States Government, the Department of Peace (hereafter referred to in this Act as the "Department").

FUNCTIONS OF THE DEPARTMENT

Sec. 102. (a) The Department shall be responsible for carrying out the purposes of this Act. In achieving such purposes, the Department shall—

(1) develop and recommend to the President appropriate plans, policies, and programs designed to foster peace;

(2) exercise leadership in coordinating all activities of the United States Government affecting the preservation or promotion of peace;

(3) cooperate with the governments of other nations in research and planning for the peaceful resolution of international conflict, and encourage similar action by private institutions;

(4) encourage and assist the interchange of ideas and persons between private institutions and groups in the United States and those in other countries; and

(5) encourage the work of private institutions and groups aimed at the resolution of international conflict.

(b) In carrying out its functions under section 102(a)(1), the Department shall include such recommendations as it deems appropriate for the specific settlement of current international controversies in which the United States Government has or claims an interest. Such recommendations may include specific proposals for the arbitration or adjudication of legal or justifiable disputes, the diplomatic settlement, through compromise, of political disputes, and such other procedures, with or without past precedents in international practice, as the Department determines most likely to achieve a nonviolent resolution of a controversy.

PERSONNEL OF THE DEPARTMENT

Sec. 103. (a) There shall be at the head of the Department a Secretary of Peace (hereafter referred to in this Act as the "Secretary"), who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) There shall be in the Department an Under Secretary of Peace, who shall be appointed by the President, by and with the advice and consent of the Senate. The Under Secretary of Peace (or, during the absence or disability of the Under Secretary, or in the event of a vacancy in the office of Under Secretary of Peace, an Assistant Secretary of Peace or the General Counsel, determined according to such order as the Secretary shall prescribe) shall act for, and exercise the powers of the Secretary, during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary. The Under Secretary of Peace shall perform such functions as the Secretary shall prescribe from time to time.

(c) There shall be in the Department four Assistant Secretaries of Peace and a General Counsel, each of whom shall be appointed by the President, by and with the advice and consent of the Senate, and who shall perform such functions as the Secretary shall prescribe from time to time.

(d) The Secretary is authorized to appoint and fix the compensation of such officers and employees, and prescribe their functions and duties, as may be necessary to carry out the purposes and functions of this Act.

(e) The Secretary may obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code.

TRANSFER OF FUNCTIONS TO DEPARTMENT

Sec. 104. (a) There are hereby transferred to the Secretary all functions which were carried out immediately before the effective date of this title—

(1) by one of the following agencies or offices:

(A) the Agency for International Development;

(B) the Arms Control and Disarmament Agency; or

(C) the Peace Corps;

(2) by a component of one of such agencies or offices; or

(3) by the Secretary of State insofar as such function relates to a function transferred under this subsection from an agency, office, or component referred to in paragraph (1) or (2).

(b) There are hereby transferred to the Secretary all functions which were carried out immediately before the effective date of this title—

(1) by the International Agricultural Development Service, Department of Agriculture; or

(2) by the Secretary of Agriculture, insofar as the function relates to functions transferred under this subsection from such Service.

(c) Section 2 of the United Nations Participation Act of 1945 (22 U.S.C. 287) is amended by inserting at the end thereof the following new subsection:

"(h) The Secretary of Peace shall advise the President with respect to the appointment of any person to represent the United States in the United Nations, or in any of its organs, commissions, specialized agencies, or other bodies."

(d) The functions, powers, and duties of the Secretary of State, and the other offices and officers of the Department of State, relating to specialized agencies as defined in article 57 of the United Nations Charter, are transferred to the Secretary of Peace.

(e) Within one hundred and eighty days after the effective date of this title, the President may transfer to the Secretary any function of any other agency or office, or part of any agency or office, in the executive branch of the United States Government if the President determines that such function relates primarily to functions transferred to the Secretary by the preceding subsections of this section.

TRANSFER OF AGENCIES AND OFFICES

SEC. 105. (a) All personnel, assets, liabilities, contracts, property, and records as are determined by the Director of the Bureau of the Budget to be employed, held, or used primarily in connection with any function transferred under the provisions of section 104, are transferred to the Secretary. Except as provided in subsection (b), personnel engaged in functions transferred under this title shall be transferred in accordance with applicable laws and regulations relating to transfer of functions.

(b) The transfer of personnel pursuant to subsection (a) shall be without reduction in classification or compensation for one year after such transfer.

(c) In any case where all of the functions of any agency or office are transferred pursuant to this title, such agency or office shall lapse.

ADMINISTRATIVE PROVISIONS

SEC. 106. (a) The Secretary may, in addition to the authority to delegate and redelegate contained in any other Act in the exercise of the functions transferred to the Secretary by this title, delegate any of his functions to such officers and employees of the Department as he may designate, may authorize such successive redelegations of such functions as he may deem desirable, and may make such rules and regulations as may be necessary to carry out his functions.

(b) The Secretary is authorized to establish a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of such common administrative services as he shall find to be desirable in the interest of economy and efficiency in the Department, including such services as a central supply service for stationery and other supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department and its agencies; central messenger, mail, telephone, and other communications services; office space, central services for document reproduction, and for graphics and visual aids; and a central library service. The capital of the fund shall consist of any appropriations made for the purpose of providing capital (which appropriations are hereby authorized) and the fair and reasonable value of such stocks of supplies, equipment, and other assets and inventories on order as the Secretary may transfer to the fund, less the related liabilities and unpaid obligations. Such fund shall be reimbursed in advance from available funds of agencies and officers in the Department, or from other sources, for supplies and services at rates which will approximate the expense of operation, including the accrual of annual leave and the depreciation of equipment. The fund shall also be credited with receipts from sale or exchange of property and receipts in payment for loss or damage to property owned by the fund. There shall be covered into the United States Treasury as miscellaneous receipts any surplus found in the fund (all assets, liabilities, and prior losses considered) above the amounts transferred or appropriated to establish and maintain such fund.

(c) The Secretary may approve a seal of office for the Department, and judicial notice shall be taken of such seal.

(d) In addition to the authority which is transferred to and vested in the Secretary by section 104, as necessary, and when not otherwise available, the Secretary is authorized to provide for, construct, or maintain the following for employees and their dependents stationed at remote localities:

(1) emergency medical services and supplies;

(2) food and other subsistence supplies;

(3) messing facilities;

(4) motion picture equipment and film for recreation and training; and

(5) living and working quarters and facilities.

The furnishing of medical treatment under clause (1) and the furnishing of services and supplies under clauses (2) and (3) of this subsection shall be at prices reflecting reasonable value as determined by the Secretary and the proceeds therefrom shall be credited to the appropriation from which the expenditure was made.

(e)(1) The Secretary is authorized to accept, hold, administer, and utilize gifts and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Department. Gifts and bequests of money and the proceeds from sales of other property received as gifts or bequests shall be deposited in the Treasury of the United States in a separate fund and shall be disbursed upon order of the Secretary.

(2) Upon the request of the Secretary, the Secretary of the Treasury may invest and reinvest in securities of the United States or in securities guaranteed as to principal and interest by the United States any moneys contained in the fund provided for in paragraph (1). Income accruing from such securities, and from any other property held by the Secretary pursuant to paragraph (1), shall be deposited to the credit of the fund, and shall be disbursed upon order of the Secretary.

(f) The Secretary is authorized to appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, such advisory committees as may be appropriate for the purpose of consultation with and advice to the Department in the performance of its functions. Members of such committees, other than those regularly employed by the United States Government, while attending meetings of such committees or otherwise serving at the request of the Secretary, may be paid compensation at rates not exceeding those authorized for individuals under section 103(e), and while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(g)(1) The Secretary is authorized to enter into contracts with educational institutions, public or private agencies or organizations, or individuals for the conduct of research into any aspect of the problems related to the programs of the Department which are authorized by statute.

(2) The Secretary may from time to time disseminate in the form of reports or publications to public or private agencies or organizations, or individuals such information as he deems pertinent on the research carried out pursuant to this subsection.

(3) Nothing contained in this subsection is intended to amend, modify, or repeal any provisions of law administered by the Department which authorize the making of contracts for research.

TECHNICAL AMENDMENTS

SEC. 107. (a) Section 19(d)(1) of title 3, United States Code, is hereby amended by inserting before the period at the end thereof a comma and the following: "Secretary of Peace".

(b) Section 101 of title 5, United States Code, is amended by inserting at the end thereof the following: "The Department of Peace."

(c) Subchapter II of chapter 53 of title 5, United States Code (relating to executive schedule pay rates), is amended as follows:

(1) Section 5312 is amended by adding at the end thereof the following:

"(13) Secretary of Peace."

(2) Section 5314 is amended by adding at the end thereof the following:

"(54) Under Secretary of Peace."

(3) Section 5315 is amended by adding at the end thereof the following:

"(92) General Counsel, Department of Peace.

"(93) Assistant Secretaries of Peace (4)."

(4) Section 5317 is amended by striking out "34" and inserting in lieu thereof "36".

ANNUAL REPORT

SEC. 108. The Secretary shall, as soon as practical after the end of each fiscal year, make a report in writing to the President for submission to the Congress on the activities of the Department during the preceding fiscal year.

SAVINGS PROVISIONS

SEC. 109. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective in the exercise of functions which are transferred under this title, by (A) any agency or office, or part thereof, any functions of which are transferred by this title, or (B) any court of competent jurisdiction, and

(2) which are in effect at the time this title takes effect, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Secretary, by any court of competent jurisdiction, or by operation of law.

(b) The provisions of this title shall not affect any proceedings pending at the time this section takes effect before any agency or office, or part thereof, functions of which are transferred by this title; but such proceedings, to the extent that they relate to functions so transferred, shall be continued before the Department. Such proceedings, to the extent they do not relate to functions so transferred, shall be continued before the agency or office, or part thereof, before which they were pending at the time of such transfer. In either case orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this title had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or repealed by the Secretary, by a court of competent jurisdiction, or by operation of law.

(c)(1) Except as provided in paragraph (2)—

(A) the provisions of this title shall not affect suits commenced prior to the date this section takes effect, and

(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this title had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any agency or office, or part thereof, functions of which are transferred by this title, shall abate by reason of the enactment of this title. No cause of action by or against any agency or office, or part thereof, functions of which are transferred by this title, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this title. Causes of actions, suits, or other proceedings may be asserted by or against the United States or such official of the Department as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

(2) If before the date on which this title takes effect, any agency or office, or officer thereof in his official capacity, is a party to a suit, and under this title—

(A) such agency or office, or any part thereof, is transferred to the Secretary, or

(B) any function of such agency, office, or part thereof, or officer is transferred to the Secretary,

then such suit shall be continued by the Secretary (except in the case of a suit not involving functions transferred to the Secretary, in which case the suit shall be continued by the agency, office, or part thereof, or officer which was a party to the suit prior to the effective date of this title).

(d) With respect to any function transferred by this title and exercised after the effective date of this title, reference in any other Federal law to any agency, office, or part thereof, or officer so transferred or functions of which are so transferred shall be deemed to mean the department or officer in which such function is vested pursuant to this title.

(e) Orders and actions of the Secretary in the exercise of functions transferred under this title shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the agency or office, or part thereof, exercising such functions, immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by this title shall apply to the exercise of such function by the Secretary.

(f) In the exercise of the functions transferred under this title, the Secretary shall have the same authority as that vested in the agency or office, or part thereof, exercising such functions immediately preceding their transfer, and his actions in exercising such functions shall have the same force and effect as when exercised by such agency or office, or part thereof.

CODIFICATION

SEC. 110. The Secretary is directed to submit to the Congress within two years from the effective date of this title, a proposed codification of all laws which contain functions transferred to the Secretary by this title.

EFFECTIVE DATE; INITIAL APPOINTMENT OF OFFICERS

SEC. 111. (a) This title, other than this section, shall take effect ninety days after the enactment of this Act, or on such prior date after enactment of this Act as the President shall prescribe and publish in the Federal Register.

(b) Notwithstanding subsection (a), any of the officers provided for in subsections (a), (b), and (c) of section 103 may be appointed in the manner provided for in this title, at any time after the date of enactment of this Act. Such officers shall be compensated from the date they first take office, at the rates provided for in this title. Such compensation and related expenses of their offices shall be paid from funds available for the functions to be transferred to the Department pursuant to this title.

TITLE II—INTERNATIONAL PEACE INSTITUTE

ESTABLISHMENT OF INSTITUTE

SEC. 201. There is hereby established within the Department the International Peace Institute (hereafter referred to in this Act as the "Institute"). The Institute shall furnish training and instruction to prepare citizens of the United States for service in positions or programs relating to the field of promoting international understanding and peace.

OFFICERS, STAFF, AND INSTRUCTORS

SEC. 202. (a) The Secretary may appoint or assign, on a full- or part-time basis, such officers, staff, and instructors as the needs of the Institute require.

(b) The Secretary may assign or detail, on a full- or part-time basis and with the consent of the head of the United States Government department or agency concerned, any officer or employee of the executive branch of the United States Government to serve on the faculty or staff of the Institute. During the period of his assignment or detail, such officer or employee shall be considered as remaining in the position from which assigned or detailed.

SUPERVISION OF INSTITUTE

SEC. 203. The supervision and charge of the Institute shall be under such officer or officers as the Secretary may appoint for or assign to that duty, and under such regulations as the Secretary may prescribe.

BOARD OF TRUSTEES

SEC. 204. (a) There is hereby established within the Institute a board of trustees (hereafter referred to in this Act as the "board") which shall advise the Secretary on the operation of the Institute. The board be composed of—

(1) the Secretary (ex officio);

(2) two officers of the Department designated by the Secretary;

(3) two Members of the Senate, of different political parties, appointed by the President of the Senate;

(4) two Members of the House of Representatives, of different political parties, appointed by the Speaker of the House of Representatives;

(5) the chairman of the Atomic Energy Commission, or his designee;

(6) the chairman of the Federal Council on the Arts and the Humanities, or his designee;

(7) one member from the National Academy of Sciences, to be appointed by the President after consultation with the President of the Academy;

(8) two educators of prominence appointed by the President;

(9) two prominent persons associated with the advancement of world peace, appointed by the Secretary; and

(10) the United States Ambassador to the United Nations.

(b) Members of the board shall be appointed for two-year terms and shall be eligible for reappointment.

(c) The board shall visit the Institute annually. With the approval of the Secretary, the board or its members may make other visits to the Institute in connection with the duties of the board.

(d) The board shall inquire into the morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the Institute that the board decides to consider.

(e) Within sixty days after its annual visit, the board shall submit a written report to the President of its action, and of its views and recommendations pertaining to the Institute. Any report of a visit, other than the annual visit, shall, if approved by a majority of the members of the board, be submitted to the President within sixty days after the approval.

(f) Each member of the board may be allowed travel expenses, including per diem in lieu of subsistence, in accordance with the provisions of section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

ADMISSION OF STUDENTS

SEC. 205. (a) The authorized number of students at the Institute shall be one hundred and fifty.

(b) The institute shall operate as a coeducational institution and students shall be selected for admission to the Institute on the basis of merit, as determined by a competitive examination to be given annually in each State, the District of Columbia, and the Commonwealth of Puerto Rico, at such time, in such manner, and covering such subject matter as the Secretary may prescribe.

(c) No individual shall be eligible for admission to the Institute unless he is a citizen of the United States who has been awarded a bachelor's degree upon graduation from a college or university located in the United States or a degree which the Secretary determines is generally recognized as the equivalent of a bachelor's degree upon graduation from a college or university located in a foreign country.

STIPENDS AND TRAVEL AND TRANSPORTATION ALLOWANCES

SEC. 206. Each student of the Institute shall be entitled to receive—

(1) a stipend in an amount determined by the Secretary to be within the range of stipends or fellowships payable under other Government programs providing for the education or training of graduate students; and

(2) reasonable travel and transportation allowances, including transportation for his immediate family, household goods, and personal effects, under regulations prescribed by the Secretary, but such allowances shall not exceed the allowances payable under section 5723 of title 5, United States Code.

COURSE OF INSTRUCTION AND TRAINING

SEC. 207. (a) The course of instruction and training for students at the Institute shall be prescribed by the Secretary, shall be for a period of one year, and shall, insofar as consistent with the purposes of this title, be acceptable for credit toward a graduate degree at accredited colleges and universities. In prescribing such course of instruction and training, the Secretary shall provide that special emphasis be placed on such studies as will best prepare students for leadership in the nonviolent resolution of international conflicts and in the promotion of international understanding and peace. Upon satisfactory completion of the prescribed course of instruction and training, students shall be awarded a Federal certificate of participation.

(b) The course of instruction and training at the Institute shall, during each year of its operation, be organized as prescribed by the Secretary, except that one month of each such year shall be devoted to annual leave for all students.

AGREEMENTS BY STUDENTS

SEC. 208. Each student selected for admission to the Institute shall sign an agreement that, unless sooner separated, he will—

(1) complete the course of instruction at the Institute; and

(2) accept, if offered, an appointment as an officer or employee of the United States or, in the discretion of the Secretary, employment with an international organization or private agency or foundation determined by the Secretary to be engaged in activities relating to the promoting or achieving of international understanding and peace, in any position for which such student is qualified by reason of his special training at the Institute, for at least the one-year period immediately following the awarding of his certificate from the Institute or the completion by him of any period of full-time graduate study approved by the Secretary.

AUTHORIZATIONS; ACQUISITION OF PROPERTY

SEC. 209. (a) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

(b) The Institute shall have power to acquire and hold real and personal property and may receive and accept gifts, donations, and trusts.

TITLE III—JOINT COMMITTEE ON PEACE AND INTERNATIONAL COOPERATION

ESTABLISHMENT OF JOINT COMMITTEE

SEC. 301. There is hereby established a joint congressional committee to be known as the Joint Committee on Peace and International Cooperation (hereinafter referred to as the "Joint Committee"). The Joint Committee shall be composed of seven Members of the Senate, to be appointed by the President of the Senate, and seven Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The party representation on the Joint Committee shall as nearly as may be feasible reflect the relative membership of the majority and minority parties in the Senate and the House of Representatives, respectively.

FUNCTIONS

SEC. 302. It shall be the function of the Joint Committee—

(1) to make a continuing study of matters relating to the Department of Peace;

(2) to study means of coordinating programs in order to further the purpose of this Act; and

(3) as a guide to the several committees of the Congress dealing with legislation relating to the Department of Peace, to file a report not later than May 1 of each year (beginning with the calendar year 1971) with the Senate and the House of Representatives containing its findings and recommendations with respect to the Department of Peace, and from time to time to make such other reports and recommendations to the Senate and House of Representatives as it deems advisable.

VACANCIES; SELECTION OF CHAIRMAN

SEC. 303. Vacancies in the membership of the Joint Committee shall not affect the power of the remaining members to execute the functions of the Joint Committee, and shall be filled in the same manner as the original selection. The Joint Committee shall select a chairman and a vice chairman from among its members.

HEARINGS; STAFF; ASSISTANCE

SEC. 304. (a) In carrying out its duties under this title, the Joint Committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings; to sit and act at such times and places; to appoint and fix the compensation of such experts, consultants, technicians and staff personnel; to procure such printing and binding; and to make such expenditures as it deems advisable.

(b) With the prior consent of the department or agency concerned, the Joint Committee is authorized to utilize the services, information, and facilities of the departments and establishments of the United States Government and private research agencies.

AUTHORIZATION; EXPESES

SEC. 305. (a) The expenses of the Joint Committee, which shall not exceed $200,000 for each fiscal year, shall be paid from the contingent fund of the Senate from funds appropriated for the Joint Committee, upon vouchers signed by the chairman of the Joint Committee or by any member of the Joint Committee duly authorized by the chairman.

(b) Members of the Joint Committee, and its employees and consultants, while traveling on official business for the Joint Committee within or outside the United States, may receive either the per diem allowance authorized to be paid to Members of the Congress or its employees, or their actual and necessary expenses provided an itemized statement of such expenses is attached to the voucher.

LET US MOVE FORWARD WITH NEW FAITH TO ACHIEVE WORLD PEACE

Mr. RANDOLPH. Mr. President, it is my privilege to join with my able colleague, the senior Senator from Indiana [Mr. HARTKE], in cosponsoring legislation to establish a Department of Peace and a Joint Committee on Peace and International Cooperation.

My efforts on this issue are not new. They date back to 1945 when I introduced such legislation as a Member of the U.S. House of Representatives. We succeeded in holding hearings on that bill before the House Foreign Affairs Committee. However, no affirmative action was ever taken. I returned to testify before the Committee on Expenditures in the Executive Departments on a similar measure introduced by my successor in the 80th Congress. Returning to the Congress as a Senator in 1958, I renewed my efforts for this proposal by introducing a Department of Peace bill in 1959.

I am delighted to actively join in this new movement to establish a Department of Peace and to be a part of this coordinated and bipartisan effort.

What higher calling can we have, Mr. President? What greater dream come true than peace among the nations and peoples of the world. Many will say that this is an impossibility. How can we have peace among nations of the world when we cannot maintain peace at home? This is a negative attitude. America was settled and the elements conquered by overcoming the impossible. We are challenging the universe. We have been around the moon.

It is time we placed greater priority on world peace. We led the world in the development of the most destructive weapons known to man. Let us lead the world in creating a department to bring peace to all peoples. I stated in this Chamber in 1959:

> The supreme problem for all mankind, is the achievement of a just and lasting peace—or to live under the Damoclean sword of an almost universal nuclear destruction. In these terms, therefore, there are not several races of men, but in reality only one race of man—for it is mankind as a whole who will solve this problem—or mankind as a whole who will suffer the immeasurable horror of a general nuclear war. Men make war. Certainly men can make peace.

The leaders of our country all want peace—the President of the United States, the Secretary of State, the Secretary of Defense, and my colleagues of the Senate and House of Representatives. But we have many other responsibilities which require our time and talent. This objective is too important and too vital to all mankind to be a part-time job. We need men dedicated full time to this task, whose only objective is the pursuit of peace, and which agency is on a par with the Department of State and the Department of Defense. This is a first-class cause which requires a first-class agency and a first-class effort.

In this legislative proposal we are not attempting to expand the bureaucracy as such, or to construe the lines of authority of other agencies which presently have jurisdiction over programs of peace. Rather we are attempting to bring together in one place all our efforts to accomplish this goal. We need an organized and concerted campaign. It cannot be the hodgepodge we have today. Life is too important to me, to you, to the people of the United States of America, and to persons living under other flags and other governments. For if we do not do our utmost for peace today, there may be no tomorrow for any of us be we black, white, red, or yellow.

Yes, my colleagues, it is time we placed greater emphasis on the job of finding a base of understanding in this world. With a Secretary of Peace to spearhead the campaign we can bring the issue of peace to the forefront of the lives of all Americans and of the lives of all the inhabitants of this earth.

Let us carry the message of peace to all nations and to all peoples. Let us give impetus to the crusade for harmony among all God's children by the creation of a U.S. Department of Peace, headed by a U.S. Secretary of Peace.

Mr. President, we read in Scripture, "Blessed are the peacemakers: for they shall be called the children of God." To the high purpose of peace let us dedicate our personal and official energies. We can—we must—learn to live together in comity and understanding. To the realization of this coveted goal let us move forward with new faith.

S. 961 THROUGH S. 979 AND SENATE JOINT RESOLUTION 42—INTRODUCTION OF BILLS AND JOINT RESOLUTION RELATING TO CRIME CONTROL AND PREVENTION

Mr. TYDINGS. Mr. President, I am introducing today a series of measures, individually and combined in a single bill, titled, for ease of reference, the Crime Control and Prevention Act of 1969, which I believe comprise a legislative program marking a significant advance in the war we are waging against crime in our society. I emphasize at the outset that I do not offer my program as a panacea for the ills of society; I do not suggest that it will significantly reduce the crime statistics for the next year. The battle against crime is one that will be long in the winning, but one that must have its genesis. The Omnibus Crime Control and Safe Streets Act of 1968 was a major foray, and I am proud of my role in its passage. But it is important to see that it was only a beginning, just as this is only a continuation and not a culmination of the work which was begun there. This is an ongoing project which must have our constant attention and the benefit of tireless innovative thinking. It is in this spirit that I offer my proposals today.

It is abundantly clear that nothing in our national life today worries Americans more than crime and law enforcement. Every American knows that there is too much crime in the United States. Every American is, in one way or another, a victim of crime. Crime is our No. 1 domestic issue.

As a Senator who has been particularly concerned and active in social reform, I recognize, as we all must, that if we are to achieve a long-term solution to crime, we must deal with the pervasive underlying social evils which generate it. We must focus on and relieve the evils of unemployment, family breakdown, inadequate education, and substandard housing. But when people fear the streets and parks of their great cities, when their finest leaders are murdered, when they begin to eye their neighbors with suspicion and fear, then our society is endangered. This was the immediate danger recognized by the New York branch of the NAACP last month when it called for an end to "the reign of criminal terror in Harlem." Acknowledging that crime was doubtless produced by "vast social evils," the NAACP anticrime committee insisted that regardless of deeper social origins, "with people here being beaten, robbed, and murdered, something should be done about crime right now."[1]

Since my years as a U.S. attorney, I have been acutely aware of the challenge of crime to our society. It represents a virtual breakdown in society—demonstrating our inability to protect the victim against the activity of the offender, and our failure to channel the energies of the offenders into constructive efforts.

In recent years we have had two extensive studies which have contributed an ever-increasing awareness of the magnitude of the challenge—the reports of the President's Commission on Crime in the District of Columbia and of the President's Commission on Law Enforcement and the Administration of Justice. More notable than their findings on the extent and variety of crime, however, were their proposals for dealing with it. A number of these were implemented with the passage of title I of the Omnibus Crime Control and Safe Streets Act of 1968. Others find expression in the legislation I introduce today. Still others remain untapped, and I propose as part of my continuing legislative program in this area to give them careful study with a view toward employing those which I find meritorious and feasible programs in future legislation.

Introduction of the present legislation represents not a new departure for me, but a continuation of a long-standing program designed to assist law enforcement agencies. Many of the provisions of the "Local Law Officers Education and Equipment Act," which I introduced in the last Congress, became law in the Safe Streets Act. Many of the provisions of the comprehensive crime control bill which I introduced near the end of the last session are reflected in the bills I introduce today.

In the interim since the introduction of that bill, I have met with many leading law enforcement figures to discuss its measures, and to discuss other problems confronting them. Included among those I have seen are Quinn Tamm and Patrick Murphy, Police Commissioner Donald Pomerleau, of Baltimore, Col. Robert Lally, superintendent of the Maryland State Police, and Sir John Waldron, of Scotland Yard. As a result of these meetings, the bills which I submit today have been considerably altered and expanded. I believe they are improved by the changes and am grateful for the willing assistance I have received in their preparation.

The bills are logically grouped into several general areas, and I shall discuss them in that form.

RESEARCH AND EDUCATION

The first comprehensive area concerns financial grants to be made for training, education, research, demonstration, and other special purposes. These grants are essentially education related.

For too long the criminal justice system has been bypassed by the great educational, scientific, and technological revolutions which have struck and changed so much of American society. While industry and many agencies of government have spent millions of dollars to recruit, train, educate, and equip personnel, the agencies of the law-enforcement field have not had the financial support needed to upgrade and professionalize their forces. As the President's Commission on Crime pointed out, more than 200,000 scientists and engineers are helping to solve military problems, but only a handful are assisting in the effort to control crime.[2] Not only do we lack the funds to attract these men to the field, we lack the educational programs to train them for the tasks they are needed to perform. It appears that the forgotten men of our era are those who serve in the war against crime.

We have made halting steps to remedy the oversight. The Law Enforcement Assistance Act of 1965 included a special grant program to assist the States in establishing State law-enforcement standards and training commissions. It aided in the establishment of police science degree programs in 27 junior colleges, colleges, and universities throughout the Nation. It created 30 study fellowships for the Nation, 10 each in three institutions with significant programs in the field.

The Omnibus Crime Control and Safe Streets Act of 1968 represented another step forward. It provided planning and action grants for law-enforcement purposes. A National Institute of Law Enforcement and Criminal Justice was created, designed to encourage research and demonstrations in law-enforcement techniques and methods. Loans and scholarships for persons in law-enforcement courses were authorized. These programs are still in their infancy, but even at inception it was evident that they were not sufficient. Decades of neglect may not be remedied in months; likewise, they require not half measures but massive and intensive curative programs. Too many law-enforcement agencies are required to accept men with limited educational backgrounds because no others are available. A 1964 survey of over 6,000 police officers revealed only 7.3 percent possessed a college degree.[3] In far too many departments a majority of the officers did not even have a high school degree.

As a start toward meeting these still extant needs, I propose that we amend the National Defense Education Act of 1958, to provide funds for the development of programs for law-enforcement education at undergraduate, graduate, and professional levels, and to provide fellowships, modeled on those of the NDEA, for law enforcement studies.

Typical projects for which program funds may be allocated are research and development of new courses and curriculums, the strengthening of existing curriculums, and the training of faculty members. We are making broad demands that our police, required as they are to deal with even more complex and varied problems, have more academic training designed to prepare them for their professions. Yet we have not made adequate provision for the development of those programs. Law enforcement as an academic discipline is relatively new; we do not have adequate information on what a curriculum should contain or how it should be taught. In my own State the University of Maryland is now seeking a budget for an institute of criminal justice, but only after a decade of discussion and planning. It is evident, I think, that it is an essentially new field and that extensive research and study are needed for its development. Demanding education and granting fellowships is pointless unless the programs pursued are designed to produce the result we seek—a maximally effective law enforcement agent.

When we found ourselves challenged in science and technology a decade ago, we responded with an intensive academic training program to meet the thrust. The challenge of crime today is no less a threat to our national security and well-being than that challenge was then. Similar measures are needed. In fact, the need today may be even greater, since we are so short of qualified personnel to conduct research, to develop training programs, to develop new techniques and and approaches. The Soviet threat of 1958 was no more demanding, and may have been less dangerous—as a readily identifiable external threat, it was more effective as a rallying point for legislation. The threat was more obvious, and, because foreign not only geographically but in a sense of being unfamiliar to daily life, its urgency was more easily felt. Crime is a problem we all are forced to live with day by day—we must be sure that familiarity does not breed a lack of concern.

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[1] New York Times, Friday, Dec. 13, 1968, p. 1, col. 2.

[2] President's Commission on Law Enforcement and Administration of Justice, "The Challenge of Crime in a Free Society," 245 (1967).

[3] President's Commission on Crime and Administration of Justice, Task Force Report: The Police, 126 (1967).

In order to facilitate research and encourage communication of developments and improvements in law enforcement, I propose that regional divisions of the National Institute of Law Enforcement and Criminal Justice be established. The Safe Streets Act created the Institute to supervise much needed research into crime control and prevention. I believe that many of the tasks to which it will have to address itself will be better accomplished at the local level, and some will be more readily approached in one geographic area than in another. The same problem may require radically different approaches in different sections of the country. Rural crime patterns do not parallel those of the cities; urban problems vary widely among our major cities. Hence, I would authorize the Institute to establish regional field divisions wherever it finds that they be most effective.

Research and development are not ends in themselves. Unless new ideas, methods, techniques are communicated to the local law enforcement agencies so that they may be implemented—applied to the practical situation—then we are tilting at windmills. Too often Federal programs prove tremendously fruitful but we are left with no effective means of transferring the product to local agencies. It is evident that regional centers will be much more capable of maintaining the direct and sustained contact with local law enforcement agencies that is necessary to implement new ideas. They will be more available to the needs and requests of these agencies; and sustained contact will create channels of communication that could not exist with a single national center. I believe that the regional centers will provide a unique opportunity for local law enforcement agencies and the Institute to become attuned to each other, and to complement each other's efforts in improving the law-enforcement system at every level.

I am calling for a statutory draft deferment for men engaged in, or studying to enter law enforcement careers. We are waging a war on crime which is as critical to our national well-being as any commitment of troops we have around the world. We are shorthanded in this engagement, and cannot afford to lose those men we have been able to recruit. We must keep them in law enforcement service to preserve our society on the home front. The most awesome of military victories will be but a historical curiosity should it occur even as the fabric of the sustaining society is irreparably rent by the effects of domestic lawlessness.

Many law-enforcement agencies develop particularly effective organizations and techniques, knowledge of which never gets beyond their own physical locale. Occasionally this may be as a result of the fact that they do not recognize the unique quality or success of their methods, but assume them to be standard procedure. In other instances it is undoubtedly a result of their failure to find appropriate channels via which to communicate their discoveries. A number of my proposals are geared to assist in this area, directly or as a peripheral effect of the contacts they bring about. One of the most direct attacks I propose is through exchange of officers. To provide cross-fertilization among local departments, encouraging exchange of information on the best law-enforcement techniques, I propose that Federal assistance be made available to State and local law-enforcement officers, especially those engaged in supervisory, planning, or instructional positions, to visit other law-enforcement agencies, both here and abroad, to study the techniques of these other law-enforcement agencies. This will encourage an even greater interchange of ideas about law-enforcement techniques, devices, and operations; it will permit these personnel to keep abreast of latest developments in a complex and rapidly expanding field. It will facilitate the pooling of data and research in an area which, though local in responsibility, is essentially national in scope.

Another program with similar objects was inspired by the Airlie House conferences held by Attorney General Ramsey Clark last year. My bill authorizes the National Institute of Criminal Justice to conduct conferences, seminars and similar instructional programs both nationally and regionally. It is my intention that, while some of these programs would bring together chiefs and other leaders of State and local law-enforcement agencies, the interchange would not end there. I envision many different kinds of meetings among many levels of supervisory and planning personnel, for purpose of exchanging information regarding local practices, and for indoctrination regarding new developments coming out of the various research programs now underway, and to be initiated as a result of other parts of my bill.

SALARY SUPPLEMENTS, INCREASED BENEFITS

Policemen perform some of the most varied and difficult jobs required of any profession. They are called upon to apprehend lawbreakers, settle family quarrels, suppress civil disorders, control crowds, interrogate suspects, and respond to medical emergencies. No task seems too difficult, too dangerous, or too discomforting to ask a police officer to do it.

Salaries do not even approach being commensurate with the demands that are made. Today's scandalously inadequate police pay scales require a man to make a financial sacrifice to risk life and limb for the public safety, and are not calculated to attract and hold the kind of man modern law enforcement work demands.

Despite this grave shortcoming, and despite the fact that some 90 percent of funds expended in the Nation today are spent on salaries, the Safe Streets Act specifically limits to one-third the part of any grant made under title I which may be utilized for personnel salaries.[4] I propose, therefore, to amend that act to include a special authorization for the grant of funds to directly supplement law enforcement personnel salaries. I have, however, drafted this measure as a special provision which will not be subject to the limitation, rather than lifting the percentage limitation on all title I funds. This will enable the Law Enforcement Assistance Administration to maintain a reasonable control over funds to be used for salaries. It can insure that areas that are truly underfunded receive assistance, while preventing any unbalanced increase in salaries in areas where they are more nearly adequate.

My second measure will authorize salary supplements for persons achieving certain levels of education beyond high school. The supplemental, based on a percentage scale of current earnings, increase in size at each degree level achieved. The bill provides a 5-percent increase for attainment of a degree requiring 2 years education beyond high school, 10 percent for acquiring a college degree, and 15 percent for receiving a graduate degree beyond college. In many instances, the student will be an officer who is already actively engaged in law enforcement work and who is attending school on a part-time basis or has taken a leave of absence to increase his educational training. It is to be hoped that in such circumstances he will continue to receive a salary from his local force. To further encourage such educational pursuits—and to help defray the added expenses he will be bearing as a student—portions of the ultimate supplement he will receive will be given to him during the course of his schooling. Perhaps the best means of explaining the bill as it is presently written would be by example. An officer who had completed a 2-year degree after college would be entitled, under the bill, to receive a maximum supplement of 5 percent of the salary he receives from his employing law enforcement agency. At the beginning of his first semester of additional training, based on a total four semesters, he will be entitled to receive one-fourth of 5 percent of his salary as a bonus; at the beginning of the second semester, one-half of 5 percent; at the beginning of the third semester, three-fourths of 5 percent; and, at the beginning of the fourth and final semester he should be entitled to receive the full 5 percent. If at any time he discontinues the educational program without receiving a degree, he shall no longer be entitled to the supplement.

Finally, as another measure in the attempt to bring law-enforcement salaries into a more rational relationship with the duties performed, I propose to authorize grants under the Safe Streets Act to increase and expand retirement, injury, and death benefits. A special provision makes it clear that included among these benefits may be scholarships for children of law-enforcement officers who are killed in the line of duty.

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[4] Title I, part C, § 301(d), 82 Stat. 197, 200.

CORRECTIONS, ALCOHOLISM—REHABILITATION

"Two million arrests in 1965—one of every three arrests in America—were for the offense of public drunkenness."[5] Fiscal 1965 saw 44,218 arrests in the District of Columbia for public intoxication, or more than half the nontraffic violation arrests.[6] This is an incredibly heavy burden on our criminal justice system, diverting much time and energy from the control and prevention of serious crime. Yet many of the arrestees are chronic cases, who will merely be jailed to dry out and sleep, and then be released to begin the process again. In the district, "56 percent of those arrested for intoxication in 1965 had been arrested five times or more during their lifetime; 29 percent had been arrested 20 times or more; and 10 percent had been arrested 50 times or more."[7] Only 23 percent were first time drunkenness offenders. This failure of the system in many cases to even attempt to assist those who have become dependent on alcohol is a social crime against those so afflicted. It contributes significantly to depriving the entire society of a significant potential for more effective handling of more serious crimes. The latter effect must be weighed not only in the loss of police time, equipment, and efforts but also in terms of the increased criminal dockets in our courts, which contribute in turn to the greater possibility for recidivism on bail, and in terms of the overloading of our penal institutions.

Still we have not measured the full extent of the social problem. There are over five million alcoholics in the United States, making alcoholism the Nation's fourth largest health problem.[8] Yet it is a difficulty about which we know shockingly little. One thing alone is clear—punishing drunkenness as a crime has achieved nothing.

Sporadic attempts have been made toward a comprehensive study of the causes and means of curing alcoholism, but there has been no coordination or follow-through. I propose a massive research effort into every aspect of alcoholism. We need to discover the psychological and biological characteristics which render a given individual susceptible to becoming dependent upon alcohol, so that we may spot them in advance and try to prevent the potential dependence from being realized. We need information on the psychological and physiological effects alcohol has upon chronic and dependent users. We need to know how to effectively deal with those who are now dependent upon alcohol—how to generate a desire to break a habit, and how to medically assist in the fulfillment of that object.

We must also bring about radical change in our method of dealing with the alcoholic who has brought himself into a situation ending in arrest. Jails and "tanks" serve no end except confinement and most often fail to afford the medical services and treatment which is frequently critically needed. They must be replaced by detoxification units, which will emphasize the provision of medical services and prescription for further treatment. We must focus on attempts to aid, and hopefully, eventually cure.

The creation of aftercare programs is logical and necessary. We have little assurance that the chronic offender will alter a lifelong pattern of drinking after a few days of treatment at a detoxification center. Thus, I call for the provisions of funds to develop rehabilitation programs. A coordinated network of facilities must be made available for those who need further care. Such a program might well be based upon existing facilities and community agencies, such as hospitals, mental health agencies, outpatient centers, and Alcoholics Anonymous programs. This network of aftercare facilities might be expanded to include halfway houses, vocational counseling agencies, and relocation centers.

I introduced a bill in the Senate during the last Congress to revise procedures for dealing with drunkenness and to provide rehabilitation facilities in the District of Columbia. Using a similar bill introduced in the House, we were able to reach agreement on a basic program and it was enacted into law. Now it is time to afford such programs throughout the Nation.

Rehabilitation must similarly be a keynote of our correctional system. For decades we have heard that our penal institutions are truly penal rather than correctional, that they breed and foster crime rather than rehabilitating the criminal. The juvenile or youthful offender works his way upward through various levels of detention, often taking measures to speed his own graduation within the system to the "university," the State or Federal "pen."

The revolving-door image of our criminal justice system is too well known. But in truth, the recidivism rates hide the fact that criminals entering prison do not merely emerge still as criminals. They emerge as better trained, more skillful criminals.

These problems were recently reemphasized in the testimony before the Virginia State Crime Commission of a convicted bank robber who has spent some 20 of his 45 years behind bars. Once an "incorrigible prisoner," he is now out on parole and working as a counselor in a home for disturbed adolescents. Characterizing his early prison experience as a "hopeless life of rubbing elbows with murderers, Cosa Nostra hoodlums and 'just plain creeps, liars, and cheats;' " he attributed his present condition to the fact that he finally ended up in an institution where rehabilitation was attempted. The most effective weapon against crime, he now argues, is the rehabilitation program.[9]

I have often stated my belief that any program hoping to achieve a degree of success in crime control and prevention must deal not only with the law enforcement agencies that face the problem in the streets, but must also address itself to the courts and the correctional system. Only by treating them all as aspects of a single problem, and efficiently and effectively coordinating their efforts, can we hope to make inroads against crime in our society.

We will not reduce the incidence of crime in this country until we are willing to reform our correctional system. This is not merely a process of updating the existing systems. It is a field in which there is much still to learn, much study to be done. There have been encouraging experimental studies, like those in California, emphasizing community-based job training, education, and intensive supervision. Such programs must be encouraged and expanded. Hence, I propose to add a specific authorization to permit grants for improving correctional systems and give some guidance in the act itself as to the direction in which we should encourage development.

ORGANIZED CRIME

Organized crime is one of the largest and most profitable industries currently operating in this country. Its activities are widely diversified, running the gamit from gambling and dope peddling through the most highly respected forms of legitimate business. Annual profits run into untold billions. The organization is complex and effective, as is witnessed by the very paucity of our information with respect to it. Local bookie joints may be closed and individual peddlers put out of business, but prosecutions seldom reach even lower echelon leaders and the chiefs are virtually immune from punishment.

The effects of organized criminal activities are felt at every level of society and are often so subtle as to be virtually unrecognizable. The narcotics addict has it brought directly home to him in the fact of his addiction and the source of his continued supply—although he may not know of the complex superstructure which in fact supports his local pusher. The harassed borrower feels its pinch in the usurious rates enforced by the loan shark. But how often does the citizen recognize the additional pennies he spends daily to support increased costs of law enforcement? Or, perhaps more shocking because more direct, the extra cents he pays for given products because of the syndicate's infiltration of a legitimate business or its supporting labor union? How often does he look at shoddy and inferior merchandise for which he pays inflated prices, and say "I can thank the syndicate for the quality of this product." I am not suggesting that all consumer complaints should properly be directed to the czars of organized crime, but the effect is there and it is by no means insignificant.

The reasons for the unqualified success of organized criminal activities are varied and often as disturbing as the existence of the enterprise itself. Too often they are evidence of the unknowing complicity of the average man, and the willing partnership of the very political and law-enforcement forces upon whom we rely to ferret out and destroy the syndicates.

The very phrase "ferret out" suggests

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[5] The President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Drunkenness, 1 (1967).

[6] President's Commission on Crime in the District of Columbia, Rept. No. 474 (1966).

[7] Id. at 486.

[8] President's Commission on Crime and Administration of Justice, "The Challenge of Crime in a Free Society," 237 (1967).

[9] Washington Post, Wednesday, January 29, 1969, p. C1, col. 1.

one reason for our failure to mount a successful campaign against organized crime. Its day-to-day activities are not of the sensational headline variety. Most often they are brief encounters—the placing of a bet, the delivery of a "fix"—in which both parties to the transaction or criminal act are interested in its successful completion. These are not the kinds of crimes which are often reported.

Concern with organized crime is not new, but because it is a problem which will require such a massive effort to overcome, and because there are no readily apparent easy solutions, public interest waxes and wanes. Sensational headlines breed heat and emotion; public investigations raise demands for action. But the interest so generated lags and dies before effective measures can be implemented. One of the greatest difficulties in the battle against organized crime has been the element of time—it will require years to successfully cope with it, and it is not reasonable to suppose that public interest can be sustained for such a period of time.

I believe that we must commit ourselves now to a massive Federal effort to deal with organized crime. It must be a centralized program which makes use of all existing agencies who have developed or acquired responsibilities in the field, as well as the new measures which are being introduced now.

One means of creating the continued interest and support necessary to the fight is, I believe, through the creation of a Joint Committee on Crime which I have proposed below. Such a committee could act as a focus for our concern, and could conduct continuing studies and investigations which would serve as a source of badly needed information and recommendations.

For many reasons organized crime poses a problem whose national character overrides its local involvements. Even where local involvement is intense, the organization reaches far beyond the jurisdiction of local law enforcement agencies. It is beyond the resources, the facilities, the training, of even the best local agency to effectively deal with the sophistication of these organizations. If we are to overcome them we must meet them with an organization as powerful and capable as their own, and this can only be achieved as part of a concentrated Federal effort.

The President's Crime Commission Task Force Report on Organized Crime states that one of the most serious difficulties with trying to deal with the syndicates at a local level is that they manage to corrupt the local officials. It stands to reason that the organization is strongest where it has least to fear from local agents and agencies—law enforcement and political—who would be expected to combat it. Hence, I am very dubious of programs which rely to any significant extent on local agencies. I believe this to be an area where the bloc grant concept of the Safe Streets Act is not a feasible alternative—and I am thankful in this respect that there will probably not be requests for the 75-percent grants under the organized crime section of the act. Fortunately in this case, the blushing victim will not admit to the occurrence of the crime—application for these funds would constitute an admission that most cities will hesitate to make.

The program I offer in this area, therefore, is one which primarily emphasizes consolidation of Federal efforts and increasing the weapons available to the Federal agencies.

Initially I propose to create a new position of Assistant Attorney General with responsibility for the development and implementation of the local attack on organized crime. Responsibility today is too diffuse. The organized crime section of the Justice Department does not have sufficient authority or prestige. It is my intention that the establishment of this new position will result in greater efforts by the Justice Department in this area, and will create an officer in the executive branch who is clearly intended to be in charge of all Federal programs, and who will have sufficient position that he can enforce this position within the executive branch itself. It is essential that existing frictions be done away with and that Federal agencies cooperate under his leadership.

To enable him to better combat organized crime, I propose to make certain forms of gambling a Federal crime where it is not permitted by State law. Gambling is one of the primary sources of revenue, supporting many of the other ventures of organized criminals. We must have Federal substantive laws restricting some of the primary areas of their activity if we are to obtain jurisdiction over them. Absent such substantive criminal jurisdiction, Federal efforts will be pointless.

A prime reason that our knowledge about organized criminal operations is so scanty is the refusal of persons whom we know to be part of a greater organization to testify with respect to that organization. It is, of course, a most important safeguard of our Constitution that a man cannot be compelled to testify against himself. Hence, these parties are able to successfully refuse to provide information on the ground that the information might implicate them in criminal activity, subjecting them to possible criminal prosecution.

Our courts have determined, however, that a man can constitutionally be compelled to testify so long as there is adequate assurance that none of the evidence thus obtained may be used in prosecuting him. Immunity provisions have now been added to a number of Federal criminal statutes. However, they are not found in conjunction with several of the Federal criminal proscriptions of activity which might be expected to encompass efforts of organized crime elements. Rather than add such a provision to each of these sections, I propose a general immunity section which may be utilized by the Attorney General or an Assistant Attorney General designated by him with respect to any Federal crime. This gives the Justice Department a much broader range for attack; in specific cases they may be able to eliminate a significant figure in an organization on a charge which would not occur to us, and for which we would therefore not be providing an immunity section.

We cannot compel persons to testify—or expect them to testify willingly—unless we are willing and able to protect them against retaliation. I have no doubt that one of the significant facts behind the "loyalty" of members of organized criminal groups is the certainty of the "enforcers." The task force report on organized crime of the President's Commission on Crime and Administration of Justice informs us that organized crime informers are forced to change their homes, identities, and often their very physical appearances in the attempt to avoid reprisals. Where there is such great faith in the efficacy of the machine, and so little in the power of the government, there should be little wonder that we have such small success in obtaining information about these organizations.

The Government must assume a lasting and an effective responsibility for those persons who are willing to provide information. As a beginning of this responsibility, I am authorizing the Special Attorney General created by my bill to supervise the acquisition, location, and management of Federal facilities for the protective housing of witnesses involved in investigations or prosecutions relating to organized crime. Much more should be done, but this initial step is indispensable.

As a final measure in this area for now—and I believe that much more must be done—I would provide increased sentences for persons found to have committed the crime for which they are convicted as part of a scheme of organized crime. Too often, we are forced to try persons known to be part of organized crime rings for relatively minor offenses. Yet even these offenses, in the setting of the organization, are more serious than if committed by the ordinary lone criminal. Both because the crime is in fact more serious and because it is important to take advantage of this distinction to remove him from active participation in the group for as long as possible, I offer a provision authorizing increased sentences when the crime committed was in furtherance of the activities of an organized crime group.

GUN CONTROL

My position on the subject of gun control is well recorded. I repeat here only that the good citizen—the man who is reasonable in his use of weapons and does not have criminal proclivities—has nothing to fear from the system I propose.

Further, the measures I have proposed, and reintroduced here, do not constitute Federal intrusion into the States' domain. They are only temporary measures for registration of weapons and licensing of users, until the States pass local measures.

I still find it difficult to comprehend and accept, in view of the slaughter of our political leaders and law enforcement officers with firearms in this decade alone, the resistance to this effort to inhibit the criminal use of such weapons.

COMMISSION ON COURT DECISIONS

Many people have stated a belief that a significant problem in law enforcement derives from what they refer to as the handcuffing of the police by court decisions defining the constitutional rights which must be secured to suspected criminals. This is not an evident result of court decisions, and I believe that before we take any of the drastic measures that some of these critics are propounding, we should have a better foundation for assessing the impact of court decisions on police activities.

Several local studies have been made,[10] but we lack adequate study. We need a careful analysis of this problem by a respected group of national leaders, so we may take steps to set the controversy at rest. It may be that there has been no substantial effect; in that case persons now demanding legislation to revise some court decisions on this ground may turn their efforts at improving law enforcement to other recommendations. On the other hand, need for some change may be reflected. At least then, however, we could move forward in the confidence that the changes we were seeking were really necessary and would contribute to better law enforcement—that they were not merely unthinking accessions to the demands of a vocal element which does not share the same philosophy as that of our Federal courts.

To this end I propose the creation of a commission, to be composed of Senators, Congressmen, the Attorney General, and other leading national figures, to study and report on the effect of court decisions on our system of criminal justice.

In closing my remarks on this bill I would again emphasize that the difficulties we are experiencing with the law enforcement process involve every aspect of the system. We must revise and revamp not only our police forces, but our courts and correctional systems as well. I believe, for example, that swifter justice will contribute immeasurably to the reduction of the crime crisis. I have long been concerned with these other areas and have introduced numerous measures in the past designed to deal with them. I shall be continuing these efforts in the present Congress.

COMMITMENT OF THE CRIMINALLY INSANE

I also recognize the need for revision of certain Federal criminal procedures and I propose to suggest such revisions. As a beginning, I am today reintroducing a bill which I submitted in the last Congress to eliminate an important loophole in the existing law. This is the lack of any means for dealing with persons who are acquitted for criminal charges in Federal courts after successfully raising the insanity defense.

The problem is well illustrated by a case I had to deal with as a U.S. attorney for the district of Maryland, involving the activities of a young man who had a proclivity for flying airplanes. The only problem was that the young man had neither a pilot's license nor his own plane.

From time to time, whenever he would pass an airport, he would have an irrepressible desire to fly planes; and, with the aid of the Popular Mechanics manual, he proceeded to fly them. Fortunately, he generally landed the aircraft in one piece without inflicting injury either to himself or to innocent persons, but usually some damage was inflicted to the aircraft. On one occasion, to satisfy his desire to fly, he stole an airplane and managed to pilot it between two States.

When he was tried in the district court on a charge of wrongful interstate transportation of the aircraft, he won acquittal after psychiatric testimony disclosed that the theft occurred while the young man was acting under an irresistible impulse. It was at this point that the void in Federal criminal procedure became evident for all to see. Upon the verdict of not guilty, the young man walked from the courtroom a free man, although the testifying psychiatrists were relatively certain that his penchant for flying would soon lead to another illegal flight in a stolen aircraft. In fact, within a matter of months, the young man again was apprehended after stealing an aircraft. The danger that such activity of a mentally irresponsible person posed for the community was readily apparent.

Hence, I am reintroducing a bill that will provide for a special verdict of not guilty by reason of insanity in such cases, and for a determination of the acquitted person's mental condition at the time of this special verdict. It sets up a commitment procedure, which may be instituted by either the U.S. attorney or the district judge who heard the criminal case. Before determination of present sanity, the person may be committed for observation. And, if he is found at the ultimate hearing to be dangerous to himself or others, he may be committed for treatment in a mental institution.

The need for a special verdict and commitment procedure was noted by the U.S. Court of Appeals for the Second Circuit in *United States* v. *Freeman*, 357 F. 2d 606, 625 and by the U.S. Court of Appeals for the Fourth Circuit in *United States* v. *Chandler*, decided April 4, 1968.

COMMITTEE TO INVESTIGATE CRIME

A final measure I introduce today, which I adverted to while discussing the problem of organized crime, is a joint resolution to create a Joint Committee To Investigate Crime. I believe that such a committee could do much to focus our Federal efforts against crime, among other functions collecting invaluable information regarding crime in the Nation, recommending legislation and creating priorities for our activities in controlling and preventing criminal activities.

Mr. President, as I indicated at the outset of my remarks, I believe that crime is our most significant domestic problem. I believe that the program I introduce today is important to the resolution of that problem. I propose to devote much of my time and effort in this 91st Congress to securing the passage of these measures, and to coming forth with additional proposals for combating crime. Among these further proposals will be specific legislation designed to improve the quality of law enforcement and criminal justice in our Nation's Capital.

The VICE PRESIDENT. The bills and joint resolution will be received and appropriately referred.

The bills (S. 961 through 979) and Senate Joint Resolution 42, to create a Joint Committee To Investigate Crime, were severally received, read twice by their titles, and referred to the Committee on the Judiciary.

S. 980—INTRODUCTION OF BILL RELATING TO CONTRACT ACTIONS AGAINST NONAPPROPRIATED FUND ACTIVITIES

Mr. TYDINGS. Mr. President, I introduce, for appropriate reference, a bill to confer upon the district courts of the United States and the U.S. Court of Claims jurisdiction over contract claims against nonappropriated fund activities of the United States.

Nonappropriated fund activities of Government departments or agencies are of many types. Perhaps the most familiar are the military post exchange and the ship's store, wherein goods and services are made available to military personnel and their families conveniently and at reasonable price. It has been estimated that the revenue-producing nonappropriated fund activities of our civilian and military departments experience an annual volume of business in excess of $1.5 billion. When thus considered together, the hundreds of these activities, ranging from post exchanges and movie theaters to hobby clubs and committees of farmers, are indeed a formidable sector of American industry.

Mr. President, nonappropriated fund activities are at present an anomaly of the law. When States have attempted to tax or regulate nonappropriated fund activities, these organizations have successfully argued that they are immune from taxation and regulation as instrumentalities of the United States. When sued in foreign courts, nonappropriated fund activities have successfully argued that as instrumentalities of the United States they are not liable to contract suit, except in the courts of the United States. Our own courts have held, and the Justice Department has concurred in such holdings, that employees of nonappropriated fund activities engaged in the performance of their duties, are employees of the United States, so that the United States is liable, under the Federal Tort Claims Act for their negligence within the scope of their employment. The United States has, in fact, sued in its own name to enforce contracts entered into by nonappropriated fund activities.

Yet, today, although nonappropriated fund activities are continually identified with their parent department or agency of the United States, contractors with such activities have found the courtroom door barred when they allege a breach of a contract by such an activity. State courts have disclaimed jurisdiction to entertain the claims, holding that the Federal courts are the appropriate forum. Both the Federal district courts and the U.S. Court of Claims afford no relief because of the alleged loophole in the Tucker Act. Repeatedly, these courts have held that the Tucker Act's waiver of the sovereign immunity of the United States to contract suits is not broad enough to permit the Court of Claims or the U.S. District Court to entertain suits against nonappropriated fund activities.

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[10] See e.g., Medalie, Zeitz & Alexander, *Custodial Police Interrogation in Our Nation's Capital: The Attempt to Implement Miranda*, 66 Mich. L. Rev. 1347 (1968); Seeburger & Wettick, *Miranda in Pittsburgh—A Statistical Study*, 29 U. Pa. L. Rev. 1 (1967).

I fully agree with a judge of the Court of Claims, who, in reluctantly dismissing a suit by a contractor against a nonappropriated fund activity because of the lack of appropriate jurisdiction, stated, "this is a matter which surely needs congressional correction."

I introduced a similar measure in the 90th Congress, Mr. President, and the Subcommittee on Improvements in Judicial Machinery took 2 days of testimony on the bill. The witnesses included my good friend, the former Representative of Maryland's Fifth Congressional District, the Honorable Hervey G. Machen; the chief judge of the Court of Claims; scholars and attorneys specializing in Government contracts law, and a representative of the Department of Defense, the Federal agency with the greatest number of nonappropriated fund activities.

All of the witnesses agreed that there was no rational policy grounds that would justify the continuation of the anachronistic immunity from suits of nonappropriated fund activities, when Congress has already waived such protection from suits on contracts of the U.S. Government itself, and the courts have held the nonappropriated fund activities to be instrumentalities of the United States for purposes other than suit. This legislation was endorsed in principle by the House of Delegates of the American Bar Association's annual meeting in Philadelphia last August.

The measure I introduce today bears only two substantive changes from the bill I introduced in the last session. The changes are made on the basis of testimony received at last year's hearings. The first change clarifies the limitation upon the retroactive effect of this legislation, making it the same as the general statute of limitations upon contract claims against the United States as stated in 28 U.S.C. section 2501 (a), and prohibits the assertion of the defense of res judicata or other similar pleas to jurisdiction. The subcommittee hearings clearly demonstrated that there exists at least a small number of contractors with nonappropriated fund activities for whom there was no forum to hear their claims of contract breach. Some of these contractors bore the cost of litigation only to find access to the court barred by the counselor's interpretation of the Tucker Act. Justice and equity dictate that the courts should be made available to those individuals whose claims first brought the immunity anomaly to light, and that, as to these actions, the Government should be precluded from raising the defense of their previous determination. Those determinations, it should be noted, were based on jurisdictional not substantive grounds.

The second change in the bill is the addition of a new section 3 to the measure. Its language is intended to limit the application of the bill to the contracts of nonappropriated fund activities not already subject to suit in their own names under any other provisions of law. Examples, for instance, of nonappropriated fund activities already subject to suit in their own names include the American Red Cross—36 U.S.C. section 2—and the Tennessee Valley Authority—16 U.S.C. section 831(c).

Mr. President, this bill will right the wrong presently inflicted by the interpretation of the Tucker Act. I ask that the text of the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and without objection, the bill will be printed in the RECORD.

The bill (S. 980) to provide courts of the United States with jurisdiction over contract claims against nonappropriated fund activities of the United States, and for other purposes, introduced by Mr. TYDINGS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 980

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1346 (a)(2) of title 28, United States Code, is amended by adding at the end thereof the following new sentence: "For the purpose of this paragraph, an express or implied contract with a nonappropriated fund activity of or under the United States or a department or agency of the United States shall be considered an express or implied contract with the United States.".

(b) The first full paragraph of section 1491 of title 28, United States Code, is amended by adding at the end thereof the following new sentence:"For the purpose of this paragraph, an express or implied contract with a nonappropriated fund activity of or under the United States or a department or agency of the United States shall be considered an express or implied contract with the United States.".

(c) Section 1302 of the Supplemental Appropriation Act, 1957 (70 Stat. 694; 31 U.S.C. 724(a)), is amended by adding immediately before the period at the end thereof the following new proviso: "*Provided further,* That any judgment or compromise settlement against the United States arising out of an express or implied contract entered into by a nonappropriated fund activity of or under the United States or a department or agency of the United States, shall be paid in accordance with this section and sections 2414, 2517 and 2518 of title 28, United States Code, and such activity shall reimburse the United States for a judgment or compromise settlement paid by the United States to the extent the Comptroller General of the United States determines that a reimbursement may be made without unduly jeopardizing the operation of such activity.".

SEC. 2. (a) The provisions of this Act shall also apply to claims and civil actions initiated or pending on or after the date of enactment of this Act if the claim or civil action is based upon a transaction, omission, or breach that occurred not more than six years prior to the date of enactment of this Act.

(b) The provisions of subsection (a) of this section shall apply notwithstanding a determination or judgment made prior to the date of enactment of this Act that the United States district courts or the United States Court of Claims did not have jurisdiction to entertain a suit on an express or implied contract with a nonappropriated fund activity of or under the United States or a department or agency of the United States.

SEC. 3. The provisions of this Act do not apply to a contract entered into by a nonappropriated fund activity of or under the United States or a department or agency of the United States which is subject to suit in its own name under any other provision of law.

S. 981—INTRODUCTION OF BILL RELATING TO A NEW PLACE FOR SITTING FOR THE U.S. DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Mr. TYDINGS. Mr. President, I introduce, with my distinguished colleague from Maryland (Mr. MATHIAS), a bill to allow the U.S. District Court for the District of Maryland to hold court in the Maryland suburbs of Washington, D.C.

Montgomery and Prince Georges Counties, the two Maryland counties adjacent to the District of Columbia, have undergone a phenomenal population explosion in recent years. In 1930 there were only 110,000 residents in Montgomery and Prince Georges Counties. By 1940 their population had grown to 173,000. But by 1967 their population had shot over the million mark—a phenomenal increase of more than 900 percent since 1930. These two counties now have more than a third of Maryland's population. These counties are, in fact, among the fastest growing areas in our Nation.

Along with this growth, there has been a steady increase of judicial business in these counties. To find a Federal forum, however, litigants must either travel to Baltimore or face the staggering backlog conditions in the U.S. District Court for the District of Columbia.

The bill I am introducing today for myself and Senator MATHIAS will designate a suburban location as an additional place for holding court in the district of Maryland. Such a designation will allow the establishment of a judge's chambers, a clerk's office, and offices for the court's supporting personnel such as U.S. attorneys and marshals. The convenience of a suburban district court will alleviate many hardships which now face attorneys, litigants, witnesses, and jurors from Montgomery and Prince Georges Counties.

When established, I believe the court faculty will improve the administration of justice in the district of Maryland.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 981) to amend title 28 of the United States Code to provide that the U.S. District Court for the district of Maryland shall sit at one additional place, introduced by Mr. TYDINGS (for himself and Mr. MATHIAS), was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 982—INTRODUCTION OF BILL RELATING TO THE YELLOWSTONE PARK'S 100TH ANNIVERSARY

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill authorizing the Postmaster General of the United States to issue a special postage stamp to commemorate the 100th anniversary in 1972 of the establishment of Yellowstone National Park.

Yellowstone is the world's first and oldest park. It has been and is today a magnificant symbol of the national park system, which has grown since the park was first carved from the western wilderness to encompass some 260 additional scenic areas in our country.

It stands as majestic proof of man's determination to preserve and enhance public areas of great natural beauty for himself and future generations to enjoy.

On January 24, Senator BIBLE, of Nevada, introduced a Senate joint resolution which I enthusiastically endorse, to provide for special commemorative activities in 1972 to celebrate and proclaim the establishment of Yellowstone Park and the subsequent birth of the park concept.

The resolution would request the President to issue a proclamation designating 1972 as "National Park Centennial Year." Because the park concept has set an example for some 80 nations of the world that have followed our lead to develop their own systems, the resolution also establishes a 15-member, special commission to host a World Conference on National Parks. Commission members would be experienced in the fields of natural and historical resource preservation, and would prepare and execute the plans for this commemoration.

Parenthetically, I would like to note that some 30 to 40 persons from foreign nations are expected to use Yellowstone Park this summer as an outdoor classroom during their participation in the 1969 international short course on administration of national parks, sponsored annually by the National Park Service, the Department of State, the University of Michigan School of Natural Resources, and other institutions.

This visit would provide a unique preview for these foreign representatives—many of whom would likely be taking part in the 1972 centennial activities outlined in Senator BIBLE's resolution.

Mr. President, citizens keenly interested in natural preservation and beautification were pleased by the recent issuance of several special commemorative stamps honoring the beautification efforts spearheaded by our former First Lady, Mrs. Lyndon Johnson.

A special stamp proclaiming the birth of the national park concept and the designation of Yellowstone National Park as the first of many areas preserved and enhanced for human enjoyment would be a fitting companion to the beautification stamps, as well as a most appropriate recognition of a concept to benefit mankind.

I hope this measure will receive prompt and favorable consideration.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 982) to authorize issuance of a special postage stamp for the 100th anniversary of establishment of Yellowstone National Park in 1972, introduced by Mr. HANSEN, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 984—INTRODUCTION OF BILL RELATING TO AMENDMENT OF TITLE II OF THE SOCIAL SECURITY ACT

Mr. BYRD of West Virginia. Mr. President, I introduce for appropriate reference a revised text of S. 290, introduced on January 16, to amend title II of the Social Security Act to lower from 62 to 60 the age at which benefits thereunder may be paid with appropriate actuarial reductions. This text carries certain technical corrections.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 984) to amend title II of the Social Security Act to lower from 62 to 60 the age at which benefits thereunder may be paid, with appropriate actuarial reductions made in the amounts of such benefits introduced by Mr. BYRD of West Virginia, was received, read twice by its title, and referred to the Committee on Finance.

S. 985—INTRODUCTION OF BILL FOR THE RELIEF OF GEORGE F. SCOTT AND HIS WIFE

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Mexico (Mr. MONTOYA), I ask unanimous consent that I may be permitted to introduce a bill for the Senator from New Mexico (Mr. MONTOYA), who is absent from the floor at the moment.

The VICE PRESIDENT. Without objection, the bill will be received and appropriately referred.

The bill (S. 985) for the relief of George F. Scott and his wife, Margaret Ann Scott, introduced by Mr. BYRD of West Virginia (for Mr. MONTOYA), was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 986—INTRODUCTION OF BILL FOR THE RELIEF OF NICHOLAS G. BERRYMAN

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to introduce for the Senator from Georgia (Mr. TALMADGE) a bill for the relief of Nicholas G. Berryman, of Atlanta, Ga.

The VICE PRESIDENT. The bill will be received and appropriately referred, without objection.

The bill (S. 986) for the relief of Nicholas G. Berryman of Atlanta, Ga., introduced by Mr. BYRD of West Virginia (for Mr. TALMADGE), was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 987—INTRODUCTION OF BILL RELATING TO "INCREASED BURIAL EXPENSES FOR VETERANS"

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill which would authorize an increased payment by the Veterans' Administration toward the burial costs of wartime and disabled veterans. At present no more than $250 can be contributed toward the funeral expenses and costs of transportation to the burial site of deceased veterans who served during periods of armed conflict and certain peacetime veterans whose deaths are service related. Provision is made also for transporting the remains of veterans who might die while hospitalized or domiciled in a veterans' hospital or elsewhere at the expense of the Veterans' Administration.

This bill, which is identical with one I introduced last August, reflects the need brought about by higher charges for burial services in the 10 years since enactment of the present law. For example, the National Funeral Directors Association, which conducts an annual nationwide survey, estimated that the average cost of regular adult funeral services increased from $661 in 1958 to $820 in 1966. Interment and cremation charges, which are separate from those paid to the funeral director for his services, have also increased. Charges for opening and closing a grave will run from $45 to $150, and cremation costs vary from $35 to $100.

All evidence indicates that the $250 now authorized for veterans' burial expenses is inadequate. Some administrative flexibility is needed whereby the Veterans' Administration could share the unavoidable burden which falls on the estate and the family of a wartime veteran. My proposal would increase the present maximum limit to $500 and would authorize payment of an amount determined to be reasonable and necessary. If this were adopted it would enable the Administrator to vary the amount of contribution according to actual need and to take into account the rising costs for services, within the maximum authorized amount of $500.

Perhaps it would be relevant to point out the difference in the treatment accorded to active servicemen and wartime veterans in this respect. Present law (10 U.S.C. 1482 et seq.), in providing for the final disposition of the remains of deceased active duty military service personnel, authorizes the appropriate Secretary to pay for all necessary burial expenses. In addition to preparing the remains, purchasing an appropriate casket, and providing transportation with an escort to the place of burial, a cash interment allowance is paid in accordance with the circumstances for "necessary expenses" which are not larger than those "normally incurred." This language permits a reasonable adjustment of the amounts paid according to actual costs, but the maximum interment allowance for burial in a private cemetery is $500.

My bill would confer similar discretionary authority on the Veterans' Administration to adjust the payments for the burial of eligible veterans so that they would be more in line with need and actual costs. In no case could the total exceed $500. Unless it is demonstrated that no financial need exists, adequate funds should be provided to help meet unavoidable funeral expenses. This is especially true in those cases where the estate is so small that interment charges become a sizable drain on the resources of a veteran's family. I hope that consideration can soon be given to authorizing more realistic assistance for this worthy cause.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 987) to amend chapter 23 of title 38, United States Code, to increase the maximum amount which the Administrator of Veterans' Affairs may pay to cover the burial and funeral expenses of certain deceased veterans, introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on Finance.

S. 988—INTRODUCTION OF A BILL TO AMEND THE RAILROAD RETIREMENT ACT

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill to amend section 2 of the Railroad Retirement Act. The purpose of this bill, which is a modified version of one I submitted originally on July 29, 1968, is to permit a currently employed railroad employee, who is eligible for retirement, to retain an elective public office paying compensation no more than $5,000 annually without being forced to give up his entitlement to an annuity.

As I pointed out last year, the problem arises because of the so-called last person service provision of the Railroad Retirement Act. This stipulates that no employee is eligible for an annuity until he has "ceased to render compensated service to any person" and prohibits retired railroad workers from rendering "compensated service to an employer or to the last person by whom he was employed prior to the date on which the annuity began to accrue." By interpretation this means that a railroad employee not only must resign from any other job or jobs which he holds before he retires but also that he cannot later return to any such position and still receive retirement compensation. This general rule applies equally to public as well as private employment, so that an elective public official would first have to resign his office in order to obtain an annuity.

Apparently these restrictions were originally incorporated in the Railroad Retirement Act for good reasons. They were designed to discourage railroad employees from securing other remunerative positions with different employers and retaining those jobs after retirement from the railroad. Many employees now continue their railroad employment several years beyond the time they might first be eligible to retire. Without these limits, some railroad employees might leave their railroad positions at the first opportunity for retirement or even before then, secure other employment, and continue working on those other jobs after they once become entitled to and were receiving railroad retirement benefits. It is argued that allowing a railroad employee to retain another job he is holding at the time of his retirement would indirectly constitute a burden on the retirement fund because of early retirements and would increase the costs of the system.

Let me emphasize, however, that the law does not prevent a retired railroad employee from securing a different type of work or earning substantial sums after he has once retired. There is no limit on the kind of employment engaged in or the amount of money earned by a retired railroad worker, as long as he resigns from all employment at the time he retires and does not return to compensated service with any of his former employers.

Although the basic purpose of this provision is certainly defensible and probably meritorious, its application to railroad employees holding elective public office at the time of their retirement seems questionable and perhaps discriminatory. There is no need to stress how important it is in a democracy to make it possible for all qualified citizens to offer themselves as candidates for public office. The national welfare is ill served by laws or regulations which place obstacles in the way of those who are able and willing to seek office through the ballot box. In this instance, forcing a railroad employee who has been elected to public office either to relinquish that post or lose his annuity when he retires poses an unfair dilemma. Any career railroader, knowing about this mandate, would obviously be discouraged from becoming an active participant in the political process if he were approaching retirement years.

Frequently elective policymakers serving on local governmental bodies are part-time officers who receive comparatively small compensation. City and town councilmen, county supervisors or commissioners, township trustees, school board members, planning commissioners, and other local governmental officers usually perform their duties at times which do not conflict with their primary occupation. Even many State legislators are still regarded as part-time employees whose major tasks are completed during a 60-to-90-day session every 2 years. The salary received by most of these State and local policymaking officers is usually neither large nor is it expected to be their principal means of support.

The language of the Railroad Retirement Act, however, on its face absolutely requires any railroad employee, who has been elected by his fellow citizens to a compensated public office, to resign his position of trust in order to become eligible for retirement benefits. Moreover, under the law he cannot be selected later for and serve in that same position without losing benefits. In effect, this results in a legislative denial of an American citizen's right to hold elective public office. This is unfair both to the railroad employee who is willing to become a public servant and to the electorate which may be deprived of this person's services.

Apparently the Railroad Retirement Board has held that where remuneration for a public office is merely "incidental" or "insubstantial," a railroad employee holding such a position would not be rendering "compensated service" and would not have to resign from it in order to receive an annuity. However, it is questionable whether the specific terms of the law leave room for much flexibility on the definition of "compensated service." Except for payments to reimburse officers for actual out-of-pocket expenses, such as necessary travel, communication or secretarial costs, the phrase "compensated service" would seem to include all fees, salaries, or per diem wages paid for holding an elective position, no matter how large or small their total amount.

Moreover, determining which amounts should be considered "incidental" or "insubstantial" appears to be extremely difficult and arbitrary. What criteria should be used? By what measure would particular payments, such as $15 per meeting, $40 per month, or $1,500 per year be ruled to be either within or without the acceptable standards? A salary of $100 per month as a city councilman paid to a top business executive might properly to him be considered incidental, but to a retired career railroad employee, dependent on retirement benefits for his livelihood, this sum could mean a substantial increase in his income. Should one be deprived of the privilege of serving his community as a councilman, merely because his income from other sources is so small that his official salary becomes "substantial," whereas to one of his colleagues on the council the identical salary would be "incidental"? To place a premium on level of income as a determinant for public service is contrary to all precepts of American Government.

Another inequitable aspect of the current application of the law results from the great variation in compensation paid by State and local governments to their elective officeholders. Comparable jobs in different cities, towns, counties, and even States carry salaries and fees which range widely. For example, a city councilman in one city of approximately 25,000 population might be paid as much as $3,000 per year, whereas his counterpart in another city of similar size may receive only $300. Should the right of railroad personnel to hold office be qualified on geographical factors? Should a retired railroad employee be allowed to continue to serve in one city but not another?

The unfairness of this restriction becomes more evident if my understanding about its specific application is correct. I have been informed that in some cases, retired railroad employees have been permitted to retain public offices in which the compensation amounted to as much as $1,800 per year. Presumably this has been done on the grounds that $1,800 would be "incidental" or "insubstantial." It is not clear what standards have been used to hold that while payment of $150 per month would not be contrary to the restrictions of the law forbidding all "compensated service" to a prior employer, a greater amount, such as $200 or $300 per month, would be a violation. In any case, it means that a retiree's right to serve in a public office to which he was elected before retirement has been arbitrarily limited to those paying no more than $1,800 annually.

Let me cite the plight of one of my constituents as an example of the difficulty inherent in the present law and its application. A railroad employee for 45 years and a contributor to the retirement system for 32 years, he is eligible for retirement and for personal reasons would like to apply for a well-earned annuity. However, he is also now serving in his third 4-year term as a part-time member of the city council of a fairly large city, for which the compensation is $3,600 per year. Because of the restrictions in the retirement law, he has been informed officially that he would have to resign from the city council and could not be reappointed later to the same position if he were to draw retirement benefits.

The result is that my constituent faces a very unfortunate dilemma. Fully entitled by years of service and contributory payments to an annuity, he cannot retire unless he gives up the post on the city council. The fact that he has been elected to three consecutive 4-year terms demonstrates that the people have been more than satisfied with his performance and want him to continue in office. As a conscientious public servant, he hesitates to break faith with those who voted for him by not completing his full term in office, yet there are compelling personal reasons why he should soon retire from his railroad job. He is forced to make a choice between two alternatives, one of which would be contrary to his principles, the other much to his personal disadvantage.

My bill would resolve this problem simply by amending the Railroad Retirement Act to permit currently working railroad employees to qualify for retirement benefits without being forced to resign from an elective public office, the compensation for which does not exceed $5,000 per year. Although valid arguments can be made for not extending this privilege to other types of jobs, the case for exempting part-time elective public offices is very clear and convincing. The number of railroad employees who would be affected by this amendment is not large, but this does not minimize the harm which present restrictions have on the comparative few to whom they apply.

I doubt whether it was the intention of Congress, when the Railroad Retirement Act was adopted, to legislate out of office duly elected officeholders of State or local governments. Moreover, surely it was not framed for the purpose of limiting the freedom of choice normally exercised by the people to choose their own representatives. Yet this is exactly the effect which the law now has on railroad employees holding public office who wish to retire. My amendment would provide a remedy but at the same time would not disturb the basic principle of the law; except for elective public offices paying less than $5,000 a year, railroad retirees still would be required to give up other "compensated service" jobs. In the interest of justice, I urge that careful consideration be given to this proposal as soon as possible.

Mr. President, I ask unanimous consent that the full text of my bill, which is very brief, be printed in full at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 988) to amend the Railroad Retirement Act of 1937 so as to permit certain individuals retiring thereunder to receive their annuities while serving as an elected public official, introduced by Mr. BAYH, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 988

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asembled, That section 2 of the Railroad Retirement Act of 1937, as amended, is amended by adding at the end thereof the following new subsection:

"(k) For purposes of subsections (a) and (d) of this section, service performed by an individual as an elected public official shall not be regarded as 'compensated service' rendered to an employer or to any other person, if such service is compensable at a rate which does not exceed $5,000 per annum, and if such individual is deemed under section 1(o) to have a current connection with the railroad industry at the time he ceases to render compensated service to an employer."

SENATE JOINT RESOLUTION 43—INTRODUCTION OF JOINT RESOLUTION RELATING TO NATIONAL BANKING WEEK

Mr. JAVITS. Mr. President, I send to the desk a resolution asking that the President proclaim National Banking Week, at the request of the American Bankers Association.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 43) authorizing the President to proclaim National Banking Week introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATE JOINT RESOLUTION 44—INTRODUCTION OF JOINT RESOLUTION DESIGNATING THE PURPLE IRIS AS THE NATIONAL FLORAL EMBLEM OF THE UNITED STATES

Mr. GORE. Mr. President, I introduce for appropriate reference a joint resolution to provide for the designation of the purple iris as the national floral emblem of the United States, and I ask unanimous consent to have printed in the RECORD a letter dated February 6, 1969, from me to the distinguished senior Senator from Illinois (Mr. DIRKSEN) relative to the designation by the General Assembly of the State of Tennessee of the iris as the State flower of Tennessee.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The joint resolution (S.J. Res. 44) to provide for the designation of the purple iris as the national floral emblem of the United States, was received, read twice by its title, and referred to the Committee on the Judiciary.

The letter, presented by Mr. GORE, is as follows:

FEBRUARY 6, 1969.

Hon. EVERETT DIRKSEN,
U.S. Senate,
Washington, D.C.

DEAR EVERETT: The Congressional Record is an important document, particularly for reference purposes. Future generations will note our words, writ large here, and more voluminously our insertions, sometimes writ small. It grieves me, therefore, when I see an error in the Record, particularly one involving the great State of Tennessee.

On February 4, 1969, you mounted your charger for your perennial fight for the marigold (Togetes erecta). I recall the many bloody, gallant, but highly indecisive jousts between you and our former distinguished colleague, Paul Douglas. Just who will now rise up to champion the corn tassel, or some other sinus-inducing floral fluff, as the national flower against your super forays for the marigold I do not know.

As you stated in the Record, you have carried on this fight "for some years." I very much fear that some of your supporting documents are "some years" old and may have been used without having been thoroughly checked. Applying the rules of internal criticism, one might even deduce that some of this material was inherited from some ancestral solon.

Let me be specific. The State Flower you listed for the great Volunteer State of Tennessee is the Passionflower or Maypop (passiflora incarnata). Now, I have nothing against this noble plant. Indeed, it was adopted by the school children of Tennessee shortly after the General Assembly of Tennessee had, in 1911, authorized them to select a state flower. But in 1933, the General Assembly of the State of Tennessee designated the Iris as the "State Flower of Tennessee."

Knowing you to be a stickler for accuracy in the minutest details, the fact that your material reflects the situation as of 1911 leads me to believe that you may have inherited this material and this flower fight from some distant, and alas forgotten, predecessor

At any rate, I do want the record to show that the State Flower of Tennessee is the Iris, of the family iridaceae. It is "an herbaceous perennial of which there are about 170 species, including several North American species, the most common of which is the Blue Flag. While there are several different colors among the iris, and the act naming the iris as the State flower did not name a particular color, by common acceptance the purple iris is considered the State flower." My information comes from the *Tennessee Blue Book* for 1967–68, published by the Secretary of State of the State of Tennessee.

Incidentally, the Iris has noble antecedents in history and heraldry, since the French Fleur-de-Lis is a member of the Iris family. And this reminds me that President Nixon is soon, according to press reports, to visit President De Gaulle. Perhaps we should send him on his way armed with a Senate Joint Resolution declaring the Iris, or Fleur-de-Lis as the interpreter could be instructed to put it, to be our national flower. This would be truly a master stroke of diplomacy. Indeed, I would be glad to furnish the President a bouquet of Tennessee Fleur-de-Lis to carry along and present, in the fashion of the East, to President De Gaulle.

Just to make proper the presentation, I will, on Friday, February 7, 1969, introduce in a Senate a resolution calling on the President to declare the Iris our national flower.

Perhaps you might like to withdraw your resolution.

Sincerely yours,

ALBERT GORE.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Minnesota (Mr. MONDALE) and the Senator from Hawaii (Mr. INOUYE) be added as cosponsors of the bill (S. 860) to establish a Department of Consumer Affairs.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from North Dakota (Mr. BURDICK), the Senator from Idaho (Mr. CHURCH), and the Senator from Nebraska (Mr. HRUSKA) be added as cosponsors of the bill (S. 845) to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BENNETT. When I introduced the measure on February 4, I regretfully and inadvertently left the name of the

Senator from North Dakota (Mr. Burdick) off of it and I want to make this correction.

Mr. GRAVEL. Mr. President, I ask unanimous consent that, at their next printing, the name of the senior Senator from Alaska (Mr. Stevens) be added as a cosponsor of the following bills introduced by me: S. 900, to amend the 1964 amendments to the Alaska Omnibus Act; S. 901, for the relief of William D. Pender; and S. 902, to amend section 1162 of title 18 of the United States Code.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at its next printing, the name of the Senator from Nevada (Mr. Bible) be added as a cosponsor of the bill (S. 849) to strengthen the penalty provisions of the Gun Control Act of 1968.

Tht VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from Minnesota (Mr. Mondale), I ask unanimous consent that, at its next printing, the names of the Senator from Indiana (Mr. Bayh), the Senator from Iowa (Mr. Hughes), the Senator from Maryland (Mr. Tydings), and the Senator from Oklahoma (Mr. Bellmon), be added as cosponsors of the bill (S. 811), the proposed Fair Farm Budget Act.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from South Dakota (Mr. Mundt), I ask unanimous consent that, at its next printing, the name of the Senator from Iowa (Mr. Miller) be added as a cosponsor of the bill (S. 843), which would give farmers an additional month in which to meet the requirement of filing a declaration of estimated tax by filing an income tax return for the taxable year for which the declaration is required.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania (Mr. Schweiker) be added as a cosponsor of my bill (S. 625), to amend the Internal Revenue Code of 1954 to increase the amount of credit allowable for investment in property used to protect the health of miners.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from South Dakota (Mr. Mundt), I ask unanimous consent that, at its next printing, the name of the Senator from Colorado (Mr. Allott) be added as a cosponsor of the joint resolution (S.J. Res. 12), the proposed constitutional amendment to reform the electoral college.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION

Mr. BYRD of West Virginia. Mr. President, at the request of Senator Dodd, I ask unanimous consent that, at its next printing, the names of the distinguished junior Senator from Indiana (Mr. Bayh), the senior Senator from Utah (Mr. Bennett), the senior Senator from Nevada (Mr. Bible), the junior Senator from Delaware (Mr. Boggs), the junior Senator from West Virginia (Mr. Byrd), the junior Senator from Nevada (Mr. Cannon), the senior Senator from Idaho (Mr. Church), the senior Senator from New Hampshire (Mr. Cotton), the junior Senator from Hawaii (Mr. Inouye), the junior Senator from Louisiana (Mr. Long), the junior Senator from New Hampshire (Mr. McIntyre), the junior Senator from New Mexico (Mr. Montoya), the senior Senator from California (Mr. Murphy), the senior Senator from Wisconsin (Mr. Proxmire), the senior Senator from Maine (Mrs. Smith), the senior Senator from Alaska (Mr. Stevens), the junior Senator from Georgia (Mr. Talmadge), the junior Senator from Texas (Mr. Tower), and the senior Senator from Texas (Mr. Yarborough) be added as cosponsors of Senate Concurrent Resolution 7, which seeks to strengthen the Tokyo Convention on Hijacking.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATE RESOLUTION 93—RESOLUTION TO AMEND RULE XXV OF THE STANDING RULES OF THE SENATE, TO CREATE A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. STEVENS. Mr. President, I have submitted a resolution to create a standing Committee on Veterans' Affairs, thus adding my voice to that of many of my colleagues who have called for this measure.

I am doing this because of the great number of veterans in my State and their need for a standing committee in this body to deal with their growing problems.

I ask unanimous consent that the resolution be printed at this point in the Record.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the Record.

The resolution (S. Res. 93) was referred to the Committee on Rules and Administration, as follows:

S. Res. 93

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out items 10 through 13 in subparagraph (h) of paragraph 1;

(2) striking out the comma and the words "and national cemeteries" in item 5 of subparagraph (k) of paragraph 1;

(3) striking out items 16 through 19 in subparagraph (m) of paragraph 1; and

(4) inserting in paragraph 1 after subparagraph (p) the following new subparagraph:

"(q) Committee on Veterans' Affairs, to consist of eleven Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of services in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life.

"9. National cemeteries."

Sec. 2. The second sentence of paragraph 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and the Committee on Rules and Administration" and inserting in lieu thereof "Committee on Rules and Administration; and the Committee on Veterans' Affairs".

Sec. 3. Paragraph 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations) is amended by adding at the end of the tabulation contained therein the following new item: "Committee on Veterans' Affairs—For the Veterans' Administration."

Sec. 4. The provisions of this resolution shall take effect upon passage.

SENATE RESOLUTION 94—RESOLUTION TO REFER SENATE BILL 846 TO COURT OF CLAIMS

Mr. BENNETT. Mr. President, on Tuesday, February 4, I introduced a bill (S. 846) recommended to Congress by the Joint Commission on the Coinage. Today I submit a companion resolution. These two proposals are the result of action taken by the Treasury with the concurrence of the Joint Commission on May 18, 1967. On that date, sales of Treasury silver to purchasers other than domestic industrial users of silver were discontinued. Regulations were also issued to require purchasers of Treasury silver to execute end-use certificates certifying that the silver would be used in domestic manufacturing operations. This action was taken because it had become apparent by May 15 that the Treasury could not continue to fill orders being received for sales of silver without exhausting its stocks of silver within a relatively short period of time.

At the time of the termination of unrestricted sales of silver on May 18, 1967, some orders for silver which had been placed with the Treasury but had not been officially accepted were not filled. Several of the firms which had placed orders prior to the Treasury decision to stop unrestricted sales presented claims on the Treasury for the silver. After considering the matter, the Commission suggested that the Treasury ask the General Accounting Office to look into the claims and make a recommendation. The report from the General Accounting Office concluded that while there may not have been a legal responsibility for the Treasury to fill the orders, until that time, orders had been filled without official acceptance and, therefore, equity might require that the Treasury provide some relief to the firms involved.

As a result, the Commission recommended that the Treasury draft legislation to be introduced in Congress under which the claims would be referred to the Court of Claims for a determination of their legal and equitable merits and amounts, if any, due in compensation.

Mr. President, I hope that the Senate will take action on these measures promptly, because I understand that some of the firms involved have maintained a short position in silver since May 18, 1967, in confidence that they would receive the silver from the Treasury. It is important that the matter be brought to a final decision as soon as possible.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 94) was referred to the Committee on the Judiciary, as follows:

S. RES. 94

Resolved, That S. 846, entitled "A bill to compensate certain silver-dealer claimants by authorizing the sale of silver bullion", now pending in the Senate, together with all the accompanying papers, is hereby referred to the Chief Commissioner of the Court of Claims; and the Chief Commissioner of the Court of Claims shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code, and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress whether the claims of the silver dealers listed therein are legal or equitable in character and the amount, if any, which may be legally or equitably due to each claimant from the United States to be satisfied by the sale of silver bullion, as provided in section 2 of the bill.

SENATE RESOLUTION 95—RESOLUTION TO REFER SENATE BILL 880 TO COURT OF CLAIMS

Mr. TYDINGS submitted the following resolution (S. Res. 95); which was referred to the Committee on the Judiciary:

S. RES. 95

Resolved, That the bill (S. 880) entitled "A bill for the relief of Gisela Hanke", now pending in the Senate, together with all the accompanying papers, is hereby referred to the Chief Commissioner of the United States Court of Claims; and the Chief Commissioner of the United States Court of Claims shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code, and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

SENATE RESOLUTION 96—RESOLUTION TO REFER SENATE BILL 881 TO COURT OF CLAIMS

Mr. TYDINGS submitted the following resolution (S. Res. 96); which was referred to the Committee on the Judiciary:

S. RES. 96

Resolved, That the bill (S. 881) entitled "A Bill for the relief of Commander Edward White Rawlins, United States Navy (retired)", now pending in the Senate, together with all accompanying papers, is hereby referred to Chief Commissioner of the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and the court shall proceed expeditiously with the same in accordance with the provisions of said sections and shall report to the Senate, at the earliest practicable date, its findings of fact and conclusions thereon as shall be sufficient to inform the Congress (a) of the nature and character of his demand, as a claim legal or equitable, against the United States, (b) whether Commander Rawlins suffered non-promotion to the grade of Captain as a probable consequence of any arbitrary, capricious, inadvertent, improper, inequitable, or wrongful act or action or combinations thereof by or within the Department of the Navy, and (c) in such event, the amount legally or equitably due from the United States to the claimant, notwithstanding the lapse of time and any statute of limitations or laches.

NOTICE OF HEARINGS ON S. 1, THE UNIFORM RELOCATION ASSISTANCE AND LAND ACQUISITION POLICIES ACT OF 1969

Mr. ALLEN. Mr. President, I should like to announce that the Subcommittee on Intergovernmental Relations, Committee on Government Operations, will hold hearings on S. 1, the Uniform Relocation Assistance and Land Acquisition Policies Act of 1969, beginning on February 19 and 20 and continuing on February 25, 26, 27.

It is the purpose of S. 1 to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal or federally assisted programs and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs.

S. 1 embodies, with some minor modifications, the provisions of titles VII and VIII of S. 698, which was passed by the Senate July 29, 1968, and is based on investigations made by the Subcommittee on Intergovernmental Relations over the last 4 years, on the studies and recommendations of the Advisory Commission on Intergovernmental Relations, and on many suggestions offered by witnesses in hearings held on S. 698 and other legislation.

The hearings on February 19 and 20, and February 25, 26, 27, will be in room 3302, New Senate Office Building, beginning at 10 a.m.

Any Senator or other person wishing to testify should notify the subcommittee, room 357, Old Senate Office Building, extension 4718, in order that he might be scheduled as a witness.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated.

DEPARTMENT OF THE INTERIOR

The bill clerk read the nomination of Russell E. Train, of the District of Columbia, to be Under Secretary of the Interior.

Mr. ALLOTT. Mr. President, it is my pleasure to urge the confirmation by the Senate of President Nixon's nomination of Mr. Russell Train as Under Secretary of the Interior.

While the committee hearings on Mr. Train were somewhat brief, I believe they were revealing. Mr. Train has an impressive record in the field of conservation, as the hearings will show. But, more importantly, I believe Mr. Train has a realistic grasp of the problems of conservation confronting this Nation. Some of these problems have reached a critical stage, while others may become critical in the future if wise and appropriate action is not taken now or in the near future. Mr. Train understands and appreciates this.

Above and beyond these aspects, what impressed me most about Mr. Train was his understanding of the need for balance. The hearing record displays Mr. Train's recognition for the need of a "balanced program." He applied the concept of "balance" not only to questions of conservation but to questions of development as well.

Mr. Train shares Secretary Hickel's belief that more attention must be directed to the acquisition and preservation of "green areas" in the urban East. I might add that the committee recognized this need in 1964 when the Land and Water Conservation Fund Act was enacted. At the suggestion of the chairman, a proviso was added to the second paragraph of section 6(a)(1) of that act requiring that from the Federal share of the funds available for the acquisition of additions to the national forest system, 85 percent of the acreage added must be east of the 100th meridian.

From the hearing record, Senators will note that Mr. Train has an understanding of the purposes of the Multiple-Use and Sustained-Yield Acts. He recognizes the legitimacy and equal footing of all of the uses mentioned in the Multiple-Use Act.

Mr. President, I believe Mr. Train can make a significant contribution to the Department, and I congratulate President Nixon on his choice.

Mr. HANSEN. Mr. President, I am pleased to endorse Russell Train for the position of Under Secretary of the Interior. In nominating Mr. Train for this important post the President has chosen one of America's most distinguished and respected conservationists to help direct and guide our country's efforts in managing and protecting our national parks and related areas. It is also the duty and responsibility of this Department to manage significant areas of our natural resources. The economy of our country and the vitality of the West is interwoven with this Department.

Much of the West's water, minerals—including oil and gas—as well as other fossil fuels come under the direct supervision of Interior.

The expertise, the objectivity of Mr. Train, sharpened by his experience on the bench should serve him and his country well.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of Russell E. Train, of the District of Columbia, to be Under Secretary of the Interior? [Putting the question.]

The nomination was confirmed.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The bill clerk proceeded to read sundry nominations in the Department of Housing and Urban Development.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

DEPARTMENT OF STATE

The bill clerk proceeded to read sundry nominations in the Department of State.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

U.S. INFORMATION AGENCY

The bill clerk read the nomination of Frank J. Shakespeare, Jr., of Connecticut, to be Director of the U.S. Information Agency.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF LABOR

The bill clerk proceeded to read sundry nominations in the Department of Labor.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

The bill clerk read the nomination of Lee A. DuBridge, of California, to be Director of the Office of Science and Technology.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations at the desk reported today, from the Committee on Armed Services, the Committee on Post Office and Civil Service, and the Committee on Foreign Relations may be considered and confirmed en bloc.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HRUSKA. It has been observed, Mr. President, that some confirmations are being considered on the very morning when they are reported. It is desirable normally that they appear in print on the calendar and that they lay over for 1 day before their consideration, unless there are some extenuating circumstances.

The fact that the Senate will recess today until the 17th of February is such an extenuating circumstance. Therefore, I do not object to this particular consideration of nominations.

However, in the future, it would be better if an intervening day occur. This is the normal procedure.

Mr. JAVITS. Mr. President, reserving the right to object, I should like to know what nominations we are approving. We did not even hear the names. The ones I am asking about are the Post Office, and so forth.

Mr. MANSFIELD. The clerk has not reached those yet.

DEPARTMENT OF THE NAVY

The legislative clerk read the nomination of John W. Warner, of Virginia, to be Under Secretary of the Navy.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

The legislative clerk read the nomination of Frank Sanders, of Maryland, to be Assistant Secretary of the Navy.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—NAVY, MARINE CORPS, AND AIR FORCE

The legislative clerk proceeded to read sundry nominations in the Navy, the Marine Corps, and the Air Force which had been placed on the Secretary's desk.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

OFFICE OF EMERGENCY PREPAREDNESS

The legislative clerk read the nomination of Fred J. Russell, of California, to be Deputy Director of the Office of Emergency Preparedness.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF STATE

The legislative clerk read the nomination of Joseph John Sisco, of Maryland, to be a Foreign Service officer.

Mr. JAVITS. Mr. President, I believe the clerk read "to be a Foreign Service officer." I think he has been nominated to be an Assistant Secretary.

Mr. FULBRIGHT. Assistant Secretary of State.

The VICE PRESIDENT. Without objection, Mr. Sisco's nomination to be Assistant Secretary of State is confirmed.

The legislative clerk read the nomination of Samuel De Palma, of Maryland, to be an Assistant Secretary of State.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Gerard C. Smith, of the District of Columbia, to be Director of the U.S. Arms Control and Disarmament Agency.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Martin J. Hillenbrand, of Illinois, to be an Assistant Secretary of State.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POST OFFICE DEPARTMENT

The legislative clerk read the nomination of Kenneth A. Housman, of Connecticut, to be an Assistant Postmaster General.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of James W. Hargrove, of Texas, to be an Assistant Postmaster General.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of David A. Nelson, of Ohio, to be General Counsel of the Post Office Department.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Elmer T. Klassen, of Massachusetts, to be Deputy Postmaster General.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John L. O'Marra, of Oklahoma, to be an Assistant Postmaster General.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—ARMED FORCES

The legislative clerk proceeded to read sundry nominations in the Armed Forces.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, if any Republican Senator wishes to notify the leadership of any Republican nominees they are opposed to, we will do our best to put a "hold" on them, and not go through the rigamarole we have gone through this morning.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

AUTHORIZATION FOR COMMITTEE ON APPROPRIATIONS TO SIT DURING SESSIONS OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Appropriations be authorized to sit during the sessions of the Senate in the 91st Congress.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEE ON APPROPRIATIONS TO REPORT APPROPRIATION BILLS DURING ADJOURNMENTS OR RECESSES OF THE SENATE DURING THE 91ST CONGRESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during adjournments or recesses of the Senate during the 91st Congress, the Committee on Appropriations be, and hereby is, authorized to report appropriation bills, including joint resolutions, with accompanying notices of motions to suspend paragraph 4 of rule XXI for the purpose of offering certain amendments to such bills or joint resolutions, which proposed amendments shall be printed.

The VICE PRESIDENT. Without objection, it is so ordered.

ANNOUNCEMENT OF SENATE PROGRAM FOR FEBRUARY 17, 1969

Mr. MANSFIELD. Mr. President, the resolutions reported today from the Senate Rules Committee dealing with the operating budgets of the committees and subcommittees of the Senate for the coming year will be the first order of business on Monday, February 17, 1969, immediately upon the Senate's return from the Lincoln's Day recess.

This will give every Senator a full 9 days to prepare for the consideration of these resolutions. We can expect rollcall votes on some of these resolutions and amendments thereto.

Therefore, immediately after the conclusion of morning business on Monday, February 17, 1969, the money resolutions will be considered until disposed of in the order they appear on the calendar.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I have taken up too much time. I shall await my regular turn.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Arkansas is recognized.

INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGES

Mr. FULBRIGHT. Mr. President, by now it is common knowledge that our official program of international educational and cultural exchanges, funded through the Department of State, received a slashing cut last year through the action of the Appropriations Committees of the Congress, with the acquiescence of the executive branch. Startling as the budgetary cuts were at the time, it has taken some months for the realization to sink in that the damage sustained by the program was so grievous that its whole future has been placed in jeopardy. Since the beginning of this new Congress I have been receiving mounting protests not only from the academic community but from many sectors of American life. Numerous communications have been sent to me by my colleagues in the Senate, who seem to believe erroneously that the responsibility for drastic reductions in the exchange program rests with the authorizing rather than the appropriating committees. In this connection, I would suggest that at least a minimal step toward correcting the mistake made last year might be taken if the many organizations and individuals who have written to me would also communicate with the ranking members of the Appropriations Committees of the House and Senate.

This is not the occasion for a full scale review of the distressing situation which we face in the area of international education as a whole. In the weeks and months ahead—especially as we learn more of the new administration's position on this issue—I certainly intend to go into this matter thoroughly. However, at this juncture I would at least like to insert in the Record two of the many significant communications which have been sent to me outlining and condemning the damage done to the exchange program since the unfortunate action taken on the fiscal year 1969 budget. One of these communications is a resolution passed by the 135,000-member National Council of Teachers of English at its 58th annual meeting last year, entitled "Increased Support for Educational and Cultural Exchange." The other is a statement issued by the National Liaison Committee on Foreign Student Admissions, entitled "Recommendations to the New Administration on International Education." I would stress the fact that these are only two of the many important expressions of concern which I have received from around the country. For those who are interested in going further into this subject—and I would hope that that includes all my colleagues in this Chamber—I would recommend that they read the just issued sixth annual report to the Congress of the U.S. Advisory Commission on International Education and Cultural Affairs which is appropriately entitled "Is Anyone Listening?" This stimulating report has been printed as House Document No. 91-66, and thus is easily available.

Mr. President, I ask unanimous consent that the two statements referred to above be inserted in the Record at this point.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Increased Support for Educational and Cultural Exchange: A Resolution Passed by the National Council of Teachers of English at the 58th Annual Meeting, 1968

BACKGROUND

For 20 years the program carried on under the Fulbright-Hays Act has made important contributions to our colleges and universities. Thousands of American students, teachers, and scholars have had the opportunity under the program to study, teach, and do research abroad, and thousands of foreign students, teachers, and scholars have had similar opportunities in this country. The results of this exchange have provided, in the words of the Advisory Commission on International Educational and Cultural Exchange, "a beacon of hope" in these troubled times.

In recent years, Congress has regularly reduced the annual appropriation for the educational and cultural exchange program carried on under the Fulbright-Hays Act by the Department of State. This year it slashed the budget from $46.000,000 to $31,000,000. At the same time it imposed severe limitations upon the amount of these funds which might be used to send American students, teachers, scholars, and university lecturers abroad. All aspects of the exchange program have been sharply curtailed this year, but none have been affected so drastically as those dealing with Americans abroad. Currently, for example, more than 800 graduate students are studying in foreign countries on full grants. Next year the number may not exceed 100. There may be 20 students chosen this winter in the competition for Latin America; last year there were 60. Fewer than 10 students will win awards to study in the Far East; last year there were almost 40. Most dismaying is the fact that there will be no awards to Great Britain this year, and although final decisions have not been reached, it is possible that the same situation will prevail in Germany, France, and Italy. No one interested in the future of education, science, scholarship, art, or writing in this country can watch the emasculation of the Fulbright-Hays program without dismay. Be it therefore

Resolved, That the National Council of Teachers of English express to the President and to the leaders of Congress its concern over the dwindling support for this program, and its desire that the program as originally conceived be restored or that some adequate substitute be found for it.

Recommendations to the New Administration on International Education: A Statement Issued by the National Liaison Committee on Foreign Student Admissions

The National Liaison Committee on Foreign Student Admissions is composed of the following participating organizations: American Association of Collegiate Registrars and Admissions Officers, College Entrance Examination Board, Council of Graduate Schools, Institute of International Education, and National Association for Foreign Student Affairs.

The Committee is deeply concerned about the sharp retreat in federal government initiative and financial support with respect to activities in this field during the past few years. This retreat has been especially regrettable because it has taken place at a time of great ferment and demand affecting education throughout the world. From a national interest point of view, the special quality of international education relationships is that they afford a resilient and durable communications base under the fluctuating fortunes of political and economic policies. In collapsing federal support in this field at a time of generally low ebb in such policies, the nation is left doubly vulnerable. The initiative and funds required are not massive; the authorizing legislation is in most cases already enacted. In the interest of foreign policy objectives and of education generally, what is needed is a federal commitment to international education at a level that would bring much needed symmetry to our relationships abroad. The specific recommendations follow.

1. INTERNATIONAL EDUCATION ACT OF 1966

Specifically we urge that the Administration vigorously seek the funds necessary to implement the International Education Act. By the testimony of all concerned with education, this Act is an overdue step in the direction of enriching curricula and strengthening our university and college programs to deal effectively with the world in which we live. No one seriously quarrels with the vital purposes of this Act. It is urgent now to begin to supply the funds that will give meaning to Congress' intent in the passage of this legislation.

2. FULBRIGHT-HAYS ACT

Probably no program of federal sponsorship in the field of international education has had more prestige or created more good will for the United States than the Fulbright Program. The recent drastic reductions in the financial support for this program gravely threaten the bi-national effort that has typified the program. The Fulbright Program has been a partnership not only between the United States and foreign governments but between the United States government and the colleges and universities. It has in almost every respect been a model of cooperative enterprise in international education. Furthermore, the program as a whole generates no dollar loss in monetary exchange. It should be enlarged rather than dismantled.

3. IMPROVING INTERNATIONAL EDUCATIONAL EXCHANGE

The federal government also has a very important responsibility for helping to strengthen the international educational exchange process. Funding in this area, mainly identified with "unsponsored" students, has been sharply reduced in recent years except for the Field Service of the National Association for Foreign Student Affairs. We propose specifically that—

(1) funds for the support of research relating to international exchanges and international education be supplied; virtually no federal support has been available in this field to investigate and evaluate the many assumptions and practices underlying the process of educational exchange.

(2) a strong comparative education function be maintained in government, preferably in the Office of Education; this function can be, and has been, an important central source of information for scholars in the universities, for the formation of educational policies and for the support of the development of professional quality in foreign student admissions work in the universities and colleges; the comparative education function in the Office of Education is currently in skeletal form for lack of support.

(3) funds be established either in the Department of State or Health, Education and Welfare to alleviate foreign student financial emergencies; experience in the last five to ten years points clearly to need for such funds for the student whose family sources of support have suddenly been cut off, or whose government scholarship has been terminated by political upheaval, or whose government's regulations change to block the continued flow of funds to him; events such as these throw unmanageable problems on the colleges and universities and often result in bitter disappointments for the foreign students involved; we believe the underwriting of this kind of liability is inevitably a federal government responsibility.

(4) the federal government expand support for counseling and testing services abroad; screening, counseling and testing of students abroad can most directly improve the quality of the student movement; we urge that the government in cooperation with the colleges, universities and private agencies greatly expand the small network of such services now available in incomplete form and in certain areas only overseas.

4. FELLOWSHIPS FOR FOREIGN GRADUATE STUDENTS

We propose that the federal government institute a program providing in the order of 2,000 full fellowships for foreign graduate students each year and that these fellowships be supplemented by appropriate per capita institutional grants to help meet the additional costs to the institutions. Federal support programs for American graduate students are extensive and most of these specifically exclude foreign students. Most graduate schools depend upon a strong mixture of foreign students—about 10% of the graduate school population. Most foreign students, not eligible for full fellowship aid, compete for research and teaching assistantships to help finance their study. The resultant situation adversely affects the quality of undergraduate teaching, relegates the foreign graduate students to a second class status, and impairs the competitive position of the United States in attracting outstanding foreign graduate student talent. We strongly recommend United States government initiative to correct the situation.

5. PROFESSIONAL DEVELOPMENT

We recommend the extension of federally supported professional development programs to permit those concerned with foreign student services in the colleges and universities (notably deans, admissions directors, and foreign student advisors, and their associated staffs) to have professionally relevant study and observation experience overseas. Those concerned with the management of foreign student programs have had little opportunity, as compared with their teaching colleagues, to understand the incentives, the systems and the processes overseas through which foreign students find their way to the United States. Opportunities for study and observation overseas could substantially improve the quality of services rendered by such personnel in the colleges and universities.

6. AGENCY FOR INTERNATIONAL DEVELOPMENT TRAINING ACTIVITIES

We urge the fuller utilization of the developing partnership between the Agency for International Development and the colleges and universities in the training of foreign nationals in United States higher education. This is a program that has been outstanding in its effectiveness in providing training specifically oriented to development needs and in assuring the return of the trainees to productive work in their home countries. We strongly recommend that Agency for International Development funds for these training programs be increased consistent with development objectives overseas.

STUDY EVALUATING CERTAIN MILITARY CONTRACTS AND PROCUREMENT PROCEDURES

Mr. FULBRIGHT. Mr. President, 2 weeks ago the public was informed of a study evaluating certain military contracts and procurement procedures. The paper, entitled "Improving the Acquisition Process for High-Risk Military Electronic Systems," was written by Mr. Richard A. Stubbing while attending Princeton University under the terms of a scholarship which he received for his superior performance as an official at the Bureau of the Budget.

After receiving a copy of this report in classified form from the Department of Defense, I received a substantially identical copy from the Bureau of the Budget which is unclassified.

The only difference is the deletion, in a chart of the unclassified version, of the names of two contracting companies—firms which are identified as General Dynamics and North American Aviation in an article appearing in the Washington Post of January 26, 1969.

This inconsistency accounts for some of the public confusion regarding the status of the document and is one more example of how a Government agency takes steps to restrict the distribution of information which is embarrassing to it. I am at a loss to understand how officials in the Department of Defense took it upon themselves to classify a document submitted by a scholar, who has absolutely no affiliation with the Pentagon, as a research project based totally on public documents.

Mr. President, in order to correct any confusion regarding the availability of this document I ask unanimous consent that it be placed in the RECORD at this point, along with an article by Bernard Nossiter in the Washington Post of January 26, 1969.

There being no objection, the document and article were ordered to be printed in the RECORD, as follows:

IMPROVING THE ACQUISITION PROCESS FOR HIGH RISK ELECTRONICS SYSTEMS

(By Richard A. Stubbing)

The attached paper entitled "Improving the Aquisition Process for High Risk Military Electronics Systems" was prepared to satisfy a course requirement while the author was in attendance at Princeton University in the 1967–68 school year. In the context of the course, the purpose of the paper was to explore quantitative approaches to a variety of problems. This paper has been on file in the Woodrow Wilson School at Princeton University since last May.

The following cautions should be observed in reading the paper: (1) In an effort to simplify the approach to a complex problem on an unclassified basis, the assessment of the performance of a weapons system was reduced to the single parameter of Mean Time Between Failure (MTBF) which measures continuous running hours. While MTBF is clearly an important factor, it is not the only one, and MTBF as a common denominator presents certain problems in comparisons of different electronics systems. (2) The primacy of return on net worth over that of profit on sales in evaluating corporate profitability advocated in the paper is a matter of some dispute in the financial and business community.

A growing and prosperous nation can afford many luxuries, but the low overall performance of electronics in major weapon systems developed and produced in the last decade should give pause to even the most outspoken advocates of military hardware programs. A sample of 13 major Air Force/Navy aircraft and missile programs with sophisticated electronic systems initiated since 1955 at a total cost of $40 billion, reveals the following overall performance:

[In billions]

	Total program cost
Canceled (2 programs)	$2
3-year operational life (phased out for low reliability; 2 programs)	10
Poor performance, electronics realiability less than 75 percent of initial specifications (5 programs)	13
Satisfactory performance, electronics reliability over 75 percent of initial specifications (4 programs)	15

Less than 40% of the effort produced systems with acceptable electronic performance—an uninspiring record that loses further lustre when cost overruns and schedule delays are also evaluated.

What course of action can be offered to improve electronic system performance in future new weapon systems? In an attempt to answer this question, this paper will analyze the characteristics and results of recent large scale electronic systems developed for missile and aircraft programs. Actual program histories are documented, alternative procedures involving non-competitive and competitive situations are compared, and specific proposals involving greater use of competitive contractor developments are advanced for all future complex electronics systems.

GENERAL BACKGROUND

Electronics systems. Most World War II aircraft were equipped with basic electronic equipment for navigation and communication needs. The introduction of airborne radar late in the war for identification of hostile aircraft was the first major advance in airborne electronics equipment. The second and even more important breakthrough was the introduction of the computer into the aircraft avionics system for improved navigation and to serve as an automated fire control system for both air combat and bombing missions. Every major aircraft system introduced since World War II features both radar and computer systems for improving air combat capability and for delivering ordnance with greater accuracy against targets under all-weather conditions. Also, each successive generation of guided missiles contains the latest in computer technology designed to increase the delivery accuracy of its nuclear warhead.

To provide the reader with some feel for the growth in complexity of electronics systems over this period, the following data is provided:

Comparative unit costs of electronic systems for aircraft and missile systems over time

Operational date:	*Cost*[1]
1955 aircraft electronics	X
1957 aircraft electronics	2X
1960 aircraft electronics	5X
1962 missile electronics	8X
1964 aircraft electronics	6X
1966 missile electronics	10X
1967 aircraft electronics	15X

[1] C. Teng, An Estimating Relationship for Fighter/Interceptor Avionic System Procurement Cost, Rand Corporation RM-4851, 1966, p. 13.

COMPARATIVE COMPLEXITY OF MILITARY VERSUS COMMERCIAL DEVELOPMENT PROGRAMS IN THE 1950's[1]

	State of the art exploitation	Relative technical difficulty
Military weapon systems:		
10 guided missile systems	High risk	High risk.
3 airplane systems	do	Do.
Commercial systems:		
4 electronic systems	Medium risk	Low risk.
2 atomic reactors	do	Do.
3 motor vehicles	Low risk	Do.

[1] Merton J. Peck and Frederic M. Scherer, "The Weapons Acquisition Process," 1962, pp. 290–91.

Aircraft and missile systems of the 1950's consistently attempt greater state of the art advances and face greater technical uncertainty than comparable commercial systems. Available cost data points up the significant increases in electronic systems unit costs over the past decade.

For purposes of this paper the degree of risk or uncertainty connected with each new electronics system for a major weapon system will be defined as follows:

Low risk—a system in which the entire set of hardware has been previously demonstrated as an entity in some prior program.

Medium risk—a system in which each of the major components (radar, computer, displays) has been successfully demonstrated in advance, but the separate components have never been integrated into a single system.

High risk—a system in which at least one major component must be redesigned. The radar, computer and related circuitry are the heart of each electronic system, and redesign in this area reflects the very highest degree of uncertainty as regards expected performance.

Finally, a definition of performance is required. Performance in every system will be measured in only one parameter—the mean time between failure of the electronic system (MTBF). This criteria reflects the continuous hours of operation reliability of the aircraft or missile electronics system between unscheduled failures. For comparison purposes every system has both a design specification MTBF drawn up when the program is launched and actual operational data reported in terms of MTBF after the system is deployed. The ability of a weapon system with all electronics working to achieve specified ordnance or warhead delivery accuracies is not separately addressed, but it should be noted that deficiencies of this nature will only accentuate the differential between MTBF design and actual performance data.

CONTRACTOR SELECTION PROCESS

Major weapons systems are procured from the aerospace industry, a group of some 60 companies with total 1966 sales of $24.2 billion, of which some 81% or about $20 billion were to the federal government—primarily DOD, NASA, AEC.[1] Included in this group are the end product producers of aircraft and missiles (Boeing, McDonnell/Douglas, Grumman, General Dynamics, LTV) and major sub-system producers of engines and electronic systems (GE, North American, Westinghouse, Sperry Rand).

A recent Rand study provides some data on the profitability of the aerospace industry compared with other industries over the period 1957–1964:[2]

PERCENT RATES OF RETURN IN 10 INDUSTRY GROUPS (1957–64)

	Net worth	Sales
Drugs	16.3	9.4
Aerospace	15.6	2.6
Autos	14.7	6.5
Chemicals	14.0	11.4
Office machinery	14.0	7.3
Electrical machinery	11.9	4.4
Petroleum	11.4	9.9
Food	10.7	2.3
Steel	8.4	6.3
Textiles	7.8	4.5

Of the major US industries, aerospace ranks *second* in return on net worth, a measure which provides a meaningful relationship between resources utilized and profits generated. While the low aerospace profit on sales is often cited by those who view aerospace profits as inadequate, this return does not relate input and output and has little economic value. The question of whether aerospace contract performance justified this high return on net worth will be considered later in light of the avionics systems developed over this period.

The weapons acquisition process is initiated when the service determines a requirement for a new aircraft or missile with certain operational capabilities. Following Secretary of Defense approval the service issues Request for Proposals (RFP's) to various prime contractors inviting each to define a possible operational system. Interested prime contractors (in almost all cases an aircraft manufacturer) then form teams with potential subcontractors—notably engines and electronics in the case of major aircraft or missile programs. These contractor teams then jointly develop a technical proposal which they feel can meet the system specifications and the time schedule restraints laid down by the potential customer. Rough contractor cost estimates also accompany each bid. At this point it is important to note that interested contractors submit proposals singularly high in optimism as regards schedules, cost and performance. Spectacular advances in electronic performance are always promised; at the same time uncertainties are minimized as each contractor team recognizes that each new development program represents some 10–15 years potential business heavily weighted toward high margin follow-on production contracts. Peck and Scherer conclude that R&D efforts constitute 20–25% of total weapon system costs.[3]

These design proposals are then forwarded to a Source Selection Board (SSB) convened expressly to select the best contractor team for the new system. Prior to 1963 these boards selected a single contractor to undertake the proposed program; commencing in 1963 a Contractor Definition Phase (CDP) was added in which the SSB selects the 2–3 most promising proposals and funds an extensive 12–18 month follow on effort for each designed to better define the risks and technical feasibility of each proposal before a final selection is made. These detailed proposals are then reevaluated and the contract award is made. Prior to 1960, the initial contract was CPFF in nature, while in recent years incentive type contracts reflecting cost, schedule and performance milestones have been awarded. In connection with these awards, two points should be noted:

1. The final selection under either procedure is made on the basis of a paper design—no prototype system is in sight prior to the selection of a contractor.

2. Deluged with paper work from each bidder the SSB is in large measure dependent upon the technical expertise of the contractor team in evaluating each proposal.

Turning to the electronics portion of each new weapon system, it is not surprising that in almost every instance a high risk proposal involving new or modified computers and radars is advanced. The rationale is simple: why submit a proposal which uses currently available electronics on a future generation weapon system? Each contractor wants his proposal to be the most attractive; operational performance is rated much more highly than cost savings, and the contractor understandably desires the added sales volume from designing and developing new electronics equipment rather than integrating available "off the shelf" equipment. Finally, in the electronics area the winning subcontractor inevitably "locks on" to more business than is ever contemplated when the original award is made. Under current procedures a single electronics subcontractor is retained for the entire life of the program. Every major weapon system today uses several generations of electronics equipment over its lifetime as evidenced by 4 different electronics systems for a recent tactical aircraft and 3 systems for a current missile system.

Why no electronics competition after the final airframe contractor is selected? In development programs, the answers to this question deal with the large costs associated with parallel contractor efforts, the delayed operational deployment and attendant "military risk" and the difficulty of integrating alternate electronics into a single weapon system. No mention is made of the potential for reducing risk and increasing performance from parallel competitive efforts. For follow-on production contracts again no competition is sought; the arguments now become those of non-interference with tightly established schedules and the added tooling expense required to qualify a second source contractor. The only competition which currently exists after a contract award is of the indirect variety involving the choice of an alternative weapon system as a substitute for or supplement to a weapon system currently under contract. However, given the 4–7 year lead time required to develop and produce a new weapon system, the probability of substitution between major systems is not great.

EVALUATION OF RECENT ELECTRONICS SYSTEMS

The following section draws heavily on several Rand studies and on the work of Peck and Scherer in analyzing available cost, schedule and performance data on electronic systems designed and developed from World War II until 1960. A later section will review electronics after 1960.

Radars (1943–57): Marschak compares the development of airborne radars during World War II with those developed in the 1947–57 period.[4] Four wartime radars were developed on a flexible basis starting with a general mission requirement but no detailed specifications; emphasis was placed on prototype flight testing in an operational environment *before* production commitment. Three postwar radars, by contrast, followed an inflexible approach with schedules and specifications determined in advance and production commitment initiated prior to the first flight tests. From the standpoint of technical risk

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Footnotes at end of article.

there was little difference between the periods; if anything the postwar radars were less risky.

The comparative results of these programs were startling. In constant dollars the development cost of the less risky postwar radars was almost double that of the earlier systems. World War II radars were in operational use within two years from "go ahead" and showed high performance reliability, while the postwar radars took 4–7 years to achieve operational capability and proved unsatisfactory in meeting performance specifications. Also, due to the early production commitment the correction of flight test faults in postwar radars proved difficult and expensive. On balance, the performance of the flexible specifications approach to radar development utilized during the war was far superior to the postwar approach with predetermined specifications.

Electronic systems (1945–60): For an excellent overview from the standpoint of cost on weapons systems deployed in this period, A. W. Marshall and W. H. Meckling presented in 1962 the results of their analysis of 22 major systems.[6] Original cost estimates are compared with actual costs incurred for each system, adjusted for constant dollars and changes in production quantities. An actual cost factor based on 1.0 for the original cost estimate is then calculated for each system and then categorized according to degree of technical advance:

COST FACTORS BY WEAPON SYSTEM[1]

Small risk		Medium risk		High risk	
Cargo aircraft	1.6	Bomber	2.8	Missile	7.0
Do	1.5	Fighter	2.5	do	6.4
Do	.9	do	2.0	do	6.0
Do	.8	do	1.2	do	2.7
Fighter	2.0	do	.6	do	.8
Do	1.5	Missile	1.3	Bomber	4.0
				Do	1.2
				Fighter	4.0
				Do	1.0
				Do	.8
Arithmetic mean	1.4		1.7		3.4

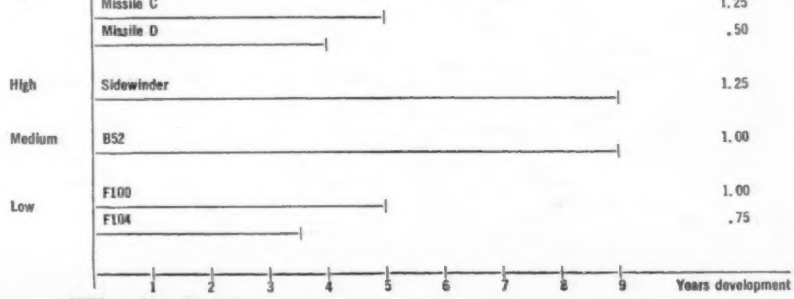
[1] Ibid. p. 472.

While this data is presented in terms of complete weapon systems, their high correlation with the electronics systems can be demonstrated. In the high risk programs characterized by cost increases averaging 240% over initial estimates, the largest cost increases are in missile development, which during this period advanced into a new and radically different technology involving computers and other electronic equipment capable of solving complex guidance and control problems without human assistance. System reliability in MTBF was aimed at an order of magnitude improvement over anything achieved before.[8] Bomber and fighter aircraft with large cost increases in this period also involved high risk electronic programs and experienced increases of over 100% in cost. By contrast, the four cargo and tanker aircraft which have much less stringent avionics requirements and normally rely upon already existing electronics show a low increase of only 20% over original cost estimates.

In a related effort which is not as well documented Marshall and Meckling examined 10 weapon systems on which data was available for delays in scheduled availability. Their data showed an average slippage of 2 years or 50% between the forecast and actual operational deployment of the complete weapon system.[7] Again, the systems with high risk electronics can be assumed to be among those with the higher schedule slippages.

The operational performance of electronic systems over this period will now be scrutinized. Again, performance will be measured in terms of original estimates vs. actual operational data using the criteria of MTBF. For simplicity the MTBF performance of each system in its first year of deployment will be grouped in quartiles—thus 12–37% will be listed as .25, .38–.63% as .50 etc. The following chart portrays the degree of risk (based on the earlier definitions) and total development time for electronics in 12 weapons systems deployed in the 1950–60 period compared with the first year's MTBF performance for each system:

CHART I.—RISK, DEVELOPMENT TIME, AND OPERATIONAL PERFORMANCE IN AIRBORNE WEAPON SYSTEMS



Although the sample is limited Table I highlights the inverse relationship between risk and performance in these systems. Of the 9 high risk programs six were far below expectations while Sidewinder, one of the high performers, benefitted from a leisurely 9 year development program. Excluding Sidewinder, the average MTBF of the 8 high risk programs is slightly over half of the original specifications.

Pertinent information on some of these 12 systems follows:

B47—the first jet bomber. Developed on a leisurely schedule from 1944 until 1949, then accelerated rapidly and deployed in 1950. An interim fire control system had to be substituted for a new avionics development that failed completely; the bombing system was so unreliable as almost to destroy the usefulness of the plane as a bomber.[8] The B52, developed on a more leisurely nine year basis, benefitted from the B47 experience.

F102—Delta wing interceptor for Air Defense Command. Original fire control system beset with continuing delays and had to be replaced with an interim electronics system. Initial operational tests revealed this interim fire control system was unsatisfactory and an extensive modification and retrofit program over the next two years was required to remedy the defects.

F4—A supersonic interceptor for the Navy and Marines. This is the one program over the period in which the weapon system was chosen on the basis of a prototype competition. Competitive prototype flight testing of the McDonnell F4 against the Chance-Vaught F8 in 1957 showed the F4 to be a superior aircraft and the production contract was awarded to McDonnell. The F4 electronic system was high risk—involving both a new radar and a new computer and its operational performance met specifications. The competitive prototype demonstration identified performance difficulties at an early stage, allowing sufficient correction time for fixes prior to delivery of production aircraft.

Missiles A, B, C. All high risk programs developed under crash schedules aimed at earliest possible deployment. Funds were unlimited and extreme concurrence (overlap of R&D and production) was practiced. The systems were operational on time; their MTBF performance, however, was very low on two systems and very high on the third.

Sidewinder—A heat sensing missile for air combat. A high risk program that had excellent results. Benefitted from the absence of crash schedules and successfully utilized the technique of exploring parallel approaches to certain key components with different contractors—each of whom had high expectations of a large production contract should his approach prove more successful.[9]

F100—A supersonic fighter bomber. The contractor deliberately chose a low risk, inexpensive, electronics system to minimize development time. The aircraft was deployed 4.5 years after contract award and the avionics MTBF met expectations.

F104—A supersonic fighter bomber. Successful development in under four years featured rapid flight testing of two prototype aircraft before commitment to production. A low risk electronics system was used in this aircraft.

Coupling the low operational performance of high risk airborne electronics with scheduling delays averaging two years and cost increases of 100–240% leads to the incomplete but nevertheless important conclusion that the electronics acquisition process in the 1950's suffered great deficiencies.

Electronic systems (1960-70): Have the electronic systems demonstrated improvement in the 1960's? The answer to date is a categorical "no"—in fact, the results already in clearly indicate a retrogression in electronics performance along with a telescoping of development schedules and continued large cost overruns.

Footnotes at end of article.

For purposes of analysis this section deals with 11 high risk airborne electronics programs designed in the last ten years for five recent weapon systems. Second and third generation electronics for a single weapon system are separately identified. Two systems involving about $2 billion in sunk cost which were cancelled during this period for poor technical performance were not included in the study sample. For security reasons the weapon systems will be coded A, B, C, D, E while successive electronic suits for a single weapon system will be identified A–1, A–2, etc. The following table identifies the risk, development time and first year MTBF performance for each of the electronics systems:

CHART II —HIGH RISK ELECTRONICS PROGRAMS, DEVELOPMENT TIME, AND MTBF PERFORMANCE

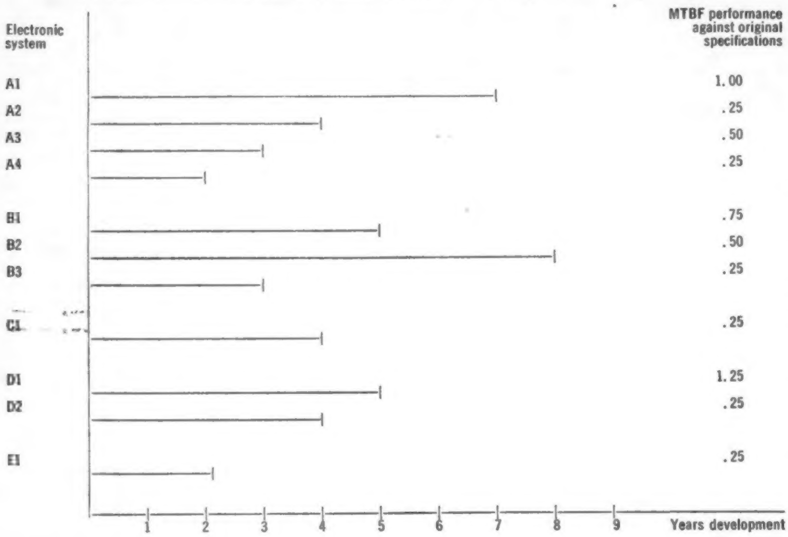


Table II discloses that these most recent high risk avionics programs have been characterized by sharply reduced development time periods (3–4 years vs. 5–7 years in the 1950's) and have resulted in lower and lower system performance. The eleven high-risk programs analyzed achieved an average MTBF less than 50% of design specifications, which is lower than the average 1950 experience cited earlier. Of special significance, the follow-on programs A–2, A–3, A–4, B–3, D–2, E–1 demonstrate sharply reduced performance from that achieved in the parent program, with an average MTBF only 30% of specifications.

Although the 11 high risk avionics systems do not provide a high confidence sample size, a linear regression and correlation analysis comparing system performance with (1) development time period and (2) average production cost for 300 units was run and the results are set forth in Tables III and IV (not printed in RECORD).

From Table III it should be noted that increased development time has a positive effect on system performance with a correlation coefficient (R) of .50. With a standard deviation of .33, an average development period of 5 years is required to achieve .50 reliability or 7–8 years to attain .75 reliability. In this context, the recent trend toward shorter (3-4 year) development periods is a step in the wrong direction to upgrade reliability.

Table IV compares electronics performance with average production cost and the negative linear regression line demonstrates that the more expensive (and complex) electronics systems result in lower system performance. While the coefficient correlation R=.42 is not highly significant for extrapolation purposes from this small sample, the trend toward lower performance with higher cost systems is borne out.

A closer look at some of the individual weapons follows:

System A. The A1 electronics were developed and flight tested on a relaxed schedule for the entire weapon system prior to ordering production aircraft. While each of the follow-on programs (A2, A3, A4) called for redesign of major components with a high degree of uncertainty, each was brought in on a "pressure cooker" basis with large quantities of production electronics sets on order prior to initial prototype flight testing of the new equipment. The results of this compressed effort were predictable: flight tests revealed unsuspected faults, costs soared as crash modifications and "fixed" were added to production line systems, and the MTBF of operational equipment fell to well under 50% of specifications. Each of the follow-on systems was developed by the initial System A electronics contractor.

System B. The B1 electronics were developed on the same schedule as the entire weapon system and, while involving some high risk equipment, were not considered one of the pacing areas to the attainment of scheduled deployment. The equipment performed well in prototype testing while in the hands of the contractor team of skilled scientists and engineers. This equipment, however, in the hands of service maintenance personnel and under combat conditions showed a rapid decline in MTBF performance.

System B2 involved a completely different mission with another electronics suit for Weapon System B. Many technical obstacles were encountered in this program, resulting in a tripling of development costs and a three year delay in operational deployment.

The B3 follow-on electronics is an interesting case study in that the Contractor Definition Phase (CDP) procedure was utilized to choose a new electronics contractor. The Source Selection Board gave a 12 month contract to three finalists in the competition for this highly sophisticated system involving a complete redesign of the electronics for System A. The detailed contractor proposals were evaluated and a fixed price incentive contract was signed with the winning contractor. In less than a year from 'go ahead,' (and before even a single piece of hardware had been delivered) the total contract had doubled in cost while at the same time the contractor was permitted to relax critical specifications for the new electronics. In this case, the new CDP procedure was unable to deter the usual cost escalation and downgrading of technical performance which follows selection of a single contractor.

System C. The electronics for this system was designed for sophisticated performance and was successfully demonstrated using contractor personnel, but the reliability of the electronics in operational aircraft in the hands of service maintenance personnel again fell off sharply from design specifications. A large modification program followed to correct some of the identified performance deficiencies.

System D. This is an instance of high performance and then low performance by a single contractor on successive electronics suits for a single system. The D1 system was deployed within five years and exceeded all specifications under operational conditions. The D2 system was developed in a shorter time period with a complete package redesign involving new computers and circuitry which encountered major technical obstacles and resulted in a very low performance when deployed operationally. Again, a massive retrofit program was required to correct glaring deficiencies. Actual development costs were triple original estimates, and were double costs set forth in an incentive contract negotiated one year after the development effort had been initiated.

AEROSPACE INDUSTRY PROFITABILITY VERSUS PERFORMANCE

Preceding sections have dealt with the relatively high return on equity for aerospace when compared with other U.S. industries and the declining trend in performance achieved in one important segment of this industry—the development and production of complex electronics systems. Is this an anomoly or is there no measurable relationship between profits and performance? This section will briefly analyze this situation.

In commenting upon the nature of the aerospace industry, Stekler points to its salient features as a high concentration of sales, absence of competition, high entry barriers and inadequate financial incentives on the individual company. He then adds "one would theorize that the performance of an industry with such a structure would not be outstanding. This, indeed, is the case." [10]

In a related vein where development strategies between aerospace projects and commercial ventures are contrasted, Peck and Scherer point out the different sets of values used: in the military, contractors maximize quality at the expense of cost and schedules, whereas in commercial R&D projects the primary emphasis is on costs and time.[11] This quality emphasis in military R&D reflects the desire to hedge all bets by advancing scientific frontiers and maintaining an arsenal of weapons on a parity with or superior to the best technical advances of any potential adversary. Decision makers, however, also are involved in pushing technical advances for their own sake and in catering to the whims of service prestige and scientific bias. J. Robert Oppenheimer described the support of the scientific community for the development of nuclear weapons "when you see something that is technically sweet you go ahead and do it and you discuss what to do about it only after you have had your technical success." [12] The preceding highlights the overlap between millitary necessity and self-gratification in the selection of advanced weapons systems; actual electronics performance data emphasizes the low quality against defined goals which the military customer accepts, thereby bringing into question the primacy of strategic goals over those of technical advance for the sake of science.

Footnotes at end of article.

The dollar profitability of the aerospace is compared with that of all U.S. industries in Table V (not printed in Record) for the period 1957–66. Aerospace, with a high wage structure and a reputation for inefficiency in production techniques,[13] still achieves a 12% greater return on equity than the average of all U.S. industrial firms.[14] In an effort to relate the performance of electronic contractors to profits, the profit trends of two leading contractors have also been plotted.

Contractor X whose volume is 98% government produced one highly successful military aircraft in the mid 1950's, then became involved in numerous highly complex electronics programs reaching 50% of total sales volume over the last decade with the following box score on six military hardware programs: one met system specifications, one cancelled for technical reasons; four programs with actual MTBF 25% of system specifications. A look at contractor X's profits over this period shows the remarkable fact that average profits were 40% above those of the aerospace industry and 50% above those of all U.S. industries. Only in the last two years does X show a return below that of the aerospace industry but still remains above the all industry average. The correlation of performance with profits is absent in this case.

Contractor Y had an even poorer performance record. Of 7 weapons systems with complex electronics developed over the period, not a single program measured up to expectations. Electronics reliability was the key deficiency in every case with actual costs 2–3 times original estimates reflecting overruns, schedule delays and modification efforts to improve low system performance. This company also ventured into the development of commercial aircraft in the late 1950's which proved abortive and resulted in major losses in 1960–61. The company today does 100% government work. With this dismal performance record and despite the absence of profits in 1960–61 Company Y shows an average return over the 10 years period above that of all U.S. industries and just below the aerospace industry average. Again, one must conclude that performance has little correlation with profit.

The above analysis leads to the conclusion that the current special partnership which exists between government and the aerospace industry not only results in a very high incidence of delivered electronics systems with degraded performance, but there is no effective mechanism in existing contractual arrangements to reward or penalize contractor performance. This results in the enigma of contractors X and Y where consistently low performance over the past decade is not reflected in corporate profits.

A recent statement by the president of a large aerospace firm concerning a highly publicized and technically plagued aircraft epitomizes the confidence in future government volume: "I have no idea how many aircraft (beyond the current contract) will be built, but remember that the B52, originally a single version aircraft, went through *seven* 'growth' designations."[15]

Why Not Greater Competition?

Single source contract awards for airborne electronics in the 1950's with CPFF contracts and close government supervision did not produce desired results. Neither did the use in recent years of the contract definition phase and incentive contracts. Available evidence demonstrates that when a single high risk course is pursued two unhappy alternatives must be faced: to accept an inferior product or to incur the large cost of revising or modifying a highly integrated program. One unexplored alternative remains to be tried for electronics systems involving a high degree of uncertainty—greater use of competitive development.

Competitive development involves the continued funding of at least two qualified contractors at the conclusion of the source selection process to develop and flight test different electronics suits for possible inclusion in a single major weapon system. The key to this process would be the emphasis on flexibility—allowing each contractor freedom to experiment with multiple approaches to the problems of uncertainty which must be overcome. The use of development competition with the prospects of large future production contracts to the winner should invigorate management and stimulate innovation features currently lacking in major weapon systems development competitions which have been described as exercises in optimism and exaggeration. Major areas of uncertainty can be defined in advance and the final evaluation of the contractors should weigh heavily upon their abilities to minimize the risk in these areas either through the successful development of new equipment or the substitution of existing equipment with lesser operational capabilities. With the historical record of consistently low performance following operational deployment, the flight test competition should also place a high value on performance under operational conditions to prove that the equipment design does not require a large corps of engineers and scientists to maintain it.

Opposition to full scale competition on major systems is built around the arguments that dual development programs will increase program costs, divert scarce resources away from other needed programs and will result in an unacceptable delay in the operational availability of the weapon system. These arguments are expressed diagrammatically below, (not printed in the Record).

Proponents of single contractor development argue that expenditure rate curve A is preferred to B or C and curve B is preferred to C.

How well do these arguments stand up in the face of experience? Development competition will increase costs and delay schedules over that of a single contractor program in which *all* of the critical initial predictions turn out correctly. Unfortunately, historical data shows this almost never occurs with unexpected technical obstacles always being encountered causing cost overruns and schedule slippages and moving the actual expenditure rate buildup to A′. Systems are being forced to experience "unacceptable delays" or to be deployed with extremely low operational performance, thus refuting the schedule and military necessity arguments offered against a stretched out, competitive program for new electronics system. The use of competition in the early phases of development is a deliberate attempt to spend additional resources early to reduce the uncertainty factor prior to the attainment of high expenditure rates (e.g., buildup rate C). This approach builds in longer development times to minimize the unforeseen schedule delays and to improve the operational reliability of the initially deployed systems.

As regards system reliability the single vs. competitive contractor approach would show the following patterns when comparing system performance with development time periods.

In Table VI (not printed in the Record) System A using a single contractor would experience a gradual fall off in specified MTBF performance followed by a sharp decline at 4 years when the system becomes operational. After a period of low performance, a series of modifications would be added to improve reliability to a level of .50 by year 8. System B, using a competitive approach, shows a sharp decline from original estimates in the first 2 years as the contestants refine their original estimates of system characteristics. Following the choice of a single contractor after 2 years, there is only a gradual decline in performance until initial deployment at the end of 6 years. Some improvements will be added but their magnitude will be considerably less than in A. Thus, the trade offs come down to a low performance electronics systems after 4 years requiring large modifications versus a higher performance system after 6 years involving few modifications.

Only fragmentary empirical evidence exists as to the effectiveness of competitive developments of electronics systems. The case of the F4 where prototype aircraft were flown and evaluated prior to the award of a production contract is the only instance of this type competition in recent years. The results in this case were excellent with the aircraft and electronics performance meeting system specifications.

On a related front, the introduction of a second source into the electronics for the Bullpup and Sidewinder missiles had beneficial results. Technical uncertainty had been resolved before a second source was invited to bid, but the electronics (which constitute 80% of total missile cost) dropped 50% for Bullpup and 70% for Sidewinder when two companies presented sealed bids for missile production contracts. To this experience can be added Secretary McNamara's oft stated claim that savings of 25% are achieved when a non-competitive contract is awarded competitively.

CONCLUSIONS

The recent trend in airborne military electronic programs has been toward highly complex, crash programs with established technical parameters almost impossible of attainment. Costs swell rapidly from original estimates; schedules slide to the right and the reliability of operational equipment in the hands of service personnel degrades rapidly from that called for in the original design.

Analysis of the actual program data in the 1944–1960 period with electronics equipment reveals that cost increases and schedule delays vary directly with the degree of risk associated with the program. Cargo aircraft, the F100 and F104, which used existing low risk equipment performed well. Systems of increasing complexity, however, requiring new radars, computers or circuitry experienced cost overruns of 200–300%, schedule delays averaging 2 years and most importantly, low performance when the operational system was deployed. Available data on the few successful high risk electronics programs deployed in this period showed them to be either highly flexible programs with no preconceived parameters of system performance (World War II radars, Sidewinder) or to have benefitted from early prototype flight testing prior to production (F4).

The data collected on more recent electronic systems is limited to high risk programs and reinforces conclusions from the early studies on cost increases and low system performance. Limited correlation analysis points to the need for 7–10 year development period before high reliability systems can be assured and to the inverse relationship between system performance and electronics production costs. Another significant observation is the direct relationship between short development periods (2–4 years) and poor system performance in follow-on electronics programs. The need for prototype flight test data prior to production commitment is highlighted by the major modification and retrofit programs initiated after the fact to correct development flight test deficiencies in operational aircraft.

One specific area of needed improvement is the current contractor selection process which relies primarily on the evaluation of paper estimates in the selection of major electronics contractors, and then awards follow-on electronics for the weapon system to the same contractor on a non-competitive basis. This need is further demonstrated by the trend in recent years toward a buyer's market as a smaller number of major weapons systems have been initiated while the number of qualified sellers is increasing in the electronics market. The government, however, has not taken advantage of this potentially more competitive market condition and the producers of inferior equipment lacking financial incentives to better performance continue to earn a high profit return.

Competitive development of high risk electronics systems offers the best prospect of imposing maximum incentives on management and improving the quality and cost of the final delivered product. The earliest possible reduction of uncertainty through the exploration of multiple approaches to system design is the main feature of this approach. Emphasis on the relative case of maintenance at the operational level is another key factor in the final evaluation of alternate configurations. By implication, the use of competitive development would have the advantage of substituting achievable system performance and cost criteria for the "pie in the sky" promises which have been made in the past on airborne electronic systems.

RECOMMENDATIONS

New policy guidelines are required for the acquisition of future airborne electronics systems and should be based on the following two principles:

1. When early operational deployment (less than 5 years after "go ahead") is the major objective, then the electronics equipment should be limited to that which can be obtained with high certainty. The F100 and F104 programs successfully applied this technique.

2. When advance in technical capability is the primary objective, a minimum development period of 5–7 years and the institution of competitive development thru prototype flight test should be required for both first generation and follow-on electronics programs for a single weapon system.

Adding flesh to the second proposal, the following checklist is recommended for all high risk electronics programs:

(a) Provide broad descriptions of electronics system requirements in the RFP. (E.g., the end item, weapon system, the radar dish size, approximate weight and cube of the electronics equipment.)

(b) Continue use of the Contractor Definition Phase, but assure a variety of approaches to major areas of uncertainty in the choice of CDP contractors.

(c) Select at least two contractors to enter the development competition, again providing a diversity of viewpoints for resolving technical obstacles. The customer should not issue detailed specifications at this time, but should identify the key risk areas in the new system.

(d) Provide a funded competitive development of at least two years culminating in an extensive demonstration of prototype equipment in an operational environment with special emphasis on the potential maintainability of the equipment by service personnel.

(e) Select a final contractor on the basis of comparative performance in each of the identified risk areas and on the overall adaptability of the system to operational conditions.

A final note on systems which are expected to be in procurement for a number of years. Consideration should be given to the tooling up of a second contractor after the system has been completely developed to provide an element of competition in the award of annual requirements. Some proportionate formula would have to be established such that both contractors would receive a minimum level of work, but the lion's share of the production would go to the lowest bidder.

FOOTNOTES

[1] Aerospace Industries Association, Aerospace Facts and Figures 1967, p. 5.

[2] Irving N. Fisher and George R. Hall, Risk and the Aerospace Rate of Return, Rand Corporation RM5440, 1967, p. 6.

[3] Peck and Scherer, op. cit. p. 315.

[4] T. A. Marschak, The Role of Project Histories in the Study of R & D, Rand Corporation, p. 2850, 1964, pp. 5–21.

[5] A. W. Marshall and W. H. Meckling, Predictability of Costs, Time and Success of Development in the Rate and Direction of Inventive Activity, R. R. Nelson (ed.), 1962, pp. 461–475.

[6] Ibid., p. 471.

[7] Ibid., p. 473.

[8] Marschak, op. cit., p. 105.

[9] Ibid., p. 112.

[10] Herman O. Stekler, The Structure and Performance of the Aerospace Industry, 1965, p. 159.

[11] Peck and Scherer, op. cit., pp. 293–95.

[12] R. Oppenheimer in Brighter than a Thousand Suns (R. Jungk ed.) 1958, p. 296.

[13] Stekler, op. cit., p. 154.

[14] Fisher and Hall, op. cit., p. 4, Corporate Annual reports, and Economic Report of the President February 1968, p. 293.

[15] Roger Lewis, General Dynamics Corporation president, remarks at annual stockholders meeting April 24, 1968.

[From the Washington (D.C.) Post, Jan. 26, 1969]

WEAPONS SYSTEMS: A STORY OF FAILURE

(By Bernard D. Nossiter)

The complex electronic gadgetry at the heart of new warplanes and missiles generally works only a fraction of the time that its builders had promised.

The performance of the multi-billion-dollar weapons systems started in the 1950s was bad; those of the 1960s are worse.

The Pentagon appears to be giving the highest profits to the poorer performers in the aerospace industry.

These are the conclusions of an abstruse 41-page paper now circulating in Government and academic circles. The document, a copy of which has been made available to The Washington Post, is believed to be the first systematic effort to measure how well or ill the Pentagon's expensive weapons perform.

Its author is a key Government official with access to secret data and responsibility for examining the costs of the Pentagon's complex ventures. He and his agency cannot be identified here.

His paper, entitled "Improving the Acquisition Process for High Risk Military Electronics Systems," aims at bringing down the costs and bettering the dismal performance of weapons. It does not discuss a question that might occur to others; if these weapons behave so badly, why is the money being spent at all?

For security reasons, many of the planes and missiles examined are not identified by name.

The paper first examined 13 major aircraft and missile programs, all with "sophisticated" electronic systems, built for the Air Force and the Navy beginning in 1955, at a cost of $40 billion.

Of the 13, only four, costing $5 billion, could be relied upon to perform at more than 75 per cent of their specifications. Five others, costing $13 billion, were rated as "poor" performers, breaking down 25 per cent more often than promised or worse. Two more systems, costing $10 billion, were dropped within three years because of "low reliability." The last two, the B–70 bomber and the Skybolt missile, worked so badly they were canceled outright after an outlay of $2 billion.

LOSES FURTHER LUSTER

The paper sums up: "Less than 40 per cent of the effort produced systems with acceptable electronic performance—an uninspiring record that loses further luster when cost overruns and schedule delays are also evaluated."

The paper measures "reliability" in this context: The electronic core of a modern plane or missile consists essentially of three devices. One is a computer that is supposed to improve the navigation and automatically control the fire of the vehicle's weapons and explosives. Another is a radar that spots enemy planes and targets. The third is a gyroscope that keeps the plane or missile on a steady course.

When the Pentagon buys a new gadget, its contract with the aerospace company calls for a specified "mean time between failure of the electronic system." In lay language, this is the average number of continuous hours that the sytems will work.

In a hypothetical contract for a new jet bomber, Universal Avionics will sell the Air Force on its new device by promising that the three crucial electronic elements will operate continuousuly for at least 50 hours without a breakdown. In the reliability measures used in the paper described here, the plane is said to meet 100 per cent of the performance standards, if, in fact, its gadgetry did run 50 consecutive hours. However, if a key element breaks down every twelve and a half hours, it gets a rating of 25 per cent; every 25 hours, 50 percent and so on. Should a system operate with a breakdown interval of 62.5 hours—a phenomenon that happens rarely—its reliability is rated at 125 per cent.

TEST FOR THE PILOT

Quite obviously, the more frequent the breakdown, the more the pilot of a plane has to rely on his wit and imagination to navigate, find targets and fly a steady course. Over-frequent breakdowns in a missile can render it worthless as an instrument of destruction.

Curiously enough, as the paper demonstrates, the Pentagon and the aerospace industry apparently learned little systems of the 1960's are even worse.

The document first looks at the performance record of the electronic systems in 12 important programs begun in the 1950's. As the accompanying chart shows, all but four missiles can be identified by name without breaching security.

Of the 12, only five perform up to standard or better; one breaks down 25 per cent more frequently than promised; four fail twice as often and two break down four times as frequently as the specifications allow.

The document discusses some of the good and bad performers in this group. It observes that the F–102, the Delta wing interceptor for the Air Defense Command, was bedeviled by an unsatisfactory fire control system. Its first had to be replaced; the next was also unsatisfactory, and an extensive, two-year program to modify the device was then undertaken.

SIDEWINDER DID WELL

In contrast, the Sidewinder, a heat sensing missile, performed very well. The study attributes this to the fact that the missile was developed in a leisurely fashion, without a "crash" schedule, and that several contractors were brought in to compete for key components.

The paper next examines eleven principal systems of the 1960s. These cannot be identified beyond a letter designation.

Thus, in the chart (not printed here) A1 is the first version of a plane or missile; A2 is the second version, possibly one for a sister service; A3 is the third version and so on. B1 is the first version of an entirely different system; so are C1, D1 and E1.

To make the best possible case for the Pentagon and its contractors, this survey does not include two systems costing $2 billion that performed so badly they were killed off. The eleven systems of the 1960s evaluated here account for more than half of those begun in the most recent decade and their electronic hearts cost well in excess of $100 million each.

Of the eleven systems, only two perform to standard. One breaks down 25 per cent more rapidly than promised; two break down twice as fast and six, four times as fast.

As a group, the eleven average a breakdown more than twice as fast as the specifications demand. Oddly enough, the first version of the system designated as "A" met the standard. But the same unidentified contractor produced three succeeding versions that fail on the average more than three times as often as they should. All these successors, the paper observes, were ordered on a "pressure cooker" basis, on crash schedules.

HIGHEST REWARDS

The paper also examines the relationship between contractors' profits and performance, and suggests that, contrary to what might be expected, some of the most inefficient firms doing business with the Pentagon earn the highest rewards.

The second chart looks at profits, after-tax returns as a percentage of investment, the only valid basis for determining profitability, for the ten years from 1957 through 1966. During the decade, the aerospace firms managed to earn consistently more than American industry as a whole, piling up nine dollars (or billions of dollars) in profits for every eight garnered by companies not doing business with the Pentagon.

Even more peculiar is the brilliant earnings record of two of the biggest contractors, North American and General Dynamics. Both, except for a brief period when General Dynamics tried its hand at some civilian business, made profits far above the industrial average and generally in excess of their colleagues in aerospace.

During the ten years, North American did all but two per cent of its business with the Government. The study reports that it produced one highly successful plane in the mid-50s, another system that met performance specifications, one that was canceled and four that broke down four times as frequently as promised. Nevertheless, the company's profits were 40 per cent above those of the aerospace industry and 50 per cent above the average for all industries.

NONE MEASURES UP

General Dynamics had, as the chart shows, a much more uneven profits record. But its years of disaster and even losses were those when it ventured into the economically colder climate of the civilian world to produce a commercial jet airliner. Having learned its lesson, it retreated to the warmer regions of defense procurement and, in recent years, has netted more than the industry average. It has compiled this happy earnings score, the study observes, despite the fact that none of the seven weapons systems it built for the Pentagon "measured up to expectations." Its most notorious failure is the F-111 swing-wing fighter-bomber.

As a final touch, the study notes that complex electronic systems typically cost 200 to 300 per cent more than the Pentagon expects and generally are turned out two years later than promised. But both of these phenomena have been examined so frequently by specialists in the field that the paper does not dwell on them.

HOW MUCH PROTECTION?

These findings raise some serious questions. Perhaps the most important is how much protection the United States is getting for the tens of billions of dollars invested in expensive weaponry. Another is whether the whole process should be turned off and improvements made in the existing devices. Secretaries of Defense have repeatedly assured the Nation that present weaponry guarantees the destruction of any Nation that attacks the United States.

The document under study here, however, takes a different line, one aimed at getting less costly weapons that measure up to the promised performance.

It blames the dismal record on several factors. One is the relentless search for newer and more complicated electronic "systems." The aerospace contractor has an obvious vested interest in promoting "breakthrough" gadgetry. This is the way he gets new, and clearly profitable business.

CLOSE CORRELATION SHOWN

But the study asks, do the services need it? Since the Air Force and the Navy almost always accept a plane or a missile that performs at a fraction of its promised standard, it would appear from an exclusively military standpoint that a device of a much lower order of performance fits the Nation's defense needs.

The document also shows a close correlation between "crash" programs and poor performance. Thus, it proposes more realistic schedules. If a weapon is wanted in short order, five years or less, the study recommends that its electronic gadgetry be limited to familiar items.

If the Pentagon wants something that makes a "technical breakthrough," it should allow a minimum development period of five to seven years, it is pointed out.

Another factor in poor performance, the study says, is the absence of competition for new systems after the initial designs are accepted. Typically, the Pentagon requires five or so aerospace firms to bid on its original proposal. But typically, it selects one winner on the basis of blueprint papers. The study says that the military could save more money and get a better product if it financed two competitors to build prototypes after the design stage. Such a technique was followed, it recalls, with the F-4, a supersonic Navy interceptor. Even though the F-4 employed both a new radar and a new computer, it performed up to the promised standard.

At first glance, such a technique might seem like throwing good money after dubious dollars. But the study contends that if two aerospace competitors are forced to build and fly prototypes before they win the big prize—the contract to produce a series of planes or missiles—they will be under a genuine incentive to be efficient, hold costs down and makes things that work.

COMPETITIVELY PRICED OIL FOR NEW ENGLAND

Mr. AIKEN. Mr. President, inasmuch as a publication called Independent Petroleum Monthly in its January 1969 issue virtually charged the people of New England and the Members of Congress from New England with jeopardizing our national security in asking for a price for oil comparable to that paid by other parts of the country, I ask unanimous consent to have printed in the RECORD a release which has been issued by my office 1 hour ago.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

A RELEASE FROM THE OFFICE OF GEORGE D. AIKEN, U.S. SENATE, FEBRUARY 7, 1969

Senator George D. Aiken announced today that if all other efforts to secure competitively priced oil for New England fail he will introduce a "National Defense Oil Subsidy Bill" to require the Federal Government to make up the difference between high prices in New England and the average national price elsewhere.

"The oil interests oppose a refinery at Machiasport, Maine on the ground that domestic oil is essential to the national defense," he explained.

"They brashly accuse New England of demagogery and endangering the national security because we want home heating oil and residual fuel oil at prices comparable to those paid in other parts of the country.

"If this concerns the national security, then the entire Nation should share the cost."

Senator Aiken pointed out that the Northeast consumes 20 percent of the total home fuel oil produced in this country yet is located at such a distance from U.S. oil sources of supply that oil producers say it is uneconomic for domestic companies to supply oil to the region at fair prices.

"This proposal would cost about $100 million annually in addition to the 27½ percent depletion allowance which the oil companies now receive, but it would cut average home fuel bills by at least $25 a year," he estimated.

Each year New England's oil import quota for fuel oil is being reduced to give larger portions of the quota to the petro-chemical industry.

"We should not subsidize the oil industry and make the New England consumers pay the bill," Senator Aiken declared.

"I object to the tribute we pay the oil industry through tax loopholes and monopoly operations, but in charging New England with jeopardizing national security they have gone too far.

"If New England must remain the captive market of the domestic suppliers for national security reasons then the Government should pay the bill."

RECOGNITION OF SENATOR JAVITS

Mr. JAVITS. Mr. President, I ask unanimous consent that at the conclusion of the morning hour I may be recognized for 20 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears no objection, and it is so ordered.

RALPH McGILL

Mr. JAVITS. Mr. President, on behalf of the Senator from New Jersey (Mr. CASE), I ask unanimous consent that his statement mourning the loss of Ralph McGill, columnist and publisher of the Atlanta Constitution, be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR CASE

The nation mourns the loss of Ralph McGill, columnist and publisher of The Atlanta Constitution, who died this week. His voice has served for years as the conscience of the South—indeed the entire nation.

Mr. McGill was truly a journalist-statesman and we shall miss his rich and trenchant prose which was so relevant to so many of the most important problems facing our nation. I think Mr. McGill's last column reflects the man he was. In an open letter to Health, Education and Welfare Secretary Finch, Mr. McGill wrote of his deep concern for school desegregation in the South. Secretary Finch issued a statement Tuesday in response to Mr. McGill's open letter in which he said he agreed with Mr. McGill that it is "neither legally or morally defensible to 'turn back the clock' and to accept as public policy so-called 'freedom of choice' plans which do not bring about effective school desegregation."

I include as part of my remarks at this point in the RECORD Mr. McGill's last column as well as Mr. Finch's statement:

"LISTEN, PLEASE, SECRETARY FINCH

"(By Ralph McGill)

"Secretary Finch, if you have just a moment, sir, please lend an ear.

"In a small Georgia city the superintendent of the independent city school system has resigned. He reportedly was in opposition to proposals to merge the county and city systems in order to regain federal funds cut off by local decision two years ago.

"The superintendent is described as a strong proponent of the freedom of choice plan. Yet, reports are that there have been no crossovers whatever during the regular school months since the free choice plan was instituted. Two of the system's schools are all-white, one is all-Negro.

"So much for this story. Let us turn to other illustrations and to discussion of the broader issue.

"The freedom of choice plan sounds good. It is freedom. But Mr. Secretary, freedom of choice as it relates to public schools in the South, more especially the small-town-rural South, all too frequently is a complete non sequitur.

"Intimidation

"In some systems, for example, there have been charges of gross intimidation. In others, reports are made of private visits by persons who smile, but say rather grimly, 'You don't want to send your children to the white school, do you? I don't think they would be happy there. . . . It might not be safe. . . .'

"Freedom of choice has produced a modest amount of sincere operation. In all-too-many communities it has resulted in carefully screened tokenism and nothing more. There are freedom of choice communities where the all-white, or almost-all-white, school has a large, well-fitted-out band, a good gymnasium, and a reasonably good curriculum. The all-white, or almost-all-white, school will have state accreditation. The all-Negro school will have no band, no gymnasium, and will not be accredited.

"There is all too often no freedom in the freedom-of-choice plan. It too frequently is freedom in reverse. It offers a segregationist, racist dominated community or board an opportunity to proclaim a free choice while they covertly employ 'persuasions' to maintain segregation or meager tokenism.

"The problem of culturally deprived children increases. For some years it—the deprivation—has been exported to all major cities in the nation. The effects of the segregated school system, with its generations of discrimination against the poor—especially, but not altogether, the Negro poor—are starkly evident in every social problem we have today—ranging from children to adults.

"TRAGEDY

"It will be the greatest tragedy with the most foreboding consequences if public school officials are allowed to perpetuate dual systems.

"That the public school system needs restructuring so as to care for those who have been educationally starved in the past is undeniable. Huge federal funds will be required once the new structuring begins. To allow local boards to use federal funds to further establish their own blindness and narrow prejudice can lead only to further disaster.

"At a more pragmatic level, it is not good politics to curry favor with local or state politicians who presently urge leaving local boards to do as they please with the choice plan. The rising expectations of peoples long separated from a share in their country's benefits, plus the steady enlargement of voter registration, will in time react even in rural areas against those who desperately seek to maintain separation and denial of equal education for all children—in the name of freedom!

"You may be assured, sir, that the freedom of choice plan is, in fact, neither real freedom nor a choice. It is discrimination."

(This was Ralph McGill's last column)

"STATEMENT ON RALPH M'GILL BY ROBERT FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

"We will miss Ralph McGill. His plea for equal opportunity for all our people was strong and eloquent. It was an eloquence that avoided stridency, that was always tempered by restraint. His concern was with progress—the future—and his words carried his hope for a better world for all those who have suffered from the unreasoning hand of bigotry and discrimination.

"The Nation, and particularly the South, has lost an articulate voice for moderation in race relations and for progressive change in those characteristics of American institutions that have thwarted the aspirations and freedom of any of our citizens.

"Mr. McGill's plea was for consistent efforts toward school desegregation. What became his valedictory column in the *Atlanta Constitution* was directed to me, as Secretary of Health, Education, and Welfare. I agree in total with his lifelong concern for upward progress in this area. To his final words, I direct this response: I consider it neither legally or morally defensible to 'turn back the clock' and to accept as public policy so-called 'freedom of choice' plans which do not bring about effective school desegregation.

"Mr. McGill, in his lifetime, made a singularly constructive impact on the attitudes of people in the South and across the Nation. Much remains to be done, but for all of us, Ralph McGill's efforts will stand as a benchmark for measuring our future progress."

Mr. JAVITS. Mr. President, I join with the Senator from New Jersey in calling attention to the outstanding character of this great columnist and publisher, whom I honor as one of the truly great editors of our country.

ADJOURNMENT OF THE TWO HOUSES FROM FEBRUARY 7, 1969, TO FEBRUARY 17, 1969

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on the House concurrent resolution which is at the desk.

The VICE PRESIDENT laid before the Senate House Concurrent Resolution 124 which was read, as follows:

H. CON. RES. 124

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Friday February 7, 1969, they stand adjourned until 12 o'clock meridian, Monday, February 17, 1969.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the concurrent resolution.

The VICE PRESIDENT. Is there objection?

There being no objection, the concurrent resolution (H. Con. Res. 124) was considered and agreed to.

COMMENDATION OF LEADERSHIP OF BOY SCOUTS OF AMERICA

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on House Concurrent Resolution 133.

The VICE PRESIDENT laid before the Senate, House Concurrent Resolution 133, which was read, as follows:

H. CON. RES. 133

Whereas the Boy Scouts of America, an organization of American boys, was chartered by an Act of Congress in 1916; and

Whereas approximately 6,000,000 boys are currently members of this great youth organization: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the leadership of the Boy Scouts of America be commended for their fine work and praised for continually directing the Boy Scouts into programs which encourage Americanism and pride in our country's heritage.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the concurrent resolution.

The VICE PRESIDENT. Is there objection?

There being no objection, the concurrent resolution (H. Con. Res. 133) was considered and agreed to.

AUTHORIZATION FOR SECRETARY TO RECEIVE MESSAGES FROM THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT, AND FOR COMMITTEES TO FILE REPORTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate, upon the conclusion of business today until Monday, February 17, 1969, that the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives, and that they be appropriately referred; and that the committees of the Senate be authorized to file their reports.

The VICE PRESIDENT. Without objection, it is so ordered.

THE HUNGER EMERGENCY—FUNDS FOR THE SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

Mr. McGOVERN. Mr. President, I ask unanimous consent that I may be permitted to proceed for 5 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McGOVERN. Mr. President, yesterday, the Committee on Rules cut the proposed budget of the Select Committee on Nutrition and Human Needs by over 40 percent. Apparently the committee took this action without a record vote and without even raising a question about the budget either with the chairman of the select committee or with the ranking minority member, the Senator from New York (Mr. JAVITS), when we appeared before them.

I want to say, Mr. President, that after thinking about this matter overnight, I have decided we have no recourse except to appeal to the floor for a restoration of the funds that we requested in our resolution when it went to the Rules Committee a few days ago. I intend, at the appropriate time, to make the appeal to my colleagues on the floor to restore this budget.

What we are dealing with here is one of the most critical problems confronting the country today; namely, the plight of millions of malnourished people suffering either from an inadequate amount of food or from the wrong kinds of food. It is a problem that cannot wait. The painful slash which has been made in the budget will make it impossible for us to carry out the mandate that we received from the Senate by a unanimous vote last summer.

Let us be very clear about what is at stake here. We sit comfortably in this body. We have just raised our own pay. I was one of those who voted for it. As the senior Senator from Illinois told us, "Senators have to eat, too." But Senators can eat. Other Americans do not eat. Many of them are not eating adequately.

As we consider this issue here today, we can go to the Senate restaurant and then we can go to the gym and work off our excess weight. But that is not the problem with millions of our fellow citizens. In the country that we govern, among those who look to us for leadership, are literally millions of people who do not eat often enough; not well enough; sometimes not at all. They are hungry. And sometimes they remain hungry because of bureaucratic breakdowns in our existing food programs.

They are children who are handicapped in their mental development, in the learning process, because they are faint from hunger.

They are babies who are mentally crippled, and irreparably so from the moment of their birth, because their mothers do not have enough to eat.

These people do not live in any one part of the country. They live in Harlem, in Appalachia, in the heart of every great city in this country, and in every geographical section.

I think it is a disgrace for this country, the wealthiest and most abundant country on the face of the earth, that this situation exists.

Last year, we decided to change all that. We began to take note of the serious hunger which did exist in our land. Unanimously, we established a Select Committee on Nutrition to investigate this terrible problem and assess its full extent and then recommend the needed solutions.

For the past 2 months, the committee has been hard at work. It has been said by some that we are making headlines as if that set us apart from some other committees of Congress. But these are no ordinary headlines. They seldom contain the names of Senators. They carry no wild charges or allegations. They are the sober conclusions of the best nutritionists, the most informed members of the medical profession in this field, and some of the most thoughtful citizens in our country.

What they report is that we have our own "Biafras" in various parts of this country crying out for attention.

Those are the facts this committee is developing. Yet our budget is cut just as we are about to move into full-scale field hearings and investigations.

I hope that, at the appropriate time, the 54 Senators who joined in cosponsoring the resolution to extend the life of this committee and to provide for the budget that we have asked, will be available to assist in what I regard as an important effort to restore these much-needed funds.

Let me now turn, Mr. President, to some of the shocking facts which we have already developed and of which the Senate should be aware.

They are facts which amount to a national emergency more serious than the spreading slick of oil that threatens the coast of California. Because it is harder to see, it is harder to combat. They are facts about malnutrition and hunger that kills and cripples millions of our fellow citizens as surely as the oil in that ocean kills the fish and fowl. They are facts which compel me to call for action, immediate action to feed our hungry people.

During the past month the Select Committee on Nutrition and Human Needs has received irrefutable testimony about hunger in this country, hunger that is painfully clear and hunger that is hidden from view in the form of malnutrition. We have heard expert witnesses whose testimony leaves no doubt that bad diets have created a public health emergency of serious proportions.

I shall briefly review that testimony, discuss its implications and suggest some immediate remedies.

First, let me highlight the findings of the national nutrition survey now being conducted by the Public Health Service of the U.S. Government. This survey conducted by specially trained medical personnel is a scientific study of thousands of families in the lowest quarter income brackets in 10 States. Its results are based on examinations of a large cross-sample of people living in diverse sections of the Nation. The preliminary results from two of these States as explained by the director of the survey, Dr. Arnold E. Schaefer, indicate that hunger and malnutrition in this richest of all nations is as severe as in some of the poorer nations of the world.

Consider the human meaning of these findings by the National Nutrition Survey:

Thirty-four percent of the preschool children examined exhibit anemia which causes "fatigue, listlessness, an inability to perform so serious that any doctor would pronounce its victims candidates for medical treatment."

In Texas, goiter, a disease that can be prevented for a quarter of a penny per person per year, and which we thought extinct in this country, is, by World Health Organization standards, endemic.

Growth retardation, often companion to permanent brain damage, is common.

Vitamin A deficiency, unknown to any child who simply drinks enough milk, afflicts 33 percent of our children under 6.

Some children in this country have rickets, scurvy, beri-beri, marasmus, and kwashiorkor diseases common in developing countries and usually associated with famine.

What do these and other findings of the survey really mean? The committee has learned from expert testimony that present nutritional deficiencies result in—

Children born with their brains already damaged because their mothers are severely undernourished and have not seen a physician or even a midwife until delivery.

Premature babies, 50 percent of whom may grow up to have "intellectual competence significantly below that which would be expected" in full-term infants.

Decreased learning ability, body growth, rate of maturation, ultimate size, and productivity throughout life.

Lastly, early death.

The cost to the country of such mental and physical damage is incalculable. For millions of our people it means reduced productivity due to reduced intelligence, reduced learning capacity, and reduced employability. Compared to what it would cost to provide adequate food and medical care, it is a criminal waste.

The results of the survey are even more distressing when it is realized that the information has not yet been specifically broken down to relate malnutrition to income levels, and relate the findings to other symptoms of poverty. But there is no question that the nutritional deficiencies and their debilitating effects are most severe among the poor.

> High infant mortality—

Dr. Charles Lowe testified—

> is the hallmark of poverty in America.

In addition:

> We know that the rate of premature births is often two and three times higher in poor than in well-to-do families. We know also that mental deficiency may be from three to five times as frequent in children of families living in poverty. In effect, malnutrition, high infant mortality and prematurity rates and high levels of mental deficiency together are abnormalities found among families living in poverty . . . Each of these aberrations feeds upon the others. Nutrition may be the key to breaking this chain. If we can ensure that the infants, children, and pregnant mothers of this country receive adequate nutrition, we could interrupt this cycle. Infant mortality and prematurity rates would decrease, and our children would grow and develop both in body and in intellect. Educational accomplishment and achievement would improve and economic status would rise.

The National Nutrition Survey marks a major step forward in the fight against hunger in this country because it proves beyond doubt for the first time that malnutrition is a cruel reality that many people cannot believe or have chosen to ignore.

Only 2 years ago the Surgeon General of the United States, Dr. Stewart, said:

> We do not know the extent of malnutrition anywhere in the United States.

But in April of 1967, a U.S. Senate subcommittee, including the late Senator Robert Kennedy, went to Mississippi with the Senate Subcommittee on Employment, Manpower, and Poverty, and there in the Delta, the Senators saw malnutrition and even starvation. They learned that many faced the choice between starvation and moving north to the ghettos of Chicago, Detroit, or New York. On their return, all nine members of the subcommittee unanimously recommended to the President that an emergency be declared in Mississippi and that various steps be taken to meet it.

The President did not declare an emergency and little was done. The Secretary of Agriculture asserted that he was restricted from acting because of legal technicalities which led Senator Kennedy to remark: "I can not believe that in this country we can not get some food down there." Senator Kennedy could not believe it then. I find it equally unbelievable now.

A year later, in April of 1968, the privately sponsored Citizens Board of Inquiry into Hunger and Malnutrition in the United States published an independent report on hunger in this country. Using national data, studies of particular areas and case histories, they estimated that 10 to 14 million Americans were going hungry. They demanded immediate remedial actions and were pilloried for supposedly exaggerated conclusions. But the Department of Agriculture suddenly found it could institute direct programs in a few critical counties.

That same April, CBS aired a documentary entitled "Hunger in America" which dramatically showed that millions of Americans are seriously undernourished. In a series of pathetic studies, the film showed the crippling effects of hunger on children in Alabama, on pregnant women in San Antonio, and on tenant farmers in Virginia. The film's narrator, Charles Kuralt, closed with the simple hope that in this land of abundance "the most basic human need, food, might someday become a human right."

That "someday" has not yet arrived and the poor and the hungry and the sick wonder why. So do I.

I am convinced from testimony already taken by our select committee that we are failing to feed our people adequately. The Agriculture Department reports expansion of the food stamp program into new counties, increased allotments of free commodities and improved school lunches. Still millions more do without because the stamps cost too much, the commodities are too heavy, too tasteless to eat, and last only 3 weeks of the month, the lunches simply do not exist for millions of schoolchildren or are not free for those who cannot pay.

And even if the stamps or commodities—I say "or" because regulations prohibit both from operating in the same county at the same time—were available, our people would still not be properly fed. The stamps do not buy enough and the commodities do not provide a balanced diet because as has been explained before they were never intended to. The primary reason for the commodity program is to dispose of surpluses. Only secondarily is it to feed hungry people. And it works just as intended.

The national school lunch program could take up much of the nutritional slack if only it reached more than 2 million of the estimated 7 million poor schoolchildren of the country. A few days ago, I was privileged to hear the testimony of Mr. B. P. Taylor, superintendent of a Texas school district, in which a unique and comprehensive nutritional and health program has been operating since 1959. In this poor, heavily Spanish-speaking area, Mr. Taylor's program has virtually eliminated anemia, vitamin deficiencies, and other symptoms of malnutrition among the students. The result of this success has been a 15- to 20-percent rise in school attendance, the near elimination of dropouts, and entrance to college by students from an area where nearly all the families are poor. If only a fraction of this dropout reduction could be realized nationally, it could mean a $300 billion increase in our national income during this century. This increase would come only from those children actually enrolled in grades 1 to 12 today.

This $300 billion is about $264 billion more than the estimated total cost of feeding every child now in school and their parents as well for the next 12 years.

While the findings of our committee and the national survey remain to be completed to fully determine the extent of hunger and malnutrition among us, results thus far, reinforced by previous congressional hearings, the findings of the Citizens Board of Inquiry and the CBS documentary, call for immediate action.

President Nixon recognized the gravity of the situation just a few days ago during his visit to the Department of Agriculture when he called on USDA to use its resources to eliminate malnutrition.

But we need more than general exhortations. Let me be quite blunt.

The poor people in America need help. They are not going to get it without Presidential and congressional leadership and unless the moral conscience of the American people is aroused to do for our own citizens what we clamor to do for the Biafrans. We need not await the results of either the select committee's studies or the national nutrition survey. There are steps which can and should be taken right now—steps that do not require new programs or new legislation—steps that many tried, unsuccessfully, to get the last administration and the last Congress to undertake.

We need, first, a declaration of national policy and urgency that no citizen of this Nation will be permitted to go hungry or malnourished.

Second, I urge that the Secretary of Agriculture use his authority to institute emergency food distribution programs in food stamp counties and counties without food assistance where there is a clearly recognized problem of hunger and malnutrition.

The Secretary is presently under Federal court order to distribute commodities in 16 California counties without food programs. Yet USDA refuses to either appeal or comply—in fact the Secretary is in contempt of court. Meanwhile people are going hungry in those California counties—and the State wants to help. USDA has the food. It is currently buying thousands of cans of pork. It should use these and other surpluses in California and places like Beaufort, S.C., where children get half the calories they need each day—and the worms eat much of that.

Third, the 22 commodities which USDA claims are available for distribution should actually be made available. Now, only eight to 10 get to the local warehouse and their value is a quarter to a half of the $12.70 a person claimed by USDA. There is no reason why when practically everything is in surplus according to USDA's own definition of that term, a fully balanced diet that will last a full month instead of running out the third week could not be provided.

Fourth, we should learn more from our experience with the food-for-peace program. Our committee has learned that it was not until last spring that we began to fortify the powdered milk that we distribute to our own hungry people while we have been fortifying powdered milk for distribution abroad for years. The food industry has now developed a nearly complete food product called CSM. It is a high protein mixture of precooked corn meal, soybean flour, and dried milk with vitamins and minerals added which, with some lettuce and citrus, or their equavilent, makes a better diet than many Americans now have. CSM is easy to prepare and use. It can form the base of a gravy or a soup. It can be made into breadlike products. Simple instructions on the package inform the recipient of the variety of ways to use CSM. For 7½ cents a pound we are sending CSM to hungry people abroad.

CSM is now available in the form of pasta—spaghetti, macaroni, and noodles—a food product commonly used the world over. Three-quarters of a pound of this pasta can provide all the proteins, vitamins, and minerals needed by an individual each day. Private industry is ready to produce it and it can be delivered to the Government at a cost of 10 cents per pound. It can be sold on grocery store shelves at a retail cost of 20 percent less than the pasta we now buy.

Several months ago, the Department of Agriculture was urged to demonstrate the use of this pasta in three cities but no action was taken. USDA could start tomorrow to include CSM pasta as the 23d commodity in the commodity distribution program. Further, it can work with private industry—grocery manufacturers—to assure that the pasta and other products such as fortified bread are available on shelves in grocery stores that redeem food stamps.

Fifth, the Agriculture Department should start complying with the food stamp law and charge for stamps what poor people normally spend for food instead of two or three times that much as is now often the case. I hope the new Secretary will increase the food stamp bonuses, too, to provide a total stamp value to let the recipient purchase a full month's supply of food instead of running out the 23d day of the month as is now the case.

Sixth, it is time we started using our schools to provide free breakfasts and lunches to all who need them and to educate parents and children in nutrition. Superintendent Taylor, of San Diego, Tex., has already shown what can be done in one small school district. We can start to do that in every rural and urban ghetto school in America if we have the will and the leadership.

Seventh, it is time to commit funds to complete the national nutrition survey so that it can cover a minimum of 20 States as well as focus upon specific economic, ethnic, and other groups. The survey can be completed in the first 10 States by December 1969 and in the remaining 10 States by December 1970, but only if sufficient funds and personnel are made available.

Eighth, it is time Federal agencies began to monitor their own programs at the State and local level. As one of our witnesses said, "The only way to monitor programs that include nutrition is to monitor the food that actually gets into people. Just monitoring the amount of money spent, the number of counties involved, the number of programs going on, or the number of employees of the Department of Agriculture" will not tell whether people are hungry or malnourished.

These are only first steps—steps that may begin to return those who need assistance most in the Nation to a level of national nutrition that existed during the emergency period of World War II. Other steps must follow and these subsequent measures and new approaches and programs will be the subject of the select committee's future hearings.

The committee intends to thoroughly evaluate existing food assistance efforts, investigating administrative procedures and practices from the Federal to the State and local level. We are going to ask the tough questions that have not been asked before. And we are not going to assume there are any easy answers or that just because we have had programs on the books since the thirties or forties those programs are the answer.

We are beginning to learn that food may well be a key factor in breaking the cycle of poverty. Billions are being spent on subsistence welfare, expensive job training programs, and special education programs with disappointing results. The welfare families beget welfare families, the trainees do not hold their jobs, and the students continue dropping out. The result is frustration and anger both by those citizens who are paying for these failures with their taxes and those who are paying with their wasted lives.

Yet the reason for this failure and frustration may be that it is too little too late. The remedy may be as simple and relatively inexpensive as three square meals a day. This at least is a prerequisite. Nutrition, according to the best medical advice available, is the key to normal human development. The quality of food that a child receives during his first 2 to 4 years can program the rest of his life. Malnutrition during the last trimester of pregnancy and the first few months of life, can seriously limit intellectual development. Most of a child's brain growth occurs before he enters school.

If we are ever to really attack the "root cause" of poverty, this is surely the place. If we cannot win the battle against hunger in America, we will never win the war on poverty. This was put best perhaps by Dr. Lowe when he testified before the committee:

> This morbid chain must be broken: In my opinion the most readily accessible step is also the most critical. Were we to ensure that infants, children and pregnant mothers of this country receive adequate nutrition, we could interrupt the cycle and remodel the future.
>
> Interrupt the cycle and remodel the future.

It sounds too simple to resolve the seemingly insoluble problems we face. Yet, as is often the case with what seems insoluble, it may be the simple but basic approach, rather than the complex remedy, that provides the ultimate solution.

HUNGER BUDGET CUT IGNORES "NATIONAL SCANDAL"

Mr. JAVITS subsequently said: Mr. President, when the Senator from South Dakota (Mr. McGOVERN) spoke in protest about the cut in the budget for the Committee on Hunger, as it is popularly known here, I was under the impression he was going to speak at more length after the morning hour. I gather that is not so, inasmuch as his remarks are already in the RECORD.

Mr. President, I am the ranking Republican member of the Select Committee on Nutrition and Human Needs. I join with the Senator from South Dakota (Mr. McGOVERN) in expressing great regret that the Committee on Rules and Administration has seen fit to cut the Nutrition Committee's budget so very strikingly. Indeed, the 40-percent cut differs so vividly from the average 12-percent cut which was taken from the budgets of other committees.

Mr. President, I wish to state to the Senate that I have studied the amounts requested of the Committee on Rules and Administration for the budget of the Nutrition Committee. At my insistence it agreed in a most solemn way, and I can assure the Senate that it will confine its activities to 1 year to perform the ad hoc function for which it was designated.

As the ranking minority member, and inasmuch as 54 Senators supported the original resolution submitted by the Senator from South Dakota (Mr. McGOVERN) authorizing the committee, I must join with him in the expectation—and I shall support him when the proper time comes—that all of it, be restored.

We know that a prima facie case has been made on the existence of malnutrition. The preliminary report of HEW's survey team indicates enough instances of malnutrition, amounting to what in this country can be considered hunger, to justify the inquiry. The study will have great repercussions in the agencies of the United States dealing with the distribution of food.

It is really a national scandal that, with our farmers doing the greatest job in the world in raising food and fiber, there are somehow or other pockets of poverty in our country where these shocking situations, have been proven to exist.

I am satisfied that we can do the job in the space of 1 year, and I believe that the $250,000 is a reasonable budget request, considering the detailed and extensive studies which will be required.

I join with the Senator from South Dakota in his strong feelings on the matter, expressing the expectation, although it is unusual, that the Senate will act differently than the Committee on Rules and Administration indicated it should, and I will do my utmost to bring that about.

AUTHORIZATION FOR PRESIDENT OR PRESIDENT PRO TEMPORE TO SIGN ENROLLED MEASURES DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President or President pro tempore be authorized to sign duly enrolled bills or resolutions during the adjournment of the Senate from February 7 until noon Monday, February 17, 1969.

The VICE PRESIDENT. Without objection, it is so ordered.

"ISSUES AND ANSWERS"—INTERVIEW WITH SENATOR MANSFIELD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the transcription of a television program in which I participated, "Issues and Answers," on Sunday, February 2, 1969, be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

ISSUES AND ANSWERS, FEBRUARY 2, 1969

Guest: Senator MIKE MANSFIELD (Democrat of Montana), Senate majority leader.

Interviewed by: Bob Clark, ABC Capitol Hill correspondent; Bill Lawrence, ABC national affairs correspondent.

Mr. LAWRENCE. Senator Mansfield, when you proposed talks with Castro's Cuba about plane hijackings, as you did yesterday, are you looking beyond that perhaps to the reestablishment of normal diplomatic relations with Cuba?

Senator MANSFIELD. Maybe this is a possibility. I didn't go that far, but I think something ought to be done to bring an end to these hijackings and to punish the hijackers, and the only way you can do it is through direct contact with Cuba.

Mr. LAWRENCE. Well, are they not thrown in prison by the Cubans when they get there? I was under the impression they were.

Senator MANSFIELD. A few are, but most of them are not.

Mr. LAWRENCE. Why should Castro want to talk to us, or we to him, in the light of the history of our——

Senator MANSFIELD. Well, I think Castro has been acting quite circumspectly in the handling of the incidents of the planes. The crews, the passengers are returned. Someday there will be a mishap of some sort and there will be a destruction of a plane with its crew and passengers, and there will be hell to pay if something isn't done about it. Why not face up to it now and forget this idea of images, prestige and face and see if we can't work out a common solution to protect American citizens who are, through no fault of their own, put off on flights of this nature?

Mr. CLARK. Senator, there is a growing feeling in Washington that the United States should take a more active role in trying to work out a common solution, or a peace formula, for the Middle East. Do you feel we should?

Senator MANSFIELD. Yes, and I think that President Nixon is working in that area. Just the other day he had a meeting with the National Security Council to consider all aspects of the Mid-East situation. I understand he is giving a good deal of serious consideration to the possibility of joint U.S.-Soviet diplomacy in that direction and even four-power diplomacy with the addition of France and Great Britain.

Something will have to be done in that area to keep it from blowing up. He is aware of the gravity of the situation and I am quite certain, without knowing anything about his thinking, that he will face up to this matter as soon as he can and as soon as he has something to work on.

Mr. **Clark**. You, of course, are a member of the Foreign Relations Committee. Would you like to see us move first in the direction of joint talks with the Soviet Union?

Senator **Mansfield**. Yes indeed and I would also hope we would advocate as much as we can, either singly or jointly, with these other nations, try and get the Arabs and the Israelis to sit down to see if they themselves cannot bring about a settlement without one being, in effect, brought to their attention by outside powers.

Mr. **Lawrence**. Do you agree with Governor Scranton who made a mission to the Middle East for Mr. Nixon that we ought to be more friendly with the Arab nations than we have been in the past? He seemed to imply, without quite saying so directly, that we had a policy of favoritism towards Israel.

Senator **Mansfield**. I didn't understand him to say that. He asked for a more even-handed policy, as I recall, and I think that is a good policy to pursue and it is the kind of a policy we have been trying to pursue down through the past two decades.

Mr. **Lawrence**. Do you think we do have an open commitment to the Israelis, though, that we will defend them in the event of aggression and that we will try to see that they move their ships through international waterways?

Senator **Mansfield**. We have no hard, fast, legal commitment. All we have is the Mid-East Resolution which says that we will come to the aid, on an armed basis, of any country in that area which is threatened by outside communist aggression.

Mr. **Clark**. Well, if we take on this role of peace maker in the Middle East or try to move in that direction do you think we should also proceed with the plan that came out of the Johnson Administration to sell 50 Phantom Jets to Israel?

Senator **Mansfield**. Oh, I think that question is moot, now. That sale has been consummated and I believe it is a matter that is not up for discussion at this time.

Mr. **Clark**. You wouldn't have any concern about, oh, perhaps tying some restrictions to that sale, or getting a promise from Israel that it would sign the Nuclear Nonproliferation Treaty or make some peace move conditional on that sale?

Senator **Mansfield**. I think it would be most inadvisable and certainly would not achieve such an objective.

Mr. **Lawrence**. Do you see any signs that the Soviets are trying to put new restrictions on Nasser in any moves he might be about to make?

Senator **Mansfield**. There seem to be some indications that the Soviet Union is aware of the difficulties confronting the world in the Middle East and is moving in that direction. Just what is being done I don't know. I don't think anybody in the government knows but there does seem to be efforts being made in that area.

Mr. **Lawrence**. Well, Mr. Nixon spoke out at his first news conference the other day about the real danger of a possible explosion in the Middle East bringing about a direct confrontation with the Soviet Union. Perhaps in tones more urgent than most Americans, at any rate, had realized. Do you think that is a fair statement?

Senator **Mansfield**. Well, it was a hard statement, it was a statement I am glad he made. I would hope it wouldn't reach that point. Therefore, before it does, we ought to work together to try and bring about some settlement of some kind in the Middle East.

Mr. **Lawrence**. Do you think it alerted the American people to a danger that most of them perhaps may not have been aware of?

Senator **Mansfield**. No, I think the American people have been pretty much aware of the situation in the Middle East.

Mr. **Clark**. Do you think, Senator, there is anything we could or should try to do about the Iraq execution of Jews and spies?

Senator **Mansfield**. There is nothing we can do. It was a reprehensible act. I hope it is not repeated. I am glad that Israel has shown a degree of restraint because I do not favor this "tit for tat" policy which has been developing in recent weeks.

Mr. **Clark**. President Nixon at his news conference last week referred to the Middle East as a powder keg that might bring a confrontation of the major nuclear powers. Do you share his feelings in that regard?

Senator **Mansfield**. Yes, to a large degree I do. It is an explosive area and the fuse is getting shorter all the time.

Mr. **Lawrence**. If we could switch for a moment to Vietnam, during the campaign, Mr. Nixon said up in New Hampshire, early in the campaign, that he had a plan to end the war in Asia—end the war in Vietnam—and bring peace in Asia.

Have you heard any more about that plan? He never did spell it out in the campaign.

Senator **Mansfield**. No, he was supposed to give that just around the time President Johnson made his March 31 speech. On the basis of that speech he felt he should say nothing about any proposals he might have for Vietnam at that time. I would assume to help the Administration then in power to carry out its proposals, and to inaugurate talks and eventually negotiations in Paris.

Now what his plans are I don't know, but a week ago Saturday he did have his first National Security Council meeting, which I understand lasted for some seven hours, at which the topic of Vietnam was the major point of discussion, and at which I assume all the possible alternatives were brought into being and laid on the table.

Mr. **Lawrence**. How closely are leading Members of the Senate, such as yourself being filled in on the developing plans of the Administration?

Senator **Mansfield**. Not closely at all, but that is understood. The Administration has been in power for only a week. I dare say that Mr. Rogers, for example, the Secretary of State, has been in contact with Senator Aiken, the ranking Republican on the Foreign Relations Committee, and Mr. Fulbright, the Chairman. I assume that Mr. Nixon and his people have been touch with the Republican leadership in the House and Senate.

If the occasion arises, I am sure we will be called in, but I think it is wise that he conduct his initial meetings with only the Republican leadership because he has to get his feet wet, so to speak, in the administration of the Executive Branch of the government.

Mr. **Clark**. Do you think, Senator, as some of the war critics in the Senate do, that we should begin some sort of a phased withdrawal of American troops from Vietnam in advance of any progress at the peace talks in Paris?

Senator **Mansfield**. I would hope that would be possible, especially in view of the fact that the Army of South Vietnam has supposedly increased in size, effectiveness and efficiency and I believe some of their high officials have indicated that some withdrawals of U.S. troops can take place this year. I would hope that is possible.

Mr. **Clark**. Well, don't you think, Senator, that it might be better tactics at the peace table to make any withdrawal of American troops at least contingent on progress at the peace talks?

Senator **Mansfield**. That is an idea, but I do think on the basis of what figures are available to me, that there has been a withdrawal of U.S. troops from the high of 546,000 to about 535,000 at the present time. How those occurred, I don't know.

Mr. **Clark**. You feel that could be reduced substantially regardless of what happens in Paris?

Senator **Mansfield**. No, but I would hope it could be and that the slack would be taken up by the South Vietnamese themselves. It is their country, it is basically their war. They will have to decide their own destiny.

Mr. **Lawrence**. Senator, do you see any real change in what Mr. Lodge is trying to do in Paris, as compared to what Mr. Harriman would have done had he been able to get substantive talks going?

Senator **Mansfield**. None at all.

Mr. **Lawrence**. Do you think there should be any change?

Senator **Mansfield**. Well, I imagine Lodge is feeling his way too. They have only had one—maybe two meetings at the most. I believe only one real meeting, and they will be sparring for a little while. I hope they get down to bedrock soon, and bring this barbarous war to a conclusion so that we can bring all our men home in line with the Manila Agreement, the Manila Communique which said that after the stop of hostilities in Vietnam, our forces would be withdrawn within a six months period. This is a pretty short period, but I hope we can stick to it.

Mr. **Lawrence**. Do you think there is anything the President himself might do in a dramatic, perhaps, sort of way, to get these talks moving at a faster clip by, say, going to Paris and intervening directly himself?

Senator **Mansfield**. I don't think that would be feasible or worthwhile, but I do think that President Nixon has a greater degree of flexibility in the opening months of his term than he will have later, and that he could do things now which might be open to question at a later date.

Mr. **Lawrence**. Well, for example?

Senator **Mansfield**. Well, I don't know, because he is the one who is in charge of the foreign policy, the negotiations in Paris. He is the one who will have to see what the alternatives, the options are, and he is the one who will have to make the decision.

Mr. **Lawrence**. Do you feel he could make concessions that a Democrat, for example, couldn't make, and get away with it?

Senator **Mansfield**. Yes, I do.

Mr. **Clark**. Another big question mark hanging over the Nixon Administration is the subject of missile talks with the Soviet Union. How do you feel about this? Do you think we should try to get missile talks, some sort of arms control or missile limitations talks started as soon as possible, or would you defer for eight or ten months, which seems to be the mood of the Administration and of Defense Secretary Mel Laird?

Senator **Mansfield**. As soon as possible, and at the Ambassadorial level. I would point out that the Soviet Union, at least indirectly, has indicated quite strongly that it would like to meet to discuss such matters as the ABM, the missiles, the Mid-East and others of prime importance. So far nothing has been done in the way of rejoiner, but, again, that is understandable because of the shortness of time in which the Administration has been in power.

Mr. **Clark**. Well, if we are going to move ahead on missile talks, don't you think we should move as rapidly as possible, more rapidly than the Senate or the Administration has been moving, toward ratification of the Nuclear Proliferation Treaty?

Senator **Mansfield**. Oh yes; I do, and I was pleased that President Nixon said he was for the treaty. We are waiting for him now to tell us when he would like us to take it up.

Mr. **Lawrence**. Will you not move ahead independently and schedule it, or will you wait for Presidential word on that?

Senator Mansfield. I think we will wait for the President to give us the go-ahead and throw his weight and support behind it.

Mr. Clark. You are hopeful you will get that go-ahead very quickly?

Senator Mansfield. I hope so. I think it is needed. It is in our own best interests and we have nothing to lose but a great deal to gain.

Mr. Clark. Your deputy in the Senate, Senator Ed Kennedy, called this weekend for a freeze on the construction of the so-called thin system of missile defense. This would be the $5 billion Congress appropriated last year as a starter system in the antimissile defense system. Would you agree with him on this?

Senator Mansfield. I certainly would because I think the arguments advanced in behalf of the thin missile defense, are pretty thin, themselves.

Mr. Clark. So you would hold up, actually stop work, that is started or is about to be started on the thin missile system and hold that up until you get talks going with the Soviet Union?

Senator Mansfield. Well, I don't think they are really starting to build a missile system. They are buying real estate at the present time. They are finding a good deal of opposition in various parts of the country. This isn't a small undertaking. The initial talk is something in the area of $5 billion, they say. The minimum cost will be around $50 billion and very likely it will be $100 billion or beyond.

Mr. Clark. But you would put the entire program into sort of a deep freeze until you test the Soviets in actual missile talks, would that be your position?

Senator Mansfield. Yes, that is my personal opinion.

Mr. Lawrence. Senator Mansfield, a number of Senators, including both hawks and doves, have recently urged an end to the draft without waiting for an end to the Viet Nam war.

Senator Mansfield. I think it would be most inadvisable at this time. I hope that it would be possible to carry out the Hatfield-Nixon proposals for a volunteer army but I think there are a lot of factors which still have to be considered. As you know, I am not enamored with the draft because I was one of the few who voted against the extension the year before last. Some other system, I would hope, could be provided but I do not think this is the time to do anything about a volunteer army, except to look into it and see what the possibilities and the prospects are and what the costs would be.

Mr. Lawrence. As Democratic leader of the Senate, you would certainly wait for a presidential recommendation on this score before moving independently?

Senator Mansfield. Well, I would think that the executive and the legislative branches could work together on that.

Mr. Clark. Senator Mansfield, some of the more liberal Democrats in the Senate are apparently going to have a go at competing with President Nixon on the legislative front, and Senator Ted Kennedy has made it known he is going to offer his own legislative program.

Senator Mansfield. No, that isn't so. I think that Senator Kennedy was talking with a newsman and he told the newsman what he personally thought he would be doing this year. It is not a Party program. It could well be but it isn't. It is Senator Kennedy's own idea as to what he wants to become most interested in, and they are carry-overs, in large part, from what he has been advocating over the past three or four years.

Mr. Clark. But he did say he is going to offer proposals on health and housing and employment and draft reform. This gets to be a rather comprehensive legislative program. Would you expect that he will have your support on most of these things?

Senator Mansfield. Oh, yes indeed, but let me emphasize the fact that this is not a Democratic Party program, that these are ideas which Senator Kennedy has been pushing and proposing for months and years and they are all worthwhile and will be given the most serious consideration.

There is no fight as of now, for example, between what the administration will offer—we don't know what it is—and what Senator Kennedy on his own will propose.

Mr. Lawrence. Senator, as the Senate Leader "and" a Democrat, what is your appraisal of the start of the Nixon administration? Good, bad, indifferent?

Senator Mansfield. Excellent. I think that he has done a good job. He is putting his ducks in order. He has shown himself to be considerate and cooperative. I have but one complaint and that is this wearing of the white tie.

Mr. Lawrence. You don't like it personally or do you think it is bad politics?

Senator Mansfield. I just don't like it.

Mr. Lawrence. Senator, it was Lyndon Johnson's position as a Majority Leader in the time of Dwight Eisenhower that he should cooperate very heavily, and I know that has been yours.

I wonder, though, if there isn't a difference, that President Eisenhower, General Eisenhower, was a man kind of above politics and Mr. Nixon has always been an intensively political personage. Can you play exactly the same kind of a role that Lyndon Johnson played in the Eisenhower Administration?

Senator Mansfield. I would hope to. We will do our best to make the President one of the really good Presidents of the country. In doing so it will mean we will have to make ourselves a good Congress. I operate on the basis that if the President does a good job the country benefits. If it is a poor job, we all suffer.

Mr. Lawrence. What about your colleagues, though, who might like to be President, themselves, in 1972? Are they going to react very favorably to this line? I remember Mr. Johnson took a beating——

Senator Mansfield. I think that Mr. Muskie and Mr. Kennedy and any others you might mention who happen to be in the Senate, will be cooperative and do their best because with them the country comes first, the party second.

Mr. Clark. You are not concerned that with their own political ambitions they might try to upstage President Nixon?

Senator Mansfield. No, I don't think they will. I think they will try to be cooperative.

Mr. Lawrence. Do you see any sign of a tax cut this year, or do you think Congress is going to continue that 10 percent surtax?

Senator Mansfield. There will be no tax cut this year. I think the circumstances call for the continuation of the ten percent surcharge.

Mr. Clark. You are going to have a debate in the Senate this week on that proposed Congressional pay raise.

Senator Mansfield. That is right.

Mr. Clark. Where the salaries would go from $30,000 to $42,500. We know that you are generally in support of that pay raise.

Is there going to be an actual vote on this, or just talk on the Senate Floor?

Senator Mansfield. No, there will be an up and down vote as far as I know, on next Tuesday or Wednesday.

Mr. Clark. Do you think that is the proper way to do it, to put every Senator on record as to whether or not he wants a pay raise?

Senator Mansfield. It is O.K. with me.

Mr. Clark. One of the problems in this area is the old business of—you have 435 Members in the House who, of course, they are jealous of their own prerogatives and they want $42,500 a year too. Does that disturb you, the fact that you have got to carry all these House Members along with you?

Senator Mansfield. No, we will just have to face up to this problem, make our own decision and go on record and take the consequences, whatever they may be.

Mr. Lawrence. Senator, I was interested the other day that you proposed a constitutional amendment to write into the Constitution itself this business of limiting filibusters by a three-fifth vote. Is this the sort of business that ought to be in the Constitution?

Senator Mansfield. Really not. We ought to settle it ourselves, but so many of us are so dug in on our positions that it seems to be impossible to break down the present two-thirds rule and substitute instead a three-fifths rule, which I think is necessary, and allows enough in the way of flexibility to consider all kinds of legislation. I am not in favor of a straight majority cloture rule.

Mr. Lawrence. What if you put Rule 22 in the Constitution, why don't you put all the Senate rules in the Constitution?

Senator Mansfield. That is the only one in question and has been for so many years that it is one way I thought of to try and get rid of it once and for all.

Mr. Lawrence. As a political realist, could this be done?

Senator Mansfield. It is kind of hard.

Mr. Lawrence. The states simply wouldn't adopt that sort of amendment, would they?

Senator Mansfield. Very hard.

Mr. Clark. Senator, do you think this Congress is going to come to grips with electoral reform—this is a problem that almost got us into a constitutional crisis last November—that this Congress will come to grips with it and produce some sort of a constitutional amendment to resolve the problem.

Senator Mansfield. Well, let me answer it this way. We will come to grips with it in this Congress, but I doubt that in the next two years we will be able to pass anything resembling a constitutional amendment. Perhaps four years from now.

Mr. Clark. That means really you don't think this Congress is going to resolve the problem. In effect it is going to be put off until the 92nd Congress?

Senator Mansfield. That is right. We will lay the ground work. I hope we will report out legislation, go into this matter quite thoroughly and be prepared in the next four years to pass legislation which I would like to see passed this year. As a matter of fact, right now.

Mr. Lawrence. Senator, why, after such a narrow squeak as we had in the last election, do we need more time? Aren't the members of Congress directly enough concerned?

Senator Mansfield. Yes, but they have so many different plans and proposals. Senator Birch Bayh of Indiana will do his best to push this matter to a conclusion. He is the leader in this field, but he has a subcommittee he will have to get legislation out of. Then he has the full Committee, then he has the Senate and the House and those things take time. Constitutional amendments are not passed overnight.

Mr. Clark. President Nixon at his first news conference said his administration policy at this time is going to be to continue to oppose admission of Communist China to the United Nations. Do you agree with Mr. Nixon or with Senator Kennedy who said recently we should take the initiative in trying to bring China into the United Nations?

Senator Mansfield. Well, I would say that what President Nixon said at this time is all he could say in view of the shortness of the time he has been in office. As far as Senator Kennedy's proposition is concerned, in time that will have to happen because you just can't ignore 750 million people, you can't blot out the geography which is called China. It will have an influence on the affairs of Asia in the Pacific and perhaps other parts of the world as well. Perhaps now it is not the time but in time it will have to be—there will have to be some sort of an accommodation, I would assume that those are matters which Mr. Nixon is looking into now and I am hopeful that on the basis of the Chinese initiative for the resumption of the Warsaw meetings between the U.S. and Chinese ambassadors on February 20, that these matters will come up for consideration in addition to the usual ones about Taiwan, and an American presence on the Asian mainland.

Mr. Lawrence. Senator, President Nixon has already made law and order a first-priority of his administration. How much support and money is the Democratic-controlled Congress going to give him on this question?

Senator Mansfield. A lot of support and all the money needed.

Mr. Lawrence. Is there any danger though that the pendulum is perhaps swinging a little too far to the right and that the civil liberties of all of us—as opposed to just civil rights—might be in some danger?

Senator Mansfield. I don't think so, although that is always a possibility. It is my belief that, based on the realities as they exist at the moment, and on the experience of the past four or five years, that Mr. Nixon, his Attorney General, Mr. Mitchell, and others will go into this problem—it is the most important problem internally—with open eyes, aware of all the pitfalls and potholes they will encounter, and do the best they can to try and restore to this country a degree of law and order, with justice, which the country is demanding and is yearning for.

Mr. Clark. The new budget, as you well know, Senator Mansfield, contains $81 billion for defense. You instructed all Senate Committees this past week to keep close watch on government operations generally. Would you like to see a full investigation of defense costs, something like the old Truman Committee in World War II?

Senator Mansfield. That is being done by the oversight committee in the Armed Services Committee known as the Senate Preparedness Subcommittee.

Yes, I would like to see that continued and accentuated because $81 billion is too much money to spend on defense when we have so many other problems confronting us internally and in the fields of foreign policy where the money could be better spent.

Mr. Lawrence. Senator, now that we are about to reach the moon, can we just about cut out these big space expenditures almost entirely?

Senator Mansfield. Oh, yes. This may be heresy but I think we can reduce our space expenditures still further. Perhaps not the Apollo program, but there has been too much money allocated to space. Something in the order of close to $30 billion and I think that that money could be used elsewhere.

I am not interested in a race to the moon, to Mars or Venus. I would hope that the Soviet Union and the U.S. could work in cooperation, cut down expenses, and do this thing not on a basis of a chip on the shoulder but on the basis of a possible benefit for all mankind.

Mr. Clark. Senator, our time is up. Thank you very much for being our guest on "Issues and Answers."

NOTICE OF HEARINGS ON S. 607, THE UTILITY CONSUMERS' COUNSEL ACT OF 1969—ADDITIONAL COSPONSORS OF BILL

Mr. MANSFIELD. Mr. President, on behalf of the junior Senator from Maine (Mr. Muskie), who is chairman of the Senate Subcommittee on Intergovernmental Relations, I should like to announce that the subcommittee will hold hearings on S. 607, the Utility Consumers' Counsel Act of 1969, on February 17 and 18, and resuming on March 10.

It is the purpose of these initial hearings to receive the views of State and local officials with respect to the merits of the legislation and develop informational material as a background for the subcommittee's further consideration of the measure.

Mr. President, S. 607 was introduced by the junior Senator from Montana (Mr. Metcalf) on January 24, 1969, and it is cosponsored by Senators Aiken, Dodd, Hart, Kennedy, McGovern, Nelson, Tydings, Yarborough, Young of Ohio, and myself.

Mr. President, the junior Senator from Rhode Island (Mr. Pell) also wishes to cosponsor S. 607, and I ask unanimous consent that he be so listed.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, the hearings on February 17 and 18 will be held in room 3302, the New Senate Office Building, beginning at 10 a.m. The time and place of the hearings resuming on March 10 will be announced later.

Senators or other persons desiring to testify with respect to S. 607 should notify the Subcommittee on Intergovernmental Relations on extension 4718, room 357, Old Senate Office Building.

The text of the bill and detailed introductory remarks appear in the Congressional Record for January 24, beginning at page 1765. In essence the bill provides, as Senator Metcalf stated in his introductory remarks:

> Utility consumers with rights declared to be theirs in the Presidential consumer messages of 1962, 1964, and 1968—the right to be informed and the right to be heard. It would strengthen State regulation by providing regulators with information needed by them to carry out the large tasks assigned them by legislators. It would provide consumers with competent counsel before commissions and courts.
>
> The bill has four principal objectives:
>
> First. To require utilities to report to regulatory bodies information which is pertinent to regulation and to understanding of utility rates and procedures;
>
> Second. To require the Federal Power Commission and the Federal Communications Commission to report this information to Congress and the public in a timely and convenient manner, using automatic data processing to the fullest extent possible;
>
> Third. To establish, at the Federal, State, and local levels, offices of Utility Consumers' Counsel, to represent the interest of utility consumers before regulatory commissions and courts, and
>
> Fourth. To establish a grant program to finance study of regulatory matters.

PRESIDENT NIXON

Mr. MANSFIELD. Mr. President, the President is to be congratulated for the way he has conducted himself in his first few weeks in office, for his candor in answering questions, for his care in not making too many promises, and for his general attitude and outlook both as they affect the affairs of the Nation at home and our relations throughout the world.

A good start has been made. A needed and necessary trip to Western Europe will be undertaken. Our hopes for its success go with the President. Perhaps other meetings in Europe, in Latin America, in Asia and elsewhere will be undertaken at a later time; and out of this, we may be able to develop a "negotiation not confrontation" policy—in the President's words—which will redound to the benefit of not only our own people but all peoples everywnere.

Mr. HRUSKA subsequently said: Mr. President, it was with a great deal of gratification that I listened to the remarks of the distinguished majority leader a short while ago commenting upon the recent activities of the President of the United States.

I find myself in full agreement with the proposition and with the thoughts advanced that things are progressing well, that not too many promises have been made, and that some well-considered plans and positions have been announced in many areas, particularly the travel which President Nixon contemplates abroad with a view to advancing and improving our foreign relations and our position in general abroad.

I believe also that general gratification extends to the fashion and the substance with which the President has met the press during the two press conferences which have been held so far, in which the President has made direct and candid answers, has spoken to the point, and is obviously well informed on the points he undertook to speak upon.

On all these points I agree. The President is entitled to our further good wishes. This would particularly apply to his plans for traveling abroad.

I know that not only the Members of this body but the whole Nation wish for him not only safety in his travels but also fruitfulness in the results thereof.

ROMNEY SHOULD NOT GIVE UP ON HOUSING GOALS

Mr. PROXMIRE. Mr. President, I have written Secretary George Romney of the Department of Housing and Urban Development, to caution him against a "defeatist attitude" reflected in a recent Romney news conference. Secretary Romney had been quoted by the press that he might have to ask for a downward revision to the Nation's housing goals because they were "unrealistic."

Now, Mr. President, the Housing Act goals are both realistic and essential. I urged Secretary Romney not to cut back the low-income housing programs in the Johnson budget for fiscal years 1969 and 1970. I asked Secretary Romney for assurances that he would do his best to move these programs forward.

I ask unanimous consent that the complete text of the letter be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Hon. George Romney,
Secretary, Department of Housing and Urban Development, Washington, D.C.:

While I was glad to hear of your support for the 6 million, ten year housing program during your confirmation hearings, I was deeply concerned over recent press reports that you feel the goals of the 1968 Act might have to be revised downward on the grounds that they are unrealistic. I sincerely hope you have been misquoted on this point. The hearing record on the 1968 Housing Act makes it abundantly clear that the 10 year program is both feasible and essential to our nation's welfare.

When you came before our Committee for confirmation, Mr. Romney, I asked you who would fight for resources for our cities—especially in housing—in this Administration. You answered that you would. You are the man who must carry the battle for low income housing in this Administration or no one will.

This is why I was particularly unhappy to read that you were reported to call the housing goal for this year's "unrealistic". You agreed at that hearing that the record showed we have the resources to do this job and to attain this goal. If you as the leader, the champion of low income housing, do not play this role, I ask again, who will carry the ball for this major economic failure in our nation: adequate low income housing?

To illustrate, the Department of Housing and Urban Development submitted an exhaustive 90 page study demonstrating the economic feasibility of a 10 year program for providing 6 million low and moderate income housing units. The conclusions of this study, which appears on Page 1311 of the Senate hearings, were reaffirmed by President Johnson's Annual Report on National Housing Goals as required by Title 16 of the 1968 Housing Act.

The 1968 HUD study shows that at no time during the 10 year program do the resources devoted to housing exceed 4.94% of GNP, compared to a percentage of 5.6% achieved in 1950. Thus, the program goals are well within historically realized production levels.

Moreover, outside studies, including those of the Douglas and Kaiser Commissions and the National Housing Conference, have all reached independent judgments that those goals are attainable. In addition, they give detailed blueprints as to how the sites, codes, and other hindrances can be overcome.

The report by President Johnson for 1969 indicates that housing construction expenditures would rise from 3.1% of GNP in 1968 to 3.4% in 1969, and 3.8 percent in 1970 in order to meet our national housing goals. Given the will to implement the housing goals in the 1968 Act, an increase of three-tenths of one percent in the percentage of GNP devoted to housing construction should not be beyond our economic capacity.

I hope that the Nixon Administration will not adopt a policy of despair or permit a defeatist attitude to weaken the national commitment to better housing. You are right in pointing out that we should not raise false expectations or promise more than we can deliver. But the frustrations and tensions in our inner cities will also increase if we do not make a maximum effort to achieve our housing goals.

I urge that you support the housing programs contained in President Johnson's budget recommendations. If the previous studies and reports prepared by your department are in error, I would like an equally exhaustive analysis of what housing goals are feasible. I would hope you would agree with me, however, that the weight of the evidence establishes the feasibility of the 6 million, 10 year housing program and that the estimates for fiscal year 1969 and 1970 are attainable, given the resolve to request and secure the necessary funds. I shall look forward to your assurances on these points in the near future.

WILLIAM PROXMIRE,
U.S. Senator.

Mr. PROXMIRE. In the course of the letter, I said:

> When you came before our Committee for confirmation, Mr. Romney, I asked you who would fight for resources for our cities—especially in housing—in this Administration. You answered that you would. You are the man who must carry the battle for low income housing in this Administration or no one will.
>
> This is why I was particularly unhappy to read that you were reported to call the housing goal for this year "unrealistic". You agreed at that hearing that the record showed we have the resources to do this job and to attain this goal. If you as the leader, the champion of low income housing, do not play this role, I ask again, who will carry the ball for this major economic failure in our nation: adequate low income housing?
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> To illustrate, the Department of Housing and Urban Development submitted an exhaustive 90 page study demonstrating the economic feasibility of a 10 year program for providing 6 million low and moderate income housing units. The conclusions of this study, which appears on Page 1311 of the Senate hearings, were reaffirmed by President Johnson's Annual Report on National Housing Goals as required by Title 16 of the 1968 Housing Act.
>
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>
> Moreover, outside studies, including those of the Douglas and Kaiser Commissions and the National Housing Conference, have all reached independent judgments that those goals are attainable. In addition, they give detailed blueprints as to how the sites, codes, and other hindrances can be overcome.
>
> The report by President Johnson for 1969 indicates that housing construction expenditures would rise from 3.1% of GNP in 1968 to 3.4% in 1969—

Or, as I point out, they are far less, about 65 percent of what they were in percentage of gross national product, in 1950—

> and 3.8 percent in 1970 in order to meet our national housing goals. Given the will to implement the housing goals in the 1968 Act, an increase of three-tenths of one percent in the percentage of GNP devoted to housing construction should not be beyond our economic capacity.

OIL DEPLETION ALLOWANCE CAN OFFSET TAXES ON OTHER INCOME

Mr. PROXMIRE. Mr. President, during the debate of January 22, 1969, on the confirmation of Walter Hickel to be Secretary of the Interior, I spoke at length on the responsibilities of the Secretary over the oil industry. During that speech I pointed out the many special tax privileges which the oil industry receives. I listed the fact that dry holes can be written off; that the industry can "expense" in one year through the intangible drilling and development cost deduct many items which other companies must capitalize and depreciate over the life of the asset and which, in fact, the companies do capitalize and carry on their books for other than tax purposes; the notorious 27.5-percent depletion allowance; the 14-point Western Hemisphere deduction; and the "golden gimmick" by which oil royalties paid by American oil firms to Middle Eastern sheiks and potentates are offset against the actual taxes owed in this country.

During that debate I described the depletion allowance and then went on to say:

> The depletion allowance can be used to offset income from sources other than oil. Those who invest in gas and oil often do so in order to reduce their taxes from other sources.

STATEMENT CHALLENGED

At this point in the debate the Senator from Iowa (Mr. MILLER) raised a question about my statement. As he said, and quoting from page 1509 of the RECORD for January 22:

> It is the understanding of the Senator from Iowa that the percentage depletion deduction is only available with respect to oil properties, or the income from oil properties. If I understand the Senator's statement, he has a different understanding.

I replied that I certainly did have a different understanding and that I would be delighted to provide the evidence for the RECORD and substantiate my statement.

I shall do that now.

NOT A SIMPLE MATTER

The matter is not simple and there is no reason why the Senator from Iowa or others should necessarily be aware of the way in which percentage depletion can be used to offset income from other sources. In fact, I am told that even the experts at the Treasury were unaware of it until a number of actual examples of companies using the device were pointed out to them. So far as even the informed public is concerned, this may be a new tax loophole for the oil industry.

TRADITIONAL DEDUCTION

Mr. President, as we all know, the percentage depletion deduction in the case of oil is 27½ percent of the gross income from the property—the value of the oil at the wellhead—but the deduction is subject to the limitation that it cannot exceed 50 percent of the profit from the property. Thus, if the sales of oil from a lease amount to $50,000, and the lifting costs and other expenses chargeable to the lease amount to $40,000, the percentage depletion deduction would be $5,000—50 percent of the profit of $10,000 from the lease—rather than 27½ percent of $50,000. Accordingly, with normal operations the percentage depletion deduction will not offset income from other sources. Thus far, the Senator from Iowa (Mr. MILLER) is correct.

CARVED-OUT PRODUCTION PAYMENTS

However, by resort to carved-out production payments—a tax gimmick—it is possible to manipulate the income and deductions from an oil lease so that the percentage depletion deduction will in effect offset income from other sources. By use of the carved-out production payment, the percentage depletion deduction will be artificially increased in the year of the carve-out, followed by a resulting loss in the year of the payout which can be used to offset nonoil income. This tax gimmick has been used for years in the oil industry and recently has been used for hard minerals as well.

I ask unanimous consent that a specific example of how this gimmick is used be printed in the RECORD.

There being no objection, the example

was ordered to be printed in the Record, as follows:

Specific Example

To illustrate, let us assume in the example I have given above, that the gross income from the oil lease each year amounts to $50,000.

The annual expenses are $40,000. The depletion deduction without a carve-out would be limited to $5,000. That is, without manipulation the taxpayer would pay a tax each year on $5,000 or one-half of the annual profit from the lease.

But let us assume that in December of every other year the taxpayer carves out a production payment of $50,000 which is payable out of the production of the next year.

What this means is that the owner of the well receives $50,000 in cash near the end of year one. He gets this from a bank, another oil company, a steel company, or a charitable foundation, to name a few of the types of institutions which have made such transactions in the past. The oil producer then agrees to pay it back by delivering his production in the following year until full payment is made, plus an additional amount of production to cover interest to the bank or oil company or corporation who paid him the $50,000.

NOT A LOAN

One would think that the nature of this transaction was a loan. Very few companies pay a producer in full for a product they do not receive until many months later. They may make some small down-payment, but usually they do not make a final payment until delivery has been made or several months after delivery has been made.

But in the extractive industry, this transaction *is not* treated as a loan for tax purposes. Only if the seller fails to make the production payments in the following year would it be treated as a loan.

DEPLETION OFFSETS OTHER INCOME

Because of this feature in the tax laws, depletion is used to offset taxes which would otherwise be paid on other income. Incidentally, the tax reform package just submitted by the Treasury would repeal this special privilege and treat the production payment gimmick as a "loan" which is the true nature of the transaction.

HOW PROFITS ARE TREATED AS A LOSS

To return to the example we have given, the aggregate result for each two year period would be a $7,500 loss to deduct from income from other sources. This result comes from the additional percentage depletion deduction resulting from the carved out production payment.

In the year of the carve-out the gross income from the lease would be $100,000 ($50,000 sales of oil plus the $50,000 carved-out production payment). The percentage depletion deduction would be $27,000 (27½ percent of $100,000) since the profit from the lease would be $60,000 (lifting costs and other expenses remaining at $40,000). As a result, in the year of the carve-out there would be a taxable income from the lease of $32,500 ($60,000 profit from the lease less percentage depletion of $27,500).

But this taxable income would be more than offset in the following year for the lease would then produce an ordinary loss of $40,000. The holder of the production payment would receive the $50,000 proceeds from the sales of oil and the taxpayer would have $40,000 of expenses deductible from other income. Aggregating the two years the taxpayer would have a tax loss of $7,500 from the lease ($40,000 loss in the year of payout minus $32,500 taxable income in year of carve-out).

The actual profit for the two-year period from the lease would be $20,000 but thanks to percentage depletion an overall loss of $7,500 is created to offset income from sources other than the oil lease.

GIMMICK WIDELY USED

Mr. President, the principle in the relatively simple example I have given above has actually been used by some of the largest oil, sulphur, and mining companies in the United States. The results have been staggering. The taxes on other income which would otherwise have been paid, but which were offset by the "production payment" gimmick, have run into the hundreds of millions of dollars.

EVEN GREATER OPPORTUNITIES FROM INTANGIBLE DRILLING AND DEVELOPMENT COST DEDUCTION

While percentage depletion can be used in the above manner to create losses which can offset non-oil income, the deduction for intangible drilling costs offers even greater opportunities. The cost of intangible drilling—even on a successful well—are deductible without limitation even though the oil companies capitalize such costs on their books. Individuals as well as corporations deduct these capital expenditures without any limitation. By contract, if a farmer drills successfully for a water well, he cannot deduct the drilling costs but must capitalize and recover them through depreciation over the useful life of the well.

BIG TAX PRIVILEGES

The oil companies have amazing tax privileges. These make it possible for some of the largest and most powerful companies in the country to pay a smaller percentage of their income in taxes than is paid each year by the ordinary family of modest means.

EXTENSION OF TIME FOR JOINT ECONOMIC COMMITTEE TO FILE REPORT

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the Joint Economic Committee be granted an extension of time from March 1, 1969, to April 1, 1969, to file a report of its findings and recommendations with respect to the Economic Report of the President as required by section 5(b)(3) of Public Law 304, 79th Congress.

It has been necessary for the Joint Economic Committee to defer its hearings until the latter part of February and early March in order to give the new administration an opportunity to consider the issues and prepare their testimony. Consequently, it is necessary to have a later filing date.

The VICE PRESIDENT. Without objection, it is so ordered.

FEDERAL RESERVE DISCOUNT MECHANISM REPORT—SUPPLEMENTAL VIEWS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the supplementary views to the Federal Reserve Discount Mechanism: System Proposals for Change, be printed with the report.

The VICE PRESIDENT. Without objection, it is so ordered.

MISMANAGEMENT IN HEW PAYROLL CENTER

Mr. WILLIAMS of Delaware. Mr. President, today I call attention to a report of the Comptroller General No. 164031 dated January 17, 1969.

In this report the Comptroller General calls our attention to a serious case of mismanagement in the payroll center of the Department of Health, Education, and Welfare.

This report cites many specific examples of irresponsible actions, such as—

Seven checks totaling $1,528 were issued to prospective employees who never reported for duty.

Two hundred and fifty-seven checks totaling $44,119 were paid to employees who had resigned from 1 to 24 months previously.

One hundred and five checks totaling $16,083 were paid to employees who supposedly were on leave without pay.

Sixteen checks totaling $2,295 were paid to intermittent employees for periods when they were actually not employed.

Sixty-eight duplicate and triplicate payments totaling $17,171 were made to employees for the same period or purpose.

Some 33,154 savings bonds with a purchase price totaling about $1,605,000 were erroneously issued.

A $31.3 million check for payroll deductions drawn in favor of the Internal Revenue Service on August 1, 1966, had been left lying around and kept on hand for over 3 months.

Ninety-five checks totaling $43,195 drawn in favor of the Civil Service Commission for insurance and retirement payments for Government employees had not been properly forwarded.

There were 1,661 checks totaling over $308,000 and cash totaling $541 found lying loose in an unlocked file drawer in one of the offices.

The Comptroller General summarized his comments on the agency as follows:

> The number of discrepancies noted during our examination, and the general lack of control over essential documents was far in excess of that which should be expected in a payroll operation where there is little, if any, tolerance for error.

There is no excuse for such mismanagement, and in private industry someone would be fired.

This report should be read by every Member of Congress, and I am asking the Finance Committee to give it their special attention.

At this point I ask unanimous consent that a series of excerpts from the report further commenting on these errors be printed at this point in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Excerpts From the Comptroller General's Report No. B-164031 of January 17, 1969

The Assistant Secretary, Comptroller, in January 1962, established the Division of Central Payroll (DCP) in the Office of the Secretary. During June 1962, a decision was made to use computer equipment originally acquired for the Food and Drug Administration (now a part of the Consumer Protection and Environmental Health Service) and to centralize the entire payroll processing operations in Washington, D.C., rather than to split the operation between Washington, D.C., and Baltimore, Maryland. . . .

At June 30, 1968, DCP was paying about 110,000 employees whose gross annual earnings for the fiscal year then ended aggregated about $858,000,000. . . .

Since processing the first check, DCP has experienced a high rate of error which has precluded the automation of other functions such as fiscal accounting, leave accounting, and personnel management and related activities. The HEW internal audit staff made a review of the centralized payroll system in April 1964, about a year after the system began operation. As a result of that examination, the internal auditors issued a report to the Assistant Secretary, Comptroller, which included the following statement:

"The number of discrepancies noted during our examination, and the general lack of control over essential documents was far in excess of that which should be expected in a payroll operation where there is little, if any, tolerance for error." . . .

SALARY PAYMENTS MADE TO PERSONS NOT ENTITLED TO BE PAID

We noticed that 1,451 Government paychecks amounting to $288,233 had been returned to DCP by payees or the agents designated to handle paychecks because the checks had been issued erroneously. Also, 89 personal checks amounting to $15,757, representing refunds from persons who had been overpaid, were received by DCP. To the extent possible from the data available to us, we have categorized the checks in the table shown below by the types of errors involved.

Types of errors	Number of checks	Total amount of checks
Payments to prospective employees who never reported for duty	7	$1,528
Payments to employees who had resigned 1 to 24 months previously	257	41,119
Payments to employees who were on leave without pay	105	16,083
Payments to intermittent employees for periods when they were not employed	16	2,295
Duplicate and triplicate payments to employees for the same period or purpose	68	17,171
Checks issued in incorrect amounts	230	52,117
Unclassified because of missing documents	857	173,677
Total	1,540	303,990

. . . Also, we noted that five former employees cashed salary checks although they were not entitled to any salary payment. The five employees were commissioned officers of the U.S. Public Health Service (PHS). The officers resigned from PHS on the dates shown in the following table, and each received full monthly pay checks through September 30, 1966. The unearned pay checks that were cashed by recipients are summarized below.

Last date for which employee was entitled to be paid

Commissioned officer:	*Amount overpaid*
A, June 18, 1966	$1,982
B, June 18, 1966	1,635
C, July 17, 1966	1,852
D, Aug. 13, 1966	1,067
E, Aug. 27, 1966	875
Total	$7,411

The issuance of erroneous checks through September 1966 to officer A did not come to the attention of DCP until February 1967 when officer A wrote to DCP complaining that his 1966 W-2 withholding statement was in error. A DCP official informed us that similar complaints from the other four officers led to discovery of the issuance of the remaining erroneous checks.

As of April 1968, DCP had collected $5,847 of these unearned payments and collection efforts were continuing.

ERRONEOUS ISSUANCE OF SAVINGS BONDS

For the pay period ending July 29, 1967, 33,154 savings bonds with a purchase price totaling about $1,605,000 were erroneously issued to the designated agents for distribution to employees who had not had appropriate amounts withheld from their pay. When DCP personnel discovered this error the Deputy Assistant Secretary, Finance, instructed the designated agents to return all 33,154 bonds to DCP and not to distribute them to employees.

TIMELY DISPOSITION NOT MADE OF AUTHORIZED DEDUCTIONS

We noticed that a $31.3 million check for payroll deductions drawn in favor of the Internal Revenue Service on August 1, 1966, had been kept on hand for over 3 months. We also found 95 checks totaling $43,195 drawn in favor of the Civil Service Commission for insurance and retirement payments, which had not been forwarded to the Commission. After we brought these matters to the attention of DCP personnel, the checks were forwarded to the Treasury Department and the Civil Service Commission.

CASH AND CHECKS LEFT IN UNLOCKED FILE DRAWER

In addition to the checks discussed above, we noticed 1,661 checks totaling over $308,000 and cash totaling $514 in an unlocked file drawer. The checks had for the most part been issued during the 6-month period preceding the date we noted them; however, some were older—the oldest being dated over 2 years prior to the date we noticed the checks. The 1,661 checks consisted of the following:

	Number of checks	Amount
Government checks returned by payees and designated agents	1,451	$288,233
Personal checks primarily for refunds of payroll overpayments	210	20,633
Total	1,661	308,866

Most of the Government checks and all the personal checks have since been deposited in the Treasury. . . .

The errors in earnings and taxes withheld as reported on withholding statements could, in all likelihood, have had a direct effect upon taxes paid by employees to Federal and State governments unless the errors were subsequently detected and corrected. So far as we can ascertain from the records for individual employees, none of the errors we have cited had been corrected prior to the time we brought our findings to HEW's attention. A summary of the possible effect upon Federal income taxes of the total estimated monetary value of errors for 1965 follows:

Result of errors	Erroneously reported income and tax withholdings	Possible effect on income taxes	
		Overpayments	Underpayments
Taxable income understated by	$2,872,000		[1] $402,080
Taxable income overstated by	328,000	[1] $45,920	
Erroneous credit given for taxes not withheld	21,440		21,440
Erroneous credit given for taxes withheld	478,560	478,560	
Total		524,480	423,520
Combined total of overpayments and underpayments	3,700,000	948,000	

[1] Based upon the minimum effective tax rate of 14 percent of the erroneously reported taxable income.

There were no overstatements of earnings for State tax purposes disclosed by our review, but understatements would, we estimate, total $2,400,000. Because of the differences in tax rates in various States, it was not practical to estimate the effect of the estimated understatements of earnings on State tax revenues. The estimated errors in States taxes withheld were as follows:

Type of error:	
Erroneous credit given for State taxes not withheld	$2,500
Taxes withheld but employee not given credit	997,500
Total	1,000,000

The errors we found in gross pay, tax deductions, and leave balances resulted from the use of incorrect pay rates, improper adjustments of earnings and tax deductions, and clerical inaccuracies in maintaining employees' annual and sick leave balances. The errors were brought to the attention of DCP personnel and appropriate corrective action was taken.

NEED FOR EQUAL RETURN FROM GOVERNMENT BONDS TO EVERYONE

Mr. WILLIAMS of Delaware. Mr. President, earlier this week the Federal Government arranged the financing of a multibillion-dollar bond issue. These bonds were sold to the public at interest rates varying from 6¼ to 6½ percent with maturities ranging between 15 months and 7 years.

During the same week the Treasury Department announced a more intensive program to increase sales of series E bonds to the public.

Series E bonds are sold to the wage earners, members of the Armed Forces, and the smaller investors in general, and significantly they are paying only 4¼ percent and must be held the full 7 years in order to get this return.

It is unconscionable that the Federal Government would show such a disparity in the manner in which it treats the different investors.

When the sale of series E bonds was first initiated the principle was that they were to be sold to the small investors in limited amounts that could be purchased during any one year, and they bore interest at rates slightly higher than that being paid by banks or that paid by the Government to the large investors in Government bonds.

In recent years this situation has been reversed, and now the Government is paying 6¼ to 6½ percent to the large investors while at the same time asking the wage earners of America to lend their money to the Federal Government at 4¼ percent on the premise that we are fighting a war and that it is an act of patriotism.

If interest rates on Government bonds are to be presented on patriotic principles then let it be equally applicable to all who invest.

I renew the recommendation which I made to the previous administration; and that is, that the Federal Government initiate a new savings bond program where it will pay to the small wage earners a rate of interest comparable to that being paid to the banks and large investors.

EXTENSION OF TIME FOR FILING OF APPLICATIONS OF CERTAIN LANDS IN ALASKA

Mr. WILLIAMS of Delaware. Mr. President, in the closing days of the 90th Congress S. 3406 was reported to the Senate Calendar. The purpose of this bill was to extend by 5 years the period of time in which the State of Alaska could make its selection of certain lands which had been allotted to it when granted statehood.

I ask unanimous consent that a copy of that bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3406

A bill to amend the Act providing for the admission of the State of Alaska into the Union in order to extend the time for the filing of applications for the selection of certain lands by such State

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (h) of section 6 of the Act entitled "An Act to provide for the admission of the State of Alaska into the Union", approved July 7, 1958 (72 Stat. 339), as amended, is amended by striking out "ten years" and inserting in lieu thereof "fifteen years".

Mr. WILLIAMS of Delaware. Mr. President, recognizing that last year there had been a major oil discovery in the Alaskan region I asked that this bill be passed over on the Consent Calendar until such time as additional information could be obtained from the various departments as to how its enactment would affect the interests of the U.S. Government.

Under date of October 29, 1968, I directed identical letters to the Honorable Stewart L. Udall, Secretary of the Interior, and the Honorable Charles J. Zwick, Director of the Bureau of the Budget, asking for a restatement of the positions of their departments on this legislation along with answers to a series of questions as to how its enactment would affect the U.S. Government.

At this point I ask unanimous consent that there be printed in the RECORD a copy of my letter of October 29, 1968, as addressed to the Honorable Charles J. Zwick followed by a copy of his reply thereto under date of January 4, 1969 along with attachments.

There being no objection, the letters and enclosures were ordered to be printed in the RECORD, as follows:

OCTOBER 29, 1968.

Hon. CHARLES J. ZWICK,
Director, Bureau of the Budget,
Executive Office Building,
Washington, D.C.

DEAR MR. ZWICK: In the closing days of the session S. 3406 was left on the Senate Calendar without any action being taken. This is the bill introduced by Senator Bartlett and Senator Gruening, the purpose of which was to extend the time for the filing of applications for the selection of certain lands by the State of Alaska to fifteen years.

In the Committee Report the Departments are quoted as having endorsed this proposal; however, I note that the endorsements of the respective agencies appear prior to the recent discovery of a major oil field in that area. I am therefore asking for a new report from your Bureau as to how the enactment of this bill would affect the position or equity of the United States Government. Does the Bureau of the Budget still recommend its enactment upon the convening of the next Congress?

In addition to stating the position of your Bureau I would appreciate answers to the following questions:

1. The effective date of the charter granting Alaska statehood, along with both effective and expiration dates of the rights extended to that state for claiming certain acreage.

(a) The number of acres allocated to the state under this option.

(b) A record of all extensions or modifications of this agreement along with the expiration date of the final agreement.

2. Was there a special agreement on mineral leases outstanding at the time Alaska was admitted to statehood and how were they affected by these options?

(a) How would they be affected by an extension of the dates as proposed in S. 3406?

3. Were the recent major discoveries of oil fields in the Alaskan Region made on government-owned or state-claimed lands and were they government or state leases?

(a) If government lands or leases from the government, give the dates.

4. Would the enactment of this legislation extending the filling date permit the state to claim any of these newly discovered oil fields as state lands which otherwise they would not be able to do without the legislation?

5. In what way and to what extent would the enactment of legislation extending this filing date react either favorably or adversely to the financial interests of the United States Government?

(a) Do you have any estimate as to the amount of revenue involved?

If it is the position of your Bureau that the enactment of this legislation is favorable to the interests of the United States Government, please explain, or if your Bureau recommends against the enactment, explain how it would adversely affect the Government's interests. At the same time I would appreciate receiving any additional information which you feel should be considered in making a decision on this legislative proposal.

Yours sincerely,

JOHN J. WILLIAMS.

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C., January 4, 1969.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in reply to your October 29, 1968 letter to the Director regarding S. 3406, 90th Congress, a bill which would have extended the time within which the State could select Federal mineral lands which are under lease. Preparation of the 1970 budget has prevented an earlier reply.

A key question in your letter was whether we would recommend enactment of such legislation by the next Congress.

In view of changed circumstances such as described in your letter, the Bureau of the Budget changed its position concerning this legislation in letters sent to Congressman Aspinall on September 4, 1968, and September 5, 1968, and to Senator Jackson on September 5. Copies of those letters are attached.

Our current position on such legislation is that there is, in process, a general appraisal and review of Federal mineral and land policies which would have a direct effect on any such legislation, and would be directly affected by its enactment. We, therefore, still prefer that no congressional action be taken in this area until both we and the Department of the Interior have had an opportunity to complete analyses which are underway.

We understand that the Department of the Interior will reply to the technical questions (1 through 3) in your letter. We will not repeat that information here.

Your question #4 is, "Would the enactment of this legislation extending the filing date permit the State to claim any of these newly discovered oil fields as State lands which otherwise they would not be able to do without the legislation?"

At present, it is impossible to reply with certainty. The recent discoveries were on lands which the State has already selected after approval by the Secretary of the Interior under sec. 6(b) of the Alaska Statehood Act. However, they are adjacent to Federal lands on which oil is very likely to be found, and it has been on lands in Naval Petroleum Reserve No. 4 which is part of the same geologic area.

Selection of over 100,000,000 acres of Federal lands was authorized to continue for 25 years after passage of the Statehood Act. Included in the Act was the privilege of selecting lands leased prior to the passage of the Act for a period of five years. Later, the Act was amended allowing selection of lands leased after passage of the Act and extending that privilege another five years.

Reinstatement after January 3, 1969, of the privilege of selecting leased lands permits the State to withhold selection of mineral lands until they are a known and valuable property and then to select only the acreage required to maximize the value of the selection. Alternatively, the State, without such legislation, must after January 3, 1969, select lands more or less at random, guided, however, by available knowledge about where the more attractive areas with potential for oil and gas activity are. Thus, considering the Prudhoe Bay strike, and given current knowledge of the geology of the North Slope, the State could under present law and even without the extension legislation, select large areas of the slope on a highly advantageous, rather than random, basis. We should note that, at the present time, there are a number of uncertainties surrounding the whole question of Federal lands and minerals in Alaska, including State selections.

1. If Naval Petroleum Reserve No. 4 were terminated in the manner proposed in legislation introduced by the late Senator Bartlett, those lands would be returned to the public domain and would be available for selection, unless they were immediately put under Federal lease, in which case they would be available for State selection only if extension legislation were enacted.

2. In order to protect the Alaska natives by preserving the status quo, and pending the outcome of the Government's appeal from a recent court decision regarding state selections, the Department of the Interior has been following a policy of not leasing lands in Alaska and of withholding final action on State selection applications. If this policy is continued, no additional lands would be insulated from State selection by virtue of issuance of mineral leases. Further, we believe the question of competitive versus noncompetitive leasing merits further study.

3. The need for extension legislation is also affected by the question of sharing of revenues with the States. The Department of the Interior has underway studies of various mineral policy questions including revenue sharing, as does the Public Land Law Review Commission.

Your question No. 5 is: "In what way and to what extent would the enactment of legislation extending the filing date react either favorably or adversely to the financial interests of the United States Government? (a) Do you have any estimate as to the amount of revenue involved?

We presently do not have information sufficient to respond definitively to this question; several of the uncertainties listed above will have a direct bearing on the answer. However, we believe the effect would be adverse if the State were thereby enabled, as suggested above, to select leased lands of proven value. Under present law, Alaska receives 90% of the revenue from oil and gas leasing on Federal lands. Therefore, regardless of the passage of extension legislation and regardless whether Alaska selects any more lands, under present law only 10% of revenues from leases on Federal land in Alaska would go to the Federal Treasury. In connection with the extent of the effect on the financial interests of the United States, at the request of the Bureau of the Budget, both Interior and Defense are evaluating the oil and gas potential of Naval Petroleum Reserve No. 4. These evaluations should be completed early in 1969. It may be possible to use such information coupled with other available information to assess the oil and gas potential and to extrapolate to the revenue implications of the leasing of Federal lands outside the Reserve on the North Slope.

However, because we do not now know the value of these oil lands, while at the same time knowing it is potentially enormous, we have sought to move deliberately in this vital resource area. Therefore, while we don't have an answer to the question of value at this time, that in itself is sufficient reason for careful and prudent decisions.

Sincerely,

Phillip S. Hughes,
Deputy Director.

September 5, 1968.

Hon. Henry M. Jackson,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, New Senate Office Building, Washington, D.C.

Dear Mr. Chairman: We understand that hearings have been scheduled for tomorrow, September 6, on S. 3406, a bill which would extend by an additional fifteen years the period during which the State of Alaska may select Federal lands which are already under lease, permit, license or contract under the Mineral Leasing Act.

On July 3, 1968, we sent you a report on this legislation which concurred in a report from the Department of the Interior favoring a five-year extension. However, a number of developments have caused us to wish to consider further several aspects of matters dealt with by this legislation.

The rapid pace of mineral exploration and the large oil strike on the North Slope of Alaska in particular lend emphasis to the tremendous significance of Federal mineral and land policies. We have been discussing with the Department of the Interior the need for a general appraisal and review of these policies. The Public Land Law Review Commission study of revenue sharing and the related Department of Interior analysis of mineral leasing act sharing will provide information useful in this review.

In these circumstances, in a September 4, 1968 report, we asked Chairman Aspinall for an opportunity to reconsider our position on H.R. 17874, the identical House bill, with the objective of making a specific recommendation on the legislation early in the next session of the Congress. The Department of the Interior concurred in that request. We, therefore, recommended that the House Committee defer action on the legislation until the next session of the Congress.

At today's House Subcommittee hearing on H.R. 17874 there was discussion of the Bureau's report of September 4, 1968, and a question arose as to our view concerning a brief extension of the period cited in that legislation rather than deferral of legislative action as recommended in our report.

We today reported to Chairman Aspinall that we continue to prefer deferral for the reasons outlined above. We stated, however, that if the Committee believes an extension covering the period of further study is essential, we would not object to an extension of up to six months.

Sincerely,

Wilfred H. Rommel,
Assistant Director for Legislative Reference.

September 5, 1968.

Hon. Wayne N. Aspinall,
Chairman, Committee on Interior and Insular Affairs, Housc of Representatives, Longworth House Office Building, Washington, D.C.

Dear Mr. Chairman: We understand that during today's Subcommittee hearing on H.R. 17874 there was discussion of the Bureau's report of September 4, 1968, and that the question arose as to our view concerning a brief extension of the period cited in that legislation rather than deferral of legislative action as recommended in our report.

We continue to prefer deferral for reasons outlined in the September 4th report. However, if the Committee believes an extension covering the period of further study is essential, we would not object to an extension of up to six months.

Sincerely,

Wilfred H. Rommel,
Assistant Director for Legislative Reference.

September 4, 1968.

Hon. Wayne N. Aspinall,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

Dear Mr. Chairman: Hearings have been scheduled for September 5, on H.R. 17874, a bill which would extend by an additional fifteen years the period during which the State of Alaska may select Federal lands which are already under lease, permit, license or contract under the Mineral Leasing Act.

You may recall that the Department of the Interior has sent to your Committee a report favoring a five-year extension. We had previously concurred in a similar Interior report to the Senate Committee on S. 3406, an identical bill. However, a number of developments have caused us to wish to consider further several aspects of matters dealt with by this legislation.

The rapid pace of mineral exploration and the large oil strike on the North Slope of Alaska in particular lend emphasis to the tremendous significance of Federal mineral and land policies. We have been discussing with the Department of the Interior the need for a general appraisal and review of these policies. The Public Land Law Review Commission study of revenue sharing and the related Department of Interior analysis of mineral leasing act sharing will provide information useful in this review.

In the circumstances, we would appreciate opportunity to reconsider our position on H.R. 17874 with the objective of making a specific recommendation on the legislation early in the next session of the Congress. The Department of the Interior concurs in this request. Accordingly, we recommend that the Committee defer action on this legislation until the next session of the Congress.

Sincerely,

Phillip S. Hughes,
Deputy Director.

Mr. WILLIAMS of Delaware. Mr. President, it will be noted that in Mr. Zwick's reply he states:

> We understand that the Department of Interior will reply to the technical questions (1 through 3) in your letter. We will not repeat that information here.

Notwithstanding the fact that my letter as addressed to Secretary Udall was also dated October 29 and that between that date and January 20 I was promised on repeated occasions that the Secretary's reply had been prepared and was awaiting his signature, I regret to report that to date I have not received an answer.

I cannot understand why the Secretary of the Interior was not more interested in replying to these questions since they now all admit that millions of prospective Government revenue are involved in the decision that may be made on this proposal.

I ask unanimous consent that my letter of October 29 as addressed to the Secretary of the Interior, the Honorable Stewart L. Udall, be printed at this point in the Record. His failure to reply should be noted by the Interior Committee should any thought be given to considering this question at this session of Congress.

There being no objection, the letter was ordered to be printed in the Record, as follows:

October 29, 1968.

Hon. Stewart L. Udall,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.

My Dear Mr. Secretary: In the closing days of the session S. 3406 was left on the Senate Calendar without any action being taken. This is the bill introduced by Senator Bartlett and Senator Gruening, the purpose of which was to extend the time for the filing of applications for the selection of certain lands by the State of Alaska to fifteen years.

In the Committee Report the Departments are quoted as having endorsed this proposal; however, I note that the endorsements of the respective agencies appear prior to the recent discovery of a major oil field in that area. I am therefore asking for a new report from your Department as to how the enactment of this bill would affect the position or equity of the United States Government. Does the Interior Department still recommend its enactment upon the convening of the next Congress?

In addition to stating the position of your Department I would appreciate answers to the following questions:

1. The effective date of the charter granting Alaska statehood, along with both effective and expiration dates of the rights extended to that state for claiming certain acreage.

(a) The number of acres allocated to the state under this option.

(b) A record of all extensions or modifications of this agreement along with the expiration date of the final agreement.

2. Was there a special agreement on mineral leases outstanding at the time Alaska was admitted to statehood and how were they affected by these options?

(a) How would they be affected by an extension of the dates as proposed in S. 3406?

3. Were the recent major discoveries of oil fields in the Alaskan Region made on government-owned or state-claimed lands and were they government or state leases?

(a) If government lands or leases from the government, give the dates.

4. Would the enactment of this legislation extending the filing date permit the state to claim any of these newly discovered oil fields as state lands which otherwise they would not be able to do without the legislation?

5. In what way and to what extent would the enactment of legislation extending this filing date react either favorably or adversely to the financial interests of the United States Government?

(a) Do you have any estimate as to the amount of revenue involved?

If it is the position of your Department that the enactment of this legislation is favorable to the interests of the United States Government, please explain, or if your Department recommends against the enactment, explain how it would adversely affect the Government's interests. At the same time I would appreciate receiving any additional information which you feel should be considered in making a decision on this legislative proposal.

Yours sincerely,

JOHN J. WILLIAMS.

CASTRO'S CUBA AFTER 10 YEARS

Mr. YOUNG of Ohio. Mr. President, more than 10 years ago, in fact, in late December 1958 Fidel Castro and his small guerrilla force of fighting men came out of the Sierra Maestra Mountains, which had been their base for some years, in their hit-and-run fighting against the dictatorial regime of Fulgencio Batista. On January 1, 1959, Fidel Castro and his small force of fighting men entered Havana and paraded down the main thoroughfare. The tumultuous welcome of more than a million men, women, and children crowding throughout the broad avenues of Havana shouting and weeping for joy was so tremendous, enthusiastic, and expressed so much happiness and relief as to be almost beyond belief.

For years preceding this time a former sergeant of the Cuban Army, Fulgencio Batista, had been in power, not by election, but by force and violence. For years preceding this New Year's Day, dictator Batista had ruled Cuba with its 7 million population as his own fiefdom. His had been a cruel, corrupt dictatorial regime. New York racketeers had arranged with him to operate the gambling houses and casinos of Havana, and that beautiful city had become the vacation center of the Western Hemisphere and the gambling mecca bringing in shiploads of pleasure-seeking vacationers along with gangsters and racketeers from New York who controlled the gambling syndicate. All the time Sergeant Batista, dictator of this beautiful island in the Caribbean, was depositing in his secret Swiss bank accounts the millions he took in during his years in power by crushing his own people into further oppression with taxes and corruption that was rampant throughout all Cuba and from huge sums he skimmed from the gambling tables.

Then, on that New Year's Day he suddenly and secretly left for Europe to join his Swiss bank account. Throughout the years since that time he has been enjoying the good life and sun on the French Riviera and at his luxurious villa in Spain.

At the time of the triumph of Fidel Castro it was said that administration leaders and our Central Intelligence Agency were overwhelmed with surprise over the sudden turn of events. To me that always seemed peculiar. It happened that I was vacationing in Florida the latter half of December having dissolved my law firm. It seemed well known in Key West, Miami Beach, and Palm Beach among those with whom I talked that the guerrillas had won the war in Cuba and that Batista would either be executed or exiled within a few days. County and State officials in Florida with whom I talked and also many in private life knew the facts. Finally the CIA and officials of the Eisenhower administration learned what had been common knowledge in Florida.

During the intervening 10 years our relationship with dictator Castro and members of his regime has been most unsatisfactory. In fact, sometimes stormy and grim.

President Eisenhower in January 1961 severed our diplomatic relations with the Cuban Government. Our Embassy in Havana was closed. Our Ambassador and members of his staff returned immediately to the United States.

Unfortunately for this Nation, and in my judgment to our prejudice, we have been since that time compelled to deal with Cuban officials through members of the staff of the Swiss Embassy. We thereby lost our own listening post and open window to all that has gone on in Cuba during the past 10 years.

Of course, what has gone on in this little island close to Key West, Fla., has generally speaking become known to us. Unfortunately, there have been delays in acquiring precise knowledge. This was made clearly evident to all Americans in October of 1962 and at some other periods.

Immediately following the time our Government severed all diplomatic relations with Cuba and placed reliance upon the Swiss Embassy to look after our interests, Fidel Castro's Cuban Government confiscated the property of American corporations and individuals and there was considerable financial loss involved. Whether such procedure would have been followed by the Cuban Government had we not severed diplomatic relations is a matter for argument.

Then there was the missile crisis of 1962 and our blockade of Cuba and an eyeball to eyeball confrontation between President Kennedy and Premier Khrushchev. Khrushchev blinked. The missiles were withdrawn. War was averted.

Also, there was the horrendous blunder of our CIA training Cubans and some Americans in Guatemala for an invasion of Cuba and liberation of its people from the Castro rule. The abortive Bay of Pigs invasion took place. Some Americans were killed, hundreds of Cubans killed and taken prisoner. The poorly planned invasion was crushed. Then our Government paid a huge ransom in medical supplies to secure the release from imprisonment of some hundreds taken prisoner in that invasion. Even today, thousands of Cuban refugees are being maintained at the expense of our Government while they are no doubt plotting further invasions.

Almost daily we read of hijacking incidents. Unfortunately we have no embassy nor staff in Havana but are dependent on the Swiss to make protests to the Cuban Government. This is illustrative of the fact that we have been prejudiced through these years because we lack means of direct communication with the Government of Cuba.

We might as well face the fact that apparently the present Cuban regime is firmly entrenched. To our knowledge no rebellion nor guerrilla warfare is being waged against Fidel Castro and his government.

It appears that of all the 7 to 8 million men, women, and children living in Cuba, an overwhelming majority are better off physically and financially than they were 10 years ago, and from all the knowledge we Americans are able to acquire, an overwhelming majority of these Cuban people do support and uphold the present administration. I express regret over the fact that Fidel Castro does have the support of a huge majority of his people, but we should not be blind to the facts.

The Castro regime is totalitarian. It is Communist. The regime of Fulgencio Batista was totalitarian. It was fascist. Communist dictators and fascist dictators govern by decree. The voice of the people of countries so misgoverned are not heard nor are their votes tolerated. Surely the regime of Fidel Castro and its operations are abhorrent to freedom-loving men and women of our country.

Very definitely, to speak for a moment regarding Western Hemisphere nations, the fascist militarist regimes of Brazil, the Argentine Republic, and now Peru, are abhorrent to freedom-loving citizens everywhere. Yet, at the time in the Argentine Republic, so-called, the generals overthrew the duly elected President and sent him into exile, we did not break diplomatic relations with Argentina. When the generals of the Brazilian Army by a midnight coup overthrew the President of that great nation, our Government did not sever diplomatic relations with that regime. Now, in recent weeks, the militarists of Peru have ousted the duly elected President. He is exiled from his own country. These fascist generals by decree have expropriated property of American corporations to the extent of many millions of dollars. In our newspapers we read advertisements of the Standard Oil Co., denouncing the fact that the fascist rulers of Peru have seized their property, giving no compensation whatever. Yet we continue to permit American businessmen to sell the products of American factories to all these fascist governments and their nationals, but the products, even medicines, produced in America may not be sold to the Cuban Government nor to Cubans. Americans are barred from visiting Cuba. The Communists, who also govern by decree, have taken over Cuba. Hence diplomatic relations were broken. American businessmen and farmers may not profit with any trade with that country. In those other republics, so-called, of South America—Brazil, Argentina, Paraguay, and most recently Peru—where fascist rulers govern by decree, our embassies have not been closed. Trade between Americans and the nationals of those countries has not been barred.

Historically, Athens was the cradle of democracy. Yet when Fascist colonels overthrew the constitutional government in a midnight coup, our Government did not close our Embassy nor break diplomatic relations. Our Government continued uninterruptedly to recognize this Fascist regime in Greece.

We have recognized for many years the ruthless and bloodstained tyrant Francois Duvalier whose dictatorship has impoverished the people of Haiti. Haiti is one of the most beautiful islands in the Western Hemisphere. Along the coastal area and inland as one climbs into the beautiful terrain of the Temperate Zone the land is fertile; the jungles are lush. Yet, the ironhanded rule of Duvalier has so impoverished the inhabitants of Haiti that it is the slum of the Western Hemisphere, with the lowest per capita income anywhere in our hemisphere. That iron hand of Duvalier is also a bloodstained hand. Citizens suspected to be hostile to his regime are executed without trial. Still, we recognize this tyrant and have diplomatic relations with his government.

The United States recognizes and supports the Fascist regime of dictator Franco in Spain. In fact, liberty loving Spaniards, now being further oppressed by new censorship and more restrictions recently applied by Franco, claim that except for the support of the United States his regime would have been overthrown years ago.

Our country maintains diplomatic relations with every Fascist regime in the entire world. Our Government maintains diplomatic relations with every Communist government in Europe, with the exception of little Albania. The United States maintains diplomatic relations, in fact, with all governments governing by decree and by single party rule except for Albania and Cuba.

It has been said that early in 1959 President Eisenhower's Secretary of State, John Foster Dulles, was at the time advised by our CIA that the Fidel Castro government would topple in a matter of weeks, so he advised President Eisenhower to follow a hard line policy toward the Castro regime—a policy which eventually led to a complete break in diplomatic relations and possibly to many of the crises and difficulties that ensued through the years. Whether that Washington gossip is historically true or not, I do not know.

I do know that depending upon the Swiss Embassy in Havana as our listening post has proven through almost 10 years to be unsatisfactory and inadequate. Let us hope that President Nixon and Secretary of State Rogers will reassess all facets of our relationship with the regime governing Cuba. Very likely for all I know they have already commenced reappraising our policies relating to President Dorticos, of Cuba, and all other officials supporting Fidel Castro. No doubt the contrast as to what we have been doing in dealing with Peru and what we have done in dealing with Cuba has become a matter of concern.

We Americans despise communism. Yet we have no right to direct the people of Cuba as to what sort of government they must maintain any more than we have a right to direct the people of Yugoslavia that they must not have a Communist regime.

The evidence is overwhelming that Cuba has a viable government. This is a Communist government which Americans generally despise. It is a government, however, that appears firmly in power and has been for a period of 10 years.

Whether or not the tyranny of the present government of Cuba is as bad or as worse than the tyranny and corruption of the Batista government that preceded it, is not a matter to be considered. We do know however that the people of Cuba, those who work in the sugar cane fields and the people crowded in the slums of Havana, Santiago, and other cities, are from all reports better off in every way and enjoy greater contentment and a better life than they had during the Batista regime.

Mr. President, on February 4, 1969, there appeared in the Christian Science Monitor, one of our Nation's great newspapers, a very informative article by James Nelson Goodsell, the Monitor's Latin American correspondent, entitled "Now We Begin the Second 10 Years." In his article, Mr. Goodsell points out that while there is discontent in Cuba, while there are shortages, and while many have not reconciled themselves to the Communist government, for the most part Castro enjoys the allegiance of the great majority of Cubans. He reports that the poor and underprivileged who form the great mass of the population are somewhat better off than they were 10 years ago. In the Wall Street Journal of February 5, 1969, there appeared a front-page article entitled, "Fidel's Experiment, Most Cubans Appear Content With Castro's 10-Year-Old Regime," which confirms Mr. Goodsell's observations and conclusions regarding conditions in Cuba today and the stability of the Castro government.

I ask unanimous consent that these articles be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Feb. 5, 1969]

FIDEL'S EXPERIMENT: MOST CUBANS APPEAR CONTENT WITH CASTRO'S 10-YEAR-OLD REGIME—JAILS HOLD 10,000 DISSENTERS, BUT IMPROVED EDUCATION, HEALTH, WAGES WIN FAVOR—FREE CALLS ON PUBLIC PHONES

(By Herbert G. Lawson)

SAN ANDRES, CUBA.—Antonio Toledo, a barefoot, nearly toothless tobacco farmer, warmly greets an American visitor to his dirt-floor home in this remote western mountain valley. A photo of Fidel Castro hangs on one wall, but the family's most cherished possession is a wall rack full of china plates and coffee cups.

"We never had those before the revolution," say Mr. Toledo. "We have more money now." Though he has refused to yield to pressure to give up his land to the state, he's glad to sell his output to the government and notes that it gives him free fertilizer that has quadrupled his crop. His grandchild will go to a free, modern boarding school in the valley. He and his family now have two doctors nearby; before the revolution, medical help for the 8,000 people in the valley was 35 miles away—over a mountain without roads.

Mr. Toledo's enthusiasm for Cuba's 10-year-old Communist regime isn't shared by everyone on this tropical island of eight million people. But Castro's enemies appear far outnumbered by those who fervently or passively accept the revolution. "No matter what happens, capitalism is dead here," asserts one pro-Western diplomat in Havana.

BLAMING FIDEL

A visitor, however, finds some signs of discontent directed at Premier Castro, and U.S. intelligence sources report isolated acts of rebellion. "Fidel gets more personal blame for problems, and there's been more mud splattered on him in the past several years," says one analyst. But most agree that the unrest isn't a serious threat—at least for now—to the Castro government.

But if the 41-year-old Fidel is firmly in the saddle, it is equally apparent that Cuba is susceptible to change. The hallmark of the revolution has been experimentation, and it continues. Nowhere else in the Communist world has Marxism been applied with more free-wheeling exuberance. The result is a Cub of many faces, some of them contradictory and all fascinating.

Havana and the countryside wear a well-scrubbed look. Litter barrels are everywhere and the capital remains the airy city of sun and sea, skyscrapers, broad avenues and tropical flowers that once made it a tourist mecca. Still visible, too, are the slums, but they seem less crowded and far neater than the tenements of Mexico City or New York.

The mood of the country is subdued. One recent Mexican visitor who knew Cuba under the Batista dictatorship compares the two eras: "There are no beggars on the streets and there used to be a great many. But the people aren't as friendly now; they used to stop you on the street and ask how you liked Cuba."

TOURISTS ARE GONE

Most tourists are gone now, unless one counts the Russian technicians who swarm around the swimming pool at Havana's Hotel Nacional or the bearded Americans of the New Left who flock to Cuba despite State Department strictures against such travel. Hotels and other buildings are aging as gracefully as they can in the face of a severe shortage of paint and nearly everything else. Few cars are seen on the streets, though there are plenty of British Leyland buses, trucks and military vehicles.

One face of Cuba is that of austerity. It is a nation where rationing now is more severe than in war-time England and where, even when ration stamps are available, stores are likely to be empty of appliances, most clothes, many food items and all luxury goods.

But there is also a Cuba of the millennium, a place where no one will pay rent beginning next year and where most medical care is free and far more abundant than in the past. Public phones, baseball games, wedding banquets, education and even funerals are on the government. Despite the monotony of the diet, no one is starving, and most people, in fact, appear well fed and reasonably well dressed.

POLITICAL PRISONERS

Another face is autocratic. This is a thoroughly totalitarian state where 2.5 million people—nearly one in three—are members of vigilante groups on nearly every block called Committees for the Defense of the Revolution. No opposition press is tolerated and the jails contain 10,000 or more political prisoners, including former high-level Communists who challenged Castro's leadership. The premier recently gave public support to Russian suppression of the liberal Czech government.

But there is also a more tolerant Cuba where the Catholic Church still functions despite some government restrictions, where students and intellectuals feel some freedom to express anti-Castro views at social gatherings, where artists have Czech-style freedom of expression and where racial integration of the 27% black and mulatto population is genuine. The regime, with a large core of enthusiastic supporters, tries to avoid a police-state atmosphere and prefers the carrot to the stick.

Then there is Puritan Cuba. Lotteries and prostitution have been outlawed, night clubs may open only three nights a week, all other bars are shuttered and Castro recently cracked down on Havana's hippies by rounding up several hundred of them in a sudden downtown street raid. Those that couldn't prove useful employment wound up in work camps in eastern Camaguey Province.

But the sensual Cuba of former times can't be suppressed entirely. The girls of Havana and the countryside prefer short miniskirts and somehow—even when wearing fatigues on militia guard duty—look as if they have just come from a beauty parlor. The love of music in this land of palm trees (especially American rock and roll) is such that the government in December was forced to rescind an early 1968 order for a total close-down of all night clubs and adopt the present three-day-a-week schedule.

And amid all this is a Cuba still full of sights and sounds reminiscent of its earlier strong ties to the U.S. A high official of the government film industry, driving a group of Americans in his Russian-made Volga station wagon, suddenly begins singing "I'm in the Mood for Love." And Cubans still make a soft drink they call Coca-Cola that tastes much like the U.S. product, even though Coke syrup is no longer available from the U.S.

Havana, where nearly one-fourth of all Cubans live, reflects all the contradictions of the revolution. Fidel loves ice cream, formerly a luxury in Cuba, and has decreed that the people should have it in abundance. The result is ice cream everywhere, including at the Coppelia, a two-story cantilevered ice cream parlor in downtown Havana that seats 5,000 and where the customer can choose from 52 flavors, including guava. Five scoops with syrup costs $1.50, and it's worth it. There are always long lines, despite the fact the Coppelia is open all day and most of the night.

WAITING IN LINE

Meanwhile, no milk is available except for children and the aged. And though Cubans appear to have adequate supplies of staples like rice and beans, many other foods are almost as scarce as milk. At grocery stores and restaurants, there are always long lines. "Someone from each family is constantly in line," complains one young man who lives in Havana.

A visit to Fin de Sigo, a big department store in the old quarter of Havana, is depressing. Long lines of glass merchandise cases are completely empty; the men's department is blocked off, the racks devoid of any clothing. A few bored clerks stand around watching the equally scarce shoppers. The only crowd is in the lingerie department where women line up to buy stockings. Not a single appliance is in sight, nor are there any toys or children's clothing except for cotton school uniforms ($3.23 for a cheap skirt).

Such shortages—caused by the lackluster performance of Cuba's economy and the diversion of capital into agricultural industry—inevitably cause some unrest. At a party in a private home in Havana, a 20-year-old teacher confides that he would like to flee the country. "I don't believe our government's propaganda," he says. But he can't leave legally under the refugee program while he is of military age. Part of his family already has gone to Miami, and he eagerly watches Miami television (Bewitched is a favorite show).

There are other hints of disenchantment. A university student says her brother recently saw two militiamen shot to death in Oriente Province, the eastern mountain region where there have been persistent reports of antigovernment activity. Other observers report incidents of farm workers deliberately breaking cane seedlings before planting them and of chains being thrown across power lines to short them. "But it's all two-bit vandalism," says one. "The security here is too good for there to be any percentage in it."

FLEEING CUBA

Nevertheless, Castro was concerned enough to lash out at saboteurs in a major address last September, citing 51 major acts of sabotage, including arson in schools and sugar warehouses.

But analysts of Cuban affairs agree that Castro has dealt effectively with most dangerous citizens by jailing them or, more often, by giving them a chance to leave. More than 500,000 Cuban refugees now live around the world, including 400,000 in the U.S. About 1,000 weekly arrive by air in Miami, and a unknown number flee by various illegal routes. One U.S. source says about 900 have made their hazardous exit by swimming into the U.S. naval base at Guantanamo or jumping its fence. The most spectacular mass flight occurred last month when 87 refugees dashed into the base. An undetermined number of others were killed by Cuban soldiers in the escape attempt.

Would-be refugees who want to follow the normal route face still another of Cuba's long lines, this one at the Swiss embassy in Havana. As soon as they announce their intention to leave by applying at the embassy, they become "gusanos," or worms, in the view of the state. Many lose their jobs and go to farm labor camps while waiting the several years before space is available on a flight out; one embassy source reports 70,000 now are on the waiting list. All who leave Cuba forfeit most of their possessions when they go.

Those who stay behind to build the revolution are resourceful. Mechanics are geniuses in patching up rusty 1950-vintage U.S. cars. Women sew their own clothes from the yearly ration of slightly more than 21 square yards. "No two women in Cuba dress alike," proudly says one government clerk.

WAGE CEILING

The minimum wage here is generally $85 a month. The sum seems small, but most families include two or more breadwinners because the state is rapidly taking over the job of child-rearing. A maximum wage of $700 a month is set by the government, but few earns it. Pensions are guaranteed to all at whatever age they become unable to work. The pension is $60 a month, plus free food, lodging and medical care. Almost everyone works for the state because all businesses are nationalized; however, some 20% to 27% of land remains in the hands of farmers with small acreages. "The tendency is to eliminate this last ownership, but no definite date is set," says a foreign ministry spokesman.

The greatest beneficiaries of the revolution appear to be the rural poor and the young. Youth is worshipped in Castro's Cuba. The head of the information office of the foreign ministry is 26. The schoolmaster at a 300-student boarding school here in San Andres is 20. Teachers are often teen-agers.

Olga Chamero is a pretty, blond diplomat who, at age 16, went to her first foreign assignment in Colombia, Now 24, she's served in Peking and soon may leave her job as an analyst of U.S. affairs to join Cuba's UN mission. She wears chic clothes and dines occasionally at the several elegant restaurants in Havana largely reserved for diplomats. She also carries a carbine on guard duty and is an ardent revolutionary. "Cubans are free to talk against the revolution but not to act," she says. "We have the right to defend the revolution and we will."

Negroes also are finding a new role in Cuba, Alfonso Herrera, another foreign ministry analyst, recalls that he was the country's first Negro consul, serving in Jamaica in the early 1960s. He was a master builder before the revolution. Although few black Cubans have risen to top government or party posts, they are highly visible in many technical and middle-management jobs, including Cubana Airline pilots.

Even those Negroes with relatively humble jobs say they like the new Cuba. A young woman at the cigar counter of a Havana hotel says she left the island to live in New York for 12 years but returned when the revolution began. "I'm very happy," she says. "Now the country belongs to us and no one can take it away."

GAINS IN MEDICAL CARE

Cubans are especially proud of their new health system. Dr. Albert Sabin, developer of oral polio vaccine, said after a recent visit that health services "are very well organized and vaccine is being carried to the children extraordinarily well." Hospitals have risen in every major city, and hospital beds have more than doubled since the revolution. The bulk of new facilities are in rural areas that had little or no medical care before.

Here in San Andres, where no medical care existed before the revolution, Dr. Antonio Lara and another physician man a tiny "public health post." There is an examination room, a two-bed labor room and a delivery room. Dr. Lara lives at the post and is on call 24 hours daily with six days off each month.

His more serious cases go by ambulance to Pinar del Rio, the provincial capital 35 miles away. There a local party official whips out statistics on medical services in the province: 310 doctors now compared with 226 before the revolution; eight hospitals now against one before ("and it was very bad"); 700 nurses, up from 66 before 1959.

A good measure of overall health care is infant mortality, doctors agree. In Cuba, according to World Health Organization figures, annual infant deaths per 1,000 births are 39.7. This compares with 108.2 in Chile, 91.5 in Guatemala and 62.9 in Mexico. The U.S. rate is 22. The Cuban death rate from gastroenteritis, a major cause of death in Latin America, has also dropped sharply to a level well below most other Latin lands.

FIGHTING ILLITERACY

More controversial than medicine but equally impressive in the view of some observers is the burgeoning school system of Cuba. Castro has declared war on illiteracy and promised his people a free education to the limit of individual ability. The first building to go up in the many new communities dotting the countryside is a schoolhouse. Teachers eager to instill a revolutionary concept of history as well as to turn out trained workers are special heroes of Cuba's revolution.

Here at Integrated School No. 1 in San Andres, 280 primary and secondary students live and study on a modern campus of red-brick buildings. Classroom bells have been replaced by recordings of popular Cuban songs played over a loudspeaker. ("Three Beautiful Cuban Girls" announces the end of class.) The children go home only one Sunday every two weeks. At school, they spend six hours in class work, two hours cultivating rice in fields nearby and devote evenings to study, sports or other planned activities. The classrooms are as modern as most in the U.S., and the library is well-stocked, including seven volumes of Karl Marx.

Castro's claim—and it is credible when one sees the masses of uniformed school children throughout the island—is that nearly every educational statistic has doubled under communism. The number of primary and secondary students is now 1,617,000, or more than twice the 781,000 a decade ago, he told an audience at Cangre a few weeks ago.

Cuba's infant film industry is an arm of the educational movement. On a balmy night, 50 citrus growers in a community 30 miles west of Havana gather in a new meeting hall to watch a film brought by a mobile government unit with a portable generator. Such units carry movies to every remote corner of the island.

A LESSON VIA SLAPSTICK

On this particular evening, the citrus growers are treated to a documentary of Fidel's Aug. 23, 1968, speech in defense of the "bitter necessity" for Russia to invade Czechoslovakia. The peasants are impassive during the documentary but break into prolonged laughter at the feature film, a Cuban-made farce called Death of a Bureaucrat. It copies a slapstick scene from an old Laurel and Hardy movie while neatly putting over the regime's campaign against red tape.

The primary aim of all Cuban education is to create what Che Guevara, the country's slain guerrilla leader, called the "nuevo hombre." This new man is ill-defined, but everyone talks about him. He is, in Che's poetic description, a Socialist man freed from the "alienation" of modern life. Fidel has described him as the man of the future who will not need or use money or work for any personal gain in "a society free of selfishness."

In practice, many Cubans seem to display sincere zeal in working for their country's goals. But many also seem to submerge their own identity in the process. Octavio Cortaza is a handsome young intellectual who is making his mark as a film director after studying Czech film techniques. When asked how Cubans reacted to the Russian invasion of Czechoslovakia, he answers: "There was some confusion (in Cuba) at first until we learned what our position would be."

[From the Christian Science Monitor, Feb. 4, 1969]

NOW WE BEGIN THE SECOND 10 YEARS

(NOTE.—Ten years have passed since Fidel Castro gained power. No one can say they have been peaceful years. In one way or another the Western world has been particularly conscious of Cuba's presence. As to the next 10 years, Cuba watchers wonder whether Dr. Castro will be able to maintain his remarkable staying power.)

(By James Nelson Goodsell)

RIO DE JANEIRO.—Ten years ago Fidel Castro and a small legion of supporters came out of Cuba's Sierra Maestra mountains and took control of the island nation. Neither Cuba nor the Americas have been the same since.

The victory of Dr. Castro in his long struggle against the dictatorship of Fulgencio Batista signaled the end of an era, but it was unlike many another government changeover in which a simple change of power took place.

Though it was not clearly seen at the time, Cuba's new leaders determined basically to alter the island's political, economic, and social structure. And in the 10 years since their coming to power, that has been done.

The intervening years have been stormy for Cuba and for the Western Hemisphere—especially for the United States, Cuba's northern neighbor 90 miles across the Florida Straits.

EVENTS RECOUNTED

Events of those years are well known, such as: the gradual worsening of U.S.-Cuban relations and the eventual break in diplomatic ties; Cuba's confiscation of U.S. property; the abortive Bay of Pigs invasion; U.S.-Soviet missile confrontation; Cuba's support for guerrilla activities throughout Latin America; and a host of other incidents which have repeatedly focused attention on the island nation in the Caribbean.

In the process, Premier Castro embraced Marxism and turned his nation's economy into what it has become largely a Communist system.

As such Cuba's long years of economic ties with the U.S. and its capitalistic system have been broken.

There has been a natural turning on the part of Dr. Castro to the Soviet Union and the Communist bloc nations for economic assistance, for trade, and for a variety of other links.

ISOLATION NOTED

Largely as a result of the prodding of the U.S. and Venezuela, Western Hemisphere nations voted to remove the present Cuban Government from its role in the Organization of the American States and to sever trade and diplomatic ties. Nations of this hemisphere, with the exception of Mexico, did so, albeit reluctantly in some cases.

Cuba, in a sense, is geographically isolated, outside its natural position as part of the New World. The Premier has himself noted this isolation and "rather unnatural position," as Radio Havana called it last year. But this siutation has not caused Cuba the harm that many forecast several years ago.

In fact, Dr. Castro's staying power has been a surprise to many hemisphere observers. And when he celebrated the 10th anniversary of his coming to power Jan. 2, some commentators took specific note of his success in remaining in power, indicating that this might be his greatest accomplishment.

What has made it possible? There are many answers, and a full explanation depends on a combination of these answers.

In the first place, it seems evident to most visitors to Cuba today that, despite the continuing number of Cubans who want to leave their island, the majority of the 7 to 8 million on the island pay allegiance to Dr. Castro in one degree or another.

This is not to say there is no opposition to the leader. There is. But countryside folk, the "guajiros," for whom Dr. Castro's revolution has brought improvement in a variety of ways, are strongly in support of him.

Moreover, though there is some evidence of youthful rebellion in Cuba, just as it exists in almost every part of the world today, Cuban youth tends to support Premier Castro and the changes which he has brought about on the island.

The opposition is concentrated generally, although not exclusively, in the remnants of the onetime important middle class and among city dwellers, particularly in Havana, for whom the revolution has not been so promising as it has for the guajiros.

"It has been a classic example of Robin Hood," a British observer in Havana said some months ago. That may well be an oversimplification of the situation, but it probably is fair to say that under Dr. Castro, those who had little economic wealth before he came to power now share somewhat in the nation's economy. But those who previously enjoyed a position of moderate or substantial means find the present system not to their liking.

REVOLUTION CLOUDS VIEW

What makes the situation hard to describe and analyze is the very fact of the revolution's having taken place. Under the Communist system, former economic values no longer are entirely valid in assessing the position of the island's economy.

To many a Cuban now in the U.S. in exile or wanting to go into exile, change in Cuba is onerous and bitterly detested. A sizable lobby of exiles, living in Miami and its environs, wants to return in force and overthrow the Castro government. Reports of continuing plots against Dr. Castro are legion in Havana.

But though there is obviously some evidence that an overt opposition to the Castro government still exists on the island, the likelihood of Dr. Castro's overthrow is dim.

The government is propped up not only by widespread citizen support, but, equally important, by the strong armed forces: The Army is viewed by most observers as the strongest, best equipped, and best trained in Latin America. Moreover, the U.S. itself has put a brake on the efforts of exiles and others to plan and plot Dr. Castro's overthrow.

Whether this situation will continue in the new Nixon administration is a large question mark. Cuban exiles in Miami appear extremely happy that Richard M. Nixon is in the White House. They view it as a new opportunity for them.

SOME DISCONTENT ADMITTED

Exiles in Miami assert that there is widespread discontent in Cuba upon which they can call when the time is right. They may well exaggerate the situation, but there is some discontent which even Castro officials admit.

Discontent is largely in the form of grumbling over rationing, shortages, and other conditions. If the view of recent visitors to Cuba is correct, grumbling over rationing is currently one of the biggest problems for the Castro government.

Food, clothing, and a variety of household goods are in short supply. The rationing of available goods is a necessary consequence. For city dwellers, in particular, rationing is onerous. But many agricultural workers, eating in community dining halls, appear to be eating better than in the past.

"There are hundreds in the countryside who will tell the visitor that they are faring better as a result of Castro," a Swedish businessman who knew Cuba in pre-Castro days said recently. "The situation, of course, is difficult for some people, but I believe there may be better times ahead for both urban and rural Cubans."

Many Cuba watchers in the U.S., both those friendly and those antagonistic to the Castro government, do not fully agree with the view that conditions may improve. In fact, according to some, conditions are deteriorating and showing signs of an increasing deterioration.

DROUGHT CUTS SUGAR OUTPUT

A recent U.S. Government agricultural report on Cuba suggests this is the case. Admittedly it is written without a close first-hand knowledge of the situation, which would not be the case if the U.S. had an embassy in Havana. The report says Cuban food production is down 25 percent during the Castro years.

There are warnings that such reporting may give a false impression to Cuban exiles and others who would like to see the end of the Castro government. The point is made even in administration circles in Washington that part of Cuba's current agricultural problem is climatic. The island has been hit by the most serious drought in its recorded history, cutting back sugar production significantly. Most countries in Latin America have been similarly hit. And all of them are making adjustments.

The big goal in current Cuban agriculture is a 10-million-ton sugar harvest in 1970. Targeted steps along the way have not been met, due to drought as well as such factors as inefficiency, lags in transport, and poor machinery.

Whether Dr. Castro will be able to turn in a 10-million-ton harvest next year seems problematic to most observers.

ALL-OUT EFFORT SEEN

But the leader says he can do it. And observers expect the Cuban economy to focus largely on this goal, which, if realized, will allow him to supply all needed sugar for barter with the Soviet Union and then sell substantial amounts on the world market for good foreign exchange, with which Cuba can purchase goods from Western Europe and Japan.

Thus, as Premier Castro commemorates the past 10 years in office, he can survey an island nation which has weathered a variety of storms, both climatic and man-made—and survived, even if at times somewhat shakily.

"If I had said that Castro would be around in 10 years way back in 1959," a U.S. diplomat in Washington said recently, "people would probably have thought I was a little balmy—and I would have thought so myself.

"But here it is 10 years later and he still is in power."

This diplomat and others say then that perhaps Dr. Castro's biggest success has been his ability to remain in power over this period. Castro supporters would say the biggest success is the change under way in Cuba.

What the next 10 years hold is anyone's guess. But Dr. Castro clearly believes he will be around. Havana Radio, following the Jan. 2 celebrations, said, "Now we begin the second 10 years."

Mr. YOUNG of Ohio. Mr. President, our neighboring countries, Canada and the Republic of Mexico, have recognized the government of Fidel Castro. Both of those nations maintain profitable trade with Cuba. In 1966, Canadian wheat growers exported 24,500,000 bushels of wheat to Cuba and received $49 million in payment. In 1967, Canada exported more than $39 million of Canadian products to Cuba; France, $54.7 million; the United Kingdom, $24 million; Italy, $21 million; West Germany, $10.5 million; and Spain, $27.8 million.

Cuba and the United States historically have enjoyed close economic and cultural ties with each other. In 1898 Americans fought in Cuba alongside Cuban patriots to free that island from Spain. We are neighbors. Americans should be good neighbors to the 7 million or more people of Cuba. President Dorticos of Cuba has been seeking for several years to have diplomatic relations restored. In fact, the Cuban Government has indicated its willingness to negotiate with our Government on the subject of compensating U.S. citizens, and corporations for the losses they sustained by reason of the seizure of their property by Cuban authorities, provided that diplomatic relations between our country and Cuba are resumed. It has been awkward to deal with the Castro government through a third party, the Swiss Embassy. That is not much of an open window to enable us to know precisely what is going on in Cuba, although no doubt we have some CIA agents in Cuba, for what, if anything, that may be worth. We would do far better and secure a more accurate picture of what is going on in Cuba were we to have an Embassy in Havana, staffed with American officials.

There are many recurring problems between our two nations, the most serious at present being the rash of hijacking incidents. Our State Department officials report that these are not encouraged by the Castro government, and that many hijackers have been locked in jail upon reaching Havana, or put to work at hard labor in the sugarcane fields. It is obvious that with an Embassy in Havana we could deal directly with this problem and others, and solve them more quickly and with a minimum of difficulty. Without a doubt were President Dorticos, of Cuba, to order the arrest of hijackers landing there and hustle them aboard the same aircraft for a return trip to American authorities there would be no more hijacking. That could be one of the conditions made by us before renewing diplomatic relations. What have we to lose by permitting a Cuban Embassy and a Cuban ambassador in Washington? Nothing.

Furthermore, it seems clear that the leaders of the Soviet Union seek to disengage themselves from their expensive relationship with Castro's Cuba. This has been costing the U.S.S.R. more than $1 million a day. To indicate his ingratitude, Castro has supported the Chinese Communists in their bitter and intense ideological battle with the Russians.

Castro continues to support efforts to overthrow Latin American governments. It is apparently a fact that the Cuban Government aided and abetted guerrillas seeking to overthrow the Government of Bolivia and establish a Communist government there. This attempt resulted in disaster for the Cuban leadership. As a condition for recognition and resumption of normal relations between the United States and Cuba, we should demand that the Cuban Government cease any further attempts to subvert the government of any Latin American country. Obviously, were we to have a minister or an ambassador in Cuba with the usual staff we would know almost immediately of any violations of such an agreement.

Why should we continue to officially ignore the Castro regime while Canada, our progressive neighbor to the north, profits from commercial relations with Cuba? The United Kingdom, France, and many other nations have recognized the Government of Cuba now in existence for almost 10 years and have been prospering by their trade with Cuba. We should resume diplomatic relations with Cuba and obtain the same economic benefits through trade and commerce as our allies and our neighbors to the north and south. Furthermore, we are at a continuing disadvantage in dealing with Cuba through a third party, the Swiss Embassay. Cuba without a doubt would become a good customer of the United States. Cubans need American products including medicines, drugs, clothing, beef, and many other nonstrategic products of American farms and factories. We Americans, in turn, would no doubt import Cuban products such as sugar, rum, and fruits produced in the tropics, simply to mention a few. Trade makes for good neighbors. Good neighbors make for peace.

Let us hope that our President and the Secretary of State will propose a diplomatic exchange and take the blinders from our eyes which should have been removed years ago. In fact, should never have been placed there in January 1961 by President Eisenhower less than a month before the end of his term of office.

THE ABM: A NATIONAL DISASTER IN THE MAKING

Mr. HARTKE. Mr. President, over the past several years I have followed the debate over whether this Nation should build an anti-ballistic-missile system with a deepening sense of unease. I have listened while the voices of our most outstanding scientists and distinguished leaders in the Congress have spoken out against such a system as being not only exorbitantly expensive but, in all likelihood, extremely dangerous to our national security. But even while the anti-ABM arguments grew more and more cogent and persuasive, the former Secretary of Defense, Mr. McNamara, in clear violation of his own best judgment, last year advocated that we take the first large steps toward commitment to just such a program. And a majority of the Congress voted to go along.

That decision urgently requires reconsideration and reversal.

If on no other grounds, the near-unanimous testimony of the scientific community should be enough to convince us that the proposed Sentinel ABM system must not be allowed to go forward. Men of such distinguished and proven judgment as Dr. Hans Bethe, Dr. Richard Garwin, Dr. George Kistiakowsky, Dr. Jerome Wiesner, Dr. Herbert York, and indeed, the man who is now President Nixon's chief scientific adviser, Dr. Lee DuBridge—all have expressed the single most compelling argument against our building an ABM system: It will not work; it will not and cannot do the job its proponents claim for it.

The reason is perfectly simple: No conceivable ABM system can successfully intercept a missile attack which has been planned with the knowledge that ABM's are deployed. Through the use of decoys, chaff, radar jamming, and other such devices readily accessible to any nation that has an ICBM capability anyway, incoming missiles can penetrate an ABM shield in sufficient numbers to utterly devastate our industrial and population centers. Our only recourse then would be massive thermonuclear retaliation against the attacking country. But this is precisely the recourse that we now have, without an ABM system. What then will we have gained by building one?

We are told that the so-called thin ABM system now planned is to protect us against a Chinese, not a Soviet, attack. This was Secretary McNamara's painfully reluctant rationale last year in asking us for a $5 billion authorization. We need only glance at the character of the alleged Chinese threat to see how specious that rationale was and is.

First of all, the hard fact is that the Chinese have not yet even tested a booster rocket powerful enough to use as an ICBM. But after they have done so, it will still require at least 4 years before they can deploy an operational ICBM. Our best available estimates now are that if the Chinese have a successful test during the current year, by the middle or end of the next decade they may have between 25 and 75 ICBMs. These, however, will be similar to our own early Atlas and Titan missiles—that is, liquid-fueled, nonhardened launching sites, and requiring hours to prepare for firing. And even so modest a capability as this is now seriously threatened by the disorder and confusion caused by the so-called cultural revolution and by factional clashes within their defense industry.

We are left, then, Mr. President, with a situation in which, 6 to 10 years from now, the Chinese ICBM capability will be extremely limited in size and technologically obsolescent. It will be of a character that would provide us with a minimum of 12 hours' warning before an ICBM could be launched against U.S. targets—12 hours during which our own Minutemen ICBMs could strike Chinese launching pads in only 30 minutes, and even less time required for a Polaris strike. In short, any remotely probable Chinese ICBM capability developed during the 1970's can be effectively deterred or destroyed prior to launch by existing American weaponry.

There is still another consideration in regard to this not-very-ominous nuclear threat from China. Every responsible observer agrees that the Soviet Union has been effectively deterred by our massive nuclear capability; Soviet leaders are fully aware that any attack on the United States or our principal allies would be countered by immediate and total devastation of their land and people. But now we are asked to believe that the Chinese, with their far less sophisticated and extensive weapons capability, cannot be deterred in the same fashion. What we are asked to believe, in other words, is that the Chinese leaders are suicidal lunatics. I, for one, Mr. President, politely decline to share so simplistic, indeed paranoid, a view of the nature of our adversaries.

But the implications of our move toward construction of an ABM system are wider and more serious than these considerations alone would indicate. For the Soviet Union is not, and cannot afford to be, an indifferent observer to any major escalation in our military-strategic capability. Just as we should be forced to respond to any large strategic change in their military posture, they must surely respond to any such change in ours. It is all very well for leaders in this country to proclaim that our building of an ABM system is motivated solely out of concern about China. But if such statements carry so little conviction to so many of us—for the reasons I have just outlined—how much less convincing must they sound to the perennially suspicious and distrustful men in the Kremlin?

More especially today, with a new Secretary of Defense who only a few years ago was insisting that we ought not hesitate to launch a nuclear first strike against the Soviet Union if we thought it in our interest to do so—today, especially, Soviet leaders cannot help but assume that the deployment of an ABM system on our part constitutes a direct threat to themselves. And they will surely respond accordingly.

That response can only be an escalation in the arms race of such proportions as to make previous military spending by either country seem an innocent trifle by comparison. For in addition to what our distinguished majority leader has estimated must be a $100-billion expenditure on a fully operational ABM system alone, the two superpowers will then have to pour additional numberless billions into devising means of piercing the ABM shield that each will then have. Escalation breeds counterescalation: that is one of the tragic lessons of Vietnam. It is also a lesson that has been borne home to us throughout the entire post-World War II era. To ignore it now is to invite nothing less than an economic and social catastrophe for our beloved country—and in return to gain not one iota of increased military security.

But will these inconceivably vast expenditures not have to be justified somehow by those who urged them upon us? Will we not be told that our security has been improved? And is it not then all too likely that our diplomats and theirs, our military men and theirs, will to some degree begin to feel less inhibited, less cautious, less circumspect, less dedicated to avoiding a showdown—in a word, less deterred?

God forbid that such a mentality should begin to appear anywhere on this agonized and infinitely dangerous planet. Yet I fear that such must be the inevitable result of the kind of heedless, reckless program now being so insistently urged upon us by men who have not wished to look beyond the immediate benefits to themselves and to the military and corporation bureaucracies they represent.

The time is now, Mr. President, to call a halt to this mad spiralling of the arms race. The time is now to move resolutely and definitively toward world peace and disarmament. The indispensable first step is to bring to a halt, before it gains irresistible momentum, this ill-conceived, monstrously wasteful ABM program. Should we fail to do so, we will surely earn—and surely deserve—the anguished condemnation of posterity.

Even though there has been a tentative withholding of any further action on the matter, I think these remarks are of great importance at this time to alert the Nation to the fact that an antiballistic missile can do nothing except promote rather than curtail the arms race.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

The VICE PRESIDENT. The Chair, pursuant to Public Law 86-380, reappoints the following Senators to the Advisory Commission on Intergovernmental Relations: the Senator from North Carolina (Mr. ERVIN), the Senator from Maine (Mr. MUSKIE), and the Senator from South Dakota (Mr. MUNDT).

ADDRESS BY SENATOR THOMAS F. EAGLETON ON CRIME CONTROL TO THE MARYLAND BAR ASSOCIATION

Mr. TYDINGS. Mr. President, the highlight of the Maryland Bar Association's midwinter meeting in Baltimore was the eloquent and forceful address of my colleague, the distinguished junior Senator from Missouri, THOMAS F. EAGLETON. The address was delivered at the annual "bench meets bar" luncheon and gave clear direction to those seriously interested in improving the administration of justice.

Senator EAGLETON has an excellent background in law enforcement and criminal justice. As district attorney in St. Louis, as attorney general of Missouri, and as chairman of the Governor's Citizens Committee on Delinquency and Crime, Senator EAGLETON has confronted the crime problem, learned that simplistic solutions make fine rhetoric but assure little progress and concluded that an effective crime control program demands action on many fronts. Action, as the junior Senator from Missouri told the Maryland Bar Association, must be taken to improve the level of police training and compensation, to assure the efficient management of our courts and to make our correctional institutions into rehabilitative centers. Legislative action in these areas is essential—both at the Federal and State level—but the concerned attention of organizations such as bar associations and civic groups will also be necessary if legislators are to be able to develop an effective crime control program.

Senator EAGLETON's background in criminal justice and his forceful demand that rhetoric about crime cease and action begin makes him a most welcome member of the Committee on the District of Columbia, of which I am chairman. I look forward with great pleasure to Senator EAGLETON's assistance as that Committee analyzes and legislates to combat the crime problem in the Nation's Capital.

Mr. President, Senator EAGLETON's address to the Maryland bar gives guidance to our crime control efforts. His speech was excellent and deserves wide attention. I, therefore, ask unanimous consent that Senator EAGLETON's speech to the Maryland Bar Association be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR THOMAS F. EAGLETON TO MARYLAND STATE BAR ASSOCIATION, BALTIMORE, MD., JANUARY 17, 1969

The President's Commission on Law Enforcement and the Administration of Justice began its report:

"There is much crime in America, more than ever is reported, far more than is solved, far too much for the health of the nation."

During the past election year, no politician failed to recognize the national concern over the rising crime rate, and few missed an opportunity loudly to echo that concern.

Throughout the land "law and order" became one word, indivisible; sometimes with an addendum about justice for all—often without.

Now the campaign is over. The time has come to translate vocal concern into visible action.

Two or four years from now, the soaring campaign oratory of 1968 will seem hollow indeed if there has not been a noticeable downturn in the national crime rate.

Unfortunately, there is no national panacea. As a United States Senator, I recognize that there is much that the federal government can do, especially through increased financial assistance, to improve the quality of state and local law enforcement.

But law enforcement has been traditionally the responsibility of state and local government, and it should remain so.

I have observed the problems of law enforcement at these levels firsthand—as District Attorney of St. Louis and as Attorney General of Missouri—and more recently as Lt. Governor of Missouri and as Chairman of the Governor's Citizens Committee on Delinquency and Crime. I would like to share some of this committee's observations with you today.

Although the committee's report deals specifically with Missouri, the problems of state and local law enforcement transcend state lines. In fact, the Maryand Governor's Committee on Law Enforcement and the Administration of Justice and its Missouri counterpart and our successor agency, the

Missouri Law Enforcement Assistance Council, must deal with the similar problems of inadequate data, money, and organization.

Our committee recognized that high priority must be given to improvement in the quality of opportunity and life in the areas and among the people most exposed to the deprivation that often leads to crime.

One needs only to drive 10 blocks from the downtown area of almost any major city to find good reason to push for social reform.

These conditions of hopelessness are not conducive to compliance with the law or respect for the system under which they breed.

We cannot belittle the importance of substantial governmental assistance to education, welfare, employment, housing, transportation, and other programs in a long term attack on the conditions which breed crime and delinquency.

But neither can we ignore the problems within the justice system which demand immediate attention. As Senator Tydings stated on the floor of the Senate last Monday: "Crime control is a pre-requisite to progress of any kind in this country." I thoroughly agree.

Police departments are too often undermanned, under-trained, under-equipped and under-paid. Courts are overloaded; procedure and manpower have failed to keep pace with increased volume. City and county jails are overcrowded. Our correctional system is under-equipped and inadequately staffed. Confinement or release depends more on the defendant's ability to pay a bondsman than the merit of his case.

In many cases, even the data necessary to define and measure the dimensions of the problem is unavailable.

What can be done to effect substantial improvement within the justice system? We must first recognize the urgent need for immediate action. Government at all levels, each working within its sphere of competence and jurisdiction, must place high priority on improving our system of justice.

The Missouri Citizens Committee found a lack of accurate data respecting all areas of our system of law enforcement and administration of justice. This must be remedied in order that operations and planning can be conducted intelligently and efficiently.

Standardization of qualifications and training is also necessary for uniformity in the administration of justice.

Salary scales for police, institutional staff personnel and parole and probation officers must be raised to a rate commensurate with private enterprise and other government service having comparable qualifications, duties and responsibilities. Then, and only then, will qualified personnel be recruited and retained within the justice system.

Legislation must be enacted to establish minimum standards for all jails and lockups consistent with those of the American Correctional Association, and a system of uniform jail inspection must be developed.

A uniform method of court record keeping and reporting to a central state agency should be introduced, especially in our misdemeanant courts. More efficient and business-like procedures must be used in all phases of the judicial process, using such tools of modern technology and management competence as computers, microfilm, modern filing methods, improved standardization forms, etc.

I believe that the present justice system has adequate breadth, depth and capacity to accommodate modern, progressive and effective programs. But to make that system work, it is incumbent upon groups such as this, groups of intelligent and interested citizens, familiar with the system and its inadequacies, to urge action and work for change.

I commend this group on its efforts in preparing the District Court Act, now pending before the Maryland legislature, and for its study of the Juvenile Court System. I understand also that the Bar Association will sponsor a Citizen Conference on the Administration of Justice.

But an even larger burden falls to legislators. I fear that many legislators who bellowed "law and order" so loudly before the election will now bellow "fiscal responsibility" with equal volume and fervor. Such an attitude would be the height of irresponsibility.

Of course, these measures will require the expenditure of substantial sums of money, but the cost of inaction will be far greater—in terms of dollars, and in terms of human suffering, by victims and criminals alike.

In these times of turbulent change it is well to remember the words of Alfred North Whitehead, "The art of progress is to preserve order amid change and to preserve change amid order." Progress will not be cheap, nor will it be easy. But it must come.

LOCAL GOVERNMENTS AND SAFE STREETS

Mr. HRUSKA. Mr. President, since the enactment last Congress of the much discussed Omnibus Crime Control and Safe Streets Act of 1968, State and local governments across the Nation have begun to utilize the provisions of title I in a nationwide effort to improve law-enforcement machinery. This legislation provided a "block grant" approach as the means of implementing this new Federal grant program. Instead of the traditional "categorical grant" approach with literally thousands of State and unit of local governments applying and vying for attention and assistance through Washington, the Law Enforcement Assistance Administration of the Department of Justice administers the bulk of the program directly through the States. The objective is to provide much greater levels of discretion and flexibility at the State and local levels in formulating ways to combat crime, setting priorities, and in carrying out individualized programs to meet individual local needs.

In the January issue of American County Government, official magazine of National Association of Counties, appears a most informative article on the implementation of this new "safe streets" program, and on its various possibilities, approaches, and problems with which State and local governments are dealing as they begin the difficult task of doing something about crime. The article was written by Jerry Laughlin, legislative assistant at NACO, who has followed the legislation and the implementation of the new program closely. It goes beyond the typical effort to outline the provisions of the act, and has something important to say about State-local collaboration. As a former elected county commissioner, I can well appreciate the deep concern that local elected officials have for improving our law-enforcement systems. I am particularly pleased with the fact that this well-written article stresses the initial importance of greater involvement of elected local policymakers in the implementation of this new Federal program.

Since the article was written for county officials, it stresses county involvement. The ideas advanced, however, will be valuable at all levels of State and local government.

I ask unanimous consent that this article, entitled "Safe Streets," be printed at this point in the Record, so that my colleagues will have the opportunity to read it.

There being no objection, the article was ordered to be printed in the Record, as follows:

SAFE STREETS

(By Jerry Laughlin)

In the aftermath of a peak of public concern and dialogue on our nation's "crime problem," states and local government units, aided by the newly enacted "Safe Streets" legislation, are beginning the more difficult task of doing something about it. Under the pressure for immediate action, there will be a continuing temptation for public officials to avoid the obvious and difficult task of planning concerted and effective action, and instead, demonstrate tangible hardware and "show piece" programs without regard to the overall relation or effect on the total crime problem.

We know relatively little about crime or how to prevent it. We do know that any solution to the total problem will have to come as a result of the better and more efficient working of complex criminal justice systems. These systems not only involve the various functional law enforcement disciplines—police, sheriffs, courts, corrections—but each function within the system must operate under a welter of state, county, city, town, and village jurisdictions. In New York State, there are over 3,600 separate units of law enforcement. In Cook County, Ill., there are 100 separate units. It is crystal clear that the nation's counties, with their broad and varied law enforcement functions, and particularly the role of the county sheriff, will become increasingly involved in any consideration of the complex multi-functional multi-jurisdictional challenges to better and more efficient law enforcement in the nation.

Under the omnibus "Crime Control and Safe Street Act of 1968," the states, counties, and cities of the nation will have the opportunity to take a long look at their efforts in the broad field of law enforcement. They will also have the opportunity to undertake a mutual and coordinated planning effort which could surpass anything done in the past to strengthen and improve crime control effectiveness.

Under the act, administered by the Law Enforcement Assistance Administration within the Justice Department, $19 million will be distributed for planning purposes to states and local government units this fiscal year. The money will be apportioned by block grants on a population basis to the states, but at least 40 per cent of each state's allocation for planning must be made available to local units to participate in the formulation of a comprehensive state plan.

The state plan, when it is submitted, will lay the foundation for an application for "action" in support of state and local programs. The law requires states to "make available" at least 75 per cent of these action funds to local units. This year's appropriation for the "post-planning action" is $29 million, and expectations are that next year Congress will increase such funds to as much as $200 million. Thus, local planning effort and input into the state's overall comprehensive plan will be extremely important. That plan will be the basis for determining to whom federal aid funds will go and how they will be spent.

It is understandable, then that Congress placed a good deal of emphasis on planning for more effective law enforcement systems. The law states: "It is the purpose . . . to encourage states and units of general local government to prepare and adopt comprehensive law enforcement plans based on their evaluation of state and local problems of law enforcement."

The federal guidelines for planning grants make it clear that the purpose of state planning funds transferred to local units should be to: "provide local components of the comprehensive state plan, or studies, recommendations, analyses, and data to be used in formulating, revising or expanding the state plan, and where appropriate, establish and support continuing planning units or capabilities."

Counties have many options under the above concept. In many metropolitan areas, they will be able to provide the areawide leadership for a joint county-city, of multi-county approach to planning and for a greater degree of coordination, both functionally and by jurisdiction, within the law enforcement process. Such areawide comprehensive planning, particularly in high-crime rate metropolitan areas, could be a significant component of the state plan.

As an alternative to, or in preparation for, the development of an overall planning approach involving the various law enforcement disciplines and the many jurisdictions within an area, counties may want to approach the problem by developing studies and analyses of the scope of the problem and the possibilities and alternatives for the roles which each function and jurisdiction might play in evolving a total approach. In many cases, sufficient data must be developed to guide local and state decision making at a later date. In other cases, these analyses may reveal that for some counties or regional areas, with limited planning resources, concentration in particular law enforcement or criminal justice areas would offer the greatest return while other areas are being suitably planned at the state level (e.g., statewide criminal justice information system, statewide institutional planning for maximum security offenders, and statewide advanced crime laboratory.)

A countywide or multi-county law enforcement planning agency could be established to provide continuous, ongoing input into the state plan, which must be updated each year. Such an agency, either newly created or as a new dimension of the county's present planning capacity, could serve as a research facility for fact finding, analysis, and interpretation. It could provide alternative proposals and preferred alternatives. It would serve as an ongoing means of stimulating and coordinating more functionally oriented planning in the various law enforcement functions and within the smaller jurisdictions. The level of local planning funds available for such continuing operations, both under the "Safe Streets" legislation and, possibly, with assistance from the Department of Housing and Urban Development (HUD) comprehensive regional and local planning programs will determine how many such entities can be supported in a given state and on what basis. This factor could be a real restraint which local government should recognize and perhaps seek to alleviate.

One of the advantages of establishing such continuous planning in the law enforcement area will be the opportunity to develop "in-house" planning capacity and to discover and analyze problems on a constant basis. Present law enforcement planning efforts have been highly limited. Even the large consulting firms, with general systems analysis, operations research, and organizational development capabilities have had relatively little experience in the field. In addition, there exists an extreme shortage of law enforcement planners possibly due, in part, to the fractionalization of responsibility for the various law enforcement functions between states, counties, and municipalities. Effective planning, even on a single county basis, much less a metropolitan and regional basis, must begin to transcend jurisdictional boundaries and local agency responsibilities.

Law enforcement planning is increasingly becoming a major concern of regional councils of governments and their member local governments. A consideration of programs—which councils are adopting with great frequency and which are thought to be of primary importance as services to the counties and cities which the councils serve—shows law enforcement planning near the top of the list. Two examples indicate the possibilities.

The North Central Texas Council of Governments has established a regional police academy. The academy has the advantage of centralization for more in-depth and specialized instruction by highly trained law enforcement experts than would be available to the police officers of each individual county and city.

Other programs under way or being mapped out include police-community relations, uses and needs of detention facilities, and standardized communications, and records system.

The Metropolitan Atlanta Council of Local Governments has developed programs in recruit training, traffic school, safe burglary and auto theft seminars, use of the FBI's computerized National Crime Information Center, advanced police education scholarships, a regional teletype center, a fugitive squad, and a voluntary gun registration program.

In 1968, HUD, in cooperation with the Justice Department, gave out "701" grants for study designs to confront problems of organization and planning activities in the law enforcement area. Assistance for law enforcement planning can be part of an overall comprehensive planning grant from HUD.

Since the guidelines for "Safe Streets" grant applications give preference in many instances to "multi-jurisdictional" activities, many counties might find that their own regional councils offer a preferred opportunity for the counties in cooperation with other units of government to develop and participate in law enforcement planning.

Whatever the various areawide developments and opportunities, counties are presented with a unique chance to get in on the ground floor of comprehensive law enforcement planning. As an areawide unit with a broad tax-base and heavily involved in a broad range of law enforcement functions, counties can do much to bring about coordinated, efficient systems both within their own jurisdictions and in relationship with neighboring units. Over half of the present 231 Standard Metropolitan Statistical Areas (SMSA's) are within single counties.

Planning should be done on as broad a basis as possible, both in regard to the integrating and coordinating of functional areas (police, courts, and corrections) and in regard to political jurisdictions and geographic areas. Speaking of the latter, the federal guidelines state that "planning efforts on a regional, metropolitan, or other 'combined-interest' basis are encouraged and should receive priority." In addition, counties can be key building blocks to concerted and efficient metropolitan and regional action in larger areas.

County governments, particularly those with interrelated law enforcement functions and some developed capacity for countywide planning, can bring stability and initiative to beginning this planning effort. Counties, generally, have heavy responsibilities in all areas of law enforcement. Also, they have the geographic size to be a cohesive uniting factor, in either a single county-wide approach to crime planning, or as a major part of a multi-county, metropolitan, or regional effort.

Several broad, rather undefined areas for reform suggest themselves as particularly appropriate planning subjects for effective county action.

1. Coordinating police services—Counties with effective planning could develop service agreements with their smaller component jurisdictions to share limit resources and to make county wide operations more effective. (California's counties have utilized such intergovernmental agreements on a widespread basis).

2. Joint police recruitment, selection, training programs. Counties or groups of counties could develop effective mechanisms for recruiting, selecting, and providing the training needed within the various jurisdictions.

3. Joint records and communications. Counties could establish an areawide records center, enabling police at all levels within the area to conduct inquiries without duplication of effort and facilities.

4. Field operations, criminal investigation, work with juveniles, vice control, and special task forces. (In Suffolk County, N.Y., and Dade County, Fla., county investigators can be called into incorporated municipalities).

5. County correctional centers. Counties could play an effective role in establishing a countywide system of small centers with improved capacities for work experience, counseling, half-way house services, and other rehabilitative programs.

6. Courts. Counties, now greatly involved in administrative criminal courts systems, could bring about substantial changes in the processing of criminal cases and the number and calibre of judges and administrators essential to the total perspective of crime control.

Adequate law enforcement planning, even at less complicated levels, such as functional data compilation and analysis, will enable law enforcement and elected officials, to make more considered judgments on the allocation of resources. Comprehensive planning, in its most sophisticated sense, can serve as a basis for the establishment of systems or adaptations of planning-programming-budgeting (PPBS), almost a prerequisite for multi-year planning in today's complex economic and governmental structures. The federal comprehensive plan standards recognize this.

With a continuing crime planning capacity, counties or groups of counties can begin to identify and document the fundamental objectives involved, the major feasible alternatives, and the impact of proposed or current programs on other programs, other agencies, and other levels of government, and the progress being made. Adequate and efficient law enforcement planning can assist counties to place in perspective the principal issues of where "action" money should be spent and in what priorities.

County or areawide planning can eliminate the pitfalls which are bound to develop between the competing functional systems of law enforcement in their individual needs and the resources to meet those needs. Likewise, adequate plans can assist in meeting the debate which is bound to develop as program spending increases between socially-oriented "people" programs and "hardware" acquisition. Both types of programs have an important role to play in crime control efforts, and it is essential that the blend be balanced, realistic, and calculated to most effectively implement well defined goals.

Much confusion exists in the "comprehensive planning" required by federal programs in other more developed areas of planning. The confusion partially results from the inability of planning organizations and mechanisms to come to grips with the actual process of decision making, and, eventually, demonstrate ability to initiate bold action to implement planning efforts. Too many plans have gathered dust because the locally elected official was not consulted and involved from the beginning of the planning effort. Too often, planners of all varieties develop plans outside the realm of practical realities. The extent elected county officials are involved, either directly in the planning process or with constant coordination, will often determine the degree of success in implementing a law enforcement plan which will, of course, require substantial local matching funds. This will be particularly true in law enforcement, which cuts across so many "sacred cows" of function and political boundary. The significance of the elected official to the success of the "Safe Streets" program is recognized by the guideline requirement that balanced representation of the state "supervisory board" (in essence a board of directors for the entire program within the state) must include representation from local government units by elected policy-making or executive officials and by local law enforcement representatives.

The same important role for the elected official should be apparent in local areawide planning efforts. Perhaps more than immediately apparent to some law enforcement professionals is the fact that elected officials with significantly policy-making authority can often assist in the difficult task of beginning to coordinate and make more effective the interrelated working of a complex criminal justice mechanism.

Implementation of "Safe Streets" programs requires that more attention than ever be paid to the continuing dichotomy between the planning process and the elected representative who must approve plans and appropriate local funds to carry them out. "Local evaluation of law enforcement problems" as expressed in the federal guidelines, should and must involve the local elected official in the decision-making process from the beginning. The act's purpose is "to encourage the state and units of general local government to prepare and adopt comprehensive law enforcement plans" and to encourage "units of general local government to carry out programs and projects to improve and strengthen law enforcement."

The elected official as the legally elected decision maker will necessarily play a large role in the approval and carrying out of the plans. What kind of a role, however, is not clear. A negative, obstructionist, or narrow attitude on the part of local elected officials with respect to adequate and balanced law enforcement, including attention to courts, corrections, and police, could hinder the effectiveness of funds spent for planning.

On the other hand, a spirit of understanding and cooperation on the part of the elected official could bring about the appropriate climate to stimulate necessary change. If this spirit is present from the start, many hurdles usually encountered as the plans reach the approval and funding stages, might be avoided.

There exist two potential barriers to an effective role by the elected officials. First, there still exists in this complicated, technical, and diverse area, the danger of law enforcement functionalists from all levels of government talking only to each other as the program progresses. Notwithstanding adequate representation of the local elected official on the state plan "supervisory board" admixed with adequate representation of law enforcement agencies, the communications gap, so common in other federal-state programs, could impair implementation of plans and action.

A second area for concern lies in the common situation where the functionalist system, itself, although drastically in need of improvement and reform, will not or cannot reform. This is particularly true, in county-level functional areas, with court operations, juvenile systems, and adult corrections. There has often been no demand for change by the elected official, himself. Here informed and involved elected officials can stimulate much needed impetus for change.

At the same time law enforcement planning efforts begin to materialize they should be integrated and coordinated with other comprehensive planning efforts in closely related fields such as health, welfare, highway safety, and housing. In relation to this "social" aspect, professional law enforcement planners and their elected officials will probably have to suffer the same type of initial shock which other planning efforts have undergone in reaction to citizen involvement and participation.

In an area as diverse and having as much effect upon people as law enforcement, local government will find considerable pressure to involve the citizen, particularly the poor who suffer more than any from inadequate law enforcement. Law enforcement planners will be increasingly called upon to find appropriate mechanism for listening to and involving the citizen in setting goals and determining priorities.

As counties, many for the first time, move toward large-scale law enforcement planning, it will be increasingly important to keep two factors in balance. First, the temptation for "action now" will most likely be overwhelming. Mounting public pressure, internal county organizational pressure, and the deadlines and demands of federal and state administrators could lead to minimal and superficial local planning efforts in order to achieve immediate results. Secondly, because the problem of law enforcement reform in all its dimensions is so diverse and complex, there will be the danger of bogging down in technique or reaching for planning goals which are neither politically nor economically feasible. Only careful and considered planning, involving all the law enforcement functions and all the jurisdictions, will result in sound criteria for action and a blueprint for much needed change.

THE ABM SYSTEM

Mr. ELLENDER. Mr. President, I read in the RECORD of last Tuesday that there was quite a debate on the question of the anti-ballistic-missile system that was authorized by the Congress last year. I regret I was not present to participate in the debate.

I am proud to say that in the Appropriations Committee, as well as on the floor of the Senate, I opposed and voted against the appropriation of funds to construct the ABM. The reasons advanced by the Department of Defense at that time for the construction of the ABM, as I understood them, were that we had to do something to protect ourselves against China. Of course, that was just a thin veil to get authority for the Department of Defense to proceed with this program.

But it developed later that the reason for the beginning construction was to be able to bargain better with Russia. In other words, if we gave the Pentagon authority to build an ABM, it would give the State Department a little leverage in our approach to discussions with Russia, not only on the ABM program, but on other matters in which both countries are vitally interested.

It was my privilege to spend 53 days in Russia last year. I am now in the process of preparing a report on my visit. I found much progress in Russia. I found that the people of Russia were very desirous of being friendly with us.

It is my belief that unless and until we can dispel the fear that now exists between us and Russia, I doubt that we can come to any concrete conclusion on any of the great world problems that confront both the United States and the U.S.S.R.

Mr. President, during the last 20 years our country has spent in excess of $130 billion in order to isolate Russia.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. ELLENDER. Mr. President, I ask unanimous consent that I may proceed for 4 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, in addition to that, we spent billions of dollars in order to construct a ring of steel around the periphery of Russia. We started out with Japan, we went on to Okinawa, we went on the the Philippines, and on to North Africa, and, of course, Europe.

On my third visit to that vast country, I was asked, "Why do you build those airfields?" Of course, my answer was, "For defense." But you could not make the Russian people believe that by any means.

Mr. President, it strikes me that if we are to be in a position to deal with Russia, we should find some ways and means of bridging that vast chasm that exists between us, the fear that exists between us, and the suspicions. I can find no solace in saying that we will be able to do business with them if we continue to build up the forces that have resulted in so much fear among the Russian people in the past.

Mr. President, the reason, advanced by the Secretary of Defense as to the necessity for constructing the ABM system was that it would allow our diplomats to negotiate from a position of strength in order to deal with the Soviet Union. I have often argued and stated that I thought it was a mistake for us to permit the Department of State and the Defense Department to live so closely together. The military should be the servant of diplomacy, and not its master. Today it is difficult to tell who is leading whom. For the last 20 years it has seemed to me that the Pentagon's cart has been allowed to get in front of the diplomatic horse. In my humble judgment, if we continue such a process, I can see no hope for real international cooperation on the things that matter.

I notice from a statement by President Nixon that he proposes to visit our NATO allies next year.

I am very hopeful that he will make no effort to renew or to extend the NATO alliance.

What our country needs now are ways and means whereby we can get the people of Russia and the people of the United States to work closer together.

To me, it is farcical for us, in one instance to say that we want world peace and to deal with Russia, and then, in another instance say that we want to re-create the NATO alliance in order to protect Western Europe from Russia.

The fear that now exists in the minds of the Russian people is bound to be increased if we keep on doing things which intensify that fear.

I do not know anything that will tend in that direction more than if we continue to deal with and re-create the NATO alliance with which we have been dealing and carrying the whole burden for the past 20 years.

We should learn from history that this has not worked.

The VICE PRESIDENT. The time of the Senator from Louisiana has expired.

Mr. ELLENDER. I ask unanimous consent to proceed for 2 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ELLENDER. Russia, in the meantime, has grown stronger than ever before. Every time we do anything further to widen the breach between our two countries, the longer it will take to get together.

It is my candid opinion, and my judgment, that our country should, by all means, find ways and means to deal with the Russian people. The more we do to widen the chasm which exists between us and Russia today, the longer it will take the two superpowers of the world to get together.

Russia appears to be our only real antagonist in the world today. It is a country which is capable of giving us trouble because of its huge population, its immense resources, and the military technical knowledge it possesses. If Russia takes means to protect itself against the United States, and we do the same thing, we should be able to avoid the areas of conflict so as to get together and reach agreement on the other issues of concern to us both.

Mr. President, it is my further belief that we will have a hard time making progress with Russia if we depend solely on dealing with the Russian leadership. What we need to do is to get the people of Russia and the people of the United States better acquainted with one another.

As I stated 10 years ago, in my reports on my visits to Russia, that can be accomplished if only we will engage in a realistic exchange program.

I am hopeful that this can be realized in the future. If we can have many Russians from all walks of life visit America, even if we have to follow them around with FBI agents, it would pay us to do it. I think what we should do is make the Russians envious of our way of life so that they will in turn get their leaders to let them live more as we do.

Now, Mr. President, I knew Mr. Khrushchev very well, and as I said on many occasions—and I was criticized for it—I do not know of a leader in Russia more anxious to respond to the will of the Russian people than Mr. Khrushchev.

Many things have happened in Russia between the visits that I made there in 1955, 1956, 1957, 1961, and 1968 which make me believe that all these changes did not come about because the leadership desired it but because the people demanded it. Trends toward more liberal ways of doing things have been established, and those trends cannot be reversed, no matter what the leadership desires.

What we should do is encourage those trends. I feel confident that if we can do that, there is no question that the relationship between us and Russia can be improved. Then all the billions of dollars being spent by us, as well as Russia, in preparing war, could be used in better ways so as to make the people of the United States and all over the world happier by taking the resources of Russia, the United States, and other countries and converting them into commodities to be used in trade.

Again, I would certainly advise that we try to trade with Russia, that we try to make available to Russia our knowhow in agriculture and, in that way, it is my sincere belief that we could find some ways and means to get closer to the Russian people. This would prevent us from having to spend billions of dollars which could be utilized in this country to assist the needy.

Mr. JAVITS. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. JAVITS. I should like to say to the Senator that that is as refreshing a speech as I have ever heard the distinguished Senator make. As the Senator knows, we often agree and we often disagree. But the Senator's remarks sounded to me like the ALLEN ELLENDER of the Taft-Ellender bill, and I would like to congratulate the Senator.

Mr. ELLENDER. I thank the Senator very much.

TV STATEMENTS BY SENATOR BYRD OF WEST VIRGINIA ON POVERTY PROGRAM, TAX LAWS, AND MIDDLE EAST, FEBRUARY 5, 1969

Mr. BYRD of West Virginia. Mr. President, on February 5, 1969, I made statements for television regarding the Office of Economic Opportunity, tax laws, and the Middle East situation.

I ask unanimous consent that the transcript of these statements be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD as follows:

Byrd for Phasing Out OEO

I think the Office of Economic Opportunity should be phased out this summer when its Congressional authority expires. I am not opposed to all of the programs that come under the OEO. In fact, I have had generally good reports from West Virginia concerning Project Head Start and the Neighborhood Youth Corps, but the Job Corps, Vista, and some of the Community Action Programs, have often come under heavy fire in West Virginia. In some areas—Washington, D.C., for example—these programs have been used to foment unrest among the poor, and the war on poverty has at times become a war against society. So the time has come to separate the good from the bad programs. The bad should be dropped, and the good programs should be transferred from OEO to other agencies where they will be more efficiently administered for the benefit of the poor—who all too often under the present set-up have received little or no real help from the millions of dollars spent.

Byrd Urges New Look at Tax Laws

It is disturbing to me that a few American citizens with very large incomes manage to escape paying personal income taxes. Recent testimony before a Congressional committee showed that 155 persons with adjusted gross incomes above $200,000—21 of whom had incomes of more than one million dollars a year—paid no income taxes in 1967. This is not fair. I think that Congress must do something about it. The average taxpayer in West Virginia pays his share while a few with big incomes throughout the country get away with paying nothing. I also think that Congress should take a new hard look at tax-exempt foundations, and such things as commercial properties and business enterprises that pay no taxes because they are owned by churches and charitable organizations. The tax laws should be equally applied to all businesses and to all citizens.

Cool the Arms Race, Byrd Says

The events in the Middle East are a serious threat to world peace. There is urgent need for the United States and the Soviet Union, backed by Britain and France, to exert their influence, individually and through the United Nations and other channels, in getting the Arabs and Israelis to start talking with one another instead of shooting at one another. There can be no meaningful, lasting peace in the Middle East except by agreement between the Jews and the Arabs themselves. The United States and the Russians should take immediate action to cool the arms race that has been fostered in the Middle East by agreeing between themselves to de-escalate their part in the weapons buildup that has armed the opposing sides. Failure to do this may result in another war.

THE NUCLEAR NONPROLIFERATION TREATY—SURVIVAL OR DISASTER

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to read a statement prepared by Senator MONTOYA.

The PRESIDING OFFICER. Without objection, it is so ordered.

Statement by Senator Montoya, Read by Senator Byrd of West Virginia

Mr. MONTOYA. Mr. President, advocates of the non-proliferation treaty believe it will stimulate further progress toward arms control and disarmament, an objective which they consider necessary for a lasting and secure peace. They point out the Article VI, which requires the parties to continue negotiations on additional disarmament measures, and hold that the treaty will not endure unless the nuclear powers take additional steps in the direction of disarmament and an improved international security system.

One of these steps, in this view, would probably be a limitation on growth of the nuclear weapons stockpiles of the existing nuclear powers (this has sometimes been called "vertical" proliferation as opposed to "horizontal" proliferation, which refers to the spread of nuclear weapons to additional nations). Many non-nuclear states have already declared that it is unfair to expect them to renounce ever acquiring nuclear weapons when no corresponding curb is placed on the existing nuclear powers, and to ask them to submit their peaceful activities to inspection when no inspection requirements are placed on the states known to be producing weapons. Accordingly, they have made it clear that they will expect the nuclear powers to reach agreement in a reasonable time on measures curtailing their nuclear power, such as a comprehensive nuclear test ban or a cutoff of the production of fissionable material for weapons purposes.

Another step considered by many as necessary to keep the non-nuclear nations as members of a non-proliferation treaty would be the development of a more reliable system to provide the non-nuclear nations security against nuclear attack by a nuclear power. Since non-nuclear nations would be asked to renounce the nuclear weapons which might deter a nuclear attack against them, some of these states have contended, the existing nuclear powers would be obligated to improve the world's present peacekeeping and security systems to make up for the renounced nuclear weapons. The security assurances resolution passed by the Security Council in conjunction with the treaty is a first step. The devising of such measures, proponents contend, would be one step more toward the replacing of a security system based on deterrence and involving an upward spiral of armaments with a less dangerous system based on international peace-keeping machinery. Reducing international tension through such measures, this view holds, would make it easier to resolve underlying political problems.

Proponents of the non-proliferation treaty also believe that the peaceful nuclear technology of non-nuclear nations will benefit by the treaty. First, they contend that by foregoing attempts to manufacture costly nuclear weapons, non-nuclear states will be able to devote more of their resources to and concentrate their efforts on the development of peaceful uses of nuclear energy. Second, in addition to the specific provisions of the treaty to encourage international cooperation in the peaceful uses, they believe the treaty will create an atmosphere conducive to an expanded program for promoting peaceful technology because it will alleviate fear that exchange of information and material and technology might be used for weapons purposes.

In their view, the treaty must cover the manufacture of all nuclear explosives, even if intended for peaceful purposes, because any nuclear explosive can be used as a weapon. They believe that it is in the interest of nuclear powers such as the United States to make provisions to assure the non-nuclear-weapon signatories that they will have fair access to any potential benefits of nuclear explosions to compensate these nations for giving up the right to manufacture nuclear explosives themselves, and indeed they believe that without such provisions some non-nuclear nations would be unlikely to accept the treaty. Under Secretary Katzenbach said on April 26, 1968:

“. . . The peaceful application of nuclear explosives is still in a relatively experimental stage. Its technical and economic feasibility has not yet been fully demonstrated, its collateral effects are not completely known, and it is too early to judge whether it will achieve broad political acceptability.

Several things are clear, however. One is that even an optimistic assessment of its potential uses would not justify the enormous expenditure of time, money, and scientific and technical talent required to develop nuclear devices for this purpose alone.

A second inescapable fact—brought to light during the development of the draft treaty—was that a treaty against the proliferation of nuclear weapons would be unsatisfactory if it did not cover *all* nuclear explosives devices, including those intended for peaceful uses. This is because there is not now, and we cannot conceive that there ever will be, any type of peaceful nuclear device which would be incapable of being used for destructive purposes.

Faced with these facts, the treaty negotiators evolved what we believe is a fair, sensible, and workable approach to the problem of peaceful nuclear explosions. They coupled nuclear weapons with other nuclear explosive devices in the treaty's basic provisions. At the same time, recognizing both the economic absurdity of a country's developing nuclear explosives solely for peaceful purposes and the inequity of giving any commercial advantage to nuclear-weapon states, they inserted an article requiring all parties to cooperate in insuring that potential benefits be made available on a nondiscriminatory basis to non-nuclear-weapon parties.

The treaty makes clear that the charge for the explosive devices used will be as low as possible and exclude any charge for research and development. Services are made available through an appropriate international body with adequate representation of non-nuclear-weapon states. It does not, however, rule out bilateral arrangements for such services so long as there is no resulting discrimination. Thus it avoids premature decisions assuring non-nuclear-weapon states who are party to it that they will not be discriminated against if and when it proves technically and economically feasible.[1]

A STEP TOWARD MORE EFFECTIVE CANCER TREATMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to read a statement prepared by Senator MONTOYA.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT OF MR. MONTOYA, READ BY SENATOR BYRD OF WEST VIRGINIA

Mr. MONTOYA. Mr. President, our age abounds in acts of technological outrage. Wherever we turn we can see the fruits of man's mind being put to work in warped ways to the further detriment of people. At times it takes the form of a military adaptation of a laboratory process. Other times it is an industrial or commercial misapplication of scientific research. But this is not always the case.

In my home state of New Mexico we have always been proud of the major research being done at the unique facilities located there. Much of America's front line of defense has had its genesis in my home state. There is a concentration of first class minds in New Mexico, many working on basic science, which other areas would do well to seek to match.

Many of these men and women are responsible for breakthroughs which can be the saving of life instead of its destruction. Louis Rosen of the Los Alamos Scientific Laboratory, has been working on such a contribution in the field of cancer treatment through radiation therapy.

The suffering and agony such a development can mean are immeasurable, and some of Mr. Rosen's results deserve mention. I include such an article, from the December 1968 issue of Nuclear Applications, for inclusion in the RECORD.

POSSIBILITIES AND ADVANTAGES OF USING NEGATIVE PIONS IN RADIOTHERAPY

(By Louis Rosen, Los Alamos Scientific Laboratory)

(NOTE.—Recent advances in accelerator technology make possible the attainment of very-high-intensity beams of protons at energies well above the pion-production threshold. It appears that both circular and linear machines will be useful for this purpose. The latter promise beams of ≥ 1 mA under well-controlled conditions. Such proton beams are adequate for providing pure high-intensity beams of negative pions for radiation therapy, under conditions of favorable geometry and of variable size and energy distribution. With π^- beams, it is feasible to deposit, at essentially any depth in the human organism, at least 100 rad/min of high-linear-energy transfer radiation. This is quite sufficient for radiation therapy on deep-seated tumors and is accomplished under more favorable conditions than attainable with other radiation sources.)

INTRODUCTION

Information from England, where reasonably good records are kept for the entire population, indicates that 40% of cancer cases are now treated primarily by radiation, 40% primarily by surgery, and the remainder by chemotherapy. Of the 80% of cases treated by radiation or surgery, combined treatment accounts for a substantial fraction. Therefore, even a small improvement in radiotherapy techniques would benefit a large number of patients.

A substantial proportion of radiotherapy treatments are apparently total or partial failures. Often this comes about because metastasis has already set in, but in some cases the radiation is inadequate for the purpose at hand. One seeks to overcome these latter difficulties by a better choice of radiation.

The effective treatment of malignancies by radiation involves using types and quantities of radiation adequate for lethal injury to all malignant cells with no more damage to healthy tissue than can be tolerated by the host organism. In practice, and with radiation sources now in use, the radiotherapist must strike a delicate balance between destruction to healthy and tumorous cells, and frequently the dose delivered to the tumorous cells is limited by the viability of healthy tissue following irradiation.

The ideal mode of tumor treatment would be one that destroys all the malignant cells, without in any way affecting surrounding tissue or healthy tissue in the tumor volume. This cannot be achieved, even when radioactive substances can be implanted within the tumor. However, this ideal situation could be best approached if one were to use negative pions as the radiation source. This was initially shown by Fowler in an analysis in which he compared negative pions to electrons, gamma rays, x rays, protons, and heavier ions. More recently, I have made calculations for K^- and antiprotons. Although these latter have some of the virtues of π^-, they are not superior in cancer therapy. In fact, they are not quite as effective because the energy deposition of their reaction products is less localized.

As of this moment, it is not feasible to use π^- beams in cancer therapy. To do so would require the beams from all pion-producing accelerators in the world, focused on a single patient, and even then the irradiation time would be excessive (months to years). However, some of the high-flux proton accelerators now being designed referred to as “meson factories,” will permit radiation therapy with negative pions and in reasonable times.

THE PHYSICS OF CANCER TREATMENT BY RADIATION

All ionizing radiation affects mammalian cells through ion pair production and excitation of atoms and molecules. On the average, ~ 30 eV is dissipated per ion pair. Since the ionization potential for atomic constituents of cells is ~ 13 eV, this leaves ~ 20 eV to be dissipated by exciting atoms and molecules to bound states and by heat generation. Most of this 20 eV produces atomic excitation followed by dissociation, fluorescence, or energy transfer. However, in complex molecules, such as are abundantly found in tissue, a substantial fraction of the excitations will appear as kinetic energy of the atoms in the molecules.

The specific ionization produced by radiation depends on the type and energy of the radiation. Gamma rays produce ~ 10 ion pairs per micron along their path, while alpha particles, near the end of their range, produce ~ 500 times as many. There lies the difference between low- and high-linear-energy transfer (LET) radiations. This difference manifests itself in many ways and has profound effects on the response of cells to radiation.

Some quantitative understanding of the effects of ionizing radiation on cell survival has been obtained from analysis of a great variety of experiments. Typical results of such experiments are shown in Fig. 1 (Fig. 1 not printed in RECORD), which displays cell survival probabilities as a function of radiation dose for human kidney cells. A change in curve shape is apparent and the sigmoid curves at low LET are indicative of cell death due to accumulated sublethal injury that is subject to early repair while the exponential curves at high LET are indicative of cell death due to single irreversible events. Cell survival depends in the following way on the kind and quantity of radiation:

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[1] Department of State Bulletin, May 20, 1968, p. 648–9.

$$S = \exp -\left(\frac{D\sigma_1}{1.6L}\right)\left\{1-\left[1-\exp\left(-\frac{D\sigma_1}{1.6L}\right)\right]^n\right\},$$

where

S=survival probability for a uniformly irradiated cell population

D=dose in rads; σ_1 and σ_2=inactivation cross sections in μ^2

L=linear energy transfer in MeVcm²/g; $n \approx 6$.

The σ's are cell inactivation cross sections.[a] It appears that σ_1 increases more rapidly than does σ_2, as a function of LET.

The relative biological effectiveness (RBE) of a given type of radiation, defined as the ratio of the dose of 200-keV *x* rays to produce a given biological effect to the dose of the type of radiation under consideration for producing the same effect, is known to be much greater for high-LET than for low-LET radiation. This is specifically true for cell survival following radiation, but is also true for many other cell processes.

The objective of radiation therapy is to injure all tumorous cells, in a given volume, to such an extent that not one of them will be able to initiate regrowth of the tumor. At the same time, one must minimize damage to the reproductive capacity of surrounding tissue.

However, in the best of circumstances, the reproductive capacity of tumorous cells is never more sensitive to radiation than that of dividing healthy cells. Often the tumor contains anoxic regions and these are, in fact, less sensitive to low-LET radiation by perhaps a factor of 3 than are normal cells. A measure of this effect is the oxygen enhancement ratio (OER), defined as the ratio of the dose required to produce a given effect (e.g., 50% survival) in anoxic cells to that in oxygenated cells. Experiments indicate that it varies from ~3 for lightly ionizing radiation to 1 for multiply-charged ions.

Figure 2 (not printed in RECORD) shows that the oxygen effect is significant. Also from Fig. 2, it can be seen that the OER is ~3 in a pair of mouse-tumor survival curves, one fully oxygenated and the other anoxic.

Figure 3 (not printed in RECORD) indicates that high LET can remove the sensitivity difference between oxygenated and anoxic cells. This constitutes one very important advantage of this highly ionizing radiation: the injury is not subject to modification by oxygen or recovery.

One school of thought holds that for low-LET radiation, most of the cell deaths result from chemical reactions of peroxides on long chain molecules in the cell nucleus. In anoxic cells, peroxides are less readily produced by radiolysis, and this may account for lesser sensitivity. Cells irradiated with highly ionizing particles are killed mainly by direct interaction of these particles with long chain molecules, depolymerizing these molecules. High-LET radiation therefore interacts with anoxic and oxygenated cells in approximately the same way. However, it should be emphasized that the high effectiveness with which densely ionizing radiation damages the reproductive capacity of cells is not well understood.

In radiation therapy, one usually relies on dose fractionation (subdivision). Total doses with x-rays comprise ~5000 rad delivered in ~20 doses during a four-week interval. Dose fractionation is effective because recovery of healthy tissue, between irradiations, takes place at a faster pace than does recovery of tumorous tissue. Experience indicates that, in general, surviving healthy tissue responds better to altered conditions than do tumorous cells and repopulates faster.

The race between repopulation of normal tissue and of tumorous cells favors the normal cells because many tumorous cells die as a result of poor nutrition, but it also favors the tumors because they usually contain anoxic cells which are more resistant to radiation.

For dose fractionation to succeed, it is essential to increase the total dose at appropriate intervals and in precisely the right amounts so that the repopulation of normal cells can overtake the repopulation of tumorous cells. Success or failure therefore depends on the leeway one has as a result of the differences in radiation sensitivity and in healing characteristics of tumorous and normal cells.

CHARACTERISTICS OF NEGATIVE PIONS

The potential therapeutic properties of negative pions have been long recognized. These therapeutic properties result from the unique characteristics of negative pions and their interactions with atomic nuclei.

Pions have positive, negative, or zero charge. The charged pion with which we shall be concerned is an unstable particle of mass ~140 MeV. It has zero spin, an isotopic spin of unity, and a mean life of ~2 × 10^{-8} sec. If uncaptured, it will decay into a muon and a mu neutrino. The muon in turn decays into an electron, a mu neutrino, and an electron neutrino. The range-energy relation for negative pions is shown in Fig. 4 (not printed in RECORD). It is apparent that for purposes of therapy, pions must have energies of 25 to 200 MeV. Now, pions of this energy have a long mean-free-path for nuclear collisions. The uncharged member of the species lives a very short time (~10^{-16} sec mean life) and decays into two gamma rays. The positively charged member almost always comes to rest without undergoing nuclear interaction and then decays. The negatively charged pion also comes to rest before interacting. However, it is captured in an outer orbit of a heavy atom (e.g., an oxygen atom, assuming the slowing down medium is water), replacing an electron in that atom. In a time of $<10^{-10}$ sec, the pion cascades down from one orbit to the next, causing the emission of low-energy x rays, and finally comes to rest in the lowest orbit of the capturing atom. In this orbit, the wave function of the pion overlaps that of the nucleus, and the negative pion is captured by the nucleus.

REACTION PRODUCTS FROM THE CAPTURE OF NEGATIVE PIONS BY OXYGEN

Oxygen accounts for the major fraction of the mass of atoms contained in tissue and is responsible for the capture of most negative pions coming to rest in tissue. A small fraction of the negative pions is captured by carbon and nitrogen, but the resulting energy deposition is not much different from that for oxygen. We will, therefore, confined our attention to ^{16}O. Upon capture of a π^- by ^{16}O, the mass of the pion is converted into energy with the consequent violent disruption of the ^{16}O nucleus. From this nucleus emerge neutrons, protons, alpha particles, ^{6}Li, Be, B, and C ions. The neutrons, although they carry off a sizable fraction of the total kinetic energy, account for a relatively small portion of the energy deposition in the vicinity of pion capture. The charged particles, on the other hand, create ionization all along their trajectories. Furthermore, since the ^{16}O nucleus is equivalent to multiple alpha particles, the dominant mode of decay involves the emission of one or more alpha particles among the reaction products, and these are almost always of short range, as is the case for the heavier ions. Figure 5 (not printed in RECORD) shows the disintegration of an ^{16}O nucleus following capture of a negative pion. The oxygen was contained in nuclear emulsion. A complete accounting of the energy deposition along the path of a negative pion beam as it traverses and comes to rest in water is shown in Fig. 6 (not printed in RECORD). Approximately 30 MeV of energy is deposited in the immediate vicinity, within a few millimeters, of the capturing nucleus. Most of this energy produces high specific ionization (high LET), and it is this ionization on which one relies for destroying the cancer cells. Figure 7 (not printed in RECORD) shows the distribution of specific ionization resulting at the point where negative pions of 96-MeV energy are stopped in water.

Although a significant amount of energy is deposited by neutrons, one should recognize that this is neutron therapy at its best, from the standpoint of depth-dose distribution. The depth-dose distribution is now more favorable than for neutrons from an external source. The neutrons can be imagined to focus on the tumor site from all directions while the elastic and inelastic interactions occur at high energy, where the therapeutic effects of neutrons are at their best.

To recapitulate, absorption of a π^- in issue involves new phenomena that have no counterpart with more conventional types of radiation. At the end of its path, a π^- is captured by a nucleus of O, C, or N. Of the total rest mass of the pion, ~40 MeV is expended in overcoming the binding energy of the nucleus, 70 MeV is carried off by neutrons, and ~30 MeV appears in the form of protons, alpha particles, and heavier ions. The particles of $Z \geqq 1$ are mainly of short range and high-ionization density and produce local high-level energy deposition in the immediate vicinity of capture. By appropriately adjusting the energy of the pions, this intense high-LET, high-RBE local radiation can be deposited within the tumor region with minimal effect on surrounding tissue.

TABLE I.—ENERGY PARTITION FOR π^- CAPTURE IN WATER[2]

	Mev.
Average binding energy	40. 0
Kinetic energy:	
$Z>2$	4. 5±0. 5
$Z=2$	8. 0±0. 4
$Z=1$	16. 5±0. 6
Neutrons	70. 0±5. 0
Total	139. 0±5. 1
Mass of π^- 139.6 mev.	

Table I shows the energy inventory resulting from a beam of negative pions that comes to the end of its range in water.

For a tumor situated ~10 to 15 cm from the surface, a π^- beam that uniformly irradiates the tumor may be expected to deposit about three times as much energy per unit path length in the tumor as along its path leading to the tumor. For conventional x radiation and also for irradiations with fast neutrons, the entrance dose will exceed the tumor dose by a factor of ~2. In addition, the energy along the path of the pion beam is delivered at low dE/dx, while the dose deposited in the tumor is at high dE/dx due to the heavy ion component of the star. This makes the RBE for pions better than x rays by a factor of ~3. Furthermore, the tumor-to-entrance dose ratio is a function of depth of tumor, becoming more favorable for pions than for x rays or neutrons the greater this depth.

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[a] They are empirically determined parameters that relate to the average probability for a lethal encounter of a quantum (or particle) with a cell when a specific cell population is subjected to a given type of radiation. There are two σ's because of the assumption, implicit in the above equation, that the effect of radiation containing a spectrum of LET can be reduced to that of two idealized radiations—one of high LET and one of low LET.

Radiations of constant LET, if such were achievable, would be represented by a single σ, the magnitude of which would be the probability for a lethal encounter when one quantum (or particle) per cm² impinges on a target comprising one cell per cm².

One should not overestimate the value of a high tumor-to-entrance dose ratio. However, it should be kept in mind that there are side effects of radiation and some of them may be quite subtle. For example, effectiveness of radiation may be enhanced by the immune-defense mechanism of the body. One must, therefore, try to avoid adverse effect on the immune-defense mechanism. It is reasonable to suppose that one is more likely to retain natural immunity if one minimizes the total radiation exposure.

There are also late effects of radiation. Sublethal cell injury can apparently result in uncontrolled proliferation of cells (e.g., cancer, leukemia) and life-shortening in general.

A second major implication for cancer therapy of the high-LET distribution achievable with negative pions at the tumor site concerns the oxygen effect, as previously indicated. The OER decreases from 3 for x rays to 1 for heavy ions. For π^- (and also for neutrons), this effect appears to be ~1.5. The effect for neutrons is somewhat substantiated by experiment, whereas the effect for π^- is calculated.

COMPARISON OF VARIOUS TYPES OF RADIATION FOR THE TREATMENT OF CANCER

It is not easy to make a meaningful comparison of the efficacy of various types of radiation. The figure of merit varies with the type of tumor, its depth, and the characteristics of the surrounding tissue. It is taken to be the ratio of damage done to cells in the tumor region to damage done outside this region. In Fig. 8 (not printed in RECORD), it is assumed that the figure of merit includes the oxygen-enhancement ratio, which is estimated to be 1.0 for heavy ions, 1.5 for π^-, and 3.0 for electromagnetic radiation. The definition of figure of merit is, of course, open to some argument. However, all other things being equal, one should certainly try to minimize the body burden and the side effects assocated therewith.

Figure 9 (not printed in RECORD) illustrates the depth-dose distribtuion of various kinds of charged particles. In calculating REM, the values used for RBE correspond to a degree of injury that destroys cellular reproductive capacity. Although the calculations on which these curves are based necessarily contain approximations, the trends shown are certainly meaningful.

PROSPECTS FOR INTENSE PION BEAMS

What are the prospects that pion beams will one day be adequate for therapeutic purposes? The designs of accelerators for such purposes have been discussed previously.[3]

TABLE II.—COMPARISON OF PROPOSED MESON FACTORIES

	H-cyclotron, TRIUMF[1]	Ring cyclotron, Zurich	Linear accelerator, LASL
Energy (Mev.)	200–500	510	100–800
Average current (ma.)	0.1	0.08	1
Beam extraction (percent)	100	90	100
Beam emittance (milliradian cm.)	0.2	----------	π
Cost of facility (millions of dollars)	27	21	55
Funding situation	(2)	(3)	(2)
Completion date	(4)	(5)	(5)

[1] Tri-University Meson Facility, Vancouver.
[2] Partially funded.
[3] Funded.
[4] 1973–74.
[5] 1972.

There are today three meson factories authorized and partially or completely funded: one in Switzerland, one in Canada, and one in the United States. Table II gives the main parameters for these facilities. Biomedical work has not been a major justification for any of these facilities, but I suspect they will all be involved, to some extent, in biomedical research and in negative pion therapy. In fact, we have proposed that a clinical facility be built as part of the Los Alamos Meson Physics Facility. This has not yet been approved. One milliampere of 800-MeV protons will pass sequentially through various targets in the main vault. Most of the beam will be transported to a beam dump, preceding which we can have a thick meson-producing target. The fluxes achievable will permit irradiation of patients with an intensity of 100 rad/min. The beam handling will be as shown schematically in Fig. 10 (not printed in the RECORD) and the exposure room as shown in Fig. 11 (not printed in the RECORD). Detailed calculations by Thiessen show that it will be possible to tailor pion beam to any desired configuration and to adequate purity by judicious use of electric and magnetic fields. Figure 12 (not printed in the RECORD) shows isodose curves calculated on the basis of present magnet technology. Note the flatness of energy deposition.

There is, of course, the problem of delineating the volume to be irradiated and determining the pion energy distribution that will produce stopped pions uniformly in that volume. It may well be possible to determine the precise volume where the pions stop by determining the direction of emitted neutrons and x rays. Alternatively, one might direct positive pions of identical energy distribution into the specified volume and use the positrons from μ^+ decay to produce a map of the density distribution of stopped pions.

CONCLUSIONS

The above arguments indicate that negative pions would be the treatment of choice in many applications of radiation to the treatment of cancer. The essential points are few and simple:

1) High-LET radiation damages anoxic cells more readily than does low-LET radiation for the same damage to normal tissue.

2) The physical distribution of energy deposition can be much more favorable and more controllable for negative pions than for uncharged radiation, because charged particles are susceptible to electromagnetic steering and focusing.

3) Negative pions provide a very favorable depth-dose distribution, compared to other forms of radiation, because of the Bragg ionization peak and the conversion of mass into energy upon capture by one of the heavy-atom constituents of tissue.

High-intensity monoenergetic beams of π-mesons will therefore make possible large localized deposition of high-LET radiation with minimal damage to surrounding tissue, and this is an objective of radiation therapy.

ACKNOWLEDGEMENTS

This work was performed under the auspices of the U.S. Atomic Energy Commission.

I am indebted to Stanley B. Field for calling my attention to Ref. 23.

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"THE MEXICAN AMERICAN: A NEW FOCUS ON OPPORTUNITY"—1967–68 ANNUAL REPORT OF THE INTERAGENCY COMMITTEE ON MEXICAN AMERICAN AFFAIRS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to read a statement prepared by Senator MONTOYA.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT OF MR. MONTOYA READ BY SENATOR BYRD OF WEST VIRGINIA

Mr. MONTOYA. Mr. President, on January 28, 1969, I introduced a bill, S. 740, to establish the Interagency Committee on Mexican-American Affairs on a permanent basis. I was joined on the original bill by 18 other colleagues from both sides of the aisle. Since then, five other Senators have joined as sponsors of this measure. The tremendous support which this measure has generated is heartwarming and encouraging.

Mr. President, to better understand the problems which the Spanish-speaking American community face and what the Interagency Committee on Mexican-American Affairs has been doing to alleviate those problems, I include at this point in the RECORD a copy of the 1967–68 annual report of the Interagency Committee.

ANNUAL REPORT OF THE INTERAGENCY COMMITTEE ON MEXICAN AMERICAN AFFAIRS, 1967–1968

"A Father of five children in Los Angeles, California was unemployed for a period of nine months due to his lack of education and skills. A number of times, he and his family lived in their automobile while he searched for a job. In February, 1968, he heard of the Mexican American Opportunity Foundation and was enrolled in their on-the-job training program. He now is earning $2.75 an hour working for a company where he was placed."

"We are moving forward. Nobody knows better than you know how far we have to go. . . . A lesser people might have despaired. A lesser people might have given up a long time ago. But your people didn't give up. They believed.

"They believed that they were full-fledged citizens of the greatest nation on earth, even if others didn't always treat them as such." (Lyndon B. Johnson, El Paso, Tex., October 28, 1967.)

INTERAGENCY COMMITTEE ON
MEXICAN AMERICAN AFFAIRS,
Washington, D.C., July 30, 1968.

DEAR MR. PRESIDENT: I have the honor to present herewith a report on the activities of the Interagency Committee on Mexican American Affairs for the year ending June 30, 1968.

Respectfully,

VICENTE T. XIMENES,
Chairman.

Approved:

Orville L. Freeman, Secretary of Agriculture; Cyrus R. Smith, Secretary of Commerce; W. Willard Wirtz, Secretary of Labor; Wilbur J. Cohen, Secretary of Health, Education, and Welfare; Robert C. Weaver, Secretary of Housing and Urban Development; Bertrand M. Harding, Acting Director of the Office of Economic Opportunity.

THE WHITE HOUSE,
Washington, June 9, 1967.

(Memorandum for: Honorable W. Willard Wirtz, Secretary of Labor; Honorable John W. Gardner, Secretary of Health, Education, and Welfare; Honorable Orville L. Freeman, Secretary of Agriculture; Honorable Robert C. Weaver, Secretary of Housing and Urban Development; Honorable R. Sargent Shriver, Director, Office of Economic Opportunity; Honorable Vicente Ximenes, Commissioner, Equal Employment Opportunity Commission.)

Over the past three years, many members of my Administration have had discussions with Mexican American leaders and others interested in their problems. They have discussed the value of our programs to Mexican

Americans in their search for equal opportunity and first-class American citizenship.

The time has come to focus our efforts more intensely on the Mexican Americans of our nation.

I am therefore asking the Secretary of Labor, the Secretary of Health, Education and Welfare, the Secretary of Housing and Urban Development, the Secretary of Agriculture and the Director of the Office of Economic Opportunity to serve on an interagency committee on Mexican American affairs. I am asking Commissioner Vicente Ximenes of the Equal Employment Opportunity Commission to chair this committee.

The purpose of this committee is to assure that Federal programs are reaching the Mexican Americans and providing the assistance they need; and seek our new programs that may be necessary to handle problems that are unique to the Mexican American community.

I am also asking this committee to meet with Mexican Americans, to review their problems and to hear from them what their needs are, and how the Federal Government can best work with state and local governments, with private industry and with the Mexican Americans themselves in solving those problems.

I would like to be kept informed, at periodic intervals, of the progress being made.

LYNDON B. JOHNSON.

(The Secretary of Commerce was added to the Committee by Presidential letter of January 15, 1968)

WHO ARE THE MEXICAN AMERICANS?

There are approximately 10 million Spanish-surnamed citizens in our country, of which six and a half million reside in the Southwest. In 1960, Mexican Americans represented over 12 percent of the total population in the five Southwestern States; this group is the largest minority in each of these States.

The Mexican American may be a descendant of the Spanish explorers Cortez, Cabeza de Baca or Coronado. Or he may have recently immigrated from Mexico and may very well be a descendant of the great Aztec civilization. Or he may be a mestizo from the union of Indian and Spanish.

There are others in the United States who have the same features, background, language and surnames. For example, there are Puerto Ricans, Spanish Americans (from Spain), Central Americans (from Costa Rica, Panama, etc.), and South Americans. Therefore, among the Spanish-speaking Americans—the second largest minority group in our country—we find a great diversity in origin yet a great commonality in traditions and language. They have also shared the same problems and experiences as citizens of the United States and in this report the term "Mexican Americans" is used as a general designation.

As the Anglo American moved out into the frontier lands of our Nation, the Mexican American gave way as did the American Indian. He lost lands which he had held for centuries; he lost his footing in his own community. He became the governed in his village. His language, which had been the tongue of commerce, became a mark of the "foreigner." Suddenly this was no longer his land or home.

The Mexican Americans were pushed into menial jobs as the years passed; their children rarely reaped the benefits of education. There appeared in towns, villages and cities certain poor sections, or barrios—the ghettos of Mexican Americans. Caught in a vicious circle, the Mexican Americans set the patterns of poverty which their children, to the present, encounter.

Some moved to other sections of the country, to the Northwest, to parts of the East. Their lot has not been much better. The Puerto Ricans, for example, landed on the east coast to find that American citizenship on paper meant nothing to employers or landlords.

Mexican American migrant farm workers make up more than half of the migrant stream in the United States. For example, they account for about 64 percent of the migrants who come into the State of Michigan. They also are as far away from the Southwest as New Jersey.

A FOCAL POINT IS CREATED

On June 9, 1967, the President established a Cabinet committee designated as the Inter-Agency Committee on Mexican American Affairs "to assure that Federal programs are reaching the Mexican Americans and providing the assistance that they need, and (to) seek out new programs that may be necessary to handle problems that are unique to the Mexican American community."

The President appointed to the Committee the Secretaries of Agriculture; Commerce; Labor; Health, Education, and Welfare; and Housing and Urban Development; and the Director of the Office of Economic Opportunity. Vicente T. Ximenes, a member of the Equal Employment Opportunity Commission, was appointed chairman of the Committee.

The President created the Committee to help meet the pressing needs of more than 10,000,000 Spanish surnamed Americans—the Mexican Americans of the Southwest, the Puerto Ricans on the mainland, the Cubans, and others. Often forgotten, although the second largest in the nation, this minority has serious problems.

These problems, at this point in the economic and social development of our people, are unique in dimension, geography, and cultural derivation. Further these are factors which militate for their continuation unless vigorous action is taken. Among these is the continuing contact with the original cultural sources in other countries which other minorities no longer have.

The Mexican Americans in the Southwest, for example, have ties of language with nearby Mexico and this serves to envigorate cultural traditions. Americans of Polish descent, for example, are now long removed from the well springs of their ancestral heritage.

And though the problems, if anything, are more complex than those of other minorities, the community's resources are more scarce. Mexican Americans have no colleges or other educational institutions they can call their own, no substantial private institutions, virtually no funding for their organizations, and, until June 9, 1967, no unit anywhere in the Federal government that was specifically concerned with their problems.

In general terms, the Inter-Agency Committee on Mexican American Affairs serves as the central liaison point between the Spanish-surnamed communities of the United States and the Federal government.

Generally, the Committee:

Lends technical assistance to Federal agencies which have either grant-in-aid or direct programs of significance to the community so that these programs will match the real needs of the community;

Lends technical assistance to community organizations seeking program assistance from the Federal government;

As occasion demands, matches the needs of the community with both private and public resources outside the community;

Provides research and statistical assistance to Federal agencies, serving as a clearing house for the agencies and the community on what is happening in this field; Alerts Federal agencies to the largely untapped personnel resources of the community and supplies placement assistance;

Assists Federal agencies in the communications field so that the government can, in a meaningful way, let the community know what services are available.

There has been a need for these services for a long, long time. For a variety of reasons the community's very real needs had been neglected by the Government. During October 1967, however, through the medium of Hearings ordered by President Johnson, the community's needs and proposed solutions to the community's problems were highlighted to the leaders of the Government in a history-making manner.

As a result of these hearings in El Paso, the community is seeking more Federal action, and is expecting more action—and the Committee is providing the kind of help which it is uniquely qualified to provide to other agencies, Federal, State, local and private.

How it does this and with what results is set forth on the following pages:

THE COMMITTEE STAFF

Supporting the Committee, a staff, of small size but extensive familiarity with the problems of the Spanish speaking/or the Federal departments and agencies, carries out these functions:

Program and Project Assistance: This involves the two-part activity of guiding Mexican American groups to the program resources of the Federal Government and helping agencies identify and respond to the needs of the Mexican American community.

Too often Federal programs which fit perfectly the needs of other segments of society, fail to match the needs of this community. Without assistance Mexican Americans too often lack the familiarity with government structure and procedure to take advantage of Federal programs that already exist.

Research: The staff maintains an overview of public and private research of use to the Mexican American community. Essentially, this consists of evaluating and synthesizing the relevant research of others and the stimulation of such research.

There is literally no such institution as a Mexican American college or university and with the end of the Ford Foundation's Mexican American research project at the University of California at Los Angeles, there is no research clearing house of any kind for the community other than that of the Committee.

Job Placement: Given the low level of Mexican American participation in Federal employment and the rising interest in recruiting talented members of the community, the staff works to help fill this gap. The Committee has been matching potential professional-level employees with suitable Federal positions and those in private industry whose increasing interest has also been stimulated by the Committee.

Public Information: From time to time information is prepared for the press, radio, television, and magazines to alert the Mexican American community of Federal activities.

THE EL PASO HEARINGS

The first assignment of the Committee, mentioned in the President's memorandum establishing the Committee, was "to meet with the Mexican Americans, to review their problems and to hear from them what their needs are, and how the Federal Government can best work with State and local governments, with private industry and with the Mexican Americans themselves in solving these problems."

Consultation with leaders

Consultation with Mexican American leaders and "grass roots" representatives was immediate and intensive. Emphasis was on positive action, on solutions, not mere statements of problems. As the President told Chairman Ximenes during the discussions of the plans, "the time for soothing generalities is over; we must now move to the solution of the problems."

The President personally picked the date and the place of what was designated the Cabinet Committee Hearings on Mexican

American Affairs: El Paso, Texas, October 26th through October 28th.

The location was to make the meeting easy of access for the Mexican Americans and to be free of interruptions in the time of two score and more of Federal officials attending. Above all, it was to assure that the Government officials would meet face to face with the Spanish-surnamed people and would listen to solutions.

Selecting participants

Obviously, not all Mexican Americans could attend. Great care was taken in issuing invitations to give geographical balance, a full range of views and experience, and representation of all occupations from migrants to professionals.

Suggestions were solicited from individuals, national organizations, government officials—both appointed and elected—at national and local levels, educational institutions, private business, and many others.

Nearly 25,000 nominations were received by the application of several dozen standards. This large number was sifted in an attempt to find 1,500 participants able "to talk about what can be done through specific programs to achieve the rightful ambition of Mexican Americans to play their full role in our society."

Selecting subjects

Subjects were chosen with like care. Six concurrent panels of Federal officials were set up to run continuously morning and afternoons for two days. The 1,500 participants were assigned to sessions according to their experience and interest. In each case a Mexican American was appointed monitor to chair the panels and assure full hearing of all viewpoints.

Panels were on Agriculture; Labor; HEW; Housing and Urban Development; Poverty; Economic and Social Development.

In addition, 50 round tables were held concurrently on the evening separating the first two day-time sessions. These were exclusively for the participants to discuss presentation of their views to the officials on the panels.

Community cooperation

Public rooms in six hotels, classrooms and the auditorium of the University of Texas at El Paso, and facilities of the U.S. Army from Fort Bliss and Fort Sam Houston were used. The staff of the Committee was augmented by Army personnel, officials and staff of the El Paso Chamber of Commerce, and other community groups and private citizens—Mexican Americans and others—whose cooperation was unfailingly generous and helpful.

Federal participants

The Hearings were opened by Vice President Humphrey. For the first time in American history, this number of Cabinet members and several score high Federal officials gathered in one place in the country outside of Washington to meet with one group of citizens for two days of give-and-take.

The meetings were concluded by a speech of President Johnson. He brought with him the President of Mexico who also addressed the final session. A traditional Fiesta arranged by citizens of El Paso concluded the historic gathering and marked what has since been called "a watershed in Mexican American affairs, a milestone in democratic government, and the greatest step forward to date in centuries of Mexican American history."

PROBLEMS DEFINED, DIRECTIONS CHARTED

The specific problems the Mexican American community has faced were minutely examined at El Paso, some for the first time, From this came affirmation of goals long held and some new directions.

Typical of the problems:

In the five Southwestern states, Mexican Americans, 14 years of age and older, have only 8.1 years of schooling, compared with 12.0 years for average Anglo-Americans of the same age.

Mexican American children have a school drop-out rate that is over twice the national average.

Mexican Americans in barrios had an unemployment rate of 8 to 13 percent in 1966 as compared to a national average of 4 percent for that year.

Subemployment rates for Spanish-surnamed residents of the slums were 42 to 47 percent.

Employment of Mexican Americans by the Federal Government was in need of attention. The Civil Service Commission report indicated, for example, that the Selective Service Board had no Spanish-surnamed employees above the Grade of GS–8, and in the Department of Justice, only 62 top-level positions out of a total of 11,695 were held by Mexican Americans.

The 1959 family income under $3,000 of *urban* Spanish-surnamed families was 28.5 percent in Arizona; 17.5 percent in California; 28.6 percent in Colorado; 33.1 percent in New Mexico; and 47.3 percent in Texas.

The 1959 family income under $3,000 of *rural* Spanish surnamed families was 50.4 percent in Colorado; 53.8 percent in New Mexico; and 69.2 percent in Texas.

In Arizona 32.4 percent of the dilapidated homes belong to Mexican Americans and in Colorado 24.3 percent of such housing belongs to the Spanish-surnamed citizen.

Out of discussions by the 1,500 Mexican Americans, Federal officials and other participants of these and a myriad of other problems came more than 1,000 specific recommendations and agreement on the fundamental new directions:

The cultural differences and background of the Mexican American community must be acknowledged and understood;

Bilingual education in all phases of instruction should be developed;

Federal agencies must develop and practice an "out-reach" philosophy in bringing services to the Mexican American community;

Federal employment opportunities must be opened further to the Mexican American community;

The community must be involved in all aspects of program planning whether it is in school activities or model cities programs;

Problem solving must be undertaken through the cooperation of Government, private industry, and Mexican American civic and service organizations.

(*An example of the response from Federal agencies:*)

DEPARTMENT OF HEALTH,
EDUCATION AND WELFARE.

To: See Below.
From: The Secretary.
Subject: Departmental Work Plan for Mexican-Americans.
Date: January 16, 1968.

Several months ago, I asked the Department to develop a special focus for the problems of Mexican-Americans directing our programs more pointedly to this neglected portion of our population. I designated Joseph Colmen to assist me in this effort, and to organize for our work with the President's Interagency Committee on Mexican-American Affairs.

I appreciate your preliminary work in inventorying what we have been and are doing that helps Mexican-Americans. Some forward thinking was included in reports which you assembled for the Interagency Committee. The Committee's hearings in El Paso identified additional needs.

Now we must demonstrate by action our good intentions. I would like your assistance, therefore, in preparing a specific work plan. The format attached has been provided for your response. It treats separately the recommendations growing out of the El Paso hearings, to which we owe a response; and the plans you create based on your knowledge of your programs.

Although long range plans are necessary, I want to stress the importance of doing everything you can now within our current funding authority to meet the needs of Mexican-Americans. This includes assigning this responsibility to people within your agency who can and will get results and giving them your full support.

Addressees: Harold Howe II, Commissioner of Education; Robert M. Ball, Commissioner of Social Security; Mary E. Switzer, Administrator, Social and Rehabilitation Service; William H. Stewart, M.D., Surgeon General, Public Health Service.

PROGRAMS AND PROJECT ASSISTANCE

Refined by the discussions at the El Paso hearings, the Committee's work of initiating and expediting programs took on new vigor and speed. Set forth below are programs and projects which reflect the new impetus arising from Committee activity during the period of this report.

MANPOWER AND TRAINING

Concentrated Employment Programs have been established in comprehensive effort against hard-core employment. A total of $30,415,166 has been allocated for the programs in San Antonio, San Francisco, Los Angeles, Phoenix, Albuquerque, Denver, Waco, and Oakland which account for over 40 percent of the entire Mexican American population.

More than 18,000 Mexican Americans have been trained or are receiving training through institutional Manpower Development and Training programs. This number included 2,500 specially developed training slots designed to serve the unique needs of the Mexican Americans in various California cities.

In addition to the regular U.S. Department of Labor-funded on-the-job training programs in which Mexican Americans also participate, $3.3 million has been allocated for 3,900 on-the-job training slots for Mexican American trainees. Projects are being administered by Mexican American social service organizations in Richmond, Santa Rosa, Fresno, Los Angeles, San Diego, Salinas, Pico Rivera, Santa Clara, California; Denver, Colorado; and Maricopa County, Arizona. For the trainees who speak Spanish, the projects include prevocational English classes.

Operation SER (Service—Employment—Redevelopment) created in 1966, is now mounting Mexican American manpower programs in thirteen Southwestern cities in which more than 3,000 unemployed persons, mainly Mexican Americans, will receive job preparation and placement services. Operation SER is directed by Jobs for Progress, Inc., a non-profit organization sponsored by major Mexican American organizations; The League of United Latin American Citizens and the American GI Forum of the U.S. Operation SER has received approximately $7 million in Manpower Development and Training Act funds.

Mexican American youths in the Neighborhood Youth Corps increased to 38 percent in the Southwest during the 1967 summer work program as contrasted with 25 percent earlier.

Federal Government recruitment and employment

The Post Office Department in the last two years has added Mexican Americans to its staff at about 60 times the rate that it averaged in the last 120 years.

Civil Service Commission survey of Federal employment indicates that, during the period of June 1965 to November 1967, there was an increase of 41 percent in Spanish surmaned Federal employees in the Southwest. Over 9,000 such appointments were made from June 1966 to November 1967, with hundreds more being added to the Federal rolls in most recent months.

The number of Mexican Americans in positions paying over $11,000 per annum has virtually doubled in this period in the five-state area.

This trend towards increased representation of Spanish-surnamed Americans in the upper levels is dramatically reflected by the 1967 increase of 185.2 percent in Spanish-surnamed GS–15 appointees since the 1963 level.

Much of this progress is the direct result of regular meetings and constant communication of the Inter-Agency Committee staff with ranking agency personnel directors and special departmental task forces created to make recruitment and hiring practices more responsive to the Mexican American community.

Activities have included the launching of recruiting drives by member agencies of the committee at schools and colleges with substantial Spanish surname enrollment. For example, during early 1968, the Department of Health, Education, and Welfare conducted recruitment drives through eleven cities in the Southwest. Since February, the Department has hired 134 Mexican Americans up to and including GS–15 level (paying more than $18,000 a year).

New job element rating techniques and examining procedures are being designed to eliminate unnecessary experience or educational requirements for entry level positions. The Department of Housing and Urban Development has pioneered in new testing procedures which will permit the Government to evaluate the job potential of workers whose abilities might not be reflected by written examinations.

The Inter-Agency Committee is furnishing both technical assistance and information on talented members of the Mexican American community to interested Government agencies through a Committee staff-operated pool.

The Inter-Agency Committee has compiled and published a listing of over 1,400 Spanish-surnamed students who graduated from college during the current year. The first such compilation has been distributed to Federal agencies, private employers and other interested groups. Reports received by the Committee indicate a great interest among these employers. For example, one large national corporation has already hired 22 recent graduates and one school system has mailed applications to over 175 education majors who appeared in the booklet.

The Civil Service Commission is studying a new Federal merit promotion policy to assure fairer consideration of Mexican American employees for advancement and to assure that employees are more fully informed about promotion opportunities; the Civil Service Commission has also committed itself to substantially more emphasis on training for lower level employees to assist their advancement.

The Civil Service Commission, Federal personnel officers, union officials and leaders of minority group organizations are reviewing proposed changes in the procedures for filing, investigating and resolving complaints of discrimination within Federal agencies.

Civil Service Inter-Agency Boards of Examiners in the Southwest regions are working with Mexican American organizations to locate candidates and to identify employment problems. Use is being made of the Spanish language media to advertise job openings and examination announcements.

Agencies are being encouraged to recruit and hire bilingual and bicultural employees where there is a demonstrated need for employees with these qualifications. In the four Civil Service Regions with substantial Mexican American population, the Commission is now especially employing Spanish-speaking persons for public information and testing positions.

Federal-private cooperation in employment

The Inter-Agency Committee, in conjunction with Plans for Progress (a unit in the Executive Office of the President, staffed by executives loaned by industry to intensify private sector cooperation) and the Community Relations Service, sponsored the Southwest Employers Conference on Mexican American and Indian Employment Problems. More than 200 representatives of private industry convened on July 10, 1968 for a three-day conference in Albuquerque, New Mexico. Another is being considered for California.

Efforts to enlist the interest of industry in hiring Mexican Americans include specific assistance to companies in devising equal employment opportunity programs as well as almost daily contact with business executives regarding the employment of Mexican Americans.

Education

In January, 1968 that President signed the Bilingual Education Bill amending the Elementary and Secondary Education Act. The bilingual and bicultural education provisions authorize research, experimentation, demonstration and operating activities. These include the development of curricula, methods, materials, media and administrative procedures relating to bilingual instruction.

Primarily through ESEA funds, HEW has sponsored research and demonstration programs for pre-school and elementary students of multi-lingual and multi-cultural backgrounds in San Antonio, El Paso, Travis County, Texas; Northern New Mexico and Las Cruces, New Mexico. Included are the Southwestern Educational Development Laboratory in Austin, the Good Samaritan Pre-School Bilingual Program in San Antonio and Project Follow-Through in Corpus Christi.

Related Activities involve the utilization, in Denver, Colorado, and in eleven Texas counties, of televised programs to teach English and to strengthen self-image among Mexican American students through an understanding of their total cultural heritage. Under the Experienced Teacher Fellowship Program, the University of Arizona is training teachers of bilingual-bicultural students.

Through the talent Search Program of HEW, $854,125 has been made available for nine projects in the Southwest to identify talented high school students and encourage them to complete high school with a view toward pursuing a higher education.

National Defense Education Act loans, Economic Opportunity Grants, Guaranteed Loans and the Work/Study Program are being utilized increasingly by colleges in the Southwest to help needy Mexican American students. For example, Our Lady of the Lake College in San Antonio has made use of all such aids in its Project Teacher Excellence and the West Texas University continues financial aid to students with an effort to educate non-profit organizations in the uses of Work-Study participants.

A Mexican American Affairs Unit of the Office of Education was established at the urging of the Inter-Agency Committee on Mexican American Affairs. The Unit has conducted a field survey among the Mexican American communities in the Southwestern States, now being analyzed.

Migrant training and education

In Florida, Texas, and California, a Migrant Compensatory Education Project has been established to provide basic and remedial education, occupational training, vocational rehabilitation, health and food services and economic support to 1,000 migrant youths and their families.

In Illinois, the Office of Economic Opportunity has established a program of adult basic education service for Mexican American migrants setting out of the migrant stream.

In Arizona, a series of television tapes are being utilized to teach the adult Mexican American migrant of low literate level how to speak basic, simple English.

In Texas, the Department of Health, Education, and Welfare, under Title III of the Elementary and Secondary Education Act, has set up special bilingual instruction for migrant children. The Rio Grande Valley Education Service Center will serve over 70,000 Spanish-speaking and migrant children in four Texas counties.

In Mesilla Valley of Dona Ana County, New Mexico, educational radio is being utilized to increase the communication skills of over 500 children from migrant agricultural families and other disadvantaged children.

In Northern New Mexico, the Home Education Livelihood Program is providing adult basic, general and vocational education as well as assisting in the establishment of farm cooperatives and small village industry.

Eight High School Equivalency Programs have received funding for their second year from the Migrant Division of the Office of Economic Opportunity. Seventy-five percent of the youths are migrants and over seventy-five percent are Mexican American. Programs are in Claremont, California; Pueblo, Colorado; Lincoln, Nebraska; Eugene, Oregon; Pullman, Washington; El Paso, Texas; Madison, Wisconsin; and Roswell, New Mexico.

The Migrant Division of the Office of Economic Opportunity has funded twelve information and referral centers for migrants and seasonally employed farmworkers in areas with large numbers of Mexican Americans. Mexican American migrants are in eight of the twelve areas covered by the information centers.

Migrant labor

The influx of bracero labor, citizens of nearby countries who compete with U.S. citizens for jobs, was reduced during the past year to only 0.4 percent of its 1959 level in terms of man months of employment, or to 1/250 of its former number.

The Department of Labor has established higher housing standards for farmworkers who are hired through the Employment Service Offices.

The Inter-Agency Committee, in support of community efforts, continues to urge the enactment of legislation extending the right of collective bargaining to farm laborers.

The 1968 Sugar Beet wage rate determination provides a 5.9 percent to 7.7 percent increase in piece rates and a 10 cent increase in the hourly rate. Stricter protective provisions for minors and more stringent regulations governing labor contractors were also approved by the Secretary of Agriculture.

Agriculture and rural development

Seven counties in Texas, each containing a Mexican American population of 10 percent or more, are on a Commodity Distribution Program target list of the Department of Agriculture's efforts aimed at the nation's 1,000 poorest counties—counties which had not previously obtained coverage.

The Forest Service has reallocated $1,000,000 for additional use in revegetation of grazing lands in Northern New Mexico and in Colorado, benefiting the many Mexican Americans in the area who conduct small farming operations.

The Forest Service is dividing its contracts into smaller units so that small village groups can bid, thus creating jobs and stimulating the depressed economy in areas of Northern New Mexico.

The Forest Service has provided funding for the Trinchera Ranch Exchange to provide job and economic development in Costilla County, Colorado, where over 70 percent of the population is Spanish surnamed.

Statistical data

The Bureau of the Census will include in the 1970 Census a notation on the language spoken in the home if it is other than English and other questions to acquire data needed to define and attack problems of the Spanish-speaking.

HEW has changed its surveys so that Mexican American school enrollments will be counted more usefully.

The Civil Service Commission report on minority group Federal employees has been expanded to include more vital information on Mexican American employment in the Federal government.

Housing

The Santa Clara County Housing Authority in conjunction with the California Better Housing for Mexican Americans Committee has received a planning grant for public housing units for 450 families and 250 elderly people.

The East Los Angeles Improvement Council has received $1,850,000 for the construction of moderate income rent supplement housing units.

Funds have been granted for the construction of 300 units of low rent and rent supplement housing for elderly people, 50 percent of whom are Mexican American.

The Home Improvement Project in Albuquerque received an additional $73,000 in March, 1968 to continue its program of rehabilitation of homes and employment for the unskilled unemployed.

Model Cities

The Model Cities Program now includes several cities which contain a high percentage of Spanish surnamed population: Fresno, California; San Antonio, Eagle Pass, Waco, Texas; Denver, Trinidad, Colorado; Albuquerque, New Mexico; and Saginaw, Michigan, and New York.

NEIGHBORHOOD FACILITIES

The first HUD assisted neighborhood facility, opened in February 1967, was the LEAP Community Center in Phoenix, Arizona, with a grant of $185,226 and serving nearly 3,000 Mexican American families. Since, many projects have been completed to serve the needs of Mexican American families, including centers in El Paso, Carrizo Springs, Texas; Pagaso Springs, Colorado; Flagstaff, Arizona; Delano, Calexico, California. Grants for these projects totalled $900,700.

Committee aid on programs and projects, tabular summary [1]

ACTION TAKEN

Program contacts:	
Federal	1,410
State and Local	128
Private	697
Mexican-American organizations	1,758
Policy changes recommended	49
Community projects:	
Acted upon	257
Guidance provided	133
Individual hardship cases aided	35
Projects initiated by committee	37
General information and assistance	1,094
Meeting arrangements:	
Interagency	307
Private sector	60

PLACEMENT ACTIVITIES

Total applicants	438
Total referrals	1,092
Total placements	119
Employment contacts with private companies	66

AREAS OF ACTION	*Individual actions*
Education	320
Health, welfare, poverty	138
Rural matters, migrants	165
Housing	118
Justice and immigration	115
Military	53
Manpower	208
Research	63
Miscellaneous	34

SPANISH SURNAME EMPLOYMENT, FEDERAL GOVERNMENT

	1965	1967	Percent increase
Worldwide	59,853	68,945	15
Southwest	38,715	54,558	41
Arizona	1,704	2,251	32
California	9,372	15,297	63
Colorado	3,246	4,397	35
New Mexico	5,261	6,741	28
Texas	19,132	25,872	35

Identifiable Federally funded projects established to serve the specialized needs of Mexican Americans (not including other projects by which Mexican Americans, and others as well, are served, 160.)

SOME FEDERAL GOVERNMENT POSITIONS TO WHICH MEXICAN AMERICANS HAVE RECENTLY BEEN APPOINTED

Chairman, Inter-Agency Committee on Mexican American Affairs.

Ambassador to Paraguay.

Ambassador to El Salvador.

Representative to the United Nations General Assembly, with rank of Ambassador.

Chairman, United States Section, United States-Mexico Commission for Border Development and Friendship.

Member, National Transportation Safety Board, Department of Transportation.

Commissioner, Equal Employment Opportunity Commission.

Member, United States-Mexico Commission for Border Development and Friendship.

Member, National Advisory Commission on Income Maintenance Programs.

Executive Assistant to the Federal Co-Chairman, Four Corners Regional Commission, Economic Development Administration.

Special Assistant to Commissioner Member, Equal Employment Opportunity Commission.

Community Relations Specialist, U.S. Civil Rights Commission.

Women's Advisory Committee for the War on Poverty (2), Office of Economic Opportunity.

Regional Director, Bureau of Work Training Programs, Department of Labor.

Deputy Regional Director, Bureau of Work Training Programs, Department of Labor.

Consultant (to assist in internal review of the impact of its programs in Mexican American community), Department of Labor.

Director, Southwest Area, Department of Housing and Urban Development.

Executive Director, Peru, Peace Corps.

Staff Member, President's Council on Youth Opportunity.

Member, National Advisory Committee for the Bureau of Education for the Handicapped, Office of Education, Department of Health, Education, and Welfare.

Consultant, Food and Drug Administration, Department of Health, Education, and Welfare.

Coordinator for the West and Southwest Equal Employment Opportunity Program, Post Office Department.

Director, Mexican American Education Unit, Office of Education, Department of Health, Education, and Welfare.

Consultant, Advisory Committee on Books for Poor Children, Department of Health, Education, and Welfare.

Member, Board of Appeals and Review, Post Office Department.

Special Assistant, Office of Civil Rights, Department of Health, Education and Welfare.

Director, Office for Spanish Surnamed Americans, Department of Health, Education and Welfare.

Legislative Counsel to Governor of American Samoa, Department of the Interior.

Director, National Capital Region of National Park Service, Department of the Interior.

Assistant General Counsel, Equal Employment Opportunity Commission.

Project Manager for Equal Employment Opportunities, Civil Service Commission.

Member, National Advisory Committee on Welfare, Department of Health, Education and Welfare.

Member, Title III Advisory Committee, Office of Education, Department of Health, Education and Welfare.

Member, Advisory Committee on Graduate Education, Department of Health, Education and Welfare.

Educational Research and Training Specialist, Office of Economic Opportunity.

Attorney, Civil Rights Division, Department of Justice.

Member, Education Professions and Development Act Advisory Committee, Department of Health, Education and Welfare.

Consultant, Mexican American Education Project, U.S. Commission on Civil Rights.

Personnel Staffing Specialist, Department of Health, Education and Welfare.

Personnel Staffing Specialist, Department of Labor.

Members, Advisory Committee on Guidance and Counseling, Department of Health, Education and Welfare.

Member, Advisory Committee on Vocational Education, Department of Health, Education, and Welfare.

Information Officer, Social Security Administration.

Consultant, National Institutes of Health.

District Director, Bureau of Work Training Programs, Department of Labor.

Program Analyst, Office of Economic Opportunity.

Compliance Officer, Department of Health, Education and Welfare.

Assistant Executive Director, Research, Inter-Agency Committee on Mexican American Affairs.

Chief, Program Division, Inter-Agency Committee on Mexican American Affairs.

Special Assistant to the Executive Director, Inter-Agency Committee on Mexican American Affairs.

Program Specialists (2), Inter-Agency Committee on Mexican American Affairs.

Administrative Assistant to the Chairman, Inter-Agency Committee on Mexican American Affairs.

The primary objective of the Inter-Agency Committee on Mexican American Affairs has been to find whether Federal programs are reaching Mexican Americans and to seek new measures, where such are necessary, to handle the community's unique problems. The programs mentioned in this report result from this kind of special attention to the Mexican American's needs.

However, the most vital—and somewhat intangible—function of the Inter-Agency Committee has been that of education. The Inter-Agency Committee found a great lack of knowledge and understanding within the agencies in regard to the Spanish-surnamed American. It also found a great willingness among the Government and private sector officials to learn and to communicate with the Spanish-speaking people of our nation. Therein lies progress.

On the other hand, the Committee has also found it necessary to acquaint the Mexican American community in the resources which exist for them in Government and the private sector. The ultimate success of this liasion role will be to bring the three—Government, private sector and people—together and establish a permanent trust among them.

VINCENTE T. XIMENES,
Chairman.

MAN'S INHUMANITY

Mr. PELL. Mr. President, recently there was brought to my attention an excellent editorial from the Providence Sunday Journal. The editorial was published on the occasion of Jewish Book Month, but its message I believe is timeless. It is an eloquent reminder that injustices to our fellow man must be of immediate and deep concern to each of us.

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[1] The figures in this table reflect requests and situations which require one or more written communications which are in the Intergency Committee's files for this year. They do not include requests and situations subject only to telephone and personal contacts. These latter outnumber those in the table many times but involved situations which could be disposed of without time-consuming correspondence or documentation or which already existed in the Inter-Agency files or in other agencies, government or private.

I ask unanimous consent that the editorial entitled "Man's Inhumanity" be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MAN'S INHUMANITY

"In the literature of the Holocaust, there is conveyed that which cannot be transmitted by a thousand facts and figures. We learn to suffer in these pages; and we learn anger. It is that anger which must serve to instruct us. For if we are angry, we care. And if we care, our concern must outstrip the fact, once again."—From the general introduction to *Out of the Whirlwind,* and anthology compiled by Albert H. Friedlander.

The theme of Jewish Book Month, Nov. 15 to Dec. 15, is Resistance and Redemption, commenorating the 25th anniversary of the Warsaw Ghetto uprising. The events that occurred in Poland in the early 1940s were among the most terrible examples of man's inhumanity that history has recorded. They constituted the bitterest, most excessive chapter in the systematic murder of six million Jews. They form a testament that Man must not forget, as horrible as it is to remember.

The Jewish population of Poland in September, 1939, was 3,300,000. About 400,000 lived in Warsaw. Five years later, the Nazi Holocaust had destroyed the Warsaw Ghetto and all its occupants and the number of Polish Jews had been reduced by 2,800,000 or 85 per cent in the gas chambers of the concentration camps.

The story of the ghetto, the walled city within a city of 100 square blocks, into which the Jews were herded beginning in October, 1940, is so horrible that the mind recoils. The systematic "resettlement" engineered by the Nazis in 1942 kept ghetto residents ignorant of their impending fate until somehow realization of the true meaning of the word "resettlement" became widespread. The desperate uprising of the remaining 40,000 or 50,000 Jews in 1943 and their total destruction is an atrocity that challenges Man's ability to comprehend. The anti-Semitism and unwillingness of all but a few Polish Christians to act or speak against the diabolical treatment of Jews and the massacre that followed are a matter of record.

Remembering all this is painful. Some say that to do so feeds the emotions and builds hatred which is no antidote to the original poison of the Nazi era. If hatred and desire for veneance were the aims, there would be good reason to forget—to let the past fade into history.

But the relevance of the Holocaust of the 1940s is the sin of silence in the 1960s, the inclination to look the other way, to ignore the later wall—in East Berlin; to be fatalistic as Vietnam and the Vietnamese people are destroyed and to plead helplessness in the face of famine in Biafra and India and Latin America; to yield to the injustices committed against minority groups, the indigent, the disabled; to remain passive as clubs fall on innocent victims; in short, to learn nothing from the past and to live in isolated, comfortable, and complacent exile from society while everywhere there are suffering and wrong.

Mr. PELL. Mr. President, once again I urge on my colleagues the importance of pressing ahead with the ratification of the Genocide Convention, a ratification that we have been far too long in moving ahead and acting upon.

I commend in this regard the Senator from Wisconsin (Mr. PROXMIRE) for the excellent work he has done in keeping this matter fresh in our minds.

TOWARD THE RECONCILIATION OF EUROPE

Mr. PELL. Mr. President, a national policy panel of the United Nations Association of the United States has issued a report entitled "Toward the Reconciliation of Europe." The panel was headed by Theodore C. Sorenson, former special counsel to Presidents Kennedy and Johnson, and Peter G. Peterson, chairman of the board of Bell & Howell.

A press release was issued a few days ago summarizing the recommendations of the panel. Because I think that these recommendations deserve the widest possible attention. I ask unanimous consent that the full text of the press release be printed in the RECORD at this point.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

UNITED NATIONS ASSOCIATION OF THE UNITED STATES OF AMERICA PRESS RELEASE

WASHINGTON, D.C.—A fresh initiative for the reconciliation of Europe was urged on the Nixon Administration today by a National Policy Panel of the United Nations Association of the United States headed by Theodore C. Sorensen, Special Counsel to former Presidents Kennedy and Johnson, and Peter G. Peterson, chairman of Bell and Howell. The 24-member group included John J. McCloy, Thomas K. Finletter and Dr. Henry A. Kissinger, until his appointment as foreign policy advisor to President Nixon.

Assessing the situation in Europe following the invasion of Czechoslovakia, the UNA Panel outlined a course of action toward greater Western unity, a rapproachement with Soviet Union, and a European settlement that could resolve the German problem. "The premises and assumptions of the past, valid as several of them at times have been in forming United States approaches, are no longer adequate as guides for United States policy," the Panel asserted.

The Panel called for early Presidential affirmation of the "importance which the United States attaches to its relationships to Western Europe," and suggested that the 20th Anniversary NATO Council meeting in Washington in April be converted into a "summit meeting—designed both to develop and to reinforce a new sense of solidarity in the Alliance."

The UNA Panel also recommended that the Nixon Administration, after consultation with our NATO allies, propose a Four Power Summit conference to set up a European Security Commission for the preparation of the general principles of a European settlement. The Commission would be composed of West Germany, East Germany, Italy, Poland, Czechoslovakia and Hungary, in addition to the United States, Soviet Union, Britain and France.

The Commission would also create machinery for crisis management. But its basic function would be to negotiate, for the approval of the Four Powers, the military posture and arms control safeguards of the NATO and Warsaw Pact forces in the Central European region including the two parts of Germany, Poland, Czechoslovakia and some neighboring areas. Such negotiations would involve a freeze in present NATO and Warsaw Pact troop strength in the area, a 10-percent cut in all forces after one year with adequate inspection, and provision for subsequent across-the-board cutbacks and reduction of nuclear warheads stockpiled in the zone.

At the same time, the Four Powers would propose to West and East Germany negotiations between themselves for a step-by-step program for the eventual reunification of Germany, based on acceptance of the Oder-Neisse line as the eastern frontier and the provisional character of Germany's division.

The UNA Panel recognized that the Czechoslovak invasion showed Moscow's strict limitations on liberalization in Eastern Europe, but pointed out that "the Soviet Union, deeply aware of its own dilemmas with its allies, might well conclude that its own best interests would be served by a new effort to resolve the German question. If that question is not resolved it could some day plunge Europe again into bloody conflict."

The strategy outlined for strengthening Atlantic unity after a NATO summit conference included:

1. "Close and continuing consultations with our European allies on new political or military commitments and developments in weapons technology . . . with a deep perception as to their options and dilemmas."

2. Encouraging the development of a European caucus in NATO, enabling the Europeans to assert more initiative and making possible the ultimate emergence of a European defense community.

3. In the present European situation, retention of present United States forces in Europe and enlargement of present military contingents of other NATO partners much nearer to previously agreed force levels. Should larger European contributions be made, the United States should in principle support appointment of a European Supreme Allied Commander in Europe—provided an American remains in a position to fulfill U.S. statutory requirements on the control of nuclear weapons.

4. Establishment of a NATO Payments Settlements Authority to help equalize balance-of-payments by the purchase of medium term bonds from deficit countries and the corresponding sale of its own bonds to surplus countries.

5. Making the U.S. Representative on the North Atlantic Council a member of the President's National Security Council.

6. A "Nixon Round" of negotiation on non-tariff barriers to trade.

7. "A more humanistic approach" to Western unity by common work on common problems, through establishing an International Urban Institute, an International Foundation for Education, and inviting our allies to join in a space program in which "an Atlantic astronaut could symbolize a new spirit of common adventure".

In addition to its major recommendations for a European settlement, the Panel urged Congressional passage of the East-West Trade Bill and repeal of all inconsistent legislation as "a matter of major priority". It recommended that the Executive Branch liberalize export controls, "retaining controls only over those items that can demonstrably be shown to augment significantly the war-making capacity of an Eastern European country which cannot obtain such items elsewhere or manufacture them itself".

The Panel proposed enlarging United Nations efforts to develop East-West common interests through expanding the role of the UN Economic Commission for Europe, and a substantial increase in the inspection capabilities of the International Atomic Energy Agency.

The full 36-page statement, entitled Toward the Reconciliation of Europe, has been communicated to the appropriate officials in the Nixon Administration and to leaders of Congress. The list of panel members who signed the statement is attached.

The United Nations Association for the United States, which sponsored the Panel, is a non-profit organization devoted to research and education to improve United States participation in international organizations. Its previous policy reports are two on China, the United Nations and U.S. Policy, one issued in October, 1966, and the other in September, 1967, by a panel headed by Robert V. Roosa; and Stopping the Spread of Nuclear Weapons in December, 1967, by a panel headed by Burke Marshall.

Chairman of the United Nations Association is Arthur J. Goldberg, former U.S. Ambassador to the UN and Supreme Court Justice. The Association has 175 chapters throughout the United States, collegiate units on nearly 600 campuses, individual members numbering more than 70,000, and the affiliation of over a hundred national voluntary organizations.

Early in its deliberations, a group of Panel members had the benefit of discussions in Brussels with members of the European Economic Community, and with representatives of the U.S. and other missions to NATO. Subsequently, members of the Panel met at the Villa Serbelloni, Bellagio, Italy, maintained by the Rockefeller Foundation, for consultations on the issues being considered by the Panel. The following European consultants were present at the Bellagio meeting:

Dr. E. H. Van der Buegel, The Hague, Netherlands.

Dr. Fabio Luca Cavazza, Agnelli Foundation, Milan, Italy.

Dr. Max Kohnstamm, Comite d'Action pour les Etats-Unis d'Europe, Brussels, Belgium.

M. Jean Laley, Administrative Institute, Paris, France.

Dr. Klaus Ritter, Director, Stiftung Wissenschaft und Politik, Munich, Germany.

The officials in Brussels, the European participants, and the Rockefeller Foundation are in no way responsible for any content in the Panel's report.

UNA-USA NATIONAL POLICY PANEL ON ATLANTIC RELATIONSHIPS, EASTERN EUROPE AND THE UNITED NATIONS

Theodore C. Sorensen, Chairman, Partner, Paul, Weiss, Goldberg, Rifkind, Wharton and Garrison.

Peter G. Peterson, Vice Chairman, Chairman of the Board, Bell and Howell Company.

Walker L. Cisler, Chairman of the Board, the Detroit Edison Company.

Oscar A. de Lima, Chairman of the Board, Roger Smith Hotels, Incorporated.

Thomas K. Finletter, Partner, Coudert Brothers.

Richard N. Gardner, Henry L. Moses, Professor of Law and International Organization, Columbia University.

Ernest A. Gross, Partner, Curtis, Mallet-Prevost, Colt and Mosle.

Edwin Huddleson, Jr., Partner, Cooley, Crowley, Gaither, Godward, Castro and Huddleson.

James N. Hyde, Lawyer, Consultant to Rockefeller Brothers Fund.

Joseph D. Keenan, International Secretary, International Brotherhood of Electrical Workers.

Henry A. Kissinger,[*] Professor of Government, Center for International Affairs, Harvard University.

Robert Kleiman, Editorial Board of the New York Times.

Philip M. Klutznick, Senior Partner, Urban Investment and Development Company.

Col. Laurence J. Legere, Institute for Defense Analyses.

John J. McCloy, Milbank, Tweed, Hadley & McCloy.

James S. McDonnell, Chairman of the Board, McDonnell-Douglas Corporation.

G. William Miller, President, Textron, Incorporated.

Emanuel R. Piore, Vice President and Chief Scientist, International Business Machines Corporation.

Thomas C. Schelling, Professor of Economics, Center for International Affairs, Harvard University.

Gen. Cortland V. R. Schuyler, Commissioner of General Services, Executive Department, State of New York.

Marshall D. Shulman, Director, Russian Institute, Columbia University.

Joseph E. Slater, President, Salk Institute for Biological Studies.

Mrs. Robert J. Stuart, Formerly, President, League of Women Voters of the U.S.A.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THURMOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE NONPROLIFERATION TREATY

Mr. THURMOND. Mr. President, I am astounded at the weakness many have shown recently in the face of growing Soviet strength and provocative actions in Europe, Mediterranean, Indian Ocean, Red Sea, and other areas. Apparently, there are those who still ignore history. America's strength has been the only significant deterrent to the Soviets the last 20 years. It has been the policy of this country for many more years to negotiate from strength. To sound the trumpets of the past, there are those who would negotiate from fear and forget the catastrophies of history when the balance of power favors the adversary.

Mr. President, I ask my colleagues and my countrymen, are we going to be trapped again as we have the last few years? Are we going to risk the security of our great Nation on the word of the Soviets? My distinguished colleagues, I hope and pray your answer is "No." If you approve the Nonproliferation Treaty and engage in arms control talks now and do not continue the ABM program, you are playing right into the hands of the Kremlin. That will give the Communists their long sought advantage at the negotiating table.

In my view, the Soviets have given no concrete evidence of genuine good faith. Last August, their invasion of Czechoslovakia crushed what little faith some may have had. It is too early to talk about negotiations. Disapprove the treaty, start the approved Sentinel system, regain our superiority in weapons systems, and then talk arms control. In any arms talk in the near future, the first Soviet demand will be for the United States to defer our nuclear missile programs while they continue to accelerate their program. If the Soviets are hurting from an economic squeeze because of the billions they are spending for starting the arms race, then why ease their pain at the expense of our security. Although expensive, our Nation can bear the costs longer than the Soviets when our security and way of life are the stakes. It is high time our allies—such as Great Britain, France, West Germany, Japan, and others—carry a much bigger share of the costs and the armed forces. For instance, our $79 billion for defense is almost three times as much as all our allies together.

Mr. President, one of our most highly respected and reliable publications in the United States has briefly and succinctly analyzed our failures, the threat, the risks of arms control talks, and the needs and costs of defense in two exceptionally fine articles. These articles appeared in the February 3, 1969, issue of the U.S. News & World Report. They are entitled "The Chances for an End to the Arms Race" and "The Price of Power for United States."

I would like to quote from this magazine article on our defense needs in order to leave no doubt about what is "sufficiency":

> The list of needed weapons includes a modernized nuclear Navy, new planes for the Air Force, new weapons for ground warfare, modern multiple-headed atomic missiles, a start on an antimissile-missile system, investment to try to catch up with Russia in the use of space for military purposes.

Although my analysis reveals the Soviets have a much greater nuclear weapons threat than the articles reflect, I commend these articles to you as excellent summaries of the pitfalls that lie ahead by being lulled into false security by the Soviets. It is time to have the courage and the determination to move ahead with defense programs that guarantee our security and not rely on the Soviet's promise without deeds for peace. For once, let the Soviets make the first move toward peace. Let them ratify the Non-Proliferation Treaty rather than wait for the U.S. ratification before they show signs of genuine good faith. Let them stop some of their nuclear programs and cease their ever increasing aggressive actions.

Mr. President, I request unanimous consent that these articles be printed in the Record at the conclusion of my remarks.

There being no objection, the articles were ordered to be printed in the Record as follows:

[From U.S. News & World Report,
Feb. 3, 1969]

THE PRICE OF POWER FOR UNITED STATES: ONE-SIDED ARMS BURDEN

It is a staggering defense load that Richard Nixon has inherited—with no relief in sight. Communists aren't about to give up their global ambitions, and U.S. allies aren't about to offer more help.

Mr. Nixon is to discover quickly that the price of power in today's world comes very high and is not likely to decline.

At this time, two superpowers hold the key to world stability. The No. 1 power is the United States. The No. 2 power is Soviet Russia. Russia is expansionist in its goals. The U.S. seeks to avoid an upset in the present power balance.

The new President has indicated that he will seek to persuade the major non-Communist nations of the world to give the U.S. more help in maintaining today's balance of power. All present signs are that these nations, content to have the U.S. guarantee their security, will give little response.

To maintain its power and place in the world, this country is spending 79 billion dollars annually on defense. This expenditure represents 92 cents out of every $10 spent for all purposes, public and private. In dollar totals and in proportion of total spending, the American effort far exceeds that of any major ally. The charts on these pages help make that clear.

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[*] Dr. Kissinger served as a member of the Panel until his selection by the President-Elect as his Special Assistant for National Security Affairs. He did not participate in the drafting of the final report.

WHERE THE MONEY GOES

Of the 79 billion dollars earmarked for defense, 28 billion dollars in the year to end next June 30 and 25 billion in the following year are accounted for by the war in Vietnam.

However, if the war gradually deescalates, or even ends, the savings in defense costs are expected to be modest—no more than half the war's cost. A defense budget approaching 70 billion dollars a year, or even in excess of that, is expected to continue.

The reason? Huge investments lie ahead in modern arms, in new installations, in defense systems that are regarded as essential if the U.S. is not to lose its position as protector of the non-Communist world.

CAUGHT IN A BIND

The cost of arms is spiraling. Nevertheless, military planners insist the costs will have to be met. Needed defense investment, they report, has been neglected for years past as war in Vietnam diverted the U.S. military establishment and drained off much of its arms stockpile.

Military services today are ready with a shopping list for arms that totals in excess of 100 billion dollars. This is at a time when American cities are standing in line with a trillion-dollar shopping list of their own and vast programs of welfare and river-basin development and pollution control are waiting to be carried out.

The list of needed weapons includes a modernized nuclear Navy, new planes for the Air Force, new weapons for ground warfare, modern multiple-headed atomic missiles, a start on an antimissile-missile system, investment to try to catch up with Russia in the use of space for military purposes.

It is when a President faces up to the mammoth demands of military and of domestic programs for money that his thoughts turn to two sources of help:

1. One line of exploration is in the field of agreement to limit arms expansion, even to consider a start on disarmament. Experience of the past does not promise much progress or early progress in this field.

2. The second exploration is directed at getting other major nations—Great Britain, France, West Bermany, Japan, among others—to take on more of the burden of defense. First soundings in this area have not proved encouraging. It is cheaper for allies to depend on the U.S. and its taxpayers. Yet American officials are finding that if the balance of power in the world is to be maintained, large and modern military forces are essential.

IN THE MIDDLE EAST

Soviet Russia even now has deeply penetrated the Mideast with a show of power that keeps growing. The Soviet Navy in the Mediterranean is approaching the U.S. Sixth Fleet in size. Russian military aid and thousands of "advisers" are to be found in Egypt, Algeria, Yemen, Sudan and the Somali Republic. This area is vital to Western Europe, which gets its oil from this region. However, Western Europe is unwilling to take on any responsibility. President de Gaulle of France, in fact, appears determined to stir up trouble rather than help with peace.

INDIAN OCEAN AND INDIA

The vast region east of Suez is becoming a vacuum as the British pull out. Russia already has two naval task forces in the area, is seeking to turn the Red Sea into its own "lake," using it as a base to influence Saudi Arabia. The Soviets are building naval bases for the Somali Republic on the Gulf of Aden and the Indian Ocean. To the east is the biggest plum of all: India. The U.S., its naval forces already spread thin, is not moving in. The warning is that the entire area could go by default unless the U.S. starts moving.

On January 21, Adm. Thomas H. Moorer, Chief of Naval Operations, told Congress that Soviet movements in the Indian Ocean and the Mediterranean are a threat to American naval supremacy. He added: "I expect it to increase in the years ahead."

As an example of the Navy's needs, Admiral Moorer disclosed that 58 per cent of the Navy's 900 ships are more than 20 years old. He said work will have to begin now on an expensive building program if this country is to have a modern Navy superior to Russia's in the coming decade.

IN SOUTHEAST ASIA

Even if war in Vietnam were to end tomorrow, U.S. would find its hands full. The historic American policy of maintaining a balance of power in Asia faces an unprecedented challenge from Red China, only starting to come into its own as a nuclear power. Long-term threats to Laos, Cambodia, Thailand and Burma are growing, with free-world countries still unable to mount anything approaching united resistance. No help can be expected from the European allies—or from Japan—in that part of the world. With its own forward outposts in the Philippines, Okinawa and Japan all endangered by political opposition in those places, U.S. is going to have to develop mobile, far-ranging forces—or a set of expensive new bases—if it is to keep Red China in check.

One instance of the kind of cost involved: The U.S. found it necessary to spend 500 million dollars to build six new air bases in Thailand.

STANDING ALONE

The foregoing is just part of the global problem. Joint defense of Western Europe presents a whole set of other expenses. So does maintaining a nuclear balance with the Soviet Union. In all corners of the globe it is mainly U.S. power that keeps Communist expansion in rein.

Here at home, with domestic problems pressing in, with taxes rising, the question is heard time and again: Why won't others of the big free-world nations do more?

The answer: Those nations insist they are doing enough. Staff members of "U.S. News & World Report" in four major capitals—London, Paris, Bonn and Tokyo—cabled the details.

From London: Britain, battling for solvency, is convinced it can pay no more for defense than at present.

The trend, in fact, is for reduction of British forces—including withdrawal of troops from Asia by 1971.

The bulk of the British budget is spent on social services, including education, free medical care and subsidized housing for the poor. Britain spends three times as much on social welfare as it spends on defense.

It is unlikely that Britain would raise more money for defense even if the U.S. threatened to cut back its forces throughout the world. The prevailing opinion in London is that such a withdrawal would only spur America's allies to do the same thing.

The British, clearly, are quite content to rely on the U.S. to preserve the military security of the West.

From Paris: Under President de Gaulle, France has sought independence of the U.S. through its own nuclear strike force.

But economic and social problems are placing the program in jeopardy. Military spending has been cut to the bone and represents 4.34 percent of the gross national product—about half as much as the U.S. proportion.

The result is a strike force far behind schedule and becoming less credible all the time. France's Army and Navy are short of arms and technicians. Since 1952 manpower in the services is down 40 percent. Only 1 of every 100 Frenchmen is in the armed forces. In the U.S. the proportion is 1 of every 57.

Government officials in Paris feel the U.S. can safely reduce its forces in Western Europe. They see no threat from Russia. However, they want the U.S. to maintain two divisions in Germany for the foreseeable future.

Gaullists agree that Europeans should do more for their own defense, but feel this is a "long-term problem of European unity." Meanwhile, they are counting on America to maintain the present balance of power with the Soviets.

From Bonn: West Germany is not at all impressed when it is suggested that the country is not spending enough on defense because the figure amounts to only 3.8 percent of total outlays. Bonn points out that it maintains the largest European force in the North Atlantic Treaty Organization, second only to that of the U.S.

This year's military budget totals 4.7 billion dollars. The Germans argue they cannot afford more because of massive and still-growing social-welfare programs. This part of the federal budget amounts to over 6 billion dollars—but that is only the beginning. The total welfare bill, including local spending, actually amounts to 24 billion dollars. By 1972 the figure will exceed 31 billion.

And if the U.S. pulled out of Europe? The Germans probably would do no more. Likely to prevail would be this kind of argument: "If the Americans don't think the defense of Europe that important any more, why should we?"

As to American military spending in Europe, the official German line is—as it always has been—that the U.S. is not so much defending the Allies as it is taking care of its own national security—so why shouldn't Washington keep on defending and paying?

From Tokyo: Defense is a controversial subject in Japan. Militarism has been an anathema since the nation's defeat in World War II. That is one reason. Another: The Japanese do not feel imperiled from any quarter.

Japan spends a minuscule .9 percent of its total outlays on defense. The tendency has been to concentrate national energies on economic development while downgrading defense.

Still, the alliance with the U.S., under whose umbrella Japan has been able to make its startling postwar recovery, is taken for granted by most Japanese as more profitable to America than to Japan.

A recent poll shows that only one third of the Japanese believe the mutual-security treaty with the U.S. has been beneficial, and 70 percent want the treaty either revised or abrogated.

Japanese leaders feel differently, but find it both politically and economicaly profitable to go slowly on defense expenditures. To some, large military expenditures by Japan are considered a foolish extravagance so long as the U.S. willingly bears the burden.

All around the globe, the story is much the same.

It is against such a background that a new Administration in Washington is being forced to weigh the price of power in today's world.

THE CHANCES FOR AN END TO THE ARMS RACE

Disarmament talks are getting closer—but the warning is out: Don't expect much progress unless there is a real change of heart in the Kremlin.

At the center of Russia's latest bid to start disarmament talks with the U.S. are three major factors:

1. Without wasting a moment, the Kremlin wants to test the Nixon Administration—to gauge what kind of men and attitudes Russia must deal with over the next four years.

2. Soviet leaders, moreover, face a worsening economic squeeze at home and need a respite from the costly arms race far more than the U.S. does.

3. Significantly, Russia has virtually overtaken the U.S. in nuclear long-range mis-

siles and seeks to get the U.S. to "freeze" further developments now.

The Soviet offer was made January 20—the day Richard Nixon was sworn in as President. Moscow announced it was ready to "start a serious exchange of views" on arms controls.

The U.S. replied the next day, saying the matter would be given priority.

The outlook for progress is far from rosy, despite the polite exchange. Realists in Washington predict it will be months before serious talks even get under way—and perhaps years before anything concrete is achieved.

There is plenty to be negotiated, once both sides get down to business. One goal would be to find a way to halt the build-up of ICBM's—intercontinental ballistic missiles—on both sides.

As matters stand, each country has enough nuclear power in just that one field of weapons to kill 90 million citizens of the other country.

Another prime topic is antimissile-missile systems, now starting to require expenditures of billions of dollars in both countries. Some authorities say the Soviets now realize such a system is of doubtful value and astronomically costly.

Other proposals likely to appear on any serious agenda:

Ending underground nuclear tests.

A reduction in nuclear-weapon stockpiles.

Prohibition against the placement of nuclear weapons on the ocean floor.

Cuts in U.S. and Russian troop strength outside the two countries.

A ban on chemical and bacteriological-weapon development.

Underlying reason for pessimism is basic: The U.S. does not trust Russia, and Russia does not trust the U.S.

WORDS OF CAUTION

President Nixon is already being cautioned by advisers—both in the State Department and in the Pentagon—of pitfalls that lie ahead.

The first potential trap: Merely by proposing talks, the Russians will attempt to induce Mr. Nixon to defer the deployment of MIRV's—new multiple warheads—for American missiles. That would give them an immediate major advantage by getting the Americans to stand still while the Soviet Union continued its nuclear-missile build-up at full speed.

Another drawback to the talks for the U.S. is that there is no foolproof way in sight to assure Washington that the Russians would keep their word and not build up arms secretly.

Moscow refuses to allow on-ground inspection of weapon sites in the Soviet Union and other Communist-bloc countries. Both the U.S. and Russia employ orbiting "spy satellites" to photograph each other's missile installations, but this method has its limitations—failing to show, for instance, whether a missile has one or many nuclear warheads.

This limitation works far harder against the U.S. than against Russia because there are many open sources of information about American weapons, including technical magazines, available to Moscow. Russian sources of this kind simply do not exist. Without adequate safeguards, many Americans fear, the U.S. might fall far behind the Russians if the Kremlin broke its word and proceeded with weapon development.

THREAT TO NATO?

Some American military officers also fear the talks might delay or halt a build-up in the strength of the North Atlantic Treaty Organization. Revitalizing the Alliance—a policy favored by President Nixon—is considered especially urgent as a result of the Russian invasion of Czechoslovakia.

All these matters, the Nixon Administration feels, must be carefully considered before the talks begin. Secretary of Defense Melvin Laird, who says the U.S. must negotiate "from a position of strength," has said privately the review may take more than six months.

The talks originally were scheduled to begin last September at a summit meeting between President Johnson and Russia's Premier Kosygin. But the U.S. refused to proceed after the Russians invaded Czechoslovakia.

Washington maintained the atmosphere was wrong for discussion after such a display of Russian aggression.

Now, however, with the shock of the invasion wearing off and a new Administration in power, the Russians apparently view the climate as better.

A key question Mr. Nixon will have to decide: Is any feasible agreement with the Russians to limit the nuclear-arms race worthwhile for America?

The price for America could be high. Experts say the U.S. would be forfeiting its over-all leadership in nuclear know-how and an opportunity to take advantage of its lead in the development of multiple warheads.

A workable agreement, on the other hand, would pledge the Russians to abandon plans to build their ICBM strength to about 2,000—double the number presently planned by the U.S.

U.S. officials wonder if the Russians are willing to pay any price—no matter how small—in return for American concessions. Diplomats say there is no sign the Kremlin is ready to match the sacrifice it is certain to demand of the U.S.

Nevertheless, it is known that the pressures are mounting fast on the Russian leaders to reduce the heavy economic burdens of the arms race.

Moscow spends billions each year supplying arms to North Vietnam, the Arabs, and Cuba. The cost of space exploits and building a huge new naval fleet is also enormous—and all the while Russian consumers are complaining they want more spent on them, not on bombs.

Demands by the people are increasing for many things—from more cars to fashionable clothes—which can't be produced now because of Russia's military budget.

Some Americans believe, therefore, that Russia truly means business.

GOOD SIGNS

One U.S. view was voiced by former Secretary of Defense Clark Clifford, who said in the days before he left office that domestic and foreign pressures on Soviet decisionmakers "make us reasonably confident that their expressed interest in strategic arms talks is genuine."

But the new Administration is taking a cautious attitude. Past experience in dealing with Russia has left deep scars.

S. 992—INTRODUCTION OF BILL RELATING TO AMENDMENT OF THE DRAFT LAW

Mr. JAVITS. Mr. President, the question of reform of our draft laws—"Who serves when not all serve?"—is still very much with us.

I am today introducing a bill to amend the Military Selective Service Act of 1967. It incorporates my conclusions after months of the most intensive study of the problems which exist under our current law. I ask unanimous consent that the bill be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record at the conclusion of the Senator's remarks.

Mr. JAVITS. Mr. President, there is hardly any Federal law on the books which so immediately and drastically affects the Nation as does the Selective Service law. In times such as these, the draft law involves literally a question of life or death for thousands of our young men. Whatever our party, whatever our views on the war in Vietnam, it is clearly our responsibility to insure that the law pursuant to which our young men are called upon to risk their lives for their country is as fair and equitable as the product of our legislative skill and effort can make it. We also bear the responsibility to insure that the Selective Service law, and the systems set up under it, operate efficiently so that our armed services can be insured of the availability of suitable manpower when the need arises.

It has been apparent for some time that the current Selective Service law and the manner in which the Selective Service System now operates are neither as fair nor as efficient as they should be. Moreover, the failure of the Congress to make the necessary reforms when the Selective Service law was last before us, in 1967, coupled with the failure of the last administration to utilize its authority to reverse the order of call, even without using a lottery, now threatens irreparable damage to our universities and grave problems to the armed services. The present system of drafting the oldest first, together with the abolition of all graduate student deferments, has resulted in a situation in which commencing in the next few months, the great majority of draftees will probably be graduate students. Obviously this will have a tremendous impact on universities throughout the country. It will also have a significant impact on the armed services, since up to now the average age of draftees has been about 19½. The Department of Defense has consistently maintained that the needs of the armed services are far better served by younger draftees, who generally are more amenable to training and have fewer dependents.

The bill I am introducing today would deal with this problem as well as the numerous other problems which have arisen under Selective Service laws. In summary, my bill would do the following:

First. It would reverse the present order of call, establishing the 19-year-old age group as the prime selection group.

Second. Those over the age of 20, and those deferred as students on the date of the new law would be phased into the prime selection group over a 3-year period. During the first year after the effective date of the act those who were over 24 years old would be included; during the second year those who were between the ages of 22 and 24 on the effective date would be included; during the third year those who were between the ages of 20 and 22 on the effective date would be included; and treated as constructive 19-year-olds. Any registrant deferred while 19 and whose deferment ended thereafter would be included in the prime selection group during the year after his deferment ended.

Third. It would authorize the use of a lottery to select persons from the prime selection group. The particular type of lottery, and whether it would operate on a national rather than a regional basis, would be left to the President.

Fourth. It would permit, but not require, as present law does, student deferments in peacetime. Students would include not only students at 4-year colleges, as under present law, but students or trainees in junior colleges, community colleges, technical colleges, vocational schools and apprenticeship training programs as well.

Fifth. Graduate student, occupational and hardship deferments would continue to be permitted, but the President would be required, whenever he determines there is a substantial probability that persons inducted into the armed services will be engaged in armed conflict or Congress has declared war, to terminate or restrict all student and occupational deferments, except those absolutely necessary to the maintenance of a successful military effort.

Sixth. Student and occupational deferments would be granted on a uniform basis throughout the Nation.

Seventh. The Selective Service System would be reorganized and simplified through the establishment of area and regional boards along the lines called for in the Marshall Commission's report. The system would be directed to utilize automatic data processing techniques, to the extent possible, to speed up its present tortoise-like pace of handling cases.

Eighth. The amendment of 1967 which overruled the Supreme Court's Seeger decision by restricting the availability of conscientious objector status only to those who pacifism is based on conventional religious training or belief would be repealed. Genuine pacifists, though agnostics or atheists, whose beliefs involved "duties superior to those arising from any human relation" would be accorded conscientious objector status once again.

Ninth. Draft board procedures would be reformed by repealing the 1967 amendments which eliminated the Justice Department's role in reviewing conscientious objector cases, required the Justice Department to proceed with prosecutions or appeals requested by the Director of Selective Service or to notify Congress in writing of reasons for not doing so, and required the Federal courts to give precedence to Selective Service cases over all other cases, allowing registrants to have counsel represent them in draft board proceedings, with counsel provided for indigent registrants, as in criminal cases, and requiring each draft board to provide every registrant with information concerning the draft law.

Tenth. Complete studies would be made of, first, the feasibility and desirability of a volunteer army; second, military youth opportunity schools to habilitate those presently unable to qualify for service; and third, a national service corps, and the desirability of authorizing service in such a corps as an alternative to military service.

Eleventh. The 1967 amendment precluding judicial review of classification decisions except as a defense to a criminal proceeding, which requires persons wishing judicial review to assert their claim at the risk of being convicted as a draft-dodger if unsuccessful, would be changed to permit judicial review of questions of law. The right of persons who comply with induction orders, rather than risk criminal conviction, to obtain review by utilization of habeas corpus proceedings would also be made explicit.

Twelfth. Draft delinquency would be limited to unlawful acts relating to a registrant's status, thus ending the practice of using the draft as punishment for protest activities.

I believe that each of the changes I have enumerated above are essential if we are really to reform our Selective Service laws. The changes are obviously far-reaching and require an explanation:

Reversal of the present order of call and use of a special transition system for graduate students: In his 1967 message on draft reform, President Johnson announced that he intended to change the present order of call under which men are ordered for induction on the basis of "oldest first," from age 26 down, to an order of call in which 19-year-olds would be considered the prime selection group and a lottery would be used to select the particular individuals to be inducted from among those in the prime selection group. These changes were in accordance with the recommendations of the Marshall Commission Report on the Selective Service System and have also been suggested by numerous other critics of the present draft system. Although there has been some division of opinion concerning the use of a lottery, opinion concerning the desirability of drafting 19-year-olds first has been virtually unanimous.

The 1967 amendments to the Selective Service law did not change the power of the President to establish 19-year-olds as the prime selection group. But they did require continued use of the present "oldest first" method of selection within any designated prime selection group, thus forbidding use of a lottery. Apparently because of his inability to use a lottery, the President refused to designate 19-year-olds as the prime selection group.

I believe this decision was most regrettable. As I noted above, continuance of the practice of drafting from age 26 down coupled with the aboltion of graduate student deferments poses a severe threat to universities throughout the Nation and may have grave implications for the Armed Forces, for it is entirely possible that in the next several months the vast majority of draftees will be graduate students. In this connection, it is one of the more remarkable commentaries on the present operation of the Selective Service System that they have been unable to inform my office, despite repeated inquiries which have been made by my staff, of even the approximate number of graduate students who will be drafted in the coming months or what the effect on the graduate schools will be. We have, however, been able to gain some indication of the magnitude of the problem from other sources. We know, for example, from a study recently prepared by the Scientific Manpower Commission that well over 40 percent of all U.S. science students in graduate schools are potentially liable to induction in the next few months.

Mr. President, as I indicate below, I believe that when there is a likelihood, as there is now, that draftees will participate in armed combat, then all student deferments should be restricted to the minimum necessary to sustain armed military effort. If that were done the impact of the draft on students generally would be diluted. Under the present system, however, the impact of the draft will bear very heavily on graduate students. This is not necessary, and is certainly undesirable either from the standpoint of graduate education or from the standpoint of the needs of the Armed Forces, which find themselves faced with the prospect of having to process men whose average age is probably close to 24 instead of 19, the average age of inductees for the last few years.

The solution is, I believe, to utilize a special transition provision for incorporating older men—graduate students will usually be found among this group—into the prime selection group along with 19-year-olds over a 3-year period. Under my bill during the first year men over the age of 24 on the effective date of the act, during the second year men between 22 and 24 on the effective date of the act and in the third year men between the ages of 20 and 22 on the effective date of the act would be placed in the prime selection group along with 19-year-olds. With this system there would be no possibility of a graduate student completely avoiding exposure to the draft, yet the impact on graduate schools would be significantly ameliorated. Furthermore, there would be much less of an increase in the average age of draftees going into the armed services.

I would like to point out also that these changes are, for the most part, within the President's power to make under existing law. I therefore believe they should be instituted by our new President as soon as possible.

The lottery: Much of the discussion concerning reform of the draft in recent years has centered on the adoption of a lottery system to select those who are to be inducted into the armed services. Usually, calls for the use of the lottery have been coupled with recommendations for reversals in the order of call. As I have previously explained, I believe that the order of call can be reversed with or without use of the lottery system. Presently, the President has no power to order the use of the lottery system because of the amendments to the Selective Service law enacted by Congress in June 1967. Since I do not believe that there is anything inherently unworkable or unfair in the use of a lottery, my bill would provide the President with the power to order its use. I must, however, confess to certain skepticism concerning the desirability of a lottery over the present system.

In the last analysis, what we ask of the system of selection is that it be fair as well as efficient. It is true that under a lottery system, selection would be completely "random" and would not actually take place until the draftee had become a member of the prime selection group. But as a practical matter dates of birth are also "random" and the mere fact that a person's date of birth is established before he actually becomes a member of the prime selection group does not operate to make an "oldest first" system of selection from within a prime selection group any less fair than a lottery. Moreover, an "oldest first" system has certain advantages. It is much easier to administer and leads to much greater certainty as to who will probably be drafted and who will not.

To elaborate this a little further, most proposals for a lottery have suggested that the lottery be conducted each month by scrambling the birthdays within the month to establish a certain order. Induction orders would then be issued to those persons who are born on the dates in order of their selection until the month's quota has been reached. I do not understand why such a system is inherently any fairer than one which merely proceeds, each month, to induct persons in the order in which they were born in that month, based on their birthday.

Thus, while I do not oppose a lottery, in principle, I see no reason to require its use by legislation. For that reason, my bill merely authorizes the President to order the use of a lottery and does not require him to do so. In that respect I note that my bill is different from the comprehensive bill introduced last year by the senior Senator from Massachusetts (Mr. KENNEDY).

Student and occupational deferments: The question of whether there should be student and occupational deferments from the draft is a troublesome one. Even the Marshall Commission was divided on this point, with the majority favoring practically complete abolition of student deferments with the minority recommending their continuance. I personally plead second to none in the value which I place on higher education. While this leads me to the conclusion that student deferments should be continued in peacetime, I cannot, in conscience, reach that conclusion when this country is engaged in armed conflict and it is likely that draftees will be engaged in combat. When we know that there is a substantial likelihood that the young men who are called are not going to be merely inconvenienced, but required to risk their lives for their country, there exists for me a moral imperative which can be satisfied only by assigning the risk involved in service in the Armed Forces with the most rigorous equality. Furthermore, I do not believe that the abolition of student deferments in wartime will significantly impair our educational system. Indeed, based on our experience after World War II and the Korean war the evidence is all the other way. Furthermore, reversal of the order of call and establishment of a prime selection group embracing a 1-year span would even further reduce any possible substantial impact that the abolition of student deferments during periods of armed conflict might have on colleges and universities.

Thus, my bill would permit—not require as does present law—the President to grant student deferments in peacetime. He would, however, be required to terminate or restrict them to those absolutely essential to the military effort whenever there was a substantial probability that draftees would be exposed to armed conflict or the Congress had declared war. The same requirement would be imposed for graduate student deferments and occupational deferments.

One of the most basic inequities of present law is the availability of student deferments only to full-time students at colleges and universities. It is this feature, perhaps more than any other, which serves to make our present system of student deferments so discriminatory. Only those students who are able to afford the luxury of a full-time higher education are eligible. Another source of inequity has been our past insistence that local boards be given almost complete discretion to decide questions of student deferment and occupational deferment without having to comply with any national standards concerning these deferments. This had led to wide discrepancies in the treatment of individuals and has generated much of the call for reform heard in recent years.

My bill attempts to deal with these problems in several ways. It provides that when student deferments are available that they be granted not merely to full-time students at colleges and universities but, subject to Presidential regulations, as uniformly as possible consistent with the needs of the Armed Forces to all students pursuing a course of instruction or training in a college, university, junior college, community college, technical college, vocational school apprenticeship training program or similar occupational instruction programs. The bill further specifies that student and occupational deferments should be governed by national criteria, to be prescribed by the President.

With the adoption of these provisions we can end, perhaps once and for all, the spectacle of blatantly different treatment being accorded to persons in similar circumstances by different local draft boards.

Reorganization of the Selective Service System: Closely related to a need for uniformity in the granting of deferments and exemptions is the need for streamlining and centralizing the administration of the Selective Service System. The Marshall Commission went into this question in great detail. The Commission proposed, as a replacement for the present decentralized system of local boards, a structure of eight regional offices with a substructure of area offices established on a population basis with at least one in each State. The Commission foresaw the necessity for approximately 300 to 500 of such area offices. The Commission also recommended the use of "modern data handling equipment" to facilitate processing registration and classification. My bill incorporates these recommendations. I feel particularly strongly about the need for the system to install and utilize automatic data processing equipment to speed its processing of registrants. I have already mentioned the unavailability of information concerning graduate students. Also, anyone familiar with the present working of the Selective Service System is immediately struck by the immense backlog of cases always in the system's "pipeline." Because of the inordinate delay in handling cases, many registrants in the past have actually been able to escape induction by using various procedures designed to capitalize on the delay inherent in the system. Perhaps as good an indication as any of the delays inherent in the present system is the fact that although most deferments for graduate students ended in June 1968, few graduate students were reached for induction until late last fall. It is with this background in mind that I have included in my bill provisions specifically requiring the Selective Service System to utilize automatic data processing equipment.

Conscientious objectors: My bill would make no change in our tradition of according conscientious objector status only to those conscientiously opposed to war in any form. However, it would repeal the amendment adopted in 1967 designed to overrule the Seeger decision of the U.S. Supreme Court. In that decision, the Court construed the words "belief in relation to a Supreme Being that involves duties superior to those arising from any human relation" as used to define "religious belief" to require granting conscientious objector status to persons holding "a given belief that is sincere and meaningful and occupies a place in the life of its possessor parallel to that filled by the orthodox belief in God of one who clearly qualifies for the exemption." In short, the Court held that genuine pacifists, though they may be agnostics or atheists, were entitled to conscientious objector status. The 1967 amendments deleted from the act the language which the Supreme Court had construed to reach this conclusion. My bill would restore the original language of the act. I believe that the spirit, if not the letter, of the first amendment to the Constitution prevents us from drawing lines in this area based solely on orthodox religious belief. Deep and genuine pacifistic beliefs can be premised on secular principles, and I believe that the same reasoning which impels us to exempt from service those whose conscientious objection to war in any form is premised on religious belief also impels us to grant the same exemption to those whose pacifism is equally deeply felt and genuine, but not based on traditional religious concepts.

With regard to conscientious objection to particular wars, I recognize that many responsible groups and individuals, including a minority of the Marshall Commission, have recommended changing our existing law to accommodate such objections. I am also aware of the responsibility of each citizen to make his own moral judgment on our country's participation in any war, particularly as that principle has been elaborated by the Nuremberg tribunals after World War II. Yet, I do not believe that the existence of this responsibility necessarily implies that a democratic government must completely accommodate all such moral judgments.

The government of any nation has not only the right, but the obligation, to provide for the nation's defense. In so doing, it could with no violation of fundamental democratic principles impose upon all citizens, without exception, the duty to serve in the armed forces. Such being the case, the answer to the question of who shall be accorded conscientious objector status must be a compromise between the accommodation of individual moral judgment and the need for a fair and efficient system of raising armed forces.

There are at least two insurmountable practical difficulties involved in allowing conscientious objection to particular wars which in my mind precludes our acceptance of this principle. They are: First, the difficulty of establishing a standard by which to determine whether an objection to a particular war is actually "conscientious" rather than merely political. Conscientious objection to war in any form is generally capable of demonstration. It is based on inviolate principles in which political considerations play no part. On the other hand conscientious objection to a particular war must by its very nature involve some political considerations. Second, if we allow potential draftees to be accorded exemption based on their conscientious objection to a particular war, we are clearly bound to extend the same privilege to those already in the armed service who were drafted prior to the commencement of the war to which they object. One does not need much knowledge of current military planning requirements to recognize the insuperable difficulties such a system would place in the way of intelligent military planning.

Reform of draft board procedure and judicial review: Since classification decisions of draft boards may well mean life or death to any given individual it is hardly necessary to emphasize the need for procedural safeguards to insure that individuals are accorded due process and fair treatment by the Selective Service System. Clearly, the stakes here are as great for the individual as in many criminal actions. Furthermore, in the vast majority of cases the word of the Selective Service System is final; the courts have only extremely limited powers to review decisions made by the System.

My bill would make several reforms in present procedure, which are enumerated in the summary I have already given of the provisions of my bill. While I believe that all these reforms are necessary, some of them are of particular importance. In this category I include the provisions allowing registrants to have counsel to represent them at draft proceedings, with counsel to be provided for indigent registrants, as in criminal cases. Surely, if we accept the principle that criminal defendents are entitled to legal representation there is no conceivable reason for denying counsel to registrants in contested proceedings before draft boards, where the stakes are often higher than they are in criminal proceedings.

Equally elementary is the principle that each potential draftee should be provided with information concerning his rights under the draft laws when he registers. Yet, surprisingly enough, this does not appear to be the current practice. There have been several reported instances of registrants being inducted simply because they were ignorant of the availability of deferments. Particularly egregious was the example right here in Washington of high school students who were drafted because they were unaware of their statutory right to a deferment.

Another very important reform is the need for at least some judicial review of the actions of the Selective Service System. In particular, the 1967 amendment precluding judicial review of classification proceedings, except in a criminal case, is unnecessary for efficient administration of the Selective Service System and certainly is not desirable from the standpoint of registrants who are thereby forced to assert their rights under the Selective Service law at the risk of a criminal conviction. Fortunately, the Supreme Court in its recent Oestereich decision has given the judicial review clause inserted in section 10(b)(3) of the act by the 1967 amendments a very narrow reading. The Court also affirmed the availability of relief by way of habeas corpus to one who decides to comply with an induction order.

I believe that this right to proceed by habeas corpus after induction should be specified in this statute, and my bill so provides. My bill also provides that judicial review shall be available prior to induction when questions of law only are involved. The need for this provision is best illustrated by a pending controversy concerning the interpretation of the provisions of the act pertaining to mandatory deferment of students presently in their second year of graduate school. Although a literal reading of this statute appears to allow such students mandatory deferments until the end of their academic year, the Director of the Selective Service System has issued a regulation providing that such students may be deferred only until the end of the academic semester. At least three law suits have been brought to challenge the validity of these regulations in the case of second-year graduate students who received their induction notice this fall and were granted deferment only until the end of the semester, rather than until June 1969, the end of the academic year.

The Government itself concedes that the correct reading of the statute is a close question. Yet it also asserts that because of the language of section 10(b)(3) the court should not adjudicate these controversies. Apparently, it is the Government's position that the graduate student involved either allow himself to be inducted in the Army and then bring a habeas corpus proceeding or refuse to be inducted and assert his rights as a defendant to a criminal proceeding brought by the Government. Considering the fact that the question involved in these law suits directly affects thousands of graduate students throughout the country now in their second year, the Government's position seems difficult to justify. Apparently, at least one Federal district court agrees, since last week a U.S. district court in Texas issued an injunction staying the induction of the graduate student involved in one of the pending cases. The injunction only applies to the one student involved in that particular case and the Director of the Selective Service System has requested the Department of Justice to appeal the decision. I have advised the Solicitor General of my belief that while the Government has a perfect right to argue the merits of the case, on which I am not passing any judgment, I do not believe that it is in the public interest for the Government to contest the justiciability of the issue involved, since it has such broad application for so many thousands of students throughout the country. Under my bill, there would be no question as to the justiciability of this kind of issue in the courts.

Clarification of draft delinquency and the use of the draft as punishment: Among the most disturbing reports concerning the operation of the Selective Service System in recent years were those indicating that the current Director of the System considered it proper for local boards to accelerate the induction of those involved in protest activities directed against the draft. To put the matter bluntly, the draft at certain times has been and may still be used as "punishment" for those who in the judgment of local boards have abused their right to lawfully protest against the current operation of the Selective Service System. I can conceive of nothing more inimical to the traditional notions of the draft and to our democratic system than the use of induction as a punishment against protest. We have laws on the books to define the proper limits of protest. If those laws are violated the violators should be judged, not by local draft boards, but by the courts, and appropriate punishments meted out, under the law, not the regulations of the Director of the Selective Service.

Mr. President, I recognize that there have not been too many recent reports of this kind of abuse of the Selective Service System. Nevertheless, the issue has been raised, and I believe it is time to put the notion that the draft laws can be used as punishment to rest once and for all. Therefore, appropriate provisions have been included in my bill to confine draft delinquency to action directly affecting draft status. Under these provisions the Selective Service will continue to be permitted to accelerate induction of draft dodgers, but will not be able to use the draft as a club to stifle dissent over Selective Service reform.

Studies of a volunteer army, military youth opportunity schools and a national service corps: I have dealt above with the immediate reforms my bill would make in the existing draft structure. I am also concerned, however, with the longer term. In that connection, there are at least three major questions which deserve detailed study: They are a voluntary army, national service and the habilitation of the millions of our young men who are presently unable to qualify for service in the Armed Forces. With respect to the habilitation of youth and national service, these have been the subjects of intense discussions for several years now and I shall not take the time of the Senate to elaborate my views on them, which have already been stated elsewhere, except to ask permission that some previous statements of mine relating to the programs be printed at the end of my remarks.

I have also recently explained my doubts as to the current desirability of the abolition of the draft entirely in favor of a voluntary army and ask that my speech concerning this subject also be printed in the RECORD. I should like to add here only that my current doubts concerning the desirability of a voluntary army are just that—doubts, not ironclad convictions. Unquestionably, the idea of a voluntary arm has numerous attractions.

But until the questions of the cost, the efficiency and the compatability of what would be an essentially mercenary army with the maintenance of democratic institutions are more fully explored, I cannot conclude, on the basis of presently available evidence, that a voluntary army would, in the long run, be practicable or desirable. In that connection, I am aware, of course, of the President's recent directive to the Pentagon to report on possible ways of ending the draft. The Pentagon report, however, will obviously consider the question primarily from the standpoint of cost and efficiency. I believe that a more broadly focused study is required, one which would consider the broad sociological questions involved in ending the draft, as well as the purely practical considerations. A few days ago, the senior Senator from Pennsylvania (Mr. SCOTT), introduced a bill (S. 781) to establish a commission to study the voluntary army and elaborated on the need for a broader study than that requested by the President. I entirely agree with his views.

In conclusion, Mr. President, I would like to compliment the distinguished senior Senator from Massachusetts (Mr. KENNEDY), who was the author of a comprehensive draft reform bill during the last Congress, for his leadership in the fight for draft reform. Although my bill differs in several important respects from his, certain sections of my bill do closely parallel his bill, and I acknowledge my debt to him for the work he has done on this critically important issue.

Mr. President, I ask unanimous consent to have printed in the RECORD various articles, editorials and other pertinent material on this subject.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TOWARD AN EQUITABLE DRAFT LAW

(Speech by Senator JACOB K. JAVITS prepared for delivery to the Maxwell School of Public Affairs, Syracuse University, Sept. 30)

In offering answers to great public questions, perhaps the first obligation of any thoughtful American is to be aware of the fragility of "final solutions."

In an era when many of our people dissent from a war in which the nation is engaged, it is only natural that the selection of those who must carry the burden should be the subject of heated discussions, for anguished expressions of uncertainty—even calls for civil disobedience. There is no escape from freedom's dilemma: so long as many of our people consider the cause unjust, the will and the way to pursue that cause will be matters of public controversy.

It is difficult to make hard and fast decisions on matters such as these in a time of bitterness and uncertainty as to the course of tomorow's events. The best we can do, the most we can do—as well as the least that we can do—is to make those decisions by applying to new situations our two-hundred year-old experience in how freedom is retained.

Many prominent figures in both political parties have sugested that the United States employ a wholly Volunteer Army after the conclusion of the Vietnam War. Such a decision must be weighed with care and with regard for the historic consequences. Appropriate studies as to the economic and psychological cost factors must be undertaken. The results of those studies should be subject to intense public scrutiny and debate.

While I have reached no final conclusion in the absence of necessary relevant data, I cannot help but wonder whether an army of mercenaries is in the best tradition of a free republic. Up to now, at least, free men have been willing to bear the burden of fighting for their own freedoms. Surely, the results of professional armies throughout history should give us long pause before we risk that course. Hessians have been associated with expanding empire. The road to empire is one we have good reason to wish to avoid. Let's be careful not only of the nature of our cause, but of those we choose as our champions.

No matter how we, as individuals, feel about a given course of national action, we are the responsible inheritors of a tradition that demands *equal* service and *mutual* obligation.

If American men must carry arms in Vietnam, then all American men should be obliged to risk the possibility of such military duties. National standards of fairness and equity are key elements in any law requiring military service of United States citizens. The current Selective Service law, as written by the Congress and administered by the President, simply is not in keeping with a social contract calling for equality under the law. It is a testimony to the fact that too often precept departs from practice.

Student deferments are prime examples of special treatment accorded to particular groups of our citizenry. Calling older men to military service first cripples the development of family living, and arbitrarily forces men in their maturing years to mark time with little certainty as to what their future holds.

There are more than 4,000 draft boards in the nation. A law which permits one of these boards to defer a Peace Corps worker or a pilot who ferries military cargo, yet permits another board to order the induction of men who perform the same tasks, is not a law in accord with the principles of equality.

A law which varies in its application from state to state, city to city, town to town, vitally requires drastic change. It is not a law in accord with the principles of equality.

A law which calls into question the rights of conscientious objectors cannot be squared with the First Amendment guarantees of religious liberty. The current law refuses conscientious objector status to pacifists who refuse to profess a conventional belief in the Supreme Being.. Men of pacifist convictions are not permitted the right of Judicial Appeal from draft board decisions. They are, instead, forced to risk a criminal conviction if they wish to assert their claim in the courts. A law which refuses the right of judicial review to those challenging the application of that legislation is not a law in accord with the principles of American equality.

If there is one thing the United States cannot afford in 1968, it is tolerance of injustice, inequity, inequality, and—yes—inefficiency. For the current Selective Service law is inefficient, too, insofar as it unnecessarily disturbs the lives of large numbers of young men and women over unnecessarily long periods of time; it is inefficient insofar as it unnecessarily wrenches out of shape for reasons of the draft—not of education—our great intsitutions of higher learning. The law is not only unfair, it is also inefficient.

The stubborn refusal of the present Administration to utilize automatic data processing techniques has created a big backlog of cases within the system.

It seems to me, therefore, that we are under an obligation to bring Selective Service legislation into line with the principles for which we say we stand.

Even now, without changing a line of the Selective Service law, the President can carry out the promise he made in 1967 to order the call-up of nineteen-year-olds before tapping the pool of older eligibles. I think he should exercise that authority now.

Existing law provides that graduate students may also be treated automatically as if they were nineteen and called up in the same manner as their younger fellow citizens.

I ask the President to implement, by phasing in, that section of the law as well.

It seems to me that a four-year transition period during which graduate students take their place in the nineteen-year-old pool, is in order. This will at least stabilize the educational programs of America's graduate schools. The draft law, as it now stands, could well destroy the foundation of our system of higher education.

Graduate students serve also as instructors at the undergraduate level. If they are removed en masse from the educational process, chaos could result. Yet I have been unable to get from officials of the Johnson Administration any statistics which indicate the extent of the expected impact of the amended draft law on America's colleges and universities. This is why I think a transitional system of selection would better preserve the structure of the educational system. I would suggest that in the first year 24- and 25-year-olds be included among the draft group—continuing through the fourth year—at which time 21- and 22-year-old graduate students would take their places among those obligated to serve. This system would, at the very least, permit continuity in one of the most important educational elements of American society.

But these recommendations are made only to bolster, with some degree of impartiality, a law which in the long-run finally needs substantive amendment. It is my belief that the Presidential authority to call 19-year-olds first should be made mandatory.

I strongly favor a law which authorizes the use of a national lottery system to determine those in the group subject to call who must render military service.

I urge a law requiring the establishment and maintenance of uniform national standards for student and occupational deferments. The President, given the nature of the current international situation, should be permitted latitude in determining the quality and the numbers of deferments granted under an equitable draft system. I recommend that he be permitted and *not required,* as he is now, to grant student deferments. The major criteria for his decisions in this area must be related to the principles both of equal service and equal opportunity. When national security permits, the President should be required to grant deferments to students not only at four-year colleges or universities, but also to *students who wish to attend vocational schools, technical and junior colleges and join apprentice programs.* Perhaps no other element in the current law so demonstrates its inequity, its unfairness, as that section which requires the deferment of the four-year college undergraduate, alone.

How seriously can a young man take our protestations of freedom and democracy when he is obliged to serve in Vietnam because his whole background—of financial capability, of home necessity, of previous education, or even of choice—precludes attendance at a four-year college? With what seriousness can he consider himself a free citizen when he sees other young men spend those same years on a college campus? One young man serves because of his deprivation; the other escapes that service without regard necessarily to the contribution to the national interest attributable to his college education.

If justice is blind then let her blindness be complete—let her blot out unequal treatment of those born to poverty and those born to good fortune. The blood of the advantaged may well be shed on their country's behalf with as much grace as the blood spilled by those born to less fortunate circumstance.

Let's not delude ourselves when we speak of Selective Service, when we talk about the draft, we speak about the possibility of the loss of life. It is this very factor which lends such heat to the discussion, which raises it to so high a place on the national agenda.

Because we speak of life and death, I recommend that the President be required to end all student deferments, if, in his judgment, *there is a substantial risk that a potential draftee be exposed to armed conflict*. So long as we are engaged in a tragic conflict in Vietnam, we must all bear the burden of that conflict. Such deferments as are required by the national interest for college or graduate students should stand the same test as employment essential to the national interest as a basis for deferment.

I further suggest that a new draft law provide for the re-organization of local draft boards so as to assure uniformity of the law's application and to improve the efficiency of its execution.

In 1967 the President appointed a Commission headed by former Assistant Attorney General Burke Marshall. The Commission recommended a streamlining of the draft board system and a pool of draft eligibles drawn from a national rather than a local lottery. I endorse those proposals. Congress is under a moral obligation to reflect the best of the American tradition. At a time when much of the world looks upon us with a cold eye, it is more important than ever that we do justice to our people.

This is why I urge the repeal of Congressional amendments enacted at the past session which were aimed at curbing the rights of conscientious objectors and the Constitutional right of judicial review for draftees. A law which limits the right of appeal to criminal proceedings requiring a young man to risk disgrace and jail to make a legal point—is an act of vengeance unworthy as an expression of the legislative will.

Congress is obliged to mandate an opportunity for individual appeal and the right of counsel applicable from the lowest to the highest court in the land. The Supreme Court has established a test for the validity of conscientious objection. The Congress should accept that test as a basis for determining the individuals' right to refuse military service because of a system of higher values which he holds "superior to those arising from any human relation."

Congress should also take steps to insure that men are not drafted because they are ignorant of their rights under the law. We cannot tolerate a situation such as the one recently reported in the Washington Star, in which high school students are inducted because they are unaware they are entitled to an automatic deferment.

We live and will live for some time to come in a world torn by crisis and confusion. But we are obliged as Americans to bear the burdens of that crisis and that confusion with patriotism, dignity and pride. We can do so only if those burdens are borne equally among us.

[From the New York Times, Nov. 22, 1968]

New Pressure on the Draft

Sharp increases in draft quotas and in the percentage of college graduates among those eligible for induction spell trouble for the new Administration and Congress unless both act quickly to achieve overdue reforms in the Selective Service System.

After months of law quotas, Selective Service headquarters announced shortly after the election that the quota would rise to 26,800 in January, nearly double the average for the preceding six months. At that time, draft boards will be tapping unusually high numbers of college graduates as a result of last February's decision to eliminate exemptions for most graduate students. Selective Service Director Hershey has advised local boards to defer induction of graduate students until the end of the term in January.

It is quite proper that graduate students, many of whom heretofore have been able to escape conscription altogether, be made to carry their share of the burden that has been placed on American youth by the nation's military commitments. But these students, many of whom have strong antipathies to the persisting inequities of an antiquated Selective Service System and to the war in Vietnam, are unlikely to accept their fate as quickly as have most of their less articulate contemporaries. If the high quotas continue, the already strong opposition to the draft is bound to escalate.

A speedy end to the war in Vietnam would, in time, ease this pressure, But ending the war will not eliminate substantial military manpower requirements and will not relieve the Administration and Congress of their responsibility to revise what President Johnson has called the "crazy quilt" structure of Selective Service. Even if President-elect Nixon can achieve his campaign goal of a post-Vietnam, all-volunteer army, there will be a continuing need for at least some kind of stand-by draft.

Sensible proposals for a more equitable draft law were put forward nearly two years ago by the National Advisory Commission on Selective Service, headed by Burke Marshall. These proposals were ignored by Congress when it extended the Selective Service Act in 1967. They were ignored this year when Congress turned its back on efforts by Senator Edward M. Kennedy and others to legislate reforms. They can be ignored again only at the risk of growing disaffection among the nation's youth, their teachers and their parents.

[From the New York Times, July 17, 1968]

The Draft

It took the Grasshopper Gazette, a Washington school newspaper whose staff ranges in age from 11 to 14, to elicit from the Vice President his views on changing the Selective Service Act. Mr. Humphrey would induct men by lottery and take younger men first, as recommended last year by the National Advisory Commission on Selective Service.

A similar proposal was made last week by Governor Rockefeller in a full-page advertisement headlined "Our Hated Draft." Richard M. Nixon, who has advocated abolition of the draft in favor of a volunteer, professional army after the Vietnam War is ended, has indicated he also advocates drafting the youngest first.

Senator McCarthy has called for a more "fair and equitable" draft law, but so far his principal plea has been for a broader definition of conscientious objection and for greater opportunities in alternative service. The Senator has indicated indirectly that he favors a draft lottery. That makes it virtually unanimous on behalf of drastic change in present procedure.

Congress gave the Administration authority to draft 19-year-olds first in the Selective Service Act of 1967, but this authority has not been used. Nor, curiously, has the Administration so far accepted an invitation to submit to Congress specific proposals for a random selection system, although President Johnson urged random selection in his draft message last year.

Other recommendations of the Advisory Commission for discontinuance of most deferments and for a thorough overhaul of Selective Service administration have been largely ignored by the Administration, by Congress and by the candidates—although Senator Edward M. Kennedy, who is not exactly a candidate, has introduced a comprehensive draft reform bill.

Meanwhile, the glaring inequities of the present system constitute a growing source of public dissatisfaction and youthful disaffection. Seventy-nine percent of Columbia College seniors expressed opposition to the draft as unfair in response to a questionnaire distributed last spring. One hundred student leaders have signed a pledge to refuse military service. The biennial conference of the American Civil Liberties Union last month called for active opposition to present draft laws. The nation's best known pediatrician, the chaplain of Yale and two others have been sentenced to two years in prison for conspiracy in support of draft objectors.

This is clearly a national issue that merits more attention than it has received not only from the candidates, but, more urgently, from the present Administration and the Congress.

[From the Washington (D.C.) Post, Jan. 13, 1969]

Draft Revision Urged To Aid Graduate Study

The Scientific Manpower Commission warned yesterday that unless Selective Service policies are changed the Nation's long-range supply of trained personnel will be "seriously and detrimentally" affected.

The warning was based on a survey taken last fall at 1237 science departments offering the doctor of philosophy degree. This represents more than half of such departments in the United States.

The survey found that as many as 38 per cent of the fulltime first- and second-year male graduate students in science are potentially liable for induction in the armed forces in the months ahead. If foreign students are not included, the figure rises to 46 per cent of the U.S. males.

Among male graduate students teaching in these science departments, 43 per cent of all first- and second-year men, or 50 per cent of all U.S. students, are potentially liable for induction.

The Commission noted that the "present order of drafting oldest men first" places the graduate students "in top priority to fill draft calls, which are expected to stay at high levels through next summer."

The Commission is a private nonprofit corporation organized by scientific societies, including the American Association for The Advancement of Science, the American Chemical Society and the American Institute of Physics.

Draft deferments for all graduate students except those in medical and dental studies were ended in 1967 by President Johnson in response to criticism that such deferments favored affluent young men at the expense of the poor and minority groups who couldn't afford to go to college.

In its report yesterday, the Scientific Manpower Commission warned:

"Unless present draft regulations are modified, the number of U.S. males now engaged in advanced scientific training in the Nation's graduate schools will be substantially reduced during the coming months. Adequate numbers of graduate teaching fellows to assist undergraduate students may not be available in many universities, and research projects now under way may be delayed or curtailed by the loss of graduate research assistants.

"The loss of substantial numbers of current first- and second-year graduate students will result in a related decrease in the enrollment in advanced graduate classes for several years to come.

"The Nation's supply of newly trained

Ph. Ds in the sciences will be seriously curtailed in the early 1970s."

Another part of the report seemed directed at the incoming Nixon Administration with a view toward changing Selective Service policies.

The report said:

"The Commission is greatly concerned that current provisions of the Selective Service law and its implementing regulations will seriously and detrimentally affect the Nation's long-range supply of trained personnel, its ability to support its defense and its civilian economy, and the integrity of the educational processes through which its resources of highly trained personnel are produced.

"It believes that the findings in this report clearly indicate the probability of serious disruptions in normal professional education programs as well as the withdrawal of substantial numbers of trained persons from the economy."

[From the New York Times, Nov. 21, 1968]

Draft Ratio Is Up for College Men: Graduates Account for 16 Percent of July–October Calls

(By David E. Rosenbaum)

Washington, Nov. 20—The percentage of new draftees who are college graduates has more than tripled since last July when graduate students became eligible for induction.

Manpower experts at the Department of Defense estimate that 9,500, or 16 per cent, of the 59,300 men drafted from July through October were college graduates. Before July, the percentage had been running under 5.

If the draft quota for the fiscal year ending June 30 is to be reached, draft calls in the first six months of 1969 will have to be double those of the last six months of 1968.

The January draft call, which has already been announced, is 26,800, the highest since last May and about double the monthly average for July through December.

The percentage of those drafted who are college graduates will undoubtedly rise above the current 16 per cent, officials believe.

About 650,000 men became ineligible for a student deferment in June because they either completed their undergraduate studies, completed the first year of graduate school or received a graduate degree. Local draft boards are just now catching up with their backlog of reclassifications.

Draft deferments for most male graduate students were abolished last February under a policy recommended by the National Security Council and relayed to local draft boards by Lieut. Gen. Lewis B. Hershey, director of Selective Service.

While local boards continued to have discretion to grant deferments as they saw fit, General Hershey's recomendation was generally followed.

After the abolition of graduate deferments was announced, university officials voiced dire predictions about how their graduate classes would be decimated, how they would have only women as teaching assistants and how men would be pulled from their courses in midterm.

In fact, such a stituation has not materialized. At a meeting of education officials two weeks ago, Fred H. Harrington, president of the University of Wisconsin and president of the National Association of State Universities and Land-Grant Colleges, said that less than 10 percent of those admitted to graduate school for the 1968–69 school year had been drafted.

However draft calls were extremely low in the last half of 1968, averaging about 14,500 a month. They will average well over 25,000 a month in the first six months of 1969, officials believe.

In addition, because of the delay in reclassification of men who had student deferments last year, the names of many eligible men had not yet reached the top of the draft list by this fall.

Thus, university officials still see a grim road ahead.

John F. Morse, director of Federal relations for the American Council of Education, who has kept university officials posted on draft laws and regulations, said today:

"We're still really worried. When the draft calls go up and all the recent graduates are reclassified, there seems to be no getting around the fact that an awful lot of graduate students are going to be drafted."

Graduate students and universities were given some consolation yesterday when it was announced that General Hershey had advised local draft boards to permit graduate students to finish their school term before they report for induction.

This will keep students from having their course work abruptly disrupted, and it will mean that teaching assistants are not drafted in the middle of a course they are teaching. But it will not help universities much in their long-range planning, Mr. Morse said:

Universities must plan their enrollments further ahead than a few months, Mr. Morse said. The most a student could postpone his induction would be a few months.

In fact, Mr. Morse said, while there are a few "horror stories" of students being drafted this fall while in the middle of a term, very few graduate students were inducted after they had begun their course work.

REASONS FOR INCREASE

There are two major reasons why the percentage of draftees who are college graduates leaped so far this summer and fall.

First, the ending of graduate deferments meant that a large number of men who had received such deferments in the past were eligible to be drafted. Some men enrolled in graduate school when they graduated from college last June and were subsequently drafted. Others, who might otherwise have gone to graduate school principally as a means of avoiding the Army, did not even enroll for a graduate degree.

A second reason is that beginning July 1, 1967, all men who had ever had undergraduate deferments, became eligible for the draft when their 2–S deferment or subsequent deferment ended, regardless of whether they were over the age of 26 or fathers.

In the past, men could stay in school until they were 26 or became a father while they were in school and avoid the draft entirely. The first men to be affected by this law were those who graduated from college last June.

The Army, which takes nearly all of the draftees, has made special efforts to channel the college graduates into jobs where their education could be of use.

An aide in the office of the Assistant Secretary of Defense for Manpower said jobs had been divided into three categories: jobs such as electrical and laboratory work, directly related to a college education; jobs such as clerical work, marginally related to college students; and jobs for which a college education would be of no value.

An attempt is made to place the college graduate in the first two categories. But in many cases, according to the manpower expert, there simply are not enough such jobs available.

[From the Washington (D.C.) Evening Star, Sept. 16, 1968]

Who Must Serve? The Draft System: A Collection of Inconsistencies

(By Barry Kalb and Donald Fitzhugh)

The U.S. Selective Service System is a collection of some 4,000 semi-autonomous local boards, governed by a federal law and a set of regulations that at times conflict, and by a steady stream of memos, letters and directives from state directors' offices and the office of the national director, Gen. Lewis B. Hershey.

The inconsistencies and lack of standardization in the system have been recognized by critics of the system as well as by many local board members themselves.

Francis A. Gregory, chairman of D.C. Local Board No. 15, commented: "This variation in policy from board to board means that a man, by the accident of where he happens to live, might be inducted, whereas another guy in another area is deferred."

Examples of inconsistency in classification were cited on Feb. 28 by Sen. Edward Kennedy, D-Mass., as he introduced a bill to modify the system. Kennedy noted:

"Kentucky classified any registrant attending school "below college level" as 2–A—occupational deferment; Arkansas classified registrants in 'business school or similar institution' as 2–S—student deferment; Kansas classified registrants in a 'vocational, technical, business, trade school or any institution of learning below college level' as 2-S.

"Returning Peace Corps volunteers are put at the top of the list in some states, while others put them at the bottom."

The National Advisory Commission on the Selective Service, headed by former Asst. Atty. Gen. Burke Marshall, stated:

"The present Selective Service System is based on a rule of discretion, applied locally by more than 4,000 different groups following guidelines that are general in nature. Its lack of uniformity is a consequence of a deliberate policy of decentralization, which is considered one of its strengths.

"This commission sees the overriding need to be the opposite: To achieve the greatest possible degree of equity demands . . . a system based on impartial standards uniformly applied throughout the nation. The commission proposes, in short, to introduce a new controlling concept into the Selective Service System: the rule of law, to replace the rule of discretion."

Gathering information about local boards is difficult; many board members are unwilling to talk to outsiders. All three members of Bethesda Local Board No. 54, for example, refused to speak to a reporter, either on the phone or in person.

It is even difficult to obtain board members' names. However, progress has been made in this area, largely through the efforts of Rep. John Moss of California, chairman of the House Foreign Operations and Government Information subcommittee.

Moss, a persistent critic of the draft system, has kept up a running battle with Hershey in an effort to make data on to board members more accessible to the public. He had been particularly annoyed by a section of the Selective Service regulations that appeared to exempt the system from the provisions of the 1967 Freedom of Information Act.

This section states that the national director "reserves the right to make exceptions to the general information policy in a particular case giving due weight to the right of the public to know and the interests of the individual or individuals involved."

On March 21, in a statement inserted in the Congressional Record, Moss noted a partial victory in his battle.

"In an enlightened change of mind," Moss wrote, "the Director (Hershey), acceding to a subcommittee recommendation, has issued a new regulation which requires the public posting of names of local draft board members, government appeals agents and advisers at each board office to which such personnel is assigned."

Additional progress in this direction was offered by a Feb. 13 ruling in the U.S. District Court in Philadelphia, stating that local boards must disclose certain information about their members, including names, addresses, ages, lengths of service on the board and military affiliation. (No member of the military is allowed to sit on a local board.)

But this decision is being appealed and National headquarters will not apply it throughout the system.

The Marshall Commission found that of approximately 16,670 board members, more than 71 percent were 50 years of age or older. More than 95 percent of all board members are 40 or older.

Since the commission made its report, Hershey has issued a regulation prohibiting anyone over 75 years of age from serving on a local board. National headquarters says this ruling forced the retirement of more than 1,500 board members as of the first of this year, and has affected an undetermined number since.

Despite this ruling, however, statistics for members of Washington's local boards show that 50 percent of the approximately 75 members of the District's 16 local boards are 60 years of age or over. About 87 percent are 50 or over, in contrast to the national figure of 71 percent. And no District board member is under 40.

A good example of the thinking of many board members is provided by Stephen James, who just retired as chairman of Silver Spring Local Board No. 53, a post he had held since the board's founding in 1940. This board, with some 26,600 registrants, is second in size in Maryland only to the industrial area of South Baltimore.

James, while he was still a member of the board, consented immediately to an interview and answered every question put to him. His major criticism of the system, in fact, was that the boards are not more open to the community.

SEES IMPROVEMENT ROOM

However, he does not place the entire blame for lack of communication between board and community on the board.

"People in the community take the board too much for granted," he says. "If there were interest, we would be responsive to it." On the other hand, he continues, "the greatest improvement we could make would be to spend more time with the registrant. He's not an inert thing, don't you know. He's a human being."

Along with the subject of age goes the question of length of service. Hershey's regulation also stipulated that no one may serve on a local board for more than 25 years. However, this stipulation has affected nobody as yet, since Hershey has ruled that years of service will be counted from the passage of a 1948 draft law—in other words, nobody will have officially served 25 years until 1973.

FIVE YEARS PROPOSED

The Marshall Commission, in contrast, recommends terms of five years for board members.

There have also been proposals to limit the term of the national director. One suggested method would be to have the President appoint a director every four years. It has also been proposed that the director be a civilian.

At present, however, Hershey, who has been national director since the system was founded in 1941, seems invulnerable, although he has drawn some sharp criticism.

In a letter Hershey sent to all local board last October he "suggested" that any man convicted of participating in an illegal protest against the Selective Service be declared delinquent.

It is normal procedure to declare a registrant who has failed to comply with Selective Service regulations as a delinquent. Delinquents are normally reclassified 1-A and put at the top of the draft eligible list.

The letter produced a storm of protest. Draft regulations, it was argued, give the system no jurisdiction over outside demonstrations, even if they do happen to affect the system. Lawbreakers should be punished by law enforcement agencies, critics protested.

Some draft board members joined in the protest. "The draft is not intended to be, nor should it be, a punitive body," says Irving Yochelson, chairman of D.C. Local Board No. 12.

WOULD NOT RECLASSIFY

Francis A. Gregory of District Local Board No. 15 said that if such a registrant came before him, "I would not reclassify him. I would keep him in that deferment . . . whatever he had done, even if he tore up his card."

Gregory says that his board makes a distinction between directives and letters, and treats them accordingly.

Moss charges that Hershey, by sending a letter instead of a directive, was attempting "a subtle form of directing by circumventing the Administrative Procedures Act," which requires placing directives to federal agencies in the Federal Register.

HERSHEY FIRM ON STAND

Although the status of the suggested procedure remains unclear, following conflicting statements by Hershey and the Department of Justice, Hershey has as much as admitted that he favors using the draft as an instrument of punishment.

Appearing before a Senate subcommittee hearing this spring, he defended his suggestion under pointed questioning by Senate draft critics by pointing out that if demonstrators were left to be prosecuted, they might go to prison, and "I'd rather see them in the Army than in prison."

The dispute may soon be settled. The Justice Department filed an 82-page brief with the Supreme Court two weeks ago suggesting that local boards reclassifying young men in compliance with Hershey's letter may not be doing so "in a manner consistent with the Selective Service Act and the Constitution."

The brief, filed in the case of James J. Oestereich, a 24-year-old divinity student who was reclassified, says it is "difficult to conclude" that the letter from Hershey "did not in effect invite local boards to utilize delinquency reclassification in a punitive fashion."

"NEIGHBOR" CONCEPT

Local boards were set up with the idea that a registrant's case would be reviewed by someone who lived in his neighborhood. But the Marshall Commission concluded in its report that "the 'neighborly' character of local boards seems to exist more in theory than in fact."

Selective Service law requires that board members live within the county or city they service. But in large metropolitan areas, a man who lives on one side of town may be as far removed from the other side in background and way of thinking as if he lived in the next state. In the District for example, few board members live within the areas they serve although all live within the city limits.

TWO EXAMPLES

To pick only two examples, Grayson McGuire, chairman of D.C. Local Board No. 6, which covers the area in Northeast around Catholic University, lives off upper 16th Street in Northwest. Joseph C. Khuen, chairman of Local Board No. 21, says none of his members live in the area they serve.

The Marshall Commission has recommended a complete restructuring of the draft board system. These are the commission's major suggestions:

1. National headquarters should issue clear policies to be applied uniformly throughout the country.

2. A structure of eight regional offices, aligned for national security with the eight regions of the Office of Emergency Planning, should be established to administer selective service policy and monitor its uniform applications.

3. An additional set of area offices—between 300 and 500—should be established on a population basis, with at least one in every state. These officers would take over the job of registering and classifying registrants in accordance with policy directives from national headquarters.

4. Local boards, still composed of volunteer citizens but reduced in number should be retained, but in a role as a court of first appeal for registrants. (The commission notes: "The prospect of a man's being able to take his case to a group of citizens divorced from the federal system has great strength and merit.") The local board members should represent all elements of the public they serve, and women, presently excluded, should be allowed to serve.

But a federal task force, headed by Hershey, recently rejected these and other recommendations, concluding that "an adequate degree of uniformity can be attained with the present structure."

The 4th Circuit Court has called the range of review of Selective Service decisions "the narrowest known to law," and a local attorney who has recently published a manual on draft law, points out that a registrant has to risk going to jail merely to obtain a court hearing on his classification.

LEGAL MAZE PRESENTS DRAFT OBSTACLE COURSE

(By Barry Kalb)

A lawyer writing in the California Law Review characterized the Selective Service System this way:

"The Selective Service System will often appear to be an administrative obstacle course, covered with more legal pitfalls and frustrations than anything ever encountered in the vastness of American bureaucracy."

So, it would seem, any draft registrant confronted by 300 pages of draft regulations, 25 pages of federal law on the draft and 75 pages of local board memoranda would be well advised to hire a lawyer.

But appearances can be deceiving. For lawyers generally are considered persona non grata by the Selective Service System.

Specifically, the need for legal counsel would seem to be greatest when a young man is appealing his draft classification before his local board, arguing over who will control the next two years or so of his life.

But lawyers, under Selective Service regulations, are not allowed at such hearings, although this rule is not rigidly adhered to. A patchwork pattern of policy exists all over the country, and the confusion was compounded early this year by an administrative move that left everyone guessing.

In March, the Selective Service newsletter stated: "The board may . . . permit counsel and witnesses (at personal appearance hearings) if it sees fit to do so."

National headquarters did some quick back-tracking, however, and the next month, the newsletter rectified its "error" by quoting the Selective Service regulations, which state:

"The local board may, in its discretion, permit any person to appear before it with or on behalf of a registrant . . . provided . . . that no registrant may be represented before the local board by anyone acting as attorney or legal counsel."

Even this statement leaves some question, since a lawyer, presumably, could appear in a "non-legal" capacity. Selective Service officials, when asked to explain, merely quote the regulations.

The confusion is illustrated in the Washington area. Most District board chairmen who were questioned said they would allow a lawyer to accompany a registrant at a hearing. Indeed, Col. John T. Martin, District draft director, said he has directed all boards to admit lawyers. But the chairman on Alexandria board No. 10, Abbie Mintz, said lawyers are not allowed under any circumstances.

In an attempt to assure the draft registrant of legal advice, Sen. Edward Long, D-Mo., introduced a proposed amendment to the Administrative Procedures Act that would supersede the draft regulations and permit lawyers to attend hearings in any case.

Speaking for passage of the proposal during debate on the Senate floor, Sen. Ralph Yarborough, D-Tex., remarked:

"I think that one of the most basic denials of rights under our governmental system is the denial to a registrant under Selective Service System of the right to counsel before a draft board."

APPEALS AGENT CITED

During hearings on the amendment, Long read a letter from Ronald May, a government appeals agent—a lawyer who voluntarily serves both the local boards and the registrant where possible—who said in part:

"I would like to recommend very strongly the passage of this legislation. As a matter of fact, I think that it does not go far enough. At the present time, the Selective Service Law is monstrously weighted against a registrant who seeks a classification other than 1–A (draft eligible)."

But the amendment was defeated.

In an attempt to fill the gap, a group of Washington lawyers launched a monthly periodical last spring, the "Selective Service Law Reporter."

RESPONSE (FAVORABLE)

Michael Tigar, who edits the publication, says that the "general response from members of the bar and others has been very favorable." Five issues have been published so far.

Tigar, an associate with the law firm of Williams & Connolly, says that one of the major purposes of the periodical is to inform the lawyer and provide a forum for legal comment on the draft process.

"Here is a system of administrative law that is more than 40 years old and has never been subjected to a critical valuation by members of the bar," he says.

Another major concern of lawyers and draft critics is the difficulty of obtaining a court hearing on a local board decision. Before the registrant who is fighting induction can even consider going to court, he must wade through a maze of personal appearances, appeals, written explanations and, as a last step, he must commit a criminal act by refusing induction.

RISKING JAIL

"The crowning irony," says Tigar, "is that as a general rule, you can't seek a (court) review of board action unless you refuse induction. You have to risk jail."

Let us assume that a young man is so sure that his classification is incorrect, that he refuses induction. What are his chances of obtaining a favorable decision?

Not very good. Judges have been wary of acting on draft board decisions. A judge in the 4th Circuit Court summed up the difficulty in a 1957 opinion:

"In a prosecution for refusing to submit to induction, the scope of judicial inquiry into the administration proceedings leading to the defendant's classification is very limited. The range of review is the narrowest known to law."

LACK OF SAFEGUARDS

In spite of a sizable body of opinion that the legal rights of the registrant are not being adequately safeguarded, the Selective Service System appears to remain unconcerned.

Many draft officials maintain that adequate protection is offered by the government appeals agents, who number about 4,000 and who are assigned to every board to counsel registrants when they request it.

Appeal agents have dual roles, which draft critics—Sen. Edward M. Kennedy, D-Mass for one—have said make a mockery of the agent's supposed responsibility as counsel for the registrant.

The agent is instructed to be equally diligent in protecting both the interests of the registrant and the interests of the government, which is analogous to a lawyer acting as both defense and prosecutor.

The National Advisory Commission on the Selective Service, appointed by President Johnson in 1966, reported early last year:

"The clear fact is that appeal agents are almost totally inactive today."

Following this report, the President exhorted agents to be more watchful over the registrant's rights. The Selective Service director, Gen. Lewis B. Hershey, followed up with marching orders of his own a few months later. He told the agents to report to local boards any draft violation by registrants.

In view of this duality of roles, congressional critics have charged that agents are being used as "spies" by the system. Seven agents refused to go along with Hershey's order and quit.

AGENTS ROLE CHANGES

Appeals agents were not always required to be legal contortionists. During World War II, their sole task was to look after the rights of the registrant.

Joseph Khuen, a government lawyer and chairman of District Local Board No. 9, was chairman of the board of legal advisors during the war. Today, Khuen doesn't know the name of the agent assigned to his board nor do most other chairman interviewed.

"The boards are operating on the basis that this is a peacetime situation now," Khuen said. This, he feels, is why agents are not used as vigorously as they might be.

Even the agents have difficulty in interpreting the jumble of pertinent laws and regulations. Paul Gantt, an Atomic Energy Commission lawyer who has been an appeal agent for 11 years, put it this way:

"REGULATIONS A MAZE

"To thread your way through the maze of regulations, for even an intelligent registrant, is impossible. . . . I have one helluva time finding the regulation I need in counseling."

Gantt says appeal agents are told by national headquarters and the boards not to be too diligent on behalf of the registrant. "We're told not to go overboard in identifying with the problems of our clients," he says.

He said that in his 11 years he has received only five cases from local boards, and other agents tell a similar tale.

Even a year after the President's urging that agents become more active, Gantt has handled only two cases. The local boards, for their part, have begun using a larger form to tell registrants that they may consult an agent.

FAILURE TO CONSULT

The District registrant who doesn't consult his agent is passing up a valuable source of information and some highpowered legal experience as well.

For one thing, agents have access to memoranda and other information that are not generally available to the registrant. For another, the agent is usually a lawyer.

John Cragun, a partner in the law firm of Wilkinson, Cragun and Barker, has been an agent here for many years.

Richard Rose, 22, whose family's liquor store at 830 Bladensburg Rd. NE was burned out during the April riot, had been turned down once by his board when he sought postponement of his induction date so he could help rebuild the business.

REOPENING SOUGHT

Cragun questioned Rose closely about his part in the business and then said he would recommend that the board reopen the young man's case—a move granted only rarely.

The lawyer told Rose what points to stress in his written request to have his case reopened, and suggested tactics that the registrant might use when appearing before the board in person, including bringing his father to the hearing.

Armed with this advice, Rose received his extension.

Agents, it turns out, often get results. Gantt, for example, says that the boards have gone along with his recommendations in four out of five cases.

DEFERMENT RENEWED

Cragun points out that many registrants come in to see him just to blow off steam. But he will always go over all possible deferments with the young man.

The agents, then, do appear to be willing and able to carry out their functions. Why do they handle so few cases? Some critics contend that it is because of the reluctance of the local boards, few of whose members are lawyers, to become involved with lawyers and legal questions.

One local agent, who prefers to remain anonymous, says he was rebuffed by a local board last spring after being invited to a meeting following the President's message to the agents.

"The board treated me like some kind of interloper," he says. "The chairman cross-examined me, like I shouldn't have been there. I complained to Selective Service and received a letter of apology."

Many Are Drafted Only for Lack of Advice

(By Barry Kalb and Donald Fitzhugh)

John R. Smith didn't want to go into the Army, but he thought he had no choice and he wasn't one to protest or run.

Last February, he was killed in action during a mortar attack on his base camp in Vietnam.

What John R. Smith did not know—and what none of his relatives or advisers knew or told him—was that he did not have to go.

He was a student at Spingarn High School, and as such he qualified for a student deferment.

Cases like that of John Smith have prompted some District teachers and students to ask that draft counselors be given equal time in District schools with military recruiters.

ADVICE OFFERED

Other groups, working outside the schools, are giving young men facing the draft advice on everything from how to obtain a legal deferment to how to run off to Canada.

Smith's mother, Marjorie, talked about her son in the small living room of her apartment in the Lincoln Heights housing project, where she lives with John's two brothers and two sisters.

"John sure didn't want to go . . . He didn't know about that student thing. I kinda wondered why boys in college didn't have to go and here they were taking him out of school . . .

"I thought maybe he shouldn't have to go, but I didn't know which way to turn, who to go to."

VIEW ECHOED

Other adults who knew John well echo Mrs. Smith. William A. Smith (a friend), the 35-year-old director of the Kelly-Miller playground, had known the youth for years.

"I didn't know about that student deferment or I sure would have told John about it," he says. "John didn't know. He was a shy boy and not very good with facts and figures."

John told his mother when he received his draft notice, but did not tell her a week later when he enlisted. Before he was inducted he explained to her that he thought he would get a better deal by enlisting.

The draft system places a load of responsibility on the shoulders of the 18-year-old male. When he reaches that age, it is up to him to go to his local board and register for the draft.

If he doesn't register within five days of his birthday, he may be declared delinquent, although Col. John T. Martin, director of the District Selective Service, says that this rule is not firmly applied if it is found that the young man honestly didn't know that he was supposed to register.

CLASSIFICATION NEXT

Once he registers, the board classifies him more or less according to national guidelines, using information provided by the youth. If he is in school, he is eligible for a student deferment, but is still classified 1A—ready for service—until he brings in a letter from his principal.

John Smith didn't know about the deferment, didn't know about the letter, and he entered the Army. In this respect, he is representative of a problem within a problem: The particular problem of the urban Negro who is denied his rights simply because he has not been told of them or how to assert them.

Springarn holds no special assemblies to counsel students about their draft rights. It is the same at virtually all District schools.

"We don't mention it unless it is brought up to us," says William J. Saunders, former assistant principal at Springarn and now principal at Eastern. He emphasized that any student asking for a deferment will get it—but even Saunders did not know until told that such a deferment was granted as a matter of course.

DEFERMENTS GRANTED

Martin says that student deferments are granted without question if the school fills out the proper form. For the first time, beginning last school year, this form is being sent to the schools ahead of time.

Larry Aronson, a teacher at Cardozo High School, is one of several District teachers giving special attention to the draft situation.

"I personally know 10 students who have been drafted, not knowing they were eligible for student deferments," Aronson has told the District Board of Education.

Aronson and some fellow teachers, along with other interested groups, have asked the schools to allow counselors to come to the schools to advise young men of their legal rights and their chances for obtaining a deferment. He noted that "the schools allow and encourage military recruiters to come in, they schedule assemblies for them, let them use the bulletin boards, give the kids time off to take military tests."

CONCESSION WON

In Montgomery County, students at Einstein High School have won a concession in this regard from the administration. Once a week this past spring, a lawyer and members of the Montgomery County Draft Information Service set up shop in a classroom during the school day to advise anyone seeking help. This service is expected to be renewed this fall.

But the District school administration so far has refused to admit counselors. "My position is that I don't want the schools to just counsel conscientious objection, I want them to go much deeper into the whole thing," Aronson says. "I want the schools to tell the kids every legal option they have."

Where, in fact, does the responsibility for informing students of their rights lie? That seems to depend on whom you ask.

The antiwar groups and the activist teachers—indeed, even the draft board—says that this is the duty of the school. But School Supt. William R. Manning, in a circular sent out last spring, replied that the responsibility rested with "the religious leaders in the community."

BOARD HELD RESPONSIBLE

And George Rhodes, assistant superintendent, for junior and senior high schools, placed the responsibility back with the draft boards.

Frustrated with what they consider this buck-passing among government and school officials, antiwar and antidraft groups have in some cases taken student-counselling matters into their own hands.

Like high school seniors, college seniors have long been able to choose between ending school—and facing the imminent prospect of being drafted—or continuing their education.

By choosing the latter, many men were able to pile students deferment upon student deferment until they were 26 years old, thus obtaining what amounted to an exemption.

No longer. Most graduate school deferments—except in the fields of medicine, dentistry and allied medical specialities—were done away with in February on the advice of the National Security Council.

PROTEST TRIGGERED

This caused a roar of protest from both prospective graduate students and the graduate schools. With the policy of drafting the oldest men (those closest to their 26th birthday) first, it was felt that this huge pool of formerly untouchable 22- through 25-year-olds would be picked off by the draft boards.

Last March, the Council of Graduate Schools of the United States predicted ominously that entering male enrollment in full-time graduate schools would be down a startling 70 percent.

For the present, it appears that the graduate schools needlessly hit the panic button. As one official at Georgetown University put it. "We were crying wolf, but it's really not as bad as we thought it would be."

The full story won't be available until final registration figures are tabulated, but for the most part, area universities are optimistic. Preliminary estimates of enrollment, far from showing a great drop, reflect the 5 to 10 percent rise that has been normal over the past several years.

FIGURES NOT CONCLUSIVE

But these figures don't tell all. Draft calls have been low of late and this month are expected to be the lowest in over three years.

And then at least one university expects to find a drastic drop in its enrollment. Dr. Edward Jordan, director of the officer of institutional research and planning at Catholic University, estimates that last year's figure of 773 full time and part time lay graduates under the age of 27 will drop to 413 this year, a loss of almost 47 percent in this age group and 17 percent of the total lay graduate enrollment.

In addition, Jordan estimates, the under-27 enrollment in the law school will drop from 247 to 132, again almost 47 percent of this age group. A school official attributes this expected drop "absolutely" to the draft.

And even those schools that are finding normal enrollment this fall are bracing for a large drop in the spring. Rocco Porreco, dean of the graduate school at Georgetown, expects that many male graduates will be reclassified 1A in October (the normal reclassification time), but will be allowed to finish out their fall semester.

Both high school and college students who want to avoid the draft but do not meet any of the normal qualifications for exemption have, over the past three years, been resorting to one of three alternatives.

One of these is to seek an exemption as a conscientious objector, a person opposed to war and the military in any form. The other two, much more drastic are to leave the country or refuse induction and risk prison.

A DIFFERENT EXEMPTION

The conscientious objector exemption—"CO", as it is known—is different to obtain. Until recently, only those men belonging to a recognized religion that counsel conscientious objection as part of its doctrine were given CO status.

A recent Supreme Court decision changed that, and a young man who does not necessarily believe in a Supreme being but can show that his objection stems from religious training and a sincere religious belief against war may be exempted. The draft law still refuses to recognize a "merely personal moral code" as grounds for exemption.

But the local boards are usually suspicious of any CO plea. Several board chairmen point out that the slightest deviation from complete objection to things military in the past—if, for example the registrant was a member of the District high school cadet program—will disqualify a man for a CO in their minds.

In the District, the most active and respectable draft counseling is offered by the Washington Peace Center, located in the Friend's Meeting House, 2111 Florida Ave. NW. Brian Paddock, a lawyer with the Georgetown University Criminal Law Institute, heads a group of 20 volunteer counselors here.

ACTIONS OUTLINED

Paddock advises young men on the whole range of options in the draft, and is the acknowledged expert in Washington on the intricacies of qualifying for a CO deferment. He says there are about 75 volunteer counselors in the area, including ministers, teachers, students, and lawyers.

In the past, Paddock says, the CO applicant was checked out by a joint FBI-Justice Department hearing and field check procedure. This usually took about two years, due largely to backlogs, and meant that a young man could often obtain a deferment by default.

The new law does away with this investigation and leaves the matter entirely up to the local board.

Critics of the draft charge that the CO applicant must undergo unnecessary humiliation and suggest that an alternative to the draft, for a comparable period, be offered.

NATIONAL SERVICE

Such a program of national service has been advocated by, among others, Vice President Hubert H. Humphrey. Most Western countries offer some sort of national service an option to military draft.

In Washington at present, there are more than 60 young men who obtained CO deferments and are working in community service jobs at D.C. General Hospital, Junior Village and other government agencies.

Additional advice is available in the Washington Free Press, the local underground newspaper. Frank Speltz, under the pen name of "General Marsbars," a satire on Gen. "Hershey," has a regular column entitled "Advice to the Draft Resister."

He offers usually reliable advice such as the following: "For high school students who have not turned 18: If you are physically out of the U.S. on your 18th birthday and stay out until you are 26, you have escaped any obligation to the Army, you do not have to register with a consulate.

ACCURACY CONFIRMED

Selective Service officials confirmed the accuracy of Speltz's advice.

Speltz also publishes names and information on going to Canada or Sweden, two well-known havens for American draft resisters. Canada, in particular, has become a popular place for U.S. draft resisters.

But "Canada is even stricter on marijuana offenses than the U.S." Speltz notes with a laugh. "This wipes out a lot of draft resisters because they have more allegiance to marijuana than to draft resistance.

Many young men, not willing to join the

Army but not wanting to leave the country, have opted for jail. Convictions for violations of the draft law (mostly for refusing induction) doubled from 1966 to 1967, and the 1967 figure was four times that of 1965.

In the District, there were three such indictments in fiscal 1967. Maryland had 35 in the same period and Virginia had 43. In the first six months of this year, the District figure had already tripled.

GAYNOR, FREEMAN, GLICK & PISANI,
New Rochelle, N.Y., January 16, 1969.
Hon. JACOB K. JAVITS
U.S. Senate,
Washington, D.C.

SIR: I recently had occasion to counsel and represent one of Assemblyman's Pisani's clients of this law firm concerning the draft laws and the particular registrant's status with Local Board #10, Mount Vernon, New York. Both as an attorney and as a friend of the registrant, I was denied the right to appear with or on behalf of the individual concerned. Fortunately, the particular application was ultimately approved but not before my having been subjected to great humiliation and discourtesy by one of the members of the Board. I think that the treatment received is violently inconsistent with the great tradition of courtesy afforded members of the bar by individuals who are privileged to serve the public in various administrative and representative capacities.

As a citizen, taxpayer, veteran, and member of the bar, I am most profoundly disturbed by the present structure of the draft laws, the regulations promulgated by the Selective Service System and the manner in which the entire system is administered. The entire process reeks of a flagrant denial of traditional standards of fairness and due process. It is rather ironic that an accused rapist, murderer or alien about to be deported is afforded greater rights than honest young citizens who are classified as registrants by the Selective Service System.

Accordingly, I would appreciate any efforts which you may make to cause profound and significant changes to be made in these laws. As one who has had recent occasion to study and research these statutory laws and regulations involved, I would be willing to offer my services in any advisory capacity desired in order to aid in the effectuation of meaningful reform.

Thank you for your anticipated attention and consideration.

Very truly yours,

ARTHUR H. GRAE.

PROPOSALS FOR NATIONAL AND SELECTIVE SERVICE: A SEARCH FOR CLARITY

(Remarks of Senator JACOB K. JAVITS prepared for delivery at the closing session of the National Service Conference, East Room of the Mayflower Hotel, Washington, D.C., April 4, 1967)

It is important to understand that the current debate on the draft and national service is no longer academic. The Selective Service Law expires this year, and Government must act. For this reason, all of the proposals that you and I have been making concerning national service must meet the test of reality, now.

We cannot deny that there are some practical difficulties—and a Constitutional question as well—with the implementation of national service. But this should not mean that we abandon those aspects of our program that are workable and highly desirable. What I have tried to do is to take these aspects and graft them to the President's recent proposal for more equitable selection for military service and curtailment of college deferments, a proposal which has merit, in my view. In doing so, I have treated national service not as a grand scheme to answer all of our military and civilian manpower needs, but as a challenge.

We can meet this challenge by assuring that any legislation passed by the Congress this year contains the following:

1. expansion of existing programs to create new opportunities and incentives for voluntary national service;
2. expansion of programs to provide for the rehabilitation and training of those initially rejected for military service; and
3. assurance that any draft proposal signed into law guards against inequities and discrimination, to a much greater extent than present law.

The beginning of wisdom, it seems to me, is to see the matter in terms of the fundamental questions: where do you strike a balance in the selective service system between the demands of equity and of efficient use of existing human resources; is this balance to be struck differently in peace time than under war conditions? For we must realize that though we are now designing a system in the shadow of Vietnam, it also must be a system appropriate to peace time. To do less, would be to focus on the present, only to have the future disappoint us once again.

The President's proposals for a lottery and for curtailment of deferments and exemptions have struck the proper balance for a selective service system in wartime. When the call to arms involves more than a small chance of being thrust into combat and of possibly being wounded or killed, the risks must be apportioned with rigorous equality. Thus, I believe that in wartime the need for an even-handed system overrides arguments in favor of college or occupational deferments which the logic of efficient resource allocation might raise. Ours cannot be a society which exposes the less privileged in terms of education and job training to a higher risk on the battlefield. It's as simple as that; to do otherwise would be to gravely compound already existing social and economic injustices.

Moreover, I agree with the President's conclusion that the younger be drafted first, rather than starting with the oldest first as we do now. I would not necessarily begin at age 19, however. From the point of view of causing the least disruption to career and educational plans, I think it might be better to invoke the draft at the time of graduation from high school. In other words, we would draft at a certain educational age, although the biological age might vary from about 17 through 19.

* * * * *

Now, where in this picture does the concept of national service fit? First, I think it is necessary for all of us to re-evaluate our views on this matter in light of the proposals to draft the younger men and to cut down on college deferments. For to the extent that the rationale for national service depended upon the lack of equity of a system in which collegians were deferred and often exempted, an ending of college deferments undercuts that rationale.

There is one kind of national service—and I am using the term here very broadly—which the equities demand that we should apply, even under an approach to the draft employing a lottery and eliminating college deferments. For there is a tragically large group of young men who are eligible for military service but who, often through no fault of their own, are rejected on physical and mental grounds. To exclude this group from military service works a double inequity—it shields a certain number of wastrels and underachievers from the risks of service while those who have worked hard and made something of themselves are inducted, and it prevents a number of youngsters who could be rehabilitated from receiving the education and training benefits the military service is capable of affording.

In fairness to those who are included in the lottery, and in an effort to help the rejectees, I believe that we should require these rejectees to accept rehabilitative medical treatment, or to enter remedial education and training courses as the case may be. Upon successful completion of such a course, or upon completion of medical treatment, they should be deemed fit for military service and their names should be placed in the lottery along with those who needed no rehabilitation. This would be more equitable than the present Defense Department system under which those rejectees taken for training under "Project 100,000" are *all* compelled to serve upon being rehabilitated. Those who are not successfully rehabilitated, as well as those whose scores were so low in the first instance that rehabilitation within a relatively brief period seemed impossible, should be referred to education and training courses conducted in the civilian sector, such as the anti-poverty program. For these men, we must greatly intensify the counseling and referral services made available as they leave the selective service center in order to motivate them to take advantage of the non-military remedial programs.

I believe that required remedial assistance of this type is justified both on grounds of equity to those who are not rejected, and on the existing precedent of compulsory education in this country. In fact, it is simply an extension of the compulsory education concept to those whom the system had bypassed. It would be a step in the direction of compulsory education to a certain level of achievement—that set by the Armed Forces Qualification Test—rather than to the arbitrary biological age of 16.

If the lottery eliminates the argument for national service based upon inequitable exposure to the draft, where are we then left? There is, of course, a second primary strand to the national service rationale—the idea that the individual has some form of social obligation to serve his country in a non-military capacity if he is not needed by the military. Under this view, there are critically important national needs to be fulfilled in the area of provision of public services, and the manpower of a new national service corps needs to be thrown into the gap.

I have great difficulty with this concept to the extent that it involves any element of compulsory non-military service. Any such compulsory system would run irrevocably afoul of the 13th Amendment prescription against involuntary servitude and indeed against very deeply felt American objections to restrictions on individual freedom of choice.

In all fairness, though, I don't believe that the proponents of non-military national service would make it wholly compulsory. Rather, there appear to be two basic approaches. First, there are those who would allow the individual an option between military and non-military service at the time of his registration under the selective service system. But this, in my view, would be inherently unjust because it would allow those who could qualify for the Peace Corps, VISTA, and the like—essentially, the middle and upper class youth—to evade the dangers of military service. Such an option arrangement would be particularly untenable in wartime.

Second, there are those who would propose national service under a *quid pro quo* approach whereby if a student voluntarily chose to request a college deferment he would then be automatically liable for either military or non-military national service upon graduation. This, in fact, was my own view last year, before the President introduced his reform proposals. However, as I have said, with the advent of proposals to establish a lottery, to draft the youngest first, and to cut down on college deferments, this basis for compulsory national service disappears.

But, assuming that Congress does decide

to extend college deferments, and that is a close question, there are important doubts to be resolved before we should move toward establishing at this time a *compulsory* national service program for those who choose deferment.

I hope very much that answers to some of the following questions will be forthcoming during the hearings on selective service which we are presently holding in the Subcommittee on Employment, Manpower and Poverty.

Do we know that society needs public service manpower beyond the extent to which expanded *voluntary* programs could provide for it? Moreover, does this national service approach to solving the problems of poverty and of our cities make sense in cost-benefit terms when compared to other possible approaches? For example, we are experimenting now in the anti-poverty program with creating new subprofessional jobs for the poor in connection with the delivery of needed public services—as teacher aides, nursing aides, child day care center employees, and the like. This way, not only are public services delivered, but employment possibilities are opened up for the poor. Wouldn't the use of college graduates and others not in the poverty category to fill some of these jobs then eliminate possible public employment prospects needed by the poor?

Furthermore, wouldn't it take something out of the present spirit and effectiveness of VISTA and the Peace Corps to introduce the element of compulsory service for those who take college deferments? And, finally, isn't it doubtful that it would work at all? With the chances of being drafted in the lottery standing at only about one in five, as would be the case even in the present period of relatively high military requirements, wouldn't most young men prefer to take their chances on the lottery rather than requesting a college deferment which would mean a 100 percent chance of some form of national service upon graduation?

Thus, while my heart retains all its original sympathy for the national service ideal, my head has led me to a preliminary conclusion that if the President's recommendations for reform of selective service are adopted, then any national service system should remain entirely voluntary. Indeed, the adoption of the proposals to draft the youngest first would help the Peace Corps, VISTA and the Teachers Corps because the volunteers would have already passed the age of vulnerability to the draft. The knotty problems we now have about whether to defer these volunteers would disappear.

But endorsement of a voluntary system need not shatter hopes for a greatly expanded national service corps. I, for one, believe that the idealism and public service instincts of American youth have hardly been tapped. There is room for—and need for—a substantial expansion of existing programs and for the creation of new voluntary programs. These efforts alone will absorb any further appropriations of this type which Congress is likely to allocate. There is work enough in that effort to keep us all busy.

The bill (S. 992) to amend the Military Selective Service Act of 1967 to provide for uniform national criteria for the classification of registrants, to authorize a random system of selecting persons for induction into military service, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 992

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Military Selective Service Amendments Act of 1969".

AMENDMENTS TO THE MILITARY SELECTIVE SERVICE ACT OF 1967

SEC. 2. The Military Selective Service Act of 1967 is amended as follows:

(1) Paragraph (1) of section 5(a) is amended by striking out "local board" each time it appears therein and inserting in lieu thereof "area office".

(2) Paragraph (2) of section 5(a) is amended to read as follows:

"(2) Notwithstanding the provisions of paragraph (1) of this subsection, in meeting any national quota of men to be inducted into the Armed Forces under this Act, selection of persons for induction to fill such quota shall be made from persons in the prime selection group, after the selection of delinquents and volunteers, to the extent that such group has a sufficient number of qualified registrants to meet such quota. Subject to the provisions of paragraph (3) of this section, selection of persons for induction into the Armed Forces from the prime selection group shall be made on the basis of the dates of birth of the registrants and upon such other factors as the President may deem appropriate."

(3) Section 5(a) is further amended by adding at the end thereof the following new paragraphs:

"(3) The President is authorized, under such rules and regulations as he deems appropriate, to provide for the selection of persons from the prime selection group for induction into the Armed Forces by a random selection system. In the event the President provides for such a system, he may provide for the selection of persons for such service on a national rather than a regional or local basis.

"(4) As used in this section the term 'prime selection group' means persons who are liable for training and service under this Act, who at the time of selection are registered and classified, and who are—

"(A) between the ages of nineteen and twenty and are not deferred or exempted;

"(B) between the ages of nineteen and thirty-five and, on or after the effective date of the Military Selective Service Amendments Act of 1969, were in a deferred status, but are no longer in such status; or

"(C) between the ages of twenty and twenty-six on the effective date of the Military Selective Service Amendments Act of 1969 and are not deferred or exempted.

Unless selected for induction or unless otherwise deferred from induction into the Armed Forces, a person shall remain in the prime selection group for a period of one year. Any person who is in a deferred status upon attaining the age of nineteen shall, upon the termination of such deferred status, and if qualified, be liable for induction as a registrant within the prime selection group irrespective of his actual age, unless he is otherwise deferred under authority of this Act. Any person who is removed from the prime selection group because of a deferment shall again be placed in the prime selection group, if he otherwise qualifies, whenever such deferment is terminated. In no event shall any person be placed in the prime selection group for any period or periods totaling more than one year.

"(5) Notwithstanding the provisions of paragraph (4) of this subsection, any person who, on the effective date of the Military Selective Service Amendments Act of 1969, comes within the provisions of clause (B) or (C) of such paragraph shall be placed in the prime selection group as follows:

"(A) A person who attained the twenty-fourth anniversary of the date of his birth prior to such effective date shall be placed in the prime selection group during the first twelve-month period following such effective date.

"(B) A person who is between the ages of twenty-two and tweny-four on such effective date shall be placed in the prime selection group during the second twelve-month period following such effective date.

"(C) A person who is between the ages of twenty and twenty-two on such effective date shall be placed in the prime selection group during the third twelve-month period following such effective date."

(4) The first sentence of section 5(b) is amended to read as follows: "Except when a random selection system is in effect pursuant to subsection (a)(3) of this section, and the President, by rule or regulation directs otherwise, quotas of men to be inducted for training and service under this title shall be determined for each State, Territory, possession, and the District of Columbia on the basis of the actual number of men in the several States, Territories, possessions, and the District of Columbia who are liable for such training and service but who are not deferred after classification, except that credits shall be given in fixing such quotas to residents of such subdivisions who are in the armed forces of the United States on the date fixed for determining such quotas."

(5) Section 5 is further amended by adding at the end thereof a new subsection as follows:

"(d) The physical, mental, and moral standards which an individual must meet in order to qualify for induction into the Armed Forces under this Act shall be no lower than those prescribed for persons who voluntarily enlist for service in the Army."

(6) Subparagraphs (A) and (B) of section 6(b)(2) are amended by striking out "local board" each time it appears, and inserting in lieu thereof "area office".

(7) Paragraph (1) of section 6(h) is amended to read as follows:

"(1) Except as otherwise provided in this subsection, the President is authorized, under such rules and regulations as he may prescribe, to provide as uniformly as possible consistent with the national interest and the needs of the Armed Forces for the deferment from training and service in the Armed Forces of persons who are satisfactorily pursuing a course of instruction at a bona fide university, college, junior college, community college, technical college, vocational school or similar institution of learning, or who are satisfactorily pursuing a bona fide apprentice-training program or similar occupational instruction program, and who request such deferment. A deferment granted to any person under authority of this paragraph shall continue until such person completes the requirements for his baccalaureate degree, completes the training program, fails to pursue satisfactorily his course of instruction or training or attains the twenty-fourth anniversary of the date of his birth, or until the expiration of five years from the date of his graduation from high school or similar institution of learning, whichever first occurs. The President is authorized to restrict or terminate deferments under this paragraph whenever he determines such action is necessary to meet the military manpower needs of the Armed Forces. In the event of a declaration of war by the Congress or upon a determination by the President that a substantial number of persons inducted into the Armed Forces will probably be required to participate in armed conflict with hostile forces, deferments under this paragraph and paragraph (2) of this subsection shall be limited to those deferments he determines to be absolutely essential for the maintenance of successful military effort."

(8) Section 6(h)(2) is amended by striking out the last two sentences and inserting in lieu thereof the following: "There shall be posted in a conspicuous place in the headquarters of each area office a list setting

forth the names and classifications of those persons who have been classified by such area office. Notwithstanding any other provision of this title, the President shall establish national standards and criteria for the deferment of persons under this subsection and such standards and criteria shall be applied at all levels of the Selective Service System as uniformly and impartially as practicable in the case of all registrants."

(9) Paragraph (2) of section 6(i) is amended to read as follows:

"(2) Any person who while satisfactorily pursuing a course of instruction at a university, college, junior college, community college, technical college, vocational school, or similar institution of learning, or who is satisfactorily pursuing an apprentice program or a similar occupational instruction program, and is ordered to report for induction under this Act, shall, upon the facts being presented to the area office, be deferred (A) until the end of the academic term or training term, as the case may be, (B) until he ceases satisfactorily to pursue such course of instruction or apprentice or similar occupational instruction program, or (C) for a period of six months, whichever is the earliest. No person shall receive a deferment under this paragraph who has completed the requirements for a baccalaureate degree or who has heretofore been deferred as a student, apprentice, or trainee under this paragraph or section 6(h) of this title, nor shall any person be further deferred by reason of pursuit of a course of instruction or training program except as may be provided by regulations prescribed by the President pursuant to the provisions of paragraph (h) of this section. Nothing in this paragraph shall be deemed to preclude the President from providing, by regulations prescribed under subsection (h) of this section, for the deferment from training and service in the Armed Forces of any category or categories of students, apprentices, or trainees for such periods of time as he may deem appropriate."

(10) The second sentence of section 6(j) is amended to read as follows: "Religious training and belief in this connection means an individual's belief in relation to a Supreme Being involving duties superior to those arising from any human relation, but does not include essentially political, sociological, or philosophical views or a merely personal moral code."

(11) Section 6(j) is amended by adding at the end thereof the following: "Any person claiming exemption from combatant training and service because of such conscientious objections shall, if such claim is not sustained by the area office or local board, be entitled to an appeal to the regional appeal board. Upon the filing of such appeal, the appeal board shall refer any such claim to the Department of Justice for inquiry and hearing. The Department of Justice, after appropriate inquiry, shall hold a hearing with respect to the character and good faith of the objections of the person concerned, and such person shall be notified of the time and place of such hearing. The Department of Justice shall, after such hearing, if the objections are found to be sustained, recommend to the appeal board that (1) if the objector is inducted into the Armed Forces under this title, he shall be assigned to noncombatant service as defined by the President, or (2) if the objector is found to be conscientiously opposed to participation in such noncombatant service, he shall in lieu of such induction be ordered by his area office, subject to such regulations as the President may prescribe, to perform for a period equal to the period prescribed in section 4(b) such civilian work contributing to the maintenance of the national health, safety, or interest as the area office may deem appropriate and any such person who knowingly fails or neglects to obey any such order from his area office shall be deemed, for the purposes of section 12 of this title, to have knowingly failed or neglected to perform a duty required of him under this title. If after such hearing the Department of Justice finds that his objections are not sustained, it shall recommend to the appeal board that such objections be not sustained. The appeal board shall, in making its decision, give consideration to, but shall not be bound to follow, the recommendation of the Department of Justice together with the record on appeal from the local board. Each person whose claim for exemption from combatant training and service because of conscientious objections is sustained shall be listed by the area office on a register of conscientious objectors."

(12) The third sentence of section 6(j) is amended by striking out "local board" the first time it appears in such sentence, and inserting in lieu thereof "area office or local board"; and by striking out "local board" each time it subsequently appears in such sentence, and inserting in lieu thereof "area office".

(13) Subsection (n) of section 6 is repealed.

(14) Section 10(a) is amended by redesignating paragraph (4) as paragraph (5), and by striking out paragraphs (1), (2), and (3) and inserting in lieu thereof the following:

"(1) There is hereby established in the executive branch of the Government an agency to be known as the Selective Service System, and a Director of Selective Service who shall be the head thereof.

"(2) The Selective Service System shall be composed of (A) the National Selective Service System Office, to be located in Washington, D.C., (B) eight regional headquarters distributed throughout the United States, and (C) such area offices, appeal boards, and other agencies as are hereafter provided.

"(3) The Director of Selective Service shall be appointed by the President, by and with the advice and consent of the Senate.

"(4) The Selective Service System shall, to the maximum extent practicable, utilize automatic data processing equipment in carrying out the provisions of this Act."

(15) Section 10(b) is amended by redesignating paragraphs (5) through (10) as paragraphs (6) through (11); and by striking out paragraphs (2), (3), and (4), and inserting in lieu thereof the following:

"(2) to appoint a Regional Director for the Selective Service System for each regional headquarters, established pursuant to subsection (a)(2) of this section, who shall be in immediate charge of the regional headquarters; to employ such number of civilians, and upon declaration by the President of a state of national emergency to order to active duty with their consent and to assign to the Selective Service System such officials of the selective service section of the various regional headquarters and headquarters detachments and such other officials of the federally recognized National Guard of the United States and Air National Guard of the United States and other Armed Forces personnel (including personnel of the Reserve components thereof), as may be necessary for the administration of the national and of the several regional headquarters and area offices of the Selective Service System;

"(3) to create and establish one or more area offices in each State with an area of jurisdiction to be established by the Director of the Selective Service System on a population basis. Each area office shall consist of a civilian area director, assisted by appropriate civilian staff. Each area director shall have the power within the respective jurisdiction of such an area office to hear and determine, in strict conformity with the rules and regulations prescribed by the President, and subject to a right of appeal to the local board and from the local board to the appeal boards herein authorized, all questions or claims with respect to inclusion for, or exemption or deferment from training and service under this title, of all individuals within the jurisdiction of such area offices, together with such other duties as may be assigned under this title;

"(4) to create and establish within the Selective Service System civilian local boards as well as such other civilian agencies of appeal, as may be necessary to carry out its functions. Each local board shall function in conjunction with an area office provided for under paragraph (3) of this subsection and shall consist of three or more members. The local board shall, under rules and regulations prescribed by the President, and under appropriate precedents, have the power within the jurisdiction of such area office to hear and determine appeals from the decisions of an area director subject to the right of further appeal to the appeal boards herein authorized and all other questions relating to inclusion for, or exemption or deferment from, training and service arising under this title. There shall be not less than one appeal board, together with such additional separate panels thereof as may be prescribed by the President, located within the area of each regional headquarters of the Selective Service System. Appeal boards within the Selective Service System shall be composed of civilians who are citizens of the United States and who are not members of the Armed Forces. The decision of such appeal boards shall be final in cases before them on appeal unless modified or changed by the President. The President, upon appeal or upon his own motion, shall have power to determine all claims or questions with respect to inclusion for, or exemption or deferment from training and service under this title, and the determination of the President shall be final unless modified or reversed upon judicial review, as hereinafter provided. Except in the case of a clear violation of the provisions of this title, decisions of area offices, local boards, appeal boards, and the President regarding the classification of a registrant shall be subject to judicial review only (A) by way of defense to a criminal prosecution of the registrant under section 12 of this title, after the registrant has responded either affirmatively or negatively to an order for induction or for civilian work in the case of a registrant determined to be opposed to participation in war in any form, or (B) in the case of a registrant who has complied with an order to report for induction or for civilian work in an action under chapter 153 of title 28, United States Code, commenced within 30 days of the date of his induction. Judicial review in any case shall be limited to questions of law and the determination of whether there is any basis in the record for the classification assigned to the registrant. No citizen shall be denied membership in any component of the Selective Service System established pursuant to this section on account of race, color, creed, or sex. Composition of the membership of area offices and local boards and appeal boards shall represent, as far as practicable, all elements of the public which the boards serve. No person shall serve in an area office or on a local board or appeal board for more than twenty-five years, or after he has attained the age of seventy-five. No person who is a civilian officer, member, agent or employee of the Selective Service System, shall be excepted from registration or deferred or exempted from training and service, as provided for in this title, by reason of his status as such civilian officer, member, agent or employee;

"(5) to appoint and fix the compensation of such officers, agents, and, employees as he may deem necessary to carry out the provisions of this title, but the compensation of employees of area offices and local boards and appeal boards may be fixed without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title. Any officer on the active or retired list of the Armed Forces, or any reserve component thereof with his consent, or any officer or employee of any department or agency of the United States who may be assigned or detailed to any office or position to carry out the provisions of this title except to offices or positions in area offices or on local boards or appeal boards established or created pursuant to paragraphs (3) and (4) of this subsection may serve in and perform the functions of such office or position without loss of or prejudice to his status as such officer in the Armed Forces or reserve component thereof, or as such officer or employee in any department or agency of the United States;".

(16) Section 10(b) is further amended by striking out the period at the end of paragraph (11), as redesignated by paragraph (15) of this section, and inserting in lieu thereof a semicolon; and by adding after such paragraph (11) a new paragraph as follows:

"(12) to delegate any authority vested in him under this title, and to provide for the subdelegation of any such authority."

(17) Section 10(c) is amended to read as follows:

"(c) Every individual shall be afforded the opportunity to appear in person before his local board for the purpose of objecting to or challenging the classification assigned to him and shall have the right to be represented before such board by private counsel and to present testimony and other evidence to such board regarding the matter of his classification. If any registrant is financially unable to provide his own counsel he shall have counsel made available to him without charge under such rules and regulations as the President may prescribe."

(18) The last sentence of section 12(a) is amended to read as follows: "Precedence shall be given by courts to the trial of cases arising under this title, and such cases shall be advanced on the docket for hearing at the earliest practicable date. The determination of appeals in cases arising under this title shall be expedited in every way practicable."

(19) Subsection (c) of section 12 is hereby repealed.

(20) Section 15(b) is amended by striking out "local board" and inserting in lieu thereof "area office".

(21) Section 15 is further amended by adding at the end thereof a new subsection as follows:

"(e) It shall be the duty of the Director to inform every registrant of all rights and procedures available to him under this title regarding classification, deferment, and exemption. Such information shall be in writing and shall be given to every person who registers under this title at the time of his registration."

(22) Subsection (e) of section 16 is hereby repealed.

(23) Section 16 is further amended by adding at the end thereof a new paragraph as follows:

"(j) The term 'delinquent' means a person required to be registered under this Act and who fails to perform or violates any duty, with respect to his own status, required of him under the provisions of this Act or any regulation issued thereunder."

MILITARY YOUTH OPPORTUNITY SCHOOLS

SEC. 3. (a) The Secretary of Defense, with the cooperation and assistance of the Secretary of Labor and the Secretary of Health, Education, and Welfare, and other appropriate Federal agencies, shall conduct a comprehensive study and investigation to determine the feasibility and desirability of establishing and operating military youth opportunity schools which would provide special educational and physical training, for a period not exceeding one year, to volunteers who fail to meet the minimum physical and mental requirements for military service in order to enable such volunteers to qualify for service in the Armed Forces.

(b) The Secretary of Defense shall submit a written report to the Congress of the results of such study and investigation, together with such recommendations as he deems appropriate, not later than one year after the date of enactment of this section. The Secretary of Defense shall include in such report, findings with respect to—

(1) the average annual number of volunteers for military service who fail to meet the educational and physical standards for such service, but who, with a maximum of one year's training in opportunity schools of the kind referred to in subsection (a) of this section, could qualify for military service;

(2) an estimate of the costs and benefits to the Department of Defense of establishing and operating such opportunity schools;

(3) the administrative capacity of the Department of Defense to carry out such a program;

(4) an estimate of the reenlistment rate which could be expected from volunteers trained in such opportunity schools;

(5) the advisability of requiring longer enlistment periods for volunteers receiving training in such opportunity schools; and

(6) the most effective means and measures for implementing a program of the kind described in subsection (a) of this section.

NATIONAL SERVICE CORPS STUDY

SEC. 4. (a) The President shall conduct a study and investigation to determine the feasibility and desirability of establishing a national service corps in which citizens of the United States who are mentally and physically able and who desire to perform nonmilitary services designed to combat disease, ignorance, poverty at home and abroad may serve.

(b) The President shall submit a written report to the Congress of the results of such study and investigation, together with such recommendations as he deems appropriate, not later than one year after the date of enactment of this section. The President shall include in such report such information as he deems appropriate, and in the event it is determined that the establishment of a national service corps as described in subsection (a) of this section is feasible and desirable, he shall specifically include in such report—

(1) a review of existing voluntary Federal service programs (nonmilitary) in which hardships are endured by the participants or extraordinary service is required of the participants, such as the Peace Corps and the Volunteers in Service to America, in order to determine the feasibility of establishing an expanded national service program with the broadest possible participation;

(2) a consideration of what the nature and scope of a national service program should be;

(3) the number of service opportunities which would be generated by such a program;

(4) the relationship of such a service system with the Selective Service System and the feasibility of authorizing service in such a national service corps program as an alternative to military service;

(5) the most effective means by which such a service program might be coordinated with appropriate private, local, and State programs of a public service nature;

(6) the impact of such a service program upon the labor force and the economy of the United States;

(7) the effect of such a service program upon secondary education and higher education;

(8) the role of women in such a service program;

(9) the cost of establishing and operating such a service program; and

(10) the mental and physical standards for participation, if any, and the duration of service in such a service program.

VOLUNTEER ARMY STUDY

SEC. 5. The President shall conduct a study to determine the cost, feasibility, and desirability of replacing the present system of involuntary induction of persons into the Armed Forces with an entirely voluntary system of enlistments. The President shall submit the results of such study to the Congress, together with such recommendations as he deems appropriate, within one year after the date of enactment of this section.

EFFECTIVE DATE

SEC. 6. Sections 2 through 5 of this Act shall take effect upon enactment. The amendments made by section 2 of this Act shall become effective ninety days following the date of enactment.

NEIGHBORHOOD YOUTH CORPS

Mr. **MANSFIELD**. Mr. President, in recent weeks there has been considerable amount of discussion as to the future of the Office of Economic Opportunity and its many programs. I think it would be fair to say that some programs have been more successful than others. Undoubtedly the Neighborhood Youth Corps program is one of the most popular and useful. Several days ago I received a heartwarming letter from a young woman, Josie Marie Williams, of Great Falls, Mont. Miss Williams outlined to me the tremendous amount of help the Neighborhood Youth Corps has given to her and her family. A few success stories like this make the war on poverty seem worthwhile and worthy of our continued efforts.

Mr. President, I ask unanimous consent that the text of Miss Williams' letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GREAT FALLS, MONT.,
January 20, 1969.

DEAR SENATOR MANSFIELD: My name is Josie Marie Williams. I am 19 years old and I live in Great Falls, Montana.

The very important reason I am writing you this letter is not only because of my kind of life but because of the other hundreds that has lived the same kind as I have.

Sir, I work for Opportunities Inc., Neighborhood Youth Corps. (N.Y.C.) Dear sir please take the time to read my story, then you will know how I and hundreds of other youths feel about the NYC. Our N.Y.C. . . .

My story:

My story begins when I was about 14 years old. We came up to Great Falls, Montana from Kilgore, Texas. We had a 1951 Ford and a home made trailer and we came over 1800 miles to Great Falls. You see my dad was out of work and my eldest brother was up here at Malmstrom A.F.B. So he called and said that dad ought to be able to get a job up here in Montana, so we came. Because as a family we decided that life couldn't be much worse and it could be a lot better. Besides we would all be together again as a family.

Well after we came those 1800 and some miles we came only to find that there was no jobs to be had for my dad's profession, which was a Truck Driver. He couldn't drive trucks because they said that he was too old and he was only 47 years old. So he went to looking for a mechanic job they told him that they couldn't or wouldn't hire him because he didn't have a diploma so very disgusted he went looking again this time for anything that he could do and after about 7–8 weeks after our arrival he found a job as a service station attendant at a Phillips 66 station.

Well the job only lasted about a year and a half because the owner sold the station and the new owner wanted young men, and my dad was only 48 years old. So my dad went looking again, only this time he wasn't so lucky. So he went to the Employment office and signed up on Unemployment for the very first time in his life. So the five of us lived on $34.00 a week. Which was really hard because you see my sister was and is a Diabetic. So some friends of ours told us we should go to the welfare for help.

Well we did and the first time they couldn't or wouldn't do anything because they said that they were out of funds. They were out of funds and here was my sister a Diabetic and we needed medical help for her and we couldn't get it because we didn't have the money. She needed a blood test to see if her medicine needed to be increased or what and we couldn't get it. So about six months later still on unemployment my parents went back to the welfare office to try again. This time they were successful. Thank the Good Lord, because my sister was in bad shape, so they put her in the hospital and she was there 9 weeks getting her insulin and insulin reactions straightened out. Well in the meantime my dad agreed to work 3 days every 2 weeks for the welfare, one day while he was working at the Court house the head Custodian had been talking to my dad and that day he asked him if he would like to work for the county? So my dad went to work at the court house to fill in for the guys taking vacations. Well in October this ended and my dad was out of a job again. The county doesn't pay unemployment so my dad was out on a limb again. I was 16 years old and we were in an awful jam because when dad went to work the welfare didn't help us anymore, so I decided that it was my place to help, so I quit school and got a full time babysitting job and continued the one I had at night because I had already decided that if I couldn't have a good education that my sister was going to have every chance possible. So I went to work even though it broke my parents heart. So my brother (youngest) and I went to work and we supported our family for about 10 or 11 months. Well finally my dad found the job he has now. He is a service station attendant and has been for the last 3 years. He doesn't make much but it is a living and at least he has a job. I wouldn't or won't ever wish that I had had an easier life because my folks are just great and it showed me that you can make it through anything as long as you stick together.

Well to get back to my story, my brother (youngest) went into the Air Force and went to Japan he became a jet mechanic and he had a profession now thanks to the Air Force. While I was still babysitting for a living. So one day my boyfriend came into town and he said that a friend of his told him about this N.Y.C. and he wanted me to go with him to see if I could get a job through it also. He said, "All they can do is say no and we have heard that a hundred times before". So I went. Well they couldn't do anything for my boyfriend because he lived in Teton County and not in Cascade. So they asked me to fill out an application and I did as I always did but thought to myself that I would never get a job through the NYC and I told my boyfriend that when we came out. So I had almost forgot about it and they called me one day and asked me if I could type and I told them that I couldn't but I knew the key board so they sent me down to the Air Force Recruiting office. There I talked to Sgt. Winstead and he asked me the same question about typing and I decided that even though it lost me the chance for the job I would tell him the truth and I told him that I couldn't, but he smiled and said that I was honest about it so he told me to report to work the next day.

Well I was scared but O'so happy because I had an honest to goodness office job not another babysitting job. I was so happy I was walking on air. This was in the middle of Sept. '68, and I still have the job. I owe it all to NYC and to the men like yourselves, because we the youth need NYC and we hope that we will have it for a long time to come. You see I work 28 hrs per week and get paid every 2 weeks. I make $61.44 every 2 weeks, it isn't much you say but it is to me because it has given the chance to show the world that I am just as good as they are and one other thing my sister is about to start Beauty College and I am helping put her through so you see NYC has helped me make my dreams come true and made a much better human being out of me. So I, my folks and hundreds of other youths thank you for giving us the chance to help build America. I wrote this about my life because maybe in some small way you will be able to see the Youth corps as we the Youth do.

Thank you for your time.

Sincerely,

JOSIE MARIE WILLIAMS.

NIXON AND HARDIN ACT TO HELP FARMERS

Mr. MUNDT. Mr. President, I wish to congratulate President Nixon and Secretary of Agriculture Hardin on the important decision which they have made to advance payments of up to 50 percent for voluntary extra acreage diversion for those participating in the 1969 feed grain and wheat program. This decision is most welcome to the farmers of my State of South Dakota and I am sure to farmers everywhere.

With parity at 72 percent, where it has been hovering for several months, this first affirmative step by the new Secretary of Agriculture gives encouragement to rural America and its economic future will be looking better. This winter, also, the announcement will be most encouraging. Because of the severity of the winter, many farmers have had to expend their funds and credit to care for their livestock.

This action is a great start for the new administration, and I congratulate the President and Secretary Hardin for their foresight and their understanding of our problems in rural America.

Mr. President, I ask unanimous consent that the statement by the President and the press release from the Department of Agriculture on this commitment be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT, FEBRUARY 5, 1969

I have today instructed the Secretary of Agriculture to continue, for 1969 only, the practice followed in recent years making available a 50 percent advance payment to participants in the feed grain program. I have taken this action because I feel the Government has a moral obligation to honor this implied commitment.

Initial announcement of the 1969 feed grain program on December 26, 1968 did not indicate any change in the way advance payments were to be made to farmers. The budget submitted to the Congress on January 15, 1969, stated that the advance payment rate was being reduced from 50 percent to 25 percent in 1969, and that no advance payments would be made for the 1970 program.

A great many feed grain producers have been cooperating with this Federal Government program for crop diversion over the years. We feel farmers are entitled to proper and sufficient notice about any change in the ground rules on such payments. Many of them are already beginning to sign up for the program.

The major reason for the initiation of an advance payment system on feed grains some eight years ago was to bolster a sagging agricultural economy by advancing the actual receipt of benefit payments by the farmer. Our appraisal as to whether or not that reason will be relevant later on this year will influence the decision on advance payments in 1970.

As a result of my decision, budget outlays for the current fiscal year will rise by $168 million in comparison with the expenditure figures presented by the outgoing administration. However, if there are no advance payments in 1970, the combined effect for the two fiscal years 1969 and 1970 will be approximately as contemplated in the budget document.

In view of the serious budget problem which we now face in the current fiscal year, I have directed the Secretary of Agriculture to recommend to the Director of the Budget specific areas in which savings might be obtained to offset as much as possible the additional outlays which my decision requires.

ADVANCE PAYMENTS ANNOUNCED FOR 1969 COMMODITY PROGRAMS BY U.S. DEPARTMENT OF AGRICULTURE, FEBRUARY 5, 1969

Producers signing up Feb. 3 through March 21 to participate in the 1969 feed grain and wheat programs (as well as certain small cotton farms) can request advance payments of up to 50 percent for voluntary extra acreage diversion, it was announced today by Secretary of Agriculture Clifford M. Hardin. This is the maximum advance that can be made on the diversion payments.

Earlier today, in a statement issued by the President at the White House, the Secretary was instructed to make available a 50 percent advance payment to participants in the 1969 feed grain program. The Presidential statement pointed out that a budget request to the Congress on Jan. 15, 1969, had this advance reduced to 25 percent. Because of the short time between the Jan. 15 budget presentation and the signup starting Feb. 3, the President indicated the Government has a moral obligation to continue the rate without abrupt change.

Projected on previous years' signups and current payment rates, disbursement of partial advance payments to feed grain, wheat and cotton program participants are expected to reach $386 million by the close of the signup period on March 21. Otherwise, the advance payments would have been $168 million less.

Feed grain and wheat producers may receive, upon request, up to 50 percent of the estimated diversion payment for their farm. This is for acreage which producers voluntarily retire from production beyond that required to qualify as a participant.

For cotton, there is no acreage diversion program in 1969. However, planting cotton is not an eligibility requirement to receive a special payment for small farms with allotments of 10 acres or less (or projected production of 3,600 pounds or less). These can request up to 50 percent advance payment based on a total of 11.26 cents per pound on the projected yield of 35 percent of their effective allotment.

PATRICK HENRY'S SPEECH TO VIRGINIA HOUSE OF BURGESSES

Mr. McGEE. Mr. President, Elizabeth Anne Keller, of St. Elizabeth's School in Rockville, Md., has written me a letter which I should like to share with Senators.

In history—

She wrote—

> I will deliver the speech of Patrick Henry to our class. The school I attend is St. Elizabeth. The speech will be given on the 7th of February.
>
> It was only now I realized what this speech could mean to our country. The conditions of our country are similar today to the times of Patrick Henry.
>
> I wish you would deliver this speech of Patrick Henry in the U.S. Senate—

She concluded.

Mr. President, this being the appointed day, I ask unanimous consent now to fulfill Miss Keller's request and spread on the pages of the RECORD Patrick Henry's famous remarks to the Virginia House of Burgesses.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

> It is in vain sir, to extenuate the matter. Gentlemen may cry peace, peace, but there is no peace. The war is actually begun. The next gale that sweeps from the north will bring to our ears the clash of resounding arms. Our brethren are already in the field. Why stand we here idle? What is it that you gentlemen wish? What would they have? Is life so dear, or peace so sweet as to be purchased at the price of chains and slavery? Forbid it Almighty God.
>
> I know not what course others may take, but as for me, give me liberty or give me death!

PROXMIRE PRAISES BAKER'S ATTACK ON ABM

Mr. PROXMIRE. Mr. President, the New York Times of January 2 carried one of Russell Baker's more brilliant columns. I ask unanimous consent that it be inserted in the RECORD at the conclusion of my remarks.

ABSURD EXPENDITURE

The absurdity of expending at least $5 billion of the taxpayers' hard-earned money on an unworkable system is presented most effectively by Mr. Baker's wit. Ridicule, it has been said, is the most deadly of weapons. And Mr. Baker has pierced the heart of the issue when he discusses whether it is worth while to spend all that money on the Sentinel anti-ballistic-missile system. He reached the obvious conclusion that it was not.

SENTINEL INEFFECTIVE

The first thing that must be realized is that the system is totally ineffective against existing Soviet missiles. Even the Sentinel system's most ardent supporters agree that it would be useless against a Soviet attack. The only thing they claim is that it might be effective in the future against second-rate Chinese missiles. They assume the Chinese do not have the capability to build first-rate missiles, just as they assumed the Chinese had no capability to build an H-bomb.

COST NOT REALISTIC

Second, in the past, the proponents of the Sentinel system claimed it would cost only $5 billion. But I cannot think of a defense system, once started, which did not exceed original cost expectations. As a matter of fact, last Friday I inserted in the RECORD Bernard Nossiter's brilliant article which showed the absolutely unbelievable low performance levels of many defense systems, the equally unbelievable cost overruns, and the relatively high profits earned by these defense contractors, regardless of how poorly they performed.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OBSERVER: THE MULTI-MILLION-DOLLAR SENTINEL CAPER

(By Russell Baker)

WASHINGTON, February 1.—News Item: Secretary of Defense Laird says that spending more money on the Sentinel antiballistic-missile system will strengthen this country's bargaining position in possible arms control negotiations with the Soviet Union.

There was a group of men in khaki at the door saluting. "We want you to love us," Captain Spokesman said. It was obvious that they were about to do something truly unspeakable.

"Give it to me straight, Spokesman. I can take it."

WE WANT YOUR LOVE

"The vacant lot behind your house has been selected to become a Sentinel site," he said. "We want you not only to understand but also to cooperate in this important project and, if you can find it in your heart to do so, even to love us."

"What is a Sentinel, Captain? Why does it need a site?" They like for you to ask them stupid question. It reinforces their conviction that you need their protection.

"The Sentinel, sir, is the new United States antiballistic missile. Armed with a nuclear warhead, it is capable—."

"Ah, Spokesman, old man."

"Sir?"

"Armed with a nuclear warhead?"

"Yes, sir."

"In the vacant lot behind my house you propose to situate this machine containing an atomic bomb?"

"Affirmative, sir." He saluted, as did the other men in his group. "We, of course, want your goodwill to make this dramatic neighborhood development the success we know it is capable of becoming. Can we count on your love, sir?"

Irony you can sometimes use on them because it often goes over their heads. "Love you, Captain Spokesman? How could I not love you sitting in my back yard with an atomic bomb, alert to shoot down incoming Russian missiles with our splended Sentinel, thus guaranteeing the preservation of American second-strike capability?"

Major Techno saluted. "Major Techno of Hardware Development, sir, he said. "Actually, sir, Sentinel will not shoot down incoming Russian missiles."

"Why not, Major?"

"Because it's no good against sophisticated missiles such as the Russians have, sir," said the major. "It would be a waste of taxpayers' money to shoot the poor old Sentinel at anything as fancy as those Russian incoming missiles."

"In other words, Techno, the Pentagon, unable to stop incoming Russian missiles with its good-for-nothing Sentinel, proposes to bury its mistake in my vacant lot? Isn't that pretty low, Techno? How much did that Sentinel cost the Government?"

Colonel Mohl saluted. "Colonel Mohl of the Purse Division," he said. "Actually, sir, our original estimates for Sentinel are on the order of $5 billion. Of course, experience with this sort of program indicates that final costs will exceed estimates by 100 per cent, and that hardware when finally operational will perform at only 25 per cent of specification unless elaborate modifications are made. Thus, I would estimate, very roughly, mind you, that it will cost perhaps $18 billion to develop a Sentinel program fully incapable of stopping a Russian missile attack."

A sensational idea was developing! "Look, Mohl, I know there's a flaw in my reasoning somewhere, but wouldn't we not only be just as incapable of stopping a Russian missile attack if we didn't have a Sentinel in my back yard, but also be $18 billion better off in the Purse Division?"

General Dapper saluted. "General Dapper of World Strategy," he said. "If you'll forgive me, sir, the flaw in your reasoning is its failure to take into account the possibility that the Chinese will attack us with missiles."

"Ah, then Sentinel will protect us from an attack by Chinese missiles!"

"Correct, sir! We want your love, sir."

"And the Chinese missiles are so bad that even our poor old Sentinel can shoot them down?"

"Frankly, sir," said the general, "Chinese missiles right now are nonexistent, but we're betting that when the Chinese get some they'll be strictly mail-order-catalogue junk."

"So in my vacant lot you want to put an $18 billion machine with an atomic bomb that might just possibly work if the Chinese for once happen to live down to our underestimates of their abilities and produce a missile so inferior that even a miserable Sentinel can shoot it down?"

AT THE BARGAINING COUNTER

Secretary of Defense Laird saluted. "Secretary Laird, of the Big Picture," he said. "You see, sir, we may soon have to negotiate on arms control with the Russians. So long as we have a thoroughly useless Sentinel we have a nice little bargaining counter we can trade away to the Russians without giving up any real kill power."

"But since the Sentinel only works against Chinese, why should the Russians trade you anything for it?"

"Don't you love us?"

"You're soaking me $18 billion for a non-weapon that will help you come out of an arms reduction negotiation in a better position to soak me some really big billions for some really big weapons, and you want me to love you?

"We want you to love us."

Oh, they're so beguiling!

ADMINISTRATION OF JUSTICE IN ALASKA

Mr. GRAVEL. Mr. President, on Tuesday I introduced a bill, S. 902, to remedy a knotty situation in the administration of criminal justice in the State of Alaska. It seems that when the Congress enacted Public Law 85–615 in 1958, and thus vested exclusive criminal jurisdiction in the State of Alaska over all offenses committed in the Indian country—with comparable provisions for the native community in the other States as well—it inadvertently failed to except the Annette Islands Reservation. A careful examination of the record would show conclusively that Metlakatla is not "Indian country" within the meaning of *Petition of McCord and Nickanorka* (151 F. Supp. 132 (1957)).

The people of Metlakatla in the reservation had previously relied upon their magistrate's court for jurisdiction over petty criminal offenses and have only recently discovered that this court no longer has jurisdiction. For the State to exercise jurisdiction over petty offenses is patently absurd since that requires the transportation of defendants, complainants, witnesses, and counsel from Metlakatla to Ketchikan—such trips to be made either by plane or boat. This works a hardship on all concerned.

In effect, the people of Metlakatla are now without police protection because no arrest by a peace officer can be validated before a committing magistrate.

The mayor of Metlakatla, the Honorable Henry S. Littlefield, and the Alaska

State Legislature have specifically requested an amendment to the present law so that the magistrate court of Metlakatla may exercise concurrent criminal jurisdiction over minor offenses. My bill, S. 902, would accomplish that purpose by amending section 1162 of title 18 of the United States Code; if enacted, it will restore the basic machinery for the administration of justice on the Annette Islands.

PROPOSED COMMON MARKET TAX ON SOYBEANS: A BLOW TO THE AMERICAN FARMER

Mr. SYMINGTON. Mr. President, dollar sales of U.S. farm exports in foreign markets are vital to our balance of payments, vital to the integrity of the dollar, and vital to the American farmer.

It is, therefore, most disturbing to me to note that the European Common Market is threatening one of our biggest export commodities. These countries are proposing a domestic consumption tax on imported soybean and cottonseed meal and oil—another use of the nontariff barrier which undermines the spirit and effect of the Kennedy round.

This tax, if imposed, would have a drastic impact on our balance of payments by severely reducing dollar sales of U.S. soybeans and cottonseed to Common Market countries. Our trade surplus, presently in its worst position since 1937, cannot be expected to withstand a sudden cut in dollars earned by these exports.

While injuring U.S. balance of payments, this tax would deal a severe blow to the American farmer.

Last year, the United States exported approximately $450 million worth of soybeans and cottonseed and soybean meal and oil to Common Market countries—one-third of all our agricultural exports to that market, and around one-fifth of our total soybean production.

Our trade with the Common Market last year included $261 million in soybeans, $156 million in soybean meal, $69,000 in soybean oil, $13 million in flaxseed, $4 million in linseed meal, $5 million in linseed oil, $113,000 in cottonseed oil, $28,000 in cottonseed, and $16,000 in cottonseed meal.

In addition to farmers in my own State of Missouri, farmers in such agricultural producing States as Illinois, Arkansas, Iowa, Minnesota, Indiana, Louisiana, Ohio, Kansas, and others would be hard hit by this Common Market tax. I ask unanimous consent to have printed in the Record a list of States and their exports of soybeans, soybean oil and meal—table I—and a a table showing our exports to the Common Market—table II.

The proposed tax, amounting to $30 a ton on imported soybean meal and $60 a ton on imported soybean oil, would be as effective as a 50-percent tariff on oil and a 35- to 40-percent tariff on meal. This plan would also drastically curtail exports of unprocessed U.S. soybeans because the tax applies to oil and meal from U.S. soybeans which are processed within the Common Market.

Missouri farmers produced $242 million worth of soybeans last year, of which around $30 million were exported to the Common Market. We were the third-ranking soybean producer in the Nation and thus have a real stake in the success of our export sales. Our farmers have long played an important role in the expansion of the U.S. export program and we must not now let them down by tolerating this move by the Common Market.

To that end, before this proposed tariff tax is put into effect, it would be my hope that our friends in the Common Market would remember that we have, over the years, tried to lower the trade barriers between our Nation and the Market.

In view of the fact that this new Common Market proposal is a domestic consumption tax rather than an import tariff, I feel impelled to call to the Senate's attention section 252 of the Trade Expansion Act of 1962 which was included to warn foreign countries—and our negotiators—that we could not condone any increases in nontariff trade restrictions. Subpart (b) of that section specifically required that—

> (b) Whenever a foreign country or instrumentality the products of which receive benefits of trade agreement concessions made by the United States—
>
> (1) maintains nontariff trade restrictions, including variable import fees, which substantially burden United States commerce in a manner inconsistent with provisions of trade agreements, or
>
> (2) engages in discriminatory or other acts (including tolerance of international cartels) or policies unjustifiably restricting United States commerce,
>
> the President shall, to the extent that such action is consistent with the purposes of section 102—
>
> (A) suspend, withdraw, or prevent the application of benefits of trade agreement concessions to products of such country or instrumentality, or
>
> (B) refrain from proclaiming benefits of trade agreement concessions to carry out a trade agreement with such country or instrumentality.

I ask unanimous consent to include section 252 in the Record at the end of my remarks. I hope our Government will do everything possible to induce the Common Market to withdraw its proposed tax on soybean oil and meal.

It would also be my hope that the Common Market will recognize that their proposal is unwise and injurious to the long-run interests of both sides of the North Atlantic.

If members of the Common Market Council adopt this proposal, then I think they should be willing to bear the consequences.

This matter was brought to my attention early this year by Mr. Earl Bullington, of Caruthersville, Mo., in behalf of many Missouri farmers. Since that time I have been in contact with our special trade representative. I have expressed the deep concern of many Missouri farmers on this important issue.

In a letter I received recently, the acting U.S. special representative for trade negotiations wrote:

> We are very concerned over the trade impact of this measure, if adopted by the Community, and the possible repercussions for world trade. . . . The United States Government has made strong representations both to the European Commission and to the individual national governments of the Common Market countries, pointing out that such a tax would be a massive impairment of our present access conditions to the Community.

He went on to say that—

> The United States would be prepared, if necessary, to take counteractions to restore the balance of trade.

I would hope that this problem can be resolved in the spirit of the General Agreement on Tariffs and Trade and in the spirit of the Kennedy rounds. But I believe the members of the Common Market would be well advised to abandon their proposal before it is too late.

The United States has been in a competitive fight for the soybean market in Europe and it is clear that the proposed domestic tax would give a clear competitive advantage to domestic European feed grains—rather than U.S. soybean meal—and dairy products—rather than U.S. soybean oil. At this critical moment for our balance of payments and for the American farmer, we intend to do our best to win this fight.

Mr. President, I ask unanimous consent that correspondence on this matter which I have received from Mr. Earl Bullington, manager, Caruthersville Production Credit Association, Caruthersville, Mo., and Mr. John B. Rhem, acting special representative, U.S. Office of the Special Representative for Trade Negotiations, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Caruthersville Production Credit Association,
Caruthersville, Mo., January 10, 1969.

Senator Stuart Symington,
U.S. Senate,
Washington, D.C.:

I have been reading articles recently to the effect that the European Economic Community has requested an internal tax of $30 a ton on cottonseed and $60 a ton on cottonseed oil or soybean oil. As I understand it, this is not a tariff on imports but an extra tax that would increase the cost of these goods to the European farmers, thereby reducing consumption and decreasing U.S. sales of these items. No such tax was provided for or agreed to in the 1968 Kennedy round agreement and it seems that this would be a direct violation of this agreement. Certainly, it would add to the problems that the U.S. farmer already has, since both of the crops mentioned are surplus crops.

I hope it is your feeling that this tax should not be allowed and that you will contact the European Economic Community Council of Ministers and register a protest for the farmers in your district.

Yours very truly,
Earl Bullington,
Manager.

Office of the Special Representative for Trade Negotiations,
Washington, D.C., January 23, 1969.

Hon. Stuart Symington,
U.S. Senate, Washington, D.C.

Dear Senator Symington: Thank you for referring to us for reply a letter of January 10 from Mr. Earl Bullington of Caruthersville Production Credit Association, concerning the threatened imposition by the European Economic Community of a tax on imports of vegetable oils and oilseed meals, including soybean and cottonseed meal and oil.

We are very concerned over the trade impact of this measure, if adopted by the Community, and the possible repercussions for world trade. We are well aware of the importance of soybean and soybean meal exports to the American farmer. I understand exports account for over 40 percent of farm sales of these products. The EEC is a large market for U.S. agricultural products and oilseeds, oilseed meal and oil exports account for about one-third of our total agricultural exports to them.

The United States Government has made strong representations both to the European Commission and to the individual national governments of the Common Market countries, pointing out that such a tax would be a massive impairment of our present access conditions to the Community market. We have stressed that if such a proposal were enacted, we would be obliged to protect our trade and balance-of-payments interests, we would pursue our rights under the GATT, and we would be prepared, if necessary, to take counteractions to restore the balance of trade.

We are greatly distressed by the proposed tax and its implications for world trade. We in government are doing our utmost in close cooperation with the domestic interests concerned, to convince the Community not to adopt the tax.

We are continuing to press the Community to abandon the tax proposal and to seek more fundamental solutions to their internal agricultural problems.

Sincerely yours,

JOHN B. REHM,
Acting Special Representative.

TABLE I.—SOYBEAN, SOYBEAN OIL, AND PROTEIN MEAL EXPORTS BY STATE, AND TOTAL AGRICULTURAL EXPORTS BY STATE, FISCAL YEAR 1968

[Dollar amounts in millions]

States ranked by order of export	Soybeans	Soybean oil	Protein meal	Subtotal	Total agricultural exports	Percent of soybeans to total
Illinois	$142.6	$28.3	$52.4	$222.3	$585.3	38
Iowa	112.6	20.5	40.0	173.1	392.3	44
Missouri	57.1			57.1	174.1	32
Indiana	54.1	11.7	25.3	91.1	251.5	36
Arkansas	71.3	6.7	13.7	91.7	254.8	36
Minnesota	53.3	7.4	15.2	75.9	226.3	34
Ohio	38.3	7.4	14.9	60.6	194.1	31
Mississippi	39.0	3.0	9.6	51.6	163.8	32
Louisiana	24.0		1.0	25.0	155.2	16
Tennessee	21.0	8.9	18.4	48.3	101.9	48
North Carolina	21.0	.4	.8	22.2	366.2	6
Kansas	14.3			14.3	296.0	5
Nebraska	13.5			13.5	229.5	6
South Carolina	18.0		1.0	19.0	106.9	18
Alabama	9.8		1.2	11.0	55.6	20
Total, United States	750.7	117.2	253.0	1,120.9	6,315.1	18

TABLE II.—VALUE OF U.S. SOYBEAN AND SOYBEAN PRODUCT EXPORTS TO THE EEC, FISCAL YEARS 1964-68

[Dollar amounts in millions]

Year	Vegetable fats and oils	Oilseeds (principally soybeans)	Oilcake and protein meal	Total	Total U.S. agricultural exports to EEC	Soybean and soybean product exports as percent of U.S. agricultural exports to EEC
1964	$29.6	$204.7	$55.4	$289.7	$1,332.9	22
1965	41.4	219.6	101.9	362.9	1,370.9	26
1966	18.2	278.1	129.5	425.8	1,593.6	27
1967	12.8	318.0	151.4	482.2	1,509.9	32
1968	8.7	278.4	169.7	456.8	1,402.9	33

Source: "Foreign Agricultural Trade of the United States," USDA-ERS (January 1969), table 19.

[From P.L. 87-794, Ch. 6, General Provisions]

Sec. 252. Foreign import restrictions.

(a) Whenever unjustifiable foreign import restrictions impair the value of tariff commitments made to the United States, oppress the commerce of the United States, or prevent the expansion of trade on a mutually advantageous basis, the President shall—

(1) take all appropriate and feasible steps within his power to eliminate such restrictions,

(2) refrain from negotiating the reduction or elimination of any United States import restriction under section 201(a) in order to obtain the reduction or elimination of any such restrictions, and

(3) notwithstanding any provision of any trade agreement under this Act and to the extent he deems necessary and appropriate, impose duties or other import restrictions on the products of any foreign country or instrumentality establishing or maintaining such foreign import restrictions against United States agricultural products, when he deems such duties and other import restrictions necessary and appropriate to prevent the establishment or obtain the removal of such foreign import restrictions and to provide access for United States agricultural products to the markets of such country or instrumentality on an equitable basis.

(b) Whenever a foreign country or instrumentality the products of which receive benefits of trade agreement concessions made by the United States—

(1) maintains nontariff trade restrictions, including variable import fees, which substantially burden United States commerce in a manner inconsistent with provisions of trade agreements, or

(2) engages in discriminatory or other acts (including tolerance of international cartels) or policies unjustifiably restricting United States commerce,

the President shall, to the extent that such action is consistent with the purposes of section 102—

(A) suspend, withdraw, or prevent the application of benefits of trade agreement concessions to products of such country or instrumentality, or

(B) refrain from proclaiming benefits of trade agreement concessions to carry out a trade agreement with such country or instrumentality.

(c) Whenever a foreign country or instrumentality, the products of which receive benefits of trade agreement concessions made by the United States, maintains unreasonable import restrictions which either directly or indirectly substantially burden United States commerce, the President may, to the extent that such action is consistent with the purposes of section 102, and having due regard for the international obligations of the United States—

(1) suspend, withdraw, or prevent the application of benefits of trade agreement concessions to products of such country or instrumentality, or

(2) refrain from proclaiming benefits of trade agreement concessions to carry out a trade agreement with such country or instrumentality.

(d) The President shall provide an opportunity for the presentation of views concerning foreign import restrictions which are referred to in subsections (a), (b), and (c) and are maintained against United States commerce. Upon request by any interested person, the President shall, through the organization established pursuant to section 242(a), provide for appropriate public hearings with respect to such restrictions after reasonable notice and provide for the issuance of regulations concerning the conduct of such hearings.

ELECTION OF JOHN MACY AS PRESIDENT OF PUBLIC BROADCASTING CORPORATION

Mr. JAVITS. Mr. President, the announcement in New York yesterday that John W. Macy, Jr., had been appointed as president of the Corporation for Public Broadcasting was certainly welcomed by supporters of noncommercial broadcasting.

Those of us in Congress who worked with Mr. Macy when he was Chairman of the Civil Service Commission—and that means almost every Member of Congress—regard him as an eminently fair, public servant, as well as a most effective administrator. His appointment, in my judgment, indicates that the board of directors of the corporation are building on firm ground in the effort to make the promise of the Public Broadcasting Act of 1967 a reality.

Mr. President, I ask unanimous consent to have printed in the RECORD the announcement made yesterday by the Corporation for Public Broadcasting concerning Mr. Macy's new role, and an article published in this morning's New York Times on the same subject.

There being no objection, the announcement and article were ordered to be printed in the RECORD, as follows:

NEW YORK, February 6.—John W. Macy, Jr., Chairman of the U.S. Civil Service Commission under Presidents Kennedy and Johnson, and a former Executive Vice President of Wesleyan University, Middletown, Connecticut, has been elected President of the Corporation for Public Broadcasting, it was announced today by Frank Pace, Jr., Chairman of the Board.

The Corporation for Public Broadcasting is a nonprofit agency, Federally-chartered under the Public Broadcasting Act of 1967 to coordinate and fund public broadcasting in the United States.

"The Corporation is fortunate indeed to have a man of Mr. Macy's quality and ability as its President and Chief Executive Officer," Mr. Pace stated. "The Board Committee, headed by Mr. John D. Rockefller 3rd and with Mrs. Oveta Culp Hobby and Dr. Milton S. Eisenhower as members, unanimously recommended John Macy after a most careful search for the best man available for this important post. They felt, and the Board agreed, that he will provide the leadership necessary to realize the exciting potential of public broadcasting. Furthermore, his intimate knowledge of government, his broad acceptance in the academic community, and his ability to work with people make him uniquely qualified for this assignment. This is a man of broad scope whose growth potential is still not fully realized."

In addition to the statutory job as head of the U.S. Civil Service Commission, Mr. Macy acted for President Johnson as the principal recruiter for positions at the highest levels of government. This required an extensive knowledge of government and private enterprise, and of the people in all professions and fields who could carry out major Federal responsibilities.

While at Wesleyan, from 1958 to 1961, as Executive Vice President, Mr. Macy combined administration and teaching, his classes having included a seminar on the Presidency, and, in collaboration with faculty members in the Economics and Religion Departments, a seminar on "Social Ethics in the Contemporary Professions."

He brought with him into the Civil Service Commission his dedication to education, and applied it not only through his programs for continuing education, but also by pioneering in the use of television for employee and supervisory development through broadcasts he inaugurated with WETA, the public television station in Washington.

His interest in continuing education for Federal employees also manifested itself through conferences on University-Government cooperation for this purpose at Princeton, Indiana University and the University of California at Berkeley.

He was a consultant to the American Foundation for Continuing Education and participated in a major two-year study on Education for Public Responsibility as a consultant to the Fund for Adult Education.

In his final day in the Federal Service, Mr. Macy, together with McGeorge Bundy, former Presidential Advisor, and now President of the Ford Foundation, and 18 other distinguished Americans, received the Presidential Medal of Freedom, the highest decoration the President can bestow on any civilian.

When Mr. Macy was renominated by President Johnson as Chairman of the U.S. Civil Service Commission, February 27, 1965, the White House stated: "Mr. Macy played a principal role in making Federal pay comparable to pay outside Government, in establishing a system of employee-management cooperation within the Federal service and in devising realistic approaches to better manpower utilization and more economical operation.

"He has helped make the Federal work force reflect the non-discrimination policies of the Administration through creating better employment opportunities in Government for members of minority groups, women and the handicapped."

Born in Chicago on April 6, 1917, Mr. Macy spent his boyhood in Winnetka, Illinois and received his secondary education at the North Shore Country Day School. After graduating from high school in 1934, he entered Wesleyan University in Middletown, Connecticut, where he majored in government. He was elected to Phi Beta Kappa, won a Thorndike scholarship and was a Rhodes scholar nominee. After graduating with a B.A. degree in June, 1938, he took post graduate work at the American University in Washington, D.C.

Mr. Macy entered government service in 1938 as a participant in the administrative intern program of the National Institute of Public Affairs. From June, 1939 until 1940, he was an administrative aide in the office of the Executive Director of the Social Security Board.

He transferred to the War Department in late 1940 and was involved in the Department's rapidly expanding civilian personnel program before and after Pearl Harbor. In 1943 Mr. Macy enlisted in the Army Air Force as a private and subsequently rose to the rank of Captain. His service in the Air Force included duty as Personnel Staff Officer with the Air Transport Command and as staff advisor with the military advisory group in China. In 1946 he was discharged from the Air Force and returned to his position as Assistant Director of Civilian Personnel in the War Department.

From 1947 until 1951, he served the Atomic Energy Commission as Director of Organization and Personnel in the Santa Fe Operations Office. In 1951 he was Executive Officer of the atomic tests at Las Vegas, Nevada, and later served as Special Assistant to the Under Secretary of the Army.

In August, 1953, Mr. Macy was appointed to the U.S. Civil Service Commission's top career post—Executive Director. In 1957 he was one of ten men in the Federal career service who received the award of the National Civil Service League. In 1958 he received the Award of the Society for Personnel Administration and the Commissioner's Award of the Civil Service Commission. Both the Secretary of the Army and the Secretary of the Air Force conferred upon him the Distinguished Civilian Award in 1958.

Mr. Macy left the Commission in January, 1958 to accept the position of Executive Vice President of Wesleyan University, his alma mater.

After his return to Washington as Chairman of the Civil Service Commission in 1961, Mr. Macy served in various capacities on Presidential committees, commissions and task forces. He was Executive Secretary of the Board of the President's Award for Distinguished Federal Civilian Service; Chairman of the Interdepartmental Committee for the Voluntary Payroll Savings Plan (for purchase of U.S. Savings Bonds); and a member of the President's Council on Aging. He had full responsibility for fund-raising within the Federal Service for voluntary national health and welfare agencies. He was a member of the President's Committee on Equal Opportunity. On November 19, 1964, Mr. Macy was designated by the President to recommend prospective men and women of character, ability and devotion to serve in leadership positions subject to Presidential appointment.

In the last six years, Mr. Macy has received honorary LL. D. degrees from Dartmouth, Colgate, Wesleyan, Cornell of Iowa, Allegheny College, University of Delaware, Indiana State University and Eastern Kentucky University.

Mr. Macy is a past president (1958–59) of the American Society for Public Administration. He is married to the former Joyce Hagen and they have four children: Thomas Lawrence, Mary Derrick, Susan Bradford and Richard Hagen. Their home is in McLean, Virginia.

[From the New York Times, Feb. 7, 1969]

Head of Public TV Outlines His Aims—Macy Stresses Educational and Community Roles

(By Robert Windeler)

John W. Macy, the new president of the Corporation for Public Broadcasting, declared yesterday that the primary purpose of public television should be "broadly educational" and that local noncommercial stations should be strengthened and not dominated by a national network.

Mr. Macy, who was formally appointed yesterday by the corporation's board of directors is the immediate past chairman of the Civil Service Commission and was chief talent scout for Federal jobs for the Johnson Administration. He has no broadcasting experience. From 1958 to 1961 he served as executive vice president of Wesleyan University in Middletown, Conn.

Mr. Macy inherits a six-man executive staff chosen last November by the corporation's 15-man board. He said in an interview after his announcement that he was "impressed with all of them." He plans to appoint two new officers of the Congressionally funded Corporation, one with broadcasting experience, the other with financial credentials.

Mr. Macy said he would be based in Washington and deal with Congress and the Executive branch of the Government to obtain permanent financing for the corporation. In April he will go before the House Appropriations Committee to request $20-million for the fiscal year 1970. Federal funds to the corporation so far have totaled $5-million.

The rest of the corporation staff will be divided between two central offices in Washington and New York, but it is expected that there will be frequent commuting between the two cities by Mr. Macy and the other officers.

Mr. Macy indicated that it was essential that Government funding ("and there is no way out of that," said the corporation chairman, Frank Pace) not impair "freedom from Federal interference."

Mr. Macy also said that the corporation would not decide what programs would appear on the noncommercial network of approximately 140 educational stations.

"It is important that we not become a judge of individual programing," he continued, and "we will never tell a local station what is best for its community." He also said, and Mr. Pace agreed, that smaller stations would not suffer at the hands of the eight largest (who originate most of the educational network programing) when the corporation gives out individual grants.

In a broadcast taped yesterday afternoon for use on National Educational Television last night, the new corporation president said that noncommercial television was "not competing with commercial TV; we're augmenting it, supplementing it and we haven't found the full potential of this medium in social and cultural involvement."

He called noncommercial TV a "nationwide community effort" and said that the corporation could aid that effort by "doing something about funding, assisting in the development and procuring of physical facilities, color equipment and furthering the central resources of N.E.T."

Asked what he thought of television in general, Mr. Macy, who stands 6 foot-one, has prematurely white hair and wears glasses with colorless rims, compared himself to another former Johnson aide, Jack Valenti, president of the Motion Picture Association of America:

"Jack said when he took the job that he had never seen a bad movie in his life; I can't say that."

SERVICES FOR OLDER WORKERS

Mr. RANDOLPH. Mr. President, last year two subcommittees of the Special Committee on Aging—the Subcommittee on Employment and Retirement Incomes, of which I am privileged to be the chairman, and the Subcommittee on Federal, State, and Community Services, presided over by the Senator from Massachusetts (Mr. Kennedy)—conducted hearings on the "Adequacy of Services for Older Workers." It was clearly revealed in these hearings that, even in a period of high employment, the older worker is at a grave disadvantage when he becomes jobless or when he seeks to develop skills to meet the changing demands of today's job market.

Our hearings resulted in the introduction late in the year of the "Middle-Aged and Older Workers Full Employment Act." Senator Kennedy and I were joined by the chairman of the full committee, the Senator from New Jersey (Mr. Williams), and other Senators of both parties when we introduced that legislation, S. 4180.

Our purpose in introducing the bill so late in the session was simply to invite widespread discussion and suggestions for possible improvement. I am happy to report that we have received many such suggestions. We are now reviewing our correspondence and other material to determine what changes should be made before we reintroduce the bill.

Mr. President, an excellent summary of the hearings and S. 4180 was published in the Washington Evening Star of December 31 in a column written by Mr. Theodore Schuchat, a veteran observer and reporter on matters of vital concern to older Americans. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Bill To Push Jobs, Retraining for Seniors

(By Theodor Schuchat)

A bi-partisan group of senators plans to sponsor legislation to provide retraining and jobs for older workers not ready for retirement.

A 1968 model of the legislation was introduced in the waning days of the last Congress to stimulate suggestions from older people. The improved, 1968 model—based on their comments—will be submitted to the Senate and House in a few weeks.

The 1968 bill is titled "The Middle Aged and Older Workers Full Employment Act." It declares that "more than a million men between the ages of 55 and 64 have given up the active search for work, most through loss of hope of employment."

"In a society faced with unmatched demands for skills in the private sector of the economy, and with a mounting backlog of unmet needs in the public and non-profit sector," the bill's authors claim, "older workers find little opportunity for useful and rewarding activity."

One remedy proposed in the bill is a Mid-career Development Service to be set up by the Labor Department. It would offer loans and grants for retraining of those aged 45 and older.

Special service would be given to communities hit by mass layoffs when major firms close plants. Retired personnel directors would be sought to counsel older workers and help them get jobs or training.

Uncle Sam is sometimes guilty of age discrimination at the hiring desk, these Senators contend. Their proposed bill would put teeth in a law long on the books that prohibits upper age-limits on federal jobs.

The Senators also want the Civil Service Commission to locate part-time federal jobs that can be filled by older people.

Opportunities for volunteer community service by retirees would be stimulated by the proposed legislation. Part-time jobs with community service agencies would be provided for workers age 55 or older who are not in a position to donate their services.

A bill that would have created a Senior Citizen Service Corps for community betterment projects was considered by Congress this year but not enacted. Support is growing for some nationwide program of this type, however.

You can get a free copy and explanation of the "Older Workers Full Employment Act." To request a copy or submit your comments, write to Sen. Jennings Randolph, D.-W.Va. Senate Office Building, Washington, 20510.

GRADING OF SOFTWOOD LUMBER

Mr. SPARKMAN. Mr. President, in the lengthy catalog of public issues and national needs, the eternal problem of man—adequate shelter—ranks near the top. It is generally accepted, I believe, that housing is the critical factor in providing a sound basis for ultimate resolution of the many domestic ills which beset us.

It was my privilege to work for the realization of an adequate housing program in the 90th Congress. The Housing Act of 1968, which I had the honor of sponsoring, provides the essential ingredients to permit tremendous strides forward in the next decade in overcoming the national housing deficiencies. It stipulates the goals, it suggests the avenues to pursue, and it provides the means for achieving minimal levels of housing in the interest of our national welfare.

Legislation, sound as it may be, however, is only the foundation upon which to approach public needs. There must be a will and there must be a determination on the part of the various industries and crafts involved to fulfill their own basic responsibility. They must exert every effort to make certain they can provide the essential materials and skills to fulfill the obligations imposed upon them by the national interest.

Because of the basic role lumber and wood products play in residential construction I was, therefore, heartened to learn this week that the Department of Commerce will soon circulate for approval a proposed new softwood lumber standard, which is intended to provide the American builder and consumer with an improved and more efficient lumber product.

As I stated in my comments on the floor of the Senate on August 10, 1967, a special panel appointed by the Secretary of Commerce found that the present softwood standard "appears to be technically inadequate." I also reported that the Bureau of Standards, in a statement to the same panel, declared categorically that the current standard is "technically inadequate," "not in the public interest," and "should be withdrawn."

The panel found further that the present standard handicaps the consumer in choosing lumber appropriate to his needs. This special panel, comprised of two officials of the Department of Commerce and one from the Department of Agriculture, found further that the present standard "should be revised for the protection of users and consumers." I also reported at that time the fact that the FHA, GSA, the National Bureau of Standards, and the U.S. Department of Agriculture were all on record as favoring withdrawal of the present standard.

Following these findings that revealed the technical deficiencies of the present softwood lumber standard, the Federal Trade Commission in its report on misgrading of softwood lumber, dated May 6, 1968, described the merits of a revised standard developed by the American Lumber Standards Committee under the Department of Commerce in stating that "it relates size of lumber to the moisture content of lumber," indicating that "this is accomplished by requiring green lumber to be dressed to larger sizes than dry lumber." As a result, the consumer can expect his lumber to meet minimum size requirements not only at purchase but also after installation.

I bring out these facts to indicate that the deficiencies in the existing softwood lumber standard, which have received considerable attention in the press and elsewhere, have been recognized by the lumber industry and its consumers who participate on the American Lumber Standards Committee. The revised standard was submitted by the committee to the Department of Commerce for processing on October 30, 1968. I am pleased to note that the board of directors of the National Association of Home Builders at its annual meeting in Houston last month endorsed this proposed new standard.

Our commitments to fulfillment of our Nation's housing goals make it essential that a revised softwood lumber standard, developed in the consumer interest and tailored to end-use requirements, be implemented without further delay. Many Members of the Senate joined with me in August 1967 in urging the Secretary of Commerce to proceed to bring the lumber standard issue to a speedy conclusion and eliminate the inequities inherent in the present standard. Since that time, 18 months have elapsed and a new Housing Act has come into being. Because establishment of sound standards is directly related to attainment of the objectives of the Housing Act, I urge all Members of the Senate again to support the Department of Commerce in its efforts to bring a new standard into effect. I urge all Senators to join with me in encouraging an expeditious handling of the standard by the executive branch.

PROXMIRE EXPOSES OIL INDUSTRY ABUSE OF OIL IMPORT PROGRAM

Mr. PROXMIRE. Mr. President, the Wall Street Journal of February 6, 1969, contains an article detailing how one oil company abused the oil import program. I think the story deserves the attention of all the Members of Congress. I ask unanimous consent that it be inserted in the Record at the conclusion of my remarks.

Mr. President, almost a year ago I urged the audit by the Department of the Interior of Standard of Indiana's operations. This was done and showed an incredible situation. Three of the six Standard of Indiana plants which were certified for the petrochemical oil import quota were disqualified after an examination of the operations. As a result, the Oil Import Administration is now proposing to recoup 507,610 barrels of foreign oil imported by Standard of Indiana from its 1969 quota.

The Oil Import Administration's declaration came as a result of the Department of the Interior audit which, as I have noted, was initiated in the wake of the charges I leveled at Standard of

Indiana's high petrochemical import quota a year ago.

At that time, I said that Standard of Indiana's enormous daily import quota under the petrochemical program violated the intent of that program, which was to boost our domestic petrochemical industry in the world market and thus improve the balance-of-payments posture of the United States.

I said then that if Standard of Indiana's quota were left unchallenged, the program could become another indirect subsidy to big oil in the United States to the detriment of the petrochemical industry, which the new quota program was designed to benefit.

The purpose of the program is to allow domestic petrochemical companies access to cheap foreign petroleum feedstock so that they can compete more effectively in the world market against foreign competitors with unlimited access to this cheaper feedstock.

The Interior Department's audit shows clearly that the oil import program must be reevaluated and that the Oil Import Administration must keep diligent watch over the activities of the oil companies.

This is the very first time that an audit like this has been performed. It showed that a total of 507,610 barrels of oil were misallocated to just one company. What would we discover if all the oil companies were audited?

The Oil Import Administration has had to rely upon the certifications of the oil companies themselves as to what their plants were producing and, thus how much foreign oil they were entitled to.

The authorizing regulations make it very clear that to qualify for a quota under the petrochemical program, a production facility must convert more than 50 percent—by weight—of its inputs into petrochemicals. Yet, the audit showed Standard failed to follow this rule in three facilities.

It seems perfectly clear that Secretary of the Interior Hickel should direct further audits to determine whether the certifications being submitted by oil companies are, in fact, accurate.

The oil companies, in the past, have been allowed to police themselves. This is poor policy for either the Government or private industry to follow. I believe it is time that we set up an effective auditing procedure to police this program and to protect the public.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INDIANA STANDARD ERRED IN 1968 OIL IMPORT LIST INTERIOR AGENCY SAYS—ALLEGED MISTAKE TRIVIAL IN TERMS OF DOLLARS, BUT SENATOR PROXMIRE SEES REASON TO KILL QUOTA PLAN

WASHINGTON.—The Interior Department in its first audit of oil company data on which valuable oil-import licenses are based, asserted that Standard Oil Co. (Indiana) misstated its operations last year and should give up rights to 507,610 barrels of foreign crude.

Because of cheaper production costs abroad, each barrel of foreign oil imported into this country represents a saving of about $1.25 to domestic refiners. Thus, if the department's administrative procedures result in Indiana Standard's giving up the disputed amount, the actual dollar cost would be relatively small.

Altogether, however, import license holders are currently bringing about 900,000 barrels of foreign oil into the U.S. market each day. If future audits uncover oversights comparable to the ones alleged against Indiana Standard, it could deal a serious blow to the entire oil-import program.

The audit findings were disclosed by Sen. Proxmire, who said they "could be another reason for doing away with the entire program." The Wisconsin Democrat called on Interior Secretary Hickel to direct further audits to determine the accuracy of reports by "all oil companies." Mr. Proxmire, who has long criticized the oil-import restrictions, said they benefit "refiners and domestic producers at the expense of consumers." It has been "poor policy," he said, to let the oil companies "police themselves."

Interior's case against Indiana Standard centers on whether ultraformer units at six of the company's 12 domestic refineries were or weren't converting more than 50% (by weight) of their imports to benzene, toluene and xylene. Such BTX aromatics are derived from unfinished naphtha and figure heavily in Indiana Standard's production of "lead-free" Amoco gasoline.

Indiana Standard originally had applied for only 510 barrels daily from the petrochemical quota established for the first 182 days of 1968. But after a controversial conference between company and Oil Import Administration officials here, it submitted a revised application that contended that the six plants were converting sufficient inputs to aromatics to qualify for 7,213 barrels daily under regulations in effect at the time.

Then-Interior Secretary Udall routinely approved the higher amount along with a number of other license applications.

When Sen. Proxmire denounced the "windfall" to Indiana Standard from a program feature actually intended to boost foreign sales of U.S. petrochemicals, an embarrassed Mr. Udall sought to cancel the fatter amount. Faced with an Indiana Standard court action, the Interior Secretary later backed down, but new petrochemical regulations issued by Interior last July closed the aromatics loophole.

Summarizing the audit findings in a January memorandum to Secretary Udall, Oil Import Administrator Elmmer L. Hoehn said department investigators found the conversion ratio at Indiana Standard's Sugar Creek, Mo., refinery "was 48.4% as distinguished from the 55% claimed by" the company. "Company officials were unable to explain this difference" though they "urged" that calculating the percentage with a different kind of naphtha "would result in a satisfactory conversion ratio," the Hoehn memorandum said. "However, this wasn't done in the application" and Indiana Standard cannot so elect at this time, it added.

At Indiana Standard's Whiting, Ind., refinery, the auditors determined that the naphtha inputs should be charged to a petrochemical unit whose conversion rate, according to findings, didn't meet the 58% test. Company officials contended that the unit's inputs should be averaged with those of another unit even though the latter "wasn't claimed in the quota application and was thought to be ineligible at the time of the application by company officials," the memorandum reported.

Under oil import rules, Indiana Standard has 20 days to admit or deny the allegations. Should the company ultimately be found in error, the determined amount would be deducted from future imports.

An oil-import official said the agency has delayed final action on Indiana Standard's 1969 petrochemical quota, equal to about 1,000 barrels daily, until the case is settled. Any amount to be recovered also could be deducted from the more than 7 million barrels the company is licensed to import this year under regular refiner provisions.

U.S. ATTORNEY VERYL RIDDLE

Mr. SYMINGTON. Mr. President, it is with deep regret that I have learned of the resignation of Veryl L. Riddle as U.S. attorney for the eastern district of Missouri.

To that office Mr. Riddle brought his extraordinary talents as a trial lawyer and wise counselor, and applied them energetically to the causes of our Government. Equally important, he proved to be an able and an effective administrator.

Veryl Riddle has served as U.S. attorney since June 1967. When his resignation becomes effective February 28, he plans to enter again into the private practice of law.

In the performance of the important duties of the office of U.S. Attorney, Mr. Riddle acted in accordance with the highest concepts of public service.

ENGINEERING ACHIEVEMENT AWARDS

Mr. McGOVERN. Mr. President, the magnificent feat of our astronauts in circling the moon on Christmas eve and returning safely to earth has again reminded us of the important daily contributions made to the welfare of all Americans by the professional engineers of the United States.

The 65,000 members of the National Society of Professional Engineers annually select the outstanding engineering achievements of the year, reflecting engineering's wide-ranging role in modern life. Through the courtesy of my friend, Robert H. Doyle, legislative counsel of the society, I have just been informed of the 1968 awards.

The selections include, among others, the Apollo moon voyage, the Navy navigation satellite system, the unique module construction of the Palacio del Rio Hotel in San Antonio, Tex., the building of the world's highest capacity and largest railway car, and the development of an automatic and continuous steelmaking process. I ask unanimous consent that this announcement be printed in the RECORD.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

NEWS OF THE ENGINEERING PROFESSION FROM THE NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS, WASHINGTON, D.C., JANUARY 24, 1969

The National Society of Professional Engineers today announced its selections of the "Engineering Achievements of 1968." They reflect engineering's wide-ranging role in modern life, as it seeks solutions for problems as varied as air pollution, underwater navigation, and new building technology.

The top choices were the Apollo 8 translunar flight; the Meramec Power Plan in south St. Louis County, Missouri; the Navy Navigation Satellite System, and the Palacio del Rio Hotel, San Antonio, Texas. Others selected were the Arkansas River multi-purpose development, the First National Bank Building in Chicago, the closing of the Darien Gap in the Pan-American Highway, the Delaware

Memorial Bridge Twin Span, the Passenger Tire Uniformity Measuring Machine of B. F. Goodrich Co., electronic switching systems for telephone communications, and a new steelmaking process.

NSPE termed the Apollo moon voyage "an unparalleled feat, attributable to the joint efforts of engineering and science." A high degree of engineering reliability was demanded to take man on his farthest journey from the earth, enter and leave the gravity field of another celestial body for the first time, and return safely through fantastic heat loads.

The Meramec plant of Union Electric Company was named for putting into operation an air pollution control system designed by Combustion Engineering Co. It removes at least 83 percent of sulphur dioxide from flue gases, more than 99 percent of fly ash, and all but immeasurable quantities of sulphur trioxide. More than $1,000,000 investment and six years of laboratory and pilot testing went into the development of the massive equipment. This work was given favorable mention by NSPE last year, though not included in the top achievements.

A member of the board of judges who is an expert on air pollution termed two other new processes of equal importance. One is the Monsanto catalytic oxygen sulphur dioxide removal facility now in operation at the Portland, Pennsylvania generating station of the Metropolitan Edison Company. The other is the Wellman-Lord process that will be used at the Potomac Electric Power Co. in Baltimore County, Maryland.

The Navy Navigation Satellite System was developed by the Applied Physics Laboratory of the Johns Hopkins University at Silver Spring, Md. It provides extremely accurate, world-wide, all weather position information for surface and subsurface vessels. The Navy uses it in the Polaris submarine force and in major combat ships of the surface fleet. Private and commercial navigators also are availing themselves of its capabilities. The system involves measuring the "Doppler shift" of frequencies transmitted from a satellite, to an accuracy of one part in a billion. In the Navy a computer reduces operator effort to a minimum.

The Palacio del Rio Hotel, San Antonio, Tex., was singled out for its unique module of construction, whereby complete rooms are fabricated miles away from the site and hoisted into place by a giant crane. H. B. Zachry, a professional engineer, heads the company bearing his name which built the hotel. One judge expressed the view that the concept "will bring new horizons and dimensions to the construction industry, which has not faced up to the challenge of modernization for many, many years."

The development of the Arkansas River for navigation, flood control, water supply recreation, hydroelectric power and fish and wildlife was hailed for its multiple economic, social, and esthetic benefits to the region and the nation. It is the most extensive water resources project under construction in the United States today, and the largest civil works project ever undertaken by the U.S. Army Corps of Engineers.

The First National Bank Building of Chicago is a 60-story structure with unique curved exterior walls. The design was subjected to extensive wind tunnel testing. Engineers were C. F. Murphy & Associates and P&W Engineers, Inc. Architects were C. F. Murphy and Associates and The Perkins and Will Partnership.

Closing the Darien Gap in the Pan American Highway was accomplished by the U.S. Bureau of Public Roads. Its engineering studies determined the feasibility of the Atrato Swamp route through Panama and Colombia, previously thought impossible. This route offers a projected saving of 205 miles in distance and a $120 million in costs. When built, it will complete the 19,000-mile Pan American Highway, longest unbroken stretch of roadway on earth.

The Delaware Memorial Bridge Twin Span will provide a one-way facility in each direction for the important river crossing on the New York-Washington route. The new structure is 24,286 feet, supplementing the old structure of 24,465 feet, and making the bridge the longest in the world. Construction of the New Jersey anchorage involves the world's largest continuous underwater concrete pour. It measures 246 by 106 by 30 feet. Estimated cost of the new span is $70 million.

The passenger tire uniformity measuring machine developed by B. F. Goodrich Co. is considered to be a substantial contribution to both automobile safety and riding comfort. Non-uniform tires can cause vibration in body panels, frame supports, and even in the steering system to the point of possible loss of control. All Goodrich original equipment tires, are checked on this machine, which gives better correlation of results than older balancing systems.

A Bell System team of Bell Telephone Laboratories and Western Electric engineers has developed and put into service a solid state electronic switching system to replace all electro-mechanical telephone systems now in operation. The application of stored program (computer-like) machines will give the fastest and most flexible telephone service possible. Eventually electronic switching will evolve into a nationwide network offering time saving new customer services and features for business and resident subscribers.

A major breakthrough toward continuous and automatic steelmaking was achieved through a system of slab reheating furnaces and controls, supplied by Surface Combustion Division of Midland-Ross Corp., Toledo, Ohio for Granite City Steel Co., Granite City, Illinois. It is in operation in a hot strip mill designed for complete computer control, and it is hoped will lead eventually to reducing the time lag between iron ore and hot rolled products from weeks to minutes. Part of the system is a new type mechanical conveyor to transport 1,000 tons of slabs at 2300° F. temperature for the 110 foot length of the furnace.

Other developments receiving favorable mention but insufficient votes for inclusion in the group were:

The Metropolitan Sanitary District of Chicago's reclamation of low grade land by sewage sludge, proving the feasibility of such a method of waste disposal with side benefits to the agricultural economy.

The inflatable spare tire developed by B. F. Goodrich to save space in compact cars.

The "total energy system" designed by Schooley, Cornelius, Schooley for Ohio State University River Dormitories. A natural gas-driven reciprocal engine was used to meet the needs for 1800 tons of air conditioning, 3600 kw of electricity and 250,000 gallons of hot water per day.

The world's highest capacity and largest railway car, 159 feet long. Built for Westinghouse by McDowell-Wellman Engineering Co., Cleveland, it breaks through previous shipping limitations on weight and dimension of apparatus such as generators for electric power stations. Clearance problems are solved by development of a device to shift the load.

Perfection of paper clothing, particularly paper dresses, by companies such as Kimberly-Clark.

The work of the Naval Facilities Engineering Command in South Vietnam, with more than 200 projects at 50 locations, one port and airfield complex alone costing more than $100 million.

The nominations were submitted by chapters of the National Society of Professional Engineers throughout the country, and screened by a committee of leading professional engineers.

NEEDED TAX REFORM

Mr. YOUNG of Ohio. Mr. President, when Federal and State income taxes, social security payroll taxes, sales, property, and all other taxes are counted, it is the poor who pay the bigger share of their earnings in taxes. A family with a total income of $3,000 a year pays out 34 percent in taxes. This is outrageous. A family whose breadwinner earns but $3,000 a year is poverty-stricken. The Federal income tax is not so burdensome for such a family, but State and local taxes have been increasing in recent years. Sales taxes which exist in most States are atrocious. They levy the heaviest burden on the poorest people—those who pay most of their earnings for the necessities of life. A sales tax is a regressive tax, burdening most those who earn the least. It is the reverse of the only just theory of taxation—that taxes should be levied according to ability to pay.

There is a myth that those whose earnings exceed $50,000 a year pay a greater percentage of their income in taxes than those with much smaller incomes. The truth is that those earning $25,000 a year and more pay on the average only 28 percent of their income in taxes, while those in the $5,000 to $7,000 category pay 33 percent; those in the $7,000 to $10,000 category, 32 percent; those in the $10,000 to $15,000 category, 31 percent.

Sixty-two nations have systems of family allowances—a government monthly subsidy for each child. This includes every great industrial nation in the world except the United States. Family allowances is an income maintenance system designed to help children have adequate food, medicines, and proper living conditions. Canada has had such a system for the last 20 years. We in the United States should give consideration to providing family allowances in order to help families raise healthy children who will become productive citizens. A carefully drafted family allowance program would be an important step toward eliminating miserable slum conditions and provide better health for men, women and children in families with the lowest incomes.

WHY THE SEC ISN'T SPECIFIC ON INSIDERS

Mr. WILLIAMS of New Jersey. Mr. President, one of the major problems currently facing our Nation's securities industry is the use or misuse of inside information. Recent abuses have shown us that some individuals and large institutional investors have used such information to make exorbitant profits at the expense of the investing public.

The securities industry now informs us that guidelines are necessary in order to define who is an "insider" and when inside information is actually being disseminated. Nothing could be further from the truth. Recent Securities and Exchange Commission actions in this field are not revolutionary in nature and do not represent changes in existing law. The Securities Exchange Act of 1934 makes it quite clear that corporate insiders possessing material—nonpublic information—which would have an immediate and substantial impact on the price of a corporation's stock cannot use this information for their own benefit.

Wayne E. Green, in a February 6, 1969, Wall Street Journal article entitled "Why the SEC Isn't Specific on Insiders," clearly and concisely describes the problems involved. As chairman of the Securities Subcommittee, I, too have given this matter careful scrutiny and I am in complete agreement with Mr. Green's conclusions that "general standards of conduct already exist in this area. Most insider-trading decisions ultimately will be matters of ethical judgment rather than automatic applications of specific rules." Mr. Green goes on to state:

> The object of insider regulation is to give investors an equal chance to evaluate corporate news and make an informed decision on whether or not to trade. However, the same amount of evaluation time isn't needed for every kind of corporate news. Disclosure of a dividend increase would be easy to evaluate, for example, but how do you put news of a potentially rich but nearly inaccessible mining discovery into a rule?
>
> As Associate Justice Potter Stewart of the Supreme Court once observed in another connection, he probably could never successfully define the types of material that could be considered hard-core pornography. "But," he went on, "I know it when I see it."

Justice Stewart's remarks should be taken to heart by all members of the securities industry. It is high time for this most important industry to face these problems without additional Federal bureaucratic regulations.

I highly recommend Mr. Green's informative article to all Members of this body interested in the problems of insider trading and ask unanimous consent that the complete text be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Feb. 6, 1969]

WHY THE SEC ISN'T SPECIFIC ON INSIDERS

(By Wayne E. Green)

WASHINGTON.—The proud securities industry, long a champion of free enterprise and self-regulation, now says it needs the Federal Government's help.

As the industry and numerous corporate officials see it, the Securities and Exchange Commission should adopt precise rules governing the behavior of "insiders"—stock traders who have access to confidential corporate information. Had the agency done so earlier these critics assert, it wouldn't have caused so much uncertainty with its recent crackdown on insider trading schemes.

The motive of this unusual yell for help must be to ease public pressure on the industry to do its own cleaning up, for the truth is that there's little chance the SEC can draft a regulation to cover the countless varieties of trading situations. The industry position obscures the fact that general standards of conduct already exist in this area. Most insider-trading decisions ultimately will be matters of ethical judgment rather than automatic applications of specific rules.

"The phrase 'guidelines' has become extremely popular," says Philip Loomis Jr., SEC general counsel, "but the way the law has developed is by applying it to specific situations."

IDENTIFYING INSIDERS

Insiders include executives, major stockholders, brokers—anyone whose position with or relationship to a company gives him access to confidential information about it. To protect the public, Federal securities law prohibits these insiders from trading on such information until it has been disclosed.

The subject has received a lot of attention lately because of SEC cases involving Texas Gulf Sulphur Co. and Merrill Lynch, Pierce, Fenner & Smith Inc. Both dealt with abuses of insider-trading restrictions. Both put the securities business in a bad light and led to the industry's basic demand that the SEC should be giving some guidance.

Francis G. Coates, a Houston lawyer and Texas Gulf Sulphur director, adopted this position when he recently asked the Supreme Court to review a lower court ruling against him in the Texas Gulf decision. Mr. Coates was one of several company officers and employes convicted in a New York Federal appeals court of violating U.S. securities law by trading on information about a Texas Gulf copper mine before it was made public. A key point in his Supreme Court plea is that corporate officials simply don't know what the SEC expects of them. "The confusion engendered by the Commission's varying interpretations (of insider trading limitations) is compounded by its refusal, even up to the present, to define the standard of conduct which it claims already exists . . .," the Coates lawyers assert.

Merrill Lynch, the nation's largest brokerage firm, adopted a similar stand. It had been charged by the SEC staff with disclosing to favored customers certain non-public information about the earnings of Douglas Aircraft Co. that it had received while acting as an underwriter for Douglas securities. Merrill Lynch eventually agreed (without admitting the charges) to disciplinary action by the SEC. But on the day the case was settled, Donald T. Regan, president of Merrill Lynch, said his firm was "disappointed" that the SEC still hadn't clarified the laws governing the broad area of corporate information; "we hope the Commission will soon issue clear and specific guidelines for the benefit of all."

At the heart of the industry's argument lie two questions: When can corporate information be considered public enough that insiders can trade on it? And what type of information is subject to insider trading restrictions?

The SEC may try to devise some sort of rule for deciding when information is public, because the New York court suggested in the Texas Gulf opinion that to do so would be an "appropriate exercise" of the agency's power. Even so, there's little possibility the SEC will provide the industry the specificity it wants; there are too many imponderables.

The object of insider regulation is to give investors an equal chance to evaluate corporate news and make an informed decision on whether or not to trade. However, the same amount of evaluation time isn't needed for every kind of corporate news. Disclosure of a dividend increase would be easy to evaluate, for example, but how do you put news of a potentially rich but nearly inaccessible mining discovery into a rule?

Some people in the industry would like a rule providing that news is public "for all purposes" when it appears on the Dow Jones broadtape. But, says an SEC official, that would prompt the trading sharks to simply "sit in front of a Dow Jones ticker with an open telephone line to their broker." Moreover, almost any rigid now-it's-public rule puts added pressure on the unsophisticated investor to jump before he is fully informed.

One possibility discussed by some SEC officials is that corporate news isn't public "at least" until it has appeared on the Dow Jones ticker. That would tell corporate insiders what they couldn't do, but it wouldn't in all cases tell them what they could do—and that's just the type of flexibility the securities industry doesn't like.

GUIDELINES AND EXAMPLES

It's quite likely that this negative, open-ended type of rule is the only one feasible. The securities industry should already be guided by long-established standards, such as the one cited in the Texas Gulf case, which says that insiders can't trade on confidential information until it has been "effectively disclosed in a manner sufficient to insure its availability to the investing public." The SEC could incorporate this type of guideline into a rule and add a few examples of behavior that would violate it. But it can't offer the industry safe conduct in every situation.

In asking the SEC to define insider information, securities and corporate officials must face similar realities. They are aware that the SEC and the courts repeatedly have said that restrictions against insider trading apply only to "material" information. Critics call this vague and subject to misunderstanding, but it seems clear from a number of cases and from public statements by SEC officials that information is "material" when an investor would attach importance to it in trying to decide whether to buy, sell or hold a security.

If generally known, material information could be expected to affect the market price of the security.

People may disagree over whether a particular piece of information fits that definition, but disagreement isn't unusual in an adversary system of justice. The term "materiality" fits into the same category of legal expressions as "reasonable," a word that has become the standard legal test in many areas, such as determining whether a person is liable for civil damages.

The courts and administrative agencies purposely have avoided rigid definitions that restrict their flexibility. That's the reason, for example, that the word "fraud" has never been defined except within the context of specific situations. Observed a Missouri supreme court judge as far back as 1913:

"Fraud is kaleidoscopic, infinite . . . Were courts to cramp themselves by defining it with a hard and fast definition, their jurisdiction would be cunningly circumvented at once by new schemes beyond the definition."

Problems do arise with any such flexible approach, of course, because the gray areas always create uncertainty. In the insider realm, for example, the smaller company that wants to advise investors of a certain development can't always get the message published because the media don't feel it's newsworthy, though it might affect a trader's judgment. When is that news public?

SEC officials concede they don't have a ready answer to this or many other gray-area situations, but they argue that specific rules can't cure gray areas anyway. A company that makes a diligent effort to disclose its information would rarely find itself in violation of insider-trading restrictions, they feel. What worries most companies more than the risk of being found guilty, these men reason, is the time and expense of a lawsuit—"and there hasn't been a rule devised yet that will keep people from suing," says an SEC official.

PAMPHLET IMPRECISION

A New York Stock Exchange pamphlet called "Expanded Policy on Timely Disclosure" spends 16 pages trying to tell its members how to stay out of trouble through prompt disclosure of inside information. Even, then, the exchange is forced to rely on such flexible terms as "quickly" and "materially."

Private law firms, after a spell of advising corporate clients simply to clam up, have now begun to prepare memorandums telling them what they can and can't do. The private bar can be useful here because it can work out guidelines for a company within the context of the firm's particular situation. However, "blanket guidelines for all companies" are impossible for the SEC to devise, says David Ferber, SEC solicitor.

In the end, of course, businessmen will have to rely on their own judgment in deciding whether information is material enough that it should be disclosed to the investing public. And while it may be difficult to define materiality in abstract terms, businessmen shouldn't have much trouble within the context of a specific situation.

As Associate Justice Potter Stewart of the Supreme Court once observed in another connection, he probably could never successfully define the types of material that could be considered hard-core pornography. "But," he went on, "I know it when I see it."

U.S. CASUALTIES IN VIETNAM

Mr. BYRD of Virginia. Mr. President, for those who feel that there has been a marked decrease in the level of fighting in Vietnam, I would like to cite the casualty figures for the past month, the month of January.

During this one month of January 1969, U.S. casualties in Vietnam totaled 5,556.

It would be well to point out, too, I think, the amount of free world shipping into North Vietnam, as there is a direct relationship between U.S. casualties and the supplying of North Vietnam by our Nation's so-called allies.

During January 1969, 11 ships flying the flag of free world nations carried cargo to North Vietnam.

This figure compares with 10 free world ships which supplied North Vietnam during January 1968, and six such ships which carried cargo to North Vietnam during January 1967.

For the calendar year 1967, 78 ships flying the flag of free world nations carried cargo to North Vietnam; for the calendar year 1968, this figure nearly doubled—149 ships.

TADEUSZ KOSCIUSKO—A LIFE DEVOTED TO FREEDOM

Mr. McINTYRE. Mr. President, some men talk about freedom. Others do something about it.

Tadeusz Kosciusko was a doer. He devoted his energies, his vast knowledge of military action, his life to freedom.

It was Thomas Jefferson, one of Kosciusko's closest friends and most ardent admirers, who called him "the purest spirit of liberty."

It is fitting that all of us who love liberty and freedom so much should pause for a moment before this 223d anniversary of Kosciusko's birth to remember this great Polish patriot.

In Poland, where the heavy hand of communism throttles freedom and liberty, Kosciusko's meaning is so strong that even the masters of the Kremlin cannot deny the Polish people the celebration of Kosciusko's birthday as a national holiday. All Polish people here and throughout the world and all freedom-loving people everywhere join with those in Poland in this celebration.

The year 1776 has a particular meaning for Americans. It was the birth date of our liberty. It was in this same year that Kosciusko heard of the beginnings of the American Revolution and, borrowing money for his passage, set sail to America.

Kosciusko had studied at the Royal Military School in Warsaw and at the famed military school at Messieres in France.

Upon arrival in America, his enthusiasm for the revolutionary cause and his ability was immediately recognized. He was put to work drawing up plans for the defense of the Delaware River. Soon he was constructing the fortifications at West Point on the Hudson River. He fought at Ticonderoga and later was a leader of the American troops in South Carolina.

He rose rapidly in rank in the revolutionary forces and by 1783 he had been commissioned a brigadier general. Congress, by a special act, bestowed on him the rights and privileges of American citizenship.

It was while he was fortifying West Point that he recommended this spot be considered as a future site for a military academy. It was his recommendation that led to the selection of West Point for our U.S. Military Academy.

After the revolution Kosciusko returned to Poland to lead the fight against the Russian armies who were overrunning his nation at that time. He died in Switzerland in 1817.

He left his will with his friend Thomas Jefferson. It directed that whatever estate he might have be used to free the slaves. Even in death this great man, who loved freedom so much, struck another blow for freedom.

THERMAL POLLUTION IN THE PATUXENT RIVER ESTUARY

Mr. TYDINGS. Mr. President, the Natural Resources Institute of the University of Maryland has recently released a report that is of interest to all of us concerned with the quality of our environment.

The report is entitled "Patuxent Thermal Studies." It is the result of 6 years of analysis of thermal discharges by a powerplant at Chalk Point on the Patuxent River Estuary.

Four findings by the scientists are particularly significant. The first is that the release of heated water into the Patuxent has definitely harmed marine and plant life within the estuary. Conclusive evidence is available that shows the thermal discharge has upset the ecology of the river. There can no longer be any doubt about this.

The second is the necessity to rely on research other than that supplied by the electric power industry. States must have a research capacity of their own.

If Maryland had been dependent on industrial research alone, there would have been little information on first, the effects on the ecology of the estuary; second, the proper basis for water quality standards for thermal additions to estuaries; third, the vulnerabilities and potentials of estuaries for industrial operations requiring process water; and, fourth, the biological basis for improvement of the process of selecting and evaluating possible industrial sites.

The third significant fact relates to this last point. It is, simply, that in the selection of the sites for locating electric powerplants too little consideration is given to the environment. This impact must be accounted for in the earliest planning stages. After that it is often too late.

The last point is also simple. If the size of these plants is to increase and the harm they bring to Maryland waters is excessive, serious consideration must be given to prohibiting them from the Chesapeake region.

Last year, as a member of the Senate Subcommittee on Air and Water Pollution, I chaired hearings here in Washington on the problems of thermal pollution, part of a series of hearings on this form of environmental hazard conducted by my distinguished colleague the junior Senator from Maine.

In its February 6 issue, the Washington Post published an article by Richard Corrigan based on this report by the National Resources Institute. I believe it will be of interest to all my colleagues and therefore request that the text of Mr. Corrigan's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HEAT POLLUTION: A DANGER

(By Richard Corrigan)

It's not just fish that are in hot water now because of the thermal pollution issue. This kind of pollution is a problem for expansion-minded electric utility companies, conservation-minded scientists and citizens and government officials responsible for protecting public resources, but who don't agree.

The University of Maryland's Natural Resources Institute has just announced that thermal pollution poses such a danger to the entire Chesapeake Bay region that power companies must be forced to develop better control equipment or be forbidden to build new stations.

The Institute reached this conclusion, in a "final" report issued this week, after six years of field and laboratory experiments involving the Potomac Electric Power Company Chalk Point generating station.

A top State official has contradicted the Institute's conclusions, saying the situation really isn't that serious.

The crux of the Institute's position is that the State has two choices in dealing with this problem:

"Prevent any further development of expansion in the Bay system by those operations requiring process water," or; "Force these operations to develop a technology that will have no significant destructive effects on the aquatic resources."

Paul McKee, director of the State Department of Natural Resources, said that in his opinion the evidence does not substantiate this view. With a few minor exceptions, McKee said, "There are no demonstrable harmful effects whatsoever on the river or its ecology" because of the Chalk Point station.

He also said "I wouldn't agree with prohibiting additional power stations . . . I don't think they create that much of a problem."

McKee said studies at Chalk Point have aided in the search for better ways to deal with thermal pollution, and that he agreed with some of the recommendations in the report. But the general tenor of his remarks was that the problem is being controlled.

L. Eugene Cronin, director of the Natural Resources Institute, does not agree. He said the report amounts to "a clear demonstration of some detriment" to the Patuxent—"at the same time we're getting proposals for plants six times this big."

Cronin added that "how he (McKee) chooses to apply" the findings in the report "is his business—it's also the public's business." It is McKee's department that decides whether to issue permits for using water.

A Pepco official, L. W. Cadwallader, said he has not yet seen the report but that the company is taking steps at Chalk Point to reduce thermal pollution. Cadwallader, vice president in charge of power generation, also talked of the company's plans for a new station at Morgantown on the Potomac River, at which new heat-control methods will be used.

Cadwallader said the Morgantown plant will meet State standards on water temperature, although Cronin and the Potomac River Fisheries Commission already have accused Pepco of trying to evade one standard in its Morgantown plans. Cadwallader said the Fisheries Commission is trying to write new standards and is being unrealistic.

The Patuxent River report was written by Joseph Mihursky, chairman of the environmental research department of the Natural Resources Institute. Cronin said he fully endorsed the report's findings and recommendations.

The report was prepared as a part of a $200,000 contract between the Institute and the Department of Natural Resources.

The Institute serves as a research arm for State natural resources agencies, but is not under their direct control. Cronin likes it that way.

"Our job is not to defend" actions by State agencies, he noted. "We have to keep independent, and independence will sometimes bring a difference in emphasis."

A commission on governmental reorganization appointed by Vice President Agnew, then Maryland governor, recommended that a State cabinet-level Department of Natural Resources be established. Cronin indicated he would like to keep the Institute out of any such department, while McKee said he would like to have his department under a cabinet secretary. "It'll make life easier for me" by shifting criticism from his shoulders to someone else's, he said.

Pepco's Chalk Point station, a 730,000 kilowatt coal-burning facility that went into full operation in 1965, uses up to 500,000 gallons of Patuxent River water a minute to cool its condensor units. (The Morgantown plant will use at least 1 million gallons a minute.)

The water that goes back into the river is as much as 23 degrees Fahrenheit hotter in winter than the water coming in, and 11.5 degrees hotter in summer.

Changes in river temperatures caused by the discharge can be found as far as five miles upstream and downstream from the point of discharge, the study said.

The temperature on the discharge water has at times approached 100 degrees, and water within a surrounding three-quarter mile area has been recorded up to 95 degrees, the study said.

Summarizing the effects on the Patuxent caused by this hot water—and by traces of copper found in it—the study said that:

Microscopic plant life in the water that runs through the power station loses up to 94 per cent of its life-giving power of photosynthesis, through which these organisms feed themselves and release oxygen into the water.

Some rooted water plants that provide food for waterfowl have undergone "severe reductions"—while other species seem to grow faster in warmer water.

Microscopic animal life in the water has been reduced in the area, and the power station is "suspected" to be the cause. Some predatory organisms, including sea nettle, also are being killed.

Opossum shrimp, a source of food for young striped bass, were found in greater numbers above the discharge point than just below it—but no data was available on the population of this species before the plant went into operation.

Soft-shell clams died throughout the Patuxent estuary in 1965 and 1966 in massive numbers. The study found no evidence that the station was responsible for this, and no recent effects have been noted.

Oysters have not undergone any significant changes, the study said—"but one phenomenon was definitely associated with S.E.S. (steam electric station) activity. A noticeable increase in green oysters began at the station nearest the effluent (discharge point), and progressively spread downriver . . .

"Analysis revealed that this greening was highly coincident with copper increase in oyster tissues.

"Oysters were placed in the intake and effluent canals with the following results: Intake oysters showed no mortality . . . oysters in the effluent eventually suffered 100 per cent mortality and showed 100 per cent greening with a sharp increase in copper concentration . . ."

The study said the copper apparently came from corroded tubes, which have been replaced, but that oysters were still turning green, even with new tubes at the plant, when this portion of the study ended.

Fish seem to be drawn to the warm water in winter months, and to retreat from it during summer, the study said. (This is why the discharge area is a popular spot for wintertime anglers.)

The general trend seems to be, however, that there has been a decline in the fish population in the area.

"If this trend is real and continues it can only be interpreted to mean that a general degradation in environmental quality is occurring in the Patuxent River system," the study said.

About 40,000 blue crabs were found dead in the discharge canal area in late 1966. "This mortality is associated with S.E.S. activity and represents a loss of one season's recreational crab catch in the estuarine reach under study . . . A kill of striped bass occurred in the effluent canal area in 1967."

(Another report on thermal pollution in the Patuxent has been written by Robert L. Cory of the Department of Interior's Geological Survey. Cory said he found that temperature changes definitely affect aquatic life. For example, he said, marine fouling organisms—such as barnacles—showed an increase in growth in and near the Chalk Point discharge canal.)

The study also said laboratory research on 23 species of aquatic life indicated that 24-hour exposures to water hotter than 90 degrees cause "significant mortalities in a majority of the species tested and some have heavy losses." However, the study said that "rarely if ever" are there continuous exposures to very high temperatures at any one point near the station.

The study said that Maryland's new standard, under which discharge water is not supposed to raise river temperatures above 90 degrees, seems generally adequate.

The study recommended that the State maintain and enforce its current antipollution standards, field test them on a stepped-up basis to see whether they should be stronger, and expand its laboratory studies of the Chesapeake Bay ecology to gain a greater understanding of what changes are occurring.

The study said heat might be put to such useful purposes as stimulating early spawning seasons, attracting fish for sport and commercial catching and eliminating certain organisms such as barnacles. But further research is needed in this area, it said.

To prevent further pollution of the Patuxent, the study recommended that no additional heat loads be allowed in the area, that no exceptions be granted to the 90-degree standard, that water used within the plant should not be heated above 90 degrees, that metallic pollution be eliminated and that chlorine control be improved. McKee said he agreed that chlorine should be controlled and that he already has told Pepco to bring Chalk Point into compliance with the 90-degree standard.

The study noted that the power industry is planning giant generating stations that, under current design techniques, would need up to 6 million gallons of water per minute or 12 times the water that the Chalk Point station uses at full operation.

To cool these plants, the study said, the industry will need more and more water along the Eastern Coast—and the Bay is an obvious target.

"If industrial and domestic operations that require process water are permitted to operate under older technologies it is certain that the Bay environment will be degraded . . . ," the study warned.

The report also told the State to beware of research supplied by power companies. It said that if the State had used only information supplied by the industry and its consultants, "there would have been little or no useful information" on how the power plant would affect the river and the organisms in it.

SECRETARY HICKEL ORDERS HALT IN SANTA BARBARA DRILLING ACTIVITY

Mr. STEVENS. Mr. President, Secretary Hickel has taken another dramatic step in connection with the Santa Barbara catastrophe. Today he has ordered all oil companies operating on Federal lands off of Santa Barbara, Calif., to halt their operations.

I think it should be made clear that the leases that were issued to the companies drilling in this area have been outstanding for some time. The Federal Government received substantial bonuses from the companies involved for the leases when they were issued. In my opinion the Federal Government, as the landowner, has the responsibility to take prompt action to clean up these California beaches.

If the companies had been required to compel their drilling subcontractors to meet the standards that we in Alaska have set for our offshore operations, it would have received less in bonuses but there would have been substantially less probability that a catastrophe such as has occurred would have occurred.

I am confident that Secretary Hickel's action will be widely acclaimed as the only possible step that could have been taken under the circumstances.

Mr. President, I ask unanimous consent that the text of the Secretary of the Interior's news release and the telegrams he has sent to the affected companies be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SECRETARY HICKEL ORDERS HALT IN ALL SANTA BARBARA DRILLING AND PRODUCTION

Secretary of the Interior Walter J. Hickel today ordered all oil companies operating on Federal lands off the coast of Santa Barbara, Calif., to halt drilling and production operations in the Santa Barbara Channel.

The Secretary's order went out in telegrams to the heads of the petroleum companies which are now operating offshore drilling rigs and producing wells on federal lands in the channel—Union Oil Company of California, Humble Oil and Refining Company, Texaco, Inc., Phillips Petroleum Company and Mobil Oil Corporation.

Secretary Hickel said he talked with President Nixon and Attorney General John Mitchell, and "both strongly concurred in the action being taken."

The Secretary's order came as Union Oil personnel continued their efforts to seal a ruptured well 5½ miles off the coast that has continued to leak oil into the sea since it blew out on January 28.

The order is not applicable to the relief well now being drilled by Union Oil for the purpose of sealing off the leakage.

As he announced the order, Secretary Hickel said, "I have directed all of the oil companies involved to reduce their platform operations to a standby condition until it can be shown with some certainty that we are not risking another blowout in the area by continued drilling."

"Our department engineers produced preliminary data which indicates that drilling alone may not pose a threat of a blowout," Secretary Hickel said.

"However, it has become increasingly clear that there is a lack of sufficient knowledge of this particular geological area.

"This lack leaves us no other reasonable course of action than to halt drilling until Union's ruptured well can be sealed, and until the required geological knowledge is secured."

The Secretary's telegram to the chief executive officers of the oil companies was as follows:

"Pursuant to the provisions of applicable laws and regulations including 30 CFR 250.12, you are requested and directed to cease all drilling and production operations . . . pending further notice."

FEBRUARY 7, 1969.

FRED L. HARTLEY,
President, Union Oil Co. of California, Los Angeles, Calif.:

Pursuant to the provisions of applicable laws and regulations, including 30 CFR 250.12, you are requested and directed to cease all drilling and production operations on lease no. P–0241 pending further notice. This notice is not applicable to the necessary drilling of the relief well.

WALTER J. HICKEL,
Secretary of the Interior.

FEBRUARY 7, 1969.

W. W. KEELER,
Chairman of the Board, Phillips Petroleum Co., Bartlesville, Okla.:

Pursuant to the provisions of applicable laws and regulations, including 30 CFR 250.12, you are requested and directed to cease all drilling and production operations on lease no. P–0166 pending further notice.

WALTER J. HICKEL,
Secretary of the Interior.

FEBRUARY 7, 1969.

J. HOWARD RAMBIN, Jr.,
Chairman of the Board, Texaco, Inc., New York, N.Y.:

Pursuant to the provisions of applicable laws and regulations, including 30 CFR 250.12, you are requested and directed to cease all drilling and production operations on lease no P–0234 pending further notice.

WALTER J. HICKEL,
Secretary of the Interior.

FEBRUARY 7, 1969.

M. A. WRIGHT,
Chairman of the Board, Humble Oil & Refining Co., Houston, Tex.:

Pursuant to the provisions of applicable laws and regulations, including 30 CFR 250.12, you are requested and directed to cease all drilling and production operations on lease nos. P–0188 and P–0190, pending further notice.

WALTER J. HICKEL,
Secretary of the Interior.

FEBRUARY 7, 1969.

A. L. NICKERSON,
Chairman of the Board, Mobil Oil Corp., New York, N.Y.:

Pursuant to the provisions of applicable laws and regulations, including 30 CFR 250.12, you are requested and directed to cease all drilling and production operations on lease no P–0202 pending further notice.

WALTER J. HICKEL,
Secretary of the Interior.

COMPETITIVE AIRLINE SERVICE TO HAWAII

Mr. INOUYE. Mr. President, quite recently the transpacific air route decision of the Civil Aeronautics Board, which was approved by President Johnson with one modification, has received some press comments. Last Friday afternoon President Nixon publicly stated his desire to review the matter.

My remarks today are not addressed either to the statements in the press or to President Nixon's desired intervention. I just want to make certain that the most important, but less sensational, aspect of this case is not overlooked. The overriding public interest is in the initiation of new and expanded competitive airline service to Hawaii and beyond to all areas of the vast Pacific. Such service is long overdue. There is now an urgent national interest in its prompt establishment.

At the outset of the most recent transpacific hearing, I testified in Hawaii on February 15, 1967:

> I urge that the broadest, long-range consideration be given to the dramatic developments now taking place in the Pacific—developments which relate both to Hawaii's economic development and to this nation's long-standing investment in and commitment to the Asian and Pacific neighbors.

I further said:

> I am certain the (Civil Aeronautics) Board will give full consideration to each (of the airlines) in terms of the best interests of the State of Hawaii and the nation.

The existing pattern of U.S.-flag carrier service, as noted by the Board, "has remained essentially unchanged since the Pacific case in 1946," 23 years ago. The current transpacific case began over 10 years ago, and the Board "undertook an expedited investigation to consider the authorization of competitive service over the major Pacific routes." I stress "expedited investigation" because needs that were urgent in 1958 have become critical today as aviation continues its explosive growth.

This is particularly true in Hawaii, which became a State after the institution of this case. Hawaii's need for air service, as an island community otherwise isolated from the mainland by time and distance, has grown at a much greater rate than the rest of the States. Air service is Hawaii's lifeline to the mainland and the Pacific beyond. Hawaii cannot expand and grow or reach its full potential in trade and commerce without improved air service—and that improved service must be provided now.

From a national standpoint, the need for improved air service to and through Hawaii is equally imperative. Hawaii is the hub through which most of the traffic destined for other points in the Pacific will funnel.

Mr. President, the Board, based on the most exhaustive record ever developed in an airline route case, has thoroughly and carefully documented their findings with respect to the need for new competitive service. This record shows that: first, traffic over the past 20 years has grown at an average rate of 20 percent each year; and, second, traffic expected in the 1970's will continue to grow at an equally rapid rate.

The Board, in its opinion in the international phase, said:

> The Examiner's most important overall conclusion concerning the U.S.-flag route pattern over the Pacific was that all of the major routes are now ripe for competition.

The Board agreed with the examiner and itself concluded:

> Increased competition . . . is thus essential to the development of a sound U.S.-flag air transportation system over the Pacific.

The most persuasive evidence that expanded competitive service to Hawaii and across the Pacific is required is the clearly inadequate existing service being provided by the incumbent U.S.-flag carriers under the present route structure. A major finding of the Board was:

> Service over each of the routes suffers from one or more of the following conditions, which signal the need for added competition: persistent high load factors, particularly on critical sectors and in peak travel periods, to the extent of seriously inconveniencing many travelers; persistent high fares and rates, which the U.S.-flag carriers have made little attempt to reduce, accompanied by an illogical and distorted fare structure; an unparalleled spread between break-even and actual load factors, producing rates of return on investment over a period of years which are far in excess of those the Board has found to be reasonable; outscheduling by foreign carriers; and a declining U.S.-flag share of the available traffic. All these conditions the examiner has fully documented. Increased competition, we conclude, is thus essential to the development of a sound U.S.-flag air transportation system over the Pacific.

After more than 10 years of protracted proceedings, the "time is now plainly past" for a final resolution of the transpacific case.

By way of critically important background, it is essential that all interested in this matter fully appreciate the respective roles of the examiner, the Board, and the President in the decisional process. Unfortunately, this has not been made clear to date by the press.

An examiner, who conducts and presides over the hearing, has the primary role of assessing the market potential in terms of passenger, cargo, and mail traffic. The examiner is responsible for making findings on past service deficiencies. Additionally, he renders his judgment on new routes to be created and carriers to operate them.

The role of the Board is to review the examiner's findings, satisfy itself that they conform to the record and then to bring to bear the Board's expertise on the new routes and the selection of carriers. The Board must do so in the broad frame of reference of creating a sensible, overall air transport structure and meaningful competitive balance between the carriers. An examiner does not have this broad responsibility; he tries only individual cases. The examiner is essentially a factfinder whereas the Board has the statutory responsibility to promote and develop an effective and competitive U.S. air transport system.

In an international route case, the President's role is one of responsibility for foreign affairs and national defense and security considerations, leaving to the regulatory agency its responsibility for structuring the routes and selecting the carriers.

The transpacific case well demonstrates the proper performance of these roles.

The Board adopted the detailed findings of the examiner as to market need and past service deficiencies. The Board superimposed its policy judgment as to the specific new routes to be created and the carriers best suited to provide the needed new service. President Johnson then applied his responsibility and in so doing, approved the Board's recommendation except for deleting American Airlines' route to Japan because of pressing foreign policy considerations.

It is essential now that the Government proceed expeditiously to permit the badly needed and overdue competitive service. I am confident President Nixon's review will establish the propriety with which this case was handled and the needed service will be permitted to be implemented.

A MORE EFFICIENT POSTAL SERVICE

Mr. BOGGS. Mr. President, yesterday President Nixon made a proposal which I believe would do much to make our postal service a more efficient one.

The President said that henceforth the political adviser system will not be used in the appointment of postmasters and rural mail carriers.

That announcement in itself would go far to removing the political specter from our postal service by making some 1,600 postmasters and 1,800 rural carriers employable solely on the basis of professional qualification.

It might be noted here that the Senate has already approved a change of that sort and has the opportunity to do so again.

The passage last year of the Legislative Reorganization Act provided for abolition of the adviser system. This year, the act is before us again, sponsored by the senior Senator from South Dakota, and others.

That bill was developed by the Special Committee on the Organization of the Congress, on which I had the honor to serve. I support heartily the bill and urge its prompt passage.

The President has suggested another step which I also heartily endorse. He said he will submit to the Congress in short order a proposal which would abolish the requirement for Senate confirmation of postmaster appointments.

I am firmly convinced that the combination of the two proposals will effectively remove the Post Office from the patronage system and lead to a more effective mail service.

A SECOND LOOK AT THE SENTINEL ABM

Mr. YOUNG of Ohio. Mr. President, the decision by Defense Secretary Laird to defer site acquisition and construction for the Sentinel anti-ballistic-missile system and President Nixon's admission yesterday that the ABM system was not in reality aimed as a defense against a possible Chinese nuclear attack at last bring a measure of sanity to administration policy on this controversy and explode the earlier fictions on which the entire ABM program was based. The decision by President Johnson to begin construction of an anti-ballistic-missile system was a tragic mistake, exceeded in magnitude only by his decision to escalate our involvement in the ugly civil war in Vietnam.

Now, because of the Pentagon announcement and President Nixon's statement, there is time to reconsider rationally whether there is in fact a need for an ABM system and the fantastic implications involved in embarking on a venture of that magnitude.

The so-called thin ABM system will cost taxpayers $6 billion and possibly $9 billion and be merely the forerunner of a thick system which will cost anywhere from $50 to $100 billion or more. Let us face the fact that approval of the thin ABM system was merely another case of the camel getting his nose in the tent. If work on the Sentinel system is allowed to continue, before long we would be faced with the construction of the biggest boondoggle in the history of mankind. It would make the military-industrial complex rich, but would also result in the production of huge masses of junk that would be meaningless in terms of national security.

This is an indefensible expenditure. It would result in an utter waste of taxpayers' money, just as all of the millions heretofore spent on the deployment of anti-ballistic-missile systems ringing some cities of our Nation have been fruitless and wasteful. The fact is that the United States has spent almost $19 billion since World War II on missile systems that either were never finished or were out of service when completed because of obsolescence.

More than $5 billion has already been spent on the Nike-Ajax missile system, the Nike-Zeus, and following that the Nike X. This was taxpayers' money down the drain, utterly wasted. These anti-ballistic missile systems were ineffective and useless by the time they were completed. Experience keeps a dear school. It is high time we profit by our mistakes of the past and not perpetrate further boondoggles such as proceeding with the Sentinel ABM system. My vote will be cast against any bill which perpetrates this waste of money. Patrick Henry on a historic occasion said:

> There is but one lamp by which my feet are guided, and that is the lamp of experience. I know of no way to judge the future but by the past.

Should we proceed to build this ABM system, the leaders of the Soviet Union are almost certain to respond with increases in offensive strength which would negate any advantage from ABM deployment. By plunging ahead with an ABM system, we run the risk of escalating the arms race to a fantastically high and unbelievably costly plateau. This upward spiral of the arms race would leave both sides with no more real security than each has now.

After both sides have anti-ballistic-missile systems, we may rest assured that the race will then start all over again to produce new, more expensive, and more sophisticated missiles that can penetrate the antimissile systems. After another costly race is over, there is every reason to believe that the balance of power will settle at the same point where it now rests.

Our only real defense against the threat of a nuclear attack is the deterrence of our overwhelming offensive forces. Our tremendous potential offense is our best defense. We must keep our offensive power so far ahead of the Russian and Chinese defenses that it will remain perfectly clear and obvious to the Soviet and Chinese leadership that a first strike against us will trigger an unbearable response. We must constantly seek to improve our offensive missiles now standing in concrete silos and underwater in our Polaris submarines throughout the oceans and seas of the world.

President Nixon performed a great public service yesterday in candidly admitting that the Sentinel ABM system was not designed as a permanently limited defense against a Chinese attack, as heretofore claimed. Actually, it was clear to anyone who has studied this matter carefully that the Chinese rationale was a fiction from its inception. Let us hope that this administration will continue to approach this problem in an orderly and rational manner. If so, I feel confident that in due course the ABM proposal will eventually be abandoned, unwept, unhonored, and unsung.

Mr. President this morning the Washington Post published an excellent editorial entitled "For the Sentinel, a Second Look." The editorial clearly and concisely sets forth the reasonableness of the administration's approach at this time to the ABM problem and the benefits that will accrue to our Nation from the decisions announced by the President and the Secretary of Defense. I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOR THE SENTINEL, A SECOND LOOK

The Pentagon's action in freezing work now under way on the deployment of the Sentinel antiballistic missile system, and President Nixon's comments on the Sentinel yesterday could serve to restore some order to the debate on this momentous project. They could also help the Administration and Congress to reach some sort of agreement on it in an orderly and rational way. For a variety of reasons and owing to an abundance of cross-pressures on all sides, discussion of the Sentinel system up to now has all too often had the character of a kind of verbal barrage of Spartans and Sprints, aimlessly directed—gone awry, in fact—near-missing the point and/or blowing each other up.

Thus, in behalf of deploying a Sentinel system it has simultaneously been argued that (1) such a system should be undertaken for purposes of bargaining with the Russians while (2) it would not (as charged) encourage a new round of Soviet weapons development because the Soviets would understand that it was a defense against Chinese impulsiveness and thus no menace to them. This kind of logic has not been the monopoly of the ABM's defenders. And while opponents of the deployment may have been tactically shrewd in seeking to mobilize local anxieties about missile emplacement in opposition to the project, no one could find it very reassuring to think that decisions as complex and sensitive as this one might be wholly resolved by political pressure.

What Secretary Laird has done by his slowdown decision is to defuse the argument somewhat while the Administration proceeds with its review. He has thus bought some invaluable time to decide at what pace it is either prudent or necessary to proceed with the ABM deployment, gearing that decision to the forthcoming talks between the United States and the Soviet Union and to congressional and public opinion as well. Among other things, it is fairly obvious that the decision to deploy an ABM system could hardly be of value as a bargaining counter should those with whom we are bargaining have occasion to observe the Administration's project summarily slaughtered in Congress. No one can be certain at this point just how strong congressional opposition would be, but it does seem evident that it is more formidable than it was the last time around in the Senate and that if the Administration is entering into talks with the Russians when the subject is up for debate, it will have a better chance of getting some cooperation on its position—as a result, presumably, of consultation with the legislators.

President Nixon, for his part, performed a highly valuable service in candidly (and publicly) describing the Sentinel system not as the permanently limited defense against a Chinese attack which it was billed as before, but rather in his words as an addition to "over-all American defense capabilities." This makes sense. To some extent, the earlier position was taken by the Johnson Administration to protect itself from pressure on both flanks: the so-called "thin" system was designed to satisfy growing demands from the military and important sectors of Congress that some action get under way, and it was also believed to be sufficiently circumscribed in its official definition to be accepted by the rest of the Congress. It was never clear whether it was more important to stick to this definition for purposes of controlling the ambitions of the military or the apprehensions of antimilitary. But it *was* clear in the debates of the past year that the Chinese rationale was not accepted either by those who were fighting for the project or those who were fighting against it. Just as Secretary Laird has gained some time for Mr. Nixon, so Mr. Nixon has gained some freedom—maneuvering room, really—by penetrating the earlier fiction. Apart from expansion into a full-fledged missile defense (if that is even a possibility), there are other ways in which the Sentinel project is related to "over-all" defense. These, of course, may not be wholly beneficial. For just as you can argue that the Sentinel system would provide some protection for the Minuteman missile sites, or that moving ahead would have its uses in bargaining with the Soviets, so the case can be made that the Soviet response to any formidable move toward completing an ABM defense will be a step up in offensive weapons and a corresponding disinclination for a time to do any serious business in the talks.

Those conversations are clearly central to where we go from here, and the apparent Soviet receptivity to getting them started quickly should be acted upon. There are separate reasons for this, but strictly in terms of President Nixon's position in the matter of the ABM the case for going ahead is sound. He has acquired some time and some freedom of maneuver and a considerable measure of control over his own decision by holding off on further work on the deployment and by characterizing the decision as part of a larger presidential calculation concerning our over-all defense. Now, and with some dispatch, he would be well advised to take advantage of the opportunity he has created for himself.

Mr. YOUNG of Ohio. Mr. President, the only nation in the world with the capability of attacking the United States with intercontinental ballistic missiles is the Soviet Union.

Soviet missiles may threaten our land-based ICBM force, but they cannot threaten our large and highly effective Polaris force which is based on submarines and is invulnerable to attack. These nuclear submarines are capable of remaining underwater for as long as 300 days and nights. These missiles have a maximum range of 2,875 miles. No area in the vast land mass of the Soviet Union or Communist China is safe from devastation by missiles fired from these submarines.

To embark upon a project of such dubious value, at such fantastic expense, against the advice of former Secretary of Defense McNamara and other experts, and at a time when we are pleading with other nations against any further expenditures for such armaments, makes no sense whatever.

In his testimony before the Senate Committee on Armed Services, Secretary McNamara stated:

> There is no system or combination of systems within presently available technology which would permit the deployment now of an antiballistic missile defense capable of giving us any reasonable hope of keeping U.S. fatalities below some tens of millions in a major Soviet nuclear attack on our cities.

He presented estimates of the ability of such a system to reduce our casualties in the event of a nuclear war. He estimated that, if we deployed an anti-ballistic-missile system and the Russians merely maintained their present offensive capability without responding to the new situation, the dreaded nuclear exchange would still kill between 20 and 40 million Americans. If the Russians chose to respond by increasing their offensive armaments, ultimately American fatalities could mount to 120 million.

Mr. President, what kind of protection is this? Also, officials in the Pentagon talk of protecting 50 of our larger cities. Which 50? What of the millions of Americans who live in the unprotected remainder of our Nation? In effect, this is a macabre numbers game which offers neither our Nation nor the Soviet Union any real protection whatever.

Furthermore, it is interesting to note that there have been cries of protest from residents of cities presently earmarked for inclusion in the thin system who are fearful of having missiles with hydrogen warheads located near their homes. With this dispersion of atomic weapons, the chances for an accidental explosion greatly increases, and millions of Americans feel their lives would be endangered by having their communities ringed with live missiles with nuclear warheads.

It is now perfectly clear that Secretary McNamara was opposed to construction of any ABM system and only reluctantly compromised for the thin system under great pressure from the Joint Chiefs of Staff and other powerful figures in the military-industrial complex.

Let us hope that Defense Secretary Laird will show greater resistance to this pressure. His decision yesterday to forgo for the present site acquisition and construction for the Sentinel ABM system is a favorable indication. His action will give the administration and the Congress breathing time to reconsider this problem in an orderly and rational manner. His putting the brakes on the demands of the Joint Chiefs of Staff and their allies in the military-industrial complex for precipitous action on the ABM system was a courageous act of statesmanship. Let us hope that Secretary Laird continues to show such fortitude.

In September 1967, his predecessor, Robert McNamara, stated:

> None of the ABM systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States. There is clearly no point . . . in spending $40 billion if it is not going to buy us any significant improvement in our security. Every ABM system that is now feasible involves firing defensive missiles at incoming offensive warheads in an effort to destroy them. But what many commentators on this issue overlook is that any such system can rather obviously be defeated by an enemy simply sending more offensive warheads, or dummy warheads, than there are defensive missiles capable of destroying them.

He pointed out that scientific advisers to three Presidents—Eisenhower, Kennedy, and Johnson—unanimously recommended against the deployment of an ABM system designed to protect our population against a Soviet attack. Regarding any possible nuclear attack from China, he went on to say:

> We have the power not only to destroy completely China's entire nuclear offensive forces, but to devastate her society as well.

Mr. President, there are indications that the leaders of the Soviet Union are interested in negotiating for an agreement whereby neither nation will embark on the construction of anti-ballistic-missile systems. There is reason to believe that this can be accomplished if we do not act hastily in committing ourselves to a project of such immense proportions.

We should continue to seek an understanding with the Soviet Union whereby neither side would expand its defensive facilities beyond their present level. Such an understanding would freeze the strategic situation roughly as it is today, with each side depending on its offensive missiles to provide the deterrent.

No inspection would be needed for such an agreement since we are clearly maintaining a continuous surveillance of the Soviet Union, and they could not possibly deploy a system costing upward of $50 billion without our being aware of it.

In the great nuclear poker game being played by the world's only two real nuclear powers, the stakes are becoming increasingly higher. Powerful forces are exerting and will continue to exert tremendous pressures on the administration and Congress to proceed with the construction of anti-ballistic-missile system. We know that the military-industrial complex, against which President Eisenhower warned the Nation, favors this appropriation. The power of big defense contractors to influence the ABM decision is great. A recent advertisement by an investment analysis firm was entitled "Nike X: $30 Billion for Whom?" It listed 28 companies with large defense contracts that "could profit handsomely" if a full-scale ABM system were to be installed. This has been broken down to show that companies on the list have 300 plants in 42 States and 172 congressional districts, with a minimum of 1 million employees. Even a political novice can readily see that this adds up to a great deal of potential political influence and pressure.

Mr. President, it would be far better to spend these billions of dollars to help to cure the many troubles afflicting our cities and millions of Americans living in poverty and hunger than to waste them on a plaything of the generals of the Joint Chiefs of Staff.

OPERATING FUNDS OF SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

Mr. MONDALE. Mr. President, I join the distinguished chairman of the Select Committee on Nutrition and Human Needs in protesting the Rules Committee's decision to cut the operating funds of the select committee from $250,000 to $150,000. This cut, which amounts to 40 percent of the select committee's request, is a very serious matter.

On July 30, 1968, the Senate unanimously approved Senate Resolution 281, which established the select committee. The committee was to conduct a complete study of all materials pertaining to the food, medical, and other related basic needs among the American people. Matters within the committee's mandate include first, the extent and causes of hunger and malnutrition in the United States, including educational, health, welfare, and other matters related to malnutrition; second, the failure of food programs to reach many citizens who lack adequate quantity or quality of food; third, the means by which this Nation can bring an adequate supply of nutritious food and other related necessities to every American; fourth, the divisions of responsibility and authority within Congress and the executive branch, including appropriate procedures for congressional consideration and oversight of coordinated programs to assure that every resident of the United States has adequate food, medical assistance, and other basic related necessities of life and health; and, fifth, the degree of additional Federal action desirable in these areas.

Despite the crucial duties assigned to the committee by the Senate, the committee did not receive authority to employ a staff or expend funds until October 4, 1968, when the Senate agreed to an authorized budget of $25,000 through January 31, 1969. It was clear to everyone concerned that if the committee was to even come close to fulfilling the Senate's mandate, it would need a much larger budget. Frankly, I believe that $25,000 was too small a figure, but since the committee staff believed that it could operate on that amount, I accepted their calculations.

Now, even that very tight figure has been significantly slashed. This is simply not acceptable, especially in light of some of the evidence of hunger and malnutrition which our committee has already received. I am sure that you are all aware of the preliminary findings of the National Nutrition Survey, reported to the committee by Dr. Schaefer. While we have just skimmed the surface, it is already evident that the problems of hunger in America are even more severe than any of us anticipated.

The budget cut by the Rules Committee is open to serious challenge in and of itself. But the cut is especially indefensible when it is considered that almost every other investigating committee was given the funds it requested; and in most instances, the budgets of these other committees were larger than that requested by the Select Committee on Human Nutrition Needs.

The American people have closely followed these hearings. Surely they will not want to see its work hamstrung by an inadequate budget.

LET THE MISSILE TALKS BEGIN

Mr. CHURCH. Mr. President, it is the hope and intention of President Nixon that the next few years will be a period of negotiation rather than confrontation. I am sure we all share this hope of our new President and wish him success.

There is no area where a period of negotiation rather than confrontation is more important than in arms control. I believe that both countries gradually are coming to the conclusion that ever-increasing investment in offensive and defensive missiles does not bring an increase in security but only makes us poorer and thereby less able to cope with the enormous social problems facing both countries.

The Soviet Union has recently indicated that it wishes to begin negotiations as soon as possible with the United States in the field of strategic offensive and defensive missiles. According to an excellent article by Victor Zorza, this decision on the part of the Soviet Union came after considerable debate and controversy within the Soviet hierarchy. The Soviet Union, it seems, also has its hawks and doves. Mr. Zorza points out that the position and credibility of those within the Soviet Union who argue for missile talks will be damaged, perhaps beyond repair, if President Nixon listens to those in the United States who argue against immediate talks on missile limitation.

Mr. President, I ask unanimous consent that the article entitled "Nixon Could Aid Soviet Doves by Agreeing to Missile Talks," written by Victor Zorza, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIXON COULD AID SOVIET DOVES BY AGREEING TO MISSILE TALKS

(By Victor Zorza)

LONDON.—The Soviet invitation to President Nixon to enter into missile limitation talks might have been designed as a trap.

Whether it was so designed depends on which of the Kremlin factions inspired it. For in addition to those Soviet leaders who really want disarmament, there are those who believe, as is evident from the Soviet press, that genuine disarmament is unattainable in the present state of the world.

Until the middle of last year, this second group balked the repeated efforts of Premier Kosygin, reflected in his public and private utterances, to accept President Johnson's longstanding invitation to join in missile limitation talks. The Kremlin accepted the invitation only when it became evident that, in the absence of missile limitation, the United States would proceed rapidly to vastly increase its strategic forces.

It is thus arguable that the recent Soviet agreement to join in talks, and the calculated and pressing reminder of this issued in Moscow on the day of Mr. Nixon's inauguration, were inspired not by the disarmers, but by their opponents. They might have finally agreed to the talks in the hope that these might lull American suspicions and delay the American arms drive, while giving the Soviet Union additional time to develop secretly its own strategic strength.

Duplicity of this kind is a habitual tool of Soviet diplomacy. The honeyed words and smiles of the Soviet leaders after the Cierna and Bratislava meetings, just before the invasion of Czechoslovakia, are only the most recent example of this.

An even closer parallel is to be found in the repeated Soviet assurances to President Kennedy that the Soviet Union was not introducing offensive missiles to Cuba—at the very time when the Soviet Union was secretly doing just that.

Less obvious, but even more relevant to the prospect of missile limitation talks, is the Kremlin's apparent duplicity during the first months of the Kennedy presidency, when the Soviet Union and the United States were observing a moratorium on nuclear tests while their delegates were trying to negotiate a permanent ban in Geneva.

President Kennedy insisted that the moratorium must be observed. But the Kremlin used the cover of the Geneva talks to prepare its 60-megaton test with which it perfidiously breached the moratorium, and which was later claimed to have given the Russians a 100-megaton bomb and a vast superiority over the United States.

President Kennedy vowed that he would never again allow himself to be caught "with his trousers down," and President Nixon must now consider whether he ought to expose himself to a similar danger while the missile limitation talks proceed in the usual slow and leisurely way.

Certainly the two situations are not exactly similar, but there are enough parallels to invite comparison, and to draw the obvious lesson. But the less obvious parallels should also be considered. For there was considerable evidence at the time that Premier Khrushchev was engaged in a tough struggle with his opponents in the Kremlin over the resources to be devoted to defense.

Khrushchev's power position was challenged, and in order to survive he had to give them what they wanted in the way of arms or at least to make a 60-megaton bang to show that Russia already had much bigger and better weapons than America.

There was evidence of the challenge to Khrushchev between the lines of the Soviet press, and he even went so far as to drop private hints to Western leaders that, unless they met him half-way on the disarmament questions then under discussion, his position in the Kremlin might be endangered.

His greatest need was for rapid progress at the Geneva talks on the nuclear test ban. An agreement at Geneva which he could present to his Kremlin associates as reasonably satisfactory would have eased the pressures on him, and he would not have had to break the moratorium by ordering the 60-megaton test.

But President Kennedy, too, was under pressure from those who advised against any concessions on security grounds, and from those who confidently ridiculed "the notion that Khrushchev's power is far from absolute or secure." These stories, they explained, were being spread "to pave the way for one-sided concessions by the West."

If the concessions which Khrushchev needed had been made by Mr. Kennedy in 1961—as they were ultimately made in 1963 when the President overcame the opposition from the Joint Chiefs of Staff and from others—the test ban treaty might have been signed two years earlier. Russia's 60-megaton test would have been averted, the whole course of international affairs might have been greatly changed.

Now the Soviet leadership is once again locked in struggle, and powerful voices in the West advise against immediate talks on missile limitation. Melvin Laird, the Secretary of Defense, would like to wait eight or nine months. But the Kremlin could use this waiting period just as effectively to build up its strength as it could use a similar period of talks.

If Mr. Nixon listens to Laird, and to those who once again disregarded the evidence of the struggle in the Kremlin, the delay might well enable the Soviet hawks to score the kind of irreversible victory that they won when they brought about the fall of Khrushchev.

The issues in the present struggle (as described in my weekly newsletter) are much the same as in the past. Early talks could give the Kremlin doves the chance they need. Further delays could undermine their already shaky positions.

Mr. CHURCH. Mr. President, it is my understanding that a similar debate over immediate missile talks is now in progress within the new administration. I urge President Nixon to give serious consideration to the idea of going ahead immediately with technical missile discussions with the Russians. Mr. President, I can fully appreciate that a new administration would find it difficult to develop a negotiating position within the first few weeks in office. In my view, however, technical discussions, which are the necessary prelude to full-scale negotiations, could begin immediately. If we are to achieve an agreement with the Soviet Union on offensive and defensive missiles we must first establish a technical and factual basis for negotiations. This could be done by beginning missile talks at the earliest possible date.

I urge the President to open the way to these discussions. I would hope the President would announce such a decision as soon as possible. If Mr. Zorza is correct we run the risk in any further delay of encouraging those in the Soviet Union who oppose any discussions or negotiations.

The time to act is now.

THE 10-YEAR EXTENSION OF GREAT PLAINS CONSERVATION BILL A LEGISLATIVE MUST

Mr. YARBOROUGH. Mr. President, during the dark days of the depression, when family after family was being driven from their farms by choking dust storms that depleted the human spirit as well as the land, Franklin Delano Roosevelt urged the Nation to take steps to protect and conserve its soil. He said:

> We think of our land and water and human resources not as static and sterile possessions, but as life giving assets to be administered by wise provision for future days.

At another point, that great President observed:

> The history of every nation is eventually written in the way it cares for its soil.

Since the days of the Dust Bowl and of Franklin Roosevelt, this Nation has worked to develop conservation procedures capable of preventing the rapid deterioration of the land by wind and water. One of the finest programs that we developed is the Great Plains conservation program, which Congress authorized in 1956.

Through this cooperative effort between the Federal Government and individual farmers and ranchers, contracts have been entered into to conserve some 57 million acres of land in 421 counties in 10 States. Over 31,500 farmers and ranchers have made these contracts to cover rangeland and cropland with permanent vegetation such as grass and trees.

Essentially, this has been a program to protect against drought. Special emphasis has been placed on converting land that is unsuitable for sustained crop production into permanent grass. By covering these lands with a permanent cover of vegetation, soil is protected from wind and water erosion and moisture is conserved. The meteorological history of the Great Plains area shows that there is nearly always a drought somewhere in the Plains. As a result of this conservation program, however, the coming of a drought is a less costly blow to agricultural families of the region.

Great progress has been made since 1956. Farmers and ranchers in my own State of Texas have entered into 10,141 contracts to conserve some 12,809,000 acres in 99 counties. That is about one-third of the total contracts under this program since it began operating in 1956. The Federal Government has obligated some $34,603,000 under these Texas contracts. In Texas today, 336,900 acres of land now have a permanent vegetation cover. Another 622,000 acres of ranch land has been reseeded to assure its protection.

This conservation program has been a great success. Through this cooperative, voluntary effort, farmers and ranchers in Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming—the 10 States of the Great Plains—now have increased protection against the hazards of soil and climate. For many of these farmers and ranchers, this program has allowed them to stabilize their agricultural yields, thus making their income more dependable. For many, this program has meant the difference between staying on or leaving their farm or ranch to join the unemployed in the cities.

The current authority for the Great Plains conservation program expires on December 31, 1971. The strong beginning that we have made must be continued. It is felt that a 10-year extension of the program is needed to insure the conservation of the Great Plains. Accordingly, I have joined with Senator GEORGE McGOVERN and 11 other Senators in cosponsorship of S. 43, a bill to extend the Great Plains conservation program for 10 years, through 1981. In addition, S. 43 authorized additional appropriations of $100 million during this 10-year period.

The proposed legislation has my strongest support, and I am hopeful that we can have early action on the needed extension of this most valuable conservation program.

A REVOLUTIONARY CHANGE

Mr. STEVENS. Mr. President, I heartily endorse Postmaster General Winton M. Blount's action in removing postmaster appointments and rural letter carriers from the patronage system. He has removed such appointments from the area of politics and placed them in their rightful role as competitive civil service jobs.

The post office system has long been in need of reform. We can look forward to an improved efficiency in this branch of the Government, as a result of these reforms.

Delivering the Nation's mail is a highly specialized and increasingly technical job. It should be administered by the most qualified men available, from within the Post Office Department itself, rather than by political appointees who are unlikely to have the necessary administrative ability or understanding of the job.

I am especially pleased that the reforms are being instituted in such a businesslike manner. Veteran's preference for the civil service examinations will still apply, which is as it should be. Further, the existing civil service register will be closely reviewed to discover whether political influences were present in past appointments or classifications. If such influences are discovered to have existed, the situation will be corrected. But the bulk of the civil service register will still be applicable and the new system will not require major or expensive alterations to make it effective.

For years the people of the United States have suffered from inadequate mail service. I know that Postmaster General Blount's reforms are an important first step in bringing the postal service into the 20th century.

FORCED RETIREMENT TAKES ITS TOLL

Mr. MONDALE. Mr. President, it is becoming increasingly necessary to focus the attention of Congress on the magnitude and significance of the "retirement revolution"—a revolution whose impact is only beginning to come to the surface in the United States. Not only have the number of Americans, age 65 and over, increased since 1900 from 3 million to 20 million, but the number of years they will live in retirement will increase markedly. This means, of course, that there will be many more Americans spending more and more time in retirement.

The institution of retirement has been described as one of life's toughest adjustments. About 5 million Americans, 65 and over, live in poverty. But the retiree has much more to learn than how to live on a substantially reduced income. He suddenly discovers that retirement involves a psychological adjustment far greater than he had anticipated. In a society which he learns is work oriented and youth oriented, he loses his incentive and finally, too often, his reason for living. His life too frequently is aimless and lonely, and the extra years that science has added in longevity are only an extra burden. A witness before the Subcommittee on Retirement and the Individual of the Special Committee on Aging expressed it this way:

> Retirement can be rewarding—or it can be deadly. One of the most common syndromes we practicing physicians are called upon to treat is retirement shock. Suicide, often masked as an accident, happens too frequently.

There is also another aspect of this problem which deserves attention. More and more Americans are being forced into retirement because of arbitrary chronological age alone; and at a time when they are at the peak of their productivity and creativity.

These two related problems are a continuing concern of the Subcommittee on Retirement and the Individual. Both are eloquently and intelligently discussed in an article by Dr. R. F. Sondag in the July–August 1968 issue of the Employment Service Review of the U.S. Department of Labor. Dr. Sondag is chief, division of health care facilities and chronic illness, Illinois Department of Public Health.

I ask unanimous consent that the article entitled "Forced Retirement in Prime of Life Called Absurd Waste," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Forced Retirement in Prime of Life Called Absurd Waste—Many Workers at Physical and Mental Peak When Thrown on Industrial Scrapheap

(By R. F. Sondag, M.D.)

Had you ever wondered about the health conditions at the time that Christ was born? History tells us that the average life expectancy was only 22 years. It hardly seems possible, does it? What were the prevailing type of diseases to take such a heavy toll of life at that time? They were diseases of filth, contagion, and infection. It hardly seems believable that people did not know simple cleanliness can avoid a host of health problems.

At the time of the Revolutionary War here in America we had gained 12 years in life expectancy. A ripe 34 years was the average at that time. In the next 100 years (by about 1860), we had raised this to 42 years. By 1900, it was up to 47 years and today it exceeds 70 years. During the past 100 years, the increase in life expectancy has been greater than in all previous recorded time. To put it more clearly, it took about 1,860 years to gain 20 years in life expectancy, but during the last 100 years we were able to add more than 28 years on top of this.

Yes, there are more taxes and smog and traffic jams today. Life is complicated, but we have more time to live it, more time to search for the important things. For those who long for the "good old days" when everything was "easy going," we must remind them that along with "easy goingness" people had to accept the greater health hazards and a much shorter life span.

With more effective control of the diseases associated with childbirth, infancy, and youth, loss of life from these devastations has greatly decreased. Accordingly, the community now must strive for control of those diseases which are most common in older age groups. More persons are now surviving to ages which are characterized by a high incidence of heart and kidney diseases, cancer, diabetes mellitus, arthritis, rheumatism, gout, and the mental and physiological changes associated with the aging process.

Aging is not necessarily synonymous with chronic illness or senility. The prevention or delay of the development of the diseases of the aging is one of the most important responsibilities of medicine today, in order that the potentialities of the elderly may be developed and utilized more widely. The ultimate hope, of course, is for prevention. There are two kinds of preventive medicine: The community type as represented by the typical public health approach, and the private type as represented primarily by the individualized service rendered in the offices of private practitioners of medicine. The predominant role must be played by the private physicians.

Any health program for the aging and the aged should emphasize the development of personal preventive health services for adults. Aging is a biological and physiological process going on in each of us. Biological barriers to long life include tissue deterioration which usually begins to manifest itself between the ages of 35 and 45 years. These are degeneration of the vascular system, the skeleton, and the nervous system. Suggestive experimental data indicate more effective control of these tissue breakdowns in the not-too-distant future.

Fitness, physical and mental, implies more than disease prevention. It encompasses an optimum condition of dynamic well-being for each growing, aging individual. To enjoy such an enviable experience, deterioration must be kept at the very minimum and active measures—including diet, weight control, exercise, work, rest, and recreation—are essential.

The progressive development of a number of chronic diseases, or of the complications due to them, can be prevented by early detection and treatment. Greater attention to the promotion of positive health or a higher level of chronic wellness (as opposed to chronic illness) from infancy through adulthood beyond the years of maturity is essential.

A most serious handicap is the insidious nature of the development of the majority of chronic illnesses. Their onsets tend to be asymptomatic and they often progress slowly with little or no pain or discomfort in the earlier stages. This encourages the person afflicted, even when he suspects the condition, to delay in seeking medical advice and care. One of the most fundamental handicaps, therefore, is the difficulty of getting individuals to protect themselves, to obtain periodic medical examinations and, if necesary, early and adequate treatment. The privilege of longevity carries with it the obligation of personal effort toward health maintenance. This, in consideration of the inherent frailities of human nature, is the seat of much of the problem. A number of psychological blocks must be counteracted. The individual must overcome a considerable amount of inertia and do something which is not of immediate or apparent benefit. Fear of a positive diagnosis serves as a deterent for some, while others rebel at thought of potential restrictions upon their personal habits and pleasures. The only weapon available against these deterrents is increased and persistent educational measures. The ultimate goal should be the establishment of periodic medical examinations as part of the accepted cultural behavior of our civilization, as has occurred to a considerable degree with regard to the immunization of children against many communicable diseases. With the remarkable advances of science, it is becoming more difficult to die.

Society's attitude towards older citizens is in drastic need of a thorough house-cleaning. There are a number of firmly entrenched customs followed by business, industry, labor, the professions, and also certain departments of government which militate against healthy aging.

Retirement at age 65 is a practice that should be up for retirement itself. The sudden loss of a job when a worker has reached his finest hour often shortens a man's life. For many it is a humiliating shock.

Of course, retirement means many things which vary according to the person and his desires and his economic support. Too many of our older citizens accept defeat because the community emphasizes the fact "You are an old man."

We are now facing a new frontier which promises a longer life, a richer life for our aging citizens. More frequently, even commonplace, it will be possible to reach the round century in reasonably good health.

In planning for a round century of existence, the life span might be divided into trimesters of 30 years each. They would be divided as follows:

From 1 to 30 years of age, the active, growing person should be schooled in the basic facts of health, biological and social activities. The young learn from the old and the old learn from the young. In the latter part of this first trimester, from 20 to 30 the young adult learns his profession, training, or work—the first major ambition to be served. Science has the information now to keep the first trimester from 1 to 30 years, a heathly, active, developmental period.

In the second trimester, from 30 to 60 years, there is the full flush of vigorous biological activity, the establishment of a family, and becoming a useful member of society in one's life work. The full bloom of enjoying continued intellectual growth and gaining new knowledge should add to the strength and vitality of the individual. In this critical third, family bonds are developed and strengthened and the emotional glow of family and friends make life exceedingly interesting. There is the thrilling drive to attain the summit of the years. This summit chronologically, is the third trimester from the period 60 or 65 to 90. Yet, foolishly, society now says that at 65 a man is finished.

The years from 60 to 90 for many individuals represent the most enjoyable period of living. For more people to gain the enduring satisfactions implied in the phrase "life, liberty, and the pursuit of happiness," a clear appreciation of healthy practices of living must appear.

It is not what one retires from but what one retires to that determines the content of living at the summit of his life span.

Retirement can be rewarding—or it can be deadly.

Biologically, withdrawal from action, either of muscle or mind, ends in flabbiness or atrophy. When a man retires from life, life retires from him. It is our first conviction that life is worth living. There is, or can be, a crescendo to a goal worthy of the man and of society as well. Man is a goal-directed individual. Aimless living is sick living for which, we believe there is a cure.

Aging is an exceedingly individual experience. The retired-out-of-life, secluded, protected existence is dangerous, since we weaken just when our horizons should be expanding.

Our biological rhythms are so regulated that each cell, each organ gains strength through the cycle of action and repose. Withdrawal of activity weakens these same cells.

The lengthening life span with citizens remaining healthy nearer and nearer the century milestone, plus a lowering of the first retirement age, opens up new periods of leisure and the opportunity for one's second career. Of course, this will require a more capacious appreciation of our great potentials in the later years.

As a Nation, we have been sickness-oriented. Practically all of the funds voted by

Congress for research are directed to the study of the control of illness and the rehabilitation of patients. Now is the time for us to become health-oriented and to emphasize the positive. A national program encouraging people to stay out of the hospital and to keep active, as long as they are able physically and mentally, would pay rich dividends; not least important, it would be a tremendous money-saver.

As acute diseases are being brought under control, long-term disorders—especially deterioration of the heart and blood vessels, cancer, and mental disorders—will constitute the major illnesses for future physicians.

A new picture of abundant and enjoyable health in later years is now within reach. Workers are young longer while the age of retirement is moving downward. Thus, with an extending life expectancy and the promise of vigorous health into the eighties and nineties, the dilemma of what the content of these post-retirement years should be is of startling importance.

INDIVIDUAL EXPERIENCE

Retirement can be a many-splendored occasion, but it is an exceedingly individual experience. It may lead to wide corridors of exciting new fields or, too often, it is a sorry closing of one's chief interest in life with uncertainty and despair in the offing. At the time of life when individuals should be living in the full bloom of happy maturity and reaping the benefits of a useful career, they suddenly find themselves cast off and without a plan for continued activity. No wonder they are bewildered. Why does society and its instrument, modern science, guarantee humanity longer life but take from us the means of self-support?

The time has come when there must be a new appreciation of the capabilities of older persons. The population shift in our Nation shows that 75 percent of the increase during the next decade will be in people over age 65. That creates a major social challenge. This shift in the makeup of our population has come about so quietly and quickly that industry, labor, and the general public are unprepared to meet it. Heartaches, depressions, despondencies, and failures in adjustment are the result. We are not yet equipped socially or emotionally in our thinking and planning to use the gift of additional years. The resulting frustration sets the stage for all manner of illnesses—both physical and emotional.

The achievement of modern medicine in the control of disease and the improvement of the general health of the public is bringing about a much longer working life for the average individual. Death rates are falling spectacularly. In the not-too-distant future, deaths which occur before the age of 50, from causes other than accidents and violence, will be a rarity in the western world.

At the present time, some 16 million people, or approximately 8 percent of the total population of the United States, are 65 years of age or over. In the last half-century, their number has quadrupled while the entire population has only doubled. In 1900, there were 3 million people 65 or older. By 1975, more than 25 million of our population will be over 65.

Many of our citizens mature relatively late in life. With a rigid retirement program, which we accept today as starting somewhere between 60 and 65, an ever-increasing portion of man's lifetime may be spent in retirement. Loss of employment may be a catastrophe. Health and social and economic security are endangered.

Since the turn of the century, the proportion of men who continue to work after they reach the higher years has been rapidly decreasing. This may be the result of technological change, occupational shifts, and compulsory retirement programs. Discrimination has worked a hardship on thousands of our citizens who may be forced to retire at a period in life when, emotionally and physically, their primary need is to be gainfully employed. Hidden talents of many persons are often uncovered only in later life.

A man's job is his way of life. It is his bond with reality, his contact with the community, his form of participation in the business of purposeful existence. A man's job identifies him with society. It makes him a social and civilized person. He is securely attached to his job, and through it to the life of society.

Work fills many functions in life. One may not be aware of this until the possibility of losing a job of significance becomes a reality. Gainful employment furnishes income, fills in the hours of the day or night, and frequently aids in maintaining physical vigor and vitality. A pattern of comradeship and contact with others helps to establish status in family and community. Beyond this, however, a sense of satisfaction in new experiences and a chance to be creative and to continue working as time marches on give life enduring significance. Work has meaning for each individual. If these meanings are important, their loss or unsatisfactory replacement in retirement creates major problems of adjustment.

Work, or its equivalent, must be recognized as a basic human need with respect to economic independence, social status, the satisfaction of living, and the continuance of life itself. Work is prestige; work is success. It stimulates human relations, it furnishes power. The loss of a job robs a worker of status, objective, and important relationships. There are deep emotional reasons why workers want to continue at work; it's more than a means of making a living; it's a way of life—to many it is life itself.

Contempt for work is the mark of a decaying society. Work is stimulating. In moderation, it is the best way of increasing longevity. When retirement means transfer from an active to an inactive program, it adds up to discontent, unhappiness and, all too frequently, illness. When purposeful work is replaced by aimless living, neurosis and depression appear.

There is a biological axiom that organisms, organs, and tissues tend to die when they no longer serve a useful purpose. An aimless existence is an intolerable one and nature will have none of it. The debilitating effects of advancing years cannot be laid entirely to changes in structure with time. The loss of incentive, the loss of driving power—that something which keeps an individual in motion and in tune with his fellow man—changes the person from a contributing member to a parasitic member of the social group. Then he begins to look for signs of approaching decay. He studies his anatomy and reviews one organ after another. The internal arrangements come into prominence. An older man with nothing else to do can concentrate his attention upon some aspect of body function to such an extent that in a comparatively short time the parts become responsive to conscious thought. Minor derangements of the digestion, the heart action, or the kidneys come up for inspection. An idle person looks himself over for evidence of approaching doom. In so doing he invites that process. Too much amateur anatomizing and self-purging to which an old person can easily become addicted, start the train of circumstances for which the doctor must be called. These complaints may not kill the old person, but they can make him very unhappy and sometimes a downright nusiance.

Emotional depressions disturb the appetite and bowel function, and may bring about anemia and all manner of circulatory disturbances. Frustration and rejection may, and frequently do, produce a retreat from reality that aggravates all of the popular and recognized signs of premature senile decay. Retirement from physical and mental activity is a dangerous move.

While many older persons have no thought of retiring at any age, there are larger members who are looking forward happily to the time when increased freedom from responsibility will give them opportunity for the pursuit of hobbies long in abeyance or inadequately enjoyed. For those to whom financial security is guaranteed, the problem is far less complicated.

WHAT OLDER PEOPLE WANT

The major desires of older people fall into certain categories. First, they wanted to enjoy good health; second, they desired to have a gainful and interesting employment; third, they desired companionship; fourth, they wanted security; and fifth, they wanted a sense of dignity in daily living. It has been said that the younger the individual the more glamorous does the period of retirement appear. As the time draws near, misgivings arise.

The fight against growing old is not so much a matter of duration as it is for the preservation of the capacity for happiness and interesting living. A new creative work begun in the higher years of life assists the person to be useful, to forget many aches and pains, and to engage in purposeful activity that may take on an importance far greater than was the daily routine before thought of retirement. The time of with drawal from active routine duties may furnish opportunity for individuals to gain in value through the routine process of aging, or maturing. What counts most is the person's capacity to maintain unity of performance, interest, and activity. To express oneself as an individual and to continue in that unique performance identifies him as a person and preserves his individual and social values.

Retirement from a job need not bring about retirement from society. Opportunities for the second career in one's life are now becoming more evident as plans for retirement take on added incentive. Skills and experience acquired over a period of years may with profit be directed to perplexing problems of community life. As the body slows down physically, one matures mentally and the capacity for productive work often increases.

Retirement obviously means different things to different people. If it is accepted as a period to be feared, a final time of uselessness and dependency on others then trouble must ensue. A barren and unproductive period between regular employment and death is a tragedy which must at all costs be avoided. Retirement should be a time for taking up new and useful activities which are adapted to the older person's capabilities and which do not demand his participation beyond voluntary limits. The man himself must develop his interests and resources over the years against the day when he is free to leave his regular job.

When we have learned to achieve self-renewal, we shall have discovered one of the most important secrets a society can learn, a secret that will unlock new resources of vitality throughout the Nation. And we shall have done something to avert the hardening of the arteries that attacks so many societies. Men who have lost their adaptiveness naturally resist change. The most stubborn protector of his own vested interest is the man who has lost the capacity for self-renewal.

We are living in a rapidly changing world. Man is entering a new dimension of human experience. While science is probing the vastness of outer space, the innermost recesses of man are being examined with an exactness that promises an astonishing perception of the mechanology of living processes. From this significantly fresh knowledge, a new kind of human being is emerging. He is potentially a stronger, more superior product who is living longer and staying young longer.

Old age is not a disease. It is a time of decreasing strength and increasing limitations. Age is not something that appears suddenly.

It is not a question of years, but of effectiveness. The whole of life should be a preparation for this process.

Meeting life with its limitations, inevitabilities, and disappointments courageously, effectively, and successfully, is a preparation for aging. Persons who throughout their lives have had active interests and curiosity, have carried responsibility, and have cooperated with others, have learned to meet old age in advance.

Senescence is not just a matter of the pliability of blood vessels and vitality of cells. It is also a question of the flexibility of the personality. The unhappy and discontented persons finds life a burden at any age. How does one keep a personality vital? One cultivates continuous changing interests, shares those interests, participates in activities with others, discovers new areas of usefulness while still developing. The old, above all, learns the healing value of human interest in other beings. Many persons who reach the age of 65 are unprepared for what science has given them—a longer life with better health. Many are unable to relax and to play for play's sake, i.e., for the sheer pleasure and enjoyment of it. They have an irresistible compulsion for work, an enhanced sense of time urgency and a feeling of guilt toward resting. They need to be prepared for leisure. Today, education is for life on the job, but more and more we need education for life off the job so that we can derive the most from our leisure. Those who have really learned to live will be unlikely to run into difficulties as they grow older.

IVAN ALLEN, JR., MAYOR OF ATLANTA

Mr. PERCY. Mr. President, Ivan Allen, Jr., the mayor of Atlanta, is indeed a remarkable public servant. During the past 7 years, his enlightened leadership has insured a permanent place for Atlanta as the commercial and cultural capital of the Southeast.

Atlanta's progress is reflected in more than its glittering office buildings and new soaring skyscrapers. From the beginning of his term of office, Mayor Allen has faced up squarely to the race issue. His path searching and forthright stand in favor of open public schools has served as a model for other major cities.

Throughout his period of leadership, he has never lost sight of the need to utilize all of the resources of government, as well as the commitment of an enlightened private sector, to raise the level of job, housing, and educational opportunities of Atlanta's black citizens. There are many cities and many urban governments in the North, including that of Chicago, which can profit greatly by following Atlanta's successful and pioneering policies.

At a time when Mayor Allen is planning a well-deserved retirement, I wish to commend him for a job well done.

Mr. President, I ask unanimous consent that an interesting interview with Mayor Allen, published in the January 29 issue of the Christian Science Monitor, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALLEN'S ATLANTA: "WE HAVE RAISED THE ACTUAL LIVING LEVEL OF THE NEGRO BY MAKING THIS AN OPEN CITY"

(By Robert P. Hey)

(NOTE.—Over the past seven years, Mayor Ivan Allen Jr. has helped make Atlanta a liberal oasis in a conservative South. In an interview, he says the challenges confronting American cities are testing democracy itself. He calls for a streamlining of government at all levels to provide: True racial integration—in housing, jobs, and education, meaningful control over in-migration of the rural poor, more financial assistance in solving urban problems.)

ATLANTA.—Question. What was Atlanta like when you became Mayor seven years ago?

Answer. Well, we were in the throes of the race issue. Of course, we're still in the throes of the race issue to some extent.

We were also a city that had had a business slowdown. And I think we were drifting a little bit without firm direction. Atlanta was faced with the same dilemma that most American cities face: a spirit of apathy about some of the problems.

Question. What has happened since?

Answer. A great deal of this has changed as the result of some very simple definition of goals:

Facing the race issue and its full impact, we stood for open public schools regardless of the circumstances.

We took this stand in December, 1960, in the Atlanta Chamber of Commerce. And I incorporated this position in the mayoral campaign of 1961. I managed to obtain agreement from all the other candidates except Mr. Maddox [Georgia's current Governor, Lester Maddox]. He never acknowledged the need for open schools.

The city needed a promotional campaign called Forward Atlanta, which was an economic-development move.

We needed to expand and activate more urban-renewal projects in order to rebuild the slum areas of the city.

We needed to get into development of a rapid transit. After some eight years, we finally brought it to a vote. It was voted down, but at least we have brought this issue to a vote and accomplished a great deal. We'll go from here.

We were seeking completion of a downtown expressway system, which then was in a hiatus, and no one knew exactly where it was headed. Since then it's been completed and today it's not only used, it's overused.

We needed to develop the necessary public facilities to accompany the strong economic development of the city which came out of the Forward Atlanta commission.

These public facilities included a municipal stadium—which has brought major-league sports to the South—and a new auditorium and exhibit hall—which have provided the facilities for the great number of conventions and trade shows and all the forms of entertainment which we hitherto could not accommodate.

And of course a cultural center has now been built by the private and business and philanthropic interests of the city, with the city participating.

These were all objectives that various people in the city had espoused in various ways before. I did not create these objectives. I merely banded these objectives together in a single program, in a simple enough way to where it could become a city goal. And that's basically where we have been headed in the last few years.

Now there've been many things added to that—our low-income housing program, our recognition of the disadvantaged areas, our development of the model-cities program.

Of course, we have been through all the phases of desegregation—public-accommodation bills, voting rights, added employment in the Negro community, and now the fair-housing, open-housing act.

But I would say that these simple goals gave the city a constructive approach which has certainly augmented its development during these eight years.

Question. One of the great changes, as you mentioned, has come in civil rights. When you came into office, were schools, lunch counters, hotels, etc., segregated?

Answer. Well, schools were actually desegregated in September, 1960, just before I came into office. But the mayor's race in Atlanta in 1961 was one of the testing grounds for open public schools. I mean, we had to take a position.

Of course, desegregation in 1961 consisted of the integration of either 8 or 12—I don't recall—Negro students into the high schools of Atlanta. And that's a far cry from the 15,000 or 20,000 [Negro] students who are today pretty well integrated into the whole system.

Question. Why was it quiet and peaceful once the decision was taken to desegregate?

Answer. Well, we had help in many areas. The university system had been integrated under a court order which took some of the burden off Atlanta. Where everyone had expected this confrontation to occur in Atlanta, suddenly it occurred under a court order [at the University of Georgia in Athens, 90 miles from Atlanta].

Governor [S. Ernest] Vandiver had to call a special session of the Legislature, and the state capitulated in that famous decision in the spring of 1961. This took a tremendous amount of the burden off the City of Atlanta.

Then, there was some very strong civic interest in Atlanta. A group of ladies paved the way for a peaceful desegregation.

And then there was the general attitude of the business-civic community in Atlanta that this had to be handled in a satisfactory way.

Question. Which of all the changes you have worked for in the city as Mayor has given you the greatest satisfaction?

Answer. I don't think I could define which has given me the greatest satisfaction.

I have had a tremendous satisfaction out of the fact that we have opened this city up to major-league sports.

I get a great deal of satisfaction out of the progress that we are making in the field of low-income housing.

I get a great deal of satisfaction out of the overall realization of how much we have raised the actual living level of the Negro citizens of Atlanta by making this an open city.

When I came into office the Negro citizen rarely crossed over the Hunter Street viaduct unless he was coming into Atlanta for the purpose of spending money. He had no rights to come into the hotels, or the restaurants, or theaters.

I've seen all of this open up and a broad expansion that has enhanced the position of the Negro people without really basically injuring the white man in any way. And I've seen the Negro expand his voting rights, and I've seen added employment.

But I don't think you can say any one item has given the most satisfaction. They all have.

Question. How do you assess the progress made by Atlanta blacks in the past seven years compared with the road yet to go?

Answer. Well, we've passed the point where you have to make the decision either to go back or go forward. We've taken off.

At the beginning of this decade, even in an open institution like City Hall—which theoretically belongs to all the people of Atlanta—the water fountains and rest rooms were segregated.

And there was a double employment register: If you wanted a white employee you took him off the white register. If you wanted a Negro employee for a menial job, you took him off the Negro register.

The parks were not wide open, either, and the swimming pools were closed. There were so many instances where the Negro citizen was really not a citizen at all. All that's gone by the wayside.

But we haven't yet solved the problem of housing, despite great changes in this city, and we still haven't satisfactorily resolved a single integrated neighborhood.

Question. How do you achieve an integrated neighborhood?

Answer. Well, we've got to raise the average level of the Negro citizen. That means improved educational, job, and housing levels to the point where he becomes acceptable without prejudice in the white community. But we've got to have time for all this. It's a cumulative effect, and it's got to have time.

Question. But young black people today aren't about to wait. How do you resolve this dilemma?

Answer. Very few of these changes would have come about had there not been stresses created by the Negro community.

So the young militants are helpful as long as they don't create a major reaction—and that is what is hurting us today. There has been a major reaction (when) militants brought about the riots. And this reaction is actually slowing down the bringing of the Negro into full citizenship right now.

This is part and parcel of the election this year. There was a very strong reactionary vote against the progress of the Negro. Voters felt it had moved too fast. And the reason was the riots of '66 and '67.

So you have all of the balances in a democracy at work. The pendulum never swings too far in one direction that the forces don't push it back in the other direction.

Generally speaking, though, you can say that we have not moved except under pressure, and probably we still will move the same way.

Question. Do you feel that this "reaction" pressure has subsided?

Answer. No, that reaction is still very strong. It hasn't lessened in recent months.

Question. What area poses the greatest single challenge to the American city nowadays?

Answer. The race issue. No question about it.

Question. The problems of governing the cities have been growing increasingly complex in recent years. What is the solution?

Asnwer. I don't think I know the answers to that. Basically we need to consolidate our governments from the viewpoint of economy. How fast that'll come about, I couldn't tell you. But I do know this: Local governments today have more problems than they have the vitality or capability to handle.

Question. Do we need to overhaul the governmental structure then?

Answer. Yes, I just don't think that the structures of democracy—and of local government as a part of it—are capable of operating under all the stresses that we've been confronted with in recent times.

When I look at the national level, the threads of democracy are being terribly tested by the fact that you've got a Vietnam at an international level and a major racial issue at the domestic level.

The same thing is happening at the city level. We are prepared basically to furnish services—that's what municipal government is, a provider of local services. But we are not geared for, nor is it within the structure to cope with, the thousands of poor people—mostly Negro—who have moved into the city and have created these almost insurmountable problems in a short period of time.

The rural areas have welcomed the migration. They have not wanted to keep the people there. They have been delighted for the Negro to move out.

And we in the cities have had no control over the situation. It's utterly preposterous to let people move into a central city when you don't have a place to house them, a place to school them, a place to feed them, a place for a job for them.

We should have some control.

Question. Is federal assistance required to solve problems caused by this enormous migration?

Answer. I feel more than that. Federal assistance has been forthcoming in great amounts. But there's never been any effort made on the part of the states or the counties to cope with this problem at all.

Question. Southern states, or states generally?

Answer. States generally, but particularly in the South. Generally speaking, the county governments have never taken any recognition, either.

That really brings us full circle, doesn't it—to the need for time to change attitudes?

It brings you full circle.

STOPPING THE "'GATOR KILLERS"—S. 335, THE ENDANGERED SPECIES BILL NEEDED NOW

Mr. YARBOROUGH. Mr. President, the American alligator is a unique reptile which traces its ancestry to the time of the dinosaurs. He has survived, practically unchanged for millions of years, making his specie one of the oldest of all living species. However, today the American alligator faces the same fate that awaits many other rare and beautiful species: extinction. This creature, who has no wild natural enemies and has managed to outlive numerous competitors within the evolutionary process, is now in danger of complete destruction.

The alligator is in trouble because he, like many other creatures, is a victim of man's exploitation. Not only have his breeding grounds and habitats been swallowed up by technological advancement and other developments, but he has the misfortune of appealing to man's greed and vanity: his hide is sold to make shoes, belts, wallets, and handbags; and he is stuffed to attract tourists and souvenir hunters. But the real danger to the alligator comes not from the legal traffic in hides; it comes from the widespread and illegal poaching that places him in constant danger, wherever and whenever he is found. For all practical purposes, it is always open season on alligators because 'gator poaching is so universally practiced.

In introducing my bill (S. 335) to prevent the importation of endangered species or parts thereof, I included a section to deal with this problem. Section 2 of the bill would make it unlawful for anyone to knowingly put into interstate or foreign commerce any amphibian, reptile, mollusk, or crustacean or parts thereof taken contrary to Federal, State, or foreign laws or regulations. This statute would offer needed protection to the alligator—and other endangered domestic species—by expanding the provisions of the present law, section 43 of Criminal Code (18 U.S. Code 43), to include amphibians, reptiles, mollusks, or crustaceans. Anyone who violates this law would be subject to a $1,000 fine and 6 months' imprisonment.

The importance of this expansion is that it will provide valuable assistance to the States in reducing present commercial traffic in alligator hides that have been taken contrary to State law. It has been found that State laws and regulations are often ineffective in affording protection to this specie because many live baby alligators are poached in one State and transported to another. Also, hides of illegally taken alligators are often transported from one State to another.

Mr. President, I think the provisions in my endangered species bill will help to alleviate the present inconsistencies in the existing State and Federal laws. It is time we took effective action to stop the poaching and illegal traffic in hides that are contributing to the rapid extirpation of the American alligator.

Mr. George Laycock has written a realistic article in which he describes in detail the shocking extent of the poaching of the alligator in the Florida Everglades. I think all those who are concerned with the conservation of our wildlife should read this disturbing commentary carefully. It shows even more clearly why we must act now to pass my bill, S. 335, to prevent the importation or interstate shipment of illegally taken endangered species of fish and wildlife or parts thereof.

I ask unanimous consent that Mr. Laycock's article appearing on page 77 of the September–October issue of Audubon magazine, entitled "The 'Gator Killers," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GATOR KILLERS

(By George Laycock)

By the time darkness had settled across central Florida the poacher had finished his supper and had hitched his trailer with the airboat to his pickup truck. His brother, who hunted alligators with him, drove up the long, shaded, dirt lane.

Less than an hour later they were backing the boat trailer down to the edge of Lake Apopka. So far, everything was legal. They were simply off on one more frog hunt, and no one could object to that—so long as they restricted their hunting to frogs. They went "frog hunting" practically every night through the summer season and collected frogs for the market.

As their airboat cruised slowly along the edge of the lake the driver's head lamp swept the shallows with a beam of yellow light. When the rays of the light caught the reflection of a frog's eyes, a long-handled gig plunged toward the water. The pierced frog was dropped into a burlap bag, and through the whole operation the airboat had not even been slowed down.

Then the sweeping light caught the ruby eyes of the evening's first alligator. The airboat continued to cruise steadily closer. With hypnotic force the electric torch held the eyes of the alligator. The next thing the reptile knew something had a grip on his long tail and was heaving him from the water. He slid across the gunwales of the airboat and thrashed around on its aluminum floor briefly until the rounded end of a hammer thudded against his flat leathery skull. The reptile's eyes bulged and his long black body quivered. In the spasms that followed, his strong tail lashed from side to side, and his short legs, their clams scraping the metal, moved erratically and futilely.

The five-foot reptile struggling in the bottom of the boat sent the poachers into a flurry of activity. While the driver stayed at the controls, being careful not to alter the boat's speed in case they were being observed, his brother picked up a hatchet and chopped into the alligator's skull until steel penetrated the brain. This helped speed the creature's death.

But long after an alligator is dead he may continue to thrash about. He kicks and twitches all the time his skin is being stripped from his body. "This makes it real hard to skin an alligator," I was told recently by an experienced Florida hunter. But the alligator poacher has a solution. He chops through the spine at the back of the alligator's head. Then he inserts a long piece of wire in the exposed end of the spinal column and runs it down the inside of the column all the way past the base of the alligator's tail. Finally, the reptile ceased his frantic movements. The poacher reached for his skinning knife. His brother kept the boat moving along steadily—frog hunting.

This bloody scene is enacted many times, night after night, across every section of the South where the beleagured American alligator still survives. On March 7, 1968, Major Brantley Goodson, chief of the Florida Game and Fresh Water Fish Commission's Law Enforcement Division, reported on the number of alligator poaching cases his men had made since the state closed the season in 1961. In that 79-month period the conservation officers, averaging 7.6 cases a month, had made 597 such cases and in the process had confiscated 3,636 hides, which brought the state an income of $47,586.12 at auction. (That profit to the state may be one reason some game officials are reluctant to see the hide market abolished.)

Of the 597 arrested, 331 were convicted, 91 were acquitted, and the remaining cases were still pending. Those convicted had paid fines totaling $26,125.20 with the jail sentences served totaling slightly more than three years. The most heavily fined poacher paid $750, and the longest jail sentence handed down by the courts was for six months. The maximum sentence for illegally killing an alligator in Florida is $1,000 or one year in jail and is rarely, if ever, meted out. The prize-winning county with the greatest number of convictions was Collier, which includes the western section of the Everglades. Only eight counties were without poaching cases.

And only an infinitestimal fraction of the poachers are apprehended. It is no wonder the spectacular big reptile currently has his name on the U.S. Fish and Wildlife Service roster of endangered wildlife. Although the alligator has lived here since the age of dinosaurs, he is rapidly approaching his final time, unless something is done to slow down the illegal activities of the poachers, who will kill, skin, and market every one they can search out in their million-dollar racket.

There is disagreement about the number of alligators left. But even poachers and hide buyers agree that alligators are far fewer than they were some years ago, especially the large ones. This is significant because the big alligators are the effective breeders.

Recently I traveled across Florida talking with poachers—and the hide buyers and dealers who keep them in business—as well as with the law enforcement men who try in vain to stop the illegal traffic in alligator skins.

Across the state's wetlands, the price of hides enriches poachers with dollars that change hands largely free of tax cuts, although the Internal Revenue Service has taken a sudden interest in the incomes of hide buyers. The going price currently paid poachers for alligator hides is about $5.25 a running foot. Kill a six-foot alligator, a prime size, skin him out, and you have enriched yourself by $31.50. If you get away with it—which you probably will if you are a typical alligator poacher. A two-man team can collect, from a good night's hunting, as much as $400 to $500. As one poacher near Sanford, Florida, told me, "It's hard to leave them alone with prices like that on 'em." Consequently, there are entire counties where alligators, once abundant, are seldom seen.

In addition, the face of Florida has changed. Wetlands where the alligator once thrived have shrunk steadily. In the face of this habitat change the depredations of poachers become increasingly serious threats to the future of the alligator. One grizzled little alligator slayer in his early sixties spoke from his experience of four decades of hunting. "There's not nearly the gators there once was. Even ten years ago," his head shook sadly, "there seemed to be twice as many as now. Way things is, the gators'll be all gone. I reckon I done my share, too. I don't have no idea how many I killed. Thousands I guess."

Poachers frequently recall the biggest gators they have taken. One man spoke of a big one he and a partner came upon by surprise one night when they were really not looking for alligators. They had no gun or hatchet along. When he saw the trail of bubbles left by the big alligator, he jumped from the seat of his airboat down onto the deck and stuck the creature with a spear, then shut the boat motor off. "Bless Paddy," he said, "if it wasn't a 14-footer." The big gator headed for the hyacinth beds at full speed, towing the airboat behind him. He bored beneath the weeds, then quickly gave up. The poachers still faced the challenge of killing him. The only thing they had at hand for the job was a monkey wrench. "I just kept picking away at his skull like a cake of ice," he said, "until I broke through into his brain and killed him." The skin, inferior because of the creature's size, was worth only $25.

Some alligator poachers are professionals. Others are punks who drive out along the canals hoping to bash in a gator's skull, skin him out, and run off with their prize to some shifty buyer who will reward them with enough money for a few bottles of wine.

It has come to the point where no alligator is safe. Proprietors of roadside alligator "farms" and side-show type attractions know to lock their gates well at night. At Fort Lauderdale the owner of such an attraction told me that he came home one night to find that hide hunters had stolen six of his five-foot alligators from their pens. He found the skinned carcasses on a local dump. "That," he added, "was before I had my two German shepherd attack dogs."

Modern poachers practice sophisticated techniques. Their equipment includes powerful airboats and highspeed outboards plus citizen band radios, and they know more tricks than a magician. What the lone poacher cannot accomplish, a gang can often manage. There may be lookouts posted along canal banks, decoy boats to draw game protectors away from places where the actual killing and skinning is progressing, or phony telephone messages "tipping off" the law and drawing officers across the county on a wild-goose chase far from the action.

Meanwhile, the law enforcement people have developed better techniques, too. Their equipment now includes aircraft, powerful and camouflaged airboats, swamp buggies, and teamwork that coordinates the observations and movements of officers on water, land, and in the air. It has all become a ceaseless merry-go-round, with the poacher winning more often than not while the law enforcement officers end up frustrated, and the alligators end up dead.

The last big reservoirs of alligators are refuges and parks. There are still good populations in Everglades National Park, and various national wildlife refuges including Loxahatchee, near Delray Beach; St. Marks, south of Tallahasee; and Okefenokee, in southern Georgia. Alligator strongholds in Louisiana include Sabine National Wildlife Refuge and the state's big Rockfeller Refuge. But even in these sanctuaries, the gators live under the poacher's constant threat. With prices of alligator hides as high as they are, and promising to go higher yet, there is no safety for the big reptiles anywhere. In Everglades National Park poachers on motor scooters cruise the canal banks searching for gators to steal. In the summer of 1967, officers arrested a poacher on the Okefenokee National Wildlife Refuge only two days after he had paid a $50 fine on an earlier arrest and had been placed on probation for a year.

"Most poachers," one law enforcement officer assured me, "don't have guts enough to do their hunting on federal lands." But one National Park Service ranger says the Everglades alligator population today is only a tenth of what it was ten years ago, and he blames poachers for most of this decline. And I talked one day with an aging alligator hunter whose favorite hunting territory is the 145,500-acre Loxahatchee National Wildlife Refuge west of Delray Beach. I had first heard of the old poacher from Bill Julian, who was then manager of the refuge. Bill and the old man held a grudging respect for each other. Each was a professional in his field, one trying to decimate the wildlife, the other trying to protect it. Bill knew that until he caught the poacher, the old man would go on taking hundreds of alligator skins out of the swamp each summer.

Then on a dark night, far back in the interior of the refuge, Bill and an assistant, patrolling the canals, saw the quick flash of an electric head lamp sweep the surface of the canal a few hundred yards away. They pulled their boat back into the tall grass to hide and wait, a plan that works much better than trying to go to the poacher.

When the other boat was finally abreast of them, the refuge officers flashed their powerful lights on the poacher and ordered him to stop. But instead of stopping, the hunter heaved his weight against his long bamboo pole and set his little skiff scooting off into the protective cover of the grass on the other side of the canal. The officers had worked countless nights in the mosquito-infested swamps to catch this poacher, and now he was about to elude them once more. They started the motor on their more powerful boat and a few seconds later cut off the poacher's escape. They had made their move too fast to give him time to dump his alligators overboard. The most famous poacher in that part of Florida had finally been taken with plenty of evidence to make a sound case in federal court. When I visited with him, he had just returned from the resulting six months in the federal penitentiary at Tallahassee.

We sat beneath the metal-roofed shed outside his old house trailer. He lived alone on the back of his hide buyer's property. He was drinking bourbon mixed with rain water which dripped from the shed roof into an old washtub. Generously, he offered me a drink. I noted that already he wore a bright new pair of rubber boots, and nearby was a new cap with an electric torch mounted on it. Also, I saw a long bamboo pole that had not yet been used to push a boat, Obviously, he was getting prepared to go back in the swamp.

This old poacher was noteworthy because of his methods. Most alligator hunters slip into the rivers or swamps and out again the same night. Not this one. He stayed lost from the outside world in the depths of Loxahatchee for as much as two weeks at a time. He had established three semipermanent campsites in the federal refuge and had camouflaged them so effectively they could not be spotted from low-flying aircraft. A tarpaulin painted green was strung between trees, and at night he would pull his boat back beneath this protective covering, drop a mosquito netting around the boat and sleep there. In the bushes on a nearby shore he stored his supplies in garbage cans, all painted green. His accumulated alligator hides were thoroughly salted and rolled, then stored in clean five-gallon paint buckets, kept upside down to protect the hides from the weather.

His plan was simple. His hide buyer would haul him, boat and all, to some remote edge of the refuge in the darkness of night, and put him off with a load of supplies. At the appointed time, perhaps a week or two weeks later, he would pick the poacher up at the other side of the refuge many miles from where he had entered. This time, instead of groceries, the old poacher carried fresh buckets of hides, usually several hundred dollars worth of them. When he was finally caught, the list of confiscated goods in his camp covered 2½ pages. It included two military-type water cans filled with salt, 22 assorted magazines, a copy of the *Florida Wildlife Code* book, a paperback copy of SELF-TAUGHT BEGINNING SPANISH—WITH ANSWERS, a 17-foot-long bamboo push pole, a 15-foot pole with a hook on the end, a supply of .22 caliber shells, six hooks with wire leaders, headlight, hatchet, and a set of dentures which gave the officers a clue as to how fast the poacher had vacated his camp. They were able to trace the dentures through a dentist, but they still never succeeded in getting the poacher to try them for fit.

There are a number of ways to dispatch an alligator, and the efficient poacher knows them all. Those under five feet in length are often grabbed and yanked into the boat, then killed. If the creature is bigger than that, he may first be stuck with a harpoon or battered on the skull with an ax. But, providing you can keep the law from detecting the muzzle flash or hearing the report, the most effective executioner of all is a little .22 rifle in expert hands.

Where do you shoot an alligator if you want to make a clean kill? "Not between the eyes," one poacher told me in his central Florida home. "He has a hard bone plate over his brain and the bullet would probably just bounce off. You shoot him right in the eye. But a better place yet is behind his skull and low enough at the base of his head so the bullet goes in under the skull bone."

The trouble with using a gun on an alligator poaching trips is obvious. There is a Florida law against night frog hunting from a boat if you carry both gun and light aboard. Consequently, alligator poachers may carry "throw-away" rifles. With the cheapest little rifle they can find, the loss is insignificant in case they must drop the gun into the murky swamp waters as a conservation officer's boat approaches.

Or you can suspend a large steel hook just above water level and bait it with a dead animal or piece of meat. Fasten the strong cord on the hook to a strong sapling and the alligator with the hook lodged inside him will usually roll up in the line and can only lie there helpless until the poacher arrives and dispatches him hours later.

One old Florida poacher once told me that a yapping dog will attract alligators. He sometimes took one of his dogs along in the boat. Deep in the swamps, he would twist the mongrel's ears or otherwise torture him until he yelled. "Them alligators," he grinned broadly, "would stick their heads up all around."

One Florida conservation officer, R. I. Roberts of Sanford, has his own candidate for the most unlovable alligator poacher he knows. The man operates a fishing camp in the valley of the St. Johns River south of Sanford. The conservation officers made one case against him for illegal taking of alligators that brought a court conviction and a $300 fine.

One day, out of the clear blue, Roberts saw the poacher's boat coming toward him. "You always wantin' to check my boat," he told the officer. "You want to check it now?"

Roberts said, "Yes. I'll check your boat." Then he proceeded to drag from beneath the seat of the man's airboat a burlap bag that had some peculiar bulges in it. Something about the bag warned the officer. He saw a slight movement of the burlap.

So instead of reaching into the bag, he tipped it up, and out came an exceptionally healthy 5½-foot rattlesnake. The infuriated Roberts charged the poacher with illegal possession of a reptile and improper handling. In the only rattlesnake case in Florida history the judge found him guilty, fined him $20 or 20 days, then suspended the whole sentence. "That," said Roberts in disgust, "was for tryin' to kill me." (And the home of an Everglades park ranger has been the frequent target of harassment by angry poachers, who dump rotting alligator carcasses in his yard.)

Game protectors in Florida know the tricks of gator poaching as well as the poachers do. Some were hunters themselves who have turned their energies to pursuit of the illegal hunter. The hours they pour into their pursuit of alligator poachers are seldom counted. There are long nights of lying out in mosquito-infested swamps waiting for the moment when a poacher can be taken with enough evidence to make a case stick in court. One case that will not be quickly forgotten by Lieutenant Tom Shirley and his officers, operating out of Fort Lauderdale, required the services of seven officers on and off over a two-month period.

Lieutenant Shirley's men are responsible for that vast Everglades country lying between Everglades National Park and Lake Okeechobee. "In the dry periods," says Shirley, "the gators concentrate in holes and the poachers can sometimes make big hauls in small areas. We had been trying to catch this one man for a long time."

During April and May 1967, when the drought had crowded alligators into the few remaining holes of water, the law enforcement people began checking the area from the air two times a day. Eventually, Shirley moved two of his men into the swamp to camp near the scene of the poaching. For two weeks they stayed there, always in radio contact with fellow officers who could swoop in by airboat or half-track if given the word.

Late one afternoon the two officers, certain their man was in the swamp after alligators, secluded themselves inside a concrete pump house beside the drainage canal where he would emerge from the swamp. Eventually, the poacher came out of the swamps. But it was plainly evident in the remaining daylight that he did not carry any illegal hides. He did, however, carry a walkie-talkie.

For the next two hours the poacher stood on top of the pump house studying the terrain. Finally, near the end of the day, he flicked the switch on his radio. "Okay boys," he said, "it's all clear. Come on out."

Soon two accomplices emerged from the swamp. They had secured their hides in a metal tank with a false bottom. When the officers emerged from the pump house to confront the surprised poachers, one of them managed to get the tank with its evidence into the deep waters of the canal. Darkness had, by this time, settled on the swamp, and the officers suddenly envisioned the case into which they had poured weeks of effort—and several thousands of dollars worth of man and aircraft time—dissolving right in front of them. One of the officers, not even hesitating long enough to remove his gunbelt, leaped to the edge of the canal and dived in after the tank.

Out of the tank the officers brought twelve alligator hides measuring 5 to 5½ feet each. They had their evidence, and they made their arrest. But the bitter part was yet to come.

After several months delay, the case came up in the Court of Record and the poacher pled guilty, whereupon he was fined $150. As Tom Shirley pointed out, this was less than the value of the hides which, figured at $5.50 each, were worth about $350. "If he gets caught even once a month," said Shirley, "that's just a business risk. Such low fines only encourage poaching. Judges fail to see how important their part is in enforcement, and the only one that profits is the poacher. We figure," he added, "this man will be active again."

Experienced conservation officers might become suspicious about alligator poaching activity for any of a number of reasons. In Sumter County near the Sunshine Parkway there is a dwelling that drew the concentrated attention of conservation officers during the summer of 1966. There were three reasons why they decided this might be a building worth investigating. First, it was a pleasant home of recent construction in an attractive shaded setting but supposedly vacant; there were no vehicle tracks in the driveway. Second, it was in the woods behind the home of a known agent for a suspected hide buyer. Third, they got a tip-off. They gathered information on the case for nearly a year.

Two law enforcement men were eventually dropped off along the highway. They watched the building for two days and two nights. There was a breezeway on the side of the house and fresh tracks ran from it through the woods to emerge on the lane of the agent. Also on the breezeway were two compressors to pump up shock absorbers on a car that might be used to haul heavy loads northward to Georgia.

In the breezeway wall was a 3- by 3-foot hole that connected with a salting and measuring room. The hunters usually measure their hides, but the buyers don't trust them and consequently remeasure them and tell the hunters what they will bring. The salted hides were carefully rolled and stored in a 55-gallon drum buried among the weeds out in the barnyard with three inches of the drum above ground level to keep water out.

Eventually, when two workmen came to process hides in the room off the breezeway, the conservation officers moved in for their arrest. They confiscated $700 worth of alligator hides including one 13-footer. The men were fined $200 or 90 days each, and their buyer paid their fines.

The scaly black hide of an alligator has a long way to go from the swamp to Fifth Avenue. It is one thing for a poacher to kill, skin, and salt down an alligator hide, and another to move it through the various illegal channels until it emerges in the world of fashion as a status symbol, shiny and costly, and free of the onus of its illegitimate beginning.

It is believed that most illegally taken alligator hides leave Florida through legitimately licensed fur buyers. There were three fur buyers who purchased the $100 state licenses last year. This makes it legal for them to deal in furs during the open trapping season. But alligator hides tend to move to market through the same channels as other skins. One of the licensed buyers operates in north Florida, one in the Tampa area, and the biggest of the bunch in central Florida.

In addition the buyers have agents scouring the country buying up merchandise for them. These agents have the state's $5 license, paid for by their employers. Then there is a third class of buyer, the local resident fur dealer, a free agent buying and selling where he chooses. He operates under a $10 state license. It is likely that alligator hides also leave Florida in the possession of handlers who do not bother to buy any state license. One such operator in the Orlando area is believed by law enforcement men to be hauling skins in the trunk of his automobile north to Georgia.

Properly salted, alligator hides will keep indefinitely. There is no big rush to get them to the tanners. If the heat is on, the contraband can be stashed away in a dry place—preferably in a dwelling because it cannot be searched without a warrant—until things cool off.

Bushnell, Florida, is widely known among poachers because of the relentless law enforcement efforts of Supervisor Roscoe Hamilton and his conservation officers. In Hamilton's kitchen one morning I talked with this veteran officer and his assistant, Jimmy Adams. Hamilton brought from his file a road map of Florida. Marked on it were the locations of most of the alligator hide buyers in the state, as well as the routes they drive in collecting their hides and hauling them north out of Florida. The town of Valdosta, Georgia, was heavily marked on Hamilton's map. This is considered a distribution center, heart of the illegal hide business in the southeast. From here the hides are believed to go to tanners in the New Orleans area, sometimes back to the Tampa or Miami areas, but most often to a large tanner in New Jersey. Many go overseas for processing, to come back eventually as costly finished shoes or handbags. By the time an alligator hide reaches the tanners, the price has gone up with every change of hands until it is now valued at more than $20 a foot.

One Florida hide buyer who has been arrested for possession of alligator skins is a grandmother in north Florida who was left to run the hide and fur business on her own after her husband died several years ago. I stopped one afternoon to talk with her. Behind her neat, white one-story home is the unpainted woodshed where she conducts her hide business. "First, are you for the alligators or against them?" she asked, then promptly let the question drop as she began denouncing a lengthy list of officials she dislikes. Included were Dr. O. Earle Frye, Jr., Director of the State Game and Fresh Water Fish Commission; the Internal Revenue Service, which has taken a sudden critical interest in her activities; and game wardens, wherever they might be.

Also on her list is Florida's Senator George A. Smathers. "Did you hear what Smathers wants to do now? He says he's a gator lover. Said it right out in the paper." What Senator Smathers had introduced was federal legislation making interstate transportation of any part of an illegally taken alligator a federal offense. "But I don't think all them big tanners and all are gonna let him get away with passin' a bill like that."

Although not exactly a "gator lover" herself, she said, "Now I don't go for what they done to Ole Joe." She was recalling the 11-foot monarch of Wakulta Springs Wildlife Sanctuary, killed by vandals in 1966. "That was just plain bad. But you know what I was glad of? They didn't skin him. So they can't blame this on the poachers."

As a licensed buyer she receives notice of the lots of illegal hides confiscated and auctioned off by the state. "But they just make plain damn fools of us," she complained. "You know what they do, they take our merchandise, then sell it themselves, and I don't think that's fair."

As well as other Florida buyers, she traveled to Tallahassee on February 23, 1967, to inspect a recent lot of 811 confiscated alligator skins ranging in length from one to ten feet. Near the end of the day, after everyone had sufficient time to judge the worth of the lot, Director Frye proceeded to compare the bids. Among them was the bid of the Japanese firm of Kanematsu Fosho. "You know what Frye said? He just picked up this Japanese bid and he says, 'Gentlemen and ladies, this covers you all's bid.' "

The bid price on the lot was $11,054.71. "Sure the tanner can bid lower," she complained, "they can take off our margin."

The tanner to whom she once shipped her hides, she told me, was Peter Baran and Sons, Inc. The Yellow Pages of the Manhattan telephone directory say of this Harrison, New Jersey, firm, "Genuine 'Baran' Alligator Leather." When her largest competitor in Florida threatened to boycott the New Jersey firm, she was squeezed out and forced to turn to a tanner in Louisiana for her market.

Some years ago, on a bright Sunday morning when many of her neighbors were in church, she was returning to Perry from Punta Gorda with a valuable shipment of alligator hides in the trunk of her car when a police cruiser suddenly pulled abreast and signaled her to the curb. "He told me I was speeding. It was a 35-mile zone, and I told him 'no I wasn't speedin' neither.' " Then she began to understand what was happening. Within minutes she was surrounded by sheriff's cars as well as half a dozen conservation officers. Plainly there had been a tip-off.

"I felt like laughin'. They was all standin' around nervous and shakin' like they didn't know what to do next. I said, 'What you boys think you got here, Ole Ma Dillinger 'er somethin'?' It's the damn truth. I laughed. I turned to this warden. I know all them wardens. I said, 'What you want Shepard?' He said they wanted to search my car."

She had the answer for that. "You got a search warrant?"

"No," one of the officers replied. "You want me to go get one?"

After awhile she decided that with or without a search warrant the results would be the same, and told them to go ahead and search. They found $750 worth of hides packed in the car trunk and arrested her. They escorted her to the county seat, where her bail was established at $750. She forfeited the $750 "business expense" and the state sold her "merchandise." She would answer no questions about the source of the hides.

What would she do about the fate of the alligators? She admits that they are getting scarcer, especially the big ones. The blame she insists, however, belongs more on the drainers and developers than on the poachers. "They say the poachers is killin' off the seed, that there not gonna be any alligators left. What we want is a legal season."

That the dealers would work together at all indicates their concern over a common enemy. They are ordinarily not close friends, and they harbor deep suspicions of each other as they compete for the limited supplies of a high-value product.

The rapidly diminishing supply of alligators has forced a changing pattern of living on many who grew up thinking the supply of gators was inexhaustible. There were men like Clyde "Scrammy" Hunt and his brother Robert, who from the time they were four years old were off in the woods with fish hooks and slingshots so often their parents usually didn't know where to find them. They learned to take allegators and sell the hides when it was legal.

But when the State of Florida finally closed the season completely in 1961, Scrammy and Robert went right on hunting gators. "I always figured," Scrammy said, "I could outsmart them."

When I first called Hunt's home, he was out shoeing horses and would not return until late in the evening. I arranged to stop and see him early the next morning.

Scrammy Hunt lives with his wife and children and a pack of hunting dogs at the end of a long, shady lane on the south side of town. His land includes a pond in which he hopes to start a new legal enterprise—raising alligators. At 35 he is a stocky, slightly balding man. Hunt's favorite way of killing an alligator was with a .22 rifle. "Shotguns make too much noise," he said, "and there's no sport to it, anyhow." But he needed a rifle that he could hide. "I had to have a gun that didn't look like a gun."

He obtained a little single-shot .22 and removed the stock. Then he sawed off the barrel to about 12 inches. "When you're hunting at night," he explained, "you have to worry about being seen and heard. I filled a Prince Albert can with Brillo pads and fitted this on the muzzle. It cut out the muzzle flash and also acted as a silencer.

"It was hard to hold without a stock," Hunt added, "so I made one out of wire. It was a little heavier than clothes-hanger wire and fastened to the barrel with a single screw. It didn't look like a gun stock. It didn't look like anything. It was lying right in the bottom of the boat lots of times when we was checked."

When the gun was not actually in use Hunt would carry the bolt in one pocket, the essential screw in another, and the barrel taped out of sight under the deck of the boat. He could assemble it in 15 seconds.

The biggest haul the Hunts ever made in a single night was $700. In one three-night period they cleared $1,500 plus $150 each on frogs. Even on poor nights they expected to make at least $100. The limiting factor on income for an alligator poacher is the speed with which he can remove skins from the creatures. This is a job not as easy as sometimes visualized, and the bigger the alligator the more difficult the skinning task.

Hunt and his brother killed alligators even when they thought there might be wardens observing them. After they had two or three alligators ready to skin, Scrammy would cruise close to an island and Robert would jump ashore with the gators. Then while he skinned them at his leisure, Scrammy would continue to cruise around the lake, drawing the constant attention of any observers, and perhaps occasionally approaching the island close enough to heave another alligator over to his brother. To keep from getting the telltale blood in the boat, he would tie a line to each alligator killed and tow it behind the airboat. This system accounted for the removal of a staggering total of alligators over the years. Scrammy Hunt has no idea how many alligators, legal and illegal, he has killed.

Conservation officers knew what the Hunts were up to. They matched their movements off and on for weeks, then kept them under surveillance every night for a month. Seasoned game wardens know it is almost impossible to chase down a poacher and catch him with the necessary evidence for a court conviction. There is too much opportunity on a dark night to toss the hides and weapons overboard. The idea instead is to let the lawbreaker come to you.

"We got outsmarted," Scrammy Hunt admitted. They came off Lake Apopka late one night. When the officers turned the lights on there was no time to get rid of the skins. The officers knew Hunt carried his hides wrapped around his body inside his loose-fitting shirt. "I remember once they checked me," said Hunt, "when I had two sixes and a seven-footer wrapped around me. I looked kinda bulky, but I knew they couldn't search my person in a case like that."

On this occasion he also thought there was a chance he could get rid of the skins without being noticed. For two hours they argued. The officer announced they planned to search him and ordered him to spread-eagle against the side of one of their cars. Hunt told them, "Hell no." He had once worked for three years with the Game and Fresh Water Fish Commission on an alligator research project. He quoted them the applicable portions of their own code book as his authority for refusal. The frustrated officers, the prize within their grasp, called supervisor Roscoe Hamilton by radio.

"I should have made a run for it," Hunt said, "and lost them hides in the water, then let them catch me again. But by then it was three or four o'clock in the morning and we were all tired. I just said, 'All right, go ahead and search me.' "

One of the officers quickly felt around Hunt's waistline inside his shirt and found four skins wrapped around his chest. The Hunts were convicted and sentenced to three years on probation. Already a year and a half of that time has passed.

Hunt looked upon alligator hunting as a great sport, and misses his nights on the water sharply. "But the only way to break off," he says, "is all at once, like with cigarettes." In some ways life is better since he was caught. "The bad thing about it was that there wasn't much family life," he says. "I'd work all day, rush home, eat supper real fast, load up the airboat, and be out all night hunting."

Hunt's airboat rested, well-painted and clean, on a boat trailer in the front yard. "I'm going to sell it," he said. "I want to get a permit to start an alligator farm and raise gators. If they keep getting scarcer, I think there will be a demand for them. I know I can raise them. I'll sell the airboat to buy the chain link fence for my pond." He paused and looked at his boat. "Break my heart," he said. "But I won't be needing it now."

While the poaching industry continues to hack away at the remnant populations of alligators, and legislators lose time in bringing them the protection of federal law, the State of Florida labors beneath its responsibility. As much as a third of the budget for the Game and Fresh Water Fish Commission in some regions goes to enforcing laws against illegal taking of alligators. Meanwhile, the state's biologists dig deeper into the reptile's secrets.

In charge of Florida's alligator research project until recently was biologist Tommy Hines. I talked with Hines one day in his office in Fort Lauderdale. There are, he assures me, still a lot of alligators around. Nobody knows how many. Alligators are not easily counted. But could the alligator population be wiped out if present trends continue? Hines considered the question for several seconds. "Yes," he said. "They could." Then he elaborated.

An alligator does not reach sexual maturity until it is five or six years old. By that age it is also big enough to be in prime condition for the hide industry. Biologists have learned that the sex ratio of young alligators is not balanced, but leans heavily to males, sometimes as high as 70 percent. As the alligators increase in age, the sex ratio tends to level out. But in a more youthful population, where the breeders are not allowed to grow old, this imbalance limits the number of females available for producing eggs. Alligators have long incubation periods, relatively small clutches of eggs, and suffer great losses of young to a wide range of natural predators. The conclusion can only be that the alligators' success has been closely tied to long life for the producing adults. These are the ones most vulnerable to poaching, and the average alligator's size has become smaller and smaller.

There is widespread agreement that the real way to stop the poaching is to cut off the market for the skins—to eliminate the processing of skins into items of commerce. And the key to that is federal legislation.

The poaching fraternity, well aware that such federal legislation would spell an end to the lucrative business, is now eager to have an open season as an alternative—so eager that a group of buyers and dealers recently met on a Sunday morning in Bushnell, Florida, in conference with an attorney they have retained to represent them in this campaign. Surprisingly, an open season is favored by Director Frye.

No one has quite explained satisfactorily how an open season would eliminate poaching. For as long as alligators hides can be legally taken *anywhere*, the illegal ones can be smuggled to a state with an open season, and then shipped from there camouflaged as legitimate skins.

The territory where alligators can be legally killed has dwindled to almost nil. The big reptiles are found from North Carolina around the coast south to Corpus Christi, Texas. In an important move, the Georgia Game and Fish Commission recently closed the entire state to legal hunting of alligators. (Still, one state wildlife aide recently commented, they are shot regularly by ill-informed fishermen and others who are afraid of a gator attack—an extremely rare occurrence, even when provoked.)

The season is also closed now in North Carolina, South Carolina, Alabama, Florida, Mississippi, Arkansas, and Louisiana.

In Texas, a "no open season" regulation has governed the state's 33 coastal counties. But if a gator wandered into any of 221 other counties, he could have been legally killed. On July 10th, however, the Texas Parks and Wildlife Commission extended protection to the alligator to all but about 40 counties where the commission lacks such authority. And there are few if any of the reptiles in those last counties.

There may also be a very few alligators in the far southeastern corner of Oklahoma, a state where the reptile is unprotected. But, said an aide of the Department of Wildlife Conservation there, "If someone said he killed five gators, we'd figure he had wiped out our population."

And Georgia's welcome law does not control commerce in alligator hides, hence Valdosta and nearby Homerville remain the hub of illicit interstate traffic. So when the Georgia General Assembly convenes in January, bills will be introduced to regulate the hide and fur buyers.

But state regulations have not been enough, nor do courts help matters much. Even federal district court juries in Florida have been reluctant to convict poachers of killing alligators, despite overwhelming evidence. Poachers, conservationists, government officials, state and federal alike, all agree: federal laws, and strict enforcement, are needed to help bring an end to the hustling illegal traffic in alligator hides.

Such legislation has been urged by the National Audubon Society, the Southeastern Association of Game and Fish Commissioners, and many others. In addition to the Smathers bill, legislation introduced in both the House and Senate would extend the protective canopy of the famed Lacey Act of 1900—credited with stopping the illegal traffic in bird feathers—to halt interstate shipment of poached alligator hides, or any other animal taken contrary to state laws. Fines of $1,000 and prison terms of up to two years are specified.

Those proposals should soon become law. House approval came shortly before Congress left for the conventions. Senate passage was expected after Labor Day.

The only losers will be the poachers and their kin and the segments of the world of fashion rich enough and callous enough to boast of products fashioned from illegal materials.

FREEDOM'S CHALLENGE

Mr. MUNDT. Mr. President, this week each Member of the Senate has had the refreshing opportunity to spend several hours with two young constituents selected to participate in the Senate youth program sponsored by the William Randolph Hearst Foundation.

The representatives from our home States, high school seniors, are spending the week in Washington, learning about their National Government.

The youngsters we met with this week, and particularly Wednesday when all of us were together for the luncheon meeting addressed by the Vice President, are of the generation that will provide tomorrow's leaders.

During the course of this year, many more opportunities will be presented for us to meet other young constituents—other future leaders—who will be coming to Washington, recipients of award-winning trips to our National Capital because of their achievements.

There will not be the public notice given these youngsters of the type given some other members of their generation who, in Washington earlier for the inauguration, did make headlines because of their disruptive activities.

However, the fact that our guests of this week, and those who will be coming in the future, will not make the headlines, does not lessen in any sense their individual records of accomplishments nor in any way remotely demonstrate that these outstanding young citizens are not representative in very great degree of the young people of America and who, truly, will be tomorrow's leaders.

They will be tomorrow's leaders because of their intellectual capacity, because of their abilities to recognize and deal with problems, and, most of all, because of their willingness to assume the responsibility of citizenship in working to build a system and society on the foundation of self-government we have.

"Builders for tomorrow" is one description which is applicable to youngsters, such as Mary Patricia Bierle, of Yankton, S. Dak., and Stephen Carl Hunt, of Sioux Falls, S. Dak., who were among the 100 Senate Youth Program representatives here this week.

Another such "builder for tomorrow" is William H. Jockheck, a Redfield, S. Dak., high school student.

He will soon be in Washington as South Dakota's winner of the Voice of Democracy contest sponsored by the Veterans of Foreign Wars, joining winners from each of the respective States.

In my mail this week I received the text of Bill's radio script which won for him South Dakota's top honor.

His essay, entitled "Freedom's Challenge," reviews the concept of freedom and its relationship to his generation. I think it is representative of many of our young people who are searching for their place in a world not created by them, who are trying to determine what their contributions are to be in a social structure which they inherit, but who firmly believe that to make the world a better one, and our society a more productive, happy one, you do not destroy that which we have in mindless, reckless episodes of disorder and anarchism.

Perhaps Bill Jockheck puts his finger on the problem with this comment:

> But he knows not freedom whose freedom has not been threatened. . . . Since my generation has known nothing but freedom, we take it for granted.

I do not say the Bill Jockheck's generation does not understand freedom. In fact, the essay I shall place in the Record indicates to me that Bill Jockheck has a firm understanding of liberty and the involvement of good citizenship to retain liberty.

But possibly Bill Jockheck is giving us some insight into what some of the problems are with those who have determined that most of what has gone on in this country for nearly 200 years, that much of what we believe in, and that many of the traditions—such as the simple act of loving one's own country—which give the fabric of freedom sustenance, are all wrong.

But, beyond that, I believe he has given us greater insight into the type of generation growing up that we really have in America, for I think Bill Jockheck—and the many, many young leaders of which he is a part, who will be coming to Washington this year as the 100 Senate youth representatives came this week—represents the vast majority of young Americans working to build upon and not tear down the structure of freedom.

Mr. President, I ask permission to have

printed in the RECORD the radio script, "Freedom's Challenge," by William H. Jockheck, Redfield, S. Dak., the first-prize winner in the VFW's Voice of Democracy contest in my State.

There being no objection, the script was ordered to be printed in the RECORD, as follows:

FREEDOM'S CHALLENGE

(By William H. Jockheck, Redfield, S. Dak.)

We have just come from a field of battle. In that battle, we have selected a president. But in this regular phenomenon there is something singularly unusual. That is the field on which the battle is fought, a background of freedom with a structure of democracy.

This field is of great value but members of my generation are losing sight of just how valuable and how dangerous such a field can be. The last two generations know all too well the cost of freedom, and in their struggles to preserve it they saw it as a glowing gift, an end in itself, to hand to their children.

But he knows not freedom whose freedom has not been threatened. Freedom means nothing lest those having it be threatened with its loss. It is only in this way one can know the meaning of freedom. Just as one does not know the meaning of hunger until he has been starving; one does not know the meaning of freedom until he has been without it.

Thus today, the threat to freedom is not from without so much as from within. Since my generation has known nothing but freedom, we take it for granted. What is worse, many keep grabbing for more and more of their so-called freedoms. They want freedom from morals, freedom from work, freedom from laws.

These individuals can be seen in demonstrations from coast to coast. Somehow, they believe they deserve complete freedom. They are not concerned about how their freedoms affect others. Many times the limits of freedom are described thus: your freedom to swing your arm stops just short of the end of my nose. This means nothing to growing numbers of young people. They think it is their right to be able to destroy public and private property, hold public officials and demand exemption from the laws. Their freedoms are one-sided. If the freedoms they expect were granted for all, there would be anarchy. But anarchy results in elimination of rights and protections. Freedom can only exist within the bounds of regulations. Freedom must be restricted or there can be no freedom for the majority.

These facts are ignored by those idealistic and impractical youths who have known nothing but freedom. This generation raised in permissiveness can not see beyond their own desires. To them, freedom is theirs. They fail to see the situation from a practical standpoint. What would happen if these so-called freedoms were given to all?

These individuals have failed to see what freedom is. Freedom is not a golden god to be worshipped. It is a tool. A tool with which we can improve ourselves, our society and our world. But like all tools it can also be used as an instrument of destruction as well as construction.

Freedom can be easily compared to atomic energy in this sense. The atom used for peace has practically no limits on what it can do. It can power our cities, light and heat our homes, create mutants for greater productivity and on and on the list goes. But as a tool of destruction it is also unparalleled in its potential.

So it is with freedom. Properly used in moderation, with respect for the rights of others and not just our rights, freedom and democracy can lead to peaks of prosperity and peace, but if freedom is only taken, without respect to responsibility, it can be just as destructive as any bomb. Those who want freedom without responsibility have failed. They will turn freedom into a destructive force. But to take freedom and willingly accept its responsibility, to use it in appropriate moderation, with respect for others, this is freedom's challenge.

THE POLITICAL RIGHTS OF WOMEN—XVII

Mr. PROXMIRE. Mr. President, the Senate should ratify the Human Rights Convention for the Political Rights of Women. Throughout history women have been called upon to give leadership to their country. This Nation can boast a proud heritage in this respect. The names of such women are legion—but we should not rest on the laurels of history. In the future, our Nation and the nations of the world will need the political leadership of all their citizenry, men and women alike.

In our national laws and in the U.S. Constitution there is much to insure the recognition of the political rights of women. Since the inception of the Constitution in 1789, women have been assured of many rights. With the 1920 ratification of the 19th amendment, women gained the primary instrument of political power, the right to vote. These rights have been incorporated into the Convention for the Political Rights of Women.

Such rights are clearly a part of our history and our heritage. We must now be concerned with living up to this fine tradition of political equality among all citizens of the United States. Yet the fate of citizens elsewhere must concern us too. We should ratify this convention, and other human rights conventions, which so clearly extend to others the rights which we take for granted.

FEDERAL LAW AND FEDERAL JURISDICTION FOR AIRCRAFT ACCIDENTS

Mr. TYDINGS. Mr. President, in 1968 the death toll of travelers on U.S. airlines was 303, a total in the history of aviation second only to 1960's 336 passenger deaths. Each air crash was a major tragedy for a large number of widows, children, and others dependent upon those killed in the crash. At present the sole legal course open to these dependents is a wrongful death action governed by State law.

A typical modern air crash involves passengers who are domiciliaries of a number of different States, and who are flying from one State to another, over innumerable intervening States. Responsibility for the crash may lie with the U.S. Government, the carrier, the airplane manufacturer and possibly one or more of the manufacturers of the component parts of the airplane. As a result, actions will be brought in any number of different State courts, or Federal district courts, and multiple trials will be had of the same issues. In addition the judges will have to find their way through a maze of conflicting State laws in order to determine the rules of law which will govern the litigation. The result is a considerable waste of judicial time, an increase in the expense of litigation, and a considerable delay in the rendering of justice to persons who are frequently badly in need of assistance. Furthermore, under the existing system, the possibility looms that the survivors of different individuals on the same plane may have different law applied to their cases and achieve differing results, even though these people are all victimized by the same crash and the same engineering defect or human error.

Last April I introduced two bills, S. 3305 and S. 3306 as exploratory efforts at treating the air disaster cases by replacing the multitude of diverse State rules with uniform Federal law and replacing the jurisdiction of the State courts with Federal jurisdiction which would facilitate consolidation of all cases. These bills were referred for study to the Subcommittee on Improvements in Judicial Machinery of which I am chairman.

During the hearings held on these bills in the spring and summer of 1968, the subcommittee received a number of important suggestions for the improvement of the legislation, and, on the basis of those suggestions, a somewhat revised approach for the handling of the litigation arising from aircraft crashes was developed and introduced on September 24, 1968, as S. 4089.

S. 4089 differed from S. 3305 and S. 3306 principally in the scope of the legislation. Whereas S. 3305 applied only to interstate commerce flights, and S. 3306 applied to all aviation and space activities, the jurisdictional and substantive law provisions of S. 4089 were more intricately woven, providing exclusive Federal jurisdiction only for those aircraft crashes which ordinarily involve substantial numbers of people and suits in multiple courts. On the other hand, S. 4089 provided that a uniform body of Federal law should apply to all aviation activities and to all space activities within the national sovereignty of the United States.

Further study this past fall has disclosed a number of worthwhile modifications for the provisions of S. 4089, and I intend to introduce a bill incorporating those modifications. On the whole, they make few substantive changes, serving merely to clean up and to clarify the proposed statutory language. One change bears particular mention, however. Excluded from the coverage of the uniform body of Federal law provided for in S. 4089 was all space activity outside of the "national sovereignty" of the United States. This exclusion was designed to avoid any possible conflict with future developments in international law. Upon further reflection, however, two things became clear: First, such developing international law is a natural and necessary component of the body of Federal law provided for in S. 4089; and second, no possibility of interference with such development exists if the statutory language is carefully drafted to make it clear that, as a choice of law matter, international law will govern space activity outside of the "national sovereignty" of the United States. I believe that the relevant language we have included in the bill I intend to introduce fulfills this goal.

The situation with regard to the judicial treatment of aircraft crash litigation is serious and constantly getting worse. In the not too distant future, new 500-passenger supersonic transports will be handling much of our commercial air traffic. As engineers are improving airport facilities and revising aircraft safety procedures in the anticipation of the greater demands soon to be placed by increased air travel and larger aircraft, lawyers and legislators have an obligation to keep pace. It is my hope that the proposed legislation will be passed and will operate to bring the judicial resolution of aircraft crash litigation into the modern era.

OIL AND GAS LEASE RENTALS

Mr. HANSEN. Mr. President, on December 26, 1968, the then Secretary of the Interior Stewart L. Udall published in the Federal Register a proposal that would authorize an increase in the rental for noncompetitive wildcat oil and gas leases from the existing rental of 50 cents per acre to an undisclosed amount. The proposal states that the "authorized officer," whoever he might be, can increase the rental "in excess of 50 cents per acre, where the prospective value of the land so offered for lease justifies such higher rental." To say the least, this is a vague and indefinite test as to which leases would be affected. Further, there is no limit placed on how much the increase could be.

There are no standards or guidelines contained in the proposal as to which leases would be charged the higher rental. The new proposal simply states:

> In simultaneous leasing, the amount of the required rental, if in excess of 50 cents per acre, for a particular leasing unit identified by parcel number will also be posted on the bulletin boards in the land office.

Mr. President, this proposal is not only vague and lacking in standards and guidelines, it is a serious blow to our Nation's security. At a time when responsible Government officials, including former Secretary Udall, are urging an increase in the search for oil and gas, the Secretary proposes to increase the rentals for public domain acreage.

It is incomprehensible that the Interior Department would take this action which is bound to discourage leasing and thus drilling on the public domain. The same Department of the Interior and the same Secretary in a study made by it, entitled "An Appraisal of the Petroleum Industry of the United States," published in January 1965, concluded, with reference to the severe decline in oil and gas drilling:

> The effect of these declines has been to slow the growth of proved reserves of crude oil almost to a halt. Between 1950 and 1956 total year-end reserves increased by 5 billion barrels. In the succeeding six-year period (1956–1962) reserves increased by less than one billion, and in four out of the past seven years additions to reserves have been less than withdrawals for use. However, additions to reserves of natural gas liquids and condensate were greater than annual production and thus helped cushion the decline in the ratio of proved reserves of total liquid hydrocarbons to production. This is no cause for immediate alarm, but it does indicate that what has been done since 1956 to find new supplies of oil, whether through new discoveries or through increasing recovery rates of old deposits, has not been enuogh to provide a sound basis for future growth. Additional exploratory effort is needed, particularly in new field wildcat drilling.

In a further study published just last year, the Interior Department declared:

> In its role of trustee of the Nation's energy resources, government has responsibility for insuring that they are developed and used most effectively to advance the general welfare. This runs to such varied tasks as making the resources on the public domain available for development in a timely and efficient manner—with due regard for the ecology and natural beauty of the landscape; for minimizing waste in the production of energy resources; for protecting the consumer against unfair pricing where competition does not provide this protection; for seeing that the specific requirements of national security are provided for; for encouraging the development of new energy sources.

The Department of the Interior concluded this study by stating:

> The choice of action relates mainly to the emphasis and direction which might be given to programs already in operation—to leasing terms, to import levels, to regulations governing drilling and production, to accelerated effort for research and development on synthetic fuels, to weighting incentives for exploration. There is still time to wait for a clear signal either of the efficacy of present industry efforts, or of a turnaround from the historic decline in activity which began in 1956. But it ought not be too long in coming.

Mr. President, here is the Department charged with encouraging the search for oil and gas, the Department which has recognized the need to step up drilling, now proposing changes in its lease rentals which will discourage leasing and drilling for oil on the public domain which will further aggravate an already serious situation.

In 1960, Congress enacted Public Law 86–705 which, among other provisions, authorized an increase in the minimum rental from 25 cents an acre, which it had been for 25 years, to 50 cents an acre. In its report accompanying this legislation, the Senate Interior Committee declared:

> It believes that such an adjustment will add incentive to actual exploration and development, discourage excessive speculation in applying for and holding leases, and result in increased revenues to the Treasury and the states.

This sounded good; but when we check the facts, we see a different picture.

Acreage under lease for oil and gas on federally owned lands—public acquired and Indian—declined for the eighth consecutive year in 1967. Acreage under lease on these lands reached a peak of 121,448,000 acres on December 31, 1959, the year just prior to enactment of the 1960 act, and has declined steadily each year since then.

Total Federal acreage under lease on December 31, 1967, amounted to only 64,609,000 acres, 47 percent less than at the end of 1959. During this period, a total of 56,839,000 acres were dropped.

Acreage under lease on the Outer Continental Shelf increased during this period from 1,465,000 on December 31, 1959, to 3,545,000 at the end of 1967. This means then that Federal acreage under lease for oil and gas, excluding the Outer Continental Shelf, actually declined by 58,918,000 acres or almost 50 percent.

Total acreage under lease in the United States for oil and gas declined during this same period from about 425 million acres at the end of 1959 to 325 million acres at the end of 1967, a drop of 100 million acres or 24 percent. It may be noted that well over half of all the acreage which has been dropped since 1959 has been on federally owned lands.

Mr. President, this downward trend in oil and gas leasing on the public domain has had a direct and adverse effect on the Rocky Mountain area of our Nation and particularly on my own State of Wyoming.

At a time when our Government should be encouraging the search for the much-needed new oil reserves, it appears that it is doing just the opposite.

While our Federal oil and gas leasing system is not perfect at present, it certainly cannot be improved upon by such a proposal as this eleventh-hour bomb dropped by the outgoing Secretary of the Interior.

This unwarranted action is highly disturbing. This highhanded proposal will do great damage to my State and our Nation.

Any broad and far-reaching change as proposed should certainly not be allowed to take place without thorough hearings and full consideration of all the factors involved.

Mr. President, I am hopeful that the new Secretary will provide all concerned with adequate opportunity to be heard on this proposal.

It is unbelievable that an outgoing Cabinet member would take such drastic last-minute action, especially the same Secretary who 8 years ago rescinded an oil import regulation and issued a blast against the previous administration. The then Secretary of the Interior Stewart Udall said that his rescinding order "in effect, revoked the eleventh-hour regulation promulgated by the Eisenhower administration."

Mr. President, I earnestly believe that this proposal is an ill-conceived policy change that would be detrimental to the Nation's security and economic welfare. Therefore, it should be withdrawn until, as I mentioned earlier, adequate hearings and full consideration can be given to this matter.

OIL DEPLETION ALLOWANCE CAN OFFSET TAXES ON OTHER INCOME

Mr. PROXMIRE. Mr. President, during the debate of January 22, 1969, on the confirmation of the nomination of Gov. Walter Hickel to be Secretary of the Interior, I spoke at length on the responsibilities of the Secretary over the oil industry. During that speech I pointed out the many special tax privileges which the oil industry receives. I listed the fact that dry holes can be written off; that the industry can "expense" in 1 year, through the intangible drilling and development cost deduction, many items which other companies must capitalize and depreciate over the life of the asset and which, in fact, the companies do capitalize and carry on their books for other than tax purposes; the notorious 27.5-percent depletion allowance; the 14-point Western Hemisphere deduction; the "golden gimmick" by which oil royalities paid by American oil firms to Middle Eastern sheiks and potentates are offset against the actual taxes owed in this country.

During that debate I described the depletion allowance and then went on to say that:

> The depletion allowance can be used to offset income from sources other than oil. Those who invest in gas and oil often do so in order to reduce their taxes from other sources.

STATEMENT CHALLENGED

At this point in the debate the Senator from Iowa (Mr. MILLER) raised a question about my statement. He said—and I quote him from pages 1508–1509 of the RECORD for January 22:

> It is the understanding of the Senator from Iowa that the percentage depletion deduction is only available with respect to oil properties, or the income from oil properties. If I understand the Senator's statement, he has a different understanding.

I replied that I certainly did have a different understanding and that I would be delighted to provide the evidence for the RECORD and substantiate my statement.

I shall do that now.

NOT A SIMPLE MATTER

The matter is not simple and there is no reason why the Senator from Iowa or others should necessarily be aware of the way in which percentage depletion can be used to offset income from other sources. In fact, I am told that even the experts at the Treasury were unaware of it until a number of actual examples of companies using the device were pointed out to them. So far as even the informed public is concerned, this may be a new tax loophole for the oil industry.

TRADITIONAL DEDUCTION

Mr. President, as we all know, the percentage depletion deduction in the case of oil is 27½ percent of the gross income from the property—value of the oil at the wellhead—but the deduction is subject to the limitation that it cannot exceed 50 percent of the profit from the property. Thus, if the sales of oil from a lease amount to $50,000, and the lifting costs and other expenses chargeable to the lease amount to $40,000, the percentage depletion deduction would be $5,000—50 percent of the profit of $10,000 from the lease—rather than 27½ percent of $50,000. Accordingly, with normal operations the percentage depletion deduction will not offset income from other sources. Thus far, the Senator from Iowa (Mr. MILLER) is correct.

CARVED-OUT PRODUCTION PAYMENTS

However, by resort to carved-out production payments—a tax gimmick—it is possible to manipulate the income and deductions from an oil lease so that the percentage depletion deduction will in effect offset income from other sources. By use of the carved-out production payment, the percentage depletion deduction will be artificially increased in the year of the carve-out, followed by a resulting loss in the year of the payout which can be used to offset non-oil income. This tax gimmick has been used for years in the oil industry and recently has been used for hard minerals as well.

SPECIFIC EXAMPLE

To illustrate, let us assume in the example I have given above, that the gross income from the oil lease each year amounts to $50,000.

The annual expenses are $40,000. The depletion deduction without a carve-out would be limited to $5,000. That is, without manipulation the taxpayer would pay a tax each year on $5,000 or one-half of the annual profit from the lease.

But let us assume that in December of every other year the taxpayer carves out a production payment of $50,000 which is payable out of the production of the next year.

PRODUCTION PAYMENT EXPLAINED

What this means is that the owner of the well receives $50,000 in cash near the end of year one. He gets this from a bank, another oil company, a steel company, or a charitable foundation, to name a few of the types of institutions which have made such transactions in the past. The oil producer then agrees to pay it back by delivering his production in the following year until full payment is made, plus an additional amount of production to cover interest to the bank or oil company or corporation who paid him the $50,000.

One would think that the nature of this transaction was a loan. Very few companies pay a producer in full for a product they do not receive until many months later. They may make some small downpayment, but usually they do not make a final payment until delivery has been made or several months after delivery has been made.

But in the extractive industry, this transaction is not treated as a loan for tax purposes. Only if the seller fails to make the production payments in the following year would it be treated as a loan.

Because of this feature in the tax laws, depletion is used to offset taxes which would otherwise be paid on other income. Incidentally, the tax reform package just submitted by the Treasury would repeal this special privilege and treat the production payment gimmick as a "loan," which is the true nature of the transaction.

REAL PROFIT TURNED INTO A TAX LOSS

To return to the example we have given, the aggregate result for each 2-year period would be a $7,500 loss to deduct from income from other sources. This result comes from the additional percentage depletion deduction resulting from the carved-out production payment.

In the year of the carve-out the gross income from the lease would be $100,000—$50,000 sales of oil plus the $50,000 carved-out production payment. The percentage depletion deduction would be $27,500—27½ percent of $100,000—since the profit from the lease would be $60,000—lifting costs and other expenses remaining at $40,000. As a result, in the year of the carve-out there would be a taxable income from the lease of $32,500—$60,000 profit from the lease, less percentage depletion of $27,500.

But this taxable income would be more than offset in the following year for the lease would then produce an ordinary loss of $40,000. The holder of the production payment would receive the $50,000 proceeds from the sales of oil and the taxpayer would have $40,000 of expenses deductible from other income. Aggregating the 2 years the taxpayer would have a tax loss of $7,500 from the lease—$40,000 loss in the year of payout minus $32,500 taxable income in year of carve-out.

The actual profit for the 2-year period from the lease would be $20,000. But thanks to percentage depletion an overall loss of $7,500 is created to offset income from sources other than the oil lease.

GIMMICK WIDELY USED

Mr. President, the principle in the relatively simple example I have given above has actually been used by some of the largest oil, sulfur, and mining companies in the United States. The results have been staggering. The taxes on other income which would otherwise have been paid, but which were offset by the "production payment" gimmick, have run into the hundreds of millions of dollars.

EVEN GREATER OPPORTUNITIES FROM INTANGIBLE DRILLING AND DEVELOPMENT COST DEDUCTION

While percentage depletion can be used in the above manner to create losses which can offset non-oil income, the deduction for intangible drilling costs offers even greater opportunities. The costs of intangible drilling—even on a successful well—are deductible without limitation even though the oil companies capitalize such costs on their books. Individuals as well as corporations deduct these capital expenditures without any limitation. By contrast, if a farmer drills successfully for a water well, he cannot deduct the drilling costs but must capitalize and recover them through depreciation over the useful life of the well.

BIG TAX PRIVILEGES

The oil companies have amazing tax privileges. These make it possible for some of the largest and most powerful companies in the country to pay a smaller percentage of their income in taxes than is paid each year by the ordinary family of modest means.

OUR NATION'S ESTUARIES

Mr. TYDINGS. Mr. President, the proper care of our estuarine zones is a vital necessity for our Nation as a whole and an urgent task for this Congress.

In these zones one finds the waters where most of our commercial fish breed, the wetlands important to our waterfowl, and many opportunities for man to find both pleasure and employment.

Unfortunately, we have permitted our estuaries to be abused and have underrated their importance to us.

In 1966 I offered an amendment to the Clean Water Restoration Act directing the Interior Department to conduct a 3-year study of pollution within the Nation's estuaries. The amendment was drafted so as to permit the Department to undertake a comprehensive analysis of our estuaries, considering factors in addition to pollution. The study is now underway and is due to be completed this fall.

One of the more enlightening pieces that I have read on the importance of our estuaries is a speech delivered a few weeks ago by S. Fred Singer, Deputy Assistant Secretary at the Department of Interior. I ask unanimous consent that the text of Mr. Singer's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

The Federal-State Partnership in Managing the Coastal Zone

(By S. Fred Singer, Deputy Assistant Secretary, Department of the Interior, Washington, D.C.)

The Federal Government and the States have a joint stake in effectively managing the nation's coastal zone. This valuable area must be used prudently so it is not destroyed, economically so it is not wasted, and equitably so that conflicts, which will arise, can be settled with full regard for public and private interests. At the same time, we want to ensure the interests of those who will wish to use the resources of the coastal zone in future generations.

The coastal zone, particularly its estuaries, constitutes one of the most valuable of our natural resources—yet one that is rapidly being destroyed by landfill and pollution. The importance of estuaries is evident to the more than fifty million people who live near them, use them for recreation, commercial fishing, trade and commerce and industry, mining, as a source of water, and the disposal of wastes.

The Commission on Marine Science, Engineering and Resources, in its report to the President and Congress earlier this month, gives much attention to the problems of managing the coastal zone. The report observes that rapidly intensifying use of coastal areas has already outrun the ability of local governments to plan orderly development of these areas and to resolve conflicts. The Commission says that the division of responsibilities among the several levels of government is unclear, and the knowledge and procedures for formulating sound decisions are lacking. The body proceeds to make a number of recommendations regarding the coastal zone, most calling upon the States to exert more authority there, which we endorse.

WORTH OF ESTUARINE ZONE

There are between 850 and 900 estuarine systems around the coastal periphery of our country. They are part of a vital zone that includes the mouths of rivers, vast reaches of the continental shelf, and by Congressional definition, the Great Lakes. The Congress of the United States provided the following definition in the Clean Water Restoration Act of 1966: "The term 'estuarine zones' means an environmental system consisting of an estuary and those transitional areas which are consistently influenced or affected by water from an estuary such as, but not limited to, salt marshes, coastal and intertidal areas, bays, harbors, lagoons, in-shore waters and channels, and the term 'estuaries' means all or part of the mouth of a navigable or interstate river or stream or other body of water having an unimpaired natural connection with the open sea and within which the sea water is measurably diluted with fresh water derived from land drainage." By this definition, the estuarine zone includes the margins of the oceans.

Several years ago, a Federal department made an intensive study of the U.S. continental shelf in order to learn the value of the economic activity there. Eight major economic activities were identified: mining and petroleum, marine engineering, recreation, health and welfare, transportation, food and agriculture, defense and space, and research and development. The level of economic activity for 1964 was estimated at $21.4 billion, a total that included operating expenses, investments, and income.

A little more than half the money was spent for transportation activities; nearly $4 billion was spent for recreational activities; and about one-third of a billion was the dockside value of the United States fishery catch from the continental shelf area, an amount of money that increases sharply when we add the cost of processing and distributing the catch.

Yet we cannot easily assay the nation's estuaries and estuarine zones. How can we assign dollar-values to the relaxation achieved by sportfishing in the tidal waters, swimming, surfing, skin diving, pleasure boating, or contemplating nature in solitude?

COMPETING DEMANDS ON THE ESTUARINE ZONE

As the economic value of the estuarine zone rises, and population pressure increases, conflicting and competing uses of the estuaries become dominant.

Today we have almost six times as many people in this nation as we had a century ago. Since all of these people, in some fashion, call upon and derive some benefit from the estuarine zone, the nation has been forced to recognize that what it had in surplus, it now has in jeopardy. Even seemingly unrelated uses of an estuarine zone can have dire consequences; a solution to one irritating problem may engender far more pressing problems. For example, a pesticide that helps cherries grow in unblemished splendor in an orchard in a Michigan valley could result, under certain circumstances, in a mass of dead Coho salmon on the banks of Lake Michigan. While supertankers transport oil very economically to all parts of the world, a bit of carelessness, which results in an oil spill, can fill nearby beaches with the carcasses of thousands of oil-drenched waterfowl and suffocate much of the shellfish. Modifications of estuaries through dredging operations or filling-in for real estate development, or the outpouring of wastes from a city, or fertilizer from nearby land—all are capable of disfiguring and destroying an estuarine zone.

Many people do not realize what happens to the ecology of an estuary when modifications are made in the waterway. But even when they do, an overriding influence on their actions may be the short-term rather than the overall or long-term gain.

Even as I talk, more intensive uses of our estuarine zone are being planned:

Bigger and more nuclear-fueled power plants, which will be located on the coasts because they require very large quantities of cooling water.

Increased desalting of estuarine and coastal waters as technology improves, creating brine, heat, and radioactive waste disposal problems; but desalting also gives water to cities and to arid lands.

Increased pressure for housing and commercial sites in estuaries, stimulating the filling-in of marshes and bays, and resulting in soil erosion and runoff of wastes from urban areas.

Increased recreational demands, increased channel dredging for marinas and harbors, and shoreline modifications for beach development.

NEED FOR OPTIMUM USE

Sometimes the opportunities for short-term gains can be very persuasive. We suggest that anyone who desires to change the environment should do so only with as near full knowledge as possible of the implications of the change. These should be clearly drawn for the governmental bodies involved and for the people who will be affected.

We must learn how to make optimum use of our estuarine areas since they are obviously limited in extent and in their ability to absorb abuse. They are also being called upon to serve more and more masters, under more and more difficult conditions. This brings forth the now accepted notion of multiple use of the coastal zone under which compromises are introduced in order to permit competing uses to coexist. Harbors and healthy oysters can coexist, for example, if pollution levels are held down; similarly, a properly designed sewage treatment plant and a swimming area can coexist in the same area. Water quality is the common denominator for multiple use of the coastal zone. Here is an area where the Federal Government and the States cooperate to produce a management system to advance the public interest.

ROLE OF THE STATES

The Federal Government, with the encouragement of the States, is prodding the States to plan the effective development of their coastal zone and water resources. It is indeed significent that the strong role of the States is recognized in the Federal Water Pollution Control Act, and the Water Resources Planning Act, in which designs are laid out leading to comprehensive regional planning.

Legally, politically, and as a matter of good sense, the States are the governmental units best equipped to plan and manage their coastal zone. This argument can be based on the constitutional right of the States to assume all roles except those specifically assigned to the Federal Government. It can also be based on the familiar grounds that the States can do the better job because they are smaller units and closer to local problems. In this view, the States must be the advocates of the communities within their boundaries and the guardians of equality of treatment for these communities. The States also bear the final responsibility for assuring that the national need, as reflected by the separate needs of the concerned Federal agencies, is included in the final plans.

MARINE COMMISSION AND MARINE COUNCIL

The highest level of the Federal Government has been giving strong attention to the problems of estuarine zones. Two bodies—the Commission on Marine Science, Engineering and Resources, which we mentioned earlier, and the National Council on Marine Resources and Engineering Development—have made major efforts in surveying activities in these zones, and in formulating recommendations to use them in the best possible ways. As we noted, the Marine Commission has already completed its study, which makes long-range recommendations to the President and Congress. The Marine Council, chaired by the Vice President, through its Committee on Multiple Use of the Coastal

Zone, is coordinating the many coastal zone interests of many Federal agencies and offices.

ARMY CORPS OF ENGINEERS

The Army Corps of Engineers is one of the strong influences in the nation's estuaries. The Corps has sole authority to grant or deny permits for dredging and filling in the nation's navigable waters, based on the Rivers and Harbors Act of 1899. This Act is concerned solely with the navigational aspects, but more recent Federal regulations have given the Corps the responsibility to prevent undue destruction of the nation's resource-rich estuaries as well, at least in the Corps' permit-granting activities. As a result, the Corps states: "The determination as to whether a permit will be issued will be based on an evaluation of all relevant factors including the effect of the proposed work on navigation, fish and wildlife, conservation, pollution, and the general public interest. The Corps will accept comments on these factors, which will be made part of the record and will be considered in determining whether it will be in the best public interest to grant a permit." Yet, whether the Corps can use other than navigational considerations in denying a permit has not been fully tested in court.

The Fish and Wildlife Coordination Act, amended in 1958, requires the Corps, and any other private or public agency needing Federal permission to alter the course of any body of water, to consult both the Fish and Wildlife Service of the Department of the Interior and the Wildlife Resources Office of the affected State. The Act requires that the recommendations of both these resource agencies regarding the wildlife aspects of the project be explicitly considered in the planning.

In another action to help preserve our estuaries, the Department of the Interior and the Army Corps of Engineers signed an agreement in 1967 to combat pollution in the dredging, filling, or excavation of navigable waters of the United States. Field representatives of Interior and the Corps confer before the Corps decides whether to grant a permit affecting any navigable water.

WATER QUALITY ACT AND CLEAN WATER ACT

The next decade will be critical in the preservation of the estuaries.

If we delay action until we fully understand how an estuary behaves and reacts to changes, we may be too late. The estuaries may become stagnant, putrid pools able to support only microscopic life and fit only to be filled for real estate development. Fortunately, we have the legal authority available now for a vigorous program, as well as full Presidential and Congressional support, to get on with the job of preserving our natural resources.

Congress created an effective instrument for action when it required that water quality standards be set for all interstate waters. Congress defined these waters in the Water Quality Act of 1965 to include all coastal waters. All of the States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, and the Delaware River Basin Commission have submitted water quality standards. Nearly all have been approved as Federal standards. The remainder are under active review by the Department of the Interior.

The standards identify uses of the waters, including agricultural, municipal, industrial, recreational, and fish and wildlife use including shellfish; they indicate the water quality standards needed to support each use, and include plans to implement and enforce these standards. A strict cooperative State-Federal enforcement and implementation of these standards will upgrade water quality in our estuaries.

Controlling pollution and meeting water quality standards are costly. Consequently, the Clean Water Restoration Act of 1966 authorized $3.5 billion to be spent over a four-year period to aid construction of municipal waste treatment plants. This money as it is appropriated will help remove the backlog in construction of waste treatment plants, and control the municipal and industrial pollutants that might otherwise reach our estuaries.

NATIONAL ESTUARINE STUDY

A comprehensive study of many aspects of estuaries—the National Estuarine Study—was authorized by Congress in the Clean Water Restoration Act of 1966. Led by the Secretary of the Interior, with the cooperation of other Federal departments, the study will put forth an optimum management system for the coastal zone. Specifically, the completed report, due in November, will include: ". . . recommendations for a comprehensive national program for the preservation, study, use and development of estuaries of the Nation, and the respective responsibilities which should be assumed by Federal, State, and local governments, and by public and private interests."

The recommendations will be based on extensive hearings, which have been conducted in the coastal States, to obtain the views of State and local government bodies, private organizations, and individuals. Note that Congress asks for recommendations for a national program, not a Federal program. This is the same mandate Congress gave to the Marine Commission.

Congress is extremely broad in its prescription for this estuarine study; there is little that the study cannot encompass: a "comprehensive study of the effects of pollution, including sedimentation, on fish and wildlife, on sport and commercial fishing, on recreation, water supply and water power, and other beneficial purposes. Such study shall also consider the effect of demographic trends, exploitation of mineral resources and fossil fuels, land and industrial development, navigation, flood erosion and control, and other uses of estuaries and estuarine zones . . .".

That is not all. The report will contain an inventory of the nation's estuaries and an identification of areas where scientific knowledge is deficient. Let me stress the three elements of the National Estuarine Study as it is envisioned today: 1) an inventory; 2) an identification of scientific knowledge gaps; and 3) recommendations for a national management system.

A comprehensive management system for the nation's estuarine zones, one that seeks to consider long-term as well as short-term benefits of resources, must arrange to: (a) understand estuaries; (b) direct an interim approach toward saving endangered ones; (c) work up a long-term management scheme for preserving them; and (d) arrange for the most concerned governmental bodies to have the strongest voices in deciding the destiny of the estuaries.

Before we can manage, we must measure. We need the inventory. Consequently, an important part of the National Estuarine Study will consist of a thorough description of estuarine areas and their resources, together with careful analyses of all present uses, and projections of future uses. This inventory will include assessments of the present and potential damage and losses to estuaries; in particular, the state of pollution and physical modification of the nation's estuaries will be identified. Noting the responsibility of the Department of the Interior for estuarine studies, the Marine Commission recommended that the Department also identify areas to be set aside as sanctuaries to provide natural laboratories for ecological investigtions.

The second element, that of identifying scientific knowledge gaps involved in estuarine processes, is essential for any management program. We particularly need to understand the ecological effects made by changes in the physical and chemical environment of estuaries. I am reminded of a remark made by James Muir, famed 19th century naturalist, who said that whenever he picked up anything, he found it was attached to everything else in the universe. We will have to wait a long time before we see even a part of the web of these attachments. On the other hand, many actions will have to be taken based upon what knowledge we have available. It would be a poor doctor indeed who, because of his incomplete understanding of the whole of physiology, refused to administer first-aid to his patients.

INTERIM ACTIONS TO PROTECT ESTUARIES

The third element of the National Estuarine Study calls for recommending a national management system. It will probably take many years before such a system for estuaries is worked out, converted into legislation, and put into operation. Meanwhile, there will continue to be strong economic and political pressures on local communities and districts to accelerate the already increasing flood of development projects in estuaries. The pressure will be to make physical modifications to the estuaries, together with economic commitments, which are virtually irreversible. However, it is in the nation's interest, and probably in regional and local interests, to keep open as many of its choices as possible, at least until we know what we are foreclosing; it is advisable to err on the side of conservation. The need, expressed in sharply drawn terms, is to make sure there are estuaries left to manage when a national management system is adopted. To this end, all available existing legislation, Executive orders, and regulations should be used by the Federal Government and by State and local governments to prevent, or at least to minimize, further irreversible degradation of the estuarine zone. The Marine Commission made a strong recommendation affirming this point.

State governments should enforce their water quality standards, which have been set up for their estuarine and coastal zone waters; pollution abatement actions should be initiated whenever cause exists. States should be encouraged to adopt appropriate tideland legislation, following model legislation such as that in Massachusetts and New Hampshire. Construction projects in estuaries, which require permits from the Corps of Engineers, should be carefully and severely scrutinized by both State and Federal agencies. It has been suggested that a permit be issued only when it conforms with a master plan. Lacking a master plan, States should be encouraged to develop a total or partial moratorium until one is developed. There is a precedent for this procedure in the State of California's Bay Conservation and Development Commission and in recent action by Florida's Internal Improvement Fund.

During recent Interior Department hearings, some witnesses suggested that all Federal agencies involved in granting licenses, for example, the Atomic Energy Commission and the Federal Power Commission, or in granting planning or construction funds to municipalities or States—this includes agencies such as HUD, the Economic Development Administration in the Commerce Department, and the Department of Agriculture—should relate the award of grants to the prevention of estuarine degradation. The Marine Commission has made a similar recommendation. The witnesses also suggested that disposal of Federal surplus coastal lands to private developers should be suspended during the moratorium period.

LONG-TERM SYSTEM FOR MANAGING ESTUARIES

An interim plan is clearly needed, but it is not sufficient because it would not necessarily give adequate weight to the legitimate needs for development. We need to construct a long-range plan for managing our estuaries. Obviously, there are many legitimate uses for the estaurine zone. In general, no single interest should have the right to use this zone to the exclusion of others; rather, the management system should permit the most effective use.

A planning technique that might be used would be to devise an "optimum resource utilization profile" for each estuary based on a thorough analysis of the estuary's value. For example, certain estuaries, or portions of estuaries, might be set aside for aquaculture because of inherently favorable environmental circumstances. In other estuaries, land development might be permissible and consistent with recreation demands. Certain estuaries, on the other hand, might be singled out for preservation and acquired by the Federal Government or by State or local governments. Such a course is being studied now, under the Estuary Protection Act (Public Law 90–454), by the Department of the Interior.

This latest estuarine Act expresses the intent of Congress "to recognize, preserve, and protect the responsibilities of the States in protecting, conserving, and restoring the estuaries in the United States." The legislation directs the Secretary of the Interior, in cooperation with the States and with other Federal agencies, to inventory the estuaries and recommend legislation needed to preserve a desirable balance between conservation and economic development. The Secretary is authorized to enter into cost-sharing agreements with the States for management of significant State- or other public-owned estuarine areas. In addition, the States are encouraged through specified Federal Aid programs to acquire and protect estuarine areas. The inventory an legislative recommendations are due next January.

The difficult management question is, who does the planning and determines the system of designating uses of estuaries? and at what level of government should this be carried out? Today, approximately sixteen Federal departments or independent agencies, three hundred State agencies, and twelve interstate agencies, plus several thousand local agencies, have a significant involvement in estuarine uses or management. All of their efforts are highly focused. As yet, no one is looking at the collective effect on the estuarine resources—as distinct from specific effects on a water resource or on a fish and wildlife resource, or on its use for recreation.

Since the pollution introduced at one point in an estuary has continuing effects elsewhere in the estuary, since the dredging of part of an estuary can destroy the spawning grounds of fish that mature in waters miles away, we can see that "spot zoning" of these waters could not lead to an effective management system. It has been suggested that the level of government involved in managing estuaries for multiple uses should be commensurate with the "range" of interference in water uses, or, alternately, with the entire extent of the estuary. Primary governmental responsibility for estuarine management would then go to the States, but the interests of local governments must be safeguarded, as well as those of the Federal Government, which represents the national interest. Interstate estuaries would be managed by the bordering States through appropriate interstate agreements and compacts.

CONTRIBUTION OF FEDERAL GOVERNMENT

The Federal Government probably should not participate directly as a member of a management authority, which might be called the State Estuarine Management Authority, or—according to a Marine Commission recommendation—the State Coastal Zone Authority. However, the Federal Government should provide:

(1) National leadership.

(2) A clear definition of national goals and national interests.

(3) Guidelines to the States for assigning multiple uses, for management and for enforcement. It is important, for example, that the State Estuarine Management Authority be independent of other State agencies which represent special interests in the use of estuaries; that a mechanism be provided for adequate consideration of local interests most directly affected by zoning decisions; and that proper representation be given to the Federal interests of navigation, national security, and international commitments.

(4) A technique for value identification and appraisal in order to provide a methodology for the rational zoning of estuaries; in other words, we need a methodology for assigning a value to a specific use.

(5) Funds on an equitable and matching basis to each State or interstate authority for the necessary planning and for management operating costs.

(6) Training opportunities, training grants, and other means for producing the planning and management personnel for State authorities.

(7) A general format for a continuing inventory of the estuaries and coastal zones. The States probably should have the primary responsibility for the perpetual inventory of their estuaries and for studying their estuarine problems.

(8) Studies that have general rather than local application. One example is a national port study that would be conducted by appropriate Federal agencies. Ports and harbors are generally built and maintained to satisfy local and even regional needs. In the process of dredging, leveeing and diking, many vital estuarine resources have been destroyed. An appropriate study would define the nation's needs in terms of major ports, off-shore terminals, and other facilities for maritime commerce in the light of new maritime requirements. Perhaps the number of ports and harbors could be cut down radically, and consequently some valuable estuarine areas saved or rejuvenated. In a similar vein, the Corps of Engineers is authorized to conduct a three-year study of the overall problems of beach erosion, and the types of possible remedial action.

(9) A general environmental monitoring and prediction system. This would provide important data and services to the States and other governmental units for estuarine management work.

The States probably should have a major responsibility for studying the scientific problems peculiar to their own estuaries. The Federal Government should be concerned that these efforts are properly financed. Existing programs could be utilized, such as those of the National Science Foundation, the Office of Water Resources Research, the Federal Water Pollution Control Administration, and the Bureau of Commercial Fisheries. The Sea Grant Program, established a few years ago by the Congress, may be ideally suited for the support of local universities which may wish to engage in estuarine and near-shore marine research and engineering. In fact, the Marine Commission recommends that the Sea Grant Program be made responsible for a proposed system of Coastal Zone Laboratories. These would be established in association with appropriate academic institutions to pursue scientific investigations of estuarine and coastal processes; in addition, the Laboratories would be able to advise States in planning and managing their coastal zones. The Commission also proposed that the Sea Grant College and Program Act of 1966 be amended to permit Federal grants for the construction and maintenance of seagoing vessels and other facilities.

SUMMARY

We have gone full circle. We started out with the familiar concept that often we do not appreciate what we have until we lose it. Our estuaries fall into this category; they are immensely valuable and they are endangered by pollution and irreversible physical modification. All levels of government—indeed, all individuals—have a great stake in using these areas in an optimum manner. To do this, we pointed out the need for various interim measures so that we have viable estuaries left to manage by the time a long-range management scheme is instituted. Such a long-range management scheme would have to be based upon some effective use allocation, with full knowledge of an estuary's potential for development and its vulnerability to destruction. To obtain this information, we need to understand estuaries scientifically and technically, as well as in economic and social terms. We would use this information to construct an optimum management structure for the nation's estuarine zone to serve public and private needs in the best way possible. The National Estuarine Study will contribute to this purpose.

NEW ERVIN CONSTITUTIONAL CONVENTION BILL DESERVES SENATE'S FULL CONSIDERATION

Mr. PROXMIRE. Mr. President, the distinguished Senator from North Carolina, Senator Ervin, has once again introduced proposed legislation to regularize the procedures for calling a constitutional convention. Those of us who have been strong advocates of the Supreme Court's one-man, one-vote ruling have long been concerned about the calling of a constitutional convention on the issue of reapportionment—a convention that could make substantial changes in massive portions of our Constitution, rewrite the Bill of Rights, and do other mischief to our traditional values.

For this reason I have welcomed Senator Ervin's efforts to regularize the convention process, although I differed with the legislation he introduced in 1967 in a number of respects. I am very happy to say that this year's bill, S. 623, incorporates two of the suggestions I made in testifying on the 1967 bill, S. 2307, before the Subcommittee on Separation of Powers of the Committee on the Judiciary.

First, I recommended that applications for a constitutional convention should be good for 4 years rather than the 6 years provided for in the 1967 legislation. The new Ervin bill also sets a 4-year standard. Under this criterion 18 of the 32 State petitions and memorials calling for a constitutional convention on the reapportionment issue would at this date be invalid. In fact not one single State has called for a reapportionment convention since March of 1967—a period of almost 2 years.

Second, I suggested that States should be represented at the convention by a number of delegates equivalent to the State's representation in both Houses of Congress, and that each delegate should have one vote. The old Ervin bill provided for bloc voting—each State having but one vote and that vote being cast in accordance with the sentiments of a majority of the State's delegates. Again I am pleased to say that the current Ervin bill incorporates my suggestions. Thus the present bill eliminates the possibility that 26 States, representing a mere one-sixth of the population could propose an amendment after States representing but 30 percent of the population had called a convention.

There are other provisions in the bill recently introduced with which I continue to disagree. For example I think that two-thirds of the delegates should be required to support a constitutional amendment proposal before it could be submitted to the States for ratification rather than the simple majority provided for by the Ervin bill. This would square with the constitutional requirement that two-thirds of Congress approve a proposed amendment if the congressional route is used.

Nevertheless I believe that the bill as drafted is a substantial improvement over the earlier Ervin approach.

In a recent editorial, the Washington Post pointed out the dangers of a Constitutional Convention and characterized the Ervin bill as removing "the risk of a runaway convention." Although the editorial went on to say that "other powerful arguments against the back-door amending process remain" it is clear that Senator Ervin's proposal is a constructive approach to a difficult and dangerous problem. I commend his efforts to bring order out of chaos and I ask unanimous consent that the Post editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Backdoor Amending Process

The threat of a new constitutional convention called by the states may not be very grave, but the fact that such a threat exists at all is cause for vigilance and effective counteraction. Senator Dirksen has indicated that he is still eager to press his proposed amendments to the Constitution to allow prayers in the schools and apportionment of one house of the state legislatures on various other criteria in addition to population. Since neither proposal can muster a two-thirds vote of Congress, he wants to invoke the never-used device of a constitutional convention called by two-thirds of the states.

In our view this sleeper in the Constitution should never be used. The threat to use it appears to have been influential on one occasion in inducing the Senate to accept the amendment for the popular election of Senators. But in general amendments to the basic law ought to have the approval of two-thirds of the Senate and House before being submitted to the states for ratification.

The first line of defense against a constitutional convention initiated by the states lies in the states themselves. Though 32 states had petitioned for such a gathering when excitement was running high over the Supreme Court's reapportionment decisions, there are indications that some of these resolutions may be rescinded by legislatures meeting this year. Newly reapportioned legislatures are less concerned than their predecessors about a return to the old structure, and they have reason to fear the outcome of a possibly unrestrained revision of the Constitution.

The second line of defense lies in Congress. Some members believe that Congress would not have to call the proposed convention even if petitions should come in from two-thirds of the states. Others who read the word "shall" in Article V in a more literal sense are trying to lay down rules that both the states and Congress would have to comply with in utilizing the rusty state-initiated convention device. Senator Ervin has introduced a revised bill which would greatly reduce the dangers of any wholesale constitutional revision by this means.

The Ervin bill would require states seeking to invoke Article V to state the nature of the amendment or amendments proposed. A resolution for that purpose would have to be passed by the regular lawmaking processes, except for the Governor's signature. Then it would be sent promptly to both houses of Congress, where it would be widely publicized to avoid the dangers of a sneak campaign. Such resolutions would remain effective for only four years, and could be rescinded any time before two-thirds of the states have joined in the petition. But Congress would decide whether the state resolutions were valid and confined to the same subject or subjects.

If a constitutional convention were called by this method, the states would have to elect their delegates—equal in number to their Senators and Representatives. Congress would specify the problems to be considered by the convention, and if the proposed amendments emerging from the convention did not conform to the congressional limitations they would not be submitted to the states for ratification. With these guidelines on the statute books, the risk of a runaway convention would probably be gone, although other powerful arguments against using the back-door amending process would remain.

THE ADMINISTRATION'S NEW POSTAL POLICY

Mr. BAKER. Mr. President, on Wednesday, February 5, President Richard Nixon and Postmaster General Blount jointly announced an historic new postal policy to remove all postmaster and rural carrier appointments from the political arena. This landmark decision effective immediately, will mean that the Civil Service Commission will conduct open competitive examinations for all new postmaster and rural carrier vacancies and that the top qualified person will be named for each vacancy.

I wish to give my enthusiastic and wholehearted support to this innovative procedure. The postal system ought not to be an institution for political patronage. The requirements for improved efficiency of our system are so obvious and so urgent that they must be instituted promptly.

On the Senate floor and in a letter to the Postmaster General I previously voiced my strong opinion that the postal system should be removed from the political structure. I further stated to the Postmaster General that in my view the postal service in America is in crisis and that I would be most pleased to see postal appointments in Tennessee made on a nonpolitical, nonpartisan basis.

It was for this reason that I was most pleased to read the release on Wednesday and to learn that the President and the Postmaster General intend to move in the only direction that I believe will save us from increased postal chaos.

Mr. President, I further believe that fairness demands that this new administration policy should not operate to freeze a pre-existing partisan political situation I am hopeful that this will not occur. I am confident that the policy announced by the administration is the first of many steps that will be taken to provide much needed postal reform.

TRIBUTE TO MR. STANFORD Z. ROTHSCHILD

Mr. TYDINGS. Mr. President, a distinguished Marylander, Mr. Stanford Z. Rothschild, has just been selected as State vice president of the American Life Convention for 1969. The American Life Convention is the oldest and largest of the life insurance trade associations, and Mr. Rothschild will serve Maryland and his industry well in his important new position. Mr. Rothschild, who is the president of the Sun Life Insurance Company of America in Baltimore, brings unique experience, background, and great personal integrity to his new position.

The life insurance business occupies a significant place in the economy of the State of Maryland. Maryland citizens purchased $1.6 billion of ordinary life insurance in 1967, bringing the State's total for all types of life insurance in force to $19.8 billion.

Many Maryland firms are members of the American Life Convention. They are the American Health & Life Co., the Baltimore Life Insurance Co., Fidelity & Guaranty Life Insurance Co., Home Mutual Life Insurance Co., Monumental Life Insurance Co., and Sun Life Insurance Co. of America, all located in Baltimore.

I know Mr. Rothschild, who has had so distinguished a career in the life insurance business, will be a great asset to all member companies during his term of service.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (H.J. Res 414) making a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes, and it was signed by the Vice President.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 12 NOON, MONDAY, FEBRUARY 17, 1969

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the provisions of House Concurrent Resolution 124, agreed to today, that the Senate stand in adjournment until 12 o'clock noon, on Monday, February 17, 1969.

The motion was agreed to; and (at 2 o'clock and 25 minutes p.m.) the Senate adjourned until Monday, February 17, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, February 5, 1969 (under authority of the order of February 4, 1969):

DEPARTMENT OF DEFENSE

John S. Foster, of Virginia, to be Director of Defense Research and Engineering.

Robert C. Moot, of Virginia, to be an Assistant Secretary of Defense.

ASSISTANT SECRETARY OF THE NAVY

Charles A. Bowsher, of Illinois, to be an Assistant Secretary of the Navy.

Robert Alan Frosch, of Maryland, to be an Assistant Secretary of the Navy.

SECRETARY OF THE ARMY

Stanley R. Resor, of Connecticut, to be Secretary of the Army.

ASSISTANT POSTMASTER GENERAL

John L. O'Marra, of Oklahoma, to be an Assistant Postmaster General.

Executive nominations received by the Senate February 7, 1969:

IN THE ARMY

The following-named person for appointment in the Regular Army, by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3283 through 3294:

To be captain

Feeney, Gerald F., OF109909.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be captains

Badine, Alan H., O5002888.
Bluemink, Gary G., O5541275.
Boyce, David C., O5542515.
Edmonson, Bert D., O5408710.
Eichner, Harvey L., O2316824.
Ellis, Donald R., O4036305.
Gardner, Lawrence A., O5304206.
Gott, Frank K., O5519705.
Jones, Roy M., O2033912.
Kearns, John W., O5405286.
Mayers, Frederick H., O4074721.
McMarlin, Stacy L., O5215901.
Mohrmann, George F., O5301543.
Nawotka, Edward E., Jr., O5517168.
Phillips, Johnny A., O5301793.
Porter, Kelly A. L., O5203897.
Redick, Earl P., O2316944.
Roberts, Clifford E., O5301555.
Smith, George M., O5239387.
Turner, James E., O5504560.
Van Harty C., II, O5401595.
Yamabayashi, Gilbert, MN2300285.
Zucchi, Mario C., O5232266.

To be first lieutenants

Condon, Brian F., O5007346.
Delay, Thomas H., O5516484.
Fisherman, William H., O2332611.
Glouberman, Stephen, O3202361.
Goodman, Roy B., O2321387.
Gustincic, David J., O5227946.
Head, Jorj C., O5218635.
Irvin, James M., O5232338.
Joyce, Joseph J., Jr., O5222419.
Keeler, David A., O5022159.
Keeney, Glenward T., O2332612.
Kiley, Richard J., O5247139.
Kreutzmann, Robert J., O2325927.
Lowden, Roland G., O5242476.
Mattar, George G., O5319209.
McCloud, John A., O5230554.
McKinster, Lowell, O5313506.
Merz, Edward W., II, O5216420.
Michelin, Robert E., O2325799.
Moore, Nolan C., O5423506.
Morrison, Robert E., O2332643.
O'Neill, Timothy R., O5328077.
Shippey, William H., O5318414.
Sickinger, Thomas L., O5329726.
Southwick, Sandra J., N2327066.
Stanford, James E., O2307554.
Sundstrom, Carl, MJ2312869.
Wetherington, Wanda J., N5417293.
Whitehouse, Elray P., O5318108.
Wiese, George M., O5017407.
Wilhelm, William C., O5221326.
Yates, Dewey J., O2326000.

To be second lieutenants

Bombard, Charles F., MN5254757.
Christy, Samuel L., O5340421.
Dileonardo, Anthony, O5399962.
Lovelace, George B., O5422956.
Moro, Kenneth S., O2332558.
Woolever, Ronald J., O5011783.

The following-named scholarship students for appointment in the Regular Army of the United States in the grade of second lieutenant, under provisions of title 10, United States Code, Sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

Abramovitz, Irwin J.
Adamko, James J.
Adinaro, Joseph T., III
Aegerter, Gorden L.
Affeldt, John F.
Ahern, Michael F.
Alexander, Theodore W., III
Allen, James M.
Allen, Michael R.
Anconetani, Anthony A.
Anderson, Michael B.
Anderson, Thomas M., Jr.
Andrasik, Joseph, III
Antoniotti, Joseph C.
Armstrong, James T.
Armstrong, Marion V., Jr.
Artola, George H.
Atkins, Bruce A.
Austin, John C.
Bailey, Palmer K.
Bailey, Ronald R.
Bailey, Thomas K.
Bassham, Lanny R.
Bastey, Mark F.
Bator, Robert E.
Battjes, Henry
Battles, Dennis O.
Baum, William E.
Beaudet, Bevin A.
Beaulieu, Bruce O.
Beavin, John D.
Becket, Michael P.
Bell, Burwell B., III
Bennett, James D.
Berkson, Joseph M.
Berwick, Christopher L.
Besecker, Kenneth H.
Blair, Thomas G., Jr.
Blake, David C., Jr.
Blankenship, Alan L.
Blank, Jonas L., Jr.
Block, David J.
Bockman, Gary J.
Bohn, William H.
Bonno, Michel E. C.
Boothman, Richard S., Jr.
Boudra, Luther H.
Bratton, Marshall S.
Braun, George F.
Brechtel, Michael
Brennan, John F.
Briggs, Ronald S.
Briggs, Walter J.
Brock, Terrence A.
Brooks, John, Jr.
Brosnan, Francis M., Jr.
Bross, Paul J.
Broughton, Paul D.
Bryan, James D.
Bryan, Samuel W.
Bryant, Fred E.
Buchanan, Michael A.
Buehler, Richard T.
Bullock, Jerry J.
Burgher, Wayne K.
Burgos, Victor L.
Burnett, Gary L.
Burwell, Jack O., Jr.
Butcher, David G.
Butler, George W.
Buttram, Marvin M.
Byard, Robert W.
Byers, John B.
Byers, George G.
Byrne, Robert L., Jr.
Byrne, Michael H.
Caffo, Ronald L.
Campbell, John G.
Campbell, David R.
Cardo, James J., Jr.
Carlisle, Ronald W.
Carlson, Craig H.
Carpenter, Ira W., Jr.
Carrato, Joseph T.
Carrigan, Yancy L.
Carroll, Ronald L.
Carter, James T.
Chambers, James D.
Chang, Roger
Chaze, Kim T.
Cheatham, Sidney F., Jr.
Chernauskas, Paul J.
Chierichella, John W.
Chinquina, Robert N.
Christian, Robert F., II
Clancy, Edward F.
Clark, Gregory E.
Clearwaters, Christopher
Clegg, Robert H.
Clemens, Robert B.
Colkett, David S.
Collins, Michael W.
Collier, Allen S.
Conn, Daniel J.
Connolly, Michael P.
Connor, Dennis R.
Connor, Sean C.
Conway, Richard G.
Cook, Charles B.
Cook, Gary A.
Copeland, Michael J.
Copple, Hal E., Jr.
Corneil, Terry C.
Cornes, William B.
Costello, John
Coughenour, Kavin L.
Cox, John C.
Cox, James A.
Creasey, Kenneth H., Jr.
Crenshaw, Charles E.
Crenshaw, Walter A., Jr.
Crocker, Thomas W.
Crockett, Justin D.
Crocifisso, Joseph
Crook, Thomas M.
Crowden, Gary G.
Cunningham, Alan R.
Cunningham, Walter J., Jr.
Cunningham, Dennis W.
Cuyler, Lynn E.
Dack, Max S.
Dallmann, Paul H.
Dannison, Charles R.
Dare, Steven N.
Darr, George J.
Davala, John C.
Davis, Randolph J.
Day, Curtis J., Jr.
De La Cruz, Peter L.
Deale, Robert C., III
Dean, Charles L.
Delacy, Peter W.
Deleonardis, James A.
Devlin, Daniel D.
De Wald, Lee S.
Dey, Michael J.
Dickinson, Don P., III
Dickinson, Mark V.
Dickson, Dwight B., Jr.
Dittmar, Joseph A.
Dixon, James W.
Dolan, Joseph P.
Donovan, Francis M., Jr.
Dooley, Thomas M.
Dorn, William E., Jr.
Dorrick, Jon B.
Dotsey, George J.
Doubleday, Everett R.
Douglas, Ed P.
Dowling, Raymond B.
Downing, Brian T.
Drescher, Gary A.
Drzik, John M.
Dull, Robert J.
Dunham, James M.
Dunn, Richard J., III
Duvic, Robert C.
Edwards, Mark D.
Egan, James W.
Eisert, James T.
Engiles, James G.
Eubanks, Joe W.
Evans, Leroy W.
Fairlamb, John R.
Farber, Charles W.
Farmer, James Z., Jr.
Faul, Jerry W.
Featherstone, William L., Jr.
Fenimore, David L.
Fernandez, Robert M.
Flack, Michael M.
Fleischer, Harold C., III
Flowers, Robert B.
Flusche, Mark S.
Foley, Howard R.
Fontana, Dennis J.
Fore, David A.
Frederick, Richard B.
Freeman, Carl H.
Freeman, Thomas K.
Friedrichs, Louis G.
Fruge, James E.
Fueger, Gregory G.
Fullerton, Robert A.
Furey, William T.
Fye, John H., IV
Gamel, Gary L.
Gange, David B.
Gans, David N.
Gardner, Joseph E., III
Gard, Paul T., III
Garrett, Joseph G., III
Gass, Robert G.
Gauld, Roger E.
Gavant, Cary
Gaylord, Thomas A.
Geier, Thomas R.
Geiger, Charles R.
Gerken, Cary S.
Gerlinger, Rex E.
Gibney, Alan W.
Giguere, Michael J.
Gilbert, Edward C., Jr.
Glendening, Dale D., Jr.
Goddard, Monte S.
Godwin, David C.
Goeringer, Fred
Goff, Donald G.
Gogola, James D.
Gonczy, Stephen T.
Goodenough, James D.
Goring, Richard H.
Gosnell, Robert S.
Gottshall, John F.
Graham, Jimmie C.
Grauel, John R.
Green, Michael T.
Gregory, James F., Jr.
Grell, Larry R.
Griffith, Joseph H., III
Griggs, George W.
Grisham, Danny S.
Grubb, John W.
Guenther, Richard J.
Haas, Joseph
Hagberg, Jon M.
Haggard, Brian K.
Haker, John W.

Hall, Dennis R.
Hall, James M., III
Hamack, Keith H.
Handley, Edward R.
Hansen, Peter J.
Harben, Harley J.
Hardy, Glenn D.
Harden, Richard C.
Harper, Michael V.
Harris, Alfred L.
Harrington, Thomas S.
Harrison, James R.
Hartz, James A.
Hay, Richard O.
Hayes, Raymond H.
Hays, Scott L.
Hedin, Nyle E.
Heimlich, Joel G.
Heitman, Robert H.
Helmold, Norman C., I.
Helton, Roy T.
Henry, Gene E.
Heritsch, Robert R.
Herold, Thomas J.
Herrod, Wilson H.
Hess, William W.
Hinrichs, Ralph W.
Hinton, Gene W.
Hitchcock, Raymond R.
Hoffman, Erich H.
Hoffman, Richard V.
Holdridge, Michael C.
Holt, Jimmie F.
Home, William G.
Homza, Eli A., Jr.
Hooper, Kenny A., Jr.
Hope, Alga, Jr.
Horan, David A.
Horn, William W., IV
Houf, Thomas A.
Howell, Henry T.
Howle, Preston F.
Hudson, Willie J.
Hufnagel, Oscar E., Jr.
Hughes, James F.
Hulin, Terry M.
Hull, David F., Jr.
Hull, Kenneth S.
Hunt, Henry B.
Hunter, Andrew D.
Hunter, Edwin R.
Isom, Lamont W.
Jackson, James H.
Jackson, Jobe
Jackson, Steve G.
Jacobs, William A., Jr.
Jalette, Robert E.
Jefferis, Robert J.
Jeffries, Jay B.
Jenkins, Gerald L.
Jenkins, Lynn A.
Jenkins, Park T., Jr.
Johnson, James R.
Johnson, Jeffry M.
Johnson, Lawrence F.
Johnson, Steven E.
Johnston, Steven D.
Johnston, Wayne R.
Jolissaint, John M., Jr.
Josey, Willie L.
Joyner, Charles H.
Kamimura, Dennis A.
Kanaly, George W., Jr.
Kanarkowski, Edward J.
Kanelakos, James L.
Kanner, Leonard J.
Karabaich, Bryan N.
Kavanagh, Thomas W.
Kays, Roger B.
Keener, Kenneth C.
Kelley, Rodney L.
Kettler, Ronnye E.
Kiefer, David S.
Killeen, John W.
King, Robert L.
Kinniston, Edward T.
Kirkland, James J.
Kitchen, Orville E., Jr.
Knapp, Kenneth D.
Knighton, Douglas W.
Kohl, Ronald L.
Koski, Daniel A.
Kotheimer, Carl J.
Kramer, Richard D.
Kratochvil, Gary L.
Krowdak, William J.
Kyckelhahn, Jerry A.
L. Heureux, Roy W.
Lafond, Ronald J.
Lamb, Michael K.
Lambert, James J.
Landry, Robert R.
Langaunet, Clyde W.
Larson, Lars E.
Lasater, Gary M.
Laundon, Walter C.
Lazure, Paul A.
Leeper, Daniel M.
Legg, Donald B.
Leibecke, Robert C., Jr.
Lenehan, Daniel W., Jr.
Leraas, Ronald E.
Lindsey, James S.
Lindauer, David B.
Lindaman, Jim E.
Lipson, Mark R.
Lockhart, James H.
Lohmann, John R.
Long, Hal A.
Lopez, Richard L., Jr.
Lorenz, Grant G.
Lott, Ronnie D.
Lowe, Robert S.
Lucas, Gustavo H.
Lucas, Walter W.
Luedeke, James A.
Lynch, Edmond B., Jr.
Lynch, Terrence C.
MacLaren, Geddes F.
MacNaught, Kenneth L.
MacFarlane, Marshall G.
Mack, Gregory A.
Maddocks, Emery A., Jr.
Maddox, Roger D.
Mahler, Fred L., Jr.
Maldonado, Jose
Maravola, Anthony M.
Marcoulier, Timothy W.
Marchitto, Dominick W.
Marks, William D.
Martin, David G.
Martin, Walter D., Jr.
Martinez, Ruperto N.
Maruska, Wayne G.
Matsumoto, Allen S.
May, Randall L.
Mayrose, David F.
McClung, Kenneth A., Jr.
McDonald, Lawrence V.
McGourin, James P.
McGowan, Donald E.
McGregor, Robert G.
McGruder, Gregory
McPhail, John F., III
McPherson, Robert S.
Medaris. Ronald J.
Meeks, Kenyon G., Jr.
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Merchant, Berkeley T.
Merriken, Harry E., III
Metcalf, Myron L.
Michalski, Edward S.
Mikolashek, Paul T.
Miles, David R.
Miller, Jacob R.
Miller, Richard C.
Minnehan, Patrick M.
Minnich, Ray A.
Mohney, Thomas L.
Monahan, Peter J.
Monshower, Alvin C.
Moody, Thomas P., Jr.
Moore, David B.
Moore, Peter A.
Morgan, Robert C.
Morrison, Charles K.
Moses, David L.
Mowen, John C., III
Mueller, John F.
Muller, Donald F.
Murguia, Gerald J.
Murray, Paul E.
Nagengast, Paul F., Jr.
Naughton, John M.
Nelson, David R.
Nelson, Terrence J.
New, Dale W.
Newell, Robert D., Jr.
Newett, Frank R.
Newton, Charles A.
Newtown, Glenford A.
Nielsen, Eric D.
Noblett, Paul W., Jr.
Noffsinger, John R.
Nuffer, William L.
Nylander, Gregory S.
O'Brien, Charles L.
Obradovich, David J.
Ogden, Glenn A.
Ogle, Robert H.
Ogus, Louis R.
O'Keefe, Raymond W.
Ortiz, Julio E.
O'Shea, Daniel J.
O'Toole, Lawrence G.
Outler, John R., Jr.
Ozment, Oliver J., Jr.
Pais, Lee, Jr.
Parker, Raymond A., Jr.
Parks, Edward A.
Paskauskas, Vitas G.
Pederson, Robert H.
Pelis, Joel M.
Pepper, James D., Jr.
Perry, Donald H.
Petoskey, Peter L.
Pfeiffer, Ronald D.
Pherson, James W.
Phillips, Gail C.
Piper, William C., Jr.
Plumber, David B.
Polin, Richard B.
Popadich, Michael J.
Post, Gerald M.
Poston, Albert B.
Prescott, Dana C.
Price, Dale E.
Price, Frank W.
Pridgen, Eugene C.
Privratsky, Kenneth L.
Profitt, Stanley D.
Prud, Homme, Robert K.
Pryplesh, Stephen J.
Puffer, Glenn R.
Quereau, Douglass T.
Quinby, George W.
Radsky, Peter B.
Raisig, Russell H.
Rankin, Jerry A.
Raskob, Michael P.
Ratcliff, Ronald E.
Rayburn, Ralph
Read, Richard D.
Reiff, Martin H., Jr.
Repya, Joseph, Jr.
Revilak, Stephen A.
Reynolds, James P., Jr.
Rice, Robert T., Jr.
Richardson, Paul T.
Richter, Larry L.
Ricks, Charles W.
Ridley, Wayne D., Jr.
Rigby, Dwight A.
Rine, James M.
Ritchie, Gary L.
Robbins, William L.
Robinson, James P.
Robinson, Bryce J., III
Robison, James C.
Rose, Kenneth H.
Rosengrants, David E., Jr.
Rosine, Philip E.
Ross, Richard
Ross, Steven C.
Rubel, Malcolm C.
Rudasill, Michael L.
Ruiz, Daniel, Jr.
Rumney, Thomas N.
Runge, Charles D., Jr.
Rusk, Jon G.
Russell, David R.
Russo, Kurt W.
Rust, Charles M.
Sabo, Lawrence D.
Saffold, Donnell F.
Sartor, Billy F.
Satterwhite, Larry W.
Scarangella, Henry M.
Schlomer, Duane R.
Schmitz, Thomas F.
Schoettmer, Gerald R.
Schroeder, Randall W.
Schwartzman, Charles.
Scott, Frederick R.
Seiberling, Walter E.
Selby, Frederick S.
Selden, George H., Jr.
Setty, Thomas J.
Sheon, Jesse P., Jr.
Sheridan, Joseph C.
Shiflett, James E.
Shuklis, Ronald W.
Silva, John J., Jr.
Simon, Denis G.
Slonina, John R.
Smith, Clark A.
Smith, Gaylord G.
Smith, Maurice L., Jr.
Smith, Paul S., Jr.
Smith, Richard W.
Smith, Robert J.
Smith, Thomas Q.
Snow, Richard A.
Sokoloff, Leonard J.
Soltau, Douglas D.
Southcombe, William
St Cyr, David A.
Stancil, Larry B.
Stanfield, Charles D.
Stauffer, George A.
Steele, Kenneth A.
Steimle, Gary T.
Steiger, William A., III
Steiner, Charles V., Jr.
Stephens, Terry M.
Stewart, William G., II
Stimeling, Terry L.
Stives, Timothy R.
Stockwell, Robert L.
Stolt, Gregory A.
Stone, Thomas E.
Strouble, Dennis D.
Stube, John D.
Stuckert, Michael J.
Stull, Everett J.
Sugai, Howard T.
Sulikowski, George P.
Sundberg, Stephen H.
Sutton, Joseph W.
Tahtinen, Daniel A.
Tallman, Charles L.
Tanzillo, John M., Jr.
Tate, Ronald J.
Taylor, Cecil R.
Taylor, Vaughn E.
Teagarden, William G.
Tesko, Steven R.
Theiling, Henry W., Jr.
Thomas, Larry A.
Thompson, Gerald B.
Tinsley, Harry L., III
Townsend, James W.
Tremblay, Peter D.
Tron, Philip C.
Turner, Stephen D.
Tyer, Gary S.
Underwood, Richard H.
Vance, Robert W., Jr.
Varner, George C.
Vass, Charles R.
Vaughn, Everett S., III
Vaughn, Rayford B., Jr.
Vickers, David R.
Vigna, John E.
Voelpel, Stuart G.
Vorder, Bruegge Howard J., Jr.
Vornehm, George F.
Vreeland, Neal C.
Wagner, Kenneth E.
Wagner, Robert A.
Wagstaff, David A., Jr.
Walker, Robert M.
Walker, Robert M.
Wallin, Dennis G.
Warbasse, Steven K.
Washburn, Lee P., Jr.
Washburn, Michael E.
Watson, Jerome A.
Watters, David R.
Wehmeyer, John G.
Welker, Richard D.
Wheel, Thomas B.
Wheeler, James S.
Whittenberg, Michael E.
Wiklund, George C., Jr.
Wilhelm, Robert J.
Wilkes, Greg S.
Willbanks, James H.
Williams, Robert D.
Willis, Clifford G.
Wilson, Dale F.
Wilson, Robert A.
Wilson, Ronald W.
Witchen, Gary L.
Wold, Odd A., Jr.
Wolf, Eric D.
Woods, James G.
Woodward, William R.
Woodson, Kenneth L.
Worley, Edward R.
Wren, James G.
Wyse, Edward J.
Wzorek, Lawrence E.
Yocom, Michael L.
Yoste, Harry M., Jr.
Young, Lester R.
Zagrodny, Michael P.
Zalewski, Alan R.
Zerdecki, John W.
Zumwalt, Marvin C.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

Abein, Gregory B.
Adams, Tommy M.
Alesia, Pasquale A.
Allbach, Douglas M.
Allen, John E.
Allen, Robert W.
Allred, Elwood D.
Ambrose, William G., Jr.
Ammon, Peter J.
Anglin, Raymond H.
Arakaki, Don
Archer, Robert A.
Arentowicz, Frank, Jr.
Armbrister, Leo B., Jr.
Armentrout, Terry B.
Armour, Arthur A.
Armstrong, Richard N.
Arthur, Ralph W., III
Arthur, Robert C.
Atenasio, Anthony D.
Atwood, David A.
Bailey, Linwood J., Jr.
Baird, Barry W.
Barker, Jefferson H.
Barry, Richard M., Jr.
Bean, Robert E.
Beane, Charles B.
Beane, Phillip E.
Beauchamp, Frederick C.
Becker, David T.
Begley, Edward P., Jr.
Belcuore, Dennis R.
Bell, George A.
Bellamy, Thomas N.
Beth, Larry D.
Bewley, Robert S.
Biasi, Peter M.
Bieganousky, Wayne A.
Biegel, Thomas O.
Billingsley, Sidney T., III
Blackstone, William J.
Blakeslee, William P.
Blubaugh, James A.
Boccolucci, Daniel J.
Boden, Michael J.
Bormanis, Valdis
Borresen, David F.
Bowen, Cotton W. S.
Bowen, Herbert C.
Bowie, Joseph A., Jr.
Bown, Gilbert F.
Boyer, Charles H.
Boyer, Charles T., Jr.
Bozeman, Danny
Bradley, Ward J., Jr.
Brennan, Patrick J.
Bridge, William D.
Brinkley, Fulton M.
Brinkman, Robert J., Jr.

Brooks, William H.
Brown, Bruce W.
Brown, Douglas M.
Brown, James R.
Brown, Royal A., III
Brownsberger, William J.
Bruno, William A.
Bruun, Michael C.
Bryant, George T.
Bryant, Gorden V., Jr.
Bryant, Hugh S.
Brydon, George M., III
Buckley, Robert P.
Buehler, Robert J.
Bullock, Thomas F.
Bumgarner, Thomas M.
Burdick, Robert A.
Burgeson, Milton R.
Burns, Robert P.
Burrell, Jeffrey T.
Bustamante, Roberto J.
Butler, Anthony K.
Cain, Calvin E., Jr.
Cain, William E.
Calfee, William E.
Caliri, Francis B.
Calzetta, Robert K.
Cammarata, Frank S.
Campbell, Joel W.
Cappadona, Fred J., Jr.
Caprio, John A.
Carey, Thomas A.
Carlton, Kent W.
Carlton, William, Jr.
Carr, Samuel E.
Carter, Thomas W.
Cash, Randy L.
Cavoretto, Robert E.
Charles, Edward R.
Cheek, Robert C., Jr.
Cheek, William A., II
Cheney, Gene W.
Chesley, Philip W.
Christiansen, Dale P.
Cleary, Daniel [illegible]., III
Cline, Larry R.
Clukey, Gary P.
Cole, John H.
Congrove, Jack R.
Connell, Joseph E. A., Jr.
Cook, John B., Jr.
Cook, Roger M.
Cooney, Terrence E.
Cope, Ronald A.
Corda, Paul W.
Crawford, Douglas M.
Crawford, Gerald W.
Cronin, Robert M.
Culp, Trygve H.
Cunningham, Charles R., II
Cupelli, Ralph P.
Curth, Harry F.
Cuviello, Peter M.
Czarnecki, Stephen G.
Daly, Daniel L.
Daniel, Robert I., Jr.
Dapper, Leroy R.
D'Aprix, Barry R.
Davidson, Donald G.
Davidson, Phillip L.
David, Philip J.
Davidson, William A., Jr.
Davis, Thomas J.
Dean, Arden M.
Dearwester, Harry R.
Dedonato, David M.
Deekens, John M.
Delaney, Richard P.
Delvin, Clyde H., III
Demarco, John A.
De Nuccio, Gerald F.
Devos, Edward G., Jr.
Dietz, Robert G.
Disantis, Peter D.
Dittmeier, Robert F.
Dixey, Robert J.
Dixon, Michael L.
Dobson, Robert H.
Donoghue, Richard G.
Dooley, Joseph C.
Dopson, Hugh P.
Downey, Frederick M., II
Drake, Lincoln T.
Druener, Ronald K.
Dudley, Derrell E.
Duet, Louis J., Jr.
Dunlevy, David B., Jr.
Eberle, Michael K.
Eberhardt Robert W., Jr.
Eckert, Thomas L.
Edmund, William P., III
Edwards, Emory H., III
Ehlinger, Thomas M.
Ehrenreich, Stuart B.
Ellis, Larry R.
Elmore, Claude D.
England, John C.
Enochian, Steven R.
Erickson, Andrew E.
Evans, Edgar A.
Evans, Will H., III
Everhart, Michael J.
Ewen, John E.
Fahey, William A.
Fain, Richard L.
Falen, Bob S.
Fallon, James D.
Falls, Richard A.
Fambro, George H., II
Farquhar, Benjamin A.
Fedeli, David M.
Fenlason, Robert W., III
Fields, Joseph A.
Finch, John R.
Flickinger, George L.
Floyd, Arthur L.
Folger, Gregory L.
Fontenot, Bristow I.
Ford, John H.
Forsyth, Gordon, III
Fouts, Benjamin F.
Frame, Robert V.
Franson, Dennis A.
Frantz, William T., Jr.
Frost, Donald C., Jr.
Gallo, Louis D.
Garcznski, Casimir L.
Gaskins, MacLawrence
Gatti, John S.
Gay, William R.
Gerig, Donald D.
Gillespie, Ottie P., Jr.
Glasgo, Philip W.
Glen, James D.
Glover, Donald L.
Gonyea, Edmond C.
Gooch, Terry J.
Goodman, Frederick J.
Gotowko, Peter F.
Gounley, George E.
Grady, Henry S.
Grafton, William D.
Graham, Lynn B.
Grapes, Delmon B.
Graven, Johannes T.
Gray, Walter A., III
Greer, Charles W.
Griffin, Mark L.
Griffith, James W., Jr.
Griffith, John R.
Groce, James H.
Grote, Richard E.
Habasevich, Robert A.
Halkovich, Paul S.
Hall, John S.
Hall, Larry C.
Hall, Lawrence B.
Haran, Jeffrey C.
Hardegree, Jimmy V.
Hargrove, Kenneth R.
Harris Danny R.
Harrold, Lyman L.
Harrington, Stephen G.
Hartley, David B.
Hartley, Donald S.
Hassin, Charles K.
Hawkins, Allen R.
Hawkins, Edward G., Jr.
Hayes, John J.
Healey, James S.
Heath, Charles E.
Heaton, Thomas A., Jr.
Helms, Charles J., Jr.
Hendrix, Robert C.
Herchelroath, Charles
Herndon, Silas K.
Higgins, Edward D.
Hill, Paul H.
Hill, Raymond D., Jr.
Hilton, Corson L., III
Hitch, Kenneth E.
Hock, Richard J.
Hoffman, John T.
Hoffmeyer, James H.
Hoffpauir, Patrick L.
Hollings, Richard W.
Hood, James C.
Hood, James V.
Hooper, Steven E.
Hornaman, John R.
Hornyak, Robert F.
Houseworth, Ronald I.
Houston, David M.
Howard, Patrick E.
Howard, Thomas E.
Huey, Robert F., Jr.
Hull, Donald L.
Inge, Joseph R.
Ishee, George E.
Jackson, Randall H.
Jaffe, Reid S.
Jamison, Clarence C., Jr.
Jeary, Michael J.
Jeffers, Roy R.
Jeffrey, James F.
Jeffrey, Thomas S., III
Jewell, David R.
Johanson, Erick S.
Jones, David L.
Jones, Jerome
Jones, Joseph
Jones, Louis G.
Jones, Thomas R., Jr.
Jones, Vincent P.
Jordan, Richard R.
Joyce, William J.
Jozwiak, Stanley D.
Judge, David J.
Justice, William S.
Kaiser, Dennis M.
Kalagian, Samuel, Jr.
Kaminski, Kenneth J.
Karbel, Robert E.
Kaufman, Gerald L.
Kavanaugh, Thomas C.
Kennedy, Dennis J.
Kenyon, Robert W.
Kilpatrick, Roger T.
Kimker, Christoph K., Jr.
King, Donald H.
Kinsel, Thomas E.
Kish, Robert J.
Klinck, Earl F.
Kluge, Charles W.
Kokko, Robert A.
Koss, Stephen J., Jr.
Kramer, John J., III
Krupski, Joseph P.
Kubiszewski, Stephen P.
Lacallade, Charles L.
Lacher, Gary N.
Ladasky, John J.
Lagerborg, Alexander V.
Laich, Walter E.
Lanigan, Dennis M.
Laroe, Stephen K.
Larsen, Lester J.
Larue, Lanny R.
Ledesma, David M.
Lee, Han C.
Leketa, Anthony F.
Lesher, Donald S.
Leung, Allan F. W.
Lewis, Herman E.
Lilienthal, John G.
Linkhart, John R.
Lipinski, Robert B., Jr.
Livingston, Allen S.
Livingston, James T.
Locke, Melvin W., Jr.
Lomenzo, Peter T., Jr.
London, David R.
Lopez, James F.
Lott, Theron E.
Lovasz, Steven A.
Love, George U, II
Lowry, George C., Jr.
Luciano, Joseph W.
Luczu, Louis J.
Lumpkin, Harry N.
Luszcz, Victor J.
Lyons, William C.
MacDonald, Paul M.
Mackey, Richard H.
Mackin, Joseph L.
MacKinlay, William A.
MacNeil, John W.
Macys, Michael E.
Maeger, Henry V.
Maggio, Robert M.
Malachosky, Edward II
Malecki, Michael J.
Maloney, Cornelius R., III
Mann, Gary D.
Mapes, James A.
Marginson, William R.
Martin, Hilton G.
Martin, John C.
Martin, Perry W.
Massey, David L.
Matthews, Donald D.
Matzdorf, Gilbert R.
Maxey, Clarence E.
Mazur, Daniel H.
Mazzei, Walter R.
McCarty, James J.
McCormick, Robert E.
McCombs, Charles D., II
McCullough, Thomas A.
McDonough, Thomas W.
McGill, Dennis R.
McGowan, Jeffrey L.
McGriff, Billy W.
McIntyre, Stephen P.
McKennon, Larry W.
McKinnon, David E.
Mead, James L.
Melching, John B.
Mendall, Carlton J.
Merrell, Robert B.
Metcalf, William A.
Meyer, Edward R., Jr.
Michalica, Michael G.
Mikoliton, Earl E., Jr.
Miller, Gordon R.
Minshew, Jimmy W.
Mitchell, Clarence B.
Mitchell, Douglas D.
Moczulski, John J.
Moisuk, John Jr.
Monahan, Alfred
Monden, Gerald W.
Mongillo, Steven E.
Morgan, Wayne J.
Morris, Andrew N.
Morse, Richard H.
Morsman, Kimball H.
Mosley, Joshua Jr.
Mouton, Robert H., Jr.
Moxon, Peter W.
Murn, Thomas J.
Murphy, William P.
Nash, Darryl W.
Nasuti, Frank W.
Nealy, Robert L.
Neerman, Marc A.
Newsome, Wendell W., Jr.
Nichols, Howard V.
Nienaber, Ralph H.
Nuttall, Donald O.
O'Dawe, Nicholas, P.
O'Donovan, Michael E.
O'Donnell, Peter B.
O'Neal, James P.
Orgill, James R.
Owens, William D.
Palmiero, Frank R.
Paluska, Stephen M.
Parks, Benjamin A.
Parker, Howard C.
Parmelee, Asahel F., Jr.
Parrish, George W.
Parsons, Eugene
Patrick, Thomas E.
Patterson, Phillip G.
Pawliczek, Edward H., Jr.
Payne, Jan E.
Pearsall, Russell L.
Peck, Robert A.
Perkins, Glenn W.
Persia, Stephen F.
Persyn, Charles E.
Phillips, Charles C., Jr.
Phillips, Eugene B.
Phillips, Robert J.
Picard, George A.
Pickard, Andrew D., II
Pierce, Kurt A.
Pluto, Charles P.
Poltrino, Robert L.
Potamis, Gerald C.
Pratt, Robert J.
Prior, Earle H.
Ratcliffe, Donald R.
Ray, James E.
Rehm, Donald A.
Reichle, William J.
Reimer, William C.
Reimers, Ronald J.
Reiss, David Marshall
Repole, Richard G.
Reynolds, Jesse E.
Richard, Floyd H.
Ridout, Robert A.
Riffle, Scottie R.
Ritchie, Richard A.
Roberts, Charles E., Jr.
Robertson, James D.
Robinson, J. Paul
Rochford, Dennis J.
Roder, Walter H., II
Roeder, Donald R.
Rosa, Robert J., Jr.
Roszkowski, Joseph A.
Rothwell, John C., II
Rouillard, Edward C.
Rowlett, Ricky M.
Rundall, Robert L.
Russ, Jerome F.
Sakaley, John A., III
Salisbury, Michael H.
Sanders, Clarence S.
Santini, Gerald
Sarratt, James S.
Savitske, George J.
Sawyer, Charles K.
Sayers, Ronald T.
Schade, Jon C.
Scheer, Dennis M.
Schimeneck, Herbert A.
Schindler, David C.
Schmidlapp, John E.
Schneeberger, John, Jr.
Schoenberger, Dale G.
Schoomaker, Peter J.
Scholtes, Wayne H.
Schopfer, George F., Jr.
Schorpp, Earl L., II
Schroeder, Michael A.
Schultz, John T.
Schumacher, Frederick W., II
Seehausen, Verne P.
Seidel, Paul R.
Seier, Joseph S.
Seitzinger, George G.
Sell, Mark F.
Sheehan, Robert P.
Sheller, Thomas G.
Sheptak, Stephen M.
Sherman, Daniel H., III
Shirron, William E.
Shuler, Ronald M.
Shultz, Carl F.
Singer, Robert E.
Slabe, Francis J.
Smith, Douglas I., Jr.
Smith, Kevin B.
Smith, Larry M.
Smith, Paul D.
Smith, Richard A.
Smith, Richard J.
Sneed, James I., Jr.
Snyder, James C.
Sosnin, Embert G.
Souders, Ronald L.
Souza, Dennis D.
Spadaford, Joseph F., Jr.
Spencer, Kenneth E.
Spicer, Joseph G., Jr.
Spigelmyer, Donald W.
Stanford, John, Jr.
Stapler, John G., Jr.
Staples, James J.
Steeb, John E.
Steele, Robert L.
Stenger, John E., Jr.
Stevens, John Leo
Stevens, Michael J.
Stewart, Frank G.
Stewart, John F.
Stewart, Robert D.
Stone, William E.
Street, James M.
Stripling, Francis W.
Subelsky, Lewis B.
Sylvain, Richard W.
Talmadge, Robert E.
Tanksley, James E.
Tatum, Larry D.
Taylor, Howard E., Jr.
Terry, William B.
Thomas, William J., III
Thompson, Gary W.
Tilburg, William E.
Timmons, Thomas H.
Totten, James P.

Townsend, Donald P.
Townsend, Ronald E.
Trevino, Romero C.
Troup, Craig A.
Trudil, David P.
Tucker, James H.
Tufts, Memphis D.
Turillo, Michael J., Jr.
Turner, Lamont D.
Updike, Godfrey W., Jr.
Vanier, Robert O.
Van Zandt, James M.
Varrieur, Michael R.
Vereb, Thomas Andrew
Vinciquerra, James A.
Vonasek, Stanley C.
Wade, Gregory K.
Wagner, John M.
Walbridge John H., Jr.
Walker, Henry P., Jr.
Wallace, William H.
Wallin, Gerald E.
Warner, Donald E.
Warrington, Thomas G.
Washington, Donald E.
Waters, Elliott M.
Watson, Henry, III
Weatherly, William C.
Weaver, Brian M.
Weaver, Steven L.
Weill, Randall B.
Welliver, Wallace H.
Wesp, Arthur P., III
Whitaker, Cornelius E.
Whitaker, Steven J.
White, Patrick G.
White, Terry W.
Whiting, Marvin E.
Wickham, Stephen H.
Wiggins, Romeo O., Jr.
Wilde, Burt W.
Wilkinson, William B., III
Willard, Robert E.
Willhoft, Richard J.
Williams, Claude A.
Williams, Jonathan G.
Williams, Wayne Q.
Willie, James F.
Willis, William D.
Wilson, Frederick R.
Wimberly, Marion D., Jr.
Windham, Rodney E.
Windsor, Robert G.
Wingerter, George J.
Wise, George R.
Wisser, George R., Jr.
Wolvington, William H.
Wood, Andrew G.
Wood, Lawrence E.
Wooldridge, Michael L.
Worley, Joe R.
Wund, Robert L.
Wynne, William L.
Younker, George D.
Zimmerman, Ryan M.
Ziomek, Daniel D.
Zook, Phillip M.

CONFIRMATIONS

Executive nominations confirmed by the Senate, February 7, 1969:

DEPARTMENT OF THE INTERIOR

Russell E. Train, of the District of Columbia, to be Under Secretary of the Interior.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Richard C. Van Dusen, of Michigan, to be Under Secretary of Housing and Urban Development.

Floyd H. Hyde, of California, to be an Assistant Secretary of Housing and Urban Development.

Samuel C. Jackson, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development.

Samuel J. Simmons, of Michigan, to be an Assistant Secretary of Housing and Urban Development.

Sherman Unger, of Ohio, to be General Counsel of the Department of Housing and Urban Development.

DEPARTMENT OF STATE

U. Alexis Johnson, of California, a Foreign Service officer of the class of career ambassador, to be Under Secretary of State for Political Affairs.

Albert W. Sherer, Jr., of Illinois, a Foreign Service officer of class 1, now Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Togo, to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Equatorial Guinea.

U.S. INFORMATION AGENCY

Frank J. Shakespeare, Jr., of Connecticut, to be Director of the U.S. Information Agency.

DEPARTMENT OF LABOR

James D. Hodgson, of California, to be Under Secretary of Labor.

Arnold R. Weber, of Illinois, to be an Assistant Secretary of Labor.

Willie J. Usery, Jr., of Georgia, to be an Assistant Secretary of Labor.

Elizabeth Duncan Koontz, of North Carolina, to be Director of the Women's Bureau, Department of Labor.

OFFICE OF SCIENCE AND TECHNOLOGY

Lee A. DuBridge, of California, to be Director of the Office of Science and Technology.

DEPARTMENT OF STATE

Martin J. Hillenbrand, of Illinois, a Foreign Service officer of the class of career minister, to be an Assistanct Secretary of State.

Joseph John Sisco, of Maryland, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State.

Samuel De Palma, of Maryland, a Foreign Service officer of class 1, to be an Assistant Secretary of State.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Gerard C. Smith, of the District of Columbia, to be Director of the U.S. Arms Control and Disarmament Agency.

POST OFFICE DEPARTMENT

Elmer T. Klassen, of Massachusetts, to be Deputy Postmaster General.

James W. Hargrove, of Texas, to be an Assistant Postmaster General.

Kenneth A. Housman, of Connecticut, to be an Assistant Postmaster General.

John L. O'Marra, of Oklahoma, to be an Assistant Postmaster General.

David A. Nelson, of Ohio, to be General Counsel of the Post Office Department.

DEPARTMENT OF DEFENSE

John W. Warner, of Virginia, to be Under Secretary of the Navy.

Frank Sanders, of Maryland, to be an Assistant Secretary of the Navy.

OFFICE OF EMERGENCY PREPAREDNESS

Fred J. Russell, of California, to be Deputy Director of the Office of Emergency Preparedness.

IN THE AIR FORCE

The following-named officers for temporary appointment in the U.S. Air Force under the provisions of chapter 839, title 10, of the United States Code:

To be brigadier general

Col. Fred A. Heimstra, FR19637, Regular Air Force, Medical.

Col. Paul P. Douglas, Jr., FR8073, Regular Air Force.

Col. James O. Frankosky, FR9758, Regular Air Force.

Col. Victor N. Cabas, FR12162, Regular Air Force.

Col. Kendall S. Young, FR3649 (lieutenant colonel, Regular Air Force), U.S. Air Force.

Col. William A. Jack, FR10074, Regular Air Force.

Col. Ernest F. John, FR10075, Regular Air Force.

Col. Ralph J. Hallenbeck, FR10170, Regular Air Force.

Col. Quintino J. Serenati, FR29857, Regular Air Force, Medical.

Col. Harold L. Price, FR59358, Regular Air Force.

Col. Woodard E. Davis, Jr., FR33914, Regular Air Force.

Col. Ray M. Cole, FR15568, Regular Air Force.

Col. Michael C. McCarthy, FR9721, Regular Air Force.

Col. Jessup D. Lowe, FR9807, Regular Air Force.

Col. Donald A. Gaylord, FR10003, Regular Air Force.

Col. Vernon R. Turner, FR10145, Regular Air Force.

Col. Edgar H. Underwood, Jr., FR19262, Regular Air Force, Medical.

Col. Coleman O. Williams, Jr., FR9709, Regular Air Force.

Col. Leslie J. Westberg, FR35854, Regular Air Force.

Col. George K. Sykes, FR9763, Regular Air Force.

Col. Wendell L. Bevan, Jr., FR9780, Regular Air Force.

Col. William P. Comstock, FR37182 (lieutenant colonel, Regular Air Force), U.S. Air Force.

Col. Richard C. Catledge, FR9951, Regular Air Force.

Col. Madison M. McBrayer, FR33355, Regular Air Force.

Col. William H. Holt, FR35483, Regular Air Force.

Col. James H. Watkins, FR10104, Regular Air Force.

Col. Warren D. Johnson, FR14367, Regular Air Force.

Col. Paul C. Watson, FR14603, Regular Air Force.

Col. Maxwell W. Steel, Jr., FR19275, Regular Air Force, Medical.

Col. Jack K. Gamble, FR14026, Regular Air Force.

Col. William C. Fullilove, FR15853, Regular Air Force.

Col. Charles E. Yeager, FR16076, Regular Air Force.

Col. Harold R. Vague, FR22991, Regular Air Force.

Col. Paul G. Galentine, Jr., FR14734, Regular Air Force.

Col. Foster L. Smith, FR15882, Regular Air Force.

Col. Thomas P. Coleman, FR13283, Regular Air Force.

Col. Homer K. Hansen, FR14983, Regular Air Force.

Col. Peter R. DeLonga, FR15567, Regular Air Force.

Col. Clifford W. Hargrove, FR10038, Regular Air Force.

Col. Samuel M. Thomasson, FR20025, Regular Air Force.

Col. Robert E. Huyser, FR35502, Regular Air Force.

Col. William J. Evans, FR17355 (lieutenant colonel, Regular Air Force), U.S. Air Force.

Col. Thomas W. Morgan, FR13964, Regular Air Force.

Col. William R. Goade, FR14552, Regular Air Force.

Col. Charles I. Bennett, Jr., FR16442, Regular Air Force.

Col. Otis E. Winn, FR10013, Regular Air Force.

Col. Woodrow A. Abbott, FR12763, Regular Air Force.

Col. James R. Pugh, Jr., FR13711, Regular Air Force.

Col. Robert P. Lukeman, FR14156, Regular Air Force.

Col. James L. Price, FR34018, Regular Air Force.

Col. John W. Roberts, FR15280, Regular Air Force.

Col. Brian S. Gunderson, FR50308, Regular Air Force.

Col. Geoffrey Cheadle, FR15830, Regular Air Force.

Col. Floyd H. Trogdon, FR16737, Regular Air Force.

Col. Devol Brett, FR17000, Regular Air Force.

Col. Paul F. Patch, FR35545, Regular Air Force.

Col. Harold E. Collins, FR17200, Regular Air Force.

Col. Benjamin N. Bellis, FR17330 (lieutenant colonel, Regular Air Force), U.S. Air Force.

Col. Salvador E. Felices, FR17377 (lieutenant colonel, Regular Air Force), U.S. Air Force.

Col. Richard G. Cross, Jr., FR14492, Regular Air Force.

Col. Lew Allen, Jr., FR17342 (lieutenant colonel, Regular Air Force), U.S. Air Force.

Col. Martin G. Colladay, FR17344 (lieutenant colonel, Regular Air Force), U.S. Air Force.

Col. Charles C. Pattillo, FR23720 (lieutenant colonel, Regular Air Force), U.S. Air Force.

Col. Billie J. McGarvey, FR16176, Regular Air Force.

Col. James D. Hughes, FR17468 (lieutenant colonel, Regular Force), U.S. Air Force.

Col. James R. Allen, FR17789 (major, Regular Air Force), U.S. Air Force.

Col. Robert E. Pursley, FR18516 (major, Regular Air Force), U.S. Air Force.

IN THE NAVY

Rear Adm. Jackson D. Arnold, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

IN THE MARINE CORPS

The following-named officers of the Marine Corps Reserve for temporary appointment to the grade of major general:

Charles T. Hagan, Jr.
Arthur B. Hanson

The following-named officer of the Marine Corps Reserve for temporary appointment to the grade of brigadier general:

Richard Mulberry, Jr.

The nominations beginning Rodolfo Alvarez, Jr., to be second lieutenant, and ending James A. Zahm, to be chief warrant officer (W–2), which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 29, 1969.

HOUSE OF REPRESENTATIVES—*Friday, February 7, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

My brethren, be strong in the Lord and in the power of His might.—Ephesians 6: 10.

God of our fathers, amid the tumult of troubled times may we keep within our hearts a calm and a quiet place where Thou dost dwell, where Thy power strengthens us, Thy wisdom makes us wise, and Thy goodness keeps us good.

At times may we withdraw from the loud hatred of the world and the noisy bitterness of men and silently lift our hearts unto Thee in prayer. Then alive with Thy spirit may we face our daily tasks with courage and faith and hope.

Bless Thou our country. Make her faithful in her devotion to truth, great in her desire for honor, strong in her willingness to serve, and wise in her dealings with other nations. By doing Thy will may we bring peace to our world, peace to our Nation, and peace to our hearts. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

ANNOUNCEMENT OF SPECIAL ORDER TO EULOGIZE THE LATE HONORABLE ROBERT A. EVERETT

Mr. McFALL. Mr. Speaker, the gentleman from Tennessee (Mr. EVINS) has asked me to advise Members that he is today requesting a special order for 1 hour on Wednesday, February 19, for the purpose of eulogizing our late friend and colleague, Representative Robert A. Everett, of Tennessee.

SABBATICAL LEAVE GRANTS FOR TEACHERS IN ELEMENTARY AND SECONDARY SCHOOLS

(Mrs. MINK asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. MINK. Mr. Speaker, I am today introducing my bill to establish a program of sabbatical leave grants for experienced teachers in elementary and secondary schools. This bill—introduced in the 89th and 90th Congresses—has received the endorsement of every teachers' organization which presented testimony on it at our prior hearings.

The purpose of this bill, Mr. Speaker, is to provide aid and assistance to those teachers who seek to improve their professional capabilities, and to create an incentive for those teachers who do not or cannot because of economic circumstance.

Many of our dedicated public school teachers now attempt to improve themselves by attending night classes in nearby colleges while others spend their summers taking the necessary course work. These teachers know the necessity for and the value of continuing their own education in their chosen profession. They know of the rapid development of new teaching techniques, of new teaching aids and new material; they know of the rapid discovery and accumulation of new knowledge, and they know that if they are truly to call themselves teachers, they must keep abreast of the times.

Surely we in Congress are no less aware of the tempo of our time than are the teachers; surely we know as well as they do—and perhaps better—of the gigantic task of keeping pace with the developments of our day. If we know this and do less than we can to prevent horse-and-buggy teaching in our classrooms, have we kept faith with our children?

Mr. Speaker, I would hope that no one would deny that we should do all we can constantly to improve our teaching capabilities; the only question should be: How should we do it? My bill would establish a method.

The bill would authorize a yearly appropriation of $50 million for sabbatical grants to teachers selected under specified criteria to enable them to pursue courses of study in subject areas where special needs exist. No grant would exceed $200 per month, and many would be less. These grants would be awarded by the Commissioner of Education who would also pay, on behalf of the teacher, a tuition fee not to exceed $1,000.

Desirable safeguards have also been incorporated into the bill. It contains a "Maintenance of Effort" section to prevent this program from replacing existing local and State sabbatical leave programs. It further prevents a department, agency, officer, or employer of the United States from exercising any direction, supervision or control over, or imposing any requirements or conditions with respect to the personnel, curriculum, methods of instruction, or administration of any educational institution. To qualify for a study grant, a teacher would have to be granted a leave of absence from his employer with mutual assurances that he would return to the teaching profession, he must be accepted for full-time enrollment at an institution of higher learning, and he could not qualify for a grant more than once in 7 years.

Sabbatical leave grants would be allocated to the States on a pro rata basis established in the bill.

Mr. Speaker, my bill would go a long way toward filling an existing need, and I urge its enactment.

A COMMISSION TO STUDY PASSENGER-CARRYING RAILROADS

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PELLY. Mr. Speaker, today I am introducing legislation which would establish a Commission on Passenger Railroads to make a full and complete investigation and study of all problems relating to the decline in the transportation of passengers by railroads and to recommend methods to resolve these problems. Our colleague from West Virginia (Mr. HECHLER) is cosponsoring this legislation with me.

The problems facing passenger carrying railroads today are huge, Mr. Speaker, and likewise the conditions passengers find on some of these carriers are deplorable. The intent of this legislation is that the Commission fully report on what should be done in the way of possible Federal assistance so that obsolete equipment can be replaced and the railroads continue to serve the public.

We are witnessing today the decline of passenger trains in America. This must not be allowed to happen for many reasons, most notably that our airports are becoming increasingly and perilously overcrowded, making it necessary that clean, comfortable, and convenient rail service, particularly for the medium-length runs between major U.S. cities is essential.

In addition, we must never allow ourselves to be without passenger train capability in the national interest in case of crisis, war, or disaster when it might again become necessary to carry hundreds of thousands of persons across our Nation.

However, it is plain that even while many of the Nation's railroads are sincere in their desire to provide good passenger service, their management is hard put on how to replace their equipment because of high replacement costs.

This Commission would make these recommendations after careful and intensive study, and I urge early action on this legislation.

COAL MINE HEALTH AND SAFETY BILL

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, I have introduced H.R. 6504, a bill to improve the health and safety conditions of persons working in the coal mines.

Although my name is listed as a cosponsor of H.R. 4047, introduced on January 17, 1969, I believe there are a number of strengthening features which should be incorporated in coal mine health and safety legislation which I have tried to write into H.R. 6504. All of us, legislators, administrators, coal operators, union officials and coal miners, as well as the general public, have a great deal to learn about how to insure the health and safety of those intrepid men who work beneath the bowels of the earth to bring out the black diamonds known as coal. We have obviously failed to provide sufficient protection to the human beings who daily risk their lives in the mines, and we have fallen short in our efforts to prevent serious lung ailments which now afflict one out of 10 active miners and one out of five retired miners. Therefore, each of us must approach this vital subject with due humility in searching for the best means to protect human lives. I know that as time goes on there will be additional improvements I will want to suggest to make this legislation and its administration even stronger. I am confident that others vitally interested in correcting conditions will wish to strengthen both the legislation and its administration as we earnestly seek to change an unacceptable situation in the coal mines.

EARLY ACTION NECESSARY

I feel that it is imperative that early congressional action must be scheduled on this legislation. The longer this matter is delayed, the less chance that the miners will be protected by an effective law. Each day of delay means the death or disability of many more human beings, increasing apathy of the general public, and the rising strength of those lobbies whose undercover efforts have traditionally weakened this type of legislation in the past. I have been assured by the Speaker and the chairman of the House Committee on Education and Labor, the gentleman from Kentucky (Mr. PERKINS) of their deep interest in pushing for effective health and safety legislation. But the opposition forces are already hard at work with their tactics of obfuscation and delay. We simply must act to break the dismal chain of disasters in the coal fields and to check the slow death caused by the deadly ravages of "black lung"—pneumoconiosis.

DIFFERENCES IN HECHLER BILL

Mr. Speaker, the following are some of the main differences between the bill introduced on January 19 (H.R. 4047) and my own bill (H.R. 6504):

H.R. 4047	H.R. 6504
SECTION 2 *Declaration of Purpose* "Congress declares that there is an immediate need to provide more effective means and measures for improving the working conditions and practices in the Nation's coal mines."	SECTION 2 *Declaration of Purpose* "Congress declares that it is imperative to provide effective means and measures for maintaining safe and healthy working conditions and practices in the Nation's coal mines."
SECTION 7 *Health and Safety Standards* States that "the technical and economic feasibility of such standards" shall be considered in developing health and safety standards.	SECTION 7 *Health and Safety Standards* Omits "technical and economic feasibility" dictum and substitutes: "The over-riding consideration shall be the highest degree of health and safety of the individual worker."
SECTION 8 *Mine Closing* 1. When a mine is closed for health or safety reasons, among those allowed to enter the coal mine area are "any consultant or any representative of the employees of such mine who is, *in the judgment of the operator,* qualified to make coal mine examinations. . . ."	SECTION 8 *Mine Closing* 1. Delete the phase "in the judgment of the operator."
2. Comparable language not included.	2. Compensation provided for time lost by those miners who must be withdrawn from an unsafe or unhealthy mine by reason of violation of health or safety standards which are clearly the fault of the operator.
SECTION 10 *Board of Review* Continues "Federal Coal Mine Health and Safety Board of Review."	SECTION 10 *Board of Review* Abolishes Board of Review, and places final authority in Secretary of Labor, subject to same judicial review procedures as in administration bill.
Records Requires operator to maintain records and reports which Secretary may "reasonably" require.	*Records* Eliminates adverb "reasonably." Also provides penalty for operator for "deliberately obfuscating or suppressing information necessary for the performance of the functions of this Act."
Penalties Civil penalty against operator who violates mandatory health or safety standard: Not less than $500 and not more than $10,000 for each violation.	*Penalties* Not less than $1,000 and not more than $20,000 for each violation.
Civil penalty against coal miner who violates mandatory health or safety standard: not less than $25 nor more than $500.	Not less than $50, nor more than $1,000. Consideration also given to "past record of the individual with respect to violations" in assessing level of penalty.
For willful violation or failure to comply with order: fine of not more than $5,000 or imprisonment for not more than six months; after first conviction fine of not more than $10,000 and imprisonment of not more than one year.	$10,000 and one year for first conviction; $20,000 and two years for subsequent convictions.
Research and related activities Provisions retained.	*Research and related activities* Add new sub-sections to empower Office of Science and Technology to "formulate general research policy and furnish guidance for the various agencies whose functions relate to coal mine health and safety." Utilize experience of European and other countries, and draw on work of National Aeronautics and Space Administration, Department of Defense and other agencies. Empower Secretary of Health, Education, and Welfare to conduct an "annual survey of the health conditions and status of coal miners."
Disaster evaluation No language.	*Disaster evaluation* Establishes Coal Mine Disaster Evaluation Center to work in conjunction with Office of Emergency Preparedness. To prepare contingency plans, evaluate adequacy of rescue and escape facilities, and assist and supervise thorough preparation of maps.
Compensation payments Not covered.	*Compensation payments* Allows coal miners to bring claims for any death or injury that results from the negligence of employers—the same right given to railroad workers in 1908 and merchant seamen in 1915. Also provides set of compensation payments similar to those proposed for uranium miners in H.R. 16302 introduced by Congressman Price of Illinois and others on March 28, 1968.

SECTION 10 *Health standards*	SECTION 10 *Health standards*
Annual chest X-ray.	**Annual chest X-ray and physical examination, by an officer of the Public Health Service.**
Standard of 3.0 milligrams of coal dust per cubic meter of air.	**Same general standard of 3.0 milligrams of coal dust per cubic meter of air, but also require that any person who by X-ray shows incipient development of coal workers' pneumoconiosis shall be assigned to that portion of mine where coal dust level does not exceed 1.0 milligrams of coal dust per cubic meter of air.**
Health inspections	*Health inspections*
No provisions.	Picks up language of UMW-drafted bill requiring health inspections of mines at least once every sixty days. Picks up language of UMW-drafted bill establishing Advisory Committee on Coal Mine Health. Picks up language of UMW-drafted bill setting up research and development program "designed to improve dust collection techniques on mining machinery, and to initiate and expand adequate health research."

REASONS FOR CHANGES

Mr. Speaker, there are many changes which I have incorporated in H.R. 6504 which are obvious, and others which may not be quite as obvious. It is suggested that enforcement powers be transferred from the Bureau of Mines to the Department of Labor, that the President's Office of Science Technology be charged with mobilizing the most modern scientific techniques to aid in safer mining and mine rescue and communications, that a Disaster Evaluation Center be set up in conjunction with the Office of Emergency Preparedness, that the Federal Coal Mine Health and Safety Board of Review be abolished, and that stricter coal dust standards be enforced to protect the health of men working in the mines.

The United Mine Workers has drafted a separate health bill, and I believe it is unfortunate that that organization has quietly circulated the word that there is little hope for the health features of the legislation at this session of Congress. I happen to believe that there is hope for the health legislation. I also happen to believe that some of the features of the Mine Workers'-drafted bill are very good, and I have therefore incorporated some of these good features into my proposed legislation.

One of the difficult decisions to make was the recommendation to transfer enforcement powers to the Department of Labor. I believe that the present Director of the Bureau of Mines, the Honorable John F. O'Leary, is an outstanding public servant. Yet the record of the Bureau has not been aggressive, and many of its personnel and inspectors have become accustomed to old methods of operation. It is difficult to make an overnight change in one's outlook if you believe in past practices which have failed to produce results. I, therefore, reluctantly conclude that a fresh group of personnel is needed to produce a meaningful change in approach and enforcement.

I am certain that the hearings will produce useful data pointing to the need for stronger legislation. I trust that these hearings will get under way very soon.

RAIL PASSENGER SERVICE COMMISSION

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECHLER of West Virginia. Mr. Speaker, I am pleased to join with the gentleman from Washington (Mr. PELLY) in sponsoring the resolution to establish a Commission on Passenger Railroads. Millions of people in this Nation cannot understand why, with our airways and highways becoming increasingly clogged, the Nation's railroads have failed to grasp the opportunity to attract passengers who enjoy safe, clean, and comfortable travel. Instead, far too often we have seen deliberate attempts by the railroads to drive passengers away through indifferent service, roaches in the coaches, bad connections which seemed designed to inconvenience passengers, surly employees at the ticket offices who apparently have been given courses in discourtesy and directed not to have any information, bad or nonexistent diner service, underheated coaches in the winter and overheated coaches in the summer, and many other fiendish schemes to downgrade what was once clean and comfortable service. I also feel that there has been a lot of juggling of the account books by the railroads in an effort to prove that passenger service cannot be profitable, while the railroads are raking in the profits on freight.

You see these ads the railroads buy on television at great expense to tell how the Nation's products are moved by freight—"Roll, roll with the railroads"—but not one line about passenger service. If Canada can do it, if Japan can do it, if European countries can do it—if railroad passenger service in those countries is so good, why cannot the American railroads get on the ball and do the same?

TAKING POLITICS OUT OF THE POST OFFICE

(Mr. BIESTER asked and was given permission to extend his remarks in the body of the RECORD and to include extraneous matter.)

Mr. BIESTER. Mr. Speaker, I would like to bring to the attention of my colleagues an editorial from the January 22, 1969, Port Washington Pilot, commending our colleague WILLIAM STEIGER for his efforts to take politics out of the post office:

TAKING POLITICS OUT OF THE POST OFFICE

Congressman William A. Steiger of the Sixth District is to be commended for his efforts to take the postoffice out of politics. The first bill that he introduced after his election back in 1966 was aimed at taking politics out of all operations of the post office.

While the bill did not pass, he said he will introduce reinforced legislation, and that in the absence of law only the most qualified, and only the top ranking applicant on the civil service eligible list will be appointed.

Postmaster and rural carrier appointments have been so-called political plums, especially in our small villages and cities where it is about the only federal patronage to reach these areas, and appointments were made on a "to the victor belong the spoils" basis. Postmasters served for a term of four years, and were not reappointed if there was a change in administration.

When an act was passed placing them under civil service, they were appointed after an examination with the civil service commission forwarding the names of the three high applicants to the congressman, or the patronage committee if the congressman was of a different political party, and any of the three was eligible.

This took some of the political sting out of appointments, but there were shenanigans. and there were cases where if the favorite failed to make the three high list, another examination was called with the expectation that the man slated by the politicos for the job ranked among the three high on the second try.

Later, the four year term for postmaster was abolished, and while appointments were made as heretofore, after he served a probation period, the postmaster was given a life appointment, and could not be removed no matter which party was in power, except for good cause.

Now Congressman Steiger says he will handle appointments in his district strictly on a non-political basis, and that the top ranking applicant will automatically be recommended.

This should give encouragement to the rank and file of postoffice employees, many of whom when they retire have held the same position during their entire tenure. While the number who could aspire to a postmastership would be very limited because there is only one position to fill, it would give them a chance for promotion to an office which was off-limits to them because of politics.

The Congressman says, and to which all of us will subscribe, that it is high time that we concentrate to put the postal system on an efficient basis, and that appointment of the most qualified individuals will be the first step toward that goal.

THE MARGOLES TAX CASE

(Mr. GROSS asked and was given permission to extend his remarks in the body of the RECORD and to include certain pertinent material.)

Mr. GROSS. Mr. Speaker, I wish to renew my request for an investigation of the activities of U.S. District Judge Robert Tehan in connection with his handling of the tax case of Dr. Milton Margoles, of Milwaukee, Wis.

Judge Tehan was appointed to the Federal bench despite the fact he had not filed tax returns with either the State or Federal Government in the period 8 years prior to his appointment. This fact alone is shocking and it raises some doubt as to whether Judge Tehan should be permitted to sit in judgment of anyone on Federal tax matters.

Judge Tehan's zealous pursuit of the Margoles matters is particularly interesting in the light of this background. I want to see firm and effective enforcement of our tax laws without regard to the station in life of the person involved in the tax-law violations, but I want to see fair and even-handed enforcement of those laws.

From the stories that have appeared on the Margoles matter, it would appear that Judge Tehan, certain medical groups, and the Internal Revenue Service are involved in a concerted effort to continue to punish Dr. Margoles. There would appear to be evidence that certain officials, acting under color of law, have made a concerted effort to bar Dr. Margoles from practicing medicine by traveling from State to State with what appear to be malicious rumors and hearsay.

Dr. Margoles was convicted, served his prison term and paid his price to society. If there is any evidence to the contrary it should be placed on the public record. If the officials do not have competent evidence otherwise, they should permit this man to be rehabilitated.

While the Johnson administration was involved in commutations of sentences and pardons for politically powerful labor racketeers, long-time narcotics peddlers, and other notorious scoundrels, the appeals for a commutation of sentence and pardon for Dr. Margoles were rejected.

It is time for Congress to look into the whole pattern of pardons where the indications of favoritism and hanky-panky are so obvious.

I suggest that a full investigation of Federal activities should be explored as requested by Dr. Margoles and his family. If his allegations are right, this whole case is an outrage. If there are additional facts that might justify what has been done, then those facts should be put on record and Dr. Margoles should be given a chance to answer.

The scope of the inquiry should include:

First. The whole manner of how the tax investigation of Dr. Margoles developed, how it was prosecuted, and how it was handled with regard to most cases handled by Judge Tehan.

Second. The manner in which this case was handled by the office of the pardon attorney, and the justifications for failing to act to help rehabilitate this man.

Third. The whole pattern of activity by Federal Judge Tehan and by State officials and others in what would appear to be a violation of the civil rights of Dr. Margoles in barring him from a fair opportunity to obtain a medical license in a number of States. If there is substance to the facts in the letter of Perry Margoles, son of Dr. Margoles, to President Nixon and in the news stories, then the Civil Rights Division should become deeply involved in this case.

Mr. Speaker, I include for printing in the RECORD at this point the letter from Perry Margoles to President Nixon, an article in the Madison Capital Times of January 28, 1969, an article in the Des Moines Tribune of February 3, 1969, and a column by Willard Edwards of the Chicago Tribune.

If Congress continues to refuse to assume its responsibility, I would hope that the Nixon administration would do the thorough investigation of this matter that is necessary to see that justice is done. I want firm law enforcement, but it must be fair law enforcement.

The material mentioned above follows:

WASHINGTON HILTON HOTEL,
Washington, D.C., January 27, 1969.

President RICHARD NIXON,
The White House,
Washington, D.C.

DEAR PRESIDENT NIXON: I am writing to you in a personal appeal for your intervention with respect to the case of my father, Dr. Milton Margoles, of Milwaukee, Wisconsin. I ask if you would approve the petition for a Presidential Pardon which he filed in late 1967, and if you would intercede with the Internal Revenue Service, which is to sell our home at public auction March 17, 1969.

Dr. Margoles was convicted in 1960 of income tax evasion and of several complicating convictions arising from the tax case involving, in general terms, obstruction of Justice. This bizarre series of events occurred under circumstances about which we have sought an impartial government investigation for the past eight years, but to no avail.

Although Dr. Margoles had not previously and has not since been charged with any criminal offense, indeed, in the 1960 cases, he made serious mistakes in judgment. Dr. Margoles unequivocally acknowledges these and is contrite. That he wishes he had never gotten involved in those circumstances and would never want to again become so entangled, is an understatement. But, having paid the full penalty for his mistakes—being stripped of his freedom for two years, his dignity, and his assets—he very much desires to resume a constructive, creative, and meaningful role as a husband, father, and grandfather, and as a physician and surgeon. He is licensed to practice medicine in the District of Columbia, Michigan, New Jersey, and Vermont. However, Wisconsin officials have not reinstated him, and amid a nationwide shortage of doctors some Wisconsin individuals are making concerted efforts to block him from practice anywhere. Secret files containing untrue allegations, falsified interview reports, and interstate trips by Wisconsin medical board representatives are among the tactics used to deprive him of his civil rights.

Restoration in Wisconsin was one of the primary reasons why Dr. Margoles petitioned the previous administration for a Presidential Pardon. However, in the summer of 1967, after press accounts disclosed that former President Johnson had been granting Executive Clemency in questionable instances (some had distinct political overtones, and one in particular involved a convicted dope pusher), President Johnson ordered a virtual ban on the issuance of Pardons, which extended for almost the entire last year of his administration.

Dr. Margoles' petition was further complicated by the opposition of Federal District Judge Robert E. Tehan, who was consistently moved to block any such relief. Judge Tehan's role in this case has been one of the points about which we have sought an investigation. It was not so much the fact that he had not filed any state or federal income tax returns for an eight-year period prior to his elevation to the bench which we questioned, so much as the fact that he sentenced Dr. Margoles to the harshest punishment he had ever given in a "no contest" tax case on the basis of a grossly exaggerated and non-existent figure not even claimed in the indictment or by I.R.S. Then, before a family attorney could appeal to the court to reduce the sentence, Dr. Margoles was approached by an emissary of the sentencing judge's son and was told that if the son's law firm were hired, it could effectuate a suspended sentence. The judge's subsequent actions may perhaps be without precedent in the history of the United States judiciary.

When in good faith and recognizing that the case is not all black or white, we asked the previous administration to investigate these unresolved questions, all that we managed to secure was a series of rebuffs and reprisals.

A number of journalists has taken an interest in the case and believes that it is basically unjust. Only most recently has one reporter secured vital and heretofore unknown information which may explain how what had started and normally would have been treated as a $33,000 civil tax deficiency somehow evolved into an 11-year Sisyphus-like ordeal.

In the meantime, I.R.S. has ordered the public auction of what has been our home for over 22 years. It will be said that we agreed to this in writing, but in reality the document was signed only because we were given the choice of the immediate or delayed dispossession of our house. Subsequently, in the past year and a half, over $125,000 has been paid to the government. Each month, I.R.S. has been receiving at least $4,500, and whatever remains of Dr. Margoles' virtually liquidated assets has been pledged to cover the balance in full. In addition, between 1960 and 1967, approximately $75,000 was paid to I.R.S. Nonetheless, we are to be removed from our home.

Mr. President, I ask for your understanding, your compassion, and your intervention in this case, for all other efforts have failed. Are there not limits to what one must be made to endure before being permitted to return to normalcy? The previous administration assumed a callous attitude on a broad scale to such appeals.

In contrast, during the past year, you have affirmed that your administration will be one sensitive to safeguarding the rights and dignity of its citizenry. It is in this spirit that I ask for the help which you alone can give.

I will remain in Washington until Saturday afternoon and would be willing and most grateful for the opportunity to answer any questions which you might have after reading this letter.

Your consideration would be sincerely appreciated.

Very truly yours,

PERRY MARGOLES.

[From the Madison (Wis.) Capital Times, Jan. 28, 1969]

IRS FORECLOSURE SET FOR MARCH: MARGOLES' SON SEEKS HELP FROM NIXON TO SAVE HOME

(By Dave Zweifel)

The son of Milwaukee Dr. Milton Margoles today asked President Richard Nixon to intercede on his father's behalf in an attempt to save the family home from being taken by the Internal Revenue Service.

Margoles, who has been attempting to have his Wisconsin medical license restored, was informed earlier this month that the IRS would foreclose on the family home in Milwaukee by March 17.

The foreclosure stems from the doctor's income tax evasion charge back in 1960. Over the past year and a half, Margoles has been paying the IRS $4,500 per month in an effort to satisfy the bill, but the IRS evidently wants more.

The doctor's son, Perry, a third year law student at the University of Wisconsin, is in

Washington this week to do what he can do to help his father.

In a letter to Nixon, Perry asked "for understanding and intervention in the case."

"Are there not limits to what one must be made to endure before he is permitted to return to normalcy?" the doctor's son asked.

Through a previous investigation of the case, The Capital Times learned that an investigator for the State Board of Medical Examiners actually started the doctor's tax problems by asking the IRS to investigate his finances.

The IRS investigation eventually led to three counts of income tax evasion against Margoles. He pleaded no contest to the charges in 1960 and was sentenced to a year in prison by Milwaukee Federal Judge Robert Tehan Sr.

While awaiting the start of the prison term, Margoles was charged with attempting to bribe Judge Tehan in an effort to get a suspended sentence on the charge. He was acquitted of the bribery charge, but found guilty of attempting to obstruct justice.

As a result, Margoles served 22 months in federal prison. His medical license was revoked and he lost Capitol Hospital, which he had run for several years on Milwaukee's North Side.

Since 1962, when he had served his term, Margoles has been attempting to have his medical license restored, but the Wisconsin State Board of Medical Examiners has continually refused. He has been able to secure a license in other states such as Michigan, New Jersey and Vermont, however.

Margoles is now commuting to Michigan to practice his profession and earn some money to help pay off the tax bills. He would like to return to Milwaukee if Wisconsin would renew his license.

Although Margoles case has been one of tax problems and obstruction of justice, a number of attempts have been made in Wisconsin to prove something medically against the doctor.

In one instance, a former board investigator told The Capital Times, an "abortion plant" was tried on Margoles, but got nowhere.

Margoles appeared before the Wisconsin Board two weeks ago to again ask for his license. Three days of testimony were heard by the board, but a decision isn't expected for the next several weeks.

[From the Des Moines (Iowa) Tribune, Feb. 3, 1969]

MARGOLES' 12-YEAR TANGLE: SON SEEKS NIXON'S HELP IN FATHER'S TAX FIGHT

(By Morton Kondracke)

WASHINGTON, D.C.—A 25-year-old law student has appealed to a second U.S. President for investigation of his family's 12-year legal tangle with federal tax authorities, the Wisconsin Medical Board and a federal judge.

Perry Margoles of Milwaukee asked President Nixon in a letter last week to grant a pardon to his father, Dr. Milton Margoles, and to intercede with internal revenue officials threatening to sell the family's Milwaukee home.

The son came to Washington armed with two suitcases full of documents and affidavits which he said prove his father has been hounded by the Internal Revenue Service and unfairly blocked from practicing medicine in Wisconsin.

TAX EVASION

The father was convicted in 1960 of income tax evasion and attempting to obstruct justice. He served two years in federal prison.

The indictments under which Dr. Margoles was convicted, the son's records show, alleged evasion of $101,000 in taxes. But IRS collections in the last 18 months alone have been $125,000, and it still wants to sell the family's house at auction on Mar. 17.

The son says the family's legal battles have cost $200,000 over the 12 years.

According to the son, Wisconsin medical officials have blocked Dr. Margoles' reinstatement as a physician by relying on untrue reports of medical board investigators.

The son carried with him copies of investigators' reports, plus signed statements and affidavits from persons declaring the reports are untrue.

One affidavit alleges that Wisconsin Medical Board investigators traveled to other states to block Margoles' licensure there.

WAS LICENSED

In the years since his release from prison, records show, he took extensive postgraduate work in medicine and finally was licensed in several states, including the District of Columbia. A petition for a license in Illinois is pending.

[*In 1966, Dr. Margoles applied for a license to practice medicine in Iowa after being asked to take over a small hospital in Battle Creek, Ia. The Iowa medical licensing board denied the application without stating a reason.*

[*Margoles took the case to Polk County District Court, where he lost, and then appealed to the Iowa Supreme Court. The high court rejected the appeal because "of the fact that the appellant has been admitted to practice in Washington, D.C., and Michigan and is no longer interested in obtaining an Iowa license."*]

According to the son's letter to President Nixon, Dr. Margoles "made serious errors in judgment" in the beginning of the case, but his son said the penalties have now been compounded to "a point where it's more than one family can endure."

According to the son's letter and affidavits, Dr. Margoles was advised by lawyers in 1957 not to settle a civil tax case with the government, but have it tried.

NO CONTEST

While that case was pending, he was indicted in a criminal case. His attorneys told him to plead "no contest," apparently understanding that some charges would be dropped and only a fine would be imposed.

In court, however, prosecutors refused to drop any charges and Margoles was convicted on four counts of income tax evasion.

According to the son's records, Federal Judge Robert E. Tehan, Sr., alleged that Margoles had "hidden" more than $700,000 in cashier's checks and imposed a one-year prison sentence based on that figure, not the $101,000 mentioned in the indictment.

According to the letter to the President, "It was the harshest punishment (Tehan) had ever given in a 'no contest' case."

The son said "The cashier's checks were and are non-existent."

JUDGE DIDN'T PAY

Ironically, Tehan himself filed no state or federal income tax returns for an eight-year period prior to his elevation to the federal bench by President Harry Truman. Tehan once was Democratic national committeeman from Wisconsin.

While the tax case was pending before Judge Tehan, according to the son's records, Dr. Margoles was approached by a Milwaukee political figure who assured him that if the doctor hired the law firm Tehan's son was with, he would receive a lower penalty in the tax case.

The son claims his father's lawyers encouraged him to hire the new firm.

After he did so, however, the judge claimed Margoles was trying to bribe him. The intermediary emerged as an informant for the FBI.

When the bribery case came up, Margoles was acquitted by reason of entrapment, but convicted on the lesser charge of attempting to obstruct justice.

ON PAROLE

After his release from prison, according to his son, Margoles could not be licensed to practice medicine because he was on parole. He has completed parole, but Wisconsin licensure still has not been granted.

The family originally appealed to President Johnson for a pardon in 1967 in order to gain Wisconsin licensure, but did so at a time when the President was under criticism for granting clemency under questionable circumstances. Mr. Johnson virtually stopped granting pardons in any cases.

According to the son, the family also has sought investigation of the case by the Justice Department, but to no avail.

The family alleges its home has been bugged by federal agents in pursuit of information on the tax case.

In 1966, according to one of the son's documents, three separate electronics experts uncovered eavesdropping equipment at the family's home.

[From the Chicago Tribune, Feb. 1, 1969]

CAPITOL VIEWS

(By Willard Edwards)

WASHINGTON, January 31.—The letter received at the White House was from a son pleading for a father. Packed into its 900 words was a tale of apparent injustice and an appeal for Presidential clemency.

Only a few days in office, President Nixon is discovering, like his predecessors, the mental anguish of exercising that authority given him under Article 2, Section 2, of the Constitution of the United States:

". . . and he shall have power to grant reprieves and pardons for offenses against the United States . . ."

The petitioner in this case was Perry Margoles, 25, a third year law student at the University of Wisconsin. Since the age of 16, he has been fighting against what he regards as political persecution of his father, Dr. Milton Margoles of Milwaukee.

More than six years after he had served two years in prison for income tax evasion, the physician and surgeon is still barred from practicing medicine in his home state.

One of the privileges of newspaper reporting is an occasional encounter with individuals whose courage and determination, undimmed by long years of frustration, excites admiration.

Young Margoles was one of these. He came around to talk of his battle, equipped with a bulging briefcase of supporting data. He was candid about his father's initial wrongdoing, made no excuses for him, but asked a reasonable question: "How long must a man suffer after he has paid the penalty for his misdeeds?"

Listening to him, intelligent, articulate, pleading his father's case with controlled indignation, it was impossible to avoid the conclusion that Dr. Margoles may have had more than his share of troubles but is fortunate in his son.

ACTED ON BAD ADVICE

An examination of the record indicated that the doctor, in relation to his conflict with the internal revenue service, was foolish. The first notice from tax agents in 1957 involved a $33,000 deficiency. Instead of paying up, on advice of counsel, he fought the assessment, was promptly hit with additional charges, and wound up indicted for tax evasion.

There was worse to follow. Again, with the approval of his attorneys, he gave a $5,000 retainer to the son of the sentencing judge. Later, he had reason to suspect entrapment. The upshot, however, was a five-year federal prison sentence for obstructing justice. He was paroled in 1962 after serving 22 months.

Repeated efforts by Dr. Margoles to regain his medical license in Wisconsin have been rejected in the last six years. Other states, including Michigan, Vermont, and New Jersey, and the District of Columbia have been more compassionate.

Meanwhile, his tax debts, including penalties and interests, ballooned to $300,000. He has liquidated all his assets to pay $200,000 of this amount and expects to pay the full amount if given another two years.

But the Internal Revenue Service won't wait, young Margoles wrote President Nixon. It has ordered a public auction of the family home in Milwaukee March 17. He asked the President for a Presidential pardon which would restore his father's right to practice in Wisconsin, and an inquiry into the reasons for the tax agency's relentless attempts to leave him destitute.

SOME 700 PETITION FOR COMMUTATION

Space is too limited here for speculation on what such an investigation might disclose. Young Margoles seemed justified in terming the record "bizarre." The case involves a tangle of political, perhaps racial and religious motives to account for Dr. Margoles' post-prison ordeal. His charity work in the Negro community caused 700 to sign a petition for his commutation.

"All we want is an impartial government investigation," the son wrote Nixon. "Having paid the penalty in full, my father simply wants to resume a constructive, creative and meaningful role as a physician, surgeon, husband, father and grandfather. Are there not limits to what a man must endure before being permitted to return to normalcy?"

It's a curious case which might intrigue the President. He has stressed the need for rehabilitating criminals before they are turned loose. Here is one who seeks rehabilitation, only to be denied.

INCONVENIENCES CAUSED BY GUN CONTROL ACT

(Mr. UTT asked and was given permission to address the House for 1 minute.)

Mr. UTT. Mr. Speaker, I am today introducing a bill to relieve the thousands of law-abiding, responsible sportsmen of our Nation of the unrealistic and unnecessary clerical work and time-consuming inconvenience which has resulted from the Gun Control Act of 1968.

Mr. Speaker, the Congress last year thoroughly debated the issues of gun registration and gun-owner licensing. During the course of this debate in committee and on the floor, every Member was flooded with correspondence from his constituents, and apparently most of them, as did I, found an overwhelming objection to both, since the majority of Representatives and Senators voted against imposition of such controls.

Nevertheless, in the closing days of Congress, when many Members were in their home districts campaigning for reelection, the ever-alert minority of Members who were intent upon penalizing the law-abiding, in a mistaken belief that it somehow would aid in controlling crime, succeeded in thwarting the will of the majority by approving a conference compromise in which a Senate-added section imposed virtual and effective gun registration on the Nation.

This unconscionable expediency was bad enough, but the implementation by the Secretary of the Treasury through the Internal Revenue Service went far beyond even the intent of the minority of Congress, demanding upon every purchase of ammunition—a frequent occurrence for sportsmen—a complete description of the weapon in which it would be used, and a detailed identification of the purchaser.

Mr. Speaker, a registered gun, loaded with registered ammunition, can accidentally wound and kill, and can be stolen by a criminal just as easily as can unregistered weapons. Crime reports show that firearms are stolen frequently, and anything that makes it harder for the legitimate user to obtain them will increase the number of thefts, and in no way will the incidence of crime be decreased. While by no means are all licensing and registration proponents desirous of firearm confiscation, the true purpose behind the well-financed campaign for controls shows up as having one ultimate goal, the eventual and unconstitutional prohibition against firearm ownership by our citizens.

Mr. Speaker, my bill would change the definition of ammunition in the Gun Control Act of 1968 so that shotgun shells, metallic ammunition suitable for use only in rifles, or any .22-caliber rimfire ammunition would be exempted from the registration provisions. These are the types of ammunition generally used by sportsmen, and seldom used by criminals. and this amendment would restore to the law-abiding the freedom they have enjoyed and rightfully possessed in the past.

SCHOLARSHIPS FOR UNDERGRADUATE STUDENTS

(Mr. TIERNAN asked and was given permission to address the House for 1 minute.)

Mr. TIERNAN. Mr. Speaker, I am today introducing a bill which would authorize the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete at least 2 years of higher education. This act is entitled "The Higher Education Scholarship Act of 1969."

This bill is evidence of the principle that every American who can benefit from at least 2 years of education beyond high school, and who wants such an education, should have the chance to receive it. Our present Federal student aid programs do a great deal to help students—but we can and should be doing more.

This legislation is of special significance when one becomes cognizant of the large numbers of Americans who still do not share fully in the benefits that their country bestows on the vast majority of citizens. This bill would provide scholarships of up to $1,000 a year to all students in good standing in the first 2 years of college.

It is time that we broadened our student aid programs. We must see to it that educational opportunities are brought to the thousands of the urban and rural disadvantaged. Many colleges and junior colleges now have programs to assist the disadvantaged. But both the colleges and students need help in these areas. This bill, which has been introduced in the Senate by our distinguished junior Senator, CLAIBORNE PELL, would help to broaden the base of our Federal assistance programs in education.

I urge my colleagues to support this much-needed legislation.

RESIGNATION FROM A COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

FEBRUARY 5, 1969.

JOHN MCCORMACK, *Speaker of the House of Representatives, Washington, D.C.*

DEAR MR. SPEAKER: I hereby submit my resignation from the House Administration Committee, effective upon receiving the approval of the House.

I appreciated the opportunity of serving on this Committee, and I enjoyed working with the Members of the House Administration Committee.

Early consideration of this request by the full House would be highly appreciated.

With best personal regards, I am,

Sincerely yours,

ALBERT H. QUIE,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

RESIGNATION FROM MINORITY POSITION

The SPEAKER laid before the House the following resignation from a minority position:

FEBRUARY 7, 1969.

Hon. JOHN W. MCCORMACK,
The Speaker of the House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: I submit herewith my resignation from the minority position assigned to me under House Resolution 8, 91st Congress, effective today.

Very respectfully,

ROBERT T. HARTMANN.

RESIGNATION FROM MINORITY POSITION

The SPEAKER laid before the House the following resignation from a minority position:

THE WHITE HOUSE,
Washington, February 6, 1969.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I hereby tender my resignation from the minority position authorized under House Resolution 8, 91st Congress (Minority Sergeant at Arms) effective February 1, 1969.

Sincerely yours,

RICHARD T. BURRESS.

ELECTION TO STANDING COMMITTEES

Mr. GERALD R. FORD. Mr. Speaker, I offer a privileged resolution (H. Res. 237) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 237

Resolved, That the following named Members be, and they are hereby elected members of the following standing committees of the House of Representatives:

Committee on House Administration: JERRY L. PETTIS.

Committee on Un-American Activities: WILLIAM J. SCHERLE.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MINORITY EMPLOYEE

Mr. GERALD R. FORD. Mr. Speaker, I offer a privileged resolution (H. Res. 238) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 238

Resolved, That pursuant to the Legislative Pay Act of 1929, as amended, Robert T. Hartmann is hereby designated a minority employee (to fill an existing vacancy) until otherwise ordered by the House, and shall receive gross compensation of $28,000 per annum.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONGRESSIONAL SALARIES

The **SPEAKER**. Under a previous order of the House, the gentleman from Washington (Mr. FOLEY) is recognized for 10 minutes.

Mr. FOLEY. Mr. Speaker, the December 1968 Report of the Commission on Executive, Legislative, and Judicial Salaries recommended salary increases for the top officials of the three branches of the Federal Government. The Commission is chaired by Frederick R. Kappel, retired chairman of the board of directors of the American Telephone & Telegraph Co., and is established by the Federal Salary Act of 1967. Before President Johnson left office his recommendations, pursuant to the Salary Act, were sent to Congress. The President lowered this advisory Commission's original recommendation of $50,000 to $42,500 per annum for Members of Congress.

Mr. Speaker, I want to make my position quite clear in this matter. I believe that this House avoids its responsibility when Presidential recommendations of this kind are submitted to it and when Members do not vote on such recommendations one way or the other within the 30 days required by the Federal Salary Act of 1967. I believe that the advisory Commission's study was useful and that the President's amended salary recommendations were essentially sound but the House should have acted formally with respect to them before the time expired.

Mr. Speaker, I think the recommendations were essentially sound because:

First. We cannot get enough topflight people today from the private sector to serve as administrators of the Federal executive agencies unless the salary level is raised over the present rates for Cabinet and sub-Cabinet officials.

Second. Unless the Congress is to tend more toward becoming the domain of Members with independent incomes, salary increases are necessary. As the advisory Commission said:

> It is our feeling that Members' salaries should be adjusted to compensate for the substantial and unique responsibilities they bear, to meet the cost peculiar to elective rather than appointive office, and to minimize the need to rely on other means of augmenting income.

But notwithstanding these considerations, the U.S. House of Representatives cannot, with any justification, complain about the erosion of its own power unless it has the candor to go on record for or against this and other Presidential recommendations of similar import. If the House of Representatives wishes to maintain its national authority, it must meet this responsibility.

Therefore, Mr. Speaker, I intend to introduce an appropriate resolution to facilitate the House expressing its support of, or opposition to, any future Presidential recommendation made pursuant to the Federal Salary Act of 1967 for pay raises for top officials of the executive, legislative, and judical branches of the Federal Government. I believe that this House must have an opportunity to vote as a body on such Presidential recommendations within a reasonable period—if necessary, irrespective of the action of the concerned committees. Furthermore, in view of the Commission's suggestion that the income for Members of Congress is needed in part to "minimize the need to rely on other means of augmenting income," I believe this is an appropriate time to consider legislation requiring more complete disclosure of outside income and assets by Members of the House, and I also intend to introduce legislation to this end.

For my own part, I wish to announce that, had the President's salary recommendations come to the floor of the House for action, as should have been the case, I would have voted against a resolution disapproving these recommendations.

"PUEBLO" INCIDENT NEEDS FULL INQUIRY

The **SPEAKER**. Under a previous order of the House, the gentleman from Ohio (Mr. ASHBROOK) is recognized for 60 minutes.

Mr. ASHBROOK. Mr. Speaker, all Americans are watching the U.S.S. *Pueblo* inquiry with the greatest concern. I am sure each Member of this body has received the great volume of mail I have—and it runs very nearly 100 percent in favor of Comdr. Lloyd Bucher and against the military-executive establishment. Above all, the individual thoughts expressed in these letters is the indication that we have entered a period in the history of the *Pueblo* affair when the vast majority of the people truly believe they are about to become the victims of the "closed Government." They are about to be thrown into the ranks of the uninformed because of bureaucratic coverup. The people are concerned that having waited patiently through 11 months while the men they supported were tortured and their Nation humiliated, they will now be treated to an exhibition of how government in error merely pulls the curtain from public view and buckpasses all the problems away.

In times such as these, the "people's right to know" is paramount. But this right is not always observed. We have had coverups following blunders; we have had our national pride and prestige slandered by the demands of self-serving bureaucrats. And many people believe it is about to happen again, primarily because they have had too many bad experiences not to expect it.

Looking back just a few years reveals the massive coverups in the Billy Sol Estes, Otto Otepka and Jerry Jackis cases, where loyal employees were axed by the bureaucratic system while their tormentors were untouched and in some instances were awarded promotions. The strange circumstances of the Bobby Baker case are closed as far as the light of public scrutiny is concerned; the TFX contracts, a multibillion-dollar blunder with enormous political implication is now accepted by many as history; the Walter Jenkins-L. B. J.-Don Reynolds incidents are now nearly forgotten. All these have one common denominator. They represent the type of government above the people, government beyond their view, which threatens to subvert the truth in the search for the facts concerning the U.S.S. *Pueblo*.

I have been as concerned as anyone about the men of the *Pueblo* and the national and international ramifications of this piracy. And I am sure I have been as vocal as anyone. A look at the index to the daily CONGRESSIONAL RECORD will reveal that as early as January 25, 1968, within hours after capture, and as late as January 30, 1969, I spoke out to the public and to my colleagues. And between these times there have been many other occasions when I have forcefully stated the positions of the people whom I represent and my personal views.

Nearly 6 months after the ship and crew were seized, my eighth annual public opinion questionnaire indicated the feelings by the people that the Government had taken the wrong tack. Asked if they favored an immediate retaliatory move when the ship was captured, nearly 80 percent of those answering said "Yes." Asked whether we should continue diplomatic activities—this was June 1968—or issue an ultimatum and go get ship and crew, 70 percent of those with an opinion selected the latter.

THE PEOPLE SPEAK

I indicated the concern of many people when, on April 17, 1968, I forwarded to President Johnson telegrams, letters, notes, and petitions. In this letter I stated:

> There are nearly 700 names here and they represent an equal number of incredulous Americans—men, women, and children, wives, mothers and sisters, who are ashamed of the lack of success in bringing about the return of these men and their ship.
>
> The apparent abandonment of the *Pueblo* and her crew is a frightening and shameful precedent and one which, as these letters pointedly indicate, a great number and I believe a great majority of Americans find totally alien to our time-honored standards and beliefs.

I was among the many millions who urged the President to take action. As the letter stated, two areas should have demanded attention:

> Take whatever action is necessary to secure as quickly as possible the return of the U.S.S. Pueblo and her crew;
>
> Explain, in full, to me and to the American people, what actions have been taken, what policy is being followed, and why.

The thousands of bumper stickers and the activities of many thousands of people, alone or in quickly organized groups indicated at the time that this was a nationwide concern of a magnitude seldom seen in our history.

There can be no doubt that a critical need exists to conduct a detailed, wide-ranging, organized investigation. There were too many contradictions from Government spokesmen when the *Pueblo* was seized, and the responsibility has been shifted and reshifted too often. The blame for the delay in informing the President of the harassment and boarding of the ship has not even today been finally placed.

Our Government's response was muddled and totally ineffective and our diplomacy disastrous. We have had a consistently weak—indeed, foolish—policy vis-a-vis world communism so the *Pueblo* disaster was part of a larger sordid picture. With a strong sounding voice we took the weakest of stands. "We cannot tolerate this piracy," we said, but we stooped to the absurdity of having then Secretary of State Rusk appeal to the "good offices" of the Soviet Union for help. By refusing, the Soviets added insult to the absurdity. This double blunder—first of assuming that the Communists were not the same tyrants of old and second of hoping they would aid us rather than their ally, was the type of policy which allowed 83 Americans to survive as best they could in the horrors of North Korean prisons.

The American people and the people of the entire world were asked to swallow a diplomatic lie in order to achieve the political—not humanitarian or military—expedient of seeing the captured men returned for Christmas. Again our policy in dealing with the Communists was based on weakness rather than strength, falsehoods, and compromise rather than truth.

Now, the people of America watch as a board of inquiry examines. The thought across the Nation seems to be that Comdr. Lloyd Bucher is to be made a scapegoat. This was the thought until the people and their Representatives in Congress began to protest.

It is now obvious that any full and final resolution to all the questions will come only from Congress. And the only way a full and final as well as a reasonably public inquiry can be had is through the operation of a joint bipartisan congressional committee. Secrets should be protected but we should not allow a coverup to be accomplished by simply stamping "secret" on the inquiry.

Admittedly, there are several options. We can rely solely on the investigation being conducted by the Navy but this is incomplete and of questionable objectivity. This sort of agency introspection is valuable to some degree but there is still the built-in limitation of having the accused sit as judge of what may well be his crime. We might also take as a supplement the correlative examination by the Deputy Secretary of Defense, but to a great extent the same limitations apply; the people in the Department supplying the information today were to a great extent also present when the blunders occurred and undoubtedly were a party to them. At least, they have been responsible for his policy of appeasement. In addition, neither of these investigations is directed at the probable liability of the White House, the State Department or the interwoven patterns of the National Security Agency.

We might also rely on the various committee investigations which are being conducted or which have been announced. These, however, are approaching the total question in a segmented manner, on a nearly random basis and are not coordinated either within their Houses of Congress or between the House and the Senate.

MY INQUIRY PROPOSAL

I propose an alternative. Along with other Members of the House, I have introduced legislation to establish a joint House-Senate committee to conduct a full investigation. Its 16 members would be divided equally between the two political parties. It would have no other duties than to investigate all ramifications of the capture of the *Pueblo*. Eight of the members would be appointed by the President of the Senate and eight by the Speaker of the House.

This bill, House Concurrent Resolution 109, lists the function of the committee as:

> SEC. 2. The joint committee shall undertake a full and complete investigation and study of all circumstances leading up to the capture of the United States ship *Pueblo* and all events pertaining to the vessel and her crew after its capture until the time of the crew's release. The investigation and study shall give special attention to the policy and actions of the military departments concerned with respect to the preparation of the United States ship *Pueblo* for its mission and the military response of such departments during the period immediately preceding the vessel's capture. Such investigation and study shall, in addition, examine in detail the activities of the Department of Defense and the Department of State with respect to the negotiations (including official statements issued to the public respecting such negotiations) undertaken to effect the release of the crew of the United States ship *Pueblo*.

The committee is charged with submitting an interim report as soon as possible and a final report not later than the end of the present session of Congress. It is also charged with making specific recommendations, including "specific recommendations for legislation." It will have the power to subpena witnesses and papers and reports as needed.

Granted, the naval inquiry now in progress in Coronado, Calif., into the capture of the *Pueblo* is a procedural matter which follows serious events and tragedies involving naval personnel and material for the most part. In this light, the inquiry has been productive so far in revealing information regarding the operational aspects of the *Pueblo* affair.

If, however, the inquiry ends up by oversimplifying and placing responsibility for the capture of the vessel on a solitary naval officer, I am sure there will be a reaction from the American public loud and clear which will demand a complete exposé of the whole mess from top to bottom.

Take, for example, the question of whether Commander Bucher violated Navy regulation No. 0730, which forbids surrendering command to a foreign state "so long as he has the power to resist."

Either the injection of this question into the inquiry is a diversionary tactic or the testimony of former Secretary of Defense Robert McNamara before a Senate committee in 1968 is in error. On February 1, 1968, Secretary McNamara, along with Gen. Earle Wheeler, chairman of the Joint Chiefs of Staff, testified before the Senate Armed Services Committee on a bill to authorize Defense Department appropriations for fiscal year 1969. When asked if the *Pueblo* and similar ships with their electronic gathering equipment were not one of the most important types of craft at that time, Secretary McNamara responded with specific reference to Commander Bucher:

> Yes, and may I add there that his first responsibility was not to attack the harassing vessels but rather to destroy his equipment.

Several sentences later the Secretary again emphasized this point:

> But I do know that his orders were that under such circumstances his first objective was to destroy equipment and associated documents.

Let me repeat a very key passage from the above statement:

> . . . his first responsibility was not to attack the harassing vessels but rather to destroy his equipment.

From the testimony of Commander Bucher and others, we learn that the *Pueblo* skipper set out to do just that—destroy the electronic equipment and associated documents. Possibly he did not perform this duty well, but to charge him with policy errors is unfair.

Evidently, the responsibility for the capture of the ship lies with those much higher in authority than the commander of the *Pueblo*. General Wheeler, when asked during the Senate hearing if we had learned anything from the *Pueblo* affair, responded:

> Certainly, we must take a look at the instructions to the captains of these vessels. [Deleted.]

If, as Secretary McNamara has stated, Commander Bucher's first responsibility was not to fight back if the enemy closed in but to destroy the intelligence equipment and data, then we might possibly have the spectacle of an inquiry board endeavoring to establish why one of its officers did not disobey, rather than obey, his first and most binding operating order.

I realize the danger of oversimplifying in complex cases of this nature, and this is precisely why a congressional investigation is urgently needed. Incidentally, such an investigation could review the *Pueblo's* operating orders which, of course, is classified information but which could well throw considerable light on the priorities under which Commander Bucher operated.

A MISMANAGED MISSION?

An even broader aspect of an investigation concerns the placing of responsibility for the pathetic mismanagement of the mission from its initial inception to the signing of the false statement late in 1968. The overall responsibility for the mission lies, as is to be expected, right here in Washington. Secretary McNamara, during the above-cited Senate hearings, stated:

> The basic purpose of the mission was reviewed at the upper echelons of the Government in Washington. It is true that it had been recommended by field commanders, but it is equally true that I am certain other high officials in Washington must assume responsibility for it.

What role, for instance, did the highly secretive National Security Agency have in the *Pueblo* operations? Here again we have highly classified information which would have to be handled by a committee behind closed doors, the results of which might never be revealed to the public. This was precisely the case when the House Committee on Un-American Activities probed the security procedures and practices of NSA several years ago when two top echelon employees defected to the Soviet Union. These resulted in extensive overhaul of certain aspects of that agency's operation. The hearings in that case were behind closed doors—they were never published—but nevertheless many changes and the enactment of a Federal statute resulted thereby correcting serious deficiencies in that Agency.

At this point, one can only wonder why the *Pueblo* was allowed to begin its mission with highly secret intelligence gathering equipment but lacking the necessary destruct equipment to destroy it upon confrontation by the enemy. Possibly the answer is simple: our naive foreign policy planners do not believe that the Communists are our enemy. The intelligence sector of the *Pueblo* operation was under the jurisdiction of NSA which, in turn, is under the direction, authority and control of the Secretary of Defense. Should the NSA, which has both a security mission and an intelligence mission, bear the blame for not insisting on adequate destruct equipment to destroy, if necessary, the reams of secret documents which eventually did fall into the hands of the North Koreans? This certainly appears to be a relevant question when one considers that a function of the NSA is to prescribe security policies and procedures for the U.S. Government. In addition, it organizes, operates and manages certain activities and facilities for the production of intelligence information, areas which certainly appear to be pertinent to the *Pueblo* operation.

One thing is certain: one would be hard pressed to hang the blame for the loss of the sensitive equipment and documents on Commander Bucher who tried a number of times to have the necessary destruct equipment installed on the *Pueblo*. Who did make the judgment that time and money would not allow the installation of such equipment which, belatedly, is available today?

Another question which poses itself as the result of the hearings by the Naval Board of Inquiry is why the *Pueblo* was allowed to travel undefended in hostile waters. As I understand the chronology of events, up until June 1967, two destroyers had escorted the U.S.S. *Banner* in its sorties into unfriendly waters. Thereafter, the destroyers were withdrawn, leaving the *Banner* and later the *Pueblo*, virtually at the mercy of hostile forces. The need for protection was further increased when one considers that prior to the *Pueblo's* arrival, the North Korean Government had publicly protested by radio that American surveillance ships were operating in the vicinity of Korean waters and that the North Korean Government intended to take action.

As to the possibility of air cover for the *Pueblo*, the military airfield at Osan, South Korea, was, I understand, less than 30 minutes by air from where the *Pueblo* was accosted. Yet, there were only four U.S. fighter planes at Osan, none of which could have been called upon for help; one was being repaired and the other three were armed with nuclear weapons.

The question arises as to why the *Banner* at one time had the protection of two destroyers which were later withdrawn. We know from Secretary McNamara's testimony before the Senate Armed Services Committee that there were no contingency plans for the *Pueblo*. He stated:

> I think the point is that we don't maintain contingency plans to react to hijacking on the high seas in all the situations in which that is possible, and there wasn't such a plan here.

This could explain why Rear Adm. Frank L. Johnson, commander of the naval forces, Japan, said, according to Commander Bucher, that if the *Pueblo* "got into trouble there would probably be no help forthcoming."

The question still remains to be answered as to what factors were involved in the change of policy whereby the *Banner* at one point in time required a two-destroyer escort when, in contrast, no protective provisions were made for the *Pueblo*. Was it some cold war "deal" with our enemies?

Finally, there remains the problem of what to do about future seizures. As I have previously indicated, adequate destruct equipment has been installed in other intelligence ships around the world. Also, according to Wayne Thomis in the Chicago Tribune of January 29, some of the newer recoilless guntubes in the 75-millimeter and 105-millimeter classes were probably added.

This, unfortunately, is but a minor step in our efforts to prevent further *Pueblo* recurrences. What will be our diplomatic policy in similar cases in the future? Shall we allow our men to rot in Communist prisons until Christmas rolls around, sign a false statement and hope to get them home for the holidays?

Or should we, perhaps, explore ways to persuade the allies not to trade with those regimes which hijack ships of other nations in international waters. Or should we totally revise our cold war strategy in this battle for survival?

The handling of the *Pueblo* incident will give some indication of whether we continue our same losing policies of the past decade or learn by our mistakes, clean house, and work to restore the United States to its position of prestige.

The resolution follows:

H. CON. RES. 109

Whereas there is deepening public interest and concern with respect to the capture of the United States ship *Pueblo* by North Korean forces; and

Whereas, although the open sessions of the court of inquiry have given the public a partial account of the circumstances surrounding the capture of the vessel and the treatment of the commander and crew during captivity, there remain many vital questions to be answered, particularly concerning the actions of the military and other agencies with regard to the preparation of the United States ship *Pueblo* and crew for its ill-fated mission, the response made to the calls for assistance from the vessel upon the approach of hostile forces, and the manner in which the ultimate release of the crew was effected: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

ESTABLISHMENT OF COMMITTEE

SECTION 1. There is established a joint congressional committee to investigate the United States ship *Pueblo* affair (hereafter in this concurrent resolution referred to as the "joint committee") to be composed of eight Members of the Senate appointed by the President of the Senate, four of whom shall be members of the minority party appointed after consultation with the minority leader, and eight Members of the House of Representatives appointed by the Speaker, four of whom shall be members of the minority party appointed after consultation with the minority leader.

FUNCTIONS

SEC. 2. The joint committee shall undertake a full and complete investigation and study of all circumstances leading up to the capture of the United States ship *Pueblo* and all events pertaining to the vessel and her crew after its capture until the time of the crew's release. The investigation and study shall give special attention to the policy and actions of the military departments concerned with respect to the preparation of the United States ship *Pueblo* for its mission and the military response of such departments during the period immediately preceding the vessel's capture. Such investigation and study shall, in addition, examine in detail the activities of the Department of Defense and the Department of State with respect to the negotiations (including official statements issued to the public respecting such negotiations) undertaken to effect the release of the crew of the United States ship *Pueblo*.

REPORT

SEC. 3. The joint committee shall submit an interim report to each House of Congress as to the results of its investigation and study as soon as possible after the date of approval of this concurrent resolution, and not later than the close of the current session of Congress shall submit a final report to each House of Congress with respect to its activities, investigations, and studies under this concurrent resolution, together with such recommendations (including specific recommendations for legislation) as it determines appropriate in the light of the investigations and studies conducted under this concurrent resolution.

VACANCIES; SELECTION OF CHAIRMAN AND VICE CHAIRMAN

SEC. 4. Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

HEARING; SUBPENA POWER

SEC. 5. For the purpose of carrying out this concurrent resolution the joint committee, or any subcommittee thereof authorized by the joint committee to hold hearings, is authorized to sit and act at such times and places within the United States, including any Commonwealth or possession thereof, whether either House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the joint committee or any member of the joint committee designated by him, and may be served by any person designated by such chairman or member.

PERSONNEL AND UTILIZATION OF SERVICES OF AGENCIES AND ORGANIZATIONS

SEC. 6. The joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable. The joint committee is authorized to utilize the services, information, and facilities of the departments and establishments of the Government, and also of private research agencies.

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. The expenses of the joint committee shall be paid from the contingent fund of the House of Representatives on vouchers signed by the chairman or vice chairman of the joint committee.

TRIBUTE TO THE LATE JAMES P. GRIFFIN

(Mr. McCORMACK (at the request of Mr. McFALL) was granted permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, I rise to pay my respects to the life and service of the late James P. Griffin.

Since the year 1911, "Jimmy" or "Griff" was a familiar and popular personality here on the congressional scene. I am sorry, indeed, to note that his death will deny us that association here in the future.

Jimmy began his employment as a page in 1911. In the ensuing years he held several posts in the employ of the Republican leadership, but such was Jimmy's devotion to the House of Representatives that he gave of himself willingly, generously, and ably, to all Members regardless of party affiliation.

Those who knew Jimmy only in his later years of some infirmity, cannot remember the sprightly, eager, cheerful young James Griffin who contributed so much to this Congress during his 50 years of service. But all of us were younger once, and, God willing, we may be older, yet. I am sure nothing enriches the "golden years" like the knowledge that our friends remember the earlier miles we have walked together.

As I participated at the Mass celebrated for our departed friend, Jim Griffin, I was impressed by the sincere feeling of those who had come to pay their respects, and who would, like myself, be missing Jimmy in the days ahead.

To his sisters, to whom my dear friend, "Jim" Griffin was devoted, I extend my deepest sympathy.

I include in the RECORD at this point, the obituary from the Washington Evening Star of January 13, 1969:

JAMES P. GRIFFIN, PAIRS CLERK FOR HOUSE GOP UNTIL 1961

James P. Griffin, 75 who retired in 1961 as Republican pair clerk after 50 years of service with the House of Representatives, died Friday in Georgetown Hospital after a heart attack at his home, 2262 Hall Place NW.

Griffin, whose career spanned nine House speakers from Joseph Cannon to Sam Rayburn, was known as "the historian of Capitol Hill" because of his minute knowledge of congressional lore.

His memory was such that he once floored an elderly excongressman by recalling not only his name, district, and term of service, but the subject of his maiden speech.

Born in Baltimore, Mr. Griffin spent his youth in New Jersey. He came to Washington in 1911 to be a House page. Known to House members as "Griff," he subsequently became chief page, deputy sergeant-at-arms, and minority clerk on the Republican side.

In his final job as pair clerk, Mr. Griffin was responsible for pairing congressmen on opposite sides of a question so that the votes of absent members could be recorded.

Although this required speedy footwork when a vote was scheduled in a matter of minutes, Mr. Griffin, despite the 275 pounds supported by his 5-foot 9-inch frame, always managed to come through.

After his retirement, Mr. Griffin continued to be a frequent visitor to the House press gallery.

He leaves three sisters: Mrs. Agnes Attredge, who lived with him, Mrs. Marie Buckley of Washington, and Mrs. Catherine Mack of Springfield, Va.

Friends may call from 2 to 4 and 7 to 9 p.m. today at Lee Funeral Home, 4th Street and Massachusetts Avenue NE. A rosary will be said at 8 p.m. tonight in St. Peter's Catholic Church, 313 2nd St. NE, and a requiem mass will be said at 10 a.m. tomorrow in the church. Burial will be in Mount Olivet Cemetery.

INTRODUCTION OF A BILL TO AMEND THE AGRICULTURAL ACT OF 1949 REGARDING THE SUPPORT LEVEL OF CIGAR-BINDER TOBACCO, TYPES 51 AND 52:

The SPEAKER. Under a previous order of the House, the gentleman from Connecticut (Mr. DADDARIO) is recognized for 5 minutes.

Mr. DADDARIO. Mr. Speaker, I am today introducing a bill to amend the Agricultural Act of 1949 to revise the support level of cigar binder tobacco—type 51, broadleaf, and type 52, Havana seed.

This bill, I am convinced, would breathe new life into the Connecticut Valley cigar binder tobacco business in order to introduce an element of stability by placing a realistic support level or floor under the market for Connecticut tobacco.

It should be noted that the growers themselves voluntarily requested the Secretary of Agriculture to reduce the price support level from the then existing level, in an effort to prevent further accumulation of surplus cigar binder tobacco. This was a time of complexity in the fields, as a result of the development of synthetic sheet tobacco, variously known in the trade as homogenized cigar binder, reconstituted cigar binder, and other trade names. The use of sound leaves for tobacco binder had lost much of the market, for which growers had been producing fine quality cigar binderleaf since early colonial days. The growers found the impact of this technological development to be disastrous, and tremendous surpluses developed.

The present price support level has become ineffective in giving the grower the support of protection intended by the law. The enclosed bill would meet the need to restore an element of stability to this situation. I hope it can be passed promptly so that the growers can be made aware of it in time to formulate their spring seedbed and growing plans for the 1969 crop.

RECESS

The SPEAKER. Without objection, the House will stand in recess for a few minutes while we await a message from the Senate.

There was no objection.

Accordingly (at 12 o'clock and 14 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 30 minutes p.m.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment, joint and concurrent resolutions of the House of the following titles:

H.J. Res. 14. Joint resolution making a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes;

H. Con. Res. 124. Concurrent resolution providing for an adjournment of the two Houses of Congress from Friday, February 7, 1969, to Monday, February 17, 1969; and

H. Con. Res. 133. Concurrent resolution commending the leadership of the Boy Scouts of America for their fine work and contribution to American youth.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. GROSS. Mr. Speaker, I rise to propound a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Mr. Speaker, since several House resolutions have been passed today by unanimous consent, my question to the distinguished Speaker is whether it would be in order at this time to call up House Resolution 133 disapproving the pay increase for certain officials and employees of the Federal Government?

The SPEAKER. The Chair will state to the gentleman from Iowa that it has already been announced that there would be no legislative business today. Under those circumstances, and without determining the merits of the resolution, the Chair could recognize the gentleman. Yet the Chair in its discretion will not recognize the gentleman for that purpose.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FOLEY, today, for 10 minutes; to revise and extend his remarks and to include extraneous matter.

(The following Member (at the request of Mr. McCLURE) to revise and extend his remarks and to include extraneous matter:)

Mr. ASHBROOK, for 60 minutes, today.

(The following Members (at the request of Mr. McFALL) to revise and extend their remarks and to include extraneous matter:)

Mr. DADDARIO, today, for 5 minutes.

Mr. EVINS of Tennessee, on February 19, for 1 hour, to eulogize the late Honorable Robert A. Everett.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Utt and to include extraneous matter.

Mr. Chamberlain.

(The following Members (at the request of Mr. McClure) and to include extraneous matter:)

Mr. Ashbrook.
Mr. Adair.
Mr. Brown of Ohio in two instances.
Mr. Button.
Mr. Coughlin.
Mr. Morton.
Mr. Hosmer in two instances.
Mr. Pelly in two instances.
Mr. Bray in two instances.
Mr. Derwinski in three instances.
Mr. Gubser in two instances.
Mr. Lipscomb.

(The following Members (at the request of Mr. McFall) and to include extraneous matter:)

Mr. Blanton.
Mr. Carey.
Mr. Dingell.
Mr. Rivers.
Mr. William D. Ford in two instances.
Mr. Diggs in two instances.
Mr. Karth.
Mr. Podell in three instances.
Mr. Moorhead in three instances.
Mr. Nichols in two instances.
Mr. Rarick in four instances.
Mr. Marsh in four instances.
Mr. Hanna in two instances.
Mr. Tiernan in two instances.
Mr. Brademas in six instances.
Mr. Galifianakis in two instances.
Mr. Bingham in two instances.

ENROLLED JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 414. Joint resolution making a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes.

ADJOURNMENT

Mr. McFALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with House Concurrent Resolution 124, 91st Congress, the Chair declares the House adjourned until 12 o'clock noon, Monday, February 17, 1969.

Thereupon (at 12 o'clock and 33 minutes p.m.), pursuant to House Concurrent Resolution 124, the House adjourned until Monday, February 17, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

491. A letter from the Secretary of Defense, transmitting a report relative to the sale or transfer of Government-owned communications facilities in Alaska for the 1968 calendar year, pursuant to the provisions of section 206, Public Law 90–135; to the Committee on Armed Services.

492. A letter from the Secretary of the Army, transmitting a report of the number of officers on duty with Headquarters Department of the Army, and detailed to the Army General Staff on December 31, 1968, pursuant to the provisions of 10 U.S.C. 3031(c); to the Committee on Armed Services.

493. A letter from the Deputy Administrator, Veterans' Administration, transmitting a report relating to the disposal of foreign excess property for the period January 1 through December 31, 1968, pursuant to the provisions of 40 U.S.C. 514d; to the Committee on Government Operations.

494. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered under the authority contained in section 13(b) of the act of September 11, 1957, pursuant to the provisions of section 13(c) of the act; to the Committee on the Judiciary.

495. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a report on employee personal property claims settled during calendar year 1968, pursuant to the provisions of 31 U.S.C. 240–242; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 6608. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. ASHLEY (for himself, Mr. Byrne of Pennsylvania, Mr. Murphy of New York, Mr. St. Onge, Mr. Karth, Mr. Grover, Mr. Watkins, Mr. Dellenback, Mr. Button, Mr. Goodling, Mr. Biaggi, Mr. Bray, Mr. McCloskey, and Mr. Schadeberg):

H.R. 6609. A bill to amend the Oil Pollution Act, 1924, for the purpose of controlling oil pollution from vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BRASCO:

H.R. 6610. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BRAY:

H.R. 6611. A bill for the elimination of health dangers to coal miners resulting from the inhalation of coal dust; to the Committee on Education and Labor.

By Mr. CAREY (for himself Mr. Addabbo, Mr. Anderson of California, Mr. Ashley, Mr. Bingham, Mr. Boland, Mr. Brademas, Mr. Brasco, Mr. Byrne of Pennsylvania, Mr. Celler, Mr. Diggs, Mr. William D. Ford, Mr. Gilbert, Mr. Hawkins, Mr. Howard, Mr Joelson, Mr. Karth, Mr. Leggett, Mr. Matsunaga, Mr. Mikva, Mr. Minish, Mr. Podell, Mr. Reuss, Mr. Rodino, and Mr. St Germain):

H.R. 6612. A bill to amend the public assistance provisions of the Social Security Act to require the establishment of nationally uniform minimum standards and eligibility requirements for aid or assistance thereunder; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 6613. A bill to amend the Tariff Schedules of the United States with respect to articles in part of reprocessed or reused wool; to the Committee on Ways and Means.

By Mr. DADDARIO:

H.R. 6614. A bill to amend the Agricultural Act of 1949 to revise the support level for cigar-binder tobacco, types 51 and 52; to the Committee on Agriculture.

By Mr. DICKINSON:

H.R. 6615. A bill to provide that the reservoir formed by the lock and dam referred to as the "Jones Bluff lock and dam" on the Alabama River, Ala., shall hereafter be known as the Robert F. Henry Reservoir; to the Committee on Public Works.

By Mr. DONOHUE:

H.R. 6616. A bill to eliminate hunger in the United States; to the Committee on Agriculture.

H.R. 6617. A bill to amend titles I, IV, X, XIV, XVI, XVIII, and XIX of the Social Security Act to require that drugs provided by, or under programs receiving Federal financial assistance pursuant to such titles, must be prescribed and furnished on a nonproprietary or generic basis; to the Committee on Ways and Means.

By Mr. FLOWERS:

H.R. 6618. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 6619. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. FOLEY (by request):

H.R.. 6620. A bill to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FUQUA (for himself and Mr. Sikes):

H.R. 6621. A bill to extend public health protection with respect to cigarette smoking and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Tennessee:

H.R. 6622. A bill to provide for orderly trade in glycine; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 6623. A bill to assure every American workingman and woman, without exception, a minimum wage of $2 an hour, and for other purposes; to the Committee on Education and Labor.

By Mr. GRAY:

H.R. 6624. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

By Mr. GREEN of Pennsylvania:

H.R. 6625. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 6626. A bill to amend the Internal Revenue Code of 1954 to provide that pensions paid to retired law-enforcement officers shall not be subject to income tax; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 6627. A bill to authorize the appropriation of $200 million for a U.S. contribution to multilateral special funds of the Asian Development Bank; to the Committee on Banking and Currency.

H.R. 6628. A bill to provide for increased participation by the United States in the International Development Association, and for other purposes; to the Committee on Banking and Currency.

H.R. 6629. A bill to establish a Department of Consumer Affairs; to the Committee on Government Operations.

H.R. 6630. A bill to amend the Intergovernmental Cooperation Act of 1968 to improve intergovernmental relationships between the United States and the States and municipalities, and the economy and efficiency of Government, by providing Federal cooperation and assistance in the establishment and strengthening of State and local offices of consumer protection; to the Committee on Government Operations.

By Mr. HELSTOSKI:

H.R. 6631. A bill to amend section 341 of the Immigration and Nationality Act to require the Attorney General to furnish a certificate of citizenship to a person holding certification of birth issued by the Secretary of State; to the Committee on the Judiciary.

H.R. 6632. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 6633. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. McCARTHY:

H.R. 6634. A bill to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. McCARTHY (for himself, Mr. Farbstein, Mr. Ottinger, Mr. Ronan, Mr. Scheuer, Mr. Thompson of New Jersey, Mr. Tunney, Mr. Udall, and Mr. Zablocki):

H.R. 6635. A bill to amend the public assistance provisions of the Social Security Act to require the establishment of nationally uniform minimum standards and eligibility requirements for aid or assistance thereunder; to the Committee on Ways and Means.

By Mrs. MINK (for herself, Mr. Burton of California, Mr. Dingell, Mr. William D. Ford, Mr. Hawkins, Mr. Karth, Mr. Meeds, Mr. Powell, and Mr. Thompson of New Jersey):

H.R. 6636. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mrs. MINK (for herself, Mr. Boland, Mr. Burke of Massachusetts, Mr. Carey, Mr. Conte, Mr. Corman, Mr. Dellenback, Mr. Farbstein, Mr. Feighan, Mr. Friedel, Mr. Halpern, Mrs. Hansen of Washington, Mr. Hathaway, Mr. Johnson of California, Mr. Koch, Mr. Leggett, Mr. Mikva, Mr. Miller of California, Mr. Moorhead, Mr. Perkins, Mr. Rooney of Pennsylvania, Mr. Ryan, Mr. Whitehurst, Mr. Charles H. Wilson, and Mr. Wolff):

H.R. 6637. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. RODINO:

H.R. 6638. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

H.R. 6639. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

H.R. 6640. A bill to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of community programs for patients with kidney disease and for the conduct of training related to such programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SEBELIUS:

H.R. 6641. A bill to provide a special milk program for children; to the Committee on Agriculture.

H.R. 6642. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

H.R. 6643. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

H.R. 6644. A bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

H.R. 6645. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TIERNAN:

H.R. 6646. A bill to extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete two academic years of higher education; to the Committee on Education and Labor.

By Mr. UTT:

H.R. 6647. A bill to change the definition of "ammunition" for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.R. 6648. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of "food supplements," and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 6649. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 6650. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 6651. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. WOLFF (for himself, Mr. Giaimo, Mr. Fish, and Mr. Lowenstein):

H.R. 6652. A bill to amend title 18, United States Code, to strengthen and clarify the law prohibiting the introduction, or manufacture for introduction, of switchblade knives into interstate commerce; to the Committee on the Judiciary.

By Mr. WYDLER:

H.R. 6653. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. BLATNIK (for himself, Mr. Holifield, Mr. Reuss, and Mr. Rosenthal):

H.R. 6654. A bill to provide temporary authority to expedite procedures for consideration and approval of projects drawing upon more than one Federal assistance program, to simplify requirements for the operation of those projects, and for other purposes; to the Committee on Government Operations.

By Mr. BOGGS:

H.R. 6655. A bill to amend section 4063(a) of the Internal Revenue Code of 1954 (relating to exemption of specified articles from the tax on motor vehicles); to the Committee on Ways and Means.

By Mr. ECKHARDT:

H.R. 6656. A bill declaring a public interest in the open beaches of the Nation, providing for the protection of such interest, for the acquisition of easements pertaining to such seaward beaches and for the orderly management and control thereof; to the Committee on Interior and Insular Affairs.

By Mr. FRIEDEL:

H.R. 6657. A bill to authorize voluntary withholding of Maryland, Virginia, and District income taxes in the case of certain legislative officers and employees; to the Committee on Ways and Means.

H.R. 6658. A bill to authorize voluntary withholding of Maryland, Virginia, and District income taxes in the case of officers and employees of the Architect of the Capitol or of the Botanic Garden; to the Committee on Ways and Means.

By Mr. FULTON of Tennessee (for himself, Mr. Schneebeli, Mr. Betts, and Mr. Broyhill of Virginia):

H.R. 6659. A bill to confirm the purpose of the accelerated depreciation provisions of the Internal Revenue Code, and to avoid loss to the Federal revenues in the case of regulated taxpayers through the application of these provisions contrary to the intent of Congress; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 6660. A bill to authorize the reduction or elimination of the hazards of public rail-highway grade crossings along the high-speed rail line between Washington, D.C., and Boston, Mass.; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLURE (for himself and Mr. Hansen of Idaho):

H.R. 6661. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the southwest Idaho water development project, and for other purposes; to the Commitee on Interior and Insular Affairs.

By Mr. PELLY (for himself and Mr. Hechler of West Virginia):

H.R. 6662. A bill to create a commission to study the passenger-carrying railroads of this country; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN (for himself and Mr. Barrett):

H.R. 6663. A bill to amend the Urban Mass Transportation Act of 1964, and for other purposes; to the Committee on Banking and Currency.

By Mr. ROGERS of Colorado (by request):

H.R. 6664. A bill to amend the Bankruptcy Act, sections 1, 5, 32, 64, and 67, revising the provisions dealing with partnerships and partners; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado (by request):

H.R. 6665. A bill to amend the Bankruptcy Act, sections 2, 15, 17, and 38, to permit the discharge of debts in a subsequent proceeding after denial of discharge for specified reasons in an earlier proceeding, to authorize courts of bankruptcy to determine the dischargeability or nondischargeability of provable debts, and to provide additional grounds for the revocation of discharges; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 6666. A bill to amend section 105 of title 38 of the United States Code to provide that a person's own willful misconduct during active service which results in his death shall not bar his survivors from benefits under such title; to the Committee on Veterans' Affairs.

By Mr. ADAIR:

H.J. Res. 432. Resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.J. Res. 433. Resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.J. Res. 434. Resolution to authorize a study and investigation of information service systems for States and localities designed to enable such States and localities to participate more effectively in federally assisted programs and to provide Congress and the President with a better measure of State and local needs and performance under these programs; to the Committee on Government Operations.

By Mr. FRIEDEL:

H.J. Res. 435. Resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PELLY:

H.J. Res. 436. Resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CAHILL:

H.J. Res. 437. Resolution condemning the execution of 14 Iraqi citizens; to the Committee on Foreign Affairs.

By Mr. PATMAN:

H.J. Res. 438. Resolution to extend the time for the making of a final report by the Commission To Study Mortgage Interest Rates; to the Committee on Veterans' Affairs.

By Mr. PELLY:

H. Con. Res. 135. Concurrent resolution to express the sense of the Congress relating to the Nigeria-Biafra area; to the Committee on Foreign Affairs.

H. Con. Res. 136. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. HORTON (for himself, Mr. Bell of California, Mr. Fish, Mr. Halpern, Mr. Harvey, Mrs. May, and Mr. Snyder):

H. Res. 239. Resolution expressing the sense of the House of Representatives with respect to establishing an all-volunteer military force; to the Committee on Armed Services.

By Mr. WOLFF:

H. Res. 240. Resolution amending the rules of the House of Representatives to set aside a portion of the gallery for the use of scholars engaged in studies of the House of Representatives; to the Committee on Rules.

By Mr. MURPHY of New York (for himself, Mr. Karth, Mr. Buchanan, Mr. Pepper, Mr. McKneally, Mr. Thompson of New Jersey; Mr. Madden, Mr. Reuss, Mr. Howard, Mr. Podell, Mr. Byrne of Pennsylvania, Mr. Farbstein, Mr. Eilberg, Mr. Adams, and Mr. Bingham):

H. Res. 241. Resolution, U.S. aid for Iraqi Jews; to the Committee on Foreign Affairs.

By Mr. STAGGERS:

H. Res. 242. Resolution providing funds for the Committee on Interstate and Foreign Commerce; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 6667. A bill for the relief of Alfred Hudson David; to the Committee on the Judiciary.

By Mr. ADAMS:

H.R. 6668. A bill for the relief of William Orvle Bryans, his wife, Bridget Mary Bryans, and their minor children, Glynda Jane Merrill Bryans, Gemma Kathleen Bryans, and Garren Richard Bryans; to the Committee on the Judiciary.

H.R. 6669. A bill for the relief of Ah Mee Qu Locke (Amy Locke; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 6670. A bill for the relief of Teresina Fara; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 6671. A bill for the relief of Domenico Augello; to the Committee on the Judiciary.

H.R. 6672. A bill for the relief of Rosalia Carcione, and Rosaria and Elena Carcione; to the Committee on the Judiciary.

H.R. 6673. A bill for the relief of Winston Cousins; to the Committee on the Judiciary.

H.R. 6674. A bill for the relief of Giovanni Di Maggio, Calogera Di Maggio, and Calogero Di Maggio; to the Committee on the Judiciary.

H.R. 6675. A bill for the relief of Maria Luisa Luisi; to the Committee on the Judiciary.

H.R. 6676. A bill for the relief of Antonio, Francesca, and Antonina Mazzamuto; to the Committee on the Judiciary.

H.R. 6677. A bill for the relief of Carlo Scissura; to the Committee on the Judiciary.

H.R. 6678. A bill for the relief of Errol Tucker; to the Committee on the Judiciary.

H.R. 6679. A bill for the relief of Vito Vista; to the Committee on the Judiciary.

By Mr. BUTTON:

H.R. 6680. A bill for the relief of Wladyslawa Wasco; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 6681. A bill for the relief of Sylvia Smith; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 6682. A bill for the relief of Giacomo DeSimone; to the Committee on the Judiciary.

H.R. 6683. A bill for the relief of Greta Hall; to the Committee on the Judiciary.

H.R. 6684. A bill for the relief of Pietro Salvo; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 6685. A bill for the relief of Lilia Romay; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 6686. A bill for the relief of Filippo Trifilo; to the Committee on the Judiciary.

By Mr. ECKHARDT:

H.R. 6687. A bill for the relief of Mrs. Edith Y-Sheng Shu Yu; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 6688. A bill for the relief of Calogero Di Maggio; to the Committee on the Judiciary.

By Mr. FOLEY (by request):

H.R. 6689. A bill to increase the lease term to 99 years on Indian allotment No. MA–10, commonly known as "Wapato Point"; to the Committee on Interior and Insular Affairs.

By Mr. FULTON of Pennsylvania:

H.R. 6690. A bill for the relief of Lirio Mitra Soretes; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 6691. A bill for the relief of Ophelia A. Nicholas; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 6692. A bill for the relief of Guiseppe Polcino and Almerinda Miletta Polcino, his wife; to the Committee on the Judiciary.

H.R. 6693. A bill for the relief of Bernard Joseph Marie Sweens; to the Committee on the Judiciary.

H.R. 6694. A bill for the relief of Catalina Tarriga; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 6695. A bill for the relief of Anthony O'Brien; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 6696. A bill for the relief of Santiago D. Sison; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 6697. A bill for the relief of Pedro Espiloy Alviar; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 6698. A bill for the relief of Manuel Dias da Cunha; to the Committee on the Judiciary.

H.R. 6699. A bill for the relief of Reinaldo Tristao da Cunha; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 6700. A bill for the relief of Demitre Ganas; to the Committee on the Judiciary.

H.R. 6701. A bill for the relief Ildefonso L. and Paulita K. Origenes; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 6702. A bill to provide for the free entry of a four-octave carillon for the use of Marquette University, Milwaukee, Wis.; to the Committee on Ways and Means.

By Mr. RONAN:

H.R. 6703. A bill for the relief of Veronica Serraino; to the Committee on the Judiciary.

H.R. 6704. A bill for the relief of Joannis Stefanis; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 6705. A bill for the relief of Mrs. Suwathana Daramas Bunnag; to the Committee on the Judiciary.

H.R. 6706. A bill for the relief of Mrs. Carmen Hernandez Macawile; to the Committee on the Judiciary.

H.R. 6707. A bill for the relief of Georgios Dimitrios Sevastelis and his wife, Efstahia; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 6708. A bill for the relief of Teofilo Blanco; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 6709. A bill for the relief of Andree De Molenaar; to the Committee on the Judiciary.

By Mr. STAFFORD:

H.R. 6710. A bill for the relief of Raymond C. Melvin; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 6711. A bill for the relief of Giuseppe Vitale; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.R. 6712. A bill for the relief of Carmine Della Vittoria; to the Committee on the Judiciary.

H.R. 6713. A bill for the relief of Maria Della Vittoria; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

51. By the SPEAKER: Petition of Charles Francis Vincent Rogers, El Paso, Tex., relative to redress of grievances; to the Committee on the Judiciary.

52. Also, petition of Gordon Levon Dollar, Springfield, Mo., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

THE REMARKABLE ELLY PETERSON

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. GRIFFIN. Mr. President, since 1964, the Republican Party of Michigan has had the good fortune of being led by a most energetic and capable State chairman. Many consider it remarkable that our chairman, a woman, has operated effectively in what is considered generally a man's field.

As the first person of her sex in the United States to be elected a Republican State chairman, Elly Peterson faced a massive challenge in the wake of the 1964 elections. Quickly and effectively, she moved to weld together a cohesive team representing all elements of the party.

It is easy to see why Elly has earned the respect and admiration of friends and political foes alike. A part of her success is due to the fact that she is, by nature, a problem solver. She speaks out on the issues and, like many women, she has her own opinions—and the courage to stand by them. Moreover, she combines a businesslike attitude and penetrating wit with a gentleness unusual in the hectic world of politics.

Elly, naturally, has a great deal of respect for womanpower, and has mobilized her troops on countless occasions to turn what might have been a routine activity into an overwhelming success.

Elly first sampled political life when she joined a young Republican club in Oak Park, Ill., when she was 21 years old. The encounter must have been enjoyable, because she has been one of the party's best salesmen ever since.

The knowledge she gained of metropolitan politics also served her well in Michigan. She quickly realized the need for the party to establish itself in the urban areas. She was instrumental in setting up a program in Detroit 2 years ago to help inner city residents with their problems. Called the Metropolitan Action Committee, it is the party's own version of the war on poverty.

Many of the same ideas that made the Detroit venture a success have been injected into Elly's latest effort, called Project Grass Roots, a community action program of social improvement and uplift in cities and towns all over Michigan. Party members are encouraged to volunteer their services on a continuing basis to work with senior citizens and youth groups and to improve the community through beautification projects and other activities.

These are just two of many programs that have kept the Republican Party of Michigan in the forefront of community involvement under the strong leadership of Elly Peterson.

In a few weeks, when Michigan Republicans gather in Grand Rapids for the State convention, Elly will formally step down as chairman. But, happily, she will continue to work for the Republican cause; at the Republican convention in Miami last August, Elly was elected national committeewoman from Michigan.

Mr. President, as we say in Michigan, "Elly is quite a gal." It is an honor to pay tribute to her as a wonderful American as well as an outstanding Republican leader.

STATEMENT BY CONGRESSMAN CHET HOLIFIELD, CHAIRMAN, JOINT COMMITTEE ON ATOMIC ENERGY ON NUCLEAR WARSHIP CONSTRUCTION PROPOSALS

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 6, 1969

Mr. HOLIFIELD. Mr. Speaker, on January 3, 1969, the chairman of the House Armed Services Committee introduced a bill, H.R. 574, to authorize appropriations for the fiscal year 1970 Navy shipbuilding program. I have had the joint committee staff put together a comparison of the nuclear warship authorizations proposed in Chairman RIVERS' bill with the nuclear warships proposed in the President's budget submission of January 20. I would like to have this summary included in the RECORD at the conclusion of my remarks for the ready reference of all my colleagues.

A review of the summary which follows will show that Chairman RIVERS' bill proposes a more aggressive nuclear warship construction program than what was sent up to the Congress on January 20. It, for example, first, proposes long-lead funds for one additional high-speed submarine—a total of five in lieu of four; second, proposes advanced procurement of machinery for a third *Nimitz* class nuclear aircraft carrier—this is in addition to the completion of funding of the second *Nimitz* carrier proposed in the January 20 budget proposal; and third, proposes construction of an additional nuclear escort and long-lead procurement for an additional nuclear-powered aircraft carrier escort.

I believe a review of the information which follows will show that the Chairman RIVERS' proposed bill is in line with what has been advocated by the various cognizant committees of Congress for the past several years concerning the construction of nuclear warships:

FISCAL YEAR 1970 ISSUES CONCERNING NUCLEAR WARSHIPS: DIFFERENCE BETWEEN RIVERS AND ADMINISTRATION BILLS

(Prepared by JCAE Staff, February 6, 1969)

On January 3, 1969 the Chairman of the House Armed Services Committee introduced a bill (H.R. 574) to authorize $3.8 billion to be appropriated for the FY 70 Navy shipbuilding program. Subsequently, the President's budget has been forwarded to the Congress which includes a Department of Defense request for $2.7 billion new obligational authority for the Navy FY 70 shipbuilding program.

About $400 million of the $1.1 billion difference between H.R. 574 and the Department of Defense proposal for FY 70 is for construction of nuclear powered warships in addition to those requested by the Department of Defense. The purpose of this memorandum is to point out the differences between the funds requested for construction of nuclear powered warships in H.R. 574 and the funds requested by the Department of Defense for FY 70.

ATTACK SUBMARINES

Both H.R. 574 and the Department of Defense propose full funding of three attack submarines of the new design high speed type.

The Department of Defense request includes long leadtime funds for four more high speed submarines; whereas, H.R. 574 includes long leadtime funds for five.

ATTACK AIRCRAFT CARRIERS

Both H.R. 574 and the Department of Defense propose to complete the funding of the second Nimitz class carrier, CVAN69, in FY 70. $132 million has already been appropriated for this ship in prior years.

Secretary of Defense Clifford in his January 15, 1969 Posture Statement on the Defense Program for FY 70–74 stated that the third Nimitz class carrier, CVAN70, will be funded in the FY 71 program as previously planned. However, the DOD budget request does *not* include any long leadtime funds in FY 70 for this ship.

H.R. 574 includes long leadtime funds for CVAN70 in FY 70. (Without funds in FY 70 to procure long leadtime items, the overall ship construction will be delayed.)

GUIDED MISSILE FRIGATES

Last year Secretary Clifford in letters to the President of the Senate and the Speaker of the House dated April 1, 1968 enclosed a Presidential Determination to build DLGN37 and four additional nuclear powered guided missile escorts of a new design called DXGN. These five nuclear escorts, when added to the Long Beach (CGN9), Bainbridge (DLGN25), Truxtun (DLGN35), and the DLGN36 authorized in FY67, would bring the total to nine nuclear escorts—enough for two of the four planned nuclear carriers. The Presidential Determination was based on Secretary Clifford's memorandum to the President of March 25, 1968 which called for two DXGNs to be authorized in FY 70 and two in FY 71.

In the FY 69 budget request, the Department of Defense requested, and the Congress appropriated, 52 million to procure long lead time items for two DXGNs. The Navy is proceeding with the procurement of these nuclear propulsion plant components.

The FY 70 Department of Defense budget request includes one DXGN in lieu of the two previously promised, and includes 68 million for the procurement of long leadtime items for the third and fourth DXGN.

Secretary Clifford in his statement of January 15, 1969 concerning the Defense Program for FY 70–74 stated:

"We have again examined the mix of nuclear-powered and conventionally-powered escorts for the four planned CVANs and have reached the same conclusion as last year, namely, that we should provide nuclear-powered escorts for only two of the CVANs. This would require a total of nine nuclear escorts (eight in operation, one in overhaul), five of which have been funded. If we were to provide nuclear escorts for the third and fourth CVANs, we would have to increase the inventory of nuclear escorts by seven and decrease the inventory of conventional escorts by nine.

"The seven additional nuclear escorts required to equip four (rather than two) all-nuclear task groups would cost about $1.6

billion to build and operate for 10 years. These would replace nine conventional ships with comparable 10-year systems cost of $1.1 billion. The difference of $500 million in favor of conventional escorts would be partially offset by about $75–$80 million in logistics savings, leaving a net additional cost of the third and fourth all-nuclear carrier task groups of about $420–$425 million. There are also a number of hard-to-measure operational advantages to nuclear power, but these do not appear to be worth the more than $400 million involved. Accordingly, we do not believe it would be wise to commit ourselves at this time to more than two nuclear-powered carrier task groups.

"The DXGNs are now programmed one a year, FY 1970–73. The first ship is expected to cost $222 million, and the follow-on ships an average of $180-$190 million. Advance procurement funds in the amount of $52 million were made available in FY 1969 for the first two ships. The FY 1970 Budget includes $196 million to complete funding of the first DXGN and $68 million for advance procurement for additional ships. (The $68 million will complete the funding of nuclear components for all four DXGNs and fire control systems for the first three, thus permitting us to meet the delivery schedules contemplated last year.)"

Thus, it is clear that the Department of Defense is holding to its position of last year that we should provide nuclear escorts for only two nuclear carriers rather than for all nuclear carriers as recommended by the Navy, the Joint Chiefs of Staff, and the cognizant committees of Congress. The Department of Defense justifies its decision not to build nuclear escorts for the third and fourth nuclear carriers on the basis that it would cost an additional $420-$425 million of construction and operating costs over a ten-year period, or an average of about $42 million a year.

Further, the Department of Defense is stretching out the procurement of the four DXGNs they have approved from the program of two in FY '70 and two in FY '71 upon which the Presidential Determination of last year was based, to one ship per year in FY '70-'73.

The cognizant committees of the Congress have repeatedly taken the position that all nuclear escorts should be provided for nuclear carriers despite their somewhat higher cost. These committees have issued numerous statements, hearing records, and reports in support of this position.

(If nuclear escorts are to be provided for the third and fourth nuclear carriers, a decision to proceed must be made as soon as possible since even now the third and fourth nuclear carriers will be at sea many years before nuclear escorts can be made available for them. In fact, the Department of Defense nuclear escort program will not provide all nuclear escorts for the Enterprise until she has been in operation eleven years and for the Nimitz until four years after she goes to sea.)

H.R. 574 takes steps to accelerate and expand the nuclear escort program by providing for two nuclear escorts for FY '70 and funds for procurement of long leadtime components for three more.

In introducing H.R. 574, Congressman Rivers stated on the Floor:

"Since the Navy must have ships able to go into any part of any ocean on a moment's notice, the necessity of having nuclear propulsion in our Navy is greater than ever before. While it may cost more, the necessity of being free from the black oil logistics train is an overwhelming requirement."

SUMMARY

In summary, H.R. 574 provides authorization in FY 70 for construction of all the nuclear powered warships requested by the Department of Defense and, in addition to the DoD request, includes about $400 million for:

Long lead procurement for one additional high speed submarine.

Long lead procurement for the third Nimitz class aircraft carrier, CVAN70.

Construction of one additional nuclear-powered guided-missile escort.

Long lead procurement for one additional nuclear-powered guided-missile escort.

All of these additions are consistent with the long standing position of the Joint Committee on Atomic Energy concerning the need to establish and maintain a vigorous and aggressive program to provide the vital advantages of nuclear propulsion in our submarine and surface warships.

TOO LATE THE METROLINER

HON. HARRISON A. WILLIAMS, JR.

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. WILLIAMS of New Jersey. Mr. President, less than a month ago the Penn Central Railroad, with financial assistance from the Department of Transportation, inaugurated high-speed train transportation between Washington, D.C., and New York City. As Tom Wicker stated in his most informative article in the February 6, 1969, New York Times:

> It is at once a graphic demonstration that modern America need not be overwhelmed by its problems and a useful reminder that those problems are sizable indeed . . . is a product of a cooperative effort between government and private enterprise to cope with the booming intercity travel that now threatens to clog the Northeast Corridor.

I wholeheartedly agree with Mr. Wicker's most astute observation that if this experiment succeeds, it will pave the way for similar rapid rail transportation between New York City and Boston, Los Angeles and San Diego, and outward from Chicago. Not only would such service improve inner city transportation; it would also, as Mr. Wicker so ably states, reduce air pollution caused by automobile exhaust fumes and jet aircraft, relieve our already overcrowded airlines, and at the same time save our cities from strangling on the already overwhelming masses of automobiles which transport many millions of our citizens to and from work each day.

A fully implemented system of high-speed rail service throughout our Nation will not come cheaply. The Penn Central has already spent $57 million on its New York to Washington run—money which, in my opinion, has been well spent. But much more is needed. Obviously, our Nation's railroads, many of which are in perilous financial difficulties, cannot be expected to share this burden alone. Massive Federal expenditures are necessary if this most worthwhile project which benefits all of our Nation's citizens is to succeed.

So that all Senators may have the benefit of Mr. Wicker's excellent views on rapid rail transportation, I ask unanimous consent that the complete text of his article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOO LATE THE METROLINER

(By Tom Wicker)

Riding the new Metroliner to New York from Washington is both a promising and a sobering experience. It is at once a graphic demonstration that modern America need not be overwhelmed by its problems and a useful reminder that those problems are sizable indeed.

The new "fast train," a gleaming, six-car tube now speeding down to Washington in the morning and back to Manhattan in the afternoon, is a product of a cooperative effort between government and private enterprise to cope with the booming intercity travel that now threatens to clog the Northeast Corridor. Compared to, say, black unemployment, this may not seem one of the major tasks on the American agenda. But since a huge slice of the population lives and travels between New York and Washington, it is by no means a minor one.

If high-speed, short-haul rail transit succeeds on the New York-Washington and next on the New York-Boston line, moreover, the way will have been prepared for fast trains in other heavily traveled areas—Los Angeles to San Diego, for instance, or outward from Chicago in any of several directions. Over-all, the experiment is going to provide clearer answers to such tremendously important questions as these:

Are we going to keep on paving over the landscape in order to pollute the air with exhaust fumes while pouring more and more automobiles into cities already strangling in traffic?

Or, alternatively, are we going to crowd the air lanes with more and more planes, circling longer and longer over airports of increasing inadequacy (some of which are already so far from the cities they serve that getting into town is a bigger problem than crossing the ocean)?

In short, the Metroliner is no small experiment, and a ride on it gave one recent passenger a satisfying sense that in at least this area, and however haltingly, some real efforts are being made; the decision on future intercity travel in America is not being allowed to go entirely by default, as have so many other similar problems for so many years past.

COMPETITIVE WITH AIRLINES

The Metroliner is not the last word in surface transportation, but it is a vast improvement on anything else on rails in this country. Its running time of three hours is roughly competitive with the airlines, as are its fares. The speed is held down, just as passenger comfort is reduced, by the Penn Central's roadbed—improved but basically built for an earlier day. Service aboard is excellent; and for a passenger to be treated like a human being aboard an American train is in itself, something of a miracle.

SERVICE IMPROVEMENTS

The Metroliner accelerates with remarkable ease and speed. Seating, food services, lighting, heating, ventilation—all are considerably improved over the usual present-day train accommodations, although those who remember the old days (only a decade or so in the past!) will grieve for the passing of a great American institution, the dining car, and for the substitution of airline-style meals (plastic food on plastic trays).

Ultimately, there will be 22 Metroliners daily on the New York-Washington or New York-Philadelphia runs. An entirely different experimental train (the TurboTrain, which does not require an electrified line) will soon be tried on the New York-Boston run, cutting perhaps an hour off the present schedule of four hours and fifteen minutes.

But if riding the Metroliner gives hope that high-speed rail transit can provide comfortable and decent travel as well as an efficient alternative to ferocious auto traffic and dangerously overused airlines and airports, it also suggests what a huge task lies ahead. For if the Metroliner or TurboTrain is to realize its full potential in speed, comfort and economy, greatly improved roadbeds will be essential. Between New York and Washington a wholly new one may be needed, at a cost of about $1 billion, and the problem is said to be worse on the line to Boston.

The Penn Central already has poured $22 million into 50 Metroliner cars and $35 million into smoothing its roadbed. All these figures suggest the vast sums required if adequate fast-train service is to be provided in all the areas where it would be useful. A lot of that money obviously must come from taxpayers, and fairly soon at that.

The Metroliner thus is not ahead of but far behind its time, and the price for so long ignoring the need it now serves is going to be high indeed. And so it will be with all the problems this rich and ingenious nation has been so reluctant to face.

CHANCE FOR WISCONSIN

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. CHAMBERLAIN. Mr. Speaker, the decision of Hyde Murray to become a candidate from the Seventh Congressional District of Wisconsin has been greeted with the approval and best wishes of those in the Congress who have benefited so much and so often from his hard work and wise counsel as a member of the staff of the Committee on Agriculture. I fully share these sentiments and wish to take this opportunity to acknowledge my appreciation and respect for the help that he has always so readily and effectively given on agricultural matters for the past 11 years.

Without intending in any way to cast reflection upon the other candidates, for I am not acquainted with any of them, there can be no question of his qualifications to serve in the Congress. The extent to which Hyde Murray's character and ability have won recognition is evidenced as well by the editorial appearing in the January 30 issue of Roll Call, the weekly newspaper of Capitol Hill, and I am pleased to include it in the RECORD as a further tribute to this capable young man:

CHANCE FOR WISCONSIN

Wisconsin Governor Warren Knowles has set March 4 for a primary to select candidates for the unexpired term of Rep. Mel Laird. A special election will be held on April 1.

Hyde Murray, young, bright, experienced in the ways of The Hill, has resigned his post on the Agriculture Committee to seek the nomination.

Although not wishing to indulge in district politics, and not wishing to abrogate our policy of not endorsing candidates, we feel compelled to salute Murray for his courageous decision to enter the hurly-burly of elective political life.

There isn't a staff member on The Hill more respected for his thorough knowledge, not only of Agriculture, but myriad other problems. There is not a more astute and concerned student of House procedures and history than Hyde Murray. There is not a non-member of the House who is more prepared, more qualified, more equipped to join the House membership than Hyde Murray. Without regard to party politics, strictly from observing this "All American Boy" in action—his ability for organization, his unique leadership traits, his gift of articulation, and his willingness to delve deeply into issues that confront him—qualities known to all of us here on The Hill—we see in Hyde the epitome of that specimen which might be pointed to as an ideal Congressman.

We hope these qualities are recognized in the far reaches of his district as they are here on The Hill. As a prime advocate of the greatness of the national legislative body, and without detracting from the merits of his opponents, we think Hyde Murray is uniquely right for the modern House, served so well by his late father and by the departing Rep. Mel Laird.

ISRAEL MEANS WHAT IT SAYS

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. UTT. Mr. Speaker, when I am home in California, one of the things I most enjoy is listening to the daily television news reports of George Putnam on KTTV, channel 11, Los Angeles.

Three of Mr. Putnam's recent reports deal with Israel and I include these in the Extensions of Remarks, as I believe they deserve wide attention. Incidentally, Mr. Putnam is of the Mormon faith, and so he cannot be accused of having a religious bias in favor of Israel.

The reports follow:

ISRAEL MEANS WHAT IT SAYS

(By George Putnam)

It is this reporter's opinion that the freedom loving people of the world can learn much from the brave Israeli people. The behavior of that nation, its leaders, and its people in the face of overwhelming odds, has gained the awe and respect of all men—and most of all, Israel's enemies.

If Israel is to survive, it will be because of the resolution, the courage, determination, pride, and the will of its people to risk all—including their very lives—to guarantee that survival. After coming into being on the fourteenth of May, 1948, Israel was all but abandoned by the United Nations which helped to give it being.

Israel was left alone to defend itself against the armed forces of six Arab countries. Again and again the borders of Israel were invaded. But Israel was determined to live, and any nation that is determined to live—and will pay the necessary price—will live.

The United Nations, which has stood by silently in the most recent invasion of Czechoslovakia by Communist Russia—apparently has a very short and a very convenient memory. When Israel was attacked in 1948, she forced Egypt to sign an armistice on the twenty-fourth of February, 1949. The cost to Israel was very heavy, but she held her freedom.

Determined enemy neighbors drew a noose of iron and fire tight about Israel's neck. But the people of Israel—survivors of Nazi death camps—unwanted and cast off in other lands—gained increasing strength and they gained increasing courage.

They tilled the soil to which they brought water. They built commerce and they built industry. And out of a brown, a very dismal area of the desert, Israel bloomed green and productive. They tilled the soil, and as they sweated and labored, they carried rifles on their backs against the ever present threat of attack from without.

The year 1956 brought another crisis, in which the Egyptians committed nearly two hundred acts of aggression. There were one hundred six violations of the armistice agreement by Jordan in that summer of 1956.

Egypt, Jordan and Syria created a united military command and declared their intention to make war on Israel and to reverse the defeat of 1948 and 1949. The Israeli forces did not wait to be attacked. They struck swiftly at the Egyptian bases that had been prepared for Israel's destruction. In a hundred hours, it was all over—the Sinai Peninsula demilitarized—the menace to Israel completely eliminated—the Egyptian blockade of the Red Sea completely smashed. Israel could now reach Africa and could reach Asia. And the trade so necessary to Israel's survival at last seemed guaranteed.

But even then, the enemy would not accept Israel as a permanent state. And Gamal Nasser, madman of the Nile, urged on by his Communist cohorts in the Kremlin, threatened the mass extermination—a genocide—of every Israeli man, woman and child. Every Jew was to die in what Nasser chose to call his own holy war. Israel appealed to the world to stop the threat of world war there. None—not a single one—lifted a finger to help.

Moshe Dayan, the one eyed George Washington of Israel, masterminded the 1956 invasion of Egypt. And eleven years later, again led the men and women and children of Israel to glorious victory.

Meanwhile, the nations of the world continued to stand by. In June of 1967, when Israel fought with her back to the wall, our own United States government stated it would remain neutral in thought, word, and deed. Remain neutral at a time like that!

Did Israel give up? Did she lie down in defeat? No. Tiny Israel said she would go it alone—would again fight for her very survival. The rest is glorious history. It is the story of David slaying Goliath. It is the story of Israel's fantastic victory over the Arabs against overwhelming odds.

Those major blows struck in the first few hours go down in history as one of the greatest military achievements of all time. But the point is that Moshe Dayan and his brave troops and the brave people of Israel fought to win—to win through to complete victory. And Israel refused to settle for anything less.

Now I ask you, is it any wonder that tiny Israel, fighting for her air lifeline to the outside world—takes severe reprisals against those who would cut that lifeline to the outside world? Israel says she cannot accept the violation of her air routes. That this action by the enemy must stop. Israel says she will defend herself against aggression wherever it is planned and wherever it is carried out.

The terrorist band that struck and demolished an Israeli plane in Athens, operated out of Beirut. In Beirut is located the organization that carried out that dastardly deed. And from Beirut have come statements proclaiming Lebanon's intention of continuing such actions against the state of Israel.

Is it any wonder that the man on the street in Israel loudly proclaims, "The reprisal against Beirut had to be performed. It had to be done. First, one of our airlines was hijacked to Algeria. Then another was attacked in a foreign airport. I say we had to do it, and to hell with world opinion."

Whatever the outcome of current deliberations at the U.N. Security Council, the fact does remain—tiny Israel, threatened thousands of times since she became a state, has learned she can rely only upon her own people to defend herself against an enemy determined to destroy her. And surely at a moment when the U.N. refuses to condemn Russia for her seizure of Czechoslovakia—at a moment in our history when our own nation's commercial airlines are being hijacked, almost on schedule, and flown to Communist Cuba—at a moment when the crew of the Pueblo returns to tell of being beaten, kicked, and abused by the Communists—at a moment when our troops are bogged down in a no win war, if you please, against the Communists in Vietnam—at a moment such as this, surely one must reach out to embrace and to applaud the efforts of a nation that has the guts and has the determination to say to its enemies, "If you insist on continuing your warlike activities against us, if you continue your acts of violence upon us—then we will answer in kind."

And what is more, the brave Israelis mean exactly what they say. In a world of double-talk and hyprocrisy, the Israelis keep their word.

The Miracle of Israel

(By George Putnam)

It is this reporter's opinion that again the Soviet Union—yes, the same bloodthirsty Communists who manipulated Gamal Nasser into an attempted genocide against the men, women and children of Israel—again, these Communists are busy behind the scenes creating dissension and bloodshed in the Middle East.

The Soviet Union pushed Gamal Nasser—the Hitler of the Nile—to the very brink of his own and his nation's complete destruction. And I think it should be apparent to anyone that Nasser, who talked big and fought little, was acting as Moscow's pawn and that Israel was only the first objective in a Communist determination to take over the entire Middle East.

But the Arabs should know now—as the Israelis have known from the start—that Communist Russia has no love for Arab or for the Jew or anybody else. The aim of Communist Russia is—by manipulation, by cloak and dagger operations, or by somebody else's war—to gain complete control of the vast oil resources of that entire region. That's the key word—oil—in the Middle East.

The Russian fleet has not moved into the Mediterranean for a gin rummy tournament. And as long as it remains there, the threat to peace in the Middle East is going to remain there.

Meanwhile, it is America that has continued to vacillate—continued to allow a vacuum to exist. This at a moment when all America need to do to avoid a dangerous confrontation or full scale war in the Middle East is to say that the United States will guarantee the boundaries of Israel against any and all who might be reckless enough to attempt to destroy Israel.

Now, isn't it significant that the Communists, having again created an explosive situation—a situation in which two Middle East nations are at each other's throat—now run to the United Nations Security Council, dominated by the African bloc, and there plead for sanctions against Israel—plead for a ban on all civil air traffic into and out of Israel.

Aha—that's what Russia wants. To cut off Israel from the outside world—to eliminate all civil air traffic—all air commerce to and from Israel. That's what the Communists want.

Now, instead of siding with the enemy, I think it is time the United States, as the most powerful nation on the face of the earth, tell the world that we know exactly who the troublemakers are. It is time the United States tell the world that this present irritation in the Middle East is not a single incident unrelated to the overall and consuming problem—the determination of Soviet Russia to create any kind of a dilemma, any kind of chaos, vacuum, in that area and then to step in and take over.

It is time the United States stand up before the United Nations and speak in terms the bullies of the world will understand—tell them it was not the Israeli who threatened to destroy their neighbors—to commit a genocide upon their neighbors and their wives and their children. It was not the Israelis who threatened to push their neighbors into the sea. It was not the Israelis who shut off the Gulf of Aqaba to world traffic. It was not the Israelis who threatened to reduce their neighbors' homes and villages to ruins.

No, these were the threats—the continuing, every day threats of Gamal Nasser and his Arab cutthroats, who vowed to destroy every Jew—man, woman, and child. It is Gamal Nasser and his fellow cutthroats who have sworn to never recognize the State of Israel—never—and to never rest until it is wiped from the face of the earth.

It is time the United States speak loud and clear—stand tall and straight—before the United Nations and tell the entire world that we know that the key to the white heat situation in the Middle East rests—not in Tel Aviv or Cairo—or Beirut or Amman—or Damascus—but that the key to the situation rests in the—Kremlin.

It is this reporter's opinion that the world must be reminded again and again that the present trouble in the Middle East is not a single, unrelated incident. No, it is part of the continuing pattern of sabotage, commando raids, guerrilla warfare, and economic war that is constantly being waged against Israel, and I think it is a miracle that the tiny state of Israel has managed to survive for twenty years. It will be a miracle if it is able to survive another twenty years.

But we in the United States—as do the Israelis—have a common belief—it is a fervent belief—in democracy. And we also believe that under a democracy, we can work miracles—and with our help, the miracle of Israel will continue to live.

Just Plain Guts

(By George Putnam)

It is this reporter's opinion that the hypocrites representing the Kremlin at the United Nations in New York, and at the diplomatic bargaining tables around the world, are acting completely true to form, and therefore, we should reveal them for exactly what they are.

We are now provided with an excellent opportunity to expose the Communists as the greatest tyrants of all time—murderers—cutthroats—international gangsters—who have grabbed and swallowed a third of the earth's surface and half a billion freedom loving people.

Right now we have the opportunity to challenge the Communists to truly concern themselves with settling many of the problems they have brought upon the world in which we live—the results of their dabbling in Korea, Hungary, Vietnam—and Berlin and Cuba and South America—and more recently, next door in Czechoslovakia—that it's time to tell Russia to set free the eighteen captive nations of Europe before she shows such concern for the Arabs of the Middle East.

But instead of laying it on the line, and telling the world the Soviet Union couldn't care less about any of these people—least of all the Arabs in the Middle East—instead of pointing out that Russia wants control of the Mediterranean and Middle East oil—instead of showing the world and proving the point that Communism is at the root of most of this world's troubles—and that Russia is constantly fishing in troubled waters—instead of exposing the Russian Communists for prodding and arming Nasser and the warmongers of the Middle East—instead of labeling Russia the world's troublemaker, who will make sure there never will be peace in the world, because she is intent on taking over all of us—yes, instead of putting all these things on the record—instead of branding Communist Russia the world's aggressor—we and the British and our representatives continue to play the Russian game—Russian roulette—and we are allowing Russia, at this moment, to accuse us of the very things the Communists are planning and scheming and perpetrating.

Today, the Communists accuse our United States Sixth Fleet of inspiring Israeli aggression, meanwhile claiming Soviet naval forces are in the Mediterranean to guard the interests of the Arab countries.

And again, it is the Kremlin that accuses the Israelis of being singularly guilty of aggression. Only the brilliant Israeli statesman-diplomat, Abba Eban, has the intestinal fortitude to stand up and call the Russian peace overtures what they are—out and out phony.

The United States cannot straddle the fence—play both ends against the middle—supply both warring factions with the weapons of war—meanwhile stating that we will maintain strict neutrality in thought, word, and deed.

It is Nasser who has told us to go drink sea water, which is the same as telling us to go to hell. It is Nasser who has thumbed his nose at our government and at our people.

So let's face it. The United States has one friend in the Middle East, and that friend has asked so very little from us. That friend, standing alone, surrounded on all sides by enemies—her back to the sea—that friend is Israel. Her enemies have threatened again and again to push her into the sea and to commit a genocide on every Israeli man, woman and child.

And with Russia's help—with the Communists' help—this could happen if the United States refuses now to take firm, strong action to guarantee the boundaries of Israel—the sanctity of its existence—the perpetration of the brave people of Israel.

Russia must be exposed now as the world's troublemaker. But I ask, where have we been? What have we allowed to happen in the last couple of years? Following the six day war in June, 1967, Soviet prestige suffered a gigantic blow. She could no longer be known as the protector of the so-called National Liberation Front and the movement. She had failed to go to the assistance of Nkrumah, Sukarno, Castro—and Nasser.

Red China, as I recall, had charged Moscow with being a coward. Egypt was in deep economic trouble. She had lost half of her oil holdings. The Arab military machine was crushed. The Sixth Fleet rested as a tremendous force in the Mediterranean. And we boasted as an ally the roughest, the toughest, the bravest nation in the Middle East—if not the world—Israel.

Israel's Abba Eban stood before the United Nations and he charged Russia with going beyond the bounds of human decency in comparing the Jews in the Middle East to the Nazis in Germany. And he reminded Russia's Kosygin that it was the Soviet Union which signed a non-aggression pact with Adolph Hitler. Said Abba Eban to Russia's Kosygin, man to man, face to face, "It is easier to fly to the moon than to reconstruct a broken egg."

This is the kind of posture—these are the kind of words that the Communists understand. How do I know? Kosygin walked out at the U.N. because he just couldn't take it.

But what became of that position? What became of that advantage? What became of that opportunity, won by the brave Israeli troops on the field of battle? What became of that great respect for Israel in the world?

"The more things change," my old professor used to say, "the more they appear to be the same." And too often, we seem to be back where we started.

But I think the Russians understand one word. America once showed it—Israel now has it—it was part of our heritage and our tradition. It may not be a pleasant word, but it's damned meaningful. The word is—guts!

MAURICE CHEVALIER

HON. CHARLES H. PERCY

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. PERCY. Mr. President, it is appropriate at this time to pay tribute to a remarkable man who at age 80, but still seemingly ageless, has completed one phase of his career. Many, including myself, consider him the best ambassador of good will France has sent to the United States in this century.

Recently featured in many American magazines, Maurice Chevalier is a man who belongs to the whole world as much as to his native France. He is not only a personal friend of mine and many other Americans, more importantly, he is a stanch and abiding friend of America, of which he has so great an understanding. He has, more than any other individual, performed a lasting service to both his own country and ours as an outstanding ambassador of good will—representing the American people in France, humanizing Americans to Frenchmen, easing the tensions of misunderstanding that have occasionally arisen between our respective Governments. His sensitivity to the relationship between France and America has resulted in a diplomatic performance far in excess of that expected of an entertainer, no matter how great his art. His potential as a future interpreter of the American he knows so well promises equally as much as his past endeavors have accomplished. In short, he is a good ambassador, a master of the art which is understanding people.

Indeed, it is the uncommon humanity of Maurice Chevalier that colors not only his career but, more profoundly, his person. He knows, and projects, a pure joy of living that awakens in his audience a feeling of goodness, of spontaneous well-being. His character is imbued with quality, dignity, and taste.

His career has spanned 70 of his 80 years. He is as inseparable from the Paris of which he is the timeless archetype as his "little sister"—the Eiffel Tower. Indeed, he exclaims, the little sister is 6 months younger than he. And yet, like her, he is oblivious to time, seemingly ageless.

> To retire is the beginning of death—

He exclaims:

> I am an old man who refuses to be an old man.

Thus he will continue to make records, to supervise television shows, to project the spirit of youth to his admirers. And he will, I am certain, assume with increasing effectiveness his role of public service, the humanizing influence which is his hallmark, the badge of his identity. Perhaps an American film producer will see the potential in the story of his remarkable life and his outlook on life.

He is a man who believes that the crime of loving is to forget; and, he explains, "I never forget." Nor is he likely to be forgotten. He has been the spirit of France, the essence of life well lived, far too long for his warmth and vitality quickly to diminish in the eyes of the world. Nor does his Gallic spirit give evidence of diminishing. For, as he has said:

> An artist carries on throughout his life a mysterious, uninterrupted conversation with his public.

That conversation has been an uninterrupted dialog of good will. The mystery lies only in his inability to feel the baser and petty grudges which occasionally plague the best of men.

I am proud of my friendship with Maurice Chevalier; and I anticipate many more years of rapport between the world and one of its greatest and most entertaining and most significant and beloved citizens.

CONSUMER PROTECTION

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. HANNA. Mr. Speaker, today, I am introducing two far-reaching consumer protection bills. In doing so, it is only proper that I acknowledge an important role played by my good friend and colleague (Mr. ROSENTHAL) in his preparation.

DEPARTMENT OF CONSUMER AFFAIRS BILL

During the last several years, the Congress has enacted a large number of important consumer laws but without any consideration of how these laws, in toto, should be administered or by whom. Thirty-three Federal departments and agencies in Government are now administering some 260 consumer protection programs. These programs, proliferated as they are throughout the Government and almost always administered by agencies having overriding interests to protect, provide the American consumer with uneven and weak protection.

The steadily increasing body of consumer laws to be administered by the Federal Government is now beyond the efficient reach of any haphazard combination of agency appendages. This was of urban problems in 1965 when the Department of Housing and Urban Development was established; it was true of transportation problems in 1966 when the Department of Transportation was created; it is true today of consumer problems.

Two recent examples of the organizational weaknesses in the Federal consumer protection apparatus can be found in the administration of the Fair Package and Labeling Act and in title I of the Credit Production Act—Truth-in-Lending. Administration of the Packaging and Labeling Act is divided among three agencies—the Federal Trade Commission, the Food and Drug Administration, and the Department of Commerce. Responsibility for the enforcement of the Truth-in-Lending Act is vested in nine separate Federal agencies.

The lesson of public administration in the United States is that inefficient organization inhibits effective policy. If consumer protection at the Federal level is to be truly effective, if gaps and duplications in consumer programs are to be eliminated, then a single institutional framework for action must be created—a Cabinet-level department devoted exclusively to representing and protecting the consumer interest.

BILL TO PROVIDE FEDERAL GRANTS-IN-AID FOR THE ESTABLISHMENT AND STRENGTHENING OF STATE AND LOCAL CONSUMER PROTECTION OFFICES

It has long been evident to me that consumer protection, like so many other areas of great public concern, requires a joint and cooperative effort by Government at the Federal, State, and local levels. Because commerce is frequently interstate in character, it is inevitable that the fortunes of consumers will be affected, for good or for ill, by Federal Consumer programs, practices and procedures.

Nevertheless, it is essential that consumer problems of a State and local nature must be handled effectively at the State and local levels.

There is substantial evidence that consumer protection efforts at the State and local levels are being hampered by weaknesses and inefficiencies in the Federal consumer protection apparatus, and that consumer protection at the Federal level is being hampered by the absence of effective consumer protection at State and local levels. As a result Federal and local agencies assigned with consumer responsibilities are deprived of valuable opportunities to exchange information and ideas relative to fraudulent, deceptive, or unfair practices that disadvantage consumers.

The concept of providing Federal financial assistance to the States and localities for the establishment or strengthening of consumer protection offices is not new. However, the legislation which I propose avoids, I believe, many of the weaknesses of prior bills on this subject.

For example, prior bills:

First. Have vested authority for the administration of the consumer grant program in either the Department of Commerce—an agency devoted to the cause of producers—or the Federal Trade Commission—an agency which can barely administer existing consumer protection laws. My bill vests in the Secretary of Health, Education, and Welfare, through his new Office of Consumer Services, the responsibility for administering the grant program;

Second. Have provided for a single statewide consumer office only and, thereby, would have effectively blocked progressive local governments from participating in the program. My bill authorizes the participation of both State and local governments.

Third. Have authorized Federal funds on a nationwide basis only thereby raising the possibility that the more aggressive States would monopolize all or most of the funds. My bill sets aside Federal dollars for each of the 50 States and Puerto Rico on an equitable basis until such time as a State or local government within a State chooses not to participate in the plan. This, I believe, will encourage the establishment or strengthening of consumer offices throughout the country in all 50 States and Puerto Rico;

Fourth. Have attempted to define each and every type of action that would constitute a violation of the rights of consumers in the marketplace. My bill, within certain guidelines to be enforced by the Department of Health, Education, and Welfare, provides the States and localities with maximum latitude in deciding what type of act violates the rights of consumers and what type of consumer program is most likely to effectively combat such violations.

Fifth. Have excluded worthy nonprofit private organizations from participation in the grant program. My bill authorizes their participation when they are approved by the State or local government.

The summaries of the two consumer protection bills follow:

SUMMARY OF LEGISLATION TO PROVIDE FEDERAL BLOCK GRANTS TO STATES AND LOCALITIES FOR THE ESTABLISHMENT AND STRENGTHENING OF CONSUMER PROTECTION OFFICES—THIS BILL AMENDS THE INTERGOVERNMENTAL COOPERATION ACT OF 1968

Sec. 701(a)(1) and (2). This section finds that protection of the consumer interest in America requires cooperation and coordination of and a joint effort by government at the Federal, State and local levels; and states that the purpose of the Act is to strengthen cooperation and coordination in consumer protection by funding Federal financial assistance to the States and localities for consumer offices.

(b) Authorizes the appropriation of the sum of $5 million for the fiscal year ending June 30, 1970; and $7.5 million and $9 million for the two successive fiscal years.

Sec. 702. Definitions

Sec. 703. Authorizes the Secretary of Health, Education, and Welfare, through his Office of Consumer Services, to make grants pursuant to the provisions of the Act.

Sec. 704. Directs the Advisory Commission on Intergovernmental Relations, upon request of the Secretary of Health, Education, and Welfare, to perform certain studies and develop information relative to the effectiveness of State and local consumer protection offices and the adequacy of Federal and State cooperation in the consumer protection field.

Sec. 705(a)(1). Allots to each of the 50 States and the Commonwealth of Puerto Rico for the purpose of establishing or strengthening consumer offices, $50,000 for the fiscal year ending June 30, 1970 and $75,000 and $90,000 respectively for the 2 successive fiscal years. Ten thousand dollars is allotted to each possession for each of the three related fiscal years.

(2) From the remainder of the sums appropriated for each of the three stated fiscal years, each of the 50 States and Puerto Rico is authorized to receive an amount which bears the same ratio to such remainder as the population of the State and Puerto Rico bears to the population of all the States and Puerto Rico.

(b) Provides that within each of the three named fiscal years, the unused portion of any State's allotment shall be available for reallotment to the other States.

Sec. 706. Provides that a State or local government shall be eligible to receive its Federal allotment if—

(1) the consumer protection office has been established or designated;

(2) the consumer protection office has submitted a Consumer Plan which meets the requirements of Sec. 707;

(3) Federal funds will not supplant State or local funds in those instances when an operating consumer protection office is in existence on the date of enactment of this Act.

Sec. 707(a). Requires that the Consumer Plan, pursuant to which the consumer office shall operate,

(1) be in such form and in such detail as may be required by regulations of the Secretary of Health, Education, and Welfare; but affords the States and localities wide latitude in establishing consumer programs and activities;

(2) provides for detailed cooperation between Federal consumer protection agencies and States and local consumer protection offices;

(3) sets forth appropriate fiscal controls and accounting procedures;

(4) prescribes the Federal share of the cost of the consumer office, which shall not exceed 75%.

(c) Authorizes the Secretary of Health, Education, and Welfare, to withdraw or withhold funds from consumer offices which do not substantially comply with the approved Consumer Plan.

Sec. 708. When the total dollar amount necessary to fund the Consumer Plans of more than one applicant within a State exceeds the allotment available to that State, the Secretary of Health, Education, and Welfare, shall select which plan(s) shall be funded in accordance with priorities which he shall establish by regulation.

Sec. 709. Establishes "due process" procedures in those instances in which a proposed Consumer Plan is rejected by the Secretary of Health, Education, and Welfare or funds are withdrawn from a Plan previously approved.

Sec. 710. Requirement for annual report from Secretary of Health, Education, and Welfare on administration of the Act.

SUMMARY OF H.R. 6629—A BILL TO ESTABLISH A DEPARTMENT OF CONSUMER AFFAIRS

Sections 1–4. Title, Establishment, Officers and their duties.

Section 5. Sets forth the broad functions of the Department:

To protect and promote the interests of the people of the United States as consumers of goods and services;

To present the consumer viewpoint before federal departments and agencies in the formulation of policies of the federal government;

To represent the interests of consumers of the United States in proceedings before courts and regulatory agencies;

To assemble, evaluate and disseminate information helpful to consumers.

Section 6. Transfers all functions, powers and duties of certain agencies or parts of agencies with major consumer responsibilities to the Department as follows: (1) All functions, powers, and duties vested in the Secretary of Health, Education, and Welfare, the Federal Trade Commission, and the Secretary of Commerce by the Fair Packaging and Labelling Act (PL 89–755; 80 Stat. 1296); and (2) All functions, powers and duties under Title I (Truth-in-Lending Act) of the Credit Protection Act (PL 90–321); (3) Those elements of the Consumer and Marketing Service, Department of Agriculture, which relate to the standardization, grading, or classing of agricultural commodities for consumer consumption; (4) All functions, powers and duties vested in the Secretary of Health, Education, and Welfare under the Federal Food, Drug, and Cosmetics Act which relate to establishing for any food a reasonable definition and standard of identity, standard of quality, and/or standards of fill of container and the misbranding of food; (5) The division of prices and cost of living at the Bureau of Labor Statistics of the Department of Labor; (6) The Home Economics Research Branch and the Human Nutrition Research Branch of the Agricultural Research Service of the Department of Agriculture.

Section 7. Authorizes the Department to appear before any regulatory agency and most courts of the United States on matters or proceedings affecting the interests of consumers within the United States.

Authorizes the Department to appear before any department or independent agency of the United States whenever there is pending any matter the determination of which affects substantially the interests of consumer within the United States.

Section 8. Requires the Department to receive, evaluate and take appropriate action with respect to complaints concerning commercial and trade practices detrimental to the interests of consumers. Action to secure relief for a complainant would be taken by the Department in those instances when the subject matter of the complaint falls within the Department's jurisdiction. Complaints involving the jurisdiction of other departments and agencies would be referred to the appropriate agency.

Similar action would be taken or requested by the Department whenever the Department received information disclosing a probable violation of (1) any law of the United States, (2) any rule or order of any administrative officer or regulatory agency of the United States or (3) any judgments, decree, or order of any court of the United States, relating to the interests of consumers.

Section 9. Establishes within the Department an office of consumer information presided over by an Assistant Secretary. This office would be responsible for providing consumers with information and data concerning (1) the functions and duties of the Department, and (2) problems encountered by consumers generally within the United States, including particular practices which are detrimental to the interests of consumers, (3) information within the possession of the federal government relating to consumer products.

Section 10. Establishes as a semi-autonomous unit within the Department a National Consumer Information Foundation. The Foundation would administer a voluntary program under which manufacturers would submit their products for testing against specified performance characteristics. The comparative results of these tests would be indicated on information tags affixed to the product in order that the consumer might be better able to judge the relative merits of competing products.

Section 11. Establishes within the Department an Office of Consumer Safety headed by an Assistant Secretary. This office shall conduct a continuing study of the safety of household products and shall identify and publish information concerning these products determined to present an unreasonable hazard to the health and safety of the consuming public.

Section 12. Establishes an Institute for Consumer Research, the major responsibilities of which are to test products for the Consumer Information Foundation and make recommendations to other agencies of the government as to the need for consumer research of various kinds.

Section 13. Requires the Department to conduct economic surveys and investigations with respect to a wide range of consumer interests.

Sections 14–17. Administrative services, saving provision, definitions and appropriations.

FEDERAL REVENUE SHARING

HON. HOWARD H. BAKER, JR.

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. BAKER. Mr. President, during the last session of Congress approxi-

mately 100 Federal revenue-sharing bills were introduced. Several similar measures have already been introduced this session, and I intend to reintroduce my bill within the next few weeks.

I think it appropriate that a resolution introduced in the Tennessee General Assembly calling for enactment of a Federal revenue-sharing proposal be printed in the RECORD. I ask unanimous consent for that purpose.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE JOINT RESOLUTION 8

(By Huettel, Dunavant, Weldon, Ashe, and Krieg)

A resolution to petition the President and the Congress of the United States to consider legislation leading to the annual return of a portion of federal tax revenue to the states without conditions or guidelines

Whereas, the fiscal needs of the states have reached such high proportions and are ever increasing; and

Whereas, the high rate of federal taxation on the citizens, businesses, and industries of the states makes further adequate taxation by the states for these needs extremely burdensome; and

Whereas, the priority of needs and the equitable disbursement of funds for each state can best be determined by the legislature of each state; now, therefore,

Be it resolved by the House of Representatives of the 86th General Assembly of the State of Tennessee, the Senate Concurring, That the President and the Congress of the United States be petitioned to consider legislation leading to the annual return of a portion of federal tax revenue to the states exclusive of conditions or guidelines.

WASHINGTON TO BE FOOTBALL CAPITAL: LOMBARDI

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. TIERNAN. Mr. Speaker, I am sure that the advent of Vince Lombardi means a great deal to the thousands of football fans, not only here in the District of Columbia, but throughout the country. Coach Lombardi's "commitment to excellence" offers a note of encouragement to all of us who have waited in vain for something to cheer about on those long Sunday afternoons at the Robert F. Kennedy Memorial Stadium.

Martin F. Nolan, the astute national correspondent of the Boston Globe, pointed out that as the "new director of policy planning for offense and defense", Coach Lombardi's regime "would alleviate suffering among the most destitute of 'forgotten Americans'—followers of the Washington Redskins football team."

At this point in the RECORD, I include Mr. Nolan's observations taken from today's Boston Globe:

WASHINGTON TO BE FOOTBALL CAPITAL: LOMBARDI

(By Martin F. Nolan)

WASHINGTON.—The most forceful public figure here since Teddy Roosevelt announced his "get tough" policy yesterday. Vincent T. Lombardi, new director of the bureau of policy planning for offense and defense, indicated that his regime would alleviate suffering among the most destitute of "forgotten Americans"—followers of the Washington Redskins football team.

The new head coach, general manager and executive vice president of the Redskins romped through his first press conference here, an elfin grin creasing his broad flat face.

Lombardi's left-wing philosophy is generally confined to that side of the won-and-lost column, but yesterday he was as liberal as a Manhattan congressman, freely forecasting that Washington would soon be "the football capital of the world."

He offered one note of conservatism, saying "despite what you may have heard, I can't walk on the Potomac, even when it's frozen."

Freed from his chores at Green Bay, Wis., Lombardi was as blunt as conscience would allow. "There are great and wonderful people at Green Bay and you guys should say that," he said.

Then why had he left? "The East appealed to me. I've been an Easterner all my life. And the city appealed to me. Washington is the Capital."

"Ed Williams appealed to me," he said of the Redskins' president, who sat near Lombardi during the press session at the Chandelier Room of the Sheraton Carlton Hotel.

As a high-powered lawyer, Williams has cowed many a jury; yesterday he seemed as meek as a law student in tow with Clarence Darrow.

What will be the coach's working relationship with the club's president, Lombardi was asked. Williams piped up for the only time: "I asked him if I can have my same season's seats next year." Lombardi added "I now have Mr. William's office," thus ending all doubt of Lombardian hegemony.

Lombardi explained why he returned to active coaching: "It was the biggest mistake I ever made, leaving the field. It was stupid."

And had Mrs. Lombardi dutifully comforted him during his frustrating year of general managership at Green Bay? "She told me I was a damn fool to give up coaching. She's glad I'm going back to it."

The Wizard of the Packers succeeds Otto Graham, former quarterback of the Cleveland Browns, whose first efforts at pro coaching failed to live up to expectations. Nearly every Monday, Graham would explain the team's loss to "mental errors" on the part of his charges.

Lombardi too is an amateur psychoanalyst, but seems less tolerant of error than Graham. "Being hard nosed isn't physical. It's mental. I mean, when you put on your pants, you should be physically tough to begin with."

Later, Lombardi almost blushed when asked if he were as tough as his reputation. "No, not really. I'm a soft guy at heart."

On his favorite subject, a running game, the former Fordham "block of granite" lapsed enthusiastic. "I get a great deal of pleasure out of coaching a running game. I personally like it. It makes you a little more hard nosed. You know, you don't have to have great runners. You do have to have great blockers."

Among the Packers, Lombardi had such—Forest Gregg, Bob Skoronski and Jerry Kramer, whose "Green Bay Diary" placed him on the best seller list.

The most famous Washington Redskin is Sonny Jurgensen, the former Duke ace, whom Lombardi psycoanalysed as "a great quarterback, a great passer with great receivers, a quarterback with courage."

In Washington, Jurgensen is noted more for his flamboyant behavior after hours and a waistline of consequent proportions.

In that connection, someone asked Lombardi if there might be more "distractions" in Washington than in Green Bay.

"I know what you mean by distractions" the coach replied. "The city of Washington may have a lot of bars, but Green Bay has 15 times as many. They have one on every corner and two or three in between. We'll handle things all right and have as few rules as we can get away with."

Despite any Redskins' past peccadilloes, he said, "everyone starts fresh. It's the only decent way, it's the only possible way—everyone will be a new face."

Will Vince Lombardi have a new face?

The answer from a glowering, halffrown, half-grin: "I don't think that's necessary."

THE SITUATION IN CZECHOSLOVAKIA—FEEDING THE FLAMES

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. THURMOND. Mr. President, when the Soviets moved into Czechoslovakia last year, many foreign observers felt that traditional Communist suppression would fail. Thus far this view has been upheld, for a new Czech spirit is in evidence.

An editorial published in the State newspaper, Columbia, S.C., on February 3 points out that the spirit of the Czech people, especially the youth, remains undaunted, and that the public sorrowing for young Jan Palach indicates that the Czech reformers are not through yet.

The editorial further states that, although pleadings by older onlookers to avoid trouble are almost certainly a reflection of the official line, young Czechs, well schooled in the police state mentality, detect an element of sophistry in the argument.

Mr. President, perhaps the most profound statement in this excellent editorial is found in the last sentence, which states:

> Freedom, not slavery, is the natural state of man; and the desire to be free burns most passionately where freedom is most passionately suppressed.

Mr. President, I ask unanimous consent that the editorial entitled "Feeding the Flames" in the State, February 3, 1969, be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FEEDING THE FLAMES

When Soviet tanks and troops moved into Czechoslovakia last year, many foreign observers expressed the view that traditional Communist suppression would fail. A new Czech spirit had been born, the reasoning went, and Soviet occupation would serve chiefly to foment even more passionate resentments. So far, events have proved them right.

The Dubcek government, concerned for its life, has made the concessions demanded of it, and the Russian troops have been withdrawn. But the Czech spirit remains, undaunted by Russian bayonets. The self-immolation of young Jan Palach and the public sorrowing in his memory are clear indications that Czech reformers are not through yet.

Even leaders of the "establishment"—university rectors and other notables who owe their lucrative status to the Communist Party apparatus—have joined in the mourning. Their participation very plainly is intended to moderate anti-Soviet protests, but the protests have occurred anyway and on a scale large enough to suggest that the protest movement will not be so easily controlled.

"Several times Sunday," United Press International reports, "teenagers started heated arguments with police cordoning off the monument of St. Wencelas, which had become a memorial to Palach, and ignored pleas by older onlookers to avoid trouble." Dozens of the demonstrators were arrested, according to a government announcement, but hundreds participated in the action and escaped.

Statements by the "older onlookers" almost certainly were a reflection of the official line, which all along has insisted with some logic that anything short of sheepish submission may result in renewed occupation. Young Czechs, well schooled in the police state mentality, detect an element of sophistry in the argument.

The weekly newspaper *Zitrek* summed up the youthful viewpoint in an article last week. "We are still administered," the paper said, "by frightened bureaucrats, angry, aging politicians who still maintain their influence and, while speaking of democracy, would really prefer to reintroduce the whip."

It is an analysis that may not be dismissed out of hand. The Dubcek regime first introduced reforms at the insistence of restless elements whose number was such that they could not be safely ignored. Then came the Russians, and it became safer to ignore Czech reformers than to anger the Soviets. But the restlessness remains. It grows, in fact. It feeds daily on the hopelessness engendered by Dubcek's accommodation with the Russian Communists.

What remains unanswered is whether the new Czech spirit can be contained short of a complete return to old-fashioned police state methods. And even if the Czechs are beaten into submission, the Communist dilemma will remain. Freedom, not slavery, is the natural state of man; and the desire to be free burns most passionately where freedom is most passionately suppressed.

DEATH OF THOMAS W. DELZELL, RETIRED CHAIRMAN, PORTLAND GENERAL ELECTRIC CO.

HON. MARK HATFIELD

OF OREGON

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. HATFIELD. Mr. President, one of the leaders of the private utility industry of the Pacific Northwest, Mr. Thomas W. Delzell, died recently after many years of service to the Portland General Electric Co. Mr. Delzell was an avid advocate of private enterprise and also cooperated with the Federal Government on hydroelectric projects in the Columbia River Basin.

I ask unanimous consent to have printed in the RECORD editorials about Mr. Delzell published in the Oregonian and the Oregon Journal

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Oregon Journal, Jan. 24, 1969]

DELZELL HELPED BUILD REGION

Thomas W. Delzell, former chief executive of Portland General Electric Co. (PGE) was the kind of man who, in his own way, helped rebuild the integrity of the depression-damaged free enterprise system and prove at the same time that free enterprisers have a sense of social responsibility.

Mr. Delzell's rise to an executive post with the Portland-based private utility followed eight years of service as an independent trustee, appointed, along with R. L. Clark, by the U.S. District Court to reorganize the bankrupt Portland Electric Power Co.

What was then described as one of the most complicated power company reorganizations in the history of the West left PGE, in 1948, free and clear of old scandals and encumbrances but still forced to prove itself at the time of a rising tide of public power.

Along with others in the company, Mr. Delzell, who became chairman of the board and chief executive officer, helped PGE prove itself and it became both a thriving enterprise and a corporate "good citizen."

Not only did the company concern itself with problems relating to the over-all well-being of the community and region. Mr. Delzell himself gave vigorous leadership to civic, educational and social welfare activities.

While he remained thoroughly a private enterprise man, he came to see that ideological conflicts carried to an extreme could damage the region's progress. It was during his tenure that PGE, along with Pacific Power & Light Co., began the steps which have led now to private-public power cooperation on a scale that opens up bright, new vistas for the region.

Mr. Delzell, a product of the depression era, knew what it was to be down as well as up. Friends who remember him through bad times and good say he was always a kindly and decent man in both his business and social relationships.

This quality, along with his obvious talents, is one of the reasons Mr. Delzell, who died the other day, leaves a legacy of both affection and respect, as well as appreciation for the very real contribution he made to the advancement of this community and region.

[From the Oregonian, Jan. 22, 1969]

THOMAS W. DELZELL

The death of Thomas W. Delzell, retired chairman of the board of Portland General Electric Co., following closely the death of Paul B. McKee, his counterpart at Pacific Power & Light Co., marks the close of an era of the electric utility industry in Oregon and the Northwest.

The period in which these two executives and vigorous civic leaders thrived was one in which the investor-owned utilities emerged from the Great Depression and the stigma of the "Insull era," fought off the burgeoning public power movement and created competitive, highly efficient and highly profitable businesses under public regulation but private control.

Tom Delzell, who entered the utility business at California-Oregon Power Co., was appointed one of two independent trustees of the failing Portland Electric Power Co. in 1939. The company, renamed Portland General Electric and divested of its streetcars and railroad, survived. Mr. Delzell became board chairman and PGE grew and prospered as it supplied the energy for homes, businesses and industries at rates competitive with those offered by public power in the neighboring state of Washington.

Mr. Delzell fought vigorously to obtain for private utilities a "fair share" of power from the federal dams on the Columbia. Failing to impress Congress with need for a change in the public power preference clause, Mr. Delzell not only increased his company's hydropower generating capacity—moving from the Clackamas and Willamette to the Deschutes River—but joined his company with public, non-federal power agencies in joint financing of great dams on the Columbia.

When Mr. Delzell left the PGE chairmanship in 1965—after the best year to that time in PGE's history, $57.1 million in gross revenues—the new era of cooperative agreement among private utilities, publicly owned utilities and the federal agencies was already under way. The concept of joint financing and power interchange providing the life blood of regional growth now is being carried much further by such younger leaders as PGE's President Frank Warren and PP&L's President Don Frisbee.

Tom Delzell, like Paul McKee, was a fighter against public ownership and government domination. But he came to see—as did his earlier opponents in the public utility field—that the greatest benefits for his own company and the people of the Northwest lay in cooperation. His own contribution was of great value, not only to business and government, but to the community and state projects and functions to which he gave much of his time.

THE PROPOSED REGULATION OF THE FEDERAL COMMUNICATIONS COMMISSION ON CIGARETTE ADVERTISING

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. GALIFIANAKIS. Mr. Speaker, I rise to comment on the recently proposed regulation of the Federal Communications Commission which would ban all cigarette advertising from the broadcast media.

To my mind, the most unfortunate, and most inherently dangerous aspect of this proposal is the assumption, by the FCC, of the answers to many questions which have as yet not otherwise been adequately answered. And if all of the assumed answers of the Commission should be correct, and I submit that is not likely to be the case, this is not the sound and appropriate approach to solving a major health problem. The obvious inequities and implications of this proposal are too numerous and too patent to discuss them all now. But consider the most significant. I cannot understand the theory of equity and propriety which would sustain the illegality of advertising cigarettes on radio and television only, while leaving it unaffected in the other media. Furthermore, how can any advertising be made illegal while it is not illegal to manufacture, sell, possess, or use cigarettes? This latter assumption is especially difficult to understand when there has been no effort or suggestion that the Federal Government should regulate these aspects of the industry and society.

Consider also that if we permit the FCC's ban on the advertising of cigarettes to stand, would not that agency also be justified in prohibiting altogether the appearance of or mention of smoking in the broadcast media? How far would this have to be extended before we would all call it what it in fact is, Federal censorship?

Mr. Speaker, I have no doubt whatever that the FCC is well intentioned in its proposal and that it has the best interest of the Nation uppermost. But if cigarette smoking is as dangerous to health as the Commission implies, then surely there are more effective and more appropriate means of improving and protecting the health of the Nation than censorship.

Mr. Speaker, I am most reliably informed that if only a small fraction of the tax revenue derived from the sale of cigarettes were to be invested in cancer research, a cure, or means for preventing cancer, would be forthcoming in a very short time.

If this is true, imagine the speed with which a breakthrough might be obtained if the Federal Government and the tobacco industry were to jointly sponsor an intensified effort to find a cure for cancer, and to determine if the harmful effects of cigarette smoking, if any, could be eliminated. Certainly this would be an example in the finest tradition of government and industry cooperating to solve problems of mutual concern and of aiding one of the most significant humanitarian endeavors of our time.

Therefore, Mr. Speaker, I urge this Congress, instead of letting the restrictions imposed on the regulatory agencies expire, thereby letting each to independently pursue its own pet plan for solving the Nation's problems, let us maintain and exercise our appropriate responsibility in this most important matter. Let us strongly urge, insist if need be, that the administration and the tobacco industry jointly underwrite immediately a crash research program in cancer to find the cures and the scientific means of preventing cancer, and let us do it without further delay or debate.

NEW CAREERS AND VOCATIONAL REHABILITATION

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. YARBOROUGH. Mr. President, perhaps one of the most important but as yet unheralded concepts in the field of manpower training and development is that of new careers. Although woven into the fabric of many of our laws, including the Vocational Education Act, the Higher Education Act, the Vocational Rehabilitation Act, and the Elementary and Secondary Education Act, it has yet to receive the attention and consideration that is its due. One of the leading experts in the field of new careers is Dr. Russell A. Nixon of the Center for the Study of the Unemployed at the Graduate School of Social Work, New York University.

Last November Dr. Nixon made the keynote speech at the research utilization conference on "Rehabilitation in Poverty Settings" conducted by the Department of Rehabilitation and Special Education of Northeastern University, Boston, Mass., in collaboration with the Social and Rehabilitation Services of the Department of Health, Education, and Welfare. Although broad in scope, the speech sheds considerable light on the field of new careers.

I ask unanimous consent that Dr. Nixon's speech, entitled "Poverty in the United States—Some Implications for Rehabilitation Research and Action," be printed in the Extensions of Remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

POVERTY IN THE UNITED STATES—SOME IMPLICATIONS FOR REHABILITATION RESEARCH AND ACTION

(By Russell A. Nixon, Ph. D., New York University)

This conference which brings together personnel and perspectives of the nation's rehabilitation and anti-poverty programs is very timely and relevant to our most pressing national problems. Its initiators and planners are to be congratulated. We are meeting at a time when, for a variety of reasons, a significant convergence is developing between vocational rehabilitation and the manpower/anti-poverty programs of the country. It is a time of critical over-all evaluation of the effectiveness of national efforts to end poverty and poverty-creating unemployment. This is also a time when a major new Congressional mandate has just been given to the rehabilitation services requiring them to help meet the vocational needs of those disabled by social and economic handicaps—the so-called "hard core"—structural unemployed—and to reach more deeply into the ranks of poverty to serve the traditional target population with physical and mental handicaps.

The continued existence—after 92 months of uninterrupted economic advance—of massive economic privation caused primarily by the lack of good and realistic employment opportunities for everyone is irrevocably high on our national agenda. Election results and variations in official and political commitments cannot really change this emphasis. The dynamite of public and private poverty lies with a thousand fuses under every city. Studying those areas where the fuses were lit in 1967, the bipartisan National Advisory Commission on Civil Disorders concluded:

"Pervasive unemployment and under-employment are the most persistent and serious grievances in minority areas. They are inextricably linked to the problem of civil disorder. Despite growing federal expenditures for manpower development and training programs . . . about two million—white and non-white—are permanently unemployed. About ten million are underemployed, of whom 6.5 million work full time for wages below the poverty line . . ." (*Report of the National Advisory Commission on Civil Disorders*, March 1, 1968).

For almost a decade the country has been engaged in extensive study, legislative action, program implementation and experimentation aimed at the poverty and manpower problems of the disadvantaged quarter of our population. It was in 1959 that Senator Eugene McCarthy's (D-Minn.) Special Senate Committee on Unemployment Problems with Dr. Sar Levitan as its Research Director, held wide ranging hearings and recommended national action to combat unemployment. There followed a whole series of legislative enactments: The Juvenile Delinquency and Youth Offenses Control Act in 1961, the Manpower Development and Training Act of 1962, the Vocational Education Act of 1963, the Economic Opportunity Act in 1964, and a series of civil rights, education, health, urban affairs, and other manpower related laws. During this almost 10 year period many poor persons have received valuable assistance, government and other concerned persons have performed some extraordinary services, much experience has been had and valuable lessons have been learned. But with all this, two grave facts must be confronted:

First—The Poverty Cycle has not been broken. The latest analysis by Mollie Orshansky of the Social Security Board tells us that in 1966 fifty million Americans—25 percent of the total population—were "economically deprived." This income level is described by Miss Orshansky as one that "by no means guarantees that diets will be adequate, (while) families spending less are more likely to have diets falling below the recommended allowances for some important nutrients." (Orshansky, "Counting the Poor: Another Look at the Poverty Profile", *Social Security Bulletin*, Jan. 1965, p. 6.) It includes the categories "poor" and "near poor" with a typical four person family annual income of less than $4,300. Public assistance recipients in the 50 states now total almost 10 million persons compared with less than 8 million in 1963. For example, in New York City, 1968 welfare costs have become the biggest single budget item taking 23 percent of total City revenue, and soon one million New Yorkers, one of every eight, will be on welfare.

Second—Structural "hard-core" unemployment has not been significantly reduced. Indeed, for major "hard-core" categories such as non-white youth, "there has been a drastic deterioration . . . since the fifties" (R. A. Gordon, "Unemployment Patterns with 'Full Employment,'" *Industrial Relations*, October 1968, p. 62). In the slum areas adult and youth non-white and Puerto Rican sub-employment is at a shocking level, little changed from 1960. (*op. cit.*, pp. 64–66)

The remarkable factor about this stubborn continuation of "hard-core" unemployment is that it has been maintained between 1961 and 1967 while the official unemployment rate fell from 6.7 percent to 3.8 percent, while 9.5 million new jobs were created (civilian and armed forces employment), and while total unemployment declined from 4.7 to 3 million persons.

Since 1960 there have been two stages of development in the overall balance of employment and unemployment: from 1961 to the end of 1965 the official unemployment rate decreased from 6.7 percent to 3.8 percent, a yearly reduction of about .6 of a percentage point; from late 1965 until the present time the unemployment rate leveled off at 3.8 percent, the level for 1966, 1967, and 1968. Thus, for three years now, the economy has been at the level of less than 4% unemployment, generally accepted as at least the first approximation of full employment. At this level, national economic policy has turned to avoiding any general reduction in unemployment achieved through increasing overall economic demand. As the President's Council of Economic Advisors put it in their 1967 *Annual Report* (page 99):

". . . the experience of 1966 clearly suggests that expanding demand cannot lower the unemployment rate much below the present level without bringing an unacceptable rate of price increase. Under present conditions, an over-all unemployment rate close to 4 percent appears to be associated with an approximate balance between supply and demand in most labor markets."

Debate continues as to whether economic policy should aim at an even tighter labor market with unemployment totals reduced another percentage point or two, by 700,000–1,500,000 persons, in spite of the inflationary threat this expansion might cause.

The Business Council for example, has recently suggested a rise of unemployment to 5.5 percent, an addition of about 1.5 million unemployed, in order to stabilize the price level. Obviously, how this debate is settled is of great importance to all manpower and vocational rehabilitation efforts.

But for the time being, attention can be focused on the residual unemployment remaining when the overall jobless rate is below 4 percent, on the "hard-core" structural unemployed which the economic boom-war economy-antipoverty-manpower syndrome has not been able to dissolve in the past ten years. Vocational rehabilitation has been challenged to join its experience, philosophy, resources and processes in combination with existing manpower-antipoverty programs to meet the problem. That challenge, that obligation, is explicit in the major 1968 Amendments to the Vocational Rehabilitation Act.

A NEW ANTI-POVERTY THRUST—VOCATIONAL REHABILITATION AMENDMENTS OF 1968

Congress has added a new and extremely enlarged dimension to vocational rehabilitation. The main features of this new legislative mandate are:

First—Major rehabilitation services are now to be supplied for disadvantaged persons whose employability is impaired by social and economic handicaps;

Second—Vocational rehabilitation is to become more directly involved in general labor market problems and procedures, with enlarged "vocational evaluation and work adjustment" functions, new on-the-job training arrangements with private employers, and increased emphasis on job development.

Third—A strong new emphasis on extending all vocational rehabilitation services into the ghetto, for both urban and rural poor, and to the especially severely handicapped.

Fourth—New Career-nonprofessional job opportunities are to be developed to meet manpower needs of the rehabilitation and other human services, to provide new employment opportunities for the handicapped, and to improve the rehabilitation service delivery system, especially as it relates to the socio-economic disadvantaged.

In an entirely new section, the 1968 Vocational Rehabilitation Amendments provide for "vocational evaluation and work adjustment services . . . to distadvantaged persons" who are defined as "individuals disadvantaged by reason of their youth or advanced age, low educational attainment, ethnic or cultural factors, prison or delinquency records, or other conditions which constitute a barrier to employment."

The services to be provided include both a preliminary and a thorough diagnostic study to determine service needs, and appraisal of the individuals' vocational potential including work sample testing, "any other goods or services necessary to evaluate employability," and finally "outreach, referral, and advocacy."

Two observations can be made regarding this new legislative provision:

First—The definition of disadvantaged persons now included in the vocational rehabilitation legislation is a complete and clear description of what is generally referred to as the "hard-core" unemployed—the residual section of the counted or potential labor force remaining unemployed at a time of general "full employment." It is the employability and employment—the vocational rehabilitation—of this residual group which is the main problem and the main purpose of existing manpower and human resources programs.

Second—The services to be provided—outreach, recruitment, employability and vocational diagnosis, work sample testing, and referral—are the essential and very major initial steps of any manpower program aimed at the "hard-core" unemployed. They prepare the way for training, job development, and placement to complete the manpower process.

Intimately related to this new dimension of rehabilitation service is the New Careers Amendment to the Vocational Rehabilitation Act. The Secretary of Health, Education, and Welfare is authorized to "make grants to State vocational rehabilitation agencies and other public and private nonprofit agencies to enable them to develop new programs to recruit and train individuals for new career opportunities in order to provide manpower in programs serving handicapped individuals and to upgrade or expand those services." Such grants are also authorized "to recruit and train handicapped individuals to provide them with new career opportunities in the fields of rehabilitation, health, welfare, public safety, and law enforcement, and other appropriate public services employment."

It is essential to recognize that this "New Career" provision has a very special and well defined meaning—initiated and defined by the Congress itself and by these particular committees in other legislation. "New Careers" is not just an added program of utilization of more numbers of nonprofessional, para-professional, auxiliary, or supportive personnel. "New Careers" is a phrase of art—legislatively validated—which describes a program of major change in the recruitment, training and education, occupational advancement, status and utilization of nonprofessional personnel—it has profound implications for the entire system of service delivery, for the definition and reconstruction of occupations, for the conventional requirements of degrees and licenses as credentials necessary to work, and for change and enhancement of the role of the professional.

The New Career program is responsive to three major aspects of vocational rehabilitation as it becomes increasingly involved in the attack on poverty:

First—It is essential to help meet the enormous manpower shortages in the rehabilitation services. These shortages are well documented and can be expected to become more severe. They have already limited the expansion of rehabilitation and promise—unless drastic action is taken—to gravely curtail work in the future.

Second—The New Careers programs fits into efforts to direct rehabilitation services increasingly into the ghetto, to the non-English speaking population, into the community and neighborhood on a decentralized basis, and to the socio-economically disadvantaged. Dramatic experiences in other human service fields are revealing the enormous capacities represented by "new careerists" and their ability to bring new and unique levels of communication, understanding, and service.

Third—The New Careers program can and should open new vocational opportunities for the physically handicapped and for the socio-economically deprived. We are uncovering great human thrusts of ambition, self-esteem, and mobility when given opportunities for meaningful "New Career" employment.

There are many very difficult problems to be faced before the New Careers amendment can be effectively implemented. Careful research, planning, and experimentation are essential to make sure that "New Careers" enhances human services and validates the role of the professional. But successfully developed, New Careers will prove to be an essential ingredient for the success of vocational rehabilitations efforts to meet its new and expanded service obligations to the disabled and disadvantaged poverty population.

Changes and developments in *both* the anti-poverty/manpower programs and in rehabilitation have joined to bring these efforts together.

Some basic lessons have been learned from the experience of the anti-poverty/manpower programs. It is clear now that the socio-economic wounds of ghetto, racist, unemployed poverty living are deep wounds, traumatic injuries which cannot simply be wiped away by traditional manpower training, quick refresher courses, and the generally high employment that comes with "national prosperity." As Gunnar Mydral put it, an important part of American unemployment is "structural," resulting from the fact that poverty, poor training and poor education, plus previous unemployment has "destroyed" a part of the labor force. Five years ago economists debated whether unemployment was structural, or due merely to inadequate demand in a lagging economy. Experience suggests that both views were correct. Much seemingly "hard-core" unemployment did dissolve when washed with opportunity, and doubtless much of today's residual unemployment would disappear with even a tighter labor market. But for an important part of the poverty-unemployed, the "hard-core," we have yet to discover the solvent formula.

It has also become clear that the "hard-core" jobless have multiple and inter-related wounds. Poverty, physical and mental deficiencies, low education, lack of training, alienation, age and race and cultural problems, are all bound up together.

As a result of these experiences, the "vocational rehabilitation" efforts of the anti-poverty and manpower programs have had to move increasingly toward more intensive and continuing attention to the unemployed on a case by case basis. In the Chicago JOBS program, for example, a "coach" is assigned to each youth in the program, and the close coach-client relationship is maintained from recruitment through all phases of training and placement until months of stable work have been achieved. This "trainer-coach" procedure is being widely adopted, in an obvious parallel to the services long represented by the vocational counselor.

The manpower programs have found it necessary to provide comprehensive services to the jobless, to add a whole array of remedial and supportive services to the traditional activities of training and placement. Health care, counseling, legal aid, family assistance, and social services have been required. These are basic service moves by anti-poverty/manpower programs toward vocational rehabilitation methods and content of services.

During this time, the process of change also has been at work in vocational rehabilitation. Now the need for change in, and addition to, the rehabilitation arsenal of services is greatly accelerated. The sheer growth in the size of vocational rehabilitation, and now the thrust into the poverty problem, require a much more direct concern and relationship with the general labor market. The recommendations of the National Citizens Advisory Committee on Vocational Rehabilitation for counselor training curriculum really applies to all phases and levels of the service—the Committee urged "greater emphasis on nature and content of jobs, job families, inter-relationships of jobs, structure of industry, techniques of placement, practical aspects of the world of work, how to get labor market information and selective placement techniques."

Job development has been the least attended to and the most intractable problem of the manpower effort, and it has been, in the words of the recent Senate Labor Committee Report *Toward Economic Security For The Poor*, "the weakest link even though it is the most important." Effective and expanded vocational rehabilitation must confront this problem much more directly.

But most importantly, as rehabilitation moves into the area of the socio-economically disadvantaged it confronts new situations where at least some of its traditional tests and therapy will not apply. It becomes necessary to go beyond attention to "individual pathology and personal failure" into consideration of general social, cultural, economic, and even political factors. As the Senate Labor Committee put it in the *Report* just mentioned:

> " . . . Community manpower programs must deal with certain social-psychological factors which prevent many of the poor from obtaining and holding jobs. Certain poor people seem to be committed to a particular style of life which prevents them from coming out of their geographical areas of friendship groups if required to do so to obtain employment opportunities. Some even fear success in training programs because they would then enter new job situations which are strange and unsettling and thus a break from the accustomed way of life."

A new emphasis on outreach and recruitment becomes necessary. There is a new level of demand by the poor themselves for participation, decisive participation, in programming their own human reenforcement. Part of this insistance is based on the rising demands of ethnic minorities to redress their status and role, and part is simply grass roots democracy. In any event we are passing beyond the original OEO "maximum feasible participation" of the poor to new levels of demand for neighborhood and community control. These trends suggest major institutional changes in our human service delivery systems—they suggest *extensive decentralization* and the need for *new types and locations of service facilities* to meet the vocational rehabilitation needs of the poor.

The implications of these developments were outlined by Professor Reuben Margolin and his collaborator Simon Olshansky in a remarkably perceptive article in 1963 titled "Rehabilitation as a Dynamic Interaction of Systems." Posing a contrast with the view of rehabilitation as a "simple transaction between a single counselor and single client," they emphasized . . . "the need for understanding and dealing not only with psychodynamic but also sociodynamic forces. The latter constitute external forces which could conceivably entrap an individual and preclude successful rehabilitation even in those cases where the client is highly motivated" (*Journal of Rehabilitation*, May–June, 1963). These suggestions of five years ago are even more relevant today, and now even imperative for the new mission of rehabilitation.

The new responsibilities assigned by Congress to vocational rehabilitation assume that it will become an increasingly important part of a total human resource and anti-poverty system. As the House Labor Committee Report on the 1968 Amendments stated the legislative intent:

"Disadvantaged people . . . should be able to look to the rehabilitation program as one of the resources available to them and to know that it is ready to serve them whenever possible . . . Broadening our capability to serve all the disadvantaged will make rehabilitation evaluation services available to individuals in several multiagency programs in order to determine a plan of action through vocational rehabilitation or through other programs."

Some rehabilitation linkages with other antipoverty/manpower programs already exist, and since 1967 the Rehabilitation Services Administration has been a signatory to the Cooperative Area Manpower Planning System (CAMPS). It is obvious that a much greater degree of linkage with other agencies and programs will now be required. Unfortunately, that is not a simple matter, because the existing anti-poverty/manpower complex has been noted for its *lack* of coordination and its overlapping jurisdictions and programs. As Yale Professor E. Wight Bakke commented, "When we survey the vast dispersion of these tasks that fall logically and necessarily under the employment and manpower umbrella, the first inclination is to throw up our hands in despair at ever achieving any integrated direction and coordination." As it has done on several occasions, the Senate Labor Committee in its latest *Report* on the anti-poverty/manpower programs complains that a "basic defect" is that the programs "are not effectively linked to form a total manpower system" and that "This lack of an effective system was quite apparent . . . during the course of its examination of the poverty program, for it found widespread evidence that Federal manpower programs are badly fragmented."

It is within this background of much effort, of some progress, but of basic failure so far to solve the problem of "hard-core" unemployment that vocational rehabilitation enters the anti-poverty/manpower program. How can research be developed and utilized to help solve the yet unsolved problems, to guide the more effective choice of alternative policies and programs, as rehabilitation confronts the vocational needs of the disadvantaged? How can the already existing research resources and processes of rehabilitation be adapted and extended to this additional and different target population of the socio-economic disadvantaged? That, of course, is the concern of this conference. It would be presumptuous of me to think I have the answers to these questions. But let me participate in the discussion by making the following comments.

First—The absolutely priority question is whether there is a sufficient demand to absorb the residual unemployed, and if there is not, how can that demand be created. This question applies on an overall national basis, but more specifically it applies for the ghetto and depressed areas of concentrated unemployment. Unless this "demand" question is settled, efforts on the supply side are doomed to frustration. To some degree this depends on matters not subject to research but to politics and national policy. But research can and must clarify the facts on the demand side of the labor market equation if rational vocational evaluation and employability preparation are to be undertaken.

In 1962 in the New York *Times*, Dr. Howard Rusk complained that the generally high unemployment rate existing then had a grave effect on jobs for the handicapped in spite of progress in the service itself. Margolin and Olshansky in the article already mentioned said that "The major paradox in our society is that much manpower salvageable through rehabilitation is not required. This paradox probably negatively influences clients seeking rehabilitation as well as professionals serving these clients." Significantly and ominously the small rise in overall unemployment during 1967, from 3.7 percent in January to 4.3 percent in October led to a rise in the teenage unemployment rate from 11.1 percent to 14.8 percent.

The Senate Labor Committee has just reported that "Even if all current job openings were filled, there remains a job gap of at least 2.4 million between the number of persons able and willing to work and the total number of jobs." Is this approximately accurate? If so, how can the gap be closed so that job development has a solid chance of success in each labor market area and so vocational evaluation and work adjustment can be realistic? What is the mix of job creating incentives to private industry, public service jobs, "government as the employer of last resort," and even sheltered workshops that is required to make full employment a reality in *every community?* At what point should we give up the struggle for employability and vocational adjustment and turn to some form of guaranteed income unrelated to work to meet the problem of poverty? How do we relate a handicapped person's limited productive capacity to the hard realities of private enterprise competitive employability?

A second, crucial factor concerns the motivation to work, to apply for work, to take training, and to remain at work. This is closely related to the question of full employment, for it depends to a large extent on the type, quality, and prospects of work opportunities. It is a common view that the poor are largely people who won't work and that vast numbers of available jobs are going begging. Yet experience shows no shortage of applicants when "good" jobs open up. What is the wage, and what are the qualities of the jobs necessary to create and sustain motivation to work on the part of the disadvantaged? How to avoid the destructive effect of work preparation and training without placement, or with placement only to a low paid, menial, dead end job?

Third—much more research is needed to develop tests that will screen the disadvantaged "into" rather than "out" of employment. Work sample testing needs to be perfected and generalized.

Fourth—we do not really know the capacities and level of education needed to perform most jobs. Existing job descriptions and hiring standards are a hodge podge which make job restructuring and objective vocational evaluation almost a guessing game. The old categories of "unskilled, semi-skilled, and skilled" have been rendered worse than useless and no effective raplacements exist. The careful analyses of rehabilitation research relating to the work capacities of the blind, cardiacs, and mental retardees need generalization throughout the entire occupational structure and for all the handicapped and disadvantaged.

Fifth—manpower, economic development, and demographic data need to be disaggregated and available on a community level. We are just beginning belatedly to learn something about the facts of economic life in particular slum areas. In general, the labor supply and demand data of the Model Cities proposals, for example, has been scanty and outdated. If rehabilitation is to make effective vocational evaluations in Harlem, or Roxbury, or Newark, or Watts it needs new, better, and continuing information. Above all, the alternative ways and means of decentralization of services must be researched and tested.

Sixth—If the utilization of non-professional New Careers personnel is to be effective, careful research will be necessary to identify the most relevant manpower needs, the methods of structuring New Career positions, the means of assuring upward mobility and in service training, and the effects on the functioning of professionals and the delivery of rehabilitation services.

Finally—our concern about research for rehabilitation in relationship to poverty suggests two simple questions:

What?

So what?

What research should be undertaken? What are the priorities? I have suggested, somewhat in random fashion, some areas of attention. You will suggest others. In the process we should seek, in the language of the times, "To tell it like it is." That's not an easy nor an automatic task, to make our research genuinely "true."

As rehabilitation enlarges its involvement in the poverty area and plans its consequent new areas of research, I would sound a gentle warning "not to rediscover algebra." A large amount of effective and relevant research has been carried on by a variety of anti-poverty manpower programs. Some of this has been disseminated and related to policies and programs. Much of it, perhaps most, has not been so utilized. The first task of Rehabilitation Research Utilization might well be to learn what has been learned, to make sure that research already carried out is not repeated, and to apply existing research results to the design of rehabilitation programs for the poor.

The more demanding question, I believe, is "So What?" What use is the Research? How relevant, and to what?

Above all, research—to be utilizable and utilized—must be *problem* oriented. It must help identify the problems, the "hang-ups," the needs, and the gaps in program and operation. What works, what doesn't work—and why? The linkage of research, and especially follow-up and evaluation research, must be with *change*, with *redesign* of programs and adjustments in methods of operation. Results must be profoundly and objectively recorded and analyzed if research is to be a useful compass in this rolling and troubling sea of human resources development.

I cannot judge how well vocational rehabilitation research has been applied. But I can assure you that much research in the antipoverty/manpower program has not been utilized to help the program planner and operator solve his problems. Much of it has been buried, some of it was buried before it started, and some of it should be buried. Evaluation has been largely a post mortem public relations obituary ritual. Of course, there are important exceptions to this criticism, but the elementary things we don't know in the manpower-poverty field and the lack of check-up on program results is shocking.

I trust this is not the case in rehabilitation—certainly it cannot be the case if rehabilitation is to operate effectively on the poverty problem.

To move towards effective research utilization requires a clear and sharp dedication to usefulness as the prime requisite for designing, proposing, and funding projects. Perhaps to achieve effectiveness and relevancy in research, it is simply necessary to start at the beginning, to integrate research at the very outset in the design and the operation of every program. Plans to have special staff members who serve as agents of change and research utilization make a lot of sense, and certainly represent a small expenditure to avoid wastage of large research investments. But special agents probably will not be successful unless we have interlocked the research undertaking and the program designers and operators as mutually reenforcing partners for program effectiveness.

But even when good and relevant research is achieved, its utilization is not automatic. Dissemination is not utilization, and much more than "Brief Summaries," announcements of results, and general research conferences are probably required to translate good research products into good program results. A whole new system of research delivery and application needs to be developed. Perhaps we need to have a "do it yourself" kit with every research report. This conference will doubtless guide us in that direction.

The assignment of vocational rehabilitation to the difficult problems of the anti-poverty/manpower effort is both a compliment and a tough challenge. But it is also an opportunity, worthy of our best efforts both as professionals and as concerned citizens in these troubled times.

PRESIDENT FRANK JOHNSON OF AUBURN

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. NICHOLS. Mr. Speaker, yesterday, I had some rather harsh comments to make about a decision handed down by U.S. District Judge Frank M. Johnson, of Montgomery, Ala. Judge Johnson ordered Auburn University not only to allow a man convicted of counseling, aiding and abetting young men to avoid the draft, but ordered the school to pay his expenses and honorarium from public funds. The following editorial from the Thursday, February 6, Montgomery Advertiser further expresses my very strong feelings on this matter:

PRESIDENT FRANK JOHNSON OF AUBURN

District Judge Frank M. Johnson's order directing Auburn President Philpott to permit the appearance of Rev. James S. Coffin Feb. 7 is appalling.

No speaker ban law was at issue, since none exists. We have systematically opposed such legislation, as has President Philpott and other presidents. And yet Judge Johnson appears to rely on a line of cases dealing with the invalidity of statutory law, state regulations or other compulsory strictures. He arrogates the authority of a university president.

As we read Johnson's decision, he has said in effect that a President's inherent powers, when used to prevent any speaker's appearance, is so repugnant to the First Amendment that it is in the nature of state censorship of the kind the courts have held unconstitutional.

Thus a president's judgment (wise judgment in our opinion) is negated by an extension of the law which opens the doors to anybody student-faculty groups would choose to invite.

We might suppose that this could include lectures by such as Timothy Leary, the notorious hophead, on the wonders of LSD.

There is, in fact, no limit to what it might include. Certainly there is no limit to what some students, eager for confrontation, would propose as a part of their lecture program. A list of names and subjects occurs which is frightening, not so much because Auburn students or any Alabama students are criminally inclined, but because the ensuing controversy, the indignation of legislators, trustees and parents paying good money for this sort of thing could very well wreck the best institution.

There is, however, a line of escape and one we never thought we would favor, Judge Johnson said in his decision:

"This court neither thinks nor holds that Auburn was required to allocate funds from student fees or from public monies to pay invited speakers. Having allocated the money, however, and having paid other speakers with no questions asked, Auburn may not in this instance, for no constitutionally acceptable reason, withhold the funds for the Rev. Mr. Coffin as a censorship device."

Thus Auburn and other state institutions may simply close down their lecture programs, permitting neither the orthodox nor the unorthodox, the law-abiding nor the criminal, patriots nor those who preach defiance of laws directly related to national security.

Auburn must, of course, obey Judge Johnson's order. But it and other state institutions will now make an agonizing reappraisal of all lecture programs. Since a president does not have the power of final arbiter, as we think he should, and since the state would accomplish nothing by passing a speaker ban law (which we have steadfastly opposed) because these have been invalidated as unconstitutional, there remains but one solution, barring a reversal of the Johnson decision. That is: all outside speakers could be banned.

When speaker ban laws have been proposed in the past, we argued that the state can trust its college presidents. But they no longer have the authority we thought they did.

Judge Johnson appears to be propounding mutually exclusive propositions when he says:

"Thus, while it can be said that President Philpott has the ultimate power to determine whether a speaker is invited to the campus . . . this determination may not be made for the wrong reasons or for no reason at all."

This is a remarkable nullity: The president has the ultimate power but he had better not use it.

In another section, Johnson makes much of the fact that Dr. Philpott had never exercized the power before. If he had, we are led to believe, it might be all right to veto Coffin.

But it takes no mathematical genius or logistician to understand that there must always be a first time. In our judgment, Dr. Philpott picked the right first time to invoke his privilege. In the court's opinion, he did not.

It follows then that Judge Johnson, not Dr. Philpott, may ultimately determine which speakers will be invited and which denied.

The federal court has become many things, but we hadn't expected it to emerge as a speaker's bureau.

We do not fear that Rev. Coffin will subvert Auburn students. He is a relatively unimportant masochist. But the issue of a president's authority is all-important. That authority has now been vitiated.

Judge Johnson says any consideration Dr. Philpott might have given to legislative disfavor, a cut in appropriations or other dire consequences cannot be a defense. But a President's responsibility can best be summed up in an old axiom: the first duty of any institution is to survive.

We can imagine with what a heavy heart Dr. Philpott and the presidents of other state institutions must now face the grim choice before them: to abolish their lecture programs or open the floodgates.

In any student body and in any faculty there are those few who are interested only in shocking the populace, offending the old mossback alumni and even—it must be added—in precipitating disruption.

The decision should be appealed. If the appeal fails, many of our college presidents will envy Dr. Rose, who has announced his liberation.

GUY GILLETTE, IN EARLY DAYS OF 91ST YEAR, RECALLED AS DOMINANT PERSONALITY IN SENATE

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. RANDOLPH. Mr. President, Monday was the 90th birthday of a great American, a distinguished former U.S. Senator, a long-time friend and colleague of mine, and many of us here, the Honorable Guy Mark Gillette, of Iowa.

Guy Gillette and I both entered the House of Representatives in the 73d Congress, in 1932. We served together in the House until his election to the Senate in 1936. We remained friends during his illustrious career as Senator and in the years after.

He stood tall among the Senators of his time—noble, dignified, modest, gracious, handsome, white haired. No Senator took his constitutional duties more seriously, yet he could look upon himself with a delightfully detached sense of humor.

Some time after he had been retired from the Senate, he was approached by representatives of Otto Preminger, the Hollywood producer, about a part in the film version of "Advise and Consent." His comment on this conversation was as follows:

> When they phoned to me from Washington about a "spear-carrying" part in the mob scene in the filming of Advise and Consent, they told me it would be just a small part and that there would be little or nothing to learn for a speaking part. That it was probably that all I would have to say would be "aye" or "no" of certain roll calls.
>
> I told them there was no harder job than that. That after twenty years' service in the Congress, I very well knew that to know when to say "aye" or "no" on roll calls was what most Senators, including me, had never thoroughly learned. And it would be a privilege to have someone tell me.

While the history of our times will recall Guy Gillette's great contributions to our Nation's foreign policy, especially his role as a member of the Foreign Relations Committee in the development of the concept of the United Nations, he was never so preoccupied with world-shaking public questions as to neglect the fundamental interests and needs of his fellow citizens at home.

I recall vividly that in 1944 a presidential directive had been issued canceling the plans for construction of 28 civilian airports in 17 States on the ground that critical materials were needed for the war effort.

Four of those airports were to be in my home State of West Virginia, at Martinsburg, Parkersburg, Wheeling, and Wiley Ford. The people in those communities had alread begun preparations. One community had moved a church out of the way and razed a schoolhouse. Another had spent $20,000, a great deal of money in those days, on its share of the cost of building its airport. All this was in jeopardy.

We founded a special committee of House and Senate Members to seek redress at the While House.

When I went down the roster of all the 96 Senators looking for one who could help us have the maximum impact upon the President, my selection was Guy Gillette, of Iowa, then a towering figure in this body. I urged him to head our delegation to the White House. He accepted immediately.

We called on the President in his upstairs study at 8:30 in the evening. He received us before a crackling fireplace and asked us to present our case.

Following Senator Gillette's cogent introduction, each of us presented our arguments for continuing the construction of these 28 civilian airports. President Roosevelt listened attentively throughout the 18 or 20 minutes we counselled with him. He did not interrupt and he did not ask any questions. At the end, he said, in effect:

> Gentlemen you have made your case. The order will be reversed tomorrow morning.

It is to that intervention, headed by Guy Gillette, that 28 cities in this country, four of them in West Virginia, owe the fact that they began to benefit from civilian air service even before World War II ended.

Today, our esteemed former colleague lies in a hospital bed in his beloved hometown of Cherokee, Iowa, laid low by a massive stroke and two subsequent heart attacks.

His indomitable will and his unquenchable spirit during months of illness have kept him not only alive but ever keenly interested in our country's affairs. One remarkable achievement of this grand old man is this: At the age of 87, his writing hand paralyzed, he taught himself to write with the other hand. He maintains regular correspondence with friends throughout Iowa and the Nation and advises Iowans in Democratic politics on how best to proceed. May his flame burn on warm and bright.

It is a great pleasure for me to recall associations with Guy Gillette and to wish him well as he enters his 91st year on this earth which has been made better by his presence on it and his service on behalf of his fellow Iowans, his fellow Americans, and all of mankind.

I'VE HAD IT

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. QUIE. Mr. Speaker, recently, the House Education Subcommittee on which I serve heard testimony related to the wave of student unrest and riots that has been sweeping our college campuses.

As Americans hear and see reports of these disruptions at our educational institutions, no doubt many of them share the reaction of Mr. Bob Roberts, the former Honolulu radio commentator-writer.

Mr. Roberts gave a commentary on radio station KVI in Seattle, entitled, "I've Had It." Brother I. Patrick, assistant to the president of St. Mary's College, Winona, Minn., brought this to my attention, suggesting it was worthy of wider readership.

The commentary follows:

I'VE HAD IT

There's something that needs to be said about this country. And since no one seems to have the gumption to say it, I guess it's up to me . . .

I have had it up to here with persons who are trying deliberately to tear my country apart. And it's way past time to throw at me that tired old wheeze about being a flag-waver. You're damned right I'm a flag-waver, and I got a right to be one the hard way . . .

I have had it with pubescent punks, wallowing in self-pity, who made a display of deploring their birth into a world which—to use their sissy expression—they didn't make . . .

Well, I didn't make the world I was born in either. And neither did the men who are worthy of respect. They just went about and made something out of it . . .

The men I grew up with were fetched up in a logging camp. They were the immigrant sons of every cast-off race there is. And they didn't have a hell of a lot of knowledge at home to start them off, either . . .

But I can write you a song about the son of a Po Valley coal miner who became a nationally renowned physicist; about doctors, lawyers, teachers, forestry specialists, conservation experts and men of the cloth—in the Seattle-Tacoma area—who came out of that logging camp. And about the son of a Danish mechanic who is one of the best friends I've got . . .

So don't give me your whining, whimpering, self-pitying clap-trap about how this country is letting you down . . .

I have had it with hippies, brainless intellectuals, writers who can't write, painters who can't paint, teachers who can't teach, administrators who can't administrate, entertainers who fancy themselves sociologists, and Negroes who castigate as "Uncle Toms," the very men who have done the most to demonstrate to all of us the most important quality in America—individual enterprise and responsibility . . . Dr. George Washington Carver, Archie Moore, Bert Willis, Booker T. Washington, Roy Wilkins, Justice Thurgood Marshall, Duke Ellington, Count Basie, Nat Cole, the Mills Brothers and their father . . . and many more . . .

I've had it with those cerebral giants who think it's smart to invite drug advocates to lecture in their classrooms, and with teaching curiosities like that one in the Mercer Island School District who invited a Black Power spokesman to dispense a lecture on flag-burning . . .

I've had it with people who are setting about deliberately to rip up mankind's noblest experiment in decency . . .

And I'm going to tell you something. If you think you're going to tear down my country's flag and destroy the institutions my friends and members of my family have fought and died for, you're going to have to climb over me first . . .

And, buddy, you'd better get up awful early in the morning . . .

THERMAL POLLUTION IN THE PATUXENT RIVER

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. BOGGS. Mr. President, the Subcommittee on Air and Water Pollution of the Committee on Public Works yesterday completed 4 days of hearings on the Water Quality Improvement Act of 1969.

While the unfortunate oil spillage disaster in the Santa Barbara Channel dominated the interest in the hearings, there were other segments of the testimony dealing with thermal pollution, a subject about which not nearly enough is known.

Mr. Richard Corrigan yesterday in the Washington Post wrote a long article describing a report of the effects of the Chalk Point Generating Station on the water quality of the Patuxent River in Maryland.

The study revealed a few factors which may be favorable and several which may be harmful.

For the information of those who may not have read it, I ask unanimous consent the full text of the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HEAT POLLUTION: A DANGER

(By Richard Corrigan)

It's not just fish that are in hot water now because of the thermal pollution issue. This kind of pollution is a problem for expansion-minded electric utility companies, conservation-minded scientists and citizens and government officials responsible for protecting public resources, but who don't agree.

The University of Maryland's Natural Resources Institute has just announced that thermal pollution poses such a danger to the entire Chesapeake Bay region that power companies must be forced to develop better control equipment or be forbidden to build new stations.

The Institute reached this conclusion, in a "final" report issued this week, after six years of field and laboratory experiments involving the Potomac Electric Power Company's Chalk Point generating station.

A top State official has contradicted the Institute's conclusions, saying the situation really isn't that serious.

The crux of the Institute's position is that the State has two choices in dealing with this problem:

"Prevent any further development of expansion in the Bay system by those operations requiring process water," or; "Force these operations to develop a technology that will have no significant destructive effects on the aquatic resources."

Paul McKee, director of the State Department of Natural Resources, said that in his opinion the evidence does not substantiate this view. With a few minor exceptions, McKee said, "There are no demonstrable harmful effects whatsoever on the river or its ecology" because of the Chalk Point station.

He also said, "I wouldn't agree with prohibiting additional power stations . . . I don't think they create that much of a problem."

McKee said studies at Chalk Point have aided in the search for better ways to deal with thermal pollution, and that he agreed with some of the recommendations in the report. But the general tenor of his remarks was that the problem is being controlled.

L. Eugene Cronin, director of the Natural Resources Institute, does not agree. He said the report amounts to "a clear demonstration of some detriment" to the Patuxent—"at the same time we're getting proposals for plants six times this big."

Cronin added that "how he (McKee) chooses to apply" the findings in the report "is his business—it's also the public's business." It is McKee's department that decides whether to issue permits for using water.

A Pepco official, L. W. Cadwallader, said he has not yet seen the report but that the company is taking steps at Chalk Point to reduce thermal pollution. Cadwallader, vice president in charge of power generation, also talked of the company's plans for a new station at Morgantown on the Potomac River, at which new heat-control methods will be used.

Cadwallader said the Morgantown plant will meet State standards on water temperature, although Cronin and the Potomac River Fisheries Commission already have accused Pepco of trying to evade one standard in its Morgantown plant. Cadwallader said the Fisheries Commission is trying to write new standards and is being unrealistic.

The Patuxent River report was written by Joseph Mihursky, chairman of the environmental research department of the Natural Resources Institute. Cronin said he fully endorsed the report's findings and recommendations.

The report was prepared as part of a $200,000 contract between the Institute and the Department of Natural Resources.

The Institute serves as a research arm for State natural resource agencies, but is not under their direct control. Cronin likes it that way.

"Our job is not to defend" actions by State agencies, he noted. "We have to keep independent, and independence will sometimes bring a difference in emphasis."

A commission on governmental reorganization appointed by Vice President Agnew, then Maryland governor, recommended that a State cabinet-level Department of Natural Resources be established. Cronin indicated he would like to keep the Institute out of any such department, while McKee said he would like to have his department under a cabinet secretary. "It'll make life easier for me" by shifting criticism from his shoulders to someone else's, he said.

Pepco's Chalk Point station, a 730,000 kilowatt coal-burning facility that went into full operation in 1965, uses up to 500,000 gallons of Patuxent River water a minute to cool its condensor units. (The Morgantown plant will use at least 1 million gallons a minute.)

The water that goes back into the river is as much as 23 degrees Fahrenheit hotter in winter than the water coming in, and 11.5 degrees hotter in summer.

Changes in river temperatures caused by the discharge can be found as far as five miles upstream and downstream from the point of discharge, the study said.

The temperature on the discharge water has at times approached 100 degrees, and water within a surrounding three-quarter mile area has been recorded up to 95 degrees, the study said.

Summarizing the effects on the Patuxent caused by this hot water—and by traces of copper found in it—the study said that:

Microscopic plant life in the water that runs through the power station loses up to 94 per cent of its life-giving power of photosynthesis, through which these organisms feed themselves and release oxygen into the water.

Some rooted water plants that provide food for waterfowl have undergone "severe reductions"—while other species seem to grow faster in warmer water.

Microscopic animal life in the water has been reduced in the area, and the power station is "suspected" to be the cause. Some predatory organisms, including sea nettle, also are being killed.

Opossum shrimp, a source of food for young striped bass, were found in greater numbers above the discharge point than just below it—but no data was available on the population of this species before the plant went into operation.

Soft-shell clams died throughout the Patuxent estuary in 1965 and 1966 in massive numbers. The study found no evidence that the station was responsible for this, and no recent effects have been noted.

Oysters have not undergone any significant changes, the study said—"but one phenomenon was definitely associated with S.E.S. (steam electric station) activity. A noticeable increase in green oysters began at the station nearest the effluent (discharge point), and progressively spread downriver . . .

"Analysis revealed that this greening was highly coincident with copper increase in oyster tissues.

"Oysters were placed in the intake and effluent canals with the following results: Intake oysters shown no mortality . . . oysters in the effluent eventually suffered 100 per cent mortality and showed 100 per cent greening with a sharp increase in copper concentration . . ."

The study said the copper apparently came from the corroded tubes, which have been replaced, but that oysters were still turning green, even with new tubes at the plant, when this portion of the study ended.

Fish seem to be drawn to the warm water in winter months, and to retreat from it during summer, the study said. (This is why the discharge area is a popular spot for wintertime anglers.)

The general trend seems to be, however, that there has been a decline in the fish population in the area.

"If this trend is real and continues it can only be interpreted to mean that a general degradation in environmental quality is occurring in the Patuxent River system," the study said.

About 40,000 blue crabs were found dead in the discharge canal area in late 1966. "This mortality is associated with S.E.S. activity and represents a loss of one season's recreational crab catch in the estuarine reach under study . . . A kill of striped bass occurred in the effluent canal areas in 1967."

(Another report on thermal pollution in the Patuxent has been written by Robert L. Cory of the Department of Interior's Geological Survey. Cory said he found that temperature changes definitely affect aquatic life. For example, he said, marine fouling organisms—such as barnacles—showed an increase in growth in and near the Chalk Point discharge canal.)

The study also said laboratory research on 23 species of aquatic life indicated that 24-hour exposures to water hotter than 90 degrees cause "significant mortalities in a majority of the species tested and some have heavy losses." However, the study said that "rarely if ever" are there continuous exposures to very high temperatures at any one point near the station.

The study said that Maryland's new standard, under which discharge water is not supposed to raise river temperatures above 90 degrees, seems generally adequate.

The study recommended that the State maintain and enforce its current antipollution standards, field test them on a stepped-up basis to see whether they should be stronger, and expand its laboratory studies of the Chesapeake Bay ecology to gain a greater understanding of what changes are occurring.

The study said heat might be put to such useful purposes as stimulating early spawning seasons, attracting fish for sport and commercial catching and eliminating certain organisms such as barnacles. But further research is needed in this area, it said.

To prevent further pollution of the Patuxent, the study recommended that no additional heat loads be allowed in the area, that no exceptions be granted to the 90-degree standard, that water used within the plant should not be heated above 90 degrees, that metallic pollution be eliminated and that chlorine control be improved. McKee said he agreed that chlorine should be controlled and that he already has told Pepco to bring Chalk Point into compliance with the 90-degree standard.

The study noted that the power industry is planning giant generating stations that, under current design techniques, would need up to 6 million gallons of water per minute or 12 times the water that the Chalk Point station uses at full operation.

To cool these plants, the study said, the industry will need more and more water along the Eastern Coast—and the Bay is an obvious target.

"If industrial and domestic operations that require process water are permitted to operate under older technologies it is certain that the Bay environment will be degraded . . .," the study warned.

The report also told the State to beware of research supplied by power companies. It said that if the State had used only information supplied by the industry and its consultants, "there would have been little or no useful information" on how the power plant would effect the river and the organisms in it.

TOO LATE THE METROLINER

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. TIERNAN. Mr. Speaker, the problem of effective rail transportation is a particularly important one.

With the advent of the new high speed "Metroliners" the people of the overcrowded northeast corridor should be able to expect some relief. In a most perceptive article in the New York Times yesterday Tom Wicker points out that the Metroliner is not ahead of, but far behind its time.

At this point in the RECORD, I include Mr. Wicker's article:

IN THE NATION: TOO LATE THE METROLINER

(By Tom Wicker)

Riding the new Metroliner to New York from Washington is both a promising and a sobering experience. It is at once a graphic demonstration that modern America need not be overwhelmed by its problems and a useful reminder that those problems are sizable indeed.

The new "fast train," a gleaming, six-car tube now speeding down to Washington in the morning and back to Manhattan in the afternoon, is a product of a cooperative effort between government and private enterprise to cope with the booming intercity travel that now threatens to clog the Northeast Corridor. Compared to, say, black unemployment, this may not seem one of the major tasks on the American agenda. But since a huge slice of the population lives and travels between New York and Washington, it is by no means a minor one.

If high-speed, short-haul rail transit succeeds on the New York-Washington and next on the New York-Boston line, moreover, the way will have been prepared for fast trains in other heavily traveled areas—Los Angeles to San Diego, for instance, or outward from Chicago in any of several directions. Overall, the experiment is going to provide clearer answers to such tremendously important questions as these:

Are we going to keep on paving over the landscape in order to pollute the air with exhaust fumes while pouring more and more automobiles into cities already strangling in traffic?

Or, alternatively, are we going to crowd the air lanes with more and more planes, circling longer and longer over airports of increasing inadequacy (some of which are already so far from the cities they serve that getting into town is a bigger problem than crossing the ocean)?

In short, the Metroliner is no small experiment, and a ride on it gave one recent passenger a satisfying sense that in at least this area, and however haltingly, some real efforts are being made; the decision on future intercity travel in America is not being allowed to go entirely by default, as have so many other similar problems for so many years past.

COMPETITIVE WITH AIRLINES

The Metroliner is not the last word in surface transportation, but it is a vast improvement on anything else on rails in this country. Its running time of three hours is roughly competitive with the airlines, as are its fares. The speed is held down, just as passenger comfort is reduced, by the Penn Central's roadbed—improved but basically built for an earlier day. Service aboard is excellent; and for a passenger to be treated like a human being aboard an American train is, in itself, something of a miracle.

SERVICE IMPROVEMENTS

The Metroliner accelerates with remarkable ease and speed. Seating, food services, lighting, heating, ventilation—all are considerably improved over the usual present-day train accommodations, although those who remember the old days (only a decade or so in the past!) will grieve for the passing of a great American institution, the dining car, and for the substitution of airline-style meals (plastic food on plastic trays).

Ultimately, there will be 22 Metroliners daily on the New York-Washington or New York-Philadelphia runs. An entirely different experimental train (the TurboTrain, which does not require an electrified line) will soon be tried on the New York-Boston run, cutting perhaps an hour off the present schedule of four hours and fifteen minutes.

But if riding the Metroliner gives hope that high-speed rail transit can provide comfortable and decent travel as well as an efficient alternative to ferocious auto traffic and dangerously overused airlines and airports, it also suggests what a huge task lies ahead. For if the Metroliner or TurboTrain is to realize its full potential in speed, comfort and economy, greatly improved roadbeds will be essential. Between New York and Washington a wholly new one may be needed, at a cost of about $1 billion, and the problem is said to be worse on the line to Boston.

The Penn Central already has poured $22 million into 50 Metroliner cars and $35 million into smoothing its roadbed. All these figures suggest the vast sums required if adequate fast-train service is to be provided in all the areas where it would be useful. A lot of that money obviously must come from taxpayers, and fairly soon at that.

The Metroliner thus is not ahead of but far behind its time, and the price for so long ignoring the need it now serves is going to be high indeed. And so it will be with all the problems this rich and ingenious nation has been so reluctant to face.

SESQUICENTENNIAL OF MEMPHIS, TENN.

HON. ALBERT GORE

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. GORE. Mr. President, Memphis, Tenn., is this year celebrating its sesquicentennial. A notable event for the entire Nation, this celebration is under the capable direction of Mr. Howard Willey, president of Memphis Sesquicentennial, Inc. Mr. Willey has written an interesting article about the celebration for the Delta Review. This delightful publication contains several informal and historical articles about the great city on the Mississippi Bluff.

I ask unanimous consent that Mr. Willey's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MEANING OF MEMPHIS SESQUICENTENNIAL

(By Howard Willey)

The year 1969 marks the anniversary of a river town born 150 years ago. The history of Memphis includes many colorful figures, and the amateur historian can have a field day harking back over the roster. He can join Andrew Jackson and Isaac Shelby at the treaty negotiations with the Chickasaw Indians or visit at the Bell Tavern with Sam Houston, Davy Crockett and Jim Bowie, on their way to fight in the Texas War of Independence. He can ride with Nathan Bedford Forrest, acknowledged to be the most brilliant tactician to emerge from the War Between the States. He can marvel at the trumpet of W. C. Handy. He can stand alongside Edward Hull Crump as he does battle with utility interests and gamblers.

But there is more to the Memphis story than the colorful heroic figures of her past. Memphis has had possibly more than her share of troubled and trying times. She has emerged victorious not through the efforts of any one hero but rather through the heroic efforts of many plain average citizens. Her very beginning was singularly inauspicious. For the first 22 years Memphis was sporadically overrun by flatboatmen, a completely independent, lawless breed. They recognized no legal authority, refused to pay taxes, and when in town were in complete control of the settlement. During that period Vicksburg and Natchez were growing at a more rapid pace than Memphis, and Randolph, 40 miles to the north on the Second Chickasaw Bluff, was competing on equal terms as a river port. In 1841 two volunteer military companies were formed and succeeded in subduing the flatboatmen and bringing order to the city. Following this crisis business flourished, population increased rapidly, river traffic multiplied, the Memphis and Charleston Railroad was built, and the city was on its way.

Then in 1878 the great yellow fever epidemic struck—probably the most devastating plague in the nation's history. Thousands died, additional thousands fled the city, all business came to a standstill, and in January, 1879 the city lost its charter, becoming a taxing district of the state. To those citizens who remained fell the gigantic communal job of rebuilding the city. And they were equal to it.

The years 1927 and 1937 saw disastrous floods in neighboring Arkansas and Mississippi. Thousands of refugees converged on Memphis, and to Memphis citizens of those years fell the job of constructing barracks, staffing food kitchens, donating food and clothing, and generally alleviating the calamitous situation of their neighbors.

Throughout the years, Memphis citizens have shown unselfish devotion to the common good, and they are still doing it. The events scheduled and the programs planned for our sesquicentennial year could not be as ambitious as they are were it not for the enthusiastic support and hard work coming from literally thousands of Memphians who are proud of their city. As the work has progressed and as these thousands of volunteers have accepted the challenge to tell the Memphis story, I have come to feel that they themselves, to a large extent, constitute that story. Above all else, it is the people who make a city a meaningful entity. In the people of Memphis is the vital force which made Memphis what it is today and which I feel certain will carry this city on to even greater achievements in the future.

HIS MOTTO WAS WORK

HON. RAY BLANTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. BLANTON. Mr. Speaker, I have read one of the most fitting tributes paid the late Congressman Robert A. "Fats" Everett, and I feel it should be made a permanent testimonial to his memory and accomplishments.

In an editorial in the Daily Messenger from Union City, Tenn., Fats' hometown, Mr. Bill King, an editor with the newspaper, eloquently portrays the exceptional caliber of this great man. His philosophy of hard work and dedication to his people made him one of the finest and most dedicated public servants that Tennessee, and perhaps the country, has every known, and "truly, we shall not see his like again."

The editorial follows:

HIS MOTTO WAS "WORK"

(By Bill King)

There were many thousands of friends he called by name—there were countless other thousands who called him "Fats" and who considered him their friend.

Perhaps this is the best way to remember that unusual and gifted man whose love for people turned him into one of the finest and most dedicated civil servants that Tennessee—and perhaps the country—has ever known.

Robert Ashton "Fats" Everett was a man of simple yet great heritage. He sprang from the fertile soil of Obion County, a soil he carried proudly on his massive shoes the rest of his life.

His booming and infectious laugh, the voice that could be heard for blocks and his native and homey wit enhanced the "country boy" role he enjoyed and never sought to abandon.

But beneath the sometimes brash exterior was an astute and canny politician, a man who quickly earned the deserved reputation as one ho knew how to get things done. Red tape was no match for the scissors he wielded when he sought the core and the cure of a problem.

The secret of his success was simple and direct—just like the man.

"Let's just go to the head of the stream," he was fond of saying when confronted by a problem involving one of his constituents. This meant going directly to the man, no matter who he was, who would most likely be able to solve the problem. And he knew personally hundreds of such persons.

Those who worked with him soon learned he was no prey for the "city slickers" despite his country boy exterior.

Mr. Everett, if he was anything, was a realist, an earthy but lovable man who saw things like they were. It was this quality that enabled him to accomplish so much during his relatively short life.

He grew up in a county which suffered annually from the ravages of floods and he, like other Obion Countians, heard the oft-repeated promises that something would be done. But it wasn't until he reached the halls of Congress that the red tape surrounding the flood control work was snipped away and the project undertaken.

Because of his membership on the House Public Works Committee he was able to make sure his people in the Eighth Congressional District were not left out when it came to projects for their benefit.

In addition to his flood control projects and the vital role he played in making the Reelfoot-Indian Creek Watershed District project a reality, Mr. Everett helped industries in his district obtain federal contracts, used his influence to help the University of Tennessee at Martin to become a four-year institution, aided farmers in obtaining permission for them to hay and graze restricted land during periods of drought, and obtained federal appropriations for hospitals, nursing homes and libraries throughout the district.

Because he was instrumental in getting the federal government to transfer ownership of the airport to Obion County, its name—Everett-Stewart Airport—has become a monument to his labors. And in Dyer County, a lake created by a drainage project he promoted is called Everett Lake.

These will help to perpetuate the memory of Congressman Everett but the individual things he did for individual persons make it certain he will never be forgotten as long as these people live.

He was never too busy to talk to anyone and it didn't matter if his visitor was dressed in overalls or a business suit. A letter to him often was answered in less than a week. It was a rare occurrence when he couldn't be reached by telephone.

"I will always be as near to you as your telephone or mail-box," he said thousands of times while addressing civic or service clubs and other special groups in the Eighth District. And he meant every word.

Asked by a reporter a few years ago how he managed to handle so many different problems for so many different people, he laughed and said: "If a man don't want to work, he hadn't ought to hire out."

Working for his people was his philosophy in life. Truly, we shall not see his like again.

PROTECTION OF RIGHTS OF GOVERNMENT EMPLOYEES—S. 782

HON. MIKE GRAVEL

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. GRAVEL. Mr. President, the distinguished senior Senator from North Carolina (Mr. Ervin) deserves our highest commendation for his efforts on behalf of the rights of our civil servants. More than that, he deserves our full cooperation in the swift enactment of S. 782—S. 1035 in the 90th Congress.

In joining with Senator Ervin and 52 other Senators in the cosponsorship of his bill, I wrote a letter to Senator Ervin which may well be of some general interest.

I therefore ask unanimous consent that the full text of the letter be printed in the Extensions of Remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., January 31, 1969.

Hon. Sam J. Ervin, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senator: I am happy to have the opportunity to join you in the sponsorship of S. 1035, a bill to protect the rights of government employees. We have for too long winked at the abuses which your bill is designed to eliminate. You deserve the gratitude of all Americans for your gallant efforts to bring a fuller measure of privacy and dignity to government workers.

We simply cannot permit basic freedoms which are at the heart of our democratic system to be compromised, whether in the name of personnel management, psychological research, technological advancement, or, for that matter, anything else that I can think of.

Kindest personal regards.
Sincerely,
Mike Gravel.

EDUARDO MONDLANE

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. DIGGS. Mr. Speaker, adherents of the cause of African freedom have suffered a staggering blow. The news from Dar es Salaam tells us that Eduardo Mondlane has been assassinated by unknown parties. For we Americans who are committed to the liberation and independence of Africans still suffering from white colonialism, this news is tragic indeed. Eduardo Mondlane, the president of Frelimo, Front for the Liberation of Mozambique, was Africa's outstanding liberation leader in southern Africa. The war which he led against Portuguese oppression was a war for independence which has the support of many Americans who are committed to the independence of the African people.

We regret this severe blow to the liberation struggle. We regret that the cowardly assassin has again struck a blow at those who have struggled to free the black man. Assassins have now claimed the life of Mondlane just as the life of Patrice Lumumba was also claimed by the enemies of black Africa. The death of Mondlane, as with the deaths of President John Kennedy, Senator Robert Kennedy, and the Reverend Martin Luther King, have brought perverse cheer to all those who have opposed the struggle of black people in both America and Africa.

As chairman of the Subcommittee on Africa in the House Foreign Relations Committee, I want to express the deep regrets of many Americans that this champion of freedom has been assassinated. The freedom of black people everywhere is always weakened when one of our leaders is destroyed.

Eduardo Mondlane was an extraordinary champion of freedom. He returned to Africa in 1962 to take up the leadership of Frelimo. After careful preparation Frelimo was able to launch their first military action against the Portuguese in September 1964. They began their struggle against Portuguese oppression with only 250 trained men in guerrilla groups of five to 12. This army is now fighting in one-third of Mozambique. About one-fifth of the total area of Mozambique is under their virtual control. Their army numbers more than 7,000 under arms at this point. Another 3,000 are serving the guerrilla forces in various capacities. The leadership provided by Mondlane who patiently initiated the struggle against Portuguese colonialism was outstanding.

But the struggle against Portuguese colonialism will continue. The Portuguese Army, which numbers almost 60,000 in Mozambique, is increasingly restricted in their movements. Desertions from the Portuguese Army have begun. The struggle continues and will result in a victory which will be a monument to the efforts of Eduardo Mondlane.

Their efforts have not been restricted to just the military. The Mozambique Institute, established in Dar es Salaam and supported by private funds from the United States, Europe, and Asia, has developed a general education program for Mozambique which is preparing refugee students with various kinds of education. Programs of nurses' training and teacher training have been begun and are sending their trained graduates inside liberated Mozambique. The detailed planning and pragmatic philosophy of Eduardo Mondlane have provided the foundations for a liberation movement which will be able to govern independent Mozambique.

It shall also be noted that Eduardo Mondlane was dedicated to a spirit of nonracialism. His enemy was oppression of any color, wherever it occurred. He welcomed support from any person, organization, and government which was willing to make a commitment to the cause of African independence.

Unfortunately, our Government has never been able to bring itself to support the struggle of the Mozambique freedom fighters. During the early 1960's, when John Kennedy was President, the United States did seem to be moving toward some support for the liberation of Mozambique and Angola. But this agonizing equivocation became, after President Kennedy's death, in the words of Eduardo Mondlane, "equivocation without direction." Today, U.S. policy has reverted to that of support for the status quo. The conscience of the U.S. Government seems not to be aroused by the continuation of Portuguese colonialism in Mozambique and Angola. This has forced the liberation movements, including Frelimo, to other countries for support. Much of this support has come from the East, but the accusations that Frelimo is either "pro-East," "pro-Communist or pro anything besides being pro-Mozambique are specious. Just as the American Revolution sought help from European countries, so has the Mozambique revolution sought help from wherever it was available.

I want to note further, some aspects of the distinguished career of Eduardo Mondlane. He began his schooling at the age of 11 in Mozambique in 1931. By 1949, he was attending the University of Lisbon on a scholarship provided by the Phelps-Stokes Fund of New York. After 1 year in Lisbon, he had his scholarship transferred to an American university and, subsequently, obtained his B.A. from Oberlin College in 1953. He then went on to Northwestern University where he received an M.A. and Ph. D. is sociology. From 1957 to 1961, he worked for the United Nations as a research officer. With the independence of Tanganyika in 1961, he decided that it was time to return to Africa to take a leadership role in the nationalist movement. He resigned from the United Nations and took a teaching position at Syracuse University where he helped to establish a program of East African studies. During this time, he was making preparation for his return in 1962.

Throughout his life and career Eduardo Mondlane impressed everyone with his dynamic personality, magnificent intelligence, and warm sense of humor. We all regret his death, not only because he was a champion of freedom, but because he was also a great human being. We must all commit ourselves to efforts to insure that his death will not have been in vain.

AFRICAN TERRORISTS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. THURMOND. Mr. President, recent news reports have told about the assassination of the African terrorist leader Eduardo Mondlane.

Many misguided Americans have been led to believe that Mondlane was a fighter for freedom and a supporter of the Western tradition. Not all Americans have been so misled. An editorial in Wednesday's Charleston News & Courier points out Mondlane's Communist contacts and the training of his terrorist group at revolutionary schools in Peking. The News & Courier says:

> Removal of Mondlane by an assassin's bullet is as grave a reverse for the Communists as would have been the death of Fidel Castro when he was a guerrilla leader in Cuba.

The editorial staff of the News & Courier is well versed in African affairs; its writers have made numerous trips to Africa and are well acquainted by firsthand observation of the problems in that area.

Mr. President, I ask unanimous consent that the editorial, entitled "African Terrorist," be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AFRICAN TERRORIST

The assassination of Eduardo Mondlane, terrorist leader in Mozambique, is a setback for communism in East Africa.

Since the early 1960s, Mondlane has directed the Mozambique Liberation Front aimed at seizing control of Portugal's huge and potentially rich province on the Indian Ocean. His forces were well supplied with Chinese Communist weapons. Members of the Front were trained at revolutionary schools in Peking.

Removal of Mondlane by an assassin's bomb is as grave a reverse for the communists as would have been the death of Fidel Castro when he was a guerrilla leader in Cuba. In time, the communists may find a new revolutionary chieftain for Mozambique. For the present, however, the threat to a civilized region of Africa has eased.

EEC TARIFF PROPOSALS

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. ADAIR. Mr. Speaker, when the European Economic Community was formed I was among those who hoped that not only would the EEC lead to a more prosperous Europe, but to an expansion of trade that would be mutually beneficial to America and Europe. Unfortunately, we are seeing increasing evidence that Common Market authorities are not concerned with bringing about an expansion of trade through the removal or reduction of tariff or nontariff trade barriers. In fact, we see evidence to the contrary. The most recent example is the EEC's proposal to impose internal user taxes on soybean oil at $60 per ton and on soybean meal at $30 per ton. This proposal, if carried out, would have the most serious implications to the soybean industry and to our country's balance of payments. For the last 6 years, soybeans and soybean products have been the largest dollar earner of any single U.S. agricultural commodity.

The justifiable concern of the soybean industry over the EEC proposals is well expressed in a letter I have received from Dale W. McMillen, Jr., president of Central Soya, a major soybean processor, with headquarters in Fort Wayne, Ind. Under unanimous consent I include the letter, with its illuminating comments on the impact of the EEC proposals, in the RECORD:

CENTRAL SOYA,
Fort Wayne, Ind., January 29, 1969.

Hon. E. ROSS ADAIR,
House of Representatives
Washington, D.C.

DEAR MR. ADAIR: The United States soybean industry is deeply concerned about the proposed actions of the European Economic Community to establish a tax levy on the importation of soybean oil and soybean meal.

The European Economic Community now has under serious consideration the imposition of internal user taxes on soybean oil at $60 per ton and of $30 per ton on soybean meal. These tax levies are designed to raise the price of the product to deliberately reduce the import demand for high protein feeds. The net effect of these proposed user taxes would reduce the present high level of exports by the United States of soybeans and soybean meal to EEC countries.

During the last marketing year, the European Economic Community purchased about 93,000,000 bushels of soybeans and 1,982,000 soybean meal short tons (equivalent to 87,000,000 bushels of soybeans) from the United States. These sales were for dollars and returned approximately $450,000,000 in hard currency to the United States economy. During the 1967–68 marketing year, these exports to the EEC equaled 35% of the total soybeans and 68% of the total soybean meal exported from the United States. I am advised by competent economists that these proposed taxes, particularly as they relate to soybean meal, will reduce consumption within the EEC by the equivalent of approximately 50,000,000 bushels of soybeans. These 50,000,000 bushels represent the production of 2,000,000 acres of United States farmland. Obviously, such a loss would have a very serious impact upon the United States soybean farmer and processor.

At this time, United States soybean oil prices are not competitive with other fats and oils available to the Common Market, and therefore, oil does not present the immediate problem existing for soybeans and soybean meal.

The proposed tax is especially serious at this time in view of the anticipated increased carry-over of soybeans. It is expected that by the end of the current marketing year, the United States carry-over of soybeans will approximate 335,000,000 bushels—this represents a carry-over increase tenfold the level at the end of the 1964 marketing year.

I would like to suggest that you urge the Department of Agriculture, the Department of State, and the Office of the Special Representative for Trade Negotiations in the White House to exercise every effort to prevent the imposition of these proposed taxes by the EEC countries. It would appear that it might be productive if the House Agriculture Committee would hold a Hearing on this subject. Such a Hearing would be of value to acquaint Committee Members and the public with the position of the Executive Branch. Also the implications on living costs in the EEC could be reviewed. Finally the Agriculture Committee could take such action as appears advisable and constructive.

If I can provide you any additional information on this important matter, I hope that you will feel at liberty to contact me at any time.

Sincerely,
DALE W. MCMILLEN, Jr.,
President.

ADDRESS BY FERRIS E. LUCAS, EXECUTIVE DIRECTOR, NATIONAL SHERIFFS' ASSOCIATION, ON JANUARY 24, 1969

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. ALLOTT. Mr. President, recently I had the pleasure of reading the address prepared by the Honorable Ferris E. Lucas, the executive director of the National Sheriffs' Association, which was presented to the graduating class of the new Colorado Law Enforcement Training Academy.

I believe that each of us would agree with the statement by Mr. Ferris, contained in the body of his remarks:

All that stands between our nation and uncontrolled rioting and criminal activity is a relatively small band of peace officers who are caught in the middle of the struggle between decency and anarchy that seems to be growing more violent every day.

Because I believe so strongly in the continuing efforts of America's peace officers and the unheralded contributions which are made daily by this "thin blue line" of law enforcement, I ask unanimous consent that the address by Mr. Lucas be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Ferris E. Lucas Before Colorado Law Enforcement Academy, January 24, 1969

It is a genuine and distinct honor to be here today addressing the first graduating class of the new Colorado Law Enforcement Training Academy.

I want to congratulate each one of you for having successfully completed the intense and difficult courses which have confronted you during these past weeks. You have learned much and your careers in law enforcement will be furthered by that knowledge.

Opportunity carries with it a great and grave responsibility. All that stands between our nation and uncontrolled rioting and criminal activity is a relatively small band of peace officers who are caught in the middle of a struggle between decency and anarchy that seems to be growing more violent every day.

The catch-word today seems to be "equality." Suppose we consider that word and that idea . . . but, first, let's remove the letter "e" from the word.

We now have a word which is all too often forgotten . . . quality.

The great American poet Robert Frost wrote concerning this subject . . .

"All men are born free and equal—free at least in their right to be different. Some people want to homogenize society everywhere. I'm against the homogenizers—in art—in politics—in every walk of life. I want the cream to rise."

Obviously, you who are here today are graduating from this course of instruction in law enforcement are superior in knowledge to those who have not been given this advantage. When you return to your individual cities and counties, you'll carry with you knowledge you did not possess before your attendance here.

At the same time, there is no course of instruction so complete . . . so thorough . . . that everyone who attends learns all there is to know about every required duty and responsibility to be performed in law enforcement. The Academy hopes that you have learned . . . and that you have benefitted from this learning. But your instructors hope that above the hard and cold facts which you've absorbed, that they have instilled in you a desire for ever-more knowledge . . . a hunger that will never allow you to be satisfied with either your knowledge or your performance. They hope . . . and I join with them most sincerely in saying that I too hope . . . that each one of you will continue to learn and benefit from the weeks you spent here. In short, the goal of this Academy is secondarily to teach . . . but primarily to instill in its graduates that desire to learn and the realization that if the quality of American law enforcement is to continue to climb upward, each of us must continue to advance with our chosen profession.

Although law enforcement has . . . for many years . . . been on the short end of the stick . . . both in money and citizen support . . . it seems the trend may finally be reversing. It is most encouraging to all of us that the general public does seem to be awakening to what is happening in these United States. Our citizens seem to be becoming aware that they must support law enforcement and put an end to the unjustified criticisms we've been receiving.

I do not suggest that when we are wrong . . . and we will be occasionally . . . that the public conduct a whitewash campaign for us. We are all human and are subject to human weaknesses and failures. When our colleagues are wrong, it is our responsibility to attempt to straighten them out . . . and if all else fails, to discipline or remove them from the profession.

We must at all times remember though that the only person who never stubs his toe is the person who is not moving forward. President Theodore Roosevelt once remarked, "It is not the critic who counts; not the man who points out how the strong man stumbled, or where the doer of a deed could have done better. The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again, because there is no effort without error and shortcoming; who does actually strive to do the deeds; who knows the great enthusiasms, the great devotions, who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement; and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who have tasted neither victory nor defeat."

We must then recognize . . . and even more importantly help the general public to recognize . . . that there are very few in law enforcement who deserve censure. The vast majority of American peace officers are by no means "cold and timid souls." The work is often difficult and dangerous . . . the hours are often long . . . the rewards in dollars and cents are often little. It is then a sense of responsibility and dedication that keeps us all going forward. When we stub our toes, we pick ourselves up and keep going ahead.

Let us return for a moment to our discussion of equality versus quality. There are those persons in our society today who would destroy in order to obtain what they feel is theirs. They evidently have carried the concept of equality to the point where they feel that if they don't have something . . . if they won't work to get something . . . that they're justified in burning or destroying what something else has.

Abraham Lincoln cautioned on this same subject. "Let not him who is houseless pull down the house of another, but let him work diligently, and build one for himself, thus by example insuring that his own shall be safe from violence when built."

The spreading fires of hatred and violence threaten to consume our nation. Meanwhile we are all overburdened with work and weakened because of a lack of sufficient manpower in most areas. At the same time, our courts cripple our effectiveness with legal doctrines that make it extremely difficult to arrest and convict lawbreakers. All the while, we're criticized and accused of brutality even when we're doing nothing more than attempting to protect ourselves from angry mobs of bottle and rock throwing rabble.

Crimes are becoming even more vicious, Our youths . . . only a small percentage of them, thank God . . . are creating more trouble for us . . . and for the nation.

In the midst of all this, we must walk a tight-rope . . . maintain a balance between ourselves being stepped on, on the one hand . . . or violating a citizen's rights . . . on the other hand.

Those of you here today who are not directly involved in law enforcement also have a vital role to perform in maintaining law and order. You have an opportunity to carry from here the fact that we in law enforcement are a minority group badly in need of public support. A non-law-enforcement-employed-citizen is one of about 200-million persons in America. We in law enforcement number well below 400-thousand. Yes, law enforcement is a minority group that does want and need your support.

You who are charged with reporting the news are protected in what you say, film, and write. This is, of course, as it should be. But within the ranks of journalism . . . as within the ranks of law enforcement . . . there is always the "bad apple" who makes it more difficult for the rest of us. You of the fourth and fifth estates must be ever vigilant to make sure that in your zeal for reporting the news, you do not jeopardize the very government which grants you the freedoms it does. When you learn of corruption or negligence or incompetence in any branch of government, you have both a duty and a responsibility to report it completely and factually. However, I do not feel that those few journalists who . . . innocently or otherwise . . . prostitute the entire profession by pandering in the name of Freedom of the Press should be encouraged or allowed to continue undermining America. As with the law enforcement profession . . . I believe that you responsible journalists should be the ones to investigate, discipline, and if necessary to expel from your number those who do not have the best interests of your profession and our nation at heart.

We . . . all of us . . . law enforcement . . . citizens . . . journalists . . . are concerned with maintaining our nation's security and with building a better tomorrow.

There is within the Bible a warning which we would all do well to heed in America today. It says, "For what is a man profited, if he shall gain the whole world, and lose his own soul?" In place of the word man, let's substitute the word nation.

Unless each of us . . . all of us . . . realizes these problems and responsibilities and takes positive steps to reverse the trend toward anarchy, our nation is indeed in grave danger.

We must never be content with existing conditions but must always seek out new and better ways . . . new and better methods . . . to become ever more proficient in our profession, through education and through dedication.

To you who are graduating this afternoon from the Colorado Law Enforcement Training Academy, I leave you with these final thoughts:

The law enforcement officer of today must never be content with the status quo. He must always be looking to the future of his profession. He must always be ready for change . . . for progress.

As the crossbow gave way to the primitive flintlock, which in turn gave way to the six-gun, the tools used by law enforcement today . . . improved many times in efficiency . . . require an ever higher degree of skill and knowledge. Today . . . more than ever before in history . . . law enforcement is faced with complex, moving, and rapid changes . . . in equipment and in attitudes.

The path from Anglo-Saxon England in the early centuries of the Christian era to modernday America has been a long and difficult one. There have been many detours along the way. Yet we have come to a time of unprecedented prosperity and opportunity. Along that sometimes primitive path, we have overcome many obstacles.

The expressway which leads from today into the undreamed-of tomorrows may offer even more challenges.

I have no doubt however that through education . . . training . . . and perhaps more important . . . self-determination and dedication . . . the tithings, the hundreds, the free men and women of America . . . with their sheriff at their head . . . will lead the way to tomorrow and all the tomorrows yet to come . . . unafraid and ready for whatever each new day may bring to challenge the domestic tranquility of each county and parish in America.

BRAY REPORTS TO CONSTITUENTS

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. BRAY. Mr. Speaker, following are the first six weekly newsletters I have sent to constituents in 1969:

NEWSLETTER NO. 1

The beatings . . . were totally brutal, with no mercy of any kind. They were for one purpose, and that was to terrify and terrorize people. . . ." Commander Lloyd M. Bucher, Skipper of the U.S.S. *Pueblo*.

"Vae victis!" "Woe to the vanquished!" The Roman historian Livy's phrase, 2000 years old, has all too frequently been the benchmark for treating those held captive by hostile powers, Vercingetorix, King of the Gauls, was dragged naked in chains behind Julius Caesar's triumphal chariot through the streets of Rome, then cast into a leaky dungeon beneath the Capitol and later strangled. Richard the Lion-Hearted, after the seige of Acre during the Third Crusade, became impatient with Saladin for not delivering the True Cross and 3000 Christian captives in return for 3000 Moslems held by Richard. Richard ordered the Moslems killed; Saladin retaliated by killing all the Christians.

William Augustus, Duke of Cumberland, victor over Bonnie Prince Charlie at Culloden in Scotland in 1746, ordered all Scottish prisoners to be put to death. (The flower "Sweet William" was named after the Duke, altho not on account of Culloden; the Scots, to this day, call the same flower Stinking Willie.) Captain Wurz, commandant of the Confederate prison camp at Andersonville, was hanged after the Civil War for alleged mistreatment of Union prisoners. Whether he was guilty or not is still hotly debated. The fate of the Italian soldiers taken prisoner by the Ethiopians after the battle of Adua in 1896 was indeed ghastly and the details do not belong here.

German and Japanese concentration and POW camps in World War II have been described in all their hideous detail. Over 130,000 German soldiers of Field Marshal von Paulus' Sixth Army were captured by the Russians at Stalingrad; less than 5000 of them ever came home. The Korean War gave the American Republic its first horrifying, close-hand example of what could be done to captured soldiers by a clever and utterly ruthless, unprincipled enemy. "Brainwashing"—an invented word, to describe a certain process—has now become firmly rooted in the English language.

Using prisoners of war for propaganda or other purposes seems, curiously enough, to have originated in Asia, Chang Yu, writing around 1000 AD, said "All soldiers taken must be cared for with magnanimity and sincerity so that they may be used by us." There has been no "magnanimity and sincerity" shown American captives in either the Korean or Vietnamese wars, but plenty of attempts to "use" them.

Lord Byron, in his famous poem "The Prisoner of Chillon," has the Prisoner reflect on his eventual state of mind after long captivity:

"It might be months, or years, or days—
I kept no count, I took no note;
I had no hope my eyes to raise
And clear them of their dreary mote;
. . . I learned to love despair . . ."

Every American fighting man surely knows, and every one of our citizens must realize, that captivity by the enemies we face today on many fronts is a grim and terrible prospect indeed. They—our enemies—will not refrain one instant from applying the most insidious and sinister techniques yet devised to try and abase and humiliate a once-proud person to the point where he is a cringing, mindless wretch, a pathetic shadow of his former self.

American fighting men sent into battle or into any situation where the danger of captivity by the enemy is real and present, must be armed with something more than the present "Code of Conduct for Prisoners of War." The Code tells the man what his country expects of him, but does not the man have an equal right to expect something from his country?

First, he has a right not to be needlessly and carelessly exposed to possible attack and captivity, as was the Pueblo and its crew. Second, he should not have to enter captivity with the nagging feeling that he has become a casualty in a war that is being fought only with half-measures. Third—generally, in past wars, achieving release of American prisoners was seen as a by-product of victory. However, today, considering the peculiarly hideous nature of POW treatment by the North Vietnamese, and the North Koreans, should not this goal of release become equal among the other major objectives that only a victory can secure?

I do not suggest for a moment that any or all of these three things, put into practice and accepted as articles of faith by our troops, would serve by themselves to steel a man for the ordeal of a Communist prison. But I do believe they might help, in their own small and important way. They would, perhaps, give and help keep alive that extra glimmer of hope, a hope nurtured on the knowledge that as he, the captive, had kept faith with his country, so his country would continue to keep faith with him.

NEWSLETTER NO. 2

Then none were for a party, but all were for the State. . . . (Lord Macaulay, "Horatius at the Bridge")

At first glance, and to those who don't know, it might seem to be a major irony of American politics: no matter how bitter our presidential campaigns, no matter how acid the charges and counter-charges, the inaugural ceremonies for the winner become a truly non-partisan, non-political event. They belong to, are avidly watched and shared in by millions of Americans. We seldom consciously realize it, but on reflection it is clear that what we are seeing, perhaps taking part in and enjoying is something that, surprisingly enough, is not all that common in the world today: orderly and peaceful transition of power, with the welfare of the American Republic taking precedence over party, over politics and over personalities.

In the long history of political systems, transfer of power has in a surprisingly large number of cases been marked by strife, violence and bloodshed and until fairly recently, as history goes, peaceful transitions were definitely exceptions to the rule. Imprisonment, exile, banishment, forcible deposition, flight for life or outright murder—these things are woven through the histories of governments and have struck at Caesars, Kings, Czars, Commissars, "strong men," and other heads of state right down to the present day.

A King Farouk is deposed and exiled; a Trujillo is cut down by bullets; a Khrushchev (if the story can be believed) was literally tricked out of power by a diabolically clever strategem that would have set the old master of treachery, Joseph Stalin himself, roaring with laughter and stamping his feet in approval.

The account originated in Yugoslavia, and has come to the West through a German newspaper. It goes like this: Vacationing at the Black Sea in October, 1964, the blunt, earthy peasant was provoked into a screeching fury by a long-distance phone call from Leonid Brezhnev, in which Brezhnev "thanked" Khrushchev for a "letter of resignation" to the Soviet Presidium. Khrushchev, of course, had never written such a letter; it existed only in the fertile imagination of Brezhnev and his accomplices.

Goaded into a howling rage, Khrushchev bellowed threats against the Soviet Presidium and the Central Committee and unwisely used the phrase "I'll have you put against the wall, you damned devils!" With that, Khrushchev slammed down the phone; as we can imagine, foaming to the point of being incoherent, he gave orders to return to Moscow at once.

Brezhnev, however, had been tape recording the entire conversation. He immediately took the tape and played, to the Central Committee, the part containing Khrushchev's threats. Not wishing to be put up against a wall by anyone, and not caring to test their luck in explaining things to Comrade Nikita Sergeievitch, who was then approaching Moscow and no doubt getting madder by the minute, the "damned devils" summarily and instantly voted Khrushchev out of power.

The story, if true, is fascinating and it has considerable humor in its own morbid way. The dark and bloody history of Russian power politics over the centuries has never, to the best of my knowledge, ever produced another event that could even remotely be called amusing. Of course it wasn't funny at all to Khrushchev, but when he considers the alternative would have been a firing squad for him, perhaps he takes a philosophic view of it.

American inaugurals have not always been marked by trust and cooperation. The drums of the Civil War were already beginning their faint but ominous roll at Lincoln's First Inaugural. The inaugural procession itself was heavily guarded by grim-faced U.S. cavalrymen, carbines at the ready. Sharpshooters' rifles poked through Capitol windows, and a battery of artillery was standing by. And there is, of course, that truly incredible photograph taken at Lincoln's Second Inaugural. Almost as if staged by the Furies themselves, in a setting that was prelude to the tragedy to come so soon at Ford's Theater, the faces of John Wilkes Booth and his fellow-conspirators are easily identifiable in the crowd in front of the Capitol.

There are those abroad and, sadly enough, within the ranks of our own citizens, who would fasten the American Republic and its people into a hair shirt of guilt and wrap it, and them, with a penitent's chain of shame and contrition. These people would have us behave and act to others much as did a leper of the Middle Ages, who was forced to ring a bell to warn all of his approach and cry "Unclean! Unclean!"

A country, a people, that begins to doubt itself, is a country and people dangerously close to decay, decline and fall. We must at all times keep our vision fixed on those enduring symbols of our strength, and our resolve to use it wisely; our honor, and our vow to keep it bright; and our greatness, and our duty to preserve it.

Let us reflect, then, as we witness this coming inauguration, that it is a quadrennial example and reminder of our heritage as free men, and a symbol of these commitments: the peaceful inauguration of a new President of the United States, and the orderly transition of power in the greatest and most powerful country in history.

NEWSLETTER No. 3

"I shall treat neutrality as equivalent to a declaration of war against me!" (Gustavus Adolphus II of Sweden, Proclamation during the Thirty Years War, 1616–1648)

The spirit of the great Swedish general and statesman is probably frowning in disapproval at the latest action of his countrymen. "Neutral" for the most part since its Baltic supremacy was shattered in the Great Northern War (1700–1721) which also saw the rise of Russia to the position of major European power, Sweden has now capped a long series of irritating and near-provocative anti-American actions by giving recognition to the Government of North Vietnam.

In spite of U.S. protests, Sweden has granted "political asylum" to an estimated 200 American draft-dodgers and deserters from the U.S. military. Sweden was also the site for that peculiar invention of the once-brilliant but now quite probably senile Englishman, Lord Bertrand Russell, the "American war crimes trial." This last was such an open witches' brew of bias and prejudice that even some of the more radical African nations had refused permission to have it in their countries.

The political arm of the Viet Cong, the National Liberation Front, has an information office in Stockholm. That city has also been the scene of numerous virulent anti-American demonstrations, complete with stone-throwing and window-breaking at the U.S. Embassy and trade offices, and one was led by the Swedish Education Minister himself, a man who may be the next Prime Minister. "Education" Minister??

Now, the recognition of Hanoi by Stockholm has not only given the lie to any Swedish pretext of "neutrality" but also illumines the shrieking hypocrisy of those smaller countries which see themselves as mediators in conflicts between other powers.

If a country—such as Sweden—wishes to isolate itself so far as is practical from reality in international power politics, that is its right. It can take its chances in whatever mode it pleases. But isolation does not give it the right to lecture others who are more actively, usefully and knowledgeably involved.

There is very little the United States can do about any of this. The new Administration could refrain from appointing a new Ambassador to Stockholm, and leave our embassy there under a charge d'affaires.

But, at the very least, we should well remember that we owe such a country absolutely no favors of any sort. And the country in question should not expect—nor have the gall to ask for—anything beyond the most stiffly formal and correct treatment that is required in normal diplomatic interchange. If you try to make friends with a dog, yet he continually snaps and snarls at you, there's probably no reason to kick him for it. But there's no reason to throw him any more bones, either.

NEWSLETTER No. 4

Again, perceivest not how stones are also conquered by Time?
Not how the lofty towers ruin down, and boulders crumble?—Not how the the shrines of gods and idols crack outworn?
Nor how indeed the holy Influence hath yet no power
There to postpone the Terminals of Fate?
(LUCRETIUS CARUS—98 BC—55 BC.)

To us, Lucretius' world was young. But even then, as now, as his brooding and somber lines make clear, men stood in awe and silent wonder before the crumbled ruins and decay of what once was great and grand.

These lines are written on the side of Carthage (Kart-Hadasht, "New Town," in the tongue of the Phoenicians of Tyre) in what is now Tunisia. I am visiting the site for the first time; the site, not the ruins, for there are no ruins as such. The city that dealt Rome its worst military defeats suffered in turn from Rome destruction so total that archaeologists cannot say for sure where Carthage's walls and buildings once stood.

Rome sought victory; Carthage sought co-existence. Rome fell, too, it is true, but the city survives. Carthage fell; Carthage was obliterated, and practically nothing is left. I draw no specific parallels between their titanic struggle and power politics today. But, standing perhaps on the very spot where the women of Carthage cut off their hair, to make torsion ropes for the catapults during that last grim, hopeless seige, before the end came, I think of the words of the Prophet Isaiah: "Look unto the rock from whence ye are hewn." Just how much does history repeat itself, or try to teach us? What are history's lessons?

By the middle of the 3rd Century BC Rome's expanding political and commercial power crashed into the challenge of Carthage, the richest city in the west. The First Punic War (265–41 BC) was won by Rome; Carthage lost Sicily. But by 220 BC Carthage has regained power in Spain. In 218 BC Hannibal led 40,000 men and 37 elephants across the Pyrenees, with the objective of forcing Rome to agree to co-existing with Carthage.

Moving round the Mediterranean and crossing the Maritime Alps between Little St. Bernard and Mt. Genevre, he entered Cisalpine Gaul (northern Italy) with only 20,000 infantry and 9000 cavalry, having lost the rest since leaving Spain. In December 218 he destroyed two-thirds of a Roman army under Sempronius at Trebia. In April 217, at Lake Trasimene, he deliberately moved between the armies of Servilius and Flaminius, fell upon Flaminius, and Rome lost 15,000 dead and 15,000 prisoners. He then moved south to the Adriatic and swept down on a Roman supply depot at Cannae.

Consuls Paullus and Varro moved against Hannibal with four double legions. Paullus feared the Carthaginian cavalry, but the two commanded on alternate days and Varro took his day of command to order a general Roman advance. On August 2, 216 BC, the Romans had gone too far to withdraw and the battle was joined. Hannibal's cavalry routed the Roman horse, then, as the Roman infantry advanced against his crescent-shaped battle line, the Carthaginian center fell back. The Romans pressed on; Hannibal wheeled his left and right wings inwards onto the Roman flanks; the Carthaginian horse stormed into the Roman rear and, in the words of one leading military writer, "The Roman army was swallowed up as if by an earthquake."

70,000 Romans died; 10,000 (who had not fought at all) were made prisoners; of the Roman cavalry, only 370 escaped. Hannibal lost 5700 men.

In spite of this hideous defeat, the war dragged on and Rome stood fast. In 211 Hannibal did lead his army on Rome itself, and spurred his horse to the walls, to ring his spear against the portals of the Colline Gate. The gesture must have meant a sudden nervous clutching at sword hilts by the watchers on the walls, as the Carthaginian peered up at them in a mixture of contempt, amusement and curiosity.

By 204 BC Hannibal was bottled up in southern Italy and following a Roman invasion of North Africa in 203, Carthage sued for peace and called Hannibal back. At Zama, in 202 BC, just five days march from Carthage, Scipio defeated Hannibal and the Second Punic War was over. Carthage was disarmed and fined a tribute of 10,000 silver talents (about $20 million).

In spite of all of this, Carthage became prosperous again and by the middle of the 2nd Century BC Roman greed and jealousy (and probably fear) was aroused. Porcius Cato ended his every speech in the Roman Senate, no matter what the topic, with his famous "Ceterum censeo Carthaginem esse delendam!" ("For the rest, it is my opinion that Carthage must be destroyed!")

In 149 BC Rome demanded 300 Carthaginian boys of noble birth as hostages; Carthage agreed. Then Rome ordered surrender of all arms; Carthage gave up 200,000 stands of arms and 2,000 catapults. But the end was not yet: Abandon Carthage and move inland at least ten miles from the sea

Carthage refused and prepared for war, but it was too late. In 146 BC the final seige was over. All who survived were taken prisoner and sold as slaves by the Romans. The city burned for ten days, then everything still standing was levelled, Roman plows were drawn over the site, a curse was pronounced upon it, and the furrows were filled with salt, as a sign it was to be barren forever.

To Rome, existence meant victory over an adversary. To Carthage, existence meant co-existence and a "limited war" of sorts. Each may draw the lesson he likes from the story:

What are our woes and sufferance; Come and see
The cypress, hear the owl, and plod your way
O'er steps of broken thrones and temples, Ye!
Whose agonies are evils of a day
A world is at our feet as fragile as our clay . . .

NEWSLETTER No. 5

THE LAST FRONTIER OF EARTH

It comprises 70.8 percent of the surface of the globe. Truly unique in existence, it is found on no other planet of the solar system. It has depths that could swallow up the tallest mountain without a trace. 330 million cubic miles in all, each cubic mile has 166 million tons of salt and 38 pounds of gold, to name only two of the many substances found. It is sometimes called "Man's Last Great Storehouse of Wealth," and the wealth of the sea is beyond belief.

Today, for the first time in history, concerted attempts are being made to unlock the secrets of the oceans of the world. My new Committee assignment in addition to my regular work on Armed Services has been to the House Committee on Merchant Marine and Fisheries. This new post will bring me into close contact with the fast-growing and vitally important science of oceanography, the study of the seas of the world and their potential use to mankind.

The possibilities are truly incredible. Vision, if you will, getting fresh water from the sea. Not by distillation, but from an iceberg; icebergs are salt-free, being formed from glaciers. Scientists have calculated that three tugboats of the ocean-going type could be hooked to a 10-mile long, half-mile wide iceberg in the Antarctic and in two months time it could be pulled into the Humboldt Current, which runs up the West Coast of South America. Near Peru and Ecuador, the Humboldt slows down; the tugs would then swing the berg into other currents that would take it on a long, looping voyage almost to Hawaii then to Los Angeles. This would take around a year and the iceberg would lose maybe half of its bulk.

When it arrives at Los Angeles, it would be grounded on an offshore shoal and surrounded with a floating dam going about twenty feet below the surface of the water. As the berg melted, the fresh water, being lighter, would stay on top of the salt water, and the dam would keep the fresh water penned in. Los Angeles could pump it out as needed; one such berg would take care of the city's drinking water needs for a month at a cost of about one third of a cent per gallon, counting transportation costs. This is but a fraction of what Los Angeles now pays.

Minerals from the sea? 20 percent of our oil and gas reserves are offshore on the continental shelves and about 40 million square miles of ocean bottom have enough copper and aluminum to last man for a million years at present rate of consumption.

Food? The newest angle of all; techniques are being worked out to make man more of a harvester than a hunter. Regardless of what is sought, the potentials are vast, and the challenges are great, and I look forward to my additional Congressional Committee duties with a great deal of eagerness and enthusiasm.

NEWSLETTER No. 6

WHAT PRICE NEUTRALITY?

For over 18 years, ever since I have been in the Congress, a constant feature has been my weekly newsletter, blessed (or blasted) by various sources, but reaction to one written two weeks ago was somewhat unusual. I had written critically of Sweden for recognizing Hanoi and suggested the U.S. might not appoint a new Ambassador to Sweden as a means of showing its displeasure for this and other anti-American acts.

One reaction came from Russia. An article appeared on January 28 in Izvestia, the official Soviet government newspaper, and another on January 29 in Red Star, the Soviet Army newspaper. Both mentioned me by name and were highly critical of my stand.

The second reaction came from Sweden itself. The letter was signed, but the signature is totally illegible and neither name nor address is typed, so I have no idea who the writer is. The full text of his letter follows, verbatim:

"DEAR SIR: Did you know, that in 1783 Sweden was the first European country to recognize the United States? The British reacted exactly the same way as you have reacted today.

"Why not let your electorate know that too?

"Yours sincerely."

Next week I will comment on the Soviet reaction but I wish to address the balance of this newsletter to the unknown writer. Perhaps he will see this, my answer. And I wish to make it perfectly clear that any contention is only between me and those responsible for or giving approval to what are some notoriously anti-American actions. I am certain many Swedes deplore the course their government has taken. My reply follows:

"DEAR SIR: First, to correct your history: Sweden was the third European country (after France and Holland) to recognize the United States. Sweden's recognition was the first that was *unsolicited*. The U.S.-British peace treaty provided that smaller neutral nations could recognize the U.S. without breaking relations with Britain. Sweden was taking no risks in 1783—and knew it—so drop that self-imposed cloak of nobility. It doesn't fit. In addition, I seriously doubt Swedish recognition had been preceded by two or three years of anti-British action.

"If you wish to draw historical parallels, then make sure they are valid. Do you, or does your Government, infer comparability between the U.S. in 1783 and Hanoi in 1969? Do you perhaps compare the Declaration of Independence, for instance, to Hanoi's March 1968 decree of '15 counter-revolutionary crimes'—a decree which, I pointed out at the time, was strikingly similar in many respects to the repressive ones of Nazi Germany?

"Do you see similarities between the Continental Army and the Viet Cong? In January 1969, one month alone, the VC were responsible for the deaths of 400 South Vietnamese civilians—part of the Communist terror tactic—by stabbing, garrotting, hanging, being blown up by mines, grenading and shelling. Another 1100 civilians were wounded and 1400 were kidnapped. George Washington never put anything in his orders to his army that read like a recently-captured Viet Cong document's phrase: 'We should refrain from wantonly arresting and killing people whom we have not yet condemned.'

"I began my newsletter two weeks ago by quoting Sweden's King Gustavus Adolphus II on neutrality. This great statesman and soldier took a very dim view of neutrality; the victor of the battles of Breitenfeld, the River Lech and Luetzen bluntly termed it 'equivalent to a declaration of war against me!'

"I scarcely consider your Government's actions to be declarations of war, but I do find them quite impossible to understand in view of two major factors. First, the clear-cut issue of the Vietnam war: have we not learned from Hitler, and is aggression to go unchecked? But, perhaps, the lesson of World War II was lost on Sweden; considering that your country sat on the sidelines and traded with Hitler, your memories of him are not quite the same as those of some other nations. The second factor is what should be a strong tie between your country and mine that was generated by the thousands of Swedes who emigrated here, to become some of the finest of our Republic's citizens.

"Again, as I said in the other newsletter: if your country wishes to isolate itself from reality in power politics, that is its right. But this isolation does not give you the right to lecture or hinder others more actively and knowledgeably involved. Nor, do I think, do you have the right to pursue a course that obviously only encourages Communist hopes for eventual conquest of South Vietnam and the resultant butchery of thousands. Perhaps neutrality also means a numbing of national conscience, and your Government feels it can live with such a burden. But mine, sir, does not.

"That is why we are in Vietnam and why we strive to assure the safety of one small country against aggression. Not only for South Vietnam, but for any that would ask our help when needed.

"Even Sweden. You wouldn't need an American Ambassador resident in Stockholm to request it. You know we would respond, with never a moment's hesitation nor reflection on the unwarranted and undeserved hostility your Government has shown my country.

"But maybe you wouldn't ask us at all. You might ask Hanoi, since you profess to see no difference between them and us."

MRS. RICHARD GESSFORD, COOS BAY, OREG., FAMILY CIRCLE'S FIRST HOMEMAKER OF THE YEAR

HON. MARK HATFIELD

OF OREGON

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. HATFIELD. Mr. President, a few days ago I enjoyed the privilege of serving as host for a luncheon here in the Capitol to honor Mrs. Richard Gessford, of Coos Bay, Oreg., winner of the 1968 National Homemaker of the Year Award from Family Circle magazine. Carol Gessford, wife of an architect, mother of two children, and an active civic leader in her community, has brought a fine and deserved distinction to her family and to our State. She was the victor in a contest which drew more than 15,000 competitors from across America.

I ask unanimous consent to have printed in the RECORD the text of an article about Mrs. Gessford, published in Family Circle magazine. I think that Carol Gessford's accomplishments will be of interest to Congress. Her achievements help to make a strong and healthy America.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEET FAMILY CIRCLE'S FIRST HOMEMAKER OF THE YEAR: MRS. RICHARD GESSFORD OF COOS BAY, OREG.

In May of 1968, when we launched our search for Family Circle's first Homemaker of the Year, our hopes were high and, as it proved, justifiably so. Our contest announcement in that issue brought us some 16,000 responses from all over the United States and from Canada.

Our standards in that announcement were as high as our hopes, and it was a pleasure to see how many of the entrants lived up to them—though this did make it tough to narrow the possibilities down to the outstanding few, and to select from those the No. 1 winner. So good were the others, in fact, that we decided to honor an additional 27 regional winners.

Our No. 1 winner is Carol (Mrs. Richard L.) Gessford of Coos Bay, Oregon. The decision that Carol most closely fitted the contest's ideals was made by our Executive Editor, Betty Klarnet, on a round of short summer visits with the most likely finalists. But we didn't *really* get to know the Gessford family (Carol; her architect husband Richard; their 12-year-old daughter Robyn; and son Cary, who is four) until they visited *us*—in New York, last August. What with interviews, makeup sessions, and such, Carol was kept pretty well hopping (she swears she wore a path between their hotel on Park Avenue and our offices on Madison), but the family managed to work in most of the sights they wanted to see, and a week of memorable meals. "Richard and I took Robyn and Cary to a different foreign restaurant each night," Carol recalls. "The first night, we went to a Japanese steak house where the waiter cooked right at our table with *chopsticks*. I've never seen those children so excited!"

Which brings us straight to the first criterion of our contest—that the homemaker should be "a woman who gets genuine pleasure from her children." Obviously a conscientious mother, who can be firm when that's called for, Carol openly delights in her youngsters and is pleased when they do well. During our October trip to Oregon to take these pictures, for example, when photographer Doug Kirkland praised them for being fine cooperative subjects, no parent was ever prouder—or happier to share the spotlight.

Carol more than measures up to our second specification—efficient and attractive management of a household. The Gessfords' sense of what a home can and should be goes far back into both their lives, and their tastes and talents harmonize to a remarkable degree. After their wedding, in Idaho (before her marriage Mrs. Gessford was Carol Cheney), and some Army time down in Texas, they agreed that the green grandeur of Oregon was their idea of home, so they headed northwest. Both entered the University of Oregon, at Eugene—he in the School of Architecture and she as an arts major. Surely a propitious beginning for a young couple with definite notions of what they wanted from a house, aesthetically and functionally.

Their Coos Bay home, designed by Richard and the first they have built for themselves, satisfies them on both counts and works well for their kind of life. As for Carol, she "wouldn't change a thing about it," which is high praise indeed from a woman who knows what she likes!

The exterior is most notable for its congenial relationship to its surroundings and for the way it takes advantage of local materials. The wood (Douglas fir) and its staining (a quiet gray-green) suit the locale, and will weather nicely. Oregon's somewhat blustery climate dictated a number of choices, including shapes and exposures of doors and windows (doors facing away from wind directions; southern exposure for maximum sun; bronze-tint window glass to absorb heat). The windows are long and narrow largely for aesthetic reasons—but also because Richard and Carol aren't interested in "bringing the outdoors in," preferring to create their own vistas, often with hanging or potted plants.

More exterior applications of the local principle: The ground cover of wood chips to hold weeds down and keep soil from blowing away in the sometimes wild wind; wheels of tree trunks as "lily pad" stepping-stones at the entrance; local brick outside and inside the entry and around the livingroom fireplace.

In the matter of food, we got more from Carol than we bargained for. She likes to cook and is good at it, is even an avid clipper of recipes, and a frequent and enthusiastic hostess. Oregonians, familiar with the area's unpredictable weather, may be surprised to see Carol entertaining outdoors. Blame that on us; it was a day of rare beauty (and relatively little wind), so we took the liberty of moving the party outside.

As for looks and fashion, naturally we expect any woman to pay some attention to these. Carol was born with good coloring and hair, so her makeup and hairdo needs are simple. She's fortunate, too, when it comes to fashion: She sews well enough to make most of her own clothes and Robyn's, plus a lot of things for her house. She's made shades for all the windows, shower curtains for both baths, and the pillows for Robyn's room.

Carol's beauty rituals are uncomplicated. She likes it that way, and her needs are minimal: Basic makeup is beige-peach foundation; tawny blusher blended on side of face back to ears; light veil of peach powder on moist areas only. To flatten a pronounced bow on upper lip, lips are outlined in light color, filled in with translucent berry tone. For eyes, Carol has learned some new notions: Contouring to lift the fold beneath the brow; to deepen brows, a fine light-brown pencil line along brow top, and blond brow powder below; extra-long dark-brown lashes on upper lid.

Carol's fondness for cooking and her affection for people make her an easy and frequent hostess. Her typical dinner party is likely to be somewhat small—probably two or three other couples—and informal.

REMARKS OF CONGRESSMAN JOHN BRADEMAS AT 34TH ANNUAL MEETING OF INDIANA STATEWIDE RURAL ELECTRIC COOPERATIVE, INDIANAPOLIS, IND., JANUARY 30, 1969

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. BRADEMAS. Mr. Speaker, on January 30, 1969, I had the privilege of delivering an address at the 34th annual meeting of the Indiana Statewide Rural Electric Cooperative, Inc., in Indianapolis.

Under unanimous consent I submit the text of my remarks on this occasion for inclusion in the CONGRESSIONAL RECORD, as follows:

INDIANA STATEWIDE RURAL ELECTRIC COOPERATIVE, INC.

I'm very pleased to be here at this 34th annual meeting of the Indiana Statewide Rural Electric Cooperative.

First, I want to salute all of you as leaders of rural electric cooperatives here in Indiana. You represent a long and proud tradition in rural America and your work today is part of a continuing movement dedicated to improving the quality of life in our country.

REA: STILL MOVING AHEAD

More than 30 years after President Franklin D. Roosevelt successfully pressed for the establishment of the Rural Electrification Administration, rural electrification is still a vital force for progress, the symbol of a better life in rural America.

Three decades ago, only 10 per cent of the farm families of America enjoyed electricity. Today less than 2 per cent are *without* it, and the expansion of rural electrical service continues. Far from having outlived its usefulness, the program is still pioneering new ground, moving steadily toward its goal of low-cost electricity for all farm families.

Over 25 million people now receive the benefits of electrical and telephone service through systems financed by REA. In Indiana alone, there are now 47 REA-financed electric systems, 46 of which are cooperatives, serving over 190,000 rural consumers. Most important, fully 99.5 per cent of the farms in Indiana are now electrified, compared with 11.7 per cent in 1935 when REA was born. Ninety per cent have telephone service provided through REA support.

Two rural electric cooperatives have their headquarters in my own Congressional District. They are both successful private enterprises jointly owned by close to 8,000 member-consumers. These two cooperatives maintain a sizable staff and payroll, and pay their share of taxes—well over $100,000 in 1967. They are a vital part of the communities they serve.

The rural electrification story is one of the miracles of the modern era. Electricity in rural areas is still a miracle today. Without the efforts of rural electric cooperatives, most farmers would still be in the dark ages of the candle and the kerosene lamp. Yet we tend to take rural electrification for granted now. In these rapidly changing times, we live in a world where miracles are commonplace, and we cease to marvel at what we have created.

Rural electrification was a crusade two and three decades ago, and many members of Congress rallied to its support. Today other issues crowd the Congressional agenda and demand priority attention.

CHANGES IN RURAL AMERICA

I know you are fully aware of the great changes that are taking place in the areas where your electric cooperatives provide service. Nation-wide, the number of farms has been dwindling by more than 100,000 a year. Our total farm population has dropped to less than 7 per cent of the nation's total. The rural areas, where REA was the greatest thing that ever happened, now comprise only a small per cent of the voting strength of the American people.

All rural-oriented organizations face the dilemma of how to use most effectively their diminishing political strength in order to achieve their legitimate legislative goals. Rural electrification, like measures to improve farm income, must have support from Congressmen who have never seen an electric milking machine or an electric pig brooder.

Fortunately, there are Congressmen who, although they have no rural electric systems in their districts, vote regularly for REA appropriations, support Federal multiple purpose power projects, and approve funds for the Federal power marketing agencies. They recognize the contribution that rural electrification makes to the entire economy. They see the importance of upgrading and adding to rural opportunities if America is to achieve a balance in rural-urban growth. They know that the crisis of the cities has its roots in the unsolved problems of rural areas.

Just as Congressmen have had to broaden their interests, so your National Association and other organizations—both rural and urban—have broadened the scope of their concern. Given our highly complex social and economic structure, there is very little legislation proposed today that does not reach well beyond the persons or the areas toward which it is primarily directed.

This is the case with a wide range of legislative considerations generally identified as "consumer protection," about which I want to talk to you this morning. I think this is an area of legislation where rural electric leaders can play an important part, serving the particular interests of rural electrics as well as the broader interests of our society as a whole.

The National Rural Electric Cooperative Association at its annual meeting last year in Dallas, and the Region 4 meeting here in Indianapolis, adopted resolutions supporting bills aimed at strengthening the consumer's position in the marketplace. This is in line with the strong consumer identification throughout the rural electrification program. It gives meaning to your statement that the rural electric cooperatives are consumer-owned.

THE CONSUMER REVOLUTION

And, after all, we are all consumers—all 200 million of us. Fortunately for all of us, we are witnessing in America today something of a consumer revolution. It's a peaceful revolution to be sure, but it's a revolution nonetheless.

The American consumer is much less willing than ever before to accept maltreatment and fraud in the marketplace. He is beginning to assert his rights and is organizing to make his voice heard by both government and business.

Early in 1968, partly as an outgrowth of the Consumer Assembly which has become an annual forum in Washington, a new organization of national scope was created—the Consumer Federation of America. You may be familiar with the Assembly and the Federation, because rural electric leaders have been active in both undertakings.

With all the special interest groups and lobby organizations that have stalked the U.S. Capitol throughout the years, this is the first successful attempt to organize an effective and responsible voice in Washington for the interests of individuals as consumers of goods and services.

RESPONSE OF BUSINESS

The mobilization of consumer interests is having a major impact all across the country, and of course much opposition has been heard from business. But the business community is responding in positive ways too. I noticed last week, for example, that the U.S. Chamber of Commerce has set out to close the "communications gap" between sellers and buyers through the establishment of joint business-consumer committees by local Chambers of Commerce. These committees will identify consumer problems and determine priorities for cooperative action at the local level. The Chamber spoke of a need for business to "act positively . . . to demonstrate that it can and will deal effectively with consumer questions and problems."

Congress and the Federal government have also responded, in a variety of ways, to the new consumer awakening. Indeed, more has been achieved in legislation to protect the consumer during the past five years than in any comparable period in our history. The 90th Congress stands as one of the most consumer-conscious Congresses we have ever had, passing 28 consumer protection laws in 1967 and 1968 alone.

Underlying the new legislation is a recognition that today's consumer faces problems he simply cannot handle by himself. Our economy has become so complicated, its products so complex and its services so vast, that the consumer needs more protection, more information, and more assistance than he has ever needed before.

The individual consumer today is faced with products of such complex chemical or electronic composition that he is often incapable of making knowledgeable purchases. Moreover, the market is flooded with new drugs, synthetics, cosmetics, processed foods and complicated equipment—some of which present real health and safety problems.

TECHNOLOGY BRINGS HAZARDS

In other words, the swift pace of technology, which has brought abundance to the American consumer, has also exposed him to new hazards—car insurance plans that are cancelled for no apparent reason or don't pay off after an accident, misleading warranties and guaranties that leave the purchaser with a worthless product, deceptive and unfair lending and sales practices . . . to name only a few.

The growth and increasing complexity of our economy, therefore, have posed some real dilemmas for the individual consumer.

How can the consumer be confident of his safety when we discover that some types of color television sets and other electronic devices emit dangerous radiation?

How can he be sure he has all the information he needs to know about the products he buys if the labels are misleading or the warranties are vague beyond comprehension?

How can he be sure he isn't being swindled if there are no laws to protect him from unscrupulous creditors or dishonest door-to-door salesmen?

RECORD OF CONSUMER LEGISLATION

To answer these questions and solve some of the problems they pose, Congress has enacted a wide range of legislation. Here are just some of the measures Congress has passed in recent years:

Protection against impure and unhealthy meat and poultry through tighter inspection standards

Curbs on deceptive packaging and labeling

Safety standards for automobiles to stem the carnage on our nation's highways

Regulation of fire-prone fabrics such as baby blankets and household draperies

Protection against fraud and swindling in interstate land sales

Protection of children against hazardous toys and medication

Truth-in-lending

And a long list of others.

Practically every one of us, whether we live in city, suburbs, small town, or open countryside, will benefit from some of these measures passed by recent Congresses. Rural electric cooperatives and their members are consumers, and as such they share a common interest with all Americans, regardless of how they earn a living.

Unfortunately, consumer interests have been sometimes interpreted in rural America as meaning a "cheap food" policy for the benefit of urban America. This is not the goal of consumer protection legislation, nor has any consumer bill resulted in pushing down prices paid to farmers. What consumer protection laws can do is to protect farmers, as well as other people, against abuses practiced by a relatively few dishonest and careless sellers of goods and services—abuses which victimize rural and urban buyers alike.

When consumers make a purchase, they are entitled to assurance that they are getting a fair value for what they pay. They are entitled to have what they purchase stand up under reasonable use and operate under reasonable conditions. They are entitled to reasonable safeguards against hazardous goods. And they are entitled to a voice in how the natural resources of our nation are used.

UNFINISHED BUSINESS OF CONSUMER PROTECTION

There remains for the 91st Congress a great deal of unfinished business in consumer protection legislation.

Some of the bills which are being introduced early in the present session hold special interest for rural electric cooperatives. There is the issue of electric power reliability—the need to minimize the possibility of massive power blackouts by establishing and enforcing minimum reliability standards, requiring interconnections among neighboring utilities, and by licensing extra-high-voltage transmission lines.

Your NRECA annual meeting last spring went on record with an endorsement of the Electric Power Reliability Act as embodied in the bill (H.R. 12322) introduced by Congressman Moss of California. A revised version of this legislation is being prepared by Congressman Moss, Congressman Ottinger of New York and Senator Edward Kennedy of Massachusetts. I expect to be a co-sponsor of this measure.

Another bill which your national association endorsed last year was introduced by Senator Lee Metcalf of Montana, to establish an Office of Utility Consumer Counsel to represent consumer interests before state and Federal regulatory agencies and to make publicly available all information on utility system operation necessary to make such representations effective. This measure will be up for consideration again this year as S. 607 and I was pleased to see that Indiana Statewide Rural Electric Cooperative, Inc., has endorsed it at this annual meeting.

Insuring rural electric cooperatives and other small systems a reasonable opportunity to participate in the benefits of nuclear power development was the purpose of S. 2564, the so-called Kennedy-Aiken Bill. We can look forward to the reintroduction of this proposal in the 91st Congress.

Besides these three consumer-oriented legislative proposals which are so clearly in your interests, there will be many others needing your consideration and support.

We need a bill that will set standards to insure clean and wholesome fish products, similar to the meat and poultry inspection laws passed by the 90th Congress. Millions of pounds of uninspected fish are eaten in this country every year and the conditions under which these products are processed often pose serious health problems.

We also need—vitally need—a law to curb sales racketeering. Most of us have heard countless stories of fast-talking salesmen who travel door-to-door passing off shoddy and unwanted goods at cleverly concealed prices, then slip out of the community before the consumer kows what has been done to him. We need legislation regulating door-to-door selling that would put an end to such abuses.

We need legislation to insure that warranties and guarantees say what they mean and mean what they say, that they are as binding as their language implies, that they can be understood by the average consumer, and that there is service readily available to carry out their provisions.

We very badly need to do something in the way of reforming automobile insurance—to do something about the problems of settlements that are too low and too late, of cancellations and premium increases that are unfair.

We need to pass legislation to require a stronger warning of the health hazards of smoking on all cigarette packages and advertising materials. Just this week I cosponsored an amendment to the Federal Cigarette Labeling and Advertising Act of 1965 which would achieve this purpose.

And there are many further areas of needed legislation for the consumer which I have not mentioned.

I very much hope that the current Congress will be as energetic as the 90th in establishing the rights of the consumer and improving the market place. Fortunately, I can report to you that most of the principal House and Senate Members who have taken up the cudgels for the consumer in the past have returned to Congress this year and will undoubtedly be leading the fight for consumer protection this year. I speak of such Members as Congresswoman Lenore Sullivan, who guided the truth in lending bill to passage last year, and in the Senate, Senator Lee Metcalf of Montana, Senator Warren Magnuson of Washington, and Senator Philip Hart of Michigan.

Moreover, I hope that the new Administration will put its full weight behind the consumer movement.

Your interest in and recognition of the importance of consumer protection measures are a natural outgrowth of the continuing battles which have characterized the rural electric cooperatives from their very beginnings. The rural electrics are enterprises where service to the consumer comes first.

RURAL ELECTRICS CAN AMPLIFY VOICE OF CONSUMERS

With the continuing trend to bigness in all aspects of business, especially manufacturing and service, concern for the interest of the individual tends to be minimized. The voice of the individual consumer is too often not heard. Alone it cannot overcome the clamor of the marketplace, the massive advertising campaigns, the selling pressures of the trained salesmen. All of these efforts are designed to sell—too little effort has been and is being made to protect the consumer in the sales transaction.

The rural electric cooperatives, as consumer-owned and consumer-oriented organizations, can and do provide a means to amplify the voice of the consumer. They can and do help to make the consumer's interest and concern heard. It is a difficult and challenging role.

But the rural electric cooperatives have faced up to tough battles before and seen them through to victory. You thrive on challenge. By working together, as we have in the past, we can solve our problems and make this country a better place for all of us.

WASHINGTON WATCH—A PRIVATE NEWSLETTER BY TRISTRAM COFFIN

HON. J. W. FULBRIGHT

OF ARKANSAS

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. FULBRIGHT. Mr. President, a very perspective letter written by Mr. Tristram Coffin, a leading writer in Washington, will, I think, be of interest to Senators. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From Washington Watch, a private newsletter circulated to members and supporters of Business Executives Move for Vietnam Peace, Jan. 5, 1969]

(By Tristram Coffin)

(NOTE.—The views expressed by Mr. Coffin are his own and Business Executives Move for Vietnam Peace does not necessarily endorse them.)

THOUGHTS FOR THE NEW YEAR

"The most pernicious curse of modern times is the archaic habit of violence carried over into an era when it no longer serves an evolutionary or a social purpose. The habit is now expressed in weapons so outrageous, so disproportionate, so revolutionary, so fundamentally subversive of human institutions and civilizations that they have long ceased to be rational—have indeed become incompatible with human decency and human survival.

"For this reason it is not only a waste but a flagrant abuse of human devotion and talent that so many gifted and vigorous men all over the world, soldiers and scientists, are required to spend their lives multiplying and elaborating arms and armies," Charles W. Yost, Ambassador-designate to the U.N., pages 215, 216, in his book, *"The Insecurity of Nations."*

"More than 14,500 Americans died in Vietnam in 1968, American military spokesman said today. U.S. dead in 1968 almost equalled the figure for the first seven years of the Vietnam war and brought total American combat deaths in Vietnam to about 30,543, the spokesman said, *"Washington Post,* January 3.

"When he takes over as Secretary of Defense in the Administration of President-elect Richard M. Nixon, Rep. Melvin R. Laird will be presented with a set of military spending proposals totaling from $100-billion to $110-billion. This is $20 billion to $30 billion higher than the present defense budget," *N.Y. Times,* Dec. 19.

"The continued existence of a balance of payments problem raises doubts that the United States is either rich enough or has sufficient determination to maintain the cost of world leadership, the American Bankers Association said in a study released Thursday," *the Associated Press.* Dec. 12.

"Senate Minority Leader Everett McKinley Dirksen says the Nixon Administration will be 'tougher' about the Vietnam war. And that its toughness will bring about 'diminished action' in the conflict. The new administration 'means business about effectively prosecuting the conflict,' the Senator said in a telephone interview. This, he contends, will have a 'sobering effect' on the foe which, in turn, will lead to better results at the conference table," *Christian Science Monitor,* January 2.

WHY CLIFFORD WANTS PEACE IN VIETNAM

"The American peace movement has found its most powerful champion in the unlikeliest of places—the Pentagon. Clark McAdams Clifford, in charge of that citadel of war, has become as convinced as anyone in Government that the Vietnam war cannot be won and that an 'honorable withdrawal' is the most urgent business facing the country," George C. Wilson, Pentagon correspondent for the *Washington Post.* Wilson reports Clifford is certain the Nixon Administration "will come to share" his views, and that the Thieu-Ky regime in Saigon will do everything it can to keep us fighting.

A contrary report is filed by columnist Joseph Alsop who says Nixon listened sympathetically to General Andrew Goodpasture, the No. 2 man in Vietnam, who argued "that the enemy's military and political situation is now deteriorating rather rapidly. And with certain provisions . . . this deterioration will continue and even accelerate as each month goes by, if the United States only keeps the pressure on." (John Kenneth Galbraith comments on the "Rostow-Alsop-Aesop thesis, which holds that in modern warfare . . . there is nothing like a succession of bad defeats to bring you to the brink of victory.")

Some reasons for the Clifford position are:

The avalanche of bombs dropped in Vietnam—2,057,244 tons, or 50 percent more than we dropped in all theaters in World War II—has not materially changed the course of the war. The *Christian Science Monitor* reports, "It seems that North Vietnamese ingenuity and the steady flow of supplies from the Soviet Union and Eastern Europe prevented the total destruction of North Vietnam's transportation and supplies." *The Monitor* quotes two East German Journalists as saying that on September 2, a 1.2 mile long bridge near Hanoi was destroyed, but on the same day 80,000 people still crossed the river. (*The Washington Post* estimates "Marine Corps planes dropped 7 tons of bombs for every soldier claimed killed.") A report of life in Viet Cong territory by *Asahi Shimbun,* Japan's largest newspaper, says, "American strategy does not seem able to secure territory, but only to devastate it . . . They seemed to fire whimsically and in passing even though they were not being shot at from the ground nor could they identify the people as NLF. They did it impulsively for fun, using farmers for targets as if in a hunting mood. They were hunting Asians."

The United States has spread itself too thin militarily and would be unable to respond effectively to new crises. We have mobilized for Vietnam 43 percent of the army, 32 percent of the Marines and 60 percent of the Air Force.

The war is undermining the morale of the armed forces. *The Washington Post's* Ward Just reports he knew in Vietnam "only one GI who was totally enthusiastic in a totally personal way." (He was an anti-Castro Cuban refugee.) Riots, desertions, participation by uniformed personnel in anti-war demonstrations, formal charges of mutiny, and widespread use of anti-war symbols disturb the managers of the military. *The Monitor* reports: "Never in the history of United States warfare, has so personal an act as military desertion been so widely and purposefully publicized as during the Vietnam war. And never before has such an act, regarded as despicable in previous wars, assumed so convincingly the characteristics of morality and righteousness." The article quotes one deserter as saying, "I wasn't about to lay my life on the line for a cause I didn't believe in, and I wasn't about to kill anyone for something I didn't believe in." (December 31.)

"Nearly 200,000 Americans have been killed or wounded . . . Over $100 billion have been spent. Here were the resources to have fulfilled the promise of American life in our generation; here were the young men to have given leadership to a nation. Here were the energies and labor of a government of dedicated men. Here was progress to dream of, and to work for, and to hand down to our children. Here was an America ready to give leadership to an entire world . . . It was all here, and now it is gone," *Senator Edward M. Kennedy.*

The widespread use of defoliants, napalm and bombing of civilians and villages has created a sense of guilt in the United States and among its friends. Eleven Protestant bishops, a Catholic bishop and three eminent rabbis asked Dow Chemical to allow its stockholders to vote on whether the company should continue to sell napalm for use against human beings. A Scientists' Committee on Chemical Warfare in Vietnam was organized to "end the use of chemical agents" by our forces there, this at the recent meeting of the American Association for the Advancement of Science. The group charged that a million acres of crop and cover have been sprayed.

GENERAL PUBLIC ALIENATION TO THE WAR

This is only a part of the general intellectual alienation to which the Johnson Administration responded so harshly by its indictments of Dr. Benjamin Spock, Yale chaplain William Sloane Coffin, writer Mitchell Goodman and Harvard graduate student Michael Ferber, and what the *Washington Post* called "a surprising brief" in which the Administration accused poet Robert Lowell, who had angered President Johnson, and writers Dwight MacDonald and Paul Goodman among among others of belonging to the "same conspiracy" against the draft.

The war has super heated the U.S. economy. A *Washington Post* item reports "a consumer now pays $10.48 for an item that cost $10 just eleven months ago." The Committee for Economic Development notes that war expenses, a general rise in government spending and a lack of "firm handling of the economy" has created "an unnecessary degree of inflation, an increasingly precarious balance-of-payments position, and finally a sustained attack on the dollar."

American opinion has turned heavily against the U.S. load in the war, and 46 percent in the latest Gallop poll favor our troop withdrawal.

The enemy has shown a greater capacity to fight than the South Vietnamese. The *Monitor* says 12,000 Saigon troops deserted in September, and Hanoi broadcasts regularly claim incidents of mutiny in the Saigon forces. The Japanese newspaper, *Asahi Shimbun,* says two factors keep the VC going. South Vietnamese troops pass on weapons to the VC. At one advanced post visited by the reporter "over 80 percent of their weapons were U.S. army issue. Some were Chinese and French made, but the grenades were 100 percent American made." The widespread devastation has "created what is today the dominant emotion, hatred of Deguoc My (imperial America). A political staff member told me, 'The American and South Vietnamese Government forces are driving people into the enemy's camp and the longer the war goes on, the more deeply the people will hate them.' "

THE WESTMORELAND-LAIRD POSITION

In the book, "Westmoreland: The Inevitable General," by Ernest B. Fugurson, the General is quoted: "I bet the Russian Army is jealous as hell our troops (in Vietnam) are getting all this experience, we're learning about guerrilla warfare, helicopters, vertical envelopment, close artillery support. Those Russian generals would love to be here . . . Any true professional wants to march to the sound of gunfire." *The Washington Post* reports: "Melvin R. Laird goes into the job of Secretary of Defense with an expressed philosophy close to the military chiefs he is supposed to control." Laird in his own book, American Strategy Gap," writes: "While we have the power we must aim at confronting the enemy directly. We can win every such confrontation."

THE U.S. COMMITMENT IN THE MIDDLE EAST

Joseph C. Harsch writes in the *Christian Science Monitor,* "The fact is that the United States, rightly or wrongly, for better or for worse, is a partisan in the Middle East. The survival of Israel as an independent state is a matter of dogma in both American political parties . . . In every Arab-Israel war the United States Navy has covered and protected the Israeli coastline and guaranteed Israel's lines of supply. Israel is under the protecting arm of the United States, and has no reason to doubt that it will continue to be protected."

The Middle East "trembles on the brink of disaster," Ambassador-designate Charles W. Yost writes in the current *Atlantic Monthly,* because of a number of factors—the withdrawal of France and Britain as "trustees" of the area after the ill-fated war in 1956, the enlarged Russian presence as an arms supplier for Arab nations and as a naval power in the Mediterranean, a large body of embittered Arab refugees, Arab guerrilla tactics and the Israeli strategy. This is described by Alfred Friendly in the *Washington Post* as "preemptive deterrence," that is to make guerrilla raids too expensive for the Arab states. The *London Financial Times* adds: "Israel's present strategy is based on escalation. It is offensive to such a degree that Israel is obliged to mount a preemptive attack every time Arab forces, whether conventional or guerrilla, look like gaining any kind of superiority. That, of course, is the danger of the present renewed arms build-up.

. . . Responsible powers are aware, as the United States is now aware, of the danger of higher confrontations."

A PLAN TO DEFUSE THE MIDDLE EAST

Yost proposes: "a realistic but generous arrangement for the resettlement and reconciliation of the refugees, and a formula embodying in contractual form the status and guarantees for Israel which the U.A.R. and Jordan have accepted in principle by subscribing to the November 1967 (U.N.) resolution." He suggests further that Israel withdraw, at least in part, from Arab territories, and that the U.S. and Russia agree to limit the arms to both sides to those needed "for genuine self-defense." This would rule out Phantoms, Migs and missiles.

MILITARY SPENDING IS NEW TARGET

The first real drive to cut down excessive military spending and investigate waste and profiteering in military contracts is just beginning. Items:

"Mayor John V. Lindsay of New York, warning that America's domestic crisis will give no rest to the new Administration, called on President-elect Richard M. Nixon to change the emphasis of Federal spending from military to civilian needs," *United Press International.*

An upcoming investigation of a Joint Economic Committee sub-group will study "the amount that military commtiments and economic assistance contribute to balance of payments deficits."

"U.S. fighting men in South Vietnam have been deprived of up to $1 billion worth of vital military hardware because of Army negligence in awarding and enforcing defense contracts," according to a confidential report made public by the National Association of Government Employees.

Senator William Proxmire's subcommittee of the Joint Economic Committee is planning new hearings on corruption in military spending. Proxmire's group has already heard testimony that the huge C–5A transport plane program is going to cost $5 billion more than estimated. The witness, A. Ernest Fitzgerald, an Air Force efficiency expert, was then "stripped of the tenure, or Civil Service protection, he had been awarded two months earlier" by his Pentagon superiors.

Another witness, who audited supplies for U.S. operations from Thailand against Vietnam, revealed that "bribery, collusion and Government laxity led to thefts of at least 5.5 million gallons of petroleum products in Thailand during 1967 alone." This witness, too, was disciplined by being transferred out of Thailand. "The thefts were accomplished principally through bribery of U.S. personnel and forgery of receipts—many of them made out to military units that didn't exist.—*Washington Post.*

ADVANCED CRITERIA FOR U.N. AMBASSADORIAL APPOINTMENT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. **BRAY.** Mr. Speaker, it appears that the recent change in the important position of U.S. Ambassador to the United Nations has signified some recovery in the necessary observance of certain fundamental criteria for appointment to this rank. As many will recall, there was strong private opposition to the appointment of James Russell Wiggins to this post last fall. One who testified publicly against the appointment was Dr. Lev E. Dobriansky, of Georgetown University.

His personal account of this episode is set forth in the following article titled "James Russell Wiggins: 'I Am in Love'," which appeared in the autumn 1968 edition of the Ukrainian Quarterly:

JAMES RUSSELL WIGGINS: "I AM IN LOVE"

(By Lev E. Dobriansky)

Wiggins is in love. He is in love with his country, he says. This is not fiction but a true story of a man who was asked why he was interested in taking on the job of U.S. Ambassador to the United Nations. In Wiggins' judgment the chief qualification for his interest in and acceptance of the President's nomination to this critical post is the passion of love. Now, it can truly be said, every loyal Boy Scout or Girl Scout is well on the road of qualifying for the august position of U.S. Ambassador to the United Nations. Cultivate a love for your country and by all means announce it loudly and dramatically, and you, too, will qualify according to present standards.

The text of the Senate Foreign Relations Committee hearing on the Wiggins nomination falls far short of conveying the atmosphere in which this spectacle took place. Questions posed by some of the Senators present were totally irrelevant or superficial as concern the qualifications of the nominee. One or two behaved as though the entire procedure was mechanical and the approval of the nomination was a foregone conclusion. As we shall see, they were quite correct. But one had to be in attendance to witness the tragi-comedy and to appreciate the full emotional effect of the proceedings. When the chairman of the committee, Senator Fulbright, asked the witness "Why are you interested in this appointment?" and received the answer "I am interested in it for only one reason—I am in love," the resonance and tonal effect of his "What?," resounding through the large room, could hardly be sensed from any reading of the text.[1]

For a full appreciation of this and other comical aspects of the hearing, there could be no substitute for attentive presence.

A FEW ASPECTS OF THE HEARING

Before we evaluate this sorry spectacle in our current diplomacy, let us view a couple more of these aspects. The case of Senator Case and his questioning is one for the books. Throughout he attempted to put words into Wiggins' mouth after it was considerably dried up by Senator Fulbright's persistent, though unsuccessful, interrogation. Concerning our intervention in Vietnam, Senator Case nudged the nominee by saying "you can talk about it anyway you want. I think it would be helpful, because we are not engaged in an investigation of you. You are confirmed already, as far as that goes."[2] Strange, isn't it? The whole and sole purpose of the hearing was to judge the nominee's qualifications for the U.N. position, and on the basis of the judgment to either confirm or not confirm the nomination. Here we have a frank and doubtlessly blunderous admission that regardless of any evaluation of Wiggins' abilities, the confirmation is rigged.

What is even more disgraceful about the manner in which this hearing was undertaken is the fact that the published record of it omits some meaningful statements made at the hearing. When, for example, Senator Case let it be known that confirmation was already assured, Senator Thomas J. Dodd of Connecticut intervened, "Will the Senator yield? I did not hear what you said. Has this action already been taken here?" To which Senator Case replied, "No, no. I was saying this perhaps rhetorically, slightly. But I would guess it is a fair prediction, and in fact I bet it would be unanimous."[3] Naturally, the bet wasn't accepted. But isn't it odd that this significant exchange does not appear in the final, published account of the hearing? Its significance lies in the attitude shown toward this particular nomination, by and large uncritical, acquiescent, and even slobbering on the part of a few.

In his documented criticism of Wiggins' character, integrity and ability the writer was under no illusion as to the odds against the rejection of the nomination. Weighted account had been taken of the long Senate fight on the Fortas nomination to Chief Justice of the Supreme Court, of the intense fever in Congress for adjournment, and the general feeling that this political pay-off for journalistic services rendered would cover only a three-month period. At this late stage it would have been a miracle if one or a group of Senators took up the cudgels for another nomination fight. In this circumstance my aim was solely to provide for the public record the patent lack of qualifications on the part of the nominee. Much of the publicity surrounding Wiggins' nomination was false and untrue, particularly about his "integrity" and "objectivity." Those who have had any close encounter with him, wielding a pen behind a safe mahogany desk in *The Washington Post,* know differently, and the public record had to show this.

A number of rationalizations have been advanced in behalf of Wiggins' appointment. Some try to justify it as simply a retirement gift for an editor who cooperated closely with the White House. With greater accuracy others view it as an outright political pay-off for the foreign policy support given by Wiggins to the Administration. Perhaps the most fatuous rationalization is that Wiggins was selected to symbolize the low regard and displeasure held by the United States toward the U.N. at this time. If this were so, what has Secretary of State Dean Rusk been doing there? Actually, regardless of the motivation, the choice made reflects the low state of the Administration and reinforces further the poor image the U.S. possesses today in the world arena. Also, the treatment accorded this matter by the Senate Foreign Relations Committe produces an equally sad commentary on the proper execution of functions by the Senate; here, too regardless of the cited pressures.

Two other important aspects of the hearing were Senator Dodd's insistence on time to permit a reading of sufficient amount of the *Post's* editorials on foreign policy and Senator Fulbright's impatience with the nominee's vague and general responses. On several occasions during the hearing Senator Dodd pointed out the need for reading and examining the *Post's* editorials before a judgment could be made on the nomination. As he put it, "Mr. Wiggins has said very frankly he is not familiar with this problem, the problem of international affairs. He hasn't served in any official capacity. How does one know, then, what he thinks, how he will react, how he could handle his job up there, except by reading the editorials which he tells us generally have met with his approval?"[4] No one contested this vital point, but the fact is that all fairly well knew that time would not be afforded for this necessary examination and, indeed, it was not. On the very day of the hearing the Administration moved "to push the nomination through the Senate committee and the Senate. . ."[5] So, in effect the committee approved the nomination of a man who admitted his unfamiliarity with international problems, admitted his personal control over the *Post's* editorials, and remained largely a mystery as to his views and opinions.

Concerning the last point, the grueling questioning pursued by Senator Fulbright revealed the paucity of the nominee's views and opinions. Though the committee chairman concentrated on the subject of Vietnam, the responses vibrated with vague generalities and stock phrases. Sentiment prevailed, including love, but nothing in the way of concrete knowledge and proposed ac-

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Footnotes at end of article.

tions seeped through. "I simply do not have a solution for the war in Vietnam" was typical of the simple answers given to other questions as well, such as a U.N. debate, agencies and the like.[6] Senator Dodd stated what was quite evident to all present when he said "Senator Fulbright asked you this question. He said the United States has suffered great losses in Vietnam, lives, blood, money, just about everything one could think of, including prestige, and as I understood the Senator, he asked, what do we win, and what do we lose? I didn't hear you make any specific response."[7] The virtual absence of specific responses was the hallmark of Wiggins' testimony. And on the basis of some questionable standards, he was both chosen and confirmed to represent the strongest power on earth in the United Nations.

STANDARDS FOR A RESPECTABLE NATION

The scandalous aspects of the Wiggins spectacle emphasize both the depth of deterioration in U.S. foreign policy management and the need for standards on the part of a still respectable nation. Applied to this highly important post in the top world forum, these standards may be adapted to every other situation where the far-flung Russian threat presents itself. In any such nomination, one requisite is the selection of a well-rounded personality who has consistently shown a balance and fairness of outlook, an objectivity toward especially new and untried ideas, and a proven compassion for the needs and aspirations of all peoples, including the many different nations in the USSR. In the Wiggins case this requisite was scarcely satisfied. This writer, in opposition to his appointment, hammered away at his lack of objectivity and his malice as shown in the *Post's* numerous editorials which arbitrarily sought to "sweep under the rug in the interest of detente all evidences of Russian aggression and tyranny in Eastern Europe."[8] More detailed evidence below will show the extent of Wiggins' extremism and viciousness.

Another important standard for judging a nominee to the U.N. post is the scope and depth of his knowledge of the Soviet Union, its origin, composition, chief developments and internal conflicts. Whether we wish to admit it or not, the chief sole and serious enemy to the security of our country is the totalitarian Russian base in that ersatz union. Dependence for such knowledge on staff members in the U.S. Delegation to the U.N. is not enough. The Ambassador is expected to show leadership, and this cannot be adequately displayed without independent knowledgeability. This writer was accurately quoted as saying that in this respect the Wiggins nomination is "an appalling one" and that "editorials under Wiggins' supervision showed the nominee lacked sufficient understanding of Soviet intentions and motives . . ."[9] Here, too, some evidence below will indicate the appalling nature of the nomination.

Surely, an additional and reliable test is the judgment demonstrated by any such nominee as to his assessment of overall developments in Eastern Europe. In the wake of the Russian rape of Czecho-Slovakia, this standard of evaluation assumes even greater importance at this time. As the writer stressed, if the candidate showed himself to be tragically wrong, then he should not have even been considered in the first place. As revealed in the *Post's* editorials, Wiggins' notions about irritating the bear, the mellowing Bolshevik, and detente with "Russia" are out of this world and something to contemplate. The pro-Russian bias of the *Post*, in the sense of casting aside other peoples so that the empire may remain intact and peace through evolution may be attained, has been conspicuous for the past decade. This writer knows whereof he speaks, for the battle on these fundamental issues has been a continuous and running one, as the appendix of the hearing publication in part clearly shows.[10] Much to everyone's surprise, the post-Wiggins administration in the *Post* decided to display some objectivity by reporting on the writer's testimony against the nomination. What it reported puts in a nutshell the points registered here: "Dobriansky said he had waged a '10-year ideological conflict' with *The Washington Post* and that the Wiggins nomination, 'in a twilight Administration,' was 'scraping the bottom of the barrel.' "[11]

In these times, another very important standard of behavior is the courage of one's convictions. In addition to displaying honesty, fairness and objectivity even on the most controversial issues, a candidate for this or any other prominent position of representation should possess the metal of courage and an ability to defend his views in the open, face to face with his opponent. It is one thing to sit behind a desk with a pen in hand, lashing out against faceless adversaries; it is quite another to do this and courageously meet the challenges that ensue. Challenges for debate and open discussion have been offered to Wiggins, but he never had the courage to accept them even on his own home grounds and under rules set by impartial third parties. It can't be too strongly emphasized that at any time, no less the present, we can ill afford a weakling representing the U.S. in the U.N. In this propaganda arena the stakes are too high to entertain the superficial ambitions of a diplomatic nullity. The writer is certain that the Russians couldn't have been more pleased with this weak appointment, particularly in this period of the armed Russian occupation of Czecho-Slovakia. Could one envision a superficial Wiggins orally contending beyond a text prepared by a staff member with one of the dialectically trained Russian delegates on issues of imperialism, human rights, colonialism and related subjects?

These, then, constitute the standards, criteria, requisites, and tests by which a man should be initially judged for a high nomination and later judged for confirmation. In none of these instances does Wiggins fare well, and his appointment casts a serious shadow over the importance and significance of the U.S. Ambassadorship in the U.N. The record of Wiggins' editorial bias, manipulations, and cowardice is long and goes far beyond what is contained in the appendix of the published hearing. This writer, helped by Senator Dodd's insistence, appealed to the Senate Foreign Relations Committee to examine this record carefully, but sheer politics prevailed and the nomination was actually railroaded through the Senate. In light of the standards described above, to which there can be no rational objection, this hasty action certainly does not reflect well on our current processes of government. And the stain will remain for some time to come.

SOME CHOICE POINTS OF EVIDENCE

Objectivity, knowledge, judgment, and courage are the keys for evaluating fairly and with principle the Wiggins nomination. Considering the first in his case, objectivity implies intellectual integrity, a disciplined willingness to observe and examine all aspects of a given object or situation, and a moral fairness toward those with contrary views and opinions. In numerous cases Wiggins has been found wanting on this score. In fact, wielding the means of a powerful newspaper, he manifested all the marks of sharp bias, a malicious bent, narrow-mindedness, and an evident cultural insularity. The best case to support this indictment was his almost personal and neurotic campaign to thwart the Congressional-directed erection of the Taras Shevchenko statue in the nation's capital.

Let it be emphasized at the start, the crucial point here is not the broad ramifications of this event which extended deep into the Kremlin and all parts of the Russian empire, including North Vietnam, but rather the manner in which an editor of a formidable organ treated it, and at that for a period of over six months. Moscow's response to our American action to erect a similar statue in the Red imperial capital, Khrushchev's hasty departure from Scandinavia to unveil their statue before ours in June, 1964, former President Eisenhower's memorable address at the monument, and many other internationally interrelated aspects were completely lost on Wiggins. Setting these intricate events aside, for they are not logically relevant to the issue at hand, let us just concentrate on how this so-called journalist of supposed integrity, honesty, and objectively managed his erratic opposition.

With a unique cultural insularity, the now U.S. Ambassador to the U.N. waged a campaign of blatant inconsistency and uncertainty as to his knowledge of the issue, and went far beyond all this to indulge in smear and hatred tactics, injecting anti-Semitism, the hyphenated American slur, and fictitious quantities and employing every filthy trick in the journalistic trade to prevent what Congress and the Eisenhower Administration had willed by accepted processes of legislation and execution. As for inconsistency and uncertainty, one need just compare a few passages among many in the editorials written by Wiggins or his directed reporter. In the first one he admits, "Yet, like most Americans, he have never read a line of Mr. Shevchenko's verse, in Ukrainian or otherwise. . ."[12] Later, from one who hasn't read anything of Shevchenko, we read, "as a poet Shevchenko has no universal significance for Americans. He is the pet of a small minority, whatever his poetic merit."[13] This is supposed to be a reflection of intellectual integrity, which has been falsely ascribed to the nominee. As a further example, one need only compare this and other drivel with the highly laudatory article in the *Post* on "A Ukrainian Poet Gets Statue Billing," which in part states "For his poetry, Ukrainians both under and beyond Soviet rule adore him. Two non-Ukrainian Washingtonians familiar with his work speak of him as 'Pushkin and more,' ah, a Shakespeare."[14] Confusing? this is virtually nothing, but the reader can enjoy himself by reading the succession of *Post* editorials and articles as contained in a compact Congressional reprint.[15]

Sparse in knowledge of the subject and thus short on objectivity, Wiggins then proceeded to apply the worst conceivable smear technique. These examples should be sufficient to indicate the type of man who was selected for the U.N. Designed for disunity and resurrected Old World hatreds, he wrote, "It is perhaps enough to say that both in the writings of the poet and the efforts to exploit him there are elements which are offensive in various ways to Americans of Russian, German, Polish, Catholic, Jewish, Orthodox and even Ukrainian background. A statue of Shevchenko would be a monument to disunity and recrimination among Americans."[16] Not one of these groups was foolish enough to fall for this bait, but this didn't deter Wiggins. He kept plugging away with anti-Semitism, anti-Polish sentiments, and the guilt by association argument, this on the part of the *Post* which used to scream over Senator McCarthy's tactics.

Here are some choice examples from an editorial that is really a monument to ignorance. In one place, Wiggins wrote, "It is not just that Shevchenko said many anti-Semitic things that are an affront to the Jewish community of this country . . . It is not just that the poet is the idol of Communist Party members who have caused the Soviet Union to flower with libraries, collec-

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Footnotes at end of article.

tive farms, plants, villages, and memorials to his name. It is not just that his very name is, by reason of his flaming nationalism, an affront to members of the Polish minority . . . The larger reason, however, is simply that Shevchenko is neither a universal poet nor a national poet of this country entitled to recognition in the United States."[17] No facts or quoted passages were given for these baseless accusations, only fiction. How absurd all this was can be gleaned from Wiggins' first editorial in which he cried, "Next year will be the 400th anniversary of Shakespeare's birth. That the city has found precious space for the Ukraine's national poet and not yet found room for some comparable token to Shakespeare's genius is really remarkable."[18] Shakespeare, too, contains what some may construe as anti-Semitic passages, but for "integrity." Wiggins the malicious accusation should be reserved only for Shevchenko who, as a poet, likewise had to describe some aspects of life as they were.

Much was written to counteract and refute these scandalous editorials. In part, Wiggins admitted that "Objections of this newspaper to the proposed memorial to the Ukrainian poet, Shevchenko, have inspired a great many letters."[19] The objectivity and fairness of the person and the newspaper can be gleaned from the fact that only a few of these "great many letters" were published in the *Post*. The newspaper has long prided itself for its liberal attitude, its supposed policy of seeing and examining all sides of an issue. This is one substantial case where this claim is hollow pretension. Hundreds of letters poured in to protest the fantasies concocted by Wiggins, but not even one-half of one percent saw publication in the *Post*, while the editor of integrity and objectivity kept rolling along with his campaign in the form of editorials, editorialized reports and articles, politicking on the Hill and with the puppet Soviet Ukrainian delegation to the U.N., and a wide variety of irresponsible journalistic methods aimed at disinformation and distortion. It will now be interesting to observe whether the *Post* will treasure the dubious legacy left by Wiggins or make good its liberal claim.

WIGGINS' KNOWLEDGE OF THE USSR AND COURAGE

The evidence can be cited on and on to prove that Wiggins, the present U.S. Ambassador to the U.N., is a man deficient both in integrity and objectivity. Constituting this evidence, what he suppressed in his paper found its way into a prime source of our Nation's history, the *Congressional Record*. My own book contains two chapters on the historic Shevchenko event and analyzes thoroughly the role played by Wiggins.[20] There are so many absurdities in Wiggins' editorials that to show and elaborate upon all of them would require another article. For instance, in his editorial of ignorance, he stated, "If Khrushchev should visit us again, he could lay a wreath on this memorial."[21] Now, could anyone in his right senses visualize a Khrushchev, who in all his rule railed year in and year out against the Captive Nations Week Resolution, place a wreath on a memorial dedicated to the liberation and freedom of all the captive nations? The erratic and irresponsible editor of *The Washington Post* thought otherwise. Or take Wiggins' solicitation of the views of the puppet Soviet Ukrainian representative in the U.N. Naively and desperately, Wiggins quoted L. Y. Kizya as supporting the statue but protesting its use "to fan up animosity toward the Soviet Ukraine, and all the more to aggravate the cold war."[22] Aside from the impropriety of an American citizen soliciting and injecting a foreigner into a domestic controversy—incidentally, a highly relevant matter that the Senate Foreign Relations Committee should have looked into—Wiggins tried here his guilt by association technique, but it misfired when Kizya protested against the patriotic motives behind the statue's erection.

One can deduce from all this that Wiggins' knowledge of the Soviet Union is at best shaky. Here, too, considerable evidence shows it to be grossly deficient. The fact is that since 1959, when Congress passed the Captive Nations Week Resolution, the writer has been in a running and unremitting battle with Wiggins and the Post over the fundamental subject of the captive nations. The written record of Wiggins' lack of understanding and outright arrogance on this score could also account for several articles. It is sufficient in this analysis to offer some select examples which adequately substantiate my charge. As in the Shevchenko case, Wiggins deliberately suppressed the publication of numerous rebuttals, but they, too, found their way into the *Congressional Record* and an interested Congress. In fact, just this past July, during the Tenth Observance of Captive Nations Week, Wiggins resorted to the unheard-of manipulation of extracting a couple of sentences from a National Captive Nations Committee press release and without permission, converting them into a letter-to-the-editor over the writer's signature.[23]

Highlighting this case are several editorials. One in July 24, 1959, titled "Irritating the Bear" opposed Congress' resolution because it would displease Moscow. In my reply of July 29, which was the only one published in full during this ten-year period, it was pointed out that patent truths cannot be ignored ostrich-like and that the Post was way off base factually in attributing the resolution to the work of some "foreigners" and exile groups, as though that would have been bad. However, how thoroughly lacking Wiggins is in his comprehension of the Soviet Union can be appreciated by the following. In another editorial against the resolution, Wiggins stated "White Ruthenia and Ukraine are political concoctions that describe aspirations more than a national entity."[24] The utter silliness of this statement may appear incredible to any cultured and educated person, but the fact is that this is what we have had to deal with. This is the new negative qualification for an appointment to the U.N. The same editorial held that the resolution "also includes 'Cossackia' and 'Idel-Ural' which never have existed as nations except for intervals of German invasion. They are about as much 'captives' of the Soviet Union as Anacostia and Cleveland Park are 'captives' of the District of Columbia."

And there is considerably more of this rubbish. "Ukrainian nationalism," states Wiggins, "is nothing if not anti-Russian."[25] Sarcastically, another attacks the resolution because "Its list included not only such ancient and recognized lands as White Ruthenia and Turkestan but historic Cossackia and storied Idel-Ural, too."[26] One could go on and on with the literary exchange that ensued, but the one thing Wiggins could not show was courage. The poor, little man behind the secure mahogany desk, wielding his powerful pen for the misinformation of the *Post's* readers, shied away from a direct challenge to justify his fictitious views. This writer put it very succinctly: "I challenge you to arrange a discussion meeting in the *Post's* auditorium, which would bring you face-to-face with living victims of Soviet Russian imperio-colonialism from Idel-Ural, Turkestan, White Ruthenia, and Cossackia . . . Let us see how courageous you are in meeting these people—who you think are ghosts without a national background of independence struggle—before the audience of the *Post's* personnel who, in this setting, would have the opportunity to gauge the level of their editor's understanding of this vital problem."[27] The challenge was repeated several times and, needless to say, was never met.

A DIPLOMATIC OUTRAGE

The appointment of Wiggins to the U.N. is in every respect a diplomatic outrage. It reflects poorly on the White House and the Senate Foreign Relations Committee. It brings discredit to our nation. It has now virtually made a joke of the institution of the U.S. Ambassadorship to the United Nations. The prudently silent reaction of foreign diplomats to this appalling appointment must be cause for considerable wonderment. When one recalls men of stature who have occupied that post, such as Senator Lodge and Adlai Stevenson, this action is a veritable stain on our national record. Let us hope that it will serve as a lesson for the future.

When the Wiggins type will have passed permanently from the scene, the countless who took to heart the enduring message of former President Eisenhower, will still labor and fight for integrity, objectivity, knowledge, judgment and courage as concerns the most vital of issues in our day. That message, spoken at the foot of the Shevchenko statue, is: "For my hope is that your magnificent march from the shadow of the Washington Monument to the foot of the statue of Taras Shevchenko will here kindle a new world movement in the hearts, minds, words, and actions of men." This world movement for the freedom of all the captive nations has been kindled.

FOOTNOTES

[1] *Nomination of James Russell Wiggins*, Hearing, Committee on Foreign Relations, United States Senate, USGPO, Washington 1968, p. 3.

[2] Ibid. p. 10.

[3] Quotes are from the recorded transcript of the hearing.

[4] *Hearing*, p. 30.

[5] John W. Finney. "Wiggins Defends U.S. Vietnam Policy," *The New York Times*, October 1, 1968.

[6] AP release, October 1, 1968.

[7] *Hearing*, p. 28.

[8] Finney, Op. cit. *The New York Times*.

[9] "Fulbright Raps Wiggins Stand On Viet Policy," *The Evening Star*, Washington, D.C., October 1, 1968.

[10] See in particular the editorial "Up With Idel-Ural," p. 58.

[11] Warren Unna. "Fulbright Assails Wiggins on War," *The Washington Post*, October 1, 1968, p. 2.

[12] Editorial "Poetic Injustice," *The Washington Post*, September 23, 1963.

[13] Editorial "The Shevchenko Affair," *The Washington Post*, October 18, 1963.

[14] Stephen S. Rosenfeld, September 29, 1963.

[15] *Shevchenko—A Monument to the Liberation, Freedom and Independence of All Captive Nations*, USGPO 1964.

[16] Editorial "The Shevchenko Affair," *The Washington Post*, October 18, 1963.

[17] Editorial Monument To Ignorance," *The Washington Post*, November 1, 1963.

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[20] Lev E. Dobriansky, *The Vulnerable Russians*, New York, 1967, pp. 343–374.

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[22] Editorial "Communists Love Shevchenko," *The Washington Post*, December 29, 1963.

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[24] Editorial "Captive Nations," *The Washington Post*, July 11, 1964.

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THE TASK THAT REMAINS

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Friday, February 7, 1969

Mr. YARBOROUGH. Mr. President, recently the Saturday Review published an editorial entitled, "The Task That Remains." The editorial addresses itself to a tape-recorded conversation between U.S. Commissioner of Education Harold Howe and Samuel Halperin, Deputy Assistant Secretary for Legislation of the Department of Health, Education, and Welfare, and summarizes a most provocative and informative conversation.

I ask unanimous consent that the editorial and the transcript of the conversation, entitled "The Federal Government's Remaining Job in Education," be printed in the Extensions of Remarks.

There being no objection, the editorial and transcript were ordered to be printed in the RECORD, as follows:

EDUCATION IN AMERICA: THE TASK THAT REMAINS

As the present Administration prepares to fold its tents and vacate the seats of power, it can take comfort in the fact that no Administration in history has so successfully mobilized the resources of the nation in behalf of education. Recognizing that the task is little more than well begun, however, two influential members of the present Administration, U.S. Commissioner of Education Harold Howe 2d, and Samuel Halperin, deputy assistant secretary for legislation of the Department of Health, Education, and Welfare (HEW), sat down recently to chart in informal fashion the directions they felt federal action in education should take in the immediate future. The resulting document, *The Federal Government's Remaining Job in Education*, is instructive.

Among their many recommendations they gave first priority to the "consolidation and coordination" of programs already in operation. The federal role in education has expanded dramatically in recent years and, inevitably, the many disparate programs need to be coordinated and simplified in the interest of efficiency and flexibility.

Closely related to the need for consolidation and coordination of the many new programs and "one of the major tasks for the future," Messrs. Howe and Halperin note, "is an organizational housecleaning and re-ordering of the federal role in education." Individual programs have been lodged in an almost infinite number of different agencies and consequently are not only difficult to administer efficiently, but even more difficult for the intended beneficiaries to use effectively. Many proposals have been made in recent years for restructuring the federal educational establishment. Most consistently supported have been recommendations for raising the education commissioner to the level of under secretary for education in HEW, or to raise education to cabinet rank as a separate department. Howe and Halperin, on the basis of experience, opt for the latter.

But both agree that merely raising the prestige and increasing the power of education in Washington is not the answer. What is required, they believe, is "a broad restructuring of the federal education enterprise in order to get at the problems of individual program improvement and consolidation." This does not mean that all education programs should be brought under one Department of Education umbrella, but rather that the federal government needs to develop a consistent and coherent policy within which the many and diverse education programs can function in coordinated fashion.

The role of the federal government has expanded greatly in the past five years. President-elect Nixon has, at this writing, given little indication of the policies his Admnistration will pursue in education. Almost certainly there will be changes—though the hard realities of national welfare may make them less dramatic than some anticipate. In any case, his Administration might well benefit from the valedictory statement of two highly informed men who have taken a long and dispassionate look at the task that remains.

THE FEDERAL GOVERNMENT'S REMAINING JOB IN EDUCATION

HALPERIN. Looking at the legislative authorities of the U.S. Office of Education as of August 1968 we see that this Federal agency is empowered to spend, if appropriated, some $8 billion annually under programs covering virtually every area of education. These authorizations affect, in a major way, higher education, educational research, elementary and secondary education, teacher training, vocational education, education of the handicapped, adult education, student financial aid, community services, library programs, and many other areas. Thus, it is no exaggeration to say that, with only slight modifications, the programs now on the statute books could address virtually any education problem in our society.

Except possibly in the education of the handicapped, these Federal undertakings are not what might be called general support programs. Instead they tend to be, in varying degrees, of a categorical nature. That is to say, the Congress has agreed upon particular national educational priorities which call for Federal resources and has enacted programs accordingly.

HOWE. It seems to me that the priority that most clearly reflects the educational thrust of the Johnson Administration has been the focus on disadvantaged people and on using education as the instrument to solve the problems of disadvantaged people. And I think the programs that you have been describing can be seen, in very large proportion, in that context.

The funds that have been appropriated for support of these programs are by no means adequate to do the job, nor has there been adequate time to complete that job. But a very effective start has been made, and it seems to me that there is need now for two major new directions in Federal education programs.

One of these directions can be suggested by the word "consolidation"—some kind of pulling together of existing programs so that they relate better to each other; so that they have more flexibility; so that they are more convenient for the people who use them; so that administrative problems that arise from multiple application forms, filing deadlines, and that kind of thing are simplified. Both administrative and legislative action are needed so that efforts in teacher training, for instance, are related to the efforts of local school districts in educating disadvantaged children and so that curricular reform and other measures by school districts to serve those children are reflected in the teacher training programs of the colleges and universities.

I think there is the possibility of bringing about more efficient combinations of these Federal programs. In saying this I do not mean to suggest that the relative degree of disorder which exists is anybody's fault. It has developed historically, growing out of the mechanisms by which the Congress enacts programs and the manner by which an administration formulates and proposes them. Apparently there are those who imagine that this disorderly picture justifies criticism of the Congress or the Administration. I don't feel that way about it at all. Rather, it is the natural result of historical development.

The second point I would make in regard to the Federal activities of the future has to do with the organization of the Federal establishment in education itself. The Johnson Administration, in introducing all these new programs, has introduced them across the board in the Federal Government. You find them in the Office of Economic Opportunity, in the Labor Department, in aspects of the Model Cities Program related to education, in the arts and Humanities Endowments, in the National Science Foundations, in the Appalachia programs, in a whole variety of agencies. Whereas the Federal Government has looked at the complexities of transportation and organized a new Department to deal with them or the problems of the cities and organized the new Department of Housing and Urban Development, education has simply mushroomed all over the Government. It seems to me that one of the major tasks for the future is an organizational housecleaning and re-ordering of the Federal role in education.

There are many proposals around, and one of them is that there be a Cabinet-level Department of Education. Another is that the education function in HEW be escalated by the establishment in the Department of an Under Secretary for Education. Personally, I would lean toward the former.

HALPERIN. It seems to me that one can't do a very adequate job on the first problem—in the area of consolidation and coordination—without paying attention to the second. You can cut down the number of categorical grant programs, perhaps, and you can simplify forms. But you cannot ordinarily get any consistent, Government-wide policies for, let's say, fellowships or stipends, or for the Federal matching share for the construction of facilities, or for the problems of campus planning, without some rather fundamental changes. University administrators today are beside themselves trying to put together campuses with funds from NIH, the Office of Education, National Science Foundation, NASA, HUD, and so on. Therefore, I put a very high priority on a major reorganization across-the-board—not merely an elevation of the Office of Education, but a broad restructuring of Federal education enterprises in order to get at the problems of individual program improvements and consolidations.

It is important to note that the Federal budget for education has tripled under President Johnson to a current level of over $12 billion. Only about $3.7 billion of that sum is administered by the U.S. Office of Education. Therefore, I do not think you can get a really effective Federal policy in the field of education—one which maximizes the benefits of Federal investments for the recipients and for the Nation as a whole—unless you can coordinate both the planning and operations of the thirty or so major Federal agencies that now operate literally hundreds of education programs with little or no collaboration or communication among them.

HOWE. I think this is an important point, and I would add as a footnote that I don't believe you are advocating (nor would I) that all of the programs of all these various agencies be pulled together into a single Department of Education. I would foresee instead the development of an across-the-board planning capability that brings about some interrelationship of these programs; so that when decisions affecting educational institutions are made unilaterally in NASA or the Atomic Energy Commission there is a knowledge about what other agencies are doing about the same matters.

A good example of this point is found in graduate fellowships. Last year several agencies had independent budgets for fellowships and dealt independently with the Bureau of the Budget on the matter. When their decisions were added to the decisions of other agencies acting independently in the same fashion, the result was severe impact on the colleges that none of the individual agencies intended.

HALPERIN. We should add, of course, that Congress legislates in the same relatively isolated and piecemeal fashion. For example, the cuts made by the Space Committee in fellowship and building programs in the educational area were not known to most of the Members of the Congress who preside over the Department of Defense's programs in the field of education, or to the Members of the Education and Labor Committee or the Labor and Public Welfare Committee who legislate in related areas.

Thus, there is a cumulative effect on the Nation's campuses, brought about not with malice and certainly not with forethought—a cumulative and unforeseen effect produced by a lack of knowledge of what other people are doing and lack of overall policy and legislative cohesion.

I certainly do not favor gathering every education-related program together under a common agency. I do advocate a very careful study, followed by relatively swift Executive and Congressional action, of ways to pull together the major programs whose essential function is the strengthening and support of educational institutions, as distinct from the mission-oriented tasks that every Federal agency must necessarily carry out.

In this reorganization that we are both talking about one should look at education broadly. We are looking at manpower and we are looking at training of various types. We are also involved with overall science policy and with the humanities and the arts. We must consider education in a very catholic sense.

I would also add to your two top priority issues for future attention a third. In my mind, it is the third in time as well as in importance, but it needs to be looked at—and planned for.

As I said at the outset, our programs today are of a categorical nature. And while we want some pulling together and some greater simplification and a greater flexibility for these programs, we also have to ask ourselves about the extent to which the Federal role should ultimately be supplemented to include some sort of institutional aid in both higher education and in elementary and secondary education—institutional aid with relatively few Federal priorities, recognizing that educational costs are spiraling, recognizing that there is a limit to the fiscal capacity of the States and local communities that perhaps has not yet been reached but that is an increasing burden in both a political and an economic sense? Should the Federal Government do something in these areas to provide across-the-board aid?

HOWE. It seems to me we ought to address this broad topic you have introduced separately for elementary and secondary education on the one hand and higher education on the other.

Let's talk for a minute about elementary and secondary education.

Historically, there has been a sort of unsuccessful reach for some form of general aid to elementary and secondary education. A number of Presidents have brought this up. A number of Senators and Congressmen from time to time have proposed bills, some of which have even passed one House of the Congress. But general aid has always foundered either on grounds of fear of Federal control or on anxieties about church-state relations, or both.

HALPERIN. Plus some related issues such as integration and the question of interstate equalization. The timing of any particular program may make a difference, too. Witness the fact that once upon a time you could get a great deal of support for classroom construction *per se*. Today, with the new militancy in the teaching profession, enthusiasm for general aid differs greatly among different educational groups. A school construction program, once viewed as "general aid" in most people's eyes, is clearly less acceptable today than it was just ten or fifteen years ago.

HOWE. The reason, of course, is simply that the militant teaching profession would want to be sure that any major new funding included the possibility of raising salaries with Federal funds—something which is not supported by existing programs.

But you introduced an idea that needs to be discussed in the context of general aid to elementary and secondary education, and that is the idea of equalization.

There is quite a bit of equalization in existing programs, particularly Title I of the Elementary and Secondary Education Act. It is not a major effect in terms of redressing balances; it just reaches in that direction.

HALPERIN. Nor was it a major intention in that legislation.

HOWE. That is of course true, but I think we still confront the fact that per-pupil support in our more fortunate States—our more industrialized States, our States with higher levels of production and higher levels of employment and higher levels of income—that per-pupil expenditures there are more than double those in the poorer States.

HALPERIN. To be specific, the latest figures we have indicate a per pupil expenditure of $413 in Mississippi and $1,125 in New York.

HOWE. Close to triple. Those figures, of course, include existing Federal expenditures in both places. Without Federal funds the disparity would be even greater.

Such a difference by itself creates a lack of equal educational opportunity in places where expenditures are lower. And yet the youngsters in the low-expenditure States are citizens of the United States just as the children from the more affluent States are.

One of the general principles that the Johnson Administration has pushed into the Nation's thinking has been the idea that there should be equality of educational opportunity for citizens of the United States regardless of where they happen to be born and where they happen to live. And this disparity in expenditure denies that equality.

So it seems to me that any general aid program which may emerge has to run the political hazard of not providing much support in some places in order to provide a great deal of support in others. That is what equalization is all about. Obviously some kind of compromise will be necessary in a general aid program—a compromise that brings some support to all places but that redresses, at least in part, the imbalance we have been discussing.

I think also that a Federal program of general aid with an equalization feature in it cannot achieve its objectives if, within the States, Federal money is distributed through traditional channels in such a way as to deny pupils who happen to live in the central city the kind of special and additional compensatory support necessary to make their education successful. The Federal Government must concern itself not just with the distribution of Federal funds among the States but also with the way in which these funds are, in turn, distributed by the States.

HALPERIN. I certainly agree that we need not only inter-State equalization but also intra-State equalization. The Carnegie-funded Syracuse studies and others indicate that existing State equalization programs are woefully inadequate. To use Federal resources in the future merely to compound the injury would be an ironic climax to the excellent progress that has been made in education in recent years.

Besides inter-State equalization and intra-State equalization there is a third consideration I should like to add. It is the notion of somehow designing a Federal program in such a way that it would act as an incentive to greater State and local effort. This, of course, is an idea which has been around a long time. And yet it seems to me that we have to do more about it. The Intergovernmental Advisory Committee on Government Relations indicates that there is untapped fiscal capacity in the States and localities. I would hope we could design a general aid program to act as an incentive to tap these resources in return for larger amounts of relatively unfettered Federal funds.

This whole general aid approach is, of course, fraught not only with the political difficulties you mentioned but, it seems to me, with the possibility that we may have a new outbreak of better church-state conflict. The Johnson Administration, legislating on what some people have called the "child benefit" or the "public trustee" theory—in which all funds have flowed directly only to public schools—has avoided church-state confrontations by the corollary principle that non-public school students were entitled to certain types of benefits. This system of getting Federal funds to all pupils, both public and private, opened a new era of interfaith and inter-school cooperation. But this principle applies most easily to categorical programs directed by the Congress to particular purposes over and above the normal programs which schools provide.

When one talks about "general aid"—and if one wants to avoid religious and intercommunity strife—it is politically necessary to find a way to assure that some benefits—even if they are not always proportional or equitable—continue to flow to all the children in the community, regardless of whether the school they attend is public or private.

It is particularly difficult to accomplish this in a general aid bill because under such a program it is not feasible to maintain control over how the funds shall be spent—for books, for instance, or for equipment or for other programs in which non-public school children can participate. If, for example, the bulk of general aid funds flow, as intended, into teachers' salaries, it is difficult to see how private school students' interests can be served or protected.

HOWE. I quite agree, and I think that another qualification that need to be made is that some people see general aid as the only form or the ideal form which Federal support of the schools should take. And it seems to me that this view is wrong—that while general aid should round out the picture of Federal aid, the rest of the picture should also remain. The broad categorical programs which address themselves to a whole variety of particular objectives which may not be met or even approached by the schools unless those categorical programs remain in place are in my view a first priority for Federal support.

So I think that in the future those who are designing general aid need to be very careful not to damage the categorical programs but to continue them at adequate levels and to move to general aid only in a budget which will allow the continuation of the categorical programs as general aid gets started.

HALPERIN. There are other reservations that need to be borne in mind in the design of a general aid program. Certainly we are painfully aware that many people look upon general aid not only as a convenient way to avoid the dictates of the Civil Rights Act of 1964 but also as a means to avoid having to come to grips with the problem of racial imbalance, particularly in our northern cities.

I don't really believe that we can design a general aid program that in and of itself does away with racial imbalance. To try to do so would involve a contradiction in terms.

Unless one assumes that the money flowing to the recipients will generally be used for good purposes and good effects one shouldn't go in the direction of a general aid bill at all.

To get at the problems of racial imbalance, desegregation and genuine integration will probably require new types of categorical programs—or at least new provisions in existing categorical programs—which offer an incentive, a bonus or "carrot" if you will, for those school systems and those communities that wish voluntarily to move in the direction of true racial and economic integration.

Howe. In line with this, it seems to me that a program for school construction, which we don't have at the present time except in a very small way through the School Assistance for Federally Affected Areas Program, could have an element of general aid in it and yet also contain some of the characteristics you have just outlined.

A program for school construction could apply to all school districts in the country, but include provision for payments to school districts with very special problems, such as those in the big cities or those that are rurally isolated. Similarly, such a new program could also place a premium on cooperation between, or among, several school districts, thereby introducing the possibility of a city cooperating with the suburbs around it to develop certain kinds of specialized facilities. Or as another option, regular school facilities which would have the effect of reducing racial isolation could be given premium levels of Federal support.

This kind of program would be tough to handle politically, but if it had a broad general component of a percentage of payment toward construction costs and then additional percentages of payments where these important public purposes are met, it would at the same time help all school districts and give special help where special needs exist and where there is a willingness to attack the problems the Kerner Commission has identified.

Halperin. I'd like to return to an earlier thought. We introduced this general aid discussion as a kind of third priority, or something to be done at a later stage.

In my view, the most important thing this Nation should do in the next several years is to put realistic and substantially greater funding into existing programs at the same time that we make them broader and more flexible and seek to consolidate them.

It seems to me that in the absence of sizable amounts of new money we can expect some erosion of these programs. Many school districts do not benefit substantially from the programs now, and for what they do get they have to go through a great deal of what they call "red tape and bureaucracy." Such grievances are intolerable when the payoff is relatively small. When these grievances are cumulated, I think there is a very real chance that regardless of the Administration in power, there will be a tendency on the part of the Congress and the political electorate to wipe out such programs and to replace them with some sort of undirected, block-grant or non-criteria-laden program.

Thus, I was particularly glad to hear your point about the necessity for general aid as a supplement to, rather than a replacement of, existing programs. In the short run, this requires a commitment to appropriate much more money, since an essentially *status quo* operation is not politically viable.

Moreover, it isn't viable in an educational sense either. We cannot really expect to reach and teach the disadvantaged, for example, under Title I of ESEA with only a little more than $100 per-pupil per year, which is about what we are spending today. We cannot really hope to make much of a dent in the high school dropout problem—thirty percent of our youth, a million young people a year—with the less than $10 million for an anti-dropout program which was appropriated by the Congress. We cannot really reach many of the young people who need to go to post-secondary education with as few as seventy thousand Educational Opportunity Grants a year.

Everything we have been talking about has to be done on a substantially larger scale, both in order to have integrity in the programs and also to find out if they will truly work. At present we just don't really know. It is going to take time, but it is also going to take a substantially larger investment simultaneously.

Howe. I thoroughly agree with the need for a substantially larger investment. And, being a realist, I am aware that a substantially larger investment in education on the domestic scene is going to be in competition, direct competition, with a whole galaxy of other important domestic causes. People today are expecting a great deal more from their government than they once did. They want greater effort toward control of the environment: conservation, air pollution, water resource management, and the like. They want government help in transportation and in housing and in the replanning and rebuilding of the cities. And they want it in education. And each of these has its own claim on new dollars that the American taxpayer may be willing to give to his government to serve him.

This means that education is going to be in tough competition. I think that education will meet that competition to the degree that it is able to make a strong case for success in what it is doing.

This in turn argues strongly for the investment of funds in research, for effective dissemination of existing knowledge, and for effective evaluation of the programs that we have. And, therefore, as perhaps a first priority in the investment of any new funds, I would seek funds for those activities and for beginning to get a feedback from them. I believe that over time that feedback will build the confidence which will bring additional funds into major areas of service such as those under Title I of the Elementary and Secondary Education Act.

And I believe that right now, by any reasonable measurement, the funding for research and demonstration and evaluation in education by the Federal Government is minimal.

Halperin. Educational research and development, dissemination, and evaluation would be among my major priorities, too. I would like to follow up on your first priority in educational research by saying that I think in the years ahead a Federal goal should be stated as a percentage of our education budget.

We have all been talking in recent years—with justification, I think—about insufficient educational research. At the present time of the $12 billion spent by the Federal Government in education, substantially less than one percent is for educational research and related efforts. Of the Office of Education budget, only about 2.5 percent goes into educational research. I would like to suggest to an incoming Administration that, for the reasons you have stated so well, we ought to set a national goal of ten percent of our education budget for research, development, and evaluation; a goal to be reached in stages over, let's say, five years.

My second suggestion for a priority for investment of new funds is the whole area of teacher training, and inservice training broadly conceived to include the subprofessional aides, the administrators, the school board members, the supervisors, the directors—all of the policy-makers in the field of education. Obviously, people are the core of any system, and this is true in education as well as elsewhere.

The largest single professional group in the United States today is that encompassed by the field of education—almost 3 million persons. Yet we are training or retraining only a small fraction of these people each year. There is a tremendous turnover because of retirement and new job opportunities outside education. It seems to me that we ought to put a large investment into the teacher training area in the years ahead. And to hazard a goal or a target, I would suggest that we ought to aim at retraining ten percent of our teaching force annually. I think the current training level is about one to two percent through the various Federal programs. States and localities are unable to expand their commitments to the retraining of teachers because of the tremendous pressures for salary increases. But unless there is adequate retraining, the across-the-board salary increases may not be justified. So I think it's a reasonable goal to state specifically on the part of the Federal Government that we aim—through sabbaticals, fellowships, institutes, and other training programs—to provide ten percent of our teaching force with some kind of educational experience each year.

Howe. That makes very good sense. And of course one of the great achievements of the Johnson Administration is the Education Professions Development Act, which provides most of the authority needed to do the job you have described, although one or two amendments might well be added to it. For example, school board members are not now included, contrary to the original suggestion by the Administration. Elements of added flexibility of this kind could advantageously be placed in this Act.

But the basic legislation is excellent. It has a very nice balance in it. It creates a Federal role, it creates a State role, and it addresses itself to a local school district role in the training of people to serve education, a desirable element omitted in previous legislation. A big window has been opened by this legislation, and there are all sorts of opportunities as a result.

I think one of the major administrative responsibilities of the Office of Education in the years ahead will involve making imaginative use of this new authority.

Halperin. With regard to your last comment on the imaginative use of that authority, it's interesting to note that most of us are very proud of the Teacher Corps. We feel that it has great promise and that the program should be expanded substantially.

But under the Education Professions Development Act many new kinds of "teachers' corps" are possible—new types of teacher training and retraining efforts. Thus, I hope that they will be generously funded in the years ahead.

I would like to add a footnote to an earlier point you made about dissemination: I feel very strongly—and many Members of the Congress do as well—that in this huge country of ours, with 21,000 operating school districts and more than 2,000 colleges, many, many things are going on right now that are effective, that are promising, that are adaptable by others. But communications in a country as large as ours are terribly difficult. I would hope that special efforts would be made in the years ahead to disseminate widely to the taxpaying public—to the lay policymakers, as well as to the professionals—the results of programs at all levels of education. We certainly have the authority to do this both in our new legislation and under the general charter establishing the Office of Education in 1867.

Howe. The dissemination function includes a wide variety of activities, and not the least of them are the processes of letting the people know, of developing markets, of demonstration. Education hasn't thought this way enough.

Halperin. Possibly there might be an activity somewhat analogous to the system of agricultural experiment stations, and particularly to the work of the county agents. We of course have the regional educational laboratories, but it may be that we need to look more carefully at dissemination models that would reach all over the country, using non-educators and sub-professionals, as well as the more traditional groups.

Howe. And now to give this conversation a balance I don't think it has at this point, let's have some general discussion about higher education. I think of one or two observations that can be made. First of all, higher education activity is widely dispersed throughout the Federal Government and therefore needs to be examined in the light of our earlier conversation about the need for planning capacity to get at the problem of impact of the many separate Federal programs on individual institutions.

Secondly, I'd say that the types of assistance provided by the Federal Government to higher education tend, to some degree, to be less change-oriented than the types of assistance the Federal Government provides to elementary and secondary education. Our scholarship grants, work-study funds, and similar support measures do help a different type of student to get into the higher educational institution than the traditional college student from the upper economic stratum.

But programs like these, and the programs which build buildings, and those which promote research activity in our educational institutions—and these are the major components of support: buildings, research, and student aid—don't address themselves much at all to institutional change. We can speculate that perhaps it is because neither the Federal Government nor indeed other agencies have thought about this very much—or at least done much about it—that students around the country are themselves seeking institutional change in a variety of ways.

There are some small programs that do reach for change. Title III of the Higher Education Act could be described as addressing itself to improving quality and to bringing about institutional change. But I think the broad generalization still holds.

So I think it would be constructive if those people responsible for the future Federal role in education would explore something analogous to Title III of the Elementary and Secondary Education Act for higher education, a foundation-like function addressed to change, addressed to picking up the bright ideas that have surfaced in the world of higher education and giving them some backing from Federal sources.

That type of activity has been carried out in our society more commonly by private sources than by public sources, largely through foundations. And I think there is a promising Federal role here.

Then there is the whole broad question of what should be the shape of any general or operational aid to higher education. Higher education institutions are facing increasing unit costs. It costs more money to educate each student in every college every year. This is largely a function of rising faculty salaries, but other costs as well.

Halperin. And obviously enrollments are going to double.

Howe. Enrollments are going up while this increasing cost is impinging on the institutions. And many of them are in deep trouble.

We don't know the exact dimension of this trouble. One of the constructive moves directed by President Johnson is a study to devise a long-range plan for the financing of higher education. None of us knows what will emerge from that. But obviously a major job for a future Administration is that of picking up the results of this study and doing something constructive with them. And I suspect that one of the results of the study may be some suggestion about how the Federal Government could encourage more private and State support for higher education and, at the same time, make a contribution to the operational costs of running a college or university. My own inclination is to suggest that the Federal Government give a priority to increases in student aid programs so that segments of the society now denied a higher education can have increased hope of receiving one. If the Government does this, then the way to provide operating aid to institutions might be to give an unrestricted grant for every student on a Federally supported scholarship. We do this already for graduate fellowships, and I think it would work in four-year colleges and community colleges.

Halperin. The difficulties that beset general aid in the elementary and secondary area, of course, are to be at least some degree also present in the higher education area. To be sure you don't have the church-state issue to the same extent. But there is a tendency on the part of many policy-makers, both in and out of the Congress, to want to control the results of Federal aid. We can't have this. If we believe in the ability and the know-how of the institution, then we just have to go ahead and authorize some general aid at whatever time that is fiscally feasible, regardless of opposition from those who fear that general aid in any form, at any level, means "money down a rat hole," or other pejorative expressions. I do think this notion runs counter to the concept of grants for innovation.

Perhaps in the years ahead we must try to find an increased or new role for the Federal Government that couples the encouragement of innovation with an appropriate response to the increasing outcry of the institutions for operating money.

Howe. I think there is a very good analogy here to what we were saying about elementary and secondary education. We were saying there that the categorical programs should grow and should continue to be supported when general aid comes in. I think we ought to say exactly the same thing about higher education. Student aid programs should grow and continue. The programs that support special research of particular interest to the Federal Government ought to grow and continue. But at the same time, the Federal Government in the future needs to think about the problems of the institution as such.

By and large the Federal Government has tended to look at the institution from the point of view of what purposes it can accomplish for the Government without worrying too much about what happens to the health of the institution while it is serving Federal ends.

Uncle Sam makes it possible for a lot more people in the United States to get a higher education, because that's a significant national objective. And we back a variety of specialties because they are needed either by the Federal Government or by the economy, or by some aspect of public service in the States and localities. But we have not thought enough about the capacity of the institutions to keep its balance while doing all these things to serve important national objectives. It is into that picture that I would put the problem of operating costs of these institutions and the capacity to at least stay alive and healthy while picking up these categorical aid programs that the Federal Government provides.

Halperin. While we're talking about what might lie ahead for higher education, I wonder if your priorities and your sense of timing would match mine.

I would say that in the next couple of years, as more funds—hopefully—become available, my own set of priorities would emphasize continuing the thrust of the Johnson Administration to ensure equality of educational opportunity, particularly for minority groups and for the poor, regardless of their race.

I think that this can be stated in a kind of a declaration of rights: that any student of ability should be enabled to go on to the post-secondary institution of his choice, whether a technical institute or a business school or a college. And I think the goal ought to be stated in terms of some numbers. For example, for an additional one billion dollars a year we can help an additional two million students—the equivalent of some forty percent of those now enrolled in college—to go on to further education after high school.

I think that's the kind of a statement of a goal that we need. That would be my first priority.

Howe. Yes, I fully agree. And, of course, one must take into account the fact that higher education today is, to a degree, a segregated enterprise. Most of our high quality institutions have a relatively small proportion of minority group people in them, and there is an important job to do in somehow achieving throughout the higher education spectrum a better representation of minority group people.

Halperin. Speaking further about higher education, I would say that either simultaneously or as the next priority we ought to give attention to more adequate funding of some of our broader categorical programs, for example, the programs to improve college library and instructional resources. This is one way that you get at quality. This is one way you can change the institution. At the same time you exercise some Congressional discretion as to where the funds go.

I also think the Federal Government should do something special for graduate education. This is the fastest growing part of higher learning, and it's also the most expensive part. Here again, we do have on the statute books in a variety of Federal agencies the necessary tools, but we do not now have the funding in institutional aid or institutional development programs or institutional excellence programs—they are called different things in NASA and NSF and NIH. Hopefully, we will have a new program in the Office of Education under the pending Higher Education Amendments of 1968. Particularly through the fellowship programs, with their accompanying cost-of-education allowances, we have an ideal mechanism to help graduate education simply by raising these allowances. Through these two mechanisms it seems to me we can do a great deal to help the graduate schools meet their financial crisis.

Howe. Let me point out that some thinking has already developed about increasing the cost-of-education allowances. Many agencies have had a part in that thinking. It's ready to move. All that is necessary, really, is a planning move by the Bureau of the Budget to standardize these cost-of-education allowances at a higher level. And it could be done in many ways. For example, it could be phased in over a period of three, four, or five years by adding $500 a year to the allowance, which now runs around $2,500, and build it up to $3,500. In this fashion, an institution could get some funds for its own development as it takes in a graduate student but that can happen only if the amount is raised appreciably.

It's pretty important to point out that in the graduate schools, which indeed have the special problems you outline, the cost of education of an individual graduate student may run as high as $10,000.

Halperin. Perhaps five to ten times that of an undergraduate.

Howe. Yes. So when an institution takes in a graduate student with Federal support and gets a $2,500 cost-of-education allowance, it may be losing as much as $7,500 on the deal.

Let's turn to other areas and consider the education of the handicapped, and then perhaps vocational education, which I think needs considerable discussion here.

Why don't you start with the handicapped?

Halperin. In the area of the handicapped we not only have a host of programs, but one particular program—Title VI of the Elementary and Secondary Education Act—

which is, it seems to me, almost a true "general aid" program. It provides funds to the States to support the operating costs of virtually any educational service or program for the handicapped. One might therefore conclude that it would be possible to build upon existing authority to design programs that would reach particular target groups—for example, the deaf-blind or the multiply-handicapped.

Here, too, we ought to state an over-all goal for the next five to ten years, for example, that we will reach and teach and provide the necessary ancillary services to all of the handicapped children of the Nation.

One-tenth of all of our children are estimated to be physically or mentally handicapped and to need some sort of special attention. Yet, we are serving only about two million of these children today. Three million are not served at all. And among the two million who are receiving some sort of special service, the adequacy of service obviously leaves much to be desired.

So I would say that here again a useful device for the next Administration would be to set a specific numerical goal. Under the Johnson Administration we made fantastic progress in getting started in each and every one of these areas. Now I think we have to measure our objective and pace ourselves so that we are sure to reach it.

Howe. Yes, not only has the Johnson Administration gotten some very effective legislation in place for the benefit of the handicapped, but it has also moved forward on funding for this legislation in very tight budget years, when money was hard to find because of all sorts of national commitments. There has been a significant move percentage-wise in what has happened in our appropriations for handicapped legislation.

The budget of the Office of Education in moving from Fiscal '68 to '69 has reflected close to a 50 percent increase in the money being made available for education of the handicapped. And although as we approach our Fiscal '70 budget we are not talking about that large an increase, we are nevertheless talking about some increase while the '70 budget for the Office of Education as a whole may remain rather stable or even decrease.

I would mention another point, too, which relates not just to the handicapped but more broadly to our earlier conversation about elementary-secondary education. That is the very great achievement of this Administration in getting the idea of early childhood education generally accepted around the country. The Head Start program supervised by the Office of Economic Opportunity and the focus of Title I of the Elementary and Secondary Education Act on early childhood education, as well as the Follow Through Program, are all evidence of this.

Halperin. And the various Day Care Programs under Social Security and welfare legislation, too.

Howe. Right. These efforts have awakened people and gotten them ready to move. There is now a real opportunity for a much broader program of early childhood education. What we know about children—about the way they grow and develop and achieve success in school—indicates that this is an eminently sensible move.

I bring this up in the context of the handicapped because I think that an effective move in early childhood education may lead to much earlier identification of physical and mental handicaps and a much higher percentage of solutions to those problems. The result in the long haul may be lower levels of investment in the handicapped if early identification and diagnosis and early treatment can be developed through Federal initiative working with States and localities.

I would tie early childhood education, first of all, to the disadvantaged population; secondly, to this notion of early identification of handicaps and thirdly, to service of the entire population. I think that future Administrations are in a firm position to move in these directions as a result of what has already been accomplished.

Let me add, finally, that adequate services to handicapped children (as well as to the disadvantaged) depend absolutely on categorical programs. There is little likelihood that general aid programs will help these children. Future planners of the education role of the Federal Government must keep this in mind.

Halperin. To go on now to a new subject—vocational education—this is the area in which the Federal Government was doing most before the advent of the Johnson Administration. The momentum was continued and, in 1963, important steps were taken to modernize and update vocational education programs. Since 1963 there has been a substantial increase in vocational enrollments. Now, in 1968, the Congress of the United States is about to pass the most far-reaching reworking, expansion and extension of vocational education in our Nation's history.

Nevertheless, I would suggest that by and large we have been something less than completely sympathetic to the needs of our young people in this area.

We have been so strongly oriented to the colleges and to the disadvantaged very young in recent years that we have tended to understate the needs of the four-fifths of our young people who do not graduate from college, and the three-fifths of our young people who never see the inside of a college.

We know that vocational education has been and can be a dumping ground for young people. It can be a dead-end street. The new legislation brought into being under the Johnson Administration, and some of the funding which has begun to flow since 1964, does indeed provide substantial opportunities to make a meaningful bridge between the school and the first job, to bring industry and business into a partnership with the schools so that our young people will have a realistic understanding of the world of work outside of the classroom.

I would hope that using the new legislation, possibly with further developments in the area of guidance and counseling, we would move with more vigor in vocational and technical education. In other areas I have suggested a goal; I will suggest one here, too: We have about 7.5 million people enrolled in vocational education today. I think it is entirely realistic as well as important to suggest that in 1975 or so we should have tripled these enrollments—about 21 or 22 million Americans of all age groups in vocational and occupational education. This is going to require several billion dollars more than we are now putting into the enterprise. But considering the importance of the labor force in the growth of the American economy I can think of few better investments.

Howe. I would like to make several comments on vocational education. I quite agree that the levels of investment need to be very much changed, as you suggest. But as they are changed I am concerned lest the United States develop two entirely separate systems of education, one labeled as vocational and the other labeled as the regular or general system of education.

It seems to me that both in legislation and in administration of the new Act that you cite, efforts have to be made to avoid this separateness. I think there should be an infusion of a major vocational component into the normal high school and junior high school education programs across the country and that the new money that comes into vocational education ought to encourage the pulling together of vocational education with the usual public school system rather than increasing their separateness.

I would also pick up your point about the wider involvement of business and industry and in finding ways to give them an input into the affairs of vocational education. I think it is really the job of industry and business to define the skills that are needed. That is where the people are going to be employed. And I don't see enough back and forth between industry and business and the world of education.

One of the problems we confront and that future Administrations will confront is that of somehow crossing this gap. Whenever we bring before the Congress proposals for allowing Federal grants to flow to business and industry for purposes of training teachers—for training them right within business and industry so that they will know what they should teach their students that will be pertinent to the jobs youngsters will have available to them—we run into a roadblock.

We find that a number of educational organizations are, as a matter of principle, opposed to Federal grants to private industry for purposes of this training function or for purposes of curriculum development, or really for purposes of any kind of constructive interaction. And I think a future Administration has got to find a way to persuade people that such arrangements are not a threat to the public schools in any sense but rather comprise an added resource to the public schools. The new vocational legislation as now written opens the door between business and education. I hope that it passes and that future administrations make vigorous use of it.

Third, I think we ought to use this conversation about vocational education to register our general concern for the community college and junior college. The fact that such institutions are in part avenues to the later years of college and the baccalaureate degree must be put against the fact you mentioned earlier that only twenty percent of the people are now getting this degree. In short, the community college has open to it a role that goes far beyond being a half-way house to a four-year institution.

The two-year institution is the most rapidly growing component of the higher education spectrum in terms of new institutions being built and of the numbers of students going into post-secondary education.

Yet there are gaps in the Federal support of community colleges. I think the new Vocational Education Amendments of 1968 offer real opportunity to fill those gaps; so it is possible that with adequate funding we may have almost all the legislation we need.

The Higher Education Facilities Act offers opportunities for supporting the construction aspects of those new community colleges.

So far, however, we have neglected the curricular development side and teacher training aspects of community college operations. We have the legislation to do both these things, but we don't have the funds, and we don't have the leadership at the present. It seems to me that additional funds for vocational education over the next five years ought to be so planned and administered that they take account of those gaps and needs.

Halperin. I'm glad that you touched on the community college question because I think there is a bridge there to contemporary politics which can help win public acceptance for increased Federal aid to education.

There is at this moment in history what can only be regarded as an unfortunate tendency on the part of many people to reject Federal programs on the grounds that they are allegedly aimed only at the poor or the black or the neglected. And we hear grumblings like, "What do you have to do to get some of your own Federal money back from your Government?" I think Federal support, while it must necessarily give priority to the disadvantaged—regardless of whether that disadvantage is physical or mental or racial or educational or cultural—should also aim at making it clear that the Federal education programs are intended for all of the people of the country.

It seems to me that vocational and technical education, particularly with a community of junior college component, touches a deep-rooted desire of the American people: better education for their youngsters as a path to a better job and a better economic future. If we build a closed alliance between our vocational and technical programs and the junior and community college movement, we will go a long way toward overcoming what I detect as a disaffection on the part of some members of the taxpaying public with programs they feel are not benefitting them. Apparently they either do not see their children as being candidates for the full baccalaureate degree or they do not see their children benefiting from programs addressed to the educationally and culturally disadvantaged. The community college-technical school movement can bridge this gap.

HOWE. I would add that higher levels of literacy are going to become an increasing requirement for vocational education. There is thus some likelihood that the production of those higher levels of literacy will increasingly become the job of the secondary schools and that this will tend to thrust a larger proportion of the vocational education component onto the community colleges.

I hope if that happens that those who are devising the new programs in these colleges, and those who are devising support for them on the Federal side, will keep in mind the need for flexibility. The great thing about the community college now is that it hasn't solidified. It can be all kinds of things at the same time. It can offer six-week courses to develop a very special skill. It can take in a person who needs literacy training and give him that, if he's an adult or if he has finished high school or if he has dropped out of high school. It can offer a specific two-year program leading to an intermediate degree.

There is a tendency among community colleges to see as the basic measurement of excellence the movement of a very high proportion of their graduates into four-year institutions. It seems to me that we need to help the community colleges to develop a concept of excellence in other sorts of services and to take pride in them; so that we avoid the danger that is now so evident among some community colleges of wanting to lose their identity as vocational and technical training places and transform themselves into four-year colleges. I suppose after they were four-year colleges for a period of years they would want a graduate school!

While I think we need well-planned, high-quality, widely-available services at the graduate level, we certainly don't need every community college to follow that course. We are going to need in the years ahead the service of a growing number of community colleges to a major proportion of the population.

I believe that the most recent prognosis I saw was something to the effect that in 1975 about 75 percent of the population would be graduating from high school.

HALPERIN. We're at about 71 percent now.

HOWE. We may be up to 80 or so by 1975. That means a very great demand for these new community colleges. That prospect raises the question of whether in the future the Federal Government won't have to find a more flexible method than it now has for helping institutions to get started.

Most of our legislation today is written to provide aid only to higher education institutions that already exist. This stipulation is, in fact, set in law by the Congress. Institutions either have to have received accreditation or provisional accreditation of some carefully defined kind. In any case, there are relatively few Federal resources to help the people lacking a vocational and technical college to get one established. They have to do it entirely on their own initiative, with their own resources. And frequently the places where such services are particularly needed have insufficient economic base to do the job.

HALPERIN. That point suggests another to me, namely, that we really do not now have a planning capability or a program that would enable us to know when, for example, support ought to be extended to an emerging new community college or emerging new graduate school because there was a genuine need or when, alternatively, the availability of Federal funds would merely proliferate programs, produce non-economic institutions, and cater to particular community whims which may not be soundly based in educational terms.

We hear a great deal, for example, about the desire of virtually any community of any size to have its own community college for reasons of "civic pride." That may be a caricature and exaggeration, but it is no exaggeration to say that at the present time we have no mechanisms for deciding when scarce Federal funds ought to go to an institution and when they should not.

HOWE. We have reviewed the major aspects of the Federal role in education in our earlier conversation about elementary and secondary education and the relationship of categorical programs to general aid, then in our subsequent conversation about higher education in that same relationship, and then in these special thrusts into vocational education and education of the handicapped. One area we have missed is the very broad one, which, for want of a better phrase, I will call adult education, but which isn't really that. It's the idea that Americans in this complex society will need increasingly to be engaged in education all their lives.

The Federal Government is already involved in the support of a variety of enterprises which contribute to lifelong education opportunity. Contributions now made by the Federal Government include major support to public libraries and support for the development of a new kind of noncommercial or public broadcasting system which will be an education device although not institutionally based.

It occurs to me that the museums of the country are really in this same category, and have not captured major attention from the Federal Government. The President addressed a letter not long ago to the Council for the Arts and Humanities asking that group to advise him on what the Federal role might be in relation to museums. And I think one of the opportunities before the Federal Government in the years immediately ahead is to respond to the report that will be forthcoming shortly about this matter.

There are, of course, some very specific programs directed at adult literacy and the decreasing but still large proportion of adults who don't have adequate basic literacy to undertake vocational or other programs that will get them started.

I think the Federal Government at this point has moved in this area by bits and pieces rather than thinking about it as a total package.

HALPERIN. What might be called an Adult Opportunity Act has been suggested in this connection—something that would tie together the continuing needs for new forms of education, cultural development, recreation, and that would enhance the cultural literacy of our population.

The concept takes in some of the elements you mentioned, with possibly a specific recommendation for some sort of research and development institute that would push information science, communications science, ways to handle the information explosion, better non-commercial television, and library services of all types, particularly library services that would reach into homes and into disadvantaged neighborhoods.

It could also include mid-career development—ways in which the adult could change his job with appropriate training, possibly under a broadened Manpower Development and Training Act or some other type of adult education.

It could take in specialized needs, such as those of the housewife who has raised her children and wants to return to the labor force (not necessarily into education, where we now have the Education Professions Development Act, but somewhere else), some way that she can get the necessary retraining or continuing adult education; the needs of the retired, of senior citizens, of people who have finished one career as business executives or as Army officers and who need special resources and programs to help with the start of a new career.

Obviously, this is quite a major area. Thus far, we have inched into it. We now need to step up the pace considerably.

Another dimension of this subject occurs to me. We do have the program of adult basic literacy, of course. But to my way of thinking, we have not done what we should have done. We still have 23 million Americans with less than an eighth grade education. We have eleven million functional illiterates with less than a sixth grade education. And we are spending under $50 million a year on this particular social and economic problem. We ought to expand that commitment many fold.

Ultimately, we ought to look also at the sixty million or so Americans without a high school education. While they may not occupy the same priority as some of the things we've been talking about today, in developing a rounded picture we should ask ourselves whether high school equivalency programs and various other specialized opportunities might not be made available to this population, not only to bring about more gainful employment, but for personal satisfaction, for creative adjustment to society, for more satisfying relationships with their fellowman.

HOWE. To touch on another point in this look to the future and the job that remains to be done, I would raise the problem of the distribution of educational resources in the U.S.A. Although States are increasingly doing a more effective job of planning for new educational services in places where these are in short supply, it occurs to me that there are opportunities for the Federal Government to be of assistance in a number of different ways.

We know that more and more people are moving toward metropolitan centers and will continue to do so in the years ahead. Yet, the costs of providing such people with adequate educational services are much higher at all levels than are the costs in rural and suburban areas. One typical result is that we are getting more colleges in those places where there are fewer people while we confront a shortage of post-secondary education services in the cities, where land and buildings are expensive and operating costs higher.

Shouldn't the Federal Government devise a program to pay a larger percentage of central city construction costs than the percentage it pays outside the city? Shouldn't the Federal Government find the means to help new institutions get started in the places where the great concentrations of people are to be found?

These concentrations of people do not pose problems just for the States. More and more, the metropolis cuts across State boundaries. The economic and social pressures which cause the migrations that in turn create the metropolis are far beyond State control.

There clearly seems to be a need for the Federal role to include a planning and financing component to help meet the educational challenges created by these migrations. Some Federal programs, such as Title I of the Elementary and Secondary Education Act of 1965, already have this effect. But more remains to be done at all levels of education.

Finally let me mention a couple of items that have not been a part of our conversation but that must be kept on the agenda for the future:

(1) Forward funding—The Federal Government's fiscal cycle is badly out of phase with the planning cycle of the schools. As a result, States and school districts do not learn what appropriations they will actually get until long after they have had to make commitments for the use of the appropriations. If someone were to start out to design a system for the maximum inconvenience of the schools, he might well come up with the arrangement we now have. Forward funding, under which the President and Congress would consider funding of Elementary-Secondary programs a full year ahead, would solve this problem. Many higher education programs now have this arrangement. All education programs should have it.

(2) International Education—One of the failures of the past few years has been the inability of the administration to get Congressional backing for the International Education Act. This Act, growing from the President's Smithsonian speech of September 1965, holds great hope for improved training of all sorts of specialists vitally needed by American Government and by business—specialists with knowledge of language, economics, government, health, education, engineering, and a variety of other fields as they apply to the problems of particular parts of the world in which the United States has national interests. The study now underway at the direction of the Appropriations Committee may lead the way to favorable action in the future. The Act must be kept alive, and appropriations for it should be a high priority matter.

(3) Education in special fields—Particularly in health and in conservation, the years ahead will see major new manpower needs. Medical education requires a complete restudy to make it more efficient. New specialties will develop related to control of the environment. The Federal Government must take its share of responsibility in these areas of education.

UDALL ANNOUNCES OVERVIEW

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, I would like to include in the Record a description of the exciting endeavor in which former Secretary of the Interior Stewart L. Udall and other environmental planners will be involved to help make our world a better place to live in:

Udall Announces Overview

Stewart L. Udall, Secretary of the Interior in the Administrations of Presidents Kennedy and Johnson, today announced the formation of the Overview group, a pioneering international consulting firm which will work for governments and industries to create a better environment for man.

Mr. Udall is Chairman of the Board. Lawrence Halprin, whose San Francisco company of environmental planners has completed projects throughout the United States and overseas, is Chairman of The Executive Committee. Henry L. Kimelman, former Commissioner of Commerce of the U.S. Virgin Islands, and more recently, Assistant to the Secretary of the Interior, is President and Treasurer.

Overview, Mr. Udall indicated, ". . . is a logical and natural extension of and expansion upon the total environmental concerns . . ." with which he had been involved during his eight years as Secretary. "We will bring together multi-disciplinary terms possessed of the specialist insights and generalist capacities essential to total planning."

As an integral part of all projects on which it works, Overview will build-in economically, socially, and politically viable action programs. "The emphasis," Mr. Udall said, "will not be on paper plans or futuristic studies, but on the *now*, on the practical political implementation of concepts, plans and projects."

Advising and assisting the management team at Overview will be a group of twenty-five or more Principal Advisers, including: I. M. Pei, architect (New York City); Teodoro Moscoso, former head of the Alliance For Progress (Puerto Rico); Moshe Safdie, architect, designer of "Habitat" at Expo '67 (Canada); Kenzo Tange, architect (Tokyo); Edmond N. Bacon, Philadelphia's City Planner. Other names will soon be announced.

Henry S. Bloomgarden, Special Assistant to the Secretary of the Interior from 1966 through 1968, is Vice President of Overview. Mrs. Sharon Francis, Conservation and Beautification Assistant to Mrs. Lyndon B. Johnson, is Secretary.

Overview initially has offices in Washington, D.C., and San Francisco.

THE CONCEPT OF THE OVERVIEW GROUP

There is today a world-wide crisis of the environment. It stems from the extraordinary mass migration from rural to urban areas in all regions of the planet. It stems from a too rapid increase in population. It stems from helter-skelter urbanization in both the developed and underdeveloped nations. It seems from the abuse and misuse of the earth's resources.

The Overview Group believes the crisis of the environment is rooted in shortcomings—in failures of design, failures of planning, failures of politics. While many of these failures are not new, in an era of over-rapid urbanization, of exploding productivity and overspecialization, they have become more acute. They have culminated in piecemeal growth, and in an unwillingness of industry and governments to wisely control, guide, and coordinate those actions that determine the actual living standards of nations, regions, cities, and neighborhoods.

The approach to this crisis is defining the habitat of individuals and nations. The approach will shape cities and determine their liveability; it will influence the vitality of regions. The approach will, in short, limit or enlarge the life options of this and future generations on this planet.

There must be overview. Without practical but visionary planning that is both preventive and prescient—default will define the future. This is not a prediction, but a fact: history and our present environmental crisis tell us this with certainty.

It is not enough to have even good architects design handsome buildings for cities of tomorrow: good buildings, however well designed, are no substitute for beautiful, balanced cities.

It is not enough to have even good engineers design the highways of the future: the best located highways are no substitute for sound total systems of mass transportation.

It is not enough ideally to have even enlightened land developers: even the best entrepreneurs cannot by themselves create neighborhoods and communities whose identity and concern are noted for their over-all design and social mobility.

We have learned that assorted specialists, however gifted, cannot produce order—or an end to environmental disorder—by the uncoordinated practice of their respective disciplines. The disciplines must join and master the art of total planning for total environments. This is the conviction that has inspired the formation of The Overview Group—the belief that modern man, through inter-disciplinary teamwork, has the potential to civilize science and technology, has the capacity and creativity to enhance the environment of which he is a part.

The Overview Group accordingly dedicates itself to the kind of planning—and, more important, follow-through by social, economic, and political implementation—required to produce and sustain a better habitat for man.

The Overview Group will assemble from the world community, teams with the specialist insights and generalist capacities essential to large or small-scale total environmental planning.

The management team of Overview will concentrate on the analysis of project requirements, the selection of skills, the transformation of superior individual talent into superlative teamwork. The Overview organization will include an eminent group of twenty-five or more Principal Advisers chosen from the world at large for their breadth of outlook, their demonstrated competence, their social concern. Some are young; all will be young in heart.

Each Principal Adviser will determine the extent of his own involvement in Overview activities. He will continue his regular professional pursuits and will participate in the review and guidance of action and implementation plans; he will conduct reconnaissance studies; he will serve as director of a particular project.

Principal Advisers will also play a primary continuing role in discovering and developing new talent. On a project-by-project basis, Overview will reach into universities, governments, and private firms, to enlist the expertise required for particular assignments. However, Overview will also constantly strive to return this talent to its source. In so doing, that talent—infused with the sense and significance of overview—will nourish new talent. After planning and implementing the design of a new city in an underdeveloped land, Overview will leave behind not merely a completed city, but a cadre of indigenous talent able to develop creative solutions to many local needs, and able to train and inspire others, as well.

Thus, the human association made possible by Overview, will cross-fertilize and renew the institutions and individuals who are its collaborators—and additionally will be a unique adventure in international amity. Each Overview project will produce both an environmental enhancement and a new human potential.

Overview's primary mission is planning and implementation to meet the immediate problems of peoples—their governments and industries—in a rapidly changing world. Overview will tackle large-scale environmental assignments (a new city, a plan for a sick city, the planning of a whole transportation system), and will involve itself in relating some relatively small-scale projects to an over-all framework. Organic planning of the right scope, not mere size, will be the hallmark of Overview work.

The Overview Group will undertake the execution of projects in all parts of the world. Yet, while today's problems are faced, tomorrow's potentials will be stressed. Thus, while developing a pollution control program to deal with what is, Overview will provide environmental counsel on what should—and can—be. Overview will advise on the potential impact on the environment and on man of new goods and services and technologies. Overview will assist its clients to shape, not await, the future.

Overview will educate through the use of the varied media of communication. A project currently being studied is the publication of an environmental journal, tentatively titled "Agenda For Tomorrow". This journal will focus on the world environment, set forth new options, interpret new legislation; emphasize practical solutions, promising ideas, and successful implementations. Seminars, film, television, and the publication of educational materials for schools and colleges, are areas in which Overview will be involved.

The emphasis of Overview will be on the *now*. Overview will develop political acumen in its architects and engineers, just as it will seek to inculcate in politicians and sociologists an acute appreciation of the importance of design and the potential inherent in new technologies. Overview planners will insist always that a humane environment for the human race be the ultimate objective of all planning. They will use the computer as a tool, but always with an awareness that no machine is a substitute for those elements of balance, order, and beauty, which can only be created by well-ordered minds.

In invariably emphasizing the importance of the politics of design, in seeking to achieve results, Overview will help its clients develop their own overview, their own fresh and relevant choices—applicable to their own problems and needs. Overview will attempt to show the developing nations how to avoid the environmental mistakes of the industrialized nations; to show the developed nations how to avoid repeating their own environmental errors, to demonstrate to both—to public men and their constituencies—that a humane environment is the best long-term investment any nation or industry can make.

BIOGRAPHIES OF OVERVIEW PRINCIPAL ADVISORS

Edmund N. Bacon, Director Philadelphia City Planning Commission since 1949; author of *Design of Cities* (1967; member President's Citizens' Advisory Committee on Recreation and Natural Beauty; B.Arch., Cornell, 1932; born Philadelphia, 1910.

Teodoro Moscoso, Chairman of the Board, Commonwealth Oil and Refining Co.; Ambassador to Venezuela, 1961–1962; U.S. Coordinator, Alliance for Progress, 1962–1964; Special Advisor to Assistant Secretary of State for Latin American Affairs, 1964–; B.S. Michigan, 1932; born Barcelona, Spain, 1910; currently residing San Juan, Puerto Rico.

Ieoh Ming Pei, architect; founder of I. M. Pei & Partners, designer of National Center for Atmospheric Research, Boulder, Colorado, National Airline Terminal, J.F.K. Airport, New York, John Fitzgerald Kennedy Library, Cambridge, Massachusetts, Southwest Washington Redevelopment Plan, and recently appointed master planner for Columbia University; B.Arch., M.I.T., 1939; M.Arch., Harvard, 1946; born, Canton, China, 1917.

Moshie Safdie, architect; designer of masterplan for Expo '67 Montreal; designer of Habitat at Expo '67; currently designing a community in Puerto Rico, a new college union building for San Francisco State College, and a waterfront habitat for New York City; born Israel, 1938; B.Arch., MacGill University.

Kenzo Tange, architect: designer of swimming and basketball pavilions for Tokyo Olympics; master planner for site of 1970 World Fair at Osaka; currently architect in association with Lawrence Halprin for site of Yerba Buena Center, 30 acre redevelopment in San Francisco; designer of Skopje, new town in Yugoslavia; born, 1913.

TEARS OF LIBERTY

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. PODELL. Mr. Speaker, once again, Mr. David Gimbel, the poet laureate of the 13th Congressional District, wrote a poem so beautiful and timely that I thought my colleagues would like to share my pleasure in reading it.

"Tears of Liberty" by David Gimbel follows:

TEARS OF LIBERTY

(By David Gimbel)

I looked at Lady Liberty, and she had tears in her eyes,
And with the fury of hate around us, 'tis really no surprise.
This Dowager Queen of Freedom that Americans love and cherish,
Has beckoned to countless millions, those who hunger and perish.

Standing in the harbor, midst the wind, cold and rain,
Holding Freedom's lamp aloft, for those running from persecution and pain.
Even from creeky vessels, they poured in every dawn,
With their meager, but previous belongings, their faces tired and drawn.
Now for them the air seemed fresh, away from the fires of war,
As this Gentle Lady of Compassion just opened up the door.
Some shall never forget their taste of Dante's hell,
And now it seemed like music to hear that freedom bell.
But somehow, times are changing and our people take things for granted,
And forget that blessed freedom was merely not invented.
For men laid down their very lives to protect what we hold dear,
To make America strong and great, so that we may never tremble or fear.
Yet in this land of plenty, so rich beyond compare,
There is hunger in many places, because some don't get their share.
And so, unrest and hate is rolling in, exactly like the tide,
"Enough, enough, oh how much longer?" together they all cried.
Now the Blacks against the Whites, yet we are all one kind,
As children of the Lord, the solution we must find,
To live and work together for the entire world to see,
And dry those precious tears of our "Lady of Liberty."

RESTORATION OF AND INDEMNIFICATION FOR CEMETERIES DESECRATED BY NAZIS

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. FARBSTEIN. Mr. Speaker, on February 18, 1969, the West German Government is meeting in Bonn with representatives of the World-Center of European Rabbis, to discuss and decide on the question of indemnification for the over 2,000 Jewish cemeteries destroyed by the Nazis in World War II. Discussions on this subject have been going on for more than 12 years through the efforts of Rabbi Moses Joseph Rubin, a revered, learned, and dedicated gentleman, president of the organization whose headquarters are located in Brooklyn, N.Y. It is the hope of Rabbi Rubin and his organization that the conference will decide to allocate a sum sufficient not alone to restore these cemeteries but to build a memorial in the United States and in Israel to perpetuate the memories of the Jewish martyrs buried in these ravaged cemeteries.

Nazi troops defiled these cemeteries during the war. Since that time, the desecration has proceeded at a gradual pace and under quasi-legal circumstances. In remote pastoral settings, sheep graze quietly over the resting place of Jewish ancestors. In some cities, shopping districts bustle over what was once a traditional Jewish cemetery. Highway construction continues with no regard for human dignity, with no respect for the dead. The desecration of Jewish cemeteries in Europe is an indignity to the Hebrew people.

Further desecration must not be permitted. Enough injustice has been done. The Jewish children of Eastern Europe must not forget their origins because the graves of their ancestors go unmarked. The debt to the Jewish dead will not be paid until Jewish cemeteries are reconstructed. Let us not forget martyrs so brutally annihilated in the concentration camps of Eastern Europe. As a tribute to their courage, let us take up the struggle against the desecration of Jewish cemeteries in Eastern Europe.

A million signatures in suport of these claims have been accumulated by the World Center of European Rabbis—clear testimony of the endorsement of the petition submitted to the West German Government.

CAN BLACK AND WHITE ARTISTS STILL WORK TOGETHER?

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. DIGGS. Mr. Speaker, under permission granted, I include the following in the RECORD:

CAN BLACK AND WHITE ARTISTS STILL WORK TOGETHER?

Can black and white artists still talk together, work together? The belief among some blacks that the political future of their people lies in turning completely away from the white community is inevitably having repercussions on the cultural scene. Black theater—by blacks, for blacks—is growing in metropolitan centers from Harlem to Berkeley. Black performers are being called on to abandon their pursuit of careers in the commercial theater and to bring their strength to the black community.

Yet many black artists still strive to work on Broadway, Off Broadway, Off Off Broadway, in movies and on television, spurred by the rise of opportunities for jobs there—and for self-expression. The increase of productions involving both races suggests that many black and white artists still want to share the creative experience, to learn from each other, to grow together.

Which is the right way for the black artist? The first? The second? Both? The Times put the question to a number of prominent black figures. Their replies follow:

(By Dick Gregory, actor)

To ask if the old refrain "Black and White Together" still has any meaning for the combined efforts of black and white artists seems to me to indicate an obvious answer. Black and white artists are working together as never before in the history of this country. Ask Bill Cosby and Robert Culp that question. Ask Leslie Uggams, or Diana Sands, or Alan Alda. Ask Ivan Dixon or Robert Hooks.

Yet it is true that black artists are now being called upon to turn away, not from the pursuit of careers in the commercial theater, but rather from participating in the support and success of a completely institutionalized racist society. And the theater, or films, or television are thoroughly infected with the disease of racism.

One need look no further than a TV show like "The Dating Game." If one eligible bachelor during a game is black, all of the other contestants must be black. And you can bet there will not be a white girl trying to win a blind date with one of those black bachelors. Even a TV show which will take the giant step of adding color to its programing is not able to take the moral step of color blindness. Black artists are not, and have not been, responsible for setting such standards of programing.

The black artist is not being asked to abandon his pursuit of a career in the commercial theater. Rather he is asked to share his wisdom, talent and experience with the black community. He dare not be trapped by the racist structure of the entertainment industry. Especially at a time when more opportunities are being given to black artists in the established industry. In spite of the growing number of black faces appearing on stage and screen, there is still a vast reservoir of untapped and undeveloped talent in the black ghetto communities. It is the responsibility of the black artist to do his part in developing that talent. He must abandon *exclusive* pursuit of a career in the commercial theater to help build black institutions and attitudes free of white racism. When that vast reservoir of talent is developed and attains high visibility, the token approach of the entertainment industry to assimilating black artists will topple.

Repercussions on the cultural scene? Yes, there have been repercussions already. We don't have any more Amos 'n' Andys, or Stepin Fetchits, or Mantan Morelands, perpetuating a myth in the white cultural scene. And there have been repercussions on the black cultural scene. We have lost our singers, our comedians and our writers. More black writers wrote books during 1968 for white publishers than ever before in the history of America.

The white artist has a moral responsibility equal to that of the black artist. He also must try to change the racist structure. A white actor must decide what it means to be a star. More than attaining top billing, he must use his status to refuse to take a role in a play or movie where the Puerto Rican woman is a whore, for example. Or in a production where the Indian is portrayed in the usual degrading manner. The white star must refuse to appear on the set, or on a television show, where minority group workers are not treated with equity and justice.

The black artist may choose, of course, whether he will pursue his career in the commercial theater exclusively or whether he will share his talent with the black community, I am saying he must do both. The artist who does both is the one who will really grow. To teach black kids theater, black arts, or show business is like lighting a light, and that light will cast out darkness uptown or downtown, depending on where you sit in relationship to the lamp.

(By John O'Neal, producing director of The Free Southern Theater)

Your questions are absurd, and if taken seriously they will cause a terrible and dangerous confusion. Because they are absurd questions, there are no proper answers. Only more questions and a comment or two to combat confusion. You ask:

Can black and white artists work together?

And I reply: What is the nature of the conflict between blacks and whites? If one is engaged in conflict, how can he be neutral about it? You presume that blacks and whites have worked together in the past in some way that they don't work together now.

Can soldiers of opposing armies talk to or work with each other? If they can, what good will it do? Where do wars come from? Do soldiers make war or is it the other way around? Who stops wars?

Should black artists work with black audiences as opposed to white audiences?

Is the artist through with his work when people have been entertained, or does he have more to do? I think there's more. What good is simple-minded entertainment? Can blacks entertain whites, amuse them? Is entertainment positive, negative or neutral? What is art all about? Whom does the artist work for? Who can help him most to refine his art? Do black and white people experience the same reality?

Should black artists strive to make money in the commercial Entertainment Industry (as opposed to what?)

I don't agree with the assumption implicit in your question that the Entertainment Industry is synonymous with art. That industry has not more to do with art than the news industry, or the fashion industry, or any number of other business things. Whether one succeeds or fails in the industry has to do with business, not art. The art is, at best, incidental. People who want or need money should pursue that end in the best ways they know how, being prepared to accept the consequences of success or failure. By what standard do we arrive at the question? Why do whites always call on blacks for credentials and justifications?

Q. Can blacks and whites work together?

A. Yes, if they want to.

Q. Can whites define the world for blacks.

A. No, they can only make definitions for themselves.

Q. Can blacks define the world for themselves?

A. Yes, but not without struggle against oppression.

Q. Do I want to work with white artists?

A. No, there's something I want to do with black people.

EXPLORE BLACK EXPERIENCE

(By Julian Mayfield, actor and author)

Many black artists wish to strengthen black cultural institutions without regard to white opinion and white standards. Why should anyone view this development with alarm? Working within black rural and urban communities will give our writers, directors, producers and actors opportunities to explore the entire range of black experience in depth. This is still impossible for those of us who choose to remain in mass media, and even in the integrated theaters, not only because these are white-controlled, but, more important, because the black frame of reference is often so totally different from the white.

The black artist who wants to paint *his* truth on the screen or the stage very often grows impatient with his white co-worker to whom he must explain what every black child knows. (Hardly any 7-year-old black boy would have had to attend the last Democratic convention in Chicago to learn the basic nature of cops.) But in integrated projects the black artist is seldom the boss, and he usually has to effect some sort of compromise with the reality he knows before the play or picture is produced.

But it is not only ignorance with which the black artist must often contend. Sometimes it is naked arrogance from whites who tell him that the story he is telling is simply not true because they, the whites, *don't want it to be true*. An example is the fierce reaction of some of the critics to the current movie "Up Tight." In 1937 when John Ford produced his classic "The Informer," most Americans were sympathetic to the Irish revolutionary struggle which, after all, had occurred 17 years before and 3,000 miles away. But, black revolution is here in the national house, and none of us connected with "Up Tight" expected the critics to sing its praises loudly. However, Renata Adler of The Times lost her cool so far as to assert that the central committee of black militants depicted in the film is not true to life! Now, being black does not necessarily qualify Ruby Dee and myself (who wrote the script with Jules Dassin) as authorities, but we know perfectly well that, as a white woman, Miss Adler has never, *never* in her life attended such a meeting and is therefore not competent to comment on what such a meeting would be like.

Many black artists are driven by a terrible sense of urgency not shared by their white friends. The black artist knows that his people have become economically obsolete in a society that feels more and more threatened by their growing demands for liberation. A student of history, the black artist knows what recent societies have done with their obsolete, unwanted minorities, and he believes the United States to be perfectly capable of imposing similar solutions to "the black problem." Writing and playing the currently fashionable Super White Negroes is a welcome relief from the old Amos 'n' Andy days, and profitable to several individuals, but some black artists want to use their crafts to warn their people to keep their powder dry and their finger on the trigger during the dangerous period we are entering.

Actually, there is a hard fact which may make nonsense of our entire discussion. It is that, despite appearances, there still are not nearly enough opportunities for the black artist in either mass media or black communities, and he is truly blessed who can find enough work to keep him in either soul food or Nedick's hot dogs.

"WHO'S GONNA RUN THE SHOW?"

(By Barbara Ann Teer, actress and director)

I'm so tired of people prescribing pills for the symptom instead of cures for the cause. Really! Let's ram right through and get to the heart of the matter because debating whether or not black artists should integrate, separate, or even attempt a combination of them both, is really not the heart of the matter. From where I stand, the important question should be: Is the white way really the right way (and in most cases, the only way)? Or in essence: Who's gonna run the show?

With over 30 million black people in this country, I have yet to see any person of African American descent owning any television station or producing any major network television show, producing or owning any major black movie company, producing any Broadway play or Off Broadway play for that matter. What's the problem?

America is a white country, controlled by white people for the benefit of white people. And these white people have made white machines which make white guns and white money. (Notice I say white money because there are those of us who suffer from the illusion that there is such a thing as green money and/or black money. So for the record: All money is white money.) Now these white guns and this white money is what they call white power. Ah! There's the rub! And it is this white power which has created the necessity for black power and consequently, separation.

Everything white people do, culturally, socially, politically and economically, is designed to perpetuate their white power. Larry

Neal calls this phenomenon "cultural imperialism." I call it "the whites."

The outer appearance of "the whites" can be distinguished by an undue amount of arrogance, gross lack of respect, flagrant paternalism, and gooey condescension. Now the people who possess "the whites" have thoroughly convinced themselves that they are culturally superior to black people in particular and red, yellow and brown people in general.

Curiously enough, some black people, through the process of assimilation, have themselves become victims of "the whites" and, as a result, they too are working for white power. We call them negroes. Any time negroes support white power, they are working directly against themselves, their people and consequently, their liberation.

Black/Negro artists are African American people. African American people in this country are oppressed. Therefore all black artists should in one way or another be fighting for their freedom. Once we thoroughly understand this issue, we can work anywhere we choose. In the final analysis, our objective should be to oppose and destroy cultural imperialism wherever we are. The logical solution to the whole problem is therefore to work toward total change. That is the cure for racism.

"THE GOAL IS AUTONOMY"

(By Douglas Turner Ward, artistic director, the Negro Ensemble Company)

It seems to me the goal that black artists must seek—like Negroes in most other walks of life—is autonomy; and there is more than one path open to that achievement. The dominant issue is control of one's own destiny and the option to do whatever one sees fit for one's own self-expression. Even the most empathetic white artist can only comprehend the black experience as a second-hand observer. This is not to suggest that blackness can be expressed only through isolation or separatism. Black experience can be a profoundly fertile expression without isolation.

For example, the Negro Ensemble Company is controlled by black people and oriented toward its black audience, but it does not feel itself compromised when it allows anyone who walks through the door to observe its efforts.

Perhaps it is because I am arrogantly secure in my own black identity, but it amuses me whenever it is suggested that the whole concept of a black-controlled, black-run theater is threatened by the participation of a few whites. If we believe that one white, let's say, among nine controlling blacks can subvert the purity of our blackness, then we are really in trouble. Such an implication means that we Negroes must be so lacking in confidence and ability to know and control what we are involved with, that black is not beautiful, but naturally inferior and inherently vulnerable.

The question of individual black artists working outside a black-directed framework once again finds its answer in autonomy. The problem for the black artist, wherever he works, is to retain his sense of black identity and utilize it in expressing himself. If his self-autonomy is threatened, then he must retain the right to disengage himself rather than compromise his principles as an artist, as a person, and as a black person.

To insist that the only avenue open to black artists must be limited to those black institutions which so far have developed is unrealistic. Even these proliferating groups—hopefully, more to come—cannot provide more than a small percentage of access to black artists. Is the black writer or actor supposed to wait until he is employed by the Negro Ensemble Company or the New Lafayette Theater, which are, at best, limited in their accommodations? If, suddenly and miraculously, 100 black playwrights, of outstanding quality emerge simultaneously, are they supposed to submit their scripts only to the few black-controlled groups? No, of course not. The best they can strive for is to get the finest presentation of their work, no matter where, and, as much as possible, control the realization of what they set out to accomplish. If the resulting situation turns out to be less than satisfactory, then they also must retain the right to disengage themselves.

Although I, as a writer and performer, have helped create and always will prefer black-controlled, black-oriented projects, it still does not mean that, if time or interest permits, I will not work elsewhere. Such a decision would be based on the specific opportunity, the projected quality of the undertaking and the character of those in control.

As for participation in the mass media: One does it with eyes fully opened. Movies and television, in the main, are controlled securely by a small financial interest. Essentially, I am pessimistic about their interest or ability in reaching a black audience with anything that is meaningful. But I don't think any artist, black or white, looks upon these media as arenas for great, relevant artistic or social expression. Movies are made for the greatest profits. Television dispenses pap, not usually conceived for any higher purpose than to advertise products. The increased presence (momentary?) of black faces upon the screen and tube should not arouse expectations that they intend to serve more solid food to black people—or to whites.

It is my contention that a black artist need not cut himself off from any possibility. He should be free and flexible to pursue whatever avenue is available to his development. But wherever he is, his black commitment cannot be threatened if he retains autonomy over the specifics of his artistic and personal participation.

"THE PRICE MAY BE TOO HIGH"

(By James Baldwin, author)

As so often happens in this time and place, a real question, with important repercussions, is rendered nearly trivial by the terms in which the question is expressed. Beneath the terms, of course, lie the deadly assumptions on which black and white relations in this country have rested for so long. These assumptions are suggested in a famous song: *If you white, all right, if you brown, hang around, but if you black, step back!*

The question is not whether black and white artists can work together—artists need each other, despite all those middlebrow rumors to the contrary. The question is whether or not black and white *citizens* can work together. Black artists remember how much white artists have stolen from them, and this certainly creates a certain tension; but the rejection by many black artists of white artistic endeavor contains far more than meets the public eye. What black artists are rejecting, when the rejection occurs, is not the possibility of working with white artists. What they are rejecting is that American system which makes pawns of white men and victims of black men and which really, at bottom, considers all artistic effort to be either irrelevant or threatening.

It is very strange to be a black artist in this country—strange and dangerous. He must attempt to reach something of the truth, and to tell it—to use his instrument as truthfully as he knows how. But consider what Sambo's truth means to the Governors of states, the Mayors of cities, the chiefs of Police Departments, the heads of Boards of Education! The country pretends not to know the reasons for Sambo's discontent; but Sambo must deal not only with his public discontent and daily danger but also with the dimensions of his private disaster. How, given the conditions of his life here, is he to distinguish between the two? (There may not *be* a distinction and that may be the moral of the tale, and not only for poor Sambo.) Assuming he survives the first dues-paying time and becomes more or less articulate, to whom is he to address himself? Artists are produced by people who need them, *because* they need them. The black artist has been produced, historically speaking, anyway, by people who are both black and white, by people whose life styles differ so crucially that he is in perpetual danger of lapsing into schizophrenia and can certainly be considered the issue of a divorce. Or a rape.

I will state flatly that the bulk of this country's white population impresses me, and has so impressed me for a very long time, as being beyond any conceivable hope of moral rehabilitation. They have been white, if I may so put it, too long; they have been married to the lie of white supremacy too long; the effect on their personalities, their lives, their grasp of reality, has been as devastating as the lava which so memorably immobilized the citizens of Pompeii. They are unable to conceive that their version of reality, which they want me to accept, is an insult to my history and a parody of theirs and an intolerable violation of myself.

Well, then, for the sake of one's sanity, one simply ceases trying to make them hear. If they think that things are more important than people—and they do—well, let them think so. Let them be destroyed by their things. If they think that I was happy being a slave and am now redeemed by having become—and on their terms, as they think!—the equal of my overseers, well, let them think so. If they think that I am flattered by their generosity in allowing me to become a sharecropper in a system which I know to be criminal—and which is placed squarely on the backs of nonwhite people all over the world—well, let them think so. Let the dead bury their dead. And it is not only the black artist who arrives at this exasperated and merciless turning point. For that matter, it is not even an attitude recently arrived at. If one's ancestors were slaves here, it is an attitude which can be called historical.

The ground on which black and white artists may be able to work together, to learn from each other, is simply not provided by the system under which artists in this country work. The system is the profit system, and the artists and their work are "properties." No single word more aptly sums up the nature of this particular beast. In such a system, it makes perfect sense that Hollywood would turn out so "liberal" an abomination as "If He Hollers Let Him Go," while leaving absolutely unnoticed and untouched such a really fine and truthful study of the black-white madness as, for example, Ernest J. Gaines's "Of Love and Dust." For that matter, it makes perfect sense that Hollywood lifted the title "If He Hollers Let Him Go" from a fine novel by Chester Himes, published about 20 years ago, and has yet to announce my plans to film it, which, all things considered, is probably just as well. What it comes to is that the system under which black and white artists in this country work is geared to the needs of a people who, so far from being able to abandon the doctrine of white supremacy, seem prepared to blow up the globe to maintain it.

And *if* white people are prepared to blow up the globe in order to maintain that faith of their fathers which placed Sambo in chains then they are certainly willing to allow him his turn on television, stage and screen. It is a small price for white people to pay for the continuance of their domination. But the price of appearing may prove to be too high for black people to pay. The price a black actor pays for playing, in effect, a white role—for being "integrated," say, in some soupy soap opera—is, at best, to minimize and, at worst, to lie about everything that produced him, about everything he knows. White people don't want to hear what he knows, and the system can't afford it. What *is* being attempted is a way of involving, or incorporating, the black face into the national fantasy in such a way that the fantasy will be left unchanged and the social structure left untouched. I doubt that even American "know-how" can achieve anything so absurd and so disastrous, but, anyway, I think that we may one day owe a great debt to those who have refused to play this particular ball game. What they are rejecting is not a people, but a doctrine, and their seeming separation may prove to be one of the few hopes of genuine union that we have ever had in this so dangerously divided house.

"TO JOURNEY TO EACH OTHER"

(By Vinnette Carroll, Director, Ghetto Arts Program, New York State Council of the Arts)

In the midst of the Black Revolution, where nerve ends are raw, where feelings are close to the surface, where racial pride as well as hostility are at their height, the artistic community must marshal its forces and use its unique tools to aid in communication and interpretation.

One feels there are great artistic gifts from all segments of the population to be brought into the market place; that art is not an ethnic monopoly, that one is illuminated, enriched, and matured by drawing on the resources of all of the people. An artist cannot fully develop in an apartheid society. Only in peace, in mutual trust, sharing and respect, is the work excellent.

The Black Artist must be free to work, to experiment with new ideas and forms, to make mistakes, to use his anger and his love in ways that are valid for him. The white artist cannot superimpose Anglo-Saxon yardsticks on the works of the "Afro-Saxon" artist. The deprivation imposed by the white community on the Black Artist is not only crippling to the Deprived, but also to the Depriver.

It is incumbent upon the white community to seek out Black Artists; to trust Black Artists' creativity; and to bring Black Artists into the mainstream.

It is incumbent upon the Black Artist to separate racial pride from racist ignorance; to integrate without assimilating; to realize that it is as important to recognize his friends as it is to recognize his enemies; to eliminate race as a peg on which to hang his neuroses and inadequacies and to be ruthless in his pursuit of excellence.

At a time when we can make a journey to the moon, we must find ways to journey to each other here on this earth. Know this olive branch is not a sign of weakness but a powerful endorsement of our artistic community. Artists of America, unite—you have nothing to lose but your fear.

"AMERICA IS MULTI-RACIAL"

(By Harold Cruse, author of "The Crisis of the Negro Intellectual")

"Can black and white artists still talk together, work together?" The question, of course, is not put correctly because the first thing the concerned individual should ask himself is: "How many aspiring black performers can the commercial theater absorb?" Really very few. Where, then, must the aspiring black performer go in search of fulfillment? If it were only a question of performers, the problem would be only half as complex. But the theater is an art form that requires more creative skills than that of the performer; there are dramatists, designers, directors, choreographers, musicians, singers, etc. In addition to having an over-supply of black radicals and civil righters, black people are also very rich in theatrically inclined talent.

But ever since the Civil War (and before) the American theater has been very unkind to black theatrical talents. Historically, the American theater has exploited black theatrical gifts, and has used its cultural and economic prerogatives against black artists in such ways as to prevent them from establishing the kinds of theater institutions more amenable to the cultivation of their talents. This is not to imply that Negroes themselves have not lent themselves wholeheartedly to this development, but the history of the American theater should be closely examined in regard to its racial practices.

Traditionally, the stage fortunes of black performers have been, for the most part, dependent upon the creative whims (and racial views) of white dramatists. Thus the black playwright, as a type, is one of stunted growth. And one cannot build any kind of a theatrical tradition without good playwrights. Also, the commercial theater is even less congenial to black writers than to black performers. Thus even the present "rise in opportunities" for integrated jobs in the theater cannot rectify the fundamental racial inequalities built into the structure of the American theater as a social, or better, cultural institution. The American theater is, after all, a white institution.

This is not an attack on "white institutions" per se, for there is certainly room in America for white institutions. The problem is that white institutions are culturally and socially predominant. It is time we face the fact that America is multi-racial. The nation's multi-racial makeup demands a total restructuring of American society (if it is to survive), allowing for the creation of other kinds of cultural institutions besides predominant white ones. Only in such a society can there be any real, creative interracial (inter-group) cultural interchange.

Just so long as the white creative artist does not comprehend the basic undemocratic functions of white cultural institutions, as institutions, then no amount of frenetic interracializing of the theater as it exists is going to matter very much. Since around 1900, the Negro has had his ups and downs in the American theater—lean days and "good" days. In fact, he accomplished more between 1890 and World War I in theatrical achievement than he did after 1930 (at least quantitatively). The problem was that blacks were led to try to compete creatively with whites within a white-oriented theater. It could not work. Thus the blacks were pushed toward precarious marginality and held there.

Even presentday integration in the theater is simply another form of ameliorated marginality. It is true that many young black performers mistake this new integration for a great advance, and one cannot blame them for making the most of it. However, this integration cannot solve the underlying dilemma of the black creative artist in white society. What black creative artists basically need in order to develop and achieve real artistic status are black cultural institutions.

Among the several kinds of cultural institutions needed in the black community, the theater is a crucial one and is closely related to the issue of "decentralized," "community controlled" public schools, but on another cultural level of inquiry. Of course, the impact of mass communications media, like television, overrides and qualifies many of the arguments and conclusions emerging from these controversies. Hence, the only way for black and white creative artists to work together is to face these cultural imperatives realistically and work out new programs to deal with them.

"WHAT KIND OF INTEGRATION?"

(By Harry Belafonte, actor)

I have always been a disciple of integration, both on the esthetic as well as the commercial level. I am, however, terribly sensitive about the kind of integration the Negro artist, the black man, is becoming involved with. Is he to be the promulgator of the existing structures and institutions in this country? Is he, through his active participation in the involvement of black and white in all areas of creative endeavor, to further those edifices of emotional idleness that have undermined our society for generations? Or is he, through this new, meaningful integration to revitalize, to add to and to contribute a new thrust to the existing structure?

I don't want to be part of the integration in which one man helps another into the tottering tower of the Establishment and the palace of pestilence which we know. I want to participate in an integration which brings pride, fulfillment and meaning to all members of all races.

We have talked about, fought for and desperately sought, integration in all communications media, and many people say we've got it. And, perhaps we do, but we have it dishonestly. For "Julia" is certainly not representative of the exchange and the relationship of the black man with his white brother. It is pure gloss, using the black star in the same sophomoric setting that has come to be expected of all the bland shows that may be rating champions but are human losers. In television, we have "Mod Squad," three pretty young people, one of whom is black. But it doesn't delve deeply; it doesn't investigate more thoroughly; it doesn't ask more directly, "Who is the black man in our society?", "How does he fit in?" Again, it's a kind of tired tokenism, and it's sad, because it is an opportunity that could have been used as a bridge to a strong and meaningful future, and instead, has become a circular road leading to placating the "poor black folk."

There are, of course, many divergent opinions within the black community. The Integrationists of the established civil rights organizations say "We want in." The Separatists, on the other hand, say "We don't want to be contaminated by you." But surely the truth must lie somewhere in between, in that middle ground of reality, where we can take the best of both races, the black man's spirit coupled with the white man's, and from this, give birth to a true and honest "integration."

I have always been involved with black and white artists together. In order to grow creatively, in order to share experiences, we must learn from each other. But to do this, we must first understand each other, and to understand, we must, most important of all, find each other.

"BUT I DO MY THING"

(By Alice Childress, playwright and actress)

Dialogue stops but communication never ceases. A black theater here and there does not signify "turning away" from commercial television, motion picture and theater markets of the U.S.A. It is one reaction to being *turned away*. There *is* a white theater. White theaters do not hang out signs reading "The White Ensemble Company" or "The American White Theater" or "The Anglo-Saxon Players"; but they do present hundreds of plays every year, written, directed, acted, designed, produced and patronized, almost exclusively, by white persons. This white theater is not a plot to establish separatism, it *is* separatism. This theater functions even though the greater part of what it turns out fails.

Black communities have always had black theaters, if the community had a theater at all. The American Negro Theater Company worked ten years without salary, four nights per week, keeping the same acting company together, until the boot-straps wore out. At the moment, it obviously has been deemed simpler to alleviate a racist situation in the country by providing funds for inner-city than to have hot summers and warm winters. Yes, we do need theaters for African-Americans, we will continue to need them, event when, if ever, this land is free of racism. Theater serves as the mirror of life experience and reflects only what looks into it; everyone yearns to see his own image once in a while. But there are two trick-bags of thought to be avoided concerning the theater within and outside of the black community.

Some believe that any attempt to work within the so-called "mainstream" of American life is an attempt to "be with *them,*" or to be "integrated." This fear of total integration is an illusion. I've never yet met a black person who has been integrated into white society; he may think so, he may hope so, but it just ain't so. If any of us, at this point in time, believe such nonsense, we're suffering from a severe form of hallucination.

The inner-city must also avoid swallowing the hook thrown to the American Indian: "You'll be able to thrive and prosper on your *very own reservation,* surrounded by us." If we don't learn anything from history, we must relive the past. The time is over for asking or even demanding human rights, in or out of the theater. We no longer *ask* for manhood or womanhood or dignity; all we can do is express what we have to the degree that we have it. All whites aren't bad or good, the same goes for blacks—but this fact equalizes nothing. The whole racism mess is based upon the action of white supremacist deed and thought.

The theater must reflect, to some degree, that we live in a land where no white man has ever been executed for the murder of a black man, woman, or child, not one. A culture can be no better than the people from whom it springs. There are teachers who have taught for many years in segregated, black neighborhood schools and do not live in that area, or send their children to school there. And they oppose that rejected, hemmed-in community's gaining the power to create something constructive that will rescue children wounded by a century of white-supremacist "education." Their opposition is based upon the premise that self-determination will interfer with the seniority rights of adults who mainly live, work, play, and spend their money elsewhere. There is more drama offstage than on, in American theater.

Kennedy, King, Kennedy . . . murdered, buried with ceremony, followed by discreet, uncomfortable silence; the message reaches us and we adjust our lives quietly or noisily. There is almost as much injustice in the theater as there is in the rest of the land, but there's no need of begging. Cope! Cope anyhow, anywhere you can, to the best of your ability. When opposed, we must bear in mind that a slave is a human being who lost a battle some place and has to find his way out of the bind. Also remember that whites who are proven brothers, like John Brown, are called "nigger-lovers" or madmen. *In the past 40 years only 18 plays by black writers have been presented on Broadway.* Soon we may have to read our works on the sidewalks of inner-city *and* "mainstream" Broadway. Time is up. I've a play to write that may never be seen by any audience anywhere, but I do my thing. Who has ears to hear, hear . . . all others, later.

A CHILDISH ATTACK ON THE ROTC

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. DERWINSKI. Mr. Speaker, I need not observe that the Chicago Tribune has a very spirited and solid editorial philosophy. I thought that the editorial commentary in its issue of Tuesday, February 4, concerning the ROTC activities at Yale and Dartmouth, was very much to the point. The editorial follows:

A Childish Attack on the ROTC

Other professions may or may not be older, but the soldier's profession must inevitably rank at the top of any list if you consider honor as well as antiquity. It is little short of inconceivable, therefore, that the faculties of two prominent eastern colleges—Yale and Dartmouth—have taken steps to strip military training of its academic standing and to relegate the Reserve Officers Training corps to the status of an extracurricular activity.

The chairman of the Yale faculty committee on the curriculum went so far as to say that "R.O.T.C. is like singing in the Wiffenpoofs—a perfectly fine activity but one that we don't think merits any academic standing."

This is an utterly asinine statement and reflects the childish attitude of those who think they can put an end to war by going about picketing recruiting offices and chanting the name of Ho Chi Minh—who, along with Mao Tse-tung is one of the champion exponents of military aggression in the world today. This attitude is wholly unworthy of any professor, let alone the chairman of a faculty committee.

Are we to conclude that in the arrogant opinion of these gentlemen our educational institutions are above such menial and incidental activities as securing the freedom and independence of the United States, or preserving its unity, or defeating the Nazis, or unseating dictators like Napoleon, or, more currently, defending freedom against the manifest designs of the Communists?

How much good would all the liberal arts degrees in the world do if there were not the freedom in which to profess and practice these arts? How would Yale and Dartmouth, with their great reputations for academic freedom, fare in a world which was allowed, by default, to fall under the sway of communism—like Cuba—where there is no truth but the party truth?

We are as eager as anybody to see an end to war; but a glance about the world today should make it quite clear that war is still here and that our security still depends largely on a well trained military force. College R. O. T. C. programs have been of inestimable value in training reserves to supplement the men trained at the military, naval, and air force academies.

By voting to withdraw academic credit from R. O. T. C. courses and to deprive the officers in charge of those courses of their standing as professors, the faculties are yielding to the transient demands of a vociferous minority which is almost sure to forget all about R. O. T .C. as soon as the Viet Nam war is over. The messages on the placards being waved by campus demonstrators are not likely to qualify as eternal verities.

REFORMING THE WELFARE SYSTEM

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. McCARTHY. Mr. Speaker, I have today cosponsored a bill with the gentlemen from New York (Mr. CAREY and Mr. HALPERN), and a number of my colleagues to begin the urgently needed reform of the Federal welfare system now in use. Our welfare system, as it is now designed, is not working. It satisfies neither those who bear the costs, those who attempt to administer it, or those who are dependent on it for support. This bill is designed to establish national minimum standards of welfare for all States in the Union. It is a first step in the constructive overhaul that is required.

By setting national minimum standards for welfare payments, we will correct a fundamental deficiency in the system as it now stands. Today, there are wide ranges in welfare payments from State to State. The average payment of aid to dependent children in New York State is $61.70 per month; in Mississippi it is $8.40. This variation in payments has caused the poor in one State to move to other areas where payments are higher; an understandable desire when we consider the gross inadequacy of a payment of $8.40 per month for a child.

But, this movement has placed a strain on those States that provide welfare payments in keeping with their social responsibilities. The welfare roles of New York State, Pennsylvania, California, and others have been swollen by the movement of the poor from the South and from rural areas. In New York City this year, the welfare bill is going to increase by $400 million, to a total of $1.7 billion. And it is estimated that there will be close to 1 million welfare recipients out of the city's 8 million citizens. This growth is far larger than that which would occur with normal population growth. Part of this migration reflects a genuine desire to improve one's opportunities, to take advantage of better job opportunities in a new location. But there are also cases where welfare recipients are searching for higher levels of welfare payments. This incentive should be removed.

Although the migration of the poor to our urban centers is in the tradition of the search for new frontiers, a homestead, a new opportunity, the conditions of modern industrial society do not favor this migration. The underskilled and undereducated migrant from a rural area finds that he does not have the talents demanded in the urban job market. He is forced to work in the marginal areas of the employment market where wages are low—too low to keep him and his family alive in a high-cost-of-living area—and where unemployment first makes itself felt. It is no surprise, then, that this migrant winds up on the welfare roles.

The bill that I have cosponsored revises the welfare system to halt this migration. By providing a national minimum standard of welfare, welfare payments will be removed as an artificial inducement to move. This revision has been recommended by the Advisory Council on Public Welfare, President Nixon's task force on public assistance, and has been endorsed in principle by Secretary of Health, Education, and Welfare Finch.

Going beyond the corrections contained in this legislation however, minor revisions of our welfare system will not be enough. The concept of welfare as we now know it is not acceptable. It is not acceptable because it has created within our society a group of citizens who grow up totally dependent on welfare payments for existence. The young girl whose mother is on welfare grows up knowing no other pattern of life other than having children and collecting welfare checks. The system is designed to break up homes. The young boy grows up without a man in the house; he has no father who goes to work each day, who can establish a pattern of living which the young boy can emulate.

The system is also unacceptable because it places burdens on other wage earners that are not necessary. If a system can be devised that allows the father or mother to earn as much as they can and still receive public funds that will allow them to maintain a minimum standard of living, welfare costs may be reduced and the cycle of welfare dependency that the present system creates may be broken by reestablishing the family unit.

I am exploring the concepts of negative income tax, family payments, extension of the minimum wage laws to end the situation where an employee works a full week but still doesn't earn enough to support his family. We will need to continue payments to the sick, the aged, the orphaned and others obviously in need. But we must find a better way to prevent the growth of what Gunnar Myrdal has called an "underclass," an undereducated, underemployed group of citizens dependent on welfare for their existence. Our society can do better, it must.

NATIONAL BOY SCOUT WEEK

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. BROWN of Ohio. Mr. Speaker, the week of February 7–13, 1969, is of special significance to the millions of American boys and adults who are affiliated with the Boy Scouts of America. It is Boy Scout Week, the annual commemoration of the founding of the movement in our country, and the 53d anniversary of the chartering of the Boy Scouts of America by Congress.

In every one of the 50 States, young men from 8 to 18 are celebrating Boy Scout Week with displays and special events in their communities, directing attention to the training and skills developed through one of the free world's greatest youth movements. Under the guidance of their able leaders, these young men are showing and telling the American people about the contributions Scouting is making to the future of our country.

During observances of the 50th anniversary of the chartering of the Boy Scouts by Congress, I had the pleasure of preparing a survey of the 89th Congress to determine the influence of Scouting on its Members. I was asked by the Boy Scouts of America to update the survey for the 90th Congress and again for the 91st. I am pleased to report the results of the most recent survey which reveal that 335, or over 60 percent, of the Members of Congress have participated in the Scouting program either as Scouts or as adult volunteer leaders. And although the 11 women Members of Congress have not been counted in the statistics as eligible to participate in Scouting, one has served as a Cub Scout den mother and another has been named an "Honorary Boy Scout."

The Eagle Award, which is the highest rank that can be attained by a Scout, was earned by 28 of the 280 Members who were Scouts. Of the 148 who served in an adult volunteer capacity, eight have been presented the Silver Beaver Award, given for outstanding volunteer service at the local council level. One Member has earned the coveted Silver Buffalo Award for contributions at the national level, and two others have been awarded the Silver Antelope for outstanding service to one of the 12 Scout regions.

Mr. Speaker, that such a large proportion of the Members of Congress have come under the influence of the Scouting program, subscribing to an oath pledging "Duty to God and Country" speaks well not only of Scouting and this Congress, but of the foresight displayed by our predecessors 53 years ago when they granted a charter to the Boy Scouts of America.

Under unanimous consent I make the results of my survey part of the RECORD in observance of National Boy Scout Week, February 7 through 13, 1969.

TAX REFORM

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, I have this week cosponsored legislation to double personal income tax exemptions from the present $600 to $1,200 per dependent.

This is a long-overdue change which would directly aid the great mass of our Nation's taxpayers—the low- and middle-income worker and the younger people who are struggling to raise families in the face of a constantly increasing cost of living.

The $600 exemption has been unchanged for 21 years. During that period, the cost of every basic item has risen sharply. Food has nearly doubled, rent and clothing have more than doubled, medical costs have gone up over 90 percent.

It is unrealistic to maintain that today $600 will even come close to the cost of raising a child or caring for an aging or dependent parent.

This legislation represents a second step in the desperately needed overhaul of our income tax laws. Last week, I cosponsored a bill calling for a 13-point tax reform program, aimed primarily at closing the loopholes which enable large corporations and wealthy persons to avoid paying a fair share of the tax burden.

I was pleased to note in the press this week that the Nixon administration apparently supports the bulk of these overdue tax reforms. Perhaps enough of my Republican colleagues will join with Democrats who have long sought this goal, and we will finally be able to achieve meaningful tax revisions.

A most excellent third step in this direction would be the adoption of legislation to establish a minimum tax for individuals and corporations. This proposal was made in the 89th Congress by the late Senator Robert F. Kennedy, but it was pigeonholed in committee. I supported the idea then, and I think today it is only fair to set such a minimum tax. I was pleased to see that in his press conference of this week President Nixon has endorsed the principle of a minimum tax for all taxpayers. This type of tax would move toward correction of the unbelievable situation of 155 Americans with adjusted gross incomes of over $200,000 paying no income tax at all in 1967. Too many wealthy people and big corporations today either pay no tax at all, or pay a ridiculously low amount, because of loopholes and gimmicks in the Internal Revenue Code.

As I told the House last week, the demand for tax reform has grown so loud that the Congress dare ignore it no longer.

DEPARTMENT OF PEACE

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. KARTH. Mr. Speaker, while peace is a major concern of every thoughtful American, our country, lacking direction, has often failed to convert its peacekeeping desires into a peacekeeping reality.

I, therefore, rise today in support of legislation to redirect this Nation's energies toward a lasting peace. Yesterday, together with many of my colleagues, I introduced legislation for the establishment of a Department of Peace and World Order. While no panacea, this new Government function, if adopted, will be given a mandate to discover nonviolent means of resolving the inevitable international conflicts that arise between other nations and our own.

Mr. Speaker, the search for peace within our time has been hampered by some who hold that war is an inevitable product of "human nature". I say this view is false.

As every student of history knows, at various times during the past 7,000 years of human experience, large and complex populations inhabiting vast areas of settlement have lived in peace through many generations.

The world today, however, is at latest count divided into at least 140 sovereign states, each vying for existence. The idea of politically merging each of these separate powers into a single, peaceful world government is just not realistically possible. Compounding the difficulty is the grim threat of nuclear or bacteriological extinction.

The simple truth is, civilized man must place an urgent new priority upon peace. In the free world, and within the United States especially, a new balance must be struck between our spectacular technological advances versus the relatively primitive state of the social and political sciences.

Sanity and survival demand that we divert toward peace at least a portion of the organized, massive resources now committed to the machinery of war. We must begin to seek security through rational, nonviolent means rather than through ever more sophisticated instruments of death.

It is in this spirit, Mr. Speaker, that I join my colleagues in the House in our plea for support of this new legislation to create a Department of Peace.

For the record, let me point to the long precedent for action such as we are proposing. Between the 84th and 90th Congresses, 1955–68, no less than 85 bills were introduced into the House or Senate to create a Department of Peace. In fact, from Revolutionary times forward, various American groups have advanced a similar idea that a Secretary of Peace, at Cabinet level, be created to balance the Secretary of Defense—formerly the Secretary of War.

Despite this long tradition, never have any of these measures been moved from committee or voted upon within the Congress of the United States. Moreover, if reports are correct concerning President Nixon's reaction to this legislation, a vote upon this proposal will be difficult to obtain.

With all due respect to the wisdom of the executive branch, Mr. Speaker, I must maintain that neither the Department of Defense nor the Department of State are charged with the responsibility of using vast resources for researching ways to achieve the peace.

John Foster Dulles, in 1957, indicated that in his view the function of the Department of State is neither to foster peace nor prevent war, but to promote the "national interest." Certainly we cannot maintain that all of the planes, tanks, bombs, and assorted other vehicles of the Department of Defense have brought us any closer to the illusive peace we seek, for it is that agency's responsibility to defend our country at all costs. However, to saddle them with an equally important responsibility would be to dilute both.

And so, in summary, I urge my colleagues to work toward the success of this measure. Peacemaking should be our country's full-time concern. Achievement of this goal would be among the most important enactments of the 91st Congress.

SEX AND SUBVERSION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. RARICK. Mr. Speaker, little children are denied prayer in school, and in many instances forbidden to salute our flag or repeat the Pledge of Allegiance. Yet, parents are being persuaded to accept as a matter of academic truth that their children can be protected from future psychological disorder by a full exposure in their early years to the mysteries of sex.

Furthermore, we find creeping into their textbooks indoctrination in violence. Any rational individual examining the deterioration of the classroom textbooks can but conclude that the promoters of such programs are either dangerously sick or are undertaking subversive efforts to destroy the moral fiber of America's future by warping the minds of our youth.

In practice, sensitivity training—or self-criticism—has been used by Communist leadership to reduce the dignity of man in their enslaved countries to subhuman status for pacification and easy control of the masses. Many examples of collective manipulation to maintain power thusly are presently in operation. As recently as Wednesday, January 22, 1969, the Washington Post carried a report from Hong Kong describing the reindoctrination of Teng Hsiao-ping to replace dictator Mao Tse-tung. The article described reports from Peking that Teng has been attending Red confessional meetings to absolve himself of his supposed sins. The report continued:

SEEN AT CONFESSIONAL

Though his return to prominence has not been officially announced, reliable reports reaching here from Peking say that Teng has lately been attending confessional meetings in the Chinese capital in order to absolve himself of his supposed sins.

This practice of "self-criticism" is standard Chinese Communist procedure designed to permit alleged deviationists to correct their errors.

The mothers and fathers of American youth are already incensed at the indecencies and violence purveyed to their children through the television, movies, and even the radio. But the mental manipulators through their ratings and polls have been made aware that mother and dad are turning off television and staying away from the movies to shield their children.

So it became necessary to reach the minds of the children that they launch a new attack—via the classroom and the textbook.

Today we find the classrooms of America have been turned into a battleground to subvert the minds of our youth.

Mr. Speaker, I insert a paper by Gary Allen entitled "Sex Study," from the March, 1969, American Opinion, and releases from the National Enquirer for January 26, and the Washington Post for January 22, 1969, following my remarks:

[From American Opinion, March 1969]

SEX STUDY: PROBLEMS, PROPAGANDA, AND PORNOGRAPHY

(NOTE.—Gary Allen, a graduate of Stanford University and one of the nation's top authorities on civil turmoil and the New Left, is author of Communist Revolution In The Streets—a highly praised and definitive volume on revolutionary tactics and strategies, published by Western Islands. Mr. Allen, a former instructor of both history and English, is active in anti-Communist and other humanitarian causes. Now a film writer, author, and journalist, he is a Contributing Editor to American Opinion. Mr. Allen is also nationally celebrated as a lecturer.)

Sex education in the schools is not new. Most high schools have for years conducted courses which teach the biological facts of life. What is new is that these are now sneered at by sex educationists as "plumbing courses," inadequate for "modern social needs." What is needed, we are told, is a jet-age "sex education" which really gets down to the nitty gritty.

And that is just what we are getting.

As the Saturday Evening Post related before its recent demise, the "sex-education" programs which are now "mushrooming all over the country are newer than the new math. . . . America seems to have suddenly discovered an urgent need for universal sex education—from kindergarten through high school, some enthusiasts insist—and is galloping off in all directions at once to meet it." The Post trumpeted that fifty percent of public and parochial schools are now providing the glories of academic sexuality, and that at the present rate the figure will pass seventy percent within a year.

Nothing happens in a vacuum, and the educationists' sex explosion would not be taking place unless a great deal of influence, organization, and money were being poured into its promotion from somewhere. It is. The organization behind the new "sex education" now sweeping the nation is S.I.E.C.U.S., Sex Information and Education Council of the United States. (Pronounced, seek us.) As the Post noted, "Among the organizations shaping the structure of American sex education, by far the most influential is S.I.E.C.U.S." McCall's puts it this way: "Today's atmosphere in sex education cannot be described without mention of a high-voltage, nonprofit organization called S.I.E.C.U.S., which is without doubt the single most important force in sparking sex education in our schools. . . ." The Wall Street Journal records that "S.I.E.C.U.S. reports fifty to seventy inquiries a week from schools, churches, and other organizations seeking guidance on sex education."

A leaflet distributed by the National Education Association describes S.I.E.C.U.S. as a voluntary health agency founded in New York City, in 1964, to provide "assistance to communities and schools wishing to embark on sex education programs. S.I.E.C.U.S. will act as a clearinghouse for research and education in sex, as a source of information about sex education in the schools, and as a public forum where consideration of various aspects of man's sexuality can be carried out in dignified and objective fashion."

The tax-free S.I.E.C.U.S. organization operates largely from foundation grants—which means that American taxpayers are ultimately footing the bill. Those who write to the Department of Health, Education, and Welfare concerning "sex education" are now advised to contact S.I.E.C.U.S. The Department of H.E.W. is also putting your money where its commitment is, and in 1967 granted $1.5 million to support the new "sex education" programs in thirteen school districts. In addition, officers of the U.S. Office of Education have served, or are serving, on the Board of Directors of S.I.E.C.U.S.

Chief torchbearer for S.I.E.C.U.S. is Dr. Mary Calderone, the organization's Executive Director—referred to by McCall's as the Commander-in-Chief of "sex education" forces. Since the Commander-in-Chief's attitudes must of necessity be reflected in the choice of materials for the S.I.E.C.U.S. program we are all required to subsidize, her views have undergone close scrutiny by concerned parents. Dr. Calderone has, for example, often made clear her commitment to the "New Morality"—as old as Sodom and Gomorrah. In speaking to 320 boys at Blair Academy in New Jersey, S.I.E.C.U.S. Director Calderone commented: "What is sex for? It's for fun . . . for wonderful sensation. . . . Sex is not something you turn off like a faucet. If you do, it's unhealthy." And, she continued: "We need new values to establish when and how we should have sexual experiences."

What sort of "new values"?

According to Look magazine, when a student asked: "What is your opinion of premarital sex relations among teenagers?" Mrs. Calderone snapped back: "What's yours? Nobody from on high [God] determines this. You determine it. . . . I don't believe . . . the old 'Thou Shalt Nots' apply any more."

She certainly doesn't.

In Seventeen magazine, the S.I.E.C.U.S. Executive Director claimed "sex is not the prerogative of Christianity," and the Saturday Evening Post quotes her as declaring that sexual "do's and don'ts" cannot be imposed on the young. After telling her youthful audiences that "there doesn't seem to be any correlation between premarital sex and success in marriage," she regularly leaves the decision of premarital intercourse up to the glands of her young listeners. The Boston Globe of December 5, 1968, quotes her as telling a blushing audience of five hundred high school boys and girls:

"The question goes far beyond 'Will I go to bed?' and it's one you must answer for yourselves. You boys may know a girl is physically ready, but you have to ask yourselves: 'Am I ready to take the responsibility to say, yes, she is ready emotionally and psychologically?' "

Though described by Post as a Joan of Arc for "sex education," Dr. Calderone is more often referred to as "a sweet-faced, silvery-haired grandmother" who shocks audiences by using four-letter words to make her point. Her motto is "tell them everything and tell them early." According to the Saturday Evening Post:

"Contrary to the views of most child psychoanalysts, Dr. Calderone holds that sex education should start in the nursery. Around the age of three the child should assimilate such knowledge, along with the correct terminology such as 'The penis of the father is made to carry the sperm into the mother through the vagina.' Kindergarten teachers should then impart additional clinical details."

That's right, *kindergarten teachers!*

As you might expect, the S.I.E.C.U.S. Executive Director also has very progressive ideas concerning homosexuality. As she is fond of telling youngsters: "Almost everybody has some attraction to people of the same sex. . . . I cannot condemn it." Every boy in an urban environment, she says, "is going to have a homosexual advance made to him, and therefore he should understand what it is and what his attitude about it and about himself should be."

And what *should* that attitude be? Concerning homosexuals, the S.I.E.C.U.S. Commander-in-Chief smirks to boys in her lectures: ". . . you owe that person your responsibility and understanding, even if you don't share his conviction." Dr. Calderone adds, sadly, that "it will be some time before homosexuality receives general acceptance." Unless, of course, her "educational" efforts on behalf of S.I.E.C.U.S. are successful.

If Dr. Mary Calderone is the Joan of Arc of the school-sex revolution, Dr. Lester Kirkendall, Professor of Family Life at Oregon State University, and a member of the S.I.E.C.U.S. Board of Directors, is its Pied Piper. Dr. Kirkendall, a prolific author of sex books and magazine articles about every conceivable sexual foible, will never be accused of being an old fuddy-duddy by even the hippiest of the pornopoliticians. Still, Kirkendall is referred to by *Reader's Digest* as "without question, one of the most respected authorities in the whole field of sex education and family life." He has, according to the *Digest*, "helped to create today's new generation of sex educators."

Lester Kirkendall says he believes that "if present trends continue, premarital intercourse will almost certainly increase." But, the Professor adds, he doesn't feel this is necessarily bad. He writes in *Sex And Our Society* that if couples "do experiment with sex only to have their relationship flounder, their honest efforts to understand and be responsible to one another may well have been more gain than loss."

Like Mrs. Calderone, S.I.E.C.U.S. director Kirkendall is not "hung up" with the religious and moral foundations of sex. He is, in fact, a past director of the anti-religious American Humanist Association, and has written in its magazine that morality cannot be found in the context of "supernaturalism or a supernatural deity." Instead, he defines his religion as a "respect for and a belief in people, and a concern for true brotherhood among men." Just as Kirkendall rejects God for "people," he also rejects patriotism, actually going so far as to brand defense of one's country as immoral. In "Searching for the Roots of Moral Decisions," he writes:

> *A tremendous feeling of national unity, a sense of closeness, good will, and harmony may result from fearing another nation or from the effort of trying to destroy another nation. Such unity . . . is immoral.*

Another founder of S.I.E.C.U.S.—and its longtime Treasurer—is Isadore Rubin. He too shares Dr. Kirkendall's rejection of patriotism. Rubin was on May 3, 1955 identified in sworn testimony before the House Committee on Un-American Activities as a member of the Communist Party by Mrs. Mildred Blauvelt, an undercover operative within the Communist Party for the New York Police Department. Rubin was subsequently Editor of the New York Teacher News, published by the New York Teachers Union—which was expelled from the A.F.L.–C.I.O. when it was found to be controlled by the Communists. So total was his commitment to the Reds that he even had to be dismissed from his job as a teacher in New York City because of his refusal to deny his membership in the Communist Party.

In addition to his subversive work for S.I.E.C.U.S., Comrade Rubin now edits the notorious Sexology magazine. Although S.I.E.C.U.S. proclaims that one of its purposes is to counter exploitation of sex, its own officers are involved in the wildest sort of sex exploitation. Rubin's pulpy Sexology magazine dwells on sex sensationalism, with lurid pictures of men and women in the most intimate positions, presenting crass articles dealing with the worst sort of perversion. Examples of features in recent issues include: "Can Humans Breed With Animals?," and "Witchcraft And Sex—1968," and "The First Sadists," and "Wife Swapping In Naples," and "My Double Sex Life (the story of a bisexual)," and "Gangs That Hunt Down Queers," and "Why I Like Homosexual Men," and "Unusual Sex Demands," ad nauseam. In addition, Sexology also features film reviews of the latest "adult movies," carries advertisements for rank sex books, and has published its own titillating work on Transvestism.

Mr. Rubin's Sexology periodical has for years been available at certain seedy stores around the country (often from behind the counter, with the pages stapled together), but bigger and better things are in store for the magazine. Speaking in December of 1968 to a group of educators at an institute on "sex education" sponsored by the International Business Machines Corporation, S.I.E.C.U.S.'s Lester Kirkendall revealed that Sexology is currently being revised with a different cover and titles so it can be used in the schools.[1]

Now, get this: Dr. Lester Kirkendall serves with Communist Isadore Rubin as an Editor of Sexology magazine. Also on the staff of this pornographic sheet are S.I.E.C.U.S. directors William Genné, John Money, and Wardell Pomery.

Another of those laboring with Communist Isadore Rubin and his fellow pornographers on the Board of Directors of S.I.E.C.U.S. is Mrs. Elizabeth Koontz, the newly elected President of the million-member National Education Association.[2] The radically Leftist Mrs. Koontz urges teachers to ". . . organize, agitate, and strike." In paraphrasing the Communist Black Panthers to call for "Teacher Power," she explains: "We cannot teach democracy and ignore what is wrong. . . ." It is thus not surprising that N.E.A. has been in the forefront of promoting S.I.E.C.U.S. throughout the nation, and that Mary Calderone has been a contributor to the N.E.A. Journal.

Earlier we mentioned Sexology staffer William Genné—a director, founder, and officer of S.I.E.C.U.S. who calls himself "Reverend" and is Director of the Commission[3] on Marriage and Family Life of the National Council of Churches. The "Reverend" Genné, who offers the view that those who think "Wherever healing takes place, Christ is present, no matter what the Church says about fornication," has quite a background himself. In addition to his consultation in pornography at Sexology, the files of the House Committee on Un-American Activities record that Genné has affiliated himself with such Communist Fronts as the Stockholm Peace Petition, the World Peace Appeal, the National Committee to Repeal the McCarran Act, the Committee for Peaceful Alternatives to the Atlantic Pact, etc.

Then there is S.I.E.C.U.S. director William Masters, who published with Virginia E. Johnson the best-selling *Human Sexual Response*. That incredible volume records Dr. Masters' studies in intercourse and automanipulation of 694 persons. Masters had no qualms about employing *unmarried* subjects to perform before the cameras for this subsequently popularized study of intercourse, and used an artificial plastic phallus which recorded female responses. The S.I.E.C.U.S. director was quoted in *Playboy*[4] (May, 1968) describing the tortuous device as follows:

"The equipment can be adjusted for physical variations in size, weight and vaginal development. The rate and depth of penile thrust is initiated and controlled completely by the responding individual."

The immediate past-President of S.I.E.C.U.S. is sociologist David Mace, who stated his case for the "New Morality" in the April, 1968, issue of *Sexology* as follows:

"The simple fact is that through most of our history in Western Christendom we have based our standards of sexual behavior on premises that are now totally insupportable—on the folklore of the ancient Hebrews and on the musings of medieval monks, concepts that are simply obsolete."

The current President of S.I.E.C.U.S. is Lester Doniger, said to be the former Publisher of *Pulpit Digest*, Director of Pulpit Book Club, and President of the Pulpit Press. Curiously, Doniger's autobiographical note in *Who's Who In World Jewry* does not mention his Protestant publishing business, and he has variously listed his birthplace as Raczki, Poland, and Vienna, Austria. We do know that the *Great Neck* [New York] *News* of February 14, 1947, carried an article entitled "US–USSR Committee Announces Meeting," which reported that a forum would be held under the aspices of the Great Neck Committee of the Communist National Council of American-Soviet Friendship, Inc. Among those scheduled to appear was Jessica Smith, wife of Communist Party attorney John Abt and widow of Communist Hal Ware of the notorious Soviet spy ring called the Ware Cell. Mrs. Abt was editor of *Russia Today*. The article stated that tickets for the Council[5] affair were obtainable from Mrs. Rita Doniger, wife of S.I.E.C.U.S. President Lester Doniger.

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[1] Kirkendall, according to the Anaheim Bulletin of December 19, 1968, ridiculed those at the I.B.M.-sponsored sex institute who noted that Isadore Rubin was identified as a Communist before the House Committee on Un-American Activities. "Rubin," said Kirkendall, "only wrote a paper for the Daily Worker." The sworn testimony of the New York detective who was in the same Red cell as Comrade Rubin contradicts Dr. Kirkendall's claim.

[2] Mrs. Koontz has just been named by President Nixon to head the Women's Bureau of the Department of Labor.

[3] S.I.E.C.U.S. director Calderone is also a member of that N.C.C. Commission.

[4] Listed as sponsors of S.I.E.C.U.S.'s second annual dinner were the notorious Hugh Hefner of *Playboy*, John Cowles of *Look*, Secretary of State and Mrs. Robert Strange McNamara, Leftist Stewart Mott (heir to a G.M. fortune), best-selling author Vance Packard, Steven Rockefeller, and James Warburg of the international banking family.

TRAINING FOR ILLICIT SEX

The philosophy, attitudes, and beliefs of the above officials of S.I.E.C.U.S. have been projected into the curriculum it recommends for our schools. The S.I.E.C.U.S. program is more than just education. After all, it isn't any good to know what, if you don't know how. And how requires training in the required "sex skills." As S.I.E.C.U.S. Study Guide Number 1 states:

". . . the time-tested principles accepted in other areas of education must be supplied; to equip youngsters with the skills, knowledge and attitudes that will enable them to make intelligent choices and decisions."

To burden a "sex education" program with folderol about morality would, in the opinion of S.I.E.C.U.S., simply muddy the water in teaching children to express their "sexuality." According to the S.I.E.C.U.S. Study Guide: "Sex education must be thought of as being education—not moral indoctrination. Attempting to indoctrinate young people with a set of rigid rules and ready-made formulas is doomed to failure in a period of transition and conflict." More specifically, when Esther Schultz of S.I.E.C.U.S. listed in Redbook the qualifications for "sex education" teachers, she emphatically noted: 'He must not be a moralist."

Not tolerating moralists, S.I.E.C.U.S. naturally makes no judgments on perversion. And from the point of view of the Leftist S.I.E.C.U.S. propagandists, why should it? As one of the S.I.E.C.U.S. informational brochures states: "It is not the job of any voluntary health organization, which S.I.E.C.U.S. is, to make moral judgments; S.I.E.C.U.S. can be neither for nor against illegitimacy, homosexuality, premarital sex—nor any other manifestation of human sexual phenomena." When little George asks about homosexuality, or little Betty inquires about having children out of wedlock, you just know that you want their teacher to follow S.I.E.C.U.S. procedures and remain neutral. We wouldn't want any "moral" judgments, after all. Such judgments might warp the little psyches of our children!

A guiding theme throughout S.I.E.C.U.S. material seems to be to release students from any inhibitions, or feelings of guilt or conscience, about illicit sexual activity. The S.I.E.C.U.S. Study Guide Number 5 begins: "The best way to gain insight into premarital sexual standards today is to start with the realization that among young people abstinence is not the only nor in some cases the dominant standard." This pamphlet draws attention to the fact that there are four premarital standards in use today: total abstinence; the double standard; affection-centered relations; and, permissiveness without affection. Naturally, S.I.E.C.U.S. doesn't take sides. Instead, the Guide tells your children: "The choice of a premarital sexual standard is a personal moral choice, and no amount of facts or trends can 'prove' scientifically that one ought to choose a particular standard. Thus, the individual is in a sense 'free,' "—to make up his own morality on the spot.

In discussing such consequences of permissiveness as venereal disease, promiscuity, and illegitimacy, Study Guide Number 5 drags out the old shell game and assigns the blame to parents:

"The difficulties of doing anything about the consequences of greater permissiveness become apparent when one realizes that our type of courtship inevitably involves a certain amount of such consequences. The same parents who decry the consequences favor a free courtship system—a system that encourages permissiveness. Even more paradoxical is the stress parents place on love as the basis for marriage and happiness. The research findings on female permissiveness indicate that love is a key factor promoting sexual intercourse. Thus, the more parents stress love the more their daughters will engage in coitus."

Got that, parents? Stress permissiveness and your children will find themselves in trouble, or stress an abiding love and things will be even worse. Either way, you are to simply surrender your children to the indoctrination and "skill" provided in the schools by Comrade Rubin and the Leftist pornographers of S.I.E.C.U.S.

Many parents have concluded that the S.I.E.C.U.S. stand on masturbation verges on advocacy of it as a salutary pastime. Dr. Warren Johnson of Sexology fame, informs seventh-graders in the S.I.E.C.U.S. Study Guide Number 3:

"Most students have some experience with this activity [masturbation], sometimes before puberty, although many of them are unfamiliar with the word: masturbation. They hear it called ______________. It is an almost universal practice among healthy boys and is also a common, but not so frequent habit in girls . . . From the medical point of view it is necessary to emphasize the fact that the commonly quoted medical consequences of masturbation are almost entirely fictitious . . . Any harm resulting from masturbation, according to the best medical authorities, is likely to be caused by worry or a sense of guilt due to misinformation."

Dr. Johnson even tells us who the bad guys are in our society causing all of these feelings of guilt. Ready? It is the churches.

Who says so?

Why, the authorities at S.I.E.C.U.S. say so. The Study Guide relates:

"Moreover, it should be recognized that in our society most religious groups are strongly opposed to this practice [masturbation], and it is quite difficult for boys and girls to practice it and not feel some sense of guilt or fear."

Got that? "Guilt and fear" are a product of the churches, and masturbation is "universal" and "healthy."

In the past, young people were encouraged to work off their nervous energy through athletics, study, dancing, and other wholesome activities. Now we have the Leftists of S.I.E.C.U.S. working in the schools to tell our teachers that masturbation is a healthier outlet. Page eighteen of Study Guide Number 3 maintains:

"As a general rule, parents and adults concerned with youth are best advised to disregard evidence of private masturbation in juveniles, not to look for it nor to try to prevent it directly or even indirectly by attempting to divert the youngster's attention to other activities. In adulthood, as well as in childhood, masturbation by individuals in private is coming more and more to be regarded as an acceptable means of releasing sexual tension."

According to S.I.E.C.U.S., not only is this practice not harmful, it actually performs a positive function of building manly self-confidence. The Study Guide remarks, "During adolescence, masturbation and its attendant fantasies may not only be a means of releasing sex tensions, but often serve as part of the adolescent struggle to achieve a sense of identity and a sexual self-image."

In addition to preparing study guides, S.I.E.C.U.S. publishes a quarterly newsletter expounding its philosophy and recommending films, books, and articles in the field of sexology; it reprints articles that it judges particularly valuable; and, it issues new reading lists of sex books. Included in the reprints are articles from Communist Isadore Rubin's grisly Sexology magazine. And, among the books recommended are such erotica as Prostitution In Europe And The Americas, Unmarried Love, Women's Prisons, and Sex And The Social Structure.

One of the most controversial educational tools being used in "sex education" courses is a slide-film called How Babies Are Made, prepared with the aid of S.I.E.C.U.S. This film, which is recommended for grades kindergarten through six, uses papier-maché models to teach sexual reproduction. While the children watch the film the teacher reads the narrative which describes what is happening in adult, medically accurate terms.

One slide, which shows two dogs copulating, carries this dialogue: "When a father dog wants to send his sperm into a mother dog, he climbs on her back. . . ." The film then shows human male and female anatomy, indicates how a baby is produced, and ends with an optional slide showing a man and woman in bed with the narrative: "You have already learned how a father's sperm meets and fertilizes a mother's egg to create a new baby. To do this, they lie down facing each other. . . ."

One such film set, used in a Westchester County elementary school, shows dogs copulating—followed by a human couple under bed sheets—as a recorded voice explains: "Mummy and Daddy are doing the same things the dogs do."

As part of its educational program S.I.E.C.U.S. cooperates with a number of other Leftist efforts in the sexology field. For example, S.I.E.C.U.S. lists Barney Rosset of the notorious Grove Press as a source of information. Rosset has been in court many times over his publication of pornography and was the subject of an article in the January 25, 1969 issue of the Saturday Evening Post, entitled "How to Publish 'Dirty' Books for Fun and Profit." The Post revealed that Mr. Rosset relinquished his 'fiery pacifism" when Hitler broke his pact with Stalin and attacked Russia. With Mother Russia in trouble, Barney joined the Army. (Yes, ours.)

Besides pornography, Rosset also specializes in books glorifying Communism—such as Reminiscences by Ernesto "Che" Guevara, Edgar Snow's Red Star Over China, and Communist Kim Philby's My Silent War. Not surprisingly, S.I.E.C.U.S. has even run advertisements in Rosset's lewd Evergreen Review.

The S.I.E.C.U.S. organization has also run its ads in the disgusting Nude Living magazine, published by the Elysium Institute. Although S.I.E.C.U.S. proclaims itself against "sexual exploitation," and claims it wishes to "dignify human sexuality," it has picked another strange bedfellow in the Elysium Institute—whose specialty is perversion and pornography dressed up as "health" fadism and "scientific inquiry." Elysium's magazines are composed mostly of photographs of nude men and women in sickening sexual positions, photographed from angles clearly designed to attract the pervert. They promote everything from necrophilia to nude Satanism and are frankly beyond description by a normal human being.

Of course, those magazines published by Elysium contain a page which lists the Institute's connection with S.I.E.C.U.S. and others of the "growing number of organizations in this country which are concerned as is the Institute, with seeking means to man's physical, emotional and intellectual development in an environment of openness, understanding and tolerance."[6]

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[5] This organization is described by the federal government's *Guide To Subversive Organizations* as being "created by the Communist Party in 1943." It is cited on the U.S. Attorney General's list of subversive organizations as "subversive and Communist."

Among the books recommended by S.I.E.C.U.S. as source material is *Situation Ethics—The New Morality* by Dr. Joseph Fletcher. Fletcher has been a member of thirty organizations cited by the federal government as Communist Fronts. Herbert Philbrick, former undercover operative for the F.B.I., testified that "Joe Fletcher worked with us on Communist Party projects and on an enormous number of tasks." Needless to say, Dr. Fletcher thinks the "New Morality" is simply glorious.

The recordings and books of Dr. Albert Ellis are also recommended by S.I.E.C.U.S. Ellis, a much-married former used-car salesman who obtained his Ph.D. late in life, is another "New Moralist." He is quoted in *Life* magazine as observing: "I certainly agree that if we are ever to become at all rational about our system of dating and marriage, the double standard will have to go. However, it seems to me that *one of the main ways of getting rid of the standard is to encourage premarital sex relations today.* During the 1930s Ellis translated *Das Kapital* for the lay reader. In his book, *The Case Against Religion*, he writes: "The religious person sells his soul, surrenders his own basic urges and pleasure so that he may feel comfortable with this heavenly helper that he himself has invented. Religion, then, is needless inhibition."

In a S.I.E.C.U.S.-recommended book, *The American Sexual Tragedy*, Ellis castigates "men who cannot be satisfied with any form of sex activity but coitus" as "probably fetishistically attached to this idea." The effect of the efforts of Dr. Ellis on our children can only be called calculated and sick.

Anthropologist Ashley Montagu, a member of the S.I.E.C.U.S. Board of Consultants, is another whose materials are recommended to schools by S.I.E.C.U.S. Writing in the *Phi Delta Kappan*, Montagu visualizes a future in which:

"*Young unmarried individuals who are sufficiently responsible will be able, in the new dispensation, to enter into responsible sexual relationships in a perfectly healthy and morally acceptable and reciprocally beneficial manner, which will help the participants to become more fully developed human beings than they would otherwise have stood a chance of becoming.*"

As a S.I.E.C.U.S. authority, Montagu even views the de-masculinization of American men with forthright approval: "The shortsighted 'viewers with alarm' will be relegated to their proper places when what they so wrongheadedly deplore, namely, the alleged feminization of men and the alleged masculinization of women, are discovered to be advances in the right rather than in the wrong direction."

HERE IT COMES

The S.I.E.C.U.S. program which has been described by the national press as the model effort in community "sex education" is being committed in the schools of Anaheim, California. The *Saturday Evening Post* called it a S.I.E.C.U.S. show window." In Anaheim, 32,000 students from seventh through twelfth grades get six weeks of coeducational "sex education" yearly.[7]

Sally Williams, who supervises the Family Life and Sex Education program at Anaheim is on the S.I.E.C.U.S. Board of Directors, and Dr. Esther Schultz of S.I.E.C.U.S. helped to develop the Anaheim program, which relies heavily on S.I.E.C.U.S. materials. Yet, strangely, both S.I.E.C.U.S. and the School District, headed by Superintendent Paul W. Cook, steadfastly maintain that Anaheim has nothing to do with S.I.E.C.U.S. Apparently it is felt that the Leftists and pornographers of S.I.E.C.U.S. are vulnerable to criticism and that it is best to provide the program while doing everything possible to avoid the label. Certainly the *Saturday Evening Post* wasn't fooled about who is running the show—nor is anyone else.

The Anaheim scheme has stimulated opposition in the form of a Citizens' Committee formed by Mrs. Janet Townsend. Mrs. Eleanor Howe, now a committed activist, is typical of the Committee members. She became upset at what was going on in her son's eleventh grade "sex education" class when she learned that the teacher asked young Howe what he would do if he discovered his son masturbating. That was a little too much for this courageous youngster, and he walked out of the class. Mrs. Howe told me:

"You wouldn't believe some of the reports we get from parents about these classes. One young man became so upset at the thought that he might be a homosexual, after the way the subject was treated in his eighth grade class, that his parents had to send him to a psychiatrist to calm his fears. He was simply a normal adolescent, but the sex program proved too much for him."

In addition to the Citizens' Committee, the Anaheim program has also provoked opposition from the local newspaper, the *Anaheim Bulletin*, which has an old-fashioned Editor by the name of Sam Campbell who, along with the reporter John Steinbacher, has not been afraid to challenge the educational power structure. The Bulletin has published literally scores of letters from distraught parents. Such parental objection is mushrooming, and far from confined to Anaheim. Here, for example, is a letter of November 27, 1968, from a Mrs. Erwin Handel to the Phoenix American:

"We just received our Nov. 6 . . . issue of 'The American.' I noted the article on the front page about sex education—which might better and more accurately be termed 'obscenity education' in the Phoenix schools.

'We just moved from Phoenix—and for that reason. We have a 12-year-old son who was taught this smut last spring, and about 9 weeks thereafter we had a near disaster in our home.

"I walked in and caught him sexually molesting our 4-year-old daughter. He had been taught all about intercourse at school and wanted to 'try it out' on his sister. (I caught him before he actually committed the act.)

"Now, teaching young kids this in school is nonsense. . . . It's like giving someone a recipe to discourage cooking. It won't discourage, but rather encourage, experimentation.

"We hope that you might publish this—so some other parents might realize just what this "education" is doing to our children before they actually suffer a disaster—just as we nearly did."

You think it can't be that bad? Tell it to Mrs. Handel. Or, take a look at some of the supplementary books used in the $375,000 per year program to push sex at the children of Anaheim. A typical example is Kenneth Barnes' He and She. The theme that "America is a repressed Puritanical society," constantly proclaimed by the Leftists and "New Moralists," is emphasized by Barnes on page eighty:

"The sad result of the way the world upsets the attitudes of young people is that it encourages a divided feeling about sex and about people. It ought to be possible for a young man to see a girl naked and to enjoy her nakedness without any sense of guilt, accepting it not just as the nakedness of a female body, but as something that is part of her personality and that arouses respect for her as a whole person. There are countries in which the taboo on nakedness is not so strong as here."

Barnes also informs the students of Anaheim that God-centered religion is passé. In advocating a new-style religion, he writes:

"This religion must have a person at its centre; nothing less will do, no dogmas or rules or pseudoscientific notions will suffice, for these are all thoughts produced by persons and therefore less than persons. Nothing less than a living person can give us the complete truth about humanity."

Since the Anaheim program has been part of the curriculum for over three years, many residents have been trying to get the School Board to assess the results. Unfortunately, the School District absolutely refuses to release any statistics concerning the subequent increase in venereal disease and illegitimate births. However, the Orange County Health Department says that venereal disease in the area is "out of control." And Richard Taylor, Vice President of the Orange County branch of the Florence Crittenton Society, which operates homes for unwed mothers, reports of this matter in the area: "The 'new morality' is leaving a broad trail of heartbreak in Orange County."

There can be no doubt about it. When newspaper reporter John Steinbacher asked a young Marine why so many servicemen congregated in Anaheim every weekend, the reply was: "Man, everybody knows that the high school girls here are 'available.'" The comment, Steinbacher found, was typical.

Although the retardation of venereal disease and illegitimacy are promoted as reasons why local school districts must adopt sexuality training, even S.I.E.C.U.S. officials confess that the program will not ease these problems. Lester Kirkendall of S.I.E.C.U.S. and Sexology magazine admitted in the June 1968 Reader's Digest:

"Most people have the vague hope that it [sex education] will somehow cure half of the world's ills—reduce casual sex experience, cut down on illegitimate births, and eliminate venereal disease. To be perfectly blunt about it, we have no way of knowing that sex education will solve any such problems."

Identified Communist and Treasurer of S.I.E.C.U.S., Isadore Rubin, stated at a symposium on Sex And The Teenager: "For the community to ask the sex educator to take on the responsibility of cutting down on illegitimacy or on venereal disease is to ask him to undertake a task that is foredoomed to failure." With S.I.E.C.U.S. in charge, there can be no doubt of that! What else could be expected with morality thrown out the window?

The fact that many parents are aware of the efforts of the sex educationists to divorce the teaching of sex from morality has created growing resistance to the S.I.E.C.U.S.-style programs. It seems that every "expert" and sexologist associated with the S.I.E.C.U.S. program rejects traditional Judeo-Christian concepts of sexual morality. Again and again we hear from its proponents that S.I.E.C.U.S. maintains sex education "must not be moral indoctrination," and that "it is not the job of S.I.E.C.U.S. to make moral judgments; S.I.E.C.U.S. can be neither for nor against premarital sex." Many of us find it ironic that our youngsters can be given instruction in our schools on various positions for sexual intercourse—or, as McCall's noted, shown how to apply "a contraceptive to a life-sized plastic phallus"—but a student saying a prayer in that same school would be violating the law.

Even so, Anaheim School Superintendent Cook advocates presenting a sexual smorgasbord and letting the teenager take his choice. Cook told an audience at Chapman College recently:

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[6] Some of those wildly Leftist efforts with which Elysium exchanges information (in addition to S.I.E.C.U.S.) are the University of Humanism, Institute of Rational Living, Institute for Sex Research, Pacifica Foundation, Joan Baez' Institute for the Study of Non-Violence, Sexual Freedom League, and the Underground Press Syndicate.

[7] Because the elementary school is a separate system and has not yet adopted the program, children in the kindergarten thru sixth grade have thus far been deprived of S.I.E.C.U.S. sex in Anaheim.

"We give the kids the whole picture—we lay all the facts out on the table for them and we tell them they are going to hear different ideas and attitudes than in their churches. We tell them that after all they do have to make up their own minds, and they're the only ones that can choose their own level of morality."

No prayers, you understand. No firm moral code. None of those "different" ideas from home and church! Listen to Comrade Rubin. Listen to the pornographers of Sexology.

The advocates of S.I.E.C.U.S. go farther. They attempt to picture all opposition as that of ignorant reactionaries and religious fanatics. Not only do the concerned taxpayer-parents resent this characterization as grossly unfair, but they point to the fact that their objection to sex instruction for the "New Morality" is supported by many medical authorities. Dr. Max Levin, in strenuously objecting to the amorality of the S.I.E.C.U.S. position on "sex education," writes:

"I speak not as a clergyman but as a psychiatrist. There cannot be emotional health in the absence of high moral standards and a sense of human and social responsibility. I know that today morality is a "dirty word," but we must help our youth to see that moral codes have meaning beyond theology: they have psychological and sociological meaning. Even the atheist, who rejects religion, should be able to understand this."

You don't have to be a psychiatrist like Dr. Levin to realize that today's teenagers already have more sophistication about the mechanics of sex than they have the maturity to handle. Telling teenagers to choose their own level of morality, while emphasizing that premarital intercourse might be desirable, can only lead to tragic consequences. Teach biology and physiology, yes. But let's get the anti-moral, Leftist, sex-pushers out of our schools! They are an embarrassment to the professions which they trumpet and an out-and-out danger to our children.

Look at the truth. The preponderance of both scientific and practical support for traditional morality is simply ignored by the permissive S.I.E.C.U.S. programs and the frantic school sexologists. As psychiatrist Graham Blaine writes: "The steps necessary to take in following unplanned pregnancy—adoption of the child, abortion, or premature marriage—are clearly unfortunate ones, and their increasingly frequency would seem to be a cogent argument for holding the line against permissiveness . . ."

Indeed!

Dr. Paul Gebhard has recently conducted surveys of twelve hundred college students which also support traditional views of sexual morality. He found that the first step was likely to be decisive in the case of a girl. If she once crossed the "Rubicon," it was not easy for her to subsequently avoid such sexual activity thereafter. In such a case, he noted, she was jeopardizing her own prospects of a good marriage in the future, as well as running other risks. As sociologist Robert Blood Jr. points out:

"Premarital intercourse is associated more closely with broken relationships than with strengthened ones; twice as many engagements are broken among couples who have intercourse as among those who did not; the more frequent the intercourse, the greater the number of rings returned; both divorce and adultery are more common among those couples who indulge in premarital intercourse, and that even among those who do not separate, the incidence of marital unhappiness is greater."

New York psychiatrist Max Levin comments on S.I.E.C.U.S. activist Warren Johnson's contention that "an increasingly safe and potentially wholesome sex life is said to be becoming available to the married and the unmarried who desire it; and there seems to be a growing feeling that this is a decision to be made by individual women and is not the business of society at all." Dr. Levin writes: "The young unmarried woman who has a sexual affair is harming herself emotionally. She cheapens herself when she yields to a seducer. There can be no mental health without a measure of self-respect."

With teenagers being steeped in boggling sexual stimuli from the mass media, our schools should be bolstering those who are moral and promoting self-control rather than providing rationalization for promiscuity. According to Dr. Melvin Anchell, the only justification for the S.I.E.C.U.S.-style program is "the misconceived notion that if you can't beat them, join 'em." Many sex education courses turn out to be only an exercise in destroying the conscience. Is it surprising that after hearing sexual intercourse discussed in class, and shown in classroom movies, the reserves of young people are broken down and they are stimulated to experiment?" As Dr. Anchell observes:

"The sexuality instinct is one of the strongest that we human beings have, and if we have a conscience associated with that sexuality then we cannot express it like amoebas. But the desensitization program is taking away the conscience and making the sex act a raw instinct."

The way homosexuality is treated in S.I.E.C.U.S. sex education is also destructive. According to psychiatrist Anchell:

"I'll be frank with you. I haven't had a pervert yet that I have cured, but I don't know anyone else who has either. The answer is in the prevention. And [this sort of] sex education, paradoxically, doesn't prevent it, but is causing it."

Today's teenagers have been sold by the Left on the idea that they discovered sex and that sex is "in." When has it ever been out? It's been "in" since Adam and Eve. But, teenagers are not the only target of the Leftist S.I.E.C.U.S. operators. As I have noted, they want to start by selling their amoral sexuality to kindergarteners. The fact is that most reputable psychiatrists believe that presenting such information to young children can cause drastic psychological problems. Psychiatrist William McGrath explains in this way:

"There is a phase of personality development, called the latency period, during which the healthy child is not interested in sex. In this interval, from about age five until adolescence, a boy learns how to get along with other boys. And he can dream of becoming a man among men, a hero.

"This latency period is not just a cultural or moral intervention. It serves a very important biological purpose. It affords the child an opportunity to develop his own resources, his beginning physical and mental strength. Later, when he is ready, he can take on other responsibilities. . . .

"Sophomoric and supercilious persons, who are without learning in philosophy or in science, fail to realize the significance of the latency period. When we plead that it should remain inviolate, they scoff and accuse us of narrow-minded prudishness. . . .

"Premature interest in sex is unnatural and will arrest or distort the development of the personality. Sex education should not be foisted on children; should not begin in the grade schools.

"Anyone who would deliberately arouse the child's curiosity or stimulate his unready mind to troubled sexual preoccupations ought to have a millstone tied around his neck and be cast into the sea.

"A letter asks: Isn't sex the source of most psychological problems? No; not in a man who has been allowed to develop character before his introduction to sex. Sexual problems are almost always secondary, or symptomatic of a deeper immaturity.

"To be first and above all a man among men is what one begins to learn in the latency period. This is sacred territory. A plague on those who trespass."

Psychiatrist Rhoda Lorand, after viewing the type of sex material now being used in the elementary schools, puts it this way: "It is overwhelming, disturbing and embarrassing, upsetting and exciting and very likely to lead to sex difficulties later in life." Author of Love, Sex And The Teenager, she is a long way from being a blue-nose on this subject. Psychiatrist Anchell agrees, noting:

"The one thing [this sort of] sex education is supposed to do for us—that is, help our children become mature adults—it actually destroys. It does it by interfering with the normal instinctual growth of the child. It catapults the child into advance sexual information; it perverts the child. . . . If you turn into an obstetrician at eight years of age, you have developed a fixation. . . . I think it is creating more perverts than were ever created before, and more-diversified perverts."

Indicative of the fact that elementary school children do not have the maturity to handle the material being thrown at them is that many children, after having seen the S.I.E.C.U.S.-prepared "How Babies Are Made," have come home and asked to watch mommy and daddy plant the seed. This has already prompted a lawsuit against the school system by a local committee in San Luis Obispo, California. No doubt further legal action is on the way.

Frankly, the program is proving downright dangerous. Even S.I.E.C.U.S.'s Dr. Kirkendall admits: "There's no way that you can proceed without some risk (to the students). You have to admit that there are people teaching in schools who have sexual problems of their own they haven't worked through." The subject would obviously have an overwhelming attraction for instructors with voyeur tendencies. Dr. Anchell, himself the author of a fine book on sexual adjustment, warns:

"Many of the so-called sex experts are no more qualified to be involved with this problem than a used-car salesman would be. Many are misguided disciples of Freud who call themselves psychiatrists. Many are social workers. Many are teachers who don't know anything about the subject. These people have set themselves up as experts. What they have been attempting to do is promulgate the sexuality instinct into that of an instinct related to a bodily function such as eating, breathing or going to the bathroom. But it really isn't . . . you could do all these other things alone, but sexuality takes two."

Danger or no danger, however, Anaheim Superintendent Cook has admitted that what he is involved in is "changing attitudes." That, alas, is precisely the problem.

THE SCANDINAVIAN MODEL

The S.I.E.C.U.S. style of "education" is too new in this country to draw any statistically-based conclusions as to what its cumulative effects will be. We do, however, have a model at which we can look for a glimpse of the future. The Scandinavians have had compulsory "sex education" of the type S.I.E.C.U.S. is promoting for two decades. In fact, Professor Ira Reiss of S.I.E.C.U.S. maintains, "Where Sweden is today is where we're going to be in ten years. Sweden has a culture that accepts 'permissiveness with affection' standards."[8]

The S.I.E.C.U.S. Study Guide Number 5 says: "The Scandinavian countries have developed even further than we a type of affection-centered premarital sexual permissiveness. We seem to be heading toward a Scandinavian type of sexuality." Promoting this "trend," S.I.E.C.U.S. recommends the book "Sex And Society In Sweden" as part of its curriculum, explaining: "Because it is a book that is open, honest, and reliable regarding the real situation in Sweden, it should prove of unusual value and interest to parents and educators everywhere." Dr. Kirkendall, in praising Denmark's "sex education" program, states:

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[8] What is happening in America, according to Professor Reiss, is "not a sexual revolution but the evolvement of a system which has replaced the prostitute with the girl next door."

"The consequences for young Danes seem to be far less damaging than here. . . . Hence guilt and conflict over premarital sex are minimal. . . . They may even let the child be born before they marry, since there is little stigma on illegitimacy."

Perhaps local citizens will want to look at the "real situation" and the "minimal" negative consequences of "sex education" in Scandinavia before embarking on a S.I.E.C.U.S.-type program. A third of the brides in Denmark kneel at the altar pregnant. In twenty years the number of brides aged fifteen to seventeen has swelled by four hundred percent. One legal, and four to five illegal, abortions are now performed for every twenty births. In Sweden the increase in venereal disease is described by officials as "catastrophic." According to U.S. News & World Report of February 7, 1966:

"Physicians say that gonorrhea and syphilis are more widespread in Sweden today than in any other civilized country in the world. A recent inquiry revealed the startling fact that about half of all boys who had become infected with venereal disease admitted having sexual relations with at least forty different girls—and ten percent said that they had had relations with as many as two hundred."

The Swedish education system has been accused by a highly-respected group of 140 eminent Swedish doctors and teachers, including the King's physician, Dr. Ull Nordwall, of producing sex obsession among adolescents because, as they put it:

"It has bombarded school children with sexual instruction for which their immaturity ill fits them and the result has been an un-natural over-sexualization of the rising generation [in which] . . . the young have confused instruction in method with encouragement to practice."

As for the S.I.E.C.U.S. contention that while sex education will not lower venereal disease or illegitimacy, it will produce healthy, happy, well-adjusted young men and women, the results in Sweden prove the contrary. An article in the issue of Reader's Digest for August 1966 relates:

"There is a significant report from Sweden, which for so long prided itself on the removal of moral restraints and what amounts to the encouragement of sexual freedom, even in the schools.[9] Yet the human toll has been so great that we now read of a growing movement, headed by the country's leading doctors, to put an end to sexual laxity. But note: The doctors . . . observe that, for all their sexual freedom 'young people in Sweden are not happy today,' and urge the schools to spend more time on moral and religious leadership and instruction which will help the children know 'what is right and wrong' in terms of their own ultimate well-being."

What has been the effect of the efforts of the sex educationists on the family in Sweden? Psychiatrist Graham Blaine writes:

"In Scandinavian countries extra-marital affairs have increased. It would seem logical to assume that family environment which includes a philandering father or a promiscuous mother, or both, would be less healthy for children than one in which fidelity prevailed."

The inevitable results of adopting the Scandinavian attitudes pushed by S.I.E.C.U.S.? As Professor Russell Kirk notes: "In another generation or so, American church communicants may be as scarce as they are in Denmark or Sweden today—that is, one to five percent of the population, or even fewer."

LEFTIST HARASSMENT

Still, parents who rebel at having the public school lead their children into the pit which proved so disastrous for the Scandinavians are astonished to find that they have run into a veritable Leftist buzz-saw. The S.I.E.C.U.S. proponents even hold seminars in how to deal with their conservative opponents. At one of these seminars, Dr. Lester Kirkendall characterized all such opponents as "a fringe group of dissidents who don't think rationally." He maintains that those who oppose the program to "change America's sexual attitudes have hangups about sex." To skirt these "sick" people, Kirkendall recommends:

"Just sneak it [the sex program] in as an experimental course. . . . Go to your P.T.A. and get support. That's where the power lies. . . . Don't say that you are going to start a sex education course. Always move forward. Say that you are going to enrich, expand, and make it better. The opposition can't stop something that you have already started."

This strategy puts the opponents in a position of being "aginners" who are "out to destroy our modern, progressive Family Life course."

Another strategy used by the Leftist sex educationists is to form a committee of civic leaders including doctors, clergymen, and businessmen to endorse the introduction of the program into the local school. Many, if not most, of these men are not aware of just what they are endorsing, but feel that sex education is generally a good idea. Once having committed themselves, pride and ego require them to defend their stand even as the educationists turn a presumed course in physiology into out-and-out indoctrination for premarital sex and amorality.

The educationists, as usual, want complete autonomy—free from the "interference" of those who pay the bills. Citizens' groups have found that once the program is begun their letters are not answered and that it is almost impossible to get school boards to give specific answers to questions about these sex programs. Complaints are met with educationese and mumbo-jumbo.

SO WHAT IS TO BE DONE?

Is the alternative to a S.I.E.C.U.S.-type program to keep teenagers in total ignorance about sex, as has been charged by some? The question is not whether "sex education" should be provided, but what kind, where, and by whom. There is a significant minority, if not a majority, of parents who believe that sex cannot be divorced from morality—and who are convinced that sex education is the province of the home and not of the State. Are their civil rights to be trampled by arrogant behavioral scientists, social anthropologists, and educationists? It is argued that some homes will abrogate their responsibility in this field. And, this is true. But, critics ask: Does this justify putting the sexual morality of all children at the mercy of the atheists and pornographers and Communists who are supporting and directing S.I.E.C.U.S.?

Many concerned parents believe that just as all that glitters is not buried in Fort Knox, all that is called "sex education" is not really education. They know that the S.I.E.C.U.S. effort has turned out to be indoctrination in promiscuity.

WHAT'S REALLY HAPPENING

As terrible as are the personal tragedies produced by the S.I.E.C.U.S. programs, let us pause here in conclusion to note the broader effect on our national life which may well be the real object of these programs aimed at our sons and daughters—and, through them, at the health of our nation.

We have already noted the ties of S.I.E.C.U.S. directors to the Communists. We note now in passing that the motivation of the S.I.E.C.U.S.-style efforts directly parallels the various "mental health" programs promoted by the World Health Organization. Instrumental in the founding of W.H.O. was Soviet spy Alger Hiss, who declared that "health is a state of complete physical, mental, and social well-being, and not merely the absence of disease or infirmity." Selected to lead the creation of this "social well-being" was the notorious pro-Communist Canadian, Brock Chisholm, who spelled out the foundations for the "New Morality" when he wrote in the February, 1946, issue of Psychiatry (with an introduction by Abe Fortas):

"The re-interpretation and eventual eradication of the concept of right and wrong which has been the basis of child training, the substitution of intelligent and rational thinking for faith in the certainties of the old people, these are the belated objectives of practically all effective psychotherapy. Would they not be legitimate objectives of original education. . . . Freedom from morality means freedom to observe, to think and behave sensibly . . . free from outmoded types of loyalties. . . . This is a new kind of world and there is no ethical or moral system that is intended for anyone in this world."

Chisholm's chief administrator at W.H.O. was Dr. Frank Calderone, husband of the S.I.E.C.U.S. Commander-in-Chief, Mary Calderone.

Everywhere one turns with these people the reins lead back to the Far Left. Why? Clearly because it is in the interest of the Communists to promote programs like S.I.E.C.U.S. for destroying American sexual morality, and enervating the moral fiber of our nation's youth.

Nationally syndicated columnist Henry J. Taylor, playing Devil's Advocate, delineated a sixteen-point program for the destruction of the United States. One of these points reads: "Preach 'permissiveness.' If 'anything goes' then, of course, everything goes. Every internal and external enemy knows the advantages of destroying a nation's standards. The rewards are as old as the Trojan horse."

As far back as May of 1919, Allied forces in Dusseldorf, Germany, first captured a Communist document entitled Rules For Revolution. Number One on that list of objectives was: "Corrupt the young, get them away from religion. Get them interested in sex. Make them superficial, destroy their ruggedness." Again, in the early 1950s, Florida State Attorney George A. Brautigam confirmed that "the above 'Rules for Revolution' were secured by the State Attorney's Office from a known member of the Communist Party, who acknowledged it to be still a part of the Communist program for overthrowing our Government."

The Sacramento Union has recently editorialized:

"Diabolical as it may seem, it has been a common tool of Communism for many years to undermine values and substitute their opposites. The Communist Conspiracy has always used the weak to infect the strong. In fact history shows that often the strong have been betrayed into surrendering to the weak. It would not be too difficult . . . to gain control of the minds of the young and the weak. It can be done by systematically denigrating all that a person has been taught to be worthy of respect. It would be done very cleverly with an appeal to the reasonableness of each argument, the use of half-truth. . . . It would be necessary to attack belief in Americanism, morality, and personal integrity. These will be replaced by un-Americanism, immorality and personal anonymity. Perhaps this begins to sound shockingly familiar. If what we presently see and hear on the American scene is any indication, the process is well under way . . .

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[9] The trend is indicated by the recent recommendation of a Stockholm teacher that: "What every good high school needs is a sex room where teenage lovers can seek respite from the rigors of reading, writing, and arithmetic. . . ."

"It would test our credulity to propose that our schools and other influential institutions are deliberately aiding this hideous process. It is possible, however, to believe that such institutions are being used by conspirators to accomplish the aims of the world-wide Communist movement."

It might also be pointed out that fanatical Marxist Stuart Chase noted in his book, The Proper Study of Mankind: "Theoretically, a society could be completely made over in something like fifteen years, the time it takes to inculcate a new culture into a rising group of youngsters."

Do you doubt that it can happen?

Historically, the destruction of morality has often been used as a technique to ready a country for Communist revolution. Nowhere was this more evident than in Spain where five percent of the nation's inhabitants were slaughtered in a bloody civil war. Before the revolution, kiosks sprung up on nearly every corner of the major cities peddling the most lurid pornography, and the cry "long live free love" was a regular part of student demonstrations. The Red Domination In Spain, an official report of the Spanish government, states with regard to this degeneracy:

"The moral corruption and disintegration of family and social ties reigning throughout the Marxist zone of Spain during the civil war were a direct consequence of communism . . . . Degradation amongst children during pre-revolutionary days [led to] . . . degradation of spiritual life and morals."

The same was true in Russia with the Nihilists, in Greece when the Communists sought to take power, in post-Kuhn Hungary, and in a dozen other places where the Communists have moved. Surely the vast majority of those promoting S.I.E.C.U.S.-style "sex education" are perfectly loyal, if misguided, Americans. However, it is impossible to deny that there is Communist influence within any parent organization which contains an identified Communist as its Treasurer and has such a number of its directors who have been active in officially cited Communist Fronts. It would seem only logical that their motives and/or judgment should be subjected to the closest scrutiny. Their target, after all, is our own children—and America's future.

One remembers a recent comment by my colleague George S. Schuyler, which seems to provide the only proper conclusion here. Writing in the January American Opinion, Mr. Schuyler noted:

"When General William F. Dean was released from a Korean Communist prison camp, the young Chinese psychologists who had been trying to break him said: 'General, don't feel bad about leaving us. You know, we will soon be with you. We are going to capture your country.' Asked how, they replied: 'We are going to destroy the moral character of a generation of your young Americans, and when we have finished you will have nothing with which to really defend yourselves against us.' "

Those are powerful words to remember. And they provide, beyond doubt, the single best explanation of What's Really Happening.

AMERICAN OPINION.

[From the National Enquirer, Jan. 26, 1969]

ROB RIOT REVENUE: THE THREE NEW R'S IN PUBLIC SCHOOLS

(By Joseph Cassidy)

Five million children in public schools from coast to coast are being taught to read with picture books of violence—and a young Florida mother is waging a one-woman crusade against the program.

Called Project Read, it is based on a theory that children learn faster and better if they relate to something familiar—and darts, guns, clubs, cops, robbers, fighting, war and prisons are considered in the course as familiar to the kids.

If they aren't, they will be after the years of instruction from kindergarten through 12th grade. Here are some examples:

"Ned's last dart hit Art in the arm" and "He thinks that he will have to get a gun."

"A man can rob" and "Bob can rob a man."

"These men are at war" and "At the end of the truce the men go back to war."

"This cop grips a club in his hand" and "Pat plans to grab Nell's bag" and "Pat grabs the bag" and "Nell slaps Pat" and "Pat runs as fast as he can" and "The cop grabs Pat."

The education in violence was exposed by Mrs. Elizabeth Bettner, mother of Heather, 9, and Cindy, 8, when Heather arrived home in tears from Coconut Grove Elementary School in Miami one day last October.

Heather, a fourth grader who reads at sixth grade level, complained about using the Project Read books, weeping that she had done poorly in a reading test.

Mrs. Bettner read Heather's book and went to Timothy Herring, the school principal, and protested. That was the beginning of a controversy that resulted in temporary withdrawal of Project Read in Dade County. Now it's back with some revisions. But children in the rest of the country are studying violence in the raw.

Mrs. Bettner explained to The Enquirer:

"There's enough violence in this country. I think it's wonderful to teach children to read phonetically but I fear what else it may be teaching them.

"It's brutal. Persons are hitting and slapping each other throughout the books. A sensitive child naturally becomes upset because it is contradictory to everything taught at home.

"But because I won't go along with the system, I've been accused of being a nut, a kook and I've even been called a witch hunter."

Project Read was developed at the Behavioral Research Laboratories in Palo Alto, Calif., by Dr. M. William Sullivan, a linguist and authority on reading skills, and Dr. Allen D. Calvin, a learning theorist.

The program was introduced first in 1968 in schools in selected areas, most of them poverty pockets, in New York City; San Francisco and Ravenswood, Calif.; Miami-Dade County and Fort Lauderdale, Fla.; St. Paul, Minn.; Detroit and Flint, Mich.; New Haven, Conn.; Vicksburg, Miss., and Akron, Ohio.

There are 24 workshops in the teaching series, each with about 100 pages, each page containing eight illustrations. In addition, there are 28 reading books. Students complete the workbooks in a series of five and then are ready for a storybook.

Sullivan and Calvin began development of their reading program in 1958 with a grant from the Carnegie Foundation. The course allows a student to progress at a pace equal to his ability to understand words.

New York City paid $600,000 for the series for 40,000 pupils. Dade County paid $40,000 to instruct 4,000.

Mrs. Bettner received no satisfaction when she complained to Herring, the school principal, about the violence in the books and such things as the U.S. flag being associated with a rag.

But Mrs. Bettner stirred up a storm. And Mrs. Ellen Morphonios, chief of the criminal division in the Florida State's Attorney office, sided with her in strong terms:

"It's terrible. Illustrations depict masked robbers holding people at gunpoint, even a bank robbery. The question is asked, for example, 'Did Red rob a man?' In the book the correct answer is 'yes.' A child who answers 'no' is graded wrong.

"If this isn't subversive and deliberately done as part of a master plan, only a sick mind could have produced it."

Behavioral Research Laboratories sent George H. Stern, its executive vice-president, to Miami to defend the program but, after conferring with school officials, he agreed some changes should be made. Yet he said:

"I don't think the violence is extreme. It's available at every turn in life. This series is something the child has heard, seen or can identify with clearly."

The war of words, out in the open through local news media, finally commanded the attention of the Florida Textbook Inquiry Commission, which called a public hearing in Miami.

It developed at the investigation that almost nobody except the children had bothered to read the workbooks after they came from the publishers.

They were not on the approved list of the state commission which is supposed to review all textbooks.

Dade County School Superintendent E. L. Whigman testified he hadn't read them.

Members of the Dade County School Board acknowledged they had not.

Dr. Tod Mikuriya, dispatched from San Francisco by the laboratories to speak for the books, told the commission he had only "skimmed through" a few and had not seen most. He admitted that the "dart-gun" pictures might be harmful to some children.

In a public statement Richard White, director of special reading services for Dade County school system, said:

"The material is designed to give students a picture image that will cause a memory implant. These are the types of things they see on television, read in newspapers and see in cartoons. They are references they can latch on to."

But Mrs. Bettner explained to The Enquirer: "None of the parents I talked to at first seemed aware of the books. After they were aware, some did not oppose them, saying that violence is an everyday occurrence and a fact of life seen daily on television and in comic books.

"I say you can control those things. You can turn off a television set but you can't control what goes on in school.

"I can't see why they put this type of thing in books.

"The revisions that were made are totally inadequate.

"Nobody, but nobody in our school system looked at or questioned these books.

"They just took them into the schools. I'd like to find out how this happened."

But last September 10, before Heather's tears let loose her mother's tempest of protest, Representative Claude Pepper, Florida Democrat, told the House that "one-third of our citizens may be functionally illiterate" and that Project Read was a corrective program.

He said: "I am personally pleased that my own locale of Miami-Dade County has taken a dramatic step toward alleviating this problem. Our school system is implementing new materials and methods of teaching some 4,000 disadvantaged students to read."

In announcing introduction of Project Read to 40,000 schoolchildren in New York City, Superintendent of Schools Bernard E. Donovan said:

"The innovative aspects of the programmed linguistic materials have special appeal to the underachiever since the materials have a built-in 'success' factor that gives the pupils confidence in their ability to succeed and contribute to their self-image."

Mrs. Bettner is not persuaded. She wants Project Read eliminated in schools throughout the country. She speaks at women's clubs and church groups to recruit support of parents. Some believing as she does have written letters to school boards, PTAs and friends in other cities to complain about the books.

Mrs. Bettner hopes that, in Florida, Governor Claude R. Kirk Jr. will act to exclude the program.

She said: "I would hate to see what kind of generation of children we would have if they learn from these books."

Dade County Executive Assistant State's Attorney Alphonse Sepe examined Project Read for grounds for legal proceedings. He said: "I can find no basis for official action but that doesn't change my personal opinion.

"As a father, I would definitely object to my children learning to read with this series."

A congressional committee has been inquiring into the problem of violence on television. A prominent journalist commented that parents worried about violence in the evening programs on TV had better take a good look at the so-called "kiddie shows" (grossly misnamed "comics" or "funnies") to which children are glued every Saturday morning. And indeed—this "entertainment" for children features an orgy of shootings, knifings, stranglings, drownings, clubbings and other forms of killing.

But while you just might be able to control your children's television fare, it is much more difficult to do anything about the situation when the classroom becomes the offender, as the enclosed article demonstrates. Please study carefully the illustrations accompanying the story. One wonders which is worse: That such an incredible method of teaching children to read should have invaded the American public school system? Or that a justly concerned mother like Mrs. Bettner, because of her objections, should have to defend herself against name-calling, and should receive so little assistance from other parents?

There are only two possible explanations for this outrage: Either the originators and promoters of this reading system are dangerously sick; or we are dealing here with one more subversive effort to destroy the moral fibre of America by warping the minds of our youth.

[From the Washington Post, Feb. 7, 1969]

INTERRACIAL MARRIAGE REFERENCES ORDERED CUT FROM CITY TEXBOOKS

(By Herbert H. Denton)

Washington's school superintendent has ordered high school principals to scissor out two passages of a health text book because they discourage inter-racial and inter-faith marriage.

Superintendent William R. Manning said he took the action because he found the passages "objectionable in this time in history."

Earlier, parents had complained to school officials about the book, "Personal Adjustment, Marriage and Family Living" by Judson and Mary Landis. School Board member John A. Sessions asked Manning to investigate the book.

Manning sent a directive to principals, dated Jan. 9, ordering the deletion by the end of the month by physically cutting them from the book.

"To delete or remove the pages listed, it is suggested that they be cut out, leaving a one-inch margin from the binding on each page to insure that the other pages will remain secure and in their proper sequence," the superintendent's letter said.

School Board member Julius Hobson denounced the action as "destruction of government property" during a meeting Wednesday night.

Manning said yesterday, "I wasn't destroying the textbooks; I was deleting from them." He said he found particularly objectionable a question at the end of one passage in the book that asked students to discuss the statement, "Interracial marriages may not be illegal but they are unwise."

The other deleted passage dealt, in a similar tone, with interfaith marriage. Manning estimated the book had been used in the school for about 10 years.

One high school principal said yesterday that, he had "stalled as long as I could, hoping to get some reaction" but that the snipping was almost complete at his school.

One physical education department head commented that the "first thing these girls are going to ask (when they are handed the book) is what came out of here."

AUTO LITTER AND A BEAUTIFUL AMERICA, A SUGGESTION

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. GUBSER. Mr. Speaker, one of the more provocative thinkers in my congressional district is Mr. Laurence Dawson of Los Altos, Calif. He is definitely a public-spirited citizen, an ardent conservationist, and one who is always striving to contribute to the intelligent formulation of public policy. He recently wrote a short paper entitled, "Auto Litter and a Beautiful America—A Suggestion." Since the defacement of our highways is becoming a serious national problem, I believe Mr. Dawson's suggestion should be brought to the attention of all readers of the CONGRESSIONAL RECORD.

The paper follows:

AUTO LITTER AND A BEAUTIFUL AMERICA, A SUGGESTION

(By Laurence Dawson)

While millions of dollars are spent to clean up after the great American Litterbug, the environmental pollution problem continues to grow and America threatens to drown in its own debris. The Navy had a word for it, the deep six; to get rid of it, chuck it over the side! And that is what millions of people riding in millions of cars do all the time. America the Beautiful? Ugh! My own small stretch of not heavily-traveled country road will accumulate a 100 lb. feed sack full of litter every few months even without help from those charmers who use the area to avoid the necessity of allowing a trash man to earn his living.

One of the reasons, it sems to me, that this sad state of affairs continues to deteriorate is simply that the deep six is so much easier than disposing of litter inside the car. All of the presently available litter disposal units, assuming you even want to carry a litter bag in the car, are either of inadequate size, can only be installed in inconvenient locations, or as an accessory are clumsy and unattractive, or all three.

Certainly, given the inherent laziness of people, the litter situation won't improve until improvement is the line of least resistance. Is this possible? Maybe. What would it take?

First, a place for litter would have to be provided at a point in the car which would be more convenient to reach than opening a window.

Second, the place would have to be big enough. If it won't take a few pop bottles, over the side they go, or if they fill the space, litter that comes later gets the deep six.

Third, some easy means must be provided for regularly emptying the litter, or, again, once the space gets full, the deep six, and some more litter beautifies our roadsides!

Can these criteria be met? Again, the answer has to be "maybe"! If, . . . If enough people cooperate. If three major American industries could be persuaded to work together in the public interest. If people really don't want to drown in their own debris.

Suppose the following three elements could be brought together!

1. A disposal area: Suppose that a standards agency, such as the Society of Automotive Engineers, were to establish a standardized design for a disposal area for automobiles. Ready access and adequate volume would be important. The area should probably be located in the center of the dashboard over "the hump," convenient to driver and passengers; its volume perhaps about a cubic foot. (Newer stereo sound systems and transistorized radios make this location less necessary for radio or speakers.)

2. A disposal container: Suppose that a coordinating body of the paper industry were to work with the automotive agency to specify a disposable container, probably some sort of inexpensive plastic lined paper bag to fit into the disosal area.

3. A disposal routine: Suppose that the petroleum retailing industry were to undertake the actual disposal task by providing new paper liners as a "free gift" and taking the old filled bag as the first step in the routine of servicing a customer.

Suppose all this were to happen, then at least adequate capacity and routine emptying would be met. Could we actually do it? Well, let's see "What's in it for me!"

What's in it for the American people?

1. A more beautiful environment, plus

2. A tax saving from lowered litter removal costs.

What's in it for the Automotive industry?

1. As citizens, the advantages which would accrue to the public, plus

2. Substantial public relations benefit from an exploitation of this contribution to the betterment of our country, at a design and manufacture cost which should be easily absorbed in vehicle pricing.

What's in it for the Paper industry?

1. As citizens, the advantages which would accrue to the public, plus

2. The profits to be expected from a new product use with a high volume of demand.

What's in it for the Petroleum industry?

1. As citizens, the advantages which would accrue to the public, plus

2. The same public relations benefit as for the auto industry, at a modest cost for the liners, plus

3. The opportunity to exploit an effective point-of-sale advertising device by printed messages on the replacement liners.

Nice thought, isn't it? But it takes a lot of supposing—and I suppose we'd rather not—or would we?

PROTECTING THE CONSUMER

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. KOCH. Mr. Speaker, we have seen in the legislation of the recent Congress a rising concern for adequate protection of the consumer. Truth in lending, flammable fabrics, clean meat and clean poultry, the Air Quality Act—all are designed to safeguard the consumer's interests and to protect his health and welfare.

With the enactment of these laws, significant progress was made. Those of us who have joined the Honorable BENJAMIN S. ROSENTHAL to cosponsor the bill creating a Department of Consumer Affairs are now proposing to consolidate these gains by coordinating the administration of consumer legislation.

The constant development of goods and services has stimulated a concurrent burgeoning of administrative programs to handle the numerous kinds of consumer protection laws, ranging from the food we eat, to the air we breathe, to the clothes and goods we buy. Congressman ROSENTHAL has noted that 33 Federal departments and agencies now administer over 260 consumer-related programs. The protection afforded the consumer is in fact minimized by its diffusion.

To overcome this deficiency and the inevitable conflicts of interest that arise from competing and often unrelated Federal bureaucracies, the Department of Consumer Affairs will bring together, under one roof, those scattered programs which aim to protect the consumer from fraud and misrepresentation.

In the past, we have known a lone champion of consumer rights—Ralph Nader—who was primarily responsible for the improved safety standards for automobiles. The time is long past due that, just as we established a Department of Transportation and a Department of Housing and Urban Development, we should create a Department of Consumer Affairs to implement the goals of this one man and to function as a government for the people.

THE LATE HOWARD C. BOERNER

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. WOLFF. Mr. Speaker, recently Howard C. Boerner, of Sands Point, N.Y. died suddenly. Mr. Boerner was a constituent of mine and I am privileged to be able to say that he was also a friend.

But it is truly Howard Boerner's actice, productive, and selfless life that causes me to stand before you today, not his death. I feel deeply that it is good to pause and reflect on the service performed by persons such as Howard Boerner for he was the kind of American who receives too little credit for making our country great.

We can learn from the life of a man who found time in a hectic business schedule to serve voluntarily for many years as treasurer and trustee of a large hospital. North Shore Hospital, located in Manhasset, N.Y., and all the people who ever had cause to avail themselves of the hospital's services benefited from Howard Boerner's devotion to the common good.

It was the same kind of interest in others that caused him to also serve Abilities, Inc., of Albertson, N.Y., which is devoted to the rehabilitation of handicapped persons. Again Howard Boerner placed public service first.

I would hope that the good he did will be remembered, just as I hope others like Howard Boerner throughout this country will continue the great practice of public service. It has made our country great and can help make it greater.

Mr. Boerner's family and friends can have the pleasure of knowing that in his life Howard Boerner did a great deal for others and his contributions will be remembered. And in paying tribute to the deeds Howard Boerner performed in his life perhaps we can learn a lesson about the value and meaning of service.

WHEN INTERESTS MEET

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. LIPSCOMB. Mr. Speaker, under leave to extend my remarks, I submit for inclusion in the RECORD an editorial which appeared in the February 4 issue of the Wall Street Journal.

Entitled "When Interests Meet," it discusses areas of possible agreement between the United States and the Soviet Union and presents an assessment as to what agreements might be in our interest and what would not be.

The Journal's discussion of this important subject will, I believe, be of interest to the Congress and the public generally. The editorial follows:

WHEN INTERESTS MEET

With so much current talk of negotiating with the Soviets, it may be useful to try to make some distinctions about what areas of possible agreement might be in the U.S. interest and what areas would not be.

First a word about the whole idea of negotiating with the Soviets. The cardinal consideration must remain a realization on Washington's part that they will not enter agreements simply for the sake of abstract peace or, for that matter, for anything except what they conceive to be a specific interest of their own. Keeping this in mind is a good way for the U.S. to avoid getting tricked.

Actually we don't know that they are interested in serious negotiations, despite repeated hints to that effect. Neo-Stalinism is plainly on the loose in the Kremlin, with the repression of emerging freedoms in Czechoslovakia and crackdowns inside Russia; it could presage fiercer cold war rather than a negotiating mood vis-a-vis the U.S. On the other hand, the Soviet leaders' fear of growing dissent in their own bailiwick might make them want to ease external tensions.

In any event, we think that when the Soviets do commit a wrong like the invasion of Czechoslovakia the U.S. should express its disapproval loud and clear (assuming it felt powerless to prevent the invasion in the first place). It should suspend cultural exchanges and perhaps trade and take other appropriate steps. Cultural and economic agreements are relatively insignificant from the viewpoint of making the world safer, but at least their suspension can convey a nation's sense of outrage.

It was fitting, therefore, that the Senate put off ratification of the nuclear nonproliferation treaty as a symbol of disapproval of the invasion of Czechoslovakia. But this treaty also happens to be fairly meaningless, since two of the nuclear powers—France and Red China—won't sign it and since it is almost impossible to prevent other nations from developing nuclear arsenals if they really want to. It is in the category of arrangements involving the Soviets that do nothing very positive for U.S. interests.

Yet the U.S. cannot afford to let anger at an event like the crushing of Czech freedom deter it from the search for potentially profitable areas of agreement with the Soviets. However rottenly they behave and however much they hate us, they unquestionably could benefit from certain kinds of understandings with the U.S. The U.S. could benefit too. Therein lies such realistic hope as there may be.

One possibility is a joint U.S.-Soviet effort to enforce peace in the Middle East, but it is exceedingly anomalous. The Soviets have had considerable success in penetrating the area, so why should they want to join this country in anything that might tend to neutralize their influence? An answer could be that conditions in the Middle East have grown too explosive; the Soviets might fear getting dragged into a wasting war. As for the U.S., it obviously wants a stable peace there.

Another possibility is the conclusion of a safe agreement to curb the missile race, a matter engaging the attention of both sides. The Soviet interest is clear—the missile race is getting so unbelievably costly that it is keeping the Russian leaders from doing more to develop their economy. The U.S. interest is also cost, as well as the hope that an agreement might make for a more peaceful atmosphere.

The U.S. is already beginning a "'thin" antiballistic missile system (although the Nixon Administration is reviewing it). It's expensive enough, but if we go on to a thick system the cost could be $40 billion or, by some reckonings, far more than that.

True, a Soviet insistence on proceeding with such monstrosities—the Russians reportedly are having second thoughts—would presumably require the U.S. to do the same for its own safety. Still, it is a form of insanity both sides could well eschew, always on the assumption that the U.S. would be able to guard against Soviet duplicity.

In a rational world the same considerations would argue for a mutual reduction in armaments in general. But there's no sense in looking for miracles; an acceptable missile-limiting arrangement would be welcome enough. If it did happen, other instances of coinciding interest might conceivably be found.

The main thing is for the U.S. to thoroughly understand what its interests are, distinguishing the major from the minor, and to pursue them in a flexible but hardheaded fashion.

THE GREAT AMERICAN PLAN

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. HELSTOSKI. Mr. Speaker, on January 8, 1969, Mr. James D. Winans, president of the New Jersey Division of the United Nations Association during 1967 and 1968, spoke before the Montclair, N.J., evening group of the American Association of University Women.

Mr. Winans is chairman of the board of the C. G. Winans Co. since 1965, and in 1956 was a delegate at large from New Jersey to the Democratic National Convention.

I was very much impressed with the subject which Mr. Winans chose as his topic for the evening's presentation and I felt that it was aptly presented.

The issues he has raised in his presentation are well thought out and deserve reflection and careful consideration by all of us.

I commend these remarks to the attention of my colleagues and am pleased to

insert them into the CONGRESSIONAL RECORD so that they may be made available to all those who were not fortunate to be present at the meeting at which these remarks were made.

The remarks follow:

THE GREAT AMERICAN PLAN

A speaker has to make assumptions about his audience in advance. Your present one has indulged in some speculation, with a few tentative conclusions.

The first is that you are pretty well informed on current affairs and spend an evening like this one only to have your thoughts stimulated, your mind provoked and, maybe, your feelings outraged.

My second assumption is that you subscribe to the Golden Rule, however you put it: "Do unto others as you would have others do unto you," or "Love thy neighbor as thyself". The neighbors are not merely the ladies next door, but also the people on the other side of the track, the blacks living in Harlem and in South Africa, and the peons of Latin America.

If you don't subscribe to this thesis, you might as well go home now, because what I have to say about various gaps cannot possibly interest you.

I could have looked up figures and could have told you statistically about the growing gap between the rich people and the poor people around the United States. While many of the poor people are better off than they used to be, they are not as much better off as you and I are. Reduced to its simplest terms, this situation is what makes riots in Watts and in Newark, among other cities.

I did not look up the figures on this phenomenon because you are familiar with them at least in a cursory way and, if you want more details, you can look them up yourself. All work and no play makes a dull boy; all figures and no plan makes a dull speech.

Although it's one of our nation's most important problems, tonight I want to make only passing reference to this widening gap in our cities. The question of education in the Newark schools, living conditions in the Newark ghetto and the like, would be enough for a whole evening itself. And I only make this passing reference because my subject is GAP.

John Steinbeck died recently. He was an old man, almost exactly my age. Many of his critics were certain that he was a Communist for writing "The Grapes of Wrath" and it was banned as subversive by a number of libraries.

(A short parenthetical note in passing: If the Russians prohibit publication of certain books and of entire newspapers, they are abrogating free speech—no question about it. Should so-called "public libraries" in the United States exercise censorship?)

The book itself, published in 1939, depicted the desperate struggle of Oakies and other migrants in the California camps, as most of you undoubtedly know. There is some reason to believe that migrant farm labor in South Jersey was only a little better off in 1968, although our state government is at least talking of doing something about the situation.

To quote a recent editorial in the New York Times, "Today's battle for industrial democracy and a measure of human decency by striking California grape workers is one measure of how little progress has been made since Steinbeck's cry to conscience."

In each of your minds, just underline those words: "a measure of human decency." If they don't suggest a gap, I don't know one when I see it.

Also, I could have looked up figures and could have told you statistically about the growing gap between the rich nations and the poor nations around the world. While many of the poor nations have raised their gross national product, they have not raised it proportionately as much as countries like the United States. Reduced to its simplest terms, this situation is what makes Communist regimes in Cuba and in Guinea, among others.

Here again, I did not look up the figures on this phenomenon because you are familiar with them, too, at least in a cursory way, and, if you want more details, you can look them up yourself. My speech is purposely without a lot of figures.

Because it's one of our world's most important problems, tonight I must make some reference later to this widening gap between the developed nations and what are euphemistically called the "developing nations". However, the question of birth control, the concentration on exportable crops and the like, would be enough itself for another whole evening. And so you will learn in due time that, although my subject is GAP, I have something else in mind.

The United Nations is the best organization available to improve the lot of mankind. Therefore, I'd like to see the United States stop working unilaterally and increase its working through the United Nations. I refer both to war efforts and to non-war efforts.

As to war efforts, we have been doing most of the fighting in support of South Vietnam. It's not a United Nations effort; it's to all intents and purposes, a United States' effort. But what makes it worse is it's an effort to uphold a man whom Senator McGovern aptly calls a "tin-horn dictator", a man who puts in jail the fellow who came in second in the election because he was a peace candidate! At the moment in the Senator's words, "Ky is playing around in the plush spots of Paris and haggling over whether he is going to sit at a round table or a rectangular table, while American men are dying to prop up his corrupt regime back home". James Reston says, "The young men die in Vietnam while the old men wrangle in Paris".

Our unilateral non-war efforts, into which many billions of dollars have been poured, have had the effect of propping up equally corrupt regimes in Latin America, as I shall show you. The persons opposing these regimes are Nationalists, people dedicated to doing what's best for their countries. If this means taking over a factory or an oil well belonging to an American company because Americans are getting 50 to 80% of the profits, does this make them Communists? In the eyes of Dean Rusk, I'm afraid the answer is "Yes". To show how this notion pervades our thinking, let me quote headlines from the New York Times of December 16, 1968: "Nationalism Hurts Ecuador's Chances of Oil Development—Ecuador Blocks Rich Oil Venture". My question is: rich for whom?

Corruption is common in these Latin American countries. Courts never condemn the rich. Union leaders who complain are considered traitors. A 1960 study prepared by Harvard's Center for International Affairs stated, "It is not at all farfetched in view of Latin American history that the state has been traditionally little more than an instrument of class oppression". John Gerassi, in his book "The Great Fear in Latin America", states that a United States loan of $7.5 million at 3 percent to Peru for low-cost housing projects is used by the country's premier, who owns the Housing Institute, to reloan to high-cost constructors at 12 percent.

Most taxes don't get collected in Latin America. The reason? The governments are run, directly or indirectly, by the richest, biggest and most corrupt tax dodgers around—that is, by the oligarchies. The oligarchies are supported by the armies, which, in turn, are trained, equipped and oriented by the United States.

Many liberals, who see the vicious circle clearly enough, insist that Latin Americans are responsible for it. To me, that is like blaming the negroes of the deep south for the poor education of their children, when the whites won't let the kids go to decent schools.

There are some loaded questions. Who is to blame when United Fruit obtains a giveaway concession. United Fruit, whose business is to make money, or those giving away, whose purpose should be to protect their country's interests? Who is to blame, the United States, which sees danger whenever a Nationalist regime takes over a Latin American country and therefore tries to have the regime condemned, or the other Latin American countries that do condemn it and therefore help destroy it? Who is to blame, the Pentagon, which thinks it's a good thing to arm Latin America, or Latin Americans who beg for and avidly accept the military aid with which they are dominated and repressed?

Elections are meaningless. Whenever popular candidates win, the military tosses them out. Never has any freely elected candidate from right, center or left who showed himself the least bit independent of United States policies been able to last out his whole term. Always the forces that threw him out have been trained and equipped by, and sometimes in, the United States. Away back in 1829, Bolivar said, "The United States appear to be destined by Providence to plague America with misery in the name of liberty".

In spite of the Monroe Doctrine, aimed at preventing other powers from interfering in Latin America and keeping it our sphere of influence, we did nothing when England invaded Guatemala in 1836. Then, in 1839, when England took over the island of Roatán off Honduras, instead of moving against England, we moved against Mexico.

Shortly after Mexico obtained its independence, United States landseekers swarmed over its borders, carrying negro slaves with them. When Mexico objected because it had already outlawed slavery, the newcomers proclaimed their own republic, calling it Texas. As soon as Mexico moved to put down the rebellion, we annexed Texas and, as a result of the Mexican War, we seized the whole region to the California coast. In its first generation, Mexico lost half of it territory, by far the richest part.

This infamous story could go on and on. In 1854, we settled a minor argument with Nicaragua by sending a warship to bombard San Juan del Norte. Skipping to 1904, we find Teddy Roosevelt decreeing that weakness or misbehavior by a Latin American government "which results in general loosening of the ties of civilized society. . . . requires intervention by some civilized nation". This Roosevelt corollary to the Monroe Doctrine became famous as "Dollar Diplomacy".

Between 1904 and 1933, we intervened sixty times in the affairs and territories of Latin America. Sixty times in less than thirty years, is an average of more than two interventions a year. These interventions were never for the purpose of bringing a better life to our neighbors; always for economic or territorial gain, sometimes as the strong-arm agents for wealthy companies.

One witness has often been quoted: "I helped make Mexico and especially Tampico safe for Ameircan oil interests in 1914. I helped make Haiti and Cuba a decent place for the National City Bank boys to collect revenue in. . . . I helped purify Nicaragua for the international banking house of Brown Brothers in 1909–1912. I brought light to the Dominican Republic for American sugar interests in 1916. I helped make Honduras 'right' for American fruit companies in 1903. . . ." That statement, harsh as it is, is quoted from a much-decorated United States patriot, Major General Smedley D. Butler of the United States Marine Corps.

In the words of Tom Lehrer, mathematics instructor at Harvard and M.I.T., sometime night-club ballad singer:

"When someone makes a move
 Of which we don't approve,
 Who is it that always intervenes?
UN and OAS, they have their place I guess,
 But first send the marines. . . .

For might makes right.
Until they see the light,
They've got to be protected,
All their right respected,
Until someone we like gets elected. . . .

When in doubt, send the marines".

This ballad brings a laugh and so do about a dozen others on this iconoclastic recording. However, if you think times have changed, let me refer you to a column in the Sunday New York Times of December 22nd last, which Benjamin Welles entitled "The Latin Military: A Dilemma for Washington". Maybe you read it. When I did, I just had to lengthen this speech to quote from it, as follows: "In the last 90 days military groups have seized supreme power in three key Latin-American nations, Peru, Panama and Brazil. . . . the new coups have reopened the unanswered question: Should the United States continue to train large numbers of Latin military officers and noncoms in military schools when such training apparently helps them impose dictatorships on their own people?"

I can answer that, even if Washington cannot. And I call your attention to what might be called "History Brought Up to Date". A little while ago I was talking about 100 years ago, then 50 years ago, then 25. Now we are talking about the last three months of 1968!

You can't find out about things like this from the State Department, which may have a million reasons for dissembling—all of them *quote* for the good of the United States *unquote*. When we do find the truth, we are apt to find that our good is not always being served.

Gunnar Myrdal, the Swedish scholar, recently said, "There is no country on earth which has more of a common, explicit ideology—more of a common explicit morality . . . the old ideal, dignity of human individual, justice between people, liberty, equality of opportunity and brotherhood . . . You could write an American history which was just a history of violence, corruption, of evilness. That type of American history is now becoming quite popular in the rest of the world because of the Vietnam War and other things. But American history . . . is that, in spite of serious setbacks, the trend is toward a gradual, ever-better fulfillment of these ideals".

It's nice to have something like this said about us when we have the Credibility Gap. You know what I mean. In 1967 General Westmoreland said that, with another 25,000 troops we'd win the war by Christmas. In 1968, it's signing one thing and saying another about the Pueblo incident. And again I say, this is still not the gap I have chosen to concentrate on.

There is a book which gives the most persuasive argument I have seen for my earlier statement that the United Nations is the best organization available to improve the lot of mankind. The book is entitled "The Good War" and is by Marian Maury. You will find between its covers what the U.N. is doing about food production, health improvement, commerce and international justice.

The gap between knowledge and wisdom must be closed. The human race is producing offspring at a pace outstripping its efforts to forestall man's starvation. The era of Adam Smith is past, and the application of scientific controls in economics and finance have made stability and growth a national objective. The "Good War" is, and I quote, "the great contemporary struggle being waged to free this planet from the blight of poverty, disease, and ignorance . . ." (unquote) The United Nations is the answer to peoples' demands, and the large powers have accepted the principle that the strengthening of the weaker countries will increase their own resources.

What is the United Nations doing? It has established or is working on the establishment of the following world agencies, and please underline in your thinking those words "world agencies":

EPTA—Expanded Program of Technological Assistance.

SF—Special Fund for Large-scale Projects.

UNDP—A Combination of the Two Foregoing Agencies.

UNESCO—United Nations Educational, Scientific and Cultural Organization.

FAO—Food and Agriculture Organization.

WHO—World Health Organization.

UNICEF—United Nations Children's Fund.

ILO—International Labor Organization.

UPU—Universal Postal Union (Maybe it would be good if this agency took over our own postal service).

ITU—International Telecommunications Union.

WMO—World Meteorological Organization.

ICAO—International Civil Aviation Organization.

IMCO—International Maritime Consultative Organization.

IAEA—International Atomic Energy Agency.

IBRD—International Bank for Reconstruction and Development.

IDA—International Development Association.

IFC—International Finance Corporation.

IMF—International Monetary Fund.

GATT—General Agreement on Tariffs and Trade.

The United Nations has taken up the cause of countries having no access to ports.

The United Nations agencies advise developing countries on financial matters and help them obtain advantageous credit terms.

The United Nations Commission on Human Rights—I could talk about that forever.

Let me close this part of my speech, the part devoted to United Nations activities in areas other than war prevention, by quoting again from "The Good War": "The capitalist revolution that multiplied the earth's bounty for a third of mankind was bought at the price of the labor of children and the abandonment of millions of wage earners to the pitfalls of unemployment. The Communist revolutions that dissolved the intolerable inequities of czarist Russia and old China . . . were bought at an ideological market place where personal freedom was exchanged for regimentation . . . How soon the dawn will break depends on many factors—human, technological, social and political—but most of all it depends on the willingness of both the developed and the underdeveloped worlds to pay the price of survival as a global community".

This, in summary, is what multilateral aid is doing. It leaves no doubt in my mind that through the United Nations our country can help narrow this well-nigh universal gap between knowledge and wisdom, another very important gap but not the gap of my thesis.

The president-elect has finally made an appointment that I like. I am not too pleased with his cabinet appointments and can't understand why Mr. Nixon didn't consult me before announcing them. Maybe he knows that I didn't vote for him.

Seriously, no matter how you ladies feel about the political situation, you certainly approve of Mr. Yost's appointment as our U.N. ambassador. His first words are the clue: "I have always said we should strengthen our effort in the United Nations and now I am being given a chance to do something about it." He has even written a book entitled "The Insecurity of Nations", the closing paragraph of which was quoted in the New York Times praiseworthy editorial as follows:

"The revival and re-enforcement of the United Nations no doubt seems, and at the moment may be, Utopian. The point to be made again and again, to be hammered unmercifully into our proud, hard, silly heads, is that the attempt to achieve the security of nations by national means under modern circumstances is still more Utopian. Even assuming uncommon sense or, more likely, some tragic demonstrations of calamity, the invigoration of the United Nations will take a number of years. The passing of powers from old to new, from parochial to ecumenical, from states separating peoples to institutions uniting them, will not be accomplished quickly or easily. Still, it seems high time to begin."

It has been said that the United States should recognize any government as soon as it has a foothold, not a toehold but a foothold; maybe I should say, in relation to a lot of them, a stranglehold. There would be two advantages to this kind of diplomacy. In the first place, our recognition would no longer be an accolade, a stamp of approval, a sign to the world that we think the government is legitimate and will work miracles for its people. In the second place, we should no longer need contrivance to negotiate prisoner exchange with, say, Ho Chi Minh, having our ambassador to some third government meet with Ho's similar ambassador in a back room provided by this third government, not fooling anybody but perhaps the John Birch Society. Such recognition of a fait accompli gets the State Department out of the role of the monkey whose hands over his eyes make him see no evil.

Complete free trade among the family of nations would prevent future wars. Let me repeat that statement in different words: if we should have in all the world no tariff barriers, no import restrictions, no tax concessions on exports, we should quickly reach the position where war would be impossible. It would make no difference whether we liked another country or not, or whether they liked us or not; no war between the two would be possible.

State Department sources said recently that, after negotiations with Japan's steel industry and the six European Common Market countries, voluntary curbs will be imposed on shipments of foreign steel into this country. Let me ask you: who benefits by that? Why, the steel producers, of course. It means higher prices that you and I will have to pay for automobiles, gas stoves, lawn mowers, anything made even partially of steel.

Let's assume instead that, if Japan is the most efficient producer of steel, so efficient that their steel can be shipped all the way across the Pacific Ocean and all the way across the United States, and still sell for less in Pittsburgh, if that should be true, let's have all the United States and all the rest of the world buy its steel from Japan. Then let's assume that our automobile industry is so efficient, we can outsell all other countries on trucks, tanks, half-tracks, etc. At the same time, Germany is dominating the world's munitions industry, England is furnishing the world's wool textiles, Russia the world's wheat, Holland the world's dairy products, Italy the world's shoes, and maybe France the world's wines and perfumes.

Now, under those conditions, we can't have war. If we fight with Japan, we get no steel. If we fight with Italy, we get no shoes. If we fight with Russia, we get no wheat.

Admittedly, my example is oversimplified. I've left out meat, vegetables, medicine and TV sets. However, I think you will understand the principle envisaged. And don't think our workers will be harmed; they will be better paid in dollars for working in a concentrated endeavor at which we are the most efficient, and each dollar will buy more because it will be purchasing products likewise made with the greatest efficiency.

Please don't get me wrong; I'm not downgrading the efficiency or the ethics of any United States companies or industries. What I am doing, is making a hypothetical world division of both industry and farming which division could conceivably be arranged in any number of other ways.

This kind of division is the goal of economics; the greatest good to the greatest number of people. Let's do it on a worldwide basis to raise everyone's standard of living and get complete elimination of war as a by-product.

The elimination of war and of many other evils, however, would best be accomplished by an unconventional gap. My thesis is an acronym for the Great American Plan. You probably agree with me to a greater or less extent as to the importance of all the gaps I have mentioned earlier. You probably agree with me to some extent about the probable causes of these gaps and, by osmosis, about the probable solutions. By contrast, you never heard of the Great American Plan and you're not even sure you should have sat here so long to hear one voice suggest something which, when I get through, you will label "Mission Impossible".

The United Nations has its defects. Please note that I said twice earlier that it is the best organization *available,* not the best possible organization. Two immediate recognizable defects are the veto power of one country in the Security Council and, in the General Assembly, the one vote accorded each member regardless of size, about as far as possible from our Supreme Court dictum of one man, one vote.

Governments are instituted among men, deriving their just powers from the consent of the governed, so says the Declaration of Independence. When Hawaii and Alaska became states, this country made a long step forward, taking to its bosom their heterogeneous populations, including Orientals and American Indians, without any regard whatever to race, creed or color. When the Philippines opted for independence, this country lost an opportunity. When Puerto Rico votes the next time, there's a good possibility we may have our fifty-first state.

By this time. you are probably ahead of me. I say we have what has proved to be the best government ever invented. Let's add to it rather than inventing something else. I have mentioned the defects of the United Nations. The principal trouble with the World Federalists is that, not only does the idea have to be sold worldwide, but all the tools have to be invented and agreed upon.

Let's take off from where we are. Samuel Eliot Morrison, the great historian, said: "The genius of our democracy is its room for compromise, our ability to balance liberty with authority. And I am convinced that we will strike a new balance this time and achieve, in the process, a new awareness of human relationships among our people". Continuing our thinking from there, I am convinced we can do it on a global basis. Why not have, instead of a United States of America, a United States of the World? Why not have as individual states South Vietnam, South Korea, all the provinces of Canada, any and all who vote to apply, each with two Senators and proportionate representation in the lower house? *Why not?*

Let me sum up for you what I have been trying to say about GAP.

There is a gap between different elements, different cultures in our country, both in the cities and in the vineyards. Much as this gap needs remedying, I did not come here to discuss it tonight.

There is also a gap between different nations, different peoples on this earth. Much as this also demands attention, I have not been specific about the needs tonight.

There is a gap between what we are doing and what we are saying in Vietnam. Much as this credibility gap reflects on our national honor, I merely call your attention to the obvious.

There is a gap between United States promise and United States performance in foreign lands. I have shown you this gap, running almost continuously from the early nineteenth century to the second half of the twentieth century, to show the folly if not the downright chicanery of unilateral action.

In spite of the many accomplishments mentioned earlier, and even more which could be documented, I have shown the gap between what we expected the United Nations to do and what it has so far been able to do.

All of this has led me, past even the World Federalist ideal, to a new conception, eventual unity in the world through unlimited enlargement of the United States.

Maybe the United States of the World wouldn't bring Utopia overnight. It would, however, eliminate problems of balance of trade; whoever worries about how much New Jersey sells to Pennsylvania, and vice versa? By the same token, it would eliminate currency problems; a dollar is a dollar no matter where, in the United States. It would eliminate tax havens, dictatorships and wars in one fell swoop. In the words of a former Secretary of State, John Foster Dulles, "I was brought up in the belief that this nation of ours was not merely a self-serving society but founded with a mission to help build a world where liberty and justice would prevail".

In closing, I hope you will pardon a play on words, for here has been presented to you GAP—GEE AI PEE—*The Great American Plan*.

IMPOTENT SUPERFOWERS

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. MARSH. Mr. Speaker, referring to my comments of Tuesday concerning an article appearing in the Washington Post, taken from the book by Peter Drucker entitled "The Age of Discontinuity," I now include a second portion of this article.

For those who may not have seen the first installment of the article, and my comments, they may be found in the Extensions of Remarks to the RECORD of Thursday, February 6.

The increment of this interesting discussion of the problem of bureaucracy and ineffective government, which I include today, begins with a section entitled:

IMPOTENT SUPERPOWERS

At the other end of the scale, we have the "superpowers," whose very size and power debar them from having a national policy. They are concerned with everything, engaged everywhere, affected by every single political event, no matter how remote or petty. But policy is choice and selection. If one cannot choose not to be engaged, one cannot have a policy—and neither the United States nor Russia can, in effect, say: "We are not interested."

The superpowers are the international version of the welfare state—and, like the welfare state, incapable of priorities or of accomplishments. The superpowers, therefore, invariably overreact—as Russia has done in the satellite countries and as the United States has done in the Congo, in Santo Domingo and perhaps in Vietnam. Yet they underachieve. Their might, although great enough to annihilate each other—and the rest of us into the bargain—is inappropriate to the political task.

This means that decisions in the international sphere can no longer be made in an orderly and systematic fashion. It is no longer possible for any decision to be arrived at by negotiation, consultation, agreement. It can only be arrived at by dictation or by exhaustion. Although force has, therefore, become infinitely more important in the international system, it has become infinitely less decisive—unless it be the ultimate force of a nuclear war that might destroy mankind.

Decisions are also no longer effective. No longer can they be expected to be carried out. In the international sphere, we have the same divorce of policy from execution that characterizes domestic government.

We get more and more governments. But all this does is to increase costs. For each of these sovereignties has to have its own foreign service, its own armed forces and so on. And no government, whether its territory spans the continents or is smaller than one city block, can any longer discharge the first duty of government: protection from, and defense against, attack from outside.

It is perfectly true that most of the new "ministates" are political absurdities, defenseless against the threat of instant annihilation. But so are the superpowers in this age of nuclear "overkill." With nuclear weapons being easy to make and, in effect, available to the smallest and weakest country, there is no "defense." There is only—questionably—"deterrence" by the threat of retaliation. But if government cannot defend its people, the first reason for the very existence of government has gone.

This may be regarded as gross exaggeration. It certainly is not the picture the older generation still sees. But it is, increasingly, the reality. It is the situation to which we react. And the young people, who are not, as we older ones are, influenced by the memories of our love affair with government, see the monstrosity of government, its disorganization, its lack of performance and its impotence rather than the illusions the older generation still cherishes and still teaches in the class room.

IMMOVABLE OBJECTS

Certain things are inherently difficult for government. Being by design a protective institution, it is not good at innovation. It cannot really abandon anything. The moment government undertakes anything, it becomes entrenched and permanent. Better administration will not alter this. Its inability to innovate is grounded in government's legitimate and necessary function as society's protective and conserving organ.

A government activity, a government installation and government employment become immediately built into the political process itself. This holds true whether we talk of a declining industry—such as the nationalized British coal mines or the government-owned railroads of Europe and Japan. It holds equally true in Communist countries. No matter how bankrupt, for instance, the Stalinist economic policies have become in Czechoslovakia, Hungary or Poland, any attempt to change them immediately runs into concern for the least productive industries, which, of course, always have the most, the lowest-paid and the least-skilled—and, therefore, the most "deserving"—workers.

The inability of government to abandon anything is not limited to the economic sphere. We have known for well over a decade, for instance, that the military draft that served the United States well in a total war is immoral and demoralizing in a cold war war or "limited war" period. No one defends our present system—yet we extend it year after year on a "temporary" basis.

The same inability to abandon applies to research projects supported by government. It holds true as soon as government supports the arts. Every beneficiary of a government program immediately becomes a "constituent." He immediately organizes himself for effective political action and for pressure on the decision-maker.

All institutions, of course, find it hard to abandon yesterday's tasks and to stop doing the unproductive. All of man's institutions—and for that matter, all men—are committed to what they are used to and reluctant to accept that it no longer needs doing or that it does not produce results. But government is under far greater pressure to cling to yesterday than any other institution. Indeed, the typical response of government to the failure of an activity is to double its budget and staff.

Nothing in history, for instance, can compare in futility with those prize activities of the American Government, its welfare policies and its farm policies. Both policies are largely responsible for the disease they are supposed to cure. We have known this for quite some time—in the case of the farm program since before World War II; in the case of the welfare program certainly since 1950.

The problem of the urban poor is undoubtedly vast. No city in history has ever been able to absorb an influx of such magnitude as the American cities have had to absorb since the end of World War II. Wherever it happened in the past, there was the same collapse of family, community and local government—in the cities of England in the late 18th century when the Irish came in; in the cities of North America around 1840, again with the coming of the Irish; in the cities of continental Europe later on, as for instance when the Czechs started to migrate in large numbers into the Vienna of the Hapsburgs in the closing years of the 19th century.

The influx of almost two million rural Negroes and Puerto Ricans into New York City alone in less than a 15-year period exceeded any of these earlier migrations. It is unprecedented in the history of cities. But we certainly could not have done worse if we had done nothing at all. In fact, the 19th century cities that did nothing, did better. And so, these last 20 years, has Sao Paulo in Brazil, which, inundated by similar floods of rural, illiterate Negroes fresh from serfdom, did nothing—and is in better shape than New York City.

Our welfare policies were not designed to meet this problem. They were perfectly rational—and quite effective—as measures for the temporary relief of competent people who were unemployed only because of the catastrophe of the Great Depression. Enacted in the mid-1930s, the relief policies has essentially finished their job by 1940. But being government programs, they could not be abandoned. Far too massive a bureaucracy had been built. The emotional investment in these programs and in their slogan had become far too great. They had become "symbols" of the New Deal.

Small wonder, then, that we reached for them when the entirely different problems of the 1950s arose, that is, when the rural Negro moved into the core city in large numbers. And small wonder that these programs did not work, that instead they aggravated the problem and increased the helplessness, the dependence, the despair of the Negro masses. But all we could do when relief failed to relieve was to double the budget and to double the number of people engaged in filling out forms.

AN OPPOSITE RESULT

The farm program tells the same story. It was designed—also in the 1930's—to save the family farmer and to restore his economic and social health. Instead it has subsidized his replacement by large, heavily capitalized and highly productive "industrial farms." This may well be a more desirable result than the one the farm program was meant—and is still meant—to produce. But it was an abysmal failure in terms of the program's announced objectives. Yet the program goes on, with an increased budget and increasingly perverse consequences.

Lest this be read as a criticism of the American Government, let me add that this experience knows no distinction of race, creed or nationality. The depressed-areas policy in Great Britain dates back to the 1920s. In all that time, it has not restored to economic health one single "depressed area." But it has effectively penalized the shift of labor to areas of higher productivity, higher wages and better jobs. It thereby has slowed growth in the healthy regions. Yet whenever it is realized that the "depressed areas" are still depressed, the budget goes up.

Government is a poor manager. It is of necessity, concerned with procedure, just as it is also, of necessity, large and cumbersome. Government is properly conscious that it administers public funds and must account for every penny. It has no choice but to be "bureaucratic"—in the common usage of the term.

Every government is, by definition, a "government of paper forms." This means inevitably high cost. For "control" of the last 10 per cent of any phenomenon always costs more than the first 90 per cent. If control tries to account for everything, it becomes prohibitively expensive. Yet this is what government is always expected to do.

And the reason is not just "bureaucracy" and red tape; it is a much sounder one. A "little dishonesty" in government is a corrosive disease. It rapidly spreads to infect the whole body politic. Yet the temptation to dishonesty is always great. People of modest means and dependent on a salary handle very large public sums. People of modest position dispose of power and award contracts and privileges of tremendous importance to other people—construction jobs, radio channels, air routes, zoning laws, building codes and so on.

To fear corruption in government is not irrational. This means, however, that government "bureaucracy"—and its consequent high costs—cannot be eliminated. Any government that is not a "government of paper forms" degenerates rapidly into a mutual looting society.

POLITICS LOOKS ELSEWHERE

The generation that was in love with the state 30 and 40 years ago believed fondly that government would be economical. Eliminating the "profit motive" was thought to reduce costs. This was poor economics, to begin with. It is worse public administration.

The politician's attention does not go to the 90 per cent of money and effort that is devoted to existing programs and activities. They are left to their own devices and to the tender mercies of mediocrity. Politics—rightly—is primarily concerned with "new programs." It is focused on crisis and problems and issues. It is not focused on doing a job. Politics, whatever the form of government, is not congenial to managerial organization and makes government defective in managerial performance.

We have built elaborate safeguards to protect the administrative structure within government against the political process. This is the purpose of every civil service. But although this protects the going machinery from the distortions and pressures of politics, it also protects the incumbents in the agencies from the demands of performance.

Of course, we maintain officially that civil service tenure is compatible with excellence. But if we had to choose, we would probably say that mediocrity in the civil service is a lesser evil than "politics." As far as the judiciary is concerned—where we first created "independence"—this is certainly true. How far it is true in administrative agencies is debatable. A good many people have come to believe that we need some way of rewarding performance and of penalizing nonperformance, even within civil service.

Still, the premium within government will be on not "rocking the boat" in existing agencies, that is, on no innovation, no initiative, but rather on doing with proper procedures what has been done before. Within the political process, attention will certainly not be paid to the on-going routine work unless there is the publicized malfunction of a "scandal."

As a result, management of the daily work of government will remain neglected, or be considered a matter of following "procedure" and of filling out forms. By excelling as a manager, no one in politics will get to the top unless at the same time he builds his own political machine, his own political following, his own faction.

We can—and must—greatly improve the efficiency of government. There is little reason these days to insist on "100 per cent audit," for instance. Modern sampling methods based on probability mathematics actually give us better control by inspecting a small percentage of the events. But we need something much more urgently: the clear definition of the results a policy is expected to produce, and the ruthless examination of results against these expectations.

This, in turn, demands that we spell out in considerable detail what results are expected rather than content ourselves with promises and manifestos. In the last century, the auditor general became a central organ of every government. We learned that we needed an independent agency to control the daily process of government and to make sure that money appropriated was spent for what it was intended for, and spent honestly. Now we may have to develop an independent government agency that compares the results of policies against expectations and that, independent of pressures from the executive as well as from the legislature, reports to the public any program that does not deliver.

AUTOMATIC CUTOFF

We may even go further—though only a gross optimist would expect this today. We may build into government an automatic abandonment process. Instead of starting with the assumption that any program, any agency and any activity is likely to be eternal, we might start out with the opposite assumption: that each is short-lived and temporary.

We might, from the beginning, assume that it will come to an end within five or ten years unless specifically renewed. And we may discipline ourselves not to renew any program unless it has the results that it promised when first started. We may, let us hope, eventually build into government the capacity to appraise results and systematically to abandon yesterday's tasks.

Yet such measures will still not convert government into a "doer." They will not alter the main lesson of the last 50 years: government is not a "doer."

The purpose of government is to make fundamental decisions and to make them effectively. The purpose of government is to focus the political energies of society. It is to present fundamental choices. The purpose of government, in other words, is to govern. This, as we have learned in other institutions, is incompatible with "doing." Any attempt to combine government with "doing" on a large scale paralyzes the decision-making capacity.

There is reason today why soldiers, civil servants and hospital administrators look to business management for concepts, principles and practices. For business, during the last 30 years, has had to face, on a much smaller scale, the problem that government now faces: the incompatibility between "governing" and "doing." Business management learned that the two have to be separated, and that the top organ, the decision-maker, has to be detached from "doing." Otherwise he does not make decisions, and the "doing" does not get done, either.

In business, this goes by the name of "decentralization." The term is misleading. It implies a weakening of the central organ, the top management of a business. The true purpose of decentralization, however, is to make the center, the top management of business, strong and capable of performing the central, the top-management, task. The purpose is to make it possible for top management to concentrate on decision-making and direction, to slough off the "doing" to operating managements, each with its own mission and goals and with its own sphere of action and autonomy.

If this lesson were applied to government, the other institutions of society would then rightly become the "doers." "Decentralization" applied to government would not be just another form of "federalism" in which local rather than central government discharges the "doing" taks. It would rather be a systematic policy of using the other, the nongovernmental, institutions of the society—the hospital as well as the university, business as well as labor unions—for the actual "doing," i.e., for performance, operations, execution.

LEARNING FROM "PUEBLO"

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. COUGHLIN. Mr. Speaker, the plight of Comdr. Lloyd Bucher and the crew of the *Pueblo* has touched all of us in this country deeply. The many questions arising from the capture of the *Pueblo*, the treatment of Commander Bucher and his crew by North Korea, and their subsequent release disturbs the conscience of our Nation.

While we cannot undo the circumstances of this national tragedy, I think there are lessons to be learned. I present for inclusion in the Record an editorial that states in commonsense words what so many of us feel. The editorial was printed in the February 5, 1969, edition of the Norristown Times Herald, a daily newspaper published in Norristown, Pa.

The editorial states:

Learning From "Pueblo"

Things would be so much simpler if this were an either-or world—if people were always either all good or all evil, either all right or all wrong, either all wise or all stupid.

The impression emerging from the Pueblo is that there is no one villain responsible for the loss of the ship, and perhaps no villain at all.

Based on past experience, the Navy was not acting from deliberate stupidity in having "on call" rescue forces that existed on paper only.

According to Rear Adm. Frank L. Johnson, who commanded U.S. naval forces in Japan at the time of the Pueblo seizure, 16 spy runs were made off the coasts of Red China, Russia and North Korea during his tenure. While there had been numerous acts of harassment of U.S. ships by the Russians and Chinese, the North Koreans had never bothered them.

Apparently, an unwritten law of this particular espionage game makes it permissible to make things as miserable as possible for your opponent, but not cricket to employ outright violence. Until North Korea changed the rules, that is.

Anyway, said Johnson, he had little or no authority to take rescue action.

As for the Pueblo being armed with only two .50 caliber machine guns, Cmdr. Charles R. Clark, former skipper of the USS Banner, sister spy ship of the Pueblo, testified that he did not want even these aboard his ship. He felt they were not only useless but provocative.

Still unexplained, of course, is why the Pueblo was not provided with the wherewithal to enable her crew to destroy the ship's electronic gear and other secret cargo. Common sense would seem to dictate that not just enemy attack but any number of chance events, such as being blown aground on a hostile shore, might make such action necessary.

No one is being done proud by the revelations coming from the Pueblo inquiry. But while the Navy brass are busy passing the buck among themselves, the man in the street fervently hopes that someone in the Pentagon has learned and is applying the lessons that have been taught by the sorry incident.

AMENDMENTS TO THE SOCIAL SECURITY ACT TO PROVIDE NATIONAL MINIMUM WELFARE STANDARDS AND ELIGIBILITY REQUIREMENTS

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. CAREY. Mr. Speaker, I have today introduced legislation that would amend the public assistance provisions of the Social Security Act to require the establishment of nationally uniform minimum standards and eligibility requirements for aid and assistance.

The welfare situation in our major cities has, indeed, reached the critical stage. Other services, such as police, fire, sanitation, education, and transit have been and are being shortchanged because of the burgeoning welfare costs. It is now time for the Federal Government to act before the situation becomes totally unmanageable and the local tax base is eroded even further.

We have long recognized that needy persons, particularly dependent children, are a national responsibility. Nevertheless, the new budget request of the New York City welfare commissioner is $1.7 billion, an increase of $400 million over the current level and the largest single item in the expense budget. Much of this can be attributed to the disparity between the level of welfare payments in our city and those in the nonurban areas. The average monthly payment for aid to dependent children in New York City, for example, is $61.70 per month as compared to only $8.40 in Mississippi.

An editorial in the January 3 issue of the New York Times, entitled "Welfare Quagmire" sets forth some of the welfare problems confronting our metropolitan areas. I include the full text of the article at this point in the Record:

Welfare Quagmire

The necessity for a basic shift in welfare policy is painfully underscored by the request of the Department of Social Services for a monumental $1.7 billion to finance aid to New York City's needy in the fiscal year beginning July 1. This represents a rise of nearly $400 million over the budget the department originally requested for this year; it is four times the budget for 1964–65, the last full year of the Wagner administration.

What makes the astronomic upsweep in the city's outlay for the relief of human misery doubly dismaying is that it occurs in a period of unparalleled general prosperity. As Mayor Lindsay noted in a cheery New Year statement, the over-all level of unemployment in the five boroughs declined last year to 3.2 per cent—a rate he described as "the lowest in the city's history."

It becomes increasingly clear that the welfare rolls have a life of their own detached from the metropolitan job market. Twenty years ago there were a quarter-million people on relief in this city. By 1965 the number had risen to a half-million. Now it is just short of a million, and it is expected to go a quarter-million higher in the next fiscal year.

The most tragic statistic of all is that the rolls include nearly 600,000 children, growing up in homes bereft of hope. The great bulk of the rest in this roster of social casualties are mothers, the aged and the disabled. Apart from 25,000 receiving wages so low they require supplementary aid, the rolls contain only 42,000 men listed as employables—among them alcoholics, addicts and others with physical or emotional infirmities.

A great part of the increased caseload in this city results from the technological revolution in agriculture that has uprooted millions of Southern Negroes and sent them cascading into Northern cities in search of jobs. The first need in a new welfare policy is acceptance by the Federal Government of responsibility for the full cost of this exported misery.

National welfare standards are an essential part of such a shift so that people would be encouraged to seek new lives in their own home states instead of coming to strange cities without skills, schooling or friends. The New York State average payment for aid to dependent children is $61.70 a month, as against $8.40 a month in Mississippi.

But no restructuring of the welfare system will eliminate all the demeaning features that lead to a cycle of inherited dependency and withdrawal from a work-oriented society. That means a priority matter for the new Administration in Washington must be the development of a new system of income maintenance, through some such device as a negative income tax or universal children's allowances, that will bring the welfare population back into the mainstream of American society and provide incentives for their restoration to self-support.

Mr. Speaker, in the legislation I have introduced today, which is being cosponsored by many of our colleagues, the Secretary of Health, Education, and Welfare will be given the power to set minimum standards and uniform criteria for all States, subject, of course, to congressional review. This policy was recommended in 1966 by the Advisory Council on Public Welfare in its report to the Secretary. More recently the task force organized by President Nixon to study public assistance made a similar recommendation and last week, Secretary Finch endorsed the concept.

This measure, therefore, represents an important and long overdue step by the Federal Government in its recognition of the welfare situation throughout the Nation. It would attack the problem in two fundamental ways: First, by establishing a uniform system in all the States, the current migration of needy persons from rural to urban areas would be greatly abated. Second, by setting uniform acceptance standards whereby persons are declared eligible for benefits, the present State-by-State shopping for the most liberal requirements would be curtailed.

Expert knowledge indicates that better education, training, housing, and employment opportunities can be made available on a more equitable basis in nonurban areas. If the Federal Government will act now to reform the system, it will be much easier to assist the poor in their present environment than try to provide for them in our large cities where it is becoming increasingly difficult to afford the programs they require.

The enactment of this legislation will not have an adverse or regressive effect on the present level of assistance in any State. In States with low levels of per capita income, Federal support grants will make it possible for them to attain the national minimum standard while keeping the present State and local effort requirements.

I am hopeful that the Ways and Means Committee will give early attention to this legislation and that action can be secured in the present session in order that steps can be taken to reverse the trend toward ever-increasing welfare costs.

BACKGROUND ON THE FATAH

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. ROSENTHAL. Mr. Speaker, Israel continues to be harassed by Arab terrorist groups. Because these raids occur with such tragic frequency, many Americans have become blunted to these incursions and threats to Israel's existence.

The following description of El Fatah activities appears in the January 1969 edition of the Middle East Information Series and vividly documents the frequent attacks of terrorist bands on Israel communities—a reminder to all of us of the daily loss of lives in the Middle East:

BACKGROUND ON THE FATAH

Since the end of the Six Day War some 236 Israelis have lost their lives and 870 have been wounded as a result of "border incidents".* The terrorists make no distinction between civilians, soldiers, Jews, Druse or Arabs.

In September alone, for example:

On September 4, hand grenades set off in the crowded Central Bus Station in Tel Aviv killed one 65 year old man and injured 51 others, both Jews and Arabs.

On September 9, an explosive charge set off under a truck in the market place in Gaza, wounded the Israeli Arab driver and 15 other people.

On September 13, three Druse watchmen were murdered by a marauding band in the Negev.

Innocent bystanders are not the only targets in the campaign. The shelling of the string of settlements in the Jordan and Beitshan valleys has become so frequent that in some kibbutzim (communal farm settlements) the younger children sleep in underground shelters. Farmers working in their fields are fired on, dirt roads are mined nightly and frontier patrols come under bazooka and mortar attack.

Almost daily the news headlines carry stories of soldiers killed or wounded, either on routine patrols or in unexpected artillery duels. Although the incidents may be provoked by one of the terrorist groups, it is the regular Jordanian Army, according to on the spot observers, which provides covering fire for the retreating saboteurs and sets up the heavy artillery barrages.

Until recently, terrorist activity operated exclusively from bases in Jordan and Syria. However, recent incidents along the Suez Canal—implanted mines, ambushing of Israeli soldiers, sniping and shelling—indicate the opening up of a "new front" in the operations.

WAR BY OTHER MEANS

Official statements of the Arab Governments and speeches delivered at the United Nations term the terrorists' activities a direct consequence of the June War and the Israeli occupation of Arab territory. However, for internal consumption, consistency is abandoned and a different purpose and goal of the campaign is generally conceded. For instance, the Egyptian government paper "Al Comhouriya" stated, on November 17:

"These events are not a result of the aggression of June 5 and of Israel's conquest of part of the Arab lands. Almost three years ago and more, several Palestinian organizations began armed operations within occupied Palestine; their activity was merely stepped up after the aggression."

Even more explicit is the editorial of the Saudi Arabian paper "Al-Bilad" of March 18:

"The Arab Fedayeen activities are simply the preparatory groundwork for the next Arab round and the launching of the victory campaign."

In other words, terrorism is to be used as a "softening up" stage to demoralize Israel and weaken its economy until such time as the Arab States can reach a level of military competence that will enable them to undertake the final liquidation.

RESISTANCE OR TERROR?

The employment of these methods is no few feature in the area. They were used as far back as the 1920's and 1930's, both against Jewish settlers and those Arabs who opposed the policies of their leadership. But in those days the terrorists did not call upon the ghost of Che Guevara; their leader and source of inspiration was the ex-Mufti of Jerusalem, Haj el-Hussein, ally of Hitler and friend of the Balkan fascist leaders. His support derived from the ultra-nationalistic elements who opposed all forms of Jewish-Arab cooperation and rejected a peaceful solution to the conflict based on coexistence. Despite the invocation of the name of Che and other "freedom fighters", the policy of the existing terrorist groups has changed little. They still cling to their former slogans and appeal for "another round".

To compare the activities of the Fatah and similar groups with those of the national resistance movements of the past, is to make a transparently false analogy. Successful resistance movements, whether in Ireland, Cyprus, Cuba or Algeria, were always based on the mass support of the people, seeking to liberate themselves.

This is far removed from the situation which exists in the Israeli occupied areas today. The success of the Vietcong is based on the support it receives from the local population—often undertaken at great personal risk. The Fatah has failed to make any substantial headway in achieving this basic prerequisite.

Part of this failure can be credited to the two-pronged policy of the Israel Army. Minor frictions are avoided and the edge is taken off hostility by a policy of giving the local inhabitants a free hand in the running of their own affairs. There are today less than 300 Israeli officials engaged in the total administration of the occupied areas. The lifting of travel restrictions and permitting a certain amount of trade between the East and West Banks of the Jordan have also served as stabilizing factors.

Terrorism is countered by tough measures and those caught harboring active Fatah elements face the prospect of having their houses blown up. Capital punishment, however, is not invoked, since it has been abolished under Israel law. Collective punishment is not meted out to a community, as was practiced by the British in pre-1948 Palestine. Not only have the terrorists failed to bring about a popular uprising but the local population of the West Bank and Gaza have clearly demonstrated their reluctance to provide either shelter or support for the operations of the saboteur bands. Much of the information which has led to the capture of saboteurs has been supplied to the army by local citizens.

The Palestinians of the West Bank and Gaza want an end to the Israeli occupation but, from all available evidence, the majority looks neither to total war nor to terrorist activities to achieve this goal. The people appear to be willing to come to terms with the reality of Israel's existence, and to seek some form of political accommodation and settlement.

While this applies to the majority, there remains a part of the population that undoubtedly sympathizes with the terrorists and from these circles are recruited the small groups of militants who form the terrorist cells operating in East Jerusalem, Gaza, Hebron and Nablus. But one indication of the extent to which they have to go in recruitment was the announcement by Fatah on May, 1968, that its ranks are now open to "non-Palestinians". Even the Vietcong—whose name is often invoked—has never been obliged to resort to foreign volunteers, and the FLN was never dependent on recruits from other Arab countries.

BASES OUTSIDE PALESTINE

Faced with inadequate support from the local Palestinian population, the terrorists have been compelled to depend on bases across the borders. From these centers they can infiltrate at night, lay their mines and return by daybreak.

Prior to June 1967, the terrorists' headquarters were based in Syria, with Jordan providing a transition point. Today the operations are conducted from camps in Jordan. No longer absolute master in his Kingdom, it is doubtful whether King Hussein could control the Fatah, even should he wish to do so. The result could well be the downfall of the regime, an eventuality which neither Egypt nor Syria would view with regret. One direct consequence of the Fatah operations from bases in the Jordan valley has been the abandonment of the villages in the area by the local population, resulting in a substantial loss, which the Jordanian economy can ill-afford.

Not only has the base of operations changed in the past year, but a radical transformation has taken place in the training and composition of the saboteur bands and in their relationship to the Arab States.

Frustrated by political stalemate, internal disaffection and military weakness, the Arab governments have turned to open support and encouragement of terrorism as part of their overall strategy against Israel—the "old" war is being conducted by other means.

Speaking at El-Mansura (Radio Cairo, April 18, 1968), President Nasser stated:

"We recognize the terrorist movement . . . we will support and give aid to this movement . . . the activities of the Asifa commandos and the Fatah are a positive element in our campaign."

In support of this policy, funds, arms, training facilities, shelter and covering fire when required are all being provided directly by the Arab Governments. Although most of the rank and file terrorists—among whom the casualty rate has been about 90%—are Palestinians, many of the officers are Syrian, Egyptian, Iraqi and Jordanian.

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*As of September, 1968. These figures have risen sharply within the last two months.

CENTERS OF TERRORIST OPERATIONS

Jordan

Complete freedom of movement, activity and recruitment is permitted to the terrorist groups in Jordan. Their bases and camps exist openly along the cease-fire lines. In some areas they are in complete control—as was shown by documents captured during the Israel raid on Karameh, where the Fatah in this town have their own police force and jails.

Iraq

The Iraqi task force stationed in the Mifraq area of Jordan supplies the saboteurs with arms and equipment, including Russian 120 mm mortars.

Officers and men of the 421st Palestine Commando Battalion, part of the regular Iraqi Army, lead units infiltrating into Israel. Many members of this battalion were killed and others captured during the Karameh raid.

A fixed allocation has been made in the Government budget for "strengthening the movement of the armed struggle."

Syria

Until several months ago the major bases and headquarters of the infiltrator bands were located in Syria. On the eve of the Karameh operation, several hundred officers and men were transferred to Jordan, to join the terrorist organizations in that country.

A number of captured terrorists have said, in open court, that they had undergone military training in Syria. Others have proved to be officers in the regular Syrian Army.

Egypt

In January, 1968, senior Fatah officers visited Cairo and reached an agreement for the training of saboteurs in regular Egyptian army camps. According to documents captured at Karameh, more than 100 have already received such training.

On April 25, a unit of infiltrators intercepted near Beer-Ora carried documents issued by the Egyptian Embassy in Amman. They had completed a special sabotage course in a military camp near Cairo and were then transferred to Jordan.

In recent weeks the same pattern of ambush, sabotage and shelling has been initiated by units of the regular Egyptian Army on the bank of the Suez Canal.

HOPE FOR PEACE IS THE VICTIM

Although the campaign of terror has borne some fruit in the mounting toll of dead and wounded Israeli Jews and Arabs, it has proved totally futile in its primary purpose. It has not, at any level, affected the administration of the occupied areas, nor does it pose a threat to the survival of Israel. The danger of a major conflict still constitutes the basic problem for those who are concerned with the maintenance of peace in the area. But it is worth noting that the wars of 1956 and 1967 came as the culmination points of a deliberately escalated policy of terrorist warfare.

The past year has proved that terrorists from across the border can be contained and prevented from establishing a foothold among Arabs in the occupied areas. Counter measures against marauders have so far resulted in almost 900 terrorists dead and 800 wounded, with several thousand more serving prison terms in Israeli jails.* The casualty figures for the period from August 1 to October 10, 1968, amounted to 109 killed and 206 wounded.

In one area, however, the effects should not be minimized. Recent attacks on citizens in Jerusalem and Tel Aviv provoked spontaneous outbursts against Arabs who were near the scene, and pressure on the Government to review its liberal policy in the administered areas was increased. Although the Government has strongly resisted any such change, a continuation of such incidents can only work to weaken and destroy the contact and daily intercourse which has developed between Israelis and Palestinians, in Jerusalem and in the other areas.

END NAVAL INQUIRY OF CAPTURE OF U.S.S. "PUEBLO"

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. BINGHAM. Mr. Speaker, the capture and detention of the U.S.S. *Pueblo* and her crew by North Korea and the action of the U.S. Government to obtain the crew's release, raises many serious questions. I have been particularly concerned with the prospect that Captain Bucher and his men might be subject to prosecution and punishment for alleged violations of the Code of Military Conduct and other Navy regulations governing the behavior of military men in combat or encounters with hostile forces. On the basis of what has appeared to date, I feel strongly that for several reasons Captain Bucher and his men should not be subject to prosecution. First, the Code of Military Conduct is quite new in American law, and its applicability to situations of warfare and international tension is untested. Second, the code was issued by Presidential decree, and has never been passed upon by the people through their elected Representatives in Congress, as I believe it should be.

I am particularly disturbed with the effects of the provision in the code that American soldiers held by hostile governments can give no more information than "name, rank, and service number." I have outlined why I feel this provision is unfair and unwise, and what I think should be done about it, in a letter to President Nixon urging him to change it as soon as possible.

I have received such a large volume of correspondence, from my own constituents and people across the country, expressing interest in the proposal set out in my letter to President Nixon that I feel it useful to insert the letter at this point for the readers of the RECORD:

TEXT OF LETTER BY CONGRESSMAN BINGHAM TO PRESIDENT NIXON CALLING FOR REVISED MILITARY CODE OF CONDUCT

JANUARY 27, 1969.

MR. PRESIDENT: The mental and emotional torture suffered by Commander Lloyd M. Bucher and members of the crew of the USS Pueblo at the hands of their North Korean captors shows (in addition to the inhumanity of the current government of North Korea) the shameful and ludicrous inadequacy of the Code of Conduct for Military personnel. The rule that requires American prisoners, under threat of court martial, to give their captors nothing more than "name, rank, and service number" must be drastically revised.

The mistreatment American prisoners are forced to undergo to avoid signing false "statements" and "confessions" does not prevent their captors from using such statements for propaganda purposes. If death or sheer stamina under torture permits an American prisoner to resist making or signing statements dictated by his captors, it is easy enough for them to use similar treatment on other prisoners until someone submits. Even if no prisoner can be forced to make or sign trumped-up statements, hostile captors can forge prisoner's signatures, or simply issue whatever propaganda statements they wish to promulgate without a prisoner's submission.

In short, American prisoners are forced, by the "name, rank, and service number" limitation, to trade severe mental and physical mistreatment, and sometimes their very lives, without in any way frustrating the enemy's goals—to suffer and often to die for nothing.

The probability that American prisoners would be subjected to this kind of severe mental and physical torture could be greatly reduced if the following steps were taken immediately:

1. Revise the "name, rank and service number" provision of the Code of Military Conduct to permit any American soldier imprisoned or detained by a hostile government to sign or make any statement or confession which does not contain any factual information that would be useful to the hostile power and that, to the best of the prisoner's knowledge, is not already known to the hostile government.

2. Announce through all available diplomatic and public channels, including the United Nations, that American military personnel have been so instructed, and that no statement or confession signed by any American military person held or detained by a hostile government can be believed.

These changes would be consistent with our international commitments under the Geneva Convention relative to the Treatment of Prisoners of War. American captives would not be allowed to give any real assistance or factual information to hostile governments, any more than they are permitted to do so under the current Code. What these changes would do is remove one of the major excuses used by hostile captors to torture and kill American military men, reduce the probability that American soldiers would have to suffer such torture and death, and reduce the propaganda usefulness of false enemy statements and confessions attributed to American captives.

I strongly urge you, as President of the United States, to make these changes in the Code of Military Conduct by Executive Order before any more American military men are forced to suffer and perhaps die under the senseless "name, rank, and service number" rule.

JONATHAN B. BINGHAM,
Member of Congress.

Public response to this statement has been nearly unanimously favorable. A few examples of the many letters I have received are included below:

LONGPORT, N.J.,
January 27, 1969.

Hon. JONATHAN B. BINGHAM,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BINGHAM: I was very much interested to read in the Atlantic City Press this morning your proposal to President Nixon on the Code of Military Conduct. These have been my thoughts for some time. I have wanted to express them to someone who could remedy this situation which I feel would beat the communists at their own game. I have never written to a Congressman or Senator before but after following the case of the *Pueblo* and Cmdr. Bucher, I feel that I must speak out. I have written to my state senator, Senator Clifford Case and asked him to support your proposal. This is of great concern to me as I have three young sons. Two of them will probably be in the service in a few years. As I told Senator Case, I don't want them to be traitors to their country, but I don't expect the impossible from them either. I feel this is the case with Cmdr. Bucher and other American prisoners. It is impossible to endure this inhumane suffering over a period of time. I wish you every success in your endeavors.

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*September, 1968.

Sincerely,

MRS. MARGUERITE PACENTRILLI.

ROCHESTER, MINN.,
February 1, 1969.

Hon. JONATHAN BINGHAM,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE BINGHAM: Thank you for your interest in the plight of the military man, beholden to say only "name, rank, and serial number" to an unreasonable captor.

The Navy, with which I have had recent acquaintance, makes no effort to prepare its men for imprisonment by a hostile power; no preparation for interrogation or "brainwashing".

Why can't we learn from our experiences in Korea? Is the military incapable of preparing its soldiers for an eventuality as real as combat?

Someone with interest, understanding, and compassion should review this difficult area with the Armed Services.

Sincerely,

DONALD SWITZ.

THE GEORGE W. HENRY
FOUNDATION, INC.,
New York, N.Y., January 26, 1969.

Hon. JONATHAN BINGHAM,
House of Representatives,
Washington, D.C.

SIR: I hope you will not consider it presumptuous for me to write to express wholehearted agreement with your proposal to amend the rules relating to the conduct of members of the Armed Forces who may have been taken prisoner. I am greatly and gravely concerned by the circumstances that necessitated your introduction of such a Bill. This concern arises out of the circumstances surrounding the Naval inquiry into the loss of the U.S.S. *Pueblo,* from which it might appear that the Navy is primarily in search of a scapegoat to bear responsibility for the ship's loss. Certainly others than Commander Bucher, especially after hearing his testimony that he besought the Navy to provide him with electrical equipment that would speedily destroy the secret paraphernalia over which there is so much pother, must bear this burden. Someone, seemingly, was penny wise and pound foolish. Hence I think the Bill might profitably include provision that Commander Bucher and his crew, now, according to report, threatened with court martial, should be held blameless for the ship's capture or their conduct under trying conditions.

The rule that a man need give only his name, rank and serial number is little more than the proverbial scrap of paper. Certainly in our wars with civilized (?) Germany and Japan, enemy interrogators sought to find out much more than that; and we are told that their efforts to obtain information were accompanied by both physical and psychological pressures—not too different from the police "third degree". Were our and your Allied interrogators altogether blameless?

You are wise in suggesting that our Government should make proclamation that prisoners may feel free to sign anything, from a statement that the moon is made of green cheese, up or down, to be left unmolested. As to the turncoats, I feel each case should be investigated on its own merits. Young people are not superhuman. Only the Lord knows how much pressure they can stand; and a great deal of mercy should be available even to a repentant defector who was tortured or "brain washed" into telling more than his prayers.

With regard to Commander Bucher and the *Pueblo* crew, I believe that, instead of their being court-martialed, they should be welcomed in the words of the old gospel hymn:

"Home again, home again,
From a foreign shore.
And, oh, it makes our hearts rejoice,
To see our friends once more."

Instead of a court martial, they would seem deserving of Purple Hearts, and even some sort of commendatory medal, as their country's evidence of appreciation of their ordeal.

We are told in the scriptures to make unto ourselves friends of the mammon of unrighteousness. Does it not follow that, in dealing with an unscrupulous enemy, the Marquis of Queensbury rules must be subject to a great deal of interpretation?

In hope that your Bill will speedily become law, I am,

Your obedient servant,

ALFRED A. GROSS,
Executive Director.

NEW YORK, N.Y.,
January 26, 1969.

CONGRESSMAN JONATHAN BINGHAM: Congratulations on your asking Nixon to intervene in Bucher situation. Have gotten 100 signatures on letter which you will get copy of soon.

HARRY J. UFLAND.

MCALLEN, TEX.,
January 29, 1969.

Hon. JONATHAN B. BINGHAM,
Washington, D.C.

DEAR MR. BINGHAM: I am enclosing a clipping from The Dallas News of a day or two ago, telling of your letter to President Nixon proposing a revision of the military code of conduct to allow captured servicemen to confess to "anything so long as the confession 'does not contain factual information that would be useful to the hostile power'."

May I commend you on this!

About two years ago, when the very first American soldier to ever escape from the Viet Cong was given great publicity and I learned of the things they tortured him for because he would not admit to things or sign things, I had the great thought that every American soldier should be instructed to sign anything, say anything. Thus, what a laughing stock it would make of any enemy, flaunting "signed statements" . . . when all the world would know that U.S. soldiers had been instructed to sign or say anything! (any idiot knows that he would not be fighting for his country if he felt "that way" about it!) Thus, he could say he hated his country, he could say he loved Communism, he could say he thought "we" in the wrong . . . and sign the paper—and all would automatically be discounted—not only by us, but by the world!

Suddenly I realized, "Why haven't the people who know military not thought of this before!" I had a great urge to "take pen in hand" and write Johnson, or the Defense head, or a senator or representative, or somebody! My husband said, "If you feel this strongly about this, by all means, write!"

But—I thought—"who am I, a mere housewife, to enter into things military!" . . . also, I just didn't *put in motion* my fine thought.

And now *you* have come up with this great idea . . . and, my thanks to you!

Remember, if a gunman held you at bay and said he'd kill you if you didn't say you hated your wife, or your children, or your country . . . you'd say it! (Not that that would mean you did! . . . it's as simple as that!

Sincerely,

MRS. GORDON KETHLEY.

SAN FRANCISCO, CALIF.,
January 27, 1969.

Congressman JONATHAN BINGHAM,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: I was pleased to note in the news this weekend the position you have taken with regard to the amendment of the Uniform Code of Military Justice. In fact, I was about to write to you to ask that you take some action in that regard. It is quite inequitable to permit diplomats to sign confessions and disclaim their validity while denying the men in the military the same privilege. It is particularly ludicrous in view of the fact that the latter rather than the former are most likely to be in the most immediate physical and psychological peril.

I am therefore in complete agreement with you, and if possible, I would like to see the proposal that you have made.

Sincerely yours,

CAROLYN GENTILE, Esq.

JESSUP, MD.,
January 27, 1969.

Hon. JONATHAN B. BINGHAM,
U.S. Representative,
New York.

SIR: Congratulations on recommending a revised code of conduct for captured servicemen.

We should, in my opinion, announce to the world that we are instructing our servicemen to, should they become captive, tell any tale (true or false) that pops into their mind. Then, the enemy would never know whether they were receiving reliable information or not.

It is completely unrealistic to expect captured servicemen to remain silent (or to give only their name, rank, and serial number) while being tortured or threatened with torture. Any "brave" politician or other critic who expects this should volunteer to trade places with the captive.

I wish you well with your recommendation.

Sincerely,

KENNETH A. STEVENS.

SIDNEY, KY.,
January 31, 1969.

Representative JONATHAN B. BINGHAM,
Democrat,
New York.

DEAR SIR: Support you in your support concerning Commander Lloyd M Bucher, Pueblo Skipper.

Please stop persecution immediately. He is to be honored for bravery in my opinion.

Respectively,

Mr. & Mrs. WALTER M. ARROWOOD.

SAN MARINO, CALIF.,
January 30, 1969.

Hon. JONATHAN B. BINGHAM,
House Office Building,
Washington, D.C.

DEAR MR. BINGHAM: I was delighted to see in the Los Angeles Times last Monday a report that you have urged a change in the code of military conduct "to allow American prisoners to make meaningless confessions, and that such confessions be branded as false by the government . . . (to the effect) that no statement or confession signed by any American military person held or detained by a hostile government can be believed."

In "Modern" warfare as practiced by our Communist enemies, torture and starvation of prisoners held by them indeed makes the present code a desertion of our armed forces by their government.

I trust you have made your recommendation a resolution.

Sincerely yours,

ROMAINE L. POINDEXTER.

RESEDA, CALIF.,
January 30, 1969.

Hon. JONATHAN B. BINGHAM,
House of Representatives,
Washington, D.C.

DEAR MR. BINGHAM: According to the information printed in a recent newspaper—a copy of which is attached—you have written to President Nixon urging him to change the Code of Military Conduct to, ". . . . allow American prisoners (of war) to make meaningless confessions and that such confessions be branded false in advance by the government."

In effect, you are suggesting that we teach our fighting men to lie in certain situations, i.e., when they are prisoners of war. When does the lying stop? Are we to stop teaching the men the meaning of honorable conduct—under any circumstances? Who is to teach them right from wrong—for each "situation."

It would be much better if our leaders—and I presume you come under this category in some dubious fashion—would set good examples of honorable conduct in our daily lives—under all circumstances. Do not teach our fighting men to "give up" and lie and cheat their way out of a tight spot.

For your information, I served in the U.S. Navy—submarine service—during World War II and the Korean War; and, I have a draft-eligible son who has *not* been taught—either by precept or example—to lie or cheat, under any circumstances. I expect him to live by the "right" and "wrong" attitudes I have taught him.

Stop running down the moral fibre of our youth by such suggestions you have voiced to the President.

Yours truly,

ANTHONY PAOLANTONIO.

Mr. Speaker, the current hearing at which Commander Bucher and his men are being required to appear is not a formal trial. It is a preliminary investigation to find out what happened and whether there is any cause to prosecute Bucher, or any of his crew. As I have indicated, and as my letter to President Nixon implies, I do not believe that these men should be brought to trial.

It is unfortunate that the men of the *Pueblo* must suffer the anguish and strain of a full-scale inquiry, but I feel that a full disclosure of all the facts is necessary, and can bring nothing but desirable results. I believe that the facts will justify the actions taken by Commander Bucher and his men. Furthermore, and no less important, a complete airing of all the facts should make it clear to our military and political leaders, and to the public, that major and drastic changes must be made in the Code of Military Conduct, and that the content of the code must be determined not by Presidential decree but by the Congress.

The first several sessions of the inquiry conducted by the Navy in California confirmed what many observers suspected before the inquiry opened—that more was at issue in the *Pueblo* case than merely the behavior of Commander Bucher and his crew. It is now clear that the behavior of high Navy officials and the structure of the Navy command are also at issue. It is an elementary rule both of law and commonsense that it is unjust for any person or organization to stand in judgment of the facts of a matter in which that person or organization is itself involved. But that is exactly the position in which the Navy finds itself. The Navy, in its inquiry on the *Pueblo* incident, is in a position to pass judgment on its own case.

For that reason, and because I feel the men of the *Pueblo* should not have to endure more than one full-scale investigation, I have called upon Secretary of Defense Laird and Secretary of the Navy Chafee to cancel the Navy inquiry until such time as a joint congressional committee can be appointed to resume and conclude the inquiry which the Navy began, but is not now in a fair position to continue.

I have also urged the chairmen of several congressional committees which have indicated interest in conducting investigatory hearings into the *Pueblo* incident to consolidate their investigatory efforts by supporting a resolution to appoint a joint congressional committee to carry on the *Pueblo* inquiry. My letters to Secretary of Defense Laird, Secretary of the Navy Chafee, and the chairman of the Senate Armed Services and Foreign Relations Committees, and the House Armed Services Committee, follow:

Hon. MELVIN R. LAIRD,
Secretary of Defense.
Hon. JOHN H. CHAFEE,
Secretary of the Navy.

GENTLEMEN: I respectfully urge that you cancel the current Naval inquiry into the capture of the USS *Pueblo* by North Korea. It has become clear, as the Navy inquiry has progressed, that the Navy is in the position of adjudicating what may turn out to be a case against itself. The behavior—the action or inaction—of the Navy Command now seem to be as much at issue as the behavior of Commander Bucher and his crew. Since this is so, to permit the Navy to continue this investigation at this time would be improper.

The inquiry now being conducted in California by the Navy should be cancelled, to be resumed and completed by a more impartial and representative body. The men of the *Pueblo* should not have to endure more than one full-scale investigation.

Several Congressional Committees have indicated an interest in convening *Pueblo* investigatory hearings after the Navy inquiry is over. I am calling on the Chairmen of these committees to consolidate their efforts, and to support a resolution calling for formation of a joint Congressional investigating committee to conduct the inquiry hastily and, I believe, ill-advisedly begun by the Navy.

Cordially yours,

JONATHAN B. BINGHAM,
Member of Congress.

Hon. JOHN C. STENNIS,
Chairman, Senate Committe on Armed Services.
Hon. J. W. FULBRIGHT,
Chairman, Senate Committee on Foreign Relations.
Hon. MENDEL RIVERS,
Chairman, House Committee on Armed Services.

GENTLEMEN: The men of the *Pueblo* should not have to endure more than one full-scale inquiry. Such an inquiry is already being conducted by the Navy, but it is now clear that the behavior of high Navy officials and the very structure of the Navy Command are at issue. This puts the Navy in the position of passing judgment on the facts of a case in which it is itself deeply implicated. For these reasons, I have today called upon Secretary of Defense Laird to terminate immediately the Naval inquiry currently in progress.

Your Committee, among others, has expressed interest in conducting investigatory hearings on the *Pueblo* incident. I wish to enlist your support for the consolidation of Congressional investigatory efforts by the formation of a single, joint Congressional investigating Committee to resume and complete the inquiry begun by the Navy. I will introduce a resolution to provide for the selection of such a joint committee when the House reconvenes on February 17, and I hope that my resolution—or a similar one—will have your support.

Cordially yours,

JONATHAN B. BINGHAM,
Member of Congress.

PRIORITIES FOR PROGRESS OF CHICAGO

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. PUCINSKI. Mr. Speaker, yesterday more than 2,000 leaders of industry, government, science, education, and commerce attended the 65th annual meeting of the Chicago Association of Commerce and Industry at which was unveiled an imposing program of priorities for progress for Chicago.

The president of the Chicago Association of Commerce and Industry, Mr. M. P. Venema, outlined the progress made by Chicago to date and outlined a breathtaking program of priorities destined to make Chicago the most imposing and impressive metropolis in the entire world.

Mayor Richard J. Daley of the city of Chicago acknowledged the huge opportunities that lie ahead for Chicago in the next decade and pledged his effort toward those goals.

I am today placing in the CONGRESSIONAL RECORD the entire statement of Mr. Venema; Mayor Daley; George W. Dunne, president of the Cook County Board of Commissioners, and Mr. George L. Dement, chairman of the Chicago Transit Authority.

I think it is important for the Nation to see the impressive progress which has been made in Chicago and equally important for our friends throughout the country and the world to see what exciting plans lie ahead in the continued growth of metropolitan Chicago.

The Chicago Association of Commerce and Industry is to be congratulated for the leadership it has provided in working with all levels of government toward a better Chicago.

I should like to call my colleagues' attention particularly to the acknowledgement Mayor Daley gave to the Federal programs and assistance which have made a great deal of the progress so meaningful.

Mayor Daley and all of those attending the meeting yesterday joined Gov. Richard B. Ogilvie in expressing a united dedication to the fact that government at all levels and industry working together can solve the great crises of America's urban areas.

I am also including the list of the leaders of Chicago who have worked so closely together toward the common growth of our city.

This is the kind of team that is determined to make Chicago the greatest industrial complex in the entire world.

The impressive speeches follow:

THE 65TH ANNUAL MEETING OF THE CHICAGO ASSOCIATION OF COMMERCE AND INDUSTRY—PRIORITIES FOR PROGRESS—WHO WILL PAY?

SPEAKERS TABLE

W. Stanhaus, Chairman and President, Spector Freight System, Inc.; New Director, CACI.

Sidney Epstein, President, A. Epstein and Sons, Inc.; New Director, CACI.

Otto L. Preisler, President, Home Federal Savings & Loan Association of Chicago; New Director, CACI.

Stanley E. G. Hillman, Senior Vice President—Planning and Administration, Illinois Central Industries; New Director, CACI.

Errett Van Nice, Senior Vice President, Harris Trust & Savings Bank; New Director, CACI.

Daniel C. Searle, President, G. D. Searle & Co.; New Director, CACI.

Edward Thiele, President, Leo Burnett Co., Inc.; New Director, CACI.

Harvey G. Foster, Vice President, American Airlines, Inc.; New Director, CACI.

James B. Conlisk, Jr., Superintendent of Police, Chicago Police Department.

R. L. Collins, Plant Manager, Automotive Assembly Division, Ford Motor Company, New Director, CACI.

Brigadier General Robert M. Tarbox, Division Engineer in Charge of North Central Division of the U.S. Army Engineers.

Lester Crown, Executive Vice President, Henry Crown & Co.; New Director, CACI.

George S. Harris, President, Chicago Metropolitan Mutual Assurance Company; New General Secretary, CACI.

Donald Erickson, Partner in Charge, Chicago Office, Arthur Andersen & Co.; New Director, CACI.

Honorable Eugen C. Betz, Dean of the Consular Corps, and Consul General of Germany in Chicago.

Nelson C. White, President, International Minerals & Chemical Corp.; Vice President for World Trade, CACI.

William W. Tongue, Professor of Economics and Finance, University of Illinois; Vice President for Research and Statistics, CACI.

George W. Dunne, President, Cook County Board of Commissioners.

Rudolph E. Palluck, Vice President, The First National Bank of Chicago; New General Treasurer, CACI.

Dr. James F. Redmond, Superintendent, Chicago Public School System.

Robert M. Drevs, Executive Vice President, Peoples Gas Light & Coke Co.; Vice President for Urban Development, CACI.

Vinton W. Bacon, General Superintendent, Metropolitan Sanitary District of Greater Chicago.

Donald O'Toole, Chairman and President, Pullman Banking Group; Vice President for Industrial Development, CACI.

George Dement, Chairman, Chicago Transit Authority.

Thomas H. Coulter, Chief Executive Officer, Chicago Association of Commerce and Industry.

George Jones, Vice President, Joe Louis Milk Co., Inc.; New Director, CACI.

Vernon Herndon, Senior Vice President, Hilton Hotels Corporation; New Director, CACI.

Robert Lemon, Vice President, National Broadcasting Company, and General Manager, WMAQ-TV; New Director, CACI.

David L. Duensing, President, Armour-Dial, Inc., and Executive Vice President, Armour & Co.; New Director, CACI.

Lester B. Knight, Chairman and Chief Executive Officer, Lester B. Knight & Associates, Inc.; New Director, CACI.

John D. Gray, President, Hart Schaffner & Marx; New Director, CACI.

John Sheldon, President, Chas. A. Stevens & Co.; New Director, CACI.

Edwin L. Morris, Executive Vice President, Booz, Allen & Hamilton; New Vice President for Management Training & Communications, CACI.

Armin F. Fick, Vice President-Manufacturing, Western Electric Company, Inc.; New Vice President for Health & Welfare, CACI.

Major General E. C. R. Lasher, United States Army (Retired), President and Chief Executive Officer, North American Car Corporation; New Vice President for Transportation, CACI.

T. C. Kammholz, Partner, Vedder, Price, Kaufman & Kammholz; Vice President for Governmental Affairs, CACI.

William A. Lee, President, Chicago Federation of Labor and Industrial Union Council.

L. W. Moore, President, American Oil Company; New Vice President for Merit Employment, Manpower & Training, CACI.

John E. Egan, President, Metropolitan Sanitary District of Greater Chicago.

Rear Admiral Henry A. Renken, Commandant, Ninth Naval District, United States Navy, Great Lakes.

Charles W. Folds, Vice President, Marshall Field & Company; New Vice President for Commerical Development, CACI.

Frank Whiston, President, Chicago Board of Education.

James E. Rutherford, Business Consultant; Past President, CACI—1961.

Honorable Paul Powell, Secretary of State, State of Illinois.

Thomas B. Freeman, Retired; Past President, CACI—1945–46.

Honorable W. Russell Arrington, President Pro Tem, Illinois State Senate.

The Honorable Richard J. Daley, Mayor, City of Chicago.

Lieutenant General Vernon P. Mock, Commanding General, Fifth United States Army, Fort Sheridan.

The Honorable Richard B. Ogilvie, Governor, State of Illinois.

M. P. Venema, Chairman and Chief Executive Officer, Universal Oil Products Co.; President, CACI.

ASSOCIATION LEADERSHIP FOR 1969

Officers

Chief Executive Officer: Thomas H. Coulter, Chicago Association of Commerce and Industry.

President: M. P. Venema, Chairman and C.E.O., Universal Oil Products Co.

V. P. Con'l Development: Charles W. Folds, Vice President, Marshall Field & Company.

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Speech of M. P. Venema, President, Chicago Association of Commerce and Industry, Annual Meeting, 1969

Good Afternoon, Ladies and Gentlemen. Today's meeting addresses itself to the theme, "Priorities for Progress—Who Will Pay?" Several thousand Association members recently prepared a list of "Priorities for Progress" the results of which I will reveal today. They will provide the objectives for our program of work this year. First, let us review the accomplishments and strengths of Metropolitan Chicago, the area served primarily by the Chicago Association of Commerce and Industry.

Chicago continued to break records in 1968. Gross Metropolitan Product for the Area climbed 9% to $45.2 billions and increased its share of the Gross National Product to 5.28%.

This was the fifth consecutive year our economic growth ran ahead of the nation. Wages and Salaries jumped a record $1.9 billions. Corporate profits were up $1 billion. Depreciation Allowances increased $800 millions. Excluding the United States there are only nine nations in the world which produced more than Metropolitan Chicago.

Much of our wealth is generated from the record Commercial and Industrial Construction in the Area. Commercial building in the eight county Metropolitan Area set a new record of $494 millions in 1968.

Industrial Construction amounted to $720 millions, chiefly for land and buildings, just $60 millions short of 1967's all time record. The number of commercial projects rose from 598 in 1960 to 1121 this past year. Industrial projects climbed from 367 to 646 in the same period.

Some of these new monuments to progress are; the 50 story IBM building; the 30 story structure at 111 E. Wacker; the 32 story Time and Life building; the 27 story building at 625 N. Michigan; the 33 story building at 150 S. Wacker; the 30 story Gateway No. 3 building over the union station; the 30 story building at 200 W. Jackson; the projected $100 million Standard Oil building; the 26 story Hartford building; the 27 story telephone building; and the DuSable Place complex on West Madison Street.

The Chicago Area leads the nation in both new construction and plant equipment spending by manufacturers. Over a period 1954–1966, plant and equipment spending totalled $9.8 billions in Metropolitan Chicago compared to $8.3 billions in New York, $5.3 billions in Detroit, $4.9 billions in Los Angeles, and $4.2 billions in Philadelphia.

This record capital investment has had a great impact upon the payrolls in our area. Total employment in the eight county area has increased 450,000 during the last five years, and 40,000 during 1968. Association surveys show that job openings in the area have exceeded unemployment figures for the last four years.

Our labor force is growing at a faster rate than our population. Last year a record 47.4% of our total population worked compared to 43.2% in 1963. An amazing feature of our growth is the increasing number of women in the labor force. During 1968, 40,000 additional women—God bless them—entered our labor force. I don't know what we would have done without them. 48.1% of all our women over the age of 14 now have a job, compared to 40% throughout the country. Chicago has the highest percentage of population employed of any major area.

As a consequence the per capita personal income of our citizens soared to an estimated $4,410 in 1968 compared to $3,090 in 1963—an increase of $1,320.

The comparable increase in national per capita personal income only $920 or $380 less per person. Family income in the Chicago area averaged $14,150 last year, another record. Right now, Metropolitan Chicago must be the most prosperous major area in the world.

As a result of this amazing economic growth, what are our major strengths at this time? Our prowess as a metal working manufacturer is proverbial. Chicago industries produce more than $5.6 billions of primary metals annually to lead the nation and the world. Our Fabricated Metal industries lead with shipments of more than $2.8 billions. Non-electrical machinery is tops with $3.0 billions. Chicago passed New York as the biggest producer of Electrical Machinery with $4.1 billions in 1966.

Chicago is the biggest producer of manufactured exports, passing up New York in 1966 with a total volume of almost $800 millions.

Chicago registered 167,000 new automobiles in 1968, more than any other metropolitan area. It is the biggest market for automobiles in the country. Our area buys more clothing and footwear per household than any other. Our mail order houses enjoy six times the sales volume of any other area.

Chicago is pre-eminent in the field of Transportation. We ship twice as many tons by truck and rail as does our nearest competitor. O'Hare airport is the busiest in the world. Our trucking industry has shown the biggest increase in employment in the country. It grew by 6,300 employees while New York's trucking industry reduced employment. Chicago's transportation companies boast greater assets than those of any other metropolis.

While we are the most prosperous community in the nation, we do have serious problems affecting our future growth and well being. Several thousand members of the Association of Commerce and Industry—the same captains of industry who are responsible for the strengths just cited—have recently indicated their fifteen priorities for progress. Here they are:

First is respect for Law and Order, Control of Civil Disorders and Crime Prevention. Happily, our crime rate per 100,000 population was sixteenth among 23 major metropolitan areas a year ago. We believe we are making real progress in this area thanks to our fine police force. Next is Air and Water pollution control. Then comes Mass Transportation and Commuter services which hold the key to area wide employment opportunities.

A critical priority is major airport expansion. This association has advocated a third major airport, preferably in the lake and urges immediate action on airport expansion. We compliment Mayor Daley for his vision on this vital project and offer our help to accelerate completion of feasibility studies. Next is modernization and consolidation of state and local governments which are numerous in this area. Manpower Development and Training for the most efficient use of our manpower resources has high priority. Most timely now is Economies and Priorities in State and Local governments. The theme of this meeting underlies the importance of this choice. Next is state and local revenue problems, the major theme of our meeting—who will pay? Of growing concern is labor legislation and strikes by public employees.

A continuing problem is Federal Taxation and Spending which has such a profound effect upon State and Local Spending and Taxation. Public Education including financing, administration, facilities and vocational training will be reported here today. Another priority, Housing and Neighborhood redevelopment to improve living and working in the city are essential if our economy is to continue to prosper. Participation of government in business is of growing concern as our sharing of views today exemplifies. Transportation to and from our airports is strangling our efficiency and must be cured by new highway construction and improvements in mass transportation.

These fifteen priorities for Progress were selected by Association members out of thirty possible choices. Their importance relates to the continued economic growth of the Area. Without such growth, new public expenditures for welfare, police and fire protection, education, hospitals, transportation and pollution control cannot justify nor conceive financial support through taxation.

Can we afford these fifteen priorities? A look into the future assures us that the Area can have the economic base to pay for them.

Here is a ten year forecast of economic growth and change for Metropolitan Chicago. Gross Metropolitan Product should double by 1978 and achieve a level of $90 billions. Personal Income can attain a level of $70 billions.

The area's population should be 8.6 million in 1978. Per capita personal income will soar to $8,200—more than double the average for 1967.

Effective Disposable Income—or cash income after taxes—will exceed $18,000 per household in Chicago by 1978. Taxes will increase in terms of real money taken out of cash income. An average family head in 1978 will pay more than a day's work each week to federal income taxes, half a day's work to federal social insurance and a fourth of a day's work to state and local income taxes.

Prices will increase 30 to 40%. Most of the increase will be due to services. Prices of Housing may level off as a result of massive introduction of pre-fabricated housing.

Most consumers in 1978 will make purchases with credit cards and pay debts with debit notifications to their banks rather than the traditional personal checking account.

All citizens will have a *personal* registration number to be used for auto license, social security, military service, credit card, income tax, etc. A census could be taken every year in response to computerization of registration number records. *Post office* mail will carry a code number for every address in the U.S., and will be handled by a computer. *Phonavision* will make its appearances in businesses and high income homes.

53% of the resident population will have jobs and 60% of all resident females over 14 years of age will be working. *Nurseries* will be common in places of employment and day nurseries will become an important service industry.

Non-white employment which constituted only 3% of the suburban work force last year will comprise 10% of suburban payrolls in 1978 or 200,000 workers. There will be a *complete* metropolitan high speed mass transit rail system by 1978 encompassing both public and private rights of way, and allowing any resident to work anywhere in the area.

Pipelines will be greatly expanded in order to slurry a wide variety of bulky products, waste and even packaged goods in and out of the area.

In 1978 *Chicago* will boast a third major airport, hopefully in Lake Michigan. There will be a new *Sports Arena* complex to accommodate 100,000 fans.

Chicago will be the most desirable headquarters city in the nation and the leading international gateway for America.

Expressways in the area will be partially covered by industrial plants, commercial buildings, magnet schools and park and ride facilities. These will help the city make up for real estate taxes and jobs lost when the expressways were built.

Air pollution will be measurably less in 1978 because of atomic power plants, auto exhaust devices, electric autos and new technologies developed to control pollutants. Water pollution will still be a serious problem although most industries will have effected controls of their liquid effluents. Human and agricultural waste will still be a major problem. Despite all this, the abundance of edible game fish in Lake Michigan will set new records.

Vocational schools for students and adults will be more abundant in 1978. Federal academies for military and other protective services including civilian police may be making their appearance. Federal medical and nursing schools will be in process of establishment, primarily to afford the military and public health services with staffing. Medicare may be extended to include all public aid and unemployment compensation recipients. Public aid will probably be handled as an adjunct to unemployment compensation. Taxes for unemployment compensation will increase many fold as a result.

Four day weeks will be common. Moonlighting will extend to daylight hours. Nervous tensions will have increased.

40% of the nation's Psychiatrists will continue to practice in New York City. We predict no change in this.

By now you may think we have made a twenty year projection and are calling it a ten year forecast. We don't think so. The rate of progress and the rate of change has quickened in this country and especially in the Chicago area. The drive of our citizens assures that the rate of progress will be accelerated.

One year ago today, this Association announced its support of a flat rate income tax for Illinois not to exceed 3% as a means of meeting our financial needs. Today, we are faced with a financial crisis at the State and Local levels of government which will require further reliance on our outmoded and inequitable revenue system, if new funds are to be made available.

Had we been successful in securing the adoption of a flat rate income tax in the last general assembly we would now know of its constitutionality and would have a more equitable means of obtaining money to meet our present problems. This state cannot long continue its reliance on our present tax revenues—property taxes for the local governments and sales taxes for the State. A broad based equitable tax system must be established. Therefore, until our outmoded revenue article can be revised, we must secure passage of a flat rate income tax and determine its constitutionality.

The needs of our times are great. We need more. We demand more. We will pay more. But how are we going to do it? We are joined at this meeting with heads of government. Their job is to serve the people. Business too, serves the people but has to make a profit.

If there is no profit, there is no revenue for taxes and there is nothing left for government. Business needs government and government needs those who pay for government.

The state government has a vital role in helping the Metropolitan Area solve its problems, almost all of which relate to revenue. Unless new sources of revenue are found, our State faces a deficit of over one billion dollars in the next two years. Local governments are turning to the state for relief from their financial problems as demands for government services increase. Economy in government can help cut spending but economies deal with millions and demands for new spending deal in hundreds of millions.

The property tax load has reached such a high point that it cannot be considered as a major source for the additional funds needed.

If the needed revenues do not come from the local area, they must come from the state or federal government. State and local governments have historically been the principal source of money for schools, mental hospitals and welfare programs of every type.

Commerce and industry recognize that payment must be made for progress—but we must do so under a system that is fair and equitable. The General Assembly can determine what source of income to use—but, it must do so within the framework of the present revenue article which creates vast inequities and encourages tax evasion.

There are two main ways of meeting our revenue problems. First, development of an equitable tax system through an appropriate flat rate income tax. Second, development of new sources of revenue through accelerated economic growth. They must go together. An equitable tax system stimulates growth, which in turn provides the necessary added revenue to do the things discussed here today.

Metropolitan Chicago has the greatest concentration of industries of any comparable area. Why? Because of the economics of an outstanding geographical location, natural resources, and a government that has provided a desirable climate for business.

We ask the state legislature to recognize the problems of Metropolitan Chicago—just as we recognize the problems of downstate Illinois. We do not seek favors. As businessmen we do seek opportunity to operate on a basis that is equitable in recognition of the fact that only through a prosperous state economy can we continue to progress.

You will now hear from five heads of government and agencies who are dealing with the problems of change, both social and economic, which reflect the things I have described before. They will tell us about these problems and how we can help solve and pay for them. The first speaker is Chicago's distinguished mayor, Richard J. Daley.

Address of Mayor Richard J. Daley

Mr. Venema, Governor Ogilvie, fellow public officials, distinguished guests, members and friends of the Chicago Association of Commerce and Industry, all of us, every resident of Chicago and the metropolitan area, must share a genuine feeling of pride, in the economic and civic accomplishments and the potential growth of our city so well described by Mr. Venema.

I believe there would be agreement by most people concerning the fifteen priorities recommended by the members of this association. There probably would be differences of opinion as to the order of their rank, with the exception of the first priority cited. We must, we will, have a society based on order. It is only through an orderly society that all of us can enjoy the rights of free speech, free press, of petition and of assembly. It is only through an orderly society that we can correct injustices.

Of course, all of the priorities are important, some are critical. None of them can be attained quickly. Some of them are unending in the sense that human beings always strive for something better.

Some objectives we can attain in a measurable time. For example: Chicago will build a new subway. It will maintain its leadership in air transportation with a third airport. It will complete the physical aspects of the Crosstown Expressway.

Our priorities can be achieved only by the cooperation and involvement of the entire metropolitan area. There can be no real progress or solutions to housing, transportation, air and water pollution and unemployment without this direct involvement.

Underlying all these priorities is the urgency of rising expectations.

Just think of it—the average family income in the Chicago area was more than $14,000 last year. We are probably the most prosperous area in the most prosperous nation in the world. It is natural that those who cannot share in this prosperity, even in a minimum way, are frustrated and angry. And those of us who are the beneficiaries of affluence cannot close our eyes to the needs of the less fortunate, for we live in an urban society that has become increasingly interdependent. Like the human body, injury or disease in one part affects the entire system. In a sense, this is our greatest priority, to meet the rising expectations of our citizens.

There is a national awareness of this urgent priority. It cuts through all political lines. All of us—regardless of our political beliefs and our special interests—have a responsibility to support President Nixon and Governor Ogilvie in their efforts to cope with these problems of great magnitude.

The growing national recognition of the needs of those who do not share in the general prosperity is evidenced in the support for the Poverty Program, Head Start, Manpower Training, health services and other projects.

We learned from these programs that there must be coordination—an overall policy and direction—if we are to realize maximum results in the shortest possible time. This experience resulted in passage of the Model Cities legislation by the Congress. Under this Act, $38 million dollars has been reserved for Model Cities Programs in Chicago.

It must be thoroughly understood that all of these proposals are the result of community participation, and every program must be approved by the Model Area Planning Council, before it is presented to the City Council and the federal government for funding. Wherever possible the community will be used in carrying out these programs. I am pleased that we have with us this afternoon the four chairmen of the Model Cities Neighborhood Councils.

More is involved in the Model Cities Program than the $38 million reserved by the federal government. Many programs are now underway with federal, state and city financing in the fields of employment, education, housing, and health. For example, the city already has received more than six million dollars for the establishment of a skill center, which is one of the programs included in Model Cities.

Many of the proposals call for extension of programs which have proved their merit in the city, and in the very communities in which Model Cities function. These communities are Lawndale on the West Side, Uptown on the North, the Grand Boulevard area and Woodlawn on the South Sides.

In these four communities will be concentrated a total effort by federal, state, county and city agencies and by private groups as well. When the first year's program is completed, it is estimated that $38 million dollars will generate a total investment of $100 million dollars from other federal agencies and private sources. This includes ongoing city programs upon which Model Cities will build.

Here is what the city is proposing to do in the first year of the Model Cities program.

Housing is high on your list of priorities. Chicago is making a breakthrough in housing with a $2 million dollar program for construction of high quality prefabricated homes for low and moderate income families.

The Model Cities Program will invest a half million dollars in the development of a land bank—so land can be held for future use. Further investment will include a million dollars in programs to develop a technology for quick housing construction—$400 thousand dollars for equity money available to not-for-profit developers—and $300 thousand dollars for a neighborhood maintenance corporation operated by residents of the community.

Model Cities places education high on its priority list—and nine million dollars will be allocated to the development of community-oriented schools—open every day in the week, an additional six hours a day, 48 weeks a year. Hot breakfasts and lunches will be served to thousands of students who have difficulty learning simply because they come to school hungry. In-service training for teachers will be vastly expanded, and opportunity will be offered for parental participation.

Model Cities will expand existing city neighborhood health centers and six million dollars will go for expansion. In the first year a new health center will be constructed in the Grand Boulevard area.

Model Cities will train local residents to staff these health centers at a cost of $200 thousand dollars during the first year. The program will allocate $400 thousand dollars to help improve services at Cook County Hospital.

One million dollars will be spent initially to provide urgently needed child day care centers.

Five million dollars has been set aside for the Manpower Training Program in the four areas.

In the area of public safety, four hundred local residents will be employed by the police in their neighborhoods, to perform non-arrest functions aimed at improving police-community relations and crime prevention.

Model Cities will establish homes for young people who are in trouble with the law but not seriously enough to be institutionalized.

Model Cities proposes a massive program of community improvement, including stepped up refuse collection, increased street cleaning, bulky trash removal and street and parkway beautification. Six million dollars has been allocated for this purpose.

Economic development is essential in each of the Model Cities areas. It is proposed to establish a one and a half million dollar revolving fund to make equity capital available to local residents. An additional $100 thousand dollars will be spent to expand consumer fraud enforcement.

These are some of the primary proposals in the Model Cities Program.

In addition to Model Cities almost $39 million dollars has been appropriated by the federal government—matched by the city's share of $18 million dollars from the 1966 Bond Funds for community improvement. The city now will be able to move forward quickly in programs of rehabilitation, conservation and renewal—both for residential and commercial development—in twenty-four neighborhoods located throughout the city.

These are ambitions, far-reaching programs. But they will not solve all our problems this year, or the next.

But we have commitments—commitments which are set out in your priorities—which must be met—met by performance.

It is not a question of who will pay, but how equitably the method of payment will be.

The cities of the nation will not be rebuilt and revitalized without the financial assistance of the federal government. The only reason Chicago is able to carry on the Model Cities program and the community improvement program is because it is receiving federal grants of $80 million dollars. We also must realize that until peace is restored, and money now spent for defense is made available for the rebuilding of the cities, we will be unable to move as fast as we should.

I sincerely believe that Chicago and the metropolitan area are going to lead the nation in meeting the great challenge of the future.

We have tremendous economic wealth, great resources, know how, and the spirit of the people of Chicago. Behind all of our vast progress is the continued confidence in our city which has shown itself so dramatically in the last fifteen years.

The city has undertaken tremendous programs while maintaining the lowest per capita bonded debt of any city of 500 thousand population.

There is much talk of the establishment—whatever that is. But I suppose that there is no better representation of the establishment than the men and women in this room. And it is my belief that there is no establishment anywhere that is as liberal and progressive as in Chicago. With your help, and with the greatest resource Chicago has—its people—we will continually move toward the goal of a Model City.

Speech of Hon. George W. Dunne, President, Board of Commissioners, Cook County

It is a privilege to be here at this time with so many public officials and private citizens sincerely interested in the vital civic affairs of our community.

Historic circumstances far beyond our control and rapidly changing events in the political and governmental scene made a playing manager out of me, and believe me, the role of President of the County Board as well as Member of the County Board is a humbling yet extremely challenging one.

Every one of us here today is keenly aware of the confusions, perplexities and pressures that dominate our society. It is the task of the people through their duly elected representatives to bring solutions to these conditions in order that our representative democracy may ultimately effectuate a better life for all of our citizens.

The county government itself is a comparatively small tax-spending unit, yet its responsibilities to the people reach far and wide: the weak—the ill—the poor—the unfortunate—are our major demanding responsibilities.

The manner in which we respond to the need of the less fortunate is the highest indication of our civilized attitude and progress

The County Board cannot do this alone. It will point the way—as government must—and you must help, as good citizens should.

So, what does that mean? How do we establish which needs are most demanding? How do we answer the theme of your meeting, "Priorities for Progress! Who Will Pay?"

Elementary, Doctor Watson; the people pay—through various means of tax revenue. Government can only spend in behalf of the people whose trust it holds the money that government receives through taxes paid by the people.

The people have a right to expect that government will be animated by a desire to serve—that it will be dedicated to fulfillment of obligations with the highest degree of integrity—it will be as economical as possible and yet bring about the things that people require in order to live as dignified human beings.

So, we on the County Board must look around us. What should have priority? The cry of human distress has always been the call for rescue. This is our America today, and it is reflected everywhere, and especially in the metropolitan areas.

We establish a priority at *Cook County Hospital* in order to meet the requirements of the Joint Commission on Hospital Accreditation and to answer the immediate human need.

The Cook County Hospital is the largest hospital in one single area in the world! We have twenty-one buildings within a 30-acre area. It is a 2500-bed hospital dedicated to healing and helping the less fortunate.

This past year 286,495 out-patient visits were recorded in the Fantus Clinic. In the Emergency Service every conceivable problem in medicine was presented. The Hospital provided in-patient care for 75,682 people. In all, the hospital service provided care for 362,177 patients!

As progress in the medical world is made we must make it in the specific area where we are charged with responsibility. Accordingly, we are planning improvements at the County Hospital for the benefit of our people, and we—the people—must pay for these things.

In the main building we propose to remove the skylights and air-condition the operating rooms and to construct a ramp to link the 8th floor of the main building with the 8th floor of the Children's Hospital which has at the present time four modern air-conditioned surgical rooms which could then be made available for surgery for adults as well.

We plan to air-condition the obstetrical wards on the 4th and 5th floors and we propose to construct an intensive care unit, a diagnostic X-ray unit, and we shall also remodel and air-condition the basement and the first floor in Bldg. A. In the Fantus Clinic—we intend to install X-ray units and laboratories in the basement, and in the Children's Hospital we intend to expand all X-ray facilities.

We shall fill in an open well on the second floor, using that space for the construction of offices and other ancillary services.

Provisions are also being made for additional parking for 480 cars.

The over-all cost of improving the Cook County Hospital to meet these pressing needs will be in the vicinity of six million dollars. Fortunately, however, the funds are available through bonds that have heretofore been authorized.

We establish priority at *Oak Forest Hospital*, which is a county-operated institution for the care, treatment and re-habilitation of those suffering from long term illnesses.

With more than 2400 beds, it is the largest geriatric hospital in the world, and it operates at 97% capacity. Bond issue funds heretofore allocated are available for essential improvements at Oak Forest as recommended by the State Licensing group, such as the relocation of the hospital operating rooms, the installation of new equipment and air-conditioning of the Administration Building and the Department of Physical Medicine—all at an estimated total cost of $650,000.

We do have under consideration the construction of another building for patients with a capacity of approximately 250 beds—and a new laboratory building.

We have a priority for the construction of a new *Audy Home for Children* and a Juvenile Court facility. The County Board has requested the Public Building Commission to undertake the construction of these new facilities at a cost of approximately 23 million dollars, and it will be financed by the Public Building Commission which will take over the title. The county will then pay rent out of funds obtained through general taxation. It will be located adjacent to the present Audy Home structure on a greatly enlarged area.

The new home will provide accommodations for delinquent children. This is an important social step. There will no longer be any dependent children in this facility. Provisions for dependent, neglected and abused children awaiting disposition by the Juvenile Court are furnished by the 72-acre installation at Herrick House at Bartlett, Illinois.

In addition, the Juvenile Court facility will provide approximately ten court rooms plus accommodations for the State's Attorney's office, Public Defender, Juvenile Probation and all other essential court agencies for juvenile care.

Our plans for these institutions—County Hospital—Oak Forest—and the Audy Home represent part of the answer of this community to the need of the unfortunate.

A study of data processing is being made at a cost of approximately $200,000. It is our hope that out of this will evolve a sizeable, appropriate and truly centralized data processing center.

In the *County Building*, work is in progress on the initial two million dollar contract for renovation. Four floors of the County Building are being renovated at the present time, and in the near future renovation will begin on one additional floor and probably several other floors later in the year.

The renovation of this building has as its objective the bringing of the structure into line with modern office standards, providing adequate lighting, air-conditioning, and expanded room for the various public offices in the building. The needs of the public are the ultimate determining factor in the size of our public offices.

There are many other facets to our county government—the Forest Preserve District is one of our most priceless public possessions for the welfare and happiness of our people.

The Forest Preserve District is not only concerned with the acquisition and preservation of the open spaces, but the protection and preservation of the flora, fauna and scenic beauties as well. The District is vitally concerned with the restoration and restocking of its holdings and providing the facilities and services for the recreation, education and relaxation of the public. This requires careful planning and evaluation of the population needs not only now, but for the future as well.

It is a playground, a picnic place, a fishing pond, a golf course, a place for winter sports and nature studies of every kind. The Forest Preserve District operates the largest and most diversified outdoor education program in the world! This notable success has been due to a splendid coöperative arrangement between the Forest Preserve District and the county, city and parochial school systems. The cultural use of the Forest Preserves is an important investment.

The Forest Preserve District is planning aud developing more water-oriented landscapes. The lakes presently available for public use are among the most heavily fished waters in the country. Funds will be provided in our 1969 levy to improve these and add new sites for fishing, boat launching and canoeing on the streams of our area.

Our present mobile society focuses attention upon our Cook County Highway Department.

From the beginning of time, man has always been concerned with how to get to some place and how to return as quickly and as safely as possible. We are still occupied with that problem. The county's Highway Department cooperates closely with other public works agencies including the Federal Bureau of Public Roads, the Illinois Division of Highways, and, of course, Chicago's Department of Public Works. It is responsible for the improvement and maintenance of some 600 miles of highways.

In the year ahead, the Department will schedule and let 40 million dollars in highway improvements. Much of this money will be funded through Motor Vehicle Tax funds, together with funds made available by the U.S. Bureau of Public Roads.

We hope to complete two major projects this year. One is the North Lake Shore Drive reconstruction and paving improvement between Irving Park Blvd. and Carmen Avenue at a cost of $6,400,000. The other is a major section of the West Branch of the Dan Ryan Expressway from 127th Street to 147th Street—at a cost of ten million.

Presently, its top professional echelon is involved in the plans of the Crosstown Expressway, cooperating with the City's Department of Public Works and Crosstown Associates—the consulting design team.

Progress in our established priorities will be commensurate with the skill and diligence of our employees. In the competitive labor market of today we must compete with industry in order to attract qualified people.

The theme of your meeting—"Priorities for Progress: Who Will Pay?"—should reach deeply into the hearts and conscience of everyone. It is true that it also reaches into our pockets, but we must determine what our way of life is worth.

You are dated if you remember the old phrase that was used to pass the buck—"Let George do it." I stand before you and in all honesty say, George cannot do it alone—the County Board cannot do it alone—only we, the people, acting together in orderly fashion through our duly elected representatives on every level of government can find the answers to the troublesome questions of this day.

The needs of our times transcend political motivation. I am confident the new governor of our State has a true understanding of our needs. I know the federal government is more and more concerned with the immediacy of the problems involved in human welfare.

In the final analysis, every branch of government is but the servant of the people.

I could go on all day about the conditions which we are striving to ameliorate. The answers lie with people—with government—and with the question that you so wisely propound as part of the theme of this meeting—"Who Will Pay?".

Our needs are endless; our funds are limited. Tom Coulter, your very able Chief Executive Officer, in his communication proposed that spending programs must either be curtailed or new sources of tax revenue be developed by local, State or federal governments. He has said it will, and all of us are truly on the painful twin horns of an unending dilemma:

Where do we stop helping?

Where do we get more money?

We, the people, must answer.

SPEECH OF GEORGE L. DEMENT, CHAIRMAN, CHICAGO TRANSIT AUTHORITY

The year 1969 will be an exciting and challenging year for Chicago Transit Authority. Our new rapid transit extensions—to Ashland Avenue on the Englewood route, in the median of the Kennedy expressway—being constructed by the City of Chicago, will open this year.

The extension of the Englewood route will eliminate an antiquated and inadequate station at Loomis Boulevard and be replaced with a new station, off-street bus terminal and park 'n' ride facilities. Construction is well on the way.

The Dan Ryan route will be 9.8 miles long from this 95th street station to its connection with the existing elevated structure at 18th Street and Wabash Avenue.

An exclusive bus bridge and covered waiting areas have been provided at the terminal for interchange of CTA and suburban bus riders.

Nine stations are being built along the route. These views show construction is progressing rapidly.

Some of the stations will have entrances from both sides of the street, and the 69th street station will have a bridge for exclusive use of buses.

The track being laid for the extensions is welded rails on concrete ties. This is the first application of this kind for a rapid transit system. The rails are laid in 858 foot lengths.

The Kennedy rapid transit project will serve the northwest sector of the city by extending the present West-Northwest route five miles beyond the existing Logan Square terminal. Six stations, including the terminal station at Jefferson Park, will be located along the route.

The CTA terminal station at Jefferson Park will have a direct connection to the adjoining North Western Railway station and a bus terminal for CTA and suburban buses.

One hundred and fifty new stainless steel, air-conditioned cars are being purchased for the lines.

The cost of these major improvements are being borne by the City of Chicago and the Federal government. The contracts are being let and supervised by city departments. Once completed, the facilities will be turned over to CTA for operation and it will be our responsibility to meet all operating expenses from CTA revenues.

The Kennedy extension will benefit about 70,000 passengers daily and the Dan Ryan route will be used by about 95,000 daily passengers. These will not all be new riders. Many of them will be diverted from other CTA bus and "L" routes. In time, we anticipate that new riders will be drawn to these services because of their convenience, speed and modern, attractive facilities.

Just this morning Chicago Transit Board approved ordinances revising some 40 bus routes to serve the new stations on the Englewood, Kennedy and Dan Ryan extensions.

Bus Lines in the vicinity of the stations are to be routed directly to the stations where a convenient transfer may be made to continue trips via rapid transit.

As an example, at Jefferson Park nine CTA bus lines will serve the station. Riders will save 30 minutes or more in traveling to and from their destinations.

In most cases buses will pull up at the station off-street area where there will be under-cover protection and then escalators will carry people to and from the train platform.

Some bus routes, such as serve the 95th street station, will cut in two to serve the station, thus minimizing bus delays which occur on long bus lines.

All this is being done for the convenience of riders to speed their trips to all parts of the city.

This year, CTA will receive delivery of 67 new buses to complete an order for 176 buses placed in 1968. This will bring the total of "New Look" buses purchased since 1961 to 1,377—almost one-half of our fleet of buses being replaced in eight years.

In my opening statement, I said that this will also be a challenging year for CTA. Yes, challenging because we are being forced to find additional sources of income. We have just increased our fares and we feel that we cannot raise them again.

We recently have adopted a deficit budget for 1969 of $15 million. We will not have this $15 million which is necessary by trust agreement for deposit into the depreciation reserve fund for keeping our facilities up-to-date.

What are some of the reasons for CTA's present financial condition? They are—wages and cost-of-living inflation in general—the same things that are affecting all businesses these days.

In the past twelve years the number of employees have been cut substantially and yet our total payroll costs have skyrocketed.

Our chart here shows that in 1968, 76.6c of our revenue dollar went for operating labor costs. This leaves very little for other cost of operation.

Since World War II, CTA riding has been on the downgrade. This is understandable because of the availability of automobiles after the war, the building of Chicago's excellent system of expressways and superhighways, and now the popularity of two-car and even three-car families. In 1960, there were 62 million automobiles in the United States and now we have 83 million automobiles. The chart shows the decline during the past twelve years.

However, even with our financial problems, we are going ahead with some of the plans that we have been studying for some time. One of these is a reduced fare for senior citizens that we intend to institute about April 1 on a trial basis for several months. If there is a loss of revenue, then some social agency should be responsible for that loss if the community feels a one-half fare for senior citizens is necessary.

We had originally set up a desired capital budget of $31 million and this has been pared to $15 million. You will note that even in our $15 million deficit budget we did not include much needed new equipment, renovation of "L" stations with escalators and modern conveniences, or brand new facilities.

Chicago is fortunate to have an established and comprehensive mass transit system. It is one of the best in the country because we have both bus and rapid transit. We cannot let it deteriorate. The movement of people is as essential as police and fire protection, water and sanitation and other vital services. We know that it has to grow because of our expanding population and we also know that it has to be improved and modernized. And this cannot be done through the fare box alone. And we cannot keep increasing fares to meet our needs.

CTA is essential to our Central Business District, to outlying areas and our community in general. It is necessary for carrying people to work and school, for shoppers and for recreation. Our streets and expressways cannot possibly do the entire job.

We realize that we must do all we can to keep our present riders and attract new riders because public transportation is essential and must flourish in our city and metropolitan area. We are going to enter into an extensive marketing campaign conducted by a citizens' Marketing Advisory Committee of experts from agencies and business. Their function will be to advise Chicago Transit Authority on ideas and suggestions for marketing CTA services. I am happy to announce that Mr. Carl Guldager, vice president of Sales Promotion, of Marshall Field and Company, will head the committee.

In addition, we are forming a citizens' Customer Relations Committee composed of agency, business and transportation experts who will advise on matters of improving service and ways of pleasing our riders. Mr. Warren Logelin, vice president, of AMSTED Industries, will be chairman of this committee. These committees will certainly be a great asset to us.

But from where will the money come to meet our financial needs. This year we are going to the state legislature with a program for financial assistance.

We will need your support.

TOWARD GREATER EQUALITY FOR THE PEOPLE OF THE DANUBE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. MOORHEAD. Mr. Speaker, all those who believe in the equality of man, and for the right of every man to have equal representation in his government, must be heartened by recent trends toward federal forms of government which will hopefully bring greater liberalization for the people of the Danube.

Prof. Stephen Borsody, professor of history at Chatham College, in my congressional district, addressed himself to this matter in a very fine letter which appeared in the New York Times recently.

Under unanimous consent I include his remarks for the attention of my colleagues at this point in the RECORD:

DANUBIAN NATION-STATES

To the EDITOR:

Czechoslovakia's federalization into two republics—one Czech, the other Slovak—is another step in the slow and painful process of adjusting the Danubian nation-state system to the demands of national equality. It is another move toward correcting the generic shortcomings of the new order that the so-called Wilsonian principle of national self-determination has created, over the ruins of the Habsburg empire, fifty years ago.

Czechoslovakia is the second country under Communist rule undergoing federalization in the Danube area. The first one was Yugoslavia. Right after World War II, Tito federalized it—on the Soviet Russian model, in the spirit of the so-called Marxist-Leninist nationality policy.

According to Alvin Shuster's report from Prague (The Times, Jan. 1), the Russians are now having misgivings about Czechoslovakia's federalization, lest "greater autonomy given to the regions here could reach Soviet national regions, such as the Ukraine, and arouse demands for similar changes."

The spread of Danubian federalism may strengthen the demands for more genuine federalism within the Soviet Union. But a more likely response to Czechoslovakia's federalization should be expected from within the Danube region, in particular in the form of Hungarian demands for greater autonomy.

It should be borne in mind that almost every fourth Hungarian in Central Europe is relegated to the status of minority and exposed to different degrees of national discrimination.

Hungary's boundaries, drawn by the "bourgeois imperialists" fifty years ago, had been confirmed by the "Grand Alliance" after World War II. As a result, Soviet Russia herself (as heiress to formerly Czech-held Ruthenia) gained mastery over 150,000 Hungarians. But they are not the worst treated minority of the Danube region. That sorry distinction belongs to the almost two million Hungarians of Transylvania—a multinational territory treated by the Rumanians as an integral part of their nation-state.

Yugoslavia's half-million Hungarians are benefiting from the federal structure of the country, but are still far from enjoying full equality. In Czechoslovakia, in the spirit of last year's liberalization, the nearly three-quarters of a million Hungarians have raised demands for autonomy.

It may be a long time before all the inequities among the Danubian nationalities are ironed out. It should be remembered, however, that it was the nation-state pattern of Western peacemaking fifty years ago that left this region in a state of bitter conflict.

Ever since Habsburg times, federation has been regarded as the only conceivable solution of the Danubian problem. The Danubian Communists are making some progress toward federalization. We should give credit to them for that—and, for a change, wish them well.

STEPHEN BORSODY,
Professor of History, Chatham College.
PITTSBURGH, January 3, 1969.

MAJ. GEN. WALTER B. PUTNAM, U.S. AIR FORCE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. WOLFF. Mr. Speaker, more than 20 of my colleagues and I are members of the Congressional Squadron of the Civil Air Patrol, the official U.S. Air Force auxiliary. The Congressional Squadron is but one small part of a large organization that reaches into each of the 50 States and includes both senior and cadet programs.

Recently the Civil Air Patrol was honored to have Maj. Gen. Walter B. Putnam chosen as national commander, CAP. General Putnam is a veteran of more than 30 years of service and brings to his new assignment exciting qualifications as an Air Force officer.

Prior to his appointment as national commander of the Civil Air Patrol, General Putnam commanded the southern regions of the North American Air Defense Command and the Continental Air Defense Command.

General Putnam received his pilots wings in June 1938, and since then has flown a long list of aircraft. This includes several hundred missions during World War II.

I know that my colleagues who are members of the Civil Air Patrol are as pleased as I am at General Putnam's appointment and join me in looking forward to a constructive, cooperative association with the general.

AFTER THE MOON LANDING

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. MARSH. Mr. Speaker, there is concern as to where we should go after we land on the moon. This concern involves not only the tremendous costs of our space program, but also the possible future practicable applications of what is largely pure research.

In this connection, I think it is appropriate to bring to the attention of the House an article by Ralph E. Lapp which appeared in the New York Times magazine on February 2, 1969, as follows:

"After the Moon Landing," Says a Scientist, "Send Computers, Not Men, Into Deep Space"

(By Ralph E. Lapp)

When, if all goes well, the two American astronauts touch down on the lunar surface some time this summer or fall, it will be eight years since President Kennedy's decision to land men on the moon by the decade's end. People may debate the wisdom of the undertaking, but at this point such debate is academic. What we need to debate now is where we go in space after we land men on the moon.

President Kennedy left little room for effective debate about the moon exploration at the time he asked Congress on May 25, 1961, to appropriate money for it. Congress sensed that his motives were more political and personal than scientific—the moon project would tend to offset some of the embarrassment rising up from the Bay of Pigs fiasco. The Congressmen sympathized with the youthful President and promptly voted the funds for the project, dubbed Apollo.

Science and scentists played a very small part in the decision to set up Project Apollo. In fact, the decision came as a surprise to most of the scientific community, since Kennedy's own science adviser, Dr. Jerome B. Wiesner, had headed up a pre-inaugural study group which had found little value in manned space flight, and had said so.

Kennedy re-examined the moon goal in September, 1962, when he toured space facilities in the Gulf States. In a speech delivered on a sweltering Texas day, he asked: "Why choose this as our goal?" and answered himself with, in effect: Why climb the highest mountain? In addition, he cited the practical value of space travel, its meaning for national security, its importance of peace, and to this Texas hatful of reasons he added a final one. He noted that the space effort "has already created a great number of new companies, and tens of thousands of new jobs." (In fact, the National Aeronautics and Space Administration (N.A.S.A.) proceeded to spend over $4-billion on space facilities, concentrating on a golden arc of installations stretching from Florida to Texas.) Kennedy was always highly conscious of the political economics of the space program; in Houston a year later he referred to the success of a U.S. rocket in firing "the largest payroll" into space, then corrected this to "payload."

So there was really no single reason for going to the moon. The very fact that it became technically possible for man to scale the earth's gravity hill and reach the satellite was compelling in itself. And now the successful trajectory of Apollo 8 has convinced many that men aboard Apollo 11, conceivably Apollo 10, will descend from a lunar orbit in a lunar module, explore the lunar environs, take off in the module and rendezvous with its orbiting parent for a safe return to earth. But a bad landing, a fuel leak, a faulty valve or a control malfunction could strand the astronauts in a hopeless situation. N.A.S.A. has no back-up capability for rescuing stranded Apollo men. The 1967 Apollo tragedy in which three astronauts lost their lives should remind us that our technology is far from perfect. However, assuming N.A.S.A.'s technology does not falter, we may anticipate that we will win the race to the moon this year.

Actually it's already rather late to decide where we go in space after the moon. If N.A.S.A.'s establishment were to be given ambitious new goals, it would have to reassemble much of the work force that made the Apollo flights possible. To fulfill the Kennedy goal of landing men on the moon before 1970 N.A.S.A. built up its force to more than 300,000 persons in 1965–66. Now the figure is below 200,000 and dropping sharply. Lacking follow-on projects after Apollo, N.A.S.A. had to violate an old Government tradition that Federal agencies never get smaller.

N.A.S.A. never thought of itself as self-liquidating. It pressed both the White House and the Congress for approval of post-Apollo projects. It ran into budgetary problems made acute by spending for Vietnam. But apart from that it was handicapped by the high costs of space probing, by the fact that remaining space goals are few and by the fact that it couldn't promise anything more spectacular than the moon landing itself. To amplify:

(1) By the time men land on the moon N.A.S.A. expenditures will run to a nine-year total of $35-billion, the largest part of it for manned space flight.

(2) What can N.A.S.A. aim for in the foreseeable future after it lands men on the moon? It can plan for a lunar colony; it can make the big jump and try selling a manned trip to Mars, or it can put space stations in orbit about the earth.

(3) The climactic nature of the lunar landing puts N.A.S.A. in the position of Sir Edmund Hillary after conquering Mt. Everest. What can be done for a sequel? Space goals after men land on the moon will have to shift away from the spectacular and become more exclusively scientific in nature and manner. Many scientists have been waiting for this shift. Dr. James A. Van Allen told a Congressional committee last year that when Apollo suceeds, "We will be free for the first time in nearly a decade to develop a more rational, though doubtless less dramatic, program in space exploration." Van Allen, whose pygmy payload of instruments aboard a 1958 satellite signaled the discovery of the earth's radiation belts, added: "Such a program should, in my judgment, involve manned flight only insofar as it is justified by a competitive assessment of the costs and effectiveness of various possible means for accomplishing an agreed purpose." Van Allen's prescription adds up to a large dose of bureaucratic poison for N.A.S.A. empire builders who want to push its budget up to the nearly $6-billion peak it once enjoyed. There is little doubt that when men and instruments are compared on a cost-effectiveness yardstick, instruments win out.

At this point that American astronauts had logged almost 2,000 man-hours in orbit, Dr. Philip Abelson, editor of Science, wrote: "The unmanned missions have had a cost-effectiveness for scientific achievement perhaps 100 times that for manned flights." Now that Apollo men have added 1,200 man-hours to the previous total, there is little reason to revise Abelson's estimate. In fact, as man has pushed out from earth orbit to the moon, the cost of space flight has rocketed upward with them.

Long before Apollo 8 orbited the moon, a number of automated spacecraft were lofted toward the moon. Some of these, Ranger 7 for instance, took photographs and relayed them to earth before crashing into the moon. Lunar orbiters weighing 850 pounds circled the moon and scanned its surface for likely landing sites. On June 2, 1966, Surveyor 1 was soft-landed on the lunar surface and dispatched 11,150 photos. In many cases these mooncraft were a hundred times lighter than the 47-ton Apollo craft.

Pound-for-pound, instruments have many advantages over men as rocket passengers. Through the use of solid-state circuitry and molecular electronics, an immense amount of sensing and data storage equipment can be crammed into a tiny payload. Space gadgets require only small amounts of power, can tolerate extremes of temperature and, being expendable, can be sent on one-way missions.

In contrast, man is a bulky oxygen-breathing, food-consuming spacefarer whose long habituation to the earth's biospheric rim imposes high demands on space capsule design. Man's mobility, his vision, dexterity and reasoning powers are valuable assets which could allow him to outpoint instruments in special instances, as for example, in sampling lunar rocks and substratum. Man's brain, a wondrously fashioned three-pound computer, possesses unique capabilities, but the care and feeding of man in space must focus on the 50-fold larger mass of his body.

Man's metabolic needs in space may be reckoned as about two tons of "consumables" per year. Prolonged journeys in space would require that members of the crew collect their urine, chemically process it and "recycle" it as fresh water. Thus, in the deep penetration of space, that is, to the planets, instruments are much better adapted than men. A 1968 report of a special study group assembled by the National Academy of Sciences made this clear. Set up to recommend space mission priorities for the 1968–1975 period, the task force pinpointed a 700-day mission to Mars and concluded: "We were unable to identify a need in planetary exploration, in the foreseeable future, for the unique abilities of man."

Few Washington observers feel that Nixon's Administration would look favorably on a manned Martian project. Such a program would commit the nation to $5- to $10-billion N.A.S.A. expenditures each year throughout the nineteen-seventies and well into the eighties. It would probably require the development of a nuclear-powered rocket with an earth-orbit weight of 1-2,000,000 pounds. The nuclear power would simply supply heat energy to a stream of liquid hydrogen, converting this into a superhot gas jet. This nuclear engine would supply brief bursts of power, the two-year flight itself would be accomplished by Newtonian coasting throughout almost 700 million miles of trajectory. (The space trail to Mars was broken by Mariner 4, a 575-pound device, which flew by the planet on July 14, 1965, and took 22 pictures of the cratered surface.)

After comparing astronauts and instruments, may we not then confine the missions of post-Apollo manned flights to earth orbits or to lunar exploration? Assuming that Apollo 11 lands men on the moon, what then? Asked this question last month, Nobel-Prizewinner Harold C. Urey replied: "I do not think it's a good idea to start something and not finish it. It is my expectation that the moon's surface will be a very monotonous place, but I think we ought to keep an open mind, see what's on the moon and then make a decision." Urey first became scientifically interested in the moon shortly after World War II. On a train ride to Wisconsin he read Ralph Baldwin's book about the lunar surface, and when he returned to the University of Chicago he began pasting up his own map of the moon. His interest has continued unabated for over two decades.

Urey is aware that N.A.S.A. has four more Saturn-Apollo vehicles in the works, so he's not proposing special construction of new moonships but rather finding some use for those in production. The chemist-physicist, who according to a colleague has "one of the finest full-spectrum minds of the 20th century," wants to know if the earth-moon system has a common origin. "I want to know if rocks on the moon are 4.5 billion years old like those on earth." But Urey does not forsee any need to explore much of the moon's surface—"It's not like needing to know the earth's geography . . . we live here"—nor does he see any real need to establish colonies on the moon in the near future.

If a voyage to Mars is out and a sequence of four or five manned lunar flights is unprofitable, then about the only place left for man in space is the area close to earth. The rocket that hurled the 47-ton Apollo craft around the moon is capable of lofting a 140-ton payload into an earth orbit. N.A.S.A. (under its Apollo Applications Program—A.A.P.) has a plan to orbit an adaptation of the third stage of the Saturn V rocket—to be called the Saturn V Workshop. This third stage of Saturn V is a cylinder 21 feet 8 inches in diameter and 58 feet 5 inches in length. As used in an Apollo moon flight, it would contain almost 100,000 gallons of fuel and liquid oxygen. N.A.S.A. envisages this tank as a manned space station with scientific, civil and military applications.

Scientists, especially those deeply involved with basic research, are not very happy about N.A.S.A.'s promotion of the big space station. They would rather put their bets on unmanned space devices. N.A.S.A. is also getting opposition from the U.S. Air Force, which has its own Manned Orbiting Laboratory program (M.O.L.), to which it is committing over $3-billion. The Air Force plans to fly its first M.O.L. in 1971, with a 2-man crew. This program, although not tied to any specific military application, will probably get a boost from Soviet emphasis on orbital operations—viz., the Soyuz 4–5 flights last month. M.O.L. will be injected into orbit by an Air Force Titan III-class rocket. Either the N.A.S.A. or the Air Force space station should be eliminated, but as matters now stand it appears that the Air Force will win out over N.A.S.A. when the elimination comes.

A number of scientists would support the use of Saturn V to send an automated spacecraft into orbit around Mars and then release a soft-lander to probe the nature of the planet's atmosphere and to sense for rudimentary life forms. The search for life elsewhere in our solar system has great scientific—and general—interest. However, its dramatic appeal does not approach that of man landing on the moon. This is really the nub of the difficulty the U.S. space agency faces as it seeks to chart its course in the post-Apollo period. Will the Congress fully support a science-based program after having been conditioned to technological extravaganzas? In view of the fact that Federal agencies will spend over $16-billion for research and development this fiscal year, the question might seem a bit curious. But we need to look at how these funds are allocated by agency:

	Billion
Department of Defense	$8. 0
National Aeronautics and Space Administration	4. 3
Atomic Energy Commission	1. 7
Health, Education and Welfare	1. 2
National Science Foundation	0. 3
Interior, Commerce and other agencies	0. 9
Total	$16. 4

Quite clearly, Federal R. & D. funds go primarily to satisfy defense-prestige goals. The great bulk of the money goes into development, testing and engineering rather than into fundamental research. The last accounts for roughly $2-billion per year; N.A.S.A funds in this category add up to $645-million.

In the new budget just submitted to the Congress, R. & D. funds for Defense and Atomic Energy amount to $10.3-billion. These funds are essentially "off limits" to budget cutters—leaving a sum of about $6.4-billion for N.A.S.A. and all other R. & D. programs. The total allocated to manned space flight is $2.3-billion. It is in this sector that legislators can effect a sharp cutback in funding by curtailing the senseless four to five lunar flights that N.A.S.A. proposes to carry out in the next year. Even if one writes off $25-billion as the cost of the first lunar landing, each follow-on flight to the moon's surface will add up to almost $500-million. That's more money than Congress grudgingly bestows upon the National Science Foundation each year for the support of all basic research in the United States. Given a choice between $500-million for all basic research and the same amount to bring back a second bagful of rocks from the moon, only a lunatic scientist would take more than a microsecond of decision-time.

As a self-appointed committee of one, I would urge that we alter the U.S. space program as follows:

First, make a firm decision to terminate the manned space program soon after the initial lunar landing. Using the Urey formula, one might authorize an additional Apollo flight or two to wind up the lunar exploration. I would reserve the remaining Apollo craft for future unmanned missions to the planets and I would mothball the single-purpose manned space flight facilities. At the same time, I would continue a N.A.S.A. program of long-range space development aimed at advanced modes of propulsion, compact energy sources and improved long-distance communication. High priority would be assigned to the development of nuclear energy both for propulsion and for on-board power.

Second, greatly expand N.A.S.A.'s present program for exploiting applications of space science and technology. The potential of satellites for communications is far from being realized and needs to be enhanced by the development of new techniques. It should not be too difficult to develop orbital systems for the control of intercontinental air traffic. Perhaps the greatest benefits from satellites are to be expected in the survey and evaluation of earth resources, such as underground water, mineral deposits and plant-forest cover.

Dr. L. M. Sharpe of the Washington-based Center for Resource Development believes that N.A.S.A. technology can be adapted to yank U.S. mine safety practices out of the 19th into the 20th century.

Third, establish a high priority within N.A.S.A. for fundamental research using unmanned space vehicles. This program should be 10 to 20 years in duration and should be aimed at finding out more about our planet, the sun and the rest of the solar system. The most expensive—and probably the most dramatic—of these projects would be the planetary probes designed to fly by, orbit or land on the nearby planets.

(The line-up of these planets only occasionally favors probing. For example, 1971 is an ideal year for earth-to-Mars flights; it will be 1986 before the two planets are in such favorable relative positions again. The 1977–78 period is a one-in-a-century opportunity to send a spacecraft on a grand tour of Jupiter, Saturn, Uranus and Neptune. A N.A.S.A. proposal to use Saturn V as a Voyager spacecraft booster designed to drop a 3-ton lander on Mars was rejected by Congress. A scaled-down experiment using an Air Force booster was approved for 1973. I would urge the diversion of two Saturn V rockets for planetary missions. One of these could answer the question: "Is there life on Mars?") The N.A.S.A. program I have outlined could be adequately funded in 1971 with a budget of under $2-billion.

After our astronauts land this year on what Shakespeare called "the cold fruitless moon," we must make the switchover from a space project that provides spectacles to one that serves science. It will not be easy. Manned space flights sell themselves, whereas data-collecting flying computers do not. It will be N.A.S.A.'s job to keep the value of scientific space findings before the public.

Our epic journey to the moon begins a new chapter in man's history. At the very least it offers us a chance to look back vicariously at our planet earth. We may see an uneven society that conquers gravity but is laid low by the flu. Our astronauts glide through space at 25,000 m.p.h. while our streets are choked with bumper-to-bumper traffic. We shoot ultra-clever space probes to sample the atmosphere of Mars and Venus while our cities are enveloped in polluted air. Spacemen nibble on expensively developed diets while Biafran children die from malnutrition.

Reorienting the U.S. space program won't remedy the planet's ills, but it can serve as a beginning. There is nothing wrong with man reaching for the stars; indeed, it is a noble stretch. But the Swiss philosopher-physician Paracelsus reminds us: "Man carries the stars within himself."

DANGER: MOONDUST

If the moon turns out to be as lifeless as it seems, then earthlings are in no danger when Apollo astronauts return from their lunar landing. But can we be sure that microscopic bits of plant life have not survived long journeys through space to lodge in the lunar dust? If so, could these plant bits germinate on earth when imported by the astronauts?

Some scientists are deeply troubled about the risk of extraterrestrial contamination of our planet. They fear Mars more than the moon, but their immediate worry is this year's lunar landing. One top-ranking biologist told me: "It's possible that a biologically active plant spore from the moon could destroy all plant life on earth." Extreme precautions are consequently being taken by the National Aeronautics and Space Administration to keep potential lunar contaminants from reaching the earth's biosphere. The agency has built an $8-million Lunar Receiving Laboratory (L.R.L.) as part of its Texas Manned Spaceflight Center. At the moment the L.R.L. is struggling with staffing problems and with technical procedures for identifying biohazards in lunar samples.

The plan for planetary protection against lunar spores is best described by the words "biological isolation." Once the returning Apollo capsule splashes down in the Pacific it will be treated as though it harbored bubonic plague—or worse. The astronauts and anyone who comes in contact with them or the capsule's contents will be cocooned in plastic all the way from the point of splashdown to Texas. And once inside the L.R.L., they will be quarantined for 21 days.

REMARKS OF THE HONORABLE NICK GALIFIANAKIS CONCERNING THE PROPOSED REGULATION OF THE FEDERAL COMMUNICATIONS COMMISSION ON THE ADVERTISING OF CIGARETTES

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. GALIFIANAKIS. Mr. Speaker, I rise to comment on the recently proposed regulation of the Federal Communications Commission which would ban all cigarette advertising from the broadcast media.

To my mind, the most unfortunate, and most inherently dangerous aspect of this proposal is the assumption, by the FCC, of the answers to many questions which have as yet not otherwise been adequately answered. And if all of the assumed answers of the Commission should be correct, and I submit that is not likely to be the case, this is not the sound and appropriate approach to solving a major health problem. The obvious inequities and implications of this proposal are too numerous and too patent to discuss them all now. But consider the most significant. I cannot understand the theory of equity and propriety which would sustain the illegality of advertising cigarettes on radio and television only, while leaving it unaffected in the other media. Furthermore, how can any advertising be made illegal while it is not illegal to manufacture, sell, possess, or use cigarettes? This latter assumption is especially difficult to understand when there has been no effort or suggestion that the Federal Government should regulate these aspects of the industry and society.

Consider also that if we permit the FCC's ban on the advertising of cigarettes to stand, would not that agency also be justified in prohibiting altogether the appearance of or mention of smoking in the broadcast media? How far would this have to be extended before we would all call it what it in fact is, Federal censorship?

There can be no doubt that proposals such as this one of the FCC are aimed at elimination of the assumed relationship between cancer and cigarettes through elimination of the latter. Such drastic action may some day be necessary, though I think not. But should it be, who in this Congress, who in this Federal Government, is ready now to assume the problems stemming from the sudden and drastic decline of an industry which provides the sole livelihood for hundreds of thousands of people? Cancer is a most serious problem, but so is widespread economic disaster. We should not blindly permit the solution of one problem to generate another; if this should be necessary, then it should be done deliberately and with preparation. It is not appropriate for the Federal Government to be concerned about the physical health of the Nation to the exclusion of the economic health of a substantial portion of the population. These considerations do not even include or contemplate the problems which would be created by the loss of some $8 billion per year in local, State, and Federal tobacco taxes.

Mr. Speaker, I have no doubt whatever that the FCC is well-intentioned in its proposal and that it has the best interests of the Nation uppermost. But if cigarette smoking is as dangerous to health as the Commission implies, then surely there are more effective and more appropriate means of improving and protecting the health of the Nation than censorship. I am most reliably informed that if only a small fraction of the tax revenue derived from the sale of cigarettes were to be invested in cancer research, a cure, or means for preventing cancer, would be forthcoming in a very short time. If this is true, imagine the speed with which a breakthrough might be obtained if the Federal Government and the tobacco industry were to jointly sponsor an intensified effort to find a cure for cancer, and to determine if the harmful effects of cigarette smoking, if any, could be eliminated. Certainly this would be an example in the finest tradition of government and industry cooperating to solve problems of mutual concern and of aiding one of the most significant humanitarian endeavors of our time.

Therefore, Mr. Speaker, I urge this Congress, instead of letting the restrictions imposed on the regulatory agencies expire, thereby letting each to independently pursue its own pet plan for solving the Nation's problems, let us maintain and exercise our appropriate responsibility in this most important matter. Let us strongly urge, insist if need be, that the administration and the tobacco industry jointly underwrite immediately a crash program of cancer research to find the cures and the scientific means of preventing cancer, and let us do it without further delay or debate.

ADDRESS OF DR. M. MACEO NANCE, JR., AT THE COMMISSIONING OF THE U.S.S. "SEA DEVIL"

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. RIVERS. Mr. Speaker, I take this time this morning to bring to the attention of the House an unusual and distinguished address by one of the outstanding educators of the country, Dr. M. Maceo Nance, Jr., president of South Carolina State College at Orangeburg, S.C. The occasion for Dr. Nance's address was the commissioning of the nuclear submarine U.S.S. *Sea Devil*—SSN664—at the Newport News Shipbuilding & Drydock Co. in Newport News, Va., on January 30, 1969.

Dr. Nance's address exhibits an unusually thorough understanding of the role of sea power in our national defense. Dr. Nance points out that the "one fundamental prerequisite" of our naval power is to "provide a vast variety of capabilities suitable for dealing with a broad range of constituencies."

The doctor's address also contains a stirring tribute to the original submarine *Sea Devil* of World War II fame. Dr. Nance also has some thoughtful words for all of us about the education of our young people today. I want all Members of Congress to have an opportunity to read this fine address.

The address follows:

REMARKS BY DR. M. MACEO NANCE, JR.

Commander Currier, Officers and Men of *Sea Devil II*, Distinguished Guests, Ladies and Gentlemen:

We are proud and pleased to be here today to participate in these commissioning ceremonies. First we are proud because we come from a State very active in our national defense—particularly from a naval point of view in that the naval operations of the Charleston Naval Base, Charleston, South Carolina, and its Supply Depot have long played a key role in our national defense and Charleston itself a key role since the Revolutionary War. We are very proud of and pleased with our role as home base for the fleet of Polaris Submarines, and the support which the Naval Supply Depot lends to our fleet all over the world. Second, please let me hasten to add that I am pleased to be here as a son of the Navy. As a veteran of the Navy, we welcome the opportunity to state before our mates and before the public that we cherish our association with what we consider to be the finest of our military organizations.

The commissioning of this submarine today adds another important link to our country's arsenal for freedom, for in all the debates which have taken place over the centuries there has never been disagreement, or at least disagreement that history and facts did not substantiate the Navy's long standing position that control of the seas was important to the defense of this nation and in fact to any nation. In order to maintain this position of strength for the present and long-term interest, this country must remain alert to the changing requirements. *Sea Devil* (SSN664) is evidence of this kind of alertness. The world changes fast these days, and the state of our naval arts perhaps one of the fastest. We should all be forever mindful for we can be quite sure that among the important factors in our naval defenses at the end of the next decade will be some which few people are seriously concerned with today. Yet our ability to safeguard the peace and the defense of our country is going to depend in large measure on our ability to keep peace now with the realities of defense as they change over the years. *Sea Devil II* and its counterparts represent the "now" in our national defense and I submit to you they are a very strong deterrent.

It was most gratifying and encouraging to read earlier this month that the Chairman of the House Armed Services Committee, the Honorable L. Mendel Rivers, of Charleston, South Carolina, had introduced legislation to start a program for a new U.S. Navy. His plan, as you certainly read, calls for authorization of approximately $3.8 billion for construction of Navy ships in fiscal 1970. This is roughly three times as much as was allocated for 1969!

"Only with a new program can we begin to have a Navy with adequate modern equipment," Congressman Rivers stated.

"Since the Navy must have ships able to go into any part of any ocean on a moment's notice, the necessity of having nuclear propulsion in our Navy is greater than ever before," he emphasized.

I was pleased to see that three nuclear powered attack submarines similar to the *Sea Devil* are among the 19 new war ships proposed.

To those in our country who express deep concern for the amount of funds necessary for the defense of our country, it is the duty of all of us to keep them mindful of this: We must have the type of military power or such a preparedness so that the President of our great country can apply the measure and the kind of force appropriate to any provocation. This is vitally necessary in order that he may use force, when justified, with some confidence that history will judge his actions as serving the best interest of the nation and of the world, and not merely as a weapon for massive mutual destruction. Thus one fundamental prerequisite will be that our naval power must always provide a vast variety of capabilities suitable for dealing with a broad range of constituencies. Our naval power must not only serve to deter those who would misuse the seas and misjudge our motives, but also, if deterrents fail, serve to defend.

The bonus we get from such fine war vessels, like the one we are commissioning today, is that as they patrol the high seas which belong to all of us, we do not risk the political confrontations inherent in the stationing of ground troops and air units on foreign soil. A second bonus would be that they allow us to maintain our own state of readiness and balance without interference by outsiders. This nuclear type submarine *Sea Devil* (SSN664) represents this kind of balance in our naval power. God forbid that we should ever have naval personnel without the modern equipment and technology to do the job which needs to be done.

As we speak of "technology" one's mind has to turn to the builders of this most modern of our attack submarines, for without the knowledge and ability of this very fine old shipbuilding and drydock company such would not have been possible.

For more than three quarters of a century Newport News Shipbuilding and Drydock Company has had an outstanding reputation of building fine ships for the Navy. I understand that this yard has built about one third of our nuclear submarines. The performance of these submarines is truly a testimony to this very fine organization's workmanship.

The contract for *Sea Devil* (SSN664) was awarded to the Newport News Shipbuilders on April 21, 1966 as part of a three-ship order amounting to $83,850,000. *Sea Devil* is the last of the three. This, we think, is further evidence of the Navy's confidence in the workmanship and abilities of this yard, for it is through the cooperation and dedication of industry working with government which have made this nation strong and will keep it strong.

As one who is working with our youth, we would only hope and pray that we are doing our part to continue to supply companies such as this with the personnel and know-how needed to carry on this fine work.

In our opinion, one of the finest traditions that the Navy has is to continue to keep alive the names of its fighting ships for all of them have a glorious past which should forever be a part of our continuing naval history. As families and industry strive to preserve their names for posterity, so does the Navy strive to preserve the names of her ships. The U.S.S. *Sea Devil* (SSN664) is the second ship of the fleet to bear the name of a giant ray fish noted for tremendous swimming power and great endurance.

She is named in commemoration of Submarine *Sea Devil* (SS400). It has been said that the past is only important in that it points up the needs of the future. In this instance we think it appropriate to mention the past as it relates to *Sea Devil* (SS400), in that it was a glorious past and certainly will serve as a motivating force for the pride that we share today in *Sea Devil, II*.

Our first *Sea Devil* was built at the Portsmouth Navy Yard in Portsmouth, New Hampshire and her keel was laid November 1943. She was launched 28 February 1944 and commissioned in the Portsmouth Yard 24 May 1944 with Commander Ralph E. Styles in command. During World War II she served with distinction, having made five war patrols and being responsible for the sinking of a total of 29,519 tons of Japanese ships. During her glorious career she won five battle stars as well as the Navy Unit Commendation.

After the war, *Sea Devil* (SS400) was decommissioned and recommissioned from 1951 to 1954 and from 1957 to 1964, during which periods she engaged in training in the Far East and off our west coast. To round out a most noteworthy career, in 1963 she participated in exercise in conjunction with naval units of the Republic of South Korea, Nationalist China and the Republic of the Philippines. She was decomissioned for the last time 17 February 1964 when she was sunk as a target.

The keel of *Sea Devil, II* was laid on April 12, 1966 and launched October 5, 1967. She is one of twenty-four vessels authorized by the Navy in the Sturgeon class of nuclear attack submarines. These ships are 290 feet long and have a surface displacement of 4,140 tons. The new *Sea Devil* is equipped with the latest navigation and electronic systems, a computer-controlled weapons system which enables her to detect and attack targets at various distances. The characteristics combined with her ability to operate at high speeds for long periods of time and the environmental independence provided of nuclear propulsion, make a powerful weapon against surface ships and submarines alike.

Sea Devil, II joins a group of attack type submarines making a total of thirty-eight. In addition to this, we also have forty-one Polaris Submarines, making a total of seventy-nine nuclear submarines in operation. Thus *Sea Devil, II* becomes a part of a very potent submarine attack force which numbers approximately one-half of what Congress has presently authorized. I think it is worthy to note that *Sea Devil, II's* trial runs were under the direction of Vice Admiral Hyman G. Rickover, who is considered to be the father of our nuclear submarines. Suffice it to say, *Sea Devil, II* well represents its namesake—the powerful giant ray fish commonly known as "sea devil" and which is also known as the king of its species.

Needless to say, the U.S. Navy has made tremendous strides since its first submarine, the U.S.S. *Holland*. From 1900 to January 1969 I think we can truthfully say we have made the Herculean step. It is highly possible that the type of attack submarine that we commission today was not dreamed of when the *Holland* was commissioned. It is of remarkable credit to this country and particularly to the Navy, to have had the kind of confidence that the Navy has had in the development of this so-called "new craft" or "new vessel" as was the case of the *Holland*. This is just another example of industry and government working cooperatively to meet common needs.

It is also interesting to note that in the first development of the submarine in the 1800s, it was thought by England that it would do more harm than good if it were adopted in that her enemies would copy it. But such is the challenge today—to keep not only abreast of the enemy but ahead. Again *Sea Devil, II* represent this "ahead" in her class.

In a world which is beset with problems, and indeed in a country which is confronted with dealing with problems of a magnitude never witnessed before in the history of this country, as we prepare ourselves here today to defend this country from the outside, we must be forever cognizant of the presence of those who would attempt to destroy us from within. And, as you men of the Navy, indeed of *Sea Devil, II* prepare to do your part, please be assured that we shall do everything in our power to do our part. Again I refer to those of us in roles of leadership related directly to the preparing and educating of our youth and the responsibilities which we have to restore in the minds of our youth faith in our nation. We must have them believe, as you and I were taught and as I still believe, that our great nation was forged in a furnace of faith—a faith that free men will prevail no matter what the struggle. We must dispel the idea that we are a nation robbed of reason and rationality by riots and rage sweeping through every American city or some sort of uncontrollable civic insanity. We must convince our young people that breaking down of law and order does not establish that our entire nation has lost its way in a tangled jungle of emotion and extremism. We must have them believe that the foment and difficulties over these issues in our country today are not the sign of failure. They are not a sign that our national fabric is being ripped apart. They are a sign that irrational inequalities can not be suppressed. They are a sign that we must face the challenges and eliminate injustices that condemn some citizens to an environment that breeds despair and violence. These are some of our challenges and as you do your part we wish to assure you that we shall be forever striving to do ours. We must carefully explain to our youth and indeed to some people of this country, that many of the problems which we see today are not really new; in fact, they are not the problems of America alone, they are problems which exist throughout the world. "When dead they have seen the end of war." I didn't say that first; Aristotle did.

So, what is our responsibility? As I see it, it is developing stronghearted, resourceful men who, like yoursleves, are willing to uphold and strengthen our Republic and a responsibility to show all concerned that this is a Republic which works and a kind of Republic which we all can look forward to in the future with confidence, courage, hope and spiritual strength so that you officers and men of this ship will know what you are working for and what you believe in is not lost.

The Atomic Age in itself is truly a challenge to the men of our Armed Forces today and certainly a great challenge to our Navy men whose branch of service has long been one of the most technical of all the Armed Forces.

The officers and enlisted men chosen to serve on this mighty vessel I am certain are among the finest that the country, and indeed the Navy, have to offer. One has only to read the background of your commander, Commander Currier, to erase any doubt that the responsibility of leadership of *Sea Devil, II* is in good hands, for his training and experience will serve him well in this command. And, we would say, without reservation, not having had the opportunity to read the biographical sketches of the other men who will serve on this vessel, they too are as equally prepared to serve her well.

So, as *Sea Devil, II* is commissioned today, I am confident that with all of us working together—you providing another link for the defense of our country and freedom from without and we providing a link of strength and faith from within—the dedication which we pledge will always prevail and, with all your preparedness for combat your very presence will guarantee smooth seas in a troubled world.

Thank you.

CROWDUS BAKER OF SEARS

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1969

Mr. PHILBIN. Mr. Speaker, a good friend of many Members of the House has just recently retired from Sears, Roebuck & Co. after many years of outstanding service in all branches of this farflung merchandising enterprise. He is Crowdus Baker, for many years president of the company, and more recently chairman of the board.

Crowdus Baker is one of the most inspiring examples of the way our great free enterprise system works that I have ever known.

Fresh out of college, when he was just a young man, he was attracted to the Sears organization and devoted his life working for it.

All by himself, without any help or influence, starting from scratch at the lowest level in a small west coast Sears store, by virtue of his own abilities, talents, perseverance, personal drive, and total loyalty to Sears, he speedily worked his way to the topmost post as president of what many think is the greatest merchandising organization of its kind in the world.

The brilliant career of Crowdus Baker was one continual series of achievements for his company, its growth, its remarkable expansion, its new emphasis on public services factors—public relations, public contributions, public responsibilities. Under his wise, vigorous leadership, the company vastly enhanced its operations, boldly broke through old barriers to new fields of service in science, in art, in modern approaches—dynamic adaptation to the jet-space age—fabulous new opportunities for the buying public, unbelievable advances in the improvement of personnel relations—higher pay, better working conditions—enlarged profit-sharing benefits, health and social services, and other forward-looking improvements and benefits for the employees of the company and the public.

On top of this, Crowdus Baker made great sacrifices to serve his country, State, and community. During his tenure, several Presidents of the United States called upon him for counsel, for help, and sought to bring him into the Cabinet, other high posts of honor, and national responsibility.

On several occasions, he declined high posts because of his conviction that he could serve his country best at the time by making Sears a more responsive, economic, and social mechanism for serving the people, by extending its areas of service, increasing its available stocks and goods and by stepping up and modernizing remarkably all its facilities and services to the public.

These Baker achievements are truly epochal and memorable. They are enduring contributions to the strength and vigor of our economy and Nation. They will be duly noted by history as they have been gratefully acknowledged in contemporary American life.

Crowdus Baker is a two-fisted, red-blooded, Bunker-Hill American, strong, rugged, and undaunted as the Texas country he came from.

Instinctively modest and humble concerning his vast achievements, seeking no praise or encomium, he asked only to be understood in his determination to serve his company, its officers and employees, the American people, and the country with great, with an unprecedented drive and ability to discharge in full measure his corporate, public, and patriotic activities.

Ingrained with a tremendous sense of responsibility to the American people, and the Nation, endowed with the courage of a lion, the foresight and vision of a genius, the personal power to drive through with his ideas, animated by a fierce desire to help his fellow man and to improve his lot, Crowdus Baker has the warm and kindly touch of a gentle summer breeze.

He wore no man's collar. Once he had taken counsel with those he trusted, and made up his mind to act, he exercised his power of decision, letting the chips fall where they may.

He was a man's man, a totally dedicated, courageous leader, willing at all times to carry through with any program that he was convinced was right for his company, its workers, the American public, and the country.

This great business expert has made a lasting indelible imprint upon the commercial, mercantile, and economic leadership of this generation.

He has brought luster to the constructive purpose, the social concern, the efficiency, and accountability of private enterprise and our great, American economy.

He has left a rich legacy, a challenging example to those who follow him in American business.

What is even more important, in many respects, his career leaves inspiration and hope to even the poorest and humblest youth of the land that in this system of ours there is real opportunity and promise for those who have the ability, the will, determination and courage to aim at the highest goals.

Let us hope in the future of this country that opportunity which symbolizes the life and career of Crowdus Baker and exemplifies free enterprise, will always be open to the imaginative and worthy, the talented, the ambitious of spirit, the lofty of purpose, the generous of impulse, and to all those of every race and creed, who, like Crowdus Baker, realize that it is not the dollar sign, not the badge of privilege and influence, not the empty shibboleth of captive power, but the real worth and merit, personal ability, understanding and recognition of humane, social values that must dictate the leadership and policy of business in this Nation and world, where free, private enterprise, as we know it, is facing its greatest challenge in history. It is men like Crowdus Baker who can save it for posterity, else it could well be lost in the turmoil of irrational change that confronts us.

Hail and salute to this great son of Texas, Crowdus Baker. He has demonstrated what men can do when they are fired by ambition, blessed with great talents, dedicated to something more than pelf and wealth, and intent upon truly serving their country and its people in this troubled age, rather than kneeling before the corny images of Mammon, paganism, and subversion which surround and threaten us today.

As a Member of Congress and a personal friend of this great American, I am proud, as well as pleased and privileged, to congratulate heartily and thank this great business genius from the Lone Star State for his persevering labors, sacrifices, and priceless contributions in difficult times which are so meaningful in terms of noteworthy progress, brilliant performance, and effective, unselfish labors for the people of this country and our free institutions.

My esteem, affection, and best wishes go with our valued friend, Crowdus Baker, and his lovely wife, Winnie, and his family into his retirement and his future life, and I wish them every happiness and blessing for many years to come.

But in a very real sense there will be no retirement for such a vibrant, unquenchable spirit. As long as the good Lord gives him strength and breath, he will continue to serve, to help, sustain, encourage and assist those who for one reason or another cannot help themselves, and he will defend with his life, if need be, the liberties and blessings of the American way of life that he, in his great day, did so much to enrich and preserve.

May his successors in the great Sears complex be mindful of his concerns for the people, as they struggle for the success which was his. Best wishes to all of them.

THIS IS MY COUNTRY

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. BROWN of Ohio. Mr. Speaker, last week Mrs. Brown and I had the pleasure of welcoming to Washington, and to our home, a pair of fine young men from the Seventh District of Ohio who exemplify the very best qualities of America's youth. The two teenagers, 15-year-old James Lawrence, of Springfield, and 17-year-old James Kizziar, of Fairborn, were winners of an essay contest sponsored by the Tecumseh Council, Boy Scouts of America. Planned in conjunction with National Boy Scout Week, the topic of the essay was "This Is My Country."

The thoughts expressed by Scout Lawrence and Explorer Kizziar in their essays are inspirational, and I wish to share them with my colleagues.

I include the essays in the RECORD.

THIS IS MY COUNTRY

(By James H. Kizziar)

I am an American. I say this with pride, because I am proud to be a part of all that America is, and all that she stands for.

When our forefathers founded this nation, they found limitless opportunity awaiting them in all walks of life. And today, this nation is one of increasing opportunity for all men—opportunity to learn, to speak, to worship, to succeed . . . this is my country.

The splendor of a sunrise over virgin forests, the taste of pan-fried trout taken from a running stream . . . this is also my country.

The laughter on a small child's face, the satisfied determination of a young man's first voting experience . . . this is truly America.

The greatest strength of my nation is pride. What is pride? A meaningful reverence and earnest salute as our nation's flag passes by; that certain lump in my throat when I hear "Battle Hymn of the Republic"; the belief in our past heritage and the hope for our future. Pride is the people of my country.

Yet, America is more than just rolling wheat fields or Niagara Falls or Disneyland. It is a haven for free and open thought; a land where each man can remain an individualist and yet be an integral part of the entire establishment.

This is my country. It is sights and sounds, a feeling, a pride—many things to many people. To me it is the greatest nation on earth, I thank God that America is my country!

THIS IS MY COUNTRY

(By James Lawrence)

The United States of America is my country. I share it with 200,000,000 Americans like myself. We are all proud of our heritage and reputation. We should be. Our heritage is one of a struggle—a struggle for independence as a country and interdependence with the world. In 1776, not quite 183 years ago, we declared ourselves independent. Look where we stand now. Through the course of the years, we have become the most influential, most powerful, and most prosperous nation on earth. Some citizens think that now we should be content with our position, but, because this is my country, I have the right to disagree with them.

I believe that as the leader, my country must not take advantage of her position, but use it for the good of the world. The job of the leader is to lead. He does this by helping others and setting a good example for all to follow. This is what our country should do. How does America do this? First, and most important, all of its citizens must set a good example. An individual must remember that his every action affects someone else and our country.

"In God We Trust" is our motto, and in God we must trust if we are to remain the leader. God gave us America, the ability to build it, and he continues to guide us in our progress. Our progress, for good or bad, success or failure, advancement or defeat, right or wrong, is dependent upon the combined actions of each of its citizens. Therefore, my country depends on me.

In a country where one vote can determine who becomes the President of the United States, the responsibility of each person is all important. The example that I set in citizenship and my ability to urge others to follow a good example is what America stands for and what America becomes.

PRESIDENT NIXON ENDORSES ELECTORAL REFORM WHICH WOULD ACCORD ELECTORAL VOTES IN PROPORTION TO POPULAR VOTE RECEIVED BY EACH CANDIDATE

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. FISHER. Mr. Speaker, one of the encouraging signs of the times is the recognition now being given to the need for reform in the method used for the election of the President and Vice President.

It is well known that we are now using an outmoded, horse-and-buggy method of choosing these top officials, and reform is long overdue.

The House Committee on the Judiciary is now engaged in a full-dress hearing on the subject, which provides hope for some significant progress in improving this antiquated system. The many evils of the present system are self-evident.

At a recent news conference President Nixon was quoted as saying he was inclined to prefer a reform which would accord to each candidate for President and Vice President his share of the electoral votes in each State, in proportion to the popular vote received. In my judgment the President's views are sound and will meet with popular approval.

Mr. Speaker, I recently had the privilege of testifying before the Committee on the Judiciary on this subject, at which I gave my reasons for favoring the so-called proportional or district plans—either of which would be a great improvement. Under leave to extend my remarks, I include a copy of my testimony, which follows:

STATEMENT OF REPRESENTATIVE O. C. FISHER, BEFORE THE HOUSE COMMITTEE ON THE JUDICIARY, FEBRUARY 5, 1969

Mr. Chairman, I welcome this opportunity to testify briefly concerning proposed changes in the method of electing the President and Vice President. I along with many others have introduced a resolution on the subject, and it is encouraging to know that this great committee will seek ways to improve the present system.

To begin with, it seems to be generally agreed that the present method is completely outmoded and should be changed. The original concept of choosing these officials has degenerated into a "winner takes all" technique whereby the candidate who leads the voting in a State, even though he may not receive a majority in that State, is credited with all the votes cast there.

The need for a change has been widely recognized for more than a hundred years. It has been debated extensively, but emotionalism and provincialism have often displaced reason and logic in the vain search for a better answer. Reams of debate and hearings have been recorded. Let us hope this committee can be realistic and come to grips with the problem and the sort of improvement which would have a reasonable chance of approval in Congress and ratification by the States.

If success is to be achieved a plan must be devised which will be acceptable not only to the populous States but also to the small, rural ones. Without this general accord, I fear you will have engaged in another exercise in futility and your efforts, however laudable, will come to naught.

From my limited study of this subject I am convinced there is no perfect plan. Fault can be found with any that has been proposed. It is a matter of finding and embracing the best possible improvement within our reach.

PRESENT SYSTEM OUTMODED

Above everything, we know the present system is permeated with faults, and the need for a change is urgent. For example, under the present method eleven of the 50 States hold enough combined votes in the Electoral College system to elect a President, with bare majorities or pluralities in each, even if the other 39 are solidly opposed to that candidate.

Such a system is obviously not equitable, it is not fair, and it is fraught with great danger.

Under the present system there have been some fifteen instances where Presidents have been elected who have received less than fifty percent of the popular vote. And there have been at least three instances where candidates who got a majority of popular votes were not elected.

Here are a few of the apparent evils of the present method.

There is no uniformity in the method of choosing Presidential electors; each State elects its electors as it sees fit.

There may, under this system, be "independent" or "unpledged" electors who are not legally bound to cast their vote in the manner directed by the people. We have seen that demonstrated recently.

The present system tends to restrict National campaigns to a dozen or so key pivotal States.

It was never intended the unit vote system would evolve into a method whereby a candidate receives all the electoral votes of a State regardless of his margin of victory.

The Electoral College as it now functions permits and invites control and domination by organized minority groups within the key States, and encourages the development and solidarity of religious, economic, and racial blocs within these States.

A candidate receives credit for his opponents votes in the States he carries but does not receive any credit for his own votes in the States his opponents carry.

FAVORS "PROPORTIONAL PLAN"

Mr. Chairman, I favor the so-called "proportional plan," which simply distributes the electoral vote in each State in proportion to the popular vote in each State. Under that scheme, the total of the electoral votes would reflect the popular vote. In other words, under this proposal every voter, whether he be from the small state or from the largest, would go to the polls with the knowledge that his preference would be tallied for the candidate of his choice—regardless of whether or not his candidate happened to lead in that State.

This method provides that the winning candidate must receive at least 40 percent of the electoral vote, failing in which the Congress would select the President and Vice President from the three highest numbers of electoral votes.

Thus, this system embraces the direct vote concept and insures meaningful participation by every voter in the outcome of every contest.

"DISTRICT PLAN" ACCEPTABLE

Now, I have no particular objection to the so-called "district plan." It would achieve about the same objective as I and others have proposed. The proportional plan was a great favorite of the late Senator Norris of Nebraska. I believe it has been debated and explained to the people more than any of the other reforms that have been offered. It was once approved by the Senate, and it should be easy to sell to the State legislatures. I earnestly hope it will be most thoroughly examined by this committee.

DIRECT VOTE PLAN

Mr. Chairman, I am aware of the interest that has been shown in the election of the President and Vice President by direct popular vote. It sounds good. I am fearful, however, that the advancement of this proposal will endanger the likelihood of any electoral reform by this Congress. Arguments against the direct vote method are well known. Here are a few of them:

The direct method would deprive the small or sparsely populated States of the competitive advantage of having two electoral votes for their two Senators. Since this constitutes a built-in advantage for the smaller States, it is highly improbable that such a change would be approved by two-thirds in Congress and ratified by three-fourths of the States.

The adoption of the direct method could easily result in regulatory control over political parties by the Federal Government instead of the States, and perhaps seriously impair our principle of Federalism upon which this Nation was established.

Moreover, campaign expenditures would likely increase; campaigns would cover a larger territory and on a wider scope; and campaigning would still be predominantly in the populace States and in the metropolitan areas and cities.

The importance of the relative weight of each State's vote would no longer depend upon population but upon the number of votes cast. This would create a natural temptation of some States to lower the voting age to 18, or even 16, in order to give that State a bigger voice in the election. And in the hope of giving a State more power and influence there would be the temptation of corruption by meddling with ballots or counting those in the cemeteries.

DIRECT VOTE WOULD ENCOURAGE SPLINTER PARTIES

A major objection to the direct vote plan is the fact that it would tend to increase the number of "splinter" parties. This threat should not be treated lightly. It would contribute to the destruction of the present two-party system that tends to prevent our national government from being splintered by a series of minority loyalties.

Mr. Chairman, on this subject of what causes splinter parties to arise, I am intrigued by some views expressed several years ago by Judge Homer Ferguson, former U.S. Senator, who said:

"It is perhaps the best commentary on the importance and durability of the two-party system that this country has known 70 political parties in its history, each of which has elected at least one member of Congress. But each one, and in a very short time, disappeared or was absorbed in one of the two major parties. This did not happen by luck or chance. The electoral system itself had much to do with it. . . .

"Under the present unit system, minority political groups, usually advocating extreme views, rarely attract enough votes to capture the electoral vote of a State. At most, they can swing their voting strength between the two major parties . . . Their inability to gain electoral votes under the unit rule deprives them of incentive to remain compact and to grow as individual parties. At the same time, their limited voting strength is enough to cause ferment in the major parties, which are forced to clean house and adopt new ideas to gain the aid of minority groups. The result is to prevent fragmentation into multiple parties with its attendant evils, and to preserve and to invigorate the two-party system."

In other words, there would very definitely be less incentive for the appearance of splinter parties under the proportional or district plans, than under the direct vote, because the strength of the upstart groups would be fragmented and diluted by the retention of the electoral vote concept. That is a most important factor in the consideration of this issue.

We know what splinter parties have done to France, Italy, and Germany, where governments are often carried on through a conglomerate of coalitions of the various political factions, with resulting instability and chaos.

CONCLUSION

Mr. Chairman, the arguments pro and con regarding the various proposals are numerous and will, I am sure, be thoroughly developed during this hearing.

It will be recalled that the Honorable Ed Willis, former distinguished member of this committee, prepared and inserted in the June 18, 1968 issue of the Congressional Record a very objective and comprehensive discussion of all aspects of the Electoral College issue.

It would seem that the reasonable, sensible approach would be to approve the proportional plan. It protects every citizen in the right to have his vote counted for the candidate of his choice. It would in effect reflect the popular vote of all the people. And it would definitely eliminate most of the recognized evils of the present system.

POULTRY INDUSTRY SEEKS EQUITY IN LABELING

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. MORTON. Mr. Speaker, the poultry industry throughout the country constantly seeks new markets and new uses for poultry products. This is in keeping with the free enterprise system under which we operate in the United States.

A fairly recent development is the use of poultry in hot dogs, an all-American food. The potential market for frankfurters containing poultry meat, however, is severely restricted by present regulations handed down by the Department of Agriculture.

Mr. Frank Frazier, executive vice president of the National Broiler Council, expressed the nature of the problem in his address at a press conference in New York on January 30, 1969. I include his remarks in the CONGRESSIONAL RECORD, and commend them to the attention of my colleagues:

REMARKS BY R. F. FRAZIER, EXECUTIVE VICE PRESIDENT, NATIONAL BROILER COUNCIL

Every American eats on the average a total of 60 hot dogs a year . . . which makes hot dogs a fairly universal food and a very significant subject for discussion with people who communicate with the public. The three samples you tried contained all beef and pork, 25% chicken and the rest beef and pork, and 50% chicken and the rest beef and pork.

When we planned this press conference, we had expected we would be presenting a brief from the National Broiler Council at a series of hearings in four cities called by the U.S. Department of Agriculture for the period between February 19 and March 1. Since that time, as one of former Secretary of Agriculture Freeman's last official acts, the hearings were called off for a period of at least 90 days at the request of certain red meat packing industry associations, without advance notice to us or opportunity to express our views.

Rather than being a help to our industry, this action further delays a decision on an issue which our industry has been asking to have resolved for approximately four years. The lack of a decision places an unjust economic hardship on our industry because it denies to them certain markets they are now serving. Therefore, we feel strongly that our case should be made known to you and to the public at large.

So we appreciate this opportunity to discuss the situation and later on we will welcome your questions and comments.

The crux of the issue is that chicken meat, which is the equal of red meat as an ingredient in frankfurters and other sausage products, should be treated the same as other meats in labeling. Chicken meat provides sausage manufacturers with a wholesome, federally inspected meat component at a lower cost than many others now included.

Frankfurters are labeled, as you know, in one of three main categories: "all beef", "all meat", or just "frankfurters". Obviously, all beef frankfurters are not part of our discussion today any more than an all chicken frankfurter would be. But "all meat" frankfurters or plain "frankfurters" are of considerable interest to our industry. They represent a big market which we are currently serving.

Now, to refer to the point about chicken being a meat. Meat is defined by Webster as "the flesh of animals used as food." Chicken is listed under meats on restaurant menus; it is sold in the meat department in grocery stores; it is served as a meat by consumers at home.

Historically, the government's definition of poultry as a meat as evidenced by recent legislation and regulations covering inspection is somewhat of an accident. Originally, at the turn of the century, federal inspection of red meat packing plants shipping products in interstate commerce was established by the 1907 Meat Inspection Act. At that time, only live chickens were available to the consumer. It was not until the dressing operation moved from the homemaker's kitchen to the processing plant that a poultry inspection law was considered and passed by Congress—some 50 years after enactment of the meat inspection law.

The result was a dual scheme of inspection: one covering the meat of cattle, sheep, swine and goats; the other covering the meat of chickens, turkeys, ducks and geese.

In 1967 Congress eliminated this accidental discrepancy and provided the basis for uniform treatment of all meat and meat products. The Wholesome Meat Act enacted in November 1967 and the Wholesome Poultry Products Act signed into law last August have many identical provisions. Through a reorganization of the U.S. Department of Agriculture's Consumer and Marketing Service, red meat and poultry inspection services are completely merged. This in our view, involves a recognition by both Congress and USDA of the similarity of the industries' products and the recognition of chicken as meat from a consumer protection standpoint.

At the time the legislation was moving through Congress, no indication was given that it would be used to deny chicken access to a market the industry was serving at the time the laws were passed. In fact, both Secretary Freeman and Congressman Graham Purcell, floor manager of the measure, assured the poultry industry of protection on this score.

But when we get to labeling, it is another story. The Department of Agriculture, as you know, is the regulatory agency for meat and poultry labeling, rather than the Food and Drug Administration which supervises labeling of other food products.

Over the period of the last four years during which our industry has been actively petitioning on this issue, Secretary Freeman and those who have administered the labeling provisions of the poultry and meat inspection laws have required the product name for frankfurters to be changed when chicken is used, despite the fact that research has firmly established chicken as an excellent high quality ingredient comparable to other meat ingredients, from the standpoint of flavor, texture, appearance and other characteristics.

Therefore, instead of simply including chicken in the list of ingredients as is approved for beef, pork, mutton and goat meat, the product name must be changed to "frank—chicken added", "Chicken Franks" or some similar term even though only a small amount of chicken is used.

When a new generic name is introduced, both the retailer and the consumer anticipate that a new product is being offered. Yet, as you discovered from your own experience here today, the frankfurters containing chicken do not offer a significantly new flavor, color or texture. Hot dogs taste like hot dogs . . . the seasoning may vary, but none of them taste or look like pork, beef—or even chicken.

A frankfurter processor is thus caught in a dilemma. If he uses chicken as an ingredient, he is required to label the product as if it were something different from a traditional hot dog; yet the product is actually indistinguishable from what consumers are used to.

Under these circumstances, if you were a frankfurter producer and found chicken to be an excellent ingredient to include in your franks, would you risk the confusion of the consumer and the retailer simply to comply with this discriminatory requirement of USDA? Or would you play it safe, by-pass chicken, and continue to use red meat only, even though you might have to turn to imported meats for your supply?

Let's take a look at the product our broiler industry is making available to the sausage manufacturer:

First of all, it is clean, wholesome, federally inspected boneless chicken meat. It is truly a quality product, comparing favorably with the best of other meats used in sausage products.

Why is it now available when consumer use of chicken is at an all time high? By using modern technology and a new business structure the broiler industry has dramatically increased efficiency. Consumer response now enables our industry to produce seven times as many broilers annually as were produced after World War II . . . a growth unparalleled by any other phase of American agriculture and one achieved under the free enterprise system without government controls.

This production revolution has led to marketing innovations. Retailers began merchandising not only whole or cut up chickens, but parts—legs, breasts, etc. At first these were packaged at the supermarket, but more and more the packaging operation has shifted to the chicken processing plant. The demand for the meaty parts was excellent, but processors needed to find new uses for the necks, backs and wings which are just as tasty and nutritious.

This led to the invention of a machine to remove raw chicken meat from the bone far more efficiently and economically than was ever possible by hand. So three developments—industry growth, centralized packaging and a new machine—fostered the use of chicken as a component in franks and other sausage products.

Soon after the introduction of the deboning equipment about five years ago, USDA imposed the requirement for altering the product name if chicken were used as an ingredient in sausage products. This was done without giving those affected an opportunity to publicly comment and without publication in the Federal Register. Naturally our industry has protested this ruling and has sought a change.

Early in 1965, Dr. Robert L. Saffle of University of Georgia, made available to the USDA a detailed evaluation of the effect of various amounts of chicken in franks on yields, chemical analysis, bacterial analysis, visual appraisal and taste panel analysis for keeping qualities, technically justifying such a change.

No action was taken until mid-1967 when two taste panels convened by USDA indicated that franks with chicken as an ingredient were just as acceptable as those without.

In July a survey letter was sent to a number of food editors and writers to obtain additional consumer opinion about chicken in frankfurters. Those of you who received it may remember that the letter seemed to appeal for a biased response.

When still nothing happened, on September 28, 1968, the National Broiler Council requested by letter that USDA, and I quote, "expeditiously publish for public comment a proposed regulation which would specifically authorize the use of chicken meat in frankfurters subject to appropriate identification in a statement of ingredients as may be properly applicable to other components of such products."

Although we were assured action would be taken, none was until nearly three months later, when on this past Christmas Day a proposed regulation appeared in the Federal Register. Instead of dealing with our labeling issue separately on its own merit, the proposed regulation was expanded to involve several unrelated controversial and unstudied issues such as the maximum 30% fat level. This complication plus the subsequent postponement of public hearings means that the trade barrier imposed on our industry must continue for at least another three months unless the new administration acts.

On its face, the proposed regulation seems to be an improvement over existing unpublished policy, but let's take a closer look:

1. Chicken and other poultry meats are listed as "optional" and limited to a 25% portion, while other meats are listed as alternative required ingredients without a discriminatory percentage limitation.

2. Chicken could be used in an "all meat" frank only if white and dark meat were in natural proportions. This would require use of meat from the entire chicken carcass, including the breast, thigh and legs. This is not imposed on any of the red meats, thus permitting high-priced items like steaks and chops to be omitted from sausage products.

3. The proposed regulation departs from a traditional concept which permits a combination of parts of the beef carcass, for example, to be designated merely as "beef" in the list of ingredients on a package of franks. The same is true for pork, mutton and goats. But for chicken, the ingredient terminology required is "comminuted" chicken from a specified part—legs, necks, etc., although product characteristics from different parts are quite similar. The practical effect of requiring parts to be specified individually is a multiplicity of labels designating each part and would involve a major packaging cost to be passed on to the consumer.

And, how many of you know the definition of "comminuted"? Do you expect the consumer to know what this word means, or will she interpret it in some unfavorable way? The word means simply "finely ground or chopped tissue". If it is to be used at all, it could well apply to the other meat components in cooked sausage. However, neither this nor parts identification has been required of red meats.

While the existing federal labeling regulations have minimized the use of boned chicken meat in cooked sausage products in interstate commerce, the product has been well accepted by intra-state manufacturers of franks who have not experienced the trade barrier restrictions of the federal labeling regulations. Many have used deboned chicken since it came on the market in 1964, and find it quite satisfactory, helping them to achieve a product of good quality at a reasonable price which has enjoyed excellent consumer acceptance.

But, we now have new meat and poultry inspection laws, both of which require intrastate operations to meet federal standards, including labeling standards, within two years from date of enactment of the legislation. So the time is nearing when the trade barrier impact will reach the intra-state sausage manufacturer, and further reduce our market potential to none at all.

We have discussed the fact that the change in proposed regulations that we ask would work no hardship on the consumer . . . in fact, quite the reverse. It would provide an important market for a wholesome, high quality chicken product. And it would also benefit the sausage manufacturer. We have discussed the favorable taste test comparison of chicken with any other meat component. But we have not emphasized its low cost . . . less than half the price per pound of imported beef, a popular meat component for sausage products. Yet our product is not likely to upset the economic applecart for red meat producers because it currently represents only a fraction of one percent of the meat used in cooked sausage. Even if we achieved the full potential for all types of poultry, over 95% of the meat used in franks would continue to come from red meat sources. This is the economic fact of the matter . . . but even if it were not, we submit that it is not the purpose of a consumer protection law to regulate markets and erect trade barriers. Yet, this is what Department of Agriculture officials appear to be doing on the chicken in frankfurters issue.

We believe our appeal for the same labeling treatment as accorded other meats by USDA is eminently fair, reasonable, and in the public interest.

On January 17, following the announcement of the postponement of the public hearings, we sent a telegram to Secretary Orville Freeman noting that the postponement means severe commercial hardship for the broiler industry. We recommended either that the postponement be reconsidered and denied or that a labeling regulation authorizing poultry meat in cooked sausage, as already presented to USDA, be published immediately.

No action was taken by Mr. Freeman, as you can appreciate. On January 24, therefore, we wrote to the new Secretary of Agriculture, Clifford M. Hardin, attaching a copy of the telegram and requesting an opportunity to discuss the background of the issue with him and his staff.

In addition, we have prepared a presentation stating our position for use at the public hearings when and if they are held.

What we are asking is that all meat ingredients for sausage products be given uniform treatment, that chicken be subject to the same labeling requirements as those pertaining to any other meat, that there be uniformity in labeling requirements under the Meat Inspection Act and the Poultry Products Inspection Act.

All USDA would have to do is adopt a simple three-line amendment to the present regulation under the Meat Inspection Act which would read as follows:

"Except as otherwise provided in this section, sausage shall be prepared with meat, or meat and meat by-product, as defined by this part, or poultry products, as defined in the Poultry Products Inspection Act, as amended . . ."

This proposed amendment is unanimously supported by all of the major national and regional poultry organizations, whether they represent chicken or turkey meat.

AMERICA—OUR RESPONSIBILITY

HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. BUTTON. Mr. Speaker, one of my young constituents, Mr. John J. Cangilos of Albany, N.Y., a freshman student at the College of the Holy Cross, delivered an address at a seminar of the Women's Forum on National Security in Washington on February 5. His topic was "America—Our Responsibility," and his subject matter was particularly appropriate to these times when so many Americans are concerned about the attitudes and conduct of young people and their seeming alienation from society and their fellow citizens.

I am pleased to share with my colleagues the cogent views of young Mr. Cangilos:

AMERICA—OUR RESPONSIBILITY

In addressing myself to the topic, "America—Our Responsibility," I should like to examine with you the status of patriotism and the attitudes connected with it among one of the most publicized and controversial segments of our society—the millions of young Americans on college campuses. For it is only through an understanding of how these men and women conceptualize their responsibility to their country, that we can begin to fathom why they react the way they do, and what can be done to capitalize on that which is constructive, and how to redirect that which is destructive.

In examining the major influences which result in the formation of the primary attitudes of the campus community, basic ideals emerge which, when left unbridled, result in the chaos which has struck so many of our institutions of higher education. The first of these which we shall see emerge from the changed environment of college life is that of individuality.

The revolutionary approach which men and women of college age utilize when facing American society has its foundation in the social revolution which is taking place in campus life. Previous theories governing the regulation of student behavior and appearance, most of which relied upon punitive action for those who failed to comply, or utilized academic suspension or expulsion as a similar instrument of enforcement, have largely been discarded. Gone are the days when a general uniformity was enforced by such measures. The role of the faculty and administration has come to play less and less of a directly formative role in the character and behavior of the college student. The result is that, whereas previously the student would look to the directors of the institution for instruction as to how he would live, this recourse is now denied him and the student is thrown back on himself as the final authority, to determine what he will do and will not do. Since many college students find themselves truly independent for the first time in the university, they are totally emancipated in an atmosphere which encourages them to assume the major share of control over their own behavior. Here is where the consciousness of individuality strikes the student with its weightiest impact, and the realization is that from this point forth, behavior will be entirely that of his own choosing.

But this is not to suggest that the student is no longer susceptible to outside influences which would aid in the formation of a right character. For the age-old barrier between the three distinct segments of the campus community, the faculty, the administration, and the student body, dissolves in a mutuality of intention, and life is enriched by a diversity of approach. All must take their responsibilities more seriously, because no one forces anyone to achieve success, and failure is entirely the fault of the one who fails. And so, college changes from being a place where one is sent to learn how to live, to a place where one goes to study why one is living.

The extreme of this development is the individual who concludes that nothing has any right to infringe on his individuality whatsoever, and who actively opposes such infringement even when demanded for the common good. This leads to the activity of the few radicals who enjoy the full attentions of the press, while those who judiciously exercise their freedom in maturity go unnoticed. But for now, suffice it to say that we have uncovered the first of the prime motivations of the college student—that of individuality.

In conjunction with this awareness of self, the student of the American college is, for the most part, a concerned man, concerned for the welfare of his fellow human beings, and anxious to exert his influence in those areas where his voice will be heard. This is an essential point, for when his voice is not heard, the result is either violence or apathy. But through the academic pursuit of the social sciences, seeing the relation of all men through the chain of history, the brotherhood of all men philosophically and in the open life of the dormitory, the idealism of youth combines with the concern for other men to kindle in this individual a desire to actively promote the welfare of his fellow man.

And this concern leads us to the third major motivating force we want to discuss today. The desire to actively promote the welfare of his fellow man leads the college student to focus on involvement. For it is not enough, he realizes, to theorize about what should be. It is more important to enlist the energy and talent at hand to actualize the theoretical, and strive to make real the ideal. At this point, it becomes possible to sketch a definition of the responsible college student: He is an individual fully aware of his own identity, who seeks to better the lot of his fellow man through direct participation in efforts to affect change.

Now that we have seen who this individual is, the question becomes: what can this person do to assume his fair share of the responsibility for the destiny of America?

It seems advisable to examine the extreme reactions of the minority of college students to understand why they react negatively to America. One of the primary concerns of the American college man is his relation to the draft. Campus extremists consider themselves individuals compelled against their consciences to serve, idealists who see racial and religious discrimination, and concluding that American society is beyond repair, become activists seeking at every turn to disrupt the effective operations of society and government. Do not allow yourselves to be misled into thinking that they speak for the American college community. We acknowledge them as members of our ranks, but we refuse to call their tactics and ideologies representative. The vast majority of students at all the universities which encountered disruption from these radicals were not in sympathy with them, and did not lend their support to them. The increasing role of violence in campus demonstrations cannot be considered American, and must not be seen as typical of campus dissent.

Another source of division is the militant Black Separatist Movement, especially popular on campuses where some Afro-American students eat, study, recreate, and live together in a self-imposed segregation. These are the ones we read about. But what about the thousands of others who are fighting for integration by leading normal campus lives?

The whole point is that active un-Americanism is not as rampant on college campuses as we might tend to believe. It is true that there is some, but its proponents are sensationalists who are always in the minority.

What, then, about the remainder of this vital segment of our society? What about the non-demonstrators, the ones who don't make the headlines for refusing induction or defying the police? In short, what about the majority of the American campus community? What are they doing in line with their responsibility to America?

For one thing, they are taking advantage of the opportunities provided by you, their parents, to receive as much education as possible so as to be more productive citizens in the America of the future.

They, too, are concerned individuals committed to involvement. The Peace Corps, Vista, and numerous community and religiously-affiliated charities serving the poor, the slum dweller, and the retarded child receive much of their manpower from dedicated college men and women who are fulfilling their responsibility to America through service to her people. This is patriotism in action. This is student responsibility. This is the positive role colleges and college men and women play in our national life, making a contribution to America second to none. And in addition, the future leaders of our armed services are trained in college ROTC programs, where in many cases membership is voluntary, and entails effort on the part of a young man to fulfill a patriotic duty. Again, positive activity, student responsibility, and a display of patriotism in action.

But the active patriotism of the mature college student is never superficial. The truly dedicated individual delves into the particular project with which he is concerned, and seeks to find the ultimate answer to the problem he faces by finding the ultimate authority with the will and the resources to eradicate it. And here is where the majority of responsible college youth, well intentioned, mature, and dedicated, confront an insuperable obstacle.

The social worker seeks more facilities, more equipment, more personnel. In order to finance his plans, he turns to that ultimate authority: government. The civil rights activist seeks enforcement of statutes on the books, and looks to secure passage of new bills and programs. He turns to that ultimate authority: government. The student connected with the armed forces takes an interest in the policies which will shape his role in active service, and could well determine the course of his life. He, too, turns to that ultimate authority: government. And all three, the social worker, the civil rights worker, and the soldier, as well as countless millions of intelligent, interested, college-age men and women are denied any effective participation in the most powerful influence in our nation: government.

The enthusiasm of youth never permits them to go half way. It is frustrating to learn that you can make recommendations for expanded social service facilities, and not be able to vote for a candidate who would enact your proposals. It is disheartening to see the needs of Black Americans, and not be able to vote for candidates who propose solutions. It is unfair to be prepared to sacrifice your life for your country, and then have no say in the determination of the policies which chart your future. This utilization without representation is just as un-American as the violence which becomes the weapon of the radical in protest against the system. And Senator Jacob Javits was wise enough to see this when he justified his position in favor of the 18 year old vote by stating substantially that youth is interested in politics, and that if this interest cannot find expression within the system, it will do so without it. The college student is discerning enough to realize that power holds the greatest sway in politics, realistic enough to expect a man whose job depends upon votes to listen closest to those with the power of the vote, and idealistic enough to hope that America has the vision to grant him the final means of direction over the responsibilities he is presently facing.

We can talk about the generation gap, about the breakdown of communication, about the divisiveness in American life. We can talk about it, or we can do something about it. We can continue to exclude the millions of college men and women between the ages of 18 and 21 from our elective process, or we can enlist their individuality, concern, and involvement to enrich our way of life through participation in the formation of our government and its policies. For the two generations can never adequately dialogue with any degree of success until both take each other seriously.

But we can correct the situation. We can make our republican form of government more representative. We can include the campus community in the mainstream of American political life. We can channel the patriotic impulses of our youth into politics and government as well as into social service, military service, and education.

Then we will be able to assume more responsibility for the destiny of America, because we will have a say in shaping that destiny. We will be able to translate our concern into intelligent positions on such questions as crime, clean government, and foreign policy, because in today's shrinking world these formerly remote issues strike us directly. And we will be able to act on our concern through the vote. Then we will be able to assume our rightful share of the responsibility. We will be fully participating in American life through concern for our fellow man, preparation for the future, and participation in the workings of government.

This is what our responsibility should be. This is what we, together, can make it. It is up to you, the obviously concerned patriotic adults, to join our effort to let us join you. Then the dissidents will lose their support because you will have provided us a place in our system. Then the cries of protest will modulate into meaningful dialogue as we feel ourselves participating in the American process. Then, we will belong.

It is said that faith begins as an experiment and ends as an experience. If you do place your faith in us, based on the unpublicized, un-glamorous, but solid record of achievement as you experience our past through investigation, then America will not only be our joint responsibility, but will become our mutual opportunity.

PAUL RAND DIXON, FIGHTER FOR THE PUBLIC INTEREST

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. DINGELL. Mr. Speaker, Paul Rand Dixon, Chairman of the Federal Trade Commission, has established a reputation as one of the great fighters for the public interest in the Nation's history. His reputation is based on his work as a staff member of the Federal Trade Commission, as the eloquent and effective counsel to the Senate Antitrust Committee under the chairmanship of the late and beloved Senator Estes Kefauver, as well as his outstanding service as Chairman of the Federal Trade Commission since his appointment by President Kennedy in 1961.

I can speak personally as to the effectiveness of this latter phase of his career as it has been my pleasure to work closely with the Commission and its distinguished Chairman in my capacity as the chairman of the Regulatory Subcommittee of the House Small Business Committee. As an example the Commission has recently proposed a trade regulation rule covering the use of games of chance in conjunction with the marketing of automotive gasoline and groceries. This rule will sharply regulate the use of the games and do much to protect both the consumer and the small businessman. Similarly, the Commission issued a report sharply critical of the lumber industry and is currently continuing its investigation of the misgrading of lumber and allied problems.

There have been other examples, too numerous to mention, where the Commission has acted to protect the rights of a small businessman, to protect an individual consumer, to enforce the antitrust laws, to prevent deceptive practices, or take similar action when the case has been forwarded by my subcommittee.

There are, to be sure, delays in obtaining results which sometimes cause impatience. It is clear that these delays are the result of an agency with a staff, too small for the task, attempting to cope with all the complexities in the entire economy of a nation of 200 million people. When it takes 5 years, or even more, to obtain a final ruling from the courts in attempting to stop one individual practice in one individual industry, it becomes readily apparent that policing of the entire consumer and antitrust front is a task of truly prodigious proportions—particularly when compared with the modest budget and staff of the Commission.

At any rate, the name and the reputation of Paul Rand Dixon are so well established that nothing I say here today can add or detract. Recently, the CONGRESSIONAL RECORD has carried the full text of a report critical of the Federal Trade Commission and its Chairman. In fairness, I believe that Chairman Dixon's brief statement concerning that report should also appear in full text. I, therefore, under unanimous consent, include Chairman Dixon's statement, as well as two articles covering this same subject matter by John Chamberlain, columnist for the King Features Syndicate, at the conclusion of my remarks:

STATEMENT OF CHAIRMAN PAUL RAND DIXON

The protection of the consuming public of the United States from fraud and deception is vital to free enterprise and the public interest. I believe strongly in that principle. Most of my adult and professional life, both at the Federal Trade Commission and as a member of the staff of the United States Senate, has been devoted to the study and elimination of trade and consumer abuses.

When I was made Chairman of the Federal Trade Commission in 1961, I found the staff of the Commission to consist of approximately the same number of personnel that comprised the staff in 1938, the year that I joined the Federal Trade Commission as a $2,000 P–1 attorney. Today the Commission has a staff of less than 1,200 members, including professional and clerical personnel. Our mandate from Congress is the widest and most inclusive of all of the independent regulatory bodies. We need the best advice and techniques available to carry out this broad mandate from Congress.

On June 17, 1968, Ralph Nader called on me at my office and informed me that a group of students and recent law school graduates wished to study the activities of the Commission. I welcomed the idea. After some discussion, I informed Mr. Nader that I had no objection to members of the staff being contacted and interviewed so long as it was done on a reasonable basis and that I had no objection to furnishing the group information in our files that was in the public domain. I hoped, and based on what I was told I had every reason to believe, that the result would be a serious, intelligent and impartial survey resulting in informed, conclusive suggestions for improvement. Instead, the study resulted in a hysterical, anti-business, diatribe and a scurrilous, untruthful attack on the career personnel of the Commission and an arrogant demand for my resignation. This report emanates from a group with a self-granted license to criticize a respected government agency by the use of a type of invective and "smear technique" that newspapermen inform me is unusual even for Washington.

This Nader group chose the Federal Trade Commission as its target for its 1968 summer vacation "smear" project. As stated in the comment in *The Wall Street Journal* of July 10, 1968, on page 14, if this group is successful in undermining the Federal Trade Commission this year, then other groups of students may make similar raids on other agencies in the future. Mr. Nader is so quoted in this article as follows:

"The crusader has recruited five other students from leading universities, including William Howard Taft IV, great grandson of the Republican president, mainly to investigate what Mr. Nader terms the failure of the Federal Trade Commission to move boldly enough against deceptive business practices. 'If this works, man, next summer, more students, more agencies . . .' Mr. Nader vows."

The feel of destructive power gained from vicious attacks is self-stimulating.

On the afternoon of January 2, 1969, I began to receive phone calls from the press and other media requesting my comments on the "Nader report," which obviously had been distributed to them. By letter of the same date, I was requested by the Public Broadcast Laboratory to appear on a half-hour program the night of Sunday, January 5, to reply to the statements in the report. I informed all requesting parties that I had not received a copy of the report and was unable to comment on it until I had been afforded the opportunity of at least reading it. Later that afternoon, I was called by Mr. John Schulz, who stated that a copy of the report had been mailed to me that day and that I should receive it soon.

I made it a point to watch the half-hour program by the Public Broadcast Laboratory, which appeared on TV station WETA at 9:30 p.m. on Sunday night, January 5. At one point the producer saw fit to dub in a previously taped interview with me, which made it appear that I was a part of the program dealing with the report itself. This was not true. At the time of this program, I had not as yet even seen the report. When I reached my office on January 6, the promised report had not arrived and as of today, January 7, it still has not arrived. The copy on the basis of which I am now commenting was borrowed for me by the Commission's Information Officer from a member of the news media.

As I see it, ordinary courtesy would require the authors of such a document as this to provide me and the other members of the Commission with a copy of it before releasing it to the press. Since this was not done, I can only conclude that the preparation of this report was not the result of a serious, unbiased study of a group seeking to aid this agency in the performance of its public responsibilities, but was, on the other hand, a deliberate effort to undermine it.

Let's turn to the report itself. Laying aside the monotonous accusatory adverbs and adjectives in the critique, the primary difference between the fundamental position of the Nader group and that of myself is that I believe that the American businessman is basically honest and they believe he is basically dishonest, trying consistently to defraud the American consumer. The group contends that American business, particularly the larger corporations selling directly or indirectly to consumers and using extensive advertising, are engaged in what are, or should be, criminal activities and that the officers of these corporations should be sentenced to terms in federal penitentiaries. On page 68 of the critique, for example, it is stated: "It is particularly important to apply criminal sanctions to dishonest corporate behavior, for it is far more damaging in contemporary America than all the depredations of street crime." In other words, corporation executives are engaged in much more reprehensible conduct than rapist, robbers, muggers, etc. In light of this extreme anti-business bias of these young zealots, it is not surprising that the equitable and reasonable enforcement poilcies of the Commission would be so enthusiastically and unjustifiably criticized.

Shortly after I became Chairman of the Federal Trade Commission, the Commission turned from its general policy of emphasizing case-by-case adjudication to one seeking broader compliance with the law through new procedures. Experience had taught me that the case-by-case approach standing alone was not appropriate in the 1960's. The problems of regulatory lag and trial by convenience had been noted by the Landis Report and referred to by President Kennedy in his State of the Union message shortly after he assumed office.

The Commission's new procedures contemplated the broad use of guidelines, statements, trade regulation rules and advisory opinions. Also, where warranted, the Commission began to accept assurances of voluntary compliance under the many statutes which it administers. The Commission turned to these new procedures with a belief that by their use justice could be administered more equitably by government. This technique has proved successful. With its limited personnel, the Commission realized that it had to reserve its litigation procedures for use against that small percentage of businessmen in the business community that refused to follow advice.

Running throughout the Nader group report is the repeated reference to the failure of this program and that the Commission is in error in believing that any worthwhile compliance with its laws can result from any procedure other than formal adjudicative trials. In other words, the promise of a businessman cannot be trusted. In a people's government no law is any better than the will of the people to abide by it. I have great faith in the honest businessman of America. I do not think he loves his country any less than do these young zealots.

On pages 58 and 59 of the report, reference is made to the fact that Ralph Nader acquired a copy of a report dealing with automobile warranties and made it public. It is charged that the report was deliberately suppressed. On page 59, the following appears:

"The real reason for the proposed plan for suppression lay in the contents of the report, which was highly critical of GM, Ford and Chrysler. Whether release would have eventually occurred is academic now, but there is little doubt based upon our interviews that Chairman Dixon was determined to suppress the report at least until after the election to avoid alienating Henry Ford II and other business interests who were contributing heavily to Hubert Humphrey's campaign."

This is a false charge and a blatant lie. Such unfounded charges as this would appear to me to be beneath the dignity of Ralph Nader. I think it is high time that the press confront Mr. Nader with this statement and inquire expressly if he agrees with it. If he does, I think somebody in America had better start worrying about Mr. Nader.

The Nader group vigorously contend that because many of the key staff members of the Commission were born in small communities they cannot understand or appreciate the consumer problems of urban America and, therefore, should be replaced. This novel qualification test for those public officials having responsibility for considering the problems of urban America would have disqualified most of the Presidents of the United States, the vast majority of the Members of Congress and at least some of the Justices of the Supreme Court. The suggestion springs both from ignorance and arrogance. In addition, the students overlooked the fact that practically all of these key members of our staff, as well as the Chairman, have been living in urban metropolitan Washington, D.C., since before the students were born.

Nothing galls me more than that section of the Nader group report which accuses me of hiring only high-ranking law students from "mediocre" law schools. For a number of years I have sent to the Deans of all the major law schools and most, if not all, accredited law schools throughout the United States, letters requesting them to encourage their graduating seniors to apply for employment at the Federal Trade Commission. I am proud to say that my efforts in soliciting the many Deans have proved quite successful. The Federal Trade Commission has always had many more applicants than positions available. With rare exception, offers of employment have been made to applicants who graduated in the upper 50% of their class or had other outstanding attributes that made them attractive to the Federal Trade Commission. I have consistently believed any federal establishment is a better agency when its staff membership comes from various sections of the country. The Nader group infers strongly that the hiring practices of the Commission discriminates against "prestigious" law schools. Indirectly, I read in this charge that if a graduating student did not attend one of these schools he is adjudged a second-class lawyer coming from a mediocre school. What arrogance!

The lowest of all blows in the report is the charge on page 114 that "The FTC has not been averse to hiring Negroes, but 'only in their place,' i.e. the lowest GS 1–4 positions." Here are the facts. Since assuming my office as Chairman, I have made a positive effort to attract and hire qualified Negroes for attorney positions and other professional positions. In 1961, I found that there was not one Negro lawyer on the Commission staff. Starting in 1961, I was able, as a result of an internship program at the Commission, to persuade the top-ranking law student at Howard University to accept an appointment as a staff member. Since that time, by the adoption of more aggressive recruitment measurements, I have been able to persuade nine other Negroes to join the staff as attorneys. Five are still so employed. (The Nader report states that the Commission has only three Negro lawyers.) Many other Negroes have been offered appointments, but have generally declined the offers for the stated reason that they had offers which involved working in the civil rights area.

In short, contrary to allegations made in the report, the Federal Trade Commission has been engaged in a continuing positive effort to recruit high quality personnel, including minority group candidates. To those involved in developing and promoting this effort, it is disheartening to read the unfounded allegations made in the Nader group report. The report paints a completely false picture of the Federal Trade Commission's efforts and accomplishments in the areas of recruitment and equal opportunity. This false picture will do untold damage to the Commission's continuing effort in this regard. What a shame to be faced with this problem at this time in the life of America.

The Nader group report contains unfounded false accusations with respect to political influences at the Federal Trade Commission. For instance, the report says that of the nearly 500 attorneys on the staff of the Commission that only about 40 are Republicans. Since assuming office on March 21, 1961, I have borne the responsibility of hiring new attorneys on the Commission's staff. The great majority of the attorneys that have been hired over the period 1961 to date have been graduating seniors from law schools. Under no condition and at no time was anyone connected with this program authorized to inquire into the party affiliation of an applicant. How the Nader group arrives at this mystical figure of 40 Republicans, I do not know. There is nothing in the Federal Trade Commission records to reveal it. It appears to me that this is another charge grossly unfounded.

Throughout the report reference is made to a report of the Civil Service Commission dated June 1965. This report was made by the Civil Service Commission as a part of its regular program of inspecting personnel management in Federal agencies and is considered a part of the internal housekeeping process in the Federal government. Repeatedly in referring to this report, the Nader group charges that the recommendations in the report have been ignored. However, this is absolutely not true. Contrary to the false statements respecting action recommended by the Civil Service Commission, I, in fact, adopted virtually all of the recommendations.

How any group could profess or claim to have made an empirical study of the activities of the Federal Trade Commission and make no mention of at least a single accomplishment by the Commission is beyond me. I shall mention a few.

The Commission's issuance of a Trade Regulation Rule in regard to disclosures of health hazards of cigarette smoking stimulated the enactment of the *Federal Cigarette Labeling and Advertising Act,* P.L. 89–92.

The Commission's proposal to issue guides relating to retail installment selling in the District of Columbia and in interstate commerce, and testimony furnished by the Commission with respect to abuses in credit selling, contributed in large measure to enactment of the *Consumer Credit Protection Act,* sometimes known as the *Truth-in-Lending Act,* P.L. 90–321.

The Commission played a major role in bringing about an enactment of the *Amendments to the Flammable Fabrics Act,* P.L. 90–189, to give the public more adequate protection against flammability of household fabrics.

The Commission was a prime mover in proposing the bill known as the *Deceptive Sales Act of 1968,* S. 3065, which passed the Senate in July 1968. This bill would enable the Commission to obtain a temporary injunction in a United States District Court to halt violations affecting the consumer, pending completion of the administrative proceedings. In 1962, President Kennedy had endorsed passage of legislation which would have permitted the Commission on a proper showing of irreparable harm and injury to have sought temporary injunctions in a United States District Court on all facets of its work.

In consultation with Senator Magnuson, the Commission conducted a pilot project in the District of Columbia to identify the types of deceptive and unfair trade practices that might be preying upon poor people. The results were published in the June 1968 *Report on District of Columbia Consumer Protection Program.* To characterize this effort on the Commission's part as "so small and half-hearted that it could be called a show-case for publicity purposes" is both vain and unrealistic. This very effort at one point required approximately one-third of the appropriations available to the total Deceptive Practices program.

In making, this study, the Commission was fully aware that it had many responsibilities for actions in the District of Columbia. It was believed then, and it still is my belief, that the lessons learned from this study are applicable to the various states of the nation which have the responsibility for unfair and deceptive acts occurring in "intrastate" commerce. Even the Nader group recognized the need for changes in the jurisdiction of the Commission if the Commission is to create offices in Detroit and Philadelphia and other cities to assume dual responsibility with the States.

The Commission's economic study of *Installment Credit and Retail Sales Practices of District of Columbia Retailers,* published in 1968, illuminated the problems of retailing in low-income areas. This study gave great impetus to the need for the *Truth-in-Packaging* legislation.

The Commission's economic studies on *Milk and Bread Prices* in 1966, the *Baking Industry* in 1967, and *Games of Chance in Supermarket and Gasoline Retailing* in 1969, as well as earlier reports on *Organization and Competition in Food Retailing, The Structure of Food Manufacturing,* and *Anticompetitive Practices in Gasoline Marketing,* contribute to the general fund of knowledge needed by the Commission, the Congress and interested members of the public in carrying forward and developing an effective trade regulatory program.

The *Economic Report on Webb-Pomerene Associations* in 1967, will undoubtedly have a significant effect on foreign trade policy.

The report on *Cents-Off Promotions in the Coffee Industry* in 1966, serves as a basis for consideration of regulations which may be issued under the "cents-off" provisions of the *Fair Packaging and Labeling Act.*

The staff report on *Automobile Warranties* forms the basis for public hearings soon to be held wherein the Commission will be determining the need, if any, for a trade regulation rule in this area.

I have felt compelled to mention these few actions on the part of the Commission because I think the public is entitled to know the important role the Commission has played and is playing in the area of consumer protection.

Most of us are producers and sell in some manner our talents and efforts, and all of us are consumers. The one should be in balance with the other. The Commission's role is to guide and advise the producer and, if necessary, to curb deception and to aid in informing the consumer.

I intend to remain at the Commission, consistently seeking better ideas and better techniques and increased efficiency in the operation of the Commission in fulfilling its very important role in protecting the consumer public. I intend to use my efforts to prevent, if I can, the extreme anti-business bias as exemplified by the views of these energetic, but misguided, students from poisoning the operation of the Federal Trade Commission to which I have given so much of my life.

These Days

(By John Chamberlain)

I'LL TRY THE WHOLE CASE AND CONDEMN YOU TO DEATH

One doesn't know whether to laugh or cry over this one.

Last June, Ralph Nader, the man whose name has become synonymous in many minds with consumer protection because of his scarifying book on the automobile industry, went to Paul Rand Dixon, the chairman of the Federal Trade Commission, with an idea for a "summer project" which would give some Yale and Harvard law school students an opportunity to see how a regulatory agency works. An ex-University of Florida football coach who had been a lawyer for Senator Estes Kefauver's investigatory committees, which had never been easy on anyone remotely suspected of mulcting the consumer, Dixon thought favorably of the proposed project. Accordingly he let seven young men, including a great-grandson of President William Howard Taft, have the run of the Federal Trade Commission's premises for two-and-one-half months.

The students proceeded to interview, to browse through the files, and to peer over various shoulders—and, at the end of their stint, to do a "critique of the consumer protection record of the FTC." Their chief recommendation: get rid of Chairman Paul Rand Dixon.

Faced with the many charges made by the boys in a 186-page document, Mr. Dixon not surprisingly has reacted as if bitten by adders. Here he had tried to help the students get an education, and they had replied by accusing his staff of incompetence, lassitude, absenteeism, and even alcoholism, not to mention their allegation that he himself had "degraded and ossified" the FTC by cronyism and by a weakness for hiring lawyers with degrees from institutions other than Yale, Harvard, and Pennsylvania.

Mr. Dixon's sense of outrage at the conduct of the young group that has become known as "Nader's Raiders" is quite understandable. Since I have never investigated the workings of the FTC myself, I am hardly the one to pass on the charges made by the students. Their document, however, is a singular one on its face, if only because it assumes in its opening pages on "the crisis" that the capitalist system is close to being totally depraved. The students begin by accusing the American business system of such sins as maintaining "intra-corporate tyranny over executives, price leadership, oligopoly or shared monopolies, conglomerate empires, tacit agreements precluding challenge to mutual vested interests, corporate domination of regulatory agencies, product fixing, manipulation of credit, and other subtle forms of coercion which block new competitors and new ideas."

The boys go on to speak of the "disadvantages of mouthwashes (which many dentists say irritate the mucuous membranes of the mouth), detergents (most of which now add particles to your clothes rather than remove them, many of which can irritate the skin), cars of all types, drugs of almost every variety, deodorants (which now clog pores . . .), diet soft drinks (some of which can harm internal organs), and so on."

Then, having posited their case against the capitalist system, the boys proceed to condemn the 1,200 employees of the Federal Trade Commission for not stopping all these practices at once. They even condemn the FTC for not doing anything about advertisers who "sell sex and power in relation to various phallic symbols, undulating women and potent wild animals." In other words, the FTC ought to prosecute Esso for saying "there's a tiger in your tank," an obviously misleading statement if you think the use of metaphor constitutes a lie. Query: how humorless can you get?

After reading all this, I can sympathize with the embattled Chairman of the FTC. Like him, I wonder how the students, with two-and-one-half months at their disposal, managed to find out all those things about deodorants, mouthwashes, detergents, automobiles, drugs, oligopolies, intra-corporate tyranny over executives, and so on. Of course, the students didn't spend a snitch of their time investigating the sins of the capitalist system in relation to the failure of the FTC to prosecute. They assumed the villainies at the outset, and then, because the 1,200 employees of the FTC didn't seem to be investigating all these alleged iniquities at once, they proceeded to accuse Paul Rand Dixon of "incompetence."

Really now! Is that the way the Yale and Harvard law schools teach young men to conduct an investigation? Simply because of the students' high-handedness, I intend to give Mr. Dixon's side of the case in another column.

These Days

(By John Chamberlain)

WHAT PHILOSOPHY FOR A REGULATORY AGENCY?

Between Chairman Paul Rand Dixon of the Federal Trade Commission and the seven Harvard and Yale law school students who spent last summer investigating the commissioner's regulatory agency there are many gulfs. The students are Ivy Leaguers from the campuses of the Northeast; Dixon was educated in Tennessee and Florida. The students, who include William Howard Taft 4th and Peter Bradford (now an assistant to Maine's Governor Curtis), grew up in the affluent America of the Sixties, which takes affluence for granted; Dixon comes from the hard knocks period of the depressed Thirties. The age gulf, the regional gulf, even the contrasting habits of speech and attitudes toward courtesy, are enough to explain the quite obvious fact that Dixon and the young investigative team organized by consumer crusader Ralph Nader were bound to clash.

Clash they certainly did, for the report issued by the young investigators charging incompetence, indolence, and alcoholism in the FTC is perhaps the toughest rap since the mine workers' chieftain, John L. Lewis, called Vice President John Nance Garner a poker-playing, whisky-drinking, evil old man. I won't comment on the personal aspects of the clash other than to say that the students showed Mr. Dixon scant courtesy when they turned over their report to television and the press before placing a copy on the commissioner's desk. It should be relevant to note, however, that, in addition to all the other gulfs, there is a gap as wide as the Atlantic Ocean between Mr. Dixon's philosophy of what a regulatory agency should do and the philosophy expressed by the Nader-organized investigatory team.

Mr. Dixon, a veteran of the Kefauver investigations into consumer practices, can hardly be called anti-consumer. He was a Kennedy appointee at the FTC, with a renewal under Lyndon Johnson, and he believes that capitalists must submit to regulation if only to save them from themselves. Yet his philosophy stipulates that the American system isn't supposed to produce more laws than is necessary." "You can't enforce a law," he says, "that the people don't want enforced."

This attitude, when translated into the world of a regulatory agency, results in such things as "advisory opinions," "consent decrees," promises to "cease and desist," "voluntary compliance" and other things which the Nader-recruited law school students regard as horrifying softness.

Their report makes it obvious that they want a Federal Trade Commission that would "multiply its staff and budget many times over," engaging in positive detective work by employing engineers, chemists and other experts capable of looking into such things as the workings of household appliances, the strength of construction materials, the performance of cars. In short: a "Big Brother Is Watching You" approach which Mr. Dixon, who thinks most business men can be trusted to behave decently if you tell them the rules, finds personally obnoxious and which Congress has always refused to sanction with supporting funds.

The difference in viewpoint between "Nader's Raiders" and Chairman Dixon is clearly apparent in their respective uses of rhetoric. The young critics want "criminal sanctions" applied to "dishonest corporate behavior." Mr. Dixon would agree provided that criminality is involved, but he finds it disturbing when his young critics go on to say that the "dishonesty" of corporations "is far more dangerous in contemporary America than all the depredations of street crime." Such language, he thinks, betrays the "extreme anti-business bias" of the "young zealots," for what they are saying is that corporation executives "are engaged in much more reprehensible conduct than rapists, robbers, muggers, and so on." Chairman Dixon finds it hard to believe that his young critics can actually equate the crime of raping a woman in a dark alley with the "tyranny" involved in "exploiting" a housewife "by games, gimmicks and deception." Yet in the "young zealots' " equation, the commercial use of "gimmicks" becomes actually more reprehensible than a mugging.

There will never be any reconciliation between the Nadar and Dixon points of view. But as between the "Big Brother Is Watching You" approach advocated by the law school students and the "give 'em a chance to comply" philosophy of the regulatory agencies, Congress, which represents a blend of producer and consumer interests, has always preferred to stop considerably short of George Orwell's 1984. The gimlet-eyed gumshoeing advocated by the students for policing detergent and mouthwash sales would not only cost billions, it would also result in a far less productive business system, which wouldn't help the consumer at all.

SETTLEMENT IN VIETNAM

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. MARSH. Mr. Speaker, Dr. Frank N. Trager, professor of international affairs and director of the national security program at New York University, has for many years been recognized as an expert in international affairs, particularly in the geopolitical considerations of American foreign policy in the cold war struggle.

Recently, he prepared a statement of his views on a possible settlement in Vietnam, and because a great portion of his academic career has been devoted to Southeast Asia, I thought his remarks would be of special significance to the Members.

The statement follows:

SETTLEMENT IN VIET NAM

So much has been written and spoken on the background to, and the war in Viet Nam that there is no necessity here to review the past. However, it is pertinent to refer to the Asian policy conceptions of President Nixon as these were suggested during the recent campaign. (See reports of a Chicago broadcast and a New Jersey address, "To Keep the Peace" in *The New York Times*, October 20, 1968.) President Nixon emphasized: "Preventive diplomacy"; "non-Communist Asian security alliances"; "No more Viet Nams"; the "threat from Communist China" and the "danger of a confrontation between nuclear powers," that is, the risk of escalating local conflict into world war.

In the light of the much debated past Viet Nam policy and the implications of President Nixon's outlines of his Asian policy this paper is concerned solely with the availability and desirability of various U.S. options in any settlement of the conflict in the divided land of Viet Nam.

I. U.S. INTERESTS AND OBJECTIVES

It is here asserted that at least since June 1950 (the Korean War) U.S. major interests in Asia can be reduced to three:

To assist the independent states of Free (i.e. defined as non-Communist) Asia to maintain their security and stability, and to improve their conditions of living.

To deny the countries and peoples of Free Asia to Communist aggression and subversion (defined respectively as overt war across boundaries and warfare by proxies—guerrillas, insurgents, "liberators").

To encourage these Asian and Pacific states in all forms of co-operative endeavor designed to promote their security, stability and improvement in the conditions of living (e.g. Asian regionalisms such as ASEAN, ASPAC, ADB, Commonwealth defense agreements, SEAMES, Mekong River Valley Development, etc.)

In support of these interests, the U.S. prime objectives in Viet Nam have been to preserve the independence of the Republic of Viet Nam, to resist Communist aggression, and to assist it to develop the institutional bases for a non-Communist state, capable of assuming its proper role among the other states in the Arc of Free Asia.

II. DRVN OBJECTIVES AND INTENTIONS

The basic objectives of the DRVN remain what they were before Geneva 1954. That is, first to acquire by military and political means the control over all of Viet Nam; and secondly, in my view, to extend such domination over all of the former French Indochinese territory. Ho Chi Minh had been given that charge when Moscow originally delegated him to organize in July 1930 the Indochinese Communist Party or Communist Party (Indochina). To be able to accomplish these objectives in 1969 the DRVN must bring about the early and complete withdrawal of U.S. and Allied troops from the area and must continue to demand as a *minimum* settlement of the war recognition of and a full role for the NLF-Viet Cong-Peoples Revolutionary Party in any post-truce or post-cease-fire government in South Viet Nam.

With the decision on the "their-side, our side table" it may be said that the Paris *negotiations*, as distinct from the *talks*, have begun. Before any option is considered, one must ask a basic question, the answer to which *cannot* be certain; and, hence, implicative contingency planning must be ready for a range of answers—this constitutes a *real* war game. The question is: Why, in 1968, did the Democratic Republic of Viet Nam, the Communist North Viet Nam, agree first to "talks" and then to "negotiations"? A non-exhaustive range of answers follows:

1. The DRVN wanted to achieve what could be made to appear as one of their major world-wide propaganda objectives, namely unconditional cessation of U.S. bombing of North Viet Nam. Also, and with greater realism, the DRVN was "hurting" on its own soil. Cessation of bombing would give them a respite for renewal, regrouping and continuing the struggle at a later date, which would prove difficult for the U.S. *then* to counter.

2. The DRVN had concluded that it could *not* win the military struggle and that its military and political assets in the South (its direct NVN forces and its satellite NLF forces) were being eroded. Negotiations could further their aims at less cost, and their infrastructure in the South, more or less clandestinely resupplied, could do the rest. Negotiations, with threats of reviewable hostilities, and continued lower-level fighting could assure a political role and influence for the NLF in any "peace" in the South. Further, since the Republic of Viet Nam (RVN) was displaying increased military capability and political growth, it would, therefore, be in the DRVN's interests to start protracted talks and negotiations, so as to diminish U.S. activity and support, thereby slowing down the RVN's capabilities. Such a chain of events also increases the prospects of the NLF.

3. The DRVN could count on continued assistance from the USSR and the China People's Republic (CPR) (despite the latter's objections to negotiations), while the U.S. would predictably want to lower its military and economic commitment to the Republic of Viet Nam (RVN). In the course of *protracted negotiations* and some *uncertainty* over the *ultimate* U.S. position in Viet Nam and elsewhere in Asia, U.S. and RVN allies (Australia, Korea, New Zealand, the Philippines and Thailand) will at the least be predictably confused. Such confusion will help the DRVN and her allies in assisting "liberation" moves in Thailand, Cambodia, and especially Laos.

4. The DRVN had found that *conventional* military battle, in which it was engaged at the time it agreed to talks, had not "paid off," hence the need to revert to the so-called Chinese Communist strategy of "Ta Ta Tan Tan" ("Talk, Talk, Fight, Fight"—in guerrilla fashion). This could and would be done during negotiations.

III. OPTIONS

See The New York Times January 12, 1969 for a brief presentation by William Beecher, of six options ranging from "a unilateral [U.S.] withdrawal to a massive bombing effort against North Viet Nam." *The New York Times* story referred to U.S. options while negotiations continue. They are:

1. Doing what we are now doing militarily and politically in contributing to the building of security and stability factors of the RVN.

2. Unilateral reduction in U.S. Force-levels but willingness to continue in a long war.

3. The so-called dual-track approach in which the U.S.-DRVN negotiate a military cease fire and mutual withdrawal of troops between us and Hanoi, while insisting that political negotiations for a settlement in the South be conducted by the RVN government and the NLF.

4. A military and political settlement that provides for a compromise role for the NLF-Vietcong in the "political process" of South Viet Nam.

5. Gradual, mutual but substantial withdrawal of forces.

6. The "Ike-Korea" ploy, namely a *threat* of renewed and significant attack on the North if a truce or cease-fire is unduly delayed in the negotiations.

Obviously the position papers that detail these options amplify their content. However, it would appear that these options, as reported, gloss over two quintessentially important issues. Trese are:

1. The U.S. stance on a political settlement that includes the NLF, *as such*, in a new coalition government in South Viet Nam.

2. The situation in Laos and Thailand, and the role of Asian regionalism (ASEAN, ASPAC, etc., etc.) in any security arrangements for Asia in the post-Viet Nam War environment.

Discussion of the above or other options depend on certain inescapable factors arising from the analysis of U.S. interests and objectives in Asia. Any option that fails to consider the possible impact of its terms on the half of humanity who live on the mainland and islands of Asia and the Indo-Pacific Ocean area is dangerously shortsighted; as is the shallow argument that having allegedly been "Asia Firsters", it is now time for Americans to redress the balance by becoming "Europe-Firsters" (or "Latin-American-Firsters or African-Firsters," etc.). Any option that offers a sacrificial gambit in Viet Nam, that is yielding in some part on the preservation of the independence of a non-Communist RVN, in order to achieve a detente with the USSR and ventilation through the Bamboo Curtain of the PRC, will most probably face the loss of Viet Nam and the failure to gain either a detente or a window. The sacrifice of the RVN interests will whet the political appetites of Moscow and Peking who still are by common consent and President Nixon our chief adversaries, whether or not we are bound by the strategy and tactics of the not so cold "Cold War."

The key factors that should condition any policy option selected by the Administration are:

1. Coalition: Negotiations must not be allowed to force a coalition government, inclusive of the NLF-Viet Cong, or any Saigon Government. The rebels, the insurgents, the aggressors—call them what you will—against every government of the RVN since its independence must *not* be rewarded by a gift of a share of that government. This is not a moral judgment; it is a practical, political one. The U.S. agreed-upon "troika," or coalition government for Laos in the Geneva 1962 Conference almost succeeded in destroying Laos. The Pathet Lao today, technically a member of the government it is militarily attacking, reinforced by North Vietnamese troops and supply, control by arms significant provincial areas in the "Pan" and the "Handle" of Laos, contiguous to North and South Viet Nam. If Laos survives today, it is because its Premier and the U.S. have introduced armed counter-measures (also contrary to Geneva '62) to help it survive. In related fashion the coalition government including the Communist Party (PKI) brought into being by Sukarno almost succeeded in destroying the possibility for the existence of a non-Communist Indonesia. And, neutralist Burma, anxious to end the Communist rebellion in that country, was willing to make extreme concessions to the Burma Communist Party in the negotiations of 1963. It wisely refused the BCP demand for coalition.

Almost twenty years of consecutive governmental and private sector experience in Southeast Asia have convinced me that no newly independent state in Asia, including the RVN, can get on with the business of building viable and free institutions, can proceed with the vital functions of nation-building if its governmental structure is forced into a coalition with its Communist Party and Front.

The U.S. has used such Pickwickian phrases as "we shall not impose a coalition on the RVN" when we know that Saigon, above all else, rejects a coalition government with the NLF-Viet Cong. U.S. Allies in the Viet Nam war have rejected the principle of such coalition government. And, certainly, security in Thailand, Laos and Cambodia would be further jeopardized if Saigon was "forced" or "persuaded" into a coalition with the NLF-Viet Cong.

The only justifiable position for the U.S. in any option is to *oppose* a coalition. Our policy should be: amnesty and full, *individual* citizenship rights for all rebels who peacefully lay down their arms; *no* coalition government.

2. The factor of Viet Nam's mainland Southeast Asian neighbors looms large in any option in part because of the vulnerability of Laos and Cambodia, as contiguous states to an aggressive Communist state, and in part because these two, and Thailand, a staunch ally since SEATO (1954), and Burma are under present attack from Peking and/or Hanoi. The vulgar interpretation of the so-called "domino theory" has beclouded its more sophisticated meaning. States will not automatically fall, as do dominoes, when one "domino" is toppled. But these Southeast Asian states have experienced and continue to experience armed attack across boundaries, "domestic" insurgency, and tension-creating, anxiety-laden, situations because of Communist policies sponsored by the PRC and DRVN. Were the DRVN to attain its objectives in Viet Nam, there is abundant evidence that it could and would pursue its further objectives in Laos and Cambodia. Simultaneously its supporting ally, the PRC harasses both Thailand and Burma. None may "fall" but all are threatened.

The only correct position for the U.S. in any option is to insure that these mainland Southeast Asian, non-Communist states gain the opportunity of having secure borders.

Proposals for achieving this have been made. They range from variations on the theme of "neutralizing" some or all of these states, and "guaranteeing" their neutrality through some form of big power agreement, to converting an enlarged SEATO into a NATO-type collective security arrangement. The latter would require a dominant U.S. strategic and conventional presence.

Neutralization in any variation and a NATO-type security arrangement are *not* desirable aspects of any option. Southeast Asian neutralists (Indonesia, Cambodia, Laos and Burma) have in varying degrees lost their original enchantment with neutralism. Indonesia has joined with collective security-minded Thailand in ASEAN. Laos, tacitly and necessarily, accepts its own, and U.S.' violation of Geneva '62 which neutralized it. Though Cambodia deliberately denounced the protection of the SEATO Protocol, its leadership is now (I do not guarantee "tomorrow") accepting of a U.S. military presence in the area. Burma, after an exchange of 1968 visits with ASEAN members, Singapore and Malaysia, speaks in terms of the "community" of Southeast Asia that must cooperate for its own good.

A NATO-type agreement in place of SEATO would inevitably continue U.S. dominance in the Asian-Pacific area. The military and social-psychological costs of such dominance are enjoyed neither by Asians nor Americans.

In this situation, whether expressed or implied, U.S. policy in any option should be (1) to welcome and encourage all forms of Asian-Pacific regionalism, understanding by this that the Asian-Pacific states so involved (they presently included five members of ASEAN and nine members, one observer of ASPAC—with some duplications) are cautiously moving toward forms and institutions for economic, cultural, political, and, (hopefully in time), security cooperation. Secondly, U.S. policy should include a (diminished) military presence in the area. The guiding principle for U.S. policy in this regard is *unum inter pares, not primus inter pares.*

IV. THE NEGOTIATING POSITION OF THE U.S. AT PARIS

In the light of the above discussion the following propositions are the essential ones for our stand in Paris. They assume that the U.S. will consult and share in full all policy deliberations with our fighting Allies in Viet Nam.

1. *For a Cease-Fire.* A cease-fire means that—

(a) The DRVN will stop all hostile actions both of its own direct forces and of those of the NLF and Pathet Lao, against the RVN and Laos, including infiltration of personnel and supplies in these countries.

(b) Infiltration into Cambodia and use of it as a sanctuary both by the DRVN and NLF-Viet Cong will stop.

(c) The NLF-Viet Cong will stop all hostile actions within RVN.

(d) The U.S.-RVN and Allied Forces will stop all hostile actions in both Viet Nams and in Laos and Cambodia.

(e) The various hostile forces will execute the cease fire in place. Regrouping and subsequent transit will follow after item (f) has been initiated.

(f) Effective inspection and verification procedures will simultaneously accompany all cease-fire action as herein defined.

2. *Military Phase-Out.* All foreign troops, regrouped and provided with transit rights, in the RVN, Laos, Cambodia and the DRVN will be phased out under effective inspection and verification procedures. Exchange of prisoners will take place in accordance with the Geneva Convention.

3. *Free passage* during a fixed time period will be accorded to all those who wish to depart the DRVN for the RVN, and vice-versa. Similar arrangements shall be made for Laos-DRVN and Cambodia-DRVN. Effective inspection and verification procedures insuring freedom of choice for those who elect emigration will be instituted.

4. *Amnesty* and full, individual *citizenship rights* shall be granted and restored to all indigents who fought within and against the RVN and Laos.

5. The DRVN and RVN agree that each is a sovereign state, whose borders are to be demarcated roughly at the 17th Parallel that presently divides them. Formal recognition and unification may be subsequently negotiated between them.

6. *Timing. This item absolutely governs the propositions in Cease-Fire, Military Phase-Out, Free Passage and Amnesty.*

(a) A maximum "X" days (30 days would appear to be sufficient) shall be assigned to reach agreement on above items IV, 1–4, inclusive. During this period the U.S.-RVN-Allied Forces will continue in ready action to improve their military posture within South Viet Nam. They will also maintain full combat readiness to proceed against the DRVN, if necessary, *in the North*. Also the RVN will continue to improve its political posture in South Viet Nam.

(b) In the event of agreement of items IV, 1–4, inclusive, within days, combat and combat readiness as in 6a above will be terminated according to the provisions of IV, 1–4.

(c) In the event that the DRVN–NLF pursues and implements a Korea-type, protracted negotiations ("Talk and Fight") *beyond* the 30 day period, a variation on the Ike-Korea policy *shall be executed*. The circumstances and consequences of exceeding the 30 day period shall be *quietly* communicated to the DRVN–NLF forces and to their Allies before the expiration of the 30 day period.

If on the thirty-first day there is no substantial agreement on items IV, 1–4, the U.S.-RVN-Allied Forces shall strike hard against a single objective within DRVN territory, between the Demilitarized Zone and the northern boundary for bombing fixed by President Johnson in March–April 1968. Since such an attack does not absolutely contravene the terms of reference in sitting down to negotiate in Paris, negotiations continue. Hopefully this attack will persuade Hanoi to proceed forthwith toward a conclusion on items IV, 1–4 inclusive.

(d) Negotiations from Day 30 to Day 45 shall be allowed for reaching conclusions on items IV, 1–4 inclusive. In the event that these fail, order a land, sea and air attack on one vital DRVN center, *e.g.* Vinh in the southern part of North Viet Nam. Announce simultaneously that the U.S.-RVN forces are prepared to return to negotiations at Paris.

(e) The Sixtieth Day shall be fixed either for concluding negotiations on items IV, 1–4 inclusive, or, for resumption of full scale warfare, including the invasion of the home territory of the DRVN. Use whatever *conventional* power is necessary *with utmost speed* completely to incapacitate North Viet Nam and simultaneously announce that the military defeat inflicted on the DRVN will not seek to depose its Communist regime. This latter is intended to diminish the risk of a big-power war on the assumption that Moscow and perhaps Peking will accept the DRVN defeat provided the Communist world does not lose a regime it had regarded as "belonging" to that world. The U.S. still adheres to its long-term objective of fighting to preserve the independence of the RVN.

(f) Termination of the conflict now proceeds according to prompt execution of IV, 1–5, inclusive.

V. COMMENT ON U.S. FORCE LEVELS IN SOUTH VIET NAM AND ITEM IV 5 IN NEGOTIATING POSITION

I believe—though this is another subject—that the more than 550,000 U.S. military in South Viet Nam is excessive. This is partly so because we failed to use our power decisively, i.e., maximum resources applied to the target in the shortest possible time. The gradual build-up, over years, was necessitated because we successively changed our analyses of the situation in Viet Nam and suited military doctrine and force levels, our "roles and missions", to each analysis.

We originally had a training mission; in 1961 we changed this to a military support and training mission, still uncertain on how to combat "insurgency"; in 1962 we instituted "counterinsurgency" training and support; in 1965 we undertook limited conventional warfare with U.S. combat forces in action. Limited warfare as to our goals was clear; limited warfare as to the means to be employed and the targets to be attacked were wretchedly compromised at every stage of the war since 1965. Each change was incremental, not substitutional. The number of riflemen, the ground troops who actually fight in the *present* U.S. military in South Viet Nam is probably no more than 10–12% of the total. We used our Air power with such restraints that we did *not* bomb the most important DRVN air base until October 1967; our Navy was until late 1968 not equipped *to fight* in the typical waterways that characterized *all* of deltas of mainland Southeast Asia, etc., etc., etc.

Hence, I believe we can substantially reduce U.S. Forces in Viet Nam whatever the outcome in Paris. Two factors must now condition such reduction: the true readiness of the ARVN (some 900,000 strong)—ask Generals Abrams and Goodpaster for this decision. The second factor is our assurances to our Allies and friends in *Asia* that our policy is equivalent to: "Reduction yes, withdrawal, no". They will understand, even sponsor such a decision. They will also understand that what we do in this regard is directly related to our strong desire to see Asian regionalism as effective as possible in preserving and further developing the Arc of Free Asia.

With respect to item IV, 5, the acceptance by the DRVN and RVN of their respective sovereignties in their respective territories: This was *not* accepted at the Geneva '54 Conference by the Vietnamese on either side of the 17th Parallel. Acceptance now does not insure future peace between them—witness the situation between the two Koreas. On the other hand it places responsibility on the governments and peoples of the two Viet Nams to get on peacefully with their political life as they determine it. This latter is the situation between the two Germanys. In a much troubled and polarized world, this is about as much as can be accomplished.

WILDLIFE PRESERVATION

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. McCARTHY. Mr. Speaker, I have introduced today a bill to help preserve wildlife in this country and abroad that is threatened with extinction. A similar bill was passed by the House during the last session of Congress, but did not pass the Senate. It is imperative that this legislation be passed by both branches of Congress as soon as possible.

The threat to wildlife increases with each day. The demand for exotic furs such as the leopard and the tiger and a market for alligator skins has led to the senseless destruction of these species. If this slaughter is allowed to run its course, these animals will soon join the ranks of the passenger pigeon, the sea mink, the Florida wolf and other lost species. In our rush to exploit nature's resources, we have wiped out 50 species of animals native to the United States. In contrast to the normal course of nature, in which one species may disappear in every thousand years. Today the rate is estimated to be a thousand times higher.

Man has shown an intolerance and a disregard for the other creatures that live on our earth. The penalties that we may pay for this disregard are not known at this time. Elimination of a species may create a biological imbalance that can be harmful to man. The death of certain birds, for example, leads to a rapid multiplication of certain insects. The destruction of predators such as the wolf may lead to a multiplication of rodents. Man must then spend his energies correcting that imbalance. And we do not know when we may wipe out a species that is vital to our survival.

This bill will prevent the importation of threatened animals from abroad and also stop the interstate shipment of animal skins. In the later case, poachers have violated existing laws and threaten to wip out the alligator, and some of the fur-bearing animals. Federal action can curb this abuse.

A series of articles on our endangered wildlife, by Marcia Hayes, recently appeared in the Buffalo Evening News. These articles graphically portray the plight of many American and foreign animals. I include these articles in the RECORD for the information of my colleagues:

OUR ENDANGERED WILDLIFE—I: SPECIES WIPED OUT BY MAN, THE HUNTER, OR MAN, THE BUILDER

(NOTE.—By the year 2000 most of the world's wild animals may be extinct. What is behind this problem and what can be done to prevent it is the subject of this series on our vanishing wildlife.)

(By Marcia Hayes)

NEW YORK, January 27—This generation may witness the end of most of the world's wild animals.

Trapped, hunted and crowded out of their natural habitats, hundreds of species are already losing the fight for survival. By the year 2000, conservationists foresee a world whose polluted continents and oceans will be the almost exclusive domain of men, livestock and rats.

The World Health Organization estimates that there is one rat for every human in the world—3.3 billion of them. But the rest of the world's wildlife has not fared as well. In the name of sport, profit and progress, 550 species of mammals, birds and reptiles have been pushed to the brink of extinction within the last century.

In the U.S., 50 native American species have been wiped out in a period of 50 years. It took just over a century to exterminate 5 billion passenger pigeons. Bison, once numbered in the tens of millions, were slaughtered methodically by hunters and cavalrymen until only a few dozen of one species remained.

Among those already extinct here are the sea mink, the Florida wolf, the Eastern cougar, two species of bison, and the bighorn sheep.

The American mountain lion, the Canada lynx, the Florida key deer and the American alligator are on the verge of extinction. All are being hunted despite restrictions.

In Africa and Asia, cheetahs, leopards and tigers are being trapped by the hundreds for their furs. Zoologists don't expect them to last out the decade. Orangutans and mountain gorillas are being crowded out of their jungle habitats. Elephants, slaughtered by the thousands for their ivory, are becoming the bison of Africa. And sportsmen are killing off the rhinocerous, the gazelle and the polar bear.

Names familiar to every child fill row after row of the list of endangered animals compiled by the International Union for Conservation of Nature & Natural Resources. Among them are seven kinds of whales, five varieties of bears and tigers, seven types of seals and leopards, five species of rhino and line kinds of gazelle.

Mammals alone are disappearing at a rate of one species per year, according to the IUCNNR. And the organization reports that the ranks of 250 mammals are dwindling so fast that they may become extinct at any moment—in a year or in a decade.

Whether he wears a hunting jacket or a business suite (or sits at the controls of a bulldozer, civilized man is the most formidable opponent animals have encountered since the first giant reptiles roamed the earth 200 million years ago.

Man hunts primarily for pleasure. But he kills in quantity to satisfy demands for exotic foods and fashions, and he destroys and pollutes animal habitats to make way for his own housing, transportation, and industry.

Before man became civilized, the death of a species was a fairly uncommon event. Geologists estimate that 1000 species may have become extinct over a period of one million years, a rate of one every thousand years. Today the death rate is more than a thousand times higher.

A species is headed for extinction when its death rate exceeds the rate at which new animals are born. Its extermination is assured when its breeding population falls below a certain critical level, which varies with every species. Although a few individuals may remain, they will be easily outnumbered by their natural enemies. And they may be scattered over such wide distances that they cannot find each other to mate.

This is the plight of the great blue whale, largest of the world's mammals, now thought to be extinct as a species. Dr. Ross Negrelli, curator of the New York Aquarium, estimates that less than 1000 and perhaps as few as two dozen of the whales remain in the vast southern oceans of the world. Dispersed over thousands of square miles, the odds are slim that a mating pair will meet.

Blue whales have been on the endangered list for years. Yet it was 1967 before the whaling industries of Russia, Norway and Japan agreed to stop hunting them. And the industry has yet to set reasonable quotas on other endangered whales.

Fin whales are being caught at the rate of 14,000 per year, three times the catch that conservationists say the species can stand. There is no limit at all on the sperm whale, and some 29,000 of the mammals are killed every year.

The dilemma of the whaling nations is shared by all industries that have a stake in endangered wildlife: Their source of profit is disappearing and they know it. Yet the investment in equipment is so great—millions of dollars in the case of whaling ships—and the profits so high, that they will not voluntarily regulate the catch.

Hunters are also a big threat to several endangered species. Although the majority of sportsmen limit their catch and stalk their prey on foot, there are hundreds of callous trophy-seekers who don't care how they get their game.

A number of guide services cater to this type of client. One agency guarantees its customer a polar bear for a $3500 fee.

The World Wildlife Fund estimates that polar bears are being killed at the rate of 1200 per year, while the total population is less than 12,000. Only stiff international controls can save the bears, which drift along with the Arctic ice sheet through the territorial waters of the United States, Russia, Norway, Greenland and Canada.

In Alaska, the increasingly rare American timberwolf is still hunted for bounty, pursued across the tundra by airborne hunters, who get $50 for every hide they bring in.

Equal to sport and industry as a threat to wildlife is that byproduct of civilization known as progress. Every housing development, road, or industrial park destroys the home of at least one animal species and may wipe out the plant life and prey on which its life depends. Only an educated public can stop this form of destruction.

Most nations have laws to protect wildlife, but they lack the money and manpower to enforce them. The worst offenders are poachers—primarily in the fur and hide industries, and the U.S. is now making an effort to take the profit out of such illegal hunting. A bill introduced in the House last year would prevent the import of hides and skins of endangered wildlife and would forbid the interstate shipment of animals and animal parts taken contrary to state law.

Vehemently opposed by lobbyists for the fur and hide industries, the House bill is awaiting action by the new Congress.

OUR ENDANGERED WILDLIFE—II: FASHION'S APPETITE PERILS MANY RARE, BEAUTIFUL SPECIES

(By Marcia Hayes)

NEW YORK, January 28.—The last wild tiger in the world could end up on a Seventh

Ave. coat rack. The last American alligators may be sold as a set of matched luggage. Right now the odds are for it.

In the U.S. it is quite possible to import almost any animal, alive or dead, in any number. Likewise the interstate shipment of hides or furs from rare animals is not prohibited.

Until legislation is passed and strictly enforced, poachers will continue a virtually unrestricted slaughter of endangered fur-bearing animals and reptiles.

The price of rarity is high, but many are prepared to pay it. Status-seeking consumers willingly spend thousands for a "fun fur" and hundreds for a single pair of shoes. The demand is encouraging the methodical destruction of the world's most beautiful and ancient animals.

Within the next few years, all of the great cats except the lion will be pushed beyond the biological point of no return. The American alligator has already been exterminated over most of its range, and the Chinese alligators are not expected to last much longer.

In the past, the fashion industry came close to doing in the sea otter, the ostrich, the snowy egret, and the trumpeter swan. Luckily, otters were saved at the last moment by a conservation campaign, and the birds were spared by sudden change in style.

But furs don't go out of style, and the market for them continues to increase. Recently, a Somali leopard coat, fashioned from eight skins, was advertised in a New York paper for $16,000.

In a recent full-page magazine ad, three furs from the rare Himalyan snow leopard were shown draped across a model above the caption: "Untamed . . . born free in the wild whiteness of the High Himalayas only to be snared as part of this captivating fur collection!"

Somalis, considered the most desirable type of leopard, are being decimated so quickly that conservationists don't expect the species to last 10 years.

One leading furrier says he bought close to 500 leopard skins from Somaliland alone last year, along with approximately 1000 less valuable furs from Asia and other parts of Africa. The industry as a whole is estimated to have imported about 7000 leopard skins, and the yearly world trade is close to 50,000.

Furriers are not happy with the situation. Some, like furrier Jacques Kaplan, find it tragic. Mr. Kaplan recently published a full-page ad in the New York Times declaring his intention to stop trading in the furs of endangered species and encouraging other furriers to do the same.

But he says he has received no response and a lot of abuse from American furriers as a result.

Tigers, described as an "interesting" fur by one industry spokesman, are disappearing fast from India. A curator at the American Museum of Natural History estimates that there may be 4000 Bengal tigers left. Yet they are shipped by the hundreds to furriers in New York and Paris and they are still hunted on safari.

The Bengal tigers are numerous compared to the Siberian tigers, which number no more than 250. Only 50 Caspian tigers remain and less than 25 native Javan tigers roam the island. But the rarest tiger of all is the native species of Bali. There are thought to be only four left.

Two South American cats have had the bad luck to be beautiful. Jaguars and ocelots are shipped out by the hundreds, and the jaguar's future is already in doubt. Ocelots are becoming rare. It takes two dozen of the small cats to make one coat and they are exported accordingly.

Peru alone shipped 11,244 ocelot skins out of the country in a recent year. And last year U.S. customs passed 115,458 from all parts of South America.

So numerous in 1900 that a dozen skins could be bought for $5, chinchillas are believed extinct in the wild. They are now bred in captivity, and the price of a chinchilla fur reflects the expense of raising them. A stole is worth $50,000.

The shy, delicate vicuna, whose soft fur is fashioned into coats, scarves, and blankets, is extinct over most of its former range. It is now found only in remote areas of the Andes, where the Peruvian government is taking steps to protect it.

Poachers make between $50 and $100 for a leopard skin, somewhat less for a tiger, and somewhat more for a cheetah. Ocelots bring less than $20.

Cats are not the only quarry of the fur trade. At the beginning of this century, sea otters were practically wiped out by fur trappers. But conservationists stepped in at the last moment and saved the species. Rigidly controlled for years, otters are once again numerous enough to be harvested.

But fur seals are now being killed with the same abandon that almost wiped out the otter. Whole herds of seals are trapped on shore, where they are virtually helpless, and beaten to death with huge clubs.

Next to cats, reptiles are the biggest victims of fashion, and the American alligator is the major victim among them. Snapped up by handbag, shoe, and luggage manufacturers as fast as they can be hauled out of the swamps, the gators are pursued to the densest, remotest areas by airborne hunters. Using helicopters and airboats, the poachers can land almost anywhere in the vast marshlands.

Such a vast area is hard to control by game wardens, and the only hope of saving the alligator lies in legislation aimed at closing the market.

"The American alligator is now common only on a few restricted areas in the state and federal refuges and parks," says a representative of the Southeastern Association of Game & Fish Commissioners. A retired alligator poacher put it more bluntly: "I wouldn't give the gator more than four years," he told a reporter recently. "There are 1000 professional hunters in Florida alone, and the laws are so weak they laugh at them."

Alligators are mourned not for their beauty in the wild but for the part they play in balancing their environment. Predators on gar and other game-fish destroyers, they also open up "alligator holes" where deer and other game can find water in the dry season.

Alligators bring up on $6.50 per foot, and hunters can make as much as $300 for three nights of work in the swamps. If they poach in pairs, the profits can often be tripled.

Alarmed conservationists also are viewing the pet business as an increasing menace to wild animal populations. According to U.S. Fish & Wildlife Service reports, approximately 900,000 birds, reptiles, amphibians and mammals will be imported this year. An additional 20 to 30 million fish are brought in for the aquarium trade.

In 1967, out of a total of 830,000 animals imported, 74,300 were mammals, 203,189 were birds, 405,130 were reptiles, and 137,697 were amphibians. There is no legal limit on the type or quantity of animals that can be imported. The only restrictions involve periods of quarantine for animals that may be harboring a communicable disease.

Of the 62,526 primates imported, a large number were designed for medical research. Although usually treated well, the number of monkeys and apes used in research is depleting the wild populations severely.

Compared to the fur trade, the pet industry plays a relatively small part in exterminating a species. But it subjects thousands of animals to needless suffering.

For every animal that makes it to a pet shop, four or five others will have died in a native poacher's trap or in an airplane.

The animals that do survive in captivity are as good as dead for any natural purposes. Once these animals are removed from the wild breeding-group participation ceases, and they might as well have been shot.

Our Endangered Wilderness—III: Passenger Pigeon Wiped Out by the Hunter's Ruthlessness

(By Marcia Hayes)

New York, January 29.—On Sept. 1, 1914, the death of a bird in a Cincinnati Zoo became front page news across the country.

Martin, as the zoo named her, wasn't a particularly pretty bird, but she was as rare as a creature can get. She was the last of a species that had numbered more than 5 billion less than a century before—the passenger pigeon.

At the turn of the 19th Century, ornithologists estimated a third of all the birds in America were passenger pigeons. One observer in Kentucky reported seeing a flock a mile wide and 200 miles long that blotted out the sun.

The idea that a few hunters could make a dent in this population seemed incredible then, as it does now. But 100 years later, the species was exterminated.

Its executioners earned 2 cents a head for every bird they shot. Using a special repeating rifle, predecessor of the machine-gun, hunters slaughtered entire flocks of pigeons for the New York markets, where they were prized for their delicate flesh. The feathers were used in women's hats.

A year after the last passenger pigeon died, the Cincinnati Zoo saw the extinction of another native American bird, the Carolina parakeet. A native of semi-tropical cypress swamps, the colorful bird was once numerous in the southeastern United States. But when the swamps were drained for orange plantations, the birds ate the fruit and became a pest. In less than two decades, fruit farmers had exterminated them all.

The passenger pigeon and the Carolina parakeet are martyrs to the cause of conservation, and ornithologists are fighting to keep the tragedy from being repeated. Among the winged candidates for extinction are members of almost every bird family.

The task of conserving rare birds is difficult. Many, like the whooping crane and the California condor, require several hundred acres of territory for each individual.

But ornithologists have a number of successes to their credit. The best-known example is the trumpeter swan. Once hunted for their plumage, which decorated women's hats in the 1920s, the trumpeters were reduced to a flock of 73 when conservationists stepped in to save them in 1935.

Today the Interior Department's Bureau of Sports Fisheries and Wildlife estimates there are between four to five thousand of the swans, divided between wildlife refuges in Yellowstone National Park and Lacreek National Park in South Dakota.

Conservationists now have reason to hope that the whooping cranes can be saved from extinction. Down to 14 birds when the bureau began to monitor them in 1948, there are now 43 of the giant birds in the wild and 18 more in captivity.

Another plus on the conservation scoreboard is the Hawaiian goose. Extremely rare in the wild, they have been raised so successfully in captivity that 30 were recently returned to a refuge on the islands.

And the ivory-billed woodpecker, pronounced extinct several years ago, has been rediscovered in the big thicket country of eastern Texas. If the area remains undeveloped, conservationists are hopeful that the birds can make a comeback.

But the future looks dim for many other species. The giant Canadian goose is dying out. So is the Florida sand-hill crane. In California, the closely-guarded condors are being literally squeezed out of existence by encroaching housing developments. The bald eagle has almost disappeared from the U.S. and is decreasing in Alaska and Canada.

Louisiana's official bird, the brown pelican, has completely disappeared from the state—victims of the small boats that ply the swamps of Southern Louisiana, disturbing the bird's nesting grounds.

"The main problem is people," says William Conway, director of the New York Zoological Society. "There are too many of us, and in polluting and destroying our own habitat, we make the environment unfit for wildlife." But why, asks the skeptic, should we bother to save wild creatures?

Conservationists are ready with four reasons: moral, economic, ecological and esthetic. Perhaps the most convincing argument is a selfish one—that in the long run, it is man himself who suffers most from the death of a species.

Ecologists—specialists in animal environments—point out that when an animal disappears from the earth, nature is pushed a little more off balance. As predator or prey, the animal was part of a complex natural system by which animal and plant populations are kept healthy.

An equally compelling reason for saving animals, say conservationists, is that many now being slaughtered for hides and skins could be an economic asset to their countries if harvested properly. One square mile of East African savannah, for instance, can support 16,000 pounds of cattle, but can graze up to 90,000 pounds of wild game.

Lastly, it is morally and esthetically wrong to destroy another form of life, the conservationists argue. "The wildlife of the world is not ours to dispose of wholly as we please," wrote the late conservationist William Hornaday. "We hold it in trust, for the benefit of ourselves and for equal benefits to those who come after us."

OUR ENDANGERED WILDLFE—IV: ONCE IN A WHILE, CONSERVATIONISTS TRIUMPH

(By Marcia Hayes)

NEW YORK, January 30.—Scattered through the dreary records of wildlife conservation are a few success stories that offer hope to the world's endangered animals.

The American bison, down to a herd of less than 1000 at the turn of the century, was saved largely through the efforts of one man, zoologist William Hornaday.

Mr. Hornaday, first director of the Bronx Zoo, organized the American Bison Society, which lobbied in defense of the vanishing American buffalo and finally pushed protective legislation through Congress. Today there are several thousand bison in the Far West, enough to need occasional thinning out.

In England, the Duke of Bedford has been solely responsible for saving the Pere David deer from extinction. The species was wiped out in its native China at the turn of the century, largely during the Boxer Rebellion. But from a few survivors sent to the duke, a herd of several hundred has been raised.

A number of years ago a pair of the deer were returned to China, but it has been impossible to learn whether they survived.

Sea otters, once almost decimated by the fur trade, have been protected for several years and are now being harvested under strict international law. Trumpeter swans, down to a flock of 73 in 1935, have just been removed from the U.S. list of endangered animals. There are now more than 4000 of the birds, the nation's largest waterfowl. And whooping cranes seem to be making a comeback.

In Thailand and Kenya, government officials are fixing export quotas by species so that a controlled trade in live animals and their furs and hides can be maintained.

And in this country, a bill has been introduced to Congress that would prohibit the import and interstate shipment of rare or endangered animals, their furs and hides or products made from them.

Happily, some animals don't need to be conserved. In America, the black bear and deer are thriving. And coyotes, or prairie wolves, are increasing as rapidly as their two relatives—the red and timber wolves—are dying out. Valuable as a predator of rabbits and other rodents, the coyote has extended its range into almost every state. They have recently been spotted as far north as Vermont and as far south as Florida.

In the crowded suburbs, skunks, flying squirrels, possums and raccoons have adapted to dense zoning and heavy traffic. Living in trees and burrows, they sleep by day and raid garbage pails by night.

Chipmunks, rabbits and mice are so numerous that dogs and housecats will never exhaust the supply.

And despite the most ingenious efforts to wipe him out, there is one animal multiplying as rapidly as man himself—the rat. It is the only animal species that is a match for man in endurance and tenacity—the only one that is uniquely adapted to his habitat.

Rats thrive on waste and filth. The most congenial environment for them is the sewer, where they find water and shelter. And with the advent of garbage disposal units, a sewer also supplies them with food. Health officials fear that as sewers spread through the suburbs, the rat population will mushroom.

But the numbers of the world's most beautiful and curious animals are dwindling fast. The few conservation credits are cancelled out by the huge debit: 550 birds and animals on the verge of extincition.

Pulling for the animals are dozens of organizations with intentions that far outdistance their budgets. Among them are the Defenders of Wildlife, The National Wildlife Federation, the Committee of International Affairs in Ecology and Conservation, the International Union for Conservation of Nature and Natural Resources, and the Sierra Club.

The largest financial contributions have come from both the World Wildlife Fund, which has chapters in the United States, Britain, Austria, West Germany and Switzerland, and the New York Zoological Society, which sponsors a number of projects in Africa. Its current projects include an expedition to observe the rare mountain gorilla and a donation to the government of Tanzania for the creation of a national park and game preserve.

Almost all of the conservation organizations support the Charles Darwin Research Station in the Galapagos Islands, which is working to preserve the giant tortoise and the marine iguana. The Zoological Society maintains a full-time conservation warden on the islands.

A world wildlife conference, such as the one proposed by Texas Sen. Ralph Yarborough, could bring these diverse organizations together and perhaps establish a basis for future co-operative effort. Most importantly it could lead to an agreement among the governments of the world to stay the execution of our greatest national resource.

"The beauty and genius of a work of art may be reconceived," wrote the late conservationist William Beebe, "but when the last individual of a race of living things breathes no more, another heaven and another earth must pass before such a one can breathe again."

AN OUNCE OF PREVENTION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. MOORHEAD. Mr. Speaker, we are all familiar with the old proverb, "An ounce of prevention is worth a pound of cure."

A recent article from the American Journal of Public Health speaks to this point, and I include it in the RECORD for the attention of my colleagues.

The article makes the urgent point that the health professions should turn their attention from cure to prevention. I ask that the editorial be reprinted not merely for its application to health, but because that point is so relevant to policy with which Congress has to deal in many areas.

In international relations we concern ourselves too easily with security and defense, instead of concentrating on the ways by which we might foster cooperation between nations and thus in the end reduce the tensions that create the need for rising armaments.

In urban affairs we develop crash programs of relief or make special arrangements for maintaining law and order, when if we had polished our techniques of local government, there might not have been a crisis.

In education we are concerned with the backward, the dropouts, the low standard of many public schools. It would have been far cheaper to focus on prevention instead of cure in all of these fields.

I therefore include the article, written by my friend and former Pittsburgher, Philip S. Boughton, in the RECORD, because of its relevance to a more far-sighted approach to public policy: prevention, not cure, should be our guide.

The article follows:

[From the American Journal of Public Health and the Nation's Health]

THE VALLEY OF DECISION

The creative environmentalist is unhappy. He notes that when his peers get together to produce a report they deal with traditional problems and go about it in their own traditional ways. They want more of the same, but done better: that is the substance of his complaint.

Not one of the reports, the many, many reports on the environment that have come out in the last few years, could wholly escape such criticism. But if environmental health is to become more fundamental, more comprehensive, what must it do?

Plainly it must be preventive—but to be preventive on the urban scene is to move in and have impact *at the point of decision*. What kinds of cities should we have? What social, economic, and political policies will produce them? What is the impact of the profession on *decision-making* when it comes to questions like that?

The answer, unfortunately, is "very little." The profession, like the nineteenth-century family doctor, is called in after the patient is sick. In environmental control that means after all the decisions have been made. Made by whom? By those who manipulate the land as so many parcels of real estate to be bought and sold. The decisions are made by building developers, the automobile industry and its constituencies, the special interests in one or another commercial development.

So it is that we bury our cities a mile deep in aerial manure. Then we note that the chronic bronchitis, lung cancer, and emphysema rates go up. On these induced rates the sickness professions then project a need for case finding and chest clinics.

We bury our cities seven feet deep in solid waste and pile it in the interstices of tumble-down tenements. We then count the rat population and we classify unhealthy children by their infirmities. We then propose a rat control program and improved pediatric services.

We clutter our cities with enough noise, confusion, and frustration to drive a colony of saints crazy. The answer is bright, clear, and full of high human purpose: we need more psychiatric services!

But suppose our city fathers, or our state legislators, or the planning commissioners should turn to the profession and ask for health criteria for environmental design. The whole tradition of the health sciences and their virginal professional integrity would run against getting answers.

The refusal to answer would be based on the highest professional standards. First, there is no public health responsibility until a health hazard has been definitely established, i.e., until we can tell exactly how many people will keel over or die if it is not solved. To get that answer may take years of careful research. Hence, all *decisions* must be made by somebody else.

Thus the professional tends to deal only with sick cities, sick societies, sick environments, situations which everybody already knew or strongly suspected were sick. Criteria of human stress are commonly applied in advance for industrial and military planning, but not in making decisions about the closed urban environment our cities have become.

The Task Force of the National Commission did invade two fields of political jurisdiction which run beyond the traditions of the sanitary sciences. It was first to develop the concept that the area of jurisdiction must be coterminous with the problem to be solved: the phrase "problem shed" makes its first appearance in the literature. Beyond that it declared that ". . . social, economic, and political agencies . . . are no longer adequate and require modification or revision. *Failing such, there can be no prospect of adequate environmental protection.*"

Second, it also recognized that increasingly many programs scattered throughout the range of government have health aspects. Here the Gordian knot of jurisdiction was cleanly cut: beyond the normal areas of operating jurisdiction there must be, within a governmental structure, a single final focus of decision on health criteria and standards. In this the role of the director of health is analogous to the role of the attorney general in legal decision.

These are political science contributions which recognize the new geographical scope and functional diversity of the environmental challenge. In most fields, the neighborhood, the town, or even the county, the prospect of local control is gone. Many other agencies need a health science input but deal with matters that cannot be health department operating jurisdictions.

But, alas, the health professions have not yet shown any strong capability for making an impact on environmental design. Architects and planners have asked for a health input. Review the program of the 1967 meeting of the American Institute of Planners, devoted entirely to the health issues of planning; after which, review the proceedings and note how few efforts to answer came from those who would classify themselves as members of the health professions. Read the table of contents of such a magazine as "Ekistics," devoted to world-wide abstracts of contributions on the design and practice of effective human communities. Again, there is little contribution from the health professions.

In reappraisal: the traditional priorities of the profession have been far more concerned with the pathology of the environment than with the health criteria of environmental design *prior to the point of decision.*

One is moved to speculate. Had schools of public health been more closely associated with schools of public and urban affairs; with schools of design and architecture and planning; with schools of applied engineering and law—had they been less strongly oriented to the medical profession and medicine—might we have developed a more relevant pattern for the late twentieth century?

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*Task Force on Environmental Health of National Commission on Community Health Service.

THE LIMP YOUNG GENERATION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. DERWINSKI. Mr. Speaker, the other day while driving in I happened to catch the editorial commentary on radio station WAVA and felt that this editorial covering the young generation was penetrating and sound in the subject it addressed. Therefore, I feel this objective treatment reflects the commonsense approach and insert it into the RECORD in an effort to draw the proper attention it merits:

THE LIMP YOUNG GENERATION

The most recent harsh arithmetic on the increasing rate of juvenile crime and use of various drugs in the Washington area has been followed by a new rash of handwringing, special PTA meetings, school board conferences, clarion calls by officials for parents to look after their children and for Congress to look after juvenile delinquency.

The shape of the young generation, (particularly our young males) is in fact, a pretty sad story—evidenced both by the rate of their military draft rejection and the raw mathematics of crime and cases of dope problems in local schools. The story is only compounded by the Liberals' insistence that there have always been juvenile problems and that this generation is the same and no different from the last—that somehow the kids will find their way out of it.

Well, our young American male is not the same simply because he is being raised in a vastly changed society. He is today a product of a comfortable home, soft school standards and a rich industrial nation in which mental exercise has been replaced by evening television, his physical development by the problem of fitting his car into the high school parking lot—and for a poor report card he gets a week's reduction in his allowance.

This is not something which is happening just out in Los Angeles and Chicago—it is in Bethesda, and Southeast Washington and Fairfax, Virginia at any local drive-in or basement beer party.

At the usual risk of oversimplification, it must be concluded, though we don't like to hear it, that we are creating a mentally stagnant, spoiled, slack-jawed young so-called male with a notable lack of emotional and physical maturity and of the intellectual curiosity, guts and ambition to cut his own way in the world. He has a quick dollar philosophy and a will only to find security through someone else. He is the limp American.

The prime victim of this is the young lady of the same generation. She must wonder whatever happened to the self-sufficient, independent, female dominating young man of the American history book . . . that strong-jawed, strong-armed determined young buck whose sense of honor equaled his love.

The drift of remissiveness regarding these conditions among our youth is unacceptable. Someone wiser wrote that the responsibility of tolerance lies with those who have the wider vision. That wider vision of the impact of crimes and drug addiction cannot be the responsibility of those under 18 years old, for they are too young to see its effect on their future. It is ours, parents, and school officials and local government to set up and enforce by rules, law and tough discipline those common standards of social decency under which as grownups this young generation will have to live. There are things to be learned today—tomorrow, in crime and drug, is forever.

APOLLO MISSION STATUS REPORT

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call attention of the Congress to the current report on the progress of our national space program to place an American astronaut upon the lunar surface this year.

Hypergolic propellant loading of the Apollo 9 space vehicle began on Monday and will continue throughout the week in preparation for the countdown demonstration test. The countdown test is scheduled to start next week with the astronauts participating in the final day of the test.

The Apollo 9 astronaut crew is continuing mission simulation training at the KSC with the flight controllers participating at the MSC Mission Control Center. Exercises simulating rendezvous, spacecraft service propulsion system and descent propulsion system firings, extravehicular activity and spacecraft transposition-docking-ejection maneuvers are planned.

The Apollo 10 launch vehicle malfunction overall test was completed early this week. A test is underway of the mobile launcher swing arms which provide access to the various stages and modules of the assembled space vehicle. Final preparations are being made to move the spacecraft from the manned spacecraft operations building to the vehicle assembly building for erection on the launch vehicle. The move is scheduled for Thursday, February 6.

The Apollo 11 command and service module is in the manned spacecraft operations building where a cabin leak check and umbilical build-up are in progress. Later this week the crew optical alinement system and the docking target will be alined. The lunar module is also in the manned spacecraft operations building where stress corrosion modifications are underway. The descent stage is expected to be moved to the altitude chamber late this week and will be followed by the ascent stage next week.

The Saturn V second stage for Apollo 11 is now aboard the NASA barge *Orion* and is scheduled to arrive at KSC on Wednesday, February 5. The stage was test fired at the Mississippi test facility before being loaded aboard the *Orion*.

The Apollo 11 launch vehicle first stage will be shipped by barge from the Mississippi test complex on February 10, to arrive at KSC on February 16. The instrument unit—IU-6—is due to leave Huntsville February 20 aboard the Super Guppy cargo aircraft. The third stage for the Apollo 11 vehicle arrived at the Kennedy launch site January 19.

MISS AMERICAN TEENAGER

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1969

Mr. WOLFF. Mr. Speaker, I am indeed privileged and proud that Miss American Teenager of 1969, Fran Garten, is a constituent of mine. Miss Garten, of Great Neck, N.Y., recently was selected to receive this honor after extensive competition among young women from throughout the country.

One of Miss Garten's greatest interests is the danger caused by cigarette smoking and she has devoted a good part of her young life to point out the dangers of smoking. An article entitled "Why I Don't Smoke Cigarettes" authored by Miss Garten explains rather touchingly why she feels so strongly about the health hazard of smoking.

Because of the relevance her comments have for young people like herself and under leave to extend my remarks I include her article in the RECORD at this point:

WHY I DON'T SMOKE CIGARETTES

(By Fran Garten)

(Miss Garten, 17, of Great Neck, New York was crowned "Miss American Teen-Ager" in the 9th annual "Miss American Teen-Ager Contest" held in September. She is a senior at Great Neck South High School.)

I am very grateful for winning the 9th annual "Miss American Teen-Ager" Contest for it has given me the opportunity to tell Americans everywhere my reason for deciding not to start smoking cigarettes. I was never tempted to smoke, not because I was afraid that it would anger my parents, but because of something that happened to me. Whether you smoke or not, let me tell you my story, and then draw your own conclusions;

I once thought I would like to become a nurse, so two years ago I worked as a junior Nurses Aide at our local hospital. It seemed a good idea to see if I would be able to cope with some of the situations a nurse has to handle in her work. I found it very rewarding. One experience during that period I can never forget.

The first week I was assigned to a floor where the accident victims were. I met one very pleasant lady there. We talked quite often, but she never said what was wrong with her, and I didn't ask. But I wondered about it. She seemed perfectly healthy to me. Because I was assigned to many different floors in the hospital, I didn't see her again until the end of the summer. One day my duty was on the fourth floor. I had been warned by my fellow aides that this floor was the most depressing of all. The patients on four were terminal cases. I walked into one of the rooms, and was very surprised to see the pleasant lady I had talked with at the beginning of the summer. How she looked really shocked me; I learned later that her appearance was typical for a victim of lung cancer. . . .

This was my own experience; I didn't read it in a book or see it in a movie. I'll never forget it, and if ever I have the slightest yen to start smoking, remembering that very nice person in such pitiful condition, should certainly be enough to squelch it.

Sports, especially tennis, are another reason I don't smoke. They are a big part of my life, and I know cigarettes would cut my wind, and also slow up my game. This is only one, not-too-serious effect of smoking I've already told you the final effect, the very final one.

Science is one of the forces today that we young people are very aware of, and scientists have proved that cigarettes cause cancer among other diseases. I saw an American Cancer Society movie at school that showed what smoking does to different parts of the body. There is just no room to dodge the cold facts anymore.

And there are a lot of other facts in our world that can't be dodged. I've done some volunteer work with the underprivileged, and also with handicapped children, so I do know a little about life's injustices first hand. Like many teenagers in this country, I'd like to try to do something about these things. Winning the nationwide Miss American Teen-Ager Contest and traveling throughout the country with this title, will help me achieve this goal. I plan to become a Physical Therapist in college, and hopefully, to join the Peace Corps after that. With all these things that I hope to accomplish, I don't want cigarette smoking to ruin my health, before I get a chance to do them.

So, the next time someone offers you a cigarette and you want to feel like you "belong" or think it will make you a "sophisticated" remember my story, and know that it is better to deny yourself that single moment of so-called glory, than to deny yourself with good health and LIFE itself. I have a collection of buttons with sayings that kid the smoking habit. My friends and I have a great time wearing them. People's reactions are amazing.

HOUSE OF REPRESENTATIVES—*Monday, February 17, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord give thee wisdom and understanding, that thou mayest keep the law of the Lord, thy God.—1 Chronicles 22: 12.

O Lord of love and God of all goodness, in this sacred moment we bow at the altar of prayer thanking Thee for the recess we have had and praying for Thy guidance as we face the days that lie ahead.

With the wings of Thy wisdom and the strength of Thy spirit may we accept the heavy responsibilities placed upon us in this high hour of our national life. During these turbulent times filled with the bitter tones of angry hatred, help us to hear Thy still, small voice speaking the words of justice and freedom and peace:

Be Thou our wisdom, O Thou our true word;
We ever with Thee, and Thou with us, Lord;
Thou our Great Father, we Thy true sons;
Thou in us dwelling, and we with Thee one.

Amen.

THE JOURNAL

The Journal of the proceedings of Friday, February 7, 1969, was read and approved.

APPOINTMENT AS MEMBERS OF THE FEDERAL RECORDS COUNCIL

The SPEAKER. Pursuant to the provisions of title 44, United States Code, section 2701, the Chair appoints as members of the Federal Records Council the following Members on the part of the House: Mr. STAGGERS and Mr. LUJAN.

APPOINTMENT AS MEMBERS OF THE NATIONAL ADVISORY COMMISSION ON LOW-INCOME HOUSING

The SPEAKER. Pursuant to the provisions of section 110(a), Public Law 90–448, the Chair appoints as members of the National Advisory Commission on Low-Income Housing the following Members on the part of the House: Mr. PATMAN, Mr. BARRETT, Mr. DEL CLAWSON, and Mr. BROWN of Michigan.

APPOINTMENT AS MEMBERS OF THE JOINT COMMITTEE ON NAVAJO-HOPI INDIAN ADMINISTRATION

The SPEAKER. Pursuant to the provisions of section 10(a), Public Law 474, 81st Congress, the Chair appoints as members of the Joint Committee on Navajo-Hopi Indian Administration the following Members on the part of the House: Mr. HALEY, Mr. UDALL, and Mr. STEIGER of Arizona.

NAME LATIN-AMERICAN CHIEF

(Mr. MONAGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONAGAN. Mr. Speaker, it is now approximately a month since Inauguration Day and no one has yet been named to the vitally important post of Assistant Secretary of State for Inter-American Affairs.

While appreciating the multitude of problems which face President Nixon and wishing in no way to add to his difficulties, nevertheless I respectfully suggest that someone should be named to this position immediately.

Not only are we involved in the increasingly disturbing hijacking problem with Cuba and the rising tide of expropriation and anti-Americanism in Peru, but we must follow closely the approaching election in Chile and support Bolivia's attempts to improve her internal security and general stability. Added to this are the increasing concern about the status of economic development in the Latin countries and the need for a review of the Alliance for Progress program. Finally and most urgently we have recently been confronted with the Peruvian seizure of American fishing boats and the actual firing of shots at U.S. ships.

With all these problems facing us and other potential ones in the offing, surely an experienced, knowledgeable and able person is needed at the head of this subdivision of the State Department.

I hope and trust that this nomination will be made without further delay.

THE 51ST ANNIVERSARY OF THE INDEPENDENCE OF THE UKRAINE

(Mr. HANLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANLEY. Mr. Speaker, this past month we celebrated the 51st anniversary of the independence of the Ukraine. We know, of course, that the Ukrainian people do not enjoy independence or freedom in fact, and that, as they have been for decades, they are captives of Russian tyranny.

But, Mr. Speaker, as long as we continue to denounce the illegal and immoral control of the Ukrainian homeland by the Russians, as long as we continue to keep the issue of Ukrainian independence before the world community, a ray of hope exists.

The hearts and prayers of freedom-loving people everywhere are with the brave Ukrainians and the other nations enslaved behind the Iron Curtain. Let us never forget their plight.

LET'S CUT OFF PERUVIAN FISHERY IMPORTS

(Mr. VAN DEERLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VAN DEERLIN. Mr. Speaker, on January 29, I introduced H.R. 5277, which, if enacted, would instruct the President to impose a ban on fishery imports from countries interfering with our fishermen outside the 12-mile limit.

I introduced the bill in response to an unprovoked machinegun attack by an Ecuadorean warship against a U.S. tunaboat. After last Friday's foray by Peru, the legislation seems more pertinent than ever.

Under terms of the Hickenlooper amendment, Peru is facing total loss of U.S. economic assistance as punishment for the seizure of oilfields and other property of the International Petroleum Co., a Standard Oil of New Jersey subsidiary. Our new law providing for the withholding of aid from countries that shakedown our fishermen thus might well be preempted—if there is no aid to withhold.

I believe H.R. 5277 might provide a satisfactory alternative, especially in view of the volume of Peruvian fishery exports to the United States.

Last year alone, we bought $58.8 million worth of Peruvian fishmeal, used primarily as fertilizer, and $3.6 million in edible fish products.

Our fishmeal imports from Peru have been increasing at a rate that is most profitable to Peru, which has demonstrated such scant regard for our own fishing industry. Our fishmeal purchases rose from $35.8 million in 1966 to $46.9 million in 1967 to the record $58.8 million of last year.

I would also like to point out that H.R. 5277 would be more widely applicable than the cutoff provisions of the Fishermen's Protective Act, since it would cover all cases of illegal harassment, regardless of whether the fishermen involved had suffered an actual financial loss.

PERU AND ECUADOR CONTINUE GUNBOAT DIPLOMACY AGAINST AMERICA

(Mr. PELLY asked and was given permission to address the House for 1 minute.)

Mr. PELLY. Mr. Speaker, last Friday when the House was in recess, a Peruvian gunboat, without provocation and in international waters, illegally seized one American fishing boat and fired 45 rounds on another U.S. fishing vessel causing considerable damage. Let me emphasize that these vessels were fishing more than 20 miles off the Peruvian coast, well beyond the internationally accepted fishing zone of 12 miles.

Immediately upon learning of these incidents I dispatched wires to Secretary of State William Rogers and to President Nixon requesting U.S. naval protection for these Americans, and I was gratified to learn that the President was personally investigating these incidents and that Secretary Rogers took such swift action in calling in the Peruvian Ambassador to discuss the matter.

However, Mr. Speaker, since these militant attacks upon Americans last Friday, another country, after giving permission to the American boat *San Juan* to enter port to have the damage by Peru assessed, unlawfully confiscated the ship's record and log book of the *San Juan* and said she was free to leave port. Instead of safe passage, her records were stolen and her captain, already the object of armed attack, was fired on by two shots as he escaped this unlawful detention by Ecuador.

These incidents, Mr. Speaker, have created shock to many Americans through the publicity over this weekend. Members of the House, are well aware of these provocative attacks that have been occurring over the past 15 years.

It is all the more important today, Mr. Speaker, that all interested parties sit down at a conference table and discuss fisheries of the eastern Pacific, and I urge the swift meeting of all sides to hopefully bring about such an agreement and under international law.

ANNOUNCEMENT CONCERNING SPECIAL ORDER TODAY

(Mr. FINDLEY asked and was given permission to address the House for 1 minute.)

Mr. FINDLEY. Mr. Speaker, I have taken a 30-minute special order for today for the purpose of discussing the Commander Bucher case. I invite any of my colleagues who might like to enter into a dialog to stay for that purpose.

A NATION UNDER GOD

(Mr. WYLIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYLIE. Mr. Speaker, today I have introduced a joint resolution proposing an amendment to the Constitution which would return to our citizens the right of prayer in public buildings. This amendment is identical to one offered by Senator DIRKSEN and would restore to the people of our Nation a religious liberty surely intended by the authors of the Constitution but now denied by a decision of the Supreme Court of the United States.

With other Members, I have received many letters protesting that in the guise of protecting religious liberty, our Supreme Court actually denies that which it claims to protect.

My constituents are concerned especially that this decision denies the right of prayer in public schools, in the face of evidence on every hand that youth needs more, not less, religious experience. On my questionnaire, they have voted 9 to 1 for the action which my resolution proposes.

Many of my correspondents note the travesty of a nation claiming that "In God We Trust," and installing its highest officials with an oath ending "So help me God," yet at the same time denying the right of prayer to that same God in our schools.

Now we hear the threat that instigators of the present ban on prayer would seek to extend that prohibition even to such readings of the Scripture as were heard so impressively on Christmas eve from Apollo 8 as it circled the moon.

Mr. Speaker, my resolution will give the people opportunity to proclaim for all the world to know that, Court decision notwithstanding, this is still "a Nation under God."

ORDER ON COLLEGE CAMPUSES

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I listened with some interest to the speech of the gentleman from Ohio (Mr. LATTA) about a speech by the Vice President about order on college campuses.

I might just observe, it was fine to make those speeches about law and order last fall when they were out, but now that they are in I would think fewer speeches and more action would be in order.

READING OF GEORGE WASHINGTON'S FAREWELL ADDRESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that on Thursday, February 20, 1969, George Washington's Farewell Address may be read by a Member to be designated by the Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER. Pursuant to the special order agreed to today, the Chair designates the gentleman from Virginia (Mr. WAMPLER) to read Washington's Farewell Address immediately following the approval of the Journal on February 20, 1969.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

PROTECTION OF DISABILITY EVALUATION IN EFFECT FOR 20 OR MORE YEARS

The Clerk called the bill (H.R. 4622) to amend section 110 of title 38, United States Code, to insure preservation of all disability compensation evaluations in effect for 20 or more years.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I believe I understand the purpose of this bill.

I have had a copy of the report and of the bill, and I have been supplied the information sheet by the Committee on Veterans' Affairs.

I do have one question. Is there not some substantive change, and will there not be some additional cost, if we make applicable under unanimous consent the word "evaluation" in lieu of the word "percentage" for those who have under a 30-percent recognized disability?

Mr. TEAGUE of Texas. Mr. Speaker, I would say to the gentleman that it would be so minor that maybe in the entire 27 million veteran population there might be 1,000 cases that would be involved to a little degree.

Mr. HALL. Mr. Speaker, I thank the gentleman for his explanation and also compliment him on the statement by the department downtown and the statement of the committee, that the cost will be minimal while justifying this as being in equity for those particular few to whom it does apply. Is that a fair summary of the situation that we are trying to correct in the interests of equity and justice?

Mr. TEAGUE of Texas. That is certainly so; and to be consistent in our legislation this little, minor change needs to be made.

Mr. HALL. Mr. Speaker, I compliment the gentleman and thank him for his response.

Mr. Speaker, I withdraw my reservation of objection.

Mr. TEAGUE of Texas. Mr. Speaker, in the 83d Congress Public Law 311 was enacted which provided that a rating of total disability or permanent total disability which had been made for pension, insurance or compensation purposes and which had been in force for 20 or more years under laws administered by the Veterans' Administration should not thereafter be reduced except upon a showing of fraud.

In the 88th Congress Public Law 445 was enacted which prevented the reduction of any disability rating 10 percent through 90 percent which had been in effect for 20 or more years.

In addition to these disability percentage ratings, veterans' laws provide higher statutory rates of compensation payable for certain serious service-connected disabilities or combinations of disabilities, and a special rate is provided for certain specified losses or losses for use that is payable in addition to the basic rates of disability compensation. As an example of this latter rate, the loss of an arm as the result of wartime service might be rated at 70 percent which today would result in monthly compensation of $174 for a veteran alone. In addition he would receive the $47 statutory award. Using the same example, if the award had been made for the loss of use, the VA upon a finding that the arm was usable, could eliminate the statutory award. This is possible because Public Law 88–445, which used the term "percentage," did not protect the mentioned statutory award. This bill would bar reductions of any statutory award that has been in effect for 20 years or more.

The cost will be minimal, with a maximum of 1,000 cases.

Mr. TEAGUE of California. Mr. Speaker, I rise in support of H.R. 4622. This bill will correct an inequity in the law relating to the payment of service-connected disability compensation.

As the result of legislation previously enacted into law, a protection against reduction in any disability rating that has been in effect for 20 or more years has been extended to those veterans with service-connected disabilities rated at 10 through 100 percent. A large group of sick veterans who are so seriously disabled that their disabilities do not fit into the 10 through 100 percent category receive a special monthly compensation fixed by law. In this group are blinded veterans and those who have sustained the multiple loss of use of their extremities.

This group of seriously disabled veterans are not protected against reduction in rating after 20 years because there is no percentage rating assigned to their disabilities. H.R. 4622 would correct this inequity by extending their protection to any service-connected disability evaluation.

Inasmuch as this protection has already been extended to a vast majority of the service-connected disabled group, equity requires that a similar protection be afforded the most seriously disabled group. Mr. Speaker, I urge that the bill be passed.

Mr. BOLAND. Mr. Speaker, I want to express my support for H.R. 4622—a bill that would eliminate a major inequity in the law protecting veterans' disability payments.

The law, enacted in the 88th Congress, prohibits reductions in a veteran's disability rating if the rating has been in effect for 20 years or more. But the law's provisions deal only with disability percentages and say nothing about statutory ratings—the ratings authorizing monthly cash awards to veterans afflicted with certain major disabilities or anatomical losses. A veteran who lost an arm in wartime service, for example, now is protected against reductions in his 70 percent disability rating but not against the statutory rating granting him a $47 monthly award.

It seems only just, Mr. Speaker, to extend the law's provisions to protect longstanding statutory ratings as well as conventional disability ratings. The Veterans' Administration points out:

> The existing situation is discriminatory in that the more seriously disabled veterans are not afforded the protection extended to those with less serious conditions.

I urge swift passage of the bill now before us.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 4622

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective August 19, 1964, section 110 of title 38, United States Code, is amended by striking out "percentage" each time it occurs and inserting in lieu thereof "evaluation".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE CONCURRENT JURISDICTION (UNITED STATES AND STATE OF MONTANA) AT FORT HARRISON, MONT.

The Clerk called the bill (H.R. 3689) to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I simply have one question for information. Would it not be worthwhile to consider general legislation to give concurrent jurisdiction in all of the States of the Union where we have veterans facilities instead of doing it piecemeal for the purpose so well set out in the committee report by the Committee on Veterans' Affairs?

Mr. TEAGUE of Texas. Will the gentleman yield?

Mr. HALL. I yield to the gentleman.

Mr. TEAGUE of Texas. Yes. I think that is probably what should have been done, but because of this being a specific request from the State of Montana and the local authorities being reluctant to come in, we did go ahead and report this bill out. If we do provide general legislation in this field, it will not affect this bill at all.

Mr. HALL. Mr. Speaker, am I not correct that we have done this before for other States or municipal areas, giving concurrent jurisdiction along with the Veterans' Administration to a few specific facilities?

Mr. TEAGUE of Texas. In certain areas we have.

Mr. HALL. Mr. Speaker, I thank the gentleman and withdraw my reservation of objection.

Mr. TEAGUE of Texas. Mr. Speaker, the bill would cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont. The cession would be effective upon acceptance by that State.

Exclusive Federal jurisdiction has created difficulty in obtaining certain services adjunct to operation of the center. Local authorities have furnished various services even though there has been doubt expressed as to the legality of actions taken. For example, on one occasion it was necessary for a local deputy sheriff to come to the center to disarm a former patient who had returned to the center armed, threatening several employees. On another occasion a patient in the center apparently committed suicide and it became necessary to hold an inquest. The local authority held the inquest as a matter of courtesy, although expressing doubt as to its authority. The bill would remove the doubt by providing concurrent jurisdiction and authority in such cases.

The director of the center has advised that the matter has been discussed at the local level with the Federal Bureau of Investigation, the U.S. attorney, the county attorney, county sheriff, and judges of the State court. All recommend concurrent jurisdiction.

Exclusive jurisdiction over the Fort William Harrison military reservation vested in the United States under the Montana General Act of Cession of February 14, 1891. Beginning April 29, 1922, the hospital on the reservation was operated by the then Veterans' Bureau and later by the Veterans' Administration. On November 14, 1946, the then Secretary of War formally transferred approximately 180 acres of the reservation to the Veterans' Administration under the provisions of the act of June 22, 1944—Public Law 346, 78th Congress—as amended. The Veterans' Administration Center, which is composed of a regional office and a general medical and surgical hospital, is located on such acreage.

There would be no cost insofar as Federal expenditures are involved by the approval of this proposal.

Mr. TEAGUE of California. Mr. Speaker, I rise in support of H.R. 3689. This bill would cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center at Fort Harrison, Mont.

The exclusive Federal jurisdiction which presently exists has created certain difficulty in obtaining law enforcement and other legal services at this Center. Although local authorities have provided law enforcement and other legal services when needed, there has been doubt expressed as to the legality of actions that have been taken. Since there is only one resident FBI agent in Helena, for miles distant, and the nearest U.S. marshal headquarters is about 70 miles distant in Butte, the concurrent jurisdiction contemplated in this bill is necessary. Certainly, the enactment of this proposal would facilitate the orderly operation of the Veterans' Administration Center.

I urge that it be passed.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 3689

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby ceded to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Montana.

SEC. 2. This cession of jurisdiction shall take effect upon acceptance by the State of Montana.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TECHNICAL CORRECTIONS IN TITLE 38, UNITED STATES CODE

The Clerk called the bill (H.R. 684) to amend title 38 of the United States Code in order to make certain technical corrections therein, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, again reserving the right to object. I have no objection to these technical corrections, but I have one question. Referring either to page 2 under the section-by-section analysis on section 1 of this bill or to page 10 under the Ramseyer reprint on the subject, "Approval of Educational Institutions," will it not be a substantive change and a considerable additional cost if we allow these students to proceed not only through their 21st birthday but their 23d year while attending college?

Mr. TEAGUE of Texas. I will say to the gentleman that this is merely a correction of the law which we have already passed. It is just a correction in the code, title 38.

Mr. HALL. Mr. Speaker, am I to understand from the gentleman, then, that the law as encoded now enables them to go through the 23d year?

Mr. TEAGUE of Texas. That is correct.

Mr. HALL. Mr. Speaker, I thank the gentleman for his clarification and I withdraw my reservation of objection.

Mr. TEAGUE of Texas. Mr. Speaker, this measure amends title 38 of the United States Code to make certain technical corrections and correct typographical errors which have occurred in the various amendments of title 38 since the veterans' laws were codified in 1958. There are no substantive changes contained in this proposal; only technical corrections.

A section-by-section analysis follows:

SECTION-BY-SECTION ANALYSIS OF THE BILL

SECTION 1

Subsection (a) amends section 101(23) (A) of title 38 to change the reference therein to title 37 (Pay and Allowances of the Uniformed Services) from section 301 to 206. This change is necessitated by the recodification of title 37, contained in Public Law 87–649, and cites the applicable section of the recodification.

Subsection (b) amends section 101(25) (D) of title 38 to change the reference from Secretary of the Treasury to Secretary of Transportation. Public Law 89–670 transferred jurisdiction over the Coast Guard from the Department of the Treasury to the Department of Transportation and this change reflects the jurisdictional transfer authorized by that law.

Subsection (c) amends section 104(a) of title 38 to incorporate the present maximum age limit of 23 years on the granting of educational benefits to certain children as authorized by Public Law 89–311.

SECTION 2

This section transfers the authority presently granted the Administrator to employ the services of translators from section 232 of title 38 to section 213, a section which presently authorizes the Administrator to contract for various other services. Subsection (a) repeals the old section 232, with the net effect being to delete obsolete references to title 5 and incorporate the authority in section 213; subsection (b) deletes the reference to section 232 from the table of sections at the beginning of chapter 3; and subsection (c) inserts the language on the employment of the services of translators into section 213.

SECTION 3

This section amends section 351 of title 38 to insert the specific effective date of the authority given the Veterans' Administration by Public Law 87–825 to offset awards granted under section 351 against any judgments, compromises, or settlements awarded individuals as the result of litigation, brought by them pursuant to title 28 (Judiciary and Judicial Procedure), based upon the same incident.

SECTION 4

Subsection (a) amends section 401(1) of title 38 to change the references to title 37 (Pay and Allowances of the Uniformed Services) to make them conform with the present sections of recodified title 37.

Subsection (b) amends section 411(d) (3) of title 38 to change the reference to title 45 (Railroads) from section 228c–1(i) to section 228c–1(h) based upon the redesignation of that section by Public Law 89–700.

SECTION 5

This section amends section 560(a) of title 38 to change the reference therein from the Department of the Treasury to the Department of Transportation. This revision reflects the change in jurisdiction over the Coast Guard from the Department of the Treasury to the Department of Transportation as provided for in Public Law 89–670.

SECTION 6

Subsection (a) amends section 625 of title 38 to substitute the title "magistrate" for "commissioner." This change reflects the abolition of the office of U.S. commissioner and the creation of the office of U.S. magistrate as provided in Public Law 90–578.

Subsection (b) amends section 631 of title 38 to delete obsolete references to the total of grants to the Republic of the Philippines in calendar years 1958 and 1959 for medical care for Philippine veterans.

Subsection (c) amends section 632(b) of title 38 to insert the effective date of September 30, 1966, which is applicable to the modification of certain agreements on hospital and medical care for Philippine veterans.

SECTION 7

This section amends section 904 of title 38 to delete language referring to time limitations on the filing of certain claims for burial benefits enacted in Public Law 88–3. These limitations have now expired and the language has become obsolete.

SECTION 8

This section amends section 1503(a) of title 38 to delete the obsolete reference to the 9-year period August 20, 1954, to August 20, 1963, on eligibility for vocational rehabilitation.

SECTION 9

Subsection (a) amends section 1701(a) (2) of title 38 to reflect the current age limitation of 23 years contained in Public Law 89–311 which is applicable to the granting of educational benefits to children other than those receiving benefits under the War Orphans' and Widows' Educational Assistance Act, as amended.

Subsection (b) amends section 1711(b) (1) of title 38 to correct the Code reference citation contained therein from section 1701(a) (10) to section 1701(a) (8).

Subsection (c) amends section 1765(c) of title 38 to insert the specific effective date of the savings provisions contained in that section.

SECTION 10

This section amends section 3203(d) (2) of title 38 to reflect the new minimum pension rate provided in Public Law 90–275 and eliminate reference to any specific dollar amount in view of any further rate changes which may be made in the future.

SECTION 11

This section amends section 3301(1) of title 38 to merely eliminate a grammatical error contained in present law.

SECTION 12

Subsection (a) amends section 3401 of title 38 to incorporate the exception contained in section 500 of title 5, United States Code (originally enacted as Public Law 89–332), allowing certain persons to act on behalf of claimants.

Subsection (b) amends section 3402(c) of title 38 to redesignate the references to title 18 (Crimes and Criminal Procedures) to have them correspond to the redesignated sections provided for in Public Law 87–849. This subsection also reflects the incorporation of former section 99 of title 5 (Government Organization and Employees) into title 18 as provided by the recodification of title 5 set forth in Public Law 89–554.

SECTION 13

Subsection (a) amends section 3503(d) of title 38 to merely insert the effective date of Public Law 86–222 which limited the imposition of certain forfeitures for fraud.

Subsection (b) amends section 3405(c) of title 38 to insert the specific effective date of Public Law 86–222 in lieu of present language which merely cites "the date of enactment of this subsection."

SECTION 14

The first sentence of this section reserves to the Government the right to continue to claim any indebtedness which may be owed to the Government on the date of enactment of this bill under any of the laws repealed by this section.

Subsection (a) repeals subsection (a) of section 12 of Public Law 85–857 which contains obsolete savings clauses on time limitations for the training of World War II and Korean veterans.

Subsection (b) repeals section 2 of Public Law 86–236 which contains an obsolete savings clause which granted a full 5 years of educational training to certain children of Spanish-American War veterans.

Subsection (c) repeals section 5 of Public Law 86–785 which contains an obsolete savings clause which granted a full 5 years of educational training to certain children of veterans dying of disabilities incurred subsequent to the Korean conflict.

Subsection (d) repeals section 2 of Public Law 87–377 which contains an obsolete savings clause which granted 5 full years of educational training to certain children in the Philippines.

SECTION 15

This section amends section 1789 of title 38 to correct a printing error which occurred at the time of the enactment of the Veterans' Readjustment Act of 1966 (Public Law 89–358). The word "additional" contained in section 2 of that act is corrected to read "educational."

SECTION 16

This section amends section 101(3) of title 38 to insert the effective date of Public Law 87–674 which authorized the restoration of certain widows to the rolls.

Mr. TEAGUE of California. Mr. Speaker, I rise in support of H.R. 684. This bill will make certain technical changes in title 38 United States Code. The bill contains no substantive changes in the law. It will eliminate obsolete provisions contained in title 38. It will provide for technical conformance of title 38 with other laws which have recently been enacted. It will correct minor errors which have been discovered and will repeal certain obsolete savings provisions which are no longer applicable.

The committee has carefully avoided making substantive changes in law in the bill before the House. As originally introduced, the bill contained one provision that could have been construed as making a relatively minor substantive change in law. To avoid any such implication, a committee amendment has deleted this provision from the bill. I urge that the bill be passed.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 684

A bill to amend title 38 of the United States Code in order to make certain technical corrections therein, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 1 of title 38, United States Code, is amended as follows:

(a) by deleting in section 101(23)(A) "section 301 of title 37" and inserting in lieu thereof "section 206 of title 37";

(b) by deleting in section 101(25)(D) "the Treasury" and inserting in lieu thereof "Transportation"; and

(c) by deleting in section 104(a) "twenty-one" and inserting in lieu thereof "twenty-three".

SEC. 2. Chapter 3 of title 38, United States Code, is amended as follows:

(a) by deleting in subchapter III section 232 in its entirety;

(b) by deleting in the table of sections at the beginning of such chapter the following:

"232. Employment of translators.";

and

(c) by inserting in section 213 immediately after the word "persons" the following "(including contracts for services of translators without regard to any other law)".

SEC. 3. Section 351 of title 38, United States Code, is amended by deleting "hereafter" each place it appears therein and inserting in lieu thereof ", on or after December 1, 1962,".

SEC. 4. Chapter 13 of title 38, United States Code, is amended as follows:

(a) Section 401(1) is amended by deleting "sections 232(a), 232(e), or 308 of title 37" and inserting in lieu thereof "sections 201, 202, 203, 204, 205, or 207 of title 37"; and

(b) Section 411(d)(3) is amended by deleting "section 228c–1(i)" and inserting in lieu thereof "section 228c–1(h)".

SEC. 5. Section 560(a) of title 38, United States Code, is amended by deleting "the Treasury" and inserting in lieu thereof "Transportation".

SEC. 6. Chapter 17 of title 38, United States Code, is amended as follows:

(a) by deleting in the last sentence of section 625 the word "commissioner," and inserting in lieu thereof the word "magistrate";

(b) by deleting the last sentence of section 631; and

(c) by deleting in the first sentence of section 632(b) the words "the effective date of this amendment" and inserting in lieu thereof "September 30, 1966".

SEC. 7. Chapter 23 of title 38, United States Code, is amended as follows:

(a) by deleting the last sentence of section 902(b);

(b) by deleting in section 904 the words "whichever last occurs,"; and

(c) by deleting in section 904 the words "or the date of enactment of this sentence".

SEC. 8 Section 1503(a) of title 38, United States Code, is amended by deleting immediately after "until" the following: "—(1) August 20, 1963, if such person was discharged or released before August 20, 1954, or (2)".

SEC. 9. Chapter 35 of title 38, United States Code, is amended as follows:

(a) by deleting in section 1701(a)(2) "twenty-one" and inserting in lieu thereof "twenty-three";

(b) by deleting in section 1711(b)(1) "section 1701(a)(10)" and inserting in lieu thereof "section 1701(a)(8)"; and

(c) by amending section 1765(c) to read as follows:

"(c) In the case of any individual who is an eligible person solely by virtue of subsection (a) of this section, and who is above the age of seventeen years and below the age of twenty-three years on September 30, 1966, the period referred to in section 1712 of this title shall not end until the expiration of the five-year period which begins on September 30, 1966."

SEC. 10. Section 3203(d)(2) of title 38, United States Code, is amended by deleting in the second sentence "$30 per month which would be payable to the veteran while being furnished such care if pension were payable to him under section 521(c) of this title" and inserting in lieu thereof "the amount payable to the veteran while being furnished such care which would be payable to him if pension were payable under section 521(c) of this title".

SEC. 11. Section 3301 of title 38, United States Code, is amended by deleting in paragraph (1) thereof the period and the word "And" immediately following the word "claimant" the second place it appears therein and inserting in lieu thereof "and".

SEC. 12. Chapter 59 of title 38, United States Code, is amended as follows:

(a) by deleting the first word in section 3401 and inserting in lieu thereof "Except as provided by Public Law 89–332, no"; and

(b) by deleting in section 3402(c) "section 281 or 283 of title 18, or a violation of section 99 of title 5" and inserting in lieu thereof the following: "sections 203, 205, 206, or 207 of title 18".

SEC. 13. Chapter 61 of title 38, United States Code, is amended as follows:

(a) by deleting in section 3503(d) at each place it appears the word "the date of enactment of this subsection" and inserting in lieu thereof "September 1, 1959"; and

(b) by deleting in section 3504(c) the words "the date of enactment of this subsection" and inserting in lieu thereof "September 1, 1959".

SEC. 14. Except as to any liabilities which may be due the Government as the result of any benefits granted thereunder, the following provisions of law are repealed effective the date of enactment of this Act:

(a) Subsection (a) of section 12 of the Act entitled "An Act to consolidate into one Act all of the laws administered by the Veterans' Administration, and for other purposes", approved September 2, 1958 (72 Stat. 1264).

(b) Section 2 of the Act entitled "An Act to amend section 1701 of title 38, United States Code, to provide the same educational benefits for children of Spanish-American War veterans who died of a service-connected disability as are provided for children of veterans of World War I, World War II, and the Korean conflict", approved September 8, 1959 (73 Stat. 471).

(c) Section 5 of the Act entitled "An Act to provide education and training for the children of veterans dying of a disability incurred after January 31, 1955, and before the end of compulsory military service and directly caused by military, naval, or air service, and for other purposes", approved September 14, 1960 (74 Stat. 1024).

(d) Section 2 of the Act entitled "An Act to provide outpatient medical and dental treatment for veterans of the Indian wars on the same basis as such treatment is furnished to veterans of the Spanish-American War,

and to extend the time within which certain children eligible for benefits under the War Orphans Educational Assistance Act of 1956 may complete their education", approved October 4, 1961 (75 Stat. 806).

Sec. 15. Section 2 of the Veterans' Readjustment Benefits Act of 1966, approved March 3, 1966, is amended by deleting the word "additional" in "section 1789" and inserting in lieu thereof the following: "educational".

With the following committee amendments:

One page 3, strike out lines 18 and 19.

On page 3, line 20, strike out "(b)" and insert "(a)".

On page 3, line 22, strike out "(c)" and insert "(b)".

On page 5, beginning on line 11, strike out "Except as provided by Public Law 89–332, no" and insert "Except as provided by section 500 of title 5, no".

On page 6, line 3, strike out "liabilities" and insert in lieu thereof "indebtedness".

On page 7, beginning on line 7, strike out all that appears after "Sec. 15," and insert in lieu thereof "Section 1789 of title 38, United States Code, is amended by striking out 'additional' and inserting 'educational'."

On page 7, immediately after line 12, insert the following new section:

"Sec. 16. Section 101(3) of title 38, United States Code, is amended by deleting 'enactment of the 1962 amendment to this paragraph' and inserting in lieu thereof 'September 19, 1962' ".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVISIONS OF HOUSE RESOLUTION 376, 90TH CONGRESS, TO CONTINUE IN EFFECT DURING 91ST CONGRESS

Mr. ALBERT. Mr. Speaker, I offer a privileged resolution (H. Res. 243) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 243

Resolved, That the provisions of House Resolution 376, Ninetieth Congress, are hereby continued in effect during the Ninety-first Congress; and be it further

Resolved, That the Clerk of the House of Representatives transmit a copy of this resolution to the Supreme Court of the United States and to any other court in which related legal proceedings may be pending or brought.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, what is the nature of this resolution? For what does it provide?

Mr. ALBERT. Mr. Speaker, I will state to the distinguished gentleman from Iowa that in the 90th Congress, the House, by the adoption of House Resolution 376, authorized the Speaker to appoint special counsel to represent the House, its Members, and officers named as defendants, in the suit brought against the House by Adam Clayton Powell, Jr.

This legal action is now pending in the Supreme Court of the United States. The resolution I have offered will continue the provisions of the resolution adopted in the 90th Congress, thus giving the Speaker the authority to continue to retain counsel and protect the interests of the defendants and the House in this matter.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING THE GRADE OF GENERAL FOR THE ASSISTANT COMMANDANT OF THE MARINE CORPS

Mr. RIVERS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 3832) to provide the grade of general for the Assistant Commandant of the Marine Corps so long as such office is held by the present incumbent, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3832

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grade of the Assistant Commandant of the Marine Corps is that of general so long as such office is held by the present incumbent.

With the following committee amendment:

Strike all after the enacting clause and insert in lieu thereof the following:

"That Section 5202 of Title 10, United States Code, is amended by adding the following new subsections at the end thereof:

" '(d) The Assistant Commandant of the Marine Corps, while so serving, has the grade of general, at the discretion of the President, by and with the advice and consent of the Senate; *provided, however*, That the total active duty strength of the Marine Corps exceeds 200,000, at the time of the appointment.

" '(e) Notwithstanding the strength proviso in subsection (d), an officer once appointed to the grade of general under this section shall retain that grade so long as his appointment as the Assistant Commandant remains in effect.' "

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend title 10, United States Code, to provide the grade of general for the Assistant Commandant of the Marine Corps when the total active duty strength of the Marine Corps exceeds 200,000."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to extend their remarks on the three bills just passed which came out of the Committee on Veterans' Affairs.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

STATISTICS ARE THE HEART OF DEMOCRACY

(Mr. OLSEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. OLSEN. Mr. Speaker, the title of this brief statement, "Statistics Are the Heart of Democracy," is not original with me. It appeared 25 years ago in the New York Times. I wish that I had said it first. In a few succinct and emphatic words it sums up my own convictions. In a measured phrase it defines the mechanism through which "government of the people, for the people, and by the people" is made to function.

Unfortunately, however, there are some who would deny to the Government the facts it needs to govern "for the people"; who would deny to our citizens the information they must have to insure government "by the people"; and who would deny to the Congress the data it needs to legislate in behalf "of the people."

They would do this by the simple expedient of effectively eliminating some of the major statistical activities of government—by reducing the mandatory content of the 1970 Census of Population and Housing, for example, to fewer questions than were asked in the first census taken in 1790; by raising the false specter of "invasion of privacy" to delude the public into believing that census information will be used for illegal purposes; and by implying that the 1970 census has been tremendously and unwarrantedly expanded out of all proportion when, in fact, it is almost identical to the census taken in 1960—and who among us can even remember the census taker's 1960 visit?

A few days ago, the Congressional Record carried an article entitled "How Can We Make Government More Responsive to the Will and Need of the People?" A vital question, but one which has no real answer unless the basic information, the statistics, which define the "will" and describe the "need" are available from the Government itself. The people, the Congress, and the Government need more information, not less—and they need it from sources such as the Census Bureau which has an inviolable reputation for integrity, for the trustworthiness of its statistical reports, and for maintaining the absolute confidentiality of the individual data it collects.

In the 90th Congress, the House recognized the value of and the need for more adequate and up-to-date statistical information by passing legislation which authorized the Bureau of the Census to conduct a middecade census of population, unemployment, and housing beginning in 1975 and every 10 years thereafter. As a part of my continued support of efforts to improve our statistical system, I am reintroducing today a bill to accomplish this purpose. I will be recommending still other improvements in the future. It is a known fact that the dictatorships of this world survive as much through the technique of the "big lie," by suppression of information, as they do through suppression by force.

In 1790, John Curran wrote, "Eternal vigilance is the price of liberty." Data, facts, statistics provide the illumination which insures that vigilance will be effective—whether it focuses on overcharging for drugs, the financial needs of education, the inequities of our tax laws, the level of our military preparedness, the problems of our cities, or the characteristics of our Nation and its people as described by census reports. Knowledge is the first step toward progress.

LAW OF THE LAND

(Mr. **RIVERS** asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include an editorial.)

Mr. **RIVERS**. Mr. Speaker, the law of the land is a term that is being misapplied, distorted, and extended by bureaucrats and do-gooders surpassing even the clear and unmistakable intent of Congress.

Nobody has the right to violate the law of the land. By the same token, no official of our Government has the right to promulgate rules, regulations, or guidelines in violation of the law of the land as clearly declared by the Congress of the United States.

In the above connection, Mr. Speaker, under date of Sunday, February 16, the Charleston News & Courier in an editorial titled "Law of the Land" discusses clearly and classically a magnificent editorial written by that distinguished and peerless journalist, David Lawrence, on this subject matter. Mr. Speaker, the law of the land is being applied to one section of our Nation and one people of our Nation in violation of the intent of Congress as set out in the Civil Rights Act of 1964. The schools of my Southland are being called upon to subscribe to guidelines clearly in violation of the law which are not required of other sections of our country. I want the Congress of the United States and the people of the United States to share with me the discourse on this subject by Mr. Lawrence as discussed by America's most outspoken newspaper. The editorial follows:

LAW OF THE LAND

While pressures on public school districts to step up racial mixture of classrooms continue unabated under the Nixon Administration, it is useful to repeat for the record precisely what is the "law of the land" on this controversial subject.

In an editorial by David Lawrence, U.S. News & World Report has reprinted a decision handed down July 15, 1955, by a three-judge court in the case of Briggs v. Elliott, originating in Clarendon County, South Carolina. The Supreme Court has allowed this decision to stand. Therefore it is the "law of the land." In part the decision reads:

Whatever may have been the views of this court as to the law when the case was originally before us, it is our duty now to accept the law as declared by the Supreme Court.

Having said this, it is important that we point out exactly what the Supreme Court has decided and what it has not decided in this case. It has not decided that the federal courts are to take over or regulate the public schools of the States. It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend.

What it has decided, and all that it has decided, is that a state may not deny to any person on account of race the right to attend any school that it maintains. This, under the decision of the Supreme Court, the State may not do directly or indirectly; but if the schools which it maintains are open to children of all races, no violation of the Constitution is involved even though the children of different races voluntarily attend different schools, as they attend different churches.

Nothing in the Constitution or in the decision of the Supreme Court takes away from the people freedom to choose the schools they attend.

The Constitution, in other words, does not require integration. It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of government power to enforce segregation. The Fourteenth Amendment is a limitation upon the exercise of power by the State or State agencies, not a limitation upon the freedom of individuals.

The Supreme Court has pointed out that the solution of the problem in accord with its decisions is the primary responsibility of school authorities and that the function of the courts is to determine whether action of the school authorities constitutes "good faith implementation of the governing constitutional principles."

The Civil Rights Act of 1964 gave the judgment of Congress in these words:

"Desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

Nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance.

Some of the guidelines and other pressures from the Dept. of Health, Education, and Welfare seem to go beyond the "law of the land." When bureaucrats exceed the law they too should be brought to book. We expect South Carolina representatives to insist that this be done.

TWENTY-FIFTH ANNIVERSARY OF SERVICEMEN'S READJUSTMENT ACT

(Mr. **MILLER** of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. **MILLER** of California. Mr. Speaker, a great milestone in the economic life of this country was the passage of the so-called GI bill of rights after World War II. This measure has been in effect for 25 years.

The investment in education made from this source has been responsible for the great strides, particularly in science and technology, that this country has made in the last 25 years.

The Honorable JOHN W. MCCORMACK, Speaker of the House, was quick to sense this and on January 23, 1969, he addressed a letter to Harold E. Stringer, director of the American Legion on this subject that I commend to the reading of all of my colleagues and I am pleased to make it a part of my remarks:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., Januuary 23, 1969.

HAROLD E. STRINGER,
Director, The American Legion,
Washington, D.C.

DEAR MR. STRINGER: It is a pleasure for me to join with you in commemorating the Twenty-fifth Anniversary of the Servicemen's Readjustment Act, known as the "GI Bill of Rights." I firmly believe that the legislation establishing this Act is among the most successful of the entire century.

Before enactment of the GI Bill, educational assistance for returning veterans was unheard of. A program of such magnitude had been considered impossible. The GI Bill of Rights was revolutionary because, first of all, it responded to the reality that all veterans—able bodied as well as disabled—confront special problems in re-entering civilian life. The Congress in 1944 recognized that the veteran must have assistance which he himself can adjust to his needs. Secondly, the legislation was revolutionary in that it responded to the veteran's needs immediately upon his re-entry into civilian life. The benefit did not merely accrue at some future date, such as pension payment.

The educational assistance and home loan assistance improved the veteran's economic status, his vocational status, and enhanced his independence as a homeowner. It accrued not to the veteran alone, but to his present and future dependents. The assistance, therefore, benefitted far more millions of Americans than merely the individual veterans themselves.

When we consider the success and completion of the business, home and farm loans, and the vocational ability acquired, we have no doubt that the GI Bill enabled the returning veterans to carry into civilian life the resourcefulness and energy which distinguished them on the battlefield.

The legislation was an investment in America's most precious resource, that is, in our manpower. The increased education and heightened living standard of so large and dynamic a segment of the population could not help but catalyze and direct the energy of the entire Nation.

With best wishes, I am,
Sincerely yours,
JOHN W. MCCORMACK,
Speaker of the House.

DEATH IN THE COAL MINES

(Mr. **HECHLER** of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. **HECHLER** of West Virginia. Mr. Speaker, the death bell has tolled for thousands of American coal miners.

Buried deep in last Friday's Wall Street Journal was the surreptitious announcement by the Secretary of Labor that he would not put into effect the limits on coal dust on coal mined for Federal contracts. These limits of 3 milligrams of coal dust per cubic meter of air were to go into effect at midnight last night, but now they have been postponed 90 days because the National Association of Manufacturers and some coal producers have objected.

On top of this comes the report that John F. O'Leary is to be fired as Director of the Bureau of Mines. In the brief 4 months he has headed the Bureau of Mines, Director O'Leary has moved swiftly and surely to protect the health and safety of the average coal miner. His dismissal would be a victory for the special interests who oppose vigorous enforcement of the law, and who oppose any strengthening of the law and its administration. It would be a kick in the teeth for the thousands of coal miners who daily run the risk of being gassed, burned, buried or trapped in the mines, and who suffer from the deadly effects of black lung—coal workers' pneumoconiosis. I urge every coal miner, every coal miner's widow, and every coal miner's youngster whose father was killed or disabled in the mines to write to President Nixon and urge that John F. O'Leary stay on the job.

The new health standards which Secretary Shultz refused to put into effect are very clear and simple standards. Two months ago, when the Department of Health, Education, and Welfare announced that 3 milligrams per cubic meter of air was a recommended standard of coal dust to protect the coal miner against black lung, it was announced that this figure had been arrived at "after 16 years of study." Now the Secretary of Labor says he has to study these regulations for another 90 days. Why? Because some big producers sent him some telegrams saying it might cost a little money to keep down the coal dust.

The coal miners don't have high-paid lobbyists to tell them when to send telegrams. When are we going to start thinking about the health and safety of the human beings who work in the coal mines, instead of the profits of the producers?

Make no mistake about it, there is a revolt going on in the coal mines. These men are not going down into the mines and breathe this coal dust day after day, and subject themselves to the dangers of being killed and maimed on the job while we in Congress sit and do nothing and the producers call the tune. The United States is the only major coal-producing nation in the world that does not have a standard for keeping down coal dust. When are we going to act to protect human values instead of the profits of the coal producers?

HOUSE MUST SUPPORT U.N. SANCTIONS AGAINST RHODESIA

(Mr. BROWN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of California. Mr. Speaker, the present minority government in Rhodesia stands as an anathema to all that we in the United States believe right and just. A small racist minority, temporarily in control of the government under auspices of the legal British authorities, illegally proclaimed itself sole and permanent ruler of Rhodesia's 4 million Africans.

The Smith government violates international law. It daily flaunts international morality by refusing to permit the African majority a voice in its own destiny—a clear violation of the principle of self-determination to which the United States unreservedly adheres.

In an attempt to force the minority regime in Rhodesia to end its oppression of the nation's black majority, the United Nations Security Council voted in December 1966, to impose mandatory selective economic sanctions on Rhodesia. The United States supported this resolution and instituted it by Executive order. At that time I supported a House resolution backing U.N. action.

Last May, after recognizing selective sanctions to be ineffective, the Security Council passed a further resolution requiring United Nations members to sever all economic relations with Rhodesia. On July 29, 1968, President Johnson implemented that resolution.

Today I am entering a House resolution in support of the expanded U.N. resolution. I firmly believe that the House must add its voice and prestige to the Presidential action so no doubt remains in the minds of any observer that the United States completely and unequivocally opposes any regime so based on racial prejudice and minority rule.

Our moral and political standing in the free world demands no less a commitment. The House of Representatives must take positive action showing the world that we agree with the United Nations that it is the duty of the total world community to take "all effective measures to bring to an end the rebellion in Southern Rhodesia, and enable the people to secure the enjoyment of their rights as set forth in the Charter of the United Nations."

The present Rhodesian regime threatens the peace and security of all Africa. It is an affront to international law and human decency. The House of Representatives must lend all support to the United Nations in efforts to deal with this infamous regime.

STATE TAXES ON NATIONAL BANKS

(Mr. PODELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. PODELL. Mr. Speaker, on Monday, November 25, 1968, I conducted public hearings in New York City on H.R. 19031, 90th Congress, second session, a bill to clarify the liability of national banks for sales and use taxes. The question of immunity of national banks from nondiscriminatory State sales and use taxes is becoming a matter of growing concern among State and local fiscal officers.

We shall shortly furnish the Members of this House with a report setting forth the results of a survey I have taken among all the States of the Union together with my findings as a result of the public hearings.

In the meanwhile, I should like to alert our colleagues to the urgency of this problem with statements I issued announcing the public hearings:

Congressman Bertram L. Podell announced today that he will conduct public hearings on proposed Congressional legislation to close a loophole that permits National Banks to become legal dodgers of state sales and use tax liabilities.

The public hearing will be held in Room 2705, New Federal Building, Foley Square, Manhattan starting at 10:00 a.m. Among those who will appear at the hearing are State Comptroller Arthur Levitt and City Comptroller Mario A. Procaccino, Attorney General Louis J. Lefkowitz, and State Commissioner of Taxation and Finance Joseph H. Murphy.

In announcing the public hearings, Congressman Podell said:

"There can be no sound reason why banks chartered under Federal Law should be permitted to escape responsibility for the support of state and local governments. A preliminary survey I have made indicates tentatively that among 18 states, National Banks will be exempt from payment of a minimum of $20 million dollars for the support of State and Local governments. Like other business and commercial enterprises, and like State chartered banks the National Banks are recipients of a myriad of state and local services, and equity demands that they pay for these services just like other enterprises and competitive State banks. Indeed, it is incongruous to suggest that when the President of a National Bank shaves in the morning, he sees in the mirror's reflection a federal instrumentality."

Referring to a recent Supreme Court decision, First Agricultural Bank v. Tax Commission, 392 U.S. 339 (1968), that held National Banks to be immune from State sales and use taxes. Congressman Podell said:

"In recent years, State and local governments have been under greatest pressures to make budgetary ends meet. Resort to sales and use taxes has consequently become a major source of revenue for many States and for many local governments. In our own State, there is every reason to believe that the State sales and use tax will be increased from two to three percent. Nassau and Suffolk County executives have made public requests for a two percent County sales and use tax to meet exploding costs of County government. It is ridiculous to maintain on our statute books a law enacted in 1864, more than 100 years ago, that permits the National Banks to escape responsibility for paying a fair share of local government costs. It is, I believe, clearly a matter of records that the escape hatch opened by the Supreme Court decision will imbalance State and local budgets, many of which are held together by nothing more substantial than glue and paper clips."

Congressman Podell further disclosed that he has underway a survey of revenue losses to the various States as a result of the Supreme Court decision, Preliminary returns disclose the following State revenue losses:

Alabama	$250,000–$300,000
California	100, 000
Florida	2, 000, 000–3, 000, 000
Georgia	2, 046, 700
Idaho	250, 000–500, 000
Maine	50, 000
Maryland	1, 000, 000
Massachusetts	250, 000
Michigan	1, 000, 000
Nebraska	375, 000
New York City	1, 750, 000
New York State	5, 000, 000
North Carolina	185, 000
Oklahoma	150, 000
Rhode Island	100, 000
Tennessee	1, 500, 000
Utah	106, 000
Virginia	1, 500, 000
West Virginia	150, 000

Some states have reported that they do not tax sales to National Banks, either because of State Law or a ruling of the Attorney General, exempting National Banks from such taxes. These states include, Arkansas, Connecticut, Hawaii, Kansas, Missouri, Texas, Wyoming.

In recent years, State and local governments have been under increasing pressures to make budgetary ends meet. Consequently sales and use taxes have become a major source of revenue for many states and local governments.

The immediate question before us is whether Congress should permit the existence of a privileged group, enjoying a special status of immunity from liability for payment of non-discriminatory State sales and use taxes. At its last term of Court, in First Agricultural Bank v. Tax Commission, the United States Supreme Court held that National Banks enjoy such a privileged status, under Section 41 of the National Bank Act.

The question of intergovernmental immunities is a fundamental one in a Federal system of government, and finds its roots in the formative years of our Nation. Just about 150 years ago, in 1819, in the celebrated case of McCulloch v. Maryland, Chief Justice John Marshall held invalid a State law levying a tax on currency issued by the Second Bank of the United States. The doctrine enunciated by the Supreme Court, that the power to tax is the power to destroy, has become so fundamental a part of our Federal structure, that it is familiar even to Freshmen students of the American political system.

In pristine form, the doctrine of intergovernmental immunities is unassailable, but its application to specific circumstances is fraught with many difficulties. This is evident from the views expressed by another Justice Marshall on the Supreme Court, Mr. Justice Thurgood Marshall.

Dissenting from the Court's decision in First Agricultural Bank v. Tax Commission, Justice Thurgood Marshall said that he could find nothing in the United States Constitution that granted to National Banks immunity from payment of a sales tax of universal application upon the purchase of a waste paper basket by such a bank.

When the United States Supreme Court handed down its decision in First Agricultural Bank v. Tax Commission, I introduced a bill in Congress, H.R. 19031, amending Section 41 of the National Bank Act, to establish clearly the liability of National Banks for non-discriminatory sales and use taxes upon taxable personal property purchased by such banks.

Section 41 of the National Bank Act was enacted over 100 years ago, in 1864, with respect to a National Bank, whose relationship with respect to the Government of the United States differed in marked respect from the relationship between National Banks today and the Federal Government. Section 41 of the National Bank Act was enacted long before the fertile minds of State fiscal officers ever dreamed of sales taxes.

The purpose of these hearings is to determine first the extent of revenue losses suffered by State and local governments as a result of the exempt status held by National Banks, and second whether perpetuation of this exemption can be equitably sustained.

I am grateful to all of you who have joined with us at these hearings. It is my intent, after the conclusion of these hearings and after completion of a survey I am making of all the States, to file a report with the members of Congress, so that constructive action may be taken on this matter. Your participation in these hearings will therefore bring to the Congress the benefit of your experience and your views. I deeply appreciate your cooperation.

A CALL FOR JUSTICE

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. KOCH. Mr. Speaker, I would like to inform my colleagues in the House that on February 9, 1969, I wrote to President Nixon. It was on a matter of conscience and one which affects the lives of thousands of young men—those who have left this great country and gone into exile, hundreds of whom are in jail in this country, and others who are labeled deserters and are now in Sweden, to avoid military service in a war which they believe to be immoral and violative of their conscience. It is estimated that there are now in Canada between 5,000 and 30,000 such young men. In many cases, these are the very best of our youth.

My proposal to the President is that he use his executive power to redefine the status of the conscientious objector so as to include in that definition those who are selective conscientious objectors and who oppose, in this case, the Vietnam war. My proposal to the President is not that of a general amnesty—such an amnesty could only come after the war had been concluded—but rather it would require that the young man who established that he was in fact a bona fide selective conscientious objector, perform an acceptable form of alternative service as is presently available to the conscientious objector.

My letter asks that this policy be applied to those that I described above as well as the thousands of others who are now subject to the draft and will be called to serve in the Armed Forces of this country. I would point out that a young man who would avail himself of this opportunity takes a great chance. The procedure I suggest is no Mexican divorce where the application is made by mail. The young man would have to physically present himself before the appropriate Selective Service Board and make out his case. If he failed to establish the legitimacy of his claim and if he is one of those who is now a violator of the law as it is currently defined and does not come within the proposed new definition, he would then be subject to all of the penalties of the law.

This proposal that I make is not radical. Indeed, proposals like it have been made by the National Council of Catholic Bishops, the World Council of Churches and the Governing Council of the American Jewish Congress.

President Nixon has made it clear that the major mission of his administration is that of bringing this Nation together. I submit that a major step in that direction would be by taking action in support of this proposal.

At this point, I should like to insert the full text of my letter to the President:

February 9, 1969.

Hon. Richard M. Nixon,
The White House,
Washington, D.C.

Dear President Nixon: I respectfully request that you take immediate action to grant exemption from military service to young men who are conscientiously opposed to the Vietnam War. As a corollary to this policy, men who have been convicted of draft evasion or who have fled the country to avoid military service in Vietnam should be given an opportunity to demonstrate that they were conscientiously opposed to the War. In all these cases, those excused from military service should be required to perform alternative service comparable to that now asked of conscientious objectors traditionally exempt from military service.

It is now plain that the war in Vietnam is the most unpopular engagement in American history. Once there were only scattered protests to the War; now there is national momentum in favor of liquidating the conflict—one of the saddest chapters in our foreign policy. But although the question of the War is of vital importance to all of us, it is of special and poignant concern to the young men who are subject to military service. They stand to lose their lives or take the lives of others in a cause that a growing portion of Americans believe to be mistaken.

As President, you have already taken a very important step in recognition of the opposition to enforced service in the military by requesting the Defense Department to develop plans to establish a voluntary army as soon as circumstances permit. I applaud this step because I believe that the draft constitutes a severe and unnecessary deprivation of individual liberty and because our military needs can be satisfied by a program which pays for itself.

I understand why you are postponing implementation of the concept of a volunteer army.

But there is one major action that you can take right now if you recognize the moral basis to the war protest and really intend to bring the nation together again.

Immediate executive action should be taken by granting exemptions from military service to young men who conscientiously oppose the Vietnam War even though they are not opposed to service in all wars.

The nation has long exempted conscientious objectors because of their sincere opposition to service in war or the military. It is increasingly recognized that objection to engaging in a particular war may stem from the same depth of conscience as resistance to participation in all wars; that it is not mere political protest; that it is based on a religious and ethical revulsion against a particular conflict.

Many leading religious and moral leaders have supported this position. Shortly before his tragic death, the Reverend Martin Luther King, Jr. said that "Every young man who believes (the Vietnam) war is abominable and unjust should file as a conscientious objector." The late Father John Courtney Murray took a similar position. He said that "we all owe some debt of gratitude to those who, by raising the issue of selective conscientious objection, have undertaken to transform the tragic conflict in South Vietnam into an issue not simply of political decision and military strategy, but of moral judgment as well."

Moreover, delegates to the World Council of Churches voted almost unanimously last year that "the churches should give spiritual care and support . . . to those who, especially in the light of the nature of modern warfare, object to participation in particular wars they feel bound by conscience to oppose." And in a recent pastoral statement, the National Council of Catholic Bishops of the United States recommended that consideration be given those whose "reasons of conscience are more personal and specific" than "total rejection of military force."

I agree with these sentiments. I ask that you take immediate action to implement them by requesting the Director of Selective Service System and local boards to grant exemptions in such cases. The President has the legal power to act, because the governing statute on conscientious objection can properly be interpreted to include the selective C.O. Indeed, several lower courts have already reached this result as a matter of judicial construction; and legal scholars have defended it.

This significant moral issue should be decided by you as Chief Executive. The Director of Selective Service, General Hershey, appears to have a closed mind on the matter. His approach is typified by his statement that "the Conscientious Objector by my theory is best handled if no one hears of him." This seems to me to be an insensitive as well as impractical attitude to a vital question of national policy.

Although I fervently hope that you will act, if you decline to do so, the Congress should amend the law to require local boards to grant exemptions for selective conscientious objectors. I shall myself introduce such a bill or join with other Members of the House in taking this action.

Whether the President or the Congress acts in this matter, it should be understood that all who are exempted from the military will be required to perform an acceptable form of alternative service such as that now performed by traditional conscientious objectors.

Some people who sympathize with the claim of selective conscientious objection have expressed the understandable concern that spurious claims will flourish if an exemption is recognized. But there is little basis for this fear. As in the case of the conscientious objector to all wars, a rigid investigation is required of each applicant. Experience shows that feigning of conscience is extremely difficult and is not the likely escape for those who wish to evade the draft through loopholes in the law.

The young men who have asserted the claim of selective objection are not lawbreakers or unpatriotic. On the contrary, they include some of our finest youth. As Father Murray said, they should be praised for raising a moral issue of profound significance. At present they are forced into the heart-rending dilemma of service in a war they deeply oppose or prison or flight from the country. I believe that we have an obligation to free decent and ethical young men from this terrible choice.

As a part of the new policy, I ask that you instruct appropriate government bodies to give young men who have already suffered because of our previous policy an opportunity to demonstrate that they are sincere objectors to the Vietnam War. Men who have been convicted for avoiding the draft or who have fled the country to avoid service should be given a chance to show that they harbor a sincere conscientious objection to service.

This is only fair. Although most men who have been convicted or have fled may find it difficult to demonstrate their motivation, they should have the chance. There will be no automatic amnesty, but there will, I hope, be justice.

Sincerely,

EDWARD I. KOCH,
Member of Congress.

LITHUANIAN INDEPENDENCE DAY

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANNUNZIO. Mr. Speaker, I am pleased to join my colleagues in the Congress in commemorating a special day in the annals of man's quest for freedom—February 16, 1969—the 51st anniversary of the Declaration of Lithuanian Independence.

In 1918, at the close of World War I, the Lithuanians established their own government and proclaimed their independence. For 20 years thereafter, Lithuania enjoyed peace and freedom from oppression. During this period the Lithuanian economy stabilized, and there was a great renaissance of national literature and culture.

But in 1939, the Soviet Union again began an unwarranted assault on this tiny country and concentrated its armed forces on the Lithuanian frontier. This massive threat was followed on June 15, 1940, by actual occupation of Lithuania by the Soviet Army. The valiant Lithuanian Government had no alternative but to concede to Soviet demands.

Immediately the Communists began arresting and executing the Lithuanian patriots. Non-Communist political parties were liquidated, and leaders in these parties were imprisoned. The people were forced to vote in national elections in which only the Communist Party was represented. The Lithuanians, despite these hopeless odds, resisted heroically—but to no avail. The Soviets finally succeeded in forcibly annexing Lithuania and subjugating these courageous people.

Despite condemnation by the free world of this unlawful aggression against the sovereign rights of a free people, the Soviet Union still occupies Lithuania and maintains Communist troops within her borders. The national culture is gradually being destroyed, and the Lithuanian people are forced to suffer under the yoke of Soviet oppression.

In the face of this oppression, the Lithuanians bravely continue the struggle for restoration of their fundamental human rights. The United States has consistently refused to recognize this forcible incorporation of Lithuania into the Soviet Union, and over the years has manifested warm sympathy to the Lithuanian cause of once again achieving freedom and self-determination.

In order to help achieve this worthy objective, I introduced on January 14, 1969, House Concurrent Resolution 81 which expresses the sense of the Congress in opposition to Soviet Russia's incorporation of Latvia, Lithuania, and Estonia.

My resolution urges continued nonrecognition of the unlawful absorption of the Baltic States by Soviet Russia and calls upon the United Nations to resolve the issue of restoring the rights of self-government to Lithuania and the other Baltic States.

In behalf of the many thousands of Lithuanian-Americans residing within my own Seventh Illinois Congressional District, whom I am privileged to serve, and indeed, in behalf of oppressed peoples all over the world, I urge the early enactment of this legislation.

On this occasion, I want to assure the courageous Lithuanians that our Nation continues to support their just aspirations for freedom and independence, and I want to express the fervent hope that the goal of Lithuanian self-determination shall soon be realized.

SPEECH BY VICE PRESIDENT AGNEW AT BOWLING GREEN STATE UNIVERSITY

(Mr. LATTA asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. LATTA. Mr. Speaker, on Saturday last Vice President AGNEW delivered a timely and thought-provoking speech in my district. The Vice President chose the campus of Bowling Green State University to discuss the restlessness and disorders which are plaguing many of our college and university campuses today. He spoke as a representative of a concerned administration and an administration which wants to do something to restore order on all of our college and university campuses and to assure the young people desirous of obtaining a college education that they shall continue to have that right.

Mr. Speaker, I commend the Vice President for making this speech, and I include it in the RECORD at this point:

SPEECH BY THE VICE PRESIDENT, BOWLING GREEN UNIVERSITY, BOWLING GREEN, OHIO, FEBRUARY 15, 1969

Coming to Ohio has become a lot like coming home. This is my second "buckeye" run this week. I've spent so much time here since the start of the campaign that Governor Rhodes ought to make me an honorary citizen.

Ohio is never in any political party's pocket. But it's full of sensible, practical, hardworking people—young and old—who want solutions to their problems, not just fancy explanations of them. And that's why Ohio was a good state for the Republicans this year. Ohio was crucial to our national ticket, and Ohio came through. This cradle of Republicanism has given birth to many American Presidents and victory to others. So as we pay honor to our first Republican President, may I pause to honor Ohio for our present Republican President. And to personally thank you for making my name a household word.

I might also say I feel at home not only because I'm in Ohio but because I'm on a University Campus. Most people don't know that before and along with my political career, I taught for seven years at the University of Baltimore Law School.

The most bitter criticism hurled at me during my campaign for Governor of Maryland was that I sounded too much like a college professor. I always replied that I hoped this would be the worst ever said of me. Those of you who followed the recent Presidential campaign know that that hope fell somewhat short of realization.

Lincoln, whom we honor today, was in his own way very much an observer and teacher of the young.

Once a boy in union blue came to the President asking for a promotion to Captain. He was only sixteen, a fine soldier but too young for command. President Lincoln understood his impatience and his disappointment and comforted him with the words: "My son, continue to do your duty as you find it to do, and with the zeal you have hitherto shown, you will not have to ask for promotion. It will seek you."

President Nixon, too, understands the impatience of the young and finds in it the most promising sign of a promising generation. In their impatience, in their desire to participate, in their insistence on leading lives that are rewarding in quality as well as rich in quantity, they show themselves to be the finest crop of young people in our nation's history.

As President Nixon said in his Inaugural: "We can see the hope of tomorrow in the youth of today. . . . They are better educated, more committed, more passionately driven by conscience than any generation that has gone before."

The President's enthusiasm for America's youth is well known. And there is gratifying evidence that the feeling is reciprocal. Immediately after the President's Inaugural message, Peace Corps recruitment showed a sudden surge. It is obvious that our youth understand as our President understands, that "until he has been part of a cause larger than himself, no man is truly whole."

Today's young people are setting a pace and creating a pattern that is encouraging. In the past we used to say "Youth shall *be* served." Young people today say "Youth *Shall* serve."

Of course we are all familiar with the minority of youth which unfortunately has come to dominate the majority of headlines. We cannot deny that an element of angry, alienated young people exists.

But the closed-minded shouters, who try to shut down college campuses as a way to claim attention they cannot gain through achievement, represent but a small percentage of your young. This does not mean that we should excuse or condone this brutalization of the right to dissent. Nor does it mean that we should tolerate the disruption of the academic community and the intimidation of those who seek only a quality education there. But it does mean we should recognize and reckon with this group in the proper perspective. We must avoid broad retaliatory measures that punish the innocent.

And although only a small number of America's more than seven million college students subscribe to the tactics of provocation, this does not indicate their endorsement of the status quo. Too many of our finest young people feel overpowered, overpatronized, and overprotected. I believe that most of our brightest young minds want big changes. But I believe also that they are willing to work for them *within* the system.

And the system must be ready to help them. We must listen to those who are prepared to speak with courtesy and good purpose. A "closed door" policy or mere lip service will only compound the problem.

At the same time, our young people must take note of President Nixon's words: "We cannot learn from one another—until our words can be heard as well as our voices."

I am sure you agree that our system is strong enough to accommodate dissent and to profit from it. Lawful dissent is intended to trigger the conscience, not to deprive others of their rights. Our system is flexible enough to take criticism and take it to heart.

But democracy cannot tolerate totalitarianism from any quarter. That includes the parricidal mouthings of a few highly-publicized malcontents. They constitute a violent movement that might be called, "know-it-all-ism." That movement combines the hatred and bias of the "know-nothings" of the past century with the "know-it-all" arrogance of modern day extremism.

We triumphed over the know-nothing-ism of north and south a century ago; we shall educate the know-it-alls today—in spite of themselves.

It is up to the public sector to define and defend that line that separates dissent from disruption. But it is up to the private sector—and especially to the family—to pave the way for a peaceful society. A lack of discipline in the home ultimately results in an undisciplined citizenry. The public sector cannot act in "Locus Parentis."

Our colleges and universities have an obligation here, too. College administrations must do more than offer courses on Democracy; they must assure their students the "due process" which is an integral part of our Democratic system. This means where abuses exist, ready avenues of redress must be available.

Student participation, where it can contribute to the quality of education, should be encouraged. But this must be developed in a manner that is constructive rather than disruptive.

We can take a lesson from history observed. Our university tradition began with two medieval universities. In Paris, faculty set up shop and students were the consumers. In Bologna, students set up shop and hired their teachers. The Bologna student-centered system lacked stability and, interestingly enough, educational "relevance." Ultimately, the University at Bologna survived by switching to the Paris system, putting the scholar in command.

A society as sophisticated as ours can establish practical, workable degrees of student participation. We can navigate some middle course without students locking teachers up or administrators locking students out.

Another middle-ground which must be found is the place of the college in the community. Higher education can only benefit from a close, introspective look at such policies as "publish or perish"—; an insistence on relevancy in curriculum; a voice for faculty below the professorial level; the proper balance in decisions between administrators and academicians. The middle-ground appears to be somewhere between ivory tower retreat and settlement house immersion. There should be strong ties between the college and the community.

Certainly if our institutions of higher education have an obligation to re-think their relationships with students, all levels of government have an equal responsibility and opportunity here too.

Our young people are not only our greatest product, but our most promising resource. I don't mean this poetically for some point in the future, but for today.

If our local governments could but learn to harness the volunteer power of high school and college students they would have an enthusiastic work force money couldn't buy.

As Governor of Maryland, I sought to energize and mobilize our Student resources. Our nucleus came from student groups seeking a voice in setting state college budgets.

Quite often, young people fail to appreciate the budgetary dilemma of a Governor with infinite good causes and finite resources. Abraham Lincoln brought home this point with humor when he described a struggle between his sons Willie and Tad. What was wrong between them, he said, was "just what's the matter with the whole world. I've got three walnuts and each wants two."

I urged the students to help their state and their campuses by doing their bit for the community. With student volunteers providing manpower on priority inner city projects, we could reallocate funds to higher education programs.

I sought to establish a youth corps with older students helping younger ones as tutors and recreational counselors, as big brothers and sisters. I feel it's not just enough to *demand* a say—you have to *deserve* it. Governments should make a way for students to participate and students should participate in a way that earns their say in state government. We want youth advisors and we want them to be more than armchair experts. We're looking for civic activists.

Every level of government would benefit from a student internship program comparable to the federal government's.

Actually, at the state level, I favor an even broader program extending from post-graduate to pre-college youth. State governments are generally small enough to tailor summer work programs to the student's potential and will find it a valid investment. A good part-time internship experience in the present is a means of recruiting good full-time personnel in the future.

At the federal level our work is cut out for us. The first thing we should do is lower the voting age to eighteen. Not only because they're old enough to fight—but because they're smart enough to vote. I think it is illogical that in most states a girl is considered mature enough to enter a lifetime contract of marriage at eighteen, but not mature enough to vote.

Once our young people can sound off at the polls, I believe there will be less need to sound off in the streets. They'll have the chance to be counted where it counts.

Finally, I think we as a moral community must take heed of the disillusionment and disenchantment of our young. The young have a way of looking at reality with an honesty and freshness we cannot fail to appreciate. Hans Christian Anderson understood this when he wrote the wonderful story of the emperor's new clothes. Remember—no man in the kingdom, including the emperor, dared to admit he could not see the handsome cloth suit which the con-man tailors said was invisible to those who were selfish, vain and stupid. Only a little child in delightful candor piped up: "The emperor is naked."

Well, we have a veritable children's crusade telling us America can be an even better country. They are ready to go to work, and we must be ready to accept their contributions and to listen to their responsible criticism.

We must prove our system can change our world; and we must welcome all those who would change our world into our system.

President Nixon has put priority on including every American, young and old, in our system. White House Staffers are already working on the ways and means to mobilize those who would serve as well as seek a better America. But let me make it clear that while the volunteer movement may be sparked by the federal government, it must be managed by the communities and manned by the private citizens.

We may propose ways to serve but only the people can dispose. For our young it means doing their own thing in their own way, on their own time. It means doing as well as demanding. It means contribution as well as confrontation.

Freedom depends on order—on laws, not violence. And to any who would destroy our freedom, I will take a lesson from the minister friend of Abe Lincoln, who sermonized: "I'm prepared to defend this union till hell freezes over, and then I'll fight on ice."

We cannot afford self-delusion or delay. For as President Nixon says, "The American dream does not come to those who fall asleep."

MIZE INTRODUCES RESOLUTION OPPOSING EEC ACTION ON SOYBEAN TAX

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MIZE. Mr. Speaker, on February 6, I announced my profound concern over the "internal taxes" which the member nations of the European Economic Community have proposed to impose on imported oilseed products.

These proposed taxes do not technically violate the letter of the agreement reached between the United States and the EEC, but they do violate the spirit of that agreement. If imposed, these taxes could destroy a third of the $1.4 billion agricultural export market which the United States negotiated, at great sacrifice, with the EEC. Such action would be unconscionable, and could well destroy the U.S. chance for a favorable balance of trade in 1969 and years ahead.

Mr. Speaker, Kansas farmers have produced soybeans in increasing amounts in recent years. In fiscal 1968, Kansas farmers exported over $14 million worth of soybean oils and meals to the EEC. This market, and the market upon which farmers depend in over 30 States, could be destroyed by the precipitous action under serious consideration in Europe.

I firmly believe that Congress must speak out on this issue as a body. Therefore, I am today introducing a House concurrent resolution which, if passed by this body, will put the House on record as opposing the internal taxes on oilseed products. The concurrent resolution which I propose clearly states that the United States cannot afford to ignore foreign action which would destroy substantial trade, carefully constructed over the years. Further, American farmers who have depended upon U.S. trade negotiators to assure them a market in Europe must also depend upon our European trading partners to conform to the spirit of resulting agreements.

I urge the Members of the Congress to support this resolution. I am encouraged that similar legislation has been introduced in the House and is under consideration by certain Members of the Senate.

A decision by the Council of Ministers of the EEC can be expected within 30 to 60 days, I am informed. It is imperative that the Congress speak with one voice in opposition to the proposed action, before it occurs.

TWO CHILDREN, TWO MIRACLES

(Mr. TAFT asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. TAFT. Mr. Speaker, the miracle of life continues in Cincinnati, Ohio, today.

Christine Corhn, the 6-year-old girl who received the transplanted heart of a 7-year-old auto accident victim, continues to improve at the Children's Hospital.

She has done well since she underwent the heart transplant operation, February 8.

Christine's was only the fourth transplant attempted on a child; and doctors, who performed what was the first heart transplant in Cincinnati, are encouraged about Christine's chances.

The miracle of life, however, has another side to it. The 7-year-old boy, William Michael Becker, whose heart now keeps Christine alive, was fatally injured in an auto accident February 5. It was his selfless parents who turned tragedy into hope when they suggested that the young boy's heart might be used for a transplant.

Without it, doctors believe young Christine could not have lived much longer. She was suffering from a serious heart defect since birth.

Mr. Speaker, I know that all of my colleagues join me in wishing this courageous young girl and her family the very best.

We offer our best wishes to the talented team of doctors and professionals who performed the operation and have cared for Christine.

I believe the feelings of most Cincinnatians are well captured in the following Cincinnati Post & Times-Star and Cincinnati Enquirer editorials:

[From the Cincinnati Enquirer, Feb. 10, 1969]

TWO CHILDREN, TWO MIRACLES

Two modern-day miracles touched the collective conscience and heart of Greater Cincinnati this past weekend.

One, the successful transplantation by a surgical-medical team at Children's Hospital of the heart of William Michael Becker, seven-year-old Loveland lad who suffered fatal brain injuries in an auto accident earlier last week, into the body of six-year-old Christine Corhn, suffering from a congenital and incurable heart defect, is a surgical miracle that, to the amazement of the lay mind, has become an accepted technique in medicine's rapid advancement. But when the miracle occurs almost at one's doorstep its meaning becomes all the clearer.

The second miracle is the unfaltering concern and empathy for others so nobly demonstrated by Mr. and Mrs. William Becker, the parents of William Michael, in their time of deepest grief. Upon being informed that their dying son's heart could offer hope for a nearly normal life to a little girl who herself was faced with the prospects of an early death without a new, strong heart, the Beckers hesitated not a whit.

By giving new hope to Christine Corhn, they have memorialized their son in a fashion whose meaning is beyond the power of the written word to convey. Though the discipline of surgery may cause doctors to view the human heart as just another organ or muscle, we feel constrained to think that Mr. and Mrs. Becker have caused their young son to live for them through their unselfishness.

The Beckers' total commitment to their humanitarianism was further demonstrated by their allowing William Michael's skin, kidney's and eye parts to be taken in science's—and humanity's—cause.

The hopes of everyone for her continued improvement and eventual recovery go out to Christine Corhn.

Along with heartfelt sympathies, Mr. and Mrs. Becker are extended everyone's emotional sharing in a miracle of which only they can be fully aware.

[From the Cincinnati Post & Times-Star, Feb. 10, 1969]

TRIUMPH OF THE HUMAN SPIRIT

A great human drama is unfolding in Children's Hospital and the community is gripped by it.

The hopes and the prayers of all of us are centered on pretty little Christine Corhn and the doctors and nurses who watch over her in her battle for life.

And the hearts of all of us go out to Mr. and Mrs. William Becker who have turned a personal tragedy into a triumph of love for humanity. They donated the heart of their little boy, killed by a traffic accident, to Christine that she might have a chance for a normal life.

The whole community honors the Beckers. We hope their grief is lessened by the knowledge that they tried to help Christine Corhn. We pray that help will be successful.

ONE-BANK HOLDING COMPANIES POTENTIAL THREAT TO DEPOSITORS

(Mr. BENNETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENNETT. Mr. Speaker, the House Banking and Currency Committee has published a staff report on the one-bank holding companies in our country, which presents a potentially dangerous situation to banks and their depositors.

In 1933, the Congress adopted a very sound principle, which I believe should be upheld today. That is, it is against the public interest for banks and nonbanking businesses to be controlled by the same ownership.

In 1956, the Congress enacted the Bank Holding Company Act to prevent undue concentration of control of banking by bank holding companies. Included in this legislation were several exemptions, and on signing the law, President Eisenhower said:

> The legislation falls short of achieving these objectives . . . The exemptions and other special provisions will require the further attention of the Congress.

The most glaring loophole in the 1956 law was the one-bank holding company exemption.

> The significance of this loophole—

The new House Banking Committee report states—

> has been dramatically illustrated in the United States.

The report points out this includes nine of the 12 largest commercial banks in the country, and since 1956 the number of known one-bank holding companies has grown from 117 to 783. In bank deposits, the increase has been from $11.6 billion to $108.2 billion, a growth of over 800 percent.

In light of the committee's excellent staff report, it is obvious that something must be done to guard against continued monopoly, concentration of business power and conglomerates of big business and big banks.

Mr. Speaker, my bill, H.R. 946, which I have introduced over the last two Congresses, would remove the exemptions to the Bank Holding Company Act, including the one-bank and the labor and agricultural organization provisions.

In 1965, when this legislation was before the House of Representatives, my amendment to a bill which would have removed the long-term trust exemption from the 1956 act, was passed on a record vote of 199 to 179. This amendment stripped the Bank Holding Company Act of all its loopholes, but only four exemptions were removed in the Senate.

I believe the Congress should and will act this year to remove all exemptions from the 1956 act. I have written to the distinguished chairman of the House Banking Committee of my interest in assisting him with this legislation.

Chairman WRIGHT PATMAN has said:

> This issue concerns the question of the proper relationship between the business of banking and all other businesses. It is not strictly a banking issue at all, or even an issue only involving the relationships among different segments of the financial community. It is, in essence, a question whose answer could shape the ultimate structure of the entire American economy for many years to come.

OUTSTANDING RECORD OF NATIONAL PROGRESS UNDER PRESIDENT LYNDON B. JOHNSON

(Mr. ALBERT asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include an editorial.)

Mr. ALBERT. Mr. Speaker, well-deserved recognition and praise for the outstanding record of national progress during Lyndon B. Johnson's 5 years as President of the United States continues throughout the country. Perhaps, a recent AFL–CIO News editorial best expresses the feeling of Americans in all walks of life with a simple, but deeply felt "Thank you, Mr. President." Under unanimous consent, I place the editorial in the CONGRESSIONAL RECORD, as follows:

THANK YOU, MR. PRESIDENT

In the final days of the Johnson Administration the news media—especially the press—are apparently trying to redress the torrent of criticism, and in some cases abuse, that they have aimed at Lyndon Baines Johnson.

In summing up the five years of the Johnson presidency the editorialists, the interpreters, the columnists have discovered—or perhaps rediscovered—the tremendous Johnson record on civil rights, education, fighting poverty, conservation, consumer protection, health, aid to the cities, manpower and the real increase in income and purchasing power that stemmed from government economic policies.

The AFL–CIO was proud to have had a hand in helping build that record. It repeatedly called attention to the breakthroughs and benchmarks set by the Administration on behalf of all Americans. But the critics waved that aside along with the concrete accomplishments, and concentrated on a negative, carping theme geared to a dislike for the President's style, all the while ignoring or downplaying the substance.

An editorial in Memo from COPE notes that "the quieter facts of the Johnson presidency are without equal in our history." It adds that "no single administration will or can clear up all the problems of a society as vast and complex as our own. But Pres. Johnson was willing to challenge our problems on more fronts than anyone who has served in the office, and his success in many fields has been remarkable."

The Johnson record is imprinted in bold letters in the nation's lawbooks. Over the next few years that record will have an increasingly important impact on the development and the quality of American life.

The belated recognition by the news media of the substance of the five years of the Johnson presidency is welcome now because it will provide a yardstick to measure the new Administration.

For his dedicated efforts on behalf of all Americans we join the nation in a heartfelt "Thank you, Mr. President."

"PUEBLO" BLAME MUST BE SHARED

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, there can be no denying that Commander Bucher permitted the U.S.S. *Pueblo* to be taken. Likewise, he failed to scuttle the vessel. But, in all fairness, a closer examination of the situation shows that he had neither the means to defend his ship or to scuttle it. If indeed he must assume blame, he is by no means alone in this regard. The military traditions he violated were small by comparison with those violated by much higher authority.

In fact, in some respects, Commander Bucher can be even viewed as an innocent victim. He is the victim of fate; he found himself in a bad place at a bad time. Furthermore, he appears to be the victim of an attempt by his superiors to place the blame for this tragic and humiliating affair on his shoulders alone. Most important, the commander joins other courageous men as the latest victim of the failure of recent American military policy. Foremost among our failures are those which involve the new doctrines of flexible response and gradualism.

As formulated in 1961, flexible response was viewed in its broadest application to be the maintenance of military force sufficient to respond to enemy aggression at any level of conflict, up to and including nuclear war. Flexible response was necessary, proponents argued, becaue the doctrine of "massive retaliation" left the United States prepared to either surrender or instigate a nuclear holocaust. It was argued that since the threat of nuclear weapons was not credible to Communist nations engaged in small and ambiguous steps, a substitute would have to be found.

That an unarmed, unescorted, unprotected vessel of the U.S. Navy—inappropriately called an intelligence ship—should be sent on such a sensitive mission as "eavesdropping" on a hostile Communist power shows the complete bankruptcy of the military doctrine of flexible response.

The question of whether flexible response is an adequate military doctrine is one of judgment, but the fact is, as the *Pueblo* incident, among others, clearly reveals, the weapons, men and material necessary to implement flexible response were not available.

In this latest of incidents, a vessel of the U.S. Navy was sent on a sensitive mission close to the shoreline of a hostile power. Ordinary prudence would have required under the doctrine of flexible response that sufficient force or manpower be available to come to the aid of the ship if necessary. Yet, what were the facts?

There were only four jet fighters available for duty in Korea; all of them were armed with nuclear weapons. In order for the jets to be effective in dog fights, the nuclear weapons had to be removed. Time did not permit such removal.

The U.S.S. *Enterprise* was 600 miles away at the time of the seizure; the nearest American destroyers were a full day's sail away.

The Pacific Command, in other words, was unprepared to defend the *Pueblo*. Commander Bucher had only two possible responses, and neither was very flexible: he could surrender his ship, or sink it with heavy risk of American life. It was like a one-sided flip of a coin, and Bucher was the loser either way.

Nor was the *Pueblo* the only incident of the past 18 months which reveals the hollowness of our flexible response capabilities.

In January 1968, the Vietcong launched the surprise Tet offensive and succeeded even in violating the security of the U.S. Embassy in Saigon.

In June 1967, the U.S.S. *Liberty* was attacked and sunk by units of the Israel Air Force.

In August 1968, the military warning system of NATO did not perceive the Soviet and Warsaw Pact invasion of Czechoslovakia.

The Senate Prepardness Investigating Committee has reported that the U.S. Armed Forces in Europe are not sufficient to repulse a conventional Soviet attack.

The failure of "flexible response" in Vietnam was hardly reassuring and its effect as a deterrent to further trouble in Southeast Asia is therefore highly questionable.

Another of the questionable doctrines pushed upon us during this decade that has seen America appear to be a "paper tiger" is that of gradualism. Sometimes called measured response, it meant a slow, step-by-step increase of military force—never enough to defeat the enemy, but sufficient to keep the conflict raging. Others before Commander Bucher paid heavily for the failure of this doctrine.

Let us not forget that seizure of the *Pueblo* was accomplished by a government with which our country was recently engaged in a costly but undeclared war, and it occurred in the environs of another costly, but undeclared war, this time in Vietnam.

Through the doctrine of gradualism in both the Korean and Vietnamese wars, the greatest, most hallowed traditions of the United States were violated in a fundamental way. To illustrate:

In neither war was defeat of enemy forces established as our objective.

In neither were the resources of the United States ever mobilized behind our men in battle.

In neither were field commanders given traditional freedom to direct operations.

In neither was a declaration of war enacted by Congress or even asked for by the President.

In both wars, military commanders were denied permission to broaden attack on the enemy in order to shut off its sources of supply and replacement. Enemy sanctuaries were permitted.

Our military operations in Vietnam have been repeatedly described as a limited war with limited objectives. President Johnson refused to grant permission to field commanders to close Haiphong Harbor, invade North Vietnam or engage in "hot pursuit" into Cambodia.

Although our Government in 1965 officially determined that South Vietnam was under attack from the north, only an air and sea response was ever permitted—and only then under sharp limitations which severely curbed its effectiveness.

Later, even this response was stopped completely, although no determination was made that attacks from the north had either ceased or lessened.

Never was any serious effort made to employ sanctions against nations supplying the enemy, much less to quarantine North Vietnam.

Indeed, the Johnson administration resisted congressional attempts to impose modest sanctions. An example was administrative efforts, partly successful, to override the clear expression of Congress which I authored in 1966 which sought to block benefits under Public Law 480 from going to any nation making shipments of any kind to Hanoi.

Thus, if Commander Bucher must bow in shame, other more prominent heads should be bowed too. Chief among these are the political and military leaders who were the architects, proponents, and executors of flexible response and gradualism;

Those who allowed our defenses to deteriorate to a point where not only was our response not flexible, but nonexistent;

Those who cast aside and violated the great military traditions of the United States;

Those who sent a half-million U.S. troops into combat without declaration of war or other proper legislative sanction;

Those who shackled field commanders and refused to impose economic quarantine on the enemy;

Those who announced to the world, instead of leaving in doubt, that our superweapons would never be used; and

Those who proceeded with business-as-usual attitude at home as well as in international policy. Business as usual applied even to the Soviet Union, heartland of Hanoi support.

Among these must be former President Johnson, who cannot escape primary responsibility for establishing the empty doctrine of flexible response and the fallacious one of gradualism. Also, to blame are the Joint Chiefs of Staff, chaired by Gen. Earle G. Wheeler, who acquiesced in the doctrine. Each could have resigned over the course of our Nation's military policy and thus likely forced a reassessment. Or, each could have publicly protested. None did. Each accepted, and went along, executing the policies with all their grim consequences.

How ironic it was that just a few days before Commander Bucher went on trial for violating military tradition, General Wheeler, under whom flexible response and gradualism flourished, received from the President the Distinguished Service Medal.

Is it just for these military leaders to continue in command with scarcely a word of censure while Commander Bucher is in the dock?

And my colleagues in the Congress who, like myself, served while the doctrines of flexible response and gradualism were being bandied about and carried out, can we escape judgment?

Despite the clarity of our constitutional responsibility to provide for the proper maintenance of the Armed Forces, we failed to establish that our ships at sea were not safe from capture by the smallest of nations. We sat back and permitted the enlargement of combat forces in Vietnam without clear legislative sanctions. We shunned our fundamental responsibility. We failed to face squarely the question of war declaration. We thus denied to our military forces, and to the Nation as a whole, the unifying force the war-making decision would bring. We failed in our duty to delve into the hollowness of flexible response and gradualism doctrines.

So move over, Commander Bucher. You are not really the only one who should be in the dock. There are lots more of us who must share the blame and the shame. You just happen to be a convenient whipping boy.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. I have spoken out on many occasions, as the gentleman in the well is doing today, regarding the handling of the *Pueblo* matter. I would like to add a side light to what the gentleman has said.

I do not know if the American people are aware that Commander Bucher was an orphan. He was brought to Father Flanagan's boys' home in my district known as Boys' Town, Nebr., where Commander Bucher lived for many years. He was graduated from Boystown High School at Boys' Town, Nebr. After that he enlisted in the Navy and served his tour of duty and then came back to Omaha and married an Omaha girl and worked his way through the University of Nebraska, after which he was graduated, and the Navy became his career.

The people of my congressional district, knowing Commander Bucher was taken in by Father Flanagan's boys' home and was a star athlete and an outstanding citizen of Boys' Town, are overwhelmingly outraged at the seemingly inhumane treatment that is being given Commander Bucher.

I am sure that affects not only my own district. I know for a fact that this is the feeling of the people of the entire State of Nebraska and the feeling is intense not only in the State of Nebraska, but in the entire Middle West. I know now also that the feeling is intense throughout the United States.

So, aside from the military aspects of which the gentleman speaks, I did want to bring out this personal sidelight in this discussion, so the people will know that Commander Bucher was an outstanding individual. As I said, he was an orphan and took his schooling at Boys' Town under the leadership and direction of Father Flanagan and Monsignor Wegner, the present director. He was one of the outstanding students and athletes in that great "City of Little Men." Certainly people from our area and hopefully from all over the United States will bear that in mind as we discuss this sorry affair in the history of our country.

Mr. FINDLEY. Mr. Speaker, I am glad to have the gentleman's contribution. There certainly is the human side to this. In speaking today, I do not want to leave the impression that I minimize the gravity of whatever shortcomings Commander Bucher had, and it appears quite plain that he failed in measuring up to the great traditions of the U.S. Navy. I feel very bad about that. I regret the boyhood experiences he had. However, I do not think we should overlook the gravity of this episode.

My main purpose is to point out that even though Commander Bucher violated military traditions, they are small by comparison with the military traditions that our very highest political and military leadership have violated in recent years.

Mr. CUNNINGHAM. Commander Bucher had no shortcomings. He is a great man and a credit to our country.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Kentucky.

Mr. CARTER. Mr. Speaker, certainly it has been a sorry incident in the history of our country. It seems to me our Navy at least should have had a destroyer on the horizon to protect this spy ship—if that is what it was, and we recognize now that is what it must have been. If not a destroyer it should have had air cover.

Of course, there are many reasons advanced why these things were not provided. For instance, there is no doubt that we have overextended ourselves in South Vietnam, that most of our military might and muscle is in that area. Our flexible response was not available in the *Pueblo* incident.

Neither is it available now in Europe. I feel that even the recent maneuver which we carried out, in which we transported 15,000 troops over to Germany, was carried out slowly and not effectively done, showing again that we are concentrating on a distant area in Asia which really does not mean that much to our future.

Again it casts a reflection upon the character of the American people that the crew of the *Pueblo* was forced to sign a document admitting what was said was not the truth. And then a major general of the U.S. Army also signed a document saying that we were in enemy waters when actually we maintained that we were not. This involves problems of great significance. It involves the character of the people of the United States.

Certainly I believe we should return to the thinking of great men who have lived in history and have provided great leadership—for instance, Lincoln, who said:

> Let us have faith that right makes might; and in that faith let us to the end, dare to do our duty as we understand it.

Mr. FINDLEY. I thank the gentleman for his comments.

As I understand the facts, the commander and the crew of the *Pueblo* had no information that they were sent on any kind of suicide mission. They had every reason to expect if they got into trouble they would have support.

I am sure the gentleman, like myself, had some part in World War II. There was never any moment during my service with the U.S. Navy when I doubted that the full resources of the United States, whatever they might be, were behind me and would seek to advance my safety and the success of my mission.

Yet, out of what has happened with the U.S.S. *Pueblo*, arises the question as to just how far we have departed from these traditions of yesterday.

Mr. CARTER. How weak we have become in our action.

It reminds me again of the President who said: "Speak softly and carry a big stick."

How far have we gone from that tradition?

Mr. FINDLEY. I thank the gentleman.

TRANSFER OF SPECIAL ORDER

Mr. CAFFERY. Mr. Speaker, I ask unanimous consent that the special order granted to the gentleman from Pennsylvania (Mr. FLOOD) for tomorrow, for 1 hour, be transferred to February 19.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

BANK HOLDING COMPANY AMENDMENTS—CRUCIAL TO THE CONTROL OF FINANCIAL CONGLOMERATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, today I am introducing a bill which seeks to stop the dangerous trend toward mixing the business of banking with all other businesses.

In the wake of the great stock market crash of 1929 and the subsequent great depression, Congress, in its wisdom, decided that commercial banking should be divorced from all other businesses. This principle was established in what is known as the Glass-Steagall Act of

1933, an amendment to the Federal Reserve Act. It was further strengthened by the passage of the Bank Holding Company Act by the Congress in 1956.

However, many loopholes remain in the Bank Holding Company Act and, because of this and other trends in economic structure, such as the rise of financial and other conglomerates and the merger movement, present law is inadequate to control the situation.

Therefore, I am introducing legislation today which I feel will meet this problem in a straightforward and adequate way.

At this point in the RECORD I insert a press release issued this morning on my intention to introduce the bill, along with the bill itself and a section-by-section analysis of this bill:

WASHINGTON, D.C., February 17.—Chairman Wright Patman (D. Tex.) of the House Banking and Currency Committee, will introduce a comprehensive bill today (Feb. 17) to close the loopholes in the Bank Holding Company Act and to end the movement of banks into non-banking enterprises.

Mr. Patman said his bill was the product of studies extending over several months and had been drafted after consultation with a number of experts in the field. He said he anticipated early hearings on the legislation.

The Banking and Currency Committee Chairman said his legislation would move all bank holding companies under "a single umbrella of regulation and under a single standard of law." He said his bill would provide a "clearcut separation of banking from nonbanking businesses."

"As the recent study by the House Banking and Currency Committee plainly shows, the entire structure of the American economy is being changed through conglomerates centered around banking institutions," Mr. Patman said. "This is clearly a threat to everyone—both inside and outside the financial community—and it is essential that the Congress act quickly to provide meaningful remedies."

Mr. Patman said it would be a "travesty if the Congress did not deal fully with the problem and failed to give the Federal Reserve sufficient authority and the legal teeth necessary to deal with these new and giant financial conglomerates." "The problems involved with bank holding companies are extremely serious and they require real action and not just the appearance of action."

"The potential for economic abuses through the holding company loopholes is far-reaching," he said. He noted, in particular, that the one-bank holding company loophole could lead to these problems: (1) The possibility of unsound financial decisions by the bank in order to feed unwarranted amounts of credit to subsidiaries of the holding company; (2) The possibility for loan discrimination by a bank in favor of enterprises owned by the holding company and against companies which might compete with the subsidiaries of the holding company; (3) The possibility that a bank will force other borrowers, particularly small businesses, to purchase equipment and services from the subsidiaries of the holding company, thus furthering tightening control and forcing a greater concentration of economic power.

In addition to closing specific loopholes in the Holding Company Act, Mr. Patman said his bill would also provide the public important new protections against anti-competitive activities of financial institutions.

The legislation, for example, would prohibit director and officer interlocks among banks and other financial institutions. Mr. Patman noted that recent studies of the Banking and Currency Committee had revealed widespread interlocks among major banks and other financial institutions.

Mr. Patman's bill will also deal directly with the practice of banks requiring so-called "tie-in" arrangements. Under this practice, banks require customers to purchase other services of the bank or other holding company subsidiaries as a condition for a loan or other services.

The Patman bill would flatly prohibit this and other similar tie-in arrangements and would give the Justice Department and the banking agencies enforcement authority. It would also allow a private citizen to sue for treble damages in case of violation of the section.

Here is what the Patman bill would do:

1. Amend the Bank Holding Company Act of 1956 to eliminate the so-called "one-bank" loophole. This would bring all holding companies which control one or more banks under the Bank Holding Company Act, thus prohibiting them from engaging in nonbanking activities.

2. Retain and tighten the jurisdiction of the Federal Reserve Board over bank holding companies and their subsidiaries.

3. Tighten the definition of "control" in the Bank Holding Company Act—Under present law, a holding company is deemed to control a bank when it holds 25% or more of its stock. Under the Patman Proposal, the Federal Reserve would be allowed to make a finding of "actual control" even though the holding company held less than 25% of the stock.

4. Eliminate the partnership exemption—Under this exemption, partnerships, made up of the same individuals, may control as many banks as they desire without registering under the Bank Holding Company Act. This loophole would be closed under the Patman Bill.

5. Eliminate the exemption for trust department holdings—Under the Patman bill, the bank stock held in a bank's trust department would be treated the same as any other stock held by the bank. Thus control by one bank of another bank through trust department stockholdings would be subject to regulation under the Bank Holding Company Act.

6. Prohibit officer and director interlocks among all insured banks, bank holding companies, savings and loan associations, mutual savings banks, insurance companies, and securities brokers and dealers.

7. Prohibit "tie-in arrangements"—Under the Patman bill, banks would be prohibited from requiring customers to purchase other services of the bank or other holding company subsidiaries as a condition for a loan or for any other service provided by the bank or another subsidiary of the parent holding company.

8. Provide that all insured banks disclose on a quarterly basis to the Securities and Exchange Commission the description and amounts of any securities held by its trust department.

SUMMARY OF THE PATMAN BILL TO CURB THE GROWTH OF FINANCIAL CONGLOMERATES BY AMENDING THE BANK HOLDING COMPANY ACT AND RELATED LAWS

The following is a brief section-by-section analysis of a bill to be introduced by Chairman Patman of the House Banking and Currency Committee to amend the Bank Holding Company Act of 1956 and other related banking laws. This bill would carry out the following reforms:

COVERAGE

(1) Amend the Bank Holding Company Act of 1956 to eliminate the one bank loophole, thereby bringing under regulation of the Act all holding companies which control one or more banks.

PRESENT EXEMPTIONS FROM BANK HOLDING COMPANY ACT REGULATION

(2) Remove from the current Bank Holding Company Act the exemption from regulation if a bank holds shares of a bank in a fiduciary (trust) capacity. This problem was spotlighted in the July 1968 staff report of a Banking and Currency Subcommittee on *Commercial Banks and Their Trust Activities.*

(3) Remove from the current Bank Holding Company Act the exemption from regulation for banks controlled by partnerships, a loophole used effectively in recent years to avoid regulation under the Act.

DEFINITION OF CONTROL

(4) Tighten the definition of what constitutes control of a bank for purposes of requiring registration under the Bank Holding Company Act. This new definition follows that adopted in the Savings and Loan Holding Company Act, and covers situations where two or more entities acting in concert control more than 25 percent of the stock of a bank. This new definition would also enable the Federal Reserve Board to determine, on the basis of substantial evidence that even though a company controlled less than 25 percent of the stock of one or more banks, the company does in fact exercise a controlling influence over the management and policies of the bank. On the basis of such a finding by the Board, a company would be required to register as a bank holding company.

INCREASE EFFECTIVENESS OF BANK HOLDING COMPANY REGULATION

(5) Amend the Bank Holding Company Act and the Federal Deposit Insurance Act to transfer jurisdiction of regulation of national banks and insured nonmember banks that are subsidiaries of bank holding companies to the Board in three respects. That is, prior approval of the Federal Reserve Board (rather than the Comptroller or the FDIC, as presently required) would have to be obtained before a subsidiary bank of a bank holding company could merge with another bank or reduce its capitalization. Such a change in the merger procedure would prevent the present practice of bank holding companies circumventing adverse rulings by the Federal Reserve Board refusing to approve a new holding company acquisition by merging the desired bank into a national bank subsidiary of the holding company through the approval of the Comptroller of the Currency.

PROTECTION OF PUBLIC AGAINST ANTICOMPETITIVE ACTIVITY AND CONCENTRATION OF ECONOMIC POWER BY BANKS

(6) Amend the Federal Deposit Insurance Act to prohibit officer and director interlocks among all insured banks, bank holding companies, savings and loan associations, mutual savings banks, insurance companies, and securities brokers and dealers. The importance of this prohibition is to reduce economic concentration among financial institutions which compete with each other and to increase competition in this area. A recent Banking and Currency Committee study of 48 commercial banks in 10 major metropolitan areas revealed 572 such interlocks among financial institutions, over 11 per bank.

(7) Amend the Federal Deposit Insurance Act to prohibit a bank, a bank holding company, or any subsidiary of a bank holding company from conditioning an agreement to provide a customer one bank service, for example a loan, on that customer's agreeing to give the bank, or another subsidiary of the parent holding company, business in other areas. This is an important restriction against banks forcing what are known under the antitrust laws as "tie-in arrangements," a form of unfair competition against nonbank competition of banks. If banks expand the kinds of services they now offer, this prohibition against forcing customers to take services performed by entities competing with banks would be very important. This section would give jurisdiction for enforcement of the prohibition against "tie-in arrangements" to the appropriate banking agency, as well as to the Department of Justice on a concurrent

basis. It would also allow for a private person to sue for treble damages in case of violation of this section.

(8) Amend the Federal Deposit Insurance Act to provide that all insured banks disclose on a quarterly basis to the Securities and Exchange Commission a description and amounts of any securities held by them in their trust department. In order to safeguard the confidentiality of individual trust information, the bill does not require any information on individual accounts, but only the aggregate holdings of bank trust assets. Similar disclosures are already required of insurance companies and mutual funds, with which banks compete. This would reveal whether individual banks were gaining controlling influence over other corporations through such investments. A Banking and Currency Subcommittee study last year revealed that many such stock concentrations in bank trust departments do exist.

H.R. 6778

A bill to amend the Bank Holding Company Act of 1956, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

§ 1. Amendments to Bank Holding Company Act of 1956

(a) In this section, section references are to the Bank Holding Company Act of 1956 unless otherwise specified. Section 2(a) is amended to read as follows:

"Sec. 2. (a) (1) Except as provided in paragraph (2) of this subsection, 'bank holding company' means any company that has control over any bank or over any company that is or becomes a bank holding company by virtue of this Act.

"(2) No company is a bank holding company by virtue of

"(A) its ownership or control of shares acquired by it in connection with its underwriting of securities if the shares are held only for such period of time as will permit the sale thereof on a reasonable basis; or

"(B) its control of voting rights of shares acquired in the course of a proxy solicitation if the company was formed for the sole purpose of participating in that solicitation.

"(3) For the purposes of this Act, any successor to a bank holding company shall be deemed to be a bank holding company from the date on which the predecessor company became a bank holding company."

(b) Section 2(b) is amended (A) by striking "(1)" and (B) by striking ", or (2) any partnership".

(c) Section 2(d) is amended to read:

"(d) (1) Any given company is a subsidiary of any person having control over it.

"(2) Any given person has control over a company

"(A) if the person directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, has power to vote 25 per centum or more of any class of voting securities of the company; or

"(B) if the person controls in any manner the election of a majority of the directors of the company; or

"(C) if the Board determines, after notice and opportunity for hearing, that the person directly or indirectly exercises a controlling influence over the management or policies of the company."

(d) Section 2 is amended by adding at the end thereof the following:

"(i) The term 'person' includes natural persons, companies, and all other entities cognizable as legal personalities."

(e) Section 3 (a) (4) is amended by striking ", other than a bank,".

(f) So much of section 4(c) (12 U.S.C. 1843(c)) as precedes paragraph (1) thereof is amended (A) by striking "shall not apply to any bank holding company which is a labor, agricultural, or horticultural organization and which is exempt from taxation under section 501 of the Internal Revenue Code of 1954, and such prohibitions" and (B) by striking "other".

(g) Section 4(c) (8) is amended by changing "after due notice and hearing, and on the basis of the record made at such hearing," to read ", on the record after notice and opportunity for hearing,".

§ 2. Amendments to Federal Deposit Insurance Act

(a) In this section, section references are to the Federal Deposit Insurance Act unless otherwise specified. So much of section 18(c) (1) (12 U.S.C. 1828(c) (1)) as precedes subparagraph (A) thereof is amended to read:

"(c) (1) Except with the prior written approval of the responsible agency, which shall be the Board of Governors of the Federal Reserve System in the case of any insured bank which is a bank holding company or a subsidiary of a bank holding company, and which shall be the Corporation in the case of any other insured bank, an insured bank many not".

(b) Section 18(c) (2) is amended by inserting "shall be the Board of Governors of the Federal Reserve System if the acquiring, assuming, or resulting bank is a bank holding company or a subsidiary of a bank holding company and otherwise" immediately after "the responsible agency, which".

(c) Section 18(i) (1) is amended to read:

"(i) (1) An insured State nonmember bank may not reduce the amount or retire any part of its common or preferred capital stock, or retire any part of its capital notes or debentures, without the prior consent of

"(A) the Board of Governors of the Federal Reserve System if it is a bank holding company or a subsidiary of a bank holding company;

"(B) the Controller of the Currency if it is a District bank not described in subparagraph (A); or

"(C) the Corporation if it is not a bank described in subparagraph (A) or (B)."

(d) Section 18(i) (2) is amended (1) by changing "No" to read "An", (2) by changing "shall" to read "may not", and (3) by inserting "without prior written consent of the Board of Governors of the Federal Reserve System if it is a bank holding company or a subsidiary of a bank holding company, and otherwise" immediately after "approving such conversion,".

(e) Section 3 (12 U.S.C. 1813) is amended by adding the following new subsection at the end:

"(r) The term 'bank holding company', and the term 'subsidiary' with reference to a subsidiary of a bank holding company, have the same meanings as in the Bank Holding Company Act of 1956."

(f) Sections 21 and 22 (12 U.S.C. 1830, 1831) are redesignated as sections 24 and 25, and the following new sections are inserted immediately after section 20:

"Sec. 21. (a) Any insured bank which holds any securities in a fiduciary capacity at the end of any calendar quarter shall, not later than thirty days thereafter, file a statement with the Securities and Exchange Commission setting forth the descriptions and amounts of the securities so held.

"(b) Statements filed pursuant to this section need not disclose the number of beneficiaries for which the bank is acting, or any information about the fiduciary relationships or the beneficiaries thereof, but shall otherwise be in conformity with such regulations as the Securities and Exchange Commission may prescribe.

"(c) For the purposes of this section, the term 'securities' has the same meaning as in the Securities Act of 1933.

"Sec. 22. (a) (1) The prohibitions of this subsection apply to any transaction

"(A) whose effect may be to substantially lessen competition or tend to create a monopoly in any type of credit or property transactions or in any type of services, and

"(B) which is engaged in by an insured bank, a bank holding company, or any subsidiary of a bank holding company, all of which are referred to hereinafter in this subsection as institutions.

"(2) An institution to whose transactions the prohibitions of this subsection apply may not in any manner extend credit, lease or sell property of any kind, or furnish any service, or fix or vary the consideration for any of the foregoing, on the condition, agreement, or understanding

"(A) that the customer shall obtain some other credit, property, or service from the institution itself or, if the institution is a bank holding company or subsidiary of a bank holding company, from either that company or any subsidiary of that company; or

"(B) that the customer shall not obtain credit, property, or services from a competitor of the institution itself or, if the institution is a bank holding company or a subsidiary of a bank holding company, from a competitor of either that company or any subsidiary of that company.

"(b) The district courts of the United States have jurisdiction to prevent and restrain violations of subsection (a) of this section, and it is the duty of the United States attorney, under the direction of the Attorney General, to institute proceedings in equity to prevent and restrain such violations. The proceedings may be by way of a petition setting forth the case and praying that the violation be enjoined or otherwise prohibited. When the parties complained of have been duly notified of the petition, the court shall proceed, as soon as may be, to the hearing and determination of the case. While the petition is pending, and before final decree, the court may at any time make such temporary restraining order or prohibition as it deems just in the premises. Whenever it appears to the court that the ends of justice require that other parties be brought before it, the court may cause them to be summoned whether they reside in the district in which the court is held or not, and subpenas to that end may be served in any district by the marshal thereof.

"(c) In any action, civil or criminal, brought by or on behalf of the United States under subsection (a) of this section, subpenas for witnesses may run into any district, but in civil actions no writ of subpena may issue for witnesses living out of the district in which the court is held at a greater distance than one hundred miles from the place of holding the same without the permission of the trial court being first had upon proper application and cause shown.

"(d) Any person who is injured in his business or property by reason of anything forbidden in subsection (a) of this section may sue therefor in any district court of the United States in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee.

"(e) Any person, firm, corporation, or association may sue for and have injunctive relief, in any court of the United States having jurisdiction over the parties, against threatened loss or damage by a violation of subsection (a) of this section, under the same conditions and principles as injunctive relief against threatened conduct that will cause loss or damage is granted by courts of equity, under the rules governing such proceedings. Upon the execution of proper bond against damages for an injunction improvidently granted and a showing that the danger of irreparable loss or damage is immediate, a preliminary injunction may issue."

(g) The following section is inserted immediately before section 24:

"Sec. 23. (a) Except as provided in subsection (b) of this section, a person who is a director, trustee, officer, or employee of an insured bank may not at the same time be a director, officer, or employee of

"(1) any other insured bank;

"(2) any other company which is a bank holding company or a subsidiary of a bank holding company;

"(3) any insured institution as defined in section 401 of the National Housing Act;

"(4) any insurance company; or

"(5) any broker or dealer registered under the Securities Exchange Act of 1934, or be a proprietor or general partner of any such broker or dealer.

"(b) An individual may hold any number of positions as director, trustee, officer, or employee of any number of companies within any given group of companies if one of the companies in the group is a bank holding company and all the rest of them are subsidiaries of that holding company."

§ 3. Amendment to National Housing Act

Title IV of the National Housing Act is amended by adding at the end thereof the following new section:

"Sec. 411. (a) Except as provided in subsection (b) of this section, a person who is a director, trustee, officer, or employee of an insured institution may not at the same time be a director, officer, or employee of

"(1) any other insured institution;

"(2) any other company which is a savings and loan holding company or a subsidiary of a savings and loan holding company;

"(3) any insured bank as defined in section 3 of the Federal Deposit Insurance Act;

"(4) any insurance company; or

"(5) any broker or dealer registered under the Securities Exchange Act of 1934, or be a principal or a general partner of any such broker or dealer.

"(b) An individual may hold any number of positions as director, trustee, officer, or employee of any number of companies within any given group of companies if one of the companies in the group is a savings and loan holding company as defined in section 408 of this title and all the rest of them are subsidiaries of that holding company."

§ 4. Mutual savings banks

(a) Except as provided in subsection (b) of this section, a person who is a trustee, director, officer, or employee of a mutual savings bank other than an insured bank may not at the same time be a director, trustee, officer, or employee of

(1) any other mutual savings bank which is not an insured bank;

(2) any insured bank as defined in section 3 of the Federal Deposit Insurance Act;

(3) any insured institution as defined in section 401 of the National Housing Act;

(4) any company which is a bank holding company as defined in the Bank Holding Company Act of 1956 or a savings and loan holding company as defined in section 408 of the National Housing Act;

(5) any insurance company; or

(6) any broker or dealer registered under the Securities Exchange Act of 1934, or be a principal or a general partner of any such broker or dealer.

(b) An individual may hold any number of positions as director, trustee, officer, or employee of any number of companies within any given group of companies if one of the companies is either a bank holding company as defined in the Bank Holding Company Act of 1956 or a savings and loan holding company as defined in section 408 of the National Housing Act and all the rest of them are subsidiaries of that holding company.

§ 5. Effective dates

(a) Except as otherwise specified in this section, the provisions of this Act become effective upon enactment.

(b) Section 4 and the amendments made by sections 2(g) and 3 become effective on the first day of the third calendar year which begins after the date of enactment.

HEALTH AND SAFETY STANDARDS FOR METAL AND NONMETALLIC MINING OPERATIONS

(Mr. OLSEN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. OLSEN. Mr. Speaker, many of my colleagues are familiar with the proposed health and safety standards for metal and nonmetallic mining operations. These standards cover open pit and underground mines and sand, gravel, and crushed stone operations. I am proud to say that I have supported the adoption of such regulations, and I would like to take this opportunity to congratulate those who have composed the proposed standards.

Many of my friends here in the House, although not representing mining districts, lent their support to this project and I especially acknowledge their support and assistance.

The standards set forth have recently been recorded in volume 34 of the Federal Register, No. 11, part II, Thursday, January 16, 1969. Interested persons are afforded a period of 60 days after the date of publication in the Federal Register to submit written data, views, or arguments respecting the proposed standards. Communications should be adressed to the Director, Bureau of Mines, Department of the Interior, Washington, D.C. 20240.

At this time I enter into the Record a statement of the proposed standards:

[From the Federal Register, Vol. 34, No. 11, pt. II, January 16, 1969]

Department of the Interior, Bureau of Mines—Health and Safety Standards, Metal and Nonmetallic Open Pit and Underground Mines and Sand, Gravel and Crushed Stone Operations—Notice of Proposed Rule Making

[30 CFR Part 55]

METAL AND NONMETALLIC OPEN PIT MINES

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior under the Federal Metal and Nonmetallic Mine Safety Act (80 Stat. 772, 30 U.S.C. 721–740, Supp. III) to promulgate health and safety standards for the purpose of the protection of life, the promotion of health and safety, and the prevention of accidents in metal and nonmetallic mines, it is proposed to add a new Part 55 to Title 30, Code of Federal Regulations, relating to open pit mines. The standards set forth in Part 55 have been developed in conjunction with the Open Pit Advisory Committee appointed pursuant to section 7 of the Act.

Scope. The standards set forth in Part 55 would be applicable to those metal and nonmetallic mines at which mining operations are conducted by surface-mining methods commonly designated as open pit, opencast, opencut, or strip mining. The regulations in Part 55 would not be applicable to the mining of sand and gravel and crushed stone or to the underground mining of metal and nonmetallic minerals; these mines would be covered by standards set forth in new Parts 56 and 57 of Title 30, Code of Federal Regulations.

Specific designation of mandatory standards. Each standard which would be a mandatory standard is so designated by the word "Mandatory" which appears at the beginning of the section in which the standard is prescribed. If the Open Pit Advisory Committee has recommended that a standard be mandatory, the standard will be preceded by the word "Mandatory" and the letters "OPAC" in this manner—"Mandatory-OPAC."

In accordance with the provisions of section 6 of the Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. 725) interested persons are hereby afforded a period of 60 days after the date of publication in the Federal Register of proposed Part 55 in which to submit written data, views, or arguments respecting the proposed standards contained in Part 55. Communications should be addressed to the Director, Bureau of Mines, Department of the Interior, Washington, D.C. 20240.

Subject to the provisions of subsection (e) of section 6 and in accordance with the provisions of subsection (d) of section 6 of the Act (30 U.S.C. 725(d)) on or before the last day of the 60-day period fixed for the submission of written data, views, or arguments, any person who may be adversely affected by a proposed health and safety standard which is designated as a mandatory standard and which has not been recommended as a mandatory standard by the Open Pit Advisory Committee may file with the Secretary of the Interior written objections thereto stating the grounds for such objection and requesting a public hearing (subject to the provisions of the Administrative Procedure Act) on such objections.

Pursuant to the provisions of subsection (e) of section 6 of the Act (30 U.S.C. 725(e)) proposed mandatory standards which have been recommended as mandatory by the Open Pit Advisory Committee are not subject to hearings. Only those proposed standards which have not been recommended by the Open Pit Advisory Committee as mandatory are subject to hearings.

The new proposed Part 55 is set forth below.

David S. Black,
Under Secretary of the Interior.

January 9, 1969.

Sec.	
55.1	Purpose and scope.
55.2	Definitions.
55.3	Ground control.
55.4	Fire prevention and control.
55.5	Air quality.
55.6	Explosives.
55.7	Drilling.
55.8	Rotary jet piercing.
55.9	Loading, hauling, dumping.
55.10	Aerial tramways.
55.11	Travelways.
55.12	Electricity.
55.13	Compressed air and boilers.
55.14	Use of equipment.
55.15	Personal protection.
55.16	Materials storage and handling.
55.17	Illumination.
55.18	Safety programs.
55.19	Hoisting.
55.20	Miscellaneous.
55.21	Savings provision.

§ 55.1 Purpose and scope.

The regulations in this part are promulgated pursuant to section 6 of the Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. 725) and prescribe health and safety standards for open pit metal and nonmetallic mines which are subject to that Act. Each standard which is preceded by the word "Mandatory" is a mandatory standard. The violation of a mandatory standard will subject an operator to an order or notice under section 8 of the Act (30 U.S.C. 727).

§ 55.2 Definitions.

As used in this part:

"Approved" means tested and accepted for a specific purpose by a nationally recognized agency.

"Barricaded" means obstructed to prevent

the passage of persons, vehicles, or flying materials.

"Berm" means a pile or mound of material capable of stopping a vehicle.

"Blasting agent" means any material or mixture of a fuel and oxidizer intended for blasting, not otherwise classified as an explosive, and in which none of the ingredients is classified as an explosive (provided that the material or mixture cannot be detonated by a No. 8 test blasting cap under the conditions specified for the cap sensitivity test).

"Blasting area" means the area near blasting operations in which concussion or flying material can reasonably be expected to cause injury.

"Blasting caps" means a detonator containing a charge of detonating compound, which is ignited by electric current or the spark of a fuse. Used for detonating explosives.

"Blasting circuit" means electric circuits used to fire electric detonators or to ignite an igniter cord by means of an electric starter.

"Blasting switch" means a switch used to connect a power source to a blasting circuit.

"Capped fuse" means a length of safety fuse to which a detonator has been attached.

"Combustible" means capable of being ignited and consumed by fire.

"Company official" means a member of the company supervisory or technical staff.

"Competent person" means a person having abilities and experience that fully qualify him to perform the duty to which he is assigned.

"Detonating fuse" means a round flexible cord containing a center core of high explosives.

"Detonator" means a device used for detonating an explosive, including, but not limited to, blasting caps, exploders, percussion caps, primers, electric detonators, and delay electric blasting caps.

"Distribution box" means a portable apparatus with an enclosure through which an electric circuit is carried to one or more cables from a single incoming feed line, each cable circuit being connected through individual overcurrent protective devices.

"Electric blasting cap" means a blasting cap designed for and capable of being initiated by means of an electric current.

"Electrical grounding" means to connect with the ground to make the earth part of the circuit.

"Employee" means a person who works for wages or salary in the service of an employer.

"Employer" means a person or organization which hires one or more persons to work for wages or salary.

"Explosive" means any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion. Explosives include, but are not limited to black powder, dynamite, nitroglycerin, nitroglycerin compounds, fulminate, and ammonium nitrate when mixed with a hydrocarbon.

"Face or bank" means that part of any mine where excavating is progressing or was last done.

"Flammable" means capable of being easily ignited and of burning rapidly.

"Flammable liquid" means liquid having a flash point below 140° F. and having a vapor pressure not exceeding 40 psi (absolute) at 100° F.

"Flash point" means the minimum temperature at which sufficient vapor is released by a liquid or solid to form a flammable vapor-air mixture at atmospheric pressure.

"Highway" means any public street, public alley, or public road.

"High potential" means more than 650 volts.

"Hoist" means a power driven windlass or drum used for raising ore, rock, or other material from a mine, and for lowering or raising men and material.

"Igniter cord" means a fuse, cordlike in appearance, which burns progressively along its length with an external flame at the zone of burning, and is used for lighting a series of safety fuses in the desired sequence.

"Incline" means any inclined plane, whether above or beneath the surface.

"Inhabited building" means a building regularly occupied in whole or in part as a habitation for human beings or any church, schoolhouse, railroad station, store, or other structure where people are accustomed to assemble, except any building or structure occupied in connection with the manufacture, transportation, storage or use of explosives.

"Lay" means the distance parallel to the axis of the rope in which a strand makes one complete turn about the axis of the rope.

"Low potential" means 650 volts or less.

"Magazine" means a storage place for explosives or detonators.

"Major electrical installation" means an assemblage of stationary electrical equipment for the generation, transmission, distribution or conversion of electrical power.

"Manlift" means a power driven vertical belt having regularly spaced steps which can be boarded by men and used to travel from one elevation to another.

"Man trip" means a trip on which men are transported to and from a work area.

"Mill" includes any ore mill, sampling works, concentrator, and any crushing, grinding, or screening plant used at, and in connection with, an excavation or mine.

"Misfire" means the complete or partial failure of a blasting charge to explode as planned.

"Overburden" means material of any nature, consolidated or unconsolidated, that overlies a deposit of useful materials or ores that are to be mined.

"Permissible" means a machine, material, apparatus, or device which has been investigated, tested, and approved by the Bureau of Mines, and maintained in permissible condition.

"Potable" means fit for drinking.

"Primer" means a package or cartridge of explosives with a detonator.

"Reverse-current protection" means a method or device used on direct-current circuits or equipment to prevent the flow of current in the reverse direction.

"Roll protection" means a framework safety canopy or similar protection for the operator when equipment overturns.

"Safety can" means an approved container, of not over five gallons capacity, having a spring-closing lid and spout cover.

"Safety fuse" means a train of powder enclosed in cotton, jute yarn, and waterproofing compounds, which burns at a uniform rate; used for firing a cap containing the detonating compound which in turn sets off the explosive charge.

"Safety switch" means a sectionalizing switch that also provides short circuit protection in blasting circuits between the blasting switch and the shot area.

"Scaling" means removal of insecure material from a face or highwall.

"Secondary safety connection" means a second connection between a conveyance and rope, intended to prevent the conveyance from running away or falling in the event the primary connection fails.

"Semiconductive hose" means hose having an electrical resistance of not less than 5,000 ohms per foot and not more than 2 megohms for its total length, used in pneumatic placement of blasting agents in boreholes.

"Shaft" means a vertical or inclined shaft; a slope, incline or winze.

"Sprung hole" means a blasting hole chambered or enlarged to take an increased charge of explosives.

"Stemming" means the inert material, and the placing of such material, on top of a charge of explosives.

"Stray current" means that portion of a total electric current that flows through paths other than the intended circuit.

"Substantial construction" means construction of such strength, material, and workmanship that the object will withstand all reasonable shock, wear, usage, and deterioration to which it will be subjected.

"Suitable" means that which fits, and has the qualities or qualifications to meet a given purpose, occasion, condition, function, or circumstance.

"Threshold limit values" refers to airborne concentrations of substances and represent conditions under which it is believed that nearly all workers may be repeatedly exposed for a full shift, day after day, without adverse effect.

"Travelway" means a passage, walk or way regularly used and designated for persons to go from one place to another.

"Trip light" means a light displayed on the opposite end of a train from the locomotive or engine.

"Wet drilling" means the continuous application of water through the central hole of hollow drill steel to the bottom of the drill hole.

"Working place" means any place in or about a mine where work is being performed.

§ 55.3 Ground control.

55.3—1 *Mandatory-OPAC.* Standards acceptable to the Secretary for the safe control of pit walls, including the overall slope of the pit wall, shall be established and followed by the operator. Such standards shall be consistent with prudent engineering design, the nature of the ground and the kind of material and mineral mined, and the ensuring of safe working conditions according to the degree of slope. Mining methods shall be selected which will ensure wall and bank stability, including benching as necessary to obtain a safe overall slope.

55.3-2 *Mandatory-OPAC.* Loose unconsolidated material shall be stripped for a safe distance, but in no case less than 10 feet, from the top of pit or quarry walls, and the loose unconsolidated material shall be sloped to the angle of repose.

55.3-3 *Mandatory-OPAC.* To ensure safe operation, the width and height of benches shall be governed by the type of equipment to be used and the operation to be performed.

55.3-4 *Mandatory-OPAC.* Safe means for scaling pit banks shall be provided. Where power shovels are used for scaling, banks shall be limited to heights that can be scaled with the shovel buckets. Exposed bank areas shall be scaled before any other work is performed in the exposed bank area.

55.3-5 *Mandatory-OPAC.* Men shall not work near or under dangerous banks. Overhanging banks shall be taken down immediately and other unsafe ground conditions shall be corrected promptly, or the areas shall be barricaded and posted.

55.3-6 *Mandatory-OPAC.* Men shall approach loose rock and areas to be scaled from above and shall scale from a safe location.

55.3-7 Baffleboards, screens, cribbing, or other suitable means should be provided to prevent movement of material into cuts developed into steep hillsides.

55.3-8 *Mandatory-OPAC.* The supervisor, or a competent person designated by him, shall examine working areas and faces for unsafe conditions at least at the beginning of each shift and after blasting. Any unsafe condition found shall be corrected before any further work is performed at the immediate area or face at which the unsafe condition exists.

55.3-9 *Mandatory-OPAC.* Men shall examine their working places before starting work and frequently thereafter and any unsafe condition shall be corrected.

55.3–10 Banks, benches, and terrain sloping into the working areas should be examined after every rain, freeze, or thaw before men work in such areas.

55.3–11 Large boulders requiring secondary blasting should be in a safe location before they are drilled or broken.

55.3–12 *Mandatory-OPAC.* Men shall not work between equipment and the pit wall or bank where the equipment may hinder escape from falls or slides of the bank.

55.3–13 Rock-bolt installations, where used, should be in accordance with recommendations of the Bureau of Mines or other competent agency.

§ 55.4 Fire prevention and control.

55.4–1 *Mandatory-OPAC.* No person shall smoke or use an open flame where oil, grease, flammable solvents, liquids, fluids, or other flammable materials are stored, transported, handled, or used, nor within an unsafe distance of any area or place where such practices may cause a fire or explosion.

55.4–2 *Mandatory-OPAC.* Signs warning against smoking and open flame shall be posted so they can be readily seen in areas or places where fire or explosion hazards exist.

55.4–3 Areas surrounding flammable-liquid-storage tanks and electric substations and transformers should be kept free from grass (dry), weeds, underbrush, and other combustible materials for at least 25 feet in all directions.

55.4–4 *Mandatory.* Flammable liquids shall be stored in accordance with standards of the National Fire Protection Association or other recognized agencies approved by the Bureau of Mines. Small quantities of flammable liquids drawn from storage shall be kept in appropriately labeled safety cans.

55.4–5 Unburied flammable-liquid storage tanks should be mounted securely on firm foundations. Outlet piping should be provided with flexible connections or other special fittings to prevent adverse effects from tank settling.

55.4–6 Buildings or rooms in which oil, grease, flammable liquids or similar flammable materials are stored should be of fire-resistant construction and well ventilated.

55.4–7 Means should be provided to confine, remove, control, or drain away spilled or flowing flammable liquids.

55.4–8 *Mandatory-OPAC.* Fuel lines shall be equipped with valves to cut off fuel at the source and shall be located and maintained to minimize fire hazards.

55.4–9 *Mandatory-OPAC.* All heat sources, including lighting equipment, capable of producing combustion shall be insulated or isolated from combustible materials.

55.4–10 *Mandatory-OPAC.* Power wires and cables shall be adequately insulated where they pass through doors or walls or where they present a fire hazard.

55.4–11 *Mandatory-OPAC.* Abandoned electrical circuits shall be deenergized and isolated so that they cannot become energized inadvertently.

55.4–12 Combustible materials, grease, lubricants, or flammable liquids should not be allowed to accumulate where they can create a fire hazard.

55.4–13 Materials, such as oily waste and rags, which are subject to spontaneous combustion should be placed in tightly covered metal containers until disposed of properly.

55.4–14. *Mandatory-OPAC.* Solvents with flash points lower than 100° F. (38° C.) shall not be used for cleaning.

55.4–15 *Mandatory-OPAC.* Solvents shall not be used near an open flame or other ignition source, or near any source of heat, or in an atmosphere that can elevate the temperature of the solvent above the flash point.

55.4–16. Drip pans should be provided to catch leakage or spillage when oil or flammable liquids are dispensed in a place or manner which may create a hazard.

55.4–17 Floors around drip pans should be covered with sand or other suitable noncombustible material and such sand or material should be replaced as necessary.

55.4–18 *Mandatory-OPAC.* Oxygen cylinders shall not be stored near oil or grease.

55.4–19 *Mandatory-OPAC.* Gauges and regulators used with oxygen or acetylene cylinders shall be kept clean and free of oil and grease.

55.4–20 *Mandatory-OPAC.* Battery-charging stations shall be located in well ventilated areas.

55.4–21 *Mandatory-OPAC.* Internal combustion engines, except diesels, shall be shut off and stopped before being fueled.

55.4–22 *Mandatory-OPAC.* Each mine shall have available or be provided with suitable firefighting equipment adequate for the size of the mine.

55.4–23 *Mandatory-OPAC.* Firefighting equipment shall be strategically located, readily accessible, plainly marked, properly maintained, and inspected periodically. Records shall be kept of such inspections.

55.4–24 Fire extinguishers should be:

(a) Of the appropriate type for the particular fire hazard involved;

(b) Adequate in number and size for the particular fire hazard involved;

(c) Replaced immediately with fully charged extinguishers after any discharge is made from the extinguisher;

(d) Inspected, tested, and maintained at regular intervals according to the manufacturer's recommendations;

(e) Approved by the Underwriter's Laboratories, Inc. or other competent testing agency acceptable to the Bureau of Mines.

55.4–25 Fire hydrants should be:

(a) Of a standard type to fit the hose equipment of local fire departments. Adapters should be provided if necessary.

(b) Provided with readily available wrenches or keys to open the valves.

55.4–26 Water pipes, valves, outlets, hydrants, and hoses designated for firefighting purposes should be inspected and tested every 3 months.

55.4–27 Suitable fire extinguishers should be provided on self-propelled mobile equipment with enclosed cabs.

55.4–28 Suitable fire extinguishers should be an integral part of portable cutting and welding equipment.

55.4–29 *Mandatory-OPAC,* When welding or cutting near combustible materials, suitable precautions shall be taken to ensure that smoldering metal or sparks do not result in a fire.

55.4–30 Employees should be trained in the use of firefighting equipment.

55.4–31 A firefighting organization should be established, equipped, and trained in firefighting; drills should be held at least twice a year.

55.4–32 All employees should be instructed on current escape and evacuation plans, fire alarm signals, and applicable procedures to be followed in case of fire.

55.4–33 Fire-alarm systems adequate to warn all employees should be provided and maintained in operating condition.

55.4–34 Two exits should be provided where men work or congregate.

55.4–35 *Mandatory-OPAC.* Valves on oxygen and acetylene tanks shall be kept closed when the contents are not being used.

55.4–36 Belt conveyors in locations where fire would create a hazard to personnel should be provided with safety switches to stop the drive pulley automatically in the event of excessive slippage.

§ 55.5 Air quality.

55.5–1 *Mandatory-OPAC.* Where airborne concentrations of dust, gas, mist and fumes are encountered which exceed threshold limit values adopted by the American Conference of Governmental Hygienists, and persons are exposed to such concentrations, control measures shall be adopted to maintain concentrations below such threshold limit values.

55.5–2 *Mandatory-OPAC.* Dust, gas, mist, and fume surveys shall be conducted as frequently as necessary to determine the adequacy of control measures.

55.5–3 *Mandatory-OPAC.* Atmospheres where persons work (including equipment cabs) shall contain:

(a) At least 20 percent oxygen;

(b) Not more than 0.005 percent carbon monoxide, 0.5 percent carbon dioxide, and 5 parts per million nitrogen dioxide or other threshold limit values for these gases adopted by the American Conference of Governmental Industrial Hygienists;

(c) No harmful quantities of other gases, fumes, or mists as determined by threshold limit values established by the American Conference of Governmental Industrial Hygienists.

55.5–4 *Mandatory-OPAC.* Holes shall be collared and drilled wet, or other efficient dust control measures shall be used when drilling non-water-soluble materials. Efficient dust control measures shall be used when drilling water-soluble materials.

55.5–5 Muck piles, haulage roads, rock transfer points, crushers, and other points where dust is produced should be wet down at the beginning of the shift and thereafter as necessary, unless dust is controlled adequately by other methods.

55.5–6 *Mandatory-OPAC.* Bureau of Mines approved respirators shall be worn for protection against short-term exposures to concentrations of substances in excess of threshold limit values. Where a concentration of a substance is encountered for which a respirator has not been approved by the Bureau of Mines, respirators developed and tested by an agency or organization acceptable to the Bureau shall be used. Where an approved or acceptable respirator is not available, no person shall enter or be exposed to concentrations in excess of threshold limit values. Except as provided in this section, use of respirators shall not be substituted for regular control measures.

§ 55.6 Explosives.

STORAGE

55.6–1 *Mandatory-OPAC.* Detonators, explosives and blasting agents shall be stored in magazines.

55.6–2 *Mandatory-OPAC.* Separate magazines shall be provided for the storage of detonators and explosives.

55.6–3 *Mandatory-OPAC.* Detonators shall not be stored in the same magazine with explosives or blasting agents.

55.6–4 Blasting agents, safety fuse, or detonating fuse may be stored with explosives.

55.6–5 *Mandatory-OPAC.* Magazines shall be:

(a) Located in accordance with the current American table of distances for storage of explosives;

(b) Detached structures located away from power lines, fuel storage areas, and other possible sources of fire;

(c) Constructed substantially of noncombustible material or covered with fire-resistant material;

(d) Reasonably bullet-resistant;

(e) Electrically bonded and grounded if constructed of metal;

(f) Made of nonsparking materials on the inside, including floors;

(g) Provided with adequate and effectively screened ventilation openings near the floor and ceiling;

(h) Kept locked securely when unattended;

(i) Posted with suitable danger signs so located that a bullet passing through the face of a sign will not strike the magazine;

(j) Used exclusively for storage of blasting agents, explosives, or detonators and kept free of all extraneous materials;

(k) Kept clean and dry in the interior, and in good repair;

(1) Unheated, unless heated in a manner that does not create a fire or explosion hazard. Electrical heating devices shall not be used inside a magazine.

55.6–6 *Mandatory.* Only enclosed and gasketed fixtures and wiring in conduit shall be used inside magazines that are illuminated electrically.

55.6–7 *Mandatory-OPAC.* Electric switches shall be outside the magazines.

55.6–8 Areas surrounding magazines for not less than 25 feet in all directions should be kept free of rubbish and other combustibles.

55.6–9 *Mandatory-OPAC.* Smoking and open flames shall not be permitted within 25 feet of explosives and detonator-storage magazines.

55.6–10 Cases of explosives should be stored in such a manner to assure the use of the oldest stock first.

55.6–11 *Mandatory-OPAC.* Ammonium nitrate fuel-oil mixture shall be physically separated from dynamite stored in the same magazine and in such a manner that oil does not contaminate the dynamite.

55.6–12 Cases of explosives should not be stored on their ends or sides.

55.6–13 Cases of explosives should not be stacked more than 6 feet high.

TRANSPORTATION

55.6–20 *Mandatory-OPAC.* Explosives and detonators shall be transported in separate vehicles unless separated by 4 inches of hard wood or the equivalent.

55.6–21 *Mandatory-OPAC.* When explosives and detonators are hauled by trolley locomotive, covered electrically insulated cars shall be used.

55.6–22 *Mandatory-OPAC.* Self-propelled vehicles used to transport explosives or detonators shall be equipped with suitable fire extinguishers.

55.6–23 *Mandatory-OPAC.* Vehicles containing explosives or detonations shall be posted with proper warning signs.

55.6–24 *Mandatory-OPAC.* When vehicles containing explosives or detonators are parked, the brakes shall be set, the motive power shut off, and the vehicles shall be blocked securely against rolling.

55.6–25 *Mandatory-OPAC.* Vehicles containing explosives or detonators shall not be left unattended except in blasting areas where loading or charging is in progress.

55.6–26 Vehicles containing explosives or detonators should not be taken to a repair garage or shop for any purpose.

55.6–27 *Mandatory-OPAC.* Vehicles containing explosives or detonators shall be maintained in good condition and shall be operated at a safe speed and in accordance with all safe operating practices.

55.6–28 *Mandatory-OPAC.* Vehicles used to transport explosives other than anfo mixtures, shall have substantially constructed bodies, no sparking metal exposed in the cargo space, and shall be equipped with suitable sides and tail gates; explosives shall not be piled higher than the side or end enclosures.

55.6–29 Explosives should be transported at times and over routes that expose a minimum number of persons.

55.6–30 Explosives or detonators in open-bodied vehicles should be covered with fire and water retardant materials.

55.6–31 *Mandatory-OPAC.* Other materials or supplies shall not be placed on or in the cargo space of a conveyance containing explosives or detonators.

55.6–32 *Mandatory-OPAC.* Explosives or detonators shall not be transported on locomotives.

55.6–33 *Mandatory-OPAC.* No person shall smoke while transporting or handling explosives or detonators.

55.6–34 *Mandatory-OPAC.* Only the necessary attendants shall ride on or in vehicles containing explosives or detonators.

55.6–35 *Mandatory-OPAC.* Explosives or detonators shall not be transported on man trips.

55.6–36 Explosives should be transported promptly without undue delays in transit.

55.6–37 *Mandatory-OPAC.* Non-conductive containers with tight-fitting covers shall be used to transport or carry capped fuses and electric detonators to blasting sites.

55.6–38 *Mandatory-OPAC.* Substantial non-conductive closed containers shall be used to carry explosives to blasting sites.

USE

55.6–45 *Mandatory-OPAC.* Persons who use explosives, blasting agents, or detonators shall be experienced men who understand the hazards involved; trainees shall do such work only under the supervision of and in the immediate presence of experienced men.

55.6–46 Blasting operations should be under the direct control of authorized persons.

55.6–47 *Mandatory-OPAC.* Damaged or deteriorated explosives, blasting agents, and detonators shall be destroyed in a safe manner.

55.6–48 *Mandatory.* Explosives or detonators shall not be taken to the face or the immediate vicinity of the blasting site until all other work has been completed.

55.6–49 *Mandatory.* Holes to be blasted shall be charged as near to blasting time as practical and such holes shall be blasted as soon as possible after charging has been completed. In no case shall the time elapsing between the completion of charging to the time of blasting exceed 72 hours unless prior approval has been obtained from the Bureau of Mines.

55.6–50 *Mandatory-OPAC.* No person shall smoke within 25 feet of explosives, blasting agents, or detonators.

55.6–51 *Mandatory-OPAC.* Explosives and blasting agents shall be kept separated from detonators until charging is started.

55.6–52 *Mandatory-OPAC.* Primers shall be made up at the time of charging and as close to the blasting site as conditions allow.

55.6–53 Primers should be prepared so that the detonator is contained securely along the centerline of the explosives cartridge.

55.6–54 *Mandatory-OPAC.* Only wooden or other nonsparking implements shall be used to punch holes in explosives cartridges.

55.6–55 *Mandatory-OPAC.* Tamping poles shall be blunt and squared at one end and made of wood, nonsparking material, or of special plastic acceptable to the Bureau of Mines.

55.6–56 No tamping should be done directly on prime cartridges.

55.6–57 *Mandatory-OPAC.* Unused explosives and detonators shall be moved to a safe location as soon as charging operations are completed.

55.6–58 *Mandatory-OPAC.* Areas in which charged holes are awaiting firing shall be guarded, or barricaded and posted, or flagged, against unauthorized entry.

55.6–59 *Mandatory.* Ample warning shall be given before blasts are fired. All persons shall be cleared and removed from areas endangered by the blast.

55.6–60 *Mandatory.* Sufficient blasting shelters shall be provided to protect all men endangered by fly rock from blasting.

55.6–61 *Mandatory-OPAC.* When safety fuse has been used, men shall not return to misfired holes for at least 30 minutes.

55.6–62 *Mandatory.* When electric blasting caps have been used, men shall not return to misfired holes for at least 15 minutes.

55.6–63 Faces and muckpile should be examined for undetonated explosives after each blast and undetonated explosives found should be disposed of safely.

55.6–64 *Mandatory-OPAC.* Misfires shall be reported to the proper supervisor and shall be disposed of safely before any other work is performed in that blasting area.

55.6–65 Blast holes in "hot-hole" areas and holes that have been sprung should not be charged before tests have been made to ensure that the heat has been dissipated to a safe extent.

55.6–66 If explosives are suspected of burning in a hole, all persons in the endangered area should move to a safe location until the danger has passed.

55.6–67 *Mandatory-OPAC.* Holes shall not be drilled where there is danger of intersecting a charged or misfired hole.

55.6–68 *Mandatory-OPAC.* Fuse and igniters shall be stored in a cool, dry place away from oils or grease.

55.6–69 Fuse should not be kinked, bent sharply, or handled roughly.

55.6–70 *Mandatory-OPAC.* Fuses shall be cut and capped in safe, dry locations posted with "No Smoking" signs.

55.6–71 *Mandatory-OPAC.* Blasting caps shall be crimped to fuses only with implements designed for that specific purpose.

55.6–72 *Mandatory-OPAC.* the burning rate of the fuse shall be posted in the fuse-capping station in a conspicuous location such that the burning rate will be brought to the attention of all men concerned with blasting.

55.6–73 *Mandatory-OPAC.* Fuse less than 48 inches long shall not be used.

55.6–74 *Mandatory-OPAC.* At least two men shall be present when lighting fuses, and no man shall light more than 15 individual fuses. If more than 15 holes per man are to be fired, igniter cord and connectors or electric blasting shall be used.

55.6–75 A safe interval of time should be allowed to light a round and evacuate the blasting area.

55.6–76 *Mandatory-OPAC.* Fuse shall be ignited with hot-wire lighters, lead spitters, igniter cord, or other such devices designed for this purpose.

55.6–77 *Mandatory-OPAC.* Fuse shall not be ignited before the primer and the entire charge are securely in place.

55.6–78 Timing should be such that the fuse in the last hole to fire is burning within the hole before the first hold fires.

55.6–79 Electric detonators of different brands should not be used in the same round.

55.6–80 *Mandatory-OPAC.* Electric detonators shall remain shunted until they are being wired into the blasting circuit. Lead lines and wired rounds shall be kept shunted until immediately before blasting.

55.6–81 Completely wired rounds should be tested with a blasing galvanometer before connections are made to the blasting line.

55.6–82 *Mandatory-OPAC.* Lead wires and blasting lines shall not be strung across power conductors, pipelines, railroad tracks, or within 20 feet of bare powerlines. They shall be protected from sources of static or other electrical contact.

55.6–83 *Mandatory-OPAC* Permanent blasting lines shall be properly supported, insulated, and kept in good repair.

55.6–84 *Mandatory-OPAC.* Charging shall be stopped immediately when the presence of static electricity or stray current is detected; the condition shall be remedied before charging is resumed.

55.6–85 *Mandatory-OPAC.* Charging shall be suspended in surface mining, shaft sinking, and tunneling and men withdrawn to a safe location upon the approach of an electrical storm.

55.6–86 *Mandatory-OPAC.* If branch circuits are used when blasts are fired from power circuits, safety switches located at safe distances from the blast areas shall be provided in addition to the main blasting switch.

55.6–87 *Mandatory-OPAC.* Safety switches and blasting switches shall be labeled, encased in boxes, and arranged so that the covers of the boxes cannot be closed with the switches in closed position.

55.6–88 *Mandatory-OPAC.* Blasting switches shall be locked in the open position, except when closed to fire the blast. Lead wires shall not be connected to the blasting switch until the shot is ready to be fired.

55.6–89 *Mandatory-OPAC*. The key to a blasting switch shall be entrusted only to the person designated to fire blasts.

55.6–90 *Mandatory-OPAC*. Electric circuits from the blasting switches to the blast area shall not be grounded.

55.6–91 At least a 5-foot air gap should be provided between the blasting circuit and the power circuit.

55.6–92 *Mandatory-OPAC*. Where electric blasting is to be performed, electric circuits to equipment in the immediate area to be blasted shall be deenergized before explosives are brought into the area; the power shall not be turned on again until after the shots are fired.

55.6–93 Power sources should be suitable for the number of electric detonators to be fired and for the type of circuits used.

55.6–94 *Mandatory*. The double trunkline or loop system shall be used in detonating-cord blasting.

55.6–95 *Mandatory-OPAC*. The trunkline, in multiple row blasts, shall make one or more complete loops, with crossties between loops at intervals of not over 200 feet.

55.6–96 *Mandatory*. All detonating-cord knots shall be tight and all connections shall be kept at right angles to the trunklines.

55.6–97 Delay connectors for firing detonating cord should be treated and handled with the same safety precautions as blasting caps and electric detonators.

55.6–98 Detonating cord should not be kinked, bent, or otherwise handled in such a manner that the train of detonation may be interrupted.

SENSITIZED AMMONIUM NITRATE BLASTING AGENTS

55.6–110 If sensitized ammonium nitrate blasting agents are not purchased premixed, all procedures concerning storage of components and the final product, mixing, and transportation should be in accordance with Bureau of Mines Information Circular 8179, "Safety Recommendations for Sensitized Ammonium Nitrate Blasting Agents," or subsequent revisions.

55.6–111 *Mandatory*. In the use of sensitized ammonium nitrate mixtures and blasting agents the same precautions shall be taken as for high explosives.

55.6–112 Adequate priming should be employed to guard against misfires, increased toxic fumes, and poor performance.

55.6–113 *Mandatory-OPAC*. Where pneumatic loading is employed, before any type of blasting operation using blasting agents is put into effect, an evaluation of the potential hazard of static electricity shall be made. Adequate steps, including the grounding and loading of the conducive parts of pneumatic loading equipment, shall be taken to eliminate the hazard of static electricity before blasting agent use is commenced.

55.6–114 *Mandatory-OPAC*. Pneumatic loading equipment shall not be grounded to waterlines, air lines, rails, or the permanent electrical grounding systems.

55.6–115 *Mandatory*. Hoses used in connection with pneumatic loading machines shall be of the semiconductive type, having a total resistance low enough to permit the dissipation of static electricity and high enough to limit the flow of stray electric currents to a safe level. Wire-countered hose shall not be used because of the potential hazard from stray electric currents.

55.6–116 Reasonable precautions should be exercised to exclude moisture from blasting agents other than slurries. Water should be removed from holes before holes are charged. If water continues to flow into boreholes, sensitized ammonium nitrate should not be used.

55.6–117 *Mandatory-OPAC*. Plastic tubes shall not be used to protect pneumatically loaded blasting agent charges against water unless a positive grounding system is provided to drain electrostatic charges from the hole.

§ 55.7 Drilling.

55.7–1 Equipment should be inspected each shift by an authorized individual. Equipment defects affecting safety should be reported.

55.7–2 *Mandatory-OPAC*. Equipment defects affecting safety shall be corrected before the equipment is used.

55.7–3 *Mandatory-OPAC*. The drilling area shall be inspected for hazards before starting the drilling operations.

55.7–4 *Mandatory-OPAC*. Men shall not be on the mast while the drill is in operation.

55.7–5 *Mandatory-OPAC*. Drill crews and others shall stay clear of augers or drill stems that are in motion. Persons shall not pass under or step over a moving stem or auger.

55.7–6 Receptables or racks should be provided for drill steel stored on drills.

55.7–7 Tools and other objects should not be left loose on the mast or drill platform.

55.7–8 *Mandatory-OPAC*. When a drill is being moved from one drilling area to another, drill steel, tools, and other equipment shall be secured and the mast placed in a safe position.

55.7–9 The drill helper, when used, should be in sight of the operator at all times while the drill is being moved to a new location.

55.7–10 *Mandatory-OPAC*. In the event of power failure, drill controls shall be placed in the neutral position until power is restored.

55.7–11 *Mandatory-OPAC*. The drill stem shall be resting on the bottom of the hole or on the platform with the stem secured to the mast before attempts are made to straighten a crossed cable on a reel.

55.7–12 *Mandatory-OPAC*. While in operation, drills shall be attended at all times.

55.7–13 *Mandatory-OPAC*. Drill holes large enough to constitute a hazard shall be covered or guarded.

55.7–14 Men operating or working near jackhammers or jackleg drills and other drilling machines should position themselves so that they will not be struck or lose their balance if the drill steel breaks or sticks.

55.7–15 Men should not drill from positions that hinder their access to the control levers, or from insecure footing or staging, or from atop equipment not designed for this purpose.

55.7–16 Bit wrenches or bits knockers should be used to remove detachable bits from drill steel.

55.7–17 Starter steels should be used when collaring holes with handheld or feedleg drills.

55.7–18 *Mandatory-OPAC*. Men shall not hold the drill steel while collaring holes, or rest their hands on the chuck or centralizer while drilling.

55.7–19 Air should be turned off and bled from the hose before handheld drills are moved from one working area to another.

§ 55.8 Rotary jet piercing.

55.8–1 Jet drills should be provided with:

(a) A system to pressurize operators' cabs;

(b) A protective cover over the oxygen flow indicator.

55.8–2 *Mandatory-OPAC*. Safety chains or other suitable locking devices shall be provided across connections to and between high pressure oxygen hose lines of 1-inch inside diameter or larger.

55.8–3 *Mandatory-OPAC*. A suitable means of protection shall be provided for the employee when lighting the burner.

55.8–4 With equipment requiring refueling at locations other than fueling stations, a system for fueling from the ground without spill should be provided.

55.8–5 *Mandatory-OPAC*. Men shall not smoke and open flames shall not be used in the vicinity of the oxygen storage and supply lines. Signs warning against smoking and open flames shall be posted in these areas.

§ 55.9 Loading, hauling, dumping.

55.9–1 Equipment should be inspected each shift by an authorized individual. Equipment defects affecting safety should be reported.

55.9–2 *Mandatory-OPAC*. Equipment defects affecting safety shall be corrected before the equipment is used.

55.9–3 *Mandatory-OPAC*. Powered mobile equipment shall be provided with adequate brakes.

55.9–4 Powered mobile haulage equipment should be provided with audible warning devices. Lights should be provided on both ends when required.

55.9–5 *Mandatory-OPAC*. Operators shall be certain, by signal or other means, that all persons are clear before starting or moving equipment.

55.9–6 *Mandatory-OPAC*. When the entire length of the conveyor is visible from the starting switch, the operator shall visually check to make certain that all persons are in the clear before starting the conveyor. When the entire length of the conveyor is not visible from the starting switch, a positive audible or visual warning system shall be installed and operated to warn persons that the conveyor will be started.

55.9–7 *Mandatory-OPAC*. Unguarded conveyors with walkways shall be equipped with emergency stop devices or cords along their full length.

55.9–8 Adequate protection should be provided at dumping locations where men may be endangered by falling material.

55.9–9 *Mandatory-OPAC*. Operators shall sound warning before starting trains, when trains approach crossings or other trains on adjacent tracks, and where vision is obscured.

55.9–10 *Mandatory-OPAC*. Trucks, shuttle cars, and front-end loaders shall be equipped with emergency brakes separate and independent of the regular braking system.

55.9–11 Operators' cabs should be constructed to permit operators to see without straining and should be reasonably comfortable.

55.9–12 *Mandatory-OPAC*. Cab windows shall be of safety glass or equivalent, in good condition and shall be kept clean.

55.9–13 *Mandatory-OPAC*. Cabs of mobile equipment shall be kept free of extraneous materials.

55.9–14 In areas where weather conditions justify, haulage trucks with cabs should be equipped with heaters and/or air conditioners maintained in good condition.

55.9–15 *Mandatory-OPAC*. Adequate backstops or brakes shall be installed on inclined-conveyor drive units to prevent conveyors from runnning in reverse if a hazard to personnel would be caused.

55.9–16 *Mandatory-OPAC*. No person shall be permitted to ride a power-driven chain, belt, or bucket conveyor, unless the belt is specifically designed for the transportation of persons.

55.9–17 Slusher hoists should be equipped with backlash guards, rollers, drum covers, and anchored securely before slushing operations are started.

55.9–18 Roadbeds, rails, joints, switches, frogs, and other elements on railroads should be designed, installed, and maintained in a safe manner consistent with the speed and type of haulage.

55.9–19 Equipment operating speeds should be prudent and consistent with conditions of roadway, grades, clearance, visibility, traffic, and the type of equipment used.

55.9–20 Dust control measures should be taken where dust significantly reduces visibility of equipment operators.

55.9–21 *Mandatory-OPAC*. Where possible at least 30 inches continuous clearance from the farthest projection of moving railroad equipment shall be provided on at least one side of the tracks; all places where it is not possible to provide 30-inch clearance shall be marked conspicuously.

55.9–22 Track guard rails, lead rails, and frogs should be protected or blocked so as to prevent a person's foot from becoming wedged.

55.9–23 *Mandatory-OPAC.* Positive-acting stopblocks, derail devices, track skates, or other adequate means shall be installed wherever necessary to protect persons from runaway or moving railroad equipment.

55.9–24 Traffic rules, signals, and warning signs should be standardized at each mine and posted.

55.9–25 Vehicles should follow at a safe distance; passing should be limited to areas of adequate clearance and visibility.

55.9–26 *Mandatory-OPAC.* Berms or guards shall be provided on the outer banks of elevated roadways.

55.9–27 *Mandatory-OPAC.* Trackless haulage equipment shall be operated under power control at all times.

55.9–28 *Mandatory-OPAC.* Mobile equipment operators shall have full control of the equipment while it is in motion.

55.9–29 *Mandatory-OPAC.* Dippers, buckets, loading booms, or heavy suspended loads shall not be swung over the cabs of haulage vehicles until the drivers are out of the cabs and in safe locations, unless the trucks are designed specifically to protect the drivers from falling material.

55.9–30 *Mandatory-OPAC.* Only authorized persons shall be present in areas of loading or dumping operations.

55.9–31 *Mandatory-OPAC.* When an operator is present, men shall notify him before getting on or off equipment.

55.9–32 *Mandatory-OPAC.* Switch throws shall be installed so as to provide adequate clearance for switchmen.

55.9–33 Operators should sit facing the direction of travel while operating equipment with dual controls.

55.9–34 *Mandatory-OPAC.* Men shall not work or pass under the buckets or booms of loaders in operation.

55.9–35 *Mandatory-OPAC.* When traveling between work areas, the equipment shall be secured in the travel position.

55.9–36 *Mandatory-OPAC.* Dippers, buckets, scraper blades, and similar movable parts shall be secured or lowered to the ground when not in use.

55.9–37 *Mandatory.* Men shall not ride in dippers, buckets, forks, clamshells, or in the beds of dump trucks for the purpose of transportation.

55.9–38 Loaded cars or trucks should not be moved until the loads are trimmed properly.

55.9–39 Movements of two or more pieces of rail equipment operating independently on the same track should be regulated by an efficient signal block, telephone, or radio system; movements on complex haulage systems should be adequately controlled.

55.9–40 *Mandatory-OPAC.* Electrically powered mobile equipment shall not be left unattended unless the master switch is in the off position, all operating controls are in the neutral position, and the brakes are set or other equivalent precautions are taken against rolling.

55.9–41 *Mandatory-OPAC.* Mobile equipment shall not be left unattended unless the brakes are set. The wheels shall be turned into a bank or rib, or shall be blocked, when such equipment is parked on a grade.

55.9–42 *Mandatory-OPAC.* Men shall not get on or off moving equipment, except that trainmen may get on or off of slowly moving trains.

59.9–43 *Mandatory-OPAC.* Men shall not ride on top of loaded haulage equipment.

55.9–44 *Mandatory-OPAC.* Only authorized persons shall be permitted to ride on trains or locomotives and they shall ride in a safe position.

55.9–45 Rocker-bottom or bottom-dump cars should be equipped with positive locking devices.

55.9–46 *Mandatory-OPAC.* Men shall not ride outside the cabs and beds of mobile equipment.

55.9–47 *Mandatory-OPAC.* Equipment which is to be hauled shall be loaded and protected so as to prevent sliding or spillage.

55.9–48 *Mandatory-OPAC.* Parked railcars, unless held effectively by brakes shall be blocked securely.

55.9–49 *Mandatory-OPAC.* Railroad cars with braking systems, when in use, shall be equipped with effective brake shoes.

55.9–50 Long material should be transported by a method designed to prevent any overhang from creating a hazard.

55.9–51 *Mandatory-OPAC.* Railcars shall not be left on side tracks unless ample clearance is provided for traffic on adjacent tracks.

55.9–52 *Mandatory-OPAC.* Persons shall not go over, under, or between cars unless the train is stopped and the motorman has been notified and the notice acknowledged.

55.9–53 *Mandatory-OPAC.* Inability of the motorman to clearly recognize the brakeman's signals when the train is under the direction of the brakeman shall be construed by the motorman as a stop signal.

55.9–54 Dumping locations and haulage roads should be kept reasonably free of water, debris, and spillage.

55.9–55 *Mandatory-OPAC.* Berms, bumper blocks, safety hooks, or similar means shall be provided to prevent overtravel and overturning at dumping locations.

55.9–56 Where the ground at a dumping place may fail to support the weight of a loaded dump truck, trucks should be dumped back from the edge of the bank.

55.9–57 Where necessary, bumper blocks or the equivalent should be provided at all track dead ends.

55.9–58 Grizzlies, grates, and other sizing devices at dump and transfer points should be anchored securely in place.

55.9–59 *Mandatory-OPAC.* If truck spotters are used, they shall be well in the clear while trucks are backing into dumping position and dumping; lights shall be used at night to direct trucks.

55.9–60 *Mandatory-OPAC.* Public and permanent railroad crossings shall be posted with warning signs or signals, or shall be guarded when trains are passing and shall be planked or otherwise filled between the rails.

55.9–61 *Mandatory-OPAC.* Where overhead clearance is restricted, warning devices shall be installed and the restricted area shall be conspicuously marked.

55.9–62 *Mandatory-OPAC.* Stockpile and muckpile faces shall be trimmed to prevent hazards to personnel.

55.9–63 *Mandatory-OPAC.* Rocks too large to be handled safely shall be broken before loading.

55.9–64 Ramps and dumps should be of solid construction, of ample width, have ample side clearance and headroom, and be kept reasonably free of spillage.

55.9–65 *Mandatory-OPAC.* Chute-loading installations shall be designed so that men pulling chutes are not required to assume hazardous positions while loading cars.

55.9–66 Cars should not be coupled or uncoupled manually from the inside of curves.

55.9–67 *Mandatory-OPAC.* Facilities used to transport men to and from work areas shall not be overcrowded.

55.9–68 *Mandatory-OPAC.* Supplies, materials, and tools other than small hand tools shall not be transported with men in mantrip vehicles, unless such vehicles are specifically designed to make such transportation safe.

55.9–69 *Mandatory-OPAC.* Lights, flares, or other warning devices shall be posted when parked equipment creates a hazard to vehicular traffic.

55.9–70 *Mandatory-OPAC.* Tires shall be deflated before repairs on them are started and adequate means shall be provided to prevent wheel locking rims from creating a hazard during tire inflation.

55.9–71 Any load extending more than 4 feet beyond the rear of the vehicle body should be marked clearly with a red flag by day and a red light at night.

55.9–72 A tow bar should be used to tow heavy equipment. A safety chain should be used in conjunction with the tow bar.

§ 55.10 Aerial tramways.

55.10–1 Buckets should not be overloaded, and feed should be regulated to prevent spillage.

55.10–2 Carriers, including loading and unloading mechanisms, should be inspected each shift; brakes should be inspected daily; ropes and supports should be inspected as recommended by the manufacturer or as physical conditions warrant. Records of rope maintenance and inspections should be kept.

55.10–3. *Mandatory-OPAC.* Any hazardous defects shall be corrected before the equipment is used.

55.10–4 Positive action-type brakes should be provided on aerial tramways.

55.10–5 Track cable connections should be designed to offer minimum obstruction to the passage of wheels.

55.10–6 Guards should be installed to prevent swaying buckets from hitting towers.

55.10–7 *Mandatory-OPAC.* Guard nets shall be provided where tramways pass over roadways, walkways, and buildings.

55.10–8 *Mandatory-OPAC.* Persons other than maintenance men shall not ride aerial tramways unless the following features are provided:

(a) Two independent brakes, each capable of holding the maximum load;

(b) Direct communication between terminals;

(c) Powerdrives with emergency power available in case of primary power failure;

(d) Buckets equipped with positive locks to prevent accidental tripping or dumping.

55.10–9 *Mandatory-OPAC.* Men shall not ride loaded buckets.

55.10–10 *Mandatory-OPAC.* Where possible, aerial tramways shall not be started until the operator has ascertained that everyone is in the clear.

§ 55.11 Travelways.

55.11–1 *Mandatory-OPAC.* Safe means of access shall be provided and maintained to all working places.

55.11–2 *Mandatory-OPAC.* Crossovers, elevated walkways, elevated ramps, and stairways shall be of substantial construction, provided with handrails, and maintained in good condition. Where necessary, toeboards shall be provided.

55.11–3 Ladders shall be of substantial construction and maintained in good condition.

55.11–4 Portable straight ladders should be provided with nonslip bases, should be placed against a safe backing, and set on secure footing.

55.11–5 *Mandatory-OPAC.* Fixed ladders shall be anchored securely and installed to provide at least 3 inches of toe clearance.

55.11–6 Fixed ladders should be offset and have substantial railed landings at least every 30 feet unless backguards are provided.

55.11–7 Steep fixed ladders (70° to 90° from the horizonal) 30 feet or more in length should be provided with backgrounds, cages, or equivalent protection, starting at a point not more than 7 feet from the bottom of the ladder.

55.11–8 *Mandatory-OPAC.* Fixed ladders shall project at least 3 feet above landings, or substantial handholds shall be provided above the landings.

55.11–9 Wooden members of ladders should not be painted.

55.11–10 Ladderways, stairways, walkways, and ramps should be kept free of loose rock and extraneous materials.

55.11–11 *Mandatory-OPAC.* Railed walkways shall be provided wherever persons are regularly required to walk alongside conveyor belts. Inclined railed walkways shall be nonskid or provided with cleats.

55.11–12 Vertical clearance above stair steps should be a minimum of 7 feet.

55.11–13 Men climbing or descending ladders should face the ladders and have both hands free for climbing.

55.11–14 *Mandatory-OPAC.* Openings above, below, or near travelways through which men or materials may fall shall be protected by railings, barriers, or covers. Where it is impractical to install such protective devices, adequate warning signals shall be installed.

55.11–15 *Mandatory-OPAC.* Scaffolds and working platforms shall be of substantial construction and provided with handrails and maintained in good condition. Floorboards shall be laid properly and the scaffolds and working platform shall not be overloaded. Working platforms shall be provided with toeboards when necessary.

55.11–16 *Mandatory-OPAC.* Crossovers shall be provided where it is necessary to cross conveyors.

55.11–17 *Mandatory-OPAC.* Moving conveyors shall be crossed only at designated crossover points.

55.11–18 Slippery walkways should be provided with cleats and handrails and/or ropes.

55.11–19 *Mandatory-OPAC.* Regularly used walkways and travelways shall be sanded, salted, or cleared of snow and ice as soon as practicable.

55.11–20 Fixed ladders should not incline backwards at any point unless provided with backguards.

§ 55.12 Electricity.

55.12–1 *Mandatory.* Circuits shall be protected against excessive overload by fuses or circuit breakers of the correct type and capacity.

55.12–2 *Mandatory-OPAC.* Powerlines, including trolley wires, and telephone circuits shall be protected against short circuits and lightning.

55.12–3 *Mandatory.* Electric equipment and circuits shall be provided with switches or other controls. Such switches or controls shall be of approved design and construction and shall be properly installed.

55.12–4 *Mandatory.* Individual overload protection or short-circuit protection shall be provided for the trailing cables of mobile equipment.

55.12–5 Power wires and cables should have adequate current-carrying capacity and should be protected from mechanical injury.

55.12–6 Neither crawler-mounted nor rubber-tired equipment should run over trailing cables, unless the cables are properly bridged or protected.

55.12–7 Distribution boxes should be provided with disconnect switches.

55.12–8 *Mandatory-OPAC.* Trailing cable and power-cable connections to junction boxes shall not be made or broken under load.

55.12–9 Power wires and cables should be insulated adequately where they pass into or out of electrical compartments.

55.12–10 Power wires and cables which present a fire hazard should be well installed on acceptable insulators.

55.12–11 *Mandatory-OPAC.* Where metallic tools or equipment can come in contact with trolley wires or bare powerlines, the lines should be guarded or deenergized.

55.12–12 Telephone and low-potential electric signal wires should be protected from contacting energized powerlines.

55.12–13 *Mandatory-OPAC.* High-potential transmission cables shall be covered, insulated, or placed according to acceptable electrical codes to prevent contact with low-potential circuits.

55.12–14 The potential on bare signal wires accessible to personal contact should not exceed 40 volts.

55.12–15 Splices in power cables, including ground conductor, where provided, should be:

(a) Mechanically strong with adequate electrical conductivity;

(b) Effectively insulated and sealed to exclude moisture;

(c) Provided with mechanical protection and electrical conductivity as near as possible to that of the original.

55.12–16 *Mandatory-OPAC.* Shovel trailing cables should not be moved with the shovel dipper unless cable slings or sleds are used.

55.12–17 *Mandatory.* Energized high-potential cables shall be handled with insulated hooks or tongs.

55.12–18 *Mandatory-OPAC.* Electrical equipment shall be deenergized before work is done on such equipment. Switches shall be locked out and suitable warning signs posted by the individuals who are to do the work; locks shall be removed only by the persons who installed them.

55.12–19 *Mandatory-OPAC.* Power circuits shall be deenergized before work is done on such circuits unless hot line tools are used. Switches shall be locked out and suitable warning signs posted by the individuals who are to do the work; locks shall be removed only by the persons who installed them.

55.12–20 *Mandatory-OPAC.* Principal power switches shall be labeled to show which units they control, unless identification can be made readily by location.

55.12–21 At least 3 feet of clearance should be provided around all parts of stationary electric equipment or switchgear where access or travel is necessary.

55.12–22 *Mandatory-OPAC.* Dry wooden platforms, insulating mats, or other electrically nonconductive material shall be kept in place at all switchboards and power-control switches where shock hazards exist. However, metal plates on which a person normally would stand, and kept at the same potential as the grounded metal noncurrent carrying parts of the power switches to be operated, may be used.

55.12–23 *Mandatory-OPAC.* Suitable danger signs shall be posted at all major electrical installations.

55.12–24 Areas containing major electrical installations should be entered only by authorized personnel.

55.12–25 *Mandatory-OPAC.* Electrical connections and resistor grids that are difficult or impractical to insulate shall be guarded, unless protection is provided by location.

55.12–26 Reverse-current protection should be provided at storage-battery charging stations.

55.12–27 *Mandatory-OPAC.* All metal enclosing or encasing electrical circuits shall be grounded or provided with equivalent protection. This requirement does not apply to battery-operated equipment.

55.12–28 *Mandatory-OPAC.* Metal fencing and metal buildings enclosing transformers and switchgear shall be grounded.

55.12–29 *Mandatory-OPAC.* Frame grounding or equivalent protection shall be provided for mobile equipment powered through trailing cables.

55.12–30 *Mandatory-OPAC.* Continuity and resistance of grounding systems shall be tested immediately after installation.

55.12–31 Electric equipment and wiring should be inspected by a competent person as often as necessary to assure safe operating conditions.

55.12–32 *Mandatory-OPAC.* When a potentially dangerous condition is found it shall be corrected before equipment or wiring is energized.

55.12–33 Electric motors, switches, and controls exposed to damaging dust or water should be of dust-tight or water-tight construction.

55.12–34 Inspection and cover plates on electrical equipment should be kept in place at all times except during testing or repairs.

55.12–35 *Mandatory-OPAC.* Hand-held electric tools shall not be operated at high potential voltages.

55.12–36 Portable extension lights and other lights that may present a shock or burn hazard should be guarded.

55.12–37 Lamp pockets exposed to the weather should be of a weather-proof type.

55.12–38 *Mandatory-OPAC.* Circuits shall be deenergized before fuses are removed or replaced.

55.12–39 *Mandatory-OPAC.* Fuse tongs or hot line tools shall be used when fuses are removed or replaced in high-potential circuits.

55.12–40 Trailing cables should be clamped to machines in a manner to protect the cables from damage and to prevent strain on the electrical connections.

55.12–41 Surplus trailing cables to shovels, cranes, and similar equipment should be stored in cable boots or on reels mounted on the equipment or otherwise protected from mechanical damage.

55.12–42 *Mandatory-OPAC.* Operating controls shall be installed so that they can be operated without danger of contact with energized conductors.

55.12–43 *Mandatory-OPAC.* Switches and starting boxes shall be of safe design and capacity.

55.12–44 Both rails should be bonded or welded at every joint. Rails should be crossbonded at least every 200 feet if the track serves as the return trolley circuit, except where a control signal cannot be used on a crossbonded track.

55.12–45 *Mandatory-OPAC.* Equipment with booms or masts which are not properly protected shall not be operated where the booms or masts can come within 10 feet of an energized overhead powerline.

55.12–46 Lightning arrester grounds should be connected to earth at least 10 feet from the track or mine return circuit.

55.12–47 *Mandatory-OPAC.* Overhead high-potential powerlines shall be installed as specified by the National Electrical Safety Code.

55.12–48 *Mandatory-OPAC.* When equipment must be moved under energized power lines and the clearance is less than 10 feet, the powerlines shall be deenergized or other precautions shall be taken.

55.12–49 *Mandatory-OPAC.* Guy wires of poles supporting high-potential conductors shall be equipped with insulators installed near the pole end.

55.12–50 *Mandatory-OPAC.* Telegraph telephone, or signal wires shall not be installed on the same crossarm with power conductors. When carried on poles supporting powerlines, they shall be installed as specified by the National Electrical Safety Code.

55.12–51 *Mandatory-OPAC.* Transformers shall be totally enclosed, or shall be placed at least 8 feet above the ground, or installed in a transformer house, or surrounded by a substantial fence at least 6 feet high and at least 3 feet from any energized parts, casings, or wiring.

55.12–52 *Mandatory-OPAC.* Transformer enclosures shall be kept locked against unauthorized entry.

55.12–53 Men should not stand on the ground in the vicinity of an electrically powered shovel or other similar heavy equipment during an electrical storm.

55.12–54 Trolley wires should be aligned properly and installed at least 6 inches outside and 7 feet above the track.

55.12–55 Trolley wire hangers should be spaced so that the wire will not sag more than 3 inches between hangers and so that the wire may be detached from any one hanger without creating a shock hazard.

55.12–56 Trolley wires and trolley feeder wires should be provided with sectionalizing switches at man-trip stations and near the beginning of all branch lines.

55.12–57 Ground wires for lighting circuits powered from trolley wires should be connected securely to the ground return circuit.

55.12–58 Tools and supplies should be carried in the hands and not on the shoulders when men travel near bare power conductors.

§ 55.13 Compressed air and boilers.

General

55.13–1 *Mandatory-OPAC*. All boilers and pressure vessels shall be constructed, installed, and maintained in accordance with the standards and specifications of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code.

Compressed Air

55.13–6 Air compressors should be equipped with automatic temperature-activated shutoff mechanisms set for 400° F., or with fusible plugs installed in the compressor discharge lines as near the compressors as possible. Fusible plugs should melt at temperatures 50° less than the flash points of the lubricating oils.

55.13–7 Compressors and compressed-air receivers should be equipped with automatic pressure-release valves, pressure gauges, and drain valves.

55.13–8 Compressor air intakes should be installed to insure that only clean, uncontaminated air enters the compressors.

55.13–9 Compressed-air receivers should be drained of moisture and oil at least once each operating shift.

55.13–10 Compressed-air receivers should have inspection openings which should be manholes when the tanks are over 36 inches in diameter.

55.13–11 Compressed-air receivers and other pressure vessels should be inspected internally at least once a year by qualified inspectors; records of such inspections should be kept.

55.13–12 Compressors should be operated and lubricated in accordance with the manufacturer's recommendations.

55.13–13 Compressor discharge pipes should be cleaned periodically.

55.13–14 Safety devices on compressed-air systems should be checked at the beginning of each shift.

55.13–15 *Mandatory-OPAC*. Repairs involving the pressure system of compressors, receivers, or compressed air-powered equipment shall not be attempted until the pressure has been bled off.

55.13–16 *Mandatory-OPAC*. At no time shall compressed air be directed toward a person. When compressed air is used, all necessary precautions shall be taken to protect persons from injury.

55.13–17 *Mandatory-OPAC*. Safety chains or suitable locking devices shall be used at connections to machines of high pressure hose lines of 1 inch inside diameter or larger, and between high-pressure hose lines of 1 inch diameter or larger, where a connection failure would create a hazard.

Boilers

55.13–25 Boilers should be equipped with guarded well-maintained water gages and pressure gages placed so that they can be observed easily. Water gages and pipe passages to the gages should be kept clean and free of scale and rust.

55.13–26 Boilers should be equipped with automatic pressure-relief valves; valves should be tested each shift.

55.13–27 Boiler installations should be provided with safety devices, acceptable to the Bureau of Mines, to protect against hazards of flame-outs, fuel interruptions, and low water level.

55.13–28 Blowoff valves should be piped outside the building and should have outlets so located or protected that persons passing by, near, or under them will not be scalded.

55.13–29 Boilers should be inspected internally at least once a year by licensed inspectors; records of such inspections should be kept.

§ 55.14 Use of equipment.

Guards

55.14–1. *Mandatory-OPAC*. Gears; sprockets; chains; drive, head, tail, and takeup pulleys; flywheels; coupling; shafts; sawblades; fan inlets; and similar exposed moving machine parts which may be contacted by persons, and which may cause injury to persons, shall be guarded.

55.14–2 *Mandatory-OPAC*. Overhead belts shall be guarded if the whipping action from a broken belt would be hazardous to persons below.

55.14–3 Guards at conveyor drive, head, and tail pulleys should extend a distance sufficient to prevent a person from reaching behind the guard and becoming caught between the belt and the pulley.

55.14–4 Openings where conveyors pass through walls or floors should be guarded.

55.14–5 Protruding set screws on revolving parts should be guarded.

55.14–6 *Mandatory-OPAC*. Except when testing the machinery, guards shall be securely in place while machinery is being operated.

55.14–7 Guards should be sufficiently strong and maintained to provide the required protection.

55.14–8 *Mandatory-OPAC*. Stationary grinding machines other than special bit grinders shall be equipped with:

(a) Peripheral hoods (less than 90° throat openings) capable of withstanding the force of a bursting wheel;

(b) Adjustable tool rests set as close as practical to the wheel;

(c) Safety washers.

55.14–9 *Mandatory-OPAC*. Grinding wheels shall be operated within the specifications of the manufacturer of the wheel.

55.14–10 *Mandatory-OPAC*. Hand-held power tools, other than rock drills, shall be equipped with controls requiring constant hand or finger pressure to operate the tools or shall be equipped with friction or other equivalent safety devices.

55.14–11 Guards or shields should be provided in areas where flying or falling materials present a hazard.

55.14–12 Industrial vehicles such as fork-lift trucks, front-end loaders, and bulldozers should be provided with roll protection when necessary to protect the operator.

55.14–13 *Mandatory-OPAC*. Fork-lift trucks, front-end loaders, and bulldozers shall be provided with substantial canopies when necessary to protect the operator.

55.14–14 *Mandatory-OPAC*. Face shields or goggles, in good condition, shall be worn when operating a grinding wheel.

Methods and Procedures

55.14–20 Machinery and equipment should be maintained properly.

55.14–21 *Mandatory-OPAC*. Unsafe equipment or machinery shall be removed from service immediately.

55.14–22 Machinery and equipment should be operated only by authorized and experienced persons.

55.14–23 Adequate clearance should be provided at machine installations.

55.14–24 *Mandatory-OPAC*. Repairs or maintenance shall not be performed on machinery until the power is off and the machinery is blocked against motion, except where machinery motion is necessary to make adjustments.

55.14–25 *Mandatory-OPAC*. Men shall not work on or from a piece of mobile equipment in a raised position until it has been blocked in place securely. This does not preclude the use of equipment specifically designed as elevated mobile work platforms.

55.14–26 *Mandatory-OPAC*. Drive belts shall not be shifted while in motion unless the machines are provided with mechanical shifters.

55.14–27 *Mandatory-OPAC*. Belts, chains, and ropes shall not be guided onto power-driven moving pulley, sprockets, or drums with the hands except on slow moving equipment especially designed for hand feeding.

55.14–28 *Mandatory*. Pulleys or conveyors shall not be cleaned manually while the conveyor is in motion.

55.14–29 *Mandatory-OPAC*. Belt dressing shall not be applied manually while belts are in motion unless an aerosol-type dressing is used.

55.14–30 *Mandatory-OPAC*. Machinery shall not be lubricated while in motion where a hazard exists, unless equipped with extended fittings or cups.

55.14–31 *Mandatory-OPAC*. Welding operations shall be shielded and well ventilated.

55.14–32 Tools and equipment should be used only for the purpose and within the capacity for which they were intended and designed.

§ 55.15 Personal protection.

55.15–1 *Mandatory-OPAC*. Adequate first-aid materials, including stretchers and blankets, shall be provided at places convenient to all working areas. Water or neutralizing agents shall be available where corrosive chemicals or other harmful substances are stored, handled, or used.

55.15–2 *Mandatory-OPAC*. All persons shall wear suitable hard hats when in or around a mine or plant where falling objects may create a hazard.

55.15–3 *Mandatory* All persons shall wear suitable protective footwear when in or around a mine or plant where a hazard exists.

55.15–4 *Mandatory*. All persons shall wear safety glasses, goggles, or face shields when in or around a mine or plant.

55.15–5 *Mandatory-OPAC*. Safety belts and lines shall be worn when men work where there is danger of falling; a second person shall tend the lifeline when bins, tanks, or other dangerous areas are entered.

55.15–6 *Mandatory-OPAC*. Life jackets or belts shall be worn where there is danger of falling into water.

55.15–7 Protective clothing, rubber gloves, goggles, or face shields should be worn by persons handling substances that are corrosive, toxic, or injurious to the skin.

55.15–8 *Mandatory-OPAC*. Protective clothing or equipment and face shields or goggles shall be worn when welding, cutting, or working with molten metal.

55.15–9 Snug-fitting clothing should be worn around moving equipment and machinery.

55.15–10 Protective gloves should be worn by employees handling materials which may cause injury.

55.15–11 Gloves should not be worn where they could create a hazard by becoming entwined or caught in moving parts of machinery.

55.15–12 Finger rings should not be worn while working in or around a mine or plant.

55.15–13 Effective ear protection should be worn where noise levels may cause permanent ear damage or hearing loss, or noise should be reduced to safe levels.

55.15–14 Where there is a danger of a vehicle overturning, seatbelts should be used.

§ 55.16 Materials storage and handling.

55.16–1 Materials should be stored and stacked in a manner which minimizes stumbling or fall-of-material hazards.

55.16–2 Men working on surge piles or storage piles should not walk or stand immediately above a reclaiming area during reclaiming.

55.16–3 *Mandatory-OPAC*. Materials that can create hazards if accidentally liberated from their containers shall be stored in a manner that minimizes the dangers.

55.16–4 *Mandatory-OPAC*. Hazardous materials shall be stored in containers of a type approved for such use by recognized agencies; such containers shall be labeled appropriately.

55.16–5 *Mandatory-OPAC*. Compressed and liquid gas cylinders shall be secured in a safe manner.

55.16–6 *Mandatory-OPAC*. Valves on compressed gas cylinders shall be protected by covers when being transported or stored, and by a safe location when the cylinders are in use.

55.16–7 Hitches and slings used to hoist materials should be designed and used properly for the particular material handled.

55.16–8 Taglines should be attached to suspended materials that require steadying.

55.16–9 *Mandatory-OPAC*. Men shall stay clear of suspended loads.

55.16–10 Materials should not be dropped from an elevation unless the drop area is guarded or sufficient warning is given.

55.16–11 *Mandatory-OPAC*. Men shall not ride on loads being moved by cranes or derricks, nor shall they ride the hoisting hooks unless such method eliminates a greater hazard.

55.16–12 Substances that react violently or liberate dangerous fumes when mixed should be stored in such a manner that they cannot come in contact wtih each other.

55.16–13 Only men wearing protective equipment should stand near pots or ladles when molten material is being handled; warning should be given before a pour is made or the pot is moved.

55.16–14 *Mandatory-OPAC*. Operator-carrying overhead cranes shall be provided with:

(a) Bumpers at each end of each rail;

(b) Automatic switches to halt uptravel of the blocks before they strike the hoist;

(c) Effective audible warning signals within easy reach of the operator;

(d) A means to lockout the disconnect switch.

55.16–15 *Mandatory-OPAC*. No person shall work from or travel on the bridge or an overhead crane unless the bridge is provided with substantial footwalks with toeboards and railings the length of the bridge.

55.16–16 Forklift trucks should be moved with the loads in a low position and should descend ramps with the load behind.

§ 55.17 Illumination.

55.17–1 *Mandatory-OPAC*. Illumination sufficient to provide safe working conditions shall be provided in and on all surface structures, paths, walkways, stairways, switch panels, loading and dumping sites, and work areas.

§ 55.18 Safety programs

55.18–1 The employer should establish a definite, effective, and continually functioning safety program and make every attempt to prevent accidents and increase safety. Employees should actively participate in the safety program.

55.18–2 Regular safety inspections should be made by company officials and/or safety committees. Written reports should be made of the findings and the actions recommended or taken; this information should be made available to the employees.

55.18–3 Serious accidents, whether resulting in injury or not, should be investigated to determine the cause and the means of preventing recurrence. Records of these investigations should be kept and the information should be made available to the employees.

55.18–4 Company safety regulations pertinent to the various operations should be published or posted for employee information.

55.18–5 All employees and officials should be familiar with company, State, and Federal safety regulations.

55.18–6 *Mandatory-OPAC*. New employees shall be indoctrinated in safety rules and safe work procedures.

55.18–7 Inexperienced employees should be assigned to work with experienced men until such employees have acquired the necessary skills to perform their duties safely.

55.18–8 Each working place should be visited by a supervisor or a designated person at least once each shift and more frequently as necessary to insure that work is being done in a safe manner.

55.18–9 *Mandatory-OPAC*. No employee shall be assigned, or allowed, or be required to perform work alone in any area where hazardous conditions exist that would endanger his safety unless he can communicate with others, can be heard or can be seen.

55.18–10. An authorized person should be in charge at all times when men are working.

55.18–11 Selected supervisors should be trained in first aid. First-aid training should be made available to all employees.

55.18–12. All supervisors and employees should be trained in accident prevention.

55.18–13 *Mandatory-OPAC*. Emergency telephone numbers shall be posted at appropriate telephones.

55.12–14 Where telephone service is not available, emergency communications should be provided to the nearest point of assistance.

55.18–15 *Mandatory-OPAC*. Arrangements shall be made in advance for obtaining emergency medical assistance and transportation for injured persons.

§ 55.19 Man hoisting.

The hoisting standards in this section apply to those hoists and appurtenances used for hoisting men. However, where men may be endangered by hoists and appurtenances used solely for handling ore, rock, and materials, the appropriate standards should be applied.

55.19–1 *Mandatory-OPAC*. Hoists shall have rated capacities consistent with the loads handled and the recommended safety factors of the ropes used.

55.19–2 *Mandatory-OPAC*. Hoists shall be anchored securely.

55.19–3 *Mandatory-OPAC*. Belt, rope, or chains shall not be used to connect driving mechanisms to man hoists.

55.19–4 *Mandatory-OPAC*. Any hoist used to hoist men shall be equipped with a brake or brakes which shall be capable of holding its fully loaded cage, ship, or bucket at any point in the shaft.

55.19–5 *Mandatory-OPAC*. The operating mechanism of the clutch of every man-hoist drum shall be provided with a locking mechanism, or interlocked electrically or mechanically with the brake to prevent accidental withdrawal of the clutch.

55.19–6 *Mandatory-OPAC*. Automatic hoists shall be provided with devices that automatically apply the brakes in the event of power failure.

55.19–7 *Mandatory-OPAC*. Man hoists shall be provided with devices to prevent overtravel and overspeed.

55.19–8 Friction hoists should be provided with synchronizing mechanisms that recalibrate the overtravel devices and position indicators to correct for rope creep or stretch.

55.19–9 *Mandatory-OPAC*. An accurate and reliable indicator of the position of the cage, skip, bucket, or cars in the shaft shall be provided.

55.19–10 *Mandatory-OPAC*. Hoist controls shall be placed or housed so that the noise from machinery or other sources will not prevent hoistmen from hearing signals.

55.19–11 Flanges on drums should extend radially a minimum of three rope diameters beyond the last wrap.

55.19–12 Where grooved drums are used, the grooves should be of the proper size and pitch for the ropes used.

Wire Rope

55.19–20 The United States of America Standards Institute specifications cited in "Wire Rope for Mines," M11.1–1960, or the latest revision thereof, should be used as a guide in the selection, installation, and maintenance of wire ropes used for hoisting, except in those instances where the recommendations cited herein are more stringent.

55.19–21 *Mandatory-OPAC*. The following static-load safety factors shall be used for selecting ropes to be used for hoisting men and for determining when such ropes shall be removed from man hoists:

Length of rope in shaft (feet)	Minimum factor of safety (new rope)	Minimum factor of safety (remove)
500 or less	8	6.4
501 to 1,000	7	5.8
1,001 to 2,000	6	5.0
2,001 to 3,000	5	4.3
3,001 or more	4	3.6

55.19–22 At least three wraps of rope should be left on the drum when the conveyance is at the bottom of the hoistway. This provision does not apply to friction hoists.

55.19–23 The end of the rope at the drum should make at least one full turn on the drum shaft, or a spoke of the drum in the case of a free drum, and should be fastened securely by means of rope clips or clamps. This provision does not apply to friction hoists.

55.19–24 *Mandatory-OPAC*. The rope shall be attached to the load by the thimble and clip method, the socketing method, or other approved method. If the socketing method is employed, zinc or its equivalent shall be used. The use of Babbitt metal or lead for socketing wire ropes is prohibited. If the thimble and clip method is used, the following shall be observed:

(a) The rope shall be attached to the load by passing one end around an oval thimble that is attached to the load bending the end back so that it is parallel to the long or "live" end of the rope and fastening the two parts of the rope together with clips.

The U-bolt of each clip shall encircle the short or "dead" end of the rope and the distance between clips shall not be less than the figures given in the accompanying table.

(c) The following number of clips or equivalent shall be used for various diameters of six-strand 19-wire plow steel ropes: (Follow manufacturer's recommendations for other kinds of wire rope and clips.)

Diameter of rope, inches	Number of clips	Center-to-center spacing of clips, inches
¾	4	4½
⅞	4	5¼
1	4	6
1⅛	5	6¾
1¼	5	7½
1⅜	6	8¼
1½	6	9
1⅝	6	9¾
1¾	7	10½
1⅞	8	11¼
2	8	12
2⅛	8	13
2¼	8	14

(d) For all ropes less than three-quarter inch in diameter, at least four clips or equivalent shall be used.

(e) When special conditions require the attachment of a sling to the hoisting cable to handle equipment in the shaft, the sling shall be attached by clips or equivalent in accordance with the table in these regulations.

55.19–25 New ropes should be broken in, in accordance with the manufacturer's recommendations.

55.19–26 Corrosion of hoist ropes at the attachment of safety connections should be minimized by the design of the attachment devices and by lubrication.

55.19–27 Where possible, conveyances attached to single ropes used to hoist men should be provided with secondary safety connections.

Headframes and Sheaves

55.19–35 Headframes should be designed and constructed to withstand pulls by the hoists greater than the breaking strengths of the hoist ropes.

55.19–36 Headframes should be high enough to provide at least 15 feet of clearance between the bottom of the sheave or drum and the uppermost part of the highest rope connection of the conveyance when the conveyance is at its uppermost man landing.

55.19–37 Fleet angles should not exceed 1½ degrees.

55.19–38 *Mandatory-OPAC.* Platforms with toeboards and handrails shall be provided around elevated head sheaves.

55.19–39 Diameters of head sheaves and hoist drums should conform to the following specifications:

Rope construction	Diameter of sheave and drum	
	Recommended (times rope diameter)	Minimum (times rope diameter)
6x7 classification	72	42
6x19	45	30
6x37	27	18
6x25 type B, flattened strand	45	30
6x27 type H, flattened strand	45	30
6x30 type G, flattened strand	45	30
18x7 classification	51	34

55.19–40 Head, idler, knuckle, and curve sheaves should have grooves that support the ropes properly. Before installing new ropes, the grooves should be inspected and where necessary machined to the proper contour and the proper groove diameter.

CONVEYANCES

55.19–45 *Mandatory-OPAC.* Man cages and skips used for hoisting or lowering employees or other persons in any vertical shaft or any incline shaft with an angle of inclination of forty-five (45) degrees from the horizontal, shall be covered with a metal bonnet.

55.19–46 *Mandatory.* Man cages shall be fireproof, of substantial construction and provided with:

(a) Fully enclosed sides, and safety gates; gates shall be at least 5 feet high and have no openings except those necessary for signaling;

(b) Escape hatches;

(c) Safety catches. This provision (c) does not apply to friction-hoist cages that are suspended from more than one pin.

55.19–47 *Mandatory.* All skips conveying men shall be provided with:

(a) Safety catches. This provision (a), does not apply to friction-hoists skips that are suspended from more than one pin.

(b) Safe means of access.

(c) Platforms, where necessary, to provide safe footing.

(d) Stop controls to prevent travel into the dumping position.

(e) Anchored platforms inside the skips, if they are bottom-dumping.

(f) Devices to prevent tilting.

55.19–48 *Mandatory.* Man cars shall be of substantial construction and provided with:

(a) Drags or equivalent safety devices on the last car of man trips operated in inclined shafts where guides are not provided.

(b) Safety catches if guides are provided.

(c) Secondary safety connections where possible.

(d) Safety chains or wire ropes between cars.

(e) Adequate seating for the number of men handled.

55.19–49 *Mandatory-OPAC.* Buckets used to hoist men during shaft sinking operation shall have:

(a) Crossheads equipped with safety catches and protective bonnets when the shaft depth exceeds 50 feet.

(b) Devices to prevent accidental dumping.

(c) Sufficient depth to transport men safely in a standing position.

HOISTING PROCEDURES

55.19–55 *Mandatory-OPAC.* When a manually operated hoist is used, a qualified hoistman shall remain within hearing of the telephone or signal device at all times while any person is underground.

55.19–56 When automatic hoisting is used, a qualified hoistman should be in attendance on the premises while any person is underground.

55.19–57 Hoistmen should be physically fit and should undergo yearly examinations to determine their continued fitness; certification to this effect should be available at the mine.

55.19–58 *Mandatory-OPAC.* Only experienced hoistmen shall operate the hoist except in cases of emergency and in the training of new hoistmen.

55.19–59 *Mandatory-OPAC.* Whenever a regular shift of men is being hoisted or lowered by a manually operated hoist, a second man familiar with and qualified to stop the hoist shall be in attendance; this provision shall not apply to sinking operations, level development, or repair operations in the mine.

55.19–60 Hoistmen should use extreme caution when hoisting or lowering men.

55.19–61 The safe speed should be determined for each shaft; in no instance should this speed exceed 2,500 feet per minute for hoisting men.

55.19–62 Maximum acceleration and deceleration should not exceed 6 feet per second.

55.19–63 Only authorized personnel should be in hoist rooms.

55.19–64 Conveyances intended to be operated in balance should not be balanced when men are on the cage.

55.19–65 *Mandatory-OPAC.* Conveyances shall not be lowered by the brakes alone except during emergencies.

55.19–66 Management should designate the maximum number of men permitted to ride on a trip at one time; this limit should be posted on each landing.

55.19–67 Authorized persons should be in charge of all man trips.

55.19–68 Men should enter, ride, and leave conveyances in an orderly manner.

55.19–69 *Mandatory-OPAC.* Men shall not enter or leave conveyances which are in motion or after a signal to move the conveyance has been given to the hoistman.

55.19–70 *Mandatory-OPAC.* Cage doors or gates shall be closed while men are being hoisted; they shall not be opened until the cage has come to a stop.

55.19–71 *Mandatory-OPAC.* Men shall not ride in skips or buckets with muck, supplies, materials, or tools other than small hand tools.

55.19–72 When combinations of cages and skips are used, the skips should be empty while men are being transported.

55.19–73 *Mandatory-OPAC.* Rock or supplies shall not be hoisted in the same shaft as men during shift changes, unless the compartments and dumping bins are partitioned to prevent spillage into the cage compartment.

55.19–74 Men should not ride the bail, rim, or bonnet of any shaft conveyance, except where necessary for the inspection and maintenance of the shaft and lining.

55.19–75 *Mandatory-OPAC.* Open hooks shall not be used to hoist buckets or other conveyances.

55.19–76 When men are hoisted, bucket speeds should not exceed 500 feet a minute, and should not exceed 200 feet a minute when within 100 feet of a landing.

55.19–77 *Mandatory-OPAC.* Buckets shall be stopped about 15 feet from the shaft bottom to await a signal from one of the crew on the bottom for further lowering.

55.19–78 Buckets should be stopped after being raised 3 feet when men are hoisted from the bottom; a second hoisting signal should be given after the bucket has been stabilized. Hoisting should be at a minimum speed and the bellcord should be attended constantly until the crosshead has been engaged.

55.19–79 *Mandatory-OPAC.* Where mine cars are hoisted by cage or skip, means for blocking cars shall be provided at all landings and also on the cage.

55.19–80 *Mandatory-OPAC.* When tools, timbers, or other materials are being lowered or raised in a shaft by means of a bucket, skip, or cage, they shall be secured or so placed that they will not strike the sides of the shaft.

55.19–81 Conveyances not in use should be released and raised or lowered at least 10 feet from the floor of the landing.

SIGNALING

55.19–90 *Mandatory-OPAC.* There shall be at least two effective approved methods of signaling between each of the shaft stations and the hoist room, one of which shall be a telephone or speaking tube.

55.19–91 Hoistmen should not accept hoisting instructions by telephone unless the regular signaling systems are out of order. During such an emergency one person should be designated to direct movement of the conveyance.

55.19–92 A method should be provided to signal hoist operators from within conveyances at any point in the shaft.

55.19–93 A standard code of hoisting signals should be adopted and used at each mine.

55.19–94 *Mandatory-OPAC.* A legible signal code shall be posted prominently in the hoist house within easy view of the hoistman, and at each place where signals are given or received.

55.19–95 Hoisting signal devices should be maintained within easy reach of men on the shaft bottom during sinking operation.

55.19–96 *Mandatory-OPAC.* Any person responsible for receiving or giving signals for cages, skips, and mantrips when men or materials are being transported shall be familiar with the posted signaling code.

SHAFTS

55.19–105 *Mandatory-OPAC.* Shaft landings shall be equipped with substantial safety gates so constructed that materials will not go through or under them; gates shall be closed except when loading or unloading shaft conveyances.

55.19–106 *Mandatory-OPAC.* Positive stopblocks or a derail switch shall be installed on all tracks leading to a shaft collar or landing.

55.19–107 Guides should be provided in each hoisting compartment in shafts inclined more than 45° from the horizontal.

55.19–108 Dumping facilities should be so constructed as to minimize spillage into the shaft.

55.19–109 Adequate clearance should be maintained at shaft stations to allow men to pass safely and to allow materials to be handled safely.

55.19–110 *Mandatory-OPAC.* A safe means of passage around open shaft compartments shall be provided on landings with more than one entrance to the shaft.

55.19–111 Shaft timbers should be kept clean of rocks and other loose material.

55.19–112 *Mandatory-OPAC.* Hoistmen shall be informed when men are working in a compartment affected by that hoisting operation and a "Men Working in Shaft" sign shall be posted at the hoist.

55.19–113 "Men Working in Shaft" signs should be posted at the signal devices at all active stations and landings when men are working in a compartment affected by that hoisting operation.

55.19–114 *Mandatory.* Shaft inspection and repair work shall be performed from substantial platforms equipped with bonnets or equivalent overhead protection.

55.19–115 *Mandatory-OPAC.* A substantial bulkhead or equivalent protection shall be provided above men at work deepening a shaft.

55.19–116 Substantial fixed ladders should be maintained as near the shaft bottom as practical during shaft-sinking operations. Chain, wire rope, or other extension ladders should be used from the fixed ladder to the shaft bottom.

INSPECTION AND MAINTENANCE

55.19–125 *Mandatory-OPAC.* A systematic procedure of inspection, testing, and maintenance of shafts and hoisting equipment shall be developed and followed. If it is found or suspected that any part is not functioning properly, the hoist shall not be used until the malfunction has been located and repaired or adjustments have been made.

55.19–126 Complete records should be kept of installation, lubrication, inspection, tests, and maintenance of shafts and hoisting equipment.

PROPOSED RULE MAKING

55.19–127 Parts used to repair hoists should have properties equal to or better than the original parts; replacement parts should be designed to fit the original installation.

55.19–128 Ropes should be kept well lubricated from end to end as recommended by the manufacturer.

55.19–129 Ropes should be cut off and reconnected to the conveyance as often as necessary to assure adequate inspection of rope condition and to effectively distribute wear of the rope. At least 6 feet should be cut from the rope above the highest connection; this portion should be examined carefully for corrosion, damage, wear, and fatigue by the rope manufacturer or an equally compent agency.

55.19–130 Hoisting ropes wound in multiple layers should be cut off and repositioned on the drum at regular intervals as necessary to effectively distribute wear of the rope. The length of the cutoff at the drum end should be greater than, but not an even multiple of, the circumference of the drum.

55.19-131 Ropes should be calipered at regular intervals as necessary to effectively determine the rate of wear and damage. Caliper measurements should be taken:

(a) Immediately above the socket or clips and above the safety connection;

(b) Where the ropes rest on the sheaves;

(c) Where the ropes leave the drums when the conveyances are at the regular stopping points;

(d) Where a layer of rope begins to overlap another layer on the drum.

55.19–132 Electromagnetic or other nondestructive rope testing systems should be used only as supplements to and not as substitutes for recommended inspections and tests.

55.19–133 *Mandatory-OPAC.* Ropes shall not be used for hoisting when they have:

(a) More than six broken wires in any lay;

(b) Crown wires worn to less than 65 percent of the original diameter;

(c) A marked amount of corrosion or distortion;

(d) A combination of similar factors individually less severe than those above but which in aggregate might create an unsafe condition.

55.19–134 *Mandatory.* Hoistmen shall examine their hoist and shall test overtravel, overspeed, and deadman controls, position indicators and braking mechanisms at the beginning of each shift.

55.19–135 Empty conveyances should be operated up and down shafts at least one round trip before hoisting men after any shaft or equipment repairs and before regular man trips are hoisted or lowered.

55.19–136 Rope and conveyance connections to conveyances should be inspected daily.

55.19–137 Safety catches should be inspected daily; drop tests should be made at the time of installation. Every 2 months the cage should be rested on chairs or proper blocking to check the operation or activation of the safety catches by allowing the rope to slacken suddenly.

55.19–138 Shafts should be inspected at least weekly.

55.19–139 Sheaves should be inspected daily and kept properly lubricated.

55.19–140 Rollers used in inclined shafts should be lubricated, properly aligned, and kept in good repair.

§ 55.20 Miscellaneous.

55.20–1 *Mandatory-OPAC.* Intoxicating beverages and narcotics shall not be permitted or used in or around mines. Persons under the influence of alcohol or narcotics shall not be permitted on the job.

55.20–2 *Mandatory-OPAC.* Potable water shall be available to all employees during working hours.

55.20–3 Good housekeeping should be practiced in and around a mine.

55.20–4 Men should not engage in horseplay.

55.20–5 *Mandatory-OPAC.* Carbontetrachloride shall not be used.

55.20–6 Protruding nails which may cause injury should be removed or completely bent over.

55.20–7 Employees should be constantly alert to the potential of accidents on their jobs.

55.20–8 Toilet facilities should be provided at convenient locations and should be kept clean and sanitary.

55.20–9 *Mandatory–OPAC.* Dusts suspected of being explosive shall be tested for explosibility. If tests prove positive, appropriate control measures shall be taken.

55.20–10 *Mandatory–OPAC.* If failure of a water or silt retaining dam will create a hazard, it shall be of substantial construction and inspected at regular intervals.

§ 55.21 Savings provision.

55.21–1 Unless otherwise specified herein, nothing contained in these standards shall prevent the continued utilization of equipment, facilities, or structures, including mine workings, now in use, which fail in whole or in part to meet the requirements of these standards, *Provided:*

(a) That such equipment, facilities, and structures are utilized in a safe manner and are maintained in safe condition.

(b) That any equipment, facilities and structures which do not meet the mandatory specifications and safety standards set forth herein shall not be used after January 1, 1972, unless modified to conform to such standards.

(c) That all replacements of or additions to existing equipment, facilities, or structures made after the effective date of these standards shall conform to such standards.

55.21–2 Nothing contained in § 55.21–1 above, shall be construed to conflict with, or limit, the authority granted by the Act to the Bureau to issue orders pursuant to section 8(a) of the Act.

55.21–3 Nothing contained in § 55.21–1 above, shall be construed to limit or conflict with any standards contained herein which prohibit specific unsafe work procedures or which require specific safe work procedures to be followed.

[F.R. Doc. 69–476; Filed, Jan. 15, 1969; 8:45 a.m.]

[30 CFR Part 56]

SAND, GRAVEL, AND CRUSHED STONE OPERATIONS

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior under the Federal Metal and Nonmetallic Mine Safety Act (80 Stat. 772, 30 U.S.C. 721–740, Supp. III) to promulgate health and safety standards for the purpose of the protection of life, the promotion of health and safety, and the prevention of accidents in metal and nonmetallic mines, it is proposed to add a new Part 56 to Title 30, Code of Federal Regulations, relating to sand, gravel, and crushed stone operations. The standards set forth in Part 56 have been developed in conjunction with the Sand and Gravel and Crushed Stone Operations Advisory Committee appointed pursuant to section 7 of the Act.

Scope. The standards set forth in Part 56 would be applicable to operations at which sand, gravel, or crushed stone is recovered by surface-mining methods. The regulations in Part 56 would not be applicable to the surface mining of metal and nonmetallic minerals other than sand, gravel, and crushed stone or to the underground mining of metal and nonmetallic minerals; these mines would be covered by standards set forth in new Parts 55 and 57 of Title 30, Code of Federal Regulation.

Specific designation of mandatory standards. Each standard which would be a mandatory standard is so designated by the word "Mandatory" which appears at the beginning of the section in which the standard is prescribed. If the Sand, Gravel, and Crushed Stone Operations Advisory Committee has recommended that a standard be mandatory, the standard will be preceded by the word "Mandatory" and the letters "SGCS" in this manner—"Mandatory—SGCS."

In accordance with the provision of section 6 of the Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. 725) interested persons are hereby afforded a period of 60 days after the date of publication in the FEDERAL REGISTER of proposed Part 56 in which to submit written data, views, or arguments respecting the proposed standards contained in Part 56. Communications should be addressed to the Director, Bureau of Mines, Department of the Interior, Washington, D.C. 20240.

Subject to the provision of subsection (e) of section 6 and in accordance with the provisions of subsection (d) of section 6 of the Act (30 U.S.C. 725(d)) on or before the last day of the 60-day period fixed for the submission of written data, views, or arguments, any person who may be adversely affected by a proposed health and safety standard which is designated as a mandatory standard and which has not been recommended as a mandatory standard by the Sand and Gravel and Crushed Stone Operations Advisory Committee may file with the Secretary of the Interior written objections thereto stating the grounds for such objection and requesting a public hearing (subject to the provisions of the Administrative Procedure Act) on such objections.

Pursuant to the provisions of subsection (e) of section 6 of the Act (30 U.S.C. 725(e)) proposed mandatory standards which have been recommended as mandatory by the Sand and Gravel and Crushed Stone Operations Advisory Committee are not subject to hearings. Only those proposed standards which have not been recommended by the Sand and Gravel and Crushed Stone Operations Advisory Committee as mandatory are subject to hearings.

The new proposed Part 56 is set forth below.

DAVID S. BLACK,
Under Secretary of the Interior.

JANUARY 9, 1969.

Sec.
56.1 Purpose and scope.
56.2 Definitions.
56.3 Ground control.
56.4 Fire prevention and control.
56.5 Air quality.
56.6 Explosives.
56.7 Drilling.
56.8 Rotary jet piercing.
56.9 Loading, hauling, dumping.
56.10 Aerial tramways.
56.11 Travelways.
56.12 Electricity.
56.13 Compressed air, boilers.
56.14 Use of equipment.
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Sec.
56.17 Illumination.
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§ 56.1 Purpose and scope.

The regulations in this part are promulgated pursuant to section 6 of the Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. 725) and prescribe health and safety standards for sand, gravel, and crushed stone operations which are subject to the act. Each standard which is preceded by the word "Mandatory" is a mandatory standard. The violation of a mandatory standard will subject an operator to an order or notice under section 8 of the act (30 U.S.C. 727).

§ 56.2 Definitions.

As used in this part:

"Approved" means tested and accepted for a specific purpose by a nationally recognized agency.

"Barricaded" means obstructed to prevent the passage of persons, vehicles, or flying materials.

"Berm" means a pile or mound of material capable of stopping a vehicle.

"Blasting agent" means any material or mixture of a fuel and oxidizer intended for blasting, not otherwise classified as an explosive, and in which none of the ingredients is classified as an explosive (provided that the material or mixture cannot be detonated by a No. 8 test blasting cap under the conditions specified for the cap sensitivity test).

"Blasting area" means the area near blasting operations in which concussion or flying material can reasonably be expected to cause injury.

"Blasting caps" means a detonator containing a charge of detonating compound, which is ignited by electric current or the spark of a fuse. Used for detonating explosives.

"Blasting circuit" means electric circuits used to fire electric detonators or to ignite an igniter cord by means of an electric starter.

"Blasting switch" means a switch used to connect a power source to a blasting circuit.

"Capped fuse" means a length of safety fuse to which a detonator has been attached.

"Combustible" means capable of being ignited and consumed by fire.

"Company official" means a member of the company supervisory or technical staff.

"Competent person" means a person having abilities and experience that fully qualify him to perform the duty to which he is assigned.

"Detonating fuse" means a round flexible cord containing a center core of high explosives.

"Detonator" means a device used for detonating an explosive, including, but not limited to, blasting caps, exploders, percussion caps, primers, electric detonators, and delay electric blasting caps.

"Distribution box" means a portable apparatus with an enclosure through which an electric circuit is carried to one or more cables from a single incoming feed line, each cable circuit being connected through individual overcurrent protective devices.

"Electric blasting cap" means a blasting cap designed for and capable of being initiated by means of an electric current.

"Electrical grounding" means to connect with the ground to make the earth part of the circuit.

"Employee" means a person who works for wages or salary in the service of an employer.

"Employer" means a person or organization which hires one or more persons to work for wages or salary.

"Explosive" means any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion. Explosives include, but are not limited to black powder, dynamite, nitroglycerin, nitroglycerin compounds, fulminate, and ammonium nitrate when mixed with a hydrocarbon.

"Face or bank" means that part of any mine where excavating is progressing or was last done.

"Flammable" means capable of being easily ignited and of burning rapidly.

"Flammable Liquid" means liquid having a flash point below 140° F and having a vapor pressure not exceeding 40 p.s.i. (absolute) at 100° F.

"Flash point" means the minimum temperature at which sufficient vapor is released by a liquid or solid to form a flammable vapor-air mixture at atmospheric pressure.

"Highway" means any public street, public alley, or public road.

"High potential" means more than 650 volts.

"Hoist" means a power driven windlass or drum used for raising ore, rock, or other material from a mine, and for lowering or raising men and material.

"Igniter cord" means a fuse, cordlike in appearance, which burns progressively along its length with an external flame at the zone of burning, and is used for lighting a series of safety fuses in the desired sequence.

"Incline" means any inclined plane, whether above or beneath the surface.

"Inhabited building" means a building regularly occupied in whole or in part as a habitation for human beings or any church, schoolhouse, railroad station, store, or other structure where people are accustomed to assemble, except any building or structure occupied in connection with the manufacture, transportation, storage, or use of explosives.

"Lay" means the distance parallel to the axis of the rope in which a strand makes one complete turn about the axis of the rope.

"Low potential" means 650 volts or less.

"Magazine" means a storage place for explosives of detonators.

"Major electrical installation" means an assemblage of stationary electrical equipment for the generation, transmission, distribution or conversion of electrical power.

"Manlift" means a power-driven vertical belt having regularly spaced steps which can be boarded by man and used to travel from one elevation to another.

"Man trip" means a trip on which men are transported to and from a work area.

"Mill" includes any ore mill, sampling, works, concentrator, and any crushing, grinding, or screening plant used at, and in connection with, an excavation or mine.

"Misfire" means the complete or partial failure of a blasting charge to explode as planned.

"Overburden" means material of any nature, consolidated or unconsolidated, that overlies a deposit of useful materials or ores that are to be mined.

"Permissible" means a machine, material, apparatus, or device which has been investigated, tested, and approved by the Bureau of Mines, and maintained in permissible condition.

"Potable" means fit for drinking.

"Primer" means a package or cartridge of explosives with a detonator.

"Reverse-current protection" means a method or device used on direct-current circuits or equipment to prevent the flow of current in the reverse direction.

"Roll protection" means a framework safety canopy or similar protection for the operator when equipment overturns.

"Safety can" means an approved container, of not over five gallons capacity, having a spring-closing lid and spout cover.

"Safety fuse" means a train of powder enclosed in cotton, jute yarn, and waterproofing compounds, which burns at a uniform rate; used for firing a cap containing the detonating compound which in turn sets off the explosive charge.

"Safety switch" means a sectionalizing switch that also provides short circuit protection in blasting circuits between the blasting switch and the shot area.

"Scaling" means removal of insecure material from a face or highwall.

"Secondary safety connection" means a second connection between a conveyance and rope, intended to prevent the conveyance from running away or falling in the event the primary connection fails.

"Semiconductive hose" means hose having an electrical resistance of not less than 5,000 ohms per foot and not more than 2 megaohms for its total length, used in pneumatic placement of blasting agents in boreholes.

"Shaft" means a vertical or inclined shaft; a slope, incline or winze.

"Sprung hole" means a blasting hole chambered or enlarged to take an increased charge of explosives.

"Stemming" means the inert material, and the placing of such material, on top of a charge of explosives.

"Stray current" means that portion of a total electric current that flows through paths other than the intended circuit.

"Substantial construction" means construction of such strength, material, and workmanship that the object will withstand all reasonable shock, wear, usage, and deterioration to which it will be subjected.

"Suitable" means that which fits, and has the qualities or qualifications to meet a given purpose, occasion, condition, function, or circumstance.

"Threshold limit values" refers to airborne concentrations of substances and represent conditions under which it is believed that nearly all workers may be repeatedly exposed for a full shift, day after day, without adverse effect.

"Travelway" means a passage, walk or way regularly used and designated for persons to go from one place to another.

"Trip light" means a light displayed on the opposite end of a train from the locomotive or engine.

"Wet drilling" means the continuous application of water through the central hole of hollow drill steel to the bottom of the drill hole.

"Working place" means any place in or about a mine where work is being performed.

§ 56.3 Ground control.

56.3–1 *Mandatory-SGCS.* Standards acceptable to the Secretary for the safe control of pit walls, including the overall slope of the pit wall, shall be established and followed by the operator. Such standards shall be consistent with prudent engineering design, the nature of the ground and the kind of material and mineral mined, and the ensuring of safe working conditions according to the degree of slope. Mining methods shall be selected which will ensure wall and bank stability, including benching as necessary to obtain a safe overall slope.

56.3–2 *Mandatory-SGCS.* Loose unconsolidated material shall be stripped for a safe distance, but in no case less than 10 feet, from the top of pit or quarry walls, and the loose unconsolidated material shall be sloped to the angle of repose.

56.3–3 *Mandatory-SGCS.* To ensure safe operation, the width and height of benches shall be governed by the type of equipment to be used and the operation to be performed.

56.3–4 *Mandatory-SGCS.* Safe means for scaling pit banks shall be provided. Where power shovels are used for scaling, banks shall be limited to heights that can be scaled with the shovel buckets. Exposed bank areas shall be scaled before any other work is performed in the exposed bank area.

56.3–5 *Mandatory-SGCS.* Men shall not work near or under dangerous banks. Overhanging banks shall be taken down immediately and other unsafe ground conditions shall be corrected promptly, or the areas shall be barricaded and posted.

56.3–6 *Mandatory-SGCS.* Men shall approach loose rock and areas to be scaled from above and shall scale from a safe location.

56.3–7 Baffleboards, screens, cribbing, or other suitable means should be provided to prevent movement of material into cuts developed into steep hillsides.

56.3–8 *Mandatory-SGCS.* The supervisor, or a competent person designated by him, shall examine working areas and faces for unsafe conditions at least at the beginning of each shift and after blasting. Any unsafe condition found shall be corrected before any further work is performed at the immediate area or face at which the unsafe condition exists.

56.3–9 *Mandatory-SGCS.* Men shall examine their working places before starting work and frequently thereafter and any unsafe condition shall be corrected.

56.3–10 Banks, benches, and terrain sloping into the working areas should be examined after every rain, freeze, or thaw before men work in such areas.

56.3–11 Large boulders requiring secondary blasting should be in a safe location before they are drilled or broken.

56.3–12 *Mandatory-SGCS.* Men shall not work between equipment and the pit wall or bank where the equipment may hinder escape from falls or slides of the bank.

56.3–13 Rock-bolt installations, where used, should be in accordance with recommendations of the Bureau of Mines or other competent agency.

§ 56.4 Fire prevention and control.

56.4–1 *Mandatory-SGCS.* No person shall smoke or use an open flame where oil, grease, flammable solvents, liquids, fluids, or other flammable materials are stored, transported, handled, or used, nor within an unsafe distance of any area or place where such practices may cause a fire or explosion.

56.4–2 *Mandatory-SGCS.* Signs warning against smoking and open flames shall be posted so they can be readily seen in areas or places where fires or explosion hazards exist.

56.4–3 Areas surrounding flammable-liquid storage tanks and electric substations and transformers should be kept free from grass (dry), weeds, underbrush, and other combustible materials for at least 25 feet in all directions.

56.4–4 *Mandatory.* Flammable liquids shall be stored in accordance with standards of the National Fire Protection Association or other recognized agencies approved by the Bureau of Mines. Small quantities of flammable liquids drawn from storage shall be kept in appropriately labeled safety cans.

56.4–5 Unburied flammable-liquid storage tanks should be mounted securely on firm foundations. Outlet piping should be provided with flexible connections or other special fittings to prevent adverse effects from tank settling.

56.4–6 Buildings or rooms in which oil, grease, flammable liquids, or similar flammable materials are stored should be of fire-resistant construction and well ventilated.

56.4–7 Means should be provided to confine, remove, control, or drain away spilled or flowing flammable liquids.

56.4–8 *Mandatory-SGCS.* Fuel lines shall be equipped with valves to cut off fuel at the source and shall be located and maintained to minimize fire hazards.

56.4–9 *Mandatory-SGCS.* All heat sources, including lighting equipment, capable of producing combustion shall be insulated or isolated from combustible materials.

56.4–10 *Mandatory-SGCS.* Power wires and cables shall be adequately insulated where they pass through doors or walls or where they present a fire hazard.

56.4–11 *Mandatory-SGCS.* Abandoned electrical circuits shall be deenergized and isolated so that they cannot become energized inadvertently.

56.4–12 Combustible materials, grease, lubricants, or flammable liquids should not be allowed to accumulate where they can create a fire hazard.

56.4–13 Materials, such as oily waste and rags, which are subject to spontaneous combustion should be placed in tightly covered metal containers until disposed of properly.

56.4–14 *Mandatory-SGCS.* Solvents with flashpoints lower than 100° F. (38° C.) shall not be used for cleaning.

56.4–15 *Mandatory-SGCS.* Solvents shall not be used near an open flame or other ignition source, or near any source of heat, or in an atmosphere that can elevate the temperature of the solvent above the flashpoint.

56.4–16 Drip pans should be provided to catch leakage or spillage when oil or flammable liquids are dispensed in a place or manner which may create a hazard.

56.4–17 Floors around drip plans should be covered with sand or other suitable noncombustible material and such sand or material should be replaced as necessary.

56.4–18 *Mandatory-SGCS.* Oxygen cylinders shall not be stored near oil or grease.

56.4–19 *Mandatory-SGCS.* Gauges and regulators used with oxygen or acetylene cylinders shall be kept clean and free of oil and grease.

56.4–20 *Mandatory-SGCS.* Battery-charging stations shall be located in well ventilated areas.

56.4–21 *Mandatory-SGCS.* Internal combustion engines, except diesels, shall be shut off and stopped before being fueled.

56.4–22 *Mandatory-SGCS.* Each mine shall have available or be provided with suitable firefighting equipment adequate for the size of the mine.

56.4–23 *Mandatory-SGCS.* Firefighting equipment shall be strategically located readily accessible, plainly marked, properly maintained, and inspected periodically. Records shall be kept of such inspections.

56.4–24 Fire extinguishers should be:

(a) Of the appropriate type for the particular fire hazard involved;

(b) Adequate in number and size for the particular fire hazard involved;

(c) Replaced immediately with fully charged extinguishers after any discharge is made from the extinguisher;

(d) Inspected, tested, and maintained at regular intervals according to the manufacturer's recommendations;

(e) Approved by the Underwriter's Laboratories, Inc., or other competent testing agency acceptable to the Bureau of Mines.

56.4–25 Fire hydrants should be:

(a) Of a standard type to fit the hose equipment of local fire departments. Adapters should be provided if necessary.

(b) Provided with readily available wrenches or keys to open the valves.

56.4–26 Water pipes, valves, outlets, hydrants, and hoses designed for firefighting purposes should be inspected and tested every 3 months.

56.4–27 Suitable fire extinguishers should be provided on self-propelled mobile equipment with enclosed cabs.

56.4–28 Suitable fire extinguishers should be an integral part of portable cutting and welding equipment.

56.4–29 *Mandatory-SGCS.* When welding or cutting near combustible materials, suitable precautions shall be taken to insure that smoldering metal or sparks do not result in a fire.

56.4–30 Employees should be trained in the use of firefighting equipment.

56.4–31 A firefighting organization should be established, equipped, and trained in firefighting; drills should be held at least twice a year.

56.4–32 All employees should be instructed on current escape and evacuation plans, fire-alarm signals, and applicable procedures to be followed in case of fire.

56.4–33 Fire-alarm systems adequate to warn all employees should be provided and maintained in operating condition.

56.4–34 Two exits should be provided where men work or congregate.

56.4–35 *Mandatory-SGCS.* Valves on oxygen and acetylene tanks shall be kept closed when the contents are not being used.

56.4–36 Belt conveyors in locations where fire would create a hazard to personnel should be provided with safety switches to stop the drive pulley automatically in the event of excessive slippage.

§ 56.5 Air quality.

56.5–1 *Mandatory-SGCS.* Where airborne concentrations of dust, gas, mist, and fumes are encountered which exceed threshold limit values adopted by the American Conference of Governmental Hygienists, and persons are exposed to such concentrations, control measures shall be adopted to maintain concentrations below such threshold limit values.

56.5–2 *Mandatory-SGCS.* Dust, gas, mist, and fumes surveys shall be conducted as frequently as necessary to determine the adequacy of control measures.

56.5–3 *Mandatory - SGCS.* Atmospheres where persons work (including equipment cabs) shall contain:

(a) At least 20 percent oxygen;

(b) Not more than 0.005 percent carbon monoxide, 0.5 percent carbon dioxide, and five parts per million nitrogen dioxide or other threshold limit values for these gases adopted by the American Conference of Governmental Industrial Hygienists;

(c) No harmful quantities of other gases, fumes, or mists as determined by threshold limit values established by the American Conference of Governmental Industrial Hygienists.

56.5–4 *Mandatory-SGCS.* Holes shall be collared and drilled wet, or other efficient dust control measures shall be used when drilling non-water-soluble materials. Efficient dust control measures shall be used when drilling water-soluble materials.

56.5–5 Muck piles, haulage roads, rock transfer points, crushers, and other points where dust is produced should be wet down at the beginning of the shift and thereafter as necessary, unless dust is controlled adequately by other methods.

56.5–6 *Mandatory-SGCS* Bureau of Mines approved respirators shall be worn for protection against short-term exposures to concentrations of substances in excess of threshold limit values. Where a concentration of a substance is encountered for which a respirator has not been approved by the Bureau of Mines, respirators developed and tested by an agency or organization acceptable to the Bureau shall be used. Where an approved or acceptable respirator is not available, no person shall enter or be exposed to concentrations in excess of threshold limit values. Except as provided in this section, use of respirators shall not be substituted for regular control measures.

§ 56.6 Explosives.

STORAGE

56.6–1 *Mandatory-SGCS.* Detonators, explosives, and blasting agents shall be stored in magazines.

56.6–2 *Mandatory-SGCS.* Separate magazines shall be provided for the storage of detonators and explosives.

56.6–3 *Mandatory-SGCS.* Detonators shall not be stored in the same magazine with explosives or blasting agents.

56.6–4 Blasting agents, safety fuse, or detonating fuse may be stored with explosives.

56.6–5 *Mandatory-SGCS.* Magazines shall be:

(a) Located in accordance with the current American table of distances for storage of explosives;

(b) Detached structures located away from powerlines, fuel storage areas, and other possible sources of fire;

(c) Constructed substantially of noncombustible material or covered with fire-resistant material;

(d) Reasonably bullet resistant;

(e) Electrically bonded and grounded if constructed of metal;

(f) Made of nonsparking materials on the inside, including floors;

(g) Provided with adequate and effectively screened ventilation openings near the floor and ceiling;

(h) Kept locked securely when unattended;

(i) Posted with suitable danger signs so located that a bullet passing through the face of a sign will not strike the magazine;

(j) Used exclusively for storage of blasting agents, explosives, or detonators and kept free of all extraneous materials;

(k) Kept clean and dry in the interior, and in good repair;

(l) Unheated, unless heated in a manner that does not create a fire or explosion hazard. Electrical heating devices shall not be used inside a magazine.

56.6–6 *Mandatory*. Only enclosed and gasketed fixtures and wiring in conduit shall be used inside magazines that are illuminated electrically.

56.6–7 *Mandatory*. Electric switches shall be outside the magazines.

56.6–8 Areas surrounding magazines for not less than 25 feet in all directions should be kept free of rubbish and other combustibles.

56.6–9 *Mandatory-SGCS*. Smoking and open flames shall not be permitted within 25 feet of explosives and detonator-storage magazines.

56.6–10 Cases of explosives should be stored in such a manner to assure the use of the oldest stock first.

56.6–11 *Mandatory-SGCS*. Ammonium nitrate fuel-oil mixtures shall be physically separated from dynamite stored in the same magazine and in such a manner that oil does not contaminate the dynamite.

56.6–12 Cases of explosives should not be stored on their ends or sides.

56.6–13 Cases of explosives should not be stacked more than 6 feet high.

TRANSPORTATION

56.6–20 *Mandatory-SGCS*. Explosives and detonators shall be transported in separate vehicles unless separated by 4 inches of hardwood or the equivalent.

56.6–21 *Mandatory-SGCS*. When explosives and detonators are hauled by trolley locomotive, covered electrically insulated cars shall be used.

56.6–22 *Mandatory-SGCS*. Self-propelled vehicles used to transport explosives or detonators shall be equipped with suitable fire extinguishers.

56.6–23 *Mandatory-SGCS*. Vehicles containing explosives or detonators shall be posted with proper warning signs.

56.6–24 *Mandatory-SGCS*. When vehicles containing explosives or detonators are parked, the brakes shall be set, the motive power shut off, and the vehicles shall be blocked securely against rolling.

56.6–25 *Mandatory-SGCS*. Vehicles containing explosives or detonators shall not be left unattended except in blasting areas where loading or charging is in progress.

56.6–26 Vehicles containing explosives or detonators should not be taken to a repair garage or shop for any purpose.

56.6–27 *Mandatory-SGCS*. Vehicles containing explosives or detonators shall be maintained in good condition and shall be operated at a safe speed and in accordance with all safe operating practices.

56.6–28 *Mandatory-SGCS*. Vehicles used to transport explosives other than anfo mixtures, shall have substantially constructed bodies, no sparking metal exposed in the cargo space, and shall be equipped with suitable sides and tail gates; explosives shall not be piled higher than the side or end enclosures.

56.6–29 Explosives should be transported at times and over routes that expose a minimum number of persons.

56.6–30 Explosives or detonators in open-bodied vehicles should be covered with fire and water retardant materials.

56.6–31 *Mandatory-SGCS*. Other materials or supplies shall not be placed on or in the cargo space of a conveyance containing explosives or detonators.

56.6–32 *Mandatory-SGCS*. Explosives or detonators shall not be transported on locomotives.

56.6–33 *Mandatory-SGCS*. No person shall smoke while transporting or handling explosives or detonators.

56.6–34 *Mandatory-SGCS*. Only the necessary attendants shall ride on or in vehicles containing explosives or detonators.

56.6.–35 *Mandatory-SGCS*. Explosives or detonators shall not be transported on man trips.

56.5–36 Explosives should be transported promptly without undue delays in transit.

56.6–37 *Mandatory-SGCS*. Nonconductive containers with tight-fitting covers shall be used to transport or carry capped fuses and electric detonators to blasting sites.

56.6–38 *Mandatory-SGCS*. Substantial nonconductive closed containers shall be used to carry explosives to blasting sites.

USE

56.6–45 *Mandatory-SGCS*. Persons who use explosives, blasting agents, or detonators shall be experienced men who understand the hazards involved; trainees shall do such work only under the supervision of and in the immediate presence of experienced men.

56.6–46 Blasting operations should be under the direct control of authorized persons.

56.6–47 *Mandatory-SGCS*. Damaged or deteriorated explosives, blasting agents, and detonators shall be destroyed in a safe manner.

56.6–48 *Mandatory*. Explosives or detonators shall not be taken to the face or the immediate vicinity of the blasting site until all other work has been completed.

56.6–49 *Mandatory*. Holes to be blasted shall be charged as near to blasting time as practical and such holes shall be blasted as soon as possible after charging has been completed. In no case shall the time elapsing between the completion or charging to the time of blasting exceed 72 hours unless prior approval has been obtained from the Bureau of Mines.

56.6–50 *Mandatory-SGCS*. No person shall smoke within 25 feet of explosives, blasting agents, or detonators.

56.6–51 *Mandatory-SGCS*. Explosives and blasting agents shall be kept separated from detonators until charging is started.

56.6–52 *Mandatory-SGCS*. Primers shall be made up at the time of charging and as close to the blasting site as conditions allow.

56.6–53 Primers should be prepared so that the detonator is contained securely along the centerline of the explosives cartridge.

56.6–54 *Mandatory-SGCS*. Only wooden or other nonsparking implements shall be used to punch holes in explosives cartridges.

56.6–55 *Mandatory-SGCS*. Tamping poles shall be blunt and squared at one end and made of wood, nonsparking material, or of special plastic acceptable to the Bureau of Mines.

56.6–56 No tamping should be done directly on primer cartridges.

56.6–57 *Mandatory-SGCS*. Unused explosives and detonators shall be moved to a safe location as soon as charging operations are completed.

56.6–58 *Mandatory-SGCS*. Areas in which charged operations are completed.

56.6–59 *Mandatory*. Ample warning shall be given before blasts are fired. All persons shall be cleared and removed from areas endangered by the blast.

56.6–60 *Mandatory*. Sufficient blasting shelters shall be provided to protect all men endangered by fly rock from blasting.

56.6–61 *Mandatory-SGCS*. When safety fuse has been used, men shall not return to misfired holes for at least 30 minutes.

56.6–62 *Mandatory*. When electric blasting caps have been used, men shall not return to misfired holes for at least 15 minutes.

56.6–63 Faces and muckpiles should be examined for undetonated explosives after each blast and undetonated explosives found should be disposed safely.

56.6–64 *Mandatory-SGCS*. Misfires shall be reported to the proper supervisor and shall be disposed of safely before any other work is performed in that blasting area.

56.6–65 Blast holes in "hot-hole" areas and holes that have been sprung should not be charged before tests have been made to ensure that the heat has been dissipated to a safe extent.

56.6–66 If explosives are suspected of burning in a hole, all persons in the endangered area should be moved to a safe location until the danger has passed.

56.6–67 *Mandatory-SGCS*. Holes shall not be drilled where there is danger of intersecting a charged or misfired hole.

56.6–68 *Mandatory-SGCS*. Fuse and igniters shall be stored in a cool, dry place away from oils or grease.

56.6–69 Fuse should not be kinked, bent sharply, or handled roughly.

56.6–70 *Mandatory-SGCS*. Fuses shall be cut and capped in safe, dry locations posted with "No Smoking" signs.

56.6–71 *Mandatory-SGCS*. Blasting caps shall be crimped to fuses only with implements designed for that specific purpose.

56.6–72 *Mandatory-SGCS*. The burning rate of the fuse shall be posted in the fuse-capping station in a conspicuous location such that the burning rate will be brought to the attention of all men concerned with blasting.

56.6–73 *Mandatory-SGCS*. Fuses less than 48 inches long shall not be used.

56.6–74 *Mandatory-SGCS*. At least two men shall be present when lighting fuses, and no man shall light more than 15 individual fuses. If more than 15 holes per man are to be fired, igniter cord and connectors or electric blasting shall be used.

56.6–75 A safe interval of time should be allowed to light a round and evacuate the blasting area.

56.6–76 *Mandatory-SGCS*. Fuse shall be ignited with hot-wire lighters, lead spitters, igniter cord, or other such devices designed for this purpose.

56.6–77 *Mandatory-SGCS*. Fuse shall not be ignited before the primer and the entire charge are securely in place.

56.6–78 Timing should be such that the fuse in the last hole to fire is burning within the hole before the first hole fires.

56.6–79 Electric detonators of different brands should not be used in the same round.

56.6–80 *Mandatory-SGCS*. Electric detonators shall remain shunted until they are being wired into the blasting circuit. Lead lines and wired rounds shall be kept shunted until immediately before blasting.

56.6–81 Completely wired rounds should be tested with a blasting galvanometer before connections are made to the blasting line.

56.6–82 *Mandatory-SGCS*. Lead wires and blasting lines shall not be strung across power conductors, pipelines, railroad tracks, or within 20 feet of bare powerlines. They shall be protected from sources of static or other electrical contact.

56.6–83 *Mandatory-SGCS*. Permanent blasting lines shall be properly supported, insulated, and kept in good repair.

56.6–84 *Mandatory-SGCS*. Charging shall be stopped immediately when the presence of static electricity or stray current is detected; the condition shall be remedied before charging is resumed.

56.6–85 *Mandatory-SGCS*. Charging shall be suspended in surface mining, shaft sinking, and tunneling and men withdrawn to a safe location upon the approach of an electrical storm.

56.6–86 *Mandatory-SGCS*. If branch circuits are used when blasts are fired from power circuits, safety switches located at safe distances from the blast areas shall be provided in addition to the main blasting switch.

56.6–87 *Mandatory-SGCS*. Safety switches and blasting switches shall be labeled, encased in boxes, and arranged so that the covers of the boxes cannot be closed with the switches in closed position.

56.6–88 *Mandatory-SGCS*. Blasting switches shall be locked in the open position, except when closed to fire the blast. Lead wires shall not be connected to the blasting switch until the shot is ready to be fired.

56.6–89 *Mandatory-SGCS*. The key to a blasting switch shall be entrusted only to the person designated to fire blasts.

56.6–90 *Mandatory-SGCS*. Electric circuits from the blasting switches to the blast area shall not be grounded.

56.6–91 At least a 5-foot air gap should be provided between the blasting circuit and the power circuit.

56.6–92 *Mandatory-SGCS*. Where electric blasting is to be performed, electric circuits to equipment in the immediate area to be blasted shall be deenergized before explosives are brought into the area; the power shall not be turned on again until after the shots are fired.

56.6–93 Power sources should be suitable for the number of electric detonators to be fired and for the type of circuits used.

56.6–94 *Mandatory*. The double trunkline or loop system shall be used in detonating-cord blasting.

56.6–95 *Mandatory-SGCS*. The trunkline, in multiple row blasts, shall make one or more complete loops, with crossties between loops at intervals of not over 200 feet.

56.6–96 *Mandatory*. All detonating cord knots shall be tight and all connections shall be kept at right angles to the trunkline.

56.6–97 Delay connectors for firing detonating cord should be treated and handled with the same safety precautions as blasting caps and electric detonators.

56.6–98 Detonating cord should not be kinked, bent, or otherwise handled in such a manner that the train of detonation may be interrupted.

Sensitized Ammonium Nitrate Blasting Agents

56.6–110 If sensitized ammonium nitrate blasting agents are not purchased premixed, all procedures concerning storage of components and the final product, mixing, and transportation should be in accordance with Bureau of Mines Information Circular 8179, "Safety Recommendations for Sensitized Ammonium Nitrate Blasting Agents," or subsequent revisions.

56.6–111 *Mandatory*. In the use of sensitized ammonium nitrate mixtures and blasting agents the same precautions shall be taken as for high explosives.

56.6–112 Adequate priming should be employed to guard against misfires, increased toxic fumes, and poor performance.

56.6–113 *Mandatory-SGCS*. When pneumatic loading is employed, before any type of blasting operation using blasting agents is put into effect, an evaluation of the potential hazard of static electricity shall be made. Adequate steps, including the grounding and loading of the conductive parts of pneumatic loading equipment, shall be taken to eliminate the hazard of static electricity before blasting agent use is commenced.

56.6–114 *Mandatory-SGCS*. Pneumatic loading equipment shall not be grounded to waterlines, air lines, rails, or the permanent electrical grounding systems.

56.5–115 *Mandatory*. Hoses used in connection with pneumatic loading machines shall be of the semiconductive type, having a total resistance low enough to permit the dissipation of static electricity and high enough to limit the flow of stray electric currents to a safe level. Wire-countered hose shall not be used because of the potential hazard from stray electrical currents.

56.6–116 Reasonable precautions should be exercised to exclude moisture from blasting agents other than slurries. Water should be removed from holes before holes are charged. If water continues to flow into boreholes, sensitized ammonium nitrate should not be used.

56.6–117 *Mandatory-SGCS*. Plastic tubes shall not be used to protect pneumatically loaded blasting agent charges against water unless a positive grounding system is provided to drain electrostatic charges from the hole.

§ 56.7 Drilling.

56.7–1 Equipment should be inspected each shift by an authorized individual. Equipment defects affecting safety should be reported.

56.7–2 *Mandatory-SGCS*. Equipment defects affecting safety shall be corrected before the equipment is used.

56.7–3 *Mandatory-SGCS*. The drilling area shall be inspected for hazards before starting the drilling operations.

56.7–4 *Mandatory-SGCS*. Men shall not be on the mast while the drill is in operation.

56.7–5 *Mandatory-SGCS*. Drill crews and others shall stay clear of augers or drill stems that are in motion. Persons shall not pass under or step over a moving stem or auger.

56.7–6 Receptacles or racks should be provided for drill steel stored on drills.

56.7–7 Tools and other objects should not be left loose on the mast or drill platform.

56.7–8 *Mandatory-SGCS*. When a drill is being moved from one drilling area to another, drill steel, tools, and other equipment shall be secured and the mast placed in a safe position.

56.7–9 The drill helper, when used, should be in sight of the operator at all times while the drill is being moved to a new location.

56.7–10 *Mandatory-SGCS*. In the event of power failure, drill controls shall be placed in the neutral position until power is restored.

56.7–11 *Mandatory-SGCS*. The drill stem shall be resting on the bottom of the hole or on the platform with the stem secured to the mast before attempts are made to straighten a crossed cable on reel.

56.7–12 *Mandatory-SGCS*. While in operation, drills shall be attended at all times.

56.7–13 *Mandatory-SGCS*. Drill holes large enough to constitute a hazard shall be covered or guarded.

56.7–14 Men operating or working near jackhammers or jackleg drills and other drilling machines should position themselves so that they will not be struck or lose their balance if the drill steel breaks or sticks.

56.7–15 Men should not drill from positions that hinder their access to the control levers, or from insecure footing or staging, or from atop equipment not designed for this purpose.

56.7–16 Bit wrenches or bit knockers should be used to remove detachable bits from drill steel.

56.7–17 Starter steels should be used when collaring holes with hand-held or feed-leg drills.

56.7–18 *Mandatory-SGCS*. Men shall not hold the drill steel while collaring holes, or rest their hands on the chuck or centralizer while drilling.

56.7–19 Air should be turned off and bled from the hose before hand-held drills are moved from one working area to another.

§ 56.8 Rotary jet piercing.

56.8–1 Jet drills should be provided with:

(a) A system to pressurize operator's cabs;

(b) A protective cover over the oxygen flow indicator.

56.8–2 *Mandatory-SGCS*. Safety chains provided across connections to and between high pressure oxygen hose lines of 1-inch inside diameter or larger.

56.8–3 *Mandatory-SGCS*. A suitable means of protection shall be provided for the employee when lighting the burner.

56.8–4 With equipment requiring refueling at locations other than fueling stations, a system for fueling from the ground without spill should be provided.

56.8–5 *Mandatory-SGCS*. Men shall not smoke and open flames shall not be used in the vicinity of the oxygen storage and supply lines. Signs warning against smoking and open flames shall be posted in these areas.

§ 56.9 Loading, hauling, dumping.

56.9–1 Equipment should be inspected each shift by an authorized individual. Equipment defects affecting safety should be reported.

56.9–2 *Mandatory-SGCS*. Equipment defects affecting safety shall be corrected before the equipment is used.

56.9–3 *Mandatory-SGCS*. Powered mobile equipment shall be provided with adequate brakes.

56.9–4 Powered mobile haulage equipment should be provided with audible warning devices. Lights should be provided on both ends when required.

56.9–5 *Mandatory-SGCS*. Operators shall be certain, by signal or other means, that all persons are clear before starting or moving equipment.

56.9–6 *Mandatory*. When the entire length of the conveyor is visible from the starting switch, the operator shall visually check to make certain that all persons are in the clear before starting the conveyor. When the entire length of the conveyor is not visible from the starting switch, a positive audible or visible warning system shall be installed and operated to warn persons that the conveyor will be started.

56.9–7 *Mandatory*. Unguarded conveyors with walkways shall be equipped with emergency stop devices or cords along their full length.

56.9–8 Adequate protection should be provided at dumping locations where men may be endangered by falling material.

56.9–9 *Mandatory-SGCS*. Operators shall sound warning before starting trains, when trains approach crossings or other trains on adjacent tracks, and where vision is obscured.

56.9–10 *Mandatory-SGCS*. Trucks, shuttle cars, and front-end loaders shall be equipped with emergency brakes separate and independent of the regular braking system.

56.9–11 Operators' cabs should be constructed to permit operators to see without straining and should be reasonably comfortable.

56.9–12 *Mandatory-SGCS*. Cab windows shall be of safety glass or equivalent, in good condition and shall be kept clean.

56.9–13 *Mandatory-SGCS*. Cabs of mobile equipment shall be kept free of extraneous materials.

56.9–14 In areas where weather conditions justify, haulage trucks with cabs should be equipped with heaters and/or air conditioners maintained in good condition.

56.9–15 *Mandatory-SGCS*. Adequate backstops or brakes shall be installed on inclined-conveyor drive units to prevent conveyors from running in reverse if a hazard to personnel would be caused.

56.9–16 *Mandatory-SGCS*. No person shall be permitted to ride a power driven-chain belt, or bucket conveyor, unless the belt is specifically designed for the transportation of persons.

56.9–17 Slusher hoists should be equipped with backlash guards, rollers, drum covers, and anchored securely before slushing operations are started.

56.9–18 Roadbeds, rails, joints, switches, frogs, and other elements on railroads should be designed, installed, and maintained in a safe manner consistent with the speed and type of haulage.

56.9–19 Equipment operating speeds should be prudent and consistent with conditions or roadway, grades, clearance, visibility, traffic, and the type of equipment used.

56.9–20 Dust control measures should be taken where dust significantly reduces visibility of equipment operators.

56.9–21 *Mandatory-SGCS.* Where possible at least 30 inches continuous clearance from the farthest projection of moving railroad equipment shall be provided on at least one side of the tracks; all places where it is not possible to provide 30-inch clearance shall be marked conspicuously.

56.9–22 Track guard rails, lead rails, and grogs should be protected or blocked so as to prevent a person's foot from becoming wedged.

56.9–23 *Mandatory-SGCS.* Positive-acting stopblocks, derail devices, track skates or other adequate means shall be installed wherever necessary to protect persons from runaway or moving railroad equipment.

56.9–24 Traffic rules, signals, and warning signs should be standardized at each mine and posted.

56.9–25 Vehicles should follow at a safe distance; passing should be limited to areas of adequate clearance and visibility.

56.9–26 *Mandatory-SGCS.* Berms or guards shall be provided on the outer banks of elevated roadways.

56.9–27 *Mandatory-SGCS.* Trackless haulage equipment shall be operated under power control at all times.

56.9–28 *Mandatory-SGCS.* Mobile equipment operators shall have full control of the equipment while it is in motion.

56.9–29 *Mandatory-SGCS.* Dippers, buckets, loading booms, or heavy suspended loads shall not be swung over the cabs of haulage vehicles until the drivers are out of the cabs and in safe locations, unless the trucks are designed specifically to protect the drivers from falling material.

56.9–30 *Mandatory-SGCS.* Only authorized persons shall be present in areas of loading or dumping operations.

56.9–31 *Mandatory-SGCS.* When an operator is present, men shall notify him before getting on or off equipment.

56.9–32 *Mandatory-SGCS.* Switch throws shall be installed so as to provide adequate clearance for switchmen.

56.9–33 Operators should sit facing the direction of travel while operating equipment with dual controls.

56.9–34 *Mandatory-SGCS.* Men shall not work or pass under the buckets or booms of loaders in operation.

56.9–35 *Mandatory-SGCS.* When traveling between work areas, the equipment shall be secured in the travel position.

56.9–36 *Mandatory-SGCS.* Dippers, buckets, scraper blades, and similar movable parts shall be secured or lowered to the ground when not in use.

56.9–37 *Mandatory-SGCS.* Men shall not ride in dippers, buckets, forks, clamshells, or in the beds of dump trucks for the purpose of transportation.

56.9–38 Loaded cars or trucks should not be moved until the loads are trimmed properly.

56.9–39 Movements of two or more pieces of rail equipment operating independently on the same track should be regulated by an efficient signal block, telephone, or radio system; movements on complex haulage systems should be adequately controlled.

56.9–40 *Mandatory-SGCS.* Electrically powered mobile equipment shall not be left unattended unless the master switch is in the off position, all operating controls are in the neutral position, and the brakes are set or other equivalent precautions are taken against rolling.

56.9–41 *Mandatory-SGCS.* Mobile equipment shall not be left unattended unless the brakes are set. The wheels shall be turned into a bank or rib, or shall be blocked, when such equipment is parked on a grade.

56.9–42 *Mandatory-SGCS.* Men shall not get on or off moving equipment, except that trainmen may get on or off of slowly moving trains.

56.9–43 *Mandatory-SGCS.* Men shall not ride on top of loaded hauling equipment.

56.9–44 *Mandatory-SGCS.* Only authorized persons shall be permitted to ride on trains or locomotives and they shall ride in a safe position.

56.9–45 Rocker-bottom or bottom-dump cars should be equipped with positive locking devices.

56.9–46 *Mandatory-SGCS.* Men shall not ride outside the cabs and beds of mobile equipment.

56.9–47 *Mandatory-SGCS.* Equipment which is to be hauled shall be loaded and protected so as to prevent sliding or spillage.

56.9–48 *Mandatory-SGCS.* Parked railcars, unless held effectively by brakes shall be blocked securely.

56.9–49 *Mandatory-SGCS.* Railroad cars with braking systems, when in use, shall be equipped with effective brake shoes.

56.9–50 Long material should be transported by a method designed to prevent any overhanging from creating a hazard.

56.9–51 *Mandatory-SGCS.* Railcars shall not be left on side tracks unless ample clearance is provided for traffic on adjacent tracks.

56.9–52 *Mandatory-SGCS.* Persons shall not go over, under, or between cars unless the train is stopped and the motorman has been notified and the notice acknowledged.

56.9–53 *Mandatory-SGCS.* Inability of the motorman to clearly recognize the brakeman's signals when the train is under the direction of the brakeman shall be construed by the motorman as a stop signal.

56.9–54 Dumping locations and haulings roads should be kept reasonably free of water, debris, and spillage.

56.9–55 *Mandatory-SGCS.* Berms, bumper blocks, safety hooks, or similar means shall be provided to prevent overtravel and overturning at dumping locations.

56.9–56 Where the ground at a dumping place may fail to support the weight of a loaded dump truck, trucks should be dumped back from the edges of the bank.

56.9–57 Where necessary, bumper blocks or the equivalent should be provided at all track dead ends.

56.9–58 Grizzlies, grates, and other sizing devices at dump and transfer points should be anchored securely in place.

56.9–59 *Mandatory-SGCS.* If truck spotters are used, they shall be well in the clear while trucks are backing into dumping position and dumping; lights shall be used at night to direct trucks.

56.9–60 *Mandatory-SGCS.* Public and permanent railroad crossings shall be posted with warning signs or signals, or shall be guarded when trains are passing and shall be planked or otherwise filled between the rails.

56.9–61 *Mandatory-SGCS.* Where overhead clearance is restricted, warning devices shall be installed and the restricted area shall be conspicuously marked.

56.9–62 *Mandatory-SGCS.* Stockpile and muckpile faces shall be trimmed to prevent hazards to personnel.

56.9–63 *Mandatory-SGCS.* Rocks too large to be handled safely shall be broken before loading.

56.9–64 Ramps and dumps should be of solid construction, of ample width, have ample side clearance and headroom, and be kept reasonably free of spillage.

56.9–65 *Mandatory-SGCS.* Chute-loading installations shall be designed so that men pulling chutes are not required to assume hazardous positions while loading cars.

56.9–66 Cars should not be coupled or uncoupled manually from the inside of curves.

56.9–67 *Mandatory-SGCS.* Facilities used to transport men to and from work areas shall not be overcrowded.

56.9–68 *Mandatory-SGCS.* Supplies, materials, and tools other than small hand tools shall not be transported with men in mantrip vehicles, unless such vehicles are specifically designed to make such transportation safe.

56.9–69 *Mandatory-SGCS.* Lights, flares, or other warning devices shall be posted when parked equipment creates a hazard to vehicular traffic.

56.9–70 *Mandatory-SGCS.* Tires shall be deflated before repairs on them are started and adequate means shall be provided to prevent wheel locking rims from creating a hazard during tire inflation.

56.9–71 Any load extending more than 4 feet beyond the rear of the vehicle body should be marked clearly with a red flag by day and a red light at night.

56.9–72 A tow bar should be used to tow heavy equipment. A safety chain should be used in conjunction with the tow bar.

§ 56.10 Aerial tramways.

56.10–1 Buckets should not be overloaded, and feed should be regulated to prevent spillage.

56.10–2 Carriers, including loading and unloading mechanisms, should be inspected each shift; brakes should be inspected daily; ropes and supports should be inspected as recommended by the manufacturer of as physical conditions warrant. Records of rope maintenance and inspections should be kept.

56.10–3 *Mandatory-SGCS.* Any hazardous defects shall be corrected before the equipment is used.

56.10–4 Positive action-type brakes should be provided on aerial tramways.

56.10–5 Track cable connections should be designed to offer minimum obstruction to the passage of wheels.

56.10–6 Guards should be installed to prevent swaying buckets from hitting towers.

56.10–7 *Mandatory-SGCS.* Guard nets shall be provided where tramways pass over roadways, walkways, and buildings.

56.10–8 *Mandatory-SGCS.* Persons other than maintenance men shall not ride aerial tramways unless the following features are provided:

(a) Two independent brakes, each capable of holding the maximum load;

(b) Direct communication between terminals;

(c) Power drives with emergency power available in case of primary power failure;

(d) Buckets equipped with positive locks to prevent accidental tripping or dumping.

56.10–9 *Mandatory-SGCS.* Men shall not ride loaded buckets.

56.10–10 *Mandatory-SGCS.* Where possible, aerial tramways shall not be started until the operator has ascertained that every one is in the clear.

§ 56.11 Travelways.

56.11–1 *Mandatory-SGCS.* Safe means of access shall be provided and maintained to all working places.

56.11–2 *Mandatory-SGCS.* Crossovers, elevated walkways, elevated ramps, and stairways shall be of substantial construction, provided with handrails, and maintained in good condition. Where necessary, toeboards shall be provided.

56.11–3 Ladders shall be of substantial construction and maintained in good condition.

56.11–4 Portable straight ladders should be provided with nonslip bases, should be placed against a safe backing, and set on secure footing.

56.11–5 *Mandatory-SGCS.* Fixed ladders shall be anchored securely and installed to provide at least 3 inches of toe clearance.

56.11–6 Fixed ladders should be offset and have substantial railed landings at least every 30 feet unless backguards are provided.

56.11–7 Steep fixed ladders (70° to 90° from the horizontal) 30 feet or more in length should be provided with backguards, cages, or equivalent protection, starting at a point not more than 7 feet from the bottom of the ladder.

56.11-8 *Mandatory-SGCS.* Fixed ladders shall project at least 3 feet above landings, or substantial handholds shall be provided above the landings.

56.11-9 Wooden members of ladders should not be painted.

56.11-10 Ladderways, stairways, walkways, and ramps should be kept free of loose rock and extraneous materials.

56.11-11 *Mandatory-SGCS.* Railed walkways shall be provided wherever persons are regularly required to walk alongside conveyor belts. Inclined railed walkways shall be nonskid or provided with cleats.

56.11-12 Vertical clearance above stair steps should be a minimum of 7 feet.

56.11-13 Men climbing or descending ladders should face the ladders and have both hands free for climbing.

56.11-14. *Mandatory-SGCS.* Openings above, below, or near travelways through which men or materials may fail shall be protected by railing, barriers, or covers. Where it is impractical to install such protective devices, adequate warning signals shall be installed.

56.11-15 *Mandatory-SGCS.* Scaffolds and working platforms shall be of substantial construction and provided with handrails and maintained in good condition. Floor boards shall be laid properly and the scaffolds and working platform shall not be overloaded. Working platforms shall be provided with toeboards when necessary.

56.11-16 *Mandatory-SGCS.* Crossovers shall be provided where it is necessary to cross conveyors.

56.11-17 *Mandatory-SGCS.* Moving conveyors shall be crossed only at designated crossover points.

56.11-18 Slippery walkways should be provided with cleats and handrails and/or ropes.

56.11-19 *Mandatory-SGCS.* Regularly used walkways and travelways shall be sanded, salted, or cleared of snow and ice as soon as practicable.

56.11-20 Fixed ladders should not incline backwards at any point unless provided with backguards.

§ 56.12 Electricity.

56.12-1 *Mandatory.* Circuits shall be protected against excessive overload by fuses or circuit breakers of the correct type and capacity.

56.12-2 *Mandatory-SGCS.* Powerlines, including trolley wires, and telephone circuits shall be protected against short circuits and lightning.

56.12-3 *Mandatory-SGCS.* Electric equipment and circuits shall be provided with switches or other controls. Such switches or controls shall be of approved design and construction and shall be properly installed.

56.12-4. *Mandatory.* Individual overload protection or short-circuit protection shall be provided for the trailing cables of mobile equipment.

56.12-5 Power wires and cables should have adequate current-carrying capacity and should be protected from mechanical injury.

56.12-6 Neither crawler-mounted nor rubber-tired equipment should run over trailing cables, unless the cables are properly bridged or protected.

56.12-7 Distribution boxes should be provided with disconnect switches.

56.12-8 *Mandatory-SGCS.* Trailing cable and power-cable connections to junction boxes shall not be made or broken under load.

56.12-9 Power wires and cables should be insulated adequately where they pass into or out of electical compartments.

56.12-10 Power wires and cables which present a fire hazard should be well installed on acceptable insulators.

56.12-11 *Mandatory-SGCS.* Where metallic tools or equipment can come in contact with trolley wires or bare powerlines, the lines shall be guarded or deenergized.

56.12-12 Telephone and low-potential electric signal wires should be protected from contacting energized powerlines.

56.12-13 *Mandatory-SGCS.* High-potential transmission cables shall be covered, insulated, or placed according to acceptable electrical codes to prevent contact with low-potential circuits.

56.12-14 The potential on bare signal wires accessible to personal contact should not exceed 40 volts.

56.12-15 Splices in power cables, including ground conductor, where provided, should be:

(a) Mechanically strong with adequate electrical conductivity;

(b) Effectively insulated and sealed to exclude moisture.

(c) Provided with mechanical protection and electrical conductivity as near as possible to that of the original.

56.12-16 *Mandatory-SGCS.* Shovel trailing cables shall not be moved with the shovel dipper unless cable slings or sleds are used.

56.12-17 *Mandatory.* Energized high-potential cables shall be handled with insulated hooks or tongs.

56.12-18 *Mandatory-SGCS.* Electrical equipment shall be deenergized before work is done on such equipment. Switches shall be locked out and suitable warning signs posted by the individuals who are to do the work; locks shall be removed only by the persons who installed them.

56.12-19 *Mandatory-SGCS.* Power circuits shall be deenergized before work is done on such circuits unless hot-line tools are used. Switches shall be locked out and suitable warning signs posted by the individuals who are to do the work; locks shall be removed only by the persons who installed them.

56.12-20 *Mandatory-SGCS.* Principal power switches shall be labeled to show which units they control, unless identification can be made readily by location.

56.12-21 At least 3 feet of clearance should be provided around all parts of stationary electric equipment or switchgear where access or travel is necessary.

56.12-22 *Mandatory-SGCS.* Dry wooden platforms, insulating mats, or other electrically nonconductive material shall be kept in place at all switchboards and power-control switches where shock hazards exist. However, metal plates on which a person normally would stand, and kept at the same potential as the grounded metal noncurrent carrying parts of the power switches to be operated, may be used.

56.12-23 *Mandatory-SGCS.* Suitable danger signs shall be posted at all major electrical installations.

56.12-24 Areas containing major electrical installations should be entered only by authorized personnel.

56.12-25 *Mandatory-SGCS.* Electrical connections and resistor grids that are difficult or impractical to insulate shall be guarded, unless protection is provided by location.

56.12-26 Reverse-current protection should be provided at storage-battery charging stations.

56.12-27 *Mandatory-SGCS.* All metal enclosing or encasing electrical circuits shall be grounded or provided with equivalent protection. This requirement does not apply to battery-operated equipment.

56.12-28 *Mandatory-SGCS.* Metal fencing and metal buildings enclosing transformers and switchgear shall be grounded.

56.12-29 *Mandatory-SGCS.* Frame grounding or equivalent protection shall be provided for mobile equipment powered through trailing cables.

56.12-30 *Mandatory-SGCS.* Continuity and resistance of grounding systems shall be tested immediately after installation.

56.12-31 Electric equipment and wiring should be inspected by a competent person as often as necessary to assure safe operating conditions.

56.12-32 *Mandatory-SGCS.* When a potentially dangerous condition is found it shall be corrected before equipment or wiring is energized.

56.12-33 Electric motors, switches, and controls exposed to damaging dust or water should be of dust-tight or water-tight construction.

56.12-34 Inspection and cover plates on electrical equipment should be kept in place at all times except during testing or repairs.

56.21-35 *Mandatory-SGCS.* Hand-held electric tools shall not be operated at high-potential voltages.

56.12-36 Portable extension lights and other lights that may present a shock or burn hazard should be guarded.

56.12-37 Lamp sockets exposed to the weather should be of a weatherproof type.

56.12-38 *Mandatory-SGCS.* Circuits shall be deenergized before fuses are removed or replaced.

56.12-39 *Mandatory-SGCS.* Fuse tongs or hot-line tools shall be used when fuses are removed or replaced in high-potential circuits.

56.12-40 Trailing cables should be clamped to machines in a manner to protect the cables from damage and to prevent strain on the electrical connections.

56.12-41 Surplus trailing cables to shovels, cranes, and similar equipment should be stored in cable boats or on reels mounted on the equipment or otherwise protected from mechanical damage.

56.12-42 *Mandatory-SGCS.* Operating controls shall be installed so that they can be operated without danger of contact with energized conductors.

56.12-43 *Mandatory-SGCS.* Switches and starting boxes shall be of safe design and capacity.

56.12-44 Both rails should be bonded or welded at every joint. Rails should be crossbonded at least every 200 feet if the track serves as the return trolley circuit, except where a control signal cannot be used on a crossbonded track.

56.12-45 *Mandatory-SGCS.* Equipment with booms or masts which are not properly protected shall not be operated where the booms or masts can come within 10 feet of an energized overhead powerline.

56.12-46 Lightning arrester grounds should be connected to earth at least 10 feet from the track or mine return circuit.

56.12-47 *Mandatory-SGCS.* Overhead high-potential powerlines shall be installed as specified by the National Electrical Safety Code.

56.12-48 *Mandatory-SGCS.* When equipment must be moved under energized powerlines and the clearance is less than 10 feet, the powerlines shall be deenergized or other precautions shall be taken.

56.12-49 *Mandatory-SGCS.* Guy wires of poles supporting high-potential conductors shall be equipped with insulators installed near the pole end.

56.12-50 *Mandatory-SGCS.* Telegraph, telephone, or signal wires shall not be installed on the same crossarm with power conductors. When carried on poles supporting powerlines, they shall be installed as specified by the National Electrical Safety Code.

56.12-51 *Mandatory-SGCS.* Transformers shall be totally enclosed, or shall be placed at least 8 feet above the ground, or installed in a transformer house, or surrounded by a substantial fence at least 6 feet high and at least 3 feet from any energized parts, casings, or wiring.

56.12-52 *Mandatory-SGCS.* Transformer enclosures shall be kept locked against unauthorized entry.

56.12-53 Men should not stand on the ground in the vicinity of an electrically powered shovel or other similar heavy equipment during an electrical storm.

56.12-54 Trolley wires should be aligned properly and installed at least 6 inches outside and 7 feet above the track.

56.12-55 Trolley wire hangers should be spaced so that the wire will not sag more than 3 inches between hangers and so that the wire may be detached from any one hanger without creating a shock hazard.

56.12-56 Trolley wires and trolley feeder wires should be provided with sectionalizing switches at man-trip stations and near the beginning of all branch lines.

56.12-57 Ground wires for lighting circuits powered from trolley wires should be connected securely to the ground return circuit.

56.12-58 Tools and supplies should be carried in the hands and not on the shoulders when men travel near bare power conductors.

§ 56.13 Compressed air and boilers.

GENERAL

56.13-1 *Mandatory-SGCS*. All boilers and pressure vessels shall be constructed, installed, and maintained in accordance with the standards and specifications of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code.

COMPRESSED AIR

56.13-6 Air compressors should be equipped with automatic temperature-activated shutoff mechanisms set for 400° F., or with fusible plugs installed in the compressor discharge lines as near the compressors as possible. Fusible plugs should melt at temperatures 50° less than the flash points of the lubricating oils.

56.13-7 Compressors and compressed-air receivers should be equipped with automatic pressure-release valves, pressure gages, and drain valves.

56.13-8 Compressor air intakes should be installed to insure that only clean, uncontaminated air enters the compressors.

56.13-9 Compressed-air receivers should be drained of moisture and oil at least once each operating shift.

56.13-10 Compressed-air receivers should have inspection openings which should be manholes when the tanks are over 36 inches in diameter.

56.13-11 Compressed-air receivers and other pressure vessels should be inspected internally at least once a year by qualified inspectors; records of such inspections should be kept.

56.13-12 Compressors should be operated and lubricated in accordance with the manufacturer's recommendations.

56.13-13 Compressor discharge pipes should be cleaned periodically.

56.13-14 Safety devices on compressed-air systems should be checked at the beginning of each shift.

56.13-15 *Mandatory-SGCS*. Repairs involving the pressure system of compressors, receivers, or compressed aid-powered equipment shall not be attempted until the pressure has been bled off.

56.13-16 *Mandatory-SGCS*. At no time shall compressed air be directed toward a person. When compressed air is used, all necessary precautions shall be taken to protect persons from injury.

56.13-17 *Mandatory SGCS*. Safety chains or suitable locking devices shall be used at connections to machines of high pressure hose lines of 1 inch inside diameter or larger, where a connection failure would create a hazard.

BOILERS

56.13-25 Boilers should be equipped with guarded well-maintained water gages and pressure gages placed so that they can be observed easily. Water gages and pipe passages to the gages should be kept clean and free of scale and rust.

56.13-26 Boilers should be equipped with automatic pressure relief valves; valves should be tested each shift.

56.13-27 Boiler installations should be provided with safety devices, acceptable to the Bureau of Mines, to protect against hazards of flame-outs, fuel interruptions, and low water level.

56.13-28 Blowoff valves should be piped outside the building and should have outlets so located or protected that persons passing by, near, or under them will not be scalded.

56.13-29 Boilers should be inspected internally at least once a year by licensed inspectors; records of such inspections should be kept.

§ 56.14 Use of equipment

GUARDS

56.14-1 *Mandatory-SGCS*. Gears; sprockets; chains; drive, head, tail, and takeup pulleys; flywheels; couplings; shafts; sawblades; ran inlets; and similar exposed moving machine parts which may be contacted by persons, and which may cause injury to persons, shall be guarded.

56.14-2 *Mandatory-SGCS*. Overhead belts shall be guarded if the whipping action from a broken belt should be hazardous to persons below.

56.14-3 Guards at conveyor drive head, and tail pulleys should extend a distance sufficient to prevent a person from reaching behind the guard and becoming caught between the belt and the pulley.

56.14-4 Openings where conveyors pass through walls or floors should be guarded.

56.14-5 Protruding setscrews on revolving parts should be guarded.

56.14-6 *Mandatory-SGCS*. Except when testing the machinery, guards shall be securely in place while machinery is being operated.

56.14-7 Guards should be sufficiently strong and maintained to provide the required protection.

56.14-8 *Mandatory-SGCS*. Stationary grinding machines other than special bit grinders shall be equipped with:

(a) Peripheral hoods (less than 90° throat openings) capable of withstanding the force of a bursting wheel;

(b) Adjustable tool rests set as close as practical to the wheel;

(c) Safety washers.

56.14-9 *Mandatory-SGCS*. Grinding wheels shall be operated within the specifications of the manufacturer of the wheel.

56.14-10 *Mandatory-SGCS*. Hand-held power tools, other than rock drills, shall be equipped with controls requiring constant hand or finger pressure to operate the tools or shall be equipped with friction or other equivalent safety devices.

56.14-11 Guards or shields should be provided in areas where flying or falling materials present a hazard.

56.14-12 Industrial vehicles such as forklift trucks, front-end loaders, and bulldozers should be provided with roll protection when necessary to protect the operator.

56.14-13 *Mandatory-SGCS*. Forklift trucks, front-end loaders, and bulldozers shall be provided with substantial canopies when necessary to protect the operator.

56.14-14 *Mandatory-SGCS*. Face shields or goggles, in good condition, shall be worn when operating a grinding wheel.

METHODS AND PROCEDURES

56.14-20 Machinery and equipment should be maintained properly.

56.14-21 *Mandatory-SGCS*. Unsafe equipment or machinery shall be removed from service immediately.

56.14-22 Machinery and equipment should be operated only by authorized and experienced persons.

56.14-23 Adequate clearance should be provided at machine installations.

56.14-24 *Mandatory-SGCS*. Repairs or maintenance shall not be performed on machinery until the power is off and the machinery is blocked against motion, except where machinery motion is necessary to make adjustments.

56.14-25 *Mandatory-SGCS*. Men shall not work on or from a piece of mobile equipment in a raised position until it has been blocked in place securely. This does not preclude the use of equipment specifically designed as elevated mobile work platforms.

56.14-26 *Mandatory-SGCS*. Drive belts shall not be shifted while in motion unless the machines are provided with mechanical shifters.

56.14-27 *Mandatory-SGCS*. Belts, chains, and ropes shall not be guided onto power driven moving pulleys, sprockets, or drums with the hands except on slow moving equipment especially designed for hand feeding.

56.14-28 *Mandatory*. Pulleys or conveyors shall not be cleaned manually while the conveyor is in motion.

56.14-29 *Mandatory-SBCS*. Belt dressing shall not be applied manually while belts are in motion unless an aerosol-type dressing is used.

56.14-30 *Mandatory-SGCS*. Machinery shall not be lubricated while in motion where a hazard exists, unless equipped with extended fittings or cups.

56.14-31 *Mandatory-SGCS*. Welding operations shall be shielded and well ventilated.

56.14-32 Tools and equipment should be used only for the purpose and within the capacity for which they were intended and designed.

§ 56.15 Personal protection.

56.15-1 *Mandatory-SGCS*. Adequate first-aid materials, including stretchers and blankets, shall be provided at places convenient to all working areas. Water or neutralizing agents shall be available where corrosive chemicals or other harmful substances are stored, handled, or used.

56.15-2 *Mandatory-SGCS*. All persons shall wear suitable hard hats when in or around a mine or plant where falling objects may create a hazard.

56.15-3 *Mandatory*. All persons shall wear suitable protective footwear when in or around a mine or plant where a hazard exists.

56.15-4 *Mandatory*. All persons shall wear safety glasses, goggles, or face shields when in or around a mine or plant.

56.15-5 *Mandatory-SGCS*. Safety belts and lines shall be worn when men work where there is danger of falling; a second person shall tend the lifeline when bins, tanks, or other dangerous areas are entered.

56.15-6 *Mandatory-SGCS*. Life jackets or belts shall be worn where there is danger of falling into water.

56.15-7 Protective clothing, rubber gloves, goggles, or face shields should be worn by persons handling substances that are corrosive, toxic, or injurious to the skin.

56.15-8 *Mandatory-SGCS*. Protective clothing or equipment and face shields or goggles shall be worn when welding, cutting or working with molten metal.

56.15-9 Snug-fitting clothing should be worn around moving equipment and machinery.

56.15-10 Protective gloves should be worn by employees handling materials which may cause injury.

56.15-11 Gloves should not be worn where they could create a hazard by becoming entwined or caught in moving parts of machinery.

56.15-12 Finger rings should not be worn while working in or around a mine or plant.

56.15-13 Effective ear protection should be worn where noise levels may cause permanent ear damage or hearing loss, or noise should be reduced to safe levels.

56.15-14 Where there is a danger of a vehicle overturning, seatbelts should be used.

§ 56.16 Materials storage and handling.

56.16-1 Materials should be stored and stacked in a manner which minimizes stumbling or fall-of-material hazards.

56.16-2 Men working on surge piles or storage piles should not walk or stand immediately above a reclaiming area during reclaiming.

56.16-3 *Mandatory-SGCS.* Materials that can create hazards if accidentally liberated from their containers shall be stored in a manner that minimizes the dangers.

56.16-4 *Mandatory-SGCS.* Hazardous materials shall be stored in containers of a type approved for such use by recognized agencies; such containers shall be labeled appropriately.

56.16-5 *Mandatory-SGCS.* Compressed and liquid gas cylinders shall be secured in a safe manner.

56.16-6 *Mandatory-SGCS.* Valves on compressed gas cylinders shall be protected by covers when being transported or stored, and by a safe location when the cylinders are in use.

56.16-7 Hitches and slings used to hoist materials should be designed and used properly for the particular material handled.

56.16-8 Taglines should be attached to suspended materials that require steadying.

56.16-9 *Mandatory-SGCS.* Men shall stay clear of suspended loads.

56.16-10 Materials should not be dropped from an elevation unless the drop area is guarded or sufficient warning is given.

56.16-11 *Mandatory-SGCS.* Men shall not ride on loads being moved by cranes or derricks, nor shall they ride the hoisting hooks unless such method eliminates a greater hazard.

56.16-12 Substances that react violently or liberate dangerous fumes when mixed should be stored in such a manner that they cannot come in contact with each other.

56.16-13 Only men wearing protective equipment should stand near pots or ladles when molten material is being handled; warning should be given before a pour is made or the pot is moved.

56.16-14 *Mandatory-SGCS.* Operator carrying overhead cranes shall be provided with:

(a) Bumpers at each end of each rail;

(b) Automatic switches to halt uptravel of the blocks before they strike the hoist;

(c) Effective audible warning signals within easy reach of the operator;

(d) A means to lockout the disconnect switch.

56.16-15 *Mandatory-SGCS.* No person shall work from or travel on the bridge on an overhead crane unless the bridge is provided with substantial footwalks with toeboards and railings the length of the bridge.

56.16-16 Forklift trucks should be moved with the load in a low position and should descend ramps with the load behind.

§ 56.17 Illumination.

56.17-1 *Mandatory-SGCS.* Illumination sufficient to provide safe working conditions shall be provided in and on all surface structures, paths, walkways, stairways, switch panels, loading and dumping sites, and work areas.

§ 56.18 Safety programs.

56.18-1 The employer should establish a definite, effective, and continually functioning safety program and make every attempt to prevent accidents and increase safety. Employees should actively participate in the safety program.

56.18-2 Regular safety inspections should be made by company officials and/or safety committees. Written reports should be made of the findings and the actions recommended or taken; this information should be made available to the employees.

56.18-3 Serious accidents, whether resulting in injury or not, should be investigated to determine the cause and the means of preventing recurrence. Records of these investigations should be kept and the information should be made available to the employees.

56.18-4 Company safety regulations pertinent to the various operations should be published or posted for employee information.

56.18-5 All employees and officials should be familiar with company, State, and Federal safety regulations.

56.18-6 *Mandatory-SGCS.* New employees shall be indoctrinated in safety rules and safe work procedures.

56.18-7 Inexperienced employees should be assigned to work with experienced men until such employees have acquired the necessary skills to perform their duties safely.

56.18-8. Each working place should be visited by a supervisor or a designated person at least once each shift and more frequently as necessary to insure that work is being done in a safe manner.

56.18-9 *Mandatory-SGCS.* No employee shall be assigned, or allowed, or be required to perform work alone in any area where hazardous conditions exist that would endanger his safety unless he can communicate with others, can be heard, or can be seen.

56.18-10 An authorized person should be in charge at all times when men are working.

56.18-11 Selected supervisors should be trained in first aid. First-aid training should be made available to all employees.

56.18-12 All supervisors and employees should be trained in accident prevention.

56.18-13 *Mandatory-SGCS.* Emergency telephone numbers shall be posted at appropriate telephones.

56.18-14 Where telephone service is not available, emergency communications should be provided to the nearest point of assistance.

56.18-15 *Mandatory-SGCS.* Arrangements shall be made in advance for obtaining emergency medical assistance and transportation for injured persons.

§ 56.19 Man hoisting.

The hoisting standards in this section apply to those hoists and appurtenances used for hoisting men. However, where men may be endangered by hoists and appurtenances used solely for handling ore, rock and materials, the appropriate standards should be applied.

HOISTS

56.19-1 *Mandatory-SGCS.* Hoists shall have rated capacities consistent with the loads handled and the recommended safety factors of the ropes used.

56.19-2 *Mandatory-SGCS.* Hoists shall be anchored securely.

56.19-3 *Mandatory-SGCS.* Belt, rope, or chains shall not be used to connect driving mechanisms to man hoists.

56.19-4 *Mandatory-SGCS.* Any hoist used to hoist men shall be equipped with a brake or brakes which shall be capable of holding its fully loaded cage, skip, or bucket at any point in the shaft.

56.19-5 *Mandatory-SGCS.* The operating mechanism of the clutch of every man-hoist drum shall be provided with a locking mechanism, or interlocked electrically or mechanically with the brake to prevent accidental withdrawal of the clutch.

56.19-6 *Mandatory-SGCS.* Automatic hoists shall be provided with devices that automatically apply the brakes in the event of power failure.

56.19-7 *Mandatory-SGCS.* Man hoists shall be provided wtih devices to prevent overtravel and overspeed.

56.19-8 Friction hoists should be provided with synchronizing mechanisms that recalibrate the overtravel devices and position indicators to correct for rope creep or stretch.

56.19-9 *Mandatory-SGCS.* An accurate and reliable indicator of the position of the cage, skip, bucket, or cars in the shaft shall be provided.

56.19-10 *Mandatory-SGCS.* Hoist controls shall be placed or housed so that the noise from machinery or other sources will not prevent hoistmen from hearing signals.

56.19-11 Flanges or drums should extend radially a minimum of three rope diameters beyond the last wrap.

56.19-12 Where grooved drums are used, the grooves should be of the proper size and pitch for the ropes used.

WIRE ROPE

56.19-20 The United States of America Standards Institute specifications cited in "Wire Ropes for Mines," M11.1—1960, or the latest revision thereof, should be used as a guide in the selection, installation, and maintenance of wire ropes used for hoisting, except in those instances where the recommendations cited herein are more stringent.

56.19-21 *Mandatory-SGCS.* The following static-load safety factors shall be used for selecting ropes to be used for hoisting men and for determining when such ropes shall be removed from man hoist.

Length of rope in shaft (feet)	Minimum factor of safety (new rope)	Minimum factor of safety (remove)
500 or less	8	6.4
501 to 1,000	7	5.8
1,001 to 2,000	6	5.0
2,001 to 3,000	5	4.3
3,001 or more	4	3.6

56.19-22 At least three wraps of rope should be left on the drum when the conveyance is at the bottom of the hoistway. This provision does not apply to friction hoists.

56.19-23 The end of the rope at the drum should make at least one full turn on the drum shaft, or a spoke of the drum in the case of a free drum, and should be fastened securely by means of rope clips or clamps. This provision does not apply to friction hoists.

56.19-24 *Mandatory-SGCS.* The rope shall be attached to the load by the thimble and clip method, the socketing method, or other approved method, if the socketing method is employed, zinc or its equivalent shall be used: The use of babbitt metal or lead for socketing wire ropes is prohibited. If the thimble and clip method is used, the following shall be observed:

(a) The rope shall be attached to the load by passing one end around an oval thimble that is attached to the load bending the end back so that it is parallel to the long or "live" end of the rope and fastening the two parts of the rope together with clips.

(b) The U-bolt of each clip shall encircle the short or "dead" end of the rope and the distance between clips shall not be less than the figures given in the accompanying table.

(c) The following number of clips or equivalent shall be used for various diameters of six-strand 19-wire plow steel ropes: (Follow manufacturer's recommendations for other kinds of wire rope and clips.)

Diameter of rope, inches	Number of clips	Center-to-center spacing of clips, inches
¾	4	4½
⅞	4	5¼
1	4	6
1⅛	5	6¾
1¼	5	7½
1⅜	6	8¼
1½	6	9
1⅝	6	9¾
1¾	7	10½
1⅞	8	11¼
2	8	12
2⅛	8	13
2¼	8	14

(d) For all ropes less than ¾-inch in diameter, at least four clips or equivalent shall be used.

(e) When special conditions require the attachment of a sling to the hoisting cable to handle equipment in the shaft, the sling shall be attached by clips or equivalent in accordance with the table in these regulations.

56.19-25 New ropes should be broken in, in accordance with the manufacturer's recommendations.

56.19–26 Corrosion of hoist ropes at the attachment of safety connections should be minimized by the design of the attachment devices and by lubrication.

56.19–27 Where possible, conveyances, attached to single ropes used to hoist men should be provided with secondary safety connections.

HEADFRAMES AND SHEAVES

56.19–35 Headframes should be designed and constructed to withstand pulls by the hoists greater than the breaking strengths of the hoist ropes.

56.19–36 Headframes should be high enough to provide at least 15 feet of clearance between the bottom of the sheave or drum and the uppermost part of the highest rope connection of the conveyance when the conveyance is at its uppermost man landing.

56.19–37 Fleet angles should not exceed 1½ degrees.

56.19–38 *Mandatory-SGCS.* Platforms with toeboards and handrails shall be provided around elevated head sheaves.

56.19–39 Diameters of head sheaves and hoist drums should conform to the following specifications:

Rope construction	Diameter of sheave and drum	
	Recommended (times rope diameter)	Minimum (times rope diameter)
6x7 classification	72	42
6x19	45	30
6x37	27	18
6x25 type B, flattened strand	45	30
6x27 type H, flattened strand	45	30
6x30 type G, flattened strand	45	30
18x7 classification	51	34

56.19–40 Head, idler, knuckle, and curve sheaves should have grooves that support the ropes properly. Before installing new ropes, the grooves should be inspected and where necessary machined to the proper contour and the proper groove diameter.

CONVEYANCES

56.19–45 *Mandatory-SGCS.* Man cages and skips used for hoisting or lowering employees or other persons in any vertical shaft or any inclined shaft with an angle of inclination of forty-five (45) degrees from the horizontal, shall be covered with a metal bonnet.

56.19–46 *Mandatory-SGCS.* Man cages shall be fireproof, of substantial construction and provided with:

(a) Fully enclosed sides, and safety gates; gates shall be at least 5 feet high and have no openings except those necessary for signaling;

(b) Escape hatches;

(c) Safety catches. This provision, (c), does not apply to friction-hoist cages that are suspended from more than one pin.

56.19–47 *Mandatory.* All skips conveying men shall be provided with:

(a) Safety catches. This provision, (a), does not apply to friction-hoists skips that are suspended from more than one pin.

(b) Safe means of access.

(c) Platforms, where necessary, to provide safe footing.

(d) Stop controls to prevent travel into the dumping position.

(e) Anchored platforms inside the skips, if they are bottom-dumping.

(f) Devices to prevent tilting.

56.19–48 *Mandatory.* Man cars shall be of substantial construction and provided with:

(a) Drags or equivalent safety devices on the last car of man trips operated in inclined shafts where guides are not provided.

(b) Safety catches if guides are provided.

(c) Secondary safety connections where possible.

(d) Safety chains or wire ropes between cars.

(e) Adequate seating for the number of men handled.

56.19–49 *Mandatory SGCS.* Buckets used to hoist men during shaft sinking operation shall have:

(a) Crossheads equipped with safety catches and protective bonnets when the shaft depth exceeds 50 feet.

(b) Devices to prevent accidental dumping.

(c) Sufficient depth to transport men safely in a standing position.

HOISTING PROCEDURES

56.19–55 *Mandatory-SGCS.* When a manually operated hoist is used, a qualified hoistman shall remain within hearing of the telephone or signal device at all times while any person is underground.

56.19–56 When automatic hoisting is used, a qualified hoistman should be in attendance on the premises while any person is underground.

56.19–57 Hoistman should be physically fit and should undergo yearly examinations to determine their continued fitness; certification to this effect should be available at the mine.

56.19–58 *Mandatory-SGCS.* Only experienced hoistmen shall operate the hoist except in cases of emergency and in the training of new hoistmen.

56.19–59 *Mandatory-SGCS.* Whenever a regular shift of men is being hoisted or lowered by a manually operated hoist, a second man familiar with and qualified to stop the hoist shall be in attendance; this provision shall not apply to sinking operations, level development, or repair operations in the mine.

56.19–60 Hoistmen should use extreme caution when hoisting or lowering men.

56.19–61 The safe speed should be determined for each shaft; in no instance should this speed exceed 2,500 feet per minute for hoisting men.

56.19–62 Maximum acceleration and deceleration should not exceed 6 feet per second.

56.19–63 Only authorized personnel should be in hoist rooms.

56.19–64 Conveyances intended to be operated in balance should not be balanced when men are on the cage.

56.19–65 *Mandatory-SGCS.* Conveyances shall not be lowered by the brakes alone except during emergencies.

56.19–66 Management should designate the maximum number of men permitted to ride on a trip at one time; this limit should be posted on each landing.

56.19–67 Authorized persons should be in charge of all man trips.

56.19–68 Men should enter, ride, and leave conveyances in an orderly manner.

56.19–69 *Mandatory-SGCS.* Men shall not enter or leave conveyances which are in motion or after a signal to move the conveyance has been given to the hoistman.

56.19–70 *Mandatory-SGCS.* Cage doors or gates shall be closed while men are being hoisted, they shall not be opened until the cage has come to a stop.

56.19–71 *Mandatory-SGCS.* Men shall not ride in skips or buckets with muck, supplies, materials, or tools other than small handtools.

56.19–72 When combinations of cages and skips are used, the skips should be empty while men are being transported.

56.19–73 *Mandatory-SGCS.* Rock or supplies shall not be hoisted in the same shaft as men during shift changes, unless the compartments and dumping bins are partitioned to prevent spillage into the cage compartment.

56.19–74 Men should not ride the bail, rim, or bonnet of any shaft conveyance, except where necessary for the inspection and maintenance of the shaft and lining.

56.19–75 *Mandatory-SGCS.* Open hooks shall not be used to hoist buckets or other conveyances.

56.19–76 When men are hoisted, bucket speeds should not exceed 500 feet a minute, and should not exceed 200 feet a minute when within 100 feet of a landing.

56.19–77 *Mandatory-SGCS.* Buckets shall be stopped about 15 feet from the shaft bottom to await a signal from one of the crew on the bottom for further lowering.

56.19–78 Buckets should be stopped after being raised 3 feet when men are hoisted from the bottom; a second hoisting signal should be given after the bucket has been stabilized. Hoisting should be at a minimum speed and the bellcord should be attended constantly until the crosshead has been engaged.

56.19–79 *Mandatory-SGCS.* Where mine cars are hoisted by cage or skip, means for blocking cars shall be provided at all landings and also on the cage.

56.19–80 *Mandatory-SGCS.* When tools, timbers, or other materials are being lowered or raised in a shaft by means of a bucket, skip, or cage, they shall be secured or so placed that they will not strike the sides of the shaft.

56.19–81 Conveyances not in use should be released and raised or lowered at least 10 feet from the floor of the landing.

SIGNALING

56.19–90 *Mandatory-SGCS.* There shall be at least two effective approved methods of signaling between each of the shaft stations and the hoist room, one of which shall be a telephone or speaking tube.

56.19–91 Hoistmen should not accept hoisting instructions by telephone unless the regular signaling systems are out of order. During such an emergency one person should be designated to direct movement of the conveyance.

56.19–92 A method should be provided to signal hoist operators from within conveyances at any point in the shaft.

56.19–93 A standard code of hoisting signals should be adopted and used at each mine.

56.19–94 *Mandatory-SGCS.* A legible signal code shall be posted prominently in the hoist house within easy view of the hoistmen, and at each place where signals are given or received.

56.19–95 Hoisting signal devices should be maintained within easy reach of men on the shaft bottom during sinking operation.

56.19–96 *Mandatory-SGCS.* Any person responsible for receiving or giving signals for cages, skips, and mantrips when men or materials are being transported shall be familiar with the posted signaling code.

SHAFTS

56.19–105 *Mandatory-SGCS.* Shaft landings shall be equipped with substantial safety gates so constructed that materials will not go through or under them; gates shall be closed except when loading or unloading shaft conveyances.

56.19–106 *Mandatory-SGCS.* Positive stopblocks or a derail switch shall be installed on all tracks leading to a shaft collar or landing.

56.19–107 Guides should be provided in each hoisting compartment in shafts inclined more than 45° from the horizontal.

56.19–108 Dumping facilities should be so constructed as to minimize spillage into the shaft.

56.19–109 Adequate clearance should be maintained at shaft stations to allow men to pass safely and to allow materials to be handled safely.

56.19–110 *Mandatory-SGCS.* A safe means of passage around open shaft compartments shall be provided on landings with more than one entrance to the shaft.

56.19–111 Shaft timbers should be kept clean of rocks and other loose material.

56.19–112 *Mandatory-SGCS.* Hoistmen shall be informed when men are working in a compartment affected by that hoisting operation and a "Men Working in Shaft" sign shall be posted at the hoist.

56.19–113 "Men Working in Shaft" signs shall be posted at the signal devices at all active stations and landings when men are working in a compartment affected by that hoisting operation.

56.19–114 *Mandtory.* Shaft inspection and repair work shall be performed from substantial platforms equipped with bonnets or equivalent overhead protection.

56.19–115 *Mandatory-SGCS.* A substantial bulkhead or equivalent protection shall be provided above men at work deepening a shaft.

56.19–116 Substantial fixed ladders should be maintained as near the shaft bottom as practical during shaft-sinking operations. Chain, wire rope, or other extension ladders should be used from the fixed ladder to the shaft bottom.

INSPECTION AND MAINTENANCE

56.19–125 *Mandatory-SGCS.* A systematic procedure of inspection, testing, and maintenance of shafts and hoisting equipment shall be developed and followed. If it is found or suspected that any part is not functioning properly, the hoist shall not be used until the malfunction has been located and repaired or adjustments have been made.

56.19–126 Complete records should be kept of installation, lubrication, inspection, tests, and maintenance of shafts and hoisting equipment.

56.19–127 Parts used to repair hoists should have properties equal to or better than the original parts; replacement parts should be designed to fit the original installation.

56.19–128 Ropes should be kept well lubricated from end to end as recommended by the manufacturer.

56.19–129 Ropes should be cut off and reconnected to the conveyance as often as necessary to assure adequate inspection of rope condition and to effectively distribute wear of the rope. At least 6 feet should be cut from the rope above the highest connection; this portion should be examined carefully for corrosion, damage, wear, and fatigue by the rope manufacturer or an equally competent agency.

56.19–130 Hoisting ropes would in multiple layers should be cut off and repositioned on the drum at regular intervals as necessary to effectively distribute wear of the rope. The length of the cutoff at the drum end should be greater than, but not an even multiple of, the circumference of the drum.

56.19–131 Ropes should be calipered at regular intervals as necessary to effectively determine the rate of wear and damage. Caliper measurements should be taken:

(a) Immediately above the socket or clips and above the safety connections;

(b) Where the ropes rest on the sheaves;

(c) Where the ropes leave the drums when the conveyances are at the regular stopping points;

(d) Where a layer of rope begins to overlap another layer on the drum.

56.19–132 Electromagnetic or other nondestructive rope testing systems should be used only as supplements to and not as substitutes for recommended inspections and tests.

56.19–133 *Mandatory-SGCS.* Ropes shall not be used for hoisting when they have:

(a) More than six broken wores in any lay;

(b) Crown wires worn to less than 65 percent of the original diameter;

(c) A marked amount of corrosion or distortion;

(d) A combination of similar factors individually less severe than those above but which in aggregate might create an unsafe condition.

56.19–134 *Mandatory.* Hoistman shall examine their hoist and shall test overtravel, overspeed, and deadman controls, position indicators, and braking mechanisms at the beginning of each shift.

56.19–135 Empty conveyances should be operated up and down shafts at least one round trip before hoisting men after any shaft or equipment repairs and before regular man trips are hoisted or lowered.

56.19–136 Rope and conveyance connections to conveyances should be inspected daily.

56.19–137 Safety catches should be inspected daily; drop tests should be made at the time of installation. Every 2 months the cage should be rested on chairs or proper blocking to check the operation or activation of the safety catches by allowing the rope to slacken suddenly.

56.19–138 Shafts should be inspected at least weekly.

56.19–139 Sheaves should be inspected daily and kept properly lubricated.

56.19–140 Rollers used in inclined shafts should be lubricated, properly alined, and kept in good repair.

§ 56.20 Miscellaneous.

56.20–1 *Mandatory-SGCS.* Intoxicating beverages and narcotics shall not be permitted or used in or around mines. Persons under the influence of alcohol or narcotics shall not be permitted on the job.

56.20–2 *Mandatory-SGCS.* Potable water shall be available to all employees during working hours.

56.20–3 Good housekeeping should be practiced in and around a mine.

56.20–4 Men should not engage in horseplay.

56.20–5 *Mandatory-SGCS.* Carbon tetrachloride shall not be used.

56.20–6 Protruding nails which may cause injury should be removed or completely bent over.

56.20–7 Employees should be constantly alert to the potential of accidents on their jobs.

56.20–8 Toilet facilities should be provided at convenient locations and should be kept clean and sanitary.

56.20–9 *Mandatory-SGCS.* Dusts suspected of being explosive shall be tested for explosibility. If tests prove positive, appropriate control measures shall be taken.

56.20–10 *Mandatory-SGCS.* If failure of a water or silt retaining dam will create a hazard, it shall be of substantial construction and inspected at regular intervals.

§ 56.21 Savings provision.

56.21–1 Unless otherwise specified herein, nothing contained in these standards shall prevent the continued utilization of equipment, facilities or structures, including mine workings, now in use, which fail in whole or in part to meet the requirements of these standards, *Provided:*

(a) That such equipment, facilities, and structures are utilized in a safe manner and are maintained in safe condition.

(b) That any equipment, facilities, and structures which do not meet the mandatory specifications and safety standards set forth herein shall not be used after January 1, 1972, unless modified to conform to such standards.

(c) That all replacements of or additions to existing equipment, facilities, or structures made after the effective date of these standards shall conform to such standards.

56.21–2 Nothing contained in § 56.21–1 above shall be construed to conflict with, or limit the authority granted by the Act to the Bureau to issue orders pursuant to section 8(a) of the Act.

56.21–3 Nothing contained in § 56.21–1 above, shall be construed to limit or conflict with any standards contained herein which prohibit specific unsafe work procedures or which require specific safe work procedures to be followed.

[F.R. Doc. 69-477; Filed, Jan. 15, 1969; 8:45 a.m.]

[30 CFR Part 57]

METAL AND NONMETALLIC UNDERGROUND MINES

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior under the Federal Metal and Nonmetallic Mine Safety Act (80 Stat. 772, 30 U.S.C. 721–740, Supp. III) to promulgate health and safety standards for the purpose of the protection of life, the promotion of health and safety, and the prevention of accidents in metal and nonmetallic mines, it is proposed to add a new Part 57 to Title 30, Code of Federal Regulations, relating to underground mines. The standards set forth in Part 57 have been developed in conjunction with the Underground Mining Advisory Committee appointed pursuant to section 7 of the Act.

Scope. The standards set forth in Part 57 would be applicable to those metal and nonmetallic mines at which mining operations are conducted by underground methods. The regulations in Part 57 would not be applicable to the mining of sand, gravel, crushed stone, or to open pit mining of metal and nonmetallic minerals; these mines would be covered by standards set forth in new Parts 55 and 56 of Title 30, Code of Federal Regulations.

Specific designation of mandatory standards. Each standard which would be a mandatory standard is so designated by the word "Mandatory" which appears at the beginning of the section in which the standard is prescribed. If the Underground Mining Advisory Committee has recommended that a standard be mandatory, the standard will be preceded by the word "Mandatory" and the letters "UAC" in this manner—"Mandatory-UAC."

In accordance with the provisions of section 6 of the Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. 725) interested persons are hereby afforded a period of 60 days after the date of publication in the FEDERAL REGISTER of proposed Part 57 in which to submit written data, views, or arguments respecting the proposed standards contained in Part 57. Communications should be addressed to the Director, Bureau of Mines, Department of the Interior, Washington, D.C. 20240.

Subject to the provisions of subsection (e) of section 6 and in accordance with the provisions of subsection (d) of section 6 of the Act (30 U.S.C. 725(d)) on or before the last day of the 60-day period fixed for the submission of written data, views, or arguments, any person who may be adversely affected by a proposed health and safety standard which is designated as a mandatory standard and which has not been recommended as a mandatory standard by the Underground Mining Advisory Committee may file with the Secretary of the Interior written objections thereto stating the grounds for such objection and requesting a public hearing (subject to the provisions of the Administrative Procedure Act) on such objections.

Pursuant to the provisions of subsection (e) of section 6 of the Act (30 U.S.C. 725(e)) proposed mandatory standards which have been recommended as mandatory by the Underground Mining Advisory Committee are not subject to hearings. Only those proposed standards which have not been recommended by the Underground Mining Advisory Committee as mandatory are subject to hearings.

The new proposed Part 57 is set forth below.

DAVID S. BLACK,
Under Secretary of the Interior.

JANUARY 9, 1969.

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§ 57.1 Purpose and scope.

The regulations in this part are promulgated pursuant to section 6 of the Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. 725) and prescribe health and safety standards for underground metal and nonmetallic mines which are subject to that act. Each standard which is preceded by the word "Mandatory" is a mandatory standard. The violation of a mandatory standard will subject an operator to an order or notice under section 8 of the act (30 U.S.C. 727). Those regulations in each subpart appearing under the heading "General—Surface and Underground" apply both to the underground and surface operations of underground mines; those appearing under the heading "Surface Only" apply only to the surface operations of underground mines; those appearing under the heading "Underground Only" apply only to the underground operations of underground mines.

§ 57.2 Definitions.

As used in this part:

"Abandoned mine" means all work has stopped on the mine premises and an office with a responsible person in charge is no longer maintained at the mine.

"Abandoned workings" means deserted mine areas in which further work is not intended.

"Active workings" means areas at, in, or around a mine or plant where men work or travel.

"Approved" means tested and accepted for a specific purpose by a nationally recognized agency.

"Auxiliary fan" means a fan used to deliver air to a working place off the main airstream; generally used with ventilation tubing.

"Barricaded" means obstructed to prevent the passage of persons, vehicles, or flying materials.

"Berm" means a pile or mound of material capable of stopping a vehicle.

"Blasting agent" means any material or mixture of a fuel and oxidizer intended for blasting, not otherwise classified as an explosive, and in which none of the ingredients is classified as an explosive (provided that the material or mixture cannot be detonated by a No. 8 test blasting cap under the conditions specified for the cap sensitivity test).

"Blasting area" means the area near blasting operations in which concussion or flying material can reasonably be expected to cause injury.

"Blasting cap" means a detonator containing a charge of detonating compound, which is ignited by electric current or the spark of a fuse. Used for detonating explosives.

"Blasting circuit" means electric circuits used to fire electric detonators or to ignite an igniter cord by means of an electric starter.

"Blasting switch" means a switch used to connect a power source to a blasting circuit.

"Booster fan" means a fan installed in the main airstream or a split of the main airstream to increase airflow through a section or sections of a mine.

"Box-type underground distribution storage magazine" means a small, portable, box-type magazine used as a temporary storage place for limited quantities of explosives or detonators near working faces, which meets the specifications set forth in § 57.7–27.

"Cager or cage tender" means a person working at the top of the shaft or at an intermediary level inside the mine who directs station operations and the movement of the conveyance used to raise and lower men, materials, and supplies between various levels and the surface.

"Capped fuse" means a length of safety fuse to which a detonator has been attached.

"Combustible" means capable of being ignited and consumed by fire.

"Company official" means a member of the company supervisory or technical staff.

"Competent person" means a person having abilities and experience that fully qualify him to perform the duty to which he is assigned.

"Detonating fuse" means a round flexible cord containing a center core of high explosives.

"Detonator" means a device used for detonating an explosive, including, but not limited to, blasting caps, exploders, percussion caps, primers, electric detonators, and delay electric blasting caps.

"Distribution box" means a portable apparatus with an enclosure through which an electric circuit is carried to one or more cables from a single incoming feed line; each cable circuit being connected through individual overcurrent protective devices.

"Electric blasting cap" means a blasting cap designed for and capable of being initiated by means of an electric current.

"Electrical grounding" means to connect with the ground to make the earth part of the circuit.

"Employee" means a person who works for wages or salary in the service of an employer.

"Employer" means a person or organization which hires one or more persons to work for wages or salary.

"Escapeway" means a passageway by which persons may leave if the ordinary exit is obstructed.

"Explosive" means any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion. Explosives include, but are not limited to black powder, dynamite, nitroglycerin, fulminate, and ammonium nitrate when mixed with a hydrocarbon.

"Face or bank" means that part of any mine where excavating is progressing or was last done.

"Flammable" means capable of being easily ignited and of burning rapidly.

"Flammable gas" means methane, or mixtures of methane and other saturated hydrocarbon gases that may occur naturally as strata gases.

"Flammable liquid" means liquid having a flash point below 140° F. and having a vapor pressure not exceeding 40 p.s.i. (absolute) at 100° F.

"Flash point" means the minimum temperature at which sufficient vapor is released by a liquid or solid to form a flammable vapor-air mixture at atmospheric pressure.

"Highway" means any public street, public alley or public road.

"High potential" means more than 650 volts.

"Hoist" means a power-driven windlass or drum used for raising ore, rock, or other material from a mine, and for lowering or raising men and material.

"Igniter cord" means a fuse, cordlike in appearance, which burns progressively along its length with an external flame at the zone of burning, and is used for lighting a series of safety fuses in the desired sequence.

"Incline" means any inclined plane, whether above or beneath the surface.

"Inhabited building" means a building regularly occupied in whole or in part as a habitation for human beings or any church, schoolhouse, railroad station, store, or other structure where people are accustomed to assemble, except any building or structure occupied in connection with the manufacture, transportation, storage, or use of explosives.

"Lay" means the distance parallel to the axis of the rope in which a strand makes one complete turn about the axis of the rope.

"Low potential" means 650 volts or less.

"Magazine" means a storage place for explosives or detonators.

"Main fan" means a fan that controls the entire airflow of the mine, or the airflow of one of the major air circuits.

"Main underground distribution storage magazine" means the main place of storage for explosives or detonators underground, which meets the specifications set forth in § 57.7–25, and from which explosives and detonators are distributed to secondary underground magazines or box-type underground distribution storage magazines.

"Major electrical installation" means an assemblage of stationary electrical equipment for the generation, transmission, distribution, or conversion of electrical power.

"Manlift" means a power driven vertical belt having regularly spaced steps which can be boarded by men and used to travel from one elevation to another.

"Man trip" means a trip on which men are transported to and from a work area.

"Mill" includes any ore mill, sampling works, concentrator, and any crushing, grinding, or screening plant used at, and in connection with, an excavation or mine.

"Mine opening" means any opening or entrance from the surface into a mine.

"Misfire" means the complete or partial failure of a blasting charge to explode as planned.

"Overburden" means material of any nature, consolidated or unconsolidated, that overlies a deposit of useful materials or ores that are to be mined.

"Permissible" means a machine, material, apparatus, or device which has been investigated, tested, and approved by the Bureau of Mines, and maintained in permissible condition.

"Potable" means fit for drinking.

"Primer" means a package or cartridge of explosives with a detonator.

"Reverse-current protection" means a method or device used on direct-current circuits or equipment to prevent the flow of current in the reverse direction.

"Roll protection" means a framework, safety canopy or similar protection for the operator when equipment overturns.

"Safety can" means an approved container, of not over 5 gallons capacity, having a spring-closing lid and spout cover.

"Safety fuse" means a train of powder enclosed in cotton, jute yarn, and water-proofing compounds, which burns at a uniform rate; used for firing a cap containing the detonating compound which in turn sets off the explosive charge.

"Safety switch" means a sectionalizing switch that also provides short circuit protection in blasting circuits between the blasting switch and the shot area.

"Scaling" means removal of insecure material from a face or highwall.

"Secondary safety connection" means a second connection between a conveyance and rope, intended to prevent the conveyance from running away or falling in the event the primary connection fails.

"Secondary underground distribution storage magazine" means a place for storage of explosives or detonators on an underground working level, which meets the specifications set forth in § 57.7–26.

"Semiconductive hose" means hose having an electrical resistance of not less than 5,000 ohms per foot and not more than 2 megohms for its total length, used in pneumatic placement of blasting agents in boreholes.

"Shaft" means a vertical or inclined shaft; a slope, incline or winze.

"Sprung hole" means a blasting hole chambered or enlarged to take an increased charge of explosives.

"Stemming" means the inert material, and the placing of such material, on top of a charge of explosives.

"Stray current" means that portion of a total electric current that flows through paths other than the intended circuit.

"Substantial construction" means construction of such strength, material, and workmanship that the object will withstand all reasonable shock, wear, usage, and deterioration to which it will be subjected.

"Suitable" means that which fits, and has the qualities or qualifications to meet a given purpose, occasion, condition, function, or circumstance.

"Threshold limit values" refers to airborne concentrations of substances and represents conditions under which it is believed that nearly all workers may be repeatedly exposed for a full shift, day after day, without adverse effect.

"Travelway" means a passage, walk or way regularly used and designated for persons to go from one place to another.

"Trip light" means a light displayed on the opposite end of a train from the locomotive or engine.

"Wet drilling" means the continuous application of water through the central hole of hollow drill steel to the bottom of the drill hole.

"Working place" means any place in or about a mine where work is being performed.

§ 57.3 Ground control.

SURFACE ONLY

57.3–1 *Mandatory*. Standards acceptable to the Secretary for the safe control of pit walls, including the overall slope of the pit wall, shall be established and followed by the operator. Such standards shall be consistent with prudent engineering design, the nature of the ground and the kind of material and mineral mined, and the ensuring of safe working conditions according to the degree of slope. Mining methods shall be selected which will ensure wall and bank stability, including benching as necessary to obtain a safe overall slope.

57.3–2 *Mandatory-UAC*. Loose unconsolidated material shall be stripped for a safe distance, but in no case less than 10 feet, from the top of pit or quarry walls, and the loose unconsolidated material shall be sloped to the angle of repose.

57.3–3 *Mandatory-UAC*. To ensure safe operation, the width and height of benches shall be governed by the type of equipment to be used and the operation to be performed.

57.3–4 *Mandatory-UAC*. Safe means for scaling pit banks shall be provided. Where power shovels are used for scaling, banks shall be limited to heights that can be scaled with the shovel buckets. Exposed bank areas shall be scaled before any other work is performed in the exposed bank areas.

57.3–5 *Mandatory-UAC*. Men shall not work near or under dangerous banks. Overhanging banks shall be taken down immediately and other unsafe ground conditions shall be corrected promptly, or the areas shall be barricaded and posted.

57.3–6 *Mandatory-UAC*. Men shall approach loose rock and areas to be scaled from above and shall scale from a safe location.

57.3–7 Baffleboards, screens, cribbing, or other suitable means should be provided to prevent movement of material into cuts developed into steep hillsides.

57.3–8 *Mandatory-UAC*. The supervisor or a competent person designated by him, shall examine working areas and faces for unsafe conditions at least at the beginning of each shift and after blasting. Any unsafe condition found shall be corrected before any further work is performed at the immediate area or face at which the unsafe condition exists.

57.3–9 *Mandatory-UAC*. Men shall examine their working places before starting work and frequently thereafter and any unsafe condition shall be corrected.

57.3–10 Banks, benches, and terrain sloping into the working areas should be examined after every rain, freeze, or thaw before men work in such areas.

57.3–11 Large boulders requiring secondary blasting should be in a safe location before they are drilled or broken.

57.3–12 *Mandatory-UAC*. Men shall not work between equipment and the pit wall or bank where the equipment may hinder escape from falls or slides of the bank.

57.3–13 Rock-bolt installations, where used, should be in accordance with recommendations of the Bureau of Mines or other competent agency.

UNDERGROUND ONLY

57.3–20 *Mandatory-UAC*. Ground support shall be used if the operating experience of the mine, or any particular area of the mine, indicates that it is required. If it is required, support, including timbering, rock bolting, or other methods shall be consistent with the nature of the ground and the mining method used.

57.3–21 Men should be trained in the proper methods of testing for, taking down, and supporting loose ground.

57.3–22 *Mandatory-UAC*. Miners shall examine and test the back, face, and ribs of their working places at the beginning of each shift and frequently thereafter. Supervisors shall examine the ground conditions during daily visits to insure that proper testing and ground control practices are being followed. Loose ground shall be taken down or adequately supported before any other work is done. Ground conditions along haulageways and travelways shall be examined periodically and scaled or supported as necessary.

57.3–23 A scaling bar of proper length and blunt on one end should be provided at each working face.

57.3–24 Picks or other short tools that would place the user in danger of falling rock should not be used for barring down.

57.3–25 Timbers should be blocked tightly.

57.3–26 Damaged or dislodged timbers which create a hazardous condition should be repaired or replaced promptly.

57.3–27 Temporary ground support should be installed as needed.

57.3–28 When necessary, permanent, or temporary ground support should be installed near enough to the bottom of the shaft during shaft sinking to prevent falls of rocks from the sides of the shaft.

57.3–29 Shaft pillars should have sufficient strength to protect operating shafts.

57.3–30 Rock-bolt installations should be installed in a manner to provide safe and effective ground support.

57.3–31 Rock-bolting material should meet the applicable standards of the United States of America Standards Institute.

57.3–32 When needed, rock bolts should be installed as soon as possible after an area is exposed.

57.3–33 Torque meters should be available at mines where rock bolts are used for ground support. Periodic tests should be made to determine if bolts meet recommended torque.

§ 57.4 Fire prevention and control.

GENERAL—SURFACE AND UNDERGROUND

57.4–1 *Mandatory-UAC*. No person shall smoke or use an open flame where oil, grease, flammable solvents, liquids, fluids, or other flammable materials are stored, transported, handled, or used, nor within an unsafe distance or any area or place where such practices may cause a fire or explosion.

57.4–2 *Mandatory-UAC*. Signs warning against smoking and open flames shall be posted so they can be readily seen in areas or places where fire or explosion hazards exist.

57.4–3 Areas surrounding flammable-liquid-storage tanks and electric substations and transformers should be kept free from grass (dry), weeds, underbrush, and other combustible materials for at least 25 feet in all directions.

57.4–4 *Mandatory-UAC*. Flammable liquids shall be stored in accordance with standards of the National Fire Protection Association or other recognized agencies approved by the Bureau of Mines. Small quantities of flammable liquids drawn from storage shall be kept in appropriately labeled safety cans.

57.4–5 Unburied flammable-liquid storage tanks should be mounted securely on firm foundations. Outlet piping should be provided with flexible connections or other special fittings to prevent adverse effects from tank settling.

57.4–6 Buildings or rooms in which oil, grease, flammable liquids, or similar flammable materials are stored should be of fire-resistant construction and well ventilated.

57.4–7 Means should be provided to confine, remove, control, or drain away spilled or flowing flammable liquids.

57.4–8 *Mandatory-UAC*. Fuel lines shall be equipped with valves to cut off fuel at the source and shall be located and maintained to minimize fire hazards.

57.4–9 *Mandatory-UAC*. All heat sources, including lighting equipment, capable of producing combustion shall be insulated or isolated from combustible materials.

57.4–10 *Mandatory-UAC*. Power wires and cables shall be adequately insulated where they pass through doors or walls or where they present a fire hazard.

57.4–11 *Mandatory-UAC*. Abandoned electrical circuits shall be deenergized and isolated so that they cannot become energized inadvertently.

57.4–12 Combustible materials, grease, lubricants, or flammable liquids should not be allowed to accumulate where they can create a fire hazard.

57.4–13 Materials such as oily waste and rags, which are subject to spontaneous combustion should be placed in tightly covered metal containers until disposed of properly.

57.4–14 *Mandatory-UAC*. Solvents with flash points lower than 100° F. (38° C.) shall not be used for cleaning.

57.4–15 *Mandatory-UAC*. Solvents shall not be used near an open flame or other ignition source, or near any source of heat, or in an atmosphere that can elevate the temperature of the solvent above the flash point.

57.4–16 Drip pans should be provided to catch leakage or spillage when oil or flammable liquids are dispensed in a place or manner which may create a hazard.

57.4–17 Floors around drip pans should be covered with sand or other suitable noncombustible material and such sand or material should be replaced as necessary.

57.4–18 *Mandatory-UAC*. Oxygen cylinders shall not be stored near oil or grease.

57.4–19 *Mandatory-UAC*. Gauges and regulators used with oxygen or acetylene cylinders shall be kept clean and free of oil and grease.

57.4–20 *Mandatory-UAC*. Battery-charging stations shall be located in well ventilated areas.

57.4–21 *Mandatory-UAC*. Internal combustion engines, except diesels, shall be shut off and stopped before being fueled.

57.4–22 *Mandatory-UAC*. Each mine shall have available or be provided with suitable firefighting equipment adequate for the size of the mine.

57.4–23 *Mandatory-UAC*. Firefighting equipment shall be strategically located, readily accessible, plainly marked, properly maintained, and inspected periodically. Records shall be kept of such inspections.

57.4–24 Fire extinguishers should be:

(a) Of the appropriate type for the particular fire hazard involved.

(b) Adequate in number and size for the particular fire hazard involved.

(c) Replaced immediately with fully charged extinguishers after any discharge is made from the extinguisher.

(d) Inspected, tested, and maintained at regular intervals according to the manufacturer's recommendations.

(e) Approved by the Underwriter's Laboratories, Inc., or other competent testing agency acceptable to the Bureau of Mines.

57.4–25 Fire hydrants should be:

(a) Of a standard type to fit the hose equipment of local fire departments. Adapters should be provided if necessary.

(b) Provided with readily available wrenches or keys to open the valves.

57.4–26 Water pipes, valves, outlets, hydrants, and hoses designated for firefighting purposes should be inspected and tested every 3 months.

57.4–27 Suitable fire extinguishers should be provided on self-propelled mobile equipment with enclosed cabs.

57.4–28 Suitable fire extinguishers should be an integral part of portable cutting and welding equipment.

57.4–29 *Mandatory-UAC*. When welding or cutting near combustible materials, suitable precautions shall be taken to insure that smoldering metal or sparks do not result in a fire.

57.4–30 Employees should be trained in the use of firefighting equipment.

57.4–31 A firefighting organization should be established, equipped, and trained in firefighting; drills should be held at least twice a year.

57.4–32 All employees should be instructed on current escape and evacuation plans, fire alarm signals, and applicable procedures to be followed in case of fire.

57.4–33 *Mandatory-UAC*. Valves on oxygen and acetylene tanks shall be kept closed when the contents are not being used.

57.4–34 Belt-conveyors in locations where fire would create a hazard to personnel should be provided with safety switches to stop the drive pulley automatically in the event of excessive slippage.

SURFACE ONLY

57.4–40 Fire-alarm systems adequate to warn all employees should be provided and maintained in operating condition.

57.4–41 Two exits should be provided where men work or congregate.

57.4–42 Timber or other combustible materials in excess of 1 day's supply should not be stored within 100 feet of mine ventilation fans or mine openings, except where physical conditions do not permit.

57.4–43 Buildings and other structures within 100 feet of mine openings should be fire-resistant.

57.4–44 Areas surrounding main fan installations and other mine openings should be kept free from grass, weeds, underbrush, and other combustible materials for a safe distance in all directions.

57.4–45 Blacksmith shops should be:

(a) A safe distance from mine openings and not in buildings or snowsheds adjoining mine openings.

(b) Of fire-resistant construction.

(c) Well ventilated and equipped with exhaust hoods over the forge and welding areas.

(d) Occupied when the forge fire is burning.

(e) Inspected carefully for smoldering fires at the end of the shaft.

57.4–46 *Mandatory-UAC*. Gasoline, diesel fuel, liquefied petroleum gases, and other flammable liquids when not buried, shall not be stored within 100 feet of the following:

(a) Mine openings.

(b) Buildings or snowsheds connected to mine openings.

(c) Fan installations or housings.

(d) Hoist houses.

UNDERGROUND ONLY

57.4–50 *Mandatory-UAC*. Specific escape and evacuation plans shall be established and kept current. Escape routes shall be marked plainly.

57.4–51 *Mandatory-UAC*. Fire-alarm systems adequate to warn all employees shall be provided and maintained in operating condition.

57.4–52 *Mandatory-UAC*. Gasoline shall not be taken, stored, or used underground.

57.4–53 *Mandatory-UAC*. The use of liquid petroleum gases shall be limited to maintenance work.

57.4–54 *Mandatory-UAC*. Oil, grease, or diesel fuel stored underground shall be kept in suitable tightly sealed containers in fire-resistant areas, at safe distances from explosives' magazines, electrical installations, and shaft stations.

57.4–55 Transformer stations, pump rooms, compressor rooms, and similar installations should be in fire-resistant areas.

57.4–56 Oil or fuel storage areas should not be located in main ventilation airways.

57.4–57 Trailing cables should be fire-resistant.

57.4–58 *Mandatory-UAC*. Fires shall not be built underground; open-flame torches and candles shall not be left unattended.

57.4–59 Welding or cutting should be done in fire-resistant locations whenever possible. When welding or cutting near combustible materials, the surrounding areas should be wet down thoroughly before and after the work is done, and a fire patrol of the area should be maintained afterward for at least 8 hours.

57.4–60 Power circuits should be deenergized in all areas on idle shifts or idle days, except where power is required. These required circuits should be protected with minimum-capacity fuses.

57.4–61 Fire doors should be provided at shaft stations or other appropriate locations to prevent the spread of smoke or gas; the doors should be equipped with latches operable from both sides.

57.4–62 Timbered mine entrances should be fire resistant for at least 200 feet inside the mine portal or collar or provided with fire protection adequate to control a fire for at least 200 feet inside the mine portal or collar.

57.4–63 Waterline outlets should be located so as to be accessible if a fire is at a station.

57.4–64 All air lines in timbered mines should be readily convertible into waterlines if a water supply is available, unless the air lines are paralleled by waterlines.

57.4–65 *Mandatory-UAC*. Noncombustible barriers shall be installed below welding or burning operations in or over a shaft, raise, or winze.

57.4–66 Adequate fire extinguishers or equivalent fire protection should be provided at the head, tail, and drive pulleys of belt conveyors and at suitable intervals along the belt line.

57.4–67 A mine rescue station equipped with at least 10 sets of approved and properly maintained 2-hour self-contained breathing apparatus, adequate supplies, and spare parts should be maintained at mines employing 75 or more men underground or, in lieu thereof, the mine should be affiliated with a central mine rescue station.

57.4–68 Mines at which individual mine rescue stations are not maintained should affiliate with central or cooperative mine rescue stations.

57.4–69 *Mandatory-UAC*. Approved mine rescue apparatus shall be properly maintained for immediate use. The equipment shall be tested at least once a month and records kept of the tests.

57.4–70 At least two rescue crews (10 men) should be trained annually in the use, care, and limitation of self-contained breathing and firefighting apparatus and in mine-rescue procedures at mines employing 75 or more men. Smaller mines should have one or more trained men available.

57.4–71 Rescue crews should include supervisory and key personnel familiar with all mine installations that could prove vital to firefighting and rescue operations.

57.4–72 Only trained mine rescue men should participate in firefighting operations in advance of the fresh air base.

§ 57.5 Air quality.

GENERAL—SURFACE AND UNDERGROUND

57.5–1 *Mandatory-UAC*. Where airborne concentrations of dust, gas, mist and fumes are encountered which exceed threshold limit values adopted by the American Conference of Governmental Hygienists, and persons are exposed to such concentrations, control measures shall be adopted to maintain concentrations below such threshold limit values.

57.5–2 *Mandatory-UAC*. Dust, gas, mist, and fume surveys shall be conducted as frequently as necessary to determine the adequacy of control measures.

57.5–3 *Mandatory-UAC*. Holes shall be collared and drilled wet, or other efficient dust control measures shall be used when drilling non-water-soluble materials. Efficient dust control measures shall be used when drilling water-soluble materials.

57.5–4 Muck piles, haulage roads, rock transfer points, crushers, and other points where dust is produced should be wet down at the beginning of the shift and thereafter as necessary, unless dust is controlled adequately by other methods.

57.5–5 *Mandatory-UAC*. Bureau of Mines approved respirators shall be worn for protection against short-term exposures to concentrations of substances in excess of threshold limit values. Where a concentration of a substance is encountered for which a respirator has not been approved by the Bureau of Mines, respirators developed and tested by an agency or organization acceptable to the Bureau shall be used. Where an approved or acceptable respirator is not available no person shall enter or be exposed to concentrations in excess of threshold limit values. Except as provided in this section, use of respirators shall not be substituted for regular control measures.

SURFACE ONLY

57.5–10 *Mandatory-UAC*. Atmospheres where persons work (including equipment cabs) shall contain:

(a) At least 20 percent oxygen.

(b) Not more than 0.005 percent carbon monoxide, 0.5 percent carbon dioxide, and 5 parts per million nitrogen dioxide or other threshold limit values for these gases adopted by the American Conference of Governmental Industrial Hygienists.

(c) No harmful quantities of other gases, fumes, or mists as determined by threshold limit values established by the American Conference of Governmental Industrial Hygienists.

UNDERGROUND ONLY

57.5–15 Atmospheres in all active areas should contain at least 20 percent oxygen.

57.5–16 *Mandatory-UAC*. Atmospheres in all active areas shall contain:

(a) Not more than 0.005 percent carbon monoxide, 0.5 percent carbon dioxide, and 5 parts per million nitrogen dioxide, or other threshold limit values for these gases adopted by the American Conference of Governmental Industrial Hygienists.

(b) No harmful quantities of other gases, fumes, or mists as determined by threshold limit values established by the American Conference of Governmental Industrial Hygienists.

§ 57.6 Ventilation and radiation.

VENTILATION

UNDERGROUND ONLY

57.6-1 *Mandatory.* Mines shall be provided with mechanically induced primary ventilation.

57.6-2 Main fans should be installed on the surface; if it is necessary to locate them underground, they should be in fire-resistant areas and should be provided with remote controls.

57.6-3 *Mandatory-UAC.* Fan housings and air ducts connecting main fans to underground openings shall be fire-resistant.

57.6-4 Separate mine openings should be provided for main intake and return air currents. A multiple compartment shaft does not constitute separate mine openings.

57.6-5 *Mandatory-UAC.* Precautions shall be taken to ensure that mine intake air is below the 8-hour weighted average allowable threshold limit of contaminants. (Reference * * *.)

57.6-6 Main fans should be inspected and maintained properly.

57.6-7 Instruments should be provided to test the mine atmosphere quantitatively for carbon monoxide, nitrogen dioxide, and other gases that occur in the mine. Tests should be conducted as frequently as necessary to assure that the required quality of air is maintained.

57.6-8 Flame safety lamps or other suitable devices should be used to test for acute oxygen deficiency.

57.6-9 *Mandatory-UAC.* Unventilated areas shall be sealed, or barricaded and posted against entry.

57.6-10 Ventilation tubing should be installed so that the air current sweeps the face areas effectively. Maximum distance of the end of the tubing from the face generally should be 30 feet for blowing and 6 feet for exhausting.

57.6-11 Ventilation doors not operated mechanically should be hung so that they are self-closing, and installed so as to remain closed regardless of the direction of air current.

57.6-12 *Mandatory.* Internal combustion engines other than Bureau of Mines approved diesels shall not be used underground and they shall be operated in a permissible manner and maintained in permissible condition.

RADIATION

UNDERGROUND ONLY

57.6-18 *Mandatory-UAC.* Mine atmospheres shall be sampled to determine if hazardous atmosphere concentrations of radon daughters are present. Where potentially hazardous atmospheric concentrations are found, or known sources of radon exist, each active work area shall be sampled as often as necessary by a qualified person.

57.6-19 *Mandatory-UAC.* No employee shall be permitted to receive an exposure of more than 6 WLM (working level months) in any consecutive 3-month period and no more than 12 WLM in any consecutive 12-month period.

57.6-20 *Mandatory-UAC.* If samples show an atmospheric concentration of radon daughters of more than 1 working level, but less than 2 working levels, immediate corrective action shall be taken or the men shall be withdrawn. When concentrations higher than 2 working levels are indicated the men shall be withdrawn from the area until corrective action is taken and the radon-daughter atmospheric concentrations are reduced to 1 working level or less.

57.6-21 *Mandatory-UAC.*

(a) Where uranium is mined, if measurements in areas indicate exposure to concentrations of radon daughters in excess of 0.3 working level, complete individual exposure records shall be kept for all employees entering these areas.

(b) Where uranium is not mined, if three consecutive measurements taken in areas at least 8 hours but not more than 24 hours between measurements exceed 0.3 working level, complete individual exposure records shall be kept for all employees entering these areas. If complete individual exposure records covering 3 consecutive months indicate cumulative exposures of less than 1 WLM during the 3-month period, exposure records need no longer be kept.

57.6-22 *Mandatory-UAC.* Smoking shall be prohibited where uranium is mined.

57.6-23 *Mandatory-UAC.* The most recent radiation exposure standards established by the Federal Radiation Council and approved by the President shall be considered authoritative guidance in preventing occupational disease or injury from exposure to ionizing radiation.

57.6-24 *Mandatory.* On and after January 1, 1971, no employee shall be permitted to receive an exposure of more than 4 WLM in any consecutive 12-month period.

§ 57.7 Explosives.

STORAGE

GENERAL—SURFACE AND UNDERGROUND

57.7-1 *Mandatory-UAC.* Detonators, explosives, and blasting agents shall be stored in magazines.

57.7-2 *Mandatory-UAC.* Separate magazines shall be provided for the storage of detonators and explosives.

57.7-3 *Mandatory-UAC.* Detonators shall not be stored in the same magazine with explosives or blasting agents.

57.7-4 Blasting agents, safety fuse, or detonating fuse may be stored with explosives.

57.7-5 *Mandatory.* Only enclosed and gasketed fixtures and wiring in conduit shall be used inside magazines that are illuminated electrically.

57.7-6 *Mandatory-UAC.* Electric switches shall be outside the magazines.

57.7-7 Areas surrounding magazines for not less than 25 feet in all directions should be kept free of rubbish and other combustibles.

57.7-8 *Mandatory-UAC.* Smoking and open flames shall not be permitted within 25 feet of explosives and detonator-storage magazines.

57.7-9 Cases of explosives should be stored in such a manner to assure the use of the oldest stock first.

57.7-10 *Mandatory-UAC.* Ammonium nitrate fuel-oil mixtures shall be physically separated from dynamite stored in the same magazine and in such a manner that oil does not contaminate the dynamite.

57.7-11 Cases of explosives should not be stored on their ends or sides.

57.7-12 Cases of explosives should not be stacked more than 6 feet high.

SURFACE ONLY

57.7-20 *Mandatory-UAC.* Magazines shall be:

(a) Located in accordance with the current American table of distances for storage of explosives.

(b) Detached structures located away from powerlines, fuel storage areas, and other possible sources of fire.

(c) Constructed substantially of noncombustible material or covered with fire-resistant material.

(d) Reasonably bullet resistant.

(e) Electrically bonded and grounded if constructed of metal.

(f) Made of nonsparking materials on the inside, including floors.

(g) Provided with adequate and effectively screened ventilation openings near the floor and ceiling.

(h) Kept locked securely when unattended.

(i) Posted with suitable danger signs so located that a bullet passing through the face of a sign will not strike the magazine.

(j) Used exclusively for storage of blasting agents, explosives, or detonators and kept free of all extraneous materials.

(k) Kept clean and dry in the interior, and in good repair.

(l) Unheated, unless heated in a manner that does not create a fire or explosion hazard. Electrical heating devices shall not be used inside a magazine.

UNDERGROUND ONLY

57.7-25 *Mandatory.* Main underground distribution storage magazines for explosives and detonators shall be:

(a) Of substantial construction and have only nonsparking materials on the inside including the floors.

(b) So situated that in the event a magazine catches fire or explodes, escape from the mine will not be cut off.

(c) Separated from haulageways by 25 feet of solid ground.

(d) Located, where possible or practical, so that fumes from fires or explosions will not be coursed to active mining areas.

(e) Provided with suitable warning signs at the entrance to the drift in which the magazine is situated and on the magazine itself.

57.7-26 *Mandatory.* Secondary underground distribution storage magazines for explosives and detonators shall be:

(a) Of substantial construction and have only nonsparking material on the inside including the floors.

(b) Located at least 200 feet from active working places or shafts, 10 feet from tracks or haulageways, 25 feet from trolley wires or powerlines and out of the line of blasts.

57.7-27 *Mandatory.* Box-type underground distribution storage magazines used to store explosives and detonators near working faces shall be constructed with only nonsparking material inside and equipped with covers or doors and shall be located out of the line of blasts.

57.7-28 Box-type underground distribution storage magazines should be used to store explosives and detonators near working faces and should be located not less than 50 feet from the face.

57.7-29 *Mandatory.* Secondary underground and box-type underground magazines shall be labeled suitably.

57.7-30 *Mandatory-UAC.* Detonator-storage magazines shall be of the same construction as explosives-storage magazines and shall be separated by at least 25 feet from explosives-storage magazines.

TRANSPORTATION

GENERAL—SURFACE AND UNDERGROUND

57.7-40 *Mandatory-UAC.* Explosives and detonators shall be transported in separate vehicles unless separated by 4 inches of hard wood or the equivalent.

57.7-41 *Mandatory-UAC.* When explosives and detonators are hauled by trolley locomotive, covered electrically insulated cars shall be used.

57.7-42 *Mandatory-UAC.* Self-propelled vehicles used to transport explosives or detonators shall be equipped with suitable fire extinguishers.

57.7-43 *Mandatory-UAC.* Vehicles containing explosives or detonators shall be posted with proper warning signs.

57.7-44 *Mandatory-UAC.* When vehicles containing explosives or detonators are parked, the brakes shall be set, the motive power shut off, and the vehicles shall be blocked securely against rolling.

57.7-45 *Mandatory-UAC.* Vehicles shall be attended, whenever practical and possible, while loaded with explosives or detonators.

57.7-46 Vehicles containing explosives or detonators should not be taken to a repair garage or shop for any purpose.

57.7-47 *Mandatory-UAC.* Vehicles containing explosives or detonators shall be maintained in good condition and shall be operated at a safe speed and in accordance with all safe operating practices.

57.7–48 *Mandatory-UAC.* Vehicles used to transport explosives other than anfo mixtures, shall have substantially constructed bodies, no sparking metal exposed in the cargo space, and shall be equipped with suitable sides and tail gates; explosives shall not be piled higher than the side or end enclosures.

57.7–49 Explosives should be transported at times and over routes that expose a minimum number of persons.

57.7–50 Explosives or detonators in open-bodied vehicles should be covered with fire and water retardant materials.

57.7–51 *Mandatory-UAC.* Other materials or supplies shall not be placed on or in the cargo space of a conveyance containing explosives or detonators.

57.7–52 *Mandatory-UAC.* Explosives or detonators shall not be transported on locomotives.

57.7–53 *Mandatory-UAC.* No person shall smoke while transporting or handling explosives or detonators.

57.7–54 *Mandatory-UAC.* Only the necessary attendants shall ride on or in vehicles containing explosives or detonators.

57.7–55 *Mandatory-UAC.* Explosives or detonators shall not be transported on man trips.

57.7–56 Explosives should be transported promptly without undue delays in transit.

57.7–57 *Mandatory-UAC.* Nonconductive containers with tight-fitting covers shall be used to transport or carry capped fuses and electric detonators to blasting sites.

57.7–58 *Mandatory-UAC.* Substantial-nonconductive closed containers shall be used to carry explosives to blasting sites.

SURFACE ONLY

57.7–65 *Mandatory-UAC.* Vehicles containing explosives or detonators shall not be left unattended except in blasting areas where loading or charging is in progress.

UNDERGROUND ONLY

57.7–75 Men assigned to and responsible for hoisting should be notified whenever explosives are being transported in a shaft conveyance.

57.7–76 *Mandatory-UAC.* Hoisting of ore, muck, or other materials in adjacent shaft compartments shall be stopped while explosives are being handled.

57.7–77 *Mandatory-UAC.* Vehicles used to transport explosives underground shall be of susbtantial construction, and have no spark-producing metal exposed on the inside.

57.7–78 Cars containing explosives should be pulled, except when hand-trammed.

USE

GENERAL—SURFACE AND UNDERGROUND

57.7–90 *Mandatory-UAC.* Persons who use explosives, blasting agents, or detonators shall be experienced men who understand the hazards involved; trainees shall do such work only under the supervision of and in the immediate presence of experienced men.

57.7–91 Blasting operations should be under the direct control of authorized persons.

57.7–92 *Mandatory-UAC.* Damaged or deteriorated explosives, blasting agents, and detonators shall be destroyed in a safe manner.

57.7–93 *Mandatory.* Explosives or detonators shall not be taken to the face or the immediate vicinity of the blasting site until all other work has been completed.

57.7–94 *Mandatory-UAC.* Holes to be blasted shall be charged as near to blasting time as practical and such holes shall be blasted as soon as possible after charging has been completed. In no case shall the time elapsing between the completion of charging to the time of blasting exceed 72 hours unless prior approval has been obtained from the Bureau of Mines.

57.7–95 *Mandatory-UAC.* No person shall smoke within 25 feet of explosives, blasting agents or detonators.

57.7–96 *Mandatory-UAC.* Explosives and blasting agents shall be kept separated from detonators until charging is started.

57.7–97 *Mandatory-UAC.* Primers shall be made up at the time of charging and as close to the blasting site as conditions allow.

57.7–98 Primers should be prepared so that the detonator is contained securely along the centerline of the explosive cartridge.

57.7–99 *Mandatory-UAC.* Only wooden or other nonsparking implements shall be used to punch holes in explosives' cartridges.

57.7–100 *Mandatory-UAC.* Tamping poles shall be blunt and squared at one end and made of wood, nonsparking material, or of special plastic acceptable to the Bureau of Mines.

57.7–101 No tamping should be done directly on primer cartridges.

57.7–102 *Mandatory-UAC.* Unused explosives and detonators shall be moved to a safe location as soon as charging operations are completed.

57.7–103 *Mandatory-UAC.* Areas in which charged holes are awaiting firing shall be guarded, or barricaded and posted, or flagged, against unauthorized entry.

57.7–104 *Mandatory-UAC.* When safety fuse has been used, men shall not return to misfired holes for at least 30 minutes.

57.7–105 *Mandatory.* When electric blasting caps have been used, men shall not return to misfired holes for at least 15 minutes.

57.7–106 Faces and muckpiles should be examined for undetonated explosives after each blast and undetonated explosives found should be disposed of safely.

57.7–107 *Mandatory-UAC.* Holes shall not be drilled where there is danger of intersecting a charged or misfired hole.

57.7–108 *Mandatory-UAC.* Fuse and igniters shall be stored in a cool, dry place away from oils or grease.

57.7–109 Fuse should not be kinked, bent sharply, or handled roughly.

57.7–110 *Mandatory-UAC.* Fuses shall be cut and capped in safe, dry locations posted with "No Smoking" signs.

57.7–111 *Mandatory-UAC.* Blasting caps shall be crimped to fuses only with implements designed for that specific purpose.

57.7–112 *Mandatory-UAC.* The burning rate of the fuse shall be posted in the fuse-capping station in a conspicuous location such that the burning rate will be brought to the attention of all men concerned with blasting.

57.7–113 *Mandatory-UAC.* Fuse less than 48 inches long shall not be used.

57.7–114 *Mandatory-UAC.* At least two men shall be present when lighting fuses, and no man shall light more than 15 individual fuses. If more than 15 holes per man are to be fired, igniter cord and connectors or electric blasting shall be used.

57.7–115 A safe interval of time should be allowed to light a round and evacuate the blasting area.

57.7–116 *Mandatory-UAC.* Fuse shall be ignited with hot-wire lighters, lead spitters, igniter cord, or other such devices designed for this purpose.

57.7–117 *Mandatory-UAC.* Fuse shall not be ignited before the primer and the entire charge are securely in place.

57.7–118 Timing should be such that the fuse in the last hole to fire is burning within the hole before the first hole fires.

57.7–119 Electric detonators of different brands should not be used in the same round.

57.7–120 *Mandatory-UAC.* Electric detonators shall remain shunted until they are being wired into the blasting circuit. Lead lines and wired rounds shall be kept shunted until immediately before blasting.

57.7–121 Completely wired rounds should be tested with a blasting galvanometer before connections are made to the blasting line.

57.7–122 *Mandatory-UAC.* Permanent blasting lines shall be properly supported, insulated, and kept in good repair.

57.7–123 *Mandatory.* Charging shall be stopped immediately when the presence of static electricity or stray current is detected; the condition shall be remedied before charging is resumed.

57.7–124 *Mandatory-UAC.* Charging shall be suspended in surface mining, shaft sinking, and tunneling and men withdrawn to a safe location upon the approach of an electrical storm.

57.7–125 *Mandatory-UAC.* If branch circuits are used when blasts are fired from power circuits, safety switches located at safe distances from the blast areas shall be provided in addition to the main blasting switch.

57.7–126 *Mandatory-UAC.* Safety switches and blasting switches shall be labeled, encased in boxes, and arranged so that the covers of the boxes cannot be closed with the switches in closed position.

57.7–127 *Mandatory-UAC.* Blasting switches shall be locked in the open position, except when closed to fire the blast. Lead wires shall not be connected to the blasting switch until the shot is ready to be fired.

57.7–128 *Mandatory-UAC.* The key to a blasting switch shall be entrusted only to the person designated to fire blasts.

57.7–129 *Mandatory-UAC.* Electric circuits from the blasting switches to the blast area shall not be grounded.

57.7–130 At least a 5-foot airgap should be provided between the blasting circuit and the power circuit.

57.7–131 Power sources should be suitable for the number of electric detonators to be fired and for the type of circuits used.

57.7–132 Delay connectors for firing detonating cord should be treated and handled with the same safety precautions as blasting caps and electric detonators.

SURFACE ONLY

57.7–160 *Mandatory-UAC.* Ample warning shall be given before blasts are fired. All persons shall be cleared and removed from areas endangered by the blast.

57.7–161 *Mandatory-UAC.* Sufficient blasting shelters shall be provided to protect all men endangered by fly rock from blasting.

57.7–162. If explosives are suspected of burning in a hole, all persons in the endangered area should move to a safe location until the danger has passed.

57.7–163 *Mandatory-UAC.* Lead wires and blasting lines shall not be strung across power conductors, pipelines, railroad tracks, or within 20 feet of bare powerlines. They shall be protected from sources of static or other electrical contact.

57.7–164 *Mandatory-UAC.* The double-trunk-line or loop system shall be used in detonating-cord blasting.

57.7–165 *Mandatory-UAC.* Trunkline, in multiple-row blasts, shall make one or more complete loops, with crossties between loops at intervals of not over 200 feet.

57.7–166 *Mandatory-UAC.* All detonating cord knots shall be tight and all connections shall be kept at right angles to the trunklines.

57.7–167 Detonating cord should not be kinked, bent, or otherwise handled in such a manner that the train of detonation may be interrupted.

UNDERGROUND ONLY

57.7–175 *Mandatory-UAC.* Ample warning shall be given before blasts are fired. All persons shall be cleared and removed from areas endangered by the blast. Clear access to exits shall be provided for personnel firing the rounds.

57.7–176 Blasting areas should not be reentered after firing until concentrations of smoke, dust, and fumes have been reduced to safe limits.

57.7–177 *Mandatory-UAC.* Misfires shall be reported or disposed of as soon as possible by the following methods:

(a) Reattempting to fire the holes if leg wires are exposed.

(b) Washing the stemming and the charge from the borehole with water.

(c) Inserting new primers after the stemming has been washed out.

57.7–178 Explosives and blasting lines should be isolated from sources of static or other electrical contact.

57.7–179 *Mandatory-UAC*. Where electric blasting is to be performed, electric circuits to equipment in the immediate area to be blasted shall be deenergized before explosives are brought into the area; the power shall not be turned on again until after the shots are fired.

57.7–180 Where electric blasting is to be performed, electric circuits to equipment in the immediate area to be blasted should be deenergized before explosives are brought into the area; the power should not be turned on again until after the shots are fired.

SENSITIZED AMMONIUM NITRATE BLASTING AGENTS

GENERAL—SURFACE AND UNDERGROUND

57.7–190 If sensitized ammonium nitrate blasting agents are not purchased premixed, all procedures concerning storage of components and the final product, mixing, and transportation should be in accordance with Bureau of Mines Information Circular 8179, "Safety Recommendations for Sensitized Ammonium Nitrate Blasting Agents," or subsequent revisions.

57.7–191 *Mandatory*. In the use of sensitized ammonium nitrate mixtures and blasting agents the same precautions shall be taken as for high explosives.

57.7–192 Adequate priming should be employed to guard against misfires, increased toxic fumes, and poor performance.

57.7–193 *Mandatory-UAC*. Where pneumatic loading is employed, before any type of blasting operation using blasting agents is put into effect, an evaluation of the potential hazard of static electricity shall be made. Adequate steps, including the grounding and loading of the conductive parts of pneumatic loading equipment, shall be taken to eliminate the hazard of static electricity before blasting agent use is commenced.

57.7–194 *Mandatory-UAC*. Pneumatic loading equipment shall not be grounded to waterlines, air lines, rails, or the permanent electrical grounding systems.

57.7–195 *Mandatory*. Hoses used in connection with pneumatic loading machines shall be of the semiconductive type, having a total resistance low enough to permit the dissipation of static electricity and high enough to limit the flow of stray electric currents to a safe level. Wire-countered hose shall not be used because of the potential hazard from stray electric currents.

57.7–196 Reasonable precautions should be exercised to exclude moisture from blasting agents other than slurries. Water should be removed from holes before holes are charged. If water continues to flow into boreholes, sensitized ammonium nitrate should not be used.

57.7–197 *Mandatory-UAC*. Plastic tubes shall not be used to protect pneumatically loaded blasting agent charges against water unless a positive grounding system is provided to drain electrostatic charges from the hole.

57.7–198 In small-diameter holes, the AN-FO or related agents should be loaded so as to provide a continuous column that completely fills the cross section of the borehole.

57.7–199 Adequate priming should be employed to guard against misfires, increased toxic fumes, and poor performance.

§ 57.8 Drilling.

SURFACE ONLY

57.8–1 Equipment should be inspected each shift by an authorized individual. Equipment defects affecting safety should be reported.

57.8–2 *Mandatory-UAC*. Equipment defects affecting safety shall be corrected before the equipment is used.

57.8–3 *Mandatory-UAC*. The drilling area shall be inspected for hazards before starting the drilling operations.

57.8–4 *Mandatory-UAC*. Men shall not be on the mast while the drill is in operation.

57.8–5 *Mandatory-UAC*. Drill crews and others shall stay clear of augers or drill stems that are in motion. Persons shall not pass under or step over a moving stem or auger.

57.8–6 Receptacles or racks should be provided for drill steel stored on drills.

57.8–7 Tools and other objects should not be left loose on the mast or drill platform.

57.8–8 *Mandatory-UAC*. When a drill is being moved from one drilling area to another, drill steel, tools and other equipment shall be secured and the mast placed in a safe position.

57.8–9 The drill helper, when used, should be in sight of the operator at all times while the drill is being moved to a new location.

57.8–10 *Mandatory-UAC*. In the event of power failure, drill controls shall be placed in the neutral position until power is restored.

57.8–11 *Mandatory-UAC*. The drill stem shall be resting on the bottom of the hole or on the platform with the stem secured to the mast before attempts are made to straighten a crossed cable on a reel.

57.8–12 *Mandatory-UAC*. While in operation, drills shall be attended at all times.

57.8–13 *Mandatory-UAC*. Drill holes large enough to constitute a hazard shall be covered or guarded.

57.8–14 Men operating or working near jackhammers or jackleg drills and other drilling machines should position themselves so that they will not be struck or lose their balance if the drill steel breaks or sticks.

57.8–15 Men should not drill from positions that hinder their access to the control levers, or from insecure footing or staging, or from atop equipment not designed for this purpose.

57.8–16 Bit wrenches or bit knockers should be used to remove detachable bits from drill steel.

57.8–17 Starter steels should be used when collaring holes with hand-held or feed-leg drills.

57.8–18 *Mandatory-UAC*. Men shall not hold the drill steel while collaring holes, or rest their hands on the chuck or centralizer while drilling.

57.8–19 Air should be turned off and bled from the hose before hand-held drills are moved from one working area to another.

UNDERGROUND ONLY

57.8–25 Men operating or working near drilling machines should position themselves so that they will not be struck or lose their balance if the drill steel breaks or sticks.

57.8–26 Men should not attempt to operate drills from positions that hinder their access to the control levers.

57.8–27 Drilling should not be attempted for insecure footing or staging, or from atop equipment not designed for this purpose.

57.8–28 Men should not hold the drill steel while collaring holes, or rest their hands on the chuck or centralizer while drilling.

57.8–29 Air should be turned off before moving portable drills from one face to another.

57.8–30 Receptacles or racks should be provided for drill steel stored on jumbos.

57.8–31 Before drilling cycle is started, warning should be given to men working below jumbo decks.

57.8–32 Drills on columns should be anchored firmly before drilling is started and should be retightened frequently thereafter.

§ 57.9 Rotary jet piercing.

SURFACE ONLY

57.9–1 Jet drills should be provided with:

(a) A system to pressurize operator's cabs.

(b) A protective cover over the oxygen flow indicator.

57.9–2 *Mandatory-UAC*. Safety Chains or other suitable locking devices shall be provided across connections to and between high pressure oxygen hose lines of 1-inch inside diameter or larger.

57.9–3 *Mandatory-UAC*. A suitable means of protection shall be provided for the employee when lighting the burner.

57.9–4 With equipment requiring refueling at locations other than fueling stations a system for fueling from the ground without spill should be provided.

57.9–5 *Mandatory-UAC*. Men shall not smoke and open flames shall not be used in the vicinity of the oxygen storage and supply lines. Signs warning against smoking and open flames shall be posted in these areas.

§ 57.10 Loading, hauling, dumping.

GENERAL—SURFACE AND UNDERGROUND

57.10–1 Equipment should be inspected each shift by an authorized individual. Equipment defects affecting safety should be reported.

57.10–2 *Mandatory-UAC*. Equipment defects affecting safety shall be corrected before the equipment is used.

57.10–3 *Mandatory-UAC*. Powered mobile equipment shall be provided with adequate brakes.

57.10–4 Powered mobile haulage equipment should be provided with audible warning devices. Lights should be provided on both ends when required.

57.10–5 *Mandatory-UAC*. Operators shall be certain, by signal or other means, that all persons are clear before starting or moving equipment.

57.10–6 *Mandatory-UAC*. When the entire length of the conveyor is visible from the starting switch, the operator shall visually check to make certain that all persons are in the clear before starting the conveyor. When the entire length of the conveyor is not visible from the starting switch, a positive audible or visual warning system shall be installed and operated to warn persons that the conveyor will be started.

57.10–7 *Mandatory-UAC*. Unguarded conveyors with walkways shall be equipped with emergency stop devices or cords along their full length.

57.10–8 Adequate protection should be provided at dumping locations where men may be endangered by falling material.

57.10–9 *Mandatory-UAC*. Operators shall sound warning before starting trains, when trains approach crossings or other trains on adjacent tracks, and where vision is obscured.

57.10–10 Operators' cabs should be constructed to permit operators to see without straining and should be reasonably comfortable.

57.10–11 *Mandatory-UAC*. Cab windows shall be of safety glass or equivalent, in good condition and shall be kept clean.

57.10–12. *Mandatory-UAC*. Cabs of mobile equipment shall be kept free of extraneous materials.

57.10–13 *Mandatory-UAC*. Adequate backstops or brakes shall be installed on inclined-conveyor drive units to prevent conveyors from running in reverse if a hazard to personnel would be caused.

57.10–14 *Mandatory-UAC*. No person shall be permitted to ride a power-driven chain, belt, or bucket conveyor, unless the belt is specifically designed for the transportation of persons.

57.10–15 Slusher hoists should be equipped with backlash guards, rollers, drum covers, and anchored securely before slushing operations are started.

57.10–16 Roadbeds, rails, joints, switches, frogs, and other elements on railroads should be designed, installed, and maintained in a safe manner consistent with the speed and type of haulage.

57.10–17 Equipment operating speeds should be prudent and consistent with conditions of roadway, grades, clearance, visibility, traffic, and the type of equipment used.

57.10–18 Dust control measures should be taken where dust significantly reduces visibility of equipment operators.

57.10–19 Track guard rails, lead rails, and frogs should be protected or blocked so as to prevent a person's foot from becoming wedged.

57.10–20 *Mandatory-UAC*. Positive-acting stopblocks, derail devices, track skates or other adequate means shall be installed wherever necessary to protect persons from runaway or moving railroad equipment.

57.10–21 Vehicles should follow at a safe distance; passing should be limited to areas of adequate clearance and visibility.

57.10–22 *Mandatory-UAC*. Berms or guards shall be provided on the outer banks of elevated roadways.

57.10–23 *Mandatory-UAC*. Trackless haulage equipment shall be operated under power control at all times.

57.10–24 *Mandatory-UAC*. Mobile equipment operators shall have full control of the equipment while it is in motion.

57.10–25 *Mandatory-UAC*. Dippers, buckets, loading booms, or heavy suspended loads shall not be swung over the cabs of haulage vehicles until the drivers are out of the cabs and in safe locations, unless the trucks are designed specifically to protect the drivers from falling material.

57.10–26 *Mandatory*. Only authorized persons shall be present in areas of loading or dumping operations.

57.10–27 *Mandatory-UAC*. When an operator is present, men shall notify him before getting on or off equipment.

57.10–28 *Mandatory-UAC*. Switch throws shall be installed so as to provide adequate clearance for switchmen.

57.10–29 Operators should sit facing the direction of travel while operating equipment with dual controls.

57.10–30 *Mandatory-UAC*. Men shall not work or pass under the buckets or booms of loaders in operation.

57.10–31 *Mandatory-UAC*. When traveling between work areas, the equipment shall be secured in the travel position.

57.10–32 *Mandatory-UAC*. Dippers, buckets, scraper blades, and similar movable parts shall be secured or lowered to the ground when not in use.

57.10–33 *Mandatory-UAC*. Men shall not ride in dippers, buckets, forks, clamshells, or in the beds of dump trucks for the purpose of transportation.

57.10–34 Loaded cars or trucks should not be moved until the loads are trimmed properly.

57.10–35 Movements of two or more pieces of rail equipment operating independently on the same track should be regulated by an efficient signal block, telephone, or radio system; movements on complex haulage systems should be adequately controlled.

57.10–36 *Mandatory-UAC*. Electrically powered mobile equipment shall not be left unattended unless the master switch is in the off position, all operating controls are in the neutral position, and the brakes are set or other equivalent precautions are taken against rolling.

57.10–37 *Mandatory-UAC*. Mobile equipment shall not be left unattended unless the brakes are set. The wheels shall be turned into a bank or rib, or shall be blocked when such equipment is parked on a grade.

57.10–38 When dumping cars by hand the car dumps should be provided with tie-down chains or bumper blocks to prevent cars from overturning.

57.10–39 *Mandatory-UAC*. Men shall not get on or off moving equipment except that trainmen may get on or off of slowly moving trains.

57.10–40 *Mandatory-UAC*. Men shall not ride on top of loaded haulage equipment.

57.10–41 *Mandatory-UAC*. Only authorized persons shall be permitted to ride on trains or locomotives and they shall ride in a safe position.

57.10–42 Rocker-bottom or bottom dump cars should be equipped with positive locking devices.

57.10–43 *Mandatory-UAC*. Men shall not ride outside the cabs and beds of mobile equipment.

57.10–44 Men should not ride in conveyances equipped with unloading devices unless a positive means is proivded to prevent accidental starting of the unloading mechanism.

57.10–45 *Mandatory-UAC*. Equipment which is to be hauled shall be loaded and protected so as to prevent sliding or spillage.

57.10–46 Backpoling of trolley poles should be avoided wherever possible; where backpoling is necessary, it should be done only at slow speeds.

57.10–47 *Mandatory-UAC*. Parked railcars, unless held effectively by brakes shall be blocked securely.

57.10–48 *Mandatory-UAC*. Railroad cars with braking systems, when in use, shall be equipped with effective brake shoes.

57.10–49 Long material should be transported by a method designed to prevent any overhang from creating a hazard.

57.10–50 *Mandatory-UAC*. Railcars shall not be left on side tracks unless ample clearance is provided for traffic on adjacent tracks.

57.10–51 *Mandatory-UAC*. Persons shall not go over, under, or between cars unless the train is stopped and the motorman has been notified and the notice acknowledged.

57.10–52 *Mandatory-UAC*. Inability of the motorman to clearly recognize the brakeman's signals when the train is under the direction of the brakeman shall be construed by the motorman as a stop signal.

57.10–53 Dumping locations and haulage roads should be kept reasonably free of water, debris, and spillage.

57.10–54 *Mandatory-UAC*. Berms, bumper blocks, safety hooks, or similar means shall be provided to prevent overtravel and overturning at dumping locations.

57.10–55 Where the ground at a dumping place may fail to support the weight of a loaded dump truck, trucks should be dumped back from the edge of the bank.

57.10–56 Where necessary, bumper blocks or the equivalent should be provided at all track dead ends.

57.10–57 Grizzlies, grates, and other sizing devices at dump and transfer points should be anchored securely in place.

57.10–58 *Mandatory-UAC*. If truck spotters are used, they shall be well in the clear while trucks are backing into dumping position and dumping; lights shall be used at night to direct trucks.

57.10–59 *Mandatory-UAC*. Public and permanent railroad crossings shall be posted with warning signs or signals, or shall be guarded when trains are passing and shall be planked or otherwise filled between the rails.

57.10–60 *Mandatory-UAC*. Where overhead clearance is restricted, warning devices shall be installed and the restricted area shall be conspicuously marked.

57.10–61 *Mandatory-UAC*. Stockpile and muckpile faces shall be trimmed to prevent hazards to personnel.

57.10–62 *Mandatory-UAC*. Rocks too large to be handled safely shall be broken before loading.

57.10–63 Ramps and dumps should be of solid construction, of ample width, have ample side clearance and headroom, and be kept reasonably free of spillage.

57.10–64 *Mandatory-UAC*. Chute-loading installations shall be designed so that men pulling chutes are not required to assume hazardous positions while loading cars.

57.10–65 Cars should not be coupled or uncoupled manually from the inside of curves.

57.10–66 A locomotive on one track should not be used to move equipment on a different track unless a chain or drawbar is used.

57.10–67 *Mandatory-UAC*. Facilities used to transport men to and from work areas shall not be overcrowded.

57.10–68 *Mandatory-UAC*. Lights, flares, or other warning devices shall be posted when parked equipment creates a hazard to vehicular traffic.

57.10–69 *Mandatory-UAC*. Tires shall be deflated before repairs on them are started and adequate means shall be provided to prevent wheel locking rims from creating a hazard during tire inflation.

57.10–70 A tow bar should be used to tow heavy equipment. A safety chain should be used in conjunction with the tow bar.

SURFACE ONLY

57.10–81 *Mandatory-UAC*. Trucks, shuttle cars, and front-end loaders shall be equipped with emergency brakes separate and independent of the regular braking system.

57.10–82 In areas where weather conditions justify, haulage trucks with cabs should be equipped with heaters and/or air conditioners maintained in good condition.

57.10–83 *Mandatory-UAC*. Where possible at least 30 inches continuous clearance from the farthest projection of moving railroad equipment shall be provided on at least one side of the tracks; all places where it is not possible to provide 30-inch clearance shall be marked conspicuously.

57.10–84 Traffic rules, signals, and warning signs should be standardized at each mine and posted.

57.10–85 *Mandatory-UAC*. Supplies, materials, and tools other than small hand tools shall not be transported with men in man-trip vehicles, unless such vehicles are specifically designed to make such transportation safe.

57.10–86 Any load extending more than 4 feet beyond the rear of the vehicle body should be marked clearly with a red flag by day and a red light at night.

UNDERGROUND ONLY

57.10–95 *Mandatory*. Where the design and operation of trucks, shuttle cars, and front-end loaders are such as to make it feasible and necessary they shall be equipped with emergency brakes separate and independent of the regular braking system.

57.10–96 Supplies, materials, or tools, except properly secured rerailing devices, should not be carried on top of locomotives.

57.10–97 *Mandatory-UAC*. Trains shall be brought to a complete stop, then moved very slowly when coupling or uncoupling cars manually.

57.10–98 *Mandatory-UAC*. Makeshift couplings shall not be used.

57.10–99 *Mandatory-UAC*. Supplies, materials, and tools other than small hand tools shall not be transported with men in man-trip cars. Man trips shall not be operated independently of ore and supply trips.

57.10–100 Pneumatic-powered loading equipment should be provided with a valve to close the air line at the machine; this valve should be closed except when the machine is being operated.

57.10–101 *Mandatory*. Steps shall be provided for rocker-type loading machines and operators shall stand on the step when operating the machine.

57.10–102 *Mandatory-UAC*. When a signalman is used during slushing operations he shall be positioned in a safe place.

57.10–103 *Mandatory-UAC*. Collars of open draw holes shall be kept free of muck and material.

57.10–104 Warning devices or conspicuous markings should be installed when chute lips create a hazard to personnel.

57.10–105 Empty chutes should be properly guarded prior to filling or sufficient material should be left in the chute bottom to prevent rock from flying out when broken material is dumped into the chute.

57.10–106 *Mandatory-UAC*. Ample warning shall be given to men who may be affected by the draw or otherwise exposed to danger from chute-pulling operations.

57.10–107 *Mandatory-UAC*. Men shall not stand on broken rock or ore over draw points if there is danger that the chute will be pulled. Suitable platforms or safety lines shall be provided when work must be done in such areas.

57.10–108 Men attempting to loosen hangups should work with extreme caution.

57.10–109 Men should not work or pass under hung draw openings unless the openings are blocked effectively.

57.10–110 *Mandatory-UAC*. Shelter holes shall be provided to ensure the safety of men along haulageways where continuous clearance of at least 30 inches from the farthest projection of moving equipment on at least one side of the haulageway cannot be maintained.

57.10–111 Shelter holes should be at least 4 feet wide, marked conspicuously, and should provide a minimum of 40 inches clearance from the farthest projection of moving equipment.

57.10–112 Trip lights or approved reflectors should be used on the rear of pulled trips and on the front of pushed trips.

57.10–113 *Mandatory-UAC*. Man trips shall be operated at speeds consistent with the condition of tracks and equipment used.

57.10–114 *Mandatory-UAC*. Where man trips are used, discharge and boarding points shall be designated. Men shall not board or leave moving man-trip cars.

57.10–115 Man-trip passengers should ride on the side of the car opposite the trolley wire, unless covered man cars are provided.

57.10–116 *Mandatory-UAC*. During shift changes the movement of rock or material trains shall be limited to areas where such trains could not present a hazard to men coming on or going off shift.

57.10–117 *Mandatory-UAC*. Men shall not ride between cars or on top of loaded cars.

§ 57.11 Aerial tramways.

SURFACE ONLY

57.11–1 Buckets should not be overloaded, and feed should be regulated to prevent spillage.

57.11–2 Carriers, including loading and unloading mechanisms, should be inspected each shift; brakes should be inspected daily; ropes and supports should be inspected as recommended by the manufacturer or as physical conditions warrant. Records of rope maintenance and inspections should be kept.

57.11–3 *Mandatory-UAC*. Any hazardous defects shall be corrected before the equipment is used.

57.11–4 Positive-action type brakes should be provided on aerial tramways.

57.11–5 Track cable connections should be designed to offer minimum obstruction to the passage of wheels.

57.11–6 Guards should be installed to prevent swaying buckets from hitting towers.

57.11–7 *Mandatory-UAC*. Guard nets shall be provided where tramways pass over roadways, walkways, and buildings.

57.11–8 *Mandatory-UAC*. Persons other than maintenance men shall not ride aerial tramways unless the following features are provided:

(a) Two independent brakes, each capable of holding the maximum load.

(b) Direct communication between terminals.

(c) Power drives with emergency power available in case of primary power failure.

(d) Buckets equipped with positive locks to prevent acidental tripping or dumping.

57.11–9 *Mandatory-UAC*. Men shall not ride loaded buckets.

57.11–10 *Mandatory-UAC*. Where possible aerial tramways shall not be started until the operator has ascertained that everyone is in the clear.

§ 57.12 Travelways.

GENERAL—SURFACE AND UNDERGROUND

57.12–1 *Mandatory-UAC*. Safe means of access shall be provided and maintained to all working places.

57.12–2 *Mandatory-UAC*. Crossovers, elevated walkways, elevated ramps, and stairways shall be of substantial construction, provided with handrails, and maintained in good condition. Where necessary, toeboards shall be provided.

57.12–3 *Mandatory-UAC*. Ladders shall be of substantial construction and maintained in good condition.

57.12–4 Portable straight ladders should be provided with nonslip bases, should be placed against a safe backing, and set on secure footing.

57.12–5 *Mandatory-UAC*. Fixed ladders shall be anchored securely and installed to provide at least 3 inches of toe clearance.

57.12–6 *Mandatory-UAC*. Fixed ladders shall project at least 3 feet above landings, or substantial handholds shall be provided above the landings.

57.12–7 Wooden members of ladders should not be painted.

57.12–8 Ladderways, stairways, walkways, and ramps should be kept free of loose rock and extraneous materials.

57.12–9 *Mandatory-UAC*. Railed walkways shall be provided wherever persons are regularly required to walk alongside conveyor belts. Inclined railed walkways shall be nonskid or provided with cleats.

57.12–10 Vertical clearance above stair steps should be a minimum of 7 feet.

57.12–11 Men climbing or descending ladders should face the ladders and have both hands free for climbing.

57.12–12 *Mandatory-UAC*. Openings above, below, or near travelways through which men or materials may fall shall be protected by railing, barriers, or covers. Where it is impractical to install such protective devices, adequate warning signals shall be installed.

57.12–13 *Mandatory-UAC*. Crossovers shall be provided where it is necessary to cross conveyors.

57.12–14 *Mandatory-UAC*. Moving conveyors shall be crossed only at designated crossover points.

57.12–15 Slippery walkways should be provided with cleats and handrails and/or ropes.

57.12–16 *Mandatory-UAC*. Regularly used walkways and travelways shall be sanded, salted, or cleared of snow and ice as soon as practicable.

57.12–17 Fixed ladders should not incline backwards at any point unless provided with backguards.

SURFACE ONLY

57.12–25 Fixed ladders should be offset and have substantial railed landings at least every 30 feet unless backguards are provided.

57.12–26 Steep fixed ladders (70° to 90° from the horizontal) 30 feet or more in length should be provided with backguards, cages, or equivalent protection, starting at a point not more than 7 feet from the bottom of the ladder.

57.12–27 *Mandatory-UAC*. Scaffolds and working platforms shall be of substantial construction and provided with handrails and maintained in good condition. Floorboards shall be laid properly and the scaffolds and working platform shall not be overloaded. Working platforms shall be provided with toeboards when necessary.

UNDERGROUND ONLY

57.12–35 Flexible ladders should be used only where rigid ladders may be impractical.

57.12–36 *Mandatory-UAC*. Trap doors or adequate guarding shall be provided in ladderways at each level. Doors shall be kept operable.

57.12–37 The minimum, unobstructed cross-sectional opening in ladderways should be 24 inches by 24 inches.

57.12–38 Warning should be given and acknowledged before entering a manway above or below where men are working.

57.12–39 Working floors in square-set stopes should be lagged closely and securely, and open sets should be equipped with guardrails.

57.12–40 Designated travelways steeper than 30° from the horizontal should be provided with ladders or stairways.

57.12–41 Ladders with an inclination of more than 70° off the horizontal should be offset and have landing gates, backguards or substantial landings at least every 30 feet.

§ 57.13 Escapeways.

UNDERGROUND ONLY

57.13–1 *Mandatory-UAC*. Every mine shall have two separate properly maintained escapeways to the surface which are so positioned that damage to one shall not lessen the effectiveness of the other, or a method of refuge shall be provided when only one opening to the surface is possible.

57.13–2 *Mandatory-UAC*. Escape routes shall be:

(a) Inspected at regular intervals and maintained in safe, travelable condition.

(b) Marked with conspicuous and easily read direction signs that clearly indicate the ways of escape.

57.13–3 *Mandatory-UAC*. Refuge areas shall be:

(a) Of fire-resistant construction preferably in untimbered areas of the mine.

(b) Large enough to accommodate readily the normal number of men in the particular area of the mine.

(c) Constructed so they can be made gastight.

(d) Provided with compressed air lines, waterlines, suitable handtools, and stopping materials.

57.13–4 *Mandatory-UAC*. Mine maps shall be posted and available showing escape routes, directions of principal airflow, locations of telephones, fire doors, ventilation doors, and brought up to date as necessary.

57.13–5 *Mandatory-UAC*. Telephone or other voice communication shall be provided between the surface and refuge chambers and such systems shall be independent of the mine power supply.

57.13–6 *Mandatory-UAC*. Designated escapeways inclined more than 30 degrees from the horizontal shall be equipped with stairways, ladders, cleated walkways, or emergency hoisting facilities.

57.13–7 Emergency hoisting facilities should conform to the extent possible to safety requirements for other man hoists, should be adequate to remove the men from the mine with a minimum of delay, be maintained in ready condition, and be tested at least every 30 days; records should be kept of these tests.

§ 57.14 Electricity.

GENERAL—SURFACE AND UNDERGROUND

57.14–1 *Mandatory*. Circuits shall be protected against excessive overload by fuses or circuit breakers of the correct type and capacity.

57.14–2 *Mandatory-UAC*. Electric equipment and circuits shall be provided with switches or other controls. Such switches or controls shall be of approved design and construction and shall be properly installed.

57.14–3 *Mandatory*. Individual overload protection or short-circuit protection shall be provided for the trailing cables of mobile equipment.

57.14–4 Power wires and cables should have adequate current-carrying capacity and should be protected from mechanical injury.

57.14-5 Neither crawler-mounted nor rubber-tired equipment should run over trailing cables, unless the cables are properly bridged or protected.

57.14-6 Distribution boxes should be provided with disconnect switches.

57.14-7 *Mandatory-UAC.* Trailing cable and power-cable connections to junction boxes shall not be made or broken under load.

57.14-8 Power wires and cables should be insulated adequately where they pass into or out of electrical compartments.

57.14-9 Power wires and cables which present a fire hazard should be well installed on acceptable insuators.

57.14-10 Telephone and low-potential electric signal wires should be protected from contacting energized powerlines.

57.14-11 *Mandatory-UAC.* High-potential transmission cables shall be covered, insulated, or placed according to acceptable electrical codes to prevent contact with low-potential circuits.

57.14-12 The potential on bare signal wires accessible to personal contact should not exceed 40 volts.

57.14-13 Splices in power cables, including ground conductor, where provided, should be:

(a) Mechanically strong with adequate electrical conductivity.

(b) Effectively insulated and sealed to exclude moisture.

(c) Provided with mechanical protection and electrical conductivity as near as possible to that of the original.

57.14-14 *Mandatory-UAC.* Shovel trailing cables shall not be moved with the shovel dipper unless cable slings or sleds are used.

57.14-15 *Mandatory.* Energized high-potential cables shall be handled with insulated hooks or tongs.

57.14-16 *Mandatory-UAC.* Electrical equipment shall be deenergized before work is done on such equipment. Switches shall be locked out and suitable warning signs posted by the individuals who are to do the work; locks shall be removed only by the persons who install them.

57.14-17 *Mandatory-UAC.* Power circuits shall be deenergized before work is done on such circuits unless hot-line tools are used. Switches shall be locked out and suitable warning signs posted by the individuals who are to do the work; locks shall be removed only by the persons who installed them.

57.14-18 *Mandatory-UAC.* Principal power switches shall be labeled to show which units they control, unless identification can be made readily by location.

57.14-19 At least 3 feet of clearance should be provided around all parts of stationary electric equipment or switchgear where access or travel is necessary.

57.14-20—*Mandatory-UAC.* Dry wooden platforms, insulating mats, or other electrically nonconductive material shall be kept in place at all switchboards and power-control switches where shock hazards exist. However, metal plates on which a person normally would stand, and kept at the same potential as the grounded metal noncurrent carrying parts of the power switches to be operated may be used.

57.14-21 *Mandatory-UAC.* Suitable danger signs shall be posted at all major electrical installations.

57.14-22 Areas containing major electrical installations should be entered only by authorized personnel.

57.14-23 *Mandatory-UAC.* Electrical connections and resistor grids that are difficult or impractical to insulate shall be guarded, unless protection is provided by location.

57.14-24 Reverse-current protection should be provided at storage-battery charging stations.

57.14-25 *Mandatory-UAC.* All metal enclosing or encasing electrical circuits shall be grounded or provided with equivalent protection. This requirement does not apply to battery-operated equipment.

57.14-26 *Mandatory-UAC.* Metal fencing and metal buildings enclosing transformers and switchgear shall be grounded.

57.14-27 *Mandatory-UAC.* Frame grounding or equivalent protection shall be provided for mobile equipment powered through trailing cables.

57.14-28 *Mandatory-UAC.* Continuity and resistance of grounding systems shall be tested immediately after installation.

57.14-29 Electric equipment and wiring should be inspected by a competent person as often as necessary to assure safe operating conditions.

57.14-30 *Mandatory-UAC.* When a potentially dangerous condition is found it shall be corrected before equipment or wiring is energized.

57.14-31 Electric motors, switches, and controls exposed to damaging dust or water should be of dusttight or watertight construction.

57.14-32 Inspection and cover plates on electrical equipment should be kept in place at all times except during testing or repairs.

57.14-33 *Mandatory-UAC.* Hand-held electric tools shall not be operated at high potential voltages.

57.14-34 Portable extension lights and other lights that may present a shock or burn hazard should be guarded.

57.14-35 Lamp sockets exposed to the weather should be of a weatherproof type.

57.14-36 *Mandatory-UAC.* Circuits shall be deenergized before fuses are removed or replaced.

57.14-37 *Mandatory-UAC.* Fuse tongs or hot-line tools shall be used when fuses are removed or replaced in high-potential circuits.

57.14-38 Trailing cables should be clamped to machines in a manner to protect the cables from damage and to prevent strain on the electrical connections.

57.14-39 Surplus trailing cables to shovels, cranes, and similar equipment should be stored in cable boots or on reels mounted on the equipment or otherwise protected from mechanical damage.

57.14-40 *Mandatory-UAC.* Operating controls shall be installed so that they can be operated without danger of contact with energized conductors.

57.14-41 *Mandatory-UAC.* Switches and starting boxes shall be of safe design and capacity.

57.14-42 Both rails should be bonded or welded at every joint. Rails should be crossbonded at least every 200 feet if the track serves as the return trolley circuit, except where a control signal can not be used on a crossbonded track.

57.14-43 *Mandatory-UAC.* Equipment with booms or masts which are not properly protected shall not be operated where the booms or masts can come within 10 feet of an energized overhead powerline.

57.14-44 Lighting arrester grounds should be connected to earth at least 10 feet from the track or mine return circuit.

57.14-45 *Mandatory-UAC.* Overhead high-potential powerlines shall be installed as specified by the National Electrical Safety Code.

57.14-46 *Mandatory-UAC.* When equipment must be moved under energized powerlines and the clearance is less than 10 feet, the powerlines shall be deenergized or other precautions shall be taken.

57.14-47 *Mandatory-UAC.* Guy wires of poles supporting high-potential conductors shall be equipped with insulators installed near the pole end.

57.14-48 *Mandatory-UAC.* Telegraph, telephone, or signal wires shall not be installed on the same crossarm with power conductors. When carried on poles supporting powerlines, they shall be installed as specified by the National Electrical Safety Code.

57-14-49 Men should not stand on the ground in the vicinity of an electrically powered shovel or other similar heavy equipment during an electrical storm.

57.14-50 Trolly wires should be aligned properly and installed at least 6 inches outside and 7 feet above the track.

57.14-51 Trolley wire hangers should be spaced so that the wire will not sag more than 3 inches between hangers and so that the wire may be detached from any one hanger without creating a shock hazard.

57.14-52 Trolley wires and trolley feeder wires should be provided with sectionalizing switches at man-trip stations and near the beginning of all branch lines.

57.14-53 Ground wires for lighting circuits powered from trolley wires should be connected securely to the ground return circuit.

57.14-54 Tools and supplies should be carried in the hands and not on the shoulders when men travel near bare power conductors.

Surface Only

57.14-65 *Mandatory-UAC.* Powerlines, including trolley wires, and telephone circuits shall be protected against short circuits and lightning.

57.14-66 *Mandatory-UAC.* Where metallic tools or equipment can come in contact with trolley wires or bare powerlines, the lines shall be guarded or deenergized.

57.14-67 *Mandatory-UAC.* Transformers shall be totally enclosed, or shall be placed at least 8 feet above the ground, or installed in a transformer house, or surrounded by a substantial fence at least 6 feet high and at least 3 feet from any energized parts, casings, or wiring.

57.14-68 *Mandatory-UAC.* Transformer enclosures shall be kept locked against unauthorized entry.

57.14-69 Lightning arresters should be provided where telephone circuits enter a mine; mine telephone extensions in surface buildings should be provided with a lightning arrester for each circuit entering the building.

57.14-70 Each exposed power circuit that leads underground should be equipped with lightning arresters of an approved type at or near the point where the circuit enters the mine.

Underground Only

57.14-80 *Mandatory-UAC.* Trolley wires and bare power conductors shall be guarded where men work or pass beneath.

57.14-81 Metal pipelines 1,000 feet or more in length along haulage roads where grounded return circuits are used should be bonded to the return at the ends and at intervals not exceeding 500 feet.

57.14-82 *Mandatory-UAC.* Powerlines shall be well separated or insulated from waterlines, telephone lines, and air lines.

57.14-83 Power cables in shafts and boreholes should be fastened securely in such manner as to prevent undue strain on the sheath, insulation, or conductors.

57.14-84 Disconnecting switches that can be opened safely under load should be provided underground at all primary power circuits near shafts, levels, and boreholes.

57.14-85 *Mandatory-UAC.* Transformer stations shall be enclosed to prevent persons from unintentionally or inadvertently contacting energized parts.

57.14-86 Trolley and trolley feeder wires should be installed opposite the clearance side of haulageways.

57.14-87 Not more than five splices should be made in any trailing cable unless they are vulcanized.

57.14-88 On machines not using cable reels, no splices should be present in the first 25 feet of trailing cable adjacent to the equipment.

57.14-89 *Mandatory-UAC.* The potential on trolley wires and bare feeder lines shall not exceed 650 volts.

§ 57.15 Compressed air and boilers.

General—Surface and Underground

57.15-1 *Mandatory-UAC.* All boilers and pressure vessels shall be constructed, installed, and maintained in accordance with the standards and specifications of the

American Society of Mechanical Engineers Boiler and Pressure Vessel Code.

COMPRESSED AIR

57.15–10 Air compressors should be equipped with automatic temperature-activated shutoff mechanisms set for 400° F., or with fusible plugs installed in the compressor discharge lines as near the compressors as possible. Fusible plugs should melt at temperatures 50° less than the flash points of the lubricating oils.

57.15–11 Compressors and compressed-air receivers should be equipped with automatic pressure-release valves, pressure gauges, and drain valves.

57.15–12 Compressor air intakes should be installed to insure that only clean, uncontaminated air enters the compressors.

57.15–13 Compressed-air receivers should be drained of moisture and oil at least once each operating shift.

57.15–14 Compressed-air receivers should have inspection openings which should be manholes when the tanks are over 36 inches in diameter.

57.15–15 Compressed-air receivers and other pressure vessels should be inspected internally at lease once a year by qualified inspectors; records of such inspections should be kept.

57.15–16 Compressors should be operated and lubricated in accordance with the manufacturer's recommendations.

57.15–17 Compressor discharge pipes should be cleaned periodically.

57.15–18 Safety devices on compressed-air systems should be checked at the beginning of each shift.

57.15–19 *Mandatory-UAC.* Repairs involving the pressure system of compressors, receivers, or compressed-air-powered equipment shall not be attempted until the pressure has been bled off.

57.15–20 *Mandatory-UAC.* At no time shall compressed air be directed toward a person. When compressed air is used, all necessary precautions shall be taken to protect persons from injury.

57.15–21 *Mandatory-UAC.* Safety chains or suitable locking devices shall be used at connections to machines of high pressure hose lines of 1 inch inside diameter or larger, and between high pressure hose lines of 1 inch inside diameter or larger, where a connection failure would create a hazard.

BOILERS

57.15–30 Boilers should be equipped with guarded well-maintained water gages and pressure gages placed so that they can be observed easily. Water gages and pipe passages to the gages should be kept clean and free of scale and rust.

57.15–31 Boilers should be equipped with automatic pressure-relief valves; valves should be tested each shift.

57.15–32 Boiler installations should be provided with safety devices, acceptable to the Bureau of Mines, to protect against hazards of flame outs, fuel interruptions, and low-water level.

57.15–33 Blowoff valves should be piped outside the building and should have outlets so located or protected that persons passing by, near, or under them will not be scalded.

57.15–34 Boilers should be inspected internally at least once a year by licensed inspectors; records of such inspections should be kept.

§ 57.16 Use of equipment.

GUARDS

GENERAL—SURFACE AND UNDERGROUND

57.16–1 *Mandatory-UAC.* Gears; sprockets; chains; drive, head, tail, and takeup pulleys; flywheels; couplings; shafts; sawblades; fan inlets; and similar exposed moving machine parts which may be contacted by persons, and which may cause injury to persons, shall be guarded.

57.16–2 *Mandatory-UAC.* Overhead belts shall be guarded if the whipping action from a broken belt would be hazardous to persons below.

57.6–3 Guards at conveyor drive, head, and tail pulleys should extend a distance sufficient to prevent a person from reaching behind the guard and becoming caught between the belt and the pulley.

57.16–4 Openings where conveyors pass through walls or floors should be guarded.

57.16–5 Protruding setscrews on revolving parts should be guarded.

57.16–6 *Mandatory-UAC.* Except when testing the machinery, guards shall be securely in place while machinery is being operated.

57.16–7 Guards should be sufficiently strong and maintained to provide the required protection.

57.16–8 *Mandatory-UAC.* Stationary grinding machines other than special bit grinders shall be equipped with:

(a) Peripheral hoods (less than 90° throat openings) capable of withstanding the force of a bursting wheel.

(b) Adjustable tool rests set as close as practical to the wheel.

(c) Safety washers.

57.16–9 *Mandatory-UAC.* Grinding wheels shall be operated within the specifications of the manufacturer of the wheel.

57.16–10 *Mandatory-UAC.* Hand-held power tools, other than rock drills, shall be equipped with controls requiring constant hand or finger pressure to operate the tools or shall be equipped with friction or other equivalent safety-devices.

57.16–11 Guards or shields should be provided in areas where flying or falling materials present a hazard.

57.16–12 Industrial vehicles such as forklift trucks, front-end loaders, and bulldozers should be provided with roll protection when necessary to protect the operator.

57.16–13 *Mandatory-UAC.* Forklift trucks, front-end loaders, and bulldozers shall be provided with substantial canopies when necessary to protect the operator.

57.16–14 *Mandatory-UAC.* Face shields or goggles, in good condition, shall be worn when operating a grinding wheel.

METHODS AND PROCEDURES

GENERAL—SURFACE AND UNDERGROUND

57.16–25 Machinery and equipment should be maintained properly.

57.16–26 *Mandatory-UAC.* Unsafe equipment or machinery shall be removed from service immediately.

57.16–27 Machinery and equipment should be operated only by authorized and experienced persons.

57.16–28 Adequate clearance should be provided at machine installations.

57.16–29 *Mandatory-UAC.* Repairs or maintenance shall not be performed on machinery until the power is off and the machinery is blocked against motion, except where machinery motion is necessary to make adjustments.

57.16–30 *Mandatory-UAC.* Men shall not work on or from a piece of mobile equipment in a raised position until it has been blocked in place securely. This does not preclude the use of equipment specifically designed as elevated mobile work platforms.

57.16–31 *Mandatory-UAC.* Drive belts shall not be shifted while in motion unless the machines are provided with mechanical shifters.

57.16–32 *Mandatory-UAC.* Belts, chains, and ropes shall not be guided onto power-driven moving pulleys, sprockets, or drums with the hands except on slow moving equipment especially designed for hand feeding.

57.16–33 *Mandatory-UAC.* Pulleys of conveyors shall not be cleaned manually while the conveyor is in motion.

57.16–34 *Mandatory-UAC.* Belt dressing shall not be applied manually while belts are in motion unless an aerosol-type dressing is used.

57.16–35 *Mandatory-UAC.* Machinery shall not be lubricated while in motion where a hazard exists, unless equipped with extended fittings or cups.

57.16–36 Tools and equipment should be used only for the purposes and within the capacity for which they were intended and designed.

SURFACE ONLY

57.16–45 *Mandatory-UAC.* Welding operations shall be shielded and well ventilated.

UNDERGROUND ONLY

57.16–55 Welding operations should be shielded and well ventilated.

§ 57.17 Personal protection.

GENERAL—SURFACE AND UNDERGROUND

57.17–1 *Mandatory-UAC.* Adequate first-aid materials, including stretchers and blankets, shall be provided at places convenient to all working areas. Water or neutralizing agents shall be available where corrosive chemicals or other harmful substances are stored, handled, or used.

57.17–2 *Mandatory.* All persons shall wear suitable hard hats when in or around a mine or plant where falling objects may create a hazard.

57.17–3 *Mandatory.* All persons shall wear suitable protective footwear when in or around a mine or plant where a hazard exists.

57.17–4 *Mandatory-UAC.* All persons shall wear safety glasses, goggles, or face shields when in or around a mine or plant.

57.17–5 *Mandatory-UAC.* Safety belts and lines shall be worn when men work where there is danger of falling; a second person shall tend the lifeline when bins, tanks, or other dangerous areas are entered.

57.17–6 Protective clothing, rubber gloves, goggles, or face shields should be worn by persons handling substances that are corrosive, toxic, or injurious to the skin.

57.17–7 *Mandatory-UAC.* Protective clothing or equipment and face shields or goggles shall be worn when welding, cutting, or working with molten metal.

57.17–8 Snug-fitting clothing should be worn around moving equipment and machinery.

57.17–9 Protective gloves should be worn by employees handling materials which may cause injury.

57.17–10 Gloves should not be worn where they could create a hazard by becoming entwined or caught in moving parts of machinery.

57.17–11 Finger rings should not be worn while working in or around a mine or plant.

57.17–12 Effective ear protection should be worn where noise levels may cause permanent ear damage or hearing loss, or noise should be reduced to safe levels.

57.17–13 Where there is danger of a vehicle overturning, seat belts should be used.

SURFACE ONLY

57.17–20 *Mandatory-UAC.* Life jackets or belts shall be worn where there is danger of falling into water.

§ 57.18 Materials storage and handling.

GENERAL—SURFACE AND UNDERGROUND

57.18–1 Materials should be stored and stacked in a manner which minimizes stumbling or fall-of-material hazards.

57.18–2 Men working on surge piles or storage piles should not walk or stand immediately above a reclaiming area during reclaiming.

57.18–3 *Mandatory-UAC.* Materials that can create hazards if accidentally liberated from their containers shall be stored in a manner that minimizes the dangers.

57.18–4 *Mandatory-UAC.* Hazardous materials shall be stored in containers of a type approved for such use by recognized agencies; such containers shall be labeled appropriately.

57.12–5 *Mandatory-UAC.* Compressed and liquid gas cylinders shall be secured in a safe manner.

57.18–6 *Mandatory-UAC.* Valves on compressed gas cylinders shall be protected by covers when being transported or stored, and by a safe location when the cylinders are in use.

57.18-7 Hitches and slings used to hoist materials should be designed and used properly for the particular material handled.

57.18-8 Taglines should be attached to suspended materials that require steadying.

57.18-9 *Mandatory-UAC.* Men shall stay clear of suspended loads.

57.18-10 Materials should not be dropped from an elevation unless the drop area is guarded or sufficient warning is given.

57.18-11 *Mandatory-UAC.* Men shall not ride on loads being moved by cranes or derricks, nor shall they ride the hoisting hooks unless such method eliminates a greater hazard.

57.18-12 Substances that react violently or liberate dangerous fumes when mixed should be stored in such a manner that they cannot come in contact with each other.

57.18-13 Only men wearing protective equipment should stand near pots or ladles when molten material is being handled; warning should be given before a pour is made or the pot is moved.

57.18-14 *Mandatory-UAC.* Operator-carrying overhead cranes shall be provided with:

(a) Bumpers at each end of each rail.

(b) Automatic switches to halt uptravel of the blocks before they strike the hoist.

(c) Effective audible warning signals within easy reach of the operator.

(d) A means to lockout the disconnect switch.

57.18-15 *Mandatory-UAC.* No person shall work from or travel on the bridge of an overhead crane unless the bridge is provided with substantial footwalks with toeboards and railings the length of the bridge.

57.18-16 Forklift trucks should be moved with the load in a low position and should descend ramps with the load behind.

UNDERGROUND ONLY

57.18-35 Chairs should be used to land shaft conveyances when heavy supplies or equipment are being handled.

§ 57.19 Illumination.

SURFACE ONLY

57.19-10 *Mandatory-UAC.* Illumination sufficient to provide safe working conditions shall be provided in and on all surface structures, paths, walkways, stairways, switch panels, loading and dumping sites, and work areas.

UNDERGROUND ONLY

57.19-20 *Mandatory-UAC.* Individual electric lamps shall be carried for illumination by all persons underground.

§ 57.20 Safety programs.

GENERAL—SURFACE AND UNDERGROUND

57.20-1 The employer should establish a definite, effective and continually functioning safety program and make every attempt to prevent accidents and increase safety. Employees should actively participate in the safety program.

57.20-2 Regular safety inspections should by made by company officials and/or safety committees. Written reports should be made of the findings and the actions recommended or taken; this information should be made available to the employees.

57.20-3 Serious accidents, whether resulting in injury or not, should be investigated to determine the cause and the means of preventing recurrence. Records of these investigations should be kept and the information should be made available to the employees.

57.20-4 Company safety regulations pertinent to the various operations should be published or posted for employee information.

57.20-5 All employees and officials should be familiar with company, State, and Federal safety regulations.

57.20-6 *Mandatory-UAC.* New employees shall be indoctrinated in safety rules and safe work procedures.

57.20-7 Inexperienced employees should be assigned to work with experienced men until such employees have acquired the necessary skills to perform their duties safely.

57.20-8 Each working place should be visited by a supervisor or a designated person at least once each shift and more frequently as necessary to insure that work is being done in a safe manner.

57.20-9 An authorized person should be in charge at all times when men are working.

57.20-10 Selected supervisors should be trained in first-aid. First-aid training should be made available to all employees.

57.20-11 All supervisors and employees should be trained in accident prevention.

57.20-12 *Mandatory-UAC.* Emergency telephone numbers shall be posted at appropriate telephones.

57.20-13 Where telephone service is not available, emergency communications should be provided to the nearest point of assistance.

57.20-14 *Mandatory-UAC.* Arrangements shall be made in advance for obtaining emergency medical assistance and transportation for injured persons.

SURFACE ONLY

57.20-20 *Mandatory-UAC.* No employee shall be assigned, or allowed, or be required to perform work alone in any area where hazardous conditions exist that would endanger his safety unless he can communicate with others, can be heard or can be seen.

UNDERGROUND ONLY

57.20-25 *Mandatory-UAC.* No employee shall be assigned, or allowed, or be required to perform work alone in any area where hazardous conditions exist that would endanger his safety unless his cries for help can be heard or he can be seen.

57.20-26 Operations should not be resumed in a mine following a mine disaster until such mine has been inspected and the mine is found to be in a safe condition to resume operations.

57.20-27 *Mandatory-UAC.* An accurate record of the men going in and out of the mine shall be kept on the surface.

§ 57.21 Man hoisting.

The hoisting standards in this section apply to those hoists and appurtenances used for hoisting men. However, where men may be endangered by hoists and appurtenances used solely for handling ore, rock, and materials, the appropriate standards should be applied.

HOISTS

57.21-1 *Mandatory-UAC.* Hoists shall have rated capacities consistent with the loads handled and the recommended safety factors of the ropes used.

57.21-2 *Mandatory-UAC.* Hoists shall be anchored securely.

57.21-3 *Mandatory-UAC.* Belt, rope, or chains shall not be used to connect driving mechanisms to man hoists.

57.21-4 *Mandatory-UAC.* Any hoist used to hoist men shall be equipped with a brake or brakes which shall be capable of holding its fully loaded cage, skip, or bucket at any point in the shaft.

57.21-5 *Mandatory-UAC.* The operating mechanism of the clutch of every man-hoist drum shall be provided with a locking mechanism, or interlocked electrically or mechanically with the brake to prevent accidental withdrawal of the clutch.

57.21-6 *Mandatory-UAC.* Automatic hoists shall be provided with devices that automatically apply the brakes in the event of power failure.

57.21-7 *Mandatory-UAC.* Man hoists shall be provided with devices to prevent overtravel and overspeed.

57.21-8 Friction hoists should be provided with synchronizing mechanisms that recalibrate the overtravel devices and position indicators to correct for rope creep or stretch.

57.21-9 *Mandatory-UAC.* An accurate and reliable indicator of the position of the cage, skip, bucket, or cars, in the shaft shall be provided.

57.21-10 *Mandatory-UAC.* Hoist controls shall be placed or housed so that the noise from machinery or other sources will not prevent hoistmen from hearing signals.

57.21-11 Flanges on drums should extend radially a minimum of 3 rope diameters beyond the last wrap.

57.21-12 Where grooved drums are used, the grooves should be of the proper size and pitch for the ropes used.

WIRE ROPE

57.21-20 The United States of America Standards Institute specifications cited in "Wire Ropes for Mines," M11.1-1960, or the latest revision thereof, should be used as a guide in the selection, installation, and maintenance of wire ropes used for hoisting, except in those instances where the recommendations cited herein are more stringent.

57.21-21 *Mandatory-UAC.* The following static-load safety factors shall be used for selecting ropes to be used for hoisting men and for determining when such ropes shall be removed from man hoists.

Length of rope in shaft (feet)	Minimum factor of safety (new rope)	Minimum factor of safety (remove)
500 or less	8	6.4
501 to 1,000	7	5.8
1,001 to 2,000	6	5.0
2,001 to 3,000	5	4.3
3,001 or more	4	3.6

57.21-22 At least three wraps of rope should be left on the drum when the conveyance is at the bottom of the hoistway. This provision does not apply to friction hoists.

57.21-23 The end of the rope at the drum should make at least one full turn on the drum shaft, or a spoke of the drum in the case of a free drum, and should be fastened securely by means of rope clips or clamps. This provision does not apply to friction hoists.

57.21-24 *Mandatory-UAC.* The rope shall be attached to the load by the thimble and clip method, the socketing method, or other approved method. If the socketing method is employed, zinc or its equivalent shall be used. The use of babbitt metal or lead for socketing wire ropes is prohibited. If the thimble and clip method is used, the following shall be observed:

(a) The rope shall be attached to the load by passing one end around an oval thimble that is attached to the load bending the end back so that it is parallel to the long or "live" end of the rope and fastening the two parts of the rope together with clips.

(b) The U-bolt of each clip shall encircle the short or "dead" end of the rope and the distance between clips shall not be less than the figures given in the accompanying table.

(c) The following number of clips or equivalent shall be used for various diameters of six strand 19 wire plow steel ropes: (Follow manufacturer's recommendations for other kinds of wire rope and clips.)

Diameter of rope, inches	Number of clips	Center-to-center spacing of clips, inches
¾	4	4½
⅞	4	5¼
1	4	6
1⅛	5	6¾
1¼	5	7½
1⅜	6	8¼
1½	6	9
1⅝	6	9¾
1¾	7	10½
1⅞	8	11¼
2	8	12
2⅛	8	13
2¼	8	14

(d) For all ropes less than three-fourths inch in diameter, at least four clips or equivalent shall be used.

(e) When special conditions require the attachment of a sling to the hoisting cable to handle equipment in the shaft, the sling shall be attached by clips or equivalent in accordance with the table in these regulations.

57.21-25 New ropes should be broken-in in accordance with the manufacturer's recommendations.

57.21-26 Corrosion of hoist ropes at the attachment of safety connections should be minimized by the design of the attachment devices and by lubrication.

57.21-27 Where possible, conveyances attached to single ropes used to hoist men should be provided with secondary safety connections.

HEADFRAMES AND SHEAVES

57.21-35 Headframes should be designed and constructed to withstand pulls by the hoists greater than the breaking strengths of the hoist ropes.

57.21-36 Headframes should be high enough to provide at least 15 feet of clearance between the bottom of the sheave or drum and the uppermost part of the highest rope connection of the conveyance when the conveyance is at its uppermost man landing.

57.21-37 Fleet angles should not exceed 1½ degrees.

57.21-38 *Mandatory-UAC*. Platforms with toeboards and handrails shall be provided around elevated head sheaves.

57.21-39 Diameters of head sheaves and hoist drums should conform to the following specifications:

Rope construction	Diameter of sheave and drum	
	Recommended (Times rope diameter)	Minimum (Times rope diameter)
6 x 7 classification	72	42
6 x 19	45	30
6 x 37	27	18
6 x 25 type B, flattened strand	45	30
6 x 27 type H, flattened strand	45	30
6 x 30 type G, flattened strand	45	30
18 x 7 classification	51	34

57.21-40 Head, idler, knuckle, and curve sheaves should have grooves that support the ropes properly. Before installing new ropes, the grooves shoud be inspected and where necessary machined to the proper contour and the proper groove diameter.

Conveyances

57.21-45 *Mandatory-UAC*. Man cages and skips used for hoisting or lowering employees or other persons in any vertical shaft or any incline shaft with an angle of inclination of forty-five (45) degrees from the horizontal, shall be covered with a metal bonnet.

57.21-46 *Mandatory*. Man cages shall be fireproof, of substantial construction and provided with:

(a) Fully enclosed sides, and safety gates; gates shall be at least 5 feet high and have no openings except those necessary for signaling.

(b) Escape hatches.

(c) Safety catches. This provision, (c), does not apply to friction-hoist cages that are suspended from more than one pin.

57.21-47 *Mandatory*. All skips conveying men shall be provided with:

(a) Safety catches. This provision, (a), does not apply to friction-hoists' skips that are suspended from more than one pin.

(b) Safe means of access.

(c) Platforms, where necessary, to provide safe footing.

(d) Stop controls to prevent travel into the dumping position.

(e) Anchored platforms inside the skips, if they are bottom-dumping.

(f) Devices to prevent tilting.

57.21-48 *Mandatory*. Man cars shall be of substantial construction and provided with:

(a) Drags or equivalent safety devices on the last car of man trips operated in inclined shafts where guides are not provided.

(b) Safety catches if guides are provided.

(c) Secondary safety connections where possible.

(d) Safety chains or wire ropes between cars.

(e) Adequate seating for the number of men handled.

57.21-49 *Mandatory-UAC*. Buckets used to hoist men during shaft sinking operations shall have:

(a) Crossheads equipped with safety catches and protective bonnets when the shaft depth exceeds 50 feet.

(b) Devices to prevent accidental dumping.

(c) Sufficient depth to transport men safely in a standing position.

Hoisting Procedures

57.21-55 *Mandatory-UAC*. When a manually operated hoist is used, a qualified hoistman shall remain within hearing of the telephone or signal device at all times while any person is underground.

57.21-56 When automatic hoisting is used, a qualified hoistman should be in attendance on the premises while any person is underground.

57.21-57 Hoistmen should be physically fit and should undergo yearly examinations to determine their continued fitness; certification to this effect should be available at the mine.

57.21-58 *Mandatory-UAC*. Only experienced hoistmen shall operate the hoist except in cases of emergency and in the training of new hoistmen.

57.21-59 *Mandatory-UAC*. Whenever a regular shift of men is being hoisted or lowered by a manually operated hoist, a second man familiar with and qualified to stop the hoist shall be in attendance; this provision shall not apply to sinking operations, level development, or repair operations in the mine.

57.21-60 Hoistmen should use extreme caution when hoisting or lowering men.

57.21-61 The safe speed should be determined for each shaft; in no instances should this speed exceed 2,500 feet per minute for hoisting men.

57.21-62 Maximum acceleration and deceleration should not exceed 6 feet per second.

57.21-63 Only authorized personnel should be in hoist rooms.

57.21-64 Conveyances intended to be operated in balance should not be balanced when men are on the cage.

57.21-65 *Mandatory-UAC*. Conveyances shall not be lowered by the brakes alone except during emergencies.

57.21-66 Management should designate the maximum number of men permitted to ride on a trip at one time; this limit should be posted on each landing.

57.21-67 Authorized persons should be in charge of all man trips.

57.21-68 Men should enter, ride, and leave conveyances in an orderly manner.

57.21-69 *Mandatory-UAC*. Men shall not enter or leave conveyances which are in motion or after a signal to move the conveyance has been given to the hoistman.

57.21-70 *Mandatory-UAC*. Cage doors or gates shall be closed while men are being hoisted; they shall not be opened until the cage has come to a stop.

57.21-71 *Mandatory-UAC*. Men shall not ride in skips or buckets with muck, supplies, materials, or tools other than small hand tools.

57.21-72 When combinations of cages and skips are used, the skips should be empty while men are being transported.

57.21-73 *Mandatory-UAC*. Rock or supplies shall not be hoisted in the same shaft as men during shift changes, unless the compartments and dumping bins are partitioned to prevent spillage into the cage compartment.

57.21-74 Men should not ride the bail, rim, or bonnet of any shaft conveyance, except where necessary for the inspection and maintenance of the shaft and lining.

57.21-75 *Mandatory-UAC*. Open hooks shall not be used to hoist buckets or other conveyances.

57.21-76 When men are hoisted, bucket speeds should not exceed 500 feet a minute, and should not exceed 200 feet a minute when within 100 feet of a landing.

57.21-77 *Mandatory-UAC*. Buckets shall be stopped about 15 feet from the shaft bottom to await a signal from one of the crew on the bottom for further lowering.

57.21-78 Buckets should be stopped after being raised 3 feet when men are hoisted from the bottom; a second hoisting signal should be given after the bucket has been stabilized. Hoisting should be at a minimum speed and the bellcord should be attended constantly until the crosshead has been engaged.

57.21-79 *Mandatory-UAC*. Where mine cars are hoisted by cage or skip, means for blocking cars shall be provided at all landings and also on the cage.

57.21-80 *Mandatory-UAC*. When tools, timbers, or other materials are being lowered or raised in a shaft by means of a bucket, skip, or cage, they shall be secured or so placed that they will not strike the sides of the shaft.

57.21-81 Conveyances not in use should be released and raised or lowered at least 10 feet from the floor of the landing.

Signaling

57.21-90 *Mandatory-UAC*. There shall be at least two effective approved methods of signaling between each of the shaft stations and the hoist room, one of which shall be a telephone or speaking tube.

57.21-91 Hoistmen should not accept hoisting instructions by telephone unless the regular signaling systems are out of order. During such an emergency one person should be designated to direct movement of the conveyance.

57.21-92 A method should be provided to signal hoist operators from within conveyances at any point in the shaft.

57.21-93 A standard code of hoisting signals should be adopted and used at each mine.

57.21-94 *Mandatory-UAC*. A legible signal code shall be posted prominently in the hoist house within easy view of the hoistmen, and at each place where signals are given or received.

57.21-95 Hoisting signal devices should be maintained within easy reach of men on the shaft bottom during sinking operation.

57.21-96 *Mandatory-UAC*. Any person responsible for receiving or giving signals for cages, skips, and mantrips when men or materials are being transported shall be familiar with the posted signaling code.

Shafts

57.21-100 *Mandatory-UAC*. Shaft landing shall be equipped with substantial safety gates so constructed that materials will not go through or under them; gates shall be closed except when loading or unloading shaft conveyances.

57.21-101 *Mandatory-UAC*. Positive stopblocks or a derail switch shall be installed on all tracks leading to a shaft collar or landing.

57.21-102. Guides should be provided in each hoisting compartment in shafts inclined more than 45° from the horizontal.

57.21-103 Dumping facilities should be so constructed as to minimize spillage into the shaft.

57.21-104 Adequate clearance should be maintained at shaft stations to allow men to pass safely and to allow materials to be handled safely.

57.21-105 *Mandatory-UAC*. A safe means of passage around open shaft compartments shall be provided on landings with more than one entrance to the shaft.

57.21–106 Shaft timbers should be kept clean of rocks and other loose material.

57.21–107 *Mandatory-UAC.* Hoistmen shall be informed when men are working in a compartment affected by that hoisting operation and a "Men Working in Shaft" sign shall be posted at the hoist.

57.21–108 "Men Working in Shaft" signs should be posted at the signal devices at all active stations and landings when men are working in a compartment affected by that hoisting operation.

57.21–109 *Mandatory.* Shaft inspection and repair work shall be performed from substantial platforms equipped with bonnets or equivalent overhead protection.

57.21–110 *Mandatory-UAC.* A Substantial bulkhead or equivalent protection shall be provided above men at work deepening a shaft.

57.21–111 Substantial fixed ladders should be maintained as near the shaft bottom as practical during shaft-sinking operations. Chain, wire rope, or other extension ladders should be used from the fixed ladder to the shaft bottom.

INSPECTION AND MAINTENANCE

57.21–120 *Mandatory-UAC.* A systematic procedure of inspection, testing, and maintaining of shafts and hoisting equipment shall be developed and followed. If it is found or suspected that any part is not functioning properly, the hoist shall not be used until the malfunction has been located and repaired or adjustments have been made.

57.21–122 Parts used to repair hoists kept of installation, lubrication, inspection, tests, and maintenance of shafts and hoisting equipment.

57.21–122 Parts used to repair hosits should have properties equal to or better than the original parts; replacement parts should be designed to fit the original installation.

57.21–123 Ropes should be kept well lubricated from end to end as recommended by the manufacturer.

57.21–124 Ropes should be cut off and reconnected to the conveyance as often as necessary to assure adequate inspection of rope condition and to effectively distribute wear of the rope. At least 6 feet should be cut from the rope above the highest connection; this portion should be examined carefully for corrosion, damage, wear, and fatigue by the rope manufacturer or an equally competent agency.

57.21–125 Hoisting ropes wound in multiple layers should be cut off and repositioned on the drum at regular intervals as necessary to effectively distribute wear of the rope. The length of the cutoff at the drum end should be greater than, but not an even multiple of, the circumference of the drum.

57.21–126 Ropes should be calipered at regular intervals as necessary to effectively determine the rate of wear and damage. Caliper measurements should be taken:

(a) Immediately above the socket or clips and above the safety connection.

(b) Where the ropes rest on the sheaves.

(c) Where the ropes leave the drums when the conveyances are at the regular stopping points.

(d) Where a layer of rope begins to overlap another layer on the drum.

51.21–127 *Mandatory-UAC.* Electromagnetic or other nondestructive rope testing systems should be used only as supplements to and not as substitutes for recommended inspection and tests.

57.21–128 *Mandatory-UAC.* Ropes shall not be used for hoisting when they have:

(a) More than six broken wires in any lay.

(b) Crown wires worn to less than 65 percent of the original diameter.

(c) A marked amount of corrosion or distortion.

(d) A combination of similar factors individually less severe than those above but which in aggregate might create an unsafe condition.

57.21–129 *Mandatory.* Hoistman shall examine their hoist and shall test overtravel, overspeed, and deadman controls, position indicators, and braking mechanisms at the beginning of each shift.

57.21–130 Empty conveyances should be operated up and down shafts at least one round trip before hoisting men after any shaft or equipment repairs and before regular man trips are hoisted or lowered.

57.21–131 Rope and conveyance connections to conveyances should be inspected daily.

57.21–132 Safety catches should be inspected daily; drop tests should be made at the time of installation. Every 2 months the cage should be rested on chairs or proper blocking to check the operation or activation of the safety catches by allowing the rope to slacken suddenly.

57.21–133 Shafts should be inspected at least weekly.

57.21–134 Sheaves should be inspected daily and kept properly lubricated.

57.21–135 Rollers used in inclined shafts should be lubricated, properly aligned and kept in good repair.

57.22 *Gassy mines.*

Gassy mines shall be operated in accordance with all mandatory standards in this part. Such mines shall also be operated in accordance with the mandatory standards in this section. The standards in this section apply only to underground operations.

MINE CLASSIFICATION

57.22–1 *Mandatory.* A mine shall be deemed gassy and thereafter operated as a gassy mine if:

(a) The State in which the mine is located classifies the mine as gassy; or

(b) Flammable gas emanating from the orebody or the strata surrounding the orebody has been ignited in the mine; or

(c) A concentration of 0.25 percent or more, by air analysis, of flammable gas emanating only from the orebody or the strata surrounding the orebody has been detected not less than 12 inches from the back, face, and ribs in any open workings; or

(d) The mine is connected to a gassy mine.

57.22–2 *Mandatory.* Flammable gases detected while unwatering mines and similar operations shall not be used to class a mine gassy.

FIRE PREVENTION AND CONTROL

57.22–10 *Mandatory.* Men shall not smoke or carry smoking materials, matches, or lighters underground. The operator shall institute a reasonable program to ensure that persons entering the mine do not carry smoking materials, matches, or lighters.

57.22–11 *Mandatory.* Except when necessary for welding or cutting, open flames shall not be used in other than fresh air or in places where flammable gases are present or may enter the air current.

57.22–12 *Mandatory.* Welding or cutting with arc or flame underground in other than fresh air or in places where flammable gases are present or may enter the air current shall be under the direct supervision of a qualified person who shall test for flammable gases before and frequently during such operations.

57.22–13 *Mandatory-UAC.* Welding or cutting shall not be performed in atmospheres containing more than 1 percent of flammable gases.

VENTILATION

52.22–20 *Mandatory.* Main fans shall be:

(a) Installed on the surface.

(b) Powered electrically from a circuit independent of the mine power circuit. Internal combustion engines shall be used only for standby power, or where electrical power is not available.

(c) Installed in fireproof housing provided with fireproof air ducts.

(d) Offset not less than 15 feet from the nearest side of the mine opening and equipped with ample means of pressure relief unless:

(1) The opening is not in direct line with forces which would come out of the mine should an explosion occur, and

(2) Another opening not less than 15 feet nor more than 100 feet from the fan opening is equipped with a weak-wall stopping or explosion doors in direct line with the forces which would come out of the mine should an explosion occur.

(e) Installed to permit prompt reversal of airflow.

(f) Attended constantly, or provided with automatic devices to give alarm when the fans slow down or stop. Such devices shall be placed so that they will be seen or heard by responsible persons.

57.22–21 Main fans should be:

(a) Operated continuously except when the mine is shut down for an extended period.

(b) Provided with pressure-recording gages.

(c) Inspected daily and records kept of such inspections and of fan maintenance.

57.22–22 The main intake and return air currents in mines should be in separate shafts, slopes, or drifts.

57.22–23 *Mandatory-UAC.* When single shafts are used for intake and return the curtain wall or partition shall be constructed of reinforced concrete or equivalent and provided with pressure relief devices.

57.22–24 *Mandatory.* When a main fan fails or stops and ventilation is not restored in a reasonable time action shall be taken to cut off the power to the areas affected and to withdraw all men from such areas.

57.22–25 When there has been a failure of ventilation and ventilation has been restored in a reasonable time, all places where flammable gas may have accumulated should be examined by a qualified person and determined to be free of flammable gas before power is restored and work resumed.

57.22–26 *Mandatory.* When ventilation is not restored in a reasonable time, all men shall be removed from the areas affected, and after ventilation has been restored, the areas affected shall be examined by qualified persons for gas and other hazards and made safe before power is restored and before men, other than the examiners and other authorized persons, return to the areas affected.

57.22–27 *Mandatory-UAC.* When the main fan or fans have been shut down with all men out of the mine, no person, other than those qualified to examine the mine, or other authorized persons, shall go underground until the fans have been started and the mine examined for gas and other hazards and declared safe.

57.22–28 *Mandatory-UAC.* Booster fans shall be:

(a) Operated by permissible drive units maintained in permissible condition.

(b) Operated only in air containing not more than 1 percent flammable gas.

57.22–29 Booster fans should be:

(a) Inspected by a qualified person at least once each shift or provided with automatic devices to give alarm when the fans slow down or stop.

(b) Equipped with devices that automatically cut off the power in areas affected if the fans slow down or stop when the fans are not provided with automatic alarm devices.

(c) Provided with air locks, the doors of which open automatically if the fan stops operating.

57.22–30 *Mandatory-UAC.* Auxiliary fans shall be:

(a) Operated by permissible drive units maintained in permissible condition.

(b) Operated only in air containing not more than 1.0 percent flammable gas.

57.22–31 Auxiliary fans should be inspected by qualified persons at least twice each shift.

57.22–32 *Mandatory-UAC.* Men shall be withdrawn from areas affected by auxilliary or booster fans when such fans slow down or stop.

57.22–33 *Mandatory.* The volume and velocity of the current of air coursed through all active areas shall be sufficient to dilute and carry away flammable gases, smoke and fumes.

57.22–34 *Mandatory-UAC.* The quantity of air coursed through the last open crosscuts in pairs or sets of entries, or through other ventilation openings nearest the face, shall be at least 6,000 cubic feet a minute.

57.22–35 *Mandatory.* At least once each week, a qualified or competent person shall measure the volume of air entering the main intakes and leaving the main returns, the volume of the intake and return of each split, and the volume through the last open crosscuts or other ventilation openings nearest the active faces. Records of such measurements shall be kept in a book on the surface.

57.22–36 Permanently installed battery-charging and transformer stations should be ventilated by separate splits of air conducted directly to return air courses.

57.22–37 Electrically operated pumps, compressors, and portable substations should be in intake air.

57.22–38 *Mandatory.* Changes in ventilation that materially affect the main air current or any split thereof and may affect the safety of persons in the mine shall be made only when the mine is idle. Only those persons engaged in making such changes shall be permitted in the mine during the change. Power shall be removed from the areas affected by the change before work starts and not restored until the effect of the change has been ascertained and the affected areas determined to be safe by a qualified person.

57.22–39 *Mandatory-UAC.* If flammable gas in excess of 1 percent by volume is detected in the air not less than 12 inches from the back, face, and rib of an underground working place, or in air returning from a working place or places, adjustments shall be made in the ventilation immediately so that the concentration of flammable gas in such air is reduced to 1 percent or less.

57.22–40 *Mandatory-UAC.* If 1.5 percent or higher concentration of flammable gas is detected in air returning from an underground working place or places, the men shall be withdrawn and the power cut off to the portion of the mine endangered by such flammable gas until the concentration of such gas is reduced to 1 percent or less.

57.22–41 *Mandatory.* Air that has passed by an opening of any unsealed abandoned area and contains 0.25 percent or more of flammable gas shall not be used to ventilate working areas. Examinations of such air shall be conducted during the preshift examination required by § 57.22–59.

57.22–42 *Mandatory.* Air that has passed through an abandoned panel or area which is inaccessible for inspection shall not be used to ventilate any active face workings in such mine. No air which has been used to ventilate an area from which the pillars have been removed shall be used to ventilate any active face workings in such mine, except that such air may be used to ventilate enough advancing working places or rooms immediately adjacent to the line of retreat to maintain an orderly sequence of pillar recovery on a set of entries.

57.22–43 *Mandatory - UAC.* Abandoned areas shall be sealed or ventilated; areas that are not sealed shall be barricaded and posted against unauthorized entry.

57.22–44 *Mandatory-UAC.* Seals shall be of substantial construction. Exposed surfaces shall be made of fire-resistant material or, if the commodity mined is combustible, seals shall be made of incombustible material.

57.22–45 *Mandatory-UAC.* One or more seals of every sealed area shall be fitted with a pipe and a valve or cap to permit sampling of the atmosphere and measurement of the pressure behind such seals.

57.22–46 *Mandatory-UAC.* Crosscuts shall be made at intervals not in excess of 100 feet between entries and between rooms.

57.22–47 Crosscuts should be closed where necessary to provide adequate face ventilation.

57.22–48 *Mandatory.* Line brattice or other suitable devices shall be installed from the last open crosscut to a point near the face to assure positive airflow to the face of every active underground working place, unless the Secretary or his authorized representative permits an exception to this requirement.

57.22–49 Brattice cloth should be of flame-resistant material.

57.22–50 *Mandatory-UAC.* Damaged brattices shall be repaired promptly.

57.22–51 Crosscuts should be provided, where practicable, at or near the faces of entries and rooms before they are abandoned.

57.22–52 *Mandatory - UAC.* Entries or rooms shall not be started off entries beyond the last open crosscuts, except that room necks and entries not to exceed 18 feet in depth may be turned off entries beyond the last open crosscuts if such room necks or entries are kept free of accumulations of flammable gas by use of line brattice or other adequate means.

57.22–53 Stoppings in crosscuts between intake and return airways, on entries other than room entries, should be built of solid, substantial material; exposed surfaces should be made of fire-resistant material or, if the material mind in combustible, stoppings should be made of incombustible material.

57.22–54 Stoppings should be reasonably airtight.

57.22–55 *Mandatory-UAC.* The main ventilation shall be so arranged by means of air locks, overcasts, or undercasts that the passage of trips or persons does not cause interruptions of air currents. Where air locks are impracticable, single doors may be used if they are attended constantly while the areas of the mine affected by the doors are being worked, unless they are operated mechanically or are self-closing.

57.22–56 *Mandatory-UAC.* Air locks shall be ventilated sufficiently to prevent accumulations of flammable gas inside the locks.

57.22–57 *Mandatory-UAC.* Doors shall be kept closed except when men or equipment are passing through the doorways.

57.22–58 Overcasts and undercasts should be:

(a) Constructed tightly of incombustible material.

(b) Of sufficient strength to withstand possible falls from the back.

(c) Kept clear of obstructions.

57.22–59 *Mandatory.* Preshift examinations shall be made of all working areas by qualified persons within 3 hours before any workmen, other than the examiners, enter the mine.

57.22–60 *Mandatory.* Each examiner shall be responsible for a definite underground area and shall:

(a) Inspect the working places and test the air therein with a permissible flame safety lamp for oxygen deficiency and with a device approved by the Secretary for detecting flammable gas.

(b) Examine the seals and doors to determine whether they are functioning properly.

(c) Inspect the roadways, travelways, approaches to abandoned workings, and accessible falls in active areas for flammable gas.

(d) Determine whether the air in each split is traveling in its proper course and in normal volume.

(e) Place his initials and the date at or near the face of each place he examines.

(f) Indicate places that he considers may be dangerous to persons who may enter or be in such places by posting danger signs conspicuously at points that persons must pass to enter such dangerous places.

(g) After completing his examination, report the results to the mine operator or other designated person, at a designated place on the surface of the mine or underground, before other persons enter the underground areas of such mine.

(h) Record the results of his examination with ink or indelible pencil in a book kept for that purpose at a designated place on the surface of the mine.

57.22–61 *Mandatory-UAC.* Only qualified examiners and persons authorized to correct the dangerous conditions shall enter places or areas where danger signs are posted.

57.22–62 *Mandatory-UAC.* Danger signs shall not be removed until the dangerous conditions have been corrected.

57.22–62 *Mandatory.* Underground working places shall be examined for hazards by certified persons at least once during each producing shift, and more often, if necessary. Examinations shall include tests for oxygen deficiency with a permissible flame safety lamp and for flammable gas with a device approved by the Secretary for such use.

57.22–64 *Mandatory.* Idle and abandoned areas shall be inspected for gas and for oxygen deficiency and other dangerous conditions by a qualified person as soon as possible, but not more than 3 hours before other employees are permitted to enter or work in such places. However, persons who are required regularly to enter such areas in the performance of their duties, and who are trained and qualified in means approved by the Secretary for detecting flammable gas and who are trained in the use of a permissible flame safety lamp for oxygen deficiency are authorized to make such examinations for themselves, and each such person shall be properly equipped and shall make such examinations upon entering any such area.

57.22–65 Examinations for dangerous conditions, including tests for flammable gas with a device approved by the Secretary should be made at least once each week, and at intervals of not more than 7 days, by the mine foreman or other designated mine official, except during weeks in which the mine is idle for the entire week. The foreman or other designated mine official should:

(a) Examine and make tests;

(1) In the return of each split where it enters the main return,

(2) On accessible pillar falls,

(3) At seals,

(4) In the main return,

(5) In at least one entry of each intake and return airway in its entirety,

(6) In idle workings,

(7) In abandoned workings, insofar as conditions permit,

(b) Mark his initials and the data at the places examined;

(c) Report dangerous conditions promptly to the mine operator or other designated person;

(d) Record the results of his examination with ink or indelible pencil in a book kept for that purpose at a designated place on the surface of the mine.

57.22–66 The mine foreman or other designated mine official should read and countersign promptly the reports of daily and weekly examinations by qualified persons, and should take prompt action to have dangerous conditions corrected.

EQUIPMENT

57.22–75 *Mandatory.* Diesel-powered equipment not approved as permissible by the Bureau of Mines for use in mines subject to these regulations shall not be used underground. Permissible equipment shall be maintained in permissible condition.

57.22–76 *Mandatory-UAC.* Diesel-powered equipment shall not be taken into or operated in places where flammable gas exceeds 1.0 percent at any point not less than 12 inches from the back, face, and rib.

57.22–77 *Mandatory-UAC.* Trolley wires and trolley feeder wires shall be on intake air and shall not extend beyond the last open crosscut or other ventilation opening. Such wires shall be kept at least 150 feet from pillar workings.

57.22–78 *Mandatory*. Only permissible equipment maintained in permissible condition shall be used beyond the last open crosscut or in places where dangerous quantities of flammable gases are present or may enter the air current.

57.22–79 *Mandatory-UAC*. Only permissible distribution boxes shall be used in working places and other places where dangerous quantities of flammable gas may be present or may enter the air current.

57.22–80 *Mandatory*. Tests for flammable gas shall be made with a device approved by the Secretary, by persons trained in the use of such lamps or devices, before electrically powered or diesel powered equipment is taken into or operated in face regions, and such tests shall be made frequently during such operations.

57.22–81 *Mandatory-UAC*. No electric equipment shall be taken into or operated in places where flammable gas can be detected in the amount of 1 percent or more at any point not less than 12 inches from the back, face, and rib.

ILLUMINATION

57.22–90 *Mandatory-UAC*. Only permissible electric lamps shall be used for portable illumination underground.

EXPLOSIVES

57.22–95 *Mandatory-UAC*. AN-FO or other blasting agents other than explosives designated as permissible by the Bureau of Mines, shall not be used in any underground gassy mine until the U.S. Bureau of Mines and State Inspector of Mines have given written approval for each specific blasting agent or explosive used in any underground mine.

57.22–96 *Mandatory*. The Bureau of Mines and the State Inspector of Mines, in granting approval referred to in paragraph one, shall provide the operator with a written list of conditions for using the specific blasting agent or explosives covered by the approval and adapted to the mining operation.

57.22–97 *Mandatory*. When permissible explosives are used underground, they shall be fired with:

(a) Instantaneous of millisecond delay electric detonators of proper strength.

(b) Permissible shot-firing units, unless the rounds are fired from the surface when all men are out of the mine.

57.22–98 *Mandatory-UAC*. Boreholes shall be stemmed as prescribed for the explosives used.

57.22–99 *Mandatory-UAC*. Examinations for gas shall be made immediately before and after firing each shot or round.

57.22–100 *Mandatory-UAC*. Shots or rounds shall not be fired in places where flammable gas can be detected with a permissible flame safety lamp, or where 1 percent or more of flammable gas can be detected by any other Bureau of Mines approved device or method, at a point not less than 12 inches from the back, face, and rib.

57.22–101 Shots and rounds should be fired by qualified persons.

§ 57.23 Miscellaneous.

GENERAL—SURFACE AND UNDERGROUND

57.23–1 *Mandatory-UAC*. Intoxicating beverages and narcotics shall not be permitted or used in or around mines. Persons under the influence of alcohol or narcotics shall not be permitted on the job.

57.23–2 *Mandatory-UAC*. Potable water shall be available to all employees during working hours.

57.23–3 Good housekeeping should be practiced in and around a mine.

57.23–4 Men should not engage in horseplay.

57.23–5 *Mandatory-UAC*. Carbon tetrachloride shall not be used.

57.23–6 Protruding nails which may cause injury should be removed or completely bent over.

57.23–7 Employees should be constantly alert to the potential of accidents on their jobs.

57.23–8 Toilet facilities should be provided at convenient locations and should be kept clean and sanitary.

57.23–9 *Mandatory-UAC*. Dusts suspected of being explosive shall be tested for explosibility. If tests prove positive, appropriate control measures shall be taken.

57.23–10 *Mandatory-UAC*. If failure of a water or silt retaining dam will create a hazard it shall be of substantial construction and inspected at regular intervals.

SURFACE ONLY

57.23–20 *Mandatory-UAC*. Access to unattended mine openings shall be restricted by gates on doors, or the openings shall be fenced and posted.

57.23–21 *Mandatory-UAC*. Upon abandonment of a mine, the owner or operator shall effectively close or fence off all surface openings down which persons could fall or through which persons could enter. Upon or near all such safeguards, trespass warnings and appropriate danger notices shall be posted.

UNDERGROUND ONLY

57.23–30 *Mandatory*. Whenever any working place in a mine is being advanced in an area where a dangerous inrush of water, silt, or gas may be encountered, test holes of sufficient depth, proper orientation, and number shall be drilled in advance of such workings to ensure that at least 20 feet of tested ground remains to prevent an uncontrolled inrush after any blast advancing the face.

57.23–31 *Mandatory-UAC*. In areas where dangerous accumulations of water, gas, mud, or fire atmospheres could be encountered, men shall be removed to safe places before blasting.

57.23–32 Telephone service or equivalent two-way communication facilities should be provided from underground working areas to the surface.

§ 57.24 Savings provision.

57.24–1 Unless otherwise specified herein, nothing contained in these standards shall prevent the continued utilization of equipment, facilities or structures, including mine workings, now in use, which fail in whole or in part to meet the requirements of these standards, *Provided:*

(a) That such equipment, facilities, and structures are utilized in a safe manner and are maintained in safe condition.

(b) That any equipment, facilities, and structures which do not meet the mandatory specifications and safety standards set forth herein shall not be used after January 1, 1972, unless modified to conform to such standards.

(c) That all replacements of or additions to existing equipment, facilities or structures made after the effective date of these standards shall conform to such standards.

57.24–2 Nothing contained in § 57.24–1 above, shall be construed to conflict with, or limit, the authority granted by the Act to the Bureau to issue orders pursuant to section 8(a) of the Act.

57.24–3 Nothing contained in § 57.24–1 above, shall be construed to limit or conflict with any standards contained herein which prohibit specific unsafe work procedures or which require specific safe work procedures to be followed.

[F.R. Doc. 69–478; Filed, Jan. 15, 1969; 8:45 a.m.]

AIRLINE YOUTH FARES

(Mr. OLSEN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. OLSEN. Mr. Speaker, currently the Civil Aeronautics Board has before it the decision of Examiner Arthur S. Present which holds that airline youth fares are discriminatory to adult passengers and should be eliminated.

Three weeks ago I spoke in this Chamber in defense of the youth fare. As you perhaps know, this fare is available only to persons between the ages of 12 and 21, and it applies only to seats which would otherwise go vacant.

In a letter to Civil Aeronautics Board Chairman John H. Crooker January 22, I presented several arguments in support of youth fares. First and foremost, I believe this special fare has been a significant factor enabling thousands of young people to attend the colleges and universities of their choice. Many thousands of students and nonstudents have been provided with a better opportunity to receive the education that only travel can provide. Further, I expressed my sincere conviction that no one will benefit from elimination of the youth fare. Indeed, it could trigger a general rate increase for all passengers.

I have discussed this matter with several of our domestic airlines officials. Most agree with me that the youth fare should be retained. Mr. Speaker, I want to share with all of my colleagues a few of the reasons why the airlines, for the most part, favor the present arrangement.

Airline officials advise me the youth fare has definitely resulted in increased revenues. They add that the fare has been proved to be economically sound; it does meet the cost of the service. In addition, the airlines believe the youth fare educates our young people in terms of air transportation, developing, if you will, a future clientele.

Mr. Speaker, editors and other writers of college newspapers across the Nation are speaking out in favor of retention of the youth fare. They know the importance of this fare in the cause of education.

In the next few days, I intend to insert a number of these articles and editorials in the Congressional Record. Today, for the information of my colleagues, I include the following article in the Record:

American University Eagle, "CAB Will Abolish Youth Fares Unless Decision Is Appealed";

Ohio University Post, "Save Youth Fare";

Michigan State University State News, "Youth Fares May Go With No Quid Pro Quo";

Montana State University Exponent; "Airlines May Cancel Youth Fare Discounts";

University of Delaware, "Is the Youth Fare Dead?";

Duquesne University Duke, "Fares Unfair—Civil Aeronautics Board Challenges Student Standby Fare System";

University of Bridgeport Scribe, "And It's Back to the Bus Terminals";

Boston University News, "CAB and Congress Clash: Youth Cutrate Airfare Topic";

Loyola University News, "Youth Fare Fair?";

Catholic University Tower, "Airline Half Fares Facing Opposition" and "Keep 'em Flying"; and

Gonzaga University Bulletin, "Youth Standby Rates May Stop."

[From the American University Eagle]

CAB WILL ABOLISH YOUTH FARES UNLESS DECISION IS APPEALED

Airline discounts for students, offering as much as one-half off regular air fares on a stand-by basis, may be abolished if a decision of the Civil Aeronautics Board is not rescinded this month.

A campaign has been launched by some students and one member of Congress to appeal and hopefully rescind the CAB decision, reached last month on the basis of a report by Examiner Arthur Present who called the discount fares "unjustly discriminatory."

Unless the CAB decides to review the decision, it will become effective on February 20, 30 days following the original decision.

Examiner Present said airline passengers "having the same characteristics as youths except for their age are injured by being required to pay a regular fare."

The discount fares, offered on most of the major air carriers to students in the 12-to-22 age bracket, range from half-fare for stand-by passengers to two-thirds for reservations, as well as some youth group fares.

A student at the University of Houston has urged students to write the CAB at 1825 Connecticut Avenue, NW, Washington, DC, to "protest against this unfair decision against youth fares." (See Letters to the Editor)

And Congressman Arnold Olsen (D-Mont.) this week charged that elimination of airline youth fares would "encourage thousands of young people to resume the illegal and dangerous practice of hitchhiking or to attempt long, exhausting automobile trips, frequently in unsafe vehicles." He argued that no one would benefit from a discontinuation of youth fares.

"I fail to see how permitting a young person to fly half fare on a seat that would otherwise go empty discriminates against regular passengers," Olsen asserted in a letter to CAB Chairman John Crooker.

Olsen also cited serious age discrimination practices the government has begun and perpetuated, among them the denial of the vote to most citizens younger than 21, denial of Social Security benefits to citizens not 62 years or older, refusal of persons under 25 to serve in Congress and of those under 35 to serve as President.

Olsen said he does not argue that all these restrictions should be changed. "There are prudent considerations supporting some of them. However, I do argue that there is equally prudent support for retention of the student fares."

The Montana Congressman said he views the youth fare as a "bright spot in a world that generally discriminates against young people. The safest driver in the world has to pay twice as much for car insurance if his age happens to be 22 or 23," Olsen said.

The current youth fare case was triggered by complaints from several bus companies. At first, the CAB refused to hear the complaints, upholding the fares as a legitimate way to promote airline traffic. But last year the bus companies won a court order requiring the CAB to investigate the fares.

Though none of the 24 US airlines offering the youth fare discounts have reported a loss on the program, originated by American Airlines in 1966, only 14 of the carriers supported the youth fare discounts during the extensive CAB investigation which results in Present's 83-page decision. Ten of the carriers either opposed the youth fare discount or had no position on the matter.

[From the Ohio University Post, Feb, 11, 1969]

SAVE YOUTH FARE

If you're one of the many students who flies youth fare, you're going to be in for a big surprise the next time you catch a flight unless a plan by an examiner of the Civil Aeronautics Board is stopped immediately.

Board Examiner Arthur S. Present has issued a decision calling for the elimination of the airline youth fare because he considers it discriminatory to adults.

Now, that's a switch.

The safest automobile driver in the world has to pay twice as much for car insurance if he happens to be under 23.

Persons under 21 cannot vote; persons under 25 cannot serve in Congress; persons under 62 cannot receive Social Security benefits, persons under 35 cannot be president of the United States, and on and on goes the list of discriminatory practices based on age.

Most of the discriminatory practices based on age are aimed against the young. But children under 12 do get discounts on movies, and students under 22 have received airline discounts. These are about the only areas where youth gets the benefit.

Montana Congressman Arnold Olsen, who is fighting the proposal, calls the youth fare "a bright spot in a world that generally discriminates against young people."

He says it is hardly unfair to allow a young person with little or no income to fly for half-fare in a seat that otherwise would go empty.

We agree. Furthermore, the half fare rate has been a valuable contribution to the education of hundreds of thousands of students. Travel to educational conferences, to other campuses, to major events throughout the country, and even to a vacation in a part of the country never seen before are all educational experiences.

But the abolition of the student fare will reduce greatly the amount of student flying, and the airlines certainly will not benefit from having more empty seats.

The end to the half fare will come at the end of this month unless students who will be affected speak up now.

Write your opinion to CAB Chairman John H. Crooker, and send a carbon copy to your congressman. There is still a chance youth fare can be saved, for the full board has not voted on the proposal yet. But in a matter of days it will. So if you care, make your view on youth fare known today.

[From Michigan State University]

YOUTH FARES MAY GO WITH NO QUID PRO QUO

The "Airline Youth Fare Card" policy, implemented by many U.S. airlines, is in danger of becoming obsolete. And it's barely gotten off the ground!

According to an examiner, Mr. Arthur Present, of the Civil Aeronautics Board, the youth rates, affecting those in the 12–21 age bracket, are discriminatory against over-21 passengers. His ruling is subject to review by the board, but if action is not taken within a 30 day period (the ruling was made Jan. 21), it will go into effect.

Mr. Present feels that age alone should not be the determinant for a price difference among prospective passengers. It is his opinion that the ". . . airlines develop fares benefiting the public in general."

What must be stressed is that the elimination of youth fares is not a practical solution to this problem. Most of the airlines offering youth discounts are in favor of keeping them. They realize that their revenues have increased due to this policy and, while aiding themselves, they have also given the majority of students a "fair" system in which they can enjoy flying at reasonable prices in seats that would otherwise go empty.

A practical solution to this problem is to retain the youth fare policy while continuing work toward an equitable system for those not enjoying reduced rates.

The youth fare policy has aided many a young person in his travels, and it seems unnecessary to abolish it simply because airline prices in general are so high.

[From the Bozeman (Mont.) Exponent, Feb. 7, 1969]

AIRLINES MAY CANCEL YOUTH FARE DISCOUNTS

(By Colleen Beausoleil)

A proposal eliminating half-fare student standby tickets for persons under 21 is being advocated by the Civil Aeronautics Board.

The CAB ruling, written by Examiner Arthur S. Present, judged special fares discriminatory to adult passengers.

If the ruling is upheld by the five member board and passed by the Senate, youth fares will be dropped within 30 days of the day on which the U.S. Senate ratifies it.

Northwest Airlines in Seattle commented, "We are in favor of youth standby. Our Tariff Office hasn't filed for a change in present rate regulations."

"We feel stand-by rates are worthwhile," added the airlines.

Northwest asserted, "We fail to see how permitting a young person to fly half fare in a seat that would otherwise be empty discriminates against other passengers."

Only empty seats are sold for half-fare. If a would-be passenger will pay full fare for the seat, the standby is "bumped."

Continuing, they argued "prudent justice" in this situation would be influenced by the facts:

Most passengers over 21 are restricted by personal demands or schedules from available flying space.

A change to include all age groups in standby fares would create havoc for reservation systems.

Revenue losses resulting from elimination of existing regulations could mean increased fares for all passengers.

Present youth fares contribute substantially to education.

[From the University of Delaware, Feb. 7, 1969]

IS THE YOUTH FARE DEAD?

Spring break is still two hourlies away, however, college students are notorious for their ability to plan their Easter vacation trip well in advance.

Transportation is usually the first step and this year the problem appears to be even more complicated.

Since 1966, 24 American airlines have offered a student discount plan for air travel. Most offer one-half the regular fare for those students under 22 years of age wish to fly on a standby basis. Several offer "confirmed reservations" for this same age bracket at one-third off.

But the Civil Aeronautics Board is threatening to take this opportunity away from us in less than one month. It seems that while students are flocking to the airlines with the pretty stewardess' and the good food the "leave the driving to us" bus companies are suffering.

The National Trailways Bus System, a trade organization of bus companies, and TCO Industries Inc. filed suit against the youth fare plans claiming that the plan discriminated against passengers who must pay the full fare.

This discriminatory accusation which caused the CAB to order the airlines to abolish the youth fare raises some interesting points. If we carry the ruling further then there should not be a "childrens" price and an "adults" price at the movies; there should not be increased auto insurance rates for those under 21 years old; military standby would also have to be eliminated since this is discriminating against civilians.

The whole controversy sounds like sour grapes. It is ridiculous for the bus companies to protest discrimination because buses can't provide the same services that the airlines can.

For example if you are thinking about going to Los Angeles it would cost you $88 and take 52 hours by bus, however, by flying you arrive in four hours after a movie for $18 less. To Chicago you save eight dollars and 15 hours. To Miami, unless you get hijacked, you get one full day longer in the sun if you fly.

If you are upset, angered, or just confused about your plans to fly over spring break and you want to keep the student fare write to the Civil Aeronautics Board in Washington, D.C. We hope you do.

[From the Duquesne University Duke, Feb. 7, 1969]

FARES UNFAIR?—CIVIL AERONAUTICS BOARD CHALLENGES STUDENT STANDBY FARE SYSTEM

(By Anne Scrivener)

Last year youth fare card holders accounted for some 5.8 million of the passengers of this country's airlines. This year the Civil Aeronautics Board (CAB) has moved to abolish the youth fare system.

A Civil Aeronautics Board examiner decided that the discounts are "unjustly discriminatory" against passengers who must pay the full fare only because they don't fall within the proper age group, 12–21.

Following this line of reasoning, the laws which prohibit voting and drinking before age 21 are equally discriminatory. They also deny a privilege to a person who is qualified except for age. At least in the case of the youth fare, though, there is some advantage to being under 21.

However, the essential difference between these two situations is that one sets up the age of 21 as an arbitrary marker of maturity, while the other sets up age 21 as an arbitrary marker of earning power. In both cases such criteria are questionable.

The same type of society which has brought about greater maturity in young people has also forced them into a longer period of economic dependence. The earning power of a full time student is ipso facto limited. And young people are spending more and more years as full time students.

Thus the discrimination charge is not entirely valid. The youth fare programs merely take into account the high cost of flying a plane with empty seats and the notoriously limited funds of most students.

NOT STEALING SEATS

It must be remembered that students flying stand-by are not taking away seats from paying customers. The stand by arrangement is one of mutual benefit to the student and to the airline. The student is able to reach his destination much more quickly by air and the discount puts the airline in favorable competition with other means of transportation, so favorable in fact that in many cases it is cheaper to fly stand-by than to travel by bus or train.

And the airline on its part makes at least some money on a seat that would otherwise be empty and costing them money anyway.

Student standby fares are a blessing most students cannot afford (literally) to let slip easily through their fingers. A full time student could be very hard pressed to come up with the money needed for travel if he did not have the opportunity to fly stand by.

And besides, if youth fare standbys are eliminated, think how much of the excitement of flying will go with them. How dull it would be to be absolutely certain that one was going to be able to catch a particular flight. Stand-by flying is one of the challenges to the mental and physical stamina of young people.

If CAB wanted to make some constructive suggestions about youth fares, perhaps it would like to recommend that they be extended to all full time students, be they over or under 21. Graduate students, after all, don't have any more money than undergraduates to spend on travel.

OFFER DISCOUNTS

Or perhaps the airlines could come up with some way to offer general discounts at holiday time and thus avoid the charges of discrimination.

If CAB is not asked to review its decision, the abolition of youth fares will become automatically effective in 30 days. If this decision goes by unchallenged, it appears likely that group discounts may feel the axe next.

The discontinuance of youth fare discounts would be a blow not only to the students, but also to the airlines who would stand to lose many of their young passengers.

The Civil Aeronautics Board is located at 1825 Connecticut Avenue, Washington, D.C. 20009. If they receive a sufficient number of protests against the youth fare decision, they will set a new hearing on the matter. However, if this is not done within 30 days, the ruling will become law.

For those students, who feel they cannot spare the time to write a letter, Western Union will send a 15 word telegram to any congressman or to the president for 90 cents.

The only other alternative is to save that 90 cents toward the price of the next ticket home. But it might be thriftier to send the telegram.

[From the University of Bridgeport Scribe, Feb. 7, 1969]

AND IT'S BACK TO THE BUS TERMINALS

Travel by Youth Fare may become a thing of the past.

Arthur Present, an examiner for the Civil Aeronautics Board, recommended to the board on Jan. 24 that Youth Fare discounts be abolished.

The recommendation by the CAB member was prompted by a complaint lodged by several bus companies a year ago when National Trailways Bus System and TCO Industries, Inc., formerly Transcontinental Bus System, Inc., obtained a court order demanding that CAB investigate the airline discount rates.

In Present's 83 page decision he stated, "airline passengers having the same characteristics as youths except for their age are injured by being required to pay a regular fare."

If the entire CAB agrees with Present's recommendation the 24 United States airlines that offer discount rates of one-third and one-half off the regular fare for persons between 12 and 22 will be forced to curtail the service.

The board has 30 days in which to review or accept the decision. On Feb. 24 the proposal will become effective unless the board sees the need to review it.

[From the Boston University News, Feb. 13, 1969]

CAB AND CONGRESS CLASH: YOUTH CUTRATE AIRFARE TOPIC

Several departmental offices in Washington are considering a revocation of youth fare rates on the nation's airlines within the next few weeks.

Civil Aeronautics Board (CAB) Examiner Arthur Present handed down a decision last week which observed that the current status enjoyed by students—half fare on any domestic flight on a stand-by basis—is discriminatory against full-fare paying, adult, passengers.

Representative Arnold Olsen (D-Montana) was annoyed with Present's position, and is leading a legislative fight to halt the CAB's proposed action. "I fail to see how permitting a young person to fly half fare on a seat that would otherwise go empty discriminates against regular passengers," Olsen asserted.

The move by Present and the CAB comes as a result of mounting pressure by some airline companies (notably Eastern Airline) to abandon the youth fare system. Eastern contends that losses from the unprecedented three year old student-rate plan are too large to allow continuation of that service. Northeast Airlines supported Eastern's position at a government hearing earlier this year. Two of the nation's air carriers, American and Trans World Airlines, have generally favored the student fare rates, and do not plan to oppose the program should the CAB press its case.

Congressman Olsen has urged students and others interested in the government's action to write letters to Mr. Present in Washington, as well as to their own Congressmen. A CAB ruling could come in as little as three weeks.

[From the Loyola News, Feb. 14, 1969]

YOUTH FARE FAIR?

(By Jim Marzano)

The Civil Aeronautics Board has issued a decision calling for the elimination of airline youth-fare programs because it judges this program discriminatory to adult full-fare passengers. Unless this decision is reversed, it will go into effect in a short time. While this action might not affect everyone at Loyola, it seems to me that the problem itself, along with the efforts of Rep. Arnold Olsen (D-Mont.), is worthy of discussion. At Loyola, 8.64% of the total enrollment live out of state. While this figure may not seem particularly significant, it does represent a number of students who might be forced to consider another school, should this decision be initiated by the CAB.

The main contention of the CAB is that youth-fare programs only serve to discriminate against full-fare passengers because of their age. It is quickly apparent to me that this is indeed a moot point, for age discrimination exists at all levels in our society, and ironically, most discrimination is against the young. As Rep. Olsen pointed out, "the safest driver in the world might have to pay twice as much car insurance, if he happens to be under 22." It is also interesting to note that persons under 21 cannot vote, yet these same persons are eligible for the draft at 18, and can legally be convicted of a major crime at the ripe age of 17. The list of age discrimination practices is inexhaustible, and certainly could not be covered in the length of this article, yet I find it hard to see how allowing a younger person to fly for half-fare for a seat that would otherwise go empty discriminates against a regular, full-fare passenger.

The bulk of youth-fare passengers are college students, and this is the group that would be hardest hit by the elimination of youth fares. The increased attention given by the government in the last 10 years to improve education serves to emphasize the fact that the youth-fare program has enabled thousands of students to take advantage of educational opportunities they might not have otherwise. The "Discover America" program has also benefited from the availability of air travel through youth-fare programs.

The case has been presented. If upheld by the five-member board, youth fares would be dropped within 30 days. Rep. Olsen asserts that the elimination of youth-fare programs on major airlines would "encourage thousands of people to resume the illegal and dangerous practice of hitch-hiking or attempt long, exhaustive automobile trips, frequently in unsafe vehicles." Because of the fact that the youth-fare programs contribute to the further education for most young people, the discontinuation of these programs would result in a revenue loss and create chaos in the reservation systems of major airlines, I agree with Rep. Olsen that no one would benefit from the discontinuation of youth-fare systems. Perhaps a closer look at the problem on the part of the CAB would result in a more prudent and just decision.

[From the Catholic University Tower, Feb. 14, 1969]

AIRLINE HALF FARES FACING OPPOSITION

(By Bill Barker)

Airline youth fares are in serious danger of being eliminated.

Arthur S. Present, an examiner for the Civil Aeronautics Board, issued a decision Jan. 20 that half-price fares for the under-22 age group will be illegal within 30 days. If the decision is not rescinded by the five-member board by the end of that time, it will become law.

Present is acting under power granted him by Congressional legislation, which authorized the CAB to prevent discrimination in transportation. The examiner maintains that airline passengers "having same characteristics as youths except for their age are injured by being required to pay a regular fare."

Congressional opposition to the decision is growing. Representative Arnold Olsen (D., Mont.) has expressed the opinion that the decision is imprudent and unjustified. Congressman Olsen points out that since the CAB is acting under long-standing legislation, Congressional approval of its decisions is not required. However, Olsen maintains that if enough opposition is raised by Congress and by students across the nation, the board may be persuaded to reverse its decision.

In a letter of Jan. 22 to the chairman of the CAB, Olsen expressed the opinion: "We must, as a nation, do all we can to encourage young people to educate themselves. Our government has acted in the last 10 years to improve our education system and has spent billions of dollars in this cause . . . The special youth fare has been an important factor in allowing young people to travel to institutions of higher learning. They also enable them to travel home more frequently to be with their families."

Olsen objects to Present's complaint that the youth fare discriminates against adult passengers. In his letter the Congressman maintains, "Mr. Present's charge that low cost fares for young persons discriminates against passengers over 21 fails to give proper consideration to the important fact that these young people are flying on a 'space available' basis—if they did not purchase half-fare tickets, the seats would go vacant."

Olsen also observed that the age discrimination is an acceptable practice all over the country. For example, persons under 21 cannot vote, persons under 25 cannot serve in Congress, and persons under 62 cannot receive social security. He referred to the youth fare as "a bright spot in a world that generally discriminates against young people."

Several large airline companies are also in favor of continuing the youth fare system. Ronald McVicker, assistant vice president of Northwest Airlines, says that his company strongly objects to the elimination of the system.

Olsen believes that the ruling can be prevented only if students write to the CAB and to their congressman, voicing their objections.

[From the Catholic University Tower, Feb. 14, 1969]

KEEP 'EM FLYING

Along with increasing tuition and board costs, the American student may be faced with yet another financial burden. The examiner of the Civil Aeronautics Board has decided to abolish youth fares for airlines. If the board does not have a change of heart before February 24 (the issue is entirely in the hands of the five man board), the decision will become law.

An act of Congress gave CAB the responsibility to prevent discrimination in air travel, but it seems that the board is either misinterpreting or abusing its responsibility. In a strictly legal sense, airlines do discriminate against adults by charging students half fares, but this is a case in which prudence should dominate over strict interpretation of the law. Half-fare passengers are given seats only on a stand-by basis, which means that the seats would otherwise be vacant. Why would a government agency seek to eliminate a service which injures no one and benefits millions?

It may be true that there are adults with similar financial problems to students, but to place a burden on the shoulders of one group for the simple reason that there exists another group which must bear the burden, is lopsided logic.

To eliminate youth fares on airlines is about as sensible as eliminating children's rates at movie theaters.

In the long run, the discontinuation of youth fares may even cause an increase in rates for full-fare passengers. Since the youth fare system provides a significant source of revenue for several airlines, something will have to be done to compensate for the loss of this revenue. It should therefore be clear to the CAB that the enforcement of its decision would in no way be beneficial to the adults who are "discriminated" against, and would serve only as a hardship for college students.

A government agency should seek to preserve justice, not create hardships where none exist. And what could be more just than to provide inexpensive air transportation for students who generally carry heavy financial burdens? It seems that the CAB had better reexamine its intentions.

[From the Gonzaga University Bulletin, Feb. 7, 1969]

YOUTH STANDBY RATES MAY STOP

A Civil Aeronautics Board examiner ruled about two weeks ago that "youth fares should be dropped." Unless the board decides to review the decision, it will automatically become effective in 30 days.

It appears few students know of this action and are unable to respond. The Bulletin urges students to protect their youth fares and to write immediately to The Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C., 20009. It is important that this be done within 30 days of the ruling, prior to February 21, so that a new hearing will be set.

It is claimed that the discounts are "unjustly discriminatory" against passengers who must buy full fares only because they don't fall within the age group offered the youth reductions. Currently, 24 U.S. airlines offer discounts of 33 and a third per cent to 50 per cent off regular jet-coach fares to persons between 12 and 21 years of age.

There are arguments on both sides of the issue. The Bulletin feels that the claim is at least questionable. The question deserves further treatment. Every student interested in maintaining these rates should ask now that the decision be reviewed.

Western Union now offers an "opinion telegram". For 90 cents a fifteen word telegram may be sent from anywhere in the U.S.: to any congressman, and to the President and Vice President. Telegram messages are accepted by phone.

SENTINEL MISSILE SHOULD BE HALTED INDEFINITELY

(Mr. PELLY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PELLY. Mr. Speaker, I believe that the administration and the appropriate committees of the Congress should take a very careful second look at the Sentinel missile defense system. I say this as one who originally on the recommendation of President Johnson and Secretary of Defense McNamara supported this antimissile system. I say it as one who reiterated this support in testimony in January before the House Committee on Appropriations.

However, since then, after giving careful thought and study to the Sentinel program, I have decided on the basis of further facts that the program should come to an indefinite halt or at least until after nuclear disarmament talks with the Soviet Union.

Mr. Speaker, I have urged President Nixon to stop the Sentinel, at least until after talks with the Russians, and in this connection I include the text of my letter to him which outlines the reasoning that prompted me to write this letter:

HOUSE OF REPRESENTATIVES,
Washington, D.C., February 17, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The purpose of this letter is to strongly urge you to defer all further implementation of the Sentinel Missile Program indefinitely, or until after any disarmament negotiations with the Soviet Union.

Because one of the proposed missile sites is scheduled for my Congressional District I have had occasion to carefully consider the pros and cons of this anti-ballistic missile defense system. In this connection, I fully agree with your recent statement when you said you did not buy the assumption that the "thin shield" system is to protect us from Red Chinese missile attack. After all the former Secretary of Defense, Robert S. McNamara, stated on September 18, 1967, that the United States has the power not only to destroy completely China's entire nuclear offensive forces, but to devastate her society as well. Surely this capability is sufficient to deter any Communist Chinese missile attack. As Secretary McNamara said then, it would be insane and suicide for her to launch such an attack.

Thus, I conclude, the present sentinel is actually a first step toward the so-called heavy ABM system although at best it has little promise of producing an adequate shield. However, surely if we did develop such an anti-Soviet shield, such a program would certainly induce the Soviets to increase their offensive capability to overcome any defense moves of ours. It seems to me any decision to proceed needs a careful second look.

I voted last year for the funds to initiate the sentinel system. Until recently I felt the same way in support of that program. I did not want, nor do I now want the Soviets to outdistance us in offense or defense.

But, now I feel it is advisable to pause in this costly program. I realize you, as President, do not want to take any risks. But, would a deferment in the sentinel program constitute a risk? I don't feel it would.

So, Mr. President, I urge that you halt the sentinel missile program at least until the need for any anti-missile protection is clearer. Surely the decisions of the past are sufficient to indicate to the Communists our intention to build a strong defense if need be—but let us talk nuclear disarmament and common sense with the Russians before we proceed with this weapons system which to say the least has dubious value.

Respectfully,

THOMAS M. PELLY,
Member of Congress.

RACKETEERING AT ITS WORST

(Mr. GROSS asked and was given permission to extend his remarks at this point in the RECORD and to include pertinent material.)

Mr. GROSS. Mr. Speaker, I wish to call to the attention of the House an article in the February 14, 1969, edition of Life magazine detailing the almost unbelievable corruption by labor mobsters and racketeers at the Gateway Army Ammunition Plant in St. Louis, Mo.

This situation was reported to the Department of Defense a year ago by the plant's commanding officer, but apparently nothing happened.

What is even more shocking is that someone in the last administration allowed these mobsters to get control of this plant, resulting in the shocking situation of racketeers controlling the production of ammunition for our fighting men.

I have today asked Defense Secretary Laird to look into this matter and tell me what is being done to expose and punish those responsible for awarding this outrageous contract.

I include the magazine article for publication in the RECORD at this point:

THE MOB

(By Denny Walsh)

On Sept. 25, 1967, because of an urgent shortage of 175-mm shells, the U.S. Army began converting a sprawling St. Louis steel foundry, mothballed since 1950, into a fully automated munitions factory. It would be known as the Gateway Army Ammunition Plant, and it was scheduled to be rushed to full production by July 1, 1968. Not until Christmas did the first batch—312 usable shells—trickle off the line. Full production will not be reached until next July, a year late.

The plant conversion costs, more than $22 million, nearly tripled first cost estimates of the Army Corps of Engineers.

Why?

Because—through a combination of corrupt St. Louis unions and mismanagement and lack of foresight on the part of the U.S. Army—the Mob has been fattening on the Pentagon's payroll, and making sure the gravy would last as long as possible.

A federal grand jury, set in motion late last summer, is still actively investigating the loss of millions of dollars at the ammo plant through union featherbedding, ghost payrolling, work slowdowns, phony overtime and virtually every other kind of on-the-job chicanery known to man. And though Congress clearly wishes the Gateway scandal would go away, there are several individual congressmen who seem determined to get to the bottom of it.

The proud and beautiful city of St. Louis has an unwholesome legacy of union racketeering, in which the Mafia-dominated crime syndicate has played the major role. Mob-controlled unions hold much of the available labor in a virtual hammerlock.

Despite these unpromising conditions, the U.S. Army decided to build its desperately needed facility in St. Louis because the government already owned a cobwebby old steel foundry there, built during World War II in the southwest section of the city. So simple did the plant's conversion appear to the Army that, in spite of some misgivings about the potential labor force, it estimated a mere $8 million for the changeover and confidently predicted completion by early the following summer.

Actual shell production ultimately would be handled by the Chrysler Corporation. The contract for the conversion was let to Mason-Rust, a joint-venture contractor with headquarters in Pittsburgh, Pa. and Lexington, Ky. Normally, such a contract would be awarded on a firm competitive-bid basis. In view of the urgency of the need for the big shells, however, the Pentagon elected to grant the Gateway conversion contract on a cost-plus basis—the government underwriting all expenses and guaranteeing the contractor a profit of $300,000 on completion.

Like the steel foundry itself, cost-plus was a creature of World War II, and pretty generally in disuse since the Korean conflict. To the Corps of Engineers, it looked like an expediency justified by the need for speed. To St. Louis mobsters in control of critical unions, it looked like a bonanza. It has proved to be just that, providing a small army of Mob soldiers, relatives and high-rankers with some of the easiest walking-around money they've ever picked up—and all "legitimate."

What Mason-Rust lacked was a cadre of its own permanent workers based in St. Louis. It had to make do with an imported management team, which was immediately at the mercy of Local 42 of the so-called Common Laborers (Laborers International Union of North America AFL-CIO). Of this local, as we shall see, the Mob was by all odds the lowest common denominator.

A pattern of featherbedding and general inefficiency quickly took shape. By Jan. 5, 1968, the plant's commanding officer, Lt. Colonel Frank S. Quattrocchi, had become incensed enough to sit down and write a five-page letter to his commander, Brig. General B. R. Luczak, at the Ammunition Procurement and Supply Agency (APSA) in Joliet, Ill.

Although Colonel Quattrocchi did not, at that time, realize the project had been invaded by the crime syndicate, his letter was full of insight. He told the general that, based on the payroll of Mason-Rust and his own staff's estimate of the labor productivity, "we are ineffectively spending approximately $21,000 per week."

Quattrocchi took note of one accepted fact which, to an average taxpayer, stands as a shocker: the Corps of Engineers from the outset was prepared to *concede* a 30%–35% lag in productivity as a calculated loss to featherbedding. In other words, it *expected* only 65%–70% production from the Mob-controlled unions. What it was actually getting, Quattrocchi fumed, was "25% productivity to an absolute maximum of 50%."

Colonel Quattrocchi then described an inspection tour he had made on the previous morning. Whereas 360 workers were accounted "present"—for pay purposes—at that hour, the colonel's head count netted 260. Of these, 60 were doing absolutely nothing. Roughly half of the remaining 200 appeared engaged only vaguely in constructive endeavor. The others were gathered in groups of four and five, "wandering aimlessly back and forth, or standing as if uncertain what they were supposed to be doing."

In passing, Colonel Quattrocchi mentioned that the Corps of Engineers' resident engineer on the job, Ralph O. Rogers, and the Mason-Rust project manager, Joseph M. Higgins, had both conceded that productivity was even below minimal expectations but had shrugged it off as "typical of the St. Louis area."

Quattrocchi's report could hardly have come as a surprise to the general. A representative of APSA's engineering division had previously visited the plant and filed a report which stated:

"It was noted that an excessive number of men are working in this building. . . . They get in each other's way. A good example was the moving of office desks into the third-floor offices. One truck, one crane and 13 men were being used to do the job that three or four men would normally do. Everywhere in this building men were standing around, generally drinking coffee. . . ."

At least two other reports by APSA officials, written prior to Colonel Quattrocchi's letter, indicated similar findings. They were further supported by the report of an official from the Army's munitions command at Dover, N.J.

One point in particular in Colonel Quattrocchi's letter caught General Luczak's eye. This was the colonel's mention of the "actual fear by the Mason-Rust first-line supervisors of the unions."

This fear was well-founded. Based on the Quattrocchi letter and an investigation by his own provost marshal, General Luczak decided the Justice Department should be asked to investigate. He telephoned Brig. General Craig Cannon, engineer of the Corps' Missouri River Division in Omaha, and told him so. General Cannon insisted that asking federal authorities for help was his—Cannon's—prerogative, since this was a Corps contract.

Cannon never requested an investigation. The Army's present explanation is that newspaper stories on lagging work at the plant had already stirred an active interest on the part of the FBI and the U.S. Attorney in St. Louis. The fact of the matter appears to be that the idea of calling in the FBI simply fell between stools—or between generals—and there, so far as the Army was concerned, it lay.

Meanwhile, as the work fell further and further behind schedule and labor costs mounted, an aura of new prosperity began to glow over the city's colony of gangsters. A lot of them were personally on the Mason-Rust payroll, their contribution being the absenteeism and/or do-nothingism that Colonel Quattrocchi had observed. Nor did they settle for mere straight time. Last July, for example, nearly half of the $275,000 payroll went for overtime. Some idlers were logging as much as 88½ hours a week.

In the same month, as a specific example of the way the taxpayers' largesse was being disposed, one Frank (Butch) Shoulders drew down roughly $2,500, which was twice as much as the plant commander himself was getting.

Butch was on the books as a "job superintendent." He just happens to be the brother of Lou Shoulders Jr., the burly ex-convict who is the boss of Local 42 of the Common Laborers and son of the late St. Louis police lieutenant who figured in the celebrated disappearance of the Greenlease ransom money in 1953. Lou got his start years ago with the Teamsters, beating up nonunion plumbers in Granite City, Ill. for $25 a day. ("Are you a good goon or just a cheap one?" he was once asked by Senator John McClellan. Shoulders took the Fifth.) There was a stretch in a federal prison on an interstate theft charge, after which he was taken under the wing of the late Frank (Buster) Wortman, who ran the East St. Louis Mob. It was with Buster's backing that Lou got control of Local 42. Today, as a measure of the affluence that the project at the ammo plant has enhanced, he buzzes around in a white Cadillac convertible, flashes a large diamond ring and has taken to carrying two or three thousand in cash.

Even if Lou Shoulders had no connection with organized crime, the excesses of his Local 42 members on the Gateway job—let alone the fact that the employer held still for them—were outrageous enough.

Government officials learned of one occasion on which some 40 workers were seen to disappear into a tunnel on the job site, where they presumably spent the rest of the day goofing off. There was copious evidence of drinking and gambling in the construction area. And when such on-site diversions as these were insufficient, some of the crew on the night shift took to leaving the project through holes in the "security" fence surrounding the plant to put in their time at neighborhood taverns.

On one of his personal tours of the plant, Colonel Quattrocchi noticed a man "who seemed to do nothing except stand in one place." He was told that the man was a guard. Actually, the "guard" was William Vincent Spinelli, also known as "Jack Harris," a nationally known gambling figure. (More recently, Spinelli hit print when the U.S. Supreme Court overturned his 1966 interstate gambling conviction in a bitterly split decision revolving around the legality of an FBI search warrant.)

As it happens, Spinelli and another Mason-Rust "employe" at Gateway, one Jack Joseph, work for Anthony Giardano, the St. Louis Cosa Nostra Boss, as bookmakers and gamblers.

Why were men like these standing around the munitions plant? To get paid. To keep a hard eye on things for the Mob. And once in a while to pick up a few bucks for their bosses on a shakedown. Spinelli and other mobsters were, in fact, using intimidation to extract money from union members in return for guaranteed overtime.

One of Spinelli's shakedown colleagues was William Sanders, who, like Lou Shoulders, was a Buster Wortman protege—a muscleman and enforcer. Sanders went on the Mason-Rust payroll Jan. 23, 1968 as a foreman. He was fired March 30 for "sleeping on the job." Clearly someone made a mistake, for four days later he was hired back, again as a foreman. Why? Company officials have been hesitant to explain it to the government; privately, they have acknowledged that their motive was simple: fear.

Sanders remained on the job until September 9, when he and an associate, Thomas Bray, were arrested by the FBI on warrants charging them with taking kickbacks. Sanders' official earnings for the 7½ months totaled $13,264.58.

Spinelli was arrested three weeks later and similarly accused of taking kickbacks. During his seven months of "guard" duty at Gateway, he had drawn more than $14,000, in spite of the fact that he is known to have been at various locations outside the plant during much of his "working" time. On Nov. 1, 1968, Spinelli, Sanders and Bray were all indicted by the federal grand jury on the kickback charges.

As the grand jury investigation progressed, not only did the prevalence of the kickback system on this job become apparent but also the terrorism that backed it up. Local 42 had come to Gateway fresh from exercising jurisdiction and muscle on construction of the free bridge across the Mississippi between St. Louis and East St. Louis, and no rank-and-filer would likely forget the object lessons learned there. The union's presence had delayed and hiked the cost of that job. One contractor, Dravo Corporation of Pittsburgh, which built the piers for the span, dropped a cool $1 million. Hoodlums on the bridge project, including Lou Shoulders himself, toted guns. One union member, a 32-year-old ex-convict named Marvin Shook, was slain gangland fashion on the job site on Dec. 3, 1964, presumably for getting out of line. What is more, two union officials who protested the hiring of certain hoodlums were brutally beaten and ordered out of town "within 48 hours." All this, it seems, was thought to be of marginal consequence by the U.S. military when they elected to locate the munitions plant at Gateway.

It did not escape members of Local 42 who were called before the grand jury in the Gateway investigation. Several, in taking the Fifth on questions regarding shakedowns, bluntly explained that they did so out of fear for their lives. Of continuing interest to the grand jury are the cases of two of Mason-Rust's own timekeepers, who were scared off the job in December 1967 and replaced by timekeepers of the Mob's choosing.

There were, to be sure, ways other than a simple payoff to get in on the action at Gateway. For example, you could be the nephew of Mafia Boss Giardano. One who was fortunate enough to have this connection was Matthew (Mike) Trupiano, a native of Detroit, who floats in and out of St. Louis depending on what his uncle has going for him. Trupiano was tending bar in a go-go joint in St. Louis—run by another nephew—when he heard about the gold rush to Gateway. Recommended by his uncle and another influential gentleman named James A. (Jimmy) Michaels Sr.—ruler of the powerful Syrian crime cartel operating in St. Louis and an "ally by treaty" of the Cosa Nostra—Trupiano achieved membership in Local 42. Almost instantly, Trupiano showed up on the ammo plant payroll, with Uncle Tony Giardano's address listed as his home.

Seventeen days later, in the middle of a Thursday afternoon, Trupiano was arrested and charged with first-degree burglary and with flourishing a deadly weapon in connection with some efforts he had been making to collect a debt for his uncle. When Trupiano was released on bail the authorities set up a watch on his movements. Over five consecutive days, during which he was being paid for work at Gateway, he never came close to the plant. (Ultimately, the charges against Trupiano were dropped when the only witness in the case was suddenly unable to identify her tormentor in a lineup.)

Trupiano stayed on the Mason-Rust payroll until June 29, drawing $8,000 for his four months. Then he quit, and on July 1 he became a business agent of another Common Laborers local—110—complete with fat salary, expense account, automobile, gasoline credit cards and pension and welfare benefits. As business agent he functions as a lieutenant of 110's behind-the-scenes boss, John Vitale, the No. 2 St. Louis Mafioso. (At one point Vitale himself, bewitched by the tales of quick riches, confided to friends that he was thinking of going on the Gateway payroll to "pick up some easy money." Cooler heads prevailed.)

All the while, Lou Shoulders, boss of Local 42, was exercising his own prerogatives of office. For example, a notorious East St. Louis pimp, who has an "in" with the jockeys and was winning big at two nearby tracks, found himself on the ammo payroll with Shoulders' blessing. Lou himself is a big bettor on the ponies and likes to ride with the smart money.

The list of prominent mobsters and assorted heavies and hangers-on who basked in this environment at top-scale pay goes on and on. Here is a sampler:

Anthony (Lefty) Bova, an associate of Giardano, was carried on the Mason-Rust payroll from Oct. 27, 1967 to April 3, 1968—while simultaneously employed as a Chevrolet salesman in the suburban city of Pacific, Mo.

Leo. J. Finocchiaro, another longtime sidekick of the Mafia boss, ran the handbook at the ammo plant for six months while knocking down $10,000 in straight pay and overtime. He was served with a federal subpoena on the plant site—two months *after* he had been fired and was no longer authorized to be there.

Fred Garozzo was employed by Mason-Rust as a laborer but managed to find time to run a *barbut* (dice) game for Giardano—in which, by the way, John Vitale, as Giardano's Mafia Underboss, and Ralph (Shorty) Caleca, a Giardano lieutenant, had interests. And it should be mentioned that Garozzo was working regularly at the same time as a waiter in a St. Louis restaurant.

Wilbourne (Babe) Harvill, an old union slugger and Shoulders loyalist, pocketed $2,500 in a brief two months on the project. (His brother, T. J. Harvill, is field business agent of Local 42.)

There also were Warren F. (Duke) Dapron, a gambler employe of the Michaels mob; Salvatore Marchesi, another Giardano soldier; George G. Michaels, professional oddsmaker and cousin of The Old Man (Jimmy Michaels Sr.); Earl J. (Lefty) Miller, burglar, gambler and running mate of Jimmy Michaels Jr.; Joseph Palozzola, a Giardano man; Robert G. (Bucky) Reask, another Michaels cousin and Syrian underworld operative; Anthony Russo, who must have been kept hopping between his job at Gateway as a laborer and proprietorship of Antonio's Pizzeria and operator of a gambling game at the Congress Inn for Shorty Caleca.

Also, Joseph A. Scalise, a syndicate arsonist; Joseph P. Sciales, associate in the grocery business with John Ferrara, a Cosa Nostra *consigliere* (counselor); Marco D. Vainiko, sometime saloonkeeper and fulltime MOB gambler, and so forth.

While it lasted, the Gateway conversion was, in the words of Veryl L. Riddle, U.S. Attorney for Missouri's eastern district, "one of the chief sources of illegal revenue for the hoodlum element of St. Louis." A civilian engineer attached to the Army's procurement command, having witnessed the mass shirking going on at the site, groped for, found and corrupted a Churchillian phrase to describe what he saw happening. "Never," he wrote in his report, "have so many done so little for so long a time."

THE LATE ALBERT W. FULLER

(Mr. BURKE of Massachusetts asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, it is with great sadness and sorrow that I inform my colleagues of the recent passing of Albert W. Fuller, editor-in-chief and copublisher of the Brockton Enterprise. Mr. Fuller was a man of many talents and his accomplishments are a fitting testimonial to his active and diligent efforts on behalf of his fellow man.

Mr. Fuller was graduated from Brockton High School and later attended the Massachusetts Institute of Technology. He went on to serve his country in North Africa during World War II, where he obtained the rank of captain with the Military Administration Corps.

Mr. Fuller was instrumental in forming the 100 Club in Brockton, an organization designed to aid families of firemen killed on duty.

Devoted to public service, he continued his efforts in various ways. As a resident of Abington, he served as a member to the finance committee and as chairman of the school survey committee. Mr. Fuller was a trustee and member of the executive committee of Goddard Memorial Hospital and also served as chairman of the Brockton Public Safety Committee.

Active as he was in public service, he also found time to participate in several civic and fraternal organizations such as the Paul Revere Lodge of Masons and the Satucket Royal Arch Chapter.

I pay tribute to this man, a fine individual and outstanding community leader. His presence will be sorely missed in the South Shore area and by those who loved him so dearly.

I enclose several news items as a final tribute to Mr. Fuller:

[From the Brockton (Mass.) Enterprise, Feb. 11, 1969]

FINAL TRIBUTE PAID TO ALBERT WALKER FULLER—THIS IS HIS KIND OF DAY

(By Paul R. Stevens)

NORTH EASTON.—With snow in abundance and ice-covered twigs flashing by the millions in the sun outside Unity Church here Monday—the day of his funeral—it was the kind of day that Albert Walker Fuller, 64, co-publisher and editor-in-chief of the Brockton Enterprise, loved most in life.

As one friend put it, "This is the kind of winter weather that would get him out in his car for a drive to Lee's Mills Rd. in Moultonboro, N.H., where he used to love the snow. The higher the drifts piled up around his lodge, the better he liked it."

More than 100 dignitaries, relatives, Enterprise employees and close friends threaded their cars through the canyon-like highways, made so by the snow pushed back by plows, to attend the afternoon rites.

"And it is above all fitting that we should be taking our leave of him on just such a day as this," said Mr. Fuller's minister and friend, the Rev. Edmund Palmer Clarke, in his eulogy.

"This is his kind of day."

It had snowed all morning, and much of the day before, so that by 1 P.M., when the sun broke through the clouds, transforming the area into a glittering winter wonderland, 11 inches of snow was on the ground. Wind had whipped it into gigantic drifts.

But, mindful that the funeral would be held as scheduled, workers on the town's plows had cleared all roads leading to Unity Church, and the plow that Hall Funeral Home had brought, "just in case," was not needed.

Mr. Fuller died Friday at Goddard Memorial Hospital, Stoughton, where he had been a long-time trustee and member of the executive committee.

He had had various painful illnesses over almost a decade, but he had remained interested and active in shaping the newspaper's policies and daily business, as well as being active in many public-service endeavors, until the last several weeks of his life.

Taking note of Mr. Fuller's courage in facing physical adversity, and continuing with good works while illness and pain took their tolls, Rev. Clarke said:

"I have never known a man more willing to give of himself and his substance to the full in service that was richly rewarding to the people who knew him.

"In these later years, he carried on his service to others in spite of severe physical handicaps, in spite of extraordinary mental anguish, and in spite of frequent periods of depression when it seemed to him that his world was about to come tumbling down.

"He found solace in a deep-seated religious conviction and, only a short time before his death, he quoted to me a verse from the 106th Psalm, which best summed up his own beliefs: 'O give thanks to the Lord, for He is good; for His steadfast love endures forever.' "

The minister, who spent an average of five hours a day with Mr. Fuller at the hospital toward the end of his life, and who was with him just 20 minutes before his death, said "His faith, his ability to withstand affliction, his acceptance of the trials of nature, will long survive the saying of goodbye we are today forced to undergo."

He ended the eulogy by reading these verses from Shakespeare's "Hamlet":

"So I am glad, not that my friend has gone,
"But that the earth he laughed and lived upon,
Was my earth, too.

"That I had closely known and loved him,
"And that my love I'd shown.

"Tears over his departure?
"Nay, a smile,
"That I had walked with him a little while. . . ."

Mr. Fuller long had been a friend of firefighters and was instrumental in getting Brockton's firefighting equipment modernized. He helped to organize the Brockton branch of the Hundred Club in 1965, an organization that gives financial help to widows of firefighters and policemen killed in the line of duty.

As the hearse bearing Mr. Fuller's body left Brockton for North Easton, the driver drove slowly past Central Fire Station on Pleasant St.

Fire Chief Edward L. Burrell, who used to attend the Mass. Fire Chiefs Assn. meetings with Mr. Fuller, ordered the fire trucks out on the apron before the fire station.

As Mr. Fuller's casket moved by at about 12:30 p.m. firefighters rang the truck's bells in salute.

Accompanying Chief Burrell later to the funeral were Capt. Richard F. Sullivan, head of the Fire Prevention Division of the Brockton Fire Dept., and Firefighters George F. Mather and Francis J. Clark. Clark is secretary-treasurer of the Firefighters Union.

Mayor John E. Sullivan, City Councilor Paul V. Studenski, former City Manager William Gildea, Police Chief Joseph C. Wright and Police Capt. James P. Cody also attended.

Representing U.S. Rep. James A. Burke, D-Quincy, the Congressman from this area, were Edward J. Moore, administrative assistant to Rep. Burke, and Robert D. McGilveary, the congressman's Quincy secretary.

Roger Keith, Jr., prominent Brockton insurance man, brother of U.S. Rep. Hastings Keith, and member of the Goddard Memorial Hospital's executive committee with Mr. Fuller, William B. Sheehan, the hospital's administrator, and Robert M. Keith, president of the hospital, also were present.

A large delegation from the Enterprise, including Kenneth G. Dalton, assistant editor and columnist; Malcolm S. Dalton, news editor; Melvin W. Smith, city editor; Bruce P. Smith, county editor, and Peter T. Farley, sports editor, attended.

Among many other friends at the rites were Atty. George L. Wainwright, City Clerk Melvin B. Clifford, Probate Court Judges James R. Lawton and Francis P. Murphy, William A. Favor, North Easton Fire Chief Ray Buck and Atty. Warren H. Lindberg.

Robert Gauthier of United Press International, Boston, also attended.

Among family members present were Mr. Fuller's wife, Marjorie; his son, Myron F., and his wife, Maxine; his brother, Charles A. Fuller, copublisher of the Enterprise, and his wife, Helen; his nephew, Charles N. Fuller; two daughters, Miss Susan Fuller and Mrs. Raymond F. (Melissa) Smith, Jr., and her husband; his cousin, Walter Dunbar and his wife, Jane A. (Jane) Graves of Ponte Vedra, Fla., was unable to attend because the storm had grounded her plane in Washington, D.C.

Because of the weather, a committal service followed the regular service in the church. Mr. Fuller's casket was taken back to the Hall Funeral Home in Brockton after the services. Burial will be held in Melrose Cemetery, Brockton, as soon as weather permits.

After the services, Rev. Clarke said, looking out the window at the snow from his study at the rear of the church, "Yes, he wouldn't have had the weather any different for his funeral."

As he spoke, a high wind whipped through branches of ice-caked trees, making them snap, creating a kind of blustery requiem in the kind of snow weather Mr. Fuller had loved.

[From the Brockton (Mass.) Enterprise, Feb. 8, 1969]

Albert W. Fuller, 64, Copublisher, Dies

Albert Walker Fuller, co-publisher and editor-in-chief of the Brockton Daily Enterprise, died Friday in Goddard Memorial Hospital following a long illness. Mr. Fuller made his home at 31 Priscilla Rd., South Easton with his wife, the former Marjorie Gilbert of Brockton.

He was 64 years old.

Mr. Fuller was born in Newton, son of the late Charles L. and Gertrude (Walker) Fuller. The third generation of Daily Enterprise publishers, he was the grandson of the late Albert H. Fuller, founder of the Enterprise.

Funeral services will be at Unity Church of North Easton, Monday, Feb. 10, at 2:30 P.M. Interment will be in Melrose Cemetery. In lieu of flowers, gifts may be made in his memory to the Albert W. Fuller Memorial Fund at Unity Church of North Easton. There will be no visiting hours.

He was production manager for the Daily Enterprise when he entered the U.S. Army as a second lieutenant in May of 1941. He was made first lieutenant in December, 1942, as a member of the medical supply corps, and received his captaincy in the Medical Administration Corps. He was stationed in Manchester, N.H., Fort Dix, N.J., and saw active overseas campaign service in North Africa.

Mr. Fuller was a fair man. He wanted nothing less than the best effort from everyone in his department of this newspaper, but was tolerant with those who took a little longer to achieve their best. Those who served their newspaper apprenticeship under his guidance respected him as an employer and a friend.

He once said to a young reporter: "When you cease to be objective in your reporting of the news you cease to be a newspaperman worthy of your salt."

Mr. Fuller was deeply interested in the famed Hundred Club, the organization which gives immediate financial aid to dependents of firefighters and policemen who give their lives in the line of duty. There are a number of clubs across the state and Mr. Fuller was a moving force behind the organization of the Brockton Branch of the Hundred Club in 1965. He was a close friend of George Swartz, executive president of the Hundred Club of Mass., Inc., who assisted him in forming the Brockton branch.

While residing on Col. Hunt Drive, Abington, Mr. Fuller was a member of the town Finance Committee and was chairman of the town school survey committee in 1958. He served also on the Brockton Public Safety Commission for a period of time.

Mr. Fuller was educated in the Brockton schools, graduating from high school here, and later attended Massachusetts Institute of Technology.

As co-publisher of the Daily Enterprise with his brother Charles A. Fuller, since the death of their father, he was elected president of the Enterprise Publishing Co. in January, 1961.

His fraternal affiliation was Paul Revere Lodge, AF&AM, the Satucket R.A. Chapter, and he was a member of Unity Church, North Easton.

He was a member of the Board of Trustees and the Executive Committee of the Goddard Memorial Hospital in Stoughton.

Mr. Fuller shunned publicity and worked behind the scenes on many occasions to help the drives and movements to aid the needy.

He was deeply interested and held as an authority on fire department administration and methods of fire-fighting. His counsel was sought in these matters on many occasions and his judgment was seldom questioned.

Mr. Fuller was a lover of the sea and made voyages to many parts of the world. This past fall he and Mrs. Fuller had made a trip to England and Scotland, two of Mr. Fuller's favorite spots in his world of travel, where he visited relatives.

Mr. Fuller is survived by his wife; a daughter, Jane, (Mrs. Alvin S. Graves) of Ponte Vedra, Fla.; a son, Myron Foster Fuller of Brockton; a daughter, Susan of South Easton and another daughter, Melissa (Mrs. Raymond J. Smith, Jr.) of South Easton; his brother, Charles A. Fuller of Brockton; and his grandchildren, Jane, Philip, Steven and Adam Graves of Ponte Vedra, Fla., and Robert and Scott Smith of South Easton.

Leaders in Political and Civic Life Pay Tribute

Political and civic leaders today paid tribute to the memory of Albert W. Fuller, citing the late co-publisher's many achievements—both as a newspaperman and a private citizen—in making Brockton a better community in which to live, for people in all walks of life.

Cong. James A. Burke, D-Milton: "I am deeply saddened as thousands must be by the passing of Albert W. Fuller. As editor-in-chief of the Brockton Enterprise he made great contributions to that which he loved, the City of Brockton and its surrounding communities. He gave unstintingly of his time and efforts for worthy and constructive causes, and his good work has left its mark on the Brockton Community. His love of nation, state and community were further evidenced by tireless efforts in behalf of worthy projects for his area."

U.S. Rep. Hastings C. Keith, R-West Bridgewater: "I was deeply saddened to hear the news of the passing of my old and dear friend, Albert W. Fuller. He was a man who cared deeply for his community, and his fellow man, and we are all the better for having known him."

State Sen. James F. Burke, D-Brockton, chairman of the Senate Ways and Means Committee: "I look back upon the humanitarian efforts this man contributed to our Greater Brockton area, and in so doing, I recall Albert once telling me it was his deep belief that 'The corporeal works of mercy which I exercise will only some day help me as I seek my eternal reward'."

Mayor John E. Sullivan: "I used to drop by at his office and talk with him of many community matters, and he was always receptive. His heart and soul were in the betterment of Brockton. He will be sorely missed."

Fire Chief Edward L. Burrell: "He was well known throughout the state as a friend of firefighters. He belonged to the Mass. Fire Chiefs Assn., and often went with me to meetings all around the Commonwealth. As chairman of the Mayor's Public Safety Advisory Committee, and in his capacity as a newspaperman, he contributed greatly to the securing of new fire apparatus for Brockton."

Police Chief Joseph C. Wright: "He took a deep interest in promoting public safety in Brockton, advocating and strongly working for advanced equipment for the Police Department. He was a friend of both firefighters and policemen, and showed this tangibly by being one of the organizers in Brockton of a 100 Club chapter." (The 100 Club is an organization that gives financial help to widows and families of firefighters and policemen killed in the line of duty.)

City Clerk Melvin B. Clifford: "I held him in high esteem. I found him to be a fair and considerate man. He had wide knowledge of municipal affairs, and he served with distinction in the public positions he held."

William B. Sheehan, administrator of Goddard Memorial Hospital, Stoughton: "Mr. Fuller was a conscientious and dedicated member of the board of trustees of Goddard Memorial Hospital, and a loyal friend. His understanding and foresight in bringing about the solutions to our problems will be missed by us all."

Dr. Ernest E. Wiesner, chief of medicine at Goddard, Mr. Fuller's physician and long-time friend: "He was intensely interested in being a pioneer in new medical advancements. Being a newspaperman, he was a key in promoting newer developments in medicine for the good of the area. Brockton has lost a key fighter for good health and good medicine."

The Rev. Edmund Palmer Clark, minister of Unity Church, North Easton: "Albert and I were very close friends ever since I came to North Easton three years ago. One of the things that impressed me about him was that it was his intention to keep the Enterprise a family paper—one anybody in the family could pick up without seeing a lot of dirt and scandal."

Probate Court Judge James R. Lawton: "I deeply regret the passing of my dear friend of many years, Albert W. Fuller. He faced his long illness with the same courage and determination that marked his entire life. His family and our community have all suffered a great loss. Albert W. Fuller was a real champion of a good and just society, and his influence and purpose in advancing the common good, and the general welfare of our society, I am sure, will be carried on by the members of the family."

Probate Court Judge Francis P. Murphy: "With the passing of Albert W. Fuller, the people of Brockton and Plymouth County have lost a true friend. Over the years, as the community and the Brockton Enterprise have grown together, Albert W. Fuller never lost sight of having his publication keep in touch with all who had a voice to be heard on any issue. He truly shall be missed."

Atty. Warren H. Lindberg, long-time personal friend: "He was a frequent visitor at our house. My wife and I will miss him greatly. He had a tremendous will to live. He was ill a long time, but he kept going, and going. He didn't whimper, or cry. He had more guts than almost anybody, and he had savvy way beyond what people who didn't know him well realized. Did you know he was wounded in World War II? He never talked about it, but it's a fact he was wounded serving his nation."

Roger Keith, Jr., Brockton insurance man, member of the Goddard Memorial Hospital executive committee with Mr. Fuller: "He was a potent force in the community for good government. He was a very thoughtful man, who gave a lot of time to charitable work, and in particular to the Goddard Memorial Hospital."

Vincent A. Choate, executive director, Greater Brockton Chamber of Commerce: "My relationship with him was in the area of the business community and promotion of the region as a whole, and improving the economics of the area."

Robert M. Keith, president of Goddard Memorial Hospital: "I had the real pleasure of working with Albert as a trustee. His valuable counsel and interest, which was continuous from the time the hospital moved from its obsolete, wooden building in Brockton, to its present, modern facilities in Stoughton."

Lawrence Lynch, who was Brockton's Fire Chief from 1946 until he retired in 1961: "He was very much interested in the Fire Department from the time he was a boy living on Spring St. His home was near that of the late Fire Chief Frank F. Dickinson, who at that time was deputy chief. Albert as a young man often went to Central Station and accompanied Dickinson to fires. Albert became an expert in the fire prevention field."

John J. Williams, publisher and editor of the Brockton Union: "I used to have coffee and doughnuts with Albert at McCarthy's in the morning, and he'd give me story tips . . . things he said he couldn't use, but things he still thought made good stories. I always liked Albert. When he took over the news and editorial direction of the Enterprise he livened up the paper. He brought it freshness. He changed the style, and broadened the paper. He was an individualist, and we need more like him."

[From the Brockton (Mass.) Enterprise]

ALBERT WALKER FULLER

Albert Walker Fuller was the co-publisher and editor-in-chief of this newspaper, but he preferred to be called a newspaperman.

He was a good newspaperman, with a keen insight on news and its value.

In his position as editor-in-chief, Mr. Fuller never allowed personal feelings to enter into his judgment of the news value of any story.

His rule was: Be fair; criticize only when criticism was valid; never be sensational for the sake of making a headline.

Mr. Fuller followed in the tradition of his family. His grandfather, Albert H. Fuller, founded this newspaper and Albert W. Fuller was third in the generations of publishers in the family.

He was a man of varied interests, an acknowledged authority on modern firefighting techniques, an avid reader and sportsman.

It was not Mr. Fuller's desire to project himself in the public eye.

Mr. Fuller's office door was always open to members of his staff, civic leaders and numerous holders of public office who sought and valued his counsel.

Under his guidance this newspaper moved ahead, and he would have wanted that to be his memorial.

TRIBUTE TO THE NAVAL FACILITIES ENGINEERING COMMAND, THE CIVIL ENGINEER CORPS, AND THE SEABEES ON THEIR ANNIVERSARIES

(Mr. McCORMACK (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD.)

Mr. McCORMACK. Mr. Speaker, this month marks the 127th anniversary of the Naval Facilities Engineering Command, the 102d anniversary of the Civil Engineer Corps, and the 27th anniversary of the Seabees.

It gives me great pleasure and pride to congratulate the men and officers of these three fine organizations.

On such occasions as these, we can, with profit, recall the traditions that have been handed down to these commands. The milestones of their past provide a source of encouragement and inspiration to all of us.

During their 27th year as an active, fighting, construction force, the Seabees continue to build facilities for the Navy, Marines, and other agencies all over the world, from Rota, Spain, to Vietnam, and from Alaska to the Antarctic.

Not satisfied with construction alone, Seabees are doing a tremendous job in conducting civic action programs, working with construction-area residents on community development, disaster recovery, and training projects.

In a large measure, the men and officers of the Seabees are the Navy's "Peace Corps." The Seabees' "can do" spirit and vigorous approach to their responsibilities, combined with construction skill and experience, continue to make them a steadfast and vital element in the Navy's Operating Forces.

Our present-day Seabees are training to achieve "readiness" to meet situations resulting from any emergency—continuing the traditions begun in World War II when the Seabees built more then 400 advance bases in the Pacific and Atlantic theaters at a cost of $2 billion.

The Seabees are still building the Navy's advance bases overseas. But there is a difference. Today's bases are built by men who are some 20 years younger than their World War II counterparts who averaged 40 years of age.

The World War II Seabee learned to build and fight mostly on the South Pacific beachheads and battlegrounds where about 82 percent of them saw action.

Today's Seabee gets his training at highly technical Navy-operated construction and engineering schools. And he does not have to wait until he is under fire to learn to fight. He receives instruction in all phases of training, ranging from atomic-bacteriological-chemical warfare to guerrilla and jungle tactics.

The Seabees have come a long way

since they were hurriedly organized to replace thousands of construction workers who were building advance bases in such places as Midway Island, Guam, and the Philippines at the outbreak of World War II.

Their "can do" spirit continues to be the morale and backbone of their talented organization.

At the same time, the Naval Facilities Engineering Command and the Civil Engineer Corps continue to make significant contributions toward the construction and maintenance of our vast Naval Establishment.

Every year, these two organizations, through improved management programs for public works, have made important gains and significant changes effecting more efficient and more economical shore establishment management.

That these commands always meet the demands placed on them is shown each year by the commendation they receive from the chief of naval operations on their outstanding accomplishments.

Such achievements would not have been possible without the full and devoted service of all hands alert to their responsibilities in our complex world. The engineering facilities of the Navy today are faced with tremendous challenges. The aims and purposes of the Navy's engineers have expanded greatly. Their insight, talent and imagination will be constantly put to use in the years ahead. If the men and officers of these commands respond as they have in the past, there is no doubt in my mind that they will be worthy of the great trust and confidence placed in them by the Navy.

On their anniversaries, I extend my warmest personal congratulations to the Naval Facilities Engineering Command, the Civil Engineer Corps, and the Seabees. They have done, and continue to do, a magnificent job.

THE LATE JOHN F. ENGLISH, SECRETARY-TREASURER OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS UNION

(Mr. McCORMACK (at the request of Mr. BOGGS) was granted permission to extend his remarks at this point in the RECORD.)

Mr. McCORMACK. Mr. Speaker, one of the outstanding leaders in the ranks of labor, John F. English, died on February 4, 1969. Mr. English was secretary-treasurer of the International Brotherhood of Teamsters Union for 23 years prior to his death. He was recognized as one of the most constructive leaders in the ranks of labor, and highly regarded by his associates and members nationally of the International Brotherhood of Teamsters Union.

He first joined a union at the early age of 15 years when he was driving a horse-drawn coal wagon in the city of Boston, the place of his birth.

John English made rapid progress, 6 years later being elected as business agent of his local union in Boston.

With exception of his service in World War I, John English held positions of responsibility in the Teamsters Union until the time of his death.

He held various offices in the Boston Teamsters Joint Council: in 1927 was elected fifth vice president of the international union, and 9 years later became the union's auditor.

In 1946 John English was appointed to the unexpired term as general secretary-treasurer; elected the following year to a full term, and reelected ever since. His last election in 1966 was by acclamation, showing the confidence in his qualities of leadership, and the dedicated manner in which he performed the duties of his office.

John English was widely respected in and out of the ranks of labor. He possessed all of the rich qualities of character that made him not only a great man, but a good man. His intense love of our country was evidenced on many occasions. He was a great American.

When many voices were silent, he openly opposed communism, and spoke out vigorously in the 1930's against Hitler and Nazism. Years ago he saw the future danger of international communism and of arrogant aggression under Hitler.

He openly and vigorously opposed bigotry and hatred in any form, whether on the domestic or the world level.

Some years ago, a person commented, "the decent and honorable life John English lives is an inspiration for all others to follow."

For years I enjoyed the friendship of John English, which I shall always treasure.

I extend to his wife and daughter my deep sympathy in their great loss and sorrow.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MATSUNAGA (at the request of Mr. ALBERT), for today and tomorrow, on account of official business.

Mr. ROSENTHAL, for February 17 to 21, 1969, on account of official business.

Mrs. SULLIVAN (at the request of Mr. SYMINGTON), for an indefinite period, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MINSHALL (at the request of Mr. BIESTER), for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. FINDLEY, for 30 minutes, today.

Mr. PATMAN (at the request of Mr. CAFFERY), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mrs. MAY (at the request of Mr. BIESTER), for 30 minutes on February 18; and to revise and extend her remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. OLSEN in two instances.

Mr. MILLER of California in five instances and to include extraneous matter.

Mr. MADDEN and to include extraneous material.

Mr. JOELSON.

Mr. KLUCZYNSKI.

Mr. MCMILLAN.

Mr. TEAGUE of California (at the request of Mr. HALL) during the consideration of the three veterans' bills passed today.

(The following Members (at the request of Mr. BIESTER) and to include extraneous matter:)

Mr. ESCH.

Mr. FINDLEY in four instances.

Mr. BROYHILL of Virginia.

Mr. BOB WILSON.

Mr. QUILLEN in four instances.

Mr. WHALEN.

Mr. ASHBROOK in two instances.

Mr. RUMSFELD.

Mr. MIZE.

Mr. CONTE in two instances.

Mr. SANDMAN.

Mr. KUYKENDALL.

Mr. AYRES in two instances.

Mr. FULTON of Pennsylvania in five instances.

Mr. DERWINSKI in two instances.

Mr. MORSE.

Mr. MESKILL.

Mr. ANDREWS of North Dakota.

Mr. WYMAN in two instances.

Mr. EDWARDS of Alabama.

Mr. QUIE.

(The following Members (at the request of Mr. CAFFERY) and to include extraneous matter:)

Mr. FRASER in two instances.

Mr. BOLAND in two instances.

Mr. PATMAN in six instances.

Mr. DINGELL in two instances.

Mr. EVINS of Tennessee.

Mr. VANIK in two instances.

Mr. NATCHER in two instances.

Mr. PODELL in three instances.

Mr. DELANEY.

Mr. HOWARD.

Mr. BIAGGI.

Mr. ROONEY of New York in four instances.

Mr. MURPHY of New York.

Mr. RYAN in three instances.

Mr. KARTH.

Mr. RARICK in four instances.

Mr. ROGERS of Colorado.

Mr. SCHEUER in three instances.

Mr. TIERNAN.

Mr. HÉBERT.

Mr. PUCINSKI in five instances.

Mr. OLSEN in two instances.

Mr. ASHLEY in two instances.

Mr. DOWNING in two instances.

Mr. GONZALEZ in three instances.

Mr. WOLFF in two instances.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on February 7, 1969, present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 414. Joint resolution making a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes.

ADJOURNMENT

Mr. CAFFERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock p.m.) the House adjourned until tomorrow, Tuesday, February 18, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

496. A letter from the Deputy Assistant Secretary of Defense (International Security Affairs), transmitting a report on implementation of section 507(b) of the Foreign Assistance Act of 1961, as amended, pursuant to the provisions of that act; to the Committee on Foreign Affairs.

497. A letter from the Assistant Secretary of State for Congressional Relations, transmitting the texts of International Labor Organization Convention No. 123 and recommendation No. 124, concerning the minimum age for admission to employment underground in mines (H. Doc. No. 91–72); to the Committee on Foreign Affairs and ordered to be printed.

498. A letter from the Secretary of Agriculture, transmitting a report on the agricultural conservation program for the fiscal year ending June 30, 1968, pursuant to the provisions of the act of June 28, 1937 (50 Stat. 329); to the Committee on Agriculture.

499. A letter from the Deputy Director, Bureau of the Budget, Executive Office of the President, transmitting a Federal plan for meteorological services and supporting research for fiscal year 1970, pursuant to the provisions of section 304 of Public Law 87–843; to the Committee on Appropriations.

500. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting notification of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Army Reserve, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

501. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting notification of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Naval Reserve, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

502. A letter from the Acting Secretary of the Treasury, transmitting a report on foreign credits by the U.S. Government as of December 31, 1967, pursuant to the provisions of section 634(f) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

503. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report on the amount of Export-Import Bank insurance and guarantees issued in December 1968, in connection with U.S. exports to Yugoslavia, pursuant to the provisions of the Export-Import Bank Act of 1945, as amended, and the applicable Presidential determination thereunder; to the Committee on Foreign Affairs.

504. A letter from the Comptroller General of the United States, transmitting a report on the need for improved accounting for civilian employees' leaves of absence in the military departments, Department of Defense; to the Committee on Government Operations.

505. A letter from the Comptroller General of the United States, transmitting a report on the need for improved guidelines in contracting for research with Government-sponsored nonprofit contractors, Department of Defense, Atomic Energy Commission, and National Aeronautics and Space Administration; to the Committee on Government Operations.

506. A letter from the Comptroller General of the United States, transmitting a report on an examination of the financial statements of Federal Prison Industries, Inc., fiscal year 1968, Department of Justice (H. Doc. No. 91–73); to the Committee on Government Operations and ordered to be printed.

507. A letter from the Comptroller General of the United States, transmitting a report on Federal programs for the benefit of disadvantaged preschool children, Los Angeles County, Calif., Office of Economic Opportunity and the Department of Health, Education, and Welfare; to the Committee on Government Operations.

508. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a report of the Administration on the disposal of certain foreign excess property, pursuant to the provisions of 40 U.S.C. 514; to the Committee on Government Operations.

509. A letter from the Under Secretary of the Interior, transmitting a report on activities of the Geological Survey in areas outside the national domain during the period July 1 through December 31, 1968, pursuant to the provisions of 43 U.S.C. 31(c); to the Committee on Interior and Insular Affairs.

510. A letter from the Chairman, Federal Council for Science and Technology, transmitting a progress report on the Federal water resources research program for fiscal year 1969; to the Committee on Interior and Insular Affairs.

511. A letter from the Chairman, Federal Power Commission, transmitting a report on steam-electric plant construction and annual production expenses, 1967; to the Committee on Interstate and Foreign Commerce.

512. A letter from the Assistant Attorney General for Administration, transmitting a report on claims paid by the Department of Justice during fiscal years 1967 and 1968, pursuant to the provisions of the Military Personnel and Civilian Employees' Claims Act of 1964, as amended; to the Committee on the Judiciary.

513. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report on the operation of section 201(g) of the Revenue and Expenditure Control Act of 1968 on the number of civilian officers and employees in the executive branch for the quarter ending December 31, 1968, pursuant to the provisions of that section; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT (for himself and Mr. Buchanan):

H.R. 6714. A bill to amend title 10, United States Code to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. ASPINALL (for himself, Mr. Rogers of Colorado, and Mr. Evans of Colorado):

H.R. 6715. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Narrows unit, Missouri River Basin project, Colorado, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL (by request):

H.R. 6716. A bill to authorize appropriations for the saline water conversion program for fiscal year 1970; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL (for himself and Mr. Haley (by request)

H.R. 6717. A bill to permit Indian tribes to have greater management over their property, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6718. A bill to provide for the economic development of Indians, Indian tribes, and other Indian organizations, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6719. A bill to provide for the resolution of the Indian fractionated ownership problems, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6720. A bill to provide for the establishment of Indian corporate entities for the economic development of Indian tribes and other organizations of Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARRETT:

H.R. 6721. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

H.R. 6722. A bill to make further supplemental appropriations for the fiscal year ending June 30, 1969, to carry out laws relating to housing and areawide development; to the Committee on Appropriations.

By Mr. BIAGGI:

H.R. 6723. A bill to provide for the issuance of a commemorative postage stamp in honor of Gen. Douglas MacArthur; to the Committee on Post Office and Civil Service.

By Mr. BRAY:

H.R. 6724. A bill to amend title 37, United States Code, to provide an incentive plan for participation in the Ready Reserve; to the Committee on Armed Services.

H.R. 6725. A bill to provide authority for the payment of proficiency pay to enlisted members of the Reserve components of the Armed Force; to the Committee on Armed Services.

H.R. 6726. A bill to amend title 32, United States Code, with respect to the system of courts-martial for the National Guard not in Federal service; to the Committee on Armed Services.

H.R. 6727. A bill to amend titles 10 and 32, United States Code, to provide Federal support for defense forces established under section 109(c) of title 32; to the Committee on Armed Services.

H.R. 6728. A bill to amend titles 10, 14, and 32, United States Code, with respect to the remission or cancellation of indebtedness of members or former members of the Armed Forces and the National Guard; to the Committee on Armed Services.

H.R. 6729. A bill to amend title 10, United States Code, to provide for the investigation by a military department of certain aircraft accidents and for the use of reports resulting from those investigations in actions for damages; to the Committee on Armed Services.

H.R. 6730. A bill to provide pecuniary liability by the States or members of the National Guard if loss or damage to Federal property resulted from gross negligence or willful misconduct; to the Committee on Armed Services.

H.R. 6731. A bill to permit National Guard officers to act as inspecting officers under section 710(f) of title 32, United States Code; to the Committee on Armed Services.

H.R. 6732. A bill to amend the Dependents Assistance Act of 1950 in order to make members of the Reserve and National Guard ordered to active duty for training for periods of 30 days or more eligible for quarters allowances and to make allotments; to the Committee on Armed Services.

H.R. 6733. A bill to amend section 1333(3) of title 10, United States Code, to provide retirement credit for attendance at each prescribed training assembly or period of equivalent instruction; to the Committee on Armed Services.

H.R. 6734. A bill to provide for the furnishing of a uniform and the presentation of a flag of the United States for deceased members of the National Guard and Ready Reserve; to the Committee on Armed Services.

H.R. 6735. A bill to amend section 8901(8) of title 5, United States Code, with respect to persons employed under Public Law 90-486; to the Committee on Post Office and Civil Service.

H.R. 6736. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 in order to clarify the provisions of that act with respect to certain persons in the Reserve and National Guard ordered to active duty for training for a period of more than 30 days; to the Committee on Veterans' Affairs.

H.R. 6737. A bill to extend servicemen's group life insurance to Reserves of the Armed Forces and members of the National Guard when engaged in federally prescribed full-time training or duty; to the Committee on Veterans' Affairs.

By Mr. BROCK:

H.R. 6738. A bill to establish a community self-determination program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity, stability, and self-determination, and making their maximum contribution to the strength and well-being of the Nation; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 6739. A bill to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative in the treatment of disease, to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs, and for other purposes; to the Committee on Ways and Means.

H.R. 6740. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia (by request):

H.R. 6741. A bill to relieve citizens of the United States of liability to repay to the United States amounts of money advanced to them to enable them to evacuate foreign zones of war or civil disturbance, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BUSH (for himself and Mr. Burke of Massachusetts):

H.R. 6742. A bill to amend the Internal Revenue Code of 1954 to provide a longer period of time for disposition of certain assets in the case of regulated investment companies furnishing capital to development companies; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 6743. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the income tax for any amounts received under a State or local retirement system; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 6744. A bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 6745. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. DENT:

H.R. 6746. A bill to amend the Fair Labor Standards Act of 1938 to exempt certain employees of establishments engaged in the selling of boats or motorcycles from the overtime compensation requirements of that act; to the Committee on Education and Labor.

By Mr. DIGGS:

H.R. 6747. A bill to enable consumers to protect themselves against arbitrary, erroneous, and malicious credit information; to the Committee on Banking and Currency.

H.R. 6748. A bill to enable citizens of the United States who change their residence to vote in presidential elections, and for other purposes; to the Committee on House Administration.

H.R. 6749. A bill to establish a Commission to make a comprehensive study and evaluation of the methods of selecting candidates for the offices of President and Vice President of the United States; to the Committee on House Administration.

By Mr. DINGELL:

H.R. 6750. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 6751. A bill to amend the Federal Water Pollution Control Act to establish standards and programs to abate and control water pollution by synthetic detergents; to the Committee on Public Works.

By Mr. ERLENBORN:

H.R. 6752. A bill to amend title XIX of the Social Security Act to provide that a State, in determining a blind or disabled individual's eligibility for medical assistance (and the extent of such assistance), shall not take into account anyone else's financial responsibility for such individual (unless he is the other person's spouse or minor child); to the Committee on Ways and Means.

By Mr. ESCH:

H.R. 6753. A bill to restrict the mailing of unsolicited credit cards; to the Committee on the Judiciary.

By Mr. ESHLEMAN:

H.R. 6754. A bill to amend the Internal Revenue Code of 1954 to provide that Federal tax returns shall be open to inspection by, and copies of such returns shall be furnished to, State and local officers only under court order; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 6755. A bill to prohibit the dissemination through interstate commerce or the mails of material harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 6756. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 6757. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 6758. A bill for the elimination of health dangers to coal miners resulting from the inhalation of coal dust; to the Committee on Education and Labor.

H.R. 6759. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 6760. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GONZALEZ:

H.R. 6761. A bill to amend title 28 of the United States Code so as to provide for the appointment of two additional district judges for the western district of Texas; to the Committee on the Judiciary.

By Mr. GROSS:

H.R. 6762. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUDE:

H.R. 6763. A bill to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89-774 (80 Stat. 1324); to the Committee on the District of Columbia.

By Mr. HATHAWAY:

H.R. 6764. A bill to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain uses of gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. HOGAN:

H.R. 6765. A bill to amend section 341 of the Immigration and Nationality Act to require the Attorney General to furnish a certificate of citizenship to a person holding certification of birth issued by the Secretary of State; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.R. 6766. A bill to provide for the construction of a certain memorial along the route of the Lewis and Clark Expedition in North Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KUYKENDALL:

H.R. 6767. A bill to provide for the appointment of an additional district judge for the western district of Tennessee; to the Committee on the Judiciary.

H.R. 6768. A bill to amend section 5004 of title 38 of the United States Code to permit employees of a Veterans' Administration hospital or domiciliary to use without charge parking facilities constructed by the Veterans' Administration at such hospital or domiciliary; to the Committee on Veterans' Affairs.

By Mr. McCARTHY:

H.R. 6769. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. MACDONALD of Massachusetts:

H.R. 6770. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 6771. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MORTON:

H.R. 6772. A bill to amend the Federal Water Pollution Control Act to prevent pollution of water by oil, and to establish a revolving fund for the removal of oil discharged into or upon the navigable waters of the United States or adjoining shorelines; to the Committee on Public Works.

By Mr. NATCHER:

H.R. 6773. A bill to extend certain benefits to persons who served in the Armed Forces of the United States in Mexico or on its borders during the period beginning May 9, 1916, and ending April 6, 1917, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. OLSEN:

H.R. 6774. A bill to provide for orderly marketing of agricultural commodities by the producers thereof, and for other purposes; to the Committee on Agriculture.

H.R. 6775. A bill to amend title 13, United States Code, to provide for a mid-decade census of population, unemployment, and housing in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

H.R. 6776. A bill to amend the Social Security Act to extend to Indians of all tribes, under all of the existing public assistance programs, the special additional Federal matching payments presently provided only for certain specified tribes under certain specified programs; to the Committee on Ways and Means.

H.R. 6777. A bill to amend title IV of the Social Security Act to repeal the limitation upon the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 6778. A bill to amend the Bank Holding Company Act of 1956, and for other purposes; to the Committee on Banking and Currency.

By Mr. PELLY:

H.R. 6779. A bill to provide for improved employee-management relations in the postal services, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PERKINS for himself, Mr. Thompson of New Jersey, Mr. O'Hara, Mr. William D. Ford, Mr. Hathaway, Mrs. Mink, and Mr. Burton of California):

H.R. 6780. A bill to encourage the States to improve their workmen's compensation laws to assure adequate coverage and benefits to employees injured in employment, and for other purposes; to the Committee on Education and Labor.

By Mr. PODELL:

H.R. 6781. A bill to provide for cost-of-living adjustments in the value of U.S. saving bonds, series E, when held to maturity; to the Committee on Ways and Means.

By Mr. POLLOCK:

H.R. 6782. A bill to amend the law with respect to criminal jurisdiction on the Annette Islands Indian Reservation; to the Committee on the Judiciary.

By Mr. PRICE of Illinois:

H.R. 6783. A bill to extend the life of the Lewis and Clark Trail Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6784. A bill to provide educational assistance to children of civilian employees of the United States killed abroad as a result of war, insurgency, mob violence, or similar hostile action; to the Committee on Post Office and Civil Service.

H.R. 6785. A bill to expedite the interstate planning and coordination of a continuous Lewis and Clark Trail Highway; to the Committee on Public Works.

By Mr. RARICK:

H.R. 6786. A bill to retrocede a portion of the District of Columbia to the State of Maryland; to the Committee on the District of Columbia.

H.R. 6787. A bill to amend sections 1505 and 3486 of title 18 of the United States Code relating to congressional investigations; to the Committee on the Judiciary.

H.R. 6788. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H.R. 6789. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

By Mr. RIVERS:

H.R. 6790. A bill to authorize an increase in the number of Marine Corps Reserve officers who may serve in an active status in the combined grades of bridgadier and major general; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 6791. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform, and to increase from $600 to $1,200 the amount of the personal income tax exemptions allowed a taxpayer; to the Committee on Ways and Means.

By Mr. ROGERS of Colorado (by request):

H.R. 6792. A bill to amend the Bankruptcy Act, sections 14, 606, 614, 623, 624, 626, 632, 633, 642, 644, 646, 647, 652, 656, 657, 659, 660, 661, and 666 revising the provisions dealing with wage earner plans under chapter XIII thereof; to the Committee on the Judiciary.

By Mr. ROGERS of Florida (by request):

H.R. 6793. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. SANDMAN:

H.R. 6794. A bill to amend the Oil Pollution Act, 1924, for the purpose of controlling oil pollution from vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 6795. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. SCHADEBERG:

H.R. 6796. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 for 1969, 1970, and 1971, and to $1,200 thereafter, the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 6797. A bill to amend the Public Health Service Act to extend the program of grants for construction and modernization of hospitals and other medical facilities, to provide loans and loan guarantees for construction and modernization of such facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.R. 6798. A bill to amend title 38, United States Code, in order to improve the education and training programs for veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6799. A bill to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6800. A bill to amend title 38 of the United States Code to provide a uniform refund policy for pursuit of courses not leading to a standard college degree; to the Committee on Veterans' Affairs.

H.R. 6801. A bill to amend title 38, United States Code, to provide a statutory award payable for arrested tuberculosis and to increase the statutory rates for anatomical loss or loss of use and for arrested tuberculosis; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 6802. A bill to amend title 38 of the United States Code to increase the pension rates payable to certain seriously disabled veterans and widows; to the Committee on Veterans' Affairs.

H.R. 6803. A bill to revise eligibility requirements for burial in national cemeteries; to the Committee on Veterans' Affairs.

H.R. 6804. A bill to enlarge the classes of persons eligible for servicemen's group life insurance, and to improve the administration of the program; to the Committee on Veterans' Affairs.

H.R. 6805. A bill to amend title 38 of the United States Code so as to provide for increases in maximum coverage under, and otherwise liberalize the provisions of, the servicemen's group life insurance program; to the Committee on Veterans' Affairs.

H.R. 6806. A bill to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required; to the Committee on Veterans' Affairs.

H.R. 6807. A bill to increase the maximum amount of the grant payable for specially adapted housing for disabled veterans; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (for himself and Mr. Brown of California):

H.R. 6808. A bill to amend section 1781 of title 38, United States Code, to eliminate the prohibition against receipt of certain Federal educational assistance benefits, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. VIGORITO:

H.R. 6809. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 6810. A bill to amend the act of October 19, 1949, entitled "An act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 6811. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 6812. A bill to expedite the interstate planning and coordination of a continuous Lewis and Clark Trail Highway; to the Committee on Public Works.

By Mr. YATRON:

H.R. 6813. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in the monthly benefits payable thereunder; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 6814. A bill to direct the Interstate Commerce Commission to make regulations that certain railroad vehicles be equipped with reflectors or luminous material so that they can be readily seen at night; to the Committee on Interstate and Foreign Commerce.

H.R. 6815. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 6816. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 6817. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 6818. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer supporting a dependent who is mentally retarded or has a neuromuscular disease or disorder; to the Committee on Ways and Means.

H.R. 6819. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DEL CLAWSON:

H.J. Res. 439. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. COLLIER:

H.J. Res. 440. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. DIGGS:

H.J. Res. 441. Joint resolution proposing an amendment to the Constitution of the United States relating to the right of citizens of the United States 18 years of age or older to vote; to the Committee on the Judiciary.

By Mr. FASCELL:

H.J. Res. 442. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. FISHER:

H.J. Res. 443. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. GILBERT:

H.J. Res. 444. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.J. Res. 445. Joint resolution authorizing the President to proclaim January 15 of each year as "Martin Luther King Day"; to the Committee on the Judiciary.

By Mr. SIKES:

H.J. Res. 446. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. THOMPSON of Georgia:

H.J. Res. 447. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.J. Res. 448. Joint resolution authorizing and requesting the President to extend indefinitely a period to "See the United States," and for other purposes; to the Committee on the Judiciary.

By Mr. WYLIE:

H.J. Res. 449. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. MARTIN:

H. Con. Res. 137. Concurrent resolution to express the sense of Congress with respect to an investigation and study to determine the potential of railroad passenger and mail transportation in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. MIZE:

H. Con. Res. 138. Concurrent resolution expressing the profound concern of the Congress to the proposed consumption taxes of the European Economic Community on oilseed products; to the Committee on Ways and Means.

By Mr. BROWN of California:

H. Res. 244. Resolution, Rhodesian sanctions; to the Committee on Foreign Affairs.

By Mr. CONTE:

H. Res. 245. Resolution condemning recent actions by the Government of Iraq and further expressing the sense of Congress that the President instruct the permanent representative to the United Nations to ask for a meeting of the Security Council in an effort to stop such actions on the part of the Government of Iraq; to the Committee on Foreign Affairs.

By Mr. GILBERT:

H. Res. 246. Resolution expressing the sense of the House of Representatives with respect to the restoration of human rights in Iraq; to the Committee on Foreign Affairs.

By Mr. HANLEY:

H. Res. 247. Resolution, U.S. aid for Iraqi Jews; to the Committee on Foreign Affairs.

By Mr. SANDMAN:

H. Res. 248. Resolution to direct the Committee on Interstate and Foreign Commerce to conduct an investigation and study of Federal regulation of community antenna television systems; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

11. By Mr. HATHAWAY: Memorial of the 104th Legislature of the State of Maine memorializing the Secretaries of Commerce, Treasury, Army, and Interior to act on the Maine Port Authority's application to establish general and special purpose foreign trade zone at Portland and Machiasport, and to revise present oil import quota allocations; to the Committee on Ways and Means.

12. By the SPEAKER: Memorial of the Legislature of the State of Maine, relative to their resolution memorializing the Secretaries of Commerce, Treasury, Army, and Interior to act on the Maine Port Authority's application to establish general and special purpose foreign trade zones at Portland and Machiasport, and to revise present oil import quotas allocations; to the Committee on Ways and Means.

13. Also, a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to the serious situation in the Middle East and the recent hanging of nine Jews; to the Committee on Foreign Affairs.

14. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to the crisis in the Middle East and the recent public hanging of nine Jews; to the Committee on Foreign Affairs.

15. Also, memorial of the Legislature of the State of Montana, relative to the Congress enacting legislation that would establish a multistate vocational education center at the Glasgow Air Force Base; to the Committee on Education and Labor.

16. Also, memorial of the Legislature of the State of South Carolina, relative to the Congress taking necessary action to prevent the Federal Communications Commission or other administrative agencies from banning advertisement of tobacco products on television and radio; to the Committee on Interstate and Foreign Commerce.

17. Also, memorial of the Legislature of the Virgin Islands, relative to changes in the Territorial Submerged Lands Act; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 6820. A bill for the relief of Damaso Cabebe; to the Committee on the Judiciary.

H.R. 6821. A bill for the relief of Salvatore Carollo; to the Committee on the Judiciary.

H.R. 6822. A bill for the relief of Biegio Caruso; to the Committee on the Judiciary.

H.R. 6823. A bill for the relief of Francesco Como; to the Committee on the Judiciary.

H.R. 6824. A bill for the relief of Giuseppe Costanza; to the Committee on the Judiciary.

H.R. 6825. A bill for the relief of Leonardo DiGiovanna; to the Committee on the Judiciary.

H.R. 6826. A bill for the relief of Osvaldo Falanga; to the Committee on the Judiciary.

H.R. 6827. A bill for the relief of Francesco and Elisa Fidilio and minor children Salvatore, Sebastiano, and Guiseppe Fidilio; to the Committee on the Judiciary.

H.R. 6828. A bill for the relief of Gioacchino Firriolo; to the Committee on the Judiciary.

H.R. 6829. A bill for the relief of Tse Chi Fong, also known as Chez Chu Fong; to the Committee on the Judiciary.

H.R. 6830. A bill for the relief of Terfik M. Gokcebay; to the Committee on the Judiciary.

H.R. 6831. A bill for the relief of Salvatore LoVerde; to the Committee on the Judiciary.

H.R. 6832. A bill for the relief of Guiseppa Manciaracina; to the Committee on the Judiciary.

H.R. 6833. A bill for the relief of Francesco Mercogliano; to the Committee on the Judiciary.

H.R. 6834. A bill for the relief of Donato Minerva; to the Committee on the Judiciary.

H.R. 6835. A bill for the relief of Pasquale Morsello; to the Committee on the Judiciary.

H.R. 6836. A bill for the relief of Alberto Tortoroli; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 6837. A bill for the relief of Miss Elisabetta Baglione; to the Committee on the Judiciary.

H.R. 6838. A bill for the relief of Norman Edward Smith; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 6839. A bill for the relief of Domenico DiChiefalo; to the Committee on the Judiciary.

H.R. 6840. A bill for the relief of Chu Yu Ming; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 6841. A bill for the relief of Stefano and Elvira Guercio; to the Committee on the Judiciary.

H.R. 6842. A bill for the relief of Maxine Hebbon; to the Committee on the Judiciary.

H.R. 6843. A bill for the relief of Pasquale Lo Duca; to the Committee on the Judiciary.

H.R. 6844. A bill for the relief of Maria Rovira; to the Committee on the Judiciary.

H.R. 6845. A bill for the relief of Dr. Salil Roy; to the Committee on the Judiciary.

By Mr. BROCK:

H.R. 6846. A bill for the relief of Dr. Rodrigo Victor de Valle; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 6847. A bill for the relief of Laura Pinna; to the Committee on the Judiciary.

H.R. 6848. A bill for the relief of Joao Henrique Pereira Sena; to the Committee on the Judiciary.

H.R. 6849. A bill for the relief of Giuseppe Svizzero and Maria Svizzero; to the Committee on the Judiciary.

By Mr. BUSH:

H.R. 6850. A bill for the relief of Maj. Clyde Nichols (ret.); to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 6851. A bill for the relief of Andre C. Rugeri; to the Committee on the Judiciary.

H.R. 6852. A bill for the relief of Giovanni Rugeri; to the Committee on the Judiciary

By Mr. COLMER:

H.R. 6853. A bill for the relief of Elena Saenz; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 6854. A bill to provide for the free entry of a peal of eight bells and fittings for use of Smith College, Northampton, Mass.; to the Commitee on Ways and Means.

By Mr. DADDARIO:

H.R. 6855. A bill for the relief of Nicola Esposito; to the Committee on the Judiciary.

H.R. 6856. A bill for the relief of Mrs. Rosa Romy Gruber; to the Committe on the Judiciary.

H.R. 6857. A bill for the relief of Miss Hae Sook Lee; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 6858. A bill for the relief of Elvira Maria Bruno; to the Commitee on the Judiciary.

H.R. 6859. A bill for the relief of Rosario Furnari; to the Committee on the Judiciary.

By Mr. DELANEY (by request):

H.R. 6860. A bill for the relief of Dady Balansay; to the Committee on the Judiciary.

H.R. 6861. A bill for the relief of Rosario Angelita Batas; to the Committee on the Judiciary.

H.R. 6862. A bill for the relief of Giuseppe Modica; to the Committee on the Judiciary.

H.R. 6863. A bill for the relief of Won Kil Shon; to the Committee on the Judiciary.

H.R. 6864. A bill for the relief of Guadalupe Lily Tai; to the Committee on the Judiciary.

H.R. 6865. A bill for the relief of Pedro Lu Wong and Jovita Wong; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 6866. A bill for the relief of Teolfilo M. Afonso; to the Committee on the Judiciary.

By Mr. EDWARDS of Louisiana:

H.R. 6867. A bill for the relief of Pero Cibilic; to the Committee on the Judiciary.

H.R. 6868. A bill for the relief of Ante Lepetic; to the Committee on the Judiciary.

H.R. 6869. A bill for the relief of James A. Locke, Jr., to the Committee on the Judiciary.

H.R. 6870. A bill for the relief of Aravamudhan and Edelgard Raman; to the Committee on the Judiciary.

H.R. 6871. A bill for the relief of Nedjeljko Tesvic; to the Committee on the Judiciary.

H.R. 6872. A bill for the relief of Ivo Ante Tomasovic; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 6873. A bill for the relief of Modesta Alerta; to the Committee on the Judiciary.

H.R. 6874. A bill for the relief of Pauline H. Belmonte; to the Committee on the Judiciary.

H.R. 6875. A bill for the relief of Ofelia M. Boado; to the Committee on the Judiciary.

H.R. 6876. A bill for the relief of Eva C. Castro; to the Committee on the Judiciary.

H.R. 6877. A bill for the relief of Raffaele Frattino; to the Committee on the Judiciary.

H.R. 6878. A bill for the relief of Eufrosina Garrido; to the Committee on the Judiciary.

H.R. 6879. A bill for the relief of Mencion P. Manaloto; to the Committee on the Judiciary.

H.R. 6880. A bill for the relief of Conchita Tan Orgiles; to the Committee on the Judiciary.

H.R. 6881. A bill for the relief of Salvatore Sasso; to the Committee on the Judiciary.

H.R. 6882. A bill for the relief of Maria Soto; to the Committee on the Judiciary.

H.R. 6883. A bill for the relief of Wong Sou Wai; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 6884. A bill for the relief of Angiolina La Magra; to the Committee on the Judiciary.

H.R. 6885. A bill for the relief of Joseph Perrone; to the Committee on the Judiciary.

H.R. 6886. A bill for the relief of Caterina Elisabetta Polera; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 6887. A bill for the relief of Mario D'Antona; to the Committee on the Judiciary.

H.R. 6888. A bill for the relief of Joaquim Guedes; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 6889. A bill for the relief of Mrs. Soon Wol Yang (also known as Mary Yang); to the Committee on the Judiciary.

By Mr. HALL:

H.R. 6890. A bill for the relief of Dr. Chung Ki Kim; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 6891. A bill to confer jurisdiction on the U.S. Court of Claims, to hear, determine, and render judgment on certain claims of Mrs. Hazel M. LaFrance against the United States; to the Committee on the Judiciary.

By Mr. JACOBS:

H.R. 6892. A bill for the relief of Natividad G. Dumaual; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 6893. A bill for the relief of Benedetto Trifiro; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 6894. A bill for the relief of Stylianos Chatzimichalacis; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 6895. A bill for the relief of Rosa Barbero; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 6896. A bill for the relief of Dr. Olga Concepcion Perez de Lanio; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 6897. A bill for the relief of Manuel Correia de Melo; to the Committee on the Judiciary.

H.R. 6898. A bill for the relief of Maria Di Mascio Cantacesso; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 6899. A bill for the relief of Paolino Barone; to the Committee on the Judiciary.

H.R. 6900. A bill for the relief of Stavros Bounas; to the Committee on the Judiciary.

H.R. 6901. A bill for the relief of Vincenzo Randazzo; to the Committee on the Judiciary.

H.R. 6902. A bill for the relief of Hector and Iolanda Scafati; to the Committee on the Judiciary.

H.R. 6903. A bill for the relief of Theresa Somma; to the Committee on the Judiciary.

H.R. 6904. A bill for the relief of Ursula Wallwitz; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 6905. A bill for the relief of Dr. Orn Arnar; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 6906. A bill for the relief of Giuseppe Cascone and his wife, Giovanna Cascone; to the Committee on the Judiciary.

H.R. 6907. A bill for the relief of Florence Amanda Green; to the Committee on the Judiciary.

H.R. 6908. A bill for the relief of Maria Patane; to the Committee on the Judiciary.

H.R. 6909. A bill for the relief of Giuseppe Speranza; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 6910. A bill for the relief of Gaudiosa T. Alinas; to the Committee on the Judiciary.

H.R. 6911. A bill for the relief of Wilma V. Bartolo; to the Committee on the Judiciary.

H.R. 6912. A bill for the relief of May R. Cuchapin; to the Committee on the Judiciary.

H.R. 6913. A bill for the relief of Ernesto A. de Leon; to the Committee on the Judiciary.

H.R. 6914. A bill for the relief of Merly Florendo; to the Committee on the Judiciary.

H.R. 6915. A bill for the relief of Ligaya L. Pangcog; to the Committee on the Judiciary.

H.R. 6016. A bill for the relief of Margret D. Permo; to the Committee on the Judiciary.

H.R. 6917. A bill for the relief of Zosima P. Ramirez; to the Committee on the Judiciary.

H.R. 6918. A bill for the relief of Julieta J. Urbano; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 6919. A bill for the relief of Rocco Palazzolo; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 6920. A bill for the relief of Cirino Bruno, Maria Dol Bon Bruno and son, Antonio Bruno; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 6921. A bill for the relief of Mrs. Caterina Berlen DeSilvio; to the Committee on the Judiciary.

H.R. 6922. A bill for the relief of Antonio Gregorio; to the Committee on the Judiciary.

H.R. 6923. A bill for the relief of Mrs. Theresa Aldyth McCollin; to the Committee on the Judiciary.

H.R. 6924. A bill for the relief of Antonino Minardi; to the Committee on the Judiciary.

H.R. 6925. A bill for the relief of Mr. and Mrs. Paola Pesce; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 6926. A bill for the relief of Ioannis Donstantinos Papanastasiou; to the Committee on the Judiciary.

H.R. 6927. A bill for the relief of Irene Jaruga; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 6928. A bill for the relief of Gregorio F. and Lydia Guzman Alonzo; to the Committee on the Judiciary.

H.R. 6929. A bill for the relief of Flora Hei-Yin Lau; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 6930. A bill for the relief of Arlene W. Chang; to the Committee on the Judiciary.

H.R. 6931. A bill for the relief of Giuseppe De Stefano; to the Committee on the Judiciary.

H.R. 6932. A bill for the relief of Joao Pereira; to the Committee on the Judiciary.

H.R. 6933. A bill for the relief of Sofio and Cesaria Salemi; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.R. 6934. A bill for the relief of Pasquale D'Agostino; to the Comimttee on the Judiciary.

By Mr. SCHEUER:

H.R. 6935. A bill for the relief of Michelina Manfredonia; to the Committee on the Judiciary.

H.R. 6936. A bill for the relief of Bernardita D. Sulit; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 6937. A bill for the relief of Sandra Lee Skeen; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia:

H.R. 6938. A bill for the relief of Dr. Bhupendrakumar Manibhai Patel, M.B., B.S.; to the Committee on the Judiciary.

H.R. 6939. A bill for the relief of George M. Skardasis, M.D.; to the Committee on the Judiciary.

H.R. 6940. A bill for the relief of Martina B. Tan, M.D.; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.R. 6941. A bill for the relief of Pasquale Minichillo; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 6942. A bill for the relief of John L. Wolfe; to the Committee on Merchant Marine and Fisheries.

By Mr. SANDMAN:

H. Res. 249. Resolution for the relief of Charles J. Culligan; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

53. By the SPEAKER: Petition of Herbert E. Joelich, Leavenworth, Kans., relative to

enactment of certain legislation; to the Committee on the Judiciary.

54. Also, petition of Robert B. Murphy, Leavenworth, Kans., relative to enacting certain private legislation; to the Committee on the Judiciary.

55. Also, petition of Henry Stoner, Portland, Oreg., relative to war on crime; to the Committee on the Judiciary.

56. Also, petition of Syndicate of Puerto Rican's Labor Leaders, San Juan, P.R., relative to the Honorable Richard M. Nixon, President of the United States, giving pardon to certain individuals; to the Committee on the Judiciary.

57. Also, petition of the City Council, Erie, Pa., relative to raising the level of the income tax exemption; to the Committee on Ways and Means.

58. Also, petition of the chairman of the Naha City Assembly, Naha, Okinawa, relative to applying local laws regarding labor rights; to the Committee on Armed Services.

SENATE—*Monday, February 17, 1969*

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, who has made and preserved us a nation, deepen the roots of this land in everlasting righteousness that the glory of our fathers fade not away. May Thy higher wisdom and infinite grace be the stability of our times. Make us equal to our high trust, reverent in the use of freedom, just in the exercise of power, generous in the protection of the weak.

Consecrate all who labor in this place to the service of this Nation, that by serving this land we may serve all mankind.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, February 7, 1969, be dispensed with.

The **VICE PRESIDENT**. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The **VICE PRESIDENT** laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of U. Alexis Johnson, of California, to be U.S. Alternate Governor of the International Monetary Fund and U.S. Alternate Governor of the International Bank for Reconstruction and Development, which nomination messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of February 7, 1969, Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported favorably, without amendment, on February 7, 1969, the following resolutions:

S. Res. 22. Resolution authorizing the Committee on Banking and Currency to examine, investigate, and study certain matters (Rept. No. 91-45);

S. Res. 23. Resolution authorizing the Committee on Banking and Currency to investigate matters pertaining to public and private housing and urban affairs (Rept. No. 91-46);

S. Res. 24. Resolution to study certain aspects of national security and international operations (Rept. No. 91-55);

S.Res. 26. Resolution authorizing the Committee on Government Operations to make investigations into the efficiency and economy of operations of all branches of Government (Rept. No. 91-51);

S. Res. 31. Resolution authorizing a study of Federal election laws and related matters (Rept. No. 91-76);

S. Res. 34. Resolution to provide funds for the Committee on Public Works (Rept. No. 91-75);

S. Res. 41. Resolution to consider matters pertaining to Federal charters, holidays, and celebrations (Rept. No. 91-63);

S. Res. 45. Resolution to study matters pertaining to immigration and naturalization (Rept. No. 91-65);

S. Res. 54. Resolution to investigate national penitentiaries (Rept. No. 91-68);

S. Res. 56. Resolution to make a study of all matters within the jurisdiction of the Committee on Armed Services (Rept. No. 91-44);

S. Res. 57. Resolution authorizing the Select Committee on Small Business to make a complete study of the problems of small and independent businesses (Rept. No. 91-77);

S. Res. 59. Resolution to provide additional funds for the Committee on Aeronautical and Space Sciences (Rept. No. 91-43);

S. Res. 60. Resolution authorizing the Committee on Interior and Insular Affairs to investigate certain matters within its jurisdiction (Rept. No. 91-56);

S. Res. 65. Resolution to authorize the Senate to respond to official invitations received from foreign governments or parliamentary bodies and associations (Rept. No. 91-80); and

S. Res. 79. Resolution to authorize the Committee on Commerce to make certain studies (Rept. No. 91-47).

Under authority of the order of the Senate of February 7, 1969, Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported favorably, with an amendment, on February 7, 1969, the following resolutions:

S. Res. 25. Resolution to provide funds to study and evaluate the effects of laws pertaining to proposed reorganizations in the executive branch of the Government (Rept. No. 91-52);

S. Res. 27. Resolution authorizing a study of intergovernmental relationships between the United States and the States and municipalities (Rept. No. 91-54);

S. Res. 38. Resolution authorizing the Committee on Government Operations to study the origin of research and development programs financed by the departments and agencies of the Federal Government (Rept. No. 91-53);

S. Res. 39. Resolution to study administrative practice and procedure, and for other purposes (Rept. No. 91-57);

S. Res. 40. Resolution to investigate antitrust and monopoly laws of the United States (Rept. No. 91-58);

S. Res. 42. Resolution authorizing a study of matters pertaining to constitutional amendments (Rept. No. 91-59);

S. Res. 43. Resolution to investigate matters pertaining to constitutional rights (Rept. No. 91-60);

S. Res. 46. Resolution to investigate the administration, operation, and enforcement of the Internal Security Act (Rept. No. 91-66);

S. Res. 47. Resolution to study and examine the Federal judicial system (Rept. No. 91-64);

S. Res. 48. Resolution to investigate juvenile delinquency (Rept. No. 91-67);

S. Res. 49. Resolution to examine and review the statutes relating to patents, trademarks, and copyrights (Rept. No. 91-69);

S. Res. 50. Resolution to investigate problems created by the flow of refugees and escapees from communistic tyranny (Rept. No. 91-70);

S. Res. 51. Resolution to study revision and codification of the statutes of the United States (Rept. No. 91-71);

S. Res. 52. Resolution to make a full and complete study of the separation of powers under the Constitution (Rept. No. 91-61);

S. Res. 63. Resolution authorizing the Committee on Post Office and Civil Service to make certain investigations (Rept. No. 91-74);

S. Res. 64. Resolution to provide for a study of matters pertaining to the foreign policy of the United States by the Committee on Foreign Relations (Rept. No. 91-50);

S. Res. 66. Resolution to continue for one year the existing authority for the Committee on Finance to employ six additional clerical employees (Rept. No. 91-49);

S. Res. 68. Resolution to continue the Select Committee on Nutrition and Human Needs (Rept. No. 91-78);

S. Res. 76. Resolution to continue the Special Committee on Aging (Rept. No. 91-79);

S. Res. 80. Resolution to authorize an investigation into the problems of education for American Indians (Rept. No. 91-73);

S. Res. 81. Resolution to authorize certain investigations and studies by the Committee on Labor and Public Welfare (Rept. No. 91-72); and

S. Res. 84. Resolution authorizing the Committee on the District of Columbia to investigate certain matters within its jurisdiction (Rept. No. 91-48).

Under authority of the order of the Senate of February 7, 1969, Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported favorably, with amendments, on February 7, 1969, the following resolution:

S. Res. 44. Resolution to investigate criminal laws and procedures (Rept. No. 91-62).

READING OF WASHINGTON'S FAREWELL ADDRESS ON FRIDAY, FEBRUARY, 21, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of Washington's Farewell Address in the Senate this year, pursuant to the order of the Senate of January 24, 1901, be on Friday, February 21.

The VICE PRESIDENT. Without objection, it is so ordered.

DESIGNATION OF SENATOR FANNIN TO READ WASHINGTON'S FAREWELL ADDRESS

The VICE PRESIDENT. Pursuant to the order of January 24 ,1901, as modified by a previous order, the Chair designates the Senator from Arizona (Mr. Fannin) to read Washington's Farewell Address on Friday, February 21, 1969.

APPOINTMENT OF SENATOR BELLMON TO THE MIGRATORY BIRD CONSERVATION COMMISSION

The VICE PRESIDENT. Pursuant to title 16, United States Code, section 715A, the Chair appoints the Senator from Oklahoma (Mr. Bellmon) to the Migratory Bird Conservation Commission, in lieu of the Senator from Nebraska (Mr. Hruska), who resigned.

WAIVER OF CALL OF CALENDAR UNDER RULE VIII

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the calendar under rule VIII, for the consideration of unobjected-to measures, be waived.

The VICE PRESIDENT. Without objection, it is so ordered.

EULOGIES OF SENATOR BARTLETT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the transaction of morning business on Wednesday next, a period be set aside for Senators to eulogize our late departed colleague, Bob Bartlett, of Alaska.

The VICE PRESIDENT. Without objection, it is so ordered.

GUN CONTROL LEGISLATION—ADDITIONAL COSPONSORS OF BILL

Mr. MANSFIELD. Mr. President, on February 4, the distinguished Senator from Utah (Mr. Bennett) introduced S. 845. It seems to me to indicate that registration by another name is being required by a regulation of the Internal Revenue Service. This regulation covers ammunition for pistols, rifles, shotguns, and some components, including primers, propellent powders, cartridge cases, and bullets.

Under sections 992(b)(5) and 923(g) the dealer is required to record the name, age, and address of the buyer of firearms or ammunition, while section 923(g) authorizes the Secretary of the Treasury to issue regulations relative to recordkeeping by dealers. The regulations issued by the Secretary of the Treasury call for far more than sections 922 and 923 require and, in my judgment, go considerably beyond the intent of Congress in passing the Gun Control Act of 1968.

For example, the regulations issued by the Secretary of the Treasury call for the following: Date; manufacturer; caliber, gage, or type of component; quantity; name; address; date of birth; and mode of identification, driver's license, and so forth.

It seems to me that this goes far beyond "the name, age, and address" of the law and covers a good deal more territory which, in effect, amounts to registration.

If there is to be registration, let it be in the open and on the table, and let everyone be aware of it. Congress, in my opinion, opposed registration under the Gun Control Act of 1968, and this regulation, in my judgment, would go far beyond what Congress intended.

This is back-door registration and should be corrected. In my judgment, it is necessary to correct an unnecessary burden and a deceptive form of registration and to bring the regulations in line with the intent of Congress at the time the bill was passed.

I ask unanimous consent that I be registered as a cosponsor of Senator Bennett's bill, S. 845.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that my name also be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

THE SUEZ CANAL

Mr. MANSFIELD. Mr. President, there is universal agreement that the situation in the Middle East is a powder keg. There is almost universal agreement that the fuse grows shorter as weeks, months, and years go by without a peaceful settlement of the problems which remain from the war of 1967. To be sure, there have been no Israeli retaliations for the hideous mass executions in Iraq. To be sure, there have been no further Arab attacks on Israeli commercial aviation.

Nevertheless, the gnawing question remains: How much longer before the eye-for-an-eye retaliations are resumed? The question will persist, and properly so, in the absence of the beginning of a settlement of the issues of the conflict. The prospects for finding a way out of the ice jam, however, are not yet visible. That seems to me to be the case, whether the initiative is seen as coming from two powers, from four powers, from direct Israel-Arab negotiations, or from more U.N. resolutions, whether supplicatory or condemnatory.

Is there another possibility? Is there the possibility of a modest beginning on settlement which eschews sweeping generalities or emotional insistences on who is or who is not at fault? Can there be a beginning without faultfinding—a beginning, indeed, in which there is no significant sacrifice of position on any side?

In this connection, I would point out that the Suez Canal has been completely inoperative since the war of 1967. Israeli forces now hold the east bank of the waterway and the Egyptians, the west. However, even if both sides were willing to permit free usage, it would be of no avail at this point, because the canal is blocked by ships which were sunk at the outset of the conflict. Within the channel, moreover, are entrapped other vessels whose crews have been immobilized for almost 2 years.

The loss which results from this situation hits hardest at Egypt and Europe. As a result of the stoppage, tens of millions of dollars have been added to the fuel bills of the latter. In a broader sense, however, there has been a loss to the concept of freedom of navigation and to the foundations of international commerce, as there is whenever a great waterway is closed to any or all nations. Each day that the current situation persists, moreover, the many-sided loss accumulates.

Someday, Mr. President, the work of clearing and restoring the canal will begin. Apart from the political situation, this technical undertaking will involve several weeks or months of work. It seems to me that it would be to the advantage of all concerned if this operation could begin now. There would be no loss to anyone, so far as I can see, if the entrapped ships were freed and the canal were made ready for peaceful use, even as Egypt and Israel maintain their respective military positions on the two banks. On the other hand, this course would advance, by at least several weeks, the time commercial operations could be resumed, once the political situation makes resumption possible. Most important, the two principal combatants of the war would acquire, in the restoration, an experience in dealing peacefully with one another—with U.N. collaboration, to be sure, but not at arm's length—in the solution of a mutual difficulty.

It is a slender possibility, Mr. President, but it could prove to be a useful initiative. Certainly, I should like to see it explored through whatever channels may be feasible. If there is receptivity in Israel and Egypt, it might conceivably break the ice jam which now prevails in the situation in the Middle East.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Federal Plan for Meteorological Services and Supporting Research

A letter from the Deputy Director, Bureau of the Budget, transmitting, pursuant to law, a Federal plan for meteorological services and supporting research for the fiscal year 1970 (with an accompanying document); to the Committee on Appropriations.

Report of Certain Proposed Facilities Projects for the Army Reserve

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Army Reserve (with an accompanying paper); to the Committee on Armed Services.

Report of Certain Proposed Facilities Projects for the Naval Reserve

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations) reporting, pursuant to law, on the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Naval Reserve (with an accompanying paper); to the Committee on Armed Services.

Report of Export-Import Bank of the United States

A letter from the Secretary of the Export-Import Bank of the United States, reporting, pursuant to law, the amount of Export-Import Bank Insurance and guarantees issued in December 1968 in connection with U.S. exports to Yugoslavia; to the Committee on Banking and Currency.

Report on Number of Civilian Officers and Employees in the Executive Branch of the Government

A letter from the Director, Bureau of the Budget, transmitting, pursuant to law, a report on the number of civilian officers and employees in the executive branch of the Government for the quarter ended December 31, 1968 (with an accompanying report); to the Committee on Finance.

International Labor Organization Convention No. 123 and Recommendation No. 124

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting, pursuant to law, the text of ILO Convention No. 123 and ILO recommendation No. 124, adopted at Geneva in June 1965 (with accompanying papers); to the Committee on Foreign Relations.

Reports of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the financial statements of the Federal Prison Industries, Inc., for fiscal year 1968, dated February 11, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on Federal programs for the benefit of disadvantaged preschool children, Los Angeles County, Calif., Office of Economic Opportunity and Department of Health, Education, and Welfare, dated February 14, 1960 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for improved accounting for civilian employees' leave of absence in the military departments, Department of Defense, dated February 7, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for improved guidelines in contracting for research with Government-sponsored nonprofit contractors, Department of Defense, Atomic Energy Commission and National Aeronautics and Space Administration, dated February 10, 1969 (with an accompanying report); to the Committee on Government Operations.

Report of National Aeronautics and Space Administration

A letter from the Acting Administrator, National Aeronautics and Space Administration, reporting, pursuant to law, on the disposal of certain foreign excess property; to the Committee on Government Operations.

Report of the National Institute of Arts and Letters

A letter from the Assistant Secretary, the National Institute of Arts and Letters, transmitting, pursuant to law, their report for the year 1968 (with an accompanying report); to the Committee on the Judiciary.

Third Preference and Sixth Preference Classifications for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

Suspension of Deportation of Aliens—Withdrawal of Name

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Mr. Trifon Nicholas Kritsis from a report relating to aliens whose deportation has been suspended transmitted to the Senate October 1, 1968; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives, State of South Carolina; to the Committee on Commerce:

"A House resolution to memorialize the Congress of the United States to take necessary action to prevent the Federal Communications Commission or other administrative agencies from banning advertisement of tobacco products on television and radio

"Whereas, the Federal Communications Commission has threatened action to prohibit the advertisement of tobacco products on television and radio; and

"Whereas, the publicly-owned airways should be protected from such arbitrary and unnecessary restrictions; and

"Whereas, the tobacco industry so vital to the economy of South Carolina would be seriously damaged by this proposed prohibition. Now, therefore,

"Be it resolved by the House of Representatives of the State of South Carolina:

"That the Congress of the United States be and hereby is memorialized to take such action as may be necessary to prevent the Federal Communications Commission or any other administrative agency from prohibiting the use of the public airways to advertise tobacco products on radio and television.

"Be it further resolved that a copy of this Resolution be forwarded to the President of the United States Senate, the Speaker of the House of Representatives of the United States and each member of the South Carolina Congressional Delegation.

"Attest:

"Inez Watson,
"Clerk of the House."

A resolution adopted by the city council of Erie, Pa., praying for the enactment of legislation to raise the level of the present standard income tax exemption; to the Committee on Finance.

A resolution of the Senate of the Commonwealth of Massachusetts; to the Committee on Foreign Relations:

"A resolution urging the President of the United States to protest the recent public hanging of nine Jews by the Iraqi Government and exert his influence in stabilizing the current crisis in the Middle East

"Whereas, United States Secretary of State, William P. Rogers, has expressed this nation's sense of outrage over this week's barbaric public hangings of fourteen Iraqis in these words: 'The spectre of mass public executions is repugnant to the conscience of the world'; and

"Whereas, These atrocities have heightened tensions in the Middle East and greatly increased the threat of war; and

"Whereas, The Jewish community of Iraq is now no more than 2,500 souls in the total population of more than 8,000,000 for that country and yet 9 of the 14 Iraqis executed were Jews, suggesting, as Pope Paul has pointed out, racist motivation; and

"Whereas, If world opinion is quickly mobilized, further hangings may be forestalled; and

"Whereas, These savage acts are shockingly violative of all standards of justice and principles of compassion for which the Commonwealth has stood since its founding days; now, therefore, be it

"Resolved, That the Massachusetts Senate respectfully urges the President of the United States to formally protest the recent public hanging of nine Jews by the Iraqi government and to use his powerful office in an immediate attempt to stabilize the explosive crisis in the Middle East; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the Secretary of State, to the presiding officer of each branch of the Congress and to the members thereof from the Commonwealth.

"Norman L. Pidgeon,
"Clerk.

"Attest:

"John F. X. Davoren,
"Secretary of the Commonwealth."

A resolution of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Foreign Relations:

"A resolution protesting the brutality of the Iraq Government in hanging nine jews

"Whereas, The Massachusetts House of Representatives learned with horror of the brutality of the Iraq Government in hanging nine Jews, citizens of Israel; and

"Whereas, The Iraq Government, by this wanton and inhumane act not only stands condemned in the eyes of free men everywhere but precipitated a tinder box crisis that could very well lead to a confrontation between the nuclear powers and eventual destruction of all mankind; therefore be it

"Resolved, That the Massachusetts House of Representatives urges the President of the United States to use the full weight and power of his office in assisting to stabilize this serious situation in the Middle East, guarantee the rights of all nations however small and their people to live, prosper and survive in peace and to lodge a formal protest with the Iraq Government against this barbaric act; and be it further

"Resolved, That the United Nations be requested to immediately consider this inhumane act by the Iraq Government assess responsibility and guarantee to Israel and its citizens protection against the aggressive and lawless acts of its neighboring nations; and be it further

"Resolved, That a copy of these resolutions be sent by the Secretary of the Commonwealth to the President of the United States, the Senators and Representatives in Congress representing this Commonwealth and to the Secretary General of the United Nations.

"Wallace C. Mills,
"Clerk.

"Attest:

"John F. X. Davoren,
"Secretary of the Commonwealth."

A resolution adopted by the Association for Grand Jury Action, Inc., of Rochester, N.Y., remonstrating against the enactment of legislation to change the Constitution; to the Committee on the Judiciary.

The petition of Robert Bradford Murphy, of Leavenworth, Kans., praying for a redress of grievances; to the Committee on the Judiciary.

A joint resolution of the legislature, State of Montana; to the Committee on Labor and Public Welfare:

"S.J. Res. 3

"A joint resolution of the Senate and House of Representatives of the State of Montana, to the U.S. Congress, urging that the Federal Government establish a multistate vocational education center at the Glasgow Air Force Base

"Whereas, the Glasgow Air Force Base was constructed at a cost of more than one hundred million dollars; and

"Whereas, this facility is no longer being used as a military installation; and

"Whereas, the facility is too large to be operated efficiently by the state of Montana; and

"Whereas, there is demonstrated need for additional facilities for vocational education in Montana and also in the surrounding states of the Upper Midwest and Northwest portions of the nation; and

"Whereas, the Glasgow Air Force Base Base offers an excellent possibility for the development of a multistate vocational education center to serve the Upper Midwest and Northwest regions of the nation.

"Now, therefore, be it resolved by the Senate and House of Representatives of the State of Montana: That the legislative assembly of the state of Montana urges the United States Congress to enact legislation that would establish a multistate vocational education center at the Glasgow Air Force Base utilizing all or a part of the existing physical facilities.

"Be it further resolved, that the legislative assembly of Montana urges the Montana congressional delegation to support any federal legislation to accomplish this purpose.

"Be it further resolved, that the secretary of state is instructed to send copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the state of Montana, and the Honorable Arnold Olsen and the Honorable James Battin, Congressmen from the state of Montana.

Attest:

"Walter H. Marshall,
"*Secretary of the Senate.*
"Thomas O. Judge,
"*President of the Senate.*
"James P. Hue,
"*Speaker of the House.*

A resolution of the House of Representatives, State of Delaware; ordered to lie on the table:

"H. Res. 15

"A resolution relative to the inauguration of the Honorable Richard M. Nixon as the 37th President of the United States of America

"Whereas, the House of Representatives of the 125th General Assembly of the State of Delaware wishes to express its congratulations and best wishes to The Honorable Richard M. Nixon upon his inauguration as the 37th President of The United States of America; and

"Whereas, The Honorable Richard M. Nixon has served his country honorably as its Vice President, as United States Senator, and as United States Representative; and

"Whereas, the House of Representatives of the 125th General Assembly of the State of Delaware wishes to express its faith and confidence that The Honorable Richard M. Nixon shall become an outstanding leader in The United States of America, and a leader throughout the world as an advocate of peace and goodwill among all men; now therefore,

"Be it resolved that The Honorable Richard M. Nixon, the 37th President of The United States of America, is extended the congratulations and best wishes of the House of Representatives of the 125th General Assembly of the State of Delaware; and

"Be it further resolved that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 125th General Assembly of the State of Delaware, and that a copy of this Resolution shall be forwarded to The Honorable Richard M. Nixon, President of the United States of America.

"Attest:

"George C. Hering, III,
"'*Speaker of the House.*
"Robert J. Barkley,
"*Bill Clerk of the House.*
"Louise de R. Smith,
"*Clerk of the House.*"

FUNDS FOR BONNEVILLE UNIT OF THE CENTRAL UTAH PROJECT—CONCURRENT RESOLUTION OF UTAH LEGISLATURE

Mr. BENNETT. Mr. President, the long-suffering central Utah project in my State of Utah was shortchanged once more by the outgoing Johnson administration in its budget request for fiscal 1970.

The budget called only for $8 million for the entire central Utah project where $10.7 million was spent last year. The Bonneville unit alone of the CUP will eventually serve 12 counties containing more than 60 percent of the State's population; and I cannot overemphasize its importance to Utah.

My disappointment in the unrealistic budget request was shared by the Utah State Legislature and the Governor, who have forwarded a concurrent resolution to me requesting that the funds appropriated for construction on the Bonneville unit for fiscal 1970 be increased to a minimum $15 million. They also requested that construction of the authorized units of the central Utah project be accelerated so that they may be completed on a realistic, progressive, and economic schedule and that funds be provided so that the planning report for the Ute Indian unit may be completed on time.

I ask unanimous consent that the resolution be printed in full so that my colleagues may have an opportunity to study it.

The VICE PRESIDENT. The concurrent resolution will be appropriately referred; and, under the rule, the concurrent resolution will be printed in the Record.

The concurrent resolution was referred to the Committee on Appropriations, as follows:

S. Con. Res. 3

A concurrent resolution of the 38th Legislature of the State of Utah, the Governor concurring therein, requesting the Congress, the President, and the Department of the Interior of the United States to make additional funds available for construction on the Bonneville unit of the central Utah project and to accelerate the planning and construction of the central Utah project

Be it resolved by the Legislature of the State of Utah, the Governor concurring therein:

Whereas, the capability for growth in the State of Utah is directly related to its ability to provide a water supply to meet its municipal and industrial needs, with the key to progress being Utah's ability to utilize its legal entitlements to Colorado River water, and

Whereas, to meet the municipal water requirements of the expanding population in Salt Lake and Utah Counties, a need for delivery of Colorado River water through the authorized Bonneville Unit of the Central Utah Project is required and has been programmed by the Central Utah Water Conservancy District for 1972 with water demands to increase thereafter, and

Whereas, the funds previously appropriated and utilized for construction on this vital water-resource project have not permitted a progressive or economic construction program; and, if continued will result in a delay in meeting essential water needs with a reduction in economic growth to the State of Utah, an increase in the District's repayment obligation to the Federal Government, and

Whereas, the reimbursable costs of this project, which represent more than 90% of its total costs, will be repaid to the Federal Treasury with funds from the Central Utah Water Conservancy District in compliance with a contract between it and the Federal Government, from power revenues from the Bonneville Unit Power Complex, and from a portion of Utah's share of Colorado River Storage Project power revenues, and

Whereas, the President's budget recommended only an $8 million construction program for fiscal year 1970, which is unreasonably low, and represents a reduction from the $11.444 million construction program recommended for fiscal year 1969, and an $11.145 million construction program for fiscal year 1968, and

Whereas, this Legislature, with the Governor concurring, in its 37th session urged the Congress of the United States, the President, and the Department of the Interior to appropriate the necessary funds to accelerate the construction of the Central Utah Project with an amount for construction of at least $25 million for the Bonneville Unit for fiscal year 1969, and

Whereas, the Colorado River Basin Project Act (PL 90–537) directs that the planning report for the Ute Indian Unit of the Central Utah Project shall be completed on or before December 31, 1974, to enable the United States to meet the commitments heretofore made to the Ute Indian Tribe of the Uintah and Ouray Indian Reservation under the agreement dated September 20, 1965,

Now, therefore, be it resolved, that the 38th Legislature of the State of Utah, the Governor concurring therein, does hereby unanimously request that funds appropriated by the Congress of the United States for construction on the Bonneville Unit of the Central Utah Project for fiscal year 1970 be increased to a minimum of $15 million.

Be it further resolved, that the Utah Legislature with the Governor's concurrence, again requests that the Congress of the United States, the President, and the Department of the Interior accelerate the construction of the authorized units of the Central Utah Project so that they may be completed on a realistic, progressive, and economic schedule, and to schedule and provide funds so that the planning report for the Ute Indian Unit be completed in compliance with the Colorado River Basin Project Act (Public Law 90–537).

Be it further resolved, that the Secretary of the State of Utah be, and he hereby is, directed to transmit copies of this resolution to the President of the United States, to the Secretary of the Interior, to the Director of the Bureau of the Budget, to the Upper Colorado River Commission, and to the Senators and Congressmen representing the State of Utah in Congress.

Attest:

Quayle Cannon, Jr.,
Secretary of the Senate.
Haven J. Barrow,
President of the Senate.

Attest:

Clair R. Hopkins,
Chief Clerk of the House.
Franklin W. Gunnell,
Speaker of the House.

Received from the Senate this 7th day of February, 1969. Concurred February 10, 1969.

Calvin L. Rampton,
Governor.

Received from the Governor, and filed in the office of the Secretary of State this 10th day of February, 1969.

Clyde L. Miller,
Secretary of State.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 994. A bill for the relief of Patrick Joseph McLoughlin and Catherine Mary McLoughlin, nee Tatley; to the Committee on the Judiciary.

By Mr. HATFIELD:

S. 995. A bill to repeal section 7 of the act of August 9, 1946 (60 Stat. 968); to the Committee on Interior and Insular Affairs.

S. 996. A bill to permit the several States and the District of Columbia to use penalty mail; to the Committee on Post Office and Civil Service.

By Mr. PACKWOOD:

S. 997. A bill for the relief of Miss Susan Evanado Tumaliuan; to the Committee on the Judiciary.

By Mr. PROUTY:

S. 998. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Finance.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 999. A bill for the relief of Sang-Aroon Choopunta; and

S. 1000. A bill for the relief of Ljubisa Matic; to the Committee on the Judiciary.

By Mr. THURMOND:

S. 1001. A bill for the relief of Stephen K. Shao; and

S. 1002. A bill for the relief of Reddick B. Still, Jr., and Richard Carpenter; to the Committee on the Judiciary.

By Mr. McCLELLAN:

S. 1003. A bill for the relief of Lloyd L. Ward, Jr.; to the Committee on the Judiciary.

By Mr. THURMOND:

S. 1004. A bill for the relief of Orin Brewington; to the Committee on the Judiciary.

By Mr. HART:

S. 1005. A bill for the relief of Margaret Yueh Chiao;

S. 1006. A bill for the relief of Francesco Scardina, his wife, Maria Scardina, and their child, Salvatore Scardina;

S. 1007. A bill for the relief of Sandra Haydous;

S. 1008. A bill for the relief of Robert J. Ebbert and Design Products Corp., Troy, Mich.;

S. 1009. A bill for the relief of Ruth V. Hawley, Marvin E. Krell, Alaine E. Benic, and Gerald L. Thayer; and

S. 1010. A bill for the relief of Mrs. Aili Kallio; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 1011. A bill to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 1012. A bill for the relief of Dr. Paulino A. Claridades and Dr. Lydia Vargas Claridades; to the Committee on the Judiciary.

By Mr. GURNEY:

S. 1013. A bill to authorize the Secretary of the Interior to sell reserve phosphate interests of the United States in certain lands located in the State of Florida to the record owner or owners of such lands; to the Committee on Interior and Insular Affairs.

S. 1014. A bill for the relief of Ho Ming Chao; and

S. 1015. A bill for the relief of beneficiaries of a certain life insurance policy; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 1016. A bill for the relief of Dr. Richard Francis Power; and

S. 1017. A bill for the relief of Do Sung Deuk; to the Committee on the Judiciary.

By Mr. GRAVEL:

S. 1018. A bill to amend section 2634(a) of title 10, United States Code, so as to authorize the military departments, in certain cases, to ship automobiles to and from the State of Alaska by commercial motor carrier via the Alaska ferry system and other surface transportation; and

S. 1019. A bill to amend section 2634(a) of title 10, United States Code so as to authorize the military departments in certain cases to ship automobiles by commercial motor carrier via highways, ferry systems, and other surface transportation; to the Committee on Armed Services.

By Mr. MUNDT:

S. 1020. A bill for the relief of Pek-chuan Kan; to the Committee on the Judiciary.

By Mr. GRIFFIN:

S. 1021. A bill for the relief of Dr. Devendra Saksena; to the Committee on the Judiciary.

By Mr. LONG:

S. 1022. A bill to provide that future appointments to the office of Administrator of the Social and Rehabilitation Service, within the Department of Health, Education, and Welfare, shall be made by the President, by and with the advice and consent of the Senate; to the Committee on Finance.

(See the remarks of Mr. Long when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 1023. A bill to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. GRAVEL:

S. 1024. A bill to authorize the payment of the expenses of preparing and transporting to his home or place of internment the remains of a Federal employee who dies while performing official duties in Alaska or Hawaii, and for other purposes; to the Committee on Government Operations.

By Mr. JAVITS (for himself and Mr. Byrd of West Virginia):

S. 1025. A bill to amend section 837, title 18, United States Code, to prohibit certain acts involving the use of incendiary devices, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE (for himself, Mr. Bayh, Mr. Dole, Mr. Fannin, Mr. Gravel, Mr. Gurney, Mr. Hart, Mr. Inouye, Mr. Metcalf, Mr. Montoya, Mr. Nelson, Mr. Pell, Mr. Tower, Mr. Young of Ohio, Mr. McIntyre, Mr. Boggs, Mr. Yarborough and Mr. Stevens):

S. 1026. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Commerce.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 1027. A bill for the relief of Wai Yung Ip;

S. 1028. A bill for the relief of Kam Chun Li;

S. 1029. A bill for the relief of Cheong Pang; and

S. 1030. A bill for the relief of Yeung Li; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 1031. A bill for the relief of Yeung Yi San (also known as Lee Cheung On); to the Committee on the Judiciary.

S. 1032. A bill to amend the Urban Mass Transportation Act of 1964, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Williams of New Jersey when he introduced the second above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself and Mr. Brooke, Mr. Church, Mr. Goodell, Mr. Gravel, Mr. Gurney, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hughes, Mr. Inouye, Mr. Javits, Mr. Kennedy, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. Mondale, Mr. Murphy, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Prouty, Mr. Randolph, Mr. Schweiker, Mr. Scott, Mr. Ribicoff, Mr. Yarborough, and Mr. Young of Ohio):

S. 1033. A bill to improve and increase post-secondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN:

S. 1034. A bill relating to the commission of a crime of violence in the District of Columbia when armed with any firearm or other dangerous or deadly weapon; to the Committee on the District of Columbia.

By Mr. DIRKSEN:

S.J. Res. 45. Joint resolution to authorize the President to issue a proclamation designating the period beginning September 1, 1969, and ending September 6, 1969, as "Adult Education Week"; and

S.J. Res. 46. Joint resolution to authorize the President to designate the period beginning November 16, 1969, and ending November 22, 1969, as "National Family Health Week"; to the Committee on the Judiciary.

By Mr. MONDALE (for himself, Mr. Bayh, Mr. Brooke, Mr. Fong, Mr. Goodell, Mr. Harris, Mr. Hart, Mr. Hughes, Mr. Inouye, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. Moss, Mr. Nelson, Mr. Pell, Mr. Randolph, Mr. Tydings, Mr. Williams of New Jersey, and Mr. Yarborough):

S.J. Res. 47. Joint resolution to provide for a study and evaluation of scientific research in medicine in the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Mondale when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. TOWER:

S.J. Res. 48. Joint resolution to designate the period beginning June 22, 1969, and ending June 28, 1969, as "National Engineering Technicians Week"; to the Committee on the Judiciary.

(See the remarks of Mr. Tower when he introduced the above joint resolution, which appear under a separate heading.)

S. 998—INTRODUCTION OF HUMAN INVESTMENT ACT OF 1969

Mr. PROUTY. Mr. President, I introduce for appropriate reference, the

Human Investment Act of 1969, a bill to provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and upgrading of the job skills of and providing new job opportunities for workers presently employed.

To achieve this purpose, the Human Investment Act provides for a credit against Federal income tax toward the costs of carefully specified programs designed to train prospective employees for available jobs, or retraining current employees for more demanding jobs. In the present bill the amount of credit is 10 percent of the allowable training expense. There is an upper limit based on the taxpayer's tax liability as in the investment credit tax provisions enacted in 1962. I ask unanimous consent that the bill, a background and summary of the bill, and a technical explanation of the bill be printed at the end of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and material referred to will be printed in the Record.

Mr. PROUTY. Mr. President, 4 years ago I stood before this body to introduce a forerunner of the bill I am introducing today.

At that time I offered an approach, not a panacea, an added formula, not an exclusive alternative. Since then I have solicited suggestions, welcomed revisions, and twice submitted updated versions of the Human Investment Act. Today I return again with the anticipation that further revisions may well be in order.

On February 17, 1965, I expressed concern about our Nation's manpower dilemma, unemployment, and underemployment paradoxically coexisting with widespread job vacancies.

Sadly, I return today with the same concern. Structural unemployment continues unabated and its attendant social and economic ills continue to take their toll.

I return without the presumption that if the tax incentive concept had been adopted 4 years ago our manpower crisis would now be totally resolved. I wish our dilemma were that easily resolvable. Rather our complex manpower needs require massive efforts in both the public and private sectors. In many areas private industry has responded ably; however, I still contend that greater incentives are needed to spur greater private action.

I offer the concept of "up-grade" training basic to this proposal as the best means of overcoming the disparity between skill shortages and job vacancies. I again suggest the tax-credit method would provide the most effective stimulus to action.

I have been grateful for the support given this act by the members of my party. I offer this bill anticipating additional revisions to the bill as now offered. I also expect that hearings on this act will further yield constructive suggestions and refinements. The need for action is apparent. The time for action is now. The groundwork is carefully laid.

The bill (S. 998) to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs, introduced by Mr. Prouty, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 998

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Human Investment Act of 1968."

DECLARATION OF PURPOSE

Sec. 2. It is the purpose of this Act to provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed.

Sec. 3. Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as section 41, and by inserting after section 39 the following new section:

"Sec. 40. Expenses of Employee Training Programs.

"(a) General Rule.—There shall be allowed, as a credit against the tax imposed by this chapter, the amount determined under subpart C of this part.

"(b) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and subpart C."

Sec. 4. Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by adding at the end thereof the following new subpart:

"Subpart C—Rules for Computing Credit for Expenses of Employee Training Programs

"Sec. 51. Amount of credit.
"Sec. 52. Definitions; special rules.

"Sec. 51. Amount of Credit.

"(a) Determination of Amount.—

"(1) General rule.—The amount of the credit allowed by section 40 for the taxable year shall be equal to 10 percent of the employee training expenses (as defined in section 52(a)).

"(2) Limitation based on amount of tax.—Notwithstanding paragraph (1), the credit allowed by section 40 for the taxable year shall not exceed—

"(A) so much of the liability for the taxable year as does not exceed $25,000, plus

"(B) 50 percent of so much of the liability for tax for the taxable year as exceeds $25,000.

"(3) Liability for tax.—For purposes of paragraph (2), the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax exempt interest),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph any tax imposed for the taxable year by section 531 (relating to accumulated earnings tax) or by section 541 (relating to personal holding company tax) shall not be considered tax imposed by this chapter for such year.

"(4) Married individuals.—In the case of a husband or wife who files a separate return, the amount specified under subparagraphs (A) and (B) of paragraph (2) shall be $12,500 in lieu of $25,000. This paragraph shall not apply if the spouse of the taxpayer has no employee training expenses for, and no unused credit carryback or carryover to, the taxable year of such spouse which ends within or with the taxpayer's taxable year.

"(5) Affiliated groups.—In the case of an affiliated group, the $25,000 amount specified under subparagraphs (A) and (B) of paragraph (2) shall be reduced for each member of the group by apportioning $25,000 among the members of such group in such manner as the Secretary or his delegate shall by regulations prescribe. For purposes of the preceding sentence, the term 'affiliated group' has the meaning assigned to such term by section 1504(a), except that all corporations shall be treated as includible corporations (without any exclusion under section 1504(b))

"(b) Carryback and Carryover of Unused Credit.—

"(1) Allowance of credit.—If the amount of the credit determined under subsection (a)(1) for any taxable year exceeds the limitation provided by subsection (a)(2) for such taxable year hereinafter in this subsection referred to as 'unused credit year', such excess shall be—

"(A) an employee training credit carryback to each of the 3 taxable years preceding the unusual credit year, and

"(B) an employee training credit carryover to each of the 7 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by section 40 for such years, except that such excess may be a carryback only to a taxable year beginning after December 31, 1968. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 10 taxable years to which (by reason of subparagraphs (A) and (B)) such credit may be carried, and then to each of the other 9 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(2) Limitation.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the limitation provided by subsection (a)(2) for such taxable year exceeds the sum of—

"(A) the credit allowable under subsection (a)(1) for such taxable year, and

"(B) the amounts which, by reason of this subsection, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"(3) Effect of net operating carryback.—To the extent that the excess described in paragraph (1) arises by reason of a net operating loss carryback, subparagraph (A) of paragraph (1) shall not apply.

"Sec. 52. definitions; special rules.

"(a) Employee Training Expenses.—For purposes of this subpart, the term 'employee training expenses' means—

"(1) the wages and salaries of employees who are apprentices in an apprenticeship program registered with a State apprenticeship agency or the Federal Bureau of Apprenticeship and Training;

"(2) the wages and salaries of employees who are enrolled in an on-the-job training program pursuant to section 204 of the Manpower Development and Training Act of 1962;

"(3) the wages and salaries of employees who are participating in a cooperative education program involving alternate and approximately equal periods of study and employment in cooperation with—

"(A) a school or college, or department or division of a school or college, which is certified by the United States Commissioner of Education to be an area vocational education school as defined in section 8(2) of the Vocational Education Act of 1963 (Public Law 88-210), or

"(B) a business or trade school, or technical institution or other technical or vocational school, which is certified by the United States Commissioner of Education to be an eligible institution as defined in section 17 (a) of the National Vocational Student Loan Insurance Act of 1965 (Public Law 89-287);

"(4) tuition and course fees paid or incurred by the taxpayer to—

"(A) a school or college, or department or division of a school or college, which is certified by the United States Commissioner of Education to be an area vocational education school as defined in section 8(2) of the Vocational Education Act of 1963 (Public Law 88-210), or

"(B) a business or trade school, or technical institution or other technical or vocational school, which is certified by the United States Commissioner of Education to be an eligible institution as defined in section 17(a) of the National Vocational Student Loan Insurance Act of 1965 (Public Law 89-287)

for instruction of an individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills, and amounts paid or incurred by the taxpayer to any such individual in reimbursement for such tuition and fees paid by such individual;

"(5) home study course fees paid or incurred by the taxpayer to any home study school accredited by a nationally recognized accrediting agency or association listed by the United States Commissioner of Education for instruction of an individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills, and amounts paid or incurred by the taxpayer to any such individual in reimbursement for such individual;

"(6) expenses of the taxpayer for organized job training (including classroom instruction) provided by the taxpayer, including (but not limited to) expenses for the purchase or lease of books, testing and training materials, classroom equipment and related items, and instructors' fees and salaries, incurred in training any individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills;

"(7) expenses of the taxpayer for organized job training described in paragraph (6) provided by another taxpayer, but only to the extent the expenses of providing such instruction would, if it were provided by the taxpayer, constitute employee training expenses of the taxpayer under paragraph (6) of this subsection; and

"(8) expenses of the taxpayer for organized job training described in paragraph (6) provided by a business or trade association joint labor-management apprenticeship committee, or other similar nonprofit association, group, trust fund, foundation, or institution for an employee or prospective employee of any taxpayer member of such association, committee, group, trust fund, foundation, or institution in job skills necessary for and directly related to his employment by such taxpayer member or his continued employment with such taxpayer member in a position requiring additional job skills.

"(b) Organized Job Training Defined.—For purposes of this section, the term 'organized job training' means job training according to a plan formulated or approved by the taxpayer which contains—

"(1) the title and description of the job objectives for which individuals are to be trained;

"(2) the length of the training period;

"(3) a schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task;

"(4) the wage or salary to be paid at the beginning of the course of training, at each successive step in the course, and at the completion of training;

"(5) the entrance wage or salary paid to employees already trained in the kind of work for which the individuals are to be trained; and

"(6) the number of hours of supplemental related instruction required.

"(c) Limitations.—

"(1) Trade or business expenses.—No item shall be taken into account under subsection (a) unless such item is allowable as a deduction under section 162 (relating to trade or business expenses). For purposes of applying the preceding sentence, expenses which are paid or incurred by the taxpayer with respect to an individual who is not his employee shall be treated as paid or incurred with respect to an individual who is his employee.

"(2) Certain kinds of training excluded.—

"(A) in general, no item shall be taken into account under subsection (a) with respect to any expense paid or incurred in training any individual in—

"(i) management, supervisory, professional, or human relation skills;

"(ii) scientific or engineering courses creditable to a baccalaureate degree by an institution of higher education (as defined by the first sentence of section 103(b) of the National Defense Education Act of 1958);

"(iii) courses of a type determined by the Veterans' Administrator to be avocational or recreational in character under the authority of section 1673 of chapter 34 of part III of title 38, United States Code; or

"(iv) subjects not contributing specifically and directly to such individual's employment or prospective employment with the taxpayer (or a taxpayer member of an association, group, trust fund, foundation, or institution as used in paragraph (8) of subsection (a)).

"(B) Exceptions.—Subparagraph (A) shall not apply to—

"(i) expenses described in subsections (a) (4) and (5) paid or incurred for courses and at institutions certified by a State apprenticeship agency (or where none exists, by the Bureau of Apprenticeship and Training) as eligible for inclusion in a registered apprenticeship program in an apprenticeable occupation listed by the Bureau of Apprenticeship and Training;

"(ii) expenses described in subsections (a) (4) and (5) paid or incurred for courses offered in a 2-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge by an institution which is accredited or otherwise certified by the United States Commissioner of Education under paragraph 401(f)(5) of the Higher Education Facilities Act of 1963 (Public Law 88-204); or

"(iii) expenses described in subsection (a) for training which has been approved by the agency of a State that administers its State unemployment compensation law for individuals receiving unemployment compensation.

"(3) Reimbursed expenses.—No item shall be taken into account under subsection (a) to the extent that the taxpayer is reimbursed for such item by any other taxpayer, by any association, group, trust fund, foundation, or institution, or by any State, local, or Federal Government program, grant, contract, or agreement.

"(4) Geographical limitation.—No item shall be taken into account under subsection (a) with respect to any expense paid or incurred by the taxpayer for training conducted on the territory of any foreign country.

"(5) Overlapping expenses.—A taxpayer may take into account expenses paid or incurred with respect to any one individual under either paragraph (3) or paragraph (4) of subsection (a), but shall not take into account expenses concurrently paid or incurred with respect to such individual under both such paragraphs.

"(d) Subchapter S Corporations.—In case of an electing small business corporation (as defined in section 1371)—

"(1) the employee training expenses for each taxable year shall be apportioned pro rata among the persons who are shareholders of such corporation on the last day of such taxable year, and

"(2) any person to whom any employee training expense has been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expense.

"(e) Estates and Trusts.—In the case of an estate or trust—

"(1) the employee training expenses for any taxable year shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each,

"(2) any beneficiary to whom any employee training expense has been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expense, and

"(3) the $25,000 amount specified under subparagraphs (A) and (B) of section 51(a) (2) applicable to such estate or trust shall be reduced to an amount which bears the same ratio to $25,000 as the amount of the employee training expenses allocated to the trust under paragraph (1) bears to the entire amount of the employee training expenses.

"(f) Limitations With Respect to Certain Persons.—In the case of—

"(1) an organization to which section 593 applies,

"(2) a regulated investment company or a real estate investment trust subject to taxation under subchapter M (section 851 and following), and

"(3) a cooperative organization described in section 1381(a),

rules similar to the rules provided in section 46(d) shall apply under regulations prescribed by the Secretary or his delegate.

"(g) Cross Reference.—For application of this subpart to certain acquiring corporations, see section 381(c) (24)."

Sec. 5. Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by renumbering section 123 as 124 and by inserting after section 122 the following new section:

"Sec. 123. Tuition and fees under employee training programs.

"In the case of an individual, gross income does not include—

"(1) tuition and course fees paid on behalf of such individual, or amounts received as reimbursement for such tuition and fees paid by such individual, to the extent such tuition and fees or such reimbursement constitutes employee training expenses under section 52(a) (4) of the person making the payment or reimbursement, and

"(2) home study course fees paid on behalf of such individual, or amounts received as reimbursement for such fees paid by such individual, to the extent such fees or reimbursement constitutes employee training expenses under section 52(a) (5) of the person making the payment or reimbursement."

Sec. 6. (a) The table of subparts for part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"Subpart C. Rules for computing credit for expenses of employee training programs."

(b) The table of sections of subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out

"Sec. 40. Overpayments of tax."
and inserting in lieu thereof
"Sec. 40. Expenses of employee training programs.
"Sec. 41. Overpayments of tax."

(c) The table of sections for part III of subchapter B of chapter 1 of such Code is amended by striking out

"Sec. 123. Cross references to other Acts."
and inserting in lieu thereof
"Sec. 123. Tuition and fees under employee training programs.
"Sec. 124. Cross references to other Acts."

(d) Section 381(c) of such Code (relating to items taken into account in certain corporate acquisition) is amended by adding at the end thereof the following new paragraph:

"(24) Credit under section 40 for employee training expenses.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 40, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 40 in respect of the distributor or transferor corporation."

Sec. 7. The amendments made by this Act shall apply with respect to taxable years beginning after December 31, 1968.

The material presented by Mr. Prouty is as follows:

Human Investment Act—Background and Summary

Purpose: "To provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training and employing presently unemployed workers lacking needed job skills and by upgrading the job skills of and providing new job opportunities for workers presently employed."

Method: "The Act offers employers a tax credit toward certain expenses of programs designed to train prospective employees for jobs with the company or retrain current employees for more demanding jobs with the company.

Amount of tax credit: 10% of the allowable training expenses, with a maximum of $25,000 plus 50% of the taxpayer's tax liability in excess of $25,000. This credit would be in addition to credits provided for by other sections of the tax code, and in addition to the regular deduction as a trade or business expense under Section 162 of the code.

Allowable employee training expenses: 1. the wages and salaries of employees who are apprentices in an apprenticeship program registered with a State apprenticeship agency or the Federal Bureau of Apprenticeship and Training.

2. the wages and salaries of employees who are enrolled in an on-the-job training program pursuant to section 204 of the Manpower Development and Training Act of 1962.

3. the wages and salaries of employees who are participating in a cooperative education program involving alternate periods of academic study and employment in cooperation with a secondary school college, university, business school, trade school or vocational school.

4. tuition and course fees paid by the taxpayer for the instruction of any individual by a college, university, business school, trade school, or vocational school in job skills necessary for his employment by the taxpayer or for his continued employment with the taxpayer.

5. home study course fees paid by the taxpayer for the instruction of any individual by a college; university, or accredited home study school in job skills necessary for his employment by the taxpayer or for his continued employment with the taxpayer.

6. expenses to the taxpayer of organized job training (including classroom instruction), including expenses for the purchase or lease of books, testing and training materials, classroom equipment, and instructors' fees and salaries, incurred in training any individual in job skills necessary for his employment by the taxpayer or for his continued employment with the taxpayer.

7. expenses to the taxpayer of organized job training provided by another taxpayer.

8. expenses to the taxpayer of organized job training provided by a business or trade association, joint labor-management apprenticeship committee or other similar nonprofit association.

Other provisions: 1. Allowable employee training expenses must be tax deductible under section 162 of the Code, relating to trade or business expenses.

2. The tax credit could be carried back three years and carried forward seven years.

3. No credit would be allowed for the training of managerial professional, or advanced scientific employees. The intent of the Act is to encourage business to upgrade the skills of those at the bottom end of the skill and income ladder, not middle management or professional employees.

4. No credit would be allowed for a vocational or recreational courses.

5. Employers could not claim a credit when the training expenses are reimbursable by the government under a training contract, etc.

Comment: The Human Investment Act is patterned closely after the investment credit provisions of the Revenue Act of 1962, which permitted a 7% tax credit toward investment in certain depreciable plant equipment and real property.

This bill is an attempt to meet the increasingly serious problems of structural unemployment caused by a labor force ill-fitted for existing and developing job opportunities. Unlike programs aimed only at the hard-core unemployed, the Human Investment Act is designed to help both the hard-core unemployed and workers presently employed who seek to increase their skills to qualify for better jobs. The intent of the Act is to advance all workers up the skill ladder, thus opening vacancies at the bottom for the presently unskilled and unemployed.

The major premise of the Human Investment Act is that private business and labor have over the years, learned how to obtain the most results per training dollar, and should now be encouraged to expand their training programs to meet the growing national need. Rather than to expand government-operated programs with all their bureaucracy, inefficiency, and expense, the philosophy of this Act is to revise the tax structure to stimulate increased investment in "human capital" by the private sector of the economy.

Legislative history: The original version of the Human Investment Act was introduced on February 17, 1965, by Senator Winston Prouty (R.-Vt.). Following six months of study and consultation with businessmen, labor leaders, economists, and tax lawyers, a revised Human Investment Act was introduced on September 9, 1965, by Senator Prouty in the Senate and by a group of House Republicans led by Representative Thomas Curtis (R.-Mo.).

The 1967 version of the act was introduced on February 2, 1967, by Senator Prouty and 28 other Senators and by Rep. Curtis and 128 other Representatives. The principles of the Human Investment Act were included in the Republican Platform of 1968.

The Human Investment Act—Technical Explanation

This measure is patterned after section 38 of the Revenue Code, relating to the investment tax credit and enacted by the Revenue Act of 1962. It is analogous to that provision in almost every respect.

The Revenue Act of 1962 provided a credit against taxes for investment in certain depreciable property. The credit amounted to 7 percent of the qualified investment. There were, however, top limits of the credit measured by so much of the tax liability as does not exceed $25,000, plus 25 percent (changed to 50% in 1966) of the tax liability to excess of $25,000. Tax liability in this frame of reference meant the tax imposed without to personal holding company or accumulated earnings increments less credits against tax already provided for by law (foreign tax credits, dividend credit, tax exempt interest and retirement income credit).

In the case of a husband or wife filing a separate return the top limit is measured in terms of $12,500 of tax liability instead of $25,000 except where the spouse of the taxpayer has no qualified investment for or no unused carryback or carryover credit credits for such earlier investment to that tax year. The effect of this limitation is to put the same limit on sole proprietorships and partnerships as would be imposed on corporations.

Affiliated groups must reduce the top limit available to them individually by apportioning the top limit among the members of the group. Once a gain, this provision provides that related corporations or business groups shall get no more than the credit allowed single business entities.

A carryback and carryover are provided for any year in which the credit exceeds the limitations imposed. The excess is carried back to each of the 3 taxable years proceeding the unused credit year and carried over to the 7 taxable years following the unused credit year. However, the top limit applies to the amounts allowable for credit for those carryback and carryover years. For example, if the tax credit for 1969 exceeded the limitation for 1969 by $10,000 then that $10,000 could be carried back to 1966. The remaining $5,000 of unused credit could be applied to the 1967 tax year if there was any leverage between the credit for that year and the top limitation.

Where a net operating loss carryback causes an excess of credit over the top limitation the carryback provisions on the excess for that year are not available. In other words where a net operating loss carryback to 1970 from 1967 wiped out or reduced taxable income for that year and a credit for investment in qualified property had been allowed for that year, 1967, the loss of the credit for that year because of its excess over the top limit (which was reduced by the application of the net operating loss carryback) cannot be recouped by a carryback to the 3 tax years preceding 1965, but can only be applied as a carryover to the succeeding 7 tax years. This restriction eliminates the possibility that tax returns would be subject to amendment for a full 6 prior years (3 carryback years for net operating loss plus 3 carryback years for unused investment credit.)

To this point the Human Investment Act and the investment tax credit provisions of section 38 are virtually identical. But where the 7 percent credit toward investment in certain depreciable property is allowed by section 38, the Human Investment Act allows a credit of 10% toward certain specified training expenses for employees and potential employees. Otherwise, the top limitation is computed in the same way. The same treatment is accorded married persons and affiliated groups. The same carryback and carryover provisions are made, and the impact of net operating loss carrybacks which reduce or eliminate the credit allowable is the same. Unlike the provisions for phasing in the credit for investment in property over the first year of the plan, however, a full credit is allowed for training expenses incurred in 1969.

"Employee training expenses" are elsewhere defined to include training expenses paid or incurred by a taxpayer with respect to individuals not his employees, as well as his employees.

There are eight categories of employee training expenses made allowable for tax credit purposes:

1. the wages and salaries of employees participating in a registered apprentice program;
2. the wages and salaries of employees enrolled in an on-the-job training program (OJT) under the Manpower Development and Training Act (MDTA).
3. the wages and salaries of employees who are participating in a cooperative education program involving alternate and approximately equal periods of study and employment in cooperation with an area vocational education school, business or trade school, or technical institution, as defined in existing legislation.
4. tuition and course fees paid or incurred by the taxpayer to an area vocational school, business or trade school, or technical institution "for instruction of an individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills," and amounts paid by the taxpayer to an individual as reimbursement for such instruction.
5. home study course fees paid or incurred by the taxpayer to an accredited home study school for instruction of an individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills, and amounts paid by the taxpayer to an individual as reimbursement for such instruction.
6. expenses to the taxpayer for "organized job training", including books, testing and training materials, classroom equipment and instructors fees, incurred in training any individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills, and amounts paid by the taxpayer to an individual as reimbursement for such instruction.
7. expenses of the taxpayer for organized job training provided by another taxpayer.
8. expenses to the taxpayer for organized job training provided by a business or trade association, apprenticeship committee, or other similar nonprofit association, group trust fund, foundation or institution.

Organized job training is defined in the Act to mean training according to a plan formulated or approved by the taxpayer which contains:

1. the title and description of the job objectives for which individuals are to be trained;
2. the length of the training period;
3. a schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task;
4. the wage or salary to be paid at the beginning of the course of training, at each successive step in the course and at the completion of training;
5. the entrance wage or salary paid to employees already trained in the kind of work for which the individuals are to be trained; and
6. the number of hours of supplemental related instruction required.

Credit is not allowable toward the expenses of—

1. training which is not tax deductible under section 162 as a trade or business expense;
2. training in management, supervisory, professional, or human relations skills;
3. scientific or engineering courses creditable toward a baccalaureate degree;
4. avocational or recreational courses;
5. courses in subjects not contributing specifically and directly to the trainee's employment or prospective employment with the taxpayer;
6. training which is reimbursable to the taxpayer under a government or private contract;
7. training conducted in a foreign country.

In addition, a taxpayer may not claim credit toward both the salary and the course fees of a worker on a cooperative education plan.

It is specified that the restrictions 2, 3, 4, and 5 above do not in any case apply to

(a) courses eligible for inclusion in a registered apprenticeship program,

(b) two year scientific technician programs as defined in existing legislation,

(c) training approved by State employment services for individuals receiving unemployment compensation.

Provisions for apportioning the tax credit among the share-holders of Subchapter S corporations, estates, and trusts are identical to those in the investment tax credit provisions.

Similar in spirit to the 1964 amendment of the investment credit provisions which eliminated a section requiring a reduction in the value of the property when computing depreciation to the extent of the credit taken, the Human Investment Act in no way reduces or limits the deductibility of expenses of training incurred merely because a credit is also available based on those expenses. Such qualified expenses remain 100 percent deductible, while at the same time a credit against tax is fully allowed.

The Act provides that expenses paid to or on behalf of a trainee by a taxpayer shall not be includible in the trainee's gross income.

S. 1011—INTRODUCTION OF BILL TO AUTHORIZE APPROPRIATIONS FOR THE SALINE WATER CONVERSION PROGRAM

Mr. JACKSON. Mr. President, I introduce, by request, a bill to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes.

This legislation was submitted to Congress on January 15. It will authorize appropriations to continue the work of the Office of Saline Water and will amend the Saline Water Conversion Act in other respects. Because of the uncertainties of the future direction of a research and development program such as the saline water conversion program, it has been the policy of the Congress to require the Department of the Interior to submit legislation each year to authorize appropriations. The bill which I am presently introducing would provide for the continuation of the program for fiscal year 1970. The legislation is in accord with the fiscal year 1970 budget now before the Congress.

I ask unanimous consent to insert at this point in the RECORD the letter from the Department of the Interior which accompanied the legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1011) to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes, introduced by Mr. JACKSON (by request), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. JACKSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 15, 1969.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To authorize appropriations for the Saline Water Conversion Program for Fiscal Year 1970, and for other purposes."

We recommend the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The saline water conversion program has made steady progress in development of economic methods for producing fresh water from saline and brackish waters. It has contributed measurably to this country's development of desalting technology and has encouraged the growth of a significant and valuable desalting industry to meet future water requirements of the Nation. It also has assisted a number of foreign nations in the development of this technology.

The Act of July 3, 1952, as amended (42 U.S.C. 1951 *et seq.*), authorizes "to be appropriated such sums, to remain available until expended, as may be specified in annual appropriation authorization acts." In order to meet Fiscal Year 1970 program requirements, we propose an appropriation of $27 million to enable the Department to conduct a research and development program to meet the program goals in the four major activities as follows:

1. Research and development operating expenses, $18,095,000;
2. Design, construction, acquisition, modification, operation, and maintenance of saline water conversion test beds and test facilities, $5,355,000;
3. Design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules, $1,450,000; and
4. Administration and coordination, $2,100,000.

In addition to the appropriation authorization for Fiscal Year 1970, the proposal would amend the Act in the following ways:

1. It is proposed to amend section 8 of the Saline Water Conversion Act (42 U.S.C. 1958) to allow limited participation in international research and development in desalination.

Section 8, as amended by Public Law 90–297, prohibits after July 1, 1968, the making of any new commitments for cooperation with public or private agencies in foreign countries which require the expenditure of funds under the Act. This provision was added to section 8 in the 90th Congress. In amending this section, the House Committee said:

"The authority given the Secretary in section 3 of the basic act is left unchanged. Section 3 includes authority to (1) conduct on-site inspections of promising projects, domestic and foreign; (2) foster and participate in international conferences relating to saline water conversion; and (3) cooperate fully with the Department of State. The committee considers that section 3 provides the authority necessary to inspect foreign projects and exchange technical information with foreign countries in order that the United States may be kept fully abreast of all progress in this field. Also, there is no intention of prohibiting foreign firms or individual scientists from participating in the research program authorized by section 3 of the basic act." (H.R. Rept. No. 1247, 90th Cong., 2d sess. 3 (1968))

The language of section 8, however, appears to bar even the activities under section 3 described in the Committee report, to the extent that they require the expenditure of funds appropriated pursuant to the Act. We believe the existing language in section

8 is not reconcilable with the legislative history in this regard. Consequently, it would be appropriate to further amend section 8 to ensure that the intention of Congress, as expressed in the House report, is carried out.

Much valuable information has been gained through research and development contracts entered into with foreign research institutes, universities, and individuals prior to July 1, 1968. This valuable source of knowledge and technology should be continued.

The enclosed proposal would specifically prohibit our contribution of funds for, participation as an agent for, or supervision of, the construction or operation of a foreign desalination production plant or its components, but would not prohibit the use of funds for other foreign activities authorized by section 3 of the Act and enumerated in the above report. It would clarify our authority to engage in some foreign activities on a limited scale, while preserving the ban which we understand the Congress intended on the activities specified. Any exception to this policy would require special authorizing legislation.

2. In view of the current requirement that appropriations "be specified in annual appropriation authorization acts," and the opportunity for review that requirement affords, we propose to delete the references in section 8 to the duration of the authorization for specified terms of years. In 1961, the intent was to authorize the conduct of the desalination program for a specified term of years. At the end of that term Congress was to review the progress of the program in relation to the capability of industry in the field. Last year, Congress placed the program on an annual authorization basis. This change affords an annual review by the Congress and makes the termination dates in section 8 of the Act unnecessary. Accordingly, we recommend this language be deleted from the first sentence of section 8 of the Act.

3. Current legislation limits reprogramming authority between the four program activities to 10 percent. We propose to increase the reprogramming percentage to 15.

In a dynamic and rapidly-evolving activity designed to develop new methods and spur technological change, the present limitation on reprogramming tends to hamper efficiency and effectiveness of operations. After the authorized 10 percent programming has been accomplished to meet program demands, additional unforeseeable changes may call for still further reprogramming. This situation would require that program operations be curtailed or that additional legislation be sought to authorize further reprogramming. This has been experienced particularly in the operation, maintenance and modification of test beds and test facilities—areas in which the results of research are put to the test of practicability. For example, added unforeseen costs of utility services to sustain and exploit successful operations at several test locations in fiscal year 1968 pushed the existing reprogramming authority to the limit prior to the end of that fiscal year. While we did not have to curtail operations, there was a real possibility that we would have to do so. Such an occurrence would have had an adverse effect on the program. Without additional flexibility in reprogramming funds, additional work or expansion of facilities required to test new discoveries may prove impossible to carry out. Furthermore, the final results of significant and costly efforts may be lost because of failure to provide the necessary additional increment.

The Bureau of the Budget, by letter of January 13, 1969, has advised that this proposed legislation is in accord with the program of the President.

Sincerely yours,

MAX N. EDWARDS,
Assistant Secretary of the Interior.

S. 1022—INTRODUCTION OF BILL RELATING TO ADMINISTRATOR OF SOCIAL AND REHABILITATION SERVICE

Mr. LONG. Mr. President, I am introducing today a bill with a simple objective: To require that future appointments to the office of Administrator of the Social and Rehabilitation Service within the Department of Health, Education, and Welfare be made by the President by and with the advice and consent of the Senate.

This position was not created by the Congress; it was established by a reorganization within the Department of Health, Education, and Welfare. Naturally, the Secretary of that Department cannot make a new position he creates subject to the Senate's advice and consent.

Mr. President, the Administrator of the Social and Rehabilitation Service is the chief officer responsible for programs which spent $6 billion in 1968 and which are anticipated to spend $8.6 billion in 1970—a 44-percent increase in only 2 years. The bulk of the funds are spent on the public assistance programs. In fiscal year 1970 an estimated $4½ billion will be spent for the cash assistance programs and $3 billion will be spent for medicaid. If past experience is any guide, we may regard these expenditure estimates as minimal.

Another half billion dollars will be spent on grants for rehabilitation services and facilities with one-quarter billion dollars will be spent on maternal and child welfare programs under the Social Security Act. The remaining funds spent by the Social and Rehabilitation Service are for programs in the areas of aging, juvenile delinquency and mental retardation.

These dollar amounts tell only part of the story. For the Administrator is the agency's top official in formulating policy for such important programs as medicaid and the new work incentive program aimed at helping assistance recipients to become economically independent. And it is this official whose signature appears below a whole spate of new regulations issued in January affecting both of these programs. Some of these regulations run counter to congressional intent. We in the Finance Committee intend to give these regulations a good hard look. But perhaps it is not surprising that an official never confirmed by the Senate should be so unresponsive to our legislative actions. The bill I am introducing today will provide formal assurance that the person responsible for implementing the law will understand that law and will administer it as the Congress intended.

Mr. President, this bill will rectify a serious anomaly which now exists in the Department of Health, Education, and Welfare. The three agency heads of equivalent status in that Department—the Commissioner of Social Security, the Commissioner of Education, and the Surgeon General of the Public Health Service—all require senatorial confirmation; the expenditures of two of these three officials' agencies are lower than those of the Social and Rehabilitation Service.

What is even more surprising is the fact that two positions under the Administrator now require the Senate's confirmation—the Chief of the Children's Bureau and the Commissioner of Aging. It is indeed strange that a subordinate position requires senatorial confirmation while the head of the agency is merely appointed by the Secretary. My bill would put an end to that.

Mr. President, I urge my colleagues to support this bill.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1022) to provide that future appointments to the office of Administrator of the Social and Rehabilitation Service, within the Department of Health, Education, and Welfare, shall be made by the President, by and with the advice and consent of the Senate, introduced by Mr. LONG, was received, read twice by its title, and referred to the Committee on Finance.

S. 1023—INTRODUCTION OF BILL TO ESTABLISH IN MICHIGAN THE SLEEPING BEAR DUNES NATIONAL LAKESHORE

Mr. HART. Mr. President, I rise to introduce once again a bill to establish in Michigan the Sleeping Bear Dunes National Lakeshore.

The bill I introduce today would establish a Sleeping Bear Dunes National Lakeshore of some 61,000 acres as a unit of our national park system. The purpose of the measure, in the language of the bill, is "to stabilize and preserve for the benefit, inspiration, education, recreational use, and enjoyment of the public a significant portion of the diminishing shoreline of the United States and its related geographical and scientific features." At the same time, "in developing the Lakeshore full recognition shall be given to protecting the private properties for the enjoyment of the owners."

A WELL-STUDIED PROPOSAL

This is a proposal with which my fellow Senators are well familiar. I first introduced such a bill in 1961. The Senate Interior Committee has worked extensively on the bill, and the Senate itself has passed such legislation twice—in 1963 and again in 1966. Similar legislation has been carefully studied and constructively amended by the House committee, which favorably reported the bill in 1966. Unfortunately, it did not reach the floor of the House for a final vote that year.

In introducing an identical bill in the 90th Congress, I expressed my hope that "the introduction of this 'finished product' will help speed it through the congressional committees. For this bill presents the fullest consideration of the Senate Interior Committee, the Senate, and the House Interior Committee."

Last year we made good progress in reaching common understanding on this bill. However, the Congress was reluctant to take action until more adequate funding for our national parks program could be assured. Late last year the President signed into law the bill expanding the land and water conservation fund, clearing the way for action. In July the

House Interior Subcommittee held a hearing on the bill, but again further action was forestalled by the press for adjournment of the Congress.

Now, however, I believe we can proceed to complete congressional action and establish the Sleeping Bear Dunes National Lakeshore. The diligent work of the Senate and House committee has perfected a bill on which I believe all can agree. And, more than ever before, the need for action is urgent if the public values of the Sleeping Bear Dunes area are to be perpetuated.

URGENCY MORE ACUTE THAN EVER

Recently I received the following letter from a constitutent who is a resident and property owner within the boundaries of the proposed national lakeshore:

> DEAR SENATOR HART: I just thought I would let you know of some of the current activity in our immediate area, in the area included in the proposed Sleeping Bear Dunes National Park, and more specifically in the Platte River-Lake Michigan area.
>
> Right now there are three relatively large sections being surveyed with plans to subdivide the Lake Michigan lots with access roads through the woods. If there is to be a Dunes National Park in this area, and I still hope there is, the urgency is more acute than ever. In just the past few years we have lost so much prime natural resources through private development in this immediate area, it seems there will be little left to preserve if there is any further delay. I presume this same condition exists in the neighboring area also.
>
> So, if there is any way to rush the new bill through early next year, it just can't happen too soon.

Mr. President, I think we must carefully note this warning that little will be left to preserve if there is further delay. I have been working for this bill for 8 years, and I must frankly say that the urgency has never been so immediate as it now has become. If there is to be a Sleeping Bear Dunes National Lakeshore the urgency is indeed more acute than ever. This warning, from a resident of the area, should alert us to the conservation opportunity we stand to lose if we delay further.

The Sleeping Bear Dunes area possesses public values of obvious national significance. Located along the northwest coast of Michigan's Lower Peninsula, the area displays a magnificent landscape shaped by ice age glaciers. High headlands rise from the lake, separated by wide, sweeping bays. There is much here for the nature lover and the vacationing outdoor enthusiast. Especially important are the scenic vistas and the unequaled opportunity to interpret for the public, through the excellent programs of the National Park Service, the fascinating story of the glacial history which shaped the geography of the entire Lake States region. At Sleeping Bear the evidences of this important story are visible and prominently displayed on the land.

Though the region takes its name from the great sand dunes which Indian legend likened to a sleeping bear, the proposed national lakeshore has much more than dunes alone. A series of beautiful inland lakes reflect the surrounding rich forests, and an unusual variety of plant and animal life has been cataloged. Sixty-four miles of Lake Michigan shoreline will be included, affording tremendous outdoor recreation opportunities. The area also will include two large islands not far offshore, offering a wilder, more remote kind of recreation to the adventuresome.

SHORELINE AREAS SCARCE

The values this area holds for public use and enjoyment are tremendous. Areas of public shoreline are among our most important outdoor resources—and our most threatened. In 1962 the Outdoor Recreation Resources Review Commission found that less than 7 percent of our sea and Great Lakes shoreline remains accessible for general public use. Michigan, the Great Lake State, has more than 3,200 miles of shoreline, but little remains available to the public.

In 1959 the National Park Service completed a survey of remaining shoreline recreation opportunities on the Great Lakes. Michigan's Sleeping Bear Dunes was found to be the paramount area, offering unique natural values which should be carefully conserved, as well as great public recreation potential. The Park Service made more detailed studies, developing a plan for the area and resources which would best protect its national significance and make it available for appropriate public use.

It was on the basis of these plans that I first introduced legislation to protect the Sleeping Bear Dunes area in 1961.

As my colleagues know, the bill has been considerably refined since 1961. We have had detailed field hearings in the local area and have worked particularly hard to meet the legitimate concerns raised by property owners and residents.

As a result of this long effort, I believe we have evolved a bill which everyone concerned can support. Unfortunately, not everyone has kept up with these changes, and I believe these few who have continued to oppose the proposal are still fighting the original, less satisfactory version.

The Sleeping Bear National Lakeshore is a vitally important conservation project for the entire Nation. It will serve, as few other areas can, the recreation and "green space" needs of our heavily populated and growing midwest urban centers. It will perpetuate the values of this area in the public interest. At the same time, and equally important, we must carefully protect the rights of residents and property owners. Such is the design of my proposal that these two important objectives do not conflict, and indeed, they are compatible and can actually serve each other.

PRIVATE RIGHTS FULLY PROTECTED

In revising the national lakeshore bill we have written into it the strongest protection for local residents and property owners ever given in such legislation. Owners of improved property are assured full protection from condemnation in perpetuity, and may transfer or sell their property at will. The only limitation is that the property is to be maintained in accordance either with locally written zoning regulations or with the standards set forth in the bill. Thus, the lakeshore will bring strong protections which will, in fact, enhance the area and local property protections.

This is just one of the numerous provisions of the bill which will protect residents and private property owners. We who are working to establish the national lakeshore are equally concerned, however, with assuring the right of the public, now and in future generations, to know and enjoy this superb natural area and its abundant recreational opportunities. It is my firm conviction that these private and public objectives are fully compatible. As the National Park Service testified last year:

> The bill recognizes that many private uses can compatibly coexist with public recreation in a national lakeshore, and would permit owners of improved property to remain indefinitely on their lands as long as they continue to use them in compliance with local zoning regulations that meet standards set forth in the bill.

The objective of the present legislation is not to condemn all the private properties involved and then somehow recreate completely natural conditions. Rather, we seek to maintain a broad landscape made up of a variety of attractive elements—lightly developed as well as natural and wild. The significance of the area lies in the great diversity of elements which make up the total landscape. To the extent that an area is diverse, the opportunities for its appreciation are multiplied; and diversity is the crowning feature of the Sleeping Bear Dunes region.

The 61,000 acres proposed for this national lakeshore include the North and South Manitou Islands and 40,000 acres on the mainland. The boundaries have been carefully set, in the process of refining this bill, to include those key elements which contribute to the total landscape. Private developments existing within these do not conflict, and so need not be taken by the Government if they are not adversely developed. In this way, the bill has been written to achieve the objective of public conservation and recreation, without jeopardizing continuing private rights.

LAND-USE PLANNING ESSENTIAL NOW

Mr. President, I am certainly well aware of the economic situation we face today. Nevertheless, I want to make it perfectly clear that it is not necessary to delay this important conservation project for reasons of economy. In fact, to do so would be an unfortunate step of false economy, for futher delay of this measure will seriously jeopardize the entire conservation goal we are seeking.

The fact is that authorization of this Sleeping Bear Dunes National Lakeshore will be a major step in the conservation of the area. Authorization of the project will activate the zoning provisions of the bill, and thus bring a solid measure of control to the ruinous escalation of land prices and the unplanned subdivision now so seriously threatening the area. It is the present unplanned, uncontrolled development which threatens the entire project—and the control provisions in section 9 of my bill can begin to deal with those forces from the day the bill is enacted.

Mr. President, the 90th Congress wrote a brilliant record in the field of conservation, symbolized by the creation of a magnificent Redwoods National Park.

The 91st Congress has the opportunity now to continue our momentum of conservation achievements by taking timely action to establish the much needed Sleeping Bear Dunes National Lakeshore.

PROPOSAL HAS WIDE SUPPORT

My bill has the support of many of the local residents of the area, including local property owners and businessmen. It has the support of a wide public in Michigan and, increasingly, throughout the country. Our former Governor, George Romney, has frequently expressed his strong endorsement of my bill. In fact, last year Governor Romney and the Governors of adjoining States comprising the Upper Great Lakes Regional Commission sent me the following wire:

> The Upper Great Lakes Regional Commission reaffirms its support for the establishment of the Sleeping Bear Dunes National Lakeshore. This has a long legislative history and the provisions of the present bill have reduced the possible adverse effects on private property owners and local units of government. It is imperative that Congress approve this legislation now. We need this legislation before further commercial and residential development destroys the very qualities which have given the Sleeping Bear Dunes national significance. Your bill has the Commission's unanimous support because of the urgency of prompt action.
>
> Gov. George Romney.
> Gov. Harold Le Vander.
> Gov. Warren P. Knowles.
> Thomas S. Francis.

The National Park Service and the Department of Interior have consistently urged action on my bill. In testimony to the House Interior Committee last year, the National Park Service's Director, George P. Hartzog noted:

> Sleeping Bear is one of the finest relatively natural scenic and scientific areas on the Great Lakes shoreline and ranks as one of the most important remaining shoreline opportunities in the entire country.

The proposal has been studied and approved not only by the Park Service, but also by the Bureau of Outdoor Recreation. The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments has repeatedly recommended the project, which fully meets the criteria established by the Cabinet-level Recreation Advisory Council.

Similarly, the State of Michigan's department of natural resources has over the years consistently urged approval of my bill. Indeed, Director Ralph A. MacMullan has stated:

> There is no other conceivable act of Congress which could do more to implement the orderly development of the outdoor resources of the State of Michigan.

The bill has been endorsed, too, by major State and national conservation organizations, including the Michigan United Conservation Clubs, the Sierra Club, and the Wilderness Society.

THE ALTERNATIVES ARE CLEAR

I am optimistic that this year we can see this important conservation proposal approved. I believe the public is increasingly aware of the importance of this project—and of the loss we will all suffer if we delay further in establishing the Sleeping Bear Dunes National Lakeshore. Congressman James G. O'Hara, who has led the fight in the House of Representatives, told the House Interior Committee last year that in these past few years:

> Sleeping Bear has been going, going, and if Congressional action is not forthcoming soon, it will be gone, forever denied to our people as a public recreation area.

I am optimistic, for I believe the alternatives are now quite clear. We can have a great public recreation area, protecting important natural and scientific values—and we can assure private rights at the same time. Or we can miss this opportunity, default our conservation responsibilities, and deny to future generations of Americans this great resource. One thing is abundantly clear: change is coming to the Sleeping Bear Dunes area. The question is will change be planned and orderly, or will it be destructively haphazard, characterized by honky-tonk encroachments? Will we have a net loss, or substantial progress? Let us choose progress, by establishing the Sleeping Bear Dunes National Lakeshore for the benefit of all the people.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1023) to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes, introduced by Mr. Hart, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 1025—MAKING ARSON AGAINST A CHURCH OR SYNAGOGUE A FEDERAL CRIMINAL OFFENSE

Mr. JAVITS. Mr. President, I introduce a bill to make it a Federal crime to make an attack amounting to arson on a church or a synagogue, and ask for its appropriate reference.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1025) to amend section 837, title 18, United States Code, to prohibit certain acts involving the use of incendiary devices, and for other purposes, introduced by Mr. Javits, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. JAVITS. Mr. President, this bill would extend the present Federal protection of churches and synagogues against destruction by explosives. I note that in the last 3 months of 1968, there were 11 arson attacks on houses of worship in New York City alone. Protection against such attacks should be a part of our Bill of Rights.

Mr. President, the measure which I have introduced clears up what it seems to me has been an oversight in the construction of the law to buttress the guarantees contained in the Bill of Rights and elsewhere in the Constitution. I think as we constantly discover, by experience, new threats to the freedom of worship, arson being one such threat, just as much as the use of explosives is such a threat, we should make an effort to close such loopholes in the law. That is what I now seek to do. I shall do my utmost to obtain early attention to this measure, and if there are other Senators who desire to join with me in this effort, I shall be honored to have their names included as cosponsors.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. I should like to have my name added to the Senator's bill.

Mr. JAVITS. I thank the Senator, and I am honored and gratified to have his support. I ask unanimous consent that the name of the Senator from West Virginia be added to my bill as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

S. 1026—INTRODUCTION OF BILL RELATING TO AIR TRAFFIC CONTROL

Mr. HARTKE. Mr. President, on February 8, the Northeast United States including several major airports was crippled by blizzard conditions. The Air Traffic Control System which must function regardless of conditions became limited by the capabilities and stamina of the air traffic controllers. Relief being unable to proceed to the facility, those left on duty operated the system for a period in excess of 40 hours. Many of the controllers logged 86 hours in less than 7 days and will log more than 126 hours in this 14-day period. One controller in his 25th continuous hour of operating radar directed a mission of mercy through the still battering storm to successfully transport a heart attack patient from a restaurant to a hospital. Due to inadequate staffing—among other things—in the air traffic system, this same controller will be asked to work scheduled overtime on the next national holiday, February 22. This controller ought not be working these long hours but will have to make himself available to insure that the air transportation system will continue to function. His services will be at no cost to the Government because his base pay plus overtime compensation for the 186-hour period exceeds the maximum set by CSC regulations.

Therefore, Mr. President, I introduce, for appropriate reference, a bill designed to raise the qualifications and standards of all air traffic control personnel, thus providing this Nation with a safer and more efficient air transportation control system.

It is of utmost importance for this Congress to take active steps to insure the continuation of an air traffic controller force that will serve the needs of today's and tomorrow's air transportation system, and in such a fashion as to achieve the No. 1 objective of the Nation's air transportation system—air safety. It is incumbent upon this Congress to act because of the failure of past sessions of Congress to envision the dire consequences of an undermanned and only moderately qualified air traffic control force. It should be stated that Congress is not the only culprit in this case; responsible Federal agencies such as the Federal Aviation Administration misread aviation history and its growth potential as well. Congress must also act because the public will demand it. It will demand to know what steps have been taken since the summer of 1968, when the air traffic controllers dramatically publicized the necessity for additional and more highly qualified air traffic controllers by their now infamous "operation air safety: by the book"—rigid enforcement of FAA rules and regulations which govern the flow of air traffic at all of our major airports.

Mr. President, because various Federal agencies have systematically stymied any fresh approach toward elevating the air traffic control profession, and because the FAA and the Civil Service Commission have furnished an inadequate controller force which daily compromises a responsible program of air safety, it now becomes the duty of this body, and our counterparts in the House of Representatives, to direct the Federal Aviation Administration and the Civil Service Commission to attain a highly professional and modern air traffic control force which is capable of handling the onslaught of the jet-age air traffic.

Crisis-to-crisis decisionmaking has led to de facto applications of a nebulous recruitment policy. Pragmatic long-range planning with vision has been nonexistent. I ask my Senate colleagues: Where will an air traffic control force come from to bear the responsibility of the air transportation system of tomorrow? What guarantees will be applied to insure a realistic retirement rate in a career that is physiologically demanding and psychologically challenging? These, I submit, are but a few questions that must be answered if this critical problem is to be approached seriously and definitive results are to be obtained.

In order to put the entire problem into a proper historical perspective, one must return to 1958 and the passage of the Federal Aviation Act. That act was primarily the result of a midair collision between two large passenger planes over the Grand Canyon. With this act, the Congress established the Federal Aviation Administration and charged it with the responsibility for insuring a contemporary air traffic control system. FAA drafted its air traffic controllers primarily from the military, and for the time being all was well. However, the intervening years have brought about only nominal changes of policy, and very little substantive changes in hiring practices. But the complexities of air traffic control have become much more difficult.

During the past 9 months, the Congress and the Federal Aviation Administration have instituted various stopgap after-the-fact measures, designed to alleviate the current air crisis. For example, air traffic controllers have been exempted from the reduction-in-force policies under President Johnson's austerity program. Congress appropriated funds for recruiting additional air traffic controllers. FAA reduced the air traffic controller certification requirement time, and even upgraded some air traffic controllers through reclassification. All these efforts, however, are arbitrary, fragmented, and under present conditions unrealistic, inasmuch as they do not cut to the core of the problem. These stopgap measures simply support the critique that both the Congress and the FAA have failed to face the cold realities of the problem. Immediate concern seems to be quantitative rather than qualitative.

The FAA, which is under the jurisdiction of the Department of Transportation, must be charged by Congress to redirect its commitments for an air transportation system which utilizes not only the best technology, but also the best personnel. The current FAA policy that a person with military radar experience can be hired and "grow up" with the very complex air traffic control system that major airports employ today, is incorrect. The stark reality of the situation is that the present force of air traffic controllers can direct the present system only on a limited basis. The recruitment and employment practices resulting from past crises are the hiring of marginal personnel and do not look forward to supporting or supplanting the present contingent of air traffic controllers. These policies are overly expensive, inefficient and irresponsible because the air traffic controller of tomorrow must meet even greater criteria with regard to technology, aptitude, health, proficiency, and age, than presently required by the Civil Service Commission and the Federal Aviation Administration. Even those people with military experience in air traffic control will need several years of additional training to adjust to the complexities of civilian air traffic control.

What must be done to provide for a professional air traffic control force that will meet the huge demands of the giant 747 and SST aircraft of the 1970's and 1980's?

First, the qualifications for entrance into the field of air traffic control must be elevated. Implicit in elevating the qualifications is an education that will provide a solid and flexible base in order for the candidate to participate in a technologically oriented field. A bachelor's degree with a major in air traffic control should be a minimum requirement. Or, as a substitute, a balanced mixture of military experience and a 2-year college program that embodies an air traffic control major would serve to meet the educational requirements. A long-range program, geared toward an automated and computerized air traffic control system, will preclude any further controller shortage crisis and guarantee the highest quality in the exercise of the art.

Second, based on all the empirical data available, no person should begin a career in air traffic control after he has reached the age of 33, because of the physical deterioration factor and its impact on safety.

Strict physical and proficiency requirements must be adopted under a watchful and professional eye. Annual physical examinations by competent doctors must be administered. Proficiency checks must be conducted only by persons who are currently certified and actively engaged in air traffic control.

Third, in order to attract qualified and desirable candidates, the salary for air traffic controllers must be in a range that is commensurate with the responsibility. If a captain of one SST is going to be remunerated in excess of $50,000 per year, should not the salary for that person who is responsible for preventing midair collisions of two SST's be paid accordingly? While money alone does not buy safety, it does provide a lure for candidates who meet the higher and more stringent new qualifications. And it provides equitable compensation for the immense responsibility for life and property that the public has placed on their shoulders. The only appropriate comparison is between the professional pilot who is responsible for his star in the sky and the air traffic controller who is responsible for the galaxy.

A formula for retirement should be an integral part of any new air traffic controller concept. The business of air traffic control exacts a heavy toll of the physiology and psychology of the controllers. The air traffic controller is similar to the professional athlete who "burns out" at an early age, and this fact distates the necessity for a realistic retirement rate.

Air traffic control must be considered as a profession and dealt with accordingly. Accordingly I offer, along with 17 cosponsors, a measure which I feel will go to the heart of the problem and not just to the fringes, where the present deplorable situation can only be worsened.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1026) to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers, introduced by Mr. HARTKE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

S. 1032—INTRODUCTION OF URBAN MASS TRANSPORTATION ACT OF 1969

Mr. WILLIAMS of New Jersey. Mr. President, a good, efficient transportation system is a key element in the growth and development of our Nation's urban areas. Public transportation can and should be a tool in the rescue and reconstruction of our decaying older cities. Planners have long recognized that a transportation network has a direct affect on land values, on where new suburbs are built, and on what parts of the inner city survive and which decay. Over the years, ways have been sought for the Federal Government to help States and cities build the modern mass transportation systems which will meet tomorrow's needs.

During the next 40 years the number of Americans living in and near cities will double. We must, therefore, prepare for an urban population growth of 100 million people; and face the task of moving our population from place to place—from home to work which can be a nightmarish and timewasting struggle. A recent report prepared by the Department of Housing and Urban Development, "Tomorrow's Transportation," states the problem clearly and concisely when it says:

> The life of a city depends on its transportation system. Inefficient transportation services increase the costs of local industry

and commerce. They rob citizens of their time and comfort, they penalize especially the poor and the handicapped.

The need for major expenditures for urban mass transportation is abundantly clear. The Congress first recognized this when it passed the Mass Transportation Act of 1964. As the author of that legislation, I am proud of its results.

Older transportation systems have been rehabilitated and improved. More importantly, cities have been stimulated to build new systems and to prepare for the future. But one thing has become equally clear. The demand for additional money has completely outrun the available funds. The problem is compounded by the imbalance in Federal transportation spending—billions for highways, millions for airports, and tokens for transits. In fiscal 1967, the Federal Government spent the staggering sum of $5.35 billion on urban and intercity transportation. Of this amount, 73 percent went for highway construction. Only 3 percent was spent for urban transit—a little more than $160 million.

The Mass Transportation Act of 1964 made Federal assistance for urban transportation public policy. Unfortunately however, adequate moneys to fulfill this goal have not been appropriated. Several weeks ago, I introduced the Commuter Assistance Act, which would establish an interim program of operating subsidies for ailing transit systems. The aim of this bill was to provide emergency assistance until a proper system of capital investment was established to put our transit systems on a sound financial basis. Today I am introducing legislation which will accomplish that end. It will establish a mass transportation trust fund to provide the capital investment necessary to meet the growing transportation needs of our Nation's cities.

This bill will take an established program of proven value, the mass transportation program, and wed it to a system of financing used successfully over the years to pay for other forms of transportation. It will create a mass transportation trust fund financed from automobile excise taxes. The highway trust fund produces billions of dollars annually for highway construction. It has given this Nation the finest highway system in the world. Taxes on tires and gasoline have produced $36 billion since 1957 and have built 220,000 miles of road. Contrast that figure with the relatively miniscule sums spent on mass transportation.

The mass transportation trust fund, created by title II of this act, would be financed by a portion of the declining excise tax on automobiles from 1971 through fiscal 1974. At present, this tax is scheduled to drop to 5 percent during calendar year 1970 and to 3 percent on January 1, 1971. My bill would maintain the tax at the 3-percent level through June 30, 1974, rather than allowing it to expire as the law now requires. A portion of the continued excise tax would be earmarked for the mass transportation trust fund. Earmarked revenues would be 1½ percent of the excise in fiscal 1971, 2 percent in fiscal 1972, 2½ percent in fiscal 1973, and the entire 3 percent in fiscal 1974.

According to Treasury estimates continuation of this tax at proposed levels will produce the following revenues earmarked for the fund: fiscal 1971, $300 million; fiscal 1972, $400 million; fiscal 1973, $500 million; and fiscal 1974, $600 million. Since taxes are collected on a calendar year basis, while expenditures are made on a fiscal year basis, the bill authorizes the Secretary to spend money equivalent to the amount expected to be collected by the fund. These obligations are to be repaid to the Treasury by revenue received. Thus, over the 4-year period, an estimated total of $1.8 billion would be available to the Secretary of Transportation for loans and grants for mass transportation. This would truly be a quantum jump in mass transit expenditures.

But compared with the sums spent on other forms of transportation it cannot be called excessive. Meeting the transportation needs of our urban areas is vital if our cities are to survive.

Funds from the program are to be used both for urban transportation and urban development. Thus, the Mass Transportation Trust Fund Act will give new resources to the Department of Transportation. It will also give the Department new flexibility in the use of those funds. Amendments to the Mass Transportation Act, contained in title I of this bill will bring about major improvements in the program. They will reflect the direct connection between a city's development and its transportation system.

The present program allows the Secretary to make only a loan or a grant, but not both, to a single mass transportation project. This bill will allow a loan for advance acquisition of rights of way which can be followed by a grant for actual construction of a transit system. The costs of the property acquired would be considered part of the project cost, and a grant may be used to repay the loan. There are, however, provisions which require that adequate money be retained from the grant to complete the project. The merits of this section are obvious. Mass transportation programs require long periods for planning and construction. Spiraling land costs can substantially increase the costs of a project. Advance acquisition of land and property for rights of way will provide protection against this type of inflation.

A further provision of this bill directly links mass transportation projects to over all city planning. Loans would be authorized for the purchase of land adjacent to the rights of way of a project, if such acquisitions would contribute to the success of the system and fit in with comprehensive planning objectives. This amendment recognizes the fact that a transportation system is not a separate entity. It is an integral part of the community the same as the availability of light, power, and sewerage.

RELOCATION: A BETTER ANSWER TO A HUMAN PROBLEM

One chronic human problem that affects all of our thinking about urban development, highway construction. or the building of a new transportation system is relocation. Relocation is a cold and brittle word used to describe the disruption of the lives of those who must move their home or business to make way for progress. In our densely packed urban areas it is impossible to build or redevelop without relocation. It is ironic that the term "displaced person," originally an euphemism for the homeless refugees of World War II has been incorporated into our law to deal with the payment of relocation expenses. Although the overall benefit to the community may justify the movement of some people to new homes and new places of business our primary obligation is to make sure that these relocations are kept at a minimum. They must be truly justified by community needs and not by the capricious whim of some planner. And the people who are forced to move must be fairly and adequately compensated.

Obviously a well-integrated mass transportation program provides for more efficient uses of land than do highways, whose cloverleafs and interchanges consume acres of land in their geometric magnificence. Fortunately, many mass transportation systems can use existing railroad tracks, and the necessary land acquisition is small when compared to that needed if a highway replaced the track. The relocation provisions of this bill follow closely the expanded and liberalized provisions wisely included in the Federal Highway Act of 1968. They will provide adequate compensation for those businessmen, homeowners and home-renters who may be forced to move to make way for mass transportation.

MORE FUNDS WILL BE AVAILABLE FOR URBAN STATES

One problem with the current mass transportation program is the 12.5 percent limitation on the amount of funds which can be spent in any one State. There have been many protests against this artificial restriction. While I envy the open spaces and natural beauties of Wyoming, Wyoming's need for urban transportation funds is not equal to that of New York or New Jersey. To deal with this artificial restriction the bill provides a discretionary fund of $50 million which can be used in those heavily populated States where expenditures will quickly reach the 12.5 percent ceiling.

Mr. President, I know that the first and loudest objection to this bill will be, "Why should auto owners pay for mass transportation? Their money should go for highways, not buses and trains." My answer to that is a simple one: We are all in the same traffic jam together. It makes no sense to treat commuters and automobile owners as separate and hostile groups. Often they are the same people. I am certain from my own experience that anyone who commutes to work in any major city would welcome a public transportation system which would lessen traffic. Or if a good system were in being, he might use it himself. The simple fact is that highways alone cannot handle the load of people moving in and out of our cities morning, noon, and night. The cost to the individual of a 3-percent automobile excise tax will not be punitive. On the other hand, it will provide combined revenues and give muscle and substance to a mass transit program of proven value. This is not a new tax, but an extension of an existing tax at reduced levels for a limited period of time. I am convinced the results will justify the cost. They will benefit the automobile owner as much or more than anyone else.

When discussing the importance of mass transportation, we must not forget another group who stand to gain: the millions of Americans who do not own a car or who are unable to use one. We must think of the 19 million Americans over 65, of whom 9 million live in poverty. We must think of young people under 18, almost 20 million, who travel within our cities, and those who are too poor to own an automobile at all. Or the family with one car, with three or four breadwinners. They must and should have good public transportation. If it is a public responsibility to build highways for those who can afford a car, then surely we have even a greater obligation to make sure that public transportation is available to those without cars.

Mr. President, passage of the Urban Mass Transportation Act of 1969 will be landmark legislation for our Nation's cities. It will provide a major weapon in the fight to save and renew our urban areas. It will provide the means to meet the transportation needs of the 1970's. Over the years, in hearing after hearing, mayors, governors, and responsible civic leaders have said, "Yes; my community needs better transportation, yes; we will do our part, but there must be more Federal money." This bill provides that money. It is time for us to build a mass transportation network to match our highway system. Now is the time to correct the imbalance in our transportation spending. Our transportation systems should be pathways to the cities of the future. They should be the binding links which make our spreading urban areas into vital living communities, not fragmented scatterings of home, industry, and shopping centers wastefully sprawled upon the land. The time to start building the transportation system of tomorrow is today.

Mr. President, these amendments and a detailed description of the proposed trust fund are included in a section-by-section analysis of the bill which I have had prepared. I ask unanimous consent that it now be included in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis will be printed in the RECORD.

The bill (S. 1032) to amend the Urban Mass Transportation Act of 1964, and for other purposes, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The section-by-section analysis presented by Mr. WILLIAMS of New Jersey is as follows:

SECTION-BY-SECTION ANALYSIS

TITLE I—URBAN MASS TRANSPORTATION AMENDMENTS OF 1969

This title contains the substantive revisions to the Urban Mass Transportation Act which are intended to provide expanded and improved program authority.

Section 101 amends section 3 of the Act which is the basic authority for the program of grants and loans for the acquisition, construction, reconstruction and improvement of mass transportation facilities and equipment.

3(a): This subsection presently specifies the purposes for which the grants and loans under the program may be used, defines the eligible sponsors, and prescribes certain capabilities that the proposed sponsor must display. Only one change to this subsection is being made.

It permits the Secretary to make loans for real property acquisition under new subsection 3(d) upon a finding that the loan is reasonably required in connection with an urban mass transportation system and will be used for that purpose within a reasonable time. He need not make the more detailed findings required by this section for grants and loans for other purposes.

3(b): This subsection presently imposes restrictions on the making of loans and prescribes certain conditions on loans which are made. As a general proposition, this subsection prevents making both loans and grants for the same project except where the grant is made for relocation payments. The amendment adds another exception, i.e., a grant may be made for projects where the real property involved has been acquired for right-of-way or development purposes through a loan pursuant to the authority added by the new subsection 3(d).

The section is also amended to provide that loans are to be made only from the trust fund established by section 201 of this bill. Under the Act as originally passed, it was intended that Treasury borrowing, pursuant to section 203 of the Housing Amendments of 1955, would be employed for this purpose; however, to date under this scheme, no Treasury borrowing has occurred, and loans have been made only from specifically appropriated funds.

Finally, the section is amended to authorize forgiveness of interest for up to ten years in the case of loans for real property acquisition. Otherwise the requirements concerning maturity date, rate of interest and the like, which are those of section 202(b) (1), (2), and (3) of the Housing Amendments of 1955, continue to be applicable.

3(c): This subsection, relating to safeguards for operators of private mass transportation companies, is unchanged by the bill.

3(d)(1): This subsection is new and provides the authority and mechanics for loans, out of the urban mass transportation trust fund, to enable mass transportation systems to acquire rights-of-way in advance of construction. Loans for this purpose may include the costs to the locality of relocation payments and property management and will require a Secretarial finding that the proposed acquisition is reasonably required for a mass transportation system and that it will in fact be used for mass transportation facilities within a reasonable period. Repayment of the loans (which can be interest free for up to ten years) will be credited directly to the urban mass transportation trust fund, for expenditure on grants or other loans.

If a grant is subsequently approved for a project involving any real property acquired through a loan under this subsection, it may be applied against the outstanding debt due to the Federal Government, and may include the real property costs as a project cost. In such a case, the terms for loan repayment would be established so that they would not prevent sufficient cash from being available to the sponsor to meet expenses under the project.

The loan agreement would provide for construction not later than ten years after acquisition; but it is possible that proposed rights-of-way might ultimately not be used for that purpose. If and when such a determination is made, the Secretary would direct that an appraisal be made to determine how much, if any, the property has increased in value since acquisition. The Federal and local agencies would share in any profit on a two-to-one ratio, the ratio for sharing project costs. The Federal Government would not share in losses in value of the property, however. Any amounts due the Federal Government would be credited to the urban mass transportation trust fund when paid.

3(d)(2): This subsection, also new, provides the authority and mechanics for another type of real property acquisition loan. These loans would help mass transportation systems to acquire land adjacent to rights-of-way for development or redevelopment for uses which would contribute to the operational success of the system and to overall comprehensive planning objectives. The loans would also permit increased land values to be realized by the public for use in reducing both Federal and local shares of the net cost of related project grants. Again, loans could include relocation and property management costs.

The property sought to be acquired would have to be adjacent to and in proximity to existing or proposed mass transportation rights-of-way. In practice, it is contemplated that loans under this subsection would be made only where there is a high probability that the property will experience significant increases in value by undergoing development or redevelopment to a higher use which would probably not occur but for mass transportation development. The manner of repayment of the loan would be similar to loans under subsection 3(d)(1). However, unlike that subsection, no project underlying all or part of a grant could be approved where the purpose is to use grant funds to liquidate a loan for this type of acquisition.

The increase in value of the property would be shared by the Federal Government and the local agency in the familiar two-to-one ratio, but the Federal Government would not share in any losses, should they occur. If the property is sold before initiation of adjacent new mass transportation service, the increased value would be the difference between the price at which the local agency acquired the property and the price at which sold, provided the Secretary is satisfied that the sale price reflects a value consistent with an appraisal which he will obtain. If the property is still held by the local agency at the time new mass transportation service is initiated (that is if the agency plans to sell for later development or develop the property itself), the local agency must obtain an appraisal, under regulations of the Secretary, not more than three years after service is initiated. The appraisal will be conducted so as to give full effect to the increase in value which has resulted from the advent of mass transportation, as well as the land use and zoning specified in the loan agreement. The difference between the acquisition cost to the local agency and the appraised value would determine the increase in value, or profit.

Because any increase in land values may be attributed in whole or in part to the new transportation service, the proceeds must be used to reduce the net project costs of any grants which may be made for the urban mass transportation system involved.

The Federal share would be applied to reduce the Federal share of net project costs, and the local agency's share would be applied to reduce its share of net project costs. If the entire local share of land profits were not exhausted by application to existing grant projects, the remainder would be held in reserve for a reasonable period for application against net project costs of potential further grant projects under the Act.

3(d)(3): This new subsection makes it

clear that the acquisition loans under subsection 3(d)(2) may be made for use independently (i.e., where right-of-way is already owned), or for use concurrently with a loan for advance right-of-way acquisition under subsection 3(d)(1), or for concurrent use with project loans or grants under subsection 3(a).

Section 102: The section would: (a) amend section 4(a) of the Act, which now requires certain Secretarial findings before section 3 assistance can be provided, to reflect the less stringent criteria of new section 3(d) in the case of land acquisition loans; and (b) add a new subsection (c) to section 4 providing authorizations for loans and administrative costs, as well as grants under the Act for fiscal years 1971–1974 and establishing contract authority.

The amounts authorized for appropriation, $300, $400, $500, and $600 million, respectively, are equivalent to the amounts, based on Treasury Department estimates, which the dedicated portions of the automobile excise will produce for the urban mass transportation trust fund created by Title II of this bill. The authorized levels of $300, $400, $500, and $600 million would be available for obligation in their full amounts during the fiscal year for which first authorized and would remain available until expended. The Secretary would be authorized to obligate these amounts through loans or grant agreements. These obligations would be liquidated by subsequent appropriations.

Section 103: Section 7 of the Act, from the inception of the urban mass transportation program, has made an adequate relocation program a condition for receipt of capital grants. The Federal Government has been authorized to make relocation payments of up to $200 to families and up to $3,000 in the case of business concerns and nonprofit organizations.

In the Federal-aid Highway Act of 1968, the Congress enacted significantly expanded and liberalized relocation benefits for persons displaced by Federal-aid highway construction. Inclusion of an amended relocation section in this bill which closely parallels the provisions of the highway act reflect the view that the concepts are equally valid for urban mass transportation and should be adopted, pending general Federal relocation legislation.

Section 104 amends section 15 of the Act, which restricts the aggregate of grant projects (other than relocation grants) in any one State to 12½ percent of the total amount authorized for this purpose. The original legislation anticipated that some States would experience serious inhibitions with this limit and, so, a discretionary pool of $12.5 million was established to be available for use in States which had previously received more than two-thirds of the maximum grants. Notwithstanding this fund, a number of our most populous States will soon be at a point where they can receive no further assistance. Rather than alter the 12½ percent ceiling at this time, section 104 would increase the discretionary fund to $50 million. The section as revised would also extend the basic 12½ percent ceiling to the grants and loans made from the trust fund for fiscal 1971–1974.

Section 105: Section 1 of Reorganization Plan No. 2 of 1968 transferred to the Secretary the program authority under the Act. But that section reserved to the Secretary of HUD authority to make grants for or undertake such projects or activities under sections 6(a), 9, and 11 of the Act (relating to research, development, and demonstrations; technical studies grants; and grants for research and training in urban transportation problems) as "primarily concern the relationship of urban transportation systems to the comprehensively planned development of urban areas, or the role of transportation planning in overall urban planning." It was contemplated that such grants would be made out of appropriations to HUD. Section 105 preserves that understanding and insures that the urban transportation trust fund would be available only for grants in furtherance of the functions of the Secretary of Transportation under the Act.

TITLE II—URBAN MASS TRANSPORTATION REVENUE ACT OF 1969

This title of the bill creates an urban mass transportation trust fund, out of revenues provided by a certain portion of the automobile excise, for all loan, grant and administrative costs of the urban mass transportation program for fiscal years 1971–74. It shares many features of the highway trust fund.

Section 201 establishes the trust fund.

Section 202(a): This subsection provides for the transfer to the trust fund of specified amounts of the revenues attributable to the automobile excise (section 4061(a)(2) of the 1954 Internal Revenue Code). The amounts to be transferred are equivalent to amounts which would be transferred if the excise were 1½, 2, 2½, and 3 percent, respectively, during fiscal years 1971, 1972, 1973, and 1974, according to Treasury Department estimates. The trust fund revenues will be equal to the amounts authorized for program purposes in Title I of this bill.

Because the trust fund and related program authorizations are on a fiscal year basis while section 4061(a)(2) taxes accrue on a calendar basis, and are collected quarterly, the operative language used is such as will produce $300, $400, $500, and $600 million. Although it is not expressed in terms of 1½, 2, 2½, and 3 points on the automobile excise, the amounts are equivalent to those percentages. (These trust fund receipts necessitate a change in the presently effective rates of section 4061(a)(2), which is accomplished in section 206 below.)

Section 202(b): In order to provide that the trust fund may be fully operative at the earliest time, although receipts may lag, this subsection authorizes the Treasury to make advances to the trust fund, to be repaid when receipts catch up with expenditures.

Section 203 prescribes how the trust fund is to be managed.

(a) requires annual reports to the Congress by the Secretary of Transportation on the condition of the trust fund.

(b) specifies that the trust fund corpus beyond that needed for current purposes, must be invested and specified how it may be invested.

(c) authorizes the sale and manner of sale of obligations which the trust fund may acquire.

(d) requires that interest earned by the trust fund shall be added to form a part of the trust fund.

Section 204(a) makes the trust fund the source for financing all loans, grants, and administrative costs of the urban mass transportation programs authorized for fiscal years 1971–1974.

Section 204(b) provides that the trust fund will be used to repay general fund advances under section 202(b), if any, when the Secretary of the Treasury deems appropriate.

Section 205 is modeled after section 209(g) of the Highway Revenue Act of 1956, the so-called "Byrd amendment" to the legislation governing the highway trust fund. Its purpose is to provide that a continuing review of the trust fund will be maintained and that expenditures required to defray obligations will not out-strip trust fund receipts. Under this section, the Secretary of the Treasury advises from time to time as to the amounts which will be available in the trust fund. If they are insufficient to meet current obligations, the Secretary of Transportation must reduce obligations on a prorated basis.

Section 206: This section makes the amendments to the Internal Revenue Code which are required to extend the auto excise for the needs of the trust fund. That excise, now at 7 percent, is scheduled to drop to 5 percent during calendar 1970, 3 percent during 1971, 1 percent during 1972, and to go out of existence on December 31, 1972.

The tax would be extended through June 30, 1974, to coincide with the trust fund. It would, just as now planned, drop to 5 percent during calendar 1970, and to 3 percent on January 1, 1971. However, it would be held at that level until it expires, thereby providing that during the entire life of the trust fund the excise on automobiles would be 3 percent. Since trust fund earmarking of the excise is at levels equivalent to an excise of 1½, 2, 2½, and 3 percent, in all but fiscal 1974, the excise would flow into the general fund after the trust fund needs have been met. Subsection 206(b) contains the necessary conforming amendments for floor stock refunds.

Section 207 provides that Title II of the bill is effective on enactment.

S. 1033—INTRODUCTION OF COMPREHENSIVE COMMUNITY COLLEGE ACT OF 1969

Mr. WILLIAMS of New Jersey. Mr. President, there is a new level of education emerging in our country—a level quite different from secondary education and higher education. It is the comprehensive community college. Dr. Edmund J. Gleazer, Jr., executive director of the American Association of Junior Colleges has said:

> The community college is as much a social movement as an educational enterprise, and is perhaps closer to realizing a concept of a "people's college" than any other institution in the United States.

This is true, and the community college continues to demonstrate that it is best equipped for the job of extending and expanding much-needed educational opportunities in our country. Its low cost to students, proximity to those it is designed to serve, flexibile admissions arrangement, strong counseling and advising services, and varied education programs are responding to the lack of relevance in traditional education. Yet, the Federal Government has failed in its responsibility to these colleges which represent almost half of all institutions of higher learning and about one-third of all students pursuing higher education.

Mr. President, many of us have lost interest in the academic debate on the value of continuing education to the individual and society, and we are tired of the rhetoric about making our structured learning experiences relevant. Education is not a private privilege; it is a public responsibility. When we finish talking about the priorities of the Federal Government, let us make sure education is always on top.

Today, on behalf of myself and Senators Brooke, Church, Goodell, Gravel, Gurney, Harris, Hart, Hartke, Hughes, Inouye, Javits, Kennedy, McCarthy, McGee, McGovern, Mondale, Murphy, Muskie, Nelson, Pastore, Prouty, Randolph, Ribicoff, Schweiker, Scott, Yarborough, and Young of Ohio, I introduce, for appropriate referral, the Comprehensive Community College Act of 1969. The enthusiasm around the country for this bill, which is reflected by the support it already has in the Senate, is sufficient mandate to all of us to take our Federal responsibilities to this new level of education as seriously as we have those to elementary and secondary education, and vocational and higher education.

THE COMPREHENSIVE COMMUNITY COLLEGE ACT OF 1969

The Comprehensive Community College Act of 1969, which was developed with the energetic cooperation of the American Association of Junior Colleges, is a bill to improve and increase post-secondary educational opportunities throughout the Nation by providing assistance to States for the development and construction of comprehensive community colleges. We want to insure, through this act, that the education provided by these colleges is suited to the needs, interests and potential benefits of the total community. A special emphasis will be placed on meeting the needs of those ignored or neglected by traditional forms of education.

The general provisions of the bill call for a year of planning to give each State time to develop or update a master plan for post-secondary education, and to give the U.S. Office of Education time to create and staff a Bureau of Community Education to administer all Federal programs related to community colleges. An additional 3 years are provided to begin the implementation of the master plans.

The master plans will be developed jointly at the State level with all post-secondary education agencies within that State. They will set forth a statewide plan for the improvement, development, and construction of comprehensive community colleges, including first, the development and implementation of comprehensive curriculum programs that have a special emphasis on the needs of the educationally and economically disadvantaged; second, the training and development of faculty and staff; third, household research; fourth, tuition-free admissions policy, or an adequate financial aid program; fifth, a policy and procedure to assure that Federal funds will not supplant existing State and local efforts; and, sixth, where feasible and desirable, a plan for interstate planning and cooperation in implementing this act.

Institutions eligible for the provisions of this act are those legally authorized within each State to provide a 2-year comprehensive program of post-secondary education—provided they admit as regular students high school graduates, or anyone 18 years of age or older. Accreditation of these institutions will be determined by nationally recognized accrediting agencies and associations.

A National Advisory Council, appointed by the U.S. Commissioner of Education, from among those active in comprehensive community colleges, will assist the Commissioner in establishing the criteria for approving the State plans and in implementing them.

Finally, the Commissioner will report to the Congress the results of his investigation and study of all Federal programs assisting community colleges in order to determine which programs are duplicating the benefits of this Act, and to collect in this new Bureau of Community Education, all Federal programs affecting community colleges.

FEDERAL GOVERNMENT AND COMMUNITY COLLEGES

Mr. President, some have queried, and will undoubtedly—even after all the facts are in—continue to ask why we need another Federal program in education. There are plenty of reasons. There are 13 major cities in the United States without a single public community college within city limits. These include Detroit—which recently rejected a referendum bond issue for community college construction—and cities like Houston, Atlanta, and Jersey City. Twenty-five major cities from Philadelphia to San Francisco and from Dallas to Dayton, Ohio, have only one community college.

These cities are the focal point for the recent recommendation of the Carnegie Commission on Higher Education, chaired by the distinguished educator, Clark Kerr. The Commission recommended, as a major finding in the study, the construction of 500 new community colleges to meet the basic education needs of the communities they would serve by 1976.

In addition to the problem of inadequate two-year college space, we face the imbalanced allocation of Federal resources from existing programs. Out of 24 institutional-support programs administered by the Office of Education, junior colleges take part in only six: developing institutions—Higher Education Act, title III—22 percent participation; national teaching fellowships—Higher Education Act, title III—4.8 percent participation; undergraduate equipment—Higher Education Act, title VI-A—15.5 percent participation; library resources—Higher Education Act, title II-A—21.13 percent participation; grants for undergraduate facilities—Higher Education Facilities Act, title I—23 percent participation; and loans for undergraduate and graduate construction—Higher Education Facilities Act, Title III—10.3 percent participation. Three additional programs have not been funded yet, and the vocational education program is administered through block grants to participating States.

Community colleges are last in line when funds are released, because they must compete with monolithic multiversities. An even greater imbalance exists in individual-assistance allotments; although two-year colleges represent approximately one-third of the student population, the community college share of student aid funds is dangerously low. Community colleges get 4 percent of national defense student loan funds, 6 percent of educational opportunity loans, and 15 percent of college work-study assistance.

I was shocked again last week to learn that 45 community colleges had applied for their share of $6.9 million under part E of the Education Professional Development Act, and only two proposals were funded for a total of $74,000. Something is wrong somewhere, and it might well be the lack of sensitivity in the Office of Education to the special needs of community colleges.

The Office of Education has a Bureau of Elementary and Secondary Education, a Bureau of Higher Education, a Bureau of Adult, Vocational and Library Services, a Bureau of Education for the Handicapped, a Bureau of Research, and a Bureau of Educational Personnel Development—but there is no bureau, division, office, or program for community colleges.

COMMUNITY COLLEGES AND THE TOTAL EDUCATION ENVIRONMENT

This is only part of the problem. Elementary and secondary schools have failed to meet the demands society is making on the education process. More than 100 years ago we assigned the responsibility to secondary schools to produce a finished product. Today, a high school education carries its own dead-end guarantee, and 12 years of learning is at best only a stepping stone for those who will go to college, and too often a millstone for those who have been neglected in high school and consequently left behind in the arbitrary college admissions procedure. Before this level of learning can respond to society's needs, it must tackle bureaucratic inflexibility, outdated curriculums, and the rigidity of poorly trained teachers. The three "R's" must give way to a new "R"—relevancy. This level of education must teach kids how to think, not what to think. In life today, learning can no longer be limited to the classroom between the ages of 6 and 18. The lifelong student must be able to change his career both to accommodate his talents and to fill the manpower needs of the time.

The pace of knowledge has accelerated so quickly in the past few years that the world we live in no longer views a high school education as terminal. It demands continuing education. It pressures our Nation's youth to seek at least 2 years of college in order to survive.

But how can they survive when the traditional access to higher education is furthest from their grasp? How do they get started when the admissions policies of these institutions judge them on their past performance rather than their future potential? How do they finance their higher education when we set an arbitrary standard of ability above need, in order to qualify for financial assistance programs? And how do we demonstrate value of the investment of 4 and 5 years in a prescribed, and too often arbitrary and irrelevant, curriculum?

The answer, in part, lies with the new educational phenomena of community colleges. The community junior college seems tailor made for the job of extending and expanding opportunities for education beyond high school. Its curriculum grows out of the needs of society and the community, and out of the personal and social requirements of the students. It is designed to fill personnel requirements in fragmenting professional fields; provide a new trust in urban education; and provide the key to open doors to new careers. These institutions have demonstrated their potential to respond to society's changing needs in ways that bring improvement to the communities they serve. By way of contrast, the 4-year college, that exists in big cities, for example, has seldom been an instrument for change in its urban environment. Since Watts, it has reevaluated its role. But, traditionally, it has been too busy being urbane to be urban;

located in the city—but never a part of it. As the experience last year at Columbia testifies, the curriculum usually has been far removed from such critical problems of the city as inadequate housing, poverty, and environmental pollution. Instead, research in these institutions was more likely to be concerned with Victorian literature, Athenian art forms, or the military exploits of the Cossacks. Increasingly, these ivy-decked halls are the centers for research in nuclear weapons, in genetics, and in cures for cancer. The priorities of much of this research is difficult to justify when the needs of urban and rural America are the sole beneficiary of only the byproducts of this research.

This is not yet true of community colleges. The community college, whether in an urban or rural setting, is in a better position to fulfill this requirement. First, it is a young institution, and it has not acquired the rigidity that comes from overbearing traditions. Second, the lack of status puts the community college in closer empathy with the poor, the unaccepted, and the classless. And third, a new breed of administrators are challenging the "establishment."

Since too many States still provide only traditional programs of higher education in traditional institutions for selected and privileged students, it is time to concentrate our efforts on a community college program which would correct the inadequacies of the patchwork and piecemeal nature of existing Federal support to 2-year colleges.

Because the bill we are introducing today focuses attention on post-secondary education, some might be tempted to conclude that we want to bolster the community college at the expense of the 4-year university, or the vocational school, or the secondary school. Nothing could be further from the truth; in fact, it is precisely because we believe so strongly in these other educational systems that we are calling for action on the community college.

The problem is simply this: We have been treating education as a series of movements for so long that we have forgotten the symphony. We have spent millions of dollars and uncounted manhours to build partitions between grades, between levels of grades, and even between geographical designations of levels of grades. In all this typing, and categorizing, and dividing, we have done an injustice to the long-term continuity of real education.

When you move out of an assigned educational level—by graduating, failing, or dropping out—you seldom get back. Nowhere in the scheme of things is there an educational system designed simply to serve people who want to learn—and not simply on the basis of birthday, accumulated gradepoint average, or prep school lineage. The community college can, if it is given help, fill the void. We want to strengthen the community college, because without it, the other forms of education will continue, in hapless cycles of frustration, to educate by drawing perimeters around the chosen few.

The remarkable Danish scientist-humanist Piet Hein sums up our educational quandary in an aphoristic little poem called a grook:

> Double-doors are justified because they're comfortably wide. Therefore you only half undo 'em; and therefore nothing can get through 'em.

America cannot afford to block the doors to education. Comprehensive community colleges can be the key to open the door, and show the way to full educational opportunity for all Americans.

I ask unanimous consent that the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1033) to improve and increase post-secondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1033

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Comprehensive Community College Act of 1969".

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to assist the States in providing post-secondary education to all persons in all areas of each State through a program of Federal grants to each State for the purpose of strengthening, improving, and developing comprehensive community colleges; to ensure that the education provided by such colleges is suited to the needs, interests, and potential benefits of the total community; and to assist such colleges in providing educational programs especially suited to the needs of educationally and/or economically disadvantaged persons in each State.

TITLE I—DEVELOPMENT OF STATE PLANS

AUTHORIZATION

SEC. 101. In order to assist the States in developing State plans for the purposes of title II of this Act, there is authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1970. The sums appropriated pursuant to this section shall be used for making payments to States whose application for funds for carrying out such purposes have been approved.

STATE APPLICATIONS

SEC. 102. The Commissioner shall approve any application for funds for carrying out the purpose of section 101 if such application—

(1) provides that a State agency, which is representative of all agencies in such State which are concerned with post-secondary education, will be the sole agency for carrying out such purpose;

(2) provides for the development of a State comprehensive community college plan to meet the requirements of section 203 of this Act; and

(3) provides that such State agency will make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require, and, to assure verification of such reports, give the Commissioner, upon request, access to the records upon which such information is based.

ALLOTMENTS TO STATES

SEC. 103. The sums appropriated pursuant to section 101 shall be allotted by the Commissioner among the States on the basis of the amount needed by each State for the purpose of this title, except that no such allotment to any State shall be more than $200,000.

WITHHOLDING OF PAYMENTS

SEC. 104. Whenever the Commissioner, after reasonable notice and opportunity for hearing to a State agency, finds (1) that such State educational agency is not complying substantially with the provisions of this title or the terms and conditions of its application approved under this title, or (2) that any funds paid to such State educational agency under this title have been diverted from the purposes for which they had been allotted or paid, the Commissioner shall notify such State agency that no further payments will be made under this title with respect to such agency until there is no longer any failure to comply or the diversion has been corrected or, if compliance or correction is impossible, until such State agency repays or arranges for the repayment of Federal moneys which have been diverted or improperly expended.

TITLE II—FINANCIAL ASSISTANCE FOR COMPREHENSIVE COMMUNITY COLLEGES

AUTHORIZATION

SEC. 201. (a) The Commissioner shall, in accordance with the provisions of this title, make payments to State agencies for the period beginning July 1, 1970, and ending June 30, 1973.

(b) For the purposes of making such payments, there is authorized to be appropriated the sum of $1,500,000,000 for the fiscal year ending June 30, 1971, $2,000,000,000 for the fiscal year ending June 30, 1972, and $2,500,000,000 for the fiscal year ending June 30, 1973.

ALLOTMENTS

SEC. 202. (a) From the sums appropriated pursuant to section 201(b) for each fiscal year the Commissioner shall (1) allot not more than 5 per centum thereof among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their repective needs and (2) reserve not more than 5 per centum thereof for the purposes of section 206. From the remainder of such sums the Commissioner shall allot to each State an amount which bears the same ratio to such remainder as the population aged 18 and over in such State bears to the total of such population in all States. For the purposes of this subsection, the term "State" does not include Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(b) The portion of any State's allotment under subsection (a) for a fiscal year which the Commissioner determines will not be required, for the period such allotment is available, for carrying out the purposes of this title shall be available for reallotment from time to time, on such dates during such period as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Commissioner estimates such State needs and will be able to use for such period for carrying out such portion of its State application approved under this title, and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

STATE PLANS AID PAYMENTS

SEC. 203. (a) Any State desiring to receive its allotment of Federal funds under this title shall submit a State plan, in such detail as the Commissioner deems necessary, which—

(1) provides for the administration of such

plan by a State agency which is representative of all agencies in such States which are concerned with post-secondary education;

(2) sets forth a comprehensive statewide program for the improvement, development, and construction of comprehensive community colleges in the State for the purposes of this Act, including (A) the development and carrying out of comprehensive curriculum programs with special emphasis on programs for educationally and economically disadvantaged persons, including occupational-technical programs, adult continuing education programs, community service programs, developmental programs, counseling-advising programs, and lower division university parallel programs, (B) training and development of faculty, administrators, counselors, and other necessary personnel, and (C) research to be carried out in such colleges to increase the effectiveness of such colleges and to provide data for future development;

(3) establishes priorities for the purpose of carrying out such program;

(4) provides that if not already tuition-free to State residents such colleges will be made tuition-free as soon as practicable, or provide adequate financial aid programs;

(5) provides for the necessary State and local financial support to carry out such program with assistance under this title;

(6) sets forth policies and procedures designed to assure that Federal funds made available under this title will be so used as not to supplant State or local funds, or funds of comprehensive community colleges, but to supplement and, to the extent practicable, to increase the amounts of such funds that would in the absence of such Federal funds be made available for the purposes of this Act;

(7) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State (including such funds paid by the State to comprehensive community colleges) under this title;

(8) provides for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this title, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(9) provides to the extent possible for inter-State cooperation in carrying out programs pursuant to this title.

(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a) and shall pay to such State, from its allotment for each fiscal year, the reasonable cost, as determined by the Commissioner, of carrying out such approved plan for such year.

(c) Payments to a State under this title may be made in installments and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments, and they may be paid directly to the State or to one or more participating colleges designated for this purpose by the State, or to both.

ADMINISTRATION OF STATE PLANS

SEC. 204. (a) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modifications thereof, without first affording the State agency or institution submitting the plan reasonable notice and opportunity for a hearing.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State agency or institution administering a State plan approved under section 103, finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of such section, or

(2) in the administration of the plan there is a failure to comply substantially with any such provision, the Commissioner shall notify the State agency or institution that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

LABOR STANDARDS

SEC. 205. All laborers and mechanics employed by contractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

DEMONSTRATION PROJECTS AND RESEARCH FOR COMPREHENSIVE COMMUNITY COLLEGE PURPOSES

SEC. 206. The Commissioner is authorized to enter into such contracts or other arrangements as may be necessary to carry out innovative and exemplary demonstration projects and research to promote the purpose of this Act.

TITLE III—GENERAL PROVISIONS

DEFINITIONS

SEC. 301. As used in this Act—

(1) The term "Commissioner" means the Commissioner of Education.

(2) The term "comprehensive community college" means an educational institution in any State which—

(A) is legally authorized within such State to provide a program of education beyond secondary education;

(B) admits as regular students high school graduates or equivalent, or persons at least 18 years of age;

(C) provides a two-year postsecondary educational program leading to an associate degree, or acceptable for credit toward a bachelor's degree, and also provides programs of postsecondary vocational technical occupational and specialized education;

(D) is a public or other nonprofit institution;

(E) is accredited as an institution by a nationally recognized accrediting agency or association, or if not so accredited—

(i) is an institution that has obtained recognized preaccreditation status from a nationally recognized accrediting body, or

(ii) is an institution whose credits are accepted on transfer, by not less than three accredited institutions, for credit on the same basis as if transferred from an institution so accredited, and for purposes of this paragraph, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(3) The term "construction" includes the preparation of drawings and specifications for college facilities; erecting, building, acquiring, altering, remodeling, improving, or extending such facilities; and the inspection and supervision of the construction of such facilities. Such term does not include interests in land or off-site improvements.

(4) The term "college facilities includes classrooms and related facilities; and initial equipment, machinery, and utilities necessary or appropriate for comprehensive community college purposes. Such term does not include athletic stadiums, or structures or facilities intended primarily for athletic exhibitions, contests, or games or other events for which admission is to be charged to the general public.

(5) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands and the Trust Territory of the Pacific Islands.

ADMINISTRATION

SEC. 302. (a) The Commissioner shall administer the provisions of this Act through a Bureau of Community Education which he shall establish in the Office of Education. Such Bureau shall, upon request, advise any State with respect to its program pursuant to this Act.

(b) The Commissioner shall, as soon as practicable, make a report to Congress (1) identifying all other programs administered by the Office of Education which should, for the purpose of consolidating the administration of programs affecting comprehensive community colleges, be administered through the Bureau of Community Education, and (2) what action is being taken to provide for the administration of such programs by such Bureau.

(c) In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

JUDICIAL REVIEW

SEC. 303. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its application submitted under section 102 or its plan submitted under section 203, or with his final action under section 104 or section 205, such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

PROHIBITIONS

SEC. 304. (a) Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

(b) Nothing contained in this Act shall be construed to authorize the making of any payment under this Act for the construction of facilities as a place of worship or religious instruction.

NATIONAL ADVISORY COUNCIL

SEC. 305. (a) The Commissioner shall appoint a National Advisory Council on Comprehensive Community Colleges. The members of such Council shall be appointed without regard to the civil service laws, to represent appropriate fields competent or interested in the development of such colleges for the purposse of this Act.

(b) The Council shall advise the Commissioner with respect to (1) criteria for the evaluation of applications and State plans pursuant to this Act, (2) the administration of title II of this Act, and (3) means of improving the administration and operation of this Act.

(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this Act) to the President not later than March 31 of each calendar year after the calendar year in which this Act is enacted. The President shall transmit each such report to the Congress together with his comments and recommendations.

(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

STUDY AND RECOMMENDATIONS IN ORDER TO AVOID DUPLICATION OF BENEFITS

SEC. 306. The Commissioner shall (1) make an investigation and study of all Federal programs assisting comprehensive community colleges in order to determine which of such programs provide assistance which is a duplication of assistance provided pursuant to this Act, and (2) report to Congress, not later than six months after the date of enactment of this Act, his recommendations, including any necessary legislation, for terminating such duplication.

Mr. MURPHY. Mr. President, as a strong supporter of the junior college movement, I am pleased to coauthor with Senator WILLIAMS of New Jersey the Comprehensive Community College Act of 1969.

California, as my colleagues know, has been the pioneer and leader in the community movement. In California there are presently 90 community colleges and it is expected that there will be 100 by the early 1970's. As of September 1968 over 541,000 students, both full time and part time, were enrolled in California community colleges. Of this enrollment, 220,236 were full time students. Of the total student freshman and sophmore population, approximately 85 percent are enrolled in junior colleges.

This bill is designed to expand post-secondary educational opportunity by recognizing the tremendous importance of junior colleges in our educational structure. The measure would in effect help to make the California junior college model system a nationwide experience.

I understand, Mr. President, that studies indicate that the location of a new junior college in a community will increase by 20 percent the number of students from that community who would go on to higher education.

The junior colleges are ideally suited to help open educational opportunities for disadvantaged youngsters because of their flexible policies, their proximity to the community, and their low cost to the students. In California, the junior colleges are tuition free. In 1966, in testimony before the Senate Education Subcommittee in opposition to the Johnson administration's efforts to eliminate junior college eligibility under the impacted-aid program, I predicted that—

> California's experience in providing free education opportunity through fourteen grades will undoubtedly influence other states in the consideration of expanding their junior college opportunities.

Enactment of a major community college assistance bill will go a long way toward fulfilling my prediction.

I have attempted to see that the community colleges receive a more equitable share of Federal assistance and the statement of Senator WILLIAMS certainly underscores once again the fact that they are not. Certainly they are not receiving Federal assistance commensurate with the educational opportunities and burdens that they are providing and shouldering.

Mr. President, I have worked to improve this situation. Only last year, a Javits-Murphy amendment to title III of the Higher Education Act increased the set-aside for junior-colleges from 22 percent to 24 percent. In conference, however, the figure was lowered to 23 percent.

Mr. President, the Nixon administration has announced that it also plans to introduce new and exciting community college legislation. This interest on the part of the administration and the Congress should result in favorable action during this Congress.

In summary, Mr. President, the community colleges represent an educational resource that has not been utilized to the fullest. California's experience points out to me that there is "gold" in expanding educational opportunity and raising the educational level of our citizens. The enactment of a community college measure in this Congress must be high on our list of priorities.

I ask unanimous consent, Mr. President, that a summary of the bill's provisions be printed in full in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF COMPREHENSIVE COMMUNITY COLLEGE ACT OF 1969

PURPOSE

To assist the States in providing post-secondary education to all persons in all areas of each state through a program of Federal grants to each state for the purpose of strenthening, improving, and developing comprehensive community colleges and to assist these colleges in providing educational programs especially suited to the needs of educationally and/or economically disadvantaged persons in each state.

MASTER PLAN

Each state, in cooperation with all the post-secondary institutions within that state, will develop jointly a master plan which will:

1. Set forth a state-wide program for the improvement, development, and construction of community colleges, including:
   a. the development and carrying out of comprehensive curriculum programs
   b. training and development of faculty and staff
   c. research
   d. construction of facilities
2. Provide tuition-free admission or an adequate financial aid program.
3. Set forth policies and procedures for state and local financial support.
4. Provide for joint and interstate planning and cooperation where applicable.

ADMINISTRATION

A Bureau of Community Education will be established in the Office of Education to implement this program.

NATIONAL ADVISORY COUNCIL

National Advisory Council will advise the Commissioner on the development and criteria for evaluating state plans and other purposes.

EXISTING LEGISLATION

After one year of planning, the program will become operational at which time existing community college participation in other public laws will terminate.

AUTHORIZATION

Phase I: $10 million authorization for fiscal year 1970 for development of state plans.

Phase II: A $6 billion authorization graduated over fiscal years 1971, 1972 and 1973 to implement the program.

ALLOTMENT FORMULA

Five percent set aside for the Commissioner for innovative and exemplary projects.

Five percent set aside for Puerto Rico, Guam, etc.

Ninety percent allotted to states based on the population aged 18 and over.

SENATE JOINT RESOLUTION 47—INTRODUCTION OF JOINT RESOLUTION TO CREATE A NATIONAL ADVISORY COMMISSION ON HEALTH SCIENCE AND SOCIETY

Mr. MONDALE. Mr. President, I introduce for myself and Senators BAYH, BROOKE, FONG, GOODELL, HARRIS, HART, HUGHES, INOUYE, MCCARTHY, MCGEE, MCGOVERN, MOSS, NELSON, PELL, RANDOLPH, TYDINGS, WILLIAMS of New Jersey, and YARBOROUGH for appropriate reference a bill, Senate Joint Resolution 47, to create a National Advisory Commission on Health Science and Society.

This joint resolution will be introduced tomorrow in the House of Representatives by the Honorable THOMAS S. FOLEY, of Washington.

Mr. President, this measure is similar to Senate Joint Resolution 145, which I introduced last year. It would create a 15-member Commission to undertake a 3-year study of the legal, social, and ethical implications of health science research. The Commission would report on the implications of this research for public policy in interim reports, and present a final report at the end of the study.

The case for careful study of the startling implications of the biomedical revolution in this country is even more compelling today than it was a year ago.

Last year was the beginning of the heart transplant era. Since then, 167 of these operations have been performed throughout the world, a rate of more than three a week. Philip Blaiberg is not only alive today, but the heart of a second donor is beating in his body. Thirty-five of his fellow transplant patients are living, and the development of this technique extends to thousands the hope that their sentence of lingering illness and death can be commuted.

During the past year, the major step of carrying out this operation in children has been developed, and independent and useful lives are now a hope for them. The heart transplant seems destined for a place in the standard medical repertoire of the 20th century.

Last year also saw the creation of an artificial viral core. This year saw the synthesis of an enzyme that performs as does the enzyme naturally produced in living creatures. The effort to study and imitate the creation of life goes on.

And over this past weekend, our Nation and the world heard the amazing word of successful fertilization of a human egg in a Cambridge University laboratory in Great Britain. As Nature magazine commented on this development:

> Test tube babies may not be just around the corner, but the day when all the knowledge necessary to produce them will be available may have been brought a stage nearer by the work of Dr. R. G. Edwards and his colleagues.

Mr. President, the dreams of centuries for the enhancement of human health and life come nearer to reality each day. And as this biomedical revolution continues, so do the possibilities that some of these dreams may become nightmares.

In Richmond, Va., and Houston, Tex., it has been alleged that a medical examiner informally authorized removal of the heart before the legal waiting period for unclaimed bodies had passed and before consent from next of kin had been received.

In Houston, Tex., and Milwaukee, Wis., beating hearts were taken from homicide victims and defense lawyers contend that the surgeons, not the accused, "caused death."

A Georgetown Law Journal article lists other issues of tissue transplantation:

> Logistics: what to do when donor and recipient are in different hospitals, or different states when regulations and laws lack uniformity;
>
> Information: how to establish a registry for data on transplantation;
>
> Quality Control: how to safeguard against use of imperfect tissue drawn from undesirable sources;
>
> Remuneration: how to balance the need for more spare parts on one hand with the specter of "black markets in hearts" on the other.

The weekend report of successful human egg fertilization touched off controversy too, the New York Times reported.

> Aides of John Cardinal Heenan, Archbishop of Westminster, emphasized that the idea of "test tube" babies violated the teachings of the Roman Catholic church . . .
>
> As Dr. Donald Gould, editor of the New Scientists magazine, said today:
>
> "What happens to the embryos which are discarded at the end of the day—washed down the sink? There would necessarily be many. Would this amount to abortion—or murder?
>
> "We have no law to cope with this kind of situation.
>
> "And have we really the wisdom which will allow us to handle wisely and for the good of mankind the frightening new powers which the biological scientists are giving us, not just over death, but—more awe-inspiring still—the very nature of life."

In Australia, a laborer reportedly has been acquitted of murder partly because of a genetic abnormality that tends to make men "born criminals." In France, a jury refused to free a self-confessed murder on the ground that he had inherited the chromosome imbalance. And in this country, research is going on into this same question.

Mr. President, these examples bring up to date the original set of concerns I raised last year.

Extensive hearings were held before the Subcommittee on Government Research, chaired by the able senior Senator from Oklahoma (Mr. HARRIS). Over an 8-day period, the initial support for this proposal received from deans of schools of medicine, theology, and law, as well as from scientists, and the public at large was confirmed by testimony from representatives of many disciplines. Heart transplant surgeons like Dr. Norman Shumway; geneticist, Dr. Joshua Lederberg; psychologist, Dr. David Kretch; judge, David Bazelon; theologian, Dr. Kenneth Vaux, and many others testified to the need for such a study.

Most of the witnesses seemed to share the convictions of Historian Everett Mendelshon, who said:

> The process that society goes through in adjusting to scientific advance—the socialization of science—has traditionally been a rather slow and rather leisurely process, indeed more often than not, an accidental process. I would contend that no society can any longer afford this leisurely process of adapting to scientific and technological advance, but that society must anticipate and plan for the social integration of new discoveries. Many areas of bio-medical research . . . currently call attention to the need for continued re-examination of the social implications of new discoveries. These . . . questions raised by biomedical research and discoveries might be much better served through the kind of serious analysis and investigation proposed in the Senate resolution introduced by Mr. Mondale.

The majority of witnesses who supported the Commission saw a variety of potential benefits as a result of its creation:

First. Clarification of the legal, ethical, social, and public policy questions relating to biomedical advance this Nation must face now and in the future;

Second. Development of more responsive and rational national priorities in the health sciences;

Third. Education of the public to help allay fears and assist in developing more realistic expectations;

Fourth. Stimulation of public interest in and support for increased Federal financing for biomedical research as well as health services;

Fifth. Continuation of the public policy dialog that developed during the hearings; and

Sixth. Development of suitable bases for making conscious choices among the various scientific, financial, and social costs and benefits of alternative approaches.

Mr. President, this joint resolution has been modified slightly as a result of concerns expressed by participants in the hearings.

Several witnesses thought it important to emphasize the fact that the Commission was to provide information, not establish regulations. Therefore, we have added the word "advisory" to the title of the Commission to emphasize this role. Second, witnesses felt that 1 year was much too short a period for the Commission to attempt to formulate regulations. Therefore, the term has been extended to 3 years in the present draft.

Some discussion in the hearings also centered on alternate placement of the Commission. While most agreed that an independent organization was the best alternative, some thought that other possibilities ought to be explored. I hope that this problem as well as further possibilities for the Commission's agenda will be explored in new hearings in this Congress.

I have been pleased by the general support given this idea for a national study of the social implications by biomedical research. Furthermore, I have been impressed by the insight and social awareness shown by some segments of the health community.

One such group is the American College of Cardiology, which supported the kind of study outlined here in its meeting at Bethesda, Md., last fall.

Mr. President, I believe there is a continuing and intensifying need for a National Advisory Commission on Health Science and Society. I hope that this Congress will create one.

Mr. President, I ask unanimous consent to include in the RECORD at this time a copy of the joint resolution, together with a copy of the report of task force IV from the report of the American College of Cardiology, a recent article from Atlantic by historian Donald Fleming entitled "On Living in a Biological Revolution," a recent article of mine in the Journal of the American Women's Medical Association, and the New York Times article "Human Egg Is Fertilized in Test Tube by Britons" of Saturday, February 15, 1969, to which I have referred.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution, report, and articles referred to will be printed in the RECORD.

The joint resolution (S.J. Res. 47) to provide for a study and evaluation of scientific research in medicine in the United States, introduced by Mr. MONDALE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S.J. RES. 47

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "National Advisory Commission on Health Science and Society."

ESTABLISHMENT OF COMMISSION

SEC. 2. There is hereby established a National Advisory Commission on Health Science and Society (hereinafter referred to as the "Commission").

MEMBERSHIP

SEC. 3. (a) The Commission shall be composed of fifteen members to be appointed by the President from among representatives of medicine, law, social and physical science, theology, philosophy, health administration, and government.

(b) Any vacancy in the Commission shall not affect its powers.

(c) The President shall designate one of the members to serve as Chairman and one to serve as Vice Chairman of the Commission.

(d) Eight members of the Commission shall constitute a quorum.

DUTIES OF THE COMMISSION

Sec. 4. (a) The Commission shall undertake a comprehensive investigation and study of the legal, social, and ethical implications of medical research, which shall include, without being limited to—

(1) an analysis and evaluation of the public and private national effort in the field of health science research, including assessment of current research and a projection of expected future developments and their implications for man and society. Agencies shall furnish such materials as are required for the Commission to make this assessment;

(2) an analysis and evaluation, through the use of seminars and public hearings and other appropriate means, of public attitudes toward such research;

(3) analysis and evaluation of implications for public policy in research, development, financing, organization and delivery of health services of such findings as are made with respect to the national effort and public attitudes.

(b) The Commission shall transmit to the President and to the Congress interim reports and, not later than three years after the first meeting of the Commission, one final report, containing detailed statements of the findings and conclusions of the Commission, together with its recommendations, including such recommendations for legislation and administrative action as it deems advisable.

POWERS OF THE COMMISSION

Sec. 5. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this joint resolution, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this joint resolution.

(c) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power to—

(1) appoint and fix the compensation of an executive director, and such additional staff personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of such title, and

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $50 a day for individuals.

(d) The Commission is authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

COMPENSATION OF MEMBERS

Sec. 6. Members of the Commission shall receive compensation at the rate of $100 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

APPROPRIATIONS AUTHORIZED

Sec. 7. There is hereby authorized to be appropriated the sum of $1,000,000 for the fiscal year beginning July 1, 1970; $1,000,000 for the fiscal year beginning July 1, 1971; and $1,000,000 for the fiscal year beginning July 1, 1972.

TERMINATION

Sec. 8. On the ninetieth day after the date of submission of its final report to the President, the Commission shall cease to exist.

The report and articles presented by Mr. Mondale are as follows:

[From the December issue of the American Journal of Cardiology, vol. 22, No. 6, pp. 896–912]

Task Group IV—The National Effort and Regional Program

(By Murray (*chairman*), Chadwick, Chalkley, Cooper, Corday, Coyl, Dack, Dimond, Ebbin, Featherstone, Foshay, Fox, Hench, Holman, A. Sadler, Soffer, and Stevenson)

IV, 1. *The national effort in transplant research* must take into consideration the total load of patients potentially treatable by this method, the support of their treatment, the provision of regional centers for tissue procurement and storage, and the obligation of the government to continue the support of a strong program in basic biomedical research so that the field of transplantation as a whole may continue to progress.

Patient load and cost of kidney transplants

IV, 2. *The size of the problem in patient load for kidney transplantation,* facilities and cost has been analyzed in the Kidney Disease Program analysis (Burton report), in the report of the Committee on Chronic Kidney Disease (Gottschalk report), and in the pilot programs at dialysis centers. Projections based on available data indicate increasing numbers of kidney transplants annually to approximately 5,000 per year by 1977, the final year of the estimate. Facilities and personnel cost are also projected for the next decade in these reports. These latter estimates based on the data currently available might not be accurate for future projections. Therefore, the National Center for Chronic Disease Control has contracted with the North American Rockwell Corporation for the analysis of functional and cost information relative to clinical renal homotransplantation. This systematic analysis of six large transplantation-dialysis centers is in progress and will be completed by June 30, 1969. In addition, the National Center for Chronic Diease Control has contracted with the Arthur D. Little Company to survey life insurance companies, national and state organizations and chronic disease programs in an effort to explore how these various units can guide or participate in the solution of the problem. The newly formed National Institutes of Health Committee on Transplantation is actively developing a registry program which will provide for the nation the most up-to-date information on clinical experience in heart transplantation.

IV, 3. *Currently the cost of dialysis* for each patient averages $14,000 annually in ten Public Health Service supported centers now in their third year of operation. Home dialysis today costs about $4,000 annually for each patient after the equipment has been purchased.

IV, 4. *The cost of kidney transplants* is less each year and now ranges from about $3,000 for uncomplicated cases to $40,000 if complications develop. These costs do not include the expensive and time-consuming research, from which this knowledge arose in the first place, and from which new, more specific and less hazardous immunosuppressive therapy will develop in the future. Likewise, these costs do not include the rehabilitation of the patient, an important factor in restoring the patient to his family and society as a wage-earner.

Potential patients requiring heart transplants

IV, 5. Among Americans aged 15 to 64 years there are 200,000 deaths each year from *acquired or congenital heart disease.* About 160,000 of these deaths are due to coronary heart disease. This death rate from coronary heart disease is double that in Sweden and more than five times that in Japan. It is estimated that over 80,000 of these 160,000 deaths occur before the patient can reach the hospital. While some of these are the first and final events, unexpected and unheralded, others are suffered by patients who have had a previous coronary occlusion but who have recovered sufficiently to be discharged from the hospital, even to go back to work. Particularly for these people efforts should be made to prevent further occlusive episodes.

IV, 6. Those who survive to be hospitalized 80,000 with coronary heart disease and 40,000 with other forms of cardiac disease) *may need some form of therapy not available.* From the vital statistics it is difficult to determine precisely how many of those patients would have been salvaged by modern therapy. With intensive medical care perhaps as many as 40,000 of the total 120,000 might be restored to the community. The number that require total cardiac replacement may be as few as 10,000 or as many as 50,000. (Whether this replacement is done by a total artificial heart or by a transplantation, the cost may approximate $50,000 a patient or range from $20,000 to $100,000 at the present level of medical costs.

IV, 7. The patients who cannot be saved by the best available medical treatment alone could benefit from a *transplant or an assisting device.* As the cardiopulmonary bypass machines and the cardiac pacemakers have shown, temporary mechanical devices can be life-saving. Mechanical hearts are now limited by power sources. In the present state of our knowledge, transplantation is a more practical long-term alternative for such patients.

IV, 8. National surveys have indicated that 70 per cent of the population is willing to donate their bodies for medical research and therapy. However, the *total pool of donors* (those dying from all causes other than heart disease or cancer and aged 15 to 64 years) is only 260,000 people. This group includes those who die from infections, blood disorders and degenerative diseases; not all would be suitable donors. Matching the pool of reputedly willing donors with a possible 50,000 recipients would require solutions to current problems in organ preservation and transportation, as well as the evolution of extremely efficient matching systems. If in the future as in the past, donors derive largely from victims of trauma or spontaneous brain hemorrhage, only about 63,700 potential donors are available annually. Thus, the impressive problems of logistics and preservation are increased at least threefold.

Education of public and legislatures

IV, 9. Some mechanism should exist to *educate, inform and advise the public, local and federal legislatures* with regard to priorities and capabilities in biomedical science and expensive new forms of treatment. The medical-scientific community has an equal obligation to be in constant communication with the public news media.

IV, 10. The educational value of responsible *medical and health science news reports* are great, and physician-scientists have a responsibility to the public. As an example, the current increase in organ donations is a direct result of increased public awareness. Increased respect for the medical profession can be obtained by the avoidance of undignified publicity. Patients and their families.

donors' names and conversations about donation must all be regarded as matters of personal privacy, their knowledge a privileged communication. The release of transplant information should be informative and educational without violating these rights of privacy of the individual.

Financing clinical transplantation

IV, 11. There is an immediate, pressing problem of *funding for clinical transplants*. This should include the immediate early care and the later rehabilitation. Finance of treatment must be considered as a continuum from the onset of the disease through dialysis and transplantation until economic and social rehabilitation is realized. The cost of research must be included at the clinical level. Clinical investigation associated with patient care is as important as laboratory research. Both must be supported simultaneously if we are to provide care and maintain leadership.

IV, 12. *The source of the financing* will continue to be from both the private and public sectors of society. The Public Health Service mission is to support research including that on man. The Regional Medical Programs are directed to support and to supplement patient care. The Regional Medical Programs welcome the cooperation of private voluntary funding. The National Center for Health Services, Research and Development, Department of Health, Education, and Welfare, may in the future become involved significantly in serving this need for funding. It is increasingly important to define the roles of the Office of Vocational Rehabilitation, the crippled Children's Services, Medicaid and Medicare and the Veterans Administration services, together with the role of insurance companies and third party payments in this problem of funding for transplants. The concensus seems to indicate that the most practical mechanism for payments will be through private insurance and through Medicaid and Medicare, with necessary amendments to Title 18 to lower the age below 65 for funding of transplant patients with total disability, and with major assists from the Regional Medical Programs.

IV, 13. *The final solution to funding depends on recognizing and maintaining three levels of responsibilities.* The first is the traditional responsibility of the physician-scientist to the patient. The second is financial. This almost certainly will require a totally new concept of a "trust fund" for catastrophic or dread illnesses. The term "dread or catastrophic illness" will require definition by the medical profession with careful consideration for the subsequent effects of such definitions on patients, their families, insurance companies and legislative bodies. Such a trust fund would best be underwritten by a combination of public and private funds with special riders appropriately devised on insurance policies. The third responsibility is to the political community, and it is in this consideration that social and cultural priorities must be weighed. Therefore, decisions for funding involve the people's needs in the broadest sense.

IV, 14. *Unutilized cadaver organs* suitable for donation represent a waste readily translatable into dollars needed for patient care. As an example, 18 waiting recipients in the Boston area currently represent 1,187 patient days awaiting a donor kidney, calculated as a maximum of $158,000 if hospitalized or a a minimum of $15,000 if on home dialysis.

IV, 15. *Regional means to provide matching of available organs* to suitable recipients are already established and supported in Los Angeles, Boston and elsewhere. Private funds have been solicited and may become available as possible sources of community support for the vitally needed centers for organ procurement on a regional basis. Such centers would have a vital function in the education of the general public to the need and mechanics of organ salvage. In addition, the education of the physician regarding the current status of transplantation can best be developed at this level in the local hospitals and medical societies. Hospital trustees and administrators must participate in a realistic approach to financial problems. Hospital endowments should not be jeopardized to care for transplantation patients, but neither should the financial burden rest indefinitely on the physician and his research grants.

National Advisory Commission

IV, 16. A review of the economic, social legal and ethical implications of biomedical research should be a continuing activity of a *standing organization, either a new commission, or a responsive arm of a currently existing agency* such as the National Academy of Science (or a National Academy of Medicine), attuned to current medical conditions. Possibly units of existing societies such as the Federation of American Societies for Experimental Biology or the American Medical Association could fill this purpose. Such an activity becomes essential to success in an effort as promising and as national in scope as organ transplantation.

The advent of cardiac transplantation serves further to underscore the need for a commission which should be broadly representative of the scientific as well as the legal, religious and governmental segments of the community. It should consider all aspects of the national effort to improve health care and provide the President and Congress with recommendations for the establishment of national goals, priorities and the outiines of legislation necessary to accomplish these objectives. It should not, itself, become operational as a research-care agency thus competing with the universities and hospitals for available funds; it should advise the Department of Health, Education, and Welfare and the Congress, rather than seeking funds for itself. It is the responsibility of the physician and voluntary sicentific bodies to assist such a commission in its deliberations, and thus to assist in the national realization of the full potential of this remarkable new treatment for diseases of the heart and other organs.

V. RECOMMENDATIONS

V, 1. *Cardiac transplantation*, still in an early stage of development, shows promise for the future treatment of many people with severe heart disease; it should be conducted by surgeons with proven capability in cardiac surgery, physicians experienced in all phases of cardiology, and with the collaboration of persons experienced in immunosuppression and transplant biology.

V, 2. *The need for new knowledge from basic and applied research* for the continued improvement of all transplantation is emphasized.

V, 3. *A National Transplant Registry*, utilizing the experience of the present Kidney Transplant Registry, should be established. The organization assuming this responsibility might make available computer-processed data on all clinical transplantation of all vascularized organs.

V, 4. *The costs of patient care* are very great and generally cannot be borne by patients or their families. New sources of support must be mobilized—individual, local and federal. Private and public insurance must be coordinated. Support for patient care can appropriately be borne by research grants only when the research itself is productive.

V, 5. *A regional type of organization* is recommended both for the referral and management of patients, and for the procurement, preservation and distribution of scarce anatomic resources. There should be interregional coordination.

V, 6. *The Uniform Anatomical Gift Act*, prepared by the National Conference of Commissioners on Uniform State Laws, has been endorsed by the American Bar Association. It is essential that all appropriate medical and legal groups work together to support the adoption of the Uniform Act in every state.

V, 7. *The Regional Medical Programs* of the Department of Health, Education, and Welfare should provide an ideal new source for the financial support of patient care, clinical research, regional organ procurement, preservation and distribution.

V, 8. *The basic science background* of transplant science has been supported by the National Science Foundation, National Institutes of Health and private foundations as well as, to a lesser extent, other governmental agencies including the Army, Navy and National Aeronautics and Space Administration. Basic science lies very close to clinical application in the transplant field; basic advances (ALG, for example) may reach clinical application very rapidly. If current cutbacks in support of research continue, a severe slow-down in the increasing safety and applicability of cardiac transplantation will soon become evident. Proper federal support must be restored to these agencies, particularly the National Science Foundation and the National Institutes of Health.

V, 9. *A new pattern for a commission or agency on Health Service and Science* is recommended to protect and to maintain the national effort in biomedical sciences. This agency should maintain appropriate emphasis and priorities for all important fields, such as tissue transplantation.

[From the Atlantic Monthly]

ON LIVING IN A BIOLOGICAL REVOLUTION

NOTE.—Harvard historian Donald Fleming takes a controversial look at the hazards and the sociological problems that are being spawned by the new discoveries in biology. They constitute a revolution, he believes, likely to be as decisive in the history of the next 150 years as the Industrial Revolution has been since 1750.

Here are a dozen things that we have discovered in the last fifteen years.

1. We have discovered the structure of the genetic substance DNA—the double helix of Watson and Crick—the general nature of the process by which the chromosomal strands are replicated.

2. We have discovered in viruses how to achieve the perfect replication of DNA molecules that are biologically effective.

3. We have discovered the code by which DNA specifies the insertion of amino acids in proteins.

4. We have discovered how to produce hybrid cells between the most diverse vertebrate species, including hybrids between man and mouse; and some of these hybrids have gone on multiplying for several (cellular) generations.

5. We have discovered the power of viruses to invade bacterial and other cells and to insert the genes of the virus into the genome of the host; and we have good reason to conjecture, though not yet to affirm, that this phenomenon is involved in cancer.

6. We have discovered hormonal contraceptives and grasped in principle the strategy for devising a contraceptive pill for both sexes, by knocking out certain hormones of the hypothalamus, the master sexual gland of the body.

7. We have discovered on a large scale in the livestock industry that deep-frozen mammalian sperm, suitably mixed with glycerol, can be banked indefinitely and drawn upon as desired to produce viable offspring.

8. We have discovered in human females how to produce superovulation, the release of several eggs into the oviduct at the same time instead of the customary one, with the possibility on the horizon of withdrawing substantial numbers of human eggs for storage, culture in test tubes, or surgical manipulation, without destroying their viability.

9. We have discovered in rabbits how to regulate the sex of offspring by removing fer-

tilized ova from the female before they become implanted in the wall of the uterus, "sexing" the embryos by a technique entailing the deletion of some 200 to 300 cells, flushing embryos of the "wrong" sex down the drain, and then in a substantial minority of cases, successfully reinserting in the uterus embryos of the desired sex that proceed to develop normally.

10. We have discovered drugs, above all the hallucinogens, that simulate psychotic states of mind; and have thereby rendered it plausible that the latter are the product of "inborn errors of metabolism" and as such remediable by the administration of drugs.

11. We have discovered in principle, and to a certain extent in practice, how to repress the immunological "defenses" of the body.

12. We have discovered a combination of immunological and surgical techniques by which the kidney, liver, or heart can be transplanted with fair prospects of the recipient's survival for months or even years—the first constructive proposal for turning our death wish on the highways to some advantage.

Each of these is a major discovery or complex of discoveries in itself, but they add up to far more than the sum of their parts. They constitute a veritable Biological Revolution likely to be as decisive for the history of the next 150 years as the Industrial Revolution has been for the period since 1750.

Definitions of what constitutes a revolution are legion. An undoctrinaire formulation would be that every full-scale revolution has three main components: a distinctive attitude toward the world; a program for utterly transforming it; and an unshakable, not to say fanatical, confidence that this program can be enacted—a world view, a program, and a faith.

In this sense, Darwinism did not usher in a full-scale biological revolution. Darwinism was a profoundly innovating world view, but one that prescribed no steps to be taken, no victories over nature to be celebrated, no program of triumphs to be successively gained. Indeed, one of the most plausible constructions to be put upon it was that nothing much *could* be done except to submit patiently to the winnowing processes of nature.

This defect was not lost upon Darwin's own cousin Sir Francis Galton, who tried to construct an applied science of eugenics for deliberately selecting out the best human stocks. But Galtonian eugenics was sadly lacking in any authentic biological foundation. Once the science of Mendelian genetics came to general notice about 1900, a more promising form of eugenics began to commend itself, the effort to induce artificial mutation of genes in desirable directions.

This was long the animating faith of one of the most extraordinary Americans of the twentieth century, the geneticist Herman J. Muller. He was the actual discoverer, in 1927, of artificial mutation through X rays. But this great achievement, for which he got the Nobel Prize, was a tremendous disappointment to Muller the revolutionary. There was no telling which genes would mutate in which direction, and he came to suspect that the vast majority of mutations were actually harmful in the present situation of the human race.

Muller at the end of his life—he died in 1967—was thrown back upon essentially Galtonian eugenics. He did bring this up to date by his proposal for sperm banks in which the sperm of exceptionally intelligent and socially useful men could be stored for decades and used for artificial insemination. He also envisioned, in the not too distant future, ova banks for storing superior human eggs. But none of these modern touches, these innovations in technique, could conceal the fact that this was still the old eugenics newly garbed, but equally subjective and imprecise.

BIOLOGICAL ENGINEERING

The Biological Revolution that Muller failed to bring off was already in progress when he died, but on very different terms from his own. There is a new eugenics in prospect, not the marriage agency kind, but a form of "biological engineering." When this actually comes to pass, chromosomes, segments of chromosomes, and even individual genes will be inserted at will into the genome. Alternatively, germ cells cultured in laboratories will be enucleated and entire tailor-made DNA molecules substituted. Alternatively still, superior genes will be brought into play by hybridization of cells.

The detailed variants upon these general strategies are almost innumerable. They all have in common the fact that they cannot be accomplished at present except in viruses and bacteria or in cell cultures. But it would be a bold man who would dogmatically affirm that none of these possibilities could be brought to bear upon human genetics by the year 2000.

That is a long way off for the firebrands of the Biological Revolution. The Nobel Prize winner Joshua Lederberg in particular has been pushing the claims of a speedier remedy, christened by him "euphenics," and defined as "the engineering of human development." The part of human development that fascinates Lederberg the most is the embryology, seen by him as the process of initially translating the instructions coded in the DNA into "the living, breathing organism." Embryology, he says, is "very much in the situation of atomic physics in 1900; having had an honorable and successful tradition it is about to begin!" He thinks it will not take long to mature—"from 5 to no more than 20 years." He adds that most predictions of research progress in recent times have proved to be "far too conservative."

The progress that Lederberg has in mind is the application of new embryological techniques to human affairs. He is at once maddened and obsessed by the nine-months phase in which the human organism has been exempted from experimental and therapeutic intervention—such a waste of time before the scientists can get at us. But the embryo's turn is coming. It would be incredible, he says, "if we did not soon have the basis of developmental engineering technique to regulate, for example, the size of the human brain by prenatal or early postnatal intervention."

SEX CONTROL

Nothing as sensational as this has yet been attempted, but the new phase in embryology that Lederberg heralded is undoubtedly getting under way. The most conspicuous figure at present is Robert Edwards of the physiology laboratory at Cambridge University. In 1966 Edwards reported the culture of immature egg cells from the human ovary up to the point of ripeness for fertilization. He made tentative claims to have actually achieved fertilization in test tubes. The incipient hullabaloo in the newspapers about the specter of "test tube babies" led Edwards to clamp a tight lid of security over his researches in progress.

In the spring of this year, however, he and Richard Gardner announced their success in "sexing" fertilized rabbit eggs before implantation in the wall of the uterus and then inducing 20 percent of the reinserted eggs to produce normal full-term infants. The aspect of these findings that attracted general attention, the prospect of regulating the sex of mammalian offspring, is not likely to be of permanent interest. For this purpose, Edwards and Gardner's technique is obviously a clumsy expedient by comparison with predetermining the "sex" of spermatozoa—presently impossible but certainly not inconceivable within the next generation.

The real importance of Edwards and Gardner's work lies elsewhere. They have opened up the possibility of subjecting the early embryo to microsurgery, with the deletion and "inoculation" of cells at the will of the investigator, *and* the production of viable offspring from the results. The manufacture of "chimeras" in the modern biological sense—that is, with genetically distinct cells in the same organism—is clearly in prospect.

Work in this vein has just begun. The only branch of euphenics that has already become something more than a promising growth stock in science is the suppression of immunological reactions against foreign tissues and the accompanying, highly limited, successes in the transplantation of organs.

BIOLOGICAL REVOLUTIONARIES

The technical details and immediate prospects in eugenics and euphenics, however fascinating, are less important than the underlying revolutionary temper in biology. The most conspicuous representatives of this temper are Lederberg himself, the biochemical geneticist Edward L. Tatum, and Francis Crick of the model—all of them Nobel Prize winners, with the corresponding leverage upon public opinion. Robert Edwards, though slightly singed by the blast of publicity about test tube babies, is clearly in training for the revolutionary cadre.

One of the stigmata of revolutionaries in any field is their resolute determination to break with traditional culture. For a scientist, the most relevant definition of culture is his own field of research. All of these men would angrily resent being bracketed with biologists in general. Biology has always been a rather loose confederation of naturalists and experimentalists, overlapping in both categories with medical researchers. Today even the pretense that these men somehow constitute a community has been frayed to the breaking point.

At Harvard, for example, the revolutionaries have virtually seceded from the old Biology Department and formed a new department of their own, Biochemistry and Molecular Biology. The younger molecular biologists hardly bother to conceal their contempt for the naturalists, whom they see as old fogies obsequiously attentive to the world as it is rather than bent upon turning it upside down.

In one respect, the molecular biologists do overlap with the contemporary naturalists and indeed with most creative scientists in general—in their total detachment from religion. In a way, this is a point that could have been made at any time in the last seventy-five years, but with one significant difference. Herman Muller, for example, born in 1890, had no truck with religion. But he was self-consciously antireligious.

The biological revolutionaries of today are not antireligious but simply unreligious. They give the impression not of defending themselves against religion but of subsisting in a world where that has never been a felt pressure upon them. They would agree with many devout theologians that we are living in a post-Christian world, to such an extent that some of the most doctrinaire biological revolutionaries are able to recognize without embarrassment, and even with a certain gracious condescension, that Christianity did play a useful role in defining the values of the Western world.

The operative word here is in the past tense. Francis Crick says that the facts of science are producing and must produce values that owe nothing to Christianity. "Take," he says, "the suggestion of making a child whose head is twice as big as normal. There is going to be no agreement between Christians and any humanists who lack their particular prejudice about the sanctity of the individual, and who simply want to try it scientifically."

This sense of consciously taking up where religion left off is illuminating in another sense for the revolutionary character of contemporary biology. The parallel is very marked between the original Christian Revolution against the values of the classical world and the Biological Revolution against religious values.

All the great revolutionaries, whether early Christians or molecular biologists, are men of good hope. The future may or may not belong to those who believe in it, but cannot belong to those who don't. Yet at certain points in history, most conspicuously perhaps at intervals between the close of the Thirty Years' War in 1648 and the coming of the Great Depression in 1929, the horizons seem to be wide open, and the varieties of good hope contending for allegiance are numerous. But the tidings of good hope don't become revolutionary except when the horizons begin to close in and the plausible versions of good hope have dwindled almost to the vanishing point.

For the kind of good hope that has the maximum historical impact is the one that capitalizes upon a prevalent despair at the corruption of the existing world, and then carries conviction in pointing to itself as the only possible exit from despair. Above everything else, revolutionaries are the men who keep their spirits up when everybody else's are sagging. In this sense, the greatest revolutionaries of the Western world to date have been precisely the early Christians who dared to affirm in the darkest days of the classical world that something far better was in process and could be salvaged from the ruins.

Both of these points are exemplified in the Biological Revolution that has now begun—despair at our present condition, but infinite hope for the future if the biologists' prescription is taken. Anybody looking for jeremiads on our present state could not do better than to consult the new biologists. "The facts of human reproduction," says Joshua Lederberg, "are all gloomy—the stratification of fecundity by economic status, the new environmental insults to our genes, the sheltering by humanitarian medicine of once-lethal genes."

More generally, the biologists deplore the aggressive instincts of the human animal, now armed with nuclear weapons, his lamentably low average intelligence for coping with increasingly complicated problems, and his terrible prolificity, no longer mitigated by a high enough death rate. It is precisely an aspect of the closing down of horizons and depletion of comfortable hopes in the second half of the twentieth century that conventional medicine is now seen by the biological revolutionaries as one of the greatest threats to the human race.

Yet mere prophets of gloom can never make a revolution. In fact, the new biologists are almost the only group among our contemporaries with a reasoned hopefulness about the long future—if the right path is taken. There are of course many individuals of a naturally cheerful or feckless temperament, today as always, but groups of men with an articulated hope for the future of the entire race are much rarer. The theologians no longer qualify, many Communists have lost their hold upon the future even by their own lights, and the only other serious contenders are the space scientists and astronauts. But just to get off the earth is a rather vague prescription for our ills. Few people even in the space program would make ambitious claims on this score. In a long historical retrospect, they may turn out to have been too modest.

This is not a charge that is likely ever to be leveled against the new biologists. It is well known by now that J. D. Watson begins his account of his double-helix double by saying that he had never seen Francis Crick in a modest mood. But after all, modesty is not the salient quality to be looked for in the new breed of biologists. If the world will only listen, they *know* how to put us on the high road to salvation.

CUSTOM-MADE PEOPLE

What exactly does their brand of salvation entail? Perhaps the most illuminating way to put the matter is that their ideal is the manufacture of man. In a manufacturing process, the number of units to be produced is a matter of rational calculation beforehand and of tight control thereafter. Within certain tolerances, specifications are laid down for a satisfactory product. Quality-control is maintained by checking the output and replacing defective parts. After the product has been put to use, spare parts can normally be supplied to replace those that have worn out.

This is the program of the new biologists—control of numbers by foolproof contraception; gene manipulation and substitution; surgical and biochemical intervention in the embryonic and neonatal phases; organ transplants or replacements at will.

Of these, only contraception is technically feasible at present. Routine organ transplants will probably be achieved for a wide range of suitable organs in less than five years. The grafting of mechanical organs, prosthetic devices inserted in the body, will probably take longer. Joshua Lederberg thinks that embryonic and neonatal intervention may be in flood tide by, say, 1984. As for gene manipulation and substitution in human beings, that is the remotest prospect of all—maybe by the year 2000. But we must not forget Lederberg's well-founded conviction that most predictions in these matters are likely to be too conservative. We are already five to ten years ahead of what most informed people expected to be the schedule for organ transplants in human beings.

The great question becomes, what is it going to be like to be living in a world where such things are coming true? How will the Biological Revolution affect our scheme of values? Nobody could possibly take in all the implications in advance, but some reasonable conjectures are in order.

It is virtually certain that the moral sanctions of birth control are going to be transformed. Down to the present time, the battle for birth control has been fought largely in terms of the individual couple's right to have the number of babies that they want at the desired intervals. But it is built into the quantity-controls envisioned by the Biological Revolution, the control of the biological inventory, that this is or ought to be a question of social policy rather than individual indulgence.

Many factors are converging upon many people to foster this general attitude, but the issue is particularly urgent from the point of view of the biological revolutionaries. In the measure that they succeed in making the human race healthier, first by transplants and later on by genetic tailoring, they will be inexorably swamped by their own successes unless world population is promptly brought under control. The irrepressible Malthus is springing from his lightly covered grave to threaten them with catastrophic victories.

LICENSED BABIES

The only hope is birth control. The biologists can contribute the techniques, but the will to employ them on the requisite scale is another matter. The most startling proposal to date for actually enforcing birth control does not come from a biologist but from the Nobel-Prize-winning physicist W. B. Shockley, one of the inventors of the transistor. Shockley's plan is to render all women of childbearing age reversibly sterile by implanting a contraceptive capsule beneath the skin, to be removed by a physician only on the presentation of a government license to have a child. The mind boggles at the prospect of bootleg babies. This particular proposal is not likely to be enacted in the near future, even in India.

What we may reasonably expect is a continually rising chorus by the biologists, moralists, and social philosophers of the next generation to the effect that nobody has a right to have children, and still less the right to determine on personal grounds how many. There are many reasons why a couple may not want to prolific anyhow, so that there might be a happy coincidence between contraception seen by them as a right and by statesmen and biologists as a duty. But the suspicion is that even when people moderate their appetite in the matter of babies, they may still want to have larger families than the earth can comfortably support. The possibility of predetermining sex would undoubtedly be helpful in this respect, but might not be enough to make people forgo a third child. That is where the conflict would arise between traditional values, however moderately indulged, and the values appropriate to the Biological Revolution.

This issue is bound to be fiercely debated. But some of the most profound implications of the Biological Revolution may never present themselves for direct ratification. In all probability, the issues will go by default as we gratefully accept specific boons from the new biology.

Take, for example, the role of the patient in medicine. One of the principal strands in Western medicine from the time of the Greeks has been the endeavor to enlist the cooperation of the patient in his own cure. In certain respects, this venerable tradition has grown much stronger in the last century. Thus the rising incidence of degenerative diseases, like ulcers, heart trouble, and high blood pressure, has underscored the absolute necessity of inducing the patient to observe a healthful regimen, literally a way of life.

This has been the whole point of Freudian psychiatry as a mode of therapy, that cures can be wrought only by a painul exertion of the patient himself. We often forget, for good reasons, how traditional Freudianism is after the one big shock has been assimilated. In the present context, it actually epitomizes the Western tradition of bringing the patient's own personality to bear upon his medical problems.

Where do we go from here? The degenerative diseases are going to be dealt with increasingly by surgical repair of organs, by organ transplants, and later on by the installation of mechanical organs and eventually by the genetic deletion of weak organs before they occur. The incentive to curb your temper or watch your diet to keep your heart going will steadily decline.

As for mental illness, the near future almost certainly lies with psychopharmacology and the far future with genetic tailoring. Though the final pieces stubbornly decline to fall into place, the wise money is on the proposition that schizophrenia and other forms of psychosis are biochemical disorders susceptible of a pharmacological cure. If we are not presently curing any psychoses by drugs, we are tranquilizing and antidepressing many psychotics and emptying mental hospitals.

Neuroses, the theme of Freudian psychoanalysis, are another matter. It is not easy to envision a biochemical remedy for them. But even for neuroses, we already have forms of behavioral therapy that dispense with the Freudian tenet of implicating the patient in his own cure. For the *very* long future, it is certainly not inconceivable that genetic tailoring could delete neurotic propensities.

Everywhere we turn, the story is essentially the same. Cures are increasingly going to be wrought upon, done to, the patient as a passive object. The strength of his own personality, the force of his character, his capacity for reintegrating himself, are going to be increasingly irrelevant in medicine.

GENETIC TAILORING, BOON OR BANE?

This leads to what many people would regard as the biggest question of all. In what sense would we have a self to integrate under the new dispensation? The Princeton theologian Paul Ramsey has now been appointed professor of "genetic ethics" at the Georgetown University Medical School, presumably the first appointment of its kind. He thinks that genetic tailoring would be a "violation of man." To this it must be said that under the present scheme of things, many babies get born with catastrophic genes that are not exactly an enhancement of man. Our present genetic self is a brute datum, sometimes very brutal, and anyhow it is hard to see how we can lose our identity before we have any.

As for installing new organs in the body, there is no evident reason why the personality should be infringed upon by heart or kidney transplants per se. Brain transplants would be different, but surely they would be among the last to come. States of mind regulated by drugs we already possess, and obviously they do alter our identity in greater or lesser degree. But even here we must not forget that some identities are intolerable to their distracted possessors.

We must not conclude, however, that the importance of these developments has been exaggerated. The point is that the immediate practical consequences will probably not present themselves as threatening to the individuals involved—quite the contrary. Abstract theological speculations about genetic tailoring would be totally lost upon a woman who could be sure in advance that her baby would not be born mentally retarded or physically handicapped. The private anxieties of individuals are likely to diminish rather than increase any effective resistance to the broader consequences of the Biological Revolution.

One of these is already implicit in predicting a sense of growing passivity on the part of patients, of not participating as a subject in their own recovery. This might well be matched by a more general sense of the inevitability of letting oneself be manipulated by technicians—of becoming an article of manufacture.

The difficulty becomes to estimate what psychological difference this would make. In any Hegelian overview of history, we can only become articles of manufacture because "we" have set up as the manufacturers. But the first person plural is a slippery customer. We the manufactured would be everybody and we the manufacturers a minority of scientists and technicians. Most people's capacity to identify with the satisfactions of the creative minority is certainly no greater in science than in other fields, and may well be less.

The beneficiaries of the Biological Revolution are not likely to feel that they are in control of the historical process from which they are benefiting. But they will not be able to indulge any feelings of alienation from science without endangering the specific benefits that they are unwilling to give up.

The best forecast would be for general acquiescence, though occasionally sullen, in whatever the Biological Revolution has to offer and gradually adjusting our values to signify that we approve of what we will actually be getting. The will to cooperate in being made biologically perfect is likely to take the place in the hierarchy of values that used to be occupied by being humbly submissive to spiritual counselors chastising the sinner for his own salvation. The new form of spiritual sloth will be not to want to be bodily perfect and genetically improved. The new avarice will be to cherish our miserable hoard of genes and favor the children that resemble us.

[From the Journal of the American Women's Association, December 1968]

A Commission on Health Science and Society

(By Hon. Walter F. Mondale)

ABSTRACT

With the increasing use of renal transplantation and the introduction of human heart transplantation this year, physicians and laymen alike are caught up in the midst of a health science revolution. We need to update social mechanisms and legal regulations to keep pace with our biomedical discoveries. A Commission on Health Science and Society is needed in which physicians, lawyers, theologians, social scientists and government officials could participate. Public education, rational decision-making processes, and clarification of social, legal, and ethical implications are among the goals.

Physicians have known for some time that we were on the verge of achieving heart transplantations. But, understandably, the public was taken by surprise. Ever since that historic day when Dr. Christiaan Barnard performed his first heart transplant operation, people around the world have marveled at this latest advance in the field of tissue transplantation. Public interest, press coverage, and professional concern about heart transplants have been unprecedented.

Development of the heart transplant procedure is not an isolated event. Rather, it is part of the fabulous history of medical breakthroughs which includes development of renal transplantation procedures.

HEALTH SCIENCE REVOLUTION

We are in the midst of a health science revolution. It is not only kidney and heart transplantations that prove this point, but also this year saw the development of an artificial viral core, and new developments in the field of behavior control. These health science breakthroughs are changing the meaning of disease and death, and bringing with them the potential for prolonging and altering life in ways never before available to man. Yet, while we dream of the future, our eyes must focus on other present-day news stories:

"Technically, murder may be committed in the transplanting of organs from one human to another," Deputy District Attorney John W. Miner of Los Angeles said.*

"I couldn't give legal approval, but I told him I would neither file nor press charges," said Joseph Jachimczyk of the Nicks-Stuckwish heart transplant in Houston, Texas.**

"It was no donation," said a bitter William Tucker of the transplant of his brother's heart in a Richmond, Virginia operation.***

Heart transplants are remarkable yet they along with other modern breakthroughs illustrate a continuing problem that confronts this nation—the gap between the rapid advance of biomedical knowledge and the slow development of social mechanisms for putting such breakthroughs to the service of man. Neither our laws nor our public policies have kept pace with the rapid succession of biomedical breakthroughs. The result is a tremendous backlog of unresolved questions for our society.

The quotations illustrate some of the issues now before us—the definition of death; the responsibilities of Medical Examiners; and the rights and responsibilities of physicians, donors, and recipients.

From 7,000 to 15,000 Americans die each year for lack of kidney transplants and dialysis facilities. As many as 80,000 could benefit annually from heart transplantations if enough organs, transplantation teams, and facilities were available. *Who shall live and who shall die?*

Each kidney transplant procedure costs from $10,000 to $22,000. Each heart transplant operation costs $50,000 to $75,000. *Who will pay the cost?*

For $1.2 billion, we could save the 25,000 or more kidney-diseased patients who will need transplantations or dialysis in the next ten years. For the same amount of money, we could extend routine health care that most of us take for granted to hundreds of thousands of indigents who desperately need it. *What are our priorities?*

These are but a few of the questions now confronting our society as a result of but two biomedical developments. These questions and others are fundamental and important, not only to those in the medical profession, but to the general public as well.

There is a gap between the potential health science offers, and the actual services available to our society. Our laws are outdated. Funds are inadequate for health science research, but most especially for medical care. We lack a mechanism for making rational decisions about spending priorities, and the list could run on and on.

Congress must not restrict research funds. Congress must not enact a set of Federal regulations to restrict the development of health research. On the other hand, some have suggested that clarification of state and local laws is essential.

Some details governing transplant operations should not be released. On the other hand, many feel that the public does have a right to know the basis on which decisions are being made.

I have followed the efforts of many groups to consider some of the social issues in tissue transplantation. Numerous professional organizations such as the American Heart Association have established Ethics Committees. The National Academy of Sciences has established a committee to deal with issues in the field of tissue transplantation. The Commissioners on Uniform State Laws have drafted a Uniform Anatomical Gift Act to deal with some of the inadequacies of state statutes in this area. Yet it is my conviction that these efforts are not enough.

The letters I have received and the comments I have heard all indicate the same reaction: people are confused and ill-informed, while some are frightened. There does not seem to be an organization or group able to mount the kind of unbiased, comprehensive attack on the problems required at this time. The answer is neither secrecy, nor fragmented discussion and decision. Rather what this nation needs is public and penetrating debate of all of the issues involved in health research and the delivery of care. Such debate would foster development of a needed consensus about the relationship between health research and the delivery of health services. I introduced legislation in the last session of Congress to promote this consensus through the creation of a Commission on Health Science and Society.

THE COMMISSION ON HEALTH SCIENCE AND SOCIETY

S.J. Resolution 145 provided for the establishment of a Commission of fifteen members to be appointed by the President. Physicians, lawyers, theologians, social scientists, and governmental officials would be represented. The Commission would draw together some of the best minds in the country, and include the academic community, the working scientists, and laymen. A staff of experts would give needed research and reporting help.

This Commission would study the ethical, social, and legal implications of health science research and development; analyze and evaluate the public and private national effort in this field; determine public attitudes, and sift out the public policy implications of these dramatic health developments. At the end of a year, the Commission would report its findings to the President and the Congress and make recommendations for legislation and administrative action.

Like the Health Manpower Commission, the Health Science Commission would study issues. Like the Commission on Civil Disorders, it would seek to educate. It would make use of the efforts of professional and governmental groups but go beyond them to broader social questions.

The audience of this Commission would be the public-at-large, the Congress, and governmental agencies. While it might continue as a Commission for another year, it also might become a useful part of the permanent policymaking process, within the government or as part of an independent Council of Health or Social Advisers.

I introduced the Resolution after consultation with more than 200 deans of schools of medicine, law, and theology, as well as social scientists and public policy experts.

**New York Times*, May 8, 1967.

***Washington Post*, May 8, 1968.

****Washington Post*, May 14, 1968.

Their response was overwhelmingly positive. Included in the first tally were twenty-five heads of medical schools and schools of public health, eighteen deans of theological schools and theologians; sixteen deans of law schools; twenty-seven physicians and scientists; and fifty-one other men, including social scientists, public administrators, and the public-at-large. Typical comments were:

Dr. Adrian Kantrowitz, Surgeon, Maimonides Hospital, New York, N.Y.: "I fully agree that the experimental programs that are now rapidly developing in modern medicine and surgery raise grave questions of moral, ethical, and legal problems which should be carefully considered. . . . I feel it is entirely appropriate that the member of Congress of the United States become involved in this thinking."

Miss JoAnn Jensen, R.N., Surgical Intensive Care Unit, St. Mary's Hospital, Rochester, Minnesota: "Your profound questions for our society . . . impressed me. . . . The problem is (*sic*) very real one to me because I am the head nurse of the surgical intensive care unit at St. Mary's Hospital. Each person has his own ideas on the subject, but it seems to be extremely difficult for some people to let a man or woman die without heroic effort to prolong or restore a life. . . . I congratulate your foresight and concern to pick a Commission to help resolve this growing problem."

The initial favorable reaction on the part of those from whom I received letters was echoed by the response of my colleagues in the Senate. With Senator Fred Harris of Oklahoma as co-author, I also was joined by fifteen other Senators as co-sponsors of the Resolution. Hearings were held during March and early April by the Subcommittee on Government Research of the Committee on Government Operations, chaired by Senator Harris. The hearings turned out to be history in the making.

Several principles were clear at the time the hearings began.

First, the scope of the Commission's inquiry would have to be broad, including not only tissue transplantation but other areas as well. We had become aware of the Burton and Gottschalk reports on kidney disease, for example, and were well aware that there were other areas to explore.

Second, the work of the Commission would need to include study of public policy issues—such matters as goals, priorities, types of governmental and private involvement, financing, and administrative and legislative needs.

Third, the Commission would need to serve as an interdisciplinary study group, not as a regulatory agency. One year would scarcely be enough time to address all of the issues, much less propose regulations.

As the outstanding list of physicians, scientists, theologians, lawyers, social scientists, and governmental officials appeared, the support became evident.

Typical of the comments were those from Dr. Norman Shumway, pioneer in transplant surgery: "I feel much can be done if such a Commission investigates and educates," he said. "Transplantation of the heart, fortunately or unfortunately, cannot be done without public notice and support. . . . Further, there is much more at stake here than heart transplants. Liver, kidney, pancreas, even bowel and lung grafts are and will be feasible. We are at the threshold of a wondrous new era in medicine, and doctors will need help to realize fully its potential. My guess is that much of this assistance will come from sources outside the medical profession."

Attention focused on the Commission agenda. Most of the physicians and scientists felt the Commission should address issues in transplantation and human experimentation such as the definition of death, the rights of providers and recipients of organs, and the responsibilities of physicians. As Dr. Henry Beecher of Harvard University put it, the Commission should study issues in the "grey area" between experimentation and therapy, where the needs of the individual and those of society may conflict. He reported that he knew of eleven examples in Europe where individuals whose hearts were still beating had served as donors for organs. While he knew of no similar examples in the United States, he said our present definition of death obliges us "to consign to the grave countless organs that could be used to save people who are still salvageable."

Others felt the Commission should add genetics to its agenda. While it was stressed that the days of "genetic engineering" were far away, some witnesses were troubled by the potential power to reprogram cells and to program evolution. Who should make these decisions, they asked. And on what basis? They suggested the Commission consider the mutagenic quality of drugs, air pollutants and the like, and discuss ways of disseminating our present knowledge of genetics and disease more widely.

Behavior control became a potential agenda item through the testimony of Dr. David Kretch of the University of California and Dr. Seymour Kety of Harvard University. Dr. Kety talked about the present use of implanted electrodes and drugs to affect the mood and behavior of mental patients. Dr. Kretch discussed the potential for environmental and biochemical manipulation of the brain to influence and control behavior and thinking. Said Dr. Kretch, "frequently in the history of science, application has run far ahead of understanding." Presenting differing conceptions of a "Brave New World" of behavior control, Dr. Kretch raised some questions for the Commission: Who would decide whether an I.Q. was to be raised, and on what basis? Whose abilities would be enhanced, and what criteria would guide selection?

I was particularly glad that we had the opportunity to hear not only from physicians and scientists engaged in health research, but also from persons primarily interested and engaged in patient care. They brought an important point to our attention: one cannot consider questions of research and technology without at the same time considering health goals for the nation as a whole.

The views of many were summed up in the brilliant testimony of Dr. William Stewart, Surgeon General of the Public Health Service. The high level of federal support for research activities requires continuous review of its social consequences, he said; it is now time for the nation to consider delivery of the products of this research to people.

Kidney transplantations and dialysis are therapy today. Heart transplantations may become even more common in the future. Many other transplant procedures are on the way, not to mention numerous other research techniques now being perfected. The questions are always the same—accessibility, payment, manpower, facilities, decision-making processes. As Dr. Stewart stressed: "Our total health resource is large, but limited. Choices have to be made," and transplantation "is but a harbinger of things to come." Dr. Stewart went on to mention genetics, mental illness, and emotional stability, and then asked the critical question:

"How shall these questions be answered, and by whom?"

Those who supported the Commission saw several potential benefits as a result of its creation:

Public education;

Expansion of the public policy dialogue;

Stimulation of public interest and support for increasing amounts of health research and health service;

Fostering of the development of a more rational decision-making process;

Clarification of the social, legal, ethical, and public policy questions this nation must face now and in the future;

Suggestion of alternative courses of action.

I think these benefits are realistic goals. I believe this nation so far advanced in health science technology now must break through on the social frontiers of machine as well.

The current legal cases reinforce and make even more obvious the need for public concern over these issues, and for immediate creation of the Commission. My personal conviction is that we can wait no longer to discuss these issues; and a Commission on Health Science and Society would be an appropriate way to begin the process.

[From the New York Times, Feb. 15, 1969]

HUMAN EGG IS FERTILIZED IN TEST TUBE BY BRITONS

(By Alvin Shuster)

LONDON, February 14.—A team of scientists at Cambridge University reported today in the journal Nature what was described as the first fertilization in a test tube of a human egg with male sperm.

[American workers in the field had reported achieving this more than 10 years ago. But there is disagreement among scientists on whether complete fertilization took place in these experiments.]

"Test tube babies may not be just round the corner," Nature commented, "but the day when all the knowledge necessary to produce them will be available may have been brought a stage nearer by the work of Dr. R. G. Edwards and his colleagues."

Dr. Edwards worked with Prof. Barry Bavister at the physiological laboratory at the university and with Dr. Patrick C. Steptoe of Oldham General Hospital.

IMMERSED IN FLUID

In publishing the results of their experiments today, the three men said they had taken eggs from the follicles of ovaries that had been removed from women for medical reasons. The follicle is the structure in the ovary that holds the maturing egg cell until ovulation.

The eggs were immersed in fluid from the follicles for maturity to the point of readiness for fertilization. The eggs were then mixed with the sperm.

Of the 56 eggs examined at intervals, the team reported, seven had been fertilized and 11 penetrated by the sperm cells and probably fertilized.

According to the doctors, the fertilized eggs were destroyed at the time of the microscopic examination.

"This was a deliberate decision," they reported in interviews today, "because they would not have survived much longer."

The report of the experiment, described by Nature as the "first successful fertilization of a human egg in a test tube," touched off a controversy here. Aides of John Cardinal Heenan, Archbishop of Westminster, emphasized that the idea of "test tube" babies violated the teachings of the Roman Catholic church. They said the church's attitude toward starting human life in this way violated the natural law and was immoral.

The report also is expected to reopen the whole debate over just when life starts. As Dr. Donald Gould, editor of the New Scientist magazine, said today:

"What happens to the embryos which are discarded at the end of the day—washed down the sink? There would necessarily be many. Would this amount to abortion—or to murder?

"We have no law to cope with this kind of situation.

"And have we really the wisdom which will allow us to handle wisely and for the good of mankind the frightening new powers which the biological scientists are giving us, not just over death, but—more awe-inspiring still—the very nature of life."

COMMENT FROM NATURE

Expecting the controversy as a result of the publication of the report, Nature said the "fact that the techniques might one day be developed to make it possible to produce a fully grown human embryo" outside the body should not be a restraint to progress.

"These are not perverted men in white coats doing nasty experiments on human beings, but reasonable scientists carrying out perfectly justifiable research.

"One of the possible benefits of this research could be the treatment of some forms of infertility, probably in older women, who are thought to produce a high proportion of abnormal embryos which fail to develop.

"But because the virtues of work like this seem self-evident to those most immediately involved, they should not fall into the trap of believing that everybody else feels the same."

ON TREATING INFERTILITY

The reference to treating infertility implies the possibility of taking eggs from a woman by operation, fertilizing them in a test tube, and replacing them in the womb. But medical experts agree that any such possibility is a long way off.

Moreover, the "test tube" babies that have been mentioned for so long in science fiction are equally far from reality. It may be possible to fertilize the egg with male sperm in a test tube, but the problems of supplying a growing fetus in a laboratory with the proper nourishment are extremely formidable.

To accomplish this would require the development in effect, of an artificial womb.

In addition, from animal experiments, scientists have learned that early stages of embryonic development outside the uterus produce a large proportion of abnormal embryos.

Mr. HARRIS. Mr. President, as chairman of the Subcommittee on Government Research which held 8 days of hearings on a similar resolution last year, I endorse Senate Joint Resolution 47 and urge that the National Advisory Commission on Health Science and Society be speedily created.

The Senator from Minnesota effectively has summarized how developments in the biomedical revolution since last March and April when the subcommittee's hearings were held has made the need for this Commission even more compelling. He has also highlighted some of the testimony before the subcommittee which strengthened the case for the Commission. It is my purpose to summarize those activities of the Subcommittee on Government Research in the field of biomedical knowledge which have supported the Senator's idea for a study of the social implications of biomedical research. In the near future I plan to introduce additional legislation the need for which has been developed during the extensive hearings of the subcommittee in this important field.

Mr. President, last year's hearings on health science and society were a continuation of the Subcommittee on Government Research's deep interest dating back to shortly after its creation in 1966, in the important area of biomedical research. In October 1966 we held a national conference in Oklahoma which was followed up by a series of hearings on "Research in the Service of Man: Biomedical Knowledge, Development and Use."

The conference and hearings clearly pointed up the interdependence between our Nation's health and welfare and biomedical research activities. The strong scientific base that underlies modern medicine serves to guarantee our people more effective medical treatment and an environment more conducive to fostering biomedical innovation, a condition so necessary if rapid progress is to continue.

But the blending of improved science into the practice of medicine has brought with it many profound changes in the medical, legal, and social traditions forged during our history. The rate of innovation, as well as the impact of new technology, has sharply increased and the timelag between discovery and application has diminished dramatically.

Therefore, the crucial question faced last year by the Subcommittee on Government Research as hearings were held on the National Commission on Health Science and Society was: Are our social institutions, national resources and national policies able to keep pace with new medical techniques and the increased impact of biomedical innovation?

The vast majority of the 28 witnesses who actually testified before the subcommittee and the five additional witnesses who filed statements answered in the negative. They went on to state that an advisory commission as proposed in this resolution operating over a sufficient period of time could come up with recommendations which would be of great value to policymakers who must act in this area if more rational and more socially acceptable decisions are to be rendered in the future.

Mr. President, the Senator from Minnesota already has presented the several potential benefits which witnesses who supported the Commission saw as a result of its creation. As chairman of the Subcommittee on Government Research, I would summarize the findings and recommendations of the subcommittee as follows:

First. There are compelling political, social, economic, legal, and ethical questions confronting this Nation as a result of recent and potential biomedical developments and changing social attitudes toward the practice of medicine and the delivery of health services.

Second. It is necessary and desirable that there be an active and ongoing public debate on these questions if we are to make the fullest use of the benefits of research.

Third. The Advisory Commission on Health Science and Society would provide a much-needed national forum for the discussion of these and related issues.

Fourth. It is recommended that the Commission carefully formulate its agenda using the public record compiled during congressional hearings as a beginning point and giving priority attention to the implications of current and imminent advances.

Fifth. The Commission should focus on public policy considerations, availing itself of information developed by professional, private and governmental organizations also concerned with these issues to whatever extent it deems practical and useful.

Sixth. The Commission report should seek to educate and inform all segments of American society—public and private, professional and nonprofessional, scientific and nonscientific—of the issues and the choices which face us now and in the future. It might also recommend means of setting priorities and criteria for a continuing assessment of biomedical developments.

Mr. President, I therefore am privileged to be a cosponsor of this Senate joint resolution to create a National Advisory Commission on Health Science and Society and urge its speedy passage.

SENATE JOINT RESOLUTION 48—INTRODUCTION OF JOINT RESOLUTION TO AUTHORIZE NATIONAL ENGINEERING TECHNICIAN WEEK

Mr. TOWER. Mr. President, I invite the attention of the Senate to an organization known as the American Society of Certified Engineering Technicians. Formed in 1964, this young and aggressive organization has worked hard in establishing the engineering technician as a part of the national and local community utilizing sound, professional practices.

The goals of the society are significantly worthwhile. The society desires recognition of its members as a vital component of the engineering and scientific team in service to the national public welfare, and seeks to promote the educational, social, economic, and ethical responsibilities of the profession.

Great strides have been made toward the achievement of these goals, and I would like to assist them in their endeavor. I believe that it is altogether fitting and proper for the achievements of this organization to be recognized by the proclamation of a National Engineering Technician Week in their honor. All of America will be furthered by the realization of their goals. I introduce such a measure for the expeditious consideration of the Senate.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 48) to designate the period beginning June 22, 1969, and ending June 28, 1969, as "National Engineering Technicians Week," introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Mississippi (Mr. EASTLAND), I ask unanimous consent that, at its next printing, the name of the Senator from Alabama (Mr. ALLEN) be added as cosponsor of the bill (S. 12) to strengthen the internal security of the United States.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from South Dakota (Mr. MCGOVERN) I ask unanimous consent that, at this next printing, the name of the Senator from Washington (Mr. MAGNUSON) be added as a cosponsor of the bill (S. 745) to amend the Agriculture Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Minnesota (Mr. MONDALE), I ask unanimous consent that, at its next printing, the name of the Senator from Idaho (Mr. CHURCH) be added as a cosponsor of the bill (S. 811) the proposed Fair Farm Budget Act.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Minnesota (Mr. MONDALE), I ask unanimous consent that, at its next printing, the name of the senior Senator from Maryland (Mr. TYDINGS) be added as a cosponsor of the bill (S. 812), the proposed National Agricultural Bargaining Act.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Nevada (Mr. CANNON) be added as a cosponsor of the bill (S. 849) to strengthen the penalty provisions of the Gun Control Act of 1968.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Massachusetts (Mr. BROOKE) be added as a cosponsor of S. 269, the Hospital Modernization and Improvement Act of 1969.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATE RESOLUTION 97—RESOLUTION TO REFER SENATE BILL 1003 TO COURT OF CLAIMS

Mr. McCLELLAN submitted the following resolution (S. Res. 97); which was referred to the Committee on the Judiciary:

S. RES. 97

Resolved, That the Bill (S. 1003) entitled "A Bill for the Relief of Lloyd L. Ward, Junior," now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the Court of Claims; and the chief commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code, as amended by the Act of October 15, 1966 (80 Stat. 958), and report thereon to the Senate at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due from the United States to the claimant.

INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS OF THE UNITED STATES—AMENDMENT

AMENDMENT NO. 3

Mr. HART submitted an amendment, intended to be proposed by him, to Senate Resolution 40, to investigate antitrust and monopoly laws of the United States, which was ordered to lie on the table and to be printed.

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

Mr. John A. Hannah, of Michigan, to be Administrator of the Agency for International Development.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is not anticipated that the Senate will begin consideration of the so-called money resolutions until 1:45 p.m., at the earliest.

Therefore, when Senators have completed making their various statements, it is hoped that a request will be made that the Senate stand in recess subject to the call of the Chair.

INCOME TAX SURCHARGE—AN ABOMINABLE AND REGRESSIVE TAX ON A TAX

Mr. YOUNG of Ohio. Mr. President, Gov. Nelson Rockefeller's proposal to President Nixon and his Urban Affairs Council that the obnoxious 10-percent Vietnam surtax be made permanent to help support local schools was astonishing. Here is a frontal attack from a multimillionaire Governor against already heavily taxed American families.

It is interesting that Governor Rockefeller did not include in his recommendation any proposals to plug tax loopholes that favor a few in our society at the expense of the many. I refer specifically to the 27½-percent depletion allowance for oil- and gas-producing companies which costs taxpayers at least $4 billion annually in unpaid taxes. Last year the Standard Oil Co. of New Jersey and other great oil companies made fabulous profits. From profits of almost $6 billion the net tax paid to our good Uncle Sam from these corporations was less than 9 percent of their net profits. Nor did the Governor refer to the fact that 35 Americans with incomes of more than half a million dollars paid no taxes whatever last year and that thousands of our most affluent citizens through one tax loophole or another managed to evade paying their fair share of income taxes. This, at a time when individual Americans with modest earnings are compelled to pay at least one-fourth of their income in taxes.

Mr. President, I am proud that I spoke out and voted against imposition of the 10-percent surtax when President Johnson proposed it as a temporary tax. American taxpayers, individual and corporations, were already very heavily taxed on their incomes and earnings. Wage earners, particularly those in the lower brackets, are the most heavily taxed of all. Unfortunately, working men and women and middle-income Americans have been carrying the real tax burden on their backs.

The fact is that until this year the taxes imposed were taxes on their earnings. The surtax is a different matter altogether. It is not a tax on income. It is a tax on a tax. It is an additional 10 percent of the tax normally due from individual or corporate taxpayers. At a time when $2.6 billion of American taxpayers' money is being blown up in smoke every month because of our involvement in the ugly civil war in Vietnam, I am not expecting the impossible. But as soon as it is possible, the 10-percent surtax should be repealed. I regret that Governor Rockefeller suggests it be continued.

Like obnoxious sales and excise taxes, the surtax is regressive and should be abolished as soon as possible. It violates the sound principle of just taxation that taxes should be levied according to ability to pay. It imposes the heaviest financial burden on lower income families. What we in the Congress should be talking about is imposing fair taxes, not just more taxes, not just surtaxes on top of present taxes.

Evidently, Governor Rockefeller has forgotten that the only legitimate purpose and reason given for imposing the surtax was to help stem inflation and to help reduce the Federal deficit for fiscal year 1969. The surtax was sold to the American people and to a reluctant Congress as the only effective way to halt inflation. The fact is that it failed to do so. It is very questionable whether it even helped brake inflationary pressures.

Citizens were led to believe that the 10-percent surtax was only a temporary measure that would expire June 30, 1969, and would not be renewed then.

To retain the surtax in the same way that so-called temporary wartime sales and excise taxes still burden Americans would lead citizens to distrust their Government and the governmental process.

Also, to accept Governor Rockefeller's proposal and retain the surtax for the purposes he stated would be nothing more than imposing a smokescreen to hide the real need that exists for tax reform. It would reduce the incentive for much more appropriate action such as correcting the glaring imbalances in Federal spending priorities, eliminating waste in the national defense effort, reducing subsidies to wealthy farmers, and ending the practice whereby wealthy businessmen who are not farming for a living are permitted to deduct from their taxes excessive farm losses.

It would obscure the fact that other major tax loopholes need immediate attention—reducing or eliminating the 27½-percent oil and gas depletion allowance, the 23-percent depletion allowance for some 41 other minerals, the absence from taxation of many State and municipal bonds, and the lack of any tax on capital gains when stocks or similar assets are bequeathed to an heir, to name a few.

I have named but a few of the tax loopholes which this Congress should consider closing instead of following the advice of Gov. Nelson Rockefeller to extend the unfair and discriminatory 10-percent income tax surcharge. Instead, we should be considering ways and means to lighten the present overtaxation of the poor. Federal income taxes are now being collected from 2,200,000 families who are living in poverty. At the same time huge personal and corporate incomes go untaxed. Experts in the Treasury Department recently found that—

> Many persons with incomes of $1 million or more actually pay the same effective rate of tax as do persons with incomes only one-fiftieth as large.

There is a myth that those whose earnings exceed $50,000 a year pay a greater percentage of their income in taxes than those with much smaller incomes. The truth is that those earning $25,000 a year and more pay on the average only 28 percent of their incomes in taxes, while those in the $5,000 to $7,000 category pay 33 percent; those in the $7,000 to $10,000 category, 32 percent; those in the $10,000 to $15,000 category, 31 percent.

Very definitely, since it appears evident that President Nixon will ask this Congress to renew and in effect make permanent this 10-percent surtax, I report I am still opposed to this obnoxious 10-percent tax added on our income taxes. I cannot say how I shall vote on that question of renewal because I do not know what plight our country will be in at that time.

We hope and pray that the immoral, unpopular, and undeclared war in Vietnam in which this Nation is presently engaged will end within the next few months in spite of the fact that the Ky and Thieu military regime in Saigon wants to continue the war to the last American, as is evident from the casualties, when last year we Americans sustained 130,000 men killed and wounded far more than did the forces of the friendly, so-called forces of the Saigon regime.

If, unfortunately, that bloodletting in Vietnam is still going on a few months before June when this surtax will expire, I, as one humble Member of this body, could not blame President Nixon for saying that it would be necessary to renew the surtax. I am not making any complaint against him. I am making a complaint against what Gov. Nelson Rockefeller is proposing—that it should be renewed for a wrong reason. It may be that it will have to be renewed, but let us hope not.

Taxes by State and local governments are already too high and too oppressive. I am talking about ordinary families in the United States, and I am talking about ordinary corporations, also. The average corporation and the average American family are very heavily taxed. Certainly, taxes are too high, not too low. Government is spending too high.

I assert that I am a conservative on fiscal matters. I assert that the urgent need at this time is to cut our Government spending and put an end altogether to waste and duplication in Federal Government spending—to eliminate fantastically expensive boondoggles such as the proposed ABM system and the completely useless civil defense program which has cost taxpayers almost $2 billion to date—all completely wasted.

In my home city of Cleveland, for example, right at this time, some policemen are assigned, not to protect women from purse snatchers or from violence, but to sit around as civil defense workers waiting for the bomb to drop, and doing nothing. It is that kind of Government spending that should be eliminated. Admittedly, this will not be easy to accomplish, while fighting an undeclared immoral war in Vietnam. We owe the duty to the rank and file of American citizenry to try.

ROBERT F. HENRY, SR., AND RIVER DEVELOPMENT IN ALABAMA

Mr. SPARKMAN. Mr. President, just prior to the commencement of the Lincoln Day recess, my colleague from Alabama (Mr. ALLEN) and I introduced a Senate joint resolution to name one of the great rivers in my State for Robert F. Henry. Bob Henry has been connected with river development over many, many years, and has devoted a great deal of time to it.

There appeared in the Alabama Journal, of Montgomery, Ala., a column written by Walter Massey, entitled "Henry Pays Civic Rent Seeking River Development." I ask unanimous consent that the column be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HENRY PAYS CIVIC RENT SEEKING RIVER DEVELOPMENT

(By Walter Massey)

As a youth, Bob Henry lived near Decatur, Ala., then an economically sleepy community with largely agricultural employment.

"Now," Henry said, "there are 7,500 fat payroll checks distributed there each week." He attributes the economic growth of the town to the development of TVA, and posits it as "exhibit A" in his arguments for the development of the Coosa-Alabama river system.

"And look at the effects of river development on the economic growth of Ohio and the area on the Mississippi between Baton Rouge and New Orleans," he said.

"People here don't realize what an asset they have in the Alabama River. Why, the Tiber River is only a trickle compared to it."

Robert F. Henry Sr., long interested in the development of the Coosa-Alabama system, has served for the past 12 years as president of the Coosa-Alabama River Improvement Association, a duty he describes as his "civic rent." He averages two trips to Washington, D.C., a year and devotes several hours each week to river development work. Besides being a service to his community and state, he regards his time and effort as an investment for his grandchildren, who he foresees will derive the benefits of a more prosperous economy that will come as a result.

Henry's dreams are slowly shaping into reality: Constauction is underway on the Claiborne, Millers Ferry and Jones Bluff locks and dams, which will allow navigation on the Alabama River as far north as the junction of the Coosa and Tallapoosa near Wetumpka.

"Our purpose," said Henry, "is to make the Coosa-Alabama system navigable to Rome, Ga." The next step, said Henry, is a study of the development of the Coosa, which is to be conducted by the Southern Research Institute in Birmingham.

"We hope to accelerate the construction of the locks and dams on the Coosa because of the government program called Appalachia. The government is very anxious to bring industry into that area, and every county of the Coosa portion is in Appalachian territory as defined by Congress. So we hope that it's not going to be such a long, drawn-out procedure."

Henry described the Coosa-Alabama River Improvement Association as a central, organizing agency which coordinates the efforts of the local governments toward development of the river.

"It wouldn't be accomplished without one organization working around the clock. You have to have an association that is wholeheartedly for the single goal. The public is apathetic about the development of the river. We had just been letting our top soil go down the river until the association was formed."

The professional staff of the association is headed by George Cleere, executive vice president.

Until Henry became president, the association had been operating "family style."

"When I became president," Henry said, "we incorporated, solicited members, assessed dues and opened a professional office."

The procedure to develop the river, said Henry, has three different steps. (1) Get Congress to appropriate the funds to make a feasibility study, done by the Corps of Engineers, to see if the benefits exceed the cost; (2) Approach the Bureau of the Budget and ask to have incorporated in the President's message to Congress concerning public works matters the request for funds for plans and designs to make the river navigable; (3) Ask Congress to appropriate the funds.

"This is a long-drawn-out affair," Henry said.

But through this process, if Congress continues to appropriate annually to keep construction going, the Alabama River should be navigable by 1970.

But, while river development has been Henry's personal dream, traffic on the Coosa-Alabama waterway is the goal of many Alabamians. "Everybody is for it," Henry said. "I say that because inland docks were built with a $10 million bond issue voted on by the people of Alabama. On our particular river, the support comes from chambers of commerce and local government all up and down the basin."

As president of the association, Henry acts as chairman of the annual meetings and can call the executive committee together when special problems present themselves. And sometimes the problems are difficult to overcome, an example of which has been a slowing of construction because of President Johnson's request to limit spending to combat inflation. Influencing bureaucratic decisions are difficult because they are often made behind the scenes. "You don't know who to talk to even," Henry said. "It's like hitting your fist into a feather pillow."

In business life, Henry is president of the Robert F. Henry Tile Co., which serves 20 states and four foreign countries. He is a board member of the Union Bank and Trust Co., Alabama Gas Corp., Allied Insurance Co., and the Montgomery Area Chamber of Commerce, of which he is also past president. He is past chairman of the Board of Trustees of Birmingham-Southern College, past president of the Birmingham-Southern Alumni Association and past chairman of the Board of Trustees of First Methodist Church of Montgomery. These are some of the 25 or so civic, professional, and social organizations in which he is active.

For relaxation, he likes dominoes and golf. "I'm a sincere golfer if not a quality golfer," he said. "Everybody can't be Arnold Palmer."

Described as having a pleasant personality and progressive thinking, Henry is also said to be an extrovert with a fine sense of humor.

"He likes people," an associate said. "He puts himself forward to do anything that benefits his community."

Henry earned a Bachelor Degree from Emory University in 1926. In 1966 he was awarded a Doctor of Law Degree from Birmingham-Southern College.

He feels that everyone has "civic rent" to pay. "For the total development of the country, you need people to do some civic work and church work as well."

Both Henry's children live in Montgomery. Robert F. Henry Jr. is associated with his father's tile firm. Anne Henry Tidmore, Henry's daughter, owns a business which deals in flags. (Henry has an impressive array of flags in his office—as well as a prized lithograph made from a photograph taken at Jefferson Davis' inauguration.) He and his wife, the former Annie Mae Branch, have been married since 1932. He has three grandchildren.

A brother, Waights G. Henry, is president of LaGrange College in Georgia.

IN DEFENSE OF THE DOLLAR

Mr. SPARKMAN. Mr. President, I receive each week, or at least periodically, various reports on the economic condition. One that I get regularly is called Green's Commodity Market Comments.

I must say that I do not know how authentic are the figures and the facts that this company sets forth in the weekly letter of February 17, but some very encouraging and optimistic statistics are given. Under a heading entitled "In Defense of the Dollar," I should like to read very little of it and then shall ask that the whole comment be included as a part of my remarks.

The article begins:

A continuous campaign has been waged to downgrade the value of the dollar. Therefore, it may be useful to review some figures which show that in the international money market, the dollar is now at its best during this decade and those "talking the dollar down" just don't know what they are talking about.

1. The influx of foreign capital into the United States in 1968 amounted to close to $7 billion and not $2 billion, the figure usually mentioned in brokerage letters or newspaper and magazine articles. The $2 billion figure represents purchases of American equities only. In addition, American corporate debt instruments were purchased by foreigners and there were also direct investments in American businesses plus foreign commercial credits totaling $6.95 billion. This influx of foreign captial into the United States was $4 billion larger than in 1967 and $6½ billion larger than in 1964. Obviously, we must be doing something right to justify such confidence.

2. The preliminary figures for the 1968 balance of payments showed a $150 million surplus. This surplus was accounted for on a so-called liquidity basis. Incidentally, it was the first time since 1957 that there was a surplus in the United States' BOP on a liquidity basis. This $150 million surplus was the only figure which somehow found its way into the newspapers and magazines' financial pages and brokerage reports. Most of the writers on the subject seemed unaware of the fact that BOP is accounted for not only on the liquidity basis, but also on the so-called official settlement basis. The 1968 surplus was about $1.7 billion, the largest surplus in our BOP since compilation of official settlement data began in 1960. (All other years had a deficit with the exception of small surplus in 1966). The figures that I am using here are, of course, preliminary. The final figures will be released by the Government probably around the same time this issue reaches your desk. However, even if some of these preliminary figures are changed, the final 1968 BOP statistics will certainly reflect nothing but strengthening of the dollar's international status.

The article goes on to discuss other factors, such as foreign investments of U.S. citizens, the trade balance, and so forth. It is an interesting treatment of these financial facts and statistics, and certainly worthy of reading and consideration by ever Senator.

I ask unanimous consent to have printed in the RECORD the entire article entitled "In Defense of the Dollar," published in Green's Commodity Market Comments for February 17, 1969.

The VICE PRESIDENT. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN DEFENSE OF THE DOLLAR

A continuous campaign has been waged to downgrade the value of the dollar. Therefore, it may be useful to review some figures which show that in the international money market, the dollar is now at its best during this decade and those "talking the dollar down" just don't know what they are talking about.

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3. The poor showing of our foreign trade was blamed by all on inflation in this country and high costs of labor which allegedly priced our goods out of the world markets. This is pure nonsense! The balance of trade showed a surplus of only $726 million due to higher imports to the United States of goods purchased abroad from American-owned firms. In addition, those American-owned firms abroad using American know-how are making "American" products in Europe, Asia, and South America. They are flooding domestic markets of foreign countries with "American" products manufactured abroad, thereby eliminating the necessity for imports of goods from the United States. Sooner or later, the expansion of American firms abroad, through new manufacturing facilities or control of existing facilities, had to produce the inevitable effect—to diminish the need for American exports. Of course, smaller trade surpluses are partially offset by higher earnings of American businesses abroad. However, nothing will change the fact that American investments in manufacturing facilities abroad tend to increase our imports and decrease our exports. Be it as it may, even a deficit in balance of trade does not reflect badly on the currency of a country; it does not necessarily mean that such a country must also have a deficit in its balance of payments. Switzerland is a typical case in point. It has a chronic trade deficit. In 1968 this deficit exceeded $½ billion. Likewise, South Africa's trade deficit in 1968 exceeded $½ billion. Nevertheless, both countries had surpluses in their balance of payments.

4. A myth has been created that should foreigners demand gold for their dollars, they would clean out Fort Knox. It is our contention, however, that the foreigners never had it so good wtih our dollars and the reason why they are not cashing them for gold is simply that they do not have a large surplus of dollars available for that purpose. The total amount of dollars in foreign hands amounts to slightly more than $30 billion. This money is divided approximately half and half between central banks and private holdings. Both the private and central banks' holdings of U.S. dollars are called Eurodollars. Many of them are owned by American businesses or individuals residing abroad. It is our estimate that two-thirds of the privately-held 15 billion Eurodollars are controlled by U.S.-owned corporations abroad or U.S. banks, and that two-thirds of the foreign central banks' dollar holdings are the minimum required by those banks for financing of commercial and banking transactions. Little is then left for conversion against the gold in Fort Knox. Besides, the gold reserve that can be used to satisfy foreign demands is now $10 billion more than it was a year ago because the 25% gold cover required by law for U.S. currency was abolished by Congress last year. Previously, only the excess over this 25% domestic gold requirement could have been used for redemption of dollars by foreigners. Since the repeal of the 25% gold cover, more gold was made available for redemption of foreign claims than at any time during this decade. That, too, contributed to the strength of the dollar in the international money market.

5. The two-tier gold system performs satisfactorily and the issuance of SDR's will help to close the international liquidity gap if it should ever occur. The benefits of the two-tier system to the United States have already been proven. Since March 1968, the United States gained gold worth $188 million.

6. The income on U.S. foreign investments is growing rapidly; it was $6.2 billion in 1966, close to $7 billion in 1967 and exceeded $8 billion in 1968. This yearly income on U.S. investments abroad is far bigger than the gold reserves of any single foreign country and amounts to more than 10% of world liquidity.

7. In 1968, the United States fully repaid its drawings from the International Monetary Fund which exceeded $1.8 billion at its peak.

8. The Federal Reserve swap arrangements with foreign central banks were enlarged in 1968 to a total of $10½ billion. Out of this amount, only $450 million were in use as of the end of the year—down $1.4 billion from its peak in December 1967.

We often wonder where most of the financial writers get their facts? We have not seen the above figures mentioned in a magazine, newspaper or newsletter (and we read plenty of them). The strength of the dollar at present is well established. No need for revaluation of the monetary gold price exists. The inflation in this country is now seriously combated and the money supply is tightening. Of course, we would like to see even better results in our balance of payments, a greater surplus in our foreign trade and less inflation, but that does not change the fact that in 1968, the dollar regained its strength.

If you would like to send a reprint of

the above to a friend, your favorite journalist, broker or banker, please write. We will gladly provide free copies.

The VICE PRESIDENT. What is the will of the Senate?

AMERICAN DIPLOMATIC ACTIVITY—ADDRESS BY SENATOR CHURCH

Mr. FULBRIGHT. Mr. President, on February 6 the distinguished Senator from Idaho (Mr. CHURCH) addressed the Empire Club of Canada, in Toronto. An account of his address appeared in an article written by Mr. Tom Ochiltree and published in the February 11 issue of the Enquirer and News, of Battle Creek, Mich.

The article contains thoughtful excerpts from Senator Church's address, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR CHURCH PUTS CAUTION IN THE WIND

(By Tom Ochiltree)

History may say differently in the end, but on present evidence the Nixon administration will think long and hard before getting the United States involved in another Vietnam.

There is a feeling of caution in the wind, of weighing American national interests with greater care, of looking more closely at the world as it is rather than as we would like it to be.

If it turns out that Vietnam is a turning point in the formulation of American foreign policy goals, a Democratic Senator—Idaho's Frank Church—will rank as one of the first to help nudge our diplomatic thinking in a new direction. He did this by defining the trend in the broadest philosophic sense.

Church, a member of the Senate Foreign Relations Committee and a vocal critic of the Johnson administration's Vietnam policies, has been doing some soul searching about the whole thrust of American diplomatic activity. He is not alone in this. This same mood of questioning has been churning in the minds of several other members of the Senate. What makes Church unique is the articulate way he has arranged his argument and the detailed scholarly method he has chosen to define the problem.

In a closely reasoned speech delivered in Toronto a few days ago, the Idaho Senator said in a revolutionary world of rising nationalism it is contrary to American ideals and even to our own self-interest to always in every corner of the world to be on the side of the status quo—to always be with the fat cats against the masses.

Supporting oligarchies works sometimes in the short run, but nationalism—the popular desire for national identity free from outside interference—is "the engine of change in modern history," Church insisted, and our State Department should recognize that fact.

In his opinion, both Washington and Moscow are peculiarly blind to what is going on in the world. He supported this assumption this way:

Just as the United States blundered by getting involved in Vietnam, so the Soviet Union outraged the world by hard-nosed intervention in Czechoslovakia.

Both of the superpowers suffer "from a neurotic sense of insecurity, although neither regards itself as being in imminent danger of attack by the other" because of the nuclear stalemate. What each superpower has done is to vastly exaggerate the impact and influence the other can exert in a third country.

As the great powers struggle to establish their influence in neutral countries they are "guided by a ritualized, anachronistic, 19th century concept of the balance of power," Church said, adding:

"The real stake, I apprehend, is not power at all, but a shadow which calls itself power, nourishing an egotism which calls itself interest."

Looked at strictly from the point of view of national self-interest, Church thought the Russian intervention in Czechoslovakia might have made somewhat more sense than the American intervention in Vietnam since democracy can always best communism in the marketplace of ideas.

While the contagion of liberty conceivably could undermine the unity of the Soviet bloc, Church maintained that "by no stretch of the imagination can Ho Chi Minh's rule in Vietnam be said to pose a comparable threat to democracy in the United States."

Church did not use the word "neoisolationism" but his critics undoubtedly will hurl that at him.

There is no question about it, under his concept America's foreign role would be a lot less involved. We would stop opposing revolution in the developing world. The old world policeman idea, now in general disfavor anyway, would be completely gone.

Declaring we must learn to live with widespread revolutionary turmoil in the world, Church said:

"I suggest, therefore, as a guiding principle of American foreign policy, that we abstain hereafter from military intervention in the internal affairs of other countries under any circumstances short of a clear and certain danger to our national security, and that we adhere to this principle whether others—including the Russians and the Chinese—do so or not."

He said the involvement in Vietnam went against the grain of our national character and ideals and for that reason had sparked dissent and "the deep alienation of so many of our youth."

Insisting we must not take that road again, Church concluded: "The greatest danger to our democracy, I daresay, is not that the communists will destroy it, but that we will betray it by the very means chosen to defend it."

According to him, a foreign policy of intervention ultimately will destroy democratic values because such a policy involves maintenance of a costly military establishment, "the neglect of domestic needs, a burgeoning military-industrial-academic complex, chronic anxiety and crisis."

WHAT ONE VOLUNTEER CAN DO

Mr. KENNEDY. Mr. President, we who serve on the Special Committee on Aging have heard often about individuals who are so moved by problems of the elderly that they take individual action against such problems or bring them to public attention.

The spirit of the volunteer is very strong in the Commonwealth of Massachusetts, and we who live there can take pride in many public and private responses made when needs become known. One such response was described in a recent issue of the Journal of Housing, the publication of the National Association of Housing and Redevelopment Officials. The article tells how Mrs. Miriam Caines, of Medford, Mass., decided that neglect of isolated elderly tenants in public housing could not be tolerated. She began her work alone, but she soon had help.

Mr. President, I think it is very clear that more and more Americans will be attracted to the concept of community service within the very near future. For one thing, the need for such service is great. For another, many individual citizens—especially those who feel that they have much to contribute even though they are retired—realize that they can offer valuable assistance to their neighbors.

I ask unanimous consent that the article be printed in the RECORD as one more example of what can be done when people care enough to do it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOR THE AGED: VOLUNTEER WORKER, HAUNTED BY NEGLECT OF ELDERLY POOR, MOBILIZES CIVIC GROUPS, CITY HALL, HOUSING AUTHORITY TO BRING RECREATION, HEALTH, AND WELFARE SERVICES TO THE ELDERLY OF MEDFORD, MASS.

Among the finalists for one of two $5000 "Lane Bryant Volunteer" awards given annually for outstanding community service is an unusual program that is providing a wide variety of services for the elderly citizens of Medford, Massachusetts. Operating from the city's newest low-income housing project for the elderly, the Volunteer Assistance Program (VAP) of Medford was cited for its ability to attract and utilize the broadest kind of community support for the needs of the elderly. Its programs involve a variety of public agencies, civic and fraternal groups, and a cross section of individuals from the city's different age, ethnic, and economic groups.

The driving force behind this program is an unassuming woman, Mrs. Miriam Caines. She represents neither the wealth nor any of the political power within Medford. Nevertheless, as president of VAP, she has been able to build, in less than a year, an organization with roots throughout the community.

A licensed practical nurse, Mrs. Caines had been moved by the feelings of loneliness and neglect she sensed in so many of her elderly patients. For a long time, she had dreamed of having some kind of program in Medford that would give the elderly a renewed sense of being wanted and appreciated.

"In Medford," she says, "we have a lot of organizations, each working on one specific thing—aid to the blind, help for retarded children, and the chronically ill. It seemed that the elderly were the forgotten people."

About a year ago, Mrs. Caines' husband persuaded her that she ought to give up her nursing job so that she would have more time to devote to some of the volunteer activities she was most interested in. Mrs. Caines also has three children, ages 12 to 20, and the extra time at home was welcomed.

With more free time, Mrs. Caines decided to start a modest arts and crafts program for elderly residents living in the nursing homes where she had worked as a nurse. Some friends, including Thomas Tucker, a recreational therapist, offered their time on a volunteer basis but there was still a question of resources.

Mrs. Caines turned to John McGlynn, who was then mayor of Medford. She had met him some five years earlier when she had been a member of a group that raised $14,000 for the Freedom March on Selma, Alabama. Mr. McGlynn, who became a state representative in 1968, suggested that Mrs. Caines make her elderly program citywide. He also promised about $900 in city funds for equipment.

BRANCHING OUT

Pleased with the mayor's receptiveness. Mrs. Caines next canvassed the offices of the various agencies in Medford city hall to see what other resources might be available. Of all the agencies, the first to recognize the need and potential of an organized program for the elderly was the Medford housing authority, which had one elderly project in occupancy and a second, the 200-unit Leverett Saltonstall Senior Citizens' Center, under construction.

Gerald A. Palumbo, the executive director of the housing authority, offered Mrs. Caines' group a basement office in the Walkling Court apartments, at the time, the city's only operating elderly project. He also encouraged the group to make use of the ground floor recreation area. The new office was inaugurated in March 1968.

In the meantime, the city and its new mayor, Patrick Skerry, increased the promised $900 to $1400. This sum was used by the volunteers to purchase a movie projector, card tables, and other recreation gear to be used at Walkling Court. In addition, some of the money was used to purchase supplies for elderly shut-ins who wanted to learn crafts.

With a headquarters and equipment secured, Mrs. Caines turned her attention to the many civic, religious, and fraternal groups. Realizing that each of these groups was already committed to a program of its own, she nonetheless urged that each "stretch a little" so that "combined we could have the strength to do something for the elderly people of Medford." She quickly enlisted the support of such groups as the Lions Club, Rotary, Boy Scouts, and Girl Scouts. A 38-member steering committee was formed consisting of Mayor Skerry, his predecessor as mayor, the housing authority director, and representatives of the various civic and fraternal groups, as well as Mrs. Caines and some of her original volunteers.

With such a variety of organizations and individuals involved, a volunteer program that had started out with a single purpose—to offer arts and crafts to elderly shut-ins—had evolved into a coordinating agency for a variety of services, programs, and organizations, needed by the elderly. For example, boy scouts are assigned to certain elderly persons; on snowy days, elderly persons can count on a particular scout to show up with a snow shovel to clear the walks in front of a particular house. Girl scouts do lighter chores, such as running errands or helping with the shopping. When an elderly man was burned out of his apartment, the VAP, through its contacts with service clubs, rounded up furniture and clothing to help the man re-establish himself. In addition, VAP has sponsored such diversionary activities as a low-cost, week-long excursion to Miami Beach in November, a luau party, dance classes, and talent shows. It has also arranged worship services in nursing homes and private homes for those unable to attend church; classes of instruction for volunteers who want to teach crafts; and supervision for volunteers who work on a regularly scheduled basis in nursing homes, elderly housing, and private homes.

The work of VAP soon became known outside of Medford through articles in the Medford and Boston newspapers. Other communities in the Boston area have been calling on Mayor Skerry and Mrs. Caines to ask how they could start similar programs.

GAINING PERMANENCY

As with any program fueled by volunteer enthusiasm, it soon became apparent to Mrs. Caines and her friends that VAP needed some insurance against the day when some of the original volunteers might have to drop out of the program. In short, they needed to assure some kind of permanency for the program if it was to continue to grow.

One step was to incorporate the organization under Massachusetts law. This past summer, attorney Joseph Zamparelli, volunteer counsel for VAP, drew up a charter and bylaws for the organization. City Councilman Joseph Kurker contributed his own money for the legal filing costs. The charter was presented at a formal ceremony at Walkling Court on July 18. Attending the ceremony was the mayor and city council of Medford, as well as such other notables as the federal administrator on aging for Massachusetts and a member of the Massachusetts Commission on Aging.

With the assistance of the Medford housing authority, VAP has also applied recently for a $26,000 grant from the Administration on Aging under title III of the Older Americans Act of 1965. Approval of the grant is expected early in 1969. It will enable VAP to hire its first paid staff, including a senior clerk and other clerical help, a homemaker and home health aid, and some part-time professionals. Some of the funds will be used to purchase equipment when VAP moves into new and expanded quarters especially set aside for it in the recently opened Saltonstall senior citizens center, where the housing authority will also have its offices.

In addition to the AoA funds, the city of Medford has pledged $16,000 as a local contribution. This money will pay the salaries of a program director, two part-time public health nurses, and three part-time craft instructors, among others.

Some paid staff will be necessary if VAP is to continue to meet the needs of Medford's growing elderly population, according to Mr. Palumbo, who, in addition to directing the housing authority, serves as treasurer of VAP. Where VAP formerly depended on its contacts with the churches, housing authority, and other groups to refer its volunteers to elderly persons in need of some kind of help or companionship, more and more elderly are getting in touch with VAP directly. The organization now has an around-the-clock telephone service that enables elderly persons to call for information on VAP programs or, in emergencies, for immediate assistance.

Although expansion of the volunteer program has come at a pace that continually threatens to outstrip its resources, this growth was not totally unforseen. At one of the first organizational meetings, Mrs. Caines placed a small branch from a tree against a map of Medford. She remembers saying, "I hope the fruits of our efforts will branch out." And they certainly have.

JUDICIAL ARROGANCE

Mr. ALLEN. Mr. President, the people of Alabama are fed up, not only with the decisions of the U.S. Supreme Court, but also with the arrogance of some Federal district judges and their unending abuses of power. The situation is getting completely out of hand in Alabama and something has to be done about it.

Just recently, a U.S. district judge at Montgomery, Ala., invoked the coercive powers of the Federal Government to overrule and override an administrative decision by the president of Auburn University, one of the great universities of this country.

It is bad enough when Federal district judges assert a power to supervise administration of local public schools. But it is intolerable when that power is extended to supervise administrative decisions of our universities.

In the instant case, Dr. Harry M. Philpott, president of Auburn University, declined to agree to provide a public forum on the universty campus for a convicted felon to preach the "virtues" of draft evasion and violation of internal security laws of the land.

The Federal judge substituted his own judgment for that of Dr. Philpott. The Federal judge contended that the U.S. Constitution imposed an affirmative duty upon the university to lend its dignity, prestige, and reputation to legitimize the views of a convicted felon. Furthermore, this judge ruled that the Constitution requires the university to contribute to the support of this convicted felon who earns his livelihood from lecture fees.

Judicial interference of this sort simply offends commonsense reasoning. It angers the people. The people of Alabama and the people of the Nation will not be persuaded that the U.S. Constitution imposes an affirmative duty on free institutions to legitimize actions of one who has aided and abetted enemies of our Nation in time of war. Neither will they accept the proposition that Federal courts can compel the expenditure of public funds to help support such persons by payment of fees or other compensation.

Rulings of this kind will never be accepted by the people. They have to be imposed by superior force of the Federal Government and the threat of prosecution for civil contempt and fine and imprisonment without benefit of trial by jury, which is the widely publicized threat of this judge.

This ruling and others like it assert a judicial power of supervision and of veto over institutions of higher education. They strike at the very foundation of a free society.

How far will we permit this trend to continue? When will we challenge this authoritarian principle?

Federal judicial interference in policies of higher education is not an isolated occurrence in Alabama. Time and again this Federal judge has used one excuse after another to rationalize his Napoleonic role of one-man superstate, legislature, education board, college president, preacher, and commentator of education and morals. His views carry the authority of a tyrant who threatens fine and imprisonment for civil contempt for those who dare challenge his distorted decrees.

The people are disgusted by this sort of thing. They are irked by the supercilious, dogmatic, illogical excursions by Federal judges into the affairs and concerns of free institutions of local self-government.

They are fed up to the gills with the repeated and irrational contention that the nonelected branch of Federal Government has a power to dictate to the people concerning what is in the best interest, safety, and welfare of their children.

They are nauseated by the double standards by which simple invocations in public schools are branded unconstitutional and therefore illegal and to be suppressed by Federal authority, while at the same time holding that the Constitution requires the people to pay a convicted felon for preaching a doctrine of treason and lawlessness on college and university campuses.

The people have had enough of the gratuitous insults of Federal judges whose decrees imply that State judges, State legislators, and university presidents are villains crouching in a dark corner waiting and ready to pounce on innocent citizens for the pleasure of depriving them of constitutional rights.

But to say that the people are fed up and disgusted by abuses of power, by pompous, supercilious, dogmatic, and irrational judges is not the point. The point is that something has to be done about it. That is the problem. What can be done?

Mr. President, is impeacement a remedy? How do you impeach a Federal judge for ignorance and incompetence? How do you impeach a Federal judge for lack of judicial temperament? How does one even raise the question of lack of qualifications, ineptitude, or a dangerous addiction for and intoxication by unrestrained power?

These questions are uppermost in the minds of the people of Alabama. They will be uppermost in the minds of all the people of our Nation if things are not corrected.

Should Federal district judges hold office for life? Have they been given too much power? Are they intellectually over their heads? Is it safe to risk such vast powers to the hands of partisan political appointees?

These questions must be considered. The Federal judicial system is acting like a prodigal spendthrift. It is fast consuming the corpus of its estate. In this instance, the estate is public faith and confidence. When that corpus is gone, the concept of an independent judiciary goes with it. That is the risk we run. That is why something must be done.

Should Federal district judges be elected for a term of years? I think so.

In the alternative, should all Federal judges be subject to reconfirmation by the Senate every 10 years, say? I feel that they should. Should our schools and all legal questions connected with them be returned to State and local governments? I certainly think so.

Mr. President, Dr. Harry M. Philpott, of Auburn University, is one of the outstanding college presidents in America. We do not want to lose him in this capacity. He must not be harassed by the Federal judiciary as he seeks to run the affairs of this great university so as to provide excellent educational opportunities for all students. Dr. Philpott, not Judge Johnson, has been chosen by the Auburn board of trustees as president of Auburn University. He must be allowed to act as such.

POVERTY INVESTIGATION COVERING SOUTH CAROLINA

Mr. THURMOND. Mr. President, tomorrow eight citizens from South Carolina will testify before the Senate Select Committee on Nutrition and Human Needs, under the chairmanship of the Senator from South Dakota (Mr. McGovern).

The testimony will center primarily on the health and nutrition needs of the children of Beaufort County. I understand that my colleague from South Carolina (Mr. Hollings) will also talk about such needs in other parts of our State, where he has made personal inspection tours.

Each of us should be concerned with such things, directly or indirectly. I certainly am, and I am prepared to use my office to meet those needs. I feel that the witnesses who will appear before this committee here in the Senate tomorrow are similarly motivated.

There are pockets of poverty in every State in this Nation, and in many cases you will find undernourished and sickly children such as those who will be mentioned tomorrow. I do not think, however, that these conditions are caused by people or officials who have denied these families the ways and means to find the sustenance of life. I do think these conditions can be improved, and certainly we should accelerate our efforts in that regard.

Some people have always lived in poverty, and they know nothing else. They live from day to day; they are captives of their environment and background. You can bring services to them, but you cannot get them to seek them out. I do not accept this condition, but I recognize it exists, and I believe we have the agencies needed to build the road to recovery for these citizens. Hopefully, those who testify tomorrow will tell us why the county health department, the county welfare office, and the volunteer groups who fight these problems have not met with success. I commend them if they have the facts, and we all should seek remedies for any needs this examination may reveal.

One thing I wish to make abundantly clear, however, and that is my belief that none of these time-tested services have been withheld because of the ethnic makeup of any who may be underprivileged. That such is the case has been implied by some of those involved in the Beaufort County investigations. This matter should not become a racial or political issue, as has been the case in some past investigations. I do not believe that most of those involved desire such a result, but they have a responsibility to see that such does not become the case. A development of this nature would defeat this effort.

Mr. President, the good name of the State of South Carolina and her people have already been maligned by some of the national media who have implied that health and welfare needs have been withheld from certain groups because of their color. I do not subscribe to this view, and I believe that responsible witnesses to the needs of those in Beaufort County and elsewhere will concur.

It is my further belief that the Federal Government has a responsibility to determine the effectiveness of its own programs which are designed to meet the basic needs of the underprivileged. Here I refer specifically to the antipoverty program.

We have had the antipoverty program going now for nearly 4 years, and we have witnessed millions of dollars being poured into South Carolina and other States to meet the needs of the poverty stricken. With such an effort so well established, we might be wise to spend some time investigating why these funds have not reached those who are in need of health and welfare assistance. Is the Headstart program inaccessible to the needy children of South Carolina? Is the Job Corps effort a failure? Are the community action councils reaching the real needs of the disadvantaged? These are some questions which need to be answered.

Hundreds of thousands of dollars have gone into many of the Federal poverty programs in the counties of my State, yet we have a hearing tomorrow because people report they have found children and adults without sufficient food. I believe the Government has a responsibility to find jobs for those who wish to work, but I see large office staffs in these antipoverty programs, and I wonder what they are accomplishing. Some of the people who are involved in this hunger study have had control and responsibility in connection with the antipoverty program. They have made the announcements. They have named the staffs. I hope the committee will fully examine this connection, for I think it is relevant to the issue at hand.

Also, I wish to say that I have faith in our State institutions to meet most of these needs. The State of South Carolina has an excellent State department of health. It has a capable welfare department which is under the direct supervision of elected and appointed citizens. I feel they will meet a clearly defined need when they see it. Additionally, we have a citizenry which cares about its fellow man—people who will do a job when they see one that needs to be done and is possible to do. This kind of effort is called a volunteer effort, and we need more of it today.

Finally, I think we have a President and an administration which is concerned about the health and welfare needs of the people of this country. It is the kind of administration which will work with Senators, Representatives, and Governors of all political parties, because a man's effort and his ability to meet the problems of his day are not dependent upon a political label.

I look forward to hearing the views of those who have made an in-depth study in these problems. The main concern should be to find the most effective way to resolve these needs. I trust the hearings tomorrow before the Committee on Nutrition and Human Needs will help us answer that question.

Mr. President, an editorial entitled "Ignorance Isn't Bliss" was published in the Sunday, February 16, 1969, issue of the State newspaper, Columbia, S.C., and would be of interest in connection with this matter. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

IGNORANCE ISN'T BLISS

Visitors from outer space would be hard put to understand how some South Carolinians—and other Americans, for that matter—are sick, hungry, or idle amidst surroundings which reflect prosperity and almost limitless knowledge of man's ailments and opportunities.

Here in the Palmetto State, where a continuing hubbub has been stirred up by disclosures of poverty, malnutrition, and illness, employment is at an all-time high. Jobs are available for all persons, black or white, who have the desired skills. Actual labor shortages exist in some occupations. "Help wanted" ads in all of the state's newspapers hold out the prospect of both employment and training of unskilled applicants.

Yet despite these evidences of a booming economy here and elsewhere, more public funds than ever before are being funneled into welfare and social security programs, medical services, and assorted efforts aimed to alleviating suffering and sickness.

There is ample evidence of private and public compassion for the unfortunate. Politicians, public officials, and private citizens all agree that "something must be done." And, to be sure, something IS being done in many quarters, primarily because of the current rash of publicity.

But what must be done to insure a better future for our state and nation is to initiate a steady, unrelenting, and effective attack on the factors which seem most responsible for the present unsavory state of affairs—ignorance, apathy, and an almost unbelievable isolation of many persons from the workings of organized society.

Here's where the going gets toughest, and where it becomes most difficult to affix blame for present inadequacies. Take the case of Beaufort County, which has experienced in recent months more than its share of adverse outside attention to undernourished, malnourished, and parasite-ridden individuals.

It would be assumed that parents of ordinary intelligence would know that personal and residential filth makes for disease, that polluted water and unsanitary surroundings contribute to ill health, that such readily available basic foods as fish from the nearby coastal water; turnips, collards and other greens from local gardens, and milk help make for better balanced diets.

Yet such an assumption is demonstrably false. If the knowledge happens to be present, the means or the will to apply it is lacking in too many instances.

Ironically, in the very same area where these deplorable conditions and befuddled people exist, training programs are conducted for Peace Corps workers who—upon completion of their training—depart the United States on assignment to combat precisely the same conditions which exist within a stone's throw of their training site.

All over this land of ours—on college campuses, in public gatherings, in private discussions, and on the city streets—young persons (and old) are volubly and often violently protesting the nature of current society. They yearn, or so they say, for a better world.

If they mean what they say, let them undertake the task of building a better world by seeking to inform, to inspire, to enlighten, and—above all—to motivate those hapless individuals who live in the threadbare fringes of society.

KENNETH HOLUM GIVEN DESERVED RECOGNITION

Mr. McGOVERN. Mr. President, among retiring Democratic officials as the new Nixon administration assumes the helm of Government is a South Dakotan to whom I wish to pay tribute, and I am paticularly pleased to be able to say to him that South Dakotans of the Republican and Democratic Parties share my great respect and gratitude for his great work.

I refer to Kenneth Holum, the retiring Assistant Secretary of the Interior for Water and Power. He has served with distinction in that capacity for all of the 8 Kennedy-Johnson years, leaving a record of accomplishments in his area of responsibility second to none in the long history of the Interior Department.

A leading South Dakota newspaper, the Aberdeen American-News, has praised Ken Holum for his years of outstanding service to South Dakota and the Nation, and has made him the subject of their lead editorial of January 12.

I ask unanimous consent to have printed in the Record the text of the American-News editorial entitled "Ken Holum Serves His Nation Well."

I am personally deeply obligated to the retiring Assistant Secretary for his advice and counsel and unfailing support over many years, and for his initiatives in relation to resources projects in our State. He has led many beneficial efforts, including the development of an orderly electric power marketing setup in the Upper Missouri Basin known as the Missouri Basin systems group.

I am glad to have the opportunity created by the American-News editorial to be able to say to Ken Holum that he has the respect and the gratitude of the people of both parties in his home State for leadership and years of service that have resulted in great accomplishments for the people of South Dakota and America.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Ken Holum Serves His Nation Well

South Dakota generally has had occasion to be proud of the men called from this state by the federal government to serve in high offices in Washington.

One of these who has distinguished himself and his state is Ken Holum, Groton, who now is completing eight years in the influential position of assistant secretary of interior.

He was chosen by the late President Kennedy for the important job of directing Department of Interior activities relating to water and power. President Johnson retained him in the sub-Cabinet post.

Holum's interests, experience and willingness to devote his time to public service qualified him for the appointment.

As a farm boy in Brown County, Secretary Holum learned some of the fundamentals that were to help him become effective in high level government.

In 1949 he started serving in the South Dakota Legislature at a time when the Missouri River development program was entering the construction phase. There was, however, still much planning to be done.

President Truman named him to the Missouri Basin Survey Commission in 1951. He contributed much to the commission and in turn had an opportunity to gain broader knowledge of effective advancement of water usage.

He maintained his interest in water development while campaigning for the U.S. Senate in 1954 and 1956. At the same time he gained knowledge of the growing importance of electrical power in the nation's economy as he served as officer of various REA power co-ops.

At the time President Kennedy selected him to serve in his administration Holum was executive director of the Mid-West Electric Consumers Assn. and chairman of the Western States Water and Power Consumers Conference.

The knowledge he gained in those offices added to his qualifications.

The responsibilities he assumed as assistant secretary of interior were major ones but he proved his ability to master them.

Secretary Holum has served his nation with distinction.

South Dakota, in its critical stages of progress toward obtaining the advantages of irrigation and hydro-electric power, has been fortunate in having an understanding friend, Ken Holum, in a position to provide guidance and assistance.

It was appropriate that he was in Aberdeen Wednesday to give encouragement to the Oahe irrigation project and to place his signature on the master contract.

As South Dakota profits from irrigation in the future its citizens will be mindful of the contribution made by Holum toward the economic benefits it produces.

COMPUTER TECHNOLOGY IS AID FOR SMALL BUSINESS

Mr. RANDOLPH. Mr. President, the small businessman in America today must exist in an environment of unprecedented complexity and severe competition. In order to survive, management must make the best possible use of all available tools and techniques. The Senate Select Committee on Small Business, recognizing the potential of computer technology to the small entrepreneur, released last July a report entitled, "Automatic Data Processing and the Small Businessman," prepared by the Science Policy Research Division of the Legislative Reference Service, Library of Congress. I was particularly pleased with this report, since the Small Business Committee's Science and Technology Subcommittee, of which I am privileged to be the chairman, has been involved in this general area of study. This excellent report has been well received both by users in the private sector and governmental groups responsible for working with the small business community.

Recently, the author of the above report, Mr. Robert L. Chartrand, specialist in information science, was asked by the editors of Public Automation, a monthly newsletter concerning automated systems in government, to write an article highlighting the findings of the Select Committee report. The article appeared as the monthly feature, "Output," in the December 1968 issue of Public Automation. I feel that the report by Mr. Chartrand is of such value that it should be called to the attention of all Members of Congress. I ask unanimous consent that the article, entitled "The Potential of ADP Technology for Small Business," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Potential of ADP Technology for Small Business

(By Robert L. Chartrand)

In the period since the end of the Second World War, technological innovation has endowed American society with numerous benefits and problems. Among the achievements to cause permanent changes in our patterns of working, playing, communicating, and planning has been the emergence of automatic data processing. The "information explosion" has left no sector of the nation untouched, hence the advent of ADP has attracted ever increasing attention on the part of the American people. The electronic computer has become an integral part of our everyday life, helping to perform hundreds of applications ranging from credit card systems to the control of traffic in metropolitan areas.

Business and government alike have been alert to the many potentialities for using punched card equipment and the more sophisticated electronic configurations. Today, more than 50,000 ADP systems have been installed in the United States, with approximately 85 per cent applied to business problems. As the flexibility of the data processing devices has increased space with the speed in performing mathematical calculations, the cost-per-calculation has decreased significantly.

A GROWING AWARENESS IN THE BUSINESS COMMUNITY

In the business world, where a premium is placed on innovation in design and continuing improvement in manufacturing practices, there has been a mixed willingness to utilize the new technology. Larger companies, for the most part, have evinced a willingness to risk monies, learn gradually from a beginning with routine tasks, for example, payroll and inventory, and then undertake more vital operation-oriented jobs such as production control. For the small businessman, several factors have been a deterrent to ready acceptance of the computer. Problems of initial investment costs, maintenance, recruitment and retention of skilled staff, education of management and line personnel, and integration into existing operations have caused many smaller entrepreneurs to avoid involvement with the new devices. While many of these reasons often have validity, the small businessman faces a dilemma because he knows that modern equipment and techniques must be adopted if his company is to remain competitive with larger firms.

Specifically, the basic reasons why the contemporary small businessman may refuse to involve his firm in the unknown world of automatic data processing include:

He is too busy;

He has been told that it costs too much;

Vocal resistance by long-time employees;

Lack of understanding regarding how ADP can help him; and

Inadequate "start-up" funding.

Of course the utilization of ADP may indeed pose new problems for the small entrepreneur. Operation of his firm may be, at least for an interim period, more complex. Competitive survival, however, is forcing more and more businessmen to have that "moment of truth" regarding the effectiveness of their operations. Byron L. Carter, author of *Data Processing for the Small Business* and a longtime analyst of this element of society, pointed up the essence of the dilemma of the small businessman with this analogy:

"The small businessman today is in much the same position as the small farmer was several years ago. The one might have said, 'Farm machinery will become an indispensable part of your farming, or you become a dispensable part of farming.' Those who did not listen are no longer farming, or are barely scratching a declining level of subsistence."

INFORMATION NEEDS OF THE SMALL BUSINESSMAN

The small businessman who would compete successfully in the complex, dynamic environment of mid-century America must be in a position to acquire, filter, correlate, store, process, and retrieve key information relevant to the present and future operation of his firm. This information may concern the day-to-day production of materials, analyses related to marketing surveys, fiscal planning, or data on counterpart organizations (both large and small) within the same competitive realm. Among the applications where ADP currently is being employed are: payroll, inventory control, accounts receivable, sales, analysis, accounts payable, cost accounting, production control, general ledger, engineering, and management control and information. The ways in which these tasks are accomplished through the support of ADP often are the cause of intensive, extended discussion by decision-makers in business and government alike. The small businessman, often operating with a small margin of profit and always acutely aware of operating costs, must consider carefully the alternatives available to him. Generally, he must determine whether to establish a computer capability on the premises—owned (or leased) and staffed by the firm—or to rely, at least in part, on external ADP equipment and personnel. Five alternatives may be posed, the first involving the "in-house" option and the latter four treating the "out-of-house" choices:

The establishment of an in-house ADP capability, including the purchase or rental of equipment, creation of an internal staff of programmers, analysts, and operators, and possibly some form of educational course to orient managers and workers to the role of ADP

The creation of a "joint usage" arrangement, where two or more companies establish an ADP center which is supported and used by each participating firm

The use of a data center's ADP capability, which involves obtaining computer time on an hourly charge basis

The contracting out to a service bureau, where charges are based on the fulfillment of an entire, clearly delimited, job

The utilization of a remote terminal, time-sharing, system, with keyboard or display devices connected through communication lines to a central processor

Some small businessmen may choose to perform certain rather straightforward functions internally while turning to service bureaus for tasks which require a more sophisticated or powerful ADP systems capability.

ASSISTANCE FROM NATIONAL ORGANIZATIONS

In selecting which alternative to pursue, the small businessman may consult with organizations which retain professional staff with experience in ADP systems. An example of this is the National Retail Merchants Association, which has announced plans to establish a data processing service center for use by smaller and medium-sized retail stores. In addition, the organization has prepared and disseminated a manual entitled *Retail Merchandising and Management with Electronic Data Processing.*

Another national group which has concentrated on the technological needs of small business is the Association of Data Processing Service Organizations (ADAPSO). This association strives "to set performance standards, provide for the interchange of experience and data between members, and conduct a series of seminars, regional meetings, and conventions." The American Management Association (AMA) also has become active in sponsoring orientation seminars discussing the role of ADP in the smaller company. Prospective attendees are told that they will be given "valuable guidelines for planning a computer program aimed at small company management goals . . . for conducting the vitally important feasibility study . . . organizing for action . . . staffing . . . equipment analysis . . . the change-over and installations". Thus, there is a discernible trend toward providing the small entrepreneur with the kind of orientation and education needed to make some of the critical decisions about using ADP.

FEDERAL GOVERNMENT INVOLVED

Although the federal government has been heavily committed to the utilization of systems analysis and automatic data processing in many of its operations, it has not ignored the potential of these new tools and techniques for the small businessman. The range of governmental activities include sponsoring of experimental computer-sharing projects, the establishment of computer program repositiories for use by the private sector, seminars and symposia to introduce the small entrepreneur to the pro's and con's of computer utilization, and the distribution of literature describing the alternative paths of action open to the businessman seeking to improve his company's operating effectiveness.

There *has* been significant activity in the Executive and Legislative branches of the federal government, but the first effort to give the small business community a comprehensive perspective of the role of ADP was undertaken by the Senate Select Committee on Small Business, under the chairmanship of Senator George A. Smathers. The preparation of a special study by the Legislative Reference Service of the Library of Congress was authorized. This report, entitled *Automatic Data Processing and the Small Businessman* (Senate Document No. 82), features three types of information:

The status of federal government activity in providing information and other forms of support in automatic data processing technology to the small businessman

Detailed information describing how and where the small business community has been using automatic data processing

Useful information regarding the tools, techniques, and applications which should be considered by the small businessman who seeks to improve his business operation.

The first chapter of this report, "Summary and Conclusions," underscores the importance of the subject area to the nation at large. Automatic data processing technology represents man's innovative ability to overcome many of the problems inherent in collecting, indexing, storing, manipulating, and retrieving information. The impact of this technology on the public and private elements of our society is noted in the *Report to the President on the Management of Automatic Data Processing in the Federal Government:*

"No single technological advance in recent years has contributed more to effectiveness and efficiency in Government operations than the development of electronic data processing equipment."

The application of the computer and its ancillary tools to business problems also has proceeded at an accelerated pace. Today, while many larger corporations have tested and invested in automatic data processing systems, a significant portion of the small business community remains unconvinced of the desirability or feasibility of using the new approach. Yet there is a growing awareness that the contemporary small entrepreneur must avail himself of those mechanisms and services which will allow him to survive in an age where competition is increasingly sophisticated and unrelenting.

There has been a recognized need on the part of the federal government—executive branch agencies and legislative branch components—and various private sector groups for an overall strategy to be conceived which would lead to a marshalling of resources to address the problem of linking the small business community with the potential of the computer. Much of the effort expended heretofore has been unfocused or lacking in continuity, and this situation has resulted in the study undertaken by the Senate Select Committee on Small Business.

An examination of the problem area has permitted the identification of three critical requirements for future action. First, a carefully coordinated investigation of user, that is small business, needs for automatic data processing support should be initiated. The fragmentary data now in existence requires updating, and should be analyzed in the light of state-of-the-art developments of the last few years. The responsibility for organizing this activity should be negotiated through discussion between cognizant government and business organizations.

The second vital requirement is related to identifying those hardware and software developments of the immediate past and foreseeable future in terms of their application to the multitudinous problems of the small businessman. The small business community is increasing at a great rate: 200,000 new small firms since 1961; 50,000 now taking their place in the competitive milieu every year. The role of industry in helping to match the new devices and man-machine techniques with the discrete applications cannot be underplayed, but the contributions of governmental groups also must be delineated and evaluated.

The third requirement which is critical to an improvement of the status of the small business is for a much enhanced program of orientation and education of the small merchant in terms of the support which can be gained from utilizing automatic data processing. The level of technical literacy must be raised, and a willingness to seek out and listen to counsel must be engendered. Although industry increasingly has provided information to the public about the pro's and con's of the new machine technology, the degree of understanding remains inadequate to the needs of the time.

The federal government has played a growing role in encouraging the use of computer technology by business. Through the support provided by the Office of State Technical Services' grants, pilot projects involving business concerns and other private sector elements have been founded; also, dozens of workshops, conferences, and training curricula have been established to provide guidance to the busy businessman. The Small Business Administration, in fulfillment of its charter, continues to sponsor educational programs designed to introduce automatic data processing to the small businessman. In addition, this group has prepared and disseminated countless copies of basic reference literature on the subject. The Office of Technology Utilization of the National Aeronautics and Space Administration has established a repository for computer programs at the University of Georgia, which may be drawn upon by businessmen. These federal units and others to a lesser degree have confronted the dilemma of the small businessman and sought to render useful assistance in the form of counsel, funding, and background material.

Nor has the private sector of society been idle. While their resources necessarily are limited, the trade associations such as the Association of Data Processing Services Organization and the National Retail Merchants Association, among others, have moved to provide member firms with current information on the possibilities for using punched card equipment and computers. Universities, too, have become involved through the medium of monies granted by the Office of State Technical Services. Throughout the efforts to raise and apply resources which could be put to use by the small businessman a question of authority and responsibility has emerged. *Should there be a single point of coordination within the federal government so that the application of talent and funding would result in optimum benefits?*

The findings of the committee regarding industrial acceptance of governmental support in this area indicate that in general both large and small business concerns favor the allocation of federal funds in educational and experimental systems, efforts. It is recognized by business that many of the applications now fully supported by ADP-oriented equipment and software were brought to that state of performance as the result of work done with government money. The emergence of state and metropolitan governmental capabilities in the data processing realm also has affected the attitude and willingness to become involved on the part of many small businessmen. The need of small business, then, is for the establishment of a policy at the federal level which would bring together and make available to the "small" businessman sufficient funding, educational resources, and counseling expertise. In a number of instances, the level of effort by federal agencies could be raised considerably; this should be the result, it was indicated by many of those in contact with the committee, of a reappraisal of individual agency policy and resource commitment.

The expansion of business participation in its own members' education and status improvement also was voiced by contributors to the committee study. There is a distinct need for an increased public relations' effort so that the small businessman knows *who* wants to discuss the advantages and limitations of automatic data processing with him and *why* that particular group is so engaged. It should be noted that some of the larger corporations provide the means for employees to gain information or attend classes on computer technology, but few of the smaller firms are in a position to do this.

The transfer of technology from one environment to another has been addressed in an earlier committee report entitled "Policy Planning for Technology Transfer." The advances made, for example, in the aerospace field *may* be useful to the small entrepreneur, but if any significant modification to a device or program is required, the matter may be allowed to drop. What is the proper organism for assessing which tools and techniques could be collected and applied to the range of small business applications? Would this be a suitable project for university or foundation research, or should this fall within the aegis of a trade association project for its members? The feasibility of taking advantage of equipment, software, or applications developed elsewhere in our society needs to be viewed realistically. Such carry-over may even be feasible, but at what cost? The committee report on technology transfer has this to say:

"The transfer of technology from Federal military-space programs to commercial application is intrinsically inefficient compared to directed research and development sponsored for specific purposes by industry. Only the massiveness of the recent Government investment makes the promise of private sector gains possible."

The report then goes on to identify certain contributions which such transfer of technology provides for the economy:

"Direct transfers of packaged technology, such as airplanes or computers.

"Tangible or intangible spinoff applications in other industries.

"New processes and techniques, new products, and devices to replace former methods and provide capabilities not previously available."

The nature of the American small business community has allowed many areas of marginal responsibility and activity to evolve. Indeed, the very definition of "small business" varies from industry to industry. To have a common point of departure for the purpose of the committee report, the *Code of Federal Regulations*' categories and definitions are iterated Industry and limitation):

Construction: $5 million annual average receipts.

Durable goods manufacture: 250 employees.

Non-durable goods manufacture: 250 employees.

Transportation and communication: $5 million annual average receipts.

Wholesale-retail trade: $5 million annual average receipts.

Finance and industry: $20 million assets.

Services and miscellaneous: $3 million annual average receipts.

Petroleum: $5 million annual average receipts.

The advantages to be derived, and the constraints to be acknowledged, from small business utilization of automatic data processing are of prime importance to the nation at large. As a result of analyzing the experience of the small business community in its relationship with those who supply technological support, the requirement for further study, discussion, and program development has been ascertained.

CONCLUSIONS

The analysis of the information which forms the basis for this report indicates the existence of these key factors in the national efforts to ensure the stability and growth of small business through the utilization of automatic data processing technology:

The state-of-the-art of computer technology continues to progress impressively, and should maintain a high level of contribution, as expressed in tools and techniques, for use by small business

The augmenting of counseling services both in government and industry will be needed if small business is to have access to that expertise which is requisite to its survival and growth

The evolution of more flexible, broader gauged service bureau centers, with their ability to serve the small businessman, is essential to the welfare of the nation

Formal orientation and education curricula are required, through government, university, and trade association sponsorship, in the era ahead.

An investigation, on a continuing basis, of the changing cost-benefit ratios for various applications and various industries will be essential to convincing the small businessman of the applicability of ADP to his problems

The establishment of a federal focal point for support to the small businessman, authorized by the Congress and implemented by the Executive branch of the federal government, would appear to be a future development

The creation of the opportunity for expanded public discussion and the correlection of opinion from all sectors is necessary prior to the initiation of a detailed plan for public policy. User reaction to existing programs, both public and private, must be reviewed in the light of projected technological programs and the anticipated needs of the small business community.

FUTURE PATTERNS AND PROBLEMS

The federal government has given evidence of its willingness to assist small business to improve its management, planning, marketing, and production tasks. But the need for enhanced interaction between private and public groups interested in the viability of the business community has been identified. There is a growing belief that more positive policies at the federal and state or local levels soon are not going to be only desirable but essential. The increasing number of changes in business codes, practices, and relationships between business and government necessarily must become the concern of all responsible parties.

Another factor now attracting attention is that of the need for selective restraint where governmental endeavor in the business sector is involved. The activities, competition, and growth of the private sector traditionally have been relatively free of government intervention, and the area of control, authority, and responsibility well defined. Public and private leadership share the job of delineating workable relationships and guidelines in these changing times.

As the small business elements of the nation face the future, they must acknowledge the forces in motion and the pattern of projected developments; the next quarter of a century should see the emergence of these factors which will affect the small business community:

Increased mechanization in all facets of data handling, including computers, peripheral input-output devices, storage and buffer components, and character recognition equipment;

Significant sophistication of computer programming, including improvements in heuristic programming, linear programming, master-slave software interactions, and man-machine dialogue capability;

Altered relationships between automatic data processing and communications hardware and software, with the need for more comprehensive system control mechanism;

Greatly increased investment in ADP equipment and services, both on an in-house and out-of-house basis by firms both large and small, with accompanying pressure on those not investing because of the growing imbalance of management access to needed information; and

Modification of traditional private-public information control and exchange procedures and criteria, which will require educational efforts to orient and inform business and government elements alike to their responsibilities.

The prospects, then, are for a period of dynamic activity and continuing change. It is too early to assess the multitudinous ramifications of computer technology on our civilization, but even the most cautious technological forecaster would predict an increasingly responsible role for ADP in the life of the business community of the future.

GEN. THADDEUS KOSCIUSKO: A FIGHTER FOR FREEDOM

Mr. YOUNG of Ohio. Mr. President, on the 12th of this month Americans commemorated the birthdate of a true lover of freedom, a true architect of American independence, a true volunteer soldier who left the comforts of his native land to fight in the most noble causes—for American independence.

Tadeusz Kosciusko, described by Thomas Jefferson as "the purest spirit of liberty," was born in Poland on February 12, 1746. Some 30 years later he would hear of America's struggle to rise from the coffin of colonialism and would rush to this strange land to join the war as a volunteer.

Kosciusko was trained as an artillery officer at the Royal School of Warsaw and, after graduating in 1769, furthered his military training at Mezieres, France. There he studied the art of soldiering under Lafayette and preceded his teacher to America, arriving here in August 1776.

The young Polish patriot spent 8 years in America—8 years that saw him rise in rank to brigadier general. During that time, Kosciusko fortified the Delaware River against the assaults of the British and saw action at Fort Ticonderoga, Fort Defiance, and Charles, S.C. He also built the original fortifications at West Point, suggesting then that a military academy be established at the New York fort.

However, the 8 years in America gave Kosciusko much more than medals, much more than military rank. An admitted adventurer when he came to our shores, Kosciusko returned to Poland in 1784 a firm believer in the ideals for which he fought. He turned his back on financial opportunities in the new world, choosing instead to ferment the seed of freedom in the Old World.

But his second battle—the battle for freedom in Poland—was not to be won, then or apparently now. He was exiled to Switzerland after the valiant but futile struggle against Russian tyranny. He died there on October 15, 1817.

His was not a failure. His was a full life of honorable achievement. For the name Kosciusko has lived through two centuries, is synonymous with freedom in two countries, and will continue for generations to come to inspire free men everywhere.

BLACK STUDIES COURSES SHOULD TELL THE WHOLE STORY

Mr. BYRD of West Virginia. Mr. President, an interesting article by columnist Joseph Alsop was published in the Washington Post of February 17, 1969.

Mr. Alsop's column concerned the recent demands by black power militants that the various colleges and universities across our land give courses in Negro history and "black studies."

I ask unanimous consent that Mr. Alsop's column, entitled "Black Studies Drive Faces Tests of Its Academic Validity," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Black Studies Drive Faces Tests of Its Academic Validity

(By Joseph Alsop)

At the moment, American universities from coast to coast are torn with strife over the demands for independent, racially segregated "black studies" departments, directly controlled by black students. So it is permissible to inquire just what is meant by "black studies."

If "black studies" are to start with serious and comprehensive exploration of African history, then they are shamefully overdue. Yet at least two words of warning are plainly required.

To begin with, most of the past of Africa belongs to pre-history. It is passionately interesting pre-history. As Dr. J. S. B. Leakey has gone far to prove, African pre-history probably includes the actual origin of the human species. It also includes such marvels as the cave paintings of the remote Atlas mountains, explored by Andre L'Hote, and the mysterious art of Ife, gloriously beautiful, probably ancestral to the harsher art of Benin, yet seeming to spring from nowhere in about the 8th Century A.D.

All the same, it is still pre-history; and pre-history is cruelly hard going for most non-professionals. Furthermore, when you come to the more recent period, when African history begins to be at least partly recorded, you find that it is like most history, mixing much evil with some good.

Take Chaka, the great founder of the Zulu Empire. As a military genius, this astonishing giant was at least the equal of his near contemporary, the Emperor Napoleon. He invented a new weapon, the Zulu *Assegai;* and he either invented or brought to perfection a completely novel system of military organization and tactics.

Indeed, Chaka even seems to have independently invented warfare to win victories and territory—a quite different thing from the sporadic and primitive warfare to win cattle that had previously prevailed in his region of Africa. Furthermore, Chaka managed to banish from his empire the tribalism that is the curse of every modern African state.

Yet Chaka's way of dealing with tribalism was to kill all but the young girls and boys of each conquered tribe, if that tribe even thought twice about abandoning the old ways and customs of its ancestors. The Zulu Empire was brilliantly successful, until Chaka's descendants encountered white soldiers with firearms; but it had a good many aspects that would not meet with the approval of most modern professors of sociology.

The same is true of all three of the more highly organized West African states, Benin, Ashanti and Dahomey, that first meet the eye when this part of Africa emerges from pre-history into history. All three were absorbingly interesting; but all three had features, including the regular practice of human sacrifice, that the New Left might well regard as distasteful.

Even the dreadful story of the slave trade presents the same dilemmas. The slave traders were white, but the slave suppliers were almost always black—rulers like the Obas of Benin and the kings of Whydah, and lesser chiefs and "caobceers" who marched the human merchandise, coffle by yoked coffle, down to the traders' coastal factories. Whites were the vicious tempers, but blacks yielded to the temptation to sell their own.

In short, the question is whether "black studies" are going to be historically truthful, and therefore intellectually respectable and academically valuable. If this is to be the way of it, there is much serious work to be done, and not least in the sordid, ludicrously whitewashed area of the true history and character of the slave system in America.

Unhappily, any practical-minded person can foresee that "black studies" will too often fail to meet the above-listed tests, at any rate if they are commonly organized in the way now demanded. Hate-promoting readings in Frantz Fanon are more likely to be emphasized. And so will black-racist bosh like the claim once made by the New York leader of the Revolutionary Action Movement, Herman Ferguson, that there had been "an Anglo-Semitic plot to conceal the leading role of the universities of Timbuktu" in all of Western progress and science.

To this one other point needs to be added. According to the brave, wise but unheard leader of the NAACP, Roy Wilkins, who should know better than anyone, this country ten years from now may well have *fewer* black doctors and dentists, lawyers and engineers than it has today. Yet the number of black students in the universities has enormously increased.

One must conclude, then, that in the present clamor, and probably because of that clamor, the door-opening studies are also being neglected.

SENATOR HARRISON A. WILLIAMS AND THE SPECIAL COMMITTEE ON AGING

Mr. KENNEDY. Mr. President, a recent article in a New Jersey newspaper began with the following sentence:

> It might seem strange that a 49-year-old Senator can be called "Mr. Aging," but U.S. Senator Harrison A. Williams has a claim on the title.

The article describes Senator Williams' work as chairman of the Special Committee on Aging and as an individual legislator who has offered many innovative proposals to cope with problems affecting older Americans.

A similar tribute was paid to the Senator in the November 1968 issue of Geriatric Times. There, the Senator's interest in "preventive" health screening—an early warning system intended to detect disease before it becomes chronic—was featured.

Mr. President, as chairman of the Subcommittee on Federal, State, and Community Services in the Special Committee on Aging, I have long been aware of the chairman's deep personal interest in the quality of life enjoyed or borne by the aged and aging population of this Nation.

As chairman of the Special Subcommittee on Aging in the Committee on Labor and Public Welfare, I have worked closely with Senator WILLIAMS on legislation arising from committee studies and recommendations. His concern about the elderly is matched by his persistence in devising new and far-sighted legislation.

For a more complete description of his work, I ask unanimous consent that both the article from the Geriatric Times and an article published in the January 23, 1969, issue of the Belleville, N.J., Times-News be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Geriatric Times, Nov. 1968]

INTERVIEW WITH SENATOR HARRISON A. WILLIAMS—CHAIRMAN OF SENATE AGING GROUP PRESSES FOR "PREVENTICARE" PROGRAM

WASHINGTON.—The senior citizens club had asked the Senator to appear to make a short speech. Instead, when he arrived, he sat down with them and "had a conversation."

"I learned more than they did, I guess," he commented during this informal interview with Geriatric Times.

That's the typical style of the bushy-browed, 49-year-old New Jersey lawyer who heads the only congressional committee specifically designed to oversee the nation's programs affecting the elderly and to recommend the course they should follow in the future.

Sen. Harrison Arlington Williams, whose appearance and manner suggest Ivy League (which he was) and a liberal Democrat (which he is), has chaired the Special Senate Committee on the Aging since 1967. He'll continue to direct the panel at least for another two years, since the Senate will continue to be controlled by the Democrats.

"He's the kind of guy who can focus on people while others are talking about programs; he's people oriented," is the way one of his staff assistants sums up the chairman.

For instance, when he was invited to tour a large industrial plant in his home state company brass were forced to take the Senator down on the plant floor so he could talk to the production workers. Elaborate plans to entertain him in the executive suite had to be abandoned.

ELECTED IN 1953

The Senator, who commutes between Washington and his family home in Westfield, N.J., each weekend, was one of the "bright young men" of the Democratic party when he came to Washington. He was first elected to the House in 1953, and won his first Senate term in 1958.

Sen. Williams became a friend of the then Senate Majority Leader Lyndon Johnson. Sen. Williams was a member of the parent Labor and Welfare Committee, and was promoted by LBJ to the new Special Committee on the Aging over Senators with more seniority. In order to soothe ruffled feathers, the Special Committee was enlarged to its present 21-member complement.

Sen. Williams became chairman in 1967 upon the departure of Senator George Smathers, (D.-Fla.)

Sen. Williams, of medium height with a somewhat rugged countenance and bushy, short-cropped black hair, has been pushing several new programs for the aged. His committee is not a legislative group—it cannot report legislation to the floor. Like other special committees of Congress, it's job is to study, investigate and recommend legislation to the appropriate committees. For instance, Social Security, Medicaid and Medicare laws are handled by the Senate Finance Committee because they involve taxation.

In spite of this "second class" status, Sen. Williams and the Committee have been extremely active and have played a major role in developing new laws and program expansions in the elderly field in recent years. They have pushed for the new White House Conference on the Aging to be held in 1970, were strong supporters of increased funds for aging research, and have pressed for congressional approval of increased Social Security benefits and "Preventicare," setting up a government program similar to Medicare to finance preventive health programs.

This year he barely missed congressional approval of an amendment to the appropriations bill for the Departments of Labor and Health, Education and Welfare to create a 15-member President's Commission on Disease Prevention and Health Protection. The plan involved no new funds, but would merely have authorized shifting of other funds to finance the committee's work in surveying medical knowledge.

Sen. Williams has urged President Johnson to get the special funds that would be needed to get this Commission started (hoping the next Congress will provide money to put the Commission in operation).

The Commission plan is typical of Sen. Williams' approach to the medical and other problems of the aging.

His Commission would "plan and recommend programs of preventive medicine, encourage programs of preventive medicine for the health professions and the general public, and engender national interest in preventive medicine."

"We must organize aging research into definite goals and set up a target date for results, like we did when the atomic bomb was developed during World War II," he says. "We cannot continue research into the aging process as scattered, fragmented programs, each going its own way," Sen. Williams declares.

As a political realist Sen. Williams, knows that the chances of major increases in aging research funds are poor in the foreseeable future. But he does see some major needs which he believes can be attacked now.

"The government must do more in the health facilities area," he says. "The federal government has done pretty well in helping create new hospital facilities, but we must have more nursing homes—this is an absolute necessity. And we need more medical personnel to staff them. These are not huge financial programs, so they can be undertaken now."

The Senator's father, incidentally, a retired successful New Jersey businessman, will become one of the first patients in a new nursing home in the Lake Placid, N.Y., area, built under a federal program. His father is covered by Medicare.

INADEQUATE INCOME

Talking informally to Geriatric Times he sipped a cup of soup in a restaurant near the Capitol, Sen. Williams repeated his oft-made assertion that inadequate income is the major problem facing most older Americans.

He has long advocated a 50 per cent increase in Social Security payments and a cost-of-living escalator system to keep payments abreast of inflation. He also favors broadening Social Security to cover all retired persons.

"We can't hope to cope with today's retirement income inadequacies—not to mention those of the future—unless we come up with a plan for both immediate and long-range national action," he says.

But Sen. Williams is frank to admit that he doesn't believe that the government will ever be able to provide adequate income for all the elderly, even when matched against growing private pension plans. The tax base, he says, could never support such a program.

"The way things are going now, when we put together all the taxes, I am pessimistic that we can add enough new taxes to finance such a program," he comments.

"With compulsory retirement almost universal, adequate income for persons over 65 is a real problem. Even taken together, Social Security and most pensions don't provide an adequate income level for millions of people," he says.

Sen. Williams is proposing, as a first step, creation of an "Institute on Retirement Income."

"The institute, which would be similar to the federal 'think tank' now coping with urban problems, would be a 'problem-solving mechanism,' not a center for perpetual study and no action," he says.

NEED OPPORTUNITIES

In discussing the income problems of the aged, Sen. Williams stresses his belief that the answer is a combination of increased government financial help and increased economic opportunity for the elderly, with government lending a hand.

He and the committee staff are discussing a plan under which the Small Business Administration would create a special program to help the elderly set up their own small business firms.

"As far as I know, the U.S. Supreme Court and members of Congress are the only major groups today without compulsory retirement (and the voters sometimes have something to say about us), so continued economic activity after 65 is a must for millions who are not physically or mentally ready to stop all activity," he says.

"The rules and regulations that prevent a person from setting up a little business in his home or in a small shop are a major problem," he says. "We've got to help these people get past those roadblocks." He uses as an example a friend who, with one employee, wants to go into the business canning chicken fat for cooking purposes. But he ran afoul of such U.S. Department of Agriculture regulations as one requiring that both a men's and women's toilet be provided despite the fact that his lone employee would be a man. The business is still not off the ground.

Sen. Williams, whose interests include poetry (Robert Frost), casual golf (high score) and theatre (all kinds), is also a constant promoter of such programs as the Senior Service Corps, in which elderly help out in hospitals and various other institutions and offices, Foster Grandparent, in which they help underprivileged and orphaned children, and the Green Thumb program, in which elderly former farmers beautify state and federal public areas.

Balance is the key to the government's programs for the elderly, in the opinion of Sen. Williams. Income and economic opportunities, as well as their health needs, depend on a number of related problems, he says.

He cites particularly the desperate need of the elderly for mass transit facilities in order to get adequate medical care, to take advantage of programs designed to fill their hours, to take jobs or to become volunteer workers.

How about Sen. Williams' own retirement after nearly a decade of dealing with the retirement problems of others?

"I have made my own retirement program," he says. "I would be delighted to spend my retirement on a college campus, teaching political science—practical political science, not the kind that you usually get out of textbooks written by a person who has never even been a ward leader."

[From the Belleville (N.J.) Times-News, Jan. 23, 1969]

WILLIAMS OFFERING AGED LEGISLATION

It might seem strange that a 49-year-old Senator can be called "Mr. Aging," but U.S. Senator Harrison A. Williams, Jr., (D-NJ) has a claim on the title.

Not only is he Chairman of the Senate Special Committee on Aging, he's also the author of a legislative package designed to improve standards and services for aging and aged Americans.

With his proposal for a White House Conference on Aging enacted into law last year, the Senator moved quickly last week to introduce:

A bill establishing computerized health-screening centers for people 50 and over;

A measure to authorize an intensive study into the biological processes of aging—a measure which could help find answers to the mystery of why people grew old;

Legislation to create a problem-solving Institute on Retirement Income; and

Amendments to the landmark Older Americans Act of 1965, which would extend authorization for major programs and enable State agencies to conduct area-wide model projects for the elderly.

Senator Williams said that the bills were offered to Congress at the earliest opportunity, "so that we can make this the year of real breakthroughs in health services and income maintenance for older Americans."

The bill to create health-screening centers—dubbed "Preventicare"—would authorize the Surgeon General to assist medical schools and hospitals in establishing multiphasic screening programs, free of charge, for anyone past age 50. Data gathered at the centers—on hundreds of basic bodily processes and conditions—would be forwarded to the patient's physician for diagnosis and, if necessary, treatment of the condition.

Senator Williams pointed out that chronic disease and ill health plague the nation's seniors. He noted that four out of five persons over 65 suffer from some form of chronic illness. "Long-term illness and physical decay often go undetected until it is too late," he added. "A system of computerized screening stations offers the strong possibility that we will be able to head off trouble before it sets in."

The New Jersey lawmaker pointed out that his Preventicare measure does not create treatment centers, nor does it set up electronic diagnostic stations. The screening stations would be data-gathering outposts, where comprehensive tests could be made and the results compiled in a form that would help the physician proceed with diagnosis and treatment.

Such pre-diagnostic screening has received support from leading physicians throughout the country—from Scotland, Poland, the Soviet Union, and other nations. Dr. Josef Panasewicz of the Polish Institute of Hematology, in Warsaw, summed up the relationship between machine and man when he noted that "no doctor can match the accumulated memory and experience of the computer, any more than the computer can match his human judgment."

Another Williams bill introduced this week would set up a Research Commission on Aging, under the Department of Health, Education and Welfare, to dig deep into the biological secrets of the aging process itself.

"We are spending only about five cents per person, every year, on research in aging," Senator Williams revealed, "and this in spite of the fact that every man, woman and child grows old—inevitably—and some with unfortunate side-effects."

The Research Commission would gather, analyze, and evaluate all available data on the biology of aging. It would then draft a five-year research program in aging, in the hope that by unlocking some of the body's secrets, the aging process might be made less severe—and less disruptive to the individual.

Senator Williams said that he has received support for intensified research in aging from polio vaccine pioneer, Jonas Salk, and noted chemist, Linus Pauling. "These distinguished scientists agree," he said, "that we need basic information about the cell and the gene. We need accurate data about the basic physical changes which * * *".

One "change" which accompanies aging is all too apparent, according to the Committee Chairman, and that is reduction in income. "Inadequate income continues to be the number one problem faced by most older Americans," he said. "Pensions, Social Security, retirement financing of all kinds—these and other systems are not doing the job they must do to keep the elderly out of the shadows of poverty and near-poverty."

Recent studies point up the impoverished status of millions of older Americans: while total numbers of persons at or below the poverty line fell by some three million from 1966–67, the number of poverty victims 65 and over rose by almost 100,000 in the same period. The elderly poor now make up almost 20 per cent of the nation's poverty group.

Senator Williams' bill on retirement income would create a "think-tank" agency, geared to propose solutions and plan ways to put them into practice. Similar groups are at work on urban problems and crime in the nation's cities. "Why not adopt the high-level, concentrated approach to income for the elderly?" Senator Williams asks.

The Committee on Aging took some testimony last year to examine income problems of the elderly. It found that pensions, though adequate during working years, stay fixed as income and expenditures of the work force go up. The resulting "income squeeze" catches retirees and their offspring in the middle, and the trap grows tighter every year.

Senator Williams noted that national attention to the special problems, and unique attributes, of the elderly did not come about until the Older Americans Act was adopted in 1965. "This milestone legislation set up the prototype of community concern for the elderly," he said, "and we have been working within the framework of the Act since that time to expand and increase our programs."

Senator Williams said that he introduced the amendments to the Act "to extend the important provisions of the law through another three years, and to allow state agencies to conduct regional demonstration programs for older citizens." Other amendments would permit the Federal Government to redistribute unused funds between states, and would establish a program of planning and evaluation by private agencies.

"Senator Edward Kennedy has been a strong advocate of community involvement by, and for, the elderly," Senator Williams said, "and this week he spoke out on the importance of the Older Americans Act for the present and future."

Senator Kennedy said, in part: "I am joining Senator Williams from New Jersey to make this landmark statute even more helpful to our elders than it has been . . . the Older Americans Act has accomplished much at relatively small cost . . . we shall continue to press for legislation to improve the quality of older life in our nation."

Senator Williams is also readying several other proposals for introduction. One high priority bill would establish an Older American Community Service Program to enlist the elderly in public service activities right in their own home cities and towns. Williams previously introduced such legislation, but in 1968, the Department of Labor and the Department of Health, Education, and Welfare, had a jurisdictional difference of opinion about the program. Late in 1968, Senator Williams and Senator Kennedy issued a joint letter asking for opinions about the dispute.

They said, in part: "Both Departments are conducting limited, pilot programs that provide ample evidence about the desirability of matching up retired or unemployed older persons—who want something worthwhile to do—with worthwhile work that needs doing. We're now past the stage of limited demonstration programs, and we should have a truly national program that could attract hundreds of thousands of participants. Because of the importance of this concept, we are going to take our time in coming forward with a new, comprehensive bill.

THE NEW INTEREST RATES AND WATER RESOURCE DEVELOPMENT

Mr. MUNDT. Mr. President, on February 10, I was privileged to address the annual luncheon of the Mississippi Valley Association, which was celebrating its 50th anniversary by holding its annual meeting in our National Capital. The luncheon was held in the Sheraton Park Hotel, Washington, D.C.

This occasion gave me an opportunity to discuss some factors in our water resource development program which have long troubled me as a member of the appropriations subcommittee charged with the funding of our public works projects dealing with the great water resources of the United States.

In this address, I pointed out how increased interest rates have made it more difficult to determine a favorable cost-benefit ratio for these public works projects and how our failure to include among the benefits derived from such projects many of the actual and potential benefits to be obtained from such improvements have tended to magnify our problems and to cause the rejection or delay of many projects of vast importance to America's future. To correct this situation and to modernize the calculations of our cost-benefit ratios, I offered some alternative proposals for getting our country's highly important water utilization projects back on track again.

Mr. President, for the benefit of Members of Congress, and of the country, generally, who might be interested in this analysis and inclined to cooperate in taking the required corrective steps, I ask unanimous consent that the text of my address to the annual meeting of the Mississippi Valley Association be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

ADDRESS OF THE HONORABLE KARL E. MUNDT, U.S. SENATOR FROM SOUTH DAKOTA, AT THE 50TH ANNUAL MEETING OF THE MISSISSIPPI VALLEY ASSOCIATION, WASHINGTON, D.C., FEBRUARY 10, 1969

THE NEW INTEREST RATES AND WATER RESOURCE DEVELOPMENT

I would like to thank the Mississippi Valley Association for the invitation to address your annual meeting, and especially I express my appreciation to Mike Cassady with whom I have worked for many years in the field of water resource development. Mike has worked untiringly for the development of water resources in America and, particularly, in the great Mississippi Basin.

I believe that the importance of water and its conservation and development was placed in its proper perspective by President Johnson on September 30, 1968, on the occasion of his signing of the Colorado River Project Bill, when he asked those present to consider several very crucial facts of the time in which we live.

"Fact Number One. Next to the air we breathe, water is our most precious resource. Fact Number Two. Each year, civilization's appetite for water doubles and then redoubles. It takes 70,000 gallons of water to produce a single ton of steel . . ."

"Fact Number Three. As our demand surges, and our population grows, the earth's supply of water remains constant. That supply has not changed in 5,000 years."

Because of its inflexibility as to quantity, water is somewhat comparable to real estate since it increases in value with increased population similar to the increase in land values as our population increases and competition grows for the land and water. One has little value without the other.

Subsequent to the aforementioned remarks of President Johnson, two important documents have been released by the former President during the latter part of his Administration. On November 12, 1968, he transmitted to the Congress the first assessment of the Nation's water resources under the Water Resources Planning Act of 1965. This report, which is in excess of 400 pages, evaluates the water needs of our Nation by the year 2020 by regions. Even a cursory review of that document reveals the staggering program that will be required to meet these needs.

The second document sent to the Congress having a bearing on the subject was his prepared budget for fiscal year 1970. It is obvious that one bears little relationship to the other.

The total budget authority (largely appropriations) for fiscal year 1970 is $210.1 billion compared to a present estimate of $194.6 billion for 1969 and an actual of $190.6 billion for 1968. This is an increase of slightly over ten percent in the past three years. During this same period the Construction, General appropriations for the Corps of Engineers decreased from $967.6 million to a requested $769.4 million for fiscal year 1970. This is a twenty percent drop in actual appropriations. When a fifteen percent price rise is taken into consideration, the funds requested will permit only about 70 percent of the work undertaken with the 1968 appropriations.

INTEREST AND DISCOUNT RATES

Anyone who has bought a house, a car, or other such items utilizing the services of a financial institution has paid interest and realizes that it is an important and inescapable fact of life. Let us consider for a moment the effect of increased interest rates on the monthly payments on our homes. Someone fortunate enough some years ago to obtain a $20,000 mortgage for 18 years, at 5 percent, would have monthly payments of $142.58. At 8 percent interest, the monthly payments on this same loan would be $177.83. After determining the project cost, the amortization and interest charge is determined in a manner similar to the monthly payments on a mortgage. To this amount is added the annual cost of operation and maintenance to obtain the annual charge. This becomes the denominator for the benefit-to-cost ratio.

The application of the interest component on the benefit side is just the reverse. After determining the stream of benefits over the economic life of the project, by the use of the appropriate discount rate (interest charge), the total benefits over the assumed life of the project are reduced to present worth. The present worth of these benefits is then redistributed over the life of the project in the same manner as the total cost of the project is spread out over the life of the project to determine the interest and amortization charge. Assuming a uniform flow of benefits over the life of the project, the average annual benefits over this period would not change as the interest rate increases, since the same interest rate is applied to a constant amount to obtain the present worth and to spread that total over the period of economic analysis. However, this is not the normal case. Usually, project benefits increase over the span of the project—in which case, the larger benefits accruing in the latter years of the project life have a lower present worth as the discount rate increases. Thus, the total present worth of the stream of benefits is a lesser amount which is then uniformally distributed over the life of the project.

IMPACT OF DISCOUNT RATE ON DECISIONMAKING

For the purpose of economical analysis and the computation of benefit-cost ratios, the Corps usually assumes an economic life of 50 years for navigation projects and local protection works and 100 years for reservoirs. They also assume that machinery and other moving parts have a shorter economic life and will require replacement during the assumed economic life, and provision is made in the annual charge for such replacement. From a practical standpoint, the facilities constructed will be effective many years beyond their assumed economic life, *thereby resulting in an understatement of the benefit-cost ratio.*

The interest rate used in the discounting of future benefits has a very dramatic effect on the benefit-cost ratio, particularly when the benefits of a project increase during its economic life, i.e., a new navigation project such as the Missouri River, where the commerce builds up over a period of years.

The following table shows the present value used in the economic analysis of a project for a benefit of $1 in the fiftieth year:

TABLE 1.—EFFECT OF INCREASED DISCOUNT RATES ON FUTURE BENEFITS

Present worth of a benefit	Today	50 years hence discounted at—				
		3 percent	4½ percent	8 percent	10 percent	15 percent
$1	$1	$0.22	$0.11	$0.2	$0.9	$0.09

The following table shows the general effect of an increase in the discount rate on the benefit-cost analysis for various assumptions as to economic life and whether the benefits are immediate or increased during the life of the project.

TABLE 2

	Project 1	Project 2	Project 3	Project 4
	Existing development (no provision for growth)		Benefits divided between existing and future development	
Interest rate	50-year life	100-year life	50-year life	100-year life
3	1.5	1.5	1.5	1.5
4	1.3	1.2	1.2	1.1
5	1.1	1.0	1.0	.8
6	1.0	.9	.9	.6

For Projects 1 and 2 in the above table, the benefits are based on existing conditions with no provisions for growth, and only the economic life of the project changes. For Projects 3 and 4, a substantial portion of the benefits accrue in the later years of their project life, i.e., there is a mixture of existing and future benefits.

For the first project, the benefit-cost ratio is reduced from 1.5 to 1.1 when the interest rate is increased from 3% to 5%, and the third project having the same 50-year assumed economic life drops from 1.5 to 1.0 because of the discounting effect of the higher interest rates on the larger benefits in the later years of its economic life. Now, comparing the projects with an economic life of 100 years, in the case of the second project the benefit-cost ratio is reduced from 1.5 to 1.0 when the interest rate is increased from 3% to 5%; whereas, for project 4, an increase of 2% results in an unfavorable benefit-cost ratio. In this latter case (Project 4) an increase of 1%, from 3% to 4%, reduced the ratio from 1.5 to 1.1, resulting in a marginal project. This demonstrates very dramatically the sensitivity of the benefit-cost ratio to changes in the discount rate.

In recent years, relatively few projects recommended by the Corps for authorization have a benefit-cost ratio in excess of 1.5. The impact of the proposed higher interest rate in evaluating Corps projects therefore becomes readily apparent.

There has been a great deal of discussion of the problem of the proper discount rate to be used in the evaluation of public investments, and, particularly, water resource projects. The advocates of high rates have presented their case for rates in the range of 10% to 15%. When proponents of water resource projects have expressed the fear that the implementation of such rates would kill water resource projects, some of the more ardent supporters have admitted that that is exactly what they want to do. Recognizing the cost of money to the Federal Government, I must admit that the formula for determining the interest rate on water resource projects as set forth in Senate Document 97 of the 87th Congress, which results in a current rate of 3¼%, is indefensible. On the other hand, the formula developed by the Water Resources Council which became effective in late December, is a sound basis for the determination of the appropriate interest rate. The new rate is 4⅝% with an annual adjustment of not more than ¼ a year. The new rate represents about a 42% increase in the interest rate. This is such a drastic increase in the interest rate that many thoughtful people have suggested a stepped increase which would permit more time for the development of better techniques for the evaluation of project benefits. This argument appears to have a good deal of merit when you consider that the Joint Economic Committee, that has been studying this problem Government-wise, noted the need for additional efforts to accurately measure and quantify the real benefits and costs of investment in this and other public investment areas.

I have joined with other members of the Subcommittee on Public Works of the Committee on Appropriations in a letter to the Water Resources Council, urging that regional hearings be held on present practices in the formulation and evaluation of water and related land resource propects. That letter stated in part that: "Unless all project benefits, both primary and secondary benefits, are fully and adequately evaluated, the interest rate used in project formulation will result in many projects being under-designed and others completely rejected. In view of the recent findings of the Water Resources Council in the national assessment of the Nation's water resources, we know that you will agree with us that we cannot afford under development of our water resources, and particularly reservoir sites, if we are to meet the water demands of the year 2020."

Some of the more obvious omission of types of benefits brought to the attention of the Council by the members of the Subcommittee include the following:

AREA REDEVELOPMENT BENEFITS

Under the EDA Act, where an area is designated under Title IV as an area of persistent unemployment, it is appropriate to include redevelopment benefits. Last year, in considering the budget estimate for the Eel River project in California, it was noted that the area qualified under Title IV as an area of persistent unemployment but no redevelopment benefits were included in the economic analysis. The project had a favorable benefit-to-cost ratio of 1.06 to 1. In response to a question, the Division Engineer stated that, "Area redevelopment benefits will be included in the benefit-cost analysis if the project would otherwise lack overall economic justification."

This is an inconsistent policy and if these benefits are real they should be included wherever it is appropriate to do so. The Corps of Engineers computes only those benefits applying to labor costs during the construction plus an increment of the operation and maintenance costs for a limited time after construction; whereas, in many cases, the project provides the climate for expanded industrial and business activities that are more important to the economic prosperity of the area than the temporary economic activity stimulated by the physical construction. Further effort of the Council should be directed toward developing a methodology for evaluating these benefits. In making a determination of whether or not an area qualifies under Title IV, there must be a break-off point, and the community that just fails to meet the standard but is still plagued with unemployment is certainly entitled to a recognition of these types of benefits. Wherever there is under-utilization of resources there is a sound basis for recognizing these benefits.

Sometimes the survey and review of a water resource project can be a frustrating experience to Members of Congress as well as local interests.

Navigation, bank erosion, and flood control along the Missouri River have been major items of concern in the Dakotas, Iowa and Nebraska for well over thirty years. Completion of the five mainstem dams on the Missouri River in the Dakotas has materially reduced the flood hazard, but the bank erosion problem and the extension of the 9-foot navigation channel from Sioux City to the Gavins Point Dam have not been resolved.

In response to the authority contained in Section 112 of the River and Harbor Act of 1958 and a Senate Public Works Committee Resolution adopted in February 1960, as well as a number of earlier Committee Resolutions dating back to 1938, the Omaha District and Missouri River Division Engineers, after a thorough investigation, recommended extension of the 9-foot navigation and bank stabilization project from Sioux City, Iowa to Yankton, South Dakota. Their report was submitted to the Board of Engineers for Rivers and Harbors for review in April of 1965. This was just after the Corps, at the insistence of the Bureau of the Budget, established a new criteria for the evaluation of navigation benefits—that is, the savings in shipping costs were to be based on an estimate of what water compelled rates would be if the waterway were built. If the recommended project were evaluated on that basis it would not have been feasible. In fact, no new waterway projects were recommended any place in the country during the period that criteria was in effect. After this new criteria was modified by the Congress the Board completed review of the report and following consideration of the views of all interested parties advised the Chief of Engineers of its general concurrence and recommendation of the reporting officers in September 1966.

The views of the Governors of South Dakota, North Dakota, and Nebraska were favorable, and, after considering issues raised by the Federal agencies, the Chief of Engineers sent his report to the Secretary of the Army in January 1968.

At this point another stumbling block was thrown in the path of the report. The report attributed as major benefits from stabilization of the river banks significant contributions to large future increases in agricultural production in the flood plain. These increases were questioned by the Secretary of the Army and his staff and he requested further review of these agricultural benefits, which were essential to support a favorable recommendation to the Congress, and assurance that they could reasonably be credited solely to the project. The Chief of Engineers consequently solicited the assistance of the Department of Agriculture to re-examine the agricultural benefits. Necessary studies are currently in progress and the Chief of Engineers has assured me that every effort will be made to complete the re-evaluation as soon as practicable. But I am concerned and all of you should be concerned that the re-evaluation may again be on the narrow basis of the presentation made in the report rather than the more comprehensive evaluation of all the associated damages resulting from bank erosion.

I am convinced that the benefits from bank stabilization, if fully and properly evaluated, will justify the improvement. As we pointed out in the information presented to the Water Resources Council, which I will discuss in a moment, there are aspects of erosion control benefits that are presently being neglected in current evaluation procedures. One of my constituents in the project area recently advised me as follows:

"In 1968, a neighbor sold a 557 acre tract adjoining my farm and bordering on the Missouri river, wholly unimproved, the timber having been just removed from most of the acreage, . . . for $460.00 per acre. So you can understand my interest in saving the rest of my farm from the ravages of the river. I have lost approximately 160 acres in the past 6 years."

We as a Nation cannot afford the continual erosion of land and the associated pollution and downstream damages resulting from the failure to protect our resources.

Now, let me return to the suggestions we have made to the Water Resources Council.

RECREATION BENEFITS NOT EVALUATED

In reviewing the justification for the Gillham Reservoir in Arkansas, it was noted that the separable cost of specific facilities for recreation was $328,000 but the breakdown of benefits did not include any recreation benefits. In response to a question, the Division Engineer stated, "Recreation is not an authorized purpose, Sir; so we included no benefits." If the general authority of the 1944 Flood Control Act, as amended, is sufficient authority to expend funds for recreation it certainly provides the authority to evaluate the benefits resulting from the expenditure of public funds for this purpose.

NAVIGATION BENEFITS

The justification sheet for Biloxi Harbor, Mississippi, included the following statement:

"In addition to the tonnage on which economic justification is based the Mississippi Power Company expects to barge 600,000 tons of coal per year over the channel beginning in January 1968, increasing to 1,000,000 tons in two to three years."

The Division Engineer stated that the Corps first became aware of these coal shipments in December of 1967, but did not include these benefits because the Corps was not able to evaluate or reevaluate the benefits between the time that they became aware of them and the time that the budgetary data had to be printed.

This is typical of what is happening on most of our major waterways. The recent first national assessment of water resources predicts a six-fold increase in inland waterborne commerce over the next 50 years. The Committee recognizes that this projection is an average increase—that some will be greater than six-fold while others will be less. However, the Corps' projections of traffic on our inland waterways do not reflect such potential increases in water-borne commerce on any of the waterways. In this connection, it should be noted that all past projections have proven to be conservative and undoubtedly the first assessment by the Water Resources Council, in the light of actual experience, will also have to be revised upward.

As a matter of fact, it seems to me that we could employ some of the thinking of our part of the country to the resolution of the great problems confronting our urban areas—and by that I mean, going to the source of the problem to achieve its solution.

For example, in resolving the annual problems of floods along the lower reaches of the Mississippi Valley, we could have devoted all our efforts to the construction of levees to hold out the flood waters, but only to find that we compounded the problem and would simply have to devote more of our resources to the construction of more levees with the passage of time and still not achieve the solution sought.

We did not do this in the Mississippi Valley, but what we did do is go to the source of the problem for solution by constructing mainstream reservoirs along the Missouri River, to capture the flood waters before they could inflict their massive damage and achieve a stabilization that not only has meant an end to the devastating floods of recent decades but brought forth new developments which have benefited all areas along the Mississippi and its great tributary the Missouri.

I think we can make this same application to the problems of our cities—by going to the source of their problems, the massive influxes of population coming from rural areas to the cities. By directing our attention to programs which can keep our people in the rural areas—and repopulate these areas—we can make a major contribution to the resolution of the urban crisis. And I think one way to begin is for people, such as you from this association, and from the Army Corps of Engineers, and from the organizations and areas who understand the situation at the source—rural America—to be a part of the planning to resolve the problems of our big cities by creating job opportunities in rural America which will not only shut off at its source the migration of great numbers of people to flood our urban centers but which would also tend to start a reverse migration.

LOCAL PROTECTION PROJECTS

In the case of levee protection for flood control, the levee is built based on a project design flood of a certain magnitude but, in the estimate of damages prevented, it is not assumed by the Corps that the design flood will occur during the life of the project. It seems that if there is sufficient probability of a flood occurring to justify the expenditure of funds to build a project which will protect against a certain flood, it is reasonable to assume that that flood would occur some time during the life of the project.

ALLEVIATION OF HUMAN SUFFERING

The 1936 Flood Control Act sets forth the policy that the Federal Government should improve or participate in the improvement of navigable waters for flood control purposes if the benefits to whomsoever they may accrue are in excess of the costs, and if the lives and social security of people are otherwise adversely affected by the absence of the improvement. The loss of life and social security of those affected has always been considered intangible loss for which no monetary evaluation can be made.

Recent news dispatches state that the flood of January 1969, is southern California's worst flood since March 1938, with 88 deaths attributed to the rains and floods and 9,000 persons evacuated from their homes. Several counties have been declared "major disaster areas" by the President. When the residents return to their homes there is the cleanup job—the shoveling of silt from the rugs and floors of their homes; the drying out of overstuffed furniture and walls which, at best, will smell musty for a long time. The contamination of water supplies frequently requires the inoculation of entire communities. This is especially upsetting to small children still suffering from the shock of the flood disaster. No monetary value has ever been placed on the elimination of the human suffering attendant upon flooding.

A few years ago recreation benefits were considered intangible and not subject to monetary evaluation, but the Bureau of Outdoor Recreation has developed an empirical formula for assigning a dollar value to the various types of recreation. We are convinced that if we can determine the value of a day's recreation, it is feasible and practical to develop a similar empirical formula for assigning a monetary value to the prevention of the human suffering resulting from flooding.

BANK EROSION

In computing benefits from erosion control measures, the Corps considers only the benefits at the site and completely neglects the value of the land lost, the adverse downstream effects and cost of subsequent removal, say, from a navigational channel, or the effect the accumulation of silt within a reservoir has on reducing the useful life of a reservoir. The Federal Water Pollution Control Administration has cited siltation as one of the major sources of pollution of our streams. The contribution that bank erosion control plays in achieving our national objective of clean waters should be fully evaluated. In many cases where the alternative to bank protection is a levee set back we find that continual erosion necessitates subsequent set backs. Although a single levee set back may appear to be the cheapest alternative, the costs of repeated set backs usually greatly exceed the costs of the more permanent solution afforded by the erosion control measures.

HYDROELECTRIC

We are now embarked on an all-out effort on air and water pollution abatement, yet no consideration is given to the fact that hydropower does not pollute either the air or the water.

With the new air quality standards being imposed in many sections of the country the cost of low sulphur coal, for instance, will increase from two to three dollars a ton over the cost of the present fuel being used. This represents a very substantial increase in operating costs. In addition, there are indications that the low sulphur coals are injurious to the boilers thus necessitating more frequent repairs and earlier replacement. These factors should be taken into account in the economic evaluation of proposed hydro-installations.

THERMAL POLLUTION

Releases of water stored in the lower portions of a reservoir can have an important benefit in reducing the effects of thermal pollution downstream. The reduction of thermal pollution in turn has a beneficial effect on the fish and wildlife resources in the reaches of the stream below the dam.

WATER SUPPLY BENEFITS

The present method of evaluating water supply and water quality control benefits does not take credit for all the primary benefits. The current procedure is to assume the benefits are equal to the cost of the least costly alternative method of supplying the needed water. With the previous discount rate, in most cases the alternative is a single-purpose reservoir and the assumption is that such a single-purpose project always has a benefit-to-cost ratio of 1 to 1. This assumption has many basic omissions or shortcomings.

With the use of a higher interest rate the benefits increase and other alternatives could appear to have an advantage over the single-purpose water supply reservoir. For example, development of a series of wells, which could be installed in stages according to demand schedules, might well appear to have an economic advantage over the reservoir with a high initial capital investment because of the option available to defer expenditures. While this solution may be satisfactory for a small community, ever increasing areas of the country are finding that extensive withdrawals of ground waters which have accumulated over thousands of years are lowering the water table which necessitates continual deepening of the wells resulting in final exhaustion of the supply. Conversely, the development of a multiple-purpose reservoir stores destructive flood waters for subsequent release for the generation of power, low-flow augmentation for many purposes, including enhancement of fisheries and dilution of pollution and navigation, as well as specific reservation and withdrawals for water supply.

The hearings before the Subcommittee on Economy in Government of the Joint Economic Committee disclosed that the interest rates applied by agencies in discounting their proposed investment alternatives range from a minimum of 0% to a maximum of 20%. However, what was not made clear in those hearings was that except in the field of water and related land resource development, the studies were cost effectiveness studies used merely as a guide to determine which of several alternatives should be selected to accomplish a desired objective. Only in the field of water resource developments are benefit-to-cost analyses made to determine if the objective is to be met.

The determination to land on the moon and many other costly programs were not based on a benefit-to-cost analysis. The air and water pollution control programs were based on national objectives rather than on a benefit-to-cost analysis. Within these programs standards were set without regard to the status of the technology required to achieve them or the costs involved.

I do not depreciate the value of sound economics in the decision-making process, but to be effective it must be consistent with our national goals, and not be used to discriminate against a particular objective. I submit that if at the time of the Louisiana Purchase, the President's advisors had insisted on an economic evaluation of the purchase, with the future benefits reduced to their present worth at that time, using the opportunity cost of money as the discount rate, the purchase would never have been made. I am equally certain that there is no economist in the country today that would suggest that it was a bad investment.

One very basic limitation of the benefit-cost ratio is that it attempts to measure only national efficiency gains of a project, i.e., the contribution a proposed project makes to an increase in the income of the nation. Equally important, however, is the regional impact of a water resource project. It might be in the national interest to increase the pace of industrial development of rural areas plagued by underemployment. Although a water resource project might be instrumental in initiating such a change, the conventional benefit-cost ratio does not include the developmental benefits. For example, in addition to the primary benefits currently being evaluated, we should evaluate the potential of each project to create job opportunities, not only during construction, but also permanent jobs resulting from industrial developments made possible by the primary project benefits.

A major contribution to the solution of the problem in our inner cities is the creation of a climate—where open space is abundant—which will attract industry through low-cost transportation, economical power, flood-free locations, and abundant water supply and recreational opportunities. These project benefits will combine with natural resources, both human and material, to stem the tide of rural migration to the congested cities which has so greatly increased our welfare problems.

This is but one example to suggest that project planners should show how water resource projects help meet our social goals—including beautification, reduction of pollution problems, and better distribution of people.

We will do our part in Congress, but there is a real service that organizations such as the Mississippi Valley Association can and must perform. I have in mind an intensified public information program.

The Water Resources Council's recent National Water Assessment contains a wealth of information on our water needs for the year 2020. But, unless the grass roots of America awaken to the challenge of fulfilling those water needs, we may forever lose the use of some of the few good reservoir sites remaining.

As the first step in such an educational program, I visualize the dramatic relating of each timely news event on water resource development. For instance, when a flood control project has protected an area or reduced damage from heavy rains—tell it like it is, in the local papers, radio, or television. Or, if an authorized project, even a study under way, would have alleviated flood damage—tell it like it is. In periods of drouth—tell what relief has been received from an existing project, or outline the relief to be expected from a potential project.

At times in recent years, when low flows in the Ohio River aggravated pollution problems, one-half of that flow came from releases of *stored water* in upstream reservoirs! Were such facts to be fully reported when the related event is news, public works projects would soon lose the stigma of Pork Barrel!

Similarly, the benefits from recreation are worth a good story on the big days—say, the Fourth of July and Labor Day. And, a good story is more than the mention of attendance and special events—it is the story of the business activity created by the use of the facility.

Annual stories of the payroll and other construction activities resulting from low-cost barge transportation tie in well with year-end financial summaries.

Working together, we can and must meet the water resource needs of this country in an orderly manner, rather than await the crisis and then embark on a costly crash program.

In the immediate future, you should prepare well documented testimony to present at regional hearings of the Water Resources Council so that the planners will have adequate tools for project formulation and evaluation to meet at least the needs of the foreseeable future. I would also hope you would join our effort in Congress to update, modernize, and make more realistic the factors which should today be cranked into our cost-benefit formula.

In summary, a high discount rate decreases the apparent desirability of projects where the benefits increase over the life of the project, as in the case of recreation. This characteristic is probably the most objectionable feature of the use of a high interest rate in the economic analysis of projects. A high proportion of early returns usually means a less than optimum size project. Future enlargements are always more costly, but more important, in the case of a reservoir, surrounding developments could price out the full development of the site if delayed until some future date.

With the limited number of good reservoir sites I do not believe we can afford to preempt good sites with partial development under the guise of economic efficiency. With current projections of population growth and water consumption we will have difficulty explaining to the next generation our monument to planning insufficiency as evidenced by the number of undersized projects resulting from the use of a high imputed interest rate in project analysis. It will mean sizing projects to present rather than future needs. I cannot help but feel that even with the lower interest rates used in the past, a review of completed projects will show that in the vast majority of cases the future benefits have been greatly understated.

Many years ago I heard an old Chinese proverb which is applicable to my discussion today. It went something like this:

"If you are planning for tomorrow, gather twigs.

"If you are planning for next year, plant rice.

"If you are planning for 100 years, plant trees."

I hope that our planners and you together with the Corps of Engineers and Congress are going to start planting trees instead of gathering twigs.

NONPROLIFERATION TREATY NEGOTIATIONS

Mr. THURMOND. Mr. President, it will not be long before the Senate opens debate on the Nuclear Nonproliferation Treaty. As we all know, this treaty was drafted and negotiated by the previous administration. In my view, it would be useful for the new Senators and new members of the administration to familiarize themselves with the processes of negotiation and the manner in which our Government agencies participated.

Since we now are beginning a new administration, we have a unique opportunity to study the technique of the previous one. Accordingly, I have today written to the heads of the agencies which have the statutory responsibility for being involved in such negotiations on the nuclear Nonproliferation Treaty. I am asking them to tell me how the previous administration went about this work and who were the experts assigned to this problem. This information will provide useful insights into the workings of our democratic form of government. When the Senate is asked to give its advice and consent to a matter as important as an international treaty, it should inquire into all phases of the work. I am hopeful that the heads of these agencies will act as quickly as possible providing this information, despite the tremendous burdens they face in beginning their work. I wish that so important a treaty could be considered at a more leisurely pace, but the present timing of its disposition appears to prevent that care.

Mr. President, I ask unanimous consent that the text of the letters which I am today sending to five agency heads be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on Armed Services,
Washington, D.C., February 17, 1969.
Hon. Richard Helms,
Director, Central Intelligence Agency,
Washington, D.C.

Dear Mr. Helms: Since the Nuclear Non-Proliferation Treaty will soon be under discussion in the Senate, it would assist the Senate's Constitutional responsibilities to know the full history of the background of the negotiations which produced the text.

I would appreciate it if you could check the files of your agency and supply me with information on the composition of internal working groups and inter-agency committees in which your agency participated on Non-Proliferation Treaty questions. I am interested in the process of negotiating, and in the individual participants, both in the preliminaries in Washington, and in the work of the international conference teams abroad. I would particularly like to have this information with regard to the draft treaty of August 24, 1967; the draft treaty of January 18, 1968; the joint draft treaty of March 11, 1968; and the final draft of May 31, 1968.

In addition, I would like to know which departments of your agency and individuals who are presently assigned to responsibilities in regard to this treaty.

Because the treaty will reach the Senate in a matter of days, I would appreciate it if you could expedite the provision of this information.

With kind personal regards.
Sincerely,
Strom Thurmond.

U.S. Senate,
Committee on Armed Services,
Washington, D.C., February 17, 1969.
Hon. Henry A. Kissinger,
National Security Advisor,
The White House, Washington, D.C.

Dear Mr. Kissinger: Since the Nuclear Non-Proliferation Treaty will soon be under discussion in the Senate, it would assist the Senate's Constitutional responsibilities to know the full history of the background of the negotiations which produced the text.

I would appreciate it if you could check the files of your agency and supply me with information on the composition of internal working groups and inter-agency committees in which your agency participated on Non-Proliferation Treaty questions. I am interested in the process of negotiating, and in the individual participants, both in the preliminaries in Washington, and in the work of the international conference teams abroad. I would particularly like to have this information with regard to the draft treaty of August 24, 1967; the draft treaty of January 18, 1968; the joint draft treaty of March 11, 1968; and the final draft of May 31, 1968.

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Because the treaty will reach the Senate in a matter of days, I would appreciate it if you could expedite the provision of this information.

With kind personal regards.
Sincerely,
Strom Thurmond.

U.S. Senate,
Committee on Armed Services,
Washington, D.C., February 17, 1969.
Hon. Gerard C. Smith,
Director, U.S. Arms Control & Disarmament Agency, Department of State,
Washington, D.C.

Dear Mr. Smith: Since the Nuclear Non-Proliferation Treaty will soon be under discussion in the Senate, it would assist the Senate's Constitutional responsibilities to know the full history of the background of the negotiations which produced the text.

I would appreciate it if you could check the files of your agency and supply me with information on the composition of internal working groups and inter-agency committees in which your agency participated on Non-Proliferation Treaty questions. I am interested in the process of negotiating and in the individual participants, both in the preliminaries in Washington, and in the work of the international conference teams abroad. I would particularly like to have this information with regard to the draft treaty of August 24, 1967; the draft treaty of January 18, 1968; the joint draft treaty of March 11, 1968; and the final draft of May 31, 1968.

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Because the treaty will reach the Senate in a matter of days, I would appreciate it if you could expedite the provision of this information.

With kind personal regards.
Sincerely,
Strom Thurmond.

U.S. Senate,
Committee on Armed Services,
Washington, D.C., February 17, 1969.
Hon. William P. Rogers,
Secretary of State,
Washington, D.C.

Dear Mr. Secretary: Since the Nuclear Non-Proliferation Treaty will soon be under discussion in the Senate, it would assist the Senate's Constitutional responsibilities to know the full history of the background of the negotiations which produced the text.

I would appreciate it if you could check the files of your agency and supply me with information on the composition of internal working groups and inter-agency committees in which your agency participated on Non-Proliferation Treaty questions. I am interested in the process of negotiating, and in the individual participants, both in the preliminaries in Washington, and in the work of the international conference teams abroad. I would particularly like to have this information with regard to the draft treaty of August 24, 1967; the draft treaty of January 18, 1968; the joint draft treaty of March 11, 1968; and the final draft of May 31, 1968.

In addition, I would like to know which departments of your agency and individuals who are presently assigned to responsibilities in regard to this treaty.

Because the treaty will reach the Senate in a matter of days, I would appreciate it if you could expedite the provision of this information.

With kind personal regards.
Sincerely,
Strom Thurmond.

U.S. Senate,
Committee on Armed Services,
Washington, D.C., February 17, 1969.
Hon. Melvin R. Laird,
Secretary of Defense,
Washintgon, D.C.

Dear Mr. Secretary: Since the Nuclear Non-Proliferation Treaty will soon be under discussion in the Senate, it would assist the Senate's Constitutional responsibilities to know the full history of the background of the negotiations which produced the text.

I would appreciate it if you could check the files of your agency and supply me with information on the composition of internal working groups and inter-agency committees in which your agency patricipated on Non-Proliferation Treaty questions. I am interested in the process of negotiating, and in the individual participants, both in the preliminaries in Washington, and in the work of the international conference teams abroad.

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In addition, I would like to know which departments of your agency and individuals who are presently assigned to responsibilities in regard to this treaty.

Because the treaty will reach the Senate in a matter of days, I would appreciate it if you could expedite the provision of this information.

With kind personal regards.

Sincerely,

STROM THURMOND.

JOHN DeSOTO, JR., OUTSTANDING MOTORCYCLE RIDER

Mr. INOUYE. Mr. President, surfers from around the world have flocked to the beaches of Makaha, Hawaii, to test their skill against the 30-foot waves that break along the reef. As you can imagine, Makaha has produced a company of outstanding surfers.

I am very happy to report today that Makaha is the home not only of many surfing enthusiasts but also of an outstanding motorcycle rider—John DeSoto, Jr. A 21-year-old from Makaha, John was named the 1968 U.S. Professional 250 MotoCross Champion after competing against some of the best motorcycle riders in the United States and Europe.

He is currently en route to Europe where he and his teammate will compete for the world championship. They will be the first American team ever to contest these difficult races.

I wish to join John's family and his many friends in congratulating him on his past success and in sending very best wishes for the challenges he faces in the world championship races.

SENATOR MURPHY TESTIFIES ON TWO CALIFORNIA DISASTERS

Mr. MURPHY. Mr. President, on Thursday, February 13, the House Committee on Public Works, which responded so timely to recent California disasters, was kind enough to permit me to testify before them.

I ask unanimous consent that my statement discussing the recent California floods and the Santa Barbara disaster be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR GEORGE MURPHY, REPUBLICAN OF CALIFORNIA, HOUSE PUBLIC WORKS COMMITTEE, TWO SUBCOMMITTEES MEETING IN CALIFORNIA, FEBRUARY 13, 1969

Mr. Chairman and members of the Committee, I want to thank you and the Committee for allowing me this opportunity to testify before you today. Your kindness and courtesies are deeply appreciated. Also, I want to thank you on behalf of the people of California for a timely response, as typified by your field hearings in our State, to the two recent tragedies that have struck California.

These two terrible disasters, one natural and the other man-made, which have brought so much personal suffering and inflicted so much damage, demonstrate our limited knowledge and our inadequate procedures for preventing and dealing with damaged resources when disaster hits.

The recent natural disaster resulted from nine days of rain, causing the worst floods in our State since 1938. It is estimated that the January flooding caused damages exceeding $100 million and 88 persons are known to have lost their lives. Although we are unable to control the forces of nature, we must continue to press forward with our research in the various inter-related parts of our environment and their relationship to our weather and natural disasters.

There is a great deal of evidence to suggest that bills enacted and resultant actions taken in the area of flood control, erosion, and public works improvement in general have frequently prevented disasters and have helped to minimize the damage resulting therefrom. Senator Randolph, the distinguished chairman of the Senate Public Works Committee, early last week estimated that "flood control structures authorized by Congress and built by the Corps of Engineers prevented an excess of $1¼ billion in damages to urban and suburban areas over the State of California." So, such programs of your Committee are surely a wise investment by the American people.

Congressmen Johnson, Clausen and Anderson and other members of the California delegation have introduced in the House of Representatives "The California Disaster Act of 1969." I have introduced a companion measure, S. 993, in the Senate. This bill provides assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters. I urge early passage of the "California Disaster Act" so that needed assistance may be given to California to help us repair the damages resulting from this great natural disaster.

As part of the Omnibus Rivers and Harbors Bill of 1966 an amendment authored by me authorized a study of landslides, soil erosion, surface and sub-surface drainage conditions, flood control, and seismic disturbances. The amendment directs the Corps of Engineers to work in cooperation with the United States Geological Survey of the Interior Department in conducting this study. The recent natural disaster again points out the urgency of the landslide problem in this area, and I urge the Committee to do everything possible to accelerate the completion of this study.

The story out of Santa Barbara has been front-page news for approximately two weeks. And well it should be. While the spewing of 230,000 gallons of oil on any area would be a tragedy, I am certain that you who have seen and, therefore, fallen in love with the picturesque and scenic coastal city of Santa Barbara and surrounding area will feel, as I do, a particularly deep sense of personal loss based on your affection for the area.

While all of the facts and evidence are not in yet, I would make the following recommendations:

First, as the Nixon Administration has ordered, all drilling should stop. The cessation of drilling at Santa Barbara should continue until we can make certain that disasters of this kind will not again occur in the future. It should be pointed out that Santa Barbara citizens have been proven right, much to their regret, in their reservations regarding the beginning of the drilling operations a year ago. I am pleased that President Nixon has announced that these "reservations" will be fully re-examined when the panel, headed by Dr. Lee DuBridge, the President's Science Advisor, undertakes its study which will include methods to prevent "sudden and massive" oil pollution in the future.

Secondly, I understand that this disaster would not have taken place under California state law and regulations. California, as the Committee knows, has jurisdiction only over leases within a three-mile limit off the California coast. The oil problem at Santa Barbara, occurring beyond the three-mile limit, was under the jurisdiction of the federal government. Further, I understand the governing federal regulations are fifteen years old and have not been upgraded or subjected to a full-scale review during this long period. That this should be the case, despite the proliferation of offshore drilling activity, to me, is shocking. I am pleased that the DuBridge panel will review the inadequacies of existing regulations for all wells operating off the coast of the United States and will suggest regulations needed to prevent future disasters from occurring.

Also, because the Santa Barbara oil flow demonstrates that oil does not respect the federal three-mile boundary and because states have a vital interest to see to it that their beaches are not polluted, I recommend that oil leases under the jurisdiction of the federal government be made to comply with state regulations and be subject to state inspection where the state regulations are stricter than the federal standards.

Thirdly, the Santa Barbara incident has underscored once again the need to accelerate a research development and testing program to increase and improve our capabilities for preventing, controlling, and cleaning up of oil spills and other hazardous substances. I recommend an amendment to the research section of the Federal Water Pollution Control Act to authorize an additional $5 million for the acceleration of research on marine pollution problems, such as that posed by oil spillages. This was one of the recommendations of the Commission on Marine Science, Engineering, and Resources, the Commission which earlier this year issued a report charting the future direction of the nation's ocean exploration efforts.

Fourth, I urge that contingency plans be developed at the local, state and regional levels to provide for a quick response to oil spills and similar disasters. I understand that no such plans presently exist today. This is a serious deficiency in our pollution control arsenal and should be remedied immediately. In my judgment, such contingent plans should be an integral part of the state and federal water pollution control programs.

Fifth, present water pollution control legislation dealing with the spillage of oil and other hazardous materials is clearly inadequate. Financial responsibility must be placed on the owners and operators of both ships and shore facilities. Present law limits liability to dischargers who are "grossly negligent or willful." I supported legislation which passed the Senate establishing the responsibility of the responsible party to either clean up or authorize the government to do it and later recover the costs from the party responsible. I urge congressional action on this legislation, similar to that introduced by Senator Muskie of Maine in the Senate and Congressman Teague of California in the House of Representatives.

Sixth, while clearly establishing the responsibility of polluters to bear the cost of clean up, we should also establish an insurance system to cover the costs growing out of oil spillages.

Mr. Chairman, there are more than 12,000 oil wells off the United States' coast and the number is growing by more than 1400 each year. The number of oil drilling platforms in the Gulf of Mexico, I understand, has become so great that the United States Coast Guard and the Army Corps of Engineers with the cooperation of industry have found it necessary to establish fairways for ship travel in and out of the Gulf ports.

The lessons of Santa Barbara are that we must stop, look, and make certain that all possible steps are taken to guarantee as much as possible that similar disasters will not result. Californians, because of the State's long and magnificent coast and because of the water problems of the West, have always been keenly aware of the importance of water and the dangers of pollution. As Committee members probably know, I had the pleasure of serving on the Senate Public Works Committee, and more particularly, on the Subcommittee on Air and Water Pollution, up to this year. As a member of the Subcommittee on Air and Water Pollution, I have supported all the measures designed to accelerate our nation's battle against pollution.

I have frequently stated that pollution, both air and water, is one of the most serious domestic problems confronting our country. With the growing population and expanding technological society, we are told that even with stronger pollution control programs, pollution is likely to increase in the future.

The Commission on Marine Science, Engineering and Resources, to which I previously referred, in its report, "Our Nation and the Sea," noted the promises and potential of the oceans. In addition to calling for an accelerated ocean development program, the Commission rightly gave equal emphasis to an attack on water pollution problems. The natural disaster in the form of the floods and the man-made disaster at Santa Barbara drive home the significance of one of the summary statements of the Oceanographic Commission—"It is critical to protect man from the vicissitudes of the environment, and the environment, in turn, from the works of man." This is the challenge that we must meet. Thank you.

HUNGER IN AMERICA

Mr. McGOVERN. Mr. President, I invite the attention of Members of Congress to the first of a series of articles on hunger in the United States written by Mr. Homer Bigart, the noted journalist of the New York Times.

Mr. Bigart's first article appeared as a front page story in yesterday's Sunday Times. It is a moving account, centering on hunger and malnutrition in parts of South Carolina.

The Senate Select Committee on Nutrition and Human Needs has for several weeks been looking into the extent, the nature, the cause, and the elimination of hunger in the United States. We have been assisted in that effort by the concern of the distinguished junior Senator from South Carolina (Mr. HOLLINGS), who will testify before our committee on February 18, together with other authorities from South Carolina.

Mr. President, I ask unanimous consent that the article by Mr. Bigart be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HUNGER IN AMERICA: STARK DEPRIVATION HAUNTS A LAND OF PLENTY—I

BLUFFTON, S.C.—Hunger is a noun that means, among other things, a compelling desire for food, a nagging emptiness of stomach and gut. Persons old enough to remember the Great Depression may recall going hungry, but today it is a sensation generally reserved for those mired in poverty.

Chronic hunger seems so remote in this bounteous land that reports of extreme malnutrition among Negroes in the rural South, among migrant farm workers, among Mexican-Americans and reservation Indians have been set down as exaggerations and lies, the observers frequently assailed as charlatans or do-gooders who would sap the initiative of the hungry poor by expanding "giveaway" Federal food programs or even conspiring for adoption of a guaranteed minimum wage.

Here in Beaufort County, Donald E. Gatch, an intense youthful-looking country doctor, has been shunned by the white community for insisting that hunger is a daily fact of life among the black families of this mossy tidewater.

He began losing his white patients two years ago after he charged publicly that he had seen children dying of starvation, that most black children of his area were infested with worms, and that families were living in hovels worse than the pigsties of his native Nebraska.

The Beaufort Gazette accused him of "running his mouth." Every other doctor in the county signed a statement deploring his "unsubstantiated allegations," contending that the "rare cases of infant malnutrition" that came to their attention were invariably due to "parental inexperience, indifference or gross neglect." And the County Health Officer, Dr. H. Parker Jones, said he had "never seen a case of starvation or extreme malnutrition."

Ostracized by the staff of Beaufort County Memorial Hospital, annoyed by threatening telephone calls, boycotted by white patients, Dr. Gatch closed his Beaufort office, sold his home and moved with his British-born wife and two young sons back to Bluffton (pop. 356), where he had started his practice 10 years ago.

One chilly, overcast day at the tag end of January Dr. Gatch consented to take a visitor on a tour of Negro shanties near Bluffton.

LIKE A MISSIONARY OUTPOST

The doctor, who sometimes appears disconsolate and withdrawn, peered glumly at the scene through horn-rimmed spectacles that kept sliding down his nose. From the clay road the weathered shanties, woodsmoke curling from the chimneys, looked quite charming. But Dr. Gatch, in his low tired voice, spoke only of the overcrowding, the filth and the smell of poverty within.

The Gatches had taken over a group of summer cottages on the bank of a tidal creek, living in one, using another for frequent guests (nutritionists and sociologists from all over are coming to see him) and hoping to convert a third into a clinic. (The doctor maintains a large, well-equipped office in the center of the village.)

The Gatch compound, shaded by live oaks decked in Spanish moss, had the quiet, mournful isolation of a missionary outpost in central Africa. The African connection was further strengthened when Dr. Gatch remarked that he had treated several children for kwashiorkor, a disease generally thought to exist only in underdeveloped countries.

Kwashiorkor is a Ghanaian word meaning literally "the disease that takes the child after it leaves the mother's breast." It is a disease of extreme protein deficiency, a starvation often brought on by a mother's inability to breast-feed an infant.

Down a dirt road Dr. Gatch paused at the decaying stoop of a family named Kinnard. Silent children with skinny legs sat listlessly on floors and beds. Fifteen people lived in the shack, Dr. Gatch said, and there was no privy.

COMFORTABLE WHILE STILL

He went directly to a young woman who was holding a crying, seven-month-old baby girl. He had examined the baby before, he said, and had detected symptoms of both kwashiorkor and scurvy. He remarked how the baby's hair had thinned, how the hairline had receded about an inch, and how the hair color had changed from black to dirty gray. These were the stigmata of kwashiorkor, he said.

He took the infant girl from the mother's arms and placed her on a sofa. The baby kept her matchstick legs drawn up and raised her arms until the tiny hands were bent close to her head. Then she stopped crying.

"As long as the baby is completely still, she's comfortable," Dr. Gatch said, "but pick her up and she'll start crying again."

He noted the extreme dryness of the skin, the absence of subcutaneous tissue. He said the baby's diet was so deficient in iron that her hemoglobin count was "half of what it should be."

The baby's mother had been out of work since December. Dr. Gatch said the infant was now getting some baby formula food. It would probably live, he said, but he feared it had suffered irreversible damage through growth retardation of bones and brain cells.

As he left, Dr. Gatch noticed a 3-year-old girl sitting on the stoop, staring vacantly at the brown fields. Her legs and face were bloated by edematose swellings, the result probably of Vitamin A deficiency, the physician said, and the same deficiency was impairing her vision.

"There's just no excuse for rickets in this country," complained Dr. Gatch as he drove to another shack, hunting this time a whole family that he claimed was rachitic, a mother and five children.

Rickets is a disease of infancy and childhood resulting from a deficiency of Vitamin D and characterized by soft, deformed bones. The rachitic family was not at home, but Dr. Gatch found them on the stoop of a neighboring house.

ALL HAVE MISSHAPEN LEGS

The victims had gotten some relief and were now on a proper diet, Dr. Gatch said. All had misshapen legs. The mother, who seemed stout and cheerful, was very bowlegged; her children were either bowlegged or knock-kneed. Dr. Gatch commented that the legs of the three older children seemed to have straightened somewhat, but the twisted spindly legs of the two youngest remained badly deformed.

Milk is the main source of Vitamin D, Dr. Gatch noted, and the family might never have been blighted with rickets if fortified milk had been available to them.

But the Government's food donation programs for the domestic poor did not provide fortified dry milk until the end of 1968. Dr. Gatch might have been angrier had he known that since 1965, at the insistence of the United States Public Health Service, the Department of Agriculture had been shipping dry milk enriched by Vitamins A and D to American aid programs overseas.

The three-year gap during which fortified milk was sent overseas while being denied to the poor at home came to light last month in testimony before the Senate Select Committee on Nutrition and Human Needs.

Dr. Gatch stopped at an abandoned country store. Inside, two bedridden old ladies had found terminal shelter. One of them, crippled by rheumatoid arthritis, had been rescued from a mouldering shack where the bedding stank of urine and feces. The other was afflicted by Wernicke Syndrome, which Dr. Gatch said was characterized by loss of memory and confabulation (filling in a memory gap by falsifications that the patient accepts as correct).

DIET OF RICE AND GRITS

Dr. Gatch said he believed Wernicke Syndrome could have been induced by lack of thiamine, which is essential for growth, normal function of the nervous system and normal metabolism. Thiamine is found in liver, lean meat, eggs, whole grain or enriched cereal and cereal products. The old ladies, Dr. Gatch suspected, had been eating little more than rice and grits.

Now they were on Medicare and presumably getting a better diet. The old store was spotlessly clean, neater than most nursing homes.

Dr. Gatch was asked if he had encountered pellagra, one of the more dreaded of the dietary deficiency diseases. This disease, caused mainly by a deficiency of niacin, but also of thiamine, riboflavin, folic acid and other essential nutrients, is marked in its late stages by the classical four D's: dermatitis, diarrhea, dementia and death.

Dr. Gatch said it was not even rare. He produced an old man of about 70 who, he said, had pellagrin symptoms including hyperpigmentation of elbows and knees. There the flesh had thickened and roughened until it felt like sandpaper.

How many pellagra victims had he seen?

"I would guess 150 to 200 cases," Dr. Gatch replied.

Deaths by starvation, deaths by any of the diseases of malnutrition, were never counted, he said. Too many death certificates simply read "natural causes," Dr. Gatch said, and he intended to campaign for postmortems in those cases.

Over the years Dr. Gatch became convinced that there was close correlation between malnutrition and intestinal parasites. Most of the undernourished children he examined were wormy. Many Negro shacks, he observed, had no privies; people relieved themselves in the fields and woods Children treated for worms quickly became reinfested by stepping on feces that contained the eggs of parasites.

"If you have 100 or 200 of these foot-long roundworms in your belly they're going to take a lot of food," he said. "They migrate to the stomach and actually get the food before the child does."

Some notion of the extent of infestation in the Negro children of Beaufort County was given a few days later. A study of 178 Negro preschool children showed that nearly three of every four had intestinal parasites either ascaris (roundworm) or trichuris (whipworm) or both.

"Fantastic," said Dr. James P. Carter, nutritionist of the Vanderbilt University School of Medicine, who participated in the survey. "Parasitism in Beaufort County ranks with some Central American countries and with Egypt."

In Nashville, Dr. Carter said the nutritional status of the 178 children was "in most cases inadequate and in all instances minimal." He said that by minimal he meant that the children had a low margin of safety, particularly from pneumonia and diarrhea.

The survey, financed by the Field Foundation, was conducted by researchers from the University of South Carolina, the Meharry Medical College, in Nashville, and Vanderbilt University.

The results were considered so shocking that some even suggested that the data be withheld from general publication. Many white Southerners feel that poverty conditions among the rural blacks have been exploited by civil rights zealots.

Dr. E. John Lease, nutritionist of the University of South Carolina, was among those who feared that the report, if given wide publicity, would anger the white Establishment and perhaps wreck the chances of cooperation on remedial projects.

Dr. Lease wrote to his collaborators suggesting that the distribution of data be restricted and that "none of the work coming from the University of South Carolina should be published or mentioned on radio or television as the results of the university or any of its staff members."

Later, Dr. Lease apparently had a change of heart, for the material was released to the press in Columbia, S.C.

There were other indications that the establishment now wanted the situation exposed. On Jan. 31, to the astonishment and gratification of Dr. Gatch, Senator Ernest F. Hollings, the former Governor, turned up in Bluffton and made the hunger tour.

FEDERAL DELAYS CHARGED

The Senator saw a near-starving baby, a reputed pellagrin, a rachitic child and another child said to be recovering from scurvy. Deeply impressed, Senator Hollings said he would demand an end to "Federal roadblocks and redtape," which, he said were frustrating local efforts to help the poor.

The local state Senator, James M. Waddell, also blamed the "Feds." He charged that the Office of Economic Opportunity had refused to fund a project that included privies for the poor.

"We can send a man to the moon," he cried on the floor of the South Carolina Senate, "but we can't build an outhouse."

Senator Hollings plans to testify next week before the Senate Select Committee on Nutrition and Human Needs.

The committee, headed by Senator George McGovern, Democrat of South Dakota, and dominated by liberals, had been planning field trips to suspected areas of hunger in a dozen states.

However, last week the Senate Rules Committee, dominated by conservatives, slashed the select committee's $250,000 budget request by $100,000. Senator Jacob J. Javits of New York, minority leader of the select committee, said he intended to carry the fight for the full appropriation to the Senate floor. But if the cut remains, the committee will have to curtail its travel plans, visiting perhaps only five or six states.

It means that the committee members will not see Beaufort County.

They still plan to visit the camps of migrant farm workers, like those in Immokalee, Fla., where life seems even more degrading than in the shacks of Beaufort County.

JOB SKILLS: AN ANSWER TO THE GHETTO

Mr. HANSEN. Mr. President, millions of words have been written and spoken by the learned and the not-so-learned about the problems of the urban ghettos and what might be done to attack these problems.

The challenge of finding acceptable and effective ways of improving social and economic conditions for ghetto residents has yet to be met by the Government or by the private sector, though much progress has been made in certain areas, via certain approaches.

Recently, Mr. Roy Brundy, of Cheyenne, Wyo., wrote to me expressing his thoughts on the need for job training for ghetto residents as a means of breaking the cycle of poverty and despair. He described in some detail an approach that he feels would provide a framework of leadership and worthwhile training needed for good-paying jobs and economic stability.

Mr. Brundy, a retired teacher, has obviously given considerable thought and study to the relationship he believes colleges and universities should have to the solution of ghetto problems.

I ask unanimous consent that his comments in this area be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JOB SKILL: ANSWER TO THE GHETTO

(By Roy L. Brundy)

Colleges and universities across the nation provide an unsought and almost overlooked source of help in this time of national crisis. The college staff has the knowledge, the teaching experience, and the organizing ability to begin nationwide, job-training programs in a crash effort to avert riots in the ghettos. Gathered together on college faculties can be found the leadership and technical training needed to instigate large educational projects and to keep them moving efficiently.

Colleges and universities should make available to young people tuition-free training under capable instructors. The job-training courses should be adapted to wide levels of aptitude and ability. They should have, also, well-publicized job potentials. The courses would not lead to a college diploma, perhaps, but they would lead directly to a three-dollar-an-hour job when skill would justify the wage. But time is of the essence.

Participation in the training courses should be voluntary. Persons interested ought to be able to select the kinds of jobs for which they wish to prepare. It should be elective job training; not conscription. When organized on an elective basis, the training courses would have the advantage of bringing to notice trainees who have strength of character sufficient to help themselves. It follows, then, as a matter of course, that persons "found" would receive promotions and recognition.

Increasing achievement for each individual is the goal. The aim is to make it unnecessary and unthinkable for any person possessing ambition and character to return to the ghetto. The discovery and winning of young people of sound character is the heart of the social problem under consideration. "Character is destiny". That jewel of reflection reaches us from across twenty-five centuries from the ancient Greek world. Job-training for all persons interested would implement the belief that sound character does in large measure determine destiny. Convincing young people of this, however, is a must, a first step in efforts to solve the social ills of the cities.

The college community can take the first step in restoring sound character as a value in the thinking of young people. Fortunately, the college community still raises a voice that is listened to.

Colleges cannot undertake training programs of the magnitude needed without federal aid. Already, they have mortgaged their futures for long years ahead. Loans from the federal government have been taken for much needed expansion of physical plants—buildings and equipment.

Also, the effects of spiraling costs on higher education have been disastrous. Colleges are faced with reorganization and curtailment of services in order to survive. Among other factors, increasing enrollments and demands for higher salaries for the teaching staff have contributed to the dismal outlook. Education is not something in a world apart. Education is an integral part of national life and it suffers from the ailments afflicting all society. Therefore, funds from the federal government—outright grants without mortgage on the future of institutions of higher learning—should come from Congress without delay.

Upon receipt of federal grants, enrollment in training courses and employment of all levels of labor and skill can begin. Persons who are willing to move from substandard city areas and are willing to participate in job-training courses, can be offered employment and start on new careers.

In order to make the job-training programs far-reaching and available to those whom they are intended to reach, make-work types of jobs must also come within the scope of the training programs. It becomes a two-pronged offensive—employment and job-training. By creating work and job-training opportunity, incentive and hope can be restored to young people now frustrated and antagonistic. But to repeat, time is of the essence.

The ghetto exists because of unemployable persons. The frightful conditions under which large numbers of people live in the larger cities are with obvious exceptions a direct commentary on the weak and underdeveloped character of uncounted numbers of persons. Speculations of why do not help. The fact remains. It is untrained people who create substandard living areas—ghettos. It is people with proper motivation and incentives who can eliminate these same dark blotches from the national scene. It is the intellectual communities, the colleges and universities, that have help readily available to avert destruction and bloodshed. The nation must turn to the colleges with assistance, a program, and a mandate to carry it out without delay.

It is all too evident there is need to move rapidly. Time is past when Congress can be dilatory in facing either the social problem outlined or the need of colleges. Does one need to point to the lessons of recent summers? The financial losses of last summer alone, in just one or two communities, was sufficient to finance much of the nationwide training program that is projected here.

The plan now given consideration provides a reasonable approach to the problem of the ghettos. It directs opportunity and encouragement to individuals capable of making some small contribution to their own welfare. It provides that the unfit and the shiftless will be efficiently by-passed. Perhaps, the fundamental objective of the training courses would be to discover and to give recognition to persons who are willing to work. At the risk of repetition, the program will by-pass the shiftless, the irresponsible, and the revolutionaries aiming only at turmoil.

The result of the training courses becomes cumulative and farreaching. A million-dollar-a-year grant to each qualifying institution, can make more than a token start toward solution of problems potentially disasterous in scope. A network of college-directed and supervised training programs, all of which are job orientated, would make present substandard living conditions unacceptable to persons of character and ambition.

The writer has yet to be convinced that there are not numerous persons willing to move from substandard city areas when opportunity for employment, training, and advancement is provided. Admittedly, the plan is unconventional; that the idea is unique. But, perhaps, a new approach is called for. In the long run, it could prove to be a wise investment for government.

Again, the unexpected may happen. An exodus from the potentially dangerous ghettos may result. An exodus, the like of which has not been seen in modern times, could be triggered by publicity that must accompany the job-training program.

Shades of the opening of Oklahoma Territory and the California Gold Rush! The movement to smaller communities where job-training and employment can be carried on without interruption could very well accelerate beyond expectation the dispersal of young people from the ghettos. Certainly colleges should survey locations and equipment available, develop plans for small-community work centers, anticipate needs, and be ready. Off-campus projects by the score with necessary supervising personnel as here contemplated, do not spring into being just because demand develops for them.

Finally, evacuation of substandard areas will leave such places to be razed and to be converted into parks or needed community facilities.

The training program under consideration does not constitute a last ditch effort to rehabilitate that which is beyond recovery. The program does not attempt to restore those who can never be restored. It does not attempt the impossible. In effect, however, it does tend to isolate those who have elected to follow a path of selfishness and exploitation of their fellows.

It is a program built on the greatest resource of this country—the character of its people.

LITHUANIAN INDEPENDENCE DAY

Mr. PROXMIRE. Mr. President, February 16 marked the 51st anniversary of Lithuanian independence.

That day in 1918 was a happy one for that brave little nation, which had been under Russian and German domination since 1795. All attempts to suppress the culture of the Lithuanian people had failed during the long period of Russian domination which lasted until 1915. When the Germans occupied Lithuania in that year the Lithuanians were still true to their language, religion, and traditions.

The German Government, in response to pressure from Lithuanian leaders, called a congress of delegates. That congress elected a 20-member council which, under the leadership of Antanas Smetona, declared a free and independent Lithuania based on democratic principles.

Shortly thereafter, Russian troops entered the small nation and set up a Communist government. But the Russians had an unexpectedly short stay. In 1920 their army was driven out by Polish and Lithuanian forces. And on July 12, 1920, Russia signed a peace treaty with Lithuania, recognizing it as an independent nation.

That treaty, Mr. President, stated in part:

> In conformity with the right declared by the Russian Soviet Federated Socialist Republic that all peoples have the right to free self-determination, including the right of full secession from the State of which they were a part, Russia recognizes without any reserve the sovereignty and independence of the State of Lithuania with all juridical consequences resulting from such recognition, and voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and territory.

Despite this treaty, Mr. President, Lithuania today is subject to control by Moscow. During World War II, German troops occupied Lithuania. When the German troops were driven out by Soviet troops in 1944, the Russian troops stayed. In violation of the treaty of 1920, the Soviet Union still refuses to allow Lithuania to take its rightful place among the independent states.

We hope that the hard-won independence which the Lithuanians enjoyed in the years between the two World Wars will once again be theirs. We commemorate the anniversary of their independence, and the strong sense of lost liberty which characterizes the brave Lithuanian people.

RESOLUTION OF AMERICAN VETERANS COMMITTEE ON USE OF THE DRAFT

Mr. HART. Mr. President, the American Veterans Committee reaffirmed at its last meeting the position it had previously taken that the draft should not be used punitively. Knowing of the Senate's interest in this matter, I ask unanimous consent that the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

> The American Veterans Committee reaffirms its position that the Draft must not be used as a punitive and disciplinary weapon by the Director of Selective Service or officials of the Selective Service Administration. Such misuse of the Draft is an affront to the concept of military service which AVC regards as an honorable privilege of Citizenship. AVC reaffirms its views stated in 1966 when it opposed the reclassification of the Michigan students, that the Selective Service System is not a law-enforcement agency and should not use its reclassification powers to punish

THE RAPID CITY JOURNAL EXPLORES THE PROBLEMS OF THE AMERICAN INDIAN

Mr. McGOVERN. Mr. President, in recent months the Nation's conscience and the Nation's responsibility to the socioeconomic plight of the American Indian and the Alaskan native have been awakened and have taken the form of newspaper articles and television documentaries.

As chairman of the Indian Affairs Subcommittee and as author of a Senate-passed national policy resolution regarding the role of the National Congress in the conduct of Indian affairs, I have been pleased to read over the last few months a series of 18 articles published in the Rapid City, S. Dak., Journal, which seek to explore the problems of this American minority group.

Journal staff writer Bill Wagner has sought, with considerable success, I believe, to analyze and document both the contemporary and historical problems and the current efforts to solve them on the major Indian reservations in South Dakota. I congratulate Bill Wagner for his enterprise in this effort, and I commend the careful reading of the articles to other Members of Congress and their staffs.

I ask unanimous consent that the complete text of the article, together with the introduction and conclusion, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

"Anpo Wicharpi"—Teton Sioux See the Dawn of a New Day

(By Bill Wagner)

INTRODUCTION

Less than 100 years ago the Teton Sioux could look out and survey all he had—and it was an unending vision, a beguiling and bewitching vision.

For all he could see was his.

It was sometimes harsh but always sacred. He was one with Maka, his mother the earth and parent of all; Wi, the sun, lord of the sky; Skan, the sky who sat in judgment on high; Inyan the Rock, authoritarian ancestor of all things, and Tatanka, the buffalo god who directed the hunt from the heavens. All was in harmony with Wakan Tanka, the Great Mysterious, the God of all gods.

Carrying him on his dream-like vision through the open plains was the horse acquired only a century earlier. On it he was free to ride after the sunset, to roam the boundless and bountiful kingdom of buffalo grass, streams and buttes, the Badlands and the Paha Sapa.

It was a good dream and a good life.

But like so many a good dream this one came to be replaced by a nightmare and the good life by a meager existence of wants and woes. It is a pretty familiar story and not a very happy one. In place of the hunt came the rations and the dole, degradation and despair.

Black Elk, one of the great later-day holy men of the Tetons, saw his tribal brothers and lamented: "And now when I look about upon my people in despair, I feel like crying and I wish and wish my vision could have been given to a man more worthy. I wonder why it came to me, a pitiful old man who can do nothing. Men and women I have cured with the power the vision gave me; but my nation I could not help. If a man or a woman dies, it does not matter long for the nation lives on. It was the nation that was dying and the vision was for the nation; but I have done nothing with it."

Somehow the Sioux hung on through it all. Now their numbers are increasing. Something like prosperity is coming to the reservations, and along with it, more Indians are returning to their ancestral homes. Health standards are on the rise . . . all the indices show a marked upswing. But then they had no place else to go since the reservations for too long resembled the worst of Afghanistan instead of the United States of America.

Is it, as Black Elk predicted, the Indian revival which he foretold would come in a generation after his death? A generation which incidentally is now here. Is it as Black Elk said, "But if the vision was true and mighty, as I know, it is true and mighty yet; for such things are of the spirit."

There are some indications. Emerging Indian leadership is becoming more and more dynamic. Pride and joy in Indianess and Indian culture values are at a level never surpassed in this century. Just as the housing program at the Rosebud Reservation is called "Anpo Wicharpi"—"dawn of a new day," there is talk of a "new day"—Anpo Wicharpi—in many facets of Indian life.

We will examine this Anpo Wicharpi as it affects the Indians on primarily three reservations in South Dakota: Pine Ridge, Cheyenne, and Rosebud. We will see evidence of the Anpo Wicharpi—evidence of a brighter and better day. We will see the cultural confrontations as the Indian moves from what was only a little better and worse than nothing to his entering the 20th century while trying to retain some of his noble virtues.

We will take a look at some of the results of the war on poverty, this new tribal leadership, efforts at industrialization, housing, health and education and a variety of other topics.

We won't see a nirvana—just the Anpo Wicharpi, just the dawn of what may become a fuller and happier day. For quite a while there will still be poverty and its concomitant problems. But at least now there is hope of a sort, progress in a way and faith in the future.

Plight of Indians Has Long Been on Nation's Conscience—I

For nearly as long as he can remember the Indian has been hearing words that are supposed to have come from the "Great Father," who lives in a great white house far away and is chief of the Wasichus.

With more than a little practical experience, the Indians got tired of what the Great Father have supposed to have said. These men who spoke for the Great Father made many promises. They were best summed up by the Sioux who said: "They made us many promises, more than I can remember, but they never kept but one; they promised to take our land and they took it."

Recent presidents have been concerned, genuinely so some feel, about the Indians' plight.

President John F. Kennedy once tagged the situation as a "national disgrace." He said "when the American Indians lost their power, they were placed on reservations, frequently lands which were strange to them, and the rest of the nation turned its attention to other matters.

"Our treatment of Indians during that period still affects the national conscience. We have been hampered—by the history of our relationship with the Indians—in our efforts to develop a fair national policy governing present and future treatment of Indians under their special relationship with the federal government."

Since then the first special message to Congress on Indians was sent by President Johnson. It was singled out as one of the "wonderful" accomplishment of the year by Commissioner of Indian Affairs Robert L. Bennett. This precedent shattering statement by the President is worth going over in some detail:

". . . His myths and his heroes enrich our literature," said President Johnson.

"His lore colors our arts and our language.

"For two centuries, the American Indian has been a symbol of the drama and excitement of earliest America.

"But for two centuries, he has been an alien in his own land. . . .

"The most striking fact about the American Indians today is their tragic plight:

"Fifty thousand Indian families live in unsanitary, dilapidated dwellings; many in huts, shanties, even abandoned automobiles.

"The unemployment rate among Indians is nearly 40 per cent—more than 10 times the national average.

"Fifty per cent of Indian school children—double the national average—drop out before completing high school.

"Indian literacy rates are among the lowest in the nation; the rates of sickness and poverty are among the highest.

"Thousands of Indians who have migrated into the cities find themselves untrained for jobs and unprepared for urban life.

"The average age of death of an American Indian today is 44 years; for all other Americans it is 65."

To bring these figures closer to home, at least 50 per cent live in "dwellings" below the minimally accepted level in the state. The unemployment rates on area reservations are 26.7 per cent at Cheyenne, and at Rosebud and Pine Ridge, 49 per cent. And these figures are bolstered by many employes of the Office of Economic Opportunity, and other federal programs which could be sliced by Congress at any time.

Life expectancy for an Indian here is 62 years—10 years less than the average for all races. (Life expectancy is the age a person born today can expect to live; average age at death is an averaging of the ages of persons dying at the present time.) In 1958 the average age at death was 42.8 years for South Dakota Indians. By 1964 the figure had improved to an average age of death of 47 and to 57.9 years for those surviving their fifth birthday. This compares to the national average age of death of 62.1 years in 1958 and an average of 63.6 years by 1964, with an average age of death of 68.3 years for those who had survived their fifth birthday.

"The American Indian, once proud and free, is torn between white and tribal values," the presidential message continues, "between the politics and language of the white man and his own historic culture. His problems, sharpened by years of defeat and exploitation, neglect and inadequate effort, will take many years to overcome."

President Johnson touched on some other areas as well:

"The problems of Indian education are legion:

"Ten per cent of American Indians over age 15 have had no grade schooling at all.

"Nearly 60 per cent have less than an eighth grade education.

"Half of our Indian children do not finish high school today.

"Even those Indians attending school are plagued by language barriers, by isolation in remote areas, by lack of tradition of academic achievement."

Brought closer to home it reads like this: 35 per cent of South Dakota's Indians have less than an eighth grade education; only 50 per cent finish high school.

Commenting on health and medical care, the President's message said, "The health level of the American Indians is the lowest of any major population group in the United States:

"The infant mortality rate among Indians is 34.5 per 1,000 births, 12 points above the national average.

"More than half of the Indians obtain water from contaminated or potentially dangerous sources, and use waste disposal facilities that are grossly inadequate.

"The incidence of tuberculosis among Indians and Alaska natives is about 5 times the national average.

"Viral infections, pneumonia and malnutrition—all of which contribute to the chonic ill health and mental retardation—are common among Indian children.

"We have made progress since 1963:

"Infant death rates have declined 21 per cent.

"Deaths from tuberculosis are down 29 per cent.

"The number of outpatient visits to clinics and health centers rose 16 percent . . ."

For the South Dakota Indians, it stacks up like this: an infant death rate in 1965 (the latest year figures were available from the Aberdeen Area Indian Health Service office) of 37.4 per thousand compared to a national rate of 24.8 that year. TB is ten times more prevalent among the state's Indians than other races. And the Indian stands a five to one better chance of dying of tuberculosis than the rest of the population.

But the South Dakota Indian has made health progress along with the other gains chalked up by the rest of the nation's Indian population. Tuberculosis death rates are down 42 per cent in South Dakota from the years 1956–58. TB's incidence among Indians in the state is also down. Infant death rates are down 41 per cent. In 1967, Indian outpatient medical visits jumped 55 per cent since 1956.

What is to be done and what has been proposed will be examined in other articles. For now it is enough to say along with a Bureau of Indian Affairs official that "we see a lot of problems but no solutions."

BIA Head Bennett Cites Progress Made on Indian Rights—II

Commissioner of Indian Affairs Robert Bennett also speaks of a "new day" for the American Indians.

Citing strides in the last few years, he said in an interview with the Journal at Rosebud last May, "as good as the past has been, 1968 already has been wonderful."

The first Indian to serve as commissioner since the Grant Administration, Bennett singled out the Indian Bill of Rights, Sen. George McGovern's Indian policy resolution calling for more of a local voice in Indian affairs and President Lyndon Johnson's special message to Congress on American Indians.

His appointment was hailed as a milestone by his fellow Indians, not only because one of their own was now at the helm, but because President Johnson promised when he made the appointment that the first Americans would be "first" in programs for the underprivileged.

Being an Indian "has helped me a lot," said Bennett of his job. "Most of the Indian leadership in the country knows me."

"There was," he added, "some little justifiable concern at first whether I was going to stand up for all the convictions I've had during my career. I'm sure they have found that I haven't changed. It is to the Indian leadership that I go not only for ideas, but for inspiration also." And the Indian leaders have responded favorably to Bennett. At the meeting of the National Congress of American Indians before the election last fall, they asked the next president to keep Bennett in his post.

Commenting on the Indians' recent progress and poverty, Bennett said "there is no question but that there is a gap between the conditions of the Indian people and other people throughout the country. But I think it is very significant also to state that conditions among the Indian people have improved over the past 20 years. I don't think anybody is satisfied with the progress, but I think sometimes we forget that the Indian people compared to the past 20 years, have improved considerably—in educational levels of attainment, the decrease of death of young children, and life expectancy. There has been real progress but most people don't measure the conditions now with what they were 20 years ago. They measure their conditions with what has taken place around the country."

This progress, says Bennett, has come about through enlightened tribal leadership: "What has given a real impetus to the development on the reservation has been the fact that the Indian leadership is beginning to see for the first time the gap that does exist between their people and other people of the country. I think they want to close it. With this kind of leadership being provided by the Indian people, I think they are going to accelerate the closing of the gap more so than when the bureau was trying to do this years ago by itself and more or less pulling the Indian along with it. But now it is the Indian leadership and people out in front."

Citing instances of this gap closing, Bennett went on to say: "What I'm interested in doing is not so much trying to tell Indian leaders what they should do as much as to create an environment—an environment, an atmosphere—in bureacracy in which Indian leadership can function and flourish. I think we have placed obstacles in the way of Indian leadership in the past. What I'm trying to do is remove the obstacles, get the underbrush out of the way so the Indian leadership can really function. I am dedicated to what the President stated in his special message on Indians to Congress. That is that this has to be a real partnership not only in fact but in spirit. I give a lot of attention to what I think are the psychological barriers that exist. I think it is just as meaningful that we remove those as well as some of the real concrete barriers."

This means, he said, getting away from the notion of the Bureau of Indian Affairs being the "enemy" or on the other hand being paternalistic. "As the President stated, we're trying to get away from any kind of paternalism in attitude. In my first public statement (after becoming commissioner) I recognized that the people in the Bureau of Indian Affairs have ability. But I'm just as much concerned with their attitude as well as their ability."

Getting closer to home, the commissioner said, "I think the Sioux Indian people today have progressed. The leadership is beginning to really emerge and they are facing reality. We in the bureau can provide the environment and be the advisors and counselors but not the decision makers. Twenty years from now most of the services which we now provide will be provided by the Indian people themselves under contract with the federal government."

This "reality," Bennett said, "is a recognition of the social, economic and political conditions in which they are. They no longer discourage education because the young person might then leave the reservation. They recognize that a young person has to be educated and if they don't want to lose them they have to have something at home for them. They're looking to themselves more and more, recognizing that the problems they have are their problems and not the bureau's.

"I'm very optimistic about the way they are taking hold of things and the way they are responding to challenges. This leads to another point: I don't think the Indians have been challenged enough. I think those of us who work with them and maybe society in general have established a level for Indians and then they keep challenging them underneath this level to be assured of success. I feel I am challenging them over any level that has been established for them, over any norm that may have been established, artificially or otherwise. I'm really challenging them and I will continue to do so. One of the real joys I've had is to see the way they are responding."

Along with the challenge the commissioner is convinced that the Indian can adjust to a new way of life without harm to his heritage. He cited his hometown: "I come from an Indian community up in the state of Wisconsin. We hadn't had a reservation as such since 1921. From seven every morning until six in the evening everybody is a 'white man.' From six in the evening until seven in the morning they are 'Indian.' In other words they participate and they all have employment—they're near an industrial area," but he added, "the mores of the community as an Indian people still exist. For instance, the people who come by my sister's home drop off three or four loaves because their mother baked bread. When my sister decides to make a big kettle of soup or something like that she calls the young people in and has them take a pail of soup home for their supper. This goes on all the time just as a matter of course."

This would all be theoretical if industrialization weren't going on both on the nation's Indian reservations and our own. Bennett describes how it's done:

"We do several things. We talk to the business people. We bring the business people in direct contact with the Indian leadership and let them talk together. We invite them to areas where there are Indian people working in plants. Once they are convinced and establish an industry, we haven't had any industry that has come to a reservation saying that they have been disillusioned or frustrated.

"The Indian people are real assets not only in the terms of their being there but the fact that they have some basic natural skills which make them highly trainable. This has been the experience. We have some testimonials from almost every industry that has come to an Indian reservation. The overcrowded urban conditions, I think, are going to cause some of the industrial leaders to look for other areas to bring industries so I think this is a natural."

This may come about, Bennett says, without special congressional legislation because "industrial leaders themselves are going to be looking. I think a very good case is General Dynamics which has decided to build an electric component plant on the Navajo Reservation. They like the quality of the employee that is coming to work for them. The fact they are highly trainable is another factor. So I think all of this will probably come to the reservations without, the necessity of the Congress having to state any policy on it."

INDIAN CULTURE IS A VITAL HERITAGE—III

When Sen. Robert F. Kennedy visited the Pine Ridge Reservation last spring, he couldn't understand why the Indians were so hawkish on the Vietnam war.

He found it hard to understand because it is pretty well documented that minority groups are doing a disproportionate share of the fighting and dying.

Father Theodore Zuern, S.J., who was driving the late senator around the reservation told him that this is still somewhat of a warrior culture and it remains a highly valued trait among Indians, not to mention their intense patriotism.

Too many people when they think of Indian culture, think in terms of bead work and pow-wows. Culture is more than that, it is the sum of a people's experience, its outlook, and its attitude toward life—"a way of living, an approach to life, a way of making social evaluations," Father Zuern put it.

So what is it about Indian culture that makes it different, unique and hard for most of the white "mainstream" to get some kind of inkling, let alone fathom?

For one thing the Indian wants to be Indian.

That in itself is enough to send shudders down the white mainstream's collective spine: Don't we have the best of everything? Aren't we the envy of the world?

No, the Indians say. They say "we are."

As Dr. John Bryde, who has spent many years working with Indians said, the Indian is out to "retain" what he has, unlike the black American who wants to "attain" a white middle class culture. Cato Valandra, president of the Rosebud Sioux Tribe, told a historical conference last spring that the Indians' situation is a bit different than the Negroes': "The Negro wants to be like the white man. We don't care to be too much like the white man. The culture is not the same. He (the Negro) wants what you want." This, he continued, was why Indians didn't take part in the then upcoming poor people's campaign. "We're not going to march or burn any buildings down."

But at the other end of the spectrum, one Indian who did take part in the poor people's campaign feels basically the same way. Vic Charlo, a fieldman for the Coalition of American Indian Citizens—a group which grew out of the small Indian element at the Poor People's Campaign, recounted that at the impromptu camp "we had to explain to Dr. Abernathy that we didn't want to be part of the 'mainstream'—what we want is our own stream, and an unpolluted one."

Most people who have studied the Indian vis a vis the white society would go along with Sandra Johnson in "The Indian Progress," where she said: "Since the public's attention is being turned toward civil rights, many people are equating the struggle of the American Indian with that of the American Negro. Actually, their situations are almost exactly opposite. The Negroes are striving to attain assimilation with the dominant white culture while the Indians are striving to resist this enforced assimilation with the rest of society.

"The Negro at the present time, unlike the Indians, has nothing to preserve in the way of land, culture, language or traditional arts and crafts. He is an uprooted people who is concentrating his struggle in legal rights. The Indians already have full citizenship rights so their legal struggle is to retain rather than attain."

Looking around an Indian reservation one wonders what there is worth retaining.

For one thing, the Indian is not money motivated. He doesn't have the desires we take for granted in an acquisitive society. Before the arrival of the white man, the Teton Sioux didn't even have money. A man was as big as the things he gave away, consequently today Indians still have trouble with money and budgets. This in turn resulted in government management and paternalism.

When the Indians came to judge a man, they judged him for what he was and not what he had. This attitude is still present. It is the Indian view to get along with all things, starting with nature, which is not something to conquer, as we see it, but something to live with and respect and the same for our fellow man.

While the Indian concept of bravery is still seen in such things as the famous Indian fire fighters and service in the armed forces, it also accounts for what we call laziness among the Indians. Back in the old tribal days the man was the warrior, the provider whose every act risked death. When there was something to do he did it. If there wasn't, he didn't. Nothing was full time, and this is an attitude that lingers on. The challenge is to direct this feeling to a useful end.

There are many other aspects of Indian culture that come to play on Indian society today. For example, the Teton Sioux didn't have any liquor until 100 years ago while Western civilization has had it since time immemorial. When he was finally exposed to drink, it was from fur traders. The whole idea then was to drink until drunk. The notion of social drinking never found a place in Sioux history.

It is important to keep these values in mind because the Indian should rightfully be at the center of policies designed to help him. He can "retain" the basic things of his culture—bravery, individual freedom, adjustment to nature and individual wisdom, while "attaining" some of the benefits of "mainstream" culture. He can have a foot in both cultures.

Another thing is that the Sioux—foremost among all the Indian tribes—cling the hardest to the old values and fight white cultural encroachments more than does any other Indian tribe, R. B. Hassrick wrote in "The Sioux: Life and Customs of a Warrior Society" in 1964. "To characterize the Sioux as anything less than vainglorious would be inaccurate. Their arrogance was born of successful conquest . . . They could hardly help being aware of their great power. The Sioux were far more than aware: They were overbearing in their vanity." This, of course, refers to the old warrior culture, but the intense pride of race still hangs on.

Father Zuern has worked up a list showing the dimensions of the cultural cleavage between the Teton Sioux and western civilization which is worth looking at because many of these old ways can be seen in today's reservation culture:

Dwelling place—The Sioux moved about regularly with no fixed site. In the European culture there were permanent settlements and cities were built.

Land—With the Sioux, no land was owned privately; each was free to settle or camp anywhere. In European culture, all land was owned by somebody or some organization.

Buildings—Sioux: the tepee was the standard structure, it was easily moved and erected. European: there were sturdy permanent buildings, built to last a long time.

Sanitation—Sioux: Planned sanitation was not needed because they were always moving. There was a natural decay of waste materials. European: Permanent homes required sewer systems. There was a planned means of disposal.

Time—Sioux: They gauged their time to the seasons, with no time system as we know it. They were concerned with the present and not the future. European: Much emphasis on calendars and clocks; dates and appointments and specific times to meet obligations.

Planning and organization—Sioux: lived from day to day. There was no need for extensive planning and organization. Plans were carried out immediately although some organization was needed for war parties. European: Constant planning to make the most profitable use of the land and material. There was organization in all aspects of life.

Economy—Sioux: they had a free economy There was no need for money. They were hunters and made what was needed. European: A monetary economy with division of labor. They had to barter or buy what wasn't made or raised.

Saving, thrift—Sioux: There was no need to save. Everything was free. They moved too much to be burdened. European: Always saving for future needs. Advancement often depended on thrift.

Possessions—Sioux: The fewer the possessions the better because they caused a moving problem. European: Gathered and saved many items including items of luxury.

Family—Sioux: Extended family system. Grandparents, aunts, uncles were members of the family. There was no Lakota word for "cousin." European: Parents and children made up the family although there was much association with relatives.

Helping others—Sioux: Anyone in need had to be helped. Often he was a member of the extended family. Tribal loyalty was a form of family loyalty Europeans: Each family was expected to care for its own needs although others were aided in an emergency.

Work—Sioux: Men were the warrior hunters. Women did all the other work so the men could provide protection and food. The men worked long and hard when required and then rested. European: Most needed to work hard at steady chores.

Education—Sioux: There was informal training with the youth learning from elders. European: The ideal was a formal class in school by a trained teacher.

Government—Sioux: They had very democratic ideals. They were free to leave and form new tribal groups. European: The individual was always the citizen or subject of some state.

Nature—The Sioux: They lived by adjusting to whatever nature allowed or provided. There was no scientific approach to control and regulation.

Right from the start of the reservation era, the government decided what was best for the Sioux by the standards of European culture. For example, the government tried to make farmers out of the Indians by giving them individual land allotments. This failed because farming was women's work and did not provide for cooperation. On the other hand, when cattle were introduced to the reservations, the Indians excelled because they ignored land boundaries and cooperated. Cattle also were a challenge to the Indian male ego.

These cultural repercussions keep cropping up.

Native American Church Yokes God and Peyote—IV

"The air is full of hymns. We catch them and sing them in our service.

"We see angels, heavenly robes and a lot of things."

That is what a service of the Native American Church is like, said James Bluebird, the man who organized it in 1922 when he said his group got a charter from the state of South Dakota.

Before that the church was outlawed because it used peyote. This, Bluebird said, was due to the "missionaries who went against us. They claimed peyote was a narcotic. That was just hearsay. I'm 80 years old and sound as a dollar.

"In those days the law used to arrest us. Every time we used peyote as a sacrament, they put us in jail."

But the Native American Church has clung to the use of peyote and today the drug or "medicine" or "holy herb," as its Indian members call it, remains the focal point of the religion.

"Peyote is an awful wonderful thing," Bluebird said, seated in front of a run-down shanty near Allen. "When you eat peyote you feel guilty in your conscience for being a sinner. You think about yourself and try to lead a better life and be a brother to all. . . .

"Something around us tells us how far we stand from God. Then it is revealed to us what we should do and what we should not do.

"We don't try to convert," said the elderly Indian. "Let them come themselves."

Emerson Spider, high priest of the South Dakota Native American Church, said much the same thing. Spider at first declined to be interviewed but then consented so that his religion would be better understood. Of the drug-induced state, Rev. Spider said outside his modest home north of Porcupine: "It is a mystery. You can't tell or make a story out of it. Anybody who wants to know more or learn should find out themselves.

"That's one thing they ask me," said Rev. Spider of the holy herb. "It is a mystery of God. I can't tell in words what it does. Every individual is different. Once I was a roughneck, drank and did things out of the way. I took the herb and it taught me I was doing wrong. I felt I was burning alive. It taught me how to get out of there—that I should repent and become a good Christian; repent, the judgment day is coming. That morning I repented and became a Christian.

"I hope people will look at it this way: we are trying to lead a holier life."

The herb, Rev. Spider—whose father was the high priest before him—again stressed "is a mystery of God, you can't tell it out in words. I've always said it is hard to explain. Anything from God is God-made. It is a mystery of God like Jesus."

Sometimes there are specific visions. Bluebird said at a service in Wagner at the start of World War II "I saw a vision of soldier boys all laughing and running toward me on the road. Then I knew we would win the war and the boys would return." Another time "I saw a gate—I don't know who opened it. I went in. There were people all dressed in white robes and children playing and singing. It taught me brotherhood and how to get along with people."

"It will make a good man out of you," said Rev. Spider. It will even cure you, he claimed. He also said peyote will "straighten out problems and cure bad habits." And it will bring about brotherly love, said Rev. Spider. "There is too much hate. We should love one another."

The peyote is not just taken at any time. It comes with a ritual that begins on Saturday evening and lasts until Sunday morning.

Each service begins with the announcement of the purpose of the particular meeting—whether it is a memorial, a birthday, a baptism or a prayer for the boys in service. "We always remember the boys in the service," said Rev. Spider. "We pray for peace. We pray for the President on down. We want them to have good minds so we will have peace once again."

One service was devoted to peace in Vietnam: "God will intervene," said Bluebird. "God will put his hand across the war—that's what we believe."

Another service recently was for the children, Rev. Spider said. "In September we prayed for the little ones just going back to school."

After the announcements, the company says the Lord's Prayer, some in English, some in Lakota. During the service a container with smouldering cedar leaves is passed around, tended by a cedar man whose job it is to keep it burning. There is also a chief drummer to beat on a water drum all night long. When the service is held in a tepee, there is a fireman to keep the fire going. Then there is a waiter who serves water to those thirsty. He and the firemen are the only ones who can move around.

Then the Lord's Prayer is repeated, after smoking peyote. Then the peyote is passed around and eaten, "partaken," Rev. Spider said. Then eagle fans of all colors, a staff, a whistle, a gourd and a drumstick, all sacred instruments in the rites, are incensed by the cedar burner.

This is followed by the singing of four spiritual songs. "They are pretty hard to learn," said Rev. Spider. "They are mostly like in the Bible where it says to speak in tongues. Some of the songs have definite words like 'Jesus is the light of the world' or 'God bless our soldier boys' or 'God Bless America.'" These songs are sung in English or Lakota. "Some of the boys compose songs in our own language," he added.

After the four songs, the sacred instruments are passed around. When the staff comes to a person he can call the drummer if he wants to sing four songs. At midnight there is a pause for reading the Holy Gospel. What is read depends on the special purpose of the meeting, Rev. Spider explained. "With the kids going back to school we read that fear of God is the beginning of knowledge." When a meeting is held in a tepee, there are three scriptural readings. Towards morning there is family worship where the members pray with their wives.

This is followed by four morning songs—first a water song when a container of water is placed out in the front, because "Jesus said 'I am the living water,'" explained Rev. Spider. "Through this water living things live. All living creatures have to have water to live."

Then the women drink the water and have a special service connected with corn, meat and fruit—four important elements in Indian life. After that ceremony there are four closing songs, "mostly spiritual—the last song has words saying, 'Come to Jesus.' 'Jesus has prepared a way for you.'"

For a while, Rev. Spider said, part of the Native American Church didn't know about Jesus, but he added, "I've been going to the old ones telling them of the second coming of Jesus, so now they know about the Bible and the second coming of Jesus. Before the white man came, they didn't know about Jesus."

The biggest problem, he says, is liquor. Even though the numbers of his church are growing—now estimated at 2,000 in the state—and young people are showing a greater interest, he said, "The white man made a big mistake by giving liquor to the Indians. It is ruining our church. Indians are losing the interest in churches and going the other way."

From this primitive religion, Rev. Spider has developed a simple hope:

"I sure wish we could all get together and have peace in the United States and have peace so the boys can come home.

"We should all get together and join hands together and pray for one another. We should love one another just like Jesus said. But we have grudges and say 'Our church is better. . . .'

"We should all get together. We will not be judged by faith but by deeds, by our good things and bad things. We should lead a peaceful life.

"All Americans should live right."

Dark Clouds Have Screened the Dawn of the New Day—V

(By Bill Wagner)

Pine Ridge—There have been some dark clouds on the dawn of the new day.

It is not hard to tell an Oglala Sioux at Pine Ridge that the closing of the Wright-McGill Fishhook factories was all part of the Great Father's design.

Not hard because he has seen it before and likewise heard of it from his forebears. He has come to expect it—it ranks as a later day tradition that has become part of his life. But that doesn't make it easier to understand the inscrutable ways of the Great Father. Once the factories employed as many as 300 persons on several sites on the Pine Ridge Agency. The economics of the closedown are not hard to figure out. But when you are on the short end of the graph, economics don't mean too much. As Harry Hopkins once said, "People don't eat in the long run, they eat in the short run."

That's what happened down here. For in the long run, while the mutual tariff cutting may result in an even stronger economic base for the United States and our friends, it will take a lot of filtering down before the impact of expanded world trade hits Pine Ridge.

What happened was that as the tariffs for fishhooks went down and down, the minimum wage went up and up. As the tariffs went down and down, the Japanese were able to manufacture the hooks at a lower cost because of lower wage rates. More and more of Japan's hooks flooded the domestic market.

And while all this was happening, the national minimum wage was climbing higher and higher, until it reached the point where Wright-McGill just could not meet the overseas competition. It tried a few measures; closing down some of the outlying plants and a few other economies. But the ledger told them what was becoming only too clear—that they just couldn't compete.

Wright-McGill fought the tide as long as it could and then joined it—it closed down in Pine Ridge and opened a plant in Mexico. Presumably this will help our relations with our southern neighbor—and in the long run in a small way help to foster world trade, peace and mutual understanding.

But it is back to the dole for the one-time efficient employes. The closedown raises some questions. Some are asking, while conceding that our tariff policy is worthwhile, shouldn't there be some exceptions made, or incentives offered to businesses hiring the disadvantaged? Like making up the difference between foreign and domestic labor costs, especially when the President promised the "first Americans" would be first in poverty programs?

For the Indians, it is another bad dream: develop good work habits, show up on time, take pride in your work and then have the foreman tell you and your co-workers that even though you are doing a good job, the plant is to be closed—to be reopened in Mexico you hear. Where do you go?

Back to the dole and the bottle.

And there were some other dark clouds on the horizon of the new day. They include the death sentence handed out to Thomas White Hawk, who pled guilty to the murder of a Vermillion jeweler—a sentence virtually all Indian groups, as well as many church groups have asked to be commuted to life in prison.

There was the closing of the Swift Bird Job Corps Center near Eagle Butte on the Missouri River which was designed primarily for Indian youth within a 200-mile radius. It was to have been a center where Indian young men could learn skills and trades without venturing far from their native soil. The closing of the never-opened but completely finished Job Corps Center prompted Frank Ducheneaux, tribal chairman of the Cheyenne River Sioux to comment, "The canceling of the center is not in keeping with the statement made by the President of the United States in February of 1967. He promised us at that time the Indians would be first in all these programs. I don't think he meant we would be the first to be cut in these programs."

The camp—built at a cost of over a million dollars—still sits idle. It gets lookers but no takers.

Then there was the problem with plumbing: through a bureaucratic snafu, no funds were set aside to hook up the sewer and water lines with the mains for the new houses in one of the Rosebud housing programs. After a little juggling and a lot of waiting, the mess was finally cleared up, but it did add some anxious moments.

If all this weren't enough, Indian health services were among the hardest hit when Congress took the meat-ax to Lyndon Johnson's budget in return for the surtax. Congress required that federal employment in most agencies be cut back to the level of June 30, 1966. One by one, various departments of the government escaped the bludgeon by special legislation. But with its miniscule muscle power, the Division of Indian Health of the Public Health Service couldn't beat the hatchet.

As a result, the health service is only replacing 7 out of 10 job openings in accordance with the congressional mandate. Since the cutback didn't go into effect until July 1, it is still too early to see any drop off in health standards. So far the health service is trying to cut down on clerical personnel. This will have drawbacks when doctors and nurses are required to do menial clerical tasks. Another thing is most of the openings are in the areas that are hardest to fill, such as nurses and dietitians. One thing is certain: Indian health standards won't be helped by the move. Concern has been voiced that the cutbacks could seriously impair Indian health standards, which already are the lowest in the nation.

Sometimes the Great Father is hard to understand.

War on Poverty Buildings Beachheads on Reservations—VI

Although the war on poverty has been tagged a misfire, there is no getting around the fact it has built a beachhead on the Indian reservations.

That's pretty easy to understand. If you wanted to see a stereotype of poverty, all you had to do was go to an Indian reservation.

What you saw wasn't very appealing. You saw human beings living in rusted-out car bodies, log cabins, shacks or canvas tents. If you looked far at all you would see a lot of disease, both physical and mental.

And a lot of undernourishment. A lot of anemia, in inertness caused by steady carbohydrate intake. There would also be children for whom meat often meant dog.

All that is changing—because the Indians only had one place to go. That was up. There was no Indian middle class, at least not enough to amount to anything, so the Office of Economic Opportunity programs were welcomed by all.

That's running true in South Dakota. Take the Cheyenne River Sioux Reservation as an example.

Tribal Chairman Frank Ducheneaux is chairman of the OEO board. Orrin Olson is the director. The program here got underway in 1965, first with Head Start. Later that same summer came the Neighborhood Youth Corps (NYC), which hires youths from 14 to 21. Its purpose is to develop good working habits at an early age. NYC counselors also teach youths the niceties of such things as finance handling, budgeting and the like.

Let's look at the NYC: Here there are several types of programs. There is a summer unit employing about 300. In the school year, there's an in-school program for about 65. About 100 high school dropouts take part in another program. NYC does all sorts of community projects: cleaning up cemeteries, working on public buildings and housing projects, working in recreation areas, helping with various BIA projects and other tribe and community action with private enterprises.

So far NYC progress has been favorable:

Juvenile delinquency has been "cut to a very, very minimum," says Olson. "Boys and girls have had a chance to earn money and keep busy. Now they can buy clothes and such things on their own," adds Olson. "Job placement has been very good," Olson said. Former corpsmen are now working on various jobs on reservation for the BIA, the tribe and private concerns. Olson says another plus for the NYC is fewer rejects for the draft. More boys are going into the service he says because the NYC taught them how to stay clean and healthy.

Head Start started with a bang on the Cheyenne River Sioux Reservation, Nov. 8, 1965 with 200 students in 12 communities. Last summer it had over 400 tykes aged 4–6 in 13 classrooms in nine areas on the reservation.

How is Head Start doing on the reservations?

Here's how the 1968 Progress Report of Indian Community Action Projects Consortium called it: "The value of the Head Start Program can hardly be overemphasized. When reservation pre-schoolers from impoverished backgrounds are placed in environments of learning and creative recreation, all sorts of previously closed doors are opened to them. They are able to participate in learning experiences, to improve their language resources, and to raise their self-images. In a controlled learning environment, disadvantaged children make rapid advances socially, culturally, and intellectually. Not only the children benefit from Head Start, but also the community benefits when it enables its young members to achieve fully their learning potential. Head Start children, equipped with learning and a better self-image, are therefore more likely to finish school and find good employment than they would without this early advantage."

"It is hard to give a true evaluation," said Olson, "but real progress has been made. There were areas on the reservation where children spoke Indian as the main language. They were taught English," Olson said.

They were also taught the traditional Indian values of cooperation and living together. As a result of the program, he said, the children were able to "start equal because they have been taught these things." First grade teachers, he commented "can definitely tell" which students have been in the program. Said Olson: "They can see a great amount of difference in their preparedness and readiness for school."

There are plenty of programs for adults, too. When Olson started at the Cheyenne Reservation in 1965, he wanted some carpenters for a bit of work and found there were none on the reservation. The same thing was true with masons and electricians. Through cooperation with BIA, the tribe, the Public Housing Service and the Department of Housing and Urban Development, carpentry, electrical, heating and plumbing trainees are building 40 Mutual Self-Help houses. By last summer, eight of the 3-bedroom houses were completed and five more were up for acceptance. Fifteen per cent of the Indians who have trained under the program have found jobs outside the reservation.

"Operation Mainstream" is training the chronically unemployed in such areas as carpentry, electrical, heating and plumbing. "Mainstream" trainees have renovated cemeteries and a dance pavilion, built two wash areas at Cherry Creek and Thunder Butte. They are also building 12 transitional type homes at Cherry Creek and renovating eight more. They were 75 per cent complete last summer. "They are just graduating now," Olson then said of the Mainstream men. "They are qualified to do rough carpenter work . . . those who have left the reservation have done well.

"The real purpose of all these training programs," Olson added, "is to teach good working habits along with a trade. This means to get to work on time, work while on the job and to respect their fellow workers."

When Olson first came to the reservation in 1965 he saw few alarm clocks of any type while visiting reservation homes. "There are several types of times used on an Indian reservation, 'Indian time' is simply any time. You call a meeting for 7 p.m. and they get there from 9:30 to 10 p.m. Then there is white man's time, clock time. During the last three years through the training programs they have learned to respect clock time. If a meeting is held they are there." Today, Olson says, there are plenty of clocks and watches.

There are several other programs—such as legal aid, health aides and a solidly established credit union, and Service and Maintenance for the Aged (SAM). Each program, Olson reports, is working smoothly. The OEO health aides, for example, work with the Public Health Service. "You see a vast difference in the communities in the line of sanitation facilities, especially as far as cleanliness is concerned. This is done mostly through health education," Olson said. "The aides do such things as discuss the purpose and reason for screens on windows, garbage pits and why rodents and insects should be held to a minimum. Working hand in glove with the Public Health Service, we have been able to avoid any serious epidemics in the last three years. Commonly you have impetigo and dysentery in the summer. Now the Public Health Service is alerted sooner and a lot of people who need to see a doctor are brought in."

All in all, Olson says Cheyenne River Sioux are much better off than they were in the pre-OEO days. "Economically we're much better off," he says. "Most of the OEO programs pay around $300 per month," he added. Olson also cited hikes in income, especially in the less advantageous western end of the reservation.

Today they are a "happy people," Olson says of the reservation. "They don't feel the pressure of dominance. They are a freerer thinking people and will express themselves."

Anybody but the most hard-bitten foes of federal programs or Indians would agree after seeing the Cheyenne River Sioux operation that as far as Indians are concerned the hopes Congress had when it enacted the program are seeing the light of day:

"It is the policy of the United States to eliminate the paradox of poverty in the midst of plenty in this nation by opening to everyone the opportunity for education and training, the opportunity to work, the opportunity to live in decency and dignity. . . ."

But what is probably most important in the long run is that the program is run by the Indians as well as for them. For a long time Indians have been saying the white man has made enough mistakes as far as the Indian is concerned—so bad the Indian couldn't do worse, he might even do better. John Belindo, executive director of the National Congress of American Indians, expressed it this way:

"Because the Office of Economic Opportunity has been able to distribute funds directly to the Indian tribal councils, generally located in rural depressed areas of Indian country, it has provided the tools necessary for self-sufficiency and self-fulfillment of the Indian people. . . ."

VISTA VOLUNTEERS ARE MOTIVATED BY CONCERN FOR HUMANITY—VII

EAGLE BUTTE.—A reservation is what's happening for Joyce Meloy.

She's one of several VISTA volunteers putting in a year on Indian reservations.

The petite, 24-year-old blonde calls Dubuque, Iowa, home. But since last December until midsummer she stayed at Cherry Creek, one of the most remote outposts on the Cheyenne River Reservation.

All she "earned" was her board and room and a little cigarette money each month. Before joining the Volunteers in Service for America she was a nurse technician. When she told her friends back home she signed up for VISTA they thought "it was a nice thing to do but they never would do it. It is like stopping your life and taking on a new one. It's like going into a kind of darkness."

Still others, Joyce said, had the same idea in the back of their minds but "they had car payments or this or that project to finish up and said 'maybe next year.' "

A big question is why?

Joyce says a lot of people are convinced VISTA volunteers are really paid a little something on the side, since they can't believe a person will work for nothing in this day and age.

But Joyce has a lot of reasons why. "I really always loved working with people and don't mind taking chances. It is caring enough to do something instead of thinking there are plenty of other people to do it. I wasn't just going to talk about it. I was going to do something."

And she's been doing quite a bit. Probably first and foremost is just living with the Indians on the reservation. Of her time there she says it showed them that all white people do not represent authority.

"We lived there in the same environment. I think personal contact is very important. Talking to them as part of a community and by living with them a better understanding came about," Joyce said. "You become aware so much more deeply how they think and you develop an appreciation of their culture. People go through the state and take a picture of an Indian and they think they have seen an Indian."

VISTA's main thrust, Joyce explained, is directed at community action work. This might mean tutoring for high school equivalency examinations, working with pre-schoolers, "trying for a recreation building for the teens so they might have some place to go at night," counseling ("just about everybody from teens on up to adults"), referring people to the legal aid center, Girl and Boy Scout work with the Indians, "telling them they have the right to choose the future, and discourage dropouts," which Joyce said is a big problem.

An important part of her work is serving as a buffer between teacher and students and working with dropouts. As Joyce puts it, she does "many things."

All things considered, Joyce thinks the Indians need "more opportunity to develop and the only way is through education and employment. That is the only way they can be independent.

It has been good for her, but not in a way a lot of us would understand. Says Joyce: "You are not in VISTA to get pats on the shoulder. If you want personal esteem, you wouldn't be in it. The rewards are just caring for people and they care back." She said the rewards back home are more "tangible while the work here is not in a lot of ways. It is sometimes frustrating but it makes you see yourself better as a person than you thought you ever could.

When she first came to the reservation, Joyce confessed she had "no other involvement with another race before. I didn't know what to expect."

That's one of the reasons she came. "VISTA is showing adults today that we are not going to accept ideas about minorities. You can grow up with the idea of having nothing against a minority group but still stay away from them.

"We're showing that the younger generation does care. We don't just hear the words 'justice and democracy' as long as 'I get my share' with no concern about the minority. Because I am white I have had opportunities these Indian youngsters have never had."

Joyce said this attitude will stay with her once her VISTA time is up. People are aware of racial injustice and the like but get tied up with their own problems, she says. "But in VISTA you are continuously aware that you as a person can't help but help."

INDIAN STUDENT MUST LEARN TO BLEND BEST OF BOTH CULTURES—VIII

When Senator Robert Kennedy visited Idaho's Blackfoot school district last spring he asked if the school had any books on Indian culture and tradition.

It had one: "Captive of the Delawares."

That inspired volume had a picture of an Indian scalping a white child on its cover.

This was just after President Johnson had told Congress of a plan to establish Indian "model community schools" which would "have the finest teachers, familiar with Indian history" and offer an "enriched curriculum."

Despite the disparity, Commissioner Bennett also had some optimistic words on Indian education last spring:

"Indians in particular have a cultural heritage that often puts them out of step with the rest of society. Yet this heritage is an asset, because it gives them inner support for their confrontations with the dominant society. If the child's background is respected and made the subject of serious study, then the entire group benefits."

While all this can not be dismissed as just wishful thinking, it is still pretty much that—thinking. No where is the cultural conflict more meaningful and pervasive than in the impressionable school age years, yet only in isolated instances is anything being done about it.

The facts are clear: in South Dakota less than 50 per cent of Indian youths graduate from high school. What is more important is that there are some grim facts behind this dropout rate—saddening and pathetic facts that should have been seen before.

We don't have far to turn to understand the dropout rate in South Dakota. In a remarkable and extensive study conducted at Pine Ridge, Dr. John F. Bryde gives the whys and the wherefores. His "The Sioux Indian Student: A Study of Scholastic Failure and Personality Conflict" is not pleasant reading but it provides perspective into the Indian education nettle.

He starts with the premise that "when the economic basis of a culture is destroyed and its natural ecology disrupted, the values that originally arose from that economy tend to remain active and alive, but relatively inoperable in the now changed culture. The nomadic Sioux, with their high valuation of physical bravery, generosity, individual autonomy, good advice and leisure are still vibrant and active."

Dr. Bryde delves into what is called "the crossover phenomenon": Indian children excel for a while "then reverse themselves and show a steady decline," Dr. Bryde writes.

Investigation of school achievement records of 164 eighth graders revealed excellent performance on the California Achievements tests from the fourth grade to the sixth grade, during which time the performance of these children excelled national norms. At the seventh grade level, the Indian students suddenly 'crossed-over' and fell two months behind the norms, and at the eighth grade level were lagging five months."

It is during this critical period of adolescence that the Indian child sees that the mainstream society has radically different and frequently conflicting values. But for the white student, it is a time of new vistas, an exciting age. On the other hand, the Indian youth sees that he is different, and this difference he somehow sees as the product of an inferior culture. He withdraws as he comes to the conclusion his whole upbringing has been wrong. He realizes that Dick and Jane and the visits to grandmother are far from reality.

Dr. Bryde cites George Macgregor's "Warriors Without Weapons" in saying that the Sioux child finds the world quite hostile: The behavior of adolescents reflects an almost sudden withdrawal, confusion and inability to find a satisfactory role. Adolescent boys, in particular, were frightened, unsure of themselves, felt the ill will and unfriendliness of society and since life on the reservation for them seems empty, they tend to retreat from life."

What his studies show, says Dr. Bryde, is that "the total Indian group reveals personality disruption and poorer adjustment. Notable among the meaningful variables were: feeling of rejection, depression, anxiety and tendencies to withdraw, plus social, self, and emotional alienation."

Dr. Bryde says "studies to date on the Sioux have shown that the cultural impact that has taken its toll in obstructing the development of the young Sioux personality. The young Sioux people meet the demands of the dominant culture with a passive resistance. This in itself, however, causes hostility, withdrawal and a general feeling of rejection. They cannot turn back and are not motivated to go forward. They are truly caught between the cultural stresses of the old world and the new."

New directions are needed, says Dr. Bryde:

"The findings of this study clearly point to a new approach to Indian education. The study sought to identify the psychological cause of breakdowns of scholastic achievement and general performance of Indian youth. Having identified the central pattern—alienation and anomie (personal disorientation), with resultant feelings of rejection, depression, and anxiety—it was seen that the Indian youth is alienated from himself and others. He is not effectively identified with his Indian heritage, nor can he identify with the hostile, white world facing him. He is, during the troubled years of adolescence, a nothing.' He has an extremely crippling negative self image. He has no direction to his life and is lost.

"Since the Indian youth indicates that he is socially alienated, even from his own group, he shows that he is not Indian and has no effective awareness of his historical racial identity.

"Since awareness of historical origins is necessary for orientation to any kind of future action, the first part of this acculturation course should consist in teaching him a solid, clear history of his race, designed to give him pride in his racial origin. In current Indian education, the normal American History courses are taught in all Indian schools. Indian youths study about the Pilgrims, the early struggles to settle the country, the revolutionary war, etc. However, the Indian youth doesn't identify with these accomplishments because they were the accomplishments of another race and, what is more, some of the major struggles and victories of white settlers, on the early Atlantic seaboard and later in the West, were against his own race.

"Since the Indian does not get a sense of historical racial pride from the study of history that a white youth does, the Indian youth should be taught thoroughly and vividly the history of his Indian race first as the primary source and basis for personal identity. This history of his race would be the first necessary part of the course.

"The next part of the course would teach the Indian youth what values are and how they historically arise—usually from the economy from which a race makes a living. Having gained a mastery of the concepts of values as sources of common responses in a culture, the Sioux youth would proceed to a study of the traditional Sioux values.

"He would be shown why he acts as he does as a Sioux; his subconscious cultural drives would be brought to light and to conscious awareness for understanding and evaluation. Then having seen what the Sioux values are, he would proceed to a study of the major white-American values.

"He would be shown how certain major American values clash with his Sioux values; and bring about personality tensions and deviations. He would be taught basic, psychological principles of how to adjust to and relieve stress and conflict.

He will be shown clearly that acculturational psychology is not a matter of ceasing to be Indian. This is psychologically absurd. He is likewise shown that acculturation is not a matter of completely becoming white. This is also psychologically impossible.

"He will be shown how to take the best from two cultures, blend and integrate these values within himself with the result that he creates within himself a unique, precious third kind of personality—which is his enriching contribution to society. His personality would escape the stereotype of both races and enrich society with a qualitatively different personality. He would have the satisfaction of achieving a unique, modern Indian identity and full self actualization."

There is hope that this forward thinking may come into vogue. Dr. Bryde is now working with a BIA grant to implement his ideas on Indian education. Some 32 schools are using his course on a pilot basis.

Holy Rosary Stresses Oglala Sioux Culture, Heritage—IX

Pine Ridge.—"Before this course, we didn't even know that Indians were important or that it was important for us to know Indian history and values and what the old time Indians did hundreds of years ago.

"Now we can see that it is and it sure makes you feel good to know that you are Sioux. It makes you really proud to see all the obstacles the old time Sioux had to overcome and to know that the Indian race is the oldest race on the face of the earth today.

"Later on we are going to take these values and also white values, and see how, by putting them together we get modern Indians."

That's the way Patrick Kills Crow and Mary Crazy Thunder described the modern Indian psychology course at the Holy Rosary Mission school down here.

What it does is teach Indian children their Indian history and Indian cultural values. They then compare their ways and background to the customs and values of non-Indian society. This way Indian youth can learn the white way as well as the Indian. He can then fit into the white man's world without losing his Indian identity and pride.

"The most important thing," says the Rev. Theodore Zuern, S.J., Holy Rosary superintendent, "is to teach these children to be an Oglala Sioux Indian because that is what they are and never let them develop a sense of inferiority."

This covers a lot of ground. It starts at the pre-school level. Here the Montessori method is used. As it happens this "new" concept of education stressing individuality is quite similar to old Indian method of educating their young. Non-English speaking children are also taught English, but Lakota isn't neglected. Lakota is taught all through the grade school and is a high school elective. Whether the child mastered Lakota in the home, or learns it here it helps him develop pride in his origin.

Taking some advice from Socrates who said that before anyone starts to teach, they should know their subjects thoroughly, the faculty here learns of these Indian origins and cultural values in a week long orientation session before the start of the school year.

Another innovation down here is the culture center. It's run by Robert Sladky S.J., assisted by Mrs. Jessie Little Finger and Leo American Horse, who also fills in as a Lakota teacher. Here the Indian youngsters are taught a great deal of Sioux history, as well as the customs of the old way of life. There is an extensive library on Indian history and culture. To further help develop a sense of pride, each senior girl is encouraged to make a beaded buckskin dress. Senior boys are similarly encouraged to make a war bonnet. "The response has been real good," says Father Zuern. Indian arts and crafts, Indian dances, porcupine quill work and this sort of thing are all covered.

"We're not making museum pieces out of them," stresses Father Zuern. He says the deeper Indian cultural values are stressed, but that adjustments must be made to modern day demands.

Here a page is taken from Sioux history: the arrival of the horse around 1750 brought about an entire new way of living for the Teton Sioux. The adjustment was an easy and a beneficial one. Today, the students are told, they must redirect their values as they adjust to the 1960's and the years that follow. Dr. Bryde's acculturational psychology is used.

As some examples, the old time Sioux notions of adjustment to nature, cyclical existence and the survival-leisure concept as opposed to the non-Indian values of scientific progress, and activity and work for itself are shown in a modern setting:

Survival is no longer the issue—there is a new way of making a living to survive. The Indian learns: "in this new way I have to improve myself or gain a new skill in order to survive and support my family. Some schooling is necessary." This way the modern Indian may still enjoy his old values.

The old time value of good advice from Indian wisdom is up-dated to include new knowledge to survive, such as being a carpenter, doctor or whatever. If he keeps the Indian knowledge necessary to give good advice and get some new knowledge, he has two sources of knowledge and, Dr. Bryde's reasoning goes, is better than the average non-Indian who has only one source.

Bravery, doing the hardest thing—but only once in a while; the Indians are taught now means doing a hard thing for them: a society where a man works from 8 to 5. Bravery is applied to a new setting: the 8 to 5 proposition. Staying on the job is doing something hard—and this is bravery. And they are taught here other areas where the Sioux cultural values in their modern context can give the Indian the best of two worlds.

This approach is meeting with a lot of success at Holy Rosary.

"The thing that amazes me," says Father Zuern, "is that we have 209 kids in high school where in years past we never had more than 160. Once the word got out on the new program we got a number of inquiries. The interest on the part of the student is there. The kids are enthusiastic and much impressed by it."

INNOVATIVE TODD COUNTY SCHOOL ONE OF FEW OF IT'S KIND—X

MISSION.—"What is this?," asks the teacher, pointing to a picture of a dog.

"It is a dog," replies one of the Indian students in a few of its kind programs in the United States.

"Is the dog wearing a hat?," the teacher now asks.

"No, the dog is not wearing a hat." comes back the answer from the same tyke. At first blush this does not sound too innovative. Or original. What it is is part of a highly structured educational program at the Todd County School—one of 12 like it in the United States.

That still doesn't make it original or innovative. Only when you understand the scope of the problem are the merits of the program visible. The dog and hat business, for example, is part of a language program that requires a great deal of verbalization. The students must speak in complete sentences—the once accepted grunts, groans and shrugs are no go. The same is true of the highly phonetical reading course.

It is especially important because the connection between the written and spoken word is sometimes beyond the grasp of Indian youngsters. He may have been speaking Lakota from an early age. Or not knowing that sounds can be "reproduced" on paper. He may never have seen a book or magazines. Head Start took care of a good many of these problems.

That's where the Todd County School came in.

Two years ago the school was one of 100 invited to a conference in Kansas City by the Office of Education. They were told to write a program for the first grade that used and expanded the successes of Head Start. Todd County's program was one of 40 to be funded by the federal agency.

The first grade program was named "Follow Through." It was a cooperative effort of the Todd County Independent School, the Rosebud Sioux Tribe, the Rosebud Community Action Agency, the Bureau of Indian Affairs and the Public Health Service. A parental advisory council played a large part in planning the innovative procedures, writing the initial proposal, selection of staff members, and assisting in obtaining parent participation in the program.

A unit on Indian culture, life and history was planned and introduced into the curriculum. A resource center was established with books, pictures, records, film-strips for teaching Indian history. The Sioux value of oratorical ability was utilized and stressed in the classroom.

Other aspects of the program included field trips to broaden the experiences of the Indian child living on the reservation. These trips included visits to the larger cities in South Dakota. Every child was given an airplane ride.

For the 40 dormitory residents, four Sioux Indian women were employed as substitute parents. Not only did they provide a home-like situation and serve as models with whom the Indians could identify, but these aides also were able to give emotional security to to the child who was living away from home and family.

Follow Through worked out so well here that Office of Education told the Todd district it could continue on the same lines with another program for second grade students—this one to be called "Follow Up."

School officials picked the Brighter-Engelman program for Follow Up. It uses completely programmed materials and is highly structured. There is a parent advisory group that helps to select the aides—who also do some teaching. The children take home programmed materials which they work with the help of their parents, who have attended special sessions. During the classes, all activities are picked up on closed circuit television for the Brighter-Engelman people at the University of Illinois.

To further increase verbalization, "language master machines" are used. The use of these machines permits the grouping of children for similar needs and breaks the lock-step tradition of everyone doing the same thing at the same time. After careful planning, the teachers and aides created their own sound and word cards. These were used to introduce and build upon the consonant, vowel and blend sounds. As the year progressed, cards were created to help build vocabulary and sentence structure.

In the course, the teacher stays on a tightly programmed set of materials. She follows these explicitly and does not deviate. There are definite goals in mind instead of just letting the child go and hoping he will meet some sort of goal.

"Everybody knows what they are supposed to be doing and where they're going," explained Ron Hanson, program director and assistant superintendent of schools here.

This means that the teacher can tell where the child stands on any given subject on any given day. She can do this because she's adhering to the Brighter-Engelman programmed, structured course, while all the time stressing verbalization.

For example, Book III for days 50–61, for the teacher starts with a picture of a girl, a chair and table with no top. It's called "Group Talk." The first problem says: "I see something funny in this picture. Who knows what it is? (If no response, point to missing top.) What's funny about this table? This table does not have a top. The top is missing. Everybody say it with me. The top is missing."

So far everybody connected with the program likes what they've seen. And the school is thinking of a "Follow On" course to keep up the work."

JUDGE HOLDS COURT WITH DASH OF SARCASM—XI

PINE RIDGE.—The Hon. Hobart Keith is not a typical Indian, if there is such a thing.

Nor is he a typical judge, if there is such a creature: the chief judge of the Oglala Tribal Court once let a man off "for services his tribe rendered the Oglala Sioux at the Custer battle."

"It was a minor offense," says Judge Keith, "and I had to figure out a way to let him go."

As he dispenses justice on the nation's second largest Indian reservation, he does so with a highly developed, occasionally controversial and sometimes questionable philosophy.

He is loaded with barbs of sarcasm directed at modern mores and white society. Of the state government he cites Thoreau:

"Wherever a man goes men will pursue him and paw him with their dirty institutions and if they can, constrain him to belong to their desperate odd-fellow society."

He bases this in part on his belief that the reservations are not really part of the state of South Dakota. Judge Keith maintains Pine Ridge is a division of the Teton Sioux nation existing coterminously within the United States.

To prove his point, this past summer he signed a restraining order preventing the state from collecting the sales tax at a reservation store.

Commenting on his decision in a rich resonant voice, the holder of four battle stars earned in the South Pacific says: "The lying lion, the United States government of this vast sociological den of thieves and nuts of the human jungle known as the black and white great society, has had their fill of the kill, now the jackals and hyenas of the South Dakota Revenue Department feel they have every license to move in and feed on the remaining entrails of the Teton Sioux nation."

While the state says it does not try to collect the tax from reservation Indians, the judge says it tries to "subtly coerce" grocers to collect the tax.

"I'm up for impeachment every time the tribal council meets," says Judge Keith, "but I always hold them at bay." Part of this trouble he says comes from the "undue influence" of the tribe's current attorney, Richard Shifter, whom Judge Keith tags the "Rasputin of the tribal government."

Talk of impeachment comes about because of his insistence on seeing that all the laws are enforced. Not everyone would agree with Judge Keith, for example, in his view that Indians don't have to pay income tax while it is settled that Indians on reservations don't have to pay state taxes or levies.

There are, however, certain legal rights Indians enjoy that they insist on maintaining. There are some certain misconceptions. For instance, no one is "paid" for being an Indian. Any money an Indian draws from the government is either welfare, such as everyone is entitled to, or money for payment of land or trust money. It flows out of agreements made between the Indian and the United States government.

The patchwork of Indian law comes from nearly 400 treaties and over 4,000 federal statutes and an even larger number of judicial and administrative decisions which attempt to apply these treaties and decisions.

Broadly speaking, the special relationship Indians have with the federal government goes back to before John Marshall's day. He held Indian tribes or nations "had always been considered as distinct, independent, political communities, retaining their original natural rights . . . the settled doctrine of the law of nations is, that a weaker power does not surrender its independence—its right to self-government—by associating with a stronger power, and taking its protection."

Since this decision, the federal courts have generally held that Indian tribes have the same powers of self-government of any sovereign except as modified by Congress. The major modification was the Major Crimes Act which granted the federal government jurisdiction over major crimes committed on the reservation. This legislation, incidentally, came about as a result of the murder of Spotted Tail by Crow Dog on the Rosebud Reservation. The Supreme Court held that when Crow Dog gave up a few horses and followed the Indian custom in the case of murder, federal authorities had no jurisdiction over him.

But the notion still persists that the Indian is somehow a second class citizen because of this special relationship. This is no more true in the case of Indians than it is in the cases of other groups that have special claims on the federal government such as homesteaders, veterans, holders of federal securities, government employes or government contractors.

Felix Cohen, the foremost legal scholar on Indian affairs, put it this way:

"By and large, it must be remembered, whatever we have given to the Indians, whatever we give them today is not a matter of charity, but is part of a series of real estate transactions through which about 90 per cent of the land of the United States was purchased from the Indians by the federal government. Failure to appreciate this fact leads to all sorts of ludicrous and unjust results.

"For example, the fact that Indians generally stipulated that payments for land cessions should be made in the form of goods and services came to be pushed rapidly into the background and public opinion with the result that well meaning blunderers rose to denounce the rendering of such services and goods as degrading and encouraging idleness, and persuaded Congress to pass a law prohibiting the distribution of rations to able bodied Indians unless they performed services in exchange.

"Imagine the howl of anguish that would have gone up if Congress had determined that payment of government bonds to their holders encouraged idleness and should not be effectuated with respect to able-bodied bondholders except upon performance of equivalent services. This is a typical example of the double standard which is engendered by a sense of race superiority and an ignorance of history."

If it sounds easy, try convincing anyone of it.

And Judge Keith?

"I used to be real bitter but I wouldn't trade places with anybody. There is so much romance here, Kipling could really write a story."

Treaties Life Work of Frank Kills Enemy—XII

Kyle.—Frank Kills Enemy's sole concession to the twentieth century is a sleek attaché case. In it he has a file of documents, promulgations, laws and treaties that date back to the treaty of 1868.

"I've got every law, every one of them."

He is a committee of one—or two if you count his part time assistant, Frank Short Horn, trying to get all the Indian treaties and agreements fulfilled to the letter of the law.

Kills Enemy spends a good deal of his time on the road telling Indians in the Lakota tongue about their rights under these treaties. So far he hasn't started any groundswell.

When he's not on the road, he can be found at his modest log home nestled down a bottom not far north of here. With only a few yelping dogs to keep him company, Kills Enemy studies his documents by a kerosene lamp.

"The reservation Indians are in bad shape. My grandfather was one of the chiefs who signed the 1868 treaty—Red War Bonnett," he said, not at all at ease speaking English.

He is riled about Indians of less than full blood because he says only full blood Indians were covered by the treaties. The mixed bloods, whom he blames for a lot of reservation's trouble, he says, should be given the heave-ho.

Chances are Kills Enemy will die of a broken heart before he sees any of these provisions carried out. There is one little glimmer of hope though:

The Black Hills.

"I want to know why the government doesn't fulfill its treaties. I want to know if the treaties are good or bad. I want to know if we are going to get any compensation for the Black Hills."

A lot of Indians are concerned about the Black Hills claim. For one thing it means a lot of money—probably around $50 million for the Teton Sioux tribes. It is now before the Indian Claims Commission, a tribunal established during the Truman administration to compensate Indian tribes for broken treaties.

This claim has for its basis the treaty of 1868. Back then the United States government was interested in stopping the fighting along the Powder River. So a treaty was signed setting up the Great Sioux Reservation, taking in all of western South Dakota. Both parties agreed that no cession of any part of the reservation would be valid unless agreed to by three fourths of all the adult males on the reservation.

Things worked out well for a while. Then Custer made his famous geological expedition to the Black Hills. Word soon leaked out that gold abounded in the Black Hills. The rush was on.

After the Custer debacle, Congress abrogated the treaty with the Sioux but on the condition that the Sioux consent to the change of the reservation's western boundary. A commission was sent out to secure this approval. About all they got was five per cent of the adult male signatures. This unratified agreement went into effect just the same.

It might have ended there but for the efforts of the late Ralph Case. When he was a boy growing up on the reservation (his father was an Indian agent), he once dared a soldier to throw a bucket of water on an old buck. The soldier did. Two days later the agency chaplain was killed by a rifle shot. It turned out it was the old buck thinking he was shooting the soldier who had thrown the water on him. Case vowed then and there he would do whatever he could to help the Indians.

He became an attorney and took on many cases for the Sioux and won several. He started with the Black Hills case in 1922. It was to be a long process. For one thing it required special legislation to sue the United States. When Case got this legislation and went to court, the Court of Claims told him the legislation wasn't quite good enough. He then helped put together the Indian Claims Commission legislation. This is the door through which the Sioux hope to reenter, monetarily at least, their once sacred Black Hills.

Nov. 10, 1969 is the date set for the opening of the trial. The Sioux tribes will show loss in minerals, timber, land and the like. The United States will offset the claim of the Sioux by deducting money it has given the Sioux since they lost the Black Hills.

There will be a great deal of pressure for per capita split as soon and Sioux get their award—expected to be between $40 million to $60 million. Tribal leaders looking beyond the next election may well be advised to resist this based on the experience of earlier per capita Indian settlements. Some have turned out to be strictly here today, gone tomorrow propositions.

The Bureau of Indian Affairs is also expected to ask that the money be set up for certain definite and long lasting programs.

Young, Bold Indians Becoming More Vocal—XIII

The big "in" Indian book this year is Stan Steiner's "The New Indians."

It is billed as "The first full scale report of the gathering 'Red Power' movement . . . a revolt against the white man's culture and debasement of the tribal way."

In his foreword, Steiner tells us: ". . . in the distant hills of the Indian reservations, there has arisen a new generation of university educated Indians. These young men and women have given voice to a human morality and tribal philosophy of life that weds the ancient and the modern. And they cannot be understood by harking to the old prejudices, false images, and the ugh-ughing of Hollywood Indians who don't exist, if indeed they ever did. The emergence of the new Indians demands that the country listen with new ears."

Although Stener's opus has come in for criticism by some who say his quotations of them weren't quite accurate and that on the whole it is a little too fanciful, Steiner is right in saying that a new, intelligent and vocal group of young Indian leaders and thinkers is emerging.

Vic Charlo, in the area as a field man for the Coalition of American Indian Citizens, disclaims any "red power" appelation even though he and his organization were part of last summer's Poor People's March. Of "red power" he says "if it is meant to be synonymous with black power, everybody gets scared off. It is not our purpose to antagozine but to deal with people at the local level." But in any event Charlo does represent the young, vocal, college educated Indian Steiner talks about.

Charlo's thing is Indian involvement.

On the topic of education he said "Educators are making a mistake when they say Indians want the same things (as the middle class does) so they give them the middle class treatment. Then they give a conference and invite a lot of non-Indians to participate. They are unwilling to accept Indians. I was at a meeting at Penn State: out of 100 there, just 16 were Indians. We sat there and listened to the so-called Indian experts—nothing happened.

"It is frustrating," Charlo continued, "trying to make inroads. The Indians are always coming out a very poor second. They can't see the Indians as competent—maybe it is the BIA attitude."

All this leads up to the native of Montana's Flathead Reservation's main concern, "at least give the Indians a chance to try"; contends Charlo, "the whites have made enough mistakes already. Let the Indians learn from their mistakes."

This means allowing Indian leadership to take a more active role. "You have to get the Indian leaders involved—they may not be educated but they have to be involved. I'm surprised more Indians aren't schizos—they are taught to be successful, like Ben Reifel and people like him who the teachers hold up as examples. Then the kids go home and see their own parents.

"The people the Indian child has looked up to as leaders are not educated but they are Indians. These Indian leaders," he said, "are the ones we have to consider. In the OEO jobs the past couple of years all the emphasis is on high school or some college—the Indians can't qualify." Of some of those "uneducated," Charlo said "I have seen people just as competent or more competent with a better understanding of what the Indians face."

What this means, he says is:

"We're saying let's move, let's get going at these things that effect us—getting BIA welfare without getting eight doors slammed in the face, getting water or lease money. There is a lot of talk, but the people are never touched by the programs."

Charlo has a lot of other ideas. On education:

"We all know Indians are dropping out. They're saying 'we know something is wrong.' They know they are somehow different while the educators feel there is no difference." Charlo says as the Indian student gets older, this feeling is intensified.

Middle class children, Charlo says, are brought up to finish high school and then go to college. Indians do not have this same motivation.

"Why go to college? Maybe to get a good job, a new home—the sort of thing whites accept as being necessary that the Indian doesn't necessarily want." He thinks there is a need, among other things, that a lot more counseling be made available to Indian students all the way up through college.

On the Bureau of Indian Affairs: "Bennett (Commissioner of Indian Affairs Robert Bennett) has a lot of good intentions but because of the bureaucracy, he can't function at a local level. All his programs are so watered down by the time they get down to the local level they just don't work. Bennett is concerned but he is just as good as his bureaucracy—he's a very concerned individual with his hands tied. I asked Bennett," Charlo said, "about the innovative schools the BIA was going to start. I asked him if he could with the teachers he had, some of whom are very bad. Bennett said no. I asked if he could get rid of them. Bennett said no."

On the war on poverty: While it has opened up jobs, he says "it is still missing local involvement." He thinks Community Action programs should be permitted to devise their own programs.

On industrialization: "I have mixed emotions. In some cases it is just another thing breaking down family ties. In a lot of cases the wife is going out working reversing the father-mother relationship. I don't have all the answers but I think industrialization should be looked at closely. I've talked to psychologists on reservations who are concerned for the same reasons."

On Indian values: "When we mention different values to whites they become upset. They say 'we have the best things, those damn ingrates, look at what we've done for them.' A lot of Indians would like to be part of middle class society but some don't. What we're working for on the reservations is adequate housing and medical services, lowering the death rate and the right to live a comfortable life the way we want to live it."

Bob Burnette Scorns Indian "Establishment"—XIV

Mission.—Bob Burnette is a thorn in the side of the Indian "establishment."

Talk to him for more than five minutes and he'll tell you all sorts of stories about wrong doings at Rosebud in particular, where he was tribal chairman for eight years and now dissident in residence, and of the Bureau of Indian Affairs in general, which he puts down as a bunch of no goods.

One of these days, says the articulate former executive secretary of the prestigious National Congress of American Indians, he is going to pull himself away from a book he's writing on the Indian situation for Prentice-Hall and write a letter to President-elect Richard Nixon headed "If I were named Indian commissioner."

What he would do is simple enough; he would do away with the Bureau of Indian Affairs.

"The Bureau of Indian Affairs is my target," he says. "Eventually I hope to disintegrate it even if it takes five or ten years. I'll do it, it's going to be gone because the bureau is suppressing these people."

He has a similar feeling about Robert Bennett, the incumbent BIA commissioner Burnette's old organization asked the next president to retain at its annual meeting early last fall.

"I don't think anything of Bennett," says Burnette. "I think he's a louse and I'll tell him so to his face.

"I would like to have them appoint me commissioner for three or four years," he adds. "I would do what they have been talking about for years. I would make employes heel to what they have been hired for—that is to assist Indians take their proper place in society. It does just the opposite.

"What they do is hinder and roadblock. I can take you to any Indian on the reservation and he'll tell you the same thing. The BIA takes their money and doles it out." This "doling" out of trust money, Burnette maintains, enables the BIA to "control" the Indians.

"What I would do is say 'This is your money and you are going to have to learn sooner or later the money is yours and if you spend it, too bad.' They are teaching our people to lie and scramble every day for a living. They are even learning how to cry—a lot of women tell a little lie and make tears run down their cheeks."

Burnette makes no secret of his feelings. He tells with particular relish of a time not too long after Bennett's confirmation as commissioner when he attended a dinner in New York City where Bennett was the speaker. Burnette's version has it that he went up and congratulated the new commissioner only to have Bennett tell him "Now I'm on top and I can reverse everything you've ever done." Burnette told him he was jealous of the new facilities he was able to get at Rosebud—a new school, jail and hospital—by going over the BIA's area office head.

He claims Bennett aided Cato Valandra in some sort of unholy alliance in ousting him. In fact, he says he decided to quit as executive director of the National Congress of American Indians when he says Valandra told him of some of the things he was doing back at Rosebud. Needless to say, Burnette has nothing good to say about Valandra. He claims Valandra's election was fraudulent, although the Department of the Interior didn't agree.

The Office of Economic Opportunity programs are another of Burnette's targets: "I think the OEO is one of the most wicked, misadministered kind of things that has ever happened to the Indians. It's really bad, even the legal aid." Achieving full legal rights for Indians is Burnette's main theme these days. He says it was largely through the efforts of an organization he heads that the Indians Bill of Rights act was passed this year. "Legal aid," he continued, "is a great thing if it's restricted. It's terrible. It has broken up more families than you can shake a stick at. For six dollars you can get a divorce." The poverty programs, says Burnette are "really hurting all the people it is being applied to."

For example, he says the houses are overpriced, but what's more it is bringing the Indians up to a high economic level only to drop them down again as the programs phase out. Besides that, he says the program is completely political so far as selection for participation in the programs is concerned.

Burnette plans to chronicle all he has done for the Indians "not just at Rosebud, all of them" in the book he is now writing. Chances are his book will be dismissed by the powers that be, but it is safe to predict one thing of it: it will be read.

Modern Housing Units Prove Boon to Sioux—XV

Rosebud.—Robert Kills Plenty last year and the year before had a hard time getting his boy Sterling to go to school.

Now the family is living in one of the over 800 new houses built on the reservation here and it's a different story.

Sterling tells his father, "Dad, now I can get up and take a bath; Mom can wash the clothes and everything. I don't have to worry whether they're going to call me a stinking Indian."

The Kills Plenty family is not alone. Morale has skyrocketed here—and on other reservations with new housing programs as well. "That's why they call it 'anpo wicharpi'—it really is the dawn of a new day," says the Rev. Richard Pates, S.J., who was the OEO housing director at Rosebud from its start until this month when he left the reservation for further studies.

Before the new housing came, reservation life was pretty grim. That's putting it mildly. Father Pates put it like this: "I don't know how you could stand it unless you're drunk most of the time. You just couldn't stand it otherwise.

"How would you like to be a parent and seeing your children getting sick all the time, catching TB and missing the school bus because it's too cold to get out of bed before 10 a.m.

"We aren't facing the glories of the past," continued Father Pates, "just the degradation of the present. People wonder what happened to the Indian crafts—what kind of craft can you keep up in a situation like that? How can you buy beads when you don't have enough money to buy bread?

Rosebud's, as did the other reservation programs, began with the advent of the war on poverty. Residents were asked what they needed most and the uniform reply was just about always housing. After a lot of bureaucratic folderol, the programs got under way. Father Pates got involved when Episcopal and Catholic clergymen formed the Christian Social Action group to help with the housing. He struck with it because there was no one else to take the unpaid job of drawing up the original request which Father Pates said turned out to be quite a "manuscript."

"We set it up to be people-orientated," he said. "Many people don't understand that the poor people are suspicious of the power structure. We didn't want to ram anything. These people still had their pride and dignity."

Pride and dignity even though many of the Indians were living in car bodies, tents, log huts and shacks, shanties and even reconverted windowless chicken coops. They shared a common stench, had dirt floors and were lit by oil lamps. Water was often far away.

Aside from a big boost in morale, the new housing programs had some other positive results. First and foremost would probably be health. Not only because the new tenants were taught to live according to the dictates of modern hygiene, it was now possible. Public health people can tell the difference.

A couple of statistics tell the story pretty well. Although the infant death rate for Indians is far above the national average—even though it has dramatically declined, the Indian death rate is actually lower than that of all other races for the first six days. For days 7–27, the rate for Indians is 2.9 per thousand live births compared to a national average of 1.8. From 28 days to 11 months, the Indian death rate jumps to 19.9 compared to the national average of 6.9. This is the time when the infant is at home—a time when a draft or an unsanitary home is often fatal.

One thing all the reservation housing programs share is rumor mongers who insist the Indians are tearing up the houses piecemeal, selling the parts or otherwise, vandalizing and damaging them. But none of the reservations report any serious cases. Independent investigation has found little or none. Abuse means expulsion, and the Indians have waited too long to risk that. Besides that, most of the programs call for inspection.

Father Pates lays the blame for rumors at the door of white people living near the reservation who can't stand to see the Indians get ahead. "There are quite a few near here at Valentine and Gordon who will be bitterly disappointed if the Indians don't ruin the houses because they are so prejudiced with the idea Indians are no good. It shatters their illusions to think they will use the houses well."

Although Rosebud has nearly satisfied its needs with 92 low-rent houses, 50 units of mutual help, 375 transitional type houses and 400 more "turnkey" houses, the needs of the other reservations have not been met. With nearly twice Rosebud's population, Pine Ridge has only 200 low-rent units, 50 mutual help units, 202 units set for housing improvement and 50 middle income units. Cheyenne River has 40 mutual help units, 26 housing improvement units and 104 low rent units. Standing Rock, Crow Creek, Lower Brule and Sisseton have even smaller programs.

Indian Leader Looks at Future of Reservations—XVI

Rosebud.—There's an old saying that the best chiefs are first good Indians.

That's running true down here—and on the other area Indian reservations.

Cato Valandra has built for himself the enviable distinction of being singled out as one of the nation's outstanding Indian leaders.

He's a member of President Johnson's advisory council on poverty, was one of the few South Dakotans along with Sen. George McGovern connected with Robert Kennedy's funeral and has chalked up a lot of other distinctions.

Valandra manages to remain modest about all this. He doesn't know just what to attribute his status to but suggests "instead of asking me questions, you should sit with me in my office for a day."

Only a few minutes in Cato's office are needed. The first thing you notice are the stacks of files on the several desks. He averages a phone call about every two minutes. He replies, after thinking it over a moment, in a clear and clipped voice. There is always a long line of people waiting outside his office. He sees them all.

His only distraction, if it can be called that, is when he stops to light a cigarette. Although he could probably land a key executive job with a major industry based on the way he has managed the $24 million assets of the Rosebud Sioux Tribe, he'd never make an advance man for the American Cancer Society. He chain smokes with the relish only a true nicotine addict can have. Between puffs he does his work—and told the story of how he thought Rosebud got to where it is.

He cites his political success down here "in the continuity year after year of the various programs. I think you have to know what you're going after," he said.

"You've got to tell the people, just like in any political campaign, what your programs are and what you think would be beneficial to them." These things, he adds, are "job security, health and sanitation, additional housing—all these things are part of the picture. You have to keep them informed on what's going on."

But this doesn't always win elections. "Indian people vote for the personality. They don't think too much about management of tribal affairs or too much of what was brought here. I learned that in the last election. I thought with the housing, the jobs and all the other things we are bringing here it would mean something to them. I didn't campaign in the primary because I thought it was obvious what we were trying to do here.

"It must not have been obvious because I lost the primary election and had to get out and campaign and tell the people what we've done here."

From that experience, he says he's trying to educate his people with the idea that the tribal operations should be looked at like a big corporation. "Eventually the tribe will be handling a lot of the programs of the Bureau of Indian Affairs. Twenty-five years from now the tribal council as we know it now will not be in existence. It will be more of a management corporation or operation than a political entity.

"It's leaning that way now, and if we progress the way we're going it will have to go that way. We're getting into management of property and assets more than being just a political entity. We will have a membership vote on the board of directors. It is almost like that now except we have these elections every two years."

This means (he says, getting people on the Rosebud Reservation "conscious of the fact that we are going to manage and operate this reservation for the beneficial use of the people just like any other corporation." The tribal members, he says, will be regular stockholders—even with the right to sell out to the tribe. Hopefully, there will be more concern with good management than with politics.

Even though the corporation concept does appear to suit the tribe, one thing irks Valandra: that is the $75,000 limitation on tribal indebtedness. "Any corporation with assets of $24 million can go out and borrow. We are restricted by the Department of Interior. It has a revolving loan fund but it is always broke."

One of the reason's he would like to be able to borrow more is for one of the prime interests here: more industry. The present political set-up can be an impediment to industrialization. "Management says okay, but what might happen two years from now. We're making changes," says Valandra, "so that businesses won't be subject to whims of a political entity."

A big problem in industrial recruitment, says Cato, is that businessmen have no concept of what an Indian reservation is. "What is an Indian? Who are these people who have been separated from the general run of people for years and years and here they are popping out now. What we have to do is educate industry."

In his quest for more tribal management, Valandra asked not too long ago that the tribe be allowed to take over some of the functions of the Bureau of Indian Affairs, one of the announced goals of the bureau, by the way. It was no go. Valandra thinks Commissioner Bennett has some good ideas but they haven't filtered down through all the layers of bureaucracy yet.

This view is shared by Frank Ducheneaux, who has been chairman of the Cheyenne River Sioux Tribe for 14 years. Enos Poor Bear at Pine Ridge says he doesn't see too much of the old BIA attitude because of Brice Lay, agency superintendent, whom Poor Bear calls "outstanding." And a brief conversation with Lay is enough to convince anyone that Lay is intent on promoting both the letter and spirit of Bennett's hopes for more of a partnership with the Indian leadership.

Leadership is often contentious and changing at the whim of the elecorate. The way to stay in office says Frank Ducheneaux is to be "honest and never lie."

New Industries Begin Coming to State's Indian Reservations—XVII

You've all heard about the Indian chief who called ahead for a reservation.

Well, Frank Ducheneaux is the only one who can on his own telephone line.

That's because he's the tribal chairman of the Cheyenne River Sioux Tribe, owner of the Cheyenne River Sioux Telephone system. It's the only Indian operation of its kind in the world.

Since the initial purchase of the West River Telephone Co. from Henry Harding in 1958, the Indian owned concern has grown to the point where it now has three exchanges serving Eagle Butte, Dupree and Isabel. Its lines stretch across Dewey and Ziebach Counties.

When the tribe took over the company, it had roughly 400 subscribers. Today the line boasts 1,039 customers—and assets of $778,000. Tribal officials say it turns over "a good profit" on its gross receipts of $188,000 a year.

Other than for investment purposes, the tribe took the concern over because it felt it could do a service and provide more service to a bigger area.

But aside from its Indian ownership, the telephone company is much the same as any rural independent line. It isn't what you'd expect to find on an Indian reservation, though.

Cheyenne, for example, is the only reservation in the country that operates the reservation police department on a contract with the Bureau of Indian Affairs. It is listed in Dun and Bradstreet's Million Dollar Directory. The Cheyenne River Sioux Tribe owned about half a million acres 10 years ago. Today it owns a million it uses to benefit the tribe. It has an extensive program to get its members started out in cattle ranching.

Cheyenne is just an example. They're doing much the same at Rosebud and Pine Ridge. Rosebud, for example, is always cited as being one of the most outstanding and progressive when anybody makes a national survey of Indian reservations. At an industrial park near Mission, one of the few automated Formica plants in the world is in operation.

Pine Ridge proved its workmen had the mettle until foreign competition forced the closing of the Wright-McGill fishhook plants. They're betting at Pine Ridge that it won't be long before someone will step in and take over that ready trained labor force. In fact, at Pine Ridge they are thinking beyond getting the one-time snellers back to work. There's talk now of a large scale oil exploration venture as well as a tourist attraction featuring a modern motel and the like on the edge of the Badlands.

All these things mean more than money to the Indians. They mean jobs and a paycheck. The jobs and paychecks mean a chance for self-respect and a self-sustaining livelihood. Where once the emphasis was to train the Indians and ship them off the reservation, the trend now is to get industry to come to the reservations. As far as the Indian is concerned, the importance of this can't be stressed enough. While everybody wants to make a living in his own locality, it is doubly true for the Indians who have a deep, almost religious love of their native locale.

Businessmen find a ready and willing labor pool to greet them. Besides that, there are a variety of government training programs, including on-the-job, to assure the work force is able in addition to being ready and willing. Industries like electronics requiring a great deal of manual dexterity have been especially pleased with the Indian made products.

This growing industrialization on the reservations didn't just happen. All of the reservations drew up master plans. They work with the Bureau of Indian Affairs and state agencies such as the Industrial Expansion and Development Agency.

Cato Valandra went one better. He asked a businessman to take a look around Rosebud to see what would have to be done before industry would even consider the reservation. He said two things were needed: better roads and housing. Cato saw to it that Rosebud got both, several new industries came and the per capita income on the Rosebud Reservation was doubled in just a few years.

Better housing, the businessman said, was needed because nobody living in the then shacks and shanties could be expected to do a decent day's work.

The man behind much of Rosebud's industrial expansion is Bob Johnson. He has served as head of the Greater South Dakota Association and the Minneapolis Chamber of Commerce. One of the things he has to overcome in selling a business on starting at Rosebud is the notion of the Indian a lot of people have—a shiftless bum.

He has an answer for that. For one thing, he says, the average type industry that is apt to relocate in a rural area isn't going to be be one that will start off paying $4.98 an hour. So in a lot of areas you're not going to get the best prospective employees. Johnson has a study to back this up. At the same time Rosebud Electronics started, a firm which manufactures cable components for IBM a similar plant was set up in St. Cloud, Minn. The St. Cloud firm hired workers off the street. The study showed better performance at the Rosebud plant in all categories: tardiness, absenteeism, quality and length of attention spans.

This is true nationally as well. BIA Commissioner Robert Bennett said he's heard "no complaints" from the industries that selected reservation sites.

Mental Health Center Cures, but Also Probes the Causes—XVIII

Pine Ridge.—When Dr. Carl Mindell first came down here, rumor had it that he was taking down names of people to be sent to Yankton State Hospital.

As it happened a lot of names were taken down—but not for residents to be shipped out. It was all part of the start of the first community mental health center on an Indian reservation in the United States, Dr. Mindell was the program's first psychiatrist.

It all goes back to 1955 when the Division of Indian Health was transferred from Bureau of Indian Affairs to the Department of Health, Education and Welfare. Under the new scheme, there was a marked increase in manpower, new facilities and more research. The old killers and disablers that had so long plagued the reservation—tuberculosis, infant death, dysenteries, pneumonia—all showed a sharp decline.

Now the big problem became alcoholism, poor nutrition, the whole big area of family breakdowns and auto accidents, usually related to drinking. The South Dakota Indian reservations have a tremendously disproportionate amount of the state's highway fatalities, and drinking is almost invariably involved. For example, Todd County, all part of the Rosebud Reservation, has 9 per cent of the states' traffic fatalities but only .007 per cent of the state's population. Drinking was a factor in every one of the Todd County highway deaths.

"It's the whole world a doctor doesn't usually treat in the clinic," said Paul Stuart, a psychiatric social worker here of the work going on.

This all happened in the early 1960's when there was a nationwide movement for community mental health centers. Congress appropriated funds to establish these local centers. The Division of Indian Health was interested because the major diseases were close to being conquered. It wanted to do something about alcoholism, juvenile delinquency, depression and family breakdowns in general.

Another outfit that was interested in alcoholism and family breakdowns was the Lakota Tuberculosis and Health Association, an organization with membership in several states interested in bettering Indian health standards. Because of this interest, Congress granted funds to establish the program.

While there are other mental health programs in the Division of Indian Health, most of these are at the area level. They generally only deal with acute cases and also help get patients into hospitals. The Pine Ridge center is the only one located where the people are. There was a great deal of interest at first in research in gathering data and much interest in community organization.

Stuart says the major approaches used are to give the mental patients good clinical care, and to try to prevent mental illness by identifying the causes. Like any other disease, they believe down here, mental illness can be prevented if caught in time. This means identifying the causes of mental illness and working on those causes.

Some psychiatric aides were trained by Stuart, but he says there is a tremendous shortage of trained people. "We feel we're seeing only a small percentage of the emotionally disturbed people," he said.

So that the program could see where it was going, a research study was started in 1966 by Dr. Eileen Maynard, an anthropologist. This was needed, said Dr. Maynard because "research has been a vital part of the community health program since its inception. The rationale being that one cannot improve the mental health of people unless one is cognizant of their problems and the possible etiology (cause or origin) of these problems. Also implicit is the necessity of a baseline for the measurement of change on the Pine Ridge Reservation.

"Much of the information about the Pine Ridge population remains in the realm of speculation: often based on hearsay evidence. For this reason, it was felt that objective studies were required in order to pinpoint with greater accuracy the demography and major problem areas."

So the Baseline Data Study was started under the direction of Dr. Maynard. Now all but complete, it set out to have depth interviews with everyone on the reservation by the use of an 18 page questionnaire starting with questions like "Do you speak Lakota?" to "Do you think an able-bodied man should work even if he gets enough money to get by on?" Basic demographic data such as the degree of Indian blood is also obtained.

This information in turn is fed into a computer. It will be used to determine what groups are problem areas, and the possible causes leading, hopefully, to a cure.

A wide range of topics have been covered—ranging from marital conditions, education, juvenile delinquency, alcoholism, glue sniffing and more. The inter-relationship of these findings is also weighed.

Some of the things the studies have shown have discovered things that were known but never proved: that unemployment is ten times that of the national average; that educational levels are low but increasing—but still not keeping pace with national average. Other things it has shown include the finding that Indian children are more likely to name the mother as the one who makes the decision, while the role of father, often unemployed, becomes less important.

It had always been assumed, for example, that the loss of a parent was not as traumatic for an Indian child because of the Indian extended family. The study showed a 36 per cent higher rate of juvenile delinquency or mental illness when one or both parents are dead.

The high rate of alcoholism and problems with drink and the higher incidence of mental illness, they feel here as a result of their studies are not only linked to the Indians lower economic status, but go back to the historic dependence on the government and the feeling of powerlessness on the part of the Indian. The study has shown that old time Indian values still persist, even though there is no need for some of them, and some of them are a detriment in today's economy for the Indian. Drinking is an outlet for repressed aggressions as well as an easy means of sociability.

There is also a sense of inferiority about being Indian. One study shows a much higher rate of attempted suicides here than does the rest of the population. Mental health staffers believe that Indianness should be a source of pride. Some of the areas where this can be done, in education for example, have been recommended.

It is only a start, but progress is being made.

McGovern Resolution Sets New Destiny for American Indians—XIX

CONCLUSION

Solutions to the "Indian problem?"

They've been a dime a dozen. What has been overlooked is that by and large they have been motivated by the best of white intentions.

For instance the allotment program was designed to make self-sustaining farmers of once nomadic warrior hunters by the most enlightened views of the turn of the century. As a barbaric race, it was thought the Indians would first have to go through a stage as farmers before they could fully partake of modern civilization. It was thought the Indians would gladly cast aside their old traditions and take up their roles as husbandmen with the gusto of the sod shanty pioneer.

They didn't. In the process they nearly lost all their land to white land grabbers. But this was a result, not a cause.

Our national Indian policy goes back to the Northwest Ordinance of 1787 that stated: "The utmost good faith shall always be observed towards the Indians; their land and property, rights, and liberty shall never be taken from them without their consent; and in their property rights they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice in humanity shall from time to time be made, for preventing wrongs being done to them, and for preserving peace and friendship with them."

By and large the United States respected these property rights—the Great Sioux Reservation break-up in South Dakota is one of the glaring exceptions. Felix Cohen, the late Indian law expert who was also regarded as a great legal philosopher as well, said: "The process of white land acquisition is one that has been largely misunderstood and misrepresented. I should be the last to deny that wrongs have been committed in the course of this acquisition of our public domain. But the fact remains that of all the public domain acquired by the United States approximately 95 percent was purchased through formal treaty or agreement with Indian tribes and only 5 percent was acquired in other ways."

Cohen also said: "There is no nation on the face of the earth which has set for itself so high a standard of dealing with a native aboriginal people as the United States and no nation on earth has been more self-critical in seeking to rectify its deviations from those high standards."

What is more pertinent is that we often missed the mark and misjudged the Indian. We have heard such things as "if only the Indians would work harder, stop saying 'we're different,' become thrifty and show up on time" and the like. We have seen the importance of Indian culture and what it means. It is also easy enough to understand that constantly changing "solutions" can not solve any problem.

Congress thought it had the answer in 1953 when it passed House Concurrent Resolution 108 which set aside much of the good established by the Indian Reorganization Act of 1934 under which the Indians were given an opportunity to improve their living conditions by management of their own affairs. The 1953 policy declaration proposed to "free" Indians from federal controls, finish the Indians' wardship and treat them the same as all other citizens. This was the so-called "termination" policy. It did not work. Economic chaos resulted in some tribes. Indians were encouraged to move to the urban areas where the job situation was said to be better. It was also a failure.

The first comprehensive study in recent years of the condition of the American Indian, the Commission on the Rights, Liberties, and Responsibilities of the American Indian, recommended "An objective which should undergird all Indian policy is that the Indian individual, the Indian family, and the Indian community be motivated to participate in solving their own problems. The Indian must be given responsibility, must be afforded an opportunity he can utilize, and must develop faith in himself."

In 1966, Sen. George McGovern, now chairman of the Senate Subcommittee on Indian Affairs, introduced a policy statement along those lines. It unanimously passed the Senate this year. McGovern said, "There is need for new programs—not from Washington, but from the local areas—to give Indians a greater voice in their own destiny and to provide more self-help. We should insist that reservation development plans be worked from the grass-roots level upwards, rather than evolving as creatures of Washington superimposed on reservations with little or no Indian involvement."

Where it has been tried—here the Community Action programs come to mind—it is working. Indian leadership is becoming more dynamic and more effective. While not perfect, it should be remembered that every emerging group has been called unfit to govern . . . itself or anyone else. It was said of the Irish. But it took only three generations to produce the Kennedys.

It might not be out of line to point out that much of the impetus for democracy as a form of government came from the Indian. When Indian contributions to civilization are mentioned the bountiful potato and Indian corn, which reproduces itself three-hundredfold, jump into mind. These crops saved Europe from starvation many times; they enabled the world to feed a larger population—without them it is questionable if half the world's population would be alive today. But along with Columbus and the other explorers there also filtered back the Indian notion of a just and democratic government. Montaigne, Montesquieu, Locke, Rousseau and Voltaire all saw the Indian light of democracy as a beacon for the future.

Now it is up to us through our government to live up to our side of the partnership as embodied in the McGovern resolution. It will have to be a real partnership, one which is willing to accept Indian mistakes as part of the price for full participation in society by Indian people, while at the same time retaining their valued and valuable cultural identity and pride.

In the case of the Teton Sioux, help is legally and morally due as a result of treaties made and broken. But more than that, democracy, if it is to succeed requires it. Cohen observed:

"The issue is not only an issue of Indian rights; it is the much larger one of whether American liberty can be preserved. . . . We must believe in liberty itself to defend it effectively. What is my own divides me from my fellow man. Liberty, which is the other side of the shield of tolerance, is a social affair that unites me with my fellow man. If we fight for civil liberties for our side, we show that we believe not in civil liberties but in our side. But when those of us who never were Indians and never expect to be Indians fight for the cause of Indian self-government, we are fighting for something that is not limited by accidents of race and creed and birth. . . . We are fighting for what Jefferson called the basic rights of man. We are fighting for the last best hope of earth. And these are causes that should carry us through many defeats."

And there have been many defeats. But we have seen and examined recent accomplishment. There is much to be done. Much has been done, there is the "anpo wicharpi," the dawn of new day for the Sioux Indians.

What kind of day it will become depends on us—and them.

THE PUBLIC URGES SUPPORT OF HUMAN RIGHTS CONVENTIONS—XVIII

Mr. PROXMIRE. Mr. President, the Milwaukee Journal has enthusiastically endorsed Senate ratification of the human rights conventions. This emphasizes the fact that there is a true and active concern over the need to ratify these treaties. I have received numerous letters of support for the treaties over the past months from various groups and individuals throughout the country. The public is concerned in the cause—The Senate should feel this same sense of urgency. I urge prompt ratification of the Human Rights Conventions on Genocide, Political Rights for Women, and Forced Labor.

Mr. President, I ask unanimous consent that the Milwaukee Journal editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Brightest Beacon

Sen. Proxmire (D-Wis.) is renewing the campaign he started two years ago to get senate ratification of the human rights conventions. He spoke out on 360 consecutive legislative days in the last congress. He intends to speak every day in this one, or until ratification is accomplished.

The senator's concern is with the conventions on forced labor, genocide and political rights for women. He has had some success. The senate in the last session ratified the supplementary convention on slavery and the protocol treaty on the status of refugees. But those were the first ratifications since the first of the conventions was sent to the senate in 1948.

It is difficult to understand the reluctance to ratify the human rights convention. As Proxmire points out, "an overwhelming majority of countries in the world" have agreed to it. Most of the nations which haven't complied are dictatorships.

Genocide—the deliberate extermination of political, religious or racial groups—is certainly something the United States is against. It was submitted to the senate in 1949, a foreign relations subcommittee reported it favorably, the full committee held hearings, but no action has been taken.

The convention on forced labor, as Proxmire says, "prohibits any forced or compulsory labor for the purpose of, first, political coercion or punishment; second, mobilizing labor for economic development; third, labor discipline; fourth, punishing participation in strikes; or, fifth, racial, social, national or religious discrimination." What American couldn't support that?

Or, take the convention on political rights for women. It provides that women shall be allowed to vote on equal terms with men, may run for publicly elected offices and hold public office and be equal with men in exercising public functions established by national law. American women have those rights now.

The senator should keep on talking, keep on reminding his colleagues each day that they are stalling on a moral commitment. As President Nixon said during his recent campaign:

"For centuries, the advance of civilization has been measured by the progress made in securing human rights. The struggles that divide the world today center on questions of human rights. It is America's role and responsibility, as the brightest beacon of freedom, so to conduct itself as to provide an example that will truly light the world."

MINERAL KING RECREATIONAL AREA, CALIFORNIA

Mr. MURPHY. Mr. President, on January 27, the U.S. Forest Service announced approval of a $35 million master plan of the Walt Disney organization for the development of Mineral King as an all-year recreational area.

Mineral King is the result of long and close cooperation between many State and Federal agencies as well as private citizens and civic groups throughout California. Its many benefits to the people, government, and State will come without any additional costs to the taxpayer.

I ask unanimous consent that articles from Time magazine, of February 7, 1969, and Newsweek, of February 10, 1969, and an editorial from the San Francisco Examiner of January 29, 1969, be printed in the Record. All are concerned with this vast project for which I and so many of my colleagues have worked during the past few years.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From Time magazine, Feb. 7, 1969]

To Guard and Preserve? Or Open and Enjoy?

The last time anyone really got excited about the terrain was in the last third of the 19th century, when prospectors discovered what seemed to be rich veins of gold, silver, copper and lead. The bonanza was short-lived, but the mountain's enticing name endured: Mineral King, an area of majestic 12,000-ft. peaks in California's eastern Sierras, 228 miles north of downtown Los Angeles.

The last of the miners had left by the turn of the century, and it was not until four years ago that a new band of prospectors returned to Mineral King. Financed by the late Walt Disney, they systematically surveyed the Sierra woodland—now a part of a national forest. Finally they suggested that Mineral King's real riches could be realized in 20th century America as a year-round vacation resort. It sounded at first like a sterling idea to almost everyone concerned. Last week, however, when the Disney group's plans were given final approval by the Forest Service, Mineral King became the center of a modern claims battle between conservationists, who want to keep the wilderness sequestered, and recreationists intent on opening it for fun.

The conservationists were led by California's potent Sierra Club. Though it originally supported the idea, the club bridled at the project's Disneyland proportions (proposed 1978 capacity: 8,000 skiers, 3,300 overnight visitors). It claimed that such numbers would cause overcrowding, might result in erosion from road drainage and upset the ecological balance of the 20-sq.-mi. resort valley. It also objected to the construction of an essential access road through 8.5 miles of the Sequoia National Park.

That part of the conflict soon turned into a battle between giant federal departments, with Agriculture (which runs the forestry service) behind the development and Interior (which runs the park service) opposed to it.

Before leaving office last month, Interior Secretary Stewart Udall finally approved the highway plan, noting that it would not result in the removal of a single redwood. However, both he and the Sierra Club had already created the impression that the developers would be violating a pristine piece of America's wilderness.

NO LONGER KINGS

In fact, Mineral King is not quite that. The skeleton of the abandoned mining town (onetime pop. 500) is still in plain view and at least 60 summer homes now dot the proposed ski valley, which can be reached by an existing dirt road. Moreover, Mineral King is the jumping-off point for summertime pack-horse trips into the wild, mountainous wonder. Disney officials say that the Kaweah River is already polluted downstream from the stable of the horse-renting concession—and promised to do something about it.

No doubt the developers intend to mine Mineral King with the same antiseptic efficiency and imaginative salesmanship that they exercised on Disneyland itself. They promise to ban automobiles from the village and advocate a five-level underground garage. From there, visitors would ride a cogwheel train the last mile and a half. The ski valley would have more than two dozen lifts and tramways leading up slopes. Summertime guests would find fewer trees, but there would be good swimming and hiking.

Still, critics who believe that America's natural glories are seriously threatened today are appalled by the prospect of all that super-organization—and all that cuteness—which could lead to a village of Snow White Synthetic or Plastic Alpine. Moreover, the area around Mineral King would also be profoundly altered as a result of the resort. What seems to bother the Sierra Club most is the prospect that the pack travelers and other outdoorsmen will no longer be the only kings on this hill. Jack Hope, senior editor of *Natural History magazine,* voiced the typical objection. Disney's plan, he said, "conjures up pictures of tourists picking the grounds clean, of skiers watching the white wrapers of their candy bars floating to the ground." The Sierra Club is contemplating legal action on several technical grounds, but there seems little indication that Disney can be headed off at the pass. Nor, considering the need for well-planned recreational development, does there seem much cause for trying.

[From Newsweek, Feb. 10, 1969]

CONSERVATION: MOM VERSUS APPLE PIE

Mineral King Valley squats inside the Sequoia National Forest, surrounded by the towering, snow-capped peaks of California's High Sierra, 7,800 feet up in the kind of spectacular ski country that makes rank snow bunnies itch to do the slalom. Eight vast, natural snow bowls curve upward from the valley floor and offer uninterrupted downhill runs that are judged the equal of Europe's best. Most important of all to snow-hungry southern Californians, now thoroughly bitten by the skiing bug, the valley is only 170 miles north of Los Angeles.

So there were fervent cheers last week when the U.S. Forest Service, after two decades of pondering various plans to develop the valley, finally approved one of them. And there were more cheers from some quarters over the choice of developer. Who better to build a people's paradise in a serene mountain wilderness than Walt Disney Productions, creator of Disneyland?

The Disney plans were nothing short of supercalifragilisticexpialidocious. Disney proposed to invest some $35 million in Mineral King, much of it for an "Alpine Village" of steeply pitched and many-gabled roofs designed to house some 3,300 good family folk. Horse-drawn sleighs would ply the streets while cars remained hidden away in a 5-acre underground garage 1¼ miles from the village; an electric cog railway would carry visitors from vehicle to ville.

TO COURT

And who could possibly knock such a Technicolor scheme? The Sierra Club, that's who. No sooner was the Forest Service's OK official than the militant conservationist group announced it would go to court to stop the development. The 70,000-member club argued that the Federal government exceeded its authority in permitting construction of such "heavy facilities" as the Disney installation and a paved highway leading into it through Sequoia National Park.

The Disney proposal has the backing of California's Gov. Ronald Reagan and Sen. George Murphy as well as key Federal agencies and major ski groups, but few who have ever been up against the Sierra Club are ready to call the spunky organization outgunned. In the past, the cantankerous amalgam of rugged outdoorsmen and urban nature lovers has challenged the water interests of seven states—and come off the winner by almost singlehandedly halting the building of two dams that would have flooded parts of the Grand Canyon. Just last September, the club's fervent efforts to save California's redwoods finally paid off in a 58,000-acre addition of redwood stands to the National Park system.

The club's first article of faith is that the nation's remaining wilderness areas should be protected from all forms of outside incursion. Toward this end, it has been led for the past sixteen years by its arrogant and dynamic executive director, David R. Brower, 56. Although the 77-year-old group has grown nearly ten-fold under Brower, the white-thatched director has himself lately become almost as much of a controversial figure for club members as a runaway logger in a redwood grove. Brower has sponsored a succession of elaborately illustrated book productions extolling the U.S. wilderness—and recently announced a new line of international books. Many of his critics think the book program has got entirely out of hand while other members think he has simply grown too big for his hiking britches. He infuriated even some of his friends recently when on his own he ran a page-and-a-half club ad in The New York Times that called for viewing the globe as a sort of Earth National Park.

TEST

To the building furor over his iron hand in the organization's affairs, Brower replies: "I think the issue is whether the Sierra Club . . . continues to grow in its scope and competence." He plans to test his own aggressive personality and philosophy in April by running for the first time for a position as one of the club's fifteen board members. If he does not get elected, he says that he will quit as executive director.

It just may be that the internecine battle over Brower will distract the club from its declaration of war on Disney. But don't count on it. There is nothing like a threat to America's dwindling wilderness to rally the membership. And barring any further internal upheavals, it promises to be quite a battle. For if a Disney production is as difficult to oppose as apple pie, nearly the same has been said of the Sierra Club. In the fight between club and logger over the redwoods, one lumber spokesman lamented: "We think they're wrong, but we're not going out to fight motherhood." When apple pie comes smack up against motherhood, it is plainly anybody's ball game.

[From the San Francisco Examiner, Jan. 29, 1969]

MINERAL KING

The U.S. Forest Service has approved the Disney organization's plan for recreational development of the Mineral King Valley area of Sequoia National Forest, provoking threats of a suit by the Sierra Club.

We recall that 20 years ago three skiers surveyed Mineral King's potential, remaining there from October until May, and came out with the report, "Take half a dozen Sun Valleys, line them up and you'll have some idea of Mineral King."

The site is indeed magnificent, not only for winter but summer recreation. It will provide in particular new opportunities for winter sports for Southern Californians who in growing numbers already crowd existing facilities.

We stand with the Sierra Club on the issue of protection of wilderness resources, but this viewpoint must be balanced against the legitimate recreation needs of increased population.

Disney was only one of six bidders for Mineral King. The bid would not have been accepted, nor the project initiated at all, if in the government's opinion it held prospects of destructive exploitation. This is especially true since the program was overseen by one of the most conservation-minded national administrations in American history.

Obviously there can be a slip twixt the drawing board and the execution. The Agriculture Department and, where concerned, the Interior Department, must see to it that this does not occur.

Constructive monitoring by conservation groups as the development proceeds will be of great value.

TOWARD A SOCIAL REPORT: HEALTH AND ILLNESS

Mr. MONDALE. Mr. President, on January 5 I introduced the Full Opportunity Act of 1969—S. 5. The bill, which establishes a Council of Social Advisers and a Joint Committee on the Social Report, provides for an annual social report to be given by the President on advice from the Social Council. I firmly believe that a social report will enable us to direct our efforts toward the realization of the goal of S. 5—full opportunity for every American. As I noted on February 4, the Department of Health, Education, and Welfare has recently published "Toward a Social Report." At that time I placed into the RECORD the introduction and summary of the report. The report, which caps a 2-year effort, should be seen not as a final model of the social report but rather as a preliminary working model.

Today I should like to invite attention to the first chapter of the report: "Health and Illness." Preliminary research has resulted in several sets of "hard data" which point to as yet unsolved and in many cases unconfronted public policy questions. We are aware that present medical care financing provides an incentive for "underuse of preventive care" as opposed to curative care. Yet we are presently unaware as to whether or not the Nation "can provide health services in a manner which will not discourage preventive care, and which will insure that all persons have access to health services which are reasonably comprehensive." We are aware that since the turn of the century life expectancy at birth has increased 20 years; at 5 years of age it has increased 9 years; whereas, at 65 years it has increased less than 3 years. However, we are not yet aware as to how best to allocate our Nation's health resources among people in the prime of their life, in the early years of their life, or in the later years of their life. We are aware that between June 1967 and June 1968, hospital daily service charges rose 12 percent and doctors' fees 5 percent. We are not as yet, however, aware of how we can "find new ways to meet the challenge to the health status of the population" which is posed by these and other sharp increases in medical costs. There are, of course, numerous other instances in the report in which preliminary collection of "hard data" points to complex problems. In the future I will note some of these.

Mr. President, I ask unanimous consent that the first chapter of "Toward a Social Report" be printed in the RECORD.

There being no objection, the chapter was ordered to be printed in the RECORD, as follows:

CHAPTER I. HEALTH AND ILLNESS—ARE WE BECOMING HEALTHIER?

Good health and a long life are among the most elementary requirements for human achievement and enjoyment. The primary concern of this chapter is to review and appraise both the measures of change in health and life expectancy among groups in our society and the factors which have retarded improvements in the Nation's status.

The satisfactions a positive state of health can bring are matters for other chapters. Further, such important matters as the absence of pain or minimization of discomfort are neglected because they cannot be measured at this time.

Are we getting healthier?

Long Run Gains

The advance of medical science and rising standards of living in the Twentieth Century have brought about major improvements in health and life expectancy. Some diseases, like polio and diphtheria, have almost disappeared. Others, like tuberculosis and measles, are far less common than they used to be. The "miracle" drugs have reduced the danger from pneumonia and other infectious diseases to an extraordinary degree.

The increase in life expetcancy has been striking (Table 1). At the turn of the century, the average life expectancy at birth in the United States was 49.2 years; in 1966, it was 70.1 years. Women have gained more than men. In 1900, women lived two years longer than men on the average; they now live seven years longer.

TABLE 1.—AVERAGE NUMBER OF YEARS OF LIFE REMAINING AT SPECIFIED AGES, UNITED STATES, 1900-1902 AND 1966

Age at beginning of year	Average number of years of life remaining		Increase in average remaining lifetime (in years)
	1900-1902	1966	
Birth	49.2	70.1	20.9
1	55.2	70.8	15.6
5	55.0	67.1	12.1
25	39.1	48.0	8.9
65	11.9	14.6	2.7

The gain in expectation of life at birth has occurred mainly because of the reduction in the death rates among infants and children. In 1900, the average child, age five, could expect an additional 55 years of life; now a five year old can expect to live an additionaly 67.1 years, or a gain of 12.1 years. In contrast, life expectancy among 25 years olds has increased 8.9 years, and a typical 65 year old can expect another 2.7 years of life.

Life expectancy at older ages has not improved greatly because medical science has not yet developed the knowledge needed to control the degenerative diseases of old age. As more people survive long enough to become vulnerable to these diseases, death rates from the chronic non-infectious diseases have continued to increase. In 1966, heart disease, cancer, and stroke accounted for two-thirds of all deaths, compared to less than 20 percent in 1920. (However, with the recent breakthrough in drug therapy for hypertension and Parkinson's disease new knowledge is beginning to be brought to bear on some of the degenerative diseases of old age.) The incidence of some degenerative diseases that are painful or crippling, but usually not fatal, such as arthritis, has also increased.

Unfortunately, the great gains in increased years of life have not been equally shared by the American people. Nonwhite expectation of life at birth in 1900 was 33.0 years, 14.6 years below that of the whites. By 1965, nonwhite life expectancy had risen to 64.1 years but was still 6.9 years below that of whites.

Similarly, while the risk of death in early childhood has decreased markedly for both white and nonwhite children, the disparity between the death rates for white and nonwhite children has actually increased over the years. In 1965, the nonwhite death rate for infants under one year of age was 187 percent of the white rate, as compared to 160 percent in 1935.

Some Recent Trends

Since the mid-fifties there have been some gains in health, some losses and some areas where we are holding our own or where progress has been uncertain. For example, the incidence of such infectious diseases as diptheria, measles, polio, and whooping cough has declined since 1957. On the other hand, some diseases, including hepatitis, food-borne infections and streptococcal infections, have become more frequent. In addition, age-specific death rates for coronary heart disease among adults have continued to advance, as have death rates for cancer of the lung, cirrhosis of the liver, and chronic lung diseases such as emphysema, and chronic bronchitis. The diet and sedentary life associated with affluence, cigarette smoking, alcohol consumption and perhaps air pollution are major factors in the occurrence of these diseases. The death rate from motor vehicle accidents has also risen but less markedly.

Furthermore, the number of years which Americans can look forward to without any form of bed disability has changed little since 1958, the year when this calculation first became possible. This finding is based on a social indicator calculated for the Social Report. This indicator measures the expectation of healthy life. It reflects both those increases in the length of healthy life that are due to reductions in bed-disability or institutional confinement, and those that are due to increases in life expectancy.

As Table 2 shows, the unchanged life expectancy over the decade and the static expectation of disability days have resulted in a nearly constant expectation of healthy life. The figure in 1957–58 was 67.2 years, but this was a year of an influenza epidemic, so no upward trend can be clearly established, and if one exists at all it is very slight. The figures on expectation of healthy life remaining at age 65, shown in Table 2, also indicate only limited improvement.

Males and females show slightly different patterns. Since 1958, females gained a full year of total life expectancy at birth or 1.3 years free of bed-disability, while males improvide their situation by only 0.4 years of life expectancy or 0.6 years free of bed-disability. Expectations at age 65 show even greater sex discrepancies, with males having made no advances at all while females gained about a half year in both total and disability-free years.

The findings that expectation of healthy life is increasing so slowly does not mean that the health of the population has not improved. The measure of expectation of healthy life does not take into account differences in suffering. It is likely that the average day of bed-disability has become easier to bear in recent years because of the development of tranquilizers, pain killers and sedatives. Also, the index does not measure the progress made in relieving victims of illnesses that do not require bed disability. During July 1966–June 1967, the average American experienced 15.4 days of restricted activity, of which only 5.6 days required bed-disability.

TABLE 2.—EXPECTATION OF HEALTHY LIFE (IN YEARS), UNITED STATES, FISCAL YEARS 1958-66

AT BIRTH

Year	Expectation of life [1]	Expected bed disability and institutionalization during life	Expectancy of healthy life
1958	69.5	2.3	67.2
1959	69.6	1.8	67.8
1960	69.9	2.0	67.9
1961	69.9	1.9	68.0
1962	70.2	2.1	68.1
1963	70.0	2.1	67.9
1964	69.9	2.0	67.9
1965	70.2	2.0	68.2
1966	70.2	2.0	68.2

AT AGE 65

Year	Expectation of life [1]	Expected bed disability and institutionalization during life	Expectancy of healthy life
1958	14.2	1.1	13.1
1959	14.3	1.0	13.3
1960	14.5	1.1	13.4
1961	14.4	1.1	13.3
1962	14.6	1.1	13.5
1963	14.4	1.1	13.3
1964	14.3	1.1	13.2
1965	14.6	1.1	13.5
1966	14.6	1.1	13.5

[1] Disability and institutionalization figures are given in terms of the fiscal year that overlapped the calendar year listed. Expectation of life figures are for the calendar year during which the fiscal year began.

Source: Estimated from published and unpublished data obtained from the censuses of 1950 and 1960, and from the Health Interview Survey and Vital Statistics Division of the National Center for Health Statistics.

Recent reductions in infant mortality represent a hopeful sign. Though the infant mortality rate was practically unchanged from 1950 to 1965, it decreased by more than five percent in 1966 and by another five percent in 1967. While we cannot be certain about the causes of this possible trend, the sudden reduction in infant mortality may well be related to the new Federal programs for maternal and infant care and family planning.

Trends in mental health and illness

It is difficult to know with certainty whether mental illness represents an area of improvement or a growing problem. Because of still unsolved problems of psychiatric diagnosis, and because the types of behavior which are considered manifestations of mental illness change with our culture, no adequate measures of the mental health of a population have been developed. Nationwide data on the prevalence of emotional disturbance in the general population are meager.

Local surveys have been carried out in the United States to determine the prevalence of mental disorders, but their results do not lend themselves to comparison. Despite the lack of comparability among studies, each shows that sizable proportions of the population studied suffer or have suffered from a mental disorder.[1]

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[1] To illustrate, three of these surveys carried out in different parts of the United

Data on trends in mental health status are limited. Only for the most serious and incapacitating forms of mental illness which may require hospital care do the data bear trend analysis.

It is noteworthy that the number of persons in state and county long-term care mental hospitals has declined since 1955, from 559 thousand to 401 thousand in 1968. These data probably reflect mainly the impact of tranquillizers and other new drugs and the wider availability of community-based care which have reduced the need for prolonged hospitalization of the mentally ill.

How much healthier could we be?

Is it realistic to hope for major gains in health and life expectancy during the next decade? In the absence of extraordinary scientific breakthroughs in the treatment of degenerative diseases, the gains in expectation of life will not begin to match those achieved during the first half of this century. Even if all deaths below age 55 were eliminated, expectation of life at birth would increase only 6.5 years.

To what extent could we improve health or extend life with presently known biomedical knowledge and technology? To obtain some insights into this question we can compare the health status of different groups in this country. Though the possibility of some genetic differences in health and life expectancy cannot be excluded, large differences in health and life expectancy would probably indicate that we had not done all that we could in applying medical skills and resources to advance health and life. Such differences would also be of interest because of what they told us about the inequalities in our society.

Another way in which we can examine the question of whether we could be significantly healthier with present technology and resources is by comparing the life expectancy of the United States with that of other developed countries. Some differences may conceivably be due to climatic or genetic factors, but large differences could surely not be explained in this way.

Differences Within the United States

The data reveal striking differences among the regions and groups in our society. There are, for instance, substantial differences in life expectancy among the geographic regions of the country. For white males, life expectancy at birth in the South is about one-half year below that in the North and West. There is a difference of about five years in life expectancy at birth between those States with the best records and those with the worst. Moreover, the infant mortality rate was twice as great in the poorest state as in the best State, and the maternal mortality rate was four times as great. Infant mortality rates are also available by county. In the worst 10 percent of the counties the infant mortality rate in 1961-65 was about 21 per 1,000 live births more than in the best 10 percent of the counties.

There is a significant difference in health status between whites and non-whites. While bed-disability is only slightly greater for Negroes, there is a major disparity between the life expectancy of Negroes and whites ages 65 and less (Table 3).

Negro infant mortality has been about four-fifths greater than that of whites. While infant mortality for whites was 20.6 per 1,000 live births, for non-whites it was 38.7 per 1,000 in 1966. Negro maternal mortality has been about *four* times as great as the white rate (in 1965, 90.2 and 22.4 maternal deaths per 100,000 live births, respectively).

TABLE 3.—AVERAGE NUMBER OF YEARS OF LIFE REMAINING AT SELECTED AGES, BY COLOR AND SEX: UNITED STATES, 1964

	Average number of years of life remaining					
	Males			Females		
Age	White	Non-white	Difference	White	Non-white	Difference
0	67.7	61.1	6.6	74.6	67.2	7.4
5	64.6	59.5	5.1	71.3	65.1	6.2
15	54.9	49.9	5.0	61.5	55.4	6.1
25	45.6	40.9	4.7	51.8	45.9	5.9
45	27.4	24.7	2.7	32.9	28.7	4.2
65	13.0	12.8	.2	16.3	15.6	.7
75	8.1	9.8	−1.7	9.6	11.1	−1.5

Negroes also have higher death rates for infectious diseases than whites, and higher death rates for certain tumors, such as cancer of the cervix. Since all of these death rates are subject to large reductions through more and better health services, the inequalities in the distribution of health services in our society are clearly an important factor accounting for these differences.

Furthermore, the available information indicates that illness causing limited activity is significantly higher for persons with low incomes, both black and white. For example, for males in the working age group 45–64, those with incomes of less than $2,000 have three and one-half times as many disability days as those in the over $7,000 income group.[2]

Moreover, several studies have shown that less than half of the low-income children with chronic conditions, including mental and emotional disorders, and hearing and vision defects, are under treatment. Yet two-thirds of these conditions could be prevented or corrected if the appropriate health services were available.

International Comparisons

At least fifteen nations have a longer life expectancy at birth than the United States. Life expectancy in the leading countries, Holland, Sweden, and Norway is about 3.5 years longer than it is in the United States. At the start of the decade at least 27 countries had lower age-adjusted death rates for heart disease among males than the United States.

Part of the explanation for our relatively low rank in life expectancy in comparison with other developed nations is our style of life and the competitive pressures in our society. More than a dozen countries have lower rates of ulcers, diabetes, cirrhosis of the liver, hypertension without heart involvement, and accidents. Our high automobile accident rate is perhaps due to the fact that we have more automobiles and use them more. The rates for diabetes and cirrhosis of the liver may be partly explained by the fact that we eat and drink more than some other peoples. The high rates of ulcers and hypertension may be part of the price we pay for our dynamic and competitive economy.

Some of the areas in which we lag behind could be affected by the amount and quality of health services available to our population. In 1964, the United States ranked fourteenth among the countries with the lowest infant mortality rates. Moreover, our relative rank with respect to infant mortality rates has progressively worsened over the years. In 1950 the United States ranked fifth; in 1955 we ranked eighth; and we fell to twelfth by 1960. While many other countries were making great progress in the reduction of infant mortality, the United States rate declined sluggishly. Also, at least five countries have better maternal mortality rates. Finally, our death rates from tuberculosis and pneumonia are far from the best.

Why Aren't We Healthier?

The United States cannot attribute the shortcomings of its health record to a lack of total expenditures for health services or to deficiencies in its supply of highly trained health manpower. The United States spends more on health services as a percentage of Gross National Product than any other country. And the proportion of GNP devoted to health care is rising rapidly. It increased from 4.6 percent in Fiscal Year 1950 to 6.5 percent in Fiscal Year 1968 or from $12.1 billion to $53.1 billion. When compared to the 13 countries with better infant mortality rates than the United States in 1964, we had the fourth highest ratio of both dentists and physicians to population, and the third highest ratio of professional nurses to population.

Nor can our poor showing compared to many other developed nations be blamed on the state of bio-medical science and technology in this country. The United States spends considerably more on bio-medical research than any other country. It is widely acknowledged that we are the leading nation in bio-medical science and technology.

Genetic and environmental factors could possibly help to explain why our health is not better. Indeed, it is possible that adverse environmental factors and changes in life styles have cancelled out many of the more recent improvements in health services. The chapter on Environment shows that air pollution can be detrimental to health and this is also evident from the increase in death rates during periods when pollution is exceptionally severe. And a growing majority of Americans live in large metropolitan areas which are generally subject to concentrations of polluted air.

Perhaps more important than environmental factors, however, is the American style of life. For the vast majority of the population, health may be adversely affected by rich diet, smoking, lack of exercise, and the pressure of business and professional life. The high pressure of life may explain why the United States male life expectancy is so much lower by international comparative standards than the female life expectancy. For the underprivileged minority, bad health may reflect inadequate diet and ignorance about both proper preventive behavior and the value of early care, as well as unfavorable housing and sanitary conditions.

Of all these adverse factors, the health consequences of smoking have been perhaps best documented in recent years.[3] A wide variety of studies indicate that cigarette smoking leads to a substantial excess of deaths among those who smoke. It increases the risk of death from chronic bronchitis, pulmonary emphysema, heart disease, and lung cancer. Life expectancy for young men is reduced by an average of 8 years in "heavy" cigarette smokers, those who smoke over two packs a day, and an average of 4 years among those who smoke less than one-half pack per day.

Style of life and environmental factors do not account fully for the shortcomings in our health status. Two other factors, the unequal distribution of our medical care, and

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States during the past 30 years demonstrated the following:

(1) 60 per 1,000 of the total population of an urban area were on the active rolls of mental hospitals and a large number of other health, welfare, social, educational and correctional agencies that provided services to persons with mental disorders;

(2) at least 70 per 1,000 of the population of a rural county would have been referred to a mental health clinic had one existed in the county;

(3) at least 100 per 1,000 of the noninstitutional population, all ages, of a major urban area were found to have a serious mental disorder.

[2] In comparing low and high income groups, it should be noted that one reason why persons may have low income is that they are ill.

[3] See, for example: The Health Consequences of Smoking, 1968 Supplement, U.S. Public Health Service Publication No. 1969.

the deprivation suffered by the nation's poor and disadvantaged, contribute to these shortcomings.

Socioeconomic Deprivation and the Distribution of Medical Care

The lower a person's income is, the less often he sees a doctor. Whether we look at data on visits to physicians per year, or the interval since the last visit, or the use of a specialist's services, we see a clear, positive relationship between higher income and greater use of physicians' services. At the same time, there is more illness to be treated among low income than high income people.

The use of dentists also varies markedly with income. More than 20 percent of people in families with incomes under $3,000 have *never* visited a dentist, as compared to 7.2 percent of those in families with incomes over $10,000.

There is further evidence of the unequal distribution of medical care, and its importance for our health status, in the provision of prenatal care. Though virtually all American babies are now delivered in hospitals, the expectant mother usually seeks out prenatal care on her own initiative and at her own expense. As a result, in most major cities, one-third to one-half of the women delivered in public hospitals have had no prenatal care. This is in sharp contrast to the practice in the Netherlands, for example, where infant mortality rates are among the lowest. There, nearly all expectant mothers get prenatal care, but a substantial proportion of the babies are delivered at home rather than in hospitals.

A person's race is also related to the likelihood that he will obtain medical care, even after adjusting for differences in incomes. Negroes at every income level use medical services less than whites. The number of physician visits per year for Negroes earning $10,000 or more, for example, was 4.3 in 1964–65 as compared to 5.1 for whites with similar incomes. This suggests that cultural and educational factors may also influence the use of health services, and that fewer health services may be available and accessible to Negroes.

The place a person lives has a major effect upon his access to medical care. For example, Mississippi has less than one-half as many physicians in relation to its population as New York, and only 58 percent as high a doctor/population ratio as the national average. Rural areas tend to have fewer doctors in relation to population than metropolitan areas (about 55 percent as many), whereas inner city ghetto areas have fewer doctors than middle class neighborhoods in the same cities. In general, States with low doctor/population ratios tend to have high infant and maternal mortality rates, a relatively high incidence of infectious diseases, and a shorter than average life expectancy.

The Cost of Medical Care

The uneven distribution of medical care in this country is due in part to the fact that medical care is becoming more costly in relation to other goods and services. Medical care prices have been rising faster than other prices throughout the postwar period. From 1946 to 1967, all consumer prices increased 2.6 percent annually while medical care prices increased at an annual rate of 3.9 percent. Moreover, in recent years the rise in medical care prices has accelerated. They increased at an annual rate of 6.5 percent during 1965–67.

Hospital daily service charges have been increasing faster than other medical care prices. They rose at an annual rate of 8.3 percent from 1946 to 1967. More recently, hospital daily service charges have increased sharply. During the two-year period 1965–1967, hospital charges rose 35 percent. In contrast, physicians' charges increased at an average annual rate of 7.0 percent during the same two-year period.

The relatively rapid rise in medical care prices and increases in demand for services have resulted in an increase in the percentage of personal disposable income devoted to medical care (from 4.1% in 1950 to 5.9% in 1966). Even so, the public probably consumes fewer medical services than they would have if prices had risen less rapidly.

Fortunately, the proportion of the direct medical expenditures that are paid by private health insurance or public programs have been rising, and this has greatly reduced individual financial burden from 1950 to 1966, the proportion of personal health care expenditure met by "third party" payments (government, private health insurance and philanthropy) rose from 35 percent of the total to 50 percent. Still, there are millions under 65 without private health insurance who do not qualify for aid under Medicaid, and who are accordingly left to their own resources when illness strikes. Moreover, it is estimated that Medicare covers only about 35 percent of the total medical care expenses for those age 65 and older. Thus, despite the fact that public outlays for personal health services have risen from $7.9 billion in fiscal year 1966 to $15.7 billion in fiscal year 1968, the medically indigent and those persons over age 65 must still pay for a substantial share of their own medical expenses.

Though low income families spend a higher percentage of their income for medical care than more affluent families, they spend less in absolute terms. This shows up most notably where preventive, as opposed to curative or ameliorative, care is concerned. During 1963–64, for instance, 54 percent of those persons under 17 years of age with family incomes in excess of $10,000 had at least one general physical examination, but only 16 percent of those persons under 17 years of age with family incomes of less than $2,000 had such a routine checkup. Generally, poor people fall farther behind high income people in their expenditures for physicians' and dentists' services, which are partly for preventive purposes, than for hospital care, which is largely designed to cure or ameliorate existing health problems.

In addition to the direct costs of medical care, there are the costs of the earned income foregone when a person is sick or obtaining medical care. For the family with the medical problem, as for the economy as a whole, these costs are considerable. In 1963, an estimated 3.8 million man-years were lost through illness, and 2.9 million of these would have been economically productive.

One estimate has placed the value of the labor lost for that year at $15.9 billion. Such an estimate can only be illustrative, for we cannot know what labor would be worth in a society without any health problems. But it does illustrate the point that the indirect costs of health problems are considerable, and that the burden of expenditures for medical care often falls on people whose incomes have been diminished because they could not work.

The System of Providing Health Care

Given the unmet health needs of our population and the rapidly increasing cost of medical care, the nation can certainly not afford to waste its health resources. Yet our system of providing and financing medical care fosters inefficiency and waste.

First, our methods of paying for health care provide incentives to use too little preventive care, and relatively too much curative and ameliorative care. Both private and public insurance generally cover hospital and surgical care, but they rarely reimburse patients for physical checkups and other forms of preventive care. There is considerable evidence that, as a consequence, our prevailing forms of health insurance have some effect on the decisions of patients, and the advice of physicians to patients, to use surgical services. A number of studies indicate that surgical rates for such "elective" procedures as tonsillectomies, hysterectomies, and appendectomies are considerably higher for persons with hospital insurance.

Even those who have no insurance are induced to take relatively to much curative and ameliorative care and relatively too little preventive care. The Chinese in ancient times used to pay their doctors when the patient was well, but not when he was sick. This system of payment gives a doctor a strong incentive to provide preventive care, but our system does not. Health professionals are usually paid in accordance with the amount of care rendered, and therefore they have little financial incentive (but considerable ethical incentives) to avoid providing unnecessary care.

Second, prevailing insurance plans generally give the patient incentives to use the highest cost component of the health care system—the hopsital—when less costly outpatient facilities or services might be equally satisfactory. The United States has more short-term hospital beds in relation to population than all but a few countries; and there is a good deal of evidence that hospitals are overused in this country. For example, a detailed study of the Kaiser Health Plan in California, which is a comprehensive prepaid health care plan providing a full range of health care services, showed that the age-adjusted utilization rates for Kaiser hospitals were more than 30 percent below the California average. Thus, the Kaiser Plan held its rise in hospital expenditures to 15 percent during 1950–65, as compared to a 50 percent increase for the country as a whole.

Third, the reimbursement of hospitals on the basis of costs provides no rewards for efficient operation. The Medicare and Medicaid hospital reimbursement formulas, based on "reasonable cost," and the formulas of most private insurance plans, make it easy for hospitals to "pass on" cost increases to third parties. At present, there are generally no reimbursement systems which make the level of income of hospitals depend upon the ability to operate effectively and thereby control costs.

Further, our system of independent hospitals and practitioners discourages *coordination* among the various elements responsible for providing medical care. This in turn leads to gaps in the type of care offered, a wasteful duplication of facilities and equipment, and considerable difficulty for many individuals in finding points of entry into our medical care system. However, there are some examples which show that a greater degree of coordination of health services is possible. In some areas of the country regional planning bodies have been effective in assuring that unneeded facilities are not constructed. Further, some group practice plans provide convenient access to care, the appropriate utilization of the skills of different medical specialists, and comprehensive care. Moreover, the experimental federally supported neighborhood health care centers for the poor may demonstrate that greater use of para-medical personnel outside of the hospital setting can work effectively in this country. Our present almost exclusive reliance on the physician for care outside the hospital is in sharp contrast to the extensive use of such personnel as visiting nurses and midwives in many foreign countries.

And finally, a factor that *may* help account for the high cost of medical care is the basically "small scale" of the health industry. Hospitals in the United States are generally small in comparison to those of Europe and, unlike foreign hospitals and United States commercial plants, are usually independently managed. The most striking example of small-scale production is, of course, the individual physician, especially the general practitioner. Although group practice is increasing, it is still unusual for moderate size groups of physicians to practice together and utilize common laboratory facilities and ancillary staff.

The policy challenge

We have seen that the first half of the twentieth century saw extraordinary advances in health and life expectancy, but that the rate of advance has been slower in the fifties and sixties. In large part this slower rate of advance has been due to the fact that many of the most serious health problems of infants, children, and young adults had been solved by mid-century; and to the fact that it has not been possible to make many significant scientific breakthroughs in the treatment and prevention of degenerative diseases associated with the process of aging.

Nonetheless, the considerably longer life expectancy in some other countries, and the differences in health status among the different groups in our own country suggest that we could have better health and longer life, even without any new breakthroughs in medical science. There can be little doubt that appropriate public policy decisions can help to alleviate some of the factors adversely affecting the health status of our population. Public policy can aim to redress the imbalance in health resources, prevent and control harmful environmental factors, and even influence our thinking about those personal habits and forms of behavior which may prove detrimental to our health.

We have made some progress in the provision of health care for the young, in better preventive care, and in providing broader access to mental health facilities. The neighborhood health care centers of the Office of Economic Opportunity, and the community mental health centers supported through the National Institute of Mental Health are examples of new public policy actions in these areas.

However, much remains to be done. Many old but still unresolved public policy questions must be reexamined. The preceding discussion of the health status of our nation suggests that these are *among* the most important issues which must be resolved:

How much of our resources should be devoted to medical research for tomorrow and how much to provide services now?

Can the nation provide health services in a manner which will not discourage preventive care, and which will insure that *all persons* have access to health services which are reasonably comprehensive?

How much of the nation's health resources should be used to serve the elderly as opposed to young children and those in the prime of life?

Can we find new ways to meet the challenge to the health status of the population posed by sharp increases in medical care costs?

How can public policy redirect or control harmful practices which damage our environment, and alter personal habits and styles of life harmful to health, while still allowing organizations and individuals a satisfactory degree of freedom?

At present, we have no answers or only partial answers to these questions and many similar but subsidiary questions. America, in short, needs not only more effort, but also more debate and thought, if it is to realize the full potential for better health and longer life inherent in its advanced level of scientific and economic development.

OPPORTUNITIES INDUSTRIALIZATION CENTERS

Mr. BOGGS. Mr. President, in the city of Philadelphia, in my own city of Wilmington, Del., and in 73 other cities across the country there is operating a program which has trained 20,000 of America's poor for work and found permanent jobs for them.

That program is the Opportunities Industrialization Centers, founded by the Reverend Leon H. Sullivan, a Philadelphia minister who put the resources of his congregation to work.

In addition to the successful training programs, Dr. Sullivan's efforts have led to creation of an entrepreneurial program that now embraces a shopping center, a garment factory, and the aerospace industry.

The OIC has done, and is continuing to do, these things with minimal help from the public sector.

From his congregational base he has expanded to obtain help from private industry and from private philanthropy. The Federal Government now contributes to the support of 25 of the 75 OIC projects; and, as far as is known, Delaware is the only State to offer financial support.

Dr. Sullivan says that increased Government support would be beneficial to his program; but, unlike many similar projects, he emphasizes it will continue, with or without the support. He says:

> I'm going to continue doing what I'm doing, even if the government doesn't give me a penny. My train is on the track. The government can get on board if it wants to. If it doesn't the train is pulling out anyhow.

Mr. President, the February 17 edition of the U.S. News & World Report contains an interesting interview with Dr. Sullivan. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the U.S. News & World Report, Feb. 17, 1969]

BLACK CAPITALISM AT WORK: WHAT'S HAPPENING IN PHILADELPHIA—AN EXCLUSIVE INTERVIEW

(NOTE.—President Nixon is pushing this idea for easing the nation's racial conflict: Give Negroes a bigger stake in America by promoting black ownership of business firms—with help from U.S. private enterprise. Does this approach offer real hope? What are the results in places where it is being tried? One man who has made a widely acclaimed success of "black capitalism" is the Rev. Leon H. Sullivan of Philadelphia. In this interview with staff members of "U.S. News & World Report," Dr. Sullivan describes what "black capitalism" really is—and how Negroes can work together to build a better future for themselves.)

Q. Dr. Sullivan, what is needed to solve America's racial conflict in the long run?

A. Many things are needed to bring that about. There must be full justice and opportunity for the Negro to show what he can do. He must be given the education he needs to compete in our complex society.

Ultimately, I think, the black man will require a fair share of ownership in the American economy. And that will come in large part through his own efforts. Thus he will gain self-respect through self-help.

A man is not free until he owns something and has self-pride. This is not to say that riots and disruption may not be productive of gains in their own peculiar way. Many of my people are locked up in the box of deep prejudice and segregation and ignorance, and they can't get out. The only way they can let you know they are there is just to pound on the box and even knock down the sides.

In the long run, however, the only way that the streets of America are going to be cooled is by people in those streets believing in the country—giving something to it in their work, and getting in proportion to what they give.

Q. Does that mean "black capitalism" is the answer?

A. You can't have "black capitalism" and white capitalism" in an effective economy, any more than you can have a "black America" and "white America" in an effective society.

No, I see the African American becoming a part of *American* capitalism—in fact, joining the free-enterprise system worldwide.

For all the years that my brothers and sisters—and my poor ancestors—have been a part of America, we have been outside the door of free enterprise, outside the door of capitalism. What I want to see is my black brothers walking through the door of free enterprise, not as "black capitalists" but as black men who can join the whole free-enterprise system and share its benefits.

Separatism in any form offers no future. What a lot of people are talking about, really, when they talk about "black capitalism" is a separate economy, and that would be no different from the way things are in the Republic of South Africa. I see the future of black Americans being fulfilled when America is Americanized for all people.

PROVING NEGRO ABILITY

Q. In economic terms, how is that going to be accomplished?

A. I think in Philadelphia we're showing how it can be done. We're showing how black people, with very few resources except will and energy, can train themselves for jobs and pool their capital to create jobs for more people by going into business for themselves.

The ordinary Negro is proving that he can become a successful businessman, just as the white man or a person of any other race can become a good businessman. We have a job-training program that is being copied all over the country and even abroad. We have an investment program. We have business firms and industries making more jobs for more people—both black and white, I might add.

Q. How was this done?

A. Well, I am a minister, and everything I do flows from that fact. It sounds strange—how can a man be a minister and still get involved in business and job-training?

My church has 5,000 members, and the first thing I did was to create the "selective buying" movement in 1958, which some people called a boycott. We simply told merchants: "Either you employ people on the basis of their ability, not the color of their skin, or we will not buy from you."

With the support of 400 ministers in Philadelphia and a half million people, we opened thousands of jobs to black men and women, and the movement has been borrowed and improved upon in other cities.

Q. So your first step was to find job opportunities for Negroes in white-owned enterprises?

A. That is right. Now, when these opportunities opened up, I began to find it difficult to find black men and women to fill the jobs in business and industry. These jobs were a new world to us. Our world has been more of a "servicing" world that required little education and few skills.

So in 1964 I created the Opportunities Industrialization Center, with the help of many people—mostly ministers. OIC was the first massive program in manpower training to "reach the unreached" in this country. It was dedicated in an old jailhouse that I had secured from the city for $1 a year in rent.

To get it started, I raised $100,000 from the black community, an anonymous donor gave me $50,000, and my church gave me a $40,000 loan. I mortgaged my house to round out the rest of what was needed to get OIC started.

"HAND-UPS," NOT HANDOUTS

Q. Did the Federal Government offer any help?

A. I had no federal money because I always initiate a program without Government money. Once someone starts giving you money and telling you how to do a job, you can never get it done the way you want. After it is working, the support will come. That's what happened with OIC. The Federal Government saw the value of the program within a year's time. The officials saw that we were dealing with poor people who, for the most part, had never finished high school, and many were on relief. Most had given up hope. These were people who, it was said, wanted only handouts. I felt that what they wanted, really, were "hand-ups." They wanted payrolls—not relief rolls.

When the training program caught on in Philadelphia, industry began to support me, too. I told the top men: "Put your machines where your mouth is. You say you want to employ black men. All right, supply the machines to train them with, and then give us the job opportunities."

They began to supply me with machines, and they helped develop curricula that would train people for jobs that exist right now—not the antiquated vocational training that has offered phony training for so many years.

The success was phenomenal. Our rate of "discontinuance" students—what some people call "dropouts"—is notably low, and many have come back to finish training. We have placed in jobs 90 per cent of those finishing our training course, and more than 80 per cent of the people who have taken these jobs have stayed on them for a year or more.

Q. Some critics say that most of the jobs these graduates fill are low-paying or menial jobs—

A. That is absolutely untrue. OIC has trained people for the most highly sophisticated jobs in industry, including electronics, chemical laboratories, machinist industries and so on. We train people to operate the lathe, the miller, the grinder. We are teaching Teletype operators in what we believe to be the first privately developed comunications school in the black community—made possible through the assistance of the Western Union Company.

Some people also say we are "creaming"—training only those people who would get jobs anyway. Well, more than a third of our students are on relief, and many of them have mothers and grandparents on relief, too. Ninety-five per cent are in poverty categories, and even those who have been working usually get very meager wages.

Q. Do you pay them to learn, as some other programs do?

A. No. Our program is based purely on motivation. People come because they know it is their program, that they are going to get a job if they stay—because they know we train for jobs, not diplomas.

These people get jobs at night to go to OIC during the day, or work during the day and go to our classes at night. If they are jobless, they get by on relief checks or unemployment compensation. When they get stuck for money, we have a "brotherhood fund" that students put together to help each other—carfare and lunch money—just to keep hardships cases going until they finish the course.

Q. How do training costs per student compare with those of Government programs?

A. Our costs are $1,000 per trainee—from the street to a job. That includes a total vocational and technical program based one half on attitudinal development, the other on development of actual skills. Government programs average out at $3,600 for the kind of comprehensive package that we offer.

Q. Is OIC still getting support from the business community?

A. Absolutely—locally and nationally. In fact, several months ago I organized an OIC National Industrial Advisory Council, composed of 25 of the most influential business leaders in America, to help me with my OIC work. This council is presently headed by George Champion, chairman of the board of the Chase Manhattan Bank. This council has been terrific in support of the things I am doing.

Q. How many cities is OIC working in now?

A. It has spread to 70 cities, and is getting Government support. So far, throughout the country, we have raised about 5 million dallars from the private sector. Local programs start with the local money and equipment and volunteer services.

Federal support comes to about 18 million dollars, and I think it should be four times that much. We have federal money in only 25 of our programs. If the Government had followed the recommendation of support levels made by Sargent Shriver a few years ago when he was running the "war on poverty," we could be training hundreds of thousands of people each year.

MORE THAN 20,000 PLACED IN JOBS

Q. How many have you actually trained?

A. In Philadelphia alone, we have put 7,000 people into jobs, earning more than 25 million dollars in new purchasing power for the Philadelphia economy and doing away with 4 million dollars in relief that these people would have cost the community otherwise.

Nationwide, more than 20,000 people have been placed in jobs in the last two years, with another 20,000 now in training. Everywhere we have thousands and thousands on the waiting list for OIC training. And we even have OIC programs developing in Puerto Rico, Kenya, Senegal and Nigeria.

Q. Why are those countries interested in this kind of program? They don't have many industries—

A. I think the idea of self-help is great motivation. Black men want to believe that they can do anything white men can do. OIC is something we do for ourselves—we initiate, we control, we administer and we help our people because we *are* our people.

Interestingly enough, in some communities here in the United States, the majority of trainees are not African Americans. In San Jose, Calif., 80 per cent of the trainees are Mexican Americans. In Roanoke, Va., 50 per cent are Appalachian whites. In Oklahoma City, many are Indians.

So OIC has really become an American program for the American people—initiated by a black man. Historically, it should be remembered, and I'm not going to let anyone forget it.

Q. Might OIC, in the long run, be training more whites than Negroes?

A. In the long run, that might just happen.

HOW THE PROGRAM BEGAN

Q. When did you tackle the problem of getting more black men into business for themselves?

A. While training people for white-owned businesses, I began to realize we could train people for businesses created by us.

When I was a boy, my grandmother used to tell me: "Leon, one day you're going to build houses for yourselves and you're going to build factories."

So I decided that the time had come not just to provide workers for others but to supply work for ourselves so the benefits of the free-enterprise system could flow back into the black community. It was time not just to get crumbs from the table but to make some of the bread.

Q. Where did you plan on getting your capital for starting up business enterprises?

A. First of all, from my own people. I was inspired to do that out of the Bible. One Saturday night when I was thinking about this whole problem, I read about Jesus feeding 5,000 people with bread and fishes a little boy had given Him. The miracle, you see, was in the sharing rather than in the little boy's giving. So I decided that in my congregation we could share our resources and create a financial base on which to build housing and, ultimately, business enterprises.

That Sunday morning I preached about gathering up the fragments and asked 50 members of my church to contribute $10 a month for 36 months in an investment pool that I call "The 10-36 Plan." That same morning, 200 members responded, and within a year's time we had significant capital accumulating in banks all over the city.

Even before the 36 months was up, I had enough money to initiate the building of a million-dollar apartment complex, using conventional financing and Government programs that had been used by white people—but not by blacks—all these years.

During that period, too, a couple in my church tried to rent an apartment in an all-white building. They were refused. They told us, and the next week we bought the apartmen house.

Q. Did you evict the white tenants?

A. No, but we put a whole lot more colored folks in there.

Money was still continuing to come in, and it was then I decided that we would really go into business. I went to my church and asked more members to join the plan, and 450 did. So I had 650 people in the plan. They continued to put $10 bills together in this 10-36 Plan until I had raised a quarter of a million dollars.

Why did they respond?

First, they saw returns in the future, because we established a trust fund so that profits from what we did would provide scholarships and educational benefits for our children and our children's children, and health benefits for ourselves when we grew older.

I also structured into this plan a profit motive. Forty per cent of the profits comes back as dividends to the investors; 40 per cent goes to the workers, and 20 per cent to the investment trust.

Within the framework I began to initiate several enterprises. A main one was Progress Plaza, a shopping center. It is perhaps the first—and the largest—shopping center owned by blacks in the world.

Q. What does it consist of?

A. It is on 4½ acres of ground. We have 16 stores. Ten are black-owned and operated. The other six are high-rated firms we needed to anchor a conventional mortgage. The bankers weren't going to provide me with a million dollars' worth of mortgage money just on untried businesses, no matter how wonderful they thought our plans were. It had to be a dollar for a dollar's value, so I brought in established firms—but stipulated that they had to have black managers, the majority of the workers had to be black, and we had to get a portion of the profits over a certain gross amount.

That is how the center got big firms to put in a supermarket, two banks, a shoe store, a telephone-company office and a restaurant. The supermarket alone pays us $50,000 a year rent. And isn't that something—white folks paying $50,000 in rent money to black folks like that?

This meant I could give my black entrepreneurs some breaks in leasing arrangements. For the first five years, I'm taking nothing out of gross profits over a certain amount. After five years, they've got to come across like everybody else—on their own. The only think I'm doing is helping a man stand on his feet. I don't believe in carrying anybody who can walk.

Q. What are your other projects?

A. Well, we've built an entrepreneur-training school with a grant I got from the Ford Foundation. This trains blacks to run businesses. Starting in early 1969, we will be training 200 entrepreneurs a year for Philadelphia alone—training people to become owners of their own businesses, managers of businesses, and owners of franchises. I'm calling it the Economic Development Training School, and every shop in Progress Plaza will become a training ground for its students.

Then I wanted to create something sophisticated. I didn't want people saying about our projects, "Oh, well, anybody can do *that*." Therefore, I decided to set up an aerospace factory to produce items for the moon shots. I said if white folks could go to the moon, black folks could too—and integrate heaven, maybe. When the first landing on the moon came, I wanted something there that a black man had made. So, using my same capital, we launched Progress Aerospace Enterprises, which now employs 120 people and will be employing 160.

Now, you can't just go and set up an aerospace factory without able people and markets. I went to General Electric and asked them to help train our black management. I wanted to be sure the plant would succeed, because I can't afford a failure. I also got my top manager from General Electric itself—he was one of the top blacks they had. We got others from General Electric, but behind every one of my men, I put in management support borrowed from General Electric for the first few weeks. General Electric also supplied me with a contract for 2.5 million dollars to produce components for the space shots.

Out of this venture we also got a manpower-training contract from the National Alliance of Businessmen. Usually such contracts are for white folks to train black people, but we got one of the largest NAB contracts in the city—for training 100 "hard core" persons to be electronics assemblers, technicians and workers. Most of these workers came out of OIC training school, so it all tied in together.

There you see how my line has developed. I was able to open industry to employ black people. I was able to train men to go into industry. Then I was able to develop industry to take advantage of the skills being developed in our own training centers. It was money spinning round and round.

Q. Are you involved in any other projects right now?

A. Oh, yes. After Progress Aerospace got started, I decided people might be thinking we were shooting too high and saying: "Come down to the ground, brother." So next we began the Progress Garment Manufacturing Company. We got a contract from one of the largest makers of women's clothes in the country to take our output. Their management took our black management into their shops to learn the whole garment-manufacturing process.

In the coming year we expect to produce about a quarter of a million garments. We have 75 employes and we're shooting for 100. At Progress Aerospace, where we have 120 workers, we are aiming for 160 in the next four or five months.

GROWTH: 16 TIMES OUTLAY

Q. What has all this cost in terms of investment capital from the black community here?

A. From 650 people, it has amounted to about a quarter of a million dollars—with which we have acquired about 4 million dollars' worth of properties.

Q. How are your investors organized?

A. All belong to the Zion Investment Corporation.

Q. Are all of them church members?

A. That was true until several weeks ago. Recently we concluded that the entire community should participate in what we are doing, so these 650 people are keeping exclusively for themselves only an apartment house. This remains in the trust for the benefit of our children. The rest of it—the shopping center and our factories—we opened up to the community. In three weeks, we had 3,500 people owning shares and 2,000 more on the waiting list.

Q. Could the programs you have been describing be developed in other cities?

A. It's a program any city could carry out in the free-enterprise tradition of America.

Q. Do Negroes make good businessmen?

A. They can be as good as anyone else. I think more and more of them will become successful businessmen as training schools for young entrepreneurs—such as the one we operate in Philadelphia—turn out hundreds of young black men and women into the world of business ownership and management.

Now, I am not holding out the idea that every one of them can become a good businessman, any more than every white man can become a good businessman. But many whites succeed, and many blacks are going to succeed.

BILLIONS IN FUTURE WEALTH

Q. How long do you think it will be before the Negro acquires his full share of ownership in the American economy?

A. It is my hope that by the year 2000 at least 100,000 new businesses will have been created by blacks—selling or making things for the total American community. By that time, I hope, these establishments will be employing 5 million people and generating 50 billion dollars in new wealth.

Q. Will the range of black-owned companies widen?

A. I should hope so. Actually, what I am doing is something like the first flight of the Wright brothers at Kitty Hawk. They tied their craft together with a lot of strings and wires and flew a little bit. I hope this little thing I've created will develop into a superliner—even in my own time—where I'll have all the marketing and other technical expertise that goes to make up a broad entrepreneurial front. And this will create tens of thousands of jobs for young blacks coming out of colleges and high schools to compete with white Americans.

Q. Do you expect the role of Government to grow in helping Negroes create and expand their own businesses?

A. Well, the wealth of America isn't in the Government: The wealth is still in the private sector. America still belongs to the people. The Government can support what we do—but we, the people, must create it, we must run it, we must put into it our resources as businessmen, as citizens.

I'm going to continue doing what I'm doing, even if the Government doesn't give me a penny. My train is on the track. The Government can get on board if it wants to. If it doesn't, the train is pulling out anyhow.

You see, I just can't wait on Government to do it. Every day more colored children are born in poverty. Every day more colored men and women live longer because of medical advances. So I can't wait for all these studies and commissions. And when I say "I," I mean my people who are working with me.

Of course, the Government can and should give significant help in providing credit and other financial support for black-initiated and black-run enterprises of any size. Perhaps there will be large banks supported by federal funds to help things along. But I believe that such help is our minor resource, and that the major factor must be the involvement of private enterprise.

Q. President Nixon said a great deal in his campaign about the necessity of developing "black capitalism" with the help of the private economy. Do you think he may find the answer to this problem?

A. I don't know if he can move things in that direction, but I'm hopeful that he will. I believe he is sincere about his desire to do something in this area of black entrepreneurship.

But he is going to need a lot of help, not only within the Government but within the black community itself. I mean that we must develop a new kind of self-dependent stance among blacks—generate the confidence of local banking institutions in our efforts.

Q. What do you see your programs as accomplishing, primarily?

A. I think they are helping black people gain a decent posture in the American society. They are helping black men realize that they can do anything white men can do and acquire anything that white men can acquire.

But I don't like the term "black capitalism" when it is used to describe this. I believe in the desegregation of everything I do. My shopping center sells to a total American community, and there are whites working in black-owned shops in Progress Plaza. Our enterprises are not all-black, because I do not believe in all-black, all-white anything.

Q. Has the lack of black entrepreneurs been a serious handicap for Negroes in the past?

A. Absolutely. When the African American was freed from slavery a century ago, he was freed with literally nothing. Many were even freed without a name, most were freed without money, and nearly all were freed without property. Capitalization—owning a business or creating a factory—was a foreign world to the freed slave. He had no resources.

Look at business enterprises—or the medium-sized and large ones—and you will find, for the most part, that the people who own them or are presidents and chairmen of the board didn't create all that wealth themselves. These enterprises represent an accumulation of wealth over the years. Until the black man could get something to build on, he had to enter a service kind of occupational world, amounting almost to subservience.

Now, for the first time, we are getting to the place where we have something to build on—a monetary and property resource that brings us into the takeoff stage.

Q. Are there Negroes who oppose your programs?

A. I've met some opposition from blacks who do not believe that I have actually raised this money from black people. All of us have so long seen instances of "black ownership" or "black management" that were phony—that had whites in the background really running things—that many blacks distrust claims of black achievement. For example, many said my shopping center was owned by whites, that I was fronting for someone.

In other words, I'm having to get my people to realize their true capabilities. One reason some people might call me egotistic is because I say, "Look what I have done." Frankly, every time I say "I," I feel terrible, because I must ask myself: "What am I doing?" But I have to do it that way so my community can know that because I say, "I did it," it is a black man who did it—and they can, too.

"NO TIME FOR ARGUMENTS"

Q. What about "black power" militants who see disruption and violence as the answer to the U.S. racial problem? How do they feel about your work?

A. I'm a black man and proud of it. I think of myself and what I'm doing as "black power" itself—it is black, it is capitalism, it is American.

I will never be satisfied until every black adult in America owns a piece of this country individually or mutually, even if it is no more than two square feet of earth or a share of stock.

But I don't have time to get into arguments. I've got 5,000 more days to work, and those days have to be used as God, I think, wants me to use them—in building self-respect and self-dependence among my people so we can make America work for us as it works for any other American.

NEEDS OF THE MEXICAN-AMERICAN COMMUNITY

Mr. MURPHY. Mr. President, the National Advisory Committee on Mexican-American Education recently issued a report entitled "The Mexican American: Quest for Equality."

The report focuses on the educational needs of the Mexican-American community and makes various recommendations. I am particularly pleased that the Committee has strongly endorsed both the bilingual education program, which I coauthored, and the dropout prevention program, which I authored.

Mr. President, I ask unanimous consent that the report and a letter which I sent to President Nixon urging full funding of the bilingual education program, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE MEXICAN AMERICAN: QUEST FOR EQUALITY

(A report by the National Advisory Committee on Mexican American Education, 1968)

(NOTE.—The National Advisory Committee on Mexican American Education was created to advise the Commissioner of Education on the education of Mexican Americans. The opinions expressed in this, the Committee's first report, are those of the Committee and do not necessarily reflect the official view of the U.S. Office of Education.)

A WASTE OF HUMAN RESOURCES

Failure to provide education to hundreds of thousands of people whose cultural heritage is "different" has resulted in a shameful waste of human resources. The melting pot ideology that we speak of so proudly has not produced a moral climate in which all citizens are accepted on the basis of individual worth.

Educators, especially, must search their consciences for an answer to the question: Is only a monolingual, monocultural society acceptable in America?

Never before has the need for equal opportunity for all Americans been so sharply put into focus. And no group is in greater need of equal educational opportunity than the Mexican American.

THE MEXICAN AMERICAN: HOW HAVE WE FAILED HIM?

There are more than five million Mexican Americans in the United States, 80 per cent of whom live in California and Texas. Most of the others are found in Arizona, Colorado, New Mexico, Illinois, and Ohio. In excess of four million of these people live in urban areas.

The Mexican American is the second largest minority group in the United States and by far the largest group of Spanish-speaking Americans. The fact that most of them have learned Spanish as their first language and that millions are not fluent in English makes them no less Americans. Their interests, attitudes, and aspirations differ little from those of other Americans.

Yet they have been denied the opportunities that most other Americans take for granted. Suffering the same problems of poverty and discrimination of other minority groups, the Mexican American is additionally handicapped by the language barrier. The typical Mexican American child is born of parents who speak little or no English, and thus Spanish becomes his only language. When he reaches school age, he is enrolled in a public school where only English is accepted. Bewildered and ashamed of his "backwardness," the Mexican American child is quickly discouraged and drops out within a few years, enlarging the ranks of the uneducated, unskilled, and unwanted.

Let's look at some shocking statistics.

The average Mexican American child in the Southwest drops out of school by the seventh year. In Texas, 89 per cent of the children with Spanish surnames drop out before completing high school!

Along the Texas-Mexico border, four out of five Mexican American children fall two grades behind their Anglo classmates by the time they reach the fifth grade.

A recent study in California showed that in some schools more than 50 per cent of Mexican American high school students drop out between grades 10 and 11; one Texas school reported a 40 per cent dropout rate for the same grades.

Mexican Americans account for more than 40 per cent of the so-called "mentally handicapped" in California.

Although Spanish surnamed students make up more than 14 per cent of the public school population of California, less than ½ of one per cent of the college students enrolled in the seven campuses of the University of California are of this group.

These facts give tragic evidence of our failure to provide genuine educational opportunity to Mexican American youth; and today there are nearly two million of these children between the ages of 3 and 18.

It can't be said that nothing has been done for these youngsters. The Federal Government, through the Elementary and Secondary Education Act (ESEA), has given a good deal of financial aid to schools for the purpose of improving the education of Mexican Americans. Although a few millions of dollars have been spent, hundreds of millions still need to be spent—and for hundreds of thousands of Americans it is even now too late. State and local agencies have spent respectable sums of money—and even more energy—in behalf of the Mexican American but none has given the problem the really massive thrust it deserves.

Money is only one problem. Perhaps an even more serious one is the problem of involuntary discrimination—that is, our insistence on fitting the Mexican American student into the monolingual, monocultural mold of the Anglo American. This discrimination, plus the grim fact that millions of Mexican Americans suffer from poverty, cultural isolation, and language rejection, has virtually destroyed them as contributing members of society.

Another problem is that we have not developed suitable instruments for accurately measuring the intelligence and learning potential of the Mexican American child. Because there is little communication between educators and these non-English speaking youngsters, the pupils are likely to be dismissed as "mentally retarded." Common sense tells us that this is simply not so. The chasm that exists between the teacher and the student in the classroom is even wider between the school and the home, where there is virtually no communication. Such lack of understanding soon destroys any educational aspiration the pupil might have or that his parents might have for him.

SIX CRITICAL ISSUES

The Committee believes there are six critical issues in the improvement of Mexican American education:

Issue No. 1: The existing educational programs for the Mexican American have been woefully inadequate and demand serious evaluation.

Issue No. 2: Instruments are lacking for measuring intelligence and achievement potential of Mexican Americans.

Issue No. 3: A very small percentage of Mexican American students who could qualify for college actually enroll.

Issue No. 4: Legal restrictions in various states discourage instructions in languages other than English.

Issue No. 5: There is an exceedingly high dropout rate of Mexican Americans in public schools.

Issue No. 6: Society has not recognized, or at least accepted, the need for a multilingual, multicultural school environment.

HOW CAN WE ATTACK THE PROBLEM?

The Mexican American Affairs Unit of the U.S. Office of Education has identified four imperatives for educational success of the Mexican American:

1. Preparation of teachers with the skills necessary to instruct Mexican American pupils in such a manner as to insure success. This includes bilingual capability.
2. Instruction in both English and Spanish so that the mother tongue is strengthened concurrent with the pupil learning a second language, and then using both languages. This bilingual instruction must occur in all curriculums, and at all grade levels until the student is thoroughly at home with his second language.
3. Instruction to preschool Mexican American pupils so that they are more nearly ready to take their place with others by the time they enter school.
4. Complete programs for adults in both basic education and vocational education.

The vehicles for achieving the foregoing imperatives already exist:

1. Teacher preparation: Educational Personnel Development Act, Bilingual Education Act, Title I, ESEA
2. Bilingual education: Title VII, ESEA, Bilingual Education Act
3. Early childhood education: Headstart and Followthrough, Title I, ESEA
4. Adult basic and vocational education: Amendments to the 1963 Vocational Education Act

BLUEPRINT FOR ACTION

Once we have faced up to the critical issues and recognized the imperatives, the Committee recommends specific action on several fronts.

General

1. We must immediately begin to train at least 100,000 bilingual-bicultural teachers and educational administrators.
2. We must make use of current knowledge and encourage further research to assist in creating educational programs that promise learning success for the Mexican American.
3. We must agitate for priority funding by the U.S. Office of Education to develop educational programs immediately.
4. We must see that testing instruments are developed that will accurately measure the intelligence and achievement potential of the Mexican American child.
5. We must promote programs to assist state legislatures in taking the necessary action to permit instruction in languages other than English.
6. We must help the various states to recognize the need for statewide programs in bilingual education.
7. We must provide assistance, through Federal funds, to Mexican American students in pursuit of a college education.
8. With the leadership of the Federal Government, we must increase the adult basic education and vocational programs, to equip the Mexican American adult with skills and knowledge necessary to become a partner in our economic society.
9. We must encourage parental involvement programs at the state and local levels.
10. We must encourage state and local education agencies to use more effectively the Mexican American personnel on their staffs.
11. We must foster a joint effort of the Federal Government and private enterprise to produce instructional materials that are designed expressly for Mexican American students.

Federal legislation

1. Increase the funding of Title VII, ESEA, to $150,000,000 for the year 1970, to provide a minimum of $100 per child for relevant educational services for the Mexican American.
2. Increase the funding of Headstart and Followthrough by 10 per cent, to provide a sufficient financial base to meet the needs of many Mexican Americans not presently served by these programs.
3. Continue the present funding level of

the Migrant Education provision of Title I, ESEA.

4. Continue Title VII, ESEA, as a discretionary program administered by the U.S. Office of Education.

5. Continue Title VIII, ESEA, Dropout Prevention Act, as a discretionary program administered by the U.S. Office of Education, and increase its funding for 1970 to $50,000,000.

6. Increase the funding support of Title IV-A of the Higher Education Act, Educational Opportunity Grants, by 15 per cent, to be directed toward college enrollment of Mexican Americans.

7. Establish a Land Grant College, with specific responsibility for programs and research related to the bilingual-bicultural student.

8. Amend Title I, ESEA, to permit the use of funds for the education of Mexican Americans whose income may not qualify him, or as more often is the case, whose children may not qualify because of cultural attitudes toward depending on public welfare support.

State legislation

1. Remove legal barriers to instruction in the public schools in languages other than English.

2. Appropriate and identify supplementary funds for support of specialized programs for the Mexican American.

Administration—U.S. Office of Education

1. Expand the responsibility of the Mexican American Affairs Unit of the Office of Education to include all Spanish-speaking programs.

2. Continue to press for employment of Mexican American professionals and supporting personnel in all units of the U.S. Office of Education.

3. Allocate specific funds for determining the most effective direction in research for the Mexican American.

4. Develop an intensive program of information on the educational needs of the Mexican American.

Administration—Chief State school officers

1. Seek out and employ Mexican Americans in policy and administrative positions in state departments of education, and encourage similar programs in local education agencies.

2. Set up a unit for coordinating and encouraging the development and operation of programs for the Mexican American.

3. Develop a statewide program for bilingual education.

4. Promote the redirection of priorities in the use of Title I, ESEA, funds, to focus on bilingual-bicultural programs.

5. Promote the increased involvement of the Mexican American in advisory committees in local educational programs.

(The opinions expressed herein do not necessarily reflect the position or policy of the U.S. Office of Education, and no official endorsement by the USOE should be inferred.

(The Southwestern Cooperative Educational Laboratory of Albuquerque, deeply concerned with and dedicated to improving the educational opportunities of the Mexican American, as well as other Southwestern culturally divergent groups, is pleased to have published this report.)

THE NATIONAL ADVISORY COMMITTEE ON MEXICAN AMERICAN EDUCATION

Dr. Miguel Montes, *Chairman*, Doctor of Dental Surgery, San Fernando, California.

Edward E. Booher, President McGraw-Hill, Inc., New York, New York.

Clayton Brace, Vice President and General Manager, Time-Life Broadcast, Inc., San Diego, California.

Reverend Henry J. Casso, Vicar of Urban Affairs, St. John's Seminary, San Antonio, Texas.

Jack P. Crowther, Superintendent of Schools, Los Angeles, Los Angeles, California.

Ernestine D. Evans, Secretary of State, Santa Fe, New Mexico.

Nick Garza, Principal, Sidney Lanier High School, San Antonio, Texas.

Ralph Guzman, Director, Mexican American Center, Los Angeles State College, Los Angeles, California.

Alfred J. Hernandez, Judge, Corporation Court, Houston, Texas.

Dr. Frank Hubert, Dean, Texas A & M University, College Station, Texas.

Leonard C. Lane, New York, New York.

Eloy Martinez, HELP, Espanola, New Mexico.

Jesse G. Stratton, Farmer/Chairman, Executive Board, Southwestern Cooperative Educational Laboratory, Inc., Clinton, Oklahoma.

Maria Urquides, Dean of Girls, Pueblo High School, Tucson, Arizona.

Administrative director

Armando Rodriguez, Chief, Mexican American Affairs Unit, U.S. Office of Education.

JANUARY 27, 1969.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: I want to call your attention to and urge your support for full funding of the Bilingual Education Act.

The critical need for this program is evident by the following appalling statistics: (1) Of the 1.6 million Mexican-American children entering the first grade in the five southwestern states, one million will drop out before they reach the eighth grade. (2) Mexican-Americans in the United States has an average grade level of 7.1 compared to a grade level of 9.0 for Negroes and 12.1 for Anglo-Americans.

In my own state of California, I understand that fifty percent of the Mexican-American children drop out by the eighth grade. Yet, evidence and experience suggest that this need not be. Many countries of the world have successfully solved the problem by instructing first in the youngster's mother tongue and as soon as possible instructing the youngster in the national tongue.

California is moving to attack this serious problem and to reverse the above appalling statistics. In 1967, Governor Reagan signed into law needed and enlightened legislation that permits instruction in Spanish in California's public schools.

Since the enactment of the Bilingual Education Act in 1967, which incidentally was conceived and initiated by the Congress over the opposition of the former Administration, there has been the greatest of interest in California in the promise and potential of the program. Last year, the Johnson Administration gave token endorsement to the program requesting only ten million dollars of the thirty million authorized. The House of Representatives failed to appropriate a single cent. Thereafter, I personally pleaded with the Senate Appropriations Committee to reverse the shortsighted action of the House and to fund the program. As a result, the Senate Appropriations Committee provided ten million dollars and we were able to hold 7.5 million dollars in conference.

Because of the critical nature of the problem, I urge your Administration to enthusiastically get behind the Bilingual Education Program and support its full funding. As a co-author of the Bilingual Education Act, I am confident that such an investment and such an endorsement by the Administration will be wise for the nation and will make a significant difference in the lives of many children.

Sincerely,

GEORGE MURPHY.

REPORT OF NATIONAL STUDENT SYMPOSIUM ON U.S. FOREIGN POLICY

Mr. HATFIELD. Mr. President, reportedly, some students' actions these days are speaking so loudly that we cannot hear what they are saying. Therefore, I am pleased to find again and again that many students are saying things which we can hear—and should hear—if only we will listen. A recent instance is the report entitled "Students Speak Out on International Issues," made by the National Student Symposium on U.S. Foreign Policy.

The National Student Symposium was sponsored by the Council on International Relations and United Nations Affairs—CIRUNA—and held December 19 to 22, 1968, at Georgetown University in Washington, D.C., with 200 college and university students participating. Their purpose was to discuss and make recommendations for the conduct and direction of U.S. foreign policy for presentation to the policymakers of the new administration and Congress.

This student view of our foreign policy is so well considered, comprehensive, and imbued with practical high intentions that I wish to make it readily available to Senators.

I therefore ask unanimous consent that the report be printed in the RECORD.

There being no objection, the report was ordered to be printed as follows:

STUDENTS SPEAK OUT ON INTERNATIONAL ISSUES

(Report of the National Student Symposium on U.S. Foreign Policy, Georgetown University, Washington, D.C., December 19–22, 1968)

PREFACE

College students in the United States, aware of the influence and impact of their nation's foreign policy upon all nations, peoples, and their own lives, are concerned about the future direction of United States foreign policy. Students realize that at this particular time, past commitments and future options are being examined; rather than remain silent during this time of re-evaluation, they desire to make their views and opinions known.

The Symposium planners endeavored to bring together students from a great variety of backgrounds, from all sections of the nation, and from many student organizations to get a broadly representative cross-section of concerned student opinion on foreign policy. In this they were successful as the participants at the Symposium constituted a diverse spectrum of political viewpoints and perspectives. The final Report of the Symposium was the product of much discussion, argument, conflict among antithetical positions, and the introduction of unconventional and creative proposals.

Students are capable and willing to do more than react negatively to a policy with which they do not agree. By making concrete and constructive suggestions for U.S. foreign policy *now*, while a new policy is in the making, the students at the Symposium demonstrated their commitment and deep concern. The students met in fourteen discussion groups which dealt with specific problem areas of U.S. foreign policy. The conclusions of each group were discussed, at times amended or replaced by a Minority Report, and democratically adopted by the Symposium participants as a whole in plenary meeting. The resulting recommendations offer specific suggestions as well as general guidelines. We urge careful reading and consideration of the recommendations in this Report.

The Symposium participants approached their work with a sense of their limitations. They realized they did not have all the information available to our policy makers. In trying to formulate policy recommendations, they developed an increased awareness of the complexities of policy making.

The Symposium was wholly conceived, planned and executed by students and student leaders, and did not result from the initiative of any institution—it was a response to a need. The Council on International Relations and United Nations Affairs was the primary sponsor of the National Student Symposium on United States Foreign Policy; other major student organizations served as cooperating organizations. CIRUNA, the collegiate affiliate of the United Nations Association of the United States of America, is a non-partisan, educational student organization devoted to the creation of knowledgeable and informed opinion on issues of international concern. The recommendations in this report are those of the Symposium and its participants, and the positions expressed do not constitute nor necessarily reflect the positions of CIRUNA or of the cooperating organizations. A listing of the cooperating student organizations is in the Appendices. Much credit for the success and quality of the Symposium belongs to the host, the International Relations Club of Georgetown University, which provided staff and the University facilities.

The section of the Report that focuses on the Role of Students in World Affairs and United States Foreign Policy stresses student frustration: students in the United States, for the most part unable to vote, feel distinctly limited in their role and influence. But student concern and involvement in the international issues facing this nation is intense; students are speaking out and should be heard. In this spirit, the Report of the National Student Symposium on United States Foreign Policy is presented for consideration.

INTERNATIONAL TRADE, AID, AND DEVELOPMENT

The Symposium strongly urges a shifting of United States foreign policy from its present emphasis on unilateral aid and trade arrangements to a policy of mutilateral and international agreements. United States policy toward the developing countries is a manifestation of a set of national priorities which we regard as subject to review. It is obvious that hopes expressed in such bodies as the United Nations Conference on Trade and Developments have not been realized. In our considerations, therefore, we attempted to discover the ramifications of national v.s. international priorities, dealing with the many facets of development policy, trade relationships, and aid priorities. The following is a synthesis of the recommendations formulated.

First priority for development

No nation should have to import food to the detriment of its trade and development potential. The people of a developing nation must be fed primarily by their own national production where feasible, thereby freeing capital for use in import of capital goods, equipment, and basic nation-building materials, and providing for the re-allocation of human resources to other sectors of the economy.

We recommend that the U.S. place high priority on development of highly productive agricultural technology in the developing nations, with particular attention paid to the training of indigenous personnel. (Caution must be advised here to avoid the destruction of cultural values and religious views in the developing nations for the sake of a "western view of progress".)

Trade with the developing nations

Trade must be increased with the developing nations, as their already minimal share in the world volume of trade is diminishing sharply.

We recommend that the U.S. strongly encourage businessmen to cooperate in development efforts within developing countries, especially in the building of processing plants and other light industries related to those developing nations' primary products. To accomplish this, we suggest a systematic program of government subsidies to businesses which invest in developing countries.

We recommend that the U.S. encourage private business to take cognizance of resolutions passed by the United Nations and supported by the U.S. on the subjects of South Africa, Rhodesia, and Namibia—particularly the prohibition against commercial agreements with South Africa (e.g. airlines), and against the provision of nuclear reactors to South Africa, as well as against certain commercial dealings with the illegal Rhodesian regime.

Further, we strongly urge that businessmen be encouraged to divert a certain proportion of their profits toward the development of the host country, e.g. in disease control and the establishment of technical training centers.

Tied aid

A major proportion of aid to developing countries is returned to the U.S. in the form of payment for U.S. goods and services in accordance with the policy of "tying aid."

We recommend that this anomalous policy be dropped and that developing nations be allowed to choose how they will utilize incoming aid. U.S. products will most likely continue to be preferred——however, it must be the choice of the developing country, rather than a determination by U.S. foreign policy.

We recommend that the U.S. give loans and grants for development on other than a short-term basis, since development plans, by nature, are not short-term. These grants must not be subject to the vagaries of annual fiscal decisions by Congress.

Basic to this recommendation is the assumption that the recipient country have a cogent long-term development plan, as is the prerequisite of the World Bank's loan policy.

Another critical drain on capital resources of a developing country is the high rate of interest on debt repayment. We urge that interest rates on loans be subtantially reduced in the immediate future.

Further, we urge that outstanding debts which are presently strangling development plans in some developing countries be cancelled.

Trade with Eastern Europe and the Soviet Union

In view of present trading realities we recommend that the U.S. expand its trade relations with Eastern Europe and the Soviet Union in non-strategic goods.

United Nations Conference on Trade and Development (UNCTAD)

In line with the recent meeting of UNCTAD in New Delhi, we recommend the following shifts in U.S. priorities:

That certain commodities from developing countries be given preferential treatment—if necessary, over those same products or their substitutes from developed countries;

That tariff and quota systems be substantially revised in order that markets for developing countries' products be expanded; and

We strongly urge that the U.S. fully cooperate in future commodity agreements, that is, sugar, cocoa, rubber, and continue cooperating with the existing international coffee agreement.

International merchant fleet

Present shipping and insurance rates being prohibitive, it is mandatory to promote a low-cost transport of products from developing countries to other developing countries. The U.S. should contribute to construction and maintenance of new low-cost merchant vessels, with international crews, to be run at low-cost. The U.S. should encourage a feasibility study of this by the Economic and Social Council of the United Nations.

Cooperation with other international agencies and multi-lateral arrangements

We generally recommend that the U.S. put much greater emphasis on assisting the work of agencies involved in the development effort.

In the field of population control we urge: Greater support for the food programs of the Food and Agriculture Organization and the Freedom from Hunger Campaign of the United Nations. Increased technical assistance to birth control programs such as those of the International Planned Parenthood Federation and the World Health Organization.

In both of the above, we urge, where possible, operational merger of the U.S. programs with internationally-administered programs, and cooperation with other nations' projects.

In relation to the International Development Association (IDA): Funds for the IDA have been severely curtailed to the point of nonoperation. "Soft loans" are essential to the continuity of the development process. We strongly urge that the U.S. do its utmost to reactivate the IDA. We further urge that the U.S. give financial support to the recent instituted Capital Development Fund, which was enthusiastically endorsed at the recent UNCTAD session.

A competitive contract system should be instituted in both unilateral and multilateral development projects to ensure the most efficient utilization of domestic resources within the developing countries.

Establishment of an International Revenue Service: In order to meet the goals of the Development Decade in a systematic fashion, we recommend that the institution of an international tax of one percent on gross national products of the developed nations be explored by the U.S. This tax would be imposed and collected by an international body for use in development projects administered by the UN Development Program. We further recommend that while this is under study, the U.S. review its commitment to the first Development Decade, and greatly improve its contribution to the second Development Decade—to the target level of 1% of G.N.P.

Military aid

The Symposium is strongly opposed to unilateral military assistance where development-oriented assistance would prove more beneficial to the recipient country. Such military aid frequently tends to strengthen the very forces which are detrimental to socio-economic development, i.e. those interests which would have the status quo remain intact.

The Symposium felt that the anti-communist impetus for this aid is a result of a fear syndrome which is obsolete.

Hence, we strongly urge that priority be given to shifting military assistance funds (such as for arms, missiles, and some personnel) to use in agricultural, industrial, and social development.

Education

With the development of agriculture and basic industries, improved education is a necessary base for development.

Vital scholarship and exchange programs have been cut, or may be cut in the near future. The potential damage of this nearsighted action is enormous. We strongly urge that such programs and financial aid to students—especially those from developing countries—be reinstated immediately and expanded.

We also recommend that the Teacher Corps concept be expanded to include the waiver of repayment of academic loans (NDEA-type) for teaching service in a developing country for a pre-determined amount of time. (The loan could be waived at a rate of 20% per year of service.) Institutions should be encouraged to make arrangements for granting credit toward an advanced degree for satisfactory international teaching service of two or more years.

International monetary policy

The Symposium urges the strongest support of the U.S. in the full implementation of the plan for Special Drawing Rights drawn up at the recent International Monetary Fund Conference in Rio de Janeiro. We also strongly urge U.S. support for the logical extension of this plan to the creation of a true international bank with power to create international monetary reserves, i.e. "Paper Gold."

Conclusion

The Symposium would emphasize its concern for a stringent review of present economic policy and priorities in regard to: unilateral trade arrangements, the preponderance of military aid over development aid, and the lack of evidence or real commitment in past U.S. policy for development. We recommend a major shift of policy on the part of the U.S. to the use of multi-lateral, international aid programs.

SUB-SAHARAN AFRICA

It is obvious from even the most cursory study of Africa that the present political units were often formed as devices of convenience by their colonial rulers. As a result, many African states have faced considerable difficulties in at least one of two ways: The state is not a viable economic unit; it has little potential for development of either a sound internal or external market. The state has a large number of tribal groups who are not culturally compatible. The tensions created by demands for tribal sovereignty of the central government can seriously, perhaps permanently, impair the development of the country.

The natural reaction to this situation would be to advocate endorsement of all sincere efforts to realign the ruling units of Africa. This Symposium considers this an inappropriate response for two reasons: Backing for such movements for realignment as a matter of general principle would greatly undermine such stability as now exists. It is not, in general, proper for the U.S. to intervene in such a vital domestic affair of Africa. Moreover, it would generate an unacceptable amount of resentment among the African nations.

In light of these two countervailing sets of conclusions, we suggest the following:

1. The United States should continue to give support and aid to the present African states in the manner suggested in this report.

2. When clear conflicts arise, the United States should maintain as a general rule a strict policy of political neutrality. However, it should carefully reassess merits of the positions involved and should therefore remain much more receptive to the merits of a downfall of a central government.

3. In a few disputes in which fighting erupts, the revolutionary forces may manage to make the affair highly politicized. In those cases, e.g. the Algerian revolution, the traditional response of strict neutrality is unsatisfactory. To maintain a valid stance of neutrality under International Law, a nation must forego certain options which are often the most humane and realistic.

Therefore, this Symposium recommends that the United States work more closely with the United Nations to establish acceptable new standards of behavior in these instances.

Economic development

1. In view of the wasteful duplication which has been witnessed in Africa in terms of the same industries being developed in neighboring nations; and, in terms of duplicate investments on the part of Western powers, this Symposium recommends: That the United States encourages economic development among African nations, and participates in cooperative investment procedures with the other Western nations.

2. In the past, when large corporations set up industries within developing nations, there was a tendency to adopt a "neo-colonial" attitude. It is recommended that: Large corporations should work with local authorities in developing stock-sharing plans with the result being a greater investment on the part of the local people. The United States government and American industrial and entrepreneurial concerns should invest capital in locally owned industries which develop the available natural resources.

3. It was felt by the Symposium that the greatest emphasis in the area of economics should be on the development of human resources. More money must be geared towards education and training. In conjunction with this, the U.S. should re-evaluate the criteria for compensation for this educational aid.

Furthermore, greater effort must be made to keep this training and education within the country itself, rather than bringing students to other more developed nations.

South Africa

The Symposium was in strong agreement on the subject of a complete and unconditional economic boycott of South Africa, active discouragement of private loans and investments by American businessmen and bankers, abolition of the sugar quota, an arms embargo, and closure of our missile and space tracking stations.

This action should be taken on the basis that South Africa is, at present, illegally occupying Namibia.

It is also recommended that the U.S. should work for the application of multilateral sanctions against South Africa through the UN.

Rhodesia

The policy recommended by the Symposium on the subject of Rhodesia is as follows:

1. The U.S. should support the United Kingdom in the dispute.

2. The U.S. should support the economic sanctions, in conjunction with the United Kingdom and the United Nations, in order to put an end to the Smith regime; the ultimate goal being self-determination with equal rights for all.

3. The U.S. should not become directly involved.

Portuguese territories

The United States should suggest and recommend that the new Portuguese regime in Lisbon enforce the Constitution of Portugal, especially those sections dealing with voting rights and social opportunity, upon all of its citizens—especially those in Angola, Mozambique, and other parts of Portuguese Africa.

If necessary, the United States should use its influence through the United Nations to insure that the inhabitants of these territories in Africa, controlled by Portugal, are guaranteed their basic human rights.

Concluding statement on the role of the United States in Africa

1. On political issues, the U.S. should not be a determining power. Rather, she should assume the role of a benevolent agency toward the developing nations.

2. The U.S. should avoid and abandon the concept that we are in competition with the U.S.S.R. or the People's Republic of China in Africa; and

3. The U.S. should abandon the concept that we have the traditional prerogatives of a "great power".

U.S. POLICY TOWARD LATIN AMERICA

We commend and approve the stated goals of United States foreign policy toward our American neighbors. No one can seriously dispute the fact that economic and cultural development, security, freedom, education, and social justice are vitally needed in Latin America today. To the extent that American foreign policy facilitates the achievement of these aims in the hemisphere it should be continued. But all too often our policies are inadequate to promote their stated goals, and, lamentably, they sometimes actively impede their achievement. Because we believe that the contradictions inherent in our policies can no longer be tolerated in these times of crisis, we recommend that the following measures be implemented:

1. The United States should, as a matter of policy, recognize any government which achieves control of the administrative machinery in a country and becomes the symbol of authority in that nation. Diplomatic communications can be extremely useful in working out mutual disagreements and in warding off disaster. Because of American refusal to recognize the Castro regime, the United States is hampered in its efforts to resolve urgent matters with the government of Cuba (for example, the hijacking of American planes).

2. Treaties should be as simple as possible, direct, relevant and confined to specific issues. They should respect Latin American independence and should be beneficial to Latin American States. Treaties should generally not be of perpetual duration; we specifically recommend negotiating duration. We further recommend negotiating a new treaty for a trans-isthmian canal. The agreement should include control by the nation through whose territory it will run, with reservation of the right of passage for all states.

3. The United States should encourage, by its example, respect for international law and international organizations such as the Organization for American States. Canada should be invited to join the hemispheric organization, and Cuba should be restored to full participation in the OAS. The headquarters of the Organization should be moved out of Washington to a Latin American city. The United States should not mount any military intervention in Latin America without prior OAS authorization and approval.

4. Ambassadors should be appointed on the basis of merit. They should not have any business interests in the countries in which they serve or have had any such interests for at least four years prior to their appointment. Ambassadors should be left to serve in a country for a period of time sufficient for them to develop useful relations.

5. The U.S. Information Agency will be valuable diplomatically if it helps Latin Americans realize their own aspirations. Emphasis should be placed on education rather than propaganda.

6. Military aid and military assistance programs to Latin America should be discontinued.

7. All sales of heavy armaments to Latin American nations should be prohibited.

8. Programs for training officers from Latin American armies at command and staff schools in the United States and in the Canal Zone should be eliminated.

9. Support and aid for military juntas should be withdrawn.

10. The CIA should be confined to its role as an information gathering agency, and its political and military interventions in Latin American internal affairs should cease.

11. Technological and educational assistance programs should be expanded. Emphasis should be placed on Latin American leaderships of such programs.

12. Foreign aid should encourage stable economic growth, diversification and industrialization. Requirements that aid be used for purchases in the United States should be eliminated. Economic independence for Latin American countries should be encouraged, and aid programs should not be designed with the primary goal of helping United States business interests.

13. Programs such as the Peace Corps which place emphasis on community development should be expanded.

14. A study should be commissioned to examine the feasibility of establishing an internationally directed agency for the distribution of multi-lateral aid to supplant a

large portion of our current bi-lateral aid system. Particular emphasis should be placed on Latin American leadership of such an organization.

15. The development of a Latin American common market should be encouraged.

16. Individual nations should be encouraged to take measures to prevent the flight of domestic capital to Europe and other investment markets. The United States should prevent unreasonable profit-taking by American corporations and Latin American affiliates through adjustments in the tax structure to penalize excessive profits.

17. The United States should actively enforce its anti-cartel laws, especially against international price fixing conspiracies.

18. The United States should adjust its tariff and quota policies to favor Latin American products more than is presently done.

19. American corporations doing business in Latin America should be encouraged to institute profit-sharing and regional development plans through a system of tax incentives.

The foregoing suggestions were not made in the belief that they represent a panacea for the ills of the hemisphere. They arise from our strongly held belief that our relations with Latin America are fast approaching a critical stage and that drastic reform measures are needed. These recommendations, if implemented, might go a long way toward fulfilling that need.

THE UNITED STATES: AN ASIAN POWER?

A discussion of the current problems and policies of Asian nations must be qualified by an awareness:

1. that the Asian community includes Australia, the U.S.S.R., and the People's Republic of China;
2. that the concept of community is cognizant of the "sovereign integrity" of each member;
3. that any thrust of policy should be a meshing of national interests.

The following proposals are designed tc achieve a practical solution to the economic, political, and social turmoil in Asia. Helping Asian countries achieve the goals of national survival and sovereign integrity must be the first goal of U.S. foreign policy in this area.

The Asian community today is plagued by economic and political instability, as well as socio-cultural tension. The general fault of U.S. policy to date has been based on inadequate knowledge and understanding of the Asian mind. This reliance upon a poor interpretation has resulted in the implementation of such western techniques as the alliance concept. Historically, these motives have been inconsistent, and the core problems have yet to be defined.

Generally, the overall policy advocated by the Symposium emphasizes the implementation of the following concepts:

1. the gradual systematic withdrawal of U.S. military personnel;
2. the discouragement of outright unilateral grants, and the encouragement of multilateral financing of local industries;
3. the lessening of the use of alliances as primary tools of policy;
4. the encouragement of the development of an Asian economic community such as that of the E.E.C. and E.F.T.A.; and
5. the encouragement of the involvement of private U.S. business in giving financial and technical assistance to industries, ensuring that control of these industries does not transfer to American industries.

Indonesia

Indonesia is currently experiencing severe economic problems such as food shortage, rising inflation, and balance of payments deficit.

The U.S. should give top priority to giving technical assistance to Indonesia in modernizing and intensifying her agriculture and to providing managerial assistance in development of industries.

Native Indonesian industries should be encouraged to develop extensive trade with foreign nations, especially with those in the Asian community.

The U.S. should end unilateral monetary assistance to this area and all other Asian areas and should instead channel this aid through international monetary, technical assistance, and economic, social, and cultural organizations. Also, private U.S. commercial industries should be asked to assume a more responsible role in the development of native Indonesian industries. .

Southeast Asia

The U.S., recognizing the economic instability and under-development of Southeast Asia, should give technical and qualified financial assistance to Southeast Asian nations and should encourage private international commercial interests in an effort to modernize and intensify Southeast Asian agricultural methods, to establish a firmer indigenous industrial base, and to aid their economic advisors in stabilizing currency and establishing a program for inter-Asian economic cooperation.

The U.S. should make no troop commitments or supply armaments to Southeast Asian nations unless the denial of such commitments would abrogate U.S. Treaty agreements (i.e. SEATO).

The Asian community should be encouraged to strengthen inter-Asian defenses in such a way that the responsibility lies chiefly with the members of the community.

Japan

Japan desires withdrawal of U.S. bases in Japan due to the political tensions incurred by their presence.

The bases ought to be closed with a recommendation that the Japanese government provide jobs for those people secured with base operations.

Okinawa

As Okinawa plays a significant role in any discussions of the U.S.-Japanese Security Treaty, which expires in 1970, the question of jurisdiction over Okinawa must be resolved, or there will be strong opposition to the renewal of the treaty.

Okinawa should be returned to Japanese administration with gradual withdrawal of U.S. troops. In addition, a recommendation should be made to the Japanese government that those Okinawans who are employed by the bases should be provided with new jobs of comparable income.

India and Pakistan

A state of hostility exists between India and Pakistan over Kashmir, Jammur, and other border areas. The United States recognizes the need for India and Pakistan to determine their own futures and encourage continued economic advancement in both nations.

The U.S. should urge through mediation the resolving of outstanding conflicts between India and Pakistan and should continue to refuse to supply either nation with any military assistance until a state of amiability exists between them.

The U.S. should also relinquish military installations in Pakistan and should provide aid to India and Pakistan through qualified financial assistance and foodstuffs in the hope that they will develop their own economic capabilities.

Philippines

While the United States has recently been increasing military and economic assistance to the Philippines, growing nationalistic forces in the Philippines have indicated that American business interests should be redirected toward domestic consumer development.

The U.S. should encourage all private international investments in the Philippines on conditions stipulated by the Philippine government.

The Philippine Rehabilitation and Trade Acts should be honored through its expiration date with an encouragement to reduce monetary and technical assistance by the U.S. in the next four years.

Upon request, the U.S. could provide suggestions for the reform of the civil service system of the Philippine government.

Furthermore, the U.S. government should gradually withdraw military aid from the Philippines.

Korea

The economy of South Korea is, to a large extent dependent upon current U.S. military personnel presence. This dependence should ease with increased economic diversification in the field of trade and commercial interests. As the South Korean army is militarily under-equipped and unequal to the task of repelling an attack by North Korea's "modernized armed forces", the United States should increase military assistance in the field of conventional weapons until South Korea has reached a military self-sufficiency in regard to the defense of her own sovereignty. The United Nations should have control in determining when South Korea has reached military self-sufficiency. Once South Korea reaches this point, the U.S. will at that time cease all conventional weapons assistance.

The U.S. should promote an increase in international trade with South Korea in an effort to supplement and eventually supplant current massive U.S. economic assistance. By encouraging private investment and by aiding South Korea in the development of international trade agreements, her economy should be and must be able to sustain any loss incurred through a U.S. cutback in troop commitments.

China

The National Student Symposium on U.S. Foreign Policy believes that the United States should attempt to improve relations with the People's Republic of China, and be willing to concede its legitimacy as a nation.

1. The United States should cease referring to the People's Republic of China as the "Peiping" regime immedately; and, rather, should refer to it as the Peking government.

2. The United States should be willing to offer diplomatic recognition to the People's Republic of China if that government is willing to accept it. The United States should also continue to recognize the Taiwan government if that government so desires.

3. The United States must recognize that China has a legitimate interest in Asia. Included in this interest is an understandable aversion to foreign troops occupying its smaller neighbors.

4. The United States should reverse its policy of opposition to the admission of the People's Republic of China to the United Nations.

5. The United States should strongly consider the possibility of establishing trade with China.

6. The United States should offer to assist the People's Republic of China in solving its problems concerning the production and distribution of food stuffs. This should be done as a gesture of humane concern and not soley for its political value. If preferred by the People's Republic of China, the assistance could be channeled through the appropriate agencies of the United Nations.

There is no guarantee that any peaceful overtures or concessions on the part of the United States will lessen tensions between these two nations. There is similarly no guarantee that the offers described above will be accepted by the Chinese Government. It is contended that the United States must begin dealing with the People's Republic of China in terms other than the "Yellow Peril" or as part of the "Communist Monolith". The above concessions can be made without detriment to our foreign relations and could be the beginning of a rational policy toward the People's Republic of China.

THE WAR IN VIETNAM

The immediate objective of the Paris Peace Talks should be the development of an agreement between the National Liberation Front, the Republic of Vietnam, the Democratic Republic of Vietnam, and the United States to de-escalate the war and to withdraw all foreign troops and political cadres with utmost haste.

1. The talks should be carried on in the spirit of compromise without regard for bloc identification; and
2. The effectiveness of the International Control Commission should be expanded through negotiations between the United States and the U.S.S.R. and among the members of the Commission: India, Poland, and Canada.

The United States should recommend to the South Vietnamese Government that the National Liberation Front be included in the South Vietnamese Government as a recognized political segment of her population guaranteeing it full democratic freedoms from reprisal and unreasonable coercion with the following stipulations:

1. The members of the National Liberation Front renounce force as a means of attaining their objectives.
2. That the Front renounces its alliance with the Lao Dong Party of North Vietnam.

In order to prevent future Vietnams, we recommend the following:

1. A greatly accelerated economic and social development program should be initiated in Southeast Asia.
2. The development program should be placed in the hands of international, multilateral organizations.
3. The support of the United States in aiding the development of the countries of Southeast Asia should not be predicated on a communist/non-communist basis.
4. The United States should end military assistance to those countries where it is used to suppress internal political movements—as in the cases of Guatemala, Greece, Brazil, Paraguay, and the Portuguese African territories.
5. The United States should end political and economic support of racist regimes in South Africa, Mozambique, Angola, and Rhodesia; private investment such as the U.S. Bank Consortium for South Africa should be prevented.
6. The United States should recognize the right of other countries to protect and nationalize their own resources and to secure their own interests against the exploitation of private foreign investment in developing economies.

CRITERIA FOR U.S. RECOGNITION OR NONRECOGNITION OF GOVERNMENTS

Introduction

The purpose of these recommendations is to establish a realistic and yet progressive approach in developing criteria for the recognition of governments by the United States.

After examining the American experience in the recognition of foreign governments and studying the advantages, disadvantages, and effectiveness of both the Wilsonian and Stimson doctrines, we have amended these policies and have tried to apply them to present day situations, adding our recommendations for future policies.

In order to facilitate the understanding of our findings, we have divided our report into sections which include: the meaning of recognition, the purpose of recognition, the criteria for recognition, the types of recognition, and the application of one type of recognition to the China question.

The meaning of recognition

A clear indication of an intention by the United States to deal with a new government as such and to accept it as having the authority to govern the state it purports to govern.

Through granting recognition, the United States accepts the recognized state as independently sovereign in the community of nations and acknowledges the international rights granted to such a state and requires from this state that it fulfill its international obligations.

The purpose of recognition

The overall past consideration of recognition has been whether or not such recognition was in the national interest of the United States. Such consideration should not be of top priority, rather fostering of good will and understanding through communication should be the major reason for U.S. recognition of a foreign nation.

Criteria for recognition

Evidence of government: The control of administrative machinery, i.e. control and performance of the administrative functions and operations in the state necessary to sustain the government's existence and exhibit the government's potential for permanence and stability; territorial integrity.

Evidence of a state: The U.S. recognizes as a state a geo-political area which has certain ideological, economic, and ethnic ties and which is supervised by a single government.

Evidence of cooperation with nations: The ability and willingness to fulfill its international responsibilities which will entitle this state, when recognized, to international rights.

Types of recognition

De jure recognition: is the formal recognition of a government meeting the three aforementioned criteria, and extends the traditional diplomatic amenities and privileges in such a way as to recognize the legitimacy of that government as well as the fact of its existence.

Conditional recognition: is the recognition of a government without approval by the U.S. of that government's previous actions (such as West Germany).

De facto recognition: is the provisional recognition of a government meeting the three aforementioned criteria as the existing government but does not necessarily extend the traditional diplomatic amenities and privileges.

Temporary recognition: is the recognition of a government which is new, emerging, or currently unrecognized. We feel these nations should be granted such temporary recognition in order to establish lines of communication to help bear out the willingness of that government to fulfill its international responsibilities. After a period of time, the performance of the government in question should be reassessed to determine whether that government has fulfilled the criteria for another type of recognition.

Application of temporary recognition to the China question

Evidence of government: it appears from various sources that the People's Republic of China sufficiently controls the administrative machinery and possesses territorial integrity in the area that is known as mainland China.

Evidence of a state: Historical evidence conclusively proves the basis for a state in the People's Republic of China today.

Evidence of cooperation with nations: the ability and willingness of the People's Republic of China to meet her international rights and obligations with regard to the protection of foreign nationals, diplomatic immunity, and respect for territorial integrity of other nations is questionable; however, we cannot assume the People's Republic of China's failure to meet these criteria without giving her the opportunity to react in a diplomatic situation.

Proposal

Temporary recognition of the People's Republic of China is recommended at this time, in order to establish lines of communication which will help ascertain the real willingness of the People's Republic of China to fulfill international responsibilities.

THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED STATES

Since World War II, the United States policy toward the Union of Soviet Socialist Republics has become the keystone of all American foreign policy. This policy, to a large extent, is based on an antiquated attitude towards the Soviet Union and "communism". The basis of much of our policy towards communist countries is founded on the belief that Russian attitudes remain essentially unchanged since the days of the Stalinist era. We still base policy on the assumption that there is a monolithic communist movement directed from Moscow with the immediate and/or eventual goal of world domination to be achieved by any means necessary, primarily military.

In the past twenty years, the world situation has changed; Russia and communism have changed with it. United States foreign policy must meet these changes. In this nuclear age, it is mandatory for survival that the U.S. take the initiative toward lessening the tensions between the East and the West. This report and our recommendations are based on this attitude.

1. The United States and the Soviet Union have failed to utilize the strongest guarantee of peace in neglecting to develop mutual trade. The United States should therefore remove artificial barriers to the realization of both nations' comparative advantage. To this end, the following measures are suggested:

The liberalization of credit restrictions as applicable to the Soviet Union;

An extension of the present government insurance program to cover losses to American businesses resulting from Soviet default;

A realistic downward revision of the strategic goods list; and

Removal of existing stipulations concerning the nationality of ships involved in U.S.-Soviet trade.

It is further recommended that the possibilities be investigated for a mutual U.S.-Soviet policy regarding aid to the developing nations. This would diminish duplication and unproductive competition and the ability of other nations to utilize the U.S.-Soviet frictions to their own advantage.

2. An increased understanding between the U.S. and U.S.S.R. lessening mutual suspicion and mistrust, is a necessary prerequisite to peace. This can be accomplished through exchanges between our two countries. Each government could appropriate funds for further knowledge and appreciation of the other major power. We suggest:

Increased student exchanges. Student awareness provides insurance for further understanding;

Increased cultural exchanges. An appreciation of each other's social, political, and economic culture can be accomplished by studying art, literature, and music representative of that culture. Again the government must take the step to bring the people closer together.

Increased technological exchanges. Joint ventures in space and science can be a realistic goal with increased understanding.

3. A further step toward eliminating tensions must involve U.S. encouragement for a depolarization of Europe. The U.S. must also seek mutual military disengagement from Europe, the Middle East, and Asia. The U.S. and the U.S.S.R. must jointly assume the initiative in securing a summit conference on the Middle East to work together to initiate multilateral peace-keeping policies. By implementing the above, we can help lessen the tensions and mistrust that presently exist between the two nations.

4. Recognizing that disarmament is an essential step to the eventual rapprochement between our two countries, the continued proliferation of nuclear weaponry becomes

a matter of grave concern. We cannot on the one hand talk peace and cooperation, and on the other hand allow the continued existence of the possibility of global destruction. We must demand of President Nixon that he urge immediate Senate ratification of the Non-Proliferation Treaty. We must make renewed and serious efforts to find mutually acceptable methods of disarming. Military strength can no longer be the basis on which we judge the greatness of nations.

President Kennedy directed the attention of the country to improving U.S.-Soviet relationships in his inaugural address with these words:

"Let both sides explore what problems unite us instead of belaboring the problems which divide us. . . Together let us explore the stars, conquer the deserts, eradicate disease, tap the ocean depths, and encourage the arts and commerce."

THE MIDDLE EAST AND THE UNITED STATES

Since both the United States and Soviet Union are inextricably involved in the strategic area of the Middle East, both nations bear primary responsibility for finding a peaceful and durable solution which will avoid a possible nuclear confrontation.

Recommendations

As a consequence of this shared involvement and responsibility it is essential that influence must be exerted by the United States and the Soviet Union on Israel and the Arab states. A prerequisite to creating an atmosphere conducive to reconciliation is that the fundamental ground-work or preparations for negotiations be carried out immediately between the two great powers in some form of ministerial level conference under either the United Nations or other auspices.

Given the mounting tension in the area caused by acts of violence from whatever origin, the great powers must exercise some mutual restraint in their continued supply of sophisticated armaments to the various protagonists in this area. Nevertheless, until some meaningful form of detente exists, it seems necessary that a rough equivalence of military strength must be maintained in order to avoid creating the temptation for a reckless military solution to what is essentially a political problem.

The result of the suggested preliminary ministerial conference should be to move the parties directly involved (Israel, the United Arab Republic, Syria, Jordan, Iraq, and the various independent military groupings) to a substantive discussion of the issues and problems which separate them. Among the specific matters to be agreed upon are:

1. Formal recognition of the State of Israel by all parties involved.

2. Negotiation concerning the occupied territories in order to arrive at agreed boundaries and a solution to the problem of the refugees.

3. Free and uninterrupted access to and navigation of international waters. The Suez Canal and the Gulf of Aqaba shall be recognized as international waterways.

4. Free access guaranteed to all persons to the holy places of the city of Jerusalem under the protection of the United Nations, with agreed upon penalties to be imposed in the case of denial of such access.

A further recommendation for increasing communication and mutual understanding between Israeli and Arab students now studying in American educational institutions is the arrangement of an informal student-led national conference with provisions for U.S. government and other expert resource personnel to be available as needed. Such a conference could be followed by a series of regional meetings with a similar purpose.

ARMS CONTROL AND DISARMAMENT

The most dangerous feature of today's nuclear deterrence is its evolution toward uncontrollable complexity. The dangers of a nuclear war are going to increase unless fundamental steps are taken by the new Administration to stop the succession of new rounds in the arms race and to develop perspectives and long-range programs for fundamental stabilization of the international order. We feel that it is necessary to analyze the above issues in the context of the Republican statements during the 1968 campaign on arms control and on defense policies. Specifically, we are concerned by President Nixon's emphasis on superiority over parity; "negotiation from a position of strength"; a renewed emphasis on "professional military advice"; and the Republican proposals for new strategic systems.

There are several observations which must be made with regard to the present state of the arms race and the present policy of deterrance.

The arms situation has now reached the point where the major powers involved are getting decreasing, even negative, security returns for increasing expenditures for defense.

Parity, not superiority, is the key factor in the operation of stable deterrence. Deployment of additional weapons systems escalates expenditures and force levels beyond usefulness, and also increases the operational complexity of deterrence to a point where control of a crisis situation or of the overall deterrent situation becomes difficult, increasing risks to a dangerous degree.

In matters of nuclear policy, there is no such viable condition as "negotiating from a position of strength". As long as the two nuclear superpowers have adequate and secure "second strike" capacities, one nuclear power's adding to its capabilities either *qualitatively*—addition of new weapons systems—or *quantitatively*—expansion of existing weapons systems—will not be translatable to negotiating or bargaining advantages. Not only will the qualitative or incremental additions to force levels not yield any negotiating advantages, but it will frustrate substantive negotiation altogether and will start another round of escalation which will increase the already dangerous "mad momentum" of the arms race.

In light of these considerations, the Symposium recommends the following:

1. *No new strategic programs:* The U.S. could renounce its current Anti-Ballistic Missile and multiple war-head programs without much danger to its deterrent position vis-a-vis the U.S.S.R. It *should* terminate these programs in order to keep deterrence as safe and as calculable as is possible within the present rough parity.

2. *Conventional weapons:* The U.S. must decide very carefully how it will restock its inventory of conventional weapons after the Vietnam War is terminated. The spiraling unit costs of modern weapons, in conjunction with proposals to create a whole new assault force for the Navy and to give the Army total mobility would add astronomical sums to current defense budgets.

3. *Non-Proliferation Treaty:* The U.S. should ratify the Non-Proliferation Treaty as soon as possible in order to demonstrate the importance of the issues at stake, issues that should transcend Western outrage at the invasion of Czechoslovakia.

4. *Offensive-Defensive Systems Talks:* The U.S. should get these talks under way as soon as possible, and should try to get them started off as continuous low-level talks rather than at a more sporadic and less flexible high-level discussion (e.g. summit talks). A model for these talks would be the Warsaw Talks which the U.S. has maintained with China. An almost inevitable complement to these talks would be mutual agreement, tacit or overt, to maintain a parity or "freeze" of present capabilities as a "negotiating backdrop" or base. These talks, moreover, should take place on a systems or overall basis rather than on an item-by-item basis.

5. *China:* Special consideration should be given to the People's Republic of China, especially as to its receptivity to arms control proposals. If possible, attempts should be made to "educate" China to see the military usefulness and the political dangers of an independent nuclear force. The U.S. should also communicate to China the great dangers of "indirect" deterrence, i.e. deterring the U.S. by threatening Japan, Okinawa, Formosa, or India. It should also point out the dangers of a regional arms race in East Asia: Chinese refusal to compromise on the Hydrogen bomb would put great domestic pressures on Japan and India to develop anti-Chinese deterrents. Yet the U.S. should also take into account a possible reciprocity between the Chinese Hydrogen bomb, the Russian Anti-Ballistic Missile system, and the increasing tensions on the Sino-Soviet border.

6. *NATO and the Allies:* NATO defensive forces should be streamlined and even selectively reduced. Politically, NATO should be conceptualized and maintained as an arms control mechanism—the function of giving the U.S. and Europe the all-important conventional option or "buffer zone" in Europe. The U.S. should on no account encourage further elaboration of the British nuclear force, as it did—with disastrous results for Britain's application for Common Market membership—at Nassau in 1962 with the agreement to transfer Polaris missiles to Britain. British renunciation moreover would have a salutary effect on international morale, as slowing of the arms race would decrease the present sense of helplessness. As to France, hopefully, a successor regime to DeGaulle will see the inadvisability of "omnidirectional defense" (i.e. directed against the West as much as against the East) and also the dangers of nuclear-armed neutrality within the NATO framework.

7. *Reorganization of Arms Policy Planning and Decision Making:* A new framework should be set up so as to avoid concentrating all initiatives for arms planning and policies in the Defense Department and its related Congressional committees. With weapons like ABM's and multiple warheads, both of which would give the U.S. a one-sided counter-force capability against the U.S.S.R. and thereby undermine the present stability of deterrence, it is no longer possible to permit an uncontrolled further elaboration of third-, fourth-, and fifth-"generation" weapons systems; neither can we permit an incremental or "follow-on" mode of policy thinking, which often encourages in the services an intellectual and conceptual linearity. The pace and the internal momentum of the research-development-procurement-deployment cycle is such that it continually brings up whole new permutations and combinations of weapons and strategies. A premium should be placed on simple and calculable deterrents rather than on exotic systems whose long-range effects would be de-stabilizing and dangerous. A new long-range planning body, a super—or "overview" agency should be set up to integrate and encourage synoptic long-range planning in the Defense Departmet, the State Department, and the Arms Control and Disarmament Agency.

8. Systematic attention should be given to maintaining a rough plateau and parity of arms. In the context of weapons like ABM's and Multiple Individually-Targeted Re-entry Vehicles it will be very difficult to reach and maintain an arms plateau such as that of today. Also, in view of the present unstable leadership of the U.S.S.R., the U.S. should not initiate new strategic programs which might precipitate a panicky build-up or counter-reaction such as our own in the late 1950's "missile gap" era.

9. In the area of mutual arms discussion, the issue should be depoliticized as much as possible, given the self-generating and feedback characteristics of the arms race.

Arms control measures and defense policies should be evaluated in politically neutral terms. In other words, it may be useful for the U.S. to compartmentalize its arms relation and deterrent behavior vis-a-vis the U.S.S.R. just as the Soviet Union does with the world at large; for example, permanent low level arms talks should be insulated as much as possible from the intractable issues, the inflexible declaratory policies and the crisis encounters in other areas of the world: the Middle East, Vietnam, Czechoslovakia, etc.

10. The U.S. and U.S.S.R. should come to a tacit agreement on their subsidizing or back-up roles in the Middle East. The U.S. should also discourage other powers, especially France and Great Britain, from subsidizing arms races in South America, the Middle East, and Africa (especially Nigeria/Biafra and South Africa).

11. Most importantly, the U.S. should institute policy studies concerning the stabilization of the international order and for resolving the legacy of World War II: the Cold War and its accompanying arms race. For example, former Under-Secretary of State George Ball, has suggested a 3½ super-power arrangement of the U.S., U.S.S.R., a united Western Europe and Japan. In the more immediate area of arms deployments, former Assistant Secretary for Defense, Roswell Gilpatrick, has suggested balanced reductions in offensive forces which would be guaranteed by complementary ABM deployments. This could be an interim, or even possibly a long-range, means of stabilization. The U.S. should retain parity, and should drastically slow down the tempo and dynamics of arms race reactions, so that it does not indiscriminately eliminate "options" or strategic settlements. MIRV deployments, for example, by just one side would effectively torpedo Gilpatricks' scheme.

The recognition of the fact that arms control is consonant with the long range goal of disarmament is extremely important. General and complete disarmament should be the long-range goal of U.S. defense policy. It is important, additionally, for decision makers to realize that arms control negotiations and agreements are eminently practical in themselves and that those must and will form the eventual basis of structures and trust for disarmament. Thus, U.S. policy must, if it is to be effective, consider the long range goal of disarmament as precisely that and not as a short-term panacea.

CZECHOSLOVAKIA, EASTERN EUROPE, AND THE UNITED STATES

Preface

We recognize the considerable influence which the U.S. and the U.S.S.R. have consistently exercised upon their respective neighbors. Although we recognize that these forces do, in fact, exist, we nevertheless support in principle the sovereignty of nation-states with particular reference to their territorial integrity. Furthermore, we assert that a nation-state has the right to determine the direction and scope of her economy.

In light of these beliefs, we condemn the unwarranted and illegitimate exercise of force by the U.S.S.R. upon Czechoslovakia.

In order to facilitate this examination we have divided our statement into the following areas: Political, Economic, Military, and Socio-Cultural.

Political

We recognize that the U.S. and U.S.S.R., the major world powers, consider implicitly that certain areas do constitute their spheres of influence. While we do not necessarily accept the morality of such political concept, we recognize that the U.S.S.R. does consider the Warsaw Pact countries as constituting part of her sphere of influence. Any overt U.S. political influence in this area, i.e. Eastern Europe, would greatly increase world tension.

Yugoslavia and Austria being members of neither defense alliance (NATO or Warsaw Pact) shall be treated autonomously.

We wish to make clear that we do not consider economic ties to a nation-state as an attempt to establish a sphere of influence. Economic ties between the U.S. and the Eastern bloc nations would not be impinging upon what the U.S.S.R. considers to be its sphere of influence.

There exists a feeling of discontent among the Warsaw Pact countries which has in part arisen out of the exposure to the Western world and out of the Sino-Soviet split. Cognizant of the realities of thermo-nuclear warfare and the U.S.S.R.'s estimation of her interests in the area, the U.S. shall not encourage such dissent.

Economic

Non-military foreign aid should be made available to Yugoslavia, Austria, and the Warsaw Pact countries.

In addition, reciprocal trade agreements should be encouraged with Eastern European countries. To facilitate such agreements, we believe that an international monetary unit system should be developed.

The U.S. should neither directly encourage nor discourage business investment in Eastern European countries, nor should we encourage or discourage Eastern European investment in the U.S. The economic interests of the U.S.'s firms in a country are under control of that country. All agreements should be made between the individual business firms and the specific countries which are involved.

Military

We recognize that it is presently necessary to continue the defensive military status of NATO. At the same time, we urge that our Western European allies assume a greater role in the present NATO commitment. However, we further recognize the dangers in our continued dependence upon such multilateral commitments as NATO and the Warsaw Pact given the political tensions in our world today. These tensions are reflected in the recurring confrontations in Eastern Europe, specifically in the problems of the reunification of Germany, the neutrality of Yugoslavia and Austria, and other situations which could very easily bring us to the brink of World War III if the resolution of these problems were to be attempted unilaterally or multilaterally.

Therefore, we would commit the United States to the furtherance of a permanent United Nations Peace-Keeping Force and the strengthening of the International Court of Justice. As the first act of faith in this measure, we call upon our Congress for the immediate repeal of the Connally Amendment.

We support the right of NATO to intervene against outside aggression at the request of the legitimate governments of Austria, Switzerland, and Yugoslavia, until such time that the protection of these and other countries could be guaranteed by the establishment of permanent international bodies such as the United Nations Peace-Keeping Force and a strong World Court. At that time, we would withdraw our commitment to all unilateral and multilateral military treaties.

Because of the acute danger of nuclear war, which would arise from U.S. intervention, the U.S. should not intervene in the affairs of the Warsaw Pact countries under any foreseeable circumstances.

We assert our right to the use and access of the Black Sea, which was accorded to us under the 1936 Montreux Conference.

Sociocultural

In making the following suggestions, we strongly urge that the specific academic institutions involved be responsible for the structuring necessary to implementation.

We encourage student exchange programs, including the establishment of extension campuses and the transference of academic credits.

We encourage unlimited travel between countries.

We urge the restoration and expansion of Fulbright and similar scholarship programs.

We encourage the expansion of participation by the United Nations specialized agencies in cultural, professional, and scholarly exchanges. We further urge the formulation of bi-lateral exchanges which would foster greater understanding and cooperation among nations.

INTERNATIONAL HUMAN RIGHTS CONVENTIONS AND THE UNITED STATES

"The United States has failed to make the kind of showing Mr. Johnson hoped for when he proclaimed 1968 'Human Rights Year' in keeping with the UN designation of it as International Year for Human Rights. President Nixon could take few actions early in his administration that would so boost this country's international stature and that of the UN as would the completion of this unfinished business on human rights." (New York *Times*, December 15, 1968.)

The National Student Symposium on U.S. Foreign Policy advances the following proposals in the hope that the new Administration and the people of this country will recognize, in action as well as in words, the fundamental importance of establishing and preserving basic "human rights" for all.

We recommend ratification of the Universal Declaration of Human Rights and the official implementation of the principles embodied in the Declaration on the national and international level through the substantive policy measures subsequently proposed in this report.

Adoption and implementation of the International Covenants on Human Rights

The Internatitonal Covenant on Economic, Social, and Cultural Rights, the International Covenant on Civil and Political Rights, and the Optional Protocol to the Covenant on Civil and Political Rights should all be adopted and implemented in our nation.

The main reason that these conventions have not been adopted is grounded in the belief of major policy makers in this country that national sovereignty would be imperiled by the adoption of these conventions. In 1968, Mr. Roy Wilkins, U.S. delegate to the International Human Rights Conference stated, "I submit that under the United Nations Charter, no nation is entitled to wrong its own citizens. Either the charter provisions dealing with human rights have meaning or they are a cruel fraud. If these provisions are meaningful, they must carry their thrust into the boundaries of member states. Human rights violations occur in the territorties of states."

We urge the passing and the adoption of the principles of the Covenant on Economic, Social, and Cultural Rights. That is: It is the right of all people to determine their political status and pursue their economic, social and cultural development. This also includes the right of peoples to freely dispose of their natural wealth and resources.

We recommend that the United States government adopt and implement the International Covenant on Civil and Political Rights and the Optional Protocol to that Covenant through the following measures:

1. We propose an end to conscription for military service. A person has the right and the obligation to decide, on the basis of his own individual convictions, whether or not to kill.

2. Recognizing that the Covenant specifically abolishes involuntary servitude, and believing that conscription by the government for any purpose is in violation of the Covenant as well as our own Constitution, we urge the abolition of all such activity, for example, Selective Service.

3. Realizing that domestic policy is a basis of international policy formulation, we recommend that the United States establish direct and popular election of the President and the Vice President.

4. We believe that the right to representative government is a basic human right. Therefore, we further urge that the convention system of nominating the President and Vice President be abolished and replaced with some form of direct national primary.

5. The Constitution of the United States should be amended to enfranchise all citizens at the age of eighteen (18).

6. We recommend the abolition of capital punishment in the United States.

Human rights convention

"United States action on United Nations Conventions to implement or flush out the noble principles written into the Universal Declaration has been negligible. . . . The United States has adhered to only two of the more than twenty major human rights conventions adopted by the UN and its agencies. . . . Six conventions still await Senate action. . . . 'We have failed ourselves,' Chief Justice Warren said recently, in reference to this meager record. 'We as a nation should have been the first to ratify the Genocide Convention and the Race Discrimination Convention.' Instead, the United States may be nearly last to ratify the genocide ban, which President Truman sent to the Senate almost twenty years ago, and which has now been adhered to by eighty nations." (New York *Times,* December 15, 1968.)

We propose that the new Administration consider at the earliest possible date the Human Rights Conventions this country has yet to ratify. We endorse these conventions and recommend their ratification and implementation.

Of the specific conventions covered under the International Covenants on Human Rights, first and foremost we urge immediate ratification of the Convention on the Prevention and Punishment of the Crime of Genocide which involves the committing of certain acts "with intent to destroy a national, ethnic, racial, or religious group". Genocide is characterized as a crime under international law, whether committed in time of peace or of war.

We specifically urge that the conflict between Biafra and Nigeria be recognized as involving genocide, and that we morally commit ourselves to ending the starvation and suffering in Biafra according to the terms of the Convention. We recognize that the United States has donated $17 million to the American International Red Cross, but as of now, little or none of the food or medical supplies which were purchased with this money has reached Biafra. Biafran representatives charge that the International Red Cross has exhibited partisanship in the handling of these funds. We propose that the United States government immediately request the International Red Cross to account for the expenditure of these funds. If it is found that effective aid to Biafra is not issuing from the International Red Cross, our commitment to this organization should be reassessed, and we should seek more effective avenues for aiding the people of Biafra.

We firmly endorse the United Nations Declaration on the Elimination of All Forms of Racial Discrimination. In addition, we appeal to the new Administration to make the United States a signatory to this Declaration and a world leader in its implementation.

The primary way in which the United States can become a leader in ending racial discrimination in the world is to remedy already-existing situations within its own boundaries. In order to accomplish this, we recommend that:

1. Present laws prohibiting racial discrimination be enforced on all levels, including prosecution by the office of the Attorney-General of the cases of the victims of discrimination;

2. Present programs such as Head Start, Job Corps, Vista, the Teacher Corps, Upward Bound, and the Office of Economic Opportunity, be not only continued but also expanded in scope and funds, to provide minority groups with a strong economic base;

3. The members of minority groups receive the kind of education necessary for them to assume an equal role in the economic, social and cultural world in which they find themselves, and that the bulk of the population be provided with the education which will help them to understand the history, the culture, and the particular problems of these minority groups.

On the international level, the United States can take the lead in the movement to end racial discrimination in two ways:

1. By giving material and technical aid to those developing nations which have suffered from the effects of racial discrimination since colonial days. Perhaps one of the most concrete ways of aiding these nations is by granting them tariff concessions. As contributing members of the community of nations, they will gain the respect necessary to end racial discrimination.

2. By instituting suitable sanctions against South Africa, Rhodesia, and Portugal to make them realize that continued discriminatory practices against Black majorities in Africa will not be tolerated. The United States should end the South African sugar quota and stop buying sugar from South Africa; by providing a sugar quota to South Africa, the United States is subsidizing apartheid. Further, the United States should cease supplying arms of any kind suitable for putting down native revolts in Portuguese territories in Africa.

On the elimination of discrimination against women

We endorse the United Nations effort to obtain equal rights for women. This endorsement includes specific support for the Convention on the Political Rights of Women of 1952, the Convention on the Nationality of Married Women of 1957, and the convention passed in 1962, which declared that all legal marriages must be with the consent of both parties. We recognize that these conventions may violate the customs of some cultures. However, we endorse them as a standard of achievement for all nations in the belief that these rights are inherent for every human being. Women should have equal rights with men in the custody of their children, to marriage only by consent, and to divorce.

The conventions would have only internal obligations, most of which have already been fulfilled in our nation. We applaud, for instance, the Supreme Court decision of 1967, which declared that American citizens could only lose their citizenship by renouncing it. This decision is in accord with the Conventions on the nationality of married women, under which no woman would lose her citizenship automatically upon marrying a foreigner. The United States already subscribes in principle to these conventions and should formally ratify them.

Conclusion

We feel that Human Rights in general, and specifically those enumerated in this report cannot be fully guaranteed either at home or abroad in a world wrought with tension and conflict. In the interest of full implementation of Human Rights the United States must, as must all nations, devote its energies to the development of policies which will lead to the reduction of this tension.

We thus strongly urge the creation of a cabinet level Department of Peace, "The function and purpose of [which] shall be to promote the cause and advancement of peace both in this Nation and throughout the world"—H.R. 20250; 90th Congress, 2nd Session.

FORMULATION OF UNITED STATES FOREIGN POLICY

Fundamental changes are necessary in the making of United States foreign policy. The various roles of contributing institutions must be re-defined. New procedures and new guidelines are of crucial importance. Modern foreign policy objectives and the need for greater international cooperation require better methods in formulating policy. The effects of poor policy formulation are obvious: often disastrous use of the military on occasion after occasion (Dominican Republic, Gulf of Tonkin), a conditioning of the American people to "crisis politics", and a gross preoccupation with short-run considerations.

The national security bureaucracy (the President, his closest advisors, and their related agencies) has too often made policy inside a "closed society". Representative dissent, the give-and-take of debate, the process of conflict and consensus, the presentation of viable alternatives—all this has been lacking, not only in national emergencies requiring quick decisions, but also in the formulation of general policy. The result has been a series of foreign policy disasters, with Vietnam the prime example. Because the key decisions were made by a few policy makers, the groundswell of domestic opposition to the war was unexpected by the Administration. Because the bureaucracies involved misread the realities of Southeast Asia (whether willfully or not), the reliance on military measures proved to be a failure. Increased participation by other agencies and institutions such as the U.N. and the Fulbright Committee in policy formulation along with great dispersal of information through public debate would be one general improvement.

The following are several observations and recommendations, both general and specific:

1. The President will, by necessity, exercise the initiative in making policy. He has, and must retain, the capacity to meet an emergency instantaneously. However, the Chief Executive and his inner circle have shown an unfortunate tendency to utilize post-World War II tensions in monopolizing the entire formulation process.

2. The Congress, particularly the Senate, has often neglected its Constitutional duty in the foreign policy field. The role of Congress in contributing to formulation and in restraining advantages is not a right; by the Constitution it is a duty.

The Fulbright-Mansfield resolution, expressing the opinion that Senatorial approval is necessary for massive troop commitments abroad, should be passed.

The Selective Service System should be abolished immediately. As an alternative, a viable volunteer armed forces would be substituted. At the same time, we would pledge our country's full support for the future establishment of a permanent United Nations Peace-Keeping Force. Without the Selective Service System, the President would have to approach Congress for its approval of our participation in any situation which would require the mass call-up of troops and/or the declaration of war; thereby re-establishing the system of checks and balances.

The Congress can, and should, advise and consent to specific policy involvements, especially para-military adventures which easily escalate into military commitments. The voting or denying of appropriations for a specific policy, which can be used as a check on the Executive, is not a new recommendation; it was made the law of the land in 1789.

The education of public opinion (and even the Executive) through Foreign Affairs Committee hearings should be heavily encouraged and expanded. This would be in conjunction with long-term policy formulation. (The Fulbright hearings on our China policy are an excellent example.)

3. The military's role in foreign policy, the standard government text would say, is to implement a specific objective. But in reality, the militarization of our policy is no

slogan, especally on the formulation level. The "military-industrial" complex is not an idle cliche. When a major percentage of the public resources of our society is devoted to the accumulation of devastating weapons, of war, and when faulty policy formulation allows the random dispersal and use of these weapons, the spirit of democracy suffers. Greater considerations in policy making councils must be given to political, economic, and moral concerns and their appropriate representatives, whether it be the Arms Control and Disarmament Agency or the Council of Economic Advisors. The role of the military in making policy has been too powerful. It must be curtailed and de-emphasized.

4. The inclusion of more contributing institutions in the formulation of our foreign policy would be useless unless these institutions are provided with essential information. Lack of good information has been one problem in the policy making process—the screening and management of information (as seen in the incredible history of official Vietnam statistics) is a larger problem. This is a matter of crucial significance: the Congress, with better resources of information, can contribute directly to the formulation of policy. The CIA should be under the control of the President, State Department, and Congressional watch-dog committees, with the latter having greater power over the supervision of the CIA.

5. Interest groups and organized public opinion, contrary to popular cynicism, have a role in the formulation process, and this role should be expanded. Specific interest groups can better contribute to formulation if they isolate one particular goal, such as a proposed Department of Peace. Various "Save Biafra" groups have at least succeeded in involving the U.S. in some direct efforts in providing food and medicine. The effect of Vietnam peace groups had more than a minimal impact upon the policy making process. The effectiveness of massed demonstrations, however, is dubious. Only when a non-violent confrontation can demonstrate dramatically and clearly the bankruptcy of a particular institution is there a good chance of real change.

Finally, to re-state part of the introduction: new foreign policy objectives will do no good without major changes in the actual formulation of these objectives. Likewise, policy formulation would not be complete without appropriate guidelines. It must be recognized that the United States has sustained major failures in world affairs through its attempts to extend military and political influence into developing countries. These efforts have proved to be costly and often wasteful in human and financial resources and have dominated the scope of our foreign policy. We recommend that the U.S. refrain from becoming involved in the internal disputes of other nations. Often the revolutions in developing countries are healthy political attempts to throw off the shackles of repressive regimes. In the past, the U.S. has lent support to these repressive governments at the expense of the popular feeling in the country.

Basic policies should recognize the social and economic inequalities in many of these nations and take massive efforts toward correcting world hunger and poverty without regard for the political gain to the U.S. and with more regard for the UN and other international agencies. This is a plea for realistic idealism: better formulation of policy can give a more accurate reflection of reality—and reality can only be changed through carefully formulated policies.

STUDENT ROLE IN U.S. FOREIGN POLICY

Foreign policy is the concern of all Americans. In this time, as in all others, it is imperative that we as students, and as the largest, single, unified, educated non-voting bloc of American Society, take an active and responsible voice and vote in decisions which vitally affect our lives.

We as American students feel we are the recipients of an unjust structure in our society. We resent being told that we are more educated than 95% of all the world's peoples, and 70% of all the people in America, but not mature or responsible enough to vote in American elections until we reach the age of twenty-one. We resent knowing that we are attending Universities which claim to question accepted patterns of thought and attitudes, but which fail to provide any unified means for suggestions to the legislative and executive branches of our government. Further, as American students we resent and denounce the educational system which places more of a value on receiving high grades than on critical thought and learning.

As American students we are told that we will inherit the world our elders pass on to us; that we are the future leaders of the country and of the world. From pre-school to the very end of college, we are constantly reminded that great deeds and great men will evolve from our unrealistic idealism, and that our idealism, if not destroyed, will be the guiding light for the future of our nation.

In the midst of all those possibilities which are said to exist is the situation which we as students see. We see a great deal of student alienation and frustration against both our University administrations and our government, as evidenced by the nationwide student revolts across college campuses and by the demonstrations at the Democratic National Convention, and the anti-Vietnam Demonstrations. We see that this alienation and frustration is so great in places that many students feel they will be listened to only by boycotting, striking, demonstrating, and by rioting. Many students feel that the "establishment" is so immune to change that the only way the student voice will be heard and listened to is by threatening the present power structure in existence. The overwhelming majority of these students are not anti-American or Communists, but rather frustrated and angry at the system that they feel has not allowed them the opportunity to be listened to and considered when the decisions are being made.

We would therefore recommend those solutions which we feel would provide greater involvement in the decision-making processes of our government.

1. We believe that the Senate Foreign Relations Committee is an important facet in the formulation of American foreign policy. We therefore propose that a position of student liaison to the Seante Foreign Relations Committee should be established as a basis for representation of U.S. student opinion. This liaison committee should be set up by an advisory committee to the legislative and executive channels of our government and be composed partly of students and partly of members of Congress. It is suggested that the Student Liaison Committee should be aided by regional advisory committees throughout different areas of the country.

2. We recommend the establishment of a President's Youth Council, as proposed by President Nixon. If feasible, elections or other means should be employed to ensure that the President's Youth Council is representative of student opinion on foreign policy and of legitimate student organizations. We further urge that a great deal of importance be placed on the recommendations proposed by that council.

3. A strong nationwide effort should be made to lower the voting age to eighteen (18).

4. More funds and appropriations should be made available for student intern positions in Congress, to create a greater degree of student interest in Congressional politics.

5. A greater degree of Congressional and Executive interest should be taken in student opinion of U.S. foreign policy. An increased interest in student opinion is vital as long as the voting age remains the same, because most students in America cannot vote, and therefore cannot officially be represented in any other way.

APPENDIX A

COOPERATING ORGANIZATIONS

Campus Americans for Democratic Action.

College Young Democratic Clubs of America.

College Young Republicans.

National Association for the Advancement of Colored People Youth and College Division.

Student Forum on International Order and World Peace.

Student National Education Association.

Student World Federalists.

United States National Student Association.

United States Student Press Association—Collegiate Press Service.

Young Men's Christian Association, National Student Caucus.

Young Women's Christian Association, National Student Division.

Host: Georgetown University International Relations Club.

APPENDIX B

Participation in the Symposium was not limited to members of the cooperating student organizations, but also included members of the following youth and students groups. This list is included solely to indicate the cross-section of student representation at the Symposium. As indicated in the preface, all recommendations in this report are those of the Symposium participants, and not of the organizations of which they are members.

American Association of International Law.
American Civil Liberties Union.
Christian Resistance Movement.
Congress on Racial Equality.
Keep Biafra Alive.
National Council on Urban Awareness.
New Democratic Coalition.
Student American Medical Association.
Students for a Democratic Society.
Students Opposing White Racism.
World University Service.
World Youth Crusade for Freedom.
Young Americans for Freedom.
Youth for the Extension of Suffrage.

APPENDIX C

STATES REPRESENTED AT THE SYMPOSIUM

Alabama, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Virginia, and Wisconsin.

INCREASED FUNDS FOR TITLE I, ESEA—EDUCATIONALLY DISADVANTAGED CHILDREN

Mr. HART. Mr. President, our national commitment to quality education for all children is discussed with clarity and deep understanding in a recent report to the Congress dealing specifically with the landmark legislation of 1965, the Elementary and Secondary Education Act.

The National Advisory Council for Disadvantaged Children in its annual report to the Congress states that "it is distressed at what appears to be a weakening Federal commitment to the education of disadvantaged children." As evidence it points to "the cutback of $68 million in title I, ESEA, from $1.191 billion last school year to $1.123 billion this school year. The report further states that "this cutback combined with the continuing increase in the cost of education, results in an estimated $400 million less for disadvantaged pupils in local schools this year than was available in the first year of the program." The council also "recommends that the executive and legislative branches move as quickly as possible to close the gap between the title I appropriation and its authorization of $2.7 billion." The formula for title I permits and promises a Federal payment of $300 for each child counted among the poor in the States and we are now providing only $170 in actual appropriations from the Federal Government.

I agree with the Council's report that we have not fulfilled our commitment to the disadvantaged children of America. Not only has the title I formula not been funded fully, but also, unjust inequities between suburban and urban school expenditures still exist. This is illustrated by the $449 average per pupil expenditure in city schools as compared with the $573 average per pupil expenditure in suburban schools—Alvin K. Campbell, "Inequities of School Finance," Saturday Review of Literature, January 11, 1969. Former Secretary of Health, Education, and Welfare, the Honorable Wilbur Cohen in his testimony before the House Committee on Education and Labor on January 15, 1969, made two recommendations that would reaffirm our commitment to education of the disadvantaged and seek to remedy the inequities of traditional patterns of resource allocation. He suggested that the Congress add $270 million to the title I budget request of President Johnson for fiscal 1970 and that the allocation formula be examined to see if there is some way of bringing the concept of a national per pupil expenditure minimum into programs for the disadvantaged. We should move immediately to study the feasibility of these two worthy recommendations.

Another problem which the NAC report points out is the damage done to the quality of title I programs by the continued uncertainty of local school administrators about the level of funds available for title I programs. Because of funding uncertainties lower grade staff have been assigned to title I projects—administrators have declared they would not assign their best teachers to "a program that may go bust anytime"—single-purpose programs not integrated with the regular school curriculum have been planned, and a minimum of basic changes in the total school curriculum for disadvantaged children have been stimulated. Both the NAC report and Secretary Cohen in his testimony have recommended that we consider extended legislative authority for title I, so that educators can plan the unremitting, comprehensive effort it will take to successfully attack poverty through improving the education of poor children. I also strongly urge that we explore this recommendation for strengthening title I.

LITHUANIAN INDEPENDENCE DAY

Mr. JAVITS. Mr. President, on February 16 the Lithuanian community in the United States commemorated the 51st anniversary of Lithuanian Independence Day. For more than a half century Lithuanians continued their courageous struggle for independence. Although held in Soviet Communist tyranny for so many years, the Lithuanian people have still retained a strong sense of nationhood and yearn to regain their lost liberty. The history of their struggle in this century shows a people dedicated to freedom and self-determination in the face of overwhelming odds.

After years of subjugation by Russia, and occupation by Germany during the First World War, the Lithuanian people declared the "establishment of an independent Lithuania" on February 16, 1918. Yet by the end of that same year, the Soviet Union had invaded the country. Lithuania fought back and, though stripped of part of its territory, succeeded in gaining recognition from the Soviet Union as a sovereign state in 1920.

But the hard-won independence of the Lithuanian people was short lived. In 1940, Soviet troops occupied the country and annexed it to the Soviet Union. When the war broke out between Germany and the Soviet Union the following year, Lithuania fell under German administration until, as the Nazi occupation collapsed in 1944, Lithuania was again crushed by the Soviet Army.

For 7 years, Mr. President, the Lithuanian people struggled to liberate their land. During that struggle, 30,000 Lithuanians died for the cause of self-determination, and hundreds of thousands were deported to the Soviet Union, where they died wholesale in forced labor camps.

But the Lithuanian people continue to yearn for freedom and the establishment of an independent Lithuanian state. As consistent supporters of the principle of self-determination, Americans acknowledge the commemoration of the 51st anniversary of the declaration of Lithuanian independence, to demonstrate our sincere hope that liberty, so long repressed in Lithuania, will rise to fulfillment again.

CONCLUSION OF MORNING BUSINESS

The **VICE PRESIDENT.** Is there further morning business? If not, morning business is closed.

THE CALENDAR

Mr. MANSFIELD. Mr. President, it is the intention of the leadership to turn to items on the calendar beginning with Order No. 11, including a number of immigration bills, as well as appropriations approved by the Committee on Rules and Administration for various committees and subcommittees.

Mr. President, I ask unanimous consent that the Senate now turn to the calendar, beginning with Order No. 11, and that the calendar be considered in sequence.

The **VICE PRESIDENT.** Without objection, it is so ordered.

DR. JORGE P. GARCIA

The bill (S. 129) for the relief of Dr. Jorge P. Garcia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 129

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jorge P. Garcia shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 18, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–9), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Jorge P. Garcia as of June 18, 1962, thus enabling him to file a petition for naturalization.

DR. CARLOS M. PEREZ-ABREU

The bill (S. 130) for the relief of Dr. Carlos M. Perez-Abreu was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 130

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Carlos M. Perez-Abreu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 13, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–10), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Carlos M. Perez-Abreu as of March 13, 1961, thus enabling him to file a petition for naturalization.

DR. JOSE RAMON FERNANDEZ-GONZALEZ

The bill (S. 132) for the relief of Dr. José Ramón Fernández-González was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 132

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor José Ramón Fernández-González shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 1, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–11), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. José Ramón Fernández-González as of July 1, 1961, thus enabling him to file a petition for naturalization.

DR. MIGUEL A. GOMEZ

The bill (S. 147) for the relief of Dr. Miguel A. Gomez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 147

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Miguel A. Gomez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 1, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–12), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JUAN ALFREDO MILERA

The bill (S. 148) for the relief of Dr. Juan Alfredo Milera was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 148

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Juan Alfredo Milera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 22, 1956, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–13), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. FERMIN FERRO

The bill (S. 151) for the relief of Dr. Fermin Ferro was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Fermin Ferro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 3, 1963.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–14), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Fermin Ferro as of July 3, 1963, thus enabling him to file a petition for naturalization.

DR. CARLOS JESUS AGUILAR LIMA

The bill (S. 153) for the relief of Dr. Carlos Jesus Aguilar Lima was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 153

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Carlos Jesus Aguilar Lima shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 14, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–15), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Doctor Carlos Jesus Aguilar Lima as of July 14, 1962, thus enabling him to file a petition for naturalization.

DR. JOAQUIN FRANCISCO PALMEROLA CABRERA

The bill (S. 154) for the relief of Dr. Joaquin Francisco Palmerola Cabrera was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 154

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Joaquin Francisco Palmerola Cabrera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 6, 1963.

DR. JOSE RAMON PORTELA Y MARGOLLES

The bill (S. 155) for the relief of Dr. Jose Ramon Portela y Margolles was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 155

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the periods of time Doctor Jose Ramon Portela y Margolles has resided in the United States and any State since December 30, 1942, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

DR. AURELIO JULIAN ANDRES JIMENEZ CORTINA

The bill (S. 156) for the relief of Dr. Aurelio Julian Andres Jimenez Cortina was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 156

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Aurelio Julian Andres Jimenez Cortina shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–18), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Aurelio Julian Andres Jimenez Cortina as of October 30, 1960, thus enabling him to file a petition for naturalization.

DR. MARTINIANO L. ORTA

The bill (S. 157) for the relief of Dr. Martiniano L. Orta was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 157

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Martiniano L. Orta shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 25, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–19), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Martiniano L. Orta as of March 25, 1961, thus enabling him to file a petition for naturalization.

DR. CESAR BARO ESTEVA

The bill (S. 572) for the relief of Dr. Cesar Baro Esteva was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 572

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Cesar Baro Esteva shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 9, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–20), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. METE V. ALTUG

The bill (S. 113) for the relief of Dr. Mete V. Altug was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 113

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Mete V. Altug shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 29, 1957.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–21), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Mete V. Altug as of November 29, 1957, thus enabling him to file a petition for naturalization.

DR. JOSE CARLOS SUAREZ-DIAZ

The bill (S. 127) for the relief of Dr. Jose Carlos Suarez-Diaz was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 127

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jose Carlos Suarez-Diaz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 26, 1957.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–22), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Jose Carlos Suarez-Diaz as of June 26, 1957, thus enabling him to file a petition for naturalization.

DR. MIGUEL ANGEL GARCIA PLASENCIA

The bill (S. 149) for the relief of Dr. Miguel Angel Garcia Plasencia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 149

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Miguel Angel Garcia Plasencia shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 4, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–23), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Miguel Angel Garcia Plasencia as of August 4, 1961, thus enabling him to file a petition for naturalization.

SOON-HIE CHO YOUNG

The bill (S. 76) for the relief of Soon-Hie Cho Young was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 76

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Soon-Hie Cho Young shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 22, 1967, upon payment of the required visa fee and the periods of time the said Soon-Hie Cho Young has resided in the United States and any State since such date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–24), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to proceed to naturalization.

DR. JAGIR SINGH RANDHAWA

The bill (S. 85) for the relief of Dr. Jagir Singh Randhawa was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 85

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jagir S. Randhawa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 4, 1957.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–25), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Jagir Singh Randhawa as of September 4, 1957, thus enabling him to file a petition for naturalization.

PETER RUDOLF GROSS

The bill (S. 378) for the relief of Peter Rudolf Gross was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 378

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the periods of time Peter Rudolf Gross has resided in the United States and any State since his lawful admission for permanent residence on April 15, 1961, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act. In this case the petition for naturalization may be filed with any court having naturalization jurisdiction.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–26), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

GYORGY SEBOK

The bill (S. 490) for the relief of Gyorgy Sebok was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 490

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Gyorgy Sebok shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 1, 1962.

Sec. 2. The time Gyorgy Sebok has resided and has been physically present in the United States since October 1, 1962, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act, as amended.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–27), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JOSE R. GUERRA

The bill (S. 573) for the relief of Dr. Jose R. Guerra was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 573

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jose R. Guerra shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 29, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–28), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Jose R. Guerra as of August 29, 1961, thus enabling him to file a petition for naturalization.

DOMINGO LAMADRIZ

The bill (S. 584) for the relief of Domingo Lamadriz was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 584

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Domingo Lamadriz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 23, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–29), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Domingo Lamadriz as of January 23, 1962, thus enabling him to file a petition for naturalization.

NGUYEN VAN HUE

The bill (S. 586) for the relief of Nguyen Van Hue was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 586

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Nguyen Van Hue may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Master Sergeant Norman Leon Snyder, RO 43011064, United States Army, and Muriel Guest Snyder, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the natural brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–30), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the adjustment of status as an immediate relative of the alien child to be adopted by citizens of the United States.

DR. EDUARDO FERNANDEZ-DOMINGUEZ

The Senate proceeded to consider the bill (S. 131) for the relief of Dr. Eduardo Fernandez-Dominguez, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That the period of time Doctor Eduardo Fernandez-Dominguez has resided in the United States and any State since September 24, 1928, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–31), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable Dr. Eduardo Fernandez-Dominguez to file a petition for naturalization. The amendment is technical and makes no substantive changes.

DR. KENNETH SIU

The Senate proceeded to consider the bill (S. 112) for the relief of Dr. Kenneth Siu which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the date "1953" insert "and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Kenneth Siu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 29, 1953, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–32), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Dr. Kenneth Siu as of July 29, 1953, and to enable him to file a petition for naturalization based on his residence and physical presence in the United States since that date. The bill has been amended in accordance with established precedents.

BASIL ROWLAND DUNCAN

The Senate proceeded to consider the bill (S. 165) for the relief of Basil Rowland Duncan which had been reported from the Committee on the Judiciary with an amendment in line 6, after the word "of" strike out "August 9, 1962" and insert "February 13, 1962"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Basil Rowland Duncan, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 13, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–33), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Basil Rowland Duncan as of February 13, 1962, thus enabling him to file a petition for naturalization. The purpose of the amendment is to reflect the proper date upon which the beneficiary last entered the United States as a student.

CONFERRING U.S. CITIZENSHIP POSTHUMOUSLY UPON L. CPL. THEODORE DANIEL VAN STAVEREN

The bill (S. 256) to confer U.S. citizenship posthumously upon L. Cpl. Theodore Daniel Van Staveren was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lance Corporal Theodore Daniel Van Staveren, a native of the Netherlands, who served honorably in the United States Marine Corps from February 24, 1967, until his death on April 10, 1968, shall be held and considered to have been a citizen of the United States at the time of his death.

The title was amended, so as to read: "A bill to confer United States citizenship posthumously upon Lance Corporal Theodore Daniel Van Staveren."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-34), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to confer U.S. citizenship posthumously upon Lance Cpl. Theodore Daniel Van Staveren. The purpose of the amendment is to correct the spelling of the beneficiary's name as it appeared in the title of the bill.

MARIE-LOUISE (MARY LOUISE) PIERCE

The Senate proceeded to consider the bill (S. 495) for the relief of Marie-Louise (Mary Louise) Pierce which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "fee" insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Marie-Louise (Mary Louise) Pierce shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-35), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Marie-Louise (Mary Louise) Pierce. The bill provides for the payment of the required visa fee. The purpose of the amendment is to provide for the posting of a bond as a guarantee that the beneficiary will not become a public charge.

STELLA DRIBENSKY

The Senate proceeded to consider the bill (S. 510) for the relief of Stella Dribensky which had been reported from the Committee on the Judiciary, with an amendment, strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 212(a) (2) and (4) of the Immigration and Nationality Act, Stella Dribensky may be issued an immigrant visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act: *Provided*, That a suitable and proper bond or undertaking approved by the Attorney General be deposited as prescribed by section 213 of such Act: *And provided further*, That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

FRANCISCO RENIGIO FABRE SOLINO (FRANK R. S. FABRE)

The Senate proceeded to consider the bill (S. 678) for the relief of Francisco Renigio Fabre Solino (Frank R. S. Fabre) which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" strike out "April 13, 1960" and insert "November 5, 1960"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Francisco Renigio Fabre Solino (Frank R. S. Fabre) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-37), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended to reflect the date upon which he was last admitted as a visitor.

RENE E. MONTERO

The Senate proceeded to consider the bill (S. 682) for the relief of Rene E. Montero which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" strike out "the date of February 13, 1962, upon payment of the required visa. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available."; and insert "February 9, 1962"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Rene E. Montero shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 9, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-38), explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents and to reflect the proper date upon which he was paroled into the United States as a refugee.

DR. JUAN ANTONIO LOPEZ

The Senate proceeded to consider the bill (S. 686) for the relief of Dr. Juan Antonio Lopez which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" where it appears the first time, strike out: the date of his entry into the United States, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available", and insert "January 2, 1962"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Juan Antonio Lopez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 2, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-39), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents and to reflect the proper date upon which he was paroled into the United States as a refugee.

DR. BENITO V. ODULIO AND DR. BRUNHILDA G. ODULIO

The Senate proceeded to consider the bill (S. 109) for the relief of Dr. Benito V. Odulio and his wife, Dr. Brunhilda G. Odulio which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Doctor Benito V. Odulio shall be held and considered to have a priority date of February 16, 1967, for the purpose of filing a petition pursuant to section 203(a)(3) of that Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Doctor Benito V. Odulio."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-40), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to preserve the beneficiary's sixth preference petition filing date of February 16, 1967, when he files a petition pursuant to section 203(a)(3) of the Immigration and Nationality Act. The bill has been amended to facilitate the beneficiary's adjustment of status. A further amendment deletes the name of the beneficiary's wife, since she will be entitled to the same preference as her husband in the adjustment of her status.

LILLIANA GRASSESCHI BARONI

The Senate proceeded to consider the bill (S. 319) for the relief of Lilliana Grasseschi Baroni which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the word "Act," strike out "Lilliana Grasseschi Baroni" and insert "Liliana Grasseschi Baroni", and in line 10, after the word "proper" strike out "quota control officer to deduct one number from the appropriate quota for the first year such quota is available." and insert "officer to reduce by one number, during the current fiscal year or the fiscal year next following, the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Liliana Grasseschi Baroni shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to reduce by one number, during the current fiscal year or the fiscal year next following, the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Liliana Grasseschi Baroni."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-41), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Liliana Grasseschi Baroni. The bill provides for the payment of the required visa fee and for an appropriate visa number deduction. The bill has been amended to correct the spelling of the beneficiary's first name. A further amendment is conforming in future.

YUKA FUKUNAGA

The Senate proceeded to consider the bill (S. 458) for the relief of Yuka Fukunaga which had been reported from the Committee on the Judiciary, with amendments on page 1, in line 4, after the word "amended," strike out "Yuka Fukunaga" and insert "Yuka Awamura" and in line 8, after the word "Act" insert a colon and "Provided That no brothers or sisters of the beneficiary shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act." so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, as amended, Yuka Awamura may be classified as a child within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in her behalf by Mrs. Edith Fukunaga, a citizen of the United States, pursuant to section 204 of the Act: *Provided,* That no brothers or sisters of the beneficiary shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Yuka Awamura."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-42), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the alien child to be adopted by a citizen of the United States. The bill has been amended in accordance with established precedents and to correct the name of the beneficiary.

INVESTIGATION OF AERONAUTICAL AND SPACE ACTIVITIES OF FEDERAL DEPARTMENTS AND AGENCIES

The Senate proceeded to consider the resolution (S. Res. 59) to provide funds for the Committee on Aeronautical and Space Sciences.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. SPARKMAN. Mr. President, I move that the Senate now stand in recess, subject to the call of the Chair.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). The question is on agreeing to the motion.

The motion was agreed to; and (at 12 o'clock and 42 minutes p.m.) the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 1 o'clock and 52 minutes p.m., when called to order by the Presiding Officer (Mr. Gravel in the chair).

INVESTIGATION OF AERONAUTICAL AND SPACE ACTIVITIES OF FEDERAL DEPARTMENTS AND AGENCIES

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The Assistant Legislative Clerk. A resolution (S. Res. 59) to provide funds for the Committee on Aeronautical and Space Sciences.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business (S. Res. 59) be laid aside temporarily and that the Senate turn to the consideration of Calendar No. 56, Senate Resolution 27.

The PRESIDING OFFICER. Is there objection? The Chair hearing none, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after Senate Resolution 27 is disposed of, the Senate return to the consideration of Calendar Order No. 45 (S. Res. 59), and that the remainder of the resolutions on the calendar be considered in sequence.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hearing none, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, under rule VIII, each Senator shall be entitled to speak once and for 5 minutes only on any question on a bill or resolution that arises. It has been held that a unanimous-consent request to reconsider a question during a call of the calendar came within the 5-minute limitation of debate.

During a call of the calendar, a Senator is entitled to speak for 5 minutes on any subject; debate is not required to be germane.

Mr. President, I ask unanimous consent that that stipulation be lifted so that any Senator can speak for as long as he desires.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTIONS PROVIDING FUNDS FOR VARIOUS SENATE COMMITTEES AND SUBCOMMITTEES

Mr. JORDAN of North Carolina. Mr. President, before I call up Senate Resolution 27, I should like to make an opening statement concerning the money resolutions which we are about to consider.

Mr. President, for the information of the Senate, 37 resolutions providing funds for various committees and subcommittees of the Senate to conduct inquiries and investigations during the coming year were referred to the Committee on Rules and Administration. That committee held 3 days of hearings at which representatives of the committees and subcommittees involved appeared in support of the funds requested by them. In addition, the Senate Rules Committee received written justifications and budgets on each proposal.

After careful appraisal of all of the material presented and review of the accomplishments of the Senate committees' investigations during the previous year, it was the decision of the Rules Committee to reduce the amounts involved in 21 of the 37 so-called money resolutions. In making these reductions, it was the Rules Committee's objective to provide adequate staff representation and at the same time exercise a measure of control over the Senate's overall expenditures.

The total amount requested by all committees of the Senate was $7,748,360. The total amount approved by the Senate Rules Committee is $6,944,700. This represents a reduction of $803,660.

It has always been the Rules Committee's position that should a particular committee or subcommittee during the course of the coming year demonstrate a genuine need for additional funds and request authority for additional expenditures, the Rules Committee would give such request prompt and understanding consideration.

I point out at this point that the representatives of a number of committees appeared before the Committee on Rules and Administration during the last session and the money requested was promptly provided for them.

As a matter of additional interest, Mr. President, there are certain subcommittees of the Senate whose request for funds exceed or approach the amounts asked by full standing committees of the Senate. The Committee on Aeronautical and Space Sciences, for example, has requested only $40,000; the Committee on Armed Services, $225,000; the Committee on Foreign Relations, $275,000—reduced to $260,000—and the Committee on Public Works, $240,000. The Committee on Agriculture requested no additional funds.

STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES

The Senate proceeded to consider the resolution (S. Res. 27) authorizing a study of the intergovernmental relationships between the United States and the States and municipalities which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 24, after the word "exceed", strike out "$175,211" and insert "$130,000"; so as to make the resolution read:

S. Res. 27

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by subsection 1(j) (2) (D) of rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of intergovernmental relationships between the United States and the States and municipalities, including an evaluation of studies, reports, and recommendations made thereon and submitted to the Congress by the Advisory Commission on Intergovernmental Relations pursuant to the provisions of Public Law 86–380, approved by the President on September 24, 1959, as amended by Public Law 89–733, approved by the President on November 2, 1966.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $130,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Mr. President, the intergovernmental relationships resolution, Senate Resolution 27, as referred to the Committee on Rules and Administration, would authorize the Committee on Government Operations through its Subcommittee on Intergovernmental Operations to expend not to exceed $175,211 this year for a study of intergovernmental relationships between the United States and the States and municipalities.

During the last session of Congress $130,000 was authorized for that purpose, of which $113,908 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $175,211 to $130,000, a reduction of $45,211.

Senator Edmund S. Muskie is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator Karl E. Mundt.

During the last session, this subcommittee was authorized an expenditure of $130,000 of which over $16,000 went unspent. It was the sentiment of the Senate Rules Committee that the studies performed by the subcommittee could be funded during the coming year by the same authorized expenditure of $130,000. In taking this action, the members of the Senate Rules Committee wanted it made clear that the amount of money spent by a particular subcommittee in a particular year does not necessarily govern the amount that the Rules Committee would authorize in a succeeding year. It is, however, a factor to be carefully evaluated in trying to apply a measure of economy to the Senate's operations and in projecting a likely cost to the Senate of a particular study or program.

Mr. ELLENDER. Mr. President, I shall direct my remarks at the moment to the general situation that existed when the Reorganization Act of 1946 was passed. We recall that when Congress was reorganized, we provided for 150 employees and created 15 standing committees. Each committee was allowed four professionals and six clericals.

The Reorganization Act reduced the number of committees that we had in the Senate from 38, as I recall, to the 15 I have just mentioned. Initially there were very few, if any, subcommittees. Soon after the Reorganization Act was passed, we began to create these subcommittees, and the amount spent at the beginning was approximately $140,000 over what could be spent under the Reorganization Act.

Since that time, Mr. President, all committees, except the Committee on Agriculture and Forestry and the Committee on the District of Columbia, created separate subcommittees of each committee, which required quite a sum of money. Over the years, we have been spending at the rate of approximately $5 million per year for that purpose alone, and this amount is in addition to the amount provided under the Reorganization Act.

In other words, under the Reorganization Act, a fixed sum is set for each committee, for its regular employees, and each committee is also allowed a certain amount of money to operate the committee. What we are speaking of today is an amount in addition to the regular amount provided for by the 15 original committees.

Since the Reorganization Act, we have made a permanent committee of the Select Committee on Small Business as well as the Committee on Aeronautical and Space Sciences. Those committees at first were provided with the same number of employees as the original committees created under the act of 1946.

As I have stated, the amount of money spent in the last 10 to 12 years has averaged approximately $5 million over the amounts provided for the regular standing committees, without any additions to them.

I have before me a table of figures for the last 4 years. It indicates that in 1965 the Senate provided $5,391,000 for special subcommittees. As I have said, that does not include the regular amount provided for the permanent employees of expenses of each Senate committee. In

1966 we went up from $5,391,000 to $5,798,000, and in 1967 we went up to $6,270,900. In 1968, the amount was $6,543,900.

I understand that the present resolutions call for a total expenditure during fiscal 1969—that is, in this year—of $6,944,700; in other words, $400,000 more than was authorized last year.

As we all know, there is a move in progress to construct another Senate office building. Of course, we all know that more employees mean more spaces. Since 1946, when the Reorganization Act became effective, we have added, aside from the regular employees, 78 other permanent employees. So that in the Senate today, for all our committees, aside from the 150 employees originally provided for under the act, we have a total of 228 permanent employees. I point out that in addition to these 228 employees, we have added 478 investigative staff. So that in 1968 we provided for a grand total of 702 employees, which means more than 450 over and above the regular employees I have just mentioned, as well as the employees originally provided for by Congress.

It is no wonder that we are looking around now for more space and for perhaps a new Senate office building, when, as I point out, we are providing for 700-odd employees. Last year, we had 702 employees on the payroll, and the new presentation eliminates 17, leaving a total of 685 employees. If the 150 original regular employees I have just mentioned are removed from that amount, it will be noted that since reorganization we have added 535 new employees to operate and administer the 16 standing committees of the Senate, at the cost I have cited.

I note that the requests for this year were $7,748,360, and the committee saw fit to reduce the amount to $6,944,700.

As we go along, Mr. President, I should like to find out from the chairman of each subcommittee what has been done in the past 12 months by way of hearings and by way of legislation. I think it is in order for us to find out that information. As I have pointed out on many occasions, we have had the Committee on Juvenile Delinquency on the books now for over 20 years. That committee was supposed to complete its work in a year or 2 years at the most, from the date on which it was originally created. I notice from the number of committees we are going to deal with today that there have been few committees that have completed their work. It seems that once they are created they are there forever, although when created it is said they expect to do this, that, and the other and complete their work in just a few years.

However, the Record will show that with the exception of one committee, a case involving consolidation of one committee with another committee, we have the same number of committees. We will develop that as we go along.

I predict that if the trend toward additional employees keeps increasing there is no question that we will need more space. I can well remember when efforts were made to construct the New Senate Office Building. We debated the issue for about 11 years as to whether or not we should have a New Senate Office Building. Some of us felt we could find quite a few more offices in the Old Senate Office Building. Also, if we decided to extend the east wing of the Capitol, we thought we could find a sufficient amount of space, combined with the space we had in the old building, to take care of the situation.

However, because of the increase I have been speaking of, to the point where we now have 685 employees employed by these committees, every bit of space in the old building is now occupied. The New Senate Office Building is also occupied entirely and the east wing of the Capitol is built and that is pretty well filled.

In this increase in employees continues, we may have to build a third Senate office building, which may well need to be much larger than either of the ones we have at present.

Mr. President, I want to be frank. I do not expect to receive much assistance in trying to cut back. Nonetheless, it should be done. I am very hopeful that the chairman of each of these committees, without being asked to do so, will rise and tell the Senate what has been done in the last 12 months to justify a renewal or extension of these subcommittees. I shall be very anxious to listen to them and to hear them.

With that, I have nothing further to say, although I shall have more to say as each individual resolution is considered.

Mr. President, what is the first resolution?

The PRESIDING OFFICER. The Senate is considering Senate Resolution 27, Calendar No. 56, which the clerk will state.

The Legislative Clerk. A resolution (S. Res. 27) authorizing a study of intergovernmental relationships between the United States, and the States and municipalities, reported from the Committee on Rules and Administration, with an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 2, line 24, after the word "exceed", strike out "$175,211" and insert "$130,000".

Mr. ELLENDER. As I understand it, this is a part of the Committee on Government Operations.

Mr. MUSKIE. The Senator is correct. This is for the subcommittee.

Mr. ELLENDER. How many subcommittees do we have in the Committee on Government Operations? Does anybody know?

Mr. MUSKIE. There is this committee and there are five other subcommittees.

Mr. ELLENDER. Five others?

Mr. MUSKIE. The Senator is correct. As the Senator knows, the Committee on Government Operations is by nature and function an investigative committee under the Reorganization Act. This is the only way in which it operates. It is not primarily a legislative committee and it is not a money committee. It is an investigating committee.

Mr. ELLENDER. Can the Senator tell us what the committee has done during the last year?

Mr. MUSKIE. Yes, I shall be happy to do so.

Mr. ELLENDER. What investigations have been made? The Senator might make reference to copies of reports that have been made. We would not want them in the Record, but we would want to know what the members of the committee have done and also the employees of the subcommittee.

Mr. MUSKIE. I shall be happy to do so.

Mr. President, at this point I ask unanimous consent to have printed in the Record a letter which goes into some detail on the points the Senator raised, which I submitted to the chairman of the Committee on Rules and Administration in support of the resolution.

There being no objection, the letter was ordered to be printed in the Record, as follows:

January 30, 1969.

Hon. Everett Jordan,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

Dear Everett: I am enclosing a copy of S. Res. 27 authorizing continuation of the Subcommittee on Intergovernmental Relations, which I reported from the Committee on Government Operations on January 17, 1969. It has the unanimous approval of the Committee.

Pursuant to Senate Resolution 221 in 1968, the Subcommittee on Intergovernmental Relations has carried forward the study of relationships between the United States and States and municipalities which has been its responsibility since the Subcommittee was established in 1962.

In the course of its efforts, the Subcommittee has examined the increasing demands made on government at every level, and has sought to identify areas where the capacity and purpose of government to deal with these demands could be increased through more effective intergovermental cooperation.

The records of the hearings on such subjects have been published and the findings of special studies have been issued as committee prints.

In accordance with the mandate given it, the Subcommittee has examined all reports and recommendations submitted to the Congress by the Advisory Commission on Intergovernmental Relations.

It has considered and reported on legislation referred to it by the Committee on Government Operations.

A. LEGISLATIVE ACTIVITIES: 90TH CONGRESS

I. Legislation

1. *S. 698, the Intergovernmental Cooperation Act*—S. 698, based in part on S. 561 which was passed by the Senate in 1965, and in part on S. 1681 which was passed by the Senate in 1966, was introduced in January, 1967. It was the purpose of this bill to promote the fullest cooperation and coordination of activities among the levels of government by improving the administration of grants-in-aid to the States, providing for periodic Congressional review of Federal grants-in-aid, permitting provision for reimbursable technical services to State and local government, establishing coordinated intergovernmental policy and administration of grants and loans for urban development, and authorizing consolidation of certain grant-in-aid programs. It also provided for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, and for a uniform relocation assistance policy and a uniform land acquisition policy for

Federal and federally aided programs. On July 24, the Committee on Government Operations reported the bill to the Senate, which passed it unanimously on July 29.

The House of Representatives on September 16, passed a companion bill, H.R. 18826, and amended S. 698 by substituting for its provisions those of the House passed bill. On September 30 a committee of conference met to resolve differences between S. 698 and the House amendment (H.R. 18826), and agreed on a substitute bill. The substitute omitted the two titles having to do with uniform relocation assistance and uniform land acquisition policy, which had been included in the Senate bill but were not in the House bill. The House agreed to the conference report on October 1 and the Senate on October 4, thus completing action on S. 698, which, upon approval by the President, became Public Law 90–577.

2. *S. 699, the Intergovernmental Personnel Act of 1967*—This legislation, containing basically the same provisions as S. 3408, considered in the 89th Congress, was introduced in January, 1967. In April, 1967, at the request of the Administration, I introduced S. 1485, the Intergovernmental Manpower Act of 1967. The objectives of the two bills were identical—to improve intergovernmental cooperation in the management of Federal aid programs through: (1) broader use of the merit principle in public employment; (2) improvement of State and local personnel administration; (3) special training for public employees engaged in the administration of federally aided programs; and (4) opportunity for interchange of employees between Federal, State, and local levels of government. Hearings on both measures were held in April, 1967, and on October 10, 1967, S. 699 was reported, with amendments, to the parent committee. The Committee on Government Operations, on October 31, 1967, reported the bill to the Senate. The Senate, on November 7, 1967, approved S. 699 with amendments. No action was taken on the bill by the House of Representatives.

3. *S. Res. 68, providing for the establishment of a Senate Select Committee on Technology and the Human Environment.*—This resolution was introduced on January, 1967. It was identical to S. Res. 298, which I introduced in the 89th Congress. Hearings were held in March and April, 1967, and the resolution, with minor amendments, was reported to the parent committee on June 28, 1967. No further action was taken.

4. *S. 2981, the Joint Funding Simplification Act of 1968*—This bill was introduced on February 16, 1968, by request. It had been drafted by the Bureau of the Budget and submitted to the President of the Senate for introduction in order that certain of the objectives enumerated in the President's Message of March 17, 1968, on the "Quality of American Government" might be fulfilled. The purpose of S. 2981 was to implement the President's recommendation that legislation be enacted to permit "Federal agencies to combine related grants into a single financial package, thus simplifying the financial and administrative procedures—without disturbing, however, the separate authorization, appropriations, and substantive requirements for each grant-in-aid program." The Subcommittee took testimony on this bill in the hearings held in May, 1968, and approved the bill without amendment, transmitting it on July 2 to the full Committee on Government Operations for consideration. No further action was taken.

II. Other legislation referred to the subcommittee

1. *S. Res. 79.* Introduced by Senators Mondale and Muskie, to authorize a study of revenue sharing by the Committee on Government Operations.

2. *S. 567.* Introduced by Senator Kennedy of Massachusetts, to establish a Temporary National Commission on Intergovernmental Fiscal Needs and Resources.

3. *S. 671.* Introduced by Senator Muskie, to establish a National Intergovernmental Affairs Council in the Executive Office of the President.

4. *S. 799.* Introduced by Senator Scott, to institute a system of comprehensive planning and coordination among the several levels of government.

These bills were studied by the Subcommittee and their purposes were examined in the course of hearings on Creative Federalism, but no action was recommended by the Subcommittee.

The Subcommittee considered two other bills, on which no action was taken beyond staff study, namely—

1. *S. 1364.* Introduced by Senator Muskie, to establish certain conditions under which States or other taxing authorities might subject persons to liability for payment of property taxes on property located in Federal areas within such States; and

2. *S. 3732.* Introduced by Senator Boggs, to create a catalog of Federal assistance programs, and for other purposes.

III. Research and information

1. *Creative Federalism.* This is a continuous study in the course of which hearings are held from time to time. Part I of the hearings, containing testimony of representatives of the Executive Branch of the Federal Government presented on November 16, 17, 18, and 21, 1966, was published in January, 1967. Testimony of officials from the State-Local-Regional level was taken at hearings held January 31, February 1, 2, 7, and 9, and March 21 and 22, 1967, and this has been published as Part II of Creative Federalism.

During the 90th Congress, the Subcommittee issued several committee prints.

2. *The Federal System as Seen by Federal Aid Officials.* S. Con. Res. 6 was considered and agreed to on May 11, 1967, authorizing the printing of additional copies of this publication.

3. *Criteria for Evaluation in Planning State and Local Programs.* This study was prepared for the Intergovernmental Relations Subcommittee by Harry P. Hatry, Chairman of the State-Local Finances Project of George Washington University. It was issued July, 1967 and reprinted in August, 1968.

4. *Periodic Congressional Reassessment of Federal Grants-in-Aid to State and Local Governments.* Prepared by the Advisory Commission on Intergovernmental Relations for the Subcommittee on Intergovernmental Relations, this report, first adopted by the Commission, June, 1961, was revised to include fiscal data as of January, 1967, and was issued July, 1967.

5. *State Utility Commissions.* This publication is composed of data compiled from responses by State utilities regulatory bodies to questionnaires regarding their form of organization, jurisdiction, staffing, and other characteristics. It was issued on September 11, 1967 and reprinted in November, 1967.

6. *Federal Disaster Relief Manual.* The Subcommittee staff is engaged in revision of this manual. Questionnaires were sent to approximately twenty-five departments and agencies of the Federal Government requesting detailed pertinent information to be used in the revision.

7. *Catalog of Federal Aids to State and Local Governments.* With assistance from the Legislative Reference Service of the Library of Congress, the Subcommittee is compiling a current and consolidated edition of the *Catalog of Federal Aids to State and Local Governments,* first issued by the Subcommittee in 1964, and its 1965 and 1966 supplements.

Reports of the ACIR

The Subcommittee continued to receive and review reports of the Advisory Commission on Intergovernmental Relations. Three major reports were received, in final or preliminary form, as follows:

The published report entitled "Fiscal Balance in the American Federal System";

The published report entitled "Urban and Rural America: Policies for Future Growth";

Summary of report on "Intergovernmental Problems in Medicaid."

These reports and their recommendations remain for further consideration by the Subcommittee.

B. LEGISLATIVE AGENDA: 91ST CONGRESS, 1ST SESSION

I. Legislation

1. The Uniform Relocation Assistance and Land Acquisition Policy Act of 1969 (S. 1). This bill is intended to provide for uniform and equitable treatment of persons displaced from their homes, businesses or farms by Federal or federally assisted programs. It is also intended to establish uniform and equitable land acquisition policies for Federal and federally assisted programs.

Provisions for uniform relocation assistance and land acquisition policies were included in the Intergovernment Cooperation Act of 1968 as introduced and passed by the Senate. Because of a conflict of committee jurisdiction in the House of Representatives, it was not possible for the Senate and the House to agree on the relocation and acquisition sections of the Intergovernmental Cooperation Act of 1968. These elements were left from the bill. This was a jurisdictional problem. There was no disagreement on the merits of the provision. Conferees have agreed on early action in the 91st Congress.

2. *The Intergovernmental Personnel Act of 1969 (S. 11).* This bill is almost identical to the bill passed by the Senate in 1967. It is intended to help strengthen State and local governments through improved personnel administration and more efficient recruitment and training of personnel, particularly in the administrative, professional, and technical categories.

This bill has the widespread endorsement and support of many public officials and citizen groups. It passed the Senate with a substantial majority. The House did not have an opportunity to act on it.

We anticipate hearings on the proposal and to report as soon as practicable a bill which can be considered in the House in this session, and hopefully, enacted.

3. *A resolution to create a Select Committee of the Senate on Technology and the Human Environment.* This is similar to the resolution approved by the Subcommittee in the 90th Congress but not reported for floor action. The proposed composition of the Select Committee has been broadened and would be authorized to make a comprehensive study and investigation of (1) the character and extent of technological changes that probably will occur, and which should be promoted within the next 50 years, and their effect on population, communities and industry; and, (2) policies which would encourage the maximum private investment in means of improving the human environment.

4. *Other Legislative Proposals.* The Subcommittee anticipates that several proposals will emerge from draft legislation submitted by the Advisory Commission on Intergovernmental Relations. These would include (1) an omnibus Intergovernmental Cooperation Act of 1969 to amend Public Law 90–577; and, (2) the Urban and Rural Development Act of 1969.

There is also a prospect of legislation to be considered by the Subcommittee on the availability to the Congress, the general public and particularly State and local governments of information on Federal assistance programs, and of the possible uses of information technology for this purpose. Legislation on this subject was referred to the Subcommittee late in the 90th Congress, and there is widespread concern over the underlying problem.

II. Creative federalism, part III

It is planned that most of the new investigative activities of the Subcommittee will be carried on through Part III of Creative Federalism hearings. These hearings would focus on major national objectives and the means of attaining them through the combined operations of Federal, State and local governments. As presently planned, the hearings will concentrate on certain areas of investigation most closely related to existing and emerging problems, namely—

1. The means by which Federal agencies can most effectively cooperate with State and local governments in the management and coordination of domestic programs.
2. The availability of social, economic, fiscal, and other data needed for purposes of policy development and decisionmaking, for definition of problems, setting of goals, and measurement of process toward achievement of these goals.
3. Program planning requirements and aids necessary to achieve the orderly development and effective implementation of public programs with special emphasis on cooperation among the components of the Federal system.
4. Examination of the system of grants-in-aid and related financial and technical assistance by the Federal Government to State and local governments for the accomplishment of purposes identified with the national interest.
5. Fiscal relationships, examining the financial resources available to each element of the Federal system for performance of its responsibilities and proposals for redirection of the flow of public revenues by such means as tax sharing, bloc grants, income tax credits, and others.

Out of these hearings we would expect further legislative proposals to be developed.

C. CONCLUSION

In view of the responsibilities that confront the Subcommittee during the coming year, we are asking for an appreciable increase over our request for 1968. The projected budget totals $175,211, as compared with our request of $148,000 and an appropriation of $130,000 last year.

In 1967, we requested $142,500 and were reduced to $130,000. The reduction of funds in both 1967 and 1968 severely curtailed planned activities, including field hearings on legislation, staff consideration of several pieces of legislation of major importance in the field of intergovernmental relations, and Part III of our hearings on Creative Federalism.

The requested increase will cover proposed increases in our staff that are necessary to carry the prospective increase in workload, and the expenses of hearings and investigations that are incumbent upon us by the terms of our resolution.

Some additions to staff are mandatory of the outlined program is to be carried out. The projected budget would allow for the additions of two professionals in the middle salary range. It also includes funds for the mandatory salary increases expected to apply in the last half of this year. The only other increase of any significance is attributable to the program of hearings, again resulting from deferral of these investigative activities from 1967 to 1969.

Sincerely,

EDMUND S. MUSKIE,
U.S. Senate, Chairman.

Mr. MUSKIE. The work of this subcommittee, as is true of the full Committee on Government Operations, is concerned with investigations, and our investigations are directed to the particular area of intergovernmental relations, that is, relations between the three levels of government. In that connection, we have three areas of work. First of all, there is the area of legislation. The subcommittees of the Committee on Government Operations do not normally handle much legislation.

In this subcommittee we do have legislation because we are charged under our charter with oversight of the Advisory Commission on Intergovernmental Relations and its work. For that reason from time to time we go into the legislation developed by the Commission in the governmental field.

Last year we considered the Intergovernmental Cooperation Act (S. 698), which was the product of 3 years' work before we were able to put it into a form approved by both Houses and signed by the President last year.

Also last year we introduced for the second time the Intergovernmental Personnel Act of 1967, designed to be of assistance in coordinating manpower policies of Federal, State, and local governments. It was introduced for the second time.

We also considered legislation submitted by the administration and reported the bill to the Senate, which was passed by the Senate, with amendments. No action was taken by the House of Representatives. The bill has already been reintroduced this year and we hope we can get it through to final passage in light of the fact that the new administration is also interested in this field.

Mr. ELLENDER. Is that the reason for renewing this subcommittee?

Mr. MUSKIE. This is one of the aspects of work in which the subcommittee is involved. I should be happy to go into detail.

The third piece of legislation was in connection with Senate Resolution 68, providing for the establishment of a Senate Select Committee on Technology and the Human Environment. This is an area in which there is growing interest in the Senate, the House of Representatives, and throughout the country. Because of the interest that was shown last year by the introduction of that legislation, there is a movement in both Houses to consider a joint committee. A new committee may not be created but the important thing is that this resolution was intended and did focus public attention on the importance of relating what we do here, in many of our legislative committees, to the rapid developments of science and technology. So we had hearings last year and by this resolution we were able to generate a useful dialog which was of benefit to other committees.

Mr. ELLENDER. What is proposed to be put there? Will the Senator inform us? What good will come from it?

Mr. MUSKIE. With that particular resolution?

Mr. ELLENDER. Yes.

Mr. MUSKIE. The purpose is not so much the resolution as the necessity to focus attention upon the impact of science and technology on the lives of our people, not only the direct benefits of technology which they bring to the people but also the impact of new technology upon the lives of our people. We know what the automobile has done to our society in the form of overcrowded cities, congested highways, and dirty air. If there had been a committee of that kind in existence at the time the technology of the automobile began to be created, it may be that we would have focused a little more effectively and a little more wisely upon the implications of the automobile on the future lives of our people.

It is the purpose of the resolution, at the very least, if no committee is ever created, to focus the attention of Senate committees, dealing with legislation which stems from the technological development, upon the human implications of those developments and the question of whether, by Government policy or Government appropriation, we are to encourage particular forms of technological development. We have the expertise which is now being considered by the Senate and which has tremendous application for life in this country, which is under the jurisdiction of the committee and the committee is focusing on it. But what we are urging, when we introduce a resolution of this kind, is for Congress to focus attention upon those aspects of American life. We are asking the American people to think about and to consider policies which can be proposed in the light of developments and the problems which may show up, so that we can legislate more wisely.

Mr. ELLENDER. The Senator from Maine led the way in introducing and having passed legislation to rid ourselves of air and water pollution. How did he accomplish that? Was it not through an existing committee?

Mr. MUSKIE. That is correct.

Mr. ELLENDER. Which one?

Mr. MUSKIE. The Public Works Committee.

Mr. ELLENDER. All right. Why do we have to have another committee to step in and study that? To me, that is just duplication. The Senator was effective in having air pollution legislation enacted into law. They are very good laws, to do the very things he is talking about now. Now he wants to get another committee to look further into that. I just cannot follow it.

Mr. MUSKIE. That committee is not before us.

Mr. ELLENDER. No, but the Senator states he proposes to study that——

Mr. MUSKIE. What the Senator is saying is that he does not even want the idea proposed for consideration. I think that is a negative attitude to take.

Mr. ELLENDER. I did not say that.

Mr. MUSKIE. All I did was to introduce a resolution. I am perfectly aware of the difficulties of creating new committees. I submitted a resolution in order to point out an area of thought which I think Congress and the country should be exploring, so that the resolution to create a committee would be a stimulus to thought. As a result, we had many days of constructive hearings listening to people with good minds who came here to contribute to a better understanding of the problems. We may never get a committee, although I may say that I am going to continue to press for one. The important point is not whether a committee is created, but whether we can bring the attention of Congress to the fact that it should consider this matter, either through a special committee or through existing committees. What I am merely talking about right now is not being considered by the committees which have jurisdiction. They are all busy with many other items of business. They have not yet had time to focus attention on this area.

Accordingly, what I am trying to do with that resolution is, first, to stimulate existing committees to focus attention on that area for their future work, or if they cannot do it, if they have not got the time to do it, if a special committee is a better way to do it, that we consider doing it with a special committee; but, of course, that is a decision yet to be made.

Mr. ELLENDER. As I understand it, the Committee on Commerce will. Shortly, that committee will ask for quite a nice sum of money to make studies in the very areas the Senator is now speaking of. Automobiles—if something should be done about improving the automobile, and other facilities that we now have that cause pollution, why cannot the Committee on Commerce do that? Why does a subcommittee want to barge in and study, evidently, the same subject?

Let me point out further to the Senator, as I said, the Senator was very successful in getting before a committee of the Senate bills on water and air pollution, which were enacted into law, and he did not have to have a special committee to effect that.

Mr. MUSKIE. That is after the fact, Senator.

Mr. ELLENDER. I understand.

Mr. MUSKIE. What I am urging upon Congress is to try to anticipate difficulties like that. Right now, for example, we are involved in the problem of thermal pollution. We are being told by all of the fossil fuel industries and power companies that we do not have to worry about that, that we do not have to establish policies with respect to that until we know what the problems will be.

All the while the problems are developing, we will be discharging into our streams and waters all across the country massive quantities of superheated water. The problems will be upon us and we will have made investments in powerplants. Then, when we propose policies, the people will say it is too expensive, we cannot afford to close down the plants, or we cannot afford to close down the industries. Thus, after the fact, we may come up with some weak-kneed legislation that may not do the job.

Water pollution legislation was enacted after the problems were created. What I am urging now is that we do a little thinking about these problems, before they come into existence, and try to do a little something about avoiding their coming into existence at all. I am talking about preventive medicine.

If what the Senator wants is only surgery, after the problems have been created, then let us not think about the future. But, if what we are concerned about is avoiding some of the difficulties and social problems, then all I am asking the Senator is, let us do a little thinking about the future before we take these irrevocable steps.

Mr. ELLENDER. As I understand it, the Committee on Public Works is also engaged in work along the lines of——

Mr. MUSKIE. The Committee on Public Works has jurisdiction over air and water pollution and problems in existence——

Mr. ELLENDER. Yes; and also——

Mr. MUSKIE. What I am talking about is——

Mr. ELLENDER (continuing). Authorizing the very instrumentalities that will cause pollution.

Mr. MUSKIE. But what I am talking about goes across the board. For example, the Committee on Commerce has jurisdiction over the railroads——

Mr. ELLENDER. A good deal more than that——

Mr. MUSKIE. The Committee on Commerce has jurisdiction over aviation. Another committee has jurisdiction over other aspects of it.

When we talk about preventive medicine, we are talking about problems arising that lie within the jurisdiction of more than one committee. The fact is, the proposed select committee, which is not before us, would involve jurisdiction of seven legislative committees. That is how far reaching the implications of modern technology are. No committee in the Senate today has broad enough jurisdiction to consider all the far-reaching and interrelated implications of modern technology. I think that we should have some understanding of the interrelationship of the various areas of responsibility. When we settle down finally to identify the jurisdiction and the authority, we may settle on leaving it where it is, or we may decide to create another committee. But that is for the Senate to decide at such time as it has completed its consideration.

All we are asking for here is the money to consider it, to explore it, to raise the questions, and to define the issues so that the Senate, as a whole, can decide how to handle the problem.

Mr. ELLENDER. Now, as I understand it, what the Senator is talking about now means the creation of another committee?

Mr. MUSKIE. I am not proposing that.

Mr. ELLENDER. No, no, but it is to be studied by another committee, not by the committee which is now asking for $130,000.

Mr. MUSKIE. We are talking about——

Mr. ELLENDER. Is that right?

Mr. MUSKIE. That is right.

Mr. ELLENDER. But I was particularly anxious to find out what the present committee intends to do. I thought that——

Mr. MUSKIE. I was in the process of doing that when we got into the discussion of the committee which is not before us. The Senator asked me what areas of activity we were involved in and I was in the process of describing the legislative activities of such a committee, and I had gotten to the third of 10 items.

There are other items of legislation which are fully described in the letter I put in the RECORD, which I shall be happy to go into if the Senator is interested in that; but all of them involve the kinds of operations that the Committee on Government Operations was created to perform.

It is the job of the Committee on Government Operations to look over the whole area of governmental activities; to look over the areas in which Government performance falls short of what it is supposed to do, and to suggest proposals for improving that performance. In order to do that work, the Committee on Government Operations was involved in 10 pieces of major legislation.

Mr. ELLENDER. One was enacted.

Mr. MUSKIE. One was enacted by Congress. Another was enacted by the Senate, and hopefully will be reenacted. Another was enacted by the Senate and was enacted in part in other bills that came out of committees as a result of our work. The uniform relocation assistance, and land acquisition policy found its way into legislation coming out of the Public Works Committee and the Housing Committee.

So that is an example of the work of this committee, coming under the jurisdiction not only of our subcommittee, but of the parent committee, which the Senator is interested in.

Mr. ELLENDER. The Committee on Government Operations has five subcommittees at the moment, I think. I think we started out with a very small amount. Now that committee is spending in excess of $1 million.

Mr. MUSKIE. May I point out that this is one committee whose appropriation was reduced by the Rules Committee this year.

Mr. ELLENDER. Yes.

Mr. MUSKIE. And my committee has been held at the present figure for 3 years running.

Mr. ELLENDER. But the investigatory part of it is going to be increased.

Mr. MUSKIE. The appropriations of two subcommittees were cut.

Mr. ELLENDER. In any event, as I said, it is easy to find work to do. I have my own Committee on Agriculture and Forestry. I have always tried to use the money available that was provided under the original act of 1946. It may be that more work could have been done by that committee by employing more people than we now have, but I believe our Agriculture Committee has done a good job.

As a matter of fact, of the four professionals that I can employ, I employ only two. Ever since I have been chairman of that committee, I have had only two professionals—a good lawyer and a good economist. In my view, if I were to put two economists and two lawyers on the committee, they would be passing the buck to each other. I believe that is the trouble in a good many of the committees today. They have too many employees who pass the buck to each other, and very few who do the work.

I am not making any excuses for my committee. I think a good job has been done. It is the only committee, as I recall now, that has not as yet appointed subcommittees of the standing committee, as we have been talking about here.

I notice among the resolutions one to create a subcommittee for the Committee on the District of Columbia. We will get to that matter after a while. That was the only committee, besides the Committee on Agriculture and Forestry, that did not have subcommittees for which Congress provided funds for special investigations.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CURTIS. I have no particular criticism of this subcommittee, but I rise to defend the action of the Committee on Rules and Administration. In the Senate we are not only faced with a multiplicity of subcommittees; we have a shortage of room space. After reviewing all the facts, the Committee on Rules and Administration recommended an amount for its subcommittee equal to what it had last year. The committee had some money left over.

It is my opinion that this subcommittee has no jurisdiction that its parent committee does not have. Also, there is some possibility of overlapping of its efforts with other subcommittees of other parent committees that are seeking special funds from the contingency fund.

It would be my hope that the Senate would support the Committee on Rules and Administration. I believe that, under the chairmanship of the Senator from North Carolina (Mr. JORDAN), the committee has done a good job. It has reduced some requests. In this case it has recommended as much money as the subcommittee had last year.

I thank the distinguished Senator from Louisiana for yielding.

Mr. ELLENDER. Mr. President, the original Government Operations Committee started out by doing its own work with the Senator from Arkansas (Mr. McCLELLAN) at the head. Now we have five separate subcommittees under that committee. They are going in every direction. For instance, why should foreign aid expenditures be under the jurisdiction of the Committee on Government Operations? Also, we have the subject of national security relations. I think the committee of the Senator from Mississippi (Mr. EASTLAND) has jurisdiction of that matter.

Mr. CURTIS. Mr. President, if the Senator will yield, the one on foreign aid expenditures——

Mr. ELLENDER. Was under Senator Gruening.

Mr. CURTIS. That has been discontinued.

Mr. ELLENDER. I understand, but it was there.

Mr. CURTIS. Yes.

Mr. ELLENDER. As I said, subcommittees should deal with subjects in the jurisdiction of their parent committees. Take national security operations. A lot of time and money could be spent sending investigators around on the subject of national security operations. As I understand it, the Committee on the Judiciary has asked for $300,000 to do this very thing. In the Committee on Foreign Relations, there is also bound to be duplication. That is what I am complaining about. We have too many subcommittees that duplicate.

Mr. CURTIS. Mr. President, if the Senator will yield further, I do not stand in judgment over any Senator or any committee. It is my own personal feeling, however, that we do have too many subcommittees.

Mr. ELLENDER. If the Senator admits that, his subcommittee should have done something about it.

Mr. CURTIS. I understand. We did in some instances. We tried in others.

Mr. ELLENDER. Did the subcommittee do away with any of them? All of them got the money they asked for.

Mr. CURTIS. The Committee on Rules and Administration did not deny any request in its entirety; but I thought I was rising to support the position of the Senator from Louisiana against the idea of restoring the original request. Is not the issue the committee amendment?

Mr. ELLENDER. This committee is receiving $130,000.

Mr. CURTIS. Yes.

Mr. ELLENDER. As I said, I am not complaining so much of this. The Committee on Government Operations was supposed to deal with the Federal Government, and now we are dealing with Government research. Then we get into intergovernmental relations. Then we have national security operations. All of them are being looked into by the subcommittees.

For example, under the Committee on the Judiciary, there is a subcommittee headed by my good friend, the Senator from Mississippi (Mr. EASTLAND). Here we have a subcommittee on Internal Security which deals with the same subject matter that is envisioned under Government Operations.

Mr. CURTIS. The point I wish to make is this: I understand that the pending business is the committee amendment.

Mr. ELLENDER. Yes.

Mr. CURTIS. Which reduces this amount by $45,000. Is the distinguished Senator from Louisiana for the committee amendment, or against it?

Mr. ELLENDER. I am for the committee amendment.

Mr. CURTIS. So am I.

Mr. ELLENDER. I would like to see it wiped out altogether, because, as I have said, there are other subcommittees dealing with that field.

Mr. CURTIS. I have no quarrel with the idea that we have too many subcommittees.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Maine.

Mr. MUSKIE. Mr. President, if I may say so to the Senator, what he is arguing for is abolition of the Committee on Government Operations.

Mr. ELLENDER. No; I am not.

Mr. MUSKIE. Let me make my point clear. The Committee on Government Operations operates across the board and, through its entire jurisdiction, in a sense, overlaps the jurisdiction of all the legislative committees. It is not supposed to get into the substance of the legislative jurisdiction of the legislative committees, but it is rather difficult to separate substance from organization and procedure.

As the Senator from Nebraska has pointed out, these subcommittees have not enlarged the jurisdiction of the Committee on Government Operations. We are discharging a function of the committee. I do not see what is so mysterious about that. Each of the subcommittees to which the Senator refers is handling a piece of the authority of the parent committee, because the parent committee standing alone could not do all of the work that is necessary concerning oversight of the efficiency and the economy of the whole of the operations of the Government.

The Federal Government has grown from something like a budget of $90 billion when I first came to the Senate to one of almost $200 billion, and the Government Operations Committee is charged with the responsibility to oversee all of this vast operation from the point of view of economy and efficiency. We in the Intergovernmental Relations Subcommittee have one piece of the parent committee's jurisdiction, because the parent committee decided that in order to do that job effectively, it had to have a subcommittee to do that part of its job.

So if the Senator is arguing against the Intergovernmental Relations Subcommittee, if his argument is to have meaning, then he has got to extend it against the whole Committee on Government Operations, and say that because the Committee on Government Operations has jurisdiction that overlaps the jurisdiction of other committees it ought to be abolished, because we have separate subcommittees working on these various features.

Mr. ELLENDER. As I recall, not too long ago the original committee, under Senator McCLELLAN, took care of all of these matters.

Mr. MUSKIE. That is right.

Mr. ELLENDER. It is only in the last 4 years, as I recall, that subcommittees have developed.

Mr. MUSKIE. No, when I first went on the committee in 1959 there were subcommittees.

Mr. ELLENDER. There might have been one or two. But now we have five, until the one dealing with foreign expenditures is abolished.

Mr. MUSKIE. Exactly.

Mr. ELLENDER. Then, as I have said, there is this Subcommittee on National Security, which to me is a field in which the Committee on the Judiciary is engaged, and could easily handle that, rather than have a separate committee under the Committee on Government Operations.

Mr. MUSKIE. As I have just stated, we could have each legislative committee deal with that portion of the Government Operations Committee's work that falls within the department with which the legislative committee is charged; but, in the Reorganization Act, Congress decided that it would be useful and wise to have an investigative committee charged with the responsibility of oversight over the operations of the whole structure of the Government. The Committee on Investigations, which is Senator McCLELLAN's principal responsibility, has been heavily engaged in that work, as can be seen from its budget, in the investigative field. It would not have had time to get into this intergovernmental relations field, or into Senator RIBICOFF's reorganization field, or the other fields that the committee has regarded as important and requiring investigation.

Is there anything so odd about the committee charged with the investigation of the whole structure of government breaking down its work into subcommittees, in order that it may do more and do it more efficiently, because the workload has grown? What is so strange about that? The Appropriations Committee has divided its work up among subcommittees. Why do they not do it all with one committee?

Mr. ELLENDER. But we do not ask for any extra money to do it with.

Mr. MUSKIE. But they do it with subcommittees. They have plenty, I think, in their Appropriations Committee to do it. They break it up into subcommittees, because if it were left to one committee, they could not do all the work.

That is the point here. If we left it to the Investigations Committee, we could not do all the work. It is as simple as that.

Mr. ELLENDER. But this has grown and grown.

Mr. MUSKIE. The whole structure of government has grown. The supermarket down on the corner is bigger than the old country grocery store. The country has grown, and the responsibilities of government have tripled since I have been here. Do we have to do the additional work with the same number of people and the same number of committees?

Mr. ELLENDER. No; I am not saying that at all. But it strikes me that the job could be done; that is, the job of the Government Operations Committee with fewer subcommittees and fewer people.

Mr. MUSKIE. I appreciate the Senator's sense of responsibility with respect to the public trust; but may I, with all respect, suggest that we are also sensitive to it? We appreciate our responsibility to do our job, and to do it at minimum cost. I believe if the Senator will look at the figures on the costs for my subcommittee over the years, he will find we have never spent every cent appropriated to us, if I recollect correctly.

Mr. ELLENDER. This does not show that.

Mr. MUSKIE. We spent $113,000 out of $130,000 last year. So we are careful with the dollar. We have a twofold responsibility. First, to do our work and, second, to do it as cheaply as possible. I submit that the record of my subcommittee over the past few years supports our dedication to both objectives.

Mr. ELLENDER. Did the Senator from Arkansas wish to be heard?

Mr. FULBRIGHT. I think I had better let it go.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution, as amended, was agreed to.

ADDITIONAL FUNDS FOR THE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES

Mr. JORDAN of North Carolina. Mr. President, I ask that the Senate now proceed to the consideration of Calendar No. 45, Senate Resolution 59.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to its consideration. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 59

Resolved, That the Committee on Aeronautical and Space Sciences, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the aeronautical and space activities of departments and agencies of the United States, including such activities peculiar to or primarily associated with the development of weapons systems or military operations.

SEC. 2. (a) For the purposes of this resolution the committee is authorized, from February 1, 1969, through January 31, 1970, inclusive, to (1) make such expenditures as it deems advisable, (2) employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants, and (3) with the prior consent of the head of the department or agency of the Government concerned and the Committee on Rules and Administration, utilize the reimbursable services, information, facilities, and personnel of any department or agency of the Government.

(b) The minority is authorized to select one person for appointment as an assistant or consultant, and the person so selected shall be appointed. No assistant or consultant may receive compensation at an annual gross rate which exceeds by more than $2,400 the annual gross rate of compensation of any person so selected by the minority.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee under this resoltuion, which shall not exceed $40,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. ELLENDER. Mr. President, may I ask the Senator a question? Are we going to consider all of these subcommittees in the order they appear on the calendar now?

Mr. JORDAN of North Carolina. Yes.

Mr. ELLENDER. Yes; just exactly as they appear, in their order?

Mr. JORDAN of North Carolina. Yes.

Mr. ELLENDER. Does the Senator mean now, on the calendar?

Mr. JORDAN of North Carolina. As they appear on the calendar.

Mr. ELLENDER. Which resolution is now being taken up?

Mr. JORDAN of North Carolina. Order No. 45 is the first one on the calendar. It deals with aeronautical and space sciences.

Mr. President, Senate Resolution 59, as referred to the Committee on Rules and Administration, would authorize the Committee on Aeronautical and Space Sciences to expend not to exceed $40,000 this year for a study of matters pertaining to the aeronautical and space activities of the departments and agencies of the United States.

During the last session of Congress $50,000 was authorized for that purpose, of which $34,002 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator CLINTON P. ANDERSON is chairman of the committee. The ranking minority member of the committee is Senator MARGARET CHASE SMITH.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I speak for the chairman of the Committee on Aeronautical and Space Sciences, the distinguished Senator from New Mexico (Mr. ANDERSON), who cannot be present in the Chamber this afternoon.

The explanation of the resolution is very simple. It is a modest amount that has been provided every year. The amount is less this year. The money will be used to pay the salaries of additional staff members for the committee.

This committee needs technical men. Some of them are scientists. The employees of the committee are engaged in oversight duties almost entirely—in detailed work that Senators cannot find time to do and for which a technical staff is needed.

This is on a $4 billion program. Last year, only $34,000 of the $50,000 allowed was expended. This year, the chairman of the committee, one of the most effective men in the handling of money in the Senate, the Senator from New Mexico (Mr. ANDERSON) has requested only $40,000. That money will be used to pay the salaries of the two extra people. I assume that the item will not be contested. I hope that it will not be.

Mr. ELLENDER. Mr. President, it involves four people above what the committee is regularly entitled to. I have no objection.

Mr. STENNIS. The Senator from Mississippi is correct on the two employees. It is possible that four will be employed. But it is contemplated that there will be only two.

Mr. ELLENDER. The record shows the committee had 14 last year, 14 the year before, and 14 the year before. They had 15 in 1965.

Mr. STENNIS. Mr. President, the committee contemplates that there will be only two more people employed.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 59) was agreed to.

INVESTIGATIONS BY THE COMMITTEE ON ARMED SERVICES

The resolution (S. Res. 56) to make a study of all matters within the jurisdiction of the Committee on Armed Services was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 56 as referred to the Committee on Rules and Administration would authorize the Committee on Armed Services through its Preparedness Investigating Subcommittee to expend not to exceed $225,000 this year for the continued operation of that subcommittee, which maintains surveillance over the policies, operations, and expenditures of the Department of Defense.

During the last session of Congress $175,000 was authorized for that purpose, of which $157,630 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator JOHN STENNIS is chairman of the committee. The ranking minority member of the committee is Senator MARGARET CHASE SMITH.

Mr. ELLENDER. Mr. President, I note that last year the amount appropriated was $175,000 with 19 employees. This year the committee is asking for $225,000. That is an increase of $50,000 with the same number of employees. How will those employees be used?

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. I yield.

Mr. STENNIS. Mr. President, the resolution would provide money for employment of the staff and payment of other expenses of the Preparedness Subcommittee of the Senate Committee on Armed Services.

The subcommittee itself has a very small number of employees for the volume and nature of the business that it is called upon to handle. We have only six men and four secretaries.

The additional money requested is for two purposes. We have heretofore been able to absorb the salary increases. This year, however, even though we are returning more than $9,000 for the calendar year 1968, we will not be able to absorb all of the salary increases. In addition, we propose to have assigned on a temporary basis two men from the General Accounting Office. They will be reimbursed by the Preparedness Subcommittee from the funds we are requesting. We propose to use two of their better men under our direction and jurisdiction to pursue some of these enormous military contracts, particularly those contracts for the more modern and sophisticated weapons on which the prices are increasing so drastically and so rapidly.

I have been chairman of the subcommittee since 1961 and have personally followed the expenditure of every dollar and have had the Senator from Georgia (Mr. RUSSELL) looking over my shoulder.

None of this money will be thrown away. We have very fine staff members and virtually all of the money last year was spent for salaries. Some small amount was spent for consultant fees. We spent in the neighborhood of $250 for the year for telegraph and telephone, for stationery and supplies, $300, and for transportation and travel, only $1,700, although some transportation was provided by military planes. Those are very conservative figures, I assure the Senate. This increase, even though it is significant, reflects an increase of activity in the subcommittee's area of responsibility.

Mr. ELLENDER. Mr. President, my question was to the effect that the committee is asking for $50,000 more than it had last year, and it has the same number of employees. I wanted to know what the committee was to use the extra $50,000 for if it has the same number of employees as last year.

Mr. STENNIS. Mr. President, I tried to answer that question. I said that we were going to obtain two additional men from the General Accounting Office.

Mr. ELLENDER. Will those men be in addition to the 19 the committee now has?

Mr. STENNIS. The subcommittee has only six men on its staff at this time and four secretaries. The General Accounting Office men will be in addition to these.

Mr. ELLENDER. That will be $50,000.

Mr. STENNIS. No. The first item is that we will have those two men for a limited time, perhaps for a full year, perhaps less, and will reimburse the General Accounting Office for their salaries and expenses.

We must take care of the salary increase. That salary increase is already on the books. Unless rescinded, the money will be required to take care of this item. I understand that the increase will run somewhere around a 12 percent increase. That is my information.

There is about a $10,000 contingency margin in the request.

We handle one bill that has $25 billion in authorization. This requires direct surveillance with emphasis upon some of the major items in the bill if the money is to be authorized this year, much less spent. We believe that we can make a contribution in that field.

Mr. ELLENDER. Mr. President, I was not questioning the amount of money at all. What I was asking is what the extra $50,000 was to be used for. The Senator has explained it. That is all I desire to know.

Mr. STENNIS. Mr. President, Senate Resolution 56 proposes to authorize the Committee on Armed Services to investigate certain matters relating to the national defense and to provide additional funds in the amount of $225,000 therefor. This resolution was considered by the Committee on Armed Services and approved unanimously on January 23, 1969.

I am sure you are generally familiar with the work of the Preparedness Investigating Subcommittee and its responsibility to maintain surveillance over policies, operations and expenditures of the Department of Defense as it relates to military readiness and preparedness. The subcommittee had an extremely active and productive year in this area in 1968 and contributed to the national security through an extensive series of hearings and reports to the full committee, including the status of U.S. strategic power, the U.S. tactical airpower program, the U.S. submarine program, and the additional procurement of M-16 rifles.

It is my conviction that the full committee's consideration of the annual military authorization bill can benefit greatly by utilizing the subcommittee staff to acquire data and information and make studies of the major items and activities involved in the authorization bill. In other words, the information and expertise of the subcommittee staff will be utilized to the greatest extent by the full committee when the authorization bill is heard, considered, and acted upon. I propose to use the subcommittee staff in this manner.

In addition, it is planned that the subcommittee and its staff will devote considerable attention to defense procurement, and exercise and maintain a close and continuing surveillance over the larger and more important defense programs authorized and funded by Congress. In other words, it will attempt to monitor the manner and method by which the funds authorized and appropriated for major defense programs are obligated and expended.

Of course, it is also planned that the subcommittee will continue its traditional and usual investigations and inquiries relating to combat readiness and preparedness and to focus attention on such deficiencies as may be found in these areas.

In both the 89th and 90th Congresses the annual amount authorized for expenditure by the subcommittee was $175,000. During these 4 years, the subcommittee absorbed the statutory standard salary increases within these amounts. This is no longer possible and, therefore, it has been necessary to request an increase for this purpose.

In addition, it is my present intention to secure personnel from the General Accounting Office to assist in our procurement studies and to do the necessary accounting work. The GAO people will come to the subcommittee on a reimbursable basis. This accounts for approximately $30,000 of the increase which the subcommittee is requesting.

I believe that the continued existence of the subcommittee is fully justified and that the amount requested is both reasonable and necessary.

According to an estimate of subcommittee expenditures under Senate Resolution 225 we plan to return almost $10,000 to the Treasury this year.

Amounts in excess of this have been returned each year during the time that I have served as chairman of the subcommittee, and I can assure you that the subcommittee will be operated just as economically and prudently as is reasonably possible.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 56) was agreed to. as follows:

S. RES. 56

Resolved, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) common defense generally;

(2) the Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force generally;

(3) soldiers' and sailors' homes;

(4) pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces;

(5) selective service;

(6) size and composition of the Army, Navy, and Air Force;

(7) forts, arsenals, military reservations, and navy yards;

(8) ammunition depots;

(9) maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone;

(10) conservation, development, and use of naval petroleum and oil shale reserves;

(11) strategic and critical materials necessary for the common defense; and

(12) aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $225,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF BANKING AND CURRENCY MATTERS

The resolution (S. Res. 22) authorizing the Committee on Banking and Currency to examine, investigate, and study certain matters was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 22, as referred to the Committee on Rules and Administration, would authorize the Committee on Banking and Currency to expend not to exceed $110,000 this year for a study or investigation of several matters within its jurisdiction.

During the last session of Congress $120,000 was authorized for that purpose, of which $106,324 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator JOHN SPARKMAN is chairman of the committee. The ranking minority member of the committee is Senator WALLACE F. BENNETT.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 22) was agreed to as follows:

S. RES. 22

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) banking and currency generally;

(2) financial aid to commerce and industry;

(3) deposit insurance;

(4) the Federal Reserve System, including monetary and credit policies;

(5) economic stabilization, production, and mobilization;

(6) valuation and revaluation of the dollar;

(7) prices of commodities, rents, and services;

(8) securities and exchange regulations;

(9) credit problems of small business; and

(10) international finance through agencies within the legislative jurisdiction of the committee.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $110,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee.

STUDY OF HOUSING AND URBAN AFFAIRS

The resolution (S. Res. 23) authorizing the Committee on Banking and Currency to investigate matters pertaining to public and private housing and urban affairs was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 23 as referred to the Committee on Rules and Administration would authorize the Committee on Banking and Currency through its Subcommittee on Housing and Urban Affairs to expend not to exceed $155,000 this year for a study of public and private housing and urban affairs, including urban mass transportation.

During the last session of Congress $150,000 was authorized for that purpose, of which $142,011 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator JOHN SPARKMAN is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator JOHN G. TOWER.

Mr. ELLENDER. Mr. President, I notice that last year the amount of $150,000 was provided for nine employees, and this year $155,000 was asked for and obtained in committee. The number of employees is eight.

I assume it involves a question of salary adjustment.

Mr. SPARKMAN. A readjustment of salaries.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 23) was agreed to, as follows:

S. RES. 23

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to public and private housing and urban affairs, including urban mass transportation.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $155,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATIONS BY THE COMMITTEE ON COMMERCE

The resolution (S. Res. 79) to authorize the Committee on Commerce to make certain studies was announced as next in order.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 79 as referred to the Committee on Rules and Administration would authorize the Committee on Commerce to expend not to exceed $550,000 this year for a study or investigation of certain matters within its jurisdiction.

During the last session of Congress $525,000 was authorized for that purpose, of which $467,133 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator WARREN G. MAGNUSON is chairman of the committee. The ranking minority member of the committee is Senator NORRIS COTTON.

The PRESIDING OFFICER (Mr. MATHIAS in the chair). Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 79) was considered and agreed to, as follows:

S. RES. 79

Resolved, That the Committee on Commerce, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) interstate commerce generally, including consumer protection;

(2) foreign commerce generally;

(3) transportation generally;

(4) maritime matters;

(5) interoceanic canals;

(6) domestic surface transportation, including pipelines and highway safety;

(7) communications, including a complete review of national and international telecommunications and the use of communications satellites;

(8) Federal power matters;

(9) civil aeronautics;

(10) fisheries and wildlife;

(11) marine sciences; and

(12) weather services and modification, including the use of weather satellites.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation, as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed 550,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

CRIME IN THE DISTRICT OF COLUMBIA

The resolution (S. Res. 84) authorizing the Committee on the District of Columbia to investigate certain matters within its jurisdiction was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 17, after the word "exceed", strike out "$129,400" and insert "$57,000"; so as to make the resolution read:

Resolved, That the Committee on the District of Columbia, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the District of Columbia, particularly, as rule XXV provides, in the matters of public safety, the municipal and juvenile courts, the municipal code, and amendments to the criminal laws.

SEC. 2. For the purpose of this resolution the committee from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $57,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 84 as referred to the Committee on Rules and Administration would authorize the Committee on the District of Columbia to expend not to exceed $129,400 this year for a study or investigation of crime in the District of Columbia.

During the past session of Congress the committee had been authorized to employ three additional clerical assistants. The pending request would provide funds for the addition of two more clerical assistants and four professional staff members to the committee's temporary staff, and for the corresponding operating expenses.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $129,400 to $57,000, a reduction of $72,400. This should allow for four additional clerical assistants or three additional clerical and one additional professional employees.

Senator JOSEPH D. TYDINGS is chairman of the committee. The ranking minority member of the committee is Senator WINSTON L. PROUTY.

Mr. ELLENDER. Mr. President, this is a subcommittee of the District of Columbia. I understand that $129,000 was requested and $57,000 was allowed. This committee has four professionals and 10 clericals. I wonder why it is necessary to form a subcommittee and provide the amount of money that is requested.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. ELLENDER. I am just inquiring why it was necessary to create the subcommittee, when it now has a clerical staff of six and four professionals. It seems to me that the little work involved might be done by the present staff.

Mr. JORDAN of North Carolina. This is not a subcommittee. This is the addition of some extra clerical help that was requested last year and was granted, and additional help this year. This is for the full committee on the District of Columbia. It is not a subcommittee.

Mr. ELLENDER. They hired additional people?

Mr. JORDAN of North Carolina. Yes. Senator PROUTY is on his way to the Chamber. He desires to be heard on this matter.

Mr. ELLENDER. I was just trying to find out why these additional funds were requested.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. KENNEDY. As I understand, this committee is chaired by the distinguished Senator from Maryland (Mr. TYDINGS).

Mr. JORDAN of North Carolina. The Senator is correct.

Mr. KENNEDY. As I understand—and I wish the distinguished Senator from North Carolina would correct me if I am wrong—what they are really asking for is a continuation of the three secretaries, the addition of one secretary, a caseworker, and four professional staff members. The caseworker is needed because the District of Columbia Committee traditionally has acted as ombudsman for District of Columbia residents and handles more than 500 cases a year. The additional professional staff was to meet the committee workload, to develop new initiatives to meet the National Capital's problems, and to help expedite the anticrime legislation President Nixon and the committee believe necessary.

With regard to its associate committee in the House of Representatives, I understand that this is an extremely modest recommendation and that it was made by the committee and its chairman, the Senator from Maryland (Mr. TYDINGS). In the judgment of the Rules Committee, an extensive cutback was made. I know that the distinguished chairman of the committee, Senator TYDINGS, felt strongly that the cut was not really cutting out any fat. The committee needs this additional help, and the chairman is hopeful that there will not be any further cuts on the floor.

Mr. ELLENDER. This is the first year, I understand, that extra money was provided for this committee. Is my understanding correct?

Mr. JORDAN of North Carolina. No. Last year, Senator BIBLE came before the Rules Committee sometime close to the middle of the year and asked for three additional employees to handle the workload which had developed in the District of Columbia. Those people were granted, and they are included in this request. They are asking for the additional number this year because the workload in the District of Columbia, because of crime and other matters, has increased greatly. We took all this into consideration.

Mr. ELLENDER. So that the amount of $50,000 would take care of the extra employees provided for last year?

Mr. JORDAN of North Carolina. Last year.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The resolution is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the resolution.

The resolution (S. Res. 84), as amended, was agreed to.

AUTHORIZING THE COMMITTEE ON FINANCE TO EMPLOY ADDITIONAL CLERICAL ASSISTANTS

The resolution (S. Res. 66) to continue for 1 year the existing authority for the Committee on Finance to employ six additional clerical employees was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, at the beginning of line 2, strike out "from February 1, 1969, to January 31, 1970" and insert "until otherwise provided by law"; so as to make the resolution read:

Resolved, That the Committee on Finance is authorized until otherwise provided by law, to employ six additional clerical assistants, to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of Public Law 90–57, approved July 28, 1967, as amended.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 66 as referred to the Committee on Rules and Administration would authorize the Committee on Finance to employ six additional clerical assistants from February 1, 1969, through January 31, 1970.

During the last session of Congress a similar authorization had been granted to the committee—likewise in 1967 and 1966.

The Committee on Rules and Administration has amended Senate Resolution 66, so as to authorize the Committee on Finance to employ the additional clerical assistants on a permanent basis. The committee adopted this amendment at the request of Senator RUSSELL B. LONG, chairman of the Committee on Finance. The ranking minority member of the Committee on Finance is Senator JOHN J. WILLIAMS of Delaware.

Mr. ELLENDER. This does not add any employees, does it?

Mr. JORDAN of North Carolina. No, it does not add any employees.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on agreeing to the resolution as amended.

The resolution (S. Res. 66), as amended, was agreed to.

STUDY OF U.S. FOREIGN POLICIES

The resolution (S. Res. 64) to provide for a study of matters pertaining to the foreign policy of the United States by the Committee on Foreign Relations was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 20, after the word "exceed", strike out "$275,000" and insert "$260,000", so as to make the resolution read:

Resolved, That the Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make complete studies of any and all matters pertaining to the foreign policies of the United States and their administration.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; (3) to hold such hearings to take such testimony, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, and to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; and (4) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government, as the committee deems advisable.

SEC. 3. In the conduct of its studies the committee may use the experience, knowledge, and advice of private organizations, schools, institutions, and individuals in its discretion, and it is authorized to divide the work of the studies among such individuals, groups, and institutions as it may deem appropriate, and may enter into contracts for this purpose.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $260,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 64, as referered to the Committee on Rules and Administration, would authorize the Committee on Foreign Relations to expend not to exceed $275,000 this year for a study or investigation of all matters pertaining to the foreign policies of the United States.

During the last session of Congress $225,000 was authorized for that purpose, of which $205,959 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $275,000 to $260,000, a reduction of $15,000.

Senator J. W. FULBRIGHT is chairman of the committee. The ranking minority leader of the committee is Senator GEORGE D. AIKEN.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The VICE PRESIDENT. If there be no further amendment to be proposed, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 64), as amended, was agreed to.

SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The resolution (S. Res. 26) authorizing the Committee on Government Operations to make investigations into the efficiency and economy of operations of all branches of Government was announced as next in order.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 26 as referred to the Committee on Rules and Administration would authorize the Committee on Government Operations through its Permanent Subcommittee on Investigations to expend not to exceed $698,500 this year for investigations into the efficiency and economy of operations of all branches of the Government.

During the last session of Congress $750,000 was authorized for that purpose, of which $671,334 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator JOHN L. MCCLELLAN is chairman of the full committee and of the Investigations Subcommittee. The ranking minority member of the committee and subcommittee is Senator KARL E. MUNDT.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to, as follows:

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946 and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations or any subcommittee thereof is authorized from February 1, 1969, through

January 31, 1970, to make investigations into the efficiency and economy of operations of all branches of the Government, including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corrupt or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or non-compliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public: *Provided*, That, in carrying out the duties herein set forth, the inquiries of this committee or any subcommittees thereof shall not be deemed limited to the records, functions, and operations of the particular branch of the Government under inquiry, and may extend to the records and activities of persons, corporations, or other entities dealing with or affecting that particular brand of the Government

Sec. 2. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized from February 1, 1969, to January 31, 1970, inclusive, to conduct an investigation and study to the extent to which criminal or other improper practices or activities are, or have been, engaged in in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on Labor and Public Welfare of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

Sec. 3. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized and directed from February 1, 1969, to January 31, 1970, inclusive, to make a full and complete study and investigation of syndicated or organized crime which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions which are in violation of the law of the United States or of the State in which the transactions occur, and, if so, the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, what facilities, devices, methods, techniques, and technicalities are being used or employed, and whether or not organized crime utilizes such interstate facilities or otherwise operates in interstate commerce for the development of corrupting influences in violation of the law of the United States or the laws of any State and, further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activities have infiltrated into lawful business enterprise; and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against the occurrences of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on the Judiciary or by the Committee on Commerce of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

Sec. 4. The Committee on Government Operations or any duly authorized subcommittee thereof is authorized and directed until January 31, 1970, to make a full and complete study and investigation of all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety.

Sec. 5. The Committee on Government Operations or any duly authorized subcommittee thereof is authorized and directed until January 31, 1970, to make a full and complete study and investigation of riots, violent disturbances of the peace, vandalism, civil and criminal disorder, insurrection, the commission of crimes in connection therewith, the immediate and longstanding causes, the extent and effects of such occurrences and crimes, and measures necessary for their immediate and long-range prevention and for the preservation of law and order and to insure domestic tranquillity within the United States.

Sec. 6. The Committee on Government Operations or any of its duly authorized subcommittees shall report to the Senate by January 31, 1970, and shall, if deemed appropriate, include in its report specific legislative recommendations.

Sec. 7. (a) For the purposes of this resolution, the Committee on Government Operations, or any of its duly authorized subcommittees, from February 1, 1969, to January 31, 1970, inclusive, is authorized, as it deems necessary and appropriate, to (1) make such expenditures from the contingent fund of the Senate; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) administer such oaths; (5) take such testimony, either orally or by sworn statement; (6) employ on a temporary basis such technical, clerical, and other assistants and consultants; and (7) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel as it deems advisable; and, further, with the consent of other committees or subcommittees to work in conjunction with and utilize their staffs, as it shall be deemed necessary and appropriate in the judgment of the chairman of the committee or subcommittee: *Provided further*, That the minority is authorized to select one person for appointment and the person selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee.

(b) For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, or its chairman, or any other member of the committee or subcommittee designated by the chairman, from February 1, 1969, to January 31, 1970, inclusive, is authorized, in its or his or their discretion, as may be deemed advisable, to require by subpena or otherwise the attendance of such witnesses and production of such correspondence, books, papers, and documents.

Sec. 8. Expenses of the committee under this resolution, which shall not exceed $698,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF EXECUTIVE REORGANIZATION

The resolution (S. Res. 25) to provide funds to study and evaluate the effects of laws pertaining to proposed reorganizations in the executive branch of the Government was announced as next in order.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the resolutions?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 25), which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 19, after the word "exceed", strike out "$155,000" and insert "$115,000"; so as to make the resolution read:

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee, thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study for the purpose of evaluating the effects of laws enacted to reorganize the executive branch of the Government, and to consider reorganizations proposed therein.

Sec. 2. For the purpose of this resolution the committee, from February 1, 1969, through January 31, 1970, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $115,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 25 as referred to the Committee on Rules and Administration would authorize the Committee on Government Operations through its Subcommittee on Executive Reorganization to expend not to exceed $155,000 this year for a study of the effects of laws enacted to reorganize the executive branch of the Government.

During the last session of Congress $115,000 was authorized for that purpose, of which $108,668 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $155,000 to $115,000, a reduction of $40,000.

Senator Abraham Ribicoff is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator Jacob K. Javits.

In his presentation to the Senate Rules Committee, Senator Ribicoff emphasized the subcommittee's intention of making a comprehensive review of the 21 separate departments and agencies of the Federal Government concerned with the question of health. The members of the Senate Rules Committee have granted increased funds to the Committee on Labor and Public Welfare and to the Select Committee on Nutrition and Human Needs. Actually, the Committee on Labor and Public Welfare has an active Subcommittee on Health, which has the principal jurisdiction over Federal health programs. In view of these factors, the Senate Rules Committee held the amount requested for Senator RIBICOFF'S subcommittee to the same amount ($115,000) which was provided to that subcommittee last year.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 25) as amended, was agreed to.

STUDY OF RESEARCH AND DEVELOPMENT PROGRAMS FINANCED BY THE FEDERAL GOVERNMENT

The resolution (S. Res. 38) authorizing the Committee on Government Operations to study the origin of research and development programs financed by the departments and agencies of the Federal Government was announced as next in order.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 38 as referred to the Committee on Rules and Administration would authorize the Committee on Government Operations through its Subcommittee on Government Research to expend not to exceed $63,852 this year for a study of the operations of research and development programs financed by the Federal Government.

During the last session of Congress $85,000 was authorized for that purpose, of which $83,953 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with a minor amendment rounding off for accounting convenience the requested amount from $63,852 to $63,800.

Senator FRED R. HARRIS is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator KARL E. MUNDT. The budget accompanying the resolution runs through September 30, 1969, only. The subcommittee intends to go out of business then.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 3, line 14, after the word "exceed", strike out "$63,852" and insert "$63,800"; so as to make the resolution read:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized, from February 1, 1969, through January 31, 1970, to make studies as to the efficiency and economy of operations of all branches and functions of the Government with particular reference to:

(1) the operations of research and development programs financed by departments and agencies of the Federal Government, including research in economics and social science, as well as the basic sciences, biomedicine, research, and technology;

(2) review those programs now being carried out through contracts with higher educational institutions and private organizations, corporations, and individuals to determine the need for the establishment of national research, development, and manpower policies, and programs, in order to bring about Government-wide coordination and elimination of overlapping duplication of scientific and research activities; and

(3) examine existing research information operations, the impact of Federal research and development programs on the economy and on institutions of higher learning, and to recommend the establishment of programs to insure a more equitable distribution of research and development contracts among such institutions and among the States.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized—

(1) to make such expenditures as it deems advisable;

(2) to employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants: *Provided*, That the minority of the committee is authorized at its discretion to select one employee for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and

(3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize on a reimbursable basis the services, information, facilities, and personnel of any department or agency of the Government.

SEC. 3. Expenses of the committee under this resolution, which shall not exceed $63,800, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. ELLENDER. Mr. President, this involves Government research.

Mr. McCLELLAN. I anticipated that the Senator from Oklahoma (Mr. HARRIS) would make a statement, if he wished to do so.

I might make this observation, Mr. President. This committee was appointed a subcommittee at the suggestion of other members of the committee. Senator HARRIS in particular thought there was an area in which they would like to make some studies and it was on that recommendation that the committee considered and decided to establish this subcommittee. In the meantime, I am certain the committee has done some very good work and has made some studies. However, I have concluded, as chairman of the committee, that we can do with the subcommittees we have. We can do this work where it needs to be done. I do not want a proliferation of subcommittees. This was to be a temporary subcommittee, and I have insisted that it be terminated.

I would agree that some few months might be needed to enable them to complete their work and to make their report. That is the status. We are discontinuing that subcommittee, and, as the Senator may know, another subcommittee has already been discontinued and abolished. Therefore, we have reduced the number of subcommittees from six to four. I do not know whether another reduction can be made, but I did find that, in my judgment, six subcommittees were too many for the efficient operation of subcommittee work. Apparently four subcommittees are required and needed. We will continue with four subcommittees, and also with the Investigations Subcommittee, to which appropriation the Senator did not object a moment ago. I appreciate that because the Investigations Subcommittee is taking over the work that was given to former Senator Gruening's subcommittee. We are taking it over.

We also reduced our request for funds this year, and that has been further reduced to some extent. I believe we have been allowed the full amount of our request. We are absorbing the work of one committee, are absorbing pay increases, and are asking for less money than last year. Last year $51,800 was turned back out of the moneys the Committee on Rules and Administration allowed us. We had made a larger request, but the Committee on Rules and Administration reduced it $40,000 or $50,000. In investigations work we cannot be certain how much money will be needed. Extra work develops unexpectedly, and sometimes it is unanticipated. Sometimes we have to take on extra help. We have taken on our duties with a view toward economy. I believe the record will show that we are continuing to operate economically and that we take measures to be more efficient and economical whenever we have the opportunity.

Mr. ELLENDER. The reason I asked the question as to Government research is that this subcommittee was organized on a temporary basis, as I understand the matter.

Mr. McCLELLAN. It was. I agree with the Senator. We were going to treat it that way.

Mr. ELLENDER. Is it necessary to have the subcommittee now?

Mr. McCLELLAN. This amount of money requested is to enable the subcommittee to wind up its work. It is supposed to wind up by August 1. This request is to close it out; not to continue it. The Senator from Oklahoma (Mr. HARRIS) is not here. However, this amount is to enable us to close out the subcommittee.

Mr. JORDAN of North Carolina. The chairman of the subcommittee has assured the Committee on Rules and Administration that the subcommittee will be discontinued by September 1 and that it will go out of business.

Mr. ELLENDER. That is why I asked the question. I thought that the amount we gave last year was for that purpose.

Mr. McCLELLAN. It was temporary. This year we are closing it out.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. I yield.

Mr. MANSFIELD. Mr. President, I would hope that the Senator from Arkansas would maintain the interest of his committee in the field of research and development, which I think is most important in this country and which I think has grown considerably in recent years, without sufficient scrutiny on Congress part.

We spend on the order of $18 billion a year on research and development. Of that amount, $8 billion is spent by the Department of Defense.

The Department of Defense should carry on research and development in things military and in mission-oriented research connected with defense, but I think their present involvement has to be examined with a fine-toothed comb, and I can think of no better committee, along with the Committee on Appropriations, to be charged with the responsibility and which has the capability for looking into this important segment of the economy which costs so much money.

Mr. McCLELLAN. It is not the disposition of the committee to abandon any of its responsibilities. I point out in all candor, and I think chairmen of other subcommittees recognize what I say as a fact, that with so many subcommittees holding hearings, our problem is to get enough Senators to attend subcommittee hearings. Every Senator is busy with his own subcommittee, and that makes for inefficiency of the committee.

Mr. MANSFIELD. I agree. There is too much emphasis on staff members instead of on Senators.

Mr. McCLELLAN. We are trying our best.

Mr. ELLENDER. I understood the Senator from Arkansas to say that he was going to dispense with this subcommittee by September, but that he is going to continue to look into these matters.

Mr. McCLELLAN. We are not abandoning our responsibility.

Mr. ELLENDER. He does not think it necessary to have the subcommittee.

Mr. MANSFIELD. Just so we do not lose sight of the necessity to scrutinize this important segment of expenditures.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. MANSFIELD. If I have the floor, I yield to the Senator.

Mr. JORDAN of North Carolina. I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, in response to the Senator from Montana, with respect to the $8 billion in the defense authorization bill for research and development, we are not transgressing on the jurisdiction of any other committee. This item is referred to the Armed Services Committee for authorization. The money has to be authorized before it can be appropriated.

We propose and already have in mind a subcommittee which would come from our committee and would use present staff members. They are well versed in a great number of these weapons, and they would be able to do a great deal of the work before sums such as this were authorized and would follow up the rest of the year and after the bill was reported. This would be the background for work in the same field next year for authorization. In that way we could build a background of knowledge to cope with this matter. This concerns very involved and long-range research and development in a very extensive field of weapons.

Mr. MANSFIELD. I wish to emphasize that I favor Government-sponsored research and development. So far as the Department of Defense is concerned, I favor having it provide for itself within the sphere of the Department of Defense. But I do not want that department or any other department or agency of Government to exceed or expand their areas of involvement beyond those spheres directly related to their missions. I suspect a present tendency for some to go off at peculiar angles and far flung tangents.

I want further study in the area of indirect costs. It has the appearance of a double subsidy in certain areas. It should be studied thoroughly. I think research having to do with health and urban areas, social science and the general pursuit of knowledge should be the concern of the department or agency most directly charged with these responsibilities and not the Department of Defense.

I feel confident that a detailed analysis of the expenditures for research and development over past years will reveal that a disproportionate amount has been allocated to the Defense Department. Prior to last year when the chairman of the committee put a check on them, all they did was to hold out their hands, and they got what they wanted, whereas many other departments which were better equipped to handle specific types of research then being sponsored by Defense could get little or nothing at all.

I am delighted that the Senator is going into this matter in detail, and I shall repeat for the benefit of the Senate that while I have many questions about which agency sponsors the research and development and at the present rate of $18 billion a year, I have nothing against research and development in its proper sphere. In addition, I believe that proper agency sponsorship will eliminate inefficiency, duplication, and wasted effort. I am sure that no Member of this body would disagree with me that such an elimination would be desirable.

Mr. STENNIS. With that statement, I agree.

Mr. ELLENDER. I should think the Senator from Montana would want to have the need for some of these committees shown. As the Senator from Arkansas (Mr. McCLELLAN) has just said, he wants to dispense with this subcommittee, because there are too many subcommittees.

Mr. MANSFIELD. He is continuing with his work in this most important field. That was my most important point.

Mr. ELLENDER. A good deal of the work of the Committee on the Judiciary could be done by fewer subcommittees. That is the point I am stressing.

Mr. MANSFIELD. I would not disagree with the Senator from Louisiana. I think this body is getting subcommittee-happy.

Mr. ELLENDER. I agree fully.

Mr. President, will the Senator from North Carolina yield?

Mr. JORDAN of North Carolina. I yield.

Mr. ELLENDER. As I understand, the resolution does not provide that the subcommittee will terminate its studies in September.

Mr. JORDAN of North Carolina. The resolution does not so provide, but the chairman of the committee notified the Rules Committee that it would, and we have an understanding to the effect that the subcommittee will complete the work.

Mr. ELLENDER. And the budget calls for——

Mr. JORDAN of North Carolina. Eight months. The work will be terminated in 8 months.

Mr. President, I move the adoption of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 38), as amended, was agreed to.

STUDY OF CERTAIN ASPECTS OF NATIONAL SECURITY AND INTERNATIONAL OPERATIONS

The resolution (S. Res. 24) to study certain aspects of national security and international operations was announced as next in order.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 24 as referred to the Committee on Rules and Administration would authorize the Committee on Government Operations through its Subcommittee on National Security Operations to expend not to exceed $105,000 this year for a study of certain aspects of national security and international operations.

During the last session of Congress $90,000 was authorized for that purpose, of which $69,237 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

The Senator from Washington (Mr. JACKSON) is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is the Senator from South Dakota (Mr. MUNDT).

Mr. ELLENDER. Mr. President, as I understand, this is the resolution to study certain aspects of national security and international operations.

Mr. JORDAN of North Carolina. The Senator is correct.

Mr. ELLENDER. Why cannot this work be done by the Committee on Foreign Relations?

Mr. JACKSON. This is an area in which the Committee on Government Operations has jurisdiction under the Reorganization Act. Our studies relate to more than one department of Government. We conduct inquiries and audit interagency operations which involve a number of departments and agencies in the national security field, with a view to determining their economy and efficiency.

We do not deal with just one department or agency—we audit interagency operations, for example, the National Security Council, joint State-Defense Department programs, and so forth.

Mr. ELLENDER. Why cannot the Foreign Relations Committee do that, because it deals with national security?

Mr. JACKSON. No. Last year we conducted a pioneer study of the planning, programing, and budgeting system—PPBS—in the State Department, the Defense Department, the Bureau of the Budget, and other Government agencies. This is the whole basis of the jurisdiction of the Government Operations Committee.

Mr. ELLENDER. Maybe the name of the committee should be changed, say to the national security operations——

Mr. JACKSON. Rule XXV of the Standing Rules of the Senate provide that we have authority to look into certain aspects of international organizations. I point that out to the able Senator. We are not duplicating the work of any other committee. No other committee has the same jurisdiction with respect to those areas which we have been inquiring into.

Mr. ELLENDER. As was pointed out a while ago in colloquy with my good friend from Maine, I understood and felt that much of the work was done by the Committee of the Judiciary for internal security.

Mr. JACKSON. No, sir. Our work has nothing to do with the investigative work in matters relating to internal security.

Mr. ELLENDER. Could it not be done by that committee?

Mr. JACKSON. No, sir.

Mr. ELLENDER. Why not?

Mr. JACKSON. For the simple reason that they deal with problems of subversion, and so forth. Their jurisdiction is completely different from ours. Our jurisdiction is set forth under rule XXV of the Standing Rules of the Senate.

I quote this from the provisions of the standing rules as they relate to the jurisdiction of the Committee on Government Operations: "a study of governmental relationships between the United States and international organizations of which the United States is a member."

Then, in addition, we have the jurisdiction relating to interagency operations. This is the basic charter of the Government Operations Committee.

Mr. ELLENDER. The Committee on Foreign Relations does a little dabbling in that, too.

Mr. JACKSON. That is right, in certain areas, but it has not gone into the interagency areas we have been talking about.

Mr. ELLENDER. The Senator from Arkansas made a fine presentation a while ago, that we have too many subcommittees and in order to prevent duplication, we should make the committees which have the work do the work. It strikes me that a good deal of this work could be done by the Committee on Foreign Relations. It is asking for some funds here to do work similar to that which the Senator is speaking of.

Mr. JACKSON. The Senator is, I think, not correct in that regard. I hope that the Senator from Arkansas (Mr. Fulbright) will speak to that. We are involved in the area of planning, programing, and budgeting systems. We have been engaged in doing the pioneer work relating to the National Security Council. I do not know of any other committee in the Senate that is looking into that area. I want to say to the able Senator from Louisiana that there is no duplication of jurisdiction here.

Mr. ELLENDER. Then the Senator feels that it is absolutely necessary to have this?

Mr. JACKSON. I point out to the Senator that the new administration which has just come into power has drawn upon the work of our subcommittee in the National Security Council area for assistance during the transition period. I have met with the President of the United States personally in this regard, as I met with the late President John F. Kennedy on this subject. I point out to the Senator from Louisiana that our work in this area has been unique and no other committee has been involved in it.

Mr. ELLENDER. Has the Senator held hearings and made reports of any kind?

Mr. JACKSON. Yes, continuously. I will be glad to supply a big stack of them to the Senator which go back almost 10 years.

Mr. ELLENDER. Was any legislation derived from the hearings?

Mr. JACKSON. As the able Senator from Maine pointed out, the Committee on Government Operations has a limited jurisdiction in the legislative field affecting the General Accounting Office and reorganization plans. The rest of the work of the committee is investigative, studying various matters relating to the efficiency and operation of the Federal Government, and making findings and recommendations.

Mr. ELLENDER. I am very hopeful that the distinguished Senator from Arkansas, the chairman of the Committee on Government Operations, will look into this matter again. We dispensed with the Foreign Aid Expenditures Subcommittee and, come September, will do away with Government research.

The distinguished Senator from Arkansas (Mr. McClellan) might look into that, with a view, perhaps, to——

Mr. McCLELLAN. I want to say to the Senator from Louisiana that so far as I have found, and because it was advisable to eliminate two of the subcommittees in line with the purpose of operating the committee economically and efficiently, and because we found it advisable to do that, does not signify that all other subcommittees should be abolished. There is work for them to do. I can say for this subcommittee chaired by Senator Jackson that it is an active committee. It is an economical committee. It is not a committee spending a lot of money. It is one that I would say is a permanent fixture of the Committee on Government Operations, if the Committee on Government Operations is going to carry out all its functions. Because it is impossible for the full committee to do this work as a full committee, to do all of it and do what is now being done in the subcommittee processes, I think this is a very much needed subcommittee. I also think that the request for money is very, very modest compared to the work it does.

Mr. JORDAN of North Carolina. Mr. President, I move the adoption of the resolution.

The PRESIDING OFFICER. The question is on the adoption of the resolution.

The resolution (S. Res. 24) was agreed to, as follows:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized, from February 1, 1969, through January 31, 1970, to make studies as to the efficiency and economy of operations of all branches and functions of the Government with particular reference to:

(1) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(2) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge, talents, and skills;

(3) the adequacy of present intergovernmental relationships between the United States and international organizations of which the United States is a member; and

(4) legislative and other proposals or means to improve these methods, processes, and relationships.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized—

(1) to make such expenditures as it deems advisable;

(2) to employ, upon a temporary basis, and fix the compensation of technical, clerical, and other assistants and consultants: *Provided*, That the minority of the committee is authorized at its discretion to select one employee for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and

(3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize on a reimbursable basis the services, information, facilities, and personnel of any department or agency of the Government.

Sec. 3. Expenses of the committee under this resolution, which shall not exceed $105,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATIONS BY THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

The resolution (S. Res. 60) authorizing the Committee on Interior and Insular Affairs to investigate certain matters within its jurisdiction was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 60, as referred to the Committee on Rules and Administration, would authorize the Committee on Interior and Insular Af-

fairs to expend not to exceed $160,000 this year for a study of all matters within its jurisdiction.

During the last session of Congress $125,000 was authorized for that purpose, of which $107,627 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator HENRY M. JACKSON is chairman of the committee. The ranking minority member of the committee is Senator GORDON ALLOTT.

Mr. ELLENDER. Mr. President, I notice an increase of $35,000 over last year, and provision for one additional employee.

Mr. JACKSON. Yes. I point out to the distinguished Senator that the work of our committee has increased tremendously. The Senator may recall that this is the committee of the Senate that was under the leadership and direction of my predecessor, the Senator from New Mexico (Mr. ANDERSON), and that the overall appropriations were cut more than in half when he became chairman in the 87th Congress. Our work, as I have indicated, has increased by a very substantial factor. For example, in the field and in Washington, last year the committee held 178 public hearings on various measures. In the last Congress it reported 155 bills. Of the 155 reported, 144 were approved by the Senate. Of those, 114 were approved by the President and became public law.

I think the Senator will agree that the problems of improving the quality of our environment and the appropriate development of the Nation's outdoor recreation resources have become major issues in the United States. Our legislative workload has increased substantially over the past few years, and we are going to face a heavier one ahead. We believe we have made a very modest request.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield at that point?

Mr. JACKSON. I yield.

Mr. JORDAN of North Carolina. I have been, and the members of the Committee on Rules and Administration have been, tremendously impressed with the economy of this particular committee under the chairmanship of the Senator from Washington (Mr. JACKSON). Some figures will be of interest to the Senate.

In the 85th Congress, $389,662.04 was spent.

In the 86th Congress, $435,387.04 was spent.

In the 87th Congress, the committee asked for and spent only $192,496.

In the 88th Congress, the committee spent $161,638.

In the 90th Congress, the committee spent $112,487 through December 1967.

The committee has asked for $160,000 this year.

Those figures show the tremendous economy which the committee has exhibited over this period of years. I want to commend the chairman and his committee for the fine job they have done and the amount of money they have saved over that period of years.

Mr. JACKSON. Mr. President, I appreciate very much the support the distinguished Senator has given to the Committee on Interior and Insular Affairs. In connection with its budget requests, we have tried to economize in every way possible; and, considering the workload, I consider the request very modest.

Mr. JORDAN of North Carolina. Mr. President, I move the adoption of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 60) was agreed to, as follows:

S. RES. 60

Resolved, That the Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the jurisdiction of the Committee on Interior and Insular Affairs, including national parks and recreation areas; Indian affairs; irrigation and reclamation; water and power resources; minerals, materials, and fuels; public lands; environmental studies; and territories and insular affairs.

SEC. 2. Pursuant to its authority under section 134(a) of the Legislative Reorganization Act of 1946, as amended, the committee is authorized to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, documents, and to take such testimony on matters within its jurisdiction as it deems advisable.

SEC. 3. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $160,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF ADMINISTRATIVE PRACTICE AND PROCEDURE IN GOVERNMENT DEPARTMENTS AND AGENCIES

The resolution (S. Res. 39) to study administrative practice and procedure, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 23, after the word "exceed", strike out "$244,820" and insert "$210,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation of administrative practices and procedures within the departments and agencies of the United States in the exercise of their rulemaking, licensing, investigatory, law enforcement, and adjudicatory functions, including a study of the effectiveness of the Administrative Procedure Act and the study of the recommendations of the Administrative Conference of the United States, with a view to determining whether additional legislation is required to provide for the fair, impartial, and effective performance of such functions.

SEC. 2. For the purpose of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facililties, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $210,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 39 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its Subcommittee on Administrative Practice and Procedure to expend not to exceed $244,820 this year for a study of administrative practice and procedure in Government departments and agencies.

During the last session of Congress $210,000 was authorized for that purpose, of which $198,840 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $244,820 to $210,000, a reduction of $34,820.

Senator EDWARD KENNEDY is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator EVERETT MCKINLEY DIRKSEN.

This is another instance involving a subcommittee of the Committee on the Judiciary wherein the Senate Rules Committee felt constrained to hold the line at last year's authorization. The members of the Senate Rules Committee are aware of the fact that a major portion of legislative items are referred to the Committee on the Judiciary. They are equally aware that there has been a continuing

proliferation of subcommittees in that committee with corresponding increases in funds requested.

Last year, the total amount authorized to the Judiciary Committee for investigations was $2,631,900. This year that committee requested a total amount of $2,934,997—an increase of $303,097. The requested sum has been reduced to $2,613,400 by amendments. The Rules Committee feels that it has a difficult responsibility in drawing a fair line between committee expenditure authorizations and adequate committee staffing. The committee has conscientiously attempted to execute that responsibility. It has always been the committee's position that should a particular committee or subcommittee during the course of a session ascertain that it has a genuine need for additional funds to carry out its functions and request more money, the Rules Committee will give such request prompt consideration.

Mr. ELLENDER. Mr. President, I understand that, but I simply wish to point out that the Judiciary Committee of the Senate has a subcommittee for each Senator, I think. Its expenditures have increased from year to year. The record shows that the Judiciary Committee of the Senate has a budget, in addition to its regular budget, of $2,613,400 for 1969. I understand the committee had asked for $2,937,997.

Mr. JORDAN of North Carolina. We cut the request $321,597. It is about $500,000 less than it got last year. Of course, we are going to hear from them. Some of the members want to restore that amount, as the Senator well knows.

Mr. ELLENDER. I would not be surprised; but, as I pointed out, from year to year this committee has been spending a little over one-third of the total for all committees of the Senate. It has 187 employees altogether. This, of course, includes the 15 permanent employees that were provided under the Reorganization Act. The rest of them are provided for here—that is, by an appropriation each year. Am I correct in that?

Mr. JORDAN of North Carolina. Yes; that is correct.

Mr. ELLENDER. It is not my purpose to go over each and every committee; but, as I said, I felt that the Senator from Arkansas (Mr. McCLELLAN) wisely pointed out a while ago that it is possible for a committee to have too many subcommittees. If a committee had fewer subcommittees, better work could be done and more work could be done with fewer employees. I have been making this argument for 10 or 15 years now, but it does not seem to hit the mark. I am not going to waste any more time on it.

Mr. JORDAN of North Carolina. I would like to comment for just a minute. We took all those factors into consideration, but about 50 percent of all the legislation reported to the Senate comes within the jurisdiction of this committee or its subcommittees.

Mr. ELLENDER. I wish to say that in 1946 I was chairman of the Claims Committee. With one clerk, and having a group of Senators who really worked, we reported over 52 percent of the bills passed by this body. This committee is doing the same work, but it has four lawyers and God knows how many clerks. In addition, there are, of course, several attorneys in the Attorney General's office who do this work.

I realize that the committee sends many bills to the Senate, but in the past this same work was done by the Claims Committee, of which I was chairman. Of course, it took work to do it. I am proud that we were able to do it. As I said, it is no argument to me to say that the committee accounts for over 50 percent of the bills passed in the Senate. The committee has a great deal of help to do it, much more than I had when I handled those bills, and when my Claims Committee handled over 50 percent of the bills passed by this body.

Mr. KENNEDY. Mr. President, I wish to present the views of the members of the Subcommittee on Administrative Practice and Procedure and the members of the Judiciary and Rules Committees relative to Senate Resolution 39.

The subcommittee proposed, and the full committee approved, a request for $244,820, an amount equal to the amount received last year plus an allowance for the cost of the July 1968 Government-wide salary increases as well as the estimated cost of the expected July 1969 Government-wide salary increases. The Rules Committee has amended the resolution with a reduction of $34,820, to leave a request of $210,000, exactly the amount the subcommittee received last year.

Thus, in asking for the same amount as last year, the subcommittee will have to absorb the cost of the 1968 pay raise, or make other adjustments in the already tight budget. I would point out that while the subcommittee did have some funds remaining unexpended at the end of the 90th Congress, the prior chairman had been defeated in a primary in August, and the subcommittee's activities and staff both continued at a reduced level for the remainder of the fiscal year.

Since the coming fiscal year will find the subcommittee fully staffed and fully active for the entire 12 months, it is to be expected that the budget will be strained to its limits, especially in view of the need to absorb the cost of past salary increases.

The letter from the chairman of the Judiciary Committee to the chairman of the Rules Committee, dated January 24, 1969, which included a letter from me to Chairman EASTLAND outlining in some detail the matters which the committee will have under consideration this year, is included in the printed report. Let me just add that during the brief time I have been chairman of the subcommittee and have had occasion to review its responsibilities, I have been extremely impressed with the importance and timeliness of its duties. The need to revise and update the Administrative Procedure Act alone is a project of great complexity and utmost priority. That act affects the daily workings of over 100 Federal agencies, yet has not been revised since 1946. The administrative conference is now operative and has already produced many important recommendations on administrative practices which the subcommittee will be reviewing. The Freedom of Information Act and title III of the Omnibus Crime Control and Safe Streets Act, both of which the subcommittee was heavily involved in legislatively, are now also fully operative, and we will have a continuing responsibility for reviewing the performance under these laws.

In addition to the items referred to in the letter, I have already received other suggestions deserving of subcommittee consideration which would keep the subcommittee busy for many years. These include the general themes of enhancing citizen impact on the decisionmaking process, procedures for making available the latest technological and scientific resources for regulatory and other decisionmaking agencies, and the practices and procedures which determine the relative impact of agency members and agency staff on administrative decisionmaking.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the resolution, as amended.

The resolution (S. Res. 39), as amended, was agreed to.

INVESTIGATION OF THE ADMINISTRATION OF ANTITRUST AND MONOPOLY LAWS

The resolution (S. Res. 40) to investigate antitrust and monopoly laws of the United States was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 3, line 5, after the word "exceed", strike out "$623,500" and insert "$525,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a complete, comprehensive, and continuing study and investigation of unlawful restraints and monopolies, and of the antitrust and monopoly laws of the United States, their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for—

(1) clarification of existing law to eliminate conflicts and uncertainties where necessary;

(2) improvement of the administration and enforcement of existing laws; and

(3) supplementation of existing law to provide any additional substantive, procedural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $525,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Mr. President——

Mr. HART. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. I yield.

Mr. HART. Mr. President, let me react briefly to the proposal that is being made to us by the Committee on Rules and Administration. The Rules Committee recommends that the authorization for the Antitrust Subcommittee be reduced by $98,000.

In the last 5 years, sometimes with the acquiescence only of the subcommittee chairman, at other times with enthusiastic support, the personnel of this subcommittee has been reduced 27 percent. I do not think I will have any takers when I ask if any other one does any better. Twenty-seven percent. I cannot acquiesce, at this juncture, in any further reduction, which would not be a phased reduction at all, but would compel the elimination virtually, as of next month, of three to five professionals. I realize that the total figure that has been requested by the Antitrust Subcommittee over the years has been high relative to other subcommittees.

But is it relevant to talk about the relativity of the figure? Is not the relevant consideration rather what it is that this subcommittee is supposed to wrestle with—a massive economy that further concentrates its power?

I do not pretend that the Antitrust Subcommittee is going to come up with any answer as to how we may diminish the trend toward concentration in American industry, but I hope that all here present believe that if there were just one source of employment in this country, and just one source of production, we would have destroyed the whole nature of our society. I think everyone agrees that is wrong.

Our subcommittee has developed figures which I think cannot be refuted, showing that about two-thirds of American industrial capacity and output currently is in the hands of 200—200 corporations, they call them, but 200 management decisions that affect two-thirds of our output—and the trend rapidly accelerates.

If this committee could do nothing else than make clear to America the threat that is involved here—and I hope this does not sound like Bryan resurrected—it would justify fully twice the sum.

We will be asked, of course, what bills have come out of the subcommittee. There have been efforts by some of us to get some bills out. Very few have emerged.

We have been asked, though not as gracelessly as this question is phrased, "What have you ever done that has done anybody any good?"

I would submit that we have saved the consumers of this country, in the last 12 months, about $750 million. How? By the settlements that have been effected as a consequence of our hearings, which we have generated in the areas of electrical machinery and of pharmaceuticals. And if you can get a cheaper funeral tomorrow, you can thank the subcommittee for that also. There is a wide variety of fields in which the activity of this committee has contributed materially to the budget of every family in the country.

But I repeat, Mr. President, I think most important of all is the fact that when I inherited, as seniority operates in this body, the subcommittee, there was a total of 44 personnel. That number has now been reduced to 32, over a period of 7 years. That is a reduction in personnel of 16 percent; and, beginning with the year when I first had full responsibility for the committee, the reduction has been at the rate of 27 percent.

I really believe that on a record such as that, the Senate might consider supporting an effort, in the form of an amendment I proposed to offer, to reinstate the sum necessary to continue the present personnel, allowing only for the salary increase which the Senate adopted last summer. That would involve, Mr. President, substituting for the figure recommended by the committee, which is $525,000, the figure of $593,000, or an increase of $68,000.

Last year's authorization was $577,500. The figure of $593,000 would represent, actually, a sum of only $15,500 more than our authorization of last year.

However, Mr. President, before making such a suggestion, I would inquire of the chairman of the Rules Committee if it might not be possible, inasmuch as some of the figures that I have now developed were not available to the Rules Committee at the time of our hearing, but are now available in tabulated form, that we provide these figures to him, and, while I can understand why he might not be in a position to do it, whether he could not agree to accept the modification, if we could pass this resolution, enabling the staff of the committee to determine the accuracy of the table which, I repeat, was not available at the time we presented our case.

Mr. JORDAN of North Carolina. Mr. President, in answer to the Senator's request, at the time of the hearing there was a full quorum of the Rules Committee present. We went over all the requests and all the information furnished. I am personally not in a position to accept the amendment, because the Rules Committee came up with these recommendations in the full committee.

If the Senator wishes to offer an amendment from the floor, of course, that is perfectly all right; I have no objection to his doing that.

Mr. HART. Mr. President, it had been my thought—and let me repeat, because, in view of the exchange on the floor, perhaps the able chairman has not heard me fully—that inasmuch as there has been developed a tabulation that makes very clear that there has been in fact a personnel reduction of 27 percent in this subcommittee in the last 4 years, we might leave that with the committee, and enable the chairman, in the next few hours, perhaps, to reevaluate, in the light of that performance, the reasonableness of our request, rather than offering the amendment at this time under circumstances which, if I were in the position of the chairman of the Rules Committee, would compel me to oppose.

Mr. JORDAN of North Carolina. Mr. President, I shall be glad to talk with the members of the committee and discuss the matter with them, but I do not think we will have another meeting of the committee. I will be glad to take the matter up the next time we meet, because we are going to meet tomorrow, and meanwhile I will discuss the matter with other members of the committee.

Mr. HART. Mr. President, if I understand correctly, then, the chairman of the Rules Committee would not object to passing over this resolution at this time, since we can anticipate the Senate being in session tomorrow to consider resolutions, and the matter could be considered at that time. In the meantime, the chairman might have an opportunity to analyze the tabulation he has just been given.

Mr. JORDAN of North Carolina. Mr. President, I am not certain that I understand exactly what the Senator is now saying.

Mr. HART. Nor was I clear with respect to the Senator's reply.

I would much prefer, rather than offering an amendment against an exchange which has been heard by relatively few Senators, to leave with the chairman of the Rules Committee the tabulation I have just described, and that we not act upon this resolution today, provided, however—and this is what I wanted to make clear—that we anticipate being in session tomorrow, and that on tomorrow the resolution could be called up, and we would act, either in support of the recommendation of the Rules Committee or of the modification that I have advanced.

Mr. JORDAN of North Carolina. And act on this matter tomorrow instead of today? That is agreeable to me.

Mr. President, I ask that further consideration of the resolution go over until tomorrow.

Mr. HART. Then, Mr. President, I ask unanimous consent to have printed in the RECORD at this point the tabulation I have just described.

Mr. JORDAN of North Carolina. Would

the Senator make for the Record a statement of his amendment also? He has just presented me with this tabulation, which I had not seen.

Mr. HART. The amendment, Mr. President, would be simply to strike the figure "$525,000" on page 3, line 5, and insert in lieu thereof the figure of "$593,000." This would maintain the staff at the level of last year's authorization, with the addition only of the salary increase of last year.

There being no objection, the tabulation was ordered to be printed in the Record, as follows:

SENATE ANTITRUST AND MONOPOLY SUBCOMMITTEE BUDGET DATA

Year	Amount appropriated	Payroll included in budget	Pay raise		Personnel				
					Professional		Clerical		
			Date	Amount (percent)	Total	(Minority)	Total	(Minority)	Grand total
1959:									
Feb. 2	$395,000								
Aug. 9	30,000								
Total	425,000	$337,116.10			23	3	15	1	38
1960:									
Feb. 8	425,000								
Aug. 29	25,000								
Total	450,000	361,290.35	July 1, 1960	7.5	23	2	15	1	38
1961	450,000	384,625.89			22	3	16	1	38
1962:									
Feb. 7	450,000								
Feb. 7, 1963	23,000								
Total	[1] 473,000	379,956.77	Oct. 1, 1962	7	22	3	17	1	39
1963	[2] 468,250	476,171.67			26	6	18	3	44
1964:									
Feb. 10	512,000								
Jan. 3, 1965	28,500								
Total	540,500	449,464.14	July 1, 1964	(3)	25	6	15	2	40
1965	543,500	477,075.84	Oct. 1, 1965	3.6	21	5	14	2	35
1966	561,700	493,805.99	July 1, 1966	2.9	21	5	14	2	35
1967	560,000	487,996.10	Oct. 1, 1967	4.5	21	5	13	2	34
1968:									
Mar. 15	560,000								
July 31	17,500								
Total	577,500	513,995.00	July 1, 1968	5.85	19	5	13	1	32
Percentage of change, 1959-68	+35.9	+52.4		+57.3	−17.4		−13.3		−15.8
1969 (requested)	$623,500	$547,371		(4)	19	5	13	1	32
Percentage of change, 1968-69	+8.0	+6.5		+10					

[1] For 13 months.

[2] For 11 months.

[3] Ranging from 5 to 21½ percent.

[4] Salary includes 5.85 percent for 5 months plus estimated 10 percent for 7 months.

Mr. HART. In addition, Mr. President, I ask unanimous consent to have printed in the Record a statement which analyzes in greater detail our reaction to the reduction, together with some summary of the activities of the committee during the year.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement

Since taking over the Antitrust and Monopoly Subcommittee in the fall of 1963, I have, if not cooperated, at least acquiesced in the cutting of the staff from the 44 I inherited to the present level of 32. This is a 27 percent cut. While our budget has risen during this same period, the increase covers only, and I emphasize "only," pay raises voted by the Congress.

This year the subcommittee asked for $623,500 which is for the same size staff we had in 1968. The 1968 staff had been further reduced by two professionals. The dollar increase over last year is for last year's pay increase and the estimated amount of the increase to go into effect in July.

The subcommittee members unanimously supported this request as did the full Judiciary Committee. The Rules Committee cut this request by $98,500.

This time I cannot in good conscience acquiesce. It seems to me that it is time to put the budget, not only of this subcommittee, but of others in perspective.

It is not relevant to talk about appropriations for committees as if they existed in a vacuum—as absolute amounts. They are not. Today's dollar in 1959 terms is worth 81 cents. We are not living in the world of 1959 but in the world of 1969 and this is something we must take into consideration.

This Congress through its committees has a vital oversight function of executive expenditures and activities. In 1959 the Federal unified budget was $92 billion. In 1968 that expenditure was $179 billion, an increase of 94.6 percent. Obviously the executive branch does not operate on 1959 programs and dollars. And if we are to fulfill our obligations, neither can the Congress.

Our subcommittee has the obligation to be concerned with the state of competition in the entire economy. In 1959 the Gross National Product was $484 billion. In 1968 it was $861 billion, an increase of 77.9 percent. In 1959 our 500 leading corporations had sales of $197 billion. In 1968 they had sales of $380 billion, an increase of 92.9 percent.

Yet in the same period our total appropriation has risen only 35.9 percent and our staff has decreased 15.8 percent.

The basic question is not the size of our appropriation but how we are fulfilling our obligations to the American people to stay abreast of developments in our jurisdiction in this exploding economy.

Let me detail just what our subcommittee has done to fulfill this obligation.

Subcommittee hearings in four areas—electrical machinery, antibiotics, library books and quinine and quinidine, an essential heart drug—have led to private class actions which are expected, when all the settlements are tallied, to total three-quarters of a billion dolars. Most of this money has been or is being recovered on behalf of states, cities, library districts, other local governmental units and consumers.

In other words, from the $5 million invested in our subcommittee during the past decade, the American people—primarily local government units—have received a return of $750,000,000, which amounts to a 15,000 percent return. If we had done nothing else, our existence in dollars returned to local government units alone would have been justified hundreds of times over. But it only scratches the surface of our work.

Today everyone is concerned about increasing economic concentration and the conglomerate corporation. It was in the vital economic concentration hearings held by this subcommittee that the phenomenon was identified and examined. We have in seven volumes of hearings explored all aspects of this current problem.

We are responsible for changes in SEC regulations to make it easier to evaluate the conglomerate corporation. We have needled the enforcement agencies incessantly and I believe have increased their awareness of the problem. And we are responsible for the present FTC investigation in this area. Based on those hearings—as soon as we receive the FTC report—I will be prepared to introduce or consider appropriate legislation.

In fairness to the Rules Committee, there has been a new development since its meeting on the budget. President Nixon has indicated that the new administration may soon introduce legislation to deal with conglomerates. Our subcommittee during the past five years has built up an expertise which will enable us to deal intelligently with the recommendations. But if in fact the administration's recommendations will necessitate hearings not contemplated when we requested this year's budget, now would seem a poor time to cut the subcommittee back further.

Our work in other areas has achieved positive benefits. Here is a brief outline:

1. *Diet Pill Industry*—Subcommittee hearings forced the FDA to move—after knowing of these cases for some 35 years—and take dangerous drug combinations used for reducing purposes off the market. The hearings indicated a possible 65 deaths suspected to have been caused by drugs used by some obesity doctors. It is fair to say that a substantial number of additional deaths will not take place in 1969 because of our hearings. In addition, the Medical Restraint of Trade bill is being amended to reduce further possible injuries caused by these pills.

2. *Competition in Defense Procurement*—The Defense Department and GAO have been meeting and scrutinizing suggestions surfaced at our hearings for putting more competition into defense procurement. Potential savings here could be up to $5 billion—more than we are spending on grants to education, job training, model cities, rent supplements, urban mass transit, Appalachia, youth summer jobs, basic water and sewers and school lunches. Recommendations surfaced at these hearings for the first time are now being actively considered by GAO and the Defense Department and we expect to have a report in early spring which may represent a significant breakthrough in procurement procedures.

3. *Automobile Insurance*—Insurance companies tell us that since our hearings began, they have stopped including race on insurance reports. Also companies now are beginning to stop cancelling policyholders at age 65 because of information in our hearings that they really are among the best auto insurance risks.

4. *Automobile Repair and Service Industry*—Since these hearings, we have been informed that major automobile manufacturers are devoting additional resources toward design that will build repairability and protection into the automobiles in the future.

5. *Credit Bureaus and Credit Reporting Industry*—Since these hearings, an Industry Advisory Committee has developed a code of ethics which, if followed, will allow credit buyers access to their own credit files for the purpose of correcting and explaining material contained therein.

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7. *Credit Life Insurance*—Our hearings resulted in an introduction of legislation in several states to correct practices we uncovered such as kickbacks to lenders. Senator Proxmire and I will soon introduce Federal legislation which, if passed, will result in savings of millions of dollars to persons using this kind of insurance.

8. *Oil Shale*—Subcommittee hearings resulted in cancellations of earlier Department of Interior leasing plans which would have resulted in a giveaway of this great national treasure estimated to be worth hundreds of billions of dollars.

9. *Housing*—During hearings on new technology and concentration, the subcommittee became aware that new technology was the only hope of meeting the need of 6 million new housing units in the next 10 years. This led to an amendment to the Omnibus Housing bill which is designed to guarantee a market for this new technology by requiring it be used wherever possible in Federally-supported housing.

10. *Medical Laboratories*—Law requiring licensing of medical labs was enacted following revelations at our hearing of horrors committed by unlicensed labs.

11. *Independent Businessmen and Franchising*—We have been told by many independent businessmen that since the subcommittee investigations they have noted considerable improvement in their treatment by franchisors. Also many franchise contracts now include arbitration clauses—as set forth in the bill introduced last year as a result of the hearings. A new bill will soon be introduced.

This brings me up to our hearing schedule for 1969 which will have to be curtailed if this budget cut is allowed to stand:

1. Continuation and conclusion of auto insurance investigation.

2. Continuation and conclusion of auto repair investigation.

3. Continuation and conclusion of credit bureau and credit reporting industry hearings and their impact on the fast approaching checkless society.

4. The skyrocketing cost of hospital care.

5. Government interference with the market mechanism with the petroleum market being the first area for examination.

6. Competitive problems in the rapidly changing communications field.

7. Competitive problems in defense procurement.

8. Conglomerate mergers and what legislation can best deal with the problem.

These, I believe, are important programs which promise very positive benefits to all American consumers and businessmen. And they represent only a fraction of major competitive problems which are brought to our attention almost daily.

I would hope that the Senate would concur with the Judiciary Committee that the amount requested is altogether appropriate in view of the work the subcommittee is doing.

I know the Senate fully realizes the importance—indeed, the absolute necessity—of involving ourselves in the challenges of these times. I said during the Democratic Administration, and I say now, that we cannot abdicate our responsibilities to the executive branch. But to carry out that responsibility requires adequate staffing. And we cannot get adequate staffing if our primary concern is shaving budgets rather than the quality of the work performed.

I ask that the resolution be amended so as to permit the subcommittee to retain its current staff—which means that in dollar amount the figure recommended by rules of $525,000 be increased by $68,000 to $593,000. It represents last year's authorization of $577,500, plus the wage increase of last year. This is $15,500 more than our authorization of last year.

GROWTH IN GNP, FEDERAL BUDGET, AND SALES OF 500 LARGEST INDUSTRIAL CORPORATIONS, 1959-69

[Billions of dollars]

Year	Gross national product	Federal unified budget outlays	Sales, 500 largest U.S. industrial corporations
1959	484	92	197
1960	504	92	204
1961	520	98	209
1962	560	107	229
1963	591	111	245
1964	632	119	267
1965	685	118	298
1966	748	134	333
1967	790	158	359
1968	861	179	[1] 380
1969	[1] 900	184	[1] 400
Percentage of change, 1959-68	+77.9	+94.6	+92.9

[1] Estimated.

Source: Economic Report of the President, 1969, and Fortune Directory.

Mr. HART. I thank the chairman very much.

The PRESIDING OFFICER. Without objection, and in accordance with the request of the Senator from North Carolina, further consideration of the resolution will go over until tomorrow.

STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS

The Senate proceeded to consider the resolution (S. Res. 42) authorizing a study of matters pertaining to consitutional amendments which had been reported from the Committee on Rules and Administration, with an amendmen, on page 2, line 16, after the word "exceed", strike out "$139,500" and insert "$120,000; so as to make the resolution read:

Resolved, That the Committee on the Judiicary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional amendments.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its activities and findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $120,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 42 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its Subcommittee on Constitutional Amendments to expend not to exceed $139,500 this year for a study of all matters relating to constitutional amendments.

During the last session of Congress $120,000 was authorized for that purpose, of which $110,092 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $139,500 to $120,000, a reduction of $19,500.

Senator Birch Bayh is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator Everett McKinley Dirksen.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 42), as amended, was agreed to.

the Senator make for the Record a statement of his amendment also? He has just presented me with this tabulation, which I had not seen.

Mr. HART. The amendment, Mr. President, would be simply to strike the figure "$525,000" on page 3, line 5, and insert in lieu thereof the figure of "$593,000." This would maintain the staff at the level of last year's authorization, with the addition only of the salary increase of last year.

There being no objection, the tabulation was ordered to be printed in the Record, as follows:

SENATE ANTITRUST AND MONOPOLY SUBCOMMITTEE BUDGET DATA

Year	Amount appropriated	Payroll included in budget	Pay raise		Personnel				
					Professional		Clerical		
			Date	Amount (percent)	Total	(Minority)	Total	(Minority)	Grand total
1959:									
Feb. 2	$395,000								
Aug. 9	30,000								
Total	425,000	$337,116.10			23	3	15	1	38
1960:									
Feb. 8	425,000								
Aug. 29	25,000								
Total	450,000	361,290.35	July 1, 1960	7.5	23	2	15	1	38
1961	450,000	384,625.89			22	3	16	1	38
1962:									
Feb. 7	450,000								
Feb. 7, 1963	23,000								
Total	[1] 473,000	379,956.77	Oct. 1, 1962	7	22	3	17	1	39
1963	[2] 468,250	476,171.67			26	6	18	3	44
1964:									
Feb. 10	512,000								
Jan. 3, 1965	28,500								
Total	540,500	449,464.14	July 1, 1964	(3)	25	6	15	2	40
1965	543,500	477,075.84	Oct. 1, 1965	3.6	21	5	14	2	35
1966	561,700	493,805.99	July 1, 1966	2.9	21	5	14	2	35
1967	560,000	487,996.10	Oct. 1, 1967	4.5	21	5	13	2	34
1968:									
Mar. 15	560,000								
July 31	17,500								
Total	577,500	513,995.00	July 1, 1968	5.85	19	5	13	1	32
Percentage of change, 1959-68	+35.9	+52.4		+57.3	−17.4		−13.3		−15.8
1969 (requested)	$623,500	$547,371		(4)	19	5	13	1	32
Percentage of change, 1968-69	+8.0	+6.5		+10					

[1] For 13 months.

[2] For 11 months.

[3] Ranging from 5 to 21½ percent.

[4] Salary includes 5.85 percent for 5 months plus estimated 10 percent for 7 months.

Mr. HART. In addition, Mr. President, I ask unanimous consent to have printed in the Record a statement which analyzes in greater detail our reaction to the reduction, together with some summary of the activities of the committee during the year.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement

Since taking over the Antitrust and Monopoly Subcommittee in the fall of 1963, I have, if not cooperated, at least acquiesced in the cutting of the staff from the 44 I inherited to the present level of 32. This is a 27 percent cut. While our budget has risen during this same period, the increase covers only, and I emphasize "only," pay raises voted by the Congress.

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GROWTH IN GNP, FEDERAL BUDGET, AND SALES OF 500 LARGEST INDUSTRIAL CORPORATIONS, 1959-69

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1969	[1] 900	184	[1] 400
Percentage of change, 1959-68	+77.9	+94.6	+92.9

[1] Estimated.

Source: Economic Report of the President, 1969, and Fortune Directory.

Mr. HART. I thank the chairman very much.

The PRESIDING OFFICER. Without objection, and in accordance with the request of the Senator from North Carolina, further consideration of the resolution will go over until tomorrow.

STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS

The Senate proceeded to consider the resolution (S. Res. 42) authorizing a study of matters pertaining to consitutional amendments which had been reported from the Committee on Rules and Administration, with an amendmen, on page 2, line 16, after the word "exceed", strike out "$139,500" and insert "$120,000; so as to make the resolution read:

Resolved, That the Committee on the Judiicary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional amendments.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its activities and findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $120,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 42 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its Subcommittee on Constitutional Amendments to expend not to exceed $139,500 this year for a study of all matters relating to constitutional amendments.

During the last session of Congress $120,000 was authorized for that purpose, of which $110,092 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $139,500 to $120,000, a reduction of $19,500.

Senator BIRCH BAYH is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator EVERETT MCKINLEY DIRKSEN.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 42), as amended, was agreed to.

STUDY OF CONSTITUTIONAL RIGHTS

The Senate proceeded to consider the resolution (S. Res. 43) to investigate matters pertaining to constitutional rights which had been reported from the Committee on Rules and Administration with an amendment, on page 2, line 15, after the word "exceed", strike out "$220,000" and insert "$200,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional rights.

SEC. 2. For the purposes of this resolution the committee from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $220,000, *$200,000* shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 43 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its Subcommittee on Constitutional Rights to expend not to exceed $220,000 this year for a study or investigation of matters pertaining to constitutional rights.

During the last session of Congress $220,000 was authorized for that purpose, of which $193,407 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $220,000 to $200,000, a reduction of $20,000.

Senator SAM J. ERVIN, JR., is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator ROMAN L. HRUSKA.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution (S. Res. 43), as amended, was agreed to.

STUDY OF CONSTITUTIONAL SEPARATION OF POWERS

The Senate proceeded to consider the resolution (S. Res. 52) to make a full and complete study of the separation of powers under the Constitution which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 22, after the word "exceed", strike out "$130,000" and insert "$95,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study of the separation of powers between the executive, judicial, and legislative branches of Government provided by the Constitution, the manner in which power has been exercised by each branch and the extent if any to which any branch or branches of the Government may have encroached upon the powers, functions, and duties vested in any other branch by the Constitution of the United States.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $95,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 52 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its Subcommittee on Constitutional Separation of Powers to expend not to exceed $130,000 this year for a study of the separation of powers between the executive, judicial, and legislative branches of the Government.

During the last session of Congress $95,000 was authorized for that purpose, of which $72,021 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $130,000 to $95,000, a reduction of $35,000.

Senator SAM J. ERVIN, JR., is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator EVERETT MCKINLEY DIRKSEN.

The Senate Rules Committee decided to keep the authorization for this subcommittee at $95,000 which was the same amount authorized for the subcommittee last year. Approximately $23,000 of last year's authorization was not expended and it was the Rules Committee's opinion that the availability of this sum would allow a sufficient expansion of the subcommittee's activities during the coming year.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 52), as amended, was agreed to.

STUDY OF CRIMINAL LAWS AND PROCEDURES

The Senate proceeded to consider the resolution (S. Res. 44) to investigate criminal laws and procedures which had been reported from the Committee on Rules and Administration with amendments on page 2, line 2, after the word "appointment", insert "and the person so selected shall be appointed"; and, in line 15, after the word "exceed", strike out "$142,000" and insert "120,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of criminal laws and procedures.

SEC. 2. For the purpose of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the department or agency concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies, of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. The expenses of the committee under this resolution, which shall not exceed $120,000, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. JORDAN of North Carolina. Senate Resolution 44 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its Subcommittee on Criminal Laws and Procedures to expend not to exceed $142,000 this year for a study of criminal laws and procedures.

During the last session of Congress $120,000 was authorized for that purpose, of which $100,738 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $142,000 to $120,000, a reduction of $22,000.

Senator JOHN L. MCCLELLAN is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator ROMAN L. HRUSKA.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 44), as amended, was agreed to.

FEDERAL CHARTERS, HOLIDAYS, AND CELEBRATIONS

The resolution (S. Res. 41) to consider matters pertaining to Federal charters, holidays, and celebrations was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JORDAN of North Carolina. Senate Resolution 41, as referred to the Committee on Rules and Administration, would authorize the Committee on the Judiciary through its Subcommittee on Federal Charters, Holidays, and Celebrations, to expend not to exceed $9,500 this year to provide the subcommittee with required clerical assistance.

During the last session of Congress $8,500 was authorized for that purpose, of which $6,873 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator EVERETT MCKINLEY DIRKSEN is chairman of the pertinent subcommittee.

Mr. ELLENDER. Mr. President, I should like to find out what was done by the committee during the last year. I notice there is one employee at a salary of $9,500.

Mr. JORDAN of North Carolina. Mr. President, the Senator from Illinois is the chairman of that subcommittee.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. I yield.

Mr. MANSFIELD. Mr. President, in the report on this particular resolution there is a letter from the distinguished minority leader, who is the chairman of the Subcommittee on Federal Charters, Holidays, and Celebrations. He is one of the few Republican subcommittee chairmen in the Senate—perhaps the only one now.

The letter states:

> DEAR MR. CHAIRMAN: During the second session of the 90th Congress, Senate Resolution 234, agreed to March 15, 1968, appropriated the sum of $8,500 for the operation of the Standing Subcommittee on Federal Charters, Holidays, and Celebrations.

Mr. JORDAN of North Carolina. This is also contained in the amendment. It involves one employee. I note that the Senator from Illinois is now in the Chamber.

Mr. DIRKSEN. Mr. President, will the Senator tell me how one can get along with less than one employee?

Mr. ELLENDER. Mr. President, I would do away with that employee and let the regular staff take care of that work. There is a regular staff of four provided for under the original act, and six clerical employees, plus 18 other permanent employees.

With such a small amount of work, I think the regular staff could do it and save the Nixon administration at least $9,500.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. The Senator from Louisiana has the floor.

Mr. DIRKSEN. Mr. President, I ask for the floor in my own right.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, my distinguished friend, the Senator from Louisiana, does not fully understand the chores and burdens that fall upon that subcommittee that require at least one employee.

In a single session we have gotten out as many as 35 or 40 resolutions. Will the Senator show me a single committee or subcommittee of the Senate that has such a working score?

We have some very important things come before that committee. Consider for a moment the people who call for the incorporation of organizations so that they will have a Federal charter and can then go to every section of the country for the purpose of raising money and carrying on the stated objective.

There is a resolution on my desk now seeking to incorporate the Association of Paralyzed Veterans. How do you quarrel with it? They are paralyzed as a result of gunshot and land mines and artillery shells in Vietnam.

I cannot quarrel with it. As a matter of human compassion, you cannot quarrel with it. One has to put the matter over and fight about it later. We get it out of the subcommittee and then the work starts. We have not been able to persuade the chairman of the House committee that this ought to be done.

We have had the same problem with the Catholic War Veterans, the Jewish War Veterans, and the Paralyzed War Veterans. We go over the matter over and over again.

The committee was handling the matter of the Monday holidays bill. I took all of the testimony on the bill. There was a great deal more to it than the Senator suspects.

We had to give the calendarmakers 2 years to adjust. We had to give the State legislatures the opportunity to bring State legislation in line with the act.

We will then have the Monday holidays which will provide for the 3-day holiday at the end of the week. There are many people who do not like this provision. I am still hearing from people who do not like the idea of moving Lincoln's Birthday holiday. People like members of the DAR complain about changing Washington's Birthday. The fact of the matter is that George Washington was not born on the 22d day of February. He was born on the 22d day under the Gregorian calendar, but not under the Julian calendar. And the calendar was changed when George Washington was alive.

We have to take the heat generated by these matters and carry on correspondence with people all over the country, including labor unions. How do they feel about it? How does management feel about it?

The Senator would be surprised at how my mail is encumbered with these problems.

That is the most overworked subcommittee of the Judiciary Committee and the most overworked subcommittee in the Senate.

I must appeal to the charitable sentiments of my friends in the Senate not to touch this little amount of $9,500. It is a bag of peanuts compared to a lot of the other items. I wonder how I get along with that as well as I do.

Mr. JORDAN of North Carolina. Mr. President, I think we had better agree to the resolution before the amount is doubled.

Mr. DIRKSEN. Mr. President, I might ask for an increase before we get through.

Mr. ELLENDER. Mr. President, I point out that it seems to me there is little left for the regular committee staff to work on. This committee has, aside from its regular staff members, 187 employees. The cost to the Government is $2,613,400. And this additional work, it strikes me, could easily be done by the regular staff of the committee. That is all I am saying. I am not saying that it is not important.

I was presented a while ago with a list of the staff members of the House Judiciary Committee. That committee has, I am sure, almost as much work as the Senate Judiciary Committee. Yet, the House Judiciary Committee has 32 employees altogether, whereas the full Senate Judiciary Committee has 187 employees. They do a little more work in these committees, but of what importance it is, I have yet to learn.

Mr. DIRKSEN. Mr. President, we are talking about one subcommittee, the Subcommittee on Charters, Holidays, and Celebrations. When Senator McCarran, of Nevada, was the chairman and Senator Langer, of North Dakota, was the ranking Republican, they made a deal. They said, "Well, we will give you humble Republicans one chairmanship. We will give you Charters, Holidays, and Celebrations." And that is how Senator Langer, a Republican, from North Dakota, became the chairman of that committee. I was second in line. So when the time came and Senator Langer left the Senate, I took over.

In all that time, we have not requested an increase and we have not asked for any additional employees. We ask only that you take care of the pay increase that the Senate and House have voted, and that is all.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution, (S. Res. 41) was agreed to as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to consider all matters pertaining to Federal charters, holidays, and celebrations.

SEC. 2. For the purposes of this resolution, the committee from February 1, 1969, to January 31, 1970, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $9,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF FEDERAL JUDICIAL SYSTEM

The resolution (S. Res. 47) to study and examine the Federal judicial system was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 20, after the word "exceed", strike out "$213,000" and insert "$200,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to conduct a study and examination of the administration, practice, and procedures of the Federal judicial system with a view to determining the legislation, if any, which may be necessary or desirable in order to improve the operations of the Federal courts in the just and expeditious adjudication of the cases, controversies, and other matters which may be brought before them.

SEC. 2. For the purpose of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, professional, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of departments and agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $200,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 47 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its Subcommittee on Improvements in Judicial Machinery to expend not to exceed $213,000 this year for a study and examination of the Federal judicial system.

During the last session of Congress $203,000 was authorized for that purpose, of which $186,324 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $213,000 to $200,000, a reduction of $13,000.

Senator JOSEPH D. TYDINGS is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator ROMAN L. HRUSKA.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on agreeing to the resolution.

The resolution (S. Res. 47), as amended, was agreed to.

INVESTIGATION OF IMMIGRATION AND NATURALIZATION MATTERS

The resolution (S. Res. 45) to study matters pertaining to immigration and naturalization was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 45 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its Subcommittee on Immigration and Naturalization to expend not to exceed $200,000 this year for a study of matters relating to immigration and naturalization.

During the last session of Congress $185,000 was authorized for that purpose, of which $174,981 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator JAMES O. EASTLAND is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator EVERETT MCKINLEY DIRKSEN.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 45), was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to immigration and naturalization.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $200,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INTERNAL SECURITY

The resolution (S. Res. 46) to investigate the administration, operation, and enforcement of the Internal Security Act was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 3, line 2, after the word "exceed", strike out "$475,000" and insert "$450,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, insofar as they relate to the authority of the committee, to make a complete and continuing study and investigation of (1) the administration, operation, and enforcement of the Internal Security Act of 1950, as amended; (2) the administration, operation, and enforcement of other laws relating to espionage, sabotage, and the protection of the internal security of the United States; and (3) the extent, nature, and effect of subversive activities in the United States, its territories and possessions, including, but not limited to, espionage, sabotage, and infiltration by persons who are or may be under the domination of the foreign government or organizations controlling the world Communist movement or any other movement seeking to overthrow the Government of the United States by force and violence.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $450,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 46 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its Subcommittee on Internal Security to expend not to exceed $475,000 this year for a study and investigation of the administration of the national security laws and matters relating to espionage.

During the last session of Congress $400,000 was authorized for that purpose, of which $390,583 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $475,000 to $450,000, a reduction of $25,000.

Senator JAMES O. EASTLAND is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator ROMAN L. HRUSKA.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 46), as amended, was agreed to.

INVESTIGATION OF JUVENILE DELINQUENCY

The resolution (S. Res. 48) to investigate juvenile delinquency was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration with an amendment on page 2, line 24, after the word "exceed", strike out "$257,500" and insert "$225,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to juvenile delinquency in the United States, including (a) the extent and character of juvenile delinquency in the United States and its causes and contributing factors; (b) the adequacy of existing provisions of law, including chapters 402 and 403 of title 18 of the United States Code, in dealing with youthful offenders of Federal laws; (c) sentences imposed on, or other correctional action taken with respect to, youthful offenders by Federal courts; and (d) the extent to which juveniles are violating Federal laws relating to the sale or use of narcotics.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings together with its recommendations for legislation, as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $225,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 48 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its Subcommittee on Juvenile Delinquency to expend not to exceed $257,500 this year for a study of all matters pertaining to juvenile delinquency in the United States.

During the last session of Congress $225,000 was authorized for that purpose, of which $208,310 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $257,500 to $225,000, a reduction of $32,500.

Senator THOMAS J. DODD is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator ROMAN L. HRUSKA.

It was the decision of the Senate Rules Committee that the amount authorized for this subcommittee should not exceed the amount authorized during the previous year.

Mr. DODD. Mr. President, I urge the Senate to adopt this resolution to continue the Juvenile Delinquency Subcommittee.

Youth crime has gone up 10 percent in the last year for which we have complete statistics.

The experts say that 40 percent of the juvenile population will have an arrest record within the next decade.

It is known that 70 percent of all offenders were first arrested under the age of 25.

We know that so far in this decade young people under 18 years of age have shown the largest increase for any age group for murder—56 percent.

We also know that entire segments of our youth are turning their backs on the Government and on society as evidenced by draft card burning, by campus demonstrations, by militant gang activities, by drug abuse, and by hostile clashes between youth groups and the police.

I do not think this is the time for the U.S. Senate to question whether or not it will continue to be concerned with the problem of juvenile delinquency.

I say this not because the Juvenile Delinquent Subcommittee, or any other committee, can by itself do away with youth crime. But, because the Juvenile Delinquency Subcommittee has taken effective action in the past and has proposed action for the future to counteract each of the serious crime problems that victimize this society and its youths.

It was this subcommittee that made the early proposals leading to the passage of the first major Federal juvenile delinquency law, the Delinquency and Youth Offenses Control Act of 1961.

My colleagues know that it was this subcommittee that first proposed gun control laws to protect young people from the mail-order traffickers in firearms. In 1968, 5 years later, we finally obtained passage of two of the most far-reaching firearms laws in the history of this country.

This subcommittee authored the Drug Abuse Control Amendments of 1965 to protect our young people from the unregulated traffic in literally billions of dangerous drugs.

This subcommittee held extensive hearings and helped pass the Narcotic Addict Rehabilitation Act of 1966 to enable heroin addicts to get back on their feet rather than make them rot in prison.

This subcommittee helped write the congressional guidelines for the Drug Penalty Amendments of 1968.

And we introduced and got passed an amendment to the latest Federal delinquency bill—Public Law 90-445—the Juvenile Delinquency Prevention and Control Act of 1968 which is an extension of the original 1961 act.

Today, I ask for continuation of the subcommittee because there are other needs in the delinquency field that have not been met by the above measures.

I have outlined our program for this year in my letter to the chairman of the Judiciary Committee.

First, we must investigate the conditions in correctional institutions for young offenders.

There are many reasons for this. Of major importance is the fact that we have overwhelming evidence that the Nation's institutions in most cases do not correct the inmates, but actually release them more crime prone, more hostile and more dangerous than ever.

We have evidence that the long sentences under which many young offenders are kept in institutions do not help to rehabilitate them, but give them more time to learn better crime methods from fellow prisoners.

And, we have evidence that many young offenders are kept in incarceration under grossly inhuman conditions and are subjected to brutality and abuse from other inmates and often even from the custodian personnel of the institution.

I wrote Senator EASTLAND that not only is delinquency increasing, but that we are falling further and further behind in our efforts to rehabilitate the growing army of young lawbreakers in this country.

I am wholly convinced that a major cause of this regression is the abominable conditions in our youth institutions which further derange and dehumanize rather than correct and rehabilitate.

Second, I believe we must consider the effectiveness of current Federal delinquency control legislation.

A case in point is the Juvenile Delinquency Prevention and Control Act of 1968 which is designed to develop community-based treatment programs for young offenders.

We passed the law.

We publicized it.

And, we called for a $25-million expenditure in the first year.

Then this same Congress turned around and authorized only $5 million to actually put the law into operation.

What is the result? The result is that we have fooled the public into thinking that the Federal Government is solving delinquency, when in reality our effort amounts to nothing at all.

Indeed, I wonder if we do not fool ourselves by this giving with one hand and taking away with the other.

I will not be surprised if after 3 years there will not be voices heard in Congress labeling the Delinquency Act ineffective, while neglecting to point out that we simply did not pay the money we promised to even get the law off the ground.

But even more important, I think this Congress will have to consider whether a piecemeal approach to delinquency prevention can ever be successful. I think this kind of approach has been a part both of the 1961 and the 1968 Delinquency Acts.

Particularly, the sad state of our correctional systems leads me to think that we must consider some type of ongoing Federal assistance in the correctional field. I have in mind the kind of help we now provide schools under the Elementary and Secondary Education Act and to hospitals under the Hill-Burton program.

The Juvenile Delinquency Subcommittee will explore these possibilities in our forthcoming hearings.

Third, the subcommittee will consider better ways to handle the problem of the abuse of marihuana and to prevent its illegal importation from other parts of the world, particularly from Mexico.

According to the Federal Bureau of Investigation, primarily because of marihuana, narcotic arrests in 1967 rose 60 percent over 1966.

In the under 18 years of age category, the increase was 134 percent.

Marihuana is the most popular drug among this Nation's youth. It has also become the most controversial of the drugs used to affect the mind and distort emotions. Some researchers claim it is harmless, others claim the opposite. And yet, while it is being used by possibly hundreds of thousands of teenagers and youths, marihuana violators are often subjected to what today appear archaic, unrealistic and ineffective penalties both at the Federal and the State level.

I believe this subcommittee must look into this matter, both to find means of cutting down the booming marihuana traffic across our borders and to establish more equitable and effective handling of young people who are caught up in the faltering efforts of the Government to meet the problem.

Finally, there are new forms of delinquency and youth crime which have in recent years added to the overall crime problem and which cannot be suppressed with the conventional crime control methods.

I speak of what the scientists call "alienation" of entire segments of our youth from society and from our system of government.

This is expressed in youth crimes such as draft card burning, disorderly antiwar demonstrations, sit-ins, campus riots and violence intertwined with political activity.

Members of such youth groups as the Students for Democratic Society, the Black Panthers, the Blackstone Rangers, and others are actually engaged in open rebellion against society.

They incite riots, they disrupt the administration of justice in our courts, and when imprisoned, they often continue their violent behavior and create havoc in our correctional institutions.

The net result of many of these activities is a demoralizing effect on our law enforcement machinery.

Much of this violence is identified with generally accepted causes such as civil rights, the war on poverty, and others. Because of this, these youth groups are normally handled with an extraordinary amount of tolerance for fear of escalating any disturbance into a full scale riot.

This works to further aggravate the police who are exposed to the threat of violence from these troublemakers, but are frequently not allowed to react to episodes of flagrant lawbreaking. An example of this demoralization was evident in the controversial police suppression of demonstrators in Chicago during the Democratic National Convention. To a lesser scale similar conditions were evident during the inauguration in Washington, D.C.

Whether it be gang violence resulting in multiple deaths, campus demonstrations setting forth unrealistic demands, or an unruly protest against Vietnam, these activities are an expression of serious differences between large segments of our youth and the government establishment.

Unless we seek to understand the causes of these differences, we can only expect more violence and even greater demoralization and undermining of our law enforcement machinery.

I believe that it is important to look into these matters and I believe the Juvenile Delinquency Subcommittee is well equipped to carry out these inquiries.

For these reasons I call for the adoption of Senate Resolution 48.

Mr. ELLENDER. Mr. President, every time this resolution has come up, I have had a little to say. The amount requested is the same as it has been for the last 2 years—$225,000. I am wondering whether or not the work of that committee has increased.

Mr. DODD. Yes, it has.

Mr. ELLENDER. What subjects is the committee now looking into? I thought we could get rid of some of these subcommittees. I believe this is a good place to start.

Mr. DODD. If we could get rid of some of the juvenile crime in this country, we could get rid of some of the work of the subcommittee.

Mr. ELLENDER. It seems to me that the longer this committee goes on, the more juvenile delinquency we have.

Mr. DODD. That is like saying the more people who have cancer, the more reason we should cut off research on it, or some other dreadful physical ailment.

We have had growing juvenile crime for years, since this subcommittee was founded. I believe the subcommittee has made great progress in this area; I wish it could have made more. I believe it has done its work well.

The Senator has asked a question, and I should like to reply.

Every year at budget time I am confronted by one or two colleagues with the same proposition. The Congress appropriates money for the Juvenile Delinquency Subcommittee and yet juvenile crime continues to increase. I am then faced with the conclusion on the part of some of my colleagues that we are useless.

I would like to use the District of Columbia as a case in point to refute this argument. In 1962 I outlined to the Congress, based on this same subcommittee's studies and investigations, what steps should be taken to halt crime in the Nation's Capital.

I outlined in detail the shortages in the police department, of both trained men and modern crime fighting equipment.

I stressed the pressing need for more courts and court personnel and the lack of probation and parole officers.

I emphasized the failure of the District school system to handle its difficult and delinquency-prone students and its utter failure to help dropouts refrain from criminal behavior.

I emphasized the fact that the correctional facility at Lorton, which now looms so large in this city's crime picture, was even at that date, overcrowded and lacked any followup facilities for counseling and employment assistance services.

I pointed to the rampant mail-order firearms traffic that swelled the city's crime figures.

I called for an end to discrimination in job opportunities for our minority youths.

I said then that if Congress wants to curb violence in the streets of the Nation's Capital, it must face the fact that money is needed to buy expanded crime prevention and crime control tools.

I introduced legislation to help the city with many of these problems. But the Congress failed to act on most of it or it moved so slowly—the mail order gun bill took 7 years—that once the legislation was passed, we had already reached and passed the crisis point in crime.

So, I say to my colleagues today it is not the fault of the Juvenile Delinquency Subcommittee that youth crime is still increasing, but it has been to a large measure the failure of Congress to act with enough speed and resources that has contributed to the crime problem, not only in this city but in cities across the Nation.

Mr. President, here are the first three sentences of a speech I made in 1962:

> Those who live in the Washington area are experiencing a growing feeling of distress and frustration and even fear because the Capital of the United States is the most dangerous place in the country after dark. The District of Columbia has the Nation's highest rate of aggravated assault.
>
> In recent weeks we have been going through another of those recurrent waves of crime in the Capital.

I was describing Washington and the crime problems it faced at that time.

In my comments that day, March 28, 1962, I predicted what Washington of 1969 would be like if Congress continued to ignore the crime problem here.

It was almost 7 years ago that I said:

> We in Congress share the power to govern this city and therefore we must bear a large share of the responsibility for what happens here. . . .
>
> We have the responsibility of providing better police facilities, better court facilities, better laws and improved social conditions. . . .
>
> And until the Members of Congress become just as concerned with the needs of the District of Columbia as they are with their own home districts or their own home states, the Nation's Capital stands in danger of becoming the Nation's crime capital.

My recommendations to Congress almost 7 years ago were characterized in an editorial in the March 30, 1962, edition of the Washington Post, as follows:

> Senator Dodd has given us a thoroughly enlightened list of countermeasures against attacks and robberies in Washington's streets, the volume of which has become intolerable. He observes, correctly, that we must work at two levels. We need immediate protection against the results of this city's failures, over the last generation, in education and welfare. We must concurrently work diligently at curing these failures over the next generation.

In view of the demonstrated failures of Congress to cope with the crime problem as it has developed in the years since 1962, I ask unanimous consent to have printed in the Record at this point the following:

First, my comments as delivered here on March 28, 1962, and, second, a series of newspaper articles by reporters Elsie Carper, Eve Edstrom ,and Leslie H. Whitten, published in the Washington Post between March 29, 1962, and April 7, 1962, which is an analysis of my recommendations to the Congress in anticipation of the crime problems developing in the District of Columbia some 7 years ago.

There being no objection, the material was ordered to be printed in the Record, as follows:

Statement by Senator Thomas J. Dodd on Crime and Delinquency in the Nation's Capital, March 28, 1962

Those who live in the Washington area are experiencing a growing feeling of distress and frustration and even fear because the Capital of the United States is the most dangerous place in the country after dark. The District of Columbia has the nation's highest rate of aggravated assault.

In recent weeks we have been going through another of those recurrent waves of crime in the Capital. Last month eleven persons were murdered in the District, an increase of almost 300% over the corresponding month a year ago. In the same period robbery was up 7 per cent, petty larceny was up 34 per cent, auto theft up 11 per cent, and grand larceny up 9 per cent.

A couple of weeks ago the country heard of a bus driver, Mr. Page M. Powell, who in the performance of his duty on the streets of the Capital was viciously assaulted by a "rat-pack" of youths in front of a diffident group of passengers who did not feel compelled to rise to help defend a helpless fellow citizen.

The term "rat-pack" is not mine; it is the name these young criminals apply to themselves. And "rat-packing" is the term they have coined to describe their more vicious assaults; for instance, the one in which they struck down, clubbed, kicked and murdered 57-year-old Mr. Jess Murchison in front of his wife.

It is easy at a time like this to raise a clenched fist, to denounce the police or the younger generation or the District Government. It is easy to blame the problem on race relations or softness on the part of the court system or even "welfare give-aways."

The people who live in the District have every reason to feel frustration and anger at what they see going on around them. But those who are in positions of leadership in this community had better examine their own conduct before they make sweeping judgments on what is happening here.

We in the Congress share the power to govern this city and therefore we must bear a large share of the responsibility for what happens here.

The Nation's Capital ought to be the model of the nation in every field. I say this not just because the diplomatic leaders and press representatives from all over the world are here and tend to judge our country by what they see, nor do I say it primarily because millions of Americans flock to the Capital from all over the country and the image of the American Government which they take home is bound to be sullied by what they see.

I say it because Washington ought to be the symbol and the image of the best that we can do as a free people. It ought to represent what we hope to achieve in the country and in the world. The Nation's Capital should be the nation's leader in education, in urban development, in parks and playgrounds, in schools, in housing, in race relations and above all, in law enforcement.

It is therefore time to probe not only the breakdown of law and order in the District of Columbia but to probe as well the needs of the Capital and the way in which the Congress has met, or has failed to meet, those needs.

My objective today is to look at the facts and to look at the needs and to make some recommendations to the Congress, particularly in the field of juvenile delinquency, in which I have a special interest arising from my membership on the Juvenile Delinquency Subcommittee.

Let us look first at the outrages that have been committed on the 3,300 miles of sidewalks, streets, and alleys of the national capital in the last calendar year.

During 1961 there were 82 people murdered—ten more than in the previous year. And another 22 deaths were classified as "manslaughter" or "negligent homicide."

Last year 122 District women were raped, seven more than during 1960. In addition, there were 25 more attempted rapes.

One thousand six hundred and ninety four people were robbed and that was 523 more than the previous year. And additional attempts were made to rob 169 other persons, 43 more than in 1960.

There is no place like home, but last year District residents had 4,737 visitors they did not want. Almost 13 times every day last year someone's home was broken into.

During the calendar year of 1961 there were 4,737 housebreakings—488 more than the previous year. And more than that, 185 additional attempts were made. That in itself was 25 more than the previous year.

Larceny, petty and grand, totaled 9,683 last year, an increase of 632.

Between five and six cars were stolen every day of 1961 for a grand total of 2,183, an increase of 230.

In almost every category of crime the trend was up.

I would like to turn for a moment to the category of juvenile crime.

Never since the turbulent years of the post-World War II era has Washington had more delinquency than today. And this is delinquency that cannot be explained as due to wartime pressures on families and youth.

In 1961, Washington had 11 cases of juvenile homicide, while in 1960 there were only three. Juvenile robbery increased from 276 to 418 cases and housebreaking from 681 to 806 cases.

Robberies characterized by force and violence increased by 25 per cent.

Armed holdups increased by 62 per cent.

Yoking robberies, among the most odious of crimes, increased by 14 per cent.

In this category was 18-year-old Edward Smith, who committed 30 yokings from May to December, 1961. He operated with three heavy rings, two of lead and one of brass, on the last three fingers of his right hand. "They work pretty good the way I use them," he said, and boasted that crime in Washington should go down 100 per cent with his arrest.

In the lesser crime categories, there were increases in arson, destroying private property, destroying movable property, unlawful entry, and assault.

In 1959 one referral of homicide was made to the juvenile court. In 1960 there were two such referrals, while in 1961 the number of homicide referrals was eleven. Furthermore, in the first two months of 1962, four cases of homicide have already been brought to the D.C. Juvenile Court.

Specific figures for specific offenses fluctuate from year to year. However, the total court referral rate in Washington has risen in a disturbing manner, in spite of new control measures which we enact periodically.

It is worth while to note that in 1955 the District established a Youth Aid Division in the Metropolitan Police Department. This division allowed the police themselves to dispose of certain cases without official action so as not to overcrowd the court. That year the number of complaints received by the court fell from 3,900 in the previous year to 3,100. However, in 1961, in spite of the fact the police still release an increasing number of juveniles without court action, the court's complaint figure has again risen to 3,900 cases.

In spite of yearly increases in delinquency control programs, and in spite of statistical manipulations and classifications, delinquency in Washington has kept growing.

Those are the essential facts about crime in the District. What can we in this Congress do about those facts?

I believe our approach should take two directions:

First, to see to it that the needs of the Police Department and of the courts are met and to see to it that whatever deficiencies there may be in the law itself are so remedied as to make it clear to each would-be criminal that he will be swiftly apprehended and punished.

Second, we have got to step up our attack on the underlying contributing causes of crime.

I therefore urge Congress to take immediate action to build up the metropolitan police force to the authorized strength of 3,000 men, instead of slowly adding these men in yearly installments.

I further urge that Congress take action to appropriate the requested number of man-and-dog teams and that the police department step up its training programs so that these teams can be placed on the streets in a period of several months, instead of years.

I feel that the Juvenile Bureau of the police department should have at least ten police cruisers on the streets each night, instead of the five or six they are able to muster at the present time.

And Congress must consider ways to remove the obstacles placed in the path of effective police work by the provisions and interpretations of the Durham and Mallory decisions. According to Police Chief Murray the requirements set by the Mallory decision make law enforcement more difficult in the District than under state laws, and as a result "a number of our most heinous crimes could not be prosecuted."

Over fifty per cent of the serious offenders are repeaters. This means that our correctional attempts are failing very bady and have to be re-evaluated.

It has become evident not only in the District of Columbia but also across the country that correctional and rehabilitative measures applied by professional personnel in correctional institutions and as part of probation and parole supervision have thus far substantially failed to reform the criminals. They have resulted in recidivism, or repeat offenders, in approximately 70 per cent of cases released, and have thus been highly responsible for the rampant crime and delinquency conditions which prevail in the District and elsewhere.

It is therefore evident that we must reevaluate present policies concerning the length of sentencing and the manner of disposition of court cases.

Your Subcommittee will look at the possibility of recommending that the appropriate laws governing length of sentencing be changed to replace minimum and maximum length of incarceration. We will consider indeterminate sentencing clauses which will allow correctional administrators and boards of crime control experts to retain or release offenders strictly according to the individual merits of each case and not according to laws which fail to differentiate between a deeply disturbed and recidivism-prone offender and between a stable person, who may only once in a lifetime be influenced to crime by a unique constellation of circumstances.

Such a revision of the laws, I feel, is necessary to both insure protection of the public from a corps of dangerous and perverse criminals and lead to more successful rehabilitative and correctional practices by crime control personnel.

We must take another look at the juvenile court laws here in the District.

The juvenile court was created to help young boys and girls who have made a mistake to keep away from further excursions into crime. But today many of those who go before the juvenile bench are already hardened young criminals. These hoodlums have not just broken a few windows and stolen some apples from fruit stands. Instead they have killed, yoked, robbed, and assaulted innocent people. There are many among them who can only contaminate and corrupt the immature children whom we used to call the juvenile delinquents. This I think goes against the spirit of the juvenile law. I know that Judge Ketchum has exercised his right of waiving juvenile cases to the criminal court perhaps more than any other judge in the country. I understand that he has been criticized for this.

I think the judge has done well and we should look at the waiver procedure to see if it should be used to an even greater extent. We must make sure that those criminals on our streets who are often young in age only, but not in experience and viciousness, are met with the full force of the criminal law and are made to suffer the consequences.

An examination by the Subcommittee to Investigate Juvenile Delinquency into two matters closely related to the so-called "crime wave" reveals the responsibility which society as a whole bears for a good deal of criminal behavior and points to some constructive steps the Congress can take.

I have mentioned that armed holdups by youths increased by 62 per cent last year. Certainly one factor in this situation is the easy availability of cheap mail-order guns. Here irresponsible adults are to blame.

During 1961 and up to the present time, we have been investigating the recipients of mail-order handguns which have been shipped into the District of Columbia through the Railway Express Agency. We have tried to determine the character and stability of the recipients of these guns and to determine if there is any correlation between the areas of high crime rate in the District and the areas in which mail-order handguns are predominantly found.

Concerning the types of persons receiving mail-order guns, Subcommittee investigators have determined that 25 per cent of the recipients have criminal records in the District of Columbia. These records range in seriousness from misdemeanors to felonies. Included among the more serious felonies are assaults with such deadly weapons as guns, knives, and icepicks, assaults on policemen, narcotics violations and homicide. Others have long records of disorderly conduct and drunk arrests. These records indicate substantially that an undesirable element of this city is receiving firearms through mail-order houses.

The mail-order recipients for the most part live in the so-called "slum areas" of the city. Many are itinerant and are economically living on a bare survival basis.

Concerning the relationship between high crime areas of the city and incidence of mail-order weapons, it was found that delivery of mail-order handguns corresponds with the high crime areas in the city.

We found that in the following five police precincts of the District of Columbia there is a higher incidence of mail-order guns delivered than in any other precincts in the city. Those precincts are the 2d, 1st, 13th, 10th, and 9th. Crimewise, these rank first, second, third, fourth, and fifth, respectively.

We are drafting legislation to deal with interstate mail-order traffic in guns and have already succeeded in obtaining the voluntary support of many of the responsible elements in the production, transportation and sale of weapons.

One of the most significant findings of our committee concerns the increasing number of unemployed able-bodied young men in the District of Columbia. It has been estimated that there are 13,000 out-of-school, out-of-work youth here. This waste of human lives is not just the waste that results from the idleness of thousands of 16- and 17-year-olds. The damage is multiplied by the destruction created by out-of-school, out-of-work youth who become delinquents.

As unemployment increases in this age group, it is accompanied by increasing delinquency. Walter Tobriner, President of the Board of Commissioners of the District, told us that "studies have shown that the youth employment situation in Washington, D.C., has a direct bearing on the youth crime rate here. Too many young people with nothing to do and limited job opportunities for them seems to be one of the major reasons for the increased crime rate here."

Why does this growing number of unemployed youth exist in the District? Most basic to the situation is the population explosion of the 1940's which first made the schools bulge and now swells the labor market. Our continuing technological advance means that more can be produced by fewer workers. Youth is caught in this squeeze. They lack the skills as well as the experience to enable them to compete for the diminishing proportion of jobs.

The lack of industry in the Capital creates an even greater demarcation in the types of available jobs. Primarily, there are jobs in government which require educational and technical skills or there are jobs in service industries which supply the large number of government workers. Employers are frequently reluctant to hire youths, because of rigid and outmoded child labor laws which have not been modified to meet the needs of a changing society.

It is extremely difficult for young people to get into labor unions. It has been said that "it is harder to get into the plumbers' union than it is to get elected to Congress."

Many officials in the District are not only aware of the problem, but have taken many foresighted steps to alleviate it. However, most of these are on a limited scale due to lack of funds. For example, Mr. Hyman Perlo is working under a small grant to locate school dropouts and help them find jobs. But how can one man hope to find thousands of young men jobs?

There are many other privately sponsored projects, such as the Woodward Foundation High School Scholarships or the MacFarland Guidance Project and the Urban Service Corps from the Meyer Foundation. The situation has reached such proportions, however, that this effort is not enough. Despite the fact that the D.C. employment office has a new youth section, Mr. Fred Z. Hetzel, its director, says that essentially "all that has been done so far is only on paper." The District of Columbia is fortunate in having people of the caliber of Dr. Hansen and Mr. Hetzel who are capable of dealing with the problems of youth, but they are restricted by the lack of means to put their ideas into effect on a larger scale.

The Congress can help and should help in at least five specific ways.

(1) The District of Columbia must have the funds for its schools which are necessary to give youth the guidance and skills needed to qualify them to compete in the labor market. Dr. Hansen has continuously spelled out what could be done in the school system.

(2) The D.C. employment office must have more funds to maintain a large enough staff to provide counseling aid to our out-of-school, out-of-work youth.

(3) A subsidized youth employment program should be established under the Board of Commissioners.

(4) A Fair Employment Practices Act should be established in the District immediately.

(5) There should be a review of the child labor laws and a greater effort to educate employers concerning them.

We in this Congress cannot evade responsibility for the tragedy of crime and violence in Washington. We have the responsibility of providing better police facilities, better court facilities, better laws, and improved social conditions here, and until the Members of Congress become just as concerned with the needs of the District of Columbia as they are with their own home districts or their own home states, the Nation's Capital stands in danger of becoming the nation's crime capital.

The problem of combating criminal behavior runs far deeper than the addition of more policemen or the tightening of laws or the improvement of social conditions.

Criminal behavior cannot be explained solely in terms of social or legal concepts nor can it be solved by government programs. We cannot ignore the responsibility of the individual, which remains when all allowances have been made for environment and circumstances. We cannot shut our eyes to the fact that the history of evil is as old as the history of man, that evil antedates all the modern social problems that can be described as contributing causes of crime. Any attempt to explain crime solely in terms of poverty or slum conditions or broken homes or insecurity or the cold war is a futile exercise.

All we can say is that in all people there is a struggle going on between the forces of good and evil and that the kind of society we have makes a great difference on the outcome of that struggle, for the individual and for the nation.

It is true, as we are frequently reminded, that the ideal place for the preventing and handling of delinquency is in the home, the school, the church, the neighborhood. But it is precisely because these institutions have so often proved unequal to the problem that government is forced to deal with it. We have an epidemic of crime, not just in the District but throughout the country, and we must bring to bear upon it all the resources that we have.

Our task, then, is to see to it that the society we build in the District of Columbia and in the nation is a positive, vigorous force for good. I believe and hope that the recommendations I have made will help toward this end.

[From the Washington (D.C.) Post, Mar. 29, 1962]

Congress Censured for District Crime

(By Elsie Carper)

Sen. Thomas J. Dodd (D-Conn.) said yesterday that Congress shares the blame for the crime that has made Washington "the most dangerous place in the country after dark."

In a Senate speech, Dodd declared that "we in the Congress share the power to govern this city and therefore we must bear a large share of the responsibility for what happens here."

Dodd, chairman of the Senate Subcommittee to Investigate Juvenile Delinquency, recommended a broad approach to meet the problem and to get at the sources of crime and delinquency.

"We have the responsibility," he said, "of providing better police facilities, better court facilities, better laws and improved social conditions . . .

"And until the members of Congress become just as concerned with the needs of the District of Columbia as they are with their own home districts or their own home states, the Nation's Capital stands in danger of becoming the Nation's crime capital."

Dodd recommended that Congress:

Take immediate action to build up the Metropolitan police force to the authorized strength of 3000 men "instead of slowly add-these men in yearly installments."

Appropriate the requested number of man-and-dog teams. The Police Department should step up its training program so that the K-9 teams can be put into action in months instead of years.

Give the Police Department's Juvenile Bureau at least ten police cruisers on the streets each night instead of the present five or six.

Consider ways "to remove the obstacles placed in the path of effective police work by provisions and interpretations of the Durham and Mallory decisions."

He listed five specific ways that Congress could help with the large number of out-of-school, out-of-work youths, who become delinquent.

"The District," he said, "must have the funds for its schools which are necessary to give youth the guidance and skills needed to qualify them to compete in the labor market." School Superintendent Hansen has continuously spelled out what can be done, Dodd said.

The D.C. Employment Office must have more funds to maintain a large enough staff to provide counseling aid, he said.

He also called for a subsidized youth employment program, a Fair Employment Practices Act, and a review of child labor laws.

Dodd cited statistics for 1961 showing a growing incidence of crime and said that not since the "turbulent years of World War II" has so much crime been committed by juveniles. One such case involved an 18-year-old youth, who committed 30 yokings in an 8-month period, Dodd said.

"He operated with three heavy rings, two of lead and one of brass, on the last three fingers of his right hand," Dodd said. The youth boasted that "they work pretty good the way I use them," Dodd quoted the youth as saying. The suspect also claimed that crime should go down 100 percent with his arrest, it was said.

Dodd said his Subcommittee has been investigating the availability of cheap mail order guns, and has found that they are being delivered to slum areas and to areas where crime is prevalent.

With the growing crime rate in the city, particularly that of aggravated assaults, it is easy "to raise a clenched fist, to denounce the police or the younger generation of the District of Columbia," Dodd declared.

"It is easy," he added, "to blame the problem on race relation or softness on the part of the court system or 'welfare giveaways.'

"The people who live in the District have every reason to feel frustration and anger at what they see going on around them. But those who are in positions of leadership in the community had better examine their own conduct before they make sweeping judgments on what is happening here," he said.

[From the Washington (D.C.) Post, Mar. 30, 1962]

Senator Dodd's List

Senator Dodd has given us a thoroughly enlightened list of countermeasures against attacks and robberies in Washington's streets, the volume of which has become intolerable. He observes, correctly, that we must work at two levels. We need immediate protection against the results of this city's failures, over the last generation, in education and welfare. We must concurrently work diligently at curing these failures over the next generation.

Generously, but also accurately, the Senator acknowledges that "We in Congress share the power to govern this city and therefore we must bear a large share of the responsibility for what happens here." Home rule for the District is, of course, the real answer to the low quality of municipal government provided by the Congress of the United States.

Lowering the crime rate will require more money than Congress, our city council, has ever before provided. But the District must be prepared to use the money boldly. The Metropolitan Police must be given the men and equipment they require. The mail-order business in firearms ought to be stopped at once. But there is much more to be done and quickly.

The youths involved in serious street crimes usually have one characteristic in common: they have been in trouble with the police before. If the surveillance and assistance of youths with police records can be improved, the city will have closer control over that relatively small number who are the chief danger to women and elderly men on the sidewalks at night.

Now that the Juvenile Court is about to have its three judges, we can expect cases to be heard promptly. But sooner or later boys must be sent home on probation. The average load carried by a probation officer is 80 boys. That is to say, each of them is likely to get only cursory attention. The city needs more parole and probation officers, and it needs to broaden their responsibilities. The truly critical point in the careers of these youths is their return home.

Senator Dodd makes several very helpful suggestions when he speaks of training for these boys and young men, local legislation against racial discrimination in hiring, and most important of all, an earnest effort with public support to find jobs for them. For boys being released from detention, the city might profitably establish a halfway-house, where they could live under the eyes of professional counselors while they found work and associations away from the places where they first got into trouble.

Many parts of Washington are neighborhoods only in the geographical sense. They evoke no sense of community, they lack common civil institutions. No resident there feels any responsibility for what goes on around him. These are the neighborhoods where children turn into yokers. The city is not entirely powerless to instill a measure of community feeling in these blocks. For example, last summer the Welfare Department asked for money to begin a pilot experiment to that purpose in the Northwest Redevelopment Area. Congress cut the item out of the budget. In the end, Congress will have to decide whether to spend this kind of money or put armed men on every street corner after sundown.

[From the Washington (D.C.) Post, Mar. 30, 1962]

Challenge to a Free People—I: Are Rat-packs, Street Crime the Best District of Columbia Can Offer? Senator Dodd Asks

(By Eve Edstrom)

Out-of-school youth jobs for whites but not for Negroes, rat-packs and street crimes—is this the best the Nation's Capital can offer?

This was the basic question which Sen. Thomas J. Dodd (D-Conn.) put to the Congress of the United States this week.

The question was asked of the Nation's lawmakers because, as Dodd emphasized, "we in the Congress share the power to govern this city and, therefore, we must bear a large share of the responsibility for what happens here."

And then Dodd went on to answer the question. Like many speakers before him, he said the Nation's Capital "ought to be the model of the Nation in every field." But the reasons he gave differed from those heard so often in the past.

The District should be a model, Dodd said, not because the world's diplomatic leaders visit here or their press representatives write about us or that millions of fellow Americans flock to their Capital.

Our chief goal, he said, is to make Washington "the symbol and the image of the best that we can do as a free people."

"It ought to represent what we hope to achieve in the country and in the world," he continued. "The Nation's Capital should be the Nation's leader in education in urban development, in parks and playgrounds, in schools, in housing, in race relations and above all in law enforcement."

And so Senator Dodd charted a course of action for the Nation's Capital—a course which only Congress by loosening its purse strings and enacting long-sought legislation, can put into effect.

For weeks now, Dodd, as chairman of the Senate Subcommittee to Investigate Delinquency, has been disturbed over the upsurge in crime here.

To combat the law violators Dodd offered many-sided solutions ranging from putting more policemen on the streets to broad job opportunity measures in an effort to strike at the core of the causes of crime.

In so doing, Dodd did not deal with brand-new solutions. In fact, he noted that many of the proposals have been discussed by District officials for years.

But they haven't been put into effect because Congress has not provided the money. In addition, many of them have not enjoyed uniform community support because of the cleveage between those who would adopt a punitive approach to criminals and those who seek to rehabilitate them.

Dodd, as a conservative member of the Senate, as a former prosecuting attorney and as a former Federal Bureau of Investigation agent, has adopted a middle-of-the-road approach to the problem.

He wants strong law enforcement tools—more police, more man-and-dog teams, more Juvenile Bureau police cruisers—to stop the vicious criminal and to protect the public.

But he views as equally important strong rehabilitative measures—more flexible court sentencing procedures, expanded probation and parole services—to help those who can be turned away from crime.

Therefore, it may be possible that Dodd's proposals can serve as a bridge between conflicting views which have existed in Congress and the community. If so, it may be possible to make a start on preventing many of the causes of crime.

In succeeding articles in this series, various avenues suggested by Dodd for correcting the problems will be examined.

[From the Washington (D.C.) Post, Mar. 31, 1962]

CHALLENGE TO A FREE PEOPLE—II: DODD STRESSES MONEY NEEDS IN FIGHT ON CRIME

(By Eve Edstrom and Alfred E. Lewis)

If Congress wants to curb violence on the streets of the Nation's Capital, it must "face the fact" that money is needed to buy expanded crime-prevention and crime-control tools, Sen. Thomas J. Dodd (D-Conn.) said yesterday.

He pledged that he will do all he can to get that message across when hearings begin on the District's budget for the next fiscal year.

Dodd, who charted a course of action for the Nation's Capital in a speech to the Senate this week, made clear that his plea for more policemen on city streets was not based on the desire to make an armed camp out of Washington.

To the contrary, he believes the police force, as well as all other municipal services, should be the very best that can be operated by a free people.

As chairman of the Senate Subcommittee to Investigate Juvenile Delinquency, which soon will hold hearings on police needs here, Dodd said Washington's Metropolitan Police Department under Chief Robert V. Murray is a good one.

But he said Congress has the responsibility to make it "the crack police force of the Nation"—efficient in terms of crime detection and a guiding example in establishing programs to prevent crime. If it enjoyed such a reputation, Dodd said problems of recruiting men of excellent caliber would be diminished.

Dodd said the timetable for increasing the police force should be stepped up. Currently, the police department is 2836-strong, eight under the number for which funds have been provided. By July 1, funds are expected to be available for 2900 men. The following July 1, the fully-authorized strength of 3000 men is expected to be attained.

But Dodd urged that Congress take "immediate action" to obtain the 3000 men now "instead of slowly adding these men in yearly installments."

Dodd also wants more training of police. And the training, he said, should not be geared solely to law enforcement measures.

Policemen, Dodd said, should be particularly sensitive to the special social problems that exist in their community so that they can understand and, therefore, deal more effectively with the causes of crime. The entire community must be able to look up to its police force as the protector of all its citizens, he said.

In addition, Dodd said police should be acquainted with many facets of life in an ever-growing metropolitan area. Urban living, he continued, presents many difficult problems that are not apparent to those who may have been reared in closely-knit small communities.

Dodd does not overlook the extremely important role played by the Youth Aid Division under Deputy Chief John E. Winters.

He strongly supported Winters' efforts to increase the 52-member Division with 20 more officers and four more scout cars.

"We actually want to establish a preventive patrol," Winters said. "When we see idle youth hanging around joints and street corners, we would like to be able to spend more time, talking to them and to their parents so as to avert trouble."

Dodd who declared that "I'm all for the preventive approach," recalled his experience as a former Federal Bureau of Investigation agent who dealt with many young car thieves. He said much more can be done with young people before they get into trouble.

But of necessity, Dodd said, the Youth Aid Division and the entire police department must operate on a "symbolic" law enforcement basis.

"This means that at no time does the police force have enough equipment and men to control all crime," he said. "They must selectively distribute their force among high-crime areas as directed by periodic flare-ups of law violations.

"Thus, it is extremely crucial that the police force be given at least the minimum amount of men and equipment they request.

"This is what the people of this community want," he said. Dodd reported that the response of Washington residents to published reports of his Senate speech "has been tremendous."

He was particularly impressed with a letter from the Georgetown Citizens Association which shared the Senator's views on increasing the number of police-and-dog teams on city streets. Mrs. Frank Allen West said the Association felt so strongly about this that they raised $1350 to buy more dogs.

"You must find it refreshing as a change to have citizens contributing instead of requesting money," she wrote.

Dodd said he did find it "refreshing." He said it was all the more reason for Congress to take stronger measures than it has.

[From the Washington (D.C.) Post, Apr. 1, 1962]

CHALLENGE TO A FREE PEOPLE—III: DODD SEEKS TO CURB MAIL-ORDER GUNS HERE

(By Eve Edstrom)

A law to get mail-order guns out of the hands of undesirables here will be passed soon if Senator Thomas J. Dodd (D.-Conn.) has his way.

He has collected a drawer full of the deadly weapons. And he has a sheaf of Washington police criminal records, one five pages long, on some of those who ordered similar guns by mail.

For several months now, staff members of his Senate Subcommittee to Investigate Juvenile Delinquency have been at Railway Express Agency offices here, looking at the names and addresses of gun recipients.

Of 174 names checked with police, 43 had criminal records. This represents about 25 per cent of those checked, but Dodd believes this is a minimum figure.

It was impossible to verify criminal records in many instances, he notes, because some recipients, who picked up their guns at the Railway Express Agency, used fictitious names and addresses.

When Dodd's investigators attempted to locate them, they found, for example, that one person's address was in the middle of the Potomac River.

Some of the guns had been ordered by persons previously convicted of such felonies as assaults with guns, knives and icepicks, assaults on policemen, narcotics violations and homicide.

In one instance, a man with 15 arrests obtained his pistol through mail order shortly after the Metropolitan Police Department had confiscated his gun.

In another case, delivery of the gun to a narcotics addict was halted when it was found that he was in the prison ward of a mental hospital.

Investigators also were able to establish that at least two mental defectives and seven minors received mail-order guns. One minor was refused delivery when his only identification was a Juvenile Court probation card.

In addition, Dodd's investigators found that mail-order gun recipients "for the most part live in the so-called slum areas of the city." Many are itinerants who live on a "bare survival" basis.

This was emphasized last week by Dodd when he made a Senate speech charting the numerous ways in which the Congress could help the Nation's Capital curb crime as a first step toward making Washington "the symbol and the image of the best that we can do as a free people."

Delivery of mail-order guns, Dodd said, "corresponds with the high crime areas in the city." More guns went to residents of precincts no. 2, 1, 13, 10 and 9. In crime rates these rank first, second, third, fourth and fifth respectively.

"We are drafting legislation to deal with interstate mail-order traffic in guns and have already succeeded in obtaining the voluntary support of many of the responsible elements in the production, transportation and sale of weapons," Dodd said.

In the past, efforts to limit firearms have run into strong opposition from such powerful groups as the National Rifle Association of America.

But Dodd and his staff have spent many hours laying the groundwork for the legislation which would be acceptable to such groups, none of which want to see guns in the hands of hoodlums.

At present, guns may be offered by mail but cannot by law be shipped through the mails. They may, however, be shipped direct to purchaser by common carrier.

Tentative proposals considered by Dodd are:

Making it unlawful for a common carrier, such as Railway Express, to deliver a pistol or revolver to any person under 18.

Raising the license fee for firearms dealers, making it more likely that only legitimate dealers would seek licenses.

Specifying a statutory age limit of 21 for obtaining a dealer's license. At the present time, there is none.

Requiring shippers of pistols and revolvers to label gun packages clearly if the shipment is of 10 or less items. Larger shipments would be exempted because they are most frequently the object of in-transit pilfering.

Such remedial legislation is only one facet of the blueprint for action which Dodd believes is necessary if the Nation's Capital is to be "the model of the Nation in every field."

[From the Washington (D.C.) Post, Apr. 2, 1962]

CHALLENGE TO A FREE PEOPLE—IV: DODD HAS OPEN MIND ON MALLORY, DURHAM

(By John P. MacKenzie)

In the midst of pressures to administer justice this way or that way in the District of Columbia, Sen. Thomas J. Dodd (D-Conn.) is a calm man.

The Senator who, wants to see Congress do more to keep the city's people free from violence, is steadfast in his desire to see that liberties are not abridged in the process.

Law enforcement officers, sociologists and civil liberties advocates all are having their say as the rate of street crimes appears on the rise. Dodd says he begins his quest for law and order with no preconceptions, but he is sure of this:

"There's no impasse between protecting the rights of people and efficient enforcement of the law."

The courts as well as the streets of Washington were embraced in Dodd's wide-ranging speech Wednesday, which asked that the city become "the symbol and the image of the best that we can do as a free people."

Singling out the Mallory and Durham decisions as the sources of complaints by police, Dodd said he wanted to satisfy himself that these were not "obstacles" to law enforcement. He called for a review of their impact and an intelligent appraisal of how to get along with them.

Amplifying his remarks in an interview, Dodd said he is not ready to call for legislation. He said he lacks the assurance of both those who praise the rulings and those who condemn them.

"I don't say we should do away with the Mallory Rule," said Dodd. "I say we can do a better job at living with it than we've been doing."

In the 1957 Mallory decision, a unanimous Supreme Court reaffirmed a 1943 ruling that confessions may not be extracted from prisoners arrested by Federal officers without sufficient evidence to take them promptly before a judge for a hearing. Since it freed a District man who had confessed to rape, the decision aroused the ire of police and many citizens.

Dodd, a former prosecutor who has also tried cases for the defense and served as an FBI agent, says he has no taste for abuses of the law by police and no desire to eliminate the restrictions against such abuses. A concentration, especially in the detective bureau, of more skilled interrogators, may be one answer, Dodd said.

Turning to criticism of the District's rule on criminal insanity, Dodd said he has no proof of any connection between the rise in insanity acquittals and the general rise in crime. He said he is keeping an open mind.

A study is under way, he noted, to find out what happens to those who are excused from criminal responsibility and sent to a mental hospital instead of jail. He wants to know whether such persons, if later released, contribute significantly to the police problem.

The rise of insanity verdicts from a handful before the 1954 Durham decision to 34 acquittals in 1960 make for statistics that are easy to "exploit" and oversimplify when talking about crime, Dodd said.

Informal surveys have indicated that the rate of criminal "repeaters" among those who have been released after treatment at St. Elizabeths Hospital is dramatically lower than the repeater rate in the Federal prison system. Dodd noted, however, that there is a "public uneasiness" about the problem.

"The man on the street is fussing. He says there are too many getting out on grounds of insanity," Dodd said.

The Senator said he had some reservations about the ability of the "average juror" to evaluate psychiatric evidence. At the same time, he asked, "Can we slam the door on science? Can we say that our broadening knowledge in the mental health field has no application to the criminal process?"

Proponents of the Durham Rule contend that a broadened standard of insanity—replacing the century-old criterion of the defendant's ability to know he was doing "right" or "wrong"—gives juries more of the facts needed for an intelligent verdict. Critics say it has caused "confusion."

Agreement that the court rulings can be "lived with" came yesterday from United States Attorney David C. Acheson, who as the District's top prosecutor represents still another interest, Dodd said must be reckoned with in working out answers. Among points made by Acheson in an interview were:

There is no proof that the Mallory decision has encouraged crime. "If you believed that," he said, "you'd have to believe the average criminal had enough understanding of the Federal Rules of Criminal Procedure and made a conscious calculation of his chances for acquittal before breaking the law.

"The real basis of civil liberties, which makes us superior to the Nazi or Communist state, are our criminal safeguards. They are the last aspects of the criminal law I would tinker with."

Reversals of convictions on the grounds of Mallory Rule violations have been few. Prosecutions dropped because they were based strictly on such prohibited evidence numbered only two or three a year out of about 1000 criminal indictments and half that many trials.

While not to be described as "happy" with the Durham Rule, "I wouldn't say we can't live with it."

Acheson has supported legislation to modify the rule and has argued in the courts for changes he considers "in the interest of clarity and concreteness." Much more disturbing than any rule, said Acheson, is the low caliber of some psychiatric testimony.

[From the Washington (D.C.) Post, Apr. 3, 1962]

CHALLENGE TO A FREE PEOPLE—V: JOB-TRAINING OF SCHOOL DROPOUTS SEEN AS CRIME DETERRENT

(By Jean White)

At least one of every five District youngsters aged 16 or 17 is not enrolled in schools and almost half do not have jobs.

These statistics, from the files of the Senate Subcommittee Investigating Juvenile Delinquency, point up the problem of the District's unemployed youth. It is the out-of-school, out-of-work boy or girl, with idle time who is the most crime prone.

Sen. Thomas J. Dodd (D-Conn.) troubled by the rise in Washington's crime, last week listed expanded job opportunities for youth as one way to get at the causes of crime. In this, as in every field, the Senator said, the Nation's Capital should be a model, "the symbol and the image of the best that we can do as a free people."

For the school dropout, the first three months out of school can be crucial, both for him and for the community.

"If we or some other interested group don't get him within three months and help him find a job, he is lost. He has formed a pattern of life—life on the streets—and joined groups."

These are the words of Beatrice H. Thompson, whose job is to help District youth find jobs. She heads the youth employment section of the United States Employment Service office for the District.

The link between youth unemployment and crime has been summed up this way by District Commissioner Walter N. Tobriner: "Too many young people with nothing to do and limited job opportunities seems to be one of the major reasons for the increased crime rate here."

In Washington, the task of finding jobs for 16 and 17-year-olds is complicated by several factors: race discrimination, lack of jobs skills, limited industry in a Government-dominated city and some outmoded laws.

The first is the tough one. At least 75 per cent of the youthful job-seekers are Negroes. Discriminatory hiring practices of some employers freeze them out of many job chances.

What can be done to find jobs for the District's youth?

Congress, Sen. Dodd has suggested, can help in at least five ways:

Provide funds for the District schools to job-condition youths to compete in the labor market.

Provide more money for the District employment office to counsel out-of-school, out-of-work youths and help them to jobs.

Set up a subsidized youth employment program for on-the-job training.

Enact a Fair Employment Practices Act.

Review child labor laws and set up a program to educate employers about them.

Such a subsidized youth employment program would be aimed at helping the most delinquency-prone and least employable group in Washington's youth population—the school dropout, the potential dropout and the delinquent child committed to Children's Center.

The dropout would, first of all, receive some pre-job training on good grooming, how to fill out an application, how to make out a sales slip. Then a counselor would place him on a job with part of the salary being subsidized by the city. This way he could learn minimal skills on the job to compete in the local labor market.

The Senate subcommittee has estimated that it would cost about $200,000 a school year to subsidize employment for 340 enrollees. They would work 40 hours a week up to six weeks and be paid $1 an hour.

The important thing, Commissioner Tobriner emphasizes, is to spot the potential dropout the year before he leaves school. Then there is time to give him at least a rough finishing course to prepare for job competition.

With no job skills or training, the dropout carries a big handicap—one that he will have all his life.

In Washington, the chief industry is Government. This results in a sharp demarcation in job opportunities—the civil service job, which requires education and technical background, and the services industries.

For a civil service job, an applicant must be 18, pass a test, and/or have a high school education or the equivalent. This eliminates the school dropout.

But with minimal training, dropouts can be prepared for some jobs in offices, hospitals, laundries and gasoline stations. They can be busboys in restaurants, messengers, sales clerks and waitresses.

But training isn't all. Here is where race enters the picture. The basic fact is that Washington operates an integrated school system in a highly-segregated labor market.

Nothing, as Tobriner points out, can be more frustrating to a Negro than to be trained for a job and then be frozen out. This is seen again and again as Negro boys from the city's vocational high schools (with the training that dropouts do not have) find union apprenticeship programs closed to them.

Only 13 per cent of the retail sales jobs here are definitely open to both races, the Senate subcommittee files show.

In the retail trade, outmoded child-labor regulations cut down job opportunities for girls. Society has changed and evening hours are now part of the shopping pattern. But girls under 16 can work only to 7 p.m. in the District.

Within limited funds and staff, the schools, USES, and other groups are trying to help the unemployed youth here.

Each month the schools send the USES office a list of dropouts. The USES reaches about two-thirds of these through letters and they report for counseling and vocational tests. Placement officers go out and beat the bushes to find them jobs.

"No job comes to us," Mrs. Thompson says. "We have to go out and drum them up. We play on an employer's sympathy. Whatever you say, the problem of juvenile delinquency is one for all of us. Employers can help by giving these boys and girls a chance."

Once the dropouts are given a chance with a good employer, they become good workers, she finds. But only 15 percent of the District employers hire dropouts, the Senate subcommittee says.

[From the Washington (D.C.) Post, Apr. 4, 1962]

Challenge to a Free People—VI: Neglect of District of Columbia Schools Called Major Cause of Crime

(By Carole Bowie)

Neglect of the District school system is one of the basic causes of the ever-growing rate of delinquency in the Nation's Capital, Sen. Thomas J. Dodd (D-Conn.) said yesterday.

"Authorities have repeatedly stated that the school is the most vital element in the development of a child—next to the family. I think that we have been grossly negligent in recognizing this factor," he said.

Adequate support of education was listed by the Senator last week among wide-ranging proposals to curb crime here. In education, as in all other fields, the Senator said, the District should be "the symbol and the image of the best that we can do as a free people."

"We have neglected our schools because we have attempted to teach 80 per cent of our children in dilapidated, demoralizing, decaying shacks . . . and because these 80 per cent are taught in the oversize classes where effective instruction is all but impossible," he said.

Dodd, whose mother, daughter and three sisters are teachers, also pointed out that more than 700 children were barred from kindergarten classes this year because space and teachers were not available. Another 2000, he said, attend school only part-time.

"These children are forced to absorb the complete education given to more fortunate youngsters in a much shorter period of time. It is small wonder that some of them never acquire this education but are forced to drop back to become truants, to roam the streets and finally take the road to crime," he said.

Requests by school officials for new classrooms to take youngsters out of substandard facilities and for more teachers to reduce class size and provide special help for more than 2000 retarded pupils now in regular classes, Dodd noted, have been granted only partially or denied altogether.

"It has been similarly recognized that all school children, and particularly those who manifiest problems, occasionally need the services of school counselors professionally trained to deal with disturbed young criminals," he said.

"However," he continued, "from a requested number of 39 school counselors for elementary, junior, and senior high schools, the School Board has received only six."

He cited further evidence of neglect in the School Board's failure to win "even a minimum amount of money" for repair of schools. "It is impossible to measure the demoralizing influence which inferior school buildings have on young citizens," he declared.

Dodd and District School Superintendent Carl F. Hansen agree that these deficiencies in the basic school program—lack of class rooms, teachers and specialists—must be remedied if the schools are to fulfill their role in the fight against crime.

"Our first need," Hansen has said, "is for a generally adequate school program beginning at the kindergarten level. If we were bold enough," he said, "we would say even before kindergarten for children who are deprived in their homes."

But Hansen would go beyond the traditional school program to reach the potential school drop-out, the troubled youngster who is most likely to drift into crime, and to prepare him to take his place in the labor force."

Dodd has asked Congress to heed his recommendations, to give the District "the funds for its schools which are necessary to give youth the guidance and skills needed to qualify them to compete in the labor market."

Some of Hansen's programs, aimed specifically at potential drop-outs and supported largely with private funds, are already being tried on a limited scale in District schools. They include efforts to:

Curb a major cause of delinquency and drop-outs—failure to learn to read and write—by giving youngsters special language training in early grades.

Discover talented students and keep them in school by providing special guidance and remedial help at the junior high school level.

Identify potential drop-outs and give them practical training in such areas as shoe repair, car painting, printing and electrical trades and custodial work, on a part-time-school, part-time-work basis.

Allow children who cannot afford to stay in school to finish their education by providing scholarship aid.

Hansen would expand all these programs, greatly increasing opportunities for part-time school and work training. "We need," he said, "to show students who are rejecting school a direct relationship between class training and job experience."

Also needed, he has stated, are added vocational shop facilities and teachers to train students in skills, such as electronics that are needed in this area. Special instruction, he says, should also be provided for seriously disturbed youngsters who cannot attend regular classes and for those forced to leave school because of pregnancy or incarceration.

Hansen has held often that such a school program, geared to the individual needs of children would be the best investment a community could make in terms of increased employment and decreased crime.

[From the Washington (D.C.) Post, Apr. 5, 1962]

Challenge to a Free People—VII: Guidance Urged for Prisoners Returning to Society

(By Eve Edstrom)

A guidance center where Washington's youthful offenders can make the transition between life in prison and life in the community was called for yesterday by Sen. Thomas J. Dodd (D-Conn.).

The center was one of several crime preventive and control measures which Dodd said are necessary if street crimes are to be curtailed in the Nation's Capital.

He amplified on a speech made to the Senate last week when he charted a broad course of action to make Washington "the symbol and the image of the best that we can do as a free people."

Of particular concern to Dodd was the high percentage of criminals who repeat their offenses.

To cut down on the number of violators who must be returned to prison, Dodd recommended that plans be drawn for an "intermediate rehabilitative institution" where offenders could go after leaving Lorton Youth Center to receive counseling and employment assistance services.

Since last fall, the Federal Bureau of Prisons has been experimenting with a similar program in small guidance centers located in Los Angeles, Chicago, and Brooklyn. At any one time, the centers accommodate between 20 to 30 youthful offenders who are believed to be good parole risks but who are still in custody.

With the cooperation of employment, school and family agency officials, the youths are helped to get jobs or to return to school. Many receive expert counseling services or centering on the family or other difficulties which caused them to get into trouble.

When an offender finally appears ready to make it on his own, he is taken from parole authorities and usually wins his release under supervision.

In seeking such a program here, Senator Dodd also noted that the rehabilitative facility is needed because the Lorton Youth Center, not yet two years old, is on its way to running out of bed space. The Youth Center will have a capacity for 400 inmates when a new dormitory housing 100 men opens in a month. But Dodd observed the commitment rate to the Center "is building up at such a speed that it will soon reach 200 a year" while the average stay of a youthful offender is slightly under two years.

"Therefore, the institution will be forced to release about 200 cases each year regardless of whether correction has been completed," Dodd said.

Besides the proposed rehabilitative facility, Senator Dodd, who is chairman of the Senate Subcommittee to Investigate Juvenile Delinquency, made a strong plea for strengthened probation and parole services.

This need long has been recognized here and was the subject of an exhaustive study made in 1957 by a blueribbon committee headed by the late District Commissioner David B. Karrick. Some gains, made following the Karrick report, have been wiped out by increasing caseloads.

Although the nationally-recommended caseload for a probation officer is 50 cases, Dodd noted that probation officers for the United States District Court for the District carry caseloads of 80. In addition some officers, who also must make presentence investigations, are responsible for as many as 100 cases a month.

Although Chief Probation Officer Edward W. Garrett requested nine additional workers for this fiscal year, Dodd said he obtained only one.

"This again is one example, one underlying cause, why we have the crime conditions in Washington that have alarmed us in recent months," Dodd said.

Dodd emphasized that he would ask Congress to include funds for the eight probation officers in the budget for the next fiscal year.

In addition, he said he would seek seven more workers to eliminate "excessive caseloads" carried by the District Board of Parole. And he warned that the two new judges authorized for Juvenile Court will not be effective in rehabilitative efforts unless that court also obtains probation manpower.

"If we are dedicated to reduction of the serious crime situation in the District," Sen. Dodd said, "we will have to re-evaluate our needs in terms of priorities and give crime fighters the necessary tools.

". . . It is important to recognize that probation and parole are institutions with two major goals. They strive to treat, correct and rehabilitate a law violator to return him to a constructive life but, on the other hand, they are also charged with protecting and safeguarding the community from criminals and delinquents.

"Unless probation and parole caseloads are of a realistic size, it is not difficult to understand the failures that do take place."

[From the Washington (D.C.) Post, April 6, 1962]

Challenge to a Free People—VIII: Funds Await Tapping in Crusade for a Model Capital

(By Eve Edstrom)

Sen. Thomas J. Dodd (D-Conn.) is the first to recognize that it will take money to achieve his goal: Making the Nation's Capital "the symbol and the image of the best that we can do as a free people."

But he also believes there are many untapped resources which could help the District to become "the model of the Nation in every field."

For example, as chairman of the Senate Subcommittee on Juvenile Delinquency, Senator Dodd is well aware of the advantages which could accrue to the District if it participated in the Juvenile Delinquency and Youth Offenses Control Act of 1961.

Over the years the subcommittee helped lay the groundwork for ultimate passage of the 30-million-dollar program to establish community demonstration programs to curb juvenile delinquency and to train personnel in the correctional field.

The Nation's Capital, Senator Dodd believes, should be among the first to participate in this program because local authorities, just for the asking, could draw upon expert technicians from the Departments of Justice, Labor, and Health, Education, and Welfare to devise a model anti-delinquency program.

To achieve this end, his subcommittee staff members have been conferring this week with representatives of the President's Committee on Juvenile Delinquency and Youth Crime, which authorizes financial grants to communities.

To date that Committee has authorized only one grant to aid a community (New Haven, Conn.) in mapping an all-out attack on delinquency.

But the request of the Nation's Capital for planning money to begin a program of action is high on the Committee's priority list.

In fact just this week the President's Committee assigned one staff member, W. Don Ellinger, to work with community leaders in achieving the widest possible support for the program.

Ultimately this could mean that the District would receive as much as $750,000 a year for three years to expand services to youth in trouble.

To get a first hand look at these youths, Senator Dodd toured downtown night spots from midnight until 2 a.m. Thursday with Sgts. Charles H. Calderwood and Rudolph P. Biro of the Police Department's Youth Aid Division.

Of particular interest to the Senator was the number of Maryland and Virginia youths who came into the District to drink beer. Youths are served at age 18 in the Nation's Capital, but must be 21 in the neighboring jurisdictions.

Senator Dodd saw one such youth being taken away by police after his car hit a fireplug at 11th and G sts. nw. But as it was a week night, Senator Dodd did not observe much crime.

He was disturbed, however, by the number of idle youths. Senator Dodd has said that much of Washington's crime is committed by out-of-school, out-of-work youngsters.

While lack of skills contributes to their unemployment problem, they also are victims of discriminatory hiring practices, Dodd emphasizes.

"For example, only 13 per cent of the sales positions in the District are available to Negroes," Dodd said. "Yet Negroes constitute a majority of the youth in this city.

"In view of this, I think it is imperative that the Congress enact a Fair Employment Practice Act for the District. I have already begun to prepare such a bill, one of several I will introduce in an effort to strike at some of the underlying causes of crime here."

Also being readied is a bill aimed at getting mail order guns out of the hands of undesirables. Members of Dodd's staff have been meeting with officials of the National Rifle Association of America in an effort to draft a bill. In addition, hearings on the problem of mail order guns will be conducted by Dodd in about a month.

Senator Dodd intends to go before the congressional appropriation bodies for the District to support more funds for better schools, housing, law enforcement and correctional programs in the capital.

In a speech to the Senate last week, Dodd made clear that existing ills in the Nation's Capital, such as street crime, can and must be cured by Congress.

"It is easy," he said, "to raise a clenched fist, to denounce the police or the younger generation or the District Government. It is easy to blame the problem on race relations or softness on the part of the court system or even 'welfare give-aways.' . . .

"But those who are in positions of leadership in this community had better examine their own conduct before they make sweeping judgments on what is happening here. We in the Congress share the power to govern this city and therefore we must bear a large share of the responsibility for what happens here."

[From the Washington (D.C.) Post, Apr. 7, 1962]

THE DROPOUTS

The devil finds work for idle hands, as the saying reminds those who look for the causes of street crime in the District. Senator Dodd has observed the clear connection between the rate at which children drop out of high school and the frequency of sidewalk violence. In this city, one of every 10 youngsters 16 and 17 years old is out of school and out of work. Some left their classrooms because the work had defeated them, some because their families pressed them to begin earning money. Once out of school, they promptly learned the bitter lesson that in this generation only real skill entitles a man to a steady job. And they are utterly unskilled.

The school system acknowledges its responsibility to identify future drop-outs well before they turn 16. It is already experimenting with new kinds of training devised to keep them in school and provide them with work that will impress them as relevant to their own lives. In a very hopeful departure, schools here and throughout the country are devising broader vocational courses with on-the-job training that actually pays wages.

But vocational courses are particularly difficult to administer, for the schools must be sure that they are training boys for jobs that exist. Since this is a city of large public buildings, Cardozo High School is setting up a very sensible program to train 20 boys to be building custodians. The capacity of this program, unlike a course in English literature, is severely limited, not by the number of children who want it or need it, but by the number of jobs that annually are to be filled.

American high schools are being required increasingly to diversify their fare. For some pupils, this will mean instruction in Russian or advanced mathematics. For some it will mean instruction in running heating plants and waxing floors. But highly diversified education, providing special work for small groups of youngsters, is very expensive.

Senator Dodd has suggested specific steps by which the District can improve its vocational training and job placement facilities for young people. Most of them require money. Against that cost, we must balance the price of a high crime rate. The solid good sense of the Senator's recommendations is apparent. Whether we can proceed to put them into effect depends essentially upon the attention that Senator Dodd's congressional colleagues pay to his advice.

[From the Washington (D.C.) Post, Apr. 15, 1962]

CITY LACKS PENAL SPOT FOR JUVENILE TOUGHS

(By Leslie H. Whitten)

The tough young defendant is a special problem in the District.

Juvenile Court cannot send him to the adult institutions at Lorton or to the D.C. Jail.

Federal prison officials do not want him at the National Training School. And there is no other juvenile facility to which he can be sent.

Caught in this quandary, the Juvenile Court has been doing one of three things:

It has sent the youth to the National Training School, but limited the commitment to his 18th birthday or 18 months, whichever is longer. This is done under an agreement with Federal officials that the Court will not make use of its power to commit a youth under age 21.

It has in rare cases placed him on probation in the hope that he will sin no more—at least not until he is 18 and his offenses thus no longer come under Juvenile Court.

It has waived some youths to District Court who probably would not have been sent to adult court if the District had its own institution for older youths. Waivers, reserved for serious cases, still enable District Court to take advantage of the Federal Youth Corrections Act which pegs the period of imprisonment to a young criminal's progress toward rehabilitation.

The heart of the District problem is aggressive 15, 16, and 17-year-olds who come before the court and those 18- and 19-year-olds who are already in the training school under Juvenile Court commitment.

Their offenses include robbery, housebreaking, serious assault and other crimes of violence. And although some adapt to the school—which is designed for younger inmates from out-of-state—the unruly few from the District have disrupted school activities, according to officials.

Early release from the Training School or the seldom used but risky problem for these aggressive youths, probably is a small but potentially dangerous factor in the city crime picture, officials report.

And a recent survey showed that out of 28 waivers from Juvenile Court—where nonjudicial findings that the youth is involved in the offense almost always precede a waiver—a total of seven escaped both treatment and punishment.

Paradoxically, the situation may get worse when the District's two additional judges are appointed. As they dig into the youth case backlog of some 830, they will be bringing an increasing number of youths into court—and the problem of what to do with them will arise more often.

Judge Orm W. Ketcham, the Court's lone judge, said last year he was sending 100 to 125 youths to National Training School a year. On April 10, youths sent by Juvenile Court made up 136 of the 385 inmates.

The growing desire of the Bureau of Prisons to transfer the school to a site in the South makes the need for a solution even more urgent.

There is general agreement that the solution lies in a new juvenile institution for the District—one that would replace and enlarge the services now provided. But the budget problem has not been solved and as long as the School can be used as a makeshift, officials have been reluctant to press the issue.

Sen. Thomas J. Dodd (D-Conn.) who as chairman of the Senate Subcommittee to investigate Juvenile Delinquency has interested himself in the question of a new institution, had this to say yesterday:

"There are several alternatives. It could be located at Lorton under the administration of the District Department of Corrections as proposed by Sen. Vance Hartke (D-Ind.).

"It could be placed under the authority of the Bureau of Public Welfare. It could be administered independently, or it could be administered by the Juvenile Court."

The problem cannot be adequately solved even on a temporary basis, by sending older aggressive youths to young adult institutions outside the city, as has been done by the Bureau of Prisons, Dodd pointed out. The practice is legally questionable.

The Hartke bill would provide facilities for 15-year old youths and older and those unmanageable at the National Training School."

It would require that juveniles be kept separate from the young adults, but would allow use of certain facilities by the two groups of inmates at different times.

The Hartke bill has passed the Senate and is before the House District Committee.

At present a Juvenile Court Advisory Committee study is being made of the whole problem by a subcommittee under G. Howland Shaw, a civic leader and youth guidance specialist.

Mr. JORDAN of North Carolina. I say to the distinguished Senator from Louisiana that the request was for $257,500, and we cut the amount to $225,000, a reduction of $32,500.

Mr. ELLENDER. I noted that, but the number of employees has been increased by one.

Mr. DODD. No, that figure was based on the original budget request which, as you know, was reduced by the Rules Committee.

Mr. ELLENDER. That will go down, then?

Mr. DODD. Yes.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment.

The amendment was agreed to.

The **PRESIDING OFFICER.** If there be no further amendment to be proposed, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 48), as amended, was agreed to.

STUDY OF NATIONAL PENITENTIARIES

The resolution (S. Res. 54) to investigate national penitentiaries was announced as next in order.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 54 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its Subcommittee on National Penitentiaries to expend not to exceed $5,000 this year for an investigation of national penitentiaries.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator QUENTIN BURDICK is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator ROMAN L. HRUSKA.

The **PRESIDING OFFICER.** The question is on agreeing to the resolution.

The resolution (S. Res. 54) was agreed to, as follows:

S. RES. 54

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and inspect national penitentiaries.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXAMINATIONS AND REVIEW OF THE STATUTES RELATING TO PATENTS, TRADEMARKS, AND COPYRIGHTS

The resolution (S. Res. 49) to examine and review the statutes relating to patents, trademarks, and copyrights was announced as next in order.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment on page 2, line 17, after the word "exceed", strike out "$117,000" and insert "$105,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to conduct a full and complete examination and review of the administration of the Patent Office and a complete examination and review of the statutes relating to patents, trademarks, and copyrights.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $105,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 49 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its subcommittee on Patents, Trademarks, and Copyrights to expend not to exceed $117,000 this year for an examination and review of the statutes relating to patents, trademarks, and copyrights.

During the last session of Congress $110,000 was authorized for that purpose, of which $96,929 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $117,000 to $105,000, a reduction of $12,000.

Senator JOHN L. MCCLELLAN is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator HUGH SCOTT.

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendment.

The amendment was agreed to.

The **PRESIDING OFFICER.** If there be no further amendment to be proposed, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 49), as amended, was agreed to.

STUDY OF PROBLEMS CREATED BY THE FLOW OF REFUGEES AND ESCAPEES

The resolution (S. Res. 50) to investigate problems created by the flow of refugees and escapees from communistic tyranny was announced as next in order.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment on page 2, line 17, after the word "exceed", strike out "$109,227" and insert "$100,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the problems created by the flow of refugees and escapees.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, on a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the department or agency concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. The expenses of the committee under this resolution, which shall not exceed $100,000, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 50 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its

Subcommittee on Refugees and Escapees to expend not to exceed $109,227 this year for a study of the problems created by the flow of refugees and escapees.

During the last session of Congress $105,400 was authorized for that purpose, of which $89,790 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $109,227 to $100,000, a reduction of $9,227.

Senator Edward M. Kennedy is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator Hiram L. Fong.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 50), as amended, was agreed to.

STUDY OF MATTERS PERTAINING TO REVISION AND CODIFICATION OF THE STATUTES OF THE UNITED STATES

The resolution (S. Res. 51) to study revision and codification of the statutes of the United States was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration with an amendment on page 2, line 16, after the word "exceed", strike out "$48,950" and insert "$48,900"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine investigate, and make a complete study of any and all matters pertaining to revision and codification of the statutes of the United States.

Sec. 2. For the purpose of this resolution the committee from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That if more than one counsel is employed, the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations, to the Senate at the earliest practicable date, but not later than January 31, 1970.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $48,900, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 51 as referred to the Committee on Rules and Administration would authorize the Committee on the Judiciary through its Subcommittee on Revision and Codification to expend not to exceed $48,950 this year for a study of all matters pertaining to revision and codification of the statutes of the United States.

During the last session of Congress $47,500 was authorized for that purpose, of which $45,033 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator Sam J. Ervin, Jr., is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator Hugh Scott.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 51), as amended, was agreed to.

AUTHORIZING CERTAIN STUDIES AND INVESTIGATIONS BY THE COMMITTEE ON LABOR AND PUBLIC WELFARE

The resolution (S. Res. 81) to authorize certain investigations and studies by the Committee on Labor and Public Welfare was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration with an amendment on page 2, line 18, after the word "exceed", strike out "$695,400" and insert "$550,000"; so as to make the resolution read:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the jurisdiction of the Committee on Labor and Public Welfare including all matters relating to education; health, labor relations, labor safety, wages and hours, and migratory labor conditions; manpower training and utilization; poverty; railroad retirement; and veterans education, health, and readjustment to civilian life.

Sec. 2. For the purpose of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. Expenses of the committee under this resolution, which shall not exceed $550,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Mr. President, Senate Resolution 81, as referred to the Committee on Rules and Administration, would authorize the Committee on Labor and Public Welfare to expend not to exceed $695,400 this year for a study of all matters pertaining to its jurisdiction.

Even though this request incorporates the additional temporary employees authorized last session—14 employees for a total maximum compensation of $254,919—as well as funds for the now defunct Subcommittee on Migratory Labor—$75,000—it represents a considerable expansion of contemplated committee activities.

Although the Committee on Rules and Administration is sympathetic to the legitimate asperations of the Labor Committee, it was felt that the desired expansion should be taken in smaller steps. Consequently, the Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $695,400 to $550,000, a reduction of $145,400. This is still an increase of $200,000 over the committee's authorization last year.

Senator Ralph Yarborough is chairman of the committee. The ranking minority member of the committee is Senator Jacob K. Javits.

Mr. ELLENDER. Mr. President, I simply wish to point out that the funds provided for the Committee on Labor and Public Welfare have been increased year by year. In 1968, there was a total of 52 employees, and funds to pay 24 of them as investigative staff amounted to $439,000-plus. I note that for 1969 there is a request for a total of 66 employees. That is an additional 14 employees. I wonder whether an explanation could be made as to why that is necessary.

Mr. JORDAN of North Carolina. Perhaps the Senator from Texas (Mr. Yarborough) can answer.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent, first, to have printed at this point in the Record the letter request that we made to the Rules Committee, appearing at pages 2 to 6 of the report accompanying this resolution.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate, Committee on
Labor and Public Welfare,
Washington, D.C., February 3, 1969.

Hon. B. Everett Jordan,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington D.C.

Dear Mr. Chairman: On January 29, 1969, the Committee on Labor and Public Welfare unanimously ordered reported Senate Resolution 81, which provides funds for the temporary hiring of staff and operating expenses of the committee. The form of this resolution has been changed from those which have been submitted in the past in order to conform with the general practice of other standing committees of the Senate. However, the need for and use of the funds which may be authorized is unchanged.

In the last Congress, the committee's request for temporary staff which was approved by your committee and the Senate was embodied in two resolutions. Senate Resolution 220 provided authority for the Committee on Labor and Public Welfare to employ one assistant chief clerk, six professional staff members, and seven clerical assistants. Senate Resolution 222, which provided for a study of all matters pertaining to migratory labor, in effect provided for an additional staff of one professional staff member and six clerical assistants. Persons employed under the authority of these resolutions have been assigned to perform staff functions for the Subcommittees on Education, Labor, Employment, Manpower and Poverty, and Migratory Labor, and for the minority.

As you are undoubtedly aware, the 91st Congress brought major changes in the chairmanships of the various subcommittees of the Committee on Labor and Public Welfare and during the committee consideration of Senate Resolution 81 it was the unanimous opinion of both the majority and the minority that a modest expansion of staff above the number of temporary positions authorized last year is essential.

The members of the Rules Committee, I am sure, are fully aware, as are all Senators, of the seemingly endless rise in the volume of business transacted in our offices and by the committees of Congress. This rise has been spectacular in the case of the Committee on Labor and Public Welfare.

The continually expanding volume of legislation which is handled by this committee, especially in the fields of health, education, labor, manpower, and the broad spectrum of activity encompassed by the word poverty, has inevitably brought with it a corresponding increase in administrative, professional, and editorial activity. Correspondence, requests for information and printed materials, telephone traffic, consultations with Senators' offices and administration officials and representatives of the innumerable organizations vitally concerned with the progress of legislation—all appear to double arithmetically every Congress.

As you are no doubt aware, in a letter dated January 5, Senator Mansfield, the majority leader, emphasized to each committee chairman the need to carry out "oversight activities" on legislation which passes through their committees. It is my understanding that some committees have established special oversight subcommittees, such as the Senate Preparedness Subcommittee of the Armed Services Committee. However, that approach is not practical for a committee such as Labor and Public Welfare which has such wide and varied jurisdiction. It would not be practical to expect one subcommittee to oversee the varied problems involved in public health, education, the National Institutes of Health, labor, poverty, veterans' affairs, etc. Therefore, as chairman of the Committee on Labor and Public Welfare, I will assign oversight functions to the standing subcommittees so that those most knowledgeable with the various areas will be responsible for the oversight functions of the committee. The need for additional staff to carry out this function is apparent, since the same staff person can hardly be expected to concentrate on legislative proposals under active consideration and at the same time review the operation of programs enacted in previous Congresses. However, this range of oversight by each subcommittee of its area of jurisdiction will assure close cooperation between those staff persons engaged in oversight and those engaged in working on current legislation.

As I have pointed out, the request from the Committee on Labor and Public Welfare, with the exception of the Indian Education Subcommittee which is a special case for a very limited period of time, is for a lump sum amount. While this amount may seem large when considered as a whole, it is modest when the requirements of the several permanent subcommittees are considered. I believe I can make this point clear if you will follow me in the following calculation: If you take the total amount which is permanently authorized and the amount which is being requested by the pending resolution for the operation of the committee, you will realize that I am in effect requesting $40,000 each for the two minor subcommittees—Veterans' Affairs and Railroad Retirement, and slightly less than $190,000 each for the major subcommittees—Health, Education, Labor, Employment and Manpower, and Migratory Labor.

At this point I would like to discuss the staff requirements on a subcommittee-by-subcommittee basis so that you may fully appreciate the need for the personnel involved in this request and will understand the staff arrangement for each subcommittee.

We are requesting one additional staff member each for the Subcommittees on Education, Labor, Employment and Manpower, Veterans, and Migratory Labor. We are requesting two staff members for the Health Subcommittee, which I have the honor of chairing.

We are, in addition, requesting two clerical positions to be assigned to the Health Subcommittee and the Migratory Labor Subcommittee.

The committee is requesting a lump sum of $78,500 for the purpose of hiring highly skilled consultants such as actuaries, accountants and computer analysts on a "when needed" basis. This will give the committee greater flexibility and enable more economic operation than the full-time employment of such personnel.

Turning to the needs of the individual subcommittees, the Health Subcommittee, with the increase in health legislation in recent years, has had a rising demand for staff support to consult with Senators' offices and with the officials of executive agencies, as well as with representatives of the numerous organizations vitally concerned with health problems and legislation. This need continues to increase with each session. It is estimated that the Federal outlay for health under programs under the jurisdiction of this subcommittee will rise to over $3.5 billion in fiscal 1970. The subcommittee also plans to examine areas which have not in the past received sufficient consideration, such as the rise in medical costs, the need for additional health programs in ghetto and rural areas, and the entire area of drug abuse and control. In addition, the subcommittee will give extensive attention to the question of health manpower needs.

The Subcommittee on Education is responsible for legislation authorizing a total of 77 programs being administered by the Office of Education. Of these programs, approximately 25 are due for reconsideration in 1969. The total authorization of appropriations for the programs under the jurisdiction of the subcommittee for fiscal 1970 alone is $7 billion. The Subcommittee on Education has been conducting a broad review of education legislation which resulted during the 90th Congress, and 16 separate committee prints have been published to provide the Senate with information concerning the administration of the education programs. This very important work on the part of the subcommittee will continue and it is essential if the oversight functions of the committee are to be maintained. Additionally, during 1969 the subcommittee will receive approximately 50 annual reports which are required by law on various education programs. Each of these reports will review the operation of a program or programs during the past year and will make recommendations for changes in administration and legislation. To keep the subcommittee members informed it is necessary to have the appropriate staff support to analyze reports submitted to the committee and to prepare comments on the legislative proposals.

In the last Congress, the committee, through its Subcommittee on Employment, Manpower, and Poverty, with a separate and additional budget of $185,000, conducted an intensive investigation of the effectiveness of the entire poverty program, a program which is presently funded at about $1.3 billion. This work resulted in a number of new proposals, several of which require continuing refinement. In addition, President Nixon's task force has recommended to him that major changes be made in both the method and level of action on poverty in the United States. The poverty program must be considered as an integral part of the Nation's war on crime and the new administration's recommendations are entitled to receive the same careful consideration as has been given previous programs. In addition, the Nixon administration has indicated that it may have several new manpower proposals to combat hard core unemployment. These responsibilities for both forward planning and oversight have caused the committee to request a slight addition to the staff of the subcommittee concerned.

In the past Congress, the Subcommittee on Labor was made acutely aware of the need for renewed consideration of legislation in the area of industrial health and safety. The recent coal mine disaster and the extraordinarily fine work of the Committee on Commerce has performed in the fields of consumer protection and safety have caused a renewed public interest in the health and safety of workers. The committee has also found that there is growing interest in an in-depth study of the entire field of private pension plans. In 1956 this committee last investigated the general field of pension plans. The information available at that time indicated that pension plans held funds in the area of $16 billion. Today, private pension plans have assets of over $100 billion and cover more than 25 million workers. The committee believes that if the Labor Subcommittee is to meet its responsibilities to the Senate and the country, it, too, should be given a slight increase in professional staff.

For a number of years the Committee on Labor and Public Welfare has requested separate funds to staff a special Subcommittee on Migratory Labor. Because of the great amount of work involved and the interest of millions of Americans in the problems of migrants, a decision was made this year to make the Subcommittee on Migratory Labor permanent as one of our major subcommittees. Therefore we have not asked for a special resolution for the Migratory Labor Subcommittee but have included funds in our overall request to appropriately staff and fund continued operations in the areas of education, health and labor problems of our people who are involved in migratory labor. Thus this large group of people will receive the special attention which their problems demand.

In sum, while we are asking for a substantial increase in the overall budget of the committee, were we to break this down by individual subcommittees it would not be so apparent. And since this committee authorizes programs which are budgeted in excess of $20 billion each year, it appears to me that the Senate of the United States will be best served by our having staff which has the capability to do the research necessary to have the members of the committee fully informed at all times.

I think it would be appropriate to also point out that in the last Congress the Committee on Labor and Public Welfare established five additional subcommittees to deal with specific legislative problems. These subcommittees were Arts and Humanities, Aging, International Health, Education and Labor Programs, Science, and Utilization of Scientific Manpower. While I cannot at this time state exactly how many of these special subcommittees will be established during the coming session, I am sure that a number will be. I have not requested any money for the operation of these subcommittees and it would be expected that staff hired under the pending resolution would be assigned on a temporary basis as needed to work with any special subcommittees which the committee may see fit to establish.

I should also note that consonant with its past practice the committee intends to assure that minority members are adequately supplied with professional and clerical staff to assist them to meet their share of the burden. It is proposed that two additional professional staff members and one research assistant will be assigned to the minority if the request for funds is approved as submitted.

As chairman, I can assure you that the committee will maintain its policy of filling positions only as the workload requires. And while the method of presenting our request for funds has changed, our desire to insure economy in the operation of this committee remains unchanged.

With best wishes and kindest personal regards, I am

Sincerely,

Ralph W. Yarborough,
Chairman.

PROPOSED BUDGET

Position	Number	Annual salary	Monthly salary	Total for period of budget
STAFF				
Legal and investigative:				
General counsel or staff director	1	$24,278	$2,023.17	$24,278.00
Chief counsel	2	24,278	2,023.17	48,556.00
Special counsel (minority)	4	24,278	2,023.17	97,112.00
Assistant chief counsel	1	24,278	2,023.17	24,278.00
Assistant counsel	4	21,492	1,791.00	85,968.00
Editorial and research:				
Research director	4	21,492	1,791.00	85,968.00
Research assistant	1	11,542	961.83	11,542.00
Staff member (minority)	1	15,552	1,296.00	15,552.00
Administrative and clerical:				
Assistant chief clerk	1	18,109	1,509.08	18,109.00
Assistant clerk (file)	2	10,149	845.75	20,298.00
Assistant clerk (record)	2	10,945	912.08	21,890.00
Assistant clerk (hearing)	2	10,149	845.75	20,298.00
Stenographer	8	8,557	713.08	68,456.00
Total	33			542,305.00

Administrative

Contribution to employees health benefit programs ($8.88 per month per employee)	$3,516.48
Contribution to civil service retirement fund (C½ percent of total salaries paid)	35,249.82
Contribution to employees Federal employees group life insurance (30 cents per month per $1,000 coverage)	1,952.28
Travel (inclusive of field investigations)	11,000.00
Hearings (inclusive of reporters' fees)	12,000.00
Witness fees, expenses	750.00
Stationery, office supplies	3,200.00
Communications (telephone, telegraph)	4,100.00
Newspaper, magazines, documents	2,400.00
Contingent fund	426.42
Consultants (WAE)	78,500.00
Total	153,095.00
Grand total	695,400.00

Funds requested, Senate Resolution 81, $695,400; funds approved by Committee on Rules and Administration, $550,000 (—$145,400).

A letter in support of Senate Resolution 81 addressed to Senator B. Everett Jordan, chairman of the Committee on Rules and Administration, by Senator Jacob K. Javits, ranking minority member of the Committee on Labor and Public Welfare, is as follows:

U.S. Senate, Committee
on Labor and Public Welfare,
Washington, D.C., February 5, 1969.

Hon. B. Everett Jordan,
Chairman, Senate Rules Committee,
New Senate Office Building,
Washington, D.C.

Dear Mr. Chairman: As ranking minority member of the Committee on Labor and Public Welfare, I write to confirm my testimony before your committee today indicating support of the minority of our committee for Senate Resolution 81. This sum is necessary for the operation of the Senate Committee on Labor and Public Welfare, especially in the area of legislative oversight. I urge its acceptance.

With best wishes.

Sincerely,

Jacob K. Javits.

Mr. YARBOROUGH. In direct answer to the distinguished senior Senator from Louisiana, may I say that we have requested one additional staff member each for the Subcommittees on Education, Labor, Employment and Manpower, Veterans, and Migratory Labor, and two staff members for the Health Subcommittee. We have requested two clerical positions to be assigned to the Health Subcommittee and the Migratory Labor Subcommittee.

Turning to the needs of these subcommittees, I point out that the Health Subcommittee, with the increase in health legislation in recent years, has the smallest staff now of any of the regular subcommittees. The need is growing greatly in that field because of the increasing Federal participation in health matters.

The Senate last year extended the Hill-Burton Act for 3 years. The House cut it out, with no extension. They wanted to rework the whole thing and change the method of financing.

Finally, in a compromise in conference between the House and the Senate the Hill-Burton Act was extended for only 1 year. This problem will be with us this year again.

There are widespread complaints all over the country about the increase in medical costs. The entire area of drug abuse has grown in this country to mammoth proportions and we need to examine the problems of drug abuse and drug control. The subcommittee will also give extensive attention to health and manpower needs.

In the field of education we asked for one more staff member. There are 77 programs administered by the Office of Education created by this committee. Twenty-five of those programs are due for reconsideration this year.

This committee has jurisdiction over funds involving 21 percent of the Federal budget when one takes out defense, social security programs, and the public debt.

There is demand for legislative oversight. We should have legislative oversight. We do not have a staff person designated for oversight. We are asking for one staffer for each of these subcommittees. I think we have asked for the minimum.

The Federal Government has approximately 3 million employees. The House and the Senate have 5,000 employees. Yet we pass on the budget which involves billions of dollars. How can that be done without an adequate staff? We cannot sit individually and examine a budget which approximates $190 billion. I wish we had the other $150,000 we asked for. However, we had our hearing, and they allowed us a part of this. They did give us more staff on the committee to assume the task of oversight.

We have complaints about overlapping programs. We want to investigate the effectiveness of programs and we do not want to wait for the executive branch to come up here with their own evaluation. We pay executive employees salaries higher than we pay our people. How can we be a coequal body if we do not hire people that will enable us to be a coequal body? I would like for us to be coequal. Do Senators think that this branch is coequal with the executive branch? We are not coequal because we do not hire the staff to enable us to be coequal. We should hire sufficient professional staff so that people will know that the legislative branch is coequal as the Constitution provides we should be. Until we get the staff and pay them enough money we will never gain the coequality we request. I think our request was modest. The Committee on Rules and Administration gave us about one-half of our request. I am happy to get the one-half. I am not going to offer an amendment to increase it.

On the other hand I ask that the Senate not delete the one-half which the Committee on Rules and Administration gave us.

Mr. ELLENDER. I notice that the Subcommittee on Migratory Labor has been combined with another committee.

Mr. YARBOROUGH. Yes.

Mr. ELLENDER. Last year $359,900 was spent for that committee and this year they are asking for $550,000. I mean, the committee has given them $550,000, but the Senator has asked for $695,000, just for the Subcommittee on Migratory Labor?

Mr. JORDAN of North Carolina. This is the total amount.

Mr. YARBOROUGH. The $695,000 which the Committee on Rules and Administration cut back by $150,000, includes everything we have. This is everything except the Special Subcommittee on Indian Education. It is everything in one lump figure.

Mr. ELLENDER. I could not fathom this matter. I know the amount for the Subcommittee on Migratory Labor has been increased both in dollars and employees.

Mr. YARBOROUGH. It is all in there.

Mr. ELLENDER. The assumption is that it is combined in other committees.

Mr. YARBOROUGH. It is all in one lump sum now. We have to take this and distribute it out of this lump sum.

Mr. ELLENDER. I am not talking about the lump sum the Senator just mentioned. It was an oversight on my part. I thought this dealt with it. The document I read was dealing solely with the Subcommittee on Migratory Labor, but this item deals with others. The Subcommittee on Migratory Labor had only seven employees last year. Now, they have 14-plus. Where did they come from?

Mr. YARBOROUGH. That number is for the entire committee. The 14 employees are for the entire Committee on Labor and Public Welfare. The biggest subcommittees are Health, Education, Labor, Employment Manpower and Poverty, and Migratory Labor.

Mr. ELLENDER. How many people are employed to handle the Subcommittee on Migratory Labor?

Mr. YARBOROUGH. That would be approximately four employees.

Mr. ELLENDER. They had seven employees before. Are they decreasing the request?

Mr. YARBOROUGH. This is the composite group. Three of those last year were assigned to the minority. This is the unanimous recommendation of both parties. Every man on the committee of both parties recommended $695,000.

Mr. ELLENDER. All of the subcommittees will work as they have in the past? None of them are being disturbed?

Mr. YARBOROUGH. No. The Subcommittee on Migratory Labor was a special subcommittee. It was renewable year by year. We made it a regular subcommittee instead of having it temporary. We have it arranged so that they all come out except the Subcommittee on Indian Education. By agreement with the Committee on Interior and Insular Affairs they will terminate in 6 months.

Mr. JORDAN of North Carolina. They will terminate in 6 months.

Mr. ELLENDER. Why was this done? I cannot understand it. Heretofore each subcommittee of the Committee on Labor and Public Welfare asked for its own budget.

Mr. JORDAN of North Carolina. The Senator is correct.

Mr. ELLENDER. I am wondering why it was consolidated.

Mr. JORDAN of North Carolina. I wish to answer that question to this extent. The Subcommittee on Migratory Labor last year asked for money on its own. This year it is consolidated in the asking of HEW.

Mr. ELLENDER. That is what confused me a while ago.

Mr. JORDAN of North Carolina. Another thing I want to point out is that last year then-Senator from Alabama, Mr Hill, came in and asked for 14 people. The request did not show dollars. The people were granted. They are still on the committee. The committee money is incorporated here, which is the better way to do it.

Mr. ELLENDER. And a more expensive way to do it.

Mr. JORDAN of North Carolina. No.

Mr. ELLENDER. They will not be able to trace it.

Mr. JORDAN of North Carolina. They will be able to trace it this way, because money can be traced better than people.

Mr. ELLENDER. Let me ask the Senator this: How many employees will there be, aside from the regular employees on the Labor and Public Welfare Committee?

Mr. JORDAN of North Carolina. If I understand it correctly, and the Senator from Texas (Mr. Yarborough) can bring me up to date, about 40 in total, I think.

Mr. ELLENDER. I notice here, for 1969, the total number of employees is 66. What do they represent? We have that out of the Record here that the Senator himself prepared.

Mr. JORDAN of North Carolina. Let me go back and answer that the total which puts it altogether, as we cut out of their asking, $145,404, the total from what they asked for to carry on a committee, all committees which were combined in one, which included 14 people last year, which were not asked for in money but just in number of people, that was the situation which prevailed a few years ago in the Committee on Post Office and Civil Service. We cut that out and said for them to please come in and ask for money instead of people because when one asks for people we do not know how much money they will spend because it does not show in the Record.

Mr. ELLENDER. To clarify the record, am I to understand correctly that the total amount to be appropriated for the Committee on Labor and Public Welfare is $622,000? For all the subcommittees is what I am talking about, since the Senator is not treating them separately. He has wedded them.

Mr. JORDAN of North Carolina. That is correct.

Mr. ELLENDER. The total amount, as I had one of my boys add, is $622,000?

Mr. JORDAN of North Carolina. That is correct. They asked for $695,000.

Mr. ELLENDER. As to the total number of permanent employees, as I remember it, the former Senator from Alabama, Mr. Hill, came up here several times to ask, in the past, for permanent employees in addition to the ones which were provided under the act of 1946.

Mr. JORDAN of North Carolina. That is correct.

Mr. ELLENDER. So that this committee as a whole, for itself and the subcommittees, will have a total of 28 permanent employees.

Mr. JORDAN of North Carolina. That is correct.

Mr. ELLENDER. And 24 additional investigative staff employees.

Mr. JORDAN of North Carolina. That depends on how the Senator from Texas (Mr. Yarborough) distributes the money. Go back to the Subcommittee on Juvenile Delinquency and he may put four, six, or eight employees on there, depending on the workload. That would be in excess of the money to do that job for that subcommittee. Is that not correct, I ask the Senator from Texas?

Mr. YARBOROUGH. That is correct.

Mr. ELLENDER. But, in any event, the original committee and the subcommittee of that committee now have a total of 52 employees?

Mr. JORDAN of North Carolina. The Senator will have to ask that of the Senator from Texas.

Mr. ELLENDER. We should know about that. It is very confusing. I am just wondering what the advantage is of combining these, because we cannot go into detail on each subcommittee this way, because we can shift it one place one year and another place another year.

The Senator mentioned the Subcommittee on Juvenile Delinquency asking for its own money. In the Committee on the Judiciary we have each committee asking for so much money to operate, and so many employees. Here we have a different approach. Instead of asking for money for a certain committee, or four or five or six subcommittees, we have combined them so that we will be able, at the discretion of the chairman, to spend whatever he deems necessary—I presume the $622,000—and to utilize the number of employees, in the total number of 52, as it was in 1968, or 66 as is anticipated for 1969.

Mr. YARBOROUGH. Let me say to the Senator from Louisiana that theoretically it is at the chairman's discretion, but I do not need to tell the Senator, who is himself the chairman of a committee, that when we have only one man extra to allocate, it is very hard to know where to place him. It is a job for Solomon.

Mr. ELLENDER. I am wondering why that was done. The way it was done heretofore, we could follow the work being done of each subcommittee, the amount spent, and the number of employees utilized. Now we have it all in one big sum, and we can employ 52, or 60, perhaps, if we wish. Am I right?

Mr. YARBOROUGH. We changed that at the suggestion of the Committee on Rules and Administration, because of the way it was handled heretofore by the former Senator from Alabama (Mr. Hill), who handled it as chairman of the Committee on Labor and Public Welfare different from any other committee. When I became chairman, I received some gentle suggestions that we would have to conform with the other committees of the Senate. So, we changed the system. It was changed at the suggestion of the Committee on Rules and Administration. We made it conform to its suggestion.

Now, in response to the Senator's question as to how many people we would employ, that is very hard to state. Suppose we have one man at $24,000. We could hire him, or hire two younger staff men at $12,000 and get younger men, but with less experience than the one who would earn $24,000. That is where the lump sum comes in and is more reasonable.

That seems to be a better way to get enough people to do what needs to be done under this oversight. We are urged by everyone to exercise oversight over the problem, but we have had no one to allocate for that job. The Committee on Rules and Administration has screened our budget and has trimmed us by $150,000, which it has cut out. The Committee on Rules and Administration has been thrifty with us as to the allowance. I hope that the Senator would not ask that we set a minimum here.

Mr. ELLENDER. In answer to a question I propounded a few minutes ago, the Senator from North Carolina (Mr. JORDAN), stated that in addition to the 28 permanent employees there are 24 additional employees, for a total of 52.

Now the Senator from Texas is telling us that he may, instead of employing 52, may employ 50 at a better salary, or 48.

Mr. YARBOROUGH. The Senator must understand that we work under a limitation as to how many we can hire. The Senator must know that. It is set by the amount of money approved by the Senate.

Mr. JORDAN of North Carolina. Let me answer that question by stating that the Committee on Rules and Administration asked the Committee on Labor and Public Welfare to do it this way because the Commerce Committee does it the same way, as well as the Armed Services Committee, the Foreign Relations Committee, the Committee on Interior and Insular Affairs, the Space Committee, the Post Offices and Civil Service, and Public Works. They all ask for a lump sum for their full committee, instead of coming in, as the Senator from Alabama, Mr. Hill, did last year, asking for 14 people.

Then they had to augment the regular routine money to meet the expenses out of it. Thus, it does not show up in this. They are doing exactly the same thing as all committees except the Committee on the Judiciary and one other—the Committee on Government Operations. Since we have cut $145,000 from what they asked for, we do not know the number of employees, because we have cut out a lot of the asking money.

Mr. BYRD of Virginia. As I understand it, in the last session of Congress, $185,000 was appropriated for the committee.

Mr. JORDAN of North Carolina. No; that is not correct.

Mr. BYRD of Virginia. The total amount authorized for the Committee on Labor and Public Welfare was $185,000.

Mr. JORDAN of North Carolina. That is correct, Senator, except for one thing. It does not show the amount of money expended for 14 additional employees who were authorized for that committee and were paid over one-quarter of a million dollars.

Mr. CURTIS. Mr. President, will the Senator yield for an answer?

Mr. JORDAN of North Carolina. Yes.

Mr. CURTIS. What had happened was that the Labor and Public Welfare Committee, over a period of years, had come in with resolutions that had no dollar amounts. Upon the passage of such a resolution, it was required that the committee employ a certain additional number of employees—14 last year—and that the salaries be paid out of the contingency fund. It was the only committee in the Senate that did not fix a dollar amount in its resolution. So the $185,000 does not reflect the amount that had been paid in previous years.

Mr. BYRD of Virginia. I appreciate the Senator's clearing that matter up.

Mr. CURTIS. The committee received $185,000 plus the money for the 14 employees. I wonder if we could be informed what that amounted to.

Mr. JORDAN of North Carolina. About $255,000.

Mr. CURTIS. My information is that it is shown on the sheet which is before each Senator. In the lower righthand side, it will show that the Committee on Labor and Public Welfare received, under its resolution, for 14 additional employees, the amount of $254,919, plus $185,000, plus an additional $20,000, the increase that it asked for.

Mr. BYRD of Virginia. That makes it much clearer and makes the case of the Senator from Texas much stronger, because, the way I read it, the committee authorized $185,000 last year plus $254,000. The committee is now authorizing $662,000, an increase of $223,000, which is more than the total increase that all the committees are getting.

Mr. JORDAN of North Carolina. Next year we will not have this problem. That is exactly the reason why it is very difficult to understand it. It is going to come in a lump sum, as every other committee is provided for, except the Committees on Government Operations and Finance.

Mr. BYRD of Virginia. The amount authorized last year was $185,000, plus $254,000.

Mr. CURTIS. Plus $20,000.

Mr. YARBOROUGH. And that is a total of $459,000.

Mr. BYRD of Virginia. Now we have a better understanding of it and the Senator from Texas, case is a much better case.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. I yield.

Mr. CURTIS. I think, for the purpose of the RECORD, we should point out that last year the committee received $459,919. This year the committee asked to increase that amount by a little over $218,767. The committee cut that request by $145,000.

Mr. JORDAN of North Carolina. That is correct.

Mr. ELLENDER. Mr. President, I wish to ask the Senator from Texas a question. Since the Senate does not allocate specific numbers of employees for various subcommittees, is it possible, under the plan that has been devised, for the Senator to add to some subcommittees and subtract from others—in other words, do what he pleases with the money?

Mr. YARBOROUGH. That is what has been done in the past.

Mr. ELLENDER. No, not when we treated them separately. Here we have an authorization of $622,000.

Mr. YARBOROUGH. They were not treated separately under Senator Hill.

Mr. ELLENDER. The proposal of Senator Hill was to provide for additional permanent employees, and those, of course, cannot be touched.

Mr. YARBOROUGH. But he put them where he wanted to. Most of the employees he assigned where he wanted to. If I became in need of help on the GI bills, he assigned those employees to my committee. As soon as they were through, he pulled them out and assigned them elsewhere. He operated really like a fire department. He put employees where the fire was burning, and did a very skilled job.

Mr. ELLENDER. Is that what the Senator from Texas proposes to do?

Mr. YARBOROUGH. I wish I could do that well. I am not egotistical enough to think that I, as a new chairman, could do as well as Senator Hill did, with all his expertise, courtesy, and skill. He was the most able chairman I have ever seen.

Mr. ELLENDER. I did not want to take away from Senator Hill or add encomiums to the Senator; but the Senator from Texas would do that if he desired it, and he could create an additional subcommittee if he decided to do it?

Mr. YARBOROUGH. Yes. That has been the custom of the Committee on Labor and Public Welfare.

Mr. ELLENDER. As long as the Senator remained within the $662,000 provided?

Mr. YARBOROUGH. That is right. If a chairman abuses his authority, there are steering committees and policy committees and rules committees. No chairman is an island unto himself.

Mr. JAVITS. Mr. President, I wish, as ranking minority member of the committee, to sustain the chairman of our committee and to express to the Senate the support of the minority for the action which has been sought by our chairman.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on adoption of the resolution, as amended.

The resolution (S. Res. 81), as amended, was agreed to.

AUTHORIZING A STUDY OF MATTERS PERTAINING TO THE EDUCATION OF AMERICAN INDIANS

The resolution (S. Res. 80) to authorize an investigation into the problems of education for American Indians was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration with an amendment on page 2, line 5, after the word "than", strike out "$2,300" and insert "$2,400"; so as to make the resolution read:

S. RES. 80

> *Resolved*, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the

Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the education of American Indians.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to July 31, 1969, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than July 31, 1969.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $72,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. JORDAN of North Carolina. Mr. President, Senate resolution 80 as referred to the Committee on Rules and Administration would authorize the Committee on Labor and Public Welfare through its Special Subcommittee on Indian Education to expend not to exceed $72,000 for a study of matters pertaining to the education of American Indians. It is the intention of the Labor Committee, and the resolution so provides, that the inquiry shall terminate July 31, 1969.

During the last session of Congress $110,000 was authorized for that purpose, of which $97,758 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution as amended.

Senator EDWARD M. KENNEDY is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator PETER H. DOMINICK.

Mr. ELLENDER. Mr. President, may I ask the Senator from Texas why he did not lump-sum the Indian Affairs Subcommittee authorization with the others? I notice he is asking for a separate committee.

Mr. YARBOROUGH. Mr. President, the chairman of the subcommittee, the Senator from Massachusetts (Mr. KENNEDY), is on his feet, and I think he would want to answer that question.

Mr. KENNEDY. Mr. President, the history of the subcommittee goes back some 2 years. Initially, a rather small amount was authorized. Last year it was increased rather significantly. It was done in cooperation with the chairman of the Committee on Interior and Insular Affairs, the Senator from Washington (Mr. JACKSON). The subcommittee itself will expire on July 31 of this year.

Over the course of particularly last year, the committee held extensive hearings, and also had some additional scheduled hearings in Alaska and in the West. The committee itself plans to continue those scheduled hearings, and it will then expire on July 31. There are no additional increases in committee staff.

The rather sizable figure which is suggested by the resolution takes into account the expense of travel for the subcommittee and staff into Alaska. There has been a strong indication of interest by the Interior and Insular Affairs Committee. One of the members of that committee, the Senator from Alaska (Mr. GRAVEL), will go on that trip, I think, and the other Senator from Alaska (Mr. STEVENS) as well. We hope to get into that area about April. A substantial percentage of the budget itself is for traveling expenses to Alaska.

Tomorrow we begin 3 days of hearings in Washington, D.C.

We are working very closely with the Interior and Insular Affairs Committee. It is the feeling of the full committee that there was a special responsibility on the part of the Labor and Public Welfare Committee, which has responsibility in the field of education.

It was the feeling of the full committee, and the Education Subcommittee, at that time under the chairmanship of the distinguished former Senator from Oregon, Mr. Morse, that this subcommittee be so developed, and it has worked closely with the Committee on Interior and Insular Affairs, and expects to make its recommendations before the end of July of this year.

This special circumstance was the reason that the matter came before the Senate as a separate item.

Mr. ELLENDER. The reason why it came as a separate item, as I understand from the Senator, is that the subcommittee will expire come July?

Mr. KENNEDY. That is correct, and we are working very closely with the Committee on Interior and Insular Affairs, the chairman of that committee (Mr. JACKSON), and the members of his committee who have an interest in the problems of Indian education. The Senator from South Dakota (Mr. MCGOVERN) and others are working closely with the subcommittee. The reason is that the subcommittee will expire, as stated by the Senator from Louisiana.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The resolution (S. Res. 80), as amended, was agreed to.

NOTICE OF HEARINGS OF THE SENATE SUBCOMMITTEE ON INDIAN EDUCATION

Mr. KENNEDY. Mr. President, the Special Senate Subcommittee on Indian Education will be holding important public hearings on February 18, 19, and 24. The hearings will encompass additional examination of the severity and extensiveness of our failure to provide an effective education for our American Indian citizens. The subcommittee intends to analyze the failure of our policies, past and present; to examine the bureaucratic malaise of our Federal school system and the indifference and neglect of our public school programs; to receive suggestions for administrative and organizational changes to remedy these defects. Last, but most important, the hearings should point up the need for amending old legislation and enacting bold new legislation so that in a matter of a few years hence we can proudly say that educational programs for American Indians are not only successful but exemplary, and a matter of national pride, not shame.

To highlight the importance of these hearings I ask unanimous consent that the following materials be printed in the CONGRESSIONAL RECORD:

First. An excellent short paper written for the subcommittee by Lloyd New, director, Institute of American Indian Arts in Santa Fe, N. Mex.

Second. A letter with several attachments, which I sent to Secretary Walter Hickel and Secretary Robert Finch on February 1, 1969, highlighting the important findings of the subcommittee hearings last fall on the serious mental health problems of many Indian students and Indian communities.

Third. A recent article which appeared in the New Republic entitled "Regimented Noneducation—Indian Schools." This article points up some of the findings of the subcommittee.

I should also mention that the subcommittee has published five volumes of hearings which provide a comprehensive review of our failure to provide an effective education for our American Indian citizens. The hearing record is available to all who are interested. Thank you.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SOME HISTORICAL IMPLICATIONS RELATED TO THE PRESENT CONDITION OF THE AMERICAN INDIAN

(By Lloyd New, director, Institute of American Indian Arts, Santa Fe, N. Mex.)

For almost five centuries the American Indian has been subjected to a process of attrition which has slowly eroded the roots of his cultural (and economic) existence. His physical ways have been completely obliterated in many areas and, presently, his spiritual existence is in extreme jeopardy.

The many and varied attempts that have been made to "help" him, and particularly "educate" him, have been largely unsuccessful.

Perhaps in part because it was assumed that the sooner the Indian was forced to abandon his ways and join the melting pot of America, the better off he would be: But he has displayed unique resistance to that idea, possibly because his psychological relationship to the land was different from that of the immigrant groups who eventually surrounded him. Failure on the part of those who have dealt with the Indian to understand the basis of his tenacious observance of his own cultural mores has resulted in the abortion of almost every attempt to assist him. Even now, various kinds of human salvage operations, such as urban relocation, employment assistance, on-the-job training, and other rehabilitation efforts are, at best, only stop-gap efforts to meet his worldly needs, while failing miserably to provide the cultural and emotional substance required to put his life in balance.

The American Indian has always been devoted to a philosophy which holds that one's existence should blend into the comparatively passive rhythms of nature, as opposed, to the dominant society's quest for control of nature through scientific manipulation of its elements. In the main, direct attempts to switch him from his philosophical position have failed, much to the consternation of those who have tried.

In the past, public apathy and disinterest permitted him to maintain a certain degree of privacy in his way of life but in recent times he has been forced into the public struggle for economic survival, due to the lack of an environment supportive of his old ways. With limited land holdings and the inevitable encroachments of the dominant society the American Indian is hard pressed in his efforts to maintain his viewpoint while adjusting to the exigencies of a modern world.

No longer in a position to make war with the opposition, the Indian, in general, has adopted a tendency to withdraw and lie quietly in the remnants of his old world, only half-heartedly picking at the offerings made to him by his multitudinous and dominating neighbors.

Poverty, poor health, unemployment, and a growing rate of alcoholism among Indian adults, and a shocking prevalence of suicide, drop-outs and delinquency among Indian youth attest to the fact that there has been an overall failure to provide an educational approach sufficiently effective to promote constructive social transition.

SUBCOMMITTEE ON INDIAN EDUCATION,
February 1, 1969.

Hon. ROBERT FINCH,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.
Hon. WALTER HICKEL,
Secretary, Department of Interior,
Washington, D.C.

DEAR MR. SECRETARY: The central focus of concern of the Senate Subcommittee on Indian Education has been the welfare of the Indian child, respect for the integrity of the Indian family and the cultural background of the tribe. A substantial public record has now been established (2500 pages of public record, published in six volumes; more than 40 Indian witnesses have formally testified) which indicates that both in the past and the present, the cultural background of Indian tribes has been either neglected or abused, the integrity of the Indian family has been overlooked or rejected, and the consequences have been devastating for the welfare of the Indian child.

I am enclosing two documents from the last hearings of the Indian Education Subcommittee which deserve your careful attention. First, an opening statement by Senator Walter Mondale which summarizes some of the findings of the Subcommittee and secondly, the testimony of Dr. Robert Leon, Chairman of the Department of Psychiatry, University of Texas Medical School.

On the basis of these documents and the substantial record of field research and public hearings of the Subcommittee I am requesting the following courses of action:

1. A thorough mental health survey of the elementary boarding schools on the Navajo reservation by a team of nationally recognized mental health specialists—(based on his previous work Dr. Robert Coles of Harvard University would make an excellent coordinator for this evaluation.)

2. The recommendation of the American Academy of Pediatrics, Committee on Indian Health in their conference, report of Spring, 1967 should be implemented—"The Committee feels that more information is needed with respect to the psychological problems associated with placing children in boarding schools and recommends that the Division of Indian Health in cooperation with the Bureau of Indian Affairs enlist the aid of a group of consultants to thoroughly study the psychological problems in boarding schools."

3. The Subcommittee feels that a major effort should be made to collect data on the mental health problems of the American Indian. A Summary of the kinds of data needed by the Subcommittee is attached.

4. A Subcommittee staff team conducted 10 days of field work on the Fort Hall reservation in Idaho. It is clear that the suicide problem on that reservation, particularly among adolescents is of epidemic proportions and deserves special consideration. Out of a population of 2600 people, there have been 36 suicide attempts in the last year—3 of which were successful.

I would like to commend the efforts which have been initiated by Dr. Rabeau of the Indian Health Service. The Indian Health Service over the past several years has established a mental health program which the Subcommittee has been in close contact with and has great respect for. For example, Dr. Bergman on the Navajo Reservation and Dr. Mindell on the Pine Ridge Reservation in South Dakota have made extremely important contributions to the Indian populations they serve. This program has clearly demonstrated its worth and deserves substantial expansion of funding.

Dr. Yolles of NIMH has initiated a program under the direction of Dr. Larry Dizmang to plan and coordinate epidemiological surveys on a number of Indian reservations: Dr. Dizmang is also compiling all of the research material on mental health problems of Indian populations. The Subcommittee feels that both of these efforts also deserve encouragement and adequate funding.

Thank you for your consideration.

Sincerely,

EDWARD M. KENNEDY,
Chairman.

[From hearings on "Indian Education," Oct. 1, 1968, U.S. Senate, Subcommittee on Indian Education of the Committee on Labor and Public Welfare]

STATEMENT OF HON. WALTER F. MONDALE, A U.S. SENATOR FROM THE STATE OF MINNESOTA

Senator MONDALE. We are meeting today to conduct the first public hearing of the Senate Subcommittee on Indian Education since the tragic death of the late chairman, Senator Robert F. Kennedy. During the 6 months of his chairmanship, Senator Kennedy devoted an enormous amount of time, energy, and personal concern to the work of this subcommittee. In this short 6-month period despite many other pressing concerns, including his presidential campaign, Senator Kennedy visited Indian schools and reservations throughout the western part of the United States, listened to dozens of Indian witnesses, and talked privately with an even larger number of our Indian citizens.

In that short period of time his concern for the problem facing Indian children and adults became a national concern, and the question of the quality of educational programs for Indian students became a national issue. It was indeed an extraordinary accomplishment. He pricked the conscience of the Nation and significantly raised the hopes and aspirations of an entire minority group. He became in the process a symbol of compassing and vision for all of the poor and disenfranchised citizens of our nation. It was indeed an act of political courage and conviction for which we are all deeply indebted, and it has left a burden of great responsibility on the Senators of this subcommittee to fulfill his promise and achieve his goals.

It is highly appropriate that the hearings today should focus on what this subcommittee has come to realize is perhaps the most fundamental problem facing Indian education—the question of mental health. First, because Senator Kennedy, through his experience on the subcommittee, gave it the highest priority. Second, because the American Journal of Psychiatry in its August 1968 issue has devoted a special section to "The Mental Health of the American Indian." One of the authors in that special section, Dr. Harry Saslow has previously appeared before this subcommittee, and a second author, Dr. Robert Leon will be testifying today. I would like to submit this special section on mental health for the record to be included in the official transcript.

I would like to briefly outline some of the major concerns of the subcommittee and some of the information that has already been established in previous hearings. It has been rather well established that the basic policy of the Federal Government toward Indian tribes since the Allotment Act of 1887 has been one of coercive assimilation. This appears to at least have been the dominant policy dictated by Congress although there have been some variations in the actual administration of Indian affairs. The Allotment Act of 1887 did tremendous damage, not only to the land base of Indian tribes, but also to the social and psychological viability of their way of life. By the 1920's the American Indian had not only lost 100 million acres of land but the hostile-dependency syndrome had become well established on most reservations. Additional testimony has indicated that despite the reform movements of the thirties the general pressure of the dominant society on Indian cultures has been destructive. Discrimination, hostility, and exploitation in varying degrees appear to be a common phenomena in towns bordering most reservations. On the reservation, Government paternalism has been emasculating and oppressive. Dr. Forbes, an anthropologist and historian who has written extensively about the American Indian and other minority groups has pointed out "Indian problems are generated by white men, and will go unsolved without change in white men. The white man cannot pretend to be the doctor; he is the sickness!" Perhaps this puts the matter too strongly, but it deserves our most serious consideration.

Quite frankly the subcommittee has had some difficulty understanding what is happening on Indian reservations that we have visited. There often appears to be a considerable amount of social disorganization and a general process of cultural disintegration. Alcoholism appears to be widespread and a serious problem among every Indian group we have visited. Broken families also appear to be a fairly common problem. In addition, we have found high suicide, homocide, and accident rates on many reservations. Many times it would appear that accidents, particularly car accidents, are masked suicides. In addition to all of these problems we have also found very high unemployment rates on many reservations. Recent research has indicated that much of this unemployment is a function of psychological maladjustment and is really not unemployment at all, but rather something that could be better called idleness. In addition, and despite many pronouncements to the contrary the ill-conceived termination and relocation policies of the 1950's are still with us in the 1960's and rather than alleviate these problems they aggravate and reinforce them.

As early as our first hearings in December of last year, the subcommittee was deeply concerned about the mental-health problems of BIA boarding schools. The Association of American Indian Affairs made a very strong case in our initial hearings that the boarding schools for elementary school-age Indian children were highly questionable. Dr. O'Connell made several points in his testimony that I would like to summarize.

1. There are approximately 9,000 Indian children 9 years of age and under in boarding schools.

2. Approximately 8,000 of these children are Navajo children.

3. To a large extent this is due to a lack of roads on the Navajo reservation.

4. Navajo parents do not necessarily oppose boarding schools for their children but really have no choice when they do feel the schools are unsatisfactory.

5. There is almost universal agreement in the field of developmental psychology that early separation of a child from the family unit is a destructive influence.

6. That family relationships are more complex and more important to an Indian child than in white society, and crucial to his development of a sense of identity. Thus, separation from the family is potentially even more traumatic and emotionally destructive.

7. That boarding schools as they presently exist are totally inadequate as a substitute for parents and family—and even with very substantial improvements can never be an adequate substitute for a home and family.

The painful reality of this problem has been brought forcefully to the attention of this subcommittee by a very perceptive letter which was received from a teacher in one of the large boarding schools for elementary age Navajo children. Senator Kennedy often quoted from that letter and was deeply moved by it, and I would ask at this point that the letter be included in my remarks in its entirety.

(The letter referred to follows:)

TUBA CITY, ARIZ.,
February 27, 1968.

Senator ROBERT F. KENNEDY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I hope that some of the thoughts and observations in this letter may be of some use in your coming inspection and study of the Navajo reservation. First, I had better admit, that I am a BIA peon (that is, teacher) and so I can't—or at any rate don't want to sound as if I can perceive or understand the total picture of problems and progress on the reservation—I have only been here two years, and have only experienced the problem here in a limited manner.

However, two years is long enough for observations to be made, and opinions formed, on the little I have experienced, here at the local level, and this might in turn help provide you with some insight, or at least one person's feelings, on what is or isn't happening. This can at times be valuable, for here is the level at which the successes and failures of people and programs can be most honestly assessed, after all the promoters and disclaimers have made all the speeches and put forth all the ideas. This is the place at which reality steps in, and it is often not pleasant to face.

I realize, of course, that your concern covers many aspects of the life here and the problems are in dozens of areas. It makes for difficulty in selecting one as being the most crucial. However, I'm prejudiced. I feel that many of the problems and answers lie within the reservation schools.

I've only had experience in teaching here at the Tuba City Boarding School. But I've seen enough here and at schools that I've visited, and talked with enough people from different places to come to some—hopefully accurate—conclusions. I hope they prove to be valid, and useful.

One major problem of course, is the boarding school per se. Although the idea of a boarding school, which draws in students from a broad area, is undoubtedly less expensive and more readily controlled than a large number of small day schools, and offers the students advantages such as a good diet and health and sanitation facilities, the problems that it creates are vast, and require solutions. The problems are often recognized, and are often bemoaned, but little has been done to eliminate them. One of these is distance from the home.

In an age and area which need local community interest, involvement and understanding, in which we are supposed to be building and maintaining a harmony between cultures, we find many schools at such distances from the homes of the students, that meaningful contact is difficult to say the least. These distances make meaningful relationships, or even mere visiting, a severe hardship. (For example, the two young boys who froze to death while running away from a boarding school were trying to get to their homes—fifty miles away.) The lack of transportation and the ruggedness of the terrain compound the problem.

As a result, most children on the reservation starting at age six, only see their parents on occasional weekends, if that often. At these times parents are usually "allowed to check out their children—if the child's conduct in school warrants it," in the opinion of the school administration. If he has been a "problem" (e.g. has run away) parents are often not allowed to take him until he has "learned his lesson." This may take up to a month to accomplish. This may tend to cut down on runaways, but it would seem that we should work toward eliminating the cause, rather than punishing the results.

However, these are often the lucky children. I have no evidence of this, except the word of teachers who are directly involved, but I have been told of schools (e.g. Toadlena Boarding School) at which parents are not allowed to check their children out on weekends, in order to eliminate runaways (except for emergencies).

When children are taken from their homes for nine months a year, from age six onward, family ties are severely strained, and often dissolved. Even brothers and sisters in the same boarding school rarely see each other, due to dormitory situations, class and dining hall arrangements. The children become estranged from relatives, culture and much-admired traditional skills. (For example few of my students have been able to learn the art of rug-weaving, or are familiar with Navajo legends, and sandpaintings.)

Yet, this could almost be understood if we were replacing it with something strong on which they could build a new life. We are not. We may be providing some opportunities for academic training—but that is all we are doing.

For example, my own school, the Tuba City Boarding School is the largest on the reservation, housing 1200 elementary students. This alone creates immense problems. I don't believe any public school system in the country would tolerate an elementary school of this size, for the simple reason that the individual student would be lost in the crowd. We have them here, not only for an ordinary school day, but twenty-four hours a day, seven days a week, nine months a year.

The problems of properly running any institution of this size are enormous—be it hospital, prison or whatever. However, when we are involved in what is actually the home situation of young children from another culture, we had best do everything possible to provide a secure, pleasant, stable and enlightening environment for them. We aren't.

For instance, if day schools are not possible, could we not a least provide some overnight guest facilities for parents who would like to visit their children? Nothing elaborate or expensive would be necessary—a hogan would suffice and could be put together easily by Navajos in the vicinity. Or, a small frame building might be constructed.

Yet, as far as I know, this is not done anywhere. This might tend to make the school more of a Navajo school, and less a white school for Navajos.

There are many other ways in whch the schools could serve. For instance, they could be opened in the evening to provide training, or formal courses, or just things of interest, to the people. Areas which require instruction, such as English, or writing, could be taught by the teachers themselves. In many depressed areas, teachers earn extra money by such professional means. Why not here? Also, many talented Navajos might wish to earn extra money by conducting courses in the weaving of quality rugs, or in teaching oral English to the people. Consumer and health education could be included, with field trips to make them meaningful. The possibilities are endless. Yet nothing is being done in this area.

The academic program could also be improved. It should be realized that the Navajos are a pragmatic people. Perhaps courses which reflect this could be offered to make school more important and more understandable in their eyes. Classes in sheep, agriculture and native crafts would be greeted with far greater enthusiasm and understanding than the typical curriculum arouses.

(This idea doesn't set well with many of the "old hands" among the administrators—teachers from my own school—agricultural majors—have been turned down in requesting permission to initiate programs of this sort. The reasons given being a) we are not training them to be rural dwellers—we are urbanizing them; b) they can do these things in certain secondary schools; c) there isn't enough water. However: a) they are rural people; b) they are not made aware of all the possibilities of secondary schools, and without earlier experience, interest and ability will be limited; and c) you should see the water that comes from the myriad of sprinklers in town from spring through the fall.

If the opportunity arises, look into the "typical" (as opposed to "showplace") schools. You will see how the limited curriculum is hindering us. (I must admit my direct supervisor is very interested in this area—but personnel and funds—along with policy—limit her.)

However, no matter how lacking our program may appear to be, we always manage to consider the academic department to be high quality when we compare ourselves with our dormitory counterpart, the "guidance" department. Herein lies the most serious deficiency of the entire boarding school system, for these people are in charge of the children sixteen hours a day, seven days a week, yet they are understaffed, underprogrammed, undersupervised and overextended. For example, each dormitory has only one teacher, and it is extremely difficult to find suitable personnel for these crucial, demanding positions. Yet, even the finest teachers could accomplish little, when they are working with 150 children of a different culture, and are responsible for their care and welfare seven days a week.

Of course, there are aids working with the teachers—usually two, but occasionally only one on duty at a time. However, what with trying to mend clothes, supply linens, check roll, keep order, fill out forms, prepare children for meals, bathing, school and bed, there is little time to do more than keep the walls from being pulled down. There is nothing to take the place of the homes they have left behind, or the personal interest and training they would have received from their families. The social relationships and interaction which brings about stability and contentment are denied them.

Even an effective guidance program could not replace that. But the truth is, we don't have an effective guidance program, only a "maintenance" program, due to the shortages of guidance personnel, funding and planning. This accounts for the high degree of regimented confusion that abounds after the school day ends. Vast blocks of time are filled with boredom or meaningless activity. There are no learning activities, and few recreational or craft areas being worked in.

The children search everywhere for something—they grasp most hungrily at any attention shown them, or to any straw, that might offer escape from boredom. You can't help but see it in their faces when you visit the dorms of the younger children. At the older boys' dormitories, they are used to the conditions—you can see that too. They no longer expect anything meaningful from anyone. Many have lost the ability to accept

anything past the material level, even when it is offered. Unless you lived with them over a period of time, and see the loneliness and the monotony of the daily routine, you cannot appreciate the tragedy of it but it's there.

Yet, even if the guidance department were consistently able to do what they set out to do, it would be something. However, basic things are often neglected. Many children will "slip by" without showering, or washing their single pair of socks, until the odor makes it obvious. Toothbrushes are lost by October or November, or worn out, and that's the end of it. No one has time to check to see if they've been replaced, or even notice if they are missing. Shoes are worn after they are coming apart. Often, dirty clothes will be worn until clean ones are available. Boys get a "zip" haircut from anyone who has a spare minute, irregardless of their wishes, or of Navajo tradition. (And what haircuts!) Girls wash their long hair with bars of soap, for lack of shampoo. Stealing in the dorms is rampant.

Because of the shortage of personnel, there is a tendency—a pronounced tendency—to "herd" rather than guide. The boys and girls are yelled at, bossed around, chased here and there, told and untold, until it is almost impossible for them to attempt to do anything on their own initiative—except, of course, to run away. The guidance people definitely need help!

It should be adequately staffed and provided for, and have well planned programs in order to live up to its name (for example, each dorm might have three teachers or more, instead of only one). We might then reduce the necessity of the child's having to run away to his own culture, to receive the personal attention he craves. Until then, perhaps these "prolonged absences" could be viewed as necessary for emotional stability and security, rather than frowned upon. Perhaps traveling specialists could help in the transition of making BIA schools into Navajo schools. Perhaps they could become centers of community interest, instead of white refugees in the Indian world. These, of course, are only suggestions, but it would be nice to see someone begin to do something. Finally, please don't bother to send this letter on to the BIA, as I wrote you last year and the letter came back "down the line" to the local level, and the very people involved in some of the situations described here evaluated themselves and their programs. The only thing that came out of that were some dark days for me, and a label as a trouble-maker.

I'd like to, someday, be able to work my way up to a position where I could change things—that would be hard to do if I'm on my superiors "s" (for special)! list, so, as a young troublemaker working his way up to being a bigger and better one, I'm asking—don't rock my personal little boat!

Thanks for your interest.

Senator Mondale. Senator Kennedy, on several occasions referred to this practice of separating Indian children from their families as a "barbaric" practice. This was both a profound understanding on his part of the supreme importance of personality development in young children, and of the cardinal principles of cultural and family integrity.

The deepest violation of these principles is perhaps summed up in a young Indian child's prayer, recently recorded by a fieldworker in a Methodist boarding school on the Navajo Reservation—"Dear Lord, help me not to hate my mother and father."

Dr. John Collier, Jr., based on the recent fieldwork of one of his graduate students, has described a boarding school on the Navajo Reservation that in many ways matches the worst practices of boarding schools 70 years ago. For example, "children are beaten, pervasive attacks are made against their cultural beliefs, classes start with the Lord's Prayer, and teachers advocate the free labor of Navajo girls in their homes, doing laundry, scrubbing floors, et cetera, all done on students after-school time, 'to teach them the American way of housekeeping.'"

A second problem area that was established in our initial hearings by Dr. Harry Saslow, a clinical psychologist in residence for 3 years at the Albuquerque Boarding School, was the serious inadequacies and mental health problems of the off-reservation boarding schools. A number of witnesses have testified regarding this problem from various parts of the country. Some of the problems identified are as follows: A large number of the students have serious emotional or social problems before they ever come to school. Some of the schools appear to be only masquerading as schools, functioning primarily as juvenile detention centers with little or no provision for rehabilitation. Dr. Saslow pointed out that there is no screening process for identifying the problems of these students when they come to the school. Even if there were, there is little or no provision for treatment. There is little or no mental health staffing in any of the off-reservation boarding schools that we know of. To my knowledge the figures that I am about to cite are new to the record, Senator Fannin.

The Bureau of Indian Affairs has recently advised us that there is one psychologist in the whole BIA school system and only two or three social workers. The problems of many of these youngsters appear to get worse rather than better in the boarding school environment. Others simply retreat into a shell and vegetate "putting in your time" as the Indian students call it or "going AWOL."

As a result, very little academic progress is made by many of these students. The atmosphere of the school is usually authoritarian and repressive. Dormitories are often barracks and horribly understaffed. Guidance counselors are rarely professionals, usually disciplinarians. The quality of administration of both on and off reservation boarding schools is often bad. The tendency too often appears to be for the good teachers to get disgusted and leave while mediocre and bad teachers stay on, some eventually becoming administrators. There is also a tremendous amount of shifting of students from school to school, which testimony would indicate is damaging. There is not one boarding school in the whole BIA system which provides a "therapeutic community" for its students.

It should also be pointed out that testimony has also established that many public schools are failing Indian children as badly as the Bureau of Indian Affairs. Dropout rates of many public schools run from 40 percent to as high as 100 percent (for example, Alliance, Nebr.). Research conducted by Dr. Bryde and Dr. Spilka demonstrates the profound effect of cultural alienation in the adolescent years. Dr. Mindell at Pine Ridge has interviewed a number of Indian students and found a striking amount of repressed self-hatred. These phenomena appear to be common in a number of different Indian student populations.

Perhaps the most dramatic example of the mental health problem of Indian students in public schools was driven home to the subcommittee by its visit to the Fort Hall Reservation in January of this year.

The subcommittee was told during its visit to that reservation that the suicide rate among teenagers was perhaps as high as 100 times the national average. No one really knew for certain but everyone could cite examples. We were told that suicides had occurred as early as 10 years of age. Two days after the subcommittee visit, a 16-year-old Indian boy whom Senator Kennedy had met at a public high school just off the reservation committed suicide. He hung himself in the county jail where he had been placed without a hearing and without notification of his parents after having been accused of drinking during school hours and referred to the police by his high school guidance counselor. He had been placed in a cell where a large pipe extended across the cell; two other Indians from the same reservation had committed suicide in the same cell, by hanging, from the same pipe, in the preceding 11 months. One of them was a 17-year-old Indian girl from the same high school.

We have been informed since then that two additional members of the boy's family, as well as his only close friend, have since then made serious suicide attempts. For the first time study is now underway of all Indian adolescents on the Fort Hall Reservation and the preliminary results suggest that thoughts about committing suicide and general discussion about violent death can be found throughout the reservation.

The scope and depth of this problem is staggering to the imagination. It is for this reason that we have called together today leading experts on mental health problems who have had considerable experience with Indian affairs.

I apologize to Senator Fannin, to Dr. Menninger, and the other witnesses and everyone here for these extended remarks but it has been some 6 months since our last hearing and I thought it important to summarize some of these main points.

TESTIMONY TO U.S. SENATE SPECIAL SUBCOMMITTEE ON INDIAN EDUCATION BY ROBERT L. LEON, M.D., OCTOBER 1, 1968

One of the great problems of our age is human development—not so much as a resource but to allow people to comfortably and happily reap the benefits of modern technology in twentieth century society. Can this be done without sacrificing integrity of human beings? My thesis is that it can and should be done in such a way as to allow people to reach their full potential and that the federal government has an opportunity to demonstrate this through its work and partnership with the American Indian. The facts and figures which document the plight of the American Indian are available to you and need not be repeated here. Rather I propose to outline some of the problems in a general way and then proceed to some principles underlying programs to attack the problems.

The Bureau of Indian Affairs started out with an authoritarian, repressive approach toward "the Indian problem". The fact that the Bureau is in the Department of the Interior under the Assistant Commissioner for Land Management says a great deal. As a Bureau it tends to be oriented toward things, money and land and has only recently begun to be interested in the development of people. Repressive paternalism persists in some Bureau programs and certainly in the minds of Indians. Indians react to their image of the Bureau in passive and self-destructive ways.[1]

INDIAN BOARDING SCHOOLS

Indian Boarding Schools, by and large, have had difficulty struggling out from under the handicaps imposed by the original purposes for which they were set up—"to free the children from the language and habits of their untutored and oftentime savage parents".[2]

In 1883 the Secretary of the Interior stated, "If a sufficient number of manual labor schools can be established to give each youth the advantages of three to five years of schooling, the next generation will hear nothing of this difficult problem, and we may leave the Indian to himself."[3] It is unfortunate that in the 1960's the Boarding Schools are just beginning to disengage

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themselves from this attitude that Indian education should be limited to manual and vocational training. Even in public schools Indians tend to be more encouraged to pursue vocational training rather than careers which lead to professional and executive positions. Vocational training is desirable and necessary, but even vocational training facilities are often inadequate, and the training may very well lag behind the training that is necessary to equip Indian students to work in modern industry.

New Indian secondary schools are being built, and modern vocational and academic programs are being instituted. Yet in these schools, many of which are in or near large cities, the Indian students find themselves isolated from the larger community. This is partly a psychological problem within the Indian students. They find it difficult to find their place in a modern city. The fact that this psychological problem exists speaks for the need for additional mental health services to the Indian Boarding Schools. Many of the educators are aware of this and would welcome additional funds to institute mental health programs.

Some of the effects of Indian Boarding Schools are demonstrated by the very people who are now working in the Boarding Schools. Many Indian employees, most of whom are guidance personnel, are themselves a product of the Indian Boarding School. I have found that some of these people have great difficulty in discussing their own experience as Indian students. Many of them show, what I would call, a blunting of their emotional responses. This I would attribute to the separation from the parents and the oppressive atmosphere of the boarding school. It is difficult for an individual to admit that his own life experience has been less than adequate so that these Indian employees are very defensive and will not admit to themselves that they have had bad experiences. Thus they unwittingly help perpetuate the boarding school system. If one can get the trust and confidence of these Indian employees and allow them to feel comfortable in discussing their past experience, some of them will begin to admit the difficulties they had in going through the boarding schools and will for the first time, and to their own great surprise, express much hostility and resentment about the treatment they received. This example is used to illustrate two things—one is the ultimate effects of the boarding school experience but the second is that it illustrates very well how the system has become self-perpetuating because of the necessary self-denial within the Indian employees.

The statement I just made easily lends itself to misinterpretation. I am not singling out Indian employees as culprits, just as I am not laying blame at the feet of the Bureau of Indian Affairs. Rather I am attempting to place before you an objective picture of the malignant interaction which has developed between Indians and the Federal Government using examples to illustrate this interaction. Indians who are products of the boarding school system and who are now a part in the operation of that system present one of the best examples of this malignant interaction. He who places blame on these Indian employees has missed the point entirely. One does not blame a father for not reading books to his children simply because the father grew up in a migrant farm family and had to pick berries or thin sugar beets instead of going to school. Outside resources must be brought to bear to interrupt all malignant cycles such as these.

I have mentioned in another paper what I consider to be other effects of the Boarding School experience.[3] One vivid example keeps coming back to my mind. While touring one of the Indian Boarding Schools I asked one of the dormitory matrons if the children expressed any feelings at the beginning of the school year when they first arrived at the boarding school. She said, "I many times stay up late at night holding a girl's head on my lap while she is crying, but when you have a hundred students in a dormitory it is impossible to comfort all those who need comforting."

Children in any setting need an advocate and should never totally be placed at the mercy of the individuals within a closed system. Nor should anyone for that matter, but children are less able to defend themselves than adults. The closed system of the boarding schools developed out of the philosophy to break the will of the Indian child, and for this reason the schools, of course, discourage any parent participation. This leaves children at the mercy of the system.

Any institution which cares for children discourages parental visitation unless they have been enlightened by some of the newer facts discovered by child psychiatry. Following parental visits children are often more upset. They cry more, and they are more difficult to manage. We now know through various studies that it is much better for a child to express his feelings. It is only through expressing these feelings of anger, fear and grief that a child can learn to manage these in relationship to the outside world. If he is in an oppressive atmosphere, he must repress these feelings. When such intense feelings remain bottled up inside a child or an adult they find expression in more subtle ways and in ways in which the individual himself is not aware. As I have described in a paper, this is part of what produces the passive-aggressive response that Indians have to the Bureau of Indian Affairs. This is part of the reason for the self-destructive behavior since the intense hostility later on is turned in against the Indian himself. This may be one of the reasons why we see such a high suicide rate in adolescents. I do not want to belabor these psychiatric principles but rather use them to illustrate how the Indian Boarding School system has not yet caught up with twentieth century knowledge.

Since school tends to alienate parents from children when the children learn a different cultural orientation in the school from that they have learned from their parents, the Indian schools should make efforts and programs available to involve parents of the children and in this way aid in the continuity of the family. To my knowledge, and I could well be wrong about this, none of the Indian schools operated by the federal government make any attempt to introduce parents to information and values which are being taught to the Indian children.

Boarding schools for elementary age children present a problem. In my opinion there should be no Indian Boarding Schools for children in the elementary grades. I say this without qualification. These schools do more harm than good. They do not educate, they alienate. Those children who have families should remain with their families, and those children who are so unfortunate as to not have families should be placed in adequate foster homes. I am fully aware that in some locales, particularly the Navajo reservation, the education of children who are geographically isolated does present a problem but modern technology should and must be used to solve this problem. Human suffering should have no price, but indeed the price for its prevention would be relatively small. If good roads and modern buses are necessary, they can be obtained. If distances are too great for bussing, teams of educators or groups of children could be transported at regular intervals to central locations by airplane or by helicopter. A child does not have to be in school six hours every day to learn what is necessary. Several decades ago no one thought of wrenching the children of rural farm families from their parents to give them schooling. The one-room school house may be outmoded for a rural America. Something like the one-room school house may not be outmoded for the Navajo Indian reservation.

A MENTAL HEALTH PROGRAM FOR INDIAN SCHOOLS

A mental health program appended to BIA schools in their present form will most likely fail even if the mental health program is well funded. I say this because now the authority for the education, counseling, and dormitory programs rests with school administrations. This gives administration complete control over the life of an Indian child while he is in school—control over educational methods and content, control over whatever guidance and counseling program exists, and in the case of boarding schools control over all activities permitted outside the classroom. A mental health program added to this structure can do nothing but attempt to repair the shattered psyche and the disrupted identity of the Indian child. Repair is needed but has limited impact.

A mental health program to be truly effective should have prevention as its aim. The program should be broad in scope and relate to health and welfare as well as education. I will limit my comments here to education.

It is necessary that all schools that Indian children attend develop modern educational methods adapted to the special needs of Indian children. Schools must find ways to encourage self-expression, creativity and ways to help Indian children find their identity in two cultures. These programs not only require special skils, but they also require special personnel to carry them out. The finest program can be subverted by rigid, fearful, unimaginative people.

I therefore recommend that if a comprehensive mental health program is instituted in schools for Indians, the total system be overhauled and mental health personnel be placed at high administrative levels in Washington, in area offices and in schools themselves. Mental health personnel should share with those in education the responsibility for program content and methods and the responsibility for personnel selection. In my opinion this is the only way mental health can make any impact on the closed system of BIA education.

In short, mental health personnel must have authority and power within the system. There have been pilot projects and studies in boarding schools. Flandreau is an example. The Flandreau project had no lasting impact because it was not accepted by the system. If mental health is part of the system and has power within the system, it may then show some lasting results.

I am sure that you have heard testimony to the effect that Indian Boarding Schools contain children who have a relatively high percentage of emotional and social problems. This has been documented with studies both at the Albuquerque Indian Boarding School and the Flandreau Indian Boarding School.[4] Educators at the Indian schools will also attest to these facts. Indeed, many Indian Boarding Schools now exist only to receive children who have such severe social and emotional problems that they cannot remain in public schools. These are children whom the community cannot contain because they have no families, or unstable families, and no one to care for them; or they are maladjusted for any of a number of reasons and have continual conflicts with authority causing them to be labeled delinquent; or they have severe emotional problems with resulting crippling fears or bizarre behavior; or they have a combination of any or all of these.

In spite of the fact that it is well known that such children predominate in many of

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the Indian Boarding Schools, these schools have no programs with which to alleviate the problems. These schools must be given the professional and technical capability to cope with the children who come. I propose to you that funds be made available from the Congress to convert many of the Indian Boarding Schools into residential treatment centers for emotionally disturbed children.

The schools which are converted into residential treatment centers should be administered by mental health personnel. The program should be planned and developed jointly by mental health and educational personnel. All educational and dormitory personnel should have training in the care and treatment of emotionally disturbed and socially deprived children.

HUMAN DEVELOPMENT

The Bureau of Indian Affairs and the American Indians have been for years locked into a destructive interactional system. Indian education has destroyed the Indian's identity and Indians in turn have destroyed Bureau programs. I have elsewhere written of this in some detail. This interactional pattern, I believe, stems from the inability of Indians to actively rebel against paternalistic attitudes of the Bureau of Indian Affairs. This is a two-way interaction and simply changing one party or the other will not remedy the situation. We find Indians reacting in passive-aggressive, self-destructive ways to their anger over Bureau domination. Even when Bureau officials reverse this attitude as they have in some places and encourage participation by Indians, Indians still react in old patterns of passive-aggressive responses. To break up this malignant interaction we recommend the use of behavioral science theories, principles and techniques to help free Indians of long-standing emotional and cultural blocks to full participation in their own development. The Seattle Orientation Center is an example of the application of behavioral science to the planning and operation of programs.

The Seattle Orientation Center is a program to aid Alaskan natives relocating to cities in the lower forty-eight states under programs of the Employment Assistance Branch of the Bureau of Indian Affairs.[5] In the center clients learn new skills necessary to urban living, but more importantly clients begin to deal with the emotional reactions related to migration. Emotional reactions are explored within the context of a therapeutic community using a modification of group therapy.

The atmosphere necessary to the expression of feeling is the most difficult to maintain. To maintain this atmosphere requires constant battle with those who refuse to admit their own feelings and are consequently fearful of the expression of feelings in others. This is why I recommend that behavioral scientists be placed at high administrative levels. The necessary climate was maintained in the Seattle Orientation Center by an untrained person who received limited, intensive instruction from a behavorial scientist team for a limited period prior to assuming duties as administrator of the program. Thereafter consultation was given by professionals. In this way the program was maintained for a period of time in spite of inability of some administrators to understand the basic principles.

Many visitors from government and industry came to the center, but not all perceived or understood the atmosphere and the mode of encouraging self-expression.

SUMMARY OF RECOMMENDATIONS

1. All Boarding Schools for elementary school age children should be abolished.

2. A comprehensive mental health program should be instituted for all Indian children including those attending public schools. For this mental health program to be effective mental health personnel must have authority to modify the educational system.

3. All schools dealing with Indian children should develop programs to allow parents to participate in the education of their children and in the planning of educational programs for their children.

4. Selected Boarding schools should be converted into treatment centers for disturbed children and staffed appropriately.

5. Behavioral scientists should be involved in all levels of planning and operation of programs dealing with Indian people.

The Indians' relationship to the federal government is unique. Indians are the only group of people in the United States for which the federal government has such direct responsibility. In the past this responsibility has appeared to many as a liability. I propose rather that this be viewed as an opportunity to demonstrate to the citizens of this country and to the citizens of the world how the use of behavioral science knowledge by the federal government in a democratic society can truly enable a technologically backward group of people to find satisfaction and fulfillment in a modern industrial society.

FOOTNOTES

[1] "Maladaptive Interaction Between Bureau of Indian Affairs Staff and Indian Clients", Leon, Robert L., *American Journal of Orthopsychiatry*, Vol. XXXV, No. 4, July, 1965.

[2] *The Annals of the American Academy of Political and Social Science. American Indians and American Life.* George E. Simpson and J. Milton Yinger, Eds. Vol. 311, May 1957.

[3] "Mental Health of Indian Boarding School Children and Mental Health of Considerations in the Indian Boarding School Program", Leon, Robert L., in *Emotional Problems of the Indian Students in Boarding Schools and Related Public Schools.* Published: New Mexico Department of Public Health. 13–17 and 41–49, April 11, 12, and 13, 1960.

[4] *Third Annual Report of the Mental Health Clinic at the Flandreau Indian Vocational High School; Flandreau, South Dakota.* Bureau of Indian Affairs—Branch of Education and U.S. Public Health Service—Division of Indian Health. July 1958–June 1959.

[5] "The Seattle Orientation Center: An Assessment of its Operation", Martin, Harry W., Leon, Robert L. and Gladfelter, John H., A Report to: The Employment Assistance Branch, Bureau of Indian Affairs, Department of the Interior. January, 1965.

TESTIMONY TO U.S. SENATE SPECIAL SUBCOMMITTEE ON INDIAN EDUCATION BY HARRY W. MARTIN, PH. D., OCTOBER 1, 1968

A brief review of Indian affairs history of the United States raises serious doubt as to whether we are able to correct the deplorable life condition among our Indian citizens. There is evidence which suggests that the more Congress legislates on Indian affairs, the more conditions worsen among Indians. The Dawes or General Allotment Act of 1887, says Theodore Haas, created a vacuum by weakening tribal governments. Authority of federal administrators over Indians expanded into the vacuum as evidenced by increasing legislation. Indian statutes had exceeded 4,000 by 1949 and moved toward 6,000 by 1957.

In spite of increased legislation, repeated studies by task forces and commissions, and welfare, health, and educational programs costing hundreds of millions, the general state of life conditions among Indians has not appreciably improved. By now, this committee and its staff have amassed considerable data and testimony documenting our failure. What are the reasons for the failure? Its roots, I think are fed from several sources: the society at large, the Congress, the Bureau of Indian Affairs, and by Indians themselves.

The underlying attitude of the society cannot be ignored. This attitude, rarely verbalized, was made explicit in 1881 by Senator Pendleton of Ohio. He said, "They [Indians] must either change their mode of life or they must die. We may regret, we may wish it were otherwise, our sentiments of humanity may be shocked by the alternative. . ."

Pendleton was a poor prophet—there are about twice as many Indians in the country now as there were when he spoke. He failed to see a third course, that is, our inability to follow either of his alternatives. We have fallen handsomely between the horns of his dilemma. Our humanity was more than adequate to prevent extermination, but insufficient for helping Indians join us as full participants in the fruits of the society.

Congress supposedly reflects the wishes of the body politic which now, by legislative ritual, includes Indians. The Bureau of Indian Affairs which implements laws and programs authorized by Congress is caught between Congress and Indians, to say nothing of sharpshooters on the sidelines. I have a strong impression that the Bureau spends as much or more time in defending itself against attacks from these quarters as it does on assigned tasks. This statement is not meant to defend the Bureau, but to suggest an imperative need for a candid and objective review of the Congress-BIA-Indian relationship. Such a review may be more profitable than further investigation of conditions among Indians. I do not mean to be impertinent, but why add depressing fact to depressing fact when the facts are well-known?

The Bureau of Indian Affairs needs no further criticism. Indeed, it appears essentially impervious to criticism, no matter what the source. One fact is clear, however, it has failed to do the job. But this failure is a collective one, not solely that of the Bureau.

The time has come, however, to question the ability of BIA to do the job. It is a large and complex system, bound by bureaucratic norms and protocol and fiscal and regulatory rules which inhibit creative action. Defensive about its own survival, much emphasis is put upon corrective bureaucratic means and procedures. All too often this emphasis is most important for survival and advancement with the Bureau. An overriding sense of necessity to operate programs and services strictly within legal and regulatory limits appears to sustain the means-over-ends emphasis. Such reversals usually stem from anxiety and/or uncertainty about goals and ends. There is a reward and punishment system including Siberian assignments for troublemakers and nonconformists, that is, persons who try to put ends before means.

The entire structure and function of all elements of the Bureau need careful examination. The review should include interrelationships of programs and services, and careful attention should be paid to formal and extra-formal consequences of the Civil Service on staff recruitment and personnel policies. Abolishment or radical reform is needed. Although the Bureau appears to be the chief present day enemy of Indians, abolishment might produce an uprising. Perhaps that is needed. In any event, some sort of Indian affairs agency will be required to implement the wishes of Congress; however, unless Congress provides a totally new concept of goals and operation, and freedom to operate in terms of this mandate any new agency will likely soon be entrapped in the same pitfalls.

Experimentation is required for finding more effective ways of doing the job. For example, small but comprehensive programs offering a unified approach are in order; piecemeal, fractionated approaches are simpler, but less effective. Funding should be long-term, gradually escalated as need develops, and gradually de-escalated, unless conditions indicated faster termination. Programs could be proposed and conducted by business organizations, nonprofit voluntary organizations, universities or various joint undertakings between such organizations. Cooperative ventures between any of these and agencies of the various governmental levels—local, state, national—could be tried. Adequate funds for monitoring and evaluating programs should be provided.

Personnel of all such programs should undergo at least three months of intensive training on how to work with people. Such training is a basic need within the Bureau. All personnel, new and existing, and regardless of whether they are in teaching, land management, law enforcement, or whatever, should be trained. Such training should begin first with people in supervisory and administrative positions—from the top down. Training a staff does little or no good unless supervisors understand and support new ways of working with people.

A few comments should be made regarding Indians and their relationship to the Bureau. We have rather forced Indians into modeling their attempts at self-government after our own system. I am rather convinced that those parts of our system which they have most effectively incorporated are among the least desirable, i.e., low-level ward politics and practices to obtain votes, to gain special privileges, and to fight the BIA. Relatively few statesmenlike leaders appear to have arisen among Indians at the tribal and intertribal level. Co-optation of better educated Indians by BIA has siphoned many potential leaders—both men and women. This is a dilemma. Joining the BIA is a major avenue of social mobility for Indians; however, working for the Bureau limits leadership action and identifies such persons as joining the enemy camp.

A major problem of our society is the fact that our welfare programs (health, education, and welfare) at all levels of government are tied in with politics. Invariably, the politics of welfare are for the welfare of politics. It is perhaps too much to ask that politics be removed from the field of welfare. Politics, however, force us into two avenues of ineffectiveness; either too little too late provided in a fashion which demeans and cripples, or too much too fast to be effectively absorbed. It remains to be seen whether we are willing and sufficiently creative to find solutions to problems of poverty amidst our unprecedented affluence.

[From New Republic, Feb. 15, 1969]

REGIMENTED NONEDUCATION: INDIAN SCHOOLS

(By Daniel Henninger and Nancy Esposito)

(NOTE.—Daniel Henninger is on the staff of The New Republic. Nancy Esposito is a freelance writer living in Washington. Last fall she visited several Indian schools in the Southwest.)

Senator Edward Kennedy has taken over the chairmanship of his late brother's Indian Education Subcommittee, which is soon to release a report recommending basic changes in the ways we educate Indian children. It's about time. The Bureau of Indian Affairs spent $86 million of its $241 million budget in 1968 on the education of 55,000 Indian children, and there's little to show for it.

Nearly 60 percent of these youngsters must attend BIA boarding schools, either because there's no public or federal day school near their home or because they are "social referrals" (BIA jargon for anything from a bilingual difficulty to serious emotional disorders and juvenile delinquency). One percent finish college. In Alaska there is only one federal high school, so two-thirds of the Alaskan Indians are sent to a boarding school in Oregon; 267 others go to school in Chilocco, Oklahoma. The Navajo nation comprises one-third of the BIA's responsibility, and 92 percent of its children are in boarding schools. The schools have a 60 percent dropout rate, compared to a national average of 23 percent.

Assimilation has been the aim of the Bureau of Indian Affairs since the early 1800's. But it no longer expresses that purpose in the embarrassing language of a World War II House subcommittee: "The final solution of the Indian problem [is] to work toward the liquidation of the Indian problem rather than toward merely perpetuating a federal Indian Service working with a steadily increasing Indian population." From the BIA's "Curriculum Needs of Navajo Pupils" we learn that the Navajo child "needs to begin to develop knowledge of how the dominant culture is pluralistic and how these people worked to become the culture which influences the American mainstream of life . . ."; "needs to understand that every man is free to rise as high as he is able and willing . . ."; "needs assistance with accepting either the role of leader or follower . . ."; "needs to understand that a mastry of the English language is imperative to compete in the world today . . ."; "needs to understand that work is necessary to exist and succeed. . . ."

Often the Government places children in federal boarding schools at the age of six or seven; over 9,000 under the age of nine are so placed. That quite a few parents resist having their young taken from home for a year is indicated by a 1966 HEW survey: 16,000 Indian children between the ages of eight and 16 were not in school.

The Indian school curriculum is standard: ancient history, European history, American history, geography, arithmetic, art, music (an Indian "needs training in proper tone production in order to properly and effectively sing Western music"). Not much about *their* history. The Interior Department investigated Indian schools in Alaska last spring and found that "education which gives the Indian, Eskimo and Aleut knowledge of—and therefore pride in—their historic and cultural heritage is almost nonexistent. . . . In the very few places where such an attempt is made, it is poorly conceived and inadequate." Most of the boarding school teachers are aware of the variations in language, dress and customs of their students, but their sensitivity to the less obvious differences in Indian values, beliefs and attitudes is peripheral and by the way. Most Indian children speak English poorly or not at all; communication between teacher and pupil is difficult or impossible. Yet Bureau schools conduct *all* classes in English.

It doesn't take long to discourage young, dedicated teachers: "Most of the teachers came to Chilocco because of humanitarian reasons," said a former teacher at the Oklahoma boarding school. "They saw the pitiful situation and truly wanted to help, but after months of rejection and failure, they etiher quit or they began looking at it as an eight to five job with no obligation to their students." A teacher at an Arizona school wrote the BIA last year, suggesting that the inclusion of courses in agriculture and native crafts might arouse his habitually unresponsive students. "This idea [didn't] set well with many of the 'old hands' among the administrators," he later said. "The only thing that came out of it were some dark days for me, and a label as a trouble-maker." The turnover rate among teachers is double the national average. To an Indian child, the teacher is a stranger passing through. An obvious remedy is to enlist more Indian teachers. At present only 16 percent of the Bureau's teachers are Indian, and with only one percent of the Indians graduating yearly from college, there is little chance that the percentage will rise.

Estranged from his family, confronted with an alien culture and unable to talk to his teachers, the Indian's academic performance is predictably poor. What is harder to explain is the "crossover phenomenon." For the first few years of school, Indian achievement parallels that of white children and then slowly but persistently regresses. An Indian starts to fall behind between the sixth and eighth grades, and if he doesn't drop out finishes high school with a 9.5 grade education. Despite this regression, a boarding school student is never held back for academic failure; at the end of each year, he is promoted to the next grade whatever his performance. Summer school programs are scarce. Bureau teachers are contracted by the year, and one-third go on educational leave during the summer while the rest clean up the schools, take inventory and so on. As a result the typical high school class contains highly intelligent students as well as many who should still be in grade school. The teacher tries to compensate by aiming his instruction somewhere between the two extremes, so much of the class drops off to sleep or stares blankly at books.

One would think that after school the children could find some release from this dreariness, in the dorms or in some extracurricular activity. Life at a federal boarding school, though, is regimented and arbitrary. Seen from the air, many of the schools look like military installations—complexes of one-color, one-texture buildings set in the middle of otherwise barren areas. The impression of physical isolation mirrors the cultural isolation in the classroom. The building-complex usually includes dormitories (boys and girls), classroom buildings and housing for the staff. Many of the buildings are in disrepair. In a number of places (Tuba City, Arizona, for example) condemned buildings are still in use. The Fort Wingate Elementary Boarding School in New Mexico uses old Fort Wingate, once commanded by Douglas MacArthur's father. Forty years ago, the Brookings Institution's Merriam Report declared this plant unsuitable.

Even the new buildings are designed to reinforce the numbing sterility. Long, narrow, lifeless dormitories house row upon row of double-deckered iron beds and little else. Windows are sometimes barred. Floors are bare; the vivid personal decorations that are so much a part of many Indian communities are discouraged. Dress, too, is strictly regulated. The system makes individualizing one's appearance or environment fairly impossible. Beneath all the regulation is the Bureau's implicit concept of the children: all Indians are alike. In reality some children are at boarding schools because there is no alternative schooling available, while an increasing number, the "social referrals," come to the schools with serious emotional problems. Dr. Anthony Elite of the Public Health Service's Indian Health office in Phoenix has said that "with this great change in the profile of the student body, there has not been a concomitant change in staffing skilled workers or training existing personnel to cope with these problems."

Each hour of a child's day is planned by the clock, with strict schedules posted in the dorms. Classes, meals, study periods, chores, free-time, bed—the routine never varies. Frequent headcounts are taken to quickly identify runaways or "AWOLS" as the Bureau calls them. Demerits are handed out for breaking the rules. The demerits can be removed by performing extra chores or by sacrificing privileges like TV, a school movie or snacks. At the Chinle Elementary Boarding School each child has a punchcard fastened to the end of his bed with punched holes representing demerits on one side and merits on the other. A little boy proudly displayed his card to the visitor. He was especially proud of the large number of holes he had accumulated. Most of the holes were on the demerit side. He didn't know the difference. At another school two small boys were seen sitting on the floor, tearing up old textbooks as a punishment.

Dr. Robert Bergman, a PHS psychiatrist on the Navajo Reservation said, "the somewhat limited social opportunities of the boarding high school give the adolescent students few protected ways of exploring boy-girl relationships. The sexes are pretty well kept separate most of the time, and even casual contact between them is looked on with some suspicion by school officials anxious about possible scandal. A hostile rebellious attitude develops in the students, and they make their own opportunities away from the potential help of adults. Many students make a very abrupt transition from no dating at all to sneaking out to drink and make love." The administration's response to such behavior is more repression and school officials at a number of boarding schools cite discipline as their most important problem. Asked what he would do if given more money, the superintendent at Chilocco said he would build a jail and hire more guards.

To maintain discipline, the schools eliminate as many outside or uncontrollable influences as possible. A visitor is discouraged from talking to the children. A child "caught" talking to a visitor gets a sharp warning glance from a school official. Authorities address the children in English and discourage using native language in both the classroom and dorms. Dr. Bergman relates the rather bizarre results of this policy: "I often encounter [dorm attendants] who pretend not to speak Navajo. They have become so convinced that speaking Navajo is a bad thing to do that they often won't admit that they can. [Most attendants are themselves products of boarding schools.] The children learn that what they say in Navajo is effectively kept secret from the authorities even if one of the Navajo-speaking members of the staff hears them, because the Navajo staff member will be too ashamed of having understood to tell anyone."

School authorities in effect dictate when children may go home for weekends and when parents may visit the schools. The Bureau has a *de facto* policy of discouraging such visits, because the children are noticeably upset and troublesome afterwards, and the number of runaways invariably increases. To reach the school, parents must travel long distances over roads that are impassable most of the year. The schools afford them neither accommodations nor transportation. At the easily accessible Fort Wingate school, signs on the dormitory doors announced that no child would be permitted home for two weekends prior to Thanksgiving. A teacher at the Tuba City Boarding School wrote of the problem last year to Sen. Robert Kennedy, then chairman of the subcommittee on Indian Education: "Most children on the reservation starting at age six only see their parents on occasional weekends, if that often. At these times parents are usually allowed to check out their children—if the child's conduct in school warrants it, in the opinion of the school administration. If he has been a 'problem' (e.g., has run away) parents are often not allowed to take him until he has 'learned his lesson.'" The students' most visible emotional problem is boredom—the deadening routine of marching in line to meals and class, the lack of recreation or an interesting diversion. The letter to Sen. Kennedy summarized the emptiness of life at a boarding school: "The children search everywhere for something—they grasp most hungrily at any attention shown them, or to any straw that might offer some escape from boredom. You can't help but see it in their faces when you visit the dorms of the younger children. At the older boys' dormitories, they are used to the conditions—you can see that, too. They no longer expect anything meaningful from anyone."

Their reaction to this gradual dehumanization is extreme. Recently on the Navajo Reservation, two young runaways froze to death trying to make it to their homes 50 miles away. Escape through glue-, paint- and gasoline-sniffing is as common as chronic drunkenness at the boarding schools. On Easter morning two years ago, authorities at the Chilocco school found a Crow boy who had apparently drunk himself to death. More recently a runaway at the Albuquerque Boarding School was found frozen to death after an alcoholic binge.

Suicide among young Indians is over three times the national average and an even greater problem at the boarding schools. Yet the Superintendent of the Albuquerque school said he had never seen an Indian suicide in any school in his 28 years of experience. Testifying before Sen. Kennedy's subcommittee, Dr. Daniel O'Connell found evidence to the contrary: "The situation as far as suicide is concerned is especially acute among the boarding school children, particularly in high school. . . . In the Busby School in the Northern Cheyenne Reservation, for example, with fewer than 250 students, there were 12 attempted suicides during the past 18 months."

The closest thing the child has to a surrogate parent is the so-called instructional aide or dormitory attendant. Aides are responsible for the children in the dorms and supervise their routine activities—dressing and washing the smaller children, housecleaning and free time. Psychologically, the instructional aide is the most important member of the staff, since the dorm is the closest thing the children have to a home life. But he is the lowest paid and has the lowest status in the school heirarchy. Each aide is expected to care for 60 to 80 children. At a conference with Dr. Bergman, an aide asked for help in getting her 75 first-graders to put their shoes by their beds at night. Every morning is mass hysteria as seven-year-olds scramble for a missing right or left shoe. Night attendants are responsible for 180 to 260 children, so there is rarely someone to comfort a youngster having a normal childhood nightmare.

The instructional aides are not encouraged to take a personal interest in the children. An aide was severely reprimanded for inviting some girls to her room to make Navajo fry-bread. The authorities would prefer that the system's few professional guidance counselors handle the children's problems. The present ratio of students to counselors is 690 to one. One counselor complained that 30 to 40 percent of his time is spent retrieving runaways, another 30 percent supervising housekeeping, leaving little time for serious counseling.

For its more serious problems—the suicide-prone the alcoholics, the psychotics—the BIA employed one full-time psychologist last year for the entire federal school system. A rebellious or uncooperative student gains a reputation as a "troublemaker" and is expelled from one school after another until he is old enough to drop out. A Fort Hall boy who has attempted suicide six times was sent to Chilocco last fall for lack of anywhere else to send him. Among the Indians, Chilocco is considered the end of the line.

The Rough Rock Demonstration School in northeastern Arizona is a welcome anomaly in this chain of dead-end desert schools. Jointly funded by the Office of Economic Opportunity and the BIA, the Navajo boarding school is innovative in that it is run by Indians. The seven Indians who comprise the school board set school policy, hire and fire teachers and manage the school's $790,000 budget. The curriculum includes daily instruction in Navajo culture, history and language, and the school's Cultural Identification Center attracts talented Navajo artists and translators to produce meaningful texts for Indian children. Nor is the built-in bleakness of dorm life found at Rough Rock. The school has 10 counselors, and parents are invited to live in the dorms for eight-week periods (reducing the child-adult ratio to 10 to one). The parents work as dorm aides, with pay, and attend adult education programs, since many are less-educated than their children. Students are encouraged to go home on weekends and the school provides transportation for those who would otherwise have to stay at school. The school's teachers make periodic visits to the children's homes to let the parents know how their children are doing. (The parents of many children at other schools haven't the slightest idea of what grade their children are in.) Of the school's 82 full-time employees, 62 are Indians, and for many it is their first permanent job. It is too early to say whether Rough Rock's community-involvement approach is *the* answer to Indian education. The experiment is expensive ($2,500 per student) and the school will have to look elsewhere for support after OEO funding expires in June. What the Indians at Rough Rock have proved is that given effective control of the immediate forces that shape their lives, they can be a success, qualified in measurable achievement, total in terms of self-respect.

INVESTIGATIONS BY THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

The Senate proceeded to consider the resolution (S. Res. 63) authorizing the Committee on Post Office and Civil Service to make certain investigations which had been reported from the Committee on Rules and Administration with an amendment on page 3, line 4, after the word "exceed", strike out "$250,000" and insert "$200,000"; so as to make the resolution read:

S. Res. 63

Resolved, That the Committee on Post Office and Civil Service, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and conduct such studies as may be deemed necessary with respect to any and all aspects of—

(1) the postal service, including studies of mechanization, modernization, personnel policies, utilization of manpower, hours, wages, work schedules, and management techniques, designed to improve postal service in the United States;

(2) the Federal civil service, including retirement, life and health insurance, and general consideration of legislation to improve the quality of Federal employment and Federal personnel policies and practices; and

(3) committee jurisdiction concerning the census and the collection of statistics.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1969, until January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employer; and (3) with the prior consent of the heads of the departments and agencies concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $200,000, shall be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JORDAN of North Carolina. Senate Resolution 63 as referred to the Committee on Rules and Administration would authorize the Committee on Post Office and Civil Service to expend not to exceed $250,000 this year for a study of the postal service and the Federal civil service.

During the last session of Congress $150,000 was authorized for that purpose, of which $131,892 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $250,000 to $200,000, a reduction of $50,000.

Senator Gale W. McGee is chairman of the committee. The ranking minority member of the committee is Senator Hiram L. Fong.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment. The amendment was agreed to.

The resolution (S. Res. 63) as amended, was agreed to.

ADDITIONAL STAFF AND FUNDS FOR THE COMMITTEE ON PUBLIC WORKS

The resolution (S. Res. 34) to provide funds for the Committee on Public Works was announced as next in order.

Mr. JORDAN of North Carolina. Senate Resolution 34 as referred to the Committee on Rules and Administration would authorize the Committee on Public Works to expend not to exceed $240,000 this year for an investigation of certain matters within its jurisdiction.

During the last session of Congress $160,000 was authorized for that purpose, of which $127,967 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator Jennings Randolph is chairman of the committee. The ranking minority member of the committee is Senator John Sherman Cooper.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 34) was agreed to, as follows:

S. Res. 34

Resolved, That the Committee on Public Works, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, public buildings, and all features of water resource development and economic growth.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, on a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

Sec. 4. Expenses of .the committee, under this resolution, which shall not exceed $240,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

PRIVILEGES AND ELECTIONS

The resolution (S. Res. 31) authorizing a study of Federal election laws and related matters, was announced as next in order.

Mr. JORDAN of North Carolina. Senate Resolution 31 as referred to the Committee on Rules and Administration would authorize the Committee on Rules and Administration through its Subcommittee on Privileges and Elections to expend not to exceed $105,000 this year for a study of certain matters within its jurisdiction, with special emphasis upon the Federal election laws.

During the last session of Congress $150,000 was authorized for that purpose, of which $88,830 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator Howard W. Cannon is chairman of the pertinent subcommittee. The ranking minority member of the subcommittee is Senator Carl T. Curtis.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 31) was agreed to, as follows:

S. Res. 31

Resolved, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) the election of the President, Vice President, or Members of Congress;

(2) corrupt practices;

(3) contested elections;

(4) credentials and qualifications;

(5) Federal elections, generally; and

(6) presidential succession.

Sec. 2. For the purpose of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and the personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $105,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF PROBLEMS OF SMALL AND INDEPENDENT BUSINESS

The resolution (S. Res. 57) authorizing the Select Committee on Small Business to make a complete study of the problems of small and independent businesses, was announced as next in order.

Mr. JORDAN of North Carolina. Senate Resolution 57 as referred to the Committee on Rules and Administration would authorize the Select Committee on Small Business to expend not to exceed $145,000 this year for a study of certain problems of small and independent businesses.

During the last session of Congress $145,000, the same amount, was authorized for that purpose, of which $127,663 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution without amendment.

Senator Alan Bible is chairman of the Select Committee. The ranking minority member of the Select Committee is Senator Jacob K. Javits.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 57) was agreed to, as follows:

S. Res. 57

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended and supplemented, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $145,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

The resolution (S. Res. 68) to continue the Select Committee on Nutrition and

Human Needs, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. Without objection, the resolution will be passed over.

Mr. ELLENDER. Mr. President, may I inquire as to which resolution was passed over?

Mr. MANSFIELD. Calendar No. 80, Senate Resolution 68, the Hunger resolution, so that it may be considered, along with the Hart resolution to investigate antitrust and monopoly laws tomorrow. These items will take some time.

SPECIAL COMMITTEE ON AGING

The Senate proceeded to consider the resolution (S. Res. 76) to continue the Special Committee on Aging, which had been reported from the Committee on Rules and Administration with an amendment, on page 3, line 7, after the word "exceed", strike out "$214,000" and insert "200,000"; so as to make the resolution read:

S. Res. 76

Resolved, That the Special Committee on Aging, established by S. Res. 33, Eighty-seventh Congress, agreed to on February 13, 1961, as amended and supplemented, is hereby extended through January 31, 1970.

Sec. 2. It shall be the duty of such committee to make a full and complete study and investigation of any and all matters pertaining to problems and opportunities of older people, including but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill or otherwise have legislative jurisdiction.

Sec. 3. The said committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

Sec. 4. A majority of the members of the committee or any subcommittee thereof shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

Sec. 5. For purposes of this resolution, the committee is authorized (1) to employ on a temporary basis from February 1, 1969, through January 31, 1970, such technical, clerical, or other assistants, experts, and consultants as it deems advisable: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (2) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, to employ on a reimbursable basis such executive branch personnel as it deems advisable.

Sec. 6. The expenses of the committee, which shall not exceed $200,000 from February 1, 1969, through January 31, 1970, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Sec. 7. The committee shall report the results of its study and investigation, together with such recommendations as it may deem advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970. The committee shall cease to exist at the close of business on January 31, 1970.

Mr. JORDAN of North Carolina. Senate Resolution 76 as referred to the Committee on Rules and Administration would authorize the Special Committee on Aging to expend not to exceed $214,000 this year for a study of problems relating to the aging citizens of the Nation.

During the last session of Congress $200,000 was authorized for that purpose, of which $183,036 was expended during the 12-month investigative period.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $214,000 to $200,000, a reduction of $14,000.

Senator Harrison A. Williams, Jr., is chairman of the special committee. The ranking minority member of the special committee is Senator Everett McKinley Dirksen.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The resolution (S. Res. 76), as amended, was agreed to.

SENATE DELEGATIONS TO FOREIGN GOVERNMENTS OR PARLIAMENTARY BODIES AND ASSOCIATIONS

The resolution (S. Res. 65) to authorize the Senate to respond to official invitations received from foreign governments or parliamentary bodies and associations, was announced as next in order.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 65), was agreed to, as follows:

S. Res. 65

Resolved, That the President of the Senate is authorized to appoint as members of official Senate delegations such Members of the Senate as may be necessary to respond to invitations received officially from foreign governments or parliamentary bodies and associations (including the Commonwealth Parliamentary Association) during the Ninety-first Congress, and to designate the chairmen of said delegations.

Sec. 2. (a) The expenses of the delegations, including staff members designated by the chairmen to assist said delegations, shall not exceed $25,000 for each such delegation, and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairmen of said delegations.

(b) The expenses of each delegation shall include such special expenses as the chairman may deem appropriate to carry out this resolution, including reimbursements to agencies for compensation of employees detailed to each delegation and expenses incurred in connection with providing appropriate hospitality to foreign delegates.

(c) Each member or employee of each delegation shall receive subsistence expenses in an amount not to exceed the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar for today.

INVESTIGATION OF THE ADMINISTRATION OF ANTITRUST AND MONOPOLY LAWS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 60, Senate Resolution 40.

The PRESIDING OFFICER. The resolution will be stated by title.

The Legislative Clerk. A resolution (S. Res. 40) to investigate antitrust and monopoly laws of the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, there will be no further action on this resolution today. I understand there are some speeches on various matters which several Senators wish to make. It is anticipated that there will be considerable discussion on the two resolutions left on the calendar tomorrow, and, for the information of the Senate, it is anticipated that discussion will not begin until somewhere between 1:30 and 2 o'clock tomorrow, because of various meetings which are to be held.

ORDER FOR ADJOURNMENT UNTIL 12 NOON TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

HUNGER IN AMERICA

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the body of the Record a very interesting and fine statement on the problem of hunger in America issued just today by the Secretary of Health, Education, and Welfare, Mr. Finch. This statement by the Secretary is specific proof of the determination of the Nixon administration to deal vigorously with this issue and, I think, is a very clear indication of its intention with regard to our vote tomorrow on the budget for the Select Committee on Nutrition and Basic Needs.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The Hungry Americans

(Report of Secretary of Health, Education, and Welfare, Robert H. Finch, to the National Governors' Conference)

I. THE DIMENSIONS OF THE PROBLEM

The Department of Health, Education, and Welfare recently issued the first results under the National Nutrition Survey being conducted by Dr. Arnold Schaefer. This survey has thus far examined 12,000 persons in four states; ten more states will be added during 1969. Among his sample group, 80 percent of whom had incomes under $5000 per year and the majority of whom had incomes under $3000 per year, Dr. Schaefer found that one-third of the children under six were anemic; one-third of the children under six suffered from vitamin A deficiency; one-sixth of those in all age groups studied were deficient in vitamin C.

He found evidence of rickets, protein malnutrition, goiter, and abnormally bad dental conditions. Eighteen percent of all subjects in the survey over ten years of age reported that it was painful and difficult to bite and chew. Ninety-six percent of the sample had an average of ten teeth decayed, filled or missing with five of these needing immediate attention. Three and one-half percent of the sample showed bone growth retardation—a major warning signal that other forms of retardation may have occurred.

Dr. Schaefer's reports on malnutrition confirm the inevitable consequences of poverty in this country. We already knew that there are over 12 million Americans living with annual per capita incomes under $550, or $2200 for a family of four. The United States Department of Agriculture estimates that such a family must spend between 66 and 75 cents per person per day to have a balanced diet at absolutely minimum levels. This adds up to $1000 to $1100 per year which such a family should spend on food. Yet that family must also cover its fixed costs, such as rent, utilities, clothing, transportation and medical bills, and cannot do that with the $1100 remaining. Typically, then, it is the food budget which is cut back. Moreover, there are some 1.8 million families whose incomes are under $1000 per year. For these people, mere survival is a daily contest.

We have Federal programs to deal with these problems, but they are woefully inadequate. There are about 26 million poor in the country, but only about one-third of them are reached by welfare programs. We have had direct food assistance programs since the 1930's, but still only slightly about 6 million of the poor are helped by the surplus food distribution and food stamp efforts.

There are still over 500 counties which are not served by either the surplus food distribution or food stamp programs, and in many areas where such programs do exist the participation by the poor may be as low as 5 percent.

Some assistance is provided by the Child Nutrition programs, of which the School Lunch Program is the best known. While it serves 20 million students, only 2 million are from among the poor. Another 4–5 million poor children, including many in our depressed ghetto areas, do not receive school lunches.

II. THE RESPONSIBILITY OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The Department of Health, Education, and Welfare carries a heavy responsibility in dealing with this problem.

First, hunger has direct consequences in terms of health. It is fairly well confirmed that malnutrition in the pregnant mother, particularly protein malnutrition, can precipitate premature births, mental retardation or actual infant detahs. If an infant does not have a balanced food supply during the final months in the womb and during the first months of his life—the period fastest brain development—the risk of mental and physical retardation mounts. The malnourished child spends longer periods in convalescence, is more vulnerable to disease, and may simultaneously suffer from other more readily apparent ailments which further debilitate the body. Physical development and vigor may be adversely affected.

There are also certain obvious educational ramifications of the problem. Malnutrition and hunger have been shown to affect a child's ability to learn and to concentrate. Moreover, the educational system offers a major resource, if properly used, for the feeding of children and for the transmission of good nutritional practices to their parents.

Finally, we know that if our welfare programs were more effective, people would have the means to buy food to feed themselves.

With these responsibilities in mind, I am today directing this Department to take certain specific steps.

First, I am directing the Assistant Secretary for Health and Scientific Affairs to expand and strengthen the National Nutrition Survey to cover more states, to improve analyses of data obtained, and to follow-up on those cases found to require immediate medical attention.

Second, I am directing the Administrator of the National Institute of Child Health and Development to provide me with data on the interrelationship between malnutrition in the pregnant mother, malnutrition in the infant, prematurity, infant deaths, and mental retardation. I am particularly concerned over the possible learning retardation which can result from improper nutrition in infancy and early childhood.

Third, I am initiating a special Department-wide review to examine how we can take preventive and remedial action in dealing with malnutrition and its consequences.

Finally, we will be reviewing the intricate structure of responsibilities between the various agencies of government, the counterpart state agencies, and county agencies and officials to determine how we can further improve our joint effort.

III. CONCLUSION

The President has asked that I bring these matters to your attention so that we might jointly plan for more effective action. There is no special Federal wisdom on this matter. We need your advice and your assistance. We need your strong influence to make existing programs work better, and to provide the health and educational services to the poor that must accompany any increased food supply. I hope very much that at your forthcoming conference you will establish a mechanism through which we can work together for a decisive attack on hunger in our land.

Mr. JAVITS. Mr. President, I also ask unanimous consent to have printed in the Record articles published in the New York Times of factual inquiries on this subject, of which two have now been published, written by Homer Bigart.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Hunger in America: Stark Deprivation Haunts a Land of Plenty

(By Homer Bigart)

(Note.—Following is the first of a series of articles on reports of hunger in the United States.)

Bluffton, S.C.—Hunger is a noun that means, among other things, a compelling desire for food, a nagging emptiness of stomach and gut. Persons old enough to remember the Great Depression may recall going hungry, but today it is a sensation generally reserved for those mired in poverty.

Chronic hunger seems so remote in this bounteous land that reports of extreme malnutrition among Negroes in the rural South, among migrant farm workers, among Mexican-Americans and reservation Indians have been set down as exaggerations and lies, the observers frequently assailed as charlatans or do-gooders who would sap the initiative of the hungry poor by expanding "giveaway" Federal food programs or even conspiring for adoption of a guaranteed minimum wages.

Here in Beaufort County, Donald E. Gatch, an intense youthful-looking country doctor, has been shunned by the white community for insisting that hunger is a daily fact of life among the black families of this mossy tidewater.

He began losing his white patients two years ago after he charged publicly that he had seen children dying of starvation, that most black children of his area were infested with worms, and that families were living in hovels worse than the pigsties of his native Nebraska.

The Beaufort Gazette accused him of "running his mouth." Every other doctor in the county signed a statement deploring his "unsubstantiated allegations," contending that the "rare cases of infant malnutrition" that came to their attention were invariably due to "parental inexperience, indifference or gross neglect." And the County Health Officer, Dr. H. Parker Jones, said he had "never seen a case of starvation or extreme malnutrition."

Ostracized by the staff of Beaufort County Memorial Hospital, annoyed by threatening telephone calls, boycotted by white patients, Dr. Gatch closed his Beaufort office, sold his home and moved with his British-born wife and two young sons back to Bluffton (pop. 356), where he had started his practice 10 years ago.

One chilly, overcast day at the tag end of January Dr. Gatch consented to take a visitor on a tour of Negro shanties near Bluffton.

LIKE A MISSIONARY OUTPOST

The doctor, who sometimes appears disconsolate and withdrawn, peered glumly at the scene through horn-rimmed spectacles that kept sliding down his nose. From the clay road the weathered shanties, woodsmoke curling from the chimneys, looked quite charming. But Dr. Gatch, in his low tired voice, spoke only of the overcrowding, the filth and the smell of poverty within.

The Gatches had taken over a group of summer cottages on the bank of a tidal creek, living in one, using another for frequent guests (nutritionists and sociologists from all over are coming to see him) and hoping to convert a third into a clinic. (The doctor maintains a large, well-equipped office in the center of the village).

The Gatch compound, shaded by live oaks decked in Spanish moss, had the quiet, mournful isolation of a missionary outpost in central Africa. The African connection was further strengthened when Dr. Gatch remarked that he had treated several children for kwashiorkor, a disease generally thought to exist only in underdeveloped countries.

Kwashiorkor is a Ghanaian word meaning literally "the disease that takes the child after it leaves the mother's breast." It is a disease of extreme protein deficiency, a starvation often brought on by a mother's inability to breast-feed an infant.

Down a dirt road, Dr. Gatch paused at the decaying stoop of a family named Kinnard. Silent children with skinny legs sat listlessly on floors and beds. Fifteen people lived in the shack, Dr. Gatch said, and there was no privy.

COMFORTABLE WHILE STILL

He went directly to a young woman who was holding a crying, seven-month-old baby girl. He had examined the baby before, he said, and had detected symptoms of both kwashiorkor and scurvy. He remarked how the baby's hair had thinned, how the hairline had receded about an inch, and how the hair color had changed from black to dirty gray. These were the stigmata of kwashiorkor, he said.

He took the infant girl from the mother's arms and placed her on a sofa. The baby kept her matchstick legs drawn up and raised her arm until the tiny hands were bent close to her head. Then she stopped crying.

"As long as the baby is completely still, she's comfortable," Dr. Gatch said, "but pick her up and she'll start crying again."

He noted the extreme dryness of the skin, the absence of subcutaneous tissue. He said the baby's diet was so deficient in iron that her hemoglobin count was "half of what it should be."

The baby's mother had been out of work since December. Dr. Gatch said the infant was now getting some baby formula food. It would probably live, he said, but he feared it had suffered irreversible damage through growth retardation of bones and brain cells.

As he left, Dr. Gatch noticed a 3-year-old girl sitting on the stoop, staring vacantly at the brown fields. Her legs and face were bloated by edematose swellings, the result probably of Vitamin A deficiency, the physician said, and the same deficiency was impairing her vision.

"There's just no excuse for rickets in this country," complained Dr. Gatch as he drove to another shack hunting this time a whole family that he claimed was rachitic, a mother and five children.

Rickets is a disease of infancy and childhood resulting from a deficiency of Vitamin D and characterized by soft, deformed bones. The rachitic family was not at home, but Dr. Gatch found them on the stoop of a neighboring house.

ALL HAVE MISSHAPEN LEGS

The victims have gotten some relief and were now on a proper diet, Dr. Gatch said. All had misshapen legs. The mother, who seemed stout and cheerful, was very bow-legged; her children were either bowlegged or knock-kneed. Dr. Gatch commented that the legs of the three older children seemed to have straightened somewhat, but the twisted spindly legs of the two youngest remained badly deformed.

Milk is the main source of Vitamin D, Dr. Gatch noted, and the family might never have been blighted with rickets if fortified milk had been available to them.

But the Government's food donation programs for the domestic poor did not provide fortified dry milk until the end of 1968. Dr. Gatch might have been angrier had he known that since 1965, at the insistence of the United States Public Health Service, the Department of Agriculture had been shipping dry milk enriched by Vitamins A and D to American aid programs overseas.

The three-year gap during which fortified milk was sent overseas while being denied to the poor at home came to light last month in testimony before the Senate Select Committee on Nutrition and Human Needs.

Dr. Gatch stopped at an abandoned country store. Inside, two bedridden old ladies had found terminal shelter. One of them, crippled by rheumatoid arthritis, had been rescued from a mouldering shack where the bedding stank of urine and feces. The other was afflicted by Wernicke Syndrome, which Dr. Gatch said was characterized by loss of memory and confabulation (filling in a memory gap by falsifications that the patient accepts as correct).

DIET OF RICE AND GRITS

Dr. Gatch said he believed Wernicke Syndrome could have been induced by lack of thiamine, which is essential for growth, normal function of the nervous system and normal metabolism. Thiamine is found in liver, lean meat, eggs, whole grain or enriched cereal and cereal products. The old ladies, Dr. Gatch suspected, had been eating little more than rice and grits.

Now they were on Medicare and presumably getting a better diet. The old store was spotlessly clean, neater than most nursing homes.

Dr. Gatch was asked if he had encountered pellagra, one of the more dreaded of the dietary difficiency diseases. This disease, caused mainly by a deficiency of niacin, but also of thiamine, riboflavin, folic acid and other essential nutrients, is marked in its late stages by the classical four D's: dermatitis, diarrhea, dementia and death.

Dr. Gatch said it was not even rare. He produced an old man of about 70 who, he said, had pellagrin symptoms including hyperpigmentation of elbows and knees. There the flesh had thickened and roughened until it felt like sandpaper.

How many pellagra victims had he seen?

"I would guess 150 to 200 cases," Dr. Gatch replied.

Deaths by starvation, deaths by any of the diseases of malnutrition, were never counted, he said. Too many death certificates simply read "natural causes," Dr. Gatch said, and he intended to campaign for post mortems in those cases.

Over the years Dr. Gatch became convinced that there was close correlation between malnutrition and intestinal parasites. Most of the under-nourished children he examined were wormy. Many Negro shacks, he observed, had no privies; people relieved themselves in the fields and woods. Children treated for worms quickly became reinfested by stepping on feces that contained the eggs of parasites.

"If you have 100 or 200 of these foot-long roundworms in your belly they're going to take a lot of food," he said. "They migrate to the stomach and actually get the food before the child does."

Some notion of the extent of infestation in the Negro children of Beaufort County was given a few days later. A study of 178 Negro preschool children showed that nearly three of every four had intestinal parasites either ascaris (roundworm) or trichuris (whipworm) or both.

"Fantastic," said Dr. James P. Carter, nutritionist of the Vanderbilt University School of Medicine, who participated in the survey. "Parasitism in Beaufort County ranks with some Central American countries and with Egypt."

In Nashville, Dr. Carter said the nutritional status of the 178 children was "in most cases inadequate and in all instances minimal." He said that by minimal he meant that the children had a low margin of safety, particularly from pneumonia and diarrhea.

The survey, financed by the Field Foundation, was conducted by researchers from the University of South Carolina, the Meharry Medical College, in Nashville, and Vanderbilt University.

The results were considered so shocking that some even suggested that the data be withheld from general publication. Many white Southerners feel that poverty conditions among the rural blacks have been exploited by civil rights zealots.

Dr. E. John Lease, nutritionist of the University of South Carolina, was among those who feared that the report, if given wide publicity, would anger the white Establishment and perhaps wreck the chances of cooperation on remedial projects.

Dr. Lease wrote to his collaborators suggesting that the distribution of data be restricted and that "none of the work coming from the University of South Carolina should be published or mentioned on radio or television as the results of the university or any of its staff members."

Later, Dr. Lease apparently had a change of heart, for the material was released to the press in Columbia, S.C.

There were other indications that the establishment now wanted the situation exposed. On Jan. 31, to the astonishment and gratification of Dr. Gatch, Senator Ernest F. Hollings, the former Governor, turned up in Bluffton and made the hunger tour.

FEDERAL DELAYS CHARGED

The Senator saw a near-starving baby, a reputed pellagrin, a rachitic child and another child said to be recovering from scurvy. Deeply impressed, Senator Hollings said he would demand an end to "Federal roadblocks and redtape," which, he said were frustrating local efforts to help the poor.

The local state Senator James M. Waddell, also blamed the "Feds." He charged that the Office of Economic Opportunity had refused to fund a project that included privies for the poor.

"We can send a man to the moon," he cried on the floor of the South Carolina Senate, "but we can't build an outhouse."

Senator Hollings plans to testify next week before the Senate Select Committee on Nutrition and Human Needs.

The committee, headed by Senator George McGovern, Democrat of South Dakota, and dominated by liberals, had been planning field trips to suspected areas of hunger in a dozen states.

However, last week the Senate Rules Committee, dominated by conservatives, slashed the select committee's $250,000 budget request by $100,000. Senator Jacob J. Javits of New York, minority leader of the select committee, said he intended to carry the fight for the full appropriation to the Senate floor. But if the cut remains, the committee will have to curtail its travel plans, visiting perhaps only five or six states.

It means that the committee members will not see Beaufort County.

They still plan to visit the camps of migrant farm workers, like those in Immokalee, Fla., where life seems even more degrading than in the shacks of Beaufort County.

HUNGER IN AMERICA: POVERTY LEAVES MIGRANTS PREY TO DISEASE

(By Homer Bigart)

(NOTE.—Following is the second of a series of articles on reports of hunger in the United States.)

IMMOKALEE, FLA.—Ten miles southwest of here, strung out like garbage along the edge of a cypress swamp, is Smith's Camp, a gathering place for some of the migrant farm workers who flock here in winter to pick the vegetable crops.

It consists of a dozen or more windowless plywood shacks, all without toilets or running water, all painted a dull green and all facing a dark slough choked with bottles and trash.

Some distance away there are three smaller shacks, two of them privies, the third a cold-water shower. None shows signs of recent use. Few migrants are hardy enough to take cold showers out of doors in the dead of winter, even in Florida, and the latrines are unspeakably filthy, seats and floors smeared with dried defecation. So the people use the woods.

A spigot planted in the ground provides water for the shacks. But the 20 or 30 migrants who live here say the water is foul smelling and foul tasting. The only apparent amenity is the naked electric light bulb hanging from the ceiling of each shack.

Such a place is Smith's Camp, its condition of poverty far removed from the showy affluence of nearby Gulf Coast resorts and its people, during frequent periods of unemployment, vulnerable targets for hunger and disease. A Senate committee investigating hunger will be in the area March 10.

GATHERED IN CANTEEN

On a recent Saturday, a visitor found most of the camp's adult population assembled in the canteen. The migrants had just been paid, apparently, and several men and women were finding release from the surrounding squalor by getting themselves soddenly drunk.

One woman, still sober enough to talk, said that in good times she made as much as $60 for six days work in the fields, picking beans and peppers, but now work was slack because cold weather had retarded the crops.

"We've got to pay $10 a week for these huts," she said. "Last week the water was up so high we had to wade to the door. I never would've left Carolina, but they told us the rent was free."

Someone had skinned a possum in front of one of the shacks, then left the meat for the flies. The cadaver of another skinned animal floated in the slough.

A man who introduced himself as "Hobo Bob" reeled out of the canteen and proudly produced an old photo that showed him with a wine bottle in one hand and a pistol in the other, a cigarette dangling from his lips creased in a grin. He said he was sending the photo to a cousin in South Carolina, to show the relative what a happy life migrants could lead.

"That's Hobo Bob," he laughed, patting the photo.

Retrieving a cardboard box from his shack, Hobo Bob offered visitors some cold grits mixed with beans and fatback.

Smith's Camp is one of 60 or 70 accommodations for migrants around Immokalee. Other camps seem less appalling in physical appearance but hold a greater potential for human degradation and misery because they swarm with children.

UNEMPLOYMENT HEAVY

Albert Lee, an energetic young Negro who heads the local antipoverty project, the Community Civic Workers, said it was a bad season for migrants with heavy unemployment.

Immokalee, a town of 3,000 near the northern edge of the Everglades, normally has a mid-winter population of 12,000 migrants, he said, but now there were only about 10,000. Many who normally wintered in Immokalee had gone to Texas instead.

Immokalee is in Collier County. Many well-to-do retired people live in Naples, the county's biggest community, and this element, plus the big farm owners, have insured a highly conservative county government.

The county has a long history of snubbing Federal aid, even during the Depression era, and in recent years the county commissioners have stoutly rejected the food distribution programs of the Department of Agriculture.

Today Collier County offers neither direct food distribution nor the food stamp program. Migrants who run out of money here are out of luck.

How do they keep alive, Mr. Lee was asked.

He said he had received on Christmas Eve $500 from the Office of Economic Opportunity. The instructions were that the money could be distributed only for emergency food.

"PINCHING AND PINCHING"

"Now I've got a few dollars left," he said, "but I've been pinching and pinching and pinching."

He explained how he made the money last. He was doling out $1 a day per person to the most desperately hungry, then cutting them off after 14 days.

"That's it," he said. "After 14 days if they can't get handouts from the neighbors they don't eat."

Two young lawyers from the O.E.O.-financed South Florida Migrant Legal Services program, T. Michael Foster and William F. Dow 3d, said that their organization had been trying for years to get Federal food sent into Collier County.

Last summer Mr. Foster wrote to the then Secretary of Agriculture, Orville L. Freeman, telling of hunger and malnutrition in the labor camps, reporting the refusal of Collier County to participate, like most Florida counties, in making food surpluses available to the poor, and pleading for intervention.

ATTITUDE OF COUNTY AIDES

Washington did nothing. Congress had authorized the O.E.O. to take over the distribution of food in the poorest counties, which, for one reason or another, were not participating. But Collier County was not poor enough to qualify; the median annual family income, thanks to the wealthy Gulf Coast resorts, was $4,673 a year.

"I have seen hunger in Immokalee as bad as in Latin America," said Mr. Dow, a graduate of Yale and Columbia, "yet the Collier County commissioners always say the problem doesn't exist, that the county always looks after its own 'worthy poor.'"

Observers noted that the rural admonition, "root hog, or die," seemed to express the commission's attitude toward migrants. They recalled that at a hearing last August Vice Chairman A. C. Hancock warned: "There are those sitting with their hands out waiting to be fed, and that's a situation we won't go for."

Other officials expressed the fear that if migrants were given food they would not work. Others thought that free food would drive the corner grocery into bankruptcy.

Immokalee, which calls itself the "watermelon capital of America," is a flat, sprawling, dusty town where people of different colors, black, brown, red and white, live in strict residential segregation. Smith's Camp, out in the swamp, is all black, but there are several other Negro camps inside the town.

These are in "The Quarters," an area that contains not only the Negroes but "Utopian of concrete-block huts occupied by Mexican-Americans. Outside "The Quarters," scattered around the rest of the town, are camps for white migrants. A few score Seminole Indians live in grass huts on the eastern edge of the community.

RENT OF $10 TO $20 A WEEK

Most of the camps are clusters of wooden shanties, concrete huts, trailers. Rents range from $10 to $20 a week, plus utilities. Flush toilets are a rarity, most camps providing a communal latrine. Regardless of the color of the occupants, the camps appear universally mean and squalid.

Mrs. Angela Spencer, 38, and two small pallid children occupied a trailer in one of the white camps.

"I was lucky enough to get three days work this week," she said.

She said she had been averaging two and one-half days of work a week, earning $25, out of which she had to pay a baby sitter $3. The rent was $15. That left $7 for food and all other expenses. She owed $19 in back rent, she said, and $100 in doctor's bills.

There was a platter of green beans and hominy on the stove. Clouds of flies wheeled about. The refrigerator was empty except for three sticks of margarin, a partly empty bottle of milk and a box of powdered milk.

She had been helped from Albert Lee's meager allotment of cash, as had Mrs. Caroline Conner, an attractive blonde who lived in another white camp and was 10 days out of the hospital after delivering a baby girl. Her husband had abandoned her.

"We were real desperate," Mrs. Conner said of herself and the baby. "If it weren't for my friends, I wouldn't have been able to make it."

LIKES MICHIGAN BEST

Mrs. Conner said she had been migrating from Florida to the Great Lakes and back for the last four years, following the spring strawberry crop to northern Florida, then Arkansas, Illinois and Michigan; picking Michigan's blueberries, peaches and grapes during late summer and early fall, then going back to Immokalee for winter tomatoes, peppers and "cukes," or cucumbers.

She liked Michigan best, she said, because migrants got free quarters there. In Immokalee her rent was $20 a week, and she had just about run out of the money she had received from Albert Lee.

"Whether she feels well or not, she's gotta go to work," Mr. Lee said.

"I got to do something," Mrs. Conner agreed.

Down in The Quarters, an elderly black named James Kelley and his yellow dog, Lady, found a way to beat the rent. A tolerant crew leader had let them take over an old abandoned bus.

Mr. Kelley, a diabetic whose fingers were gnarled and disfigured, was wearing two pairs of pants against the cold. An unvented oil heater had been installed near the front of the bus, and he had to keep a window open to avoid suffocation from the fumes.

He and Lady slept on piles of rags near the rear, where there was a little cookstove. The only food visible was a pan of fatback and some pieces of fish heavily salted for preservation. Mr. Kelley said he had not worked in eight months, but he seemed happy. He had just received $7 from Mr. Lee.

TEN CHILDREN IN HUT

In a black camp near Mr. Kelley's bus, Mrs. Pauline Milton and 10 children were crammed into a two-bedroom-and-kitchen hut.

"Me and two of the little ones sleep in this bed," said Mrs. Milton, "and there are two beds in the other room and one in the kitchen for the rest."

She had worked two days that week, earning $11.05 each day, and paying $2 a day for baby sitters.

"I couldn't afford to give them breakfast," she said, surveying the hungry brood, "but we had boiled beans, rice and potatoes for lunch, and I'll give them the same for supper."

Mrs. Milton is one of a comparatively few migrants eligible for county welfare, for she has lived in Immokalee for seven years. She said she had applied, but had been told that her application would take 30 to 45 days to process.

Of all the ethnic groups, the Mexican-Americans probably suffered most during times of hunger, Mr. Dow said as he drove past "Utopian Homes." Some of the Mexicans had tried to alleviate the bleakness by planting flowers around the huts.

"Mexicans are proud," Mr. Dow explained, "and feel they are violating cultural mores if they ask for help."

Mr. Foster said that the Florida State Board of Health has denied the existence of widespread malnutrition in Collier County.

PARASITIC INFECTION CITED

"People are hungry, no one can quibble about that," he insisted. "And there is a tremendously high incidence of parasitic infection."

Last March the state health board issued a report saying that a team of doctors had "closely observed" some migrant children at play or in schools and clinics and that "none had gross signs of malnutrition."

The report said that pellagra, a severe dietary deficiency disease, had been noted but only in "known chronic alcoholics."

In riposte, friends of the migrants released next day the results of clinical examinations of the 23 migrant farm children of Immokalee by the Variety Children's Hospital of Miami.

The sampling uncovered 38 clinical diseases in the 23 children, ranging from pneumonia to worms.

The hospital's executive director, Gerald W. Frawley, described the findings as "rather incredible . . . a most extraordinary morbidity rate" and concluded: "The migrant population must be about the most underprivileged in the nation, at least in terms of medical attention."

In a few weeks Collier County will feel the spotlight of national publicity. The Senate Select Committee on Nutrition and Human Needs is making this county its first stop on a tour of suspected hunger areas.

The committee is seeking information on the failure of the Federal food programs to reach millions of poor Americans.

IRAQI NEWSPAPER DESCRIBED PUBLIC HANGINGS 6 MONTHS BEFORE THEY OCCURRED

Mr. JAVITS. Mr. President, 6 months before the public hangings of alleged Iraqi traitors in Liberation Square in Baghdad and in Basra and 5 months before their arrest, there appeared in an Iraqi newspaper, which has served as a spokesman for the government, an article not only describing the events which were to take place months later but also giving the names of some of the victims. Such an article confirms the suspicion that the trials and the public show executions were rather a premeditated political maneuver on the part of Iraq's rulers seeking to strengthen their position at home.

The article speaks for itself.

I ask unanimous consent to have printed in the RECORD these stories from a newspaper in Baghdad, published on Saturday, August 24, 1968.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

Report on Zionist Activities in Basra—When Will the Spies of Israel Be Executed in Iraq?

The decision to impound the Coca Cola Factories in Iraq was received with great satisfaction by all nationalist circles especially the working class. . . . The decision unveiled a black page from the pages of the deposed regime that used to deal, make pacts and cash in at the expense of the people and their destiny . . .!

The masses of the people demand that the government of the revolution unveil all the black rages of the previous regime . . .!

We want a frank exposure of all merchants of politics!

We want to know the role of the "advisory offices" in Beirut, Baghdad, London and others . . . !

We want the enactment of a law—where did you get this from?

We want to know about the source of money transferred into grand palaces.

We want to know the patrons of clubs, from which agents of American intelligence function . . .!

We want to know the names of those who cover for the spy networks!

We want to identify the names of those who are smuggling Jews out of the country.

We want and we want—

Since we mentioned the "Jews", it is appropriate to copy a portion of the report of our correspondent in connection with the Zionist activities, and I put it at the disposal of the responsible authorities and the people as well . . .!

The report states:

The activities of the Jews and their work for the Zionist cause is going in a hysterical manner, especially after the aggression of the black fifth of June. Meetings are still being held at the home of the one called—Elias, who lives near the Department of Civil Affairs Registration at Ashar, a dealer in construction materials. His house is frequented by—Albert Gareh, Anwar Peres, Naji Zilkha and Abdul-Nabi—(the renowned smuggler) and Ghali the moneychanger and Jack Atrakchi, and Fouad Gabbay. Through the moneychanger and Gabbay, smuggling of Jews, information, and foreign currency is carried out.

Many of these merchants had friendship with source responsible members of the previous regime and with some of the merchants backed by them, I reserve the names of these merchants to whomever asks for it from the loyalist.

All the Jews in Basra have brothers and relatives in Israel and Iran and contact is made with them through certain agents by way of Iran . . . ! One of the most famous Jewish personalities in Basra, a man called Anwar Peress, an import merchant, and a big monopolizer of construction materials. This Peress worked for the Intelligence Service during the second war and after, and was one of the accused in the smuggling of arms in the famous Adas case. He was arrested on several occasions when he was pointed out by Jews arrested while attempting to flee to Iran.

One of the well known persons is Abdul-Nabi who lives in Azizia. He was arrested on several occasions, the last of which, when a fleeing family was captured and confessed on him. He was engaged in smuggling Jews to Israel. This Abdul Nali has a son who is a pilot with the Israeli Air Force, after graduating from the American Air Institute. Who knows, may be this pilot participated in killing our proud and courageous people.

Among them, Ghali Bowkar, a money changer and forger and a well known smuggler whose family had connections with the previous responsible personalities.

He sent his son Fouad to London. After he received his pilot's license, he joined the Israeli Air Force. A few days before the misfortune, this Israeli pilot came in on a foreign passport and a foreign name and engaged in Zionist activities together with his father according to instructions given to them by Israeli Intelligence in West Germany, Holland, Austria and England . . .

Of the Zionist, Yousef Sadka, a television dealer, he was proven to have sold television sets made in Israel. This Sadka had a history full of spying when he worked for British Intelligence while he was an employee of the British Gray-McKenzie Company.

Among them, Zilkha, owner of Zilkha Stores, well known by his strong connection with the leaders of the previous regime. He has already sent all members of his family to Iran. Through this person, hiding of Jews coming from Baghdad to flee to Iran was accomplished. This Zilkha was also active in selling the assets of Jewish fugitives to Israel. He sold one or two pieces of property for 17000 dinars two days before the issuance of orders prohibiting Jews from selling their property. Where did this money go!?

And there is Khethoury Heskel and Saleh Rahmim and others and others.

Revolutionaries of July . . . I put before you these facts which I have previously presented to the old regime with the result, the cover up of Zionism and its networks.

As I put this before you I am waiting with the rest of the nation for the great day when the Israeli spies will be hanged in Liberation Square . . .

I add no more . . !!

SEIZURE OF AMERICAN FISHING BOAT

Mr. MURPHY. Mr. President, I call to the attention of the Senate to another unfortunate chapter in a long series of harassing events that have endangered one of the most important industries in my State—the fishing industry.

A fleet of tuna clippers was fishing off Peru last week. Motor torpedo boats of the Peruvian navy circled in and out and then began firing on two of these ships.

Yet these boats were fishing some 50 miles off the coast of Peru, and to all intents and purposes they were fishing in international waters, which are generally recognized to begin 12 miles or less off the coastline. Some countries in South America, however, claim the boundaries from their coasts begin 200 miles off their shores. The basis for this claim seems to be a speech made during World War II by President Roosevelt in which he said that he would protect the territorial integrity of the American continent if he had to go out 200 miles. It should be remembered, however, that all recent international conferences the great majority of sea-bordering nations have agreed that the territorial sea should not extend beyond 12 miles.

The *San Juan* which was the hardest hit of these vessels put into the port of Salinas, in Ecuador, at the request of our Government, so that the damage might be assessed and the facts surrounding the incident might be ascertained. It was the understanding of the captain of the *San Juan* that once the damage had been assessed and the information gathered, his ship would be permitted to go back to sea and to continue on its course to its home port.

After a meeting between the representatives of the U.S. Government and the port authorities, the captain had been told that he would be permitted to put out to sea again. However, the representatives of the U.S. Government left before the ship departed and the captain of the *San Juan* was told, to his surprise, that he could not take his ship out. At this point, the captain, in desperation, did the only thing he could think of doing. He attempted to leave because he had a catch aboard and it has been customary for Peru and Ecuador to take these ships into port after their catch is on board in that the vessels can keep their refrigerating plants going for only a limited period of time.

The fines levied against these vessels have been large and resulted in a systematic shakedown with which we have been far too patient in the past. I think the position of the United States in the matter of protecting its nationals and its ships—its fishing fleets—in every other matter, including areas in the military, such as the unfortunate incident of the *Pueblo*, should be made clear and distinct. There should be no question as to our feelings and our determination and a firm request for a new assessment of this entire problem and a new set of rules. Our Government should insist immediately on an international convention to determine, once and for all, the borders of the territorial sea, and the contiguous fisheries jurisdiction.

These Latin American countries benefit from our foreign aid, our vessel loans which have actually been used to seize our commercial fishing ships, and the American importation of the fisheries products of these nations. Consequently, it is time for our State Department to decide which of these should be stopped in order to prevent any further recurrences of this type of gunboat diplomacy.

Mr. President, I think the message should be written in the strongest possible terms. I think at long last the Governments of Ecuador, Peru, and Chile should be made to understand that the Government of the United States is going to take a positive and a very firm position in these matters and do everything possible and necessary to protect our fishermen, and to see that these incidents of harassment and international shakedown come to an end.

Further, I believe the President of the United States should instruct the Ambassadors of these nations and our Ambassadors firmly and distinctly that we have a new administration, that there will be new rules, and that there will be protection extended to these people who are down there fishing legally and properly.

I am grateful for the opportunity to bring this matter to the attention of the Senate today. I sincerely hope that Senators will join with me in urging the new administration, the new Secretary of State, and the Department of State, to take a new stance, a firm approach, and to stop vacillating in these matters and to have firmness in regard to the rights of American fishermen and American citizens.

Mr. COOK. Mr. President, would the Senator yield?

Mr. MURPHY. I yield.

Mr. COOK. Is it not true that the *San Juan* proceeded to leave the harbor without paying the fine and was shot at?

Mr. MURPHY. The captain of the *San Juan* found, to his surprise, that his ship was not permitted to leave, because it had been his understanding that if he would go into the harbor and allowed the representatives of the U.S. Government to examine the damage he would be permitted to sail on his way. When he found he was not permitted to leave, he left regardless, and as he was going back to board his ship he was fired upon from the shore by Ecuadorians. He was able to depart and the last report I have is that he was moving toward international waters for the preservation of his ship, the safety of his crew and the catch which is on the boat.

I thank the Senator from Kentucky for his interest in this matter.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. THURMOND. Mr. President, I wish to compliment the able and distinguished Senator from California upon the presentation he has just made to the Senate. I hope the people of this country will learn more about what is happening over the world and the disrespect now being shown, and which has been shown for a number of years, to the citizens of this Nation. I do not feel that the United States should permit many things to happen that have been happening for several years.

Mr. MURPHY. I thank the distinguished Senator. I have been interested in these matters for a long time. Many years ago, when I was in the motion-picture industry, we attempted to make motion pictures in one of the Latin American countries and we experienced the same type of harassment.

We finally took a firm position that unless proper conditions and understandable regulations were written, we could not make motion pictures there any longer.

I think the time has come when we, as the leader of the hemisphere and the entire free world, should make it understood that there must be proper and equitable rules and regulations drawn up that affect all countries that operate in international waters.

I thank the Senator. Mr. President, I yield back the floor.

(At this point Mr. EAGLETON assumed the chair.)

EAST GERMAN RESTRICTIONS ON BERLIN

Mr. THURMOND. Mr. President, the past few days we have all become familiar with the actions of the Soviet-controlled Government of East Germany in placing restrictions upon the free movement of West German citizens to the western sector of Berlin.

These restrictions are openly provocative, particularly in view of our President's own plans to visit West Berlin. Behind the transparent facade of the East German Government is the iron hand of the Soviet Union. No one can pretend that the Government of East Germany is a free agent. The Soviets presently maintain a garrison of 21 divisions of Soviet troops in East Germany, an increase of one since the invasion of Czechoslovakia. Under such circumstances, the actions of East Germany are clearly condoned, perhaps directed and ordered, by the Soviet Union itself. Americans can only view this recent harassment as an overt, concise, calculated attempt to harass both West Germany and the United States.

Although to some it may appear that the United States has no direct interest in these actions since the actions are directed against West German citizens, I would like to refer the attention of this body to the agreement signed between the United States, the Soviet Union, France, and the United Kingdom on May 4, 1949, in New York City, and the further communique issued by the sixth session of the Council of Foreign Ministers in Paris on June 20, 1949. This communique reaffirmed the New York agreement and explained the obligations undertaken by the powers in more detail, as follows:

> In order to promote further the aims set forth in the preceding paragraphs and in order to improve and supplement this and other arrangements and agreements as regards the movements of persons and goods and communications between the Eastern Zone and the Western Zones and between the zones and Berlin, and also in regard to transit, the occupation authorities, each in his own zone, will have an obligation to take the measures necessary to insure the normal functioning and utilization of rail, water and road transport for such movement all persons and goods and such communications by post, telephone, and telegraph.

This agreement, which is still in effect, clearly sets forth the obligation of the Soviet Union to see that no interference is made with the movement of any persons and goods, whether West German or otherwise, in and out of Berlin. Although the East German restriction is aimed at citizens of West Germany, the agreement with the United States clearly guarantees the free movement of these people. It would be a mistake if we allowed the East Germans and the Soviets to get away with this direct affront to international peace and understanding.

According to various reports, the Warsaw Pact forces are holding maneuvers near Berlin in an obvious attempt to escalate the pressure being put upon both West Germany and the United States. There are also reports that the East Germans have made practice attempts in jamming aircraft communications in the area and are planning harrassment of the air corridors.

The Soviets appear to desire to increase the tension at a time when our President is preparing to visit the area and when the whole question of our future relationships with our NATO allies is under close review. The Soviet aim has always been to break up NATO or at least to sow discord among the members of that pact. If they succeed in causing the West Germans or the Americans to relinquish their rights in Berlin, they will cast doubt upon the effectiveness of the NATO powers and they will begin to drive a wedge between West Germany and the rest of the allies.

It would be a mistake, then, to view the Soviet provocations against Berlin as a threat against Berlin itself or even West Germany itself. The rights in question are American rights, subscribed to by a four-power agreement. The West German access is guaranteed by virtue of American rights, not West German rights. The airlines serving West Berlin are the airlines of the United States, Great Britain, and France, not West German airlines. The air rights being threatened, according to newspaper reports, are our rights by virtue of our occupation of that city. Neither the Soviets nor the East Germans have any power to affect those rights unilaterally. In fact, as the agreement I have just referred to states, the Soviets actually have the responsibility to see that rights of access through Soviet East Germany are assured.

In all of our relations with the Soviets at this critical period, we should pay particular attention to the Soviet policies as they are being put into effect this week.

ADJOURNMENT

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 21 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, February 18, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 17, 1969:

Department of the Treasury

Edwin S. Cohen, of Virginia, to be an Assistant Secretary of the Treasury.

Department of Health, Education and Welfare

Creed C. Black, of Illinois, to be an Assistant Secretary of Health, Education, and Welfare.

Department of Labor

Jerome M. Rosow, of New York, to be an Assistant Secretary of Labor.

Department of Transportation

James M. Beggs, of Maryland, to be Under Secretary of Transportation.

James D. Braman, of Washington, to be an Assistant Secretary of Transportation.

Paul W. Cherington, of Massachusetts, to be an Assistant Secretary of Transportation.

Agency for International Development

John A. Hannah, of Michigan, to be Administrator of the Agency for International Development.

Diplomatic and Foreign Service

The following-named person for appointment as a Foreign Service officer of class 1, a consular officer, and a secretary in the diplomatic service of the United States of America:

Robert J. McCloskey, of Maryland.

For appointment as Foreign Service officers of class 2, consular officers, and secretaries in the diplomatic service of the United States of America:

William C. Taylor, of the District of Columbia.

Earle M. Welch, Jr., of Rhode Island.

Now Foreign Service officers of class 3 and secretaries in the diplomatic service, to be also consular officers of the United States of America:

John G. Oliver, of Texas.

Peter J. Peterson, of California.

For appointment as Foreign Service officers of class 3, consular officers, and secretaries in the diplomatic service of the United States of America:

Howard T. Robinson, of the District of Columbia.

Edward B. Whitman, Jr., of Maryland.

Charles R. Wilds, of Maryland.

For appointment as a Foreign Service officer of class 4, a consular officer, and a secretary in the diplomatic service of the United States of America:

Thomas Solitario, of California.

For promotion from Foreign Service officers of class 7 to class 6:

Alvin P. Adams, Jr., of New York.
Wayne R. Appleman, of Wisconsin.
Everett D. Ayer, Jr., of Massachusetts.
Robert W. Beales, of Virginia.
Barry L. Bem, of Colorado.
Miss Dorothy Jean Black, of California.
Albert Peter Burleigh, of California.
Roger J. Daley, of New York.
Miss Martha Ann DeWitt, of Colorado.
William Robert Falkner, of Virginia.
Dennis Finnerty, of New Jersey.
Edward W. Gallagher, of New York.
Keith Patrick Garland, of Illinois.
Ronald D. Godard, of Texas.
Dennis C. Goodman, of the District of Columbia.
Robert J. Gross, of New York.
Richard E. Hecklinger, of New York.
Paul W. Hilburn, Jr., of Texas.
Richard L. Howell, of Florida.
Thomas R. Hutson, of Nebraska.
Stan W. Jorgensen, of Illinois.
Philip S. Kaplan, of California.
Richard R. La Roche, of Rhode Island.
Terry Lee Leitzell, of Pennsylvania.
Alexander T. Liebowitz, of New York.
Jim D. Mark, of Georgia.
Donald J. McConnell, of Ohio.
Miss Marilyn Ann Meyers, of Minnesota.
Stefan Cox Nadzo, of Virginia.
Miss Linda A. Odum, of Tennessee.
Thomas Parker, Jr., of North Carolina.
B. Lynn Pascoe, of New York.
Miles S. Pendleton, Jr., of Massachusetts.
Lee M. Peters, of Pennsylvania.
Charles J. Pitman, of Iowa.
Blaine D. Porter, of Hawaii.
Robert Maxwell Pringle, of Virginia.
John F. Richard, of Connecticut.
Theodore Roosevelt IV, of Pennsylvania.
Jeffrey E. Silver, of New York.
Daniel H. Simpson, of Ohio.
Ronald L. Spaulding, of Washington.
Samuel D. Starrett, of Indiana.
Peter D. Whitney, of Tennessee.
Irving A. Williamson, Jr., of Missouri.

For promotion from Foreign Service information officers of class 7 to class 6:

R. Don Crider, of Florida.
Sherwood H. Demitz, of Michigan.
Karl H. Dixon III, of California.
Dennis D. Donahue, of Indiana.
David D. Grimland, of Texas.
Christopher M. Henze, of California.
Seth Robert Isman, of New York.
Thomas F. Johnson, of New York.
Miss Judith E. Lee, of Louisiana.
Michael D. Love, of Oklahoma.
Larry L. Marshall, of California.
Darryl L. Penner, of Michigan.
Ross E. Petzing, of New Jersey.
Roger S. Russell, Jr., of Pennsylvania.
Donald F. Sheehan, of New York.
Frank C. Strovas, of Colorado.

For promotion from Foreign Service officers of class 8 to class 7:

Timothy Michael Carney, of Nebraska.
Miss Kathleen J. Croom, of Missouri.
Richard D. Cummins, of New York.
Richard Lewis Fenton, of New York.
David P. Garretson, of New York.
David C. Harr, of Illinois.
Richard Dale Kauzlarich, of Illinois.
William J. Lawhorn, of Wisconsin.
George E. Moose, of Colorado.
Eric David Newsom, of California.
Robert C. Reis, Jr., of Missouri.
Basil Scarlis, of the District of Columbia.
Miss Barbara Jane Schrage, of Wisconsin.
James A. Smith, of Ohio.
John W. Solomon, of New York.
Edward Richard Stumpf, of New York.
Garry V. Wenske, of Idaho.

For promotion from Foreign Service information officers of class 8 to class 7:

Miss Beverly H. Brock, of California.
Miss Elizabeth A. Cain, of Pennsylvania.
James W. T. Clarkin, of Rhode Island.
Miss Frances D. Cook, of Florida.
Miss Cynthia J. Fraser, of Texas.
Miss Mary E. Gawronski, of New York.
Miss Gail J. Gulliksen, of Illinois.
Miss Katherine Hashmall, of New York.
Miss Anita Jeanne Heger, of Pennsylvania.
George C. Kinzer, of California.
Miss Katherine Kline, of Ohio.
John J. Morgan, of Indiana.
Eugene A. Nojek, of Illinois.
James C. Pollock, of Pennsylvania.
Andrew D. Schlessinger, of New York.
James E. Smith, of Ohio.
Kenneth A. Yates, of Connecticut.

For appointment as Foreign Service officers of class 7, consular officers, and secretaries in the diplomatic service of the United States of America:

David L. Cahn, of New York.
Taylor Edward Clear, of Virginia.
William H. Dameron III, of Georgia.
Alan W. Eckert, of Virginia.
James W. Eighmie, Jr., of the District of Columbia.
Thomas Howard Gewecke, of Illinois.
Edward W. Gnehm, Jr., of Georgia.
Hugh G. Hamilton, Jr., of Kansas.
Daniel T. Hickey, of Pennsylvania.
Michael R. Jackson, of Washington.
Sandor A. Johnson, of California.
John F. Keane, of New York.
Robert A. MacCallum, of Pennsylvania.
Tain Pendleton Tompkins, of the District of Columbia.
Benjamin Tua, of the District of Columbia.
Colin M. Warnes, of Utah.
Daniel F. Waterman, of New York.
Thomas Gary Weston, of Michigan.

For appointment as Foreign Service information officers of class 7, consular officers, and secretaries in the diplomatic service of the United States of America:

Robin A. Berrington, of Ohio.
Miss Juliette Frydman, of New York.
J. Michael Houlahan, of Iowa.
Don M. Jacobs, of Texas.

For appointment as Foreign Service officers of class 8, consular officers, and secretaries in the diplomatic service of the United States of America:

Christopher G. L. Jones, of the District of Columbia.
William A. Krug, Jr., of California.
Paul M. McGonagle, of Virginia.
David Norman Miller, of Nebraska.
Earl Douglas Weniger, of New York.
Lyn F. Wheeler, of the District of Columbia.

For appointment as Foreign Service information officers of class 8, consular officers, and secretaries in the diplomatic service of the United States of America:

C. Roy Fleming, Jr., of Tennessee.
Miss M. Kathleen Schloeder, of Virginia.

Foreign Service Reserve officers to be consular officers and secretaries in the diplomatic service of the United States of America:

Frank Ahmed, of Massachusetts.
Miss Aurelia E. Brazeal, of Georgia.
Edgar D. Brooke, of Virginia.
Glenn O. Brown, of Illinois.
David L. Cardwell, of Pennsylvania.
Edward S. Chase, Jr., of New Hampshire.
George L. Coale, Jr., of California.
Jerry L. Drew, of Illinois.
Andrzej T. Falkiewicz, of Florida.
Sylvester L. Farrell, of California.
Bernard J. Fennell, of Nebraska.
Robert G. Flershem, of the District of Columbia.
Edward J. Foy, Jr., of Texas.
Miss Janet E. Hall, of Michigan.
Carter H. Hills, of New Jersey.
Theodore G. Hoffman, of Michigan.
Robert W. Ince, of Virginia.
George A. Kulstad, of California.
Lewis J. Lapham, of Maryland.
Donor M. Lion, of Virginia.
W. Barrett McGurn, of New York.
Miss Betty L. Myles, of California.
Alfred H. Neal, Jr., of the District of Columbia.
David A. Peterson, of Maryland.
Jarrel H. Richardson, of Virginia.
Donald C. Rickard, of Colorado.
Wallett Bancroft Rogers, of New York.
William S. Tilney, of California.
Humberto A. Valenzuela, of Arizona.
Edward L. Williams, of New Jersey.

Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

John H. Funari, of Pennsylvania.
Kenneth R. White, of Kentucky.

Foreign Service staff officers to be consular officers of the United States of America:

Abelardo J. Abreu, of Florida.
John B. Barbadoro, Jr., of Massachusetts.
Miss Leila S. Belaval, of Puerto Rico.
Harold M. Buchholz, of Ohio.
Lenard R. Clarke, of Connecticut.
William A. Colwell, of New York.
Stanley C. Douglass, of Indiana.
Irwin Ebenau, of California.
Miss Lucy Fabricatore, of New Jersey.
Miss Loretta Freedman, of the District of Columbia.
Miss Mary I. Gerber, of Ohio.
Miss Naomi M. Gilman, of Florida.
Norman H. Goldman, of Connecticut.
Miss Margaret L. Guise, of the District of Columbia.
Kenneth C. Humborg, of California.
Philip A. Klein, of Virginia.
Miss Frances T. Lide, of Mississippi.
Teodor J. Lopatkiewicz, of Virginia.
Edward E. Martinez, of Texas.
Miss Mary Ann Meysenburg, of Nebraska.
Sueo Morimoto, of Hawaii.
Gerald C. Mull, of Michigan.
Robert Prieto, of Wisconsin.
H. Clarke Rodgers, Jr., of South Carolina.
Jack W. Ronto, of the District of Columbia.
Andres G. Sanchez, of Texas.
Lyle A. van Ravenswaay, of Missouri.
Rudolph R. Weiss, of Minnesota.
Miss Chloe C. Wing, of Washington.
Vincent P. Zavada, of New Jersey.

Office of Emergency Preparedness

James D. O'Connell, of California, to be an Assistant Director of the Office of Emergency Preparedness.

In the Navy

Having designated Rear Adm. Robert L. Townsend, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

Having designated Rear Adm. Vincent P. de Poix, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

The following-named officers of the Naval Reserve for temporary promotion to the grade of rear admiral subject to qualification therefor as provided by law:

LINE

Alban Weber
John B. Johnson
Frederick A. Wiggin
Michael Lorenzo

MEDICAL CORPS

Eugene Cronkite

SUPPLY CORPS

Harland E. Holman

IN THE AIR FORCE

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

To be major (biomedical sciences)

McNeil, John S., 2261734.

To be captain (dental)

Davis, Frederic C., 3113430.

To be first lieutenants (dental)

Arnold, Ralph M., 3142674.
Hedrick, Michael C., 3188182.
Kizzie, Anderson, 3006185.

To be first lieutenant (Judge Advocate)

Arnold, Robert C., 3208777.

The following Air Force officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be majors

Abbott, Dean E., 2225148.
Adams, Glen L., 3004093.
Adams, William R., 2220021.
Addy, Gordon W., 2224537.
Alexander, Robert M., 2234590.
Anderson, Joseph D., 0841523.
Barfield, William M., 1857270.
Beckham, Lewis N., 2249046.
Blain, Wesley G., 2222797.
Bowen, Christopher, 2226290.
Bradfield, Bruce H., 2225510.
Brennan, Joseph T., 2224712.
Bull, Kenneth W., 2223556.
Burroughs, Lorenzo, 2235986.
Buzan, Robert E., 2224722.
Carter, Ray S., Jr., 2226032.
Cesta, Francis G., 2253054.
Chavis, Wilton R., 2226100.
Ching, Kim W., 2237837.
Clark, Charles W., 2093457.
Conner, Ralph L., 2226177.
Davidson, Richard T., 2235461.
Deavers, Glenn W., 2226213.
Devitt, Albert E., Jr., 2247920.
Dishongh, Joe B., 1909902.
Donahoe, John B., 2248338.
Drain, Jack L., 2223942.
Eichler, Frank M., 2227454.
Elvington, Charles L., 2236475.
Fett, Robert W., 2251078.
Fisher, Eugene, Jr., 2219499.
Flecker, James D., 2225593.
Fousel, Kenneth D., 2230028.
Freer, Charles L., 2219506.
Frew, Donald V., 1852701.
Gant, John R., 2225292.
Gisvold, Leigh W., 2215369.
Gosline, Earl S., 0932805.
Graham, Dwight R., Jr., 2224436.
Green, William R., Jr., 2250539.
Hall, Donald C., 2223334.
Hazel, Joe T., 2235852.
Hebert, Joseph P., Jr., 2236199.
Henley, Edgar L., 2224883.
Hienz, Robert J., 2250616.
Higginson, Glenn A., 2079727.
Hillis, Sammy J., 2244670.
Hinton, John M., Jr., 2219538.
Hocken, Robert W., 2225473.
Hoflich, Warren C., Jr., 2066356.
Horton, Joseph P., Jr., 2246547.
Hubbs, Charles H., 2223498.
Iden, David J., 2223039.
Jampsa, Walter C., 2217728.
Jenkins, Jack H., 2220186.
Judy, Jack B., 2234292.
Kagan, Harry, 2253039.
Karalus, Peter H., 3025372.
Keehr, Wallace W., 2223396.
Kelley, Edward W., 2234094.
Kelley, Will G. Jr., 2217378.
Kendrick, Donald E., 2223943.
King, Thomas J., Jr., 2224161.
Knaggs, Nelson S., Jr., 2225297.
Kuethe, Dale E., 2223949.
Kunzman, Betty R., 2220217.
Leake, Stanley E., 1857773.
Leftwich, Dalton L., 2223090.
Leifeste, Harold E., 2219573.
Leong, Lillian L., 2248926.
Lindsey, Harry V., Jr., 2219579.
Littlepage, Thomas M., 2246479.
Long, Thomas C., Jr., 2223342.
Lowman, James K., 2245765.
Luther, Homer G., 2246043.
Lutz, Richard C., 2232493.
MacCallum, Douglas H., 2225792.
Macon, Lawrence H., Jr., 2225793.
Mark, George S., Jr., 2224006.
Martin, Thomas M., 2235772.
May, William H., 2223764.
McGrath, James C., 2224939.
McLean, William W., Jr., 2250073.
Metcalf, John R., 1860999.
Minnix, Joseph C., 3006589.
McLean, William W., Jr., 2250073.
Mooney, Gene A., 2225533.
Morris, John E., 2226942.
Moses, Simon W. C., 2224945.
Mulcahy, William E., Jr., 2080048.
Murphy, John F., Jr., 2246667.
Myers, James G., 0841478.
Ukihiro, George, 2229888.
Petkosek, John R., Jr., 2224797.
Pierce, Charles D., 2222967.
Polhemus, Robert A., 2238115.
Potter, John W., 0842139.
Powell, Alton W., 2248910.
Pulliam, David L., 2223779.
Pulse, Paul F. II, 2247745.
Railey, Douglas J., 1864273.
Ratiana, Nicholas, 2225252.
Richards, George C., 2226496.
Roach Robert W. Jr., 2000356.
Ryan, Joseph C., 2231817.
Semmler, Paul F., 2224764.
Shewmaker, Horace W., 2224618.
Stanley, Thomas M., 2226006.
Strain, Charles R., 2245653.
Stripling, Grady O., 2222464.
Thomas, Audrey E., 2250793.
Thomas, Richard C., 2248994.
Tiernan, Edward V., 2229180.
Voss, John E. Jr., 2224802.
Wade, William L., 2225720.
Walen, Loyd A., 2222988.
Wall, John W., 2225979.
Watkins, Marion W., 1860549.
Watson, Jake G., 2206523.
White, Richard E., 2226209.
Whitney, Gerald G., 2225895.
Wickstrom, Thomas L., 1860833.
Williams, Larry D., 2226210.
Williamson, Richard E., 2220008.
Willingham, Letha P., 1910677.
Wilson, Richard K., 2237041.
Woodward, David, 1911896.
Woolard, William H., 2215733.
Woolverton, Alton L., 2225367.
Wuest, Willys D., 2249202.
Zillmer, David A., 2225338.
Zuspann, Norman D., 2225987.

To be captains

Achey, Dale A., 3115625.
Adams, William B. Jr., 3086524.
Allenberg, James P., 3117513.
Armbruster, Kermit L., 3082210.
Arnold, Wilson T., 3109227.
Bach, John J., III, 3117472.
Bakunas, Darius V., 3118001.
Bauman, Roger A., 3118021.
Bennett, William G., 3119317.
Berger, James R., 3119242.
Bergmann, Richard G., 3108621.
Bilsbury, Stephen J., 3104611.
Bilton, Bertran W., 3121030.
Blohm, James C., 3118077.
Brown, Carl D., 3109711.
Buehrig, Richard H., 3121205.
Carr, John P., 3060752.
Cobb, Harold E., 1904359.
Cole, Ernest L., 3116116.
Collins, Walter A., 3098794.
Combs, James C., 3101055.
Compton, James R., 3117154.
Coon, Wayne H., 3099668.
Cox, Beula L., 3082193.
Daniels, Thomas F., 3117253.
Davis, A. D., Jr., 3105823.
Davis, Dennis O., 3117156.
Davis, Forrest W., 3106174.
Davis, Norman E., 3081586.
Davis, Thomas H., 3085277.
Dely, Robert E., 3116520.
Donnelly, Raymond H., 3117655.
Dougher, Joseph, 3087915.
Drust, Leroy T., 3121237.
Erni, Walter A., 3081538.
Ferguson, Joseph F., Jr., 3121246.
Fey, Leslie R., 3117662.
Forgey, Dennis A., 3117980.
Frederick, Alva J., 3117664.
Garrett, Doris G., 3060552.
Gay, Teddy, 3101077.
Gibeau, Edward J., 3085098.
Goff, Gerald G., 3081925.
Guinn, Robert H., 3057114.
Handrock, Robert F., 3117063.
Hargrove, Wilbur H., 3117269.
Hassell, Joel A., 3115840.
Hawkins, Richard C., 3081496.
Heim, Robert L., 3120411.
Horton, William R., Jr., 3041412.
Hover, Fred W., 3116738.
Hudson, Robert W., 3115408.
Johnson, Jay A., 3117180.
Keating, Eddie J., 3081758.
Kennedy, George E., 3115850.
Kielcheski, Carlin J., 3071448.
Lampkin, John A., 3115856.
Legg, John F., 3081807.
Lennon, Frank J., 3041547.
McLaughlin, John R., 3109408.
McMurphy, Boyce D., 3074537.
Miller, Merle H. J., 3118057.
Miller, Robert J., 3115627.
Mitchell, Robert W., 3021242.
Moore, Jack L., Jr., 3081368.
Morton, William W., 3050205.
Munsey, Norman D., 3081420.
Nichols, Joseph P., 3070097.
Nylin, Roger E., 3082080.
Oliver, Royce E., Jr., 3081448.
Oswald, Francis L., 3100974.
Potter, William J., Jr., 3117205.
Powers, Maurice A., 3056376.
Randel, Gene A., 3101464.
Ratliff, Donald K., 3004531.
Rice Thomas J., Sr., 3116788.
Robb, Claude A., Jr., 3105680.
Rodriguez, Paul E., 3084356.
Roe, Jerry D., 3072198.
Romaine, William A., 3017896.
Roeder, David S., 3105250.
Schanzenbach, Walter, 3117618.
Sessions, Jerry L., 3083954.
Sfameni, Peter E., 3118181.
Simmons, James H., 3056350.
Sine, Riley, 3117836.
Smith, Newbern D., 3118304.
Sollinger, Richard L., 1910946.
Sullivan, James H., 3117336.
Sutherland, Alexander C., 3016860.
Thomas, Cecil W., 3117846.
Thomas Donald C., Jr., 2221865.
Thompson, Vincent B., 3025242.
Trimble, Rodney L., 3082206.
Vanderneck, Gustave R., 3118305.
Walker, Harry W., 3082017.
Waltonen, Wallie W., 1910203.
Welborn, Lawrence B., 3117630.
Wells, Bruce J., 3118363.
Wolff, Warren A., 3086645.
Wonderly, Paul C., 3117947.

To be first lieutenants

McKinnon, John W., 3118053.
Meiley, Emery G., 3121125.

Ross Jon W., 3116308.
Sewell, Gayle W., 3118271.
Smith, Breckinridge S., 3118086.

The following distinguished graduates of the Air Force Officer Training School for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Alderman, Gary L., 3227608.
Beck, Gary W., 3226622.
Boucher, John N., 3227546.
Buechler, Ralph L., 3226603.
Carmichael, Douglas D., 3227623.
Collins, Fredric R., 3225270.
Connell, Stanley E., 3226408.
Crawley, Glenn S., 3226887.
Deane, Robert A., 3226943.
Diggle, David W., 3227347.
Dixon, Charles J., 3227662.
Doherty, James E., 3225277.
Dyer, William B., 3226967.
Fanelli, Edward V., Jr., 3239451.
Farmer, William D., 3225282.
Ferris, Bruce D., 3225283.
Ford, James G., 3226598.
Fraley, Theodore R. E., 3225286.
Gilbert, James M., III, 3227488.
Gregory, Ernest, Jr., 3227539.
Griffis, Stanley D., 3225289.
Grubb, John G., Jr., 3227453.
Haller, Ralph S., 3225298.
Harper, John E., 3225295.
Hemminger, Eugene W., 3225297.
Henderson, Melvin J., 3227743.
Herod, Patrick L., 3225298.
Hodges, Harry N., Jr., 3225299.
Hohberger, Todd H., 3226999.
Hussey, Charles T., 3227643.
Ines, Victor D., 3227369.
Kulling, Frank A., 3239319.
Lang, Benjamin G., 3227490.
Lindsly, Lewis G., 3227566.
Long, Trecia A., 3239323.
Lundy, Wilson T., Jr., 3239324.
Masters, Russell M., Jr., 3239327.
McGrath, Stephen G., 3239334.
McLaughlin, Thomas M., 3226448.
McLean, Jimmy L., 3239418.
Menz, Manfred, 3239336.
O'Brien, Donald C., 3227426.
O'Leary, John G., Jr., 3227438.
Owen, Earl C., III, 3226639.
Parsons, Wade H., 3226963.
Piller, Steven J., 3226467.
Quintana, Richard P., 3239348.
Radley, Roger J., Jr., 3239350.
Raguskus, Andrew G., 3226998.
Ramsey, Frank P., Jr., 3239351.
Reynolds, Peter T., 3226885.
Samanie, Donald P., Jr., 3227563.
Sears, Joel L., 3239362.
See, Henry S., 3227676.
Shope, James D., 3239364.
Siler, Larry G., 3239365.
Starr, Gerald A., 3239371.
Stewart, Cameron R., 3226919.
Stolee, Eric M., 3239378.
Thoma, Merline A., 3227783.
Thompson, Samuel B., 3239381.
Tomlins, Frederick L., 3226612.
Tootle, Alvin E., Jr., 3227705.
Wagner, Daniel J., 3239387.
Wheeler, William H. G., 3226959.
Willett, Richard D., 3239424.
Williams, Edward M., Jr., 3227517.
Williams, Walter E., 3226418.
Wood, Gary E., 3227524.

Subject to medical qualification and subject to designation as distinguished graduates, the following students of the Air Force Reserve Officer Training Corps for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 2106, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Ambrose, Ralph T., Jr.
Andersen, Albert E., Jr.
Anderson, Timothy L.
Ansell, Lee V.
Atkinson, Robert H.
Bagley, Ronald L.
Barron, Patrick I.
Barter, Stephen H.
Basha, Leroy C.
Black, Larry W.
Blackburn, Richard S.
Bolton, Claude M., Jr.
Bostick, Robert A., Jr.
Bowman, David W.
Boyd, Edward J.
Brick, Jon C.
Bussian, Donald J.
Bustle, Daniel G.
Calderon, Daniel A.
Carlson, Alan S.
Certain, Robert G.
Chapman, John F.
Cheney, Brian A.
Cherry, Maurice L.
Cimino, John J.
Cinibulk, Robert, Jr.
Coleman, Billy K.
Coleman, Leland J.
Corbett, Charles E., Jr.
Crawley, Alfred L.
Crowe, John B.
Dailey, Garrett C.
Davis, John A.
Day, Thomas E.
Demott, Dale A.
Detwiler, Gene C.
Dolan, Kenneth H.
Downing, Jeffrey N.
Draggoo, Thomas E.
Durant, Howard R.
Eastman, Warren L.
Elmore, Ashby D.
Elstun, Roger E.
Emory, Steven R.
Fanning, Arthur E.
Fee, Darrell C.
Fiumara. Henrv
Foley, Robert J.
Franklin, Alan R.
Fuller, Rex L., III
Garrett, Roger G.
Gieleghem, Thomas A.
Gray, Leland A.
Gushwa, Dean A.
Gutierrez, Hector, Jr.
Haggard, Freddy M.
Hamilton, Donald E.
Hammond, Paul G.
Hankerson, Kenneth L., Jr.
Heckathorn, William G.
Hee, Patrick Y. W.
Henneke, David O.
Herrelko, David A.
Herron, Randall A.
Hightower, Charles D.
Hill, Larry A.
Hofer, George E.
Hope, Oscar C., III
Humpherys, Thomas W.
Jackson, Phillip L.
Johann, Donald F.
Johnson, Raymond P.
Johnson, Ronald H.
Jordan, John A.
Keesee, Orville W.
Kiemele, Mark J.
Kopelke, Lee W.
Kunciw, Bohdan G.
Lamb, Douglas G.
Lichtenberg, Byron K.
Lundell, Edward A.
Maddox, Stephen B.
Maguire, Thomas P., Jr.
Mallamo, Arthur J., Jr.
Martin, Thomas A., III
Mazzeo, George C.
McGee, Robert A.
McMillian, William H.
McNeese, Larry B.
Meadors, William P., II
Mercer, Harold G.
Merrell, Richard L.
Miller, William L.
Morey, Richard J.
Murphy, Danield O.
Odgers, Karl J.
Oliver, Dale H.
O'Neill, Michael E.
Osborn, David B.
Parris, Keith R.
Parry, Alan J.
Passmore, Robert D.
Pearson, Steve H.
Perry, Keye E.
Peterschmidt, David C.
Phillips, William M. F.
Policinski, Thomas P.
Powell, David L.
Powell, Ronald G.
Racey, Frederick W.
Rather, Stephen H.
Raymond, Victor P.
Reece, Roger P.
Reynolds, Thomas J., II
Richardson, James F.
Ritchie, Lynn V.
Rouse, David L.
Rudolph, Gregory W.
Schott, Marvin A.
Schutz, Pierre M.,
Silvey, Charles D., Jr.
Slusher, George C.
Smith, Kenneth M.
Smith, Larry J.
Stewart, William G.
Stimer, Richard R., Jr.
Streater, Donald A.
Talbot, Terry R.
Tippett, Floyd S., Jr.
Troyer, David M.
Vogt, Donald A.
Vonkaenel, Larry E.
Ward, Milton R.
Weir, Ted R.
Whipps, Daniel W.
White, Charles M.
Wildung, Kenneth L.
Williams, Roosevelt L.
Willke, Ronald S.
Wills, Gary M.
Winkler, William J.
Wittish, Richard W.
Wright, Keith C.
Young, Walter W., Jr.

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, section 3284 and 3305.

To be colonels

Adams, Claude M., O50251.
Adams, Dwight L., O36323.
Adams, Edwin C., O38212.
Adamson, James B., O26935.
Ahrenholz, Albert F., O80534.
Akers, Walter W., O80535.
Alexander, Arnold W., O45089.
Allan, Robert H., O38070.
Andreoli, Robert L., O41181.
Andrews, George H., O79726.
Applegate, William, O80542.
Archer, Robert E., O38344.
Ardery, Edward R., O25503.
Ashline, Carl, O84340.
Aykroyd, Albert W., O35069.
Baber, Roy L., Jr., O27046.
Bahrich, Garry A., O50188.
Bakewell, Arthur L., O50241.
Barfoot, Van T., O38209.
Barker, John P., O41273.
Barnes, Joseph P., O26501.
Barrett, Raymond D., O50048.
Bauknight, George W., O80559.
Beam, Wilmer M., O50221.
Bellino, Joe O., Jr., O41047.
Benckart, Robert G., O49838.
Benge, Charles J., O80568.
Bennett, James G., O84543.
Bercaw, Roger M., O79738.
Berger, Casper, O41052.
Betchtel, Robert W., O38218.
Bethea, Ned R., O47132.
Beuke, Henry A., O90486.
Beyer, Richard A., O38263.
Blaha, Charles R., Jr., O38245.
Blaikie, John W., O81889.
Blanchard, George S., O26737.
Boardman, William M., O79745.
Boesch, Eugene F., O79746.
Boller, Quellen D., O26050.
Botchin, Philip, O80594.
Bowers, Verne L., O81962.
Bowman, Joseph C., O80597.
Brady, Walter, O80602.
Brake, Ralph W., O35708.
Brandenburg, William, O38080.
Brant, William A., O80604.
Braun, Gustav J., Jr., O38191.
Bressler, Howard E., O40967.
Brinnon, William H., O55931.
Brinson, Arthur, O47740.
Brown, Charles H., O49617.
Brown, George B., Jr., O26623.
Brown, Royal B., O80050.
Bruno, Nicholas J., O84346.
Buchanan, James, Jr., O80052.
Bullard, Robert H., O55817.
Burkholder, James B., O79762.
Burley, Roy W., O56351.
Burr, William E., II, O26597.
Buto, Junichi, O80287.
Buzalski, Ernest A., O25906.
Buzzett, Harry A., O26683.
Cabell, Derosey C., O26902.
Cahill, James P, O89039.
Callahan, Leslie G., O26704.
Campbell, Hubert S., O50154.
Campbell, James W., O80635.
Canham, Robert C., 38192.
Capka, Jerry G., O26573.
Carley, John W., O26571.
Carraway, Joseph G., O50012.
Carter, Doniphan, O26907.
Cash, Carl V., O76857.
Cassidy, John A., O84351.
Caton, June C., O38074.
Caudell, Louis, O80646.
Cellucci, Loreto, O80648.
Chamblee, John J., O79770.
Cheek, Leon B., Jr., O80650.
Christin, Charles A., O80383.
Church, Charlie R., O80654.
Clark, Charles R., O39443.
Clifford, John W., O80384.
Cline, Charles L., O36543.
Coberly, James E., O41275.
Coburn, Dick, O80662.
Cody, Robert L., O55980.
Coe, Joseph P., Jr., O50217.
Coleman, Bernard H., 38243.
Condit, Ross R., Jr., O80061.
Connell, James M., O26700.
Cooch, Francis A., O26712.
Cook, Woodrow W., O80389.
Cooper, Kenneth B., O26476.
Cooper, Walter H., O84354.
Cowherd, Robert M., O26932.
Crain, Charles L., O80680.
Cranford, Jack, O80682.
Creel, Buckner M., O39447.
Cronin, Eugene S., O39070.
Crouch, Floyd W., Jr., O56355.
Cullen, John J., O84357.
Curington, Russell, O56170.

Cushman, John H., O26483.
Cutrona, Joseph F. H., O26655.
Cyr, Clarence W., O26753.
Dallinga, Hyrum, O80685.
Dalton, Elvin, O80687.
Daly, Robert C., O26707.
Darden, Harry L., O80067.
Dart, Robert C., O26552.
Daub, David L., O80068.
Davis, Frank B., O80691.
Davis, Gerald W., O99814.
Dayton, Kenneth G., O80692.
De Arment, Harold G., O26617.
De Graff, Andrew J., O26696.
Dean, William L., O84358.
Decker, Edwin R., O26510.
Deeter, Chalmer L., O26822.
Denman, Dale, Jr., O26691.
Desmond, John B., O26627.
Devine, James E., O39442.
Di Silvio, Armond, O26817.
Dickson, Herbert F., O39446.
Dinkins, Holly W., O80072.
Dodson, Arthur W., O80710.
Donaghey, James C., O80399.
Donaldson, John W., O26637.
Dooley, Edward M., O38168.
Dougherty, Joseph F., O55921.
Downie, John W., O80717.
Drake, Robert E., O26621.
Dufault, Robert C., O80074.
Duncan, Carl R., O38140.
Dunn, Richard J., Jr., O80726.
Dunson, Noble H., O84841.
Durbon, Roy C., O37219.
Durham, James T., O80728.
Duttweiler, Oscar E., O26908.
Emley, Paul C., O26909.
Epp, Orlando C., O84362.
Erlenkotter, Richard, O26507.
Evans, John M., O39493.
Everett, Frank G., Jr., O56290.
Ewing, James W., O80079.
Fair, Robert L., O38357.
Felder, Louis F., O38343.
Ferrell, Odel P., O80080.
Fierke, Alfred H., O80081.
Finnegan, John B., O79812.
Fischer, Leonard J., O80757.
Fisher, Paul M., O80759.
Fleck, Harold J., O80760.
Ford, Clifford H., O80766.
Forsyth, George E., O80768.
Fraser, Ronald F., O84363.
Freda, James J., O84550.
Freeman, Herman O., O80775.
Fritz, William H., O25620.
Fry, Ernest M., O48666.
Gardner, Ralph V., O39236.
Garrett, O. G., O80783.
Genger, Edward P., O79823.
Gentleman, Robert W., O50006.
Gephart, John W., O38069.
Giamario, Theodore, O80090.
Gibson, Harold B., Jr., O38340.
Gill, Bryan E., Jr., O56005.
Gist, William W., III, O38275.
Glaser, Robert D., O80792.
Goodman, Paul, O81902.
Gorwitz, Bertram K., O80092.
Goss, Donald F., O80801.
Grace, Henry A., O26714.
Graham, William B., O26509.
Grant, Philip S., O26837.
Graves, Ernest, Jr., O26473.
Graves, William F., O49828.
Gregory, William A., OF104433.
Grimland, Neal G., O76880.
Gruenther, Donald A., O26528.
Gwynn, John E., O80818.
Haar, Herbert R., Jr., A49842.
Hackwood, Arthur W., O36109.
Haen, Clifford L., O80822.
Hall, John B., O79837.
Hallanan, George H., O80828.
Ham, William W., Jr., O56183.
Hamilton, Robert B., O80831.
Harper, Wilson C., O26663.
Harris, Douglas L., O26763.
Harris, Earl D., O80839.
Harris, Walter R., O26585.
Harris, William T., O87778.
Hartley, C. W., Jr., O87530.
Hartline, John D., O80845.
Hayward, Harold I., O26755.
Heaser, William J., O49892.
Henderson, Oran K., O84369.
Henion, John Q., O38206.
Hennessey, John J., O26793.
Hesser, William F., O80105.
Hicks, Orman E., O50224.
Higgins, Robert F., O80865.
Hochmuth, Milton S., O55986.
Hodges, Warren D., O37869.
Hoffman, Robert L., O80873.
Hollister, Robert L., O56296.
Horneij, Edwin D., O80108.
Hospelhorn, Cecil W., O50222.
Howland, John S., O26589.
Hoy, Thomas H., O38207.
Huber, Robert E., O50219.
Humma, William J., O26861.
Hurow, Arthur, O84372.
Hutter, Dean E., O38210.
Hyman, Arthur S., O26774.
Ice, Jack C., O79865.
Illston, William G., O80895.
Ingham, Frederick L., O37681.
Irvine, James, Jr., O26495.
Jackson, Harry H., O55516.
Jackson, Robert J., O76840.
Jackson, Saul A., O26636.
Jacobs, Bruce M., O80903.
Jenkins, Paul W., O80114.
Jepson, Warren H., O38216.
Johnson, Frederic E., O35885.
Johnson, Ivan H., O87804.
Johnson, William F., O38325.
Kajencki, Francis C., O25582.
Kantz, Robert J., O80921.
Karnes, Howard L., O36515.
Kaufmann, Paul R., O36377.
Keezell, David B., O56136.
Kelley, Charles L., O50168.
Kennedy, Arthur H., O39300.
Keown, James L., O36528.
Kessler, Herman E., O55898.
Ketcham, Donald T., O84377.
Kettelhut, Marvin C., O84378.
Kettler, Jack F., O50003.
Killian, John J., O33502.
Kinnard, Leo D., O26736.
Kirshrot, Isidor J., O84379.
Kissinger, Harold A., O39445.
Kjellstrom, John A., O38252.
Klaver, Clarence A., O80943.
Klekas, Louis J., O54888.
Knuepfer, Dieter C., O89081.
Kolankiewicz, Charles, O79880.
Kreil, William P., O84554.
Kroesen, Frederick, O50095.
Kuffner, John E., O25602.
Kurkjian, George A., O84380.
Ladd, Harley W., O53512.
Ladson, Robert N., O80953.
Langham, Dwight W., O80437.
Lansford, Jack P., O80956.
Latimer, Harry D., O38320.
Le Van, C. J., O38124.
Leonard, William B., O80132.
Lerch, Archer L., Jr., O26735.
Lindell, Rodney W., O26719.
Lindstrand, Nelson, O80135.
Linn, Herschel E., O84556.
Livingston, Curtis, O84384.
Livingston, Douglas, O80137.
Long, Louis E., O90375.
Lopez, Leonard F., O56311.
Lowe, Thomas A., O49826.
Lowry, Walter C., Jr., O37959.
Lucas, John G., O79902.
Luckey, James P., O80138.
MacDonald, Alan, O80140.
MacKechnie, Theodore, O38287.
Macidull, Joseph C., O85109.
Mahin, Frank C., Jr., O26489.
Malkemes, William C., O41223.
Maltese, Edward V., O84387.
Marks, Joseph W., O81007.
Marschhausen, John, O84843.
Marshall, Arthur R., O26584.
Martin, Doyne K., O81014.
Martin, Stephen G., O41261.
Mason, Anthony, O89358.
Matte, Robert G., O56106.
May, Billy J., O84558.
Mayhall, John O., O65744.
McAuliffe, Dennis, O26609.
McCaffrey, John E., O79916.
McCaffrey, William, O84388.
McCarren, Edwin J., O50214.
McClary, William T., O80145.
McConnell, Donald, O81027.
McConnell, Donald, O80146.
McDonald, Thomas J., O39437.
McDonald, William, O84390.
McFadden, Charles, O50045.
McFarland, B. J., O85110.
McGinnis, Eugene J., O84393.
McGuire, James M., O84394.
McGuire, Thomas J., O26733.
McGurk, Donald J., O48078.
McKeen, Chester M., O49816.
McKeever, Bernard, O26789.
McKenna, James O., O38369.
McKinnis, Charles, O80148.
McLellan William, O84559.
McMillan William, O54971.
McSoley, George F., O37677.
Meares, Edward D., O56013.
Mellen, Thomas W., O80150.
Melloh, James L., O84398.
Mendelson, Sheldon, O79926.
Mendenhall, Francis, O38303.
Merrick, Thomas L., O37132.
Metz, Robert G., Sr., O49890.
Metzler, Howard C., O26521.
Milburn, Earl P., O48727.
Miles, Charles E., Jr., O55717.
Miller, Donald E., O81050.
Millington, Edgar N., O26759.
Mills, Edgar F., O81056.
Molloy, Cornelius J., O26792.
Moon, Franklin B., O26511.
Moore, Frank E., Jr., O26865.
Moore, Robert K., O81069.
Moore, Thomas E., Jr., O26615.
Morey, Galen C., O84562.
Morris, Robert C., O81075.
Moss, Felix R., O49876.
Moulis, Wallace J., O26863.
Mullen, William C. F., O55926.
Mumford, Elmer S., O88450.
Munt, Francis R., O81081.
Murdock, Eugene J., OF104502.
Murphy, Robert H., O26650.
Murray, John E., O84401.
Naughton, Francis E., O81086.
Neal, William D., Jr., O84402.
Neilond, Patrick M., O26616.
Nelson, William J., O26572.
Newton, Cleon H., O80154.
Nicholson, James E., O80155.
Nicholson, Tom M., O81090.
Norman, William S., O50071.
Norwood, Roger M., O84404.
O'Brien, James K., O26535.
O'Donnell, Edwin T., O26527.
O'Donohue, Thomas J., O81102.
Okier, Oliver E., O50039.
Olin, Warren S., O84406.
Oliver, George S., O81105.
Olney, Gregory L., O38142.
Olszewski, Walter J., O81109.
Orchel, Stanley, O81110.
Orr, Lawrence E., Jr., O81112.
Osborne, Lloyd A., O38123.
Ott, David E., O26522.
Owings, James B., O41254.
Pahl, Irving C., O80470.
Pappas, George S., O26787.
Parker, Burton F., O55932.
Parker, Woodrow W., O81122.
Parson, Nels A., Jr., O26713.
Patterson, James H., O76905.
Patton, Oliver B., O26747.
Pearce, Robert M., O26721.
Pelland, James G., O38286.
Perna, Leonard P., O84409.
Perry, Eugene M., Jr., O56272.
Peterson, Carl L., Jr., O26692.
Peterson, John T., O26901.
Peterson, Palmer A., O81133.

Pettigrew, Dee W., Jr., 26717.
Pickell, George W., O81138.
Pierce, Gardner T., O81922.
Pierce, John R., Jr., O38381.
Pittenger, Edwin C., O38378.
Pitts, Kern P., O26718.
Potter, Jack C., O81147.
Powers, John F., Jr., O38350.
Powers, Joseph W., O50190.
Presley, Lemuel I., O50254.
Pye, William S., O81155.
Rafert, Walter E., O27044.
Raleigh, Edward C., O81159.
Ramos, Francisco J., O50174.
Rateau, Munro A., O81162.
Reed, Gilbert R., Jr., O80480.
Reid, Robert D., O35712.
Reidenbaugh, Charles, O81170.
Revolinsky, Philip, O50139.
Rich, Robert E., O50002.
Richards, Howard W., O26689.
Richards, Robert H., O47545.
Richmond, Allen P., O50068.
Robbins, George B., O50176.
Robbins, Robert A., O35780.
Robbins, Vernon E., O26871.
Rodgers, Otis H., O50049.
Roller, Thomas A., O56153.
Rosell, Thomas G., O41294.
Sadove, Aaron S., O81197.
Samuel, Robert W., O26723.
Sanders, Frederick, O81200.
Sanders, Joseph L., O81925.
Sanders, Roy A., O25612.
Sayes, Thomas H., O84569.
Sayre, Gordon E., O79988.
Scanlon, William E., O81203.
Scherberger, Richard, O81204.
Scherer, Charles R., O84420.
Schoomaker, Fred B., O38249.
Sciolla, Ralph A., O26628.
Scott, George A., Jr., O38310.
Scott, Winfield S., O26697.
Selton, Robert W., O26678.
Senechal, Jack F., O56382.
Shadle, Charles M., O41182.
Shanklin, John D., O84571.
Sharp, Sam H., O54968.
Shealy, Carroll D., O79993.
Shemwell, Elwood H., O56066.
Sheppard, Byron E., O39353.
Sheppard, Orval H., O81215.
Sheriff, Herman W., O81216.
Silver, Benjamin S., O39427.
Silver, David L., Jr., O26919.
Siska, John R., O38289.
Skaggs, Joseph E., O84423.
Smith, Albert C., Jr., O50121.
Smith, James C., O38314.
Smith, Jeffrey G., O39417.
Smith, Ray H., O49768.
Smith, Robert A., O26679.
Smith, Robert M., O39408.
Snow, Beverly C., Jr., O26499.
Sollosi, John S., O81246.
Spires, George H., Jr., O81250.
Stahelski, Anthony, O81254.
Standish, Myles E., O80193.
Stanfiel, Charles A., O84426.
Stanley, Spencer G., O38301.
Starr, John B., O81258.
Staser, Bruce I., O26842.
Steel, Charles L., Jr., O26546.
Stevens, Kenneth T., O36203.
Strock, Robert D., O50098.
Sullivan, John S., Jr., O26904.
Tabor, Harry E., O81273.
Tarnell, Benedict A., O81275.
Tarpley, Thomas M., O26827.
Taylor, Thomas A., Jr., O80014.
Tharp, Charles D., O90371.
Them, Eugene F., O84431.
Thomas, Gordon F., O81284.
Thomas, Joseph A., O80017.
Tichenor, John F., O80501.
Tjossem, Oliver P., O80502.
Toffler, Alan R., O38037.
Tompkins, Charles H., 80503.
Tootle, Vernon M., O41287.
Toppin, Joseph D., O81297.
Treadwell, Jack L., O38163.
Truman, Corbie R., O26883.
Valenstein, Earle L., O50040.
Van Atten, William, O38274.
Van Lydegraf, Dean, O49667.
Vance, Wendell W., O55895.
Venables, Joseph E., O84437.
Walts, Charles C., Jr., O82118.
Wamsted, Leland D., O50179.
Ware, Richard S., Jr., O26688.
Wear, George E., O26783.
Weaver, Maurice S., O50094.
Wessels, Robert R., O26630.
Weston, John M., Jr., O81328.
Weyant, Wallace W., O39461.
Whalen, Donald E., O81329.
Whitesides, Bruce M., O49707.
Whitlock, Charles T., O81334.
Wilson, Albert F., Jr., O81342.
Wilson, Roy L., O81346.
Wilson, Samuel V., O36566.
Winton, Marshal C., O84443.
Young, Mason J., Jr., O26603.

To be colonels, Chaplain

Benner, Herman N., O76789.
Walsh, Emmett L., O87655.

To be colonels, Women's Army Corps

Bailey, Mildred C., L281.
Branch, Elizabeth H., L147.
Guyette, Mary J., L183.
Hoisington, Elizabeth, L164.
Kehrer, Marie, L263.
Michl, Maxene B., L173.
Yoniack, Frances M., L157.

To be colonels, Medical Corps

Amos, James D., O57990.
Austin, James A., O65571.
Bach, Sven A., O31319.
Baker, Stewart L., Jr., O57547.
Beck, Marcus R., O60043.
Belaval, Gustavo S., O71902.
Bernstein, Robert, O60025.
Biehusen, Frederick, O58038.
Blohm, Raymond W., Jr., 057559.
Boysen, Alexander M., O59612.
Bres, Edward C., Jr., O61178.
Buescher, Edward L., O60050.
Caldwell, Samuel W., O63714.
Champlin, Gerald A., O60046.
Chandler, Bruce F., O59613.
Cohen, Arthur, O65412.
Cole, Norman J., O58028.
Conte, Nicholas F., O62905.
Coppedge, Richard L., OF110635.
Cowley, Ray G., O57992.
Daniels, Roswell G., O60058.
Fancy, Henry F., O59523.
Fried, Julian J., O72873.
Gallup, Samuel C., O57019.
Gamble, Robert D., O59694.
Gardner, Henry S., O77849.
Greene, Calvin E., O97911.
Griffin, Herschel E., O65676.
Hall, Robert J., O59628.
Hall, Robert M., O64929.
Hamilton, George B., O60143.
Hansen, James L., O57011.
Hedberg, Charles L., O59566.
Hemphill, James E., O63779.
House, Royce E., O81846.
Howie, Donald L., O60756.
Hurd, Harry F., O59587.
Jackson, Lawrence M., O59443.
Jesseman, Winston C., O60060.
Johnston, Edward H., O59536.
Juel, Roger A., O58193.
Kielman, Edmund R., O85428.
Kraul, Charles W., O61935.
Lewis, Evan L., O58205.
MacDonald, William, O63215.
Maldonado, Leonard, O63475.
McCurdy, Harry W., O60016.
Mendenhall, Max K., O76385.
Meriwether, William, O65572.
Meroney, William H., O57010.
Moore, Charles A., O59584.
Moser, Robert H., O59597.
Nelson, Thomas G., O64933.
Peczenik, Alois, O61181.
Peyton, Alton B., OF106205.
Pillsbury, Robert D., O52054.
Pixley, Charles C., O57841.
Plough, Irvin C., O57055.
Porter, Warren E., O58046.
Pratt, Daniel W., O89129.
Reid, Spencer B., O64924.
Robbins, Thomas L., O57551.
Rosegay, Harold, O58766.
Ross, Richard H., O73246.
Scott, Norman M., Jr., O57569.
Sharp, John H., O59619.
Sieber, Paul E., O58707.
Taylor, Richard R., O62785.
Terrill, Arthur A., O59594.
Teschan, Paul E., O59604.
Throm, Urban L., II, O26465.
Tiffany, William J., O65417.
Umlauf, Harry J., Jr., O58198.
Vivona, Stefano, O63717.
Whelan, Thomas J., Jr., O59531.

To be colonels, Dental Corps

Alling, Charles C., O56253.
Arbuckle, Robert B., O52078.
Baranowski, Leo F., O56210.
Baze, Wallace R., O73985.
Chandler, John R., Jr., O56983.
Di Joseph, Benjamin, O88657.
Hill, James J., O63778.
House, Ernest E., O63720.
Kepper, John C., O52066.
Konze, Charlie F., O59448.
Lancaster, Carolus, O62902.
Margetis, Peter M., O57047.
McCall, Howard W., O57541.
Monahan, James L., O74020.
Moody, Ashton A., O57826.
Pollock, Jack P., O62909.
Rowland, Robert B., O63781.
Schreiber, Leonard, O60734.
Schroeder, Charles, O63783.
Snead, Ralph B., O43257.
Stalker, Francis, O63151.
Strong, William C., O57394.
Styer, Donald J., O63716.
Suriano, Raffaele, O63212.
Thomasson, Kenneth, O62911.
Thompson, Henry C., O56973.
Thompson, James T., O49976.
Watkins, John A., Jr., O56259.
Wian, George I., Jr., O56267.
Zack, Justin S., O57048.

To be colonels, Veterinary Corps

Dixon, George F., O37624.
Faust, Herbert R., O52036.
Grogan, Earl W., O56275.
Henderson, Joshua E., O56264.
Hogge, Arthur L., Jr., O37634.
Miller, Henry M., O41150.
Nims, Robert M., O37638.

To be colonels, Medical Service Corps

Brady, Joseph V., O38563.
Bryan, George R., O88596.
Cheezum, Lynn R., O41363.
Couch, James H., O78645.
Craig, Howard H., O80291.
Drotning, Theodore, O79664.
Ellis, Paul H., O79652.
Ferm, Robert C., O84308.
Franklin, Charles L., O38562.
Godwin, Frank D., O37525.
Haggerty, John E., O80298.
Hammond, Henry L., O26976.
Hood, David H., O26978.
Huffman, James V., O37507.
Kinney, Charles R., O38566.
Lavault, Paul A., O79668.
Leary, John J., O56235.
Madden, James P., O83550.
McNamara, Jack W., O26990.
Miller, Quentin H., O50573.
Overmyer, Chester E., 79672.
Schmahmann, Lionel, O37583.
Shively, Charles J., O79674.

To be colonels, Army Nurse Corps

Best, Bonnie J., N489.
Bonnet, Edith J., N1597.

Caylor, Jennie L., N1290.
Clarke, Lacadia M., N1132.
Coover, Dora M., N1344.
Fischer, Mercedes M., N2089.
Henley, Nellie L., N486.
Henry, Jonike E., N1065.
Jablunovsky, Velma, N471.
Lessard, Marcia M., N1079.
Lozinak, Mary M., N2291.
Morse, Mary F., N1417.
Nolan, Charlotte L., N1351.
Travers, Sadye T., N2478.
Treacy, Jeanne M., N2093.
Williams, Althea E., N2098.
Williford, Sarah L., N1310.

To be colonels, Army Medical Specialist Corps

Brigham, Agnes A., M10100.
Hamrick, Mary L., R10025.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonels

Corrington, Roger A., O60621.
Donaldson, Kenneth C., O80711.
O'Shaughnessy, John P., O63317.
Wilson, Raymond C., O63723.
Yonushonis, William L., O82129.

To be majors

Beers, John R., O70164.
Bowman, Joseph R., O88582.
Buckman, Joseph C., O79204.
Byrom, Robert, O68222.
Chambers, John A., O71327.
Charlton, James S., O68812.
Cook, Robert C., Jr., O69888.
Ellingwood, Dean C., O79574.
Gajeski, Edwin A., OF114584.
Graham, James R., O83626.
Greyhosky, August, O69057.
Hill, Michael E., O71515.
Horwedel, Alan T., O68577.
Jones, Daryl D., O70783.
Kavanaugh, William W., Jr., O77064.
Koun, John N., O70803.
Koziatek, Norbert W., OF114768.
Lieber, Albert C., O70820.
Mathison, Theodore, OF106177.
Matthias, Norman A., Jr., O70845.
McDonald, Donald F., O72511.
Pauley, Francis L., O69264.
Perkins, Albert R., OF108273.
Pies, Donald A., O70016.
Porter, Donald C., O70915.
Rickard, William D., OF110414.
Rybat, Edward S., OF109634.
Scheg, Leonard J., OF110057.
Smith, Isaac D., OF110904.
Speicher, Vernon L., OF117452.
Sutton, Bryan J., OF106839.
Torsani, Joseph A., Jr., OF114517.
Van Hemert, Willem, OF100963.
Venn, Raymond D., OF116698.
Walpole, Richard W., OF110090.
Ward, Floyd J., Jr., O71740.

To be majors, Chaplain

Shannon, Sylvester, OF114496.
Shaw, James E., OF116682.

To be majors, Medical Corps

Chamlian, Dikran L., OF117332.
Giddens, Warren W., OF114412.
Peter, Peter R., OF114480.
White, Richard H., OF106885.

To be majors, Dental Corps

Berube, Joseph D., OF113546.

To be majors, Medical Service Corps

Blume, Robert M., OF116553.
Krawczyk, Joseph R., OF110308.

To be captains

Achenbach, Garland U., OF114810.
Alderman, John H., OF113528.
Andersen, Arne, OF117308.
Arter, Jerome S., OF114350.
Bacon, Douglass P., OF114353.
Barnhart, Fred P., OF114546.
Baxter, Boyd R., OF114025.
Bennett, Walter D., OF109859.
Boberek, Frank M., Jr., OF109077.
Brafford, Robert T., OF114365.
Brin, Oliver O., OF113151.
Buford, William C., OF114369.
Butler, Perry C., OF114373.
Caruso, James R., OF117331.
Chomko, John, OF113576.
Cooper, Teddy N., OF113590.
Coyne, Richard J., OF114566.
Crigger, Donald E., OF114388.
Davis, James A., OF117348.
DeBlois, Thomas A., OF113602.
Dibble, George B., OF114400.
Dommer, Paul P., OF116635.
Dompe, John W., OF117162.
Ed, Robert C., OF110232.
Ehrlich, Arlin G., OF110665.
Eldridge, Robert E., OF114252.
Ellington, Jimmy R., OF114402.
Elliott, Thomas L., OF113612.
Eubank, Gerald T., OF114579.
Fellers, Donald P., OF117168.
Fowler, Orville E., OF117362.
Garrott, Robert W., Jr., OF114753.
Giese, Paul A., O96584.
Guenther, Hartmuth D., OF113647.
Hakola, John A., OF114419.
Hall, Donald G., OF110265.
Harms, Roger D., OF114591.
Helms, Harold J. A., OF113667.
Heying, David R., OF102494.
Hipp, Gerald T., OF114111.
Hippensteele, Tom, OF114597.
Holmes, Allan J., OF113405.
Hospodar, Edward J., OF114602.
Howell, Neil T., OF113906.
Humphries, Charles, OF110968.
Johnson, James C., OF113894.
Johnson, Ronald L., OF113698.
Keating, David W., OF113709.
Keenan, James E., OF113712.
Kelley, Oliver, OF113713.
Kennedy, James E., OF114609.
King, Fred H., OF114766.
Kolch, Marvin J., OF109975.
Kulik, William R., OF113227.
Kunkel, Donald H., OF105727.
Laslie, James C., Jr., OF113732.
Lee, Stephen H., OF114441.
Lofton, Hoyt D., OF114618.
Luker, Charles F., OF114619.
Mackenzie, Robert B., OF113747.
Maguire, Roger F., OF114620.
Makowski, Kenneth R., OF114152.
Matsuda, Clarence C., OF113240.
McConnell, John J., OF117406.
McGeachy, Clinton B., OF114623.
McIlwain, Charles P., OF114162.
McMillion, David, OF109977.
Miller, Donald W., OF114464.
Mobley, William L., OF113247.
Moss, Frederick E., OF113779.
Piper, Paul K., OF116585.
Potter, Richard W., OF114193.
Prescott, Daniel J., OF117428.
Price, James F., OF114195.
Quamo, George, OF114482.
Ray, Ernst R., OF113813.
Ritenour, Thomas J., OF114204.
Rowe, William J., OF113827.
Sands, Thomas J., OF114488.
Schreer, Robert O., OF114490.
Sessoms, William R., OF114649.
Sinclair, James V., OF114650.
Smith, Clarence R., OF114502.
Spoonemore, Bobby B., OF114505.
Sprouse, James V., Jr., OF117601.
Stauffler, Wallace J., OF109307.
Stevens, Robert M., OF109310.
Stewart, Alan P., OF113853.
Stillman, Jon C., OF117456.
Swaim, Royce M., OF114656.
Syczylo, Rodney S., OF114659.
Tilden, George E., OF105844.
Timmons, Aurin C., OF113861.
Tragesser, John N., OF114518.
Walker, Edward G., OF114799.
Washburn, Curtis J., OF114673.
Watkins, Jack R., OF113878.
Webster, Robert H., OF106252.
Wright, Frederick S., OF113896.
Yager, Lawrence W., OF114681.
Zick, Robert E., OF114539.
Zobrist, Edward E., OF110962.

To be captains, Chaplain

Bailey, John C., Jr., OF113141.
Cooke, James P., OF114384.
Olszewski, Clarence A., OF116670.

To be captains, Medical Corps

Almquist, Howard T., OF114347.
Aussem, John W., OF114016.
Bell, Thomas D., OF114357.
Bianchi, Anthony, OF109860.
Blount, Richard B., OF114032.
Bollman, Charles S., OF114361.
Bridenbaugh, Robert H., OF114367.
Buratto, Gregory J., OF114041.
Burdick, George E., OF114042.
Burke, Lucien F., OF116618.
Carr, Joel S., OF116620.
Cherin, Harris A., OF114558.
Cole, Robert E., OF114563.
Cox, Jack A., OF114057.
Cranford, James S., OF116625.
Crawford, Robert C., OF116626.
Drake, Frank R., Jr., OF116637.
Fesler, Ken W., OF116640.
Glass, Billy L., OF114087.
Hutson, Richard M., OF116652.
Larson, Arthur W., Jr., OF114438.
Lauring, Lewis M., OF114141.
Leman, Milton H., Jr., OF114443.
Lovelace, Dallas W., OF114446.
Mahakian, Charles G., OF114449.
Martin, Carroll M., OF114453.
Maybee, David A., OF114457.
McManus, Lawrence, OF114463.
Merenstein, Gerald B., OF113766.
Phyliky, Robert L., OF113804.
Shuger, Richard D., OF114497.
Steudel, Wolfgang T., OF114216.
Susac, John O., OF114220.
Turner, Clifford J., OF114230.

To be captains, Dental Corps

Brady, Robert E., OF114034.
Cunningham, David E., OF116630.
Dalzell, Daniel P., OF116632.
Hicks, John L., OF116650.
Johnson, Warren, OF117200.
McCoy, Clark H., OF114460.
Morgan, Don W., OF116668.
Redmond, Hight S., OF116674.

To be captains, Veterinary Corps

Montrey, Richard D., OF114628.
Ray, Marlan E., OF114641.

To be captains, Medical Service Corps

Holland, Leon L., OF117194.
Holmes, Garth H., OF114761.
Mahoney, James V., OF114774.
Parsons, Ray E., OF114478.
Spruiell, Jerry B., OF114796.

To be captains, Army Nurse Corps

Dockal, Harvey J., MN3551.
Hildebrand, Teddy L., MN3415.

To be captains, Army Medical Specialist Corps

Dayton, Miller P., III, MM10238.
Fenninger, Joanne E., M10212.
Ong, Harry M., MM102234.
Shannon, Phillip D., MJ10227.
Swanson, John A., MM10221.

WITHDRAWAL

Executive nomination withdrawn from the Senate, February 17, 1969.

INTERNATIONAL MONETARY FUND

U. Alexis Johnson, of California, to be U.S. alternate Governor of the International Monetary Fund for a term of 5 years and U.S. alternate Governor of the International Bank for Reconstruction and Development for a term of 5 years, which was sent to the Senate on January 24, 1969.

EXTENSIONS OF REMARKS

THE RACE TO THE MOON

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. MILLER of California. Mr. Speaker, just before the epoch-making flight of Saturn V around the moon, the Oakland Tribune published an editorial entitled, "The Race to the Moon: Will It End There?" which I insert as a part of these remarks.

The publisher of the Oakland Tribune is the Honorable William F. Knowland, former Republican leader in the Senate. Perhaps this has given him a more intimate picture of the space effort than many of his colleagues in the newspaper field.

The editorial follows:

THE RACE TO THE MOON: WILL IT END THERE?

This coming Saturday—if all goes well—three American astronauts will leave our planet, therein fulfilling one of mankind's oldest and heretofore most impossible dreams.

The approaching manned flight of the Apollo 8 spacecraft 230,000 miles to the moon—followed by 10 orbits just 70 miles above the moon's surface—represents man's most distant and dangerous venture into space.

And, it also represents a spectacular comeback from that day in October, 1957, when the Soviet Union opened the space age with the launching of Sputnik I.

Circling the earth every 96.2 minutes, the 184-pound Soviet satellite reminded Americans for three months that the Communist world had scored the first major technological triumph in the new frontier of space—and one the United States could not then match.

Now, although precise comparisons of the relative positions of the two nations to the space race are impossible because of Soviet secrecy, there is ample evidence the United States may have taken the lead, at least in the race to reach the moon.

If the Apollo 8's crew—Col. Frank Borman, Major William Anders and Capt. James Lovell—prevail over the perils and uncertainties of the moon flight, the United States will remain well within reach of achieving the 1970 target date set by President Kennedy in 1961 for a manned landing on the moon. It could come as early as next spring or summer.

Paradoxically, as the climax of America's greatest space feat approaches, the nation is divided over the future of the space program.

The National Aeronautics and Space Administration's budget for the current fiscal year is slightly under $4 billion, the smallest since 1963. The space budget essentially has been a victim of higher priorities given the war in Vietnam and problems in the cities.

While the moon program has been generally unaffected by budget cutbacks, other future projects have already suffered drastically. Budget cutbacks have reduced employment among space contractors from about 420,000 in 1965, the peak year, to an expected 200,000 by July 1969. Some plants and test centers have curtailed operations. Future orders of Saturn V and Saturn 1–B rockets have been discontinued, and work has been cut back on the nuclear rocket engine by which engineers hope to conquer deep space. Plans for a manned flight to Mars were shelved in favor or an instrumented flight in 1973.

Space experts say that unless we are willing to maintain a stable, continuing space program in the coming decade we stand in danger of squandering the $32 billion already invested in the U.S. space program.

Werner von Braun, director of the Marshall Space Flight Center, recently predicted the U.S. budget reductions will permit the Russians "to fly rings around us in space in a period of five years." He contended it would take steady spending of $5 billion to $6 billion a year for the U.S. to pull even; programs costing only up to $4 billion "simply guarantee our falling back."

Our space program has already contributed enormously in such specific areas as improved world communications, weather forecasting and reconnaissance. It has also produced vast but perhaps more nebulous contributions to the advancement of scientific knowledge in general and to maintaining a higher standard of living.

And, perhaps most importantly in view of the Soviet Union's strong military space program, our own efforts have maintained our national security on one hand while increasing chances of world peace on the other.

Because of the awesome capabilities for good or evil offered by the control of outer space, the former momentum of our space program should be restored by the incoming administration in Washington. If the upcoming Apollo 8 flight does no more than dramatize that fact, it will be a success.

WORKING TOGETHER — ADDRESS BY WILLIAM P. McCAHILL, EXECUTIVE SECRETARY, PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

HON. HAROLD E. HUGHES

OF IOWA

IN THE SENATE OF THE UNITED STATES

Monday, February 17, 1969

Mr. HUGHES. Mr. President, Mr. William P. McCahill, Executive Secretary of the President's Committee on the Employment of the Handicapped, spoke recently at the awards banquet of the Governor's Committee on the Employment of the Handicapped, held in Des Moines. His remarks indicate the intense interest of the people of my State in the employment of the handicapped, and the need for continued progress in this area throughout the country. I commend his thoughts to the attention of Senators and ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

WORKING TOGETHER

A bit late, but nonetheless sincerely, I greet you with "Gung Ho Sun Hay," which is Chinese for "Happy New Year." I use the Chinese language not because I understand any other words than the ones just used, but because this New Year in Chinese communities and in Viet Nam has ushered in the "Year of the Monkey." And, as you might now suspect, I want to tell a story about a monkey—a story with a moral for our times.

A Zoo Keeper is a lonely man with time on his hands and so our Zoo Keeper trained his smartest monkey to read and to jabber in English. One day the monkey got out of his cage and was found in the zoo library jumping from one table to another, looking at a large book on each of two tables and shaking his head. The Keeper looked and saw that his smart monkey was reading Darwin's "Origin of the Species" on one table and the "Holy Bible" on the other. The Keeper then asked the monkey why he kept shaking his head. The monkey replied: I'm trying to find out if I am my brother's keeper or my keeper's brother."

The moral for the evening is that back here in the State of my birth, Iowa's Governor's Committee knows that it is both it's brother's keeper and it's keeper's brother. Iowa also knows that where the employment of the handicapped is concerned, it is no monkey business, but serious business indeed. Naturally, I am pleased to be with you and am even more appreciative in view of the switch from December to January when my schedule got rather complicated.

In preparation for my visit, I asked Larry Volin what he thought I should talk about since Iowa is one of the States assigned to him for staff liaison. Well, I am seldom at a loss for words, but I must admit to having been overwhelmed by Larry's response. In fact, he gave me a two and one-half page memo which ranged from the superlative almost to the supernatural in praise of Iowa. Let me share with you the first four paragraphs of Larry's prose eulogy of Iowa. Here goes:

"Prepare yourself for a wonderful experience. There is no Governor's Committee that compares with the one in Iowa. Iowa has a terrific program. Iowa mixes hustle, initiative, drive and desire in equal parts to achieve some interesting results.

"For instance, last year the Iowa State Employment Service placed 6,738 handicapped people. Last year the Division of Vocational Rehabilitation prepared 3,139 persons for employment. This is a good record for this State since it is almost 50% rural. One of the keys to the success is the inter-agency cooperation. You will notice an absence of criticism of the Employment Service by the DVR and vice versa. They work very well together.

"In fact, cooperation from employers, organized labor, the medical profession, civic groups, employer organizations and other groups is another key to the success.

"As for the Governor's Committee, it is employer-oriented and Chaired by an employer, Richard Hopkins, a barrel manufacturer from Davenport, Iowa. He has a number of ideas and gives tremendous leadership to the program. But his leadership position does not stop Hopkins from being a worker for the handicapped. He practices what he preaches, he hires the handicapped in his business."

Unfortunately, I don't get reports like that often enough, so it is a joy to be with you, to chat with you about some of the problems and promises of tomorrow and to pay you a very sincere tribute for what you have done to date. In doing so, I believe it only fair that I again quote Larry Volin; this time a sentence from his wrap-up summary guidance paper to me. He said, "we cannot forget the work of Evelyne Willines, that human dynamo, who has staffed the Committee and who has helped spark it so that it has accomplished so much in so short a time."

As an Executive Secretary myself, I am well aware that we are supposed to work with and through people so that what is accomplished is the result of cooperative and volunteer efforts.

However, executive secretaries, whether from Washington, D.C., or from Des Moines, Iowa, are human and we do appreciate someone taking the time to notice we are around and that perhaps we might have had something to do with what happened. That's only fair, because I can assure you that we suddenly become noticed when nothing happens or when something happens wrong. So, a salute to our gal, Evelyne, whose son once misnamed her proudly as "a professional cripple." She's certainly a pro, but I have yet to notice that disability slows her down much. The only time I can recall was when we had a sudden eight-inch snowfall in Washington a year ago last November and I suddenly became a chauffeur for Evelyne and Anne White of Hawaii. Evelyne is quite accustomed to snow, but Anne and Washington weren't, so Harold Russell and I drove the girls to and from a Statler luncheon while the rest of the Chairmen and Secretaries rode a chartered bus.

I'd like to tell you about our recent Executive Committee meeting, about the final report of the Evaluation Committee on State Relations and about our plans for a Youth Committee. But first, let me say a few words about our plans for a Rural Areas Committee since it is engaged in three pilot projects and one of the States selected is your own tall corn State of Iowa.

The President's Committee, as you may know, has given the Rural Areas Program a very high priority for the coming year. Iowa will will help provide guidelines for other States to follow.

As the Iowa Rural Areas Task Force studying needs of the handicapped points out, the problems of the rural handicapped are many and of long standing. They are isolated in most cases and have neither the proper services or opportunities for rehabilitation at their disposal. Transportation is a big problem and job opportunities are few and far between and constantly dwindling. They are the "people left behind."

The plight of all rural America is one of national concern and efforts are underway to correct the imbalance between the Urban and Rural populations. Business and industry are being encouraged to look toward the rural areas for relocation thereby opening up new and more employment opportunities.

Iowa's Task Force has identified the problems of the rural handicapped and offered many excellent suggestions on how to overcome these problems. It won't be easy, but it can be done if people with vision combine their talents and work together in an attempt to bring a little more happiness to a few more homes.

As our Rural Areas Committee pointed out, the very heart of the program is at the county level where all the action will take place. This is where the handicapped are and this is where the people are who can best act upon the problems.

Almost every rural county is served by the Federal Extension Service, Farmers Home Administration, National Extension Homemakers Council, Soil Conservation Service, The Grange, Farm Bureau and other agricultural oriented organizations.

These are the people who could determine if it would be feasible for the handicapped to become self-employed on their own farms or to get set up in an agriculture related business such as chicken raising or egg production, cattle raising or crop farming, or if they should be given assistance in homemaking or raising their own fruits and vegetables.

The Vocational Rehabilitation and State Employment Services would also be vital to the success of the rural program and usually are within reach of almost any county. Doctors, nurses, teachers, and retirees could contribute invaluable services. As a matter of fact, any county resident could be of great assistance in making this program a success, for it reaches out in many varied areas.

For instance, educational and training facilities probably would be needed, transportation problems would have to be solved, the jobs that could be made available for the handicapped in business, industry and on farms should be surveyed, and business and industry outside the area should be made aware of the advantages of locating in your community.

At this point in time, it appears that Iowa will be taking the lead and setting the way for others to follow since it is the first to name a Rural Areas Subcommittee headed by Mr. Keith Dunton. I wish you success and pledge the President's Committee complete support and assistance in every way possible as you work with Mr. Arden H. Newell who is State Director of the Federal Housing Administration here and Chairman of Iowa's Technical Action Panel.

To begin with, our Executive Committee meeting last month reviewed the current transportation situation as it affects the handicapped. The San Francisco Bay Area Transport has agreed on a system that will be designed and built for occupying the needs of the handicapped. The Department of Transportation has a one-year study underway to determine the transportation needs of the handicapped. Preliminary results indicate that 20% of the non-working handicapped interviewed indicated that transport was a factor in their unemployment and half of this group said they would go back to work if the problem could be solved. About 60% need some kind of mechanical aid in moving distances longer than one block. The Department of Transportation has found, not surprisingly, that institutional resistance to change "is as significant a barrier as public ignorance or concern with the cost of adapting the existing systems."

We also were reminded that the Federal Aviation Administration has prepared an advisory circular with seven pages of recommendations on how to make terminals more accessible to the handicapped and is sending the circular to all airports. During this discussion it was suggested that, like the Architectural Barriers problem, transportation might best be licked by making it a primary responsibility of Governors' Committees and private agencies like Easter Seals. There was no resolution of this question at the meeting, but you here in Iowa might want to take a crack at public transportation and see what you can come up with in the way of solutions to the present problem of severely disabled.

We heard a report that the Women's Committee was working with the General Federation of Women's Clubs on a new contest, "Fashion Designs for the Handicapped," which will call upon GFWC members to design garments for severely handicapped women and children. As you can see, there is something for everyone at our Executive Committee meetings. Seriously, if a person doesn't look right in normal clothes, how can you expect that person to feel right at a work place?

The last of our six evaluation committees made its report—on State Relations. Shortly, Governors' Committees will be receiving a copy since they made the report possible by cooperating in the completion of questionnaires. The report included four suggestions for utilizing the valuable information contained in the rather comprehensive State Committee reports. These suggestions included:

1. Staff study of strengths and weaknesses so that summaries can be used in staff field consultation work.

2. Staff field consultation time should be increased and improvements made in manner in which visitations are conducted.

3. Consideration be given to developing objective criteria for self-evaluation by a State or local committee.

4. Consideration be given to developing job descriptions for the executive secretary and the voluntary chairman of State and local committees.

During the discussion which followed presentation of the report, we agreed that the staff would carefully study the reports for the States assigned to them and that we would try to increase our travel program to respond to requests. The idea of rating State Committees did not particularly appeal to me or to others, but we are willing to have them rate themselves against an objective standard prepared from a study of the best State and local programs we could find. In the discussion of job descriptions, one State Chairman strongly recommended a suggested term for the Chairman to provide for the principle of rotation among volunteers.

We had a long discussion about whether or not we should emphasize the physically handicapped only during National Employ the Physically Handicapped Week. The Committee rejected the suggestion, but emphasized no decrease in service to the physically handicapped while also serving the retarded and restored. We also had a suggestion that we consider naming a blue-ribbon committee of former Handicapped Americans of the Year to consult with us and advise us on the problems of the handicapped as they saw them from their very successful professional viewpoints.

As a part of our semi-annual Executive Committee meetings, I am now required to give a report of significant developments that have occurred since the last meeting and to point ahead to what might be expected in the immediate future. I have directed that copies of this report be shared with State Chairmen and Secretaries on an information only basis and have supplied your Iowa leaders with a copy.

You might be interested in a few highlights.

Service to State and local committees is still Chairman Russell's first priority charge to the staff.

We are working on short, medium and long range objectives not only for the President's Committee, but for its major standing committees and will share them with Governors' Committees.

We invited a dozen top Federal transportation specialists to meet with us to review what is being done with the handicapped in mind and what more can be done, together. That meeting was held last week and was quite successful.

We invited representatives of the major national youth groups to form a Youth Committee and kicked off the initial meeting with Senator Muskie as keynoter on January 9. You'll be hearing much more from these young people.

The Advertising Council campaign aimed at motivating the handicapped to take advantage of rehabilitation facilities is underway in magazines, newspapers, radio and television.

In summary to some of the above, it would appear that we are in for a belt tightening operation at the very moment the Advertising Council program goes into full swing. It appears that the Vocational Education Amendments of 1968 will receive priority at HEW for available funds and that National Institutes of Health, Office of Education and Social and Rehabilitation Service will come after Vocational Education in the coming months. Similarly, in Labor, any preferential treatment is going to the Manpower Administration and its many outreach programs. Every effort is being made by this Office to insist upon inclusion of the handicapped in the various projects or special programs which come to our attention and we are constantly being given assurance that they will be included in training opportunities at the community level.

Housing and Urban Development and Department of Transportation are bound to play a greater role than ever before in the environmental lives of the handicapped and as the environment improves, it is reasonable to expect that employment possibilities will move on a parallel course. The Model Cities Act will have an increasing priority on available Federal funds and insofar as plans are made that aid and assist the handicapped, so much the better. The Urban Affairs Committee of the Interstate Conference is another straw in the wind which indicates the very close tie-up of jobs with the Model Cities program. The AFL–CIO has also established a Department of Urban Affairs for the express purpose of working with the Human Resources Development Institute financed by a one and one-half million dollar Labor Department grant which will involve 50 major cities by next Spring.

The results of the deliberations of the Citizen's Advisory Committee on Vocational Rehabilitation chart a blueprint for the next decade. Employment was included in its numerous recommendations, including one recommendation that: (1) employers be encouraged through government subsidy if necessary, to set up on-the-job training programs within industry so that disabled individuals can demonstrate to industrial personnel at all levels their ability to meet job requirements; (2) that Federal funds be made available to match State funds for the important public information work carried on by the President's Committee on Employment of the Handicapped and its State and local counterparts. There were 14 recommendations in all in the area of employment.

That's a fast overview of how we look at things today from Washington. As we prepare to work with and for a new Administration, this is the situation of the handicapped as we see it in toto:

The number of handicapped persons rehabilitated and placed into employment rises to new heights year after year (more than 200,000 rehabilitations and 300,000 placements in fiscal year 1968 alone). Yet thousands are not at work because of rejection and stigma.

The mentally retarded are finding jobs in record numbers (in some scattered areas there are more jobs than there are trained retardates). Yet there is need for more and better training and preparation, so that greater numbers can be made ready for jobs awaiting them.

The mentally restored are at work in large numbers, thanks to modern drugs and therapies that hasten their rehabilitation. Yet the high rate of joblessness of ex-mental patients "is a matter of special concern," as the Manpower Report of the President has stated.

The physically handicapped are at work today—but not all of them. Many, with more serious disabilities, still face rejection—epileptics, those with multiple sclerosis, cerebral palsied, blind, deaf, paraplegics, others.

In sum, the voluntary method of promoting acceptance of the handicapped has worked remarkably well over the years.

It will work equally well in the future, to meet the job needs of those who still have not shared in the affluence of America.

You know best how things look in Iowa. Mindful of Larry Volin's compliments on the job you are doing, I almost hesitate to suggest anything else. I have already indicated that you might like to take a crack at transportation and am aware that you are underway on the rural areas study. Perhaps we'd best leave it at that.

Naturally, you have our best wishes for success and our firm promise to be of help wherever we can be and whenever we can be. As an indication of the sincerity of this promise, I might tell you that I have three seals displayed in my office. One is the Marine Corps Seal, another is the President's Committee and the third is the blue and white square seal of the Iowa Governor's Committee.

I guess this proves that you can take the boy, me, out of the country, Iowa, but you can't take the country out of the boy. It's been good to be back from whence I came.

Thank you and God bless you.

LITHUANIAN INDEPENDENCE

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. MADDEN. Mr. Speaker, on yesterday, February 16, the folks of Lithuanian ancestry throughout our Nation held special services commemorating the 51st anniversary of Lithuanian independence.

Over the years I have personally attended and participated in these observances both in my district and in other localities, reminding the American public of the great accomplishments of the Lithuanian people during their periods back over the centuries when they enjoyed freedom and independent self-government. The Lithuanian Republic was established February 16, 1918.

This valiant nation of freedom-loving Lithuanians has existed for over eight centuries. It has enjoyed self-government for long periods of time during its existence as a nation but unfortunately it has been on too many occasions the victim of tyranny and power-hungry tyrants ruling in neighboring nations of Europe.

In the 14th century Lithuania enjoyed one of its greatest periods of power and independence after its great victory at Tannenberg. In the 16th century, Lithuania was compelled to fight a defensive war to maintain its defenses and freedom. Again in the 18th century, Lithuania was exposed to outside attack and brought under Russian domination. During the 120 years of Russian domination, the liberty-loving people of Lithuania revolted against the tyrants on five different occasions. Regardless of the brutalities and treatments inflicted on the Lithuanian people during these revolts of the 18th century, Lithuania continued its drive for freedom and national independence.

During World War I, the German Armies overran the Lithuanians and remained there until the end of 1918. The Nazis failed to make Lithuania a German province. Lithuania's official proclamation of independence was issued on February 16, 1918, which was unanimously adopted by the Lithuanian Council and established Vilna as its Capital. After the evacuation of the Germans, Soviet troops arrived at the borders of Lithuania. The Red army occupied Vilna in 1919. Again the Lithuanian patriots organized and instituted the Lithuanian Army in a battle against the Reds and regained its freedom late in 1919. By a peace treaty, the Soviet Government recognized the sovereign rights of Lithuania over its people and territory.

Lithuania was admitted to the League of Nations on September 22, 1921, and became a full-fledged nation of international status. Lithuanian people instituted land reform, reestablished industry, set up transportation facilities, enacted social legislation, and expanded its educational institutions. No country made greater progress as a free and independent nation in so short a time as Lithuania did up to World War II.

I will not repeat the sordid history of the Soviet duplicity, infiltration, and aggression which again brought slavery and loss of independence. The fight for freedom in Lithuania continues and will continue as long as the Soviet despots inflict their despotism on Lithuania. As long as Lithuania and the peoples of other Soviet captive countries continue their fight for freedom, self-government will surely be reestablished within their borders.

The American Lithuanian Council of Lake County, Ind., on last evening held its annual banquet under the chairmanship of Albert G. Vinick, of East Chicago, and it was attended by Lithuanians and leaders of other nationalities throughout the Calumet region. Throughout the United States and other parts of the world the Lithuanian fight for independence goes on and the Lithuanians have taken advantage of this anniversary commemorating Lithuanian independence to remind lovers of liberty that tyranny and slavery still dominates many smaller nations in central Europe who are enslaved by the international Communist conspiracy. The United States must continue to lead the fight to restore freedom to these liberty-loving nations.

RESOLUTIONS OF GRAGG-SHERRILL POST NO. 248, THE AMERICAN LEGION, CORPUS CHRISTI, TEX.

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, February 17, 1969

Mr. TOWER. Mr. President, I have received from the Gragg-Sherrill Post of the American Legion a resolution concerning the establishment of a national cemetery in the gulf coast area of Texas. The proposal certainly deserves careful consideration.

I ask unanimous consent that the resolution be printed at this point in the Extensions of Remarks.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

A Resolution To Establish a National Cemetery for the Gulf Coast Area of Texas

Whereas there is an ever increasing demand for burial plots for the veterans of all recent United States wars, and for the honored dead among our Armed Forces constantly being returned to this area for interment; and

Whereas there is no national cemetery closer than the one located at Fort Sam Houston, Texas, from 100 to 250 miles distant; and

Whereas the aforementioned veterans of our Armed Forces are by law entitled to burial in a national cemetery; and

Whereas in many cases it is not possible for the survivors of these honored dead to attend burial services at Fort Sam Houston nor to find consolation by visits to those interred at the national cemetery there because of the travel involved; and

Whereas to establish a national cemetery within a ten mile radius of Corpus Christi, Texas would serve adequately an area extending from Laredo and Brownsville to Victoria and reaching inland from the Texas Gulf Coast 100 miles, of approximately 20,000 square miles with nineteen counties, a population approaching 900,000 and an estimated 125,000 veterans of all United States recent or current wars; and

Whereas there are vast uncultivated lands available for such a national cemetery of at least one square mile in area in the vicinity of Corpus Christi: Now, therefore, be it

Resolved by Gragg-Sherrill Post No. 248, The American Legion, in regular meeting assembled this 14th day of January, 1969, in Corpus Christi, Texas, That the Congress of the United States is petitioned to enact a public law providing for the establishment of a national cemetery of a minimum 640 acres within a ten mile radius of Corpus Christi, Texas; and be it further

Resolved, That copies of this resolution be sent the United States Senators and Congressmen from Texas and to the higher echelons of The American Legion, Department of Texas.

PAUL R. ZIMMERMAN,
Post Commander.
NELS L. SODERHOLM,
Post Judge Advocate.

Attest:

LESTER W. WOLFORD,
Post Adjutant.

Mr. TOWER. Mr. President, this post has also passed a resolution calling for a change in the method of computing military retirement pay. The resolution advocates a retirement program in accord with the terms of proposed legislation which I have recently introduced, S. 364. I ask unanimous consent that this resolution, likewise, be printed in the Extensions of Remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A RESOLUTION: DISPARATE MILITARY RETIREMENT PAY

Whereas the disparity in the retirement pay of members of the Armed Forces retired prior to the periodical pay increases authorized for active duty members—on which retirement pay is calculated for those retiring subsequently to the adoption of such active duty pay increase—is cumulative and not compensated for to any appreciable degree by the so-called "cost-of-living" increases given retired military personnel; and

Whereas this inequitable method of retirement pay computation—based on the pay scale for active duty personnel in effect on the date of retirement—violates a principle recognized for more than 100 years of computing the retirement pay of all retirees from the Armed Forces on the current pay scale ineffective for active duty personnel regardless of the date of retirement; and

Whereas as the buying power of the dollar shrinks, the economic status and the living standards of retired military personnel decline rapidly because of the unjust and inequitable method now in force for the computation of retirement pay, which admittedly widens the living standard gap between groups of retirees with equal years of active service and of equal rank; and

Whereas to continue the current method of computing retirement pay inevitably results in the loss of the services of our finest military personnel at an early age because they can take up civilian employment in which retirement rates of compensation are vastly greater and are non-discriminatory: Now therefore, be it

Resolved by Gragg-Sherrill Post No. 248, The American Legion, Department of Texas, in regular meeting assembled at Corpus Christi, Texas, this 14th day of January, 1969, That the Congress of the United States of America is hereby petitioned to enact legislation during the current 1969 session which will provide that retirement pay for the Armed Forces of the United States be equalized and computed on the traditional, logical and fair basis of the current pay scale for military personnel on active duty, of like grade and length of service; and, further, that such equalized retirement pay for all retirees regardless of the date of retirement, include all military personnel now or in the future retired.

PAUL R. ZIMMERMAN,
Post Commander.
NELS L. SODERHOLM,
Post Judge Advocate.

Attest:

LESTER W. WOLFORD,
Post Adjutant.

STATEMENT OF ATLANTIC COUNTY BOARD OF RABBIS ON NEAR EAST CRISIS

HON. CHARLES W. SANDMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. SANDMAN. Mr. Speaker, the Board of Rabbis of Atlantic County has unanimously endorsed the following statement on the Near East crisis issued by the Board of Rabbis of Greater Philadelphia.

I believe these worthwhile opinions will be of interest to my distinguished colleagues.

Text of statement follows:

STATEMENT ISSUED BY THE BOARD OF RABBIS OF GREATER PHILADELPHIA

We are shocked by the hypocrisy shown by the nations of the world. Governments in their nations' capitals and in the United Nations, rushed, almost gleefully, to pronounce in pious platitudes their condemnation of tiny Israel for its so-called "aggression". "Too far," they cry. "This time Israel has gone too far. They have overreacted." We are almost convinced that the world would have understood it if Israel had killed but one man, any man, wounded 45 people, and destroyed but one plane. This would have been fair-play. Instead, Israel had the audacity to spill no blood (at extreme danger to its own men); but destroyed 13 planes. How can you equate this great economic loss with but one little life?

The Board of Rabbis points out to our government and to the world that a spiritual sickness infects us; it is the total inversion of values; it is a return to the days of the Tower of Babel when people cried bitterly when they dropped a brick from the scaffold but were indifferent when a human being fell to earth and was destroyed.

True to Judaism's exaltation of life as the highest and holiest of all values,

We deplore the acts of omission of the United Nations which, to a great extent, caused the six-day war of 1967.

We deplore the silence of the United Nations when countless atrocities were perpetrated by Fedayeen, trained and equipped by Arab nations, who, when caught, shouted boastfully that they acted for their Arab countries in killing innocent people, going about their daily work.

We deplore the indifference of the United Nations which sat by when thousands of men, women and children were senselessly slaughtered in Biafra—this same United Nations that has been so aroused over the economic loss of 13 planes.

We deplore the inaction of the governments of the world which said not one word when Egyptians slaughtered the Sudanese and poison-gassed the Yemenese, these same governments that rush to condemn Israel for defending its right to unmolested airflight.

We deplore the hurried action of the United States carrying the banner to condemn monetary losses when our government chooses to remain neutral when Israeli lives are lost.

We deplore the actions of our government which can sit by when four delegations battle over seats at a peace table, which can tolerate the loss of *only* 150 or so lives per week in Vietnam, but which can be incensed at the effrontery of Israel's act of monetary retaliation, in defense of its life-line to the world.

We deplore the "holier than thou" attitude shown by the Russian government which so recently showed total disregard of the charter of the United Nations by invading Czechoslovakia continuing to thumb its nose at basic human values.

We deplore the silence of Mr. U Thant who has not found even the time to express his sorrow or at least regrets at the loss of one marine-engineer who traveled and worked for the cause of the United Nations.

Furthermore, we deplore the effect of all this hypocrisy upon the youth of the world, already so disillusioned by the distorted values displayed by their elders. Do we not justify their revolt by our present reactions?

The Board of Rabbis cries to the conscience of the world's peoples to awake and to view the world from the perspective of justice. The world must realize that although it may continue to speak of the beautiful, spiritual clothing worn by the United Nations, a child can see its nakedness and that its spiritual coffers are bare.

We pray to the God of all nations that the world will seek peace in the Middle East, but a peace that is just; a peace that will end the acts of cowardice that parades in the guise of patriotic terrorism; a peace in which the sanctity of human life will be hallowed above all things; a peace that will bring blessing to all the people that inhabit that part of the world, Moslem, Christian and Jew.

THE 51ST ANNIVERSARY OF LITHUANIAN INDEPENDENCE

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Monday, February 17, 1969

Mr. HARTKE. Mr. President, yesterday, February 16, 1969, marked the 51st anniversary of the independence of a small but gallant nation, Lithuania. Long the subject of Russian domination, the proud and fiercely independent Lithuanian people courageously established an independent nation on February 16, 1918, and dedicated their nation in a noble commitment to democratic principles and ideals tragically torn asunder by first Russian, then German, and again Russian tyranny during and after World War II.

Declared, under Russian coercion, a constituent Communist republic of the U.S.S.R. on August 3, 1940, Lithuania gallantly resisted and fought the overwhelming numbers of Russian and Nazi invaders. During the first Soviet occupation, at the outbreak of the war, Lithuania suffered the loss of about 45,000 of its people in its fierce resistance to its Russian captors. Some 30,000 members of the Lithuanian intelligentsia were deported to Siberia on the night of June 14, 1941, and 5,000 Lithuanian political prisoners were executed when the Soviet forces hastily retreated under German attack. Repeating the history of the First World War, German occupation then replaced that of the Soviets, as a few days after the German attack on the Soviet Union on June 22, 1941, Nazi forces overran Lithuania.

During the tyranny of the German occupation many loyal Lithuanians were brutally killed and executed, including virtually all Lithuanians of Jewish extraction. When the tide of war turned against Germany, the beleagured Lithuanian people returned tragically not to independence but once again to Soviet tyranny and domination. But again the Lithuanian people resisted and fought the hated Russian aggressors. It is a tribute to their tenacity and indomitable spirit that Communist victory came neither easily nor readily.

Now, at a time when Communist oppression still hangs over a proud nation and a gallant people, it is fitting that all Americans join the many Americans of Lithuanian background and origin in this country in commemorating an anniversary of a nation and a people who in the agony of oppression truly know the value and meaning of freedom. And today, as just a year ago when it was my privilege to commemorate the then 50th anniversary of Lithuanian independence in an address before the Lithuanian Council of Chicago, I join the fervent prayers of free people everywhere in the hope that, on this anniversary of her independence, Lithuania might soon once again be truly free.

FAITH IN OUR YOUTH: AN ATTITUDE TAKEN BY THE NATIONAL ASSOCIATION OF MILITARY SCHOOLS

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. HÉBERT. Mr. Speaker, at a time when violence and unrest are sweeping our college campuses and ROTC programs are under attack, there is one direction we can look with pride.

I speak of the institutions who are members of the National Association of Military Schools, an organization which represents more than 100 NDCC, Junior ROTC, and independent military schools.

There is no doubt about it. At these schools, the administration is still in control, every student has the opportunity to attend class without interference, and the youth are working toward an education which will allow them to make a valuable contribution to their country.

The National Association of Military Schools is doing a fine job in leading its member schools and in inspiring them to attain the highest level of education, leadership, and patriotism in its students.

It is refreshing to note the attitude the NAMS has taken toward the youth of today. We must not condemn all youth for the irresponsible and confused attitudes of a few, which brings me to the point at hand.

I would like to include at this point in the RECORD a paper entitled, "Faith in Our Youth: An Attitude Taken by the National Association of Military Schools."

I know that you will find it enlightening and encouraging, and providing us with hope for the future.

The material follows:

FAITH IN OUR YOUTH: AN ATTITUDE TAKEN BY THE NATIONAL ASSOCIATION OF MILITARY SCHOOLS

A STATEMENT

Realizing that patriotism, as it was once known, stands on a threshold of complete deterioration or a reformation, the executive committee of the National Association of Military Schools appointed a committee to review the situation existing in our nation today as related to the decline in patriotism, and to formulate some program, if possible, which would permit the Association's taking part in restoring patriotism, in its true sense, to the status it once held.

FAITH IN OUR YOUTH

Upon convening, the committee immediately declared its faith in our youth of today, placing the blame of any deterioration of patriotism where it rightfully belongs; namely, upon the shoulders of all those adults who are in any way responsible for the training of our youth. Among those responsible would be parents, teachers (from the first grade through college), ministers of all faiths and heads of youth organizations.

THE BEGINNING OF DETERIORATION

When Sputnik was fired, our nation within its schools (public, independent and colleges) immediately placed all emphasis upon "academics," neglecting to greater degrees the responsibilities previously accepted as related to the more important factors of love of Country and God.

THE FLAMES FANNED

One mother stood alone in the wilderness and screamed loudly that her son should not hear prayer or the Bible read in the public schools. The supreme court heard her screams and yielded to them, while all other mothers of the nation stood idly by. This decision of the supreme court served to fan the flames of deterioration. Not only was prayer and the reading of the Bible forbidden, but along with it went the relief of any responsibility of the public school teacher to talk with his, or her, students about a deep love for God and Country.

GUIDED DISCIPLINE FOR YOUNG PEOPLE

Young people like and expect a guided discipline. Without it (and little is given these days!), young people become lost in the whirlwind of maturing. A guided discipline should originate within the home and extend through college; after all, young people in college still need guidance—one does not actually mature until long after college.

BELTS MUST BE TIGHTENED

Americans, young and old, must take a serious look at themselves for they constituted the nation. Our forefathers gave us a nation of which to be proud. They expected us to cherish our heritage, protect it and pass it on to posterity. This is our challenge today more than ever before; we must accept it!

OUR YOUTH IS READY—WHAT WILL WE DO ABOUT THAT WHICH CONFRONTS US?

The member schools of The National Association of Military Schools rededicate themselves to making this nation the nation it once was by—

(a) talking God and Country to their students more than ever before;

(b) initiating a program among all schools which will direct sound thinking on the values of true patriotism;

(c) initiating a program which will convince all government officials that our "internal" concern are our most important matters;

(d) endeavoring to obtain a reversal on the decision of the supreme court—therein rests the crux of the entire matter as far as educating youth is concerned. If God is left out of the picture, there is no foundation upon which to build any nation.

A MAN WITHOUT A COUNTRY OF WHICH HE IS PROUD HAS NOTHING

Those words should be thought-provoking to all serious-minded Americans. Our challenge is to bring America back to where it once was; to let all know that patriotism is a word to be revered and respected. And we must not be ashamed to demonstrate it!

DEATH OF EDWARD MARSHALL BOEHM

HON. HARRISON A. WILLIAMS, JR.

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Monday, February 17, 1969

Mr. WILLIAMS of New Jersey. Mr. President, the death of Edward Marshall Boehm in New Jersey recently has saddened his friends and admirers. Mr. Boehm has become world famous for his lifelike porcelain birds.

Mr. Boehm, born in 1912, did not attempt to do any ceramic work until after World War II. Prior to this time he had spent a number of years training in animal husbandry which played a vital role in his handling of the various difficult subject matters which he mastered so skillfully.

Mr. Boehm opened his first studio in 1950, in Trenton, N.J. It was in the basement of a small building where he experimented and finally developed the method of ceramic sculpturing unknown in America.

Porcelain figures in the 20th century generally tended to be simple in detail. This tendency toward uncomplicated subjects started in Copenhagen but rapidly spread to the United States. Mr. Boehm was one of the first to shy away from this popular pattern. He returned to the painstaking craftsmanship aspiring to a high degree of detail. This would even include an insect in the minutest of detail on a leaf as well as insect holes in the leaf.

Mr. Boehm found abundant inspiration in the world of nature. Birds, flowers, and animals have been closely studied and faithfully rendered. Many of Mr. Boehm's works reflected his articulate interest in orinthology and exhibited how beautifully and artistically a bird can be represented in this ceramic-named bisque. One is delighted by the realism exhibited in his replica of the mother Common Tern—seagull. Near her are her three eggs, one of which has hatched and her baby is half out of the shell. Realistic looking ceramic seashells and sand surround them. Perhaps my two favorites are the roadrunner chasing a horned toad and the killdear father bird extending his wings to protect the mother and babies. On the soil is a fragile flower with threadlike stems where the mother killdear is directing her young in the art of acquiring food from the earth.

Edward Boehm's porcelains are represented in collections at the Metropolitan Museum of Art, the Academy of Natural Science in Philadelphia and art museums in Memphis, Houston, and Los Angeles. His porcelain sculptures have received world recognition through showings at Buckingham Palace, the Elysee Palace, the Royal Ontario Palace, and the Vatican.

Several Presidents, including Presidents Eisenhower, Kennedy, Johnson, and Nixon have purchased Boehm porcelains. In December 1967, a collection of 90 Boehm pieces, valued then at $104,000 was presented to the John F. Kennedy Center for the Performing Arts.

A matter of Mr. Boehm's sensitivity and sense of humor came to me when on Mrs. Humphrey's birthday, Mr. Boehm presented her with a replica of the State bird of Minnesota, thought to be the loon. He presented an unmatched porcelain lifelike bird, the yellow finch, to Mrs. Humphrey at the State Society of Minnesota gathering. A ripple of concern ran through the crowd when the bird was displayed—it was not the loon at all. Researchers rushed to their work to check it out and found that Mr. Boehm was right—the yellow finch was, indeed, the State bird.

I share with his bereaved family and friends throughout the world, the sadness which his passing leaves. Mr. Boehm has left a legacy which will not soon be forgotten.

A HOUSE RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO TAKE NECESSARY ACTION TO PREVENT THE FEDERAL COMMUNICATIONS COMMISSION OR OTHER ADMINISTRATIVE AGENCY FROM BANNING ADVERTISEMENT OF TOBACCO PRODUCTS ON TELEVISION AND RADIO

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. McMILLAN. Mr. Speaker, I am inserting in the CONGRESSIONAL RECORD a resolution adopted by the South Carolina State House of Representatives in opposition to the proposed FCC order outlawing cigarette advertising.

I think a number of other Congressmen from the tobacco-growing States have protested this proposed regulation by the Federal Communications Commission with all the power and influence that we have here in the Congress. We know that if the Federal Government interferes with this agriculture product hundreds of thousands of people will lose their jobs and the Federal Government will suffer a tax loss of between $3 and $4 billion annually, in addition to the millions of dollars collected by the individual States and city governments. I think the Congress bent over backward in an effort to please the people who are interested in destroying the tobacco industry when they enacted a bill several years ago compelling the tobacco companies to place on each package of cigarettes the following words: "Caution: Cigarette smoking may be hazardous to your health."

A HOUSE RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO TAKE NECESSARY ACTION TO PREVENT THE FEDERAL COMMUNICATIONS COMMISSION OR OTHER ADMINISTRATIVE AGENCIES FROM BANNING ADVERTISEMENT OF TOBACCO PRODUCTS ON TELEVISION AND RADIO

Whereas, the Federal Communications Commission has threatened action to prohibit the advertisement of tobacco products on television and radio; and

Whereas, the publicly-owned airways should be protected from such arbitrary and unnecessary restrictions; and

Whereas, the tobacco industry so vital to the economy of South Carolina would be seriously damaged by this proposed prohibition. Now, therefore,

Be it resolved by the House of Representatives of the State of South Carolina:

That the Congress of the United States be and hereby is memorialized to take such action as may be necessary to prevent the Federal Communications Commission or any other administrative agency from prohibiting the use of the public airways to advertise tobacco products on radio and television.

Be it further resolved that a copy of this Resolution be forwarded to the President of the United States Senate, the Speaker of the House of Representatives of the United States and each member of the South Carolina Congressional Delegation.

State of South Carolina, in the House of Representatives, Columbia, S.C., February 6, 1969.

I hereby certify that the foregoing is a true and correct copy of a Resolution passed in the S.C. House of Representatives.

INEZ WATSON,
Clerk of the House.

LETTERS FROM A DEAD GI

HON. GEORGE McGOVERN

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Monday, February 17, 1969

Mr. McGOVERN. Mr. President, often lost in the reams of statistics and casualty figures from Vietnam is the dreadful poignancy of the individual loss; the crushing grief of a bereaved family; the profound moral agony of the battlefield victim.

The January issue of Washingtonian magazine contains a collection of letters written by Mike Ransom, a 23-year-old Army lieutenant from Bronxville, N.Y., who was killed in Vietnam last May. In correspondence with his family and friends, Mike conveys the constant tension between his feelings of responsibility and involvement in the war as a soldier and his moral convictions that the war was wrong. His personal anguish reflects the confusion and torment we have all known in some measure—and the sacrifice of his life is painful testimony to the terrible failure of American policy.

I urge every American to read the letters of this dead GI. The loss of this young man so filled with the idealism and the hopes and eagerness of youth at its best underscores the unreasonable human cost contained in the statistics—30,000 dead Americans.

I ask unanimous consent that the letters be printed in the Extensions of Remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MARCH 9, 1968.

DEAREST FAMILY: Greetings from Cam Ranh Bay. My big news is that I have been diverted from the 1st Cav. I am now headed for Chu Lai, H.Q. of the Americal Division about eighty miles south of the DMZ. I have no real emotion yet regarding the change, mainly because I know almost nothing about the Americal except that its patch is not as good-looking as the Cav's. I do know that it is sort of a hybrid division made up of random, unassigned brigades. My only disappointment at my change is that from my group at Jungle School which traveled here intact I am the only one sent to the Americal. We were all originally scheduled for the 1st Cav., but all the rest were sent to the 25th Inf. in and around Saigon. I do not know why I was singled out because I have neither special qualifications nor restrictions nor am I numerically or alphabetically worthy of individual selection. So, who knows? I am particularly sad to be separated from Vince Santurbane who, you know, was one of my Tacoma roommates. I'm really sorry that we're separating.

While still quite separate and secure, due to processing, from all the fighting here one still knows that there's a war going on. From our billets we could hear machine gun and mortar fire from the perimeter two or three miles away. We could also see illuminating flares in the sky to light up the battlefield. Yes, I am scared. But I think it's more of the unknown than of bullets. I expect to learn a lot during the next year; I'm not sure what it'll be, but I'll learn a lot.

I am now in flight to Chu Lai, which is about an hour by air from Cam Ranh. I am in a C–130 transport plane sitting on my duffel bag with about thirty others. All are low enlisted men except for a Signal Corps Major, a chaplain Lt. Col., and me. I hope we don't crash somewhere out in the boonies because only two men here have weapons and, being Infantry, I'll probably have to take charge and engineer the exfiltration. Not the best crew for one's first command. Daydreaming!

So long for now.
All love to all,

MIKE.

MARCH 16.

DEAR MOM AND DAD: A big hello from sunny Chu Lai and the Americal Division. I am now undergoing a week of final in-country training prior to being assigned to my unit.

Chu Lai is situated on the South China Sea about 200 miles south of DMZ with our camp being right on the beach. I am told that the monsoon season is in its final stages and that we'll be moving into the hot dry season. This is good because the rice paddies dry up and we won't have to hump through endless swamps. But the temp reportedly rises as high as 130 degrees at its peak.

With regard to finances, I sent $400 to my checking account and I set up an allotment of $250 per month which will become effective at the end of April. In addition, you will be receiving a $25 savings bond each month. I would appreciate it if you would open a savings account at FNCB in Mom's and my name and deposit $150 a month in it out of the $250 that will be coming in to the checking account. I have been advised not to make deposits in the 10 percent savings program for GI's here, because it's virtually impossible to get it out on short notice, such as R&R, etc.

I am, in the same mail, sending a letter to Robert Komer, the Hamiltons' friend in charge of the pacification efforts here, in the hopes of getting a job on his staff. I am really getting quite scared about being a platoon leader and so this is a last-ditch effort to avoid it.

I will say so long for now. I can't wait 'til I have a permanent address so I can start receiving mail. I miss you all very much and can't wait 'til I'm settled enough to hear from you.

All love,

MIKE.

DEAR BOOB: The difference between here in Qui Nhon (pronounced Quinyon) and Chu Lai is incredible. In Chu Lai, I slept on a bare cot in a field tent in the sand dunes; here I'm in an old French villa in a bed with sheets. In Chu Lai, the latrines are just outhouses and you can get a cold water shower only every three days. Here there are private bathrooms with hot showers. In Chu Lai, the officers' club is a grass shack that serves warm beer. In Qui Nhon, I have a choice of three permanent clubs, can get anything I want to eat or drink, can see floor shows every night, etc. It's a veritable paradise here, compared to Chu Lai. But don't get me wrong. I'd still rather be in Seattle or New York or Boston—it's not that great! I also think I may be really spoiling myself for what is ahead in the next few months, but what the hell!

I can't tell you how great those last three days in Seattle were for me. As I've said before, the Skubis have become a second family for me and I feel both honored and extremely grateful to be so accepted. I've unfortunately developed some nostalgic feelings for Laurelhurst, the U. District, and most of all Whidby Island with Fort Casey and Sunlight Beach, so much so that I yearn to return there as much as home. Having another place that I yearn for just adds a little more to the pain of leaving and being away. Besides, I miss you the higher the much.

All love,

MIKE.

P.S. I still really crave your mother, so give her a big Hi!

P.P.S. I got all my hair cut off the day I arrived in VN so I'll send you some pictures. I'm sure you can't wait to run off showing the great pix of your boyfriend in the Army.

MARCH 27.

DEAR MOM AND DAD: Would you believe I am now officially assigned to a unit? It's taken so long that it's quite a relief.

After I left Qui Nhon last Friday, I went back up to Chu Lai to finish up my training, which ended Sunday. On Monday, I flew down to Duc Pho or LZ (landing zone) Bronco, the base camp of the 11th Brigade. From there I was assigned down to the 4th of the 3rd, "The Old Guard." This battalion has its headquarters here at Duc Pho, but its AO (area of operations) is back about five miles south of Chu Lai. Therefore all logistics are handled out of Chu Lai.

I am told that our AO is quite a good one. There is almost no contact with Charlie and what little there is rarely turns into much of a fight because he runs away. The principal danger here is from mines and booby traps, which account for about 75 percent of all casualties. The enemy here is mostly VC guerrillas, with a few hardcore VC. To my knowledge, there has been no contact at all with the North Vietnamese.

From the people I've talked to over here I've come up with some new ideas on the war here. For the most part, nobody is particularly wild with patriotic feeling for the war. There are of course those who just get a real charge out of killing people. One Lieutenant I talked to said what a kick it had been to roll a gook one hundred yards down the beach with his machine gun. But most people generate their enthusiasm for two reasons: One is self-preservation—if I don't shoot him, he'll eventually shoot me—and the other is revenge. It's apparently quite something to see a good friend blown apart by a VC booby trap and you want to retaliate in kind.

While I am able to read *Stars and Stripes* and listen to AFVN radio newscasts, I still feel very cut off from the world outside of VN. I would love it dearly if you would subscribe to *Newsweek* for me. Also, what do you think of Bobby for President? What about Westmoreland's new job? What does everything mean?

I now have one last editorial comment about the war and then I'll sign off. I am extremely impressed by almost every report I've heard about the enemy I am about to go and fight. He is a master of guerrilla warfare and is holding his own rather nicely with what should be the strongest military power in the world. But it is mostly his perseverance that amazes me. He works so hard and has been doing so for so long. You've heard of his tunneling capability? A captured VC said that in coming from North Vietnam down to Saigon, he walked over 200 miles completely underground. Anyone who would dig a 200-mile tunnel and who would still do it after being at war for some thirty years must be right!

All love,

MIKE.

APRIL 3.

DEAR MOM AND DAD: Well, your eldest is now a combat leader. So far I haven't even fired a shot, nor have I been under any sort of fire. Our company is currently involved in an operation to prevent the local rice harvest from falling into VC hands. Our tactic is to remain in a company base during the day, since it is too hot for any long, arduous movement. At night each platoon sends out two or three squad-size ambush patrols.

Two days ago we went on a heliborne combat assault. Our mission was to cordon a village that was suspected of having a platoon of VC hidden in it. It was an extremely well-executed mission. We were air-lifted out of our defensive position and then were dropped in around the village about fifteen miles south. Once we were in position a group of Vietnamese Popular Forces moved in through our lines searching the village. It was an all-day operation that netted one VC killed, six captured, and three weapons captured. It is in operations like this that we hurt the VC most. As you know, the local VC are terribly underequipped. So when we capture two or three weapons we put ten or fifteen enemy out of commission, at least for a while. At the end of the day we were again helilifted back to our company base. It was basically a simple school problem, but for me, since it was really the first operation I had been on it was quite exciting.

Our primary danger here though is not Charlie himself, but the mines and booby traps he sets. The first night I spent in the field an ambush patrol from the first platoon had three men wounded when they set off a booby-trap grenade. This morning, the second platoon took fourteen casualties, including one killed, when they set off two mines while on a road-clearing mission. So far, my platoon, the 3rd, hasn't had any trouble, but these booby traps are so well hidden that no matter how good you are, they'll get you.

I heard Johnson's speech on AFVN Radio last night and think it to be the best one of his career. I am heartened by this bombing reduction and pray as does everyone else here that Hanoi will respond. What do you make of it? Also, how about his not running for President? I was beginning to think that the only way for this war to end was to have Johnson reelected in November. This I feel would cause Hanoi to back down to a show of American popular support for the war. Please comment.

Things aren't all bad—I've got a really good company commander and a good platoon sergeant. In my job these are the most important people in the world to me. Also on the brighter side, I'm getting the best suntan I've ever had.

New pen.

All love,

MIKE.

DEAR MOM AND DAD: I just got my first letter from you plus the clippings on Johnson and my pictures. I can't tell you how great it is to be back in touch with you again.

In Vietnam nearly every GI has a portable radio which he carries to pick up AFVN Radio. It's really a terrible station, being designed to offend no one and please the majority. It plays the same pap all day long in its effort to appeal to the same Midwestern anti-Communists you mention in your letter. But they do present reasonably uncensored news every hour. This plus *Stars and Stripes*, which we get twice a week, keep me pretty well posted, at least as far as headlines go.

I did hear Johnson's speech of deescalation and noncandidacy and thought it the best of his career, not just the way he said it. It created in me a great sense of hope that this foolishness over here will end fairly shortly. There is not a man over here that wants to see this war go on any longer. This is not to say that anybody shrinks from doing a job. But everyone is as confused as I as to exactly what, if anything, we're accomplishing and wants the war over ASAP.

I lost my first man last week. He was killed by accident by another man in the platoon. I had sent a squad out on night ambush. They had been set up in position for a few hours when the flank man crawled away to take a look or something and as he was crawling back to position another man mistook him for a dink and shot him. He died on the chopper that dusted him off. Of course it really tears me up to lose a man, especially like that, but I must not show any emotion over it. I've got to press on, keep doing my job. Even among my men this is universal. They are saddened by the death of a buddy, but he is gone. The concern among the team (for that is what we are) is how it will affect the man who shot him. Will he fall to pieces over this and be unable to perform his function? This is what we're worried about first and foremost. War is Hell!

You know that joke about how hard it is to tell the good guys from the bad guys over here? Well, it's funny in Bronxville or Dorset, but it isn't over here. The enemy in our area of operations is a farmer by day and VC by night. Every male is required to register at his provincial capital. He is further required to carry an ID showing his picture, fingerprints, age, etc. But anyone with a VC background is supposedly denied an ID. Simple, you say? All we have to do is come to a village and police up everyone without an ID, right? Well, about three months ago we captured a VC printing plant that manufactured ID cards. Every man we pick up says "Me Vietnamese, Numbah 1, VC, Numbah 10," so we have to let him go. But more than once we have captured or killed people with weapons whom we recognized as one of those smiling faces we had picked up and released earlier. It's maddening because we know damn well that they're dinks, but we can't do anything to them until we catch them with a weapon or actually shooting at us.

By the way, Number 1 means real good and Number 10 means real bad in pidgin Vietnamese-English. Other handy phrases, just in case you're planning a vacation in this tropical paradise are: *teetee*—very little; *boo coo* (a bastardization of *beaucoup*)—

very much; boom boom—whore; *deede now*—get out of here. What more do you need to know?

Would you also like to know an interesting facet of Vietnamese economy? GI's at the large installations can buy cokes or beer for two or three dollars a case. They can sell it on the black market for ten or fifteen dollars. The black market distributes it around the country for lord knows what price. The village peasants sell it back to GI's in the field who never see a PX from one month to the next at a dollar per can or twenty-four dollars a case. To the GI in the field a coke or a beer is such a delicacy that he is all too willing to pay the exorbitant price. Oh, well!

More soon.

Love,

Mike.

Dear Mom and Dad: Well, I've had my baptism by fire and it's changed me, I think. Two days ago my platoon was on a mission to clear three suspected minefields. We were working with a mechanized platoon with four tracks, and our tactic was to put the tracks on line and just roar through the minefields, hoping to blow them. Since the majority of the VC mines are anti-personnel, the tracks could absorb the explosions with no damage done to them or the people inside. My platoon rode along just as security in case we were attacked. We spent the whole day clearing the three fields and came up with a big zero.

The tracks were then returning us to where we would stay overnight. When we reached our spot we jumped off the tracks and one of my men jumped right on a mine. Both his feet were blown off, both legs were torn to shreds; his entire groin area was completely blown away. It was the most horrible sight I've ever seen. Fortunately he never knew what hit him. I tried to revive him with mouth-to-mouth resuscitation but it was hopeless to begin with.

In addition, the explosion wounded seven other people (four seriously) who were dusted off by Medevac, and three others lightly, who were not dusted off. Of the four seriously wounded, one received a piece of shrapnel in the heart and may not survive; the other three were almost completely riddled with shrapnel and while they will be completely all right, it will be a slow and painful recovery.

I was one of the slightly wounded. I got three pieces in my left arm, one in my right knee, and about twenty in both legs. I am completely all right, in fact I thought I had only gotten one in the arm and one in the knee. It was not until last night when I took off my clothes to take a shower that I noticed the other spots where I had been hit.

I came back to Chu Lai yesterday because my knee is now quite stiff and swollen and will probably be here a couple of days, what with X-rays and what not. Believe it or not, I am extremely anxious to get back to platoon. Having been through this, I am now a bona fide member of the platoon. They have always followed my orders but I was an outsider. Now I'm a member of the team and it feels good.

I want to assure you that I am perfectly all right. You will probably get some sort of notification that I was lightly wounded and I just don't want you to worry about it at all. I will receive a Purple Heart for it. People over here talk about the million dollar wound. It is one which is serious enough to warrant evacuation to the States but which will heal entirely. Therefore you might call mine a half-million dollar wound. My RTO who was on my track, sitting right next to me, caught a piece of shrapnel in his tail, and since he had caught a piece in his arm about two months ago, he'll get out of the field with wounds about as serious as a couple of mosquito bites.

I said earlier that the incident changed me. I am now filled with both respect and hate for the VC and the Vietnamese. Respect because the enemy knows that he can't stand up to us in a *fire fight,* due to our superior training, equipment, and our vast arsenal of weapons. Yet he is able. Via his mines and booby traps, he can whittle our ranks down piecemeal, until we cannot muster an effective fighting force.

In the month that I have been with the company, we have lost four killed and about thirty wounded. We have not seen a single verified dink the whole time, nor have we even shot a single round at anything. I've developed hate for the Vietnamese because they come around selling cokes and beer to us and then run back and tell the VC how many we are, where our positions are, and where the leaders position themselves. In the place where we got hit, we discovered four other mines, all of them placed in the spots where I, my platoon sergeant, and two squad leaders had been sitting. I talked to the mech platoon leader who is with us and he said that as he left the area to return to his fire base, the people in the village he went through were laughing at him because they knew we had been hit. I felt like turning my machine guns on the village to kill every man, woman, and child in it.

Sorry this has been an unpleasant letter, but I'm in a rather unpleasant mood.

All love,

Mike.

P.S. Could you check on my bank account and tell me its status?

April 29.

Dear Boob: In case you hadn't noticed, there are at strategic locations throughout this letter, a number of funny little pictures of alligators. Why alligators, you ask, and rightly so. Well, to show you that I'm going absolutely crazy over here I must tell you about my new fixation on alligators. The alligators are "rub-ons," the nifty surprise that comes in every package of jiffy-pop. So I thought I'd rub a few on.

I'm enclosing here a couple of pictures. One, needless to say, is a picture of everyone's favorite war hero. The other is one which I probably shouldn't send, but I thought it would interest you as a part of your education. It was just a part of mine as I had never seen a truly pornographic picture before, and I still do not know who makes them or how to get them. They just turned up in my bunker the other day. I had heard about pictures like this before so I'm not shocked, merely revolted to actually see them. I hope that I don't get arrested for mailing obscene material in the mail. I also hope that Marge doesn't get all excited about seeing a letter from me in the mailbox and decide to open it before you get home from school. Most important I hope it doesn't offend you.

I got a letter from MPS yesterday and what a thrill. It was a real pleasure to read a letter from a Skubi who is sane. I'm puzzled by the Mrs. Robinson with which she signed it. Am I then Benjamin Braddock? Are you Elaine? Is Bill Evans (Seattle's answer to Duffy) Car? Oh well, please reaffirm my love for her anyway.

Mike.

May 2.

Dear Mom and Dad: I am now sitting in a little hooch in a village in which we're operating. Company A is still situated on LZ Sue, securing the artillery battery which supports our battalion. The way things are working is that two platoons secure the hill, while the third goes off into the villages on patrol. Each platoon stays down for three days and then moves back up to get relieved by another. On Sue it's relatively safe, with large strong bunkers, several layers of barbed wire around the outside.

We still have to man the perimeter at night, which means not much sleep and we're always subject to mortar attacks, but Charlie would need a fully equipped battalion-sized force to take it, so I don't think he'll try. Basically, being on Sue means a rest and security, so it's good to be there. Right now, though, we are on our three days down in the field and I have to tell you that ever since we hit that minefield I am nervous all the time. My platoon is way under strength right now and I feel that we are too small a force to be operating as independently as we do. My authorized strength is forty-three. I had thirty-six when I first joined the platoon and am now operating with twenty. That minefield cost me several people, plus I am hit with a rash of people on profile and people on R&R at this time.

Last night I split my element into two ambushes. I took one and my platoon sergeant took the other. Sergeant Western's patrol was in position about an hour and a half when some dink sneaked up and threw a grenade into their perimeter. Sgt. Western saw it come in and managed to grab it and threw it back out where it exploded harmlessly. It was, needless to say, an awfully close call. I put him in for a Silver Star today for his courageous action.

Sergeant Western is a really good guy and I wish we didn't have to maintain a professional relationship because I'd love for him and me to be friends. He is twenty years old and comes from Larchmont and we are very similar in both background and temperament. He has been very lucky in achieving rank as fast as he has, but he also has the competency to merit his rank. He and I have jokingly suggested that you and his mother should get together and talk about your sons in faraway Vietnam.

I am awfully sorry to hear about the academic difficulties being suffered by No. 2 and 3 sons. I'm sure though that Larry, as usual, will barely pull something out of the bag and squeak through, colors flying. As for Mark, I don't know what to think. I would certainly hate to see him stifled in some second-rate school, but his only alternative, I'm afraid, is the Army, which would kill him. Maybe NYU or BU might be an answer. You can tell him that he can get into OCS in the Army, if that's the course he chooses or gets stuck in. As for Larry, since I assume he has no alternative, I would recommend the Army because it's a much shorter tour, but only if he can get a decent branch guarantee. Otherwise, I'd say Navy or Air Force.

Despite losing people and being scared all the time, I find being an infantry platoon leader an exhilarating, exciting, and, yes, rewarding job. I have ambitions to go higher, even in my short two years in the Army, but I don't really want to because platoon level is the last at which I still can have close working contact with my men. I think I've developed a pretty good relationship with my people, one in which they depend on me for leadership, but they know that I must be able to depend on them too. It's very healthy and as I say, rewarding. I am doing all the politicking I can to get a staff job, but if I do get one, I will hate to leave my men (not enough to turn it down, though!).

I got the big Easter-gathering letter and really enjoyed hearing from everyone. It must have been quite a party. I have gotten a few letters from Sally Fairfax, thousands from Ronda, one from JoAnne, and none from Susie.

I have a couple of requests which I wonder if you would mind filling. (1) Have you been able to change the address on the *Newsweek* subscription you said you ordered? I live in quite a vacuum for news over here and *Newsweek* seems about the best and easiest way to pull myself out. (2) Could you check the status of my bank account and send me a report? (3) Could you send me half a dozen black mechanical grease pencils. I use these to mark my maps which are covered with acetate. (4) Could you keep me supplied with felt tip pencils (blue) like this one. About two a month should do me fine. As you can probably tell, it's a cold day in hell (or Vietnam, for that matter) when I get a chance to get to a PX.

This is all for now (both requests and deathless prose). More soon.

Love to all,

MIKE.

P.S. You might tell any friends you have in Washington to get off their fat asses, quit quibbling, and start talking about ways to end this foolishness over here. Aside from being opposed to the damn war, it really gives me a case that LBJ, who claims to want peace and who says he'll go anywhere, anytime, to talk peace, has taken over a month without being able to find an acceptable site. Anywhere, according to his promise, ought to be "acceptable."

DEAR SUSAN: I realize that I'm a little late, but I want to wish you a Happy Easter.

As you'll probably know by the time you get this, I picked up a Purple Heart the other day when I got hit with about twenty pieces of shrapnel from a mine explosion. The mine killed one man and wounded ten, including four quite seriously. I was lucky, I suppose, to get off quite lightly.

You know what—this mine incident has changed me. I'm still as opposed to the war on moral and political grounds as ever. But since I am here, and when I see the gory mess that mine made of my people, I want revenge. I want to kill every little slant-eyed bastard I see. I just wish to hell the VC would come out and fight. We never see them, just their damn mines and booby traps. Do you know that in the month I've been with this company we've had over thirty people killed or wounded and we haven't seen a dink or fired a single shot.

It is now two days after I started this and I'm back in the field again. I'm in the middle of reading an interesting piece in the March *Harper's* called "From the Steps of the Pentagon," by Norman Mailer. It's about the events which happened before, during, and after the March for Peace you went on last fall and at which I gather Mailer made quite an ass of himself. What else is new? Regardless, it's quite well written and I don't know if his views correspond to yours, but I recommend it to your reading pleasure.

Needless to say, the life I lead is fairly miserable. But there are a lot of compensations in the "thank heavens for small pleasures" department. For instance, you can't believe how great it is to get coke with our resupply each night. The coke is hot and it's been so shaken up by being thrown on and off of the choppers that you invariably lose half of it when you open it, but it tastes just fabulous. Another thing is ice cream, which we get about once a week for chow; again it is usually melted and warm, but it's ice cream and it's yummy. Probably the greatest morale builder of all is mail. A word from home which can sail you millions of miles away from Vietnam. Of course, though, Vietnam is actually quite a beautiful place. If we weren't at war, this would probably be quite a nice assignment. I imagine that when this idiocy is finished the truce will allow for several U.S. bases here. Most of our bases now are right on the South China Sea which is, like most oceans, beautiful. I think therefore that you'll see lots of people requesting tours in Vietnam.

I had a funny experience last night. I'm sure you're familiar with Orientals and the importance of face. My platoon was holed up for the day in a village with three or four people in a hooch. I babysans. In the late afternoon we got resupplied with hot chow, and I was sitting down on the front porch with my hamburger, beans, potatoes, and ice cream, which doesn't sound that great, but after eating C rations for the previous two meals this was to have been quite a treat. No sooner had I sat down than Papasan comes out of the house and motions for me to come inside, which I did. The family was just sitting down to their own dinner and it seems they had set a place for me. Before I knew it, Mamasan had grabbed my plate with my own food and took it away while Papasan urged me over to take my place on the dirt floor around a tray of food. I didn't really want to give up my food to eat theirs, but I felt obliged; so I crossed my legs and sat down and was served a bowl of rice, a grungy pair of chopsticks, and was urged to help myself to the variety of dishes on the tray. I don't know what any of it was, but one looked like fish, another spinach, tomatoes, and noodles. I sampled them all and still don't know, but each bite tasted the same, super-salty, and each bite made me feel like vomiting. I ate as little as I thought polite, managing to avoid throwing up. As soon as I finished, I got up, bowed to the family, thanking them profusely for the delicious meal. I left them and as soon as I got around the corner of the house, I blew lunch all over the place.

MIKE.

MAY 11.

DEAR MR. AND MRS. RANSOM: It is with great difficulty that I write this letter expressing my deepest sympathy over the loss of your son Robert—known as Mike to us. I have never written a letter like this before, but then, in my six years of nursing I have never met as courageous an individual as your son.

I was able to care for Mike daily and I want you to know that his sense of humor and will to live made my work much easier. Things he could no longer do for himself—like brushing his teeth—things that surely brought him discomfort—like turning him—brought only thank-yous, humorous remarks, a gleaming smile, or a twinkle from his eyes.

Mike fought hard, terribly hard, to overcome his body's wounded condition. But, strong as he was, his body could only endure so much. Mike was never afraid and although I'm sure he realized what was happening, he never, never lost his smile or his courage.

I guess I really wanted you to know that Mike did not die alone, with no one caring. I care, we all cared—we all share your sorrow.

Be ever so proud of Mike!

Most sincerely,

CONNIE SCHLASSER,
Captain, ANC, 2nd Surgical Hospital MA.

FOR FREE LITHUANIA

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. KLUCZYNSKI. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD and include extraneous matter, I submit the following:

FOR FREE LITHUANIA

February 16 is the 51st anniversary of the declaration of the restoration of independence of Lithuania. Free Lithuanians throughout the world observe this event annually with commemorative affairs and with mixed emotions of pride and sadness.

Lithuanian pride is based on the progress made and prosperity enjoyed during the short-lived period of freedom of Lithuania; the sadness for the deprivation of that freedom and Lithuania's present tragic plight.

Lithuania was declared an independent state Feb. 16, 1918. Soviet Russia recognized it as such by the treaty of peace signed July 12, 1920. However, in June, 1940, Russia forcibly seized Lithuania and shortly thereafter incorporated it into the Soviet empire, in violation of international law and against the will of the Lithuanian nation.

No free nation has recognized the so-called incorporation. Legally, Lithuania still is an existing sovereign state, although occupied by foreign armed forces. It has its duly recognized citizens and functioning diplomatic and consular representatives in the United States, as well as in Europe and South America.

Bearing in mind the United Nations Charter, various treaties and the Soviet demands for withdrawal of Israeli and United States troops from foreign territories, it is legal and logical to demand withdrawal of Soviet troops from Lithuania and from all the other Soviet-occupied and exploited countries.

Lithuanians demand a Soviet withdrawal and appeal to the free world for assistance. Their cause for freedom and independence, of which they are forcibly deprived by the Soviet Union, is just.

PETRAS P. DAUZVARDIS,
Consul General of Lithuania.

LABOR ECONOMIST SPEAKS OUT AGAINST HIGH INTEREST RATES

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. PATMAN. Mr. Speaker, many of the apologists for the Federal Reserve System and the banks cling to the theory that high interest rates are a guard against inflation.

This is one of the biggest fallacies that is spread about our monetary system. High interest rates contribute to inflation; they do not diminish it.

This point was recently brought out by a leading economist, Nat Goldfinger, in a nationwide broadcast. Mr. Goldfinger, who is director of the department of research for the AFL–CIO and a highly respected economist, put the issue squarely:

> We've had interest rate increases for almost the past 12 months now. Those interest rates get built into the price structure and are an inflationary factor. Many economists believe that the surtax adopted last year, which siphons about $11 billion in additional taxes from consumers and businesses, would gradually slow down the economy a bit, and slow down the rate of price increases.
>
> If the monetary managers of the Federal Reserve System wanted to act in the monetary area, they could increase the reserve requirements on banks without directly increasing interest rates the way they have been in the past several months. The increase of interest rates not only has a discouraging effect on economic expansion, it gets built in.

Mr. Speaker, these comments were made on Mutual Broadcasting System's program, "Labor News Conference". I place in the RECORD a copy of the transcript of this broadcast.

[From Labor News Conference, Mutual Broadcasting System, Jan. 14, 1968]

Subject: Current Economic Trade.

Guest: Nathaniel Goldfinger, director of the Department of Research, AFL–CIO.

Reporters: William Eaton, Washington correspondent for the Chicago Daily News, and Frank Swoboda, labor correspondent for United Press International.

Moderator: Frank Harden.

HARDEN. Labor News Conference. Welcome to another edition of Labor News Conference, a public affairs program brought to you by the AFL–CIO. Labor News Conference brings together leading AFL–CIO representatives and ranking members of the press. Today's guest is Nathaniel Goldfinger, director of the AFL–CIO's Department of Research.

The vigor and direction of the nation's economy is a vital concern to Americans in all walks of life. Here to question Mr. Goldfinger about the performance of the nation's economy at this time are Frank Swoboda, labor correspondent for United Press International, and William Eaton, Washington correspondent for the Chicago Daily News. Your moderator, Frank Harden.

And now, Mr. Eaton, I believe you have the first question?

Eaton. Mr. Goldfinger, this is the traditional time for sizing up the economy, and this year we have a new Republican President. What is the outlook for prices, interest rates and unemployment?

Goldfinger. Well, Mr. Eaton, at the moment, the central factor, in the economy is uncertainty about where it's going.

Some observers talk of a continuing rapid growth of sales, production and employment, with prices continuing to rise rather rapidly.

Others see a slowing down of economic expansion—at least, in the first half of the year—with a slowing down of the pace of price increases.

Still others see a recession in the months ahead.

As I look at it, I'm still in the middle group, expecting a slowing down of the rise of sales, production and employment in the first half of 1969, and some easing of price increase pressures during the course of the year.

But the record-high interest rates of the first half of January—at the very beginning of this year—and the expectation of a squeeze of bank credit, spell, it seems to me, a danger of recession. I'm still not convinced of that, but I think that there is the danger of that kind of development.

For example, the New York Journal of Commerce of January 8, states that the rise of the prime interest rate—the rate charged by banks to their richest and best credit risks—up to an unprecedented seven percent, would tend to accelerate a coming business recession.

As I said, I am still in the middle group, expecting a slowing down of the rise of sales, production and employment, and an easing of price pressures during the course of the year—hopefully, without the onset of a recession.

Eaton. With interest rates—prime rates—going to seven percent, what is ahead for the average consumer seeking a bank loan on a car or house, and, how long do you believe this "credit crunch," as it is called, will last?

Goldfinger. Oh, I'm afraid, Mr. Eaton, that the way things are going now, the "credit crunch" could last two or three months, or longer.

For the average consumer buying a car, or television set, or anything on installment credit, interest rates are going higher than they have been—and they have been in the area of 12 to 18 percent, and more.

They are going up—interest rates are going up on everything.

The sad part of this story is, these high interest rates get built into the price structure, so they increase the price of everything you buy. The businessman is paying higher interest rates; the warehouse fellow is paying higher interest rates, and he passes this on. With the trucking company, the transportation company, the retailer—all along the line this higher interest rate gets passed along to the consumer in the price structure.

And then the consumer gets smacked in addition, Mr. Eaton, with a higher interest rate on installment credit.

Swoboda. Mr. Goldfinger, you say that you are in the middle group—that you think there will be a slowdown early in 1969, or during the first part of 1969. Do you think this is dependent upon continuation of the tax surcharge Or, do you think there could be modification or elimination of the surcharge?

Goldfinger. Well, there hasn't been a decision as yet, as to the continuation of the surtax, which amounts to about $11 billion additional taxes on both individuals and companies. The surtax is due to go off in the middle of the year. The final decision will be made by President Richard M. Nixon, after he takes office, by the House Ways and Means Committee, and by the Congress itself. That issue is still up in the air. Social Security payroll taxes have gone up $1½ billion per year on employees and a similar amount on companies.

But, in any case, Mr. Swoboda, regardless of what the Administration and the Congress do, the surtax—which is now collecting at an annual rate of about $11 billion, as I said, from people and companies—is in effect for the first half of the year—it is on the books and going. In addition, the Congress passed a law last year that puts a very strong lid on the increase of government expenditures. So, all of these things dampen-down the expansion of sales, production and employment. And, on top of all that, we have this new factor of very high interest rates—unprecedented interest rates—and a squeeze on bank credit.

Swoboda. I think that when people talk of prime interest rates and commercial banks, there is some confusion. What exactly does it mean to the consumer?

Goldfinger. Well, the prime interest rate is the rate of that the commercial banks charge their richest and biggest customers—the richest and biggest corporations. For instance, General Motors and General Electric would pay that seven percent prime rate.

However, a seven percent prime rate for them is an understatement, because on big loans, the banks also require that 20 percent of the loan remain in the banks as an interest-free deposit. So in truth, the effective prime rate now, is not seven percent, but seven percent plus that 20 percent deposit. That makes the effective actual prime interest rate now, 8.4 percent.

Well, if the biggest and richest corporations in the country are paying, in actuality, an 8.4 percent interest rate, I don't think it takes much imagination to see what kind of interest rates mediumsized businesses and small businesses, and farmers, home buyers and consumers will pay.

Let's just take mortgage rates. Mortgage rates have moved very high. At the end of 1968, mortgage rates were already up to about 7¼ to 7½ percent, for the country as a whole—somewhat lower in some places and higher in other places.

With this new seven percent prime rate, the interest rate on mortgages will now go up toward eight percent and more, for the country as a whole.

All of these already high interest rates move up even higher. Loans, for example, for medium and small businesses, which in recent months have been about eight to ten percent or so, will move even higher.

Interest rates on installment loans to consumers, which have been running around 12 and 18 percent, will move a lot higher. And, these increasing high interest rates discourage the expansion of sales, production and employment, particularly home building, which gets hit hardest and most immediately.

High interest rates also hit the plans of state and city governments to build hospitals, schools, roads, bridges and other kinds of public works.

Eaton. Mr. Goldfinger, as you know, prices in 1968 went up about 4.7 percent—the fastest one-year rise since the Korean War—and many businessmen and economists say that some severe action is needed to break the back of inflationary psychology. Would the increase in the prime rate be an action that would help to check the rise in prices?

Goldfinger. Well, Mr. Eaton, I don't believe that this is the way to slow down the rise of prices. In 1968, consumer prices increased about 4.7 percent and, as you say, this was a faster rise than in the past 15 years or so.

There are other ways of getting at the problem of price increases, particularly when a good share of the price increases are in areas such as medical care, hospital care, auto and property insurance rates. There are different and better ways of doing it, than slapping on unprecedented peak interest rates, one after the other.

We've had interest rate increases for almost the past 12 months now. Those interest rates, get built into the price structure and are an inflationary factor. Many economists believe that the surtax adopted last year, which siphons about $11 billion in additional taxes from consumers and businesses, would gradually slow down the economy a bit, and slow down the rate of price increases.

If the monetary managers of the Federal Reserve System wanted to act in the monetary area, they could increase the reserve requirements on banks without directly increasing interest rates the way they have been in the past several months. The increase of interest rates not only has a discouraging effect on economic expansion, it gets built in.

Let's take a practical example.

If you go out to buy a house now, Mr. Eaton, and get a 20-year mortgage at the very high rate of 7½ percent, you are going to be paying that 7½ percent interest rate month after month after month—for twenty years—unless you are fortunate enough, at some later point when interest rates are lower, to refinance the house.

The point I'm getting at, is that once interest rates go up the way they are, they get built into the price structure and into the structure of the amount of money that people spent month after month on rent, on mortgage payments, on installment payments on cars, installment payments on television sets and the other things they buy.

Eaton. What federal government action might be taken to try to lower interest rates? Would balancing the federal budget be one way of taking the pressure off?

Goldfinger. Well, Mr. Eaton, the government has moved in that direction. That was the purpose of the adoption of the surtax—the additional taxes—the temporary tax increase on consumers and companies. The government's budget actually is moving rapidly toward balance—perhaps, even toward surplus at, this point.

Because of that factor, many economists believe that gradually, economic expansion would begin to slow down, on an orderly basis, over a period of time, and that the price pressures would ease.

In addition to all of those factors, the very rapid increases of military expenditures the past three years now appear to be over, and military expenditures have leveled off.

So, there are all kinds of reasons for expecting some slowing down of economic expansion, and some easing of price pressures, on an orderly basis, without this exceptionally unprecedented kind of increase of interest rates.

Swoboda. Well, Mr. Goldfinger, President Lyndon B. Johnson recently said—predicted or estimated—that there would be a small surplus in fiscal '69. He wouldn't say how much. This is opposed to a summer estimate of a five billion dollar deficit. Part of it he seemed to attribute to the fact that inflation was going at such a rate that it was increasing incomes and so on so much, that revenues were coming in much faster. Is this a cure, or are we just going in a circle?

Goldfinger. No, I don't think that we are going in a circle. I think that the wise course is the orderly course. It may be a little slower, but if you are going 80 miles an hour, it is awfully dangerous to slap on the brakes. It is much wiser, if at all possible, to slow down to 60, to 40, to 30, instead of slapping on the brakes, because you can go through the windshield. I think that the story of the national economy is somewhat parallel.

The national economy has moved forward very rapidly over the past three years, and there have been some pressures in many markets, as a result of that rapid movement. Slapping on the brakes all of a sudden is very dangerous, because there is the possibility of going through the economic windshield.

SWOBODA. Well, doesn't it appear that the Federal Reserve Board, with its changes in the discount rate, is trying to do just that—slap on the brakes hard?

GOLDFINGER. Well, they are trying to slap on the brakes, although I'm sure that they would say that they are not slapping on the brakes too hard.

On top of that, the commercial banks are moving up their interest rates, and as they did January 7, jacked up their prime rate to seven percent.

So, it is partly private actions, partly the action of the commercial banks, partly the action of the Federal Reserve System.

SWOBODA. But, wasn't it anticipated by the Federal Reserve Board that this would happen, once they increased the discount rate? Didn't they almost count on that?

GOLDFINGER. Well, commercial banks increased the prime rate to their richest and biggest customers to six and three-quarters percent only a few weeks back. This is the second increase within a few weeks.

I think these unprecedented actions could have some bad effects.

EATON. Mr. Goldfinger, aren't the banks saying that inflationary psychology is so strong that they have to pay higher interest rates in order to obtain money from depositors for lending, and that therefore, they must charge borrowers the additional increase, because people have no faith that their money will be worth as much if they get less interest on it?

GOLDFINGER. Well, that is one of the reasons they give. I'm not sure how valid that is, Mr. Eaton. The increase in consumer loans has begun to slow down, you know—the number of loans. And I think there are fairly clear reasons for that. Look at what's been happening to the real purchasing power of worker's wages. There is a slowing down on the consumer side.

There still is a boom psychology in parts of the business community. This is dependent—unfortunately dependent—on very high profits and high cash-flow. Many companies are just loaded with cash, building up inventories and continuing to increase their investments in new plants and equipment, and in modernization. Now, these are factors in the whole scene.

EATON. Well, Mr. Goldfinger, do you feel that the Federal Government can take any action other than it has by way of Federal Reserve actions—to try to lower interest rates? For instance by raising the amount of money banks must have in reserve? Or, would your position be that the surtax should be continued, to make some moderate slowdowns?

GOLDFINGER. Well, the surtax is in the works, at least until the middle of the year. Whether or not it should come off depends on economic trends between now and then.

If the economy goes in to some kind of tailspin or into a very sharp slowdown or recession, obviously, the surtax should go off. But this would have to be examined later—in the Spring, for example—to see how the trends are going.

The Federal Reserve system could increase reserve requirements on commercial banks, in order to make it tougher to lend money. You see, the way the banks are going at this point, they are lending money, and they seem—at least to the present time—they seem to have rather ample funds.

But when they lend that money at a higher and higher interest rate, that means higher and higher profits to the banks, and higher and higher costs to their customers. This builds up these pressures—long-term pressures, in many cases on consumers, such as home buyers paying mortgages.

EATON. If consumers had a choice, should they wait two or three months in hopes of getting lower interest rates?

GOLDFINGER. I would hope you are right, Mr. Eaton.

I don't think that the current money squeeze and very high level of interest rates can continue much longer than another couple or three months, because the present seven percent prime rate is utterly unprecedented.

It's the highest prime rate on record. And those records go back about 40 years.

EATON. Do you believe that if it continues, it would lead to a recession?

GOLDFINGER. As I said at the outset, Mr. Eaton, I think that there is that danger—a danger of a recession.

I don't think that we are heading into a recession at the moment, but there is much uncertainty, because on top of the surtax adopted the middle of last year the tight lid that Congress placed on government expenditures, we now have this money squeeze and rising interest rates.

HARDEN. Thank you, gentlemen. Today's guest on Labor News Conference was Nathaniel Goldfinger, director of the AFL–CIO's Department of Research. Representing the press were William Eaton, Washington correspondent for the Chicago Daily News, and Frank Swoboda, labor correspondent for United Press International. This is your moderator, Frank Harden, inviting you to listen again next week. Labor News Conference is a public affairs production of the AFL–CIO, produced in cooperation with the Mutual Radio Network.

WILLIAM SWIFT: A GREAT SAN LEANDRAN

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. MILLER of California. Mr. Speaker, on February 5, 1969, the city of San Leandro, Calif., which comprises part of my congressional district, lost one of its most respected citizens by the death of Councilman William Swift.

"Bill," as he was known to a host of friends, held one of the longest and most outstanding records of public service in the history of the city of San Leandro and of the county of Alameda. He was for 21 years a member of the city council, serving as mayor during one of his terms. He also served on numerous other official, semiofficial, and community boards and commissions, always giving freely of his time and talent to the welfare of the city he loved.

I am privileged to have known him as a friend for about 30 years. I found him to be a humane and compassionate man, always conscious of his public trust and responsive to the needs of the people he served.

To his wife, Elizabeth, his children, others of his family, as well as his many friends, I wish to extend my sincere sympathy.

At this point in the RECORD, I submit an article which appeared in the San Leandro Morning News, which recites some of the accomplishments of "Bill Swift: A Great San Leandran":

WILLIAM SWIFT: MAY 22, 1895–FEBRUARY 5, 1969

(By Bill Romwall)

SAN LEANDRO.—William Swift, 73, Councilman and a former mayor of San Leandro, died of an apparent heart attack in a San Leandro hospital Wednesday night.

Swift came to San Leandro from Alabama in 1923, entering the service station business which he conducted until his death.

He was appointed to the San Leandro City Council Nov. 11, 1947, to succeed James F. Groves who resigned because of advanced age and ill health. Groves urged the appointment of Swift according to published reports of the time, because of Swift's devotion to the city and his demonstrated unselfishness in unofficial public service.

Councilman Helen Lawrence nominated Swift for the appointment, also emphasizing her own knowledge of Swift's ability and deep concern for "what is best for the City of San Leandro."

Swift was defeated for the council in the Seeley-Bellini-Dunnigan sweep of April 1948, which retired the incumbents of the day. His vote was within 50 tallies of Halsey Dunnigan who just nosed him out with 2,205 votes to Swift's 2,155.

Swift returned to the political fray in the hectic campaign of 1950—this time leading all candidates in the heavy vote tally. Swift had been supported by all segments of the community—although he scorned being on a slate offered by the Seeley-Bellini-Dunnigan forces, including homeowner groups of the time. Swift went about with a paint brush, obliterating his name from the posters and sign boards of the homeowner slate.

However—the group supported him anyway, His big plurality brought him the mayorship in April of 1950—a post he held until his resignation as mayor on May 7, 1951.

Swift said his own modest abilities as the city's chief political officer were secondary to those of other council members, including those of his close friend Thomas O. Knick.

In subsequent campaigns Swift continued getting wide support of homeowners as well as industrial and commercial interests—always gaining voter endorsement of his policies by wide margins.

He was named vice-mayor on April 21, 1964, and served in this post until April of 1966.

Swift was last re-elected April 12, 1966, to a four year term on the City Council.

In his 21 year stretch of service Swift saw many political reforms affect his city—most of them supported by him. Included were the council district plan and the direct election of the mayor, along with adequate compensation for the office.

Swift was a close friend and the political mentor of the present San Leandro Mayor Jack D. Maltester.

It was soon after Swift's own appointment to the City council that Maltester was appointed (January of 1948) to the Council to succeed the resigned Helen Lawrence—and the move was made by Swift.

Maltester said yesterday he had known Swift since he (Maltester) was a lad of ten years of age—and considered him "almost as a father, especially in recent years." The Mayor said he was "deeply shocked" at Swift's death, and expresed what seems the universal thought among Swift's friends—the great sense of obligation Swift felt toward his City of San Leandro and its citizens.

Gus Gustafson, the City's Community Relations Director, and a long time area newspaperman prior to his city service, said he has known Swift since 1938. "He was one of the sweetest guys I ever knew. He had complete integrity."

Perhaps Swift himself declared his public service credo best at the time of his original appointment in 1947:

"I came to San Leandro in 1923 without a nickel. Everything I have I owe to the people of San Leandro, who have been very kind to me and to my family. Now I want to serve them and the City as best I can to try to repay them."

Swift was a quiet, unassuming man—one whose voice and manner grew lowest and softest when his dander was highest.

And he could get that dander up on occasion—especially when he felt "special interest boys and girls" were trying to "high pressure this Council" toward moves against the broad public weal.

Swift is survived by his wife Elizabeth and children Mrs. Elizabeth Kruger and Philip L. Swift of Fremont; C. Shuford Swift of San Diego; William Swift Jr., of St. Bernard, Louisiana and David H. Swift of Sharon, Mass. He was grandfather of 12 and the great grandfather of two and is survived by three brothers and two sisters in Alabama.

He was a member of the Lion's Club of San Leandro; Eden Lodge No. 113 of Masons; the Royal Arch Masons, Chapter 66; San Leandro Post No. 117, American Legion and the Broadmoor Men's Club.

He was a native of Heflin, Alabama.

Services will be held Saturday, Feb. 8 at 1:30 p.m. from the Rose Garden Chapel of the Guerrero & Seramur Mortuary, 407 Estudillo Ave., San Leandro.

TRIBUTE TO RED SKELTON

HON. ELIGIO de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. DE LA GARZA. Mr. Speaker, these remarks are dedicated to Red Skelton, a great comedian, a great mimic, the king of pantomime, a great actor, a great American, a great man. We know him as a clown; he makes us laugh and cry, and cheer and laugh again and cry again, all in the space of 1 hour. His many faces have become a part of the American scene, for he is truly America's own, and we love him and respect him because he respects us and our families, but also because he is a great American. On the Red Skelton Hour of January 14, 1969, the following took place, and we proudly quote:

[From the Red Skelton Hour, Jan. 14, 1969]

THE PLEDGE OF ALLEGIANCE

I remember this one teacher. To me, he was the greatest teacher, a real sage of my time. He had such wisdom. We were all reciting the Pledge of Allegiance, and he walked over. Mr. Lasswell was his name. . . He said:

"I've been listening to you boys and girls recite the Pledge of Allegiance all semester and it seems as though it is becoming monotonous to you. If I may, may I recite it and try to explain to you the meaning of each word:

"I—me, an individual, a committee of one.

"Pledge—dedicate all of my worldly goods to give without self-pity.

"Allegiance—my love and my devotion.

"To the Flag—our standard, Old Glory, a symbol of freedom. Wherever she waves, there is respect because your loyalty has given her a dignity that shouts freedom is everybody's job.

"Of the United—the means that we have all come together.

"States—individual communities that have united into 48 great states. 48 individual communities with pride and dignity and purpose, all divided with imaginary boundaries, yet united to a common purpose, and that's love for country.

"Of America.

"And to the Republic—a state in which sovereign power is invested in representatives chosen by the people to govern. And government is the people and it's from the people to the leaders, not from the leaders to the people.

"For which it stands.

"One nation—meaning, so blessed by God.

"Indivisible—incapable of being divided.

"With liberty—which is freedom and the right of power to live one's own life without threats or fear or some sort of retaliation.

"And justice—The principle or quality of dealing fairly with others.

"For all—which means it's as much your country as it is mine."

Since I was a small boy, two states have been added to our country and two words have been added to the Pledge of Allegiance—"under God."

Wouldn't it be a pity if someone said, "That's a prayer" and that would be eliminated from schools, too?

MR. NIXON HAS MADE AN EXCELLENT START

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. AYRES. Mr. Speaker, Mr. John S. Knight, of the Knight newspapers, has written a very thoughtful editorial notebook on our new President, Mr. Nixon.

The editorial follows:

[From the Akron Beacon Journal, Feb. 9, 1969]

MR. NIXON HAS MADE AN EXCELLENT START

(By John S. Knight)

From my office windows overlooking Biscayne Bay, there are many wondrous sights to behold.

On a single day, one may see porpoises playing in the blue waters or an occasional sea cow, wise old pelicans diving for unsuspecting mullet and sea gulls following the yachts and fishing boats in search of a piscatorial snack.

There, too, are weather helicopters and the takeoffs and landings of amphibian planes near the MacArthur causeway, the Goodyear blimp and, at circus time, a parade of elephants ambling across the Venetian causeway to Miami Beach.

In late afternoon the passenger ships steam through the channel and Government Cut to the Bahamas, cargo vessels are in moorage at Miami's new seaport, the sightseeing boats accommodate an endless supply of curious tourists.

Yet since the election of 1968, it is not these diverse attractions alone which divert our attention from the labors of producing the South's largest daily newspaper. For the naked eye can look to the Southeast and see beautiful Key Biscayne where Richard Milhous Nixon has through the years bathed his political wounds and then rejoiced in the ultimate triumph for which, perhaps, he was always destined.

Key Biscayne is to President Nixon what Johnson City was to LBJ, a place to relax and work, to gather together one's thoughts on the great issues, to consult with the architects of vital policies in the making.

Few men would care to be under the staggering responsibilities and heavy work load which the voters have placed upon the new President

But not Dick Nixon, to whom victory last November was the culmination of all his hopes and ambitions. Though his administration is young and the severe tests have yet to come, the President shows evidence of buoyancy and orderliness of mind.

Agree or not, there is already testimony at hand that President Nixon is amply prepared for the White House tasks which lie ahead. Service in both the House and the Senate, eight years as Vice President under Eisenhower and extensive world travels have given Nixon a wide range of experience.

His ability to rise again after two presumably disastrous political defeats shows that he has resiliency and toughness of spirit. Though President Nixon's judgments have been and will be challenged, his ability and willingness to make them cannot be questioned.

How then, does his performance to date look from here as we peer intently at Key Biscayne where the President is currently in residence?

In a word, excellent.

As the Detroit Free Press has said, "Richard Nixon has quite deliberately set out to slow down the frenetic pace of life in the White House, with an eye toward calming the country down a bit by his example. But even with the dominant themes of calm and caution, he has also indicated that he considers the way open to some bold new initiatives in foreign policy."

We have liked, for instance, the decision to re-examine the questionable "thin" anti-ballistic missile system favored by Defense Secretary Melvin Laird.

The deployment of the Sentinel missile sites near our large cities is fraught with danger. As Sen. Edward M. Kennedy has warned, an accidental explosion of a nuclear-tipped missile would cause "total devastation in an area of five miles in diameter, and serious destruction over a far greater area."

The "thin" anti-missile project is designed to bring down presently non-existent missiles from Red China. The cost may be as high as $9.4 billion. A "thick" system to stop missiles from Russia might cost as much as $100 billion. And no one can be sure that either system would be effective.

We approve the President's belated determination to approve the nuclear non-proliferation treaty as a symbol of U.S. willingness to cooperate with the Soviet Union on arms limitation.

Mr. Nixon had previously endorsed the treaty last Fall but opposed its immediate ratification by the Senate because of the Soviet invasion of Czechoslovakia.

We cheer his announced five-nation tour of Western Europe which is intended to strengthen NATO and to examine the prospects for a later Summit meeting with Soviet leaders.

We applaud the President's announcement that all postmaster and rural letter-carrier appointments are to be removed from the political patronage system. Also his statement that it is time "to take politics out of the Post Office Department" and end more than 190 years of congressional and party influence on the selection process.

Under the new system, the Civil Service Commission will sponsor competitive examinations for all postmasters and rural carrier vacancies. Incumbents will not be affected by the ruling.

We believe the President is showing commendable restraint in the Middle East, a situation he has described as a "powder keg." Our obligations to Israel must not deter the United States from attempting to achieve a better understanding with the Arab world.

No one wishes to jeopardize the security of Israel, unless the United States can be an effective force with both sides to this conflict, the strong possibility exists that another and more tragic war may be in the making.

No one profits from war, not even the victors. And why cling to the dead-end policies of the past which have failed miserably in the pursuit of peace?

We commend the President's interest in

the plight of the cities and his indicated personal involvement in these problems. Here again there are no easy solutions but the total problem is at least getting a new look.

We praise the appointment of Dr. James E. Allen Jr., as U.S. Commissioner of Education. Dr. Allen comes to Washington with a fine record in New York State and will pursue established school integration guidelines with unmistakable vigor.

We are less enthusiastic over Nixon's appointment of Alaska's Gov. Walter Hickel as Secretary of the Interior. One colloquy in the Senate hearings on Gov. Hickel's confirmation will explain:

Sen. Metcalf: How are public service commissions in Alaska selected, Governor?

Gov. Hickel: I think they are—gee, I should know that. I think they are appointed, and are they confirmed by the Senate?

Sen. Metcalf. The Governor appoints them?

Gov. Hickel: I think that is right. I think there are guidelines, however. How do I do that? I can get the information for you, Senator, but I just don't have it at my fingertips.

These hearings were called by one wag "the Wally Hickel nobody knew about—and maybe still doesn't."

But Wally Hickel will get his chance to confuse the critics, along with Vice President Spiro T. Agnew. Moreover, whoever heard of Bowie Kuhn, the new commissioner of baseball, until last week?

Secretary Hickel has an opportunity to establish himself as a stand-up conservationist if he cracks down on offshore oil drilling which has fouled the beaches, destroyed the sea birds and ruined fishing in Santa Barbara, California.

A year ago, the Johnson administration was auctioning offshore drilling leases and collected some $600 million for the government. If the oil companies cannot prove that drilling can be made harmless, these leases should be cancelled.

Despite these and other previously expressed reservations over the choice of our Vietnam peace negotiators at Paris, the Nixon record thus far is such as to inspire confidence in the new administration.

We are almost convinced that there is a "new Nixon," a confident man free from the doubts and inhibitions which have at times plagued him in the past.

Moreover, President Nixon brings zest and enthusiasm to the job. He is singularly free from obligations—even to the South—and he appears not to be yielding anything of importance to the hard-shell Republicans, vintage 1964.

And speaking of vintages, the President served a fine French champagne at his first formal diplomatic dinner much to the dismay of New York and California wine producers.

So, Gen. de Gaulle should be pleased even if California's Sen. George Murphy predicted "it will never happen again."

Somehow, better relations with the crusty general seem more important at this stage of the world's affairs than pleasing the domestic vintners.

Besides, it was the civilized thing to do.

BUDGET IS PLACE TO START

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. EDWARDS of Alabama. Mr. Speaker, I insert a recent newspaper column by Henry J. Taylor in the RECORD:

BUDGET IS PLACE TO START

(By Henry J. Taylor)

President Johnson prepared a $195.3 billion budget and now President Nixon—and the taxpayers—are stuck with it. In the same tiresome words he used in previous years, the outgoing President said there would be a surplus. But it never works out that way. This so-called budget just grabs at our money like a starved man at the sound of a steak sizzling in the pan.

What happened to President Johnson's famous "under $100 billion" budget? That was only as long ago as 1965. Here's a $95.3 billion difference in just four years. That's ridiculous, on the face of it—and so are the deficits. We pay them, and the millions of dollars in daily interest on the debts. This interest alone costs us more than six times as much as our people's annual clothing bill. But the Washington windbag boys prefer to be irresponsible—it's easier—and show no more concern for who foots the bill than for the tortoises of Aldabra in the Indian Ocean.

What has happened to all the promised cutbacks in federal payrollers? The payroll increased 50,000 in 1965, the administration spent $120 billion instead of the $100 billion, and this is the pattern all the way through. Although tax collections were at an all-time high the official federal deficit in the past year was $25.4 billion. Even so the books were juggled by $4 billion to make the red ink look less to us.

MISLEADING

Among other totally misleading abuses behind the scenes, the outgoing administration applied the excess of government trust funds receipts over outlays. This little dust-in-our-eyes abuses makes the deficit look $7.4 billion less. And we're supposed to have confidence in what's being done to us?

If we're going to catch up with what's really happening we will have to run faster than the biggest army of public relations operators in history. There are more than twice as many government press agents in Washington than in the entire capital press corps. The first thing the new Nixon administration should do is fire three out of five of them.

Never have so many sent Washington so much—right out of our hides. But no matter how much we send it's never enough. The only conceivable way to lighten the awful load is to cut the waste and the "Papa knows best" spending. Hey, that's our money!

The so-called budget assumes that the 10 per cent super-tax will stay on. Oh, sure—anything except really to cut anything anywhere that we're paying for. And, on the business side, the Defense Department alone already is taking far more than the total net profits of all the companies in the country—an appalling fact, but true.

Moreover, the big companies may be able to get along with this super-tax, but our economy includes some 4.7 million small and medium-sized enterprises. What about them?

Mr. Johnson proposed increased Social Security taxes, shared by employers and employes alike. Well, already Social Security has gone up about 300 per cent since it was instituted, and this increase has been nearly twice as much as the increased benefits payable from the taxes. What we're really being hit with is increased Social Security taxes without equivalently increased benefits. But who would know it?

PAYROLL

Look at Medicare, bound up in enough red tape to wrap a mummy. Even with its loopholes, exclusions, delays, bureaucracy and all, it costs us today about double the estimated cost originally stated by Washington.

Like Fort Knox, our actual Social Security deposits are gone with the wind. These do not go into a sacrosanct trust as millions think. When we send them they are merely shoveled into the general fund of the Treasury and spent. The cash thus borrowed from us is spent and is replaced with government bonds, i.e., IOUs.

Meanwhile, the House payroll has gone up 84 per cent in the past seven years. And, even before their last mighty boost, the congressmen have been steadily raising their own salaries, voting themselves their own self-protection against the inflation the overspending pumps into our cost of living.

A Congress so busy boosting its pay may be too busy to tear this latest so-called budget to pieces. But the 91st Congress—so full of promises during the campaign—should hear from the taxpaying peasants with an instant roar.

Every place I go in the country the people are sick and tired of officeholders who say they'll do one thing and do another. This is put-up-or-shut-up time and the so-called budget is the place to start.

DRIVE FOR TAX REFORM PICKS UP STEAM

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. EVINS of Tennessee. Mr. Speaker, the movement for tax reform is gathering momentum. The distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas (Mr. MILLS) has announced that his committee will begin broadgaged hearings this week into the need and necessity for reform.

Certainly tax reform is long overdue.

There are obvious loopholes that should be closed.

Personal exemptions and standard deductions should be increased.

Many other changes in our tax laws should be made.

In this connection, I am placing in the RECORD herewith my recent newsletter, Capitol Comments, concerning tax reform because of the interest of my colleagues and the American people in this most important subject.

The newsletter follows:

CAPITOL COMMENTS

(By JOE L. EVINS, Member of Congress)

DRIVE FOR TAX REFORM GAINS MOMENTUM—HEARINGS OPEN THIS WEEK BEFORE HOUSE COMMITTEE ON WAYS AND MEANS

With public opinion creating a favorable climate, the prospects for long overdue tax reform are bright in the 91st Congress. The House Committee on Ways and Means will begin hearings this week on the need and necessity for closing loopholes and improving our Nation's tax structure. Both President Nixon and Secretary of the Treasury David M. Kennedy have indicated their awareness of inequities in the present system and have promised a remedial program.

An exhaustive study on tax reform by the Treasury Department shows gross inequities with many wealthy individuals paying less taxes than many taxpayers in the middle and low income brackets because of "loopholes" and tax avoidance. One of the major factors conducive to tax reform is the expressed interest and concern of many people. In our great Fourth Congressional District many concerned taxpayers have written, expressing their hope that tax reform will be accomplished in this Congress.

These letters reflect much study, thought and public concern. One recent writer pointed out that the Treasury study showed that 155 taxpayers with adjusted gross income of more than $200,000 in 1967 paid no taxes at all—and that more than 20 of these taxpayers had incomes in excess of one million dollars. This writer concluded: "A primitive tax system in a space-oriented world is as outmoded as a Model-T Ford."

The first phase of the tax hearings beginning this week in Congress will be a study of private foundations. Many such foundations serve a worthy purpose and are helpful in many ways but some have been described as "large bodies of money completely surrounded by people who are concerned with tax avoidance."

Investigations by a Subcommittee of our House Small Business Committee have indicated many abuses by these private tax-exempt foundations which in many instances are vehicles for tax-dodging. Other major tax loopholes expected to draw attention are the much discussed oil and gas depletion allowances and excessive farm losses deducted by wealthy speculators who are not farmers but who use farms as tax writeoffs.

Secretary Kennedy has indicated that in his testimony he will outline recommendations for the use of tax incentives to encourage industrial development in our larger cities. I have urged Secretary Kennedy to expand this concept to include our rural and small town areas, pointing out that it is just as important to create opportunities and employment in our rural areas as in our major cities.

It is certainly my hope and recommendation that individual income tax exemptions be increased from $600 to at least $1,200 and the standard deduction from $1,000 to $2,000. Tax reform is long overdue and it appears that with the Congress and Executive branch in apparent accord on the need for reform, some progress will be made.

GOVERNMENT BY EDICT

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. NATCHER. Mr. Speaker, we know of course that freedom of the press is guaranteed by the first amendment to our Constitution. We well know, as Members of the Congress, that we may pass no law that would infringe upon this freedom. Freedom of the press is the bedrock of American journalism. Yet with this freedom as the inalienable right of every newspaper in the United States, what is it—what are the qualities, that enter into the making of a newspaper that is not merely good, but oftentimes great?

A newspaper cannot be better than the people who establish it, determine its policies, write its articles, and editorials, plan its format, operate its presses, and distribute it to the community it serves. A good newspaper is the product of good men, responsible men, who believe that they have an obligation to report the news as it really is, without embellishment or prejudice, but with truth and objectivity. They are committed to the principle that the paper exists to serve the community and to provide an approachable avenue of expression and exchange of ideas.

At the same time they are men who at no time hesitate to take a stand, no matter how controversial or unpopular the issue, for they have the courage to come right out and print what they think and what they believe. On such occasions they shed their roles as reporters and frankly state their views on the page reserved for editorial opinion.

We have such men, and such a newspaper, in our Second Congressional District. Mr. Seymour Goodman and Mr. Joe S. Goodman are the publishers of the Hardin County Enterprise in Elizabethtown, Ky., and I am proud to include as proof of my remarks an editorial that appeared in the February 10 edition of their newspaper entitled "A Bad Proposal":

A BAD PROPOSAL

The Federal Communications Commission's proposed ban of cigarette advertising on television and radio is a bad one. It is the same old gimmick that federal bureaus and federal lawmakers have tried to fall back upon from time to time. That is to "regulate" an industry by saying how, when and where it shall be advertised.

Now the matter before the lawmakers is as simple as black and white. If the smoking of cigarettes is to be prohibited, let it be done by passing a law, prohibiting the manufacture, sale and smoking of cigarettes.

But no, nothing as straightforward as that will do for the Wise Men in Washington who attempt to tell the nation what it shall do and shall not do. They have to fall back upon a sneaky expedient, that of prohibiting the advertising of a product while they do not have the intestinal fortitude to prohibit the manufacture and sale of the product itself.

It has frequently been said that word of mouth is an effective form of advertising. So if the Wise Ones in Washington are going to be consistent in their proposal they will make it a felony or at least a misdemeanor for one person to tell another, "I just LOVE the taste of Salems" or "Kents are milder on my throat than any brand I've ever smoked."

The whole thing is senseless, childish, amateurish and a travesty on democratic rule. We hope the tobacco lobby, the radio and TV lobbies and such other lobbies as may be interested beat the daylights out of this proposal.

UNITED STATES MUST PURSUE HUMANITARIAN EFFORTS TO ASSIST JEWS LIVING IN ARAB COUNTRIES

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. MURPHY of New York. Mr. Speaker, if the Government of Iraq persists in its disgusting persecution and threatened execution of defenseless Iraqi Jews, it is incumbent upon the United States to use all appropriate diplomatic, humanitarian, and moral channels to prevent this bloodbath.

We, as one of the leading legislative bodies of the free peoples of the world, must continue to pursue every effort for the release of almost 3,000 Iraqi Jews—trapped in this hostile Arab land and facing the specter of mass murder on trumped-up espionage charges.

Therefore, on February 7, 1969, I submitted a resolution in the sense of the Congress that the United States do everything in its power to encourage and assist Jews living in Arab countries to take asylum in the United States, or in any U.S. Embassy in any foreign country.

Under the leave to extend my remarks in the RECORD, I include the following:

H. RES. 241

Whereas the atmosphere in the Middle East is one of extreme tension,

Whereas Jews living in Arab countries have suffered constant harassment and abuse,

Whereas this tense atmosphere has led to the public execution of Jews in Iraq, and the threat of even more executions, and

Whereas this tense atmosphere is such that it could result in mass genocide of Jews in Arab countries: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the United States do everything in its power to encourage and assist Jews living in Arab countries, and threatened by virtue of their presence in such countries, to take asylum in the United States, or in any United States embassy in any foreign country.

If these shocking trials and executions are permitted to continue without the adamant censure of not only the United States but all the sane nations in the brotherhood of man, it could lead to total genocide of Jews in volatile Arab countries.

The lives of 3,000 Iraqi Jews are at stake. The life of every Jew in the Arab world is at stake. The uncertain peace of the Middle East is at stake.

We cannot turn our backs on flagrant persecution and threatened decimation. We must, instead, exert ourselves to open the doors to freedom for the victims of terror.

DENVER'S URBAN HOPES MILE-HIGH

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. ROGERS of Colorado. Mr. Speaker, the city and county of Denver had great need for the Model Cities program. When it was adopted by the Congress, the officials were alert and filed necessary applications to participate in the program, and thereafter a grant was made. We are proud of the progress that has developed, as set forth in an article by Mr. Charles Bartlett that appeared in the Washington Evening Star of February 11, 1969, and, under unanimous consent, I insert the same in the Extensions of Remarks of the RECORD:

DENVER'S URBAN HOPES MILE-HIGH

(By Charles Bartlett)

DENVER.—The gathering momentum of the Model Cities program here suggests that this may be the horse that Richard Nixon can ride out of his urban dilemma.

Denver is out in front on this highly touted but barely understood innovation in poverty-fighting because city officials prodded the community into a swift response to Washington's invitation to plan for a sweeping rehabilitation of two areas of Denver that involve 142,000 people.

Consequently Denver has a set of 70 approved programs that will be applied against the target areas as soon as the money arrives from Washington. Most important, the program managers seem to have found a formula for participation by the poor that meets the insistence of the poor on being the architects of their own salvation without severing all the lines to city hall.

The city council passes on the programs but they are drafted by committees heavily staffed by citizens of the target area. Establishment institutions are drawn into the planning and execution of the programs. The Urban Coalition will scout for jobs. The strength of the Model Cities concept is that it is capable of involving almost everyone.

Inevitably in Denver the Community Action agency will be absorbed by the Model Cities program and probably thus set a national pattern. Where the two exist side by side, it makes no sense to keep them separate because they tend to develop two sets of conflicting leaders. In Trinidad, Colo., and in many other cities, crippling standoffs have developed between the leaders elected through the Community Action process and those tied to the larger concept of Model Cities.

This is absurd, because in Denver (and ideally) the concepts adopted for Model City plans have flowed from the experience and ideas of the ghetto leadership that developed under Community Action. Without the CAP initiative to blaze trails into the ghettos and rouse the poor to the potential of participation, the Model Cities approach would never have been feasible. It is the logical second step.

City hall keeps a small staff and a low profile in its direction of the program. Hatred for the establishment is so intense in the ghettos that if the program becomes more identified with the city leaders than with the neighborhood action councils, it is likely to be rejected by its beneficiaries. Even with the access afforded by Community Action channels, it took four months to establish the basic lines of communication necessary for planning purposes.

Denver offers a severe test of the flexibility of the new concept because it contains two minorities, the Spanish and the Negroes, and the two are often in conflict. The 70 programs approved last month by the city council are as diversified as any approach to the problems of 142,000 people could be. They involve $29 million for the current year, an average of only $204 per person.

This will finance a spectrum of activities from building houses to planting trees, from drying out drunks to running a night college, from training teachers to cope with the poor to enabling the poor to get washed up and dressed for their first jobs.

The program will bring warm meals to neighborhood schools, create a center for socially alienated youths, enlarge vocational training opportunities, and protect the aged against their infirmities. The key is a drive for employment and the projects themselves will supply 3,500 new jobs. A committee will even be formed to lobby for expanded welfare benefits.

The Model Cities program, as it is developing here, is total, concentrated welfarism tailored to the tastes of its beneficiaries. It is a massive but amazingly practical response that should manage to tap the city's expertise and leadership without alienating its poor.

It has a promising look as it begins to blossom in Denver and it may well be the answer for Richard Nixon.

GONZALEZ BILL AUTHORIZES TWO ADDITIONAL JUDGESHIPS FOR THE WESTERN DISTRICT OF TEXAS

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. GONZALEZ. Mr. Speaker, I introduced in 1967 a bill to provide one additional judgeship for the western district of Texas. As I pointed out at that time, this very large and fast-growing Federal judicial district was under a heavy burden because of its size, the time-consuming nature of its cases, and the increase in the very number of its cases.

I pointed out that in 1966, the 88 judicial districts in the Nation had an average weighted caseload of 255, but that the weighted number of cases for the western district of Texas was 320. Even with an additional judge, the western district's caseload would still have been slightly above the national average. I pointed out that two judges in the western district terminated 1,744 criminal cases in 1966, a total second in the Nation only to the southern district of California, which had 13 judges.

I am pleased that the Judicial Conference of the United States last year endorsed an additional judge for this district.

I am again in the 91st Congress introducing legislation to increase the judgeships for the western district of Texas. But one additional judge will be inadequate. Two additional judges are needed, as my bill would provide.

An increase from four to six judges is necessary because of the leap-frogging caseload in western Texas. The San Antonio division is an example of this. In this division in 1967, 254 cases were filed. By early December 1968, 500 cases had been filed. The yearly totals will show that in 1 short year the number of cases filed in the San Antonio division nearly doubled.

My city of San Antonio is experiencing an economic renaissance. With the economy and the population thriving, the activity of the courts increases. But San Antonio is by no means the only city in the western district which is growing rapidly. The same is true of El Paso, Midland-Odessa, Austin, and Waco.

Not only is the caseload itself heavy, but the western district of Texas has a high proportion of time-consuming cases. For example, cases under the Narcotic Addict Rehabilitation Act are quite complicated and drawn out.

Another relative hardship on the present judges is the immense geographical area the western district of Texas includes—an area almost as large as the States of New York and Pennsylvania combined. The four judges do an exceptional amount of traveling in order to sit at the division courts. It is a trip of 800 miles to travel from Waco in one end of the district to El Paso in the other, following the route via Austin, San Antonio, Del Rio, and Pecos.

A further growth factor is the approaching implementation of the office of Federal magistrate as an extension and servant of the Federal district courts. A partial survey in San Antonio projects 4,156 cases could be expected for the adjudication of the magistrates—a much higher number of petty cases than the San Antonio division now handles.

Mr. Speaker, these few figures demonstrate that anything less than two additional judges for the western district of Texas would be shortsighted. There is an immediate need for two. I urge Congress to authorize two additional judgeships as soon as possible.

THE 1,100TH ANNIVERSARY OF THE DEATH OF ST. CYRIL

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. JOELSON. Mr. Speaker, I am pleased to insert in the CONGRESSIONAL RECORD an article by my respected constituent, John C. Sciranka, press director of the Slovak Catholic Federation of America. We have seen much evidence of the moral stamina and strength of the people of Czechoslovakia, and this is due in great part to their deep faith, and the heritage of SS. Cyril and Methodius.

On Sunday, February 16, through the efforts of the Slovak Catholic Federation of America, tribute was given to St. Cyril, who died on February 14, A.D. 869, in Rome. There are two Slovak parishes in the area which I represent, dedicated to SS. Cyril and Methodius.

It is fitting that the great educator, St. Cyril, should be reverently remembered on the 1,100th anniversary of his death, and I am grateful to Mr. John Sciranka, a member of the Passaic Historical Commission, for sending me the following article on a historic event:

PASSAIC AND CLIFTON, N.J., SOKOLS TO PAY TRIBUTE TO ST. CYRIL ON THE 1,100TH ANNIVERSARY OF HIS BLESSED'S DEATH

The Slovaks and Slavonic people throughout the world will observe this year the 1,100th anniversary of the death of St. Cyril, who died in Rome on February 14, 869 after he and his brother St. Methodius secured the blessing from Pope Hadrian II for the Slavonic liturgy and both were consecrated bishops. St. Cyril as a great scholar and linguist was of great help to the Vatican in translating many documents from Greek from the rebellious Synod called by Patriarch Focius. Both brothers were born in Thesalonica and are known as the apostles of the Slavonic nations. They came to what is now Slovakia in 863 A.D. at the invitation of Ruler Rastislav from Byzantium.

Editor John C. Sciranka, the Press Director of the Slovak Catholic Federation of America launched a campaign in honor of these two apostles, that more newborn boys be baptized Cyril and Methodius, and girls Cyrila and Methodia.

Special tribute will be paid to St. Cyril on Sunday, February 16th at the meetings of Slovak Catholic Sokols at St. Mary's Parish Center, Passaic, N.J., where Assembly 1, whose president is Joseph A. Csejka and Wreath 2, whose President is Mrs. Paul Kopchak, will meet. They will be also honored by the Sokols of Clifton, N.J., where Assembly 162 is located, and of which John Kalata is president and Mrs. Katherine Petrasek, President of Wreath 102. Both Sokol units hold each year a celebration in observance of their feast day, on or near July 7th.

On Sunday morning, February 16th, the members will attend Slovak masses in both churches, Passaic and Clifton. The Paterson diocese has two Slovak churchese dedicated to these two Slavonic saints: one in Boonton of which Msgr. Andrew V. Stefan, P.A., V.F., is pastor and the other in Clifton, N.J., of which Rev. Lawrence Pollack, O.F.M., is pastor and Rev. Robert Valent, O.F.M., assistant pastor.

Sokols and Sokolky all over the country are urged to honor St. Cyril on the 1,100 anniversary of his blessed death.

By order of Pope Hadrian II, who sanctioned and blessed the Slovak and Slavonic liturgy at his and his brother's (Methodius') request eleven centuries ago, St. Cyril is buried in the basilica of St. Clement in Rome, which is the titular church of Lawrence Cardinal Shehan, archbishop of Baltimore, Maryland and the first bishop of Bridgeport, Conn., where he got closely acquainted with the great cultural mission of these two great apostles. The Slovak Church of SS. Cyril and Methodius in Bridgeport, Conn., has the replicas and frescos of the rich paintings from the Basilica of St. Clement in Rome, depicting the mission of these two apostles before Pope Hadrian II, and the burial of St. Cyril, also a tribute paid to them by Pope Leo XIII, who issued in their honor a famous Encyclical "Grande Munus" on September 30, 1880.

It was through the efforts of the first pastor of SS. Cyril and Methodius in Bridgeport, Conn., that contact was made in Rome with Pope Leo XIII, followed later by his successor, Father Gasparik J. Panik. During the pastorate of Father Stephen J. Panik the replicas of historical paintings were executed. All three priests were Supreme Chaplains of our Slovak Catholic Sokol organization.

The present pastor, Rt. Rev. Msgr. John F. Murcko, with the Rt. Rev. Msgr. Michael J. Carnicke, P.A., and all the Slovak priests of the Bridgeport diocese, sponsored the great celebration in honor of the two apostles in in 1963 with the Most Rev. Bishop Walter Curtis pontificating and Most Rev. Bishop Andrew G. Grutka of Gary, Indiana, preaching on this solemn occasion.

This year the blessed death of St. Cyril will be observed with many ceremonies in all parts of the world.

The basilica of St. Clement in Rome, where St. Cyril is buried, is under the care of Irish Dominican Fathers.

YOUTH SERVICES IN MEMPHIS, INC.

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. KUYKENDALL. Mr. Speaker, one of the finest examples I know of how the Federal Government and private agencies are cooperating in an action program to help underprivileged boys from slum areas is being carried on in Memphis, Tenn. by Youth Services in Memphis, Inc., and the U.S. Naval Air Station at Millington.

Youth Services is a church sponsored activity which was started to expand recreational and educational opportunities for young people in the slum areas. In true Memphis spirit of good neighborliness the program soon became a communitywide project. Last summer the officers and personnel of the Naval Air Station at Memphis accepted an idea from Youth Services to offer an education-vacation period for a number of boys from the hard-core inner city. The results were astounding and the program so successful, the Defense Department has now encouraged all its installations located near metropolitan areas to work out similar programs.

For the information of my colleagues I would like to include as a part of these remarks, the report of the summer youth program of Youth Services. The report follows:

SUMMER YOUTH PROGRAM: YOUTH SERVICES IN MEMPHIS, INC.

PROGRAM BACKGROUND

Last summer, the Naval Air Station Memphis at Millington, Tenn., joined hands with Youth Service in Memphis, Inc., (supported by Shelby United Neighbors) to provide a three-day education-vacation camp for 600 underprivileged youngsters from Memphis slum areas.

The idea originated with the Executive Director of Youth Service in Memphis, Inc., Rev. Donald E. Mowery, to provide some form of recreation for interested youngsters for a few hours on a one day basis. Rev. Mowery made personal contact with the Commanding Officer of the Naval Air Station, Captain L. A. Hoke, and the Chief of Naval Air Technical Training, Rear Admiral E. E. Christensen, and gained their permission to use the air station's facilities. Initially, Rev. Mowery asked to use the swimming facilities only during the pools' slow hours, but the Navy felt that as long as the boys were going to be visiting that they should learn something as well. Thus, through additional discussion and ideas, the program was expanded to include a full three-day schedule of physical and moral guidance and leadership.

PROCEDURES

After settling in their quarters upon arrival and receiving a brief, but thorough, indoctrination, the group of approximately 25 was divided into two groups, each headed by an assistant counselor, known as a "lieutenant". Both groups were placed under the leadership of a head counselor, known as "captain". These counselors were provided by Youth Service in Memphis, Inc., and assisted by four service men assigned to the program by the Navy. These groups maintained the competitive spirit and were pitted against each other in athletic contests.

Cleanliness in barracks and of person was highly stressed. As the boys received their room assignments, one man from each room was elected as "chief petty officer" and held responsible for the area's neatness and cleanliness. Each boy stood inspection for personal appearance and was required to maintain a standard with the rest of the group.

While the program provided a full slate of physical activity, the program also placed emphasis on character guidance. Apparently, this leadership paid off since there was a minimum of incidents and the youngsters learned to live in basic harmony and function as part of a team. They also learned to answer with a "yes, sir" and "no, sir".

PROGRAM

Scheduling

The following is a typical group three-day schedule with added comments:

First Day

The boys arrived from Memphis by bus at *1400* at the Naval Air Station's Youth Center, Bldg N–26. Here they were introduced to the rules that would apply to them during their visit; i.e., no smoking in barracks except in a designated area, no running or rough-housing in passageways, etc. In addition, they were shown where they would live and were allowed a few minutes to unpack their clothes. Youth Service in Memphis, Inc. told each boy what he should bring. For instance, they were told to bring a change or two of clothes, including underwear, but were told not to bring any type of weapon (knives, can openers, etc.)

At *1430*, the Navy provided a bus at Bldg N–26 to take the group on a planned tour of the station until *1545*. At the end of the tour, and upon returning to their barracks, the group counselors were given until *1700* to get acquainted with the boys and use the time as desired. Suggested activities were: basketball free throw contest, ping pong contest, pool tourney, basketball, horseshoes, tour of hobby shop garage, softball game, volleyball, badminton, boxing, trampoleen, croquet, watch intramural sports contests, football game, set up a camper, etc. From *1700* to *1800* all boys ate supper in their assigned galley (galley 3, wing 3) and used a few minutes to tidy up their living spaces. From *1800* to *1900*, the group returned to the Youth Center for a recreation hour prior to a swimming period from *1900* to *2100* at the indoor pool, Bldg N–79. At this time, the boys were shown water safety procedures and were required to follow the "buddy" system while swimming. *2100* to *2200* period was used in cleaning living spaces and getting ready for bed. TAPS was strictly observed and monitored by each group's counselor.

Second Day

At *0600* the boys observed reveille as strictly as they had observed taps the night before. After cleaning up and getting ready for breakfast, they cleaned their area and made their beds before going to the galley. At *0815* everyone was organized into a hike to Navy Lake (2 miles). The hike was handled much like marching in ranks—there was no playing along the way or smoking unless during a short break authorized by the hike leader (group counselor). While at the Lake, each youngster was shown how to don a life vest and given a strict lecture in boating procedures—this was followed by boat rides for all. The time from *1130* to *1300* was used for lunch and cleanup time in the barracks area. At *1300*, the boys met with a Navy Chaplain for lecture and movies on character guidance, religious activities, and moral responsibility. Following their session with the Chaplain, the group reported to the gymnasium to draw athletic equipment for softball and a track meet. Here the youngsters were taught teamwork—everyone participated in all events—and taught a degree of sportsmanship in both winning and losing. After eating supper and straightening up their living spaces from *1700* to *1800*, all hands followed the previous day's evening schedule with an hour of recreation at the Youth Center, a two-hour swim period, and then to bed and lights out at *2200*.

Third Day

Events began with the usual *0600* reveille, clean up, then breakfast until *0800*. At *0800*, the group was taken to the NAS Dental Clinic for fluoride treatments. At *0900*, a "bike hike" followed. This lasted approximately 1 hour and 15 minutes and was followed up with each boy taking the U.S. Marine Corps Physical Fitness Test in the N–82 gymnasium. All boys received a certificate attesting to their having taken the exam and their final score. From *1130* to *1300* there was lunch and a final period of cleaning their barracks area in preparation to return home. At *1400*, bus service returned the boys to Memphis.

INCIDENTS

Any program of this type has its problems—especially when dealing with youngsters who have had little or no training or guidance in respecting others, taking orders. or working as part of a team.

On one occasion, according to Rev. Mowery, two youths, under the influence of a local militant organization, didn't like taking orders so they left after being on board only one day. With them went ten others who were afraid of the consequences if they remained. A month or so later, having heard from other boys about the fun they had had in the program, the two youths called Rev. Mowery and apologized, and asked that they be given another chance and be included in next summer's program.

Another instance, and possibly one easier to understand, involved two boys, a dime, and a soft drink machine. One boy had a dime, the other didn't. The boy without the dime tried to get it the only way he knew how and a bottle fight ensued. The boys were later calmed down, but the soft drink machine had to be placed "off limits" to other groups.

To point up the poverty and circumstances surrounding many of the boys in the program, Rev. Mowery cited this instance: There was one boy who could not take the three-meals-a-day balanced diet provided by the

Navy because his mainstay for so long had been starch. Not starch contained in foods—laundry starch. He had to be sent home following a Navy's doctor's examination. Many of the boys commented they didn't know what some of the food was in the galley serving line; i.e., broccoli, but they were encouraged to try a little of everything.

COST ANALYSIS AND ASSISTANCE

The exact cost for the program was $5,165.68, paid by SUN under Project EXTEND. Approximately $1 was spent on each boy's transportation to and from the Naval Air Station; meals were $1.60 per day per boy. Each "lieutenant" received $64 per week, and the "captains", $90. The Navy provided the facilities. Four military volunteers were assigned at no cost to assist with each group. Rev. Mowery also assisted but at no additional cost since he was already under salary to Youth Service in Memphis, Inc.

The Memphis Naval Air Station command support behind the program included Lt. V. T. Paladino, Navy Project Officer; and Charles Novak of the Naval Air Station Recreation Department.

The Navy participated in the program under the authorization of Department of Defense and Secretary of the Navy directives supporting the President's Youth Opportunity program.

SUMMARY

The success of the program can be determined from the comments and actions offered by some of the campers; one youngster was so impressed that he went home and told his parents he was quitting school and joining the Navy. Another lad didn't want to leave the camp to return home at all, because he "had too much fun and such a good time."

TAX-EXEMPT MUNICIPAL BONDS

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. WHALEN. Mr. Speaker, the distinguished chairman of the Ways and Means Committee has announced that hearings on tax reform legislation will commence tomorrow. I believe I can speak for all of us in the House in congratulating the chairman on this decision.

The hearing schedule released by the committee on January 29 indicates that one of the areas which will be reviewed is tax treatment of State municipal bonds. I believe four papers prepared by Prof. Donald J. Reeb of the Department of Commerce and Prof. Edward Renshaw of the State University of New York will contribute to this particular dialog. The views expressed therein are those of the writers, of course, and in no way reflect those of the Department of Commerce or any other organization with which they are affiliated.

As the committee begins its study, I think it is appropriate to bring the alternatives to the issuance of tax-exempt municipal bonds, which Professors Reeb and Renshaw propose, to the attention of my colleagues. Therefore, Mr. Speaker, at this point I would like to insert into the RECORD the papers in which these proposals are discussed:

A COSTLESS PUBLIC POLICY: SHARED REVENUES FROM STATE-LOCAL BONDS

This note puts forth the proposition that the purchase of tax-free State and local bonds by the U.S. Government would: (1) lower the interest cost of State and local governments; (2) increase the tax revenue of the national government; and (3) provide another instrument for helping to implement other public objectives. The proposal is for a type of financial arbitrage which does not, in any way, affect or question the historic right of State and local governments to issue tax-free bonds.

"Interest income from securities issued by State and local governments was specifically exempted from the Federal income tax under section 103(a)(1) of the first Income Tax Amendment. Virtually every Secretary of the Treasury since its passage has favored removing the exemption feature. Public finance experts have repeatedly attacked it, and volumes of testimony before congressional tax committees have been heard in connection with its repeal. Despite this rather concerted opposition, Congress has some six times defeated proposals to remove the exemption, and on many more occasions such proposals have never reached a vote." [1]

Those attacking the exemption feature have generally recognized that State and local governments benefit from tax exemption but have argued that tax exemption is an inefficient subsidy. If income taxes are progressive and if the volume of bonds is too large to be absorbed by persons in the highest tax bracket, the market interest rate must be raised to attract capital from persons in lower tax brackets. Bond holders with higher incomes will then receive a windfall gain. The higher interest rate reduces the value of the tax exemption provision to State-local governments. It also increases the cost of the subsidy to the national treasury. Most estimates suggest that the interest savings for State and local governments in the postwar period have been less than two-thirds of the revenue loss to the national government.[2]

One way to retain the benefits from lower interest rates and reduce the loss to the Federal Treasury would be to replace tax exemption with a direct subsidy. In 1941 Lawrence Seltzer proposed that the national government pay State and local governments some fixed proportion of their annual interest payments if they issued taxable bonds.[3] Two versions of the Seltzer plan were incorporated into bills presented to the Second Session of the 90th Congress (1968).

The Proxmire Bill, S. 3170 would create a non-profit corporation to guarantee taxable municipal bonds and authorize interest reduction grants up to one-third the annual interest charge payable each year on taxable State and local securities.

The second bill, S. 3206, was sponsored by the Administration to meet its commitment under the Federal Water Pollution Control Act. This bill would have committed the Federal government to pay the principal and interest on the Federal share, provide a guarantee for the non-Federal share, and give States and localities an interest subsidy (maximum twenty-five percent), if States and localities would issue only taxable bonds for water pollution control facilities.[4]

S. 3206 was attacked by Governor Rockefeller of New York and other representatives of State and local government. They argued that the national treasury would be the big gainer and that this would be an opening wedge "to abolish the (entire) tax-exempt authority of State and local government bonds." [5] Though the intent to do away with tax exemption was vigorously denied by the Administration,[6] the plan was successfully opposed.

Our proposition, an alternative to a direct subsidy, is Federal purchase of tax free State and local bonds. If the fiscal authorities purchase tax exempt State and local bonds and then issue taxable bonds to offset those purchases, all levels of government could be made better off financially. The right of States and their subsidiaries to issue tax exempt bonds would remain unquestioned. The discussion below indicates the proximate, first order size of the savings from this proposition.[7]

COST EFFECTIVENESS CALCULATIONS

The key parameter for these estimates is the marginal average tax rate for tax exempt bond holders. We assume it to be 48 percent. This seems to be a fairly standard assumption [8] and would be the marginal average tax rate for commercial banks in the absence of the temporary surtax. It should be noted that commercial banks have become an increasingly important factor in the market for municipal bonds. About 75 percent of the net expansion of State-local debt was absorbed by commercial banks in the 1962–1965 period.[9]

To provide an approximate estimate of the savings that might be obtained from arbitrage let us assume that the Federal Reserve stabilizes the U.S. Government Bond Rate at an average rate of about 4.465 percent, the average reported for 1964–1967. Let us also assume that the Fed will buy enough municipal bonds to create an average yield differential of 40 percent. Banks and individuals in tax brackets greater than 40 percent would still find State and local government bonds more profitable after income taxes than federal bonds. The average interest cost to State and local governments would then be 2.679 percent (1.00—.40) × (.04465).

In the absence of arbitrage operations by the fiscal authorities let us assume that State and local governments pay 3.568 percent—the average yield on high grade municipal bonds in the period from 1964–1967. Suppose that fifty billion of municipals are affected by this policy in the next five years. The yearly average direct saving to State and local governments at the end of five years would be more than 444 million dollars (.03568 − .02679) × (50 billion).

If the Federal Reserve is forced to sell 50 billion of U.S. Government obligations to implement this policy—earnings on its bond portfolio would be reduced by 893 million dollars (.04465 − .02679) × (50 billion). If the marginal average tax rate for corporations and persons who would otherwise acquire tax exempt bonds is 48 percent and if taxable government securities are substituted in a one-to-one manner for taxable bonds, the Treasury would receive 1071 million dollars in added tax revenues by reducing private ownership of tax exempt bonds (.04465) × (50 billion) × (.48).[10] The net gain to the Federal Government would be 178 million dollars (1071 − 893), since earnings on the bond portfolio of the Federal Reserve are largely returned to the Treasury.

The foregoing analysis suggests that the Federal Government, using the arbitrage principle, could provide State and local governments with a subsidy of over 444 million dollars per year with revenue gains to the national government of some 178 million [11]—for a combined gain of 622 million.

The use of arbitrage can be compared to fixed interest subsidies to State and local governments for issuing taxable bonds. The average interest rate on taxable State-local bonds is assumed to be 5.141 percent—the average yield on Moody's Aaa and Baa corporate bond indexes in the period 1964–1967. A 47.9 percent interest subsidy would then be required to reduce the State and local governments' net interest cost to 2.679 percent (1.00 − .479) × (.05141). Assume that the 50 billion dollars of State-local taxable bonds are acquired by persons with a marginal average tax rate of 48 percent. The net gain to the national Treasury from the taxable bonds minus the subsidy would be 2.57 million dollars (.48 − .479) × (.05141) × (50 billion).[12] This 2.57 million compares unfavorably with our arbitrage proposal—a difference of 175.43 million (178 − 2.57).

The foregoing comparisons suggest that arbitrage is more cost-effective than direct interest subsidies at high rates of implicit subsidy. The cost-effectiveness of arbitrage

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Footnotes at end of article.

is reduced as the direct interest subsidy becomes less—but low rates of direct interest subsidy do not seem to be politically acceptable.[13]

ADDITIONAL BENEFITS

The arbitrage proposition put forth herein can be expected to yield other benefits. Data presented to the Joint Economic Committee show that the adjusted interest costs for medium-sized municipalities were less for every grade and every year from 1961–1965 than those for smaller municipalities.[14]

Similar findings have been observed in connection with corporate bonds which are generally assumed to provide the best indication of probable interest rates for municipals in the absence of tax exemption.[15] After taking financial leverage and the default records of corporations explicitly into account via multiple regression, Fisher found that corporations with a larger volume of debt outstanding were able to borrow at significantly lower rates than corporations with lesser amount of outstanding debt. He attributes the lower interest rates to increased marketability of debt issues.[16]

The financial economies associated with debt issues which are large enough to create an active secondary market are probably one of the more important factors helping to explain the conglomerate merger movement.[17] These financial economies are a kind of saving which could be channelled automatically to small communities if the Federal Government were to bid on local bond issues. Our arbitrage proposition provides a revenue incentive for Federal Government participation and thus a reason to seek these secondary savings.

Another benefit might be achieved by restructing State-local government debt to take advantage of an upward sloping yield to maturity curve. Stable tax revenues and fixed flotation costs make it convenient for local governments to enter the bond market infrequently and offer mainly serial bonds. The national government with its large volume of outstanding debt is in a better position to enter the bond market frequently and restructure its debt to take advantage of lower yields on short term securities.

The arbitrage device could also become an instrument for public policy implementation. While this paper assumed an interest differential of 40 percent, it could be a range of differentials, e.g., between 20 and 40 percent depending on the degree of social need. Specific national goals could be furthered by making bid prices for local bonds vary by local government function or by the unemployment rate and per capita income level of a region.[18]

IMPLEMENTATION

The calculations in this paper have assumed that the Federal Reserve might be given the responsibility to implement a policy of financial arbitrage. It now holds about 50 billion in taxable government obligations which are not needed for open makret operations and could be sold to improve the municipal bond market if section 14B of the Federal Reserve Act were amended.[19] A second alternative would be to permit the Treasury to exceed the statuatory debt limit in implementing a policy of municipal arbitrage. A third alternative would be to create a special corporation like that proposed in S. 3170.

It might be noted, by way of conclusion, that the Housing Act, as amended,[20] has specifically authorized the Department of Housing and Urban Development to purchase the securities and obligations of, or make loans to, cities, towns, villages, townships, and counties with populations under 50,000, if such political subdivisions cannot secure credit at "reasonable terms and conditions" from private lending organizations. Some states such as California and New York have created special lending and borrowing authorities or state corporations to improve the market for local school and sewage facility bonds. The arbitrage principle, it would seem, it not exactly new. All we are really suggesting is that it be recognized as an important instrument of public policy and be used on a large enough scale to significantly reduce the cost of public services at all levels of government.

Footnotes at end of article.

FOOTNOTES

[1] David J. Ott and Allan H. Meltzer, *Federal Tax Treatment of Local Securities* (Washington, D.C.: The Brookings Institution, 1963), p. 1. Lucille Denick, "Exemption of Security Interests from Income Taxes in the United States," *Journal of Business*, Vol. 19 (October, 1946), Part 1, App., listed 114 resolutions introduced between 1920–1943 to reduce the subsidy. Cited in Ott and Meltzer.

[2] Ott and Meltzer, *op. cit.*, p. 15.

[3] National Tax Association, *Proceedings* (1941), p. 195.

[4] Sec. 202 and 204 contain the specific proposal of interest payments by the national government in lieu of the tax free provision.

[5] U.S. Congress, Subcommittee on Air and Water Pollution of the Committee on Public Works, United States Senate, Ninetieth Congress, Second Session, *Hearings on S. 2525 and S. 3206*, Part 2, p. 509 and p. 542.

[6] Hearings, *op. cit.*, p. 548.

[7] The cost effectiveness calculations assume that the Federal Reserve will try to stabilize the U.S. government bond rate at the average rate for 1964–1967. Part of the savings to the Federal Treasury might be lost if arbitrage led to an increase in the Federal borrowing rate; this loss would be partially offset, however, if persons in high tax brackets substituted corporate bonds for municipals. See footnote 10.

Whether the Fed does strive to stabilize the government borrowing rate at some normal level, on the average, is a matter of conjecture.

Our assumption, in other respects, are really quite conservative. Interest rates on State and local bonds have risen much more rapidly in recent years than the Federal borrowing rate. Since the percentage differential has narrowed, the savings to State and local governments would be substantially greater if we had chosen to use current interest rates rather than the average rates prevailing over the longer, and perhaps more normal period from 1964–67. The saving estimates are also based on the average rate of S & P's high grade municipal bonds. If the fiscal authorities arbitraged revenue bonds and low grade municipals, the savings to State and local governments would be very much greater. It is doubtful, therefore, that a full equilibrium analysis would necessarily mean lower total savings to all levels of government than are suggested in this paper

[8] *Hearings on S. 2525 and S. 3206, op. cit.*, p. 567.

[9] U.S. Congress, Joint Economic Committee, *State and Local Public Facility Financing* (Washington, D.C.: Government Printing Office, 1966), Vol. 2, p. 16.

[10] If part of the U.S. Government Bonds are sold by the fiscal authorities to people in lower tax brackets and they sell higher yielding taxable assets, such as corporate bonds, to those who would otherwise purchase tax exempt securities, the tax receipts collected by the Treasury would be greater. The substitution of common stock for tax exempt bonds could lead to capital gains which would be taxed at a lower effective rate than 40 percent. This sort of substitution would increase portfolio variance and be inconsistent with rational management if the portfolio was efficient before the substitution. Since banks are generally prohibited from holding common stocks, this exception is rather academic.

[11] If these savings would be shared among governments in proportion to their interest expenditures, the following State-local savings (in 1962) would result: California, $47.65 million; Florida, $12.59 million; Mississippi, $3.69 million; New York, $77.28 million; West Virginia, $2.30 million. The savings for the central counties of the big three SMSA's would have been (in 1962): New York City, $24.32 million; Chicago, $12.28 million; and Los Angeles, $9.10 million. See *Compendium of Government Finances, op. cit.*, Table 33, and U.S. Bureau of the Census, Census of Governments: 1962, Volume 5, *Local Government in Metropolitan Areas* (Washington, D.C.: Government Printing Office, 1964), Table 12.

[12] This is likely to be a maximum gain to the Treasury since some banks might prefer to hold U.S. Government obligations rather than taxable municipals. Substitution of low yielding governments would lower the tax receipts from banks proportionately more than the gain in receipts from corresponding changes in the portfolios of persons with lower marginal tax rates.

[13] One of the criticisms of S. 3206 was that a 25 percent interest subsidy—the maximum permitted under the bill—might not be sufficient to fully compensate for the loss of tax exemption. This point was emphasized in the *Hearings* of the Water Pollution Control Act by James Lopp of Eastman Dillion, *op. cit.*, p. 666.

[14] *State and Local Public Facility Financing, op. cit.*, p. 329.

[15] Moody's Aaa corporate bonds have yielded 25 to 70 basis points more than taxable government bonds during the last decade. (One hundred basis points equals one percentage point.)

[16] Lawrence Fisher, "Determinants of Risk Premiums on Corporate Bonds," *The Journal of Political Economy*, 67 (June, 1959), p. 217–37.

[17] Edward F. Renshaw, "A Note on the Theory of Financial Leverage and Conglomerate Mergers," to be published in the next issue of the *California Management Review*.

[18] R. J. Kalish and D. J. Reeb, "Metropolitan Resources in a Policy Matrix," *Natural Resources Journal*, next issue, discusses a matrix for regional public policy.

[19] Council for the open market committee has offered an opinion that Title 12, U.S. Code, Sec. 355 would have to be amended to permit the Federal Reserve to purchase municipal bonds.

[20] Public Law 345, 84th Cong., 69 Stat. 642; 42 U.S.C. 1941. Political subdivisions having populations up to 150,000 may qualify if located in a redevelopment area designated by the Public Works and Economic Development Act of 1965. Population limits do not apply to communities located near a research and development installation of the National Aeronautics and Space Agency.

Improving the Market for Municipal Bonds

(By Edward F. Renshaw)

The purpose of this note is to provide background statistics which indicate a growing need to broaden the market for municipal securities. Since most of the alternative ways of attracting new participants into this market require either legislation or significant institutional changes, it would seem imperative that public officials at all levels of government begin to consider steps that might be taken to improve the market for municipal bonds.

HISTORIC YIELDS: THE FIRST INDICATION OF NEED

The yield on S & P's high grade municipal bond index rose to over four and one-half percent in March, 1968, and is still providing a return of more than four and one-quarter percent. This tax free return is quite a bit larger than the four percent return on ordinary time deposits at commercial banks. It is also higher than the yield to maturity on U.S. Savings Bonds.

If a consuming unit receives four percent interest on savings deposits and is then subject to a marginal income tax of 20 percent, the net after tax return on savings deposits will be only 3.2 percent. The average annual tax free yield on S & P's high grade municipal bond index has dipped below this figure in only one year since 1957. That year was 1962 when the average yield amounted to 3.18 percent. It would appear, therefore, that even families and individuals in modest tax brackets would have found it more profitable on the average to have invested in high grade municipal bonds than to have purchased U.S. bonds or acquired ordinary time deposits at a commercial bank. Middle income families have not been attracted to this market, however.

Spending units with incomes under $15,000 are estimated to have been holding liquid assets amounting to over $2,000 in 1962. By liquid assets we mean demand deposits, time deposits, savings accounts and U.S. Savings Bonds. Their holdings of state and local bonds amounted to only $18 on the average. Family units with incomes between $15,000 and $25,000 had liquid assets amounting to almost $9,000. Their holdings of state and local bonds amounted to $262 per spending unit.[1] The holdings of state and municipal bonds by family units with incomes between $50,000 and $100,000, on the other hand, were almost as large ($34,722) as their holdings of liquid assets ($37,298).

The importance of developing a broader market for state and local bonds can best be understood by considering recent trends in public financing. In the 1966 compendium on *State and Local Public Facility Needs and Financing*, sponsored by the Joint Economic Committee, it was suggested that the net supply of state and local government obligations would increase 8.5 billion in 1966, 10.0 billion in 1971 and reach 11.3 billion in 1975. At that point in history the total supply of state-local bonds outstanding was expected to be 198.8 billion, more than double the amount outstanding at the end of 1965.[2]

In 1967, state and local governments increased their indebtedness by 10.1 billion dollars, an increase that was not supposed to have been reached until 1971. The unexpectedly large increase in public facility financing at the present time is perhaps one of the reasons why the yields on municipal bonds have risen to unprecedented highs. A second and possibly more important reason for the absolute and relative[3] rise in municipal bond yields might be termed over complacency about the demand for municipal bonds.

In the four year period from 1962–1965 commercial banks absorbed 74.9 percent of the net expansion of municipal debt.[4] This was accomplished by increasing the proportion of municipals in bank portfolios from 10.5 to more than 12.5 percent of total loans and investments. The compendium on *Public Facility Financing* assumed that this proportion would continue to increase and that banks would be able to absorb about 62 percent of the projected incremental demand for state and local obligations between 1965 and 1975.[5] In the two years from 1965 to 1967 commercial banks did increase municipals to about 14 percent of total loans and investments and in so doing were able to absorb nearly 71 percent of the net increase in municipal debt.

In the first quarter of 1968 state and local governments continued to increase their debt obligations at a ten billion annual rate. The absorbtion of municipals by commercial banks, on the other hand, plunged to only 46 percent of the increase. To find a market for the remaining 54 percent, state and local governments were forced to pay interest up to 4.5 percent on high grade municipals. For persons with marginal incomes taxed at a twenty percent rate this would have been equivalent to a return of over 5.5 percent on taxable government bonds or savings accounts.[6]

Our main reason for supposing that individuals will have to absorb an increasing share of municipal offerings is preference on the part of commercial banks for loans as opposed to investments. In his book on *Management Policies for Commercial Banks*, Howard Crosse, Vice-President of the Federal Reserve Bank of New York, has stated this preference in the following way:

"The policy approach advanced in this book has stressed the primary obligation of a commercial bank to serve the credit needs of the community. It has emphasized, also, the need for protective liquidity and has advocated the provision of sufficient additional liquid assets to meet any foreseeable local demand for loans. Banks in some areas, however, or at some times, will have provided adequate liquidity, granted all the sound loans they can, and still have excess funds to invest. Funds so employed represent the bank's 'investment portfolio' as distinguished from its liquidity position and its loan account." [7]

State and local bonds are generally considered to be part of a bank's investment portfolio.

While the municipal securities of all commercial banks have increased from about 3.2 percent of all loans and investments in 1945 to 14 percent in 1967, the increase was not at the expense of loans. Commercial bank loans, during the same period of time, increased from 21 percent of total loans and investments to over 65 percent. Both of these increases were at the expense of U.S. government securities which declined from 73 percent of total loans and investments in 1945 to 17.4 percent in 1967.

Continuation of these trends at the same average percentage point rate would mean that banks would be left without any federal securities before the end of 1975. U.S. government securities are more liquid than state and local obligations and for this reason are generally considered essential to meet a bank's liquidity requirements.

If we assume that 60 billion in U.S. government securities are required for liquidity purposes and that any dip below this figure will eventually be restored,[8] the share of U.S. governments in bank portfolios will continue to decline in a modest fashion, but not at the dramatic rate which was observed from 1945–67. A more moderate decline in the share of U.S. governments will mean that loans and municipals cannot possibly rise at the share rates which were characteristic of the post war period. If bankers give preference to loans as opposed to municipal investments, the share of municipals in total loans and investments can be expected to stabilize in the near future and may even decline.

Some evidence in support of stabilization and decline can already be observed in connection with the ten largest banks in the United States. These banks have often been the leaders in establishing new trends in portfolio composition. In the three year period from the end of 1964 to the close of 1967 the ten largest U.S. banks reduced the proportion of "other securities" in their portfolio by an (unweighted) average of slightly more than one percentage point.[9] (Other securities are mainly municipal obligations.)

This decline in the share of municipals in the portfolios of large banks suggests that smaller banks may have been more sheltered from the credit demands of the war effort and, for this reason, able to purchase a disproportionate share of municipal offerings. As the growth in bank deposits slows to a more normal rate of perhaps six percent per year and as the baby boom begins to return from Vietnam and stock up on consumer durables it is only logical to assume that smaller banks will be forced to emulate larger banks in stabilizing and perhaps even reducing the proportion of municipal bonds to meet a rising demand for business inventory and consumer loans.

If our analysis is correct, the holdings of state and municipal obligations by commercial banks will grow from 50.1 billion at the end of 1957 to not more than 80 billion by the end of 1975.[10] This figure can be compared to projected holdings of 107.5 billion presented in the 1966 compendium on *Public Facility Financing*.[11] The difference between these two estimates is mainly a difference between no growth in the proportion of municipals included in bank portfolios and a continued increase in the share of municipals at about the same percentage point rate as was characteristic of the post war period.

If our stabilization hypothesis is valid and the debt obligations of state and local governments do increase from 110.1 billion at the end of 1967 to a projected total of 198.8 billion at the end of 1975,[12] the proportion of new municipals absorbed by commercial banks will fall from over 70 percent in the period from 1962–67 to less than 34 percent in the next eight years. A probable decline of this magnitude would indicate a need to broaden the market for municipal bonds.

One method which has been advocated by Professor Donald Reeb and myself, would be to amend section 14B of the Federal Reserve Act to permit that organization to hold state and local debt as well as obligations of the U.S. government. The Federal Reserve now holds about 50 billion in government debt which is not needed to manage the money supply and could be sold to improve the market for municipal bonds.

We have estimated that the interest savings to state and local governments and the added tax revenues to the U.S. Treasury would eventually amount to more than half a billion dollars per year if the Federal Reserve Act was amended and if the Board of Governors of the Federal Reserve adopted a policy of broad participation in the market for state and local bonds.[13] Mobilizing the resources of the Federal Reserve to help solve state and local problems would be in keeping with a more general policy of using the resources and procurements of the Department of Defense and other federal agencies to attack social problems.[14]

A second approach might take the form of innovations proposed by Sidney Horner in his paper on, "Factors Determining Municipal Bond Yields:"

"High bracket private investors do not ordinarily command a large enough new money flow to play a major role in the $6–$7 billion municipal market, but the army of medium bracket individuals do command vast and growing sums. Much of it is today flowing into institutions. Savings accounts are very convenient to such people while security purchase programs are mysterious and cumbersome and seem risky. New techniques, such as tax-exempt common trust funds or tax exempt mutual funds (if managed funds were legalized), could ultimately divert a vital $2 billion or more a year into municipals." [15]

One of the main difficulties with Horner's proposal is the lack of an active secondary market for state and local securities.[16] Many offerings are held to maturity and never traded in the open market. An inactive secondary market makes it difficult to clearly define the market value of a portfolio of municipal bonds at any point in time. If a way can be found to place a fair and reasonable value on non traded municipals, Horner's proposals would deserve very serious consideration.

A third approach is for state governments to emulate the federal government in setting up a non profit corporation to issue state savings bonds in the same denominations and on the same terms—except for somewhat lower interest rates—as Series E Savings Bonds. The proceeds could be reinvested in the securities of state agencies and local governments. The demand for these bonds could probably be increased by permitting individual buyers to choose, within limits, the kinds of securities that would be purchased with the proceeds.

Amounts of state savings bonds up to, say, $10,000 per person, might be guaranteed by

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Footnotes at end of article.

the state or insured through the Federal Deposit Insurance Corporations. Municipal bonds are not very risky. A search of primary sources of default records reveals only four instances in which cities or counties failed to pay interest when due in the post war period. [17] Most, if not all, of these defaults were eventually corrected without loss to bond holders.

FOOTNOTES

[1] These data were compiled from the Federal Reserve survey of financial characteristics of consumers and are reported in U.S. Congress, Joint Economic Committee, *State and Local Public Facility Needs and Financing*, Vol. 2, p. 446.

[2] *Ibid*, p. 21.

[3] The yield on S & P's municipal bond index was 78 percent of the yield on long term taxable bonds of the U.S. Government in 1965. By August 16, 1968, this figure had risen to almost 85 percent.

[4] *Ibid.*, p. 16. Subsequent data have been taken from the *President's Economic Report* and the flow of funds published in the *Federal Reserve Bulletin*.

[5] This estimate is based on the projected holdings presented in Table D1, p. 50 of the compendium on *Public Facility Financing*.

[6] An even higher return could have been obtained in the short run if the bonds were sold at a capital gain after interest rates declined from these historic levels.

[7] Howard Grosse, *Management Policies for Commercial Banks* (Englewood Cliffs, New Jersey: Prentice Hall, 1962), p. 231.

[8] Bank holdings of U.S. governments dipped below 60 billion during the tight money periods of 1956–57, 1959–60 and 1965–66 and were restored to at least this level during subsequent periods of monetary ease.

[9] Six of the ten banks decreased the proportion of other securities to total resources while four banks increased the proportion. Bank of America, by far the largest bank in the United States, increased the proportion of other securities, but not to a new post war high. Only one of the ten largest banks devoted a record post war proportion of its portfolio to other securities in the years since 1965. Most large banks, in other words, seem to have stabilized their holdings of other securities at less than historic proportions. This stabilization appears to have occurred in spite of economic ease and extremely rapid growth in bank deposits during 1967. Data on security proportions were obtained from Standard and Poor's *Corporation Records*.

[10] This assumes that bank deposits and municipal bond holdings will both increase at about six percent per year. Bank deposits in the first half of 1967 grew at an annual rate that was slightly less than six percent.

[11] *Op. cit.*, p. 50.

[12] *Ibid.*, p. 35. Some uncertainty exists as to whether the demand for municipal facilities will be large enough to require this much debt. While new debt did increase at a rather spectacular rate in 1967, the increase was not enough to fully compensate for the lower than expected addition to state and municipal obligations during the tight money year of 1966. If part of the higher than expected current increase is due to a catching-up effect and if the Presidential polls do indicate a trend toward fiscal conservatism, the problem of finding new markets for municipal bonds may not be quite as great as indicated by our figures. Changes in the amount of public facility financing are not likely to be as dramatic, however, as changes in the sources of financing.

[13] Donald Reeb and Edward Renshaw, "A Costless Public Policy: Shared Revenues From State-Local Bonds," an unpublished research paper that is now being circulated for review.

[14] See the recent statement by Secretary of Defense Clark Clifford as reported in the New York Times, September 27, 1968, p. 1.

[15] *Public Facility Financing, op. cit.*, p. 285.

[16] Roland I. Robinson, *Postwar Market for States and Local Government Securities*, (Princeton, N.J.: Princeton University Press, 1960), Chapter 5, p. 144.

[17] *Public Facility Financing, op. cit.*, p. 244–45.

The State-Local Bond Market: Another Urban Problem and a Solution

(By Donald J. Reeb*)

During September 1968 state and local long term bond issues amounted to $1.329 billions and short term issues were an additional $0.427 billions.[1] This brought the cumulated twelve months total to $15.314 billions for long term and $8.091 for short term bonds. These amounts were, respectively, $1.026 billions and $0.066 billions greater than new issues in 1967. Net state-local indebtedness is increasing by about $10 billions a year—some $5 billions of the $15 billions long term debt increase are reissues—and total state-local debt is in excess of $100 billions. Interest expenditures on this $100 billions are over $3.6 billions yearly while local interest expenditures are 70 per cent of this total.[2]

All of this provides one very definite conclusion: state-local debt is important. It takes on added importance when the finances of state-local governments are considered. State and local governments now lack sufficient tax and grant-in-aid revenues to provide public services and facilities as they are needed. Debt, especially long term debt, is one way—a very common way in fact—of adding to current income and expenditures when present needs exceed revenues. Most consumers and businesses are familiar with this use of long term debt. But for state and local governments with their interest expenditures of more than $3 billions the question need be asked: Will increases in debt continue to be a reasonable alternative for financing current expenditures?

There are two important constraints or impediments on state and local governments continual use of debt financing. The first and most famous is the law. Legal constraints on state-local debt abound. The constitutional and statutory controls are dysfunctional: the law promotes inefficiencies and inequities. Rather than limiting the total debt or promoting sound financial and physical planning the legal controls on state-local debt promotes multi-government use of debt, uncoordinated physical development, increased interest costs, and useless subsidies to higher income receivers.

The increased costs for state-local bonded debt has occurred despite the federal (and sometimes the state and local) tax exemption status of the interest earnings received by owners of the bonds. In fact, the circumventions used by the governments to avoid the legal constraints on the use of general obligation debt issues have aided the increased interest costs. There are solutions to this predominantly urban problems and they are discussed in the third part of this study.

DEBT LIMITATIONS

The control of local government finances is, for the most part, vested in the respective state governments, much as the finances of the branch plants of a corporation are subject to the controls of the headquarters establishment. Unlike the business sector, however, state governments have been unduly restrictive without providing equal or cheaper alternative sources of debt funds. For example, only three states permit all of their local governments to issue general obligation debt by legislative council action. Twelve states, on the other end of the spectrum, require legislative council actions, referendum approval, and more than simple majority to vote in favor of the debt issue before general obligation bonds can be issued. With 24 per cent of the states having repressive restrictions and only 6 per cent having reasonable controls the simple conclusion seems appropriate that state governments do in fact impose undue restrictions on local government general obligation debt issues.[3]

The referendum restriction does not apply equally to all local governments in a state. There are many exceptions; for example, Maryland local debt laws are complex to the point where generalization is impossible. A reasonably accurate summary of referendum restrictions is provided in a recent Advisory Commission on Intergovernmental Relations publication and reproduced below.[4]

TABLE I.—DISTRIBUTION OF SELECTED STATES ACCORDING TO PREDOMINANT METHOD FOR COUNTIES, MUNICIPALITIES, AND SCHOOL DISTRICTS TO AUTHORIZE FULL FAITH AND CREDIT BONDS

Predominant method of authorizing full faith and credit bonds	Counties	Municipalities	School districts
A. By action of local governing body	7	11	4
B. By referendum, with all electors eligible to vote:			
1. With simple majority in favor	11	11	12
2. Requiring special majority on the question (60 percent, 67 percent, 75 percent, etc.)	9	9	8
C. By referendum involving property ownership qualification:			
1. With simple majority (of property owning voters) in favor	7	8	7
2. Requiring special type of majority	3	3	3
D. By referendum requiring favorable vote by majority of all eligible voters in jurisdiction	2	2	2
E. Varied; not subject to generalization (Maryland)	1	1	
Total (for States reported)	40	45	36

State governments restrict their own general obligation borrowing also. Four states, Florida, Indiana, Louisiana, and West Virginia, permit no general obligation debt to be issued by their state governments. Eight states, Connecticut, Maryland, Massachusetts, Minnesota, Mississippi, New Hampshire, Tennessee, and Vermont, have no limits on state issues of general obligation debt contained in their constitutions.[5]

Referendum approval is an impediment to sound financial and physical management, but it may not be the most important one. About two-thirds of the referendums are approved by the electors.[6]

The various state laws also require that serial bonds be issued, i.e., debt which is repayable in increments (approximately even increments usually). This results in state-local debt being relatively short-lived in comparison with nonserialized debt. That is, a thirty year serial bond for $1 millions with serialized payments provides $1 millions in revenue only in the first year. Or, factually, in 1962 with a total long-term state-local debt of more than $77 billions, fully fifty-three per cent of the debt is scheduled for repayment before thirteen years are completed.[7] This requires the annual repayment of more than $3 billions. Since 1962–63 fiscal year the average annual increase in state-local revenues from own sources has been about $5.2 billions—leaving only $2.2 billions. Interest expenditures have been expanding at the annual average amount of $0.2 billions, leaving the residual of $2.0 billions for expanded, improved, and new state-local self-financed services.[8]

Footnotes at end of article.

There are, as well, interest rate restrictions—usually set at five or six per cent—but these, as yet, are not constricting since the market rate tends to be under five per cent. The August 22, 1968 rate for municipals was 4.22 for the twenty bond index and 4.15 per cent for the 11 bond index.[9]

Finally there are the limits on taxes for servicing the debt or limits on property taxing power in its entirety, and/or limits on the amount of debt as a percentage of taxable property.

At present, all except 16 of the 50 state constitutions specify some percentage limitations on outstanding debt of local governments in relation to the property tax base.[10]

Generally, the restriction applies to only a few governments in a state and/or a few types of debt. For cities and towns, for example, the rate limitation applies in twenty-four states with the rate varying from 1.5 per cent (Washington) to 18 per cent (Virginia) with the mode being 5 per cent (nine states). The applicable rate tends to change as the population size, type of government, and purpose of debt changes.[11]

These and other restrictions might be bearable if they are efficient, i.e., serve a purpose effectively. But they do not serve a financial planning purpose for they are not tied to probable gains in tax revenues. They do not serve a physical planning purpose for physical planning considerations are not contained in the permissive legislation. They do not serve to reduce risk, for there is no effective risk.[12]

Rather, the effects of the legal restrictions on the use of general obligation bonds by state-local governments to meet their long term capital facility needs have been increased use of legal circumventions. In turn, the circumventions have promoted increased interest costs, increased subsidies to holders of the bonds, increased tax revenue losses to the state-local and national government treasuries, and increased concern in the Congress. If the state-local governments do not find a less costly solution they may find the status of their bonds diminished by the actions of the Congress and the market, and their debt problems and costs increased.

MARKET REACTIONS

State and local governments have reacted to these legal restrictions on issuing general obligation bonds by issuing revenue bonds. Revenue bonds—after the courts accepted the "special fund theory"—have been relatively unrestricted.[13] Nearly any tax or free and any service which "generates" revenue can be legally pledged towards repayment of a complementary capital facility. The revenue need not be directly generated, e.g., revenue construction bonds for the construction of a government office building on which the government pays rent to itself for the use of the building is permissible. The "special fund theory" provides that such debts are outside the constitutional debt limits imposed on general obligation bond issues, and thus are restricted by procedural obligations and the market. Table 2 indicates the rise in use of revenue bonds since 1952. Revenue bonds accounted for 48.9 per cent of the sixteen year increase in state-local indebtedness of $78,901 millions. In 1946 new revenue bonds issued were but 17 per cent of the more than $1.1 billions in new issues.[14]

TABLE 2—STATE AND LOCAL LONG TERM DEBT

[In millions of dollars]

Year	Long-term debts outstanding	Increases from previous years	
		General obligation	Revenue
1952	28,720		
1953	32,004	1,837	1,447
1954	36,898	2,719	2,174
1955	42,272	2,333	3,042
1956	46,775	2,490	2,013
1957	50,845	762	3,308
1958	55,737	3,267	1,625
1959	61,127	3,419	1,971
1960	66,801	2,387	3,287
1961	71,540	3,014	1,727
1962	77,543	3,657	2,344
1963 [1]	81,110	1,736	1,831
1964 [1]	87,527	3,209	3,208
1965 [1]	94,204	3,151	3,525
1966 [1]	101,000	3,383	3,414
1967 [1]	107,621	2,962	3,659
Total change	78,901	40,326	38,575

[1] Fiscal year data.

Source: Bureau of the Census, Governmental Finances in 1966–67, GF 67, No 3, Washington, D C : Government Printing Office, 1968, table 3; and Bureau of the Census, Census of Governments, Historical Statistics on Governmental Finances and Employment, 1962, Washington, D C : Government Printing Office, 1964, table 12 and errata notice.

The importance of revenue bond financing varies with the size of the government. Table 3 indicates that revenue bonds are more than 102.5 per cent of general obligation long term bonded indebtedness for the smallest municipalities and but 45.8 per cent for the largest municipalities.[15] The revenue bond carries with its debt limit avoidance attribute the characteristics of greater legal complexity and greater interest costs. The increased complexity is quite significant. The smaller governments tend to have less specialized personnel and the governments tend to be at greater distances from the banking and financial centers.[16]

The greater complexity of revenue bonds and their use by smaller governments discourages the formation of a secondary market for the bonds—an important element in the initial marketability of financial securities. In turn, a reasonable expectation is that revenue bonds are issued at higher interest rates than general obligation bonds, and that, *pari passu*, smaller governments pay more in interest rates than larger governments.

TABLE 3.—STRUCTURE OF LONG-TERM DEBT FOR MUNICIPALITIES, 1966-67

[Dollar amounts are in millions]

Size of municipalities	Number of governments	(1) General obligations	(2) Revenue bonds	(3) 2−1	(4) Present shares	
					(1)	(2)
Less than 50,000	17,690	$4,694	$4,812	102.5	23.9	38.3
50,000 to 99,000	180	1,645	1,066	64.8	8.4	8.5
100,000 to 199,000	68	1,472	890	60.5	7.5	7.1
200,000 to 299,999	19	782	723	92.5	4.0	5.8
300,000 to 499,999	21	1,581	891	56.4	8.1	7.1
500,000 to 999,999	17	2,539	986	38.8	12.9	7.9
1,000,000 or more	5	6,928	3,176	45.8	35.2	25.3
Total	18,000	19,641	12,544	63.9	100.0	100.0

Source: Bureau of the Census, City Government Finances in 1966-67, GF 67, No. 2, Washington, D.C.: Government Printing Office, 1968, table 3.

Both of these expectations are complimented by the available data. Revenue bonds are issued at some 50 to 33⅓ basis points above the general obligation bond interest rate.[17] At the lower figure and given the $6.2 billions in revenue bonds issued in the past twelve months (by September 1, 1968) the yearly excess interest expense is $20 millions; the cumulated total excess interest expense in thirty years will be $600 millions.[18] Collaborative evidence is that smaller governments tend to be charged higher interest rates for their bonds than larger governments—the usual surcharge being about 10 to 30 basis points.[19]

With these kinds of market distinctions among state-local bonds and their resulting increased interest rates, the present solution of revenue bonds as debt instruments is obviously inadequate. The inadequacy of the present bond market is further revealed by consideration of its effects on the income tax systems of the federal and state-local governments. The tax exemption of interest earnings provides that persons or corporations with income may not incur a tax liability and, more importantly, the amount of subsidy for a given taxpayer will tend to increase as the interest rate increases.

Graph 1 (not printed in RECORD) indicates that the amount of the subsidy increases for a given tax-bracket when the interest rate rises on state-local bonds relative to taxable bonds. Interest rates are on the vertical axis; marginal tax rates are on the horizontal axis. The downward slopping lines are the non-exemption bond interest rates after taxes.[20] If the state-local interest rate is 0.04 (4 per cent) in a bond market which charges 0.06 for similar taxable bonds there is a 0.02 subsidy to state-local governments through the tax exemption provision. Again, assuming similar bonds, the subsidy to the bond holders is 0.00 if the holder is a 33 per cent marginal tax payer, 0.01 if the bond holder is a 50 per cent marginal tax payer, 0.02 if the holder is a 66 per cent marginal tax payer, etc. If the market rate on taxable bonds is 0.05 then the bond buyer who pays a 33 per cent marginal rate would not buy tax exempt bonds if the tax exempt bond interest rate was 0.04. Other examples can be constructed by the reader.

One point of the diagram is that as tax exempt interest rates increase towards equality with the taxable bond interest rate —as it has been doing since 1945 when the ratio was 41 per cent while in 1966 it was 75 per cent[21]—the importance of the tax exemption to state-local governments decreases absolutely and relative to increases in the importance of the subsidy to bond buyers. Surrey indicates that further increases in the ratio can be expected—possibly to as much as 87 per cent—as the state-local bond debt share of total indebtedness increases beyond the present 8 percent.[22]

The second point of the diagram is inferential—that the subsidy is inefficient since the savings to the buyers of the bonds is greater than the savings provided to the issuers (state-local government) of the tax exempt bonds. This can be empirically demonstrated and has been numerous times. The loss to the Treasury has usually been estimated to be three times the gain to the state-local govments.[23] In reference to the above diagram, the subsidy is efficient only on the diagonal line, e.g., point C. All bond buyers other than those who receive a rate equal to the marginal rate (indicated by the diagonal lines) are receiving an excess subsidy for holding the tax exempt bonds. Thus the tax exemption provision can only be efficient, under the present market conditions, if the holders of tax exempt bonds receive an interest rate

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Footnotes at end of article.

which varies inversely with their tax bracket, i.e., higher marginal tax rate payers must receive lower interest rates on their bonds if the subsidy is to be efficient.

A New Market. Remedies for the dysfunctionalisms in the state-local bond market have been frequently proposed—and just as often opposed. Derrick indicates that more than one hundred resolutions to eliminate the tax exemption provision have been introduced in Congress.[24] The efforts continue with a two volume study prepared by the Joint Economic Committee, introduction of legislation by Patman and Proxmire,[25] and a suggestion for a 'Community Development Bank' by the Assistant Secretary of the Treasury Stanley Surrey in a speech to the Investment Bankers Association in New Orleans. The Patman-Proxmire bill did not become the law of the land and the Surrey proposal was introduced prior to the Nixon election with his emphasis on tax incentives rather than tax reform.

A solution, rather, must consist of a policy which recognizes that the state-local bond market is not homogeneous in either supply or demand. Revenue bonds are not identical with general obligation bonds, unrated bonds are not identical with rated bonds, small bond issues are not the same as large bond issues, a commercial bank buyer bond is-not identical with a lower marginal tax bracket buyer, and already issued bonds are not the same as newly offered bonds.

Homogeneity of supply in state-local bonds would be increased if the tax exempt bonds were for the most part issued by state governments. The state could receive certificates of indebtedness from its authorities and local governments and reissue these as state bonds. North Carolina in 1931 and Virginia in 1950 established a procedure of state assistance for local bond issues. North Carolina issues all local bonds; Virginia renders advice upon request. Either procedure is preferable to the present system used in the other 48 states of occasional aid and advice. The Advisory Commission on Intergovernmental Relations recommended that the Virginia system be established in each State. It would seem that if a state, like North Carolina was in 1931, had no major urban centers and/or had a scarcity of bond underwriters in the state or proximate to it, the mandatory requirement would be more reasonable.[26] This state action independent of the market and/or federal government action is sufficient to increase homogeneity of supply. A reduction in interest costs to local governments would tend to occur since the state would be an intermediary guaranteeing the quality of the issue. The secondary market for the bonds would be improved since even Nevada is better known by bond buyers than is Utica, New York. The legal documentation to the final buyer would be less involved. More bidders could be attracted since the average issue could be greater in size and more publicized. And, the state-local debt agency could restructure the debt issues and change their timing to better meet the demands from the market. There could be some problem at first for the state-local debt agency in buying offered local and state bonds at rates below the reissue price but experience and/or a consignment provision should reduce this hurdle to inconsequentiality.

The financial certificates issued by the state-local debt agency can, in part be likened to a state savings bond—sold through payroll deduction plans and banks, issued in small to large amounts, and at a fixed interest rate. The supply would be infinite and continuously redeemable without penalty. The other part of the supply of debt instruments from the state-local agency would be like Treasury issues—large blocks, sealed bids, and bidded interest rates from bond underwriters. The savings bond market may not be very large—Treasury savings bonds outstanding are $50 billions—but their cost of issuance should be very low also.

Homogeneity of demand is more difficult to achieve—it requires congressional action and state-local governments and others have been unalterably opposed to the Congress changing the acquired right of issuing tax exempt bonds.[27] Homogeneity of demand would be aided if the twelve Federal Reserve Banks were permitted to buy the state-local debt agency bond issues and, in turn, sell the Treasury bonds which they own as part of their financial assets. Each of the twelve Federal Reserve Banks have a regional awareness and some, like the Boston FRB has a long history of concern with regional development. Their staffs are far more competent than could be developed for a new bank—like the Surrey proposal—and the banks are not Washington located with all of its onus of Federal control and supervision.

The savings that are possible through the district Federal Reserve Bank purchases depends upon the ratio of interest rates on taxable and non-taxable bonds before and after the purchasing, the (average) marginal tax rates of potential bond buyers, and the amount of bonds purchased by the district banks. Professor Renshaw and I have calculated these in another paper; with reasonable assumptions the savings to the state-local governments would be $400 millions.[28]

The purchase by the district Federal Reserve Banks would both reduce the supply of bonds and the market interest rate on state-local bonds. This double gain should be impressive. Moreover, it substitutes a well known security which is riskless—Treasury bonds—for a security which has a more limited secondary market. And finally, it brings the central banks of the United States directly to the aid of the sovereign states and their local governments.

The third and final adjustment which need be considered is that of already issued bonds. The more than $100 billions in bonds outstanding are not subject to call and reissue—at least no more than fifteen per cent of them. Thus any decrease in the interest rate leaves interest costs on already issued bonds unaffected and provides the holder of the bond with a capital gain if he sells the bond. The Fitch proposal would tend to solve this problem along with the other problems, but . . . "the Fitch scheme would be administratively difficult. Establishment of differentials [for the supramarginal bond holders] at the time of purchase of exempts in order to calculate gain . . . would be vexatious and would, at best, provide rough justice." [29] Thus the problem of high interest rates on already issued bonds seems to be soluble only by attrition.

CONCLUSION

Between 1966 and 1975 the amount of outstanding state and local bonds is expected to increase to more than $200 billions—a doubling in ten years. At an average interest rate of 4.5 per cent state and local governments will be spending $9.5 billions in 1975 on interest. If the interest rate increases 89 basis points by 1975—a rise equal to that between 1956–1965—the interest expenditures will be over $11 billions.

All of this would be unimportant if state-local governments had sufficient revenues and the tax exemption provision did not tend to destroy the progressivity of the tax system. But these problems exist and solutions which are politically possible are few. Hopefully states will begin to perform their duties properly and provide capital funds to their created local governments. Possibly the selfish interests of subsidy receivers and the reactionary feelings of state-local officials will not prevent district Federal Reserve Banks from obtaining the authority to purchase state-local bonds. For without this or a similar solution state and local and even federal tax payers will find that they are paying more for their capital facilities and providing larger subsidies to higher income tax payers for the privilege.

FOOTNOTES

*The author is associate professor, Department of Economics, State University of New York at Albany, and Regional Economist, Regional Economics Division, Office of Business Economics, United States Department of Commerce. Neither organization is implicated in this paper.

[1] Office of Business Economics, *Survey of Currency Business*, October 1968, Washington, D.C.: Government Printing Office, p. S–20. Short term debt is defined as ". . . interesting bearing debt payable within one year from date of issue . . . (and) . . . obligations having no fixed maturity date if payable from a tax levied for collection in the year of their issuance." Long term debt is the residual: obligations whose maturities exceed one year. Bureau of the Census, *Compendium of State Government Finances, GF No. 11*, Washington, D.C.: Government Printing Office, 1967, p. 59.

[2] Bureau of the Census, *Governmental Finances in 1966–67, GF 67, No. 3*, Washington, D.C.: Government Office, 1968, Table 5.

[3] United States Congress, Committee Government Operations, *Unshackling Local Government*, April 1968, Washington, D.C.: Government Printing Office, 1968, pp. 70–71.

[4] Advisory Commission on Intergovernmental Relations, *State Constitutional and Statutory Restrictions on Local Government Debt*, Washington, D.C.: Government Printing Office, 1961, appendix A. Not all states are included because not all states replied to the questionnaire.

[5] United States Congress, Joint Economic Committee, *State and Local Public Facility Needs and Financing, Volume 2, Public Facility Financing*, Washington, D.C.: Government Printing Office, 1966. pp. 153–55.

[6] Advisory Commission on Intergovernmental Relations, *State Constitutional and Statutory Restrictions on Local Government Debt*, Washington, D.C.: Government Printing Office, 1961, p. 33; and, Investment Bankers Association, *Bulletin Number 48*, August 1968, Table 8.

[7] United States Congress, Committee on Ways and Means, *Tax Revision Compendium, Volume 1*, Washington, D.C.: Government Printing Office, 1959, p. 761–2; and, Bureau of the Census, Census of Governments, *Compendium of Government Finances, Volume 4, No. 4*, Washington, D.C.; Government Printing Office, 1964, Table 17.

[8] Bureau of the Census, *Governmental Finances in 1966–67, GF 67, No. 3*, Washington, D.C.: Government Printing Office, 1968, Table 3.

[9] *The Weekly Bond Buyer*, August 26, 1968, p. 51; and, Advisory Commission on Intergovernmental Relations, *State Constitutional and Statutory Restrictions on Local Government Debt*, Washington, D.C.: Government Printing Office, 1961, p. 27.

[10] Advisory Commission on Intergovernmental Relations, *State Constitutional and Statutory Restrictions on Local Government Debt*, Washington, D.C.: Government Printing Office, 1961, p. 28.

[11] United States Congress, Joint Economic Committee, *State and Local Public Facility Needs and Financing, Volume 2, Public Facility Financing*, Washington, D.C.: Government Printing Office, 1966, pp. 153–54.

[12] With well over 4,000 thousand bond issues per year since World War II, there have been but 30 failures, only two of which were more than $100 million issues. Neither of the larger issues involved loss in the principal amount, but rather delays in interest payments for which interest on the delayed interest is paid. Fourteen of the 28 small issues involved some loss in principal. Several of the smaller issues probably involved fraud. United States Congress, Joint Economic Committee, *State and Local Public Facility Needs and Financing, Volume 2, Pub-*

lic Facility Financing, Washington, D.C.: Government Printing Office, 1966, p. 244.

[13] United States Congress, Joint Economic Committee, *State and Local Facility Needs and Financing, Volume 2, Public Facility Financing*, Washington, D.C.: Government Printing Office, 1966, p. 153.

[14] United States Congress, Joint Economic Committee, *State and Local Public Facility Needs and Financing, Volume 2, Public Facility Financing*, Washington, D.C.: Government Printing Office, 1966, p. 8.

[15] Municipalities includes all active city, village, borough, and town governments in the United States, with the qualifications that towns in the six New England States, New York, and Wisconsin (which are like townships in other States) are excluded from the municipalities data as are the boroughs in Alaska. Bureau of the Census, Census of Governments, 1967, *Governmental Organization Volume 1*, Washington, D.C.: Government Printing Office, 1968, p. 2.

[16] United States Congress, Joint Economic Committee, *State and Local Public Facility Needs and Financing, Volume 2, Public Facility Financing*, Washington, D.C.: Government Printing Office, 1966, pp. 210–12.

[17] Roland I. Robinson, *Post-War Market for State and Local Government Securities*, Princeton: Princeton University Press, 1960, p. 211; and, Advisory Commission on Intergovernmental Relations, *State Technical Assistance to Local Debt Management*, Washington, D.C.: Government Printing Office, 1965, pp. 6–7. Basis points is a commonly used term in the discussion of bonds; there are 100 basis points in each one per cent.

[18] *Federal Reserve Bulletin*, "Financial and Business Statistics," October 1968, p. A–43.

[19] United States Congress, Joint Economic Committee, *State and Local Public Facility Needs and Financing, Volume 2, Public Facility Financing*, Washington, D.C.: Government Printing Office, 1966, Appendix A, pp. 262–65.

[20] The formula for computing the points on the diagonal lines is: $r=C(1-t)$ where r is the after tax interest rate, C is market interest rate on taxable securities, and t is the marginal tax rate. At a t of 0.50 and a C of 0.05 the after tax interest rate is 0.05 (1.00–1.50) =0.025 which is point B in Diagram 1. The diagram was suggested by Professor A. Dale Tussing, Department of Economics, Syracuse University.

[21] United States Congress, Joint Economic Committee, *State and Local Public Facility Needs and Financing, Volume 2, Public Facility Financing*, Washington, D.C.: Government Printing Office, 1966, Appendix B, p. 296.

[22] Stanley S. Surrey, "The Financing of New Social Programs—and Tax Exemption," Fifth Municipal Conference, Investment Bankers Association, New Orleans, September 27, 1968, pp. 9–11 and Table 1. In 1946 the ratio of total state-local debt to total net debt in the nation was 3.4 per cent. Council of Economic Advisers, *Economic Report of the President*, Washington, D.C.: Government Printing Office, 1968, Table B–58.

[23] David J. Ott and Allan H. Meltzer, *Federal Tax Treatment of State and Local Securities*. Washington, D.C.: Brookings Institution, 1963, pp. 14–17.

[24] Lucille Derrick, "Exemption of Security Interest from Income Taxes in the United States," *Journal of Business*, Volume 19, 1946, Pt. 1.

[25] A copy of the legislation is printed in United States Congress, Joint Economic Committee, *Hearings on Financing Municipal Facilities*, Volume II, Washington, D.C.: Government Printing Office, 1968, pp. 170–88.

[26] Advisory Commission on Intergovernmental Relations, *State Technical Assistance to Local Debt Management*, Washington, D.C.: Government Printing Office, 1965, pp. 55–59.

[27] For discussion of the tax exempt provision and its constitutional vs. statutory basis see the papers by Kirby, Maxwell, Braxer, McGee, and Ely in United States Congress, Committee on Ways and Means, *Tax Revision Compendium, Compendium of Papers on Broadening the Tax Base, Volume 1*, Washington, D.C.: Government Printing Office, 1959, pp. 679–791. The Kirby paper argues that the Alabama vs. King and Boozer case, 314 U.S. 1, with its conclusion that materials used to perform a government contract are subject to the tax, latches the last exit for those who argue that a withdrawal of the tax exemption provision would be unconstitutional. The point remains, though, that the impediment is not the constitution but political agreements forged by those who gain from the existence of the exemption.

[28] Edward F. Renshaw and Donald J. Reeb, "A Costless Public Policy: Shared Revenues From State-Local Bonds." The paper also contains estimates of the savings vs. interest earnings losses for the Federal Reserve-Treasury. Their net gain would be some $200 millions. These data are but estimates since neither the elasticity of the supply of bonds from the state-local governments nor the elasticity of demand for Treasury bonds is known.

[29] See Lyle Fitch, *Taxing Municipal Bond Income*, Berkeley: University of California Press, 1950; and James Maxwell, "Exclusion from Income of Interest on State and Local Government Obligations," United States Congress, Committee on Ways and Means, *Tax Revision Compendium, Compendium of Papers on Broadening the Tax Base*, Volume 1, Washington, D.C.: Government Printing Office, 1959, p. 708.

Some Alternative Ways To Improve the Market for Municipal Bonds

(By Edward F. Renshaw)

In the six year period from 1962–67 commercial banks absorbed nearly 73 percent of the net increase in municipal securities.[1] Dominance in this market appears to have been related to an unusual growth in bank deposits. In the preceding fifteen year period when the money supply, including time deposits, was growing at a much slower rate, commercial banks were willing to absorb only 27 percent of the increase in municipal debt.

That bank demand can be expected to drop significantly as the money supply is permitted to grow at a less inflationary rate is strongly suggested by recent periods of monetary tightness. During the credit crunch of 1966 bank absorption fell from 82 to only 40 percent of new issues.

The first quarter of 1968 was also a period of restrictive monetary policy, though not nearly as tight as late 1966. Bank absorption during this quarter fell from 89 percent of net new issues to only 46 percent. To find a market for the remaining 54 percent, state and local governments were forced to pay interest amounting to more than 4.5 percent on the highest grade municipal bonds. For persons with marginal incomes taxed at a twenty percent rate, this would have been equivalent to a return of over 5.5 percent on taxable government bonds or savings accounts.

The yields on high grade municipal bonds declined somewhat in mid 1968 but have since risen to new historic highs. On January 9, 1969 Moody's bond survey reported an average yield to maturity of 4.9 percent on its Aaa bond index. Many revenue bonds are now yielding a tax free return of six percent or more. With the Federal Reserve showing every indication of being committed to a policy of permitting the money supply to grow at a more normal rate, it seems clear that ways must be found to broaden and improve the market for municipal securities.

In the remainder of this paper we will present some further statistics on the demand for municipal bonds and then discuss some alternative ways of providing needed financing for state and local facilities. While few problems in the history of local finance have inspired so many imaginative solutions, most would require either legislation or significant institutional changes to yield the amount of financing that will be required to rebuild our cities and provide a more wholesome environment for the residents of both rural and urban areas.

THE DEMAND FOR MUNICIPALS

About three quarters of the outstanding municipal debt is owned either by individuals in high income tax brackets or by commercial banks. Household demand for municipal securities grew at a fairly steady rate in the early post war period and then reached a state of near saturation in 1955 when additions to total holdings amounted to more than three billion dollars. The growth in household demand has declined in recent years to an average increase of less than two billion dollars.

In 1967, when the total increase in municipal debt amounted to slightly more than ten billion dollars, net household demand was practically zero. About nine billion of this increase was absorbed by commercial banks. This was made possible by a rather unprecedented increase in the money supply, including time deposits, amounting to eleven percent. The average rate of growth in this broader definition of the money supply was only 4.27 percent in the 20 year period from 1947–66.

During this period of time commercial banks absorbed a fraction of net new issues of municipal securities which was about equal, on the average, to eight one-hundredths of the year to year percentage growth in the money supply. If we assume that states and local governments will continue to increase their indebtedness by about ten billion dollars per year and then postulate a world in which the money supply is allowed to grow at about five percent per year, this would imply a willingness on the part of commercial banks to absorb only four billion dollars worth of new municipals.

An even more conservative estimate of bank demand for municipal bonds can be obtained if we examine the composition of bank portfolios over long periods of time and assume that banks will continue to give equal preference to the financial needs of business and government. Bank loans and investments other than U.S. government securities, which are mainly municipal bonds, have increased at about the same rate, on the average, since 1929. In 1929 the ratio of other investments to bank loans was .244 to one. The ratio in 1950 was almost exactly the same, .243 to one. It fell somewhat during the mid 1950's when the money supply was permitted to grow at an abnormally low rate but had recovered to .234 to one by the end of 1963. It remained at this level through the end of 1966 and then jumped to .270 to one at the end of 1967. This, of course, was a rather unusual year characterized by very high growth in bank deposits and a comparatively slack demand for business and consumer loans.

If we assume that commercial banks will continue to maintain a fairly stable balance between loans and municipals, it will not be possible for municipal bondholdings to grow very much more rapidly than the total money supply. Some extra growth, amounting to about one percentage point per year, may be possible, however, if cash outside banks remains fairly stable and banks continue to hold U.S. government securities constant at about 60 billion dollars. If one percent is added to five percent growth in the money supply and then multiplied by the 56 billion in municipals that banks are estimated to have held at the end of 1968 we obtain an implied willingness on the part of commercial banks to absorb only 3.4 billion of new municipals in 1969.

If households can be induced to absorb about two billion of municipals and other in-

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Footnotes at end of article.

stitutions one billion this would mean a total volume of new municipal financing which might be as low as six and one-half billion dollars. States and local governments, in other words, may have to either cut back capital expenditures by about three and one-half billion dollars from the 10 billion level of 1967 and early 1968 or else find new markets for a rather large volume of municipal securities.

While some cutback in public facility financing may be inevitable, considering the recent trend toward fiscal conservatism at all levels of government, it doesn't seem likely that 6.5 billion of new financing will come close to meeting existent needs for new facilities. In the compendium on *State and Local Public Facility Needs and Financing* which was published by the Joint Economic Committee in December 1966 it was projected that the supply of net new issues of state and local government obligations would increase from about 9.3 billion in 1969—a figure which was exceeded by nearly one billion in 1967—and then grow to about 11.3 billion by 1975.

The JEC projections are really quite low in comparison to other estimates of public facility needs. In a recent speech before the Investment Bankers Association, Stanley Surrey, Assistant Secretary of the Treasury under the Johnson Administration, suggested that:

“The growth of new programs especially Federally aided ones, the increasing reliance on debt service grants to shift Federal debt to State and local debt, and exploding replacement needs could increase the annual net growth in State and local debt from the present $9 to $10 billion to as high as $30 billion a year in 10 years. This would represent a rate of growth twice as high as the rate of growth of the savings supply.”[2]

Uneasiness about the demand for municipal bonds has been manifest both within and outside government for several years. Some have argued that tax-free bonds are an inefficient subsidy to state and local governments and that tax exemption should be replaced by a more efficient direct subsidy,[3] such as that proposed by Lawrence Seltzer in 1941.

The Seltzer proposal would have the Federal government pay state and local governments some fixed proportion of their annual interest payments if they issued taxable bonds.[4] At least two versions of the Seltzer plan were incorporated into bills presented to the Second Session of the 90th Congress.

The Proxmire Bill, S. 3170, would create a non-profit corporation to guarantee taxable municipal bonds and authorize interest reduction grants up to one-third the annual interest charge payable each year on taxable state and local securities.

The second bill, S. 3206, was sponsored by the Administration to meet its commitment under the Federal Water Pollution Control Act without adding to the budgetary deficit. If states and localities would agree to issue taxable municipal bonds, this bill would have committed the Federal Government to pay the principal and interest on the Federal share, provide a guarantee for the non-Federal share and give states and municipalities an interest subsidy so the net effective interest rate would be reasonably comparable to rates on tax-exempt bonds.

Senate bill 3206 was attacked by Governor Rockefeller of New York and other representatives of state and local governments during the hearings on water pollution facilities on the grounds that the Treasury would be the big gainer and that the program would be an opening wedge “to abolish the tax-exempt authority of State and local government bonds.”[5]

While the intent to do away with tax exemption was vigorously denied by the Administration,[6] it was no doubt one of the factors which helped to sabotage the principle of direct interest subsidies for pollution control programs. That this principle could be proposed and then discussed in public hearings is an encouraging step forward, however. A relevant question is whether we might not be able to achieve the same objective without creating formidable opposition on the part of state and local governments.

One alternative which has been suggested by Professor Donald Reeb and myself, would be to amend section 14B of the Federal Reserve Act to permit that organization to hold state and local debt as well as obligations of the U.S. government. The Federal Reserve now holds about 50 billion in government debt which is not needed to manage the money supply and could be sold to improve the market for municipal bonds.

We have estimated that the interest savings to state and local governments and the added tax revenues to the U.S. Treasury would eventually amount to more than half a billion dollars per year if the Federal Reserve Act was amended and if the Board of Governors of the Federal Reserve adopted a policy of broad participation in the market for state and local bonds.[7] Mobilizing the resources of the Federal Reserve to help solve state and local problems would be in keeping with a more general policy of using the resources and procurements of the Department of Defense and other federal agencies to attack social problems.[8]

A similar but slightly different proposal for improving the market for municipal bonds has been prepared by the President's Task Force on Suburban Problems. They have recommended that the Federal government create an Urban Development Bank with powers to issue up to 25 billion in taxable bonds to be guaranteed by the Federal government.[9] The proceeds from the bond issues would be used to buy state and local government obligations at subsidized rates. It is assumed that the extra tax revenues received by the Treasury on the taxable bonds of the “Urbank” would be more than sufficient to compensate for the direct interest subsidy to state and local governments.

A rather different approach to the problem of improving the market for state and local bonds might take the form of innovations proposed by Sidney Horner in his paper on “Factors Determining Municipal Bond Yields”:

High bracket private investors do not ordinarily command a large enough new money flow to play a major role in the $6-$7 billion municipal market, but the army of medium bracket individuals do command vast and growing sums. Much of it is today flowing into institutions. Savings accounts are very convenient to such people while security purchase programs are mysterious and cumbersome and seem risky. New techniques, such as tax-exempt common trust funds or tax exempt mutual funds (if managed funds were legalized), could ultimately divert a vital $2 billion or more a year into municipals.[10]

One of the main difficulties with Horner's proposal is the lack of an active secondary market for state and local securities.[11] Many offerings are held to maturity and never traded in the open market. An inactive secondary market makes it difficult to clearly define the market value of a portfolio of municipal bonds at any point in time. If the SEC can be persuaded to accept an econometric approach to placing a fair and reasonable value on non traded municipals, Horner's proposals would deserve very serious consideration.

Another approach for broadening the market for tax exempt state and local government obligations would be for state governments to emulate the federal government in setting up a non profit corporation to issue state savings bonds in the same denominations and on the same terms—except for somewhat lower interest rates—as Series E Savings Bonds. The proceeds could be reinvested in securities of state agencies and local governments. The demand for these bonds could probably be increased by permitting individual buyers to choose, within limits, the kinds of securities that would be purchased with the proceeds.

Amounts of state savings bonds up to, say, $10,000 per person, might be guaranteed by the state or insured through the Federal Deposit Insurance Corporations. Municipal bonds are not very risky. A search of primary sources of default records reveals only four instances in which cities or counties failed to pay interest when due in the post war period.[12] Most, if not all, of these defaults were eventually corrected without loss to bond holders.

SUMMARY

The very high interest rates that state and local governments are now forced to pay to provide financing for public facilities is symptomatic of a marketing mechanism that is now inadequate to meet the needs of society. That improvements can be made in the market for municipal securities is strongly suggested by the large number of imaginative proposals which have been advanced to resolve the impending crisis. The interesting question, it seems to me, is not whether the new administration will be forced to adopt innovations in this area, but which alternative will be considered the most acceptable way for a Republican Administration to maintain an adequate level of private financing for state and local facilities.

FOOTNOTES

[1] These calculations are based on the flow of funds reported in the *Federal Reserve Bulletin*. Data for the period from 1946–65 have been summarized in U.S. Congress, Joint Economic Committee, *State and Local Public Facility Needs and Financing*, Vol. 2, p. 40.

[2] Remarks before the fifth municipal conference of the Investment Bankers Association, Roosevelt Hotel, New Orleans, Louisiana, September 27, 1968.

[3] If income taxes are progressive and if the volume of bonds is too large to be absorbed by persons in the highest tax bracket, tax exempt rates must be raised enough to attract capital from persons in lower brackets, giving bond holders with higher incomes a windfall gain. Most estimates suggest that the interest saving to state and local governments in the postwar period has been less than two thirds of the revenue loss to the Federal government. See David Ott and Allan Meltzer, *Federal Tax Treatment of State and Local Securities* (Washington: The Brookings Institution, 1963), p. 15.

[4] National Tax Association, *Proceedings* (1941), p. 195.

[5] U.S. Congress, Subcommittee on Air and Water Pollution of the Committee on Public Works, United States Senate, Ninetieth Congress, Second Session, *Hearings on S. 2525 and S. 3206*, Part 2, p. 509 and p. 542.

[6] *Ibid.*, p. 548.

[7] Donald Reeb and Edward Renshaw, “A Costless Public Policy: Shared Revenues from State-Local Bonds,” an unpublished research paper that is now being circulated for review.

[8] See the recent statement by Secretary of Defense Clark Clifford as reported in the *New York Times*, September 27, 1968, p. 1.

[9] This proposal is discussed in the *Washington Post*, Tuesday, December 24, 1968.

[10] *Public Facility Financing, op. cit.*, p. 285.

[11] Roland I. Robison, *Postwar Market for State and Local Government Securities*, (Princeton, N.J.: Princeton University Press, 1960), Chapter 5, p. 144.

[12] *Public Facility Financing, op. cit.*, pp. 244–45.

ONE CRIME REMEDY: PREVENTIVE DETENTION

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. MIZE. Mr. Speaker, on February 5, 1969, I introduced legislation perfecting the Bail Reform Act of 1966. This legislation and similar proposals have been the subject of considerable editorial comment in the national press.

While support of preventive detention in noncapital cases has not been universal, there has been substantial support from responsible commentators on conditions of crime in the Nation's Capital.

I contend that preventive detention in noncapital Federal cases, if properly administered, will safeguard the public while guaranteeing due process to those accused of serious crime.

Because of the widespread interest in crime control, and because perfection of the Bail Reform Act of 1966 is crucial to the full implementation of President Nixon's program for crime control in Washington, I insert a recent editorial from the Washington Sunday Star in the RECORD at this point:

ONE CRIME REMEDY: PREVENTIVE DETENTION

The evidence which has been built up over the past several months makes an overwhelming case for preventive detention—giving federal judges discretionary authority to keep dangerous criminals off the street.

President Nixon called for this in his recent crime message, pointing out that many persons are now being arrested "two, three, even seven times" while free on bond and awaiting trial. Legislation to modify the "bail reform" act of 1966 has been offered in the House and the Senate. Many witnesses appearing in recent days before Senator Ervin's Subcommittee on Constitutional Rights have stressed the urgent need for prompt and effective action in this area.

This view, of course, is not shared by everyone. There are some who say it would be unconstitutional to deny bail to an accused criminal between the time of his arrest or indictment and his trial. Others complain that such a practice would run counter to our traditional presumption of innocence. Their arguments, we think, are flimsy.

What the controversy really comes down to is whether law-abiding citizens are entitled to the maximum protection against crime and criminals which Congress can give them. Of course they are.

No one pretends that preventive detention is the whole answer to the crime problem. Obviously it is not. But it is part of the answer. Nor should anyone suppose that an equitable formula for denial of bail in the public interest will be easy to devise. The criteria by which a judge would determine whether a particular suspect should be denied bail on the ground that his release would endanger the public will be difficult to establish. But they can be established. It will also be necessary to fix a time period, perhaps 60 days, in which an accused man must be brought to trial or released unless excessive delay in trial resulted from dilatory motions filed in his behalf. Perhaps there should be provision for an immediate appeal from denial of bail. Thought should be given to granting money compensation to a person held without bail and subsequently found not guilty. Other difficulties will suggest themselves. But the solutions can—and must—be found.

The argument that denial of bail would be unconstitutional is based on the Eighth Amendment, which forbids "excessive" bail or fines, and "cruel and unusual punishments." But as Senator Byrd of West Virginia pointed out in his excellent statement to the Ervin subcommittee, the very same Congress which promulgated the Eighth Amendment in 1789 also enacted in that year a law regulating bail. That law stipulated that bail "shall" be granted in criminal cases "except where the punishment may be death." In a death-penalty case the statute reserved the decision on granting bail to the discretion of a judge.

Senator Byrd went on to point out, however, that in 1789, when this first bail statute was adopted, "practically all of the more serious crimes carried the death penalty." In this category of crimes, for which there was no *right* to bail, were such offenses as murder, robbery, stealing a ship or even counterfeiting a United States security.

Where in all this can one find support for the argument that the Constitution requires that bail be granted? Did the Congress of 1789, which promulgated the Eighth Amendment and also the Fifth Amendment, which is sometimes cited, not understand what it was doing when in the same year it passed the bail statute? It may be worth noting that the Supreme Court, in 1952, said this: "The Eighth Amendment has not prevented Congress from defining the classes of cases in which bail shall be allowed in this country. Thus, in criminal cases bail is not compulsory where the punishment may be death."

It is true that Congress in 1892, a century after the first bail act, revised the law to substantially reduce the number of offenses for which the death penalty could be imposed. It is also true that the 1892 Congress, whether from oversight or for whatever reason, did not simultaneously change the bail act.

But what are the sensible conclusions to be drawn from this? If it wanted to do so in order to deny bail, Congress could reinstate the death penalty for robbery or counterfeiting. Surely no one in his right mind would advocate this. And there is no need to do so. For it is quite clear, or so it seems to us, that this matter of a "right" to bail is not a constitutional question, but rather one of statutory law. Congress has always had and still has the authority to prescribe the circumstances under which bail may or may not be granted. If this is not correct, then it is unconstitutional to deny bail in a first-degree murder case. Very few people would argue that this is so.

What about the presumption of innocence? This is fundamental in our system of justice. But it is not a constitutional doctrine. It is, in essence, a rule of evidence which becomes operative at the time of trial. To some degree denial of bail may be said to collide with this presumption. But the same collision is there in the denial of bail in murder cases, for in a murder case the presumption of innocence also prevails.

Is there a need in this Capital City, not to mention other federal jurisdictions, for preventive detention? The need, we think, is especially imperative here, where all violent crimes are covered by federal law—a situation which does not prevail in the states.

Generally speaking, judges under the 1966 bail act can consider but two things in deciding whether to grant or refuse bail. One has to do with the suspect's community ties. The other is whether he can be expected to show up for his trial.

How has this worked in practice? A Star study of 67 arrests made for robberies of financial institutions last year showed that 22 percent of these suspects were out on bail when captured. But this does not give the full picture. Many such robberies last year did not result in arrests, and an unknown number of those robbers may also have been out on bail. Let's take the case of Larry Duke Perkins. A police study in fiscal 1967 showed that Perkins was arrested four times that year for robbery or attempted robbery, and released each time on bail. When money bail was required, his mother mortgaged her home to raise the cash. In October of last year 46 members of two grand juries who had heard more than 500 cases issued a strong appeal for revision of the 1966 bail act. These grand jurors, 36 of whom were black, said they were "shocked day after day" to hear cases in which dangerous criminals were free on bond. Eddie M. Harrison's case illustrates the point. After his *fourth* conviction for first-degree murder he was released by order of a panel of the Court of Appeals on personal bond, which means no actual bond, pending his fourth appeal.

One could go on and on—an increase in robberies for example, of 207 percent in the 2½-year period from fiscal 1966 to calendar 1968. This appalling increase in crime, much of it due to heroin addicts walking the streets when they should be in jail or confined for treatment, is intolerable. Revision of the bail act to permit judges to detain suspects who, on their past records, would be a menace to the community if released, would not be a cure-all. But it would help—and this city needs all the help it can get. We hope Congress will act on this matter this year, and let the Supreme Court settle the constitutional question—if there really is one.

A BILL TO AMEND THE TAX LAWS

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. BOB WILSON. Mr. Speaker, at this time of year we are all acutely aware of our financial obligations to Uncle Sam and I am today reintroducing legislation to correct a serious inequity in our tax structure. My bill would amend the present tax laws to extend the "head of household" benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more.

Today the single person bears an unfair burden of our Nation's tax load. In reviewing the tax structure I find that Congress in 1948 legalized "income splitting" for married couples who filed joint returns and then 3 years later, in 1951, enacted a "head of household" provision which granted tax relief to single, divorced, or widowed individuals who supported one or more dependents. Quite frankly, the present laws affecting single, widowed, or divorced individuals with no dependents are quite unrealistic in view of the demands and expenses of present-day living requirements.

According to a study by Joseph A. Pechman, director of economic studies for the Brookings Institution, who conducted the first comprehensive study of the tax system since the tax reduction and reform bill of 1964, the income tax law discriminates heavily against single persons. The present joint return system for married couples assumes, according to Mr. Pechman, "that it costs twice as much for two persons to live as it does for one. This is not so—studies of family budgets indicate that it costs about three-fourths as much for one person to live as it does for two."

Looking at the problem realistically, the expenses incurred by the adult person alone are not too very different from those incurred by a family or household head with dependents. For example, the single person must also provide housing, furniture, home maintenance, food, insurance, et cetera, just as the family does. It costs no less for him to live. yet he bears an unfair burden of the tax load. To be more specific, the tax differential in income levels between $6,000 and $12,000 for single persons and heads of households ranges from $70 to $290. One point which emphasizes the need for this legislation is the fact that of the 18 million single persons in the United States 35 and over, 13 million are women. Maintenance of decent and safe living accommodations for them is a must.

For these reasons, I am today reintroducing this bill which I feel is timely in view of the fact that our esteemed colleague, the chairman of the House Ways and Means Committee, is opening hearings tomorrow on tax reform legislation.

DON'T WASTE BRAINS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the Record today an excellent editorial entitled "Don't Waste Brains" written by Mr. John Troan, editor of the Pittsburgh Press newspaper.

It is certainly necessary to broaden the opportunities for higher education in our Nation today, and I believe that this editorial raises many of the discussion points relevant to determining our national policy of how new changes should be accomplished:

DON'T WASTE BRAINS, BUT DON'T SAP COLLEGES, EITHER

(By John Troan)

No one can deny there is a scarcity of Negro students in our colleges.

I mean: If you take into account the number of Negroes there are in America, those who go on to college are pitifully few.

This is bad for black people in particular. And I believe it is bad also for America in general.

For I am convinced this country is overlooking a lot of good black brainpower, a lot of fine black talent. And in a world where the champions of freedom (that includes us, of course) are outnumbered to begin with, we should exert every effort to make up in quality what we lack in quantity.

The problem is to ferret out this hidden talent in our midst and to cultivate it. But how to accomplish this is the real hang-up.

In the first place, it isn't as simple as some student militants insist to find blacks who can qualify for college admission.

I'm not saying this is the fault of the blacks. More likely, it is the fault of the system.

TOUGH QUESTIONS

Because they live in substandard neighborhoods, most blacks wind up going to substandard schools. That makes it difficult, even impossible, to get the kind of schooling needed to get into college.

There are some who say we should lower college admission requirements for such students. But even if this should become public policy, nagging questions remain:

How much should the standards be lowered? Should they be lowered only for blacks, or for whites too? (After all, a lot of white students get such poor schooling they can't meet current college requirements either.)

How many sub-standard students should a college admit? And how can a college justify turning away applicants with higher credentials to make room for less-qualified people?

These are questions which challenge the mind and churn the soul. For they evoke no quick or easy answers, except among the misinformed.

GUARANTEE DIPLOMAS?

Even if a satisfactory way should be found to open up all colleges to so-called disadvantaged students (whatever their race), a serious question would remain: How many could make the grade?

Special tutoring undoubtedly would help some. But there's a limit to tutors and the money to pay for them.

Of course, we could simply guarantee a diploma to everyone who enters college. That's what some militants in Baltimore are demanding—assurance that every black student admitted to medical school will get his MD degree.

But this is utter nonsense. Even those promoting such fail-safe foolishness wouldn't want to be treated by legalized quacks masquerading as doctors.

Let us, by all means, broaden the opportunities for higher education in America. But let us not transform our colleges from educational institutions to diploma mills. For then nobody's diploma would be worth more than a counterfeit bill.

THE ORGANIZATION FOR THE DEFENSE OF FOUR FREEDOMS FOR THE UKRAINE, INC.

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, during the recent campaign I was approached by a constituent, Mr. Volodymyr Y. Mayewsky, 2111 Jefferson Davis Highway, a constituent of mine, with a request that I include a copy of a letter he wrote to the editors of 75 national newspapers, protesting the activities of the Russians in Czechoslovakia. Mr. Mayewsky is chairman of the Organization for the Defense of Four Freedoms for the Ukraine, Inc.

As I have the fullest sympathy for Mr. Mayewsky's views and for the determined effort his fine organization has made to publicize the plight of the millions living under Soviet domination. I am pleased to include the full text of his letter to the Washington Evening Star at this point in the Record:

ORGANIZATION FOR THE DEFENSE OF
FOUR FREEDOMS FOR UKRAINIANS,
INC.,
Washington, D.C., August 27, 1968.

THE EDITOR, THE EVENING STAR,
c/o Mr. NEWBOLD NOYES, Jr.,
Washington, D.C.

DEAR SIR: The Public is aghast at the treacherous aggression of the Russian Communist Empire against sovereign and independent Czechoslovakia. This Russian aggression is a flagrant violation of the United Nations charter, the terms of the Warsaw Treaty and all accepted standards of international behavior. By this act, Russia stands guilty before the world of a brutal crime not only against the Czech and Slovak people but against all of humanity.

The tragic events in Czechoslovakia have proved once again that we can never trust the Russians. Russian historical imperialistic interests and not social improvement of the human lot are the primary goals of the communist dicators in the Kremlin. Russia never abandoned her centuries-old imperialistic conquest of other countries and the idea to rule the world.

One should be aware that the members of the U.S.S.R. except for Russia are all subjugated nations. Those subjugated nations are waging a relentless heroic struggle to free themselves from Russian Communist oppression.

Most of the American newsmedia, including The Evening Star responded properly to the act of aggression. We fully agree with the position that this Russian imperialistic aggression should be condemned in the United Nations forum and in every other conceivable forum. World public opinion has already voiced its condemnation of this aggression.

Although condemnation of this act of Russian aggression carries with it great moral weight, it alone provides no solution. The U.S. and all the nations of the Free World should pursue a policy of liberation of Czechoslovakia, Hungary, Ukraine and other captive nations in Eastern Europe and other parts of the world. The World half-free and half-slave cannot survive. Until the last vestige of tyranny is erased from Eastern Europe and wherever else it may exist there can be no *peace*.

Sincerely,
VOLODYMYR Y. MAYEWSKY,
Chairman.

VOTING PRIVILEGES FOR 18-YEAR-OLDS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. FASCELL. Mr. Speaker, I am today reintroducing legislation which I sponsored in the 90th Congress that would extend the right to vote to all citizens 18 years old or older. I join the many other Members in proposing an amendment to our Constitution which reads:

> No citizen of the United States who is eighteen years of age or older shall be denied the right to vote by reason of age.

Today, more than ever before, our youth deserves the right to vote. They are undoubtedly better equipped than before to exercise responsibly the voting privilege. The average 18-year-old has just completed high school studies in American history and civics. In 47 of our 50 States, courses in American government, comparative government, the political process, American history, and related subjects are required of each high school graduate. Thus, an 18-year-old, just out of high school, is well informed and eager to join in the political process. He is prime for civic responsibility, yet by refusing him the vote, we pull the rug from beneath his feet and leave him suspended for 3 years.

There are several concrete arguments in favor of extending the voting privilege to 18-year-olds. Besides their outstanding scholastic training, many young men are now called on to serve their country in the Armed Forces at age 18. While opponents of my proposal contend there is no correlation between the qualities needed to vote intelligently and those requisite to fighting, I feel that both assume a sense of duty and responsibility.

In addition, young people are legally able to sign job contracts and are required to pay property and income taxes at 18. The ability to assume these legal responsibilities indicates to me the ability to assume the responsibilities of the voting privilege.

Besides these important factors, I feel there is one very important element which I have not emphasized sufficiently, and which was brought out to me just this weekend. Yesterday I had the privilege of speaking at the dedication of a teen center in Key West, Fla. While there I met many fine young people—teenagers keenly interested in my ideas and positions regarding some of the toughest issues before us today. Their questions showed amazing insight into these critical issues—and their own responses to these problems displayed a fresh, new approach, and an urgent, enthusiasm for righting the difficult problems which trouble us all so very much. I have always had a great deal of faith in our young people, but I was again amazed at the depth of their concern and their insight. They urgently desire to have the right to participate in our Government, and we can no longer deny them that right.

Mr. Speaker, I hope that the concerted efforts of all Members who favor lowering the voting age together with the hard work and new ideas of the recently established Youth Franchise Coalition will result in favorable action on this proposal during the 91st Congress, and call on all of our colleagues to work toward that end.

LITHUANIAN INDEPENDENCE DAY

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. MESKILL. Mr. Speaker, February 16 is the day that commemorates the 51st anniversary of the independence of Lithuania. I ask my colleagues to join with me in paying tribute to a people whose courage in the face of great adversity has remained strong and vital—an example for all the peoples of the world.

We in the United States often take our freedom for granted. We forget that not all people throughout the world enjoy the rights and privileges of a free and open society. On a day such as this, we realize that only a minority of the world's population lives under the rule of governments that permit freedom of thought, speech, and expression.

The people of Lithuania, who have throughout their history struggled for these very freedoms, have continually suffered from the cruel repression of one oppressor after another.

It was on February 16, 1918, that Lithuania declared her independence, a goal for which her people had been striving throughout long periods of domination by both Russians and Germans.

As an independent nation Lithuania flourished. Developments were made in agriculture and a comprehensive program of land reform was instituted, shaping Lithuania into a nation of small farmers. During this period industrialization progressed and great strides were made in social legislation. Lithuania began to develop a culture of her own supported by great achievements in music, opera, and literature. This truly was Lithuania's "golden age."

Sadly, though, independence was shortlived as Lithuania fell under the sword of the Russian Army during the Second World War. Declared a constituent republic of the Soviet Union on August 3, 1940, Lithuania was subjected to Nazi rule 10 months later. German occupation augured in a policy of colonization and execution. When the tide turned against the Germans, Lithuania was not to return to independence. Soviet domination followed as the Russian Army again marched West. By the end of 1944, all of Lithuania had fallen prey to the Soviets.

The borders of Lithuania were subsequently sealed and have remained sealed. Those who successfully fled from their native country to seek freedom in a new land report a total absence of freedom and the imposition of totalitarian rule in their mother country. The Lithuania of today is a product of aggression and tyranny wrought upon a small nation by a superpower bent on world domination.

The enslavement of these noble people is a black mark on the history of the world. Today Lithuanians continue to resist domination and alien rule. We here in the United States reassert the right of these people to govern themselves—to again be free and independent. The United States has never recognized the incorporation of Lithuania into the Soviet Union.

As former Secretary of State, Dean Rusk, said in 1967:

> United States support of the Lithuanian people's just aspirations for freedom and independence is reflected clearly in our refusal to recognize the forcible incorporation of your country into the Soviet Union and in the warm sympathy manifested by the American people in the Lithuanian cause.
>
> In continuing to look resolutely toward a free and independent existence, the Lithuanian people both here and abroad have established a firm foundation for the hope of free men everywhere that the goal of Lithuanian national self-determination will ultimately be realized.

It is this eternal hope and courage of a people dedicated to the pursuit of freedom that we pay tribute to today.

FROM A MILITARY RETIREE'S POINT OF VIEW

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. DOWNING. Mr. Speaker, on February 4, I introduced a bill in behalf of our military retirees which would amend title 10 of the United States Code to equalize the retirement pay of members of the uniformed services of equal rank and years of service. I have been very interested in rectifying this inequity for some time and I have been conferring with several members of the Retired Officers Association. Comdr. Justus P. White, Coast Guard, retired, recently sent me a copy of his article entitled, "From a Military Retiree's Point of View" which will appear in the January issue of the Coast Guard Academy Alumni Bulletin and in the March issue of the Retired Officer magazine. I am also attaching the article for insertion in the CONGRESSIONAL RECORD.

FROM A MILITARY RETIREES POINT OF VIEW

Persons who entered the uniformed services prior to June 1, 1958 have suffered a serious loss of earned retired pay due to the action of Congress in precipitously suspending the favorable system existing prior to that time and later substituting a less satisfactory system.

At that time and for almost a hundred years before then the U.S. Code contained specific provisions entitling uniformed services personnel to retired pay based upon current active duty rates.

Although such persons had no signed contract with the U.S. Government promising them that this system would be continued after their service was completed, there was certainly a moral obligation on the part of the Government not to reduce the benefit after it was earned.

The more than 500,000 retired career personnel, both regular and reserve, who had served in two World Wars, Korea, and Vietnam, believed that the Government would continue to honor that obligation by preserving their entitlement to those rights and benefits earned under existing law during their active service. Faith in that belief was strengthened by repeated governmental statements concerning the matter.

In 1806, in the case of United States vs. Heth, (7 US 399, 2L, Ed. 479), the Supreme Court stated:

"While it is true that pay is subject to the will of Congress, the presumption is where a person performs service under the prospect of certain emoluments, it is in the interest of the Government to engender a confidence in the minds of its citizens which leaves no room for distrust. . ."

The Military Retirement System was initiated by Congress during the Civil War. It was at this time that the basic principle of keeping retired pay geared to current active duty pay schedules was established. This basic principle apparently was not seriously challenged by successive Congresses until passage of the Joint Services Pay Act of 1922, which denied to those retired prior to the effective date of the Act the right to recompute their retired pay on the basis of the new schedules. The 69th Congress, in passing Public Law 204 in 1926, corrected this injustice and the Senate report, S–364, 69th Congress, contained this statement:

"The 1922 legislation deprives all officers retired prior to that date of said benefits, thereby violating the basic law under which these officers gained their retirement rights. There is no justice in two pay schedules for equal merit and equal service."

In January 1931, a Joint Congressional Committee, after reviewing the overall Military Compensation System, stated in Senate Document 259, 71st Congress, 3rd session:

"The pay of any person on the retired list should be based on the pay of persons of like grade on the active list."

On June 16, 1942, the 77th Congress, in passing Public Law 607, recognized the provisions of existing law relative to computing retired pay when it stated in Section 15 thereof:

"On and after the effective date of this Act, retired officers * * * shall have their retired pay * * * computed as now authorized by law on the basis of pay provided in this Act."

In 1946, in passing Public Law 474, the Congress again adhered to the existing law by permitting those already retired to participate in the new pay schedules.

Career members of the uniformed services, regular and reserve, active and retired, had their faith in the dependability of their earned retirement rights further strengthened in 1949 when the Advisory Commission on Service Pay (The Hook Commission) recommended that the Congress continue to uphold the basic principle of keeping retired pay geared to current active duty pay schedules. The recommendations of this Commission were accepted by the Congress when it enacted Public Law 351 in October 1949. Section 511 of this law reads in part:

"Retired pay shall be computed on the monthly basic pay * * * which such member would be entitled to receive if serving on active duty in such grade."

In 1952 and again in 1955, Congress enacted legislation increasing the pay of the active services and, in each of these laws, continued the time-honored principle of equating retired pay to current active duty pay.

In 1957, the Cordiner Committee, which, like the Hook Commission, had been formed to study the military compensation system concluded:

"* * * that the incentive value of the existing military retirement system depends to a major degree upon its integral relationship with active duty compensation and the confidence which has been built up in the military body that no breach of faith or breach of retirement contract has ever been permitted by Congress and the American people."

"The uniformity of compensation thus achieved is considered appropriate and the inclusion of retired personnel within the new compensation system is considered by the Committee to be a mandatory and essential feature, fully in consonance with the long-established principle that retired compensation must always remain closely related to current active duty pay."

Obviously, the recommendations of the Cordiner Committee fell on deaf ears when the Congress, in enacting Public Law 85–422 on May 20, 1958, chose to ignore these recommendations by denying to those already retired, the right to have their retired pay recomputed on the basis of the active duty pay scales authorized by that law. Such action was taken notwithstanding the fact that existing law (10 USC 1401) clearly provided that "retired pay would be computed at rates applicable on date of retirement and adjusted to reflect later changes in applicable permanent rates."

The reaction was immediate and the national conscience was thoroughly aroused. Hopes ran high, and with good reason, that this injustice would be corrected forthwith. Fifteen State Legislative bodies passed memorializing Resolutions urging Congress to enact remedial legislation; over forty members of the House of Representatives and thirty-one Senators introduced bills designed to correct this tragic mistake; dozens of news papers and magazines from coast to coast carried editorials calling upon the Congress to meet its moral obligations. On May 12, 1960, the House of Representatives without a dissenting vote, passed H.R. 11318, which would have restored the historic principles prescribed in Title 10 USC 1401. However, in spite of this overwhelming expression of public opinion, the Senate Armed Services Committee refused to hold hearings on the House passed bill and permitted it to die upon adjournment of the 86th Congress without giving the Senate an opportunity to debate the bill.

It is interesting to note that when the Pay Act of 1958 was enacted, no reference was made to Section 1401, although that is the Section which provided the statutory authority to compute retired pay on active duty rates. Further, in the hearing before the Senate Armed Services Committee on June 7, 1962, Senator Smith of Maine questioned Secretary McNamara relative to the provisions of existing law as it applied to computing retired pay and the Secretary replied:

"I don't recall that the law stated that retired pay would remain a constant, or would continue to have a constant relationship to active duty pay as active duty pay changed subsequent to retirement. I understood that was a practice rather than an action required by law."

Senator Smith requested that this point be checked and the Committee be provided with an appropriate statement. The information subsequently submitted by Secretary McNamara to the Committee established emphatically that authority for recomputation of pay by retired officers in the past had been based on clear provisions of law rather than on mere practice.

The distressing point of this exchange is that it occurred four years after passage of Public Law 85–422, which denied the benefits of Section 1401 to retirees, and the evidence is clear that the Secretary of Defense did not know what it provided. Also, one cannot help wondering how many of the seventeen Senators on this important Committee were fully aware of this important and vital Section of Title 10.

On October 2, 1963, Congress took the final step in destroying the century old tradition of computing compensation for military retirees. By this time there was a general awareness of the existence and contents of Section 1401 and Congress, in passing P.L. 88–132, specifically repealed that Section. In lieu of the law under which these military retirees had earned their retirement rights, this new Act provided that all retirees would have their retired pay adjusted in the future in accordance with a formula based on the illusive Consumer Price Index. A determined group, ably led by the Honorable L. Mendel Rivers, finally convinced Congress that a gross injustice had been visited upon those persons who had retired prior to June 1, 1958, and had been denied an increase based upon the pay scales authorized by P.L. 85–422. Belatedly, they were authorized the raise that they should have received in 1958.

One of the most tragic consequences of the new system is that merit and length of service are no longer primary factors in determining the compensation a retiree will receive during the inactive phase of his career. On the contrary, it has now become a matter of when the individual was born and how successful he was in manipulating a favorable retirement date. During the brief span of time since June 1, 1958 seven different categories of retirees of equal merit and equal service have been developed. For example, an O–6 (Captain or Colonel) with over 30 years of service retiring on September 1, 1968 receives $198.84 more per month than his brother officer of the same rank and length of service who retired prior to June 1, 1958.

Millions of words, both spoken and written, have been addressed to this subject during the past ten years in an effort to justify the abrogation by the Government of its moral responsibility. And yet, the hard core fact remains that those members of the Uniformed Services who entered upon their careers prior to June 1, 1958 performed their service under a legally guaranteed formula whereby their retired pay would be determined as a percentage of current active duty pay and the actions of Congress in passing Public Laws 85–422 and 88–132 reduced the guaranteed benefits after they had been fully or partly earned. The fact that such rights are not legally enforceable cannot in any way mitigatte the moral responsibility of the Government to provide compensation to retirees in accordance with the laws in effect when the compensation was earned.

MILITARY RETIRED PAY—AMOUNTS OF RETIRED PAY DRAWN BY RETIREES WITH 24 YEARS OF SERVICE, AS AFFECTED BY DATE OF RETIREMENT

		Retired between—					
	Retired before June 1, 1958	June 1, 1958, and Mar. 31, 1963	Apr. 1, 1963, and Aug. 31, 1964	Sept. 1, 1964, and Aug. 30, 1965	Sept. 1, 1965, and June 30 1966	July 1, 1966, and June 30, 1968	Retired after July 1, 1968
Major	$433	$446	$500	$512	$520	$536	$562
E–7	240	248	270	276	294	303	318

The differential in dollars and percentage in each grade between the oldest and youngest group is:

Major, $129 or 29.7 percent.

Sergeant (pay. grade E–7) $78 or 32.5 percent.

BILL INTRODUCED BY MR. DELANEY TO INCREASE INDIVIDUAL TAX EXEMPTION TO $1,200

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. DELANEY. Mr. Speaker, many of us have long been urging a comprehensive review of our tax structure to remove a number of inequities which force our lower- and middle-income families to carry a disproportionate share of the tax burden. Therefore, I am glad to note that the distinguished chairman of the Ways and Means Committee, the Honorable WILBUR MILLS, has announced early hearings on tax reform, with the eventual hope of revising the entire tax structure.

Certainly one of the most unrealistic aspects of this situation is the $600 personal exemption which was adopted in 1948, and today I am offering a bill to increase the individual exemption to $1,200.

At the time the present exemption was adopted the median family income, according to the Bureau of Census, was $3,031. Under these circumstances, each

$600 deduction represented 20 percent of a family's yearly income. However, today the most recent census statistics place the median family income at $8,017, which means the current $600 exemption amounts to only 7.5 percent of the average family income.

While it is true that today's family has greater income than it did in 1948, much of this difference has been the result of the devastating forces of inflation which have increased the cost of living by nearly 40 percent in the last 20 years.

While there are differing views on the purpose of a tax exemption, a common belief is that the deduction should allow the taxpayer sufficient tax-free money to care for the basic needs of his family. This point is emphasized in a 1947 Treasury Department report relative to the purpose of tax exemptions, which states:

> It is to be regarded as essential to exempt amounts required to maintain the individual and his family in health and efficiency.

Based on this policy, the present $600 exemption does not come near covering the modest essential needs of our families today. The Department of Labor informs me that the most recent statistics, which cover the year 1966, show that the money needed for a family of four to live in modest comfort is $9,283 per year. In this connection, it should be noted that in 1939 the exemption for a single person was $1,000, and $2,500 for a married couple without children.

The realities of the above statistics clearly demonstrate that a more realistic tax deduction is needed to reduce the awesome tax burden borne by our low- and middle-income families.

EIGHTEEN-YEAR-OLD VOTE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. FRASER. Mr. Speaker, support continues to grow for proposals to lower the voting age to 18. This is one of the issues being considered by the Minnesota State Legislature. As the following Minnesota poll, published in a recent Minneapolis Tribune, indicates, a majority of Minnesotans—nearly six out of 10—favors the idea:

Fifty-Eight Percent Favor Vote at Age 18

Minnesotans continue to support lowering the voting age to 18.

In the latest statewide sampling of opinion by The Minneapolis Tribune's Minnesota poll, nearly 6 out of 10 adults state residents (58 per cent) said voting should begin at age 18, instead of 21.

"Young people know as much at age 18 as they do at 21," a Marshall County housewife commented.

Of the balanced cross section of 598 men and women interviewed earlier this month, 40 per cent were opposed to giving 18, 19 and 20-year-olds the right to vote in Minnesota.

"When I think of the way kids are acting on campuses these days, I certainly don't think they should have the vote," a 36-year-old Grant county woman said.

Findings in the current survey are consistent with other recent Minnesota Poll surveys. But only five years ago, there was a strong vein of opposition to lowering the voting age. That trend of opposition went back 20 years.

The comparison:

[In percent]

	May 1964	February 1967	October 1968	Current survey
Favor voting age at 18 years	43	59	56	58
Oppose	56	38	41	40
Noncommittal	1	3	3	2
Total	100	100	100	100

Gov. Harold LeVander has endorsed bills which have been introduced in both houses of the Minnesota Legislature calling for a constitutional amendment to lower the voting age from 21 to 18.

If the measure passed at this session of the Legislature, Minnesotans would consider the amendment at the polls in 1970 and, if approved, the change would take effect for the 1972 general election.

This is the question asked of state residents:

"Do you think Minnesota should or should not allow persons 18, 19 and 20 years-old to vote?"

Young persons and older state residents differ markedly on the issue, independent voters are more inclined to support the change than are either Democratic-Farmer Laborites or Republicans:

[In percent]

	Favor 18 year voting	Oppose	Noncommittal
All State residents	58	40	2
21 to 29 years old	68	31	1
60 years and older	44	53	3
DFL'ers	55	43	2
Republicans	54	43	3
Independents	67	30	3

Not all of those who opposed 18-year-old voting are against lowering the voting age. "It seems to me that 18 is a bit young but 20 years would be all right," a retired Minneapolis janitor said.

THE 51ST ANNIVERSARY OF THE DECLARATION OF INDEPENDENCE OF LITHUANIA

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. DERWINSKI. Mr. Speaker, yesterday we commemorated the 51st anniversary of the Declaration of Independence of Lithuania, that brave nation which has suffered under Russian control for so many years but whose people have never ceased to strive for freedom.

On February 16, 1918, after 123 years of occupation by czarist Russian forces, the Lithuaniain people declared their independence and instituted a democratic republic which flourished for 22 years before they were again cruelly oppressed by the Communists and Lithuania was made part of the Soviet Union.

Mr. Speaker, we in the Congress should take positive action to show the courageous people of Lithuania that we support their longing for independence. I have again this session introduced a resolution requesting the President of the United States to instruct our Ambassador to the United Nations to place the Baltic States question on the U.N. agenda and to have the United Nations request the Soviets to withdraw their troops and controls from Lithuania, Latvia, and Estonia. This resolution would also call upon the U.N. to conduct and supervise free elections in these three Baltic nations so that the historic principle of self-determination of peoples would be legitimately applied there. I urge that this resolution be acted upon during this session.

We must take practical steps, Mr. Speaker, on behalf of the oppressed people of Lithuania. Neither the Voice of America nor Radio Free Europe is doing an effective job of broadcasting behind the Iron Curtain. With the evidence before us in Czechoslovakia of the determination of the tyrants in Moscow not to permit freedom to develop behind the Iron Curtain, we should recognize the futility of a coexistence with international communism. The brave people of Lithuania recognize that they must continue to maintain their unique historic cultural background despte the efforts of the Soviet regime to Russify the people of the Baltic States.

By commemorating the independence of Lithuania, we demonstrate our continuing efforts for the ultimate restoration of freedom to their land and to the other captives of communism.

HUNGER IN AMERICA

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. TIERNAN. Mr. Speaker, I know that many of my colleagues share my concern over the problem of hunger throughout the world. I feel too, however that many of us have been lulled into a false sense of complacency with regard to the proportions of this problem right here in America.

That this Nation, the wealthiest and most powerful the world has ever known, should have hundreds, indeed thousands, of its citizens living at or near the starvation level in 1969 is truly unacceptable.

Yesterday the New York Times began a most penetrating investigation of this crucial problem. Entitled "Hunger in America", the Times and its veteran correspondent Homer Bigart have taken the wraps off of a situation that many Americans will find to be incredulous. I urge all of my colleagues to read the first two installments of this series and I will insert the subsequent articles as they appear.

Hunger in America: Stark Deprivation Haunts a Land of Plenty—I

(By Homer Bigart)

Bluffton, S.C.—Hunger is a noun that means, among other things, a compelling desire for food, a nagging emptiness of stomach and guts. Persons old enough to remember the Great Depression may recall going hungry, but today it is a sensation generally reserved for those mired in poverty.

Chronic hunger seems so remote in this bounteous land that reports of extreme malnutrition among Negroes in the rural South, among migrant farm workers, among Mexican-Americans and reservation Indians have been down as exaggerations and lies, the observers frequently assailed as charlatans or do-gooders who would sap the initiative of the hungry poor of expanding "giveaway" Federal food programs or even conspiring for adoption of a guaranteed minimum wage.

Here in Beaufort County, Donald E. Gatch, an intense youthful-looking country doctor, had been shunned by the white community by insisting that hunger is a daily fact of life among the black families of this mossy tidewater.

He began losing his white patients two years ago after he charged publicly that he had seen children dying of starvation, that most black children of his area were infested with worms, and that families were living in hovels worse than the pigsties of his native Nebraska.

The Beaufort Gazette accused him of "running his mouth." Every other doctor in the country signed a statement deploring his "unsubstantiated allegations," contending that the "rare cases of infant malnutrition" that came to their attention were invariably due to "parential inexperience, indifference or gross neglect." And the County Health Office, Dr. H. Parker Jones, said he had "never seen a case of starvation or extreme malnutrition."

Ostracized by the staff of Beaufort County Memorial Hospital, annoyed by threatening telephones calls, boycotted by white patients, Dr. Gatch closed his Beaufort office, sold his home and moved with his British-born wife and two young sons back to Bluffton (pop. 356), where he had started his practice 10 years ago.

One chilly, overcast day at the tag end of January Dr. Gatch consented to take a visitor on a tour of Negro shanties near Bluffton.

LIKE A MISSIONARY OUTPOST

The doctor, who sometimes appears disconsolate and withdrawn, peered glumly at the scene through horn-rimmed spectacles that kept sliding down his nose. From the clay road the weathered shanties, woodsmoke curling from the chimneys, looked quite charming. But Dr. Gatch, in his low tired voice, spoke only of the overcrowding, the filth and the smell of poverty within.

The Gatches had taken over a group of summer cottages on the bank of a tidal creek, living in one, using another for frequent guests (nutritionists and sociologists from all over are coming to see him) and hoping to convert a third into a clinic. (The doctor maintains a large, well-equipped office in the center of the village.)

The Gatch compound, shaded by live oaks decked in Spanish moss, had the quiet, mournful isolation of a missionary outpost in central Africa. The African connection was further strengthened when Dr. Gatch remarked that he had treated several children for kwashiorkor, a disease generally thought to exist only in underdeveloped countries.

Kwashiorkor is a Ghanaian word meaning literally "the disease that takes the child after it leaves the mother's breast." It is a disease of extreme protein deficiency, a starvation often brought on by a mother's inability to breast-feed an infant.

Down a dirt road Dr. Gatch paused at the decaying stoop of a family named Kinnard. Silent children with skinny legs sat listlessly on floors and beds. Fifteen people lived in the shack, Dr. Gatch said, and there was no privy.

COMFORTABLE WHILE STILL

He went directly to a young woman who was holding a crying, seven-month-old baby girl. He had examined the baby before, he said, and had detected symptoms of both kwashiorkor and scurvy. He remarked how the baby's hair had thinned, how the hairline had receded about an inch, and how the hair color had changed from black to dirty gray. These were the stigmata of kwashiorkor, he said.

He took the infant girl from the mother's arms and placed her on a sofa. The baby kept her matchstick legs drawn up and raised her arms until the tiny hands were bent close to her head. Then she stopped crying.

"As long as the baby is completely still, she's comfortable," Dr. Gatch said, "but pick her up and she'll start crying again."

He noted the extreme dryness of the skin, the absence of subcutaneous tissue. He said the baby's diet was so deficient in iron that her hemoglobin count was "half of what it should be."

The baby's mother had been out of work since December. Dr. Gatch said the infant was now getting some baby formula food. It would probably live, he said, but he feared it had suffered irreversible damage through growth retardation of bones and brain cells.

As he left, Dr. Gatch noticed a 3-year-old girl sitting on the stoop, staring vacantly at the brown fields. Her legs and face were bloated by edematose swellings, the result probably of Vitamin A deficiency, the physician said, the same deficiency was impairing her vision.

"There's just no excuse for rickets in this country," complained Dr. Gatch as he drove to another shack, hunting this time a whole family that he claimed was rachitic, a mother and five children.

Rickets is a disease of infancy and childhood resulting from a deficiency of Vitamin D and characterized by soft, deformed bones. The rachitic family was not at home, but Dr. Gatch found them on the stoop of a neighboring house.

ALL HAVE MISSHAPEN LEGS

The victims had gotten some relief and were now on a proper diet, Dr. Gatch said. All had misshapen legs. The mother, who seemed stout and cheerful, was very bowlegged; her children were either bowlegged or knock-kneed. Dr. Gatch commented that the legs of the three older children seemed to have straightened somewhat, but the twisted spindly legs of the two youngest remained badly deformed.

Milk is the main source of Vitamin D, Dr. Gatch noted, and the family might never have been blighted with rickets if fortified milk had been available to them.

But the Government's food donation programs for the domestic poor did not provide fortified dry milk until the end of 1968. Dr. Gatch might have been angrier had he known that since 1965, at the insistence of the United States Public Health Service, the Department of Agriculture had been shipping dry milk enriched by Vitamins A and D to American aid programs overseas.

The three-year gap during which fortified milk was sent overseas while being denied to the poor at home came to light last month in testimony before the Senate Select Committee on Nutrition and Human Needs.

Dr. Gatch stopped at an abandoned country store. Inside, two bedridden old ladies had found terminal shelter. One of them, crippled by rheumatoid arthritis, had been rescued from a mouldering shack where the bedding stank of urine and feces. The other was afflicted by Wernicke Syndrome, which Dr. Gatch said was characterized by loss of memory and confabulation (filling in a memory gap by falsifications that the patient accepts as correct).

DIET OF RICE AND GRITS

Dr. Gatch said he believed Wernicke Syndrome could have been induced by lack of thiamine, which is essential for growth, normal function of the nervous system and normal metabolism. Thiamine is found in liver, lean meat, eggs, whole grain or enriched cereal and cereal products. The old ladies, Dr. Gatch suspected, had been eating little more than rice and grits.

Now they were on Medicare and presumably getting a better diet. The old store was spotlessly clean, neater than most nursing homes.

Dr. Gatch was asked if he had encountered pellagra, one of the more dreaded of the dietary difficiency diseases. This disease, caused mainly by a deficiency of niacin, but also of thiamine, riboflavin, folic acid and other essential nutrients, is marked in its late stages by the classical four D's: dermatitis, diarrhea, dementia and death.

Dr. Gatch said it was not even rare. He produced an old man of about 70 who, he said, had pellagrin symptoms including hyperpigmentation of elbows and knees. There the flesh had thickened and roughened until it felt like sandpaper.

How many pellagra victims had he seen? "I would guess 150 to 200 cases," Dr. Gatch replied.

Deaths by starvation, deaths by any of the diseases of malnutrition, were never counted, he said. Too many death certificates simply read "natural causes," Dr. Gatch said, and he intended to campaign for postmortems in those cases.

Over the years Dr. Gatch became convinced that there was close correlation between malnutrition and intestinal parasites. Most of the undernourished children he examined were wormy. Many Negro shacks, he observed, had no privies; people relieved themselves in the fields and woods. Children treated for worms quickly became reinfested by stepping on feces that contained the eggs of parasites.

"If you have 100 or 200 of these foot-long roundworms in your belly they're going to take a lot of food," he said. "They migrate to the stomach and actually get the food before the child does."

Some notion of the extent of infestation in the Negro children of Beaufort County was given a few days later. A study of 178 Negro preschool children showed that nearly three of every four had intestinal parasites either ascaris (roundworm) or trichuris (whipworm) or both.

"Fantastic," said Dr. James P. Carter, nutritionist of the Vanderbilt University School of Medicine, who participated in the survey. "Parasitism in Beaufort County ranks with some Central American countries and with Egypt."

In Nashville, Dr. Carter said the nutritional status of the 178 children was "in most cases inadequate and in all instances minimal." He said that by minimal he meant that the children had a low margin of safety, particularly from pneumonia and diarrhea.

The survey, financed by the Field Foundation, was conducted by researchers from the University of South Carolina, the Meharry Medical College, in Nashville, and Vanderbilt University.

The results were considered so shocking that some even suggested that the data be withheld from general publication. Many white Southerners feel that poverty conditions among the rural blacks have been exploited by civil rights zealots.

Dr. E. John Lease, nutritionist of the University of South Carolina, was among those who feared that the report, if given wide publicity, would anger the white Establishment and perhaps wreck the chances of cooperation on remedial projects.

Dr. Lease wrote to his collaborators suggesting that the distribution of data be restricted and that "none of the work coming from the University of South Carolina should be published or mentioned on radio or television as the results of the university or any of its staff members."

Later, Dr. Lease apparently had a change of heart, for the material was released to the press in Columbia, S.C.

There were other indications that the establishment now wanted the situation exposed. On Jan. 31, to the astonishment and gratification of Dr. Gatch, Senator Ernest F. Hollings, the former Governor, turned up in Bluffton and made the hunger tour.

FEDERAL DELAYS CHARGED

The Senator saw a near-starving baby, a reputed pellagrin, a rachitic child and another child said to be recovering from scurvy. Deeply impressed, Senator Hollings said he would demand an end to "Federal roadblocks and redtape," which, he said were frustrating local efforts to help the poor.

The local state Senator, James M. Waddell, also blamed the "Feds." He charged that the Office of Economic Opportunity had refused to fund a project that included privies for the poor.

"We can send a man to the moon," he cried on the floor of the South Carolina Senate, "but we can't build an outhouse."

Senator Hollings plans to testify next week before the Senate Select Committee on Nutrition and Human Needs.

The committee, headed by Senator George McGovern, Democrat of South Dakota, and dominated by liberals, had been planning field trips to suspected areas of hunger in a dozen states.

However last week the Senate Rules Committee, dominated by conservatives, slashed the select committee's $250,000 budget request by $100,000. Senator Jacob K. Javits of New York, minority leader of the select committee, said he intended to carry the fight for the full appropriation to the Senate floor. But if the cut remains, the committee will have to curtail its travel plans, visiting perhaps only five or six states.

It means that the committee members will not see Beaufort County.

They still plan to visit the camps of migrant farm workers, like those in Immokalee, Fla., where life seems even more degrading than in the shacks of Beaufort County.

Hunger in America: Poverty Leaves Migrants Prey to Disease—II

(By Homer Bigart)

IMMOKALEE, FLA.—Ten miles southwest of here, strung out like garbage along the edge of a cypress swamp, is Smith's Camp, a gathering place for some of the migrant farm workers who flock here in winter to pick the vegetable crops.

It consists of a dozen or more windowless plywood shacks, all without toilets or running water, all painted a dull green and all facing a dark slough choked with bottles and trash.

Some distance away there are three smaller shacks, two of them privies, the third a cold-water shower. None shows signs of recent use. Few migrants are hardy enough to take cold showers out of doors in the dead of winter, even in Florida, and the latrines are unspeakably filthy, seats and floors smeared with dried defecation. So the people use the woods.

A spigot planted in the ground provides water for the shacks. But the 20 or 30 migrants who live here say the water is foul smelling and foul tasting. The only apparent amenity is the naked electric light bulb hanging from the ceiling of each shack.

Such a place is Smith's Camp, its condition of poverty far removed from the show affluence of nearby Gulf Coast resorts and its people, during frequent periods of unemployment, vulnerable targets for hunger and disease. A Senate committee investigating hunger will be in the area March 10.

GATHERED IN CANTEEN

On a recent Saturday, a visitor found most of the camp's adult population assembled in the canteen. The migrants had just been paid, apparently, and several men and women were finding release from the surrounding squalor by getting themselves soddenly drunk.

One woman, still sober enough to talk, said that in good times she made as much as $60 for six days work in the fields, picking beans and peppers, but now work was slack because cold weather had retarded the crops.

"We've got to pay $10 a week for these huts," she said. "Last week the water was up so high we had to wade to the door. I never would've left Carolina, but they told us the rent was free."

Someone had skinned a possum in front of one of the shacks, then left the meat for the flies. The cadaver of another skinned animal floated in the slough.

A man who introduced himself as "Hobo Bob" reeled out of the canteen and proudly produced an old photo that showed him with a wine bottle in one hand and a pistol in the other, a cigarette dangling from his lips creased in a grin. He said he was sending the photo to a cousin in South Carolina, to shown the relative what a happy life migrants could lead.

"That's Hobo Bob," he laughed, patting the photo.

Retrieving a cardboard box from his shack, Hobo Bob offered visitors some cold grits mixed with beans and fatback.

Smith's Camp is one of 60 or 70 accommodations for migrants around Immokalee. Other camps seem less appalling in physical appearance but hold a greater potential for human degradation and misery because they swarm with children.

UNEMPLOYMENT HEAVY

Albert Lee, an energetic young Negro who heads the local antipoverty project, the Community Civic Workers, said it was a bad season for migrants, with heavy unemployment.

Immokalee, a town of 3,000 near the northern edge of the Everglades, normally has a midwinter population of 12,000 migrants, he said, but now there were only about 10,000. Many who normally wintered in Immokalee had gone to Texas instead.

Immokalee is in Collier County. Many well-to-do retired people live in Naples, the county's biggest community, and this element, plus the big farm owners, have insured a highly conservative county government.

The county has a long history of snubbing Federal aid, even during the Depression era, and in recent years the county commissioners have stoutly rejected the food distribution programs of the Department of Agriculture.

Today Collier County offers neither direct food distribution nor the food stamp program. Migrants who run out of money here are out of luck.

How do they keep alive Mr. Lee was asked.

He said he had received on Christmas Eve $500 from the Office of Economic Opportunity. The instructions were that the money could be distributed only for emergency food.

PINCHING AND PINCHING

"Now I've got a few dollars left," he said, "but I've been pinching and pinching and pinching."

He explained how he made the money last. He was doling out $1 a day per person to the most desperately hungry, then cutting them off after 14 days.

"That's it," he said. "After 14 days if they can't get handouts from the neighbors they don't eat.

Two young lawyers from the O.E.O.-financed South Florida Migrant Legal Services Program, T. Michael Foster and William F. Dow 3d, said that their organization had been trying for years to get Federal food sent into Collier County.

Last summer Mr. Foster wrote to the then Secretary of Agriculture, Orville L. Freeman, telling of hunger and malnutrition in the labor camps, reporting the refusal of Collier County to participate, like most Florida counties, in making food surpluses available to the poor, and pleading for intervention.

ATTITUDE OF COUNTY AIDES

Washington did nothing. Congress had authorized the O.E.O. to take over the distribution of food in the poorest counties, which, for one reason or another, were not participating. But Collier County was not poor enough to qualify; the median annual family income, thanks to the wealthy Gulf Coast resorts, was $4,673 a year.

"Ive seen hunger in Immokalee as bad as in Latin America," said Mr. Dow, a graduate of Yale and Columbia, "yet the Collier County commissioners always say the problem doesn't exist, that the county always looks after its own 'worthy poor'."

Observers noted that the rural admonition, "root hog, or die," seemed to express the commission's attitude toward migrants. They recalled that at a hearing last August Vice Chairman A. C. Hancock warned: "There are those sitting with their hands out waiting to be fed, and that's a situation we won't go for."

Other officials expressed the fear that if migrants were given food they would not work. Others thought that free food would drive the corner grocery into bankruptcy.

Immokalee, which calls itself the "watermelon capital of America," is a flat, sprawling, dusty town where people of different colors, black, brown, red and white, live in strict residential segregation. Smith's Camp, out in the swamp, is all black, but there are several other Negro camps inside the town.

These are in "The Quarters," an area that contains not only the Negroes but "Utopian," of concrete-block huts occupied by Mexican-Americans. Outside "The Quarters," scattered around the rest of the town, are camps for white migrants. A few score Seminole Indians live in grass huts on the eastern edge of the community.

RENT OF $10 TO $20 A WEEK

Most of the camps are clusters of wooden shanties, concrete huts, trailers. Rents range from $10 to $20 a week, plus utilities. Flush toilets are a rarity, most camps providing a communal latrine. Regardless of the color of the occupants, the camps appear universally mean and squalid.

Mrs. Angela Spencer, 38, and two small pallid children occupied a trailer in one of the white camps.

"I was lucky enough to get three days work this week," she said.

She said she had been averaging two and one-half days of work a week, earning $25, out of which she had to pay a baby sitter $3. The rent was $15. That left $7 for food and all other expenses. She owed $19 in back rent, she said, and $100 in doctor's bills.

There was a platter of green beans and hominy on the stove. Clouds of flies wheeled about. The refrigerator was empty except for three sticks of margarine, a partly empty bottle of milk and a box of powdered milk.

She had been helped from Albert Lee's meager allotment of cash, as had Mrs. Caroline Conner, an attractive blonde who lived in another white camp and was 10 days out of the hospital after delivering a baby girl. Her husband had abandoned her.

"We were real desperate," Mrs. Conner said of herself and the baby. "If it weren't for my friends, I wouldn't have been able to make it."

LIKES MICHIGAN BEST

Mrs. Conner said she had been migrating from Florida to the Great Lakes and back for the last four years, following the spring strawberry crop to northern Florida, then Arkansas, Illinois and Michigan; picking Michigan's blueberries, peaches and grapes during late summer and early fall, then going back to Immokalee for winter tomatoes, peppers and "cukes," or cucumbers.

She liked Michigan best, she said, because migrants got free quarters there. In Immokalee her rent was $20 a week, and she had just about run out of the money she had received from Albert Lee.

"Whether she feels well or not, she's gotta go to work," Mr. Lee said.

"I got to do something," Mrs. Conner agreed.

Down in The Quarters, an elderly black named James Kelley and his yellow dog, Lady, found a way to beat the rent. A tolerant crew leader had let them take over an old abandoned bus.

Mr. Kelley, a diabetic whose fingers were gnarled and disfigured, was wearing two pairs of pants against the cold. An unvented oil heater had been installed near the front of the bus, and he had to keep a window open to avoid suffocation from the fumes.

He and Lady slept on piles of rags near the rear, where there was a little cookstove. The only food visible was a pan of fatback and some pieces of fish heavily salted for preservation. Mr. Kelley said he had not worked in eight months, but he seemed happy. He had just received $7 from Mr. Lee.

TEN CHILDREN IN HUT

In a black camp near Mr. Kelley's bus, Mrs. Pauline Milton and 10 children were crammed into a two-bedroom-and-kitchen hut.

"Me and two of the little ones sleep in this bed," said Mrs. Milton, "and there are two beds in the other room and one in the kitchen for the rest."

She had worked two days that week, earning $11.05 each day, and paying $2 a day for baby sitters.

"I couldn't afford to give them breakfast," she said, surveying the hungry brood, "but we had boiled beans, rice and potatoes for lunch, and I'll give them the same for supper."

Mrs. Milton is one of the comparatively few migrants eligible for county welfare, for she has lived in Immokalee for seven years. She said she had applied, but had been told that her application would take 30 to 45 days to process.

Of all the ethnic groups, the Mexican-Americans probably suffered most during times of hunger, Mr. Dow said, as he drove past "Utopian Homes." Some of the Mexicans had tried to alleviate the bleakness by planting flowers around the huts.

"Mexicans are proud," Mr. Dow explained, "and feel they are violating cultural mores if they ask for help."

Mr. Foster said that the Florida State Board of Health had denied the existence of widespread malnutrition in Collier County.

PARASITIC INFECTION CITED

"People are hungry, no one can quibble about that," he insisted. "And there is a tremendously high incidence of parasitic infection."

Last March the state health board issued a report saying that a team of doctors had "closely observed" some migrant children at play or in schools and clinics and that "none had gross signs of malnutrition."

The report said that pellagra, a severe dietary deficiency disease, had been noted but only in "known chronic alcoholics."

In riposte, friends of the migrants released next day the results of clinical examinations of 23 migrant farm children of Immokalee by the Variety Children's Hospital of Miami.

The sampling uncovered 38 clinical diseases in the 23 children, ranging from pneumonia to worms.

The hospital's executive director, Gerald W. Frawley, described the findings as "rather incredible . . . a most extraordinary morbidity rate" and concluded: "The migrant population must be about the most underprivileged in the nation, at least in terms of medical attention."

In a few weeks Collier County will feel the spotlight of national publicity. The Senate Select Committee on Nutrition and Human Needs is making this county its first stop on a tour of suspected hunger areas.

The committee is seeking information on the failure of the Federal food programs to reach millions of poor Americans.

CRIME IN THE 13TH CONGRESSIONAL DISTRICT, BROOKLYN, N.Y.

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. PODELL. Mr. Speaker, during the first 8 months of 1968 the people in the 13th Congressional District, Brooklyn, were the victims of a total of 15,213 major crimes in the categories used by the FBI Crime Index.

The following table sets forth the monthly incidence of crime in this district:

January	1,775
February	1,630
March	1,797
April	1,901
May	1,960
June	2,115
July	2,050
August	1,985
Total	15,213

During these 8 months, our district was victimized by 5,078 burglaries, 4,993 larcenies of $50 and over, and by 3,937 motor vehicle thefts. The cumulative total of crimes in the district shows that our people are exposed to more than 60 major crimes every day.

The Crime Index trend for August and for the first 8 months of 1968 shows:

	August 1968	1st 8 months 1968
Crimes against the person:		
Murder and nonnegligent manslaughter	1	15
Forcible rape	10	32
Robbery	56	504
Assault	101	654
Total, crimes against the person	168	1,205
Crimes against property:		
Burglary	596	5,078
Larceny, $50 and over	744	4,993
Motor vehicle thefts	477	3,937
Total, crimes against property	1,817	14,008

The following tables show the criminal statistics for the 13th Congressional District for August and for the first 8 months of 1968:

AUGUST 1968 STATISTICS

Precinct	Murder, nonnegligent manslaughter	Forcible rape	Robbery	Assault	Burglary	Larceny, $50 and over	Motor vehicle thefts	Total
60	0	1	18	42	131	118	53	363
61	1	2	9	12	138	290	194	646
66	0	1	4	24	113	83	54	279
67	0	3	12	11	97	112	50	285
70	0	3	13	12	117	141	226	412
Total	1	10	56	101	596	744	477	1,985

CUMULATIVE STATISTICS, JANUARY TO AUGUST 1968

Precinct	Murder, nonnegligent manslaughter	Forcible rape	Robbery	Assault	Burglary	Larceny, $50 and over	Motor vehicle thefts	Total
60	5	12	146	317	1,020	802	455	2,757
61	4	5	99	102	1,319	1,798	1,523	4,850
66	4	3	60	79	797	593	598	2,134
67	0	4	101	81	795	764	501	2,246
70	2	8	98	75	1,147	1,036	860	3,226
Total	15	32	504	654	5,078	4,993	3,937	15,213

CONSUMER AFFAIRS SUBCOMMITTEE TO OPEN HEARINGS ON UNIFORM CONSUMER CODE

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. PATMAN. Mr. Speaker, tomorrow—February 18—the Consumer Affairs Subcommittee of the House Banking and Currency Committee opens hearings on the so-called Uniform Consumer Credit Code and its effect on the Federal Consumer Credit Protection Act passed in the last Congress.

These hearings have been called by our distinguished colleague from Missouri, Mrs. LEONOR K. SULLIVAN, as chairman of the subcommittee.

Mr. Speaker, this will be one of the most important issues to face the American consumer in 1969. Through this uniform code, attempts are being made to wipe out the hard-earned advances made for the consumer in the Consumer Credit Protection Act—truth-in-lending.

Among other things, this code, which is being pushed in 48 of the 50 State legislatures this year, would raise interest rates on small loans and installment purchases to 36 percent. At the same time it would allow interest charges of 24 percent on revolving credit, which is most commonly used by the large department stores.

Mr. Speaker, consumer groups all over the Nation are opposing this Uniform Consumer Credit Code. I place in the RECORD a news release recently issued by the Consumer Federation of America, detailing that organization's opposition to the code:

Consumer Federation of America

Washington D.C.—In messages to governors and legislative leaders in all 50 states, Consumer Federation of America today declared its "unalterable" opposition to the Uniform Consumer Credit Code.

The national Board of CFA voted its unqualified opposition last Friday night (January 31). Their resolution, a speech of Judge George Brunn of the Berkeley (Calif.) municipal court, and documents prepared for CFA by a special task force of lawyers were forwarded to state leaders today. Previously, CFA members only urged delay until consumers could study the Code's impact on consumers.

CFA is a federation of 136 consumer-oriented organizations in 37 states and the District of Columbia. Robert J. McEwen, S.J., is CFA president and a member of the President's Consumer Advisory Council.

Judge Brunn spoke at Consumer Assembly '69 here last week with members of CFA's legal task force, chaired by Benny Kass, serving as a resource panel. CFA attorneys who analyzed the Code are Edward Berlin and Anthony Rolsman of the firm of Berlin, Rosiman, and Kessler in Washington.

The National Board of Consumer Federation of America Resolution, January 31, 1969

The Consumer Federation of America Board is unalterably opposed to the Uniform Consumer Credit Code. We believe that the credit industry has used the formulation of a Uniform Consumer Credit Code to undermine the Federal Truth-In-Lending bill.

Consumer fought for eight years to get a meaningful Truth-in-Lending bill through Congress. We do not intend to see the benefits of Truth-in-Lending taken away by a state-by-state enactment of an anti-consummer Uniform Consumer Credit Code.

The Board instructs the Executive Director and the officers to give all possible assistance to the constituent state bodies in opposing the Code.

Mr. Speaker, I also place in the Record a copy of an editorial which appeared in the February 10 issue of the Washington Post, entitled: "A Code To Legalize Usury":

A Code To Legalize Usury

Sometime before July, 48 of the 50 state legislatures will consider bills devised to write into law maximum interest rates of as much as 36 per cent for small loans and installment purchases and as high as 24 per cent for revolving charge accounts. The proposals are the object of heavy lobbying by bankers and small loan companies. But they are also beginning to raise eyebrows on Capitol Hill. Most recently, Rep. Wright Patman denounced them on the floor of the House as proposals to "legalize usury" and warned that if adopted they will codify "some of the highest interest rates ever imposed on the American consumer."

Mr. Patman is dead right. For what the financiers have done is to move quietly but effectively to subvert not only the intent of the truth-in-lending act passed last year by Congress, but to undermine many of the consumer protection statutes already on the books in most of the states. To do this, they have devised a neat legal gimmick called the Uniform Credit Code, which uses to their own advantage provisions in the truth-in-lending act itself.

Their gimmick is this: the new Federal law allows state law to supersede it in cases where the state law is at least as strong on truth in lending as the Federal act. The Federal law requires, among other things, that lenders and creditors disclose interest rates on credit. It does not, however, set ceilings on those rates. The monied interests have drafted language in their Code, therefore, which carefully meets all the Federal disclosure standards, while at the same time setting outrageously high interest rates, and worse, removing a host of restrictions and responsibilities now imposed on the finance industry by law. The Code, in the guise of protecting the public from disreputable practices, is couched in language so obtuse, so unreadable, as to tax the skill of the keenest lawyer.

Some of the language in the proposed California Code, and like it the codes in the majority of the states, was unraveled into laymen's terms by Judge George Brunn of Berkeley in an address before the Consumer Assembly here last month:

Under present law, Judge Brunn said, small loan companies are scrupulously regulated and subject to suspension or revocation of their licenses for infractions of the law. The Code, however, says that such action can be taken only after "repeated and willful violations."

"Present law forbids the taking of realty as security," Judge Brunn pointed out, but the Code allows it in loans over $1000. The meaning of this, of course, is that failure to repay a loan can result in the loss of one's home, an occurrence not uncommon to families in urban ghettos.

A partial list of other "protections" to the consumer reads as follows:

Present law forbids charges in addition to interest other than official fees and insurance. The Code would allow a host of other charges, including delinquency charges, deferral charges, and a vaguely worded loophole allowing "charges for other benefits . . . conferred on the debtor."

The present law provides for bonding; the Code does not.

Unlike present law, the Code does not prohibit the loan company from transacting business under a different name.

Unlike present law, there is no requirement to give the borrower a receipt for each payment.

Unlike present law, there is no prohibition against the use of incomplete instruments (blank contracts filled in after they are signed).

And so on and so forth. The catalogue of horrors is equally as long and as disreputable for credit sales. The worst feature of this sleazy attempt to subvert laws, of course, is that it will be the poor, upon whom the financiers can most easily prey, who will suffer the consequences.

This is an issue, therefore, which goes to the very heart of the cycle of poverty gripping inner city ghettos throughout the Nation, and the reaction of the states and the Congress to it will surely indicate whether those in authority intend to attack the problems of the cities with something other than rhetoric. Consumer protection laws are, if anything, in need of strengthening. If the Code proposed by the financiers is adopted in any of the states, however, the poor, and with them the interests of the public, will have suffered a major defeat.

IT'S NOT JUST THEIR LIFE—OTHERS ARE INVOLVED

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. WYMAN. Mr. Speaker, a student publication in a New Hampshire school, as reported editorially in the Manchester, N.H., Union-Leader on Wednesday, February 12, 1969, contends that the use of marihuana is up to the individual, as is the question of whether he wants to go on to acid, and so forth. It includes the statement:

> It's their life and their choice.

Here again, as with the nonnegotiable demands of the student demonstrators at San Francisco State and elsewhere, is a baldfaced untruth if society itself is established pro bono publico. The use of LSD or the equivalent is not a matter of personal free choice. It is against the law. It is even against the law to have it in possession much less manufacture it. The use of LSD makes a person dangerous to himself and dangerous to society both in the use and in the risk of reactivation at the most unpredictable times in the future, to say nothing of probable brain damage and certain genetic defects that can be transmitted to the as yet unborn or unconceived.

No society that calls itself civilized can afford to give to its citizens the individual right of choice as to the use of such substances. There is not nor should there be any such freedom of choice except in the sense that if an individual wishes to commit suicide and can find the means he has his decision.

Those adults who are party to this continued line of garbage with our young ought to be removed from any connection with the educational processes. This is a mission for local school boards across America. If I ever saw a cause that ought to become a crash program, this is it.

The Union-Leader editorial follows:

Marihuana Backed at Monadnock

Parents are not specifically accountable to the public for the quality of instruction they give their children.

However, the citizens of New Hampshire do have some say about the kind of guidance the young receive from the public servants (teachers) who take over this responsibility during most of the waking hours, 180 days a year. We wonder, sometimes, if the public is getting the wise supervision it is paying for.

Take, for example, the "Copper Moth," a high school publication of the Monadnock regional school. The teacher supervisor is listed as a Mrs. Sherman.

Literary wing-stretching is a good thing. No doubt about it. A certain amount of latitude is obviously indicated, else the teacher will find herself writing the whole thing. Yet, there are, or ought to be, boundaries. What appears in print, therefore, is not only youthful expression but also a reflection of the taste and good judgment of the "advisor."

It was on this last count that we were particularly interested in an unsigned editorial printed in the "Moth." It starts out rather importantly: "There is a growing phobia in this area about the use of marihuana. Most people feel that it is a dangerous, habit-forming drug that can only lead to worse things. For this reason, I chose to defend the drug."

In a later paragraph we read: "As far as marihuana leading to something else is concerned, it's all up to the individual. If he wants to go on to acid, S.T.P., or heroine, it's up to him; marihuana will not form the stepping stone. Most kids I speak to are content with grass and are afraid of anything stronger . . . But it's their life and their choice."

It's possible that the fledging author doesn't know that police records show most hard narcotics addicts do start with marihuana. He may not know, also, that a growing body of evidence points to the use of marihuana, hashish (a refined form of marihuana, barbiturates and narcotics among teenagers as an important cause of youthful vandalism and violence. In a town in California, sixth graders were so hooked they were arranging robberies in each other's homes to get money for the stuff.

It's possible the writer didn't know these things but Mrs. Sherman ought to have known it.

To go on with the student editor's comments: Adults drink, he said, "because it gives them a good feeling. Grass is much the same, only it's much more defined. A tremendous feeling of detachment, like you're not really there; after you say something, you wonder if you really said it. Is this bad?"

Evidently teacher Sherman didn't think it was "bad" enough to supervise out of the script—or, that since what was being defended with curious enthusiasm is actually against federal law, the whole piece had no place in a student publication.

We doubt that even a raise in teachers salaries would improve this kind of supervision and judgment.

OFFICIAL PRAYERS THRILLING OCCASION

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. QUIE. Mr. Speaker, the presidential and congressional prayer breakfasts this year were very inspirational and set the proper tone for the coming year. They continued the practice set in President Nixon's Inauguration with its emphasis on prayer for guidance in leading the Nation through these very difficult days.

David Lawrence wrote a column containing some of the pertinent statements from these two services which appeared in the Washington Evening Star on January 31, 1969. I insert it in the RECORD at this point:

OFFICIAL PRAYERS THRILLING OCCASION

(By David Lawrence)

For more than two hours yesterday morning, most of the persons who head up the government of the United States engaged in prayer. First there was a congressional prayer breakfast, at which members of both houses and their friends from different parts of the country were present. Then came the annual presidential prayer breakfast, attended by the Cabinet and members of Congress as well as the governors of several states.

President and Mrs. Nixon and Vice President and Mrs. Agnew were guests at both gatherings. Altogether, nearly 2,000 men and women attended the two functions. It was the largest number to participate in an annual presidential prayer breakfast, which now have been held for 17 years.

Nixon, in his talk, said that recently he had studied the Inaugural Addresses of all preceding presidents, and he pointed out that one theme was common to every one of them. Each President, he declared, "recognized the spiritual heritage of this nation and asked for the blessing of God on this country—in not only its affairs at home, but its affairs abroad."

Nixon said he also found one theme running through the majority of the letters he had been able to read among the thousands which have come to the White House from all over the country since Inauguration day. He commented:

"In these days in which religion is not supposed to be fashionable in many quarters, in these days when skepticism and even agnosticism seems to be on the upturn, over half of all the letters that have come into our office have indicated that people of all faiths and of all nations in a very simple way are saying:

" 'We are praying for you Mr. President. We are praying for this country. We are praying for the leadership that this nation may be able to provide for this world.'

"As I read those letters, I realized how great was my responsibility and how great was your responsibility, those who share with me these days in government. I realize that people whom we will never meet have this deep religious faith which has run through the destiny of this land from the beginning. . . .

"I am proud to stand here today in the presence of those who, by your being here, indicate that you have not lost faith in this nation. You have not lost faith in the religious background that has sustained us.

"As a matter of fact, we are entering a period when, sustained by that faith, we will be able to meet the challenge which is ours—a challenge which comes to very few people in the history of man. It is America's now. Whether we succeed or we fail will depend or determine whether peace and freedom survive on this world.

"We will meet the challenge . . . because we will be sustained and inspired by the prayers of millions of people across this world."

Vice President Agnew read a passage from the Bible. There were greetings from the Senate prayer breakfast group by Sen. John Stennis of Mississippi, and from the House prayer breakfast group by Rep. Graham Purcell of Texas, as well as prayers by Sen. Edmund Muskie of Maine and Sen. Mark Hatfield of Oregon.

Dr. Billy Graham, the evangelist, delivered a special message in which he emphasized that, while there is a tendency to be pessimistic about the future, America has dealt with difficult times before. He said:

"I think it is time that we take our eyes off our shortcomings, and off our failures and off our selves, and put them on the Christ who said, 'You must be born again.' "

Dr. Graham called for a new birth of spirit, a new birth of the heart, and a religious awakening throughout America.

It was a thrilling occasion. Not only were portions of the event televised in this country, but it was broadcast overseas to the Armed Forces of the United States in Vietnam and elswhere. This emphasis on prayer is characteristic of the feeling of dedication that prevails in government nowadays, as the challenges of the era confront members of both parties with a responsibility of unprecedented proportions.

LITHUANIAN INDEPENDENCE

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. ST. ONGE. Mr. Speaker, February 16 marked the 51st anniversary of the declaration of independence of Lithuania. It is with sadness that we observe this occasion while the valiant people of the Lithuanian nation are still oppressed by the yoke of Russian imperiocolonialism.

It is hoped that the Soviet Union will come to realize that no nation can be denied its sovereignty, and no people will long tolerate the rejection of their right to self-determination. However, the events of the past year in Czechoslovakia demonstrate that the Russians are still blind to the fundamental rights of men, and will not hesitate to employ authoritarian repression whenever the spirit of freedom stirs.

The Soviet Union continues its illegal occupation of the Lithuanian nation in direct violation of existing treaties and international law, and against the free will of the people. They have not been content to stop with this, but have engaged in an intensive program of russification designed to destroy the rich and centuries-old culture of the Lithuanian people.

The free world must not rest until the Soviets withdraw their army, police, and ruling apparatus from Lithuania, so the people of Lithuania may freely elect a government of their own choosing.

On this historic occasion, the most fitting commemoration we can offer to the brave citizens of Lithuania, the heroes who have died in quest of Lithuanian liberty, and the countless relatives and friends of Lithuania in the United States, is the reaffirmation that the cause of Lithuanian freedom has not been forgotten and the struggle for it will continue until won.

THE YOUTH REVOLUTION—A POSITIVE RESPONSE

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. AYRES. Mr. Speaker, I know that every Member of the U.S. Congress' greatest concern is with the future welfare of our youth. Never in the history of any nation has there been a greater effort made to improve the education and training of young people.

The House Education and Labor Committee, of which I am privileged to be the ranking Republican member has sat in practically continuous session to bring an ever-improving educational system. The Federal participation in funds for this laudatory purpose has increased manifold in the last few years. Even this early in the session, Chairman PERKINS has been calling a great number of school superintendents before us so that we might learn the results of this legislation and seek improving amendments.

Despite our dedication to an all-out effort to make our education an avenue by which our youth might have a total chance of equality of opportunity, we have strife and riotous discord in many of our schools.

While it is undoubtedly true that some of this is caused by those enemies of our Nation who are working on the principle that "a house divided must fall," I do believe that much of it has been effected by a lack of communication. Some people have seen the term "generation gap" so often that both our young people and those of our generation have come to accept it.

I believe that we must challenge the charge of this so-called "generation gap" and open up the channels of communications between us. We must know their viewpoints and they must understand our views and purposes. I am confident that if this rapport should be established that we would gradually see an end to the dominance of those who would teach violence as the only method of change.

Today there are over 7 million college students. In some schools, a minute group, by raising their strident voices to a great volume, has led us to believe that they are the voice of all youth. In many cases, they have disenfranchised the great majority of the student body and damaged the reputation of their universities to the extent that industry has lost confidence in its graduates.

I am of the belief that a presidential youth agency could best solve this problem. It should have a dual function to bring to us the suggested programs of the constructive-thinking students and keeping them informed of the strides that we are making to assist them.

I do know that President Nixon has a great concern for our youth. When he was a Member of this body, he devoted a great share of his energies to service on the Education and Labor Committee.

During the past campaign, he created a student coalition. At that time, he said:

> The next President of the United States must create new machinery, new ways for these young people to participate in the major questions of the day. I believe that my Student Coalition could be helpful in this area.

Many times during that campaign and since taking office, President Nixon has mentioned the attention that his administration will pay to the "legitimate demands of the young people of America."

There are few people who have devoted more of their time and energies to this problem than John D. Rockefeller 3d. After graduating from college, he began working for an agency for homeless boys. Later he served as chairman of a committee devoted to salvaging juvenile delinquents. In recent years, he has spent much time in communication with our youth and is proof that the generation gap can be closed. I know that we could count on his valuable assistance in the establishment of a presidential youth agency.

Recently Mr. Rockefeller, while accepting the annual award of the Society of Man, made a very comprehensive speech about his findings on the subject. He only did this after months of preparation, traveling to various areas, and discussion with our young people.

These statements later appeared in the Saturday Review—a copy of which follows. I believe that my colleagues will derive a new knowledge of the subject from the words of this great public-service dedicated American. The material follows:

THE YOUTHFUL REVOLUTION: A POSITIVE RESPONSE

(By John D. Rockefeller 3d)

I am very much aware of the purposes and ideals of the Society for the Family of Man. And I am also very much aware of the most distinguished persons who have received your award in the past. For these reasons, I am deeply and humbly grateful for this honor.

There is of course a great deal of familial strife in the Family of Man. One of the strengths of this Society is a healthy sense of realism in its concern for complex human problems. There is recognition that merely uttering lofty ideals is not enough; one must confront the problems directly.

In this spirit, I would like to explore with you a problem that has special relevance to the concept of the Family of Man. For lack of a better term, it has been called the youth revolution. For some months past, I have been embarked on the adventure of trying to understand the world of the young. My trip was not fueled by LSD, but it had its psychedelic moments. I even attended a performance of "Hair"—and I enjoyed it, especially the music. In my encounters with student activists, I found that I have a chronological problem, being somewhat past the age of 30. And for some reason, they also tend to see me as a member of the Establishment.

Although I am sure the students went away thinking of me as more square than groovy, I did feel that we communicated well. When you are really interested in them, young people will not only talk—they will also listen. Similarly, I met with a number of older persons and found the discussions with them equally productive.

When I started on my trip, I assumed that I would end up by directing my remarks to the young. And I worried about this because I did not want to seem paternalistic or to preach. I need not have worried because I quickly came to the conclusion that my thoughts on this subject would be best addressed to that large minority group of persons over the age of 40, my fellow members of the older generation.

Today's youth revolution puzzles many of us. We wonder if it is really new and distinctively different. After all, there is nothing new about youthful idealism and youthful protest. Every generation has had its gap. But it seems to me unmistakably clear that we are experiencing something much more than the age-old rebelliousness of youth. The ferment of today is deep and intense. Although the activists are a minority of young people, it is a larger and more vocal minority than ever before. The youth revolt is a worldwide phenomenon, occurring not only in the United States, but in a dozen other countries such as France, Mexico, Japan and Czechoslovakia. There is a tenacity that was lacking in the past. Young people do not seem to be merely getting something out of their systems. Perhaps it is too early to tell, but I do not believe they will slip easily into the comforts of suburbia and the career, leaving behind their idealism and impulse for change.

How do we explain this phenomenon as it is occurring in the United States? There are many theories and no entirely satisfactory answers. The young people of today were born after the depression and under a nuclear shadow. In an age of affluence and potential Armageddon, they are less concerned about material security and more concerned about basic human values. They feel that time is running out on the great problems—war, racial injustice, poverty. They dislike the impersonalism of large organizations and of rapid technological change. Because of the influence of the mass media and the freedoms of our society young people today learn faster and mature earlier. They become quickly aware—and deeply resentful—of the differences between what older people say and what they do.

In short, the very accomplishments of our generation—in technology, communications, affluence—have served to focus the attention of the young on what we have failed to accomplish.

I want to confess frankly that when I started my inquiry, I was biased. My instincts told me that very much of what young people are doing and saying today basically makes sense and is good. I found this to be even more true than I had thought.

At the same time I do not ignore the disturbing elements of the youth revolution. There are the far-left extremists who say that present society must be destroyed. Their challenge must be met. There are the truly alienated, the loners and drop-outs. They must be helped. There is the use of dangerous drugs. This must be stopped. Too often, while fighting for their beliefs, young people disregard the basic human values and rights which they are espousing. They frequently lack compassion. They are often contemptuous of those who do not fully agree with them. While crying out to be heard, they will shout down a speaker.

Yes, there is much to irritate and disturb the older generation. But I submit that we have let ourselves be distracted by the colorful fringes to the point where we miss the central meaning of today's youthful protest. I am convinced that not only is there tremendous vitality here, but there is also great potential for good if we can only understand and respond positively. I believe this becomes evident if we examine how the youth revolution is manifested in three of the basic institutions of our society.

There is, first of all, the legal framework of society and its attendant issues of violence, social protest, justice, and respect for the law. A major factor distinguishing the current revolt from the past is the skill of young people in the tactics of social protest. They act in ways that would have been hard to imagine for the rebels of my generation. They have learned well from the civil rights movement of the 1950s and the Vietnam protest of the 1960s.

Yet, for the most part young people attempt to work within normal channels to present their grievances and establish a dialogue. They have tried to work through the political system, with their support of Senator McCarthy as the best example. It is they who have made the Peace Corps, VISTA and the Teachers Corps more than slogans. Many young people are preparing for long-term efforts to change society. For example, the law students of today are concerned less about trusts and estates and corporate law and more about how just the laws are, how poor people and black people can get a better break before the law.

But even as the majority of young people work constructively for change, it remains a fact that severe provocation and even violence have increased as forms of social protest. The protestors are fired by their sense of moral righteousness. They feel they have learned from experience that it is necessary to be loud and demonstrative to get results. It is this behavior that compels attention and strikes fear for the very stability of American society.

The nature of our response is crucial, for it has everything to do with whether there will continue to be violence and whether violence will pay.

We must understand that social protest has an honorable history and has a rightful place in any enlightened society. We have only to remember that it was social protest that brought this nation into being.

At the same time we must recognize that respect for law and the maintenance of order are essential for the protection of everyone in our society. Young people—anyone—who break the law as a form of protest must be prepared to pay the penalty and hope for ultimate vindication.

But if we stop here we will have failed. The concept of law and order is meaningless without justice. We must be ready to re-examine our assumptions—and our laws. To do so, we must open channels of communication. We must have dialogue. If we do not—if we think the only answer is to suppress dissent—then the responsibility for violence hangs as heavily on us as it does on those who protest.

Many persons feel today that another of our fundamental institutions—the family—is in trouble. Much has been written and said about the permissive nature of the American family, which allegedly is responsible for many of the ills of today's youth. Yet criticism of American parents' "overpermissiveness" has been part of our society since the 17th century Puritans. In his penetrating study of our country early in the 19th century, De Tocqueville comments about the domination of youth and their lack of respect for their elders. Even the authoritarian Victorian age was beset with youthful rebellion.

The family provides a framework and a set of guidelines for a child's growth and development toward adulthood. It is the parents' responsibility to give the child love, freely and warmly shared, and discipline, fairly but firmly administered, which in turn means time, attention and interest devoted to the child. In this way, family life plays a major role in determining the stability of the child, and the depth and solidarity of his values.

I cannot stress too strongly my belief that children learn much more from what their parents do than from what they say. Many young people state that while their parents talk about love, integrity, freedom, and fair play, their actions are heavily oriented toward materialistic security, comfort and status. They repeatedly point out that they are not rejecting their parents themselves, but rather what they see as the hypocrisy of their parents' double-standard approach to important social values.

Again, it seems to me that the nature of our response is crucial. If I am right that the ferment of youth is potentially of enormous benefit to society, then we might ask: Would we really rather have apathetic and obedient copies of ourselves? More importantly, we might take the criticisms of young people seriously and re-examine some of our basic assumptions. This of course is not easy. We are used to our children listening to us, not our listening to them. Everyone likes to think that he has done reasonably well in life so that it comes as a shock to find our children believing differently. Change can be very difficult and threatening, especially when the pressure comes from the young. The temptation is to tune them out; it takes much more courage to listen.

When we turn to the third of our basic institutions—the church—we encounter a deep irony. Young people today are committed to values of love, human dignity, individual rights, and trust in one's fellowman. These are precisely the values of our Judeo-Christian heritage. The church has been their proponent for centuries. And yet no institution in our society is today suffering more from the sheer indifference of the young. By and large, they have dismissed the church as archaic, ineffective, and even irrelevant.

One young man told me: "There's a genuine religious revival going on, but the church is missing out on it." Another said: "The church could fill a great need in our society, if it would focus less on the divine and more on how to apply Christian teaching to today's world."

The problem again is that the young people perceive hypocrisy. They know the values the church upholds, but they see too little in the way of action and results. Religion to many of them is Sunday morning tedium instead of a guiding force and an inspiration.

Once again, we must examine our own behavior, we of the older generation. The church is not some impersonal edifice, although all too often it seems that way. The church is what we have made it. Its dilemma is that while its mission should be the righting of wrongs and the active pursuit of the great Judeo-Christian values, we have instead made it for the most part a force for the status quo.

By and large, we are much more conservative as elders of the church than we are as parents. The minister who would remain a minister all too often must please a conservative laity, those who support the church financially. The result is that the church loses some of the finest members of the younger generation.

If we have made this situation, we can also change it. Any dramatic reversal seems improbable. But the young people will come back gradually if the church becomes a place for searching inquiry, for social action, if more of the clergy become involved in today's problems and if the laity support them—and become involved too.

There are common threads that run through all of these basic institutions of our society. The problem is not in our legal system, or the family, or the church. The problem lies in ourselves as people. The crucial issue is not the revolt of youth but the nature of our response to it.

Broadly speaking, it seems to me that there are three possible responses. One is backlash and suppression. We caught frightening glimpses of what this would be like in Chicago and Mexico City. If we choose this route, the only victors will be the small fringe of extremists who want to see our society destroyed. They are playing one of the oldest of political games, that of the provocateur. They *want* a backlash because they know that repression starts a vicious circle that inevitably leads to greater and greater explosions. If we are foolish enough to fall into this trap, then we will deserve what happens to us.

A much more likely response is apathy or muted hostility. We are resentful over the ingratitude and brashness of the young. We think if we cover our eyes and stop our ears their noise and fervor will go away. They don't understand how really complex everything is, we say. Being older, we believe we are wiser. We know idealism is tempered by time and that realism sets in. Soon the young activists will pass the magic age of 30 and eventually they will be stepping into our vacant shoes. We secretly enjoy thinking about what a tough time they will have explaining to their children why they did not solve all the problems of the world.

This response, or lack of response, basically avoids the issue or yields grudgingly in a kind of tokenism. It is not working very well, and if I am right that the youth revolt of today is something much more than the normal rebelliousness of the young, then it will not work at all in the long run. We will find ourselves constantly pushed toward the brink of backlash.

The greater tragedy will be the opportunity we will have lost. For we know all too well that time *is* running out on the great problems the world faces. It seems to me that we have a choice. By suppression or apathy, we can make the youth revolution into yet another problem—in which case the burden will become crushing. Or we can respond in positive ways so that the energy and idealism of youth can be a constructive force in helping to solve the world's great problems.

This is the third possible response. It is simply to be responsive—to trust our young people, to listen to them, to understand them, to let them know that we eare deeply about them.

Instead of worrying about how to suppress the youth revolution we of the older generation should be worrying about how to sustain it. The student activists are in many ways the elite of our young people. They perform a service in shaking us out of our complacency. We badly need their ability and fervor in these troubled and difficult times.

In my judgment, the key to sustaining the energy and idealism of youth is more direct and effective action on the problems about which young people are concerned—the problems of our cities, of our environment, of racial injustice, of irrelevant and outmoded teachings, of overpopulation, of poverty, of war.

To achieve such action we of the older generation must re-examine our attitudes, our assumptions and our goals. We must take as seriously as do the young the great Judeo-Christian values of our heritage. We must be as dedicated as they in fighting injustices and improving our laws. We must have a sense of responsibility individually and collectively for resolving the massive problems of our society.

And secondly, we must revitalize our existing institutions whether they be in education, government, religion, business or politics. They must be made more relevant to today's problems, have a greater sense of mission. At the same time, in support of the initiative of the young, new programs and institutions must be developed which can be effective in areas of pressing social need. Fresh approaches to meeting today's problems are essential.

A unique opportunity is before us to bring together our age and experience and money and organization with the energy and idealism and social consciousness of the young. Working together, almost anything is possible.

If we follow this course each of us will be involved personally and positively in the great drama of our times rather than feeling ourselves to be weary and impotent victims of imponderable forces. The antidote to despair is to be involved, to be imbued with the same spirit that fires the imagination and the efforts of the young. There is a VISTA slogan which captures this spirit: "If you're not part of the solution, you're part of the problem."

BETTER GOVERNMENT

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. MORSE. Mr. Speaker, the proper functioning of our Government according to the system of checks and balances set down in the Constitution by our Founding Fathers is the concern of every responsible citizen who seeks to strengthen and improve the mechanisms which insure our democratic way of life.

Such a citizen is Mr. Karl Haartz, of Andover, Mass., a constituent of the Fifth Congressional District of Massachusetts. He has written to Governor Sargent, of Massachusetts, and the New York Times with his recommendation to encourage better government by strengthening its structure, and thus its substance. It is my pleasure to honor his request and share the contents of these letters with my colleagues in the House:

ANDOVER, MASS.,
February 6, 1969.

HIS EXCELLENCY FRANCIS W. SARGENT,
Governor, Commonwealth of Massachusetts, Boston, Mass.

SIR: Massachusetts' progressive contribution to the design of governments, limited and responsible to the governed, is that of separate and independent parts. However, there remains to be incorporated into its structure a correction that shall secure the substance as well as the form of such government.

It is elementary that ". . . to lay a due foundation for that separate and distinct exercise of the different parts of government . . . the members of each should have as little agency as possible in the appointment of the members of the others." In achieving an arrangement that would accomplish this, Massachusetts has an opportunity to improve upon the original and so give another National example for better government.

The efficacious corrective is a Constitutional requirement that no elected or appointed member of the legislative branch may be appointed, or serve in the executive or judicial branch of government until a period of 14 years had passed since last serving in the legislative.

This step, forward, would secure for us the substance as well as the form of a government of separate and independent parts because, as it is now, each time an interbranch appointment is made it cuts asunder the full fabric of the Constitution's purpose. In most respects it is contrary to the substance of the Constitution: state and Federal.

This overdue corrective would cut deep into government by institutionalism, cronyism, political nepotism and political debt paying. All of these are evidence of a government of form but without the substance of separateness and independence of its parts. This correction would also discourage new programs and the expansion of those programs that are mostly without merit.

It is suggested that you consider placing this matter before the General Court as a step toward removing some of the cause of unsatisfaction with our Commonwealth's government. It would also be a step toward placing Massachusetts in the forefront of setting a good example for State governments throughout the Nation as well as for the Federal government.

Turning now to the proposed Constitutional Convention for our State, it is suggested that you consider asking, should that Convention materialize, that it must remove at least 18,000 words from the present Constitution and add not more than 1200 words.

Faithfully yours,

Karl Haartz.

Andover, Mass.,
February 6, 1969.

The Editor,
The New York Times,
New York, N.Y.

Dear Sir: Massachusetts' progressive contribution to the design of governments, limited and responsible to the governed, is that of three parts separate and independent of each other. However, there remains to be incorporated into its structure a correction that shall secure the substance as well as the form of such governments.

It is elementary that ". . . to lay a due foundation for that separate and distinct exercise of the different parts of government . . . the members of each should have as little agency as possible in the appointment of the members of the others." In achieving an arrangement that would accomplish that, Massachusetts, any other State, or the Federal government has an opportunity to improve upon the original and so give another National example for better government.

The efficacious corrective is a Constitutional requirement that no elected or appointed member of the legislative branch may be appointed, or serve in the executive or judicial branch of government until a period of 14 years has passed since last serving in the legislative.

This step, forward, would secure for us the substance as well as the form of a government of separate and independent parts because, as it is now, each time an interbranch appointment is made it cuts asunder the full fabric of the Constitution's purpose. In most respects it is contrary to the substance of the Constitution.

This overdue correction would cut deep into government by institutionism, cronyism, political nepotism, political debt paying. All these are evidence of a government with the form but not the substance. The corrective would also discourage new programs and the expansion of present programs without merit.

With every good wish,

Karl Haartz.

LITHUANIAN INDEPENDENCE DAY

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. HOWARD. Mr. Speaker, yesterday February 16, was a day of celebration and sorrow. It was the 51st anniversary of Lithuanian independence. It is well that we should remember that day as recognition of all the now captive nations which enjoyed the freedoms that we feel are essential to the basic rights of all mankind, for such a brief moment in history.

The declaration of Lithuanian independence on February 16, 1918, was the culmination of many years of struggle and planning, hope and frustration. The Lithuanian people had been dominated by larger powers from all sides, the Polish, the Germans, and the Russians, continually since the Middle Ages. A union with Poland began in 1386. In 1795, Lithuania was annexed by Russia, during the third partition of Poland. Bravely, the Lithuanian people tried to throw off the Tsarist rule, but were unsuccessful. The Russian domination came to an end in 1915, when Lithuania was overrun by German armies. During the First World War, Lithuania was overrun by both German and Russian armies, which seized or destroyed everything of any value.

At the end of this time, however, conditions were looking more favorable for Lithuanian independence. The defeat of Germany, coupled with the internal revolution in Russia, indicated that the time had now come for the Lithuanians to become the free and independent people they had so long dreamed of being. On February 16, 1918, an independent Lithuanian state was proclaimed, based on democratic principles.

Although their troubles were not yet over, the time had come, and the beginning was made. After settling differences with Soviet Russia and Germany, the Lithuanian people adopted a permanent constitution on August 1, 1922, according to all the people the freedoms of speech, assembly, religion, and communication. Their period of independence, during which time the country progressed in all areas—agriculture, industry, arts, and social legislation—was to last only 22 years. With the coming of World War II, the Lithuanians were again overrun by the German and Russian armies. Finally, in 1940, Lithuania was declared a constituent republic of the U.S.S.R., by the Supreme Soviet in Moscow.

It has always been the policy of our great Nation that those freedoms we hold so dear, and on which our country was founded, should be the rights of all men. I feel very strongly about the right of sovereignty of all nations. The right to direct their government's course without outside interference. As we commemorate the brief period during which Lithuania enjoyed that sovereignty and those freedoms, we would do well to reaffirm our faith in those ideals.

The memory of the struggles endured by the Lithuanian people; their courage and continued hope for freedom, should inspire us all. We salute them today, and join in their hope for a future in which all men will be free to direct their own lives. We must rededicate ourselves to the realization of these hopes.

MINI-AMNESTIES AND MAXI-PURGES IN GREECE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. FRASER. Mr. Speaker, an article in the February 14 issue of Commonweal magazine traces developments in Greece during 1968, a year during which the colonels who staged the coup of April 1967 were, for the first time, totally in charge. The International Year of Human Rights turned out to be, in Greece, "a year of the consistent denial of those rights," the article concludes.

One of the more disturbing features of the year was the friendly attitude of the United States—in contrast to our other European allies—toward the junta. The article states:

> In Washington, developments in Greece were followed with a benevolent eye. At the beginning of the year the United States hastened to give the regime full diplomatic recognition in spite of the flight of the King whose presence had theretofore been the State Department's official excuse for accepting the junta as a legitimate government. Toward the end it almost stealthily renewed full military aid, on the pretext that the adoption of the new constitution represented progress toward the restoration of democracy.

The complete article follows:

The Junta's Year

(By Maurice J. Goldbloom)

Although the military junta ruling Greece seized power on April 21, 1967, it had to share some part of its power with the King almost until the end of that year. Only since the failure of the King's attempted countercoup have the colonels been totally in charge. 1968 was *their* year of power. And what was supposed to be the "International Year of Human Rights" was in Greece a year of the consistent denial of those rights.

It was a year of mini-amnesties and maxi-purges, of political trials following one another in quick succession while the regime itself faced trial before an international court, of a new constitution imposed through a classic totalitarian plebiscite—and of another unscheduled plebiscite, less to the regime's liking, when 300,000 Athenians turned out for the funeral of the spokesman of Greek democracy, George Papandreou. It was also a year in which Washington's social hesitations in regard to the junta—but not those of this country's European allies—

were gradually eroded in the name of *Realpolitik.*

Much of the regime's verbal activity during the year was concerned with the new constitution. A committee of jurists appointed for this purpose brought in its draft at the end of December 1967; the junta was so little pleased that it postponed publication of the proposals until March 15. Not that the junta objected to the many undemocratic features of the committee draft. But the proposals, drawn up before the King's unsucessful counter-coup, left more power to the monarch than the junta was willing to give him.

Then the junta announced that there would be a period of absolutely free debate on the constitution, after which the junta would revise it in the light of the discussion. A number of the leading polticial figures of the country, headed by former Premiers George Papandreou and Panayotis Kanellopoulos, took advantage of the opportunity to express their disapproval of the draft and the procedure which the government proposed to use in adopting the new charter. Their comments were not published, or appeared only in distorted form, and they were imprisoned or placed under house arrest. In contrast, a State Department spokesman "welcomed" the draft and added, "We are further pleased to note that comments from the Greek people and the press on the draft of the constitution are being encouraged." This was one contribution to the discussion the junta was glad to publish.

Although the junta's own draft was promised for the end of June, it actually appeared in mid-July. It differed from the committee version principally in giving no power at all to the King, increasing the authority of the government at the expense of Parliament, and giving the armed forces a major role in the government while making them largely autonomous. Its provisions for the protection of human rights and civil liberties were not only hedged about with all sorts of restrictions; all civic rights and legal protections could be taken away from anyone who "abused" them. The "completely free discussion" of the constitution which the junta had promised continued on the same basis as before; anyone was free to say or write anything he wished about the draft, so long as it was favorable. The government also repeatedly promised that all the imprisoned political leaders would be released in time to participate in the discussion and to oppose the constitution "if they dared."

On September 16 the junta published the revised version of its draft on which the people were to vote on September 29. It included one major change from the July draft. In July the junta had retained the power to decide when the new constitution would go into force, but now it decreed that this would occur immediately after its adoption in the plebiscite—except that the provisions for the protection of civil liberties, the establishment of political parties, elections, and parliamentary rule were to be indefinitely suspended. The new draft also eliminated a provision in the earlier one banning anyone who had ever been a citizen of any other country from participating in Greek civic life. This provision had been aimed at Andreas Papandreou, a former American citizen, but Archbishop Iakovos of the Greek Orthodox diocese of North America protested that the Greek government must not treat Greek-Americans as foreigners, and the provision was eliminated.

On September 23 the promised amnesty for political leaders took place: *seven* were released, including former Premiers Papandreou and Kanellopoulos. Six days might seem a short time for the freed leaders to participate in the constitutional "debate"—but the government made clear that they were not to use the time in that way. Premier Papadapoulos declared, "I hope they will not make another false step and force me to put them away again."

The plebiscite showed the expected overwhelming "yes" vote; each voter received two ballots, one "yes" and one "no." In the rural areas the fact that the local gendarme might ask to see which ballot the voter had not deposited in the box was enough to assure unanimity. In the Athens-Piraeus area, however, there were foreign observers at many polling places; as a result only 77.3 percent of the voters in the area were officially recorded as voting for the constitution. Even more significant, 22.3 percent of the voters in the country as a whole failed to go to the polls in spite of the fact that voting was compulsory and the government had threatened severe sanctions against non-voters. (Greeks knew that this was not an empty threat; the junta had removed people from their jobs *for having failed to vote in the elections of 1946.*) All those who failed to vote have now been ordered to submit written explanations; if these are not satisfactory they will be subjected to such civil sanctions as loss of automobile permits and driving licenses, and will also be liable to criminal prosecution and imprisonment.

Andreas Papandreou, freed at the end of December 1967, left Greece shortly thereafter and soon took a leading role in the opposition to the junta outside Greece and to some extent inside the country as well. In February he announced the formation of the Pan-Hellenic Liberation Movement (PAK) to unite all opponents of the junta within Greece and abroad. PAK later made an agreement for cooperation with the Patriotic Front, an organization which was closely related to the pre-coup Union of the Democratic Left (EDA). Nevertheless a number of underground organizations continued to work more or less independently on one another, although in most cases their relations were friendly. There was, however, one exception: the Greek Communist movement split, and a large majority of Communists and Communist sympathizers both in Greece and in exile broke with the Moscow-backed leadership of Koastas Koliyannis. (Neither Koliyannis nor any member of his Politburo had been in Greece, since 1948.) EDA and the Patriotic Front, through which the Communists had worked, also rejected the Moscow leadership. The Koliyannis group attempted, with rather little success, to claim the name of the Patriotic Front for a rival underground group it established under its own control; it had little following in the country. The split originated in differences over policy in Greece, and especially in the demand of those within the country for control over their own organizations and policies. But it soon extended to other issues; EDA, the Patriotic Front, and a number of the leading Communists imprisoned in Greece vigorously protested against the Soviet invasion of Czechoslovakia.

Some small groups worked in isolation from the major political blocs. One such group seems to have been responsible for the unsuccessful attempt of Alexander Panagoulis to assassinate Premier Papadopoulos. The Premier explained the failure of the attempt on theological grounds. "You may be certain," he said, "that as long as God, who is a philhellene, links my life with the interests of Greece, I will be safe. God has always been a philhallene and it is proved that he continues to be so, to the embarrassment of the enemies of Greece."

Panagoulis took the stand at his trial to assert that he had acted entirely alone, and to ask that the death sentence be imposed on him. He also described the extreme tortures to which he had been subjected and asked that they be verified by medical examination. Although he was sentenced to death—not, ostensibly, for the assassination attempt in which nobody was injured but for desertion from the armed forces and plotting to overthrow the government—worldwide pressure led to a commutation of his sentence to life imprisonment. There are reports that he is being subjected to continuing torture.

The junta continued to maintain itself with almost no support outside the armed forces; with the exception of Panayotis Pipinellis, who had accepted the Foreign Ministry at the time of the Cyprus crisis of 1967, not one major political figure had publicly cast his lot with the colonels. But the underground opposition also failed to achieve active mass support; Greeks on the whole opposed the regime but were effectively isolated by its repressive techniques.

However, the death of George Papandreou served as a catalyst to mass opposition. Papandreaou had, at the age of eighty, maintained his intransigent opposition to the junta in spite of repeated periods of house arrest which his friends believe significantly hastened his death. More than any other man he symbolized the desire of the Greek people for the return of democracy and freedom, and in death he rallied them to that cause even more eloquently than in life. Some fifty thousand Athenians crowded the cathedral and the square in front of it for his funeral services; at least a quarter million more lined the route of the funeral cortege to the cemetery. In the cathedral itself political leaders of all groups came to pay their respects or if they—like Mikos Theodorakis, who was under house arrest, and the self-exiled Constantine Karamanlis—were absent, they sent wreaths.

Papandreou's old friend and opponent Panayotis Kanellopoulos told the mourners "I bow before George Papandreou in the name of our past conflicts, all of which took place within the arena of democracy." And from the throng in the square and along the route there were cries of "Democracy" and "You will always be our leader." Others shouted "Today is the day we vote no!" And at the grave some cried out "Papandreou, now you are free!" while several hundred young people took up the shout, "The giant is fallen; he leaves an heir, Andreas! Liberty! Liberty!" Now people knew that they were not alone in their opposition to the junta; there seemed little doubt that far more of them would henceforth be ready to give that opposition an organizational form, in spite of the ever-present danger of imprisonment and torture.

WASHINGTON AND STRASBOURG

In Washington, developments in Greece were followed with a benevolent eye. At the beginning of the year the United States hastened to give the regime full diplomatic recognition in spite of the flight of the King whose presence had theretofore been the State Department's official excuse for accepting the junta as a legitimate government. Toward the end it almost stealthily renewed full military aid, on the pretext that the adoption of the new constitution represented progress toward the restoration of democracy.

In Strasbourg, however, the Council of Europe and the European Commission on Human Rights took a different point of view. The Assembly of the Council of Europe declared on September 26 "that the draft constitution drawn up by the Greek Government does not conform to democratic principles; that the conditions in the months preceding the referendum on the draft constitution have made a free and democratic campaign impossible . . . and that it cannot therefore be considered as a free expression of the popular will." It condemned "the continued refusal of the Greek Government to restablish human rights and fundamental freedoms and to ensure the rapid return to a democratic parliamentary regime." Expressing "solidarity with the Greek people in its present plight and especially with those who are the victims of repressive measures," it placed the question of possible suspension of Greece from membership in the Council of Europe on its agenda for January 1969.

Meanwhile the Commission on Human Rights took up the charges which had been brought against the Greek regime in 1967 by the Scandinavian countries; consideration of them had been delayed by the junta's unsuccessful challenge to the Commission's jurisdiction. During December the Commission heard numerous witnesses describe the tortures and other violations of human rights which had taken place in Greece under the junta, while others contradicted the colonels' assertion that their overthrow of Greek democracy and suppression of human rights had been justified by a danger of Communist insurrection. The Commission planned to hold further hearings in January.

Internally, the junta is likely to face increasing difficulties in the coming months. The Greek economy has seriously deteriorated since the coup; not only has there been a sharp drop in the economy's growth rate, but serious balance of payments difficulties have developed and there has been a rise of more than a third in currency in circulation and a quarter in bank credit. Only the depressed state of the economy has prevented this inflation of the money supply from being reflected in higher prices.

Meanwhile a major part of the country's financial reserves have been dissipated; the junta has concealed this by the transfer of funds from the secret gold sovereign internal stabilization fund to the official reserves, by pawning some $70,000,000 worth of the gold reserve and including both the gold and the money borrowed against it, and by counting in its reserves about $50,000,000 more borrowed abroad on terms requiring that it be left on deposit with the lenders.

At the same time, the demonstration at the Papandreou funeral has paved the way for the development of a resistance movement which will be able to organize the discontent which the junta's economic malfeasance seems likely to produce. The junta has been rather desperately trying to escape from its economic predicament with the aid of foreign capital. So far its efforts in this direction have been notably unfruitful: the Litton contract, which was ballyhooed as promising an investment of $850,000,000, has produced less than 1 percent of that amount in its first twenty months. The new Onassis agreement appears to provide for approximately forty million dollars a year investment—but even this relatively small sum is not promised by Mr. Onassis, but is mostly to be raised by him from others. And there is no guarantee that he will be any more successful in luring foreign investors than Litton has been.

Under the circumstances, we may soon see the junta trying to parlay its political ties with Washington into loans and grants. One cannot, of course, tell what Washington's response will be; certainly there will be strong pressures from some State Department and Pentagon circles in favor of playing Santa Claus to the colonels. But one may doubt if the fiscal atmosphere will be congenial to that sort of generosity. The colonels may even find themselves driven to make concessions to their people.

WEST GERMANS TO OPPOSE EEC IMPORT TAX ON SOYBEANS

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17 1969

Mr. FINDLEY. Mr. Speaker, American soybean farmers are worried and concerned about the prospects of the European Economic Community—Common Market—imposing a new high excise tax on soybean oil and meal. If put into effect by the Common Market, the tax would seriously endanger U.S. soybean markets.

On February 3, while I was in Bonn, Germany, I had lunch with Franz Joseph Strauss, the German Finance Minister. During the course of our discussions he pledged his opposition to the proposed tax. He authorized me to state, publicly, his opposition. Because of the interest in this matter by soybean farmers, I submit the text of my statement announcing the German opposition for inclusion in the RECORD at this point:

During a luncheon discussion in Bonn, Germany today, February 3, I received assurances of the German Minister of Finance Franz Joseph Strauss that he will use his influence to oppose the new high excise tax on soybean oil and meal proposed by the European Communities' Commission for Agriculture. If put into effect by the Common Market, of which Germany is a part, the tax would seriously endanger U.S. soybean markets. Last year, the U.S. sold about $450 million in soybeans, soybean oil, and meal to the Common Market and $130 million to Germany. I pointed out to the finance minister that the U.S. outcry is already so formidable as to raise the probability of retaliation if the tax is imposed. The retaliation would likely involve higher U.S. tariffs on cars and other items produced in Europe and would also tend to strengthen U.S. demands for a sharp reduction in American troops in Europe. Mr. Strauss told me he favors lower, not higher, barriers to trade between the United States and Germany and authorized me to announce his opposition to the proposed tax. Because of Mr. Strauss's position, I consider his promise to be a big help in keeping the proposed tax on the shelf where it belongs. U.S. Minister to Germany Russell Fessenden was also present at the luncheon.

AFTER MOON FLIGHT

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. TEAGUE of Texas. Mr. Speaker, an article in the New York Times of January 6, 1969, by John Noble Wilford, describes his own reactions immediately following the highly successful launch of Apollo 8 and outlines the opportunities for space during the next decade. Mr. Wilford in his article points to the possibility for utilitarian application in space as well as the unbounded frontier of exploration that has been opened. He summarizes well not only the achievements of the first decade in space but the possible returns from our space program in the future and its potential benefit to all mankind. Mr. Wilford in his article probes the practical dreams of such outstanding men as Dr. Wernher von Braun, Dr. Thomas O. Paine, Dr. George E. Mueller, and Dr. William H. Pickering and their views of the challenge in our national space effort. The article follows:

[From the New York Times, Jan. 6, 1969]

AFTER MOON FLIGHT

(By John Noble Wilford)

The earth no longer shook. The air was still, no longer the conveyor of staccato thunderclaps. The orange cloud of smoke, hugging the ground, drifted out to sea from Launching Pad 39. Apollo 8 was out of sight and on its way to man's first voyage around the moon.

Walking away from the press site at Cape Kennedy, Dr. Wernher von Braun, the rocket pioneer, smiled broadly, brushed back his graying blond hair and recalled something Jules Verne once said. "Anything one man can imagine," said Verne, who a century ago wrote of man flying around the moon, "other men can make real."

Apollo 8 made real the fantasies of Verne and other men. Future Apollo flights in 1969 are expected to take men to the surface of the moon. Such experiences should not only open the moon to on-the-scene exploration, but also expand as never before man's vision of his future.

For if man can fly to the moon, what can't he do?

TRAIL TO THE PLANETS

In the exuberance that followed Apollo 8, Dr. Thomas O. Paine acting administrator of the National Aeronautics and Space Administration, declared:

"We're looking forward to the day there will be manned space stations in the sky, conducting lunar explorations, and in the distant future beyond that, blazing a new trail on out to the planets."

Space engineers and scientists are convinced that in the next 25 years communications and weather satellites will ring the earth, men will be ferrying to and from mammoth hotel-like orbiting spaceships, semipermanent manned scientific outposts will be established on the moon, instrument-laden spacecraft will be skirting Jupiter, Saturn, Uranus and Neptune, and robots and perhaps even men will be landing to explore Mars.

Astronomers may be studying the stars from telescopes on the airless moon. Geologists should be speeding across the lunar surface in special roving vehicles, picking at rocks, digging into craters in search of clues to the origin of the solar system.

SPATIAL WORKSHOPS

Although space may never replace Pittsburgh, industry may be producing ball bearings, telescope lenses and steel foams in orbiting workshops.

Weightless, a phenomenon regarded with apprehension before the space age, offers such intriguing manufacturing possibilities. Liquid, floating in a weightless environment, takes the shape of a perfect sphere.

Thus it is conceivable that the most nearly perfect metal ball bearings could be cast in space, says Dr. George E. Mueller, NASA's associate administrator for manned flight.

Similar techniques could also be developed to produce steel foams as light as balsa wood but with the strength of solid steel or composite materials made of steel and glass.

This could be economical on a limited scale, according to Dr. Mueller, with the introduction of reusable spacecraft for shuttle service between earth and orbiting laboratories. They could be in service by 1980. delivering payloads in orbit at a cost of about $5 a pound, compared with the several hundred thousands of dollars a pound today.

Large workshops in orbit are the next big step, predicts Dr. von Braun, who is director of NASA's Marshall Space Flight Center in Huntsville, Ala.

They could be used for surveying earth resources, using current technology in remote sensing and photography to detect crop and forest diseases, track schools of fish, forecast weather weeks in advance, remap the world or spot likely sources of petroleum and minerals.

In the next few decades man will be busy reconnoitering the vast reaches of the solar system beyond the moon.

Dr. William H. Pickering, director of the Jet Propulsion Laboratory in Pasadena, Calif., predicts:

"We will be ranging all over the solar system observing the other planets with unmanned spacecraft. We will be flying to the moons of Jupiter and through the rings of Saturn. We will be landing unmanned probes on some of the planets, certainly Mars and Venus and probably on one of the moons of Jupiter."

One of the most ambitious unmanned voyages could be the "grand tour" of the outer planets. Launched in 1978, a spacecraft could be aimed to fly by Jupiter and on to Saturn, Neptune and Uranus, all of whose orbits would be in proper position.

Using nuclear rocketry, it should be possible to land men on Mars before the century is out, Dr. Pickering said. And on the moon he envisioned large bases to which scientists shuttle from time to time much as they visit outposts on Antarctica.

EXPLORING THE OCEANS

The sophistication of space technology is beginning to pervade the fields of medicine, metallurgy and communications, Microelectronic devices used to monitor astronauts' health in space are being applied experimentally to keep watch over hospital patients. Other space "spin-offs" include the synthesis of diamonds, improved welding techniques and a refined rocket fuel used in treating tuberculosis and mental illness.

Space technology is also spurring explorers to challenge the last remaining frontier on earth—the oceans. Aerospace engineers are leading the way in building new research submarines, deep-diving equipment and undersea laboratories for exploration of the untapped resources on the sea floors.

Not least of the effects of spaceflight on mankind could be spiritual. From far out in space, as the Apollo 8 astronauts observed, the earth is a blue cloud-streaked ball—another planet, beautiful but not particularly large. And when they were flying back from the moon, they spoke of returning to the "good earth," not to the United States.

Thus space offers a new perspective of earth. As Arthur C. Clarke observes in his recent book, "The Promise of Space," "The crossing of space—even though only a handful of men take part in it—may do much to reduce the tensions of our age by turning men's minds outward and away from their tribal conflicts. It may well be that only by acquiring this new sense of boundless frontiers will the earth break free from the ancient cycle of war and peace."

PROTEST AGAINST EXECUTION OF JEWS IN IRAQ

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. SCHEUER. Mr. Speaker, the tragic execution of nine Iraqi Jews is an act which must be deplored by all who strive for peace and understanding in this chaotic world. There is no doubt that this repugnant action is the beginning of a cycle of massive persecution and retaliation against the Jewish community in Iraq.

However, deploring this latest case of genocide against the Jews is not enough. We, as one of the leading legislative bodies of the free peoples of the world, must register in most forceful terms our mortification at this act of butchery.

Toward this end, I have drafted a letter appealing to the world community to use all appropriate channels at its command to prevent this threatened genocide of the Jews in Iraq. This letter signed by 64 Members of the House has been forwarded to the United Nations, heads of states, and the chief officials of the international humanitarian organizations.

The text of the letter and the list of signers follow:

We the undersigned Members of the House of Representatives of the United States of America, appeal to the world community, through all appropriate international agencies and diplomatic channels, to prevent the threatened genocide of the Jewish community of Iraq.

Objective reports from the Middle East make it clear the primary crime of nine Iraqi citizens hung as spies was Jewishness. The promise of Baghdad radio to continue finding scapegoats for domestic problems is frighteningly reminiscent of the start of Hitler's "final solution" to the "Jewish problem."

In the name of humanity, the slaughter of innocent people because of their religion or race must be stopped immediately and not permitted to resume.

Joseph P. Addabbo, of New York; John B. Anderson, of Illinois; Thomas L. Ashley, of Ohio; Alphonzo Bell, of California; John A. Blatnik, of Minnesota; Glenn M. Anderson, of California; Frank Annunzio, of Illinois; William A. Barrett, of Pennsylvania; Mario Biaggi, of New York; Edward P. Boland, of Massachusetts.

Frank J. Brasco, of New York; William S. Broomfield, of Michigan; Phillip Burton, of California; Jeffery Cohelan, of California; Charles C. Diggs, Jr., of Michigan; George H. Fallon, of Maryland; Dante B. Fascell, of Florida; Thomas S. Foley, of Washington; James G. Fulton, of Pennsylvania; Martha W. Griffiths, of Michigan; Seymour Halpern, of New York; Chet Holifield, of California.

W. E. Brock, of Tennessee; J. Herbert Burke, of Florida; Tim Lee Carter, of Kentucky; Emilio Q. Daddario, of Connecticut; Harold D. Donohue of Massachusetts; Leonard Farbstein, of New York; O. C. Fisher, of Texas; Samuel N. Friedel, of Maryland; Robert N. Giaimo, of Connecticut; Gilbert Gude, of Maryland; Henry Helstoski, of New Jersey; Craig Hosmer, of California.

James J. Howard, of New Jersey; Allard K. Lowenstein, of New York; Robert McClory, of Illinois; Robert N. C. Nix, of Pennsylvania; Richard L. Ottinger, of New York; Bertram L. Podell, of New York; Melvin Price, of Illinois; Henry S. Reuss, of Wisconsin; Fred B. Rooney, of Pennsylvania; Edward R. Roybal, of California; James H. Scheuer, of New York.

Edward I. Koch, of New York; Donald E. Lukens, of Ohio; John M. Murphy, of New York; Thomas P. O'Neill, Jr., of Massachusetts; Claude Pepper, of Florida; Howard W. Pollock, of Alaska; Roman C. Pucinski, of Illinois; Peter W. Rodino, Jr., of New Jersey; Benjamin S. Rosenthal, of New York; Charles W. Sandman, Jr., of New Jersey; Garner E. Shriver, of Kansas.

Louis Stokes, of Ohio; Lionel Van Deerlin, of California; Jerome R. Waldie, of California; Lawrence G. Williams, of Pennsylvania; Frank Thompson, Jr., of New Jersey; Joseph P. Vigorito, of Pennsylvania; Charles W. Whalen, Jr., of Ohio; Charles H. Wilson, of California.

SOYBEANS MAY BE HEADING TOWARD COTTON-LIKE DISASTER

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. FINDLEY. Mr. Speaker, Mr. Clifford Hardin, the Secretary of Agriculture, faces a crucial decision early in his term of office. He must determine the price support levels for soybeans. On February 6, I wired the new Secretary to urge him to lower the support price so that the marketplace system may be allowed to operate once more to bring production of soybeans in line with demand, and so that Government price guarantees will no longer serve to stimulate overplanting. On February 14, I followed up my telegram with a letter comparing the plight of soybean production with that of cotton and calling attention to omnious parallels in the two crops.

Mr. Speaker, under unanimous consent I include the text of my wire and letter to the Secretary as part of my remarks at this point:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 6, 1969.

DEAR MR. SECRETARY: Your forthcoming decision in regard to price supports for soybeans for the coming year is one of crucial importance for American agriculture. By this wire I wish to encourage you, as Former President Johnson might have said, to "bite the bullet" by announcing supports at the level of $2.05 a bushel, or thereabouts.

Farmers and grain merchants with whom I have communicated tell me this figure would be low enough to permit the marketplace to function to the longterm advantage of farmers. It would reverse the trend of the past two years during which this wondercrop of yesterday has found itself in a surplus problem for the first time.

As a six-year member of the House Agriculture Committee, I know this is a tough decision politically. I am confident, however, that action to cause farmers to produce once more for the marketplace, instead of government bins, will not only pay early dividends to the soybean farmer but will give your administration the best possible sendoff. Even those who criticize—and, believe me, these will be vocal—will respect you for the decision.

The alternatives—keeping the support at $2.50, or dropping it an amount insufficient to influence planting decisions—will compound today's problems: surplus stocks will likely increase; program costs will increase; the interests wishing to protect the status quo will have had a year to dig in; and consequently, a year from now a decision to reduce price supports will be far more difficult than today.

During the past week I have talked with farmers about this problem, and one of them, Harry Pick, Chenoa, Illinois, stopped at my office to urge me to speak out for price support reduction to $2.05. Mr. Pick was national soybean champion in 1966, and said he had attended several farmer meetings recently in Illinois. Judging by informal surveys, he believes most soybean producers will support the move. Many of them, he said, are outspoken in calling for lower supports. They are convinced, he said, that continued surpluses like those of the past two years mean serious trouble in the future.

Illinois was the top producer of soybeans last year, and the district I represent is one of the foremost producers in the state.

Failure to drop supports substantially at this time may lead to a surplus problem so serious in a few years as to involve mandatory acreage controls.

PAUL FINDLEY,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 14, 1969.

DEAR MR. SECRETARY: In the most welcome luncheon conversation Monday with you and Undersecretary Phil Campbell, we discussed the surplus problem now confronting soybean growers and its relationship to government price supports. I take this opportunity to explain my concern over the soybean outlook and why I feel a substantial reduction in the price support for the 1969 crop is required.

The blame for soybeans' plight may properly be laid squarely at the door of your predecessor, former Secretary Orville L. Freeman, who launched in 1966 an unfortunate drive to increase by government action the production of soybeans. He permitted soybean planting on acres diverted under the cotton and feed grains program, asked publicly for higher soybean production, and opened the gate to serious trouble by raising price supports to $2.50 a bushel.

At the time I warned that these actions would get soybeans into trouble, and trouble is here. I call it cotton-like trouble because it has the same characteristics as the government-induced problems which have plagued the land of cotton in recent years.

Let me illustrate. Cotton supports were increased. This hurt markets at home and abroad. The artificial pricing served as an umbrella under which synthetic fibers made rapid progress in taking cotton markets at home and in stimulating competitive production abroad. Soon government bins overflowed with cotton. Program costs skyrocketed. In 1967. the program cost exceeded the market value of the entire crop.

Note the grim similarities with soybeans.

The high price supports Mr. Freeman started in 1967 have contributed to a shocking carryover. To illustrate the magnitude of the problem as it has already developed, the Commodity Credit Corporation on January 1 showed soybeans in government inventory and under loan at $961 million, exceeding corn—unbelievably—by $20 million on that date.

Spurred by the guaranteed $2.50 price, speculators in the south cleared and planted to soybeans thousands and thousands of acres.

At the same time that government bins were filling up, the competitive position of soybeans was deteriorating at home and abroad.

Last year, the sale of urea, a synthetic competitive with soybeans, reached the equivalent of 150 million bushels of beans. Abroad, the Soviet Union expanded substantially the production of sunflower seeds while Europe expanded rapeseed—another competitor to soybeans. Peruvian fishmeal output increased sharply.

Unquestionably, artificial pricing of U.S. soybeans contributed substantially to these competitive developments.

If high price supports are continued for soybeans it will be cotton all over again, with the prospect in the immediate future of cotton-like restrictions on planting. As the story of cotton amply attests, planting restrictions solve no problems. They just create new ones.

While I regret that you face the discomfort of undoing the mistakes of Mr. Freeman, you alone have the means this year to halt soybeans' plunge to a cotton-like disaster.

Action to drop the support price and to permit the market to function—as you will recall I have recommended that it go to about $2.05—will bring an outcry from those who are unaware of cotton's grim fate. Others who are determined to restore soybeans to a sound economic base will be grateful.

Thanks for lunch and for listening.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

LITHUANIAN INDEPENDENCE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. PUCINSKI. Mr. Speaker, yesterday marked the 51st anniversary of the Declaration of Independence of Lithuania. Throughout America and the entire world people of Lithuanian descent paused to reflect on the determination of this country to attain freedom, which today remains the fervent hope of those in Lithuania now under suppression by the Soviet Union.

It is unfortunate to think that at a time when freedom is a living reality in these United States, the people presently confined to the borders of Lithuania itself must hold freedom only as a desire.

We, as citizens of the free world cannot overlook or silently tolerate the bold and continued advances of the Soviet Union to overtake the tiny countries of this world which remain easy prey to Communist clutches.

Mr. Speaker, in commemoration of the 51st anniversary of Lithuania's independence, I am pleased to insert the text of a pro memoria on Lithuania's independence, prepared by the Lithuanian American Council, Inc., in the RECORD today, as follows:

PRO MEMORIA ON LITHUANIA'S INDEPENDENCE BY THE LITHUANIAN AMERICAN COUNCIL, INC.

Soviet Russia's invasion and occupation of Czechoslovakia in 1968 was a dramatic reminder to the free world of the identical Soviet invasion and occupation of Lithuania and the other two Baltic States in 1940. In both instances the Soviet aggression was unprovoked, in flagrant violation of existing treaties and international law, and against the free will of the people.

The United States Government sternly denounced this wanton Soviet aggression in July 1940 and has steadfastly refused to recognize the illegal annexation of Lithuania by the Soviet communists. This just and honorable position, a basic tenet of United States policy, has been maintained by all succeeding administrations.

Despite the condemnations of the occupation by the free world, the Soviet Union still forces Lithuania and its people to suffer oppression and exploitation under despotic communist rule. Lithuanian national culture is gradually being destroyed and russification of the country and its people is being brought about. Yet, even though their country has been converted into a colony of the Soviet empire, the people of Lithuania—and the patriotic Americans of Lithuanian descent—demand freedom and independence for Lithuania!

We are sincerely grateful to the United States Government for its continued firm refusal to recognize the consequence of Soviet aggression. However, this stand in itself is not sufficient to bring about the liberation of presently-subjugated nations.

It is our firm conviction that strong and steady pressure must be exerted upon the rulers of Soviet Union by the governments and peoples of the free world to effect the liberation of Soviet-captive nations. We demand, and ask the free world to join us in demanding, that the Soviets withdraw their army, police and ruling apparatus from Lithuania, so the people of Lithuania could freely elect a government of their own choosing, in accord with the Atlantic and United Nations Charters and the principle of self-determination which the Soviets demand for the peoples of Asia, Africa and Latin American countries.

As citizens of the United States, we Americans of Lithuanian descent appeal to you to urge the United States Government to take all possible peaceable means to restore the freedom and independence of Lithuania, Latvia, Estonia, and all other captive nations.

APOLLO STATUS SUMMARY

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following report on the progress of the Apollo manned space flight program:

APOLLO STATUS SUMMARY

With the launch of the Apollo 9 mission 11 days off, the Apollo 9 countdown demonstration test reaches the first of two simulated blast offs on Tuesday 18 February. The test began on Wednesday February 12, and it includes the entire countdown operation.

The astronauts do not participate in the fueling exercises which constitute the first part of the countdown demonstration test. Once the fueling test is completed, the astronauts actually board the spacecraft and the countdown is repeated, simulating the fueling operations.

These practice runs are essential to the success of the precision countdown which climaxes on February 28, Friday, at 11:00 a.m. Eastern Standard Time, in the ignition of the boosters to launch the three Apollo 9 astronauts into earth orbit.

For the Apollo 9 mission, the astronauts are: Colonel James M. McDivitt, U.S. Air Force; Colonel David R. Scott, U.S. Air Force and Russell L. Schweickart. They will orbit the earth in a mission lasting 9 days and 22 hours. The mission is designed to test and evaluate the lunar excursion module which will transfer two astronauts from lunar orbit down onto the lunar surface and return them safely to the mother capsule.

The Apollo 10 space vehicle is undergoing fluid systems tests at the Kennedy Space Center's Vehicle Assembly building this week. The space vehicle has been mated to the launch vehicle and is being prepared for the Apollo 10 mission in May of 1969.

The Apollo 11 booster is also under construction at Cape Kennedy. The second stage of the Apollo 11 launch vehicle is undergoing receiving inspection at the Vehicle Assembly Building. Other components and stages of the Apollo 11, 12 and 13 boosters are arriving daily at Cape Kennedy, by air and by barge and by truck.

SENATE—*Tuesday, February 18, 1969*

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou who art from everlasting to everlasting, who didst guide our fathers in every age, make us worthy inheritors of their labor, that their vision be undimmed and their labor undiminished. Equip us in personal life and in common endeavor that we may serve Thy higher kingdom in the perilous and troubled days in which we live. Day by day increase in us a knowledge of Thy will for this Nation and for all peoples; and having discerned Thy will, give us the wisdom and courage to do it. Grant that Thy grace may be sufficient for all our needs, and that we may walk with Thee until at last we hear Thee say, "Well done, good and faithful servant."

In the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, February 17, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT OF NATIONAL SCIENCE BOARD—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I am pleased to submit to the Congress this first Report of the National Science Board, "Toward a Public Policy for Graduate Education in the Sciences," together with a companion volume, "Graduate Education: Parameters for Public Policy," which contains information and discussion supporting the basic Report. These documents have been prepared in accordance with Section 4(g) of the National Science Foundation Act, as amended by Public Law 90–407.

Graduate education is a critically important element in the educational process and one which is entering a particularly difficult period. As the Board points out, graduate enrollments are expected to double and the costs of graduate programs are expected to quadruple during the next decade. Thus, it is most important that colleges and universities, state and local authorities, and the interested branches of the Federal Government all re-examine their role with respect to graduate education.

On several occasions, most recently when I increased the expenditure ceiling of the National Science Foundation for the fiscal year 1969, I have emphasized our nation's special debt to its scientists and its special responsibility to maintain an outstanding record in both basic research and technological advance. I emphasize here again that education in general and scientific development in particular will be among the highest priorities in this Administration. One measure of the greatness and vitality of a nation is manifested, I believe, in its readiness to explore the unknown.

The National Science Board has rightly concluded that adequate funding for graduate education and for academic science is only one of the problems we face. Of comparable importance is the need to develop a new strategy for that Federal aid which may be required. I have recently instructed the Secretary of Health, Education, and Welfare to establish an interdepartmental study group to make an overall review of the Federal role in education, including higher education. The Report of the National Science Board will provide a useful resource for that review.

I know that the Congress, like the Executive Branch, will give the Report its careful consideration. I solicit your assistance in developing solutions to the problems which have been identified by this distinguished group of citizens.

RICHARD NIXON.

THE WHITE HOUSE, *February 18, 1969.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 110(a), Public Law 90–448, the Speaker had appointed Mr. PATMAN, Mr. BARRETT, Mr. DEL CLAWSON, and Mr. BROWN of Michigan as members of the National Advisory Commission on Low Income Housing, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of 44 United States Code 2701, the Speaker had appointed Mr. STAGGERS and Mr. LUJAN as members of the Federal Records Council, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 10(a), Public Law 474, 81st Congress, the Speaker had appointed Mr. HALEY, Mr. UDALL, and Mr. STEIGER of Arizona as members of the Joint Committee on Navajo-Hopi Indian Administration, on the part of the House.

The message announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.;

H.R. 3832. An act to amend title 10, United States Code, to provide the grade of general for the Assistant Commandant of the Marine Corps when the total active duty strength of the Marine Corps exceeds 200,000; and

H.R. 4622. An act to amend section 110 of title 38, United States Code, to insure preservation of all disability compensation evaluations in effect for 20 or more years.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.; to the Committee on Labor and Public Welfare.

H.R. 3832. An act to amend title 10, United States Code, to provide the grade of general for the Assistant Commandant of the Marine Corps when the total active duty strength of the Marine Corps exceeds 200,000; to the Committee on Armed Services.

H.R. 4622. An act to amend section 110 of title 38, United States Code, to insure preservation of all disability compensation evaluations in effect for 20 or more years; to the Committee on Finance.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

JOHN TATSEY, NEWS COLUMNIST

Mr. MANSFIELD. Mr. President, it has been a long, cold, and damp winter here in Washington, and it has been a long, hard winter in many parts of the Nation. I think it is time for a little humor and the wry wit of one of Montana's best and favorite news columnists, John Tatsey, a modern-day Will Rogers and, perhaps, even better.

My old friend, John Tatsey, is getting up in years, but he continues to write sporadic news columns for several weekly newspapers in western Montana. As Senators may recall, he is a resident of the Blackfeet Indian Reservation and lives in the small community of Heart Butte. John's news columns are less frequent than in the past, but I have four which were taken from issues of the Hungry Horse News in the past year.

Mr. President, I ask unanimous consent to have these news columns, which appeared in the Hungry Horse News and the Glacier Reporter, printed at this point in the RECORD.

There being no objection, the articles

were ordered to be printed in the Record, as follows:

[From the Hungry Horse News and Glacier (Mont.) Reporter, Mar. 17, 1968]

At Heart Butte

For the information of new readers, Tatsey columns have included such comments as follows:

Pete Stabs By Mistake and Mose Henault were with the police Sunday at Browning. All they could bring was some grapes. They were so juicy they did not come home dry.

Oliver Marceau was at police headquarters Thursday morning, and said he came home from Conrad, and forgot his wife there, but later she came home with her brother. Oliver was angry because his wife was sound asleep when they brought her.

Last Friday Louie Red Head went out in the field to help the hay crew. Supper time came and he did not show up and his wife was worried about him so she looked for him. She found him in Browning with the wrong women.

Last week Paul Running Crane drove across the lopsided bridge on Big Badger when his car slid off. The front wheels hanging off. He jumped off, and left the women in the car, and now goes around long way.

Stoles Head Carrier was last seen in a pickup last week by Tatsey. He was laying full length and all that could be seen was his head and stomach. He was a little overloaded.

Tatsey was in Browning last week and saw Tom Lane Bear and Joe Tatsey roaming the town. Tom Bear was last seen setting back of Teeple's Store and was sure crying as though someone died. He was only lonesome for his wife who has been gone west some time ago.

Mrs. Lame Bear you are still remembered.

Mrs. George Wippert of Heart Butte was telling of the earthquake what happened at her house. When it shook the children said maybe a horse was rubbing against the house. She felt a second one when her big Boxer dog was asleep under the bed when the dog started scratching under the bed.

[From the Hungry Horse News and Glacier (Mont.) Reporter, Mar. 8, 1968]

John Tatsey Writes Again

(By John Tatsey, Glacier Reporter)

Heart Butte.—Hello readers! It has been a long time since there was any news from Heart Butte, the reporter has been in another world for the past six weeks and found out that the people were missing his news.

Mel Ruder from Columbia Falls was around Heart Butte school taking pictures of the school and the students and the teachers.

Mr. Ruder was at the Reporters home Monday to see if Tatsey was alive or sick, took pictures of the old log cabin.

A Mr. Tom from Cardston was at John Tatsey Place looking for Indian relics, he picked up a crow tail which is used by fancy dancers.

The Reporter was down around Wolf Point and Poplar visiting his daughter Mildred, she had the misfortune of breaking her ankle when she slipped on ice and fell but she is up and around with foot in a cast.

The Indian dance at Heart Butte was a good one, a lot of dancers and many visitors from Canada and Browning, everyone really enjoyed themselves, a lot of good coffee and eats, one or two staggered.

While in Poplar a souix indian was talking about guys drinking, he said one fellow was smoking a cigar and push the cigar to one side and stuck the bottle on the other side and drank and I told him what I saw in Browning one evening. I was in a room and a man came in about three sheets in the air and pulled out two bottles from both sleeves, opened them and stuck both bottles in his mouth and drank from the two at the same time. None ran out of his mouth. All he said was you win.

Old Stoles Head Carrier is really tied up, he has his grandchildren and can not leave his son and daughter in law are in town, the daughter in law is in the hospital.

A letter was received from Robert James Grant who is at McNeil island and was wondering why their was no more news from Heart Butte.

The Reporter was in Cut Bank last week and ran into Jim Murphy an old friend and asked why I was not writing, he said the paper was not any good with no Heart Butte news.

While in Poplar went to a bingo game all indians. They sold lunches, berry soup, pemican. All indian stuff and real good, all these were sold to raise money for this summers celebration, they said what has been collected is around $2200 and seven head of beef, this will be the last week in July. Good place to go and eat.

Latest on Stoles Head Carrier. On ground hog morning Stoles came out and saw his shadow and stayed home, some one came and gave him a carrot to chew on and some one else came along and gave him a banana and he ate that to.

Tim Morgan VISTA worker from Browning was out on Badger looking for the Reporter to get him to pick short stories of happenings at Heart Butte.

[From the Hungry Horse News and Glacier (Mont.) Reporter, Mar. 22, 1968]

Gophers Indicate Spring Arrival

(By John Tatsey)

Heart Butte.—There has been different animals showed up around that returned from the south. Kildeers and some gophers. Stoles Head Carrier showed up in Browning last week so it sure must be spring.

Joe Running Crane left last week for the hospital at Conrad where he is under treatment.

Aron Racine spent the winter at Heart Butte with his Son Teke and last week his other son from Old Agency came and took him home.

Lanie Red Head has come back to Heart Butte and stepped back into his old shoes.

There was a stick game at Wm. Running Crane home, a large crowd attended. Badger Creek boys meet tuff opponents. Games lasted till 5:00 A.M. Sunday, next day everyone was in sleepy hollow.

Andrew Round Man left last week on a short vacation and came home Monday with a head ache.

Henry Burd has been out on Badger Creek and is staying at the Joe Gallager home till he gets his own house on a foundation.

There isn't too much going on during all the good weather, everyone just laying around with spring fever.

Happening of thirty years ago, Chief Little Plume had a brother who was very near sighted, he goes all over. Little Plume told his brother don't go to the river because the slough is real high with waters and I saw a young woman standing in water up to the waist. So Stretch Out was the brothers name and he goes down toward the river and Little Plume saw him and got ahead of him and got in the water where the brother come in the water, Little Plume dove and pulled Stretch Out under the water and he was calling for help. The brother pushed to shore and went home ahead of Stretch Out and when he came in Little Plume asked him where he had been and he told him what happened. He said what pulled him under the water was half woman and the other half fish. It was first topless dress. This is true. Next week there will be another story between these brothers.

[From the Hungry Horse News and Glacier (Mont.) Reporter, Mar. 29, 1968]

More About Little Plume, Stretch Out

(By John Tatsey, Glacier Reporter)

Heart Butte.—Second part of Little Plume and brother Stretch Out. He told him to stay away from the barn because there were some horses in there and they would kick him. Stretch Out went out of there house and was walking around and finally headed to the barn so Little Plume saw him and went ahead of him and stood inside the door, his brother came to the door with his cane saying whoa whoa, by that time Old Little Plume hit him on the chest and down he went and started to call for help. His brother pulled him up told him I told you not to go there or you would get a kick.

SELLS TRAP

The Reporter sold a Bear trap to Milo last week. He said he would set it in the door way and might trap a prowler. Better be careful Milo he might step into it when he comes home at late hour on a weekend.

The weather has been really nice and the people are sunning themselves.

There was a meeting at Heart Butte community building and a few attended. Object of the meeting was to plan a way to spend the money that is coming from the Sweet Grass claim.

There still having stick games on Badger Creek on Saturday and Sunday evenings. Last Saturday night there was a large crowd and some folks came all the way from Ronan, played two nights and went home winner.

BAD BOYS

There was a little trouble last Sunday evening when a young boy beated up on his grandfather. It is getting really bad when boys get that bad.

Mr. and Mrs. Joe Calf Boss Ribs and daughter Gene were at the Tatsey place transfering Indian songs from a tape recorder to a record player.

Joe Running Crane has been home after being in the hospital in Conrad and he is feeling fine.

The seventy to eighty year group are beginning to show up after the weather warm up but they are still under cover.

Stoles Head Carrier got some lease money and went to Great Falls to get a brace for his leg but ran into a friend and forgot it. He got some other kind of bracer and came back to the reservation. Now baby sitting.

Tom Lame Bear has been gone for over a month. No one knew where went and finally heard of him being in Great Falls where mooching is good.

One morning Joe was sitting in his house looking around and saw a Guy going house to house looking for opener.

SOLUTION FOR CAMPUS DISTURBANCES

Mr. STENNIS. Mr. President, two noted educators of national reputation have taken hard looks at the turbulent student unrest besieging this Nation and have arrived at conclusions that get right to the heart of the matter.

Hard work and strict law and order—two of the characteristics upon which this Nation was founded—are being mingled with the educational processes to bring about learning in an atmosphere of peaceful dignity.

The educators I refer to are Dr. Lawrence C. Jones, administrator of the Piney Woods Country Life School in Piney Woods, Miss., and Rev. Theodore

M. Hesburgh, president of Notre Dame University.

The students at Piney Woods take pride in the fact that they work hard, and Dr. Jones attributes this to the orderly operations at his school. A rigorous student schedule is a sure answer to student unrest, one that is in effect now and is clearly working.

Reverend Hesburgh has taken an equally practical approach. He has promised to expel on the spot any student or faculty member who disrupts normal campus operations. The Notre Dame president states that the law must be enforced strictly if educational institutions are to remain standing.

I commend the thoughts and actions of both of these men. These are not hit-and-miss statements made to look good in the newspaper the following day. These are practical solutions that are now being used to combat in an effective manner a deeply disturbing situation.

I can appreciate the fact that the large majority of our students are earnestly seeking a serious education.

We must always protect the right of our young people to learn, and as leaders of our States and Nation, we must begin working to see that this privilege is forever preserved.

I urge every local, State, and National leader and officeholder, including the Members of Congress, the Governors of States, and all in the executive branch to take a long, hard look at the approaches of these two men to this disturbing problem.

I judge that the news media have not given a great deal of attention to or sought the advice too frequently of these two outstanding men. But I judge further that if disturbances of any magnitude occur during the day, those creating the disturbances will be, perhaps, on the television screens in the homes of countless millions of people this evening—giving emphasis to the negatives and to the disrupting influences rather than to the constructive, practical approach of these two noted educators.

I ask unanimous consent, Mr. President, to have printed at this point in the Record an article published in the Press-Telegram of January 13, 1967, and articles published in the New York Times of February 18, 1969.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Long Beach (Calif.) Press-Telegram, Jan. 13, 1967]

Piney Woods Pupils Too Busy for Trouble and They Pay Their Own Way

(By Jim Nesbitt)

How to control today's turbulent, impetuous youths?

Put 'em in school 12 hours a day, 12 months a year, says a famed educator from the Deep South—Dr. Laurence C. Jones.

And let them pay their own way.

That's how he's been running the Piney Woods Country Life School, Piney Woods, Miss., for the pass 58 years. And, he swears, the kids love it.

But then, Piney Woods is a special place—and Dr. Jones a remarkable man.

He antedated the "war on poverty" by over half a century when, fresh out of Iowa State University, he traveled south in 1909 as a one-man VISTA corps to see if, with his education, he could be of help to the masses of indigent, illiterate Negro sharecroppers.

Piney Woods, in forested southeast Mississippi, is mediocre cropland, but Jones found fertile ground for his ideas there one day when he sat under a cedar tree and ventured to teach a boy how to read.

The boy brought along a horde of friends for the second day's lesson.

"Nearby was an abandoned log cabin occupied by a flock of sheep," Jones said this week in a talk to Long Beach Rotarians. "We drove out the sheep, moved in, and that was the start of Piney Woods School."

For a while the school survived on eagerness alone. Then Jones revealed a talent for fundraising.

He cajoled friends up North, university acquaintances, bankers. A Piney Woods sawmill operator donated lumber for a new schoolhouse, and Jones and his pupils built it.

The school began acquiring land, at $10 an acre, for campus and for crops. A herd of Ayrshire cattle was donated.

More buildings went up and were equipped: a machine shop, a woodworking shop, a dairy barn, dormitories, more classrooms. A newspaper, "The Pine Torch," was established.

Southern whites as well as northerners contributed.

When the pupils were not studying they were working—in the shops, in the fields, in the kitchen. And when Jones wasn't teaching he was out looking for more money.

He found a lot of it in 1955 when he appeared on Ralph Edwards' "This Is Your Life" show in Hollywood.

"Edwards made a pitch at the end of the program for every listener to send us $1," Jones recalled. "I hadn't even left for home when I got a telegram from Piney Woods asking what should be done with the 60 sacks of mail that had arrived.

"Within a couple of weeks we received $1,017,000. Some of those people were careless—instead of enclosing $1, they dropped in $10 or $20."

The school now has an endowment fund of $4 million and 1,600 acres of land. Jones has won degrees from three universities and a medal from the Freedoms Foundation.

For the 350 boarding students who are striving for high school and junior college diplomas at Piney Woods, it's a rigorous regimen: up at 5 a.m., breakfast at 6, work or school at 7 (they spend mornings at one endeavor, afternoons at the other), athletics at 4 p.m. and then study, study, study.

"Desire is the only qualification for enrollment," says Jones.

Dropouts? "Hardly any."

Disciplinary problems? "None."

"Everyone's too busy to get into trouble," Jones explained. "Wouldn't it be grand if every school were run this way?"

[From the New York Times, Feb. 18, 1969]

Force by Protesters Barred

(By John Leo)

South Bend, Ind., February 17.—The president of the University of Notre Dame warned today of on-the-spot expulsion for any student or faculty member who disrupts normal campus operations.

"Anyone or any group that substitutes force for rational persuasion, be it violent or nonviolent," said the Rev. Theodore M. Hesburgh, "will be given 15 minutes of meditation to cease and desist."

At that point, he said, demonstrators would be asked for campus identity cards. Those with cards would immediately be suspended and given five minutes more to cease demonstrating before being expelled from the university. Those without cards would be presumed to be nonmembers of the university community and would be subject to arrest as trespassers.

STAND MUST BE MADE

"Without the law," said Father Hesburgh, "the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim. Somewhere a stand must be made."

Father Hesburgh's statement came in an eight-page open letter to faculty and students. He said the letter reflected "a clear mandate" from the university community to draw a line between orderly demonstrations and obstructive tactics.

The letter came three months after small groups of students obstructed access to on-campus recruiters from Dow Chemical and the Central Intelligence Agency, and a week after some students forced their way into a campus building to show stag movies that had been withdrawn from a student-sponsored conference on pronography and the law.

"No one wants the forces of law on this or any other campus," Father Hesburgh wrote, "but if some necessitate it, as a last and dismal alternative to anarchy and mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay."

"We cannot allow," he said, "a small minority to impose their will on the majority who have spoken regarding the university's style of life; we cannot allow a few to substitute force of any kind for persuasion to accept their personal idea of what is right and proper."

"The last thing a shaken society needs is more shaking," he said. "The last thing a noisy, turbulent and disintegrtaing community needs is more noise, turbulence and disintegration. Understanding and analysis of social ills cannot be conducted in a boiler factory. Complicated social mechanisms, out of joint, are not adjusted with sledge hammers."

"All I tried to say," Father Hesburgh added in an interview, "is that we welcome and protect orderly dissent, but we're not going to let anybody destroy the place."

[From the New York Times, Feb. 18, 1969]

San Francisco State Calm

San Francisco, February 17.—Spring semester classes opened at San Francisco State College today with almost 100 per cent attendance from both faculty and students.

Enrollment was estimated at between 16,000 and 17,000, compared to about 18,000 for the fall semester.

There were few pickets, and these were there to hand out leaflets. Only the unpainted plywood in some windows served to recall that the campus had been the scene of violent clashes since Nov. 6 between hundreds of San Francisco policemen and students. The plywood replaced windows broken in bomb blasts over the weekend.

UNION ISSUES LEAFLETS

The American Federation of Teachers Local 1352, which struck the college Jan. 6, issued leaflets that explained that members would return to their classrooms to meet "the first (and only the first) section of each course."

Students and faculty each must sign class cards to complete registration.

Only one attempt at class disruption was reported. This occurred in a class conducted by John Bunzel, an associate professor of political science who has been a target of criticism from militants since he spoke out against giving Negro students control of a black studies program.

Jonnie Jenkins, a Negro student, stood in Dr. Bunzel's class to read from the sayings of Chairman Mao Tse-tung. The lecturer, equipped with a microphone and sound amplifier, easily overrode the disruption, which lasted for about 20 minutes.

Dr. S. I. Hayakawa, the acting college president, vowed at a news conference yesterday afternoon to keep the school open.

At the University of California at Berkeley today, one student was arrested by California highway patrolmen who broke up an unauthorized rally on the steps of Sproul Hall.

Student strikes at both campuses grew out of demands for ethnic studies programs.

OUR CONTINUING COMMITMENT TO LITHUANIAN FREEDOM

Mr. **DODD.** Mr. President, on February 16, 51 years ago, the Lithuanian people proclaimed their independence from foreign rule and established an independent Lithuanian state. This state was recognized by all of the countries of the free world. Initially, the Bolshevik government which had been established in Moscow refused to recognize it, and sought to crush it militarily. But finally the Soviet Government was compelled to abandon its invasion of Lithuania and to enter into a treaty of peace. In this treaty, it declared that it "voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and their territory."

For 20 years thereafter the Lithuanian people knew the blessings of peace and freedom.

But then came World War II, and Moscow took advantage of the infamous Hitler-Stalin pact to invade and occupy the three Baltic countries of Latvia, Lithuania, and Estonia.

As one American Senator, I take pride in the fact that our Government has, to this day, refused to recognize the annexation of the Baltic countries by the Soviet Union, and that it underscores its continuing commitment to the freedom of the Baltic peoples by recognizing the pre-World War II embassies of Latvia, Lithuania, and Estonia as the legitimate representatives of their peoples.

I also take pride in the fact that, over the years, Congress, too, has refused to reconcile itself to the enslavement of the Baltic peoples, and that every year at this time Senators and Representatives have taken the floor to renew our commitment to the proposition that the peoples of the Baltic countries and of other captive nations are also entitled to enjoy the benefits of those freedoms which are assured to all peoples by the United Nations Charter.

There are those cynics who say that the gesture is meaningless, and that we must accept the reality of Soviet rule in the Baltic countries today and forever more. I disagree with these cynics.

I believe that no tyranny is permanant. I also believe that the series of uprisings in East Germany in 1954, in Poland and Hungary in 1956, and in Czechoslovakia in 1968, as well as the massive intellectual ferment in the Soviet Union itself, all point to the early demise of Soviet tyranny in the not-too-distant future.

Mr. President, I ask unanimous consent to insert in the RECORD at this point the text of a statement I made before the Lithuanian American Society of Washington on Sunday, February 9.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT FOR LITHUANIAN AMERICAN SOCIETY OF WASHINGTON BY SENATOR THOMAS J. DODD, FEBRUARY 9, 1969

Mr. Kajeckas, Miss Darlys, Reverend Clergy, Friends.

Although I know that the press of our country is disposed to overlook the observance of Lithuanian Independence Day and the commemorative function that takes place in most of our major cities, I am nevertheless pleased and honored that you have asked me to join you today in this solemn observance of the 51st anniversary of Lithuanian independence.

The fact that this observance will not make headline news is of no concern to me. If a cause is morally right, then it is a matter of simple duty to speak for it and to work for it, despite popular apathy, despite the indifference of the press, despite the lack of official encouragement, and despite the opposition of the appeasers and the cynics.

That is why I consider it my duty to join you in observing the anniversary of the establishment of an independent Lithuanian state.

I join you, too, in calling for the restoration to the Lithuanian people and to all the other captive peoples, of those human freedoms which are supposed to be guaranteed to every people by the United Nations Charter.

And to those who say that such observances are futile and that we must reconcile ourselves to the permanent enslavement of the Baltic peoples and of the other captive nations, my reply is that the defense of freedom is never futile, and that no man who values freedom can reconcile himself to the perpetuation of tyranny.

No man, in my opinion, is truly free unless he is prepared to proclaim with Thomas Jefferson that he has "sworn on the altar of God eternal hostility to every form of tyranny over the mind of man."

If I have sometimes spoken up on behalf of the Lithuanian people and the other captive peoples of Europe, if I have sometimes urged that we seek after more effective ways of promoting their liberation, it has been a simple matter of conscience. I would have been delinquent had I done less.

The history of the Lithuanian people, as I have read it, is an epic story of heroism and suffering and of man's unquenchable will to assert his God-given human rights. It is a story to be told again and again, for free men everywhere have much to learn from it.

I believe the story of Lithuania should be told for another reason. Better than any story I know, it illustrates the nature of the enemy we now confront. It teaches us how much trust can be placed in treaties with the Kremlin, in its pledges of co-existence, in its off-and-on pretenses of friendship. It teaches us how inhuman international Bolshevism is, how utterly without morality or restraint.

When the Lithuanian people, at the close of World War I, established their own government and proclaimed their independence, the Bolsheviks invaded the newly established state. There were many bitter battles but finally the Lithuanian people emerged triumphant. On July 19, 1920, the Soviet government signed a treaty of peace. It declared in this treaty, mark these words well, that it "voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and their territory."

For twenty years Lithuania knew peace and independence. During this period, there was a great renaissance of national literature and culture.

But then came the Hitler-Stalin Pact and the partition of Poland between Germany and the Soviet Union. Almost immediately, the Kremlin demanded permission to place 20,000 troops in Lithuania for the duration of the war. These troops, it was emphasized, would be removed at the end of the war. Prime Minister Stalin himself stated, and again mark these words well, "we respect the independence of the Lithuanian state. We are disposed to defend its territorial integrity."

History records no blacker or more perfidious lie by the head of a great state.

On October 10, 1939, only two weeks after the original demand was served on Lithuania, the Soviet Union concentrated its armed forces on the Lithuanian frontier. The government of this brave little nation had no alternative but to sign the pact of mutual assistance which the Kremlin placed before it. But at the point of signing, they discovered that the clause stipulating that Soviet bases would be maintained in Lithuania only for the duration of the war had been stricken from the agreement, on the personal instruction of Stalin.

This was only the beginning of the perfidy. Eight months later, on June 14, 1940, the Soviet government demanded that the Lithuanian Minister of the Interior and Director of Security be brought to trial, that a government friendly to the Soviet Union be installed and that the Red Army be granted free entry in force into the territory of Lithuania. There was not even time to reply to this ultimatum. The very next day, on June 15, the Red Army occupied Lithuania and the government was compelled to flee abroad.

The Communists had made their plans carefully, as they always do, and they moved rapidly. They had a quisling regime ready to install. They had their lists of names of Lithuanian patriots who were slated for arrest and execution. They had their plan of action.

On July 7, three weeks after the occupation, the quisling regime ordered the liquidation of all non-Communist parties and the arrest of their leaders. On July 14 and 15, the people were compelled to vote in national elections with only the Communist Party represented.

The story of what happened in Lithuania after the elections of 1940 is a grim tragedy, the facts of which are known to all of you.

There were the mass deportations of intellectuals and political opponents.

Then there was the grim resistance, first, against the Bolshevik occupiers; then against the Nazi occupiers; then, once again, against the Bolsheviks.

There was the long period of total darkness when the Baltic countries were cut off from all contact with the rest of the world because Moscow did not want the world to see the horror that was being perpetrated there.

And today, almost twenty-four years after the adoption of the United Nations Charter, the Lithuanian people still suffer in silent oppression the cruelest tyranny in their long history of experience with tyrants.

But despite everything that has happened, I am confident that freedom will ultimately prevail for the people of Lithuania and for the other captive people of Europe.

The despots of the Kremlin may be efficient, but, like all tyrants, they have a blind spot. They believe that, with enough oppression, they can ultimately destroy the human will to freedom. How wrong they are!

The fact is that neither one generation nor two generations nor ten generations of brainwashing can produce a breed of men that is willing to accept the denial of their God-given human rights as natural and proper. This is proved by the East German uprising of 1954; the Poznan revolt and the Hungarian revolution of 1956; the Czechoslovak revolt for freedom last year and the earlier revolt of the Polish intellectuals; and the continuing resistance of the Lithuanian people and of all the other peoples of the captive nations. Yes, and it is also proved by the massive intellectual ferment which has been sweeping like wildfire through the Soviet Union itself.

I therefore venture to prophecy that, be-

fore I am too old to travel, I will someday have the great pleasure of visiting a free Lithuania; of visiting the ancient capital of Vilnius, which I have so often wanted to see; and of renewing there our pledge to freedom and to enduring friendship between the Lithuanian and American nations.

Mr. DODD. Mr. President, by way of documenting the perfidies practiced by the Soviet Government in its invasion and occupation of the Baltic countries, I also ask unanimous consent to insert in the RECORD a number of items from the study of "Nazi-Soviet Relations, 1939–41," published by the Department of State in 1948. These documents, I should point out, were taken from the archives of the German foreign office.

There being no objection, the items from the study were ordered to be printed in the RECORD, as follows:

Nazi-Soviet Relations, 1939–41

(Documents from the Archives of the German Foreign Office, edited by Raymond James Sontag and James Stuart Beddie, Department of State, 1948)

[Frames 182–183, serial F 19]

Secret Additional Protocol

On the occasion of the signature of the Nonaggression Pact between the German Reich and the Union of Socialist Soviet Republics the undersigned plenipotentiaries of each of the two parties discussed in strictly confidential conversations the question of the boundary of their respective spheres of influence in Eastern Europe. These conversations led to the following conclusions:

1. In the event of a territorial and political rearrangement in the areas belonging to the Baltic States (Finland, Estonia, Latvia, Lithuania), the northern boundary of Lithuania shall represent the boundary of the spheres of influence of Germany and the U.S.S.R. In this connection the interest of Lithuania in the Vilna area is recognized by each party.

2. In the event of a territorial and political rearrangement of the areas belonging to the Polish state the spheres of influence of Germany and the U.S.S.R. shall be bounded approximately by the line of the rivers Narew, Vistula, and San.

The question of whether the interests of both parties make desirable the maintenance of an independent Polish state and how such a state should be bounded can only be definitely determined in the course of further political developments.

In any event both Governments will resolve this question by means of a friendly agreement.

3. With regard to Southeastern Europe attention is called by the Soviet side to its interest in Bessarabia. The German side declares its complete political disinterestedness in these areas.[1]

4. This protocol shall be treated by both parties as strictly secret.

Moscow, August 23, 1939.

For the Government of the German Reich:

V. RIBBENTROP.

Plenipotentiary of the Government of the U.S.S.R.:

V. MOLOTOV.

[Frames 0326–0325, serial F 2]

Secret Supplementary Protocol

The undersigned Plenipotentiaries declare the agreement of the Government of the German Reich and the Government of the U.S.S.R. upon the following:

The Secret Supplementary Protocol signed on August 23, 1939, shall be amended in item 1 to the effect that the territory of the Lithuanian state falls to the sphere of influence of the U.S.S.R., while, on the other hand, the province of Lublin and parts of the province of Warsaw fall to the sphere of influence of Germany (cf. the map attached to the Boundary and Friendship Treaty signed today). As soon as the Government of the U.S.S.R. shall take special measures on Lithuanian territory to protect its interests, the present German-Lithuanian border, for the purpose of a natural and simple boundary delineation, shall be rectified in such a way that the Lithuanian territory situated to the southwest of the line marked on the attached map should fall to Germany.

Further it is declared that the economic agreements now in force between Germany and Lithuania shall not be affected by the measures of the Soviet Union referred to above.

Moscow, *September 28, 1939.*

For the Government of the German Reich:

J. RIBBENTROP.

By authority of the Government of the U.S.S.R.:

W. MOLOTOW.

[Frame 0329, serial F 2]

Secret Supplementary Protocol

The undersigned plenipotentiaries, on concluding the German-Russian Boundary and Friendship Treaty, have declared their agreement upon the following:

Both parties will tolerate in their territories no Polish agitation which affects the territories of the other party. They will suppress in their territories all beginnings of such agitation and inform each other concerning suitable measures for this purpose.

Moscow, *September 28, 1939.*

For the Government of the German Reich:

J. RIBBENTROP.

By authority of the Government of the U.S.S.R.:

W. MOLOTOW.

The Minister then stated that particularly in view of the known attitude of Germany he had omitted one point in the note, which the other Lithuanian Ministers would include in their notes to the governments to which they were accredited, namely, the request that the incorporation not be recognized. The Minister asked whether he could not at least orally present this request here. I rejected this, whereupon the Minister stated that the request was to be considered as not having been made. Finally, the Minister said that he intended to make known his action by an announcement from the Berlin office of the Elte Agency, since this appeared to him necessary for the assertion of his personal attitude toward events.

I requested the Minister to refrain from this, and he promised to comply.

Transmitted to the Reich Foreign Minister through the State Secretary with the request for instructions whether the note should be retained here. The Latvian and Estonian Ministers may be expected to present similar notes here. The Latvian Minister had already made an appointment with me for 5:30 p.m. today.

WOERMANN.

[Enclosure]

The Lithuanian Minister in Germany (Skirpa) to the Reich Foreign Minister

BERLIN, *July 21, 1940.*

(3991) HERR REICH MINISTER: I have the honor, Excellency, to bring the following to your attention:

As is already known, on June 14, 1940, the Union of Soviet Socialist Republics presented an ultimatum to Lithuania under flimsy and unjustified pretexts, in which it was demanded:

1. that the constitutional government of Lithuania be forced to resign immediately;
2. that the Minister of the Interior and the Chief of the State Security Police be tried without preferring charges based on law, and
3. that free and unlimited entry of Soviet military forces into Lithuania be granted.

On the following day the Russian Red Army, after having attacked the Lithuanian frontier guards, crossed the Lithuanian border and occupied all of Lithuania. Furthermore, a puppet government was forced upon us by a high Soviet official sent from Moscow for this purpose, and the entire administration was put under the control of the Government of the Soviet Socialist Republics.

In order to incorporate Lithuania fully into the Union of Soviet Socialist Republics, elections to the Seim (Parliament) were ordered on July 14, resulting in the greatest falsification of the will of the Lithuanian population.

In order to quell any expression of resistance, even before the elections all Lithuanian clubs and organizations were suppressed, the Lithuanian press was seized and its editors removed by force, and the more or less influential personalities in public life were arrested. People who previously were considered open enemies of the Lithuanian State were appointed to Government offices, particularly in the State Security Police.

The Communist Party was the only political organization which was allowed to function legally. And it then exerted the decisive influence on the scheduled elections. Only one list of candidates was permitted, namely, the one that was agreeable to the Communist Party.

In order to force the necessary participation in the elections anybody who did not wish to vote was threatened with being declared an enemy of the people, and personal attendance was strictly checked.

It was immediately obvious that the Seim, elected under such circumstances, was only a blind tool in the hands of the Communist Party and thereby of the Government of the Soviet Socialist Republics. Today, on July 21, 1940, the Seim adopted a resolution to establish the Soviet system within the country and to incorporate Lithuania into the Union of Soviet Socialist Republics of Russia.

All these measures of the Government of the U.S.S.R. amount to a flagrant violation of all treaties signed between the Republic of Lithuania and the U.S.S.R., in particular however:

1. of the Peace Treaty of July 12, 1920, by which the U.S.S.R. as successor of the former Russian Tsarist Empire recognized unconditionally the independence and autonomy of Lithuania, and by which she renounced forever all rights of sovereignty which Russia previously had over Lithuania (see article 1);

2. of the Nonaggression Pact of September 22, 1926, and of its renewals of May 6, 1931, and of April 4, 1934. In this Pact the U.S.S.R. obligates herself to respect the sovereignty of Lithuania as well as her territorial integrity and inviolability under all circumstances (see article 2) and to refrain from any use of force (article 3);

3. Of the Mutual Assistance Pact of October 10, 1939, in which the Government of the U.S.S.R. repeats a solemn assurance to Lithuania not to violate in any way the sovereignty of the Lithuanian State, as well as its internal order.

In view of all these circumstances I feel compelled as the Minister appointed by the constitutional agencies of the Republic of Lithuania and accredited to the German Reich to lodge the most solemn and determined protest against the oppression of my country and the deprivation of sovereignty and national independence of Lithuania by the Union of Soviet Socialist Republics, and to declare that because the above-mentioned resolution of the Seim was imposed by Russian occupation authorities it amounts to nothing but the most outrageous falsification of the expression of the will of the Lithuanian people and that it is in the sharpest conflict with the constitution and interests of the Lithuanian State, as well as the free right of self-determination of nations, and that, therefore, it cannot be recognized as valid in any way.

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[1] The German text of this article of the Protocol is as follows: "Hinsichtlich des Südostens Europas wird von sowjetischer Seite das Interesse an Bessarabien betont. Von deutscher Seite wird das völlige politische Desiuteressement an diesen Gebieten erkärt."

For a statement by the Reich Foreign Minister concerning the discussion of these subjects at the time of the conclusion of the Nonaggression Pact, see Ribbentrop's memorandum for Hitler of June 24, 1940, *post*, p. 157.

I avail myself of the opportunity to renew to Your Excellency the assurance of my highest consideration.

K. SKIRPA.

[Frames 214780–214781, serial 104]

FOREIGN OFFICE MEMORANDUM

BERLIN, *July 22, 1940.*

The Latvian Minister called on me today and gave me the enclosed letter to the Reich Foreign Minister, in which he as Minister of the "legitimate Government of Latvia" protests against the incorporation of Latvia into the Union of Soviet Socialist Republics. In this connection the Minister remarked that he would not think of creating any difficulties for Germany. None could, in his opinion, result from his entering this protest here.

I told Herr Kreewinsch that I would keep his letter personally for the time being. I would notify him later whether the letter could remain here or not.

In connection with the memorandum of the conversation with the Lithuanian Minister,[1] there is transmitted herewith this report to the Reich Foreign Minister through the State Secretary, with the request for action.

WOERMANN.

[Frame 112966, serial 104]

THE REICH FOREIGN MINISTER TO THE GERMAN AMBASSADOR IN THE SOVIET UNION (SCHULENBURG)

(Telegram—No. 57 Teletype from Fuschl No. 12 of January 10, 11:45 p.m.)

Reference your telegram No. 50 of January 8.[1]

I request you not to broach the question of increased German troop shipments to Rumania with the Soviet Government. Should you be approached regarding the matter by Herr Molotov or some other influential person in the Soviet Government, please say that according to your information the sending of German troops was exclusively a matter of precautionary military measures against England. The English already had military contingents on Greek soil and it was to be expected that they would further increase those contingents in the immediate future. Germany would not under any circumstances tolerate England's gaining a foothold on Greek soil. Please do not go into greater detail until further notice.

RIBBENTROP.

[Frames 833–834, serial F 15]

SECRET PROTOCOL

The German Ambassador, Count von der Schulenburg, Plenipotentiary of the Government of the German Reich, on the one hand, and the Chairman of the Council of People's Commissars of the U.S.S.R., V. M. Molotov, Plenipotentiary of the Government of the U.S.S.R., on the other hand, have agreed upon the following:

1. The Government of the German Reich renounces its claim to the strip of Lithuanian territory which is mentioned in the Secret Supplementary Protocol of September 28, 1939[2] and which has been marked on the map attached to this Protocol;

2. The Government of the Union of Soviet Socialist Republics is prepared to compensate the Government of the German Reich for the territory mentioned in Point 1 of this Protocol by paying 7,500,000 gold dollars of 31,500,000 Reichsmarks to Germany.

The amount of 31.5 million Reichsmarks will be paid by the Government of the U.S.S.R. in the following manner: one-eighth, that is, 3,937,500 Reichsmarks, in non-ferrous metal deliveries within three months after the signing of this Protocol, the remaining seven-eighths, or 27,562,500 Reichsmarks, in gold by deduction from the German gold payments which Germany is to make by February 11, 1941 in accordance with the correspondence exchanged between the Chairman of the German Economic Delegation, Dr. Schnurre, and the People's Commissar for Foreign Trade of the U.S.S.R., Herr A. I. Mikoyan, in connection with the "Agreement of January 10, 1941 concerning reciprocal deliveries in the second treaty period on the basis of the Economic Agreement between the German Reich and the Union of Soviet Socialist Republics of February 11, 1940."

3. This Protocol has been executed in two originals in the German language and two originals in the Russian language and shall become effective immediately upon signature.

Moscow, *January 10, 1941.*

By authority of the Government of the U.S.S.R.:

(SEAL) V. MOLOTOV.

For the Government of the German Reich:

(SEAL) SCHULENBURG.

[Frames 112984–112986, serial 104]

THE STATE SECRETARY IN THE GERMAN FOREIGN OFFICE (WEIZSÄCKER) TO THE REICH FOREIGN MINISTER

BERLIN, *January 17, 1941.*
(Secret)

St. S. Nr. 52.

By wire by fastest means to the Reich Foreign Minister (teletype or telephone).

The Russian Ambassador called on me this afternoon. On the basis of a memorandum which he handed me later on, he stated the following:

"According to all reports, German troops in great numbers are in Rumania and are now prepared to march into Bulgaria, having as their goal the occupation of Bulgaria, Greece, and the Straits. There can be no doubt that England will try to forestall the operations of German troops, to occupy the Straits, to start military operations against Bulgaria in alliance with Turkey, and turn Bulgaria into a theater of operations. The Soviet Government has stated repeatedly to the German Government that it considers the territory of Bulgaria and of the Straits as the security zone of the U.S.S.R. and that it cannot be indifferent to events which threaten the security interests of the U.S.S.R. In view of all this the Soviet Government regards * * *

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF ADMINISTRATOR OF VETERANS' AFFAIRS

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, transmitting, pursuant to law, his report for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Finance.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on policies, procedures, and practices for determining requirements for military family housing and bachelor officer and enlisted quarters, Department of Defense, dated February 18, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on a survey of the cost to design, construct, and equip selected general hospitals in the United States, dated February 18, 1969 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Utah; to the Committee on Appropriations:

"S. CON. RES. 3

"A concurrent resolution of the 38th Legislature of the State of Utah, the Governor concurring therein, requesting the Congress, the President, and the Department of the Interior of the United States to make additional funds available for construction on the Bonneville unit of the central Utah project and to accelerate the planning and construction of the central Utah project

"Be it resolved by the Legislature of the State of Utah, the Governor concurring therein:

"Whereas, the capability for growth in the State of Utah is directly related to its ability to provide a water supply to meet its municipal and industrial needs, with the key to progress being Utah's ability to utilize its legal entitlements to Colorado River water, and

"Whereas, to meet the municipal water requirements of the expanding population in Salt Lake and Utah Counties, a need for delivery of Colorado River water through the authorized Bonneville Unit of the Central Utah Project is required and has been programmed by the Central Utah Water Conservancy District for 1972 with water demands to increase thereafter, and

"Whereas, the funds previously appropriated and utilized for construction on this vital water-resource project have not permitted a progressive or economic construction program; and, if continued will result in a delay in meeting essential water needs with a reduction in economic growth to the State of Utah, an increase in the District's repayment obligation to the Federal Government, and

"Whereas, the reimbursable costs of this project, which represents more than 90% of its total costs, will be repaid to the Federal Treasury with funds from the Central Utah Water Conservancy District in compliance with a contract between it and the Federal Government, from power revenues from the Bonneville Unit Power Complex, and from a portion of Utah's share of Colorado River Storage Project power revenues, and

"Whereas, the President's budget recommended only an $8 million construction program for fiscal year 1970, which is unreasonably low, and represents a reduction from the $11.444 million construction program recommended for fiscal year 1969, and an $11.145 million construction program for fiscal year 1968, and

"Whereas, this Legislature, with the Governor concurring, in its 37th session urged the Congress of the United States, the President, and the Department of the Interior to appropriate the necessary funds to accelerate the construction of the Central Utah Project with an amount for construction of at least $25 million for the Bonneville Unit for fiscal year 1969, and

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[1] *Ante*, p. 168.

[1] Not printed.

[2] *Ante*, p. 107.

"Whereas, the Colorado River Basin Project Act (PL 90–537) directs that the planning report for the Ute Indian Unit of the Central Utah Project shall be completed on or before December 31, 1974, to enable the United States to meet the commitments heretofore made to the Ute Indian Tribe of the Uintah and Ouray Indian Reservation under the agreement dated September 20, 1965.

"Now, therefore, be it resolved, that the 38th Legislature of the State of Utah, the Governor concurring therein, does hereby unanimously request that funds appropriated by the Congress of the United States for construction on the Bonneville Unit of the Central Utah Project for fiscal year 1970 be increased to a minimum of $15 million.

"Be it further resolved, that the Utah Legislature with the Governor's concurrence, again requests that the Congress of the United States, the President, and the Department of the Interior accelerate the construction of the authorized units of the Central Utah Project so that they may be completed on a realistic, progressive, and economic schedule, and to schedule and provide funds so that the planning report for the Ute Indian Unit be completed in compliance with the Colorado River Basin Project Act (Public Law 90–537).

"Be it further resolved, that the Secretary of the State of Utah be, and he hereby is, directed to transmit copies of this resolution to the President of the United States, to the Secretary of the Interior, to the Director of the Bureau of the Budget, to the Upper Colorado River Commission, and to the Senators and Congressmen representing the State of Utah in Congress.

"Attest:

"——— ———,
"Secretary of the Senate.
"——— ———,
"President of the Senate.

"Attest:

"Clair R. Hopkins,
"Chief Clerk of the House.
"——— ———,
"Speaker of the House.

"Received from the Senate this 7th day of February, 1969. Concurred February 10, 1969.

"Calvin L. Rampton,
"Governor.

"Received from the Governor, and filed in the office of the Secretary of State this 10th day of February 1969.

"Clyde L. Miller,
"Secretary of State."

A joint resolution of the Legislature of the State of Montana; to the Committee on Appropriations:

"S.J. Res. 14

"Joint resolution of the Senate and House of Representatives of the State of Montana to the Congress of the United States, urging immediate funds be allocated for the enlargement of the Veterans' Administration Hospital at Fort Harrison, Mont.

"Whereas, the veteran population of the state of Montana has increased in excess of ten thousand veterans in the past few years, and

"Whereas, the continual build-up of the Vietnam war indicates further increases in Montana's veteran population, and

"Whereas, the 160-bed hospital facility presently located at Fort Harrison, Montana, is proving woefully inadequate and causing an increasing waiting list and extended periods of time in waiting: Now, therefore, be it

"Resolved by the Senate and House of Representatives of the State of Montana, That the Legislative Assembly of the State of Montana urgently requests the Congress of the United States to provide adequate funds to increase the present facility at Fort Harrison, Montana, to accommodate a minimum of one hundred (100) additional beds; and be it further

"Resolved, That the Secretary of State is directed to send copies of this resolution to the President of the United States, to each member of Montana's Congressional delegation, and to the Administrator of Veterans Affairs, Washington, D.C.

"I hereby certify that the within Resolution originated in the Senate.

"Walter H. Marshall,
"Secretary of the Senate.
"Thomas O. Judge,
"President of the Senate.
"James R. Felt,
"Speaker of the House."

A resolution adopted by the City Commission of the City of Palatka, Fla., praying for the enactment of legislation to complete the Cross-Florida Barge Canal; to the Committee on Appropriations.

A resolution adopted by the board of trustees of the village of Tinley Park, Ill., praying for the favorable consideration of their application for Federal assistance; to the Committee on Banking and Currency.

Resolution of the Senate, Commonwealth of Massachusetts; to the Committee on Foreign Relations:

"Resolutions urging the President and the Congress of the United States to obtain the immediate release of Lt. Joseph P. Dunn, of Randolph, from Red China

"Whereas, On February 14, 1968, Lt. Joseph P. Dunn of Randolph, a U.S. Navy pilot, was shot down in the China Sea and has been detained by the Red Chinese government, although Peking has acknowledged publicly only the fact of his crashing; and

"Whereas, The unreasonable detention of Lt. Dunn tends to heighten the already tense relationship between Red China and this country while his family and friends attempt to endure the agonizing wait for information as to his well being; now, therefore, be it

"Resolved, That the Massachusetts Senate respectfully urges the President and the Congress of the United States to use all reasonable means to obtain the immediate release of Lt. Joseph P. Dunn from the control of the Peking government; and be it further

"Resolved, That a copy of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of the Congress and to the members thereof from the Commonwealth.

"Senate, adopted, February 5, 1969.

"Norman L. Pidgeon,
"Clerk.

"Attest:

"John F. X. Davoren,
"Secretary of the Commonwealth."

A resolution of the Legislature of the Virgin Islands; to the Committee on Interior and Insular Affairs:

"Bill No. 3917

"Resolution to recommend changes in the Territorial Submerged Lands Act

"Whereas the Territorial Submerged Lands Act (16 USC 1701 et seq.) asserting the federal government's claim to all submerged lands offshore from the Virgin Islands and other territories, and providing for their administration by the Department of the Interior, has now been federal law for over five years; and

"Whereas the federal claim, embodied in this law, to all filled lands around the Virgin Islands beyond the shoreline as it existed in 1917, the date of transfer of these islands from Denmark to the United States, has worked a severe hardship on many private property owners who have long claimed, actually used and sold title to lands filled before passage of this Act; and

"Whereas this law contains a serious conflict between the federal claim to all lands below the mean high water mark and Virgin Islands law which has long held private titles to end at mean low water; and

"Whereas this law contains serious ambiguities concerning the status of shoreline changes by accretion and reliction since 1917, and

"Whereas the administration of this law by the Department of the Interior has proved cumbersome and time consuming, resulting in the virtual preclusion of orderly development of our coastlines; and

"Whereas this law is based on the unjust principle that the Virgin Islands be treated in a different manner from the States of the Union, in that development of our offshore resources are reserved to the federal government while the maritime states, pursuant to the Submerged Lands Act of 1953 (43 USC 1301 et seq.), are allowed to extend their boundaries, generally, to the "three mile limit," and,

"Whereas that principle fails to recognize that the Virgin Islands is a highly developed area with a well organized and responsible government; that its government shares with the federal government and the state governments a concern that offshore areas be developed in an orderly fashion with due regard to all conservation considerations, and that that government is as fully capable of, and intent upon, developing offshore resources in as responsible a manner as any state government; Now, Therefore be it

"Resolved by the Legislature of the Virgin Islands:

"1. That the Virgin Islands should be removed from the provisions of the Territorial Submerged Lands Act of 1963, and

"2. That the basic provisions of the Submerged Lands Act of 1953 be extended to the Virgin Islands, to the end that:

"(a) the Virgin Islands be permitted to extend its boundaries, and thus its proprietary ownership of submerged lands, to the 'three mile limit.' or to the international boundary, whichever is closer, and

"(b) the Virgin Islands be permitted, by law, to equitably adjust private and long established claims to filled lands, and

"(c) the Virgin Islands Government be enabled to administer its offshore resources in a manner which will expeditiously meet the needs of the territory's expanding economy while protecting all conservation needs and observing orderly planning principles, and

"3. That the foregoing steps represent the only just course of action because:

"(a) the Danish Crown, from which the federal government derives its legal claim, held these lands not as private property, but in trust for the people of the Virgin Islands, and

"(b) the Virgin Islands should, whenever feasible, be treated on a basis of parity with the States of the Union, and should be placed on an equal footing with the maritime states with respect to our seaward boundaries.

"4. That copies of this Resolution shall be forwarded to the Secretary of the Interior, the President of the United States, the Speaker of the House of Representatives, and the President of the Senate of the United States, with a request that appropriate legislation be enacted to achieve the goals set forth herein.

"Thus passed by the Legislature of the Virgin Islands on February 3, 1969.

"Witness our Hands and the Seal of the Legislature of the Virgin Islands this 3rd Day of February, A. D., 1969.

"John L. Maduro,
"President.
"A. David Puritz,
"Legislative Secretary."

A resolution adopted by the City Council of the City of Laguna Beach, Calif., praying for a moratorium on the offshore oil drilling and exploration operations in the Santa Barbara Channel; to the Committee on Interior and Insular Affairs.

A resolution adopted by the city council of the city of Crescent City, Calif., opposing acquisition of wilderness area and endorsing the forest service multiple use program; to the Committee on Interior and Insular Affairs.

Two resolutions adopted by the city council of the city of Hawthorne, Calif., requesting assistance in abating the situations resulting from the oil leaking for a certain offshore oil well, and recommending certain actions in regard to the situations resulting from oil leaking from a certain offshore well, respectively; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Board of Harbor Commissioners, City of Santa Barbara, Calif., remonstrating against drilling in the Santa Barbara Channel; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Santa Barbara County, Calif., Board of Supervisors, praying for the permanent cessation of oil drilling operations in the Federal and State waters of the Santa Barbara Channel; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Gary, Ind. Common Council, praying for the enactment of legislation to declare January 15 an official day of celebration in honor of Dr. Martin Luther King, Jr.; to the Committee on the Judiciary.

A resolution adopted by the city council of the city of Elizabeth, N.J., praying for the enactment of legislation to set aside the day of inauguration of the President as a national holiday; to the Committee on the Judiciary.

A joint memorial of the Legislature of the State of Idaho; to the Committee on Public Works:

"SENATE JOINT MEMORIAL 102

"Joint memorial to the Honorable President of the United States, the Honorable Senators and Representatives representing the State of Idaho, the Honorable Chairman of the Public Works Committee of the House of Representatives, and the Honorable Director of the Bureau of the Budget of the Executive Office of the President of the United States

"We, your Memorialists, the members of the Senate and House of Representatives of the Legislature of the state of Idaho, assembled in the Fortieth Session thereof, do respectfully represent that:

"Whereas, flood control of Willow Creek and Sand Creek in Bonneville County, state of Idaho, is essential to prevent flooding and subsequent property damage and to accomplish that end the Ririe Dam Project was authorized in 1962, and

"Whereas, to date the project has received limited amounts of money for the purpose of studying the circumstances and problem with no actual construction having taken place and a token effort in the amount of $800,000 having been included in the fiscal budget of 1970, and

"Whereas, if money had been made available previously and the Ririe Dam constructed, a conservative estimate of five times the total cost of construction would have been saved and the efforts of many federal, state, county, municipal and volunteer agencies could have been utilized for other matters with added economic effects, and

"Whereas, if the Ririe Dam were a reality, this year's endeavors by the same governmental agencies and volunteers would not be required to contain and control the present critical flooding situation and the area affected would not again have been inundated, and

"Whereas, the plans for the Ririe Dam on Willow and Sand Creeks are now complete and lack only Congressional appropriation of moneys for construction of this most vital and necessary disaster control facility: Now, therefore, be it

"*Resolved by the 40th Session of the Legislature of the state of Idaho, now in session, the Senate and House of Representatives concurring,* That the Congress and its respective committees and sub-committees and the President of the United States and his advisors be respectfully petitioned to give the very earliest consideration, approval and authorization for the appropriation of the funds necessary to commence immediate construction of the Ririe Dam; be it further

"*Resolved,* That the Secretary of State of the state of Idaho be, and he is hereby, authorized and directed to immediately forward certified copies of this Memorial to the President of the United States, the Senators and Representatives representing the state of Idaho in the Congress, the Chairman of the Public Works Committee of the House of Representatives, and the Director of the Bureau of the Budget of the Executive Office of the President of the United States."

A memorial of the Senate of the State of New Mexico; to the Committee on Public Works:

"SENATE MEMORIAL 6

"Memorial requesting that the Congress of the United States and the U.S. Army Corps of Engineers take the necessary action to provide for channelization of the Gallinas River within the limits of Las Vegas town and city

"Whereas, the control of the Gallinas river is by three separate units: the city of Las Vegas controlling one bank; the county commission controlling the bed of the river; and the town of Las Vegas the other bank; and

"Whereas, lack of money and confusion over control has resulted in serious problems.

"The growth of trees and shrubs and the presence of debris and trash has caused the level of the river bed to rise several feet, creating the possibility of severe flood damage and of potential health hazards; and

"Whereas, the Gallinas river for many years has been the boundary line, almost the barrier, between the city of Las Vegas and the town of Las Vegas; and

"Whereas, the consolidation in 1970 of the city and the town will begin a new era for the people of Las Vegas, and, if the Gallinas river is channelized, it will provide several areas for city parks; and

"Whereas, the soil conservation service is planning the Adelante project to dam the Gallinas river above Montezuma; this project, which will control floods, will not be finished for more than five years: Now, therefore, be it

"*Resolved by the Senate of the State of New Mexico,* That the Congress of the United States and the United States army corps of engineers take the necessary action to provide for channelization of the Gallinas river within the limits of Las Vegas town and city; and be it further

"*Resolved,* That copies of this memorial be sent to the President, the New Mexico congressional delegation and to the army corps of engineers.

"Signed and sealed at The Capitol, in the City of Santa Fe.

"E. LEE FRANCIS,
"President, New Mexico Senate.
"JUANITA PINO,
"Chief Clerk, New Mexico Senate."

JOINT RESOLUTION OF MAINE LEGISLATURE

Mrs. SMITH (for herself and Mr. MUSKIE) presented a joint resolution adopted by the Legislature of the State of Maine, which was ordered to be printed in the RECORD, as follows:

SENATE JOINT MEMORIAL 102

Joint resolution memorializing Secretaries of Commerce, Treasury, Army, and Interior to act on the Maine Port Authority's application to establish general and special purpose foreign trade zones at Portland and Machiasport; and to revise present oil import quota allocations

We, your Memorialists, the Senate and House of Representatives of the State of Maine, in their One Hundred and Fourth Regular Session assembled, most respectfully present and petition The Honorable Maurice H. Stans, Secretary of Commerce; The Honorable David Kennedy, Secretary of the Treasury; The Honorable Stanley R. Resor, Secretary of the Army, in their capacities as Members of the Foreign Trade Zones Board, and The Honorable Walter J. Hickel, Secretary of the Interior, as follows:

Whereas, the citizens of Washington County have been long denied the opportunity to pursue, in their area, employment which not only results in meaningful economic benefits but also in that feeling of pride and well-being which comes from the knowledge that one's work is meaningful as well; and

Whereas, the expanse and the 90-foot depth of the waters of the roadstead off Machiasport in said county lend themselves to the establishment of docking and off-loading facilities for the oil supertankers of the future; and

Whereas, the absence of an oil refinery in the six-state New England region contributes to the inflated cost of home heating oil which is a source of concern to many citizens of New England; and

Whereas, the facilities of the Maine Port Authority at Portland, Maine and the harbor at Portland are under-utilized; and

Whereas, the recent proposal by the Maine Port Authority to establish a general purpose foreign trade zone at Portland and a special purpose foreign trade subzone at Machiasport has captured the imagination of this Legislature and of New England, due to the positive likelihood of substantial economic and other benefits thereby accruing not only to the citizens of Portland and of Washington County in the form of increased trade and employment, but also to the entire New England region as well because of the prospect of lower fuel prices in the region resulting from the establishment in the Machiasport subzone of an oil refinery as more fully appears in a study prepared and published for the Maine Port Authority, January 17, 1969; and

Whereas, action on the application by the Maine Port Authority to establish said zone and subzone has been unreasonably delayed by the predecessor members of the Foreign Trade Zones Board; and

Whereas, a successful refinery operation and the achievement of lower fuel prices for New England in major part depend upon the readjustment or expansion by the Secretary of the Interior of present oil import quota allocations; now, therefore, be it

Resolved, That your memorialists recommend and respectfully urge to the respective Secretaries of Commerce, the Treasury and the Army, sitting as the Foreign Trade Zones Board, to accord to the said application of the Maine Port Authority the highest priority and to render a prompt decision on the merits thereof; and be it further

Resolved, That your memorialists recommend and respectfully urge to the Secretary of the Interior that in the event of approval of the Authority's application by the Foreign Trade Zones Board, an appropriate allocation under the existing oil import quota be made to such oil refinery operators as locate in the Machiasport subzone; or, in the alternative, that the present restrictions on the importation of crude oil be revised or removed to the end that the best interests of

New England and the nation at large be better served; and be it further

Resolved, That a copy of this Resolution, duly authenticated by the Secretary of State, be transmitted by the Secretary of State to the Honorable Maurice H. Stans, Secretary of Commerce; to the Honorable David Kennedy, Secretary of the Treasury; to the Honorable Stanley R. Resor, Secretary of the Army, to the Honorable Walter J. Hickel, Secretary of the Interior and to each member of Congress from the New England States; and be it further

Resolved, That each copy of this Resolution so transmitted by the Secretary of State be accompanied by a copy of the study made to the Maine Port Authority and published January 17, 1969.

House of Representatives, Read and Adopted, Sent up for Concurrence, January 30, 1969.

Bertha W. Johnson,
Clerk.

In Senate Chamber, Read and Adopted In Concurrence, February 4, 1969.

Jerrold B. Speers,
Secretary.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN (by request):

S. 1035. A bill for the relief of certain postal employees at the Elmhurst, Ill., Post Office; to the Committee on the Judiciary.

By Mr. HRUSKA (for himself and Mr. Curtis):

S. 1036. A bill to provide for the appointment of an additional district judge for the District of Nebraska; to the Committee on the Judiciary.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON:

S. 1037. A bill for the relief of Eulalia Silva De Gouvela;

S. 1038. A bill for the relief of Jose Mauricio Ferreira;

S. 1039. A bill for the relief of Carlos Manuel DeMelo;

S. 1040. A bill for the relief of Antonio Matoshinhos;

S. 1041. A bill for the relief of Maria DeGraca;

S. 1042. A bill for the relief of Belmira Lopes; and

S. 1043. A bill for the relief of Edwando Moniz De Melo; to the Committee on the Judiciary.

By Mr. MATHIAS:

S. 1044. A bill for the relief of Dr. Mohammed Hosain Amirgholi; to the Committee on the Judiciary.

By Mr. PROUTY:

S. 1045. A bill to amend the Internal Revenue Code of 1954 to increase the amount of deduction for each personal exemption to $1,000; to the Committee on Finance.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE (for himself and Mr. Kennedy):

S. 1046. A bill to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Pastore when he introduced the above bill, which appear under a separate heading.)

By Mr. STEVENS:

S. 1047. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for certain funeral expenses; to the Committee on Finance.

(See the remarks of Mr. Stevens when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE:

S. 1048. A bill to require that medicine cabinets used in federally assisted housing be equipped with latches designed to prevent young children from gaining access to the contents of such cabinets; to the Committee on Banking and Currency.

(See the remarks of Mr. Case when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 1049. A bill for the relief of Dr. Angel Solar; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. Dominick):

S. 1050. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Commerce.

By Mr. BIBLE:

S. 1051. A bill to amend the Water Resources Research Act of 1964; to the Committee on Interior and Insular Affairs.

By Mr. PROXMIRE:

S. 1052. A bill to amend the Bank Holding Company Act of 1956 and to provide for a comprehensive study of banking laws and regulations by a National Commission on Banking; to the Committee on Banking and Currency.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK:

S. 1053. A bill to amend title 10 of the United States Code to provide that nationals of the United States and citizens of the Trust Territory of the Pacific Islands may be enlisted in the Armed Forces; to the Committee on Armed Services.

By Mr. MONTOYA:

S. 1054. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to $1,000; to the Committee on Finance.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 1055. A bill for the relief of Maggiorina Magnante; and

S. 1056. A bill for the relief of Dr. and Mrs. Rogelio Roncal; to the Committee on the Judiciary.

By Mr. NELSON:

S. 1057. A bill for the relief of Yin Ting Wong; to the Committee on the Judiciary.

By Mr. McCLELLAN (for himself, Mr. Jackson, Mr. Griffin, Mr. Metcalf, Mr. Mundt, Mr. Percy, Mr. Ribicoff, and Mr. Stevens):

S. 1058. A bill to extend the period within which the President may transmit to the Congress plans for the reorganization of agencies of the executive branch of the Government; to the Committee on Government Operations.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 1059. A bill for the relief of Nasralla Aziz Barber (also known as Badry Barbar);

S. 1060. A bill for the relief of Ibrahim Zakour Eskaf;

S. 1061. A bill for the relief of Lourdes Santiago Aquino; and

S. 1062. A bill for the relief of Alessandro La Rocca, his wife, Maria Vittoria La Rocca, and their two daughters, Daniela and Gianluca La Rocca; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 1063. A bill to temporarily suspend the recent increases in fees for grazing of livestock on public land; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH:

S. 1064. A bill to provide for the extension of the term of certain patents of persons who served in the military forces of the United States; and

S. 1065. A bill to provide for the continuance of certain compensation under the War Claims Act of 1948 and for an increase in the amount of such compensation; to the Committee on the Judiciary.

(See the remarks of Mr. Bayh when he introduced the above bills, which appear under separate headings.)

By Mr. BIBLE (by request):

S. 1066. A bill to provide counsel in the juvenile court of the District of Columbia; to provide for representation in the juvenile court proceedings of the community by the Corporation Counsel; to limit the period for which juveniles may be detained without a hearings; and to prohibit unauthorized mixing of dependents and delinquents in juvenile institutions, and for other purposes;

S. 1067. A bill to establish in the District of Columbia a unified court system in order to provide increased attention to family problems, and for other purposes; and

S. 1068. A bill to define and regulate the practice of psychology in the District of Columbia; to the Committee on the District of Columbia.

By Mr. JAVITS:

S. 1069. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Finance.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. BROOKE (for himself, Mr. Allott, Mr. Anderson, Mr. Bayh, Mr. Bellmon, Mr. Bennett, Mr. Bible, Mr. Case, Mr. Cook, Mr. Dodd, Mr. Dole, Mr. Dominick, Mr. Goodell, Mr. Hatfield, Mr. Hart, Mr. Hughes, Mr. Inouye, Mr. Javits, Mr. Jordan of Idaho, Mr. McIntyre, Mr. Montoya, Mr. Murphy, Mr. Scott, Mr. Stevens, Mr. Schweiker, Mr. Yarborough, Mr. Fannin, and Mr. Goldwater):

S. 1070. A bill to establish a commission to be known as the Commission on Air Traffic Control; to the Committee on Commerce.

(See the remarks of Mr. Brooke when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY (for himself, Mr. Hart and Mr. Tydings):

S. 1071. A bill to amend the Federal Power Act to further promote the reliability, abundance, economy and efficiency of bulk electric power supplies through regional and interregional coordination; to encourage the installation and use of improved extra-high-voltage facilities; to preserve the environment and conserve natural resources; to establish the National Council on the Environment; and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Kennedy when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself, Mr. Cooper, Mr. Aiken, Mr. Allen, Mr. Baker, Mr. Bayh, Mr. Bellmon, Mr. Burdick, Mr. Bible, Mr. Boggs, Mr. Brooke, Mr. Byrd of Virginia, Mr. Byrd of West Virginia, Mr. Cook, Mr. Cranston, Mr. Dodd, Mr. Eagleton, Mr. Eastland, Mr. Ervin, Mr. Fulbright, Mr. Goodell, Mr. Gore, Mr. Gravel, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hollings, Mr. Hughes, Mr. Inouye, Mr. Javits, Mr. Jordan of North Carolina, Mr. Kennedy, Mr. Mansfield, Mr. Mathias, Mr. Mc-

Carthy, Mr. McClellan, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Pell, Mr. Prouty, Mr. Ribicoff, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Sparkman, Mr. Spong, Mr. Stennis, Mr. Symington, Mr. Talmadge, Mr. Tydings, Mr. Williams of New Jersey, Mr. Yarborough, Mr. Young of North Dakota, and Mr. Young of Ohio):

S. 1072. A bill to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965 as amended and Title V of the Public Works and Economic Development Act of 1965 as amended; to the Committee on Public Works.

(See the remarks of Mr. Randolph when he introduced the above bill, which appear under a separate heading.)

By Mr. **BURDICK** (for himself, Mr. Metcalf and Mr. Moss):

S. 1073. A bill to amend the Tariff Schedules of the United States to accord to the Trust Territory of the Pacific Islands the same tariff treatment as is provided for insular possessions of the United States; to the Committee on Finance.

By Mr. **BURDICK** (for himself and Mr. Young of North Dakota):

S. 1074. A bill for the relief of Mr. and Mrs. Arvel Glinz; to the Committee on the Judiciary.

By Mr. **JACKSON** (for himself and Mr. Stevens):

S. 1075. A bill to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nations' ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality; and

S. 1076. A bill to establish in the Departments of the Interior and Agriculture, Youth Conservation Corps, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bills, which appear under separate headings.)

By Mr. **BURDICK** (for himself, Mr. Jackson, Mr. Fong, Mr. Inouye, Mr. Mansfield and Mr. Hatfield):

S.J. Res. 49. Joint resolution regarding the status of the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

S. 1036—INTRODUCTION OF BILL RELATING TO APPOINTMENT OF AN ADDITIONAL DISTRICT JUDGE FOR THE DISTRICT OF NEBRASKA

Mr. HRUSKA. Mr. President, on behalf of myself and my colleague (Mr. Curtis), I introduce, for appropriate reference, a bill to provide for the creation of one additional judgeship position for the district of Nebraska.

The Eighth Circuit Judicial Council has approved the request for one additional judgeship for the district of Nebraska. Due to a lack of time, the Judicial Conference of the United States was not notified of the eighth circuit approval in time to act upon the request at its September meeting and the district, therefore, was not included in its recommendations.

The district of Nebraska, which now has two full-time judges, has not had an increase in the numbers of its judgeships since 1907. However, in the last 20 years alone the number of cases filed in the district has increased by 77 percent, and 22 percent of this increase has occurred in the last 5 years. Correspondingly, the increase in the number of cases pending in the district is nearly 100 percent in the last 20 years, 77 percent in 10 years, and 35 percent in the last 5 years.

Statistical information prepared by the Administrative Office of the U.S. Courts shows that in 1968 the median time interval from issue to trial was 19 months in the district of Nebraska as compared with the national median of 12 months.

My colleague Senator Curtis and I hope that the Congress will act quickly and favorably on this needed measure.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1036) to provide for the appointment of an additional district judge for the District of Nebraska, introduced by Mr. Hruska (for himself and Mr. Curtis), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. CURTIS. I commend my distinguished colleague for introducing the measure which he has just sent to the desk. I join him in the statement that the workload justifies an additional judgeship for the District of Nebraska, and refer to the well-known adage that delayed justice is oftentimes defeated justice. For better service to the public, the bill should be enacted.

S. 1045—INTRODUCTION OF BILL TO INCREASE PERSONAL EXEMPTION DEDUCTIONS UNDER THE INTERNAL REVENUE CODE OF 1954

Mr. PROUTY. Mr. President, I introduce a bill to amend the Internal Revenue Code of 1954 by increasing personal exemptions allowable from $600 to $1,000. I request that it be appropriately referred, and I ask unanimous consent that it be printed in the Record at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

(See exhibit 1.)

Mr. PROUTY. Mr. President, the time for increasing personal exemptions for Federal income tax purposes is long overdue. Enactment of this proposal will be of great assistance to those in the lower income brackets in providing minimum standards of living for themselves and their families. It will also provide an effective weapon for the masses of our people in middle income groups in combating the effects of inflation which we have experienced for many years and which will probably continue in the foreseeable future.

I think that most of us agree that the personal exemption should bear some relationship to the income level necessary to provide minimum standards of living. There are those who argue against this premise and would determine tax policies, including the amount of the personal exemption, on the basis of economic and fiscal situations at a given point in time without considering the living standards factor in establishing such tax policies.

I submit, however, that these individuals are ignoring the tide of history and the compassionate dedication of a vast majority of our citizens to assist families living in poverty to obtain decent minimum living standards through their own efforts.

In addition, Mr. President, this measure will provide needed tax relief, as distinguished from tax avoidance, to the untold numbers of middle income "forgotten men" struggling today to provide for their families while at the same time retaining their independence and their self-respect. These are the individuals who are the backbone of our Nation. Yet their income is too high to qualify for the vast array of assistance programs we have enacted during the last few years, while at the same time it is too little to permit them to provide for and educate their families without extreme personal hardship, often reflected in long-term bank loans, loans on life insurance, or mortgage of the family residence.

Mr. President, if we accept, as I think we do, the concept that payment of Federal income taxes should be geared to an individual's or a family's ability to pay, then we can no longer overlook the effect that inflation has made in the cost of living since 1948—1948 was the year that the last change was made in personal exemptions, raising them from $500 to $600—a far cry from a return to pre-war levels. I believe we are all aware of the impossibility of maintaining a wife, parent, or child on $600 a year. Inflation, however, has destroyed almost 50 percent of the value of this exemption during the last 21 years. For example, about $860 was required in 1967 to provide the same purchasing power as $600 in 1948.

In 1966, a study conducted by the Social Security Administration reported that $3,335 constituted the poverty line for a nonfarm family of four.

A major argument made against increasing personal exemptions at this time is the amount of Federal revenue which would be lost during a period when we are engaged in a major war. In my opinion, however, this country is strong enough and rich enough economically to make up this loss of revenue in ways which will not be oppressive to taxpayers who are presently below or slightly over the poverty level. Committees in both Houses are presently planning to study tax reforms which would more equitably distribute Federal taxes upon those able to pay with the least hardship.

Although this bill does not so provide, I believe that its enactment would justify a return to a 20 percent tax rate for the first bracket of taxable personal income rather than the present 14 percent, if this was deemed desirable to offset losses in revenue.

In addition, Mr. President, I point out that the individuals and families who would have more spendable income if this bill is enacted are not those who can afford to bank it or invest it, but rather and predominantly this money will flow back into the economy to purchase consumer products necessary for day-to-day living.

Some of the lost revenue will be recovered as a result of the multitude of hidden State and Federal taxes imposed on most consumer products, while additional tax revenues will result from business and service establishments whose taxable income will be greater as a result of this additional consumer spending for necessities.

Mr. President, a study made by the Treasury Department in 1968 estimated that approximately 8 million tax returns now being filed would be eliminated if personal exemptions were increased to $1,000. Almost 6 million of the returns which would be eliminated would be those with adjusted gross incomes of $5,000 or less, while only 7,000 returns would be eliminated where adjusted gross income amounted to $15,000 or more.

Mr. President, when Federal income taxes were first put into effect in 1913, they were regarded as providing a supplemental rather than a primary source of Federal revenue. While this is no longer true, I submit that the premise that large numbers of low-income families should not be required to pay Federal income taxes and that middle-income taxpayers should not be required to pay a disproportionate share of their income in Federal income taxes, is just as valid and justifiable today as it was in 1913.

The bill (S. 1045) to amend the Internal Revenue Code of 1954 to increase the amount of deduction for each personal exemption to $1,000, introduced by Mr. PROUTY, was received, read twice by its title, and referred to the Committee on Finance.

EXHIBIT 1

S. 1045

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the following provisions of the Internal Revenue Code of 1954 are amended by striking out "$600" wherever appearing therein and inserting in lieu thereof "$1,000":

(1) Section 151 (relating to allowance of deductions for personal exemptions);

(2) Section 642(b) (relating to allowance of deduction for estates);

(3) Section 6012(a) (relating to persons required to make returns of income); and

(4) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

(b) The following provisions of such Code are amended by striking out "$1,200" wherever appearing therein and inserting in lieu thereof "2,000":

(1) Section 6012(a)(1) (relating to persons required to make returns of income); and

(2) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

SEC. 2. (a) Section 3 of the Internal Revenue Code of 1954 (relating to optional tax if adjusted gross income is less than $5,000) is amended by adding at the end thereof the following new subsection:

"(c) Taxable Years Beginning After December 31, 1968.—In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning after December 31, 1968, on the taxable income of every individual whose adjusted gross income for such year is less than $5,000 and who has elected for such year to pay the tax imposed by this section a tax determined under tables prescribed by the Secretary or his delegate. The tables prescribed under this subsection shall provide for amounts of tax in the various adjusted gross income brackets approximately equal to the amounts which would be determined under section 1 if the taxable income were computed by taking either the 10-percent standard deduction or the minimum standard deduction."

(b) Section 3(b) of such Code is amended by inserting after "December 31, 1964" each place it appears ", and before January 1, 1969".

(c) Section 4(a) of such Code is amended by striking out "the tables in section 3" and inserting in lieu thereof "the tables prescribed under section 3".

(d) Paragraphs (2) and (3) of section 4(c) of such Code are amended to read as follows:

"(2) Except as otherwise provided in this subsection, in the case of a husband or wife filing a separate return the tax imposed by section 3 shall be the lesser of the tax shown in the table prescribed under such section which uses the 10-percent standard deduction or in the table which uses the minimum standard deduction.

"(3) The table prescribed under section 3 which uses the minimum standard deduction shall not apply in the case of a husband or wife filing a separate return if the tax of the other spouse is determined with regard to the 10-percent standard deduction, except that an individual described in section 141(d)(2) may elect (under regulations prescribed by the Secretary or his delegate) to pay the tax shown in such table in lieu of the tax shown in the table which uses the 10-percent standard deduction. For purposes of this title, an election made under the preceding sentence shall be treated as an election made under section 141(d)(2)."

(e) Section 4(f)(4) of such Code is amended to read as follows:

"(4) For nonapplicability of the table prescribed under section 3 which uses the minimum standard deduction in the case of a married individual filing a separate return who does not compute the tax, see section 6014(a)."

(f) The last sentence of section 6014(a) of such Code is amended to read as follows: "In the case of a married individual filing a separate return and electing the benefits of this subsection, the table prescribed under section 3 which uses the minimum standard deduction shall not apply."

SEC. 3. (a) Section 3402(b)(1) of the Internal Revenue Code of 1954 (relating to percentage method of withholding income tax at source) is amended by striking out the table therein and inserting in lieu thereof the following:

"Percentage method withholding table

"Payroll period:	*Amount of one withholding exemption*
Weekly	$21.20
Biweekly	42.30
Semimonthly	45.80
Monthly	91.70
Quarterly	275.00
Semiannual	550.00
Annual	1,100.00
Daily or miscellaneous (per day of such period)	3.00."

(b) So much of paragraph (1) of section 3402(c) of such Code (relating to wage bracket withholding) as precedes the first table in such paragraph is amended to read as follows:

"(1)(A) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee on or after the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with tables prescribed by the Secretary or his delegate, which shall be in lieu of the tax required to be deducted and withheld under subsection (a). The tables prescribed under this subparagraph shall correspond in form to the wage bracket withholding tables in subparagraph (B) and shall provide for amounts of tax in the various wage brackets approximately equal to the amounts which would be determined if the deductions were made under subsection (a).

"(B) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee before the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a):".

SEC. 4. The amendments made by the first two sections of this Act shall apply to taxable years beginning after December 31, 1968. The amendments made by section 3 of this Act shall apply with respect to remuneration paid on or after the 30th day after the date of the enactment of this Act.

S. 1046—INTRODUCTION OF A BILL TO PROTECT THOSE WHO DEAL IN GOLD AND SILVER PRODUCTS

Mr. PASTORE. Mr. President, I introduce, for myself and the Senator from Massachusetts (Mr. KENNEDY), a bill (S. 1046) to protect those who deal in gold and silver products, including housewives, jewelry manufacturers and their trade associations, from fraudulent misstatements of the rare metal content of merchandise.

The bill is practically identical to S. 3885 which I introduced late in the second session of the 90th Congress.

I have made two technical changes to the bill which are, I understand, acceptable to the Justice Department. The term "jewelry trade association" is now clearly defined and the conditions under which such an association may institute suit are spelled out.

The need for this legislation is even greater today than it was then. The bill would amend the 1906 law regulating quality marking of gold and silver to allow interested parties, consumers and manufacturers alike, to institute civil action in Federal district court to obtain an injunction against violators of the act.

The sole mission of the amendment is to make the basic law regarding the marking of gold and silver products workable.

Under this bill consumers and members of the trade may recover their actual damages from a violator of the Marking Act, together with costs of the suit and attorney's fees. But the real remedy, of course, is an injunction by the court stopping violations. Anyone who brings a court action under this amendment and fails to prove a violation by the defendant will be liable to the defendant for costs and attorney fees.

State and Federal law enforcement has not been adequate to control the false marking that existed in 1906, when the original act was passed and which continues today. False marking situations known to the industry, though not to consumers, have existed over long periods of time to the utter frustration of the industry. No solution available up to now has been truly effective.

For instance, in June 1962, it became known that a relatively new manufacturer with annual sales of approximately $1 million was falsely marking base metal "14 karat gold," "sterling," and "gold filled." Industry sources brought this to the attention of the U.S. attorney and the Justice Department, hoping that these substantial and willful violations could be quickly dealt with under the criminal provisions of the act that my bill would amend.

By February 1963 the U.S. attorney had made little progress, but the Federal Trade Commission began an investigation at that time under its general authority over "unfair and deceptive acts and practices."

In January 1965, 2½ years after the matter was first brought to his attention, the U.S. attorney advised there would be no prosecution by that office.

In April 1965 the Federal Trade Commission issued a formal complaint. Its initial decision appeared in December 1965 and its final order to cease and desist was delayed until November 1967. Five years and four months had elapsed. The action taken even then was not under this act but under the general authority of the Federal Trade Commission.

There has not been a single reported case of enforcement of this act by the U.S. attorneys or the Justice Department since it was passed in 1906. This is not the result of some evil conspiracy. It is just that enforcement of this act has received such low priority that the only hope for improvement is to allow civil cases to be brought by those who have a direct and substantial interest in enforcement—those manufacturers and members of the trade who are injured by false competition and those who are defrauded by having purchased falsely marked merchandise.

On enactment in 1906 this act was hailed as a first move by the Federal Government to bring honesty into the marketplace. This act, which the jewelers of Rhode Island were instrumental in helping to formulate and enact, was expected to bring a new era. But what has happened for the past 63 years? The vast majority of the industry, the established old firms and the honest new entrants, have complied with the act. But lack of enforcement has left the door open to fraudulent enterprisers who prey on honest competitors and on consumers who cannot know what they are buying no matter how alert they are.

The author of the act declared as it was signed into law by President Theodore Roosevelt:

> There is no machinery provided for in the bill that costs the Government anything.

But the cost to the industry, and the consumer has been high.

In one low-income neighborhood of a very large city, early in 1967 a Pinkerton detective and a young girl who is a jewelry expert purchased one pair of cheap earrings marked "14K" in each of nine stores. Eight of the earrings assayed less than 10 karats, substantially below the quality marked.

In another working-class neighborhood, in the summer of 1967, purchases were made at random in nine stores. Of 15 items purchased, 10 were found to be falsely marked as to either gold or silver content.

The results of these two 1967 investigations were turned over to Federal enforcement authorities, but 2 years later there is no indication that any action will be taken within the foreseeable future. These are only two recent examples of many that could be cited. The industry has lost faith in the capacity or the will of the Government to protect themselves and consumers of their products from false marking.

Almost one-third of the jewelry-silverware manufacturing industry is located in the State of Rhode Island. Over 20,000 of my constituents are employed in this industry. In fact, it is the largest single employer in the City of Providence and the second-largest industry in the State. Over $2 million worth of jewelry and silverware products are manufactured in Rhode Island each year and sold in all parts of this Nation and the world.

A large and important part of the industry is located also in Massachusetts and the senior Senator from Massachusetts (Mr. Kennedy) is a cosponsor of this legislation.

I think that it is essential to the industry and the consumers it serves that we provide an enforceable method of proving the quality of jewelry and silverware. The consumer has a right to rely on the veracity of the markings on these products.

When the bill I have introduced is enacted into law a method of effective enforcement will be created at last, and at no cost to the government. The expense of implementation and the responsibility for initiating litigation will be borne by the interested parties, the industry and the consumer.

The law has lain dormant for over six decades. Too much time has elapsed without adequate protection of the consumer. I urge speedy action on this bill by the Senate Commerce Committee to insure continued confidence in the quality of products manufactured by the jewelry and silverware industry.

I ask unanimous consent that the contents of this bill be printed in the Record at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1046) to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes, introduced by Mr. Pastore (for himself and Mr. Kennedy), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1046

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act forbidding the importation, exportation, or carriage in interstate commerce of falsely stamped articles of merchandise made of gold or silver or their alloys, and for other purposes", approved June 13, 1906 (34 Stat. 260), as amended October 4, 1961 (75 Stat. 776; 15 U.S.C. 294 et seq.), is amended by—

(a) Inserting immediately after the section number "Sec. 5." the subsection designation "(a)".

(b) Adding at the end of the newly designated subsection "Sec. 5. (a)" the following new subsections:

"(b) Any competitor, customer, or competitor of a customer of any person in violation of sections 1, 2, 3, or 4 of this Act, or any subsequent purchaser of an article of merchandise which has been the subject of a violation of section 1, 2, 3, or 4 of this Act, shall be entitled to injunctive relief restraining further violation of this Act and may sue therefor in any district court of the United States in the district in which the defendant resides or has an agent, without respect to the amount in controversy, and shall recover damages and the cost of suit, including a reasonable attorney's fee.

"(c) Any duly organized and existing jewelry trade association shall be entitled to injunctive relief restraining any person in violation of section 1, 2, 3, or 4 of this Act from further violation of this Act and may sue therefor as the real party in interest in any district court of the United States in the district in which the defendant resides or has an Agent, without respect to the amount in controversy, and if successful shall recover the cost of suit, including a reasonable attorney's fee.

"(d) Any defendant against whom a civil action is brought under the provisions of this Act shall be entitled to recover the cost of defending the suit, including a reasonable attorney's fee, in the event such action is terminated without a finding by the court that such defendant is or has been in violation of this Act.

"(e) The district courts shall have exclusive original jurisdiction of any civil action arising under the provisions of this Act."

(c) Inserting immediately after the section number "Sec. 6." the subsection designation "(a)".

(d) Adding at the end of the newly designated subsection "Sec. 6. (a)" the following new subsections:

"(b) The term 'person' means an individual, partnership, corporation, or any other form of business enterprise, capable of being in violation of this Act.

"(c) The term 'jewelry trade association' means an organization, consisting primarily of persons actively engaged in the jewelry or a related business, the purposes and activities of which are primarily directed to the improvement of business conditions in the jewelry or related businesses."

(e) Changing paragraph (A), subsection (b), of section 4 to read as follows:

"(A) Apply or cause to be applied to that article a trademark of such person, which has been duly registered or applied for registration under the laws of the United States within thirty days after an article bearing the trademark is placed in commerce or imported into the United States, or the name of such person; and"

Sec. 2. If any provision of this Act or any amendment made thereby, or the application thereof to any person, as that term is herein defined, is held invalid, the remainder of the Act or amendment and the application of the remaining provisions of the Act or amendment to any person shall not be affected thereby.

Sec. 3. The provisions of this Act and amendments made thereby shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of the United States.

Sec. 4. This Act shall take effect three months after enactment.

Mr. KENNEDY. Mr. President, I am pleased to join today with the senior Senator from Rhode Island (Mr. Pastore) in sponsoring a bill to protect gold and silver manufacturers from fraudulent misstatement of the rare metal content of the merchandise. This bill amends the 65-year-old National Stamping Act, the basic Federal legislation governing the marking and stamping of products containing gold and silver.

This bill would, for the first time in history, make this law workable and capable of enforcement by placing the right to bring suits against violators in the hands of the industry and the public.

It would provide customers and competitors the means to stop quality marking violators.

The stamps which indicate gold and silver content are important to purchasers of these products, as well as to the companies who make and sell them. They are often the reason the consumer who wants intrinsic value will pay several times more for jewelry products, such as rings, when these stamping marks indicate that the product is of gold rather than inferior metal.

Since well before Boston silversmith Paul Revere distinguished himself, jewelry and tableware of gold and silver had a rich heritage in New England, and particularly in Massachusetts.

The jewelry industry, largely centered in southeast Massachusetts, in the area of Attleboro, employs over 12,000 workers in its plants.

These plants produce nearly $60,000,000 of jewelry and silverware products each year. Most of these carry marks indicating the presence of gold and silver.

It is imperative that the consuming public have assurance that when it buys such products, the quality marks are true, and that the value one obtains is in accordance with these marks.

It is equally important to those who make and distribute these products that these marks be fair and honest. This is why the jewelry and silverware industry support and urge passage of this bill.

This bill would put teeth into the National Stamping Act, and would allow users, distributors and fabricators of products containing gold and silver the means to forestall unfair practices such as the misuse of quality marks.

S. 1047—INTRODUCTION OF BILL RELATING TO DEDUCTION OF FUNERAL EXPENSES FOR INCOME TAX PURPOSES

Mr. STEVENS. Mr. President, I introduce, for appropriate reference, a bill to provide that funeral and burial expenses may be allowed as a deduction for income tax purposes.

The bill I propose would include amounts paid for, or directly related to, the costs of funeral, interment and disposition of the body within the provision of tax law which provides that all medical and dental expenses over 3 percent of adjusted gross incomes shall be considered as deductible expenses. These expenses shall be deductible upon the death of a spouse or a dependent of a taxpayer. In the case of the death of a taxpayer himself, the expenses paid from his estate will also be deductible. Such expenses up to $2,500 may be deducted although the costs of cemetery lots and memorials may not.

The costs of illness go up and up. The costs of major catastrophic illness are truly staggering.

These costs are deductible and rightly so. In spite of this, a family may find itself faced with bills for thousands of dollars in the case of a major terminal illness. When the costs of interment and funeral expenses are added to these bills, the burden becomes even more intolerable. It would seem reasonable, and my bill today so proposes, that these last, sad expenses may also be treated as deductible in the manner of medical expenses.

Today the House Ways and Means Committee under the leadership of Chairman Wilbur Mills will begin a much needed long term serious review of our tax laws. I am hopeful that the committee in its review will give its serious consideration to the proposal I make today.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1047) to amend the Internal Revenue Code of 1954 to allow a deduction for certain funeral expenses, introduced by Mr. Stevens, was received, read twice by its title, and referred to the Committee on Finance.

S. 1048—INTRODUCTION OF BILL TO REQUIRE CHILD-PROTECTIVE LATCHES ON MEDICINE CABINETS USED IN FEDERALLY ASSISTED HOUSING

Mr. CASE. Mr. President, I introduce, for appropriate reference, a bill which would amend eight different Federal programs to require that medicine cabinets used in federally assisted housing must be equipped with latches designed to prevent young children from opening the cabinets.

This is the same bill I have introduced in the past. The need for the bill has increased steadily since I first introduced it in 1966.

The National Center for Health Statistics in the Department of Health, Education, and Welfare reports there were at least 384,000 cases of accidental poisonings among children 5 years of age and younger during 1967, the most recent year for which figures are available. Death resulted in 375 of those cases.

Manufacturers of medicines have recognized the dangers of children getting at medicine and they voluntarily agreed to bottle their products in containers with safety caps which are difficult for children to remove. This is a commendable step. But it has not halted the upward trend of child poisonings.

The bill I am introducing today could reverse the trend. It could save the lives of hundreds of children. I strongly urge consideration of the bill early in this Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1048) to require that medicine cabinets used in federally assisted housing be equipped with latches designed to prevent young children from gaining access to the contents of such cabinets, introduced by Mr. Case, was received, read twice by its title, and referred to the Committee on Banking and Currency.

ORDER OF BUSINESS

The VICE PRESIDENT. What is the will of the Senate?

Mr. PROXMIRE. Mr. President, is the Senate still in the morning hour?

The VICE PRESIDENT. The Senate is in the period designated for the transaction of routine morning business.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to be permitted to proceed for 25 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. PROXMIRE. I thank the Vice President.

S. 1052—INTRODUCTION OF BILL RELATING TO ONE-BANK HOLDING COMPANIES

Mr. PROXMIRE. Mr. President, the recent proliferation of one-bank holding companies raises anew the question as to whether these institutions ought to be subject to the safeguards of the Bank Holding Company Act. During the hearings on the 1966 amendments to the Bank Holding Company Act, the Senate Committee on Banking and Currency gave the issue careful consideration and concluded "there was no substantial evidence of abuses occurring in one-bank holding companies." That was a few short years ago—1966.

At that time, there were over 600 one-bank holding companies with deposits of $15.1 billion. Since then the number of one-bank holding companies has increased to 810, with deposits of $134.6 billion as of February 13, 1969. This is more than 40 percent of all bank deposits under the control of one-bank holding companies compared to only 4 percent in 1965. Clearly, the situation has changed drastically from the time when Congress last considered the subject.

The significance of one-bank holding companies lies in the fact that they are exempt from the Bank Holding Company Act. The Bank Holding Company Act prohibits a holding company which owns 25 percent or more of the stock of two or more banks from engaging in activities not closely related to banking. However, a one-bank holding company is free to engage in almost any nonbanking activity including manufacturing, retailing, transportation, mining, and even agriculture. In fact, a House Banking and Currency Committee staff study revealed one-bank holding companies engaging in 20 different financial activities and 99 different nonfinancial activities.

By using the bank holding company device, any bank is free to expand without limit into nonfinancial activities. It simply can form a holding company to hold the stock of the bank and operate the nonfinancial activities as subsidiaries of the holding company. Thus, the statutory provisions which prohibit banks from entering nonbanking activities are virtually meaningless. A bank can do indirectly through the holding company device what it cannot do directly.

The existence of the holding company loophole makes a congressional review imperative. It is anomalous for Congress to forbid banks from entering nonbanking activities if this prohibition can be circumvented through the holding company form of ownership. Either the statutory definition of banking needs to be changed, the one-bank holding company loophole eliminated, or some combination of the two enacted.

In order to obtain a better picture of one-bank holding companies, it is useful to divide them into three groups:

First. Small one-bank holding companies: For the purpose of this statement, small one-bank holding companies are arbitrarily defined as those holding companies controlling banks with deposits of less than $100 million. The selection of $100 million as the dividing line was due to ease of data assembly and no policy implications should be drawn. For the most part, the smaller one-bank holding companies tend to be owned by a relatively few individuals, although some are owned by larger outside corporations or organizations. They engage in a variety of activities, many of which seem to be closely related to banking and allied financial services but nonfinancial activities are also well represented. The tax advantages of holding-company ownership is one of the prime motives in adopting this form of control. As of February 13, 1969, there were 701 small one-bank holding companies in 48 States with deposits of $10.8 billion. This represents 87 percent of the total number of one-bank holding companies, but only 8 percent of total deposits controlled by one-bank holding companies.

Second. Conglomerates: For the purpose of this statement, a conglomerate one-bank holding company is defined as a bank with deposits of more than $100 million controlled by an outside corporation or organization engaged principally in nonbanking activities. The reasons why nonbanking corporations wish to own banks are many. The desire to diversify is one. Also, insurance companies find banks to be good sources of business, particularly for credit life insurance. The kinds of business firms which own banks range from insurance and finance companies to manufacturing concerns and even labor unions. As of February 13, 1969, there were 27 conglomerates either formed or announced with total deposits of $9.5 billion. This represents 3 percent of the number of one-bank holding companies and 7 percent of deposits under one-bank holding company control.

Third. Congeneric: A new term has been coined by the financial press to refer to bank dominated one-bank holding companies desiring to expand their range of financial services. For purposes of this statement, a congeneric is defined as a one-bank holding company principally in the banking business and which controls a bank with deposits exceeding $100 million. While congenerics are theoretically free to acquire almost any nonbanking activity, most of them have not done so in anticipation of potential action by the Congress. Most of the recent growth of one-bank holding companies is accounted for by the congenerics. As of February 13, 1969, there were 82 congenerics either formed or announced with total deposits of $114.3 billion. This represents only 10 percent of the number of one-bank holding companies, but 85 percent of one-bank holding company deposits.

Mr. President, I ask unanimous consent that a table recapitulating these figures be inserted in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

SIZE OF HOLDING COMPANY INDUSTRY

[Dollar amounts in millions]

	Number of banks as of Feb. 13, 1969	Total deposits as of Aug. 30, 1968
1-bank holding companies:		
Small: Under $100,000,000 in deposits	701	$10,775
Conglomerate: Over $100,000,000 in deposits	27	9,533
Congeneric: Over $100,000,000 in deposits	82	114,252
Total, 1-bank holding companies	810	134,560

Mr. PROXMIRE. Mr. President, I ask unanimous consent that a list of conglomerate and congeneric holding companies be printed in the RECORD at the close of my remarks.

The **VICE PRESIDENT.** Without objection, it is so ordered.

(See exhibit 1.)

LEGISLATIVE HISTORY

Mr. PROXMIRE. Mr. President, Congress held extensive hearings on bank holding companies in the early 1950's, culminating in the Bank Holding Company Act of 1956. A primary objective of this legislation was to prevent undue concentration of bank ownership through the holding company device. This was accomplished by giving the Federal Reserve Board the authority to approve mergers and acquisitions of additional banks by holding companies. Under the 1966 amendments to the Holding Company Act, the Board cannot approve an acquisition, merger, or consolidation by a bank holding company "whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner could be in restraint of trade, unless it finds that the anticompetitive effects are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community."

A second objective was to guard against a conflict of interest between banking and nonbanking activity. This was accomplished by preventing bank holding companies from engaging in nonbank activities with certain specified exceptions. The most important of these exceptions was contained under section 4(c)(8) of the act which permits activities "of a financial, fiduciary, or insurance nature and which the Board after due notice and hearing, and on the basis of the record made at such hearing, by order has determined to be so closely related to the business of banking or of managing or controlling banks as to be a proper incident thereto." This provision permits a somewhat broader range of financial activities through the holding company device than banks could carry on directly.

For example, under the seventh paragraph of title 12, United States Code, section 24, national banks are empowered to perform "all such incidental powers as shall be necessary to carry on the business of banking." Just what is "the business of banking" has been interpreted by the courts in numerous decisions. The legal effect of these decisions has been to constrain the types of activities which could be directly performed by banks. For example, a Federal court in Georgia has recently denied the right of a national bank to sell insurance. Other activities have come under legal attack such as travel services, computer services, underwriting revenue bonds, and managing comingled trust accounts.

PUBLIC POLICY CONSIDERATIONS

Mr. President, in an analysis of the one-bank holding company problem prepared by the Treasury, it is suggested that large conglomerate companies "pose the most serious economic threat" while the congeneric type holding company structure was termed as "unquestionably an efficient and flexible format which should continue to remain available."

I would suggest that the public policy impact of one-bank holding companies is just the reverse of the Treasury analysis. It is the congenerics which represent a serious threat to economic competition while the problem of conglomerates, though serious, is less so due to the safeguards included in existing law.

If conglomerates are viewed as a threat to the safety of the subsidiary bank, it must be pointed out that there already are a number of existing legal safeguards designed to prevent the kind of self-dealing activity inimical to bank safety. Section 23A of the Federal Reserve Act prevents a bank from loaning more than 10 percent of its capital and surplus to any single holding company affiliate and from loaning more than 20 percent to all affiliates. Moreover, the Financial Institutions Supervisory Act of 1966 gave the bank supervisory agencies extensive new controls over commercial banking including the power to issue cease and desist orders preventing unsafe or unsound practices. The financial agencies can also prevent payments of dividends to the holding company so as not to weaken the capital position of the bank. Unless it can be shown that the banks under conglomerate control represent a unique supervisory problem, it can hardly be argued that bank safety considerations require additional legislation. To my knowledge, no one has been able to make such a demonstration.

It might also be argued that conglomerates in general represent an unhealthy economic trend and that their future growth should be curbed. This might very well be true—and I am inclined to believe it is—but prohibiting conglomerates from owning banks, however desirable that may be, would seem to be an extremely clumsy and backhanded method for attacking the spread of conglomerate mergers. Banks are now merely one of thousands of potential businesses which can come under the control of conglomerate combines. A prohibition of bank ownership by conglomerates will not appreciably retard the trend toward industrial concentration and could even divert attention from the wholesale reexamination of our antitrust statutes which is so badly needed. The appropriate forum for dealing with conglomerates is through antitrust policy and not through banking legislation.

While the Treasury has focused on the conglomerate problem, it has unduly minimized the problems of congenerics. One might well ask: Why should banks be confined strictly to banking and related financial activities? What public policy objectives are furthered by such a prohibition?

I would suggest the most essential reason for proscribing the nonbanking activities of commercial banks is to maintain free and open competition in those activities. Banks have a powerful economic lever in supplying bank credit, the total supply of which is ultimately limited by the Federal Reserve Board. Moreover, entry into banking is severely restricted, thus furthering the inherent monopoly existing banks have in the supply of bank credit.

The artificial scarcity of bank credit which is supported and maintained by Government policy gives commercial banks considerable influence over their customers, particularly those customers without effective alternative sources of credit. Commercial banks can use this leverage to further their nonbanking activities, thus unfairly competing with the nonbanking firms engaged in the same nonbanking activities.

I do not mean to suggest that banks should always be confined to strictly banking activities. Each activity must be considered on its own merits and the competitive impact of bank entry must be carefully assessed. In some cases, bank entry can increase rather than reduce competition.

For example, I sponsored legislation approved by the Senate in the last Congress to permit banks to underwrite State and local revenue bonds. The weight of the evidence indicated banks would increase competition and lower borrowing costs to municipalities. Moreover, it did not seem reasonable that a bank could use its control over bank credit to coerce State or local governments into using the bank's underwriting services. State and local governments have many borrowing options and are not highly dependent upon banks for their credit needs. If anything, banks are more dependent upon State and local governments as a source of deposits.

Thus, the test as to whether a bank should be allowed to engage in a nonbanking activity should not be based only on a legalistic analysis as to whether the activity is "closely related" or "a proper incident thereto." Rather, in addition to the question of whether the funds of its depositors are properly safeguarded, public policy should focus on the probable competitive effects of bank entry into nonbanking activities. Under this criteria, nonbanking activities not closely related to banking may turn out to be procompetitive while closely related activities might be anticompetitive.

However, this discussion of the proper criteria for judging bank expansion into nonbanking fields is somewhat academic since under the bank holding company loophole, no public review is necessary. If the criteria is to be shifted to an analysis of the competitive impact of bank entry, two things must be done:

First. The bank holding company loophole must be closed to regain public control over banks expanding into nonbanking activities; and

Second. A new institutional framework for assessing competitive effects must be developed since the existing banking agencies are poorly equipped to make these judgments.

WHY HOLDING COMPANIES?

Mr. President, one might well ask, Why are banks so eager to expand beyond the traditional field of banking? To some extent, the answer is due to our changing economy and the response of the banking industry to meet the ever changing needs of their customers. In such cases, an expansion of services is merely an attempt to redefine the business of banking to accord with modern day reality.

But another reason I believe banks are seeking to expand into other activities is that they are constrained in their own field of banking. Commercial banks are subject to numerous restrictions on their banking activities imposed by law, by administrative practice, and by regulatory procedure. While many of these restrictions were initiated in the 1930's to protect the safety of bank depositors, in today's economy the so-called safeguards frequently operate to stifle competition within the banking industry.

For example, there are restrictions on bank entry which tend to protect existing banks from effective competition by new potential entrants. Restrictions on branching frequently have the same effect. Restrictions on investment authorities and overly conservative examination procedures penalize the more aggressive banks and promote a lax, noncompetitive attitude. Unrealistically high capital requirements retard the attraction of new capital and also lead to holding company formations as a method for channeling excess capital into more productive ventures. Restrictions on the payment of interest on deposits further tends to promote noncompetitive behavior.

I do not mean to imply that all of these restrictions should be repealed. But I do suggest that many can be liberalized without jeopardizing depositor safety, particularly in view of the protection already provided depositors through Federal deposit insurance. Moreover, if such a liberalization were effected, I believe the pressure by banks to enter nonbanking fields would be correspondingly diminished.

In fact, I believe it is correct to say that the phenomenon of one-bank holding companies is like the tip of the iceberg and is symptomatic of far more basic problems in our entire banking structure. If this is correct, then one does not achieve an adequate solution by merely tinkering with the Bank Holding Company Act. A far more comprehensive reform of our entire banking code is needed if we are to find a lasting solution. Moreover, a solution to the problem of restrictions on nonbanking activities should not be reached until an appropriate solution is found to the problem of restrictions on banking activities. The two issues are interdependent, and cannot be artificially separated.

The extent to which restrictions on nonbanking activities should be tightened depends upon the extent to which restrictions on banking are liberalized. One can envision a whole range of policy mixes in which restrictions on nonbanking activities are traded off for easing restrictions on banking.

PROPOSED LEGISLATION

In order to implement these ideas, I am introducing a bill to place a temporary freeze in the acquisition of nonbanking activities by one-bank holding companies pending a thorough review of the role of banks in our economy by a high-level Presidential commission. This would be accomplished by making one-bank holding companies subject to the provisions of the Bank Holding Company Act. The existing definition of permissible nonbanking activities contained in the Bank Holding Company Act would be left intact pending the report of the Commission. However, unrelated activities acquired prior to January 1, 1969, would be permitted to continue although future acquisitions would be prohibited.

In addition, my bill would close several additional loopholes in the Bank Holding Company Act. First of all, the Federal Reserve Board would be able to determine a bank was subject to holding company control even if the holding company owned less than 25 percent of the stock of the bank. There are many situations in which effective control can be exercised with less than 25 percent stock ownership, and the Board would be empowered to recognize these situations. A similar provision already exists in the Savings and Loan Holding Company Act.

Second, the partnership exemption from the Holding Company Act would be deleted. Partnerships which controlled a bank or banks would come under the Holding Company Act the same as if the partnership were a corporation.

Under my proposal, the administration of the One-Bank Holding Company Act would be left with the Federal Reserve Board in contrast to a reported Treasury bill which would disperse control among the three bank regulatory agencies.

A blue ribbon commission to examine the role of banks in our economy has been long over due. Although some of the issues were examined in the late 1950's and early 1960's by the Commission on Money and Credit, vast changes have occurred in our economy and the banking industry since that time. The one-bank holding company problem affords an excellent opportunity to undertake this critical review of our banking code of our bank regulatory system.

I realize, of course, that bank reform legislation is a highly controversial subject which tends to produce heated attitudes. The mere mention of changes in the branching law or in the centralization of Federal bank regulatory responsibilities raises difficult and complex questions about the scope and purpose of our dual banking system. But I am convinced that if we are to have a dynamic and competitive banking industry responsive to our present economy and our needs in the 1970's and 1980's, we must remove some of the shackles on banking which prevent banks from competing in their own field of banking. We need to open up the field of banking to permit the entry of new people with new ideas.

The Treasury proposal, in focusing on conglomerates, seeks to prevent other business firms from invading banking but gives banks relatively greater freedom to invade other businesses. The proposal has the stagnant type of economic vision characteristic of a European customs union. While there is a problem of conglomerates controlling banks, what we really need to study is how the banking industry itself can become more competitive. The mere fact that nonbanking firms wish to acquire banks provides some evidence of stagnation and inefficiency in bank management. Before we rush to prohibit conglomerates as a first order of business, we need to reexamine the banking industry to see if it is operating at peak efficiency.

A Presidential Commission on Banking can be a highly useful device for this examination. Moreover, ample precedent exists for such a Commission. The basic features of the Federal Reserve Act, one of the most significant pieces of banking legislation, were first developed by a high-level Presidential commission.

The bill I have introduced would establish a National Commission on Banking consisting of 15 members appointed by the President. Six members shall be from banking and not more than three shall be Federal officials. The Commission would be required to complete its report to the President and the Congress by June 30, 1971.

The Commission would be charged with appraising the role of banking in the national economy with a view to determining whether existing State and Federal statutes, regulations, and bank examination procedures promote vigorous competition in the banking industry and in the economy consistent with reasonable safety of depositors' funds. The study would include such topics as "Restrictions on Bank Entry"; "Restrictions on the Payment of Interest on Bank Deposits"; "Restrictions on the Investment Powers of Banks"; "Reserve Requirements of Banks"; "Merger Policies Affecting Banks"; "Restrictions on Banks Engaging in Nonbanking Activities"; "Restrictions on Holding Companies"; and "The Desirability of Consolidating Federal Bank Supervisory Functions Into One Agency."

Mr. President, I believe my proposal offers the hope for a much more comprehensive and far-reaching solution to the bank holding company problem. Second, by leaving the present definitions of related activities in the Bank Holding Company Act intact, we preserve our future options and avoid a protracted lobbying contest between banks and their nonbank competitors. Third, by providing a "grandfather clause" for existing unrelated activities, we avoid any undue disruption within the one-bank holding company industry. And fourth, by prohibiting the future acquisition of unrelated activities, we put a temporary halt to a potentially harmful trend until we obtain more information.

I am hopeful that this proposal can be given serious considerations by the Committee on Banking and Currency along with the other proposals on one-bank holding companies. As the chairman of the Subcommittee on Financial Institutions, I have a keen interest in the problems of our banking structure, and I know of no single issue more important to banking today.

Mr. President, I introduce the bill and ask that it be appropriately referred; and I ask unanimous consent to have the text of the bill printed in the RECORD following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

(See exhibit 2.)

EXHIBIT 1

CONGLOMERATE 1-BANK HOLDING COMPANIES FORMED OR ANNOUNCED AS OF FEB. 13, 1969

[In millions of dollars]

Name of nonbank institution	Name of bank	City and State	Deposits, June 30, 1968
Signal Oil & Gas Co	Arizona Bank	Phoenix, Ariz	292
World Airways, Inc	First Western Bank & Trust.	Los Angeles, Calif	761
Sperry & Hutchinson	State National Bank of Connecticut.	Bridgeport, Conn	292
D. H. Baldwin Co	Central Bank & Trust Co.	Denver Colo	187
United Mineworkers	National Bank of Washington.	Washington, D.C	498
Jim Walter Corp	First National Bank	St. Petersburg, Fla	133
First Railroad & Banking Co. of Georgia.	Georgia Railroad Bank & Trust.	Augusta, Ga	120
General American Transportation Corp.	LaSalle National Bank	Chicago, Ill	374
National Lead Co	Lake View Trust	do	283
Montgomery Ward	Pioneer Trust & Savings Bank.	do	189
Bankers Life & Casualty	Citizens Bank & Trust	Parkridge, Ill	131
Gulf & Western Industries	First Bank & Trust Co	South Bend, Ind	130
St. Louis Union Trust Co	First National Bank	St. Louis, Mo	794
Camden Investment Co	Camden Trust Co	Camden, N.J	239
Kinney National Service, Inc.	Hackensack Trust Company, N.A.	Hackensack, N.J	132
GAS Corp	Hudson County National Bank.	Jersey City, N.J	144
Wilshire Oil Co	Trust Co. of New Jersey	do	152
CIT Financial Corp	National Bank of North America.	New York, N.Y	1318
Standard Prudential Corp	Sterling National Bank	do	244
Banks Life & Casualty Co	Royal National Bank	do	209
Amalgamated Clothing Workers.	Amalgamated Bank	do	161
May-Fran Manufacturing Co	Union Commerce Bank	Cleveland, Ohio	513
Ritter Finance Co	Central-Penn National Bank.	Philadelphia, Pa	386
Liberty Corp	South Carolina National Bank.	Charleston, S.C	393
NLT Corp	Third National Bank	Nashville, Tenn	443
American General Insurance Co.	Texas National Bank of Commerce.	Houston, Tex	795
Tenneco Corp	Houston National Bank	do	220
Total			9,533

Note: Number of banks, 27.

CONGENERIC 1-BANK HOLDING COMPANIES FORMED OR ANNOUNCED AS OF FEB. 13, 1969

[In millions of dollars]

Name of bank	City and State	Deposits as of June 30, 1968
Birmingham Trust National Bank	Birmingham, Ala	276
Worthen Bank & Trust Co	Little Rock, Ark	152
Union Bank	Los Angeles, Calif	1,213
City National Bank	Beverly Hills, Calif	306
Southern California First National Bank	San Diego, Calif	429
Croker-Citizens National Bank	San Francisco, Calif	3,743
Bank of America	do	15,881
Wells Fargo Bank N.A	do	4,151
Sunitomo Bank	do	180
Hartford National Bank	Hartford, Conn	789
Delaware Trust Co	Wilmington, Del	141
First National Bank of Atlanta	Atlanta, Ga	688
Fulton National Bank	do	365
Continental Illinois National Bank & Trust Co	Chicago, Ill	4,250
First National Bank of Chicago	do	5,700
American National Bank & Trust Co	do	656
Chicago City Bank & Trust	do	120
Central National Bank in Chicago	do	380
National Boulevard Bank	do	175
State National Bank of Evanston	Evanston, Ill	134
Illinois National Bank & Trust Co	Rockford, Ill	109
Lincoln National Bank & Trust Co	Fort Wayne, Ind	211
American Fletcher National Bank & Trust Co	Indianapolis, Ind	801
Indiana National Bank	do	853
Bankers Trust Co	Des Moines, Iowa	116
Central National Bank & Trust	do	183
Whitney National Bank	New Orleans, La	568
Maryland National Bank	Baltimore, Md	824
Boston Safe Deposit & Trust Co	Boston, Mass	100
South Shore National Bank	Quincy, Mass	128
Worcester County National Bank	Worcester, Mass	252
American National Bank & Trust Co	St. Paul, Minn	139
Deposit Guaranty National Bank	Jackson, Miss	331
First National Bank	do	287
St. Louis County National Bank	Clayton, Mo	136
National Bank of Commerce Trust & Savings Association.	Lincoln, Nebr	115
First National Bank of Omaha	Omaha, Nebr	161
Omaha National Bank	do	303
First Jersey National Bank	Jersey City, N.J	345
Albuquerque National Bank	Albuquerque, N. Mex	185
National Commercial Bank & Trust	Albany, N.Y	712
First National City Bank	New York, N.Y	11,856
Manufacturers Hanover Trust	do	7,432

CONGENERIC 1-BANK HOLDING COMPANIES FORMED OR ANNOUNCED AS OF FEB. 13, 1969—Continued

Name of bank	City and State	Deposits as of June 30, 1968
Chemical Bank New York Trust Co	New York, N.Y	6,583
Morgan Guaranty Trust	do	5,723
Schroder Trust Co	do	114
Chase Manhattan	do	15,600
Kings County Lafayette Trust Co	Brooklyn, N.Y	179
American Bank & Trust Co	New York, N.Y	158
First Union National Bank	Charlotte, N.C	706
North Carolina National Bank	do	930
Southern National Bank of North Carolina	Lumberton, N.C	115
Planters National Bank & Trust	Rocky Mount, N.C	102
Wachovia Bank & Trust Co	Winston-Salem, N.C	1,126
Provident Bank	Cincinnati, Ohio	212
First National Bank of Canton	Canton, Ohio	121
Fidelity National Bank & Trust	Oklahoma City, Okla	116
First National Bank & Trust Co	do	387
Liberty National Bank & Trust	do	319
National Bank of Tulsa	Tulsa, Okla	312
U.S. National Bank of Oregon	Portland, Oreg	1,353
First National Bank & Trust	Bethlehem, Pa	110
Fidelity Bank	Philadelphia, Pa	1,076
Philadelphia National Bank	do	1,723
First Pennsylvania Banking and Trust Co	Philadelphia, Pa	1,805
Pittsburgh National Bank	Pittsburgh, Pa	1,336
Girard Trust Bank	do	1,227
Western Pennsylvania National Bank	do	702
Bank of Pennsylvania	Reading, Pa	178
Industrial National Bank	Providence, R.I	762
State Bank & Trust	Greenwood, S.C	113
Citizens and Southern National Bank	Charleston, S.C	212
First National Bank of South Carolina	Columbia, S.C	178
First American National Bank of Nashville	Nashville, Tenn	459
First National Bank of Memphis	Memphis, Tenn	574
First Security National Bank of Beaumont	Beaumont, Tex	117
Republic National Bank	Dallas, Tex	1,600
Zions First National Bank	Salt Lake City, Utah	196
Central National Bank	Richmond, Va	182
First & Merchants National Bank	do	633
National Bank of Commerce	Seattle, Wash	936
American City Bank & Trust	Milwaukee, Wis	101
Total		114,252

Note: Number of banks, 82.

The bill (S. 1052) to amend the Bank Holding Company Act of 1956 and to provide for a comprehensive study of banking laws and regulations by a National Commission on Banking, introduced by Mr. PROXMIRE, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD.

EXHIBIT 2

S. 1052

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Bank Holding Company Act Amendments of 1969".

AMENDMENTS TO BANK HOLDING COMPANY ACT OF 1956

SEC. 2. (a) Section 2(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a)) is amended by striking out "each of two", wherever such words appear, and inserting in lieu thereof "one".

(b) Section 2(b) is amended (A) by striking "(1)" and (B) by striking ", or (2) any partnership".

(c) Section 2(d) is amended to read:

"(d)(1) Any given company is a subsidiary of any person having control over it.

"(2) Any given person has control over a company

"(A) if the person directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, has power to vote 25 per centum or more of any class of voting securities of the company; or

"(B) if the person controls in any manner the election of a majority of the directors of the company; or

"(C) if the Board determines, after notice and opportunity for hearing, that the person directly or indirectly exercises a controlling influence over the management or policies of the company."

(2) Section 4(a) of such Act (12 U.S.C. 1843(a)) is amended by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this subsection, any company which becomes a bank holding company solely as the result of the enactment of the Bank Holding Company Act Amendments of 1969 may retain the ownership or control of the voting shares of any company which is not a bank or a bank holding company, if such shares were acquired by such bank holding company prior to January 1, 1969, and may engage in any business in which it was engaged on January 1, 1969."

NATIONAL COMMISSION ON BANKING

SEC. 3. (a)(1) There is hereby established a National Commission on Banking (hereinafter referred to as the "Commission").

(2) The Commission shall consist of fifteen members to be appointed by the President as follows:

(A) Six shall be from private life and representative of the banking industry; and

(B) Nine shall be representative of the public interest and may be appointed from private or public life, including persons serving on State or Federal bank supervisory agencies.

Not more than three persons appointed to the Commission shall be, at the time of their appointments, employed in a full-time capacity by the United States.

(3) The President shall designate one of the persons appointed to the Commission to serve as Chairman.

(4) A vacancy in the Commission shall not affect its powers and may be filled in the same manner as the original appointment.

(5) Eight members of the Commission shall constitute a quorum.

(b)(1) The Commission shall study and appraise the role of banking in the national economy with a view to determining whether existing State and Federal statutes, regulations, and bank examination procedures promote vigorous competition in the banking industry and in the economy consistent with reasonable safety of depositors' funds. Such study and appraisal shall include but not be limited to—

(A) restrictions on bank entry;

(B) restrictions on the formation of branches of banks;

(C) restrictions on the investment powers of banks;

(D) restrictions on the payment of interest on bank deposits;

(E) reserve requirements of banks;

(F) merger policies affecting banks;

(G) restrictions on banks engaging in nonbanking activities;

(H) restrictions on bank holding companies; and

(I) the desirability of consolidating Federal bank supervisory functions into one agency.

(2) The Commission shall report its findings, together with such recommendations for legislative and administrative action as it deems advisable, to the President and to the Congress not later than June 30, 1971.

(c)(1) The Commission, or any three members thereof as authorized by the Commission, may conduct hearings anywhere in the United States or otherwise secure data and expressions of opinion pertinent to the study. In connection therewith the Commission is authorized by majority vote—

(A) to administer oaths,

(B) to require by subpena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties,

(C) in the case of disobedience to a subpena issued under this subsection to invoke the aid of any district court of the United States in requiring compliance with such subpena,

(D) in any proceeding or investigation to order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths, and in such instances to compel testimony and the production of evidence in the same manner as authorized under subparagraphs (B) and (C) above, and

(E) to pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

(2) Any district court of the United States within the jurisdiction of which an inquiry is carried on may, in case of refusal to obey a subpena of the Commission issued under paragraph (1) of this subsection, issue an order requiring compliance therewith; and any failure to obey the order of the court may be punished by the court as a contempt thereof.

(R) The Commission may require directly from the head of any Federal executive department or independent agency available information which the Commission deems useful in the discharge of its duties. All departments and independent agencies of the Government shall cooperate with the Commission and furnish all information requested by the Commission to the extent permitted by law.

(4) The Commission may enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

(5) The Commission may delegate any of its functions to individual members of the Commission or to designated individuals on its staff and to make such rules and regulations as are necessary for the conduct of its business, except as otherwise provided in this section.

(d) Members of the Commission who are appointed from the Government shall not receive additional compensation by reason of their service on the Commission, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission. Other members of the Commission shall receive compensation at a rate of $100 for each day engaged in the business of the Commission, and shall be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

(e) (1) The Commission may, without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service or to classification and General Schedule pay rates, appoint and fix the compensation of an executive director. The executive director, with the approval of the Commission shall employ and fix the compensation of such additional personnel as may be necessary to carry out the functions of the Commission, but no individual so appointed may receive compensation in excess of the rate authorized for GS–18 under the General Schedule.

(2) The executive director, with the approval of the Commission may obtain services in accordance with section 3109 of title 5 of the United States Code, but at rates for individuals not to exceed $100 per diem.

(3) The head of any executive department or independent agency of the Federal Government may detail, on a reimbursable basis, any of its personnel to assist the Commission in carrying out its work.

(4) Financial and administrative services (including those related to budgeting and accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services. The regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of that Administration for the administrative control of funds apply to appropriations of the Commission.

(5) Ninety days after submission of its final report the Commission shall cease to exist.

(f) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section. Any money so appropriated shall remain available to the Commission until the date of its expiration, as fixed by subsection (e) (5).

S. 1054—INTRODUCTION OF INCOME TAX REFORM LEGISLATION—INCREASING EXEMPTION FROM $600 TO $1,000

Mr. MONTOYA. Mr. President, today I am introducing a bill, which I have proposed before, to amend the Internal Revenue Code of 1954 to increase the personal exemption from $600 to $1,000. Action on the long overdue reform of our income tax structure appears on the immediate horizon, and my proposal is an integral part. The chorus of cries from taxpayers and tax experts alike that our tax system makes little sense from the standpoint of equity or economics is being heeded at last. Hearings by the House Ways and Means Committee into a number of areas of existing inequities began February 18 and can be expected to last for many months. Initial emphasis, according to the schedule appears to be directed toward closing those loopholes enabling wealthy taxpayers to avoid their fair share of taxes, and this is of the utmost importance.

However, the low- and middle-income taxpayer cannot wait for the conclusions of these hearings and the final enactment of the legislation which will undoubtedly result. He needs relief today. In 1968 he witnessed the highest annual increase in his cost of living in 17 years. In general, he is not concerned with capital gains or stock options. Unless he owns a house or has high medical deductions, he is almost certain to take the standard deduction and list but one source of income. The chief tax factors affecting him are the level of personal exemption and the tax rate applying to his taxable income.

Today's personal exemption is $600 for each taxpayer and each of his dependents. The last time this figure was revised was in 1948. It has not been increased with the rising level of prices. In fact, since 1948 the consumer price index has risen by 44.6 percent—based on average levels of the index in 1948 and 1968—so that the $600 figure would have to be raised to $868 merely to equal the purchasing power of the $600 exemption over 20 years ago.

What we consider a reasonable standard of living has changed in these last two decades also. Certain aspects of living once considered attainable only by a few have come within the reach of many and are accepted as part of the American way of life. In the autumn of 1966 the Department of Labor conducted a survey of urban areas in the United States to determine the annual cost of living at a moderate standard for a family of four—husband 38, wife not employed outside home, boy 13, and girl 8. A "moderate standard of living" was defined as providing "for the maintenance of health and social well-being, the nurture of children, and participation in community activities." This standard was translated into representative goods and services which could be priced. The estimated annual cost of this moderate standard of living averaged $9,191.

This budget is in no sense a luxury budget, including practically nothing for expenses of higher education, for example. The personal exemptions for a family of four today should certainly comprise a greater percentage of this total than the present $2,400. Certainly exemptions totaling $4,000 which my bill will provide would be far more equitable.

The most frequently heard argument against increasing the personal exemption is the revenue that would be lost to the Government. But we can regain this revenue by enacting strong measures of tax reform to close the yawning loopholes through which some $10 to $15 billion escape the Treasury each year.

We must reexamine our tax structure as it relates to wealthy individuals so that they too pay their fair share of the cost of the services which they share in receiving. We must look into the corporate income tax structure. Tax policies with respect to tax-exempt organizations and estate and gift taxes bear looking into as does the practice of business enterprises splitting into a number of separate parts in order to take advantage of the surtax exemption.

These are only some of the more frequently mentioned tax provisions in need of reform. I will have more to say on these and other needed reforms as the session progresses.

We must recognize that there is a limit to what the taxpayer can bear. We must make the tax system as equitable as possible if we are to maintain the confidence of the taxpayer. I believe my proposal is a major step toward eliminating a serious inequity in our tax structure. Prompt action to achieve this goal must be taken now.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1054) to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to $1,000, introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 1054

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the following provisions of the Internal Revenue Code of 1954 are amended by striking out "$600" wherever appearing therein and inserting in lieu thereof "$1,000":

(1) Section 151 (relating to allowance of deductions for personal exemptions);

(2) Section 642(b) (relating to allowance of deductions for estates);

(3) Section 6012(a) (relating to persons required to make returns of income); and

(4) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

(b) The following provisions of such Code are amended by striking out "$1,200" wherever appearing therein and inserting in lieu thereof "$2,000":

(1) Section 6012(a)(1) (relating to persons required to make returns of income); and

(2) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

Sec. 2. (a) Section 3 of the Internal Revenue Code of 1954 (relating to optional tax if adjusted gross income is less than $5,000) is amended by adding at the end thereof the following new subsection:

"(c) Taxable Years Beginning After December 31, 1968.—In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning after December 31, 1968, on the taxable income of every individual whose adjusted gross income for such year is less than $5,000 and who has elected for such year to pay the tax imposed by this section a tax determined under tables prescribed by the Secretary or his delegate. The tables prescribed under this subsection shall provide for amounts of tax in the various adjusted gross income brackets approximately equal to the amounts which would be determined under section 1 if the taxable income were computed by taking either the 10-percent standard deduction or the minimum standard deduction."

(b) Section 3(b) of such Code is amended by inserting after "December 31, 1964" each place it appears ", and before January 1, 1969".

(c) Section 4 (a) of such Code is amended by striking out "the tables in section 3" and inserting in lieu thereof "the tables prescribed under section 3".

(d) Paragraphs (2) and (3) of section 4(c) of such Code are amended to read as follows:

"(2) Except as otherwise provided in this subsection, in the case of a husband or wife filing a separate return the tax imposed by section 3 shall be the lesser of the tax shown in the table prescribed under such section which uses the 10-percent standard deduction or in the table which uses the minimum standard deduction.

"(3) The table prescribed under section 3 which uses the minimum standard deduction shall not apply in the case of a husband or wife filing a separate return if the tax of the other spouse is determined with regard to the 10-percent standard deduction, except that an individual described in section 141(d)(2) may elect (under regulations prescribed by the Secretary or his delegate) to pay the tax shown in such table in lieu of the tax shown in the table which uses the 10-percent standard deduction. For purposes of this title, an election made under the preceding sentence shall be treated as an election made under section 141(d)(2)."

(e) Section 4(f)(4) of such Code is amended to read as follows:

"(4) For nonapplicability of the table prescribed under section 3 which uses the minimum standard deduction in the case of a married individual filing a separate return who does not compute the tax, see section 6014(a)."

(f) The last sentence of section 6014(a) of such Code is amended to read as follows: "In the case of a married individual filing a separate return and electing the benefits of this subsection, the table prescribed under section 3 which uses the minimum standard deduction shall not apply."

SEC. 3. (a) Section 3402(b)(1) of the Internal Revenue Code of 1954 (relating to percentage method of withholding income tax at source) is amended by striking out the table therein and inserting in lieu thereof the following:

"Percentage method withholding table

"Payroll period:	*Amount of one withholding exemption*
Weekly	$21.20
Biweekly	42.30
Semimonthly	45.80
Monthly	91.70
Quarterly	275.00
Semiannual	550.00
Annual	1,100.00
Daily or miscellaneous (per day of such period)	3.00."

(b) So much of paragraph (1) of section 3402(c) of such Code (relating to wage bracket withholding) as precedes the first table in such paragraph is amended to read as follows:

"(1)(A) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee on or after the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with tables prescribed by the Secretary or his delegate, which shall be in lieu of the tax required to be deducted and withheld under subsection (a). The tables prescribed under this subparagraph shall correspond in form to the wage bracket withholding tables in subparagraph (B) and shall provide for amounts of tax in the various wage brackets approximately equal to the amounts which would be determined if the deductions were made under subsection (a).

"(B) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee before the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a):".

SEC. 4. The amendments made by the first two sections of this Act shall apply to taxable years beginning after December 31, 1968. The amendments made by section 3 of this Act shall apply with respect to remuneration paid on or after the 30th day after the date of the enactment of this Act.

S. 1058—INTRODUCTION OF BILL EXTENDING REORGANIZATION AUTHORITY

Mr. McCLELLAN. Mr. President, on January 30, 1969, the President of the United States transmitted a message to the Congress requesting an extension for at least 2 years of the President's authority to submit reorganization plans pursuant to chapter 9 of title 5 of the United States Code, formerly referred to as the Reorganization Act of 1949, as amended.

In accordance with the President's request, on behalf of myself and seven other members of the Committee on Government Operations (Mr. JACKSON, Mr. GRIFFIN, Mr. METCALF, Mr. MUNDT, Mr. PERCY, Mr. RIBICOFF, and Mr. STEVENS), I introduce, for appropriate reference, a bill to extend until April 1, 1971, the authority of the President to submit plans for the reorganization of agencies of the executive branch of the Government.

Similar authority has been made available to past Presidents, with few lapses, since 1932; however, it expired on December 31, 1968. This bill would merely extend this authority for an additional period of approximately 2 years. No other change in existing law is proposed.

I ask unanimous consent that the President's message be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the President's message will be printed in the RECORD.

The bill (S. 1058) to extend the period within which the President may transmit to the Congress plans for the reorganization of agencies of the executive branch of the Government, introduced by Mr. McCLELLAN, for himself and other Senators, was received, read twice by its title, and referred to the Committee on Government Operations.

The Presidential message, presented by Mr. McCLELLAN, is as follows:

EXTENDING REORGANIZATION AUTHORITY

To the Congress of the United States:

New times call for new ideas and fresh approaches. To meet the needs of today and tomorrow, and to achieve a new level of efficiency, the Executive Branch requires flexibility in its organization.

Government organization is created to serve, not to exist; as functions change, the organization must be ready to adapt itself to those changes.

Ever since the Economy Act of 1932, the Congress has recognized the need of the President to modernize the Federal Government continually. During most of that time, the Congress has provided the President the authority to reorganize the Executive Branch.

The current reorganization statute—Chapter 9 of Title 5 of the United States Code—is derived from the Reorganization Act of 1949. That law places upon the President a permanent responsibility "from time to time to examine the organization of all agencies" and "to determine what changes therein are necessary" to accomplish the purposes of the statute. Those purposes include promoting the better execution of the laws, cutting expenditures, increasing efficiency in Government operations, abolishing unnecessary agencies and eliminating duplication of effort. The law also authorizes the President to transmit reorganization plans to the Congress to make the changes he considers necessary.

Unfortunately, the authority to transmit such plans expired on December 31, 1968. The President cannot, therefore, now fulfill his reorganization responsibilities. He is severely limited in his ability to organize and manage the Executive Branch in a manner responsive to new needs.

I, therefore, urge that the Congress promptly enact legislation to extend for at least two years the President's authority to transmit reorganization plans.

This time-tested reorganization procedure is not only a means for curtailing ineffective and uneconomical Government operations, but it also provides a climate that enables good managers to manage well.

Under the procedure, reorganization plans are sent to the Congress by the President and generally take effect after 60 days unless either House passes a resolution of disapproval during that time. In this way the President may initiate improvements, and the Congress retains the power of review.

This cooperative executive-legislative approach to reorganization has shown itself to be sensible and effective for more than three decades, regardless of party alignments. It is more efficient than the alternative of passing specific legislation to achieve each organizational change. The cooperative approach is tested; it is responsive; it works.

Reorganization authority is the tool a President needs to shape his Administration to meet the new needs of the times, and I urgently request its extension.

RICHARD NIXON.

THE WHITE HOUSE, *January 30, 1969.*

S. 1063—INTRODUCTION OF BILL TO REPEAL AND REVIEW PROPOSED INCREASES IN GRAZING FEES ON PUBLIC LANDS

Mr. MONTOYA. Mr. President, today I introduce a bill to temporarily suspend the recent increase in fees for grazing of livestock on public lands jointly promulgated by the Department of Agriculture and the Department of the Interior.

Mr. President, on November 14, 1968, the Secretaries of Agriculture and Interior jointly announced proposed changes in current methods of determining fees for livestock grazing on national forests and public lands under their administration. This action, they announced, was in accordance with the instructions contained in the Bureau of the Budget's Circular No. A–25 of September 23, 1959, which established general governmental policy for all Federal activities. The circular called for "fair market value" to be obtained for all services and resources provided the public through the establishment of a system of reasonable fee charges.

I do not object—and neither do those affected object—to permittees paying whatver sum is fair. But the decision arrived at should be closely examined to determine if the sum is in fact "fair" in this case, all considerations taken into account.

In announcing the proposed increases, the two Secretaries indicated that interested parties would have 45 days in which to make comments before a final decision was made. A final decision has now been made and it does not vary substantially from the originally proposed increases.

Mr. President, I protested vigorously to the two Secretaries in December of last year and left no mistake in their minds that I felt that an increase of the magnitude which they were proposing and a loss in permit value could well be disastrous to many small producers. I pointed out that the increases would result in an immediate increase in costs to all permittees without compensating returns, thus leaving the permittees in a very weak financial position.

The increases which I speak of, Mr. President, are in the proportion of from 33 cents per animal unit month, which is the current grazing fee on the public lands, to $1.23 per animal unit month. National forest permits will also be increased on a sliding scale. While the increases will take effect over a period of 10 years and will thus presumably permit the ranchers and others affected to adjust to the increases gradually, the fact remains that the increases will be put into effect, there will be a loss of permit value, and it will just be a matter of time before all permittees will feel the pinch. Some will be destroyed immediately; others will die a slower financial death, with only the stronger and, possibly larger permittees, surviving.

I was very disturbed over the final decision to institute these changes almost as if in complete disregard of all the testimony which was presented to the two Departments, and also as if in complete disregard of recommendations made by the Secretary of Agriculture's own Advisory Committee on Multiple Use of the National Forests.

Mr. President, there are many considerations which must be taken into account besides just the straight, cold "fair market value" statistics which are all that apparently were considered by the two Departments. We are dealing with the very means of livelihood for many of the smaller producers. I do not mean to sound like an alarmist, but we are tampering very unsympathetically with the lives of many. We could well be leading ourselves into bigger financial losses to the Federal revenue and disastrous consequences to the permittees and others if we do not approach this matter on a more realistic basis. As I have stated, there is far more to this matter than just consideration of a cold and hard statistic referred to as "fair market value." Other matters were apparently looked into by the Departments, but it seems that the overriding consideration was "fair market value" arguments.

To illustrate what I refer to, Mr. President, I quote directly from the U.S. Department of Agriculture report on the grazing fee increases, dated November 12, 1968, and entitled "Studies, Alternatives, and Recommendations on the Forest Service Grazing Fee Issue."

The report states:

> The initial impact of a fee increase would be an immediate rise in the permittees' cost of production. The amount would be directly proportional to the number of AUM's (Animal unit per month) permitted. The increased expense would lead to an equal decrease in net income, since ranchers' gross income would not change materially. The reduced net income would be reflected in lower ranchers' expenditures in the local community. The size of the impact would be magnified by the multiplied effect of these expenditures.

The report goes on to state:

> A fee increase plus the loss of the permit value would affect the rancher and the lending institution in two ways. First, the increased costs without compensating returns would leave the permittee in a much weaker position to pay off his mortgage. Secondly, the loss of permit value would remove an asset previously used as collateral. In either case the permittee would experience difficulty in obtaining future mortgages. A loss of permit value now would leave many permittees with an outstanding debt for an asset that would no longer exist.

The report makes interesting reading indeed, for one cannot help but wonder how a decision to increase grazing fees coupled with the loss of permit value, was arrived at with the number of arguments against this action presented within the report itself.

The report also refers to the fact that an increase in grazing fees will probably cause a decline in cooperative work. As it states, there are presently, Forest Service range permittees contributing about $1.3 million a year in the installation, construction and maintenance of federally owned range improvements, and it concludes:

> If cooperative work declines, the Federal Government will bear the burden in some combination of the following ways: (1) increased appropriations for necessary range improvement construction and maintenance; (2) value of federally owned land will decline due to deteriorating rangeland and watersheds; and (3) declining or lowering rates of increase in fee collections due to decreases in capacity and use.

Thus the losses to the Federal Treasury could well be several million dollars indeed if the measures go into effect as planned now.

What were the considerations on the other side? The main consideration seemed to be that "If fees are not raised, the Treasury stands to lose about $6 million annually, that is, the difference between the current fee level and the estimated level at full market value." Is this a just consideration when so many other economic and social problems exist? I think not. And I have called upon Senator JACKSON, chairman of the Senate Interior and Insular Affairs Committee to investigate this matter. In answer to my request—and, I am sure, in answer to the request on the part of other Senators as well as his own personal concern, Senator JACKSON and Senator CHURCH, chairman of the Subcommittee on Public Lands, have arranged from Senator CHURCH'S subcommittee to hold informal public hearings later this month on the proposal.

Mr. President, it seems to me that sufficient doubt has been raised about the wisdom of this proposed action that Congress should undertake a full investigation of the matter. I have also requested Senator ELLENDER, chairman of the Senate Agriculture and Forestry Committee, as well as Congressman ASPINALL, chairman of the House Interior and Insular Affairs Committee, to review closely these proposed increases. All have expressed interest and concern in the matter.

In addition, I called upon Congressman ASPINALL, as chairman of the Public Land Law Review Commission, for his review of the proposal.

As you know, Mr. President, in 1964, Congress established the Public Land Law Review Commission—PLLRC—and directed it to study existing statutes, to review the policies and practices of agencies administering public lands, to compile data to determine present and future demands on public lands, and to recommend such modifications in laws and policies as to provide the maximum benefit for the public. The PLLRC is nearing completion of their study and should be submitting their report to Congress sometime in the foreseeable future. It would seem extremely unwise and foolish to adopt a regulation of the magnitude of the proposed grazing fee changes that would have such an effect on the Federal Government's policies with respect to administering the public lands without having at least the benefit of preliminary reports or recommendations from the PLLRC.

Therefore, Mr. President, I introduce my bill today to rescind for at least 2 years the proposed increases. This would give Congress sufficient time to fully review the equities and the problems involved in this complex matter and would also provide time for the PLLRC to report to Congress on changes necessary to properly administer our public lands to the best advantage of all concerned. It may well be that the end decision will be the same. If so, we will have done our best and can rest comfortably in the knowledge that the decision was the right one. The most that we could lose would be a few dollars to the Federal Treasury.

The stakes are so high I do not think we can afford to gamble. I do not mean this to be a delaying tactic. There are serious problems that need resolving. There are serious questions that remain unanswered.

Mr. President, there is a second provision in my bill which would provide that in the future, notice of any proposed increases in the grazing fees must be given to both the Senate and House Committees on Interior and Insular Affairs not less than 90 days prior to the date on which such proposed increases are to become effective. It is only right that those of us here in Congress, vitally interested in the welfare of this Nation's agricultural producers as well as in the proper administration of public lands, be notified in advance of any actions that will have an effect on them. I do not believe that this is too much to ask for.

In closing, Mr. President, I would like to state that I have written to both Secretary of Agriculture Hardin and Secretary of the Interior Hickel, urging that the regulations promulgating the grazing fee increases be administratively suspended and reviewed carefully by their respective Departments. I have pointed out to them the many unanswered questions and dangers which I have discussed here today. But I do not feel we can afford to sit around and wait to see what the administration might do. We, too, have a vital interest in this matter.

I urge that this body act promptly on the bill which I introduce today. It is incumbent that if we are to find the right solution to this vital problem that we have sufficient time to investigate the matter without the fear hanging over us that while we deliberate, the permittees are nonetheless having to pay the increased grazing fees and suffering the loss of permit value. We will lose little, if any, revenue by suspending the increases temporarily; however, the losses to our agricultural producers, to the business community dependent upon their trade, and to our society in general, if we do not suspend them and review them carefully could be disastrous. It seems an easy choice that is ours to make. Let us move forward and make that choice.

Mr. President, I ask unanimous consent that the letter to Secretary of the Interior Hickel and the text of my bill be printed at this point in the Record.

The letter presented by Mr. Montoya, is as follows:

U.S. Senate,
Washington, D.C., February 13, 1969.

Hon. Walter J. Hickel,
Secretary, U.S. Department of the Interior,
Washington, D.C.

Dear Mr. Secretary: As you are well aware, considerable controversy has arisen over the recent increase in fees for grazing livestock on public lands—which was announced jointly by the Departments of Agriculture and Interior a few weeks back. The final regulations were published in the Federal Register on January 14.

When the increases were first proposed in November 1968, I protested vigorously to then Secretaries Orville Freeman and Stewart Udall relative to the magnitude of the increases. I have since had additional opportunity to more thoroughly study the issues involved and am more convinced than ever that the previous action requires additional consideration. As I have stated before, I agree that permittees should pay equitable fees for the permits. However, I am disturbed that the decision to increase the fees appears to have been made arbitrarily, based on an unrealistic appraisal of "fair market value."

Although comments from all interested parties were solicited and received on the proposed increases by both Departments, the final decision on the increases was virtually identical to the original proposal. In view of the resulting controversy, this suggests that the comments received were not properly considered and would not have justified such a decision. The question is also raised as to whether the entire record is sufficient to support the increases.

There are many socio-economic factors which must be given equal consideration with the purely dollar value of grazing land. I trust that you can appreciate the importance of these factors. For example, it has been called to my attention that Forest Service range permittees contribute some $1.3 million a year toward the installation, construction, and maintenance of federally-owned range improvements. This burden might otherwise have to be shouldered by the Federal Treasury, if the increases are permitted to stand. This, in turn, might well initiate a decline in the value of Federal land, due to deterioration of rangeland and watersheds. Further, there could be a resulting reduction in fee collections due to decreases in capacity and usage.

In addition to these considerations, I firmly believe that further thought must be given to whether fees should be established at a level which permits smaller producers to participate, and thereby continue in agriculture, or whether fees will be raised to such a level that small producers will be forced out of business. The latter could only lead to further erosion of the family farm concept . . . a swelling of our welfare rolls . . . a breakdown of those financial institutions which have supported producers . . . and a general decline in our already suffering rural economy.

The Senate Subcommittee on Public Lands has scheduled informal public hearings on the increase in fees for later this month. In addition, we in Congress are still anxiously awaiting completion of the Congressionally-ordered study by the Public Land Law Review Commission into existing Federal policies dealing with public lands. The Commission will make recommendations to the Congress sometime soon, hopefully, on changes that are needed to best administer our public lands.

While I recognize that your department has its statutory obligations to implement policy established by Congress, using your best judgment, I am confident that you share my concern that a just and equitable decision be made relative to this matter. Thus, I respectfully urge that you join with Secretary of Agriculture Hardin in temporarily rescinding the increase in grazing fees until Congress and you, personally, have had further opportunity to more closely study the implications of this action.

Your every consideration of my request on behalf of the ranchers of this country will be greatly appreciated. I am making a similar appeal to Secretary Hardin.

With kind regards, I am

Sincerely,

Joseph M. Montoya,
U.S. Senator.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and bill will be printed in the Record.

The bill (S. 1063) to temporarily suspend the recent increases in fees for grazing of livestock on public land, introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 1063

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to give the Congress sufficient time to determine whether the recent increases in fees announced jointly by the Secretary of Agriculture and the Secretary of the Interior for the grazing of livestock on lands under the control of the Forest Service of the Department of Agriculture and on lands within officially designated grazing districts under the control of the Bureau of Land Management of the Department of the Interior should be permanently rescinded or modified by legislation, and to determine whether or not new or additional standards should be prescribed by the Congress for establishing the amount of such fees, the increase in fees for the grazing livestock on such lands announced by the Secretary of Agriculture and the Secretary of the Interior on January 14, 1969 (Federal Register, Volume 34, Number 9, pages 504–507), are hereby rescinded effective January 14, 1969, and no increase in fees for the grazing of livestock on such lands shall be announced or effected prior to January 1, 1971.

Sec. 2. Whenever on or after January 1, 1971, the Secretary of Agriculture proposes to increase the fees for grazing livestock on National Forest System lands and other lands under the control of the Forest Service, or the Secretary of the Interior proposes to increase the fees for grazing livestock on public lands within officialy designated grazing districts, notice in writing of such proposed increases shall be given by the Secretary of Agriculture or the Secretary of the Interior, as the case may be, to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Interior and Insular Affairs of the Senate not less than 90 days prior to the date on which such proposed increases are to become effective.

S. 1064—INTRODUCTION OF BILL EXTENDING PATENT TERM FOR VETERANS

Mr. BAYH. Mr. President, I am today reintroducing, for appropriate reference, a bill to provide for the extension of the patent terms for certain persons who have served honorably in the Armed Forces of the United States.

The purpose of this bill is not at all unique; throughout the Nation's history we have made special exceptions and provisions for veterans in order to compensate them partially for sacrifices they have made in serving their country. It would merely give to veterans the privilege of being allowed extensions of time for patents they have not been able to exploit because of military service. It would give veterans no more advantage than is now enjoyed by patent holders who do not serve in the Armed Forces of their country.

There are other precedents for legislation of this type. Congress enacted laws after both World War I and World War II providing veterans with this same privilege. There seems to be no good reason why this privilege should not be made available once again.

The bill does not propose a giveaway or handout. To be eligible, any veteran would have to be honorably discharged. In addition, he would have to prove, to the satisfaction of the Commissioner on Patents, that his military service had indeed "substantially reduced" any benefits he might have been able otherwise to receive from his patent.

Let me emphasize also that such extensions would only be authorized and not granted automatically. The ultimate burden of proof in the matter rests on the veteran himself, and there would be no cost whatsoever to the Government.

In addition to authorizing patent extensions to eligible veterans, my bill includes two new provisions. Unlike previous similar laws, its application would not be limited to those who served during specific years. All veterans who have not yet benefited from earlier legislation would be eligible in the future.

A second new feature would permit a veteran, for the purpose of this bill, to count as active service all time which elapsed between his initial induction into the armed services and his final honorable discharge. This change would extend coverage to those unfortunate veterans who, because of erroneous charges and action taken against them, have been forced to live under the shadow of a less than honorable discharge until able later to have such judgment reversed and their honor restored.

Mr. President, Congress and the Na-

tion recognizes that there is a special obligation to attempt to compensate those who have served in our Armed Forces for their many sacrifices and the lengthy interruptions to their normal lives and careers. This bill seeks only in a small way to remove a disadvantage now encountered by those comparatively few veterans who may have been awarded patents on their inventions but were not able, because of military service, to pursue fully their patent rights. I hope that this bill will receive every consideration and ask unanimous consent that it be printed in full at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1064) to provide for the extension of the term of certain patents of persons who served in the military forces of the United States, introduced by Mr. BAYH, was received, read twice, by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1064

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II," approved June 30, 1950 (64 Stat. 316), as amended, is amended to read as follows:

"Any person who is the inventor or discoverer of an invention or discovery for which a patent was granted to him during his performance of active service in the military or naval forces of the United States resulting in an honorable discharge and who has not received a patent extension under any previous Act, and who during such service was not receiving income from said patent or patented invention or discovery, or whose income therefrom was substantially reduced as a result of his said service, may obtain an extension of his patent for the term specified herein, upon application to the Commissioner of Patents within one year after the enactment of this Act or within one year after the termination of such service, whichever is later, and upon complying with the provisions of this Act. The period of extension of such patent shall be a further term from the expiration of the original term thereof equaling the length of the said service during which his patent was in force, but in no event shall exceed a period equal to the term of the original patent. Any period of time required following said service to obtain recognition of the right of such a person to an honorable discharge shall be considered part of such service."

Section 5 of said Act is amended by striking out "(a) No" and by striking out subsection (b).

S. 1065—INTRODUCTION OF BILL PROVIDING COMPENSATION UNDER THE WAR CLAIMS ACT OF 1948

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill to provide for the continuance of certain compensation under the War Claims Act of 1948 and for an increase in the amount of such compensation. This bill is identical with S. 2291 which I submitted on August 14, 1967. It would apply to a very limited number of U.S. citizens who suffered from the enemy in the Far East during World War II and whose compensation payments have ceased because they have reached the present statutory maximum.

A number of civilians, many of whom were employees of the U.S. Government, were captured by the Japanese in the early months of World War II and interned in prison camps. During confinement, many of these individuals suffered great hardship, contracted serious diseases and incurred physical injuries. Congress recognized the contributions and sacrifices made by these people in the War Claims Act of 1948 and subsequent amendments in 1954 and 1962.

The amount of compensation paid to these civilian internees has not been large. In addition to assistance with medical and hospital costs, disability payments have been made to those former civilian employees of the Government who suffered permanent injuries while in prison camps. Disability payments, which are administered by the Bureau of Employees' Compensation in the Department of Labor, were based on the assumption that the average weekly wage of the recipient was equal to $37.50. An internee who was totally and permanently disabled from a physical standpoint was entitled to receive a maximum compensation of $25 per week, and one who suffered less injury received smaller amounts in proportion to degree of disability.

Those who incurred partial disability can receive under the law no more than a total of $7,500 in payments. As a consequence, many of the former internees can no longer receive benefits, despite continuing disabilities. This maximum limitation does not apply, however, to internees who incurred 100-percent disability. It seems to me that the maximum allocation for partial disability should be removed and the amount of benefit these former employees receive should be somewhat increased.

Available information indicates that less than 5,000 persons ever sought compensation for injury or disability under section 5(f) of the War Claims Act of 1948. The great bulk of the cases has already been closed, and only a few more than 100 are still actively drawing benefits. The average benefit paid for disability has been about $21 monthly. My bill would make it possible for a small number of former employees, many of whom have reached retirement age and suffer from various infirmities, to continue to receive assistance after their total payments have reached $7,500, and for a number of others whose payments expired some time in the past because of this limit, to be entitled to have them resumed in the future. The bill would not, however, retroactively reimburse these persons for any period of time during which they have not been eligible for payments. To the contrary, compensation payments would not start again until at least 1 month after the bill is enacted.

In addition to removing the $7,500 maximum limitation, my proposal would increase the monthly disability payments to 125 percent of the amount otherwise provided under the law. In view of the marked rise during the last two decades in the cost of living as well as in both governmental and private compensation programs, an increase of one-fourth in benefits would be very modest. For instance, a person with a disability determination entitling him to receive $20 per month at present would be allocated only $5 more, or $25 per month.

There has been some indication that the balance remaining in the War Claims Fund may not be sufficient to pay in full all of the awards which have been certified as proper under the War Claims Act. If this be true, of course, other sources would have to be provided from which the payments contemplated by this bill could be made, and it should be amended accordingly. In any case, the limited number and the advanced age of most of those eligible, coupled with the low level of benefits, means that the total cost of the program would be minimal.

Even though this measure would affect the welfare of a comparatively small number of people, to each individual involved it could mean much in the remaining years of life. Those employees who were middle-aged at the time of their imprisonment are either approaching retirement or have already retired. Because of their disabilities, few have been able to work on a regular, full-time basis. One example which has come to my attention is that of a man who was a civilian employee of the Navy in the Philippines at the time of his capture and internment by the Japanese. Because he sustained multiple injuries, he was declared later to be eligible for compensation and he also received medical care at government expense. An injury to his spine and other related illnesses greatly limited his ability to work and he has been hospitalized on numerous occasions. Now at age 78, unable to work, and having several years ago reached the maximum aggregate limit of $7,500 in compensation which the law provides, he is in need of continued financial assistance.

Mr. President, it is time that the plight of these persons who were disabled through internment during World War II should be relieved. The present maximum $7,500 limitation on total payments for those who were partially disabled should be removed, and the amount of compensation should be increased to a more realistic figure. Failure to change the act previously might be due to oversight because of the small number of persons directly involved. In view of the fact that many of the former Government employees covered by the act are near or have attained retirement age, and their number is growing less with each passing year, I urge that this measure be given prompt and sympathetic consideration.

The VICE PRESIDENT. The bill will be received and appropriately referrred.

The bill (S. 1065) to provide for the continuance of certain compensation under the War Claims Act of 1948 and for an increase in the amount of such compensation, introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 1069—INTRODUCTION OF A BILL FOR TAX DEDUCTION FOR THE HANDICAPPED

Mr. JAVITS. Mr. President, I introduce a bill to provide the disabled an income tax deduction of up to $600 to cover transportation to and from work, and to allow them the same additional $600 income tax deduction as is now given the blind.

This measure is a companion bill to H.R. 424 introduced on January 3 by the distinguished chairman of the Ways and Means Committee of the House of Representatives, Hon. Wilbur Mills, and it is a successor of the legislation I first introduced in February 1950 in the 81st Congress, as a Member then of the House.

It is estimated that some 300,000 disabled persons would qualify under this legislation, at a maximum cost to the Government of about $130 each or $40,000,000 per year. This cost seems small when we consider the average cost of from $479 to $544 per year to rehabilitate each disabled individual. What we will be doing through this legislation is helping these people to help themselves and aiding them to achieve some personal independence from institutions, from overburdened families, and from local and State governments.

Our handicapped citizens are capable of being productive workers, contributing to the Nation's economy instead of being dependent upon it. But their disabilities impose upon them additional expenses in pursuit of their livelihoods which are not fully tax deductible, such as special orthopedic devices; extra travel costs because they are unable to utilize routine methods of transportation; expensive additions to office, shop, or home to facilitate their movements; special prosthetic devices; higher insurance costs, and the costs of hiring help to perform the simple tasks which the nonhandicapped perform for themselves. In addition, rising costs are particularly burdensome. For example, the prices of some special orthopedic shoes needed by the disabled have doubled in the past year.

Under this bill, the disabled taxpayer, in order to qualify for the additional $600 exemption, must suffer from a loss of one or more extremities or 40 or more loss of ability as defined under the Schedule for Rating Disabilities of the Veterans' Administration. In addition, both the blind and the disabled would qualify for the tax deduction of up to $600 for expenses of going to and from work.

The prospects for this bill seem especially bright now. Hundreds of thousands of Americans have endeavored valliantly to transform their physical handicaps from stumbling blocks to building blocks. They wish to use their crutches to move on, not to lean on. This legislation will help them do just that. It is as practical in economic terms as it is humanitarian. It is, in effect, a practical bill to benefit those who have no alternative but to be practical.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1069) to provide for a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled, introduced by Mr. Javits, was received, read twice by its title, and referred to the Committee on Finance.

S. 1070—INTRODUCTION OF BILL TO ESTABLISH A COMMISSION ON AIR TRAFFIC CONTROL

Mr. BROOKE. Mr. President, every time we take off or land in an airplane, our lives are literally in the hands of two human beings; the pilot in the cockpit and the controller in the tower. We are aware of the care with which pilots are selected and trained: each airline is responsible for its own personnel, and its safety record is a matter of frequent public pronouncement. But air traffic controllers, as Government employees, come under different standards of recruitment and training.

While the pilot may be at the manual controls of the plane, some of the most vital decisions are made by the man in the control tower. The controller tells the pilot when to take off and to land, how much distance to keep between planes, where to circle the airport and for how long, the approach to take for a landing, and the pattern to follow after takeoff. The control of the flow of traffic at all of our airports is largely in the hands of the controllers, and they must be well trained.

But air traffic in the United States is rapidly approaching a critical stage; in some areas of high-density traffic, crises already exist. In many areas the system is handicapped by a lack of sufficient competent personnel to operate essential positions and direct aircraft movement. Many controllers are working mandatory overtime hours, and their resources are being so overtaxed that their efficiency necessarily suffers. It is becoming increasingly difficult to attract new men of high caliber who possess the skill and stamina necessary to function in this delicate and essential occupation.

Besides the drain on human resources, physical facilities are often not adequate to the job at hand. Because of insufficient runways and electronic landing systems, some airports now operating are actually unable to handle the present traffic and still maintain minimum safety standards. In many facilities the radar necessary for positive control is obsolete and inadequate; in many other facilities there is no radar at all. Among its other deficiencies our air traffic control system has no means of limiting or even forecasting the number of airplanes which schedule arrivals and departures at any single airport at a given time. At major airports, delays are commonplace. As these occur, spacing between aircraft is often shortened to the point where safety is undermined.

Our annual increase in air traffic has been very substantial during the past 5 years. It promises to continue without abatement for the foreseeable future. If the American people are to have air transportation that is reasonably dependable and at the same time meets proper safety standards the country must, without further delay, develop the facilities and the manpower which will make it possible to manage safely and efficiently our rapidly accelerating air traffic flow.

Earlier this month I was joined by 21 of my colleagues in sending a letter to the Secretary of Transportation, John A. Volpe, urging his prompt and vigorous attention to these critical problems. In particular the letter cites the personnel problems in the air traffic control field and calls upon him to increase the number of air traffic controllers and to upgrade the standards and conditions of their employment. We are looking forward to the Secretary's reply.

After I introduced a bill in the second session of the 90th Congress to establish a commission to study the central issues of air traffic control personnel and operations, the Secretary of Transportation set up a committee to review this urgent situation. It is notable, however, that this committee contained no representatives of the operating personnel themselves and that it has brought about no substantial changes in the conditions of their employment. Even though Congress provided for the exemption of air traffic controllers from the provisions of the Revenue and Expenditure Control Act of 1968, thus eliminating any freeze on the acquisition of additional personnel, the manpower shortage has not improved, partly because it takes years to qualify a controller. Little headway has been made in establishing methods for improving the training and recruiting of more controllers. While negotiations drag on between the FAA and the Civil Service Commission, controllers continue to bear these increasingly oppressive working conditions.

In short, Mr. President, the same problems seem steadily to deteriorate and the need for a comprehensive and thorough remedy continues to grow. In order to produce the concrete conditions necessary for change, I send to the desk a bill to establish a commission to be known as the Commission on Air Traffic Control. The Commission shall be responsible for making a full and comprehensive study of air traffic control and the duties and responsibilities of air traffic controllers. It will serve in an advisory capacity to the Secretary of Transportation, and will submit a comprehensive report of its findings to the President and the Congress within 1 year.

I am pleased to have as cosponsors of this measure Mr. Allott, Mr. Anderson, Mr. Bayh, Mr. Bellmon, Mr. Bennett, Mr. Bible, Mr. Case, Mr. Cook, Mr. Dodd, Mr. Dole, Mr. Dominick, Mr. Goodell, Mr. Hatfield, Mr. Hart, Mr. Hughes, Mr. Inouye, Mr. Javits, Mr. Jordan of Idaho, Mr. McIntyre, Mr. Montoya, Mr. Murphy, Mr. Scott, Mr. Stevens, Mr. Schweiker, Mr. Yarborough, Mr. Fannin, and Mr. Goldwater.

Mr. President, I introduce this bill and ask unanimous consent that it be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1070) to establish a commission to be known as the Commission on Air Traffic Control, introduced by Mr. BROOKE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1070

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of (1) the ever increasing workload and stress on air traffic controllers, particularly at certain airports in the Nation, and (2) the fact that, with very large aircraft carrying many more passengers soon to become operational, the performance of such controllers will become even more important, there is hereby established a commission to be known as the Advisory Commission on Air Traffic Control (hereinafter referred to as the "Commission").

SEC. 2. (a) The Commission shall make a full and comprehensive study of air traffic control and the duties and responsibilities of air traffic controllers in order to determine what policies are necessary to assure that such controllers are of the highest caliber attainable and work under such rules as will best insure the safety of the public. Such study shall include—

(1) an examination and determination of the best methods for defining the "work loads" of air traffic controllers and "high density" airport facilities, taking due account of other relevant surveys and studies;

(2) a thorough review and recommendations concerning air traffic control personnel standards and practices, including problems of recruitment, education and training, personnel qualification, licensing and classification, periodic proficiency and medical examinations, compensation, retirement, and leave policies.

(3) a consideration of the desirability and feasibility of establishing an academy to conduct specialized education and training for air traffic control personnel;

(4) any other matter which the Commission deems necessary to carry out its responsibilities under this Act.

(b) The Commission shall submit a comprehensive report of its study, including such recommendations for legislation as it deems appropriate, to the President and the Congress within one year after the date of enactment of this Act. The Commission shall cease to exist ninety days after the submission of such report.

SEC. 3. (a) The Commission shall be composed of fifteen members appointed by the Secretary of Transportation. The composition of the Commission shall be as follows:

(1) four members appointed from private life;

(2) four members who are active air traffic controllers appointed from recommendations submitted by the Professional Air Traffic Controllers Organization, the Air Traffic Control Association and the National Association of Government Employees;

(3) one member appointed from recommendations submitted by the Air Traffic Transport Association of America;

(4) one member appointed from recommendations submitted by the Airline Pilots Association and the Allied Pilots Association;

(5) one member appointed from recommendations submitted by the Airline Owners and Pilots Association;

(6) one member appointed from recommendations submitted by the National Business Aircraft Association;

(7) one member appointed from the Civil Service Commission or its employees;

(8) one member appointed from the Federal Aviation Agency;

(9) one member who is an expert in the field of air traffic control, and who shall serve as chairman.

(b) Vacancies shall be filled in the same manner in which the original appointments were made. Any vacancy in the Commission shall not affect its powers, and six members of the Commission shall constitute a quorum.

(c) Each member of the Commission who is appointed from private life shall receive $100 per diem for each day (including travel time) during which he is engaged in the actual performance of his duties as a member of the Commission. A member of the Commission who is in the legislative, executive, or judicial branch of the United States Government shall serve without additional compensation. All members of the Commission shall be reimbursed for travel, subsistence and other necessary expenses incurred by them in the performance of such duties.

SEC. 4. (a) The Commission is authorized to appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this Act. Such appointments shall be without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such compensation shall be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no individual so appointed shall receive compensation in excess of the rate prescribed for GS–18 in the General Schedule under section 5332 of title 5, United States Code.

(b) The Commission is authorized to obtain services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed $100 per diem.

(c) The Commission is authorized to accept and utilize the services of voluntary uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code.

SEC. 5. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpoenas may be issued under the signature of the chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such chairman or member. The provisions of section 102 to 104, inclusive, of the Revised Statutes (2 U.S.C. secs. 192–194), shall apply in the case of failure of any witness to comply with a subpoena or to testify when summoned under authority of this section.

(b) The Commission is authorized to secure directly from any department, agency, or instrumentality of the United States information, studies, surveys, and reports to carry out the purposes of this Act. Each such department, agency, or instrumentality is authorized and directed to furnish such information, studies, surveys, and reports directly to the Commission, upon request made by the chairman, unless the President determines that it is in the best interests of the security of the United States that such information, studies, surveys, and reports not be furnished.

SEC. 6. To carry out the provisions of this Act, the Commission shall have the authority—

(1) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;

(2) to obtain, upon a reimbursable basis, from any department, agency, or instrumentality of the United States, with the consent of the head thereof, such facilities, services, and supplies as the Commission deems necessary to carry out its duties;

(3) to enter into contracts or other arrangements, or modifications thereof, with State and local governments, and institutions and individuals in the United States, to conduct studies the Commission deems necessary to carry out the purposes of this Act, and such contracts or other arrangements, or modifications thereof, may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5);

(4) to make advance, progress, and other payments which the Commission deems necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529); and

(5) to make any other expenditures necessary to carry into effect the purposes of this Act.

S. 1071—INTRODUCTION OF ELECTRIC POWER RELIABILITY ACT OF 1969

Mr. KENNEDY. Mr. President, I introduce today the Electric Power Reliability Act of 1969. The primary purpose of the bill is to develop reliability in our electric power systems in order to eliminate the large-scale power blackouts which have plagued the American public with increasing frequency over the last several years. The other major purpose is to develop safeguards to assure that construction of large new generating and transmission facilities will not violate this Nation's irreplaceable environmental, scenic, and historic assets.

Mr. President, it has been more than 3 years since the massive northeast blackout of November 1965, left over 30 million people in the northeastern United States without electricity for up to 12 hours and more. It has been over a year and a half since the blackout in the Middle Atlantic States left 13 million people without power and convinced Americans that blackouts are definitely not freak occurrences.

Indeed, since the great northeast blackout the hazards of unreliable electric service have been further dramatized in scores of additional major power failures, many of them cascading failures in which two or more generating plants went off the line successively.

Only a few weeks ago, on January 28, over half of the State of Florida was hit by a large power failure.

My own State of Massachusetts has been plagued in recent years by several major power failures and smaller blackouts. Not once but twice, during the height of the summer season in 1967, the power went out on Cape Cod.

Twice in the last 2 months, outages in the Boston area have dramatically underscored for the citizens of Massachusetts the hazards of power loss. These particular blackouts, affecting hundreds of thousands of people, were local breakdowns caused when snow and ice storms battered down distribution wires. While they therefore could not be directly prevented by the overall coordination sought in my proposed bill, they have once again emphasized the inconvenience of power failures, the danger to health and public safety, and the need to prevent or minimize all blackouts, large and small.

Federal Power Commission figures indicate that blackouts are occurring with increasing frequency. In the Commission's words:

> The growing complexity of equipment and the increasing use of electric power make power blackouts more possible all the time.

These failures are not isolated and rare events. They are, rather, a common fact of modern-day life.

And they are common not because they are unavoidable. They are common because the utility industry views itself as a composite of individual, local units, a view contrary to reality and to commonsense.

REGIONAL PLANNING TO PREVENT BLACKOUTS

Blackouts must be, and can be, prevented. And experts agree on the approach: coordinated, regional planning by all segments and systems in the electric power industry.

Lee White, Chairman of the Federal Power Commission, stressed in his 1967 testimony to the Senate Committee on Commerce on an earlier reliability bill:

> Massive power failures have dramatized for the Nation the scale of operation of the electric utility industry today. Inadequate planning, as these power failures [Northeast Blackout and Middle States Blackout] plainly demonstrate, can lead to disruptions of electric service on a massive scale, to serious economic injuries, and, potentially, to human and community tragedy . . .
>
> At the present time, plans are made by the industry, some early, some late, coordinated or uncoordinated, adequate and inadequate, and are rarely presented for any public scrutiny until it is almost too late to do anything about it . . . The emphasis must be on a timely and adequate planning procedure and exposure of plans to the public and regulatory agencies.

The report on "Electric Utility Industry and the Environment," prepared by a task force of the Citizens Advisory Committee on Recreation and Natural Beauty and released a few months ago, notes:

> There is a growing need for additional power, and for interconnections betweeen systems, which must be met, and delays can be dangerous . . . The need for stronger inter-company and inter-system transmission tie lines has been increased greatly in recent years as a result of new reliability problems growing out of the use of larger generating units.

The need for planning is also strongly documented by the recent report prepared by the energy policy staff of the Office of Science and Technology entitled "Considerations Affecting Steam Power Plant Site Selection":

> Power system engineers attest to the absolute necessity of adequate system design, including judicious location and arrangements of generating sources and transmission connections to produce a reliable power supply. The proper balance among power systems loads, generation, and transmission facilities is of primary importance, and errors in these and other aspects of system planning and design cannot be overcome in operation regardless of how well the operating functions are carried out.

The reliability problem is compounded by the soaring increase in demand for electricity and in the need to construct new facilities to meet that demand. Our total population continues to grow, and individuals and companies are relying on electricity for an ever-expanding number of functions. Latest estimates indicate that demand for electric power is doubling every 10 years.

The supply of electricity has been able to meet increasing demand, and has the potential to meet future needs, primarily because of technological advances leading to large-scale generating and transmission facilities. For example, 30 years ago the largest generating unit was only about 200 megawatts in capacity. Today generating units of 1,300 megawatts capacity are going into operation. Similarly, transmission lines have doubled and tripled in capacity.

ENVIRONMENTAL PROTECTION

The rapid growth in electric power facilities, and the fact that larger and larger units are dictated by economics of scale, contribute to a further threat which concerns me greatly: The harmful effect which extra-high voltage electric power facilities can have on our Nation's environmental, scenic and historic assets.

At the present time, electric utilities are a steady polluter of air and water. Transmission lines mar the countryside, from the Pacific to the Atlantic. Utility plants themselves can destroy scenic or historic areas.

Let me cite a few specific examples:

The Storm King controversy raged for years. Would Con Edison be permitted to build a generating plant at Storm King Mountain, and thus forever destroy its value as an unspoiled recreation area?

A second battle of Antietam flared up two summers ago over whether the Potomac Edison Co. would be allowed to construct transmission towers 11 stories tall alongside Antietam battlefield, John Brown's farm, and the Chesapeake & Ohio Canal near Sharpsburg.

The Commonwealth of Massachusetts brought suit against a power company seeking to construct a pumped storage generating plant on the Connecticut River, to prevent thermal pollution of the river.

A number of small towns outside Boston—Sudbury, Wayland, Concord, Framingham, among others—have been battling the power companies for 8 years over whether transmission lines should be buried as they pass through the Sudbury River Valley, with its homes and buildings dating to the Revolutionary War. The towns insist that the lines be put underground; the utility companies insist on overhead wires. The dispute is still raging, and has led to extensive litigation going all the way to the State supreme court.

From Chesapeake Bay and Long Island Sound in the East to Columbia River in the West, citizens are alarmed at possible thermal pollution and other adverse effects from large electric powerplants. And disputes are erupting all over the United States over proposed transmission lines and their impact on areas of natural and historic interest or scenic and recreational value.

Thermal pollution is a major problem of large generating facilities. Nuclear plants especially need vast amounts of water for cooling purposes, and if improperly controlled, the discharge from these plants can kill all the wildlife dependent upon the river. One recent estimate states that by 1980, nuclear generating plants will be using one-fifth of the total fresh water runoff of the United States for cooling. The discharge is usually 11° to 23° hotter than the intake.

Studies of air pollution bear out common experience: utility companies pour tons of dirt and noxious and dangerous contaminants into the air we breathe every day. Powerplants are the third largest source of air pollution, accounting for some 20 million tons of airborne pollutants a year. In Boston, in New York City, in Washington, and in hundreds of other cities the towering chimneys and smokestacks pour out smoke hour after hour, week after week. Public attention and legislation in recent years give us a ray of hope that this problem will not be so severe sometime in the future as it is today. But much more in research, in pollution control devices and laws, in good faith efforts, remains to be done.

Generating facilities affect other environmental assets as well, including land, water, recreation, scenic, ecological and historic values. Indeed, the Electric Power Plant Siting Act, which I sponsored last year and will reintroduce in revised form within the next couple of weeks, is directed specifically to the problem of siting large electric powerplants in such a way as to protect the environment and maximize other benefits.

The problem of overhead transmission lines is equally serious. Today over 7 million acres of land are devoted to transmission lines. Notwithstanding, there is still a critical shortage of lines contributing to the unreliability of so many of our electric systems. And of course increased demand also means increased transmission facilities.

Some estimates suggest that by 1980 the amount of land used for transmission lines will almost triple, to 20 million acres—or practically twice the acreage of our national park system. These projections heighten the urgency of devising economical and feasible ways to put lines underground.

The report I mentioned earlier by the task force of the Citizens Advisory Committee on Recreation and Natural Beauty recognized both that planning can reduce the present adverse impact of overhead transmission wires and that underground lines are the long-term solution:

> Environmental objections to conventional transmission facilities can be reduced through careful route selection and advanced techniques in clearing and construction in forested and scenic areas. Routes can be selected which are both functional and unobtrusive. It is often possible to avoid the creation of new rights-of-way by siting new transmission lines along rights-of-way already used by the utility, or by some other right-of-way user . . . The ultimate solution to the transmission line appearance problem is the undergrounding of such lines. However, technical limitations presently eliminate this solution in most cases.

In its 1968 annual report to the President, the Advisory Committee noted that changes are needed, not only in the electric power area but in all areas of Government interest, to assure adequate protection of the environment:

> The Committee is concerned that environmental considerations are not given sufficient weight in the decisions of the Federal Government. There is strong reason to believe that a growing public awareness and concern for the environment has not been adequately or effectively reflected in the development and operation of Federal programs.

The Committee went on to say:

> We believe that public concern for the careful and intelligent treatment of the environment is ahead of the Government's present institutional or administrative capabilities to make effective and sympathetic response.

I agree with the Advisory Committee's observations on defects in present Government procedures. Indeed many provisions of the bill which I introduce today are aimed at correcting these defects in line with my own commitment to the preservation of our environment and natural resources.

SUMMARY OF PROPOSED RELIABILITY BILL

The Electric Power Reliability Act of 1969 represents a careful revision of similar legislation which I sponsored last year in S. 2889. In preparing the bill, I have collaborated with Congressman John Moss of California and Congressman Richard Ottinger of New York, both of whom sponsored electric power reliability legislation in the last session of Congress. Together we have agreed on a uniform revised bill, and Congressmen Moss and Ottinger will sponsor this present bill in the House.

The bill incorporates the basic planning feature of S. 1934, the original reliability bill proposed by the Federal Power Commission in 1967: the establishment of regional councils to work out coordinated plans for reliable power development in all areas of the country. But the bill goes beyond S. 1934 in several major respects. It covers extra-high-voltage generating facilities, as well as transmission lines. It places greater emphasis on protection of the environment. It calls for the establishment of a National Council on the Environment. And it contains greater conservation and consumer safeguards.

Mr. President, I would like to summarize briefly several of the key features of the bill which I introduce today.

Regional councils: Regional councils, established by companies with the help of the Federal Power Commission, would be composed of all interested utilities in an area to strengthen coordination and insure that all electric systems in a region—large and small, private and public—work together in their planning efforts. Experience has shown that regional planning is essential for safe, reliable, and low-cost power and for protection of our natural resources, and that responsible regional councils are a sound approach.

Coordination plans: Each regional council would be required to file with the FPC a comprehensive development plan, which could be modified or changed at a later time. The FPC could accept or reject the plan and the proposed changes, depending on whether they are consistent with reliability standards and environmental protection. In all of its licensing and other decisions, the FPC would have to consider consistency with the appropriate regional coordination plan or plans.

Reliability criteria: The FPC is directed to promulgate compulsory regulations on reliability.

Construction of extra-high-voltage facilities: No extra-high-voltage transmission lines or generating plants can be constructed until the FPC approves the proposed facility as being consistent with the regional coordination plan and with reliability and environmental standards developed by the FPC.

Environmental council: The bill would establish a National Council on the Environment, with five members appointed by the President. The council would pass on all licensing and other actions by the FPC from the point of view of their impact on the environment. It would have initial veto power, subject to later reversal by the FPC, over proposals which might have an adverse environmental impact.

The bill requires that members of the national council be experts in conservation matters, so their reports and advice to the FPC would reflect an expertise and concern not otherwise available to it. I am convinced that a National Council on the Environment would contribute to an evenly balanced perspective—covering environmental as well as technical aspects—in licensing and other actions of the FPC.

Restrictions on condemnation: Utilities would not be allowed to exercise the power of eminent domain until the National Council on the Environment had been given a chance to present its views to the FPC on the environmental considerations. In addition, the bill incorporates standards from the Highway Beautification Act last year—prohibiting the use of park, recreation, wildlife refuge, and historic site land for extra high facilities unless there is no feasible and prudent alternative to such use, and unless all possible planning has been done to minimize harm. Every effort should be made to insure that reckless use of the power of eminent domain does not cause irreparable harm to our natural resources.

Consumer protection: Consumers have a right to be fully informed about proposed construction of electric power facilities, and they should be given a larger voice in regional and interregional utility planning. The bill meets this need by requiring that maximum publicity be given to regional plans and construction proposals—explaining them clearly in popular media throughout the regions affected. To maximize consumer protection and participation in FPC decisions, the bill also directs the FPC, whenever practicable, to hold public hearings in convenient locations within the regions affected.

Underground transmission lines: The FPC is instructed to study the social and economic impact of overhead transmission lines, including adverse environmental effects. It is my sincere hope that increased and persistent attention to putting transmission and distribution lines underground can speed the day when unsightly and sometimes unreliable overhead wires will be gone from our scenic landscapes.

Other provisions: Among other provisions included in the bill I introduce today are: establishment of a National Electric Studies Committee to facilitate development and exchange of technical information improving reliability; expansion of the FPC's power to require interconnection of electric systems; authorization to the FPC to require common use or ownership of extra-high-voltage facilities, when such cooperation is in the best interests of economy, reliability and environmental protection.

Mr. President, as we grow more and more dependent upon electricity for traffic control, for elevators, for hospital equipment, for communications, for laborsaving devices, we must be vigilant to see that the public interest is the interest being served. "Public interest" has a different meaning today than it did 10, 20, or 30 years ago, reflecting the growing maturity of our society. Today, the public interest demands attention to natural resources, protection of the citizen, breaking down the traditional insularity of generating and transmission companies, and determined efforts to prevent blackouts.

The bill which I introduce today provides, I think, a good framework for legislative change to protect the public interest. I hope that it will lead to increased discussion and attention to the serious problems we face, and that it will result in strong legislation for reliability in our power systems and protection of our environment.

We must plan now and act now to avoid irreparable harm in the future.

Mr. President, at the present time the Senator from Michigan (Mr. Hart) and the Senator from Maryland (Mr. Tydings) are joining me as cosponsors of the bill. Unfortunately, because of the Senate recess, I have not had an opportunity to contact several other Senators who have shown an interest in electric power reliability legislation. But I will do so in the days ahead.

Mr. President, I ask unanimous consent that the text of my bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1071) to amend the Federal Power Act to further promote the reliability, abundance, economy, and efficiency of bulk electric power supplies through regional and interregional coordination; to encourage the installation and use of improved extra-high-voltage facilities; to preserve the environment and conserve natural resources; to establish the National Council on the Environment; and for other purposes, introduced by Mr. Kennedy (for himself, Mr. Hart, and Mr. Tydings), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1071

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Electric Power Reliability Act of 1969".

SEC. 2. (a) The Congress finds that increased reliability in the generation and transmission of electrical energy is important to the national defense, the commercial life of the country, and the general welfare of the people of the United States; that the rapidly growing demand for power, the increase in the size and complexity of generating and transmission facilities and the rapidly advancing technology of the electric industry require a high level of coordination in the generation and transmission of electric power within and between regions of the country; and that a new part IV of the Federal Power Act, as added by this Act, will serve to provide the means for increasing and improving such coordination and reliability.

(b) Congress finds that the preservation and enhancement of the environment, the conservation of natural resources including scenic, historic, and recreation assets, and the strengthening of long-range land-use planning are vital to the health and welfare of the people of the United States and that actions taken under the authority of the Federal Power Act as amended by this Act should be consistent with these goals.

SEC. 3. A new part IV is added to the Federal Power Act, as amended (16 U.S.C. 791–825r), to read as follows:

"Part IV—Regional Coordination

"APPLICATION AND OBJECTIVES OF PART: DEFINITIONS

"SEC. 401. (a) This part shall apply to all persons who own or operate bulk power supply facilities in the United States.

"(b) This part is intended to further the national policy declared by subsection 202(a) of the Federal Power Act, by assuring an abundant supply of electric energy throughout the United States with the greatest possible economy and consistent with the preservation and enhancement of the environment, the proper utilization and conservation of natural resources, including scenic, historic and recreation assets, and the strengthening of long-range land-use planning; by enhancing the reliability of bulk power supply; by strengthening existing and establishing new, mechanisms for coordination in the electric utility industry; by encouraging the comprehensive development of the power resources of each area and region of the United States, to take advantage of advancing technology with due regard for the conservation of natural resources, by providing that all utility systems and their customers shall have access to the benefits of coordination and advancing technology on fair and reasonable terms; by assuring to the extent feasible that extra-high-voltage facilities include sufficient capacity to meet area, regional, and interregional needs for generating and transmission capacity, including reserve capacity for reliability; and by drawing upon the cooperation of all segments of the electric utitlity industry.

"(c) As used in this part, 'person' means a 'person', 'municipality', or a 'State', as defined in section 3 of the Federal Power Act, and any department, agency, or instrumentality of the United States. The term includes privately, cooperatively, federally, and other publicly owned persons.

"(d) As used in this part, 'bulk power supply facilities' means facilities for generation or transmission of electric power and energy. In the exercise of its authority under section 414 the Commission may classify or exempt facilities which are not material to the objectives of this part.

"(e) As used in this part, 'extra-high-voltage facilities' means transmission lines and associated facilities designed to be capable of being operated at a nominal voltage higher than two hundred kilovolts between phase conductors for alternating current or between poles for direct current, the construction, extension, or modification of which is commenced two years or more after the enactment of this part, and generating units or plants and associated facilities designed to be or capable of being operated at a capacity of two hundred megawatts or more, the construction, extension, or modification of which is commenced four years or more after the enactment of this part.

"RELATION TO OTHER PARTS

"SEC. 402. (a) This part supplements parts I, II, and III of this Act in order further to promote the reliability, abundance, and efficiency of bulk power supply in the United States and to assure that actions taken pursuant to any part shall be consistent with the enhancement and preservation of the environment, the conservation of natural resources, including scenic, historic, and recreation assets and the strengthening of long-range land-use planning. Nothing herein shall modify or abridge authority granted under parts I, II, or III of this Act unless specifically so provided.

"(b) The administrative, procedural, enforcement, rehearing, and court review provisions prescribed by other parts of this Act shall apply to this part.

"COOPERATION OF BULK POWER SUPPLY SYSTEMS

"SEC. 403. The purposes of this part should be achieved as far as possible by cooperation among all persons engaged in bulk power supply, or affected thereby, whatever their nature.

"REGIONAL POWER COORDINATION ORGANIZATIONS

"SEC. 404. (a) After appropriate consultation, held under procedures to be prescribed by the Commission, with persons engaged or interested in bulk power supply, appropriate Federal agencies and State commissions, the Commission shall secure the establishment of appropriate and effective regional organizations and procedures to carry out regional and interregional coordination, with full participation by all segments of the electric utility industry in the region. Each regional coordination organization (hereafter 'regional council') shall be open to membership by each electric system in the region, whatever the nature of its ownership or of its facilities. Two or more electric systems may at their option be admitted as a group. Some electric systems may in appropriate cases be admitted to more than one regional council. The Commission shall, and the State commissions within the region may, designate appropriate staff representatives, who shall participate in the work of the regional councils, except for the ultimate adoption of plans or any other council actions.

"(b) Each regional council shall file with the Commission a statement of its organization in accordance with such rules and standards as the Commission shall prescribe. The Commission shall promptly publish notice in the Federal Register of the filing of each such statement. Copies of such statements shall be kept available for public inspection at the Commission's office and at some convenient place designated by the Commission within each region affected. After notice and opportunity for hearing, the Commission may by order determine whether any statement filed under this section is consistent with the objectives of this part. If the Commission determines that the statement is not consistent with the objectives of this part it shall modify it or set it aside.

"(c) Within thirty days after adoption by the council, any regional or interregional coordination plan developed by such regional council, in accordance with such rules and standards as the Commission shall prescribe, shall be filed with the Commission. The Commission shall promptly publish notice in the Federal Register of the filing of each such coordination plan. Copies of such plans shall be kept available for public inspection at the Commission's office and at some convenient place designated by the Commission within each region affected. The Commission shall consider such coordination plans in exercising its responsibilities under this Act, including parts I, II, III, and IV: *Provided,* That such coordination plans shall in no manner be construed or considered as comprehensive plans pursuant to section 10(a) of part I of this Act (16 U.S.C. 803(a)). Statements filed under this subsection shall not be considered contracts to be filed under section 205(c) of this Act. After notice and opportunity for hearing, the Commission may determine whether any coordination plan submitted under this section is consistent with the objectives of this part. If the Commission determines that the plan is not consistent with the objectives of this part or not in the public interest it shall modify it or set it aside.

"(d) The Commission shall require annual reports from each regional council and such additional reports as it may deem necessary or appropriate to carry out the objectives of this part. Copies of such reports shall be kept available for public inspection at the Commission's office and at some convenient place designated by the Commission within each region affected. The Commission shall annually report to the Congress on the effectiveness of the regional and interregional coordination efforts.

"(e) If the Commission, after notice and opportunity for hearing, determines that any person engaged in generation or transmission unreasonably refuses to participate in the creation of a regional council, to contribute toward its expenses, or to participate in effective regional or interregional coordination it may require such person by order to participate in the creation and work of such regional council, and to contribute a reasonable share of the expenses thereof, to the extent the Commission finds necessary to carry out the objectives of this part.

"(f) In accordance with the procedures prescribed for filing, publication, and consideration of a statement of organization or coordination plan, either the regional council, or the Commission upon its own motion or upon complaint and after notice and opportunity for hearing, may from time to time amend any statement or plan. The Commission, if it determines, after notice and opportunity for hearing, that an amendment by the regional council is not consistent with the objectives of this part, shall modify or set aside such amendment.

"NATIONAL COUNCIL ON THE ENVIRONMENT

"SEC. 405. (a) There is hereby established a National Council on the Environment (hereafter 'National Council'). The President, with the advice and consent of the Senate, shall appoint as members thereof five persons having special expertise in areas such as conservation, environmental sciences, esthetics, or land-use planning. Each member of the Council shall hold office for a term of three years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) of the members first taking office two shall be appointed for a term of one year, one for two years, and two for three years, beginning from the date of enactment of this Act. At its first meeting and thereafter whenever a vacancy in the chairmanship occurs the Council shall elect one of its members chairman of the Council, to act as such until the expiration of his current term as a member of the Council. Not more than three of the members shall be appointed from the same political party, but this sentence shall not prevent appointment of persons without partisan political affiliation. No person in the employ of or holding any official relation to any licensee or to any person, firm, association, or corporation engaged in the generation, transmission, distribution, or sale of power, or owning stock or bonds thereof, shall enter upon the duties of or hold the office of member of the National Council. Said Council members shall not engage in any other business, vocation, or employment. No vacancy in the National Council shall impair the right of the remaining members to exercise all the powers of the Council. Three members of the Council shall constitute a quorum for the transaction of business. and the Council shall have an official seal of which judicial notice shall be taken. The Council shall annually elect a vice chairman who shall be acting chairman during the absence or disability of the chairman and during any vacancy in the office of chairman. The National Council shall adopt such rules and regulations as it deems advisable for the conduct of its business. It may by rule delegate to the Chairman such of its executive and administrative functions as it sees fit, including functions of the National Council with respect to (1) the appointment and supervision of personnel employed under the Council, (2) the distribution of business among such personnel, and (3) the use and expenditure of funds. The Council may by rule authorize the Chairman to redelegate any function so delegated to him. The Chairman of the National Council shall be compensated at the rate provided in level III of the Federal Executive Salary Schedule (5 U.S.C. 5314) and the other members shall be compensated at the rate provided in level IV of the Federal Executive Salary Schedule (5 U.S.C. 5315).

"(b) The National Council shall review each coordination plan, each application for a license under part I of this Act, each proposal under section 410 of this Act, and all amendments to any of these, to ascertain whether such plans, applications, proposals, or amendments are consistent with the preservation and enhancement of the environment, conservation of natural resources, including application, or proposal and any modification of any of these to be served upon the National Council.

"(c) The National Council, within 90 days or such additional period as the Commission for cause orders, after service of a coordination plan, or an application for a license under part I of this Act, or any amendment to either of these, shall report to the Commission as to the extent to which such plan, application or amendment is consistent with the objectives of this section. If the National Council finds that such a plan, application or amendment is not consistent with the objectives of this section, it may file an objection thereto with the Commission.

"(d) The National Council, within six months after publication in the Federal Register of the notice of a proposal under Section 410 of this Act, or within 90 days after the date of a modification or condition affecting such proposal as served upon it if such service is made more than three months after such publication, shall report to the Commission as to the extent such proposal, modification thereof or condition thereto, whether proposed by the Commission or the proponent, is consistent with the objectives of this section. If the National Council finds that a proposal, modification or condition is not consistent with the objectives of this section, it may file an objection thereto with the Commission.

"(e) In preparing reports pursuant to this section the National Council shall have full and ready access to all information regarding any plan, application, amendment, proposal, modification or condition available to the Commission and to such other information as it may deem necessary to carry out its responsibilities under this section.

"(f) Every objection filed by the National Council pursuant to this section shall have the same effect as a suspense order issued by the Commission under section 410 of this Act, and shall be promptly served upon the regional council and the applicant or proponent affected thereby. The Commission shall consider the report of the National Council in making its decision and such report shall be a part of the record of the proceeding.

"(g) The National Council may intervene and be a party to any proceeding in which it has filed a report or objection and may seek rehearing and judicial review of the Commission's order in such proceedings in the manner provided in section 313 of this Act.

"(h) The National Council is authorized to—

"(1) Appoint and fix the compensation of scientific, technical, professional, and clerical personnel necessary to carry out its functions. Such appointments may be made without regard to provisions of title 5, U.S. Code, governing appointments in competitive service, and without regard to provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no individual so appointed shall receive compensation in excess of the rate authorized for GS-18 by section 5332 of such title.

"(2) In accordance with title 5, U.S. Code, section 3109, employ experts and consultants for temporary or intermittent service.

"(3) Enter into contracts with educational institutions, scientific organizations, industrial and engineering firms it deems suitable and necessary to assist the National Council in its consideration of any plans, applications, amendments, proposals, modifications or conditions pending before it, or to conduct research which may aid it in carrying out its functions pursuant to this section; and

"(4) Cooperate with any Federal, interstate, State, or local agency or instrumentality, and with any private person, firm, educational institution or other organization for the purpose of carrying out its functions pursuant to this section.

"(i) Attorneys appointed by the Council may, at its direction, appear for and represent the Council in any administrative or judicial proceeding.

"NATIONAL ELECTRIC STUDIES COMMITTEE

"SEC. 406. The Commission, after consultation with regional councils, shall establish a national committee representative of all elements of the electric industry to facilitate interregional exchange of views and experience and to consolidate electric industry efforts to investigate major present and future problems in planning and operating bulk power supply facilities. The committee shall seek to stimulate vigorous scientific and engineering interest in the challenges to achieving reliable and efficient bulk power supply for the United States and protecting and enhancing the general environment of the United States.

"ADVISORY BOARDS

"SEC. 407. To assist it in considering matters coming before it under this part, the Commission may establish one or more advisory coordination review boards and provide for the appointment thereto of experts drawn from the electric utility industry, equipment manufacturers, the academic and research communities, and other persons, not employed by the Commission, drawn from the general public, including persons interested in conservation, esthetics, and long-range land-use planning.

"COORDINATION AGREEMENTS

"SEC. 408. Subject to such rules and regulations as the Commission may prescribe, a copy of all written agreements and a written statement of all oral agreements for coordinated planning or operation of bulk power supply facilities (including but not limited to agreements for joint ownership of such facilities) shall be lodged with the Commission by or on behalf of the persons participating in such agreement. Copies of each agreement and statement shall be kept available for public inspection at the Commission's office and at some convenient place to be designated by the Commission within each region affected.

"RELIABILITY STANDARDS

"SEC. 409. Upon the recommendation of a regional council or upon its own motion, and after consultation with the regional councils, and after public notice and opportunity to comment, the Commission shall promulgate regulations setting forth reasonable criteria of national or regional applicability under which owners and operators of bulk power supply facilities shall plan and operate such facilities to increase and improve their reliability.

"EXTRA-HIGH-VOLTAGE FACILITIES: NOTICE OF PROPOSED CONSTRUCTION: SUSPENSION

"SEC. 410. (a) Subject to such rules and regulations as the Commission may prescribe, any person proposing the construction, extension, or modification of extra-high-voltage facilities shall file with the Commission its proposal which shall include a map and specific information as to the routing of the proposed line or location of the proposed plant and such other information as the Commission may require to enable it to determine to what extent the proposed construction, extension, or modification of such facilities and the operation thereof is consistent with plans developed by the affected regional council or regional councils as such plans may have been modified by the Commission and with the objectives of this part. The filing shall state whether the proponent elects to seek right-of-way pursuant to section 411 of this part. Copies of each such proposal and all amendments thereto filed with the Commission shall be kept available for public inspection at the Commission's office and at some convenient place to be designated by the Commission within each region affected. The Commission shall cause notice of each such proposal and any material change therein to be promptly published in the Federal Register and made available to the press and other media in the region or regions affected and shall take such other steps as may be necessary to assure that the general public in all regions affected will be promptly and accurately informed of the substance of the proposal and of all material changes therein. In addition, the Commission shall serve said notice upon the National Council, appropriate regional councils, and such Federal, State, and local agencies and other interested persons as the Commission may require. The notice shall set forth the substance of the proposal or amendment, the places where copies thereof are available for inspection, and the latest date, which shall be not less than 90 days from the date of publication in the Federal Register, for interested persons to submit to the Commission comments or objections regarding the proposal or amendment.

"(b) No person may construct, extend, or modify extra-high-voltage facilities until six months after notice of the proposal has been published in the Federal Register and for such additional period during which a suspense order of the Commission remains in effect, or after such proposal has been disapproved by the Commission. The Commission shall issue a suspense order whenever the proponent elects to seek right-of-way pursuant to section 411 or when the Commission concludes, in its discretion, within six months after publication in the Federal Register of the notice of the proposal or amendment, that the proposed construction, extension, or modification, or the operation of the proposed facilities is inconsistent with a plan approved pursuant to section 404(c) or otherwise appears to be inconsistent with the objectives of this part. The suspense order shall summarize the Commission's reasons for its action and shall remain in effect until the Commission issues an order approving or disapproving the proposal.

"(c) At any time during which a suspense order is in effect, the Commission may issue an order recommending specific modifications in the proposal and setting forth conditions for its approval. Notice of such order shall be published and served, and copies of the order shall be kept available for public inspection, as provided in subsection (a) of this section. If such modifications and conditions are accepted by the proponent and not objected to by anyone within ninety days following publication in the Federal Register, the Commission shall approve the proposal as modified and terminate the suspense order forthwith: *Provided*, That the suspense order shall not terminate prior to expiration of the six months period specified in subsection (b) of this section. If the modifications and conditions are not accepted by the proponent or if objection is filed, or if the Commission schedules a formal hearing, the suspense order shall remain in effect.

"(d) Except as provided in subsection (c) of this section, the Commission shall not approve or disapprove any proposal against which a suspense order has been issued except after opportunity for a public hearing to be held no sooner than thirty days after notice of the time and place thereof shall have been published in the Federal Register. Upon timely request of the proponent, the Commission shall schedule such hearing not later than (i) thirteen months after issuance of the suspense order, or (ii) thirty days following the expiration of any time specified in this section for submission of comments by the public or specified in section 405 for submission of objections by the National Council, whichever is later.

"(e) The Commission shall approve a proposal to this section only when it finds that the proposed construction, extension or modification of extra-high-voltage facilities and the proposed locations and operations thereof will be consistent with the objectives of this part including the protection and enhancement of the environment, conservation of natural resources, including scenic, historic, and recreation assets, and strengthening of long-range land-use planning. Notwithstanding any such finding, however, the Commission shall not approve any proposal where it appears on the record of its proceedings that some other technically and economically feasible and reliable kind or design of facilities, location therefor or manner of operation thereof is clearly preferable from the standpoint of protecting or enhancing the environment, conserving natural resources including scenic, historic and recreation assets, or strengthening long-range land-use planning.

"(f) The Commission shall include in any order issued under this section authorizing the construction, extension, or modification of extra-high-voltage facilities such conditions governing the use by other persons of any excess capacity (over and above reasonable reserves) of such facilities and the interconnected facilities of the proponent, upon a demonstration of need for such use, as it finds necessary and appropriate to the objectives of this part. In accordance with the procedures prescribed in this section and consistently with a plan approved pursuant to section 404(c) of this Act, the Commission may in accordance with this section authorize any person at such person's own expense to enlarge the facilities of any other person which have been or are proposed to be constructed, extended or modified and to utilize the increased capacity for the generation or transmission of electric power and energy upon such terms and conditions as the Commission may deem to be just, including, where appropriate, provisions for payment of additional compensation to the owners of the land underlying the facilities affected. The Commission shall determine disputes relating to allocation of generating or transmission capacity, reasonableness of reserves and amount of excess capacity, compensation for the use of the facilities, and all other issues arising under this subsection.

"(g) In an emergency, upon finding that the immediate construction or modification of extra-high-voltage facilities is indispensable to the public health, welfare, safety or the national security, the Commission may by order authorize such construction or modification in advance of compliance with any or all requirements of this section and of section 405. Such order may be issued upon petition or upon the Commission's own motion with or without prior notice or hearing, shall contain detailed findings concerning the emergency justifying its issuance, and shall include such conditions consistent with the requirements of this subsection as the Commission may deem necessary to protect the public interest. Each such order shall be promptly published in the Federal Register. Neither the issuance of such an order nor the construction or modification of extra-high-voltage facilities under authority of such order shall exempt the proponent thereof from compliance as soon as practicable with all requirements and prohibitions of this Act except the prohibition in subsection 410(b) against constructing, extending or modifying extra-high-voltage facilities until six months after notice of the proposal therefor has been published in the Federal Register. As used in this subsection 'emergency' means:

"(1) a sudden increase in demand for electric power or energy which cannot be supplied by the use of feasible and prudent alternatives;

"(2) a shortage of facilities for the generation or transmission of electric power or energy, including a shortage of fuel or water which cannot be remedied by the use of feasible and prudent alternatives;

"(3) a threat to the environment endangering the public health or safety which results from the consumption or utilization of fuel or water and which cannot be avoided by the use of feasible and prudent alternatives; or

"(4) a catastrophic failure, or imminent threat of catastrophic failure, in any part of any facility for the generation or transmission of electric power or energy which cannot be prevented or corrected by the use of feasible and prudent alternatives.

"RIGHT-OF-WAY FOR EXTRA-HIGH-VOLTAGE FACILITIES: EMINENT DOMAIN

"SEC. 411. (a) The Congress hereby reaffirms the national policy stated in section 18 of the Federal Aid Highway Act of 1968 (82 Stat. 815, 823; Public Law 90–495) that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. The regional councils and the Commission shall cooperate and consult with the National Council, with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing coordination plans and other programs that include measures to maintain or enhance the natural beauty of the lands affected. The Commission shall not approve any coordination plan or proposal for extra-high-voltage facilities, permit either of the same to go into effect without its approval, issue or renew any license under part I of this Act, or issue any order whatever under any part of this Act, which requires or authorizes the use of any publicly owned land from a public park, recreation area, or wildlife or waterfowl refuge of national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from an historic site of nation, State, or local significance as so determined by such officials unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such plan, proposal, license, or order incorporates all possible planning to minimize harm to such park, recreation area, wildlife or waterfowl refuge, or historic site resulting from such use. This subsection shall be in addition to, and shall not be construed to repeal or modify, any other provisions of this Act, or any other Act, which provide for the protection and enhancement of the environment or of particular areas or places or esthetic or historic values.

"(b) No person may acquire a right-of-way for any extra-high-voltage facility on Federal land, or by exercise of the power of eminent domain, until his proposal for such facility has (1) been on file with the Commission for six months following publication of notice thereof in the Federal Register during which time a suspense order has not been issued against it or (2) been approved by the Commission.

"(c) When a proposal for an extra-high-voltage facility has been filed with the Commission, as provided in Sec. 410 of this Act, and six months have expired without issuance of a suspense order directed against it, or when the proposal has been approved by the Commission, the proponent or his assignee may then acquire (1) rights-of-way in accordance with such proposal by the exercise of the power of eminent domain as provided by applicable State law or, if the proposal expressly stated that such was the intention of the proponent, by the exercise of the Federal power of eminent domain conferred by subsection (d) of this section, and (2) rights-of-way on Federal land, but only in the manner provided by subsection (e) of this section; *Provided*, however, that if in any eminent domain proceeding a party who may be adversely affected by acquisition of the proposed right-of-way shall show that he raised timely objection thereto in the Commission's proceedings, the Commission's record shall show that the proponent sustained the burden of proof that the part of the approved proposal to which said objection was raised is the best of all feasible and prudent alternatives.

"(d) If the proponent cannot acquire by contract, or is unable to agree with the owner of property as to compensation to be paid for the necessary right-of-way or other property to construct, operate, and maintain such extra-high-voltage facilities, it may acquire the same by the exercise of the power of eminent domain in the United States district court for the district in which such property may be located. In any such proceeding the plaintiff may file with the complaint or at any time before judgment a declaration of taking in the manner and with the consequences provided by sections 258a, 158b, and 258d of title 40, United States Code, and the plaintiff shall be subject to all of the provisions of said sections which are applicable to the United States when it files a declaration of taking thereunder.

"(e) The Commission may grant rights-of-way over Federal lands either for a limited term not in excess of fifty years, or without limit as to duration. If granted for a limited term, the holder, during the two years prior to the expiration of the term, may apply for a renewal of the right-of-way under the same provisions applicable to the issuance of an initial right-of-way, and may continue use of the right-of-way while the application is pending. If the right-of-way is granted without limit as to duration, the Commission at intervals of not less than ten years, after notice and opportunity for hearing, may modify or add to the terms and conditions of the right-of-way as may reasonably be necessary in the public interest. No right-of-way shall be granted under this subsection without notice to the department or agency administering the lands affected, and, in the case of an Indian reservation, without the consent of the tribe having jurisdiction. Every right-of-way granted under this subparagraph shall be subject to, and the Commission shall include in the granting order, the following terms and conditions:

"(1) That the holder of the right-of-way shall pay to the department or agency administering the land affected, or in case of an Indian reservation to the tribe having jurisdiction, such just compensation therefor as the Commission may state in the order or in a supplemental order.

"(2) That the holder of the right-of-way shall promptly pay, in a lump sum, for special damages to the land, improvements, timber, and other crops on the lands affected by the right-of-way or by activities performed in the course of construction, operation, or maintenance of the facilities thereon, whenever the same occur.

"(3) Such reasonable land use conditions relating to nonpower matters as the department or agency administering the lands affected, or, in the case of an Indian reservation, as the tribe having jurisdiction, may require.

"(4) Such other reasonable terms and conditions as the Commission may prescribe.

"Just compensation, in the case of Federal land other than tribal land within an Indian reservation, shall be fixed by the Commission (1) in the amount agreed upon between the proponent and the department or agency administering the land affected, or (2) if the proponent and the department or agency fail to reach agreement within a reasonable time, then after notice and opportunity for hearing. In the case of tribal land within an Indian reservation, just compensation shall be fixed by the Commission in the amount agreed upon between the proponent and the tribe having jurisdiction, provided, however, that in consenting to a right-of-way grant of its land under this section, an Indian tribe may stipulate with the proponent that the amount of just compensation shall be determined by the Commission after notice and opportunity for hearing or, with the approval of the Secretary of the Interior, that such amount may be fixed by appraisal or arbitration in accordance with such procedures as the tribe and the proponent may agree upon. At the option of the department or agency administering the land affected, or of the tribe having jurisdiction in the case of an Indian reservation, just compensation shall be fixed by the Commission in the form of either annual charges for use of the rights granted or an advanced lump sum payment for use of such rights for the duration of the grant but in no event for more than 50 years. If the department, agency, or tribe fails to exercise its option within a reasonable time, to be fixed by the Commission, the Commission shall exercise such option. So long as the right-of-way remains in force annual charges shall be redetermined by the Commission at ten year intervals and lump sum compensation at 50 year intervals, in accordance with the same procedures hereinabove provided for the initial fixing of such charges or lump sums. Claims for special damages shall be determined by agreement or court action in accordance with the law of the jurisdiction wherein such damage occurred.

"(f) As used in this section, the term 'Federal lands' includes public lands and reservations as defined in section 3 of the Federal Power Act, but does not include lands administered by the National Park Service other than national parkways, national recreation areas, and recreation areas administered by the National Park Service pursuant to a cooperative agreement with another Federal agency.

"(g) As used in this section, the term 'right-of-way' includes sites for generating units or plants as well as for transmission lines, and sites for all structures and installations necessary or convenient to the construction, operation, or maintenance of extra-high-voltage facilities.

"(h) If the holder of a right-of-way granted under this section over Federal land, after notice of default in observance of any condition of the grant, fails to correct the same within a reasonable time, the Commission, after notice and opportunity for hearing, for hearing shall cancel the right-of-way.

"(i) Nothing in this Act shall be deemed to repeal or modify any part of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131–1136) or any statute implementing that Act.

"COMPULSORY INTERCONNECTIONS

"SEC. 412. Whenever the Commission, after notice and hearing had, upon its own motion, or upon complaint, finds such action necessary or appropriate to carry out the objectives of this part, it may by order direct any person engaged in the generation or transmission of electric energy (if the Commission finds that no undue burden will be placed upon such persons thereby) to establish physical connection of its transmission facilities with the facilities of one or more other persons engaged in the generation, transmission, or sale of electric energy, to sell energy to or transmit energy (by displacement or otherwise) for or exchange energy with such persons. The Commission may prescribe the terms and conditions of the arrangement to be made between the persons affected by any such order, including allocation of transmission capacity, reasonableness of reserves, and amount of excess capacity, and compensation for the use thereof. Such determination shall be subject to all the procedures and requirements of sections 405 and 410 of this Act if it involves construction or modification of extra-high-voltage facilities. Nothing herein shall be deemed to modify or repeal any provision of any Federal power marketing statute.

"ABANDONMENT

"SEC. 413. No person engaged in the generation or transmission of electric energy shall abandon or curtail any bulk power supply service, or abandon all or any part of its bulk power supply facilities if it would thereby effect the abandonment, curtailment, or impairment of bulk power supply service, without obtaining the advance approval of the Commission after notice and opportunity for hearing, upon a finding by the Commission that such abandonment or curtailment is consistent with the objectives of this part.

"AUTHORITY TO EXEMPT

"SEC. 414. In order to avoid excessive burdens upon persons engaged in bulk power supply, upon regional councils and upon the public, the Commission may by rule exempt from any requirement of this part, except those contained in section 411 or any rule or regulation prescribed to implement section 411, any facilities, activities, or persons, whenever it determines, after public notice and opportunity for hearing, that such exemption is necessary and appropriate to carry out the objectives of this part. The Commission may attach conditions to any exemption and may by order, after public notice and opportunity for hearing, revoke any such exemption.

"HEARINGS, PUBLIC INFORMATION

"SEC. 415(a) It is hereby declared to be the intent of Congress that all persons who may be affected by any action proposed under this Act shall have a convenient opportunity both to express their views in writing and to participate in open hearings, and that therefore (1) adequate procedures should be followed to assure that the general public is given prompt, early, and accurate notice of scheduled hearings and (2) every hearing should be open to the public and held in a location which is of maximum convenience to the general public and other persons affected by the subject matter of the hearing.

"(b) As far as practicable, every hearing pursuant to this Act shall be held in or near the area affected, unless the Commission determines that the objective of full participation by all persons who may be affected by the outcome of such hearing can be better achieved by holding the hearing elsewhere.

"(c) The Commission shall cause notice of all hearings pursuant to this Act to be promptly published in the Federal Register and made available to the press and other media in the areas affected and shall take such other steps as may be necessary to assure that the general public and all interested parties in the areas affected will be promptly and accurately informed of the place, date and time of the hearing and the substance of the subject matter to be considered. In all cases hearings shall be scheduled so that the period between the time of notice and the time of hearing is sufficient to afford all interested parties an adequate opportunity to prepare for appearing and testifying at the hearing."

SURVEYS AND RESEARCH

SEC. 4. (a) The Commission is directed to survey existing and planned facilities in the United States providing sufficient capacity and energy for the testing of extra-high-voltage electric equipment under heavy current flow and for research into problems of high voltage-heavy current electricity, and within one year after the effective date of this Act to report its findings to Congress. The Commission's report shall include information as to the adequacy of existing and planned facilities and their accessibility to persons other than their owners, and if such facilities are inadequate or are not accessible to all elements of the electric industry having need for their use, such recommendations for corrective action as the Commission deems appropriate.

(b) In order to carry out the purposes of this Act as set forth in subsection (b) of section 2 of this Act, the National Council is directed to make a full and impartial study of the social and economic impact of overhead construction of extra-high-voltage lines and towers with particular attention to the extent to which such construction may have adverse effects upon long-range land-use planning and environmental, esthetic, and conservation considerations as well as upon property values and tax revenues, and shall report the results of such a study to Congress within two years after the effective date of this Act. In carrying forward this study, the National Council shall, where appropriate, cooperate with the Departments of Interior, Agriculture, Housing and Urban Development, and Health, Education, and Welfare, especially in developing economic standards for the evaluation of damage to community planning, public health, environmental factors, and natural resources, including scenic, historic, and recreation assets.

REPORT ENTITLED "ACTIVITIES OF THE COMMITTEE ON GOVERNMENT OPERATIONS"—REPORT OF A COMMITTEE (S. REPT. NO. 91–81)

Mr. McCLELLAN, from the Committee on Government Operations, submitted a report entitled "Activities of the Committee on Government Operations," which was ordered to be printed.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS—RESERVATION (EXECUTIVE RESERVATION NO. 1)

Mr. TOWER submitted a reservation, intended to be proposed by him, to the Treaty on the Nonproliferation of Nuclear Weapons, which was ordered to lie on the table and to be printed.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Subcommittee on Indian Education of the Committee on Labor and Public Welfare, and the Subcommittee on Intergovernmental Relations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

THE GROWING CONGLOMERATE MERGER MOVEMENT

Mr. DOMINICK. Mr. President, there are two aspects of current business practice that are causing a growing wave of concern and even now would appear to demand that Congress begin to investigate the need for new legislation in this area. I refer to the growing conglomerate merger movement and some of the current practices which would in fact endanger the very foundation of our business and economic structure. There is much concern about the increased concentration of assets and power resulting from the soaring number of conglomerate mergers and the potential effect they may have in stifling competitive opportunities for medium and small businesses.

Business mergers have reached the highest level in our history, and existing guidelines are unclear and inadequate at this time to cope with the practices that have developed. The basic legislation, of course, is the Clayton Anti-Trust Act of 1933, the 1950 amendments to that act, and the Investment Company Act of 1940. These statutes do not appear to have contemplated the creation of the conglomerate merger. Actions by the Justice Department and the Federal Trade Commission have been taken, but they have applied only to cases involving horizontal mergers, that is, mergers between competitors in the same product field, and vertical mergers, which are mergers between customer and supplier. Such mergers accounted for only 17 percent of the 2,384 mergers in 1967, and the percentages will undoubtedly shrink even lower when all the statistics are published for 1968.

The conglomerate merger is growing so fast that one business expert recently predicted that in 10 years there will be only 200 major industrial companies in the United States—all conglomerates.

There have been two recent examples of some of the practices involved in these mergers which seem to point up the need for a closer look by Congress and perhaps indicate the need for legislation to produce action by the Federal Trade Commission and the Securities and Exchange Commission to safeguard our economic system and protect the small investor.

An article by J. A. Livingston, published in the Washington Evening Star on February 14, 1969, points up the dangers facing investors in some of our oldest and most respected companies. I ask unanimous consent to have printed in the Record the article by Mr. Livingston entitled "No Way To Block Takeover!"

There being no objection, the article was ordered to be printed in the Record, as follows:

No Way To Block Takeover

(By J. A. Livingston)

Two years ago, the Insurance Co. of North America saluted its 175th anniversary with a corporate biography by William H. A. Carr. It was aptly titled: "Perils: Named and Unnamed."

Carr describes how the company survived every peril known to man—war, famine, pestilence, shipwreck, earthquake and hurricane—to become the oldest stockholder-owned insurance company in the United States.

INA Corp., the holding company, has survived another peril—the Wall Street tender offer.

A Wall Street tender is a shotgun marriage without the virtue of past tenderness or courtship. Money—marketable paper—is the weapon. And it's wielded by the suitor, not the father of the bride.

INA's suitor was Levin-Townsend Computer Corp., a computer leasing Conglomerate, which reported assets of $112,000,000 a year ago. Bradford Smith Jr., as chairman of INA, has no desire to place his company's $2 billion of assets on the Levin-Townsend altar.

Levin-Townsend's last reported full year's earnings came to $3,865,000. INA's income from investments is 15 times that.

INA has paid dividends consistently since 1892. Its current annual rate is $2.40 a share. Levin-Townsend, organized in 1963, paid its first dividend in 1967. Today it pays 40 cents a share.

But dividends are not an asset in today's go-go milieu. Levin-Townsend isn't regarded as a Johnny-come-lately. It's considered a Johnny-going-somewhere.

The tender offer is a product of and a commentary on the times—prosperity, inflation and cupidity. Income is less important than profits—capital appreciation. Therefore, the swift can bid for the steady. The whippet, can absorb the hippopotamus.

Until talk got around that INA was ripe for tender, its stock sold for about $40 and less per share, or 13 times 1967 earnings of $3.21 per share.

Levin-Townsend stock ranged above $60 on earnings, according to Standard & Poor's, of $2.81 a share in its 1968 fiscal year against $2.18 in 1967 and much less in preceding years. The steep climb gave the stock a go-go luster.

All this is based on two assumptions: First, that a small company which takes over a mastodon won't be slowed down by the mastodon's growth rate. Second, that the management of the small company will be able to direct—with competence—the affairs of a big company in a different type of business.

Too often such considerations are brushed aside. If stockholders reject the offer, then their shares are apt to drop back in price. Instead of a profit in the bush, they'll have in hand a steady, dividend-paying stock in a company which isn't going to set the world on fire but which has offered worldwide security in case of fire. Who, these days, wants that?

F. W. Elliott Farr, a partner in the brokerage firm of W. H. Newbold's Son & Co. and a specialist in insurance stocks, makes this comment on an exchange of INA shares for Levin-Townsend paper: "It would be like trading British Government bonds for Mississippi Bubble stock on the theory that you'll get out of the bubble before it bursts."

Mr. DOMINICK. Mr. President, even more serious concern has arisen over a recent challenge involving a threatened attempt to take over the Denver & Rio Grande Western Railroad whose headquarters are in Denver, Colo. This action exposes the questionable tactics being employed in the current wave of attempted takeovers of many major industries by stock market operators, often without experience of any kind in the industry they seek to take over. In this case, the "raider" was a group of investment brokers who formed a corporation on December 17, 1968, under the name of the Carter Group, Inc. The very formation of such a corporation seems to raise some serious questions, in my opinion. Here is a corporation formed solely for the purpose of becoming a conglomerate without any going business of its own to start. Not only that, but it takes a careful reading of the Carter Group prospectus to discover that the people who buy stock in this group are going to be taking 92 percent of the risks, but will own only 8 percent of the equity in the corporation. The officers of the corporation, on the other hand, will put up only 8 percent of the capital, but will own 92 percent of the equity in the corporation. How is this possible? The cleverly worded explanation on page 3 of the prospectus gives us the following explanation.

The VICE PRESIDENT. The time of the Senator from Colorado has expired.

Mr. DOMINICK. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DOMINICK. I have at this point, Mr. President, page 3 of their prospectus which I ask unanimous consent to have printed in the Record under the title of "Problems."

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Obviously, the Company is not assured of success and a number of problems are clearly foreseeable.

First: It was necessary to permit the management of the Company to retain a substantial equity position. Accordingly, the Company has been capitalized in a fashion so that the present shareholders of the Company will own 600,000 shares of the Common Stock for which $1,200,000 has been paid. The public, on the other hand, will have paid $13.-200,000 or ($16,840,000 if the Underwriters fully exercise option to purchase an additional 3,000 units—see "cover page" and "Underwriting") in total for the 300,000 (or 360,000) shares of Common Stock included in the Units. Thus, the book value per share of Common Stock of the Company prior to the public offering is $2.00 and, although the public will have paid approximately $44 per share, the book value of each such share after the public offering will only be $15.33 (or $17.55). Thus the present shareholders of the Company, having paid in capital that will represent 9 percent or (8 percent) of the capital of the Company after the public offering made hereby, as compared to the public's contribution of 91 percent (or 92 percent) will be in a position to control its business activities and its dividend policies. As there has not been, prior to the date hereof, a market for the Common Stock the values per share and percentages stated in this paragraph have been arbitrarily determined and do not give any effect to the sale of the Debentures or the Warrants or to the conversion or exercise thereof.

Mr. DOMINICK. Mr. President, the fact that this information is not printed in bold type on the front page of the prospectus seems incredible. I am amazed that the Federal Trade Commission and the Securities and Exchange Commission would not require that potential investors be instantly alerted to the fact that they are getting the very short end of this proposition. This scheme is reminiscent of the now-illegal chain letter or pyramid clubs of several decades ago. Regulation of this practice is obviously needed, and needed soon.

Mr. President, the point I am making here is that the officers and those who form the corporation bought 600,000 shares at $2 a share and they immediately put it on the market to the general public for $45 a share. So that the public paid $45 a share and they paid only $2 a share. But the public has only 8 percent interest in the company and the officers and directors have 92 percent.

That is basically wrong. In my opinion, as a financial institution, that is coming very close to being a fraud upon the general public.

The information upon what the public is being asked to pay in comparison to what the officers and directors are, is not printed in bold type on the face of the prospectus but appears on page 3 in small print.

I am frankly amazed that the Federal Trade Commission and the Securities and Exchange Commission would not require that potential investors be instantly alerted to the fact that they are getting the short end of this proposition.

Mr. President, this scheme is reminiscent of the now-illegal chain letter or pyramid clubs of several decades ago. Regulation of this practice is obviously needed, and needed soon.

Mr. President, I am sure that all Senators will be interested in knowing who some of the officers and directors are.

Mr. Carter has been with an investment firm in New York but he withdrew from that firm to head this group.

Another director is Mortimer Caplin, former head of the Internal Revenue Service under the Johnson administration.

Among others, as director, is Mr. John W. Hennessey who is dean of the Amos Tuck School of Business Administration at Dartmouth.

What in the world are these men doing being associated with a firm of this kind which has no assets but takes stock at $2 a share and sells it to the general public at $45 a share. Then they come along and this is what they try to do in the way of an operating company?

Apart from the poor bargain which the investor is offered, the later activities of such a corporation pose a threat to the stockholders in the target companies toward which the raider directs his activities. In the typical example, the raider selects the target company because of its sound financial condition and relatively low stock price to earning ratio. Then the raider proceeds quietly to buy stock in the target company, being careful not to acquire 10 percent or more to avoid having to register with the SEC.

Armed with a hefty block of stock in the target company, the raider is now in a position to manipulate the market to his own advantage and at the expense of the target company and its stockholders. He has two choices of action. The raider may go directly to the chief executive of the target company and explain that he proposes to take over, and demand a list of the target company's stockholders. Whether he gets it or not, he can plaster the newspapers with advertisements announcing his fabulous offer, and launch a sparkling public relations campaign in the areas where the target company is highly respected. Expense is not a deterrent because the raider knows that if he is successful in taking over, he can deduct these from the assets of the target company. He also knows that it will be difficult to counter his advertising campaign because under present conditions the target company cannot get advertising space in the Wall Street Journal for at least a week after the raider's ads begin to appear. This situation itself is highly unfair and needs to be changed to give both sides an equal opportunity to state their case to the interested stockholders.

As another alternative, the raider may not really be serious about trying to take over the target company, but be mainly interested in turning a quick profit on the target company stock he has acquired and at the same time boost the market price of his own stock. He can accomplish this with relative ease under present regulations. The raider issues a press release, or otherwise passes the information to the press that he is contemplating making a tender offer to the stockholders of the target company. This news almost invariably has caused the price of the target company stock to rise sharply, and sometimes spectacularly. The raider's stock also rises in price. The raider then unloads his target company stock at a fat profit while his own company stock has shown a growth where none actually exists. Ultimately, the target company's stock returns to normal and the poor stockholders of the target company face a lower dividend because of the expense incurred by the target company in fighting off the raider.

In the present instance I referred to, in which the newspapers have reported that the Carter Group intends to make a tender offer for stock of the Denver & Rio Grande Western Railroad Co., there has been no formal offer made, but there has been some impact upon the plans and operations of this railroad as a result of this threat of a tender offer.

Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Wall Street Journal of February 7, 1969, entitled "Rio Grande Plans To 'Vigorously Resist' Any Take-Over Bid by Carter Group, Inc."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RIO GRANDE PLANS TO VIGOROUSLY RESIST ANY TAKE-OVER BID BY CARTER GROUP, INC.

DENVER.—Denver & Rio Grande Western Railroad management said it will "vigorously resist any take-over attempt" by a new company, Carter Group Inc.

Management said it has been advised by counsel that Carter Group's contemplated plan of making a tender offer for controlling interest in the railroad "raises serious questions under the Investment Company Act of 1940."

The railroad pledged to "bring out the facts" about Carter Group to shareholders and "the proper judicial and regulatory authorities." These facts, the railroad said, make Carter Group's chances of success "extremely problematical."

In New York, a Carter group spokesman said the company had no immediate reaction to the railroad's statement. Carter Group was formed several months ago and publicly offered about $30 million in Carter Group debentures, shares and warrants on Dec. 17.

Arthur L. Carter, president, said Wednesday that the contemplated tender offer for Denver & Rio Grande shares would be in cash and securities. The offer would be Carter Group's first acquisition attempt.

The railroad's president, G. B. Aydelott, said in a statement that months after Carter Group was formed, "without any significant change in its business, it sold securities to the public at a vastly stepped-up price. And so far as we can determine, it still has no significant new business activities.

"Nevertheless, they indicate that they are considering using such 'paper' values in an attempt to take over this oustanding railroad."

Denver & Rio Grande, which in 1968 earned $11.5 million, or $1.81 a share, on operating revenue of $92.7 million, operates primarily in Colorado and Utah.

Denver & Rio Grande's 6.3 million shares are held by more than 18,000 shareholders. Union Pacific Railroad is by far the railroad's largest holder, owning 600,750 shares, or 9.5% of those outstanding. The next largest block known to be owned by a single holder belongs to the Chicago, Burlington & Quincy Railroad, which owns 223,480 shares, or 3.5% according to latest available data.

Both railroads are important connections for the Rio Grande, which is primarily a "bridge" carrier for transcontinental freight traffic moving in East-West directions.

Other major Rio Grande holdings listed in street names in a recent report include Merrill Lynch, Pierce, Fenner & Smith, New York, 333,000 shares; O'Neill & Co., New York, 180,000 shares, and First Hanover Corp., New York, 166,000 shares.

Last November the Denver & Rio Grande announced formation of a holding company, Rio Grande Industries Inc., for diversification purposes, and filed a registration statement with the Securities and Exchange Commission covering a proposed offering by the holding company to the railroad's shareholders. That registration statement had been expected to become effective later this month, according to an official of the railroad.

It wasn't immediately known whether the announcement by the Carter Group of its planned offering would interfere with the railroad's holding company plans.

The VICE PRESIDENT. The time of the Senator from Colorado has expired.

Mr. DOMINICK. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DOMINICK. The Rio Grande stock has already jumped between 5 and 6 points after the so-called tender offer. There has been no tender offer, but there has been an announcement that they are thinking of it. In the meanwhile, the Carter Group, with no assets at all, and which is selling these securities over the counter, has also had the value of its stock increased by 4 to 5 points in the over-the-counter market. So they are in a good position. Whatever stock they had in the Rio Grande, they could sell and make a profit. In the meanwhile, their own stock has gone up, and they still have no capital except what was put in by the investor at 20½ times what the directors themselves paid for the stock.

It is apparent to me that we need some new guidelines to apply in these cases. I feel that both sides should certainly have equal rights in advertising their positions. The Securities and Exchange Commission should require that the raider send a notice of his offer to the target company for examination before it can be published, and the regulations should prohibit any public announcement until 14 days after the raider has sent his notice to the target company. Furthermore, I feel that in cases such as the one involving the Carter Group, Inc., any pertinent information about the group, such as the fact that they have had no management ability or experience in running a railroad, should certainly be required to be contained in the ad it places offering to acquire stock of another company.

Mr. President, I think that a thorough investigation into these current practices is long overdue, and I hope that the appropriate committees of both houses of Congress will move forward in that direction as soon as possible.

Mr. President, I just want to repeat one thing: Here is a group with no assets and no management experience and with a major portion of its capital derived from people who know nothing about it, now putting out an advertisement or a newspaper account saying they intend to offer an undetermined amount for stock in the Denver & Rio Grande Western Railroad in order to try to take it over. They have no management experience. They have no idea of how to run a railroad. And yet, by so doing and by a simple comment to a newsman of what they intend to do in the future, or may do, they are in a position, all of a sudden, to make a profit on their own stock and whatever stock they may have already acquired in the Rio Grande Railroad. It is what I would call market manipulation.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield.

Mr. HRUSKA. The Senator may be aware that over the past 3 years the Antitrust and Monopoly Subcommittee has been conducting hearings into various aspects related to concentration of power, particularly conglomerates. For the information of the Senator from Colorado, that is the subcommittee whose budget this year is going to be the pending order of business within the next hour or hour and a half. There has been a cut in that budget request, although the staff has not been enlarged. It is only the pay increase allowed by the Senate that is being accommodated by the additional amount required now.

It will be of interest to the Senator from Colorado and others to know that it is felt, as to some of the conglomerates which are related conglomerates, either vertical or horizontal, some of the abuses such as the Senator from Colorado has discussed can be remedied under the present law, according to respectable legal authority. However, when there is what is known as a true conglomerate—a food company taking over a life insurance company, for example, which is a totally unrelated business—then we run into different considerations.

So the subject which the Senator speaks about, particularly in that regard, was discussed to some extent during the proceedings on the confirmation of Richard McLaren to be Assistant Attorney General. In response to a question of whether the present statutes apply, he gave the answer that some remedies would be available under the present law.

I join the Senator in the hope that there can be a survey and a real thrust made in that direction, so as to deal with this very vital question.

Mr. DOMINICK. I thank the Senator.

Mr. President, as I pointed out in my original statement, only 17 percent of the 2,384 mergers in 1967 consisted of the horizontal or vertical type. The other 83 percent, if my mathematics is correct, were of the true conglomerate type which we cannot get at under present law. So it seems to me this is a matter to which we are going to have to devote our attention now. I shall be happy to support the Senator's request for committee funds in order to take care of this problem.

Mr. HRUSKA. I thank the Senator.

ANNOUNCEMENT OF RETIREMENT OF SENATOR WILLIAMS OF DELAWARE AT CLOSE OF HIS SENATE TERM

Mr. CURTIS. Mr. President, truly I speak in sorrow today. I am deeply disappointed at the announcement made at noon today by one of the Senate's all-time greats, Senator JOHN WILLIAMS, of Delaware, that he will retire from the Senate at the close of his term.

My feeling is akin to those sad times when we are called upon to speak concerning the loss of a Member of the Senate by death. I dread to see my country lose the very valuable service that JOHN WILLIAMS has rendered in this body day after day.

I can appreciate Senator WILLIAMS' viewpoint. I can appreciate the desire of his wife and family that he spend his time at less arduous tasks. I can only say to him and to them that some of the great contributions to mankind have been made by individuals after the time had arrived when they wanted to finish out their days in the familiar surroundings of home and away from the strain and the turmoil. I will not burden the RECORD with a long list of such patriots, but we could head the list with George Washington. After Washington had gone through the discouraging, difficult, and seemingly impossible task of leading the armies of the Thirteen Colonies through the Revolutionary War, George Washington wanted to quit. He had brought about our independence. Today we are beneficiaries of the fact that he was called upon to preside over the Constitutional Convention and to chart the course of our Nation as its first President.

I have read Senator WILLIAMS' statement, and I cannot find too much fault with his argument for a mandatory retirement age, not only for Senators and Representatives, but for judges, as well. The needs of the Republic always require exceptions to such rules. According to the statutes of our country, J. Edgar Hoover would have been retired years ago. He was needed and an exception was made. JOHN WILLIAMS is a man whom the country cannot afford to permit to retire.

Senator JOHN WILLIAMS stands high above the crowd in moral integrity and courage. On numerous times he has led the fight and stood without many followers for righteousness in government. Many departments and agencies operate more efficiently because of what JOHN WILLIAMS has done and the fear of what he might do. The mere presence of JOHN WILLIAMS in the Senate is a force for good. Officials and employees of government, faced with the temptation to act in their own selfish interest, are helped in resisting that temptation because of the well-earned reputation of JOHN WILLIAMS for fearlessness, consistency, fiscal soundness, and moral integrity.

JOHN WILLIAMS never has imposed a rule of conduct on anyone else that was not observed by himself. He has had the courage to oppose on the Senate floor matters relating to the salary, benefits, and privileges of Senators when he thought they were untimely, unwise, or unjustified. Many times he was on the losing side, but there never was a time that he did not have the respect of every Member of the Senate. No man with greater honesty, courage, and integrity has ever served in this body.

Mr. President, my plea to our beloved colleague, JOHN WILLIAMS, and to all the people of Delaware, is that America cannot permit JOHN WILLIAMS to retire.

Mr. PROXMIRE. Mr. President, will the Senator yield.

Mr. CURTIS. I am happy to yield.

Mr. PROXMIRE. I join the distinguished Senator from Nebraska in his very fine tribute to Senator WILLIAMS of Delaware. I agree wholeheartedly with every word he has said. I think JOHN WILLIAMS is an invaluable Senator. I have been a Member of this body for nearly 12 years, and I do not know of any Senator who has served a more essential purpose than he in bringing before this body, sometimes very embarrassingly, questions of ethics that involve us and questions of ethics that involve an administration, whether it be a Republican or a Democratic administration.

He is a remarkably fine Senator. I have talked with other senators who have disagreed with Senator WILLIAMS of Delaware on many issues, but without exception they believe he is a man of absolute honesty and integrity as well as a man of remarkable zeal and courage. If there is one indispensable Member of the Senate today, I would say it is Senator JOHN WILLIAMS of Delaware.

Mr. CURTIS. I agree with the Senator from Wisconsin. JOHN WILLIAMS has uncovered many a charted course of corruption in government. If there were any skeletons in his closet, they would have been found, because I happen to know they have been looked for.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. BYRD of Virginia. Mr. President, I associate myself with the remarks of the distinguished Senator from Nebraska and the distinguished Senator from Wisconsin. I feel that Senator Williams, of Delaware, is an outstanding Senator. Should he decide to retire, I think the real losers would be the people of the United States.

The Senator from Delaware has strong convictions. He is a man of great courage. He is willing to fight a lone fight when he feels it is necessary to do so.

He has taken a particularly active, important, and effective part in trying to bring some fiscal responsibility, some fiscal sanity, to our Government.

So I concur fully with the statements of the Senator from Wisconsin and the Senator from Nebraska that the people of the United States would be the losers should John Williams conclude to retire from the Senate.

Mr. CURTIS. I thank the distinguished Senator very much.

In closing, I point out that John Williams' record should be an encouragement to every young politician in the country. He has proved that the greatest political assets are honesty and adherence to the American system, and to seek its preservation from a financial standpoint.

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. STEVENS. I wish to join in the comments that have been made concerning Senator John Williams. As I am sure the distinguished Presiding Officer (Mr. Allen in the chair) will agree, new Senators are greatly honored and assisted by the advice of our senior colleagues. Certainly Senator Williams has been most gracious to me in giving such advice.

O'LEARY CONSUMER'S FRIEND TO BE REPLACED?

Mr. PROXMIRE. Mr. President, this morning's Washington Post reported that John F. O'Leary, the Director of the Bureau of Mines, may be replaced because he has attempted to get the coal industry to live up to the safety standards which we, in Congress, have set.

Replacement of Mr. O'Leary by Secretary of the Interior Hickel would be a serious blunder. Although Secretary Hickel is to be commended for spelling out the liability for oil spills, this is a one-time act. Far more important is the quality of the personnel he attracts to the Department of the Interior. His action in this matter will show whether Secretary Hickel intends to protect the consumers or insulate the industries under his jurisdiction from the full force and effect of the laws which we in Congress have passed to protect the public.

BUREAU OF MINES NONPOLITICAL

To my knowledge, no Director of the Bureau of Mines has ever been replaced just because there was a change in administration. The position has always been nonpolitical.

PUNISHMENT FOR ENFORCING LAW

Now, that the present Director, Mr. O'Leary, has indicated that he intends to enforce the letter of the law in order to prevent a repetition of the disaster which occurred in West Virginia so recently, rumors from well informed sources have indicated that Mr. O'Leary is to be given his walking papers.

INSENSITIVE TO CONSUMER NEEDS?

I cannot believe that President Nixon could be so insensitive to the need for consumer protection. Surely, a lesson was learned from Willie Mae Roger's short tenure as consumer adviser. In this ever increasingly complex world in which we live, the ordinary individual cannot protect himself from the harm that can be done him by these gigantic forces. The only protection the ordinary individual can realistically expect is from the Government and no government is better than the people in it.

O'LEARY WILL ENFORCE LAW

No matter how many laws we pass here in the Senate to protect the consumers and mine workers, they are mere paper unless those in charge of enforcing the laws are willing to do so. Mr. O'Leary has indicated his willingness to enforce the mine safety laws and is threatened with removal. We hope this does not occur.

Let us hope that the well informed sources are wrong. Let us hope that President Nixon and Secretary Hickel come down firmly on the side of the public interest and protect the public from the excesses of gigantic, impersonal corporations. Let us hope they retain Mr. O'Leary so that the safety laws we have passed can be enforced.

INTRASTATE SALE OF AMMUNITION AND GUNS UNDER THE GUN CONTROL ACT OF 1968

Mr. MANSFIELD. Mr. President, in my correspondence concerning the Gun Control Act of 1968 questions have arisen about the legality of a licensed dealer shipping ammunition or, for that matter, firearms to a gunowner who resides within his State. As I read the law passed last fall, the only shipments that are banned are those that would go to nonlicensed persons beyond the State. Certain provisions of the law and the regulations issued pursuant thereto are applicable.

First, the "Definitions" section of the law states in part:

> Interstate or foreign commerce includes commerce between any place in a State and any place outside of that State . . . but such term does not include commerce between places within the same State. . . .

The "Unlawful Acts" section states in part:

> It shall be unlawful . . . for any . . . dealer . . . to ship or transport in interstate or foreign commerce any firearm or ammunition to any person other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector. . . ."

So these provisions of the law make it clear that firearms and ammunition cannot be shipped to a nonlicensed person in another State. What is equally clear is that no provision of the law bans these transactions that take place wholly within the same State. Nor did Congress intend that a licensed dealer not be permitted to ship a firearm or ammunition to any individual residing in his State; and that individual, so long as he is competent, need not be licensed in any manner under the terms of the 1968 law.

To further clarify this matter may I refer to pertinent parts of the regulations issued by the Secretary of the Treasury to implement the gun law enacted last year.

First, I should point out that, so far as I know, no procedure is required for the shipment of ammunition within the dealer's State. As for the shipment of firearms within the same State, the nonlicensed individual need only follow the procedure set forth in section 178.96(B) of the regulations issued by the Secretary of the Treasury.

Briefly, they provide that the individual seeking to purchase the firearms furnish to the dealer a firearms transaction record which includes his own vital statistics plus the name of the principal law enforcement officer in his locale. That is all that is required under the 1968 law. After his competence is established, the firearm may be shipped to him. Incidentally, it may be shipped—so far as I know—using any form of common or contract carrier and, with few exceptions, even through the U.S. post office. So, following this procedure, a sportsman living in Broadus or Ekalaka, Mont., may easily acquire his ammunition or firearms from a dealer in Billings, and he need never drive there to make his purchases.

In bringing this matter to the attention of the Senate, I would hope to dispel all doubts concerning the legality of firearms and ammunition transactions under the Gun Control Act of 1968 that take place between duly licensed dealers and gunowners who reside within the same State. It seems clear to me that by enacting the law, Congress sought to stem the inordinate flow of guns into the hands of criminals and other incompetents. At the same time, Congress did not seek to unduly burden the sportsmen and other law-abiding gun users. I would hope that in explaining the effect and intent of the law, officials and other interested parties will be careful to point out to the law-abiding gun user the manner in which he may continue to pursue the sport and obtain firearms and ammunition while remaining fully within the terms of the law. Only in that way can the law be fully effective. Only in that way can we achieve its worthwhile objectives.

Mr. President, I ask unanimous consent that section 178.96(b) be printed in the Record.

There being no objection, the excerpt from the statute was ordered to be printed in the Record, as follows:

§ 178.96 Out-of-State and mail order sales.

* * * * *

(b) A licensed importer, licensed manufacturer, or licensed dealer may sell a firearm to a nonlicensee who does not appear in person at the licensee's business premises if the nonlicensee is a resident of the same State in which the licensee's business premises are located, and the nonlicensee furnishes to the licensee the firearms transaction record, Form 4473, required by § 178.124. The nonlicensee shall attach to such record a true copy of any permit or other information required pursuant to any statute of the State and published ordinance applicable to the locality in which he resides. The licensee shall prior to shipment or delivery of the firearm, forward by registered or certified mail (return receipt requested) a copy of the record, Form 4473, to the chief law enforcement officer named on such record, and delay shipment or delivery of the firearm for a period of at least 7 days following receipt by the licensee of the return receipt evidencing delivery of the copy of the record to such chief law enforcement officer, or the return of the copy of the record to him due to the refusal of such chief law enforcement officer to accept same in accordance with U.S. Post Office Department regulations. The original Form 4473, and evidence of receipt or rejection of delivery of the copy of the Form 4473 sent to the chief law enforcement officer shall be retained by the licensee as a part of the records required of him to be kept under the provisions of Subpart H of this part.

RESOURCE CONSERVATION IN A DYNAMIC SOCIETY—ADDRESS BY SENATOR TALMADGE

Mr. RUSSELL. Mr. President, my distinguished colleague, Senator Talmadge, recently delivered an address entitled "Resource Conservation in a Dynamic Society" at the 23d annual convention of the National Association of Soil and Water Conservation Districts in Atlanta.

Senator Talmadge has first-hand knowledge of water and soil resource problems not only as a public official, but also as one of Georgia's leading farmers. As a member of the Senate Committee on Agriculture and Forestry, chairman of the Special Subcommittee on Watershed Development and as Governor of Georgia for 6 years, he has tirelessly devoted time and attention to conservation.

I commend his remarks of February 4 to the attention of the Senate and I ask unanimous consent to have his statement inserted in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Resource Conservation in a Dynamic Society

I am honored to share this platform with so many good friends, and I appreciate the opportunity to share in this important meeting.

I have had the privilege of close association with conservation districts for many years. As a cooperator of the Upper Ocmulgee River Soil and Water Conservation District I am aware of the great value of district work. I know firsthand of the selfless dedication of district supervisors.

As a member of the Senate Agriculture and Forestry Committee, and as chairman of the Special Subcommittee on Watershed Development, I have an official link with the progress and problems of conservation district work.

In my Senate committee responsibilities, I have visited every section of Georgia. I have many friends among district leaders. They have contributed greatly to my knowledge and appreciation of district activities.

I believe I am in a position to make some assessment of the soil and water conservation program. I hope to leave you with something more than just well-deserved praise today.

First, let me say that I stand four-square with the National Association of Soil and Water Conservation Districts in your aims and proposals.

I heartily commend your Association for a forward-looking program, and salute the many conservation districts for adjusting their programs in response to modern needs. I have been greatly impressed with your publication "Accelerating America's Watershed Program," which ably expresses the need for watershed development under Public Law 566.

I have long been convinced that soil and water conservation districts are the logical entities of government to deal with problems on land and water use and management. These are problems best handled at the local level by local people to the fullest extent possible. No other organization can assume the tasks the districts are uniquely qualified to perform.

But this is also a challenge that must be appreciated beyond the district board room and the offices of district cooperators. I believe greater effort, larger investment, and more participation is going to be necessary at the local, State and Federal levels in order to meet the mounting challenge of resource conservation and development in this country and in this century.

But rather than talk about Federal, State, or local responsibility, I would rather we talked about a genuine partnership of understanding that leads to positive and beneficial action. That way, we can work most effectively together to get the needed job done.

We in Georgia are proud of all our State is doing in resource conservation. We have an active and dedicated State Soil and Water Conservation Committee. The Committee has aggressively sought and received good State financial support for its work, and the work of soil conservation districts.

As a result, Georgia makes available $300,000 a year to speed watershed work plan preparation in the P. L. 566 program. Because of the Committee's hard work, and State interest and support, Georgia ranks among the leaders in watershed protection and flood prevention work.

The State Soil and Water Conservation Committee has been a strong influence in promoting understanding within the Georgia General Assembly on the importance of watershed project activities.

About 148 Georgia communities have requested watershed project assistance. Sixty-six projects have been authorized for planning assistance and 46 for operations. This is better than the national average, and credit is due the State Committee and the excellent district organization for this progress.

Our State Legislature appropriated $400,000 for soil and water conservation work in fiscal 1969, and 147 Georgia counties made contributions valued at $278,000 to help carry out conservation district programs.

The local commitment must come from a broad understanding and deep interest of the whole community. It must have the informed support of every citizen.

District leaders can gain in strength and support by aiming for the broadest possible representation on district governing boards. In this way you will win the interest of a wide variety of citizens—representing industry, education, cultural affairs, and other civic and economic fields.

You will thus provide a base for better community understanding and involvement in the district program. You will thus give practical recognition to the mutual interest of urban and rural American in sound resource management.

I have long held the view and preached it from every possible forum throughout my own State that what benefits rural Georgia benefits urban Georgia . . . and what benefits urban Georgia benefits rural Georgia. This is a fundamental fact that none of our citizens can afford to overlook today. And the sooner all of our people come to realize this great truth, the greater our progress and the more rapid our growth.

It has been emphasis on community interest that has led to such outstanding progress in area-wide resource management under the small watershed program and Resource Conservation and Development projects.

Of the 51 such projects currently underway, two are located in Georgia: the highly successful Gwinnett County project serving the dynamic Atlanta community, and the Tri-County project, approved last year, covering Treuten, Montgomery, and Wheeler Counties.

Let me point out that the Gwinnett project is contained in, and is co-extensive with one county. The Tri-County project also is planned along county lines, as are most of these projects.

This is as it should be. The area-wide approach to resource management should respect existing and traditional jurisdictions of county, State, and national government.

Working within these established frameworks will help generate the public support that we want and assure greater progress.

It is significant that Congress has increased Federal funding of the Resource Conservation and Development program every year since its inception. And every year new projects have been established.

The outstanding results already attained justify continued expansion of this community action program.

The heart of this project is the small watershed program. There isn't a resource program anywhere that has done more for community development. The program is sound. It provides for genuine teamwork among all community interests.

The watershed program is more than structural measures and land treatment. It has become a vital force in bringing together various local and State elements required to protect and improve the local economy. It has created an overall environment for community progress and economic growth.

My close association with the small watershed program, both as Governor and Senator, has been a source of great satisfaction to me. I believe in the program.

I am concerned that it has not always received consistently the greater Federal and non-Federal support it deserves.

The backlog of watershed project applications awaiting approval . . .

The backlog of projects in the planning stage waiting to move into construction . . .

Projects under construction that are not being completed as rapidly as they should be . . .

These are conditions that should not be allowed to continue.

I hope that the jurisdictional dispute between the Executive Branch and the Congress over approval of P.L. 566 projects will soon be resolved.

I shall continue to press for a solution that will permit watershed work to go forward in the national interest.

More is needed, of course. The small watershed program is essentially a local effort that requires local decision-making and local initiative. It deserves and should have strong local and State support. The current backlog should not discourage watershed communities who want and need a P.L. 566 project in their area.

I hope you will continue to make your voices heard in the Statehouse and in Washington.

I sympathize with those who contend that the P.L. 566 project should not necessarily hinge on the need for flood prevention, but that other benefits—such as recreation, wildlife enhancement, or water supply—should be enough to justify projects, when the value to the local area of such installation is clear.

This is a desirable objective, and I think it will be realized eventually. You have my full support in efforts to broaden the usefulness of our small watershed projects.

On the point of watershed benefits, I want to turn for a moment to the 4⅝ per cent interest rate that has been put to use in evaluating benefits and costs of Federally-assisted water projects.

The new rate, up from 3¼ per cent, is intended to reflect more accurately the cost to the U.S. Treasury in providing funds for water-related projects.

The new interest rate will mean that greater justification on the basis of derived benefits will be required to offset the effect of the higher rate.

In response to this action, 15 distinguished Senators, members of the Senate Committee on Appropriations, have protested the interest rate increase which was set without prior discussion by interested parties, and without clear-cut determination of water resource development needs.

The Senators contend—and I firmly agree with them—that the possible consequence of this rate increase could mean serious underdevelopment of the Nation's water resources at a time when we need to make giant forward strides.

I join my colleagues in urging that high priority be given to revising our rules and regulations for evaluating benefits. Also, regional hearings should be held to assure that a wide range of testimony and facts are available for determining improved methods of computing benefits.

Water development is an essential step in local economic progress. Any action that affects water resource development bears on our economy as a whole. The higher interest rate could tend to destroy projects in areas where they are most urgently needed.

A recent N.A.C.D. Tuesday Letter posed pertinent questions regarding the future Federal support of resource conservation. I cannot speak for the new Administration, nor for my colleagues in the Congress.

But I can assure you there are confirmed conservationists in Washington—in and outside of Congress—eager to add their weight to sound, progressive resource conservation programs in the public interest. I am proud to count myself as one of them.

Much depends, of course, upon the efforts of local people and state governments.

Congress will do its part if soil and water conservation districts have the necessary authorities to move ahead with the job, and if local and State interest and financial support demonstrate determination to see the job through.

Soil and water conservation districts have helped to shape much of our national legislation in the conservation movement. I cannot overemphasize the importance of continued attention, by you and by your State associations, to a well-defined legislative program.

We have come far since the days of protective conservation. Today we think of protecting the renewable resource base through wise use and managed replenishment. How we use the land and waters is the important thing.

If we allow pollution to destroy our waters they will not be available for use, and reuse.

If we allow our best agricultural lands to go for urban development, we are squandering a needed and irreplaceable resource.

If we establish our growing cities on land not suited for this kind of development, we are likely to pay dearly for this mistake.

We must assure that land use decisions are made on the basis of sound technical knowledge and counsel.

Allow me to turn for a moment to the serious issue of stream and lake pollution.

Pollution control must become a part of all watershed planning and development. Pollution starts as a watershed problem and becomes a river basin problem. Pollution adversely affects the entire community of interests within a watershed and downstream.

It is clear to me that we need:

More research into the nature, causes, and remedies of pollution.

Adequate technical assistance to private individuals, and to State and local public agencies and organizations attacking pollution problems.

Public cost-sharing and loan programs on a national basis to fight pollution.

Local organizations informed and able to see the programs through.

Here is a monumental challenge to the Nation's soil and water conservation districts.

The pollution of America's water resource can be relieved in part by diligent attention to land use practices. Erosion is waste, wherever it occurs. We can no longer afford waste anywhere in the Nation.

We can and must improve techniques for reducing pollution from farm and ranch lands, and from built-up areas alike.

I appreciate the financial needs of a pollution control program ambitious enough to do the job that needs to be done. They are tremendous. Such an undertaking is possible only through full and dedicated partnership of local, State, and national interests.

I need not quote to you the annual costs of sediment and other kinds of pollution damage to our country. The losses are staggering and they will get bigger if we do not put a stop to this needless destruction. An intelligently planned, properly managed pollution control program can only be a sound investment in the future.

It is obvious to me that the place to start is in the small watersheds of the Nation. The *framework* for concerted effort in water quality management exists in the small watershed program. The *means* for informed local action, and the channel for Federal, State and local support, exists in soil and water conservation districts.

A clean stream is not a privilege. It is a right.

Deep forests and extensive parklands, unspoiled and undefiled, are a right for every citizen to have and enjoy.

Fresh air is a right for all to breathe, wherever they live.

An environment for living that suits the sensitive requirements of the human spirit is a right of all people.

We all must care about the growth of the community . . . about the use of the countryside . . . and about the land where the other fellow has to live and rear his family.

We must be concerned about the slum, the suburban sprawl, the ravaged forest, the polluted stream, water shortage, and the lack of economic opportunity.

These are problems that belong to each and every citizen.

The lives of all of us are so interwoven that the problems of each of us thus becomes the problems of everyone.

The Nation's soil and water conservation districts face a serious challenge to act boldly in response to these far-reaching community concerns.

Yours is a powerful organization, dedicated and united. Your influence must extend beyond the farm and ranch lands, beyond agricultural America, wherever districts are organized—and they should be organized everywhere.

Dynamic conservation—a conservation that builds—is a national commitment the soil and water conservation districts can strengthen.

Progress, however, is made by men, not organizations.

The inspiration, the driving force, the carry-through, the final stamp on any accomplishment is the result of able, dedicated leadership. That leadership must stem essentially from the local level.

You district leaders, and your cooperators, have established a highly respected base of operations.

Congress, I assure you, is sympathetic to your crusade.

AN ANALYSIS OF INFLATION

Mr. McCLELLAN. Mr. President, the erosion of inflation continues to inflict great damage on the American economy as the purchasing power of the dollar continues to decline. Its purchasing power today is only 40 percent of that of the 1940 dollar.

A revealing and interesting analysis of inflation was made in an address delivered on January 9 by Dr. George S. Benson, president emeritus of Harding College, Searcy, Ark., to the Kiwanis Club in that city.

Dr. Benson explains inflation as a situation in which purchasing power increases faster than desirable goods are produced. He states that pressures that contribute to the increase of purchasing power include wage boosts that exceed the rate of productivity, excessive government spending, and crime and lawlessness. I am in complete agreement with Dr. Benson in his statement that the problems of inflation "can be very, very serious for America's future." It is becoming increasingly imperative that proper and effective steps be taken to correct the evils of inflation—to stop the erosion of the purchasing power of the dollar.

His address carries a message which we need to heed, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

INFLATION

(An address delivered by Dr. George S. Benson, president emeritus of Harding College, to the Kiwanis Club, Searcy, Ark., on January 9, 1969)

In talking with top officials in major national corporations, in talking with leading government officials and from reading leading magazines, I find they now very generally rate *inflation* as the leading problem facing the nation. First, let me attempt the difficult task of defining *inflation*. To put it simply, *inflation* is a situation in which purchasing power is increasing faster than desirable goods to be purchased are increasing. For example, suppose in Searcy all salaries, wages, relief payments and all other sources of income should increase at the rate of 7% a year for five years, making a total increase of 35%, while at the same time incoming goods to be purchased increased at only 2% a year, making a total of 10% in five years. This would definitely cause the prices of goods to go up.

This is actually, in general, what is happening to the entire nation at this time. There are numerous pressures contributing to the increase of purchasing power at a faster rate than desirable goods are becoming available for purchase. In fact, anything that increses the flow of money without increasing the flow of goods correspondingly is inflationary.

An easy example to understand is the way wages keep going up faster than productivity. Personally, I am very much interested in employees. They constitute a very big segment of our American society and a very important segment. I would like to see wages go up and the standard of living for working people go up, just as fast as it can be sustained without tending to kill the goose that lays the golden eggs.

But wages at the present time are climbing at what is often estimated at about 8%

whereas productivity is increasing at about 2% a year. This means that the labor which is producing goods is being paid 8% more for producing goods but is only producing 2% more goods. The steel industry is a fair example. It is estimated that the new wage package in steel is equivalent to about 8% increase per year for the duration of the contract but the rate at which productivity is increasing in the steel industry is approximately 2%. When you apply this to the automobile industry and all other industries, then it means that the wages which create purchasing power were increasing about four times as fast as the goods being produced as a result of those wages.

President Johnson recognized this danger and several years ago set a guideline urging that wages not go up faster than 3.2% but the guideline has ceased to be followed and now wages are going up at two and one-half times the rate of the guideline recommendations. Productivity, on the contrary, is going up scarcely as fast as was projected when the guideline was set. All of this definitely creates an inflationary situation. It is estimated that the purchasing power of the American dollar during 1968 alone lost about 4.6% of its power. A savings account created in 1940 or a government bond purchased in 1940 and sold on today's market would purchase only 40% of its 1940 purchasing power. That's an indication of what inflation does to pensions, annuities, and all other fixed dollar incomes.

Another inflationary pressure results from big government spending and extended government credits, all of which is partially financed by new money printed by the Treasury Department. New printed money increases purchasing power but does not increase the goods to be purchased and therefore, is distinctly inflationary. Private borrowing tends to do the same thing. For instance, if I borrow from the bank in Searcy $1000, I have increased my purchasing power by $1000 but I haven't increased the goods to be purchased at all. The borrowings of the federal government, the state governments, the cities and municipalities, and private individuals in America runs far beyond $1 trillion.

The third inflationary pressure comes from the rapid increase of crimes and lawlessness. Many businesses which were burned out in the big fires in certain major cities have indicated no desire to build back. Many other business men who had thought of expanding their businesses and increasing the production of goods, on the contrary are delaying action because of the fear of crime and lawlessness. They put their money out on interest instead of investing it to produce goods. This creates additional inflationary pressures and also pushes up the inflated prices of common stocks.

When we combine the fear of rapidly rising wages which some people think will go to the 10% level by the end of 1969 and when we recognize the encouragement this gives to foreign competition in America and accordingly, the squeeze that may be expected on profits, a squeeze made still more serious by rising taxes; and when we recognize the tremendous pressure from big government spending and when we recognize the fears from crime and lawlessness, we can see much to restrain American capital from investing in the production of goods, all of which tends to increase purchasing power faster than desirable goods are being produced.

This can be very, very serious for America's future. It is high time the entire American public take note of these serious problems and move for their correction.

America one time was 85% agricultural. Today, only 6% of the American people live on farms and less than 6% of the national income is from agriculture. We are an industrial nation. Our employers and the 70 million employees are the very backbone of the nation. This is the only country in the world where an employee on hourly wages can look forward to owning a home, an automobile, a radio, a TV, and sending his son to college. Employees fare better here than anywhere else in the world. Personally, Id like to see these superior wages that make possible superior living conditions long prevail in our country but if the inflationary pressures mentioned above are long continued, these good jobs will be destroyed and America will be reduced to mediocrity.

As the results of these problems are becoming better and better recognized, I think we may feel assured that attempts will be made for a reasonable solution to the inbalance between wage increases and productivity, for reductions in extensive government spending, and for reduction of crime and lawlessness.

Whether these efforts for improvement can succeed or not will depend upon the general atmosphere in the nation. If we can create a general atmosphere in which these problems are properly recognized and in which solutions are really desired, then improvements will come. If, on the contrary, the general public has no realization of the problems and consequently, the problems continue to grow instead of being solved, then the efforts for improvement will fail and America will go on moving in the same direction in all three of these areas, which will be very, very detrimental.

Therefore, I appeal to the American public to encourage an atmosphere favorable to the adoption of some sound method for obtaining a better balance in the industrial area, for properly reducing big government spending, and for effectively curbing lawlessness and crime in America. The final decisions will be determined at the bar of public opinion in this great democratic republic. But remember that sound money is essential to the long range well-being of any nation. Inflation must not be allowed to wreck our financial structure, and with it our industrial structure.

DISRUPTIONS OF COLLEGES AND UNIVERSITIES SHOULD NOT BE TOLERATED

Mr. BYRD of West Virginia. Mr. President, two fine articles on the problem of student rebellion on college campuses have recently been published.

In the Washington Post of February 18, 1969, Drew Pearson wrote:

> It is time for University authorities to realize that they must provide education for the majority, not submit to disruption by the minority.

I could not agree more.

An article by Bruce Biossat, published in the Williamson, W. Va., Daily News of February 15, 1969, discusses the same subject from a different angle.

I ask unanimous consent that the article entitled "It's Time for Crackdown at Colleges," written by Drew Pearson, and the article entitled "Student Rebels' Wisdom, Competence Overrated," written by Bruce Biossat, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Feb. 18, 1969]

IT'S TIME FOR CRACKDOWN AT COLLEGES

(By Drew Pearson)

CLARKSVILLE, TENN.—During the past twelve months, this writer has visited approximately 50 college campuses, ranging from the University of Warsaw in Communist Poland and the Sorbonne in Paris to the University of Montana, the University of Pennsylvania, the University of Florida, Washington State, MIT, Stout State College in Wisconsin and Austin Peay State College here in Tennessee. It has been a cross-section of colleges, large and small, and at all of the American institutions I have addressed student assemblies and conducted student forums.

From this experience I believe I can accurately report that American students generally are alert, dedicated and far ahead of previous generations in their desire to tackle the problems of the world. They are not interested primarily in becoming engineers, businessmen or insurance salesmen, as was my generation in college. The majority want to devote at least part of their lives to helping their fellow men. They are interested in the Peace Corps, Vista or going into government.

There was a day when the top graduates of the Harvard Law School were immediately gobbled up by the top Wall Street law firms. That day is over. These graduates and others from the best law schools are now more interested in spending some time in Government or other productive community work. If they do sign up with big New York law firms, many specify that they must have time off to handle indigent clients or other community work.

MINORITY RULE

In contrast, there is a minority in many colleges, led by Negroes, which seems determined to disrupt education altogether. It has done so by reversing the American system of majority rule for a system of minority rule.

It has done this, moreover, by using a technique outlawed by American law and tradition—violence.

Minority rule by force and violence has almost paralyzed San Francisco State College, killed one college president, Dr. Courtney Smith of Swarthmore, and disrupted some of the most liberal institutions in America such as Brandeis, a Jewish university, the University of Chicago under liberal President Edward Levi, and the University of Wisconsin, long proud of its liberal Lafollete tradition. All have tried hard for several years to enlist more qualified Negro students, yet this is one of the demands of the Negro minority.

In each of the above institutions there has been a small minority of students which has used violence to sabotage education for the majority. In Swarthmore forty black students locked themselves into the admission office and disrupted education for a thousand others. At Brandeis the ratio was about the same. At Chicago, 400 students tried to force their demands on the 9000-student University by occupying the administration building. At Columbia, a University where I once taught, about 400 students tied up an institution of 30,000 also by occupying the administration building where they rifled the private papers of President Grayson Kirk.

TOUGHNESS JUSTIFIED

My conclusions from having visited many campuses is that it is time for University authorities to realize that they must provide education for the majority, not submit to disruption by the minority. Otherwise, education in their strike-torn colleges will gradually erode. The easiest way to prevent disruption is to get back to previous disciplinary rules and expel violators immediately.

Today, in contrast with the past, striking students have been mollycoddled, given second and third chances and then allowed to remain in school. All of this puts a premium on violence.

This is unfair to the majority of the students who are trying to get an education; also unfair to the taxpayers who put up the money for education and to the alumni who help to finance private colleges.

In San Francisco State, only 350 teachers out of a total of 1100 belong to Local 1352 of the American Federation of Teachers. And of these 350, only 200 wanted to strike. Yet this minority threw the entire campus into turmoil and got the backing of the San Francisco AFL–CIO Labor Council. This is something AFL–CIO President George Meany would hardly sanction—if he knew the facts.

What minority faculty members have got to realize is that alumni can strike, too. So can majority students. Applicants at Columbia's last freshman class were down 21 per cent, in contrast to Harvard and Yale, which had no riots and whose freshmen applications are up 10 to 15 per cent. Students don't want to enroll at a university that may be riot-torn.

Any business firm that loses 21 percent of its customers in one year is in danger of going out of business. Columbia can weather the slump. But it has been given a stiff reminder that the majority of students go to college to study, not to demonstrate.

More serious may be a Columbia alumni boycott in fund-giving. This is neither organized nor advertised, but it is a fact. If it spreads to other riot-torn campuses, it could be the most serious boycott of all.

Student Rebels' Wisdom, Competence Overrated

(By Bruce Biossat)

Washington.—An able political figure (not an office-holder) who has had some identity with education in his state was heard to complain not long ago about what he considers the decline of rational thought in America.

He was expressing dismay over the violence and the shouting matches which, though invariably the work of a small student minority, have tended to disrupt and even engulf many of the nation's colleges and universities these days.

If his complaint is valid in any considerable measure, it puts us at a curious turn. For never in our history have we placed so high a value upon getting an education, and never before have so many millions in the young populace, aided heavily by government dollars, made it to high school and college.

It is common to say that the young people of today are the best-informed in history, that they put their elders to shame in the volume and diversity of the things they know.

Yet there is something grossly wrong with this picture. With the support of President Nixon, HEW Secretary Robert Finch chose as his new education commissioner Dr. James Allen, former New York State commissioner, specifically to upgrade the quality of elementary and secondary education in this country.

Though exceptions exist, that quality is deemed—in study after study—to be pitifully low in the core cities of America's great urban areas from coast to coast. In some studies, even the average quality of education provided in suburban schools is badly faulted.

Here enter contradiction and irony. If the concern over quality is only halfway justified, how are so many young people becoming so "well-informed?" Through television?

There are probably many answers to the evident contradiction. Obviously, some schools are very good; more people are attending them, and more are staying in the school system longer. Obviously, too, television and other means of mass communication have indeed advanced greatly a young person's chances for acquiring information.

But there is also heavy evidence that the basic proposition about the state of young people's knowledge is being quite extravagantly overstated in countless instances.

A year ago, foreign affairs specialist George Kennan wrote a magazine piece assaulting student radicals, who often gain some sympathy well beyond their own small numbers from faculty members and less militant students.

The outpouring of written response to that piece, some of it favorable but much more unfavorable, so staggered Kennan that he finally decided to compose a reply, in a book called "Democracy and the Student Left," which ran five times the length of his first piece.

Printed in the newer work are many of the student and teacher responses he drew in early 1968. Some are thoughtful and well-reasoned. Yet all too many, sad to say, simply underscore the charges he laid on the rebels in the first place.

Rational thought showed itself rarely. Mental confusion was rampant. Many critical respondents were especially outraged that Kennan dared to suggest they might do a little studying at school.

They seemed to regard the university first as a place for them to dominate, in one degree or another, and then to use mainly as a physical staging base for mass political action and other real-life movements against the outside world whose shortcomings troubled them.

Kennan not only challenged this concept of the university, while conceding its need to keep up with the times and relate itself deeply and continuously to the outside world, but he charged the responding rebels with misconceiving democracy, overrating the utility of impatience, overrating their own competence and knowledge, ignoring whole aspects of life (nature, for one), falsely justifying disobedience in the name of their all-powerful individual consciences.

LITHUANIAN INDEPENDENCE

Mrs. SMITH. Mr. President, I wish to associate myself with those of this body who have praised the courage and steadfastness of Lithuanians who still strive so gallantly for independence and freedom of their beloved country. I wish them well.

THE LESSONS OF VIETNAM

Mr. HATFIELD. Mr. President, it is clear to the most casual observer that our involvement in the present Vietnamese conflict has been both prolonged and costly. Eight years ago, when we first sent military advisers to assist the training of South Vietnam's forces, we could hardly have anticipated our eventual commitment of more than half a million young men and $30 billion a year to a questionable defense of that country. Perhaps, even in the midst of continued bloodshed, we can say that we have learned something of the consequences of certain actions.

The following article by Mr. Stewart Alsop was printed in the February 17, 1969, issue of Newsweek magazine. If nothing else, our Vietnam experiences have highlighted several of America's policy problems, and I feel that Mr. Alsop's comments are especially valuable in abstracting these problems from the bewildering confusion of our involvement there. I particularly would agree with Mr. Alsop's suggestion that a different type of military and a different method of recruiting are needed. I therefore ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Lessons of Vietnam

(By Stewart Alsop)

Washington.—Like the poor, the Vietnamese War is always with us. New men are struggling with the agonizing problem of ending it. These men—and the rest of us—might profit from the private conclusions of the men who advised President Johnson, in 1965, when he made the fateful decision to intervene directly in the war. These Johnson advisers—men like Dean Rusk, Robert McNamara, Maxwell Taylor, the Bundy brothers, Paul Nitze and a number of others—may or may not have been wrong in their advice, but they are by no means fools.

The jottings from a reporter's notebook which follow are the result of an intermittent series of talks with most of these Johnson advisers. The talks, which began last fall, were held with the assurance that no one would be quoted by name. Certain useful lessons for the future seemed to this reporter to emerge from these interviews.

Lesson one seems to be: *don't overestimate what air power can do.*

"I don't think any of us—or many of us, anyway—thought we could win the war with air power alone. But some of us certainly *hoped* so. And almost all of us underestimated the amount of damage the other side could take."

"Air power is vital, but we should have learned from the second world war and Korea that you don't win wars from the air. I remember, near the beginning of the Korean War, the Air Force spotted 90 Communist tanks in convoy, going south, and they begged to have a go at them. They dropped tons of bombs, and you know how many tanks they knocked out? One."

"One thing we've learned—you can't interdict infiltration or supplies, for this kind of war, with bombs."

Lesson two seems to be: *a large conventional draft army is not an ideal instrument for fighting a "war of national liberation."*

"What we need is a highly paid professional force, organized *ad hoc,* to do a specific job. The things that have to be done—short rotation, hot meals, and so on—to keep a draft army happy are disproportionately expensive, in manpower as well as in money."

"President Kennedy sensed that we needed a different kind of army to fight a different kind of war—hence the Green Berets. But the army bureaucracy quickly absorbed the Green Berets."

"We fielded much too big a force for the strategic purpose. There should have been a ceiling of around 200,000 men—an elite force with a minimum backup."

"Because it has worked in the past, the American military tend to suppose that enough money, enough manpower, enough firepower, will win any war. But this is a different *kind* of war, and it tends to become less winnable as a foreign presence becomes more visible.

Lesson three seems to be: *in this kind of war, the political factor is at least as important as the military factor.*

"I used to think we could win the war first, and then worry about building a political base. I've changed my mind—firepower is not an adequate substitute for a political base. The Communists are a minority, but they're a solid minority. Our base—the urban bourgeoisie, the mandarinate, the French-trained officers—has been too mushy."

"Before Bunker, the military were always the real number one in the American pecking order in Saigon. The military simply aren't trained to deal with a really prickly political situation—their solution, quite naturally, is more troops and firepower. Most of the time, we've been flying blind, politically."

"The fact is that we never have learned how to use our clout with client states."

Lesson four seems to be: *Communists are not rational by our lights—only by theirs.*

"Of *course* we underestimated what the other side would take—that's why there was so much early overoptimism. After we began bombing and committed combat troops in 1965. we thought they'd *have* to neogtiate on our terms—that they'd have no rational alternative."

"Ho Chi Minh and company have had a single goal for which they've fought relentlessly for a generation—Communist rule over all Vietnam. They are not going to be diverted from that goal, whether by military pressure or by compromises that seem reasonable and even generous to us."

Lesson five seems to be: *the American people will not indefinitely sustain a war if they do not clearly understand why it is being fought.*

"This has been the most overexplained war in history. The trouble was, any explanation would do—for that particular week. LBJ kept Congress in hand for a long time with those amazing briefing circuses. But the time came when nobody would listen to him but the Legion and the Amvets."

"What's amazing is that President Johnson kept the country with the war as long as he did. It was a *tour de force*. If you'd asked any of us back in the early days, if the country would stand for a war costing 30,000 dead and $30 billion a year, we'd have said, 'Are you crazy?' "

"We decided to win this war without any beating of drums or war propaganda. I wonder now if we can win a war that way. In fact, I wonder now if you can fight a war without censorship of the news, television especially."

"No, I don't think it was the draft that was the basic cause of the dissent. It was a kind of national guilt feeling, the feeling that we were acting like a big bully beating up a little guy."

"Next time, let's remember that you need a clear national cause that can be sustained for a long time, or else the war's got to be small and short and fought by professionals."

THE PAST AS A GUIDE

Obviously, these jottings are inadequate—the lessons of the long Vietnam agony are not to be summed up on one page. All those interviewed by no means agree on all the points made above—General Taylor, for example, disagrees with most of them, and so, no doubt, do most of the military. Moreover, some of the key figures—notably Robert McNamara—still shy away from talking with real candor to a reporter on this subject, even on a not-for-attribution basis.

All the same, there are deeply important lessons to be learned from the Vietnam experience. It might be in the national interest for the new Administration, or the Congress, to organize an orderly project, while memories are still fresh, to interview the chief Johnson policymakers, in depth and *in camera*, on why we did what we did in Vietnam, and on what can be learned from what happened. "The past is prologue," and such a record could provide useful guidance for President Nixon, and for his successors too.

NEW DEVELOPMENTS BY THE AIR FORCE

Mr. DOMINICK. Mr. President, I invite the attention of the Senate to an article under the byline of Mr. William Beecher, and published in the New York Times of February 5, 1969. Mr. Beecher discusses some new developments by the Air Force which very well could vastly enhance the value of our manned bomber force.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

New U.S. Weapon May Give Bomber Vital Offense Role

(By William Beecher)

Washington, February 4.—A new, dual-purpose weapons system now being developed by the Air Force may revolutionize strategic bombing and bring big new bombers back into the good graces of top defense officials Pentagon sources said.

The system, named Subsonic Cruise Armed Decoy, or SCAD for short, is exciting the imagination of Pentagon civilian planners, who for years have been unenthusiastic about the value of strategic bombers in comparison with long-range missiles.

One planner gave the following enthusiastic appraisal:

"SCAD does for bombers what the multiple warhead does for missiles—it makes the enemy's defense problem virtually impossible."

The SCAD is a small pilotless aircraft. A number of them would be carried by one large bomber. They would be launched toward enemy targets.

The SCAD would be a decoy in the sense that it would strain enemy defenses by appearing to be a big bomber on enemy radar screens. It would also be a weapon because it would carry a large nuclear warhead.

Pentagon officials declined to give specific cost figures on SCAD.

Early progress in developing the new weapon, Pentagon officials agree, was a major factor in the decision to move ahead with engineering design work on a new long-range bomber and to cut back on the planned procurement of the relatively small, medium-range FB–111, a bomber version of the TFX.

The underlying reason: To carry a large load of SCADs will require a big plane. The FB–111 is too small to carry more than a few, whereas the B–52 will carry 20 to 30 of them and the follow-on bombers even more.

DECOY'S USE IN ATTACK

SCAD would be used this way: A fleet of big bombers would head toward enemy territory. But, instead of having to swing in over heavily defended targets, they would start launching their SCAD's while still well out to sea, well beyond the range of the enemy's antiaircraft artillery, surface-to-air missiles or jet interceptors.

Pentagon officials decline to give the range of the new weapon, but a look at an atlas suggests that if the target area were Moscow, the range would be anywhere from 600 to 1,000 miles, depending on the direction of attack.

Each SCAD would carry a radar reflective mechanism that would make it look like a big bomber on enemy radar screens. Thus, in planning their bomber defenses, Russia's problems would be multiplied manyfold.

But SCAD is much more than a decoy. It can carry a warhead that officials say is "much more" destructive than the atomic bombs that destroyed Hiroshima and Nagasaki. Those bombs had a yield of about 20 kilotons, equivalent to about 20,000 tons of TNT.

Each SCAD will also carry its own guidance device to zero in on an enemy target, whether that be a missile defense complex, a long-range offensive missile site, or even an enemy city.

It would therefore be foolhardy for the Russians to ignore the SCAD, even if they could come up with some improved radar technique that would enable them to distinguish the small decoy from a big bomber.

In addition to SCAD's, the bombers would also carry some new Short-Range Attack Missiles, called SRAM, that have a range of 50 to 100 miles or more.

These would be used to neutralize local air defense sites deep within enemy territory to allow the bomber to penetrate and drop its very large nuclear bombs. These would be used to destroy really hard, concrete-protected sites, such as command centers and weapons storage bunkers.

Both the SRAM and the SCAD are expected to be ready for deployment on strategic bombers in a few years. In addition, the Air Force is working on a number of electronic counter-measure devices designed to black out temporarily or confuse enemy radar defenses to increase the bomber's penetration capability still further.

The SCAD is not a missile, but a small pilotless bomber. However, its range and payload characteristics seem somewhat similar to the Skybolt missile, the development of which was killed by Robert S. McNamara in 1962 when he was Defense Secretary.

The Skybolt was to have had a range of about 1,100 miles and was to allow American and British bombers to attack targets in Russia while standing off beyond Soviet defenses.

The project was scrapped, it was said at the time, because of technical problems and burgeoning costs. Since, Atlas, Titan, Minuteman and Polaris missiles were already operational, and could do the strategic job better, some Pentagon officials said at the time, that Skybolt was unnecessary.

The decision to scrap the project angered some French and British officials who viewed it as an attempt to keep those nations from developing much of an independent nuclear capability.

Throughout his seven years as Secretary of Defense, Mr. McNamara remained cool to the role of bombers, feeling they were more vulnerable than missiles to surprise attack, took too long to get to their targets and were less likely to penetrate enemy defenses.

He consistenly refused to let the Air Force develop a big bomber to follow the aging fleet of B-52's, squelching the expensive B-70 high-altitude bomber in its early stages and refusing to permit development of a low-level alternative.

He did agree to extending the life of the B-52 and, later in his term, with development of a bomber version of the F-111, primarily to ensure that the Russians would continue to pour money into air defenses that might otherwise have gone into offensive missiles or antiballistic missiles.

In fact, the Russians did start to deploy a new family of bomber defense missiles, the so-called Tallinn Line in northeast Russia, a few years ago.

Clark M. Clifford, Mr. McNamara's successor, included money in the final Johnson Administration defense budget for a competitive engineering design study of a large follow-on bomber. But he insisted that this did not commit the Government to building a fleet of such bombers.

The new bomber, called the Advanced Manned Strategic Aircraft, or AMSA, would have twice the payload of the B–52, but with a smaller crew of three or four men, a smaller total weight, greater speed, and a range of from 7,000 to 10,000 miles.

Pentagon officials say the advent of SCAD makes likely a subsequent decision to build a fleet of about 200 AMSA's in the mid-1970's. The cost of such a fleet is estimated at about $10-billion.

Multiple Independently targetable Reentry Vehicles, now being tested for Minuteman and Poseidon Missiles, are meant to overwhelm a soviet missile defense with the sheer weight of numbers, officials say, since each missile could carry from three to 12 warheads. SCAD would do the same thing to enemy bomber defense, they add.

Officials point out that talks with the Russians with the aim of halting the arms race by freezing existing offensive and defensive systems could affect in a basic way decisions on future weapons.

No one is prepared at this point to predict whether only the number of missiles and bombers might be restricted, allowing technological improvements, or whether improvements, too, might be prohibited, with on-site inspection to insure that they were not being effected.

PENTAGON PROPAGANDA FOR THE ANTI-BALLISTICS-MISSILE SYSTEM

Mr. EAGLETON. Mr. President, I believe the American public is prepared to spend what it must for the defense of the United States. But the public has a right to know in unembellished, straightforward terms precisely what it is buying with its military budget and why.

It is the most fundamental premise of our great democracy that the people are capable of determining their own destiny on the basis of full and free information. It is up to the Government to inform the people so that they may judge—not to propagandize them into supporting one or another course which it may think wise.

In a democracy, as Thomas Jefferson said:

> The whole art of government consists in the art of being honest.

The Washington Post, on February 16, published an article written by Philip Geyelin which outlines a highly detailed Pentagon plan to propagandize the American public into accepting the anti-ballistic-missile system, which a great many Senators and citizens consider to be of highly questionable value. On the same day, the St. Louis Post-Dispatch published an editorial attacking precisely this sort of manipulation in the presentation of American foreign policy and defense policy to the American public.

Yesterday morning—February 17—the Washington Post printed an editorial condemning the propaganda effort revealed in the Post article of the previous day.

I believe these three pieces form an important part of what may become a historic public dialog in 1969. I ask unanimous consent that the articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Feb. 16, 1969]

BID BY RESOR TO SELL PUBLIC ON ABM TOLD

(By Philip Geyelin)

Secretary of the Army Stanley R. Resor proposed to his superiors in the Defense Department last fall a massive public relations campaign to counteract scientific and political opposition to the controversial Sentinel system for destroying enemy missiles.

The Resor proposals, outlined in a classified, five-page memorandum to then Secretary of Defense Clark Clifford, were a follow-up to a major pro-Sentinel campaign launched in March, 1968, months before Congress had even approved the initial funds to develop the system.

This "public information" or propaganda effort on the part of Resor and other officials was rationalized in the Army Secretary's memorandum to Clifford last Sept. 30.

Resor wrote:

"Several highly placed and reputable U.S. scientists have spoken out in print against the Sentinel missile system."

PROCEDURE SUGGESTED

Among these scientists, Resor's memorandum said, were Dr. Hans Bethe, Dr. George Kistiakowsky and Dr. Jerome Wiesner. To deal with them, Resor proposed the following:

"Although it is difficult because of security aspects to answer the technical arguments used by these men against Sentinel, it is essential that all possible questions raised by these opponents be answered, preferably by nongovernment scientists.

"We will be in contact shortly with scientists who are familiar with the Sentinel program and who may see fit to write articles for publication supporting the technical feasibility and operational effectiveness of the Sentinel system.

"We shall extend to these scientists all practical assistance."

This fragment from Resor's five-page memorandum to Clifford is a small sample of the comprehensive public relations campaign by the Army Department to sell the Sentinel to the American public and to counteract critics in Congress and the scientific community.

KNOWN AS ABM

The Sentinel is the name given to what is otherwise known as the ABM, or antiballistic missile system designed to intercept and destroy with nuclear warheads, incoming offensive ballistic missiles.

It has been the center of a growing controversy since former Defense Secretary Robert McNamara announced the decision for a limited or "thin" deployment of the weapon, largely to counter the threat of Chinese nuclear missiles in the 1970s.

Opposition comes partly from those who fear it will prejudice arms control talks with the Russians, partly from people living close by the dozen or so population centers (Boston, Seattle, Chicago, Detroit, Los Angeles, among others) where Sentinel sites are planned.

Resor's memorandum last September came at the climax of a Congressional debate over Sentinel funds; final approval of the initial money was voted a few days later. The memorandum was accompanied by a much more detailed, 17-page "master plan" for a "public relations/public affairs program on a countrywide basis."

And this longer memorandum signed by Lt. Gen. Alfred D. Starbird who manages the Sentinel project, was, in turn, based on a still earlier "Sentinel System Public Affairs Plan," which had been authorized in March of last year.

Apparently Resor and the Army did not believe the earlier effort was adequate. "There is public confusion regarding the necessity for the Sentinel System deployment decision and of our need to acquire particular geographic areas for use as Sentinel operational sites," he told Clifford in the September memo, adding "I feel it essential that the Army undertake a time-phased public affairs program to provide information to dispel this public confusion." With some foresight, he warned that "further and expanded opposition to the Sentinel decisions may occur with the passage of time."

Though the plans outlined by Resor centered on efforts to win public acceptance of the Sentinel in the communities where Sentinel sites are contemplated, the campaign was to be far broader and more comprehensive than that, both as to content and technique.

OTHER ANGLES

In addition to the effort to promote friendly magazine articles from leading scientists, it included plans for:

A broader campaign to win over hostile Senators and Representatives, with personal visits from high officials, including classified briefings to all Congressmen whose states or districts would be directly affected, whether or not local opposition had developed to Sentinel deployment.

An expanded program of similar "orientation visits" to a wider assortment of state, county and city officials, beginning with Boston, Seattle and Chicago, where much of the trouble had developed.

Special calls on local editors and publishers, again beginning with Boston, Seattle and Chicago but extending to all other localities destined to become Sentinel sites.

"A transportable display exhibit" for use in communities "impacted," to use the Army's term, by Sentinel sites, and featuring "pretaped voice commentary," visual aids and mockups to explain, among other things, "casualty reductions projected by the effective presence of Sentinel during a possible enemy offensive ICBM attack against the United States."

A strong plug for the Sentinel in the President's (Johnson) State of the Union Message.

An invitation to newsmen to witness firings of the Sprint missile at White Sands Missile Range in New Mexico and the Spartan at Kwajalein (both are part of the Sentinel system) as part of an expanded program to "bring home to the public" the "message as to Sentinel progress, developments, and accomplishments."

Preparation of "an information packet" to be distributed to all interested citizens or Government officials "having questions on the Sentinel system," and to include "authoritative speeches," interviews or other statements about the strategic need, the cost and the feasibility of the project.

Though the Resor memorandum deals only with public relations aspects of the Sentinel system, it was classified for security purposes. For this reason, the Defense Department declined to discuss it in any detail.

One official did say, in response to an inquiry, that public relations efforts on behalf of the Sentinel project have not been included in the current freeze on work at the missile sites, which is part of a general review of Sentinel policy.

Another official indicated that there would be nothing "extraordinary" about such a public relations campaign, and said it was patterned after similar efforts made to publicize and make more politically palatable the Nike series of missiles. While nobody would flatly confirm that the plan had been put into effect in exactly the form set forth by Resor and Starbird, the feeling seemed to be that a campaign of this kind was standard procedure and would have won top-level approval almost as a matter of routine.

Whatever the case, the mere existence of the proposal tells something about the intensity of the military pressure behind the Sentinel; the resourcefulness of the Army's public relations operations; and the apparent indifference of the Army to the question of whether what they are propagandizing in Congress and across the country has become, with Congressional funding and approval, an actuality or merely an Administration proposal.

EXTENT DISCLOSED

Also illuminated is the length to which the Army was apparently prepared to go in pushing the Sentinel, not merely as a "thin," primarily Chinese-oriented weapons system, but as a first step towards a "thick" ABM system. This is thought to be the real objective of Army strategists.

But the Johnson Administration and the Defense Department, under both McNamara and Clifford, insisted that the ABM be viewed as an anti-Chinese system, with only marginal significance in the added protection it might give against Russian attack. It was not, at any rate, to be thought of as a first step towards a "heavy" anti-Soviet system.

General Starbird's "master plan", for example, sets a broad policy line for the public relations campaign. "The thrust of the program will be directed primarily toward explaining the military requirement and strategic concepts inherent in the Sentinel deployment decision," he said in his detailed outline of the program. "As subordinate but related goals," he added, "the program will emphasize that:

"the Sentinel System is specifically designed to meet a strategic defensive military requirement;

"that it is being deployed in an efficient and economical manner;

"that it is designed to provide a defense against a possible Communist Chinese nuclear ICBM attack in the early 1970s;

"that it provides added protection of our population against a possible accidental ICBM launch by any one of the world's nuclear powers;

"that it represents a basic step toward defense against the Soviet ICBM threat to the United States should national policy so direct."

The Starbird proposals also envisage a degree of interplay between the Army and private industry engaged in Sentinel work. "The provisions of this plan apply to all U.S. Army elements and to all individual industrial firms and civilian contractors participating in the production and deployment of the Sentinel System," his memorandum states.

Although it is not clear exactly what the word "apply" means in this instance, the memorandum includes this instruction: "Personnel affiliated with the Sentinel Public Affairs Program will cooperate and coordinate with industry on public relations efforts by industries involved in the Sentinel Program."

The General's 17-page prospectus while infinitely more detailed than Resor's summary memorandum, is also a good deal less intelligible. There is much talk of "Phase II (c)" and "responsive implementation of policy guidance" and instructions to "CG, ARADCOM", for example, calling on him (or it) to "support and assist the Sentinel information and public affairs activities of SENSCOM, USAEDH, SENLOG, STRATCOM and SENSEA."

But the message gets through, on careful reading. It is that an extraordinary intricate and comprehensive campaign is intended down to the details of kit folders, biographies and photos of "key service personalities associated with the Sentinel System Program," and "photos or artist-concept sketches of Sentinel missiles, radars, site layouts and test or training installations."

There is a command that "magazine articles will be prepared by Army staff members . . . for submission to military, scientific and professional journals and publications that are service sponsored or oriented" and also an order to all hands to "encourage and assist in the preparation of magazine articles . . . by civilian scientific or technical writers of national stature.

In no uncertain terms, "officials granting interviews" to newsmen are told to be prepared, and outgiving on the positive side of the Sentinel project. "Every effort will be made to anticipate the questions that will be asked by the interviewing reporter." In special cases, where it would be helpful, requests to declassify material "which is responsive to the anticipated questions" are encouraged.

Exhibits, a library of useful quotations, a standard briefing text, a special "Community Relations Briefing Text", an "Operation Understanding" which would enlist the participation of local civilian leaders, film clips of missile flights, taped interviews, and other "newsworthy items" for use by commercial radio and television—all these and more are carefully set forth in Gen. Starbird's "master plan" for selling the Sentinel.

[From the St. Louis (Mo.) Post-Dispatch Feb. 16, 1969]

ENOUGH OF MILITARY MENDACITY

The public revulsion against the Sentinel antiballistic missile system ought to be taken by the Pentagon as a warning. It is the symptom, we think, of a growing public disenchantment with military domination of American foreign policy, and most particularly with the deceptions, misrepresentations and outright lies which our military leaders have resorted to in their unconscionable effort to control the nation's destiny.

Initial funds for the ABM were pushed through Congress last year on a tide of crafty falsehoods. First, there was the pretext that it was a "thin" system to counter China, not Russia—a pretext that President Nixon shrewdly refuses to "buy," though Secretary Laird professes to believe it. Then there was the assurance that the system would cost "only" five billion dollars, a figure which Senator Symington estimates ought to be closer to ten billions. Congress was told that the missiles would be emplaced far from population centers; immediately the sites were located in the midst of our greatest urban areas. One after another, the Pentagon's propaganda lines are being exposed as a crass manipulation of public opinion designed to commit the nation to unending escalation of the arms race.

This is not the first time, of course, that the military establishment has sought to manipulate public opinion by misrepresenting the facts. When the *Pueblo* was captured by North Korea the Navy set up a self-righteous uproar which can now be seen as a smoke screen to hide its own blunders. The Joint Chiefs of Staff seized on the incident to call up 12,500 reservists, most of whom never went to Korea or even Vietnam, but are now holding down desk jobs around the world while regulara are being released—all to enable the Pentagon to show a budget cut without actually cutting manpower.

As the *Pueblo* inquiry goes on, doubt deepens as to the Navy's contention that the ship never violated Korean territorial waters. To secure the release of the crew our Government in fact acknowledged a violation, and then pretended to repudiate the acknowledgement; but the "repudiation," it is now clear, was itself a misrepresentation for the purpose of deceiving the American public.

The most conspicuous and ominous case of official mendacity remains the Gulf of Tonkin incident in August, 1964, which triggered the disastrous Vietnam war. As I. F. Stone points out in *The New York Review*, the whole truth about this fateful affair has not yet been told, and we agree that the Senate Foreign Relations Committee should reopen its inquiry to find out the whole truth.

Enough has come out from the Pentagon's own testimony to suggest that the alleged Aug. 4 attack on two American destroyers off North Vietnam many never have taken place. If it did take place, there is strong evidence that it was in response to an act of war by our destroyers, which were engaged in espionage in support of South Vietnamese operations planned and equipped by us. Yet the American people were told that the destroyers had been wantonly attacked while on "routine patrol," and on the strength of this, Congress was induced to sign a blank check which President Johnson construed as authorizing him to plunge the nation into an undeclared war in which 30,000 young Americans have died.

Throughout that war the military establishment has repeatedly mislead the people with promises of victory just around the corner and tendentious accounts of mythical triumphs, such as the siege at Khe Sanh. It even sought to convince the public that the Communists' staggering Tet offensive last year, which drove President Johnson out of office and compelled him to reverse the policy of military escalation, was in fact a defeat for the Communists and a victory for us.

We think the American people, to put it quite bluntly, are tired of being lied to. It is gradually dawning on them that they were tricked into a fruitless war which their leaders do not know how to end, and that a military establishment grown fat on inflated budgets is determined to maintain its drain on the national economy by manipulating public opinion in its own interest. No task before the American people exceeds in importance that of recapturing democratic control of their own destiny, and making it a destiny of peace.

[From the Washington (D.C.) Post, Feb. 17, 1969]

THE BIG ABM BRAINWASH

There is more obviously, to the Great Debate over the Sentinel ABM System than has hitherto met the eye, judging from a report on the front page of this newspaper yesterday. The report told of two memoranda to former Secretary of Defense Clifford last fall. One was from the present Secretary of the Army, Mr. Stanley R. Resor, and the other, a supporting document from the manager of the project to build the Sentinel System, Lt. Gen. Alfred D. Starbird. Together they spelled out in breathtaking detail a complex and comprehensive public relations—not to say propaganda—campaign to convince the American public, and Congressional critics, and wayward scientists and the citizens residing in or around prospective Sentinel sites that in every way these weapons are good for you.

A perfectly respectable case can be made that, within reason and suitable limits, they are: something must have recommended the project to two successive Defense Secretaries in the Johnson Administration. And if the Sentinel is not in fact as essential to our security as it is said to be, there would still be nothing wrong about the Army arguing the point. We pay our military men to tell us what we need for our safety, and we expect their civilian leaders and the Congress to weigh the merits of the military arguments, and cast them up against our other priorities, and make a judgment that takes more than the military view of things into account.

So there is no quarrel here with the right of military men to make their pitch and there was very little in the Resor and Starbird memoranda that added anything new to the Army's argument. What the Army was proposing to say about the Sentinel, in short, was not the startling thing about these memoranda to Mr. Clifford. What was astonishing and disturbing—the part that had not met the eye—was the way the pitch was to be made, the sweep and intensity of the Army's intended campaign. That, and the plain evidence that an important part of the whole operation was clearly calculated *not* to meet the eye; the Army's hand was not supposed to be visible. That's what is genuinely unsettling—the suggestion, for example, of clandestine complicity with the contractors for the Sentinel program in carefully coordinated public relations undertakings to tout the virtues of this weapons system; the unabashed intention to plant or inspire favorable magazine articles by scientists who are proponents in direct response to opponents of the program within the scientific community.

"Several highly placed and reputable U.S. scientists have spoken out in print against the Sentinel missile system," Mr. Resor wrote to Mr. Clifford, and after naming a few of them (Hans Bethe, George Kistiakowsky, Jerome Wiesner) and complaining of the difficulty of replying without disclosing secrets, he went on to say:

"It is essential that all possible questions raised by these opponents be answered, preferably by nongovernment scientists.

"We will be in contact shortly with scientists who are familiar with the Sentinel program and who may see fit to write articles for publication supporting the technical feasibility and operational effectiveness of the Sentinel system.

"We shall extend to these scientists all possible assistance."

So there it is, and what are we to make now of the next learned dissertation published by a scientist in favor of the Sentinel? Will it be his handiwork, or General Starbird's? And what are we to make of some of the other aspects of this campaign—the instructions proposed by the General, for example, that "personnel affiliated with the Sentinel Public Affairs Program will cooperate and coordinate with industry on public relations efforts by industries involved in the Sentinel Program"? Will Army officers write the advertising copy, or merely furnish the photographs of successful missile shots?

There is less to be said against some of the other, more conventional plans, for a heavy round of visiting with Congressmen and Governors and Mayors and community leaders and editors and publishers, for example, except that you do have to ask what all this is going to cost: the junketing, the mobile displays, the preparation of information kits and a library of useful quotations, the film clips and taped interviews and all the rest.

But mostly you wonder whether this isn't too much—too covert, too all-pervasive, too overpowering. For if this is standard operating procedure, as they say, for the Army, and for all its works, it presumably is standard for other services, too. And this adds up, in our view, to a good deal too much brainwashing of the American public and a good deal too much intrusion by the military into American political life.

If this is what's going on, it is too much. In any case we'd like to know. The Sentinel is too a serious an issue to be settled by an Army propaganda campaign, on the one hand, or by a counter-reaction to such a campaign, on the other, by the antipathy to the idea of the citizens in one community, or by anything other than the merits of the matter and a balanced reckoning of where our national interest lies. That the Army should embark on so massive a public relations campaign, so far in advance of Congressional approval of the project, and by the use of such dubious methods, is a thing apart, though no less important on that account, and one which we would hope the Congress, would also like to know a good deal more about.

ENVIRONMENTAL QUALITY AND THE RESPONSIBILITY OF CONGRESS

Mr. MUSKIE. Mr. President, the Subcommittee on Air and Water Pollution is currently holding hearings on S. 7 and S. 544, the Water Quality Improvement Acts of 1969. One of the major sections of that legislation provides that no lease, license, or permit may be granted by a Federal department or agency until the appropriate water pollution control agency has certified that applicable water quality standards will not be violated.

Recent comments of Judge Frank Coffin of the U.S. Court of Appeals for the First Circuit underlined the inadequacy of existing law. Judge Coffin's opinion of January 13, 1969, in New Hampshire against the Atomic Energy Commission and Vermont Yankee Nuclear Power Corp. affirmed a lower court decision that the Commission did not err in refusing to consider the possibility of thermal pollution from a nuclear power facility.

Judge Coffin noted the Commission's view:

> Its own efforts . . . are limited to forwarding recommendations relating to thermal effects . . . to applicants and state and local authorities and encouraging cooperation by the applicant with the proper governmental agencies.

The position of the AEC in this case, Judge Coffin found, is strongly supported by its own rules of procedure and the statements of the Joint Committee on Atomic Energy.

At the same time, however, Judge Coffin maintained:

> We confront a serious gap between the dangers of modern technology and the protections afforded by law as the commission interprets it.
>
> We have the utmost sympathy—

He continued—

> with the appellant and with the sister States of Massachusetts and Vermont which took the same position before the commission. That position was simply that adequate planning be required of the applicant *before* a construction permit is issued to assure all feasible protection against thermal pollution instead of waiting until heavy investment has been made, and damage has occurred or is imminent.

The relevant provisions of S. 7 and S. 544 have been considered in previous sessions of Congress, but have not been passed. Judge Coffin's decision and the tragic oil spill off the California coast are warnings which we no longer can afford to ignore. Judge Coffin has drawn his conclusions "with regret" that Congress has not yet acted, but the people of New England can only hope that they are spared the fate of the people of California.

The burden is now on Congress. Those who ask only that the values of the environment be considered before decisions of this magnitude are made have nowhere else to turn. Congress must decide whether the day of reckoning should be postponed until the power of reckoning has been forfeited.

HOPE FOR LITHUANIA

Mr. CURTIS. Mr. President, perhaps never in all the history of mankind did the freedom of so many people and nations hang so precariously in the balance as it did in the late 1930's and 1940's. For many people in many lands freedom was then a new-found thing—a fragile and gossamer fabric but newly woven into their lives. And in this period—just 30 years ago—a massive aggression against human freedom and the dignity that comes with such fredom was being mounted all over the world.

Already freedom was a thing of the past—never fully to be recaptured—for most of China. The armies of the Empire of Japan had spread out like a cancer through that land.

Austria had been stripped of her freedom by the rapacious Nazis.

Czechoslovakia was inert under the heel of the conqueror.

In Africa the Lion of Judah had been driven from his land in Ethiopia by the new legions of Italian fascism.

The massed armies and airpower of Germany were preparing for the awful curtain call of war in Europe.

This was the world scene in which a generation of Americans—now the leaders of our country—came to manhood.

And the scene has little changed since. All their active adult lives this generation of Americans has been faced with the grim reality that freedom is not cheaply come by nor can it be left untended.

Freedom is paid for in blood and must be guarded with the sinews, the hearts, and the minds of all those who have been so blessed.

But even when a free people are jealous of their liberty and are ready—indeed, eager—to fight for it and to protect it, even then, Mr. President, there is no guarantee that freedom can last.

There is perhaps no more tragic example of this failure of our times than that of Lithuania. This tiny land on the Baltic Sea has a proud and long tradition of fighting, and dying, to protect and preserve their freedom. And yet, in that entire small country there is today no liberty. There is no freedom at all.

While the world was concerned with the great events of World War II, the collapse of freedom in France, the scourge of Holland and Denmark and Norway, events passed almost unnoticed that were equally tragic, if on a smaller scale.

I say smaller scale because the totality of what happened was nowhere near as great as the totality of destruction that threatened the rest of Europe—in Poland and the Balkans and Belgium.

But, in all honesty, there is no scale by which to measure the tragedy that is contained in the loss of freedom. For freedom and liberty are precious to each individual—and their loss is a total tragedy to each individual. And this tragedy must be shared by all men everywhere.

But, as German hordes rolled across the hills and vales of Western Europe and the German Air Force thundered over the skies of Britain and the last bastion of freedom was threatened across the English Channel, other monstrous events were taking place that forecast an even more lasting blow to freedom. The giant tyranny of Russia was mobilizing itself and getting set to move. The Russian armies already had attacked Finland and that gallant little country—suffering and torn but still free—had fought back. But as the summer of 1940 warmed the lands about the Baltic Sea the cold hand of death was preparing to descend upon the Baltic States—Lithuania, Latvia, and Estonia. The Soviet armies were prepared to roll.

And in July of 1940 they did more. With an arrogance so blatant that they hardly bothered to hide their aggressive intent behind even a subterfuge of pretext, the Russians attacked the Baltic States.

And the flickering flame of freedom was once again hidden.

But, Mr. President, that flame has not been extinguished. Not entirely.

Just as freedom is fragile and must be

protected, the spirit of freedom—that burning ambition to be free—is strong and cannot be totally destroyed. The fires of freedom may diminish and flicker, but they cannot be extinguished, no matter how brutal, no matter how complete, the tyranny that makes the attempt.

Mr. President, in the events of this past year in Czechoslovakia we see some hope for all the people now behind the Iron Curtain in Europe. It will be recalled that in Czechoslovakia, too, the Soviet might was used in an allout effort to destroy the freedoms so hard won by the Czech people. And despite all the efforts by the Soviets enough vestiges of freedom remained so that it appeared probable that freedom once again would rise triumphant. And even despite the brutality of the Soviet invasion of the Czech homeland last summer, these vestiges of freedom are still to be found and the Russian invasion has not succeeded in bringing the people completely to heel.

This significant development portends well for the other captive people of Europe now.

And it gives us renewed hope, Mr. President, that in the months and years ahead the people of Lithuania will once again be able to breathe the air of freedom and to raise their heads proudly as members of the community of free men.

This is but little solace to those whose loved ones are still held in bondage.

But it is a hope we dare now to offer them—as we never dared offer it before.

And it is upon such as this that the fire of freedom feeds, and nourishes itself.

Restoration of freedom for the people of Lithuania is not just around the corner. But we can now foresee the time when it can be restored.

FORCED LABOR—HUMAN RIGHTS CONVENTION—XIX

Mr. PROXMIRE. Mr. President, as I speak once again to urge the Senate to ratify the human rights Conventions on Forced Labor, Genocide, and Political Rights of Women, I believe it would be useful to recall the individual history of the Convention on Forced Labor.

In 1947 the American Federation of Labor first requested the United Nations to conduct an investigation of forced labor wherever it existed in the world. For 2 years the Soviet Union and its satellites strongly opposed the request for an investigation. But in 1949 the United Nations Economic and Social Council voted to request the International Labor Organization to investigate the practice of forced labor.

The ILO responded to the request with vigor. In two reports subsequently issued by the ILO, the investigating committee found forced labor being practiced extensively in the Soviet Union, Bulgaria, Czechoslovakia, Hungary, Rumania, and Communist China.

These findings and the accompanying report led to the adoption in Geneva on June 25, 1957, of the Convention on the Abolition of Forced Labor.

Ten years after the American Federation of Labor began its crusade for the adoption of the convention, it was adopted. Twenty years after the AFL started the fight, 75 nations had ratified this convention. But the United States will still not be found on any list of ratifying nations.

The Soviet Union has never ratified the Convention on Forced Labor.

While the Soviets have ratified the Conventions on Political Rights of Women, Slavery, and Genocide, they have carefull ignored consideration of the Convention of Forced Labor. The reasons for the Soviet Union's failure to ratify this convention are obvious. But the United States has nothing to fear from ratification. Forced labor is totally alien to our entire tradition.

The American labor movement has carried the fight for the abolition of forced labor long and valiantly. Now the Senate can help to finish the job the labor movement has done so well by ratifying the Convention on Forced Labor.

THE MENACE OF LIBERAL SCHOLARSHIP

Mr. HATFIELD. Mr. President, on January 2, the New York Review of Books included an article by Noam Chomsky, ward professor of linguistics at MIT, commenting upon the role of the academic community in assessing the mistakes of American foreign policy which led to our involvement in Vietnam and which may lead to further involvements of the same tragic character. He pinpointed a problem of policymaking which is too often ignored by both the policymakers and their critics in the universities—that policy premises cannot be accepted as given but must be continuously reevaluated to reflect changing domestic and international realities and potentialities.

Mr. Chomsky further elaborates upon honest academic inquiry and the obstacles which inhibit its pursuit. His article identifies the status quo stagnation which forces government to pursue policy which no longer is effective in achieving the aims for which it was devised or, more damaging, policy which has goals no longer consonant with the problems which require priority.

I ask unanimous consent that the article entitled "The Menace of Liberal Scholarship" together with subsequent criticism and Mr. Chomsky's answer to that criticism be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MENACE OF LIBERAL SCHOLARSHIP

(By Noam Chomsky)

(NOTE.—"No More Vietnams?" edited by Richard M. Pfeiffer.)

In a recent essay, Conor Cruise O'Brien speaks of the process of "counterrevolutionary subordination," which poses a threat to scholarly integrity in our own counterrevolutionary society, just as "revolutionary subordination," a phenomenon often noted and rightly deplored, has undermined scholarly integrity in revolutionary and post-revolutionary situations. He observes that "power in our time has more intelligence in its service, and allows that intelligence more discretion as to its methods, than ever before in history," and suggests that this development is not altogether encouraging, since we have moved perceptibly towards the state of "a society maimed through the systematic corruption of its intelligence." He urges that "increased and specific vigilance, not just the elaboration of general principles, is required from the intellectual community toward specific growing dangers to its integrity." [1]

Senator Fulbright has developed a similar theme, in an important and perceptive speeech.[2] He describes the failure of the universities to form "an effective counterweight to the military-industrial complex by strengthening their emphasis on the traditional values of our democracy." Instead they have "joined the monolith, adding greatly to its power and influence." Specifically, he refers to the failure of the social scientists, "who ought to be acting as responsible and independent critics of the Government's policies," but who, instead, becomes the agents of these policies. "While young dissenters plead for resurrection of the American promise, their elders continues to subvert it." With "the surrender of independence, the neglect of teaching, and the distortion of scholarship," the university "is not only failing to meet its responsibilities to its students; it is betraying a public trust."

The extent of this betrayal might be argued; its existence, as a threatening tendency, is hardly in doubt. Senator Fulbright mentions a primary cause: the access to money and influence. Others might be mentioned; for example, a highly restrictive, almost universally shared, ideology and the inherent dynamics of professionalization. As to the former, Fulbright has cited elsewhere the observation of Tocqueville that "I know of no country in which there is so little independence of mind and real freedom of discussion as in America." Free institutions certainly exist, but a tradition of passivity and conformism restricts their use—a cynic might say that this is why they continue to exist.

The impact of professionalization is also clear. The "free-floating intellectual" may occupy himself with problems because of their inherent interest and importance, perhaps to little effect. The professional, however, tends to define his problems according to the technique that he has mastered, and has a natural desire to apply his skills. Commenting on this process, Senator Clark quotes the remarks of Dr. Harold Agnew, Director of the Los Alamos Laboratories Weapons Division: "The basis of advanced technology is innovation and nothing is more stifling to innovation than seeing one's product not used or ruled out of consideration on flimsy premises involving public world opinion" [3]—"a shocking statement and a dangerous one," as Clark rightly comments. In much the same way, behavioral scientists who believe themselves to be in possession of certain techniques of control and manipulation will tend to search for problems to which their knowledge and skills might be relevant, defining these as the "important problems"; and it will come as no surprise that they occasionally express their contempt for "flimsy premises involving public world opinion" that restrict the application of these skills. Thus among engineers there are the "weapons cultists" who construct their bombs and missiles, and among the behavioral scientists we find the technicians who design and carry out "experiments with population and resources control methods" in Vietnam.[4]

These various factors—access to power, shared ideology, professionalization—may or may not be deplorable in themselves, but there can be no doubt that they interact in such a way as to pose a serious threat to the integrity of scholarship in fields that are struggling for intellectual content and are thus particularly susceptible to the workings of a kind of Gresham's Law. What is

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more, the subversion of scholarship poses a threat to society at large. The danger is particularly great in a society that encourages specialization and stands in awe of technical expertise. In such circumstances, the opportunities are great for the abuse of knowledge and technique—to be more exact, the claim to knowledge and technique. Taking note of these dangers, one reads with concern the claims of some social scientists that their discipline is essential for the training of those to whom they refer as "the mandarins of the future."[5] Philosophy and literature still "have their value," so Ithiel de Sola Pool of MIT informs us, but it is psychology, sociology, systems analysis, and political science that provide the knowledge by which "men of power are humanized and civilized." In no small measure, the Vietnam war was designed and executed by these new mandarins, and it testifies to the concept of humanity and civilization that they are likely to bring to the exercise of power.[6]

Is the new access to power of the technical intelligentsia a delusion or a growing reality? There are those who perceive the "skeletal structure of a new society" in which the leadership will rest "with the research corporation, the industrial laboratories, the experimental stations, and the universities," with "the scientists, the mathematicians, the economists, and the engineers of the new computer technology" . . . "not only the best talents, but eventually the whole complex of social prestige and social status, will be rooted in the intellectual and scientific communities."[7] A careful look at the "skeletal structure" of this new society, if such it is, is hardly reassuring. As Daniel Bell, the Columbia University sociologist, points out, "it has been war rather than peace that has been largely responsible for the acceptance of planning and technocratic modes in government," and our present "mobilized society" is one that is geared to the "social goal" of "military and war preparedness." Bell's relative optimism regarding the new society comes from his assumption that the university is "the place where theoretical knowledge is sought, tested, and codified in a disinterested way," and that "the mobilized postures of the Cold War and the space race" are a temporary aberration, a reaction to Communist aggressiveness.

In contrast, a strong argument can be made that the university has, to a significant degree, betrayed its public trust; that matters of foreign policy are very much "a reflex of internal political forces" as well as economic institutions (rather than "a judgment about the national interest, involving strategy decisions based on the calculations of an opponent's strength and intentions"); that the mobilization for war is not "irony" but a natural development, given our present social and economic organization; that the technologists who achieve power are those who can perform a service for existing institutions; and that nothing but catastrophe is to be expected from still further centralization of decisionmaking in government and a narrowing base of corporate affiliates. The experience of the past few years gives little reason to feel optimistic about these developments.

What grounds are there for supposing that those whose claim to power is based on knowledge and technique will be more benign in their exercise of power than those whose claim is based on wealth or aristocratic origin? On the contrary, one might expect the new mandarin to be dangerously arrogant, aggressive, and incapable of adjusting to failure, as compared to his predecessor, whose claim to power was not diminished by honesty about the limitations of his knowledge, lack of work to do, or demonstrable mistakes.[8] In the Vietnam catastrophe, all of these factors are detectable. There is no point in overgeneralizing, but neither history nor psychology nor sociology gives us any particular reason to look forward with hope to the rule of the new mandarins.

In general, one would expect any group with access to power and affluence to construct an ideology that will justify this state of affairs on grounds of the general welfare. For just this reason, Bell's thesis that intellectuals are moving closer to the center of power, or at least being absorbed more fully into the decision-making structure, is to some extent supported by the phenomenon of counterrevolutionary subordination noted earlier. That is, one might anticipate that, as power becomes more accessible, the inequities of the society will recede from vision, the status quo will seem less flawed, and the preservation of order will become a matter of transcendent importance. The fact is that American intellectuals are increasingly achieving the status of a doubly privileged elite: first, as American citizens, with respect to the rest of the world; and second, because of their role in American society, which is surely quite central, whether or not Bell's prediction proves accurate. In such a situation, the dangers of counterrevolutionary subordination, both in the domestic and international spheres, are apparent. I think that O'Brien is entirely correct in pointing to the necessity for "increased and specific vigilance" to the danger of counterrevolutionary subordination, of which, as he correctly remarks, "we hear almost nothing."

Several years ago Seymour M. Lipset enthusiastically proclaimed in *Political Man* that "the fundamental political problems of the industrial revolution have been solved," and that "this very triumph of democratic social evolution in the West ends domestic politics for those intellectuals who must have ideologies or utopias to motivate them to social action." During this period of faith in "the end of ideology," even enlightened and informed commentators were inclined to present remarkable evaluations of the state of American society. Daniel Bell, for example, wrote that "in the mass consumption economy all groups can easily acquire the outward badges of status and erase the visible demarcations."[9] Writing in *Commentary*, in October, 1964, he maintained that we have in effect already achieved "the egalitarian and socially mobile society which the 'free floating intellectuals' associated with the Marxist tradition have been calling for during the last hundred years." For all the detectable general rise in standard of living, the judgment of Gunnar Myrdal seems far more appropriate to the actual situation: "The common idea that America is an immensely rich and affluent country is very much an exaggeration. American affluence is heavily mortgaged. America carries a tremendous burden of debt to its poor people. That this debt must be paid is not only a wish of the do-gooders. Not paying it implies a risk for the social order and for democracy as we have known it."[10] Surely the claim that *all* groups can easily enter the mass consumption economy and "erase the visible demarcations" is a considerable exaggeration.

Similar evaluations of American society appear frequently in contemporary scholarship. To mention just one example, consider the analysis that Adam Ulam, the Harvard expert on Russian Communism, gives of Marx's concept of capitalism: "One cannot blame a contemporary observer like Marx for his conviction that industrial fanaticism and self-righteousness were indelible traits of the capitalist. That the capitalist would grow more humane, that he would slacken in his ceaseless pursuit of accumulation and expansion, were not impressions readily warranted by the English social scene of the 1840's and '50's."[11] Again, for all the important changes in industrial society over the past century, it still comes as a surprise to hear that the capitalist has slackened in his ceaseless pursuit of accumulation and expansion.[12]

Remarks such as these illustrate a failure to sense the reality of contemporary society, which may not be directly traceable to the newly found (or at least aspired to) access to power and affluence, but which is, nevertheless, what one would expect in the developing ideology of a new privileged elite.

Various strands of this ideology are drawn together in a recent article in *Encounter* by Zbigniew Brzezinski of Columbia, in which a number of the conceptions and attitudes that appear in recent social thought are summarized—I am tempted to say "parodied." Brzezinski too sees a "profound change" taking place in the intellectual community, as "the largely humanist-oriented, occasionally ideologically-minded intellectual-dissenter, who sees his role largely in terms of proffering social critiques, is rapidly being displaced either by experts and specialists, who become involved in special governmental undertakings, or by the generalists-integrators, who become in effect house-ideologues for those in power, providing overall intellectual integration for disparate actions."

He suggests that these "organization-oriented, application-minded intellectuals" can be expected to introduce broader and more relevant concerns into the political system. They are a new meritocratic elite, "taking over American life, utilising the universities, exploiting the latest techniques of communications, harnessing as rapidly as possible the most recent technological devices." Presumably, their civilizing impact is revealed by the great progress that has been made, in this new "historical era" which America alone has already entered, with respect to the problems that confounded the bumbling political leaders of past eras—the problems of the cities, of pollution, of waste and destructiveness, of exploitation and poverty. Under the leadership of this "new breed of politicians-intellectuals," America has become *"the* creative society; the others, consciously and unconsciously, are emulative." We see this, for example, in mathematics, the biological sciences, anthropology, philosophy, cinema, music, historical scholarship, and so on, where other cultures, hopelessly outdistanced, merely observe and imitate what America creates. Thus we move toward a new " 'super-culture,' strongly influenced by American life, with its own universal electronic-computer language . . .," where an enormous and growing "psycho-cultural gap" separates America from the rest of the "developed world."

It is impossible even to imagine what Brzezinski thinks a "universal electronic-computer language" may be—to anyone who knows, the reference is ridiculous—or what cultural values he thinks will be created by the new "technologically dominant and conditioned technetron" who, he apparently believes, may prove to be the "truer repository of that indefinable quality we call human." It would hardly be rewarding to try to disentangle Brzezinski's confusions and misunderstandings. What is interesting, rather, is the way his dim awareness of current developments in science and technology is used to provide an ideological justification for the "increasing role in the key decision-making institutions of individuals with special intellectual and scientific attainments," the new "organisation-oriented, application-minded intellectuals" based in the university, "the creative eye of the massive communications complex."

Parallel to the assumption that all is basically well at home is the widely articulated belief that the problems of international society, too, would be subject to intelligent management, were it not for the machinations of the Communists. One aspect of this

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complacence is the belief that the Cold War was entirely the result of Russian (later Chinese) aggressiveness. For example, Daniel Bell has described the origins of the Cold War in the following terms: "When the Russians began stirring up the Greek guerrilla EAM in what had been tacitly acknowledged at Teheran as a British sphere of influence, the Communists began their cry against Anglo-American imperialism. Following the rejection of the Marshall Plan and the Communist coup in Czechoslovakia in February, 1948, the Cold War was on in earnest."[13] This will hardly do as a balanced and objective statement of the origins of the Cold War—in particular, the remark concerning the Russians in Greece is not supported by the historical record, though it is hardly necessary to document British and American intervention;[14] but the distortion it reflects is an inherent element in Bell's optimism about the new society, since it enables him to maintain that our Cold War position is purely reactive, and that once Communist belligerence is tamed, the new technical intelligentsia can turn its attention to the construction of a more decent society.

A related element in the ideology of the liberal intellectual is the firm belief in the fundamental generosity of Western policy toward the third world. Ulam, again, provides a typical example: "Problems of an international society undergoing an economic and ideological revolution seem to defy . . . the generosity—granted its qualifications and errors—that has characterized the policy of the leading democratic powers of the West."[15] Even Hans Morgenthau succumbs to this illusion. He summarizes a discussion of intervention with these remarks: ". . . we have intervened in the political, military and economic affairs of other countries to the tune of far in excess of $100 billion, and we are at present involved in a costly and risky war in order to build a nation in South Vietnam. Only the enemies of the United States will question the generosity of these efforts, which have no parallel in history."[16] Whatever one may think about the $100 billion, it is difficult to see why anyone should have taken seriously the professed "generosity" of our effort to build a nation in South Vietnam, any more than the similar professions of benevolence by our many forerunners in such enterprises. Generosity has never been a commodity in short supply among powers bent on extending their hegemony.

Still another strand in the ideology of the new emerging elite is the concern for order, for maintaining the status quo, which is now seen to be favorable and essentially just. An excellent example is the statement by fourteen leading political scientists and historians on U.S. Asian policy, distributed last December (1967) by the Freedom House Public Affairs Institute.[17] These scholars refer to themselves as "the moderate segment of the academic community." The designation is accurate; they stand midway between the two varieties of extremism, one which demands that we destroy everyone who stands in our path, the other that we adopt the principles of international behavior that we require of every other world power. The purpose of their statement is to "challenge those among us who, overwhelmed by guilt complexes, find comfort in asserting or implying that we are always wrong, our critics always right, and that only doom lies ahead." They find our record in Asia to be "remarkably good," and applaud our demonstrated ability to rectify mistakes, our "capacity for pragmatism and self-examination" and "healthy avoidance of narrow nationalism," capacities which distinguish us "among the major societies of this era."

The moderate scholars warn that "to avoid a major war in the Asia-Pacific region, it is essential that the United States continue to deter, restrain, and counterbalance Chinese power." True, since the Korean War, "China has exercised great prudence in avoiding a direct confrontation with the United States or the Soviet Union," and it is likely that China will "continue to substitute words for acts while concentrating upon domestic issues." Still, we cannot be certain of this, and must therefore continue our efforts to tame the dragon. One of the gravest problems posed by China is its policy of "isolationist fanaticism," obviously a serious threat to peace. Another danger is the terrifying figure of Mao Tse-tung, a romantic, who refuses to accept the "bureaucratism essential to the ordering of this enormously complex, extremely difficult society." The moderate scholars would feel much more at ease with the familiar sort of technical expert, who is committed to the "triumph of bureaucratism," and who refrains from romantic efforts to undermine the party apparatus and the discipline that it imposes.

There is no doubt a substantial threat posed by China, from the point of view of the moderate scholars, though their statement fails to express it. The threat is revealed by such remarks as this, by a liberal journalist from the Philippines:[18]

"In China a fourth of the human race have found the solution to the twin scourges of Asia: poverty and ignorance. Not completely, to be sure, but these have ceased to be the big problems of survival that they are in the rest of Asia. In evaluating the achievement of man, his ideology, the elimination of poverty and ignorance and disease—in a nation peopled by 700 million—is a feat to compare with the proudest successes of America and Russia in space exploration. Where man has done away with greed, envy, dishonesty, he has scored a signal victory for the human spirit. Man is uplifted and the human spirit is exulted. This is the *reality* of New China."

The spread of such attitudes threatens the long-range goals outlined prophetically long ago by Brooks Adams: ". . . to enter upon the development of Eastern Asia and to reduce it to part of our own economic system." In order to contain this threat, American policy seeks to hamper the development of China, while American scholarship raises the specter of Chinese aggression and fanaticism.

Moreover, the moderate scholars announce their support for "our basic position" in Vietnam. A Communist victory in Vietnam, they argue, would "gravely jeopardize the possibilities for a political equilibrium in Asia, seriously damage our credibility, deeply affect the morale—and the policies—of our Asian allies and the neutrals." By a "political equilibrium," they do not, of course, refer to the status quo as of 1945–6 or as outlined by international agreement at Geneva in 1954. They do not explain why the credibility of the United States is more important than the credibility of the indigenous elements in Vietnam which have dedicated themselves to a war of national liberation. Nor do they explain why the morale of the military dictatorships of Thailand and Taiwan must be preserved. They merely hint darkly of the dangers of a third world war, dangers which are real enough, and which are increased when advocates of revolutionary change face an external counterrevolutionary force. In principle, such dangers can be lessened either by damping revolutionary ardor or by withdrawing the counterrevolutionary force. The latter, however is unthinkable, irresponsible.

The crucial assumption in the program of the moderate scholars is that we must not encourage "those elements committed to the thesis that violence is the best means of effecting change." It is important to recognize that it is not violence as such to which the moderate scholars object. On the contrary, they approve of our violence in Vietnam which, as they are well aware, enormously exceeds that of the Vietnamese enemy. To further underline this point, they cite as our greatest triumph in Southeast Asia the "dramatic changes" that have taken place in Indonesia—of which surely the most dramatic has been the massacre of several hundred thousand people. But this massacre, like our extermination of Vietnamese, is not a use of violence to effect social change, and is therefore legitimate. What is more, it may be that those massacred were largely ethnic Chinese and landless peasants, and that the "counter-coup" in effect reestablished traditional authority more firmly.[19] If so, all the more reason why we should not deplore this use of violence, and, in fact, the moderate scholars delicately refrain from alluding to it in their discussion of dramatic changes in Indonesia. We must conclude that when these scholars deplore the use of violence to effect change, it is not violence, but rather social change that they find truly disturbing. Social change that departs from the plotted course is not to be tolerated. The threat to order is too great.

So great is the importance of stability and order that even reform of the sort that receives American authorization must often be delayed, the moderate scholars caution. "Indeed, many types of reform increase instability, however desirable and essential they may be in long-range terms. For people under siege, there is no substitute for security." The reference, needless to say, is not to security from American bombardment, but rather to security from the wrong sorts of political and social change.

The policy recommendations of the moderate scholars are based on their particular ideological bias, namely that a certain form of stability—not that of North Vietnam or Korea, but that of Thailand, Taiwan, or the Philippines—is so essential that we must be willing to use unparalleled means of violence to ensure that it is preserved. It is instructive to see how other mentors of the new mandarins describe the problem of order and reform. Ithiel Pool has formulated the central issue as follows:

"In the Congo, in Vietnam, in the Dominican Republic, it is clear that order depends on somehow compelling newly mobilized strata to return to a measure of passivity and defeatism from which they have recently been aroused by the process of modernization. At least temporarily, the maintenance of order requires a lowering of newly acquired aspirations and levels of political activity."[20]

This is what "we have learned in the past thirty years of intensive empirical study of contemporary societies." Pool is merely describing facts, not proposing policy. A corresponding version of the facts is familiar on the domestic scene: workers threaten the public order by striking for their demands, the impatience of the Negro community threatens the stability of the body politic. One can, of course, imagine another way in which order can be preserved in all such cases: by meeting the demands or, at the very least, by removing the barriers that have been placed, by force which may be latent and disguised, in the way of attempts to satisfy the "newly acquired aspirations." But this might mean that the wealthy and powerful would have to sacrifice some degree of privilege, and is therefore excluded as a method for maintenance of order. Such proposals are likely to meet with little sympathy from Pool's new mandarins.

From the doubly privileged position of the American scholar, the transcendent importance of order, stability, and nonviolence (by the oppressed) seems entirely obvious; to others, the matter is not so simple. If we listen, we hear such voices as this, from an economist in India:

"It is disingenuous to invoke 'democracy,' 'due process of law,' 'non-violence,' to rationalise the absence of action. For meaningful concepts under such conditions become

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meaningless since, in reality, they justify the relentless pervasive exploitation of the masses; at once a denial of democracy and a more sinister form of violence perpetrated on the overwhelming majority through contractual forms."[21]

Moderate American scholarship does not seem capable of comprehending these simple truths.

To be more accurate, we should say that those liberal intellectuals who are in the mainstream of "responsible opinion" and whose voices are heard in the councils of state are incapable of comprehending the point of view of the oppressed and, correspondingly, formulate the problems of international affairs in entirely different ways. Thus Roger Hilsman suggests in his book *To Move a Nation* that the most "divisive issue" that faced the "hard-headed and pragmatic liberals" of the new Kennedy Administration was the problem of combating "modern guerrilla warfare, as the Communists practice it," that is, as *"internal* war, an ambiguous aggression that avoids direct and open attack violating international frontiers . . ." (italics his). Apparently, the hard-headed pragmatic liberals were not divided over our right to violate international frontiers (and our treaty commitments).

As a prime example of the "kind of critical, searching analysis" that the new, liberal, revitalized State Department sought to encourage, Hilsman cites a study which explains how the United States might have acted more effectively in its attempt to overthrow the Mossadegh government in Iran. Why were we within our rights in overthrowing the Mossadegh and Arbenz governments (both, in Hilsman's view, legitimate governments)? The reason he gives is simple. Both men had concealed "the intention of creating a Communist state"—in fact, so well had they concealed this intention that to this day no one has ben able to find significant evidence to demonstrate it. But Allen Dulles was "fundamentally right," according to Hilsman, in urging support for "loyal anti-Communist elements" even though, obviously, "no invitation was extended by the government in power."

Of course these attitudes persist. As an illustration, consider the book *No More Vietnams?*, the record of a conference held in June, 1968, at the Adlai Stevenson Institute of International Affairs, where a number of scholars "with special knowledge of the war and its implications" met to determine just what had gone wrong in Vietnam.[22] The discussion is introduced by Professor Samuel Huntington, chairman of the Department of Government at Harvard and a prominent adviser to the State Department. He explains that in evaluating an intervention, "results are all that count." Thus the Dominican intervention appears to have been a success, even in the eyes of those who felt in 1965 that there were no "good political and moral grounds . . . whatsoever for intervening in the Dominican Republic."

Why? Because "whether or not there was a threat of communist takeover on the island, we were able to go in, and restore order, negotiate a truce among conflicting parties, hold reasonably honest elections which the right man won, withdraw our troops, and promote a very considerable amount of social and economic reform." Thus the intervention was consistent with the general purposes and methods of intervention, namely, the attempt "to minimize violence and instability in foreign countries" (though not, of course, to minimize the kind of violence accompanying our dramatic success in Indonesia; nor to support the kind of stability we find in North Vietnam, which has "probably the most stable government in Southeast Asia"—a "bitter truth but a real one," according to Professor Huntington).

Huntington's concern for stability and nonviolence reveals itself still more clearly in his recent thoughts on the Vietnam situation in *Foreign Affairs* (July, 1968). Our problem in Vietnam is that "with half the population still in the countryside, the Viet Cong will remain a powerful force which cannot be dislodged from its constituency so long as the constituency continues to exist." Clearly, then, we must ensure that "the constituency"—the rural population of Vietnam—ceases to exist. Professor Huntington does not shrink from this conclusion. On the contrary, he notes that "in an absent-minded way the United States in Vietnam may well have stumbled upon the answer to 'wars of national liberation.' " He elaborates this answer in commenting on the claim of the counter-insurgency expert Sir Robert Thompson that guerrillas are immune "to the direct application of mechanical and conventional power." Not so, says Professor Huntington.

"In the light of recent events, this statement needs to be seriously qualified. For if the 'direct application of mechanical and conventional power' takes place on such a massive scale as to produce a massive migration from countryside to city, the basic assumptions underlying the Maoist doctrine of revolutionary war no longer operate. The Maoist-inspired rural revolution is undercut by the American-inspired urban revolution."

What about the human consequences of the "direct application of mechanical and conventional power" on a scale sufficient to eliminate the constituency of the Viet Cong by "forced-draft urbanization"? True, "the social costs of this change have been dramatic and often heart-rending," but this is not Huntington's department. He is not concerned with the social costs of the interesting sociological phenomenon of "urbanization," but rather with the new possibilities it affords "to minimize violence and instability in foreign countries."

Of course, Huntington continues, "after the war, massive government programs will be required either to resettle migrants in rural areas or to rebuild the cities and promote peacetime urban employment. In the meantime, while the war continues, urbanization is significantly altering the balance of power between the Saigon government and the Viet Cong." Thus while the war continues we can control the urban population in slums and refugee camps—some of which caused Senator Stephen Young, after a recent trip, "to think about what we denounced in World War II when we talked about Dachau and other concentration camps in Germany"[23]—and then, after the war, when the "right man" will have won in a "reasonably honest election," we can reverse the process of "urbanization" and even rebuild the cities we have destroyed, in a typical gesture of traditional American benevolence. Meanwhile, we can continue, absent-mindedly, to contribute to the theory and practice of political development by more intensive artillery and aerial bombardment in the rural areas.

A useful supplement to these views is provided, once again, by Professor Ithiel Pool, chairman of the Department of Political Science at MIT and a typical example of a liberal and "moderate" scholar. At the Stevenson Institute conference, Pool observes that "our worst mistake in Vietnam clearly was to initiate the bombing of the north." The explanation is interesting:

"Before that started, it was my view that the United States as a democracy could not stand the moral protest that would arise if we rained death from the skies upon an area where there was no war. After the bombing started, I decided I had been in error. For a while there seemed to be no outcry of protest, but time brought it on. Now I would return to my original view with an important modification, namely, time. Public reactions do not come immediately. Many actions that public opinion would otherwise make impossible, are possible if they are short-term. I believe we can fairly say that unless it is severely provoked or unless the war succeeds fast, a democracy cannot choose war as an instrument of policy."

This is spoken in the tone of a true scientist correcting a few of the variables that entered into his computations—and, to be sure, Professor Pool is scornful of those "anti-intellectuals," such as Senator Fulbright, who do not comprehend "the vital importance of applied social science for making the actions of our government in foreign areas more rational and humane than they have been." In contrast to the anti-intellectuals, the applied social scientist understands that it is perfectly proper to "rain death from the skies upon an area where there was no war," so long as we "succeed fast." If victory is delayed, "the cohesion of the democratic community" will be destroyed by the choice of war as an instrument of policy. Furthermore, we cannot abandon this instrument of policy, for we must "come to realize that we can live in safety only in a world in which the political systems of all states are democratic and pacifically oriented"—like ours. Though it would be preferable "to influence political outcomes" with out the use of force, we must continue to be ready "to cope with dangerous armed ideologists" as in Vietnam, at least until the various "aspects of our value system"—in particular, its "pacific orientation"—spread more widely throughout the world.

It would seem to follow, then, that our failure in Vietnam is traceable to a serious inadequacy in our own political system: its inability to contain the moral outrage that resulted when we began to rain death on a country where there was no war. This is precisely the conclusion reached by Professor Pool, who is not short on logic: ". . . we are paying an inordinate price for our goals" and "in that sense we certainly have failed—but more in the United States than in Vietnam. The agonizing political lesson that racks this country is that there has been a failure of our own political system." The performance of our political system has been "disappointing" and "gloomy" (but not too gloomy, since "there is no evidence that either the government or the majority of the public are ready to withdraw abruptly in disarray from Vietnam"). Our system has proven incapable of dealing with the "intensity of dissent" which, along with other factors, threatens domestic stability. "These are failings of which we usually accuse the Vietnamese, but the criticism is more fairly addressed against ourselves."

In short, a democratic community is incapable of waging aggressive war in a brutal manner, and this is *a failure of democracy*. What is wrong is not the policy of raining death on an area where there is no war, still less the far more intensive bombardment of South Vietnam, which goes unmentioned. What is wrong is the inability of a democratic system to contain the inevitable dissent and moral outrage. The conclusion appears obvious, and we may ask how long it will be before at least some influential voices in liberal America will explain the necessity for removing the major impediment to the achievement of what Professor Pool refers to as "our national goals."

Huntington, incidentally, appears to share the qualms of his colleague regarding the inadequacies of democracy as a political system in a period when, as Pool puts it, we feel "massively threatened." Thus he recommends that our "involvements" be kept "reasonably limited, discreet, and *covert*" (my italics), and he feels that even the "shift toward introversion in our society" may have "side benefits," in that the "more limited forms of foreign involvement" to which we will be restricted will be facilitated "in the sense that there will be less public attention and concern directed to these issues."

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The characteristics of Pool's more rational and humane social science approach are revealed in other remarks. Thus he observes, rather casually, that in 1964 "the only capable political structure in Vietnam [was] the Viet Cong," and that it was then "obvious that except for American forces the Viet Cong would take over Vietnam." He is impressed, however, by the fact that after the American invasion this is no longer so obvious, and this in his view justifies the American intervention. Recall the decisions that were taken by the American government in 1964, under the conditions that Pool describes. In *No More Vietnams?*, we learn from James Thomson, East Asian specialist at the Department of State and the White House between 1961 and 1966, that in the summer of 1964 the President's chief advisers met and decided unanimously that post-election strategy must involve the bombing of North Vietnam. This is a useful reminder, in December 1968, of the relevance of electoral politics to questions of international affairs. In 1964, as Professor Pool is no doubt aware, there were no regular North Vietnamese units known to be in the South and only a bare trickle of supplies. Pool might also agree with the observation, at the same conference, of Daniel Ellsberg, a RAND Corporation consultant to the Department of Defense on Vietnam, that "the bombing in the South has gone on long enough to disrupt the society of South Vietnam enormously and probably permanently," that "we have of course, demolished the society of Vietnam." He might even concede that there is justice in the somber assessment of Bernard Fall that "it is Viet-Nam as a cultural and historic entity that is threatened with extinction" as "the countryside literally dies under the blows of the largest military machine ever unleashed on an area of this size."[24] None of this, however, suggests to the more rational and humane social scientist that perhaps we have committed even a worse "mistake" than adopting policies that threaten domestic stability.

In introducing the Stevenson conference proceedings, Huntington observes that "it is obvious that our involvement has imposed on us severe costs—in men, money, and psychological composure—which make it all look like a horrible mistake." He is concerned, however, that a misreading of the Vietnam experience may cause "a Vietnam hang-up" among future policy makers who may tend to refrain from intervention even where its costs to us will be quite tolerable. Points of view expressed at the conference were diverse, but it is fair to say that these remarks of Huntington's represent something of a majority opinion. According to Stanley Hoffmann of Harvard, "Vietnam is an extreme case: the most inappropriate terrain for the application of concepts that have proved fertile and adequate elsewhere." It was not our goals in Vietnam that were wrong, but our "ignorance of the context and excessive self-confidence." In "negative interventions," as in Guatemala and Iran, where "we did not exactly know what we were for, but we did know what we were against . . . we have sometimes been quite successful"; "as for this category of interventions, I would argue that in the future we at least ought to define more rigorously what it is that so threatens us that we feel we have to intervene either by political subversion or by military action."

Arthur Schlesinger, another participant, adds that the "conceptual roots" of our Vietnam policy are "the noble traditions of Stimsonianism and liberal evangelism"—respectively, the view that aggression must never go unpunished and that "we have an obligation to deal with poverty, repression, and injustice 'everywhere in the world.'" These "entirely honorable strands in American thinking about our role in the world . . . reached a final and tragic misapplication in Vietnam." Henry Kissinger, who concedes that our goals in Vietnam were like those of the French, is concerned with our "altruism," our tendency to believe "that we have to support every moral government in the world which gets into difficulty"—as, for example, in Greece and Thailand, and so generally throughout the "Free World." Superficiality of analysis and an acceptance of the legitimacy in principle of forceful intervention—when it can succeed—were characteristic features of much of the discussion. Participants who did not share the general assumptions were, for the most part, met with incomprehension, and their views, when discussed at all, were distorted beyond recognition.[25] Nevertheless, the fact that more searching critical analysis was expressed—though rarely heard—is perhaps a hopeful sign. It suggests possibilities for younger scholars who hope to break free of the ideological constraints that so often subvert scholarship, or simply block serious inquiry.

There are other sources from which we learn what applied social science has to offer for the formation of more rational and humane policies. Consider, for example, a recent study by Charles Wolf, senior economist of the RAND Corporation.[26] Wolf suggests that we abandon the approach of the "hearts-and-minds" school of counterinsurgency, replacing it with a more hardheaded model that has as its "unifying theme" the concept of "influencing *behavior*, rather than attitudes." In this more scientific approach, "confiscation of chickens, razing of houses, or destruction of villages have a place in counterinsurgency efforts" if they serve to shape behavior in desired directions. An added advantage of this more scientific approach is that it will "modify the attitudes with which counterinsurgency efforts are viewed in the United States" (when we turn to the United States, of course, we are concerned with people whose attitudes must be taken into account, not merely their behavior).

Perhaps the most interesting aspect of such scholarly work is the way in which the rhetoric of the behavioral sciences is used to lend a vague aura of respectability. One might construct some such chain of associations as this. Science, as everyone knows, is responsible, moderate, unsentimental, and otherwise good. Behavioral science tells us that we can be concerned only with behavior and control of behavior. Therefore we *should* be concerned only with behavior and control of behavior; and it is responsible, moderate, unsentimental, and otherwise good to control behavior by appropriately applied reward and punishment. Concern for loyalties and attitudes is emotional and unscientific. As rational men, believers in the scientific ethic, we should be concerned with manipulating behavior in a desirable direction, and not be deluded by mystical notions of freedom, individual needs, or popular will.

Let me make clear that I am not criticizing the behavioral sciences because they lend themselves to such perversion. On other grounds, the "behavioral persuasion" seems to me to lack merit; it seriously mistakes the method of science and imposes pointless methodological strictures on the study of man and society, but this is another matter entirely. It is, however, fair to inquire to what extent the popularity of this approach is based on its demonstrated achievements, and to what extent on the ease with which it can be refashioned as a new coercive ideology with a faintly scientific tone. In passing, I think it is worth mentioning that the same questions can be raised outside politics, specifically in connection with education and therapy.

Applied social science of the sort I have been discussing plays a dual role in counterrevolutionary efforts: an ideological role, in providing an aura of legitimacy for intervention; and a practical role, in designing and implementing "material and human resources control methods," to use current jargon. In the former capacity, it has had some effectiveness in establishing the pretense that opposition to the barbarism of the Vietnam war (or the use of such "emotional" terms in describing it) is an exercise in "anti-intellectualism." I am in no position to judge how seriously this work is taken by those who actually direct counterinsurgency operations. But in the Stevenson Institute conference, a number of participants who are in a position to judge indicated that it may be taken seriously. Adam Yarmolinsky states that "Vietnam turned out to be a testing ground for these new kinds of forces and techniques," rather in the way that Spain served as a "testing ground" for Hitler and Stalin thirty years ago. According to James Thomson, a "potential danger for the future of American foreign policy [is] *the rise of a new breed of American ideologues who see Vietnam as the ultimate test of their doctrine*" (his italics). They are "technocracy's own Maoists," and "their doctrine hides high." Evidently, the government takes this type of applied social science seriously enough to favor it with large grants. For example, Ithiel Pool, in addition to his confidential "Research on Urban Insurgency,' is currently directing $18,000 worth of confidential research on a "Chieu Hoi Study" and $320,000 worth on "Problem analysis, Republic of Vietnam," both for the Advanced Research Project Agency of the Defense Department (ARPA), through the Simulmatics Corporation.[27]

One is reminded of the prediction, made by Franz Borkenau thirty years ago in *The Spanish Cockpit* when commenting on the crushing of the Spanish revolution: in the future, "every revolution is likely to meet the attack of the most modern, most efficient, most ruthless machinery yet in existence," so that the age of revolutions free to evolve according to their own laws is over." Borkenau was thinking of "the advent of fascism," which reverses the traditional alignment of forces in which "counterrevolution usually depended upon the support of reactionary powers, which were technically and intellectually inferior to the forces of revolution." He did not foresee that the liberal democracies would play the role that he assigned to the fascist powers.

Turning to the Vietnam war, we see his error. American policy, at this point, can hardly be subjected to rational assessment. What we observe is simply that the technology created by American science is running amuck, while academic apologists speak of "irony" and "blunders," and of the "tragic misapplication" of our "noble traditions," of our "grand ideals" and humanitarian goals thwarted by inadequate social science research. Recently released statistics indicate that nearly three million tons of bombs have been dropped in Vietnam, about $\frac{4}{5}$ of this total having fallen in South Vietnam, a figure that can be compared to the two million tons dropped by the US Air Force in all theaters in World War II and the 635,000 tons in Korea.[28] In the face of such statistics, it is ludicrous to discuss the question of civilian casualties or the degree of devastation.

Since the Têt offensive, the United States has in effect adopted something like the "enclave strategy" recommended earlier by General Gavin, and American forces have been largely occupied with the attempt to hold the American bases and the cities—including the "assassinated city" of Hué that was virtually demolished, block by block, house by house, when American troops sought to recapture it from the NLF. At the Stevenson Institute Conference, Daniel Ellsberg pointed out that Saigon itself "is preeminently *the* 'oil spot' more and more, almost the only one; with a few other cities and towns it is the home of the supporters

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of the GVN, people who have been driven to Saigon by what Huntington regards as our 'modernizing instruments' in Vietnam, bombs and artillery." Insofar as American strategy has an offensive component, it appears to be largely a matter of B–52 and other aerial attacks, which cannot, of course, be stopped by the Vietnamese resistance forces and which are systematically devastating large areas of South Vietnam from the suburbs of Saigon to the Cambodian and Laotian borders and beyond.

Information is scanty, but it appears that in the American-controlled areas, the last remaining "oil spots," there are signs of erosion of support for the American war even among the urban bourgeoisie. At best, this support has been flimsy. Testifying before Congress, Rutherford Poats—AID director of the "other war" in Vietnam from 1964—agreed that there was "certainly a substantial element of truth" in the charge by Congressman Donald Riegle that the commodity import program is a "ransom" paid "to essentially keep certain commercial interests happy enough that they will not get their sympathizers out in the streets and bring down the Government." He added that "the Government of Vietnam has not been able to mobilize national support in the way of sacrifices by individuals, financial sacrifices, on the order desirable," and agreed that "commercial leaders . . . do not really have the level of commitment that they need to have to get this job done." [29] Since the Têt offensive, general disillusionment appears to have deepened. The Students' Association of Saigon last June submitted the following manifesto:

"After the Têt offensive, the majority of South Vietnamese people saw that the country was about to undergo a historic change. After years of incessant fighting, the conflict cannot be solved by a military victory. On the contrary, the bombardments have caused more and more damage, exhausted the energy of the people and the national potentials. Up till now this destruction continues due to foreign imperialism. The national civilization has become therefore desperate. Aware of the danger of total extermination and seen for themselves how the bombardments have murdered the people, destroyed painstakingly erected constructions, the Representative Council of Saigon Students, before history, before the people, before the whole student community whose only aim is to serve the people, solemnly declares: It is now the moment to solve the Vietnamese conflict, to avoid total extermination of the Vietnamese people . . ." [30]

Within a few weeks, the official newspaper of the Student Association was closed and its editor sentenced by a military tribunal to five years at hard labor, where he joins the President of the General Association of Saigon Students and many of the other officers of the Association, as well as Truong Dinh Dzu and innumerable others. According to the Saigon Daily News, there are 100,000 persons in South Vietnamese jails, suffering such conditions as these:

"The Can Tho provincial jail [which] was built by the French for 500 prisoners is now used to keep over 2,000. Other prisons through the country are in a similar situation. Detainees have no room to sit. Legs of most prisoners have been swollen for having to stand on their feet to sleep . . ." [31]

The *Saigon Daily News* was suspended by the Government on November 14, the tenth newspaper closed in twenty days.

The situation in the occupied areas is illustrated in many small ways, for example, by the following passage in a letter from a Vietnamese girl to a friend in I.V.S.: [32]

"Sad news from Mai: She had been arrested by the government troops, accused of being a VC spy. The police tortured her terribly, so she had been in the hospital for 2½ months. Now she is better, but still very weak. They put her in the prison now, claiming she has relatives with the VC. She could not find her family yet because the village got bombed [with] napalm so her parents ran away. I am so sad. I have known her for 15 years. She has been heartsick and quite innocent. Besides, she worked for Americans. Alas, no war in history can be dirtier than the one in Vietnam."

It is also revealing that late in 1967, physical requirements for the Saigon army were lowered, making young men eligible who weight at least 77 pounds.[33] Those of us who cannot truly comprehend what it means to drop more than two million tons of bombs on South Vietnam can perhaps respond to simple facts like these.

Under these circumstances, the American government has finally agreed to eliminate the major barrier that it had erected against a negotiated settlment, and suspend the bombing of North Vietnam. It is important to bear in mind, at this stage in the Vietnam affair, that the bombing of North Vietnam has always been a marginal component in the American attack. The observations of Adam Yarmolinsky at the Stevenson Institute conference probably express fairly accurately the more enlightened Pentagon view:

"In retrospect [the strategic bombing of North Vietnam] was probably a step that should never have been taken, since it produced no military advantages except for its putative favorable impact on morale in the South. But it was taken, at least in part, because it was one of the things that the United States military forces were best prepared to do."

It would be difficult to state more concisely the argument again maintaining an offensive military capability in a country such as ours.

It is, however, possible to imagine other considerations that might have motivated the bombing of North Vietnam. Recall Pool's judgment that only American military forces could stop the Viet Cong in the South, a judgment that is widely held. Recall also that in February, 1965, we began the intensive bombardment of *South* Vietnam, and that, shortly thereafter, the first major elements of a vastly expanded American Expeditionary Force landed in South Vietnam. It is possible that the bombing of North Vietnam was undertaken to provide a propaganda cover for the American invasion of the South, to lend credence to the pretense that we were defending South Vietnam from "outside aggression"—a pretense difficult to maintain in the light of the Defense Department statistics on assistance from North Vietnam to the NLF.

In any event, attention must now shift to what has always been the central issue: Who shall rule in South Vietnam? Since 1960, the official statements of the NLF have called for "a broad national democratic coalition administration . . . including representatives of all strata of people, nationalities, political parties, religious communities, and patriotic personalities"—a coalition which, it is fair to assume, would be dominated by the Front. In contrast, the United States has insisted on preserving the regime that we have installed and maintained by force. Why do we reject any solution that reflects actual political forces in South Vietnam? The answer is hardly obscure. It is expressed, for example, by Foreign Minister Tran Van Do: "We are not able to organize South Vietnam politically . . . so we cannot accept the NLF as a political party . . . the integration of the Front will be a political way to take over South Vietnam."

As noted earlier, the views of the academic experts are not very different. Reporters have generally taken a similar position. Three American correspondents who gave confidential testimony recently to the Senate Foreign Relations Committee were in general agreement that the Saigon government "is losing the political war," that "there is no viable political force in Vietnam other than the NLF." [34] As Robert Shaplen has noted, "the Communists . . . are obviously more willing to risk a political fight than Saigon is, both in Paris and in South Vietnam, since "the great advantage they have is that they can face the problems of peace and address themselves to the people of Vietnam, and to the rest of the world, as Vietnamese nationalists as well as Communists." [35] In this respect, little has changed in the past two decades.

For these reasons, we have resisted a political settlement, and still are attempting to do so. Thus we now make the cynical demand that the Viet Cong de-escalate in the South, while we plan openly to expand our military activities in response to their "restraint." The matter is explained clearly in a dispatch from Saigon on November 1 by Douglas Robinson of *The New York Times*. He quotes military sources who outline the plans to use the warplanes freed from daily missions over North Vietnam "for increased air strikes to support ground actions in the South." Moreover, "In the Gulf of Tonkin, American warships began to steam toward positions off the coast of South Vietnam. Military leaders said that the battleship New Jersey and the other cruisers and destroyers that had been used to bombard the North Vietnamese coast would now be used for the military operation in the South"—as has since been reported. Other reports indicate that bombing in Laos will triple in intensity. But the most cynical aspect of current American military planning is indicated in the "extremely important gain" now anticipated by the allied military command:

"If the North Vietnamese do not try to build up their forces as a result of the bombing halt . . . at least a division of American troops would be freed to carry out an operation long thought necessary by the military—the ferreting out of Vietcong leaders and cadres in Communist-dominated villages and hamlets around South Vietnam."

Thus if the "Communists" show their sincerity by restricting their military activites in the South, we wil reciprocate by using our mlitary forces to eradicate the political and administrative structure of the NLF, to deprive it of "a political way to take over South Vietnam."

As General Abrams explained to his senior commanders.[36] "The North Vietnamese personnel and units are totally dependent . . . for their existence as well as their military operations . . . [on] the political, administrative and para-military structure . . ."; it is this indigenous South Vietnamese structure "on which his whole movement depends." "So, you should go out and work against them and find them"—a proper goal for the American army of occupation. It is claimed we are having some success. The US military command reports an improvement in the kill-ratio, and attributes it to "the pressure being maintained by allied forces" which are seeking "to attack the entire North Vietnamese-Vietcong system in South Vietnam." [37]

The *Times* on November 23, quotes allied officials as pointing out that "a decrease in the activity of regular enemy forces logically leads to an increase in allied activity against guerrillas," and particularly, against "the Vietcong infrastructure, which is where so much of it really starts." The report describes an operation in which 3,000 civilians were evacuated and "painstakingly screened" by intelligence officers (100 dead, about a dozen suspected Viet Cong identified). On a facing page, the *Times* quotes President Johnson: "We cannot have productive talks in an atmosphere where the cities are being shelled and where the DMZ is being abused."

The Vietnamese resistance has reduced the range of likely outcomes in Vietnam to two:

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withdrawal of the American forces and a political solution, or the extinction of Vietnam as a cultural and historic entity. The choice between them lies in the hands of the American people, to a very considerable extent. So far, in the words of Robert Scalapino of Berkeley, "Goliath has placed certain limitations on his power," risking "American lives over months and months" even though "we have it within our power . . . to eradicate North Vietnam from the map"—and South Vietnam as well, of course.[38] There remains a possibility, small perhaps, but terrifying, that Goliath may end his admirable self-restraint. It does seem unlikely that the American people will tolerate an endless continuation of the war. There are, it would seem, reasonable hopes for peace, if pressure is maintained against American government policy, both within the United States and outside.

Americans who do not know how to influence present policy in favor of an end to intervention and a political settlement, can turn for advice, say, to McGeorge Bundy. In his much-quoted speech at DePauw University on October 12, Mr. Bundy suggested that we terminate the bombing of the North and begin the withdrawal of troops. Thus he adopted the views that had been advanced previously only by "wild men in the wings," to use his terminology in an article in *Foreign Affairs* in January, 1967. Why this sudden change? Not because "the countryside literally dies under the blows of the largest military machine ever unleashed against an area this size." Not because we have a solemn commitment to refrain from the use of force against those who are weak and helpless. Bundy regrets these aspects of the war, but he is not an irresponsible sentimentalist who would be swayed by such considerations. The primary reason for his reversal, he explains, is that the cost of the war to us is "plainly unacceptable"; "its penalties upon us all are much too great." A major cost is "the increasing bitterness and polarization of our people," the "failure of our own political system" discussed by Ithiel Pool. Furthermore, Bundy continues: "There is a special pain in the growing alienation of a generation which is the best we have had. So we must not go on as we are going."

What Bundy is saying, in effect, is that the strategy of the resistance has been correct. The students who undertook to create a program of resistance at the elite universities assumed American policy-makers to be so cynical that only considerations of cost would lead them to retreat from aggression. And the only serious "cost" that can be imposed by these young men and women is the threat that the managers of the society of tomorrow, the Yale graduating class, for example, will separate themselves from "the system," choosing jail rather than military service and questioning the legitimacy of our institutions in other ways. The important decisions are in fact made by the McGeorge Bundys of the world, and they are telling us, loud and clear, that they will retreat from aggression only when the cost to them is "plainly unacceptable." Those who wish to bring an end to war and repression will listen to this message, and act accordingly.

Much the same is true in the second superpower. In the grim atmosphere of the Soviet Union, resistance can barely be contemplated. All the more, then, must we honor those who do make their voices heard: Pavel Litvinov, Mrs. Larisa Daniel, and the others of the "Moscow Five," or ex-general Pyotr Grigorenko who has publicly denounced the "totalitarianism that hides behind the mask of so-called Soviet democracy" and called upon his fellow-citizens to fight "the damned machine," and who has had the courage to stand up and say that "Freedom will come! Democracy will come!"

It has long been understood that there is a relation of mutual support between the American and the Russian hawks. When one side commits an atrocity, the other is encouraged to do likewise. When the militarists in one camp succeed in increasing the level of armaments, this is a shot in the arm to those who pretend to oppose but in fact support them. No doubt the American hardliners were secretly gratified when the Russians invaded Czechoslovakia, as their counterparts in the Soviet Union are pleased by our move to higher and higher levels of barbarism inVietnam.

It is also true that resisters on all sides stand in a relation of mutual support. Those who resist the war here are fighting the same battle as Larisa Daniel and Pyotr Grigorenko. And they are fighting a common enemy: the militarists and managers of repression on both sides of the iron curtain. For us, this resistance must take many forms. It must be directed against the Department of "Defense," the organization that Kenneth Boulding has called the "second largest centrally planned economy in the world"[39]—an organization that has spent more than a trillion dollars since World War II "to minimize violence and instability in foreign countries." It must be directed against the ABM and all other means of intensifying the arms race and increasing international tension; against NATO, which serves primarily as an excuse for the Soviet Union to subjugate more effectively its East European colonies and its own people. It must search for ways to direct our national energies away from destruction and waste and toward socially useful production and constructive social change.

Any rational person must be appalled at the waste of resources by the great powers, as well as by the shameful inequity of distribution. Revulsion against this scandal is expressed in a general way on both sides of the iron curtain, for example, by Academician Andrei Sakharov in his essay "Thoughts on Progress, Peaceful Coexistence and Intellectual Freedom,"[40] with its call for "changes in the psychology" of the American and Russian people so that "they will voluntarily and generously support their government and worldwide efforts to change the economy, technology and level of living of billions of people . . . for the sake of preserving civilization and mankind on our planet." Or by the American economist, John Pincus, who writes:[41]

"One-third of the world lives in comfort and two-thirds in misery. Yet no day spares us the edification of lectures by the prosperous North on the South's grievous economic sins. It is all inescapably reminiscent of economists' nineteenth century diatribes against the idle and spendthrift poor in the emerging industrial states of that era. Unfortunately this century has not yet found on the international scene its Labour Party or its Bismarck to offer from left or right the politically effective retort to such self-serving homilies."

The problem of devising a "politically effective retort" is formidable. Government-induced production appears to be an important component in preserving the health of the economy (if one can use such term as "health" when speaking of the arms race and the infantile competition to land a man on the moon). Taxpayers can be deluded into supporting the Roman Circus of the space race, or into believing that they must be armed to the teeth to keep the Viet Cong from swimming over to steal their television sets. It is a different matter for people to surrender much of what they earn to rebuild the cities or to contribute to development in the third world. Furthermore, the latter effort is unlikely to benefit heavy industry or aerospace. The first problem is ultimately one of persuasion and education, perhaps. The second is probably one of resistance. If a larger number of technologists were, let us say, to refuse to do secret research or to lend their talents to waste and destruction, this refusal would probably become an "illegal conspiracy," as it began to threaten deeply entrenched interests. Repression can also be expected if other forms of social organization—say, urban cooperatives—or another, more constructive use of technology were to reach significant proportions. For these and many other reasons, it is necessary to continue in whatever way the times permit to construct a movement—ultimately, one hopes, a mass movement—that will be committed to radical social change and to resistance against all forms of oppression, destruction, and waste.

There are some indications that this may not be a fantasy. Close to home, I am encouraged by the many hundreds of students at MIT who have committed themselves to active participation in a sanctuary for an AWOL soldier—particularly when I recall that three years ago MIT students were equally committed to breaking up public meetings against the war, and that a teach-in was considered successful if it attracted 100 curious onlookers. Similarly, the growth of a national movement of resistance has surpassed in scale the expectations of most observers. In national terms, these may still be marginal phenomena, but they are not without significance, and they suggest that a long-term commitment may yield important results. Surely the change in mood in the universities during the past few years is remarkable. The "system" looks overwhelmingly powerful when one watches Mayor Daley's police or the B–52's, but it has its weaknesses, and one such weakness is its "personnel." The same technical intelligentsia that some see as the potential elite of the post-industrial society might help to concentrate social energies in very different places, if they can overcome the elitism and arrogance and factionalism that have been the curse of the Left. The Black Panthers have adopted Huey Newton's rendering of a Maoist slogan: "the spirit of the people is greater than the Man's technology." Those who create and control "the Man's technology" might play a role in giving some substance to this hope.

The universities are one natural center for the development of a movement of this sort. Honest inquiry is inherently "subversive," in any field. The physicist working at the borders of current knowledge will attempt to challenge assumptions that retard understanding, just as a creative musician will not try to compose Beethoven's tenth symphony but will explore and perhaps challenge fundamental aesthetic standards. And the same would be true of serious social inquiry, if it existed on any significant scale in the universities. In fact, it may be that a movement for resistance and social change might contribute to the evolution of a tradition of scholarship that is more humane and more objective, that will free itself from a commitment to social management in the interest of privileged elites and will explore and try to articulate the needs of those whose voices are stilled by ideological controls, by weakness and ignorance, by social fragmentation, or simply by repressive force. It is in such ways as these that the intellectual community can most effectively resist the "specific growing dangers to its integrity" of which O'Brien so rightly warns.

FOOTNOTES

[1] "Politics and the Morality of Scholarship," in *The Morality of Scholarship*, edited by Max Black, Cornell, 1967.

[2] "The War and its Effects—II," *Congresgressional Record*, December 13, 1967.

[3] *Congressional Record*, July 27, 1967.

[4] W. A. Nighswonger, *Rural Pacification in Vietnam*, Praeger Special Studies, 1966—one of a series of "specialized research monographs in U.S. and international economics and politics."

[5] Ithiel Pool, "The necessity for social scientists doing research for Government,"

quoted by M. Windmiller in *The Dissenting Academy*, edited by T. Roszak, Pantheon, 1968.

[6] Max Ways writes in *Fortune* that "McNamara, his systems analysts, and their computers are not only contributing to the practical effectiveness of U.S. action, but *raising the moral level of policy* by a more conscious and selective attention to the definition of its aims" (italics mine, cited by A. Kopkind, *New Republic*, February 25, 1967). Comments would be superfluous.

[7] Daniel Bell, "Notes on the Post-Industrial Society," Part I, *The Public Interest*, No. 6, 1967.

[8] Some of the dangers are noted by Richard Goodwin, in a review of Schelling's *Arms and Influence* in *The New Yorker*, February 17, 1968. He observes that "the most profound objection to this kind of strategic theory is not its limited usefulness but its danger, for it can lead us to believe we have an understanding of events and a control over their flow which we do not have." A still more profound objection, I think, is that the pretended objectivity of "strategic theory" can be used to justify the attempt to control the flow of events.

[9] "Status Politics and New Anxieties," in *The End of Ideology*, Free Press, 1960, p. 119.

[10] "The necessity and difficulty of planning the future society," American Institute of Planners Conference, Washington, October 3, 1967. Citing this, Senator Fulbright (*op. cit.*) comments that "poverty, which is a tragedy in a poor country, blights our affluent society with something more than tragedy; being unnecessary, it is deeply immoral as well." He also compares "the $904 billion we have spent on military power since World War II" with "the $96 billion we have spent, out of our regular national budget, on education, health, welfare housing, and community development." In *Challenge to Affluence* (Pantheon, 1962), Gunnar Myrdal concludes that "in society at large there is more equality of opportunity today than there ever was. But for the bottom layer there is less or none." He questions the assumption that "America is still the free and open society of its cherished image and well established ideals" and remarks that "as less work is required of the type that people in the urban and rural slums can offer, they will be increasingly isolated and exposed to unemployment and plain exploitation. There is an ugly smell rising from the basement of the stately American mansion."

[11] *The Unfinished Revolution*, Vintage, 1964, p. 97.

[12] In 1965, 20 companies out of 420,000 made 38 percent of profits after taxes. earnings on foreign investment were well over three times what they were 15 years earlier. The sales of GM exceeded the GNP of all but nine foreign countries. The ten largest companies reported profits equal to the next 490. A thousand companies disappeared through merger.

[13] "Marxian Socialism in the United States," in *Socialism and American Life*, edited by Egbert and Persons, Vol. I, Princeton, 1952, p. 329.

[14] See Richard Barnet, *Intervention and Revolution* (New American Library, 1968), for a careful analysis of this and other episodes of the postwar period.

[15] *Op. cit.* Less typical, and more realistic, is his belief that these problems also "seems to defy the social scientists' expertise." For some general discussions of this "generosity," see, for example, D. Horowitz, *Hemispheres North and South* (Johns Hopkins, 1966), and many other special studies. American public officials do not share this faith in our generosity, by and large. For example, the Assistant Secretary of State for Latin American affairs observed bluntly that "the State Department is not disposed to favor large loans of public funds to countries not welcoming our private capital" (*State Department Bulletin*, No. 22, 1950, cited in Frederick Clairmonte, *Economic Liberalism and Underdevelopment*, Asia Publishing House, Bombay and London, 1960).

Eugene Black, testifying before Congress on the Asian Development Bank, pointed out that "when the Bank makes loans you have international bids, and I am sure that with our ability and ingenuity in this country, we will get our share of the business. We certainly ought to get more than the small amount we contribute." David Bell testified that "the Bank will play a major role in carrying forward another policy of our own assistance program—stregthening the role of the private sector . . . by indentifying particular projects which can attract private capital, by helping to draw up development plans and stimulate policies which will encourage private initiative, and by drawing private capital to the region." Nothing here about "the generosity that characterizes our policy."

Equally revealing is the history of programs such as the Alliance for Progress. As Senator Gore commented, this program "has in large measure come to be a subsidy for American business and American exporters," a fairly accurate judgment, so it appears. For example, the AID lending program in Latin America, according to former Alliance for Progress official William Rogers, in his book *The Twilight Struggle* (Random House, 1967), is based on two elements: "a demonstrated balance of payments needed to increase the nation's ability to import U.S. goods and services, and the adoption of public policies and programs which would insure against capital flight on the international account side or the misuse of domestic resources through inefficient budgeting, reduced local savings, or inflation." Commenting on this, Robert Smith notes that "the latter standard included increased tax revenues, reduction of budget deficit, elimination of 'distorting subsidies to public activities,' and the adoption of 'state incentives to private sector investment and growth.' " (*New Polictics*, Vol. VI, No. 2, Spring, 1967—for some remarks on the other side of our assistance program, military aid, see the articles by James Petras in this and the preceding issues.)

[16] "To Intervene or Not to Intervene," *Foreign Affairs*, April, 1967.

[17] *New York Times*, December 20, 1967. The *Times* refers to what is printed as "excerpts," but it is not materially different from the full document. It has since been signed by many other scholars.

[18] Hernando Abaya, *The Untold Philippine Story*, Quezon City, 1967.

[19] See the reviews by Coral Bell and B. R. O'G. Anderson in the *China Quarterly*, October, 1966. It should be noted that opposition to social change, and support for the counterrevolutionary violence that is used to suppress it, are long-standing features of American cultural history. Thus according to the American historian Louis Hartz, "there is no doubt that the appearance of even a mild socialism in 1848, of Ledru Rollin and the national workshops, was enough to produce general American dismay. There was no outcry in America against the suppression of the June revolt of the workers in Paris, as there was none over the suppression of the Communards in 1871. Here was violence, and plenty of it, but it was being used for 'order and law,' as one editorial writer put it [in the *New York Journal of Commerce*]." (In *The Nature of Revolution*, testimony before the Senate Committee on Foreign Relations, February 26, 1968, US Government Printing Office, Washington, 1968).

[20] "The Public and the Polity" in *Contemporary Political Science: Toward Empirical Theory*, edited by Ithiel de Sola Pool, McGraw-Hill, 1967.

[21] Clairmonte, *op. cit*. See note 15.

[22] Parts of *No More Vietnams?* have appeared in the *Atlantic Monthly*, November and December, 1968.

[23] Congressional Record, February 1, 1968.

[24] Last Reflections on a War, Double-day, 1967.

[25] Perhaps the clearest example is the reception given to the paper by Richard Barnet, which tried to identify certain institutional factors in policy planning. Compare, for example, these statements with the reaction in later discussion.

Barnet: "The Final Solution of the Jewish Problem and the Dropping of the Atomic Bomb . . . are distinguishable in magnitude and context, but as examples of the amorality of bureaucracy they are strikingly similar."

Albert Wohlstetter: "In fact, Barnet equates Truman's decision to use the A-bomb . . . with Hitler's genocide."

Barnet: "The roots of the Vietnam failure lie more in the structure and organization of the national security bureaucracy than in the personality of the President or the idiosyncracies of the particular group . . . who have been the President's principal advisers. . . . The President may decide, but the bureaucracy structures the decisions by setting out the choices."

Schlesinger: "He shouldn't say that everything is determined by unified national security bureaucracies, which I gather was his point."

Barnet: "The peculiar mental set of the national security bureaucrat is the product of certain biases which . . . are inherent in the bureaucratic structure itself."

Hoffmann: "Barnet's presentation . . . and the kind of conspiracy theory on which it rests."

Barnet: ". . . the problems noted are 'not limited to the national security bureaucracy or even to government' but are 'common to all large organizations . . .'."

Yarmolinsky: "Barnet talks about the evils of the American bureaucracy and the military bureaucracy as if the evils were peculiar to those institutions rather than general to bureaucracies at most times and places."

And so on. Barnet's clear and simple statement was incomprehensible to many of the conference participants, who apparently felt quite uneasy with analyses that go beyond personal error, or failure of information, or the existence of a "warrior caste" (Schlesinger) on whom one can cast the blame.

[26] The United States and the Third World, Little, Brown, 1967.

[27] According to the *Newsletter* of the North American Congress on Latin America, Vol. II, No. 5, September, 1968.

[28] See *I. F. Stone's Weekly*, November 13, 1968.

[29] *Hearings before a subcommittee of the committee on appropriations*, House of Representatives, 90th Congress, 1967, Part 2, *Economic Assistance*, p. 1025.

[30] Published in *tintuong*, journal of the Overseas Vietnamese Buddhist Association, Paris, August, 1968.

[31] Quoted in *News, Views*, Vol. I, No. 5, September, 1968. This is the publication of the Vietnam Information Project, consisting of members of the International Voluntary Services, who are, by and large, the only Americans with any real contact with the Vietnamese people. The report notes that jailing political prisoners is a dubious tactic for the government since it serves to extend VC influence. They quote one young man, formerly anti-NLF, who described himself as "very impressed by the discipline, dedication, and intelligence of the NLF cadres" he met in jail, and who, shortly after his release, "joined his new friends in the Front."

[32] *Ibid.*

[33] *tintuong, op. cit.*

[34] *Congressional Record*, June 28. Reprinted in *War/Peace Report*, August, 1968.

[35] *The New Yorker*, November 16, 1968.

[36] *Christian Science Monitor*, October 23, 1968.

[37] *New York Times*, November 22, 1968.

[38] *The New Leader*, February 26, 1968, quoted by Theodore Draper in *No More Vietnams?*

[39] In *The Draft*, edited by Sol Tax, Chicago, 1967.

[40] Published in *The New York Times*, July 22, 1968 and, more recently, as a book.

[41] *Trade, Aid and Development*, McGraw-Hill, 1967.

AN EXCHANGE ON LIBERAL SCHOLARSHIP

To the Editors: Noam Chomsky's treatment of *No More Vietnams? The War and the Future of American Foreign Policy* in his article "The Menace of Liberal Scholarship' (*NYR*, January 2) is almost exclusively as a foil for his broader argument.

Perhaps Professor Chomsky never intended to "review" the book. But if that were the case, he should have said so. Or perhaps Professor Chomsky felt that his ironic advance comment on the book, to the effect that *No More Vietnams?* is "an important historical document," one that "gives a remarkable insight into the mentality of those close to the formation of policy," freed him from the obligations normally incumbent on a reviewer. But, whatever Chomsky's intentions, no other review of the book will appear in the *NYR*, his article was laid out as if it were at least in part a review of the book (the name of the book appears under the title of the article), and many readers reasonably will take it as such.

It is in this context that I must reply. For Professor Chomsky will be taken to have effectively damned this book in the process of "illustrating" what, to my mind, is an otherwise generally valid, broad-gauged attack on the dominant strain in American social science. As a review, despite a few passing remarks that "the points of view expressed at the conference were diverse" and that "more searching critical analysis was expressed," the sections of Chomsky's article that deal with *No More Vietnams?* can only be characterized as intellectually irresponsible.

To an incredible extent, Chomsky deals with the book through an attack on two of its twenty-six participants, suggesting to the average reader that the views of the chosen two, Professors Pool and Huntington, are substantially representative. To support this biased interpretation, Chomsky quotes selectively from other participants, such as Stanley Hoffman and Daniel Ellsberg, in a manner indicating that their expressed views generally were consonant with Pool and Huntington, whereas the fact of the matter is that Hoffman and Pool, and Huntington and Ellsberg were for the most part in diametrical disagreement about the morality, usefulness, and degree of failure of our Vietnam policy. In order to make his points most effectively, Professor Chomsky glosses over the fact that in a significant sense the book is an intense argument in dialogue form about how and why the US perpetrated Vietnam upon the world and what it means for the future. One would never know from reading Chomsky, for example, that:

(1) Professor Pool played a minor, and, to my mind, essentially negative role at the conference: qualitatively, he helped to define a loose consensus on US foreign policy, from which he was excluded; quantitatively, his contributions to the book comprise approximately 50 percent of those, for example, of Richard Barnet (and if it is true, as I argued at the conference, that few took Barnet seriously, that need not be true for readers of the book);

(2) the relevant sections of Professor Huntington's paper were greeted nearly as negatively (although much more respectfully) as Barnet's paper;

(3) Eqbal Ahmad's critique of Huntington's argument in favor of stability and order in developing countries began with the words "Professor Huntington's presentations are a mixed bag of welfare imperialism and relentless optimism," and continued on that level of acidity and analysis;

(4) Stanley Hoffmann, whatever Chomsky may think of his *Foreign Affairs* style of framing issues, has been one of the earliest, most consistent, and most intelligent critics of the wisdom and morality of US Vietnam policy;

(5) of the twenty-six contributors to the book, at least six to my knowledge have been contributors to *The New York Review* (Richard J. Barnet, John McDermott, Theodore Draper, Stanley Hoffmann, Hans Morgenthau, and John King Fairbank)—each reader must draw his own conclusions from that fact;

(6) the book is structured (reflecting, I believe, the growing consensus of the conference participants) to suggest serious defects in the American national character and in the processes and organizations relevant to political and bureaucratic decision making, defects that at least in part illuminate our Vietnam policy and may portend more Vietnams;

(7), relatedly, Stanley Hoffmann and, to use Chomsky's word, "something of a majority" of the participants generally agreed that if we learn from Vietnam only that we have failed, then Vietnam may signify even greater tragedy for the future than it already has.

Before responding to what I take to be Professcr Chomsky's major (almost only), explicit criticism of the book as a whole, please allow me to respond briefly and in kind to his quote-mongering, if only to indicate that the book has a very different flavor from what Chomsky seems to suggest:

(1) Daniel Ellsberg: "The lesson which can be drawn here is one that the rest of the world, I am sure, has drawn more quickly than Americans have: that, to paraphrase H. Rap Brown, *bombing is as American as cherry pie*. If you invite us in to do your hard fighting for you, then you get bombing along with our troops."

(2) Stanley Hoffmann: "The ethics of foreign policy must be an ethics of self-restraint: our moral duty coincides with our political interest . . . . The saddest aspect of the Vietnam tragedy is that it combines moral aberration and intellectual scandal. . . ."

(3) James C. Thomson, Jr.: "And why . . . is it 'a bitter truth,' as Professor Huntington puts it, to discover that probably the most stable government in Southeast Asia today is the government of North Vietnam and, beyond that, that it is not only stable but responsive to the needs of its people? . . . perhaps North Vietnam might be a more appropriate model for modernization, political development, institution building, nation building, and so forth, than others, and, in fact, might be given an opportunity to be such a model, at least among the Vietnamese people."

Let me close by responding to one of the few significant, substantive points Professor Chomsky makes about the book, that "an acceptance of the legitimacy *in principle* of forceful intervention—when it can succeed—" (my italics) was a characteristic feature "of much of the discussion." Precisely because this is an accurate and potentially important characterization, it is unfortunate that Chomsky makes this point almost in passing. Sad to say, at the least because of its usual consequences in application, the legitimacy in principle of forceful intervention appears to be upheld by almost every major group in our population, by every major power in the world, and, I would hazard to say, perhaps even by a majority of readers of *The New York Review*. Raise the case of American intervention against Nazi Germany—even as we observe the crimes committed in the process of our intervention in Vietnam—and see how many people reject forceful intervention *in principle*. The participants at this conference, in so far as they accept this principle, are not perpetrating a kind of evil unique to American social science. Rather, they are reflecting the views of many governments and people around the world who too frequently see their interests in narrow nationalistic terms. Pacifists, by definition, may be the only people who reject the principle.

The issue, then, is not the legitimacy of the principle of forceful intervention, but the historical pattern of American intervention. Had Professor Chomsky dealt with the problem at that level, he might well have been able to score effectively against a substantial number of the participants. But then he would have had to face the problems associated with applying general principles.

To argue the case at the level of principle is to obscure the issue for most of us: for those of us who are not pacifists, the "bitter truth" is that the US must learn to be more moral, intelligent, restrained, and responsible in deciding in particular situations when the use of force seems clearly justified. And that decision should be conditioned by the realization that generally the course of history rarely has been "improved" through such use.

Professor Chomsky did not take *No More Vietnams?* seriously, except at the level of irony. He has allowed both his understandable, if in this context unfortunate, obsession with the likes of Ithiel de Sola Pool and his justifiable antagonism to much of American social science (and the jargon it employs) to color—if not to preclude—considered responses to the substance of the book.

Even more serious, perhaps, Noam Chomsky has raised, by his example, the menace of radical scholarship. I am deeply sorry for that. No group, it seems, has a monopoly on menaces, though I agree that some are more richly endowed, and some certainly have more power than others.

RICHARD M. PFEFFER,
Editor of "No More Vietnams" Adlai Stevenson Institute of International Affairs.
CHICAGO.

To the Editors:

It does not occur to Noam Chomsky that one can differ from his criticisms of public policy by dint of intellect. If an intellectual supports the government's views it must be, so he seems to assume, by some process of corrupting seduction. Clearly, Chomsky, the terror of all establishments, is not corrupted by that particular mechanism. That leaves as an unresolved mystery what mechanism of corruption it might be that makes so excellent a scholar in his own field of expertise incapable of accurately representing the views of those he criticizes. Most of his attacks, says a review of his work in linguistics (*American Anthropologist*, 1967, p. 414) are "directed against misrepresentation of actual views." This habit carries into his political tracts, too.

In "The Menace of Liberal Scholarship," he cites me 11 times, in 6½ of these presenting as my views nearly the reverse of what I happen to believe. Perhaps I may be permitted a reply to a few of the more exasperating misinterpretations.

(1) Chomsky quotes me (correctly and so this point counts as the ½ distortion) as describing how the values of political participation and political order are sometimes in conflict. He then asserts that those on my side give "transcendent importance to order"—implying by guilt by association that that is my view. My real view is that only an idiot would pick either side of that issue. Like any dilemma, it is a dilemma. There are times and places for concern with stability and others for concern with participation. For example, as a believer in freedom, I admire Czechoslovak demonstrators against

their oppressors. That does not force me to favor cargo cults or Vietnam resisters.

(2) Chomsky says that I am no doubt aware that there were no regular North Vietnamese units in the South in 1964. On the contrary I am aware that there were, any quotes to the contrary notwithstanding.

(3) He says I might agree with my friend Daniel Ellsberg that "we have demolished the society of Vietnam." I don't. The only sense in which that is true is the sense in which every modernizing country abandons reactionary traditionalism. Despite the horrifying consequences of the war, South Vietnam is a stronger, more prosperous, more self-conscious country than it has ever been before. It even shows the first small glimmer of a participant political system.

(4) I consider one of the glories of democracy to be that it is pacific, that it will not accept raining death from the skies on those who do not attack it. Chomsky alleges that I regard that rather as a weakness of democracy and that I consider such action "proper." On the contrary, the burden of my remarks was that initiation of war is not a proper instrument of national policy. One of the reasons *for* being a democrat is that democracies are inhibited from so acting. I draw the conclusion, which Chomsky does not like, that in a nuclear age "we can live in safety only in a world in which the political systems of all states are democratic." I argue that that is a proper goal of American foreign policy, both in Vietnam and elsewhere.

Please, Noam, if you do not like my views, attack *them,* not some unrecognizable distortion of them.

ITHIEL DE SOLA POOL,
Center for International Studies, MIT.
CAMBRIDGE, MASS.

To the Editors:

No one reading "The Intellectuals and Vietnam" in your last issue is likely to question Professor Chomsky's sincerity or remain unimpressed by his anguished voice trying to rally the uncommitted intellectuals onto the side of greater sanity and humaneness.

If I feel prompted to raise a point it is because I feel that in a vital area the issue has been left far from clear. If I understood Professor Chomsky correctly, he is trying to rally a pressure group of intellectuals opposed to "counterrevolutionary subordination"—Conor Cruise O'Brien's phrase—counterrevolutionary subordination now being felt as a subtle threat to the moral and intellectual integrity of the intellectuals whose true function is to be independent and to act as disinterested critics of society in the service of truth.

The two most urgent aims of the pressure group are to bring about a change in the aggressive foreign policy of the US and at home to aid the forces focusing attention on the urgent need of more social justice and change, in other words, dealing with the problem of poverty in the cities.

Professor Chomsky is rightly skeptical about entertaining any hopes of achieving results by converting the ruling circles to his ideas of humaneness and justice, so very sensibly he opts for the more effective way of a pressure group which, if it met with wide-scale support, could become so influential that it could no longer be ignored by the policy makers. So far so good. The two aims: foreign policy and anti-poverty programs are clear. What is less clear is who are the intellectuals who are to be rallied? Surely the appeal is to go deeper than just an ad hoc program? For it could be argued that the two political aims are only very tenuously connected with the health and humaneness of intellectual life. It is inconceivable that an Administration going isolationist could attempt to realize Professor Chomsky's objectives without any reference to the intellectuals? However, I would not like to press this point too far.

I am more perplexed by the vagueness of what ideas and programs the disinterested intellectuals could agree on, leaving aside foreign policy and the anti-poverty program. Is Professor Chomsky thinking of a wide spectrum of intellectuals ranging from liberal humanists—those who have not sold the pass—to democratic socialists? I took it that "revolutionary subordination" was equally objectionable but it has been left uncertain whether this term was used as a synonym for the Soviet state of affairs, or whether it included the Chinese system. The enthusiastic account of Maoist achievements, a quotation from a Filipino journalist, makes one wonder whether the Chinese communist experiment is to be taken as embodying essential elements of liberal humanism. I am not unwilling to accept it provided a stronger case is made out for it, and a good deal of supporting evidence is produced.

Professor Chomsky gives an interesting account of the overwhelming preponderance—not to speak of importance and prestige—of the natural and social sciences over humane studies in the States. It is not unknown across the Atlantic that increasingly methods of study are being adopted in the humane fields which have proved a great success in the natural and social sciences. Professor Chomsky argues very convincingly how intellectuals are turned into mere experts for whom moral criteria are excluded as irrelevant from their own specialty.

Surely unless there is a revival of humane studies in the true sense of the word Professor Chomsky's appeal will be heeded by only a residual number of disinterested humanists. It will no doubt attract a large number of intellectuals of a variety of revolutionary persuasions for whom humaneness is at best of marginal importance, and in practice soon to be jetisoned when overriding demands of ideology are set against it.

Is Professor Chomsky's appeal more than an attempt at creating a cultural Popular Front? Not that there is anything wrong with the idea of a Popular Front conceived of as a pact of disparate elements united on a temporary common platform to oppose a common threat, but it can hardly be equated with the more fundamental question of how a humane intellectual tradition can be revived or sustained if it is in danger of being snuffed out.

J. A. HORVAT,
The Cambridge Quarterly.
CAMBRIDGE, ENGLAND.

To the Editors:

I would like to correct a small point in Noam Chomsky's article. Mr. Chomsky said that four-fifths of the three million tons of bombs dropped on Vietnam had been dropped in South Vietnam. The United States government refuses to release the precise fraction, but there are indications that it is lower than four-fifths. First of all, the tonnage figure includes bombs dropped on Laos, although this bombing is not officially acknowledged. Secondly, a Pentagon spokesman told me after extensive questioning last month that about one-third of the three million tons had been dropped on North Vietnam. It seems probable therefore that as of the end of 1968 only half of the U.S. bombing has been in South Vietnam.

JON M. VAN DYKE,
Assistant Professor of Law,
Catholic University of America.
WASHINGTON, D.C.

NOAM CHOMSKY REPLIES

I am in almost complete agreement with Richard Pfeffer. He is quite right in stating that I referred to the book he edited only insofar as it had bearing on a broader argument. To make my own position clear: I did not write my article on liberal scholarship as a review of *No More Vietnams?,* and I was as surprised as he to find it listed as a review of this book. I therefore gladly join him in informing readers who might have been misled, that is not a review of the book, and was never intended to be.

Perhaps I can clarify the matter by explaining how the article was put together. My proofs are thirty pages long. The first twelve are taken, almost verbatim, from an essay entitled "Objectivity and Liberal Scholarship" in a book submitted for publication before the Stevenson Institute Conference even took place. The examples used to illustrate the general thesis in the book are selected from a number of branches of scholarship. I replaced this rather elaborate and somewhat academic documentation by the more topical material selected from *No More Vietnams?,* which runs from pages 13 to 18 of my proofs for the *NYR* article (including one page dealing with an article in *Foreign Affairs*). Pages 19 to 30 then take up the same topic with other material and deal with the current situation in Vietnam and at home, as it looks to me. The idea of reviewing the book never occurred to me. I am sorry for the confusion that may have been caused by what was merely an inadvertent and unfortunate error in format.

It is true, as Mr. Pfeffer notes, that my references to *No More Vietnams?,* are largely restricted to the chairman of the political science and government departments of the two Cambridge Universities—not an idiosyncratic choice, given the structure of the essay. I quote other participants only where their contributions related to my general thesis, with which I take it Pfeffer is largely in agreement, about a dangerous tendency in liberal scholarship and in the relations of intellectuals to power in an advanced industrial society (for example, I quoted Ellsberg's ironic reference to Huntington's concept of "modernizing instruments," namely bombs and artillery; as well as James Thomson's sharp criticism, with which I fully concur, of "technocracy's own Maoists," the "new breed of American ideologists . . ."; and a number of others). Similarly, my references to Huntington and Pool included other articles of theirs. The quotations that I gave (for a different purpose) illustrate the diametrical disagreement between Huntington and Ellsberg to which Pfeffer refers. Had I been reviewing the book, I would have also emphasized the divergence between the views of Pool and Hoffman—the latter, a sharp critic of the war, on grounds to which I return below.

Since I am now in the unwanted role of reviewer, perhaps I should quote from the letter I sent to the publisher, parts of which appeared in advertising copy in this journal: "The book gives a remarkable insight into the mentality of those who are close to the formation of policy, and in this lies its primary value and significance. I think it will be an important historical document for this reason. I should add that my own reaction to what this record reveals is one of profound concern."

Had I undertaken to review the book, I would have mentioned a number of important contributions which were not relevant to the thesis of my essay, among them the following: Eqbal Ahmad's comments on American political culture and "psychological propensities" which lead us to a "welfare imperialism" with an "anti-nationalist thrust" that benefits primarily the ruling elites of our client states; Theodore Draper's observations on strategic theory and on the Caribbean; Hans Morgenthau's report of Asian views of the historical significance of the Tet offensive; Sir Robert Thompson on how to and how not to succeed in forceful intervention; John McDermott on popular participation and economic development (along with James Thomson's "subversive thought" on North Vietnam, which Pfeffer quotes); James Thomson's remarks on policy making and public relations, and also his pertinent question about earlier days: "Where were the experts, the doubters, and the dissenters who could warn of the dangers of an open-ended commitment to the Vietnam quagmire?"—a charge that few can escape, myself included; George Kahin's informative comments on Thai insurgency; Pfeffer's comments on "the real limitations and deficiencies of social science"; Barnet's analysis of the role of the national security bureaucracy, to which I alluded only in noting the inability of most of the participants to understand what he was saying; and so on.

Having done all of this, I would still have concluded, as in my essay, that "points of view expressed at the conference were diverse, but it is fair to say that . . . something of a majority opinion" is that where intervention can succeed, it may be undertaken. I take it that again, I am in substantial agreement with Pfeffer, who states that my characterization of "much of the discussion" as accepting "the legitimacy *in principle of* forceful intervention—when it can succeed—is an accurate one.

At this point, however, there arises my only disagreement with Pfeffer's letter. Note that my statement, which he quotes, criticizes the view that intervention is legitimate *when it can succeed*. Those who defend our "intervention against Nazi Germany" do not do so on grounds that it promised success but on grounds that it was just; hence this reference is not relevant to my point. Furthermore, I think that the use of the term "intervention" to cover both the Second World War and the American war in Vietnam is unilluminating. For the latter, a more appropriate historical context would include the American war in the Philippines, the French war in Indo-China, the Czech and Dominican interventions, and other similar ventures. It is this sort of "intervention" that I was discussing. There is much to say about the other sort—I have an essay on it in the book cited above—but it has little bearing, so far as I can see, on the questions of intervention discussed in the Stevenson Institute conference or in my article.

The issue of legitimacy of intervention—in the narrower sense here discussed—is raised in a complex and interesting way in Stanley Hoffmann's contributions to *No More Vietnams?* to which I alluded only briefly—and perhaps misleadingly—in my essay. Pfeffer is right to stress, as I did not, Hoffmann's role as a critic of the war, and his conclusion that the war "combines moral aberration and intellectual scandal." Hoffmann explicitly condemns "any policy of universal intervention." He argues that we must learn "to accept violent social and political change—even if private American interests happen to be the targets, even if communists should occasionally be the local beneficiaries and communist powers the likely allies of the local winners." Yet in other places he merely urges "modesty and limitation," more rigorous definition of "what it is that so threatens us that we feel we have to intervene either by political subversion or by military action." In summarizing his argument, he cites the "precepts violated by our conduct in Vietnam" as these: "No policy is ethical, however generous its ends, if success is ruled out. And no policy is ethical if the means corrupt or destroy the ends, if the means are materially out of proportion with the ends, if they entail costs of value greater than the costs of not resorting to them." I understood him to be saying that our ends were generous ("our political and our moral roads, paved with good intentions, have led to hell," as he remarks just before); that had success been attainable, had the means met the stated conditions of scale and cost, then we would have been justified in intervening with force. With this latter judgment I do not agree.

Two questions arise: am I right in so interpreting Hoffmann's position; and if so, am I right in rejecting it, while sharing his horror of the war? As to the latter, I cannot comment in the scope of this letter. As to the former, my interpretation was reinforced by a number of other comments, some of which I cited. "The central problem," he states, "does not lie in the *nature* of America's objectives" but rather in "the relevance of its ends to specific cases" (his italics). The ends were these: "to protect the majority" which "does not want to live under Communist rule and ought to be allowed to choose its own form of government" from being overwhelmed by an "armed minority," "supplied from outside the limits of the country it tries to seize"; "assuring other Asian governments of America's concern for their security"; "preserving a balance of power in Asia"; "'buying time' for the countries situated around China"; ". . . these were all worthy ends." *"The tragedy of our course in Vietnam lies in our refusal to come to grips with those realities in South Vietnam that happened to be decisive from the point of view of politics"* (his italics).

I read this as in essence an argument for the legitimacy of military intervention—a justification which could have been used, to mention just one example, in the case of the American revolution. A British opponent of the war could have argued that though Colonial policies were bound to fail, their ends were nevertheless just: a majority of colonists professed no desire for independence; there was massive outside support (as Bernard Fall has noted, "at almost no time did Washington's forces exceed 8000 men in a country which had at least 300,000 able-bodied males—and backed by a force of 31,897 French ground troops and 12,660 sailors and Marines manning sixty-one major vessels"). The point is that we have no authority and no competence to make such judgments about Vietnam or any other country and to use our military power to act on these judgments.

Elsewhere, Hoffmann describes our failure as in large measure an intellectual one. We constructed false analogies to Greece and the Philippines (where, if I understand him correctly, he believes our intervention was justified): "We have blundered through failure to analyze rigorously enough the conditions for large-scale insurrection"; "An optimistic and simplified reading of reality served as the basis for our *hubris*" (one "great failing of our policy"). He goes on to describe the Viet Cong as follows: "The Viet Cong, in zones under its control, has replaced the old village structures by a mass movement, substituting the politics of mass involvement for the politics of traditional society." In the face of what he describes as "Viet Cong and North Vietnamese mischief, the anti-communist majority failed to organize and unite." This made the situation hopeless, "since the elimination of this mischief required both the demolition of South Vietnam's society and the political and social success of pacification, which our acts of war precluded." "We have fought a war for objectives that were unreachable"—but were "worthy ends." We believed in myths and "illusion fed by a social science imbued with engineering pretensions and an ideological justification for the less savory aspect of our role." Our "original sins" were "ignorance of the conditions and excessive self-confidence." ". . . the situation in Southeast Vietnam"—for example, "the upheaval in Indonesia . . ." "The broader implications of our Vietnam experience can all be summarized in one formula: *From incorrect premises about a local situation and about our abilities, a bad policy is likely to follow*" (his italics).

As I understand Professor Hoffmann's position, it is accurately represented by this selection of quotes, along with those in my essay. I am aware that a selection of quotes can be misleading, and perhaps this selection distorts his intention. At this point I can only suggest that the reader find out for himself. Hoffmann's position, which is more elaborate and nuanced than I originally indicated, contains elements with which I agree. But it is based on fundamental assumptions that seem to me very wrong.

Let me turn next to Ithiel Pool's letter. First, to eliminate an irrelevance, it is quite true that there is considerable controversy over my various attempts to reconstruct explicitly the leading ideas of post-Bloomfieldian structural linguistics, and the reviewer whom he cites is one who thinks them unsuccessful. I could easily construct a long list of those on both sides of the debate. No scholar will be surprised at the fact that there is disagreement over a matter of this sort, which involves interpretation of diverse and often vague formulations. Whatever the merits of the case, it has no relevance to the question at issue.

Turning to the matter at hand, Pool cites four cases of alleged distortion. The facts, as I see them, are as follows: First, he feels that my remarks imply that he is always on the side of order and stability. I am happy to repudiate any such suggestion. It would never have occurred to me to suggest that he would assign transcendent importance to stability and order on the other side of the iron curtain, and, as he points out, he has a great concern—which I share, of course—for participation and freedom in Czechoslovakia. This was exactly my point. I noted explicitly that those who give "transcendent importance to order" tend to see Pool's "dilemma" in this way: given their particular ideological bias, "a certain form of stability—not that of North Vietnam or North Korea, but that of Thailand, Taiwan, or the Philippines—is so essential that we must be willing to use unparalleled means of violence to ensure that it is preserved."

Thus, as Pool says, "there are times and places for concern with stability and others for concern with participation"—our empire and their empire, respectively. In the section of my essay to which Pool refers, I quoted his opinion that preservation of order "depends on somehow compelling newly mobilized strata to return to a measure of passivity and defeatism from which they have recently been aroused by the process of modernization" and to accept "a lowering of newly acquired aspirations and levels of political activity." I then pointed out that "Pool is merely describing facts, not proposing policy," that "a corresponding version of the facts is familiar on the domestic scene," and that there is, obviously, another way, not mentioned by Pool, in which order can be preserved in all such cases. No distortion in case one, so far as I can see. Rather, his letter simply confirms my remarks.

Secondly, Pool objects to my statement that "In 1964, as Professor Pool is no doubt aware, there were no regular North Vietnamese units known to be in the South . . ." I had assumed, perhaps wrongly, that he was familiar with the kind of documentation assembled by Theodore Draper (*Abuse of Power*). Until those who claim that there were regular North Vietnamese units operating in the South prior to 1965 meet the challenge that Draper and others have presented, the objective observer can reach only one conclusion in this regard. Pool apparently does not think highly of quotes from McNamara, Mansfield, and the State Department White Paper, but he will perhaps agree that they outweigh his entirely unsupported allegations.

Thirdly, Pool objects to my assertion that he "might also agree" with the conclusions of Ellsberg and Fall that I quoted. The reporting from Vietnam has been sufficient so that literate readers may judge for themselves whether "the only sense" in which we have demolished the society of Vietnam "is the sense in which every modernizing country abandons reactionary traditionalism."

To determine the validity of Pool's fourth and final claim of distortion, the reader may compare the text, from which I quoted at length, with Pool's comment in his letter. In the text, he specifies exactly one respect in which we have failed in Vietnam, namely, in the "failure of our own political system" to contain dissent (p. 142). He says that "the gloomy performance of our political system disappointing as it may be," in this regard, is the kind of failing "of which we usually accuse the Vietnamese, but the criticism is more fairly addressed against ourselves." His view, which I quoted, is that "unless it is severely provoked *or unless the war succeeds fast,* a democracy cannot choose war as an instrument of policy. Any other sort of war will destroy the cohesion of the democratic community that wages it" (my italics). This is the conclusion derived (p. 206) from a consideration of what happened when "we rained death from the skies upon an area where there was no war." The "moral protest" was not immediate, but "time brought it on." His conclusion: "Many actions that public opinion would otherwise make impossible, are possible if they are short term." The reference is to the policy of raining death upon an area where there is no war. The reader can determine for himself that this is the *only* conclusion that Pool draws from "our worst mistake," namely, the bombing of the North—a mistake only because of the resulting "moral outrage" in a political system with such "failings" as ours, namely a democracy.

Perhaps Pool now wishes to retract the views that he expressed quite explicitly in *No More Vietnams?* But the text is quite clear. As to the claim that democracies will refrain from initiating military actions, this will, as I. F. Stone once said of Secretary Rusk, improve Pool's reputation as a humorist in Vietnam, the Dominican Republic, and all too many other places. His claims concerning the "pacific orientation" of our "value system" (p. 208) are belied not only by history, but also by his own prediction (p. 203): ". . . I predict that there will be a number of effective interventions in foreign crises in America's future"; though it is true that because of the "failure of our own political system" noted above, we will be unable to use war as an instrument of policy "unless the war succeeds fast" and "we will have to learn how to use police and intelligence operations," in Pool's view.

I strongly urge the reader to study carefully the original statements from which I have quoted. Here he will find a more convincing demonstration than I could possibly construct by quotation for the thesis of my essay that among the new mandarins, the self-styled "rational and humane social scientists," there are potential forces that pose new and severe dangers to civilized existence. Mr. Pfeffer questions my "obsession with the likes of Ithiel de Sola Pool," and perhaps he is correct, but I think that the opinions and values that they express demand serious attention. The reasons are those outlined in my essay. The access of a technocratic elite to influence and power carries with it the strong likelihood that this elite will attempt to use its claims to knowledge and technique as an ideological instrument, to justify its new role.

As Pool correctly notes, there can be intellectual dispute over questions of policy, and there is every reason to bring knowledge and reason to bear on these questions. For all his talk of "applied social science," however, I fail to see how his analysis of the Vietnam situation is grounded in anything but ideological bias. For this reason, his criticism of the "anti-intellectuals" rings quite false, to my ears. Applied social science may make interventions more successful, as may new weapons systems. For those who are concerned with freedom in Vietnam as well as in Czechoslovakia, in Guatemala as well as in Hungary, the merits of applied social science and exotic weapons will appear slight, however. In short, I see no indications that there is an "intellectual dispute" here, but rather a dispute over the right of small nations to find their own way in relative freedom from great power intervention. Pool evidently defends these rights in the case of Czechoslovakia, whereas in Vietnam he takes it to be our responsibility to determine who are the "legitimate nationalists" and what are the proper institutions, and to impose this decision by force. This conclusion does not derive from the findings of applied social science, though it seems to me not at all unreasonable to suppose that it is related to the hopes of the applied social scientist to exercise his techniques of social management.

Mr. Horvat raises a number of substantive issues. To clear up a misunderstanding, I would be delighted if the "methods of study" used in the natural sciences were to be adopted more widely in the social sciences and humanities. The natural sciences are concerned with objectivity and intelligibility. Their achievements are important insofar as they provide insight and understanding, explanatory principles that illuminate a reality hidden in a mass of superficial data. In contrast, the social sciences quite often—though not entirely—provide a caricature of the sciences, taking as their model a concept of science that might have been appropriate for Babylonian astronomy or Linnaean botany. This is a matter about which I have written in some detail elsewhere, as have many others. As an example, I might cite a huge research proposal now on my desk that calls for new tools and facilities to enable the behavioral sciences to derive theory from data—tools which are lacking in the natural sciences, of course, except in so far as human intelligence provides such a "tool."

Furthermore, the social sciences often fail to achieve objectivity for ideological reasons, as they often fail to challenge accepted doctrine—which may in the past have served well—when its limitations impede further understanding. I think that serious social scientists would agree that much of what passes for science in this field is really a kind of play-acting at science. As for the humanities, if scholars wish to use computers to collect and organize masses of data, that is their privilege. Conceivably, it may even be useful for some purpose. If they think that by so doing they are using the "methods of the natural sciences," they merely delude themselves. It seems to me that a "revival of humane studies in the true sense of the word," to use Horvat's phrase, would bring these studies closer in concept and attitude to the natural sciences, at their best and most valuable. This is not to say that an explicit commitment to certain values should be avoided. Far from it. Clear articulation of this commitment, which is never absent, is a prerequisite for objectivity. In the same sense, I do not believe in the existence of "radical scholarship" as a separate category. Rather, it seems to me that a search for objectivity carried out within the framework of decent values will lead to "radical" conclusions, now and forever in the future—a belief that must be justified by serious work.

Horvat's questions are fair ones, and I cannot provide general answers that satisfy me. I have no overarching theory of social change, though, like anyone else, I have certain impressions of how specific problems might be met and of the kind of society that we should try to create. For what it is worth, my own opinions derive from the range of opinion exemplified, say, by certain anarchosyndicalists and non-Bolshevik Marxists such as Rosa Luxemburg. I could elaborate, but this is not the place. I do not feel that sufficient understanding of these matters exists for *any* position to be argued with the dogmatism which is all too characteristic of discussion on the Left, and which has enormously hampered the development of a genuine revolutionary movement (there are implicit value judgments here, to be sure). This dogmatism is an unpleasant counterpart to the smug superficiality of those who can perceive their own ideological commitments no more than a fish can perceive that it swims in the sea. Personally, I feel that the "humane intellectual tradition" of which Horvat speaks quite appropriately might develop from a commitment to these values and ideas of how social relations should be reconstructed, assuming that this commitment is accompanied by an open mind, an ability to learn, a willingness to challenge any orthodoxy.

In the short range, I think that intellectuals can do a great deal toward meeting specific problems by their work and their willingness to undertake the personal sacrifice entailed by resistance to ominous, deep-seated tendencies in our society. For example, the commitment of resources to destruction and waste is, as I tried to indicate very briefly in my essay, a feature of our society that will not easily be eradicated, as many social critics have rightly emphasized. The scientists who realize full well that putting a man on the moon has a ridiculously low priority, and that an ABM system will increase international instability as well as waste precious resources, will nevertheless implement these plans. They need not do so, though if they refuse, they will, I believe, find themselves engaged in resistance and probably in acts that will be designated as "illegal" to the extent that they succeed in challenging deeply entrenched and powerful social forces. Similarly, Asian scholars who are repelled by the kind of attitudes represented by the document of the "moderate scholars" that I discussed can strike at one pillar of American counterrevolutionary ideology by helping to develop a more accurate—and in consequence, more humane, more sympathetic, and more fraternal—appreciation of the problems of Asian societies and the means being undertaken in an attempt to meet them. To mention another case, the very important attempts of Gar Alperovitz and others to explore in a serious way the problems of community development seem to me to offer great promise for the long-range movement toward a more decent society that will try to bring about genuine popular control of social institutions. Many other examples might be cited, some embodying future hopes rather than the reality of today. I think that any genuine movement for social change will have to involve many strata of society in political and social action, in objective study and application of new ideas and concepts that will, one hopes, arise from it.

Insofar as developments in the third world are concerned, I think that in some respects Chinese Communism does "embody essential elements of liberal humanism," side-by-side with authoritarianism and much irrationality which, though understandable in the specific context, must nevertheless be deplored. Similarly, one can point to certain developments in Yugoslavia that transcend anything existing in the West so far as true democracy is concerned. The same can be said of Cuba, and other examples might be mentioned. At the same time it would be absurd, regressive in fact, for us to take third-world societies as a general model for progress in an advanced industrial society with different potentialities and problems, though I believe that we can learn a great deal from the study of the impressive social experimentation that exists alongside repressive practice in several of these societies. Those who prefer simple heroes and villains may find this position too complex, but I think it is correct.

I quoted the Filipino journalist Hernando Abaya to illustrate the "threat" posed by China, not because I entirely agree with his assessment, though I think he is right to be impressed by many of the achievements of modern China. Incidentally, his remarks are not untypical of non-Communist Asian opinion. Compare for example the qualified but basically sympathetic assessment of the staff of the *Yomiuri Shimbun*, recently translated into English (*This Is Communist China*, edited by Robert Trumbull, David McKay, 1968). By world standards (though not, of course, American standards, where the spectrum of opinion is sharply skewed to the right), this is fairly conservative opinion. I presume that it is this kind of audience that Walt Rostow has in mind when he speaks of the "ideological threat" posed by Communist China. To repeat, I think that Abaya is right to be impressed by many of the achievements of modern China, carried out in the face of our cruel and stupid policies and many other problems, and by the vision of man and society that appears as one element in Maoist thinking—again, along with much else that I think quite wrong. Our task, however, is not to assign good or bad marks to various societies of the world, but to learn what we can from them, to help them where we can, and to face seriously the critical problems of American society. I think this means that we must try to develop a mass movement for social change in the United States that escapes the cold war psychosis and the stranglehold of narrow ideology and that turns to constructive tasks, one such task, of high priority, being resistance against American militarism. Unless we can succeed in this specific task, we are unlikely to live long enough to have to face our other problems. And if by blind luck we survive, the consequent demoralization of American society will make life as meaningless here as it is hopeless for the Guatemalan peasant.

Let me emphasize what is in any event obvious: these are not adequate answers to the questions Horvat raises. Perhaps they suggest a point of view that, in my opinion, might be developed further in a fruitful way, not only by thought and research and study, but by committed action as well.

Professor Van Dyke presents figures that are at variance with those I cited, the latter obtained by I. F. Stone directly from the Pentagon Press Office. I have no further information; reports in the press have varied slightly. Whatever the exact figures may be, all reports confirm the qualitative conclusion of Bernard Fall that I quoted: "It is Vietnam as a cultural and historic entity that is threatened with extinction" as "the countryside literally dies under the blows of the largest military machine ever unleashed on an area of this size." Personally, I would have been opposed to the dispatch of ten green berets to Vietnam. What we have actually done, what we do today, what we threaten for tomorrow, constitutes a crime of historic dimensions. And the "new mandarins" bear a significant share of the guilt.

ABM SENTINEL SYSTEM—ADDRESS BY SENATOR EAGLETON

Mr. BROOKE. Mr. President, much has been said and much more will be said in the weeks ahead about the ABM Sentinel system. Last week in Missouri, the distinguished junior Senator from Missouri (Mr. EAGLETON) made some interesting observations on this very important and sensitive issue.

I ask unanimous consent that Senator EAGLETON'S speech, delivered in Kansas City, Mo., on February 11, be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH DELIVERED BY SENATOR THOMAS F. EAGLETON, DEMOCRAT, OF MISSOURI, TO MISSOURI OIL JOBBERS, MUEHLEBACK HOTEL, KANSAS CITY, MO., FEBRUARY 11, 1969

It is possible—just barely possible—that last week marked the beginning of a major down-turn in the arms race.

It is possible—barely possible—that the world was rescued from the cataclysmic spiral of weapon system, antiweapon system, and anti-anti weapon system which has gripped it since World War II.

It is possible—barely possible—the Pentagon's decision to halt land acquisition and construction in the face of mounting Congressional criticism of the Sentinel Antiballistic Missile system, will mark the moment when Congress reasserted its rightful authority to scrutinize the burgeoning defense budget as it does domestic expenditures.

In the past, if changes were made in the defense budget by the Congress, they were almost always additions rather than corrections. Almost never, since World War II has Congress cut back an executive request for military funding—the exception being appropriations for fast deployment logistic ships.

I believe and I hope this pattern changed last Tuesday, when a bi-partisan group of Senators—Republicans Cooper, Percy, Brooke and Javits . . . Democrats Mansfield, Kennedy, Fulbright, McGovern and Symington, and many others on both sides of the aisle eloquently demanded a review of the ABM.

Our own senior Senator from Missouri, Stuart Symington—one of this nation's leading experts on national defense—demanded a freeze on the Sentinel program until a thorough re-evaluation could be made.

Holding that it will always be easier and cheaper to penetrate an anti-ballistic missile defense than to make one impenetrable, Secretary of Defense McNamara and President Johnson resisted pressures to build an ABM system.

In 1967, however, the Secretary declared himself in favor of a "thin" ABM system—a system described by former Presidential science advisor Jerome Wiesner as "a bad joke perpetrated by Mr. McNamara and Mr. Johnson on us in an election year."

The price tag for this system has been continually escalating. In early 1967, a "thin" shield was projected at 3.7 billion, later in the year that figure rose to 5 billion; the present estimate is between 5.5 and 5.8 billion, and is projected to rise to 9.4 billion by Senator Symington and even higher by several prominent scientists.

There is also considerable question about just whose missiles the system is supposed to knock down and if, in fact, it is capable of so doing.

Proponents of the system presented it as a defense against blackmail by some lesser power—China, to be precise—so irrational as to be willing to risk retaliation from our regular deterrent forces.

When the Defense Department began to acquire Sentinel sites late last year, there were some surprises. One of the sites was right outside Boston—a peculiar target for the Chinese. Others were in Chicago . . . Detroit . . . Los Angeles . . . New York . . . San Francisco . . . Seattle. There is one in Sedalia, Missouri, too. Washington oddly enough, was left out.

Apparently President Nixon is dropping the anti-Chinese argument. He stated at his Press Conference on February 6th:

"First, I do not buy the assumption that the ABM system, the thin Sentinel system, as it has been described, was simply for the purpose of protecting ourselves against attack from Communist China."

However, a thin system is clearly inadequate to deal with a massive attack of Russian warheads. An adequate system is estimated to cost between $50 and $100 billion; it is still technically infeasible, and there is every reason to believe that our enemies could figure out a system to penetrate it before the system itself is complete. Following the same reasoning, perhaps, the Russians have recently slowed construction on a comparable—and already obsolete—system around Moscow.

The Sentinel is presently in an unusual position. It is an extremely costly project designed for a purpose the President of the United States no longer "buys," and is totally inadequate for anything else.

In addition, each Sentinel is armed with a warhead which packs 100 times the power of the bomb dropped on Hiroshima—enough to destroy everything for dozens of miles around in the event of an accidental explosion—probably creating more danger for the community than deterence to the enemy.

Is the notion of an ABM dead? I doubt it very much.

Early in March the Pentagon is scheduled to complete a re-study of the Sentinel, conducted under Deputy Defense Secretary Packard. The headline in the *Washington Post* yesterday was "Laird Hints Work on ABM Will Resume."

The Senate also plans to re-study the ABM during hearings scheduled under Senator Stennis of Mississippi, in which opponents as well as proponents, scientists as well as generals, will be heard.

Naturally all Senators will study these findings closely. Perhaps an ABM is feasible. Perhaps it can be effective. Perhaps it is necessary.

My message to you today is simply this: For whatever reasons, the automatic cycle of arms building has been temporarily and partially interrupted by the decision to freeze construction of the anti-ballistic missile system. The heretofore sacred preserve of the military experts has been invaded by some Senators and Congressmen and citizens who have serious questions to ask about our national priorities and about the efficiency of our military spending.

The arms race will not stop because of any unilateral acts by the United States. It will not stop unless we are successful in negotiating arms reductions with the Soviet Union.

It will not stop until mankind decides that $53 for every man, woman and child in the world—more than many people live on for a year—is simply too much for this planet to waste each year on weapons of destruction.

But now, perhaps, there is a chance.

MISSILE BLUNDER: THE ABM

Mr. HART. Mr. President, since the Senate recessed on February 7, a remarkable and dramatic series of events has occurred to change significantly the outlook for the Sentinel ABM program. Following an extremely interesting and enlightening colloquy on the program in this Chamber on February 4—which I was very sorry to miss because of other commitments—it was learned that Secretary Laird had halted construction on all Sentinel sites pending a high-level review of the program. The same day President Nixon finally demolished the long discredited anti-Chinese rationale for the Sentinel program, with the statement that he had never taken it seriously.

Thus to all intents we can safely assume that Sentinel, at least as it was conceived last year, is finished. But we can also assume that plans to push ahead with an ABM program are as alive as ever, and that the American people and the Congress will shortly be asked to accept some new ABM program—perhaps with a new nickname—in another form. One of the significant differences between the old Sentinel and the new program will undoubtedly be that we will no longer be asked to accept the irrational argument that we need missile defenses to protect ourselves against a weakling China while we can rely on our offensive missile forces alone to prevent an attack from a far stronger Soviet Union. But it is also likely that we will be confronted by many of the other irrationalities that were trotted out over the past year in an effort to justify the Sentinel program. And again we will have to undertake the job of knocking down each of these justifications. Changing the name of Sentinel will not improve the case to be made for it, nor will changing the rationale from an anti-Chinese program to an anti-Soviet one. The basic flaw in any antiballistic-missile program using the best technology available today is simply that it would not work. In the face of that one fact, no other argument for ABM deployment makes any sense.

Last year we were treated to an impressive array of arguments for Sentinel: we were told it would save lives; but that would only be if the Soviet Union blithely ignored our defenses and did nothing to compensate for them; we were told it would protect us against an accidental attack; but the chances of an accidental launch of a Soviet or Chinese ICBM resulting in damage to an American city are far smaller than the chances of an accidental launch of a Sprint or Spartan missile, practically guaranteed to result in an impact or even detonation on U.S. soil. We were told that the Chinese, with their primitive missiles, could not penetrate the system; but the Nobel prizewinner Hans Bethe has argued without effective rebuttal that the Chinese could indeed develop simple penetration aids and defeat the system, while an ABM expert formerly with the Defense Department, Dr. Dan Fink, has admitted that the explosion of a Sentinel warhead might blind its own radars and permit an enemy missile to attack undetected.

Mr. President, I was fascinated to read in the Washington Post of February 16 the account of the high-powered public relations effort which the Army was undertaking to sell the public on Sentinel including a plan to enlist top scientists to rebut the arguments put forth by Dr. Bethe, Dr. Wiesner, and Dr. Kistiakowsky against the ABM. I think it is interesting that not one of the arguments put forth by these and other eminent scientists has been answered by the Army. If there is an operating program to counter their arguments, it is hardly effective.

I am more disturbed, however, by a new rationale which has been presented to justify ABM deployment. Essentially, there appears to have developed a "spending gap" for strategic defense between us and the Soviet Union. This news was broken to us by Defense Secretary Laird on television last week. Mr. Laird explained, on two occasions so far, that the Soviet Union is outspending the United States on what he calls "antistrategic defenses" by a factor of nearly four to one. I am disturbed by this statement, partly of course because it does not make clear at all what is meant by "antistrategic defenses," but more because such a comparison is so irrelevant. Mr. Laird does not spell out the meaning of "antistrategic defenses," but I assume that by this term he means all defense programs intended to counter strategic offensive forces. This would include ABM's, but it would also include antiaircraft defenses, fighter-interceptor aircraft, air-warning systems, and presumably even civil defense.

I assume that we know a good deal about what the Soviet Union is doing in these various areas, and probably can estimate with reasonable accuracy how much is being spent on each program. Indeed, our intelligence appears to be good enough that we can determine that the Soviets have now deployed about 75 missiles in their ABM defenses around Moscow, and will, when the defense there is completed, have about 100. This does not sound like an extravagant program, and it has not been characterized as such by other officials. Former Defense Secretary Clifford told us, in fact, that the Soviets had apparently curtailed construction at some of their ABM installations around Moscow. He also stated, in his January 15 Defense Posture Statement, that the Soviets were continuing to deploy the Tallinn air defense system, which, according to the New York Times, of February 13, is being deployed in a large number of sites. Without indicating such details, however, Mr. Laird may be leaving the unfortunate impression that it is on missile defenses alone that the comparison in defense spending is made. I have asked Secretary Laird for details of his cost comparison, and hope that his reply will help to clarify the issue.

But I am troubled not only by the possible confusion which may have arisen about what is meant by "antistrategic defenses," but also by the implication of Secretary Laird's statistics that the United States is somehow remiss in not spending as much as the Soviet Union on defense programs. If the debate about the Sentinel missile program has been about nothing else, it has certainly been about the unwisdom of wasting money on foolish and unnecessary defense programs.

Reports that over the years the Soviet Union has spent sizable sums on missile and air defense have made it clear that much of the money spent was wasted because weapons systems were prematurely deployed and not terminated before considerable construction had taken place. The United States has, until now, managed to refrain from deploying at least some weapons systems which over time proved to be valueless. It is my conviction that the ABM, be it Sentinel, Nike-X, or some new variant of it, falls clearly in this category.

Mr. President, I ask unanimous consent to have printed in the Record the following documents: the text of my letter to Secretary Laird; an article from the New York Times of February 13, 1969 entitled "Missile Defenses Slowed by Soviet"; an article from the Washington Post of February 14, 1969 entitled "Soviets Outspending United States 3.5 to 1 on ABMs, Laird says"; an article from the Washington Post of February 16, 1969 entitled "Bid by Resor To Sell Public on ABM Told," and an editorial from the Washington Post of February 17, 1969 entitled "The Big ABM Brainwash."

There being no objection, the items were ordered to be printed in the Record, as follows:

FEBRUARY 17, 1969.

Hon. MELVIN LAIRD,
Secretary, Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: Would you help clarify for me some misconceptions which have arisen, from reports in the press and elsewhere, concerning the costs and the status of antiballistic missile deployment in the United States and the Soviet Union?

In recent television interviews you have estimated that the Soviet Union has spent in the past year approximately 3.5 times as much as the United States in antistrategic systems. Any further amplification of this estimate which you can provide would be most appreciated.

Of particular interest would be further information on the cost of specific components of the estimated Soviet antistrategic defense budget; specifically:

1. What percentage of Soviet expenditures in the past year for antistrategic systems was devoted to ABM? What percentage to antiaircraft missile programs? To interceptor aircraft? To air warning and control systems? To civil defense?

2. Within each of the first three categories, what percentage was devoted to production and deployment? To research and development?

3. What, in your estimation, has been the overall cost to date of the "Galosh" ABM deployment around Moscow? Of the "Tallinn" antiaircraft missile deployment?

With respect to United States antistrategic programs:

1. What are the comparable percentages of United States expenditures for antistrategic systems over the past year?

2. What is the latest estimate for the overall cost of the Sentinel program? Of that total, how much is for missile procurement, for site acquisition and construction, for operating costs?

In providing this information you will be most helpful. It will improve not only my understanding and that of others of developments in this critically important area, but also because reports that Soviet efforts to develop a workable ABM have met with little success suggest that they, at least, have obtained remarkably little return for their investment.

Sincerely,

PHILIP A. HART.

[From the New York Times, Feb. 13, 1969]

MISSILE DEFENSES SLOWED BY SOVIET—U.S. INTELLIGENCE LINKS DELAY TO STEPS TO IMPROVE RADAR FOR SYSTEM AT MOSCOW

(By William Beecher)

WASHINGTON, February 12.—High Pentagon officials have been told that the Soviet Union's missile defense is roughly three-quarters complete and has been slowed in recent months to improve the system's radar.

But the intelligence briefings given to officials reviewing United States loans for a missile defense have also made clear that the Russian anti-missile system around Moscow, even when finished, will not alter the balance of power between the two nations. And the officials have been told that it will not in any way undermine America's ability to destroy the Soviet Union in retaliation if the United States should be attacked first.

Pentagon officials, using the latest intelligence from spy satellites and other sources, say that the Russians have installed approximately 75 anti-missile missile launchers in sites around the periphery of the Soviet capital. When completed, they estimate, the Moscow deployment will have about 100 missile launchers.

AN INCOMPLETE RING

Work on some of the facilities in the suburbs around Moscow stopped in 1968. The ring around the city remains incomplete.

While at first puzzled by this slowdown in deployment, intelligence analysts now believe the reason was to upgrade the system's radar sets so they could track more incoming missiles simultaneously.

Unlike the American-designed Sentinel defense system, which employs both long-range Spartan and short-range Sprint missiles, the Moscow system uses only one missile type at present. It is called the Galosh, in Western military terminology.

The Galosh, like the Spartan, is a so-called exo-atmospheric missile. That means it can fly hundreds of miles into space to try to intercept incoming warheads well before they enter the atmosphere over the target.

Because of this capability, the Moscow system, which is partly operational, is believed to have the capability of providing a thin defense over a large part of eastern Russia, not just Moscow itself.

STARTED EARLY IN DECADE

But at a time when the United States has more than 1,700 missiles available for launching against targets in Russia, 75 or 100 Soviet interceptor missiles would not present much of a problem, American strategic analysts say.

Thus, at present, the Russian antimissile system is believed to be designed to protect against a small attack from one of the lesser nuclear powers, such as Communist China, France or Britain, as well as against a small-scale accidental or unauthorized launching of missiles from the United States.

The Russians have traditionally been defense-minded and have been deploying various kinds of missile defense systems since early in the decade. The first version, which was started around both Moscow and Leningrad in the early nineteen-sixties, was abandoned shortly afterward, presumably because it was not regarded as effective. There have been subsequent stops and starts on other systems in the Moscow area ever since.

DEFENSE AGAINST BOMBERS

A few years ago, the Johnson Administration became concerned about a large number of new defensive sites being emplaced along a wide arc of northeast Russia, passing through the city of Tallinn.

Subsequent study has convinced most of the intelligence community that the Tallinn system is designed primarily to defend not against ballistic missiles but against high-flying bombers and cruise missiles launched from such bombers. A cruise missile is a small pilotless bomber.

Some analysts believe the Tallinn system was designed to defend against the B–70 bomber, which was at one time advocated by the Air Force as the successor to the B–52 bomber.

The B–70 program was resisted by both the Eisenhower and Johnson Administrations, which consistently refused to spend some of the procurement funds repeatedly appropriated by Congress. The lone surviving development B–70 was recently consigned to the Air Force Museum at Wright-Patterson Air Base in Dayton, Ohio.

But because of repeated statements by Soviet Leaders about their desire to provide a good missile defense, the United States has for several years been pressing research programs to develop multiple warheads and penetration devices to thwart a large-scale Soviet missile defense, should it ever be deployed.

By flooding the Soviet airspace with swarms of separately guided warheads, the multiple warhead is meant to saturate and thus overwhelm the defense. The Minuteman 3 and Poseidon missiles are destined to carry from three to about a dozen warheads each. These multiple warheads are now being tested.

Administration officials hope that, once arms control talks begin, the Russians can be persuaded not to deploy a widespread missile defense. If both sides agree to install no more than a thin defense, or no defense at all, it may be possible to ban the deployment of multiple warheads by both nations, they say.

All this background is being provided to Defense Secretary Melvin R. Laird and Deputy Secretary David Packard, officials say, as part of their review of the previous Administration's Sentinel plan. A decision on whether the Nixon Administration will proceed with a missile defense system, either the one currently planned, or some revised version, should be announced early next month, according to Mr. Laird.

[From the Washington Post, Feb. 14, 1969]

SOVIETS OUTSPENDING UNITED STATES 3.5 TO 1 ON ABM'S, LAIRD SAYS

(By Robert C. Maynard)

Defense Secretary Melvin R. Laird said yesterday that the Soviet Union has been spending "a little more than $3.50 for each $1" the United States has spent for strategic defensive weapons.

Laird, appearing on NBC's "Today" show, thus de-escalated his previous statement on the subject during CBS television program "Face the Nation" last Sunday. At that time, he said first that the Russians "this past year have spent $4 for every $1 we have spent on anti-strategic weapons systems." He then cut the ratio to $3.70 to $1.

The Pentagon could not provide the basis for Laird's figures yesterday because they are classified, but elsewhere in the Government, a high official with access to both U.S. spending and Russian spending said the ratio is exaggerated.

For anti-ballistic missiles, the official said, "We are spending at least as much as the Russians are."

DOLLAR GAP QUESTION

The question of a dollar gap is the latest in a series of controversies springing up around the Sentinel anti-ballistic missile system (ABM).

Deployment of the ABM, estimated variously to cost $6 billion to $9 billion was halted earlier this month pending a Pentagon review. Critics protested both the cost and plans to locate the systems in or near some of the Nation's most densely populated cities.

The purposes of the system, also a subject of controversy, have been stated by the Army and the Department of Defense as these:

To defend the United States for the next decade or so against emergent Communist Chinese nuclear power. The Chinese, Laird said yesterday, will be able to test-fire an Intercontinental Ballistic Missile (ICBM) within 18 months, at which time they will have 18 or 20 such weapons.

To advance American technology in the field of antimissile defense to a point where the country will be able to defend itself against a large-scale missile attack.

ARGUMENT OF CRITICS

Critics of the program have argued that such a defense is all but impossible and that building such a system, at costs that could pass $50 billion over the years, will only lead to a new arms race between the two superpowers.

At costs for research and development exceeding $300 million a year, the Pentagon is developing a Sentinel system in two parts that is intended to knock down enemy missiles when they threaten this country.

The first and long-range part is the Spartan and the smaller, short-range missile is the Sprint.

The weakness acknowledged by the Pentagon in the system is that it can be overwhelmed by more enemy missiles than American Sentinels can knock down.

Laird pointed to that problem yesterday by saying that the Russians are moving ahead in the missile race.

"I believe you will find," he said on the "Today" show, "that the number of ICBMs and long-range missiles which they have equals or is more than the number the United States has."

[From the Washington Post, Feb. 16, 1969]

BID BY RESOR TO SELL PUBLIC ON ABM TOLD

(By Philip Geyelin)

Secretary of the Army Stanley R. Resor proposed to his superiors in the Defense Department last fall a massive public relations campaign to counteract scientific and political opposition to the controversial Sentinel system for destroying enemy missiles.

The Resor proposals, outlined in a classified, five-page memorandum to then Secretary of Defense Clark Clifford, were a follow-up to a major pro-Sentinel campaign launched in March, 1968, months before Congress had even approved the initial funds to develop the system.

This "public information" or propaganda effort on the part of Resor and other officials was rationalized in the Army Secretary's memorandum to Clifford last Sept. 30.

Resor wrote:

"Several highly placed and reputable U.S. scientists have spoken out in print against the Sentinel missile system."

PROCEDURE SUGGESTED

Among these scientists, Resor's memorandum said, were Dr. Hans Bethe, Dr. George Kistiakowsky and Dr. Jerome Wiesner. To deal with them, Resor proposed the following:

"Although it is difficult because of security aspects to answer the technical arguments used by these men against Sentinel, it is essential that all possible questions raised by these opponents be answered, preferably by nongovernment scientists.

"We will be in contact shortly with scientists who are familiar with the Sentinel program and who may see fit to write articles for publication supporting the technical feasibility and operational effectiveness of the Sentinel system.

"We shall extend to these scientists all practical assistance."

This fragment from Resor's five-page memorandum to Clifford is a small sample of the comprehensive public relations campaign by the Army Department to sell the Sentinel to the American public and to counteract critics in Congress and the scientific community.

KNOWN AS ABM

The Sentinel is the name given to what is otherwise known as the ABM, or antiballistic missile system designed to intercept and destroy with nuclear warheads, incoming offensive ballistic missiles.

It has been the center of a growing controversy since former Defense Secretary Robert McNamara announced the decision for a limited or "thin" deployment of the weapon, largely to counter the threat of Chinese nuclear missiles in the 1970s.

Opposition comes partly from those who fear it will prejudice arms control talks with the Russians, partly from people living close by the dozen or so population centers (Boston, Seattle, Chicago, Detroit, Los Angeles, among others) where Sentinel sites are planned.

Resor's memorandum last September came at the climax of a Congressional debate over Sentinel funds; final approval of the initial money was voted a few days later. The memorandum was accompanied by a much more detailed, 17-page "master plan" for a "public relations/public affairs program on a countrywide basis."

And this longer memorandum, signed by Lt. Gen. Alfred D. Starbird who manages the Sentinel project, was, in turn, based on a still earlier "Sentinel System Public Affairs Plan," which had been authorized in March of last year.

Apparently Resor and the Army did not believe the earlier effort was adequate. "There is public confusion regarding the necessity for the Sentinel System deployment decision and of our need to acquire particular geographic areas for use as Sentinel operational sites," he told Clifford in the September memo, adding "I feel it essential that the Army undertake a time-phased public affairs program to provide information to dispel this public confusion." With some foresight, he warned that "further and expanded opposition to the Sentinel decisions may occur with the passage of time."

Though the plans outlined by Resor centered on efforts to win public acceptance of the Sentinel in the communities where Sentinel sites are contemplated, the campaign was to be far broader and more comprehensive than that, both as to content and technique.

OTHER ANGLES

In addition to the effort to promote friendly magazine articles from leading scientists, it included plans for:

A broader campaign to win over hostile Senators and Representatives, with personal visits from high officials, including classified briefings to all Congressmen whose states or districts would be directly affected, whether or not local opposition had developed to Sentinel deployment.

An expanded program of similar "orientation visits" to a wider assortment of state, county and city officials, beginning with Boston, Seattle and Chicago, where much of the trouble had developed.

Special calls on local editors and publishers, again beginning with Boston, Seattle and Chicago but extending to all other localities destined to become Sentinel sites.

"A transportable display exhibit" for use in communities "impacted," to use the Army's term, by Sentinel sites, and featuring "pre-taped voice commentary," visual aids and mockups to explain, among other things, "casualty reductions projected by the effective presence of Sentinel during a possible enemy offensive ICBM attack against the United States."

A strong plug for the Sentinel in the President's (Johnson) State of the Union Message.

An invitation to newsmen to witness firings of the Sprint missile at White Sands Missile Range in New Mexico and the Spartan at Kwajalein (both are part of the Sentinel system) as part of an expanded program to "bring home to the public" the "message as to Sentinel progress, developments, and accomplishments."

Preparation of "an information-packet" to be distributed to all interested citizens or Government officials "having questions on the Sentinel system," and to include "authoritative speeches," interviews or other statements about the strategic need, the cost and the feasibility of the project.

Though the Resor memorandum deals only with public relations aspects of the Sentinel system, it was classified for security purposes. For this reason, the Defense Department declined to discuss it in any detail.

One official did say, in response to an inquiry, that public relations efforts on behalf of the Sentinel project have not been included in the current freeze on work at the missile sites, which is part of a general review of Sentinel policy.

Another official indicated that there would be nothing "extraordinary" about such a public relations campaign, and said it was patterned after similar efforts made to publicize and make more politically palatable the Nike series of missiles. While nobody would flatly confirm that the plan had been put into effect in exactly the form set forth by Resor and Starbird, the feeling seemed to be that a campaign of this kind was standard procedure and would have won top-level approval almost as a matter of routine.

Whatever the case, the mere existence of the proposal tells something about the intensity of the military pressure behind the Sentinel; the resourcefulness of the Army's public relations operations; and the apparent indifference of the Army to the question of whether what they are propagandizing in Congress and across the country has become, with Congressional funding and approval, an actuality or merely an Administration proposal.

EXTENT DISCLOSED

Also illuminated is the length to which the Army was apparently prepared to go in pushing the Sentinel, not merely as a "thin," primarily Chinese-oriented weapons system, but as a first step towards a "thick" ABM system. This is thought to be the real objective of Army strategists.

But the Johnson Administration and the Defense Department, under both McNamara and Clifford, insisted that the ABM be viewed as an anti-Chinese system, with only marginal significance in the added protection it might give against Russian attack. It was not, at any rate, to be thought of as a first step towards a "heavy" anti-Soviet system.

Gen. Starbird's "master plan", for example, sets a broad policy line for the public relations campaign. "The thrust of the program will be directed primarily toward explaining the military requirement and strategic concepts inherent in the Sentinel deployment decision," he said in his detailed outline of the program. "As subordinate but related goals," he added, "the program will emphasize that:

"The Sentinal System is specifically designed to meet a strategic defensive military requirement;

"That is being deployed in an efficient and economical manner;

"That it is designed to provide a defense against a possible Communist Chinese nuclear ICBM attack in the early 1970s;

"That it provides added protection of our population against a possible accidental ICBM launch by any one of the world's nuclear powers;

"That it represents a basic step toward defense against the Soviet ICBM threat to the United States should national policy so direct."

The Starbird proposals also envisage a degree of interplay between the Army and private industry engaged in Sentinel work. "The provisions of this plan apply to all U.S. Army elements and to all individual industrial firms and civilian contractors participating in the production and deployment of the Sentinel System," his memorandum states.

Although it is not clear exactly what the word "apply" means in this instance, the memorandum includes this instruction: "Personnel affiliated with the Sentinel Public Affairs Program will cooperate and coordinate with industry on public relations efforts by industries involved in the Sentinel Program."

The General's 17-page prospectus while infinitely more detailed than Resor's summary memorandum, is also a good deal less intelligible. There is much talk of "Phase II (c)" and "responsive implementation of policy guidance" and instructions to "CG, ARADCOM", for example, calling on him (or it) to "support and assist the Sentinel information and public affairs activities of SENSCOM, USAEDH, SENLOG, STRATCOM and SENSEA."

But the message gets through, on careful reading. It is that an extraordinarily intricate and comprehensive campaign is intended, down to the details of kit folders, biographies and photos of "key service personalities associated with the Sentinel System Program," and "photos or artist-concept sketches of Sentinel missiles, radars, site layouts and test or training installations."

There is a command that "magazine articles will be prepared by Army staff members. . . for submission to military, scientific and professional journals and publications that are service sponsored or oriented" and also an order to all hands to "encourage and assist in the preparation of magazine articles . . . by civilian scientific or technical writers of national stature.

In no uncertain terms, "officials granting interviews" to newsmen are told to be prepared, and outgiving on the positive side of the Sentinel project. "Every effort will be made to anticipate the questions that will be asked by the interviewing reporter." In special cases, where it would be helpful, requests to declassify material "which is responsive to the anticipated questions" are encouraged.

Exhibits, a library of useful quotations, a standard briefing text, a special "Community Relations Briefing Text", an "Operation Understanding" which would enlist the participation of local civilian leaders, film clips of missile flights, taped interviews, and other "newsworthy items" for use by commercial radio and television—all these and more are carefully set forth in Gen. Starbird's "master plan" for selling the Sentinel.

[From the Washington Post, Feb. 17, 1969]

THE BIG ABM BRAINWASH

There is more, obviously, to the Great Debate over the Sentinel ABM System than has hitherto met the eye, judging from a report on the front page of this newspaper yesterday. The report told of two memoranda to former Secretary of Defense Clifford last fall. One was from the present Secretary of the Army, Mr. Stanley R. Resor, and the other, a supporting document from the manager of the project to build the Sentinel System, Lt. Gen. Alfred D. Starbird. Together they spelled out in breathtaking detail a complex and comprehensive public relations—not to say propaganda—campaign to convince the American public, and Congressional critics, and wayward scientists and the citizens residing in or around prospective Sentinel sites that in every way these weapons are good for you.

A perfectly respectable case can be made that, within reason and suitable limits, they are: something must have recommended the project to two successive Defense Secretaries in the Johnson Administration. And if the Sentinel is not in fact as essential to our security as it is said to be, there would still be nothing wrong about the Army arguing the point. We pay our miitary men to tell us what we need for our safety, and we expect their civilian leaders and the Congress to weigh the merits of the military arguments, and cast them up against our other priorities, and make a judgment that takes more than the military view of things into account.

So there is no quarrel here with the right of military men to make their pitch and there was very little in the Resor and Starbird memoranda that added anything new to the Army's argument. What the Army was proposing to say about the Sentinel, in short, was not the startling thing about these memoranda to Mr. Clifford. What was astonishing and disturbing—the part that had not met the eye—was the way the pitch was to be made, the sweep and intensity of the Army's intended campaign. That, and the plain evidence that an important part of the whole operation was clearly calculated *not* to meet the eye; the Army's hand was not supposed to be visible. That's what is genuinely unsettling—the suggestion, for example, of clandestine complicity with the contractors for the Sentinel program in carefully coordinated public relations undertakings to tout the virtues of this weapons system; the unabashed intention to plant or inspire favorable magazine articles by scientists who are proponents in direct response to opponents of the program within the scientific community.

"Several highly placed and reputable U.S. scientists have spoken out in print against the Sentinel missile system," Mr. Resor wrote to Mr. Clifford, and after naming a few of them (Hans Bethe, George Kistiakowsky, Jerome Wiesner) and complaining of the difficulty of replying without disclosing secrets, he went on to say:

"It is essential that all possible questions raised by these opponents be answered, preferably by nongovernment scientists.

"We will be in contact shortly with scientists who are familiar with the Sentinel program and who may see fit to write articles for publication supporting the technical feasibility and operational effectiveness of the Sentinel system.

"We shall extend to these scientists all possible assistance."

So there it is, and what are we to make now of the next learned dissertation published by a scientist in favor of the Sentinel? Will it be his handiwork, or General Starbird's? And what are we to make of some of the other aspects of this campaign—the instructions proposed by the General, for example, that "personnel affiliated with the Sentinel Public Affairs Program will cooperate and coordinate with industry on public relations efforts by industries involved in the Sentinel Program"? Will Army officers write the advertising copy, or merely furnish the photographs of successful missile shots?

There is less to be said against some of the other, more conventional plans, for a heavy round of visiting with Congressmen and Governors and Mayors and community leaders and editors and publishers, for example, except that you do have to ask what all this is going to cost: the junketing, the mobile displays, the preparation of information kits and a library of useful quotations, the film clips and taped interviews and all the rest.

But mostly you wonder whether this isn't too much—too covert, too all-pervasive, too overpowering. For if this is standard operating procedure, as they say, for the Army, and for all its works, it presumably is standard for other services, too. And this adds up, in our view, to a good deal too much brainwashing of the American public and a good deal too much intrusion by the military into American political life.

If this is what's going on, it is too much. In any case we'd like to know. The Sentinel is too serious an issue to be settled by an Army propaganda campaign, on the one hand, or by a counter-reaction to such a campaign, on the other, by the antipathy to the idea of the citizens in one community, or by anything other than the merits of the matter and a balanced reckoning of where our national interest lies. That the Army should embark on so massive a public relations campaign, so far in advance of Congressional approval of the project, and by the use of such dubious methods, is a thing apart, though no less important on that account, and one which we would hope the Congress, would also like to know a good deal more about.

THE 51ST ANNIVERSARY OF LITHUANIAN INDEPENDENCE

Mr. GOODELL. Mr. President, I wish to join Senators in paying tribute to a brave people who have long endured hardships in the cause of freedom.

Fifty-one years ago this week, Lithuanian independence was proclaimed, ending more than 100 years of suffering under the oppressive czarist regime of Russia. During the next 22 years the Lithuanian people briefly enjoyed freedom under their own democratic government, making great progress in the fields of education, land reform, and social welfare.

Lithuanian independence, so hard won, was not long lasting. Soon after the outbreak of World War II Lithuania was occupied by the Soviet Union, and then for a while she had the misfortune of being placed under Nazi rule. The Lithuanians have suffered and endured indescribable hardships and misery under this first Russian, then German, and again Russian subjugation; nevertheless, they have continued to yearn for freedom from their oppressors, and to work for a truly independent Lithuanian state.

On the observance of this 51st anniversary of Lithuanian Independence Day, we must all hope and pray for the freedom of the Lithuanian people.

FEDERAL-STATE COOPERATION ON THE DRUG PROBLEM

Mr. BAYH. Mr. President, growth in the use of illicit drugs is now recognized as a major factor in the widespread increase of major crimes throughout the country. In an attempt to combat this illegal traffic, I am pleased to note that Indiana State and local officials are cooperating with Federal officers in a new and unusual program. Agreement has been reached that a tax of $100 per ounce will be levied by the Internal Revenue Service on all illegally possessed marihuana that is seized by State and local officers, and that any person withholding information about the theft, use, or possession of narcotics will be liable to arrest in Marion County, and the evidence will be presented to the grand jury for possible indictment.

This new cooperative approach was described in an article written by Rick Johnson and published in the February 12, 1969, issue of the Indianapolis Star. Because this unique experiment will be of interest to others who are seeking solutions to the naroctics control problem, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COUNTY TO HIT WITNESS SILENCE ON ILLICIT DRUGS

(By Rick Johnson)

Federal and Indiana authorities have taken two new and drastic steps in the battle against marijuana and against those who withhold information about the theft, use or presence of illicit drugs.

They are:

1. The Internal Revenue Service will tax at the rate of $100 an ounce or any part of an ounce all illegally possessed marijuana that is seized, beginning immediately. Police will notify the Federal authorities of all seizures.

2. Persons who withhold willfully from police information concerning the theft, use or presence of narcotics and dangerous drugs will be liable to arrest in Marion County. The evidence will be presented to the grand jury, with indictments possible on several charges.

The idea for employing the Federal taxation of illegaly possessed marijuana against Hoosier drug pushers was originated by the Indiana State Police.

Formerly, the Internal Revenue Service levied the tax only against individuals who were arrested by Federal narcotics agents.

State police are in the process of notifying all police agencies in the state regarding the correct procedures to follow to inform the Internal Revenue Service of marijuana seizures.

The Federal Government is acting in accord with the 1937 Marijuana Act which specifies that before any person may possess marijuana legally, he must have a permission form, signed by the director of the Bureau of Narcotics and Dangerous Drugs, as well as pay a tax of $1 an ounce. Those holding it illegally are taxed $100 an ounce.

The only legal possessors of the permits are research laboratories such as the Indiana State Board of Health.

Once police seize marijuana, the confiscated drug will be weighed and a certificate stating the weight and proof that the person had no legal authorization to have it along with other data, will be sent to the Internal Revenue Service.

That agency will make the tax assessment against the individual involved.

Any personal property possessed by the person implicated could be confiscated by the Federal government for payment of the tax.

Lt. Richard A. Jones of the Indianapolis Police Narcotics Bureau and Sgt. John Ferguson of the Indiana State Police said the possession of even one marijuana cigarette by an individual could cost a $100 tax, without consideration of later punishment if the individual is convicted of violation of the 1935 Narcotics Act.

Both policemen said they believe the Federal measure will serve as a deterrent to the possession, transportation, sale and use of marijuana.

Last spring, several hundred pounds of marijuana were confiscated by police at the height of the harvesting season. If such seizures are repeated this spring the possessors will be liable for taxes totaling thousands of dollars.

Locally, Marion County Prosecutor Noble R. Pearcy said his office will investigate circumstances, uncovered during police investigations, which reveal persons willfully withheld from police information involving theft, use or presence of narcotics and dangerous drugs.

Police investigations have revealed that periodic confiscation of dangerous drugs and marijuana have been made by teachers and school officials and no reports were made to police.

"Most school officials do not want the publicity which would arise from such police investigations," Jones said.

Other investigations disclosed that information regarding theft from either drug manufacturers, wholesalers, hospital pharmacies or drugstores also have been withheld from the police.

"Seldom do we receive information from these people regarding persons they suspect of theft and trafficking in drugs. If we did receive these tips it would allow us to keep the suspects under surveillance and possibly make arrests," Jones said.

"I will review every case brought to my attention by narcotics investigators," Pearcy said. If it is obvious that information and evidence have been withheld purposely to prevent a person from being prosecuted the evidence will be presented to the grand jury."

Pearcy said indictments could be returned by the grand jury against the individuals involved on a variety of charges, including accessory after the fact to violation of the 1935 Narcotics Act or the Dangerous Drug Act.

"We have a serious problem in this community with narcotic addicts and drug abuse," Pearcy said. "I'm not interested in hiding the facts and the responsible members of the community should not want to run from the problem or allow it to exist through their apathy.

"If we are to reduce this dangerous traffic and abuse in narcotics and drugs among our teen-agers then we must work together.

"And if persons get caught withholding information which could assist police and this office in breaking up the racket, they will answer to the law."

ATTORNEY GENERAL MITCHELL SPEAKS OUT ON CRIME

Mr. HRUSKA. Mr. President, our distinguished Attorney General, Mr. John N. Mitchell, has taken office at a time when crime in this country has reached critical proportions. The daily toll in lives and property is staggering. It is an understatement to say that the situation is grave.

Mr. Mitchell holds a position of great trust. People look to him and to the Department of Justice for swift, impartial enforcement of Federal law. They expect this agency, and its chief officer, to serve as archtype in delivering equal justice to all—poor or rich, black or white.

But the people also look to this agency and to the Attorney General for another kind of leadership. They ask leadership for a forceful attack upon crime. They do not want the Federal Government to usurp local or State authority or to hobble local police forces with any kind of Federal yoke or dictum. But they do ask our National Government to assume responsibility and to provide guidance where it is needed.

Mr. Mitchell has been in office only a few weeks, yet he has already demonstrated his acute knowledge of crime's complexities and his sensitivity to the people's mandate. He is a man who starts at the bottom of a problem and works his way up, and before he is done, he knows all there is to know about the problem. That is a good description of what is needed now in an Attorney General who must deal with the web of problems that surround our law enforcement and criminal justice systems.

We are fortunate to have a man of Mr. Mitchell's caliber, with his gift for organization and efficiency, at the helm of the Justice Department.

In his first major speech, delivered in San Francisco before the National Council on Crime and Delinquency, Mr. Mitchell made it clear that he and his administration will mount a forceful war on crime.

For a war to be successful—to be won—everyone must help. Mr. Mitchell proposed such a war.

He urged the people of this country—business, industry, civic groups, and individuals—to enlist in a citizens' war on crime. This would be a volunteer campaign, pooling talents and funds. There would be a private war chest. Americans would give their dollars to fight crime just as they have done to eradicate polio, tuberculosis, and other crippling diseases.

Americans are deeply concerned about crime and they are ready and willing to help do something about it. The citizens' war proposed by Mr. Mitchell would give them that opportunity.

President Nixon is also considering three proposals that would put the Federal Government in a position to help the citizens' crusade. There would be a Cabinet-level Council on Law Enforcement, a National Information Center, and Government-sponsored "town hall" meetings throughout the country.

Mr. President, I ask unanimous consent that the Attorney General's address on February 3 to the Conference on Crime and the Urban Crisis of the National Emergency Committee, National Council on Crime and Delinquency, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY JOHN N. MITCHELL, ATTORNEY GENERAL OF THE UNITED STATES

I come to you this evening to talk about crime—one of the most critical issues of our day. And I come, not only as Attorney General, but as a lawyer and a citizen desperately searching for ideas and solutions.

You and I—here in the relative security of this ballroom—must not take comfort in the historic palliative that crime is an old phenomenon. It is true that crime has always afflicted human society. It is also true that all civilized societies have dedicated their resources to control crime—to establish and maintain a code of conduct to serve the needs of the people.

We have read of the aristocratic ideals of Plato's Republic with its cynicism toward popular justice. The simplistic philosophy of the talionic law—"eye for eye." The complex syllogisms of feudalism borrowed from Imperial Rome.

The American public must not be mollified by recollections of the past as in San Francisco 100 years ago when—and I quote from a journal of the period—"No decent man was in safety to walk the street after dark, while at all hours both day and night, his property was jeopardized by incendiarism and burglary."

In this nation, we continue to combat crime drawing on the philosophies of the great common lawyers of the 17th and 18th centuries—on Coke and Blackstone—and on the enlightment principles of Jefferson and the Framers of our Constitution.

The goal of our nation is freedom and personal dignity for all our citizens. And we have yet to prove to the world that, in the long run, this constitutional experiment will endure.

Today, crime has assumed a new and frightening dimension which is casting in doubt our traditional ability to be the free and independent men that our forefathers were.

The simple fact is that crime is intimidating us—is forcing us—to change the fabric of our society and our inability to control crime is a courtship with national disaster.

THE FACTS

The tragic statistics are a matter of public record. The most recent F.B.I. bulletin reports that crime rose 19 per cent in the first 9 months of 1968 over a similar period in 1967: that the total number of crimes reported in 1968 will be about 4.6 million or about three quarters of a million more crimes than in 1967.

This year, one out of every 50 citizens will be the victim of a crime and one out of every 20 juveniles will commit a criminal act. Juvenile crime is increasing 300 per cent faster than the increase in the juvenile population.

In the cities, the facts are even more compelling. Our urban areas have 250 per cent more serious crime than our suburban areas and 500 per cent more crime than our rural areas. For example, in crimes of personal violence, a Negro housewife in the city is many times more likely to be mugged and assaulted than a suburban housewife.

Estimates for the future are bleak. The National Crime Commission said that in the next decade crime will increase more rapidly than the population.

The costs of crime continue to grow. In 1967, it was $27 billion; in 1968, $31 billion—a cold evaluation that does not consider the emotional scar of a disabled victim or a family whose young son must be sent to a penal institution.

The gravity of the problem now reaches out further than the individual victim and the criminal—further than the computerized statistics which cross my desk every day in despondent volume.

Fear of crime—by the housewife and the school child, by merchant and the laborer—fear is forcing us, a free people, to alter our pattern of life, especially after sundown.

There is an increasing tendency to withdraw from our neighbors, to fear all strangers and to limit our activities to "safe" areas.

The result is a terrible sense of defeat. Those who have fled from the city find increasing crime in the suburbs. Those who have stayed have found muggings and riots. Those who have hoped for a quick and simple solution have found no effective programs forthcoming.

The evidence is conclusive. Crime is crushing us. Despite a substantial federal role, the trend has not been reversed.

And thus, I must repeat to you what President Nixon said in his inaugural address:

"We are approaching the limits of what government alone can do."

We must reach beyond government and enlist the "legions of the concerned and the committed."

POTENTIAL FOR CITIZEN PARTICIPATION

The tradition of this nation is founded on the voluntary participation of its citizens in solving great problems. When disaster comes—rank and station, race and ethnic background, democrat and republican—we have joined and together we have prevailed.

The bitter divisions in the Concord Town meetings of 1775 were forgotten at the bridge. The bitter divisions of the 20th century are forgotten in the jungles of Vietnam.

I use these battle metaphors purposely in asking you to enlist in the war against crime.

As you know, we have a tradition of citizen action in crime control. The father of the American probation system was a Boston shoemaker who volunteered to rehabilitate alcoholics in 1841. Since 1907, the National Council on Crime and Delinquency, starting with one office, has expanded to 21 states with a broad program of anti-crime projects.

Today, millions of Americans want to enlist. Throughout the recent political campaign we heard: "What can I do? I am willing to help."

In a recent poll conducted for the Joint Commission on Correctional Manpower, it was reported:

"At least 10 percent of the public would be interested in serving as volunteer workers in juvenile programs, in helping to get jobs for ex-prisoners and in working on citizen committees on organized crime—if asked"—ladies and gentlemen—if asked.

We know these volunteers can help. There are more than one million independent volunteers organizations in the United States; 320,000 churches with more than 100 million members; 2,000 united funds and community chests; 35,000 voluntary hospitals; 6,000 private foundations; 100,000 voluntary welfare organizations; 36 million Americans in fraternal and service organizations. A nationwide poll estimates that 61 million adult Americans would contribute 245 million manhours every week to voluntary activities. Now they must be enlisted to fight crime.

Individuals can enlist. In Royal Oak, Michigan, retired businessmen, corporation executives and lawyers give their time to work with young people on probation.

Civic groups can enlist.

Kiwanis International has an anti-delinquency campaign, and its pamphlet, "You and the Law" reaches thousands of schools. It brings together police and students to discuss crime before crime is committed.

Corporations can enlist. The Aetna Life and Casualty Company has made a material contribution to the rehabilitation of offenders with "bonabond" program. This plan, run by ex-offenders, supplies performance bonds which often make the difference between a job for the released offender and a return to a life of crime.

Professional groups can enlist.

The American Bar Association has operated effective programs on the local level through its Criminal Law Section and its Special Committee. The National Advertising Council drew up a National Auto Theft Prevention Program.

Similarly, the Boy Scouts, the Chambers of Commerce and hundreds of others have engaged in significant volunteer projects.

There can be no doubt that Americans are willing to carry on the voluntary tradition in the war against crime.

There should be no doubt, either, about the position of the Administration and the Department of Justice.

We are pledged to seek, to encourage and to cooperate with the private sector. "What has to be done," President Nixon has said, "has to be done by the government and the people together."

We are now anxious to give our support to anticrime activities which will draw millions of volunteer manhours and dollars to the tasks of criminal justice.

MAXIMIZING EFFECTIVENESS

The main problem is maximizing the effectiveness of private sector participation—by professional organizations, voluntary groups, foundations, businesses, labor organizations, and individuals. How can we assure high quality anti-crime programs which are adequately planned, staffed and funded?

As a preface to this answer, I must emphasize to you my belief that crime is basically a local problem and must be solved on the local level. You know—or you should know—the potential of your local law enforcement agencies, your local courts and your local penal institutions. The federal government has a role—a critical one. But we, 3000 miles away in Washington, have no intention of managing your community affairs.

I must also emphasize that crime is a complex problem. There is ghetto crime and suburban crime, street crime and organized crime, adult crime and juvenile crime. And even within these categories, there are important differences. Take murder, for example, 87.8 per cent of all homicides occur between acquaintances or relations. We cannot hope to prevent many of these crimes with the usual police patrols. Crime control in this offense category depends in large part on family counseling, on police units specially trained for family disputes and on family courts.

Crime control is more than a matter of apprehending law violators. It reaches out to broad social problems of poor housing, poor schools and lack of employment—issues which touch on the deepest divisions in our society.

Thus, if crime is to be reduced—assaulted effectively on the local level—there must be professional guidance and cooperation between the government institutions and the private sector. Crime will not succumb merely to money and good intentions. Indeed, the amateur cure-all program—no matter how well motivated—could prove damaging in the long run.

The type of expertise which is needed can be provided in large measure by the professional private organizations. You are familiar with these groups—the National Council, the American Bar Association, the International Association of Chiefs of Police, the Citizens for Justice with Order and others. They are knowledgeable in the crime field. Their organizations include persons with vast experience in matters of court personnel, prison administration, prosecution, and education. It is to these professional groups—many of whom are represented here—that civic organizations, fraternal organizations and other private groups must turn for guidance.

It further would appear that the most effective way to secure coordination of local government and the private sector is through the establishment of local crime coordinating councils—councils composed of official representatives from law enforcement, the courts, the corrections system, and the social welfare agencies as well as representatives from private professional groups, volunteer organizations, and private enterprise.

These local councils would have access to all of the information which is necessary for determining local priorities. They would also establish over-all plans, eliminate duplication, aid in providing staff and funding and integrate the efforts of each group in terms of the total local crime situation.

We already have examples of what occurs when there is no coordination. In Detroit, after the riots, the local bar association marshaled round-the-clock teams to provide representation for arrested persons. But no special provision was made at the prosecutor's office, which was so overwhelmed with paperwork that cases were delayed.

In Washington, teams of young lawyers went to the precincts at night to provide regular counsel to arrested persons. But their detailed reports of their interviews were of little use. Liaison had not been established between these night time volunteer lawyers and the persons who represented the arrested men during the day.

Suppose there is a massive drive to increase police manpower but no similar drive to clear court backlogs? Suppose there is a major effort to train convicts but no program to employ them?

Another critical factor in volunteer participation is, of course, money. While the Federal government can contribute substantially, it will not be enough to underwrite the entire nationwide program against crime.

Only with the aid of the private sector can we hope to fulfill our needs. Last year, for example, United Fund Campaigns raised a total of $669 million. If only 10 cents out of every dollar contributed went to fight crime, that would be $66 million—an amount greater than the 1969 budget of our Federal Law Enforcement Assistance Administration.

In addition, money spent by the private sector on crime prevention has impressive cost effectiveness. Some of you are familiar with the NCCD's Saginaw project for maintaining offenders in the community under adequately staffed probation services. The costs of this project were small, but its success did away with the need to spend $42 million on new prison cells in Michigan and an estimated $90 million for maintaining prisoners and their families over 10 years.

At the present, there is no private war chest for combatting crime.

The logical approach would be a voluntary program to raise money for crime projects. This fund raising could take the form of a unified national drive bringing together voluntary organizations, professional groups, businesses and even individuals.

Here again, there is a need for careful planning and cooperation among the private sector. It would seem advisable that—on a national scale—they pool their fund raising efforts and coordinate their project planning.

It would seem a waste of effort for a number of groups to approach the same local banker a number of times for anti-crime funds. It would seem a waste of volunteer and professional talent for a dozen groups to have prison rehabilitation programs and none to be concentrating on the courts.

I believe that a United Anti-Crime Fund would be a most welcome financial program and one that would offer the private sector the greatest opportunity to utilize its potential.

THE FEDERAL ROLE

And now that I have suggested the broad outlines of what you—the private sector—may wish to do, let me outline what this Administration can do.

We are not, as were past Administrations, interested in concentrating crime programs in the federal government. Washington shall not set the policy for the states and local governments. Further, we believe that one of the great strengths of the private sector is its imagination and initiative.

Thus, the first pledge of this Administration is to listen to the private sector—to listen to your ideas, your problems and your solutions. Be assured that both, here in San Francisco and in Washington, we shall listen and learn.

We also pledge to cut through the red tape which frequently overwhelms any attempt by private groups to reach government officials. We shall open channels of communication at the Department of Justice.

When you wish information, it will be made available promptly. Your letters will not lie unanswered. You will not become lost in the bureaucracy when you call for help. There will be prompt assistance for citizens interested in anti-crime programs.

To further facilitate the work of the voluntary agencies, the President is considering implementation of three proposals made during the campaign:

These are:

A cabinet level Council on Law Enforcement.

"Town Hall" meetings on the crime problem.

A National Information Center.

Permit me to elaborate.

The Council on Law Enforcement could be comparable in stature, purpose and responsibilities to the newly formed Urban Affairs Council and the National Security Council. It would have the duty of suggesting overall policies of the Federal government, of adjusting the Federal-state relationship on major crime control programs and their funding, and of delineating national priorities for this combined government-private sector cooperation.

The second proposal—the "Town Hall" meetings on crime—would be held in a number of large cities and small communities. Under the sponsorship of the President, the average citizen could come to tell his side of the story about what is happening on Main Street and what he thinks his government ought to do.

The third campaign proposal—a National Coordinating Information Center—would be a clearing house for the hundreds of projects. If you wished to know how a community successfully attacked its skid row problem, the Information Center could guide you to the public and private sources of information. It could offer you a list of organizations which have trained personnel to help you establish your project. It could lead you to available funding in and outside the government.

Finally, I wish to offer you the help of the Law Enforcement Assistance Administration which is part of the Department of Justice.

Created by Congress under the Crime Control Act of 1968, the Law Enforcement Assistance Administration has authority to make grants to public agencies, to institutions of higher learning and to private organizations. The projects which it funds may pertain to any aspect of criminal justice and the projects may be of an experimental or demonstration type.

During the last fiscal year, the Law Enforcement Assistance Administration provided almost $60 million to the states in block grants which they, in turn, could make available to local governments and qualified private groups. Generally, these grants are earmarked for two types of projects: planning projects and action projects for police, the courts and the correctional systems. The Administration may also fund private projects directly. In New York, a private group has received funds for a volunteer bowery project. Another group has received funds to investigate prison problems.

Next year, the LEAA is authorized to grant $300 million for crime control programs. A major part of this massive infusion of funds will be on the state level and some of it should be made available to worthwhile private projects.

Thus, with a privately financed United Anti-Crime Fund plus special funding from the Law Enforcement Assistance Administration, the private sector could have a firm foundation for a well-coordinated, well-financed and well-planned assault on society's age old enemy.

But let me leave you with one final thought: Crime is deep-rooted and ugly and its defeat will take many years of hard work. If your volunteer project is with juvenile delinquents, be prepared to face rejection. If your project is prisons, be prepared to face despondency and failure—symbols of the urban crisis. Be prepared to face poverty and ignorance, human misery and obscenities. Be prepared to endure and to fight long and hard.

UNITED STATES-CHINA RELATIONS

Mr. COOPER. Mr. President, on January 24 the senior Senator from Oregon (Mr. HATFIELD) delivered a most thoughtful and far-reaching study on the question of United States-China relations. In his paper prepared for the Symposium on United States-Japanese Policy Toward Communist China, at the Center for the Study of Democratic Institutions in Santa Barbara, Calif., Senator HATFIELD wisely commented:

> We have outgrown the era when we could rely on our sheer power and military superiority to keep the peace and to compensate for an inadequate understanding of the world. If we are to make rational foreign policy decisions and survive in a nuclear age, we are going to have to develop a much greater understanding of other nations; their views, motivations, culture and history. Perhaps the greatest threat to peace does not lie in the world's vast arsenals, but in our ignorance of each other.

Because of its importance, I ask unanimous consent that this paper be placed in the RECORD at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

POSITION PAPER PREPARED BY SENATOR MARK O. HATFIELD FOR SYMPOSIUM ON UNITED STATES-JAPANESE POLICY TOWARD COMMUNIST CHINA, CENTER FOR THE STUDY OF DEMOCRATIC INSTITUTIONS, SANTA BARBARA, CALIF., JANUARY 1969

American foreign policy is often forged in the heat of crisis rather than hammered out with the wisdom of foresight. It frequently happens, then, that policy becomes obsolete even as it is being shaped: it is designed to serve circumstances which rapidly cease to exist.

So it has been with United States policy toward Communist China. While it is easy to understand and find some rational foundation for this policy as it grew out of the Korean War, our rigid approach of "isolation" and "containment" rapidly became inadequate as the basis for our relations with Communist China.

It has been obvious for some time that our attempts to isolate China have served no constructive purpose. In the beginning we had hoped rather vaguely that, by cutting China off from contact and trade with other nations, the Communist government on the mainland would collapse or be modified. Although it might be argued that the current upheaval in China is partially the result of our policies of isolation, it is difficult to identify any long-term gains in terms of world stability that have been gained from this disruption. The Chinese Communists remain in firm control of the People's Republic of China and our policy of isolation has done just the opposite of modifying their policies. Nevertheless, our attempts at isolation continue, for no well-defined purpose and to the disservice of our national interests and our desire for the easing of world tensions.

Our policy of isolation contained a built-in boomerang. In order to isolate China, we had to persuade our allies to join with us in denying the Communists recognition as the genuine government of the mainland; to deny them admission to the United Nations; and to refuse to engage in commercial trade. As the inadequacies and costs of isolation became obvious, more and more of our traditional allies resisted our arm-twisting and established various forms of contact with Peking. The result has been that the United States has, in effect, isolated *itself* from the more moderate attitudes and policies of its friends. Indeed, some scholars believe that the Communist Chinese welcome our hostile isolation policy because, in world opinion, it places the onus for the continuing tensions between our two Pacific nations on the United States.

Our isolation policy has not only negatively affected U.S. standing in world opinion, it has adversly affected our interests in another way. America's persistent attempts to exclude China from the community of nations has only tended to confirm Peking's view of the United States as hostile, as an unyielding enemy of her very existence and of her claim to great-power status. While there is little doubt that the Chinese leaders genuinely fear U.S. intentions, they also exploit our basically hostile policies to keep alive the credibility of a threat to their safety. The United States thereby plays directly into Mao's hands by supplying external tension which he can amplify and use to maintain internal discipline, unity, and to silence domestic proponents of more moderate foreign policies.

But equally as important as removing barriers to China's genuine entrance into the arena of international politics—where she will be subject to the modifying pressures accompanying world statesmanship—is the fact that the United States will have transferred the albatross of hostility from us to the Chinese if they continue to reject overtures directed at developing more positive international relationships.

The ultimate goal of American policy towards Communist China should be to encourage Peking to join the international community and accept the attendant responsibilities and limits of acceptable action. Attempts to isolate China directly contradict this objective and should, therefore be abandoned:

We should reject the absurd fiction that the Nationalist leader on Taiwan represent the government of the 750 million Chinese people. Whether we like it or not, the Communist Chinese are in total control of the mainland and we cannot change this reality by simply refusing to recognize it. (Recognition, of course, does not mean that we approve of Red China's policies or views.)

We should remove all trade restrictions on non-strategic goods. As many people have pointed out, this effort at isolating Peking is entirely symbolic. It has not lessened the amount of goods that the Chinese are capable of importing and exporting but has served largely as a symbol of our hostile attitude toward China. Our trade policies and considerable efforts to persuade our allies to stop trading with Peking have only frustrated our friends who want to begin exploring China's vast potential as a market. Many of our allies in the West have rejected our self-defeating policies and trade freely with China. And, where in the early years of the People's Republic of China most of Peking's trade was with other Communist nations, today approximately 75 percent of her trade is with the West.

We should gracefully accept the inevitable and perhaps impending admission of Communist China to the United Nations. As stated earlier, our goal with regard to Peking should be to encourage its entrance into the international community and its acceptance of accompanying responsibilities. Barring it from participating in the United Nations contradicts this objective and reinforces China's anti-social tendencies. Membership in this international body would give the Chinese the most instructive experience possible in the art of compromise, the difficult task of dealing with many nations simultaneously, and the need to moderate its policies if it is to function effectively in the community of nations.

There are those who counter that until China learns to live up to its responsibilities as a peace loving nation, it should be excluded from the United Nations. But how can be expect China to gain an understanding of what we believe its international responsibilities to be if we constantly refuse it opportunity to accept these responsibilities. We don't teach our children to grow up to be good citizens by denying them contact with other people, treating them as outcasts and barbarians, and refusing to give them responsibilities. Likewise, we can't expect the Chinese to decide that their national interests are best served by international cooperation rather than belligerency if we continue to refuse them the opportunity to experience for themselves the benefits of moderate and responsible foreign policies.

Instead of continuing to pursue a negative policy with regard to Communist China's admission to the United Nations, we should adopt a positive policy. Rather than fruitlessly expending our energies in denying Communist China a seat—and eventually suffering the embarrassment of being outvoted in the General Assembly—we should instead direct our activities toward assuring international sympathy for the continued U.N. membership of Taiwan. Whether we eventually have two Chinas seated or one China and one Taiwan, we should work for a strong U.N. commitment to the autonomy of Taiwan as long as the islanders desire it. Every opportunity must be taken to encourage acceptance of domestic "self-determination" for the majority of the people living on the island and international self-determination with regard to its relationship to China. But we should try and expand our unilateral role as the protector of Taiwan's independence into the formal and multilateral commitment of the international community. Peking might find it easier to compromise on Taiwan if the island's independent status was unequivocally supported by most nations rather than by primarily the United States.

Peking has consistently insisted that there can be no easing of tensions between the U.S. and China as long as we maintain military bases on Taiwan. If there existed a strong international commitment to the continued existence of a free Taiwan and if the U.N. made it clear that it would react immediately and forcefully to any Communist Chinese military attempt to unite Taiwan with the mainland, it might be possible for the U.S. to remove its military bases from the island and the Seventh Fleet from the immediate area of the Formosa Straits. Such an action would probably be accompanied by a credible pledge to come to the aid of Taiwan at a moment's notice at any sign of military aggression against it by China.

We should pursue every possibility of encouraging contacts between Americans and Chinese at both the governmental and nongovernmental levels. For instance, the United States should see that Peking is at least invited to attend international meetings to discuss disarmament and other subjects related to world stability. Of course, including China on the invitation list by no means assures that she will attend or that her participation will be totally constructive. But ultimately, if agreements on such issues as disarmament and nuclear nonproliferation are to be anything more than futile diplomatic exercises, they will have to be at least tacitly agreed to by Peking.

The U.S. should also end its policy of deliberately precluding Chinese participation at other non-strategic but equally important international conferences. There are approximately 5,000 such conferences each year and of government-sponsored meetings, over half involve Communist participation. The Communist Chinese attend very few of these meetings—one reason being that they won't sit down at a conference attended by representatives of the Nationalist Chinese government. A State Department official confessed to me that the U.S. deliberately exploits Peking's attitude to assure that it does not participate in international gatherings. "We have taken pains to see that the Nationalist Chinese attend these meetings to forestall Chicom participation," I was told. The official went on to explain that we saw to it that Taiwan's dues were paid and that they had transportation to the conference site.

This should not be our attitude. It should be our official policy to encourage contact between the Chinese and the rest of the world. For instance, if the Chinese request for ambassadorial meetings in Warsaw in February appears to be a sincere effort at lessening tensions—whether or not anything major is accomplished at this meeting—I would hope our minimal response would be to abolish the remaining restrictions on travel to China. Regardless of whether Peking would actually grant visas to American travelers, we would have at least reciprocated on their gesture of good-will and would have demonstrated our desire for greater contact with their people. Now, and at every opportunity in the future, we should attempt to remove the onus for continued hostile relations from us and place on the Chinese the burden for refusing to ease tensions.

We should press for cultural and scientific exchanges in areas of interest to the Chinese and to us. An example would be the area of bio-medicine. The Chinese are very concerned about population problems and control and might some day be interested in consulting with our experts in this field. Similarly, we are doing a great deal of research in the field of genetics and could benefit substantially from discussions with Chinese experts. The Chinese were the first to discover the method of synthesizing insulin; a discovery which, as I understand it, broke a scientific impasse in the continuing search for the key to the genetic code. While it is unlikely that our exchange overtures would be accepted in the immediate future, periodically reiterating our desire for exchange in such fields as medicine, population control and agricultural development might eventually produce results. Our two close allies, Canada and Great Britain, have had successful exchanges of doctors and medical personnel with China. At least our request for exchanges would help demonstrate our desire for closer contact, our sincere and humane concern for the problems China faces, and—very importantly—our conviction that the Chinese are our equals in these fields and can teach us a thing or two.

There are persuasive arguments to the effect that even the most conciliatory and moderate U.S. policy toward China will have little effect in lessening Peking's hostility toward us: that in order for Mao to maintain firm control over the Chinese people he must continue to present us as war-mongering imperialists. It may be very correct to conclude that the best hope of ending China's isolation and bringing it under the influence of the give-and-take of international politics lies in expanded contacts between China and other nations rather than China and the United States. The foundation for better relations between Peking and the world will probably have to be laid by others but this should not preclude us from adopting policies that are rational and right—even if only modestly productive for some years to come.

Many learned and eloquent men and women have voiced opposition to our attempts at isolating China. They have outlined in more complete terms than I most of the previously mentioned proposals. I share their conviction that these proposals represent the unavoidable first steps in easing tensions between the U.S. and Peking and in bringing China into the international community. But these efforts at "de-isolation" (if I may borrow a term coined in Senator Fulbright's China hearings) will be, at best, only marginally productive if we continue our current policy of military "containment." We are not likely to get very far in soothing the belligerent attitude of the Communist Chinese by holding out a lump of sugar in one hand and a bull whip in the other. Such an approach completely ignores the Chinese sense of pride and their deep humiliation at being forced to lick the hand of foreign powers in the past.

I am *not* in any way suggesting that we abandon our objective of assisting China's small neighbors to resist possible Chinese ambitions. But I *am* suggesting that we try a different approach and that we recognize that American military bases near China's borders are ineffective in countering the real nature of the Chinese threat to Asia and are an insurmountable obstacle to the development of better relations between Peking and Washington. I am also not suggesting that the United States must militarily withdraw entirely from the Pacific area. Undoubtedly the Seventh Fleet should continue to operate—as unobtrusively as possible—in Pacific waters and we would probably maintain a small, mobile defensive potential in, possibly, the Philippines and Australia and, perhaps, limited forces in Japan. But our aim should be the removal of our military bases from the Asian mainland.

(I am well aware that this shift in our policy must be made with the utmost finesse. Our military presence is as psychologically reassuring to some Asian leaders as it is infuriating to the Chinese. An abrupt dismantling of our military bases might very well convince Asian leaders—including those in Peking—that we were abandoning Asia to Chinese suzerainty).

The greatest threat to China's neighbors is not the unlikely possibility of invasion by Chinese Communist forces: it is the threat of internal subversion aided by Peking. These "wars of national liberation" are successful only in a climate of political instability where the economic, social and political grievances of the people are ignored or suppressed. American military forces—which only have a role to play *after* armed revolution has broken out—cannot maintain political stability in the face of these conditions (unless we send in enough men to constitute an occupation force, as we have in Vietnam, and even then the outcome is doubtful.) In truth, I believe it is easily demonstrable that our military presence fuels political instability to the degree that we offend the nationalistic sensitivities of the people.

If we want to help assure the political stability of Southeast Asian nations, our most effective policy would be programs of economic and technical assistance to help these governments improve the living conditions of their people. However, if progress is too slow or not coupled with social and political justice, we must be prepared to accept the possible success of Communist-led revolutionary forces, with the knowledge that American military intervention would very probably be ineffective in changing the outcome. American foreign policy-makers should learn a lesson from the old nursery rhyme in which "all the king's horses and all the king's men couldn't put Humpty Dumpty together again": the modern-day moral being that the best course is to *prevent* the situation from falling into chaos rather than attempting to reconstruct, with all our military resources and all our men, the stability which has been shattered by political revolution.

There have been several proposed alternatives to our present policy of unilateral military containment. Some have suggested that Japan take on more of the burden as defender of freedom in Asia. Others propose that regional defense groupings would best stabilize this area. The most intriguing method for maintaining stability, in my opinion, is the proposal for "neutralizing" this area. I believe this possibility needs to be given more serious thought than it has in U.S. policy-making circles, particularly as a possible component of the final settlement of the Vietnam war.

Even if the United States abandons its isolation policy towards Communist China and substantially modifies its attempt at military containment, I have serious doubts that we will make very much headway in our relations with Peking unless these policy changes are accompanied by a fundamental change in our attitude toward the Chinese people and our approach to foreign policy formation.

It can be argued, I believe, that Peking's current belligerence and militancy is not only the product of their century of humiliation, it is also their frustrated reaction to our refusal to treat them as equals; our propensity to judge ourselves as superior in every way. It is perfectly all right, we believe, for the United States to have "the bomb!" because we are a peace-loving nation, but it is not all right for the Chinese to have this weapon because they are barbarians with no concern for human life; a nation of faceless, dehumanized "blue ants." Similarly, it is reasonable for the United States, under the Monroe Doctrine, to keep possibly hostile foreign nations away from our borders and out of our hemisphere. But when the Chinese rather impotently rant-and-rave and issue aggressive declarations about our military bases on their borders, we solemnly nod our heads and interpret their rhetoric as a determination to militarily dominate Asia, and if possible, the world.

In past centuries, the West often viewed the Chinese' traditional deference and elaborate courtesy as a sign of weakness. Americans take great pride in the fact that we did not exploit this weakness as the colonial nations did but, instead, sent tens of thousands of missionaries to help the Chinese people. These missionaries did many wonderful and generous things—such as building schools and hospitals and caring for the sick. But while the missionaries were well-intentioned, they were often unconsciously patronizing in their attitudes. We were oblivious to the deep humiliation our charity and superior circumstances often inflicted on the Chinese people.

Until we learn to view the Chinese as equals; until we learn to more rationally analyze our policies and purposes in the world and abandon our self-righteous view that we are somehow above doing "evil"; and until we can look at our conflicting views as differences of opinion rather than as evidence of their moral inferiority, we shall probably continue to find the Chinese attitude toward us to be belligerent and hostile.

Another important facet of our attitude toward the Chinese is our tendency to interpret their action and rhetoric in the worst possible light in order to confirm our negative view of them. Thus we risk creating self-fulling prophecies. A study of sociology and psychology reveals that people tend to perform in the manner that others expect them to when this anticipated behavior is clearly defined. Thus, our expectations of hostile or belligerent action by the Chinese becomes, in effect, a perverse sanction of this kind of behavior. It is unrealistic to expect U.S. policy-makers to sit around thinking only good thoughts about the Chinese, but it is hardly constructive for them to exacerbate tensions in Southeast Asia by talking darkly of the possibility of China's "nuclear blackmail" of her neighbors or to sourly and constantly predict that China will be an irresponsibly disruptive force within the United Nations.

Just as we often display a rather smug view of our moral superiority, so we frequently reveal a rather smug view of the inherent superiority of our institutions and system. Because these have worked so remarkably well for us, we tend to think that, due to their inherent logic, they will eventually and inevitably be accepted by others. I must confess that this view has often been borne out. For instance, capitalist principles and incentives have been adapted to fit socialist systems. But we must be cautious in assuming that what has happened in the past in some countries will inevitably happen in the future in others.

Such an assumption is a very inadequate foundation on which to base our view of the world and on which to design our policies. I join Professor James Billington in questioning the validity of what he describes (in an outstanding article, "The Humanistic Heartbeat Has Failed," LIFE, May 24, 1968) as our "optimistic faith in scientific predictability and cultural uniformity [as] voiced by Presidential Assistant . . . Walt Rostow that 'all people of the globe . . . sail the same voyage, are bound to the same destination'."

A pertinent example of this simplistic view of the future is the rather confident prediction by many analysts that, after Mao, China will be in the hands of the "pragmatists;" that Peking—as have other revolutionary governments—will start moving down the path of moderation and ideology will take a second seat to concern with economic development. There are pretty good odds that this may happen but I think it is a mistake to over-confidently make this assumption and lightly dismiss Peking's preoccupation with ideology as a phase that she will soon outgrow.

The pattern of Russia's evolution is often cited by these analysts to support their predictions concerning China. This is a very misleading exercise. The nature of the Soviet and Chinese revolutions are quite different and ideology has not played the same roles. The Chinese seem determined to destroy their traditional society and cultural forms and build a "new man" while the Russians never attempted this with the same degree of intensity.

Predictions of ideological moderation in China after the Soviet pattern must also be tempered by an assessment of the different role ideology plays in the lives of these two peoples. The Chinese culture, unlike the Russian, did not grow out of formal religious traditions and this allows a more totalistic commitment to ideology. Today their political ideology partially serves the function of a religion in that it gives meaning to their lives and sacrifices. The Chinese commitment to ideology is probably much more profound than it would be in a society founded on religious traditions or one geared to satisfying material needs. The conclusion that economic considerations will temper Chinese ideology may eventually be proven correct, but this assumption should not be so casually made. As Robert Elegant pointed out in the October 1967 issue of Foreign Affairs, "Lacking a generally accepted formal religion to provide both purpose and reassurance, the Chinese will find it difficult to make do with the materialistic pragmatism which is the secular creed of Western nations and the Soviet Union."

To the Chinese, their political philosophy and revolution are not means to an end but the end, itself. And for this reason I consider the Chinese a greater long-term challenge to the United States than the Soviets. The Russians share our "secular creed" of "materialistic pragmatism," as Elegant points out, and compete with us at this level. The Chinese, however, do not share this ambition but are determined to achieve the spiritual transformation and complete socialization of man through unending revolution. Their challenge, therefore, is much more fundamental. It is very uncertain that they shall succeed "because," as I. F. Stone has observed, "man, still half-monkey, cannot live at so high a pitch, and when the bugles die down prefers a quite scratch in the warm sun." But while we may be very correct in predicting the eventual failure of their political revolution and ideology, we must be cautious in assuming the moderation of their views to follow the Soviet pattern where economic interests were always a primary determinant of policy.

I think we must give serious thought to the effect the Cultural Revolution may have in inhibiting the decline of ideology within China. Mao launched the cultural revolution to purify Chinese society of "bourgeois elements" and to re-confirm its commitment to the ideological aims of the Communist revolution. How successful this campaign has been with regard to the general population will be better known in time. But it is very significant, I believe, that much of China's younger generation sided with Mao in his attempt to purge Chinese society of those elements that were moderating the ideological fervor and momentum of the revolution. The Red Guards role was a rather violent affirmation of their idealistic ambition to build a new man and new society: "Wipe out the old civilization" being a frequent slogan. This commitment by the best of China's youth has quite significant implications for the future, in my opinion. A generation of young people committed and initiated in violence to an ideology will not soon abandon it.

The role of the Red Guard in the cultural revolution also has broad international implications. These young people were deeply committed to the spiritual transformation of man and society and were determined to destroy the bureaucracy which they believed was inhibiting this revolution. And their ambitions and grievances are shared, in general, by youth all over the world. This is a very discomforting thought. If Mao has succeeded in nothing else, he must be given credit as the first major government leader to effectively exploit the universal idealism of youth, their universal alienation from unresponsive institutions, and to use them to purge their "reactionary" elders. This role of the Red Guards is very significant and has implications for the many other nations attempting to cope with student unrest. It should not be lightly dismissed.

Our tendency to view China's future in terms of Russia's past is symptomatic of a frequent inadequacy of our approach to foreign policy determination. U.S. policy and views toward China and other nations are often formed with little attention paid to cultural traditions and historical patterns within these countries. During the McCarthy era, our State Department was effectively purged of men with first-hand experience in China and an in-depth knowledge of the culture and history of that nation. Although it is dangerous to generalize, it appears that the focus of our study of China in recent years has been overwhelmingly on "China-watching" or Peking-ology. Policy decisions are apparently evolved out of reviews of "current events" with little attempt made to put these events into historical or cultural perspective. For instance, the State Department's Foreign Service Institute conducts a two-week inservice training course on China consisting of 16 lectures, all but two of which—according to the lecture titles—deal with current problems and circumstances in China. The two lectures that are devoted to Chinese history do not concern themselves with events prior to the Communist Revolution. While those people involved in formulating our China policy must definitely be informed on the current state of affairs in Peking, this information viewed only in one dimension, without the second dimension of historical interpretation, can lead to erroneous conclusions and miscalculation.

It is sometimes a delicate business determining what historic traditions have been successfully destroyed by the revolution and are, therefore, no longer factors in China's current policy decisions. But, admitting, again, that it is risky to generalize, I believe an important distinction can be made on the basis that the Communist revolution has primarily destroyed ancient cultural forms and historic institutions while the traditional views concerning their place in the world and their approach to international relations have remained fundamentally intact.

Professor John Fairbank, director of the East Asian Research Center at Harvard University, addressed himself to this point in the June 1966 issue of Atlantic Monthly: "Those who see Communist ideology as an all-conquering virus," he said, "may prefer to discount history and omit it from their diagnosis. But to understand China without history, to divorce this most historical-minded of all cultures from its past, is quite impossible. The Chinese Communists themselves use history to "prove" their anti-imperialist doctrine. Communist ideology and China's historical record thus over-lap."

Take the matter of realistically determining the likelihood of Chinese "military adventurism." The Chinese historically believed in the superiority of their culture and were confident that it would serve as the model for other people of the world. They made little attempt to impose their superior culture and system on others by force but assumed that, by the virtue of their example, they would be emulated. Today, the Chinese have the same faith in the virtue of their revolution and, again, see it as the model that the rest of the world will inevitably follow because of its rightness. Viewed in this historical perspective, it is much easier to accept the conclusion of scholars that the Chinese have little intention of *forcing* their revolutionary model on other nations through military *conquest*. But if we listened only to the belligerent and militant rhetoric currently coming from

Peking, and made no effort to place it in the perspective of what the Chinese have done in the past, we would be likely to conclude that Peking was set on a course of overt military aggression against the rest of the world.

Professor Fairbank recently warned that we should take "an object lesson in historical thinking" from our erroneous policies in Vietnam and not repeat them with regard to China. In an address to the American Historical Association as its out-going president, he questioned: "Suppose that our leaders in the Congress and the executive branch had all been aware that North Vietnam is a country older than France with a thousand-year history of southward expansion and militant independence, maintained by using guerrilla warfare to expel invaders from China, for example, three times in the 13th Century, again in the 15th Century, and again in the late 18th Century, to say nothing of the French in the nineteen-fifties. With this perspective, would we have sent our troops into Vietnam so casually in 1965? A historical appreciation of the Buddhist capacity for individual self-sacrifice, of the Confucian concern for leadership by personal prestige and moral example, even of the Communist capacity for patriotism, might also have made us hesitate to commit ourselves to bomb Hanoi into submission."

Likewise, we should pay more attention to cultural affairs in China when making policy decisions. For instance, if we had been alert to such activities a few years ago, the Cultural Revolution might not have come as such a surprise to the United States. In retrospect, hints of impending upheaval were obvious. For some time prior to the Cultural Revolution, Chinese families in the larger cities were taking pains to sell or dispose of all their western-made furnishings. Also, if we had paid attention to the theatrical productions prior to the Revolution, we would probably have sensed that some dramatic event was imminent.

Congress as well as the State Department must develop informed views about China and the rest of the world. But educating and informing nearly 550 busy public officials is an enormous undertaking. A modest but potentially important step in this direction might be made through the establishment of an informal "institute" under the direction of the State Department. Perhaps two times a month, during two-hour sessions, government and non-governmental experts could meet with Senators and Representatives or their top aides to lecture and exchange views on world affairs. If these sessions were held regularly and were well-conducted, I think the response from Congress would be substantial. Hopefully, the sessions would have more depth than just reviews of current events and would attempt to set these events in a historical and cultural context. Not only could the "institute" serve as an educational medium for Congress, it could provide a forum for the exchange of foreign policy views between the executive and legislative branches. It would give both the Congress and the State Department an opportunity to challenge perceptions *before* they become policy.

Just as our policy-makers have an obligation to become thoroughly informed about the pluralistic world we live in, so they have an obligation to pass this information on to the public. Any long-term accommodation between the U.S. and China cannot be accomplished only by officials in Washington. The American public must overcome its deep-seated suspicions and fear of China if understanding is to replace hostility.

There are many steps that must be taken to gain a better understanding concerning Communist China. It may be a long time before we can break the political stalemate in our relations with China but we must be prepared to initiate creative and sound policies when there is an opportunity. This period of waiting need not be "dead time" but should be used to increase our knowledge and understanding of the Chinese people so that when the barriers are removed we won't meet as complete strangers.

We have outgrown the era when we could rely on our sheer power and military superiority to keep the peace and to compensate for an inadequate understanding of the world. If we are to make rational foreign policy decisions and survive in a nuclear age, we are going to have to develop a much greater understanding of other nations: their views, motivations, culture and history. Perhaps the greatest threat to peace does not lie in the world's vast arsenals, but in our ignorance of each other.

RECESS

Mr. PROXMIRE. Mr. President, if no other Senator wishes to speak at this time, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, but not later than 2 p.m.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 1 o'clock and 9 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 1 o'clock and 51 minutes, p.m., when called to order by the Presiding Officer (Mr. GRAVEL in the chair).

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INVESTIGATION OF ADMINISTRATION OF ANTITRUST AND MONOPOLY LAWS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, Senate Resolution 40.

The Senate resumed the consideration of the resolution which had been reported from the Committee on Rules and Administration, with an amendment, on page 3, line 5, after the word "exceed", strike out "$623,500" and insert "$525,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a complete, comprehensive, and continuing study and investigation of unlawful restraints and monopolies, and of the antitrust and monopoly laws of the United States, their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for—

(1) clarification of existing law to eliminate conflicts and uncertainties where necessary;

(2) improvement of the administration and enforcement of existing laws; and

(3) supplementation of existing law to provide any additional substantive, procedural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $525,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AMENDMENT NO. 3

Mr. HART. Mr. President, I call up my amendment No. 3, as modified, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

On page 3, line 5, strike out "$525,000" and insert "$577,500".

Mr. HART. Mr. President, I hope that this amendment will be agreed to.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. BYRD of Virginia. Mr. President, the Senator from Michigan and the Senator from Virginia differ on a good many philosophical questions, I suppose; but in regard to the continued concentration of economic power in fewer and fewer hands, the Senator from Michigan and the Senator from Virginia seem to stand rather closely together.

The Senator from Virginia has been concerned for a long time with the continued concentration of power in Washington, and the Senator from Virginia is also concerned with the continued concentration of economic power in fewer and fewer hands throughout the United States.

I should like to ask the Senator from Michigan if his impression is the same as mine, that during the past 8 years—all under Democratic administration, I might add—there has been not a lessening in this trend but, indeed, an increase.

Mr. HART. The Senator from Virginia states the case correctly. I need not say—but I welcome the opportunity—that his interest and his sensitivity to this increase in concentration of economic power is most welcome.

Since assuming chairmanship of the Senate Antitrust and Monopoly Subcommittee a little over 5 years ago, we have conducted extensive hearings into this area. Based upon the information gathered during these hearings I must say that the Senator from Virginia is absolutely correct—economic concentration has not lessened, but has indeed been increasing at an alarming rate. We know that 200 companies now control 75 percent of American industry. Unless this trend is stopped our free enterprise system will be destroyed. And this is exactly why the problem transcends party or sectional labels.

His speaking as he does, against a background rich in experience and conservative in cast, should help insure that this subject will not be decided on the basis of labels of philosophy that often attach to discussion in the Senate.

Mr. BYRD of Virginia. I thank the Senator from Michigan.

Mr. JORDAN of North Carolina. Mr. President, I have discussed this matter with the distinguished Senator from Michigan, who is the chairman of this subcommittee. I have talked with other members of the committee, and I am agreeable to accepting this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 40), as amended, was agreed to.

SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 80, Senate Resolution 68.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 68) to continue the Select Committee on Nutrition and Human Needs.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 3, line 21, after the word "exceed", strike out "$250,000" and insert "$150,000"; so as to make the resolution read:

Resolved, That the Select Committee on Nutrition and Human Needs as established under S. Res. 281 is authorized to examine, investigate, and make a complete study of any and all matters pertaining to the lack of food, medical assistance, and other related necessities of life and health including, but not limited to, such matters as (a) the extent and cause of hunger and malnutrition in the United States, including educational, health, welfare, and other matters related to malnutrition, (b) the failure of food programs to reach many citizens who lack adequate quantity or quality of food, (c) the means by which this Nation can bring an adequate supply of nutritious food and other related necessities to every American, (d) the divisions of responsibility and authority within Congress and the executive branch, including appropriate procedures for congressional consideration and oversight of coordinated programs to assure that every resident of the United States has adequate food, medical assistance, and other basic related necessities of life and health; and (e) the degree of additional Federal action desirable in these areas.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to December 31, 1969, inclusive, is authorized: (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; (3) to subpena witnesses and documents; (4) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government; (5) contract with private organizational and individual consultants; (6) interview employees of the Federal, State, and local governments and other individuals; and (7) take depositions and other testimony.

SEC. 3. (a) The next to last sentence of S. Res. 281 (Ninetieth Congress, second session) is amended by striking out "and terminate its activities not later than June 30, 1969," and inserting in lieu thereof "on or before June 30, 1969, and December 31, 1969, respectively, and terminate its activities not later than December 31, 1969."

(b) The last sentence of S. Res. 281 (Ninetieth Congress, second session) is amended by striking out "report" and inserting in lieu thereof "reports".

SEC. 4. Expenses of the committee in carrying out its functions shall not exceed $150,000 through December 31, 1969, and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. McGOVERN. Mr. President, at the appropriate time I shall ask the Senate to vote to restore the 40-percent cut in the budget of the Select Committee on Nutrition and Human Needs, a cut that was made in the Committee on Rules and Administration at the time our budget request was under consideration. For the RECORD, and for the benefit of those of my colleagues present in the Chamber, I shall outline the reasons for this action.

I ask the Senate to reject the committee amendment, so that the original figure will be restored. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested on the adoption of the committee amendment. Is there a sufficient second?

The yeas and nays were ordered.

Mr. McGOVERN. Mr. President, as I stated on the floor of the Senate the day after the Rules Committee acted on Senate Resolution 68, which is now the pending business, we are really dealing with one of the most urgent problems before the country today, and it is a problem that, in my judgment, cannot wait and cannot tolerate the kind of slowdown envisioned by the drastic cut made by the Rules Committee in our budget request.

We are dealing with the stark fact that today hundreds of thousands of infants, little children and pregnant mothers who do not have enough to eat are going to be irreversibly damaged for life because their brains, bodies, and bone structures suffer from lack of protein and malnutrition of various kinds in the formative stages of life. We are dealing with mothers and fathers who are too poorly educated, many too illiterate to know what to feed themselves even if the food were available, which in many cases it is not.

Millions of Americans are looking to the Senate for leadership on this very critical problem.

Mr. CURTIS. Mr. President, will the Senator yield for a question?

Mr. McGOVERN. I yield to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I know of no citizen of the country who wants anyone to be malnourished or to suffer from starvation.

I think we are faced with the question of what needs to be done. I would like to ask the distinguished Senator this question: Will it be the purpose of the committee to mobilize sentiment in the country to feed the hungry, or does the Senator regard that as not necessary?

Mr. McGOVERN. Mr. President, I wish to say to the Senator from Nebraska that we have a very clear mandate from the Senate. We are instructed to determine the extent of hunger in this country. We are instructed to look into causes of hunger and to find out why certain farm programs are either working, or are not working, as the case may be. Finally, we are called upon to report back to the appropriate committees of Congress whatever action we feel is necessary to deal with the problem as we find it.

Mr. CURTIS. What raises the question in my mind is this: Is not the need to get votes related to the feeding of the hungry? I think everybody wants to feed the hungry. I would like to have the hungry people in my State identified so that we will know what our problem is. This is what I want to be heard on, if it can be done through a congressional investigation.

Mr. McGOVERN. It can be done through a congressional investigation if we have a modest amount of funds to employ competent professionals. The Rules Committee, in effect, struck out that portion of our budget request. To save $100,000, they deprived us of the opportunity to engage professional consultants who can supply the type of information that is necessary.

Mr. CURTIS. Can the select committee, for $100,000, get consultants who have the answers to these questions?

Mr. McGOVERN. I can only say that we made a very careful judgment after looking into the problem as carefully as we could. None of us on the committee is an expert in this field, but sitting down with the staff and talking to people in the executive branch who are competent in the field of nutrition, we came to the conclusion that, if the committee is to obtain sufficient information on which to make a judgment to bring back to the Senate as a whole, then it will have to employ five or six consulting firms to go into five or six different parts of the country and make indepth, unbiased, investigations of the inadequacies of our present food programs.

Mr. CURTIS. Some serious things are involved. The Federal Government is spending billions of dollars on welfare. If the executive branch happens to use the very money that came in to prevent starving, it is not competent to participate in a survey to find out how much starvation there is.

Mr. McGOVERN. I could not agree more with the Senator. That is why I want to go outside of official Government circles to employ private consulting agencies. I agree that the first order of business in this country should be to end hunger and starvation, and we have not done this.

On the basis of the information that has already come to the committee, we know that there is a serious problem of malnutrition involving millions of our fellow citizens. The very reason why Congress has the responsibility to fund this committee is so that we can examine the shortcomings of the programs of the executive branch and submit recommendations for correcting these shortcomings.

Mr. CURTIS. Is not Congress in the same position as the executive branch? Every piece of social legislation has had congressional sponsors, and over the years Members have gone home after having voted for social security amendments and social security enlargements. They voted for more welfare; and they have done this and that.

Are we now guilty of having molded the country with social welfare programs costing billions of dollars while still having starvation in our midst? I do not think we can find the answers with a senatorial investigation and $100,000.

Mr. McGOVERN. I do not think we can do it with that amount alone. We asked for a budget of $250,000. Included in that request is $100,000 which we planned to use for the best consultants we could engage to do the kind of study I think the Senator wants. It makes very little business sense for us to fund, as the Senator has said, billions of dollars of welfare programs and then deny an investigating committee of Congress, that was formed by unanimous vote of the Senate, including the vote of the Senator from Nebraska, the opportunity and responsibility of taking a look to see how those billions of dollars are being spent.

Mr. CURTIS. Every time these figures have been published, an undetermined number of people in the Nation have been starving. I do not believe that a consultant can verify, prove, or disprove it. I believe that we are going to have to turn to some other method, some nongovernmental agency, some private concern; probably it might even involve local government. I have been shocked by the statement——

Mr. McGOVERN. That is the point I am trying to make to the Senator. I agree with him that the members of this committee, by themselves, are not competent to pass judgment on complicated nutritional problems. They may not even have the time or the competence to determine the reasons why our existing food programs are not working any better than they are. The Senator makes the very point I am pleading for; namely, that we take a modest amount of money and go outside of Government to engage the best professional firms we can find to do some of this work for us. I would be glad to ask the Senator for his ideas on where we should turn for help.

Mr. CURTIS. I think the charge is so serious that we cannot do it by consultants or getting a sampling of information. These figures should be challenged. Where it has been said that in a certain county x number of people are starving, a head count should be made in that county to find out who they are. The whole world has been told that millions of people are starving in America today. If that is true, I want the situation corrected. If it is only one-tenth true—and it probably is—I want it corrected. But I do not believe that a committee hearing, with all the publicity it will engender, will help us to find out that this county or that county among the 93 counties have x number of people starving, who they are, and why they are starving.

Mr. McGOVERN. Is the Senator suggesting that we should be asking for more money?

Mr. CURTIS. I am suggesting that there is a better way to do it than by a senatorial investigation. I think it can be done by a nongovernmental agency.

Mr. McGOVERN. The Senate, in its wisdom, has already approved an investigation.

Mr. CURTIS. The Senate, in its absence—not in its wisdom, but in its absence—adopted the resolution.

Mr. McGOVERN. It passed, as I recall, with the cosponsorship of about half the Senate—I believe some 54 Senators added their names to the resolution to fund the committee at $250,000. They had the advantage of several months to reconsider their initial action. The Senate has the responsibility as a public body to deal with the problems of hunger and malnutrition among our citizens.

Mr. CURTIS. We have the responsibility. I am questioning the method.

Mr. McGOVERN. How does the Senator think we should go about it? Has he in mind a method that would be better than trying to employ a competent private, nongovernmental firm to help us with our effort?

Mr. CURTIS. I think that we should join the House of Representatives in commissioning an outside group to tabulate and find out who they are, where they live, and why they are hungry. As a matter of fact, a report was published a year or so ago concerning a certain number of people starving in the State of Mississippi, and the distinguished Senator from Mississippi (Mr. STENNIS) immediately secured an appropriation to feed them. It went over to the other body, and I do not believe it was ever passed. If I am incorrect about that, I want to be corrected. But I believe a charge has been made against America around the world, it has shocked the conscience of our own people, and we cannot get the answer in the manner proposed by a select committee.

Mr. McGOVERN. I know that the Senator, as he said in his opening remarks, recognizes the problem and wants something done about it. The only question he is raising is the extent of the problem and how best to evaluate it. I think that one of the reasons why the House of Representatives failed to follow up on the action initiated by the Senator from Mississippi (Mr. STENNIS) last year, to deal with the problem of hunger, is that prominent and prestigious Members of the House of Representatives said in effect that there is no starvation or malnutrition in the United States.

We who felt that action should be taken were not in a position to successfully contradict them because we did not have the facts. We had not made the kind of thoughtful, systematic investigation that this committee is now in the process of making. That is why, after the action of the House of Representatives last year, I joined a number of Senators in bringing before the Senate a resolution to create a Select Committee on Nutrition. We chose members of the Committee on Agriculture and Forestry and the Committee on Labor and Public Welfare, as well as three Senators from the Senate at large. It was a completely nonpartisan investigation from the very beginning.

What we are trying to do is supply the Senator, and others who legitimately have raised this question, with the kind of information on which they can make an intelligent judgment. That is all the investigation is designed to do.

Mr. CURTIS. If I thought it would do that, I would agree. My problem is this: I believe that this is the kind of fact-finding problem of individual identification which cannot be brought about by 1 year of operation of a senatorial committee in the manner that senatorial committees usually operate. If we were facing the need to arouse the conscience of America to feed the hungry, then there would be good reason to dramatize the problem with quick hearings. So far as I am concerned, I have no hesitancy in supporting anything that is necessary to feed the hungry. In fact, I think that our whole social and welfare program should be geared to take care of that first, even if we have to call off something else.

For the life of me, I cannot see how, in 1 year's time, by holding congressional hearings, we can find out how many people are hungry, how many of them are minors and cannot do anything about it, where they live, or what the cause of it is. After we get that information, I believe that then there would be ample room for legislative hearings, to see how to meet the problem, to resolve it, or to revamp existing programs in order to do it.

Frankly, I cannot see how we could find out who the hungry are in a 1-year senatorial investigation.

Mr. McGOVERN. I have no way of knowing whether we could do it in 1 year, either. I think that we can. I think that we can get enough information to assist the Senate, the House, and the administration in making needed changes through legislation, adminstrative order, or both.

Granted, 1 year is a short time in which to deal with a problem as far-reaching as this one. So let us not stretch out the time needlessly by crippling this committee with a $100,000 cut, one which would be pennywise and pound foolish.

I may say to the distinguished Senator from Nebraska that if we cut this $100,000 from the budget, what he is saying will probably be true, we will not find a reliable answer to the problems of hunger, but will merely postpone its solution. We will be asking the hungry to wait a little longer before the Senate finally gets around to dealing with their problem.

It is a matter of conscience; it is a question of whether the Senate is going to come to grips with this problem now and face up to the needs of the hungry, or whether we are going to falter along, with inadequate information, with an inadequate investigation, and then come up, at the end of the year, without the kind of compelling statistical information that the Senator asserts he needs in order to make an intelligent judgment.

Mr. CURTIS. Does not the Senator agree that we need it?

Mr. McGOVERN. Of course we need it. That is why this investigation is underway.

Mr. CURTIS. Does the Senator agree with the accuracy of the figures that have already been published?

Mr. McGOVERN. I do not know, because nobody has ever really looked systematically at the extent of malnutrition in this country. I do want to call the Senator's attention to one very important development that is going on simultaneously with the work of our committee. A year ago, partly because of the problem being brought to the attention of the people of this country, the Congress called on the Public Health Service to undertake a systematic State-by-State survey of the extent of hunger and malnutrition in America.

Ten States have already been designated for study by the National Nutrition Survey. Work has been completed in the State of Texas. Work is almost through in the State of Louisiana. Work is now being done in Michigan, Kentucky, and other States. That work is proving invaluable to our committee.

The Public Health Service, in identifying the extent and location of hunger in this country, is not, under their mandate, trying to tell us what is wrong with the existing food distribution program. It is not the purpose of their survey to recommend legislation. But I may say to the Senator that members of the committee are determined, not to try to make a lot of headlines, but to try, as best we can, to come to a realistic understanding of the extent of the hunger.

I think a few months from now I can give the Senator a pretty accurate estimate of how many people in this country are suffering from malnutrition. I cannot do it now other than to say there is substantial and unacceptable hunger in this country.

Mr. CURTIS. As far as the Senator from Nebraska is concerned, any starvation is unacceptable. I want to put an end to it.

Mr. McGOVERN. I quite agree with the Senator.

Mr. CURTIS. How many people are engaged in the survey by the Public Health Service?

Mr. McGOVERN. They are using State people. For example, Dr. Arnold Schaefer, one of the most distinguished gentlemen in the field, who is now in the Public Health Service, is making use of the best people he can find in the State universities and schools. If he were to go into the State of Nebraska, I am sure that he would employ doctors at the University of Nebraska who specialize in nutrition and that he would employ people in the Nebraska Public Health Service, and that he would train others to assist him. They are moving ahead on a scientific, clinical basis. They are not guessing about it. They are examining people medically to determine whether their blood shows nutrient deficiencies, whether they are anemic.

I may say to the Senator from Nebraska, they have found that in the State of Texas one-third of all the children below the age of 6 that they have examined to date are suffering from anemia. Anemia induces impairment of both the mental and physical processes. Anemic children fall asleep in school. They do not have the energy and force that a normal person has.

Mr. CURTIS. How big a sampling have they taken of that?

Mr. McGOVERN. They have measured the findings on 12,000 people to date, and have picked them on a random basis.

Mr. CURTIS. And what was the cause of the anemia?

Mr. McGOVERN. The cause was a deficiency of iron and other foods that contribute to an adequate diet.

Mr. CURTIS. And how many of those deficiencies were caused by ignorance, and how many were caused by poverty, and how many were caused by drugs or alcohol?

Mr. McGOVERN. I cannot answer that. If I had the answer to all those questions, I would not be so anxious to have all of the funds restored.

Mr. CURTIS. My point is that I do not think the Senator can get the answers to those questions by having the full amount of money he is requesting.

Mr. McGOVERN. It is a case of the Senator's judgement against mine on that point. I think we can. I think within a year, if the Senator will give us the funds we have requested, and let us proceed along the lines we have outlined in my testimony before the Rules Committee, we will have the answers to these questions.

Not a single member of the Rules Committee questioned my resolution while I was there. The Senator from New York (Mr. JAVITS) made a moving and powerful and compelling statement before the Rules Committee. He was not questioned. We went out of the committee thinking we had their support and that we were going to get the full amount of our request. We pared the budget down as tightly as we could. The ranking minority member of the committee, the Senator from New York (Mr. JAVITS) shared my view. When we left the committee room, I thought we had made a compelling case and that we would get the funds we asked for. Not a single question was asked. There is nothing in the record to indicate why we took a 40-percent cut.

As the Senator has said, we are dealing with the most urgent problem in the country—the problem of hunger. Why pick this area to save $100,000?

Mr. CURTIS. No; the Rules Committee did not take a position that intended to interfere with the battle against hunger.

Mr. McGOVERN. That is the effect of their cut.

Mr. CURTIS. I do not think so. If we gave the subcommittee the $100,000, how could the committee find out who the hungry people are in this country?

Mr. McGOVERN. I am puzzled by the reasoning of the Senator. I ask him to straighten me out if I am misquoting him. Did not the Senator say that he felt we could get the answer to this question by going outside of the Government and hiring a private professional agency to make a study of this problem? That is why we need the $100,000—to employ competent help to assist us in our task.

Mr. CURTIS. After the committee has done all that, I think we will have to have a neighborhood-by-neighborhood survey.

Mr. McGOVERN. The Senate can make a judgment on whether we need additional funds or studies. I think we are asking for all we can use efficiently at this time.

Mr. CURTIS. Figures have been bandied around. I do not remember what they are now. For example, x number of starving people in the State of Nebraska. I have made it a point, in every community into which I go, to ask the question, "Are there people starving here?" I will give the Senator one answer. In a rural county of 7,000 people, all of whom live there in town or on the farm, so the local officials know everyone, I asked a very conscientious local official, who has a responsibility in welfare, the question, "Are there people starving in this county?" He reflected a little while, and he said:

> I will have to give you a qualified "no."

He said:

> We have one family in which the parents were not feeding the children. We even found an instance in which the parents locked the children in a car and went into an expensive steak house and spent their money for steak dinners for the mother and father while the children were hungry.

He said:

> In that case we immediately went into court and took the children away from them.

He said:

> Outside of that, in my experience I know of no starvation.

I certainly am not reflecting on the very eminent Senators on the committee. All I am saying is I think we have a tough problem in finding the answer to the question of how many are starving, where they live, what their names are, what their addresses are, and why. I think it has to be detailed down to the individuals. I do not believe we can accomplish that by senatorial hearings.

Mr. McGOVERN. I respectfully suggest to the Senator that when he asked how many people were starving in Nebraska, he may have asked the wrong question. The question that might have been more relevant would have been, how many people in Nebraska and elsewhere in this country are suffering from malnutrition of a serious nature? How many infants, before they are born, have suffered irreparable brain damage, bordering on mental retardation?

Mr. CURTIS. I will accept that broader definition.

Mr. McGOVERN. I do not know how many people are starving in this country. I do not know how many are malnourished. I do not know how many are hungry. I hope that this select committee will obtain those answers, as nearly as we can get them, as this investigation moves along.

As the Senator himself has said, if there are any starving people at all, we ought to try to figure out why our existing food programs are not reaching those people. If there are people—and there are, as demonstrated by tests that have already been made—who are suffering from anemia, we ought to do something about it.

As I have stated to the Senator, one-third of the children examined thus far are suffering from anemia. Another third are suffering from vitamin A deficiency, which relates to vision and the capacity of youngsters to see, and has a direct relationship to their school work. About a third of all persons examined thus far by doctors and clinicians are suffering from malnutrition that requires medical attention. That may not be starvation. Very seldom, on a death certificate, do they list starvation as the cause of death. But millions of people, over the years, have died from diseases they could have thrown off had they not been malnourished.

Mr. CURTIS. I thank the Senator for yielding so long. I want the RECORD to be clear that I do not wish to narrow the problem down to starvation that could lead to death. I am interested in all of these accusations. No doubt some of them are true. Maybe all of them are. Perhaps we do have millions of undernourished children.

I believe it will take a massive survey, almost block by block. I do not think it can be done by senatorial hearings, with all respect to the eminent gentlemen on the bench.

Mr. McGOVERN. I thank the Senator for his contribution.

The Senator from California has been on his feet for a long time. I know of his interest in this matter, and I now yield to him.

Mr. MURPHY. Mr. President, I thank my distinguished colleague.

I was most interested in the colloquy that has just taken place, and I rise to support Senator MCGOVERN and others in this effort to restore the $100,000 to the Select Committee on Nutrition and Human Needs, so that it may carry on its work as mandated by Congress.

I feel I had something to do with the initiation of this hunger study. I was present. I recall that during the early hearings in Mississippi, the Welfare Subcommittee of the Committee on Labor and Public Welfare, of which I am now the ranking Republican member, heard testimony that "people are starving."

On hearing this, I was shocked, and I asked the fifth witness, I believe it was, who had used this term, whether the term was used actually or figuratively, and I was told that it was an actual condition, that people were actually starving.

At that point, I said that this did not seem to me to be a matter that should wait for legislation or department action, but that this was an emergency condition, and I suggested to the chairman of the subcommittee that he immediately call the President of the United States and say that there was an emergency, that people were starving, and that it needed to be taken care of immediately.

Well, time went by. Letters were exchanged. Federal agencies first denied the problem existed, subsequently admitted it existed and having admitted its existence, tried to rationalize the reasons and shift the blame from one agency to another. The result was that nothing much occurred except the passage of more time. Finally, after further congressional help and probing, the executive branch began to get the message and various emergency assistance and needed changes in our food programs were implemented. Last year Congress established a Select Committee on Nutrition and Human Needs to look into the problem of hunger and malnutrition in America. Their hearings have disclosed that the dimension of the malnutrition problem and its consequences may be even more widespread than we thought. I am very pleased that the Nixon administration, as indicated by today's reported statements by Secretaries Finch and Hardin, is not only concerned over the problem, but has indicated various positive actions that it is taking to help end malnutrition problems in the United States.

I do not think there is anyone in this Chamber who has not experienced, at one time or another, jealousy between agencies. It may be natural. I know it exists. But very often, because of such jealousy, the actual needs of the people are not cared for properly and immediately, and that is why, Mr. President, I rise to support the restoration of this amount of money, based on the promise of this committee—and I know the members of the select committee; I had hoped to be a member of it myself. I intend to testify before the committee as their hearings go on, but I am certain that this is the only way that Congress is going to be able to get the actual facts, know what the actual needs are, and be able to move forward to take care of a situation that never should have existed in the first place in an effluent country like ours where farm production is the envy of the world. I believe that we have the ability to better handle this malnutrition problem. The question is, Do we have the will? By passing this amendment today, restoring funds to the hunger committee, we can indicate that our will matches our ability. I am convinced that we can improve our present food programs and that such improvements coupled with better nutrition education will greatly improve the present situation.

I do not know, at this moment, whether or not people are starving, but I think we are safe in saying that this committee will be able to bring us the answers, and once they obtain the answers, point out the conditions, and know the characteristics involved, then I think that we, the Members of Congress, the elected representatives of the people, can find ways and means to correct these conditions that should never have existed.

I wanted to make this statement for the RECORD, Mr. President, and I thank my distinguished colleague for having permitted me to do so at this time; because, here again, time is passing by, and if the facts of the matter are as I heard them, that people are starving, it is a shocking situation. If they are not starving, we should know that also. If they are suffering from malnutrition, that is something we should know. Unless we have the facts, we cannot legislate properly, and I know of no better way of getting the facts.

That is why, Mr. President, I support the amendment, and I hope most enthusiastically and most seriously that the amount of money involved will be restored. It is not a great amount of money, and when the personnel and the experts are hired, it will be found that we will need this money. It will all be spent, I am sure, wisely.

I thank my distinguished colleague.

Mr. McGOVERN. I thank the Senator from California for his most helpful statement. I think we all know of the role that he played nearly 2 years ago, when the subcommittee went into the delta of the Mississippi and first turned the public spotlight on the problems of hunger and malnutrition.

We also know that this problem is not confined to Mississippi or the South, alone; it is a nationwide problem. I was very much impressed, at the time, that the Senator from California called upon the President of the United States to take immediate action. Some action was taken, but the problem is still with us. The hungry children the Senator saw in Mississippi 2 years ago are still there. They are still hungry. The Federal program is inadequate; it is still not being properly operated. The purpose of our investigation, as the Senator has said, is, at long last, to try to develop the evidence upon which we can persuade Congress to come to grips with this very serious problem.

I thank the Senator for his long, persistent, and deep concern about this problem.

Mr. MURPHY. I thank the Senator very much. I am grateful for the remarks he has made.

Mr. JAVITS. Mr. President, will the Senator yield to me, on the same subject?

Mr. McGOVERN. I yield to the Senator from New York.

Mr. JAVITS. I did not wish to interrupt the Senator from California, or to delay him for more than an instant. I merely wish to underline what the chairman of the committee has said about the Senator from California (Mr. MURPHY).

The Senator from California (Mr.

MURPHY) was a member of a subcommittee of four. The members of that subcommittee were the then Senator from Pennsylvania, Mr. Clark, then the junior Senator from New York, Mr. Kennedy, the Senator from California (Mr. MURPHY), and I.

The Senator from California is very steadfast about this matter. I would say that he is very much like the Senator from Nebraska (Mr. CURTIS). The point that we have to prove the case was made very clear to him. That is what has really been the subject of the row with Secretary Freeman and the others in the bureaucratic tangle.

If we have to prove the case, we must have that opportunity. And that is what the chairman and the rest of us are fighting for.

Mr. McGOVERN. Mr. President, I yield to the distinguished Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. RIBICOFF. Mr. President, I commend the Senator from South Dakota. I support him in his effort to see that we receive these additional funds.

Last year, the Committee on Executive Reorganization, in trying to determine the situation concerning how we are organized in this committee to help deliver health services came across some information that a New Orleans television station had disclosed to the effect that some 1,000 people in New Orleans lived in shacks around the garbage dumps of New Orleans and survived on the food they scavenged from the garbage and the dumps.

This matter came to the attention of the New Orleans authorities when the city decided to charge a fee for the amount of garbage. There was then a decline in the amount of garbage deposited there, and the people living in the shacks started to complain.

As a result of those complaints, the people of New Orleans learned that 1,000 people were depending on the garbage dumps to live.

Dr. Joseph Brenne, one of the outstanding physicians on nutrition and hunger on April 18, 1965, testified, and I read an excerpt from the testimony to help outline the matter:

> After I returned from Mississippi last year where our ad hoc group of doctors examined large numbers of children, I approached two world famous physicians and nutritionists at Harvard and MIT and I asked them, "Would you believe it if I told you that Kwashiorkor exists in the United States?"
>
> They said, well, we really do not know, but we are pretty sure it does not. Kwashiorkor is a strange disorder, a strange and tragic disorder. The word comes from a Ghanian word which means, the disease that takes children, that takes the lives of children after they have been weaned from the breast. It is a disease where children so suffer from protein lack that they begin in effect to consume their own bodies. They get into a state of what is known as a negative nitrogen balance and to correct this medical condition is not a simple matter. You cannot just give adequate nutrition and adequate proteins and expect that this condition will reverse.
>
> Often this strange disorder of Kwashiorkor is irreversible and leads inexorably to death. So, we saw Kwashiorkor in the United States, and if you will read all of the medical textbooks on the distribution of Kwashiorkor in the world they tell us that it is limited to parts of Africa, parts of Asia, and some parts of South America. It is indeed alarming to find it in the United States of America.

So much has taken place in this great affluent society of which we are not aware. I do believe that we all have an obligation to eliminate hunger and starvation and malnutrition.

The request of the Senator from South Dakota and his outstanding committee certainly deserves the support of the Senate so that they can continue with the outstanding work they have started.

Mr. McGOVERN. Mr. President, I thank the distinguished Senator from Connecticut for his helpful contribution.

I am not going to belabor the matter any further at this time. I think the issue is very clear. It is a question of whether the Senate is going to face up to a problem that we all know is unacceptable in the most wealthy and affluent country on the face of the earth. We know that hunger and malnutrition involving millions of our citizens is unacceptable.

We acted a few days ago—and I personally make no apology for being one of the Senators who voted for the measure—to raise our salaries by 40 percent. This happens to be exactly the amount by which the Committee on Rules and Administration cut the budget to deal with hunger.

The distinguished minority leader, the senior Senator from Illinois (Mr. DIRKSEN), reminded us at the time the pay raise was pending that Senators have to eat. It is true that Senators have to eat, but so do other people have to eat—people all across the country who are not in a position to raise their salaries or improve their economic situation.

Many people are not eating properly. Many of them are eating scarcely at all. Many of them are suffering from the irreparable damage that comes from malnutrition.

I plead with the Senators this afternoon to come to grips with this critical problem.

Our news media have been filled in recent days with reports of hunger and starvation in Biafra. It is well that we should be concerned with that problem in Africa. However, I think we are under an even more urgent mandate to put an end to hunger and starvation in our own country, especially when we consider that it is so unnecessary and that a modest expenditure would not only provide the facts necessary to evaluate the problem and deal with it, but would also permit us to follow through with programs to close the hunger gap in our country.

I hope when the vote is taken that the Senate will face up to the issue so that we may get on with our work.

Mr. President, I yield to the distinguished Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. BROOKE. Mr. President, I am honored to associate myself with the distinguished Senator from South Dakota in this matter.

Mr. President, all of us have been deeply distressed in recent months by the evidence of hunger and malnutrition and disease which has been uncovered by the Select Committee on Nutrition and Human Needs.

Even now, despite the number of hearings which have been held on this subject and the publicity which they have received in the press, the full extent of the problem is just beginning to penetrate the conscience of the comfortable majority of Americans.

It is now known, for example, that in many areas of this country food stamp and commodity surplus programs are nonexistent, either because the general income level of the particular county exceeds the basic minimum standard, or because county officials are reluctant to undertake the administrative burdens of the programs. Yet one of the major causes of overcrowding in our urban centers arises from the fact that poor people, who are unable in their own areas to obtain minimum amounts of food and care through federally established programs, flock to the cities. Certainly it is in the interest of all Americans to provide food, education, and job training for people where they are. Certainly remedial legislation could improve the ability of established departments and agencies to meet the needs of the poor. Yet until that need is accurately defined and the loopholes clearly distinguished, we cannot begin to meet the human problem.

In this light I welcome the announcement of Secretary of Health, Education, and Welfare, Robert Finch, that his department will undertake a thorough investigation of hunger in America. But the initiative in this area cannot and should not be left entirely to the executive branch.

The Select Committee on Hunger and Human Needs is performing this vital function for the Congress and for all America. It is doing a job which should have been done decades ago, and it is doing it thoroughly and economically. When the committee has already progressed so far, and when it has clearly indicated its intention to complete the investigation during this calendar year, I see no reason whatsoever for reducing its appropriation by $100,000, thus cutting its operating capacity in half. I therefore urge that full funding be restored, and that the committee be allowed to proceed with its appointed task.

Mr. McGOVERN. Mr. President, I thank the Senator from Massachusetts for his contribution. The Senator may be interested in knowing that the committee plans to visit the city of Boston sometime next month and will keep him advised as to the dates of its visit.

Mr. BROOKE. I thank the Senator.

Mr. McGOVERN. Mr. President, I yield to the distinguished Senator from Wisconsin.

Mr. NELSON. Mr. President, I commend the Senator from South Dakota for the excellent job he has been doing, together with his committee, in the conduct of the hearings on hunger in America.

Last year I conducted the initial Senate hearings into the problem of hunger and malnutrition in America, pursuant to Senator McGOVERN's resolution. From the testimony given by physicians and nutritionists, it was clearly demonstrated that too many Americans are suffering from hunger in this land of plenty.

One of our witnesses, Dr. Alfred Haynes, of Johns Hopkins University, who served on the special committee which put out the Hunger, U.S.A. report said:

> In a country with weight watchers, pill takers, and Metrecal drinkers, it is somehow difficult to accept the idea that there are a sizable number of hungry poor. Yet the evidence is clear. Our board found evidence of retarded physical growth . . . Some of our low income children, while living in the United States, seem to conform more to the (size) pattern of developing countries. With an adequate diet, they could be taller, heavier, and even brighter.

Dr. Haynes referred to physical and mental retardation as only part of the effect that hunger has on people whose diets lack the necessary nutrients.

We know that many infant deaths are directly attributable to malnutrition. We know that protein deficiency in the first year can cause brain damage that cannot be corrected. And we know that deficiencies in proteins and irons are a common experience where children have grown up in enslavement to poverty. We know that learning is severely limited when a child goes to school hungry and comes home hungry. We know that many homes have only bare minimums of foods that result not so much in well-rounded meals as they do in distended stomachs. We know that this only leads to complications with diseases that could be prevented were the proper foods available. And we know of the need to educate families in what does and what does not constitute a balanced diet. But we also know that existing surplus commodities are not enough to eliminate hunger.

These facts have been pointed out time and time again, but it seems to me that it is now the obligation of Congress to step into the investigation with full intent to take positive and enduring action.

The $250,000 budget request of the Select Committee on Nutrition and Human Needs is a reasonable one. A modest $250,000 is being asked for the purpose of doing a competent job of exploring the areas of need for food and qualitative nutrition in this country. Along with the in-depth study that is yet required, the committee is committed to coming up with answers that will bring food where it is critically needed.

America cannot afford to fail in our obligation to see that adequate food is available for every single person in this land. I will not dwell on the reports that are already evidence enough of the crying needs of many a community. Malnutrition is a serious disease that is slowly but surely becoming the most pressing issue of our time. But time is running out.

The Senator from South Dakota hit the nail on the head when he said:

> If we are ever to really attack the root cause of poverty, this is surely the place. If we cannot win the battle against hunger in America, we will never win the war on poverty.

We have an urgent task before us. The Select Committee on Nutrition and Human Needs recognizes this urgency, and I think we ought to show our solidarity with their concern.

Although there have been soundings of warning and a number of investigations into this problem of hunger, I hardly think that the Government can be satisfied with its past performance to correct the vast deficiencies that are apparent. We must work more diligently toward getting the right foods to the right people on a permanent basis. This, of necessity, involves using a number of issues other than the distribution of food. It means knowing exactly what the needs are and where they exist. It means an assessment of the manpower and economic power to rectify the situation. It is also incumbent upon us to take a hard look at ways in which to open up new job opportunities that have previously been simply unavailable. And, of course, it means a total reevaluation of our existing food programs in order to provide a more efficient system to provide balanced diets where there is malnutrition, and basic foodstuffs where there is chronic hunger. Emergency measures may have to be taken in some instances.

There is an immeasurable amount that can be accomplished in 11 months if we would but commit ourselves to the extensive work that is required. That is why this select committee was authorized in the first place. We certainly should not back out on our commitment.

I join with Senator McGovern in the hope that the Senate will unanimously express its support and approval.

Mr. McGOVERN. Mr. President (Mr. Packwood in the chair), I thank the Senator from Wisconsin for his comments, especially in view of his own important contribution as the acting chairman of the committee whose work helped to create the Select Committee on Nutrition.

I yield to the distinguished Senator from New Hampshire.

Mr. McINTYRE. Mr. President, I rise in support of the restoration of the full authorization of expenditures for the Select Committee on Nutrition and Human Needs.

If there is a paradox as ironic as the existence of hunger and malnutrition in a Nation enjoying totally unprecedented prosperity—in a day when average food costs are lower in relation to personal income than at any time in our history—it is our national ignorance of facts concerning not only the extent, but the causes and the very nature of domestic hunger and malnutrition.

I find it difficult to believe that a nation as wealthy as ours, a nation so blessed with nutrient riches, is unwilling to spend $250,000 to continue a study of how best to get that nutritional wealth to the nutritionally impoverished.

It is not my purpose today to criticize the recent record of our domestic food programs. Indeed, I take some modest partisan pride in that record.

We now have more than 6 million people participating in Department of Agriculture food assistance programs for families. I should point out that nearly 40 percent of these are people who are not on welfare though they have welfare level incomes. Indeed, the only help they get is through these USDA programs because they do not fit into established welfare categories.

Some of these people are the elderly living on limited pensions. Others are employed only part time. Still others are fully employed, but at wages that deny a decent standard of living.

I take some pride, too, in the fact that the variety of foods offered under the commodity donation program has been increased from only five in 1960 to 22 today.

And I am proud that one of the first acts by a concerned Kennedy administration was to restore, on a pilot basis, a food stamp program that subsequently was enacted into law in 1964.

Today, either the commodity distribution program or the food stamp program is operational in areas where no less than 85 percent of our population lives. I am told that one or the other is now in operation, or about to become operative, in all but 472 of the total counties and independent cities in the United States—including the 1,000 lowest income counties.

And I am proud of the record of the past two administrations in successfully encouraging the amendment of the National School Lunch Act to authorize a higher rate of payment per meal to schools that enrolled children of low-income families, in initiating a special supplementary food package to new and expectant mothers and to infants and young children in low-income areas, in persuading the enactment of the Child Nutrition Act of 1964, and the Vanik bill of 1968.

But, this said, let me hasten to add that in my opinion these new programs and program improvements are not enough to win the war on hunger in this country, not as some of them are presently constituted, not as some of them are presently encumbered at one or another administrative level, not as some of them are presently funded.

More than that, until we know the strength and the nature of the enemy, it will be most difficult to design and develop an appropriate arsenal to defeat him.

We do not yet know the enemy as we should. Senator McGovern pointed out last week that as recently as 2 years ago the Surgeon General of the United States was saying:

> We do not know the extent of malnutrition anywhere in the United States.

When the Select Committee on Nutrition and Human Needs was established last July 30, it was specifically directed to examine the extent and cause of hunger and malnutrition in the United States and the success and failures of our present Federal food assistance programs.

It was given little more than this charge, for it was authorized to spend only $25,000 for the months of October, November, December, and January.

Under this handicap, the committee has not yet had an opportunity to begin a full-scale evaluation of Federal programs involved in food assistance and nutrition efforts.

Through field hearings and inspection trips in from six to 12 States, the committee hopes to evaluate current Federal food and nutrition efforts. The committee proposes to supplement these field trips through continued hearings in Washington and through intensive surveys by private consultants to evaluate State and local administration of Federal programs.

By cutting $100,000 from the proposed budget for this year's committee operations, field trips and field hearings would have to be held to a minimum and the use of private consultants sharply curtailed.

These cutbacks, I fear, would severely handicap the mission of the committee.

If the Senate of the United States is serious about its charge to the committee—and what could be more serious than hunger and human needs—I respectfully submit that the cut in authorized expenditures must be restored with all the haste demanded by this tragically urgent situation.

Mr. McGOVERN. I thank the Senator from New Hampshire.

Mr. President, I now yield to a member of the committee, the Senator from Illinois (Mr. PERCY), who has participated in all the hearings to date and has been most helpful to the work of the committee.

Mr. PERCY. Mr. President, I accepted membership on the select committee with some reluctance. When I already sat on 15 committees and subcommittees, the last thing I needed was another committee.

I accepted, also, with a degree of skepticism. I really could not visualize the problem of hunger in the United States being of a consequence that would require the establishment of a special committee of the Senate for investigation. With the large agencies and the departments we had, I felt they should be competent to cope with the problem. However, I have found this committee the most valuable committee on which I have served so far, from the standpoint of informing myself of a part of America that I really did not know existed.

I have learned much about nutrition and about the lack of nutritional education we have in this country. I learned that in our foreign-aid programs we enrich foods to an extent that we do not with food given to people in this country.

Mr. President, I support the position taken by 54 Senators in a resolution, Senate Resolution 68, to authorize $250,000 for the work of the Select Committee on Nutrition and Human Needs. Notwithstanding this indication of widespread support for the committee's activities, the Committee on Rules and Administration cut the budget request by 40 percent, or $100,000.

Certainly, in this time when we are all gravely concerned with the ever-growing Federal budget and the tax burden it imposes, the Rules Committee's attempt to act in the best interests of "economy" is commendable. However, the committee acted without the benefit of having heard, as other members of the select committee and I have heard, the tragic testimony which, day after day, has revealed the extent to which the silent sickness of hunger is crippling millions of our fellow citizens.

This testimony has consistently shown the manner in which hunger and bad health blights the life of the individual. It has also revealed the equally important fact that millions of our children, because they lack an adequate diet, will never be capable of assuming a productive role in society, and will, therefore, as they grow up, be added to our ever-increasing welfare rolls, and we will wonder why the welfare rolls rise.

We are concerned with the humanitarian aspect. Does it not make sense for us to investigate wisely the reason for ill health of people?

Let me illustrate this point in a very simple manner. In my own State of Illinois, monthly welfare payments to a family of four amount to $181. In other words, it costs the State $2,175 per year for each such family on welfare. Additionally, had the head of this family earned a median family income, he would have paid $867 in Federal income tax. It is, therefore, plain to see that the gross financial loss to society is an excess of $3,000 per year to maintain a family on welfare. If, through its efforts, the select committee can find ways to prevent the addition of only 30 families to our welfare rolls for a year—or three families for a period of 10 years—it will have recouped for the Nation the $100,000 reduction proposed by the Rules Committee.

Mr. CURTIS. Mr. President, will the Senator yield at that point?

Mr. PERCY. I am happy to yield to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I wish to state again for the RECORD that as one member of the Committee on Rules and Administration I was not motivated by the savings of $100,000 particularly at the expense of people who are either undernourished or suffering from starvation. My point is that the problem that apparently faces us is so massive and broad that we need a detailed and massive survey by a non-Government agency rather than what a senatorial committee could accomplish in 1 year by holding hearings.

Mr. President, I say that with the highest regard for Senators on the committee. I am not convinced that this is the best way to find out who is undernourished, where they are, and why they are there.

Mr. PERCY. If I may answer the distinguished Senator, as we analyzed the budget, we decided this committee should not be a continuing committee. The continuing function should be carried on by the agencies.

We had a question as to whether or not we could focus attention in a period of 12 months in various areas of the country, taking the Northern States, the Southern States, the Eastern and Western States, taking the rural and urban poverty, all types of families, and taking them as specific cases, so we could turn this body of evidence over and give impetus to a program that should be recommended and carried out by the administration.

We have a trained staff and a group of Senators dedicated, every one of us, to find answers to these problems. Yet I feel strongly that if the Senate turns us down for the $100,000, I am going to leave the floor of the Senate and go out and raise the $100,000 someplace. I am certain that some industry would contribute; perhaps a foundation would do it. But I think it is a tragic thing if the Senate could not find $100,000 to do a job. I feel absolutely certain that some foundation or private industry would be willing to give the money so we could carry on this work.

Looking at the committee hearings and the views expressed there, each of us is interested in finding the answers to these tragic problems we face in this country. We need to double the number of doctors graduating from medical schools. We do not have enough doctors to give prenatal attention to mothers. We know that one out of five mothers is from a poor family, and in poor families the incidences of premature births are twice as common as in affluent families. The undernourished mother is not able to give adequate nourishment to her child before it is born. Then we find that in a poor family where an infant is underfed he does not develop in body or in mind. In other words, for lack of food or nourishment millions of young children are not mentally equipped to cope with the problems they are going to face in a technical and industrially oriented society.

Mr. CURTIS. I cannot disagree with anything the Senator has said.

Mr. PERCY. Other than the fact that we are not going to get the $100,000.

Mr. CURTIS. No. No. I do not think it is that. I think the charge of great undernourishment in this country is so grave that it should have a massive survey that goes block by block throughout the United States.

Mr. PERCY. The temptation is great to suggest to the chairman that we request $200,000.

Mr. CURTIS. No, I do not think it is that. I think a survey is necessary. But I cannot quarrel with the objective or the need for finding out and identifying the problem and what to do about it. I feel strongly that we need to know where these people live, who they are, as individuals, if possible, and why. We have all of these programs in this country intended to do this which date back to the days of the first social programs which were undertaken. We were told that one-third of the Nation was underfed, ill clothed, and poorly housed. We have to identify the ones that are involved. I do not know of any better way to do it than has been mentioned here. I respect the position of the Senator from Illinois.

Mr. PERCY. I appreciate that very much and I will take the position that I will not request a penny over $100,000 additional.

But I also agree very much with the distinguished Senator from Nebraska that independent judgment is needed. That is why we need this money. Part of it will go for outside, independent, unbiased, consultative services to obtain the best experts we can find in this country so that we can be competent to evaluate the facts.

Mr. McGOVERN. That is where the major part of the money will go.

Mr. PERCY. The committee has revealed the situation and brought it to light and it should be allowed to continue its work and not be crippled by inadequate financing so that it cannot do the kind of job which I know the distinguished Senator from Nebraska would expect of us.

Mr. President, it is clear to me that the proposed reduction in the select committee's funds is not in the best interests of real economy: The $100,000 "saved" if the Rules Committee action is sustained will cost us hundreds—or perhaps thousands—of times this amount in future years.

The effect of this proposed reduction would be to partially negate the progress made thus far by the select committee in determining the extent of hunger and malnutrition which exists in the country today. Even more important, it would preclude the committee's effective operation at the beginning of its most crucial and valuable period—that of developing and proposing workable solutions to the many problems which we have found do exist.

Again, to the distinguished Senator from Nebraska, I can only say that I accepted the assignment to the committee as a result of the action of the Senate. Once having been given that responsibility and having been told by the Senate, "This is what we want done," we would be derelict in our duty if we said that we would be satisfied to do just half a job. Of course, we cannot be satisfied with doing just half a job on a problem of this magnitude. We have been given the responsibility and we want to do a job which we feel is absolutely necessary, and we need the wherewithal to do it.

At present, we do not have either a sufficient knowledge of the many factors involved in the problem of hunger in America—although through the select committee's activities we are much closer to obtaining that knowledge than we were a few months before—nor do we have fully developed proposals to assure the solution of this problem. I am confident that we can do our job of finding the solution to these shameful conditions if the funds requested by the select committee are authorized. I am equally convinced that if these funds are not granted our past activity will have been largely in vain because the reduced activity which the committee will have to restrict itself to will be inadequate to the task.

If sufficient funds are not made available, it will be difficult for those of us who now know the seriousness of this problem. If I had not heard the tragic tales my conscience would not be bothered as it is now. My indignation at our past failures to act in this area would not be as great as it is if I did not know the effect of malnutrition on children—causing thousands of our 8-year-old children to have the height and weight of a normal 5-year-old child, or with their teeth in such a pitiful state that they cannot chew because it is so painful, or with an incidence of six to seven times the normal in respect to anemia, and in many cases with retarded brain development for which no remedy exists and which forever precludes them from playing a normal role in our society.

I would be less disturbed if I had not learned through our hearings that goiter—which we had almost eliminated in this country 30 years ago and which can be prevented by the iodization of salt at a cost of less than one-fourth of a penny per person—is increasing and is already again widely prevalent in large areas of the country; or that serious problems of anemia exist, as shown by inacceptable hemoglobin levels in 23.5 percent of those people so far examined by the national nutrition survey.

I would be more complacent if our select committee had not heard Dr. Margaret Mead tell us:

> We need to face the simple facts: the American people are *less* well-nourished as a whole than they were 10 years ago. Those with the fewest resources and least education, those who live in the worst areas and belong to the most disadvantaged groups, are suffering the most. Their need is urgent. The national need is urgent.

I would not be so concerned if I were not aware that, at the same time we pay our farmers not to grow food, over 10 million Americans are undernourished, or did not know that if our nutrition rate were to be brought on a par with that of most advanced European countries 35,000 children would not die unnecessarily each year—if I did not know all this perhaps I would be less concerned by this proposed reduction in funds.

I could perhaps accept this proposed reduction more easily if I had not read the account, "A Week of Welfare Meals," in a recent edition of the Chicago Sun-Times.

Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Chicago Sun-Times of February 2, 1969, written by Anthony Monahan, and entitled "I Was Hungry: A Week of Welfare Meals"; and an article entitled "Hunger Fight Waged Halfheartedly," written by Judith Randal and published in the Washington Star of February 13, 1969.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Chicago (Ill.) Sun-Times, Feb. 2, 1969]

I WAS HUNGRY: A WEEK OF WELFARE MEALS

(By Anthony Monahan)

On the third day, the oranges and apples ran out—but who really needs fresh fruit?

On the fifth day, the potatoes, bacon, cereal, soup and most of the vegetables were gone—but not forgotten.

On the sixth day, the meat ran out; on the seventh day, the money was gone.

Welfare, 1969: For one week, my family and I—two adults and three children—lived on a welfare food allotment.

Are public aid food grants too high? Too low? The Church Federation of Greater Chicago is inviting Chicagoans and suburbanites to find out for themselves. In the week starting today, Feb. 2–8, families are being asked to live on welfare food budgets and report their experiences to the federation, 116 S. Michigan.

TWENTY-FIVE CENTS PER MEAL

Although welfare budgets vary, the federation specifies these food allotments for an average family: $5.37 weekly for each adult; $6.09 weekly for a teen-ager; $4.86 for a child between 6 and 12, and $3.25 for a child under 6. An additional 45 cents per day for lunch is allowed an employed person.

It worked out to 25 cents per meal for my wife and myself; 23 cents per meal for 8-year-old Michael, and 15 cents each per meal for Patrick, 5, and Maureen, 4.

The burden falls heaviest, of course, on the woman; what is an annoying problem in planning for the middle-income wife on a single-week experiment is a daily fact of life—and nutrition—for the welfare mother.

The economics of our welfare week, Jan. 21–27, were simple—like our meals. Our total allotment was $24.35. The week's milk, four gallons delivered by a dairy, cost $4.32, leaving $20.03. (Were we to do it over, we would further reduce the milk delivery, or eliminate fresh milk entirely and use powedered milk; dairy products generally are out on a welfare budget.)

Of the $20.03, we spent $18.51 of it on the single major shopping trip the evening before our budget week began. This left $1.52 for incidentals—mainly bread—to be purchased during the week.

We didn't quite make it; our budget went over the limit by $2.35—but that might have been avoided by better planning; the stark planning that extends into all areas of welfare living, from clothing to housing.

A DIFFERENT WORLD

"It means," my wife said, standing in the supermarket filled with light and music and bright packages, "that you have to go into a store with blinders on. If you're on welfare, most of these items are for people in a different world."

Certain items are automatically eliminated as luxuries, such as butter (84 cents a pound), orange juice (69 cents per concentrated double quart), ice cream ($1.09 for two quarts.)

Others are obviously included: bony soup meat at 78 cents a pound; chicken pieces ($1.56); large loaves of the cheapest white bread (2 for 49 cents); hot cereal (39 cents for 24 ounces), and casserole ingredients—soups, noodles, evaporated milk.

Simple fare, but not so simple decisions: For the week's seven breakfasts, you have 22 eggs (two are allocated for homemade biscuits), and a pound of bacon, 18 slices (you've counted them). Do the kids get any of *my* bacon? Do I have to eat *their* gritty hot cereal?

The meals, then, are simple but filling (almost; I lost four pounds in the week). Hamburger, casseroles, homemade soups, one slice of pressed chicken instead of two in your 8-year-old's lunch, a week of lunches of tomato soup (11 cents a can) and cold sandwiches for the younger children. No snacks, of course, and no desserts.

Your 8-year-old, one morning in midweek, takes eight sugar-wheat cookies from the one box of 36 cookies (29 cents), drops them in his lunch sack and scoots off to school. A minor crisis, like when the 5-year-old ate three of your week's supply of 12 oranges (69 cents). Minor crises—but what if the pot roast ($1.09 a pound) had spoiled, or a gallon jug of milk ($1.08) had been dropped and broken. . . .?

Each family's needs are different, and one can have little real insight into the total effects of poverty after seven days of skimpy meals, but certain experiences were sharp:

1. Late in the week, both my wife and I developed a strong urge for candy, or any sweets, to adults, who rarely eat candy, were suddenly craving candy bars as a heavy smoker craves a cigaret. During the week, we had taken in very little sugar—no desserts, no soft drinks, no breakfast rolls or jams, a cutback on coffee with cream and sugar, a few coffee breaks at work (couldn't afford the 10-cent machine coffee)—and the sugar deficiency was beginning to show.

2. There is little or no room on a welfare food budget for beverages, from soft drinks to beer, for napkins, special seasonings—or for friends for dinner. Restaurants, like butter and strawberries, are for other people.

3. The meals were filling, starchily filling:

homemade vegetable-and-beef soup for one dinner, a chicken casserole the next; potatoes, bread—lots of bread. (As our "incidentals" money dwindled, no large purchases were possible, so cheap items of filling food were needed—such as white bread.) Yet toward the ends of the workdays, I felt slight surges of dizziness, light headaches, an inability to concentrate. I was hungry. Hungry at noon, since I had eaten my lunch at 11, and hungry at 10:30 p.m.

On the last day of our budget week, a Monday, 8-year-old Michael came home from school listless, ill-tempered, and complaining of a "funny stomach." He was hungry; my wife, after calling me, promptly went to the store for extra food for a solid dinner, and we went over our budget. Welfare people have no self-discipline.

"We hope that this welfare week will be an experiment in empathy," said Jean Wetzel of the church federation about the group's project. "It's a chance for middle-income families to project their lives, at least for a week, into the life of poverty."

[From the Washington (D.C.) Evening Star, Feb. 13, 1969]

HUNGER FIGHT WAGED HALF-HEARTEDLY

(By Judith Randal)

In times of galloping inflation and unbalanced budgets, the custodians of public monies cannot be too careful about holding the line on over-all government expenditures. When it becomes necessary to spend a little more here, fiscal responsibility requires that a little less be spent somewhere else, lest things get entirely out of hand.

Thus, the Senate Rules Committee's action on February 6 in cutting back another committee's funds by 40 percent can only be regarded as commendable. By this action, $100,000 will be saved—a sum sufficient to offset the first year's salary increases for eight senators or to pay for some 3 percent of the cost of a single jet engine for a bomber.

It was unfortunate that the funds curtailed were those of the Select Committee on Nutrition and Human Needs, but when "economy" is the watchword, the chips must be expected to fall where they may.

The select committee, headed by Sen. George McGovern, D-S.D., had been planning to complete a definitive study of acute hunger and chronic malnutrition in the United States.

McGovern hoped to get $250,000 for his committee this year—a sum that would fall $5,000 short of the compensation for six senators. This amount would pay for the consultant services of a number of doctors, nutritionists and other experts needed to assess the effectiveness of federal food programs at the state and local level, as well as for the travel, maintenance expenses and stenographic fees incurred during "field hearings" by the committee. With the cutback there will be enough money for only five or six of these, and they will have to be held within easy distance of Washington instead of nationwide, as had been planned.

The beauty of this from the viewpoint of some is that it will be virtually impossible to get an accurate head count on exactly how many people are hungry or undernourished and where. The preliminary data of the first national nutrition survey ever conducted by the Public Health Service, or any government agency, already, as McGovern said February 7, "indicate that hunger and malnutrition in this richest of all nations is as severe as in some of the poorer nations of the world." Thus, some legislators understandably feel that they have been told more than they want to know about the problem and that further documentation of it will only strengthen a precedent dangerously begun.

Legislators are apparently not the only ones afraid of setting precedents about the nation's hungry—conservatively estimated at 10 million. The Department of Agriculture has disregarded a federal court order, handed down December 30 in San Francisco and upheld at a further hearing February 4, in which the agriculture secretary was instructed to promptly provide at its expense commodities or food stamps to 16 California counties presently without such programs. (By law, no county can have both programs.)

At the time of the initial action—which was brought on behalf of several counties by California Rural Legal Assistance, Inc., an organization funded by the Office of Economic Opportunity—USDA admitted that there was "substantial" hunger in the counties concerned, that people would suffer "immediate and irreparable harm" without food and that it had both foodstuffs and money to do the job.

Yet no remedial steps have been taken and, indeed, California Deputy' Attorney General Richard L. Mayers has reported to the court that Agriculture is "wholly frustrating and interfering with the ability of the state" to comply with the court order to put food programs into effect quickly.

The department contends that it is reluctant to set up food programs in counties which will not take on the administrative costs of making food stamps or surplus commodities available—an argument that seems difficult to justify in view of the fact that 10 of the 16 counties have indicated a willingness to take on such responsibility. But even had they not done so, the department has $300 million in unused reserves that, if not used by July 1, will revert to the Treasury, and feeding the poor in the counties in question would cost only $200,000 a month.

Agriculture's explanation is that it acts unilaterally to introduce food programs only when the average income of a county is at or below the poverty line and that it does not want to start a different precedent. But are poor people any less hungry when their neighbors are affluent? In one of the 16 counties (San Benito), the average family income is well over $4,000, yet a third of its 18,500 inhabitants are well below the poverty line.

It would seem that to feed the needy in some counties and not in others is a clear violation of the "equal protection" clauses found in the Constitution. But be this as it may, poor people continue to go hungry while the legal and administrative machinery grinds on. As an East African saying has it, "When elephants fight, the grass dies."

Mr. PERCY. Mr. President, this is the story of one of the many Chicago families who responded to the appeal of the Church Federation of Greater Chicago to live for 1 week on a welfare food budget and who reported their experience to the federation. This family said:

> On the third day, the oranges and apples ran out—but who really needs fresh fruit? On the fifth day, the potatoes, bacon, cereal, soup, and most of the vegetables were gone—but not forgotten. On the sixth day, the meat ran out, on the seventh day the money was gone.

What does a welfare food budget mean? This one family found "it means that you have to go into a store with blinders on—if you are on welfare, most of these items are for people in a different world." What is not discussed in this article is how families who do not collect welfare manage to feed themselves at all.

The recent revelations as to the state of the hungry poor in America have shocked us; and we needed to be shocked. The question is, have they also shamed us and do we feel sufficiently that shame to take the collective actions necessary to erase these conditions? We cannot exert less than our full efforts to fight the war against hunger, and as a member of the Select Committee on Nutrition I say the committee cannot accept less than what is needed in the attempt to fight this war to a successful conclusion by studying the situation and making recommendations for its solution.

We cannot have it said of this body, as it was said in the Washington Star of last Wednesday, that the hunger fight is being waged halfheartedly. In this article the writer pointed out that the proposed $100,000 reduction to the select committee's budget will save "a sum sufficient to offset the first year's salary increases for eight Senators or pay for some 3 percent of the cost of a single jet engine for a bomber."

The "economy" proposed by the Rules Committee's resolution is a false economy and we cannot afford such false economies. Without these funds, the select committee will be unable to obtain the consultant services of those experts needed to assist in finding the solutions to our present dilemma. It will not be able to conduct many of the proposed field hearings; and those remaining field hearings which it can conduct will have to be restricted to the northeast seaboard, thus preventing the assessment of the problem of hunger on a truly nationwide basis.

In brief, the fight we have begun against hunger in America will be halted before it has really begun. I am convinced that this is not the desire of the American public nor of the Senate, and I urge, therefore, that the original budget of the select committee be approved by the full Senate.

Mr. McGOVERN. I thank the distinguished Senator from Illinois for his helpful contribution this afternoon.

Mr. JAVITS. Mr. President, may I join the Senator from South Dakota in expressing my gratitude to the Senator from Illinois for the eloquence of such a distinguished member of our committee.

Mr. McGOVERN. Mr. President, I now yield to the Senator from Kentucky who is a member of the committee.

Mr. COOK. Mr. President, I rise to speak in favor of the resolution, not so much in regard to what has been said but in regard to some of the things that have been obvious, having attended the hearings so far.

It has been a pleasure for me to be on the subcommittee with the distinguished Senator from South Dakota and, I might add, with the distinguished Senator from Louisiana. I have learned a great deal. One of the things I have learned is that it is also the duty and the responsibility of the committee—and I might suggest this to those who are members of the Appropriations Committee who saw fit to cut the budget—to see to it that those functions of government presently in existence function well. We have found that they do not function well.

This morning Senator HOLLINGS, from South Carolina, appeared before the committee, and in the questionings I asked specifically: Did he feel that the Department of Agriculture was doing a good job in its distribution and in its food stamp program? He stated emphatically that it was not doing a good job.

I asked if he felt the HEW program was doing a good job; and he said that it absolutely was not doing a good job.

I ask for the restoration of these funds—specifically going to the point of the Senator from Nebraska—for the purpose of determining why the agencies that are already in existence are crying "wolf" when they are not doing a decent job the way they ought to be doing it.

It was brought out in the hearing this morning by the Senator from South Carolina that a community in his State has spent 7 years trying to meet the guidelines of the Federal Government to get a water system, and the people there still have not cut across the red tape and guidelines to get that water system. He indicated that the price of the system, if it were to be approved today, would cost 400 percent more than it would have cost had it been approved some 7 years ago. Gentlemen, we find ourselves drowning in guidelines and red tape.

I look forward to the restoration of these funds, not so much to establish that which I will most readily admit is in existence in this country, but I look forward to the restoration of those funds to see to it that the agencies of the Federal Government that have been given such broad power and broad authority in regard to establishing guidelines are notified by this body, once and for all, that they are here to serve a purpose; that the Government is not an inverted pyramid, but it is an umbrella. And to that extent I would have to say that the questionings and the interrogations by the senior Senator from Louisiana have been tremendous in this regard; that he has hit to the core on many and many an occasion the fact that we are failing at this level; and we are failing because, as Dr. Drucker said the other day, the paperwork that must be done now on welfare projects takes as much as 70 percent of a social worker's time, to the extent that he or she is left with one hour and a half a day to deal with the problem and solution of the problem—namely, answering the problems of the poor in this country.

I would say to the Senator from Nebraska that I am asking for this restoration, not for a block by block survey in this country, because the situation is in existence—it is here now—but I am asking for his help on the sound and logical basis that an answer to this problem must be found. It can be found here. We can only hope that, by the restoration of these funds, and the fact that this resolution also calls for the specific cutoff for this committee, an answer to this problem can be found, because it must be found.

Mr. McGOVERN. I thank the Senator.

Mr. President, the ranking minority member of our committee, the senior Senator from New York (Mr. JAVITS), has been involved in the study of hunger and malnutrition in the United States longer than I have and longer than most of the Members of this body have. He was involved in the original investigation in Mississippi a few years ago, and has maintained his interest in this problem all along. I am very pleased to yield to him at this time.

Mr. JAVITS. Mr. President, if the Senator will do that, I shall take a few moments at this time.

Mr. President, I think the case has been argued very thoroughly, and I shall not for the moment endeavor to repeat the arguments which have been made so very ably.

There are two points, however, Mr. President, that stand out. One is that the whole history of the effort to bring the Nation to the realization that there was such malnutrition as to be equivalent to hunger in this country, pervasively covering millions of people; that this is not just a matter of a few in one county in a southern State, or a central State, or in New York, for that matter, where we have exactly the same problem in certain areas, but is a widespread situation.

We have always run against two hard rocks; one a controversy on the facts: Is it so? The other, if it is so, is it not a fact that the Government agencies are very well equipped to meet it, and it is the fault of the people, themselves, who have hungry children, or who are themselves hungry, and are not knocking on the right door, either State, local, or Federal. We have to prove the case in order to get relief.

It was the source of a very considerable controversy, which got very hot, between Secretary Freeman and myself, which first put this matter on the front pages. I was not very proud of that, because, for one of the very few times in my life, I lost my temper. It seemed inconceivable to me for a man to preside over the Department of Agriculture and not realize that $2 for food stamps was too much when a person did not have it, or that there were many counties in the country where if a food stamp program were put in the place of a food distribution program, the impossible was substituted for a possible situation. There were many needed programs that were not in effect or were being avoided by local authorities.

We have to prove these things. We do not expect the Senate to take it on faith.

I think the Senator from Kentucky did well to refer to the work of the Senator from Louisiana. The Senator is the chairman of the Committee on Agriculture and Forestry, and knows of all these things and, regardless of what he thinks on the money resolution, knows that in this country, having the greatest production of food and fiber in the history of any nation, there is still a situation of actual hunger.

So we have to prove the facts. And how are we going to prove them? If we can get $250,000, which is not a great deal of money, considering the way we spend money around here, with the firm commitment by Senator McGOVERN himself and the whole committee that it will last only until the end of the calendar year, it will go out and prove the facts on two grounds: First, that the situation exists; that it is pervasive; that it affects millions of people, including hundreds of thousands of children; second, that the governmental machinery, somehow or other, just is not working in order to deal with it. We have no other recourse but what I consider to be a commitment—and I think the whole committee is committed to it, operating under a tight budget—to utilize the necessary resources to do the job.

Just one further thing and I shall be through. There is a very real question of conscience here. It seems to me that we must not now tell the Nation that our concern was only temporary, and that we have to tell the people that there is an estimated 10 million hungry Americans, as well as to tell the people and children who are suffering from physical and mental inhibition; and we can leave no doubt that the Senate and the Congress are willing to face up to the intolerable condition of hunger and malnutrition in our country.

I hazard the guess that the New York Times and other publications that have gone into it, including Newsweek, have spent 10 times $250,000 just reporting on the situation. And here we are desirous of getting the basic facts, and the amount required is $250,000. So it is really an appeal to the conscience of the Senate, 54 of whose Members joined Senator McGOVERN in sponsoring the original resolution, as to whether we are going to go through with this thing, as we said we would, or whether we are just not going to get the facts.

I appeal to the conscience of the Senate and to every one of my colleagues. Let us think of the mother whose child lies listlessly in its crib because it is severely malnourished, is discolored because he suffers from Kwashiorkor—severe malnutrition. And just as saddening, to think of the child in the third grade whose hunger for food exceeds his hunger for knowledge, causing him to peer aimlessly out of the window listening to the hunger pangs of his stomach rather than to the words of his teacher. These are the thoughts and the issues before us today and upon which we shall vote.

That hunger and malnutrition do exist in our country has been clearly illustrated by films shown to the committee and by distinguished witnesses. The preliminary results of the first nutrition survey ever conducted in the United States indicate that there is malnutrition among an unexpectedly large percentage of the population studied to date. To learn that there is high vitamin deficiency and growth retardation among our Nation's children, is indeed horrifying. As Dr. Arnold Schaefer, Director of the Nutrition Survey, stated:

> It is unreasonable in an affluent society to discover such signs as those seen to date.

Mr. President, we are the most productive Nation in the history of mankind. But, the test of our strength is not how much we have in production, but whether we can provide enough to those who have too little. With this in mind, I ask that the Senate restore the original $250,000 as requested by the committee.

Finally, it is very interesting to me that we have an excellent prima facie case to lay before the Senate based upon the findings of the new administration itself, though it is very new. Yesterday we heard a statement by Mr. Finch, Secretary of Health, Education, and Welfare, in which he recognized and accepted the findings of fact which have been made here: and, according to his own analysis, it came to a situation in which among 12 million people—on his own analysis, not ours—there is a condition serious enough to warrant this kind of intercession that we are discussing.

Then we also have roughly similar evidence from the new Secretary of Agriculture, who said yesterday, and this reflects his experience with what I have just reported about our problems with the Department of Agriculture up to now:

> The climate of the country seems to have shifted materially in the past four to five months. There, indeed, is substantial support for a stepped up campaign with relation to hunger.

Mr. President, with all of these facts before us, I appreciate the position of the Rules Committee. I have served on the committee. I understand exactly why, when they were faced with enormous requests, they felt they simply had to do their utmost to cut them down. It seemed more attractive to cut a temporary, ad hoc committee than one of the basic legislative committees, with extensive legislative oversight. I can understand that.

But I think the Senate, at the same time, should try to do what it must do in order to do justice, especially in view of the presentation now under debate, because, as the Senator from South Dakota has said, we had no debate in the committee. He presented the matter, and I presented it. We went away without any idea what the objections might be. We still do not know.

Now, with an opportunity for debate, which has been assisted by the Senator from Nebraska (Mr. CURTIS) and other Senators, I think we have demonstrated the case clearly. It is sustained by the new administration, and I hope very much that even the members of the Rules Committee themselves, having heard the matter, may now reconsider their own positions, and be persuaded to do what conscience clearly dictates, make available the committed amount for needs for 1 year, under the trust to which the committee is committed.

Mr. President, before sitting down, I wish to say a word in praise of the distinguished Senator from South Dakota (Mr. McGOVERN), who has truly proceeded as a statesman in this matter, with head, with heart, and in every way, to do what he has done today. All of us should be grateful to him, and I am sure that all of us are.

Mr. YOUNG of Ohio. Mr. President, the action of the Rules Committee in cutting the budget for the Select Committee on Nutrition and Human Needs from $250,000 to $150,000 appeared shocking to me and, in my judgment, inexcusable. I hope very much for the restoration of these funds cut off in the Rules Committee.

The scourge of hunger—that compelling desire for food, that nagging emptiness in the stomach—should not be permitted to exist in this Nation. At least 10 million Americans, mostly children, suffer from chronic hunger or malnutrition. The health gap between the rich and poor is a continuing national disaster.

We are spending more than $30 billion of taxpayers' money a year in our involvement in the ugly civil war in Vietnam—all blown up in smoke. In that useless and immoral war we are spending more than $100,000 every 2 minutes of every hour of every day of the year. How can we justify cutting $100,000 from the effort to eradicate hunger in our Nation when we willingly spend that amount every 2 minutes in an immoral and undeclared war in a little country 10,000 miles distant from our shores which is of no economic nor strategic importance whatever to the defense of our Nation?

It is inexcusable for one American to go to bed hungry, to grow up with the handicap of malnutrition.

How can we justify pennypinching on the investigation of hunger in our Nation when we spend hundreds of millions of dollars annually in payments to farmers for not growing crops, when many wealthy gentlemen farmers receive more than $100,000 annually in Federal subsidies for leaving their fields idle? How can we justify taking money from hungry children, women, and men when we spend more than $70 million a year on the civil defense boondoggle—a complete and utter waste of taxpayers' money and now propose to spend billions of dollars on the antiballistic-missile system which will be obsolete before completion? How can we refuse an additional $100,000 a year for a committee to investigate the hunger afflicting the poor when we at the same time allow tax loopholes that permit wealthy individuals and corporations to evade their fair share of taxes or to pay no income taxes whatever?

Mr. President, I note that the Rules Committee recommended $450,000 for the Internal Security Subcommittee of the Judiciary Committee—three times the amount approved for the Select Committee on Nutrition and Human Needs. Certainly the health and well-being of more than 10 million Americans is at least as important to our national security as the investigation of those very few in our society who do not conform to the norm or who supposedly are a danger to our democracy.

We would do well to heed the words of the Roman philosopher Seneca who 2,000 years ago said, "A hungry people listens not to reason, nor cares for justice, nor is bent by any prayers," and those splendid words of Albert Einstein who once warned, "An empty stomach is not a good political adviser."

Mr. President, over the years Congress has enacted legislation to help stem hunger in our Nation—most notably the distribution of surplus food to the needy, the food stamp program, and the Federal school lunch program. Commendable as these efforts were, there are still millions of men, women, and children living on diets containing less than two-thirds of necessary minimum nutrients. The Federal school lunch program reaches less than one-third of children from impoverished homes. Children born in deep poverty too often are the victims of dietary deficiencies that affect development of the brain and stunt their physical growth. By the time these children reach public schools where they may receive one hot meal a day the damage has been done and is irreversible. The food distribution program reaches less than one-fifth of citizens living in poverty. The food stamp program, while assisting millions of Americans has failed to solve the problem of hunger.

The fact is that millions of children and adults are nearly starving in the midst of plenty. It is obvious that much greater effort must be made by the Federal Government to provide all Americans regardless of their economic status with an adequate and balanced diet.

We simply cannot afford to maintain the status quo on the hunger front. We cannot afford to continue to condemn millions of Americans and thousands of babies born each year to a lifetime of second-class citizenship.

Before leaving office last month, Secretary of Health, Education, and Welfare Wilbur J. Cohen testified before the McGovern committee that food stamps and other Government food assistance programs do not even reach 14 million of the Nation's 22 million poor. The Select Committee on Nutrition and Human Needs chaired by the distinguished junior Senator from South Dakota (Mr. McGOVERN) has done outstanding work in appraising the inadequacy of Government food programs to meet the needs of hungry Americans. It is of utmost importance to the security and well-being of our Nation that this committee be permitted to continue its important work and that $100,000 be restored to its budget to enable it to do so.

Mr. SCOTT. Mr. President, I am cosponsor of Senate Resolution 68 to fund and extend for 6 months the Select Committee on Nutrition and Human Needs. When the committee was established by a unanimous vote, the Senate gave it a mandate to study the problems of hunger and malnutrition, and committed it to recommending ways to assure that the nutritional needs of our citizens are met.

Therefore, I wholeheartedly support adequate funding of the committee to enable it to carry out these two very necessary objectives.

The Select Committee on Nutrition and Human Needs must rely upon the know-how of national experts who can go into an area to investigate ongoing health and nutrition programs. We must have a detailed analysis of hardships, for example, why some needy persons do not participate in food programs, or if a food program is in operation. This, of course, is not all that is involved in the hunger and malnutrition problem in America so we must go look and see what is behind the story of Americans in such dire circumstances that hunger and malnutrition are the results.

The select committee will have to take advantage of consultants and experts who are equipped with investigative techniques. Their findings will form the basis for positive action against the conditions heavily documented by professionals in the field of health during testimony before the committee this past December and January.

It is my hope that the Senate will today renew its unanimous mandate to the Select Committee on Nutrition and Human Needs by providing adequate funds for a penetrating investigation into the needs of our people so that we can effect some beneficial changes.

I am pleased to note that President Nixon's administration is moving decisively and quickly in this matter. Yesterday the Secretary of Health, Education, and Welfare made public his directive expanding the HEW study on the extent and effects of malnutrition. Secretary Finch said he plans to send copies of such reports to the Nation's Governors to enlist their support in fighting this critical problem.

The Secretary of Agriculture said his Department is "hoping to move every possible resource we can muster" to wipe out malnutrition in the United States.

I hope that Congress and the administration, working together, can quickly define the scope of this terrible problem and can as quickly take the necessary steps to eliminate hunger in the world's most prosperous Nation.

Mr. MONTOYA. Mr. President, the Rules Committee recently cut the budget of the Select Committee on Nutrition and Human Needs by more than 40 percent—$100,000. I am most distressed by this action, and I would point out that this cut will make it impossible for the select committee to effectively fulfill its mandate from the Senate—that of thoroughly examining the serious problems of hunger and malnutrition in the United States.

If Congress is to address itself realistically to the needs of the millions of Americans who are malnourished, the select committee must be permitted effectively to examine and evaluate Federal, State, and local administration of food assistance programs such as the school lunch, food stamp, and commodity distribution programs. As the budget presently stands, however, these field activities will of necessity be extremely limited. Unless the cut is restored, the committee anticipates that it will be forced to cut the number of field hearings and inspection trips to five from the originally scheduled 12.

Mr. President, I have introduced in the past a number of measures to help to alleviate the hunger and malnutrition problems that exist in the United States. I was convinced then, as I am now, that there are people in this great country who are hungry, that there are millions of Americans who are malnourished because they have too little to eat or eat the wrong foods. Restoration of the full amount originally budgeted to the Select Committee on Nutrition and Human Needs would be a meaningful step toward a solution to these serious problems.

Mr. HART. Mr. President, I rise in support of the amendment offered by the Senator from South Dakota (Mr. McGovern) to restore $100,000 to the funds available to the Senate Select Committee on Nutrition and Human Needs, on which committee I am proud to sit.

This committee, in the few months it has been in existence, has succeeded in focusing national attention on the problem of hunger in America. My own concern goes back to 1962 when I became aware that the school lunch program was widely available to well-to-do children but was not adequately reaching the needy and hungry. The appeals which a few Members of Congress and I made that larger sums of money were imperative for the so-called needy schools, were not persuasive.

We made some small progress over the years, but all too little. Our programs of food for the disadvantaged were woefully inadequate.

With the shocking facts supplied last year by five responsible national women's organizations in their publication, "Their Daily Bread" and by the CBS documentary, "Hunger in America," the country was finally awakened.

Now comes the Senate select committee. Under the brilliant leadership of our colleague, Senator McGovern, the committee is doing the kind of sober, thorough, professional job which will permit us—later—to legislate wisely, with all the facts in hand.

In my book, it would be indefensible to cut back this investigation by more than 40 percent, as proposed by the Rules Committee. This is a job that must be well done and thoroughly done, so that the remedies we develop will meet the needs in all parts of the country and in all segments of our population.

Mr. WILLIAMS of New Jersey. Mr. President, I wholeheartedly support Senate Resolution 68, sponsored by Senator McGovern, which would provide funds for continuing the investigation of hunger and malnutrition in the United States.

In addition to the many important reasons for full funding set forth by my colleagues, another reason for immediate action in this area is to relieve the hunger and malnutrition problems of the migrant farmworker and his family.

My knowledge of the special problems faced by migrants is based on my 10 years experience as chairman of the Migratory Labor Subcommittee. The subcommittee conducted numerous field trips, investigations, hearings, and onsite visitations that all indelibly marked on my mind the singular fact that migrants and their families are underfed and malnourished.

On one trip to my own home State of New Jersey, within sight of the towers of Princeton University, we saw a migrant labor camp with parents and children suffering from hunger and malnutrition. And, although I am certain that considerable improvement has been made in New Jersey, I would welcome the possibility of the Hunger Committee coming to New Jersey to investigate precisely what the situation is today.

That continued investigation of hunger problems of migrants is imperative was made clear in an article appearing just yesterday in the New York Times. Mr. President, I ask unanimous consent that this article be reprinted in the Record at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WILLIAMS of New Jersey. Mr. President, although not all migrant camps present such shocking conditions, far too many still do.

I know from personal experience that the problems of hunger and malnutrition are particularly acute among migrant families. Yet, Mr. President, existing solutions to America's hunger problems, designed and administered for a stable population, are largely inapplicable and ineffective for migrants. Because they are constantly on the move, migrants do not have the nongovernmental resources such as local credit or private charity normally provided by a community to its residents. None of the Federal, State, or local public assistance programs are designed to accommodate nonresident in-stream migrants.

Either new programs specifically for migrants must be developed, or existing programs must be restructured to take into account the food needs of this large mobile population.

That is why the work of the select committee must continue and unfettered with full funding.

EXHIBIT 1

HUNGER IN AMERICA: POVERTY LEAVES MIGRANTS PREY TO DISEASE

(By Homer Bigart)

IMMOKALEE, FLA.—Ten miles southwest of here strung out like garbage along the edge of a cypress swamp is Smith's Camp, a gathering place for some of the migrant farm workers who flock here in winter to pick the vegetable crops.

It consists of a dozen or more windowless plywood shacks, all without toilets or running water, all painted a dull green and all facing a dark slough choked with bottles and trash.

Some distance away there are three smaller shacks, two of them privies, the third a cold-water shower. None shows signs of recent use. Few migrants are hardy enough to take cold showers out of doors in the dead of winter, even in Florida, and the latrines are unspeakably filthy, seats and floors smeared with dried defecation. So the people use the woods.

A spigot planted in the ground provides water for the shacks. But the 20 or 30 migrants who live here say the water is foul smelling and foul tasting. The only apparent amenity is the naked electric light bulb hanging from the ceiling of each shack.

Such a place is Smith's Camp, its condition of poverty far removed from the showy affluence of nearby Gulf Coast resorts and its people, during frequent periods of unemployment, vulnerable targets for hunger and disease. A Senate committee investigating hunger will be in the area March 10.

GATHERED IN CANTEEN

On a recent Saturday, a visitor found most of the camp's adult population assembled in the canteen. The migrants had just been paid, apparently, and several men and women were finding release from the surrounding squalor by getting themselves soddenly drunk.

One woman, still sober enough to talk, said that in good times she made as much as $60 for six days work in the fields, picking beans and peppers, but now work was slack because cold weather had retarded the crops.

"We've got to pay $10 a week for these huts," she said. "Last week the water was up so high we had to wade to the door. I never would've left Carolina, but they told us the rent was free."

Someone had skinned a possum in front of one of the shacks, then left the meat for the flies. The cadaver of another skinned animal floated in the slough.

A man who introduced himself as "Hobo Bob" reeled out of the canteen and proudly produced an old photo that showed him with a wine bottle in one hand and a pistol in the other, a cigarette dangling from lips creased in a grin. He said he was sending the photo to a cousin in South Carolina, to show the relative what a happy life migrants could lead.

"That's Hobo Bob," he laughed, patting the photo.

Retrieving a cardboard box from his shack, Hobo Bob offered visitors some cold grits mixed with beans and fatback.

Smith's Camp is one of 60 or 70 accommodations for migrants around Immokalee. Other camps seem less appalling in physical appearance but hold a greater potential for human degradation and misery because they swarm with children.

UNEMPLOYMENT HEAVY

Albert Lee, an energetic young Negro who heads the local antipoverty project, the Community Civic Workers, said it was a bad season for migrants, with heavy unemployment.

Immokalee, a town of 3,000 near the northern edge of the Everglades, normally has a mid-winter population of 12,000 migrants, he said, but now there were only about 10,000. Many who normally wintered in Immokalee had gone to Texas instead.

Immokalee is in Collier County. Many well-to-do retired people live in Naples, the county's biggest community, and this element, plus the big farm owners, have insured a highly conservative county government.

The county has a long history of snubbing Federal aid, even during the Depression era, and in recent years the county commissioners have stoutly rejected the food distribution programs of the Department of Agriculture.

Today Collier County offers neither direct food distribution nor the food stamp program. Migrants who run out of money here are out of luck.

How do they keep alive Mr. Lee was asked.

He said he had received on Christmas Eve $500 from the Office of Economic Opportunity. The instructions were that the money could be distributed only for emergency food.

PINCHING AND PINCHING

"Now I've got a few dollars left," he said, "but I've been pinching and pinching and pinching."

He explained how he made the money last. He was doling out $1 a day per person to the most desperately hungry, then cutting them off after 14 days.

"That's it," he said. "After 14 days if they can't get handouts from the neighbors they don't eat."

Two young lawyers from the O.E.O.-financed South Florida Migrant Legal Services Program, T. Michael Foster and William F. Dow 3d, said that their organization had been trying for years to get Federal food sent into Collier County.

Last summer Mr. Foster wrote to the then Secretary of Agriculture, Orville L. Freeman, telling of hunger and malnutrition in the labor camps, reporting the refusal of Collier County to participate, like most Florida counties, in making food surpluses available to the poor, and pleading for intervention.

ATTITUDE OF COUNTY AIDES

Washington did nothing. Congress had authorized the O.E.O. to take over the distribution of food in the poorest counties, which, for one reason or another, were not participating. But Collier County was not poor enough to qualify; the median annual family income, thanks to the wealthy Gulf Coast resorts, was $4,673 a year.

"I've seen hunger in Immokalee as bad as in Latin America," said Mr. Dow, a graduate of Yale and Columbia, "yet the Collier County commissioners always say the problem doesn't exist, that the county always looks after its own 'worthy poor'."

Observers noted that the rural admonition, "root hog, or die," seemed to express the commission's attitude toward migrants. They recalled that at a hearing last August Vice Chairman A. C. Hancock warned: "There are those sitting with their hands out waiting to be fed, and that's a situation we won't go for."

Other officials expressed the fear that if migrants were given food they would not work. Others thought that free food would drive the corner grocery into bankruptcy.

Immokalee, which calls itself the "watermelon capital of America," is a flat, sprawling, dusty town where people of different colors, black, brown, red and white, live in strict residential segregation. Smith's Camp, out in the swamp, is all black, but there are several other Negro camps inside the town.

These are in "The Quarters," an area that contains not only the Negroes but "Utopian of concrete-block huts occupied by Mexican-Americans. Outside "The Quarters," scattered around the rest of the town, are camps for white migrants. A few score Seminole Indians live in grass huts on the eastern edge of the community.

RENT OF $10 TO $20 A WEEK

Most of the camps are clusters of wooden shanties, concrete huts, trailers. Rents range from $10 to $20 a week, plus utilities. Flush toilets are a rarity, most camps providing a communal latrine. Regardless of the color of the occupants, the camps appear universally mean and squalid.

Mrs. Angela Spencer, 38, and two small pallid children occupied a trailer in one of the white camps.

"I was lucky enough to get three days work this week," she said.

She said she had been averaging two and one-half days of work a week, earning $25, out of which she had to pay a baby sitter $3. The rent was $15. That left $7 for food and all other expenses. She owed $19 in back rent, she said, and $100 in doctor's bills.

There was a platter of green beans and hominy on the stove. Clouds of flies wheeled about. The refrigerator was empty except for three sticks of margarine, a partly empty bottle of milk and a box of powdered milk.

She had been helped from Albert Lee's meager allotment of cash, as had Mrs. Caroline Conner, an attractive blonde who lived in another white camp and was 10 days out of the hospital after delivering a baby girl. Her husband had abandoned her.

"We were real desperate," Mrs. Conner said of herself and the baby. "If it weren't for my friends, I wouldn't have been able to make it."

LIKES MICHIGAN BEST

Mrs. Conner said she had been migrating from Florida to the Great Lakes and back for the last four years, following the spring strawberry crop to northern Florida, then Arkansas, Illinois and Michigan; picking Michigan's blueberries, peaches and grapes during late summer and early fall, then going back to Immokalee for winter tomatoes, peppers and "cukes," or cucumbers.

She liked Michigan best, she said, because migrants got free quarters there. In Immokalee her rent was $20 a week, and she had just about run out of the money she had received from Albert Lee.

"Whether she feels well or not, she's gotta go to work," Mr. Lee said.

"I got to do something," Mrs. Conner agreed.

Down in The Quarters, an elderly black named James Kelley and his yellow dog, Lady, found a way to beat the rent. A tolerant crew leader had let them take over an old abandoned bus.

Mr. Kelley, a diabetic whose fingers were gnarled and disfigured, was wearing two pairs of pants against the cold. An unvented oil heater had been installed near the front of the bus, and he had to keep a window open to avoid suffocation from the fumes.

He and Lady slept on piles of rags near the rear, where there was a little cookstove. The only food visible was a pan of fatback and some pieces of fish heavily salted for preservation. Mr. Kelley said he had not worked in eight months, but he seemed happy. He had just received $7 from Mr. Lee.

TEN CHILDREN IN HUT

In a black camp near Mr. Kelley's bus, Mrs. Pauline Milton and 10 children were crammed into a two-bedroom-and-kitchen hut.

"Me and two of the little ones sleep in this bed," said Mrs. Milton, "and there were two beds in the other room and one in the kitchen for the rest."

She had worked two days that week, earning $11.05 each day, and paying $2 a day for baby sitters.

"I couldn't afford to give them breakfast," she said, surveying the hungry brood, "but we had boiled beans, rice and potatoes for lunch, and I'll give them the same for supper."

Mrs. Milton is one of a comparatively few migrants eligible for county welfare, for she has lived in Immokalee for seven years. She said she had applied, but had been told that her application would take 30 to 45 days to process.

Of all the ethnic groups, the Mexican-Americans probably suffered most during times of hunger, Mr. Dow said as he drove past "Utopian Homes." Some of the Mexicans had tried to alleviate the bleakness by planting flowers around the huts.

"Mexicans are proud," Mr. Dow explained, "and feel they are violating cultural mores if they ask for help."

Mr. Foster said that the Florida State Board of Health had denied the existence of widespread malnutrition in Collier County.

PARASITIC INFECTION CITED

"People are hungry, no one can quibble about that," he insisted. "And there is a tremendously high incidence of parasitic infection."

Last March the state health board issued a report saying that a team of doctors had "closely observed" some migrant children at play or in schools and clinics and that "none had gross signs of malnutrition."

The report said that pellagra, a severe dietary deficiency disease, had been noted but only in "known chronic alcoholics."

In riposte, friends of the migrants released next day the results of clinical examinations of 23 migrant farm children of Immokalee by the Variety Children's Hospital of Miami.

The sampling uncovered 38 clinical diseases in the 23 children, ranging from pneumonia to worms.

The hospital's executive director, Gerald W. Frawley, described the findings as "rather incredible . . . a most extraordinary morbidity rate" and concluded: "The migrant population must be about the most underprivileged in the nation, at least in terms of medical attention."

In a few weeks Collier County will feel the spotlight of national publicity. The Senate Select Committee on Nutrition and Human Needs is making this county its first stop on a tour of suspected hunger areas.

The committee is seeking information on the failure of the Federal food programs to reach millions of poor Americans.

Mr. GOODELL. Mr. President, I wish to join Senators in urging full funding of the budget amount requested by the Senate Select Committee on Nutrition and Human Needs. The amount of $100,000 or 40 percent has been cut from the budget estimate. I am hopeful that this amount will be restored.

At stake in this question of funds for the Senate committee investigating hunger is much more than an amount of money. What is at stake is people, hungry and malnourished people.

Mr. President, when was it that this

country first recognized the problem of hunger and the needs of hungry people, both at home and abroad? It will be said that surplus-disposal food programs began in 1935 and that they have been added to in degree and kind since that time.

But when was it that studies were undertaken to learn the extent of hunger in this country; to understand the consequence of hunger on a child, a family, community, and this nation? What do we know of world hunger and its consequences?

In 1967 the President's Science Advisory Committee forecast famine and mass starvation throughout the world in the years to come.

In 1967, a team of doctors returning from Mississippi told Congress that they had found hunger approaching starvation. They described the health of the poor children as "pitiful," "alarming," "unbelievable," and "appalling," even though, as they pointed out, Mississippi reached a higher percentage of its poor with food programs than other States. To these physicians, the conditions were "shocking."

In that same year 1967, as a member of the House Education and Labor Committee I heard testimony regarding effects of hunger on mental development, on motivation, on physical development, illness and life expectancy. During testimony, Dr. Joseph English of the Office for Health Affairs, OEO, raised a thought which is equally relevant today. He mentioned the Declaration of Independence and its language about the rights of life. And he said:

> Today we wonder, as far as the poor are concerned, if that statement doesn't have something to do with their right not to have their lives whittled away by illness.

More than a year has passed since then, and with time more evidence has come to light on hunger and the mental and physical illness it breeds.

In 1968, "Hunger, U.S.A." was published and we heard that substantial numbers of newborn, who survive the hazards of birth and live through the first month, die between the second month and their second birthday from causes which can be traced directly and primarily to malnutrition; protein deprivation between the ages of 6 months and a year and one-half causes permanent and irreversible brain damage to some young infants; and nutritional anemia, stemming primarily from protein deficiency and iron deficiency, commonly ranges from 30 to 70 percent among children from poverty backgrounds.

While this report on hunger designated 256 counties in 20 States as "emergency hunger counties," and found over 10 million Americans malnourished, it also charged: "there is a shocking absence of knowledge in this country about the extent and severity of malnutrition."

Last year in an effort to find out more about nutrition needs of our people, I worked in the House with Representative THOMAS FOLEY to form a bipartisan "Coalition to Help Malnourished Americans." We asked for public hearings in the House on the extent of hunger in this country and for the purpose of determining what should be done to improve and reform our programs to meet this problem.

We also asked the House to approve a Presidential Commission on Hunger with authority to study hunger and report its findings to the Nation. Hearings were held and the House passed our bill to establish a Hunger Commission.

While the House called for a Hunger Commission, the Senate established a Select Committee on Nutrition and Human Needs to further investigate the nutrition needs of our people.

Last year, I served as a member of this select committee. I have followed testimony before this committee, both then and now, and I can attest to the vitally important work it is doing.

While we have learned a great deal about hunger and malnutrition in this country and abroad, recent studies have shocked the country with facts we did not know. Dr. Arnold Schaefer, Director of the National Nutrition Survey, reported his initial findings to the Senate select committee in January. A survey based on 12,000 individuals in Texas and Louisiana found people suffering from what is described by doctors as "kwashiorkor" and "marasmus"—common in Biafra today but not the United States. Dr. Schaefer said he had not expected to find any such cases.

I asked Dr. Schaefer about the 1968 questionnaire addressed to county health officers in what have been termed "hunger counties." Many county health officers had expressed amazement that the county had been designated as a "hunger" area. Dr. Schaefer commented that only nutritionists can detect anything but the grossest malnutrition. Others not trained to detect tissues swollen by caloric deprivation, may miss this sign of malnutrition. Meanwhile unmet nutrition needs remain unmet. Still, there are at least 10 million Americans living on diets having less than two-thirds of the minimum nutrients required for good health.

Mr. President, I have taken this time to review a number of studies, reports, and assessments on hunger and malnutrition to outline what we know about hunger and what we do not know.

I have just returned from a factfinding visit to Nigeria and Biafra. I was accompanied by a team of leading experts to examine the nature and extent of the critical problems of starvation in this area. This team included: Dr. Jean Mayer, noted Harvard nutritionist, Dr. Roy Brown, a leading pediatric epidemiologist, Dr. George Axinn, an expert in tropical agriculture, and Mr. George Orick who has lived and worked in Nigeria for 6 years.

What does hunger mean to the people in Nigeria and Biafra? Hunger means irreversible mental and physcial damage for some; for millions of others hunger means death.

There are those who assert that maintenance of present relief efforts will hold future starvation deaths to far fewer than the million deaths in the past 6 months. The fact is, however, that present efforts are so inadequate that without dramatically increased relief, more Biafrans will die of starvation in the next 6 months than in the past 6 months.

These are the kind of facts that the world needs to know. This week I shall be presenting a report on starvation in Biafra in an attempt to clarify the facts.

Similarly, facts of hunger in this country must be known. And investigation into causes—be they poverty, ignorance, or both—and consequences must continue.

How often must we hear and read about hunger as a "nutritional catastrophe" and described as "shocking," "a national disgrace," in fact an inexcusable disgrace before this means anything? How often must we be warned of world hunger as "a world crisis" before it seems real? And how long must it take before we do something more about hunger and the inhumanity of man to man? Doing something means both investigating hunger and eliminating it.

In Sunday's New York Times, headlines read: "Hunger in America: Stark Deprivation Haunts a Land of Plenty; Many Denounce Reports as Lies but Tour of Negro Shanties in Beaufort County, S.C., Yields Grim Evidence." Monday, we read "Poverty Leaves Migrants Prey to Disease." Today, the Times reports that there is not starvation in the Mississippi Delta, but that there is real malnutrition.

The administration has recognized the need to speed Government action against the problem of hunger in this country. It has called for improved and expanded means to attack this problem through cooperative efforts of Federal, State, and local agencies.

During the week, the Senate Select Committee on Nutrition and Human Needs will be reviewing evidence on hunger and malnutrition in efforts to establish the facts and to contribute to action against hunger.

Today, we ask only that this select committee be allowed to continue its investigation with funds necessary to carry out its important work.

Mr. ELLENDER. Mr. President, I send to the desk an amendment, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Louisiana (Mr. ELLENDER) proposes an amendment, on page 3, line 21, to strike "$150,000" and insert in lieu thereof the amount "$165,000".

Mr. ELLENDER. Mr. President, the RECORD will show that I acquiesced in the organization of this committee, and I am very proud to be a member of it.

The purpose of the committee, as I see it, is to explore a certain condition that exists all over the country, in the hope that Congress can be made wiser, and adopt a course of action based on the facts that may be discovered in any section of the Nation.

When this budget was presented to the committee for study, I objected to the item for consultants. We had, originally, provided $90,000 to hire consultants. It was my view then, as it is now, that in this case we do not need consultants.

I cannot understand why they are thought to be needed. We know what the problem is. My idea is to get it set out in black and white, get it understood by the people so that a public policy can be developed, so that more food and more funds can be provided to take care of the situation.

Mr. President, I have had considerable experience in this field. I coauthored, in 1940 I think it was, the school lunch program. That program, in my book, has worked well; and the reason why it has worked well is because of the complete cooperation that exists between the Federal Government, the States, the counties, and the municipalities in which the program is in operation.

But although that program has been on the statute books now for well over 20 years, the States that are complaining loudest now, in the Northeast, have never seen fit to provide this program in their schools.

It was said that many of the school districts in the United States could not afford to buy the necessary equipment to feed the school children, although most of the districts in the South were able to find the funds. The Agriculture Committee and the Congress met that situation by providing authority for these districts that complain that they do not have the money to obtain the necessary money through the Federal Government. But even with all of that money, there are districts, particularly in the cities of the Northeast, though in other places also, where the school lunch program is not in effect. It has not taken root in those areas.

It would seem to me that if those areas had taken advantage of the laws on the statute books, a good deal of the starvation which they speak of could have been alleviated.

In addition to the school lunch program, the committee of which I am chairman recommended the food stamp program to the Congress. Mr. President, that is a good program. It has been on the statute books for many years, and I must confess that I believe Congress has been somewhat derelict in not providing at least the moneys that we authorized.

Last year, as I recall, there was an authorization of more than $250 million, but just under $200 million was provided. If Congress had provided the full sum that was authorized, many of the States with malnutrition could have relieved much of that problem, simply by applying for funds in order to incorporate the program at the local level.

This morning, we had a classic example of what lack of cooperation at the local level means. The State of South Carolina is one of the few States in the Union in which every county has applied for and obtained a food-stamp program. They have it.

But somehow, the people at the local level will not cooperate to the extent that they should.

It seems to me that a good deal of the lack of food and the starvation in South Carolina that we heard about this morning could have been alleviated by the local people, if only they had followed and tried to enforce the rules and regulations established by the Department of Agriculture for providing food stamps for the people.

Under the regulations, a family receiving a mere $3 of income can obtain in exchange for it food stamps amounting to a total of $48. It was stated this morning that some of the people of South Carolina, although the programs were established in every county, did not know about it.

Mr. President, we can blame the local people for that, particularly as to two coastal counties that were discussed this morning. We had a State senator from that area, and he complained. So did my good friend, the Senator from South Carolina, complain that the program was there, but the people did not know about it.

Mr. President, the reason why they did not know about it was a laxity on the part of the local administrators in not making the information available to the people there.

The food-stamp program is a good program and it is very simple to administer. The Federal Government provides the printed stamps to the State. It makes an estimate of the amount of funds necessary for each county of that State. And each county is responsible for seeing that these stamps are sold to people entitled to them.

As I said a while ago, a person with $3 can get $48 worth of food stamps. And, as a rule, the Department of Agriculture provides that a family, in order to be entitled to the stamps, must spend at least the amount of money that is spent for food in the previous month. In other words, if a family spent $25 for food this month, they must spend that same amount next month. And if they do, they will get from 50 to 70 percent more to spend by way of the food-stamp program. And I am confident that if the people of South Carolina whom we heard from this morning would simply administer the food-stamp plan as they should, we would have less people going hungry in that area of the country.

Mr. President, addressing myself to the pending amendment, as I said a while ago, I went along with the investigation. I think it is a good thing to expose this. However, I cannot see my way clear to having $90,000 of the appropriated money used to employ consultants. Why, we have a survey being made today by HEW in 14 different States. And most of the evidence we are able to obtain up to now was furnished to us by HEW through investigations made in the States of Texas and Louisiana and some investigations that are now being made in the Northeast.

We are obtaining from the studies made by HEW all the information we desire in order to expose the fact that there are many areas in the United States in which people lack food. After all, that is all we desire to know.

If my amendment is agreed to, it would mean that the committee would obtain all of the money it asks for travel and all other expenses with the exception of the $85,000 or $90,000 that they ask for consultants.

I think that with the $165,000 that my amendment would provide we could easily make the trips that my good friend, the Senator from South Dakota, suggests—trips to Massachusetts, Florida, South Carolina, and other parts of the United States—to expose conditions in those localities so that Congress can in turn learn about the problem and come up with some kind of a solution. Perhaps some Indian reservations might be visited.

We have today our Extension Service which is scattered throughout the United States. We have in the Extension Service the county agents. We have ladies involved in home economics who take care of providing information to families concerning how to cook and do other things in the home.

Mr. President, instead of waiting a whole year to meet that problem, we could devise some ways and means now by which the Extension Service could be used at this time in order to tell the housewife what quality of food to serve.

We had several doctors testify before us. Some of them said that they could write out a prescripition as to what food was necessary in certain areas of the country. They said that they could prescribe diets. If that can be done in any part of the country, it strikes me that the Extension Service could be easily used to disseminate the information that is furnished concerning what makes up proper diet in any part of the United States. Then, with the food stamp program enlarged to the point where all of the food necessary for a balanced diet is provided—and with the cooperation of the States—we can start now to ameliorate some of the conditions complained of today.

If we wait another year for the report of the committee, a lot of people will suffer in the meantime, if the conditions are as has been testified to in South Carolina.

I want to conduct the hearings. I want to go into the field and listen to what the local people have to say. I want to start on the program now. We do not need any consultant to tell us, in my view, whether there is starvation here or there. We can go out and find it. We can travel around, and we have the necessary funds to do that.

I am very hopeful that my amendment will be agreed to. If the amendment is adopted, the committee will obtain all the necessary money with the exception of that for the employment of consultants. We can certainly use the facilities of the HEW. A lot of people work for HEW all over the country. We can obtain information from them simply by asking them to come before the committee. And we can obtain information from traveling throughout the Nation.

I am very hopeful that we can get along with this matter. I feel confident that, with the $165,000, by December of this year we will be able to make a final report. It is my hope that we can make a preliminary report as soon as possible to provide ways and means of starting a program at this time instead of waiting until the expiration date of the committee.

I am very much interested in the subject. I have taken the lead in the school-lunch program as well as the food-stamp program. What we really need now is to have the States utilize the tools now at hand in order to alleviate conditions in their own States. What we need is a program of intensive education, using the public schools, the school-lunch program, HEW, and all the other programs already on the statute books.

Mr. KENNEDY. Mr. President, I hope that the amendment of the distinguished Senator from Louisiana will be rejected this afternoon. I know that the Senator has served on the Select Committee on Nutrition and Human Needs. The record of the Senator from Louisiana in his concern for the disadvantaged and hungry of our Nation, which he has stated so well this afternoon, has been etched on the statute books of this country. He is a man of compassion.

I think that all of us who heard him and know of his work in the field know that he is deeply concerned and distressed about those who live in hunger in our country.

However, I think the issue before the Senate is whether the Senate is going to face up to what is a national issue and a national problem, or whether on the other hand, we are going to follow the suggestion of the Senator from Louisiana and take a half step on this matter. I believe we must provide reasonable and adequate funds to do the kind of job that should be done in this field, the kind of job outlined by the distinguished chairman of the committee, the Senator from South Dakota (Mr. MCGOVERN).

The Senate must face up to the issue. We must realize that the problems of hunger are really national in scope, and that in not recognizing this fact 2 years ago, the Senate failed to meet its responsibility.

We know that during the past 2 years the Senate, through the work of this and other committees, has focused on this problem. There is a great need. The problem is not simply one of individual starvation in different parts of our country. There is solid evidence that mass malnutrition exists in many parts of the Nation—not only in the southern parts of our country but also in the Northeast, and even in my own State of Massachusetts.

This committee is really attempting to come to the root causes of the problem—not as HEW is attempting to do. As useful and as important as the investigations of HEW are, they are designed largely to examine the extent of malnutrition in certain areas. This committee is attempting to find out where the bottleneck is—whether it is in the Federal programs, whether it is in State activity or inactivity, whether it is in inefficient administration at the local level, the committee is also attempting to determine how extensive the problems of malnutrition are in this Nation. We must know the answers to these questions, Mr. President. I believe this committee is the appropriate committee to find them.

We are too rich and too powerful a nation to let people starve. Yet people are starving in our own land, and the Senate has only just begun to recognize the problem and to meet its responsibilities.

A year ago, before the Senate Select Committee on Nutrition and Human Needs was established, the prevailing attitude in the Senate and in the Nation at large was that there was no need to study hunger in America, because hunger was not a significant problem in this country. We now know otherwise, as a result primarily of the deeply disturbing facts already presented to the committee in its hearings held last December and January. The issue we face today is whether the committee is to be funded at a level adequate to continue its important activities for the remainder of 1969.

The committee was established in July 1968, and a total of $25,000 was appropriated to fund its initial operations for the 4-month period October 1968 to January 1969. The committee has requested $250,000 to continue its activities in 1969. The Rules Committee has reduced this amount to $150,000—a cut of 40 percent. I believe that this drastic cut should be restored, and that the committee should be funded at the full level it has requested.

To date, the committee has held significant hearings that clearly demonstrate the need for a thorough study of hunger in this country. In December 1968, the committee received testimony from a series of nutrition experts, who provided a broad general analysis of malnutrition in the United States, especially in children. Their testimony contained numerous sharp criticisms of our present inadequate efforts in this area, particularly the Federal food stamp and commodity programs. Extensive testimony was also heard on the present and potential role of private industry in helping to meet the problem. One of the most candid witnesses before the committee noted the surprise with which the Governor of the State of North Carolina greeted the discovery of a serious problem of hunger in his State, and his immediate and urgent efforts to remedy the problem.

Only yesterday, Secretary Finch, of the Department of Health, Education, and Welfare, and Secretary Hardin, of the Department of Agriculture, emphasized the need for better efforts by their agencies to study and eliminate the problem of hunger in the Nation. Their comments give strong impetus to the need for continuing and expanding the activities of the Nutrition Committee.

As these preliminary hearings made painfully clear, the Federal Government has had no articulated national policy on nutrition since the end of the Second World War

Further hearings were held by the committee in January of this year. Several officials of the previous administration explained the roles of the Federal departments and agencies in combating malnutrition. Dr. Thomas Bryant, Assistant Director of the Office of Economic Opportunity, furnished the committee with an income analysis in which he concluded that 12 to 15 million citizens in the United States have incomes too low to purchase an adequate daily diet.

In addition, the committee also heard extensive testimony in January on the recent report of the National Nutrition Survey. In this report, which presented preliminary findings on malnutrition in selected low-income areas in four States—Texas, Louisiana, New York, and Kentucky—the committee, the Senate, and the Nation learned for the first time that hunger and malnutrition are serious problems confronting modern America, both rural and urban, and are in no sense problems unique to the underdeveloped nations of the world.

Until the Nutrition Committee began to investigate these problems, most Americans were completely unaware that their fellow citizens in the hollows of Appalachia, the tenements of Harlem, the Indian reservations of Arizona, and many other parts of the country are suffering because they do not have enough food to eat.

Some people have scoffed at the committee's investigations. They claim it is a waste of time to study hunger. After all, it is said, anyone who does not have enough food in these times of prosperity must be too lazy to work for it.

That view is false, and demonstrably so. The Nutrition Committee received evidence that malnutrition and starvation may lead to physical and mental defects in childhood that endure throughout the lives of the persons affected. Equally tragic, we have learned that in many communities in the Nation, the food programs that the Federal Government operates to alleviate hunger is ineffective because of poor administration, insufficient funds, or both.

Before the Nutrition Committee began its investigations, many people who were aware of the problem of hunger insisted that it was confined to certain very limited areas of the country. Now we know that even in States like New York, Texas, Louisiana, and Massachusetts there are chronic conditions of malnutrition.

For too many years we have allowed people to believe that in this land of plenty, no one, or almost no one, is suffering the way we now know many of our citizens suffer.

We have simply ignored the problem.

Certainly there is more information about malnutrition that must be uncovered. The American people need to know the miserable nutrition conditions that exist for many of our people, and they need to know the urgent steps that can and must be taken to improve these conditions. To do less would be to violate the basic moral and humanitarian principles on which our society is founded.

Although little information is presently available to demonstrate the results that can be achieved by reducing malnutrition in the United States, substantial evidence is available from surveys of other nations. Numerous examples have been cited by Alan Berg in his perceptive recent article "Malnutrition and National Development" in the journal Foreign Affairs:

> When malnutrition was relieved in southeast Brazil, improved health and life expectancy of the workers was largely responsible for a fivefold increase in productivity compared to nutritionally deficient areas in other parts of the nation.
>
> Workers on the Pan-American Highway showed a threefold increase in pro-

ductivity within a few months after their diet was upgraded to three well-balanced daily meals.

A study in Guatemala estimated that the average cost of hospitalization resulting from malnutrition was more than 50 times the annual cost of preventing the malnutrition in the first place.

A study of the old East African Carrier Corps showed that improved nutrition produced a dramatic reduction in absenteeism and hospitalization due to illness, as well as a similar reduction in the accident rate among employees.

In India, at least 1 million cases of blindness caused by vitamin A deficiency could have been prevented by a few pennies each year for supplemental diets.

In the Philippines, the total economic loss due to beri beri—based on production and manpower loss and health costs—was estimated at over $11 million per year.

Experimental enrichment of rice in seven municipalities of Bataan produced a 70- to 90-percent decline in beri beri.

In Newfoundland, compulsory enrichment of flour produced a 40-percent decrease in infant mortality.

These dramatic results in other nations offer important guidelines along which investigation and research should be conducted in the United States.

Preliminary results from the National Nutrition Survey in parts of Texas and Louisiana show that many people are suffering from high risk nutrition deficiencies comparable to those found in other areas of the world.

In testimony received by the Nutrition Committee, Dr. Arnold E. Schaefer reported that the Survey showed an alarming prevalence of characteristics associated with undernourished population groups. According to Dr. Schaefer, the most widespread nutritional problem in the areas he studied is multiple nutrient deficiency, in which a combination of essential ingredients is missing from the diet. It is shocking to realize—but important to recognize—that problems in the poverty groups in the United States seem to be very similar to those encountered in developing countries.

Among the specific findings of the nutrition survey, Dr. Schaefer reported the following results:

Three and one-half percent of children 1 to 3 years old have retarded bone growth.

Seven cases of marasmus and kwashiorkor were found in the States surveyed. Previously, it was believed that these severe diet-deficiency diseases existed only in certain areas of Africa, Latin America, and Asia.

Fifteen percent of those studied require medical treatment to alleviate marked anemia.

Up to 33 percent of those studied suffered critical vitamin deficiencies.

Ninety-six percent of the sample studied had serious dental problems.

The most shocking aspect of the entire problem of hunger in America is the failure of our governments, Federal, State, and local, to provide adequate food for our own citizens at the very time we are mounting extensive nutrition programs in other countries.

For example, fortified milk has been shipped to hungry people in Asia by our Government for several years. But until last summer, fortified milk was not included in food packages for Americans who received commodity food packages from the Department of Agriculture. Fortified milk is available in retail markets today only at a considerably higher cost than nonfortified milk.

This has not always been the case. Over 30 years ago, milk fortified with vitamin D was sold at no extra cost to the American consumer. Because fortified milk was easily available to all American families in the 1930's, the debilitating children's bone disease, rickets, was essentially eliminated for a generation of young Americans.

Now the picture has changed. The Nutrition Survey uncovered at least 18 cases of rickets in the population groups studied. Although these findings are only preliminary, they are deeply disturbing, because they raise grave doubts about the validity of our entire nutrition program. It is not enough to launch such programs. We must also monitor them closely to guarantee that they are administered efficiently and that their goals are achieved.

Perhaps the most wasteful part of our failure to properly feed our citizens is the immense loss of human ability due to mental retardation caused by malnutrition. In his testimony before the Nutrition Committee, Dr. Charles Lowe stated that nutrition is one of the most important keys to normal mental development of infants and children. The quality and quantity of nutrition during the first 2 to 4 years of life may determine the intellectual development of the individual for his entire life.

According to Dr. Lowe, evidence from several sources proves that when a fetus receives insufficient nutrition, the infant is born small and his brain fails to function at normal levels. In fact, the nutritionally deficient infant is likely to be born prematurely. As many as 50 percent of premature infants grow to maturity with an intellectual ability below that which would be expected when compared with normal infants of the same age.

In addition to the effect of malnutrition on mental development, significant correlations have been shown between malnutrition and reduced physical growth and life expectancy, as well as increased susceptibility to a wide range of childhood and adult diseases. The study of malnutrition is thus likely to have major significance for many other basic programs of Federal assistance in areas to which we have long committed substantial funds—areas such as education, health, and employment. I believe that the cost of combating malnutrition will be far less in the long run than the cost of combating the consequences of malnutrition under our existing programs.

The presence of malnutrition during the early years of life constitutes a danger not only to the individual child, but also to the Nation as a whole. We cannot afford to let millions of children grow to adult life compromised in intellect because we, in this rich land, have failed to feed them. Our goal must be the total elimination of malnutrition. We can tolerate nothing less.

The feeding of our children is a pressing national emergency. All our current efforts hardly measure up to the challenge.

What can be done to meet the need? Pending completion of the Nutrition Committee's study, no definitive solution can be reached. It is possible, however, to suggest certain preliminary guidelines. To begin, we can follow the precedents established in our overseas aid programs: reorient eating habits by nutrition education at all levels, encourage local participation and implementation in nutrition programs, establish the necessary local agencies to perpetuate the programs once external sponsorship is ended.

The food industry can help to make such programs work. It has the financial resources to do so. In 1965 the food industry was the second largest manufacturing group in the country, with a value of manufactured products in excess of $23 billion and a net income before taxes of over $14 billion.

Moreover, the food industry has the technical knowledge of food production and research and its members are masters at the art of food distribution. As evidence we can cite the industry's success in producing fish protein concentrate and other nutrient supplements for developing countries such as "Vitasay" in Hong Kong, "Pronutro" in South America, and "Incapurina" in Latin America. These illustrations concern only food supplements, but the lesson learned can be applied to nutrition as a whole, as an indication of the critical role that the food industry can play in determining the success of such programs.

There are other significant steps that can be taken. We can utilize local food stores and supermarkets not only as distributive agencies, but also as educational arenas. We can assure that our basic Federal food support programs are operative, particularly the food stamp and commodity distribution programs. We can involve schools, churches, civic organizations, and community action programs. We can educate, distribute, improvise, and feed. In sum, we can demonstrate to the world that we have not only the food but the knowledge and imagination to insure that none in our land go hungry. To do so, we must develop a strong and creative program, spurred by government and private industry working together. To fail is to court disaster. Not to try is cowardly. To succeed is to open new vistas of national productivity.

There can be no doubt that the Select Committee on Nutrition and Human Needs has used its initial funds wisely and effectively. The crucial question now is whether the Senate will allow the committee to build on the extraordinary foundation it has already laid. The committee's request for $250,000 for the remainder of 1969 represents an entirely reasonable extension of its operations. I believe that the reduction to $150,000 made by the Rules Committee is wholly unjustified. In its brief existence, the Nutrition Committee has amply demonstrated its high level of competence to investigate a problem that has been increasingly recognized as one of the most serious in our society. The committee has made an excellent beginning, and I urge that it be permitted to continue its activities at the full funding level it has requested.

It is not enough, however, for the Senate merely to appropriate funds for the committee. We must also take this opportunity to go on record with strong support of the kind of responsible efforts undertaken by the committee.

We must demonstrate that we are concerned about the problems of malnutrition and starvation, and that we are dedicating ourselves to do something about them. We must demonstrate also that where local government, State government, and Federal Government are failing to respond, these facts will be rooted out as well.

This issue is of great importance and great significance. I believe the issue is much more basic and fundamental than simply the restoration of funds. It is essential for the Senate itself to go on record as recognizing that hunger is a national problem, and that we are going to solve it.

I hope, therefore, that the amendment of the Senator from Louisiana will be rejected and that the full amount requested by the distinguished Senator from South Dakota will be restored.

Mr. JORDAN of North Carolina. Mr. President, I wish to point out that this committee was not singled out for special treatment before the Rules Committee. Thirty-seven money resolutions were presented before the Rules Committee, and 21 of them were reduced from the amount requested.

The Committee on Labor and Public Welfare was cut $145,400, and that was accepted by the chairman. So no special treatment was given to any one committee.

Senate Resolution 68 as referred to the Committee on Rules and Administration would authorize the Select Committee on Nutrition and Human Needs to expend not to exceed $250,000 through December 31, 1969, for a complete study or investigation of matters pertaining to the lack of food, medical assistance, and other related necessities of life and health.

During the close of the last session of Congress, $25,000 was authorized to initiate the inquiry, of which $13,437 was expended.

I believe I should emphasize that. But it had some bearing on how much the committee thought would be necessary for the committee to complete the task it set out to do.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from $250,000 to $150,000, a reduction of $100,000.

It was the decision of a majority of the members of the Committee on Rules and Administration that $150,000, representing a reduction of $100,000 from the amount requested by the Select Committee on Nutrition and Human Needs, would be sufficient to conduct the 11-month study involved. In reaching this decision, the majority in no way minimized the importance of the subject matter involved or displayed any lack of sympathy whatsoever for the worthy objectives encompassed under Senate Resolution 68.

In all candor, there was a difference of opinion concerning the amount which should be provided. There was sentiment in the Rules Committee to allow the full $250,000, and there was also sentiment to reduce the amount drastically below the $150,000 finally approved.

I know I speak for all members of the Committee on Rules and Administration when I say that if the Select Committee on Nutrition and Human Needs, during the course of the coming year, finds that additional funding is necessary to carry out its comprehensive program and a resolution for additional money is referred to the Rules Committee, it will be given prompt and sympathetic consideration.

I made that statement in the Committee on Rules and Administration at the time this resolution was reported. We have done that time and time again when a committee exhausted its funds and requested additional funds, and they are provided with additional funds if they can show the need.

Let it be abundantly clear, Mr. President, that I am not insensitive to problems of human deprivation or unwilling to do anything to correct them. I think even casual examination of my record of support for realistic programs designed to cope with those problems will attest to that.

I do not think hunger has a place in the midst of our affluence where there are workable ways to eliminate it. While others may disagree, I think school lunch programs, the food stamp plan, and food distribution arrangements have, where properly handled, accomplished a good deal toward that end. I do not by any means say that this has completely cured the problem, either.

It may well be that other steps are necessary, and I welcome any new ideas or practical solutions which will be of additional benefit, whether they come from a Senate study or from other sources.

I have not at any time made light of either the scope of the problem or the projected Senate study, nor have I attempted to starve it financially.

The facts are these:

Just before the Senate adjourned last fall, the select committee presented a request for $115,000 to the Rules Committee to cover the period through January 31 of this year. The request was trimmed to $25,000, of which only a little more than $13,400 had been used when the allotment period expired.

Several members of the select committee have told me they felt the $250,000 requested for the remainder of this year was considerably too high a figure and more than could be used efficiently and economically. Some other members of the Rules Committee were given the same information.

As chairman, and having only one vote, I recommended the $150,000 figure subsequently adopted after several members had proposed smaller amounts.

I felt that a higher amount than $150,000 would not be accepted by the Rules Committee majority in the absence of firm evidence that plans for the study were far enough along to insure need for the full requested figure during the budget period.

If the study progresses to the point that the necessity for more money can be shown, I will support such a supplementary request.

I hope the study will proceed rapidly and effectively and will clearly spotlight not only the scope of the needs but also the best ways of meeting it. I think it is more in the cure than the diagnosis that the question of spending level is really pertinent.

I should like to remind Senators that when the Senate Rules Committee considers resolutions requesting funds for studies and investigations, it considers each individual request against the backdrop of all of the others in an attempt to avoid duplication of effort and overlapping of particular investigations. In addition to the Select Committee on Nutrition and Human Needs, two subcommittees of the Senate will be carrying on somewhat similar studies during the coming year.

In his appearance before the Senate Rules Committee, Senator RIBICOFF, chairman of the Subcommittee on Executive Reorganization, of the Committee on Government Operations, emphasized that his subcommittee, during the coming year, would concentrate on the 21 separate departments and agencies involved in health care in America. Senator YARBOROUGH, chairman of the Subcommittee on Health, of the Committee on Labor and Public Welfare, also plans to make an intensive study of health problems and legislation related thereto.

In reducing the amounts requested by all three of the committees planning to study the health needs of our Nation, it was the thought of the members of the Committee on Rules and Administration that close coordination among them could bring about a measure of economy in their admittedly worthwhile objectives.

Mr. BYRD of Virginia. Mr. President, it is not often that the Senator from Virginia supports an appropriation greater than that recommended by the appropriate committee. Today, however, I have listened to the debate, and it seems to me that the Senator from South Dakota (Mr. McGOVERN) has made a good case. I am impressed also by the fact that the Select Committee on Nutrition and Human Needs has a termination date. In view of all this, it seems to me that the figure which the Senator from South Dakota (Mr. McGOVERN) seeks is not an unreasonable one, and I shall support his amendment.

Mr. HOLLAND. Mr. President, there are several things about the pending resolution which cause me concern.

I want to make very clear that in the Committee on Agriculture and Forestry the Senator from South Dakota (Mr. McGOVERN) has given leadership on matters of nutrition and food so far as the foreign segments we have been trying to help are concerned. He was, as we all know, the administrative head of the Food-for-Peace Agency—or whatever its name was at the time—for 2 years. I have tried to cooperate very fully with him in that regard.

Insofar as the domestic sector is concerned I felt that my distinguished chairman, the Senator from Louisiana, has been not only most generous but most practical and fair in seeking to deal with that aspect of the problem. He already stated for the Record what is a fact, that he has been over the years the father of the school lunch program, the father of the food stamp program, and he has been the father of all the refinements of the school lunch program which have enabled us in recent years to apply funds to enable poorer districts to have a greater portion of the funds without matching Federal funds as normal districts have been required to do. He has been responsible also for seeing that they get the equipment they need such as refrigerators, and stoves of every kind by Federal payments for that equipment.

In the conferences between the Committee on Agriculture and Forestry of the Senate and of the similar committee of the House year after year I have heard the Senator from Louisiana go to bat for the more liberal handling of this particular field.

When he puts out a note of warning here, so far as I am concerned I certainly want to listen to him because he is the one who has led the Senate so far in this field and led it ably, well, and compassionately.

Having said that, I want to make clear that I understand, and I hope Members of the Senate understand, that there is a fight going on between two Federal agencies as to who will be the principal handler of this program in the Federal field. The Department of Agriculture has been the principal handler of legislation I have mentioned and other legislation which I can mention and I think that by and large it has done a good job. However, the Department of Health, Education, and Welfare has been trying to get hold of that program.

All of us in the Senate remember that only last year the other body at the other end of the Capitol passed a bill which would have set up a much larger and much more poorly managed program, which we were required to consider here, which we allowed to operate only in part and only by adding it to the existing program. I remember that out of the action of the Senate we added some $50 million to the appropriations which had been set up before that time for the handling of these domestic programs. Apparently that satisfied for the moment those in the other body who insisted that this entire field be turned over to the Department of Health, Education, and Welfare. I am one who does not want to see that happen. I want to see it remain in the Department of Agriculture. I think the department which handles food and the Federal subsidies for food, which handles section 32—which is for those who handle highly perishable crops who do not have price supports—and the food stamp program and other programs with which they have experience, should continue to handle those programs.

When I hear in this Chamber those who support this appropriation, who apparently last year wanted to turn this matter over to the Department of Health, Education, and Welfare, I cannot help but have a red flag come up because as far as I am concerned, I want to see it remain in the Department of Agriculture.

I wish to call attention to two things and I shall be through except for one matter in my State that I wish to mention. First, if Senators will turn to page 5 of the report of the committee, they will find the very full letter so ably furnished by my able friend from South Dakota, who I have said in his absence has given leadership in foreign food programs. He mentions section 32 funds. My State produces very little other than the fruit crop, the vegetable crop, and meats which have had no price supports, and they want no price supports or regimentation at the hands of the Federal Government or anybody else. But when they have heavy surpluses, they like to have existing funds to take those surpluses off the market and to put them, where they can, to the use of the impoverished people of the country, and that is what has been done.

On one occasion in the last few years, $100 million was used out of that fund to take care of excessive red meat. At another time, $100 million, or approximately that amount—and the Senator from South Dakota will remember these two occasions—was used to take over excessive pork supplies and those, too, went to impoverished people of our country. There were other occasions when this fund was used for fruit and vegetable producers who, due to the bounties of nature in that particular year, produced much more than the market needed or could take. That section 32 fund has come in handy to take surpluses off the market and put them into the school lunch fund or the fund for distribution to the impoverished people generally throughout the country.

The reason I am concerned when I see section 32 mentioned here as one of the things being considered is that I remember two instances in the last few years when inroads into section 32 funds were sought to be made by those thinking about welfare rather than those in the agricultural field, which attempts were unreasonable, impractical, and violated provisions of the Welfare Act which they sought to increase.

One of those was an attempt to put all of the food stamp program into the section 32 fund with the admission at the time they were doing that—or trying to do it, because we were able to defeat it—that they were expecting to build up the food stamp program to where it would use up all—every bit—and more, too, than is found annually in the section 32 fund program.

Mr. President, on another occasion they sought to do the same thing with reference to the special school milk program, to take it over entirely into the section 32 fund. The point I make is that each time they were departing from the objectives of section 32 and were seeking, instead, to go into fields, primarily welfare fields—good fields, fields which I had supported as a member of the Committee on Agriculture and Forestry, and am still supporting, but which I want to be supported out of general revenue funds rather than impoverishing the fund set up to take care of the great majority of agricultural producers.

Mr. President, whether the Senate realizes it or not, a great majority of the agricultural producers and agricultural production does not have regular support prices from the Federal Government but does exist under its own initiative and needs help only when it has surpluses which threaten to destroy the value of the whole crop or the whole product.

Thus, Mr. President, I am disturbed because I see that section 32 is one of the sources which is being examined in connection with this search, particularly when I see that in asking for this first appropriation, some Senators seem to think that welfare should supersede agriculture even in the handling of a fund which is set up primarily for the protection of agriculture and has always been so considered and stated to be by the terms of the very act that set it up.

Mr. McGOVERN. Mr. President, will the Senator from Florida yield to me momentarily?

Mr. HOLLAND. I am glad to yield to the Senator from South Dakota.

Mr. McGOVERN. I want to thank the Senator for his contributions and for his concern about this matter, and to assure him that I recognize him to be an expert on the whole subject of the section 32 programs and the commodity programs. I can assure him that before we would make any final recommendations relating to that program, we would certainly consider the suggestions of the Senator from Florida who has handled the program for many years. I, for one, have a very special appreciation of his knowledge and any suggestions and advice he might have to offer to the committee with reference to that program.

Mr. HOLLAND. Well, I thank my dear friend. As usual he is kind, courteous, and thoughtful; but, I am just afraid that this committee is planning to put welfare ahead of agricultural needs, and I must voice that opinion at this time as we consider this matter.

Mr. President, the second thing which causes me to stop, look, and listen, is on page 7 of the committee report as taken from the memorandum attached, as I understand it, to the letter of the Senator from South Dakota (Mr. McGovern). On page 7 appears part 3 which the committee proposes to examine. It is that part which I would feel reluctant to see the committee given any authority over.

I read for the Record that part 3, Mr. President:

> 3. *The role of the private sector.*—The committee will also assess the present and possible future roles of the food processing industry and other private for-profit and not-for-profit organizations in meeting nutrition and other basic needs, including Federal regulation of and restraints on the private sector. This study would cover the following topics:
>
> The fortification of existing foods and development of new foods to meet the nutrition needs of the poor, including existing efforts of the food industry alone and in cooperation with AID and USDA;

I do not know why AID was brought into it except for the fact that the distinguished Senator from South Dakota has had previous experience with it in great measure while he was administering the Food for Peace program.

Continuing to read:

> The packaging, advertising, and marketing of present foods and the effect of food industry practices upon the poor;
>
> Political and economic restraints upon food manufacturers;
>
> Federal regulations affecting food fortification; and
>
> The future development of local food processing businesses and agricultural cooperatives and the extent to which such endeavors have and can meet the needs of low-income groups.

Mr. President, one could not give a broader ticket to the committee to delve into everything that has to do with food production and processing—that is, after the food has been harvested from the fields—than would be given by this formula which is stated in the memorandum prepared by and furnished by the distinguished Senator from South Dakota.

It is evident to me that he and perhaps the members of his committee think they are to be evangelists in the food field, to discover what we know about fortification of foods and why we do not know more; Why we are not doing more; why we are not processing more foods; why processing businesses are succeeding or are not succeeding; why agricultural cooperatives are succeeding or why they are not succeeding; or why all of them have any bearing upon the feeding of the poor.

Mr. President, my own feeling is that we would be making a great mistake to give this general license, this general ticket, this general authorization to this very able committee, because it goes so much further than the announced purposes of the resolution and the announced purposes of the study.

Mr. President, having said that, I shall make no further arguments; but I do want to comment upon a matter in my own State.

Yesterday, I noted on the front page of the New York Times—probably a bit of propaganda in connection with this very effort the Senate is discussing today—an article written by a reporter whose name is stated on the article regarding Immokalee in my own State, and who reported very terrible conditions existing there.

Let me say, first, that I invite the Senator from South Dakota and the committee—because we are certainly going to extend it—to send whomever they have that is most trustworthy down there and check into what is going on. If anything is found to be wrong, then to correct it, or report it here so that it can be corrected here.

I have no disposition at all to cover up anything in my own State.

I do want to call attention, however, to the fact that the able Senator from New Jersey (Mr. Williams), who is handling the problem of migrants on the floor of the Senate so ably and so successfully, has several times stated on the floor of the Senate that the State of Florida had done more than States that he had been to otherwise in connection with such things as housing for migrants, such things as medical supplies and hospitalization for migrants, and such things as day-care schools.

I believe that we were the first ones to set them up. I remember that only last year my dear friend from Massachusetts (Mr. Kennedy), reported, after a trip to Florida, that he found and gave high praise to the educational institutions set up in Florida to take care of the children of migrants. I just want those things to be borne in mind.

I repeat, however, my invitation to send down whomever you have and find out what the truth is at Immokalee.

It seems to me, from reading that article, that the reporter was concerned about two things in particular. One was that he found some poor, hungry, ill-fed and ill-housed people, whom he did not describe as migrants, but who I am sure were migrants, in a county where he said the average income per family was $4,600 and where the county commissioners had not been willing to install a food stamp program or a program in the field of general commodity distribution. Perhaps he was overlooking the fact that migrants do come to Florida in the winter, just like everybody else, including the Evangelists, who always come to Florida in the winter; and they come to Florida sometimes before the work is available. Perhaps that might have been the case. I cannot state anything of my own knowledge, because while I was in Immokalee between Christmas and New Year's, I did not visit the migrants' homes. I did see some migrant workers on the streets, and they were, apparently, well fed, healthy, laughing, and happy, and I did talk to some merchants, who thought that the conditions there were excellent. But I want the conditions, whatever they are, to be explored and reported.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the article to which the Senator from Florida refers be inserted in the Record. It is the second of an excellent series of articles by Mr. Homer Bigart. I also ask that the third article of the New York Times series on Hunger in America, describing conditions in the Mississippi Delta, be inserted in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Hunger in America: Poverty Leaves Migrants Prey to Disease

(By Homer Bigart)

(Note.—The second of a series of articles on reports of hunger in the United States.)

Immokalee, Fla.—Ten miles southwest of here, strung out like garbage along the edge of a cypress swamp is Smith's Camp, a gathering place for some of the migrant farm workers who flock here in winter to pick the vegetable crops.

It consists of a dozen or more windowless plywood shacks, all without toilets or running water, all painted a dull green and all facing a dark slough choked with bottles and trash.

Some distance away there are three smaller shacks, two of them privies, the third a cold-water shower. None shows signs of recent use. Few migrants are hardy enough to take cold showers out of doors in the dead of winter, even in Florida, and the latrines are unspeakably filthy, seats and floors smeared with dried defecation. So the people use the woods.

A spigot planted in the ground provides water for the shacks. But the 20 or 30 migrants who live here say the water is foul smelling and foul tasting. The only apparent amenity is the naked electric light bulb hanging from the ceiling of each shack.

Such a place is Smith's Camp, its condition of poverty far removed from the showy affluence of nearby Gulf Coast resorts and its people, during frequent periods of unemployment, vulnerable targets for hunger and disease. A Senate committee investigating hunger will be in the area March 10.

GATHERED IN CANTEEN

On a recent Saturday, a visitor found most of the camp's adult population assembled in the canteen. The migrants had just been paid, apparently, and several men and women were finding release from the surrounding squalor by getting themselves soddenly drunk.

One woman, still sober enough to talk, said that in good times she made as much as $60 for six days work in the fields, picking beans and peppers, but now work was slack because cold weather had retarded the crops.

"We've got to pay $10 a week for these huts," she said. "Last week the water was up so high we had to wade to the door. I never would've left Carolina, but they told us the rent was free."

Someone had skinned a possum in front of one of the shacks, then left the meat for the flies. The cadaver of another skinned animal floated in the slough.

A man who introduced himself as "Hobo Bob" reeled out of the canteen and proudly produced an old photo that showed him with a wine bottle in one hand and a pistol in the other, a cigarette dangling from lips creased in a grin. He said he was sending the photo to a cousin in South Carolina, to show the relative what a happy life migrants could lead.

"That's Hobo Bob," he laughed, patting the photo.

Retrieving a cardboard box from his shack, Hobo Bob offered visitors some cold grits mixed with beans and fatback.

Smith's Camp is one of 60 or 70 accommodations for migrants around Immokalee. Other camps seem less appalling in physical appearance but hold a greater potential for human degradation and misery because they swarm with children.

UNEMPLOYMENT HEAVY

Albert Lee, an energetic young Negro who heads the local antipoverty project, the Community Civil Workers, said it was a bad season for migrants, with heavy unemployment.

Immokalee, a town of 3,000 near the northern edge of the Everglades, normally has a midwinter population of 12,000 migrants, he said, but now there were only about 10,000. Many who normally wintered in Immokalee had gone to Texas instead.

Immokalee is in Collier County. Many well-to-do retired people live in Naples, the county's biggest community, and this element, plus the big farm owners, have insured a highly conservative county government.

The county has a long history of snubbing Federal aid, even during the Depression era, and in recent years the county commissioners have stoutly rejected the food distribution programs of the Department of Agriculture.

Today Collier County offers neither direct food distribution nor the food stamp program. Migrants who run out of money here are out of luck.

How do they keep alive, Mr. Lee was asked.

He said he had received on Christmas Eve $500 from the Office of Economic Opportunity. The instructions were that the money could be distributed only for emergency food.

PINCHING AND PINCHING

"Now I've got a few dollars left," he said, "but I've been pinching and pinching and pinching."

He explained how he made the money last. He was doling out $1 a day per person to the most desperately hungry, then cutting them off after 14 days.

"That's it," he said. "After 14 days if they can't get handouts from the neighbors they don't eat.".

Two young lawyers from the O.E.O.-financed South Florida Migrant Legal Services Program. T. Michael Foster and William F. Dow 3d, said that their organization had been trying for years to get Federal food sent into Collier County.

Last summer Mr. Foster wrote to the then Secretary of Agriculture, Orville L. Freeman, telling of hunger and malnutrition in the labor camps, reporting the refusal of Collier County to participate, like most Florida counties, in making food surpluses available to the poor, and pleading for intervention.

ATTITUDE OF COUNTY AIDES

Washington did nothing. Congress had authorized the O.E.O. to take over the distribution of food in the poorest counties, which, for one reason or another, were not participating. But Collier County was not poor enough to qualify; the median annual family income, thanks to wealthy Gulf Coast resorts, was $4,673 a year.

"I've seen hunger in Immokalee as bad as in Latin America," said Mr. Dow, a graduate of Yale and Columbia, "yet the Collier County commissioners always say the problem doesn't exist, that the county always looks after its own 'worthy poor'."

Observers noted that the rural admonition, "root hog, or die," seemed to express the commission's attitude toward migrants. They recalled that at a hearing last August Vice Chairman A. C. Hancock warned: "There are those sitting with their hands out waiting to be fed, and that's a situation we won't go for."

Other officials expressed the fear that if migrants were given food they would not work. Others thought that free food would drive the corner grocery into bankruptcy.

Immokalee, which calls itself the "watermelon capital of America," is a flat, sprawling, dusty town where people of different colors, black, brown, red and white, live in strict residential segregation. Smith's Camp, out in the swamp, is all black, but there are several other Negro camps inside the town.

These are in "The Quarters," an area that contains not only the Negroes but "Utopian Homes," a group of concrete-block huts occupied by Mexican-Americans. Outside "The Quarters," scattered around the rest of the town, are camps for white migrants. A few score Seminole Indians live in grass huts on the eastern edge of the community.

RENT OF $10 TO $20 A WEEK

Most of the camps are clusters of wooden shanties, concrete huts, trailers. Rents range from $10 to $20 a week, plus utilities. Flush toilets are a rarity, most camps providing a communal latrine. Regardless of the color of the occupants, the camps appear universally mean and squalid.

Mrs. Angela Spencer, 38, and two small pallid children occupied a trailer in one of the white camps.

"I was lucky enough to get three days work this week," she said.

She said she had been averaging two and one-half days of work a week, earning $25 out of which she had to pay a baby sitter $3. The rent was $15. That left $7 for food and all other expenses. She owed $19 in back rent, she said, and $100 in doctor's bills.

There was a platter of green beans and hominy on the stove. Clouds of flies wheeled about. The refrigerator was empty except for three sticks of margarine, a partly empty bottle of milk and a box of powdered milk.

She had been helped from Albert Lee's meager allotment of cash, as had Mrs. Caroline Conner, an attractive blonde who lived in another white camp and was 10 days out of the hospital after delivering a baby girl, Her husband had abandoned her.

"We were real desperate," Mrs. Conner said of herself, and the baby. "If it weren't for my friends, I wouldn't have been able to make it."

LIKES MICHIGAN BEST

Mrs. Conner said she had been migrating from Florida to the Great Lakes and back for the last four years, following the spring strawberry crop to northern Florida, then Arkansas, Illinois, and Michigan; picking Michigan's blueberries, peaches and grapes during late summer and early fall, then going back to Immokalee for winter tomatoes, peppers and "cukes," or cucumbers.

She likes Michigan best, she said, because migrants got free quarters there, in Immokalee her rent was $20 a week, and she had just about run out of the money she had received from Albert Lee.

"Whether she feels well or not, she's gotta go to work," Mr. Lee said.

"I got to do something," Mrs. Connor agreed.

Down in The Quarters, an elderly black named James Kelley and his yellow dog, Lady, found a way to beat the rent. A tolerant crew leader had let them take over an old abandoned bus.

Mr. Kelley, a diabetic whose fingers were gnarled and disfigured, was wearing two pairs of pants against the cold. An unvented oil heater had been installed near the front of the bus, and he had to keep a window open to avoid suffocation from the fumes.

He and Lady slept on piles of rags near the rear, where there was a little cookstove. The only food visible was a pan of fatback and some pieces of fish heavily salted for preservation. Mr. Kelly said he had not worked in eight months, but he seemed happy. He had just received $7 from Mr. Lee.

TEN CHILDREN IN HUT

In a black camp near Mr. Kelley's bus, Mrs. Pauline Milton and 10 children were crammed into a two-bedroom-and-kitchen hut.

"Me and two of the little ones sleep in this bed," said Mrs. Milton, "and there are two beds in the other room and one in the kitchen for the rest."

She had worked two days that week, earning $11.05 each day, and paying $2 a day for baby sitters.

"I couldn't afford to give them breakfast," she said, surveying the hungry brood, "but we had boiled beans, rice and potatoes for lunch, and I'll give them the same for supper."

Mrs. Milton is one of a comparatively few migrants eligible for county welfare, for she has lived in Immokalee for seven years. She said she had applied, but had been told that her application would take 30 to 45 days to process.

Of all the ethnic groups, the Mexican-Americans probably suffered most during times of hunger, Mr. Dow said as he drove past "Utopian Homes." Some of the Mexicans had tried to alleviate the bleakness by planting flowers around the huts.

"Mexicans are proud," Mr. Dow explained, "and feel they are violating cultural mores if they ask for help."

Mr. Foster said that the Florida State Board of Health had denied the existence of widespread malnutrition in Collier County.

PARASITIC INFECTION CITED

"People are hungry, no one can quibble about that," he insisted. "And there is a tremendously high incidence of parasitic infection."

Last March the state health board issued a report saying that a team of doctors had "closely observed" some migrant children at play or in schools and clinics and that "none had gross signs of malnutrition."

The report said that pellagra, a severe dietary deficiency disease, had been noted but only in "known chronic alcoholics."

In riposte, friends of the migrants released next day the results of clinical examinations of 23 migrant farm children of Immokalee by the Variety Children's Hospital of Miami.

The sampling uncovered 38 clinical diseases in the 23 children, ranging from pneumonia to worms.

The hospital's executive director, Gerald W. Frawley, described the findings as "rather incredible . . . a most extraordinary morbidity rate" and concluded: "The migrant population must be about the most underprivileged in the nation, at least in terms of medical attention."

In a few weeks Collier County will feel the spotlight of national publicity. The Senate Select Committee on Nutrition and Human Needs is making this county its first stop on a tour of suspected hunger areas.

The committee is seeking information on the failure of the Federal food programs to reach millions of poor Americans.

HUNGER IN AMERICA: MISSISSIPPI DELTA

(By Homer Bigart)

(NOTE.—The third of a series of articles on reports of hunger in the United States.)

YAZOO CITY, MISS.—"They aren't starving, really, but they are undernourished as hell."

Dr. Aaron Shirley, a Jackson pediatrician and civil rights leader, made this diagnosis during a recent visit to Negro homes in the Delta.

The degree of hunger among Delta Negroes has been a political issue ever since April, 1967, when Senator Robert F. Kennedy of New York and Senator Joseph S. Clark of Pennsylvania toured the Delta and reported that many people were "slowly starving."

Indignant denials came from the white establishment. The general response was "we treat our niggers fine," Dr. Shirley recalled. Gov. Paul B. Johnson, Jr., reportedly described as "fat and shiny" every Magnolia State Negro that met his eye.

The issue flared up anew after a team of doctors headed by Dr. Raymond M. Wheeler of Charlotte, N.C., reported to the Southern Regional Council a widespread and "desperate" need for food and medical care.

The Federal food programs were not only inadequate, they said, but were run by local authorities with flagrant political or racial bias. The doctors' indictment was harsh: "It is unbelievable to us that a nation as rich as ours, with all its technological and scientific resources, has to permit thousands and thousands of children to go hungry, go sick, and die grim and premature deaths."

Though many people may think first of Mississippi when the subject of hunger comes up, the state actually has a good record of participation in Federal food programs. Every one of its 82 counties is enrolled in either food stamps or direct commodity distribution, a better record than New York, where six counties (Sullivan, Rockland, Putnam, Chenango, Ontario and Otsego) do not participate and have no plans for joining the food programs.

Nor are the Delta counties the hungriest in the land. Stomachs of reservation Indians are probably emptier more often than stomachs of Delta blacks.

No one knows how many Americans are chronically hungry. The best educated guess comes from Dr. Thomas E. Bryant, assistant director of the Office of Economic Opportunity for Health Affairs.

According to Dr. Bryant, there are 12 to 15 million "hard-core poor." The "hard core" are defined as those families with an annual income of less than $2,000, based on a family of four. Since the Department of Agriculture estimates that a family of four must spend $1,284 for an adequate diet, Dr. Bryant concludes that a family earning less than $2,000 would find it impossible to buy enough food to meet minimum nutrition standards after meeting other essential human needs.

At present, the food programs of the Department of Agriculture reach about 6,333,000 persons, many of whom are better off than the "hardcore poor." So, by some official estimates there are at least six to nine million Americans for whom hunger may be almost a daily fact of life.

NEWSPAPERS COVER WALLS

It was cold and rainy the day Dr. Shirley led a visitor into a back-street shack where a Negro couple and several children were huddling at a fireplace. Most of the windows were plugged with cardboard, which rattled dismally against the wind and rain; old newspapers covered the walls.

Eight children were counted in the room and Dr. Shirley, poking carefully into a pile of ragged, musty quilts, found two more infants asleep in the bed. He said the woman had given birth to triplets four months before; one died at birth, and one of the survivors had nearly expired of diarrhea and was just back from a Jackson hospital. The infant was almost certain to get diarrhea very soon again under these living conditions, the doctor said.

The family was unable to get on the welfare rolls because the husband was considered able-bodied. He earned $100 last month, but now, in midwinter, there was no farm work available. The family had nearly used up its food stamps, all that was left was sweet potatoes, condensed milk and grits, the mother said.

Dr. Shirley examined the babies, calling attention to the lack of subcutaneous tissue on their tiny arms and legs. "They need protein, calories and iron," he said.

"Too many people sleeping in that bed," the woman muttered from the fireplace.

"If I can run across a baby bed, I'll get it to you," Dr. Shirley promised.

BUDGET IS DESCRIBED

In another shack, where daylight could be seen through a corner rathole, a mother with seven children, living on social security payments of $95.40 a month, described her budget. She had to make a cash contribution of $38 to obtain $96 in food stamps and "I run out of food in the third week." Her rent she said, was $16 a month, plus $5 or $6 for gas, plus $8 for lights and $3 for water. That left about $25 for all other essentials—clothes, soap and supplemental food to get eight people through the rest of the month.

Occasional housework for white families paid $3.50 to $5 a day, she said, then she had to hire a baby sitter. Baby sitters charge 50 cents a head, and with four children under six years that would come to $2, leaving $1.50 to $3 for the day's work.

"If you could get a job would you work?" Dr. Shirley asked.

"I sure would," said the mother emphatically. "I never want to be on welfare, period."

"That's the tale you always hear in town: 'They don't want to work,' " Dr. Shirley said.

Negroes who get sick in Yazoo City are sent to the Afro-American Hospital, a county-supported institution that cannot afford a pathologist nor even a laboratory technician.

There, Dr. Cyril A. Walwyn, the director, contended that hunger in the Delta was not decreasing, as most whites insisted; he had seen too many pot-bellied, worm-infested youngsters.

"I feel they are slowly starving," he said. Dr. Walwyn was one of the six doctors who wrote the Delta hunger report.

"I have a quarrel with the welfare people," he continued. "They just don't care. Often they show a patronizing attitude toward the poor. If I am not as suppliant and cringing as they think I should be, they won't give me help."

Driving back to Jackson, Dr. Shirley said: "Black people have changed. A lot of the old fear is gone. But people are still dying unnecessarily of disease and poor nutrition has contributed to their dying."

CHANCES ARE DIMINISHED

"A baby's chances of recovering from pneumonia or severe diarrhea are diminished considerably if he's undernourished. So this kid will die, and its listed on the death certificate as diarrhea. Now, this kid didn't starve to death. But if he'd been in fairly good nutritive status he wouldn't have died."

Dr. Shirley said he had seen people eat almost anything they could chew, including tar from telephone poles—"they say its good for the gums"—and even clay. Pregnant women, especially, would pop a piece of earth in their mouths, explaining they "had a taste for it."

"And they might get some essential minerals out of it," he said.

Describing the plight of thousands of Delta families displaced by the mechanization of the cotton plantations, Dr. Shirley said he sometimes wondered if Negroes were not better off in slavery days.

"In open slavery times human life was of some value," he mused. "If master paid $100 for a man he'd see that his property was well taken care of, just like a prize bull. But now the black people are no longer on the plantations. There is no feeling of responsibility toward them, no need to help them."

Dr. Shirley, as head of Mississippi Action for Progress, a Head Start program, recently received $106,000 from the Office of Economic Opportunity to provide free food stamps for the desperately poor of three counties—Leflore, Scott and Claiborne—where the situation was called "critical."

But he accused the state Welfare department of trying to frustrate the effort by refusing to accept checks in payment for the stamps, even though the checks were backed by special cash deposits in the county banks. Meanwhile he had helped some families out of emergencies by giving them cash.

The main complaint about the Federal food programs in the Delta was that they simply were not reaching the most desperately poor.

MYSTERY FINALLY SOLVED

Even though the minimum cash investment for food stamps by the poorest families—those with an income of less than $20 a month—had been reduced from $2 to 50 cents, there were still hundreds of families that couldn't raise 50 cents.

It had taken former Secretary of Agriculture Orville L. Freeman several years to solve the mystery of why the number of participants in food programs always dropped sharply whenever a county switched from free distribution of Federal surplus commodities to food stamps. Finally some of his aides went to Mississippi and brought back the startling news: "There are families existing with no discernible income."

Today, families in the food stamp program complain that the amount of monthly food they obtain usually is exhausted after the third week. A board of inquiry headed by Dr. Leslie W. Dunbar, executive director of the Field Foundation, and Dr. Benjamin E. Mays, president emeritus of Morehouse College, and sponsored by the Citizens' Crusade Against Poverty, an organization with the backing of the United Auto Workers, reported a year ago that the money value of the stamps fell "consistently and deliberately below the amount necessary to secure a minimally adequate diet."

This indictment was substantiated last month when a preliminary report of the National Nutrition Survey, the first scientific attempt by the Federal Government to measure malnutrition in the United States, called the food programs inadequate.

In Greenville, Mrs. Frances Young said she had to feed herself and nine children on $118 worth of food a month purchased by stamps for which she paid $33. Her monthly income was $55 from Aid to Dependent Children, plus $50 sent by her elderly daughter in Detroit. Total, $105.

Rent took $25 a month, she said, and bills were overdue for gas, electricity and water. She had doctor bills totaling $233.

AGED LIVE IN CABINS

"I can't feed this family," said Mrs. Young despairingly. "We have no pinto beans and bread. That's all for supper."

"And this here's what I'm sweeping with," she said, wrathfully snatching up a stringy broom worn down to a final clutch of straws.

But at least the Youngs were better off than some aged and lonely Negroes that remained in rural cabins after their youngsters had gone North to find work. The only nursing home for Negroes in the area burned down on Jan. 18, killing seven of the aged and destitute, including an old woman who had been restrained by chicken wire because she was senile.

The whole town was shocked, but no one, white or black, could find it in his heart to blame Carrie Weaver and her husband Wash, who ran the firetrap. After all, the victims had no other place to live.

Wash Weaver told of finding old Ann House, who must have been 80, he said, lying helplessly in her cabin, wasted down to 100 pounds because no one had brought food.

"She must have been layin' on the floor for days," Wash Weaver said. "I had to cut her clothes off with a knife."

Mrs. House was one of the fire victims.

Down in Isaquena County, one of the poorest counties in the Delta, Mrs. Unita Blackwell, a leader of the Freedom Democratic Party, said a few more commodities had become available under the direct distribution program but that people still weren't getting a balanced diet from the free surplus foods. (The Agriculture Department offers each county a choice between a free but very limited commodities distribution and the stamp program; no county can have both).

Mrs. Blackwell was worried about the children.

"Grown folks have been hungry a long, long time," she said, "but the kids just got here and we don't want them mixed up with blood disorders. If you can't get enough food, your brain won't work."

There are two developments in the Delta that promise better times.

A distinguished biracial group of Mississippians, including Dr. Temple Ainsworth, former president of the State Medical Association, and the Right Rev. John Allin, Protestant Episcopal Bishop of Mississippi; Dr. Robert E. Carter, dean of the Mississippi School of Medicine, and Dr. Albert B. Britton, a leading Negro doctor in Jackson, have proposed Federal funding for a crash program to lower the infant, maternal and child mortality rates in five Delta counties.

Delta counties have a history of the highest infant mortality rate among Negroes in the country—72.7 per 1000 live births in 1965. The maternal death rate among Negroes was 25.1 in the same year.

The biracial committee proposes as a "short-term objective" a 20 per cent cut in the excessively high infant, maternal and child mortality rates in the five counties—Sharkey, Issaquena, Holmes, Humphreys and Washington in the first year. Health services in the counties would be strengthened, scores of midwives and health aides trained and sanitation improved. The committee asked the Federal Department of Health, Education, and Welfare for $3,405,000.

Some Negro leaders, including Dr. Shirley, have criticized the project, saying it would be dominated by whites. The committee is composed of five whites and four Negroes.

PROJECT IS EXPANDED

The other development is the further expansion of the Tufts Delta Health Project, sponsored by Tufts University, in Bolivar County.

Convinced of the "enormous futility" of trying to tackle health problems without changing other aspects of Delta life, such as housing, employment and education, Jack Geiger, director of the project, and other leaders, are now helping Negroes operate a farm cooperative, rebuild houses and plan Negro enterprises.

With guidance from the Government of Israel—Zev Barash, representative of Histadruth in New York City, has sent several Delta Negroes to Israel to study farm cooperatives there—the project has formed the Northern Bolivar Farm Cooperative, which last year grew over a million pounds of produce on rented land. Starting with 120 acres, the cooperative hopes to expand to 500 acres this year.

CANNERY FOR "SOUL FOOD"

There are tentative plans for a $400,000 cannery that would process "soul food" for the ethnic market, such as collards, gumboes and mustard greens.

Meanwhile, Dr. Roy Brown, associate professor of pediatrics and preventive medicine at Tufts, and Dr. Florence Halpern, a psychologist from New York, are surveying the medical and social backgrounds of 400 Negro children up to age three.

Dr. Brown and Dr. Halpern are convinced that Negro children brought up in the Delta already suffer brain retardation because of crushing poverty before they are old enough—three to enter the Head Start programs.

"One of the things that pulls them down is the lack of verbal stimulation at home," Dr. Brown said. "Perhaps we should bring them into Head Start programs at three months, instead of three years."

Mr. HOLLAND. Mr. President, for the next thing, I want the committee to understand that neither Florida nor any other area can be held to take care, in advance, of migrants who come into that State before there is need for them, and find no adequate income to take care of themselves. We just have that situation.

It was reported that there was a welfare program there, and there is. It was not reported that there was a home demonstration worker there, and there is. It was reported that there was an OEO representative there who had been supplied with $1,000 in cash to take care of emergency needs of any migrants who might need the money, but apparently there had not been enough to take care of some needs found there by the reporter.

I could not help but wonder why the reporter did not go to the established migratory labor camps and meet the very different conditions from the conditions in the huts he described, where he found those people and reported conditions, which were miserable, and which, I say again, should be reported exactly as they are.

Mr. President, there is more at stake here than meets the eye. This is a part of the battle between the two departments that are anxious to handle this program. That is evidenced by the fact that the resolution proposes that the members shall be drawn equally from the Labor and Public Welfare Committee and from the Agriculture Committee; and they are so drawn.

So far as I am concerned, I hope that this committee will be reasonable and practical in what it does.

I approve of what the chairman of the Rules Committee has said—that if it appears, during the course of this year, and this resolution covers only the 11 months of this year from February 1 to December—that additional funds are needed, then, quickly upon report, that problem can be remedied, and the Senator from Florida will be one to help remedy it. But when we learn that out of $25,000 appropriated in October, only $13,000 has been used, and when we learn that this money, if it becomes available, will become available to be spent in a little over 10 months, instead of 11 months, and when we learn, too, that there are objectives which can be properly dropped, without involving investigations into fields which I think this committee has no business investigating and which I think overrun the jurisdiction of the Commerce Committee very heavily, it seems to me they can do a good job. I hope they will. I will defend them in the effort to do a good job.

I supported the original enactment of the resolution. Only a few Senators were standing here when it was adopted. There were not 54 Senators here when the resolution was adopted. There were 54 names on the resolution, if the Senator says that was the case, but there was only a handful of Senators here at the time, because it was at a time close to, either just before or after, the conventions and just prior to the general elections. As I recall, several of the able members of the committee at the time were candidates and, very properly, could not be here and could not be heard upon this important matter. In their absence, and because those Members of the Senate who were here thought this was a proper field for investigation, we passed the resolution. I think it was passed without objection. Certainly, I supported it, and I still support it.

But I hope this committee would be a little more reasonable and a little more realistic in this investigation than is indicated from the memorandum from which I have read the part that had to do with packaging, processing, and fortification of food, and the like, which encroaches completely upon the field of the Commerce Committee, instead of being either in the field of welfare or agriculture.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Louisiana.

Mr. McGOVERN. Mr. President, I would like to comment for 1 minute on what is in effect a substitute amendment by the Senator from Louisiana. He knows the very high regard in which I hold him. It has been my privilege to serve on his committee since the first day I was in the Senate, and that has been to my profit. I do appreciate the long years of concern the Senator from Louisiana has demonstrated in the problems of hunger, most notably his authorship of the school lunch program that is now on the statute books, and some of the other important food and agricultural programs which have contributed much to the health and strength of our country. Beyond that, no Member of the Senate has been more conscientious or helpful in asking searching questions of the witnesses that appeared before us. I think every member of the committee learned from Senator ELLENDER.

But I object to the substitute amendment now pending, for the same reason that I am asking the Senator to reject the earlier action of the Rules Committee, and that is the simple fact that it does not provide enough funds for this committee to do its work. So I urge the Senate to vote "nay" on the amendment offered by the senior Senator from Louisiana, and then we can get to a vote on the other matter.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. McGOVERN. I yield.

Mr. ELLENDER. The Senator well knows that, from the beginning, my real objection to the request was related to the consultants.

Mr. McGOVERN. I understand that. I understand the Senator's position.

Mr. ELLENDER. I never heard anyone give any reason why consultants should be necessary. That was my only objection to it.

Mr. McGOVERN. Before the Senator came on the floor I had a lengthy colloquy with the Senator from Nebraska, in which I pointed out to him, in response to his expression of the need for some kind of private consulting expertise, that that was the very reason why we so much needed the $100,000. The Senator from Nebraska was making the point that the committee does not have the professional competence to examine the matters. I agree with him. I told him that was why we needed the money.

Mr. ELLENDER. We know the problem exists. We are exposing it. The best thing we can do is let the country know what the conditions are throughout. That can only be done, in my opinion, through the committee itself.

My amendment does not cut the amount of money the Senator asked for travel. That amount will remain in the resolution. It is my feeling that holding hearings throughout the country, as the Senator proposes, will do more good than hearing from 1,000 consultants.

Mr. McGOVERN. I appreciate the Senator's point. We are willing to go ahead with the field hearings. I think they are an absolutely essential part of our work. This is a matter of judgment in which I happen to feel strongly that we need to supplement our work with the employment of professional consulting firms who can assist us in certain specified areas. I think, on that basis, we will have information which will be more dependable and reliable.

I urge the Senate to reject the amendment.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield to the Senator from New Hampshire.

Mr. COTTON. What portion of the $100,000 that is in contest would be used for paying the salaries of present staff members or added staff members, or what portion of it would be used for special investigations around the country?

Mr. McGOVERN. Not a penny of it would be used for the present staff. Approximately $91,000 would be used for the employment of professional consulting people. Our plan is to engage several such firms.

Mr. COTTON. I understand. I listened to the colloquy between the Senator from South Dakota and the Senator from Nebraska.

Mr. McGOVERN. Yes.

Mr. COTTON. The point of which I wanted to make sure is this: this $100,000, if the committee receives it, will be used to employ nongovernment agencies or firms to make this survey?

Mr. McGOVERN. That is essentially correct, except for about $9,000, which would be for a part of the committee's own field investigation work.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. JAVITS. Is it not a fact that a majority of the committee are thoroughly convinced that this outside survey is really indispensable?

Mr. McGOVERN. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana.

The amendment was rejected.

Mr. MANSFIELD. Mr. President, I wonder if I could have the attention of the distinguished chairman of the Committee on Agriculture and Forestry and the distinguished chairman of the Subcommittee on Malnutrition and Hunger.

Would it be possible for the distinguished Senator from South Dakota, at this time, to ask unanimous consent to withdraw the yeas and nays on the committee amendment, so that we may have a final vote on this matter immediately?

Mr. McGOVERN. Mr. President, I am convinced that it is the will of the Senate that we reject the Rules Committee recommendation and restore the fund to the full $250,000. On that basis, I am perfectly willing to have it decided on a voice vote rather than further delay the Senate with a rollcall.

Therefore, I ask unanimous consent to withdraw my request for a yea and nay vote.

Mr. JAVITS. Mr. President, reserving the right to object, I have no objection, but so that we may understand, I just want to be clear. I ask the Senator from South Dakota, the vote now would be "nay," in order to restore the $250,000; is that correct?

Mr. McGOVERN. That is correct. The parliamentary situation is that a nay vote would have the effect of rejecting the recommendation of the Rules Committee, and call for the restoration of the full $250,000.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? Without objection, it is so ordered.

The question is on agreeing to the committee amendment.

The amendment was rejected.

The PRESIDING OFFICER. The committee amendment having been rejected, the question now is on agreeing to the resolution.

Mr. HOLLAND. Mr. President, I wish to say just one thing. I am saying it with a smile, but I mean it.

I do not think there are any more compassionate Members of the Senate than the members of the Committee on Rules and Administration. I think they had good reason to suggest this cut. I do not think there is a more compassionate Senator than the distinguished senior Senator from Louisiana. I think he had reason behind his stand.

I hope that the committee will be a little more practical and a little more reasonable than they indicate by the memorandum that is attached to the report.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I join the distinguished Senator from Florida in the remarks he has just made. The mark of ALLEN ELLENDER is the food stamp program, the school lunch program, and all of the other programs which have come out of the Committee on Agriculture and Forestry while he has been chairman or ranking minority member of that committee.

As far as the distinguished Senator from North Carolina (Mr. JORDAN) is concerned, I know what he did to raise the amount in committee, and I wish to say that he is just as humanitarian as they come, as is the Senator from Louisiana. I appreciate the cooperative attitude shown by both in connection with the request which I made of the distinguished Senator from South Dakota.

Mr. JORDAN of North Carolina. Mr. President, I appreciate very much the remarks of the majority leader and of the distinguished Senator from Florida.

I can assure the Senate and everyone concerned that I have just as much concern for poor people, and poorly nourished people, as anyone else.

I wish to say just one further thing in this connection: As I stated a while ago, we did not single out this one committee. We cut $803,660 from the total amount the committees asked for. It was across the board, as far as we could make it.

We cut $145,400 off the Labor Committee, so it is a much larger cut than this one. We were simply trying to do what we thought it was the duty of the Rules Committee to do.

Mr. MANSFIELD. The Senator has no need to apologize. We know him. We know where his heart is.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. I yield.

Mr. JAVITS. I join with the Senator from Florida, the Senator from Montana, and the Senator from North Carolina in the statements they have made. There is no question of the depth of their concern. It was an honest difference on the question of money and figures, as to what was needed.

I am grateful to the Senator, on the contrary, for the generous way in which he has just handled this matter.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. I yield.

Mr. McGOVERN. I join with the other Senators in expressing my appreciation to the Senator from North Carolina. I happen to know what he did, which had the effect of raising the sum that other members of the committee were suggesting cutting very substantially. I know it was with some effort that he got the figure up to $150,000. So, while it fell somewhat short of what I thought it ought to be, I do appreciate the efforts of the Senator from North Carolina in trying to save a part of our request.

Mr. MUSKIE. Mr. President, the Select Committee on Nutrition and Human Needs has begun a task which Congress and the American people have shirked for too long. Because malnutrition saps the human spirit, its victims are quiet and easily forgotten. In a land where more people are concerned about obesity than starvation, hunger has been ignored.

Because of the work of the Select Committee on Nutrition and Human Needs, the problems of hunger and malnutrition are finally receiving the attention they need. The committee has started information flowing to Congress and the Nation. It has given hope to people who have suffered so long and so unnecessarily from hunger.

The Rules Committee's action in reducing the select committee's budget by 40 percent is a serious blow to the effort to eradicate hunger. The budget cut would eliminate many of the select committee's most promising efforts at investigation and research.

Cutting the select committee's budget is false economy. Congress cannot afford to deny itself the information it needs to make a successful attack on hunger. The Nation cannot afford to back away from a human problem of such urgency.

As a cosigner of the resolution providing a full budget for the Select Committee, I asserted my belief that the problem of hunger is of the highest priority. I intend to reaffirm that belief by voting to restore the Select Committee's budget to the full amount of $250,000.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 68) was agreed to.

The preamble was agreed to, as follows:

> Whereas the Senate has voted unanimously to establish a Select Committee on Nutrition and Human Needs to study the food, medical, and other related basic needs among the people of the United States: Therefore be it.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion was agreed to.

REMARKS OF SECRETARY OF DEFENSE LAIRD ON THE SOVIET THREAT AND PROVOCATIONS

Mr. THURMOND. Mr. President, the position taken by the Honorable Melvin R. Laird, Secretary of Defense, on the CBS television program, "Face the Nation," February 9, fully recognized the Soviet threat and provocations. His evaluation of the extensive Soviet buildup, the risk of arms control talks now and need for our ABM system are very much the same that has been expressed by the majority of my distinguished colleagues here in the Senate. I would like to congratulate our new Secretary of Defense for his astute assessment of the realities of the Soviet's intentions. Deeds not words of promise are the only indicators of Soviet intentions.

Mr. President, in the words of Secretary Laird:

> The Soviet Union is escalating the arms race and has done it during the last twenty four months.

Before we can move into talks with the Soviet Union, Mr. Laird said:

> We have to have some signs, and I think those signs of progress have not moved forward as rapidly as I would like to have them move forward.

Mr. President, I support that assessment. I am not aware of any genuine signs of Soviet progress toward peace that would lead to serious negotiations. Is Czechoslovakia a sign? Is the ABM system in the Soviet Union a sign? Is the most recent Soviet intimidation of Berlin a sign? Is military assistance to Nasser and North Vietnam a sign? Is there any significant evidence of Soviet influence for peace at the Paris conference? I do not need to tell my eminent colleagues that the answer to all these questions is No. Then, how can anyone rationalize that the United States should cut back on defensive weapons for the security of our Nation while the Soviets accelerate their offensive and defensive weapons programs. Mr. Laird revealed startling expenditures the Soviets are making for weapons. The Secretary's latest estimate indicates the Soviets are spending about $3.70 to our $1 for antistrategic weapons systems. When you consider that our gross national product is twice that of the Soviets, the Secretary stated earlier that the Soviets are outspending the United States in dollars by a 7-to-1 ratio for defensive weapons systems.

Mr. President, I interpret Mr. Laird's recent announcement of a review of the Sentinel system as one of how, not whether, the Sentinel will be deployed. In view of the bold Soviet actions and buildup the past few years, the risk is entirely too great not to move ahead with our ABM system. I am confident that our new Secretary of Defense will not waver in one of his first challenges from the same voices that were in the minority last year. The Soviets have increased their provocative actions, not decreased them. For once, let the Soviets make the first tangible move toward peace.

Mr. President, it is encouraging that Mr. Laird believes in negotiating from strength and that he desires evidence of progress in genuine Soviet deeds for peace before talking arms control. The view and assessment which Secretary Laird expressed on the CBS television program on February 9, 1969, are so significant at this particular time that I would like for this interview to be placed in the CONGRESSIONAL RECORD.

Mr. President, I ask unanimous consent that the transcript of this interview be printed in the CONGRESSIONAL RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

FACE THE NATION

(CBS Television Network, CBS Radio Network, Sunday, February 9, 1969, Origination: Washington, D.C.)

Guest: The Honorable Melvin R. Laird, Secretary of Defense.

Reporters: George Herman, CBS News; William McGaffin, Chicago Daily News; Steve Rowan, CBS News.

Producers: Prentiss Childs and Sylvia Westerman.

Mr. HERMAN. Mr. Secretary, just a few hours ago Communist East Germany banned all travel into Berlin by members of the West German Parliament and other West German officials. Is the United States prepared to defy this ban with another airlift, if necessary?

Secretary LAIRD. Well, as you know, the same set of regulations were put out by East Germany in 1965, when a similar situation existed as far as a meeting of the West German Parliament. I believe that the same means will be used to handle the situation in 1969, this year, as was used in 1965. This is a matter for the West German government, however. It is not a matter that we are directly involved in. This is a decision that was made by the West German government to conduct their meeting in Berlin, and this is not a matter that directly involved the United States.

ANNOUNCER. From CBS Washington, in color, "Face the Nation," a spontaneous and unrehearsed news interview with Secretary of Defense Melvin Laird. Secretary Laird will be questioned by CBS News Correspondent Steve Rowan, William McGaffin, of the Washington Bureau of the Chicago Daily News, and CBS News Correspondent George Herman. We shall resume the interview with Secretary Laird in a moment.

Mr. HERMAN. Mr. Secretary, you said that the matter of West German officials' access to Berlin did not directly involve the United States.

Secretary LAIRD. The decision to hold the meeting was a decision that was made by the Federal Republic of Germany and was not a decision that was influenced by the United States——

Mr. HERMAN. But do we not——

Secretary LAIRD. Similar to the situation of 1965.

Mr. HERMAN. Do we not support the treaty rights of West Germany to access to West Berlin?

Secretary LAIRD. Yes, we have always supported that, and in 1965, the situation which I referred to, we supported it then.

Mr. MCGAFFIN. Mr. Secretary, do you feel that the military-industrial complex, which President Eisenhower warned us about, had anything to do with the pressures which resulted in the go-ahead in the last session of Congress for the thin ABM system, or the Sentinel system, as it is called?

Secretary LAIRD. No, I don't. I think that the situation that we face in the world today influenced the Congress, in the fact that the Chinese were moving into a position where they had an intercontinental ballistic missile capability. And I believe that we will see the Red Chinese firing an ICBM with a capability of long range within the next eighteen months. And I think that the Chinese Communists, in the development of strategic weapons, on the part of the Chinese, influenced the Congress much more than any industrial complex could have influenced them. But it was the capability being developed by the Chinese that influenced the Congress.

Mr. ROWAN. Mr. Secretary, it is generally believed that the Nixon administration has no choice now but to cancel the thin Sentinel missile defense system, because of opposition in Congress. Is there going to be a fall-back position of continued research and development on an alternate system?

Secretary LAIRD. Well, first, there are two questions involved in your one question. I have not seen a great change, as far as the shift of opinion in the Congress. I haven't seen any vote switches in the United States Senate, since the new Congress has been back here in town. Most of the people that are taking the position against the antiballistic missile system, whether it be thin or thick, took that position in the last session of Congress. The second part of your question, we are reviewing this whole matter. A week ago last Thursday, at my press conference, I announced that a complete review would be made of the Sentinel system, along with the other major items that are in the 1970 budget. This review is currently taking place, and we will have a position stated publicly early in March as to what we will push in this 1970 budget. But, as I said at the press conference a week ago Thursday, we will give consideration in this review to the possible situation that the United States faces, vis-a-vis the Soviet Union, in possible antimissile and offensive missile capabilities of the two countries, and we want to go into those talks in a strong position. And in this budget review this is one of the many things that is being considered by the individuals making the budget review.

Mr. ROWAN. Well, Mr. Secretary, somebody over in that building where you now serve believes that the decision has been made, at least tentatively, to cancel Sentinel because they are very diligently selling alternate proposals over on Capitol Hill to the persons who had been the proponents of the Sentinel system.

Secretary LAIRD. Well, this is news to me, because there has been no decision made. This is being reviewed and there has been a great deal of speculation. As you know, Secretary Clifford stopped the site acquisition in Seattle and Chicago. This last week there was some confusion, I was advised by the Army, that the construction contract had been stopped in Boston a week ago Thursday, at the time of my press conference. We found that there was a second construction contract that started up this last week, and as soon as that was called to my attention that was also stopped. It had only been in progress for some two days and had to do with some footings for the perimeter acquisition radar. And that has been stopped, pending this review of the budget. And there has been no decision made. There has been no slow-down in research and development. There has been no slow-down as far as procurement is concerned. And this is very much in the budget review.

Mr. ROWAN. Pursuing that——

Secretary LAIRD. In this study of the budget review, we must consider that it is important for the United States of America to maintain its strength. It is important for the United States of America to be in a strong position. And, as Secretary of Defense, if there are any errors that are going to be made, as far as my administration of the department is concerned, they will be made on the side of the safety of the people of this country. The security and the safety of our people will be protected, and in this budget review this is very much in the forefront of the whole review.

Mr. ROWAN. Pursuing that business about the stopping of work, the stopping of site acquisition and construction, for just a minute, as of 4:30 in the afternoon this past Thursday, two days after you got a letter from Congressman Mendel Rivers, supposedly a week after you had ordered the stopping of construction of the Boston site, and sometime after Secretary Clifford order the stopping of acquisition——

Secretary LAIRD. The acquisition was stopped on the 15th of January, I believe, by Secretary Clifford, as far as Seattle and Chicago.

Mr. Rowan. The Corps of Engineers had received no instructions to that extent as of Thursday afternoon at 4:30. They were still working and they were still acquiring sites.

Secretary Laird. That was on contract number two. The situation was the Army had informed me that contract number one, as far as construction, the work on that had been suspended. That is the tree clearing and the road acquisition in Boston. I assumed, based on that information, that they had suspended work. Later we found that a second contract was involved and the contractor immediately moved forward to start work. And as soon as that information was relayed to me by Congressman Bill Bates' office, of Massachusetts, the Army was contacted and that contract was placed in a state of suspense, as was the first contract on construction.

Mr. Herman. Mr. Secretary, since you put this very frankly in the context of protection of the United States, in a theoretical world situation, for background purposes, can you tell us—or for perspective—can you tell us what the Russians' antiballistic missile situation is? How many cities? How fast a deployment? Has it been speeded up or slowed down? How do they compare?

Secretary Laird. Well, this past year the Russians have spent $4 for every $1 that we have spent on antistrategic weapons systems. This is defensive strategic weapons systems. The Russians have outspent us $4 for each $1—almost $4, it is $3.7 to $1, based on the best information which has been made available to me as Secretary of Defense. In the area of the offensive strategic weapons, they are out-spending us at the rate of $3 to $2. Now, I point this out because this is really a much greater effort than the dollar figures would represent, because their gross national product is simply one-half of ours. And, so, when you take a 3.7 to 1 dollar ratio, you are really getting very close to a $7 ratio as far as effort is concerned. They are making a much greater effort in the field of the defensive strategic weapon capabilities. And we live in a world where we must face this supposed buildup which is based upon the best figures that are available to me, as Secretary of Defense, and we must understand that the Soviet Union is escalating the arms race and has done it during the last twenty-four months.

Mr. Herman. Just for a moment to concentrate—the numbers are interesting but they didn't really tell me what I wanted—perhaps you didn't fully understand what I wanted—are the Russians putting ballistic missiles around any city besides Moscow? Have they not slowed down the deployment and the expense around Moscow recently? I am trying to get a perspective, simply, on the antiballistic missile.

Secretary Laird. If you want the number of missiles, I believe that is a classified figure. But the Russians have deployed an antiballistic missile system around Moscow and have gone forward with other developments in that area to a much greater extent than the United States has. But I would like to go back and give you that ratio once again, that as far as the defensive strategic missile systems are concerned, and the defensive capabilities of the strategic weapons of the Soviet Union, in this last year—and this started more than twenty-four months ago—they have gone to the point where in terms of effort, it is a 7 to 1 effort ratio. As far as dollars and cents, it is about 3.7 to 1 dollar, based on the best information available to me, as Secretary of Defense.

Mr. Rowan. Is that 3.7 to 1 dollar for missile defense or for all——

Secretary Laird. That is for strategic weapon defense.

Mr. Rowan. In other words——

Secretary Laird. It is all defensive system in the strategic weapons area.

Mr. Rowan. Well, how much are they spending on missile defense? Are they, as a matter of fact, stopping or continuing or expanding their missile defense effort?

Secretary Laird. They are continuing their missile defense effort.

Mr. Herman. Are they not slowing it somewhat?

Secretary Laird. It has not reached the stage that we thought twelve months ago it might, in the briefings before our Defense Appropriations Committee, but it is a substantial system that has been deployed at this time. It is true, it is not as large as we had anticipated, but it is a greater effort overall, as far as defensive strategic weapons are concerned, than we had anticipated twelve months ago.

Mr. McGaffin. Mr. Secretary, is it not true that when you were in Congress you were opposed to the idea of the Sentinel system?

Secretary Laird. The question that you ask has to do with the capabilities of the Chinese. I had certain questions about whether we should move with an ABM system, as far as the Chinese were concerned, because I questioned the statements of Secretary McNamara that the Chinese would be in a position to fire an ICBM at the United States early in 1970. It may turn out that Secretary McNamara's estimate of that situation was more correct than mine. But I did raise certain questions regarding the capability of the Chinese and the projections as far as the Chinese capability was concerned, and I think that is what you refer to, in the colloquies that I had in the Congress.

Mr. McGaffin. Well, Mr. Secretary, I have the impression that at that time, at any rate—and I am not asking you to commit your present position, because I know it is a different one than before, as you have pointed out—but when you were in Congress, did you not feel that a thick system, if we were going in for the ABM defensive system, a thick one would make more sense than a thin one?

Secretary Laird. Well, it seemed to me that it was necessary for us to move forward, as far as research and development, in this whole area of the ABM system. I would like to make clear one thing: I have changed my role somewhat. In the Congress I was a member of the minority. I served a very important function, I thought, in the legislative process, that of a critic and a questioner. And I think the legislative process has to serve that particular role. I have now assumed the new role, at the request of President Nixon—and I shall try to serve the President and my country to the best of my ability—but my role as Secretary of Defense is a somewhat different role than that of a legislator.

Mr. McGaffin. I understand that.

Secretary Laird. I will be judged, as Secretary of Defense, on the basis of whether, at the close of this administration, we are able to have peace, whether we are able to restore peace and maintain peace in the world. And this is the test of whether a person has served well in the office of Secretary of Defense——

Mr. McGaffin. Could I just——

Secretary Laird. And I hope that this will be the test that can be used, and we shall be successful in restoring peace in this world.

Mr. McGaffin. Mr. Secretary, could I just interrupt for a moment, please? I mean, there is no——

Secretary Laird. You can interrupt any time you would like to, because this is your program.

Mr. McGaffin. There is no argument to that position, sir. Of course, we all want the strongest possible defenses. But so many eminent scientists have argued about the whole idea behind the ABM system, whether it is thin or thick. The points have been made, for example, questions have been raised as to whether this sort of system really would work under combat conditions, and they feel that it would be a waste of money and would, in fact, be putting us into a psychology of trying to shelter behind an electronic Maginot line. I mean, can you address yourself to this criticism?

Secretary Laird. Bill, I would like to say one thing, and that is, as I announced a week ago Thursday, this is a subject of very thorough and critical review by a group headed by the Deputy Secretary of Defense, David Packard, and this matter is being studied in the Department of Defense, and we will have our recommendation, as far as the ABM program, early in March. I would just like to say that, during this period of review, no more site acquisitions are going forward and construction has been stopped at the Boston site until we can study the question of whether the suggestion of Congressman Bates to move that site fifteen miles to the north is, indeed, a feasible proposal. But all of this matter is being considered in this budget review, and we will have an answer for that early in March.

Mr. Herman. Mr. Secretary, you say that what a Defense Secretary may be judged on after he leaves office is the posture of the country. You have also said in the past, as I recall, that the period of maximum danger, in what you call the security gap of the United States, might come in the year 1973. Is it going to come at that time, or will you be able to stave it off?

Secretary Laird. I am hopeful we will be able to stave it off. But, as you project——

Mr. Herman. How?

Secretary Laird. The figures of the Chinese threat and the Soviet threat and move to the period of 1972 and 1973, the balance that exists at that time is not as it should be as far as the United States of America is concerned. And that is what I am concerned about, and, as Secretary of Defense, I will do what I can to see that we have sufficient and adequate military power to protect the security and the safety of our people, and this is most important, I think, if we are going to maintain peace in the world and restore the peace which we so badly want in Southeast Asia.

Mr. Herman. I just want to seek one point of clarification. You talked about the Soviet and the Chinese forces in 1972 and 1973. When you talk about our strength, are you talking about a sufficiency or superiority, or whatever it may be, against the combined Chinese and Soviet forces?

Secretary Laird. I am talking particularly in regard to the Soviet forces and not the Chinese forces. I believe that, as far as the Chinese force level in 1973, that that by itself does not represent the threat. But the Soviet threat is great in that particular time period, patricularly if you look at the tremendous buildup that has gone forward, not only as far as strategic weapons in the defensive and offensive areas, but also as far as the Soviet navy is concerned during this time period.

Mr. Rowan. Mr. Secretary, you've been a continuing supporter of more research and development on ballistic missile defense systems for some years now. Are you encouraged by what you've seen since you've gone to the Pentagon, to believe that there is an alternate way of approaching this whole question, a way other than the Sentinel system that we're now talking about?

Secretary Laird. Well, we are looking into all of the possibilities in this area, and to say that I have been encouraged that there was another better means at this time, I think, would be misleading, not only you but the American public. But we are looking at all the options that we have available that will protect the United States of America, in this overall budget review.

Mr. Herman. Mr. Secretary, some of your generals and admirals are writing very fierce

articles these days, saying the war in Vietnam is all but won, if we persisted for another week or month, or what have you, it would be won without the Paris peace talks, and that it is a shame that we may be throwing it away at the peace table. Is the war in Vietnam all but won by us?

Secretary Laird. I think it is most important that we have successful negotiations in Paris. The situation is such that I believe that it is important for us, in this whole context of the world situation, to look to the talks that are taking place in Paris, also the talks that are going to take place in the Security Council as far as the Mideast is concerned, and put this in the overall context of whether the Soviet Union is willing to move towards peace in the world today. And I think we have to show some progress, not only in Paris but also in the Middle East, before we move into the talks with the Soviet Union, as far as the antimissiles, offensive and defensive missiles and the whole arms limitation question. I think we have to consider this all in the context of some progress, shown not only in Paris but also as far as the Middle East talks are concerned, and then I believe we can look to an era of cooperation between the Soviet Union and the United States. But we have to have some signs, and I think those signs of progress have not moved forward as rapidly as I would like to have them move forward. But this administration is giving this the maximum effort, because I think the charge that the President has made to Secretary Rogers and to me, that we should be peace-makers, is an important charge, and our two departments—my responsibility in Defense and Secretary Rogers in the field of foreign policy and foreign affairs—we will make this the basic underlying concept of the administration of our departments.

Mr. McGaffin. Mr. Secretary, I think you strayed a bit from the point which Mr. Herman was trying to make to you. This was relating to the super optimism which seems to be coming from your generals and admirals in Vietnam these days. Mr. Secretary, you have said that you hope to visit Vietnam in the fairly near future, as soon as you can make it. Is that not right? You plan a trip to Vietnam?

Secretary Laird. I certainly do, Bill. I hope to get to Vietnam soon.

Mr. McGaffin. Mr. Secretary, do you think, when you go out there, that you can do a better job of avoiding a brainwashing, as Secretary Romney did when he visited Vietnam?

Secretary Laird. Well, I expect to consult with General Abrams. I have met with General Brown, the Air Commander in Vietnam, this week. I would hope to receive good briefings and to get around the country as much as possible on my own, to make an on-the-spot investigation of the situation in Vietnam.

Mr. Rowan. Mr. Secretary, isn't it true that studies are already under way in the Pentagon that would lead to the reduction of the force, the American force in Vietnam this year by a significant number of men?

Secretary Laird. Well, certainly, it is important that we be prepared. We are now pressing forward in Paris on three points, the first is on the DMZ; the second, on mutual troop withdrawal; and, the third, as far as the release of prisoners. Now, the second major point that we are making is to exert as much pressure and influence as we can on the North Vietnamese to withdraw troops to the North, and by that into North Vietnam. And, certainly, we will be making plans, in the event that this mutual troop withdrawal program works out and is successful, as far as the Paris negotiations are concerned, to be prepared to withdraw troops on a mutual basis.

Mr. Rowan. But President Nixon didn't tie it to the Paris peace talks, in his news conference the other day. He suggested that there might be troop withdrawals by the United States as a result of, for example, the increasing effectiveness of South Vietnam's army.

Secretary Laird. Well, of course, as you know, as a member of the Defense Appropriations Committee, we have funded over the last two years a tremendous increase in the amount of funds available for the South Vietnamese army, and that buildup has gone forward in a very fine fashion and they are much better off this year than they were last year. And I intend to look into that matter when I am in Vietnam, and I am hopeful that the plans that were set in motion and funded several years, going in last year's budget, are successful and that a greater share of the war effort can be turned over in Vietnam.

Mr. Herman. But, air politically——

Secretary Laird. By that, I don't want to give the impression that this has already been decided, because I think that this would certainly not strengthen our position in Paris if we move toward unilateral withdrawal at this time.

Mr. Herman. Politically, diplomatically, can you afford any withdrawal of American troops when you try to negotiate in Paris the mutual withdrawal of American and North Vietnamese troops?

Secretary Laird. Well, I think that situation has to be looked at, and we will look at the troops situation in Vietnam. I want to assure you that not a single American will be kept in Vietnam, as far as the military is concerned, any longer than they are absolutely needed to protect the objectives of the United States in Vietnam and to protect the fighting forces that have been assigned to Vietnam.

Mr. McGaffin. Mr. Secretary, last July 11th Mr. Clifford said at a press conference that it would be a mistake when the war is over in Vietnam to assume that there would be a sharp and substantial drop in defense expenditures. Do you agree with him?

Secretary Laird. I do agree with Secretary Clifford. I think the projection used in President Johnson's economic report that with the war being over there will be some $21 billion available for other spending is very optimistic, and I don't believe that is a realistic target to shoot at because we would have to assume that the Soviet Union and the Red Chinese cut down tremendously on their military capabilities, and I have not seen anything, as of today, that would lead me to believe that the Soviet Union was moving in that direction.

Mr. Rowan. How much do you think——

Secretary Laird. We have to rebuild certain stocks that have been drawn down in Western Europe.

Mr. McGaffin. Mr. Secretary——

Secretary Laird. We have a fleet, the Sixth Fleet and other fleets that have been steaming all over the world——

Mr. McGaffin. Would you say $1 billion or $2 billion?

Secretary Laird. I would not want to give you an estimate on the amount that could be saved. There would be substantial savings, but the figure that you use is not a realistic figure and I do not want to mislead anyone by putting my stamp of approval on the projection in the Johnson economic report. I believe it is far too optimistic.

Mr. Herman. We have half a minute left. Can you tell me, when you say very substantial, do you mean several billions? Do you—I don't want to try to force you to say something you don't want to say—but can you give us some idea of what you mean?

Secretary Laird. Yes. I believe that it would be in a much better estimate in the area of perhaps some $7 billion for the first few years. I do not believe that you can project a greater savings than that because of the draw-down in stocks and because of our military position all over the world.

Mr. Herman. And on those $7 billion, we have run out of time. Thank you very much, Mr. Secretary, for being here today to "Face the Nation."

Announcer. Today, on 'Face the Nation," Secretary of Defense Melvin Laird was interviewed by CBS News Correspondent Steve Rowan, William McGaffin, of the Washington Bureau of the Chicago Daily News, and CBS News Correspondent George Herman. Next week, another prominent figure in the news will "Face the Nation." "Face the Nation" originated, in color, from CBS Washington.

ORDER FOR ADJOURNMENT

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate adjourns today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR KENNEDY TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that on tomorrow at the end of the tributes that will be paid to the late beloved Senator from Alaska, Mr. Bartlett, under the order of yesterday, I be recognized for 1 hour.

Mr. JAVITS. Mr. President, reserving the right to object—and I shall not object, of course—I inform the Senator that we expect a rather important message tomorrow on matters of health, education, and welfare.

If the eulogies take very much time, would the Senator permit me to talk about that matter?

Mr. KENNEDY. I certainly will.

TRIBUTE TO PATRICK HYNES

Mr. MANSFIELD. Tomorrow, one of the most capable and dedicated attachés of the Senate, Patrick Hynes, who has performed magnificently for a decade or more in the Democratic cloakroom, leaves with his brother to join the Army and undertake the duty which will be incumbent upon him as a result.

As the majority leader, I want to state how much we will miss Patrick Hynes, because we are deeply appreciative of his outstanding work, his integrity, his dedication, and his loyalty.

I only hope that it will not be too long before Patrick Hynes will be back with us once again. I take this means to thank him personally for the many contributions he has made, for the fine job he has done, and for the great dedication which has marked his service in his years as an official of the Senate.

DISRUPTION OF NORMAL CAMPUS ACTIVITIES AT MAJOR UNIVERSITIES

Mr. BYRD of Virginia. Mr. President, the amount of violence being practiced on the campuses of many of the major universities of the Nation is continuing to increase.

I call to the attention of the Senate the fact that yesterday the president of the University of Notre Dame warned of on-the-spot expulsion of any student or faculty member who disrupts normal campus operations.

The Reverend Theodore M. Hesburgh said:

> Anyone or any group that substitutes force for rational persuasion, be it violent or nonviolent, will be given 15 minutes of meditation to cease and desist.

After that, he will be out of the university.

Father Hesburgh added:

> We welcome and protect orderly dissent, but we're not going to let anybody destroy the place.

I commend the statements made by the president of the University of Notre Dame. I think it would be well if other university presidents would study his remarks. I ask unanimous consent to have printed at this point in the Record an article entitled "Notre Dame Gives Warning," written by John Leo, and printed in the New York Times of February 18, 1969.

There being no objection, the article was ordered to be printed in the Record, as follows:

Notre Dame Gives Warning

(By John Leo)

South Bend, Ind., February 17.—The president of the University of Notre Dame warned today of on-the-spot expulsion for any student or faculty member who disrupts normal campus operations.

"Anyone or any group that substitutes force for rational persuasion, be it violent or nonviolent," said the Rev. Theodore M. Hesburgh, "will be given 15 minutes of meditation to cease and desist."

At that point, he said, demonstrators would be asked for campus identity cards. Those with cards would immediately be suspended and given five minutes more to cease demonstrating before being expelled from the university. Those without cards would be presumed to be nonmembers of the university community and would be subject to arrest as trespassers.

"STAND MUST BE MADE"

"Without the law," said Father Hesburgh, "the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim. Somewhere a stand must be made."

Father Hesburgh's statement came in an eight-page open letter to faculty and students. He said the letter reflected "a clear mandate" from the university community to draw a line between orderly demonstrations and obstructive tactics.

The letter came three months after small groups of students obstructed access to on-campus recruiters from Dow Chemical and the Central Intelligence Agency, and a week after some students forced their way into a campus building to show stag movies that had been withdrawn from a student-sponsored conference on pornography and the law.

"No one wants the forces of law on this or any other campus," Father Hesburgh wrote, "but if some necessitate it, as a last and dismal alternative to anarchy and mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay."

"We cannot allow," he said, "a small minority to impose their will on the majority who have spoken regarding the university's style of life; we cannot allow a few to substitute force of any kind for persuasion to accept their personal idea of what is right and proper."

"The last thing a shaken society needs is more shaking," he said. "The last thing a noisy, turbulent and disintegrating community needs is more noise, turbulence and disintegration. Understanding and analysis of social ills cannot be conducted in a boiler factory. Complicated social mechanisms, out of joint, are not adjusted with sledge hammers."

"All I tried to say," Father Hesburgh added in an interview, "is that we welcome and protect orderly dissent, but we're not going to let anybody destroy the place."

S. 1072—INTRODUCTION OF A BILL TO EXTEND THE APPALACHIAN REGIONAL REVIEW DEVELOPMENT ACT

Mr. RANDOLPH. Mr. President, for myself, Senator John Sherman Cooper, and 60 other Senators, I introduce a bill to extend the Appalachian Regional Development Act for 2 additional years—until June 30, 1971. We would also extend for 2 years—until June 30, 1971—title V of the Public Works and Economic Development Act of 1965, pursuant to which five other regional commissions have been established for: the Ozarks region, the upper Great Lakes region, the New England region, the Coastal Plains region, and the Four Corners region in the Southwest.

The Appalachian region comprises the following States: New York, Pennsylvania, Maryland, West Virginia, Ohio, Kentucky, Virginia, North Carolina, South Carolina, Tennessee, Georgia, Alabama, and Mississippi.

Included in the Ozarks region are parts of Missouri, Arkansas, Oklahoma, and Kansas. The Four Corners region includes major parts of New Mexico, Arizona, Colorado, and Utah.

The New England region covers all six New England States: Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, and Connecticut.

Michigan, Wisconsin, and Minnesota form the Upper Great Lakes region, and Virginia, North Carolina and South Carolina also belong to the Coastal Plains region.

Under the chairmanship of Senator Joseph Montoya, of New Mexico, the newly established Subcommittee on Economic Development of the Committee on Public Works will soon begin extensive and intensive hearings, both in Washington and around the country. The purpose will be to ascertain to the fullest extent possible the capability of the agencies that have been created in the various development regions to carry out the responsibilities that the Congress has assigned to them.

The members of the committee felt that the earlier Special Subcommittee on Economic Development, in order better to perform its legislative function, should be transformed into a standing subcommittee. The members, under Senator Montoya's chairmanship, are the Senator now speaking, Senators Edmund S. Muskie, of Maine; William B. Spong, Jr., of Virginia; Thomas F. Eagleton, of Missouri; Mike Gravel, of Alaska; Howard H. Baker, Jr., of Tennessee; John Sherman Cooper, of Kentucky; Robert J. Dole, of Kansas; and Robert W. Packwood, of Oregon.

The Appalachian regional development program has already proved to be a successful experiment. In submitting the annual report of the Appalachian Regional Commission for fiscal year 1968, on January 18, 1969, President Johnson took note of the visible results "not only on the landscape but in the new hopes of the people." He mentioned the new highways, the new or expanded airports, the new vocational education schools, the new or improved hospitals, the new aid to institutions of higher learning, the libraries, the housing projects, the new educational television stations, the new water and sewage systems, and the hundreds of other new and separate projects going forward in the 13 States of Appalachia. These effective efforts are aimed at restoring and enchancing the living conditions and the environment of the millions of people who live in this good region of our land.

This program, underway only three and a half years, merits continuance. Recommended funding for the program is at a level of $225 million for the next 2 fiscal years, an increase of $55 million over the past 2 fiscal years. As in the past, the new funds for Appalachia will be expended on projects developed only after detailed study by the Governors of the States that form the regional commissions.

Mr. President, the excellent record of contributions by the Governors of the Appalachian region to the success of this program merits commendation. Their earnest support and enthusiastic participation have been truly valuable to the growth and accomplishments of this new dimension—this partnership—in our federal system.

The committee hopes, as a result of anticipated findings in the projected hearings on this bill, that it may prove possible to finance the other regional commissions more adequately. The amounts suggested by the Bureau of the Budget are bare bones. We must do more if we are to meet with realism the needs of these lagging areas of our economy.

We have held preliminary discussions among our committee's members and with representatives of our counterparts in the other body. I can assure the Senate that the operation of each of the regional commissions during the past 2 years will be thoroughly reviewed and that their plans for the next 2 years will be carefully examined.

The point of departure for these title V commissions was the act of 1967, under which, finally, some funds were appropriated for their activities. We came to that point due, in large measure, to the efforts of Senator Edmund S. Muskie, of Maine, Senator Joseph Montoya, of New Mexico, Senator Fred Harris, of Oklahoma, and Senators John McClellan and William Fulbright of Arkansas. I salute their vision and thank them for their strong support.

Mr. President, I express tribute to the splendid cooperation we have always received in these efforts from the minority members of the committee, from my able friend, John Sherman Cooper, and from the ranking minority member of the subcommittee on Economic Development, the diligent junior Senator from Tennessee, Howard H. Baker.

The bipartisan nature of this endeavor will, I am sure, continue and prosper.

The successes already attained under the Appalachian program augur well for what can be achieved in the other subsequently established development regions.

At a later date the committee plans to study the general program of the Economic Development Administration, but only after the new administration has had time to look into it and to make recommendations with respect to it. We are not seeking to press the administration unduly for its overall views on this matter. The hearings we plan are designed to help us face realistically the fact that the money for Appalachia and the other five regional commissions will expire in June of this year and should be renewed. Later we will counsel with the officers of the new administration on the Federal EDA program when we can have the benefit of their considered judgment.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. MUSKIE. As the Senator knows, I am a cosponsor of the bill. As the Senator also knows, I had some reservations about it, because I believe we need some additional legislation to deal with the New England problem.

May I qualify what I have just said, to express my appreciation to the Senator for his support in the past for the extension of the Appalachian region to New England and other regions of the country.

I think it might be appropriate to indicate today in the Record that tomorrow I will introduce a bill of my own, undertaking to expand the legislation dealing with the regions other than Appalachia.

I express my appreciation to the distinguished Senator, the chairman of my committee for cosponsoring the bill I will introduce tomorrow.

Mr. RANDOLPH. Mr. President, I am delighted to associate myself with the effort the distinguished Senator from Maine is making to spell out the needs of New England.

Of course, this region of New England is the only one that has been established where all the States—not parts of the States—are members of the developmental region.

I know of the need in the State of Maine in reference to a developmental road which would run from the west side of the State to the ocean.

As the Senator well knows, I have given very careful thought to what I believe to be a rather substantial sum of money for the development of the five regions, keeping in mind, that in the Appalachian region we have approximately 16 million persons. In the five regions including New England we have approximately the same number of persons. In those 17 States that will supplement the 13 States in the Appalachian region, we have in process the development of this program in 30 States.

The amounts of money which are proposed for the continuation of the program in Appalachia would be not to exceed $225 million for the 2-year fiscal period ending June 30, 1971; and for the five new regions, we would authorize $175 million for the same 2-year fiscal period. The differential between the $225 million and the $175 million is for the reason that in the Appalachian States this program has been in progress for 4 years, and was based on a presidential task force report.

This program is an attempt to work these problems out not on Pennsylvania Avenue but in the valleys and on the mountains and in these great areas of Appalachia.

Now, to a degree, the people in the area of the Senator from Maine have suffered from their later start, but our experiences will help them. The few errors we have committed in part will be their successes.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. MUSKIE. One mistake we do not want to make is to delay too long in getting the money to implement the projects in New England.

Mr. RANDOLPH. That is correct.

Mr. MUSKIE. We have learned that lesson from the Senators who represent the Appalachian region.

Mr. RANDOLPH. I thank the Senator. When we brought the Appalachian regional development idea to the floor of the Senate, I promised that I would follow through with the other regions of this country which had common problems that needed to be attacked—not by timid steps, but by an all-out frontal effort to stimulate and generate business, industry, and the well-being of the people.

Mr. President, there will be hearings on the proposed legislation in New England, and I say to the distinguished Senator from Maine that the hearings will be on his measure as well. We will not confine the hearings to the proposal that I introduce this afternoon with the support of the Senator from Maine and the Senator from West Virginia (Mr. Byrd), my colleague, who has such an intricate knowledge of this program.

Mr. MUSKIE. May I suggest to the distinguished Senator that his proposed legislation is essentially a continuation of the present programs for Appalachia and the other regions.

The measure I shall introduce tomorrow will seek an expansion of the program to permit the implementation of the projects that have been developed by the regional commission and which could not be fully implemented under the existing authorization.

So I believe there is sense to separating the two at this point, until we have had an opportunity to judge my measure on its merits and in the light of the projects which have been recommended by the New England Regional Commission.

Mr. President, again, I appreciate the Senator's cooperation in cosponsoring the legislation I shall introduce tomorrow.

Mr. RANDOLPH. It is my privilege to cooperate with the able Senator from Maine in these matters as in other matters that concern the strengthening of our economy and the well-being of our people. I commend him for the effort he makes here, particularly for New England. We feel it is important, however, as best we can, to keep all of them in concert.

Mr. President, I ask unanimous consent that the text of the bill be made a part of the Record, and I ask unanimous consent also that the excellent report submitted by Gov. Mills E. Godwin, of Virginia, to the Council of Appalachian Governors at the January 19, 1969, meeting held in Washington be printed in the Record following my remarks. Governor Godwin reported to the Appalachian Governors' Council for the period covered by his incumbency as the cochairman for the 13 States in the Appalachian Regional Development Commission. His summary is worthy of our study and attention as we move into legislative consideration of measures to extend and authorize appropriations and expenditures for the Appalachian Commission and those for the Ozarks, the Upper Great Lakes, New England, the Southeastern Coastal Plains, and the Four Corners region of the Southwest.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and report will be printed in the Record.

The bill (S. 1072) to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965 as amended and title V of the Public Works and Economic Development Act of 1965 as amended, introduced by Mr. Randolph (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 1072

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1969

Sec. 101. This title may be cited as the "Appalachian Regional Development Act Amendments of 1969".

Sec. 102. The Appalachian Regional Development Act of 1965 as amended is amended as follows:

(1) The last sentence of subsection (b) of section 105 is amended to read as follows: "To carry out this section there is hereby authorized to be appropriated to the Commission, to be available until expended, not to exceed $1,780,000 for the two-fiscal-year period ending June 30, 1971. Not to exceed $400,000 of such authorization shall be available for the expenses of the Federal cochairman, his alternate, and his staff.".

(2) Subsection (b) of section 205 is amended by striking out "and 1969," and inserting in lieu thereof "1969, 1970, and 1971,".

(3) The first sentence of subsection (c) of section 214 is amended by striking out "December 31, 1967," and inserting in lieu thereof "December 31, 1969,".

(4) Section 401 is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and not to exceed $225,000,000 for the two-fiscal-year period ending June 30, 1971, to carry out this Act.".

TITLE II—THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT AMENDMENTS OF 1969

Sec. 201. Title V of the Public Works and Economic Development Act of 1965 as amended is further amended:

(1) By striking out in subsection 509(c) "December 31, 1967," and inserting in lieu thereof "December 31, 1969,".

(2) By adding at the end of subsection

509(b) the following: "There is hereby authorized to be appropriated to the Secretary for all of the regional commissions for the purposes of this section the total sum of $175,000,000 for the two-fiscal-year period ending June 30, 1971.".

The report of Governor Godwin, presented by Mr. Randolph, is as follows:

Report of the Past Chairman, Gov. Mills E. Godwin, Council of Appalachian Governors Meeting, January 19, 1969, Washington, D.C.

May I first report that my experiences as Chairman of the Council and States' Cochairman of the Appalachian Commission have confirmed and strengthened certain feelings I have held regarding the nature and worth of the Appalachian endeavor. Closer familiarity sometimes breeds contempt. In this case, my opportunity to work closely with our Program has intensified respect.

Specifically, during the past six months, we have seen:

1. Our overall Program effort undergird such confidence in the national administration that the budget request now before the Congress is considerably larger than that for any previous year.

2. Our States move ahead in the important highway construction program to the point that planning of the entire regional system is virtually complete and construction capability far exceeds available funds.

3. Our Demonstration Health Programs—said to be the nation's most innovative and comprehensive efforts in this critical field—have moved into action.

4. Our new Housing Program has brought action in several States which is breaking down long standing frustrations to the creation of needed housing—and even of a strong housing industry as well. This Program may well bring more jobs—in private enterprise—in many parts of Appalachia than would other forms of industry or Commerce. In addition, it offers the Nation some important lessons in solving key problems in the housing field.

5. The States have made significant beginnings in the organization of new, multicounty Development Districts. From personal experience in my own State I would say that the formation of these Districts may well be one of the most fundamental accomplishments under way at this time. In Appalachia and in all areas of our States, these Districts can serve as "building blocks" in planning and administering development programs, and as pioneering steps in helping local government to revitalize itself in dealing with the complex problems of today.

6. The Commission has approved recommendation of its Education Advisory Committee for beginning action on a program of priorities in what may become the most important aspect of the overall program of improvement for Appalachia. After careful consideration by the Advisory Committee and leadership of each of our state education departments, the Commission is now moving to work with the States in concentrated efforts for Comprehensive Educational Planning, Early Childhood Training, Occupational Information Courses, Job Relevant Vocational-Technical Education, Teacher Preparation, and Multi-District Regional Education Agencies.

7. The State Development Plans—keystones in establishing strategy for action in Appalachia—have matured to the point where they are now correlated into a Regional Development Plan for the first time. This achievement—melding thirteen State sets of plans for local, state and federal government and private action into a common strategy while retaining the individual differences of each State area—is a most significant expression of the "creative federalism" upon which the Appalachian Program was based. But, even more important, this means that the Commission is now in a position to project, within this year, a specific future plan of action in which the steps necessary to meet set goals can be identified, given a priority rating and an evaluation for budget costs and time schedules. The Executive Director's Report sets forth plans for doing this which will be considered for decision at the March Commission meeting.

8. As the Nation's rural and urban problems have become more critical, our program has attracted greater national attention as a model for national development policies; intergovernmental and public-private cooperation; and common treatment of both rural and urban problems in a regional context. As a result, and acting upon the agreement of our Governors at our meeting in South Carolina in June, we have taken steps to secure some organized approach to bringing the interest of the Nation's Governors and the national administration to bear upon the possible formulation of a National Regional Development Program as a unified framework for future action.

As you know, the Statement signed by our thirteen Governors in June was forwarded to the Platform Committees of the major political parties. I believe this statement had a marked impact on the party platforms and upon a number of statements made by various candidates during the campaign. Subsequently, I forwarded similar draft statements and background material to the Chairmen of the other six Regional Commissions and, more recently, to all fifty Governors. As of today, twenty-seven Governors have responded favorably—and none negatively—to the proposition that the National Regional approach should be studied and receive priority consideration as an alternative future course of action.

In December, I presented this material to the National Governors' Conference Executive Committee, of which our colleague, Governor Buford Ellington of Tennessee is Chairman. The Executive Committee accepted the material and has placed it upon the Agenda of the Committee on Executive Management and Fiscal Affairs. I am hopeful that this Committee will develop the material for recommendation and consideration by the full Conference and then by the National Administration and the Congress.

Let me make clear that it is not our intent to bring this item into any conflicting consideration with our pending Appalachian legislation—this must have immediate and singular priority. However, it is just as important to give separate but equal attention to the longer process required to develop an acceptable version of national legislation consistent with our Program to be ready for consideration at the critical time when the Congress looks at the proliferation of national programs to be up for decision this year. By working through the National Governors' Conference, and Presidential, Congressional or private study committees and task forces, the meritorious elements of our Program experience can have great impact upon the design of the programs in which our States will have real concern—for Appalachia and for all of our States.

In time the question of our Appalachian legislation—and, perhaps, compatible national legislation—will be before the Congress. Certainly we have fared well in the considerations of the Congress and, as I express great appreciation for the Congressional leadership and action that has made Appalachia possible, so will we ultimately trust the judgement of the men of Congress on the national issue.

Finally, let me pay respect and appreciation for the fine sincerity, ability and hard work of each of our State Representatives, the Federal Cochairman Pat Fleming, the States' Regional Representative John Whisman and Executive Director Ralph Widner—and for the many staff people who have responded to the extra challenge of this program with the extra effort required to deliver the successes it is my pleasure to report. We cannot take such success for granted—it has not been easy. The Appalachian effort is working in a practical way because these people have worked constantly to make it happen.

I express to all of you my appreciation for the opportunity to have this rewarding experience. I want to pledge to the new Cochairman Governor Rhodes, and to all of you, that the Appalachian Program will continue to hold a high priority in my time and interest.

Mr. COOPER. Mr. President, I am very glad to join with Senator Randolph, the distinguished chairman of the Senate Committee on Public Works, in introducing this bill to continue the Appalachian regional development program—so well begun under the Appalachian Regional Development Act of 1965, as extended by the 1967 amendments—which I think it is fair to say had its origin in eastern Kentucky. We have done so not only as neighbors, for West Virginia and Kentucky have problems in common, situated as they are in the very heart of Appalachia, but also in our positions as chairman and ranking minority member of the Senate Committee on Public Works, which has legislative and oversight jurisdiction in this field.

The Senate will recall that I joined with Senator Randolph in cosponsoring the Appalachian Regional Development Act of 1965, following the initiative of the late President Kennedy and the 1964 recommendations of the President's Appalachian Regional Commission. We were very happy that, following thorough hearings, the Senate adopted the Appalachian program by a large vote of 71 to 12. That act established a 6-year program for Appalachian development highways—directed to the principal problem of the isolation of the region—and included also vocational education, health, conservation, water resource, and supplemental grant authorities, but for a 2-year period with the intention that they be renewed in 1967 and in 1969. These nonhighway authorities were renewed in 1967, together with certain modifications and improvements in the program, which Senator Randolph and I again joined in sponsoring, and which were again adopted in the Senate by a large majority including, I am glad to say, a majority of Republicans as well as of Democratic members voting.

The bill Senator Randolph and I introduce today would extend the nonhighway authorities of the act for 2 more years, and would also extend the title V authorizations of the Public Works and Economic Development Act of 1965, under which five other regional commissions have been established. As Senator Randolph has stated, the purpose of introducing this bill is to place the subject before the Committee on Public Works, so that hearings may be held at an early date and the recommendations of the Governors and others received.

We are glad, also, that the bill has attracted a number of cosponsors, including Senator Montoya, of New Mexico, chairman of the Economic Development Subcommittee, and Senator Baker, of

Tennessee, whose State is included within the Appalachian region and who is now the ranking minority member of the Economic Development Subcommittee.

I emphasize at this time that the Appalachian program has proved successful. The wide acceptance and broad support this program has received is, I believe, evidence that it was well conceived and has been well executed.

The Appalachian program is bringing new opportunities and hope to the people of the region. And I must say it appears to be a happy exception among the new programs of recent years—for it has not created conflicts in administration, jurisdiction, or priorities. On the contrary, it has achieved cooperation, developed priorities, and fixed responsibility.

This has been accomplished through principles which have been talked about often, but in this case applied: local initiative; State responsibility; and the application of priorities through Federal assistance programs already established.

The great thing about the Appalachian regional development program has been its demonstration of what can be accomplished by relying on State responsibility in carrying out Federal assistance programs. We are all concerned about overlapping programs, duplication, and waste. But the Appalachian concept has shown that when the States are given responsibility and the authority for ordering priorities, existing Federal assistance programs can be better directed to the diverse needs of the States and utilized more effectively.

The Appalachian Regional Development Act established a program which was experimental at its inception. Initiated by the Governors and developed through the State governments, it has been more successful than many—perhaps even any—other endeavors in the economic development area because it has from the outset paid more than lip service to the concept of Federal-State partnership in the development and prosecution of grant-in-aid programs.

From the experience of the last 4 years, we have learned again that local initiative and participation is essential throughout the process of bringing leadership and resources to bear on the problems of communities. The Appalachian Regional Development Commission has stressed an areawide approach to planning, with State and local determination of priorities, in order to coordinate and focus the authorities and programs of existing line agencies in the most effective manner.

We are learning that a comprehensive approach which includes education, training, job development, facility construction, public works and medical assistance is an approach which can break the deprivation cycle in areas of unemployment and poverty.

Through the Appalachian regional development program we have recognized that regions of the country, and regions within States, vary widely in their needs and that programs of stimulus must be tailored to these particular problems. We know that only with State cooperation in designing these programs and setting priorities can we hope to maximize returns on the investment of limited resources, and achieve effective program development and implementation.

President Kennedy, President Johnson, the Congress, and the Nation have recognized the deep-rooted and persistent problems of the Appalachian region, which justified designing a program to at last come to grips with its needs. I consider that the Congress, with the support of the people of the country, has been generous and sympathetic in providing this program for the Appalachian region. Most recently, we were very glad to see the expression of support for the Appalachian program by President Nixon, including the assurance that the independent position of the Appalachian Regional Commission in the Office of the President would be maintained.

The Appalachian program has had an important and effective beginning. It must be extended as we continue toward the development of areas of our country which, with all the progress in our country, have been left behind.

Mr. MONTOYA. Mr. President, the chairman of the Committee on Public Works has just introduced a bill to extend for 2 years both the Appalachian Regional Development Act of 1965 and also title V of the Public Works and Economic Development Act. I am proud to be one of the 55 cosponsors of this bill.

Chairman RANDOLPH alluded to the establishment within our committee of a new Standing Subcommittee on Economic Development. I have the honor, Mr. President, to serve as chairman of this subcommittee. It will be my responsibility and my pleasure to conduct the public hearings on this legislation.

As Senator RANDOLPH stated, these will be extensive and intensive hearings. Hearings on the legislation will begin on Wednesday, March 6, and continue on March 6 and 7, in room 4200, New Senate Office Building.

The subcommittee plans to hear testimony from the Federal and State cochairmen of the Appalachian Regional Commission and from each of the title V regional commissions.

There will also be field hearings later across the country. The subcommittee will travel to the regions where development commissions are operating. It will go to the people of those areas in Appalachia, in the Ozarks, in my home territory of the Four Corners, in the upper Great Lakes, in Alaska, in New England and in the Southeast coastal region.

The subcommittee will be particularly concerned with the extent to which the title V commissions have made progress toward putting into action well-conceived programs of economic development. The Congress, in my judgment, has been very patient while waiting for the commissions to make the necessary preliminary studies and to draw up comprehensive plans. The time has now come for these plans to be put into effect. We will want to determine not only how far along they have progressed but also what further assistance, financial or otherwise, they require from the Federal Government.

We will, of course, welcome the views of all Members of the Senate who represent the States involved in the several regions, as well as from the Governors of those States. I ask any Senator wishing to testify in person kindly to call the subcommittee professional staff member, Stewart E. McClure, on extension 6176 to make arrangements.

The legislation in which I am joining Senator RANDOLPH today would authorize $175 million for the five regional commissions other than Appalachia for fiscal years 1970 and 1971. These funds would enable the States and other entities within economic development regions to take maximum advantage of Federal grant-in-aid programs for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share. Under criteria provided for in the act, these funds would be used for the purpose of increasing the Federal contribution to projects under such programs above the fixed minimum portion of the cost of such projects otherwise authorized by the applicable law.

One of the areas to be explored during the subcommittee hearings will be to determine if this level of funding is sufficient and to determine what might be the best way to insure that whatever funds are authorized and appropriated are put to the most effective and efficient use possible.

The subcommittee will also, at a later date, in addition to other activities, look into the applicability of the overall economic development program to the great urban areas of the country.

I look forward to the same fine cooperation with the other members of the subcommittee, both majority and minority, that we have enjoyed in the past, and I will welcome their advice and counsel.

Mr. BAKER. Mr. President, I join with my colleagues here today in enthusiastic support for this legislation and for the programs that it would extend.

It was not my privilege to be a Member of this body in 1965 when the Appalachian Regional Development Act and the Public Works and Economic Development Act established the six regional commissions that are the subject of the bill just introduced. But since coming to the Senate a little over 2 years ago, I have had the honor of serving on the Committee on Public Works and its Subcommittee on Economic Development. As a child and product of the heart of Appalachia, I have taken a particular personal interest in the activities of that commission and attach a great importance to what it has done and to what it yet can do. Deeply convinced of the efficacy of the commission approach, I have no less enthusiasm for the promise of the five fledging commissions now organizing in other sections of our Nation.

Accidents of geography, demography, and changing industrial requirements have combined to isolate from full participation in the life of the Nation certain readily identifiable areas of our land. Areas once prosperous or at least promising have fallen further and further behind by any criterion: production, income, education, health facilities, mobility. Most of these areas are largely inhabited by a proud and independent people who do not beg for charity, be they American Indians in the Southwest or northern Great Lakes regions, farmers, and sharecroppers who work the soil in the Atlantic coastal plains, or the vigorous men and women who have long struggled for a decent life in the Ozarks or the Appalachians. But to overcome the natural disadvantages of environment and resources, they need our help so that they may help themselves.

The genesis of the Appalachian Regional Development Act, which has served as the precursor of and model for other regional development efforts was a unique event in the long and successful history of our federal system of government, and it was an event that holds out great promise for our national future, not only in those areas where commissions have already been established but in many other areas as well.

The impetus for the creation of the President's Appalachian Regional Commission in 1963, on whose recommendations the formal program was devised, came, as we all know, from the late John F. Kennedy, whose interest in and compassion for the people of that region is well known. He was able, through his eloquence and skill, to focus national attention on the need that was plainly there.

But while much of the Nation may have been unaware of the quiet crisis in the Appalachian mountains, the people of the region and their elected representatives had long been very much aware of it. Well before the national program was conceived or thought of as being politically or economically feasible, extensive local action was underway to improve conditions in the region. Each State in Appalachia had established a unit for economic development. Private individuals and private corporations and public officials and bodies of every size and description had been both inventive and tireless in their efforts to accomplish whatever they could with the sorely limited resources available to them.

But it was clear that these efforts, though valiant and productive of some progress, were not equal to the task. It began to be understood that by joining forces and working together toward solutions for mutually shared problems, the individuals and corporations and government bodies could avoid wasteful duplication and materially benefit by pooling their experience and expertise. And so the Conference of Appalachian Governors was formed. The chief executives of eight of the States most severely affected by the Appalachian syndrome voluntarily assembled to work together toward the hopeful resolution of common problems. Out of this governors' conference grew the President's commission and the Appalachian Regional Development Act of 1965.

The Governors of the 13 States, parts of which now fall within the statutory definition of the Appalachian region, have continued to participate personally and with great enthusiasm in the activities of the commission. Single individuals in each State government have been given primary responsibilities as State regional representatives to coordinate the activities of State programs with the programs of the commission and of other constituent States. Although much remains to be done in the way of economic and social development, little remains to be done in terms of fostering meaningful and fruitful regional cooperation.

Mr. President, the promise of regional cooperation is very great. The part that it can play in the harmonious development of our Nation is very large.

And its usefulness must not be restricted to areas of severe economic hardship and deprivation, although the need for it is perhaps greatest in such areas. Regional development agencies could be used to great advantage in quite a different order.

Take, for example, the internecine competition and infighting that has for years impeded the equitable development and use of water resources in the western third of our Nation. Take, as another example, the tremendous advantages that could be found in a coordinated development of our tidewater and marine resources by a close cooperation of those States bordering on the sea. We are already beginning to see the first fruits of cooperation among States in the Delaware River Basin for the control of water pollution and the formation of compacts for the control of air pollution that likewise respects no political boundaries.

It makes no sense at all for neighboring jurisdictions who share common problems to pursue separate and often contradictory solutions. The regional concept can and will become a prime reinforcement of our federal system of government.

And so, Mr. President, it is with great enthusiasm and dedication that I support the legislation just introduced. As the distinguished chairman of the committee and chief sponsor of the bill, Senator Randolph, has said, the bill is a point of departure for an in-depth look at what the various commissions have done and to obtain an understanding of what their future capabilities might be. I look forward to working closely with Senator Randolph and Senator Cooper and other committee members in this endeavor. Having recently been honored by being made ranking minority member of the Subcommittee on Economic Development, I particularly look forward to my work with the distinguished new chairman of that subcommittee, Senator Montoya, whose dedication to economic opportunity and social progress for all Americans is well known in this body and throughout the country.

Mr. SCOTT. Mr. President, I am pleased to be a cosponsor of the Appalachian Regional Development Act extension, introduced today by my most able and distinguished colleague, Senator Jennings Randolph, of West Virginia. The bill provides for a 2-year extension of the act, and authorizes appropriations of $175 million for that period.

Aid to Appalachia is proving daily to be one of the most efficiently operated programs ever to come out of Congress. Its great success, I believe, can also be attributed to the fact that a reasonable balance has been maintained between direction from Washington on the one hand, and control in the States and localities on the other. This Federal approach may prove to be the key factor in the solution of some of our other very great problems.

Since 1965, Pennsylvania has received approximately $46.3 million in Federal money, which has since gone into 52 counties with a population of 6 million people. All Pennsylvanians look forward to the continued success and operation of this program. I commend Senator Randolph for his vigor and dedication to the people of the Appalachian region.

THE JAMES MADISON MEMORIAL COMMISSION—APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to Public Law 86-417, appoints the Senator from Nebraska (Mr. Hruska) to the James Madison Memorial Commission in lieu of the Senator from Kansas (Mr. Carlson), retired.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

S. 1075—INTRODUCTION OF BILL TO ESTABLISH A NATIONAL STRATEGY FOR THE MANAGEMENT OF HUMAN ENVIRONMENT

Mr. JACKSON. Mr. President, I am today introducing legislation which has as its purpose the establishment of a national strategy for the management of the human environment.

The purpose of this legislation is to lay the framework for a continuing program of research and study which will insure that present and future generations of Americans will be able to live in and enjoy an environment free of hazards to mental and physical well-being.

This measure, if enacted, would place a new emphasis on two aspects of Federal efforts in this critically important field:

First, title I of the proposed legislation authorizes the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems and environmental quality. It is critically essential that basic research in this neglected area be properly funded and immediately undertaken. The data and the knowledge necessary to an understanding of man's impact on the environment is needed before Government and private industry can make knowledgeable decisions about how their activities and decisions affect man-environment relationships.

The need for basic research may be seen in connection with the current controversies over the short- and long-term impact of chemicals and pesticides on both human and animal life. Another example is the need for research on the social and legal aspects of weather modification, so that appropriate controls over the use of this emerging technology may be developed.

A contemporary example which has aroused great public concern in recent weeks is the Santa Barbara oil spill. An editorial in the February 14, 1969, issue of the Washington Post stated in part:

> It is often man's crass indifference to the consequences of technological advance in exploiting nature which is leading to the despoiling of nature. That is to say, the gains from technology seem to run only one way—to profits rather than to preservation of a planet on which man can comfortably live.

The editorial went on to say:

> The time has come to turn around the thesis under which natural resources have long been regarded. Instead of deciding that we must exploit them because we are technically able to do so, we ought to postpone exploiting them until the need is great or our knowledge of what damage exploitation may do is substantially larger.

In my judgment, more must be done, and it must be done soon, if we are to develop the data and the knowledge necessary to an understanding of the impact of man and his intrusive technology upon an environment that is unceasingly subject to growing pressures.

Second, title II of the bill would establish in the Office of the President a Council on Environmental Quality to study and analyze environmental trends; the factors that affect these trends; and how they relate to the conservation, social, economic, and health goals of the Nation. The Council would also advise and assist the President on the formulation of national policies to foster and promote the improvement of environmental quality, and in the preparation of an annual report on the quality of the environment as required by section 203 of the bill.

It is my judgment that a more effective process of policy review on matters affecting our entire biological and physical resources can be achieved by establishing a forum in the Office of the President for the consideration of alternative solutions to all environmental problems.

Our present governmental institutions are not designed to deal in a comprehensive manner with problems involving the quality of our surroundings and man's relationship to the environment. The responsibilities and functions of government institutions as presently organized are extremely fractionated. We have, for example, separate agencies and separate policies on shipping, fisheries, mines, forests, and water resource development. At some point in our history we felt it was wise to organize Government around these concepts. This organization reflects our early national goals of resources exploitation, economic development, and conquest.

Our national goals have, however, changed a great deal in recent years. Today Government organization does not reflect this change in objectives and the new demands which are being placed on the environment.

At present the Federal programs of significant concern to environmental management are scattered throughout 11 of the major executive departments and 16 independent agencies. The problems of coordination and control are obvious. In my judgment, it is clear that new approaches are required if we are to be successful in the management of our future environment. Better concepts and better institutions must be designed to supplement the programs and goals of existing agencies.

I introduced similar legislation during the second session of the last Congress on behalf of Senator Thomas Kuchel and myself. The text of the bill as introduced in the 90th Congress, together with other relevant materials, may be found in the CONGRESSIONAL RECORD, volume 113, part 27, page 36850. Further materials from various sources discussing the need for a national strategy on environmental management may be found in the CONGRESSIONAL RECORD, volume 114, part 2, page 2248.

One of the major problems which any effort to undertake a meaningful study of environmental and natural resource administration faces is that the subject spans the jurisdiction of many of the major committees of the Congress. In an effort to begin the process of review without impinging upon the legitimate legislative and jurisdictional interests of any committee of the Congress, Congressman GEORGE MILLER, chairman of the House Science and Astronautics Committee, and I served as cochairmen for the purpose of convening a unique and highly successful Joint House-Senate colloquium to discuss a national policy for the environment last July 17, 1968. The participants at the colloquium included five Cabinet Secretaries, the President's Science Adviser, Mr. Laurance S. Rockefeller, Dean Don K. Price, of Harvard, and many concerned Members of the Congress. A varied group of scholars and Government officials also submitted statements and reports on the need for a national environmental policy and offered suggestions as to the content of such a policy.

The colloquium considered the broad policy implications of environmental legislation that had been introduced in the 90th Congress. More than 120 Members had introduced bills which were referred to 19 separate committees of both the House and Senate. Most of these measures dealt with individual resource management problems, environmental pollution, or the general decline in the quality of urban and rural living conditions. The colloquium was not, however, directed to a discussion of specific legislative proposals. In view of the widespread congressional interest in improving and maintaining the quality of the human environment, the colloquium was directed at the general question of the need for a national environmental policy.

A special report to the Senate Committee on Interior and Insular Affairs on "A National Policy for the Environment" was prepared for the committee's use prior to the convening of the colloquium. This report was written by Prof. L. K. Caldwell, of Indiana University, with the assistance of Mr. William Van Ness, special counsel to the committee. Mr. President, because the report is now out of print and because it summarizes the requirements for policy effectiveness and the questions of implementing an effective program of environmental administration so well, I ask unanimous consent that selected portions of the report be printed at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JACKSON. Mr. President, following the colloquium, a congressional white paper was prepared by the Library of Congress Legislative Reference Service. This document, which was distributed to the Congress in October, summarized the key points raised in the dialog between Members of Congress and the colloquium participants. It also suggested a number of approaches that the Congress might follow in formulating a clear and forceful strategy of environmental management.

The colloquium disclosed that environmental management is one of the most difficult issues facing Congress and the administration today. This fact has long been recognized in academic and scientific circles. For example, last year the American Society for Public Administration devoted an entire issue of its journal, Public Administration Review, to the interaction of well-known environmental problems and the efficacy of existing Government programs to deal with conflicts and controversies over the use of the environment. The editor of the issue, Prof. Lynton K. Caldwell, of Indiana University, called attention to the numerous statutes that have been enacted by Congress on behalf of air and water pollution, public health, urban planning, atmospheric research, oceanography, rural conservation, and related fields. Yet he emphasized that these measures "do not cumulate to give us basic political doctrine that would guide social conduct as it impinges upon the environment."

In recent months a number of major conferences sponsored by philanthropic foundations and universities, including the Industry and Environment Conference held at Williams College in October 1968, have pinpointed very serious gaps in our private and public research effort to understand the long-term social implications of the environmental changes being wrought by rapidly expanding technologies and their industrial applications.

The bill I am introducing today would authorize the Council of Environmental Advisers to periodically review all existing programs and activities carried out by Federal agencies, as well as the private sector, to document and anticipate imminent environmental alterations, and to make appropriate recommendations to the President. The Council would thus help the President evaluate the trends of new technologies and developments as they affect our total surroundings, and to develop broad policies, including those related to anticipatory research, to prevent future man-induced environmental changes which could have serious social and economic consequences.

The aim of this legislation is not to duplicate any existing research evaluation functions such as those carried out by the Office of Science and Technology. However, it is clear that scientific knowledge must be advanced and related to the public's interest in maintaining a quality environment and in establishing better man-environment relationships. The aim of my bill is to provide a continuing and thorough consideration of our Nation's overall progress in meeting national and international problems of environmental management which are critically important to the well-being of this country.

The need for an information gathering body such as the proposed Council in the Office of the President is clear. It is obvious that we must do more to anticipate environmental problems and develop strategies for their resolution before they assume crisis proportions. It is far cheaper—in human, social, and economic terms—to anticipate these problems at an early date and to find alternatives before they require the massive expenditures we are now obligated to make to control air and water pollution and to deal with recurring problems such as the recent Santa Barbara oil spill. The proposed Council could perform this function of problem anticipation, overview, and informal coordination.

It is noteworthy, Mr. President, that the present administration has been given recommendations along these lines. Early this year, the Brooking Institution issued a report, edited by Kermit Gordon, entitled "Agenda for the Nation" in which some of the Nation's leading observers of public affairs identify the major issues the executive branch must face in the months ahead. This report contains an essay by Prof. Stephen K. Bailey, dean of the Maxwell Graduate School of Public Affairs, Syracuse University, on the subject "Managing Our Federal Government." Professor Bailey described the need for restructuring the President's Office to reflect what many public administration experts consider the prime concerns of the Nation as viewed from the vantage point of the Chief Executive. These prime concerns are identified as first, national security; second, economic stability and growth; third, human resource development; and, fourth, environmental management and control.

In the first three areas cited, the President's Office has steadily strengthened its policy review capabilities by creating special councils and Presidential advisers. But as Professor Bailey noted, in the increasingly troublesome area of protecting the integrity and viability of our environment, the President's Office is patently deficient:

> Aside from ad hoc task forces (many of which have been extremely productive and catalytic), there is no effective agent or agency . . . charged with the study of emerging public problems and the development of effective programs to deal with them in terms of continuing and changing presidential perspectives of the public interest.

Professor Bailey went on to note:

> The presidency is the only institution in the American polity where overarching and long-range public imperatives can be coherently analyzed and melded.
>
> The structure of the Executive Office of the President must reflect the prime concerns of the nation as viewed from the vantage point of the chief executive. In the present age, as already noted, these prime concerns are four: national security, economic stability and growth, the integrity and viability of the physical environment, and the promotion of human welfare and of human resource development. In these four areas, the President must have at his disposal institutional arrangements that can help him plan wisely, sort options judiciously, and effect coordinated responses. (Emphasis added.)

At present, the President does not have at his disposal institutional arrangements that can help him plan wisely, to sort options judiciously, and to effect coordinated responses in the field of environmental administration.

While Professor Bailey's essay does not directly endorse the councilor approach for Presidential policy review in the environmental field, as I am now proposing, I think his arguments for more satisfactory machinery than now exist to devise a national strategy of environmental management are particularly significant and should be studied by the Congress and all others who are interested in maintaining a quality environment for present and future generations. Mr. President, I ask unanimous consent that excerpts from his chapter on this subject be printed in the Record at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 2.)

Mr. JACKSON. Mr. President, I also ask unanimous consent that an article by Mr. Peter Khiss from the January 14, 1969, issue of the New York Times be printed at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 3.)

Mr. JACKSON. Mr. President, the article discusses recommendations made to President Nixon by his Task Force on Resources and the Environment. It is reported that the task force recommend the naming of a Special Assistant for Environmental Affairs to the President and the establishment of a Presidential Council on the Environment. The new Council would, according to Mr. Khiss' article, represent a broadening of the membership and areas of responsibility of the present Council on Recreation and Natural Beauty. This report is for the President's confidential use, and it is not known whether the task force's recommendations will be followed. It is, however, my tentative view that the magnitude of the problems faced will require a more effective instrument than a revamped Council on Recreation and Natural Beauty.

Mr. President, the concept of man's total environment has emerged in the last few years as a new focus for public policy. Not long ago the ideal of a governmental responsibility for the health of the individual, for the state of the economy, for consumer protection and for housing was considered revolutionary. Today, we have come to take these responsibilities for granted. We must now proceed to make the concept of a governmental responsibility for the quality of our surroundings an accepted tenet of our political philosophy.

It is time that we reexamine our national goals and purposes in managing the environment. New goals and new policies which are in the long-range public interest are clearly required. Their successful development will require the active participation of the States and private enterprise as well as the Federal Government.

In the Federal Government—and I suppose this may also be true of State government—we have sometimes indulged ourselves in the illusion that we are doing a grand job of environmental management. But the facts do not support this. Many of our approaches and programs have involved merely a cosmetic approach—"clean-up, paint-up, and fix-up." The conditions we are dealing with, however, are not cured by cosmetology. Many will require major surgery.

Our responses have been too narrow, too limited, and too specialized. In the past, we have established costly programs without a clear enough perception of the objectives and the goals we seek to attain.

Mr. President, we have reached the point in our national life where this country can no longer rely on the time-worn method of simply convening ad hoc study groups and task forces to make recommendations which are easily filed away and forgotten every time there is a new environmental crisis such as the recent oil spill off Santa Barbara, Calif.

I believe that President Nixon was correct in directing Dr. DuBridge, the President's Science Adviser, to bring together a panel of scientists and engineers to review the oil pollution problem. What is of grave concern, however, is that we are still only reacting to crisis situations in the environmental field. What we should be doing is setting up institutions and procedures designed to anticipate environmental problems before they reach the crisis stage.

We need to know what the risks are, and we need to know what options and alternatives are available in the development of our resources and in the administration of our environment. It is far cheaper in human, social, and economic terms, to anticipate these problems at an early stage and to find alternatives before they require the massive expenditures we are now obligated to make to control air, water, and oil pollution.

It is my judgment that the bill I am introducing today will, if enacted, go a long way toward giving the Federal Government an environmental problem anticipatory capacity.

In conclusion Mr. President, I urge President Nixon to consider very carefully the establishment of a Council of Environmental Quality Advisers in the Executive Office of the President.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1075) to authorize the Secretary of the Interior to conduct investigation, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Coun-

cil on Environmental Quality, introduced by Mr. Jackson (for himself and Mr. Stevens), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 1075

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to promote and foster means and measures which will prevent or effectively reduce any adverse effects on the quality of the environment in the management and development of the Nation's natural resources, to produce an understanding of the Nation's natural resources and the environmental forces affecting them and responsible for their development and future well being, and to create and maintain conditions under which man and nature can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations of Americans, through a comprehensive and continuing program of study, review, and research.

TITLE I

Sec. 101. The Secretary of the Interior (hereinafter referred to as the "Secretary"), in order to carry out the purposes of this title, is authorized—

(a) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(b) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(c) to develop and maintain an inventory of existing and future natural resource development projects, engineering works, and other major projects and programs contemplated or planned by public or private agencies or organizations which make significant modifications in the natural environment;

(d) to establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals;

(e) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps;

(f) to make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment.

(g) to initiate and utilize ecological information in the planning and development of resource-oriented projects;

(h) to encourage other public or private agencies planning development projects to consult with the Secretary on the impact of the proposed projects on the natural environment;

(i) to conduct research and studies within natural areas under Federal ownership which are under the jurisdiction of the Secretary and which are under the jurisdiction of other Federal agencies; and

(j) to assist the Council on Environmental Quality established under title II of this Act.

Sec. 102. In carrying out the provisions of this title, the Secretary is authorized to make grants, including training grants, and enter into contracts or cooperative agreements with public or private agencies or organizations, or individuals, and to accept and use donations of funds, property, personal services, or facilities to carry out the purposes of this Act.

Sec. 103. The Secretary shall consult with and provide technical assistance to other Federal agencies, and he is authorized to obtain from such departments and agencies such information, data, reports, advice, and assistance as he deems necessary or appropriate and which can reasonably be furnished by such departments and agencies in carrying out the purposes of this Act. Any Federal agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement by the Secretary.

Sec. 104. The Secretary is authorized to participate in environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations if he determines that such activities will contribute to the objectives and purposes of this Act.

Sec. 105. Nothing in this Act is intended to give, or shall be construed as giving, the Secretary any authority over any of the authorized programs of any other department or agency of the Government, or as repealing, modifying, restricting, or amending existing authorities or responsibilities that any department or agency may have with respect to the natural environment. The Secretary shall consult with the heads of such departments and agencies for the purpose of identifying and eliminating any unnecessary duplication of effort.

Sec. 106. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

TITLE II

Sec. 201. There is created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. Each member shall, as a result of training, experience, or attainments, be professionally qualified to analyze and interpret environmental trends of all kinds and descriptions and shall be conscious of and responsive to the scientific, economic, social, aesthetic and cultural needs and interests of this Nation. The President shall designate the chairman and vice-chairman of the Council from such members.

Sec. 202. (a) The primary function of the Council shall be to study and analyze environmental trends and the factors that effect these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation. In carrying out this function, the Council shall—

(1) report at least once each year to the President on the state and condition of the environment;

(2) provide advice and assistance to the President on the formulation of national policies to foster and promote the improvement of environmental quality;

(3) obtain information using existing sources, to the greatest extent practicable, concerning the quality of the environment and make such information available to the public.

(b) The Council shall periodically review and appraise new and existing programs and activities carried out directly by Federal agencies or through financial assistance and make recommendations thereon to the President.

(c) It shall be the duty and function of the Council and the Secretary of the Interior to assist and advise the President in the preparation of the biennial enviroment quality report required under section 203.

Sec. 203. The President shall transmit to the Congress annually beginning June 30, 1970, an environmental quality report which shall set forth (a) the status and condition of the major natural, man-made, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; and (b) current and foreseeable trends in quality, management, and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

Sec. 204. The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

Sec. 205. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this title.

Exhibit 1

A National Policy for the Environment—A Report on the Need for a National Policy for the Environment: An Explanation of Its Purpose and Content; an Exploration of Means To Make It Effective; and a Listing of Questions Implicit in Its Establishment

(A special report to the Committee on Interior and Insular Affairs, U.S. Senate, together with a statement by Senator Henry M. Jackson)

STATEMENT BY SENATOR HENRY M. JACKSON

Over the years, in small but steady and growing increments, we in America have been making very important decisions concerning the management of our environment. Unfortunately, these haven't always been very wise decisions. Throughout much of our history, the goal of managing the environment for the benefit of all citizens has often been overshadowed and obscured by the pursuit of narrower and more immediate economic goals.

It is only in the past few years that the dangers of this form of muddling through events and establishing policy by inaction and default have been very widely perceived. Today, with the benefit of hindsight, it is easy to see that in America we have too often reacted only to crisis situations. We always seem to be calculating the short-term consequences of environmental mismanagement, but seldom the long-term consequences or the alternatives open to future action.

This report proposes that the American people, the Congress, and the Administration break the shackles of incremental policy-making in the management of the environment. It discusses the need for a national environmental policy and states what some of the major elements of such a policy might be. It also raises a number of questions implicit in the establishment of such a broad-based and far-reaching policy.

The report does not purport to deal exhaustively with these subjects. Rather, it attempts to place some of the fundamental questions concerning the needs for and the elements of a national environmental policy in the arena of public debate. If the report is successful in encouraging discussion and in refining some of the issues involved, it will have performed a worthwhile purpose. In the last few years, it has become increasingly clear that, soon, some President and some Congress must face the inevitable task of deciding whether or not the objective of a quality environment for all Americans is a top-priority national goal which takes precedence over a number of other, often competing, objectives in natural resource management and the use of the environment. In my judgment, that inevitable time of decision is close upon us.

If we are to make intelligent decisions which are not based on the emotion of conservation's cause célèbre of the moment or on the error of simply perpetuating past practices, there is a very real need to develop a national capacity for constructive criticism of present policies and the development of new institutions and alternatives in the management of the environmental resources of land, air, water, and living space. Developing this capacity will require that representatives from all elements of our national life—industry, the university, Federal, State, and local government—participate in forming this policy. It will require the creative utilization of technology to improve environmental conditions and to prevent unanticipated future instances of costly abuse. It will also require that government business, and industry pay closer attention to a far greater range of alternatives and potential consequences when they make environment-affecting decisions than they have in the past.

Finally, it needs to be recognized that the declaration of a national environmental policy will not alone necessarily better or enhance the total man-environment relationship. The present problem is not simply the lack of a policy. It also involves the need to rationalize and coordinate existing policies and to provide a means by which they may be continuously reviewed to determine whether they meet the national goal of a quality life in a quality environment for all Americans. Declaration of a national environmental policy could, however, provide a new organizing concept by which governmental functions could be weighed and evaluated in the light of better perceived and better understood national needs and goals.

This report was prepared for the use of the Senate Interior Committee by Prof. Lynton K. Caldwell, Department of Government, Indiana University, with the assistance of Mr. William J. Van Ness, special counsel to the committee, and the Natural Resources Division, Legislative Reference Service, Library of Congress. Professor Caldwell's contribution was, in part, made possible through an arrangement with the Conservation Foundation.

"Scientists from this country and the Soviet Union—and from 50 other countries—have already begun an international biological program to enrich our understanding of man and his environment.

"I propose that we make this effort a permanent concern of our nations. I propose that the United States scientists join with the scientists of the Soviet Union and other nations to form an international council on the human environment."—*From President Lyndon B. Johnson's Commencement Address at Glassboro State College, Glassboro, N.J., June 4, 1968.*

PREAMBLE

It is a major function of the Congress to propose and consider policies "to provide for the common defense and the general welfare of the United States." Today, a challenge to the safety and welfare of the United States and of the American people has arisen. The challenge is the rapid deterioration of the environmental base, natural and manmade, which is the indispensable foundation of American security, welfare, and prosperity. Congress has recognized this challenge, and in accord with its responsibilities is preparing a response. Numerous proposals are now before the Congress to deal with what some of our best informed scientists and political leaders describe as an "environmental crisis." The purpose of this report is not to "view with alarm," but to raise the issue of whether there is a need for a national environmental policy and to discuss some of the major elements which might be considered for inclusion in such a policy. This report is intended to bring the issue of environmental policy into as sharp a focus as the complexity of its subject matter permits, and to identify some of the basic questions that would be encountered in shaping a national policy.

The threat of environmental deterioration, which the President of the United States has described as "a crisis of choice," is largely the result of the unprecedented impact of a dual explosion of population and technology upon limited resources of air, water, land, and living space. This challenge has not occurred before in American history nor in the history of civilization. Today the threat this challenge presents is widely recognized. Calls for action have come from many sectors of American society: from labor, from business, from agriculture, from science, from civic bodies, from religious, cultural and ethnic groups, from public agencies and from the elected representatives of the people. Symbolizing the national concern, the Department of the Interior entitled its 1968 Conservation Yearbook "Man—An Endangered Species?"; and the Chamber of Commerce of the United States has issued a call for action in a pamphlet bearing the headline "The Need: To Manage Our Environment." These publications, together with many others listed in appendix A, document the evidence and provide an understanding of the dangers and costs of environmental deterioration. When these dangers and costs are understood, the need for a continuing effort to refine and establish a countervailing policy is apparent.

Therefore, the issue before the American people and their elected representatives is the kind of policy that will meet the need. To be effective, a national policy for the environment must be compatible and consistent with many other needs to which the Nation must respond. But it must also define the intent of the American people toward the management of their environment in terms that the Congress, the President, the administrative agencies and the electorate can consider and act upon. A national policy for the environment—like other major policy declarations—must be concerned with principle rather than with detail; but it must be principle which can be applied in action. The goals of effective environmental policy cannot be counsels of perfection; what the Nation requires are guidelines to assist the Government, private enterprise and the individual citizen to plan together and to work together toward meeting the challenge of a better environment. At the risk of some oversimplification, the task may be summarized in these terms:

(1) To arrest the deterioration of the environment.

(2) To restore and revitalize damaged areas of our Nation so that they may once again be productive of economic wealth and spiritual satisfaction.

(3) To find alternatives and procedures which will minimize and prevent future hazards in the use of environment-shaping technologies, old and new.

(4) To provide direction and, if necessary, new institutions and new technologies designed to optimize man-environment relationships and to minimize future costs in the management of the environment.

The challenge of environmental management is, in essence, a challenge of modern man to himself. The principal threats to the environment are those that man himself has induced. A national policy for the environment is thus above all else a national policy for the welfare and survival of man. It is one more step in the journey of the American people from political independence toward knowledgeable self-determination in its most fundamental and democratic sense.

A NATIONAL POLICY FOR THE ENVIRONMENT

Introduction

This report is based upon the assumption that the threat of environmental mismanagement and deterioration to the security and welfare of the United States has been established. (See app. A.) There are differences of opinion as to the security and relative urgency of various hazards to the environment. Some scientists believe that man's environmental relationships have reached a point of crisis; others do not see the condition of the environment generally as having yet reached a critical stage. But there is, nevertheless, general consensus throughout most walks of life that a serious state of affairs exists and that, at the least, it is approaching a crisis of national and international proportions. The focus of this report is therefore on national policy to cope with environmental crisis, present or impending, rather than with documenting the facts relating to environmental deterioration.

Part I. Requirements for policy effectiveness

Effective policy is not merely a statement of things hoped for. It is a coherent, reasoned statement of goals and principles supported by evidence and formulated in language that enables those responsible for implementation to fulfill its intent. This section of the report describes some of the interrelating conditions that appear necessary to an effective national policy for the environment. The discussion will be developed under the following five headings:

(1) Understanding Imminent Need.
(2) Recognizing Costs.
(3) Marshaling Relevant Knowledge.
(4) Facilitating Policy Choice.
(5) National Policy and International Cooperation.

1. Understanding Imminent Need

An effective and enlightened environmental policy is a response to the needs of man in relation to his environment. The response may involve the control of man's behavior on behalf of the larger interests of mankind where those interests are clearly perceived and widely held. Man's relationships with his environment are, of course, multitudinous and complex. Control by governments, by international organizations, or by other institutions, cannot feasibly be extended to every aspect of the environment nor to more than a fraction of the actual points of impact of individual man upon his environment. Policy effectiveness consequently depends very largely upon the internalization, in the human individual, of those understandings, values, and attitudes that will guide his conduct in relation to his environment along generally beneficial lines. A major requisite of effective environmental policy is therefore intelligent and informed individual self-control.

There is substantial evidence to indicate that large numbers of Americans perceive the need for halting the spread of environmental decay. It is also evident, however, that few recognize the connection between the conditions which they deplore and the absence of any explicit and coherent national policy on behalf of environmental quality.

Man is confronted by a circumstance that is totally new in human history. He has rapidly completed the occupancy of the easily inhabitable areas of the earth while his numbers have increased at an exponential and accelerating rate. Simultaneously, unprecedented economic power and advances in science and technology have permitted man to make enormously increased demands upon his environment. In no nation are these coincidental developments more dramatically evident than in the United States. And yet many Americans find it difficult to understand why sound environmental management should now suddenly become "everybody's business." Long-accepted ways of thinking and acting in relation to one's surroundings are now being called into question. Understanding of what has happened can be helped by a simple exercise in arithmetic.

At the time of the American Revolution the total human population of the present-day continental United States could hardly have exceeded 3 million individuals. The demands of the American Indian and European colonists on the Atlantic seaboard were very light when contrasted with current exactions. By the close of the 20th century, if the population of this same area approximates 300 million, the daily stress man places on the environment will, on the basis of mere numbers, have increased 100 times over. Technology has alleviated some forms of stress (as on forests for fuel or on wildlife for food), but it has greatly increased environmental stress in general. The net result has been enormously increased demands upon the environment in addition to the increase in population. Calculation of an average per man-year stress upon the environment, estimated from A.D. 1700 to 2000, and adjusted for technological factors at particular historical periods, would be a powerful persuader of the need for a sensitive and forward-looking national environmental policy. The exponential increase in the pressure of man and his technology upon the environment, particularly since World War II, is the major cause of the need for a national environmental quality effort.

The rate at which the Nation has changed since 1890 when the frontier officially ceased to exist has been unexceeded by any other social transformation in history. Scarcely one long generation removed from the last days of the frontier, America has become an urbanized and automated society with publicly institutionalized values in social security, labor relations, civil rights, public education, and public health that would have been utopian less than a century ago. In the absence of a system for adequately assessing the consequences of technological change, who could have predicted the many ways in which applied science would transform the conditions of American life? Powerful new tools applying the discoveries in chemistry, physics, biology, and the behavioral sciences were put to work for improving the health, wealth, comfort, convenience, and security of Americans. Utilizing the vast natural resources of the American environment, the world's highest standard of living was achieved in an amazingly short period of time. Unfortunately, our productive technology has been accompanied by side effects which we did not foresee. Experience has shown us that there are dangers as well as benefits in our science-based technology. It is now becoming apparent that we cannot continue to enjoy the benefits of our productive economy unless we bring its harmful side effects under control. To obtain this control and to protect our investment in all that we have accomplished, a national policy for the environment is needed.

Although Americans have enjoyed prodigious success in the management of their economy they have been much less successful in the management of natural resources. As a people we have been overly optimistic, careless, and at times callous in our exactions from the natural environment. The history of soil exhaustion and erosion, of cut-over forest lands, of slaughtered wildlife document a few of our early failures to maintain the restorative capacities of our natural resources. Fortunately many of these early failures have been corrected or are now being remedied. But our exploding population and technology have created more subtle dangers, less easily detected and more difficult to overcome.

These more recent dangers have been documented in testimony before the Congress and in the reports of scientific committees (app. A). They confront us with the possibility that the continuation of present trends affecting, for example, (*a*) the chemistry of the air, (*b*) the contamination of food and water, (*c*) the use of open land and living space, and (*d*) the psychophysical stress of crowding, noise and interpersonal tension on urban populations, may infinitely degrade the existence of civilized man before the end of this century. These are not the exaggerated alarms or unsubstantiated predictions of extremists; they are sober warnings of competent scientists supported by substantial demonstrable evidence. The practical course is, therefore, to forestall these threats before they have outgrown our technical, economic, legal, and political means to overcome them. Fortunately, we still have a choice in this matter. We still have a relatively wide range of alternatives available in managing the environment.

It may be contended that the problems of the environment must wait until more urgent political issues are resolved. Problems of national security, poverty, health, education, urban decay, and underdeveloped nations have just and appropriate claims for priority in national attention and public expenditure. Yet many aspects of these problems involve environmental policy. Three of the most urgent—the slums and ghettos of the great cities; increasing disability and death from diseases induced by environmental factors (for example, cancer, emphysema, mental disorders); and the decline and decay of rural areas (for example, in Appalachia) furnish persuasive reasons for a national environmental policy. Before billions of dollars are spent in attempts to alleviate these social ills, it would be wise to be sure that environmental factors causing or accompanying these conditions are properly identified and remedied. We may otherwise worsen the state of our economy and environment without solving the underlying social problems.

In summary, within the present generation the pressures of man and technology have exploded into the environment with unprecedented speed and unforeseen destructiveness. Preoccupied with the benefits of an expanding economy the American people have not readily adopted policies to cope with the attendant liabilities. Popular understanding of the need to forestall the liabilities in order to preserve the benefits is now becoming widespread, and provides the political rationale for the development of a national policy for the environment, and for a level of funding adequate to implement it.

2. Recognizing Costs

The nation long ago would probably have adopted a coherent policy for the management of its environment, had its people recognized that the costs of overstressing or misusing the environment were ultimately unavoidable. This recognition was arrived at belatedly for several reasons: *First*, environmental deterioration in the past tended to be gradual and accumulative, so that it was not apparent that any cost or penalty was being exacted; *second*, it seemed possible to defer or to evade payment either in money or in obvious loss of environmental asests; *third*, the right to pollute or degrade the environment (unless specific illegal damage could be proved) was widely accepted. Exaggerated doctrines of private ownership and an uncritical popular tolerance of the side effects of economic production encouraged the belief that costs projected onto the environment were costs that no one had to pay.

This optimistic philosophy proved false as many regions of the Nation began to run out of unpolluted air and water, as the devastation of strip mining impoverished mining communities, as the refuse of the machine age piled up in manmade mountains of junk, as the demand for electricity and telecommunications arose to festoon the Nation with skeins of cables strung from forests of poles, and as the tools of technology increasingly produced results incompatible with human well-being. Under the traditional "ground rules" of production, neither enterprise nor citizen was called upon to find alternatives or to pay for measures that would have prevented or lessened ensuing loss of environmental quality. Payment continued to be exacted in the loss of amenities the public once enjoyed, and in the costs required to restore resources to usefulness and to support the public administration that environmental deterioration entailed. When the public began to demand legislation to control pollution and to prevent environmental decay, the reaction of those involved in environment degrading activities was often one of counter-indignation. Businessmen, municipalities, corporations and property owners were confronted with costs in the form of taxes or the abatement of nuisances that they had never before been called upon to pay. They were now about to be penalized for behavior which America had long accepted as normal.

What is now becoming evident is that there is no way in the long run of avoiding the costs of using the environment. The policy question is not whether payment shall be made; it is when payment shall be made, in what form, and how the costs are to be distributed. Hard necessity has made evident the need for payment to obtain air and water of quality adequate to meet at least minimum standards of health and comfort. Scientific knowledge and rising levels of amenity standards have added to public expectation that protection against environmental damage will be built into the products and production costs of manufacturers.

Lack of a national policy for the environment has now become as expensive to the business community as to the Nation at large. In most enterprises a social cost can be carried without undue burden if all competitors carry it alike. For example, industrial waste disposal costs can, like other costs of production, be reflected in prices to consumers. But this becomes feasible only when public law and administration put all comparable forms of waste-producing enterprises under the same requirements. Moreover it has always been an advantage to enterprise to have as clear a view as possible of future costs and requirements. When public expectations and "ground rules" change, however, as they have been changing recently on environmental quality issues, the uncertainty of resulting effects upon business costs, and the necessity for adjustment to unexpected expenses and regulations, is disconcerting and hardly helpful.

A national policy for the environment could provide the conceptual basis and legal sanction for applying to environmental management the methods of systems analysis and cost accounting that have demonstrated their value in industry and in some areas of government. It has been poor business, indeed, to be faced with the billions of dollars in expenses for salvaging our lakes and waterways when timely expenditures of millions or timely establishment of appropriate policies would have largely preserved the amenities that we have lost and would have made unnecessary the cost of attempted restoration. A national system of environmental cost accounting expressed not only in economic terms but also reflecting life-sustaining and amenity values in the form of environmental quality indicators could provide the Nation with a much clearer picture than it now has of its environmental condition. It would help all sectors of American society to cooperate in avoiding the overdrafts on the environment and the threat of ecological insolvency that are impairing the national economy today.

It is not only industrial managers and public officials who need to recognize the unavoidable costs of using the environment. It is, above all, the individual citizen because he must ultimately pay in money or in amenities for the way in which the environment is used. If, for example, he likes to eat lobster, shrimp or shellfish, the citizen must reconcile himself to either paying dearly for these products or indeed finding them unobtainable at any price, unless we find ways to preserve America's coastline and coastal waters. The individual citizen may also have to pay in the cost of illness and in general physical and psychological discomfort. And these costs, of course, are not incurred voluntarily.

In the interest of his welfare and of his effectiveness as a citizen the individual American needs to understand that environmental quality can no longer be had "for free." Recognition of the inevitability of costs for using the environment and of the forms which these costs may take is essential to knowledgeable and responsible citizenship on environmental policy issues.

In summary, the American people have reached a point in history where they can no longer pass on to nature the costs of using the environment. The deferral of charges by letting them accumulate in slow attrition of the environment, or by debiting them as loss of amenities will soon be no longer possible. It is no longer feasible for the American people to permit it. The environmental impact of our powerful, new, and imperfectly understood technology has often been unbelievably swift and pervasive. Specific effects may prove to be irreversible. To enjoy the benefits of technological advance, the price of preventing accidents and errors must be paid on time. From now on "pay-as-you-go" will increasingly be required for insuring against the risks of manipulating nature. This means merely that provision must be made for the protection, restoration, replacement, or rehabilitation of elements in the environment before, or at the time, these resources are used. Later may be too late.

3. Marshaling Relevant Knowledge

For many years scientists have been warning against the ultimate consequences of quiet, creeping, environmental decline. Now the decline is no longer quiet and its speed is accelerating. The degradation is destroying the works of man as well as of nature. We are confronted simultaneously with environmental crisis in our cities and across our open lands and waters. The crisis of the cities and the crisis of the natural and rural environments have many roots in common, although they may erroneously be viewed as extraneous to one another, or even as competitive for public attention and taxation. In fact, both crises stem from an ignorance of and a disregard for man's relationship to his environment.

An effective environmental policy in the past might have prevented and would certainly have focused attention upon the wretched conditions of urban and rural slums. It would surely have stimulated a search for knowledge that could have helped to correct and prevent degraded conditions of living. It is now evident that the fabric of American society can no longer contain the growing social pressure against slum environments. Today, remedial measures are being forced by social violence and by the social and economic costs of environmental decay; but it is not certain that the remedies take full account of the nature of the ailment. The pressure upon the urban environment is acute and overt; it is dramatized, it has obvious political implications, and it hurts. Conversely, the degradation of natural and rural environments is more subtle. Stress may reach the point of irreparable damage before there is full awareness that a danger exists. What is needed therefore is a systematic and verifiable method for periodically assessing the state of the environment and the degree and effect of man's stress upon it, as well as the effect of the environment and environmental change on man.

One would expect to be able to look to the universities and to the great schools and institutes of agriculture, engineering, and public health as constituting an environmental intelligence system. Unfortunately however, no such system exists. Man-environment relationships per se have seldom been studied comprehensively. Various disciplines have concerned themselves with particular aspects of environmental relationships. Geographers, physiologists, epidemiologists, evolutionists, ecologists, social and behavioral scientists, historians, and many others have in various ways contributed to our knowledge of the reciprocal influences of man and environment. But the knowledge that exists has not been marshaled in ways that are readily applicable to the formulation of a national policy for the environment. At present, there are many gaps in our knowledge of the environment to which no discipline has directed adequate attention.

It should not be surprising that there is a lack of organized knowledge relating to environmental relationships. Society has never asked for this knowledge, and has neither significantly encouraged nor paid for its production. By way of contract, public opinion has supported the costs of high-energy physics as reasonable, even though direct and immediate applications to public problems are relatively few. But public opinion has been guided in part by the judgment of the scientific community and of the leaders of higher education. Only recently have the scientific community and the universities begun to interest themselves institutionally in man-environment relationships, perceived in the totality in which they occur in real life.

Environmental studies in the universities are as yet largely focused on separate phases of man-environment relationships. This, in itself, is not undesirable; it is in fact necessary to obtain the degree of specialization and intensive study that many environmental problems require. The inadequacy lies in the lack of means to bring together existing specialized knowledge that would be relevant to the establishment of sound policies for the environment. There is also need for greatly increased attention to the study of natural systems, to the behavior of organisms in relation to environmental change, and to the complex and relatively new science of ecology. There is need for synthesis as well as for analysis in the study of man-in-environment.

A reciprocal relationship exists between the interests of public life and the activities of American universities. Public concern with a social problem when expressed in terms of public recognition or financial support, stimulates related research and teaching in the colleges and universities. Research findings and teaching influence the actions of government and the behavior of society. This relationship has been exceptionally fruitful in such fields as agriculture, medicine, and engineering. It has not, as yet, developed strength in the field of environmental policy and management. Nevertheless a beginning is being made in some colleges and universities, and in a number of independent research organizations and foundations, to provide a more adequate informational base for environmental policy.

Recognition of the need for a more adequate informational base for environmental policy has not been confined to academic institutions or to government. Speaking to the 1967 plenary session of the American Institute of Biological Sciences, Douglas L. Brooks, president of the Traveler's Research Center, declared that "* * * We need to recognize envionmental quality contol as a vital social objective and take steps to establish the field of environmental management as a new cross-disciplinary applied science professional activity of extraordinary challenge and importance."

To date, action by Government to assist the marshaling of relevant knowledge has been uncoordinated and inconstant. With the exception of defense and space-related technical investigations, the amount of money made available for environmental research has been relatively meager and has been allocated largely along conventional disciplinary lines. Specialized aspects of research on man-environment relationships have been well funded by the Atomic Energy Commission, the Department of Defense, and the National Aeronautics and Space Administration. But much of this work is highly technical and is appropriately directed toward problems encountered in the missions of these agencies. More broadly based are the interests of the National Science Foundation, but the Foundation's resources for funding academic research relating to environmental policy are small. For a brief period the most promising source of support for the kind of knowledge needed for environmental policy effectiveness was the U.S. Public Health Service. In the mid-1960's, the Service began to assist the establishment of broadly based environmental health science centers in selected universities. But a shift of emphasis in the Public Health Service brought this effort to an untimely standstill. The National Institutes of Health fund a significant body of health-related environmental research, but little of it appears to be policy-related.

The Science Information Exchange of the Smithsonian Institution, surveying the general field of Government-funded research for the Senate Interior and Insular Affairs Committee, found (not unexpectedly) that there were heavy concentrations of research where Government funding was heaviest—notably in physical science and the biomedical aspects of the environment. Government-funded research of broadly cross-disciplinary or policy-oriented character appeared to be almost negligible in volume and in funding. It is probable that policy problems are investigated in the course of substantive research; but it is evident that we have not yet made a conscious decision to organize and fund the effort which students of environmental policy and management see as the necessary first step to an adequate environmental information system.

To provide facilities and financial support for new research on natural systems, environmental relationships and ecology on an independent, but publicly financed basis, a National Institute of Ecology has been proposed by a group of scientists associated with the Ecological Society of America and assisted by the National Science Foundation. The functions proposed for this institute are worth restating in brief, as indicative of the contribution that ecologists would like to make toward strengthening the Nation's capacity to cope with its environmental problems. Defining ecology to be "* * * the scientific study of life-in-environment," the proponents of a National Institute of Ecology state that it is needed (1) to conduct large-scale multi-disciplinary field research beyond the capacities of individual researchers or research institutions, (2) to provide a central ecological data bank on which ecologists and public agencies can draw, (3) to coordinate and strengthen activities of ecologists in relation to ecological issues in public affairs, and to promote the infusion of ecology into general education at all levels, and (4) to perform advisory services for government and industry on action programs affecting the environment. The principal purpose of the proposed institute is not, however, to study public policy or education, but to do more and better ecology.

These efforts and proposals, and many others unreported here, are constructive contributions to the task of marshaling the knowledge needed for an effective national policy for the environment. They do not, however, add up to a national information system, nor do they necessarily present information and findings relative to the environment in forms suitable for review and decision by the Nation's policymakers. The ecological research and surveys bill introduced by Senator Gaylord Nelson in the 89th Congress would have established a national research and information system under the direction of the

Secretary of the Interior. Similar proposals have been incorporated in a number of bills introduced in the 90th Congress, including S. 2805 by Senators Jackson and Kuchel. (See app. B.) An important difference between the proposals before the 90th Congress and the efforts and proposals described in the preceding paragraphs is that in pending legislation the knowledge assembled through survey and research would be systematically related to official reporting, appraisal, and review. The need for more knowledge has been established beyond doubt. But of equal and perhaps greater importance at this time is the establishment of a system to insure that existing knowledge and new findings will be organized in a manner suitable for review and decision as matters of public policy.

In summary, to make policy effective through action, a comprehensive system is required for the assembly and reporting of relevant knowledge; and for placing before the President, the Congress, and the people, for public decision, the alternative courses of action that this knowledge suggests. With all its great resources for research, data processing, and information transmittal, the United States has yet to provide the financial support and operational structure that would permit these resources to implement a public policy for the environment.

4. Facilitating Policy Choice

The problem of organizing information for purposes of policy-oriented review leads directly to the need for a strategy of policy choice. Environmental policymaking presents certain organizational difficulties. It must draw heavily upon scientific information and yet it embraces important considerations and issues that are extraneous to science policy. Insofar as environmental policy is dependent upon scientific information, it is handicapped by the insufficiency of the research effort and the inadequacies of information handling described in the preceding paragraphs. In a review of U.S. science policy by the Organization for Economic Cooperation and Development, the European examiners cited environmental problems as one of the areas of inquiry that American science was not well organized to attack. The criticism was directed not at the accomplishments of American science in support of major technical undertakings; it was instead concerned with the absence of a system and a strategy adequate to deal with the problems of the environment, and of social relationships and behavior, on a scale which their comprehensive and complex subject matters require.

Insofar as science is an element in environmental policymaking, the Office of Science and Technology affords a mechanism for enlisting the resources of the scientific community, for establishing study groups and advisory panels on specific issues, and for presenting their recommendations to the President. In the coordination of scientific aspects of environmental policy, the Federal Council of Science and Technology, in association with the Office of Science and Technology, is the more general of several coordinative or advisory bodies in the executive branch. (See app. C.) The establishment of special councils for marine resources and engineering development, for water resources, for recreation and natural beauty, among other purposes, complicates to some extent the function of policy advice. None of these bodies are constituted to look at man-environment relations as a whole; none provide an overview; none appear fully to answer the need for a system to enable the President, the Congress, and the electorate to consider alternative solutions to environmental problems.

Possible answers to the need for a system to assist national policy choice may be found in legislative proposals to create councils on environmental quality or councils of ecological advisers. These councils are conceived as bridges between the functions of environmental surveillance, research, and analysis, on the one hand, and the policymaking functions of the President and the Congress on the other. The particular and indispensable contribution of the Council to environmental policy would be twofold. The first would be, using S. 2805 for purposes of illustration, "* * * to study and analyze environmental trends and the factors that effect these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation." Most proposals call for a report on the state of the environment from the Council to the President and from the President to the Congress. S. 2805, for example, states that the Council shall provide advice and assistance to the President in the formulation of national policies, and that it shall also make information available to the public. The bill further provides that "* * * The Council shall periodically review and appraise new and existing programs and activities carried out directly by Federal agencies or through financial assistance and make recommendations thereon to the President."

From this enumeration of the Council's functions several inferences may be drawn. *First*, the proposed environmental advisory councils are not science advisory bodies. They are instructed in pending legislative proposals to take specified factors, including the scientific, into account in the course of their analysis and recommendations on environmental policy issues. *Second*, the councils are not primarily research or investigating bodies even though they have important investigatory functions. They are essentially policy-facilitating bodies. *Third*, their functions are those of analysis, review, and reporting. Their nearest functional counterpart is probably the Council of Economic Advisers. *Fourth* and finally, councils on the environment, such as proposed by some of the measures listed in appendix B, must be located at the highest political levels if their advisory and coordinative roles are to be played effectively. For this reason the proposals have generally established the Council in the Executive Office of the President. However, the Technology Assessment Board proposed by Representative Emilio Q. Daddario, which would perform many functions similar to those of the environmental councils, would be an independent body responsible primarily to the Congress.

This brings the discussion to the role of the Congress in facilitating policy choice. Some have found the formal committee structure of the Congress to be poorly suited to the consideration of environmental policy questions. Senator Edmund Muskie has proposed a Select Committee of the Senate on Technology and the Human Environment to facilitate consideration of related environmental issues that would normally be divided among a number of Senate committees. Others have proposed that a Joint Committee on the Environment, representative of the principal committees of the House and the Senate concerned with environmental policy issues, should be established to review a proposed annual or biennial report of the President on the state of the environment. Many Congressmen, however, feel that the policy of establishing new committees to deal with each new problem area should be resisted and that the present committees should assume their legislative and oversight responsibilities in this area. Meanwhile the informal and practical operations of legislative business permits the present standing committees to function with remarkable speed and dexterity where the will to legislate exists.

In summary, policy effectiveness on environmental issues will require some form of high-level agency in the executive branch for reviewing and reporting on the state of the environment. No existing body seems appropriate for this function. To meet this need, and under various names, a council for the environment has been suggested and has been incorporated in numerous legislative proposals. Provision for a policy assisting body in the executive branch suggests to some the desirability of a comparable committee in the Congress.

5. National Policy and International Cooperation

In his address to the graduating class at Glassboro State College on June 4, 1968, President Lyndon B. Johnson called for the formation of a permanent "international council on the human environment." The ecological research and surveys bill first offered in 1965 by Senator Gaylord Nelson authorized participation by the United States with "other governments and international bodies in environmental research." Similarly, S. 2805 and other pending measures authorize "* * * environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations * * *."

These and other expressions of the willingness and intent of the United States to cooperate with other nations and with international organizations on matters of environmental research and policy reinforce the argument for a national environmental policy. Although the United States could cooperate internationally on many specific issues without a national policy, it could do so more effectively and comprehensively if its own general position on environmental policy were formally and publicly enunciated.

The United States, as the greatest user of natural resources and manipulator of nature in all history, has a large and obvious stake in the protection and wise management of man-environment relationships everywhere. Its international interests in the oceanic, polar, and outer space environments are clear. Effective international environmental control would, under most foreseeable contingencies, be in the interest of the United States, and could hardly be prejudicial to the legitimate interests of any nation. American interests and American leadership would, however, be greatly strengthened if the Nation's commitment to a sound environmental policy at home were clear.

Part II. Questions of implementation

What significance would adoption of a national policy for the environment hold for the future of government in the United States? At the least, it would signify a determination by the American people to assume responsibility for the future management of their environment. It would not imply an all-inclusive Federal or even governmental environmental administration. The task is too widespread, multitudinous, and diverse to be wholly performed by any single agency or instrumentality. There are important roles to be played at every level of government and in many sectors of the nongovernmental economy. Nevertheless a new policy, and particularly a major one, is certain to arouse some apprehensions.

In the Federal agencies, among the committees of the Congress, in State governments, and among businesses whose activities impinge directly upon the environment and natural resources, there would be understandable concern as to what changes for them might be implicit in a national policy for the environment. The objection is certain to be raised that Government is already too large and that there are already too many agencies trying to manage the environment. "Please—not one more," will be an oft-repeated plea. These fears, however, are largely those that always accompany a new public effort regardless of its purpose, direction, or ultimate benefit. Very few people oppose, in principle, public action on behalf of quality in the environment. It is implementation that raises questions and arouses apprehension.

It would be unconvincing to assert that no interest, enterprise, or activity will be adversely affected by a national environmental quality effort. There is no area of public policy that does not impose obligations upon, nor limit the latitude for action of important sectors of society. But while activities harmful to man's needs and enjoyments in the environment must necessarily be curbed, it is also true that all Americans, without exception, would benefit from an effective national environmental policy. In brief, although all would benefit, a relative few might be required to make adjustments in business procedures or in technological applications.

For the foregoing reasons, a report on the need for a national policy for the environment would be incomplete if it did not raise, at least for the purposes of discussion, some major questions that the establishment as such a policy would imply. These are mainly questions of how a decision to establish a national policy would be implemented in practice. They are questions to be answered by the Congress and by the President. But in their answers, the policy-determining branches of Government will need to consider a number of issues subsidiary to those major questions.

To better illustrate the issues involved in these questions, reference will be made to S. 2805. No claim of special priority is implied by these references. Many of the bills now pending on this issue have similar provisions. Any one bill might serve as well as any other.

1. What Are the Dimensions of an Environmental Policy and How Are They Distinguishable From Other Areas of National Concern?

This is the fundamental question. It would be unreasonable to expect that its metes and bounds could be defined more clearly than those of the more familiar policy areas of national defense, foreign relations, civil rights, public health, or employment security. The field of definition can be narrowed, however, by identifying those concepts with which it might be confused but from which it should be clearly distinguished.

Environmental policy, broadly construed, is concerned with the maintenance and management of those life-support systems—natural and manmade—upon which the health, happiness, economic welfare, and physical survival of human beings depend. (See app. D.) The quality of the environment, in the full and complex meaning of this term, is therefore the subject matter of environmental policy. The term embraces aspects of other areas of related policy or civic action, and it is important that environmental policy and environmental quality, in the broad sense, be distinguished from these related but sometimes dissimilar policies or movements.

Environmental policy should not be confused with efforts to preserve natural or historical aspects of the environment in a perpetually unaltered state. Environmental quality does not mean indiscriminate preservationism, but it does imply a careful examination of alternative means of meeting human needs before sacrificing natural species or environments to other competing demands.

Environmental quality is not identical with any of the several schools of natural resources conservation. A national environmental policy would, however, necessarily be concerned with natural resource issues. But the total environmental needs of man—ethical, esthetic, physical, and intellectual, as well as economic—must also be taken into account.

Environmental policy is not merely the application of science and technology to problems of the environment. It includes a broader range of considerations. For this reason S. 2805, in proposing a Council on Environmental Quality, does not stipulate that its five members be scientists, although it obviously would not preclude scientists among them.

One of the few differences in emphasis among the environmental policy bills now before the Congress has to do with the role of ecologists and of the science of ecology in the shaping of national policy. The need for a greatly expanded program of national assistance for ecological research and education cannot be doubted by anyone familiar with present trends in the environment. The science of ecology can provide many of the principal ingredients for the foundation of a national policy for the environment. But national policy for the environment involves more than applied ecology, it embraces more than any one science and more than science in the general sense.

The dimensions of environmental policy are broader than any but the most comprehensive of policy areas. The scope and complexities of environmental policy greatly exceed the range and character of issues considered, for example, by the Council of Economic Advisers. One may therefore conjecture, without derogation to the unquestionable importance of the economic advisory function, that a council on the environment would, in time, perhaps equal and even exceed in influence and importance any of the specialized councilar bodies now in existence. For this reason its membership should be broadly representative of the breadth and depth of national interests in man-environment relationsips. The ultimate scope of environmental policy, and the relationship of a high-level implementing council to existing councils, commissions, and advisory agencies, are not questions that can be, or need to be, decided now, nor even at the time that a national policy may be adopted. The important consideration is to develop a policy and to provide a means that will permit its objectives to be considered and acted upon by the Congress, the President, and the executive agencies. If we wait until we are certain of the dimensions of environmental policy and of how it will relate to other responsibilities and functions of Government, our assurance will be of no practical value. It will have come too late to be of much help.

2. Upon What Considerations and Values Should a National Environmental Policy Be Based?

If it is ethical for man to value his chances for survival, to hope for a decent life for his descendants, to respect the value that other men place upon their lives, and to want to obtain the best that life has to offer without prejudicing equal opportunities for others, then the cornerstone of environmental policy is ethical. That cornerstone is the maintenance of an environment in which human life is not only possible, but may be lived with the fullest possible measures of personal freedom, health, and esthetic satisfaction that can be found. No government is able to guarantee that these values can be realized, but government is able to assist greatly in the maintenance of an environment where such values are at least realizable.

Ethics, like justice, is not easily quantifiable, yet few would argue that society should not seek to establish justice because justice cannot be adequately defined or quantified. Environmental policy is a point at which scientific, humanistic, political, and economic considerations must be weighed, evaluated, and hopefully reconciled. Hard choices are inherent in many policy issues. The sacrifice of a plant or animal species, for example, or of a unique ecosystem ought not to be permitted for reasons of short-run economy, convenience, or expediency. The philosophy of reverence for life would be an appropriate guiding ethic for a policy that must at times lead to a decision as to which of two forms of life must give way to a larger purpose.

The natural environment has been basically "friendly" toward man. Man's survival is dependent on the maintenance of this environment, but not upon the unaltered operation of all of its myriad components. Pathogenic micro-organisms, for example, are not reverenced by man. Protection against them is a major task of environmental health and medicine. But even here, respect for the incredible variety, resilience, and complexity of nature is a value that environmental policy would be wise to conserve. Frontal attacks upon man's environmental enemies or competitors, identified as pathogens or as "pests," have miscarried too often to encourage the thought that direct action on threats in the environment are always wise, economical, or effective.

The range of values to be served by environmental policy is broad and an indication of how its scope might be defined may be obtained from the provisions of S. 2805 which specify the considerations to which the Council on Environmental Quality should respond: "Each member shall, as a result of training, experience, or attainments, be professionally qualified to analyze and interpret environmental trends of all kinds and descriptions and shall be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interests of this Nation."

The assessment and interpretation of these needs and interests is obviously a function that the members of the Council would have to perform to the best of their ability. No more than in the election of legislators or in the appointment of judges, would it be possible to stipulate how these or other values should be understood and weighted. The reputations and characters of the individuals appointed to the Council would offer the best indication of how the specifications of the law might be construed. But the findings and conclusions of the Council need not be wholly subjective or based upon speculative data. The methods of systems analysis, cybernetics, telemetry, photogrammetry, electronic and satellite surveillance, and computer technology are now being applied to a wide range of environmental relationships. New statistical and computerized simulation techniques are rapidly bringing ecology from what has been described as "one of the most unsophisticated of the sciences," to what may become one of the most complex, intellectually demanding, and conceptually powerful of the sciences.

In brief, the values and considerations upon which a national environmental policy should be based should be no less extensive than the values and considerations that men seek to realize in the environment. In the interpretation of these values and considerations science can play a role of great importance. But neither science, nor any other field of knowledge or experience, can provide all of the criteria upon which environmental policies are based. The full range of knowledge and the contributions of all of the scientific and humanistic disciplines afford the informational background against which value judgments on environmental policy may most wisely be made.

3. How Should the Information Needed for a National Environmental Policy Be Obtained and Utilized?

Of all major questions on the implementation of environmental policy, this one is probably the least difficult. It is in part a technical question; yet to describe it as technical is not to suggest that it can be easily answered. There is no present system for bringing together, analyzing, collating, digesting, interpreting, and disseminating existing information on the environment. There is accordingly no reliable way of ascertaining what aspects of man-environment relationships are unresearched or hitherto unidentified. The question is less difficult than others primarily because it is clearly possible to design an information system, to fund its implementation, and to put it into effect. The particular form in which the data should finally appear, and the method of its subsequent disposition are more problematic.

Title I of S. 2805, and other measures proposed on behalf of a national environmental policy, make provision for the functions of information gathering, storage and retrieval, dissemination, and for enlarging the available information through assistance to research and training. The detailed provisions of S. 2805 on an environmental information system are numerous and need not be repeated here. The significant feature of these provisions is that they create an information system designed and intended to serve the policymaking processes of government.

Most of the environmental quality bills place this information function under the direction of the Secretary of the Interior. But they relate its data-gathering functions to those of other Federal agencies and they provide for the transmittal of its findings to a high-level reviewing body and to the President and the Congress. In the provision for organizing environmental information into a form that is usable for policy formation, this proposal represents a step toward greater rationality in government and toward the more effective use of modern information systems and technology to serve public purposes.

4. How Should a National Environmental Policy Be Implemented and Periodically Reviewed for Refinement or Revision?

Some innovation and restructuring of policy-forming institutions will be required to achieve the purposes of a national environmental policy. Our present governmental organization has not been designed to deal with environmental policy in any basic or coherent manner. (See app. C.) The extent to which governmental reorganization may be necessary cannot be determined absolutely in advance of experience. But it does seem probable that some new facility at the highest levels of policy formulation will be needed to provide a point at which environmental policy issues cutting across the jurisdictional lines of existing agencies can be identified and analyzed, and at which the complex problems involved in man's relationships with his environment can be reduced to questions and issues capable of being studied, debated, and acted upon by the President, the Congress, and the American people. As we have seen, some of the bills on environmental policy now pending in the Senate and the House of Representatives (see app. B) provide a point of focus for this new area of policy through a high-level board or council. Many of these bills provide for periodic reports on the state of the environment to the policy-determining institutions of the Nation—the President and the Congress—and, as these reports are matters of public record, to the American people who must be the final judges of the level of environmental quality they are willing to support.

As noted in the preceding paragraphs, improved facilities for the finding, analysis and presentation of pertinent factual data are needed. A vast amount of data is now collected by Federal agencies and by private research organizations; but this data is uneven in its coverage of the various aspects of environmental policy. For example, there is a superabundance of technical information on some aspects of environmental pollution, but comparatively little research on the social and political aspects of environmental policy. Much of the data now available is in a form unsuitable for policy purposes. The sheer mass of data, much of it highly technical on certain major environmental problems, is a serious impediment to its use. For this reason the legislative proposals on national environmental policy provide a system for reinforcing, supplementing, and correlating the flow of information on the state of the environment.

These two major needs, (*a*) a high-level reviewing and reporting agency and (*b*) an information gathering and organizing system, are the essential structural innovations proposed in bills now before the Congress for implementing a national environmental policy. Would these additions to the present structure of government be sufficient to implement a national environmental quality program and how in particular would the proposed high-level Council be related to other agencies in the federal structure of government?

New policies and programs imply structures appropriate to their functions and may call for new relationships among existing agencies. To construct a comprehensive structure for environmental administration will require time, and meanwhile the need for leadership in informing the people and in formulating policy recommendations and alternatives grows more urgent. It is for this reason that some of the measures which have been introduced propose that a Council for Environmental Quality be established in the Executive Office of the President. In effect, the Council would be acting as agent for the President. It would need information from the various Federal departments, commissions, and independent agencies that, under prevailing organization, it could not as easily obtain if it were located at a level coequal or subordinate to the divisions of Government whose programs it must review. Reinforcing this consideration is the distribution of environment-affecting activities among almost every Federal agency.

Objection may be raised that there are already too many councils and committees established in the Executive Office of the President. Some students of public administration argue that a simplification of structure and a clarification of existing responsibilities should take precedent over any new programs or agencies. The answer to this objection lies in an assessment of relative priorities. Is each of the councils or comparable agencies now established in the Executive Office of the President more important, of greater urgency, or of more direct bearing upon the public welfare, than the proposed Council on Environmental Quality? What criteria indicate how many conciliar bodies are "too many"? These questions are not merely rhetorical. Although they cannot be answered here, they are obviously germane to the issue of governmental organization and to the way in which national environmental policy is formulated and made effective.

A strong case can be made of a major restructuring of the Federal departments in which public responsibility for the quality of the environment would, like defense or foreign relations, become a major focus for public policy. Proposals tending in this direction and chiefly affecting the Department of the Interior have been made over several decades. A prominent news magazine took up this line of reasoning in a recent editorial declaring that "* * * the Secretary of the Interior ought to be the Secretary of the Environment." But a major restructuring of functions in the Federal administrative establishment cannot be accomplished easily or rapidly. Such a development would be most plausible as a part of a more general restructuring of the executive branch. The multiplication of high-level councils and interagency committees may indicate that a restructuring is needed. (See app. C.) Some of the complexity of present arrangements for policy formulation and review reflects the confusion often attending a transition from one set of organizing concepts to another.

Among the concepts that have been proposed to reduce the burden of the Presidential office and to provide a more simple and flexible administrative structure, is that of the "superdepartment." One of these agencies already exists as the Department of Defense. A Department of the Environment might be another. The substance and character of the organizational changes that superdepartments might imply are germane to a discussion of environmental administration, but they require no further exploration in this report beyond the following three points: *First,* they would be fewer in number than present departments, probably no more than seven to nine; *second,* they would be oriented broadly to services performed for the entire population, and *third,* they would be planning and coordinative rather than directly operational, assuming, to some degree, certain of the tasks that now fall heavily on the Executive Office of the President.

There may be another answer to the need for a more effective review and coordination of related functions in diverse agencies in the concept of "horizontal authority" or matrix organization. This organizational arrangement has been employed in multifunctional, cross-bureau, projects in the Department of Defense and in the National Aeronautics and Space Administration. Under a temporary structure for project management, it structures across normal hierarchal lines and working relationships among the necessary personnel and skills. The concept might be applicable to interagency attack upon specific problems of environmental policy.

Review of national policy, and revision if and when needed, are functions that the Congress performs for all major policies of Government. The device of an annual or biennial report from the President to the Congress on the state of the environment offers the logical occasion for an examination by the Congress, not only of the substance of the President's message, but of national policy itself. In many respects, the transmission of an annual report on the state of the environment accompanied by a clear and concise statement of the Nation's goals, needs, and policies in managing the environment could attain many of the ends sought by those who propose reorganization.

SUMMATION

Although historically the Nation has had no considered policy for its environment, the unprecedented pressures of population and the impact of science and technology make a policy necessary today. The expression "environmental quality" symbolizes the complex and interrelating aspects of man's dependence upon his environment. Through science, we now understand, far better than our forebears could, the nature of man-environment relationships. The evidence requiring timely public action is clear. The Nation has overdrawn its bank account in life-sustaining natural elements. For these elements—air, water, soil, and living space—technology at present provides no substitutes. Past neglect and carelessness are now costing us dearly, not merely in opportunities foregone, in impairment of health, and in discomfort and inconvenience, but in a demand upon tax dollars, upon personal incomes, and upon corporate earnings. The longer we delay meeting our environmental responsibilities, the longer the growing list of "interest charges" in environmental deterioration will run. The cost of remedial action and of getting onto a sound basis for the future will never be less than it is today.

Natural beauty and urban esthetics would be important byproducts of an environmental quality program. They are worthy public objectives in their own right. But the compelling reasons for an environmental quality program are more deeply based. The survival of man, in a world in which decency and dignity are possible, is the basic reason for bringing man's impact on his environment under informed and responsible control. The economic costs of maintaining a life-sustaining environment are unavoidable. We have not understood the necessity for respecting the limited capacities of nature in accommodating itself to man's exactions, nor have we properly calculated the cost of adaptation to deteriorating conditions. In our management of the environment we have exceeded its adaptive and recuperative powers and in one form or another must now pay directly the costs of obtaining air, water, soil, and living space in quantities and qualities sufficient to our needs. Economic good sense requires the declaration of a policy and the establishment of an environmental quality program now. Today we have the option of channeling some of our wealth into the protection of our future. If we fail to do this in an adequate and timely manner we may find ourselves confronted, even in this generation, with environmental catastrophe that could render our wealth meaningless and which no amount of money could ever cure.

Exhibit 2

Managing the Federal Government

(By Stephen K. Bailey, in "Agenda for the Nation," Brookings Institution, 1968, pp. 301-321)

The President of the United States faces a crisis of public confidence in the capacity of the federal government to manage itself and to carry out with efficiency, equity, and dispatch its own legislative mandates.

The seriousness of this issue can hardly be overstated. In question is the capacity of an eighteenth century constitutional arrangement of widely diffused and shared powers and a nineteenth century system of political pluralism to deal effectively with twentieth century problems of technological, social, and economic interdependencies—at home and abroad.

Unless the President devotes substantial attention to making the system work—an effort involving persistence and the employment of high political skills—the consequences for the future of the American polity could be serious in the extreme.

The programs and policies of the government of the United States are currently carried out by a diverse collection of political, administrative, and judicial systems. (The last of these is not treated in this paper.)

The descriptive and taxonomic problems alone are almost grotesque in their complexity. One may list and classify the obvious. The federal government of 1968 contains: three constitutional branches—legislative, executive, and judicial; an Executive Office of the President with a half dozen major constituent units and scores of minor councils and committees; four operating agencies exclusively responsible to the Congress, which itself is divided into two houses, forty standing committees, and more than two hundred subcommittees; twelve cabinet departments; fifty independent agencies, nine of which are independent regulatory commissions with both quasi-legislative and quasi-judicial authority; fifty-statutory interagency committees; 2.8 million civilian employees, 90 percent of whom are employed in federal field offices outside of the Washington, D.C., area; and 3 million military employees.

This gross breakdown suggests the magnitude and diversity of the enterprise, but it is only the tip of the iceberg. For federal policies are today carried out through a bewildering number of entities and instrumentalities: subdepartmental and subagency offices, branches, divisions, units—headquarters and field; hundreds of nonstatutory, but more or less permanent, intra-agency and interagency committees and commissions; grants-in-aid to fifty-five state and territorial governments and their hundreds of subdivisions, including tens of thousands of local governments, with more than 20,000 local school districts; a growing number of quasi-public, nonprofit corporations; scores of international and regional organizations; and myriad contracts to private industries, universities, professional groups, and charitable institutions.

Many of these subsidiary agents have their own separate identities, legal bases, and agenda of priorities apart from their instrumental (and often incidental) role in federal policy implementation.

This almost limitless diffusion presents internal problems of communication and control and often makes terms like "accountability" and "responsibility" words of art to cover a kaleidoscope of administrative fragmentation.

Even if the scene were not so cluttered, even if the formal structure of executive departments, agencies, and personnel were exclusively responsible for the implementation of federal policy, our constitutional system of shared powers and the pluralistic and oligarchical nature of political parties and interest groups would interfere with any neat model of hierarchical loyalty and public accountability. Elmer E. Schattschneider once commented that the history of the federal government could be written in terms of a struggle between the President and the Congress for control of the bureaucracy. But even this is too simple. For the struggle is not just between the President and the Congress: within the Congress, committee and subcommittee chairmen, often allied with powerful private group interests, exercise extraordinary control over the policies and administrative arrangements of subdepartmental and subagency units of the bureaucracy.

If we lived in a simpler and less apocalyptic age, such a complex arrangement might be tolerated without fear of untoward disruptions to basic social values. But this is not the case. The American national government is confronted with unprecedented factors that place an absolute premium upon improved managerial competence in the public sector:

Government decisions involve increased stakes and risks, while mistakes are much harder to retrieve.

Science and technology have penetrated national security, environmental, and social strategies in a way that imposes acute moral and philosophical burdens upon public policy.

The dimensions of public spending require a modern President to monitor spending, taxing, and wage-price relationships with unprecedented precision, and to take stabilization actions without regard to the costs to his political credit balances; he is now obliged to be a conscientious student of economics.

"People" problems no longer lend themselves to straight-line solutions, and a President finds that he must work overtime to compensate for failures of administrative response and to teach a new administrative style to reluctant bureaucrats and congressmen.

Shortened decision intervals and reaction times drive a President to form his calculus of strategy on the run, as it were, placing a premium on accurate and adequate information systems and analytic support.

The modern President lives with a relentless social criticism that generates dissatisfactions with the quality of life and leadership and tends to force his timing and priorities.

In this kind of world, the President, by the logic of his position, must have two overriding managerial concerns:

How can the federal government identify, mobilize, train, and release the energy of the most impressive talent in the nation for developing and carrying out federal policy?

How can staff and line arrangements in the executive branch contribute to more rational and imaginative policy inputs to political decision making, and how can they contribute to more effective and coordinated policy implementation?

These two concerns must be specifically related to the modern President's inevitable preoccupations in the field of public policy: national security, economic stability and growth, environmental management and control, and human resource development.

Concretely, in national security affairs modern Presidents cannot afford a series of "Bay of Pigs" episodes, nor can they afford contradictions between diplomatic and military initiatives. In domestic affairs, they cannot afford to allow brave legislative responses in the fields of environmental management and control and human resource development to be blunted by ineptness and confusion in implementation, as has been the case with much of the Great Society legislation of 1964–65. In economic affairs, Presidents cannot afford to return to earlier days when the varying power centers of economic stabilization policy making (notably key congressional committees, the Budget Bureau, the Council of Economic Advisers, the Treasury, and the Federal Reserve Board) went their separate ways. To do so would be to invite economic disaster.

The difficulty is that the magnitude of the political as well as administrative tasks in assuring some modicum of competence and coherence in these preeminent areas of public policy is staggering. For there are no organizational gimmicks capable of overcoming the enormous centrifuge of governance in our pluralistic society.

An attack upon the managerial inadequacies of the federal government should encompass at least the Executive Office of the President, the departmental and agency structure, the federal field office structure, the devolution system for the transfer of federal funds and functions to nonfederal agencies, and the federal personnel system. As we shall note later, none of these five points of attack can be negotiated without major presidential attention to the configurations of power dominating the Congress.

Before examining policy alternatives and recommendations relating to each of these separately and in combination, a brief review of federal reorganization efforts of the past several decades is in order, for future possibilities are inevitably conditioned by the legacy of the past.

REORGANIZATION: A BRIEF HISTORY

Concern with the organization and management of the national government goes back a long way. The first study was commissioned by the Continental Congress in 1780. For the first century of this nation's history, however, investigations into these issues were feeble and intermittent.

It was only when the federal budget approached the billion-dollar mark, during the administration of President William Howard Taft, that a major attempt was made to examine questions of overall structure and procedures. And even the Taft Commission on Economy and Efficiency (the Cleveland Commission, 1910–13) devoted most of its energies to minute problems of internal management. The major fruit of its labors was the Budget and Accounting Act of 1921, which established the Bureau of the Budget (BOB) in the executive branch and the General Accounting Office in the legislative branch. The Bureau of the Budget was the first nonwartime centripetal staff agency available to the President for the conduct of his managerial responsibilities.

The 1920s witnessed a variety of additional proposals, both legislative and executive, focused on administrative reorganization. Most of the major recommendations got nowhere. Occasional authorizations were given to the President for minor reassignments of functions across agency lines, but Congress systematically pigeonholed or voted down any major delegation of power to the President for reorganizing executive branch functions.

In 1932, President Herbert Hoover submitted a message to the Congress calling for a massive reorganization of the executive branch. In a classic statement of the "practical difficulties of such reorganization," he commented as follows:

"Not only do different fractions of the Government fear such reorganization, but many associations and agencies throughout the country will be alarmed that the particular function to which they are devoted may in some fashion be curtailed. Proposals to the Congress of detailed plans for the reorganization of the many different bureaus and independent agencies have always proved in the past to be a sign for the mobilization of efforts from all quarters which has destroyed the possibility of constructive action."[1]

How penetrating this observation was can be judged by the fact that after the law was passed every executive order submitted by President Hoover to implement the act was disapproved. Furthermore, the law itself provided for key exceptions to the President's sphere and requested him to set up consolidations of the following governmental activities:

"Public Health (*except that the provisions hereof shall not apply to hospitals now under the jurisdiction of the Veterans Administration*), Personnel Administration, Education (*except the Board of Vocational Education shall not be abolished*) . . . and to merge such other activities, *except those of a purely military nature,* of the War and Navy Departments, as . . . may be common to both . . . *except that this section shall not apply to the United States Employees Compensation Commission.*"[2]

This was not the first nor was it to be last of such explicit exceptions to the reorganization authority of Presidents.

The coming of the New Deal brought a totally new dimension to the policies and organization of the executive branch. A bevy of new laws created a host of new agencies and a variety of new functions within old agencies. And President Franklin D. Roosevelt had no institutional machinery for rationalizing and resolving emerging administrative issues, or for supervising in any meaningful sense the hundred-odd separate departments and agencies that reported directly to him.

In 1936, President Roosevelt created the Committee on Administrative Management under the chairmanship of Louis Brownlow. The report of the Brownlow Committee was probably the most sensible and impressive ever made on federal government organization. Many of its recommendations, notably those concerned with the independent regulatory commissions, the Civil Service, the General Accounting Office, and new cabinet departments, were largely ignored by the Congress. Its lasting contribution was the successful recommendation to create an Executive Office of the President (EOP) containing an expanded White House staff, the Bureau of the Budget (until then housed in the Treasury Department), and a National Resources Planning Board. Although the last was killed by congressional action in withholding appropriations in the early 1940s, the essential rubric of the Executive Office has remained. It is inconceivable that the government could have successfully negotiated the turbulent currents of the past quarter century without it.

The Second World War saw the inevitable proliferation of war-related agencies, most of which disappeared at the end of the conflict. But the experience of war, especially the difficulties of relating seperate military services to the consolidated demands of amphibious warfare and the serious problems of interrelating diplomatic and military initiatives and intelligence, led in 1947 to the National Security Act which created a National Defense Establishment, a National Security Council, and a Central Intelligence Agency. It would take time for these components to emerge into any kind of structural coherence, but the 1947 act set the foundation stone for the future.

In the immediate postwar years, the other major organizational development was the creation of the Council of Economic Advisers in the Executive Office of the President. This added staff resource has been of invaluable help to the President and the Congress in analyzing the state of the economy, in planning fiscal policy, and in acting as the major catalyst of interagency (BOB, Federal Reserve, Treasury) cooperation on fiscal matters.

Also in 1947 President Harry Truman asked Congress to create a bipartisan, twelve-man Commission on Organization of the Executive Branch of the Government.

The Commission (the First Hoover Commission) reported, and at length, in 1949. A number of its recommendations were adopted, under President Truman and later under President Dwight D. Eisenhower: the creation of a Department of Defense (replacing the National Defense Establishment); the assignment of the National Security Council to the Executive Office of the President; the creation of a cabinet-level department of Health, Education, and Welfare (HEW); and the centralization of increased authority in department heads, cutting away at some of the statutory authority that Congress had assigned at the subdepartment level. But many sacred cows were left undisturbed, and the commission's pleas for a "sharp reduction" in the number of federal administrative agencies fell upon deaf congressional ears.

A Second Hoover Commission was created in the mid-1950's; but its mandate, to examine governmental functions which should be discontinued, was preposterous, for it invaded the constitutional prerogatives of President and Congress. The commission's effective residue was little more than a chemical trace.

Aside from Secretary Robert S. McNamara's progress in transforming Defense from a *de jure to a de facto department,* the creation of an Office of Science and Technology in the Executive Office of the President, and the assigning of a White House role to the chairman of the Civil Service Commission, no substantial success greeted the John F. Kennedy administrations' various attempts to reorganize the government.

President Lyndon B. Johnson has succeeded in adding two new cabinet departments: Housing and Urban Development (HUD), and Transportation. He also added the Office of Economic Opportunity (OEO) to the Executive Office of the President. During his administration a number of task forces have addressed themselves to questions of government organization—especially in the increasingly tangled thicket of intergovernmental relations as they relate to problems of poverty, race, welfare, urbanism, and education.

However, most of the underlying problems of organization remain. These have been illuminated time and again by presidential task forces, by congressional committees, by journalists, pamphleteers, and scholars. Congressional literature is particularly rich. Notable in recent years have been the studies of the Jackson Subcommittee on National Security Staffing and Operations and the Muskie Subcommittee on Intergovernmental Relations of the Senate Committee on Government Operations. More recently committees in both the Senate and the House have examined the adequacy of federal organization for mounting a coherent attack upon problems of the physical environment.[3]

Although these various studies, investigations, and proposals have differed in viewpoint and attack, there has emerged in recent years a consensus on two major issues: (1) the federal government lacks machinery for the effective development, implementation, and coordination of public policy; and (2) the conduct of the government's business is overcentralized in Washington.

Proposed remedies have included recommendations for the enlargement and restructuring of the Executive Office of the President; the consolidation of federal programs and functions into a few major departments; the strengthening of staff offices at the level of the secretary; making a departmentwide (secretary's) presence felt in federal field establishments; upgrading the quality and enlarging the power and discretion of federal field offices at home and abroad; devolving the conduct of federal business increasingly upon state and local authorities and upon private or quasi-public instrumentalities; and reform of the career services and upgrading of public personnel charged at various levels of government with the conduct and control of federal policy.

Whatever merit these various recommendations have had (and this paper will later explicate and endorse a number of them), they have tended to suffer from two overriding limitations: first, as commonly set forth, they have ignored the realities of congressional power, the rigidities of the present congressional committee structure, and the mutual deference patterns within the legislative branch, all of which affect the organization and conduct of federal programs; second, many of them have failed to articulate some of the administrative and policy costs and consequences possibly attendant upon their adoption. It is possible, for example, that unless extreme care is taken program coordination can be the enemy of program energy. "Keeping track" may be the enemy of "making tracks."

It may be argued, of course, that this dilemma is false; that topside planning and coordination is the precondition, not the enemy, of effective subordinate energy; that if program coordination is not rationally produced at the top it will be irrationally and wastefully accomplished through survival-of-the-fittest skirmishes at lower levels. This, in fact, is the author's own considered judgment. But to state the ideal is a far cry from realizing it in practice, and history suggests that arrangements constructed to achieve this ideal are inherently unstable—tending to veer toward the Scylla of a debilitating overcentralization on the one hand, or the Charybdis of programmatic anarchy on the other. All one can say at this moment is that historically in the United States more bones have been scattered around Charybdis than around Scylla. To change the idiom, constitutional and political beliefs and forces tend to run against generalist "kings" in favor of functional "barons."

THE LIMITATIONS OF EXISTING DEVICES

The validity of the foregoing proposition hardly needs elaboration. It can be readily documented by examining the weakness of centripetal devices now in vogue or recently tested in almost every level and branch of government.

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[1] W. Brooke Graves (comp.) *Reorganization of the Executive Branch of the Government of the United States: A Compilation of Basic Information and Significant Documents, 1912–1948,* Library of Congress, Legislative Reference Service, Public Affairs Bulletin No. 66 (1949), p. 96.

[2] Graves (comp.), *Reorganization of the Executive Branch* (emphasis supplied.)

[3] See esp. *Managing the Environment,* Report of the House Committee on Science and Astronautics, 90 Cong. 2 sess. (1968); and *Report of the Joint House-Senate Colloquium to Discuss National Policy for the Environment,* 90 Cong. 2 sess. (1968).

First, there is the device of statutory or ad hoc interdepartmental and interdepartmental committees. There are thousands of them in the federal government alone, including a number in the Executive Office of the President. Most of them suffer from three chronic ailments: (1) confederationitis, (2) progressive deputization, and (3) implemental anemia. The first leads to common-denominator "paper" solutions for problems frequently calling for uncommon-denominator practical solutions. The second, marked by preoccupied secretaries requesting under secretaries to sit in for them, who in turn deputize assistant secretaries, who in turn deputize deputy assistant secretaries, ad infinitum, leads inevitably to a loss in the plenipotentiary capacity of the committee members, and to the necessity of referring every important issue back to each agency for topside clearances. The third means that, even if and when consensus can be reached within an interdepartmental committee, such consensus is not self-enforcing and can, in fact, be rendered inoperable by the failure of constituent units to implement the decision reached. When such committees are established by congressional mandate, further complications arise, for they cannot easily be disbanded nor their agenda adapted to new issues. If they become well-staffed and effective, they may interpose themselves between the President and his department heads and develop a policy line out of phase with both.

Necessary as such committees are, their numbers should be drastically pruned, and in any case they are no solution to most problems of program planning, coordination, and operational effectiveness that afflict the public sector.

Second, the "lead agency" notion, however attractive in theory, seems to have similar limitations. Bringing all relevant agencies together for specific program purposes under the chairmanship of the head of the department that has major concern or competence in a particular policy area would seem on its face to be a reasonable approach. But, since everyone likes to coordinate and few like to be coordinated—especially by one's peers—this device tends to degenerate into a simple interdepartmental committee with all of the inadequacies suggested above. Low-level issues may be thrashed out and clarified; tough issues of jurisdiction and authority rarely are, for disgruntled committee members have the option of appeal to centers of power in the presidency or in the Congress that can effectively override the decisions of the lead agency. The history of OEO, HUD, and HEW in that role is not encouraging, although some promise can be found in some of the lead-agency functions performed in foreign affairs by the Department of State.

A third device is coordination by presidential advisers, White House assistants, or by other representatives of the Executive Office structure. This has been attempted in various forms over the past decades. Sometimes the job has been given to individual men of considerable stature and ability (for example, Colonel Edward M. House, Harry Hopkins, "Jimmy" Byrnes, Sherman Adams, a vice president). The de facto "prime" minister, or executive vice president, device suffers, however—at least, in our form of government—from two intractable flaws. If he is strong, he tends to shield the President from issues, information, and forces essential to presidential judgment and power; if he is weak, he tempts others to go around him, thereby creating rather than solving problems for the chief executive.

More often, the President has used his "anonymous" White House assistants and his major institutional staffs in the Executive Office of the President to assist him in program planning and coordination. However successful this fairly flexible arrangement has been (and, if it had not been partially successful, the federal government could not operate at all), it has serious weakness. If the President defends his intimate staff too often, he has created a supercabinet; if he does not defend them at all, they are powerless. If he institutionalizes them, their time is preoccupied with managing their own subordinates, limiting their time and tolerance for intimate contacts with the President; if he does not institutionalize them, they become swamped by paper from below and expectations from above. And in many areas of public policy where the·President himself is weak (programs under the jurisdiction of independent regulatory commissions; agencies like the Atomic Energy Commission and the Army Corps of Engineers that are effectively controlled by congressional committees), presidential staff, no matter how brilliant, are limited by legal and political reality.

This rather melancholy sample of centripetal coordinating devices and their weaknesses is not meant to suggest that nothing has been done or can be done to improve the coordination of policy planning and implementation in the federal government. There have been many evidences of at least partially successful endeavors along these lines. The Bureau of the Budget at its best is a remarkable and indispensable coordinating device, especially when buttressed by informational and analytical skills of cognate agencies like the Council of Economic Advisers and the Office of Science and Technology. Presidential assistants play out a daily drama of conflict resolution and program rationalization. The transformation of the Department of Defense under Robert McNamara is an indication of what at the departmental level can be done, in Paul Appleby's felicitous phrase, "to make a mesh of things." The development of analytical instruments like PPBS (Program Planning and Budgeting System) shows promise of making resource allocation choices more coherent and rational.

But enormous inadequacies remain and they cannot be redressed effectively without a sober recognition of the fact that the battle for improved federal management must be fought on a number of fronts simultaneously. The five major salients already identified need particular attention: the Executive Officer of the President; departmental arrangements; federal field establishments; the devolution system; and personnel systems at all levels.

Executive Office of the President

The presidency is the only institution in the American polity where overarching and long-range public imperatives can be coherently analyzed and melded. This is true both because of the ubiquity of the presidential constituency, and because the President is mandated to recommend to the Congress a coherent program for allocating resources to and within the executive branch.

The structure of the Executive Office of the President must reflect the prime concerns of the nation as viewed from the vantage point of the chief executive. In the present age, as already noted, these prime concerns are four: national security, economic stability and growth, the integrity and viability of the physical environment, and the promotion of human welfare and of human resource development. In these four areas, the President must have at his disposal institutional arrangements that can help him plan wisely, sort options judiciously, and effect coordinated responses.

Because priorities change and, more important, because each President has his own leadership style, he must be given very substantial latitude in organizing, reorganizing, and adjusting the constituent units of his executive office. He must also have at his disposal substantial discretionary funds ($25,000,000 per year as a minimum) to permit him to tap selective expertise across the nation on an ad hoc basis, and to initiate in-house experimental capabilities for improving the planning and management functions of the office. The present discretionary funds of the President for "special projects" ($1.5 million) are totally inadequate.

If the President can secure from Congress the right to structure and manage his own office without restriction—including the right to make in-office appointments without Senate confirmation and the right to create, shift, and abolish constituent units and personnel assignments as he deems necessary for the effective conduct of presidential business—he will have won a major victory for effective public management. These prerogatives are essential if he is to have authority anywhere near commensurate with his administrative and policy-making responsibilities.

Granted this kind of authority and discretion, what should he do with it? Although each President will and must use them according to his own temperament and administrative proclivities, three weaknesses exist in Executive Office of the President capabilities so glaring as to merit special emphasis.

First is the office's weakness in policy development. The presidency is perched on top of what one astute observer has called "a bottom-heavy administrative system." Policy proposals tend to emerge from levels of operational enthusiasm, which are likely to be the lower and middle governmental levels, coupled with discrete, single interest segments of the private sector, Aside from ad hoc task forces (many of which have been extremely productive and catalytic), there is no effective agent or agency in the Executive Office of the President charged with the study of emerging public problems and the development of effective programs to deal with them in terms of continuing and changing presidential perspectives of the public interest. This is less true, of course, in the occult fields of economic stabilization policy and national security policy where the Council of Economic Advisers and the staff of the National Security Council have increasingly strengthened their policy-review capabilities. But in the increasingly troublesome and important areas of environmetal management and "people" programs (health, poverty, education, welfare, housing, urban renewal, and the like) the EOP is patently deficient. Existing budgetary and legislative clearance reviews are inadequate. There is no underlying statistical and informational system of social and environmental indicators comparable to the economic indicators available to and through the Council of Economic Advisers. Whatever its original intent, the Office of Economic Opportunity has become an operational advocate, not a reflective center of governmentwide policy analysis. Since the demise a quarter of a century ago of the National Resources Planning Board, no presidential staff has concerned itself full-time with ecological interdependencies. The only gestures in this direction in recent years have been the Committee on Environmental Quality of the Office of Science and Technology, and a Water Resources Council independent of the Executive Office structure. The former is too small and weak to be effective (ideally, it should be reconstituted as a separate, strongly staffed office in the Executive Office of the President); the latter is limited by statute to water resources alone.

Whether effective policy analysis staffs in the environmental and human resource areas should be combined or kept separate, should be created inside the Bureau of the Budget or as a new and separate agency within the EOP (on balance, the author's choice) is perhaps of secondary importance. What is essential is that such a capability exists in the Executive Office of the President. Coherence and rationality in federal programming in these areas is impossible without such a capability. This is true in Washington; it is increasingly true in the complex arena of intergovernmental relations. State and local governments are federal partners in the purveyance of public services; their capacity to develop programs that effectively complement and implement national policies is today a matter of crucial importance. Too often they are bound by rigidities and categorical overprescriptions imposed by federal legislation and by administrative regulations and guidelines. There is a pervasive need to loosen existing categorical boundaries without destroying the basic thrust of federal categorical grants designed to promote the national interest.

One possible device to meet this need might be for the President to assign staff from his executive office and/or relevant departments and agencies to ride budgetary circuits in the fall of each year. Such staffs, with advance congressional approval, might be empowered to permit state and local governments to shift up to, say 25 percent of approved categorical federal grants from one category to another; this would make the grants more relevant to varying state and local needs and would promote a series of useful dialogues between the partners of the federal system.

The second weakness of the President's office is the inadequacy of machinery for command and control within the sphere of his own executive competence. As suggested earlier, there are many areas of policy in which for reasons *de jure* or *de facto* the President has authority only to persuade and cajole, or in which he must repair to informal powers deriving from his political rather than his constitutional status. But even when his legal authority is clear, he lacks efficient means of enforcing his political will. Little is gained in strengthening the policy analysis capabilities of his office unless he can effect more coherence in policy implementation. It is true that knowledge can be power, and the President's directive responsibilities can probably be exercised with greater effectiveness if his policy analysis staffs are able to create information systems that include hard and systematic evaluations of federal programs. But the President's present span of control is so unwieldy, his budgetary flexibility is so limited, and his managerial universe is so ponderous that intelligence alone will not give his directives appropriate clout. If two or more agencies chart collision courses or if they determine to ignore presidential guidance, there is little the chief executive can do short of ultimate sanctions (such as firing) that often have prohibitive political costs.

It is this reality, of course, that has led a number of administrative reformers to suggest that the President needs one or more executive vice presidents or presidential coordinators to whom he can delegate command functions over parts of the executive branch, including his cabinet departments, in Washington and in federal field establishments. The inconveniences and political hazards of such devices and developments have already been traced. But the problem remains, and the need is real.

There is no single and easy solution to the problem, but if the President is given the kind of flexible control over his own office called for above, he should certainly use this elaborated discretion to experiment with a number of command-control devices. At the very least, he should create a team of two or three or four presidential "administrators" or "expeditors," removed from the day-to-day preoccupations of existing White House aides, who could be assigned on an ad hoc and short-term basis as troubleshooters to straighten out jurisdictional conflicts among agencies, both in Washington and (on an itinerant basis) in the field. "Ad hoc" and "short-term" must be underlined, for permanent and long-term portfolios for such assistants could only produce impossible tensions with cabinet secretaries, agency heads, and key legislators. Furthermore, they might easily create centers of power in the executive branch competitive with, rather than derivative of, presidential authority. Such administrators or expeditors must be men of considerable personal stature. As surrogates for the chief executive in a system inherently unfriendly to surrogates, they must be skilled in mediation, soft of voice, wise in the ways of politics, and utterly devoted to the President—institutionally and personally. The President must be prepared to support their judgments in the overwhelming majority of cases while being willing on occasion to overrule them on appeal. This complex prescription may prove to be impossible of implementation, but it is the only one that, in the judgment of this author, gives promise of success.

The third and final major weakness of the presidential office is in communicating with the public and with state and local officialdom. Here, too, there are constraints. Too "open" a presidency can build impossible expectations, induce claimants to bypass channels of access to departments and to Congress, clog the President's information system, and preclude that measure of confidentiality necessary for face-saving negotiations. Too frequent use by the President of the mass media dilutes the President's "Nielsen rating" with the consequent danger of limiting his impact when real crises appear.

But inadequate communications, both inward and outward, can be equally perilous. Fresh ideas from creative citizens, and from public officials at all levels of government, can be lost or ignored. A public bewildered by complex public problems can be denied the clarifying and unifying voice of the President. In such circumstances, the chief executive can easily become vulnerable to surprise and miscalculations.

Adequately mandated policy analysis staffs and presidential expeditors with sensitive antennae can remedy some of the existing defects in communication flows, but far more needs to be done to help the President develop effective techniques and policies. A public information competence must be built into the White House, possibly in an enlarged office of the press secretary, and at least one unit in the White House should be devoted to intergovernmental liaison with governors and with top officials of local government.

There are still other weaknesses in the Executive Office at the President. First, there are far too many statutory and ad hoc interdepartmental councils and committees with fuzzy mandates, little or no power, and only intermittent and unsatisfactory access to the President himself; these should be abolished or consolidated with more permanent staff operations. For example, the National Aeronautics and Space Council and the Marine Resources Council should probably be placed under a comprehensive Office of Environmental Analysis. The whole structure of citizens' advisory committees to the President should be reviewed and rationalized.

Second, the White House needs an even greater capability to identify talent for appointive federal positions in both domestic and international departments and agencies. It is an unfair strain upon the chairman of the Civil Service Commission to serve both as director of the President's personnel operations and as the policy chairman of the major career service of the federal government.

Third, the operational aspects of the Office of Emergency Planning (for mobilizing the services of all levels of government to meet emergencies of war or natural disaster) and the Office of Economic Opportunity should devolve upon other agencies (the General Services Administration for Emergency Planning; HEW and/or Labor for OEO), although in the case of OEO extreme care must be taken to insure that the innovative and flexible characteristics of many of its programs are not destroyed by transfers to more traditional and conservative bureaucratic superiors. It should be possible for some civilian counterpart to the "Green Beret" or Marine Corps mission-oriented services, often competitive with more massive and sodden bureaucracies, to be established (and disestablished) within existing departments or as functions of independent agencies. The Executive Office of the President is not the appropriate rubric for these kinds of operating line activities.

Fourth, the staff competence within the Executive Office (presumably within the Bureau of the Budget) for studying and recommending structural changes and procedural improvements throughout the executive branch organization, on a continuing basis, needs to be strengthened in quality, size, and funding.

All of these are important addenda to the three essential areas of concern identified earlier. Progress along all of these lines can best be promoted by giving to the President effective control over the organization, staffing, and missions of the Executive Office of the President. If this is to happen, as we shall note below, the President must ask for and receive the understanding, support, and assistance of the United States Congress.

Departmental structure

One of the basic tenets of public administration is "span of control." In its simplistic form, at least in the federal government, it is a silly notion. The number of units reporting to a single administrator is not the essential factor in determining topside control. Ten units are too many if each has its own base of power in the legislature or in clientele groups of significant political influence. A hundred units are manageable if most of them lack an independent base of power, and if their mission is precise and low voltage. Little is gained or lost in terms of "good management" in the executive branch if the Corregidor-Bataan Memorial Commission, the American Battle Monument Commission, the Commission of Fine Arts, the Foreign Claims Settlement Commission, and the Panama Canal Company are allowed to continue as independent, free-wheeling agencies. Those who would tidy up the administrative structure of the executive branch by putting everything under four or five giant-sized superdepartments, or under fifteen of twenty economy-sized regular departments, on the ground that only then can the President enjoy a manageable "span of control," overestimate the importance of the precept and underestimate the difficulties of achieving intradepartmental, let alone interdepartmental, coherence in anything as complex and diffuse as the federal government.

This is not to say, however, that the present structure of departments and agencies is either logical or efficient. Some regrouping and much internal reorganization, especially at the bureau level, is patently necessary. But since both of these kinds of moves involve political headwinds of gale force, a President should pick and choose a few major objectives and should calculate his political rations with extreme care.

The difficulty is that across-the-board generalizations about federal departments and agencies are inherently dangerous or irrelevant. Some are probably too large and heterogeneous (for example, HEW); some are too small and/or clientele-oriented (Labor, Commerce, Veterans Administration (parts of Interior, Agriculture, and HUD); some are too independent (certain regulatory commissions); some are too dependent upon Congress (Atomic Energy Commission, the Corps of Engineers, the FBI); some are miscast as cabinet departments (Post Office); some are too plagued with ingrown career service elitism (State); some lack the internal capacity or external support to generate and sustain high morale (Agency for International Development). A general diagnosis and a general therapy are, in short, effectively impossible.

It is possible, however, to raise questions about departmental and agency structure relating to at least two of the four overarching concerns of the President: environmental management and control, and human resource development.

This is not to say that is well in the field of administering national security policy and economic stabilization policy—though the administrative machinery in the latter field has functioned relatively smoothly in recent years. While space does not permit an extended discussion here of problems in the national security area, it must be noted that the overseas mishmash of federal agency representatives still escapes effective control by the ambassador in the field or by the Department of State in Washington. The inflow of information and intelligence by cable and pouch has long since passed the point of digestibility. Horizontal and lateral clearances absorb an unconscionable amount of time and effort and involve delays that are sometimes dangerous. Some of these difficulties defy organizational rationalization; others might be partially obviated by an appropriate delegation of authority to regional assistant secretaries of state and by a more elaborate and effective staffing of the office of the Secretary of State. In 1962 the Herter Committee on Foreign Affairs Personnel recommended an executive under secretary of state, a further administrative option that deserves careful consideration.

On major and critical issues of foreign affairs the threat of apocalyptic consequences has a way of crystallizing small cadres of influentials under the immediate direction of the President. Emerging policies may not always be wise, and the ponderousness of the structure and the system of communications may at times create crossed signals of serious consequence (as when in 1966, peace negotiations with North Vietnam were reputedly shattered by the President's unrecollected prior approval of bombing selected targets near Hanoi). But after a decade of review of national security machinery, the Jackson Subcommittee, although it has recommended a number of incremental improvements, has found no magic formula for a major structural reorganization. All that can be said is that the importance of the issue suggests that urgent and continuing attention must be given to the adequacy of staff arrangements for serving the President in this area of preeminent executive concern.

On the domestic front some major structural changes may well be needed in organization. Those involving the Executive Office of the President have already been discussed. At the departmental and agency level, four questions especially warrant hard analysis and viable answers:

First, how can the management responsibilities of cabinet secretaries and the heads of important line agencies be strengthened without throwing a wet blanket on the morale, energy, and discretion of subordinate operating bureaus?

Second, how can a gigantic hydra like HEW be split up without losing the benefits that logically accrue from reviewing health, education, and welfare as interrelated programs and values?

Third, how can the rule-making power of independent regulatory commissions be more effectively related to the policy mandates assigned by Congress to the President and to departments and agencies without jeopardizing the integrity of the quasi-judicial role of regulatory commissions?

Fourth, how can agency functions be regrouped in the human and environmental resources area in such a way as to promote more coherent program planning and implementation without taking on more battles with vested interests than any single administration can afford?

Again, there are no simple answers to any of these dilemmas, but certain directions seem more promising than others.

On the first question, the essential controls of an agency head over constitutent units are three, and only three: (1) control of legislative proposals; (2) control of budgetary totals; and (3) control of major personnel appointments and assignments. Each department secretary and agency head should have a staff, a management information system, and adequate legal and political authority to develop and maintain competence in these areas. The staff need not be large, but it must be highly competent and must be supported with a flow of information that will enable it to present rational policy alternatives to the agency head. With these tools of general, overall management at his disposal, an agency head can delegate to line subordinates a substantial amount of operating discretion. He can also be equipped to serve the President and the Congress in their roles of making politically accountable decisions. Many departments lack the staff, the information system, and the legal and political authority essential for responsible management. The President should urge, and Congress should support, reforms leading to the improvement of this condition.

On the second question, there is probably more to be gained than lost in splitting up HEW. The issue is not the number of employees; Defense, Post Office, Agriculture, and the Veterans Administration all have a larger civilian work force. The issue is the heterogeneity of constituent functions, the size of the budget (HEW's budget is five times greater than the next largest civilian agency), the extensiveness of mandated intergovernmental relations, and the limitations that the present structure imposes on attracting top-grade personnel to man programs of extraordinary national consequence—education, for example. A separate Department of Education would not only symbolize the importance of the federal government's commitment to an essential and growing public function; it would serve as a rubric for gathering together at least some of the educational activities being carried out by departments and agencies outside of HEW (for example, National Science Foundation, OEO, Veterans Administration, National Humanities Foundation, Bureau of Indian Affairs). A Department of Health and Welfare should have no more difficulty in relating to a Department of Education than HEW presently has in relating its disparate activities to cognate functions in HUD, Labor, OEO, in the human resource development area; or to Interior, Agriculture, and the Corps of Engineers in the area of environmental management and control. Granted that these difficulties are substantial, a strengthened program planning and implementation capacity in the Executive Office of the President could more than compensate for any loss in integrating functions now lodged unsuccessfully in the top echelons of an overgrown HEW.

On the rule-making authority of certain independent regulatory commissions, the analyses and advice of the Cushman Report (part of the Brownlow Committee study, 1937) and of the First Hoover Commission (1949) need rereading and studied implementation. America will never have a coherent transportation policy until the rule-making functions (making general legislative mandates specific) of the Interstate Commerce Commission and the Federal Maritime Commission are integrated with the policy responsibilities of the new Department of Transportation. America will never have a coherent power policy until the rule-making functions of the Federal Power Commission and the Atomic Energy Commission are consolidated with those carried out by the Department of the Interior. There have been until now sufficient political barriers to changing the structure and functions of independent regulatory commissions to raise serious questions about the viability of new or reiterated recommendations. But the problem is real, and there are no inherent difficulties in separating rule making from the quasi-judicial functions (making judgments about the legality of activities pursued under laws and rules) of regulatory agencies, preserving the integrity of the latter while making the former subject to responsible and coordinated political control.

The fourth question, on the regrouping of agency functions in the human and environmental resource areas in the face of vested interests, is the toughest. It can be answered in practice only by sophisticated management studies buttressed by executive-legislative concordats. In the absence of major structural changes, some experiments in establishing multiagency operational task forces under the command of presidential designees might well be undertaken—at least where target problems are fairly precise and short-term.

EXHIBIT 3

NIXON TASK FORCE URGES CREATION OF TOP-LEVEL ENVIRONMENTAL AFFAIRS POST

(By Peter Khiss)

President-elect Nixon has received a strong recommendation for naming a Special Assistant for Environmental Affairs, working out of the White House for the first time to dramatize concern over increasing pollution.

"The real stake is man's own survival—in a world worth living in," one of 10 task forces he named on domestic planning has reported to Mr. Nixon in an opening report that said Federal performance in the field thus far had been "disappointingly low."

"The gap between need [as indication by authorized funding] and appropriations in the air and water pollution abatement programs is critical and growing," the task force advised Mr. Nixon.

"For example, in fiscal 1969, in the water pollution control program, there is an authorization of $836-million, an appropriation of $302.8-million and a possible demand in available state and local matching funds of $1.2-billion," it was stated.

The initial report was submitted to the President-elect last Saturday in New York by a 20-member Task Force on Resources and Environment, headed by Russell E. Train, president of the Conservation Foundation.

On that same day Mr. Train was reported to be under consideration for the post of Under Secretary of the Interior and was briefing the Secretary-designate, who is Gov. Walter J. Hickel of Alaska.

DETERIORATION CITED

Urging that "improved environmental management be made a principal objective of the new administration," the task force cited "progressive environmental deterioration," including the following:

"The poisoning of our lakes and rivers, the pollution of our air, the changing carbon dioxide content of the atmosphere, the progressive deterioration of the organic fertility of our soils, the pesticides and other chemicals that permeate our living environment, visual ugliness and urban sprawl, the growing inhumanity of our cities, the rising tide of human numbers that threatens to overwhelm us and our civilization."

The group said it was not suggesting any "mammoth new programs" but rather putting emphasis on "performance—on making existing programs work."

While noting that "a host of conservation-environmental legislation" had been enacted, it said the disappointing performance had "a similarity here to the civil rights and poverty fields."

Appointment of a special assistant in the field, it was said, "would give the President for the first time a means of effectively influencing environmental policy across a wide range of agencies."

The new office, it was suggested, would "deal with the problems of compartmentation and conflict—often between Cabinet officers—that arise constantly in resources and environmental matters."

LIAISON FORESEEN

The new assistant, the report went on, should work closely with the President's science adviser, the chairman of the Council of Economic Advisers and the Budget Director.

It was also proposed that the new assistant be executive secretary of a new President's Council on the Environment, which would represent a broadening of the present interagency Council on Recreation and Natural Beauty.

The task force proposed that Vice President-elect Spiro T. Agnew serve as chairman of the reconstituted council "to provide leadership superseding the interests of any single department."

"Federal programs with major environmental impacts, such as highway construction," it was said, "should take into account the side effects, such as air pollution, which are the program responsibility of completely separate agencies. Present structure and, more important, present practice are grossly inadequate in this respect."

A supplementary paper on pollution asserted that "appropriations should be brought up close to authorizations" in Federal programs, but suggested that it would be better to reduce authorizations rather than let states and localities delay action "in unwarranted hope of Federal contributions."

SUGGESTION ON COSTS

This suggestion for possible Federal cuts drew a note from one task force member, Lelan F. Sillin, Jr., president of Northeast Utilities in Hartford, Conn., that it "should be eliminated."

The report's discussion of difficulties in tax incentives for reducing pollution or effluent charges as a means of control drew adverse comment from another member, John H. Meier, executive aide of Hughes-Nevada Operations, of Las Vegas, Nev.

Mr. Meier's comment was that "most of the polluters involve large-scale industry" and "should be required to carry the burden of removing the danger to the rest of the environment."

"If sufficient standards are set to guarantee public health and the enforcement is not interfered with by special interests who lobby against regulation rather than spend money on cleaning it up, the problem can be solved," Mr. Meier wrote.

Other task force members include:

Edward A. Ackerman, executive officer, Carnegie Institution.

Stanley A. Cain, professor, University of Michigan.

Charles H. Callison, executive vice president, National Audubon Society.

Joseph L. Fisher, president, Resources for the Future.

Loren V. Forman, vice president, Scott Paper Company.

Charles H. W. Foster, consultant, Conservation Foundation.

Maurice K. Goddard, Secretary of Forests and Waters, Pennsylvania.

Norman B. Livermore, Jr., Secretary of Resources Agency, California.

Charles F. Luce, chairman, Consolidated Edison Company.

H. Byron Mock, Salt Lake City lawyer.

Bernard L. Orell, vice president, Weyerhaeuser Company.

Nathaniel P. Reed, conservation adviser to Governor of Florida.

S. Dillon Ripley, secretary, Smithsonian Institution.

Laurance S. Rockefeller, chairman, Citizens Advisory Committee on Recreation and Natural Beauty.

John O. Simonds, Pittsburgh landscape architect.

M. Frederik Smith, American Conservation Association.

John W. Tukey, Princeton professor and executive-director of Bell Laboratory.

S. 1076—INTRODUCTION OF YOUTH CONSERVATION CORPS ACT OF 1969

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to establish a Youth Conservation Corps. This program would be administered by the Departments of Interior and Agriculture with the objective of providing summer employment opportunities for the youth of this country in conservation programs on National Park lands, National Wildlife Refuges, National Forests, and areas administered by the Bureau of Land Management. This program would be open to young men and women of all socio-economic background.

As envisioned in the Youth Conservation Corps Act of 1969, the Corps would be composed of young men and women 14 through 18 years of age. They would be employed for periods not to exceed 90 days in any 1 year by the Secretaries of Interior and Agriculture. Their employment would be without regard to Civil Service classification laws or regulations. Members of the Corps would be considered Federal employees only for purposes of the Tort Claims Act, and laws relating to compensation for injuries. Rates, hours and other conditions of employment would be jointly determined by the two Secretaries, and each would be authorized to make appropriate provisions for transportation, lodging, and subsistence.

Mr. President, many of our Nation's youth—not just the underprivileged and the school dropouts—but also the average teenager often never have an adequate opportunity to be engaged in meaningful employment during the summer months. Because of the employment problems these young men and women face, especially in our urban areas, they are tempted to roam the streets in pursuit of less desirable goals. The Youth Conservation Corps could help correct this problem by providing an alternative. The alternative is employment. Jobs which would furnish young people an opportunity to get off the streets and to engage in productive work and important learning experiences in our parks, forests, and our public lands.

This program is in some respects a preventive measure. It would offer many young people an alternative to the boredom and the frustration of inactivity which often arises during the summer recess from school. It would create an opportunity for young people to earn, to learn, and to work in meaningful programs which are important to their future and to the future of this country.

As members of the Senate are aware, once a young man or woman becomes a school dropout, once they have had a brush with the law, once their attitudes toward family and society take an antisocial turn, rehabilitation becomes an exceedingly difficult, expensive, and frequently unsuccessful task. It is appropriate that we should continue to improve and expand our rehabilitation programs. But, it is also important that we treat the root causes of boredom, anger and frustration by providing employment opportunities for our young people.

Projects which could be undertaken by members of the Corps include the maintenance and construction of campgrounds, bridges, trails, water control structures, picnic facilities, plus assistance in forest reseeding, timber stand improvement and other basic forest, soil and conservation and wildlife habitat measures. Time would also be devoted to teaching these young men and women the basic concepts of ecology, fish and game management, forest and range management, and other principles which would give them a greater appreciation and understanding of our Nation's great natural resources and the necessity for preserving and maintaining this great national heritage.

Knowledge and understanding are essential to the development of responsibility. It is my judgment that exposure to public service conservation projects could be a maturing, stabilizing influence for the young people of this country which would return benefits in later years that are now incapable of being assessed.

There is today a great backlog of conservation work of all kinds which must be reduced if we are to permit ourselves to believe that we are properly managing our natural resources. Present personnel and budgetary limitations have not permitted employment of sufficient staff to meet the increased demand for maintenance and services. Participants in the programs I envision could perform tasks within their capabilities, thus freeing permanent employees for other crucial work.

I also firmly believe that participation in this program would be both constructive and instructive to young people and, in many instances, would afford them an experience which many of the participants might not otherwise have.

The total benefits accruing from this program would far exceed just the tangible results of their work. These young men and women would return to their homes and schools with an understanding of why a national park or a national forest is an irreplaceable national asset. Too many of our young people never see the side of America which our parks and forests represent. When they see the Federal Government in action firsthand, it is too often in the form of the military draft or some Federal regulatory activity.

In addition, these young people would return to their homes and schools with a sense of accomplishment for having bettered our environment, and a sense of involvement in this Nation's efforts to provide a quality life and quality surroundings for all Americans. They would acquire an appreciation for our natural resources and an understanding of our conservation programs which is not, and apparently cannot be, taught in our schools. In addition, they would develop good work habits and attitudes which would persist for the remainder of their lives.

For some, this experience might provide the incentive to look and work toward a rewarding career in natural resources and wildlife management or outdoor recreation.

Mr. President, I ask unanimous consent that the text of the bill be printed at the conclusion of my remarks. As presently drafted, this measure represents only the bare outline of the concept I have in mind. I am sure that the executive reports on the bill and testimony at public hearings will develop many new ideas which will merit inclusion in the measure.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1076) to establish in the Departments of the Interior and Agriculture Youth Conservation Corps, and for other purposes, introduced by Mr. JACKSON (for himself and Mr. STEVENS), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1076

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

POLICY AND PURPOSE

SECTION 1. The Congress finds that the gainful employment of American youth in the healthful outdoor atmosphere afforded in the national park system, the national forest system, the national wildlife refuge system, and other public land and water areas administered by the Secretary of the Interior and the Secretary of Agriculture creates an opportunity for understanding and appreciation of the Nation's natural environment and heritage. Accordingly, it is the purpose of this Act to further the development and maintenance of the natural resources of the United States by the youth upon whom will fall the responsibility for maintaining and managing these resources.

YOUTH CONSERVATION CORPS

SEC. 2. (a) To carry out authorized programs with respect to the lands and waters referred to in section 1 of this act, there is hereby established in the Department of the Interior and the Department of Agriculture a Youth Conservation Corps (hereinafter refered to as the "Corps"). The Corps shall consist of young men and women who are permanent residents of the United States, its territories, or possessions, who have attained age fourteen but have not attained age nineteen, and whom the Secretary of the Interior or the Secretary of Agriculture may employ without regard to the Civil Service or classification laws, rules, or regulations, for the purpose of developing, preserving, or maintaining lands and waters of the United States under the jurisdiction of the appropriate Secretary. Members of the Corps shall be appointed without regard to geographical location or economic status.

(b) The Secretary of the Interior and the Secretary of Agriculture shall determine the areas under their administrative jurisdictions which are appropriate for carrying out programs using employees of the Corps. The rates and hours and other conditions of employment in the Corps shall be as jointly determined by the two Secretaries: *Provided,* That members of the Corps shall not be deemed to be Federal employees other than for the purposes of the Act of June 25, 1948, as amended (28 U.S.C. 2671 *et seq.*), and the Act of September 6, 1966 (5 U.S.C. 8102 *et seq.*), *and provided further,* That no member of the Corps may be employed for a term in excess of 90 consecutive days during any one calendar year.

(c) The Secretary of the Interior and the Secretary of Agriculture may provide for such transportation, lodging, subsistence, and other services and equipment as they may deem necessary or appropriate for the needs of members of the Corps in their duties.

(d) The provisions of Title II of the Revenue and Expenditure Control Act of 1968 (82 Stat. 251, 270) shall not apply to appointments made to the Corps.

(e) There are hereby authorized to be appropriated to each Department such sums as are necessary to carry out the purposes of this act.

ALASKA NATIVE LAND CLAIMS REPORTS

Mr. JACKSON. Mr. President, the claims of Alaska natives to the land and resources of Alaska have been a source of conflict between the State of Alaska, the natives, and the Federal Government for a number of years. In view of the interest expressed in this long-standing controversy, I am today releasing two reports on this problem which were prepared for the Senate Interior and Insular Affairs Committee by the Federal Field Committee for Development Planning in Alaska.

These reports were prepared at my request by the Federal Field Committee under the direction of its Chairman, Mr. Joseph FitzGerald. Together, they provide an excellent framework for subsequent discussions and hearings which should lead to a resolution of this long-standing problem by the 91st Congress.

The first report released today, "Alaska Natives and the Land," is a heavily documented and thorough 565-page study which brings together all relevant information on the land claims issue, the social and economic condition of the Alaska native, the resources of Alaska and the alternatives which might be followed in arriving at a settlement acceptable to all of the parties involved.

The second report is based on the first and is a proposal recommending the terms for a legislative settlement of the Alaska native land claims controversy.

As chairman of the Senate Interior and Insular Affairs Committee I had requested the Federal Field Committee to prepare both of these reports following the committee's field hearings on the Alaska native land claim issue in Anchorage, Alaska, in February 1968. I felt the reports were necessary because it was apparent that no one—including the Federal Government, the State of Alaska and the Alaska natives—had the basic information necessary to work out a wise and just settlement of this complex social, legal and political issue.

I am releasing the Federal Field Committee's report on legislative recommendations because it is essential that the Bureau of the Budget, the Department of the Interior, the State of Alaska and the Alaska natives all have an opportunity to carefully review the Field Committee's proposed settlement before bills are introduced and before the parties involved become locked into set positions.

The Field Committee's acceptance and completion of the assignment is an important innovation in executive branch service to a legislative committee. I wish to express my praise and gratitude to Mr. FitzGerald and his staff of research analysts for conducting the study and preparing these excellent reports.

A very important precedent was established as a result of the Field Committee's reports. Too often the Congress acts on complex issues such as this without demanding that the executive branch develop and analyze all pertinent information.

The Field Committee's analysis stresses that consideration of claims legislation should be seen by Congress not only as a means of settling the legal claims, but also as an opportunity to provide a foundation for social and economic advancement of Alaska Eskimos, Indians, and Aleuts, most of whom, according to the study, live under poorer circumstances than any other Americans.

The committee's study is the most comprehensive portrayal of the native people, the land, and the resources of Alaska ever assembled. In addition to serving the needs of the committee and the Congress for factual information relating to native land claims, it will be highly useful to the Congress and executive agencies in other matters affecting Alaska.

I am very concerned that a legislative settlement of the native land claims problem should not result in a repetition of some of the problems which have been experienced by the American Indians in the lower 48 States. A fair and generous settlement is required, but there must be provisions in the legislation which will insure that the native peoples of Alaska get the full and continuing benefits of the settlement, and that they be given a full and fair opportunity to attain quality lives for themselves and for their children.

Release of the Federal Field Committee's recommendations for the terms of a legislative settlement does not constitute an endorsement on my part or the Interior Committee's. It is clear, however, that these recommendations are based on a very thorough study and they cannot be dismissed lightly. Subsequent events may, however, require change. It is possible for example, that all of the parties involved may endorse and support a settlement which is different in some respects than that recommended by the Field Committee. I am hopeful that a final legislative settlement can be reached in the 91st Congress. Any further delay is not in the best interests of the people of Alaska, the State or the Federal Government.

Mr. President, I ask unanimous consent that summaries of both reports and a brief biographical sketch of the authors be printed in the RECORD at the end of my remarks. I also ask unanimous consent that the Field Committee's Proposal for a Legislative Settlement be printed in the RECORD.

There being no objection, the material

was ordered to be printed in the RECORD, as follows:

REPORT ON A PROPOSED LEGISLATIVE SETTLEMENT

The first bill on Alaska Native land claims was introduced in Congress in June 1967. When the 90th Congress adjourned, there were six bills pending. The settlement proposed in the Federal Field Committee's report draws heavily on these previous bills. It differs, however, in several important ways.

The proposal recommends grants of land in fee simple as well as protecting the Alaska Natives in their right to use the surface resources of the land for all present Native needs including hunting, fishing, trapping and other rights. The proposal seeks to resolve the potential conflict among individual Natives—urban and rural, those residing in resource rich areas and those residing in barren areas, and those who live in Alaska and those who live elsewhere—by providing a state-wide compensation package. Like those in some of the previous bills, this package is composed of lands, cash, and shared future revenues. Unlike earlier proposals, the Field Committee proposal places greater emphasis on money and revenue sharing as the primary form of compensation. (Although the report emphasizes money and revenue sharing as the primary form of compensation, an alternative proposal with land grants as the principal form of compensation is developed and could be followed.)

An adequate source of funds would be provided by opening more lands to competitive mineral leasing. These funds would not be distributed directly to Natives or to village groups, but would be channelled through one investment corporation owned by all Alaska Natives.

The grants of land proposed in the revenue sharing proposal are to individuals for their use or to legally recognized communities—not to tribes or bands or to other racially defined groups. Most existing Native reservations would be abolished. Specifically, the proposal would—

1. Give Native individuals the lands they use or occupy for homes, businesses, hunting, fishing, trapping, and reindeer management camps;

2. Provide for emergency protection for subsistence hunting and fishing on public domain lands;

3. Grant to any Native Village which incorporated under Alaska State law, up to 36 square miles of land for community use and expansion;

4. Grant to a new corporation, owned by Alaska Natives, $100 million from the U.S. Treasury as payment for Native rights taken in the past; and,

5. Grant to the Native Corporation in compensation for rights extinguished by this legislation, 10 percent of the income from the leasing or sale of minerals and other resources from Federal lands for a period of 10 years, including lands selected by the State during the land freeze or after it is lifted.

The total lands granted in fee simple would range between 4 and 7 million acres, while the money payments would be a minimum of $100 million, plus the sharing in Alaska resources up to a maximum of $100 million each year for 10 years.

The Federal government would not make cash payments directly to Native individuals, but the corporation would pay dividends to Natives as stockholders out of the income from its investment; it could also make grants as loans to individuals, to communities, or to Native organizations. For the first 10 years the corporation would be managed by a board of directors, some of whom would be appointed by the President and others elected by the Alaskan Natives. During this 10 year period the management and investments of the corporation would be closely supervised by the Government. At the end of 10 years a new board of directors would be established, elected entirely by the corporation stockholders, and after a final review by Congress, all special supervision of its affairs would end.

The President would also appoint a five man Alaska Native Commission to supervise the enrollment of Natives eligible for a share of the settlement and the administration of land grants to individuals and communities.

ALASKA NATIVES AND THE LAND

The 565-page analysis of issues relating to the land claims, carried out by the Federal Field Committee for Development Planning in Alaska, urges prompt resolution of the aboriginal claims by a Congressional settlement emphasizing money compensation over land grants. The study notes that money is the most flexible form of compensation to meet the needs of both urban and rural claimants and suggests that Congress grant to them a percentage of future revenues from the resources of the land. It calls also for grants of land of up to one township for each village and grants of land to individuals and families for hunting and fishing camps, in most cases even if such sites are in federal withdrawals.

Behind the Committee's work lay these facts: Most of Alaska's 53,000 Eskimos, Indians, and Aleuts—who call themselves "Alaska Natives"—are not residents of reservations, but instead live in 178 remote and isolated villages along the rivers and coastline of the state on federal land to which they have no established legal right. Of numerous claims filed by Native groups over the past thirty years with the Court of Claims or the Indian Claims Commission, only one has been adjudicated. While successive acts of Congress appeared to protect lands used by Natives, transfers to the state and others continued to take place. In late 1966 and early 1967 a flurry of new claims and protests by regional Native groups against the transfer of federal lands pushed the total acreage claimed to about two-thirds of Alaska's 375 million acres. Before the filings were complete, Secretary of the Interior Stewart Udall in December 1966, imposed a halt to the transfer of any federal lands to the state or any others in an area covered by a Native protest, explaining that transfers could resume once Congress defined the rights of Native claimants. While a few transfers of small parcels were made in the ensuing year with the permission of the claimant group, the "freeze" as it was called, brought an end to the state's program of acquiring the 103 million acres granted by the Statehood Act, and, in the opinion of the state, was acting as a brake on the economic development of Alaska.

In early 1967, the state filed suit against the Secretary of the Interior to compel a lifting of the freeze to allow the state's selection program to move ahead. The state's position was subsequently upheld and the case moved on appeal to a higher court. Meanwhile, four different legislative proposals were introduced in the Congress and made the subject of hearings in Alaska and Washington, D.C. but none was enacted before the 90th Congress adjourned.

It was the complexity of the land claims issue and the likely far-reaching consequences of any solution that led Senator Jackson to request the Field Committee to carry out a detailed analysis. Since its establishment in 1965, the Field Committee had gained a considerable reputation for the thoroughness of its research and planning activities, and for its ability to be independent of agency viewpoints. The Committee had also earlier declared the highest priority task of the Federal government in Alaska to be a search for means of improving the circumstances of Alaska Natives, and had stimulated innovative programs affecting their employment, training, and housing.

The Committee's analysis surveys social and economic conditions among Alaska Natives and their historical patterns of land use, catalogues the resources of the state regionally, reviews the application of land laws to Alaska Natives, and describes the present status of lands in Alaska. It discusses economic development within the context of Native claims and concludes with a framework of alternatives for resolution of the claims.

THE AUTHORS OF ALASKA NATIVES AND THE LAND

Alaska Natives And The Land and the Recommendations for a Proposed Legislative Settlement were prepared under the direction of Joseph H. FitzGerald, Chairman, Federal Field Committee for Development Planning in Alaska, by his staff of research analysts, Robert D. Arnold, David M. Hickok, Esther C. Wunnicke, Douglas N. Jones, and Arlon R. Tussing.

FitzGerald, an economist and lawyer, supervised the analysis, the eighteenth study to be produced under his direction in his three years as Chairman of the Field Committee. An official of Alaska's state government prior to his appointment to the federal post of Chairman, FitzGerald had earlier been president of a large midwestern airline after a long career with the Civil Aeronautics Board. A Rhodes Scholar (1932–1935), he has also been a private attorney and a consultant to the U.S. Department of State. In 1968 he was awarded an honorary LL.D. by the University of Alaska.

Arnold, who authored the chapters portraying the social and economic circumstances of Alaska Natives today, serves the Field Committee as policy planner for programs affecting Alaska Natives. A 1956 Woodrow Wilson Fellow in Political Science, he framed and co-authored a 1967 study that produced a program for increasing employment and training opportunities for Natives in government installations, and later stimulated an innovative program to provide training, jobs, and housing at one of the larger Eskimo villages. His work affecting Natives had begun when he served as an aide to the late Senator E. L. Bartlett. Before this he has been a congressional assistant, state official, teacher, and newsman.

Hickok, who was principal author of chapters describing the resources of Alaska and ethnic relationships as well as supervisor of publication, is Natural Resources Planning Officer with the Field Committee. Experienced in several natural resource and science fields, he moved to the Committee from Washington, D.C., where he had been an official of the Department of Commerce concerned with regional natural resource planning and earlier where he had served on the Science Policy staff of the Library of Congress in oceanographic and earth science affairs. A Congressional Fellow from the Department of Interior during the 89th Congress, Hickok had earlier held policy planning positions in the Department of Interior and worked on field assignments in ecology, watershed engineering, and fish and wildlife and forest management.

Mrs. Wunnicke, who authored the chapter on the land issue and prepared a comparative analysis of pending legislative proposals, was co-author with Arnold of the 1967 Committee study, *Alaskan Natives and Federal Hire*. Formerly an attorney in private practice in New Mexico and a college instructor in Colorado, she was editor of the George Washington Law Review in 1950.

Dr. Jones, the co-author with Dr. Tussing of the chapter, "Economic Development," came to the Field Committee in 1965 from the Air Force Academy where he had been an associate professor of economics for five years. As chief economist and research director of the Field Committee he authored or co-authored four economic studies and directly supervised the preparation of numerous others. He earned his doctoral degree at

Ohio State University in 1960. Since August, 1968, Jones has been a special assistant to the Secretary of Commerce in Washington, D.C.

Dr. Tussing is an associate professor of economics at the University of Alaska, presently on leave to serve with the Field Committee. The principal author of *Alaska-Japan Trade Relations*, an analysis and program to increase Alaska-Japan trade, Tussing is a staff member of the Institute for Social, Economic, and Government Research at the University. Before moving to Alaska in 1965, he taught at several west coast universities.

Alaska Native Claims: Major Elements of a Proposed Settlement

The specific aims of the legislation are: (1) to provide to the Native people, where possible from federal lands, the lands actually occupied and utilized by them for homes, businesses, and fishing and hunting camps; and to provide to the communities in which they live land for community use and for expansion; (2) to provide, where the federal government retains the power, for the protection of subsistence biotic resources and, where necessary, to implement a priority for local subsistence in the utilization of these resources; (3) to compensate Alaska Natives in cash for lands taken in the past by withdrawal for federal purposes or by patent to the state or to other third parties; and (4) to extinguish all remaining *aboriginal* rights in the public domain in Alaska and, in compensation for these rights, to provide specific legal and economic rights in those lands or in the revenues from the resources on them.

The proposal which follows is intended to accomplish these aims fairly, with certainty, and in conformity to the real economic and social needs of Alaska's Natives today (1) without establishing any permanent racially defined institutions, rights, privileges, or obligations; (2) without creating a reservation system or lengthy wardship or trusteeship; (3) without adding to the categories of property and institutions enjoying special tax privileges or to the legislation establishing special relationships between the United States goverment and the State of Alaska; and (4) in accordance with sound financial principles and wise land and resource management principles.

The mechanisms recommended to achieve these aims are: (1) an Alaska Native Commission whose main functions will be to direct the enrollment of Native persons, to supervise and adjudicate in the grant of individual lands for occupancy and settlement, and to determine proper compensation where it is outside the power of the federal government to provide lands for these purposes; (2) an Alaska Native Compensation Fund to provide a depository for monies appropriated, or accruing from shares of resource revenues provided, for compensation; and (3) an Alaska Native Development Corporation to be owned by, with a board of directors ultimately elected by, eligible Alaska Natives to manage the lands and to invest or otherwise dispose of the monies received by them for compensation. Specific safeguards are recommended against dissipation of these assets and against conflicts of interest.

The intention is that these transfers and compensation be completed within a period of ten years, and that at the end of that time all special status, rights, privileges, or obligations of Alaska Natives or of their institutions *qua* Native, either arising from aboriginal title or from the provisions of this Act, be terminated. In accordance with this end, final enrollment is to be completed within ten years after the effective date of the Act. Authority for the Alaska Native Commission would expire in ten years, together with all special rights, privileges, obligations, and restrictions on the Alaska Native Development Corporation which do not apply to all business corporations in Alaska. Immediately prior to this time, Congress would review the provisions of the Act; specifically, the desirability of continuing or modifying any revenue-sharing provisions, the disposition of monies remaining in the Alaska Native Compensation Fund, and the continuation or extension of any land-selection rights.

PROVISIONS OF THE ACT

I. Enrollment

Enrollment is to be conducted by the Department of the Interior under the direction of the Alaska Native Commission, with the right of appeal to any federal District Court in Alaska chosen by the petitioner. Persons to be enrolled shall be Alaska Eskimos, Indians, or Aleuts of one-fourth or more Native blood or those Alaska Natives accepted as such in a Native community. Because they are a Canadian immigrant group, with a Congressionally established reservation, the Tsimshian Indians of Metlakatla are to be excluded from the enrollment. The enrollment of the Tlingit and Haida Indians would be brought up to date. As is explained below, Tyonek Indians of the Moquawkie Reservation would be given the choice of enrollment under this provision or legislative confirmation of the *status quo* with respect to their reservation. Under the structure of the settlement proposed, it will make no difference to a person *where* he is enrolled inasmuch as, except for identification as Native, enrollment will be designed solely to determine those entitled to be shareholders in the Alaska Native Development Corporation.

An initial enrollment would be taken as of December 31, 1968, and a final enrollment ten years later.

II. Alaska Native Commission

An Alaska Native Commission would be appointed by the President, consisting of a chairman, whose appointment would be confirmed by the Senate, with a paid staff selected by him according to Civil Service procedures and standards, and four other members paid on a *per diem* basis, all to serve for five-year terms. The chairman should be paid on the Executive Pay Scale at level V. There would be no limitations or restrictions on membership or conflicts of interest, but specific provision should be made that the Commission shall be based in Alaska and shall conduct its public hearings in the judicial districts within Alaska where land in question is located or where disputants reside. Powers and duties of the Commission would be chiefly adjudicatory to settle questions of entitlement of beneficiaries or the boundaries ownership of between individuals or groups of beneficiaries, and to determine in certain cases individual compensation. All decisions of the Alaska Native Commission would be subject to judicial appeal in any federal District Court in Alaska of the petitioner's choosing.

III. Land for occupancy and settlement

A. Townsite Withdrawals

As a first step upon the effective date of the Act, the Congress would withdraw and reserve wherever available from any federal lands other than (a) defense withdrawals, except Naval Petroleum Reserve No. 4 and other specific exceptions, and (b) land occupied by or directly appertaining to federal buildings, equipment, and installations, all those whole townships (a) enclosing all or part of any Native village on the accompanying list or (b) any adjacent township(s) containing land apparently necessary to the village's expansion or access or (c) any adjacent township(s) necessary to insure that the total area of land (including bodies of fresh water not in state ownership) withdrawn around and adjacent to the village is equal to at least one whole township (23,040 acres). The bill would include a list of townships to be withdrawn.

In the event Congress wished to grant as part of a total settlement more lands than provided here, one method would be expansion of the townsite withdrawals and of the community land selection provision. The basic formula now suggested is 23,040 acres per village; the maximum acreage granted under this formula would be approximately 4.6 million acres. An alternative formula might be based on a population criterion; with 160 acres per person in each village, for instance, the statewide total would approximate 5 to 6 million acres.* Multiples of this figure might be employed. One problem involved in a major expansion of grants of community land is that it would increase the apparent inequity to those villages where little or no federal land is available for grant and to those Native individuals who do not live in eligible villages.

In addition to the townships withdrawn above, the Secretary of the Interior would also be authorized similarly to withdraw and reserve from available federal lands during the ten-year life of the Act, after a public hearing, any other township containing or necessary to (a) a settlement of 25 or more Alaska Natives on January 1, 1969, or (b) an historic Native village, such as Ukivak on King Island, from where the actions of government have directly or indirectly caused the village population to move, and to which 25 or more adult Natives wish to return and reside or (c) a place which constitutes a new village location to which, by virtue of natural phenomena or direct or indirect governmental actions, 25 or more adult Natives wish to relocate. Action of the Secretary of the Interior in these cases shall be initiated by certification by the Alaska Native Commission that one of the pertinent criteria is met.

B. Land for Individual Use: Home, Businesses, Campsites

The Secretary of the Interior would carry out a program of community surveys and plat determinations to locate and define the lands occupied by individuals, groups, institutions, associations, or corporations for homes, businesses, subsistence campsites, religious, educational, community, charitable, and other purposes, and would convey patent to the surface estate to those entities. Lands owned or occupied for private purposes by Natives under the Act's definition should be patented to them as a grant. Lands occupied by religious, educational, community, charitable, or other nonprofit groups, institutions, associations, or corporations should be granted to them. Lands occupied for private purposes by others than Natives should be patented to them at fair market value.

Native persons who would otherwise be eligible to receive grants of land under this provision, but for whom the above conditions cannot be met because within ten years previous to the effective date of the Act (a) they were directly or indirectly forced by government actions to move to another location where such lands are not available or (b) the lands which they occupy or occupied have been patented to the State of Alaska or to another third party, should receive compensation in lieu of land which would otherwise be granted under this provision. Compensation would then be made from the Alaska Native Compensation Fund upon a determination of its amount by the Alaska Native Commission.

C. Community Lands

The Secretary of the Interior would, upon application by any local government body established under Alaska state law,* grant patent to the surface estate of any lands remaining within the townsite withdrawals and within that local government body's jurisdiction after the grant of land for individual use. He would also transfer, upon application and after a public hearing, patent to the surface estate of lands chosen by local government bodies within the withdrawals and outside their boundaries provided that the maximum land to be granted to any community shall be 23,040 acres. Alternative maximum acreage formulas for expanding the land grants are discussed above in connection with the townsite withdrawals. The lands selected should be contiguous except where separated by bodies of water and should be in units corresponding to a least civil division of one-quarter sections.

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* These preliminary estimates, based on the 1967 village population, take into account the existence of (1) villages where indicated acreages of federal lands are unavailable, (2) villages otherwise ineligible for grants of community lands, and (3) the fact that many Natives do live outside the eligible villages.

Where more than one local government body makes application for grant of the same lands, and the disputants comprise more than one level of local government under state law, title should be granted to the smallest unit of government. Where the lands in dispute are outside the political boundaries of all the disputants, the determination would be made, after a public hearing, by the Alaska Native Commission.

D. Mineral Rights

The mineral estate beneath the lands conveyed to individuals, associations, or communities under this provision would be granted to the Alaska Native Development Corporation. Sale or transfer of these mineral rights would not be permitted, however, except to the United States or to the State of Alaska. A similar restriction now exists regarding the mineral rights on public lands selected by the state.

E. Residual Lands Within the Withdrawals

Lands within the townsite withdrawals not conveyed to individuals, associations, or local governing bodies would be managed by the Department of the Interior and would be open to settlement and occupation under regulations and procedures established by the Alaska Native Commission. These rules and procedures would not be allowed to discriminate between Native persons and others except that a requirement may be allowed that lands occupied by Natives be conveyed to them as a grant and that non-Natives must pay fair market value.

The Secretary of the Interior should manage the resources of the withdrawals and deposit any revenues derived from their leasing or sale or from the sale of lands within the withdrawals into the Alaska Native Compensation Fund.

All lands within the withdrawals not patented, nor in process of patent, to individuals, associations, or local governing bodies ten years after the effective date of the Act, would be returned to their previous status.

F. Isolated Homesites

The Secretary of the Interior would be authorized, upon application from Alaska Natives 19 years of age or older whose primary place of residence is outside the limits of the townsite withdrawals, to grant patent to the surface estate of one quarter section, the mineral estate remaining with the United States.

G. Hunting, Fishing, Trapping, and Other Subsistence Campsites

The Secretary of the Interior would be authorized to grant patent to the surface of any public lands used by Native individuals, families, groups of families, or village communities who have historically used such sites for the harvest of fish, wildlife, berries, fuel, or other products of the land (1) in five-acre grants for each subsistence-use campsite located apart from the campsite of any other applicant; (2) in forty-acre grants where the juxtaposition of applicant campsites are in such a proximity as to preclude the practical granting of five acres, and it is in the interest of Native applicants or the government to pass title on a tract larger than five acres and, further, to subdivide the plat of said forty acres in accordance with lot sizes predicated on actual use and need; or (3) in grants of larger tracts where individuals can establish historic occupancy and use of those tracts. Pending final patent, the Secretary would be authorized to grant use permits to these sites.

H. Lands for Reindeer Husbandry

The Secretary would be authorized to grant patent to the surface estate, with the United States retaining title to minerals, from any federal land currency leased, permitted, or used for reindeer management purposes, including summer and winter range facilities and intervening line camps, up to a total of 2,560 acres to each bona fide reindeer husbandryman, family, or village community reindeer association, or village community governing body practicing reindeer management. These lands would not be in lieu of other rights—homesites, campsites, etc.—under the Act.

I. Priorities

The townsite withdrawals and the grant of isolated homesites, subsistence campsites, and reindeer management lands would be subject to valid existing rights but would generally take precedence over other appropriations including mineral lease applications and state selections. Where the United States, or the State of Alaska under a management agreement with the Department of the Interior on state-selected lands, has executed a mineral or other lease, or a timber sale contract, that lease or sale would continue to be administered by the original agency for the life of the contract, with the proceeds, less administrative costs, paid to the Alaska Native Development Corporation.

Within the townsite withdrawals, the order of precedence should be as follows: land for individual use, subsistence campsites, community lands. Outside the townsite withdrawals, the priority should be: isolated homesites, subsistence campsites, lands for reindeer husbandry, and appropriation under other laws.

IV. Protection of subsistence resources

Legislative jurisdiction over fish and wildlife, except migratory birds, passed to the State of Alaska with statehood, but the federal government retains control over entry upon federal lands. While the management of subsistence biotic resources ultimately depends upon the state, there is a partial federal remedy available for the depletion of local subsistence resources as the result of pressure from nonresident sports or commercial hunters, fishermen, or trappers. We propose that upon petition by residents of a locality and after a public hearing, or upon petition by the State of Alaska Department of Fish and Game, the Secretary of the Interior may determine that an emergency exists with respect to the depletion of subsistence biotic resources in a given locality and may thereupon delimit and declare an area which will be closed to entry for hunting, fishing, or trapping except by residents of that area for subsistence purposes. In order to preclude the establishment of permanent reservations, a maximum duration of these closures should be limited to two or three years and should not be renewable without a new public hearing. Suitable penalties should be provided for violation and should allow confiscation of gear, vehicles, boats, or aircraft used in the violation.

It is obvious that this provision is inadequate to protect completely subsistence biotic resources and their habitat and that major responsibility in this area lies with the state. Congress may wish to question the state as to its intentions in this regard. The Department of the Interior does, however, have authority under present laws to furnish additional habitat protection by means of land classification. Rural Natives themselves also have machinery under Alaska state law to organize area-wide borough governments which would have the power to regulate land use through zoning. Since organization of a borough requires assumption of the educational function, it is probable that among the predominantly Native regions of the state only the Arctic Slope (Barrow election district) or Northwest Alaska (Barrow, Kobuk, and Nome elections districts together) now has sufficient economic activity to support the mandatory functions of borough government. One objective and outcome of the compensation provisions of the Act might, however, be to give rural Alaska, which is largely coincident with Native Alaska, additional financial resources to assist in supporting its own self-government functions.

V. Alaska native compensation fund

The Act would establish in the United States Treasury an Alaska Native Compensation Fund to provide a depository for monies appropriated in compensation for lands taken, revenues from the sales of lands, and from sale or lease of resources on undistributed portions of the townsite reserves, and interest accruing to these monies. Payments would be made from the fund according to the provisions of the Act to individuals in compensation for lands used and occupied by them, and to the Alaska Native Development Corporation under the terms of the Act.

VI. Compensation for lands previously taken

An initial compensation of $100 million would be authorized and appropriated by Congress and paid into the Alaska Native Compensation Fund. The rationale for the sum of $100 million as monetary compensation can be found by assigning a value of a little more than $1 an acre to Native rights in the lands already withdrawn for other purposes by the federal government and those already selected by the State of Alaska. It would be preferable if this amount were immediately appropriated; but, if Congress for fiscal reasons should prefer to extend the appropriation over ten years, it should be kept in mind that a present value of $100 million, if granted in ten equal annual payments commencing at the present and discounted at 6½ percent, would require appropriations of slightly more than $13 million per year.

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* These provisions are expected to encourage the formation of fourth-class cities under Alaska law. The present laws governing the formation of municipal corporations involve: (1) a petition with the signature and resident address of ten adult permanent inhabitants of the village, (2) class of city proposed, (3) the name, (4) maps and documents required by the Local Affairs Agency. To qualify as a fourth-class city, the village may be incorporated if it is not part of an organized borough, or within ten miles of an incorporated city or five miles of an organized borough, and has at least 25 permanent inhabitants of voting age. These must reside within a radius of three miles from a designated central point. The costs of incorporation of a village are to be borne by the state. The petition is reviewed by the Local Affairs Agency, and the report of its findings made to the Local Boundary Commission, who is charged with the responsibility of holding a public hearing on the incorporation proposal and approving or refusing the petition for incorporation. Upon approval, an election is held in the proposed city to determine whether the voters desire incorporation. Congress may wish to inquire of the state to propose a more simplified procedure for the incorporation of fourth-class cities. The present procedure is no more complicated, however, than is the procedure under the Indian Reorganization Act. It has the merit of bringing viable villages into the state governmental system and of avoiding racially defined forms of land ownership. However, it does interpose a condition upon the granting of patent to community lands which may result in the continuation of a trust in those areas which cannot qualify as fourth-class cities.

VII. Compensation for rights extinguished by this legislation

The premise of the recommendations which follow is that Alaska Natives have a substantial claim upon *all* the lands of Alaska by virtue of their aboriginal occupancy, and thereby ought to be entitled to claim *some* share of their present and future commercial value. There has never been a precise definition of these claims or of what they mean in the context of an economy and legal institutions far removed from the Natives' original use of the land. The intention of the specific provisions suggested is to extinguish all claim based on aboriginal occupancy and, in compensation for this, to grant Natives a precisely defined legal claim upon the value of the lands in modern society.

Congress might attempt to estimate the market value of the remaining public domain in Alaska or the capitalized value of its expected future net produce, and provide for authorization and appropriation to Alaska Natives of a specified proportion of this value from the United States Treasury. Determining the proper amount would, however, be an enormously difficult task, and the political and fiscal problems involved in a large cash settlement might be insuperable. The most practical approach, therefore, is one tied directly to the actual commercial yield of the land itself. What is recommended is a settlement somewhere in the order of 10 percent of the present value of these resources, which amount is to come from the actual yield from the resources of Alaska's public domain itself without any specific disbursement from the Treasury. If possible, the best settlement would be one which does not cause additional problems for the State of Alaska's land-selection program, nor institutionalize conflicts of interest between the State of Alaska and the Federal government or between the State of Alaska and Alaska Natives.

The *preferred* approach is to make no grant of lands in compensation but to provide roughly a 10 percent share of the revenue income from all lands over a ten-year period with a ceiling of $100 million in any one year, leaving to Congress the option of continuing this share beyond the ten years if the total revenues produced are determined to have been inadequate. (At a 6½ percent discount rate, the present value of the first ten years of a constant income stream is 46.5 percent of the present value of the same income stream in perpetuity.) The advantage of this approach is that it preserves the principle of public ownership of land not used for actual occupation and particularly of the mineral estate, and that it requires the minimum modification of or addition to present land laws. It is an unsatisfactory approach, however, unless it deals with two particularly serious difficulties:

(1) The State of Alaska is entitled to select the remainder of approximately 103 million acres from the vacant and unappropriated public domain in Alaska and has understandably expressed the intention of selecting the commercially most valuable lands. When the present temporary withdrawal is lifted, the potential revenue-producing capacity of federal lands in Alaska will be rapidly reduced to a fraction of its present value. The state's incentive to select lands of commercial mineral value is now diluted by the 90 percent share it presently receives of the revenues from mineral leases on federal lands in the state, and by the dependency of federal highway-aid formulas on the proportion of federal land within the state's boundaries. Reserving to the Natives, however, an additional share of the revenues from federal lands in Alaska will, by reducing the state's share of those revenues, give the state an additional incentive for selection. These two considerations will, unless offset by some formula in effect giving the Natives a share of revenues on lands patented to the state after the lifting of the freeze, both make the revenues available for compensation for Native claims grossly inadequate, and will create a continuing direct conflict of interests between the Natives and the state.

(2) Potential revenues available for sharing with Alaska Natives are seriously dissipated or reduced by two provisions of the general mining laws and of the Mineral Leasing Act: (a) free access to locatable minerals and (b) the requirement of noncompetitive leasing in the absence of a "known geological structure." The Department of the Interior has defined "known geological structure" most narrowly: in the case of oil and gas, it has meant existence of a producing well. The lifting of the temporary withdrawal may require the Department of the Interior to accept applications and to grant noncompetitive leases on most of the presently valuable public domain in Alaska, at the probable sacrifice of hundreds of millions of dollars in potential lease bonuses. This situation, incidentally, also gives the State of Alaska an additional incentive to select lands of potential mineral interest in order to avoid the loss of bonus revenues.

Unless the legislation deals with both these problems, it is unlikely that a revenue-sharing provision on the remaining federal lands of Alaska would actually produce enough income, particularly in the first ten years, to approach the amount required for a fair and adequate compensation for the Native rights extinguished under the legislation. The provisions suggested below attempt to offset some of these difficulties; in addition, to provide a higher likelihood that adequate sums would become available, the suggestions attempt to provide for sharing from a variety of revenue sources. If it is not legislatively feasible to deal with both the fundamental problems mentioned above and to provide several kinds of revenue source, we must reluctantly move to a less preferable form of compensation—rights in the land itself.

VIII. Preferred form of compensation—share of Federal revenues

A. Leasable Minerals

In accepting applications for mineral leases under the Mineral Leasing Act in Alaska, the Department of the Interior should be directed to publicize the filing of all lease applications and to interpret the filing of any other application on the same land within sixty days after publication as prima facie evidence of the existence of a "known geological structure" as required under the Mineral Leasing Act. If this is not feasible, other provisions should be made to assure competitive leasing of all leasable minerals in which there is evidence of competitive interest, particularly in that portion of Alaska north of the 68th parallel, whose potential lease bonuses are necessary to any settlement of adequate magnitude.

Ten percent of the revenues (bonuses, rentals, and royalties) during the life of the Act should be deposited into the Alaska Native Compensation Fund. This portion would be deducted *before* calculating the State of Alaska's share of these same revenues under the Statehood Act.

B. Naval Petroleum Reserve No. 4

Congress would authorize the Secretary of the Interior, with the concurrence of the Secretary of Defense, to open Naval Petroleum Reserve No. 4 for competitive mineral leasing.

Ten percent of the revenues obtained from mineral leases on Naval Petroleum Reserve No. 4 would be returned to the Treasury to cover administrative costs. Of the remaining revenues, 45 percent of the total up to a total of $50 million would be returned to the Treasury to compensate the government for the expenses of past exploration conducted by the United States Navy. The remainder of the revenues would be deposited into the Alaska Native Compensation Fund.

C. Outer Continental Shelf Minerals

Ten percent of the revenues received by the United States from mineral leases on the Outer Continental Shelf adjoining Alaska during the life of the Act would be deposited into the Alaska Native Compensation Fund.

D. Locatable Minerals

A royalty of 5 percent of their value at the mine would be collected on the extraction of locatable minerals from mining claims on federal lands in Alaska, including mines patented after the effective date of the Act. Authority might be given to the Secretary of the Interior to renegotiate this rate downward on a showing that the mine's operating costs, including the royalty, exceed its operating revenues.

Ten percent of the revenues from this royalty would be returned to the Treasury to cover administrative costs, and the remainder should be deposited into the Alaska Native Compensation Fund.

E. Surface Resources

Ten percent of the revenues derived from the sale of surface resources on federal lands in Alaska would be deposited into the Alaska Native Compensation Fund. This proportion would be deducted before calculating the state's share of these revenues.

F. Credit for Revenues From Lands Selected by the State of Alaska

An amount equal to 10 percent of the revenues from sale of or mineral leases on lands patented from the public domain in the State of Alaska after December 31, 1968, and collected by the state or accruing to it during the ten years following the effective date of this Act, would be deducted from the monies paid during that period by the United States to the State of Alaska as its share of mineral revenues on public lands in Alaska, and as federal grants in aid to the State of Alaska. The same amount would be deposited by the United States into the Alaska Native Compensation Fund. The effect of this provision would be to deposit into the Fund, in effect from state sources, an amount approximating the amount which would be deposited had these lands not been patented to the state, without in any way altering the land-selection process as such.

A table is attached showing the respective revenue shares of the United States the State of Alaska, and the Alaska Native Compensation Fund, under present law and under the above proposals.

IX. Alternative compensation package—Rights in land

If for legislative or administrative reasons a substantial portion of the above package should not be feasible—particularly the portions concerning leasable minerals and lands patented to the state after December 31, 1968—we propose a solution based upon grants of rights in land as such. In keeping with the proposition that the intention of this portion of the legislation is to provide compensation (not land for occupation, nor protection of subsistence resources), and in view of the fact that a vast bulk of the presently expected commercial value of public domain in Alaska resides in its mineral estate, we see no compelling reason to transfer to Alaska Natives *under this heading* surface management of large amounts of land. Two alternative mechanisms are suggested: the grant of *specific sections* out of each eligible township, and a right of selection.

REVENUE-SHARING PROPOSAL, NATIVE CLAIMS LEGISLATION

Present shares or status	Proposed shares, Federal land	Proposed shares, lands patented to State after effective date of act
Leasable minerals: United States, 10 percent; State, 90 percent.	Natives, 10 percent; United States, 9 percent; State, 81 percent.	Natives, 10 percent; State, 90 percent.
Outer Continental Shelf: United States, 100 percent.	Natives, 10 percent; United States, 90 percent.	Not applicable.
Locatable minerals: No revenue	Natives, 90 percent; United States, 10 percent; (of new 5 percent royalty).	Natives, 90 percent; State, 10 percent; (of new 5 percent royalty).
NPR No. 4: Not open to leasing or location	United States, 55 percent, [1] 10 percent; Natives 45 percent, [1] 90 percent.	Not applicable.
Surface resources: United States, 75 percent; State, 25 percent.	Natives, 10 percent; United States, 67.5 percent; State, 22.5 percent.	Natives, 10 percent; State, 90 percent.

[1] After United States receives $61,100,000.

A. Variant 1—Specific Sections

The subsurface estate of all vacant and unappropriated public lands in sections 1, 6, 31, and 36 of each township in Alaska would be patented to the Alaska Native Development Corporation. In addition to vacant and unappropriated public lands, the corresponding sections should also be granted in any withdrawal vacated by this Act or reservation abolished by this Act. Title to the mineral estate in the corresponding section of the following withdrawals would also be granted subject to the provision that the management of mineral development on these lands and the regulation thereof should be retained by the government and shall be permitted only where consistent with the purposes of the federal withdrawal: (1) national forests, (2) Naval Petroleum Reserve No. 4, (3) wildlife refuges and ranges.

The surface estate of public domain lands so granted should remain subject to appropriation under all procedures, including selection by the State of Alaska, to which these lands would otherwise be subject.

These grants of the mineral estate to the Alaska Native Development Corporation would be subject to existing rights but would take precedence over all other forms of appropriation under the same qualifications and restrictions as with the land granted for occupancy and use.

B. Variant 2—Native Land Selection

Since land of commercial mineral value in Alaska is very unevenly distributed, the value which would be conveyed by the right of land selection would be far greater on a *per acre* basis than would the grant of specific sections throughout the state. While the grant of mineral rights to four sections in each township can be expected to approach in value exactly one-ninth of the total mineral value of all the eligible lands (and probably somewhere in the vicinity of one-tenth of the *total* commercial value thereof), no such statement can be made with confidence about the right to *select* mineral rights under any given number of acres. The number of acres chosen must in any case be wholly arbitrary, but it is no more arbitrary than our suggestion that the value of aboriginal rights in the remaining public domain amounts to about 10 percent of its total value. With these reservations in mind, a right of selection amounting to the mineral estate beneath 5 million acres is suggested. This contrasts with the state's selection rights of approximately 100 million acres. This selection right should, for one or two years, take precedence over state selection and all other forms of appropriation, and after that time be coequal with the state's selection rights on a "first come, first served" basis. *Its adequacy will, as in the previous two alternatives, depend on whether or not this legislation takes effect before lands presently under application for selection by the state, including those at the state of tentative approval, are patented to the state, and before mineral leases presently applied for are granted.*

The legislation should provide for the ability of the Alaska Native Development Corporation to select land presently under federal mineral lease but with the provision that existing leases shall continue to be managed during their life by the Department of the Interior, with revenues, less administrative costs, accruing thereto paid to the Alaska Native Development Corporation.

The right of land selection would expire ten years after the effective date of the Act.

X. Alaska Native Development Corp.

We have chosen to recommend that compensation for lands taken be made on a statewide basis except those actually occupied lands which can clearly be identified with particular individuals. Compensation to individuals, villages, or regional groups in terms of specific lands or shares of revenues from resources on specific lands would undoubtedly make some individuals very wealthy but would result in little benefit to greater numbers of Natives. Since the commercial value of particular lands in Alaska is only accidentally related to past and present aboriginal occupancy and use, and since ability to manage assets wisely will vary widely among individuals and villages, we believe that a statewide settlement would be the fairest and would contribute the most to the overall welfare of Alaska Natives. Rights to this statewide settlement, however, would be vested in individuals through their ownership of stock in an Alaska Native Development Corporation, whose scale of assets would be large enough to justify the employment of first-rate managerial talent.

A. Corporate Charter

The chairman of the Alaska Native Commission should, in behalf of the Natives of Alaska, apply under the corporation laws of the State of Alaska for a charter for an Alaska Native Development Corporation. The number of shares of common stock authorized would be 1 million and the number of shares of common stock outstanding would be equal to ten times the number of Natives on the Native enrollment at the date of chartering.

Each enrolled Native would be given an interest for life to ten shares of common stock in the Alaska Native Development Corporation and would be entitled to receive any dividends paid by the Corporation on that stock, but the common stock would be distributed to individual Natives ten years after the date of chartering on the basis of ten shares to each Native person alive and enrolled on that date.

B. Board of Directors

The initial board of directors would be one of nine members composed as follows: the chairman of the Alaska Native Commission, who shall serve *ex officio;* four other members appointed by the President for staggered terms; and four Native members elected by the Natives of Alaska for staggered terms according to procedures determined by the Alaska Native Commission. The terms of *two* of the elected directors would expire three years after the date of chartering. At that time another election would be held to elect *four* new Native directors, resulting in an elected majority of an eleven-man board. Board members would not be federal employees but their qualifications should follow the Comsat criteria, and they should be subject to all federal requirements with respect to conflicts of interest.

Immediately after the distribution of common stock to enrolled Natives at the end of the ten-year period, a board of directors would be elected by the Corporation's common stockholders in accordance with Alaska corporation law.

C. Management Employees

While the Corporation managerial staff would not be federal employees, during the ten-year period they would be subject to standards and requirements similar to those of the federal government.

D. Payments From Alaska Native Compensation Fund

The United States would pay to the Alaska Native Development Corporation on the date of its chartering and on the first day of each fiscal year thereafter (a) all monies in the Alaska Native Compensation Fund or (b) $100 million, whichever is less.

Payments from the Alaska Native Compensation Fund would not be liable for taxes either under federal or state laws.

E. Corporate Powers

The powers of the Corporation would include (1) investment of monies and management of lands or rights in land granted to the Corporation, for the benefit of the stockholders; (2) payment of cash dividends to common stockholders; (3) the lending of funds to individuals or businesses for construction of homes or for other development purposes; (4) loans or grants of funds to village or regional governing bodies or regional or village Native corporations for the purpose of fostering the welfare of the people of those regions or villages; (5) investment in the education of individual Natives; (6) emergency or charitable grants and loans to individuals or communities in times of distress.

F. Temporary Provisions, Powers, and Restrictions

The purpose of these provisions is to provide a ten-year period of transition during which the assets granted to the Alaska Native Development Corporation will be protected from dissipation, during which a Native financial leadership may be trained, and during which common stockholders in the Alaska Native Development Corporation can come to appreciate the value of stock in the Corporation. At the end of the ten-year period the Corporation will become an ordinary business corporation under the laws of the State of Alaska.

The Corporation's common stock would not be distributed to stockholders until the end of the ten-year period, but would be held in trust for them by the Board of Directors. Dividends may be paid, however, during this period to the common stockholders of record.

For a period of ten years following the chartering of the Alaska Native Development Corporation, it may not distribute in any one fiscal year as the sum of (a) dividends on common stock.

D. Locatable Minerals

A royalty of 5 percent of their value at the mine would be collected on the extraction of locatable minerals from mining claims on federal lands in Alaska, including mines patented after the effective date of the Act. Authority might be given to the Secretary of the Interior to renegotiate this rate downward on a showing that the mine's operating costs, including the royalty, exceed its operating revenues.

Ten percent of the revenues from this royalty would be returned to the Treasury to cover administrative costs, and the remainder should be deposited into the Alaska Native Compensation Fund.

E. Surface Resources

Ten percent of the revenues derived from the sale of surface resources on federal lands in Alaska would be deposited into the Alaska Native Compensation Fund. This proportion would be deducted before calculating the state's share of these revenues.

F. Credit for Revenues From Lands Selected by the State of Alaska

An amount equal to 10 percent of the revenues from sale of or minerals leases on lands patented from the public domain in the State of Alaska after December 31, 1968, and collected by the state or accruing to it during the ten years following the effective date of this Act, would be deducted from the monies paid during that period by the United States to the Stae of Alaska as its share of mineral revenues on public (b) grants or charitable contributions, and (c) unsecured loans, more than an amount equal to one-half the sum of the Corporation's profits and additions to capital from the Alaska Native Compensation Fund during the previous fiscal year.

For ten years after the chartering of the Alaska Native Development Corporation, it would be considered a public or governmental body for the purpose of applying for and receiving federal grants or assistance for planning and development programs.

For a period of ten years after the chartering of the Alaska Native Development Corporation, its profits should not be liable for taxes under either federal or state corporate tax laws, but would be liable for all other federal, state, and local taxes on its assets and activities. Common stockholders likewise would be liable for personal income taxes on dividends from the Corporation.

During the ten years after the chartering of the Alaska Native Development Corporation the Corporation would be subject to audit by the General Accounting Office. Ten years after the date of chartering of the Alaska Native Development Corporation and after a final audit by the General Accounting Office and a summary financial report to the Congress, all restrictions and special powers and conditions established under the Act would cease, and the Alaska Native Development Corporation would become an ordinary business corporation under the laws of the State of Alaska.

XI. Review by Congress

The Alaska Native Commission and the Department of the Interior would submit to Congress annual progress reports on implementation of the Act. The authority granted under the Act would expire ten years from its effective date. The Congress would review the provisions and authority granted under the Act, including specifically (1) continuation of the emergency closure authority for the protection of subsistence resources; (2) extension of the period during which land selections may be made for use or occupancy and (if provided for in the legislation) for compensation; (3) continuation of the leasing and royalty provisions and the provisions relating to the sharing of royalties, if these are part of the legislation; (4) continuation of the Alaska Native Compensation Fund and disposition of monies remaining in it. Immediately prior to the expiration of the Act, the Alaska Native Commission and the Department of the Interior would submit summary reports, including recommendations for further Congressional action.

XII. Existing reservations

The Tanaina Indians of the Moquawkie Reservation (Tyonek) have received and are continuing to receive substantial income from mineral leases on their reservation, administered by the Department of the Interior. We propose that these Indians be granted the choice among (a) complete exclusion from all other terms of this Act and a grant to the existing Tyonek Council, as a private organization, of patent to the 26,918 acres of the Reservation, with a provision that mineral title not be sold or transferred except to the United States or to the State of Alaska; (b) complete exclusion from all other terms of this Act, abolition of the Moquawkie Reservation, and grant of patent of the lands of the Reservation, with the above reservations concerning mineral rights, to a local government body organized under the laws of the State of Alaska; or (c) abolition of the Moquawkie Indian Reservation and inclusion of the Tyonek Indians under all the terms of this Act. In either of the first two cases, the Department of the Interior would be authorized to contract with the new land owners for continued management of minerals on these lands.

With this exception and that of the Annette Islands Indian Reservation, the legislation would abolish all existing Legislative, Executive Order, or Secretarial Reservations in behalf of Alaska Natives.

XIII. Claims pending before the Indian Claims Commission

There may be difficult policy and legal questions in the termination of claims now pending before the Indian Claims Commission. In Chapter VII of *Alaska Natives and the Land* it was pointed out that the most recent settlement proposals by their terms dismissed the pending claims. But in order to allow as many decisions as possible by the Native people themselves, they should be given the option of proceeding under the terms of this legislation or pursuing their claims before the Indian Claims Commission. The most difficult aspect of the problem probably lies in the group nature of the claims which have been filed, whereas what is attempted under these proposals is to create rights in individuals. Unless all Indian Claims Commission claims are wiped out by this legislation, against their wishes individuals may be bound by group action and prevented from obtaining their individual rights under this proposal.

XIV. The Tlingit-Haida settlement

The Tlingit and Haida Indians have already obtained judgment from the Court of Claims and appropriation from Congress of $7.5 million for lands taken before 1935. We propose to include the Tlingits and Haidas in this Act, but to provide that the amount of the earlier settlement, including attorneys fees and cost of suit, be credited against future compensation paid to them through the machinery of this Act. One procedure might be to make the earlier compensation a lien against the beneficiaries' shares in the Alaska Native Development Corporation. This amount would be withheld from dividends paid by the latter. If dividends credited against the lien had been insufficient to fulfill this requirement when the Corporation shares were distributed (ten years after the Corporation's chartering), individual shares could be sold or assigned only upon repayment of the appropriate portion of the remaining lien.

A further problem arises from the confirmation by the Court of Claims of Tlingit-Haida "Indian Title" in about 2.6 million acres of land in southeast Alaska. Congress may choose to give legislative confirmation to this judgment by a grant in fee simple of these lands. But, inasmuch as the Tlingits and Haidas have already received compensation for lands taken in the past, relinquishment of "Indian Title" to the remaining lands, aside from those provided for use and occupancy, might be required as a condition of participation in the statewide compensation settlement.

XV. Inclusion of lands for computation of Federal highway funds

There is no apparent justification for including lands granted under this Act as federal lands for computation of federal highway funds. The present aid formula is intended as compensation for the exemption from state and local taxes of federal lands and their resources. The lands or rights in land transferred under this Act would not be a large proportion of federal lands in the state in any case. But as they will be among the more valuable of federal lands, they will increase the state's potential tax base by a greater proportion than they would decrease the federal share of the state's highway funds.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 16 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, February 19, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 18, 1969:

Department of Defense

Roger T. Kelley, of Illinois, to be an Assistant Secretary of Defense.

In the Air Force

Maj. Gen. Selmon W. Wells, FR3991, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title 10 of the United States Code.

Maj. Gen. Duward L. Crow, FR18061, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title 10 of the United States Code.

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

In the grade of lieutenant general

Lt. Gen. Bertram C. Harrison, FR1425 (major general, Regular Air Force) U.S. Air Force.

In the Army

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Charles Allen Corcoran, O31721, U.S. Army.

In the Navy

Vice Adm. Andrew McB. Jackson, Jr., U.S. Navy, for appointment to the grade of vice admiral on the retired list pursuant to title 10, United States Code, section 5233.

Vice Adm. John M. Lee, U.S. Navy, for appointment as a senior member of the Military Staff Committee of the United Nations pursuant to title 10, United States Code, section 711.

HOUSE OF REPRESENTATIVES—*Tuesday, February 18, 1969*

The House met at 12 o'clock noon.

Rabbi Jack M. Rosoff, Congregation B'nai Israel of Greater Red Bank, Rumson, N.J., offered the following prayer:

O L-rd, Thou G-d of justice, who art sanctified through righteousness, make Thy presence manifest in the world, arise in Thy majesty, O our King, and let the haughty be cast low because of Thy justice.

עד מתי רשעים ה׳ עד מתי רשעים יעלזו

How long, O G-d, shall the wicked exult? How long shall evil doers prosper?

They bluster insolently;

They lord it arrogantly;

They flout Thy will;

They torment those who fall into their clutches; they oppress without mercy the weak and the defenseless;

They sit in hiding, conspiring in secret;

They plan to betray the innocent;

They snatch the helpless and despairing into their net;

They say: "G-d will not see, He has hidden His face."

ה׳ הננו

O L-rd, here we are, use us. Inspire us, O L-rd, to scatter Thine enemies. Inspire us to defeat bigotry, oppression, and injustice. As smoke is driven away, so let them be driven back. As wax melts before fire, so let them melt before the flame of human love, concern, and determination of Thy servants. Give us courage to champion the right, though many and powerful be its foes. Grant us wisdom to work diligently to combat wrong and evil.

The vision of the messianic era makes us joyful, it portends the triumph of Thy love when men shall banish all hatred from their hearts and all weapons from their hands, and unite in establishing Thy kingdom of peace and justice on earth.

והיה באחרית הימים . . . וכתתו חרבותם לאתים
וחניתותיהם למזמרות.

לא ישא גוי אל גוי חרב ולא ילמדו עוד מלחמה.

And it shall come to pass in the end of days, they shall beat their swords into plowshares and their spears into pruning hooks, nation shall not lift up sword against nation neither shall they learn war any more. For the earth shall be filled with the knowledge of G-d, as the waters cover the sea.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on February 9, 1969, the President approved and signed a joint resolution of the House of the following title:

H.J. Res. 414. Joint resolution making a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 76. An act for the relief of Soon-Hie Cho Young;

S. 85. An act for the relief of Dr. Jagir Singh Randhawa;

S. 109. An act for the relief of Dr. Benito V. Odulio;

S. 112. An act for the relief of Dr. Kenneth Siu;

S. 113. An act for the relief of Dr. Mete V. Altug;

S. 127. An act for the relief of Dr. Jose Carlos Suarez-Diaz;

S. 129. An act for the relief of Dr. Jorge P. Garcia;

S. 130. An act for the relief of Dr. Carlos M. Perez-Abreu;

S. 131. An act for the relief of Dr. Eduardo Fernandez-Dominguez;

S. 132. An act for the relief of Dr. José Ramón Fernández-González;

S. 147. An act for the relief of Dr. Miguel A. Gomez;

S. 148. An act for the relief of Dr. Juan Alfredo Milera;

S. 149. An act for the relief of Dr. Miguel Angel Garcia Plasencia;

S. 151. An act for the relief of Dr. Fermin Ferro;

S. 153. An act for the relief of Dr. Carlos Jesus Aguilar Lima;

S. 154. An act for the relief of Dr. Joaquin Francisco Palmerola Cabrera;

S. 155. An act for the relief of Dr. Jose Ramon Portela y Margolles;

S. 156. An act for the relief of Dr. Aurelio Julian Andres Jimenez Cortina;

S. 157. An act for the relief of Dr. Martiniano L. Orta;

S. 165. An act for the relief of Basil Rowland Duncan;

S. 256. An act to confer U.S. citizenship posthumously upon L. Cpl. Theodore Daniel Van Staveren;

S. 319. An act for the relief of Liliana Grasseschi Baroni;

S. 378. An act for the relief of Peter Rudolf Gross;

S. 458. An act for the relief of Yuka Awamura;

S. 490. An act for the relief of Gyorgy Sebok;

S. 495. An act for the relief of Marie-Louise (Mary Louise) Pierce;

S. 510. An act for the relief of Stella Dribensky.

S. 572. An act for the relief of Dr. Cesar Baro Esteva;

S. 573. An act for the relief of Dr. Jose R. Guerra;

S. 584. An act for the relief of Domingo Lamadriz;

S. 586. An act for the relief of Nguyen Van Hue;

S. 678. An act for the relief of Francisco Renigio Fabre Solino (Frank R. S. Fabre);

S. 682. An act for the relief of Rene E. Montero; and

S. 686. An act for the relief of Dr. Juan Antonio Lopez.

The message also announced that the Vice President, pursuant to title 16, United States Code, section 715a, appointed Mr. Bellmon as a member of the Migratory Bird Conservation Commission in lieu of Mr. Hruska, resigned.

DESIGNATION AS OFFICIAL OBJECTORS FOR THE MAJORITY FOR THE CONSENT AND PRIVATE CALENDARS

(Mr. ALBERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that I have designated as official objectors for the majority for the Consent Calendar the following Members: The gentleman from Colorado (Mr. Aspinall), the gentleman from Massachusetts (Mr. Boland), and the gentleman from California (Mr. McFall).

I have also designated as official objectors for the majority for the Private Calendar the following Members: The gentleman from Massachusetts (Mr. Boland), the gentleman from Georgia (Mr. Davis), and the gentleman from Oklahoma (Mr. Edmondson).

DESIGNATION AS OFFICIAL OBJECTORS FOR THE MINORITY FOR THE CONSENT AND PRIVATE CALENDARS

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks).

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of announcing the official objectors for the Republican Members for the Consent Calendar. They are to be as follows: The gentleman from Washington (Mr. Pelly), the gentleman from Missouri (Mr. Hall), and the gentleman from Pennsylvania (Mr. Johnson).

Also, Mr. Speaker, the official objectors for the Republican Members for the Private Calendar are to be as follows: The gentleman from Tennessee (Mr. Duncan), the gentleman from Ohio (Mr. Clarence J. Brown), and the gentleman from New Jersey (Mr. Hunt).

LEGISLATION CREATING DEPARTMENT OF PEACE AND JOINT COMMITTEE OF THE CONGRESS FOR PEACE

(Mr. MOLLOHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOLLOHAN. Mr. Speaker, I am proud to join other Members of the Congress in sponsoring legislation creating a Department of Peace and a Joint Committee of the Congress for Peace. I think there is one key reason for establishing such a department and treating this area of our international relations individually. Very simply, the reason is that one needs governmental machinery to carry out a policy if that policy is to have some kind of important priority.

Without specific machinery to carry out an important policy, we have policy as a byproduct. It was not until we established the Arms Control and Disarmament Agency that we started on a day-to-day and year-by-year effort for arms control negotiations. I would submit, Mr. Speaker that we will continue to have peace policy as a byproduct to the Defense Department and State Department policy until we create the machinery to work on peace as a day-by-day concern and as its only day-by-day concern.

Now, Mr. Speaker, I realize that some may contend that another department would add further to the confusion and that such a department might speak or work at cross purposes with State or Defense. That may well be so, indeed let us hope that in some cases that would be so. It is very important when dealing with the crucial questions of peace and war that there be a set of checks and balances within governments. Along with developing positive programs for peace, this role of balancing could be the most vital role of the Peace Department.

ATTACKS ON AMERICAN FISHING VESSEL

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, the recent attack on an American fishing vessel by a Peruvian patrol craft was a foolhardy and dangerous act, bound to further impair the already strained relations between our two countries.

According to this morning's newspaper reports, the fishing vessel *San Juan* was hit by gunfire some 50 times, causing damage estimated at $50,000.

Based on available information, the *San Juan* was fishing in international waters—about 50 miles from the nearest land—when the incident occurred. Unfortunately Peru, together with a number of other Latin American countries, maintain that their national jurisdiction over adjacent seas extends 200 miles from shore.

The United States, on the other hand, upholds the 12-mile limit for fishing purposes.

The difference between these two positions cannot be settled by resort to violence and by reckless firing on unarmed fishing vessels.

It should be settled at a conference table by reasonable men trying to find a reasonable solution to an admittedly difficult problem.

Mr. Speaker, a few weeks ago it appeared that we were headed for a meeting between Chile, Peru, Ecuador, and the United States to discuss this particular issue. I would strongly hope that we get back on that track and that the administration exert every possible effort to have such a conference take place without further delay.

NIXON ADMINISTRATION GIVES OFFENDING PLANTS A MAJOR GOVERNMENT CONTRACT

(Mr. PODELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, on February 9, according to the Washington Post, the Defense Department awarded conracts to three southern textile companies that had been found in violation of Federal regulations barring racial discrimination.

Deputy Secretary of Defense Packard ordered the awarding of these contracts. He stated he had been assured by the companies that they would act to eliminate discriminatory employment practices.

The companies are Dan River Mills, Burlington Industries and J. P. Stevens, Inc. All three have plants in South Carolina. Contracts are for uniform cloth, and total $9.4 million.

Under the Johnson administration, an Assistant Secretary of Defense ruled against these contract awards to the named companies. His ruling was based on their noncompliance with antidiscrimination regulations. That opinion was shared by the Department of Labor's Office of Contract Compliance, charged with enforcement of a Federal executive order on equal opportunity in employment.

No word has been released of what specific reforms were promised Mr. Packard in order to gain these contracts.

Mr. Speaker, I am astounded by this action. It is worth noting that one of these companies, J. P. Stevens, Inc., is one of the most notorious union-hating firms in the United States. Its record of intimidation and fierce resistance to labor would do the last century proud. Hating unionization with a passion, it has been guilty of the worst possible behavior on innumerable occasions. The National Labor Relations Board has cited it again and again for such activities.

My hopes for at least a fair Republican administration have been tested by this latest revelation, and my colleagues and I will be watchful for further lapses into the past practices of rewarding those who flout the constitutional rights of others.

PROPOSED INCREASE IN INTEREST RATES ON SERIES E GOVERNMENT BONDS

(Mr. MICHEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, I am introducing legislation today which would authorize the President to increase the interest rates paid on series E Government bonds to 5 percent. The current rates on this type of Government security are unrealistic and in my opinion penalize the small investor.

E bond buyers get a mere 4.25 percent after 7 years, while the big financiers and investors who can buy Federal securities in blocks of $5,000 or more, are realizing 6 and 7 percent return on their investment today.

The E bond purchases have been going out of favor with the American public, as evidenced by the fact that in January alone cashing in of E bonds exceeded purchases by $61 million. When people are cashing in more bonds than they are buying, it certainly indicates that the program needs a change. The current "Freedom Shares" program, which requires purchase of E bonds before the higher interest shares can be bought, has been largely unsuccessful. An increase to 5 percent on interest paid to purchasers of E bonds—which can be purchased in amounts as small as $17.50, as you know—would bring the rate more in line with current bank interest rates.

I should say, too, Mr. Speaker, that many Americans who have been buying E bonds for patriotic reasons are disgusted with the spendorama that has marked the past 8 years, and caused the Government to go into the market to borrow so heavily. The best spur to bond sales will come when there is a clear indication that the Federal Government itself intends to get its fiscal house in order.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

FATHER HESBURGH IS TAKING RIGHT TACK AGAINST CAMPUS DISTURBANCES

(Mr. CEDERBERG asked and was given permission to address the House for 1 minute.)

Mr. CEDERBERG. Mr. Speaker, I take this time to commend Father Hesburgh, the president of Notre Dame University, for stating in no uncertain terms that he is not going to allow any of these campus radicals to upset Notre Dame University. He said very clearly they would be given 15 minutes to meditate and 5 minutes to change their minds, and if they carried their nonsense on after that, they would be expelled.

I think Father Hesburgh is taking just exactly the right position. If more of our heads of colleges and universities would take the same stand, maybe we could restore order to the campuses of our country.

LEGISLATIVE PROGRAM AND PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO HAVE UNTIL MIDNIGHT TO FILE REPORT ON H.R. 4214, COMMUNICATIONS SATELLITE ACT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a report on H.R. 4214, the Communications Satellite Act, and such other reports as they may desire to submit.

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, and I do not intend to object, is it the intention to program this legislation this week?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, under the unanimous-consent request, may I advise Members that the distinguished chairman of the Committee on Rules will call up various investigative authority resolutions tomorrow, and the gentleman from West Virginia (Mr. STAGGERS) has advised me he would ask by unanimous consent to bring up H.R. 4214, the Communications Satellite Act, on tomorrow.

I ask unanimous consent, Mr. Speaker, that I may insert in the RECORD a list of the resolutions from the Rules Committee and the bill from the Committee on Interstate and Foreign Commerce which will be on the program for tomorrow.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The lists referred to follow:

Committee on Rules: February 18, to consider the following resolutions:

H. Res. 143, investigative authority, Committee on Foreign Affairs;

H. Res. 131, investigative authority, Committee on Merchant Marine and Fisheries;

H. Res. 200, investigative authority, Committee on Education and Labor;

H. Res. 192, investigative authority, Committee on Science and Astronautics;

H. Res. 127, investigative authority, Committee on Agriculture;

H. Res. 189, investigative authority, Committee on Public Works; and

H. Res. 152, investigative authority, Committee on Banking and Currency, 10:30 a.m., H-313, Capitol.

Committee on Interstate and Foreign Commerce: H.R. 4214, Communications Satellite Act.

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 15]

Anderson, Ill.
Arends
Barrett
Bell
Burton, Utah
Carey
Casey
Clark
Davis, Ga.
Delaney
Diggs
Evins, Tenn.
Feighan
Flynt
Ford, William D.
Gettys
Gray
Green, Oreg.
Hagan
Heckler, Mass.
Holifield
Howard
Jones, Ala.
Kuykendall
Landgrebe
Long, La.
Long, Md.
Lujan
Lukens
McFall
Macdonald, Mass.
Mailliard
Matsunaga
Moss
Murphy, N.Y.
Myers
Nichols
O'Hara
O'Neal, Ga.
Ottinger
Passman
Pelly
Powell
Quillen
Riegle
Rosenthal
Roudebush
Rumsfeld
Ruppe
Sandman
Scheuer
Shriver
Smith, Calif.
Stubblefield
Sullivan
Teauge, Calif.
Udall
Waldie
Watts

The SPEAKER. On this rollcall, 372 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONSUMPTION TAXES ON OILSEED PRODUCTS IMPOSED BY EEC

(Mr. EDWARDS of Alabama asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. EDWARDS of Alabama. Mr. Speaker, I am introducing today a House concurrent resolution expressing the position of Congress in opposition to the imposition of consumption taxes on oilseed products by the European Economic Community.

The EEC is giving serious thought to imposing what they term an internal tax of $60 per ton on imports of soybean oil, and a tax of $30 per ton on soybean meal.

This action would cost our country an export market of nearly $500 million a year at a time when we are endeavoring to solve a serious balance-of-payments problem.

This move would not technically violate the letter of agreements between this country and the EEC. But it would clearly violate the spirit of those agreements.

American farmers have depended on U.S. trade negotiators to provide agreements which result in fair balance of trade for the mutual benefit of the United States and of our close friends in the European Economic Community.

If these agreements are sidestepped in ways such as this the consequences can be serious.

I urge prompt approval of this resolution.

ELECTION TO COMMITTEE

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 250) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 250

Resolved, That Shirley Chisholm, of New York, be, and she is hereby, elected a member of the standing committee of the House of Representatives on Veterans' Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FIRST REPORT OF NATIONAL SCIENCE BOARD—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, together with the accompanying papers, referred to the Committee on Science and Astronautics:

To the Congress of the United States:

I am pleased to submit to the Congress this first Report of the National Science Board, "Toward a Public Policy for Graduate Education in the Sciences," together with a companion volume, "Graduate Education: Parameters for Public Policy," which contains information and discussion supporting the basic Report. These documents have been prepared in accordance with Section 4(g) of the National Science Foundation Act, as amended by Public Law 90-407.

Graduate education is a critically important element in the educational process and one which is entering a particularly difficult period. As the Board points out, graduate enrollments are expected to double and the costs of graduate programs are expected to quadruple during the next decade. Thus it is most important that colleges and universities, state and local authorities, and the interested branches of the Federal Government all re-examine their role with respect to graduate education.

On several occasions, most recently when I increased the expenditure ceiling of the National Science Foundation for the fiscal year 1969, I have emphasized our nation's special debt to its scientists and its special responsibility to maintain an outstanding record in both basic research and technological advance. I emphasize here again that education in general and scientific development in particular will be among the highest priorities in this Administration. One measure of the greatness and vitality of a nation is manifested, I believe, in its readiness to explore the unknown.

The National Science Board has rightly concluded that adequate funding for graduate education and for academic science is only one of the problems we face. Of comparable importance is the need to develop a new strategy for that Federal aid which may be required. I have recently instructed the Secretary of Health, Education, and Welfare to establish an interdepartmental study group to make an overall review of the Federal role in education, including higher education. The Report of the National Science Board will provide a useful resource for that review.

I know that the Congress, like the Executive Branch, will give the Report its careful consideration. I solicit your assistance in developing solutions to the problems which have been identified by this distinguished group of citizens.

RICHARD NIXON.

THE WHITE HOUSE, *February 18, 1969.*

AMENDING RULES, HOUSE OF REPRESENTATIVES, TO CHANGE NAME OF COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. COLMER. Mr. Speaker, I call up House Resolution 89 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 89

Resolved, That rule XI of the Rules of the House of Representatives is amended—

(1) by striking out clause 19;

(2) by renumbering clauses 11 through 18 as clause 12 through 19, respectively; and

(3) by inserting immediately after clause 10 the following new clause:

"1. Committee on Internal Security.

"(a) Communist and other subversive activities affecting the internal security of the United States.

"(b) The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of (1) the extent, character, objectives, and activities within the United States of organizations or groups, whether of foreign or domestic origin, their members, agents, and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or of any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means, (2) the extent, character, objectives, and activities within the United States of organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means, to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States, and (3) all other questions, including the administration and execution of any law of the United States, or any portion of law, relating to the foregoing that would aid the Congress or any committee of the House in any necessary remedial legislation.

"The Committee on Internal Security shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

"For the purpose of any such investigation, the Committee on Internal Security, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary, Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member."

SEC. 2. (a) Rule X of the Rules of the House of Representatives is amended—

(1) by striking out clause 1(s);

(2) by redesignating clauses 1(k) through 1(r) as clauses 1(l) through 1(s), respectively; and

(3) by inserting immediately after clause 1(j) the following:

"(k) Committee on Internal Security, to consist of nine Members."

(b) Clause 31 of rule XI of the Rules of the House of Representatives is amended by striking out "Un-American Activities" and inserting in lieu thereof "Internal Security".

SEC. 3. As of the date of adoption of this resolution, all property (including records) of the Committee on Un-American Activities is hereby transferred to the Committee on Internal Security and shall be available for use by the latter committee to the same extent as if such property (including records) was originally that of the Committee on Internal Security.

SEC. 4. Nothing in this resolution shall affect (1) the validity of any action or proceeding of the Committee on Un-American Activities or of the House of Representatives before the date of adoption of this resolution, or (2) the validity of any action or proceeding by any officer or agency of the executive branch of the Government, or by any court of competent jurisdiction, based on any action or proceeding referred to in clause (1) of this sentence. Any action or proceeding referred to in clause (2) of the preceding sentence and pending on the date of adoption of this resolution shall be continued by the officer, agency, or court concerned in the same manner and to the same extent as if this resolution had not been adopted.

The SPEAKER. The gentleman from Mississippi (Mr. COLMER) is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the minority to the gentleman from Ohio (Mr. LATTA) and pending that use of the time I yield 10 minutes to the gentleman from Missouri (Mr. ICHORD) the chairman of the House Committee on Un-American Activities.

The SPEAKER. For debate purposes?

Mr. COLMER. The rule calls for 1 hour, and it is limited.

The SPEAKER. The gentleman from Missouri (Mr. ICHORD) is recognized for 10 minutes.

Mr. ICHORD. Mr. Speaker, I appreciate the courtesy of the distinguished chairman of the Committee on Rules in yielding me this time so that I might explain the purpose of House Resolution 89, a resolution to clarify the mandate of the House Committee on Un-American Activities and to change the name of the House Committee on Internal Security, a name which I think more clearly indicates the scope of the work of the committee.

House Resolution 89 is identical to a resolution that was reported out by the Committee on Rules during the last Congress. This is a rule that falls within the original jurisdiction of the Committee on Rules. It is identical to H. Res. 148 that last year was reported out by the Committee on Rules but which was not taken up during the final hours of the adjournment of the House.

Mr. Speaker, the charge has been made that this resolution infringes upon the jurisdiction of the great House Committee on the Judiciary. I wish to state at this time, Mr. Speaker, that the resolution is not intended to infringe upon the jurisdiction of the House Committee on the Judiciary and I state without equivocation or any mental reservation whatsoever that it does not infringe upon the jurisdiction of the House Committee on the Judiciary. I think that the need for the resolution is readily apparent by a cursory examination of the present mandate of the House Committee on Un-American Activities. The present mandate of the House Committee on Un-American Activities reads as follows:

> (a) Un-American activities.
>
> (b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution.

Admittedly, Mr. Speaker, this mandate is very vague and ambiguous on its face, and this is the reason why I offered this resolution 2 years ago and reoffered it this session. This vagueness has given some credence to the charge that the committee is not interested in subversive activities but has the power to investigate unorthodox political views and opinions. Also the vagueness has unnecessarily caused the committee to become involved in many legal actions.

Mr. Speaker, I do not believe it possible to accurately define the jurisdiction of the House Committee on Un-American Activities by examining the mandate itself. It is true however that the Supreme Court decisions surrounding the work of the House Committee on Un-American Activities have lent some definite meaning to the very ambiguous terms used in the mandate.

The change in the language of the mandate of the new committee, the House Committee on Internal Security, is contained in the last few lines on page 1 of the resolution and the first line on the top of page 2 thereof. It reads as follows:

> 11. (a) Communist and other subversive activities affecting the internal security of the United States.

Now, this is intended for bill reference purposes only. There are many bills that are introduced in this body dealing with Communist activities. Some may or may not be constitutional; they may or may not be wise and prudent as legislative measures. But this is for bill reference purposes only. There are however many such bills, and, traditionally these bills are sent to the House Committee on Un-American Activities.

> (b) The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of (1) the extent, character, objectives, and activities within the United States of organizations or groups, whether of foreign or domestic origin, their members, agents, and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or of any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means.

This resolution if adopted would give the Committee on Internal Security jurisdiction over revolutionary groups which would work toward the change or the alteration of our institutions and systems of government through revolutionary means outside the democratic process. It is not concerned with change through the democratic process which is, of course, inherent in our system of government. But every democratic government has the responsibility to take the necessary steps to preserve and protect itself from unlawful subversion.

Now, it does not give the committee jurisdiction over espionage as such, which is properly lodged within the Committee on the Judiciary. "Espionage" as used in the resolution is merely a modifying word and is used to describe the type of revolutionary activity over which the House Committee on Internal Security will have jurisdiction as distinguished from efforts to change our institutions through the democratic process.

The second part, part (2), reads as follows:

> * * * the extent, character, objectives, and activities within the United States of organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means, to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States.

This is for the purpose of giving the committee jurisdiction over such groups as the Klu Klux Klan and black militant groups that may not be revolutionary groups in the traditional sense.

What we have attempted to do here—and I submit, do accomplish—is to spell out in clear and precise legal language a limited but very important field of law—criminal subversion.

I think what has happened is that the House Committee on Un-American Activities has been caught—not only the House Committee on Un-American Activities, but the House of Representatives itself—has been caught up in a battle between two extreme views in this country, the extreme view on the one hand that people with unorthodox political thought, political ideas or political ideologies, should be taken out and eradicated and in some way disposed of, and the equally absurd view on the other extreme holding that Congress has no business legislating or investigating in the very important field of subversion. As I stated before, this is the basic right of every democratic government. Subversion is as old as the history of organized society and the threat may be one form of ism today and a different one tomorrow.

The resolution spells out and gives the House Committee on Un-American Activities the power to make investigations into the matter of subversion, to advise the House of the nature and the extent of such activities so that the House and the Senate can legislate within this very important field and still preserve the constitutional liberties which we all cherish as Americans.

Mr. Speaker, I hope that the House of Representatives will give the new committee and the membership of this new committee a chance to make an effective contribution to the internal security of the Nation.

I ask that the Members of the House vote in favor of the previous question and subsequently thereto in favor of H.R. 89.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield for a question?

Mr. ICHORD. I gladly yield to the distinguished gentleman from Ohio, the ranking member of the Committee on the Judiciary.

Mr. McCULLOCH. Mr. Speaker, I thank the gentleman for yielding.

I ask the gentleman from Missouri (Mr. Ichord) if the Members of the House of Representatives can understand from the statement of the author of the resolution that it was meant to clarify, but neither to enlarge the jurisdiction of the to-be-created Committee on Internal Security, nor to diminish the jurisdiction so long exercised by the Committee on the Judiciary of the House of Representatives?

Mr. ICHORD. That is quite true, and I am very glad that the gentleman asked that question in order to properly establish legislative intent.

The SPEAKER pro tempore (Mr. Mills). The time of the gentleman has expired.

Mr. LATTA. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, at the outset let me say that I support House Resolution 89, wholeheartedly even though I would have preferred to have seen the name of this committee remain the same.

At every session of the Congress since I have been a Member, there has been a certain group of individuals who have attempted to bring an end to this committee. This session is no exception.

There have been those who always make attacks on the appropriations for this committee. Today there will be attacks made on this proposed change of name for the committee and for clarification of the responsibilities of the same.

Mr. Speaker, let me say that the Communist Daily World is against this resolution that we are discussing today—and speaking only for the gentleman now in the well, I cannot think of a better reason why I should be for the resolution.

The purpose of the resolution is to do just as the gentleman who preceded me in the well has stated, and that is to change the rules of the House of Representatives in three instances, each concerning the existing Committee on Un-American Activities.

The name of the committee will be changed to the Committee on Internal Security.

The membership of the committee will remain at nine.

Turning to page 2 of the resolution, let us examine the jurisdictional grant of authority being made to the committee.

Certainly, items (1) and (2) do not necessarily broaden the present powers of the committee to investigate internal subversive and anti-Government activities. But they do clearly spell out specific kinds of activities that fall under the jurisdiction of the new renamed committee.

Subparagraph (3) is merely a restatement of current committee jurisdiction. On page 3 of the resolution there is provision for the granting of subpena powers and the right to hold meetings while the House is in session.

Section 3 and 4 of the resolution are technical amendments to insure, first, that all published documents and so forth of the Committee on Un-American Activities are transferred to the renamed Committee on Internal Security, and second, that the adoption of this resolution will not invalidate or in any way hinder any action or proceeding currently in existence which has been initiated by the Committee on Un-American Activities.

Speaking about the duties and responsibilities of this committee during the 91st Congress, let me say that I hope that this committee will go into the matter of SDS activities on our college campuses.

When this resolution was before the Committee on Rules, I asked the chairman of the committee whether or not it was the committee's intention to do this, and I might yield to him now to ask him if it is his intention to investigate the activities of this SDS group which is causing so much trouble on our college campuses.

Mr. ICHORD. Let me say to the honorable and distinguished gentleman from Ohio that at the meeting tomorrow I intend to lay before the committee a proposal to make a study in depth of revolutionary violence within this Nation.

I have publicly stated that if the SDS is conducting classes in guerrilla warfare, the making of molotov cocktails and other explosives, as testified to by J. Edgar Hoover before the House Appropriations Committee—and I have complete confidence in Mr. Hoover's testimony—then SDS should be investigated by a committee of Congress. This matter will be laid before the committee and appropriate action taken.

Mr. LATTA. I wish to commend the chairman for taking this position and for making this statement as I do not know of a more pressing problem than the one dealing with the activities of certain groups on our college campuses.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield for a question?

Mr. LATTA. I am happy to yield to the gentleman from Ohio.

Mr. McCULLOCH. Would the gentleman say to the Members of the House that it is his opinion and the opinion of the members of the Committee on Rules, so far as he could determine it, that this resolution is without condition, to clarify and not to enlarge the jurisdiction of the Committee on Internal Security which is hereby created nor to diminish the present jurisdiction of the House Committee on the Judiciary.

Mr. LATTA. In answer to the gentleman's question, I would like to say as the gentleman from Missouri did today that there is no intention to expand the jurisdiction of this committee or any intention to encroach on the jurisdiction of any other committee.

Mr. McCULLOCH. I thank the gentleman.

Mr. WATSON. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman.

Mr. WATSON. If I may pursue that question one step further, as the gentleman from Ohio just said on the question as to whether or not there was any intention to diminish the authority of the distinguished Committee on the Judiciary, and the response was, "No"—likewise this resolution in no way is intended to diminish the jurisdiction of the former House Committee on Un-American Activities; is that not correct?

Mr. LATTA. That is absolutely true and the gentleman in the well would not be for the resolution if he had the slightest thought that it would be diminishing the jurisdiction of the Committee on Un-American Activities.

Mr. WATSON. I appreciate the gentleman's statement and I wanted to have that clarified in the Record. I thank the gentleman.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Committee on the Judiciary.

The SPEAKER pro tempore (Mr. Mills). The gentleman from New York is recognized for 5 minutes.

Mr. CELLER. Mr. Speaker, I rise to oppose House Resolution 89. I urge my colleagues to join with me in rejecting this resolution irrespective of whether they support or oppose the operations of the Committee on Un-American Activities.

Rule XI of the rules of the House contains the jurisdictional charter of each standing committee, marking the boundaries of its legislative and investigative powers. Such demarkation is essential to the orderly and efficient conduct of the business of the House. A change in the jurisdictional charter of a standing committee should be approved only after the most painstaking and detailed examination and upon a record clearly demonstrating the need for the proposed change. I am not persuaded that such an examination has been undertaken in the case of House Resolution 89.

Before approving an amendment to the jurisdiction of a standing committee, the House should consider the effect of such an amendment on the jurisdictional mandate of other standing committees. Such a comparison is essential to avoid conflicts. A grant of jurisdiction, which, by its terms or by implication, conflicts with another committee's jurisdiction will surely lead to confusion and disputes in the future and may impair the effective flow of legislative business in this Chamber.

We are told by proponents that House Resolution 89 merely intends to "clarify" and not expand the jurisdiction of the Committee on Un-American Activities. But the present-day intent of any Member cannot protect against broadened interpretations of the committee's mandate in the future.

On January 27, when I learned that House Resolution 89 would be considered by the Committee on Rules, I wrote to Chairman COLMER and urged that no favorable action be taken by the Committee on Rules until the need for the proposed amendment had been demonstrated on the record, nor until the committee had considered whether or not the adoption of House Resolution 89 would result in a division of legislative and investigatory jurisdiction between two or more standing committees of the House.

I would urge the Committee on Rules to reconsider, what must be obvious to all, is a vague and imprecisely drawn amendment to the rules of the House. I also would urge that a thorough and detailed comparison be made between the language of House Resolution 89 and that which is already set forth in the jurisdictional mandates of other standing committees under rule XI, including that of the Committee on the Judiciary.

I am not persuaded that any of these essential studies have been undertaken, and until they are, I would urge my colleagues to vote down House Resolution 89.

Mr. Speaker, I am not one of those who have ranted and railed against the Un-American Activities Committee. But on this occasion I cannot remain quiet because I feel that this resolution poaches on the preserves of the Judiciary Committee.

The gentleman from Missouri makes the assertion that this resolution clarifies the jurisdiction heretofore given to the Un-American Activities Committee. I take issue with that statement. I believe the vague and imprecise wording of the resolution further obscures the judication of Un-American Activities Committee. It creates grave doubt as to what the jurisdiction of that committee really is.

Mr. Speaker, at this juncture I ask unanimous consent to have printed in the RECORD the letter, to which I have already referred, which I sent to the distinguished chairman of the Rules Committee, the gentleman from Mississippi (Mr. COLMER) under date of January 27, 1969.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The letter is as follows:

JANUARY 27, 1969.

Hon. WILLIAM M. COLMER,
Chairman, Committee on Rules,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to express my opposition to H. Res. 89, a resolution to amend the Rules of the House of Representatives to change the name of the Committee on Un-American Activities, and for other purposes, which is now pending before the Committee on Rules.

The proposed rule would do much more than change the name of the Un-American Activities Committee to the "Committee on Internal Security." It would also describe the jurisdiction of the Committee in broad, vague language whose ultimate consequences cannot be predicted. If all that is intended is a restatement of existing jurisdiction, the amendment is unnecessary and is undesirable because it might create jurisdictional disputes between Standing Committees of the House. If, on the other hand, it is intended to increase the jurisdiction of the Committee and confer investigative authority over subject matter not heretofore covered, the amendment should be opposed because no need has been demonstrated for any such expansion and because the resolution does not make clear what transfer of jurisdiction from what other Standing Committees of the House is contemplated.

In this respect, H. Res. 89 departs from recent precedent. On October 20, 1967, the House, by amendment of its Rules, transferred jurisdiction over military and national cemeteries from the Committee on Interior and Insular Affairs to the Committee on Veterans' Affairs. That amendment made perfectly clear the precise impact of the change in the jurisdiction of both Committees. The resolution apparently resulted from the cooperative efforts of the Chairmen of both Standing Committees involved. It was approved without opposition.

Such precedent should be observed whenever changes in the jurisdiction of Standing Committees of the House are made.

Illustrative of the vague and imprecise character of H. Res. 89 is the language authorizing investigations by the Committee with respect to activities involving ". . . violence, treachery, espionage sabotage, insurrection, or any unlawful means . . ." (p. 2, lines 8–10). A comparison with Rule XI, clause 19, dealing with the present investigative jurisdiction of the Committee on Un-American Activities indicates that the present jurisdiction is limited to "un-American propaganda." Read literally, the language in H. Res. 89 thus contemplates a substantial expansion of the investigative authority of the Committee.

Further, a comparison with Rule XI, clause 12, dealing with the jurisdiction of the Committee on the Judiciary indicates that insofar as espionage is concerned, subparagraph (c) of clause 12 specifically confers such jurisdiction on the Committee on the Judiciary. Traditional practice and custom also indicate that the Committee on the Judiciary, established in 1813, historically has exercised legislative jurisdiction over bills dealing with crime, espionage, sedition and penalties (Hines Precedents, vol. IV, sec. 4069 et seq., Cannon's Precedents, vol. VII, sec. 1747 et seq.). Paradoxically, one consequence of adoption of H. Res. 89 might be a division of legislative and investigatory jurisdiction between two Standing Committees of the House on the subject matter of certain crimes and penalties.

Changing the name of the Committee on Un-American Activities may or may not be appropriate. However, the aggrandizement of that Committee by the delegation to it of jurisdiction customarily exercised by the Committee on the Judiciary is a matter of critical concern to me.

I would appreciate it if you would make this letter part of your Committee's record on H. Res. 89.

Sincerely yours,
EMANUEL CELLER,
Chairman.

Mr. CELLER. Ordinarily, when the jurisdiction of a standing committee is changed, there is a hearing and a full record developed. There is careful inquiry and investigation made as to whether a change in the rules is justified. But there has been no record made here to support the proposed changes. We are not told even what jurisdiction, if any, would be taken from one committee and granted to another. That question is left unanswered.

As one reviews the history of the House Un-American Activities Committee, he observes that the exercise of jurisdiction by that committee has not been unaccompanied by puzzlement and befuddlement. With the passage of this resolution, and as cases come before the courts, there will be even more befuddlement and more puzzlement and more confusion. I do not think even the distinguished chairman of that committee, for whom I have a deep and abiding affection and a high regard, is going to benefit very much by the adoption of the resolution.

For example, specific mention is made of espionage. Since 1813—for over 150 years—the Judiciary Committee has had jurisdiction over espionage. Espionage is also specifically mentioned in House Resolution 89. It is mentioned along with some so-called clarifying language. If a bill is offered that mentions espionage, what will the Parliamentarian do? What will the Speaker do? Will that bill be referred to this so-called new committee, the old House Un-American Activities Committee? Will it be referred to the House Judiciary Committee? We should not permit that doubt.

That uncertainty will hold good for many of the specific items mentioned in the bill, such as sabotage, insurrection, and so forth.

It is because of such doubts that I raise these questions. Therefore, I hope that the Members of this House, will carefully reexamine this question and reject House Resolution 89.

A change in name is proposed to be effectuated. Although I am not so much interested in the change of name, it is well to make one or two observations with reference thereto.

I remember that Lincoln once asked this question: "If you call a dog's tail a leg, how many legs will the dog have?"

Someone answered, "Five legs."

Lincoln said, "No, the dog would still

have four legs, because calling the dog's tail a leg does not make it a leg."

There is another old adage that is well to bring forward now: "An ass is an ass although his saddle cloth be satin." Whatever the committee is called the important thing is what is being done under the name of that committee. It is well to keep that in mind. It is what the committee has done that has caused all the contention and difficulty.

Therefore, I must perforce indicate my opposition to House Resolution 89.

Mr. LATTA. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio (Mr. ASHBROOK).

Mr. ASHBROOK. Mr. Speaker, I rise in support of House Resolution 89 which I am proud to cosponsor with the gentleman from Missouri and the gentleman from California.

As ranking minority member of the committee, I have given serious thought to the idea of a new mandate for the Committee on Un-American Activities for a number of years, have discussed it with the gentleman from Missouri as well as other committee members, and have carefully studied his proposed new mandate.

Before stating the reasons why I urge adoption of House Resolution 89, I would like to make one important point. I believe it is essential that this point be very clearly stated at this time before, as I hope, the House confers a newly worded mandate on the Committee on Un-American Activities. The point is this:

Neither I nor any other member of the Committee on Un-American Activities, to my knowledge, believes that the present mandate is constitutionally infirm on the ground of vagueness or any other ground.

During the 30 years the present mandate has been operative as the authority of the Committee on Un-American Activities, it has been challenged over and over again in the courts of our land—more times than I can remember at the moment. It has survived each and every one of these challenges. Attorneys for the Communist Party and other enemies and critics of the committee have racked their brains for years to find some legal or constitutional point on which they might get the Supreme Court to nullify the present mandate as violative of the Constitution. They have never succeeded. In case after case, they have gone to courts of appeals and then on to the Supreme Court with their claims against the committee's mandate. In not one case have they been upheld.

The landmark Supreme Court decision on the question of the constitutionality of the present mandate is the 1959 Barenblatt case which settled once and for all—by rejecting it—the often heard claim, the one that is so frequently pressed, that the mandate is so vague that it can not be supported under our Constitution. The Supreme Court held, and I quote:

> The rule cannot be said to be constitutionally infirm on the score of vagueness.

I stress the word "cannot."

This tribute to the present mandate should be a part of this record at the hour of what, I believe, will be its retirement. For 30 years, it has served the committee, the House, and the Nation well. The Court's words are a tribute to the judgment of the House. If we are to bury the mandate now—and I think my role as a cosponsor of House Resolution 89 makes me kind of an honorary pallbearer in the ceremony—it should be with respect and with pride. I for one, feel no shame for the old mandate of the committee.

But, why do we need a new mandate if the old one is constitutionally sound? My answer is this. When dealing with subversive activities, we are engaged in more than a purely constitutional and legal battle. We are also involved in a form of political propaganda, and psychological warfare, and in these areas, there are certain disadvantages in the name of the committee and the wording of its present mandate.

Despite the 10-year old Barenblatt ruling, the Communist Party, the fronts it has created to work for abolition of the committee, other Communist groups, and assorted individual, newspaper, and organizational enemies of the committee, still obtain credibility with their claim that the committee's mandate is unconstitutionally vague because of the word "Un-American" in it.

Despite numerous holdings of the courts to the contrary, the same critics repeatedly claim—with some success—that the investigation of propaganda, another word in the committee's mandate, is a violation of the first amendment, an invasion of one's right to speak and write freely and to hold such political views as he chooses.

By their constant attacks on the committee on these two major points, Communists and other committee enemies have scored significant gains in what I have referred to as the political, propaganda, and psychological war this House is engaged in, in its efforts to combat subversion. Specifically, they have raised doubts and concern in the minds of many loyal and decent Americans who have no sympathy whatsoever with those people—Communists, Nazis, Facists, or others—who would destroy this Nation with the help of hostile foreign powers, or even alone if they could. They have raised doubts, I say, in the minds of these people about the fairness and wisdom of the House in creating, and continuing the life of, the Committee on Un-American Activities.

The present mandate, in other words, has a few words and phrases in it that enable the enemies of this country to further their cause by effectively hanging certain "smear America" and "smear the Congress" propaganda operations on them.

Times change. Concepts and ideas, words and phrases, that were politically effective 20 and 30 years ago are not necessarily effective today. Developments in recent years have indicated that a change in the name and mandate of the committee might be advisable. This has been discussed within the committee for a considerable length of time and I know, for example, that the late former committee chairman, Tad Walter, a few years before his unfortunate death in 1963, gave serious thought to this, although he eventually decided not to act upon it.

While on this matter, it should be pointed out that it is not only the enemies of the committee who have been critical of the words and the phrases in its mandate I have referred to. William F. Buckley, Jr., for example, the well-known editor of the conservative National Review, who has also edited a book supporting the committee and its work, as well as some other friends and defenders of the committee, have raised questions about the wording of the mandate.

These are the reasons why, I believe, the House should act favorably on the measure now before us. A reading of the new mandate of the Committee on Un-American Activities, to be renamed the Committee on Internal Security, makes it clear beyond all doubt that, the wording is much superior to that of the old mandate. This is true not only from the legal and constitutional viewpoint, but also from the viewpoint of political reality. It is much more precise in spelling out just what the committee is empowered to investigate. As the gentleman from Missouri has stated repeatedly—and I agree with him completely on this—it does not change the power or the authority of the committee. It retains for it all the authority it has had for the past 30 years under its old mandate, neither diminishing nor expanding it—authority, I should add, which the courts have consistently upheld as constitutional.

Periodically, over the last 25 years, it has been urged by a few Members that the investigation of subversive activities be turned over to the Judiciary Committee. Not once in the course of the 37 years during which the House has been investigating subversive activities, however, has this view been accepted. Time will not permit me to spell out now all the reasons why it would be most unwise to transfer the jurisdiction of the Committee on Un-American Activities to the Judiciary Committee. However, I do ask, Mr. Speaker, for leave to extend and revise my remarks so that this RECORD will clearly reflect why the House on various occasions in the past has not agreed to such a move and why it should not do so now.

I am certain that there is no doubt in the mind of the great majority of the Members of this House but that we should continue our 37-year practice, tradition—and duty—of investigating subversive activities so that the Congress—in the people's interest—will be enabled to take all legislative measures possible to protect the security of this Nation. It is my carefully considered view that House Resolution 89 is the best possible foundation for continuing this vital activity and I join with the gentleman from Missouri in strongly urging that it be passed.

Now I would like to address my remarks particularly to the question that was raised by my distinguished colleague from Ohio, the ranking minority member of the Committee on the Judiciary (Mr. McCULLOCH). He expressed the concern whether or not it was the intention on our part in any way to expand our jurisdiction or invade what might be called the prerogatives of the Judiciary Committee. I would say to the gentleman and to the Members of the House that there is no inclination on the part of any member of this committee to do so. It is our belief that there is nothing contained in this resolution which would allow us to do so.

I can say as the ranking minority member, there is no area that we intend to investigate that we could not now investigate. We are simply trying to clarify the mandate of our committee.

The contention that we will be invading the jurisdiction of the Judiciary and that our functions should be transferred to the Judiciary Committee are the basic arguments against House Resolution 89. I do not believe either contention should be accepted by this House.

In his appearance before the Rules Committee on February 4, the gentleman from Iowa (Mr. CULVER) advanced a number of arguments in support of House Resolution 211, which he had introduced to abolish the HUAC and transfer some, but by no means all, of the functions of the Committee on Un-American Activities to the Judiciary Committee. Inasmuch as the same basic arguments will probably be made a part of the RECORD today, I will make the following observations concerning them.

The gentleman from Iowa said that one of the purposes of his resolution was "to consolidate internal security functions in the one Committee which presently has jurisdiction over espionage as well as the criminal code in general."

Let us examine the two basic points in that argument—those relating to espionage and the criminal code.

We are all agreed, I am sure, that internal security functions should be consolidated in one committee, but why the committee that has jurisdiction over espionage?

It is true that during the 1930's, during the period of World War II, and for some time thereafter, the U.S. Communist Party was deeply involved in espionage. The Committee on Un-American Activities, however, played a major role in terminating its extensive activities in this area. The revelations of Whittaker Chambers, Elizabeth Bentley, and others before the committee in the latter part of the 1940's, along with subsequent committee hearings on the subject—and the trials of the Rosenbergs and others which were based on the work of the FBI—resulted in Moscow's instructing the U.S. Communist Party to divorce itself from the espionage business. Since that time, espionage in the United States has been the province of Soviet military intelligence, the GRU, and Moscow's civilian espionage agency, the KGB.

If it is intended that the House will continue to investigate all Communist and other subversive activities, then the Judiciary Committee's traditional jurisdiction over espionage legislation is no argument for transferring the functions of the Committee on Un-American Activities to that committee.

The Bolsheviks did not take over Russia through espionage; Moscow did not take over its satellites in Eastern Europe through espionage; the Communists did not take over China through espionage; Castro did not take over Cuba through espionage; and while espionage has been a traditional Communist weapon, the U.S. Communist Party has never hoped to take over this country solely or primarily through espionage.

This House first decided that investigation of communism was called for 39 years ago—in 1930. House Resolution 220 of the 71st Congress, second session, did not provide for an investigation of Communist espionage, however, but of Communist propaganda in the United States. Even then, the House recognized that the major danger in communism was not the theft of some Government secrets, but its attack on men's minds. Pursuant to that resolution, a special committee, since generally referred to as the Fish committee, was established to investigate Communist propaganda.

In 1934, House Resolution 198 of the 73d Congress authorized the creation of a Special Committee on Un-American Activities not to investigate Nazi and certain other espionage, but "Nazi propaganda activities" and "certain other propaganda activities." This was the so-called McCormack-Dickstein committee. It was chaired by the present distinguished Speaker of the House. The name of that committee and the wording of its mandate again demonstrated that, as far back as 35 years ago, the majority of the Members of the House perceived what was the real danger in the foreign "isms" that were trying to gain a foothold in this country.

In 1938, when the present Committee on Un-American Activities was first established as a special committee, it was created not because the House believed that the national problem requiring the attention of a special committee was Communist, Nazi, and Fascist espionage, but rather Communist, Nazi, and Fascist propaganda activities—again, the attacks of these foreign "isms" on the minds of the American people, their attempts to win adherents and agents in this country, to turn loyal Americans into traitors. This is why the original mandate of the committee contained the word "propaganda."

To summarize, the great majority of the Members of the House, during the past 39 years, have exhibited a clearer understanding and comprehension of the evils and dangers of communism than some Members do today. They have realized that the Communist propaganda they have been rightly concerned about could—as it has—create Rosenbergs, Hisses, and Remingtons.

If it is to be argued that the functions of the Committee on Un-American Activities should be transferred to another committee, and to a committee which already has jurisdiction over an area in which there is continuing, significant, Communist activity, then it would be far more logical to transfer its functions to the Education and Labor Committee, rather than the Judiciary Committee. I say this because for the past 15 years or so, the Communist Party has been far more active in the field of education and labor than it has been in the field of espionage.

In addition, there are other clearly subversive groups in this country whose activities warrant investigation but which, so far as the public record shows, have never been engaged in espionage. I am referring, for example, to the openly Communist and revolutionary, Peking-oriented, Progressive Labor Party and also to certain black militant organizations which are openly advocating guerrilla warfare and are training and arming their members for this purpose. Nothing in the Judiciary Committee's mandate would justify a claim to jurisdiction over their activties.

The fact that espionage happens to be in the jurisdiction of the Judiciary Committee, therefore, is really—to those who know something about subversive activities in this country—no argument for transferring the broad functions of the Committee on Un-American Activities to that committee.

Espionage is as old as governments. It was a problem that existed many, many years before we ever heard of Communists, Nazis, or Fascists in this country. The House did not originally create the Committee on Un-American Activities to deal with any special problem caused by espionage and, although Communist espionage activities have always been recognized as being within its jurisdiction, that has never been considered by informed persons as a major reason for the existence of the Committee on Un-American Activities.

The argument that investigation of subversive activities should be turned over to the Judiciary Committee because that committee has jurisdiction over "the criminal code in general" is equally fallacious. Nowhere in the rules of the House is it stated that the Judiciary Committee has jurisdiction, exclusive or concurrent, over all statutes or bills containing criminal provisions. It is certainly erroneous to claim that it has jurisdiction over all such statutes except those assigned to the Committee on Un-American Activities.

In addition to the Committee on Un-American Activities, the Committees on Veterans' Affairs, Post Office and Civil Service, Merchant Marine and Fisheries, as examples, have been responsible for the enactment of various regulatory statutes in the area of their jurisdiction which provide criminal penalties for acts committed in violation of the statutes' provisions. No one has ever contended, however, that amendments to these statutes or new bills in these areas are the jurisdiction of the Judiciary Committee.

The mere fact that a bill has a criminal provision in it does not mean and has never meant that it is—or should be—referred to the Judiciary Committee. Bills and statutes dealing with subversive activities are generally recognized as being within the jurisdiction of the Committee on Un-American Activities, even though they may contain criminal provisions.

The gentleman from Iowa next argued that the committee's function should be transferred to the Judiciary Committee so that investigation of subversive activities would be assigned to Members "who are lawyers and can bring to bear the required judicial temperament in

this highly sensitive area bearing so immediately on constitutional responsibilities and restraints."

As a lawyer myself, with appropriate respect for my profession and its members, I reject the idea that only lawyers are capable of judicious legislative behavior and of sitting in competent judgment on legislation dealing with subversive activities. I have been a member of the Committee on Un-American Activities for 6 years and have read its hearings and reports, going back many, many years. Analyzing the testimony received and numerous books on communism which I have read or with which I am familiar, the one thing that is clear beyond all doubt in my mind is that the persons in this country who are best informed about communism, those who are generally recognized as being authorities or experts on the subject, are for the most part nonlawyers.

Expertise on subjects within a committee's jurisdiction is most desirable. But a law degree gives no one expertise on subversion and knowledge of it is essential to effective legislation and investigation. We would be denying the Committee on Un-American Activities valuable members if we were to make it compulsory that all members be lawyers.

There should always be a good proportion of lawyers on the Committee on Un-American Activities. The committee does deal not only with highly sensitive, but extremely complicated, constitutional issues. For this reason, I am glad that it is the policy of the Democratic Party to require that its members who are assigned to the Committee on Un-American Activities be lawyers. I believe it would be a grave mistake, however, for the Republican Party to do the same, or to transfer the committee's functions to a committee made up entirely of lawyers.

There is no profession or trade in this Nation that does not have a vital interest in protecting the security of our country and which does not have representatives far better informed about communism and other subversive activities than many lawyers are. To the greatest degree possible, the House committee investigating subversion should be representative of all walks of life, and not merely the legal profession. Breadth of vision, outlook, and interest is most desirable and needed on the committee.

Finally, it is urged that the functions of the Committee on Un-American Activities be turned over to the Judiciary Committee in order "to withdraw from this investigative activity the imprimatur of special legitimacy suggested by the designation of a standing committee."

This is asking the House to reverse a decision in which it has persisted—against all arguments—for 24 years. Of course, it is possible that the House could be mistaken in its judgment for such a length of time, but no facts have been presented to indicate that this is so.

And what must we and the American people think of the suggestion that protecting this country and its people from the operations of those who would destroy this Nation and the liberties of its people is unworthy of the same consideration given to problems of transportation, agriculture, veterans' affairs, and other matters which have the "imprimatur of special legitimacy" conferred by the jurisdiction of standing committees?

The Supreme Court itself has stated:

> **To preserve its independence, and give security against foreign aggression and encroachment, is the highest duty of every nation.**

The Court of Appeals for the District of Columbia, in a decision on the Committee on Un-American Activities, has stated that the Government of the United States, of which this Congress is a part, has "a prime obligation to protect for the people that machinery of which it is a part."

I have no desire to disparage in any way the work of other standing committees of the House, or to underrate the importance of various other areas of our national life, but I know of no court decision which has ever conferred on any matter in the jurisdiction of other committees an "imprimatur of special legitimacy" equal to that conferred on the Committee on Un-American Activities by the above-quoted, and numerous other, Court decisions.

Protecting this country from those who would destroy it from within, whether they be agents of foreign powers or indigenous enemies of democracy, is a vital part of our overall defense effort. For 24 years, the House has taken the position that investigating the activities of such elements has the same legitimacy as its concern with our Armed Forces and the conduct of our foreign policy. No valid reason has been presented for a change in the position of the House on the subject.

Mr. Speaker, there are yet other reasons for opposing this transfer to the Judiciary Committee which has been proposed.

THE JUDICIARY COMMITTEE IS ALREADY OVERWORKED

On the average, 40 to 45 percent of House legislation emanates from the Judiciary Committee. In the 90th Congress, more than 38 percent of all bills introduced in the House—and they totaled over 24,000—were referred to the Judiciary Committee.

During the debate on the Legislative Reorganization Act of 1946, the present chairman of the Judiciary Committee protested that the reorganization bill would reduce the members on the Judiciary Committee from 27 to 25, even while imposing more work on the committee by giving it jurisdiction previously exercised by four standing committees.

He pointed out that as a result of its "avalanche of business," the Judiciary Committee had already been divided into five subcommittees and all five were then behind in their work because of the "tremendous number of bills" which were continually referred to the Committee on the Judiciary. He enumerated the additional duties being imposed on the Committee, their complexity, the hundreds of additional bills it would have to consider each year because of them, and then stated:

> How we are going to do all that work with 25 members is beyond my comprehension.

That, gentlemen, was 23 years ago. What is the situation today as far as the Judiciary Committee is concerned? The committee has had its membership enlarged to 35. Despite this, everyone knows that it is the most overworked committee in the House. It now has seven subcommittees and its jurisdiction embraces 19 different subjects. I can say without fear of contradiction, because it is known to everyone, that it is having difficulty—and has always had difficulty—keeping up with all the work that is assigned to it.

Imposing on the already overworked Judiciary Committee the numerous problems associated with the operations of the Committee on Un-American Activities would mean either one of two things: First, that much less would be done in the field of countering subversion; or second, that other vital matters which are already within the province of the Judiciary Committee would be neglected.

JUDICIARY COMMITTEE DOES NOT WANT JURISDICTION

At no time since the Committee on Un-American Activities was created has the Judiciary Committee stated or indicated that it wished to take over the investigation of subversive activities.

At no time during the 20 years he has served as chairman of the Judiciary Committee has the present distinguished chairman of that committee asked or urged that the investigation of Communist activities and subversive activities in general be turned over to his committee. Moreover, over the years, not more than a handful of members of that committee have ever made such a suggestion.

Not a single member of the Judiciary Committee appeared before the Joint Committee on the Organization of the Congress during its 1965 hearings to urge that the Judiciary Committee be granted the authority of the Committee on Un-American Activities.

At no time during the debate on the Legislative Reorganization Act of 1946 did a single member of the Judiciary Committee recommend that the functions of the Committee on Un-American Activities be turned over to that committee.

In addition to the fact that the chairman of the Judiciary Committee has never asked for authority to investigate subversive activities, prominent members of that committee have consistently and strongly opposed the transfer of such authority to it.

The late Francis E. Walter served as a Member of Congress for 30 years. He was a member of the Judiciary Committee for 28 of those years and, for many years, the chairman of its Immigration and Naturalization Subcommittee. In addition to being chairman of the Democratic caucus and chairman of the Democratic patronage committee, he served on the Committee on Un-American Activities for 14 years and was its chairman for 8 years.

In February 1963, when the Rules Committee held hearings on a resolution which would transfer the functions of the Committee on Un-American Activities to the Judiciary Committee, Mr. Walter was in the hospital where he died a few months later of leukemia. Unable to testify before the Rules Committee, he addressed a letter to Judge Smith, its chairman, in which he strongly opposed the resolution and urged that the Rules Committee reject it. The Rules Committee did so.

Enemies of the Committee on Un-American Activities frequently point out that Mr. Walter had stated some years before that he was not irrevocably wedded to any particular structural organization for the unit of the House charged with investigating subversive activities and that he had said that, in his opinion, when the Committee on Un-American Activities was first established, it should have been as a Subcommittee of the Judiciary Committee.

In his letter to Judge Smith, Mr. Walter pointed out that these earlier statements "were on the purely theoretical level." He added:

> When we consider the advisability of actually transferring the Committee's functions to another committee at this very late date, my experience as Chairman of the Committee for eight years has convinced me that certain very practical considerations arise which strongly militate against such action.

He then listed six compelling reasons why he strongly opposed any move to transfer the authority of the Committee on Un-American Activities to the Judiciary Committee.

Our recent colleague, Edwin E. Willis, served in the Congress for 20 years. He was a member of the Judiciary Committee throughout those 20 years and, in addition, served as chairman of four of its subcommittees. Moreover, he was a member of the Committee on Un-American Activities for 13 years and its chairman for 5 years. Throughout his congressional career, he opposed and fought every move to transfer the functions of the Committee on Un-American Activities to the Judiciary Committee.

I submit there are no Members of this body who, by reason of experience, are better qualified than these two men to form a sound judgment as to the advisability of imposing on the Judiciary Committee the duties of the Committee on Un-American Activities. Tad Walter and Ed Willis were recognized as outstanding Members of the House. They were prominent on both committees for many years and devoted to both committees. They knew the problems of both committees well and, in their wisdom, always urged the retention of the Committee on Un-American Activities as a standing committee.

HOUSE HAS REPEATEDLY REJECTED IDEA AS UNSOUND

It is now being argued that, if the House will only give full and careful consideration to the idea of transferring the functions of the Committee on Un-American Activities to the Judiciary Committee, it will see wisdom in this step and decide to take it.

This argument deserves careful analysis because the fact is that the House has repeatedly considered the idea—directly or indirectly—over a period of many years and rejected it every time it has been proposed.

Just 3 years ago, in the 89th Congress, a Joint Committee on the Organization of the Congress was established pursuant to Senate Concurrent Resolution 2, adopted on March 11, 1965. The joint committee held lengthy hearings. It heard 199 witnesses, more than 100 of them Members of the Congress. Testimony received was published in 15 volumes, totaling 2,322 pages.

Two separate recommendations concerning the Committee on Un-American Activities were heard by the joint committee. Representatives of two Communist fronts and a representative of the ACLU urged that the committee be abolished. One Member of the House urged that the committee's functions be transferred to the Judiciary Committee.

On July 28, 1966, the joint committee published a 97-page report. The report rejected both the recommendation that the Committee on Un-American Activities be abolished and also the recommendation that its functions be turned over to the Judiciary Committee.

In 1963, as previously indicated, the Rules Committee held hearings on resolutions introduced by three Members of the House to eliminate the Committee on Un-American Activities and transfer some of its functions to the Judiciary Committee.

On February 26, 1963, the Rules Committee, after due deliberation, voted 12 to 1 against reporting the resolutions.

In 1945 the House found itself in an unfortunate situation which interfered with, and strongly hampered, its effective operation as the legislative and investigative agency of the American people—that arm of Government which is the most immediate expression of the will of the people in the affairs of our Nation.

The House then had 48 standing committees—far too many. The Members of the 79th Congress wisely decided to do something to correct this situation, to reorganize and streamline this body, so that it could effectively meet the great challenges it faced in the period immediately following World War II.

A Joint Committee on Reorganization of the Legislature was formed. Senator Monroney, then a Member of the House and the vice chairman of the joint committee, described the situation which then prevailed in the House as "a sprawling, overlapping, crazy quilt" that presented the Congress with a "hopeless morass of legislative difficulties."

Five months of hearings followed the formation of this joint committee. These hearings comprised the most thorough analysis and review of the Legislature of this country, its basic and necessary functions, and the type organization needed to carry them out in the most sufficient possible manner that had taken place since our Government was established.

These extensive hearings and debates culminated in Public Law 601, the Legislative Reorganization Act of 1946, which, in effect, established the structure of the Congress as we know it today. Public Law 601 reduced the standing committees of the House from 48 to 19. It eliminated 29 standing committees as superfluous. At the same time, however, it retained the Committee on Un-American Activities as a standing committee even though the committee had enjoyed that status for only a year.

Most significantly, during all the debate on the Legislative Reorganization Act, no proposal was ever made that the function of the Committee on Un-American Activities be turned over to the Judiciary Committee. A proposal to abolish the committee mustered only 25 votes.

Now, let us go back to 1930 when the House undertook its first investigation of communism. It could have decided at that time to assign the task of investigating Communist propaganda to the Judiciary Committee. Apparently, however, seeing absolutely no logical reason or justification for doing so, it created the Fish committee, a special committee, to conduct the investigation.

The same thing happened in 1934 when the House, for the second time, decided to investigate subversive elements in this country. No one, apparently, believed there was any good reason to assign the task to the Judiciary Committee, and so the McCormack-Dickstein committee, another special committee, was set up to do the work.

And, of course, the same thing happened in 1938 when the Committee on Un-American Activities was first established as a special committee. This time, with the experience of two special committees behind it, it apparently never occurred to anyone in the House that there was some need, reason, or justification for assigning an investigation of this type to the Judiciary Committee.

In each of the succeeding Congresses, through the 78th, the House, instead of continuing the life of the Special Committee on Un-American Activities, could have conferred its authority on the Judiciary Committee. Instead, with due deliberation and thought, it voted in each Congress to renew the life of the Special Committee on Un-American Activities. Finally, in 1945, the year before the Reorganization Act, the House voted to make the Special Committee on Un-American Activities a standing committee. There was no hue and cry, no urging that the functions of the special committee be turned over to the Judiciary Committee rather than a standing Committee on Un-American Activities.

And so we have a clear and unbroken record of almost 40 years; we have a House tradition; we have a House policy which states, in effect, that on organizational, constitutional, or other grounds, there is no basis for a claim that investigation of subversion should be in the hands of the Judiciary Committee.

How can it be argued, in view of this history, that the House has not given careful thought to the idea in the past? Is it not true that each time the House considered the question of voting on a committee to investigate subversion during the past 40 years, its Members must have given serious thought about how best to do it, which committee and which kind of committee would be best suited to the task? At this point, it appears to me, as I am sure it must to many others, that further consideration of this question would serve no purpose except to waste the time of the House.

As a member of the Committee on Un-

American Activities, I have naturally kept myself informed about the various proposals made affecting it. I have read and listened to the arguments pro and con these various proposals. I must say frankly that in the 8 years I have served as a Member of the House, I have not read or heard a single argument on this issue that provided any logical grounds for changing the reasoned and well-established policy of the House.

NONPARTISAN INVESTIGATION OF SUBVERSION DESIRED

The House wisely decided years ago that its investigations into Communist subversion, no matter what form it took, should be as nonpartisan as possible and that, from the organizational viewpoint, steps should be taken to see that investigations would not become political footballs.

For this reason, the House deliberately created the Committee on Un-American Activities with a structure different from that of all other committees, to make it as nonpartisan and nonpolitical as possible. Throughout its life, except for a lapse during the 89th Congress, the House has given the majority and minority parties equal representation on the committee—four Republicans and four Democrats—with the chairman being a member of the majority party.

The record of the Committee on Un-American Activities has been excellent in keeping partisan politics out of its work. But we must all face the fact that if we were to give either party a significant majority on the committee, we would be creating a very real danger that investigations in this field could become partisan.

The Judiciary Committee, like all other committees except the Committee on Un-American Activities, is political, or partisan, in its structure. Its 35 members are now divided between the majority and minority parties on the ratio of 20 to 15.

It is vital that Congress and the American people have full confidence in the activities of the House in this area. They must know that its investigations are not politically inspired. The organizational setup of the Committee on Un-American Activities is designed to give them that assurance; the setup of the Judiciary Committee is not. For this reason, too, it would be an error to transfer the functions of the Un-American Activities Committee to the Committee on the Judiciary.

INVESTIGATION OF SUBVERSION SHOULD NOT BE DOWNGRADED

The Communist Party and other subversive elements in this country have been working for the abolition of the Committee on Un-American Activities virtually from the day it was created. They want it eliminated completely.

Transferring the committee's functions to a Judiciary Committee subcommittee would not completely satisfy the Communists, but it would be a step in the direction they want because it would very clearly downgrade the importance this body attaches to protecting our internal security by thoroughgoing investigation of subversive activities. In this respect, it is most important to point out that not one of the various resolutions introduced over the years to transfer the investigation of subversion to the Judiciary Committee would have conferred on the new Judiciary Subcommittee all the power and authority exercised by the Committee on Un-American Activities. Each and every one of them, in one way or another, would have limited or curbed the authority the Committee on Un-American Activities has enjoyed for 30 years.

This question, therefore, must be examined in its real light. The proposals at issue have not been simply proposals to transfer authority. They have been, and are, proposals to abolish the Committee on Un-American Activities, to take away from the House an investigative power it has enjoyed for 30 years and supplant it with a much reduced authority.

HOUSE ORGANIZATION SHOULD NOT BE IDEOLOGICAL

During the debate on the Legislative Reorganization Act of 1946, one Member of the House proposed that the Committee on Un-American Activities be eliminated as a standing committee.

Senator Monroney, the floor leader on the bill as well as vice chairman of the Committee on Reorganization, objected to the proposal on the grounds that it did not concern the "functional reorganization of Congress," but was rather a political or ideological consideration."

Obviously, the House should be organized in the manner best calculated to enable it to carry out its constitutional functions. Its organization should not be based on the ideology of a distinct minority of its Members. During the 30-year existence of the Committee on Un-American Activities, a relative handful of the thousands of Members who have served in the House have urged that its functions be turned over to the Judiciary Committee or that it be completely abolished.

When the arguments these Members have advanced in support of their position are studied, when their comments related to the committee and the investigation of subversive activities in general are analyzed, it becomes clear that their position is designed neither to improve the organization and the effectiveness of the Congress as such, nor to bring about more intensive and forceful effort against subversion in both the investigative and legislative fields. It becomes apparent—though I do not question their motives or the sincerity of their beliefs—that they want less done in this area and oppose the committee because, in their view, it does too much. They feel confident less would be done under the Judiciary Committee.

To put it in a nutshell, their recommendation, as Senator Monroney said of a similar one in 1946, is ideological or political. For this reason, it should be rejected.

HOUSE SHOULD NOT UNFAIRLY ATTACK ITSELF

All proposals to abolish the Committee on Un-American Activities and/or transfer its authority to the Judiciary Committee have been based on unfounded claims that the committee has continuously operated in an irresponsible, undemocratic manner; that it has failed to abide by rules of fair procedure; that it is a threat to the constitutional rights and civil liberties of American citizens and so on, ad infinitum.

The House has rightly rejected these charges for 30 years. For the House to affirm these unfounded accusations today by transferring investigation of subversion to the Judiciary Committee would be tantamount to admitting that the charges I have referred to have been true all along, that the House has been in error in rejecting them for the past 30 years and that the House has, in effect, condoned, financed and approved what were actually un-American operations by one of its own creatures.

There is no basis for such an admission. The charges are not true and I am certain that the Members of this House will not thus falsely condemn themselves and their former colleagues.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Virginia.

Mr. SCOTT. I thank the gentleman for yielding.

Mr. Speaker, in reading the resolution I see it refers to investigative authority of the committee.

Will the committees under this resolution have authority to originate legislation as well as to investigate?

Mr. ASHBROOK. Our committee has always had authority to make investigations and to offer such remedial steps as are necessary. This may demand legislative action or executive department action. In the past 10 or 15 years, I will say frankly, most recommendations we have made have dealt with steps to be taken in the structure of the agencies of the executive departments of the Government. For example, almost a decade ago when Vernon Mitchell and William Martin defected to the Soviet Union the House Committee on Un-American Activities conducted a thorough investigation. No legislation came as a result of this inquiry which was brought to the House but, even more important, recommendations were made to the President which resulted in a number of significant changes in security practices within the NSA. The late Allen Dulles edited a new book, entitled "Great True Spy Stories," which notes on page 67:

> Investigation revealed that both Martin and Mitchell were sexually abnormal, a situation which should have alerted security agents, but Maurice H. Klein, NSA's Assistant Director and Personnel Chief at the time, insisted the agency enjoyed "as tight a security program as there is in the whole government." Unimpressed Congressional probers discovered it was loose enough for Klein himself to have fabricated some of the records in his own personnel file. He was forced out, and NSA took 22 steps to tighten its vigilance. It fired 26 suspected sex deviates on its roles and in mid 1962 told Congress it had reviewed the security file of every employee.

This example indicates, in answer to the gentleman from Virginia, that our functions have been those of all other committees—investigate, legislate, and oversee. They will continue exactly the same if House Resolution 89 is adopted today.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SCOTT. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Virginia.

Mr. SCOTT. Mr. Speaker, my thought was, can this committee under the authority of the resolution bring matters to the floor of the House just as any other standing committee by its own initiative, or does it merely investigate and then let the regular committee or the other committees of the House bring these matters to the floor?

Mr. ASHBROOK. We can obviously bring matters to the floor at any time, I will say to the gentleman. In sound practice, we are going to investigate the need before we bring a bill out. I do not know of any time that we have brought up a bill without a thorough investigation in advance and being able to show a specific need for the bill. We intend to continue on that exact course of action which we followed in the past.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Missouri.

Mr. ICHORD. I also wish to state that the resolution will give the House Committee on Internal Security a threefold function, as any committee of the House has: legislative, oversight, and investigatory. I point out that there are only three permanent investigating committees of the House, that is, the Appropriations Committee, the Government Operations Committee, and the House Committee on Un-American Activities.

Mr. COLMER. Mr. Speaker, I yield 6 minutes to the gentleman from Iowa (Mr. CULVER).

Mr. CULVER. Mr. Speaker, I rise to urge Members to vote "no" on the previous question at the close of this debate. I urge this with gratitude to the gentleman from Missouri (Mr. ICHORD) for giving this House a much-needed opportunity to consider the vital question of reform of HUAC. However, only if the previous question is defeated will it be possible under our rules to offer an amendment which would cure what, in my judgment, are the serious deficiencies of House Resolution 89.

A large number of Members, including the author of House Resolution 89, are justifiably concerned over the ambiguous language of the present HUAC mandate of authority. Moreover, many Members are concerned over the past excesses of the committee which have fostered excesses on the part of its critics.

The time is opportune to consider anew how the Congress can best discharge its dual responsibilities of protecting the internal security of our Nation and guarding the civil liberties of our Nation's citizens. But we should not set sail here under a false flag—either we are genuinely interested in reform or we are engaging in political public relations.

In my judgment, House Resolution 89 is not reform; further, the measure's attempt at clarification of the HUAC mandate does not constitute a serious effort toward reform.

Meaningful reform in this area must involve a more precise and confining mandate for investigations concerning matters of internal security. Such an effort must at the least, in my judgment, seek to weigh the respective interests of internal security and civil liberty, and mark out as clearly as possible the respective boundaries of each interest, however wide or narrow.

House Resolution 89 fails to attempt such an effort. The author of the resolution has stated that his proposal "will preserve for the committee the full jurisdiction and all the powers it has possessed during the almost 29 years of its operation under the present mandate."—CONGRESSIONAL RECORD, volume 113, part 1, page 725. After careful review, I must agree that his assessment is correct. House Resolution 89, in fact, does not narrow the free-wheeling scope of operation of the proposed Committee on Internal Security in any way.

The difficulty with House Resolution 89, as with the present HUAC, is that the Congress grants investigating powers whose broad sweep is inimical to constitutional principles and unwise as legislative policy. For example, the following questions at a minimum are left unresolved by the proposal:

What does it mean to "incite" acts of "terrorism" to "oppose" the "policy affecting the internal security of the United States?"—page 2, lines 12–16.

What is a group's "character" and what relevance does this have?—page 2, line 1.

What does "treachery" mean?—page 2, line 9.

Moreover, whatever clarity can be distilled from such words is entirely dissipated by subparagraph 3, page 2, line 16—which would retain committee jurisdiction over "all other questions" that in some unspecified way might aid the Congress in any remedial legislation.

But the central weakness of the proposal, wholly apart from these ambiguities, is that once an organization falls within the category of organizations to be investigated, and this I want to emphasize, all activities—innocent ones as well as threatening ones—may be investigated. Such innocent activities are most often those of speech, association, and belief.

The very times in which we live suggest a pragmatic reason why the powers of investigation should be refined, not, as House Resolution 89 would have it, maintained intact. In the past the HUAC has often functioned under its overly broad powers to provide gratuitous publicity to those it purports to oppose. As these groups increasingly seek out rather than shun the spotlight of the mass media, the Congress needs some assurance that its committees will not become unwitting foils for publicity-seeking extremists.

There is another very important point of Congressional organization at issue here. The very attempt of House Resolution 89 to reword investigating authority in the field of internal security in general and espionage in particular raises serious questions of jurisdictional conflict between the successor to the HUAC and the Committee on the Judiciary, which has been so ably covered by the chairman of the Committee on the Judiciary, the gentleman from New York (Mr. CELLER).

Subparagraph (c) of clause 12 in rule XI explicitly grants jurisdictional authority over "espionage" to the Judiciary Committee. By granting authority over "espionage" matters—page 2, line 9—to another standing committee, as House Resolution 89 would do, jurisdictional conflict between two House committees is made inevitable.

By opening up and making clear for our consideration the possibility of a division of legislative and investigative authority between two standing committees of the House, House Resolution 89, in my judgment, provides the occasion for the House to effect meaningful and sound reform.

A consolidation of both investigative and legislative internal security functions within the Judiciary Committee, which has traditionally handled espionage and sedition matters as well as criminal matters in general, commends itself on grounds of sound congressional administration.

Furthermore, I believe that assignments in this highly sensitive area bearing so immediately on constitutional responsibilities and restraints should go to Members who are lawyers by education and who can bring to bear the required judicial temperament.

I might add that in choosing such a course of action the House would be following the precedent of the other body, as well as heeding the advice of a past HCUA chairman, the late Honorable Francis Walter, who advocated such consolidation as late as 1960. In trial testimony Mr. Walter stated:

> I am one of the 42 men who voted against creating the committee. I thought that its functions should be within the framework of the Judiciary Committee, just as it is in the Senate, where this work is done by a subcommittee of the Judiciary Committee.
>
> Q. Do you still feel that way?
>
> WALTER. *Of course.* (*U.S.* v. *Yellin*, Mar. 9, 1960.)

Therefore, I urge Members to defeat the previous question, after which I would then hope to offer an amendment to House Resolution 89 which would first consolidate all internal security functions in the Judiciary Committee; and second, it would provide for a more precise mandate on the one hand to protect constitutionally privileged activities, and on the other to provide for the internal security needs of our country.

I believe my amendment would allow the House better to discharge its duties in this most sensitive area. But voting down the previous question does not commit Members to my amendment any more than it commits them ultimately to opposition to House Resolution 89.

In conclusion, there is no subject to which we as Members of Congress have a greater obligation than the protection of the very life of our Nation against those who would destroy it, along with the preservation of our constitutional freedoms against those who would defy them.

We should not delude ourselves that the problems spawned by the Committee on Un-American Activities will be solved even in part, if we merely change words and fail to grip the very serious root issues suggested by those words. So I urge you to defeat the previous question in order that we may consider meaningful reform. Thank you.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I rise to give notice I will support the substitute offered by the honorable gentleman from Iowa, if the previous question is defeated.

I have long believed that the activities and interests of the House Un-American Activities Committee rightly belong under the jurisdiction of the Judiciary Committee. The rules of the House and traditional practice have granted the Judiciary Committee jurisdiction over legislation dealing with espionage, sedition, crime, and punishment. The always-too-vague and all-embracing investigative powers of the HUAC have conflicted with that jurisdiction.

The proposed change in the mandate of the HUAC will not make that power less vague or indefinite. What could be more comprehensive than the phrase "all other questions, including the administration and execution of any law of the United States, or any portion of the law, relating to the foregoing that would aid the Congress or any other committee of the House in any necessary remedial legislation."

This mandate grants to the committee what we do not have the constitutional power to grant.

The Judiciary Committee, under its powers to investigate and propose legislation, has always concerned itself with real attempts to overthrow our Government by force. And this committee of able and dedicated lawyers has always weighed constitutional rights and protections in its efforts.

Through the years HUAC has brought disrepute to the House of Representatives. The coverage and elevation of ridiculous and farcial groups has not enhanced the reputation or the influence of the Congress, but has instead made a mockery of the important legislative and investigative powers and responsibilities.

The serious and meaningful work of the Congress is delegated to a lesser position when equal standing and power are given to a committee that exposes for exposure's sake and gives priority to hearings rather than meaningful legislation.

The Congress has been and should be concerned with the legislative process and the protection of constitutional rights. Yet we have allowed this committee, which has only dabbled in legislation and completely ignored constitutional guarantees, to continue unchecked and unabated.

The Judiciary Committee has been and is concerned with threats to the Government and our democratic system. They have been concerned with dangers from organized groups who wish to overthrow the Government by force, and they have been equally concerned with the dangers of slow, steady erosion of our constitutional guarantees. These threats are equally serious. The HUAC, I am afraid, has encouraged the latter in often blind pursuit of the former.

The Judiciary Committee which has demonstrated its concern and knowledge regarding threats to freedom and democracy, should be given full and sole authority over these questions.

We are obligated to consider means as well as ends. If the means are unconstitutional, unfair, and morally objectionable, it matters little how worthy the ends. The Constitution and the Rules of the House have described and restricted procedure as much as substantive content. We should seek a studied, legal, and truly American approach to solving these problems and eliminating these dangers. Such an approach can best be found in the Judiciary Committee.

If the motion of the previous question is not defeated, I will vote "aye" and hope the changing of the name of the committee will help alleviate the stigma the Un-American Activities Committee has placed on the Congress and that the new committee and new members will reverse the policies of the old committee and bring respect and honor to the Congress.

Mr. COLMER. Mr. Speaker, I now yield to the gentleman from Illinois (Mr. YATES) for the purpose of debate only.

Mr. YATES. Mr. Speaker, the trouble with some committee members is that they forget they have been appointed and believe they have been anointed. This is particularly true of the Committee on Un-American Activities. Since its origin, a great many members of that committee have assumed a messianic role of defining to the House and the country the limitations of what free Americans may think or say or do.

The letter we received yesterday from the chairman of the committee is a typical example of committee thinking. He writes:

> Most of the opposition to the bill appears to come from the radically extreme left, as evidenced by the enclosed article from the Communist Daily World.

Although couched in innuendo, the intent is clear: If Members of the House dare oppose this bill, they are joining the radically extreme left. I thought the extreme left, being extreme, was as bad as could possibly be. Apparently, "the radically extreme left," to use the chairman's phrase, whatever that means, is much worse.

But, Mr. Speaker, the letter did serve a most useful purpose in making crystal clear that changing the name will not change the committee, for if the committee was known for one thing, it was name calling and guilt by implication. But name calling will not stifle opposition to this bill because it is a bad bill. The same nefarious practices and ambiguities which marked the committee's activities in the past are authorized and approved in this bill.

And changing the committee's name will not help. A bad committee is a bad committee, no matter what its name. Shakespeare said:

> A rose by any other name would smell as sweet.

And obvious corollary would be:

> A noxious weed by any other name would smell as foul.

We are all familiar with the legislative nonrecord of the House Committee on Un-American Activities—it has made virtually no substantive legislative proposals in recent years. It has expended more funds with less legislative return than any other committee in this body. In the process of conducting its investigations, HUAC has consistently played the dangerous game of confusing unorthodoxy with subversion and has sacrificed constitutional guarantees by extralegal actions. I would be the last one to suggest that the internal security of the United States is not of the utmost importance, but there is no evidence that HUAC has made any significant contribution to the maintenance of that security.

The time has come for us to repudiate HUAC, not to give it new life. The investigatory mandate of House Resolution 89 is no less ambiguous than that which has guided the uneven course of HUAC since its establishment as a standing committee. There is no reason to believe that a facelift for HUAC will magically endow it with the commonsense and appreciation of fairplay it has lacked for the past 24 years. HUAC as a committee has not served this House well, and House Resolution 89 retains that free-wheeling autonomy that has bred so many abuses in the past.

Many Members, myself included, have introduced legislation that would abolish HUAC and transfer its investigatory mandate to the Committee on the Judiciary, where it should be, because that committee now has jurisdiction under the rules over matters involving sabotage and espionage.

On a strictly procedural basis, the Judiciary Committee is the proper place for inquiries relevant to our internal security. Moreover, the Judiciary Committee is made up of men with the legal expertise necessary to conduct investigations with the proper regard for procedural due process. We could therefore achieve some additional assurance that its investigations would be germane to our internal security and not merely showcases for ideological polemics which breed discord. Moreover, there would be the combined wisdom and proud supervision of the full committee to oversee the actions of the subcommittee to protest against the kind of noxious investigations that marked its predecessor.

The parliamentary situation under which we are considering this legislation does not provide time for the kind of serious consideration necessary in order to make a reasoned judgment on the merits of this resolution. The procedure by which this matter was brought to the floor ought to be of concern to all of us. It is in a sense additional evidence that nothing is really changed by House Resolution 89.

In closing, I want to urge my colleagues to seize this opportunity to repudiate the past actions of HUAC. What is at stake here is nothing less than the constitutional guarantees of the Bill of Rights—not to mention the reputation of this body. I urge you to vote down the previous question and support the amendment offered by the gentleman from Iowa (Mr. CULVER) which would transfer the jurisdiction of the Committee on Un-American Activities to the Committee on the Judiciary.

Mr. COLMER. Mr. Speaker, I now yield 1 minute to the gentleman from California (Mr. BURTON).

Mr. BURTON of California. Mr. Speaker, I rise today in support of the position espoused by our distinguished colleague from Iowa (Mr. CULVER).

I have noted with approval that the debate, at least, on our side of the issue today, has not resembled a fictional Al Capp cartoon depicting the Dogpatch City Council meeting to resolve to rename the local skunk works as the Ozark Perfume Factory.

It was Shakespeare who said:

> What is in a name? That which we call a rose would by any other name smell as sweet.

The renaming of this committee, if that is all the resolution does, is without purpose. But, if it seeks to enlarge the function and jurisdiction of this committee, it is then unthinkable. To the extent this resolution infringes or seeks to infringe upon or take away the jurisdiction of the Committee on the Judiciary and other committees, it should be flatly rejected.

Therefore, Mr. Speaker, I urge that the motion to close debate be rejected so that we may appropriately deal with this committee of the Congress.

Mr. COLMER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Speaker, House Resolution 89 would not only change the name of the Un-American Activities Committee to the Committee on Internal Security but extend its jurisdiction into areas of criminal jurisdiction which are the province of the House Judiciary Committee as was so well pointed out by the distinguished chairman of the Judiciary, the gentleman from New York (Mr. CELLER). Time and time again on the floor of this House, I have pointed out how the House Un-American Activities Committee serves no useful legislative purpose and how it has consistently violated our basic constitutional guarantees of due process, bringing discredit upon the House of Representatives.

House Resolution 89 seeks, according to its principal sponsor, the gentleman from Missouri (Mr. ICHORD), "to strengthen the committee in every possible way, clarify its mandate and eliminate any possible misunderstanding and confusion about the specific powers and jurisdiction of the committee"—CONGRESSIONAL RECORD, January 18, 1967.

What would the practical effect of the approval of this resolution be? Let me turn first to the proposed change in its name.

During the past several years opposition to HUAC has increased steadily and grown more influential. More and more Members of Congress have begun to publically express, their opposition to the committee, and a distinguished body of lawyers and jurists has urged that the committee be abolished. Larger and larger numbers of citizens are beginning to question the very concepts embodied in its authorizing mandate.

The attempt made through this resolution to cloak the committee's activities in a more euphemistic and respectable sounding name is directly related to this growing opposition. For the name of the committee has itself become a symbol of the vagueness and arbitrariness under which its activities are carried out. A change in name and expanded jurisdiction will create the impression that the committee has been given new certification by the House.

This resolution, which would enlarge the mandate of the present House Un-American Activities Committee, would give the committee significantly broader powers than are presently authorized by rule XI of the Rules of the House. Rule XI currently gives the committee authority to investigate "the extent, character, and objects of 'un-American propaganda' activities in the United States," and to determine the diffusion of "un-American propaganda." Under the provisions of House Resolution 89, the committee's mandate would not be limited to investigation of "propaganda" but would explicitly extend into the activities of "organizations and groups." Contrary to the statements of the sponsors of this resolution, the language proposed in the mandate is no less vague than the language in the present mandate. For example, the new mandate would empower the committee to investigate organizations or groups which seek in the committee's view to overthrow or alter the Government by such means as "treachery." What does "treachery" mean? Beyond that, who establishes which groups or organizations seek to overthrow the Government by force or violence or "any unlawful means?" Will the committee decide what is "unlawful" activity? Again the proposed mandate is open ended.

These changes would give the committee the congressional sanction it seeks to initiate new investigations into civil rights, peace, student and other organizations which the House Un-American Activities Committee has already investigated under its old mandate. None of the committee's previous sallies into the activities of these organizations—which have made a mockery of the value and utility of respectable congressional investigation—suggests this extension of its powers would be in the interest of protecting the "internal security" of the United States.

In addition to broadening the investigatory authority, the proposed changes in the subject matter of the jurisdiction of the House Un-American Activities Committee would encroach upon powers already delegated to the Judiciary Committee. As the chairman of the Judiciary Committee, the gentlemen from New York (Mr. CELLER), pointed out in his letter to the Rules Committee opposing House Resolution 89, the powers invested in the Committee on Internal Security by paragraphs 11(b)1, 11(b)2, and 11(b)3 of the resolution clearly overlap the jurisdiction of the Judiciary Committee, which has long had responsibility for investigating matters of espionage, sedition, and the criminal penalties associated with these crimes. If this resolution is approved, a conflict in authority between the Judiciary Committee and the Committee on Internal Security will surely result.

Seven other members of the Judiciary Committee, including myself, outlined our reasons for opposing this resolution in a letter which we sent to our colleagues on February 13. Are all of these arguments, which ask only that no other committee of the House be granted powers which infringe upon the mandate of the Judiciary Committee, to be ignored? If there is any reason why the House Un-American Activities Committee is better qualified to carry out the duties already assigned to the Judiciary Committee than that committee, I suggest the sponsors of this bill make their reasons known. The sponsor of House Resolution 89, the gentleman from Missouri (Mr. ICHORD), has suggested that Chairman CELLER would not have time to take on the responsibilities outlined in his resolution. However, the chairman of the Judiciary Committee has never indicated any lack of willingness to carry out responsibilities already invested in the Judiciary Committee to investigate espionage or sedition. On the other hand, if the intent of House Resolution 89 is to create new areas of investigative responsibility, I would remind my colleagues that as yet no need has been demonstrated for the creation of such additional areas of inquiry. It is important to note that the present Committee on Un-American Activities since its inception has trespassed upon the jurisdiction of the Judiciary Committee as well as other House committees.

Mr. Speaker, this resolution cannot be considered in isolation from the record of the committee which is the subject of this bill. For that reason, I wish to very briefly discuss in "cost-effectiveness" terms, the legislative record of the House Un-American Activities Committee during the Congress just concluded, the 90th Congress.

In addition to the funds allocated under the Legislative Reorganization Act og 1946, which in past years has averaged more than $150,000, the Un-American Activities Committee received $725,000 in additional funds during the 90th Congress, the fifth largest sum allocated to any committee in the House. The Judiciary Committee, by contrast, received $500,000 in additional funds.

The Un-American Activities Committee also had the fourth largest staff, employing more people—47—on its payroll through December 1968 than all but the Committees on Appropriations, Education and Labor, and Government Operations.

However, its budget bears no relation to its legislative productivity. While the Congress as a whole considered 17,180 measures during both sessions of the 90th Congress, only 32 bills were referred to the House Un-American Activities Committee. The average number of measures referred to each committee of the House, by contrast, was 1,211. Of these 32 bills referred to the House Un-American Committee, 23 were identical or similar to other bills, leaving it with a real workload of nine pieces of legislation. All of these nine bills properly belonged to the jurisdiction of other standing committees of the House.

Only one bill recommended by the House Un-American Activities Committee was approved by the 90th Congress. The lone bill extended the life of the previously dormant Subversive Activities Control Board, whose record of achievement is, appropriately, comparable to that of HUAC.

That is the record of the committee which House Resolution 89 asks be given new and broader powers of investigation.

One of the sponsors of this resolution, the gentleman from Missouri (Mr. ICHORD), in a letter to his colleagues dated February 17, 1967, characterized the opposition to this resolution as coming from the "radically extreme left," which is demonstrated, he says, by the fact that an article in the Daily World criticized House Resolution 89.

If anyone had any doubt about how to vote upon this resolution, it should have been settled by that letter in which the gentleman from Missouri (Mr. ICHORD) attempts to equate opposition to House Resolution 89 with support for communism. The circulation of the article illustrates the shopworn technique of guilt by association which HUAC perfected over the years. I do not know whether the letter should be viewed as the last gasp of the old HUAC or the first squeal of the new HUAC. However, whether it is an epitaph or a birth announcement, it is in character.

Mr. Speaker, if any of my colleagues had any illusions that the nature of the committee might improve if the requested revisions in name and mandate were approved, I would only ask them to appraise the character of argument made in that letter. Issues as serious and sensitive as "internal security" require the utmost concern for due process, and this committee should not be authorized to extend its harassing and exposing tactics into new areas of concern. Far from meriting the extension on its life it seeks, it should be eliminated as a standing committee.

I urge that the previous question be defeated. Then it will be in order to consider alternatives to House Resolution 89.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LATTA. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from South Carolina (Mr. WATSON).

Mr. WATSON. Mr. Speaker, my contribution to this debate—and I favor adoption of House Resolution 89—will be brief and to the point.

On November 12, 1957, Mr. J. Edgar Hoover, Director of the FBI, wrote a letter to the late Francis E. Walter, then chairman of the Committee on Un-American Activities. In this letter he stated:

> Your Committee's role in safeguarding our freedoms is well known to every patriotic citizen, and real Americans are not going to be fooled or misled by efforts to discredit your vital task.

Two years later, the famed Director of the FBI, who knows more than anyone else about subversive operations in this country and what must be done to cope with them, wrote in part as follows to the late Clyde Doyle, who served as a member of the Committee on Un-American Activities from 1951 until his death in 1963:

> The American people owe a great debt of gratitude to the work over the years of congressional investigating committees. These committees, day after day, secure information vitally needed in the consideration of new legislation. They are indeed indispensable parts of the American legislative process.
>
> We in the FBI have the highest appreciation for the contributions rendered by congressional investigating committees dealing with Un-American activities. . . .
>
> I feel that both the FBI and congressional investigating committees, in the field of internal security, have important roles to play. We are working for the same goal—protecting our great Nation from enemies who seek to destroy us. Our work is not contradictory, but mutually helpful. That is as it should be.

In 1960, a famed American churchman and patriot, the late Cardinal Spellman, sent a telegram to Donald Jackson, then the ranking Republican on the Committee on Un-American Activities. In his telegram he stated:

> I respect the fact that Congressman Walter, you and other members of your committee have rendered outstanding service in exposing Communist activities.

In August 1955, Bernard Baruch, distinguished elder statesman and adviser to Presidents, appeared at a House Committee on Un-American Activities hearing on Communist infiltration of the theater, which was being held in New York City, to congratulate the committee members for performing "a very difficult and very necessary job."

Mr. Baruch told Representative Francis E. Walter, then chairman of the committee:

> You have a tough task to do and are doing it well. I have great respect for this Committee.

It is significant that, for the most part, these statements were made at times when, if you believe some of the present-day as well as past critics of the committee, the committee itself was engaging in all kinds of horrible and un-American practices.

And let's go back many years more to the days of the Dies committee, the Special Committee on Un-American Activities, which has been the subject of so much vilification by self-appointed and self-annointed saviors of America.

The American Federation of Labor, at its 1939 convention held in Cincinnati, Ohio, formally endorsed the work of the Dies committee and urged its continuation. Early the following year, when the House had to decide the issue of whether or not the Special Committee on Un-American Activities should be continued, William Green, president of the American Federation of Labor, wrote a letter to Members of the House in which he made the following statements:

> I cannot conceive of anyone, other than those who may be exposed through association with Communist organizations and Communist front organizations, objecting to a thorough investigation into the activities of subversive groups by a congressional committee. Those who have no sympathy with these un-American groups, these subversive forces within our social order, who are constantly seeking to change our form of government and to promote revolution, can with perfect propriety give wholehearted support to the work of the Dies committee, and to the investigation it has made and which it can continue to make.
>
> The people of our country are entitled to know the truth. We of the American Federation of Labor want them to know the facts. We want those who are undermining our form of government and those who are engaged in subversive activities to be exposed. Ridicule, denunciation, and sarcasm, all directed toward the Dies committee by those who seek to suppress its activities and prevent it from carrying on its important work, can only be looked upon with suspicion.
>
> We cannot permit those who engage in such tactics to prevent a thorough investigation and a public exposure of the actions and of the activities of individuals and groups who are engaged in un-American activities, and who are seeking either directly or indirectly the overthrow of our Government.
>
> The preservation of freedom and democracy is a matter of vital concern to all those who believe in our form of government. We can protect ourselves if we know who and what it is that is undermining and attacking our governmental structure. Those who are with us need not fear, those who are against us ought to be exposed. The Dies committee is rendering a great public service. It should be continued until its investigation is completed.

I could go on. The words of many other respected and famous Americans could be quoted in praise of the Committee on Un-American Activities. But, it is not necessary to do this. The Members of this House have always voted overwhelmingly in support of the committee.

As J. Edgar Hoover wrote, "real Americans are not going to be fooled or misled" by efforts to discredit the committee.

It is interesting to note that the president of the American Federation of Labor, in his letter, made more than one reference to exposure of the enemies of this country. On more than one occasion, FBI Director J. Edgar Hoover has stated that exposure is the best weapon against communism. All experts on the subject are agreed on this. One of the most effective weapons of the Communists has been their ability to conceal the identity of their members and agents and also to keep hidden or secret their numerous conspiratorial operations, cloaking them under front organizations. "Exposure," which is no more than revelation or disclosure, strips them of this weapon.

We are all agreed, of course, that exposure for the sake of exposure alone is not a function of a congressional committee, but exposure for legislative purposes—the type the Committee on Un-American Activities has engaged in—is specifically a function of the Congress and all its committees.

Of course, exposure has become in recent years a nasty word in the American language—largely because of a continuing, intensive Communist and leftwing campaign against the Committee on Un-American Activities, a campaign that has had the purpose of ending the numerous valuable exposures of Communist operations by the committee because they have done so much damage to the Communist Party.

Unfortunately, there is something of a double standard existing on this question of exposure. On February 2 of this year, the Washington Post featured an interview with the distinguished chairman of the House Judiciary Committee, the gentleman from New York (Mr. CELLER). The article mentioned the Judiciary Committee's forthcoming hearings on business conglomerates and it quoted the gentleman from New York as saying that these hearings "will focus the pitiless light of publicity" on questionable practices of large corporations.

There was no Washington Post or New York Times editorial denunciation of the chairman of the Judiciary Committee for his statement that he was going to expose questionable practices of business conglomerates and that he intended to discredit them with the American people by "the pitiless light of publicity."

But what if the chairman, or a member, of the Committee on Un-American Activities had said that that committee was going to "focus the pitiless light of publicity" on Communists and others in this country who are engaging in traitorous activities and trying to subvert our Constitution? It is my guess that he would be denounced from one end of the country to the other in major editorials published in many of our so-called best newspapers.

It should be stressed that the courts have consistently upheld the type exposure carried out by the Committee on Un-American Activities. An effective answer to the exposure charge which is so often launched against the committee was presented by Ed Willis, former chairman of the committee, in a statement which he submitted to the Joint Committee on the Organization of the Congress on April 1, 1966. The text of his statement was as follows:

> And what about the charge of "exposure"?
>
> In democratic societies, legislatures have an informing or educational function which is an integral part of, and basic to, their lawmaking function, Woodrow Wilson, a recognized authority on political science and constitutional law, who taught at Princeton University before his election to the Presidency of the United States, believed that the informing function of Congress was even more important than its lawmaking function. In his book, "Congressional Government," he wrote:
>
> " * * * even more important than legislation is the instruction and guidance in political affairs which the people might receive from a body *which kept all national concerns suffused in a broad daylight of discussion* * * *. The informing function of Congress should be preferred even to its legislative function."
>
> All congressional committees, through their hearings and reports, perform an informing function, educating the American people about the major problems confronting the Nation and the means, legislative or otherwise, which might be used to solve them.
>
> The important role this function plays in strengthening and preserving a democratic society is not open to question.
>
> Curiously, however, when this committee carries out its informing function, certain people immediately accuse it of "exposure." But this is no more than a smear word for a legitimate and necessary congressional duty. "Exposure" is disclosure, revelation, informing the people about what they must know to govern themselves intelligently and preserve the Government which they have created for their own protection.
>
> Supreme Court and court of appeals decisions upholding the rights of Congress to compel disclosure of Communist organizations and the activities and identities of individual Communists both by legislation and investigation were quoted in my reply to the last allegation (No. 3).
>
> Last year the Supreme Court pinpointed the value of disclosure or "exposure" hearings by all governmental agencies in a decision upholding the right of the Federal Communications Commission to hold a public rather than closed hearing on a matter of public interest. The Court noted:
>
> "The Commission observed that, in addition to stimulating the flow of information, public hearings serve to inform those segments of the public primarily affected by the agency's regulatory policies and those likely to be affected by subsequent administrative or legislative action of the factual basis for any action ultimately taken—a practical inducement to public acceptance of the results of the investigation. Also implicit in the Commission's discourse is a recognition that publicity tends to stimulate the flow of information and public preferences which may significantly influence administrative and legislative views as to the necessity and character of prospective action. The Commission further pointed out that public disclosure is necessary to the execution of its duty under section 4(k) of the Communications Act of 1934, as amended, 48 Stat. 1068, 47 U.S.C. section 154(k) (1958 ed.), to make annual reports to Congress. Significantly, this investigation was specifically authorized by Congress so that Congress might 'draw upon the facts which are obtained.'" (*FCC* v. *Schreiber*, 381 U.S. 279.)
>
> A very telling statement on the role informing, revelation and disclosure (or "exposure") play in handling problems in a democratic society was made by President Truman's Committee on Civil Rights:
>
> "The principle of disclosure is, we believe, the appropriate way to deal with those who would subvert our democracy by revolution or by encouraging disunity and destroying the civil rights of some groups * * *.
>
> "Congress has already made use of the principle of disclosure in both the economic and political spheres. The Securities and Exchange Commission, the Federal Trade Commission and the Pure Food and Drug Administration make available to the public information about sponsors of economic wares. In the political realm, the Federal Communications Commission, the Post Office Department, the Clerk of the House of Representatives, and the Secretary of the Senate—all of these under various statutes—are required to collect information about those who attempt to influence public opinion. Thousands of statements disclosing ownership and control of newspapers using the second-class mailing privilege are filed annually with the Post Office Department. Hundreds of statements disclosing the ownership and control of radio stations are filed with the Federal Communications Commission. Hundreds of lobbyists are now required to disclose their efforts to influence Congress under the Congressional Reorganization Act. In 1938, Congress found it necessary to pass the Foreign Agents Registration Act which forced certain citizens and aliens alike to register with the Department of Justice the facts about their sponsorship and activities. The effectiveness of these efforts has varied. We believe, however, that they have been sufficently successful to warrant their further extension to all of those who attempt to influence public opinion.
>
> "The ultimate responsibility for countering totalitarians of all kinds rests, as always, with the mass of good, democratic Americans, their organizations and their leaders. The Federal Government ought *to provide a source of reference* * * * where private citizens and groups may find accurate information about the activities, sponsorship and background of those who are active in the marketplace of public opinion." (Report of the President's Committee on Civil Rights, 1947, pp. 52, 53.)
>
> Laws are essential to any well ordered society. But in a democratic society, laws are not enough. Alone, they rarely eliminate any problem. An informed public is needed to supplement, by public discussion, debate *and action*, the sanctions imposed by law on the enemies of society.
>
> For those Americans—and they number in the millions—who want "accurate information about the activities, sponsorship and background" of the subverters of freedom and democracy who are "active in the marketplace of public opinion," the House Committee on Un-American Activities has provided a reliable "source of reference" for 28 years.
>
> In doing so, it has helped preserve the democratic process and prevent its corruption and debasement by those who, with totalitarian ends in mind, give only lip service to the principles of democratic society.

The court decisions referred to by the distinguished past chairman of this committee when he said he quoted them in reply to another allegation about the committee are as follows:

U.S. Supreme Court, the Communist Party case, 1961:

> "Where the mask of anonymity which an organization's members wear serves the double purpose of protecting them from popular prejudice and of enabling them to cover over a foreign-directed conspiracy, infiltrate into other groups, and enlist the support of persons who would not, if the truth were revealed, lend their support, it would be a distortion of the first amendment to hold that it prohibits Congress from removing the mask." (367 U.S. 1.)

Justice Douglas, for the dissenting minority—except Justice Black—in the above case:

> The Bill of Rights was designed to give fullest play to the exchange and dissemination of ideas that touch the politics, culture, and other aspects of our life. When an organization is used by a foreign power to make advances here, questions of security are raised beyond the ken of disputation and debate between the people resident here. Espionage, business activities, formation of cells for subversion, as well as the exercise of first amendment rights, are then uesd to pry open our society and make intrusion of a foreign power easy. These machinations of a foreign power add additional elements to free speech just as marching up and down adds something to picketing that goes beyond free speech.

U.S. Court of Appeals for the District of Columbia, Barsky against the United States, 1948:

> "The prime functions of governments, in the American concept, is to preserve and protect the rights of the people. The Congress is part of the Government thus established for this purpose.
>
> "This existing machinery of Government has power to inquire into potential threats to itself, not alone for the selfish reason of self-protection, but for the basic reason that having been established by the people as an instrumentality for the protection of the rights of people, it has an *obligation* to its creators to preserve itself. * * * We think that inquiry into threats to the existing form of Government by extra-constitutional process of change is a power of Congress under its *prime obligation* to protect for the people that machinery of which it is a part * * *.

"If Congress has power to inquire into the subjects of communism and the Communist Party, *it has power to identify the individuals who believe in comunism and those who belong to the party.*

"* * * it would be sheer folly as a matter of governmental policy to refrain from inquiry into potential threats to its existence or security until danger was clear and present. * * * How, except upon inquiry, would the Congress know whether the danger is clear and present? *There is a vast difference between the necessities for inquiry and the necessities for action.*" (167 F. 2d 241, 246.) [Emphasis added.]

U.S. Senate, Committee on Rules and Administration, 1954:

"Committees of Congress must function in a world of realities. What might have been classified decades ago as private opinion of no concern to Congress, takes on a different connotation in the light of world events whose impact Congress may not disregard. The global Communist apparatus is neither a study group nor a debating society. It is an engine of destruction. Cunningly fashioned, its component parts are artfully disguised when disguise carries advantage. It is no answer to its challenge to say that the beliefs and associations of its members or suspected members are 'private,' and thus beyond the scope of legitimate inquiry by Congress.

"* * * we believe that Congress * * * has a legitimate function to perform in this field—that of informing itself and the public of the nature and extent of Communist penetration into our free institutions." ("Rules of Procedure for Senate Investigating Committees," Report of the Committee on Rules and Administration, 84th Cong., 1st sess., Senate Rept. No. 2, pp. 9, 10.)

Mr. **ICHORD**. Mr. Speaker, will the gentleman yield?

Mr. **WATSON**. I yield to the gentleman from Missouri.

Mr. **ICHORD**. Mr. Speaker, in view of the statement made by the gentleman from New York (Mr. RYAN) I ask unanimous consent to put the letter that I circulated to the Members in the RECORD at this point.

Mr. Speaker, there is nothing derogatory at all in that letter. I did not and do not mean it to be derogatory. I stand behind each and every word that is stated in the letter. Further, let me point out to the gentleman from New York City that even if the House Committee on Un-American Activities had twice the bad name that he thinks it has and if the gentleman from New York City was 10 times more adamantly opposed to the committee than he is, I would still offer this resolution for the reasons I mentioned on the floor of this House.

Mr. Speaker, I ask unanimous consent to insert the letter in the RECORD at this point.

The **SPEAKER** pro tempore (Mr. MILLS). Without objection, it is so ordered.

There was no objection.

The letter is as follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., February 17, 1969.

DEAR COLLEAGUE: Scheduled on the Calendar for consideration tomorrow is House Resolution 89, to clarify the mandate of the House Committee on Un-American Activities under the name of a new committee—the Committee on Internal Security. I am joined in the resolution by the ranking minority member, Mr. John Ashbrook and Mr. Del Clawson. H. Res. 89 is identical to H. Res. 148 which I introduced in the 90th Congress and which was reported favorably to the House by the Rules Committee last year, but was not considered during the rush of adjournment. It has again been considered by the Rules Committee which has original jurisdiction and reported favorably in the same form.

Interestingly enough, opposition to the change has been centered in both extremes of the political spectrum. No doubt, you have received mail from champions of the House Committee on Un-American Activities urging you to oppose this so-called liberal attempt to abolish HCUA. Presently, most of the opposition appears to come from the radically extreme Left as evidenced by the enclosed article from the *Communist Daily World*, the successor of the *Communist Daily Worker*. They apparently wish to retain HCUA with the hope of winning crippling law suits in the courts and eventually its abolition, leaving no committee of the House to function in the field of communist subversive activities.

H. Res. 89 spells out in more clear and precise, legal language what constitutes subversive activities and gives the committee the usual legislative jurisdiction and the investigatory powers that have been exercised by the Committee on Un-American Activities.

I realize there are some members of the House (few in number, I believe) who would abolish the HCUA outright and transfer its jurisdiction to the Committee on the Judiciary. This could be done, but I seriously question whether our venerable Chairman, Mr. Celler, could possibly find time for his committee to perform these additional duties in view of the burdensome duties already imposed upon the Judiciary Committee by the rules. In this respect, may I say that it is the intent of H. Res. 89 to give the Committee on Internal Security only the authority that has traditionally been exercised by the present Committe on Un-American Activities. I assure you, as I did the members of the Committee on Rules, that it is not intended to infringe and *does not infringe* upon the exclusive jurisdiction of the Committee on the Judiciary.

Because the mandate of HCUA is admittedly vague on its face resulting in varying interpretations of its present jurisdiction, there seems to be some confusion surrounding my statement that H. Res. 89 gives the Committee on Internal Security only the authority possessed by the HCUA. I believe that the language of H. Res. 89 is sufficiently clear, but if you have any questions about the reach of the resolution, please feel free to give me a ring.

I hope you will see it proper to vote for the previous question and the adoption of the resolution when presented this week. The resolution is very much needed in order that a committee of the House can make an effective contribution to the internal security of the Nation.

Sincerely yours,
RICHARD H. ICHORD,
Chairman, House Committee on Un-American Activities.

[From the Daily World, Sept. 18, 1968]

BILL WOULD ADD POWER TO HUAC

WASHINGTON, September 17.—A dangerous resolution to re-name and thus perhaps to deodorize the House Un-American Activities Committee is before the House.

The bi-partisan measure, known as House Resolution 148, would give the inquisitorial body the less offensive name of Committee on Internal Security. It is sponsored by Reps. Richard Ichord (D.-Mo.) and Del Clawson (R.-Calif.).

The resolution would substitute for the current description of HUAC's duties more sophisticated language permitting the same—if not more serious—violations of First Amendment rights which HUAC has been committing for years.

The proposed new wording of HUAC's mandate is specifically designed by the sponsors of the resolution to "preserve the full jurisdiction and powers" of the investigatory body.

The Emergency Civil Liberies Committee has urged all those concerned for civil liberties to write or wire their Congressman now to oppose passage of H.R. 148, and urge complete abolition of HUAC.

Mr. **WATSON**. May I say, Mr. Speaker, I appreciate the position of the chairman and his determination to be fair with all Members.

As I recall the letter that he circularized, it simply stated that the Communist Daily World or Worker back in September opposed this very same resolution. Why are some of the opponents so upset about letting folks know that the Communists oppose this resolution. It is a rather simple proposition; I welcome their opposition and because of that fact any support of H.R. 89 is all the stronger.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and I hope we will overwhelmingly vote up the previous question and pass this resolution.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

The **SPEAKER** pro tempore. The time of the gentleman has expired.

The Chair recognizes the gentleman from Mississippi (Mr. COLMER).

Mr. **COLMER**. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. PODELL).

Mr. **PODELL**. Mr. Speaker, I would like to point out at this point that should the motion to order the previous question be defeated, the gentleman from New York (Mr. LOWENSTEIN) and I shall introduce an amendment to the present resolution which would abolish the Committee on Un-American Activities completely.

The text of the amendment is at the conclusion of my statement.

Mr. Speaker, since the Committee on Un-American Activities was given permanent status by this body on January 3, 1945, its checkered history has been an anathema to every true advocate of American jurisprudence.

The Dies committee, as it was then known, recommended dismissal of approximately 3,800 Government employees on grounds of disloyalty to their country. After a careful Department of Justice investigation only 36—or less than 1 percent of those denounced—were found to warrant dismissal. The some 3,764 unjustly accused have for the most part lived under a cloud of suspicion to this day. While some have been fortunate enough to have had the opportunity to vindicate themselves beyond a scintilla of doubt, others less fortunate have died or are living under the long shadow of the Dies committee.

Through the years the committee, in more or less flagrant fashion, has retained its shotgun approach to un-American attitudes and has besmirched the lives of many citizens without due process of right of appeal to higher authority. Being outside our judicial system the committee intrinsically lacks the fundamental safeguards of human rights built into that system from our magistrate courts to the Supreme Court. Furthermore, the committee serves no purpose which cannot be better served by our judiciary and executive branches and in ways which are entirely consistent with our constitutional heritage.

We have grown too mature as a nation and a society to need such an organ of government. We have become too well able to cope with internal security threats to require such activities on the part of a House committee.

Further extension of its prerogatives is a travesty upon this House and a shameful waste of Federal money, particularly in these times.

Mr. Speaker, the test of any government of free men is its ability to place internal challenge in perspective. Either a society is viable, commanding the respect of its citizens, or it loses their loyalty and must become a police state in order to maintain itself.

I believe we are a successful pluralistic society, standing firm upon the principle of participatory democracy. This House and its very essence are testimony to the vibrancy of our heritage and its meaningfulness to most Americans through our history. There is no need to rely upon such a broken crutch as the Un-American Activities Committee to keep America strong, safe, or free.

Thomas Jefferson placed his faith in the people and their institutions. In a time when institutions are under fire and the people seeking light, let us show the strength and freedom of this institution by abolishing this committee.

These words are uttered without malice. Nor are they designed to cast any aspersion upon any Member of this body. Rather they are a reaffirmation of my faith in our system and this institution.

Let us act to strengthen our institution, rather than allow such a shadow to continue to blot out the light that must come from this place to all our people.

Mr. Speaker, this committee, by any other name, would smell as it has these many years. I call today, therefore, for its abolition as a committee of the House of Representatives by amendment to House Resolution 89, as follows:

> Amendment to House Resolution 89, as reported, offered by Mr. PODELL: strike out all after the resolving clause and insert in lieu thereof the following:
>
> "That clause L(s) of rule X and clause 19 of rule XI of the Rules of the House of Representatives are repealed, and all references to the Committee on Un-American Activities contained in any other provision of the Rules of the House of Representatives are hereby deleted."

Mr. COLMER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. ECKHARDT).

The SPEAKER pro tempore. The gentleman from Texas is recognized.

Mr. ECKHARDT. I thank the gentleman.

Mr. Speaker, I take this time to ask one question of the author of the resolution. On page 2, line 16, item (3) in its original form provided: "all other questions, in relation thereto that would aid Congress in any necessary remedial legislation."

In part the language added was "or any committee of the House," after the word "Congress." That would indicate to me, at least on the face of it, that the committee would have authority to investigate matters that other committees would have authority to initiate legislation on. I hope that that is not the intent. I hope that the language intends to be the same thing as provided in the original item (3) and there is no intention to enlarge the authority of the committee so as to give investigatory authority in areas where other committees have substitute authority.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. ECKHARDT. I yield to the gentleman from Missouri.

Mr. ICHORD. There is no intention whatsoever to enlarge the jurisdiction of the present House Committee on Un-American Activities. I would point out to the gentleman that a great deal of the difficulty lies in the ambiguous language of "the House Un-American Activities Committee."

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

The Chair recognizes the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, this is the same old fight that we have been going through here since 1938 when the Committee on Un-American Activities was set up as a Select or Special Committee, and before it became a permanent committee by action of the House in 1945. There has been a constant fight made against the continuation of the committee.

For the life of me, I cannot understand how those who object to the passage of the resolution can explain their opposition other than upon one basis, and that is they are opposed to the concept of the committee itself.

I have heard a great deal said here today about voting down the previous question so that amendments can be offered. I have heard no one say, until the very last minute when I yielded to the gentleman from New York, just what amendment they expected to offer if the previous question was voted down. Finally, the gentleman from New York let us know. They would offer an amendment to abolish the committee—the same thing they have been trying to do since 1938.

The distinguished gentleman from New York (Mr. CELLER) the able gentleman from New York (Mr. CELLER) the astute gentleman from New York (Mr. CELLER) and the friendly gentleman and my good friend from New York (Mr. CELLER) says the resolution intrudes on the jurisdiction of his committee.

I have been here almost as long as the gentleman from New York (Mr. CELLER) has, and I am sorry my friend is not here now, because I do not want to say anything in his absence that I would not say in his presence, but I have never known the gentleman from New York (Mr. CELLER) to get excited about subversion or anything else in that field.

There is no conflict of jurisdiction here. This committee which the opposition would destroy, looks into subversiveness, This committee discovers and investigates the subversive agents that are operating throughout the country in an effort to destroy the Republic.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. LATTA. Mr. Speaker, I yield the gentleman from Mississippi 2 minutes.

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for 2 additional minutes.

Mr. COLMER. Mr. Speaker, I thank the gentleman from Ohio (Mr. LATTA) for yielding me 2 minutes.

Mr. Speaker, this committee makes its recommendations, and the Judiciary Committee is in a position to make its own recommendations. They can bring in any legislation they see fit within their jurisdiction.

This committee serves a good purpose. It is difficult, I repeat, to understand why the very people who have been opposing this legislation all of these years would not want the language clarified, when they have been hollering to high heaven in the past that it was too vague and too cloudy in its definition.

I have stated in the well of this House since 1945 that I was more apprehensive—and I repeat it here today—about what is going to happen to this glorious young Republic of ours from within than I am about what is going to happen to it from without. I am more concerned about communism in this country than I am about a Communist invasion from without.

Today these people are working among and with the young minds of this country, in the colleges and in the universities and even in the high schools. We need some watchdog, some committee to keep them under observation.

I hope this House will say by an overwhelming vote that they have confidence in this committee and that they have confidence in its able new young chairman, the gentleman from Missouri (Mr. ICHORD). I can assure you that the objectives of the committee are in good hands under his leadership. DICK ICHORD is not only an able man—he is honest, conscientious, and dedicated. I predict he will do a good job as its chairman and will reflect honor and credit on the committee and the Congress.

Mr. MILLS. The time of the gentleman from Mississippi has expired.

Mr. LATTA. Mr. Speaker, I yield to the gentleman from California (Mr. DEL CLAWSON) for a unanimous-consent request.

Mr. DEL CLAWSON. Mr. Speaker, during the last Congress, and again this year, I have joined with my esteemed colleague from Missouri, the present chairman of the House Committee on Un-American Activities, RICHARD ICHORD, in the sponsorship of legislation which I believe will heighten the effectiveness of the House Committee on Un-American Activities. The fact that the committee is not popular in certain areas of American political thought is being cited as both a reason for continuing the committee and a reason for discontinuing it, or curtailing its powers, depending upon the point of view of the many authorities who are always ready to dictate to the House of Representatives how the troublesome problems of subversion and organized anarchy should properly be treated.

But I would like to emphasize the very real need to have a standing committee of the House with a continuing mandate in this field, and to remove obstacles to effective committee functioning. By perpetuating and strengthening the committee the House will serve notice that the Members of this body are aware of the continuing nature of the subversive forces in U.S. society, well organized either in fomenting disturbances or in turning turbulent events to their own destructive purposes. Vigilance in the face of this acknowledged activity is no more than prudent. It is but the execution of our obligation as members of the legislative branch of this Government to insure that the forces which attack our system are exposed to public view, so that effective remedies may be sought under the law to guard the internal security of this Nation.

It would be comforting if there were any discernible lessening of pressure, if there were reason to believe that the fanatic enemies of U.S. constitutional government had given up the fight. But they are to be observed on every college campus, clothed in righteous indignation over the prevalent disruptive issue, or donning the martyr's hair shirt as they are carted off to jail from the flag burning or the protest against the aspect of U.S. policy which seems to provide the most vulnerable target for invective at the moment. We are denied that comfort at this point in history. Accordingly, I urge my colleagues in the House to vote for the previous question and support the resolution on final passage.

Mr. THOMPSON of New Jersey. Mr. Speaker, the inescapable problem with the House Un-American Activities Committee is that it is basically an un-American instrument of government. No name change or hollow public relations attempt to spruce up its image can alter the fact that HUAC has not and cannot, in the future, under any name, function effectively in the democratic system.

Nor can a name change alter the fact that the business of internal security is the business of the House Judiciary Committee. HUAC is, therefore, a useless as well as a harmful appendage to the body politic.

No name change or public relations work will alter the harmful effects that now befall a citizen who has the misfortune to be called before HUAC, or change what my distinguished colleague from New York, Representative WILLIAM F. RYAN, labeled as the "vagueness and arbitrariness under which HUAC's activities are carried out."

The name change suggested today still fails to come to grips with the overriding questions of interference with civil liberties that has been the hallmark of HUAC.

Since no one has seriously challenged the ability of the Judiciary Committee to protect the internal security of the United States, there can be no quarrel with a resolution that would confirm the committee's jurisdiction.

Such a move would not only be correct within the framework of the Constitution and in the eyes of the citizens of this country, it would also be an act of economy. HUAC has already spent $6 million in public funds since 1945 with little or nothing to show for it.

Transferring HUAC's responsibilities to Judiciary might also improve the actual protection of internal security. HUAC's record of nine successful contempt citations in 23 years is not a record that would be difficult to improve upon.

Mr. LEGGETT. Mr. Speaker, I address myself to the question of the desirability of voting against the previous question on House Resolution 89.

It is my understanding that the defeat of the previous question is the only available method of permitting possible amendment of the resolution and securing the necessary extended discussion of the mandate, jurisdiction, and organization of the House Committee on Un-American Activities or some successor committee or subcommittee to be charged with the duty of investigating problems of internal security including the activities of persons or organizations seeking to overthrow our institutions of government by unlawful means or who seek to otherwise give aid and comfort to foreign enemies.

Certainly any fairminded person would concede that the limit of 1 hour of debate permitted prior to the vote on the previous question is an inadequate time to consider a question of the importance presented by House Resolution 89. I urge a "no" vote on the previous question not only to permit the fullest consideration of House Resolution 89 in its present form but also to permit possible alternatives to its proposed organization and mandate.

The author of House Resolution 89, the present chairman of HUAC, the distinguished gentleman from Missouri, (Mr. ICHORD) quite reasonably seeks to alter the present charter of HUAC which he described as "extremely vague and ambiguous" when he introduced a resolution similar to House Resolution 89 in 1967. If this quotation expresses his present attitude he is echoing the lead of the U.S. Supreme Court in two landmark cases.

In Watkins against United States, decided in 1957 the court was considering the validity of House rule XI, authorizing the House Un-American Activities Committee and defining its purposes and authority. The majority opinion stated:

> It would be difficult to imagine a less explicit authorizing resolution. . . . An excessively broad charter, like that of the HUAC, places the courts in an untenable position if they are to strike a balance between the public need for a particular interrogation and the right of citizens to carry on their affairs free from unnecessary governmental interference.

On this ground the court set aside a contempt of Congress citation.

In the succeeding case of Barenblatt against United States, decided in 1959, the Court upheld a similar contempt citation in a partial retreat from the Watkins case on the basis that the long history of rule XI flushed out the vagueness of the rule itself. At the same time the majority opinion again restated its objection to the vagueness of the chartering rule.

Whatever the conflict of results in the Watkins and Barenblatt cases it must be conceded that the Supreme Court in both cases described the present charter of HUAC as vague, nonexplicit, and excessively broad and this conclusion is apparently concurred in by the author of House Resolution 89.

It is apparent that we are confronted with a major issue which goes far beyond the insubstantial issue of mere change of a committee name. Certainly we need more than 1 hour of discussion under rules which limit the recognition privilege to the chairman of a committee which is seeking to reform itself.

The author of the resolution should welcome extended debate and the assistance of members of the Judiciary Committee and other qualified lawyers on the floor in securing the best possible language of reform and the best possible organization for reform.

I support the right of Congress to oversee the problem of internal security and challenges to that security from abroad. My earnest desire is to create a vehicle in the House which will accomplish that function in the best possible manner.

Mr. HELSTOSKI. Mr. Speaker, today the House is called upon to vote on House Resolution 89 which would do more than just change the name of the Committee on Un-American Activities. It would also broaden its jurisdiction.

In the face of growing opposition to the House Un-American Activities Committee, I believe this resolution is merely an attempt to quell criticism of the committee by giving the impression that Congress has given it a different authorization to carry on its investigations. Rather than proposing effective and genuine reform in the work of this committee, in reality, this resolution attempts to improve the committee's public relations image.

However, the objections leveled at the House Un-American Activities Committee cannot be erased by changing the committee's name to that of the Committee on Internal Security. And, surely, the vague broadening of the committee's authority will only serve to increase the growing number of voices in opposition.

It is this new description of the jurisdiction of the House Un-American Activities Committee which causes me most concern. We should certainly do our utmost to protect the internal security of our country. However, care must also be taken so that, in our efforts to insure our internal security, we legislate no more broadly than required, and also insure against unnecessary threatening of our basic freedoms. The reconciling of these freedoms with internal security is a very exacting task. I do not believe that House Resolution 89 accomplishes this reconciliation. Rather, it broadens the mandate of a committee whose jurisdiction is already questionable, both with regard to constitutionality and usurping of another committee's responsibilities.

House Resolution 89 authorizes investigation by the House Un-American Activities Committee with respect to activities involving "violence, treachery, espionage, sabotage, insurrection, or any unlawful means." The committee's authority is additionally extended to investigate groups and organizations as well as propoganda. Once an organization falls within the classification of those organizations to be investigated, all activities, both innocent and threatening may be investigated. Speech, assembly, and thought are undoubtedly those innocent acts which would be vulnerable to such investigation. I believe this to be an unnecessary threatening of basic freedoms.

The criticisms of this committee were not leveled primarily at its name, nor did they call for an increase in the scope of its powers. This resolution, with its vague language and dangerous infringement on civil liberties, can only serve to increase the already warranted criticism of the House Un-American Activities Committee and to further confuse its jurisdiction with that of the Judiciary Committee.

I will vote against House Resolution 89. This resolution compounds rather than solves the problems of the House Un-American Activities Committee. I have felt for some time that the responsibilities now held by this committee would more appropriately belong under the jurisdiction of the House Judiciary Committee, and no name can change or alter that fact. I will support the amendment by the Honorable JOHN C. CULVER, if it reaches a vote, to consolidate all internal security functions within the Committee on the Judiciary.

Mr. ANNUNZIO. Mr. Speaker, the new name and differently written mandate for the House Committee on Un-American Activities proposed in House Resolution 89 remove none of the reasons why I and many other Members oppose continuation of an investigating committee of this kind. We urge that this resolution be decisively rejected.

What are the reasons which make us oppose continuation of the Un-American Activities Committee or of the Internal Security Committee? The two most compelling reasons are the first and fifth amendments to our Constitution. This committee has most flagrantly violated the first and fifth amendments. And this committee, with whatever name, would surely continue to do so because of the very nature of its investigations.

Let none of us be deceived by the differently worded mandate in House Resolution 89.

Under its present mandate, the committee is authorized to investigate "the extent, character, and objects of un-American propaganda activities in the United States." Propaganda means dissemination of ideas and the expression of thought. And so the committee was authorized to investigate the dissemination of ideas and the expression of thought.

The first amendment says that:

> Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

In *Watkins* v. *United States* (354 U.S. 178 (1957)), in which the Supreme Court reversed a contempt conviction arising from one of the committee's investigations, Chief Justice Warren, speaking for the Court, defined the investigative power of Congress. He said:

> No inquiry is an end in itself; it must be related to and in furtherance of a legitimate task of the Congress.

This means that Congress can investigate in all the areas in which it can legislate—the areas of the powers enumerated in article I, section 8. And this means that Congress cannot investigate in areas in which it is forbidden to legislate—and it is forbidden by the first amendment to make any law abridging the rights of speech and peaceful assembly. Hence, there is absolutely no way to avoid the conclusion that the present mandate of the committee, which authorizes it to investigate the dissemination of ideas and the expression of thought, violates the first amendment.

We have been told by supporters of House Resolution 89 that a primary purpose of the new mandate is to make it clear that the committee has no power "to investigate and suppress ideas and thoughts," and that it is limited to investigate "activities" aimed at subversion.

I should like to ask how it is possible to investigate activities without investigating thoughts and ideas. Every human activity is formed by the purpose it serves. Hence, the proposed mandate of the committee authorizes it to investigate the "objectives" of organizations and groups. But objectives and purposes are expressed by ideas. And so we are immediately invading the sacred area of first amendment rights.

The new mandate, moreover, gives the committee power to investigate the "character" of organizations and groups. But how else does any group acquire a character except by the objectives or purposes which its members have in mind? And so the proposed mandate confers as much power as the present mandate to do violence to freedom of thought and speech and assembly.

Let us not be so naive as to accept the distinction which has been proposed between activities on the one hand and the propagation of ideas on the other. Any group which seeks to change the present political or social order must necessarily undertake to do so by enlisting as widespread support as possible. It is impossible to bring about political or social change without widespread support. And how else can any group enlist widespread support except by seeking to change people's minds—except by bringing people to see things in a new perspective? So the Un-American Activities Committee or the Internal Security Committee must inevitably focus its investigations on the expression of thought and the dissemination of ideas if it undertakes to investigate the activities of groups and organizations to discover the purposes or objectives of those activities.

The committee's investigations violate the fifth amendment as well as the first. The fifth amendment guarantees that no person shall "be deprived of life, liberty, or property, without due process of law."

People who have suffered community rejection and ostracism and loss of jobs because they were compelled to appear before the committee have surely been deprived of liberty and property without due process of law. And by inflicting such penalties on individuals, the committee has usurped the duties of prosecutor—an executive function—and of judge and jury—judicial functions.

The Supreme Court said in the Watkins case:

> Abuses of the investigative process may imperceptibly lead to abridgement of protected freedoms. The mere summoning of a witness and compelling him to testify, against his will, about his beliefs, expressions or associations is a measure of governmental interference. And when those forced revelations concern matters that are unorthodox, unpopular, or even hateful to the general public, the reaction in the life of the witness may be disastrous.

We all know the circus atmosphere that too often surrounds the hearings held by this committee. In my own city of Chicago, for instance, hearings were held a few years ago by this committee which were referred to by many of our outstanding citizens as "star-chamber proceedings."

Msgr. George C. Higgins, Director of the Social Action Department of the U.S. Catholic Conference, in the Chicago archdiocesan newspaper New World, referred to the committee as useless and one which despotically denied the rights of American citizens. Its procedure, he wrote, is one "by which friendly witnesses are allowed to defame others without being subjected to cross-examination and by which those defamed are then subpenaed and required to answer committee questions but are not allowed to testify in their own behalf or to have others testify for them." We know, too, that witnesses are sometimes paid to come before the committee, and I think it highly irregular that they be paid a sum of money for making an appearance.

I am as interested as any of my colleagues in routing the Reds, and in fact, led the cleanup in 1947 on the Illinois State Industrial Union Council in Chicago when five of six places on the executive board of the central CIO body, representing 275,000 Illinois workers, went to avowed anti-Communists.

I cannot, however, agree in good conscience with the unfair tactics employed by the House Committee on Un-American Activities. It is highly questionable whether the committee serves any serious purpose other than exposure.

Therefore, when the first session of the 90th Congress convened in January of 1967, and again when the first session of the 91st Congress convened last month, I introduced legislation, along with many of my colleagues, calling for the discontinuance of the House Committee on Un-American Activities and the transfer of its duties and responsibilities to the House Judiciary Committee. I believe this is the most advisable course of action to follow and look forward to the day when a majority in the House will agree with me.

It is inevitable, Mr. Speaker, that the committee, acting under its new name and new mandate, would continue to bring about the punishment of individuals without due process of law, thus violating the fifth amendment, and would continue to curtail our first amendment freedoms of speech and press.

Congress must certainly establish the legal basis for protecting our form of government from violent overthrow by means of espionage, sabotage, and other overt acts. All such legislation is properly within the jurisdiction of the Judiciary Committee, and my resolution, House Resolution 20, would amend House rule XI, clause 12, by adding explicitly to the Judiciary Committee's jurisdiction "sabotage and other overt acts affecting internal security."

I urge, Mr. Speaker, that the House abolish this committee which outrages the Bill of Rights and violates the separation of powers. A new name and a differently worded mandate will not change the character of this committee. They may change the name, but the game is the same.

Mr. FARBSTEIN. Mr. Speaker, the resolution being considered today is to rename the House Committee on Un-American Activities and reword its mandate. This resolution was reported by the House Rules Committee and now comes before us for consideration. This resolution not alone seeks a change of name but also authorizes the committee to make investigations, which broadens its mandate. Though a difficult task, the Congress must protect the internal security of the United States on one hand while assuring the rights and liberties of the individual on the other. I fear the House Un-American Activities Committee has accomplished very little, if indeed anything at all, in protecting the internal security of the Nation. However, in pursuing its investigations in the past, the committee has been lacking demonstrably in assuring the individual his rights. This contradicts not only the word and spirit of the Constitution, but the very tenets upon which this Nation was founded.

The Supreme Court has stated that the "right of government to maintain its existence and self-preservation is the most pervasive aspect of sovereignty." I am certain, Mr. Speaker, that there is no one in this Chamber who would dispute this contention. It is a direct result of the Nation's security, both internal and external, that we are in fact able to enjoy our constitutional rights.

Yet, when the security of our Nation is not directly threatened, an individual's rights should not be violated. When they are violated, we are confronted with nothing but a mockery of everything this House truly stands for.

When the mere service of a subpena brands an individual guilty of certain un-American activities, whether he is innocent or guilty, it is time for a change. A subpena from the House Committee on Un-American Activities—or if changed, the newly named Internal Security Committee—automatically surrounds the individual with a stigma of guilt, especially when it is accompanied by a notice in the press stating that the individual is to be investigated for alleged subversion or various forms of treachery. These, Mr. Speaker, are my basic objections to the continuance of the committee.

I respectfully submit that this proposal would accomplish nothing new except that it would establish a new facade, changing the outward appearance of the committee and extending its powers, as aforesaid. I further submit that the mandate and function of the committee be first realistically and clearly defined, and then transferred to the Judiciary Committee. If this is done, the internal security of the country would still be protected while the constitutional rights of the individual would not be infringed upon.

A subpena issued by the Judiciary Committee would not carry with it the same dark shadow of guilt that is associated with a subpena and subsequent appearance before the House Un-American Activities Committee or the Internal Security Committee. This pillorization in the press compounds what already is a gross travesty of our great legal heritage.

The Congress should never forget that this great country was founded to protect the dignity and integrity of the individual citizen; and when his rights and liberties are violated, then the very foundation of this Nation is undermined. It is this consideration, above all else, that causes me to advocate the abolition of the Committee on Un-American Activities and the transfer of its functions to the Judiciary Committee whose capability, experience, and dedication, not only to the preservation of the security of this Nation, but also to the preservation of our constitutional rights and liberties, is beyond question.

Mr. SCHERLE. Mr. Speaker, the House Committee on Un-American Activities has, for many years, performed a valuable and useful function. Since its creation, our Nation has been faced with many internal enemies. These have included the pro-Nazi German American Bund, the Communist Party, and other organizations which have advocated the overthrow of our Government and the destruction of our freedom.

The investigations conducted by this committee have resulted in legislation designed to protect our society from those who would destroy it. Beyond this, the many valuable studies published under the auspices of this committee have helped to inform the American people of the true nature of the enemies we have faced.

From its inception, the House Committee on Un-American Activities has been the butt of stubborn opposition. This opposition has, of course, come primarily from those who were engaged in the kinds of subversive activities which were the responsibility of the committee to investigate.

The resolution being considered by the House today is to clarify the mandate of the committee, and to give it a new name. House Resolution 89 spells out in precise legal language what constitutes "subversive activities," and gives the committee the usual jurisdiction and investigatory powers that have been exercised by the Committee on Un-American Activities. The new name would be the "House Committee on Internal Security."

This resolution has been proposed in the interest of strengthening a committee which is vital to the maintenance of our democratic form of government. The radical left has been violently opposed to this change. The Communist Daily World, in its September 18, 1968, issue, stated:

> The proposed new wording of HUAC's mandate is specifically designed by the sponsors of the resolution to "preserve the full jurisdiction and powers" of the investigatory body.

It is because they want to see the committee abolished or, at the very least, weakened, that the Communists have opposed this change.

There is increasing violence in our country. Our cities have been victimized by riots, and our campuses are in a virtual state of siege. Examples of such violence have been numerous. In recent days, the president of Swarthmore College died of a heart attack after being locked in his office by militant black students. New York Times editor James Reston was forced off the stage at New York University. Brandeis University was closed down, and campus buildings have been bombed at Berkeley and at Stanford. There is much material worthy of congressional investigation in these events, particularly the question of who is financing these radical student movements.

Rarely before has the need for an effective House committee to investigate such violence been so great. The changes included in this bill would strengthen the committee, and for this reason I support them.

The changes will also make certain that the rights of all witnesses are safeguarded and that due process will always be observed. In a society such as ours, means are ends in themselves. All committees must be clearly controlled and must operate by the rules. But Congress must also have the information it needs to legislate, and this is particularly true in the area of internal security. The proposed changes involved in this bill would make certain that both of these elements are preserved and protected.

Mr. DERWINSKI. Mr. Speaker, House Resolution 89 does clarify the mandate of the House Committee on Un-American Activities. I believe that the establishment of a new committee and name, the Committee on Internal Security, is a sound step. An objective review of House Resolution 89 clearly demonstrates that the new committee in more precise legal language will be vested with proper legislative jurisdiction and related investigatory powers.

May I state, Mr. Speaker, I do not believe that the House Judiciary Committee, whose members are bearing a far heavier than normal workload, can give this matter the attention and persistence which is required. In view of the fact that a number of the members on the majority side of the House Judiciary Committee are critical of the former House Committee on Un-American Activities they would hardly be expected to facilitate the operations of a new subcommittee under their full committee jurisdiction.

Therefore, I feel that the resolution is a practical one and that the new Committee on Internal Security will make a sound, constructive contribution to the internal security of our country, which continues to be beset by activities financed and stimulated by various Communist sources.

However, as a matter of legislative procedure, I did not vote for the previous question since I feel the critics of the committee ought to be given an opportunity to more thoroughly express their views and offer substitute motions. The outcome of this battle is clear. Only the extreme liberal faction of the House, a small group indeed, is seeking to wipe out this essential committee. But, I do feel despite my strong support of the committee that its critics should have an opportunity to more thoroughly express their dissent.

Mr. SYMINGTON. Mr. Speaker, Representative Richard Ichord of my neighboring district, the Eighth District of Missouri, having been named chairman of the committee under consideration has stated his desire to redefine its jurisdiction and conduct its operations to achieve a fairer, less sensational, and more businesslike performance. With this in mind he offered House Resolution 89. There are those who argue that this resolution would not or could not accomplish the desired result. If they are correct the House will have the opportunity to so judge and render such judgment when the committee's future is again considered as it periodically is. In the meantime it is my view that the new chairman's initiative deserves the benefit of the doubt, and the chance to chart a new, a better understood, and a more generally acceptable course for the committee.

Mr. BOLAND. Mr. Speaker, I think it essential that the House vote on the proposal sponsored by the gentleman from Iowa (Mr. Culver) to place the activities of the present Committee on Un-American Activities under the jurisdiction of the House Committee on the Judiciary.

This is not a new idea; it has been advocated several times in the past. Without intending any disrespect for the present chairman of the committee, I do feel that this proposal has greater merit than the resolution of the chairman to change the name of the committee. That does not go far enough, in my estimation; nor do his proposed reforms go far enough. I am encouraged that the committee will no longer be investigating "propaganda," that is, speech in all its manifestations. Its past record in this area stands as a shabby testament to abuse of the investigation prerogative. But the stigma attached to this committee makes it imperative that the House be done with it and that its functions be transferred to the Committee on the Judiciary.

Clearly, Congress has the right of investigation. This was forthrightly acknowledged in *Watkins* v. *United States,* 354 U.S. at 187 (1957), when the Supreme Court stated:

> We start with several basic premises on which there is general agreement. The power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes. It includes surveys of defects in our social, economic or political system for the purpose of enabling the Congress to remedy them. It comprehends probes into departments of the Federal Government to expose corruption, inefficiency or waste.

The Court continued:

> But broad as is this power of inquiry, it is not unlimited. There is no general authority to expose the private affairs of individuals without justification in terms of the functions of the Congress. No inquiry is an end in itself; it must be related to, and in furtherance of, a legitimate task of the Congress. Investigations conducted solely for the personal aggrandizement of the investigators or to "punish" those investigated are indefensible.

Everyone is well aware that this opinion was delivered in reversing the conviction of Mr. Watkins for contempt of Congress because of his refusal to answer questions directed to him by the House Committee on Un-American Activities. These questions had to do with the alleged membership of certain persons in organizations considered subversive. Watkins declined to affirm or deny membership of any person whom he did not know as a member at the time of the inquiry. He declined, in other words, to identify persons as past members on the grounds that:

> I do not believe that such questions are relevant to the work of this committee nor do I believe that this committee has the right to undertake the public exposure of persons because of their past activities.

The Court agreed with Mr. Watkins.

It was not until after World War II that the kind of inquiry for which the Committee on Un-American Activities gained its notoriety became commonplace. As the Court noted in Watkins—at 195:

> This new phase of legislative inquiry involved a broad-scale intrusion into the lives and affairs of private citizens. It brought before the courts novel questions of the appropriate limits of congressional inquiry.

In effect, it raised the serious question of the legitimate scope of inquiry without trespassing on the rights and privileges of individuals as guaranteed in the Bill of Rights.

Regrettably, the Committee on Un-American Activities has been guilty innumerable times of overstepping the legitimate boundaries of congressional inquiry. It has exposed for exposure's sake. It has invaded the rights of free speech. It has laid itself open to disruptive, chaotic, and embarrassing hearings by calling witnesses and attempting to compel from them testimony which the committee knew full well would precipitate recalcitrance, anger, and demonstration. Too often its policy has been one of deliberate provocation for the purposes of gaining publicity. Too seldom has its policy been designed to further the legitimate ends of congressional inquiry. No better proof of these observations exists than in a comparison of its legislative record with its record for issuance of contempt resolutions. Only six pieces of legislation reported by the committee other hand, it has handed out more than 160 contempt citations since 1945.

The history of the committee does not merit its continuance. Moreover, the charter establishing the committee is loosely worded and permits the widest latitude for abuse. In Watkins—at 197— the Court stated:

> An investigation is subject to the command that the Congress shall make no law abridging freedom of speech or press or assembly.

Under its charter, the committee has violated that injunction.

The Court announced in Watkins—at 201–202:

> It is the responsibility of the Congress, in the first instance, to insure that compulsory process is used only in furtherance of a legislative purpose. That requires that the instructions to an investigating committee spell out that group's jurisdictions and purpose with sufficient particularity.

And, in commenting on the charter of the committee, the Court said:

> It would be difficult to imagine a less explicit authorizing resolution.

In the face of all this, it seems clear to me that the House would be well advised to adopt the proposal of the gentlemen from Iowa (Mr. Culver). As he pointed out himself on February 6 of this year, his resolution responds to the criticism of the Court and guarantees that abuse of the investigating prerogative of Congress will not occur in the future during investigations of purported subversive activity.

It does this by clearly defining what the new subcommittee of the Judiciary Committee may probe in its investigations; that is:

> The Committee is authorized to investigate for legislative purpose those activities of groups or organizations which involve espionage, sabotage, insurrection, force or other coercive acts when such activities attempt to alter or overthrow the lawful authority of the Government of the United States.

It could be stated no more clearly than that.

In summary, Mr. Speaker, I feel that the past record of the Committee on Un-American Activities does not justify its further existence as an independent body. The jurisdiction of a committee of this House investigating subversive activity must be narrowly drawn and must strike a sensible balance between the necessity of security and the precious rights of our citizens. The Culver resolution does this and we ought to have the opportunity to vote upon it. Accordingly, I urge defeat of the previous question and adoption of an amendment embodying the proposal of the gentleman from Iowa (Mr. Culver). If the previous question succeeds, I will vote against the resolution seeking a change in the committee's name and extension of its mandate.

Mr. COHELAN. Mr. Speaker, I rise in opposition to House Resolution 89, a resolution to change the name and amend the mandate of the present Committee on Un-American Activities.

There has been a general recognition that the present mandate and procedures of the Committee on Un-American Activities require reform. In fact, the present chairman of the committee, the gentleman from Missouri (Mr. Ichord), has forthrightly expressed this view.

Thus the need for reform is clear. The question is whether the new mandate contained in this resolution is that needed reform. It is my view that this resolution does not provide that reform. Accordingly, I will oppose it.

The gentleman from Missouri (Mr. Ichord), and legal experts, including the staff of the Legislative Reference Service of the Library of Congress, have given their opinion that there is nothing that the old committee could have done under the old mandate that the new committee will not be able to do under the new mandate. The language of the new mandate is far from clear. The specific enumeration of subjects to be investigated overlaps the jurisdiction of the Committee on the Judiciary, as the chairman of that committee has so ably indicated.

For these reasons I have concluded that the new mandate is not the needed reform measure.

Moreover, I have for several years introduced legislation to abolish the present Committee on Un-American Activities and transfer its legitimate functions to the Judiciary Committee. It is my understanding that if this resolution is defeated an effort will be made to accomplish this abolition and transfer. For this additional reason I will oppose the resolution.

At this point, however, I want to make it clear that I strongly support the right of Congress and the House of Representatives to investigate matters pertaining to the internal security of the United States. I see this not only as a matter of right but of obligation.

I am equally concerned and convinced that the constitutional rights of all witnesses appearing before committees of the Congress must be scrupulously protected. It is clear that they have not always been so protected in the past.

In my judgment both obligations could be better met if the Committee on Un-American Activities were to be dissolved and the function of investigating in the area of internal security be assumed by the Committee on the Judiciary, as it is in the Senate.

In short, Mr. Speaker, I am for reform, and this resolution does not provide reform.

This resolution will change the name and the face of the Committee on Un-American Activities, but the body would remain the same. My objections are to the body, to the substance, to the unconscionable ways in which the committee has conducted certain of its past proceedings. In the past, the committee has conducted inquisitorial proceedings, needlessly pilloried witnesses, and has contributed nothing to the legislative process which could not have been supplied by orderly, objective, and civilized proceedings before the Judiciary Committee.

Mr. Speaker, I oppose this resolution.

Mr. GILBERT. Mr. Speaker, I shall vote against the previous question so that amendments can be offered to House Resolution 89 to change the name of the Un-American Activities to the Committee on Internal Security. First, let me say that I do not believe a change in the name of the committee will change its activities or improve committee procedures.

I will support the amendment to remove jurisdiction of the activities of the Un-American Activities Committee to the Judiciary Committee. I am one of the sponsors of this proposal.

Mr. Speaker, I am of the belief that the Un-American Activities Committee serves no useful legislative purpose. The committee's past record of performance is evidence of this. Any investigation of "un-American propaganda" should focus on activities protected by the Bill of Rights—those of speech, assembly, and thought. The committee has been consistently criticized for the manner in which it has conducted hearings.

The Judiciary Committee is composed of attorneys and the Judiciary Committee's jurisdiction extends to the protection of constitutional rights of the individual. It is my earnest and sincere belief the Judiciary Committee can meet the responsibilities of maintaining a proper balance between the protection of individual rights and the conduct of congressional hearings on legislation relating to the internal security of the United States.

Mr. SCHWENGEL. Mr. Speaker, I rise in opposition to the passage of this measure. Let me make it quite clear from the beginning that I do feel there are some valid areas of operation for a committee such as the House Un-American Activities Committee. And, indeed, some areas of the committee's work in the past may have had some value. However, on balance, the value of the committee certainly is questionable. There has been far too much of the "big brother" flavor about the committee's operations. In this era of ever-decreasing personal freedom, too often activities of the committee have been costly in terms of personal freedom, and have adversely affected the lives and reputations of the people being investigated by it.

It is my position that any legitimate functions of this committee can be more adequately and properly carried out by a subcommittee of the House Judiciary Committee. By transferring the legitimate functions to such a subcommittee, we would be placing this important but delicate assignment with a committee which is noted for handling its affairs with full regard for due process of law. Further, the transfer would give added prestige to legislation arising in this area. All too often, the present committee has been inclined to give short shrift to the basic rights of those persons under investigation.

Let us put this whole matter back in proper perspective, and under proper supervision, by transferring such of the functions as may be valid to a subcommittee of the House Judiciary Committee.

Mr. BROWN of California, Mr. Speaker, the Committee on Un-American Activities should be abolished. It should not be replaced. I firmly support the transfer of whatever valid and relevant legislative functions are now held by that committee to the Committee on the Judiciary.

In the 31 years since the first Special Committee on Un-American Activities was established, no other congressional committee has contributed so little of substantive value, yet created as much controversy. Of course, had the committee stayed only within its initial mandate—that of investigating "Un-American propaganda"—I believe it would have faded away long ago. But, over the years, that mandate mysteriously has expanded into today's current monolith which more resembled a quasi-judicial operation than it does a constituted legislative body.

My argument is not with the concept of dealing with subversion. I quarrel with the means of dealing with that danger, not the end. And, in doing so, I believe that the objectives outlined under the mandate of the proposed Internal Security Committee already exist well within the traditional mandate of the Judiciary Committee.

We must not be deceived. The motion before the House today is not merely one of changing the name of a committee. Passage of House Resolution 89 creates an entirely new committee—a committee with overly broad and quite vague powers, powers which would seriously endanger our given rights of speech and association. Indeed, were House Resolution 89 approved, such action would be interpreted as a justification of all the previous infringements upon civil liberties perpetrated by the Un-American Activities Committee.

My own position is also strongly based on strict procedural grounds. Formation of an Internal Security Committee would cause major conflicts and jurisdictional disputes between that committee and the Judiciary Committee. I support the opinion of the respected chairman of the Judiciary Committee that "aggrandizement of jurisdiction customarily exercised by the Committee on the Judiciary is a matter of critical concern."

Yet, despite this deep concern by the senior Member of the House, the process which brings House Resolution 89 before this Chamber today has ignored other meaningful and significant proposals relating to other possible changes in the Un-American Activities Committee.

As a cosponsor of House Resolution 134, which calls for abolishing the Un-American Activities Committee and transferring its jurisdiction to the Judiciary Committee, I am disturbed that no major attention at all was given by the Rules Committee to that proposal—or any other than House Resolution 89. Nor am I pleased with the rule which permits no amendment to House Resolution 89 unless the previous question can be defeated.

I view today's debate over the future of the Un-American Activities Committee as a crucial point in the direction of the 91st Congress. Adoption of House Resolution 89, and creation of an Internal Security Committee, will forever serve as a stigma attached to the reputation of this Congress.

There can be no argument that subversion of the United States should be quickly halted. But I question whether gross trespassing on basic civil liberties of American citizens, in the name of routing subversion, is not an equal danger to our most dear principles of democracy and justice.

Mr. MOORHEAD. Mr. Speaker, I rise in opposition to House Resolution 89. I intend to vote against the motion which would cut off debate and prevent the offering of amendments. I intend to vote in favor of the amendment to be offered by the gentleman from Iowa (Mr. CULVER) to consolidate all internal security functions within the Committee on the Judiciary.

I must oppose the attempt to change the name of the Committee on Un-American Activities to the House Internal Security Committee.

If I could be sure that with the switch in names Congress would also get a new committee in the sense that the questionable behavior of HUAC would give way to a more intelligent, less zealous and damaging investigation of internal security threats, I would support a name change.

But I am familiar enough with the dubious achievements of this committee to harbor little hope of an about face. And a turnabout is sorely needed, in light of the many past indiscretions committed by this group in their investigations—the overriding function of which serves more to garner publicity than to realize any substantive good for the country.

HUAC has abused its investigative mandate, totally rejecting any legislative role, and carried on forays against any number of citizens and groups involved in the legitimate pursuit of their civil liberties. Intelligent, rational inquiry is one thing, harrassment for publicity sake is quite another. And it is the latter that has become HUAC's forte.

Certainly it is important for any democracy—including the United States—to guard against internal subversion which resorts to unlawful techniques intended to circumvent and destroy the will of the majority.

In the executive branch of our government this function is carried on primarily by the Federal Bureau of Investigation.

In the legislative branch—in the other body—this function is carried on by the Internal Security Subcommittee of the Judiciary Committee.

Neither of these institutions has caused the abridgment to freedom that the Committee on Un-American Activities have dealt the many subjects of their investigations.

Why is this?

I submit that it is because both institutions are subdivisions—important subdivisions—but nevertheless subdivisions of a larger institution whose primary objective is justice.

This means justice equally for the minority who want to exercise their constitutional rights of free speech and assembly, and justice for the majority who do not want to have their rights taken away.

The FBI is a subdivision of the Justice Department.

The Senate Internal Security Committee is a subdivision of the Judiciary Committee.

As subdivisions, their zeal for protecting the majority is tempered by the interest of their parent organization in protecting the minority.

In our House Committee on Un-American Activities we have no such tempering influence.

The mandate of HUAC from the House is to protect the majority from the minority and there is no built-in balance which to protect the rights of minorities.

Making HUAC a subcommittee of the House Judiciary Committee would create such a balance wheel.

Accordingly, Mr. Speaker, I urge my colleagues to vote no on the previous question motion so that we all may vote on the Culver amendment to transfer the jurisdiction of the Un-American Activities Committee to the Committee on the Judiciary.

Mr. LOWENSTEIN. Mr. Speaker, during today's debate on House Resolution 148, it was announced that had the parliamentary situation permitted, I would have joined the gentleman from New York, Congressman PODELL, in moving to abolish the House Un-American Activities Committee.

My position stems from belief in the principal that the protection of first amendment freedoms is basic to our Constitution. Beyond the questionable constitutionality of investing Congress with powers of investigation into speech, association and ideas, there is the additional danger inherent in the vagueness of the committee's mandate. As the gentleman from Iowa, Congressman CULVER, a former member of HUAC, remarked:

> Innocent activities are most often those of speech, association and belief . . . /the HUAC mandate/leaves too much room for subjective and highly political judgments in an area purposefully left free by the first amendment for seemingly unrespectable ideas.

The activities of the committee since its inception have further underscored the wisdom of adhering to this principle. The courts have upheld only 9 of the 133 contempt citations issued by the committee. Furthermore, the committee has often seemed not to understand—or at least not to accept—the constitutional distinction between advocacy and action, possibly because the jurisdiction over activities legitimately subject to congressional investigation resided in another standing committee of the House. The dean of the House, the gentleman from New York, Congressman CELLER, whose constitutional expertise has earned him great distinction as chairman of the Judiciary Committee, put this point very clearly:

> Traditional practice and custom also indicates that the Committee on the Judiciary, established in 1813, historically has exercised legislative jurisdiction over bills dealing with crime, espionage, sedition and penalties.

Not only is the existence of such a committee questionable under the Constitution, and legislatively unproductive, but the cost of maintaining it has added to the already excessive burdens of the taxpayers. The committee has maintained an average staff of 46, at a cost of more than $6 million, and has produced only five pieces of legislation since 1945. Contrast this record with the Ways and Means Committee which, operating with half as large a staff, has consistently considered a full 20 percent of the legislative output in each session of Congress.

It seems reasonable to conclude that a committee whose legitimate functions are encompassed by the mandate of another committee, whose activities have not brought credit to Congress, whose inquiries have resulted in damage to a substantial number of citizens and whose cost to the taxpayer has been excessive, should, after 20 years of such unsuccessful experimentation, be discontinued.

Mr. SCHEUER. Mr. Speaker, once again we are asked to perpetuate the cardinal sin that is the House Committee on Un-American Activities. Ever since this controversial committee was established as a special entity in 1938, its record has been a potpourri of the oratorical and the inquisitorial, full of sound and fury, and accomplishing nothing. Its continued existence is an affront to all the constitutional principles we hold dear and sacred in this country.

Instead of terminating this travesty, we are now called upon, through the provisions of House Resolution 89, to bestow a new name on the cancer and to expand its mandate to pillory the unorthodox. I totally oppose this proposal. To change the name of the Committee on Un-American Activities would not rid us of the basic deficiencies that afflict this committee. Its staff has given no indication that it will discontinue its disturbing propensity for characterizing as "subversive" a wide variety of dissent and nonconformity.

Further, the mandate to broaden the committee's powers seriously encroaches on the activities and jurisdictional responsibilities of the House Committee on the Judiciary. We do not need this—given the consistent, unhealthy record of the House Committee on Un-American Activities. An expansion of its authority serves only to discredit the protections guaranteed by the first amendment of the Constitution. I congratulate my colleague (Mr. CULVER) for his wisdom, courage, and leadership in calling for an end to the continuation of the gross perversion of American values and traditions spanning three decades.

Mr. PHILBIN. Mr. Speaker, the inquisitory powers of Congress are vital in order to assume maximum corrective and remedial action in areas of our national life that require it.

These important functions, like the functions of each and every branch of the Government, must always be exercised with due regard for the Constitution, the laws and the rights of all persons coming before our committees or involved in any way with their hearings, proceedings and deliberations.

In every instance, committee hearings must be conducted in a fair, impartial manner, and must be conducted in a climate where a judicial atmosphere is maintained, orderly procedures followed, and full respect and consideration given under the rule of law for the rights of all persons appearing before the committees, or whose matters may be discussed, considered or acted upon by the committee.

At the same time, the free inquiry that is required to enable Congress to get the facts it needs to legislate intelligently and adequately must be unimpeded by obstructive, vociferous, insulting conduct on the part of witnesses, or

those in attendance, as well as on the part of those participating in the hearings.

In a word, the maintenance of order, fair procedure, recognition of the constitutional and legal protections and safeguards of those called before committee hearings must be at all times rigorously upheld and preserved.

In this context, the controversy over the House Un-American Activities Committee must be discussed, debated, and settled by the Members.

There are some people who do not believe in any investigative powers in this area, and would exempt all persons suspected of subversive activities from congressional inquiry of any sort.

I think this view is most unrealistic. It fails to recognize present dangers of many kinds that exist in this Nation and the world and that spring from the activities of individuals and groups advocating, urging, and defending communism, its objectives and actions, and who are engaged advancing communism, other subversive isms, and similar systems, in the Nation and the world.

One would have to be politically, legally, economically, socially, and spiritually blind, not to realize the existence of dangerous, threatening subversive movements in this day and age, not only in other parts of the world, but in this Nation.

One look at current conditions in this country should be relevant on this point. A most superficial observation of the many disturbing conditions existing in this country bearing on public stability, law and order, and the activities of individuals and groups who do not believe in our free, American institutions, indicate that many of these groups are unceasing, vigorous advocates of revolutionary Marxism and other subversive doctrines and activities which are part of the monolithic structure of world communism and its activist role in this country and the world.

Let us continue to strive with all our hearts for equality, justice, freedom, and peace in the Nation and the world.

Undoubtedly, there have been some abuses practiced by the Un-American Activities Committee in the past, and that is true also of some other committees. Human nature, and the tides of sharp public controversy being what they are, it is not always easy to prevent some abuses from creeping into the deliberations of our committees, any more than they can be totally excluded from our judiciary system, or similar bodies.

It is up to the Congress to put a stop to them, and that is what we have tried to do throughout the years, with respect to the activities of every one of our committees, where necessary, including the Un-American Activities Committee of the House.

I am not impressed at the claim that changing the name of this committee, or altering some of its habiliments is an adequate substitute for specific action that the House can take in any given situation to apply a strict, corrective rule.

Obviously, we must have some satisfactory, efficient, effective forum in this Congress for investigating and bringing to light the actions of enemies of the Nation who are working in our midst to undermine our freedoms and destroy our democratic system.

Since such people are always among us, and always active, sometimes like the iceberg; that is only 20 percent above the surface and 80 percent below the surface, it is not always easy to do this kind of job.

But that is no reason for neglecting our responsibilities for protecting internal security, nor is it any reason or excuse for failing to carry out our official oath to uphold the Constitution and individual rights in every way we can.

I yield to no man in my advocacy and defense of individual rights, human rights, and the legal rights of our fellow citizens and all those who live in this Nation, or who, in any way, are involved in congressional hearings or proceedings. But I am of the opinion that this can be done without abandoning the mission we certainly have, as Members of Congress, to perceive current dangers and threats to our way of life, and act to expose, check and, where necessary, take appropriate action through legislative means and the exercise of our advisory functions to protect the Nation, our freedoms, and the other great institutions we prize.

As we move toward these tasks, we should not minimize the dangers, nor should we have any reason to fail to protect the rights of our fellow citizens, and all others coming before us, as our Constitution and our laws provide, and as the spirit of American personal liberty so strongly exhorts us to do.

I believe that we must have an effective, fair, judicial-minded instrument in the House to cope with the problems posed by active communism in the Nation, and make as sure as we can that the rules of law and justice shall prevail above all that this great Nation shall survive against all the storms raging against it.

Mr. WYMAN. Mr. Speaker, I support House Resolution 89. It makes sense. After all, the real problem for Congress and the Nation is the internal security of the country and we have already witnessed altogether too much uncertainty in the courts as to what "Un-American Activities" means. See Watkins against United States, for example.

When serving as president of the National Association of Attorneys General in 1957 it was my privilege to recommend to that distinguished association that it constitute a committee on internal security. This was done in that year and I had the honor to serve as its chairman for several years. The committee still exists and performs a valuable function within an association of national law enforcement officials. Options were present then to call it a Committee on Un-American Activities and these were rejected after considerable discussion. The same reasons apply here today.

The pattern of violence and anarchy developing on and off campuses of America at this hour becomes of increasing concern as subversion appears to be a common denominator. That the discord, hatreds, interruptions of academic training, and destruction of property takes place by design on the part of a few deliberate activists is a fit subject for investigation, report and probable legislative recommendations from a House Standing Committee on Internal Security. This resolution (H. Res. 89) helps strengthen the charter of the former Un-American Activities Committee in the courts. Anything that strengthens our capacity to keep watch over such things in the proper manner with just rules of procedure is desirable at this time. It is likewise understandable that those who opposed the original Committee will oppose strengthening its judicial weaknesses.

The need for an effective committee such as this in the Congress of the United States is great. Let us help it along its difficult path toward protecting the internal security of the United States by voting for the previous question and passing House Resolution 89.

Mr. LATTA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

Mr. FRASER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 262, nays 123, not voting 46, as follows:

[Roll No. 16]

YEAS—262

Abbitt
Abernethy
Adair
Albert
Alexander
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Aspinall
Ayres
Baring
Bates
Battin
Beall, Md.
Belcher
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Blanton
Boggs
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Bush
Byrnes, Wis.
Cabell
Caffery
Camp
Carter
Cederberg
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Corbett
Coughlin
Cowger
Cramer
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Wis.
de la Garza
Denney
Dennis
Devine
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Eshleman
Evins, Tenn.
Fallon
Fascell
Findley
Fish
Fisher
Flood
Flowers
Ford, Gerald R.
Foreman
Fountain
Frey
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gibbons
Goodling
Griffin
Griffiths
Gross
Grover
Gubser
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Harsha
Harvey
Hastings
Hébert
Henderson
Hogan
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
Kazen
Kee
Keith
King
Kleppe
Kyl
Kyros
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McKneally
McMillan
MacGregor
Mahon
Mann
Marsh
Martin
Mathias
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Mizell
Mollohan
Monagan
Montgomery
Morton
Natcher
Nelsen
O'Konski
Olsen
Passman
Patman
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pirnie
Poage
Poff

Pollock
Preyer, N.C.
Price, Tex.
Pryor, Ark.
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Rhodes
Rivers
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Roth
Ruppe
Ruth
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Scott
Sebelius
Shipley
Sikes
Sisk
Skubitz
Slack
Smith, N.Y.
Snyder
Springer
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stuckey
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Ullman
Utt
Vander Jagt
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wright
Wyatt
Wylie
Wyman
Yatron
Young
Zablocki
Zion
Zwach

NAYS—123

Adams
Addabbo
Anderson, Calif.
Annunzio
Ashley
Biaggi
Bingham
Blatnik
Boland
Bolling
Brademas
Brasco
Brooks
Brown, Calif.
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Cahill
Carey
Celler
Chisholm
Clay
Cohelan
Conte
Conyers
Corman
Culver
Daddario
Dawson
Dellenback
Dent
Derwinski
Dingell
Dwyer
Eckhardt
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Farbstein
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Gallagher
Gaydos
Giaimo
Gilbert
Gonzalez
Green, Pa.
Gude
Halpern
Hanna
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Horton
Howard
Jacobs
Joelson
Johnson, Calif.
Karth
Kastenmeier
Kirwan
Kluczynski
Koch
Leggett
Lowenstein
McCarthy
McCloskey
McFall
Madden
Meeds
Mikva
Miller, Calif.
Minish
Mink
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Nedzi
Nix
O'Neill, Mass.
Ottinger
Patten
Pike
Podell
Price, Ill.
Pucinski
Rees
Reid, N.Y.
Reuss
Rodino
Ronan
Rooney, N.Y.
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Schwengel
Smith, Iowa
Stafford
Stokes
Thompson, N.J.
Tiernan
Tunney
Van Deerlin
Vanik
Whalen
Wilson, Charles H.
Wolff
Wydler
Yates

NOT VOTING—46

Anderson, Ill.
Barrett
Bell, Calif.
Burton, Utah
Casey
Davis, Ga.
Delaney
Dickinson
Diggs
Feighan
Flynt
Gettys
Gray
Green, Oreg.
Hagan
Heckler, Mass.
Holifield
Jones, Ala.
Kuykendall
Landgrebe
Long, La.
Long, Md.
Lujan
Lukens
Macdonald, Mass.
Mailliard
Matsunaga
Murphy, N.Y.
Myers
Nichols
O'Hara
O'Neal, Ga.
Powell
Riegle
Rosenthal
Roudebush
Rumsfeld
Sandman
Scheuer
Shriver
Smith, Calif.
Staggers
Stubblefield
Sullivan
Udall
Waldie

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Nichols for, with Mr. Rosenthal against.

Mr. Gray for, with Mr. Scheuer against.

Mr. Hagan for, with Mr. Macdonald of Massachusetts against.

Mr. Davis of Georgia for, with Mr. Barrett against.

Mr. O'Neal of Georgia for, with Mr. Murphy of New York against.

Mr. Gettys for, with Mr. Matsunaga against.

Mr. Long of Louisiana for, with Mr. O'Hara against.

Mr. Long of Maryland for, with Mr. Diggs against.

Mr. Stubblefield for, with Mr. Powell against.

Mr. Flynt for, with Mr. Waldie against.

Until further notice:

Mr. Casey with Mr. Anderson of Illinois.

Mr. Delaney with Mrs. Heckler of Massachusetts.

Mr. Feighan with Mr. Mailliard.

Mrs. Sullivan with Mr. Shriver.

Mr. Staggers with Mr. Rumsfeld.

Mr. Jones of Alabama with Mr. Bell of California.

Mr. Udall with Mr. Landgrebe.

Mrs. Green of Oregon with Mr. Burton of Utah.

Mr. Smith of California with Mr. Myers.

Mr. Roudebush with Mr. Lujan.

Mr. Dickinson with Mr. Sandman.

Mr. Kuykendall with Mr. Lukens.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the resolution.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 306, nays 80, not voting 45, as follows:

[Roll No. 17]

YEAS—306

Abbitt
Abernethy
Adair
Albert
Alexander
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Aspinall
Ayres
Baring
Bates
Battin
Beall, Md.
Belcher
Bennett
Betts
Bevill
Biaggi
Biester
Blackburn
Blanton
Boggs
Bow
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Bush
Byrnes, Wis.
Cabell
Caffery
Cahill
Camp
Carter
Cederberg
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Conte
Corbett
Coughlin
Cowger
Cramer
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Wis.
de la Garza
Dellenback
Denney
Dennis
Dent
Derwinski
Devine
Dickinson
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Fascell
Findley
Fish
Fisher
Flood
Flowers
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Giaimo
Gibbons
Goodling
Griffin
Griffiths
Gross
Grover
Gubser
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hastings
Hays
Hébert
Henderson
Hicks
Hogan
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, N.C.
Kazen
Kee
Keith
King
Kirwan
Kleppe
Kluczynski
Kyl
Kyros
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
MacGregor
Madden
Mahon
Mann
Marsh
Martin
Mathias
May
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Minish
Minshall
Mize
Mizell
Mollohan
Monagan
Montgomery
Morgan
Morton
Murphy, Ill.
Natcher
Nelsen
O'Konski
Olsen
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Rhodes
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Rostenkowski
Roth
Ruppe
Ruth
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Scott
Sebelius
Shipley
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Stephens
Stratton
Stuckey
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tiernan
Ullman
Utt
Van Deerlin
Vander Jagt
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yatron
Young
Zablocki
Zion
Zwach

NAYS—80

Adams
Addabbo
Anderson, Calif.
Annunzio
Ashley
Berry
Bingham
Blatnik
Boland
Bolling
Brademas
Brasco
Brown, Calif.
Burton, Calif.
Button
Byrne, Pa.
Carey
Celler
Chisholm
Clay
Cohelan
Conyers
Corman
Culver
Daddario
Dawson
Dingell
Edwards, Calif.
Eilberg
Farbstein
Foley
Ford, William D.
Fraser
Gallagher
Gaydos
Gilbert
Gonzalez
Green, Pa.
Gude
Halpern
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Howard
Karth
Kastenmeier
Koch
Leggett
Lowenstein
McCarthy
McCloskey
Mikva
Miller, Calif.
Mink
Moorhead
Morse
Mosher
Moss
Nedzi
Nix
Ottinger
Podell
Rees
Reid, N.Y.
Reuss
Ronan
Rooney, N.Y.
Roybal
Ryan
St Germain
St. Onge
Schwengel
Stokes
Thompson, N.J.
Tunney
Vanik
Whalen
Wilson, Charles H.
Yates

NOT VOTING—45

Anderson, Ill.
Barrett
Bell, Calif.
Burton, Utah
Casey
Davis, Ga.
Delaney
Diggs
Feighan
Flynt
Gettys
Gray
Green, Oreg.
Hagan
Heckler, Mass.
Holifield
Jones, Ala.
Kuykendall
Landgrebe
Long, La.
Long, Md.
Lujan
Lukens
Macdonald, Mass.
Mailliard
Matsunaga
Murphy, N.Y.
Myers
Nichols
O'Hara
O'Neal, Ga.
Powell
Riegle
Rosenthal
Roudebush
Rumsfeld
Sandman
Scheuer
Shriver
Smith, Calif.
Steiger, Wis.
Stubblefield
Sullivan
Udall
Waldie

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Casey for; with Mr. Rosenthal against.

Until further notice:

Mr. Delany with Mr. Anderson of Illinois.

Mr. Murphy of New York with Mr. Sandman.

Mr. Davis of Georgia with Mr. Roudebush.

Mr. Waldie with Mr. Bell of California.

Mr. Feighan with Mr. Lukens.

Mr. Gettys with Mr. Rumsfeld.

Mr. Hagan with Mr. Burton of Utah.

Mr. Stubblefield with Mr. Kuykendall.

Mr. O'Neal of Georgia with Steiger of Wisconsin.

Mr. Nichols with Mr. Landgrebe.

Mr. Jones of Alabama with Mr. Myers.

Mr. Long of Louisiana with Mr. Smith of California.

Mr. Barrett with Mr. Mailliard.

Mr. Flynt with Mr. Shriver.

Mrs. Sullivan with Mrs. Heckler of Massachusetts.

Mr. Udall with Mr. Lujan.

Mr. Diggs with Mr. Scheuer.

Mr. Gray with Mr. Matsunaga.

Mr. Long of Maryland with Mrs. Green of Oregon.

Mr. O'Hara with Mr. Powell.

Mr. **CONTE** changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. **COLMER**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks.

The **SPEAKER**. Without objection, it is so ordered.

There was no objection.

ELECTION TO COMMITTEE ON INTERNAL SECURITY

Mr. **MILLS**. Mr. Speaker, I offer a privileged resolution (H. Res. 251) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 251

Resolved, That the following-named Members be, and they are hereby, elected to the standing Committee of the House of Representatives on Internal Security: Richard H. Ichord (chairman), Missouri; Claude Pepper, Florida; Edwin W. Edwards, Louisiana; Richardson Preyer, North Carolina; Louis Stokes, Ohio; John M. Ashbrook, Ohio; Richard L. Roudebush, Indiana; Albert W. Watson, South Carolina; William J. Scherle, Iowa.

Resolved, That all bills, resolutions, executive communications, petitions and memorials heretofore referred to the Committee on Un-American Activities in the 91st Congress are hereby referred to the Committee on Internal Security.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERSONAL ANNOUNCEMENT

Mr. **STEIGER** of Wisconsin. Mr. Speaker, due to the press of other official business I missed the vote on House Resolution 89. I ask unanimous consent to insert in the Record at this point the statement that had I been present, I would have voted "yea" on the adoption of the resolution.

The **SPEAKER**. Without objection, it is so ordered.

There was no objection.

COURT OPINION REFLECTS FREEDOM OF INFORMATION ACT

(Mr. **MOSS** asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. **MOSS**. Mr. Speaker, I have often stated that perhaps the most important feature of the Freedom of Information Act is the proviso that any person administratively denied access to a Government record has the right to ask a Federal district court to rule on the propriety of such a refusal.

My faith in the effectiveness of the judicial review section of the act is again borne out by a ruling of the U.S. Court of Appeals as reported in the Washington Post this morning. Judge Edward A. Tamm's reported opinion in this case clearly reflects the letter and spirit of the Freedom of Information Act as intended by Congress and I wish to commend him for his insight. The news story follows:

APPEALS COURT RULES AGENCY'S SECRECY ILLEGAL

(By Thomas W. Lippman)

A Federal agency that takes action against a private enterprise on the basis of confidential staff memoranda is required by the Freedom of Information Act to make the documents public, the U.S. Court of Appeals ruled yesterday.

In an opinion that flayed the administrative practices of the Commerce Department's Maritime Subsidy Board, Judge Edward A. Tamm said the 1966 Act forbade "indiscriminate administrative secrecy."

Government employes may find it difficult to "operate in a fish bowl," he said, but those affected by the actions of those employes cannot "operate in a darkroom."

If an agency refuses to disclose the background for a ruling, he said, "this court is unaware of how a party can meaningfully prepare a request for reconsideration."

The issue arose in a steamship company's appeal of a Subsidy Board order demanding the return of $3.3 million in Federal subsidies that the company received while allegedly carrying more crew members than necessary on nine ships.

American Mail Line Ltd. sought reconsideration of the order, and asked to be informed of the reasoning that led up to it.

The Board responded that "a memorandum dated Nov. 26, 1965, revised Dec. 20, 1967," was the basis for the ruling and refused to give the memorandum to the company.

The company went to court to seek access to the information, lost in U.S. District court and appealed. While the appeal was pending, Judge Tamm said, the Board released a fully detailed summary of its position and sought to have the appeal dismissed as "moot."

"The backwardness of appellee's administrative procedure is appalling," Judge Tamm said of this maneuver. "The issuance of the Board's decision does not render this cause of action moot for the simple reason that appellants' lack of need for the memorandum is irrelevant to their right to obtain it under the Act. . . . In short, we feel that the issuance of this decision compounds the Board's lamentable administrative practices and procedures."

The Subsidy Board found that 50 men, rather than 58, could have operated the ships. The ships were subsidized under the Merchant Marine Act because they had American crews instead of cheaper foreign crews. The merits of the dispute between the Board and the company were not before the court.

URBAN MASS TRANSPORTATION

(Mr. **KOCH** asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. **KOCH**. Mr. Speaker, I have introduced today a bill to create an urban mass transportation trust fund and to provide a new program to meet the vital transportation needs of the residents of our cities.

My bill has been designed to be realistic in terms of the expenditures it contemplates and the financing it requires. It is critical that the projects it contemplates be begun now. I believe there is no more important bill before the Congress, and intend to exert every effort to have it promptly enacted into law during this session.

The transportation problems of our Nation are enormous. We are plagued by traffic congestion on our city streets, overcrowding of aircraft in the skies, inadequate rail service into our cities, and a general lack of coordinated, convenient travel facilities. A society which prides itself on its mobility is increasingly in an air-land-and-sea traffic jam that brings it to a standstill.

Chief among our problems is the lack of fast, convenient, efficient, and attractive mass transportation within our cities. Urban mass transportation of high quality is a necessity if our cities are to remain, indeed become, viable and habitable. Yet, since World War II, mass transportation has been in a cycle of increasing costs, decreasing quality, and decreasing numbers of passengers. It behooves us to understand why we have reached this sorry state and to do something about it.

The root of the problem is the private automobile. It has created traffic jams and pollution as to cause people to desert the center cities for the suburbs. It has led to disproportionate expenditures for highways in urban areas. These highways have in many cases wrecked neighborhoods, gobbled up parks and recreational areas, and generally poisoned the environment. If America does not end this infatuation with the private automobile, the bulk of the country may ultimately be paved over.

A major factor in creating the problem is the relatively large amounts of Federal funds that have been available for highway construction—almost $5 billion in the current fiscal year—and the relatively small amounts available for urban mass transportation—less than $200 million in the current fiscal year. Large capital investments for mass transit are vital if we are to have sound development of our cities. These investments can lead to high quality service that will attract riders and reduce dependence on automobiles and the need for building new highways. The destruction of our cities by excessive highway building can be ended.

In 1956, Congress created the highway trust fund to insure availability of sufficient Federal financial assistance to local communities for carrying out a long range program of public investment in mass transit.

In 1969, the Congress must create an urban mass transportation trust fund to insure availability of sufficient Federal financial assistance to local communities for carrying out a long range program of public investment in mass transit. State and local governments lack the resources to fund these activities. Only the Federal Government has the capacity to meet the critical transportation needs of our cities.

The urban mass transportation trust fund I propose would initially be limited to a term of 4 years. This would make its life coterminous with that of the Highway Trust Fund. It would be funded to provide $1 billion in fiscal year 1971, $2 billion in fiscal year 1972, $3 billion in fiscal year 1973, and $4 billion in fiscal year 1974.

These amounts are modest by comparison with the highway trust fund. But we must be realistic with respect to what can be prudently spent in the near term and the availability of financing in the present tight budget situation. I believe the amounts in my bill are sound in these practical respects and yet will get mass transit going. If greater amounts seem prudent at a later date, I will call for them; and in the period after 1974—when I hope the highway trust fund can be terminated—I expect that even greater amounts will be available for urban mass transit.

The urban mass transportation fund will permit active research and development programs, planning in those cities that are just beginning to develop plans, and construction for those cities that have already done sound planning. New facilities will be built and existing facilities improved and expanded. Besides making needed funds immediately available, cities will have the assurance that Federal funds will be available in future years as their planning efforts come to fruition.

The Federal share of the projects will be 90 percent as under the highway trust fund. Broad authorities to make the most productive use of funds would be given the Federal and local administrators of the program. Projects will be fully responsive to the needs of individual cities whatever their circumstances.

In addition to the trust fund, my bill contains two other innovative features. First, it permits advance acquisition of urban land, an increasingly scarce resource, to both reduce costs of projects and permit comprehensive planning. This provision will also allow the program to reap the profit from the increase in value in adjacent land that stems from the sound development of mass transportation. Second, my bill provides for relocation assistance to residents and businessmen affected by construction. This insures a humane program, not one that builds without regard for those who must be displaced for the good of the larger community.

With respect to funding, my bill looks primarily to the automobile excise tax. That tax, now at 7 percent, is scheduled to drop to 5 percent during calendar 1970, 3 percent during 1971, 1 percent during 1972, and to go out of existence on December 31, 1972. The bill would maintain that tax at 7 percent and extend it through June 30, 1974, to coincide with the trust fund. The automobile excise tax produces well over $1 billion per year and should be adequate in itself to fund the trust fund during the first 2 years. To the extent additional revenues are needed to fund the trust fund in later years. I would look to the gasoline excise tax and elsewhere—including general revenues if the budget situation so permitted. I would also consider raising the automobile excise tax, say up to 10 percent.

The automobile excise tax is a particularly appropriate source of revenue for the urban mass transportation trust fund. The overindulgence of the automobile is at the root of the urban transportation problems. Further, this excise tax has never been regarded as a user charge, as its scheduled expiration clearly shows. It is not like the gasoline tax which is generally regarded as a user charge. Using the automobile excise tax, therefore, avoids arguments over proper appropriation of user charges. Even strong advocates of the highway trust fund should be able to agree as to the appropriateness of this source of financing for the urban mass transportation trust fund.

I hope everyone will consider my bill from the standpoint of the public interest. The transportation area is notorious for each industry group seeking only its own interest. The hour is too late for that to go on.

The people whom the urban mass transportation trust fund will help most are the poor, the elderly, the infirm, the young, the disadvantaged—all those for whom the automobile is no alternative. But it will also help us all to live better in our cities. Nothing should have a higher priority in this Congress.

In summary, Mr. Speaker, the bill I am introducing today would establish an urban mass transportation trust fund to finance the mass transportation facilities our country needs. The program would commence in fiscal year 1971 when $1 billion would be provided and the program would continue for 4 years with an annual budget increase of $1 billion. This money would be acquired for the program's first 2 years through the continuation of the automobile tax at 7 percent; an additional appropriation would be needed to reach the $3 billion and $4 billion level in fiscal years 1973 and 1974.

Federal participation in urban mass transportation construction would be increased from the current urban mass transportation program's two-thirds to 90 percent as provided in the highway trust fund. Thus, we would eliminate the present inducement for a metropolitan area to choose a highway over mass transportation on the basis of greater Federal participation for the former.

As in the Federal highway program, my bill provides for relocation assistance to those displaced by construction of the mass transportation facilities. And it enables the locality to engage in advance acquisition of lands adjacent to the proposed facility. This will allow the local transit program to reap the profit from escalating land values resulting from the construction of a transportation facility instead of letting those private individuals "in the know" obtain a windfall. This provision also would allow for advanced city planning for commercial and housing development in the area surrounding the transit construction.

Finally, under my bill, the current unfair 12½-percent limitation on grants and loans to any one State would be removed. This would enable the money to go where it is most needed: to the metropolitan areas.

It is my hope, Mr. Speaker, that the Congress will act in establishing this trust fund. Our Nation must greatly increase its urban transportation program to meet the transportation needs of our mushrooming metropolitan areas which will contain at least 70 percent of our Nation's population in 1970. We have established a trust fund for the highways which are destroying the cities. Let us commence to rebuild by providing the cities with the mass transit facilities they so desperately need.

The text of H.R. 7006 follows:

H.R. 7006

A bill to establish an urban mass transportation trust fund and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that the rapid urbanization and the continued dispersal of population and activities within urban areas has made the ability of all citizens to move quickly and cheaply an urgent national goal; that new directions in the Federal assistance programs for urban mass transportation are imperative if efficient, safe and convenient transportation compatible with soundly planned urban areas is to be achieved; and that success will require substantially greater and assured Federal financial participation to permit confident and continuing local planning, and greater flexibility in program administration to conserve scarce resources and to take account of widely varying local conditions. It is the purpose of this Act to create a partnership which permits the local community, through Federal financial assistance, to exercise the initiative necessary to satisfy its mass transportation requirements.

TITLE I—UBRAN MASS TRANSPORTATION REVENUE ACT OF 1969

Creation of trust fund

SEC. 101. There is hereby established in the Treasury of the United States a trust fund to be known as the urban mass transportation trust fund (hereinafter in this Act called the "trust fund"). The trust fund shall consist of such amounts as may be appropriated or credited to the trust fund as provided by this Act.

Transfer to trust fund

SEC. 102. (a) EXCISE TAX ON AUTOMOBILES.—There is hereby appropriated to the trust fund, out of any money in the Treasury not otherwise appropriated, amounts equivalent to the tax received in the Treasury before July 1, 1974, and which are attributable to liability for tax incurred before July 1, 1974, under section 4061(a)(2) of the Internal Revenue Code of 1954 (tax on automobiles, etc.).

The amounts appropriated by this section shall be transferred at least monthly from the general fund of the Treasury to the trust fund on the basis of estimates by the Secretary of the Treasury of the amounts, referred to in the preceding sentence, received in the

Treasury. Proper adjustment shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(b) Additional Appropriations to the Trust Fund.—There are hereby authorized to be appropriated from the general fund of the Treasury to the trust fund such additional sums as may be required to make the expenditures referred to in section 104. These sums are to be repayable advances unless otherwise provided.

Management of trust fund

Sec. 103. (a) In General.—It shall be the duty of the Secretary of the Treasury to hold the trust fund, and (after consultation with the Secretary of Transportation) to report to the Congress not later than the first day of March of each year on the financial condition and the results of the operations of the trust fund during the preceding fiscal year and on its expected condition and operations during the current and next ensuing fiscal year, up to and including the fiscal year ending June 30, 1975. Such report shall be printed as a House document of the session of the Congress to which the report is made.

(b) Investment.—It shall be the duty of the Secretary of the Treasury to invest such portion of the trust fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at issue price, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the trust fund. Such special obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average yield during the month preceding the date of such issue, on marketable interest-bearing obligations of the United States of comparable maturities then forming a part of the public debt rounded to the nearest one-eighth of one percent. Such special obligations shall be issued only if the Secretary of the Treasury determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest. Advances to the trust fund pursuant to section 102(b) shall not be invested.

(c) Sale of Obligations.—Any obligation acquired by the trust fund (except special obligations issued exclusively to the trust fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest.

(d) Interest and Certain Proceeds.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the trust fund shall be credited to and form a part of the trust fund.

Expenditures from the trust fund

Sec. 104. (a) Urban Mass Transportation Programs.—Amounts in the trust fund shall be available, as provided by appropriation Acts, for making expenditures to meet obligations of the United States which are incurred after June 30, 1970, for fiscal years 1971, 1972, 1973, and 1974 under the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 *et seq.*), as amended (including general administrative expenses).

(b) Repayment of Advances From General Fund.—Advances made pursuant to section 102(b) shall be repaid with interest to the general fund of the Treasury when the Secretary of the Treasury determines that moneys are available in the trust fund for such purposes. Interest shall be at rates computed in the same manner as provided in section 103(b) for special obligations and compounded semiannually.

Limitation on expenditures

Sec. 105. The Secretary of the Treasury shall from time to time, after consultation with the Secretary of Transportation, estimate the amounts which will be available in the trust fund (excluding repayable advances) to defray the expenditures required to be made from the fund. The Secretary of the Treasury shall advise the Secretary of Transportation whenever, after all other expenditures required to be made from the trust fund have been defrayed, the amounts available in the trust fund (excluding repayable advances) will be insufficient to defray expenditures required to meet obligations incurred under section 104(a). Whenever he is advised of any insufficiency, the Secretary of Transportation shall, for the fiscal year affected, determine the percentage which the amount remaining available is of the amount authorized to be obligated for that fiscal year under section 104(a) and shall, by prorating using that percentage, determine the amount which can be obligated in lieu of the amount which would be obligated but for the provisions of this subsection. Whenever the Secretary of the Treasury determines that, after all other expenditures required to be made from such fund have been defrayed, there will be available in the trust fund (excluding repayable advances) amounts sufficient to defray the obligations previously withheld under section 104(a) for any fiscal year, he shall so advise the Secretary of Transportation who may then obligate such amounts.

Internal revenue amendments

Sec. 106. (a) Subparagraph (A) of section 4061(a)(2) of the Internal Revenue Code of 1954 (relating to tax on passenger automobiles, etc.) is amended to read as follows:

"(A) Articles enumerated in subparagraph (B) are taxable at 7 percent. The tax imposed by this subsection shall not apply with respect to articles enumerated in subparagraph (B) which are sold by the manufacturer, producer, or importer after June 30, 1974."

(b) Section 6412(a)(1) of the Internal Revenue Code of 1954 (relating to floor stocks refunds on passenger automobiles, etc.) is amended by striking out "January 1, 1972, or January 1, 1973," and inserting in lieu thereof "or July 1, 1974,".

Effective date

Sec. 107. This title shall take effect on the date of enactment.

TITLE II—URBAN MASS TRANSPORTATION AMENDMENTS OF 1969

Sec. 201. Section 3 of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 *et seq.*), as amended, is amended to read as follows:

"(a) The Secretary is authorized, in accordance with the provisions of this Act and on such terms and conditions as he may prescribe, to make grants or loans (directly, through the purchase of securities or equipment trust certificates, or otherwise) to assist States and local public bodies and agencies thereof in financing the acquisition, construction, reconstruction, and improvement of facilities and equipment for use, by operation or lease or otherwise, in mass transportation service in urban areas and in coordinating such service with highway and other transportation in such areas. Eligible facilities and equipment may include land (but not public highways), buses and other rolling stock, and other real and personal property needed for an efficient and coordinated mass transportation system. No grant or loan shall be provided under this section unless the Secretary determines that the applicant has or will have (1) the legal, financial, and technical capacity to carry out the proposed project, and (2) satisfactory continuing control, through operation or lease or otherwise, over the use of the facilities and equipment. The Secretary may make loans for real property acquisition pursuant to subsection (d) upon a determination, which shall be in lieu of the preceding determinations, that the real property is reasonably required in connection with a mass transportation system and that it will be used for that purpose within a reasonable period. No grant or loan funds shall be used for payment of ordinary governmental or nonproject operating expenses.

"(b) No loan shall be made under this section for any project for which a grant is made under this section. However, loans may be made for projects as to which grants are made for relocation payments in accordance with section 7, and project grants may be made notwithstanding the fact that the real property involved in the project has been or will be acquired as a result of a loan under subsection (d). Loans under this section shall be subject to the restrictions and limitations set forth in paragraphs (1), (2), and (3) of section 102(b) of the Housing Amendments of 1955, except that the Secretary may provide for the waiver or forgiveness of the payment of interest on up to 100 percent of any loan made for real property acquisition under subsection (d) when, in his judgment, waiver or forgiveness will further the objectives of this Act and is in the public interest. Notwithstanding the provisions of section 203 of the Housing Amendments of 1955, loans may be made under this section only out of the urban mass transportation trust fund established in title I of this Act.

"(c) No financial assistance shall be provided under this Act to any State or local public body or agency thereof for the purpose, directly or indirectly, of acquiring any interest in, or purchasing any facilities or other property of, a private mass transportation company, or for the purpose of constructing, improving, or reconstructing any facilities or other property acquired (after the date of enactment of this Act) from any such company, or for the purpose of providing by contract or otherwise for the operation of mass transportation facilities or equipment in competition with, or supplementary to, the service provided by an existing mass transportation company, unless (1) the Secretary finds that such assistance is essential to a program, proposed or under active preparation, for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area, (2) the Secretary finds that such program, to the maximum extent feasible, provides for the participation of private mass transportation companies, (3) just and adequate compensation will be paid to such companies for acquisition of their franchises or property to the extent required by applicable State or local laws, and (4) the Secretary of Labor certifies that such assistance complies with section 13(c) of this Act.

"(d)(1) The Secretary is authorized to make loans under this section to States or local public bodies and agencies thereof to pay the entire cost of acquisition of real property for use as rights-of-way, station sites, and related purposes, on urban mass transportation systems, including the net cost of property management and relocation payments made pursuant to section 7. Repayment of amounts loaned shall be credited to the urban mass transportation trust fund. If a grant is made under subsection (a) for a project involving real property acquired through a loan under this subsection, the grant proceeds may be applied against the loan. Each loan agreement under this subsection shall provide for actual construction of urban mass transportation facilities on acquired rights-of-way within a period not exceeding ten years following the fiscal year in which the agreement is made. Each agreement shall provide that in the event acquired real property is not to be used for right-of-way purposes, an appraisal of current value will be made at the time of that determination, which shall not be later than ten years following the fiscal year in which the agreement is made. 90 percent of the increase in value, if any, over the original cost of the real property will be paid to the Secretary for credit to the urban mass transportation trust fund.

"(2) The Secretary is authorized to make loans under this section to States or local public bodies and agencies thereof to pay the entire cost of acquisition of property adjacent to and in reasonable proximity to existing or proposed rights-of-way, station sites, or other facilities, on urban mass transportation systems, including the net cost of property management and relocation payments made pursuant to section 7, where the use of the property for development or redevelopment to a higher use is anticipated, and its acquisition will enhance the ability of the urban mass transportation system to serve the planned development of the urban area. Repayments of amounts loaned shall be credited to the urban mass transportation trust fund. If a grant is made under subsection (a) for a project related to any real property which has been acquired through a loan under this subsection, the grant proceeds may be applied against the loan. However, the cost of real property which has been acquired through a loan under this subsection may not be included as an item in a project for which a grant is made.

"(A) When real property acquired pursuant to this subsection is leased or sold, the lessee or purchaser shall be obliged to operate or develop the property to the uses and in the manner specified in the loan agreement, as originally executed or subsequently modified; and the State or local public body or agency thereof shall pay to the Secretary, under terms and conditions prescribed by him, 90 percent of the increase in value of the real property. The increase in value shall be computed as follows:

"(i) where the real property is sold before the date of institution of new mass transportation service on the right-of-way adjacent to the property, the difference between that sale price, which must be approved by the Secretary after appraisal, and the cost of the property when acquired by the State or local public body or agency thereof; or

"(ii) where the real property has not been sold before the date of institution of new mass transportation service on the right-of-way adjacent to the property, the difference between the appraised value of the property at a time not later than three years after institution of new mass transportation service and the cost of the property when acquired by the State or local public body or agency thereof.

The appraisal shall take into account the effect on the value of the real property of the anticipated mass transportation service and of the land use and zoning specified in the loan agreement, and such other factors as the Secretary may prescribe.

"(B) Amounts repaid shall be credited to the urban mass transportation trust fund, and shall be used by the Secretary to reduce the Federal share of the net project cost of any grant under this Act which is made, or may be made, for a project on the urban mass transportation system for which the loan under this subsection has been made. The State or local share of the increase in value of the real property shall be applied first to reduce the State or local share of the net project cost of any grant under this Act which is made, or may be made, for a project on the urban mass transportation system for which the loan under this subsection has been made. Any part of the State or local share of the increase in value of the real property remaining after application to the net project costs shall be held in reserve by the State or local public body or agency thereof until such time as the Secretary determines that such public body or agency will not in the foreseeable future be the recipient of a capital grant under this Act. In the absence of this determination, and in the event a capital grant under this Act is made, the amount held in reserve will be applied to reduce the local share of the net project cost.

"(3) Loans for the purposes described in subsections (d)(1) and (d)(2) may be made independently, or concurrently, or concurrently with a loan or grant made under subsection (a)."

SEC. 202. (a) Subsection 4(a) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 *et seq.*), as amended, is amended by inserting the following immediately before the word "no" in the first sentence thereof: "and except for loans pursuant to subsection 3(d),"; and substituting in the second to last sentence thereof for the words "two-thirds" and "one-third" the following: "90 percent" and "10 percent".

(b) Section 4 of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 *et seq.*), as amended, is amended by adding the following new subsections:

"(c) To finance grants and loans and administrative costs under this Act there is hereby authorized to be obligated not to exceed $1 billion for the fiscal year ending June 30, 1971; $2 billion for the fiscal year ending June 30, 1972; $3 billion for the fiscal year ending June 30, 1973; and $4 billion for the fiscal year ending June 30, 1974. Amounts authorized to be obligated under this subsection shall be available for obligation during the fiscal year for which they were first authorized and shall remain available until obligated. There shall also be available for obligation during any fiscal year such net additions to the urban mass transportation trust fund as have been paid to the Secretary as the proceeds of increased property value pursuant to loans made under subsection (d)(2) of section 3.

"(d) There are hereby authorized to be appropriated, out of the urban mass transportation trust fund, such amounts as may be necessary to liquidate obligations incurred as authorized by subsection (c)".

SEC. 203. Section 7 of the Urban Mass Transportation Act of 1954 (49 U.S.C. 1601 *et seq.*), as amended, is amended to read as follows:

"(a) The Secretary shall not make any grant or loan under section 3 of this Act for any project which will cause the displacement of any person, business, or farm operation unless he receives satisfactory assurances from the State or local public body or agency that—

"(1) fair and reasonable relocation and other payments shall be afforded to displaced persons in accordance with subsections (d), (e), and (f);

"(2) relocation assistance programs offering the services described in subsection (g) shall be afforded to displaced persons; and

"(3) within a reasonable period of time prior to displacement there will be available, to the extent that can reasonably be accomplished, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary dwellings, as defined by the Secretary, equal in number to the number of and available to such displaced families and individuals and reasonably accessible to their places of employment.

"(b) In order to prevent unnecessary expenses and duplication of functions, a State or local public body or agency thereof may make relocation payments or provide relocation assistance or otherwise carry out the functions required under this chapter by utilizing the facilities, personnel, and services of any other Federal, State, or local government agency having an established organization for conducting relocation assistance programs.

"(c)(1) The Secretary shall approve, and include in any agreement for a grant or loan made under section 3, the cost of providing the payments and services described in subsection (a), except that notwithstanding any other law, the Federal share of the first $25,000 of such payments to any person, on account of any real property acquisition or displacement occurring prior to July 1, 1972, shall be increased to 100 per centum of such cost.

"(2) Any agreement for a grant or loan made for a project under section 3 before the date of enactment of this chapter with respect to property which has not been acquired as of the date of enactment of this chapter under any such program shall be amended to include the cost of providing the payments and services described in subsection (a) with respect to such porperty.

"(d)(1) PAYMENTS FOR ACTUAL EXPENSES.—Upon application approved by the State or local public body or agency thereof, a person displaced by any project for which a grant or loan under section 3 has been made may elect to receive actual reasonable expenses in moving himself, his family, his business, or his farm operation, including personal property.

"(2) OPTIONAL PAYMENTS—DWELLINGS.—Any displaced person who moves from a dwelling who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (d)(1) may receive—

"(i) a moving expense allowance, determined according to a schedule established by the Secretary, not to exceed $200; and

"(ii) a dislocation allowance of $100.

"(3) OPTIONAL PAYMENTS—BUSINESSES AND FARM OPERATIONS.—Any displaced person who moves or discontinues his business or farm operation who elects to accept the payment authorized by this section in lieu of the payment authorized by subsection (d)(1), may receive a fixed relocation payment in an amount equal to the average annual net earnings of the business or farm operation, or $5,000 whichever is the lesser. In the case of a business, no payment shall be made under this subsection unless the State or local public body or agency thereof is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not part of a commercial enterprise having at least one other establishment, not being acquired by the State or by the United States, which is engaged in the same or similar business. For purposes of this subsection, the term 'average annual net earnings' means one-half of any net earnings of the business or farm operation, before Federal, State, and local income taxes, during the two taxable years immediately preceding the taxable year in which such business or farm operation moves from the real property acquired for such project, and includes any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during such two-year period.

"(e)(1) In addition to amounts otherwise authorized by this Act, the State or local public body or agency thereof shall make a payment to the owner of real property acquired for a project which is improved by a single-, two-, or three-family dwelling actually owned and occupied by the owner for not less than one year prior to the initiation of negotiations for the acquisition of such property. Such payment, not to exceed $5,000, shall be the amount, if any, which, when added to the acquisition payment, equals the average price required for a comparable dwelling determined, in accordance with standards established by the Secretary, to be a decent, safe, and sanitary dwelling adequate to accommodate the displaced owner, reasonably accessible to public services and places of employment and available on the private market. Such payment shall be made only to a displaced owner who purchases and occupies a dwelling within one year subsequent to the date on which he is required to move from the dwelling acquired for the project. No such payment shall be required or included as a project cost if the owner-occupant receives a payment required by the State law of eminent domain which is determined by the Secretary to have substantially the same purpose and effect as this section and to be part of the cost of the project for which Federal financial assistance is available.

"(2) In addition to amounts otherwise authorized by this Act, the State or local public body or agency thereof shall make a payment to any individual or family displaced from any dwelling not eligible to receive a payment under subsection (e)(1) which dwelling was actually and lawfully occupied by such individual or family for not less than 90 days prior to the initiation of negotiations for acquisition of such property. Such payment, not to exceed $1,500, shall be the amount which is necessary to enable such person to lease or rent for a period not to exceed two years, or to make the down payment on the purchase of, a decent, safe, and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities.

"(f)(1) In addition to amounts otherwise authorized by this Act, the State or local body or agency thereof shall reimburse the owner of real property acquired for a project for reasonable and necessary expenses incurred for (i) recording fees, transfer taxes, and similar expenses incidental to conveying such property; (ii) penalty costs for prepayment of any mortgage entered into in good faith encumbering such real property if such mortgage is on record or has been filed for record under applicable State law on the date of final approval of the location of such project; and (iii) the pro rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting of title in the State or local public body or agency, or the effective date of the possession of such real property by the State or local public body or agency thereof, which is earlier.

"(2) No payment received under this section shall be considered as income for the purposes of the Internal Revenue Code of 1954, or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law.

"(g)(1) Each State or local public body or agency thereof shall provide a relocation advisory assistance program which shall include such measures, facilities, or services as may be necessary or appropriate in order—

"(i) to determine the needs, if any, of displaced families, individuals, business concerns, and farm operators for relocation assistance;

"(ii) to assure that, within a reasonable period of time, prior to displacement there will be available, to the extent that can reasonably be accomplished, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, housing meeting the standards established by the Secretary for decent, safe, and sanitary dwellings, equal in number to the number of, and available to, such displaced families and individuals and reasonably accessible to their places of employment;

"(iii) to assist owners of displaced businesses and displaced farm operators in obtaining and becoming established in suitable locations; and

"(iv) to supply information concerning the Federal Housing Administration home acquisition program under section 221(d)(2) of the National Housing Act, the small business disaster loan program under section 7(b)(3) of the Small Business Act, and other State or Federal programs offering assistance to displaced persons.

"(2) Nothing in this chapter shall be construed to prohibit any person from exercising any right or remedy available to him under State law with respect to any action of a State or local public body or agency thereof in carrying out this chapter.

"(h) Notwithstanding any other provision of law, on and after the effective date of this section, any Federal agency which acquires real property for use in connection with a project for which a grant or loan under section 3 has been made shall, in accordance with regulations issued by the Secretary, provide the payments and services described in subsections (a), (d), (e), (f), and (g). When real property is acquired by a State or local public body or agency for such a Federal project for purposes of this Act, the acquisition shall be deemed an acquisition by the Federal agency having authority over such project.

"(i)(1) To carry into effect the provisions of this section, the Secretary is authorized to make such rules and regulations as he may determine to be necessary to assure—

"(i) that the payments authorized by this section shall be fair and reasonable and as uniform as practicable;

"(ii) that a displaced person who makes proper application for a payment authorized for such person by this section shall be paid promptly after a move or, in hardship cases, be paid in advance; and

"(iii) that any person aggrieved by a determination as to eligibility for a payment authorized by this section, or the amount of a payment, may have his application reviewed by the head of the State or local public body or agency thereof making such determination.

"(2) The Secretary may make such other rules and regulations consistent with the provisions of this section as he deems necessary or appropriate to carry out this section.

"(j) As used in this section—

"(1) The term 'person' means—

"(A) any individual, partnership, corporation or association which is the owner of a business;

"(B) any owner, part owner, tenant, or sharecropper who operates a farm;

"(C) an individual who is the head of a family; or

"(D) an individual not a member of a family.

"(2) The term 'family' means two or more individuals living together in the same dwelling unit who are related to each other by blood, marriage, adoption, or legal guardianship.

"(3) The term 'displaced person' means any person who moves from real property on or after the effective date of this chapter as a result of the acquisition or reasonable expectation of acquisition of such real property, which is subsequently acquired, in whole or in part, for a project for which a loan or grant under section 3 is made, or as the result of the acquisition for such a project of other real property on which such person conducts a business or farm operation.

"(4) The term 'business' means any lawful activity conducted primarily—

"(A) for the purchase and resale, manufacture, processing, or marketing of products, commodities, or any other personal property;

"(B) for the sale of services to the public; or

"(C) by a nonprofit organization.

"(5) The term 'farm operation' means any activity conducted solely or primarily for the production of one or more agricultural products or commodities for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

"(6) The term 'Federal agency' means any department, agency, or instrumentality in the executive branch of the Government and any corporation wholly owned by the Government."

SEC. 204. Section 15 of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 *et seq.*), as amended, is amended to read as follows:

"Except for grants for relocation payments in accordance with section 7, grants made before July 1, 1970, under section 3 for projects in any one State shall not exceed in the aggregate 12½ per centum of the aggregate amount of grant funds authorized to be appropriated under subsection 4(b), and grants and loans made on or after July 1, 1970, under section 3 for projects in any one State shall not be limited."

SEC. 205. Nothing herein shall affect the authority of the Secretary of Housing and Urban Development to make grants, under the authority of sections 6(a), 9, and 11 of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 *et seq.*), as amended, and Reorganization Plan No. 2 of 1968, for projects or activities primarily concerned with the relationship of urban transportation systems to the comprehensively planned development of urban areas, or the role of transportation planning in overall urban planning, out of funds appropriated to him for that purpose.

MEDICAL FACILITIES CONSTRUCTION AND MODERNIZATION AMENDMENTS OF 1969

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing legislation which would extend and expand the Hill-Burton hospital construction program for public and private nonprofit hospitals. The authorization would be for 3 years begining July 1, 1970.

Joining with me in sponsoring this legislation are the gentleman from Oklahoma (Mr. JARMAN), the gentleman from Illinois (Mr. SPRINGER), the gentleman from Virginia (Mr. SATTERFIELD), the gentleman from Minnesota (Mr. NELSEN), the gentleman from Kentucky (Mr. CARTER), the gentleman from Maine (Mr. KYROS), and the gentleman from Kansas (Mr. SKUBITZ).

First, this legislation would extend the existing authorization of appropriations for grants for modernization and new construction of public or other nonprofit hospitals and public health centers, public or other nonprofit facilities for long-term care, and public or other nonprofit rehabilitation facilities. The Federal share of these grants would total $285 million for 1971, $290 million for 1972, and $295 million for 1973.

Second, this legislation would establish a new program of guaranteed loans to nonprofit private agencies for the modernization of nonprofit hospitals, facilities for long-term care, rehabilitation facilities, and diagnostic or treatment centers.

Under this new loan guarantee program, the amount guaranteed, when added to any grant or loan under the program, may not exceed 90 percent of the cost of the project. In addition, the Federal Government would pay one-half of the interest on the guaranteed loan, up to a maximum of 3 percent.

The maximum principal of loans with respect to which guarantees may be issued would be $400 million for fiscal year 1971, $800 million for fiscal year 1972, and $1.2 billion for fiscal year 1973.

Under this legislation, allotments to the various States would be made on the basis of population, extent of the need for the type of facility involved, and financial need of the respective States.

This allotment formula would be the same for the loan guarantee program and the grant program for new construction and modernization.

In addition, a State would retain the right, after receipt of the allotment, to determine priorities in the distribution of the allotment within the State.

Mr. Speaker, this legislation is a new approach to solving the needs of our Nation with respect to hospital beds and related health-care facilities.

The statistics from the Public Health Service indicate the need for this new approach to meeting our hospital needs. As of 1968, in our general hospitals alone, there was a need for 85,007 new beds and for a modernization increase of 240,624 others. In my own State of Florida, where there are a large number of senior citizens, there is a need for 10,805 new beds in general hospitals and for a modernization increase of 5,238 others.

The national average for the cost of construction of new beds is approximately $35,000 per bed; for modernization, the average is $30,000 per bed.

For long term care, such as nursing homes and the like, the bed need is even greater. There is an estimated need of some 164,430 new long term care beds and 214,506 through modernization. This need could be met at an average cost of $10,000 per bed.

These figures indicate a national need of more than $14 billion for general hospital new beds, modernization, and long-term care facilities. This legislation that I am introducing has a projected cost over 3 years of approximately $972 million. This is the Federal share, which of course will be matched by the States and private nonprofit agencies.

I realize that we are not going to meet our hospital and long-term care needs this year, or next, or even in the next 5 years, but this legislation puts new impetus into the construction and modernization programs.

In addition, Mr. Speaker, I believe that we should do everything we can to reduce the cost of hospital care. For that reason, I have included specific language in this bill which would require that the extended-care facilities of a hospital be structurally part of or physically connected with, and under the supervision of the professional staff of, such hospital before any project for construction or modernization of any general hospital is approved by a State agency.

The purpose of the extended-care facilities is to give the patient the necessary care as he recovers from his illness, but yet move him out of the acute-bed area, and thus reduce the daily cost of the hospital room to the patient without reducing the quality of care.

A further new provision in this legislation provides for grants for the modernization of emergency rooms in general hospitals for the improved treatment of accident victims and the handling of other medical emergencies. Ten million dollars would be authorized for each of the 3 fiscal years.

I am hopeful that early hearings can be held on this legislation, and that we can move ahead to continue the commitment to the citizens of this Nation in their health-care needs.

INSURED LOANS FOR REA BORROWERS

(Mr. McMILLAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McMILLAN. Mr. Speaker, I am introducing a bill to amend the Rural Electrification Act of 1936, as amended, to provide future financing for REA borrowers through a program of insured loans.

Two years ago I introduced a similar bill, H.R. 7390, to assist REA electric borrowers to move from a position of complete dependence upon the Federal Government toward the commercial money market. The bill I am introducing today contains the same provisions for REA electric borrowers, and in addition would create an insured loan program for REA telephone borrowers.

In essence, this bill would amend the Rural Electrification Act in three respects:

First, to establish two loan accounts, one for the electric program, and the other for the telephone program, to provide a source of funds for continued direct loans for some borrowers;

Second, to establish a program whereby the Administrator could provide a Government guarantee or insurance to assist both electric and telephone borrowers to move toward the private money market; and

Third, to make certain amendments to the original act which would be appropriate in connection with the establishment of loan accounts and insured loan programs.

Mr. Speaker, I recognize that REA telephone borrowers, including several in my district, have an acute financial need for new capital. Most of them recognize that there is much criticism of the 2-percent-loan program, and that the REA is finding it increasingly difficult to get appropriations from Congress for this program when other citizens are paying rates of interest of 7 percent or more. The problem is to find new sources of capital for the REA borrowers. In my opinion, the approach of my bill is the solution to their problem, because they can move immediately to the commercial money market, assisted by a Government guarantee. I believe it is better than the "bank" approach, which many REA borrowers do not like.

Mr. Speaker, the House Committee on Agriculture, of which I am privileged to be vice chairman, is scheduled to hold hearings on Wednesday, Thursday, and Friday of this week to consider H.R. 7, a bill introduced by the chairman of the committee, to establish a telephone "bank." I recognize that there is not enough time for witnesses to testify this week on my bill. However, I hope that the committee will be able to hold hearings on my bill at some future date, and that it will be given serious consideration before a decision is reached upon the future direction of REA financing. I believe that the new administration and the new Congress should carefully study all the alternatives before amending the Rural Electrification Act of 1936.

CONGRESSIONAL INVESTIGATION OF THE CAPTURE OF THE U.S.S. "PUEBLO"

(Mr. BINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BINGHAM. Mr. Speaker, it has now become apparent that more is at issue in the case of the circumstances surrounding the capture of the U.S.S. *Pueblo* by the North Koreans than merely the behavior of Commander Bucher and his men. Grave questions about the action of high Navy officials and the adequacy of the Navy command have been raised. As a result, the Navy now appears to be in a position of passing judgment on the facts of its own case in the current inquiry being conducted in California.

For that reason, I called upon Secretary of Defense Laird and Secretary of the Navy Chafee last week in duplicate letters—which appear on pages 3327–3329 of the CONGRESSIONAL RECORD—to end the naval inquiry immediately and turn it over to a more impartial body.

It is my feeling that the Congress is the appropriate body to conduct a fair and thorough investigation of this matter, and to assess the facts and their implications for national policy. I also proposed, therefore, that the Congress should resume and complete the current naval inquiry if and when it is terminated.

Several committees of the Congress have indicated an interest in investigating various aspects of the *Pueblo* case, raising the possibility that the officers and men of the *Pueblo* might have to be subjected to multiple, redundant appearances before a series of inquiring congressional committees. I feel strongly, however, that the men of the *Pueblo* should not be made to endure any more strain and hardship, beyond what they have already suffered at the hands of their North Korean captors, than is necessary to obtain a complete and unbiased record of the facts of the *Pueblo* case.

To avoid the unfair and unjustifiable hardships that would be imposed on the officers and men of the *Pueblo* by multiple congressional hearings, I indicated to the chairmen of the major standing committees of the House and Senate currently considering investigations of the *Pueblo* incident that I would offer a resolution to provide for a consolidation of congressional investigative efforts.

I am today introducing such a concurrent resolution. It calls for immediate suspension of the current naval inquiry, and formation of a special joint committee to be known as the Joint Investigating Committee on the *Pueblo* Capture, to be composed of nine members of the

House—appointed by the Speaker—and nine members of the Senate—appointed by the President pro tempore of the Senate. The committee is instructed to study and survey all facts and issues relating directly to the capture of the U.S.S. *Pueblo*, to make all such information available to standing committees of the Congress, and to make as much information available to the public as is consistent with the national interest and security. It is also instructed to make whatever recommendations it deems appropriate based on this information, but it is given no power to receive or report legislation.

I have received a reply from Secretary of the Navy Chafee, on behalf of himself and Secretary of Defense Laird, indicating their disagreement with my position that the current inquiry by the Navy should be terminated and resumed by a less biased body, preferably a committee of the Congress. The Navy inquiry, however, as Secretary Chafee has noted in his reply to me, "will not preclude a later congressional investigation, if that is deemed appropriate."

It is crucial that the Congress indicate its sense as my resolution states, that the current naval inquiry be halted, to be resumed and completed in the Congress, where a fairer hearing and assessment of the facts can be achieved. In addition, congressional action must be consolidated to avoid subjecting the officers and men of the *Pueblo* to undue hardship.

I hope, therefore, that the distinguished chairmen of the standing committees of the House and Senate most concerned with this matter, and the rest of my colleagues in the House and Senate, will join me in support of this concurrent resolution.

ESTABLISHMENT OF NATIONAL COLLECTIVE BARGAINING SYSTEM TO DETERMINE FAIR FARM PRICES

(Mr. OLSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSEN. Mr. Speaker, yesterday I introduced the National Agricultural Bargaining Act. This legislation, which proposes to establish a national collective bargaining system for determining fair farm prices, has been introduced in the Senate by the distinguished junior Senator of Minnesota, WALTER MONDALE.

As you may recall, this legislation was introduced in the House and Senate last year, and hearings were conducted on the Senate side. I think those hearings effectively demonstrated the need for this legislation and I am hopeful our colleagues on both sides of the aisle will join in its support.

The Agricultural Bargaining Act would have the following provisions:

First. To let producers decide when a commodity price is too low and when bargaining action is needed.

Second. To let producers decide with a commoditywide referendum if they want a bargaining committee.

Third. To let producers decide who will represent them on a bargaining committee.

Fourth. To provide expanded authority for producers to strengthen prices under the provisions of the Agricultural Marketing Agreements Act of 1937.

Fifth. To provide penalties to be imposed upon those who conspire to intimidate, discriminate against, or otherwise coerce producers in their efforts to increase prices and to strengthen market power.

All those familiar with the situation in rural America today know that farm families do not have the power to bargain effectively for a fair return for their production. I believe it is imperative that the Congress act now to give our farmers the bargaining muscle they must have. The current cost-price squeeze should prove beyond a shadow of a doubt that our farmers cannot rely on the generosity of processors and consumers.

Some are calling for an end to our important farm programs, but I read the mail in my office each morning and I do not believe they are speaking for our farmers. I intend to do all I can to fight for passage of the Bargaining Act and other equally important farm bills and I hope the Members of this body—on both sides of the aisle—will join in this fight to help our farm population.

FEDERAL AID FOR CAMPUS RIOTERS AND REVOLUTIONARIES? CONGRESS AND AMERICAN PEOPLE SAY "NO"

(Mr. BRAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRAY. Mr. Speaker, there is nothing in the Constitution of the United States that says the American Republic has to be put in a position of financing its own destruction. However, Federal educational aid to campus rioters and revolutionaries adds up to just exactly that. Congress passed two laws last year aimed specifically at cutting off such financial aid, but it has now been revealed that not only have these laws not been enforced, but they were both ignored and downgraded by officials in the Johnson administration who, when asked by universities for clarification and interpretation, sent out a memo full of reasons why the laws should be repealed.

Figures show that one out of every six undergraduate students in the United States receives a scholarship, loan, or grant from the U.S. Government, or has a bank loan secured with Government backing. It is also clear that a good many of the students most actively engaged in disrupting classes and administration and tying up major universities around the country are on the receiving end of taxpayers' money. Five hundred and forty-nine students were arrested so far this school year at San Francisco State University, for example, and 122 of these were getting Federal help.

The laws we passed last year were to act in different ways. One provided that the Office of Education in HEW was to withhold Federal scholarships and loans from any student convicted of trespassing or some other disorder that meant disrupting the school. The other law provided that the university had to initiate proceedings. If the university determined a federally aided pupil had caused "serious" disruption of the campus, then his Federal support was to be stopped.

It is said now that the laws are "unenforceable" and the following reasons are given:

First, the claim is made that the Federal Office of Education cannot do anything because it has no record of which students receive Federal money and therefore cannot determine who should lose Federal support. About $500 million is given annually to colleges in scholarships and loan money to be distributed at the discretion of the school itself. Under present policies, the Government does not know who eventually gets it.

To correct this, I would suggest a master list from each university, giving the names of who has received the money, then another list of students suspended or convicted for campus disorders. Both lists would be made available to the Office of Education, which could then rule the student ineligible for more money.

The second law passed by Congress puts the burden on the university, telling it, in effect, to police itself, and cut off Federal aid to a student who has disrupted campus life. This has been ignored for several reasons:

First. Some university officials oppose the law, saying it would penalize a poor student, making him leave school for lack of funds, while the student with money could stay. To this I would respond that it makes no difference—rich student, poor student—no one has any business getting Federal money for his education who then turns around and disrupts the normal life of his university and, most important of all, of his classmates, who are there to further their education and not cause trouble for others. Besides, the university officials who oppose the law to the point of ignoring it are missing a vital factor: if they do not like the law, then they should work to have it changed. Their actions are part of that malicious doctrine of "selective obedience" to the laws, and obeying only those the individual chooses to observe, that has caused this country so much grief and anguish over the past few years.

Second. Universities say an act serious enough to cut off Federal funds is also serious enough for outright expulsion of the student. Fine, if the university expels the rioter, but this has not been done. The campus communications building at Brandeis University was occupied for 10 days last month. So far not one student involved has been suspended, and one-fourth of the Brandeis students are getting Federal aid.

Third. Universities have received no guidance from Washington on how to enforce the law. As mentioned earlier, former Health, Education, and Welfare Secretary Wilbur J. Cohen's "guidelines" to universities consisted mainly of why the law should be repealed. Former Secretary Cohen's time to make these points was while the legislation was being considered by Congress. Once the law is passed, it was his job to enforce it, and not try to undercut it. I am confident that the new administration takes a different view of the laws of the land as drafted, acted upon, and passed by the U.S. Congress.

Fourth. Enforcement of the law would only stir up more trouble. This is no excuse at all and should not even be offered as one. We either have laws or we do not have. If their enforcement is shied away from by spineless officials, then it is time for our universities to place in positions of authority men like Dr. S. I. Hayakawa, at San Francisco State University, who will not meekly submit to outright anarchy.

Fifth. About half of the Federal aid programs go to students in the form of loans from banks, which have been guaranteed by the Federal Government, and the Government cannot break its contract with the banks. This, admittedly, is a difficult problem and would take extremely careful legislation to handle. How do you discipline the student, yet protect the university, the bank, and the Government?

The U.S. Office of Education has already suggested to universities that applicants for Federal aid sign a statement that they have not had their aid cut off under the law at another university. At present, an act at one college leading to suspension still allows the student to switch schools and receive Federal aid. But a student's actions, serious enough to mean a cutoff of funds but not serious enough for suspension, means he cannot get Federal aid at another college. These contradictions should be resolved.

The most disruptive students generally are those who complain the loudest that they are being treated like "children" as if they were not capable of "responsibility." There is some truth in this, but I myself have yet to see very many really responsible, carefully thought-out and constructive suggestions come out of all the picketing and shrieking of obscenities. Most of it is, quite flatly, revolution for revolution's sake, often instigated and ramrodded by outside agitators who know they can find a bunch of simple, willing stooges ready and waiting to follow blindly wherever some demagog leads.

The distinguished gentlewoman from Oregon (Mrs. GREEN) who is chairman of the Special Subcommittee on Education of the House Committee on Education and Labor, recently went right to the heart of this matter. She said:

> We are faced with the fact that we have romantic revolutionaries and anarchists who are simply out to destroy the colleges and universities in which they are enrolled . . . If a person on a college campus is not there to get a college education, he does not have the right to an education paid for by taxpayers.

And that is in a few well-chosen words the sentiment which I am sure is heartily endorsed by the overwhelming majority of Americans, many of whom did not have any sort of Federal benefits for their own college education but worked their way through alone. Her subcommittee will be holding hearings later this year on withdrawing Federal loans and scholarships to students who disrupt campuses. I intend to request permission to testify at these hearings, and at that time present specific legislation to help deal with the problems outlined above.

Dr. Sidney Hook of New York University is an outstanding writer and civil libertarian whose credentials cannot be challenged. In a recent Atlantic Monthly article, entitled "The War Against the Democratic Process," Dr. Hook delivered a masterful rebuttal to those who defend student violence. He ended with these words:

> One sign of responsibility is the making of an intelligent response not only to events that have occurred but to the possibilities of what might occur. The faculties and student bodies of this country can measure up to their responsibilities only by addressing themselves now, separately and cooperatively, not so much to the conquest of power in the academy or general community but primarily to the problems of achieving the best liberal education possible under the imperfect conditions of American society.

The title for Dr. Hook's article was remarkably apt, for this is nothing less than a "war against the democratic process." And the time has come to completely cut off Federal Government support from those who are so ardently working to destroy everything that same Federal Government stands for.

MOST FOREIGN DAIRY STANDARDS INADEQUATE FOR AMERICAN CONSUMER

(Mr. NELSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include documentary information.)

Mr. NELSEN. Mr. Speaker, today, I am introducing a proposal which would require all imported dairy products to meet American sanitary standards. At this time only Canada and New Zealand have been certified as having sanitary standards comparable to ours.

The Food and Drug Administration has provided me with the following report of the seizures of foreign dairy products it has made in the past 3 years:

Item No.	Product and amount	Country of origin	Manufacturer or shipper	Reason for detention	Port of entry	Date
65	Casein, hydrochloric, 67,200 lbs	Australia		Bacteriological contamination, held under insanitary conditions during shipment.	Philadelphia, Pa	Jan. 25, 1966
66	Casein, lactic, 54,115 lbs	Argentina		do	do	Jan. 6, 1966
67	Colby cheese, 2,720 cartons	Australia	David Lavery & Son Proprietary, Ltd., Melbourne.	Contains poisonous substances, DDT, DDE, and TDE.	do	Jan. 10, 1966
68	Sap Sago cheese, 1,199 lbs	Switzerland	Geska, Glarus	Contains poisonous substances, DDT, lindane, and TDE.	New York, N.Y	Feb. 1, 1966
69	Sap Sago cheese, 3,395 lbs	do	do	do	do	Mar. 10, 1966
71	Sardo cheese, 75 cartons	Argentina	Capai, S.R.L., Buenos Aires	Mandatory labeling omitted		Mar. 15, 1966
72	Swiss cheese, green, 10,822 lbs	Switzerland	Gesellschaft Schweizerischer, Glarus	Contains poisonous substances, DDT, lindane, and TDE.	do	Feb. 11, 1966
73	Swiss cheese, green, 4,268 lbs	do	Geska, Glarus	do	do	Feb. 23, 1966
1863	Cheese, 50 cartons	Argentina	Casento Sociedad Responsabilidat Ltda., Buenos Aires.	Contains benzene hexachloride	do	Apr. 14, 1966
1864	Cheese, 20,576 lbs	do	Marre y cia, Buenos Aires	do	do	Apr. 11, 1966
1865	Cheese 100 cases	do	Coffee Hnos. Com Ind. S.R.L, LaPlata, Buenos Aires.	do	do	Mar. 4, 1966
1866	Cheese 118 cases	Australia	David Lavery & Son, Ltd., Melbourne	Contains DDT, DDE, and TDE	Newark, N.J	Mar. 25, 1966
1867	Cheese, 92 lbs	Canada	Canada Packers, Ltd. Toronto, Ontario	Mite infested	Buffalo, N.Y	Apr. 19, 1966
1868	Cheese, 300 lbs	Denmark	J. Hansen Co., Aarhus	Contains dieldrin	Minneapolis, Minn	Mar. 28, 1966
1869	Cheese, 200 cartons	Italy	Eill Mannoni fu Paolo, Thiesi	Contains fly eggs and maggots	Boston, Mass	Do.
1870	Cheese, 100 crates	West Germany	Edelweiss Mich. K. Hoefelmayr, Gmbl Kemptem, Netherlands.	Decomposed	New York, N.Y	May 11, 1966
3317	Sardo cheese, 14,339 lbs	Argentina	River Plate Dairy Co., S.A., Buenos Aires	Contains an unsafe food additive, benzene hexachloride.	do	May 16, 1966
3318	Sardo cheese, 6,931 lbs	do	River Plate Dairy Co., Buenos Aires	do	do	May 20, 1966
3319	Sardo cheese, 14,048 lbs	do	do	do	do	June 1, 1966
3320	Sardo cheese, 20,781 lbs	do	do	do	do	Do.
3321	Sardo cheese, grated, 50 cartons	do	Casanto, S.R.L., Buenos Aires	do	do	June 2, 1966
3322	Sardo and Reggianito cheese, 6,056 lbs	do	River Plate Dairy Co., Buenos Aires	do	do	May 16, 1966
4111	Buttermix 1,018 cartons	Belgium	Ets St. Gery, S.A., Brussels	Contains unsafe food additives, benzene hexachloride, DDT, and dieldrin.	Port Everglades, Fla.	July 8, 1966
4112	Buttermix, 1,019 cartons	do	do	do	do	Do.
4113	Buttermix, 1,018 cartons	do	do	do	do	Do.
4114	Buttermix, 1,019 cartons	do	do	do	do	Do.
4115	do	do	do	do	do	Do.
4116	Buttermix, 708 cartons	do	do	Contains a pesticide chemical, benzene hexachloride.	Houston, Tex	July 19, 1966
4117	do	do	do	do	do	Do.
4118	Buttermix, 985 cartons	do	do	do	do	Aug. 1, 1966
4119	Buttermix, 900 cartons	do	Utex, S.A., Geneva, Switzerland	do	do	Do.
4120	Buttermix, 1,580 cartons	do	do	do	do	Do.
4121	Buttermix, 1,400 cartons	do	do	do	do	Do.
4122	Buttermix, 11,200 lbs	do	do	Contains an unsafe food additive, BHC	New York, N.Y	Aug. 10, 1966
4123	Edam cheese, 5,861 cartons	Netherlands	Bernard Schulisch, Hamburg, West Germany	Insect infested	do	June 23, 1966
4124	Grapex, 330,680 lbs	Belgium	Ecoral, Dilbeek	Contains an unsafe food additive, pesticide residues.	Chicago, Ill	July 5, 1966
4125	Grapex, 122,806 lbs	do	do	do	do	July 21, 1966

Item No.	Product and amount	Country of origin	Manufacturer or shipper	Reason for detention	Port of entry	Date
4127	**Junex, 14,980 cartons**	**Belgium**	**Nicolas Falise, Antwerp**	**Contains unsafe food additives; benzene hexachloride, DDT, DDE, dieldrin, and TDE; contains nondescript dirt and was held under insanitary conditions during shipment.**	**Atlanta, Ga**	**July 14, 1966**
4128	Junex, 9,500 cartons	do	Nicolas Falise Co., Brussels	Contains unsafe food additives; benzene hexachloride, DDT, DDE, dieldrin, and TDE.	Savannah, Ga	July 22, 1966
4129	Pecorino cheese, 2,302 lbs	Italy	Ropconi, Naples	Filthy, unfit for food	Chicago, Ill	Aug. 8, 1966
5760	Cheese, 600 packages	Switzerland	Cholet Cheese Co., Ltd., Burgdorf	Decomposed	San Francisco, Calif.	Aug. 19, 1966
5761	Cremex, 228,346 lbs	Belgium	Ecoval, Antwerp	Contains unsafe food additives	Los Angeles, Calif	Aug. 16, 1966
5762	Cremex, 84,202 lbs	do	Interexport Friedberg & Co., Brussels	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y	Aug. 22, 1966
6142	Gorgonzola cheese, 1,320 lbs	Italy	Garancini, S.P.A., Carnate	Decomposed	San Francisco, Calif	Sept. 12, 1966
4502	Butsug, 2 cartons	Netherlands	Kasehandel-Erzaugungs-gesellschaft, Linz, Austria.	Contains unsafe food additives	Chicago, Ill	Oct. 10, 1966
4503	Butter-sugar mixture, 36 cases	France	Union Export Co., Paris	Contains a deleterious substance, benzene hexachloride.	San Francisco, Calif	Sept. 21, 1966
4507	Kasseri cheese, 22,004 lbs	Bulgaria	Rodopa, Associated State Enterprise, Sofia	Contains an unsafe food additive and animal dung.	New York, N.Y	Sept. 26, 1966
7161	Cheese spread, with smoked herring (pasteurized), 2 cases.	Norway	O. Kavli, A.S., Bergen	Contains a poisonous suostance, pesticide chemicals.	Minneapolis, Minn	Oct. 20, 1966
7163	Edam cheese, baby, 180 packages	Netherlands	De Producent, Gouda	Insect infested		Oct. 21, 1966
7164	Koshkoval cheese, 11,583 lbs	Yugoslavia	Agrd Export-Import, Beograd, Mitita	Moldy	New York, N.Y	Oct. 27, 1966
7848	Colby cheese, 220,460 lbs	Bulgaria	Rodops Associated State Enterprise, Sofia	Contains an unsafe food additive, benzene hexachloride.	do	Nov. 3, 1966
8188	Cheddar cheese, 3,749 lbs	Canada	Pet Milk of Canada, Ltd., Scarborough, Ontario.	Mite infested	Buffalo, N.Y	Dec. 2, 1966
8189	Colby cheese, 56,199 lbs	Australia	David Lavery & Son Proprietary, Ltd., Melbourne.	Contains DDT and related compounds over tolerance levels.	Philadelphia, Pa	Nov. 30, 1966
8190	Colby cheese 55,972 lbs	do	do	do	do	Do.
8191	Colby cheese, 57,461 lbs	do	do	do	do	Do.
8192	Colby cheese 5,610 lbs	do	do	do	do	Do.
8193	Colby cheese, 56,145 lbs	do	do	do	do	Do.
8194	Colby cheese, 56,160 lbs	do	do	do	do	Do.
8195	Colby cheese, 56,043 lbs	do	do	do	do	Do.
8196	Colby cheese, 56,689 lbs	do	do	do	do	Do.
8197	Colby cheese, 55,656 lbs	do	do	do	do	Do.
8198	Colby cheese, 56,137 lbs	do	do	do	do	Do.
8199	Colby cheese, 32,870 lbs	do	do	do	do	Do.
8200	Colby cheese, 8,333 cartons	New Zealand	New Zealand Dairy Board, Wellington	Contains pesticide residue	Houston, Tex	Dec. 21, 1966
8201	Colby cheese, 741,360 lbs	do	do	Contains pesticide chemicals, DDT, DDE, and TDE.	Galveston, Tex	Dec. 29, 1966
33	——— ———, 4,256 cartons		do		Tacoma, Wash	Jan. 4, 1967
34	Reggianito cheese, 150 loaves	Argentina	Estableimento Mecanico, Kremnitzer, SRL, Buenos Aires.	Contains an unsafe pesticide chemical, benzene hexachloride.	Boston, Mass	Jan. 30, 1967
503	Colby cheese, 170,240 lbs	New Zealand	New Zealand Dairy Board, Wellington	Contains an unsafe pesticide chemical	Tacoma, Wash	Feb. 16, 1967
505	Swiss cheese and Gruyer processed cheese, 6,490 lbs.	Switzerland	Weitifurrer International, Zurich	Unfit for food, dimethyl anilene present in product and containers.	New York, N.Y	Feb. 17, 1967
2041	Colby cheese and Flanders cheese, 982 cartons.	Belgium	ETS, Freddy Baines, S.A., Antwerp	False labeling: identity of product misrepresented; contains unsafe food additives, DDT, HE, DDE, and TDE.	do	Apr. 13, 1967
2042	Dari-Sweet, 164,340 lbs	do	J. Brand, A.S. Kalvsund, Ribs, Denmark	Contains unsafe food additives, BHC, DDT, DDE, dieldrin, and TDE.	Atlanta, Ga	Mar. 31, 1967
2044	Feta cheese, 12,714 lbs	Bulgaria	Rodopa, Proforma, Sofia	Contains unsafe food additives, DDT and DDE.		Mar. 29, 1967
2049	Monterey Jack cheese, 5,000 lbs	United States	Koffman Food Importers, Vancouver, British Columbia.	Contains E. Coli and a high bacterial count	Blaine, Wash	Apr. 3, 1967
4058	——— ———, 600 cartons	France	Fromageries Bel, Paris	Contains an unsafe food additive, benzene hexachloride.	Milwaukee, Wis	June 13, 1967
4062	Reggianito cheese, 275 cartons	Argentina	C.A.P.A.I., S.R.L., Buenos Aires	Decomposed	San Francisco, Calif	July 17, 1967
5236	Cream cheese, 17 cartons	Denmark	H. Tholstrup, Copenhagen	do	New York, N.Y	Aug. 17, 1967
5237	Fantina cheese, 4,262 lbs	Italy	Nicolao Fuchs, Novara	Contains an unsafe food additive, benzene hexachloride.	do	Aug. 10, 1967
5239	Parmesan cheese, grated, 5,000 lbs	Argentina	Herbert Ahbehsesra, S.R.L., Buenos Aires	Contains a pesticide chemical, benzene hexachloride.	San Francisco, Calif	July 21, 1967
6153	Cheese, 360 lbs	France	Establissements Avenal, Le Havre	Contains mold, and inaccurate contents statement.	do	Aug. 28, 1967
6156	Parmesan cheese, grated, 600 lbs	Canada	Thomas J. Lipton, Ltd., Bramalea, Ontario	Contains insect filth	Buffalo, N.Y	Sept. 14, 1967
6811	Feta cheese, 20,202 lbs	Bulgaria	Union Economic D'Etat, Sofia	Contains an unsafe food additive, BHC	New York, N.Y	Oct. 6, 1967
6812	Kasseri cheese, 11,006 lbs	do	Agro Export, Rijeka, Yugoslavia	do	do	Do.
6813	Sap Sago cheese, 3,086 lbs	Switzerland	Geselichaft Schweizeilscher, Geska	Contains poisonous substance, DDT and lindane.	do	Oct. 3, 1967
	Feta cheese, 53,109 pounds	Bulgaria	Associated State Enterprise, Sofia	Unsafe food additive	do	Oct. 6, 1967
	Reggianito Parmesan cheese, granted, 6,600 pounds.	Argentina	Casanto, S.R.L., Buenos Aires	Contains lindane	San Francisco, Calif	Oct. 16, 1967
	Par mesan cheese, grated, 6,600 pounds	do	do	do	do	Nov. 14, 1967
	Sao Sago cheese, 300 pounds	West Germany	Richter & Co., Hamburg	do	New York, N.Y	Nov. 21, 1967
	Alps cheese, 492 cases	Rumania	Prodexport Foreign Trade State Co., 5–9, Bucharest.	Contains benzene hexachloride	Philadelphia, Pa	Dec. 21, 1967
	Sap Sago cheese, 6,173 lbs	Switzerland	Geska, Schaffhausen	Contains DDT	New York, N.Y	Jan. 31, 1968
	Riddar cheese, 29,846 lbs	Sweden	Svenska Mejeriernas Riksforeining, Stockholm	Contains mold	do	Feb. 21, 1968
	Cheese, 252 lbs	West Germany	Harder & de Voss, Hamburg	Decomposed	San Francisco, Calif	Apr. 8, 1968
	Cheese, 819 lbs	Switzerland	Probst & Co	Quantity of sodium misrepresented	New York, N.Y	Mar. 21, 1968
	Cheese, Samaoe, 5,392 lbs	France	Uk Cheese Export, Ltd., Braedstrup, Denmark	Contains donzone hexachloride	Philadelphia, Pa	May 29, 1968
	Cheese, gouda (process cheese), 16,038 lbs.	Israel	Kfir, Ltd., Haifa	Contains a food additive, donzone hexachloride.	New York, N.Y	Do.
	Milk, sweetened, condensed; and milk, skimmed, sweetened, condensed, 4,629 lbs.	Netherlands	Holland Canned Milk, Ltd., Amsterdam	No valid import milk permit	do	May 22, 1968
	Cheese, Gruyere, 66 cases	Switzerland	Chalet Cheese Co., Burgdorf	Contains poisonous substances, BHG	Milwaukee, Wis	June 14, 1968
	Cheese spread, pasteurized process, 7,200 packages.	France	Fromageries Bel La Vache Rit, Paris	Contains an unsafe food additive, BHC	San Francisco, Calif	June 21, 1968
	Cheese spread, pasteurized process, 960 packages.	do	do	do	do	Do.
	Cheese, Gruyere, 334 cases	Switzerland	Chalet Cheese Co., Burgdorf	Contains a deleterious substance, BHC	Milwaukee, Wis	July 2, 1968
	Cheese, Samsee, 44,092 lbs	Italy	Uk Cheese Export, Ltd., Braedstrup	do	Philadelphia Pa	Do.
	do	do	UK Cheese Export, Ltd., Braedstrup, Denmark	Contains BHC	do	Do.
	Cheese, 70 bdls	West Germany	Zitsch & Nascher, Bodanfelde	Contains insect larva, soiled and is decomposed.	Chicago, Ill	Sept. 11, 1968
	Cheese, Emmental, 1,200 wheels	Switzerland	Swiss Cheese Union, Bern	Contains poisonous substance, BHC and dieldrin.	Milwaukee, Wis	Sept. 26, 1968
	Cheese, cream (processed) 10,600 lbs	Denmark	Birkum Ostefabrik, Copenhagen	Contains mold and leaking cartons	Chicago, Ill	Aug. 6, 1968
	Cheese, Gouda base, 222 lbs	Belgium	Franco Suisse, Bruxelles	Contains excess pesticides	New York, N.Y	Aug. 15, 1968
	Milk, enzyme treated, 200 lbs	Japan	Takasago Perfumery Co., Ltd., Tokyo	Contains benzene hexachloride	do	Aug. 7, 1968
	Cheese, 240 lbs	France	Cumembert des Prelots, St. Paulin	Contains an unsafe food additive, BHC	San Francisco, Calif	Oct. 16, 1968
	Cheese, 750 lbs	do	Fernand Plegnier, Annecy	do	do	Do.
	Cheese, 15 lbs	do	Union de Producteurs En Produits Laiters & Avicoles, Paris.	do	do	Oct. 11, 1968

Item No.	Product and amount	Country of origin	Manufacturer or shipper	Reason for detention	Port of entry	Date
	Cheese, Auricchio, 17,316 lbs	Italy	Gennaro Auricchio, Naples	Contains unsafe food additives	New York, N.Y	Sept. 26, 1968
	Cheese, Grinder, 170,297 lbs	Switzerland	Geiser & Schmuts, Aarwangen	Contains mold	Chicago, Ill	Oct. 4, 1968
	Cheese, Vice, 4,432 lbs	Greece	Dodoni Dairy Cooperative, Jannina	Contains an unsafe food additive, BHC	New York, N.Y	Oct. 3, 1968
	Cheese, 320 lbs	France	Establissements Avonel, Le Havre	Contains benzene hexachloride	San Francisco, Calif	Oct. 25, 1968
	Cheese, 2,400 packages	do	Fromageries Bol, Paris	do	do	Do.
	Cheese, 3,600 lbs	do	do	do	do	Do.
	Cheese, 720 lbs	do	Fromagerie dn Chateau de Flamboin a Gouaix, Seine Et-Marne.	do	do	Nov. 6, 1968
	Cheese, 120 lbs	do	do	do	do	Do.
	Cheese, Edam, 8,377 lbs	Argentina	S.A. Luis Magnasco Cia., Lda., Modelo	do	do	Nov. 12, 1968
	Cheese, Pecorino Romano, 26,556 lbs	Italy	Rodolfa Ranconi, Milano	Maggot infested	Philadelphia, Pa	Nov. 7, 1968
	Cheese, Sardo, 17,912 lbs	Argentina	Ratto Delfino Y Cia., Buenos Aires	Contains benzene hexachloride	New York, N.Y	Nov. 12, 1968
	Dry skim milk powder, 40,000 lbs	Canada	Cooperative Agricole De Granby, Montreal, Quebec.	Contains salmonella	Champlain, N.Y	Nov. 1, 1968
	Cheese, 1,400 lbs	France	A. Gouaix, Seine-et-Marne	Contains benzene hexachloride	San Francisco, Calif	Dec. 19, 1968
	Cheese, 480 lbs	do	do	do	do	Do.
	Cheese, 525 lbs	do	Entremont, S.A., Annecy	do	do	Do.
	Cheese, 2,400 lbs	do	Fromageries Bel Paris, Paris	do	do	Dec. 17, 1968
	Cheese, 675 lbs	do	do	do	do	Do.
	Cheese, 2,025 lbs	do	do	do	do	Do.
	Cheese, Big Marc, 292.50 lbs	do	Entremont, S.A., Annecy	do	do	Dec. 19, 1968
	Cheese, Parmesan (grated), 22,000 lbs	Italy	D. M. Vonk & Co,. Rotterdam, Netherlands	do	do	Dec. 17, 1968
	Cheese, Sardo, 38,683 lbs	Argentina	Herbert A. H. Behrines, S.R.L., Buenos Aires	do	New York, N.Y	Dec. 16, 1968
	Cheese, Sardo (hard grating), 7,820 lbs	do	Compania Argentina Productos Agropecuarios, Buenos Aires.	do	do	Dec. 18, 1968
	Cheese, Extra Balkan Kashkaval, 11,327 lbs.	Yugoslavia	Stokopromet Export-Import, Skoplje	Contains lindane and benzene hexachloride	do	Do.
	Cheese (dock accumulation), 9,230 lbs	West Germany		Decomposed	do	Do.
	Cheese, Edam (hard), 12,016 lbs	Argentina	P.P.S.A. Luis Magnasco y Cia., Lda., San Jose	Contains benzene hexachloride	do	Dec. 31, 1968

Mr. Speaker, I have deleted the labeling or import-permit violations, and have included just the products found to be in an unsanitary or adulterated condition.

At this time, our ports are being flooded with great amounts of dairy products in the form of cheap cheeses, various butterfat mixtures, and processed dairy food items that European nations are trying to dump in the rich American market. While in many areas of the EEC nations standards are high, no nation has been certified by the Food and Drug Administration as having standards on a par with ours.

The list, of course, includes only those items that the FDA was fortunate enough to discover.

In fiscal 1968, 12,300 shipments of various dairy products came into our country. Of these, only 451 were inspected less than 4 percent of the total number of shipments. Of those shipments inspected, 58—over 12 percent—were detained.

Although a great deal of the foreign dairy products consumed in America come from Canada and New Zealand, in 1968 there was only one instance of a seizure of an unsanitary dairy product from either of these countries.

It is my contention that we would go a long way toward eliminating unsanitary imported dairy products sold in the United States of America, if those products were manufactured, stored, and shipped under conditions comparable to those found here.

FIGHTING SALE OF PORNOGRAPHY TO CHILDREN

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEPPE. Mr. Speaker, I have today introduced for reference to the appropriate committee a bill to fight the sale of pornography to children. This bill is similar to H.R. 2522, introduced by my colleague, the gentleman from New Jersey (Mr. CAHILL). I commend him for the efforts that he has put forth in fighting pornography, and direct my colleagues to his remarks on page 374 of the CONGRESSIONAL RECORD of January 9, 1969.

As drafted, my bill would do two things that would put some teeth into the fight against pornography. It would prohibit mail-order sales of pornographic materials to school-age children, and, secondly, it would make the unsolicited mailing of hard-core pornography to a family with children under 16, a Federal offense punishable by fine and imprisonment.

I have received a number of complaints from people in my district who have received pornography through the mails. Last year the Post Office Department received over 165,000 formal complaints from people who had received obscene materials through the mails, and it is my guess that the number of those receiving such material is much larger than the list of formal complaints would suggest. The fact that such obscene mailings are being received by those who do not want such smut—particularly parents with children—indicates that our laws dealing with the control of pornography are not doing the job.

Mr. Speaker, the record is full of statements about pornography and our attempts to combat it. We are all against it; there are laws on the books against it; and there have been many court cases dealing with it. But I frankly think that these efforts have been somewhat thwarted by the decisions of the Supreme Court in this area. I grant the difficulty of defining obscenity. It is not my intention here to get into an argument or discussion on the nuances and interstices of constitutional law—the case books are full of that. However, it is clear that the Supreme Court has been consistent in ruling that hard-core pornography is not protected by the Constitution, and, secondly, that parents have the right to protect their children from such pornography. I think the legislation I introduce today satisfies the test of constitutionality.

My interest is in finding an effective curb against the dissemination of pornography to children, and I believe this legislation would accomplish that purpose. I therefore urge that early consideration be given this bill.

PROPOSED AMENDMENT TO PUBLIC LAW 89-239 TO PROVIDE FOR DEMONSTRATION OF HEART-SAVER SQUADS

(Mr. DANIELS of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIELS of New Jersey. Mr. Speaker, today I am introducing legislation designed to zero in on one of our Nation's major killers—heart attacks.

Proper medical care within the first 60 minutes following a heart attack can mean the difference between life and death. Yet those 60 minutes are generally wasted in the process of getting a heart attack victim to adequate medical facilities.

This legislation is designed to expedite the application of knowledge which could save a large portion of those precious "first 60 minutes."

It has already been found in Belfast, Ireland, and in an area of New York City serviced by St. Vincent's Hospital and Medical Center, that those precious minutes can be saved. Instead of transporting the patient to a medical facility before proper emergency treatment and care can be rendered, adequate medical facilities, in the form of a "heart-saver squad" are now taken to the patient.

By dispatching to the patient a cardiologist, nurse, technician, and driver-attendant in an ambulance specially equipped with a portable electrocardiograph and defibrillator, the patient's condition may be assessed and treated in a fraction of the time it now takes. The damage to the heart can be determined immediately by the electrocardiograph and, if necessary, the heart reactivated with the defibrillator.

Out of the first 77 heart attack victims thus treated on the spot by St. Vincent's Hospital's heart-saver squad, 74 were saved. Under former circumstances it is likely that half would have died.

The original intent of title IX of the

Public Health Service Act, establishing the regional medical programs, was to encourage local initiative in the application of new knowledge and techniques. By amending title IX, my proposed bill would provide Federal assistance and encourage local initiative to demonstrate the effectiveness of such emergency care for heart attack victims by dispatching to the patient specially trained persons in specially equipped ambulances.

Not only would it encourage the application of this modified health care measure, through demonstrations of its effectiveness, but my bill would also help provide funds needed to equip ambulances with adequate portable instruments required in cardiac emergencies.

Further, since the success of any new program is directly dependent upon the availability of trained manpower, my bill would help provide funds to supplement appropriately the training of specialized personnel in the use of the pertinent portable equipment and emergency care techniques.

Equally important, this legislation specifically provides for the dissemination of information about the new service to potential users, including police, physicians, and the general public, so that full advantage may be taken of the demonstration project.

One or more of three mechanisms may be operating during a heart attack which could result in death. More often death occurs from an abnormal, chaotic rhythm of the heart or an actual arrest of heart contractions. The National Heart Institute reports that cardiac defibrillators, external electric pacemaking and driving devices which return the heart rhythm to normal have already proven lifesaving instruments.

In other instances, death in heart attacks is caused by abnormal nerve reflexes which become deranged and bring about circulatory collapse, or "shock." This mechanism can sometimes be controlled by drug therapy.

But whether prescribed therapy employs mechanical devices or drugs, success is often dependent upon the immediacy of accurate diagnosis and treatment following a heart attack.

Let me elaborate by drawing from recent testimony of the Director of the National Heart Institute. According to him, each year over 140,000 Americans under 65—to say nothing of those over 65—die from acute heart attacks. Physicians call it "myocardial infarction." Yet great strides are being made today in research toward saving heart attack victims through the use of anticoagulant drugs which minimize the heart damage from blood clots or occlusions of the blood vessels. In most clinical research studies, reports the National Heart Institute, these drugs, used during the acute phase of heart attacks, have increased survival anywhere from 30 percent up to more than 50 percent.

Research on fibrinolytic agents, which might help dissolve blood clots also show promise for reducing mortality among heart attack victims.

One of the dreaded complications of heart attacks—because they are often the immediate cause of deaths—are the so-called arrhythmias. This is the technical name applied when the normally smooth contractions of the heart become erratic, often leading to cardiac arrest. Fortunately, says the National Heart Institute, if promptly detected and treated, many arrhythmias stemming from heart attacks can be corrected or controlled by anti-arrhythmic drugs, such as digitalis.

Serious arrhythmias which do not respond to drug therapy, moreover, can often be corrected by precisely timed shocks delivered to the heart by electrical defibrillation equipment.

Research on other drugs designed to relieve cardiogenic shock are also showing promise by correcting blood vessel tone, blood vessel constrictions and ineffective heart pumping from damaged heart muscle. At one time cardiogenic shock complicating heart attacks carried mortality rates as high as 80 to 95 percent. Although we still have a long way to go, medical advances have now reduced these motality rates from 35 to 60 percent.

In recent years, especially in 1968, scientists and physicians have made significant—and sometimes much publicized—advancements in heart transplants and other surgical techniques, as well as the development of artificial devices to provide temporary or permanent circulatory assistance to damaged or failing hearts. These are among the many medical promises held out to the heart attack victim if he can but survive the acute stage of his attack.

Such promising help for heart attack victims form the cores of the National Heart Institute research program and the regional medical programs, in both of which the Congress can take extreme pride. These promises have a greater chance of becoming realities through the demonstration projects provided by this legislation. I believe the amendments provided in the bill would directly contribute to the "advancement of knowledge or method that makes some worthwhile difference in the lives of people." That difference is likely to be "life," itself.

Should we delay 1 hour, unnecessarily, in assuring heart attack victims the best possible chance to survive the acute attack and obtain the most promising therapy? To deny our responsibility here could deny life to as many as half, or more, individuals suffering heart attacks.

ADEQUATE HOUSING FOR LOW-INCOME FAMILIES

(Mr. ST GERMAIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. ST GERMAIN. Mr. Speaker, while we are all aware of the enormous task this Nation faces in the next few years in trying to provide enough adequate housing for low-income families, there is no consensus as yet on how this is going to be accomplished.

During the past presidential campaign we heard much talk about inducing private enterprise to solve the problems of our cities. Private enterprise, however, has no magic wand either, and as a recent editorial of the Evening Bulletin from Providence, R.I., makes clear, will have problems going it alone without Federal assistance. The editorial proceeds to mention what I and many others think is a necessary element in the solution. Accordingly, I want to insert the editorial at this point in the RECORD:

FUELING THE ENGINE

During the presidential campaign last fall, Richard Nixon argued that the federal government had to cut its spending on programs to help the poor. What had to be done, he said, was to enlist the great engine of private enterprise in what would otherwise be a hopeless task.

Despite the partisan rhetoric that shrouded this issue, there was actually widespread agreement on the thesis that the help of private enterprise is necessary. The underlying question, however, was how the great engine was to be fueled. It is this question that is now facing the President and George Romney, his new Secretary of Housing and Urban Development.

The question was posed most recently by Edgar F. Kaiser, the industrialist who heads the National Corporation for Housing Partnerships. Mr. Kaiser said the group, which includes among its board of directors top figures in American industry, was eager to start work on plans to build a large volume of low-rent housing.

The problem, Mr. Kaiser said, is that more money is needed for the rent supplement program to ensure a supply of tenants for the housing that would be built. Howard R. Moskof, vice president of the businessmen's group, said, "If you don't have subsidies of one kind or another for the tenants, then you don't have the market. And business can't produce low-income housing for low-income tenants without subsidies."

Thus far, neither Mr. Romney whose department manages the rent subsidies program, nor Mr. Nixon, who must live with the overall budget expenditures, has committed himself on the question of more money for the program. But they can scarcely ignore what is becoming more and more obvious every day: that the engine of private enterprise needs a generous helping of federal funds to operate efficiently in this area of need.

The request by Mr. Kaiser's group that the Nixon administration seek 50 million dollars more for the program in the present fiscal year and an overall appropriation of 100 million in the fiscal year starting July 1 seems eminently reasonable in the light of the housing situation in the country now.

NIXON ADMINISTRATION INDIFFERENT TO PLIGHT OF LOWEST PAID WORKERS

(Mr. BURTON of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of California. Mr. Speaker, the Nixon administration has been in power less than 30 days and I noted with great interest the other day that the first step to be taken in behalf of the Nation's working men and women was to be a giant step backward.

Mr. Schultz, the new Secretary of Labor, and spokesman for the Nixon administration in this vital area, stung the Nation's working poor as if they had been slapped in the face by stating in effect he opposes any further congressional increases in the minimum wage at this time.

As one of the reasons cited for his opposition, he indicated that the effect of the 1966 amendments to the minimum wage law needed to be evaluated. For the benefit of the Secretary, the Wage and Hour and Public Contracts Divisions of his own Department of Labor, in a report to this 91st Congress just a little over a month ago, concluded:

> Employment in the areas affected by the extensions of coverage has increased, and there is no evidence of any restraining effect of the broader coverage on employment opportunity. The increased minimum wage levels set in 1966 have not contributed to the current inflationary spiral to an extent which permits reasonable questioning of their net value in strengthening both the position of low-paid workers in particular and the economy in general.

It would be callous disregard of the facts of economic life if we ignored that recent cost-of-living increases and this same inflationary spiral have wiped out much of the benefit of recent minimum wage increases.

Rather than step back, we must press forward to adopt a universal minimum wage of $2 per hour and eliminate the current exemptions for overtime after 40 hours per week.

Mr. Speaker, I would hope that Secretary Schultz' statement was an unstudied, off-the-cuff remark which after reflection he will not feel bound to pursue. This statement by Secretary Schultz seems to be out of character with what many of his supporters had led us to believe were his views and concerns.

I would submit, if this is any real indication of callous indifference on the part of the Nixon administration to the plight of the lowest paid working men and women of this country, then we have yet some very sorry days ahead of us.

ELIMINATION OF WASTE IN LAKE MICHIGAN

(Mr. McCLORY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLORY. Mr. Speaker, I have today introduced legislation to authorize elimination of pollutional waste into Lake Michigan in the area served by the North Shore Sanitary District of Illinois.

This measure is intended to supplement through a Federal grant the local and State contributions designed to improve the quality of water in Lake Michigan.

In proposing this legislative measure I am mindful of the $35 million bond issue approved overwhelmingly by the voters of Lake County—whom I represent in the Congress—as evidence of their sense of local responsibility to eliminate polluted materials from Lake Michigan.

It is apparent also that the State of Illinois will also share in these improvements through both technical and financial assistance in a total amount which is not yet determined.

The authority for emptying treated wastes of the North Shore Sanitary District into Lake Michigan was established many years ago by State legislation at a time when the district had a relatively small population. The district's program of improvements has been commendable and consistent with modern technology and health standards. Notwithstanding this record, the need for eliminating all treated wastes from the waters of Lake Michigan is quite apparent and a modern program looking to the diversion of the treated effluents to waterways lying along the western border of the district has been developed. The total cost of completing this program is in the neighborhood of $60 million for which the taxpayers of the district have obligated themselves to the extent of $35 million.

At the initiative of State Representative John Henry Kleine, of Lake Forest, a member of the Northern Illinois Water Resources Commission, I had occasion to convene a meeting recently in Lake Forest, Ill. This meeting was attended by Clarence W. Klassen, technical secretary of the Illinois Sanitary Water Board and James McDonald, representing H. W. Poston, regional director of the Federal Water Pollution Control Agency; State Senators Robert Coulson and Karl Berning; State Representatives George W. Lindberg and John S. Matijevich, as well as Mr. August P. Cepon, president of the North Shore Sanitary District; Robert P. Will, Donald W. Wylie, trustees of the North Shore Sanitary District; Raymond Anderson, general manager, and Mark Beaubien, secretary-attorney for the North Shore Sanitary District, M. D. R. Riddell, project engineer for the North Shore Sanitary District's contemplated improvements, as well as representatives of the various organizations and of the public.

At this meeting it was emphasized that this program to eliminate pollutional wastes from Lake Michigan can benefit all of the area bordering on Lake Michigan. Accordingly, this measure, if favorably acted upon by the Congress, is expected to improve the quality of Lake Michigan waters along the shore of Lake Michigan in Cook County, as well as the waters along the shorelines bordering the States of Indiana, Michigan, and Wisconsin.

Mr. Speaker, I feel that this measure which I am introducing today has broad national interest and offers opportunities for substantial benefits to residents of Illinois, Indiana, Michigan, and Wisconsin, as well as all who have occasion to enjoy and utilize the waters of Lake Michigan.

In addition, Mr. Speaker, it is my view that this measure is consistent with an overall national policy to reduce water pollution in order that the waters of Lake Michigan and similar bodies of water may serve the broad needs of this and future generations.

ADVANCE PAYMENT IN FEED GRAIN PROGRAM

The SPEAKER. Under a previous order of the House, the gentlewoman from Washington (Mrs. MAY) is recognized for 30 minutes.

Mrs. MAY. Mr. Speaker, no attribute of a government is more valuable than a deserved reputation for integrity. No defect is more damaging to a government than the knowledge that integrity may be lacking.

I want to commend President Nixon and Secretary of Agriculture Hardin on the way they have met the test of integrity with regard to obligations to U.S. grain producers.

Here are the facts involved in this test. For several years, farmers participating in some of the commodity programs have been eligible to draw advance payments of up to 50 percent of the amounts owing to them for acreage diversion. They could receive a partial payment in advance early in the year rather than having to wait until later to receive the full amount. This was of considerable advantage to them in arranging for their year's credit needs and in meeting current expenses.

When the 1969 feed grain program was announced last December 26, there was no mention of any change in the amount of the advance payment. Farmers, accordingly, made their plans on the same basis as in earlier years.

Then in mid-January came word from the outgoing administration that instead of a maximum of 50 percent, the advance payment this year would be no more than 25 percent. This would mean a reduction of some $168 million in funds flowing into the agricultural economy during the next several weeks.

A few days ago the President and Secretary of Agriculture rescinded this unfair action. The President said:

> I feel the Government has a moral obligation to honor this implied commitment.

And I feel that the President is quite right in his assessment of the situation.

These payments were originated because the agricultural economy was sagging. The agricultural economy is still sagging, and farmers on the average have only three-fourths as much income per capita as nonfarmers. The advance payments are still needed.

I commend the President and the Secretary on this action. Integrity has no price tag.

Mr. Speaker, I took this time today so that some of my colleagues might also have the opportunity to say a few words about this action of the new administration.

Mr. MAYNE. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Iowa (Mr. MAYNE).

Mr. MAYNE. Mr. Speaker, I thank the gentlewoman for yielding.

I am happy to associate myself with the statement just made by the distinguished gentlewoman from Washington, who is the ranking minority member on the Subcommittee on Livestock and Grain, on which I am also privileged to serve.

Mr. Speaker, farmers throughout the Nation are welcoming President Nixon's prompt announcement that advance payments to feed-grain producers will be at the rate of 50 percent rather than only 25 percent as recommended by the Johnson-Freeman administration. This forthright action will prevent great injustice which at the least would have caused great inconvenience and at the worst incalculable harm to many farmers participating in the 1969 program. This demonstration of the President's ability to cut through redtape promptly thereby eliminating unfair discrimination against feed-grain farmers is most

encouraging to all who are concerned about the farm problem as it affects both producers and consumers.

If the President had not taken this prompt and affirmative action, more than a million and a half feed-grain producers would have been forced to abruptly change their hard-pressed financial planning to accommodate a $168 million cut in advance payments this year.

Under the budget submitted by the Johnson-Freeman administration these advance payments would have been arbitrarily slashed from the customary level of 50 percent down to 25 percent. No advance warning had been made to farmers already signing up for participation in the 1969 program that a reduction was contemplated. The budget came to the Hill on January 15, and the feed-grain program signup began February 3. I certainly concur with the President's strong statement that the Government had a moral obligation to honor the implied commitment established by long usage that advance payments would be continued without change in rate.

The majority of farmers in feed-grain-producing areas voted for Richard Nixon in November and the President's most recent action regarding program participation is a vindication of their confidence in him. It is most encourging to have this very tangible evidence that the "bring us together" spirit of the new administration truly includes farmers. I am confident that the President is very much aware of the urgent necessity to strengthen farm income and is and will be doing everything that he properly can to that end.

I thank the distinguished gentlewoman again for yielding.

Mrs. MAY. I thank the gentleman from Iowa.

Mr. SEBELIUS. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Kansas.

Mr. SEBELIUS. I thank the gentlewoman from Washington for yielding.

Mr. Speaker, I think everyone connected with agriculture is aware of the harsh cost-price squeeze facing the American farmer today. In fact, the cost-price squeeze has actually become a virtual bear hug where everything the farmer must buy keeps going up in price and the price of everything he sells keeps going down.

One of the major cost items in modern agriculture that directly aggravates this situation is the cost of money. Interest rates are at new highs but nevertheless, farmers must invest heavily in such items as seed, fertilizer, and herbicides—the basic essentials necessary to produce a crop. Much of these items must be financed with borrowed capital.

President Nixon's recent decision to advance acreage diversion payments to those producers who are taking part in the various farm commodity programs, has a direct bearing on the present cost-price squeeze. What the President's decision means is that many farmers will not have to borrow to finance their springtime planting expenses.

To put it simply, many farmers will not have to go further in debt and that alone is a tremendous savings as well as good news to those producers who have cooperated over the years in a mutual effort with the Government to hold down production and avoid costly surpluses.

Mr. Speaker, I wish to commend President Nixon and his Secretary of Agriculture, the Honorable Clifford Hardin, for their action on behalf of the farmers in my western Kansas district and across the entire Nation.

Mrs. MAY. I thank the gentleman from Kansas.

Mr. NELSEN. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I am glad to yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I was especially pleased with President Nixon's announcement of instructing Secretary Hardin to make available advance payments to farmers up to 50 percent of entitlement when they participate in the feed grains program. This certainly indicated a keen awareness of the financial problems faced by some of these farmers as they go into the spring planting season. This is the time of year when the farmer has to buy much of his material and in a sense makes the greatest investment of the crop season. If he does not have the cash at hand to meet these expenses then he must borrow and we all know that the farmer today can ill afford to pay the current high interest rates on top of all his other high costs of operation.

This particular aspect of the feed grains program is the result of an amendment which I offered to the so-called emergency feed grain bill back in March 1961. I have here in my hand a copy of the proceedings of the House reporting the debate on H.R. 4510 and here on page 3663 is recorded the adoption of my amendment. I should comment at this point that my offering that amendment resulted from a suggestion that was made to me in a letter I received from a farmer-constituent of mine. Since that time these advance payments have been made available to the farmers participating in the program and they have become accustomed to this money being made available to them at the time of their greatest need. The action recently announced by the present administration making 50-percent advance payments available to cooperators was certainly welcome news to the family farmer in my Congressional District.

President Nixon is to be commended for taking such forthright action in the face of a most difficult budgetary situation.

Mrs. MAY. I thank the gentleman from Minnesota.

I would like to say that I do well remember how hard he worked to make his point on the need as well as the wisdom for this program at the time.

Mr. KLEPPE. Mr. Speaker, I want to join with my distinguished colleague from Washington (Mrs. MAY) in commending President Nixon and Secretary of Agriculture Hardin for their keen appreciation of the current money needs of farmers.

This was reflected in their decision to continue making available to farmers one-half of their feed grain and wheat program diversion payments at the time they sign up to participate this spring. This is an important decision for farmers because they face one of the tightest credit situations ever seen. With no advance payments or greatly reduced ones, many farmers would have been badly handicapped in financing their spring plantings.

This was not an easy decision for the President in view of the serious budget problem. The outgoing administration had provided for reducing the advance payments under the diversion program from 50 percent down to 25 percent, apparently to reduce expenditures for this current fiscal year. However, little had been said about this so that few farmers were aware of the contemplated cut. Farmers this year expected the customary advance payments at the 50-percent level as had been authorized for the past 8 years. The action taken by the President makes it possible to continue the practice for this year and demonstrates the President's interest in the welfare of farmers.

Advance payments to feed grain, wheat and some cotton producers are expected to total about $386 million.

I am hopeful that the President and the Secretary of Agriculture will also consider advance payments against wheat certificates this year. The House approved legislation permitting such payments late in 1967 but the Senate took no action. I have reintroduced legislation (H.R. 4820) to authorize this.

Advance payments up to 50 percent against 1969 crop wheat certificates could bring approximately $50 million into the hands of North Dakota growers early this year. This would make it unnecessary for many of them to seek commercial loans to meet operating expenses during the first half of the year. Interest rates are the highest in a century. Moreover, available Farmers Home Administration emergency loan funds are fully committed now.

The Bureau of the Budget recently released $15 million in emergency FHA funds which had been "frozen" by the preceding administration. I understand that there is still some $15 million which has not been released.

Because of the unusually severe winter which has gripped North Dakota and neighboring States this year, livestock feeding has been extremely heavy. Many farmers and ranchers will have to purchase additional feed this spring. Heavy snows also pose a spring flood threat in some areas. Even if remaining FHA funds are released, they will fall far short of meeting the probable needs.

For this reason, I believe there is special urgency in moving additional funds into farmers' hands through advance payments against wheat certificates.

Mr. LANGEN. Mr. Speaker, I was delighted to hear that participants in the 1969 feed grain and wheat program will again have available the maximum 50-percent advance payment made on diversion contracts.

When the 1969 feed grain program was announced last December, there was no indication that any changes would be made from the previous year's program. However, on the 15th of January, when the budget for fiscal year 1970 was released, it became evident that the advance payment program was being cut to 25 percent with no advance payments to be made for the 1970 program. Suddenly, farmers who began signup for the 1969 program on Monday, February 3, were faced with a massive change in ground rules that threatens their operations for this year. It was obvious that this budget chicanery was at the expense of rural areas and those that work so hard to provide this country with our food and fiber. With the parity ratio at depression year levels of 72, the removal of $186 million from the economy of our farming sector would have had disastrous effects.

I agree with President Nixon and Secretary Hardin that this sudden change by the previous administration was unfair. I strongly endorse the restoration of the full advance payment for our wheat and feed grain program participants.

Mr. PRICE of Texas. Mr. Speaker, in one of their first important decisions on farm policy, President Nixon and Secretary Hardin have taken a bold and imaginative step in announcing that they want continued the practice followed in recent years of making available a 50-percent advance payment to participants in the feed grain program under the present law.

As the President said, the Government has a moral obligation to honor this commitment. It is obvious that the President is appreciative and is aware of the great contributions American farmers have made to the well-being of our Nation. America's farmers, despite their contributions to agriculture, still fall short of receiving their fair share of the national prosperity, and it is only right that the President should continue the advance payments and hopefully they will consider such advance payments for wheat also under a bill I have introduced recently to bring equitable treatment to the wheat farmer. This act shows that the President and the Secretary of Agriculture are interested in our farmers and I feel sure that it is only the first of a series of decisions aimed at recognizing the immense contributions of modern American agriculture to the health and strength of our country.

I hope consideration will be given to better and more beneficial trade agreements with other friendly nations to have imports of all agriculture products be brought into a more equitable and competitive position so our own producer and taxpayer is not driven out of business because of a flood of cheaper produced inferior products.

GENERAL LEAVE TO EXTEND

Mrs. MAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject matter of my special order.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

STATEMENT OF HON. JOHN E. MOSS ON INTRODUCING AN IMPROVED ELECTRIC POWER RELIABILITY BILL

(Mr. MOSS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MOSS. Mr. Speaker, today I, together with a number of colleagues in both Houses of Congress, introduce a new bill to increase the reliability of electric power supply for the United States.

The present bill springs from three bills introduced in the 90th Congress. A bill drafted by the Federal Power Commission was introduced in the House on June 8, 1967, as H.R. 10721. I introduced a revised version on August 14, 1967, as H.R. 12322. An explanation of my revisions appear in the CONGRESSIONAL RECORD, volume 113, part 17, page 22513. The gentleman from New York (Mr. OTTINGER), on behalf of himself and 20 colleagues, made further revisions in the bill and introduced it on January 30, 1968, as H.R. 14971, and Senator EDWARD KENNEDY introduced an identical bill in the Senate as S. 1934. An explanation of their revisions appears in the CONGRESSIONAL RECORD, volume 114, part 2, page 1500.

The purpose of this legislation is not merely to prevent more cascading power failures—like the Northeast blackout of 1965—but to further the national policy "of assuring an abundant supply of electric energy throughout the United States with the greatest possible economy and with due regard to the proper utilization and conservation of natural resources." This policy was established by the Public Utility Act of 1935.

Conditions have changed tremendously since 1935. Our population has grown 59 percent from 127,250,000 to 202,000,000. Our gross national product has grown 317 percent—from $169.5 billion to $706.9 billion in constant 1958 dollars. Consumption of electric energy, however, has soared 1,170 percent—from 95,287,390 megawatt-hours to 1,214,365,187 megawatt-hours in 1967, the latest year for which complete figures are available. The present trend is for electric consumption to double every 10 years.

Electric utilities now constitute the largest industry in the country.

The phenomenal increase in electric power supply has been made possible by technological advances scarcely dreamed of 34 years ago. In 1935 the biggest generating unit in use had a capacity of only about 200 megawatts. The highest voltage transmission line then under construction was the 287-kilovolt line from Boulder to Lós Angeles. Nowadays 1,300-megawatt generating units are going into operation; a 750-kilovolt direct current transmission line is in service; a 765-kilovolt alternating current line is under construction. Generating plants with 10,000-megawatt capacity will probably be feasible within 20 years.

It is obvious from these figures and facts alone that a review of the 34-year-old pattern of Federal electric utility regulation is now in order. Additional facts demonstrate that amendment of the Federal Power Act along the lines proposed in this bill of today is overdue.

Reliability of electric power service has not kept pace with load growth. Since the great Northeast blackout of November 9, 1965, there have been 37 more major power failures—that is, interruptions of service to at least 40,000 customers for 15 minutes or longer. Twenty-four of these were cascading. That term means two or more generating plants went off the line successively. Seventeen of the major power failures, seven of them cascading, have occurred since I stood here on August 14, 1967, to introduce my previous version of the power reliability bill. The most recent blackout took place in Florida on January 28, 1969. I think it is significant that Florida systems practice much less voluntary coordination with other systems and are subject to less State regulation than the great majority of the utilities in this country. Some of the Florida systems are still contesting FPC jurisdiction.

In attempting to keep up with the soaring demand for power, in many areas of the country utilities have let their reserve capacity fall dangerously low. This is true right here in Washington. To bring in additional power they have sometimes used inadequate connecting links—weak transmission lines that will go out under a slight additional load. And they have planned and even built new generating plants and transmission lines in the wrong places.

The 1935 act stated our national policy was to assure more abundant electric energy, et cetera, "with due regard to the proper utilization and conservation of natural resources." What constitutes proper utilization has changed greatly since those words were enacted. For one thing, nuclear fuel was unknown then. Now its advantages and disadvantages must be weighed against those of various hydrocarbons and falling water to determine the proper utilization of natural resources in particular circumstances.

The very concept of natural resources has broadened, at least in public awareness, since 1935. We speak now of the natural beauty of the countryside and historic sites as natural resources. We have less tolerance for air and water pollution, and more effective means of preventing it.

New mechanisms are urgently needed to achieve continued abundance and increased reliability of bulk power supply under today's and tomorrow's conditions, and to preserve and rehabilitate the environment. Such mechanisms must include increased coordination between utility systems and a greatly expanded role for the public in utility planning. When I say public I mean the affected and concerned citizens as well as the Federal Power Commission or any regulatory agency.

The bill we introduce today will take the planning of our future electric utility system out of the closed boardrooms of individual companies into voluntary regional councils, open to all systems in a region and thereafter into open public hearings. It will insure that the headlong expansion of the utility industry is directed to the greatest good for the greatest number, with the greatest respect for the irreplaceable values of mother earth.

Today's bill, like the original FPC bill, but to a greater extent, regards the electric power industry as one nationwide public service. It combines and improves the best features of the previous FPC, Moss, and Ottinger-Kennedy bills.

The major provisions of the original FPC reliability bill are retained in substance in today's bill. Those provisions, which I shall only sketchily outline here, are as follows:

First. Regional councils of electric utilities would be established. In each region of the country utility management would meet to plan together for coordinated operation to achieve more reliable service. All utility systems, whether privately owned, Government owned, or cooperative, would be eligible for membership. Several regional councils are already in existence on a voluntary basis. Some of them, however, deliberately exclude certain systems in the region. In one area I am aware of, there are two coordinating councils, one consisting principally of the investor-owned utilities, and the other principally of the Government-owned and cooperative systems. The public interest suffers from such cutthroat rivalry. The FPC proposal would end it. Coordination between all systems in a region would become compulsory.

Second. The FPC bill would establish a National Electric Studies Committee. This committee would facilitate development and exchange of technical information nationwide to improve power reliability. This committee would not only contain representatives of the private and the public electric utility systems, but of manufacturers as well.

Third. The FPC bill would empower the Commission to promulgate reliability criteria. Such criteria would establish compulsory technical standards to govern the reliability aspects of the planning and operation of bulk power supples.

Fourth. The FPC bill would regulate the construction and operation of extra-high-voltage transmission lines. Such regulation would require prior Federal review of lines designed to be operated at voltages of 200,000 or higher, which are constructed 2 or more years after enactment of the bill. Such lines would have to comply with regional and interregional coordination plans developed by the regional councils and to embody the technical standards of applicable FPC reliability criteria. Hopefully, this provision would put an end to haphazard proliferation of inadequate lines in the wrong places. The FPC bill would confer upon utilities proposing to construct proper extra-high-voltage facilities, rights-of-way over Federal lands, and the Federal power of eminent domain to secure rights-of-way over other lands.

Fifth. The FPC bill would require extra-high-voltage lines to be located and designed so as to protect the environment. It would establish, as a principle, that not only technical electric factors but also matters concerning rational land use planning and esthetics must be considered before permission is granted to construct extra-high-voltage transmission lines.

Sixth. The FPC bill would expand the Commission's authority to require interconnection of electric systems. It would authorize the Commission, upon its own motion if necessary, to order rival electric systems to interconnect and sell or exchange electricity with each other in order to serve the consuming public better and more reliably.

All the objectives of the FPC bill which I have just described are preserved, in improved form, in the bill we introduce today. They are vital objectives, well nigh indispensable to reliable nationwide electric utility service adequate for late 20th-century needs.

As with many excellent and much-needed initial proposals, however, the FPC bill had its deficiencies.

The public information provisions of the FPC bill were inadequate. The consumers must have a large voice in regional and interregional utility planning. The local residents must have a larger voice before their environment is damaged by huge generating plants and their homes taken for transmission line rights-of-way. Our new bill requires maximum publicity, not only in the Federal Register but also in popular media, for coordination plans and proposals to construct extra-high-voltage facilities. It guarantees the public a right to participate in hearings on what, and where, giant electric utility facilities are to be constructed. It requires copies of all relevant plans and proposals to be kept available for public inspection not only in Washington, but in the regions to be affected.

The objective of protecting and enhancing the environment was little more than a pious hope in the FPC bill. Our bill of today provides mechanisms to effectuate that objective. We would establish a National Council on the Environment, independent of the Federal Power Commission, to consist of five distinguished experts on environmental science, land use planning, esthetics, or related subjects, to hold office under Presidential appointment for fixed terms. This Council would review regional and interregional coordination plans, proposals to construct extra-high-voltage facilities and applications for hydropower licenses. By such review, the National Council would seek to protect the public's need for an improved total living environment.

The FPC bill lacked curbs on indiscriminate exercise of the power of eminent domain by utility companies. While the FPC bill would prohibit construction of large transmission lines in advance of FPC review, and hold up granting of rights-of-way on Federal land while such review was underway, it would do nothing to prevent utilities from using their regular powers of eminent domain in the meantime to take and destroy homes and farms or even non-Federal parkland. In such circumstances the FPC review of the proposed facilities might well be reduced to an examination of their technical sufficiency. The question of their environmental and social impact could be rendered moot and the harm already done by the proposing utility's indiscriminate use of the taking power before the FPC had any chance to rule on these aspects of its proposal.

Our bill would suspend use of the power of eminent domain to acquire rights-of-way for constructing large generating plants and transmission lines until the new National Council on the Environment has had an opportunity to present its views to the FPC. If the FPC disapproves the proposal, the utility would not be authorized to construct any of the proposed facilities or condemn lands for them.

In addition, our bill would incorporate the national policy declared by section 18 of the Federal Aid Highway Act of 1968 that special effort should be made to preserve the natural beauty of the countryside, public park and recreation lands, wildlife and waterfowl refuges, and historic sites. It would prohibit the use of park, recreation, wildlife refuge, and historic site land for extra-high-voltage facilities unless there is no feasible and prudent alternative to such use, and unless all possible planning has been done to minimize the harm.

The FPC bill lacked adequate controls on the design and siting of generating plants. Although the FPC bill would require Federal review for extra-high-voltage transmission lines, it contained practically no effective controls, except by means of reliability criteria, which would be purely technological, upon generating plants. This is a large gap in a bill intended to assure more reliable power supplies throughout whole regions of the country, and to protect the environment from adverse effects which may result from the construction of huge electric bulk power facilities in the future. Hence our bill would also require FPC review of plans for generating plants of 200 megawatts or higher capacity proposed for construction 4 or more years after its date of enactment.

Under our bill, when someone proposes to construct, extend, or modify such a plant, he must file a proposal with the FPC at least 6 months in advance. The proposal must receive widespread publicity in the region to be affected. It must be reviewed by the National Council on the Environment. Not only the technological matter of reliability of the proposed plant must be reviewed, but its siting and its entire effect on the environment. Is it, for example, in the best place to provide service to the maximum number of people in the region and interconnected regions? Is the fuel chosen proper for use at the site? Will it cause fog or smog, destroy the scenery, or pollute rivers? All these matters, and more, ought to be subject to the most careful review in the public interest before ground is broken for a great generating plant; and our bill provides for that review.

The need for such provision is persuasively documented in the report by the Office of Science and Technology, which President Johnson recently released. That report, entitled "Considerations Affecting Steam Power Plant Site Selection," states:

> Our projections suggest that in the next two decades we will triple the present electric power generating capacity but we can do so with far fewer new sites than the

> number the industry presently occupies. The reason is that most of the new capacity in the next 20 years will come from some 250 huge power plants of 2 to 3 million kilowatts each. By contrast there are some 3,000 power plants in existence today. While there will certainly be small plants in addition to the 250 or so large plants, the siting problem in the future will not be one of finding room for a proliferation of power plants, but rather being sure that the relatively small number of mammoth-sized plants are adequately planned and located to meet the twin goals of low-cost, reliable power and preserving the quality of our environment.

It is estimated that these 250 huge plants will serve more than 95 percent of the increased power demand projected for 1990. Their total cost will exceed $80 billion. Each plant may represent an investment of almost a third of a billion dollars. The report emphasizes that since the location of generating plants is inseparably related to the location and arrangement of transmission lines, both must be jointly considered in order to attain reliable and economic system expansion plans. Equally important is the need to avoid the adverse or even disastrous impact which each of the giant generating plants could have on scenic and historic areas, fish and wildlife resources, recreation areas, parks, land uses, and the quality of our water and air.

The regulatory scheme of 34 years ago contained in the present Federal Power Act, and existing State regulatory laws, are largely irrelevant to the problems of location, design, and operation of the huge generating facilities of the future. It is unthinkable that individual managements, without public participation, should choose the sites and priorities for 250 plants supplying 95 percent of the Nation's increased power demand. Today's bill will provide for such participation.

The FPC bill failed to provide adequately for common use or ownership of extra-high-voltage facilities. The bigger a generating plant, the lower its cost of producing a kilowatt hour of electricity. The higher the voltage at which a transmission line is operated, the more power it can carry—doubling the voltage roughly multiplies the power by four. From the standpoint of economy and efficiency, larger facilities are obviously desirable. From the standpoint of enhancing the environment they are essential. Three 161-kilovolt lines cut three swathes through a forest each 125 feet wide; one 345-kilovolt line carries as much power as all three of them, but cuts only one swathe of the same width.

To encourage abundant and reliable electric supply and to preserve the environment from gross unnecessary desecration, therefore, the size of plants and lines must not be limited by the needs of the company proposing to build them and its customers. Such plants and lines should be large enough to serve entire areas, regardless of the patchwork of individual company franchises within the area.

Our bill, unlike the FPC bill, faces up to this problem. We would provide that if company A proposes to build a smaller plant for its own customers, which if increased in size could serve also the nearby customers of company B, and more economically than either group could be served by separate plants, the FPC can authorize company B to enlarge the plant at its own expense, and can require the two companies to operate the enlarged plant for the common benefit of both groups of consumers.

Our bill includes similar provisions applicable to transmission lines, and in addition would enlarge the jurisdiction of the FPC to require a utility having excess capacity in its existing lines to transmit energy of another person for a reasonable fee.

Electric transmission lines are part of this country's transportation system. Everyone would recognize the absurdity of the situation if our railroads were reserved for the sole purpose of transporting their owner's own commodities. It would approach madness if the only way a coal company could get its goods to market would be to build its own railroad parallel to an existing underused railroad owned by another coal company.

We have something approaching that lunatic situation in our electric energy transmission system. The bill introduced today will restore reason.

The FPC bill would have weakened the antitrust laws. Electric power reliability and environmental protection do not have to be bought by acquiescing in conspiracies in restraint of trade. Our bill does not have the provision contained in the FPC bill which would confer upon members of regional councils immunity from treble damage and injunction suits brought by an injured person under the Clayton Act. We just do not believe that the antitrust law impedes electric power reliability.

The purpose of grouping into regional councils is to plan for increased electric power reliability and environmental protection; not to conspire to raise prices or limit markets. No antitrust protection is needed for the legitimate objectives of regional council work. To confer unnecessary immunity would invite perversion of Council work into illegitimate channels.

The FPC bill lacked adequate protection for National Park Service lands. Language in the FPC bill could be construed to permit the Commission to grant transmission line rights-of-way through national parks and monuments. Present law bars such facilities from those areas. The National Park Service also administers other areas, such as national battlefields, national memorials, national seashores, and a national scenic riverway. All these national treasures ought to be protected from intrusion. Hence our bill would keep extra-high-voltage facilities out of all lands administered by the National Park Service except certain recreation areas whose primary purpose is not environmental preservation, and national parkways, which are narrow strips sometimes hundreds of miles long, and which it would be unreasonable to ban transmission lines from ever crossing.

The FPC bill failed to adequately recognize Indian rights in tribal lands. Tribal land on Indian reservations is the property of the Indians not of the Government. The FPC bill overlooked this fact and contemplated authorizing the Commission to issue rights-of-way across tribal land without Indian consent. This oversight was corrected in my reliability bill of 1967 and in today's bill. In addition, as a result of comments I received from Indian tribes and organizations on the previous bill, today's bill also provides that compensation for the right-of-way grants may be paid either in a lump sum or in annual charges, as agreed by the tribe.

Mr. Speaker, this summary of the FPC proposal and of the bill now being introduced is an outline of their major points only. To get a wholly accurate view, it is of course necessary to read the bills themselves. I shall, moreover, at an early date request permission to insert in the RECORD a detailed analysis of the new bill.

Meanwhile I recommend careful study and favorable consideration of this important bill by all Members of this House and by the public.

SCHOOL SUPERINTENDENTS SURVEY—PART III

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, this is the third in a series of reports on the Committee on Education and Labor's survey of school superintendents. As I mentioned in the two previous reports, the committee undertook this survey so that we might have the benefit of the experiences of as many of our local school administrators as possible during our consideration of legislation affecting elementary and secondary education.

The previous reports of the tabulations and analyses of the committee survey were inserted in the CONGRESSIONAL RECORD on January 30, page 2258, and February 6, page 2992. These reports contained information on the superintendents' responses to those questions which asked:

> (1) Do you feel the Federal Government is doing its share in providing funds for improving the quality of elementary and secondary education? If not, what suggestions do you have?
>
> (3) To what extent is the Elementary and Secondary Education Act underfunded in your particular school district?
>
> (5) In general, have the recent enactments of Congress furnishing support for elementary and secondary education been of great, substantial, moderate, or little value?

The tabulation and analyses of the responses to the above questions show that the great majority of local school administrators feel that the Federal Government is not doing its share in providing funds for the improvement of the quality of elementary and secondary education. Approximately 70 percent of the responding superintendents said that the Elementary and Secondary Eduction Act was underfunded in their school districts. A high percentage of school officials responding to the questionnaire indicated that recent Federal enactments have been of substantial benefit to the students in their school systems. A significant percentage were so enthusiastic about the ESEA programs that they indicated they had been of great value in their districts. Those who felt that the programs were of moderate or little value largely had this opinion because of funding problems—that is, sufficient appropriations, reductions in allotments, and lack of adequate time and information with respect to funding.

Today I am inserting in the Record part III of the series on the school superintendents' survey. This segment will show some of the results of the analyses and tabulations of the responses on the question:

What are your greatest needs at the elementary and secondary level?

Many of the school administrators listed as many as 10 or 12 specific problem areas. The task of placing these needs into some kind of categorical listing so that they could be collated and checked was a difficult one, and it was complicated further when, after a random sampling, a work sheet had to be developed which listed over 70 different types of needs, covering every aspect of problems which a local school district might face from curriculum development to additional facilities, from kindergarten needs to adult education.

It is interesting to note that certain problems which administrators face are unique to their particular area, and others reflected an almost universal need. Still others showed patterns of similarity for metropolitan areas, as compared with some which indicated specifically rural-type needs. Certainly one of the areas where there was a pronounced need was with respect to financial support—the need for increased funds, or the need for advance funding to allow for proper planning and implementation of programs. The following are illustrative of this kind of response. The number in parentheses following the school district indicates the school enrollment:

San Jose, Calif. (12,800): "East Side is a secondary district. Our greatest needs are:

"a. Greater numbers of teachers from disadvantaged and minority groups.

"b. Monies to afford more counselors and teachers to lower ratios.

"c. Psychological and medical assistance for many students.

"d. Greater cooperation between various agencies to help overcome student problems that quite often extend beyond the school."

Woodsboro, Texas (862): "Our greatest needs at the elementary and secondary level are: (1) return to the original allotment; (2) provide the money in advance."

Gary, Indiana (49,000): Our greatest needs in Gary are financial. State aid is inadequate and Federal aid insufficient to maintain a quality program. Particularly striking to me in our present methods of financing education is the inequity it creates in support of urban as contrasted to suburban schools."

San Antonio, Texas (78,000): "The greatest needs at the elementary and secondary school level in this school district are for increased funds to supplement the limited tax potential of this central city school district. These schools are being forced to provide services in addition to those of the more affluent school districts because of the relatively high percentage of pupils from low income families with additional needs for special education, health, food services, and counseling and sociological services. Because of the higher percentage of children from sub-standard environments in the central cities, there is a greater need for preschool education than is found in more affluent school districts."

Georgetown, Mass. (1,424): "Our greatest needs are adequate funds with which to run a good educational program."

A very definite need occurred in the area of programs for the disadvantaged, the type of program supported by title I of the Elementary and Secondary Education Act. More advance appropriations would do much to alleviate these pressing needs, such as those indicated in the following responses:

Chicago Heights, Ill. (5,100): "Money—In order to provide true quality educational exposure to all—minority or deprived need greater concentration of effort hence greater expenditure per capita."

Salt Lake City, Utah (35,000): "For more resources to deal with problems of poverty and depravity which are increasing in our inner city school areas."

Hawkins, Tex. (505): "Our greatest needs at the elementary and secondary level is to improve the socio-economic level of the poor families so they come to school with adequate clothes, food, status of health, level of aspiration and ambition. We have little difficulty with educating children from homes which provide these basic needs. We do have a need to overcome the results of low levels of adult education and the socio-economic, cultural deprivations that characterize large segments of our school population. The problem seems so vast and expensive that simply providing money on a per capita basis may never result in completely satisfying results."

Manitou Springs, Colo. (1,175): "In response to question 6, it is very difficult to define the greatest needs of education at the elementary and secondary school levels. This is true because of the wide differences in areas, the character of the communities, and the money available for local education purposes. Although we are making a better than average educational effort in our district, I do feel that we fall short in a vocational program. I am sure most smaller districts to not have adequate special education programs. We have been able to improve this service by a Board of Cooperative Services. I do feel that most school districts need to place more emphasis on the economically, culturally and socially deprived, and certainly our Title I programs have made improvements in these areas. Maintaining adequate facilities for educational programs is most difficult."

Chittenango, N.Y. (3,150): Basic reading teachers and services for individual students who are economically, culturally, or mentally and physically disadvantaged."

Mountain View School District, Calif. (5,648): "Our greatest need at the elementary level is sufficient funds to provide instruction to small groups, and, also, to make available adequate funds for inservice training. We have many Mexican-American children in our district and many disadvantaged children. It is important that the teachers have some specialized training with these particular groups."

Superintendent Webb, of Valentine, Tex., stated that "funds for special programs such as remedial reading under title I" was his greatest need. This comment was repeated many times by other school officials not only in this area, but in related areas of special education as well.

Many school administrators are faced with a problem similar to that expressed by the superintendent of schools for Hammonton, N.J., having a student enrollment of 147, when he stated:

The greatest need in the elementary and secondary level is insufficient textbooks.

Provision was made in the original ESEA Act passed in 1965, under title II, for additional textbooks, library resources, and other instructional materials. It is most unfortunate, but nevertheless true, that this is one area where the reduction in funds has been deeply felt.

Additional programs and services for handicapped children was requested time and time again. Title VI of the Elementary and Secondary Education Act is designed to provide increased support for such programs and services. Successes under this program have been gratifying, but there is much yet to be done, and many problems still requiring attention by our local school officials, as exemplified in the following responses:

Oregon, Ohio (5,250): "Our greatest needs at the moment are (a) for the provision of occupational training for our students (b) for providing a program for those students who are handicapped (physically, mentally, emotionally) and (c) for those students who are above the special class category and yet not average pupils (I.Q. 75–90) and for preparing our rural students to live in an urban society."

Belmont, Mass. (4,473): "Our greatest needs, and I would guess this is true of most districts, is to develop programs for children who are not average or normal. This category would include the deaf, blind, emotionally disturbed, crippled, and mentally retarded. At the secondary level greater effort should be made to provide adequate vocational education."

White Bear Lake, Minn. (10,500): "Funds to provide programs for the slow learner, for students with learning disabilities and for the exceptionally bright student."

"Additional funds are also needed to experiment with innovative and exemplary programs.

"More funds should be made available under the Elementary and Secondary Act of 1965, especially in the Title I and Title III areas. These funds should be appropriated for two fiscal years so that schoolmen will know well in advance how much aid they can expect from the Federal Government."

Hueneme, Calif. (Port Hueneme) (6,954): "The greatest needs are two: (1) Counseling and guidance, with emphasis on early detection of learning problems at the elementary level, and (2) Diagnostic centers and special schools for the multi-handicapped. Waiting lists for existing facilities are much too long and we do not yet have the peak load in the school age bracket."

Not the least of the problems which confront our local school administrators is that of adequate and qualified staffing. This would not only include teachers in the classroom, but also teacher aides, trained personnel in our libraries and guidance and counseling personnel. A few of the more pertinent responses along this line follow:

Meridian, Idaho (3,543): "Our greatest needs are improved libraries, inauguration of vocational and technical programs, auxiliary personnel to really help boys and girls, qualified personnel at all levels, and modern instructional materials."

Roseville, Calif. (740): "Some of our needs are: library with the people to staff it; specialist in subject mattter areas to help our slow and gifted."

Nyack, N.Y. (3,650): "Our greatest needs at the elementary and secondary level are:

"a. Additional supportive services—such as psychological, psychiatric, social work and attendance.

"b. Expanded library facilities.

"c. Multi-ethnic teaching materials."

Ocala, Fla. (15,644): "The greatest needs at the elementary and secondary level at this time in Marion county are:

"Additional staff to alleviate the problems of the educationally disadvantaged.

"Trained staff to take care of remedial problems in reading and mathematics.

"Housing and equipment for these special programs."

McComb, Miss. (4,400):

"a. Additional well trained professional staff and additional paraprofessional staff for the disadvantaged.

"b. Additional supplements for vocational education programs in such areas as special needs for the educationally disadvantaged."

Madison Township, Ohio (5,730): "Services such as Counselors, Psychologist, Social Worker, Teacher Aids. A wealth of teaching aids that can be placed in library or resource centers for general use. Services for physically handicapped are needed.

"Secondary—An increase in Vocational Education which must begin in six or seventh grade. The child must become acquainted with the World of Work. New innovative courses must be developed that will hold children in school. School building equipped to hold year around school and designed to use various innovative teaching techniques such as: team teaching, non-graded individual instruction, modular schedules, open-ended laboratory, co-op programs, etc."

Wakefield, Mass. (5,667):

"a. Because of the nature of our society and the problems of the home, it is felt that Federally supported residential establishments are of great importance so that young people can be taken out of the negative home environments. These could be set up on a regional basis. Present psychiatric and adjustment counseling techniques and staffing are not adequate to cope with this tremendous problem.

"b. Support for elementary library (resource center) personnel. Wakefield has one elementary librarian. It needs at least six others.

"c. Support for continuous funding for elementary guidance personnel. Wakefield has one elementary guidance person. It needs at least six others.

"d. More relevant programs for the general and potential drop-out students. These can be best accommodated with more extensive work-experience programs.

"e. School construction. Increased pupil population, as well as state mandated kindergartens is placing a tremendous burden on local communities for expansion of their housing facilities.

"f. Expansion of the handicapped program. Personnel as well as housing needs."

Mr. Speaker, many superintendents responded to the questionnaire in the form of a letter. These were frequently very thorough commentaries on successes and problems in their local districts and the relationship of Federal programs to these issues. The following are illustrative:

DEAR MR. PERKINS: Thank you for the opportunity to react to some of your concerns about Federal participation in education.

The questions posed in your letter are all-encompassing, and we find it difficult to react to all of them in the detail which might be helpful to you. However, the following constitutes our reaction to selected problems.

1. Addition of Federal support in a massive way is new to public school systems and, in our estimation, long past due. The urban areas are especially hard pressed in that it seems that the concentration of all of the problems of society occurs in the city. The school system is the one agency that seems to be equipped to best handle a majority of the problems.

We were delighted with the passage of the Elementary and Secondary Education Act which provided us with funds to engage in activities which were designed to provide meaningful educational experiences for deprived children. Educators are prone to forget that extreme differences exist in students, and those students coming from deprived backgrounds are especially ill equipped to cope with traditional educational concepts.

As we gained experience, we identified new areas which we felt should be incorporated into our total ESEA project. However, we experienced extreme frustration in that as we identified necessary expansions of our programs, our budgets were cut rather than expanded to accommodate these new and identified needs.

The obvious solution, of course, is to provide massive additional financial resources. However, if this is an impossibility, we would hope that certain procedures could be built into the funding which would insure a larger share going to the urban areas where the unrest and need is the greatest.

3. Our budget allocation for the school year 1966–67 was $3,323,117.91.

The budget allocation for 1967–68 was $3,262,959.82. We could have utilized funds in the amount of $5,000,000.00 for 1968–69; however, our apparent allocation was cut to $3,102,364.66.

4. We are generally committed to the concept that Federal assistance in education should be categorical in nature. It is our fear that money designated to supplement teachers' salaries is too broad a category and would be, in effect, generalized Federal aid which would jeopardize the rationale that Federal money should be furnished to those districts who most need it. At this point in our history, we are not quite comfortable with the concept of Federal monies designated to supplement teachers' salaries.

5. In general, we feel that the recent enactments of Congress in furnishing support for elementary and secondary education have been of great value. As we gain experience we can identify more programs which could be implemented if additional funds were made available.

6. The greatest needs in urban education are in the area of compensatory education, especially at the primary level. We must be assured that the basic skills are being learned by students coming from the deprived areas. Education should provide the vehicle for these masses of people to escape the vicious cycle of poverty, and the learning of the basic skills will be the key to this problem.

Equally important is the problem of bringing meaningful guidance oriented experiences to children which will be designed to help them plan their own future and to present them with a series of meaningful alternatives in their life plan.

Your questions centered on the Elementary and Secondary Education Act. However, there has been other Federal legislation which has been very important in combating poverty through preparing persons from deprived communities. We have reference to the in-school Neighborhood Youth Corps and the Manpower Development and Training Act which we think have allowed the school districts to make a meaningful contribution to the community. Recently, we have found guidelines being changed and new emphasis coming on the scene which have diverted funds which we think have been effectively utilized by our school system in providing educational experiences designed to allow people to assume a productive role in society. We wish that some of these programs could be expanded, or even maintained at their productive levels, so that this good work could be continued. Enclosed is a piece of literature relating to these programs, which may be of interest to you.

Finally, I would like to emphasize the need of Federal aid for school building construction in the large cities. I recall with much pleasure the privilege I had of testifying before a Subcommittee of the House of Representatives, which you chaired, at which time I argued strongly for the need of Federal funds to replace the old unattractive buildings one finds in the inner city of our large metropolitan areas. I recall someone saying that we were well advised to match the grant provided the cities for ESEA programs with funds for new construction. I urge you to give consideration again to this matter of Federal subsidy for construction. Dr. Sidney P. Marland, Jr., whose deputy I was until last August also felt strongly on this matter. He had had many conversations with John Gardner, Frank Keppel, Harold Howe II, and indeed with Vice President Hubert Humphrey, at which times he always received substantial encouragement from all of them on the validity of his argument for Federal support for school buildings.

My one short visit with you in your office is recalled many times by me as an important moment in my life. The fact that you had seen fit to attend your legislative duties, even though you were recovering from a painful accident to your arm, impressed me no end.

If I can be of any further help to you, please do not hesitate to ask.

Sincerely yours,

B. J. MCCORMICK,
Superintendent,
Pittsburgh Public Schools.

DEAR MR. PERKINS: Thank you for your request for my reaction to legislation affecting education.

My reactions and comments to your questions are as follows:

1. No, not enough of present funds now going to education are specifically for elementary and secondary education and not enough funds have been allocated to education.

2. I would prefer E.S.E.A. going to the district. I am fearful of rigid rules and regulations and lack of imagination at the state level.

3. In our case, a district with 1500 students, we received a one-third cut in funds this year over last year. This has caused us to cut drastically our program and to dismiss personnel.

4. I have not given serious thought to this. I would think a percentage limit should be placed on the amount of money that could go to salaries, also no reduction in local effort.

I would strongly favor some provision so we could hire additional personnel to decrease class load and hire specialty people, etc.

5. Title III, E.S.E.A., was of great help in providing special services for our rural county. Unfortunately, this was only for three years.

The other programs have been of great value.

6. Our greatest needs are for:

(a) Special services such as: guidance, speech therapy, extra administrative assistance especially in the area of research, evaluation, and interpretation of our school program.

(b) If rural areas are to retain people and keep them from piling up in the cities, then we must have available many of the extra educational services and help now only available in larger centers.

(c) Kindergarten and pre-school education.

7. None.

In general, as much as we need educational research, I can't see that the regional labs are doing much.

Any plan to return a portion of Federal Tax to the states should earmark the amount to go to elementary and secondary education. If it is put in a lump sum I am fearful that education in Oklahoma will fare poorly.

Sincerely,

OREN TERRILL,
Superintendent, Pawhuska, Okla., School District I-2.

Still further examples of the thorough nature in which many superintendents responded to the questionnaire may be seen by reviewing the answers to some of the questions. A greater understanding can be gained of the scope and magnitude of problems confronting school administrators, and appreciation for the effectiveness of legislation which assists our elementary and secondary schools through a review of the responses to questions 1, 3, 5, and 6, which asked:

1. Do you feel the Federal Government is doing its share in providing funds for improving the quality of elementary and secondary education? If not, what suggestions do you have?

3. To what extent is the Elementary and Secondary Education Act under-funded in your particular school district?

5. In general, have the recent enactments of Congress furnishing support for elementary and secondary education been of great, substantial, moderate or little value?

6. What are your greatest needs at the elementary and at the secondary level?

Brooksville, Fla. (3,144):

"1. The Federal Government is just beginning to do its share to improve the quality of elementary and secondary education. Although much has been done, hopefully more assistance should be given school districts that are attempting to change the way teachers are working with students. In other words, emphasis should be placed off the teacher because without changes in the teaching personnel no amount of improvement will take place.

"3. We could easily use twice the money we receive which was approximately $76,000.00 until this year when it was reduced by $11,000.00.

"5. In our county, we honestly feel that it has been of little or moderate help but only because our needs are so great. To lose federal funds now would be to set us back years and years.

"6. As stated under number one and number four, the greatest need today is more and varied instructional personnel, not just any person that has a college degree, but people with special talents that can work with groups, develop curriculum materials, that do not have to depend on textbooks to the extent they presently do, that have positive attitudes toward accepting the best ideas of the new ones, that can allow more student involvement and participation in the classroom, that can allow more new ways of working with students. In addition to more classroom teachers, there is a need for personnel that provide related services, such as testing specialist, psychologist, guidance people, therapists, nurses, audio-visual specialists, and others. While some districts may have all of these, there are some that have none."

Ardmore, Pa. (37,000):

"1. Yes, our original allocations were more than adequate. But, as programs were being developed and expanded in the light of experience and deeper appreciation of needs, the yearly appropriations have decreased. This has necessitated curtailment or elimination of some tested innovations, affecting the morale of the staff and depriving children of some of the benefits.

"3. In the beginning, the allocation was ample, but with our Title I grant cut from $182,000.00 to $117,000.00, drastic curtailments in services have been necessary: i.e., in in-service training of pre-school aides, psychological testing of pre-school children, pre-school summer session, hours of work per week for speech counselors, hours for Junior High recreation-counseling program, hours of work for counselors of drop-outs, elimination of summer adapted Physical Education programs, staff of program for neglected children, and in instructional materials for all programs.

"5. In the particular districts served by Main Line Project Learning we feel that the programs have been of great value. The money expended went for programs that had a very direct affect on children. In general the program nation-wide is entirely defensible. Some pruning, as would be expected, is required.

"6. Elementary: More funds to provide more individualized and psychologically oriented programs for children who are mentally, emotionally or physically impaired. More funds should be spent on early diagnosis of these disabilities.

"Secondary: intensive guidance and counseling of socially alienated young people resulting in case work, cooperative work programs, sheltered work shops, family counseling and coordination with the legal agencies that handle the behavior of young people."

Plainville, Mass. (1,280):

"1. Can do more. Money and information on successful projects.

"3. 1965 $7,424. We hired a teacher and two aides to work with third and fourth children with ability but low achievement. Test results show a tremendous improvement in most children's achievement. 1969 $2,900. We need $10,000 at least.

"5. Substantial. The poor local district can really appreciate the gains from additional funds. Our libraries and audio-visual are much improved.

"6. Kindergarten, social services, audio-visuals, teachers of un-average pupils. (Dyslexia, emotionally disturbed, gifted, etc.)"

Glenburn, N. Dak. (364):

"1. The local school districts have about reached the maximum as to the amount we can provide for education and the state and Federal government will have to help a lot more in the future to maintain only our present standards and program.

"3. We have had three teachers hired under Title I and because of the cuts we have received the district is paying the entire salary of $5,600.00.

"5. To us it has been of great value. We have hired three additional teachers and we have been able to take the slow learners out of the regular classroom for at least a one-half day. Our groups have been about ten or less and the test scores and other results have shown great gains for many students.

"6. Additional money for the additional teachers and supplies for these slower children. We could also use additional adequate classrooms for these students."

St. Jacob, Ill. (1,896):

"1. The Federal Government, in my opinion, is not doing its share in providing funds for education—why?

"A. Largest portion of our taxes go to federal government, with small return to local taxing bodies.

"B. After tax bite of federal government, resistance to all local taxes are indeed strong, which hinders local effort.

"Suggestion—

"1. More categorical aid to qualifying districts.

"2. More money to state agency for distribution to local agencies, based on local needs.

"3A. Title I, ESEA is underfunded by at least 50% or more in our district, as we cannot reach children older than 9 years of age. We think our program should be made available to boys and girls who need help as long as they are enrolled in our schools.

"B. Title II is good, if kept equal to 1967–68 quotas.

"C. Title III should be allowed to remain as a program for innovations and should not be confined to state guidelines, also, this program should be allowed to continue more than 3 years—if it is doing what it was intended to do, otherwise, if it is successful. Title III monies are not now adequate, but should be increased drastically.

"5. Federal help to education has been of great help to our educational program. It has enabled us to better our methods of teaching, provided us with much needed materials and equipment, and has provided us with professional corrective help for those children needing it.

"6A. More professional help for corrective and remedial classes.

"B. More professional help for innovative programs in corrective physical education programs.

"C. More funds for hardware and educational materials to be used within our classrooms.

"D. More help in providing adequate housing facilities.

"E. Federal aid should be forthcoming in helping cope with our special education problems."

Sheridan, Colo. (2,250):

"(1) The Federal Government share is inadequate. It should—

"1. Continue 815 and 874 without federal conflict each year.

"2. Increase categorical aid (for guidance, emotionally disturbed, and social and culturally deprived).

"3. Adequately fund existing programs.

"4. Build programs that take into consideration cost of living and appropriate enough money to meet increased needs.

"5. Assist with capital construction when needed.

"6. Provide general aid.

"7. Reduce excessive paper work.

"(3) Our surveys would indicate that we are receiving funds for less than ⅓ of the students eligible. The first year we received $238.95 per eligible student, this year $134.88.

"(5) The value of federal support over all has been moderate. In certain areas or in some schools when maximum funds have been expended the support has been substantial.

"(6) Elementary level. These needs I see are expanded programs, special education, especially emotionally disturbed. A complete new approach to the socially-economically-culturally deprived educational programs. Improved libraries, capital construction, equipment and supplies, money for school districts, follow through of Head Start and reduced pupil-teacher ratio.

"Secondary needs. Technical and vocational programs. Gear employment needs of society to student programs. Expanded guidance and counseling programs to help students on an individual basis, expanded programs for students with below average ability, expanded special education, expanded programs for dropouts and expanded programs for social-cultural deprived."

Belmont, Mass. (644):

"1. Certainly the present level of support should not be diminished. It would seem that further expansion would be needed in the future. Concerning the output by the federal government in other areas, it would seem education has as yet to receive attention in proper perspective.

"3. It would seem that Title II library money should not be diminished or cut in half as is evidently being proposed. Also Title III 'Innovative' money seems to be at a premium. Title VI money having to do with special education for pupils with varying difficulties probably should be the title receiving the greatest extended interest. I believe it is Title V which has to do with innovative programs for subsidiary personnel or for so-called para-profession and needs innovative support as well as continued subsidy.

"5. Great.

"6. Monies for pioneering innovative programs, for vocational-technical, and for special programs for children with mental, emotional, and learning difficulties."

Rochelle Park, N.J. (656):

"1. No. Recent reductions in allowances for ESEA and NDEA have brought the programs to a point where the Federal funds are barely worth the time and effort involved in applying.

"3. Present funds under ESEA are insufficient to allow for supplementary teachers.

"5. The benefit of Federal legislation has been the various attempts at new programs and the ability to purchase new materials (library books, projectors, filmstrips). Our district initiated a remedial reading program which hopefully will be continued without Federal funds.

"6. Additional assistance needed (through NDEA at the elementary level for: foreign language, science equipment, audio-visual equipment; (through ESEA) library materials. We have received no NDEA funds. We have had ESEA, Title II funds cut by ⅔. ESEA, Title I has been cut by 40% or more.

Mr. Speaker, the following tables show the total number of responses indicating greatest needs in four main categories: First, personnel; second, programs and services for disadvantaged and handicapped children curriculum development and research; third, facilities; and fourth, supplies—by State, region, and size of school district. Because there was frequently more than one "need" listed by superintendents, main categories and subcategories were established for recording purposes. Each of the following tables is for a main category and may contain more than one response from each superintendent.

Question. What are your greatest needs at the elementary and at the secondary level?

Number of responses by State and region indicating further assistance is needed in the areas of research, curriculum development, and special programs for the disadvantaged and handicapped

	Number
New England	120
Connecticut	26
Maine	21
Massachusetts	39
New Hampshire	8
Rhode Island	14
Vermont	12
Mideast	313
Delaware	8
Maryland	3
New Jersey	77
New York	126
Pennsylvania	99
Great Lakes	390
Illinois	80
Indiana	73
Michigan	50
Ohio	91
Wisconsin	96
Plains	320
Iowa	55
Kansas	49
Minnesota	99
Missouri	44
Nebraska	44
North Dakota	15
South Dakota	14
Southeast	186
Alabama	18
Arkansas	51
Florida	8
Georgia	8
Kentucky	9
Louisiana	8
Mississippi	13
North Carolina	14
South Carolina	5
Tennessee	19
Virginia	30
West Virginia	3
Southwest	216
Arizona	15
New Mexico	15
Oklahoma	69
Texas	117
Rocky Mountain	96
Colorado	29
Idaho	17
Montana	37
Utah	6
Wyoming	7
Far West	288
Alaska	4
California	209
Nevada	7
Oregon	29
Washington	39
Total, United States	1,929

NUMBER OF RESPONSES BY REGION AND SIZE OF SCHOOL DISTRICT INDICATING FURTHER ASSISTANCE IS NEEDED IN THE AREAS OF RESEARCH, CURRICULUM DEVELOPMENT, AND SPECIAL PROGRAMS FOR THE DISADVANTAGED AND HANDICAPPED

Region	Total	School enrollment				
		Under 1,000	1,000 to 4,999	5,000 to 34,999	35,000 to 99,999	100,000 plus
New England	120	15	61	42	2	0
Mideast	313	43	151	107	9	3
Great Lakes	390	97	217	72	3	1
Plains	320	179	111	21	9	0
Southeast	186	26	89	60	9	2
Southwest	216	93	103	14	5	1
Rocky Mountain	96	59	25	11	1	0
Far West	288	67	116	92	13	0
United States	1,929	579	873	419	51	7

Number of responses by State and region indicating problems associated with funding

	Number
New England	110
Connecticut	12
Maine	15
Massachusetts	40
New Hampshire	21
Rhode Island	10
Vermont	12
Mideast	262
Delaware	4
Maryland	2
New Jersey	59
New York	93
Pennsylvania	104
Great Lakes	448
Illinois	134
Indiana	53
Michigan	106
Ohio	79
Wisconsin	76
Plains	406
Iowa	69
Kansas	53
Minnesota	113
Missouri	68
Nebraska	34
North Dakota	37
South Dakota	32
Southeast	196
Alabama	11
Arkansas	37
Florida	3
Georgia	42
Kentucky	26
Louisiana	4
Mississippi	14
North Carolina	14
South Carolina	9
Tennessee	7
Virginia	23
West Virginia	3
Southwest	150
Arizona	8
New Mexico	12
Oklahoma	37
Texas	95
Rocky Mountain	88
Colorado	24
Idaho	11
Montana	36
Utah	10
Wyoming	7
Far West	240
Alaska	3
California	142
Nevada	6
Oregon	43
Washington	46
Total, United States	1,897

NUMBER OF RESPONSES BY REGION AND SIZE OF SCHOOL DISTRICT INDICATING PROBLEMS ASSOCIATED WITH FUNDING

	Total	Under 1,000	1,000 to 4,999	5,000 to 34,999	35,000 to 99,999	100,000
New England	110	23	65	21	1	
Mideast	262	39	160	62	1	0
Great Lakes	448	118	282	46	2	0
Plains	406	240	124	38	3	1
Southeast	196	30	111	45	7	0
Southwest	150	78	62	9	1	0
Rocky Mountain	88	53	26	8	1	
Far West	240	86	86	61	6	1
United States	1,897	667	916	290	22	2

Number of responses by State and region indicating "personnel"

	Number
New England	111
Connecticut	22
Maine	21
Massachusetts	33
New Hampshire	16
Rhode Island	10
Vermont	9
Mideast	275
Delaware	15
Maryland	12
New Jersey	60
New York	74
Pennsylvania	114
Great Lakes	454
Illinois	137
Indiana	36
Michigan	90
Ohio	122
Wisconsin	69
Plains	577
Iowa	85
Kansas	105
Minnesota	112
Missouri	149
Nebraska	34
North Dakota	42
South Dakota	50

Number of responses by State and region indicating "personnel"—Continued

	Number
Southeast	477
Alabama	54
Arkansas	79
Florida	26
Georgia	54
Kentucky	52
Louisiana	11
Mississippi	34
North Carolina	48
South Carolina	25
Tennessee	47
Virginia	31
West Virginia	16
Southwest	304
Arizona	30
New Mexico	26
Oklahoma	63
Texas	185
Rocky Mountain	148
Colorado	35
Idaho	27
Montana	46
Utah	14
Wyoming	26
Far West	311
Alaska	6
California	216
Nevada	7
Oregon	33
Washington	49
Total, United States	2,657

NUMBER OF RESPONSES BY REGION AND SIZE OF ENROLLMENT INDICATING "PERSONNEL"

	Total	Under 1,000	1,000 to 4,999	5,000 to 34,999	35,000 to 99,999	100,000
New England	111	14	70	27	0	
Mideast	275	51	114	108	2	0
Great Lakes	454	148	229	71	1	5
Plains	577	338	200	31	7	1
Southeast	477	51	236	155	24	2
Southwest	304	152	118	29	5	0
Rocky Mountain	148	81	48	19	0	
Far West	311	94	118	82	16	1
United States	2,657	929	1,133	531	55	9

NUMBER OF RESPONSES BY REGION AND SIZE OF SCHOOL DISTRICT INDICATING "FACILITIES"

	Total	Under 1,000	1,000 to 4,999	5,000 to 34,999	35,000 to 99,999	100,000
New England	71	8	44	18	1	
Mideast	116	37	87	42	0	0
Great Lakes	267	71	163	29	0	4
Plains	257	145	41	17	3	1
Southeast	276	31	135	97	11	2
Southwest	124	48	60	14	1	1
Rocky Mountain	66	39	21	5	1	
Far West	117	30	46	35	5	1
Total, United States	1,344	409	647	257	22	9

Number of responses by State and region indicating "facilities"

	Number
New England	71
Connecticut	11
Maine	12
Massachusetts	27
New Hampshire	9
Rhode Island	6
Vermont	6
Mideast	166
Delaware	2
Maryland	3
New Jersey	48
New York	48
Pennsylvania	65
Great Lakes	267
Illinois	76
Indiana	37
Michigan	42
Ohio	58
Wisconsin	54
Plains	257
Iowa	49
Kansas	40
Minnesota	57
Missouri	52
Nebraska	20
North Dakota	13
South Dakota	26
Southeast	276
Alabama	34
Arkansas	52
Florida	13
Georgia	20
Kentucky	46
Louisiana	6
Mississippi	17
North Carolina	18
South Carolina	10
Tennessee	24
Virginia	20
West Virginia	14
Southwest	124
Arizona	19
New Mexico	16
Oklahoma	33
Texas	56
Rocky Mountain	66
Colorado	23
Idaho	10
Montana	17
Utah	9
Wyoming	7
Far West	117
Alaska	3
California	83
Nevada	1
Oregon	14
Washington	16
Total United States	1,344

Number of responses by State and region indicating "supplies"

	Number
New England	49
Connecticut	7
Maine	8
Massachusetts	17
New Hampshire	3
Rhode Island	9
Vermont	5

Number of responses by State and region indicating "supplies"—Continued

	Number
Mideast	133
Delaware	2
Maryland	0
New Jersey	23
New York	62
Pennsylvania	46
Great Lakes	212
Illinois	52
Indiana	21
Michigan	37
Ohio	56
Wisconsin	46
Plains	194
Iowa	41
Kansas	39
Minnesota	38
Missouri	23
Nebraska	31
North Dakota	7
South Dakota	15
Southeast	297
Alabama	20
Arkansas	39
Florida	11
Georgia	14
Kentucky	14
Louisiana	4

Number of responses by State and region indicating "supplies"—Continued

	Number
Southeast—Continued	
Mississippi	24
North Carolina	9
South Carolina	5
Tennessee	19
Virginia	13
West Virginia	125
Southwest	189
Arizona	8
New Mexico	39
Oklahoma	70
Texas	72
Rocky Mountain	61
Colorado	13
Idaho	13
Montana	20
Utah	7
Wyoming	8
Far West	103
Alaska	3
California	66
Nevada	3
Oregon	14
Washington	17
Total, United States	1,238

NUMBER OF RESPONSES BY REGION AND SIZE OF SCHOOL DISTRICTS INDICATING "SUPPLIES"

	Total	Under 1,000	1,000 to 4,999	5,000 to 34,999	35,000 to 99,999	100,000
New England	49	10	29	10	0	
Mideast	133	27	70	34	1	1
Great Lakes	212	57	124	28	0	3
Plains	194	131	50	12	1	0
Southeast	175	26	85	51	13	0
Southwest	8	4	42	2	0	0
Rocky Mountain	24	43	25	1	1	0
Far West	103	30	43	25	3	2
United States	1,063	393	468	175	20	7

In summary, Mr. Speaker, the responses to question 6 of the committee questionnaire demonstrates emphatically the scope and diversity of needs at the elementary and secondary school level. The tabulations indicate the broad reach of the many pressing demands. Most importantly, the responses to the question and to the other questions which have been discussed in previous reports underscore the necessity for continued and increased Federal aid to education and the programs carried on under the Elementary and Secondary Education Act. Much has been accomplished—but clearly much more is needed. To meet the challenge will require not only continued, but increased attention and support from all levels—local, State, and Federal.

Very shortly, I will share additional results of the questionnaire with my colleagues.

ADDRESS OF DR. M. MACEO NANCE, JR., AT COMMISSIONING OF POLARIS SUBMARINE U.S.S. "SEA DEVIL"

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, Dr. M. Maceo Nance, Jr., president of South Carolina State College in Orangeburg, delivered an outstanding address when the U.S.S. *Sea Devil* was commissioned at Newport News, Va., on January 30, 1969. In South Carolina, we are proud of Dr. Nance as a dynamic educator and as a great American.

Mr. Speaker, we are proud of South Carolina State College, whose graduates have been a positive force in uplifting our State and Nation. We are proud that our distinguished, able, and honored colleague, the gentleman from Pennsylvania, ROBERT N. C. NIX, is a graduate of South Carolina State College.

Mr. Speaker, I commend to the attention of my colleagues in the Congress, and to the citizens of our country, the superb and timely address of Dr. Nance, which follows:

ADDRESS BY DR. NANCE

Commander Currier, Officers and Men of *Sea Devil II*, Distinguished Guests, Ladies and Gentlemen: We are proud and pleased to be here today to participate in these commissioning ceremonies. First we are proud because we come from a State very active in our national defense—particularly from a naval point of view in that the naval operations of the Charleston Naval Base, Charleston, South Carolina, and its Supply Depot have long played a key role in our national defense and Charleston itself a key role since the Revolutionary War. We are very proud of and pleased with our role as home base for the fleet of Polaris Submarines, and the support which the Naval Supply Depot lends to our fleet all over the world. Second, please let me hasten to add that I am pleased to be here as a son of the Navy. As a veteran of the Navy, we welcome the opportunity to state before our mates and before the public that we cherish our association with what we consider to be the finest of our military organizations.

The commissioning of this submarine today adds another important link to our country's arsenal for freedom, for in all the debates which have taken place over the centuries there has never been disagreement, or at least disagreement that history and facts did not substantiate the Navy's long standing position that control of the seas was important to the defense of this nation and in fact to any nation. In order to maintain this position of strength for the present and long-term interest, this country must remain alert to the changing requirements. *Sea Devil* (SSN664) is evidence of this kind of alertness. The world changes fast these days, and the state of our naval arts perhaps one of the fastest. We should all be forever mindful for we can be quite sure that among the important factors in our naval defenses at the end of the next decade will be some which few people are seriously concerned with today. Yet our ability to safeguard the peace and the defense of our country is going to depend in large measure on our ability to keep peace NOW with the realities of defense as they change over the years. *Sea Devil II* and its counterparts represent the "now" in our national defense and I submit to you they are a very strong deterrent.

It was most gratifying and encouraging to read earlier this month that the Chairman of the House Armed Services Committee, the Honoroable L. Mendel Rivers, of Charleston, South Carolina, had introduced legislation to start a program for a new U.S. Navy. His plan, as you certainly read, calls for authorization of approximately $3.8 billion for construction of Navy ships in fiscal 1970. This is roughly three times as much as was allocated for 1969!

"Only with a new program can we begin to have a Navy with adequate modern equipment," Congressman Rivers stated.

"Since the Navy must have ships able to go into any part of any ocean on a moment's notice, the necessity of having nuclear propulsion in our Navy is greater than ever before," he emphasized.

I was pleased to see that three nuclear powered attack submarines similar to the *Sea Devil* are among the 19 new war ships proposed.

To those in our country who express deep concern for the amount of funds necessary for the defense of our country, it is the duty of all of us to keep them mindful of this: We must have the type of military power or such a preparedness so that the President of our great country can apply the measure and the kind of force appropriate to any provocation. This is vitally necessary in order that he may use force, when justified, with some confidence that history will judge his actions as serving the best interest of the nation and of the world, and not merely as a weapon for massive mutual destruction. Thus one fundamental prerequisite will be that our naval power must always provide a vast variety of capabilities suitable for dealing with a broad range of constituencies. Our naval power must not only serve to deter those who would misuse the seas and misjudge our motives, but also, if deterrents fail, serve to defend.

The bonus we get from such fine war vessels, like the one we are commissioning today, is that as they patrol the high seas which belong to all of us, we do not risk the political confrontations inherent in the stationing of ground troops and air units on foreign soil. A second bonus would be that they allow us to maintain our own state of readiness and balance without interference by outsiders. This nuclear type submarine *Sea Devil* (SSN664) represents this kind of balance in our naval power. God forbid that we should ever have naval personnel without the modern equipment and technology to do the job which needs to be done.

As we speak of "technology" one's mind has to turn to the builders of this most modern of our attack submarines, for without the knowledge and ability of this very fine old shipbuilding and drydock company such would not have been possible.

For more than three quarters of a century Newport News Shipbuilding and Drydock Company has had an outstanding reputation of building fine ships for the Navy. I understand that this yard has built about one third of our nuclear submarines. The performance of these submarines is truly a testimony to this very fine organization's workmanship.

The Contract for *Sea Devil* (SSN664) was awarded to the Newport News Shipbuilders on May 28, 1964 as part of a three-ship order amounting to $83,850,000. *Sea Devil* is the last of the three. This, we think, is further evidence of the Navy's confidence in the workmanship and abilities of this yard, for it is through the cooperation and dedication of industry working with government which have made this nation strong and will keep it strong.

As one who is working with our youth, we would only hope and pray that we are doing our part to continue to supply companies such as this with the personnel and know-how needed to carry on this fine work.

In our opinion, one of the finest traditions that the Navy has is to continue to keep alive the names of its fighting ships for all of them have a glorious past which should forever be a part of our continuing naval history. As families and industry strive to preserve their names for posterity, so does the Navy strive to preserve the names of her ships. The U.S.S. *Sea Devil* (SSN664) is the second ship of the fleet to bear the name of a giant ray fish noted for tremendous swimming power and great endurance.

She is named in commemoration of Submarine *Sea Devil* (SS400). It has been said that the past is only important in that it points up the needs of the future. In this instance we think it appropriate to mention the past as it relates to *Sea Devil* (SS400), in that it was a glorious past and certainly will serve as a motivating force for the pride that we share today in *Sea Devil II*.

Our first *Sea Devil* was built at the Portsmouth Navy Yard in Portsmouth, New Hampshire and her keel was laid November 1943. She was launched 28 February 1944, and was commissioned in the Portsmouth Yard 24 May 1944 with Commander Ralph E. Styles in command. During World War II she served with distinction, having made five war patrols and being responsible for the sinking of a total 29,519 tons of Japanese ships. During her glorious career she won five battle stars as well as the Navy Unit Commendation.

After the war, *Sea Devil* (SS400) was decommissioned and recommissioned from 1951 to 1954 and from 1957 to 1964, during which periods she engaged in training in the Far East and off our west coast. To round out a most noteworthy career, in 1963 she participated in exercises in conjunction with naval units of the Republic of South Korea, Nationalist China and the Republic of the Philippines. She was decommissioned for the last time 17 February 1964 when she was sunk as a target.

The keel of *Sea Devil II* was laid on April 12, 1966 and launched October 5, 1967. She is one of twenty-four vessels authorized by the Navy in the sturgeon class of nuclear attack submarines. These ships are 290 feet long and have a surface displacement of 4,140 tons. The new *Sea Devil* is equipped with the latest navigation and electronic systems, a computer-controlled weapons system which enables her to detect and attack targets at various distances. The characteristics combined with her ability to operate at high speeds for long periods of time and the environmental independence provided of nuclear propulsion, make a powerful weapon against surface ships and submarines alike.

Sea Devil II joins a group of attack type submarines making a total of thirty-eight. In addition to this, we also have forty-one Polaris Submarines, making a total of seventy-nine nuclear submarines in operation. Thus *Sea Devil II* becomes a part of a very potent submarine attack force which numbers approximately one-half of what Congress has presently authorized. I think it is worthy to note that *Sea Devil II's* trial runs were under the direction of Vice Admiral Hyman G. Rickover, who is considered to be the father of our nuclear submarines. Suffice it to say, *Sea Devil II* well represents its namesake—the powerful giant ray fish commonly known as "sea devil" and which is also known as the king of its species.

Needless to say, the US Navy has made tremendous strides since its first submarine, The U.S.S. *Holland*. From 1900 to January 1969 I think we can truthfully say we have made the Herculean step. It is highly possible that the type of attack submarine that we commission today was not dreamed of when the *Holland* was commissioned. It is of remarkable credit to this country and particularly to the Navy, to have had the kind of confidence that the Navy has had in the development of this so-called "new craft" or "new vessel" as was the case of the *Holland*. This is just another example of industry and government working cooperatively to meet common needs.

It is also interesting to note that in the first development of the submarine in the 1800s, it was thought by England that it would do more harm than good if it were adopted in that her enemies would copy it. But such is the challenge today—to keep not only abreast of the enemy but ahead. Again *Sea Devil II* represents this "ahead" in her class.

In a world which is beset with problems, and indeed in a country which is confronted with dealing with problems of a magnitude never witnessed before in the history of this country, as we prepare ourselves here today to defend this country from the outside, we must be forever cognizant of the presence of those who would attempt to destroy us from within. And, as you men of the Navy, indeed of *Sea Devil II* prepare to do your part, please be assured that we shall do everything in our power to do our part. Again I refer to those of us in rolls of leadership related directly to the preparing and educating of our youth and the responsibilities which we have to restore in the minds of our youth faith in our nation. We must have them believe, as you and I were taught and as I still believe, that our great nation was forged in a furnace of faith—a faith that free men will prevail no matter what the struggle. We must dispel the idea that we are a nation robbed of reason and rationality by riots and rage sweeping through every American city or some sort of uncontrollable civic insanity. We must convince our young people that breaking down of law and order does not establish that our entire nation has lost its way in a tangled jungle of emotion and extremism. We must have them believe that the foment and difficulties over these issues in our country today are not the sign of failure. They are not a sign that our national fabric is being ripped apart. They are a sign that irrational inequalities can not be suppressed. They are a sign that we must face the challenges and eliminate injustices that condemn some citizens to an environment that breeds despair and violence. These are some of our challenges as you do your part we wish to assure you that we shall be forever striving to do ours. We must carefully explain to our youth and indeed to some people in this country, that many of the problems which we see today are not really new; in fact, they are not the problems of America alone, they are problems which exist throughout the world. "When dead they have seen the end of war." I didn't say that first; Aristotle did.

So, what is our responsibility? As I see it, it is developing strong-hearted, resourceful men who, like yourselves, are willing to uphold and strengthen our Republic and a responsibility to show all concerned that this is a Republic which works and a kind of Republic which we all can look forward to in the future with confidence, courage, hope and spiritual strength so that you officers and men of this ship will know what you are working for and what you believe in is not lost.

The Atomic Age in itself is truly a challenge to the men of our Armed Forces today and certainly a great challenge to our Navy men whose branch of service has long been one of the most technical of all the Armed Forces.

The officers and enlisted men chosen to serve on this mighty vessel I am certain are among the finest that the country, and indeed the Navy, have to offer. One has only to read the background of your commander, Commander Currier, to erase any doubt that the responsibility of leadership of *Sea Devil II* is in good hands, for his training and experience will serve him well in this command. And, we would say, without reservation, not having had the opportunity to read the biographical sketches of the other men who will serve on this vessel, they too are as equally prepared to serve her well.

So, as *Sea Devil II* is commissioned today, I am confident with all of us working together—you providing another link for the defense of our country and freedom from without and we providing a link of strength and faith from within—the dedication which we pledge will always prevail and, with all your preparedness for combat, your very presence will guarantee smooth seas in a troubled world.

THE UNITED STATES AND HUMAN RIGHTS: A TIME FOR ACTION

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BROWN of California. Mr. Speaker, last year was designated by the United Nations General Assembly as "International Human Rights Year." During 1968 I urged Congress to ratify the U.N. Conventions on Genocide, Abolition of Forced Labor, Political Rights for Women, and Freedom of Association, all of which are now still pending before the Senate.

Unfortunately and inexplicably, no congressional action was taken. I say inexplicably because the United States has nothing to lose and everything to gain by ratifying these conventions. Indeed, these conventions seek nothing for the whole of the people of the world not already a birthright of every U.S. citizen.

Ratification would not require implementing legislation but simply represents affirmation of a genuine desire to universalize those rights which now exist in our Nation. On that basis, the United States should have been the very first to ratify these conventions.

Consider how we must appear in the eyes of the world. Even before we became a nation, the Declaration of Independence proclaimed existence of "certain unalienable rights" as the heritage of "all men." The first official action upon becoming a nation was passage of a Bill of Rights assuring all Americans these rights. Yet, for over 20 years the United States has refused to assert that these rights are due all men. Have we then rewritten the Declaration of Independence to read "some men"?

The Convention on Genocide was passed by the United Nations with strong U.S. support. The Convention on Freedom of Association—a right protected in the United States by the first amendment—was approved by the U.N. as a result of American initiative, as also was the Convention on Forced Labor. The Convention on Political Rights of Women covers rights already embodied in the 19th amendment—an amendment ratified almost 50 years ago. Yet, despite all this, Congress has not ratified even one of the four U.N. conventions.

The moral strength of this Nation as a world leader largely is bound up in our support for the rights and freedom of other people. And, what could more sap this moral strength than application of a dual standard of justice and freedom; one standard for Americans, and another—less rigorous—standard for the rest of the world. Such a practice is a repudiation of all that the United States stands for and believes in.

Our charred and terrified cities stand in mute testimony to the result of maintaining two classes of civil rights within our own borders. Will the entire world someday give like testimony to the results of maintaining two standards of human rights?

As a nation we say no longer can we tolerate existence of two classes of citizenship for Americans. How then can we implicitly support the concept of two classes of human citizenship by our refusal to ratify these conventions?

Do not mistake it: To admit to two classes of human rights is to admit to two classes of human beings. Refusal to ratify these conventions makes a hypocrisy of our supposed domestic commitment to equality—a fact undoubtedly noticed by interested parties, both foreign and domestic. America's position of influence in the world community stems, in large part, from a championing of human rights. Thus, it is in our interest to protect our moral reputation—or what remains of it after Vietnam—by swift ratification of the four conventions.

American interest is bound up in another way with the ratification of these conventions. In the words of President John F. Kennedy:

> The day-to-day unfolding of events makes it ever clearer that our own welfare is interrelated with the rights and freedoms assured the peoples of other nations.

President Kennedy devoutly believed human rights and peace to be intimately related and historically interdependent. He stated this relationship very well in his magnificent American University speech when he asked, "and is not peace, in the last analysis, basically a matter of human rights?"

Ratification of human rights conventions would be a significant step in demonstrating U.S. support for the United Nations, thereby strengthening the U.N. in its endeavors to foster international peace. A stronger U.N. has been a key objective of American foreign policy since the organization's founding in 1945. Every President since Harry S. Truman has actively committed himself to this goal.

The latest such commitment came from President Nixon on December 17, 1968, when he said, on the occasion of his visit to the United Nations as President-elect:

> I am honored to be here and I particularly wanted to come here with Secretary of State designate, Mr. Rogers, so that by this visit we could indicate our continuing support of the United Nations and our intention in the years ahead to do everything that we can to strengthen this organization as it works in the cause of peace throughout the world.

The importance of the United Nations as an alternative to unilateral action should be obvious to all in light of the tragic Vietnam debacle.

In terms of national commitment let us not forget that the United States is a signatory to the U.N. Charter—chapter IX, articles 56 and 55 of which read:

> All members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of . . . universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

We should remember that it was largely through American efforts that the human rights conventions were passed by the U.N. General Assembly. Thus the American Government both through treaty and subsequent action has committed itself to the support of these conventions. Failure to ratify them, therefore, must be seen not merely as a passive refusal to act but as an active repudiation of previous policy, and with it, a repudiation of the content of the conventions.

In short, the United States seems to be coming out against freedom of association, equal rights for women, abolition of forced labor, and prevention of genocide.

Yet, we here know that this is not the true indication of the American people. Consider the diverse groups who testified in support of the Genocide Convention—the American Legion, the AFL–CIO, the Salvation Army, the General Federation of Women's Clubs. That is only a partial list.

There is no question but that, if asked, the people of this Nation would rapidly and overwhelmingly ratify these conventions. Presidents Kennedy and Johnson have both published the strongest possible endorsements of the human rights conventions. In addition, human rights conventions which have reached the Senate floor have all been passed by unanimous votes.

So, once again, I say that our Nation's failure to ratify the United Nations human rights conventions is both inexplicable and inexcusable. Conscience and good sense urge us to act. Our people and our leaders are everywhere on record in support of these ideals. We have repeatedly failed to fulfill our obligations and to measure up to our pronouncements.

We must remove this 20-year-old blot by the speedy and enthusiastic ratification of all of the human rights conventions.

This is, of course, a matter for the Senate to act upon, but I feel that House support of these conventions is a necessary, if not sufficient, step to the formulation of a more positive American position of these conventions. It is because of this that I am introducing today a resolution in order to express the sense of the House of Representatives on the importance of U.S. ratification of the four human rights conventions.

PRESIDENT BALAGUER'S SPEECH TO THE SEVENTH INTER-AMERICAN SAVINGS AND LOAN CONFERENCE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, on January 27 my wife and I were privileged to be among those attending the opening of the seventh Inter-American Savings and Loan Conference in the Dominican Republic in the beautiful capital of Santo Domingo. Some 750 delegates from all over the Americas had come to participate in this meaningful conference to promote the great savings and loan industry which has already exhibited such phenomenal growth and is magnificently expanding. Upon this occasion all of us, including our distinguished U.S. Ambassador, the Honorable John Hugh Crimmins, were thrilled to hear the eloquent and inspiring address of the distinguished President of the Dominican Republic, the Honorable Joaquin Balaguer. President Balaguer, in words of moving beauty, challenged all of us in the Americas to meet our responsibilities in providing homes and a higher level of life for our people who are denied these blessings. He touched the hearts of all those who heard him by his deep sincerity and his devotion not only to making things better for the people of his great republic but for all of the people of all of the Americas and he called upon those who represented the savings and loan industry in the United States and in Latin America to take the lead in new programs which would produce greater happiness for the underprivileged of all of our countries.

It was particularly fitting, we all agreed, that the eminent President of the old land where Columbus first landed and opened up the vista of a new world should call upon us all to pioneer new institutions and open up vistas of a new life to the needy people of the Americas which Columbus discovered.

Mr. Speaker, I include the splendid address of this outstanding statesman of the Americas in full following my remarks, and I commend them to my colleagues and to my fellow countrymen:

Speech by the Honorable President of the Dominican Republic

Honorable Members of the Diplomatic Corps, Mr. Chairman, Honorable Delegates, the Dominican people receive, with keen interest and the warmest sympathy these representatives of friendly countries who will participate in the VII Interamerican Savings and Loan Conference which is inaugurated today in this, the oldest of the cities established in the hemisphere.

The joy with which we receive you here in our land is understandable because of the problem of housing. The principal focus of the agenda of this Conference is indeed one of the most urgent and important ones for a country such as the Dominican Republic which has one of the highest rates of population growth in the entire hemisphere and one of the most impressive deficits in the area of housing in the entire world of our time.

For many economists, no relation whatsoever exists between housing and the process of economic development. The housing deficit, according to this criterion, will improve as prosperity extends to all the economy and as the national income is distributed up to the point of covering, each time more extensive areas of the economically abandoned classes. Our opinion profoundly differs from this point of view. We believe that progress, in the housing field, is as influential and decisive in the general development of a country as is the upgrading of technical and educational levels. It would be difficult otherwise to conceive development in a country in which the majority of the population lives in almost primitive conditions up to the point of ignoring comfort and hygiene in their most elementary expression. A man, deeply involved in promiscuity, surrounded by a vicious moral and economical atmosphere in which only misery and abjection are breathed, is a lost dollar to the economy of a country and a negative factor to the ascending process of the community towards the goals of human excellence.

A good house, equipped with the minimum comfort required in modern living, constitutes a powerful educational instrument and forms one of the essential incentives for economic development and progress of the social institutions in any country. Thus, the importance that, in accordance with this criterion, the government ruling the destiny of this country, has given and will continue to give to a policy, vigorously aimed at providing hygienic homes for the Dominican population who has traditionally lived on the threshold of civilization, and deprived of their fundamental satisfactions. Only the limitation of our internal resources has prevented us from carrying out even further this policy that has however to its credit, worthwhile achievements not only in the urban zones but also in the rural areas. In a farm called "La Estrella", located a few kilometers from the capital city of the Republic, we have constructed a pilot project for the farmers established by the Dominican Agrarian Institute in that section. Our purpose is to spread this plan to all the areas in the Republic where the importance of these agrarian placements become feasible.

Many are of the opinion that the construction of good housing in the big cities, especially in the capital city of the Republic, helps stimulate the farmer's migration to the urban centers. This theory seems to be the opposite of our experience and of that of other Latin American countries, where it is easy to observe that farmers' migration to to the cities is due to a number of factors, the majority of which escape the control of authorities, those of the government, as well as those under municipal organizations. The truth is that the demographical explosion in some of our countries, like in the Dominican Republic, is greater in the farms than in the urban zones simply because the population of the rural zones almost duplicates that of the urban areas. The farmer migrates towards the city because farming, still almost in its primitive phase of development, is incapable of absorbing extra help on the farms which lack lands, even for small farming purposes. The rural migration, in short, is due not to the construction of homes in the city for low-income families but to the fact that on the farm there is a lack of land fit for the agrarian reform.

One of the present government's most debated activities is the preoccupation shown to this date, not only with the betterment of our housing deficits but also with the embellishment of or principal dominican cities. There are those who believe that before constructing a park or planning an avenue in any city, the official achievements in the agricultural and livestock sector should be extended, and technicians should be trained so that they can take charge, with strictly scientific criteria, of the national development process.

This is another point of view which we believe should not be accepted in the absolute terms in which it is presented by the government's opponents. We believe that the embellishment and grooming of the urban area form an integral part of our development and there is no possible progress in cities which remain dirty, park lawns full of weeds and their main streets badly paved. What we say about the man who inhabits a run-down hut, belittled by poverty and promiscuity can be also said about the man who inhabits in an urban area that depresses his spirit and project before his eyes a deplorable and discouraging hourly image. Art and Beauty, supreme manifestations of the spirit also constitute impelling development forces, since a beautiful statue, a magnificent avenue and a well-groomed garden arouse a man's imagination and create within him the urge to excel resulting everywhere in constructive and powerful achievements. The divine phrase: "Not only by bread liveth man" are renewed throughout the centuries in the mind of His Holiness Paul VI when he said: "Peace is the New Name for Development".

Another factor worth considering, not only for the Dominican Republic but also for its application in other latitudes, be they in or out of our hemisphere, is that of the almost imperious necessity to use housing construction planning to absorb a considerable part of the laborers who remain idle in the great urban zones. Here in our country, for example, we have applied the policy of using thousands of unemployed laborers for the cleaning and mowing of grass in the near outskirts of the capital city.

For similar reasons it is understandable that this same policy can be used to diminish unemployment by the production of housing projects for low-income people in the overpopulated areas. The construction industry, above other activities, has the advantage that it can give more numerous possibilities to the unemployed class. Therefore, housing projects not only resolve the living problem in a country for the many families of scarce resources who live almost unsheltered and who squeeze together like beasts in improvised huts, but these projects also constitute a powerful factor of political stability which can and should be used by governments to solve volcanic situations created by the private sector's incapability to offer remunerative employment to a mass that grows greatly every day, attracted by the mirage of finding productive occupations in the industry. One of the characteristic phenomena in Latin American countries where institutions of representative democracy have real effect, is the existence in all the great urban centers of political agitators who exploit the natural dissatisfaction of the unemployed classes in order to provoke disorders and create the appropriate social climate for their subversive activities. Therefore, the necessity to use housing as one of the most important aspects of the performance of every government that aims towards the development of his country without detriment to political liberty and with that minimum of comfort to which every man of all creeds and race is entitled in the human civilization of our days.

The countries in Latin America, united, not only geographically, but by the knowledge that each of them have of its community of destinies and ideals, have gathered together for the achievement of important matters in the field of the cultural and political integration and since some time past, also in the economic integration. The countries of the Southern Cone principally, have started to take decisive steps to bring to the economic field the profound solidarity established amongst them by the history and the geography. But there are still some problems which have a great social gravity in all the continent and which could be solved more rapidly if we could give economic solidarity an effectiveness as sound as that which is beginning to result from the cultural and political solidarity between all members of the great interamerican family.

Therefore, the greatest difficulty encountered by the housing projects intended to solve housing deficits in Latin America, is that of the financing, necessary not only for the housing destined for the sectors of low income but also to those groups in the average income classification who feel the necessity of owning their houses, with as much or more urgency than those in the marginal zones. Even in those prosperous countries of the continent and in those which have reached a greater scale of economic development the local savings are not sufficient to satisfy in that field, the growing requirements of Latin American people. If we could manage to create an interamerican cooperation system which would permit the usage, in the housing field, of the private capital lying idly in the banking institutions of many countries of the Hemisphere, surely this problem could be confronted everywhere under considerably more satisfactory conditions than the present. Within this system would fall certain provisions which should facilitate the attraction of local savings and the expansion of the mortgage portfolios of the entities dedicated to this type of activity in Latin America.

Since housing is after all an attractive business for private enterprise, it should be relatively easy to channel towards this field a great part of Latin American savings, as long as a guaranty system is applied by the public institutions for the benefit of those willing to invest in countries where the housing deficit is more alarming. In countries who, like the Dominican Republic, are still in the primary phase of development, the limitation of capital and the demand for money for other types of investment, necessarily reduce the possibility of directing the entire policy to providing homes for those unfortunate classes.

This fact not only holds in the combined state and private sectors as in the case of the Savings and Loan Systems, but also in those sectors operating exclusively with State funds.

There is one aspect of housing policy which cannot be underestimated by the authorities of any country. We refer to the progressive transformation into slums of many Latin American cities, including their capital cities, because of the indiscriminate construction of unattractive houses built in central areas which belong to the State, or are privately owned, or pertain to the municipalities or State Institutions. The formation of these slums not only detracts from the beauty of the city but also threatens the health and security of those people who build them against the law.

In order to confront this problem, which in our country has reached alarming proportions, during the last few years, the present government has had to use part of the funds which should be applied to other urgent necessities in order to save the city from becoming a sordid conglomeration of run-down shacks. The blame for this situation is not only on the municipal authorities and the government, but it falls also on the political misfortunes which during the last years have strongly punished the Dominican family. But, whatever be the causes of this condition, it is obvious that a stop must be made to the invasion of this deplorable housing in our capital city and to that anarchy in the construction of improvised housing. If the Dominican Government does not act energetically to provide hygienic living quarters to low-income families in these slums zones, and does not complete that programme with the construction of those great avenues, which are shown in the regulating plans for the capital city, as vital arteries for the embellishment of the city and its future expansion, it can be assured that within a few years we will have lost, together with the colonial enchantment that sprouts from our centenarian stones, the possibility of using the natural resources of our country which could convert this city into one of the most attractive in the Hemisphere. Our ideal should not be that tourists visit Santo Domingo as they would to a part of Africa, attracted to this corner of the continent because of its primitive ways or its ridiculously picturesque appearance and the anarchy of its constructions, but because of its cleanliness, the order and symetry of its residential suburbs and the absence, in the areas covered by the regulating plan, of the insulting spectacle of poor housing in which our worst social vices are nakedly displayed.

The magic word for every Latin American country is therefore: "Construct." Build hydroelectrical dams, open irrigation channels, multiply transportation means to make possible the exit of agricultural products towards the consumption centers, make drinking water available to all rural sectors, conquer every piece of suitable soil for the agrarian reform and place a decisive hand on housing, the most acute problem confronted today in all the continents subject to political and social destruction by the demographic explosion.

Another point, apparently insignificant, but worthwhile mentioning to this conclave regarding construction of houses with funds provided in part by international credit institutions, is the strict conditions established for the construction of standardized houses destined to low-income families and especially for laborers. Due to the poor flexibility of these loans, the institutions using them under the guaranty of the government, are sometimes forced to build houses which do not have the required sanitary conditions, if we take into consideration the composition of the family group to which they are assigned. Poor people in our country, as well as in other Latin American countries, have the largest families. The price to which the construction of these houses is subjected does not permit building them with sufficiently ample rooms to accommodate a family of a man, his wife and at least ten or twelve children. Hence the lack of interest shown by these laborers for whom the houses constructed with foreign funds, are built. There have been cases inclusively, where laborers and farmers reject this type of housing, refusing to habitate them because they consider them less comfortable than the huts in which they live almost unsheltered. Therefore, it is urgent that the institutions dedicated in each country to the construction of such housing, come up with a model house suitable to the atmosphere, living standards and the amount of persons per family to be favoured by these social plans.

Many of the most qualified experts in the housing field are participating in this VII Interamerican Savings and Loan Conference. The presence in our country of such capable and experienced technical personnel lead us all to believe that the decisions taken by this conclave will be of great significance to the technical improvement not only of the Savings and Loan Systems but also for the future successful construction and betterment of housing in Latin America.

The success of this Conference and its debates, which will be followed with great interest and profound sympathy by all Dominicans, will give us enormous satisfaction.

The interchange of experiences and the conscientious analysis of the different mechanisms put into practice in Latin American countries, above all, those for the promotion of Savings and the development of the so-called Secondary Market, will serve basically to all official organisms for the establishment of technical roots required in order to avail ourselves properly in the future of the results obtained from our mutual efforts in the search of adequate solutions to the housing problem in this part of the world. We are dealing with a technical problem, but of great incidence in the social, economic and political stability of Latin America. If there is anything explosive in our atmosphere, from Rio Grande to the Antarctic deserts, it is the uneasiness caused not only by our hungry masses but also by our unsheltered multitudes. Your work consequently, is of utmost importance for all our countries and on it we base our hopes of a better future for the dispossessed in our hemisphere and for an unshaky Latin America, political and socialwise. May God permit that your decisions meet our hopes and that the day is not far away when there will not be one sole family without a home and a piece of land where the national symbol will shine, synthesizing each country's history and destiny in its immortal colours.

RHODESIA: A NIXON OPPORTUNITY

(Mr. WAGGONNER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, while the Nixon administration goes about the rather formidable task it faces in cleaning up the rubbish, failures, and broken-down contraptions left by the Johnson administration, I hope that, when it comes across the file folder marked, "Rhodesia," a searching reexamination of our disastrous policy will be undertaken. It is a shameful chapter in this Nation's history and one that needs expunging in the worst way.

Thurman Sensing, executive vice president of the Southern States Industrial Council, says just about the same thing in a recent column which I would like to urge every Member to read.

A GOOD WAY TO BEGIN IS RHODESIA

In cleaning up the mess made by the last administration, President Richard M. Nixon will have his hands full. The catalog of errors made on the domestic and international fronts in the last eight years is enormously long. *A good way to begin, however, would be to rescind the Executive orders issued by former President Johnson authorizing economic sanctions against Rhodesia.*

The Johnson administration went into a tailspin in its handling of relations with independent Rhodesia. Though Rhodesia isn't the biggest problem on the international scene, the former administration's mistaken policy-making regarding that country is symptomatic of what's wrong with U.S. foreign policy in many parts of the world.

The last administration, like the Kennedy administration before it, alienated friends while it appeased foes. This was the case with respect to Rhodesia. The Rhodesians offered to send a contingent of soldiers to fight alongside the Americans in the struggle against communism in Vietnam. No black African country has ever come close to making such an offer. On the contrary, the nations of black Africa have been part of the chorus that shouted condemnation at the United States.

So what did the Johnson administration do? On July 29 of last year, Lyndon Johnson issued Executive Order No. 11419, prohibiting U.S. nationals from engaging in commercial and financial activities that would support the Rhodesian economy. What a way to treat a nation that extended the hand of friendship! The Executive Order backed up a resolution for sanctions that was pushed through the U.N. by the radical Afro-Asian bloc.

As a result of the order, American industry was refused permission to import chrome ore from Rhodesia, a highly strategic metal. Where did American purchasers have to turn ? The answer is "Russia."

But that was all right with the Johnson administration. While the Johnson administration was quick to punish Rhodesia, a Western-oriented nation with a free enterprise economy, it was all for "building bridges" to the Soviet Union and its communist satellites.

Though the former administration was all for applying thumb screws to the Rhodesians, it rejected economic sanctions or pressures against the Soviet Union after the Kremlin sent 600,000 men into Czechoslovakia in a shocking act of ruthlessness and terror.

It is time for the United States to discard the double standard that has been employed in the last eight years. If economic sanctions are to be employed, let's use them against enemies of the United States—the communist and socialist states that hate freedom. Let's not join any more U.N. lynch mobs that want to destroy friendly, progressive governments such as that of Rhodesia.

The Rhodesians have as much right as any people to enjoy independence on their own terms, as much right, for example, as the American colonists of 1776. They not only have the right to self-rule but they have the capacity for it. This is not the case with the majority of African countries, for their economies are in a state of chaos and their politics often are the politics of terror.

The extremists in and out of the U.N. try to present independent Rhodesia as a threat to the peace, when that country isn't menacing anyone and is in a state of internal peace. But the U.N. won't even consider the civil war in Nigeria which has resulted in the death of hundreds of thousands of Biafran secessionists and which also has led to the use of Soviet weapons on the African continent. The government of Kenya, another black African state, expels thousands of long-time Asian residents, but the U.N. doesn't do anything about that. The Johnson administration didn't issue any Executive Orders to reprimand Kenya or Nigeria.

President Nixon has a great opportunity to make a new start in foreign policy by ending the shame and hypocrisy of Executive Order No. 11419 issued by his predecessor. With a stroke of the pen, he can allow resumption of normal U.S. trade relations with Rhodesia. *This step logically should be a prelude to U.S. recognition of the government of independent Rhodesia and an exchange of ambassadors.*

From this action, the world would know that there's a "new broom" in Washington and that the mistakes of the past will be swept away. The world would know that henceforth the U.S. will reserve its hostility for foes of freedom and will give the anti-communist nations the support and solidarity they deserve.

THE CONSUMER, THE COMPUTER, AND THE BANK

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the Record.)

Mr. BINGHAM. Mr. Speaker, the chutzpah of the banks, the imperviousness of the computer, and the threat of a bad credit rating have combined to create a nightmare for the consumer.

I have previously deplored the practice of some credit card outfits in sending out credit cards unsolicited, tempting the unwary recipient by telling him or her that he has a shiny new line of credit up to $300.

I have now discovered that the situation is even worse than I had thought: once one receives one of these credit cards, he is stuck. He cannot get rid of the darned thing. Protesting letters go unanswered and notifications tumble in showing unidentifiable entries issued by a Frankenstein-like computer who will not listen to reason.

Here is my sad tale: some weeks ago I received a credit card, known as the "Bankamericard" from the State Street Bank & Trust Co. of Boston, issued to me—name slightly misspelled—at my home address. I promptly returned the card with an angry note saying I did not want it. Next I received a computer-issued statement showing a balance due under the credit card account in the amount of $10.79 for a purchase my wife had made by mail from S. S. Pierce & Co. of Boston. O woe, that such a fine old firm should lend itself to these monstrous practices. This was annoying enough. What made it worse was that my wife had already paid by check for the item ordered. I returned the statement with another angry note. I made sure to write the note on congressional stationery. "That ought to make them sit up and take notice," I thought. What naivete. The computer was wholly unimpressed.

Since then, I have received a second statement, showing $10 of the $10.79 as past due, with a 16-cent interest charge added to the balance, and two increasingly sharp "reminders" that my account is overdue.

I feel like a character in a Kafka novel. In desperation, I am making this public complaint on the floor of the House of Representatives. But what if I were not a Congressman? Would I simply have to submit to this outrage or find myself blacklisted by the credit reporting agencies?

Mr. Speaker, it is time to call a halt. I am today introducing legislation, similar to that already introduced by Senator Proxmire in the Senate, to prohibit the issuance of credit cards except upon request.

TO STRENGTHEN THE EQUAL EMPLOYMENT OPPORTUNITY ACT

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the Record.)

Mr. BINGHAM. Mr. Speaker, lack of true equal employment opportunity can produce nothing but frustration and despair for those who have the doors to factories and offices closed in their faces. Job discrimination has no place in American life.

The Congress affirmed this principle in 1964 by passing the Federal Equal Employment Opportunity Act. That act, has, in the 4 years since it became law, done a great deal to eliminate job discrimination in this country. But those 4 years have demonstrated that the instrument that Congress created is not strong enough. Former Attorney General Clark pointed out that the unemployment rate for Negroes is still twice that for whites, and that the problem is most acute for Negro teenagers entering the job market for the first time.

I am today introducing a bill to strengthen the act; it was originally introduced by my distinguished colleagues from California and New York, Mr. Hawkins and Mr. Reid. As they pointed out, the proposal would permit the Equal Employment Opportunity Commission to issue cease and desist orders enforceable by the courts and would extend coverage to employers and labor organizations with eight or more employees or members.

RURAL JOB DEVELOPMENT ACT OF 1969

(Mr. OLSEN asked and was given permission to extend his remarks at this point in the Record.)

Mr. OLSEN. Mr. Speaker, I introduced today a bill to encourage the development of new job-creating industries in rural areas, thus serving to expand the economic base and more fully and effectively utilize the human and natural resources of our rural communities.

Although several improvements have been made, the bill I introduced today is essentially the same as the Rural Job Development Act of 1967. This bill attempts to provide a judicious blend of private initiative and public responsibility to stimulate the economies of our rural society.

In the other body, this bill was introduced by a number of Democrats and Republicans alike. And I concur in their endorsement of the tax incentives for purpose of bringing new industry and business to the rural areas.

The overall theme of rural development has been referred to as rural revitalization, rural urban balance, and balanced urbanization. Whatever the label, we are all talking about the urgent necessity of expanding economic and social opportunities in our rural communities. I think it is clear to all that new jobs lie at the heart of the rural development effort. For unless we can create upward of 500,000 new and better jobs each year in our rural communities, nothing else we do will have any meaningful or lasting effect.

I include the full text of the Rural Job Development Act of 1969 at this point in the Record:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Rural Job Development Act of 1969".

DECLARATION OF PURPOSE

Sec. 2. The purpose of this Act is to increase the effective use of the human and natural resources of rural America; to slow the migration from rural areas due to lack of economic opportunity; and to reduce population pressures in urban centers resulting from such forced migration.

DEFINITIONS

Sec. 3. As used in this Act—

(1) The term "Secretary" means the Secretary of Agriculture.

(2) The term "rural job development area" means any area which the Secretary of Agriculture determines is—

(A) a county—

(i) no part of which is within an area designated as a standard metropolitan statistical area by the Bureau of the Budget.

(ii) does not contain a city whose population exceeds fifty thousand, and

(iii) in which more than 15 per centum of the families residing therein have incomes under $3,000 per annum; or

(B) a county defined in paragraph (A)(i) and (ii) in which for the most recent five years employment has declined at an annual rate of more than 5 per centum; or

(C) an Indian reservation or a native community designated by the Secretary after consultation with the Secretary of the Interior; or

(D) a county defined in paragraph (A)(i) and (ii) and is undergoing or is likely to undergo a substantial emigration of persons residing therein (other than military personnel and their dependents) as a consequence of the closing, or curtailing of operations, of an installation of the Department of Defense.

The Secretary's findings under this subsection shall be made on the basis of the most recent satisfactory data available to him.

(3) The term "person" means an individual a trust, estate, partnership, association, company, or corporation.

(4) The term "industrial or commercial enterprise" means any of the following types of business engaged in, by any person, through an industrial or commercial facility,

(A) the manufacture, production, processing, or assembling of personal property—

(i) for sale to customers in the ordinary course of business excluding any part of the activities of such business consisting of retail sales and leases or

(ii) for use in such person's business,

(B) the distribution of personal property as principal or agent, including, but not limited to, the sale, leasing storage, handling, and transportation on thereof but excluding any part of the activities of such business consisting of retail sales and leases, or

(C) the construction of any building in a rural job development area as contractor for, or for sale to, any customer, but only in the case of a person engaged in the business of constructing such buildings as a contractor for, or for sale to, customers.

The term "industrial or commercial enterprise" does not include the activities of selling, leasing, or renting out of real property including the selling or leasing or renting out of a factory, workshop, office, warehouse, sales outlet, apartment house, hotel, motel, or other residence, or the lending of money or extending of credit.

(5) The term "industrial or commercial facility" means a fixed place of business, in which an industrial or commercial enterprise is wholly or partly carried on, including but not limited to:

(A) a place of management or office,

(B) a factory, processing facility, plant, or other workshop,

(C) a warehouse or sales outlet,

(D) a center for the transportation, shipping, or handling of property.

(E) a recreation facility, including guest accommodations constructed as part of such a facility, providing recreation to the public for a charge or fee which is (i) not inconsistent with State recreation plans, approved by the Bureau of Outdoor Recreation, (ii) other recreation facilities consistent with local economic development plans, but no benefit shall be granted for recreation facilities where the tax credit would result in an undue local competitive advantage.

The term "industrial or commercial facility" does not include any store, or other premises, or portion of premises used as a retail facility.

(6) The term "retail sale or lease" means a sale or lease made to a party whose payments therefor do not constitute the expenses or costs of a business.

(7) The term "retail facility" means a store, premises, or portion of premises in which a substantial percentage of the sales or leases are retail sales or leases.

TITLE I—ELIGIBILITY FOR ASSISTANCE CERTIFICATION

Sec. 101. (a) The Secretary shall issue a certificate of eligibility for benefits under this Act to any person, who is engaged in an industrial or commercial enterprise, through a new industrial or commercial facility (or a new portion of such a facility) located in a rural job development area, if—

(1) such facility has been approved by local authority as consistent with local zoning ordinances and economic and physical planning;

(2) such facility (or new portion thereof) was placed in service by the person to whom the certificate is to be issued in a rural job development area in the first taxable year of the certification period;

(3) placing such facility (or new portion thereof) in service has resulted in regular, full-time employment by such person of at least ten additional persons;

(4) at least 50 per centum of the persons employed at such facility (including the existing portion of an expanded facility) in such first taxable year are (A) persons who reside within such rural job development area or any other rural job development area within reasonable commuting distance of such facility; or (B) persons who within the three years preceding the commencement of their employment (i) have served at least one year on active duty in the Armed Forces of the United States or (ii) have been enrolled for at least one year in the Job Corps;

(5) the Secretary determines that the industrial or commercial enterprise was not relocated from one area to another except that he may waive this requirement if (A) the establishment of such industrial or commercial facility will not result in an increase in unemployment in the area of original location (or in any other area where such enterprise conducts business operations), or (B) such industrial or commercial facility is not being established with any intention of closing down the operations of such enterprise in the area of its original location or in any other area where it conducts such operations;

(6) the person to whom the certificate is to be issued agrees, in such form and manner as the Secretary may prescribe, to maintain records listing the names and residences of all full-time employees at the industrial or commercial facility for which the certificate is being issued, the date on which they were hired, their employment, their residences and economic situation at the time of hiring, and any other information reasonably required by the Secretary for the purposes of this title; and

(7) the Secretary determines that the expected benefits to employment and to other aspects of the economic and social welfare of such rural job development area warrant the granting of the income tax incentives under title II of this Act as to the capital investment in such industrial or commercial facility.

(b) The Secretary shall issue a separate certificate of eligibility with regard to each industrial or commercial facility (or new portion thereof) which meets the requirements of subsection (a) regardless of whether such facility is operated by any person as part of a single industrial or commercial enterprise.

(c) The Secretary shall issue a certificate of eligibility for benefits under this Act to any person who is a successor in interest to any person operating an industrial or commercial enterprise which has established an industrial or commercial facility in a rural job development area and with respect to which facility a certificate of eligibility was issued under subsection (a), if—

(1) such person agrees to continue to use the facility as an industrial or commercial facility, and to conform to the requirements of subsection (a); and

(2) the issuance of such certificate is in accordance, as determined by the Secretary, with the policy set forth in subsection (a) (5) respecting the relocation of industry.

(d) The Secretary shall terminate a certificate of eligibility issued to any person under this section to operate an industrial or commercial facility whenever he determines, after an appropriate hearing, that the person to whom such certificate was issued has failed, after due notice and a reasonable opportunity to correct the failure at such facility, to carry out its agreement under subsection (a) (4). In making a determination under this subsection, the Secretary shall be guided by, but not limited to, the following criteria:

(1) a reduction in the number of qualified jobs provided by any such enterprise below the minimums specified in subsection (a) (4), shall not be grounds for termination of a certificate of eligibility issued to such enterprise, if the Secretary determines that (i) such reduction results from business or economic factors beyond the control of such enterprise, and (ii) not less than two-thirds of all the persons employed full-time in such jobs by such enterprise to meet the requirements of subsection (a) (4), continue to meet those requirements,

(2) a change in the residence of any person employed by such enterprise, after his employment has commenced, shall not affect his status for purposes of applying section (a) (4).

(e) The Secretary may waive all or part of the requirements specified in subsection (a) (4) if he finds that the operation of a facility requires skills that are not available within the rural job development area and that the expected benefits to other aspects of the economic and social welfare of the rural job development area warrant the granting of tax incentives under title II of this Act.

(f) Each certificate of eligibility issued under this section shall describe the industrial or commercial enterprise and the industrial or commercial facility (or the portion thereof) with respect to which it is issued in such detail as may be necessary for purposes of administering the income tax incentives under title II of this Act.

(g) The Secretary shall keep interested and participating Federal, State, and local agencies fully apprised of any action taken by him under this section.

(h) No certificate of eligibility shall be issued under this section to any person, unless application therefor is received by the Secretary prior to the expiration of ten years after the date of enactment of this Act.

REPORTS

Sec. 102. (a) the Secretary may by regulation require any person to whom a certificate of eligibility is issued under section 101 to file such reports from time to time as he may deem necessary in order to carry out his functions under this title.

(b) Whoever, in any report required to be filed under this section, knowingly makes a false statement of a material fact, shall be fined not more than $——— or imprisoned for not more than ——— years, or both.

TITLE II—TAX INCENTIVES

INCOME TAX CREDIT FOR INVESTMENT IN DEPRECIABLE PROPERTY IN RURAL JOB DEVELOPMENT AREAS

Sec. 201. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as 41, and by inserting after section 39 the following new section:

"Sec. 40. Investment in certain depreciable property in rural job development areas.

"(a) General Rule.—There shall be allowed, as a credit against the tax imposed by this chapter, the amount determined under subpart C of this part.

"(b) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and subpart C."

(b) Part IV of subchapter A of chapter 1 of such Code (relating to credits against tax) is amended by adding at the end thereof the following new subpart:

"Subpart C—Rules for computing credit for investment in certain depreciable property in rural job development areas

"Sec. 51. Amount of credit.
"Sec. 52. Certain dispositions, etc., of section 40 property.
"Sec. 53. Definitions; special rules.

"Sec. 51. Amount of credit.

"(a) Determination of Amount.—

"(1) General rule.—The amount of the credit allowed by section 40 for the taxable year shall be equal to:

"(A) 7 percent of the qualified expenditures (as defined in section 53(b)) made during taxable year in regard to section 40 real property (as defined in section 53(a) (3), and

"(B) 14 percent of the qualified expenditures made during the taxable year in regard to section 40 personal property (as defined in section 53(a) (4)).

In the case of qualified expenditures made with respect to a section 40 facility (as defined in section 53(a)(5)) which is located in a rural development area (as defined in section 3(2) of the Rural Job Development Act of 1969) which has a population density of less than 25 persons per square mile, the percentages specified in subparagraphs (A) and (B) shall be 10 percent and 17 percent, respectively.

"(2) Limitation.—Notwithstanding paragraph (1), the credit allowed by section 40 for the taxable year shall not exceed the taxpayer's liability for tax for such year.

"(3) Liability for tax.—For purposes of this section, the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax-exempt interests),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph, any tax imposed for the taxable year by section 531 (relating to accumulated earnings tax), section 541 (relating to personal holding company tax), or section 1378 (relating to tax on certain capital gains of subchapter S corporations), and any additional tax imposed for the taxable year by section 1351(d)(1) (relating to recoveries of foreign expropriation losses), shall not be considered tax imposed by this chapter for such year.

"(b) Carryback and Carryover of Unused Credits.—

"(1) Allowance of credit.—If the amount of the credit determined under subsection (a)(1) for any taxable year exceeds the taxpayer's liability for tax for such taxable year (hereafter in this subsection referred to as the 'unused credit year'), such excess shall be—

"(A) a section 40 credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(B) a section 40 credit carryover to each of the 10 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by section 40 for such years, except that such excess may be a carryback only to a taxable year ending after the date of the enactment of the Rural Job Development Act of 1969. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 13 taxable years to which (by reason of subparagraphs (A) and (B), such credit may be carried and then to each of the other 12 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(2) Limitation.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the taxpayer's liability for tax for such taxable year exceeds the sum of—

"(A) the credit allowable under subsection (a)(1) for such taxable year, and

"(B) the amounts which, by reason of this subsection, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"Sec. 52. Certain Dispositions, Etc., of Section 40 Property.

"(a) General Rule.—Under regulations prescribed by the Secretary or his delegate—

"(1) Early dispositions.—If section 40 property (as defined in section 53(a)(2)) is disposed of, or otherwise ceases to qualify as section 40 property with respect to the taxpayer, the tax under this chapter for the taxable year in which the disposition occurs shall be increased by an amount equal to the credits allowed under section 40 for prior taxable years for qualified expenditures (as defined in section 53(b)) which were made—

"(A) in the case of section 40 real property (as defined in section 53(a)(3)) within 10 years before the date of the disposition, or

"(B) in the case of section 40 personal property (as defined in section 53(a)(4)) within 4 years before the date of the disposition.

This paragraph shall not apply to any qualified expenditures with respect to which there has been an increase of tax under paragraph (2).

"(2) Termination of certificates.—If the section 40 certificate (as defined in section 53(a)(1)) is terminated under section 101 (d) of the Rural Job Development Act of 1969, with respect to a section 40 facility of the taxpayer—

"(A) the taxpayer's tax under this chapter for the taxable year in which the termination occurs shall be increased by an amount equal to the credits allowed under section 40 for prior taxable years for qualified expenditures which were made in accordance with section 53(b)(3) within 3 years before the date of the termination with respect to all section 40 property used at, or in connection with, such facility; and

"(B) the taxpayer's gross income for the taxable year in which the termination occurs shall be increased by an amount equal to the deductions allowed to the taxpayer under section 183 in such taxable year and the 2 preceding taxable years with respect to employees employed at such facility.

"(3) Carrybacks and carryovers adjusted.—In the case of any disposition described in paragraph (1) or any termination described in paragraph (2), the carrybacks and carryovers under section 51(b) shall be adjusted.

"(b) Section Not To Apply in Certain Cases.—Subsection (a) shall not apply to—

"(1) a disposition by reason of death,

"(2) a disposition to which section 381 (a) applies,

"(3) a disposition necessitated by the cessation of the operation of a section 40 facility where the Secretary of Agriculture certifies that such cessation results from economic factors beyond the control of the section 40 business (as defined in section 53(a)(6)), or

"(4) a disposition on account of the destruction or damage of section 40 property by fire, storm, shipwreck, or other casualty, or by reason of its theft.

For purposes of subsection (a), property shall not be treated as ceasing to be section 40 property with respect to the taxpayer by reason of a mere change in the form of conducting the section 40 business so long as the property is retained in such business as section 40 property and the taxpayer retains a substantial interest in such business.

"Sec. 53. Definitions; Special Rules.

"(a) Section 40 Certificate, Etc.—For purposes of this chapter—

"(1) Section 40 certificate.—The term 'section 40 certificate' means a certificate of eligibility issued by the Secretary of Agriculture under section 101 of the Rural Job Development Act of 1969.

"(2) Section 40 property.—The term 'section 40 property' means property which, in regard to a taxpayer conducting a section 40 business—

"(A) is of a character which is subject to the allowance for depreciation provided in section 167 and which is not property of a kind which would properly be includible in the inventory of the taxpayer if on hand at the close of the taxable year or which is not property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business,

"(B) will be used by such taxpayer (i) as a section 40 facility, (ii) as an integral part of, or in the operation of, any such facility, (iii) in furnishing transportation, communications, electrical energy, gas, water, or sewerage disposal primarily to any such facility, and

"(C) has at the time it is first used by such taxpayer after such taxpayer has been issued a section 40 certificate in regard to the section 40 facility at, or in connection with which, such property is used, a useful life of at least (i) 4 years in the case of section 40 personal property, (ii) 10 years in the case of section 40 real property.

Property shall not be treated as section 40 property if, after its acquisition by the taxpayer, it is used by a person who used such property before such acquisition (or by a person who bears a relationship described in section 179(d)(2) (A) or (B) to a person who used such property before such acquisition).

"(3) Section 40 real property.—The term 'section 40 real property' means section 40 property which is section 1250 property (within the meaning of section 1250(c)).

"(4) Section 40 personal property.—The term 'section 40 personal property' means section 40 property which is section 1245 property (within the meaning of section 1245 (b)).

"(5) Section 40 facility.—The term 'section 40 facility' means an industrial or commercial facility (as defined in section 3(5) of the Rural Job Development Act of 1969) which is specified by the Secretary of Agriculture in a section 40 certificate.

"(6) Section 40 business.—The term 'section 40 business' means an industrial or commercial enterprise (as defined in section 3(4), of the Rural Job Development Act of 1969) with respect to which a section 40 certificate has been issued which has not been terminated under section 101(d) of such Act.

"(b) Qualified Experiences.—

"(1) In general.—The term 'qualified expenditures' means, with respect to each taxable year, expenditures by the taxpayer—

"(A) properly chargeable to capital account,

"(B) paid or accrued for—

"(i) the manufacture, production, construction, or erection of section 40 property,

"(ii) the acquisition of section 40 property by a purchase (as defined in section 179 (d) (2) and subsection (d) of this section), or

"(iii) the reconstruction, permanent improvement, or betterment of section 40 property, and

"(C) made before the close of the 10-year period beginning with the date on which a section 40 certificate is first issued to any person with respect to the section 40 facility, at, or in connection with which, such property is used.

"(2) Limitation.—Expenditures in regard to section 40 real property shall be treated as qualified expenditures only if the construction, erection, acquisition, or reconstruction, permanent improvement, or betterment for which such expenditures are made, conforms to the standards prescribed by the Secretary of Agriculture.

"(3) Year of qualified expenditures.—All qualified expenditures shall be deemed made in the taxable year in which—

"(A) in the case of qualified expenditures for the manufacture, production, construction, erection, or acquisition by purchase of section 40 property, the year in which the section 40 property is placed in service, and

"(B) in the case of qualified expenditures for the reconstruction, permanent improvement, or betterment of section 40 property, the year in which the section 40 property as reconstructed, improved, or bettered as a result of the qualified expenditure is placed in service.

For purposes of this paragraph, any manufactured, produced, constructed, erected, or acquired section 40 property, or any reconstructed, improved, or bettered section 40 property, shall be deemed placed in service in the taxable year in which such manufactured, produced, constructed, erected, or acquired section 40 property, or such section 40 property as reconstructed, improved, or bettered, first becomes subject to depreciation by a taxpayer computing depreciation on a daily basis.

"(4) Replacement property.—If section 40 property is manufactured, produced, constructed, erected, reconstructed, or acquired to replace property which was destroyed or damaged by fire, storm, shipwreck, or other casualty, or was stolen, the qualified expenditures with respect to such section 40 property which would (but for this paragraph) be taken into account for purposes of section 51(a) shall be reduced by an amount equal to the amount received by the taxpayer as compensation, by insurance or otherwise, for the property so destroyed, damaged, or stolen, or to the adjusted basis of such property, whichever is the lesser.

"(c) Certain Leased Property.—A person who is a lessor of property, which in the hands of the lessee constitutes section 40 property, may (at such time, in such manner, and subject to such conditions as are provided by regulations prescribed by the Secretary or his delegate) elect with respect to any section 40 property, as to which no prior credit under section 40 has previously been taken, to treat the lessee as having purchased such property for an amount equal to—

"(1) except as provided in paragraph (2), the fair market value of such property, or

"(2) if such property is leased by a corporation which is a member of an affiliated group (within the meaning of section 46(a)(5)) to another corporation which is a member of the same affiliated group, the basis of such property to the lessor. If a lessor makes the election provided by this subsection with respect to any property, the lessee shall be treated for all purposes of this subpart as having acquired such property. For purposes of this subpart, the useful life of property in the hands of the lessee is the useful life of such property in the hands of the lessor.

"(d) Subchapter S Corporation.—In the case of an electing small business corporation (as defined in section 1371)—

"(1) the qualified expenditures for each taxable year shall be apportioned pro rata among the persons who are shareholders for such corporation on the last day of such taxable year, and

"(2) any person to whom any expenditures have been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expenditures, and such expenditures shall not (by reason of such apportionment) lose their character as qualified expenditures.

"(e) Estate and Trusts.—In the case of an estate or trust—

"(1) the qualified expenditures for any taxable year shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each, and

"(2) any beneficiary to whom any expenditures have been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expenditures, and such expenditures shall not (by reason of such apportionment) lose their character as qualified expenditures.

"(f) Cross Reference.—'For application of this subpart to certain acquiring corporations, see section 381(c)(24)'."

(c) Section 48(a) of such Code (relating to definition of section 38 property) is amended by adding at the end thereof the following new paragraph:

"(7) Section 40 property.—Any property which is section 40 property (as defined in section 53(a)(2)) shall not be treated as section 38 property to the extent that expenditures for the manufacture, production, construction, erection, reconstruction, permanent improvement, betterment, or acquisition of such property constitute qualified expenditures (as defined in section 53(b))."

(d) Section 381(c) of such Code (relating to carryovers in certain corporate acquisitions) is amended by adding at the end thereof the following new paragraph:

"(24) Credit under section 40 for investment in certain depreciable property in rural job development areas. The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 40, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 40 in respect to the distributor or transferor corporation."

(e)(1) The table of subparts for part IV of subchapter A of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"Subpart C—Rules for computing credit for investment in certain depreciable property in rural job development areas."

(2) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 40. Investment in certain depreciable property in rural job development areas.

"Sec. 41. Overpayment of tax."

(3) Part V of subchapter A of chapter 1 of such Code (relating to tax surcharge) is amended—

(A) by renumbering section 51 as 56, and

(B) by striking out "51" in the table of sections and inserting in lieu thereof "56."

DEPRECIATION DEDUCTION

Sec. 202. Section 167 of the Internal Revenue Code of 1954 (relating to depreciation) is amended by redesignating subsection (j) as (k) and by inserting after subsection (i) the following new subsection:

"(i) Section 40 Property.—

"(1) Useful life.—At the election of the taxpayer—

"(A) the useful life of any property which is section 40 property (as defined in section 53(a)(2)) shall, for purposes of this section, be 66⅔ percent of the useful life of such property determined without regard to this paragraph; and

"(B) the guideline class lives prescribed by the Secretary or his delegate which are applicable to any property which is section 40 property shall, for purposes of this section, be 66⅔ percent of the guideline class lives applicable to such property determined without regard to this paragraph.

An election under this paragraph shall be made at such time and in such manner as the Secretary or his delegate prescribes by regulations.

"(2) Nearest full year.—If the useful life or guideline class life of any property as determined under subsection (i) includes a fraction of a year, such useful life shall be deemed the nearest full year.

"(3) Reserve ratio tests.—In justifying class lives used for purposes of the deduction allowed by this section under the reserve ratio tests prescribed by the Secretary or his delegate, a taxpayer who makes an election under paragraph (1)(B) shall, for all purposes, be deemed to have utilized class lives equal to 150 percent of those applicable determined without regard to this subsection.

"(4) Salvage value.—In determining the salvage value of section 40 property subject to an election under paragraph (1), the useful life of the property shall be deemed that life which would be applicable without regard to paragraph (1).

"(5) Exception.—No election may be made under paragraph (1) with respect to any section 40 property which is placed in service after the expiration of the 10-year period beginning on the date on which a section 40 certificate (as defined in section 53(a)(1)) is first issued to any person for the section 40 facility (as defined in section 53(a)(5)) at, or in connection with which, such section 40 property is used."

NET OPERATING LOSS CARRYOVERS

Sec. 203. Section 172 of the Internal Revenue Code of 1954 (relating to net operating loss deduction) is amended—

(1) by striking out "(D), and (E)" in subsection (b)(1)(B) and inserting in lieu thereof "(D), (E), and (F)";

(2) by adding at the end of subsection (b)(1) the following new subparagraph:

"(F) The portion of a net operating loss for any taxable year to which (under subsection (1)) this subparagraph applies which is allocable to the operation of a section 40 business (as defined in section 53(a)(6)) through a section 40 facility (as defined in section 53(a)(5)) shall be a net operating loss carryover to each of the 10 taxable years following the taxable year of such loss."

(3) by redesignating subsection (1) as (m), and by inserting after subsection (k) the following new subsection:

(1) Carryover of Net Operating Losses of Section 40 Businesses.—Subsection (b)(1)(F) shall apply, with respect to the operation of a section 40 business through a section 40 facility, only to a net operating loss for (A) the taxable year in which the operation of such facility is begun by any section 40 business under a section 40 certificate (as defined in section 53(a)(1)), or (B) any of the 9 succeeding taxable years."

SPECIAL DEDUCTION FOR COMPENSATION PAID DURING TRAINING OF EMPLOYEES

Sec. 204. (a) Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to itemized deductions for individuals and corporations) is amended by adding at the end the following new section:

"Sec. 183. Special deduction for certain businesses operating in rural job development areas.

"(a) General Rule.—In the case of any person engaged in a section 40 business (as defined in section 53(a)(6)), there shall be allowed as a deduction for the taxable year (in addition to any deduction under section 162) an amount equal to 50 percent of the compensation paid or incurred in money during the taxable year to each employee who—

"(1) satisfies the requirements of section 101(a)(4) (A) or (B) of the Rural Job Development Act of 1969,

"(2) performs substantially all of his services as an employee at a section 40 facility (as defined in section 53(a)(5)) through which such section 40 business is conducted, and

"(3) is receiving training to acquire the skills necessary to perform (A) the position or job in which he is employed or (B) another position or job as an employee at such section 40 facility.

"(b) Limitations.—

"(1) IN GENERAL.—The deduction under subsection (a) shall be allowed with respect to the compensation of an employee only—

"(A) if the Secretary of Labor certifies that such employee requires training to acquire the skills in order to perform satisfactorily the position or job in which he is employed or for which he is being trained, and

"(B) for the period that the Secretary of Labor certifies that such training is so required.

"(2) DELEGATION OF DUTIES.—The Secretary of Labor may perform his duties under paragraph (1) through the United States Employment Service or through such State agencies as he may prescribe."

(b) The table of sections for part VI of subchapter B of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"SEC. 183. Special deduction for certain businesses operating in rural job development areas."

EFFECTIVE DATE

SEC. 205. The amendments made by this title shall apply to taxable years ending after the date of the enactment of this Act.

TITLE III—MISCELLANEOUS PROVISIONS

ECONOMIC AND BUSINESS DATA

SEC. 301. The Secretary may collect, analyze, and publish data pertaining to investments in various types of enterprises in relation to employment, inventories of resources, unemployment and underemployment, suitability of potential locations for various types of enterprises, qualifications, and skills and training needs of the labor force in various areas, market information, and other economic subjects, for use in carrying out the purposes of this Act and for the information and guidance of businessmen who may seek to establish job-creating enterprises in rural job development areas. In the connection of such data, existing sources and facilities shall be utilized to the maximum extent feasible.

NATIONAL ADVISORY COMMITTEE

SEC. 302. The Secretary may appoint a National Advisory Committee on Rural Industrialization which shall consist of twenty-five members and shall be composed of representatives of business, industry, labor, agriculture, State, and local governments, and the general public. The Secretary shall designate a Chairman from the members appointed to such Committee. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

ANNUAL REPORT

SEC. 303. The Secretary shall make a comprehensive and detailed annual report to the Congress of his operations under this Act for each fiscal year beginning with the fiscal year ending after the date of enactment of this Act. Such report shall be transmitted to the Congress not later than January 3 of the year following the fiscal year with respect to which such report is made.

APPROPRIATIONS AUTHORIZED FOR INFORMATION PROGRAM

SEC. 304. (a) The Secretary is authorized to collect and disseminate relevant economic data and to serve as an information clearinghouse for local communities and businesses considering establishing job-creating enterprises in job development areas. Information programs under this section shall include—

(1) telling businessmen of the advantages of locating plants in rural America;

(2) providing a site location and analysis service; and

(3) assisting in the coordination of community, State, and Federal programs for industrial and community development.

(b) There is authorized to be appropriated $250,000 for each fiscal year to carry out the provisions of this section.

A BILL DESIGNED TO SAVE LIVES

(Mr. ZWACH asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ZWACH. Mr. Speaker, I am introducing a bill today designed to save lives. It is an idea that has been favorably considered and recommended by many civic minded groups and individuals.

The bill simply directs the Interstate Commerce Commission to promulgate a regulation requiring railroad cars to be equipped with some luminous reflector materials.

We are not talking about some astronomical sum of money, nothing like the costs of seat belts and other passenger safety equipment for automobiles. We are not talking about a program that will take 2 years of study—reports and recommendations. The purpose of this bill can be accomplished in a very short time and it can save many lives.

Today, when more young people are using the highways at night, and when it is fashionable for more young people to travel to nighttime school activities, the need is ever greater for this simple warning program.

I urge your consideration and support for this bill.

SOCIAL SECURITY AMENDMENTS

(Mr. ZWACH asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ZWACH. Mr. Speaker, our Nation of over 200 million population has been conditioned to respond nearly automatically to various signals or words. One of these action-producing words is, and has been, the word "Fire." Another phrase is the question, "Is there a doctor in the house?"

Today, I want to use both of these words in order to get the remedial action needed to quench the worst fire that we may ever experience. The fire I am referring to is the inflationary one. It is galloping, it is uncontrolled, it is ravaging, it is completely destructive, and it may—unless counteraction is taken very soon—may be completely uncontrollable.

Already we have definite signs of the impoverishment and crippling effects of this long, well-fed fire among our elderly, and those who are retired. It also has caused many hopes and dreams of parents to crumble into ashes for a chance for education for their children.

Inflation can be stopped by an orderly withdrawal of our destructive governmental habit of engaging in spending beyond our income and thus mortgaging future earnings of all citizens. However, in addition some palliatives are needed for those who have been so horribly burned from unwise promises. I am offering two bills today to provide that palliative.

One will amend the Social Security Act to provide an automatic cost-of-living increase to social security recipients. These people are locked into a dollar limitation by law, regardless of the quality of that dollar. I believe this bill has a great deal of merit and should be passed by this Congress.

The second bill also amends the Social Security Act and will be of major assistance to not only the individuals involved, but also to our Nation. The bill simply allows social security pensioners to earn $250 per month instead of the present $140 per month. This increased allowance is still below the so-called poverty level and is, I believe, a reasonable request. The passage of this amendment could have a very beneficial effect on the present-day costs and usage of the medicare program.

I urge consideration of these amendments.

NEEDED HELP PROVIDED FOR TEACHERS

(Mr. ZWACH asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ZWACH. Mr. Speaker, educators report that the present rate of knowledge tends to double itself in 7 to 10 years. This tremendous avalanche cannot be assimilated by daily perusal of our newspapers or periodicals. It is necessary, at times, to engage in intensified educational programs to do this.

The need to provide the basic knowledge to young, inquisitive minds was never greater—thus throwing a greater responsibility on our teachers.

However, as conscientious as our teachers are and as willing to take the special courses, it too often becomes an impossibility because of the lack of individual finances or inability to deduct this cost from his gross income. Therefore, I have introduced a bill today which will amend the Internal Revenue Code to allow teachers to deduct from their gross income the expenses incurred in pursuing those courses for academic credit.

The bill also authorizes some deductions for the expenses incurred in traveling to and from such institutions where the academic courses are offered.

STOP "DE FACTO" GUN REGISTRATION

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HALL. Mr. Speaker, the results and effects of the 1968 gun registration are finally being felt. In that legislation the Treasury Department was delegated authority to issue rules and regulations pertaining to the sale of ammunition. And issue regulations they did.

These regulations, drafted in the waning days of the Johnson administration, call for the businessman to obtain the following information from the purchaser: first, date; second, manufacturer; third, caliber, gage, or type of component; fourth, quantity; fifth, name; sixth, address; seventh, date of birth;

eighth, mode of identification—driver's licenses—other—specify.

The Treasury has grossly misinterpreted the will and intent of Congress. They have created a bureaucratic monster that creates "backdoor" or "de facto" gun registration. The Congress specifically and decisively defeated an amendment last year that would provide for gun licensing and registration. I, along with an overwhelming majority, voted against such a proposal.

Mr. Speaker, in addition to the "de facto" registration feature to the Treasury regulations, a clerical and "redtape" burden has again been placed upon our businessmen. It would be difficult to estimate how many Government forms they must already fill, complete, and file. Now, we are adding one more.

To correct this inequity, clerical burden and runaway interpretation, I am introducing a bill that would change the definition of "ammunition" in the Gun Control Act of 1968 so that shotgun shells, metallic ammunition suitable for use only in rifles, or any .22 caliber "rimfire" ammunition would be exempted from the Treasury regulation.

Finally, Mr. Speaker, I have yet to hear of any apprehension of criminals due to the implementation of these regulations. I seriously doubt if this will ever occur. But beyond this, it defies all rules of logic to regulate the ammunition used by sportsmen and hunters. The average criminal will not be seeking this ammunition, nor will he obtain it through normal channels. I can foresee no detrimental effects upon law-enforcement activities. What can be foreseen by the passage of this proposed legislation in the restoration to the law-abiding citizen the freedom they have enjoyed and rightfully possessed and exercised. Truly, we should register, legislate against—and insist on prosecution of—criminals, not the sportsman's guns and ammunition.

PROTECTING OUR CHILDREN FROM OBSCENE MAIL

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, the 90th Congress passed legislation which I joined in sponsoring, designed to stop unscrupulous publishers and dealers who use the mail as a pipeline for the unconscionable flow of smut and obscenity to minors.

I felt that Congress had helped to slam the door on filth peddlers when the antismut amendment to the omnibus postal revenue bill passed into public law in 1967.

However, Mr. Speaker, recent investigations reveal that in 1968 alone postal authorities received over 168,000 formal complaints from recipients of obscene mailings. Most of these complaints were from parents of children who are of school age.

Not enough has been done to keep this vile and unwelcome literature out of the homes of decent citizens and the hands of children.

Today I am once again joining in the attack against filth merchants by introducing a much stronger bill which would specifically prohibit mail order sales of obscene materials to children under 16 years of age.

This bill would make the unsolicited mailing of hard-core pornography to any family with children under 16 a Federal crime punishable by heavy fine and a jail sentence.

The Supreme Court has continually held that "obscenity is not within the area of constitutionally protected speech or press" where the interests of children are concerned.

In a landmark decision—*Ginsberg* v. *New York* (390 U.S. 629)—the Supreme Court held a New York State statute constitutional, which prohibited the sale to persons under 17 years of age of materials defined as obscene to minors, even though the same material might not fulfill, in reference to adults, the Court's definition of "obscenity."

The Court recognized that "exploitation" of otherwise noncensorable material "entirely on the basis of its appeal to prurient interests" can so taint the distribution of such matter as to take it out of the realm of constitutional protection.

The right of parents to direct their children's education and upbringing, including the ability to protect them from offensive and obscene material, is established in Ginsberg against New York. The Court said it had only to "be able to say that it was not irrational for the legislature to find that exposure to material condemned by the State is harmful to minors."

Patterned on this approach, the legislation I am introducing today makes it a violation of Federal law to use the mails to sell, offer for sale, deliver, distribute or provide to a minor any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct, sado-masochistic abuse in a manner designed primarily to appeal to the viewer's prurient interests.

Prohibiting the mail-order distribution of pornography to minors or to families with minors puts the burden of responsibility for protecting our youth from access to filth on the smut peddler, where it belongs—and not on victimized families.

If a dealer in hard-core pornography is convicted under the provisions of this legislation for sending offensive material to minors, he can be fined up to $5,000 and imprisoned 5 years for the first offense and $10,000 and 10 years for subsequent offenses.

It is time that we protected our youth from access to this filth with hard-hitting and responsible laws.

Parents, churches, and schools spend years educating our young people in the moral values of our society. Now the Congress has an opportunity to aid parents and put a crimp in the activities of smut merchants by making it a Federal crime to sell or mail obscene materials to minors.

Pornographic material can lead to antisocial behavior and contribute to juvenile violence and delinquency. This bill offers an effective way to stop the alarming flow of pornographic literature and material that reaches the hands of minors through the mail. I hope that every Member of Congress will support its prompt enactment into law.

PITTSFORD CENTRAL SCHOOL HONORS GRADUATES KILLED IN VIETNAM

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, the Pittsford Central School in my 36th Congressional District of New York State is honoring three young men who died in combat in Vietnam.

I would like to share with you and my other colleagues a letter I received from the school. This letter tells the deep feeling of school officials and students far better than I could.

The letter follows:

JANUARY 24, 1969.

Hon. FRANK HORTON,
Representative of 36th Congressional District, House Office Building, Washington, D.C.

MY DEAR MR. HORTON: Too many times the youth of our country are accused of not caring, not knowing, and not appreciating the toil and blood-shed our forefathers gave to allow us to live in freedom today. They are accused of not knowing right from wrong and of being only too willing to take for granted the privileges and rights that they have.

Fortunately, for today's youth who will be tomorrow's leaders, not all of us feel this way, because we know that most of these accusations are false for the majority of our young people. There are so many unheralded youth who accept a full measure of responsibility.

We at Pittsford Central High School are expressing our feelings of patriotism and thankfulness for freedom through music on Wednesday evening, February 26, 1969. Our band and chorus will be performing an entire repertoire of patriotic music. We strongly feel that this is one small way in which we can show our gratitude for the heritage which those before us have left.

Over the past year, our student body has been deeply touched and saddened by the news of the lives lost of three of our recent graduates in the combat zones of Vietnam. At the concert the student body will dedicate in memoriam a plaque listing all those graduates of Pittsford High School who gave their last full measure of devotion in Vietnam.

It would so enhance the program of dedication if you could find the time to send a short memorial letter or telegram that could be read during the ceremony at the concert. We would be most appreciative of your favorable consideration. Thank you.

Sincerely yours,
HAROLD F. MCAULLIFFE,
Director of Vocal Music.
VALENTINE C. ANZALONE,
Director of Instrumental Music.
ARNOLD T. CARLSON,
High School Principal.

Mr. Speaker, I was deeply moved by the letter as I am sure many of you are. Too often these sentiments are lost in the hustle and bustle of our modern lives.

John Gresens, 21, was a lifelong resident of the Rochester area. He entered Pittsford schools in the fourth grade. As a student he showed himself to be a determined boy who set goals for himself and worked to achieve them.

Although employed at part-time jobs throughout his high school career he was able to achieve graduation in 3 years.

His teachers remember John as having overcome a natural shyness and a slight physical handicap and becoming an assertive, self-directed youth.

He was endowed with a questioning nature which led him to display a better than average interest in the social studies.

A purposeful boy and a responsible citizen was lost to both Pittsford and the Nation when he gave his life on January 9, 1967.

Michael Lawton, 19, entered Pittsford High School following his ninth-grade year at Churchville-Chili.

Comments from a counselor and a former teacher show his potential as a future citizen of the community and the Nation:

> I think he will work to make a success of his pursuits.

And—

> Mike has a strong desire.

Mike's infectious grin hid a strong will. He is remembered as a boy who regarded any setback as a challenge.

Regularly employed throughout his school years, he found time to take an interest in normal boyhood pursuits.

He was killed in action last November.

Melvin D. Mogan, 22, attended Pittsford schools for his entire school career, graduating in June of 1965. As a student Mel showed a definite interest and aptitude for mechanics—an interest which he pursued as a helicopter crew chief in the U.S. Army.

Mel will be remembered by those who knew him as a fun-loving boy who showed definite potential and growth as he matured. A staff member reminisced that—

> He was always polite to me whatever the situation.

Mel's progress in becoming a contributing member of society was evident as he followed his responsibility to his death, January 2, 1969, on his second combat tour in Vietnam.

Mr. Speaker, these young men, as are the tens of thousands who have died in Vietnam, are being taken at the prime of their lives. We will never know what they could have accomplished. It is only fair that we take a few moments to give them honor.

I sincerely regret that the business of this House will prevent my attending the memorial concert on Wednesday, February 26. But I will be sending my commendation, and that of all our colleagues, to the students and school officials who are honoring these men.

PORNOGRAPHY TO MINORS MUST BE HALTED

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I have introduced H.R. 4849, to prohibit the mailing of smut to school-age children and to make the unsolicited mailing of hard-core pornography to any family with children under 16 a Federal crime.

Obviously, H.R. 4849 is only a small start in the crusade against indecency, and I am hopeful that the 91st Congress will enact whatever legislation is necessary to reverse a tending toward national debauchery by protecting the public from the growing avalanche of obscenity that is flooding the mails, infesting newsstands, and invading the airways. We are going to have to take bold action to blacken the bold airwaves of obscenity from television.

While peddlers of lascivious materials continue to use the mails and newsstands in defiance of family, community, and national standards and desires, television stations are transmitting filth and bawdiness directly into American living rooms.

The fact that films are marked "adults only" does not justify the transgression. It should not be necessary for parents to audit every broadcast to make certain that their children are not exposed to the corruptive practices of ravenous iconoclasts.

Inasmuch as the Federal Communications Commission has been reluctant to place a limit on program impropriety, the new menace to respectability and morality will have to be met with new laws and/or mass rejection of the products of those who advertise on guilty stations.

We must enact H.R. 4849 and whatever other legislation is necessary to curb the crime of pornography. I am confident of new and demanding cooperation on the part of parents, churches, and civic, fraternal, and veterans' organizations in this vital effort.

THE PLEDGE OF ALLEGIANCE—FROM RED SKELTON HOUR, JANUARY 14, 1969

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, Richard "Red" Skelton is without question one of the finest showmen in America. He is a great comedian whose talents and imagination have entertained us for years. But, Mr. Speaker, Red Skelton is more than a star in show business. He is also a dedicated American, a sensitive, warm human being, whose qualities come through the pancake makeup and the slapstick routines.

Last month, on January 14, 1969, Red passed some thoughts on to his audience on the "Red Skelton Hour." I found them very meaningful and would like to share them with my colleagues today, as follows:

THE PLEDGE OF ALLEGIANCE

> I remember this one teacher. To me, he was the greatest teacher, a real sage of my time. He had such wisdom. We were all reciting the Pledge of Allegiance, and he walked over. Mr. Lasswell was his name . . . He said:
>
> "I've been listening to you boys and girls recite the Pledge of Allegiance all semester and it seems as though it is becoming monotonous to you. If I may, may I recite it and try to explain to you the meaning of each word:
>
> "*I*—me, an individual, a committee of one.
>
> "*Pledge*—dedicate all of my worldly goods to give without self-pity.
>
> "*Allegiance*—my love and my devotion.
>
> "*To the Flag*—our standard, Old Glory, a symbol of freedom. Wherever she waves, there is respect because your loyalty has given her a dignity that shouts freedom is everybody's job.
>
> "*Of the United*—that means that we have all come together.
>
> "*States*—individual communities that have united into 48 great states. 48 individual communities with pride and dignity and purpose, all divided with imaginary boundaries, yet united to a common purpose, and that's love for country.
>
> "*Of America.*
>
> "*And to the Republic*—a state in which sovereign power is invested in representatives chosen by the people to govern. And government is the people and it's from the people to the leaders, not from the leaders to the people.
>
> "*For which it stands.*
>
> "*One nation*—meaning, so blessed by God.
>
> "*Indivisible*—incapable of being divided.
>
> "*With liberty*—which is freedom and the right of power to live one's own life without threats or fear or some sort of retaliation.
>
> "*And justice*—The principle or quality of dealing fairly with others.
>
> "*For all*—which means it's as much your country as it is mine."
>
> Since I was a small boy, two states have been added to our country and two words have been added to the Pledge of Allegiance—"under God." Wouldn't it be a pity if someone said, "That's a prayer" and that would be eliminated from schools, too?
>
> RED SKELTON.

COLLEGE THESIS NO BASIS TO INDICT AMERICAN DEFENSE POSTURE

(Mr. LEGGETT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LEGGETT. Mr. Speaker, a sense of justice and accuracy compels me to speak about a series of recent newspaper articles concerning the Nation's aerospace and electronics industries. The first one by Mr. Bernard Nossiter on January 26 in the Washington Post casts considerable doubt on the effectiveness of these industries. The article summarized a report written supposedly by a military expert. I naturally assumed the expert must be from the Department of Defense and that the report would have some official validity. So I wrote to Secretary Laird about it, asking for a copy of the report. Mr. Laird sent me a copy—pointing out that the author was indeed not a Department of Defense employee at all and that the report was not a DOD document. Further investigation discloses the author, Mr. Richard Stubbing, was on sabbatical leave from his post at the Bureau of the Budget and that his "study" was his college thesis written last spring and freely available at the Princeton library since that time.

Two other newspaper articles have also recently appeared which bear on this so-called study. On January 29 the authoritative Aerospace Daily seriously questioned the validity of the study. The second in the Washington Star on January 30 cast even greater doubt. In it the author admits that several key assumptions in his paper reflected his personal judgment and were not concurred with by his colleagues.

Mr. Speaker, I do not intend to become an apologist for the aerospace industry or for any other single segment of our Nation's activities, but I do believe that in this case some incorrect statements have been made. Certainly the aerospace industry is not without fault, but I am sure fault can be found anywhere if we look for it. But just as certainly the same industry which is castigated in Mr. Nossiter's article is that segment of our Nation's resources whose efforts have not only given us the means to defend our country, but also have resulted in the magnificent success of the Apollo 8. The aerospace and electronics industries further have pioneered many of the technologies and management methods which continue to afford us the greatest standard of living in the world. It works at the edge of the frontier of knowledge where mistakes must be expected. In most cases, it works remarkably well.

I would like to insert into the Record at this point the two articles which I mentioned earlier, so that we may consider them and judge for ourselves:

[From Aerospace Daily, Jan. 29, 1969]

Weapons Expose Was Authorized by BOB Staffer as Masters Thesis

The sensational "expose" of U.S. military weapons development published in last Sunday's Washington Post under the headline "Weapons Systems: A Story of Failure," turns out to have been authored by a staff member of the Bureau of the Budget as a thesis for his masters degree at Princeton University.

The author is Richard Stubbing, described by Post reporter Bernard D. Nossiter, who wrote the story, "a key Government official with access to secret data and responsibility for examining the costs of the Pentagon's complex ventures." Nossiter noted that "He and his agency cannot be identified here."

The Daily, at presstime yesterday, was still trying to get an official answer from the Budget Bureau as to Stubbing's job classification, beyond the title of "budget examiner." It was understood from other sources that he is "an Indian, not a chief," and that he is concerned with review of the DOD budget with regard to aircraft procurement.

All efforts to contact Stubbing by telephone yesterday got the stock reply that "He's in a meeting."

Efforts to determine who leaked the thesis to The Post were equally frustrating. There was strong speculation that it was shown to Nossiter by a member of Congress, while other sources said it may have come from someone in Systems Analysis at the Pentagon.

An interesting sidelight to the affair is that the thesis had been classified "confidential" by Pentagon officials even though it was and is on file and readily available at the Princeton University library. It was submitted by Stubbing last May 3 to a Professor Bradford.

Aerospace circles in Washington expressed surprise at the Post story in that it seemed to be a rehash of old problems that have been well aired in both the public and trade press, and that some of its conclusions, some reading like they should have been on the editorial page, were misleading, to say the least.

But the real shock came in learning that what seemed to be represented, by inference, at least, as an official document, turns out to be a student's masters thesis.

Meanwhile, the Stubbing report came in for some criticism yesterday by a long-time Congressional staff member. The source said he had been provided with a copy of the thesis and had found it "superficial." He added, "It sounds like something a half-informed person would write for a graduate degree."

In particular, the source criticized Stubbing's treatment of the Skybolt and B–70 programs as examples of failures. Skybolt was cancelled after it was found to be successful the source said, and the report overlooked the factor of foreign policy. "We decided we didn't want the English to have it," he said. "That may not have been the overriding consideration, but it was a factor." And the B–70 was designed before the U.S. found that low-flying bombers were needed to fly under radar screens, he added. "When the B–70 was ready, it flew; but it no longer was in the world of reality."

The Senate Armed Services' Committee chairman, Sen. John Stennis (D-Miss.), was asked if the Stubbing report might be taken up by the committee, as recommended by a member, Stuart Symington (D-Mo.). Stennis replied that he had no such plans to do so at present.

[From the Washington Star, Jan. 30, 1969]

Weapons Systems Study Hits Cost, Performance

The Budget Bureau made public today a report of weapons systems costs and performance originally written by one of its budget examiners as a class paper last spring when he was a student at Princeton University.

The study was released following a news story earlier this week reporting on the contents of the study and identifying its author, Richard A. Stubbing, only as "a key government official."

Stubbing, who spent the 1967–68 academic year at Princeton as part of a Budget Bureau training program, wrote the study for a class in systems analysis and, when he returned to Washington, produced a classified version which was made available to officials in the Pentagon and other government agencies.

He found that the electronic equipment that forms the heart of most modern weapons systems frequently falls far short of proposed standards, that costs are frequently much higher than original estimates, and that the companies that produce them often are awarded with unusually high profits.

Stubbing acknowledged, however, in a note attached to the copies of the study made public today, that "several key assumptions in this paper reflect my personal judgment as to their importance which is not concurred with by my colleagues at Princeton and elsewhere."

Although they took exception to some elements they considered limiting, some high-ranking Pentagon officials said they were impressed by Stubbing's conclusions. He recommended the use of equipment known to be reliable in new systems that have to be developed in a hurry; a more leisurely approach when the main objective is an advance in technical ability, and more competition, both in the early development and during the production of military equipment.

One of Stubbing's chief assumptions is that the performance of a piece of electronic equipment can be measured best by the time it runs before breakdown.

He used this standard to measure the performance of several families of weapons systems against the specifications set when they were contracted for—and found that those built in the 1960s did not measure up even to the relatively poor performance of those built in the 1950s.

Pentagon officials who have seen the study, however, said the time a piece of equipment performs reliably is only one measure of its performance and that this standard provides no comparison with the system it replaced.

For example, a device that was designed to run for 100 hours without breakdown and actually ran for 90 hours, would appear much better than one designed to run 1,000 hours which only ran for 500, they said.

Other officials objected to Stubbing's use of the return on net worth as a measure of a company's profitability—a measure that shows the aerospace industry running well ahead of other industries. Some other standards show defense industries generally lagging in profits.

TAXATION OF TAX-EXEMPT FOUNDATIONS—FOUNDATIONS SHOULD CARRY A FAIR SHARE OF THE TAX BURDEN

(Mr. **PATMAN** asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. **PATMAN**. Mr. Speaker, it was my privilege this morning to present a statement to the Committee on Ways and Means which outlines the urgent need for reforms of tax-exempt privately controlled foundations. I want to take this opportunity to insert in the Record the text of my remarks for the consideration of the Members. My statement follows:

Statement of Hon. Wright Patman, Democrat of Texas, Chairman, Subcommittee on Foundations, Select Committee on Small Business, Before the Committee on Ways and Means on Tax Reform, February 18, 1969

Mr. Chairman, I greatly appreciate your invitation to testify before this committee on the important subject of privately-controlled, tax-exempt foundations.

Today, I shall introduce a bill to end a gross inequity which this country and its citizens can no longer afford: The tax-exempt status of the so-called privately-controlled, charitable foundations, and their propensity for domination of business and accumulation of wealth.

Put most bluntly, philanthropy—one of mankind's more noble instincts—has been perverted into a vehicle for institutionalized deliberate evasion of fiscal and moral responsibility to the Nation.

This has been accomplished by tax immunities granted by the United States Congress. The use of the tax-free status, as I shall amply document, reveals the continuing devotion of some of our millionaires to greed, rather than conversion to graciousness.

Mr. Chairman, when a privilege is abused, it should be withdrawn. And the onerous burdens on 65 million taxpayers demand that Congress curb the tax-exempt foundations which, in unwitting good faith, it helped to create.

Did the Congress intend that foundations use their tax-exempt status to finance the recruiting of college football players? To pay the bills for several years of gay living and partying by twin sisters who befriended an aging millionaire? The foundations fiddle while the small businessman, the farmer, the individual citizen, pay the tax bills—and burn. If the rich care to fritter away their dollars in senseless frivolity, that is certainly their privilege—but Congress has no obligation to give them tax-free dollars at the expense of the rest of the country.

Mr. Chairman, my bill is by no means a vindictive measure; indeed, by encouraging the foundations to return to the original purpose for their existence—that is, philanthropy—they should emerge stronger, not weaker. This new vigor I do not fear, so long as it is exercised in the proper area. Their pained outcries of persecution notwithstanding, I do not seek to destroy the foundations, but to reform them. And I do not single out the foundations for harsh regulation—I simply propose that they be subject to the same economic rules as the rest of America. Equal treatment under the law is perhaps a painful contemplation for some of them, but equal treatment under the law is really what America is all about.

My bill has three features, each of which is directed at a shortcoming discovered during the continuing study which the Subcommittee on Foundations of the House Small Business Committee has conducted since 1962:

(1) Every privately-controlled, tax-exempt foundation would pay a tax in the amount of 20 percent of its gross income, including capital gains. Gross income would be comprised of the following: gross profit from business activities; interest; dividends; gross rents; gross royalties; gain or loss from sale of assets, excluding inventory items; and other income, *excluding* contributions, gifts, grants, etc., received.

(2) A privately-controlled, tax-exempt foundation would not be permitted to own more than three percent of the outstanding shares of any class of stock of a corporation or to own more than a three percent interest in the capital or profits of a partnership.

(3) The net income of every privately-controlled, tax-exempt foundation would have to be disbursed annually for the purposes for which it was organized.

According to the Internal Revenue Service, there are 30,262 private, tax-exempt foundations in the nation. The Internal Revenue Service is responsible for regulating the foundations, but it has been a singularly ineffectual watchdog. For instance, despite the multitude of computers and data-retrieval systems with which it watches the individual taxpayer, the Internal Revenue Service cannot tell the Congress the assets and income of all the foundations it is supposed to supervise. But an indication of the foundations' economic girth comes from the study of 596 foundations by our Subcommittee on Foundations. In 1966 these foundations had a gross income of $1,079,627,732, including capital gains. A 20 percent tax on this income alone would yield the U.S. Treasury some $200 million. Income from the other 29,666 foundations known to the IRS would add to this figure; but, lacking firm data, the exact amount cannot be computed.

Yet, the amount of the tax revenue, significant though it may be, resolves only part of the problem. Another issue before the Congress is the astounding amount of wealth which foundations have managed to spirit away behind the protective walls of tax exemption. And the figure is increasing rapidily, both in terms of income and assets.

The value of the assets of the 596 foundations covered by our Subcommittee's study was 50 percent greater at the close of 1966 than it had been six years earlier, at the end of 1960—$15.1 billion, compared to $10.2 billion. The $15.1 billion valuation is 41 percent greater than the $10.7 billion capital funds (capital, surplus, and undivided profits) of the 50 largest banks in the United States. This massive, systematic diversion of assets into tax-exempt status erodes our nation's tax base, and forces millions of individual citizens and small businessmen to carry a still heavier tax burden.

The statistics on foundation receipts are even more sobering.

The 596 foundations reported total receipts of $559.7 million during the first accounting period for which they submitted data to the Subcommittee (usually 1951). By 1966 the total receipts had increased to $1.3 billion.

The foundations will suffer no injustice from my proposed reforms. Instead, they will finally share with all of us the burden of maintaining our society. If foundations pay their share of taxes, the burden on 65 million taxpayers can be somewhat lessened—the most welcome charity of all.

One of the questions that turns up frequently in the mail I receive is, "What are the Ford and Rockefeller foundations, the two biggest foundations in the country, really up to?" This question usually stems from the following type of expenditures and is reason for mounting concern over foundation operations:

In fiscal years 1966 and 1967, the Ford Foundation paid out $360,351.26 to four outside law firms. Of this amount, $159,644.73, or 44 percent, was paid to Ginsburg & Feldman, 1700 Pennsylvania Avenue, Washington, D.C.

The Ford Foundation paid out $446,262.46 for public relations in fiscal year 1967.

The Rockefeller Foundation paid $31,546.53 to Earl Newsom & Company, Inc., New York City public relations counsel, in 1967.

The Ford Foundation spent $210,037.38 for outside printing in fiscal year 1967.

As of September 30, 1967, the Ford Foundation had 357 employees in the United States and 920 in foreign countries.

As of December 31, 1967, the Rockefeller Foundation had 211 employees in the United States and 112 in foreign countries excluding nationals hired locally. The Rockefeller Foundation sent 75 percent more money out of the country in 1966 than it spent here. It spent $17.8 million for the benefit of foreign institutions or persons, while individuals and institutions in this country received only $10.9 million.

The Rockefeller Foundation spent half as much just running its New York office—$5.4 million—as it spent throughout the entire nation in 1966. It spent more just running its New York offices—in salaries and the like—than it spent on "benevolence" in New York State and California combined. The Foundation spent $1,693,762 in India, but not a penny in Arkansas. It spent half a million dollars in Uganda, but not a cent in Idaho. It spent more than $1 million in Nigeria, but it could bring itself to spend only $1,000 in Kentucky.

It spent nearly $2 million in Colombia, but it spent nothing at all in South Carolina, or Wyoming, or Maine, or Delaware.

More than $5 million went into the upkeep of its elegant offices in New York, but only $2,374 of its money went into West Virginia.

In fiscal years 1966 and 1967, the Ford Foundation lost $92,496.92 and $100,119.58 respectively in the operation of its cafeteria and dining room, and, of course, the taxpaying restaurant owners in New York City lost over 300 potential customers.

In 1966 and 1967, the Rockefeller Foundation lost $44,456 and $47,176 respectively in the operation of its lunchrooms, and the taxpaying restaurant owners in New York City lost over 200 potential customers here.

I am hopeful that this committee will agree that there is an urgent need to redefine the role of the privately-controlled charitable foundation. Are the giant foundations on the road to becoming political machines? An article in the New York Times of December 23, 1968 says "Ford grants have gone lately for widening voter registration in Cleveland's slums" and are said "to have aided the election of Carl B. Stokes in November 1967."

The Ford Foundation had gross income of $252 million in 1967, 385 million in 1966, and has assets valued at $3-3½ billion. The Rockefeller Foundation had gross income of $53 million in 1967, $42 million in 1966, and has assets valued at $736 million. I need not tell you gentlemen what can happen in a local, state or national election where this kind of money is turned loose, directly or indirectly, in behalf of their favorite candidates.

This committee would do well to scrutinize closely the ventures of the foundations in politics. The Honorable John J. Rooney of Brooklyn, New York can tell you quite a good deal about that. It is alleged that the Ford Foundation's grants for experimental school decentralization in New York helped ignite New York City's longest teacher's strike. Have the giant foundations made or do they plan to make grants that will aid certain candidates to run for National, state and local office? Does the Ford Foundation have a grandiose design to bring vast political, economic and social changes to the nation in the 1970's? Is this what Congress had in mind when it granted tax exemption to privately-controlled foundations?

It has been reported that the Ford Foundation, the Rockefeller Foundation and others have made grants to public servants. This committee should consider the effect on public servants when they are subjected to foundation grants. Will the grantees be critical of their benefactors? Do you want the foundations to make grants to public servants in police departments, health, or sanitation departments? Do you want city employee unions to receive foundation grants?

On July 10, 1968, a story in the Washington Post said:

"The Ford Foundation has offered generous travel grants to various members of Kennedy's Senate staff, including three of the young writers and intellectuals who were important influences on the Senator's philosophical development—Peter Edelman, Adam Walinsky and Tom Johnston.

"The grants are provided under a Foundation program of long standing that seeks to ease the transition from public to private life. They provide up to a year of leisure and freedom from immediate financial concerns."

Subsequently, the Ford Foundation advised us that the following aides of the late Senator Robert F. Kennedy received travel and study awards from the Ford Foundation aggregating $131,069.50:

Jerry Bruno	$19, 450. 00
Joseph Dolan	18, 556. 00
Peter Edelman	19, 091. 00
Dall Forsythe	6, 390. 00
Earl Graves	19, 500. 00
Thomas Johnston	10, 190. 00
Adam Walinsky	22, 200. 00
Frank Mankiewicz	15, 692. 50
Total	131, 069. 50

I have the most heartfelt sympathy for the late Senator Kennedy's associates, but again I ask this Committee, is this what the Congress had in mind when it granted tax exemption to charitable foundations? Were aides of Vice President Humphrey, Senator McCarthy, and Governor Wallace offered similar awards by the Ford Foundation.

As you know, a foundation is exempt from taxation today under section 501(c) (3) of the Code, provided it is organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or education purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation, and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office."

In coming weeks, the foundation lobbyists will be emitting predictable cries that they can't "afford" taxation because it would divert funds from their "vital activities" in public welfare, educational and other fields. Let us dispense with this nonsense in a hurry, for the bloated foundations would benefit greatly from forced attendance at a financial weight-watchers' class. If their managements have trouble deciding which "vital" programs should be abandoned because of the 20 percent tax, I direct their collective attentions to several gross examples of foundation foolishness discovered during our Subcommittee's study.

While our cities decay, and while those of us not fortunate enough to merit the tax-exempt status of the foundations pay a 10 percent surtax to keep the nation more or less solvent, the Bollingen Foundation of New York City, a creation of the Mellon banking family of Pittsburgh, spends tax-free dollars on such esoteric research subjects as: "The works of Hugo von Hofmannsthal," "The phenomenology of the Iranian religious consciousness," "The origin and significance of the decorative types of medieval tombstones" in Bosnia and Herzegovina."

While the Congress and the Administration searched feverishly for funds to finance essential urban rebuilding programs, the Richard King Mellon Foundation sent $50,000 to Ireland for the "preservation of historical buildings."

While thousands of Puerto Rican youngsters drop out of New York Schools because they can't master English, the Agricultural Development Council, Inc., of New York, one of the 13 Rockefeller-controlled foundations in our study, sends $311,280 to Japan to "improve English language teaching in Japanese schools." The list is seemingly endless—one could call the examples ironic, but I think "tragic" is the better adjective. The shortage of physicians in America is critical, so the Commonwealth Fund of New York sends $208,141 to Canada for medical education.

The fore-mentioned Bollingen Foundation, an organization that seems to specialize in sending thousands of dollars abroad for the development of trivia into nonsense, disbursed $212,113 in foreign grants during the period January 1, 1965–November 15, 1967, including grants for the following:

Archaeological research and preparation for publication of a study relating to the remains of rural chthonic traditions which existed in Europe during the Middle Ages—$4,500.

Completion of study of a Roman mystery cult of the second and third century, A.D.—$5,000.

Acquisition of data on important proto-historic entrepots and on maritime activities of peoples of Southeast Asia in proto-historic times—$3,000.

Congress certainly cannot complain if the entire Mellon banking family assembles in one of their Pittsburgh mansions each evening for a round-table discussion on the origin and significance of the decorative types of medieval tombstones in Bosnia and Herzegovina. If the Mellons are more interested in medieval tombstones than in Pittsburgh poverty, and care to spend their money studying 12th and 13th Century church construction, that is the Mellons' affair. However, there is no obligation upon either the Congress or the American citizenry to give the Mellons tax-free dollars to finance their exotic interests.

In sum: The foundation programs contain ample fat that could and should be trimmed, and the Federal government can find better uses for the money than studies of medieval tombstones.

Grants to governments by U.S. foundations are not without precedent. The Ford Foundation, for example, made direct grants (in U.S. dollars) to at least 25 foreign governments during the period January 1, 1965-September 30, 1967: United Arab Republic, Government of Jordan, Government of Lebanon, Republic of Zambia, Government of Northern Nigeria, Federal Republic of Nigeria, Government of Midwestern Nigeria, Government of Eastern Nigeria, Government of Pakistan, Government of West Pakistan, Government of East Pakistan, Government of India, Republic of the Ivory Coast, Syrian Arab Republic, Republic of Iraq, United Republic of Tanzania, United Mexican States, Government of Kenya, Republic of Tunisia, Government of Antigua, Federal Republic of Cameroun, Government of West Bengal, Republic of Chile, United States of Brazil, Government of Nepal.

Thus far, the relationship between the tax exempt foundations and the United States Government has been a one-way street—with the foundations doing all the "gittin." For example, three of the Rockefeller-controlled foundations have received Federal funds totalling at least $16 million during the past 13 years, in part from the Agency for International Development.

Our review of the records of 25 of the 596 foundations under study shows that 22 of those 25 foundations disbursed grants abroad in dollars, totalling $70.4 million, purchased foreign securities costing $91 million, and sent $15.2 million to foreign branch offices during the period January 1, 1965-November 20, 1967. Translating this into hardships imposed on our tourists, the aggregate outlay of $176.6 million is equal to the amount of duty-free goods that 1,766,000 Americans would be permitted to bring into this country at $100 a person.

The second part of my reform bill is directed at the use of foundations to dominate businesses and to escape estate taxes. Through their domination of numerous corporations, the foundations wield a significant—and unchecked—weight in the American economy.

The progressive development of thousands of foundations through gifts of corporate stock illustrates the increasing flow of formerly taxable income into these cozy tax shelters. In the hands of the foundations, the dividends, of course, go untaxed, and our tax base is further eroded.

The tax-exempt foundation has long been used by many of our millionaires as a loophole which enables them to avoid Federal estate taxes and thus keep their businesses and large fortunes intact. The late Secretary of the Treasury Andrew Mellon used a charitable foundation to avoid estate taxes on his multimillion dollar estate. The Ford Foundation was created to reduce the taxable estates of Henry and Edsel Ford, and to enable their heirs to avoid having to sell Ford Motor Co. stock to meet estate taxes. Thus the Ford Foundation was given more than 90 percent of the equity in Ford Motor Co.

Substantial portions of the great fortunes of men who profited by the enormous expansion of American business continue to find their way into tax-exempt foundations. These foundations have already passed and will continue to pass—by right of inheritance—to the control of heirs or their trustees. This enables a few individuals to control ever increasing tax-exempt wealth.

Here are a few conspicuous examples of prominent Americans who have died in recent years and whose personal foundations will receive at least $293.4 million, which will, of course, escape estate taxes.

[In millions of dollars]

Donor	Donee	Approximate amount that will pass to the Foundation valued as of date of death
Archibald G. Bush, St. Paul, Minn	The Bush Foundation, St. Paul, Minn	$118
Henry R. Luce, New York, N.Y	Henry Luce Foundation, Inc., New York, N.Y	68
Arthur Vining Davis, Pittsburgh, Pa	Arthur Vining Davis Foundation No. 2, Pittsburgh, Pa	15
Do	Arthur Vining Davis Foundation No. 3, Miami, Fla	30
George Gund, Cleveland, Ohio	The George Gund Foundation, Cleveland, Ohio	20
Mr. and Mrs. Stephen Currier, New York, N.Y	Taconic Foundation, New York, N.Y	20
Billy Rose, New York, N.Y	Billy Rose Foundation, Inc., New York, N.Y	20
Walt Disney, Los Angeles, Calif	The Disney Foundation, Los Angeles, Calif	2.4
Total		293.4

The trend to shift the wealth of America's richest families into tax-exempt foundations and trusts represents a gigantic loophole in our tax laws. This is an area urgently needing reform.

Stanley S. Surrey, former Assistant Secretary of the Treasury for Tax Policy, is reported to have said in a speech on February 23, 1967: "The present resort of tax and business planners to the creation of a private foundation to hold the stock of a business enterprise so as to perpetuate the family control of that enterprise is a complete distortion of the policies and philanthropic motivations that underlie the tax benefits granted charitable contributions and charitable institutions." I agree emphatically with Mr. Surrey's statement, and urge that Congress put an end to this distortion.

Increasing numbers of foundations hold substantial interests in commercial enterprises. Of the 596 foundations under study by our Subcommittee, 136 held stock in 288 corporations at the close of 1966, in amounts ranging from five to 100 percent of the outstanding shares of at least one class of stock. The carrying value of those shares was $2.5 billion, the estimated market value $4.9 billion. Even the latter figure is most likely an understatement, however, because in many instances the securities were in closely-held companies that are not traded. A prime example is the James Irvine Foundation, of San Francisco, which owns 53 percent of the Irvine Co., which in turn owns 88,000 acres in suburban Los Angeles, almost one-fifth the land area of Orange County. The land is reportedly valued at $1 billion—but the Foundation carries the Irvine Company stock at $2.

Here is a sampling of some nationally-known companies that had substantial links with tax-free foundations at the end of 1966:

B. Altman & Co. (New York)—95 percent of the capital voting stock owned by Altman Foundation, New York City.

American Chain & Cable Co., Inc.—17 percent of the capital voting stock owned by Wm. T. Morris Foundation, New York City.

American National Insurance Co.—35 percent of the common voting stock owned by the Moody Foundation, Galveston, Tex.

Cannon Mills Co.—16 percent of the common voting stock owned by the Cannon Foundation, Inc., Concord, N.C.

Coca-Cola International—16 percent of the common voting stock owned by Emily & Ernest Woodruff Foundation, Atlanta, Ga.

Dana Corp.—17 percent of the common voting stock owned by the Charles A. Dana Foundation, Greenwich, Conn.

Duke Power Co.—57 percent of the common voting stock owned by Duke Endowment, New York City.

Federal Cartridge Corp.—100 percent of the common voting stock and 100 percent of the preferred nonvoting stock owned by Olin Foundation, Inc., New York City.

Ford Motor Co.—100 percent of the class A nonvoting stock owned by the Ford Foundation, New York City.

W. T. Grant Co.—10 percent of the common voting stock and 8 percent of the preferred nonvoting stock owned by the Grant Foundation, Inc., New York City.

Great Atlantic & Pacific Tea Co., Inc.—34 percent of the common voting stock owned by John A. Hartford Foundation, Inc., New York City.

H. J. Heinz Co.—17 percent of the common voting stock owned by the Howard Heinz Endowment, Pittsburgh, Pa.

Hughes Aircraft Co.—100 percent of the common voting stock owned by the Howard Hughes Medical Institute, Miami Beach, Fla.

Hunt Foods and Industries, Inc.—8 percent of the common voting stock owned by the Norton Simon Foundation, Fullerton, Calif.

Irvine Co.—53 percent of the common voting stock owned by the James Irvine Foundation, San Francisco, Calif.

Kaiser Industries Corp.—15 percent of the common voting stock owned by the Henry J. Kaiser Family Foundation, Oakland, Calif.

Kellogg Co.—Approximately 51 percent of the common voting stock owned by W. K. Kellogg Foundation Trust, Battle Creek, Mich.

S. S. Kresge Co.—22 percent of the capital voting stock owned by Kresge Foundation, Detroit, Mich.

Eli Lilly & Co.—24 percent of the common stock owned by Lilly Endowment, Inc., Indianapolis, Ind.

McDonnell Aircraft Corp.—7 percent of the common voting stock owned by the McDonnell Foundation, Inc., St. Louis, Mo.

Merrill Lynch, Pierce, Fenner & Smith, Inc.—17 percent of the common voting stock owned by the Charles E. Merrill Trust, New York City.

Miller Brewing Co.—47 percent of the common voting stock owned by De Rance, Inc., Milwaukee, Wis.

Ralston Purina Co.—20 percent of the common voting stock owned by the Danforth Foundation, St. Louis, Mo.

Rohm and Haas Co.—19 percent of the common voting stock owned by the Phoebe Waterman Foundation, Philadelphia, Pa.

Sahara Coal Co., Inc.—36 percent of the preferred nonvoting stock and 24 percent of the common voting stock owned by Woods Charitable Fund, Inc., Lincoln, Nebr.

Sun Oil Co.—22 percent of the common voting stock owned by the Pew Memorial Trust, Philadelphia, Pa.

Timken Roller Bearing Co.—10 percent of the common voting stock owned by the Timken Foundation of Canton, Ohio.

United States Sugar Corp.—48 percent of the common stock owned by Charles Stewart Mott Foundation, Flint, Mich.

Wieboldt Stores, Inc.—91 percent of the 6 percent cumulative preferred voting stock owned by Wieboldt Foundation, Chicago, Ill.

My bill, by limiting foundation holdings to more than three percent of any class of shares, would make it more difficult for our millionaires to bypass the tax collector by handing their intact estates over to tax-free captive foundations. The estate tax—was a Congressional declaration of public policy—the use of tax-exempt foundations to avoid estate taxes is a violation of that public policy, and should be halted.

My constituents in East Texas have a bitter truism: "Them that has, gits." When speaking of the foundations, one can add two more words: "Them that has, gits, and keeps." And it is to the proclivity of some foundations for hoarding money, rather than distributing it, as they are supposed to do, that the third section of my reform bill is directed. The tax returns of the 596 foundations under study by our Subcommittee indicate they had accumulated (meaning unspent) income of $1.9 billion at the end of 1966. At the end of the first accounting period for which they submitted data to our Subcommittee (usually 1951), their unspent income totalled only $364 million.

My solution is straightforward, and simple: The foundations were created to spend, not to hoard and grow—thus Congress should require them to spend, annually, their net income, and for the purposes for which they were organized.

The foundation problems are far more numerous and serious than Treasury officials have been willing to admit publicly. During our Subcommittee's 1964 hearings, I made the following statement, in part:

"The Secretary of the Treasury has testified that it is the Treasury's duty to be alert to all possible violations of law. The Secretary also says (1) he does not consider it proper for a foundation to engage in insider's stock deals, stock price manipulations, short sales, margin trading, speculation in commodity futures, or to act as an unregulated source of stock market credit, and (2) the SEC should be alerted to the possibility of a foundation's involvement in insider deals and stock price manipulations.

"Yet, testimony before this Subcommittee indicates the following:

"The IRS does not examine foundations to determine whether they are violating any Federal securities laws—including those relating to insider's stock deals, stock price manipulations, and unregulated sources of stock market credit.

"The IRS has not collected any information, as to the extent that foundations are involved in speculation and trading on margin.

"The IRS has not collected any data on the involvement of foundations in corporate proxy fights.

"The IRS does not examine foundations to determine whether their foreign operations may be in conflict with Government policies.

"The IRS does not examine foundations to determine whether the foundations are channeling income and corpus in a direction that may hurt competitors and investors.

"The IRS does not examine foundations to determine whether they are being used as a device for engaging in various trade practices which might be in violation of certain statutes administered by the Federal Trade Commission or the Antitrust Division.

"Few of the persons in the IRS who examine foundation tax returns would be sufficiently familiar with the antitrust law to know whether the practices as cited may violate Section 5 of the FTC Act or the Sherman Act.

"The IRS does not examine foundations to determine whether there is a conflict of interest between the duties of a foundation's directors or trustees and their interests as officers, stockholders and employees of business corporations whose stock is controlled by the foundation.

"The Acting Commissioner does not know of any cases where compensation of officers, directors or trustees among the large foundations has been unreasonable or unjustified. Yet, Mr. Benson Ford received $15,000 for attending three meetings of the Ford Foundation.

"The IRS does not review a foundation's individual charitable donations.

"The IRS has no rule of thumb regarding the percentage of income that a foundation must spend for the purpose for which it was granted tax exemption.

"The IRS does not examine foundations to determine whether contributions are being made to the foundations by persons or organizations that supply goods or services to companies interlocked with the foundations.

"The IRS does not know how much money was spent overseas by U.S. foundations in 1963.

"The IRS does not examine foundations to determine whether they are making loans overseas that may be contributing to our balance of payments problem.

"This is the most impressive record of do-nothing that I have seen in my 36 years in Congress."

I regret to say that those observations are just as pertinent today as they were in 1964.

The fact that foundations are exempt from taxation does not mean that they are exempt from other Federal laws. Hence, antitrust law, FTC law, SEC law, etc. are applicable to foundations.

It is, of course, possible for a foundation to be used as a device for engaging in various trade practices which may be a violation of certain statutes administered by the Federal Trade Commission or the Antitrust Division. For example, contributions may be made to a foundation by (1) persons or organizations that supply goods or services to companies interlocked with the foundations, or (2) from persons or organizations that buy goods or services from companies interlocked with the foundation. The point is that, if the company that is interlocked with a foundation is doing business and by a contribution to the parent foundation they get the business because of that interlock, they are obviously getting an advantage. This is one of the things that the Ways and Means Committee should consider in drafting a self-dealing law.

In other words, a contribution can be made to a foundation for a business purpose rather than an eleemosynary purpose. For example, under the Robinson-Patman Act, business concerns are prohibited from making disproportionate discriminatory discounts to particular buyers if the effect might be to substantially lessen competition or tend to create a monopoly. Hence, contributions to a foundation can be a method of getting around this provision of law.

Also, there is the business practice known as reciprocity, which may violate the antitrust laws. It involves tacit or actual agreement to do business with a firm if it reciprocates and gives business in return. Foundations may be parties to reciprocity arrangements. For example, a business affiliated with a foundation may say to one of its suppliers, "I will buy from you if you will contribute to such and such a foundation" or, "if you buy from me, such and such foundation will make you a business loan at favorable terms".

Our study indicates that many business suppliers and buyers have made sizable contributions to foundations controlled by customers. For example, we know that a number of suppliers of the Hilton Hotel chain are contributors to the Conrad N. Hilton Foundation, of Los Angeles. Mr. C. N. Hilton, Jr., Secretary of the Conrad N. Hilton Foundation, has acknowledged that, during the fiscal years ending February 28, 1952 through February 28, 1963, 29 donors—who were suppliers of goods or services to Hilton Hotels Corporation or its subsidiaries—made contributions to the Conrad N. Hilton Foundation in the amount of $61,695.18.

Does not this kind of situation appear to raise the specter of business reciprocity—We will buy from you if you contribute to our foundation?

If so, does it not raise a number of serious antitrust problems? Specifically, may it not involve a possible violation of the Robinson-Patman Act because it involves the inducement of discriminatory prices?

Or may it not involve a violation of Section 5 of the FTC Act as have other instances of business reciprocity because they involve "unfair methods of competition"?

Here is another case that we discussed in our hearings. The Rogosin Foundation, of New York City, is controlled by the Rogosin family. The Rogosin family has also dominated Beaunit Corporation (formerly Beaunit Mills, Inc.), Rogosin Industries, Limited, and Skenandoa Rayon Corporation.

At December 31, 1952, the Foundation held 33⅓ percent of the nonvoting preferred stock of Beaunit Mills, Inc. (carrying value $2.7 million) as well as 5 percent of the common voting stock of the same corporation (carrying value $1.9 million).

Beaunit Mills, Inc., manufactures synthetic yarn, knits and weaves fabrics, and manufactures intimate apparel. The Goodyear Tire and Rubber Company of Akron, Ohio, has been a buyer of tire-cord yarn from Beaunit Corporation.

In March 1952, Goodyear made a cash donation of $150,000 to the Rogosin Foundation. Additionally, on March 10, 1952, Goodyear loaned $2.5 million to the Rogosin Foundation at 4 percent interest. The loan was to be paid off in installments due January 3–August 15, 1953, January 3–August 15, 1954, and January 3–August 15, 1955. According to the Foundation, payments on the loan were made on August 15, 1953, August 15, 1954, and August 15, 1955.

The Foundation states that it used the $2.5 million loan to purchase from Beaunit Mills, Inc., 30,000 shares of the latter's preferred stock. An identical number of shares of Beaunit Mills, Inc., preferred stock was pledged by the Foundation as collateral for the loan.

So, here we have the question as to whether this arrangement involves a price discount from Rogosin to Goodyear, for which Goodyear, the buyer, compensated Rogosin by making a contribution to the Rogosin Foundation. If this were the case, would it not seem to raise both tax and antitrust problems. First, it is a method whereby the buyer compensates the seller by making a tax deductible contribution to the Rogosin Foundation? Second, would not this practice, at best, be a distortion of the pricing and exchange process in a free enterprise economy? Third, might not this practice actually involve, (a) a violation of the Robinson-Patman Act because it involved discriminatory pricing, or (b) a violation of section 3 of the Federal Trade Commission Act because it is an unfair method of competition? Additionally, of course, Goodyear was acting as a source of unregulated credit.

Then there are the possible antitrust problems—actual or potential conflict of interest situations—that may stem from situations where board members of foundations also sit on the boards of business firms that compete with each other. As we all know, Section 8 of the Clayton Act provides that no person shall be a director of two or more competing corporations. Now, that Act does not apply to indirect interlocks, such as when a foundation has two board members, one of whom is also a board member of corporation A and the other member is on the board of corporation B (a competitor of A). While there is nothing illegal about such an arrangement under Section 8, there could be a special public interest problem when a foundation established for eleemosynary purposes becomes a vehicle for such indirect interlocks which might affect competition.

Here is another area that this panel should explore. Does a businessman in government pose a greater potential conflict of interest than the officials of foundations in government—such as, for example, McGeorge Bundy, President of the Ford Foundation, whose overlords, the Ford family, have immense commercial interests throughout the world, including the Middle East? It seems to me a bit inconsistent for the Congress to require a businessman to completely eliminate potential conflict of interest when, at the same time, it permits Mr. Bundy to wander in and out of the Government while retaining his $65,000 annual salary from the Ford Foundation. This was the case in June 1967 when Mr. Bundy became Executive Secretary to the National Security Council Committee on the Middle East.

Now, to turn to the stock market—there is ample evidence that many foundations are actively trading in the market with substantial portions of their funds. Judging from the content of their portfolios and the frequency of turnover, many foundations are concerned less with equity yields and inflationary trends than they are with the lure of capital gains to swell their principal funds. I might add that former Secretary Dillon testified that he shares my view that speculative gains for charity are not worth the risk of speculative losses, and that he knew of no case where directors or trustees of a foundation have reimbursed the foundation for losses incurred in speculation.

One of the operations that should be subjected to the close scrutiny of this committee is that of the private pooling of investments by some foundations—in other words, the pooling of capital to trade in the stock market. For example, some of the Rockefeller foundations have informed us that they have a joint investment staff of 16 persons, not including secretarial, headed by Mr. J. Richardson Dilworth, which provides investment services with the cost shared by the various Rockefeller participants.

Does this not raise some potential problems—the possibility of speculative tactics, the possibility of a conflict of interest, the possibility of huge buying power that will have a strong impact on the prices of stock they deal in?

Secretary Dillon also testified that a foundation can be a source of unfair competition arising from active use of foundation assets by donors or trustees for private business ends, and that there are an infinite number of ways in which foundation assets or income can be used for the preferment of one set of private persons over another. The Secretary agreed that (1) foundations' moneylending activities put them into unfair competition with private lenders and also give the foundations an element of influence over a wide range of business ventures, and (2) such activities may present problems, such as preferential rates of interest. All this is made possible by the fact that, at present, the only restraint on a foundation's moneylending appears to be that loans must carry a "reasonable" rate of interest and adequate security, and that nothing prevents the foundation from making loans to its founder or his family, the businesses under his control, or a donor.

I conclude with this thought: There is something fundamentally wrong in conditions which make such acquisition of economic power possible, and which tolerate its continuation. And it is the responsibility of Congress to correct those conditions.

I am indeed grateful for the opportunity to appear before this distinguished panel. Thank you very much. You may be assured that our Subcommittee will do everything possible to cooperate with the Committee on Ways and Means. I have informed Chairman Mills that we will be delighted to loan our records and our staff to the Committee on Ways and Means whenever it wishes.

Mr. Chairman, I should like to insert here for the record breakdowns of certain Ford Foundation and Rockefeller Foundation payments and other data which I mentioned earlier.

ANOTHER BANKER JOINS THE TREASURY DEPARTMENT CLUB

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, banker No. 4 has been added to the list of notables at the U.S. Treasury Department.

The latest is Mr. James E. Smith, who has been appointed Special Assistant to the Secretary for Congressional Relations. The title is, of course, a polite name for Treasury Department lobbyist.

Mr. Smith's most recent place of employment has been the Washington office of the American Bankers Association. The last quarterly list of lobbyists as compiled by the Clerk of the House of Representatives and published in the January 13, 1969, issue of the CONGRESSIONAL RECORD on pages 472 to 500, lists Mr. Smith as a lobbyist for the American Bankers Association.

So, obviously, Mr. Smith will find no great change in his duties. He has been lobbying for the banks for the American Bankers Association. He will now be lobbying for the Treasury Department.

As a lobbyist for the American Bankers Association, Mr. Smith has, of course, worked with Mr. Charles Walker, who was executive vice president of the American Bankers Association before he became Under Secretary of the Treasury last month. Mr. Smith and Mr. Walker are now rejoined at the Treasury.

And I am sure that Mr. Smith will be no stranger to the Secretary of the Treasury, David Kennedy, who was chairman of the Continental-Illinois National Bank, one of the largest members of the American Bankers Association, and Mr. Paul Volcker, the other Under Secretary of the Treasury, who was a vice president of the Chase Manhattan National Bank, also a heavy contributor and a leading member of the American Bankers Association.

Mr. Speaker, I place in the RECORD a copy of a Treasury Department release announcing the arrival of Mr. Smith:

SECRETARY KENNEDY NAMES JAMES E. SMITH AS ASSISTANT FOR CONGRESSIONAL RELATIONS

Secretary of the Treasury David M. Kennedy today announced appointment of James E. Smith of Aberdeen, South Dakota, as Special Assistant to the Secretary. His responsibilities will include Congressional Relations and associated duties.

Before joining the Treasury, Mr. Smith was on the Washington staff of the American Bankers Association from 1963 to 1969. His positions included Deputy Manager and Associate Federal Legislative Counsel.

From 1962 to 1963, Mr. Smith was minority counsel to the Senate Subcommittee on Intergovernmental Relations. He served as legislative aide to Senator Karl E. Mundt from 1957 to 1962, and from 1955 to 1957 was an investigator in the Office of Security, Department of State.

Born in Aberdeen, September 28, 1930, he received a bachelor of science degree in 1952 from the South Dakota School of Mines and Technology, Rapid City. In 1959 he received a bachelor of laws degree from The George Washington University, Washington, D.C.

Mr. Smith is married to the former Sarah Spear of Ashley, Illinois, at one time an assistant to Senator Paul H. Douglas. The Smiths and their daughter, Susan Elizabeth, 8, live at 3604 Barcroft View Terrace, Bailey's Cross Roads, Virginia. Mr. Smith has a son James E. Smith II, 14, by a former marriage.

WASHINGTON POST WARNS ABOUT DANGERS OF BANK HOLDING COMPANIES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record, and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the concern over the trend toward conglomerates centered around big banks is growing throughout the Nation.

The American public is waking up to the realization that the banks, through the loopholes in the Bank Holding Company Act, are threatening to place the entire American economy under the control of a handful of people.

Mr. Speaker, I place in the Record a copy of an editorial on this subject which appeared in the Washington Post of February 18:

What Is Banking?

The one-bank holding company is something we are likely to hear a great deal about in the next few months. Such strange bedfellows as McChesney Martin, Wright Patman and Ralph Nader are coming together in opposition to these things and seem to be squaring off with the bankers and probably the Treasury Department for a battle royal over them. Both sides admit that the outcome of this battle will have a lot to do with the shape of the American economy.

In ordinary phraseology, a one-bank holding company is simply a company that owns exactly one bank. Its significance is that such a company is exempt from regulation under the Bank Holding Company Act of 1956 which applies to companies owing two or more banks. That Act was passed to prevent undue concentration of the control of banking and to keep the business of banking somewhat separate from the rest of American business. Until the last two or three years, this exemption was used primarily in small towns. There, one small company might own the local bank as well as the insurance agency, a warehouse or two, and so on. But the latest fad among bankers is to create these one-bank holding companies. In the last four months of 1968, plans were consummated or announced for the creation of 99 new ones involving banks with deposits of $90 billion. The suddenness of their spurt is clear when those figures are compared to the statistics gathered by the staff of the House Banking Committee showing that on last Sept. 1 there were 684 one-bank holding companies involving banks with deposits of $18 billion.

The rush to create these new companies seems to have arisen from the discovery by the bankers that this is a method of broadening their activities. Such a holding company may own all sorts of other enterprises, thus increasing the scope and earnings potential of the aggressive banks. For example, the Jim Walter Corporation, which is widely known as a builder of low cost housing, owns the First National Bank of St. Petersburg, Fla., among other things. Montgomery Ward & Co., R. H. Macy & Co., Minnesota Mining & Manufacturing Co. and many other major corporations own one bank. Now, Bank of America, Chase Manhattan Bank, First National City Bank, Morgan Guaranty Trust Company and many others are turning themselves into companies which will be the legal equivalent of these.

The danger, according to the critics, is that these one-bank holding companies will become the keystone of large industrial empires thus turning control of the American economy over to the bankers. They point out that the six largest banks in the country have turned or have announced plans to turn themselves into one-bank holding companies. This raises the possibility that the nonbanking subsidiaries of such companies will have first call on money in its cheapest form—demand deposits—and a distinct advantage over competitors in the struggle for credit.

The problem, of course, is what the business of banking ought to entail. In recent years, banks have branched out into mutual funds, insurance companies, travel agencies, credit card arrangements and so on. In some instances, competitors have blocked the banks from entering these fields because of the National Bank Act which authorizes banks to engage only in the "business of banking," whatever that is. But the one-bank holding company gets around that barrier totally.

The public policy question—and the one Congress will have to deal with this spring—is what the business of banking ought to include. It is not an easy question in an era when the traditional functions of banks such as lending money and providing savings accounts have been eaten into by, for example, the development of mutual funds and the expansion of the activities of insurance companies. But it is a fundamental question, particularly when some believe there are similarities between the piling up of holding companies in the 1920s and the potential of the new banking conglomerates.

NOW WE KNOW

(Mr. GROSS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GROSS. Mr. Speaker, Bill Moyers, one of ex-President Lyndon Johnson's several press secretaries, has given us an insight into why the so-called Great Society was such a monumental flop.

Now we know at least one of the reasons we are all in the fix we are in. It is a pity Mr. Moyers did not see fit to speak out long, long ago.

I include for insertion in the Record an article from today's Wall Street Journal quoting Mr. Moyers:

Notable and Quotable

I think one of the significant problems in the Kennedy and Johnson Administrations was that the men who handled national security affairs became too close, too personally fond of each other. They tended to conduct the affairs of state almost as if they were a gentlemen's club, and the great decisions were often made in that warm camaraderie of a small board of directors deciding what the club's dues are going to be for the members next year. The reason this is a handicap is simply that when you're debating fundamental policies, you should press your debating opponents to the very limit of their reasoning faculties. If you are close to them, if you are good friends with them, you are less inclined, in a debating sense, to drive your opponent to the wall and you very often permit a viewpoint to be expressed and to go unchallenged except in a peripheral way. If the Secretary of Defense is "Bob" to you, and the Secretary of State is "Dean," you are less willing to risk the personal affront that comes in destroying his case. So you often dance around the final hard decision which would set you against three men who are very close to you, and you tend to reach a consensus. The reliance upon persons who are close to you can be very dangerous.

THE INTERNATIONAL WRITING PROGRAM AT THE UNIVERSITY OF IOWA, IOWA CITY, IOWA

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, it has long been my privilege to associate with the humanities and to support their programs in the Congress. Without disparaging our vast and wonderful scientific achievements, I would respectfully suggest to you that the balance between science and humanities is far out of perspective. We are now faced with the anomalous situation where we have the marvelous technical capability of transferring organs from one human being to another, but are really rather ill equipped to make some of the moral judgments, which of necessity accompany these operations. I feel that we have too long ignored the humanities in favor of science, and that we must now greatly accellerate our efforts in the humanities. One effort in this direction is the National Endowment for the Humanities. Mr. Barnaby Keeney and his staff have been very effective in getting this organization off to a good start. However, they will need greatly increased support if they are to make really significant progress on a broad basis.

One shining example brought about as a result of this program is the international writing program at the University of Iowa, Iowa City, Iowa. This program, is in part, funded by the National Endowment, and is under the very capable direction of Mr. Paul Engle. I would be remiss if I left any implication that the success of this fine program is the result of anything other than Mr. Engle's very capable leadership, but it is a wonderful example of the type of program the National Endowment is involved in, and should be even more involved in. Mr. Engle has prepared a brief report on the program and two newspapers have written on the program. Mr. Speaker, under unanimous consent I include in the Record Mr. Engle's report, a column from

the Saturday Review by Mr. James F. Fixx, and an article from the Cedar Rapids Gazette dated December 13, 1968:

Brief Report to Friends of the International Writing Program, December 1968

The attached story from the Saturday Review indicates that this Program, in its first full year of operation, has already attracted the approval of the American literary scene. We have been asked by a publisher in New York to assemble an anthology of writing in translation from our foreign participants, so that in 1970 there will be a permanent record of the first two years.

Recently an anthology of contemporary Chinese poetry, and an anthology of contemporary Korean poetry, both translated into English by students from Taiwan and from Korea whom I brought here, have been accepted for hard-cover publication in a series of translations to be undertaken by the new University of Iowa Press. A brochure of poems in English translation from the Chinese of Wang Ching-lin, one of last year's participants from Taiwan, has been published by the University's Windhover Press. A brochure of translations from the Persian verse of Miss Tehereh Saffarzadeh (Iran) is now on the press, and a third pamphlet, translated from the Polish of two current members of the Program, Zbigniew Bienkowski and Malgorzata Hillar (they are husband and wife), will appear in the spring of 1969. This series will continue with three a year until it reaches fifteen, when a hard-cover collection of all will be published. Thus, in only one year, three solid books and several brochures will make a permanent proof of the practicality of bringing writers from all parts of the world into one literary community and letting them be productive.

Much of the work in translation was done with help from The National Endowment for the Humanities in Washington, D.C., evidence that the federal government actually can aid the arts and scholarship without in any way interfering.

An anthology of recent American poetry is now being translated into Spanish by Fernando Arbelaez, distinguished poet and translator from modern Greek as well as English, from Bogota, Colombia.

During the 1850's a Polish poet, Cyprian Norwid, lived obscurely in New York City, writing several poems on American themes, such as John Brown, and many letters about his experiences. These are totally unknown in English. A substantial collection of his poems and letters is being translated into English for publication as a "Selected Works of Norwid" by Zbigniew Bienkowski with the help of Sydney Smith, an Irish poet from Dublin now in this Program, and Bruce Carruthers, a young writer from Long Island, New York.

Refik Erduran, leading Turkish playwright is working with Asa Baber, a young American writer, on putting his plays into English.

We have nine writers from Latin America and six from East Europe, as well as our first Israeli. Thanks to The Field Foundation, American minorities are represented by Simon Ortiz from the Indian Pueblo of Acoma, New Mexico, and Emmery Evans Jr. of the black Watts Workshop, Los Angeles.

Fourteen writers brought wives, a lovely and lyrical addition, and seven brought children, a lovely and loud addition. Funds for 1969–1970?

Paul Engle,
Director.

[From the Saturday Review, Nov. 30, 1968]

Trade Winds

(By James F. Fixx)

One of the most remarkable international gatherings I know of is currently taking place not in New York or Paris or any such cosmopolitan spot, but in, of all places, Iowa City, Iowa. It's called the International Writing Program, and it has brought together thirty-eight young poets, novelists, and playwrights from all over the world—Argentina, Yugoslavia, Ceylon, China, France, Iran, Poland, and Sweden, to name only a few of the countries represented. The key to its attraction is a wonderfully freewheeling atmosphere in which discussion, debate, and hard work all go on in a spirit of real tolerance. (A good thing, too, since the writers' countries aren't always on entirely cordial terms.) Participants meet formally once a week during the school year, and in between times they get together at dinners, in homes, and occasionally over a beer or two. Sometimes the conversation is poignant and revealing. At one of these sessions, for example, a Chinese writer was asked why she suspected the Communist Chinese of harshness when the writings of Mao often seemed to express such gentleness and sensitivity. Her reply: "They killed my father."

The program, now in its second year at the University of Iowa, sounds daringly experimental, and in one sense it is. In another sense, though, it was almost an assured success from the moment it was thought of. The reason lies in its director, Paul Engle, who founded the university's renowned creative writing program, ran it for twenty-five years, and is an old and respected hand at the nurturing of writers. (Among his recent protégés: Richard Kim, author of *The Innocent,* reviewed in *SR*, Nov. 23.)

I'm inclined to suspect that one of the secrets of Mr. Engle's success is his extraordinary enthusiasm. A few weeks ago, while chatting with him on the phone, I mentioned that I was thinking of saying a few words about his program in this column. A day or two later the mail began to arrive from Iowa City—long and lively letters, catalogues, lists of students and their published writings—and as a result I now sit in the midst of an impressive mountain of Iowan artifacts and memorabilia. Mr. Engle's description of his fund-raising problems (only 10 per cent of the money needed for fellowships is contributed by the university) gives a good idea of the kind of energetic fellow he is: "I began raising money for American writers years ago; counting this year's total, the sum is now around three-quarters of a million dollars, which I suppose is more than any other person has found for the cause of poets, novelists, and an occasional playwright. . . . It's a dog's life, fund-raising, and sometimes I get tired of barking, especially when I fail."

Mr. Engle's barking obviously pays off. Still, I have a feeling he may be up against a bit of a problem this year when he tries to come up with a field trip to equal the one last year's group took. They all headed for Chicago, where they spent a few convivial hours in that citadel of authentic American culture, the Playboy Club.

[From the Cedar Rapids Gazette, Dec. 13, 1968]

Writing Program, Poetry Mark Good Year for Iowa's Engle

Iowa City.—It's been a very good year for Professor Paul Engle of the University of Iowa.

He believes his new project, the International Writing Program, is reaching maturity. He is finding that his former project, the U. of I. Writers Workshop, is still bearing fruit from seeds planted years ago. And he has found time to prepare a new book of poetry for the press and to publish in national magazines a two-part poem inspired by a photograph taken of Mrs. Martin Luther King at her husband's funeral.

Engle said that he wrote the poem about Mrs. King during a meeting of the National Arts Council, of which he is a member, in Tarrytown, N.Y., in April. "I was talking to Sidney Poitier at breakfast before the meeting," he recalls. Poitier, an actor who is also a member of the council, had been to the funeral, and his account of it mixed in Engle's mind with the photograph of the grieving Mrs. King wearing a veil.

FRAGMENTS

"Phrases kept coming into my mind, and I wrote them down, which is how poetry usually comes—in scraps and fragments," Engle said. He wrote throughout the meeting, continued in his room that night, and finished the final lines while visiting a college in St. Louis shortly afterward.

One section of the poem was published in Life magazine in May, and the other section is in the December issue of Harper's Bazaar. It ends:

"The black transparent veil protects—the brown veil of your face, and that protects—the red veil of your heart, and that protects—these people and this country as nothing else protects.

A volume of Engle's poems about love, some new and some from previous books, will be published by Random House in February, he said.

Although Engle left the directorship of the Writers Workshop two years ago to establish the International Writing Program, he still delights in seeing the success of former students. Three of them won what could be called the Triple Crown of American Poetry this year: Anthony Hecht won the Pulitzer Prize with his book, "Hard Hours"; Robert Bly won the National Book Award for poetry with "Silence in the Snowy Fields"; and Jane Cooper won the Lamont Poetry Prize with "The Weather of Six Mornings."

Engle said, "Neither I nor anyone else is responsible for their talent." But at the same time it gives him satisfaction to know that he invited them to the writing community of the Iowa workshop when they were unpublished and unknown and at a time when "nobody else was taking a chance on them."

Engle's present preoccupation is directing the International Writing Program, which this year brought 37 writers to the U. of I. from such countries as Chile, Ceylon, Taiwan and Romania. Some are candidates for master of fine arts degrees, and others have the status of "visiting artists."

As was true in 1967–68, when IWP began, Engle has arranged for each student to receive an unabridged dictionary and a library of 150 paperback classics in fiction, poetry, literary criticism and other fields—all donated by 10 major publishers.

The program calls for the IWP participants, in addition to attending classes, to gather weekly while one of their number lectures on the contemporary literature of his homeland.

It also calls for occasional weekend visits to nearby cities. Last year the students went to Minneapolis to the Tyrone Guthrie Theater and to Chicago to visit the Art Institute and Playboy Club. Last weekend the group went to Des Moines to tour the American Republic Insurance Co.'s computer room and art collection, to see a selection of art films, and to visit friends of the program.

Engle is also kept busy with what he calls "immense correspondence" involving students to take part in the program next year. A former student in Germany may send him three books by a writer he considers a likely candidate, or Engle may exchange letters with the state department about bringing to Iowa a novelist and his journalist wife.

But the largest part of Engle's time is consumed in fund-raising, since, as he says, a state university cannot be expected to finance completely a program as unusual as IWP. This year IWP received $48,000 from the Ford Foundation, the first grant he had obtained from that source, and a long-time supporter, Miss Emma Reppert of Santa Barbara, Calif., gave the program a house at 124 Grove St., Iowa City, to make two apartments available for visiting writers.

TIRED OF BARKING

In a recent interview with Saturday Review, Engle said, "I began raising money for American writers years ago; counting this year's total, the sum is now around three-quarters of a million dollars, which I suppose is more than any other one person has found for the cause of poets, novelists, and an occasional playwright . . . It's a dog's life, fund-raising, and sometimes I get tired of barking, especially when I fail."

Engle, now 60, calls his perpetual fund-raising campaign "extremely arduous." He said, "It is no way to spend the declining years of your life. I've got a lot of books I want to write." He is looking forward to the day when a successor will assume the directorship.

He has derived satisfaction from his career as patron of the unknown writer, and says it gratifies him to remember how he invited poet James Tate to the workshop when he was on the verge of military enlistment. Tate soon afterward won the 1966 award in the Yale Series of Younger Poets.

Vicarious satisfaction is valuable to Engle. "But everybody wants to publish his own books," he said.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. O'HARA (at the request of Mr. ALBERT), for today, February 18, and Wednesday, February 19, on account of death of mother.

Mr. NICHOLS (at the request of Mr. ALBERT), for today, on account of official business.

Mr. FLYNT (at the request of Mr. STUCKEY), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATTEN, for 30 minutes, on February 20, 1969, to commemorate the 125th anniversary of the birth of Michael Munkacsy; and to revise and extend his remarks and include extraneous matter.

Mr. MESKILL (at the request of Mr. CAMP), for 1 hour, on March 5; to revise and extend his remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. MADDEN and to include an editorial.

Mr. MICHEL and to include extraneous matter.

Mr. BENNETT in two instances and to include extraneous matter.

Mr. DULSKI and to include an editorial.

Mr. O'NEILL of Massachusetts to insert his remarks in the RECORD following those of Mr. CULVER on House Resolution 89.

Mr. O'NEILL of Massachusetts in five instances.

Mr. MILLER of California in five instances and to include extraneous matter.

Mr. PODELL and to include extraneous matter.

(The following Members (at the request of Mr. CAMP) and to include extraneous matter:)

Mr. PETTIS.
Mr. BYRNES of Wisconsin.
Mr. DERWINSKI in two instances.
Mr. ASHBROOK in two instances.
Mr. MIZE in two instances.
Mr. GROVER.
Mr. CLEVELAND in two instances.
Mr. KLEPPE.
Mr. HALPERN.
Mr. CONTE in three instances.
Mr. RUMSFELD.
Mr. WYMAN in two instances.
Mr. BROCK in two instances.
Mr. POLLOCK.
Mr. STEIGER of Arizona.
Mr. HUNT in two instances.
Mr. SCHNEEBELI.
Mr. HOSMER.
Mr. REID of New York.
Mr. SCHWENGEL in two instances.
Mr. MORTON.
Mr. SCHERLE.
Mr. FRELINGHUYSEN.
Mr. QUILLEN in four instances.
Mr. MIZELL in three instances.
Mr. BROYHILL of Virginia in two instances.
Mr. NELSEN.

(The following Members (at the request of Mr. CLAY) and to include extraneous matter:)

Mr. EDWARDS of California in five instances.
Mr. EILBERG.
Mr. ROYBAL in six instances.
Mr. DENT in six instances.
Mr. DINGELL in two instances.
Mr. PODELL in three instances.
Mr. VAN DEERLIN.
Mr. GARMATZ.
Mr. RARICK in three instances.
Mr. RYAN in two instances.
Mr. OTTINGER in two instances.
Mr. ROGERS of Florida in five instances.
Mr. O'NEILL of Massachusetts in two instances.
Mr. MOORHEAD in two instances.
Mr. GALLAGHER in two instances.
Mr. PICKLE in two instances.
Mr. MARSH in two instances.
Mr. HUNGATE in two instances.
Mr. LEGGETT.
Mr. HELSTOSKI.
Mr. BINGHAM.
Mr. EDWARDS of Louisiana.
Mr. OLSEN in two instances.
Mr. GILBERT in two instances.
Mr. BRASCO.
Mr. MINISH.
Mr. MCCARTHY in 10 instances.
Mr. GONZALEZ in four instances.
Mr. LOWENSTEIN.
Mr. FRASER in two instances.
Mr. O'HARA in two instances.
Mr. DULSKI.
Mr. TIERNAN in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 76. An act for the relief of Soon-Hie Cho Young; to the Committee on the Judiciary.

S. 85. An act for the relief of Dr. Jagir Singh Randhawa; to the Committee on the Judiciary.

S. 109. An act for the relief of Dr. Benito V. Odulio; to the Committee on the Judiciary.

S. 112. An act for the relief of Dr. Kenneth Siu; to the Committee on the Judiciary.

S. 113. An act for the relief of Dr. Mete V. Altug; to the Committee on the Judiciary.

S. 127. An act for the relief of Dr. Jose Carlos Suarez-Diaz; to the Committee on the Judiciary.

S. 129. An act for the relief of Dr. Jorge P. Garcia; to the Committee on the Judiciary.

S. 130. An act for the relief of Dr. Carlos M. Perez-Abreu; to the Committee on the Judiciary.

S. 131. An act for the relief of Dr. Eduardo Fernan Dominguez; to the Committee on the Judiciary.

S. 132. An act for the relief of Dr. José Remón Fernández-González; to the Committee on the Judiciary.

S. 147. An act for the relief of Dr. Miguel A. Gomez; to the Committee on the Judiciary.

S. 148. An act for the relief of Dr. Juan Alfredo Milera; to the Committee on the Judiciary.

S. 149. An act for the relief of Dr. Miguel Angel Garcia Plasencia; to the Committee on the Judiciary.

S. 151. An act for the relief of Dr. Fermin Ferro; to the Committee on the Judiciary.

S. 153. An act for the relief of Dr. Carlos Jesus Aguilar Lima; to the Committee on the Judiciary.

S. 154. An act for the relief of Dr. Joaquin Francisco Palmerola Cabrera; to the Committee on the Judiciary.

S. 155. An act for the relief of Dr. Jose Ramon Portela y Margolles; to the Committee on the Judiciary.

S. 156. An act for the relief of Dr. Aurelio Julian Andres Jimenez Cortana; to the Committee on the Judiciary.

S. 157. An act for the relief of Dr. Martiniano L. Orta; to the Committee on the Judiciary.

S. 165. An act for the relief of Basil Rowland Duncan; to the Committee on the Judiciary.

S. 256. An act to confer U.S. citizenship posthumously upon L. Cpl. Theodore Daniel Van Staveren; to the Committee on the Judiciary.

S. 319. An act for the relief of Liliana Grasseschi Baroni; to the Committee on the Judiciary.

S. 378. An act for the relief of Peter Rudolf Gross; to the Committee on the Judiciary.

S. 458. An act for the relief of Yuka Awamura; to the Committee on the Judiciary.

S. 490. An act for the relief of Gyorgy Sebok; to the Committee on the Judiciary.

S. 495. An act for the relief of Marie-Louise (Mary Louise) Pierce; to the Committee on the Judiciary.

S. 510. An act for the relief of Stella Drabensky; to the Committee on the Judiciary.

S. 572. An act for the relief of Dr. Cesar Baro Esteva; to the Committee on the Judiciary.

S. 573. An act for the relief of Dr. Jose R. Guerra; to the Committee on the Judiciary.

S. 584. An act for the relief of Domingo Lamadriz; to the Committee on the Judiciary.

S. 586. An act for the relief of Nguyen Van Hue; to the Committee on the Judiciary.

S. 678. An act for the relief of Francisco Renigio Fabre Solino (Frank R. S. Fabre); to the Committee on the Judiciary.

S. 682. An act for the relief of Rene E. Montero; to the Committee on the Judiciary.

S. 686. An act for the relief of Dr. Juan

Antonio Lopez; to the Committee on the Judiciary.

ADJOURNMENT

Mr. CLAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 26 minutes p.m.) the House adjourned until tomorrow, Wednesday, February 19, 1969, at 12 o'clock noon.

OATH OF OFFICE, MEMBERS AND RESIDENT COMMISSIONER

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

> "I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by each of the following Members and Resident Commissioner of the 91st Congress, pursuant to Public Law 412 of the 80th Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (U.S.C., title 2, sec. 25), approved February 18, 1948:

ALABAMA

1. Jack Edwards.
2. Wm. L. (Bill) Dickinson.
3. George Andrews.
4. Bill Nichols.
5. Walter Flowers.
6. John H. Buchanan, Jr.
7. Tom Bevill.
8. Bob Jones.

ALASKA

At Large

Howard W. Pollock.

ARIZONA

1. John J. Rhodes.
2. Morris K. Udall.
3. Sam Steiger.

ARKANSAS

1. William V. Alexander.
2. Wilbur D. Mills.
3. John Paul Hammerschmidt.
4. David Pryor.

CALIFORNIA

1. Don H. Clausen.
2. Harold T. (Bizz) Johnson.
3. John E. Moss.
4. Robert L. Leggett.
5. Phillip Burton.
6. William S. Mailliard.
7. Jeffery Cohelan.
8. George P. Miller.
9. Don Edwards.
10. Charles S. Gubser.
11. Paul N. (Pete) McCloskey, Jr.
12. Burt L. Talcott.
13. Charles M. Teague.
14. Jerome R. Waldie.
15. John J. McFall.
16. B. F. Sisk.
17. Glenn M. Anderson.
18. Robert B. (Bob) Mathias.
19. Chet Holifield.
20. H. Allen Smith.
21. Augustus F. (Gus) Hawkins.
22. James C. Corman.
23. Del Clawson.
24. Glenard P. Lipscomb.
25. Charles E. Wiggins.
26. Thomas M. Rees.
27. Ed Reinecke.
28. Alphonzo Bell.
29. George E. Brown, Jr.
30. Edward R. Roybal.
31. Charles H. Wilson.
32. Craig Hosmer.
33. Jerry L. Pettis.
34. Richard T. Hanna.
35. James B. Utt.
36. Bob Wilson.
37. Lionel Van Deerlin.
38. John V. Tunney.

COLORADO

1. Byron G. Rogers.
2. Donald G. Brotzman.
3. Frank E. Evans.
4. Wayne N. Aspinall.

CONNECTICUT

1. Emilio Q. Daddario.
2. William L. St. Onge.
3. Robert N. Giaimo.
4. Lowell P. Weicker, Jr.
5. John S. Monagan.
6. Thomas J. Meskill.

DELAWARE

At large

William V. Roth, Jr.

FLORIDA

1. Bob Sikes.
2. Don Fuqua.
3. Charles E. Bennett.
4. William V. Chappell, Jr.
5. Louis Frey, Jr.
6. Sam M. Gibbons.
7. James A. Haley.
8. William C. (Bill) Cramer.
9. Paul G. Rogers.
10. J. Herbert Burke.
11. Claude Pepper.
12. Dante B. Fascell.

GEORGIA

1. G. Elliott Hagan.
2. Maston O'Neal.
3. Jack Brinkley.
4. Ben B. Blackburn.
5. Fletcher Thompson.
6. John J. Flynt, Jr.
7. John W. Davis.
8. W. S. (Bill) Stuckey, Jr.
9. Phil M. Landrum.
10. Robert G. Stephens, Jr.

HAWAII

At large

Spark M. Matsunaga.
Patsy Takemoto Mink.

IDAHO

1. James A. McClure.
2. Orval Hansen.

ILLINOIS

1. William L. Dawson.
2. Abner J. Mikva.
3. William T. Murphy.
4. Edward J. Derwinski.
5. John C. Kluczynski.
6. Daniel J. Ronan.
7. Frank Annunzio.
8. Daniel D. Rostenkowski.
9. Sidney R. Yates.
10. Harold R. Collier.
11. Roman C. Pucinski.
12. Robert McClory.
13. Donald Rumsfeld.
14. John N. Erlenborn.
15. Charlotte T. Reid.
16. John B. Anderson.
17. Leslie C. Arends.
18. Robert H. Michel.
19. Tom Railsback.
20. Paul Findley.
21. Kenneth J. Gray.
22. William L. Springer.
23. George E. Shipley.
24. Melvin Price.

INDIANA

1. Ray J. Madden.
2. Earl F. Landgrebe.
3. John Brademas.
4. E. Ross Adair.
5. Richard L. Roudebush.
6. William G. Bray.
7. John T. Myers.
8. Roger H. Zion.
9. Lee H. Hamilton.
10. David W. Dennis.
11. Andrew Jacobs, Jr.

IOWA

1. Fred Schwengel.
2. John C. Culver.
3. H. R. Gross.
4. John Kyl.
5. Neal Smith.
6. Wiley Mayne.
7. William J. Scherle.

KANSAS

1. Keith G. Sebelius.
2. Chester L. Mize.
3. Larry Winn, Jr.
4. Garner E. Shriver.
5. Joe Skubitz.

KENTUCKY

1. Frank A. Stubblefield.
2. William H. Natcher.
3. William O. Cowger.
4. M. G. (Gene) Snyder.
5. Tim Lee Carter.
6. John C. Watts.
7. Carl D. Perkins.

LOUISIANA

1. F. Edward Hébert.
2. Hale Boggs.
3. Patrick T. Caffery.
4. J. D. (Joe) Waggonner, Jr.
5. Otto E. Passman.
6. John R. Rarick.
7. Edwin W. Edwards.
8. Speedy O. Long.

MAINE

1. Peter N. Kyros.
2. William D. Hathaway.

MARYLAND

1. Rogers C. B. Morton.
2. Clarence D. Long.
3. Edward A. Garmatz.
4. George H. Fallon.
5. Lawrence J. Hogan.
6. J. Glenn Beall, Jr.
7. Samuel N. Friedel.
8. Gilbert Gude.

MASSACHUSETTS

1. Silvio O. Conte.
2. Edward P. Boland.
3. Philip J. Philbin.
4. Harold D. Donohue.
5. F. Bradford Morse.
6. William H. Bates.
7. Torbert H. Macdonald.
8. Thomas P. O'Neill, Jr.
9. John W. McCormack.
10. Margaret M. Heckler.
11. James A. Burke.
12. Hastings Keith.

MICHIGAN

1. John Conyers, Jr.
2. Marvin L. Esch.
3. Garry Brown.
4. Edward Hutchinson.
5. Gerald R. Ford.
6. Charles E. Chamberlain.
7. Donald W. Riegle, Jr.
8. James Harvey.
9. Guy Vander Jagt.
10. Elford A. Cederberg.
11. Philip E. Ruppe.
12. James G. O'Hara.
13. Charles C. Diggs, Jr.
14. Lucien N. Nedzi.
15. William D. Ford.
16. John D. Dingell.
17. Martha W. Griffiths.
18. William S. Broomfield.
19. Jack McDonald.

MINNESOTA

1. Albert H. Quie.
2. Ancher Nelsen.
3. Clark MacGregor.
4. Joseph E. Karth.
5. Donald M. Fraser.
6. John M. Zwach.
7. Odin Langen.
8. John A. Blatnik.

MISSISSIPPI

1. Thomas G. Abernethy.
2. Jamie L. Whitten.
3. Charles H. Griffin.
4. Gillespie V. Montgomery.
5. William M. Colmer.

MISSOURI

1. William (Bill) Clay.
2. James W. Symington.
3. Leonor K. (Mrs. John B.) Sullivan.
4. Wm. J. (Bill) Randall.
5. Richard Bolling.
6. W. R. (Bill) Hull, Jr.
7. Durward G. Hall.
8. Richard (Dick) Ichord.
9. William (Bill) Hungate.
10. Bill D. Burlison.

MONTANA

1. Arnold Olsen.
2. James F. Battin.

NEBRASKA

1. Robert V. Denney.
2. Glenn Cunningham.
3. Dave Martin.

NEVADA

At large

Walter S. Baring.

NEW HAMPSHIRE

1. Louis C. Wyman.
2. James C. Cleveland.

NEW JERSEY

1. John E. Hunt.
2. Charles W. Sandman, Jr.
3. James J. Howard.
4. Frank Thompson, Jr.
5. Peter H. B. Frelinghuysen.
6. William T. Cahill.
7. William B. Widnall.
8. Charles S. Joelson.
9. Henry Helstoski.
10. Peter W. Rodino, Jr.
11. Joseph G. Minish.
12. Florence P. Dwyer.
13. Cornelius E. Gallagher.
14. Dominick V. Daniels.
15. Edward J. Patten.

NEW MEXICO

1. Manuel Lujan, Jr.
2. Ed Foreman.

NEW YORK

1. Otis G. Pike.
2. James R. Grover, Jr.
3. Lester L. Wolff.
4. John W. Wydler.
5. Allard K. Lowenstein.
6. Seymour Halpern.
7. Joseph P. Addabbo.
8. Benjamin S. Rosenthal.
9. James J. Delaney.
10. Emanuel Celler.
11. Frank J. Brasco.
12. Shirley Chisholm.
13. Bertram L. Podell.
14. John J. Rooney.
15. Hugh L. Carey.
16. John M. Murphy.
17. Edward I. Koch.
18. Adam C. Powell.
19. Leonard Farbstein.
20. William F. Ryan.
21. James H. Scheuer.
22. Jacob H. Gilbert.
23. Jonathan B. Bingham.
24. Mario Biaggi.
25. Richard L. Ottinger.
26. Ogden R. Reid.
27. Martin B. McKneally.
28. Hamilton Fish, Jr.
29. Daniel E. Button.
30. Carleton J. King.
31. Robert C. McEwen.
32. Alexander Pirnie.
33. Howard W. Robison.
34. James M. Hanley.
35. Samuel S. Stratton.
36. Frank J. Horton.
37. Barber B. Conable, Jr.
38. James F. Hastings.
39. Richard D. McCarthy.
40. Henry P. Smith III.
41. Thaddeus J. Dulski.

NORTH CAROLINA

1. Walter B. Jones.
2. L. H. Fountain.
3. David N. Henderson.
4. Nick Galifianakis.
5. Wilmer Mizell.
6. Richardson Preyer.
7. Alton A. Lennon.
8. Earl B. Ruth.
9. Charles R. Jonas.
10. James T. Broyhill.
11. Roy A. Taylor.

NORTH DAKOTA

1. Mark Andrews.
2. Thomas S. Kleppe.

OHIO

1. Robert Taft, Jr.
2. Donald D. Clancy.
3. Charles W. Whalen, Jr.
4. William M. McCulloch.
5. Delbert L. Latta.
6. William H. Harsha.
7. Clarence J. Brown, Jr.
8. Jackson E. Betts.
9. Thomas Ludlow Ashley.
10. Clarence E. Miller.
11. J. William Stanton.
12. Samuel L. Devine.
13. Charles A. Mosher.
14. William H. Ayres.
15. Chalmers P. Wylie.
16. Frank T. Bow.
17. John M. Ashbrook.
18. Wayne L. Hays.
19. Michael J. Kirwan.
20. Michael A. Feighan.
21. Louis Stokes.
22. Charles A. Vanik.
23. William E. Minshall.
24. Donald E. Lukens.

OKLAHOMA

1. Page Belcher.
2. Ed Edmondson.
3. Carl Albert.
4. Tom Steed.
5. John Jarman.
6. John N. Happy Camp.

OREGON

1. Wendell Wyatt.
2. Al Ullman.
3. Edith Green.
4. John R. Dellenback.

PENNSYLVANIA

1. William A. Barrett.
2. Robert N. C. Nix.
3. James A. Byrne.
4. Joshua Eilberg.
5. William J. Green.
6. Gus Yatron.
7. Lawrence G. Williams.
8. Edward G. Biester, Jr.
9. G. Robert Watkins.
10. Joseph M. McDade.
11. Daniel J. Flood.
12. J. Irving Whalley.
13. R. Lawrence Coughlin.
14. William S. Moorhead.
15. Fred B. Rooney.
16. Edwin D. Eshleman.
17. Herman T. Schneebeli.
18. Robert J. Corbett.
19. George A. Goodling.
20. Joseph M. Gaydos.
21. John H. Dent.
22. John P. Saylor.
23. Albert W. Johnson.
24. Joseph P. Vigorito.
25. Frank M. Clark.
26. Thomas E. Morgan.
27. James G. Fulton.

RHODE ISLAND

1. Fernand J. St Germain.
2. Robert O. Tiernan.

SOUTH CAROLINA

1. L. Mendel Rivers.
2. Albert W. Watson.
3. William J. Bryan Dorn.
4. James R. Mann.
5. Tom S. Gettys.
6. John L. McMillan.

SOUTH DAKOTA

1. Ben Reifel.
2. E. Y. Berry.

TENNESSEE

1. James H. Quillen.
2. John J. Duncan.
3. William E. Brock.
4. Joe L. Evins.
5. Richard Fulton.
6. William R. Anderson.
7. Ray Blanton.
8. Robert A. Everett.
9. Dan Kuykendall.

TEXAS

1. Wright Patman.
2. John Dowdy.
3. Jim Collins.
4. Ray Roberts.
5. Earle Cabell.
6. Olin E. Teague.
7. George Bush.
8. Bob Eckhardt.
9. Jack Brooks.
10. J.J. (Jake) Pickle.
11. W. R. Poage.
12. Jim Wright.
13. Graham Purcell.
14. John Young.
15. E. (Kika) de la Garza.
16. Richard C. (Dick) White.
17. Omar Burleson.
18. Robert Price.
19. George Mahon.
20. Henry B. Gonzalez.
21. O. C. Fisher.
22. Bob Casey.
23. Abraham (Chick) Kazen, Jr.

UTAH

1. Laurence J. Burton.
2. Sherman P. Lloyd.

VERMONT

At large

Robert T. Stafford.

VIRGINIA

1. Thomas N. Downing.
2. G. William Whitehurst.
3. David E. Satterfield III.
4. Watkins M. Abbitt.
5. W. C. Daniel.
6. Richard H. Poff.
7. John O. Marsh, Jr.
8. William Lloyd Scott.
9. William C. Wampler.
10. Joel T. Broyhill.

WASHINGTON

1. Thomas M. Pelly.
2. Lloyd Meeds.
3. Julia Butler Hansen.
4. Catherine May.
5. Thomas S. Foley.
6. Floyd V. Hicks.
7. Brock Adams.

WEST VIRGINIA

1. Robert H. Mollohan.
2. Harley O. Staggers.
3. John Slack.
4. Ken Hechler.
5. James Kee.

WISCONSIN

1. Henry C. Schadeberg.
2. Robert W. Kastenmeier.
3. Vernon W. Thomson.
4. Clement J. Zablocki.
5. Henry S. Reuss.
6. William A. Steiger.
7. Melvin R. Laird.
8. John W. Byrnes.
9. Glenn R. Davis.
10. Alvin E. O'Konski.

WYOMING

At large

John Wold.

PUERTO RICO

Resident Commissioner

Jorge L. Córdova.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

514. A letter from the Administrator of Veterans' Affairs, transmitting a report of the activities of the Veterans' Administration for fiscal year 1968, pursuant to the provisions of 38 U.S.C. 214 (H. Doc. No. 91–8); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

515. A letter from the Secretary of Commerce, transmitting the 86th quarterly report on export control, for the fourth quarter of 1968, pursuant to the provisions of the Export Control Act of 1949; to the Committee on Banking and Currency.

516. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on personal property donated to public health and educational institutions and civil defense organizations under section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and real property disposed of to public health and educational institutions under section 203(k), pursuant to the provisions of section 203(o) of that act; to the Committee on Government Operations.

517. A letter from the Comptroller General of the United States, transmitting a report on the survey of the cost to design, construct, and equip selected general hospitals in the United States; to the Committee on Government Operations.

518. A letter from the Comptroller General of the United States, transmitting a report on policies, procedures, and practices for determining requirements for military family housing and bachelor officer and enlisted quarters, Department of Defense; to the Committee on Government Operations.

519. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third- and sixth-preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

520. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third- and sixth-preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SISK: Committee on Rules. House Resolution 127. Resolution to authorize investigations by the Committee on Agriculture, with an amendment (Rept. No. 91–17). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 131. Resolution authorizing the Committee on Merchant Marine and Fisheries to conduct certain studies and investigations (Rept. No. 91–18). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 143. Resolution authorizing the Committee on Foreign Affairs to conduct a full and complete investigation of matters relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments and agencies engaged primarily in the implementation of U.S. foreign policy and the oversea operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy (Rept. No. 91–19). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 152. Resolution authorizing the Committee on Banking and Currency to conduct full and complete investigations and studies of all matters within its jurisdiction under the rules of the House or the laws of the United States (Rept. No. 91–20). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 189. Resolution authorizing the Committee on Public Works to conduct studies and investigations within the jurisdiction of such committee, with an amendment (Rept. No. 91–21). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 192. Resolution to authorize the Committee on Science and Astronautics to conduct studies and investigations and make inquiries with respect to aeronautical and other scientific research and development and outer space (Rept. No. 91–22). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 200. Resolution authorizing the Committee on Education and Labor to conduct certain studies and investigations (Rept. No. 91–23). Referred to the House Calendar.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 4214. A bill to amend the Communications Satellite Act of 1962 with respect to the election of the board of directors of the Communications Satellite Corp. with an amendment (Rept. No. 91–24). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 6943. A bill to amend title 13, United States Code, to provide for a mid-decade census of population, unemployment, and housing in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

H.R. 6944. A bill to amend section 5042(a)(2) of the Internal Revenue Code of 1954 to permit individuals who are not heads of families to produce wine for personal consumption; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 6945. A bill to safeguard the consumer by requiring greater standards of care in the issuance of unsolicited credit cards and by limiting the liability of consumers for the unauthorized use of credit cards, and for other purposes; to the Committee on Banking and Currency.

H.R. 6946. A bill to further promote equal employment opportunities of American workers; to the Committee on Education and Labor.

By Mr. BROYHILL of Virginia:

H.R. 6947. A bill to amend the act of October 13, 1964, to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BURLISON of Missouri:

H.R. 6948. A bill to name the bridge being constructed across the Mississippi River linking the States of Tennessee and Missouri in honor of a former Member of the House Rob- A. Everett and Mr. S. P. Reynolds; to the Committee on Public Works.

By Mr. BURTON of California (for himself, Mr. Mailliard, Mr. Perkins, Mr. Dent, Mr. Daniels of New Jersey, Mr. O'Hara, Mr. Hawkins, Mr. William D. Ford, Mr. Hathaway, Mr. Meeds, Mr. Gaydos, Mr. Clay, Mr. Stokes, Mr. Matsunaga, Mr. Wyatt, Mr. Gibbons, Mr. Scheuer, Mr. O'Neill of Massachusetts, Mr. Pollock, Mr. Mikva, Mr. Carey, Mrs. Mink, Mr. Ryan, and Mr. Conyers):

H.R. 6949. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act, and for other purposes; to the Committee on Education and Labor.

By Mr. CELLER:

H.R. 6950. A bill to provide cost-of-living allowances for judicial employees stationed outside the continental United States or in Alaska, and for other purposes; to the Committee on the Judiciary.

H.R. 6951. A bill to enact the Interstate Agreement on Detainers into law; to the Committee on the Judiciary.

By Mr. COLLINS:

H.R. 6952. A bill to amend chapter 44 of title 18, United States Code, to provide that such chapter shall not apply with respect to the sale or delivery of certain ammunition for rifles or shotguns; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 6953. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CONTE:

H.R. 6954. A bill to establish the birthplace of Susan B. Anthony in Adams, Mass., as a national historic site; to the Committee on Interior and Insular Affairs.

By Mr. CORMAN:

H.R. 6955. A bill to create in the Executive Office of the President a Council of Ecological Advisers; to the Committee on Science and Astronautics.

By Mr. DANIELS of New Jersey:

H.R. 6956. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT:

H.R. 6957. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DERWINSKI:

H.R. 6958. A bill to provide for the establishment of a national cemetery within the Manassas National Battlefield Park, Va.; to the Committee on Interior and Insular Affairs.

By Mr. DULSKI:

H.R. 6959. A bill to prohibit political influence with respect to appointment of postmasters, to provide for the appointment of postmasters by the Postmaster General on a merit basis, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 6960. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict or of service in the Armed Forces are or may be buried, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6961. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

By Mr. DUNCAN:

H.R. 6962. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. DWYER:

H.R. 6963. A bill to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years; to the Committee on Government Operations.

By Mr. EVANS of Colorado (for himself and Mr. Aspinall):

H.R. 6964. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FRIEDEL:

H.R. 6965. A bill to establish the Capitol Guide Service, and for other purposes; to the Committee on House Administration.

H.R. 6966. A bill to amend the Railroad Retirement Act of 1937 to increase the amount of outside income which a survivor annuitant may earn without deduction from his or her annuity thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 6967. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

H.R. 6968. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 6969. A bill to permit tacking of citizen ownership of vessels for trade-in purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 6970. A bill to deduct from gross tonnage in determining net tonnage spaces used for slop oil on board vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 6971. A bill to require a radiotelephone on certain vessels while navigating upon specified waters of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 6972. A bill to amend section 212(B) of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

H.R. 6973. A bill to amend section 510(a)(1) of the Merchant Marine Act, 1936; to the Committee on Merchant Marine and Fisheries.

By Mr. GARMATZ (by request):

H.R. 6974. A bill to repeal the laws authorizing limitation of shipowners' liability for personal injury or death; to the Committee on Merchant Marine and Fisheries.

By Mr. GILBERT:

H.R. 6975. A bill to promote the peaceful resolution of international conflict, and for other purposes; to the Committee on Government Operations.

By Mr. GROVER:

H.R. 6976. A bill to direct the Secretary of the Interior, with the assistance and advice of a Long Island Sound Advisory Commission, to study and formulate a comprehensive plan for the development and preservation of Long Island Sound and related shoreline areas in the States of New York, Connecticut, and Rhode Island for the public use and benefit, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6977. A bill to establish the Sandy Hook National Seashore in the State of New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HALL:

H.R. 6978. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 6979. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter, and for other purposes; to the Committee on the Judiciary.

H.R. 6980. A bill to amend section 1811 of title 38, United States Code, to increase the dollar limitation on direct loans under the veterans home loan program; to the Committee on Veterans' Affairs.

H.R. 6981. A bill to amend title 38 of the United States Code to provide increased dependency and indemnity compensation to widows in need of the regular aid and attendance of another person; to the Committee on Veterans' Affairs.

H.R. 6982. A bill to amend title 38, United States Code, in order to improve the education and training programs for veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6983. A bill to amend title 38 of the United States Code to provide that amounts inherited from bank accounts jointly or separately owned shall not count as income for death or disability pension or for dependency and indemnity compensation; to the Committee on Veterans' Affairs.

H.R. 6984. A bill to enlarge the classes of persons eligible for servicemen's group life insurance, and to improve the administration of the program; to the Committee on Veterans' Affairs.

H.R. 6985. A bill to authorize the use by policyholders of the cash surrender value or the proceeds of a matured endowment policy of U.S. Government or national service life insurance to purchase annuities; to the Committee on Veterans' Affairs.

H.R. 6986. A bill to amend title 38 of the United States Code to provide cost-of-living increases in monthly dependency and indemnity compensation payments to widows of veterans; to the Committee on Veterans' Affairs.

H.R. 6987. A bill to amend title 38 of the United States Code to provide outpatient care for certain veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6988. A bill to amend section 620 of title 38, United States Code, to extend the length of time community nursing home care may be provided at the expense of the United States; to the Committee on Veterans' Affairs.

H.R. 6989. A bill to amend title 38 of the United States Code so as to permit the Administrator of Veterans' Affairs to provide medical and hospital care to the widows and children of persons who died of service-connected disabilities and to wives and children of persons who have service-connected disabilities rated as total; to the Committee on Veterans' Affairs.

H.R. 6990. A bill to amend title 38 of the United States Code so as to permit the Administrator of Veterans' Affairs to enter into contracts for the provision of health services for certain veterans and certain dependents and survivors of veterans; to the Committee on Veterans' Affairs.

By Mr. HAYS:

H.R. 6991. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HORTON:

H.R. 6992. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 6993. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 6994. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer or spouse who has had a laryngectomy; to the Committee on Ways and Means.

H.R. 6995. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

H.R. 6996. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

H.R. 6997. A bill relating to the status of volunteer fire and ambulance companies for purposes of liability for Federal income taxes and for certain Federal excise taxes; to the Committee on Ways and Means.

By Mr. HUNT:

H.R. 6998. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 6999. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. JARMAN:

H.R. 7000. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 7001. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer supporting a dependent who is mentally retarded or who has cerebral palsy; to the Committee on Ways and Means.

By Mr. JOHNSON of Pennsylvania:

H.R. 7002. A bill to strengthen the penalty provisions of the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. KEE:

H.R. 7003. A bill to create a Department of Youth Affairs; to the Committee on Government Operations.

By Mr. KLEPPE:

H.R. 7004. A bill to establish producer owned and controlled emergency reserves of wheat, feed grains, and soybeans; to the Committee on Agriculture.

H.R. 7005. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 7006. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. LEGGETT:

H.R. 7007. A bill to amend the act of September 26, 1950, to enlarge the service area of the Sacramento canals unit of the Central Valley project to include Yolo and Solano Counties, Calif.; to the Committee on Interior and Insular Affairs.

H.R. 7008. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Paskenta-Newville unit, Sacramento River division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R.7009. A bill to encourage the States to extend coverage under their State unemployment compensation laws to agricultural labor; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R.7010. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 7011. A bill to amend the Federal Water Pollution Control Act to authorize additional grants for the construction of facilities to remove pollution wastes from the Lake Michigan watershed; to the Committee on Public Works.

By Mr. MOORHEAD (for himself and Mr. McCLORY):

H.R. 7012. A bill to establish a Legislative Data Processing Center and to coordinate the development of automatic data processing facilities and services in the legislative branch of the Government, and for other purposes; to the Committee on Rules.

By Mr. McMILLAN:

H.R. 7013. A bill to amend the Rural Electrification Act of 1936, as amended, to establish rural electrification and telephone loan accounts, to provide for insured loan programs, and for other purposes; to the Committee on Agriculture.

By Mr. MESKILL:

H.R.7014. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 7015. A bill to permit the President to authorize the sale of savings bonds yielding not more than 5 percent per annum; to the Committee on Ways and Means.

By Mr. MOSS (for himself, Mr. Ottinger, Mr. Helstoski, Mr. Koch, Mr. McCarthy, Mr. Miller of California, Mr. Moorhead, Mr. Nedzi, Mr. O'Neill of Massachusetts, Mr. Podell, Mr. Powell, Mr. Rees, Mr. Reid of New York, Mr. Rodino, Mr. Rosenthal, Mr. Scheuer, Mr. St Germain, Mr. Thompson of New Jersey, Mr. Tunney, Mr. Udall, and Mr. Van Deerlin):

H.R. 7016. A bill to amend the Federal Power Act to further promote the reliability, abundance, economy, and efficiency of bulk electric power supplies through regional and interregional coordination; to encourage the installation and use of improved extra-high-voltage facilities; to preserve the environment and conserve natural resources; to establish the National Council on the Environment; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN:

H.R. 7017. A bill to extend the life of the Lewis and Clark Trail Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7018. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

By Mr. PICKLE:

H.R. 7019. A bill to strengthen the penalty provisions of the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. RANDALL:

H.R. 7020. A bill to extend the life of the Lewis and Clark Trail Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RARICK:

H.R. 7021. A bill to provide that Federal expenditures shall not exceed Federal revenues, except in time of war or grave national emergency declared by the Congress, and to provide for systematic reduction of the public debt; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 7022. A bill to amend the Immigration and Nationality Act to facilitate the entry of certain nonimmigrants into the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. SCOTT:

H.R. 7023. A bill to amend title 5, United States Code, to authorize the immediate retirement without reduction in annuity of employees and Members of Congress upon completion of 30 years of service; to the Committee on Post Office and Civil Service.

By Mr. SNYDER:

H.R. 7024. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 7025. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a code system for the identification of prescription drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. STANTON:

H.R. 7026. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STEIGER of Arizona:

H.R. 7027. A bill relating to the commission of a crime of violence in the District of Columbia when armed with any firearm or other dangerous or deadly weapon; to the Committee on the District of Columbia.

By Mr. THOMSON of Wisconsin:

H.R. 7028. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. WAGGONNER:

H.R. 7029. A bill to amend the Internal Revenue Code of 1954 to provide the same benefits for employees of public hospitals with respect to certain pensions and profit sharing plans as those presently provided for employeees of private nonprofit hospitals, other charitable organizations, and public and private schools; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 7030. A bill to encourage worldwide interest in U.S. developments and accomplishments in military and related aviation and equipment by authorizing Federal sponsorship of an International Aeronautical Exposition in the United States; to the Committee on Armed Services.

H.R. 7031. A bill relating to taxation by

States of the income of Members of Congress, members of their staffs, and certain officers of the United States; to the Committee on the Judiciary.

H.R. 7032. A bill to authorize the payment of allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7033. A bill to amend title 5, United States Code, to correct inequities in the prohibition of nepotism in Government employment; to the Committee on Post Office and Civil Service.

H.R. 7034. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7035. A bill to amend chapter 89 of title 5, United States Code, relating to enrollment charges for Federal employees' health benefits; to the Committee on Post Office and Civil Service.

H.R. 7036. A bill to amend title 39, United States Code, to provide an established workweek, a new system of overtime compensation for postal field service employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WYDLER:

H.R. 7037. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. WYDLER (for himself and Mr. McEwen):

H.R. 7038. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. YATRON:

H.R. 7039. A bill to amend section 118 of title 28, United States Code, to provide that the U.S. District Court for the Eastern District of Pennsylvania shall be held at Easton, Philadelphia, and Reading; to the Committee on the Judiciary.

By Mr. BLATNIK:

H.R. 7040. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 7041. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H.R. 7042. A bill to broaden participation in the observance of Inauguration Day as a legal public holiday; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 7043. A bill to designate the Okefenokee National Wildlife Refuge as the Okefenokee Wilderness; to the Committee on Interior and Insular Affairs.

By Mr. JOELSON:

H.R. 7044. A bill to broaden participation in the observance of Inauguration Day as a legal public holiday; to the Committee on the Judiciary.

By Mr. KARTH:

H.R. 7045. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. KYROS:

H.R. 7046. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. McDADE:

H.R. 7047. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

H.R. 7048. A bill to provide appropriations for sharing of Federal revenues with States and certain cities and urban counties; to the Committee on Ways and Means.

By Mr. MORTON:

H.R. 7049. A bill to amend the Tariff Schedules of the United States to accord to the Trust Territory of the Pacific Islands the same tariff treatment as is provided for insular possessions of the United States; to the Committee on Ways and Means.

By Mr. NELSEN:

H.R. 7050. A bill to assure the purity and quality of all imported dairy products for the purpose of promoting the dairy industry and protecting the public health; to the Committee on Agriculture.

By Mr. O'KONSKI:

H.R. 7051. A bill to amend title II of the Social Security Act to provide that, for benefit computation purposes, a man's insured status and average monthly wage will be figured on the basis of an age–62 cutoff (the same as is presently done in the case of women); to the Committee on Ways and Means.

By Mr. OTTINGER (for himself, Mr. Moss, Mr. Anderson of California, Mr. Bingham, Mr. Brademas, Mr. Brasco, Mr. Brown of California, Mr. Button, Mr. Conyers, Mr. Corman, Mr. Daniels of New Jersey, Mr. Dingell, Mr. Donohue, Mr. Dulski, Mr. Edwards of California, Mr. Eilberg, Mr. Friedel, Mr. Green of Pennsylvania, Mr. Halpern, Mr. Hechler of West Virginia, and Mr. Hathaway):

H.R. 7052. A bill to amend the Federal Power Act to further promote the reliability, abundance, economy, and efficiency of bulk electric power supplies through regional and interregional coordination; to encourage the installation and use of improved extra-high-voltage facilities; to preserve the environment and conserve natural resources; to establish the National Council on the Environment; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 7053. A bill to amend the Internal Revenue Code of 1954 to impose additional limitations on tax-exempt foundations and charitable trusts; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 7054. A bill to expand and improve Federal law enforcement facilities and programs, to assist State and local units of government in expanding and improving their law enforcement programs, to provide for study and research in areas of crime control and crime prevention, to encourage the development of certain experimental rehabilitation programs, and for other purposes; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 7055. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. RARICK:

H.R. 7056. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 7057. A bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

By Mr. RHODES:

H.R. 7058. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

By Mr. ROGERS of Florida (for himself, Mr. Jarman, Mr. Springer, Mr. Satterfield, Mr. Nelsen, Mr. Kyros, Mr. Carter, and Mr. Skubitz):

H.R. 7059. A bill to amend the provisions of the Public Health Service Act relating to the construction and modernization of hospitals and other medical facilities by providing separate authorizations of appropriations for new construction and for modernization of facilities, authorizing Federal guarantees of loans for such modernization and Federal payment of part of the interest thereon, authorizing grants for modernization of emergency rooms of general hospitals, and extending and making other improvements in the program authorized by these provisions; to the Committee on Interstate and Foreign Commerce.

By Mr. ROYBAL:

H.R. 7060. A bill to require contractors of departments and agencies of the United States engaged in the production of motion picture films to pay comparable wages; to the Committee on Education and Labor.

H.R. 7061. A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7062. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 7063. A bill to amend title 39, United States Code, to provide an established workweek, a new system of overtime compensation for postal field service employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7064. A bill to provide for improved employee-management relations in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7065. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHWENGEL (for himself and Mr. Clancy):

H.R. 7066. A bill to provide for the establishment of the William Howard Taft National Historic Site; to the Committee on Interior and Insular Affairs.

By Mr. SPRINGER:

H.R. 7067. A bill to authorize the Secretary of the Interior to establish the Lincoln Home National Historic Site in the State of Illinois, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H.R. 7068. A bill providing for federal railroad safety; to the Committee on Interstate and Foreign Commerce.

H.R. 7069. A bill to provide for the designation of that portion of the U.S. Highway No. 50 in the State of West Virginia as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. STEIGER of Arizona:

H.R. 7070. A bill to authorize realistic, economic, and modern building heights and bulk in the District of Columbia, to provide new business and employment opportunities for all, to expand the tax base, to stimulate and assist efforts to break the poverty cycle and strengthen the economy, to provide parking, to rebuild and renew blighted, slum, burned-out, and underdeveloped areas, to conserve and make the best, and maximum, use of land, to achieve the best design, to save tax funds, and for other purposes; to the Committee on the District of Columbia.

H.R. 7071. A bill to provide for the construction and improvement of a certain road on the Navajo Indian Reservation; to the Committee on Interior and Insular Affairs.

By Mr. STUCKEY:

H.R. 7072. A bill to authorize the appropriation of funds sufficient to permit the Secretary of the Interior to acquire certain property for addition to the Fort Frederica National Monument; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of California:

H.R. 7073. A bill to amend the Rural Electrification Act of 1936, as amended, to establish rural electrification and telephone loan accounts, to provide for insured loan programs, and for other purposes; to the Committee on Agriculture.

H.R. 7074. A bill to prohibit the leasing of submerged lands under the Santa Barbara Channel, Calif., for exploration, development, and removal of minerals, and to rescind all such existing mineral leases; to the Committee on Interior and Insular Affairs.

By Mr. THOMPSON of New Jersey:

H.R. 7075. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. TIERNAN:

H.R. 7076. A bill to amend title 10, United States Code to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. VIGORITO:

H.R. 7077. A bill to provide a special milk program for children; to the Committee on Agriculture.

By Mr. WINN:

H.R. 7078. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CARTER:

H.J. Res. 450. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.J. Res. 451. Joint resolution to provide for the issuance of a special postage stamp honoring voluntary blood donors; to the Committee on Post Office and Civil Service.

By Mr. FLOWERS:

H.J. Res. 452. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. FOLEY:

H.J. Res. 453. Joint resolution to provide for a study and evaluation of scientific research in medicine in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. HUNT:

H.J. Res. 454. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MESKILL (for himself and Mr. WEICKER):

H.J. Res. 455. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MORGAN:

H.J. Res. 456. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PATTEN:

H.J. Res. 457. Joint resolution authorizing the President to proclaim the period March 2 through March 8, 1969, as "Circle K Week"; to the Committee on the Judiciary.

By Mr. REIFEL:

H.J. Res. 458. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ROBISON:

H.J. Res. 459. Joint resolution proposing an amendment to the Constitution of the United States relating to the eligibility of certain persons to vote for any candidate for elector of President and Vice President or for a candidate for election as a Senator or Representative in Congress; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.J. Res. 460. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.J. Res. 461. Joint resolution designating the 14th of February, St. Valentine's Day each year, to be known also as National Postman's Day; to the Committee on the Judiciary.

By Mr. SCOTT:

H.J. Res. 462. Joint resolution proposing an amendment to the Constitution of the United States relating to the participation in nondenominational prayers in any building which is supported in whole or in part through the expenditure of public funds; to the Committee on the Judiciary.

By Mr. BINGHAM:

H. Con. Res. 139. Concurrent resolution to consolidate projected congressional investigations of the *Pueblo* capture and minimize further hardships on the officers and men of the U.S.S. *Pueblo* by establishing a Joint Investigating Committee on the *Pueblo* Capture; to the Committee on Rules.

By Mr. DENT:

H. Con. Res. 140. Concurrent resolution expressing the sense of the Congress with respect to the application of the minimum wage and overtime compensation standards of the Fair Labor Standards Act of 1938 to foreign producers; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H. Con. Res. 141. Concurrent resolution relating to freedom for Baltic States; to the Committee on Foreign Affairs.

By Mr. EDWARDS of Alabama:

H. Con. Res. 142. Concurrent resolution expressing the profound concern of the Congress to the proposed consumption taxes of the European Economic Community on oilseed products; to the Committee on Ways and Means.

By Mr. McCLURE:

H. Con. Res. 143. Concurrent resolution to authorize study of rail passenger service; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of California:

H. Res. 252. Resolution, U.N. Conventions on Human Rights; to the Committee on Foreign Affairs.

By Mr. DERWINSKI:

H. Res. 253. Resolution for the peace and stability of the Middle East; to the Committee on Foreign Affairs.

By Mr. FOLEY:

H. Res. 254. Resolution amending the Rules of the House of Representatives with respect to the consideration by the House of resolutions disapproving the recommendations of the President of the United States on Federal executive, legislative, and judicial salaries under section 225 of the Federal Salary Act of 1967; to the Committee on Rules.

By Mr. HUNT:

H. Res. 255. Resolution amending the Rules of the House of Representatives to permit the presentation and recognition in the Hall of the House of holders of the Congressional Medal of Honor, and for other purposes; to the Committee on Rules.

By Mr. MILLER of California:

H. Res. 256. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 192; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

18. By Mr. OLSEN: Joint resolution of the Senate and House of Representatives of the State of Montana urging the preservation of natural and esthetic value of clearcut timber sales as viewed from our highway; to the Committee on Agriculture.

19. Also, joint resolution of the Senate and House of Representatives of the State of Montana urging that the Federal Government establish a multistate vocational education center at the Glasgow Air Force Base; to the Committee on Education and Labor.

20. Also, joint resolution of the Senate and House of Representatives of the State of Montana urging immediate funds be allocated for the enlargement of the Veterans' Administration hospital at Fort Harrison, Mont.; to the Committee on Veterans' Affairs.

21. By the SPEAKER: Memorial of the Senate of the Commonwealth of Massachusetts, relative to obtaining release of Lt. Joseph P. Dunn from Red China; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 7079. A bill for the relief of Diega Arnone; to the Committee on the Judiciary.

H.R. 7080. A bill for the relief of Salvatore Carrieri; to the Committee on the Judiciary.

H.R. 7081. A bill for the relief of Long Kam Soi, also known as Guiloermo Ching; to the Committee on the Judiciary.

H.R. 7082. A bill for the relief of Antonio Augusto Fernandez; to the Committee on the Judiciary.

H.R. 7083. A bill for the relief of June Vernon; to the Committee on the Judiciary.

H.R. 7084. A bill for the relief of Virgil Vernon; to the Committee on the Judiciary.

By Mr. BELL of California:

H.R. 7085. A bill for the relief of Ricardo P. Villero; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 7086. A bill for the relief of Maria De La Cruz Ramirez; to the Committee on the Judiciary.

By Mr. BUTTON:

H.R. 7087. A bill for the relief of Maria T. Szostak; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 7088. A bill for the relief of Ines Perez and Gonzalo Perez; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 7089. A bill for the relief of Salvatore Gambino; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 7090. A bill for the relief of Evan Juan Fornilda; to the Committee on the Judiciary.

H.R. 7091. A bill for the relief of Therese Jean Juste; to the Committee on the Judiciary.

H.R. 7092. A bill for the relief of Antonio Laezza; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 7093. A bill for the relief of Simonia D. Kirton; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 7094. A bill for the relief of Lorenzo Bichi; to the Committee on the Judiciary.

H.R. 7095. A bill for the relief of Giuseppe Ferrero; to the Committee on the Judiciary.

H.R. 7096. A bill for the relief of David Long and his wife, Angela Long; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 7097. A bill for the relief of Dr. Isaac P. Dionaldo; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 7098. A bill for the relief of Miss Sun Duck Lee; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 7099. A bill for the relief of Olivia Violet Tennyson; to the Committee on the Judiciary.

By Mr. DELANEY (by request):

H.R. 7100. A bill for the relief of Jose Cajigal-Garaban; to the Committee on the Judiciary.

By Mr. DELLENBACK:

H.R. 7101. A bill for the relief of Miss Chung Ja Rhee; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 7102. A bill for the relief of Elvira G. Matucan; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 7103. A bill for the relief of Rabbi Hersz Lapides; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 7104. A bill for the relief of Mahmoodullah Baig; to the Committee on the Judiciary.

H.R. 7105. A bill for the relief of Benjamin Nery Bueno; to the Committee on the Judiciary.

By Mrs. HANSEN of Washington:

H.R. 7106. A bill for the relief of Chong Suk Stroisch; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 7107. A bill for the relief of Francesco Bernabei; to the Committee on the Judiciary.

H.R. 7108. A bill for the relief of Mario DiBattisto; to the Committee on the Judiciary.

H.R. 7109. A bill for the relief of Paul Andrew Farrer, M.D.; to the Committee on the Judiciary.

H.R. 7110. A bill for the relief of Giuseppi Florica; to the Committee on the Judiciary.

H.R. 7111. A bill for the relief of Mr. and Mrs. Laszlo Fulop and daughters, Eva and Alice Fulop; to the Committee on the Judiciary.

H.R. 7112. A bill for the relief of Dr. and Mrs. Kaddusi Gazioglu and sons, Orhon and Mehmet; to the Committee on the Judiciary.

H.R. 7113. A bill for the relief of Miss Milagros M. Gonzalez; to the Committee on the Judiciary.

H.R. 7114. A bill for the relief of Maria and Anna Gueli; to the Committee on the Judiciary.

H.R. 7115. A bill for the relief of Pietro Severino; to the Committee on the Judiciary.

H.R. 7116. A bill for the relief of Domenico Stalteri; to the Committee on the Judiciary.

H.R. 7117. A bill for the relief of Mr. Gongren Sung; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 7118. A bill for the relief of Anna D'-Angelo; to the Committee on the Judiciary.

H.R. 7119. A bill for the relief of Orazia Dierna; to the Committee on the Judiciary.

H.R. 7120. A bill for the relief of Delia Petracca; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 7121. A bill for the relief of Dr. Petra Elena P. Banogon; to the Committee on the Judiciary.

H.R. 7122. A bill for the relief of Dr. Miriam Ehrenkranz; to the Committee on the Judiciary.

H.R. 7123. A bill for the relief of Dr. Eriberto Lozada and his wife, Dr. Divinia Ilano Lozada; to the Committee on the Judiciary.

H.R. 7124. A bill for the relief of David Shefer; to the Committee on the Judiciary.

H.R. 7125. A bill for the relief of Miss Ngyen Thoa; to the Committee on the Judiciary.

By Mr. McCLURE:

H.R. 7126. A bill for the relief of Antonio Orbe Ugalde; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 7127. A bill for the relief of John Fletcher Hurst; to the Committee on the Judiciary.

By Mr. McEWEN:

H.R. 7128. A bill for the relief of Vivat Raksasat; to the Committee on the Judiciary.

H.R. 7129. A bill for the relief of Domenico Rocco Tropepi; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 7130. A bill for the relief of Mr. Wing Young and Swee San Soo (Mr. Young's wife); to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 7131. A bill for the relief of Joseph Miano and his wife Maria Miano; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 7132. A bill for the relief of Shao-er Ong; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 7133. A bill for the relief of Arni Natesan Mohan; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 7134. A bill for the relief of Adelta da Luz Bettencourt (Ortins) and Joao dos Santos Ortins; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 7135. A bill for the relief of Antonio Palumbo; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 7136. A bill for the relief of Lucius Edward Arnold and his wife, Ann Marie Arnold, and their children, Steven Watkins Lucius Arnold and Patricia Diana Marie Arnold; to the Committee on the Judiciary.

H.R. 7137. A bill for the relief of Mario Cianciulli and his wife Candida Cianciulli; to the Committee on the Judiciary.

H.R. 7138. A bill for the relief of Elena Foldes; to the Committee on the Judiciary.

H.R. 7139. A bill for the relief of Joseph Howell; to the Committee on the Judiciary.

H.R. 7140. A bill for the relief of Gladys Maud Scott; to the Committee on the Judiciary.

H.R. 7141. A bill for the relief of Alfredo I. Sison; to the Committee on the Judiciary.

H.R. 7142. A bill for the relief of Enrique Hernando Smith; to the Committee on the Judiciary.

H.R. 7143. A bill for the relief of Leticia M. Solema; to the Committee on the Judiciary.

H.R. 7144. A bill for the relief of Jose Jesus Villalobos; to the Committee on the Judiciary.

H.R. 7145. A bill for the relief of Ruby Williams; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 7146. A bill for the relief of Panagiotis Leontaritis; to the Committee on the Judiciary.

H.R. 7147. A bill for the relief of Mr. George Mavropoulos; to the Committee on the Judiciary.

H.R. 7148. A bill for the relief of Rosario Pollina; to the Committee on the Judiciary.

H.R. 7149. A bill for the relief of Mr. Milton Stamatakos; to the Committee on the Judiciary.

By Mr. RHODES:

H.R. 7150. A bill relating to cancellation of an agreement issued to Jack Gray, Henry Gray, and Robert Louis Gray for grazing cattle within the confines of Organ Pipe Cactus National Monument, Ariz.; to the Committee on the Interior and Insular Affairs.

By Mr. ROONEY of New York:

H.R. 7151. A bill for the relief of Mr. Nicolo Cusumano; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 7152. A bill for the relief of Hung-Ju Chao; to the Committee on the Judiciary.

H.R. 7153. A bill for the relief of Irineo M. Ocampo; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 7154. A bill for the relief of Silvia Carbone; to the Committee on the Judiciary.

H.R. 7155. A bill for the relief of Lilieth W. Hamilton; to the Committee on the Judiciary.

H.R. 7156. A bill for the relief of Manuel Silvestre Lara Ortiz; to the Committee on the Judiciary.

H.R. 7157. A bill for the relief of Claudio Silvestri; to the Committee on the Judiciary.

H.R. 7158. A bill for the relief of Caridad Suarez-Amparo; to the Committee on the Judiciary.

H.R. 7159. A bill for the relief Elma Eiola Tobitt; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 7160. A bill for the relief of Charles Richard Scott; to the Committee on the Judiciary.

By Mr. STEIGER of Arizona:

H.R. 7161. A bill for the relief of Leonard N. Rogers, John P. Corcoran, Mrs. Charles W. (Ethel J.) Pensinger, Marion M. Lee, and Arthur N. Lee; to the Committee on Agriculture.

H.R. 7162. A bill relating to cancellation of an agreement issued to Jack Gray, Henry Gray, and Robert Louis Gray for grazing cattle within the confines of Organ Pipe Cactus National Monument, Ariz.; to the Committee of Interior and Insular Affairs.

By Mr. THOMPSON of Georgia:

H.R. 7163. A bill for the relief of Andromachi S. Pamfilis; to the Committee on the Judiciary.

By Mr. WHITE:

H.R. 7164. A bill for the relief of Douglass Bros., Inc.; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 7165. A bill for the relief of Ching Chio Fang; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 7166. A bill for the relief of Antonio Carollo; to the Committee on the Judiciary.

By Mr. ROYBAL:

H. Res. 257. Resolution honoring the late Rossell G. O'Brien; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

59. By the SPEAKER: Petition of L. R. Sherwood, Jr., Grass Valley, Calif., and others, relative to aiding our Communist enemies; to the Committee on Foreign Affairs.

60. Also, petition of Association for Grand Jury Action, Inc., Rochester, N.Y., relative to opposition to the proposed organized crime control bill of 1969; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

CREDIT UNION RESCUES SERVICEMAN TRAPPED BY BANK

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. PATMAN. Mr. Speaker, credit unions serving our military installations perform some of the most outstanding work in the area of assisting servicemen that one could imagine.

Typical of the services provided by the credit unions is the case of an Air Force staff sergeant stationed at Edwards Air Force Base in California who wrote to me in September with a problem that, unfortunately, has been faced by a number of servicemen in the past.

The serviceman enclosed a copy of a letter which he had written to a branch office of the Bank of America in Lancaster, Calif. The letter graphically depicts the situation faced by this serviceman:

SEPTEMBER 13, 1968.

MANAGER,
Bank of America,
Lancaster, Calif.

DEAR SIR: I wish to bring to your attention a matter that is now causing me a great amount of hardship and possibly also affecting other servicemen similarly situated.

I financed an automobile with your Bank on 14 December 1967. Since that time I have made my payments "as agreed" which fact can be substantiated by the Credit Bureau of Lancaster. Moreover, my general credit rating is also excellent. Nevertheless I was recently told that I could not take my automobile with me to Holland where I have been ordered to go PCS. This decision was made known to me by Mr. Morgan shortly after I financed my automobile. At that time my question was only one of idle curiosity and, although I was upset by the answer, it did not cause me any immediate concern.

Since I have been recently assigned to Holland, the problem has transformed itself from an abstract to a concrete one. I promptly conferred with Mr. Morgan and he gave me an equivocal but essentially negative answer. On this date, by phone conversation, Mr. Morgan stated flatly that it is bank policy not to allow the security to be taken outside the country. When I asked Mr. Morgan what I should do about my automobile, in light of his devastatingly negative reply, he answered, "take it back to the dealer."

I hereby ask you, sir, is this the way servicemen who are protecting you and your country are to be dealt with? If the answer is an affirmative one then I submit that bankers and other merchants who derive substantial pecuniary profit from the servicemen should be deeply ashamed.

It is my belief that your proposed course of action with respect to my problem is in clear contravention to the "standards of Fairness" contained in the DOD Directive Air Force Regulation 211–2 which I quote in pertinent part as follows:

"The debtor shall have the right to remove any security for the obligation beyond state or national boundaries if he or his family moves beyond such boundaries under military orders and notifies the creditor in advance of the removal of the new address where the security will be located. Removal of the security shall not accelerate payment of the obligation."

My alternative now seems to be that I either refinance my automobile at additional cost to me, or sell said automobile, probably at a loss, to say nothing of the inconvenience.

No doubt others have suffered by your policy but I hereby wish to bring to your attention the fact that I am most upset with that policy. My request is that you reconsider the wiseness of such a policy at a time when wider protections are being accorded the consuming public at large and servicemen in particular.

I await your reply.

Very truly yours,

——— ———.

As soon as I received the letter, I contacted Brig. Gen. Evert Thomas, retired, the director of the Washington Office of CUNA International, the worldwide credit union association. General Thomas contacted the credit union at Edwards Air Force Base and asked them to assist the sergeant in his problem.

As you can see from the letter from Edwards Federal Credit Union to General Thomas, the credit union not only helped the sergeant obtain refinancing for his car, but was able to reduce his monthly payments from $132.91 to $88.78.

The letter follows:

EDWARDS FEDERAL CREDIT UNION,
Edwards Air Force Base, Calif.

Brig. Gen. EVERT THOMAS,
Washington, D.C.

DEAR GENERAL THOMAS: After I received your telepone call on October 3rd, 1968 I contacted Sgt. ——— telephonically concerning the possibility of his securing a loan from the Edwards Federal Credit Union. Sgt. ——— advised me that he had already contacted the Credit Union and discussed a loan with one of the employees. He submitted a loan application in which he requested $2,607.00 to pay off the Bank of America. When he visited the Credit Union with his loan application, I discussed his financial situation with him at length and as a result Sgt. ——— made out a new application (combination signature and collateral) in the amount of $3,371.00. This loan was approved by the Credit Committee and checks given to Sgt. ——— on October 9, 1968. By using the combination signature and collateral loan he was able to reduce his monthly payments from $132.91 to $88.78. He seemed to be deeply appreciative of the time and efforts expended by myself and staff.

The Credit Union received the title signed off by the Bank of America the day after he received his loan, and is presently in Sacramento being processed to show the credit union as legal owner.

I certainly appreciate your bringing this matter to my attention and allowing us to provide service to one of our members. If I can be of any further service please do not hesitate to call on me.

Sincerely,

MRS. HALLEY,
Manager-Treasurer, Edwards Federal Credit Union.

General Thomas and Edwards Federal Credit Union are to be commended for their prompt action in this matter and for assisting a serviceman who might have otherwise lost his automobile because of a highly restrictive and unfair policy invoked by the Bank of America.

It is gratifying to note that the credit unions still take a personal interest in the members of our Armed Forces that is apparently not shared by some other financial institutions. We owe a great deal to our servicemen, many of whom are giving their lives for our country. I do not feel it is asking too much for banks to soften some of their restrictive regulations to help our men and women in uniform.

ABRAHAM LINCOLN

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 18, 1969

Mr. SCOTT. Mr. President, the Nation has just observed the 160th anniversary of the birth of Abraham Lincoln. Dr. Herman Blum, of Philadelphia, has prepared a collection of appraisals of Lincoln by Presidents who followed him. Dr. Blum's article was published in the Philadelphia Bulletin on February 12, as well as in numerous other papers around the country.

Dr. Blum is a member of the Pennsylvania Historical and Museum Commission; senior vice president of the Lincoln Civil War Society of Philadelphia; founder and director of Blumhaven Library and Gallery; and chairman of the board of Craftex Mills, Inc., of Pennsylvania.

I asked unanimous consent that Dr. Blum's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LINCOLN ADMIRERS: THE PRESIDENTS' PRESIDENT

(By Dr. Herman Blum)

(NOTE.—The writer is on the Pennsylvania Historical and Museum Commission.)

Today, on the 160th anniversary of the birth of Abraham Lincoln, it is magnificently comforting to recall the appraisals of our 16th President by the 19 who followed him.

Here are eulogies of Lincoln by his successors:

Andrew Johnson: "When future generations shall read the history of the second revolutionary crisis in our country, Abraham Lincoln will stand out as the greatest man of the ages."

Ulysses S. Grant: "A man of great ability, pure patriotism, unselfish nature, full of forgiveness to his enemies, bearing malice toward none . . ."

Rutherford B. Hayes: "Lincoln's fame is safe. He is the darling of history forevermore. His life and achievements give him titles to regard second to those of no other man in ancient or modern times."

James A. Garfield: "He was one of the few great rulers whose wisdom increased with his power and whose spirit grew gentler and tenderer as his triumphs were multiplied."

Chester A. Arthur: "Lincoln's Gettysburg Address and his second Inaugural are among the treasures and glorious expressions of mankind."

Grover Cleveland: "He was called to save a nation . . ."

Benjamin Harrison: "He stands like a great lighthouse to show the way of duty to all his countrymen . . ."

William McKinley: "A thousand years hence no story, no tragedy, no epic poem will be filled with greater words than that which tells of his life and death."

Theodore Roosevelt: "The lover of his country and all mankind; the mightiest of the mighty men who mastered the mighty days."

William Howard Taft: "The oppressed and the lowly of all peoples, as liberty and free government spread, pronounce his name with awe."

Woodrow Wilson: "As he stands there in his complete manhood at the most perilous helm of Christendom, what a marvelous composite figure he is! The whole country is summed up in him."

Warren Gamaliel Harding: "We are dealing with the master martyr, the supreme leader in a national crisis, the surpassing believer in a fulfilled destiny and a colossal figure among the hero-statesmen of all ages."

Calvin Coolidge: "His presence filled the nation. He broke the might of oppression. He restored a race to its birthright. His mortal fame has vanished but his spirit increased with the increasing years, the richest legacy of the greatest century."

Herbert Hoover: "Lincoln, after all these years, still grows not only in the hearts of his countrymen, but in the hearts of the peoples of the world."

Franklin Delano Roosevelt: "With his charity and kindness, his insight and humor, his endurance and faith, he has come to be the exemplar of our American life."

Harry S. Truman: "Whereas the classic lines of his Gettysburg Address are enshrined forever in the hearts of all Americans; and whereas Lincoln's closing resolve, 'that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth' has a special and solemn connotation in the world affairs at the present moment."

Dwight D. Eisenhower: "Lincoln's leadership was accomplished through dedication to a single purpose, the preservation of the union. He understood deeply the great values that unite us all as a people. He knew that there were divisive influences at work but he knew also that they were transitory in character; they were flaming with heat but they were made of stuff that would soon burn itself out."

John F. Kennedy: "Abraham Lincoln does not merely belong to the United States. Now, he belongs to all those who believe in freedom, who believe in the rights of man."

Lyndon B. Johnson: "At this centenary of Lincoln's death, we should all give special thought to the humane principles, more pertinent now than ever before, to which he dedicated his life and for which he died."

A DEFICIT IN WORLD TRADE POSITION

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. SIKES. Mr. Speaker, according to a recent report from the Department of Commerce our trade balance for 1968 was the lowest in 30 years or only a little over $700 million, with exports at a level of $33.84 billion and imports at $33.14 billion.

I am afraid the situation is worse than the figures indicate, for the export figures include governmentally financed and subsidized exports which increased the export figure by some $3 billion.

To present our exports in this fashion provides no true measure of the U.S. world trade position as a competitive operation. Should we expand our foreign aid and food for peace shipments we could make our trade surplus look even better, but that would not improve America's competitive position.

I note also that the report shows the value of our imports at their foreign value, before shipment to this country. This figure does not include ocean freight and marine insurance, and does not reflect the true cost of the goods to us. The proper way to show a trade balance is to record what we get for our commercial exports and then to compare it with what the imports cost us. This would reflect our competitive standing against imports into this country.

The average cost of bringing goods to this country is at least 10 percent and may be considerably more. Thus, imports of $33 billion really cost us over $36 billion. Most of the freight and insurance costs now go to foreign carriers and insurers because of the better competitive position enjoyed by foreign shippers.

If we add $3 billion overvaluation of our exports to $3.3 billion of undervaluation of our imports, we find ourselves with a deficit of well over $5 billion instead of a surplus of $700 million. This is a very unhappy situation which demands more than casual consideration.

Mr. Speaker, recently there came to my attention an analysis of the American competitive position in world trade. It was prepared by O. R. Strackbein who heads the Nation-Wide Committee on Import-Export Policy. Mr. Strackbein needs no introduction to the Members of this body but his contribution to an understanding of our foreign trade problem may not be known to the new Members.

I nevertheless commend his analysis to all Members, old and new. It throws a revealing light on where this country stands competitively in world trade. I am glad to include Mr. Strackbein's trade analysis for printing at this point in the RECORD:

COMPETITIVE PLATEAU OF U.S. TRADE

(By O. R. Strackbein, Chairman, the Nation-Wide Committee on Import-Export Policy, November 20, 1968)

The weak competitive position of American Industry in world trade is beyond dispute.

It may be useful to inquire into the degree of this weakness and to determine in what class of products it is most pronounced. It may also be useful to determine whether we enjoy competitive strength in some products even if the total competitive position is weak.

It may be helpful, further, to inquire into the causes of the competitive weakness from which our trade suffers and to determine what steps, if any, might be taken to overcome the weakness or to adjust to it.

WEAKNESS REVEALED BY TRADE TRENDS

The competitive weakness of this country in world trade has become increasingly visible in recent years. It is especially pronounced in some classes of goods and in our trade with several leading trading nations. It is also visible in the declining share of total world exports enjoyed by the United States.

WEAKNESS BY CLASS OF PRODUCTS

The principal competitive weakness has appeared in the trade in manufactured goods. Because of the most intensive application of labor in producing finished goods, compared with the lesser application of labor in the production of raw materials and agricultural products, the implications of the import trend for employment in this country are serious and will become acute if we return to a peacetime economy.

As recently as 1951 *manufactured goods* represented only 27.0% of our total imports. In 1967 this share had more than doubled, reaching 58.3%.

By contrast the share of our total imports represented by *raw materials*, which in 1951 stood at 50.3%, had declined to 21.3% in 1967.

The meaning of this trend for employment will be better appreciated if we compare employment within this country in the raw-material producing operations, namely, agriculture, mining, lumbering and fisheries, with employment in the manufacturing industries. The raw materials industries, with minor exceptions, supply the materials used in all manufacturing in this country. Exceptions are imported raw materials which represent less than 2% of all materials used by our industries. Raw-material production employed 4,656,000 workers in 1967 compared with 19,339,000 in the manufacturing establishments that processed the materials into finished goods. That ratio of manufacturing employment to employment in raw-material production was therefore over 4 to 1.

As imports shift from raw materials to manufactured goods, as they have in the past fifteen years, it becomes obvious that employment must suffer. The impact has become sharper, moreover, in recent years than in the past because of the heavy movement of workers in this country out of the raw-material-producing field into manufacturing and the service occupations. The shift has been the result of the still-rising productivity in agriculture and mining. In 1960, or less than eight years ago, the ratio of manufacturing employment to employment in agriculture, mining, lumbering and fisheries (the raw material industries) was only in the ratio of 2½ to 1, compared to more than 4 to 1 in 1967, as shown above. (Statistical Abstract of the United States, 1968, Tables 317, 318, 320 and 993.)

In other words, our imports have been shifting from goods requiring the least amount of labor to goods requiring the greatest amount. Should, for example, 10% of our raw materials be imported the average straight-line labor displacement in 1967 would have been 465,600 workers, while if 10% of our manufactured goods had been imported the displacement would have been 1,933,900 workers. (The 10% share is for illustration purposes only.)

While it is true that finished manufactures represent about two-thirds of our exports, the share of total exports has remained about the same in recent years. In '58 and '59 the share was 67.8% and 66.5% respectively, compared with 66.2% in 1967. This lack of a trend shows that our manufactured goods as a whole are not gaining ground in foreign markets in contrast to the sharp gains foreign manufactures have made in this country.

COMPETITIVE STRENGTH IN MACHINERY AND CHEMICALS

Nevertheless in some lines we have enjoyed a substantial growth of exports. This is especially true of machinery, including sophisticated products such as computers; and chemicals. Since the share of manufactured goods in total exports has not grown, the gain in exports of machinery and chemicals was necessarily offset by declines in the exports of other products.

HELPED BY FOREIGN INVESTMENTS

Two observations are in order. Our increasing exports of machinery and chemical products has been a parallel of our increasing investment abroad in plants and installations. Our industries have installed a vast amount of American machinery overseas (over $50 billion since 1960); and our chemical plants overseas have consumed great quantities of raw and semi-manufactured chemical products as feeders to their overseas plants.

SURPLUS OF MACHINERY EXPORTS NARROWING

The other observation applies particularly to machinery. Our imports of machinery have grown much more rapidly in recent years than our exports, and the export surplus, while still wide, is narrowing rapidly. From 1960 through 1967 our machinery exports increased 84.9%. During the same period imports of machinery increased 328% or about 3½ times as rapidly as our exports. (Statistical Abstract of the United States, 1968, Tables 1218 and 1219.)

The foreign competitive advantage over us that resulted in the loss of export markets in steel, textiles, sewing machines, typewriters and a number of other products is obviously asserting itself in machinery. The relatively sharp increase in machinery imports is but a forewarning of what may be expected in the future. Thus may be expected the crumbling of our principal remaining export advantage. It will fall for the same reason that caused formerly strong export industries to fall back.

HANDWRITING ON THE WALL

The handwriting on the wall was never clearer. When will those who shape our foreign trade policy recognize the overwhelming evidence? Year after year since 1958 they have said that the trend against this country's export position was only temporary and that the trend would soon right itself. Ten years is a long time to wait for a turn of the tide.

One excuse after another has been worn out during this period. In the most recent years when the tide should already have turned had the previous reassurances had any substance, the explanation advanced was that the prosperous conditions in this country attracted imports while our exporters were not greatly interested in export markets. This style of explanation would, of course, dispose of any and all trends in foreign trade.

CAUSES OF OUR COMPETITIVE DISADVANTAGE

The refusal to face monumental facts is becoming very expensive to a number of industries and poses a serious problem for labor. If and when our economy moves toward a peace basis the harsh facts that have so long been ignored can no longer be brushed aside. It is already very late.

Let us look at the facts and what they mean:

1. Production costs in this country are higher in many lines of products than those of their foreign competitors.

2. Among the high cost elements are the high wages upon which our domestic market depends in the form of consumer purchasing power. Employee compensation represents by far the principal source of effective demand—by far, which is to say, in the magnitude of about 4 to 1 compared with all other sources combined.

3. The wage-gap separating this country from other countries (Canada excepted) is not by way of closing or coming within shouting distance of such an event. The outlook is that it is here to stay for many years.

4. Those who suggest that wages should stand still in this country to permit foreign wages to catch up in point of unit costs, are either deceived, or incapable of recognizing realities or, worse, refuse to see what so clearly and unmistakably stares them in the face.

5. The full impact of foreign competition has not yet been felt; nor the full effect of our foreign investments as a shrinker of export markets for finished manufactures in relation to the gross national product.

6. As a consequence our manufacturers have only one hope to regain a competitive position in the domestic market: namely, if the technology is at hand, to reduce manpower requirements sufficiently to shrink costs materially. Contrary to what mystics and romanticists might think, there is no other way to reduce cost of production significantly.

Also, no one should deceive himself that significant cost-reduction is a mild operation. In terms of employment it is harsh and drastic. We have a classic example in coal mining. In the mid-fifties this industry was moribund because of encroaching competition from diesel oil, natural gas and imported residual fuel oil. The only hope of survival lay in cost reduction. The objective was indeed accomplished by the introduction of machinery that supplanted men in a gargantuan ratio. The coal industry saved itself but the cost in coal miners' jobs was two out of every three. Employment dropped at a dizzying rate, falling from 480,000 to 140,000 or less in fifteen years. The problem known as Appalachia was a direct result. The cost of relief and inhuman misery was "unthinkable" and had it been appreciated ahead of time, would no doubt have been avoided as intolerable.

The coal example was not as extreme as might be imagined.

Other industries branched out overseas to avoid similar debacles. Today the steel industry faces a challenge, which, if less drastic in its exactions, is nonetheless perilous. The shoe industry faces annihilation in a matter of a few years. The textile industry, which, though partially protected against the same disaster, still faces great difficulties. Other industries are not out of the range of the import onslaught. The fisheries on the east coast, the vegetable producers of Florida, and others are in the same corner.

Our merchant marine is totally dependent on subsidization for survival; and has been allowed to fall to the lowest level in our history from lack of adequate support. American flag ships now carry only about 1/16 of our total imports and exports The facts are muted and smothered lest they awaken the dreamers and mystics who see nothing ominous in the competitive facts in our foreign trade.

7. Cost-reduction is not a monopoly of American industries, though its imperative presses insistently on them. While we continue as the most productive country in the world in terms of man-hour output, other countries, now equipped with our technology, are also capable of reducing their costs. Our own factories overseas, where our direct investments are now in the magnitude of some $60 billion, have introduced American methods of mass production, and other countries have not been backward in adopting the American system. If we automate in this country, so may and do our foreign competitors.

8. The cost-gap, although not uniform, will not go away, notwithstanding the theories of academic economists who apparently do their thinking in a vacuum wherein the realities of both national and international politics are absent. Competitive inequalities among the nations do persist, the economists notwithstanding, simply because free competition is now a museum piece thoroughly bolted down—largely, indeed, as a result of the very policies of those who invoke the free market to justify free trade but who buried free market forces under the weight of governmental controls, restrictions, heavy tax burdens, social welfare loans and other cost-inflaters.

The differential in shipbuilding and ship operation here and abroad is measured periodically by official wage surveys conducted by the Federal government. This differential is slightly over 100% and reflects the higher employee compensation in this country. That such differentials persist, as they may and do persist, despite economic theory that leaves the facts of life out of account, is shown by the fact that the maritime cost differential just mentioned has widened by 10% in the past ten or twelve years.

9. The competitive weakness of this country **makes our economy stand like an island plateau against the pounding waves and tidal flows that beset it from all sides. The natural sequence will be a leveling process that will continue, unless it is halted, until we are level with the sea.**

FALSE ASSESSMENT OF OUR COMPETITIVE HANDICAP

The competitive situation is serious indeed but is insulated against a remedy by the policy-makers who stubbornly refuse to accept irrefutable facts or insist on evasive interpretations. They will not believe or purport not to perceive that payment of an average industrial wage of $3 per hour in this country demands that our factories be several times as productive as their foreign rivals if they are to compete with them. With the exception of Canada, the highest foreign industrial wages will do well to equal 40% of our $3 level, while in many instances the gap is much wider. The difference in cost, now that our average duty on dutiable items is about 10% on foreign value, and destined to drop to about 7%, must be bridged by a productivity lead of sufficient magnitude to offset the foreign advantage. (For the industrial wage rate of the United States see Current Survey of Business, United States Department of Commerce, September 1968, p. S-15).

It is a favorite but false indictment of American industries that cannot compete with imports to say that they are inefficient. This indictment comes quickly to the tongue of those who continue to see in a free or liberal trade policy the future and the hope of this country's economy. The falsity of the indictment is indeed immediately established when in the next breath those who so eagerly accuse our industries of inefficiency insist that foreign competition is no danger because low foreign wages really reflect the low level of productivity abroad, which is to say inefficiency. We cannot be both too inefficient to compete and at the same time so far ahead of other countries in productivity that their low wages avail them nothing competitively because of their own greater inefficiency.

It was also a favorite and equally false assessment of the competitive situation to say that it was not our high-wage industries that were vulnerable to imports but rather our low-wage or labor-intensive industries. Our high-wage, capital-intensive industries, such as steel and automobiles, were among our leading exporters, thus demonstrating that high wages represented no wage handicap.

The vacuity of this claim has in recent years been demonstrated for all to see. In both automobile and steel our export position has collapsed and we have become net importers of both products. The same is true of other high-wage industries. Whether an industry is "capital-intensive" or "labor-intensive" does not alter the fact that employee compensation is in each case the major element of cost. "Capital-intensive" industries merely spread their costs over a larger number of successive steps of manufacture, as in automobile manufacturing. The Detroit cost, as the Pittsburgh cost in making steel, is only a part of the cost that extends back to mining, agriculture, processing, fabricating, transportation, insurance, financing, warehousing, and all else that is involved in production.

Yet, even as these pillars of economic theory have been knocked out from under the edifice, the economists steadfastly refuse to face reality. They are so inseparably wedded to their vested mental interest that mere facts produce no effect toward relinquishment of their untenable position.

These many years, as just noted, the economists have been at pain to say that our higher wages are attributable to our higher productivity. Therefore, they say, it is wrong to maintain that low foreign wages confer

a competitive advantage on foreign producers. Only a rather obtuse mind would fail to perceive the truth of the theory, according to these intellectually elite.

Now that facts to the contrary notwithstanding prove that other countries do enjoy a decisive competitive advantage over us these same economists duly take refuge in charging our industries with inefficiency despite the higher wages they pay—yes, even though high wages, by economic theory, reflect high productivity. By their measure our high-wage industries should have been invulnerable to import competition. The facts have been quite the opposite.

Their edifice having collapsed they seize on other arguments, as previously observed.

The fact is, of course, that considerable discrepancies in wages and costs among nations can and do persist because free competition no longer exists. The numerous interferences with the free market that impede free competition were instituted generally with the ardent support of the economists who, when it suits them, like to play as if the assumptions on which they lean so heavily, such as the play of free market forces, were still in operation.

The thrust of their untenable but stubborn contentions is that industry, agriculture and labor of this country are to be exposed to highly-advantaged foreign competition despite the heavy competitive handicaps loaded on the domestic producers by a hundred legislative enactments many of which soon came to rest on production in the form of higher costs.

What is the purpose of such a policy? Is it to disperse our capital to the four corners of the earth? Is it to restrain wage pressures coming from labor?

OPTIONS FACING DOMESTIC INDUSTRY

What, indeed, are the options of industry when it is confronted by import competition that captures an increasing share of the American market year after year?

One option is obviously that of investing abroad. This step has helped in two respects. (1) It has enabled American companies to supply from within some important foreign markets that would otherwise have been lost. (2) It has in many instances increased exports of machinery, equipment and sometimes semi-manufactures and parts, purchased by the foreign subsidiaries or branches.

On the other hand, some of the slow-down in our commercial exports may be attributed to the very act of supplying of foreign markets from within rather than exporting the finished goods from here. To that extent there has been a transfer of jobs or potential jobs from here to foreign countries. Jobs that do not materialize in this country add to the problem of unemployment. We need many hundreds of thousands of new openings to absorb the large numbers of new workers who come on the labor market each year. If potential jobs are transferred abroad the employment opportunities here naturally shrink by that much.

Also, in some instances foreign subsidiaries and branches export back to this country, thus creating additional competition from lower-wage areas. American automobile manufacturers in Europe, for example, sell numerous foreign-made cars in this country; so do American manufacturers of typewriters, transistor radios and other products.

The impact of low-cost products is not confined to finished manufactures, although these predominate today. A number of industries import parts as a means of achieving lower manufacturing costs in this country and thus to fend off eviction from the market for the finished product. It is true that we also export parts, especially for assembly in foreign plants, such as automobiles. Such exports may, however, face a decline since foreign countries have been insistent upon and indeed have required successively the use of higher percentages of locally manufactured parts in place of imports in their native plants.

THE ADJUSTMENT-ASSISTANCE PLOY

In the view of many economists adjustment assistance extended both to labor and to companies or whole industries should compensate for the injury done to domestic industries and labor by imports. Until 1962 it was the national trade policy not to cause injury to domestic industries as a result of larger imports attracted by lowered tariffs. In that year the Trade Expansion Act substituted the adjustment assistance program for the peril point and the escape clause which provided a cautious approach to tariff cutting and a remedy for injury.

The justification for adjustment assistance was that the reduction of tariffs and the resulting increase in imports would increase exports. The increase in trade would benefit the whole country. Therefore the public should make good any serious damage done to industries and employees injured as a result of trade agreements, past and future.

That policy, of course, reflected the peculiar mental seizure or lapse that held and still holds imports entitled to eminent domain in our domestic market, and that they should be allowed to push our industries out of the way. Imports, it would seem, are vested with some mystical virtue that gives them priority over domestic industry and employees. What this special virtue is has never been made known to the public. It is simply assumed. Our own industries, although heavily burdened with taxes and other high costs which were not of their own doing, under the new approach of adjustment assistance were to give way to imports from countries that imposed no comparable burdens on their own industries. The demand was so irrational that the fiction of inefficiency, previously mentioned, was invented to justify condemnation of our industry in deference to growing foreign access to our market. Beyond that, of course, was the concealed but powerful motive to help exports of industries that boasted heavy political muscle.

It developed that the adjustment assistance provisions of the Trade Expansion Act were so tightly drawn that none of the score of applicants, including labor unions, succeeded in squeezing through the needle's eye. Not one dollar of assistance was paid in the six years since the law's enactment. The economic distortion caused by the great increase in defense expenditures enabled this country to absorb the great upsurge in imports that would otherwise have worked havoc on numerous industries. Now, however, further absorption will no longer be possible without disruptive effects; and should the economy move back to a peace basis, even if slowly, the exposure that was tolerable during the past few years would become intolerable to a growing number of important industries.

The suggestion is now put forward that adjustment assistance should be made easier to invoke. This suggestion ignores the odd philosophy from which the very notion of adjustment assistance arose in the first place. Legitimate American industry, which pays the high taxes exacted of it, that supports the vast welfare outlays through its high productivity and provides high employment at the world's highest wages, is to move over and make room for imports that achieve their competitive advantage from payment of much lower wages than those required by law in this country and very much lower than the wages above the minimum level paid here. What style of philosophy can so far overlook the fairness of treatment to which domestic industry is entitled, as to advance and support such a suggestion? It represents a philosophy that is essentially hostile to the industrial and economic system that supports the American civilization and the capacity of this country to provide aid to other countries. It demands that American industry be exposed to foreign competition, no matter how injurious it might be, regardless of the competitive handicap under which our industry labors.

Greater efficiency is demanded, as already noted, even if displacement of workers on a devastatingly large scale is involved. The government would assume the cost burden of retraining and possibly relocating the displaced workers. Such a policy strives for multiple Appalachias.

It is not explained why we owe such disruption of our industry to other countries or why some of our industries should be harshly treated, so that other industries might reap the benefit of greater exports. If the intention is, indeed, to drive industries to more rapid and radical automation it seems to be forgotten that the rate of mechanization is already a source of unemployment and needs no additional stimulation. The notion that displaced workers will soon be absorbed by other industries is belied by the stubbornness of the Appalachian problem. This provides further evidence of the sterility of economic theory when it refuses to take into account all the attendant circumstances that might upset expectations.

Adjustment assistance has little to recommend it if the condition to be remedied was deliberately brought about by pursuit of a policy that may be expected to produce the condition. Deliberate action that is expected to result in the serious injury of legitimate industry cannot be said to spring from any considerations of justice or from any concern about equal protection of the law. It is in fact a concept that is alien to the system of private enterprise and should be disowned as a legitimate and justifiable part of public policy.

MARKET SHARING AS A REMEDY

Now that the tariff has been virtually dismantled as a means of offsetting cost differences between this country and its competitors, and since the problem of our adverse competitive cost-handicap remains and bids fair to persist, a different remedy is needed to sustain the productive dynamism of this country.

The concept of market-sharing, implemented by flexible import quotas, offers the mildest form of trade regulation consistent with the extensive regulation of the economy as a whole. To free our external trade when the domestic economy is made competitively rigid *vis a vis* foreign production costs is both illogical and unfair. The heaviest cost factors in this country are very rigid indeed so far as competitive maneuvering is concerned.

Wages move in only one direction, and this movement underwrites expanding consumption so long as inflation does not cancel the higher compensation. Wages are entitled to rise as productivity increases.

Taxes are high and quite rigid and going higher if State and local taxes are taken into account, as they must be. The only opening of any significance therefore lies in the possibility of increasing productivity per manhour; and, as previously noted, this can be accomplished almost exclusively by reducing the number of workers required per unit of output.

Yet such increase in productivity will not improve our competitive posture toward imports unless wages are not allowed to rise in proportion. If wages rise in proportion to the increase in productivity the competitive advantage is automatically canceled.

Therefore those who demand "higher efficiency" in our industries (even though we are productively the most efficient in the world) as a means of remaining competitive or as a means of recapturing our competitive position are committed to frozen wage levels. They cannot in all good conscience insist on supporting a liberal wage policy in this country and at the same time demand higher productive efficiency as a means of meeting import competition. They, of course, wish fervidly to pose as friends of labor while promoting a policy that would strip labor of its compensation for increasing productivity, since increasing productive efficiency as a means of fending off rising imports would lose its effect if wages should increase in proportion.

If, however, ceilings should be established over imports at certain recognized levels that would accord to imports a liberal share of the domstic market, and permit them to increase in proportion to the expansion of the domestic market, the sting of unfairness would be taken out of import competition. Imports would be regulated in keeping with the regulation of the domestic economy. They would not have a license to benefit from a competitive advantage that rests in numerous instances on nothing more inspiring than the payment of a level of wages that if paid in this country would subject the employer to a legal penalty. Imports would not enjoy an open field on which to run wild regardless of the havoc they might inflict. Imports would be brought under the restraints that have deprived our industries of competitive flexibility except at the expense of employment. They would not be permitted to exploit the competitive handicap that public policy, supported by a generation of electorate preferences in this country, has placed on our productive enterprise.

They would nevertheless have liberal access to the richest market in the world.

SERVICE FOR THE HANDICAPPED

HON. EDMUND S. MUSKIE

OF MAINE

IN THE SENATE OF THE UNITED STATES

Tuesday, February 18, 1969

Mr. MUSKIE. Mr. President, the Maine Commission on Rehabilitation Needs met with the Governor's Conference in Augusta, Maine, on October 29, 1968, to present the results of its study on rehabilitative needs in our State and to submit plans to meet the needs through legislation.

Its recommendation to create a separate bureau of rehabilitation services within the Maine Department of Health and Welfare to organize all health, social, and rehabilitative services—correctional and vocational—in a single organizational structure is receiving Governor Curtis' consideration. With adequate funds, the bureau would have the ability to mobilize resources and conduct programs throughout the State to meet the needs of the handicapped of all ages so that they might have the opportunity to live fruitful, productive lives.

Mr. President, I ask unanimous consent that the creed of the Maine Commission on Rehabilitative Needs by the chairman of the commission, Mr. Leonard W. Mayo; the remarks by Gov. Kenneth M. Curtis; and the remarks by State Senator Bennett D. Katz, be printed in the Extensions of Remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A CREED FOR THOSE WHO BELIEVE IN THE HANDICAPPED

(By Leonard W. Mayo,* Chairman, Maine Commission on Rehabilitation Needs)

1. We believe in the American promise of equality of opportunity for all people, regardless of nationality, cultural, or ethnic background, race, religion, or geographical location.

2. We believe that every country, city, town, village, and plantation, and every individual in the state of Maine has an obligation to help bring to fruition in this generation the ideal of a full and useful life for every handicapped person in the State.

3. We believe that this is only possible via effective team work, wise planning, the efficient expenditure of additional public and private funds, and the development of a network of resources and services as set forth in the recommendations of the Commission on Rehabilitation Needs.

4. We believe in the interest, the concern, and the basic compassion of our fellow citizens when human needs are brought to their attention and in their ultimate response to the challenge of rehabilitation as part of the American dream.

We believe that the vast majority of our people want to replace violence with peaceful solutions, injustice with justice, indecencies with decency, rejection with acceptance, dependency with independence, and hence, disability, physical, mental, or social, with the opportunity for rehabilitation.

5. Finally, we believe in the handicapped person himself and in his capacity for development so frequently limited by our lack of imagination and neglect; we believe in his passion for freedom and independence that can be his only when those upon whom he must rely for education, training, guidance, and employment, do not fail him, but become articulate, dynamic, and effective partners in his determined struggle to help himself.

These things we believe, and believing, we pledge our hearts, our hands, our funds, and our full cooperation to the end that they shall be carried out.

THE GOVERNOR'S REPLY

(By Gov. Kenneth M. Curtis)

Thank you, Dr. Mayo, distinguished visitors and friends of rehabilitation.

It is truly a great pleasure to greet all of you who have come today to help launch this most important phase of our statewide planning for rehabilitation.

Many of you I know personally. I am acquainted with the important work you are doing in medicine, psychology, education, social work, industry, communications, employment and vocational rehabilitation.

Many of you are conducting programs that mobilize the resources of your communities to reach disabled persons of all ages and help them achieve their full potential.

Equally important, you are combatting a host of social ills such as schools that are poorly equipped and staffed to meet the social and emotional needs of children, especially the children of the very poor.

I want to express appreciation to all those who have made substantial contributions to this 20-month study—a study which has discussed and publicized for the first time our State's specific needs for total rehabilitation services, and has proposed equally specific ways to meet these needs.

Thirty-two commission members, 105 members of the six regional task forces, many members of special study committees, and scores of other persons have contributed their time and knowledge to this great effort.

The project staff, Dr. Peter Doran and Larry Lapointe, deserve special thanks, as do the hard-working members of the executive committee.

My principal goal, as Governor, is to develop this State's vast and still largely untapped natural and human resources.

We have learned from bitter experience that we can no longer afford to waste our natural resources.

We know that like our land itself, every individual has hidden resources which we must explore and develop.

But there are formidable obstacles to overcome in meeting this goal.

For example, the commission's study has revealed that approximately 52,000 persons are eligible for vocational rehabilitation services.

Yet the two major vocational rehabilitation agencies—the division of vocational rehabilitation and the division of eye care and special services, can extend services to only about 3,000 persons annually.

We know also that there are more than 16,000 young people in Maine between the ages of 5 and 18 who are so emotionally or psychologically disturbed that they are in serious need of professional help.

Yet very few of them, especially those in the public schools, receive that help.

These statistics document a pressing need for greatly expanded rehabilitation services.

The twenty major recommendations set forth by your commission provide many of the keys, I believe, to such a quality program of expanding services in this State.

These recommendations reflect the just principle that every disabled person is entitled to an equal chance to develop and use his considerable abilities.

Let me now discuss with you some actions that I have taken or propose to take in this area.

I have asked Commissioners Dean Fisher and William Logan to help prepare legislation to create a separate bureau of rehabilitation services in the department of health and welfare.

Creation of such a bureau has the value of organizing all health, social and rehabilitation services within a single organizational structure.

There is every expectation that this will improve the coordination of these services and provide a stronger and more visible unit.

It will also improve services to clients by bringing together these services within a single agency and improving referral and record keeping practices.

The new bureau should be part of the legislature's business when it convenes in January.

In correctional rehabilitation, another major concern of the commission, important steps have already been taken to bring vocational rehabilitation services, administered cooperatively by the Bureau of Corrections and the Division of Vocational Rehabilitation, to all correctional institutions in the state.

In addition, an effective program has been developed cooperatively by the Division and the Bureau of Mental Health at the Bliss Center in Pineland.

Similar vocational rehabilitation service should be provided at our mental, community and general hospitals, and I hope that this too can be accomplished in the coming year.

The needs of handicapped children must be given a prominent place in our planning.

Just as we have vocational rehabilitation counselors in our institutions, we should also have them in public school systems on both the elementary and secondary level.

In the elementary schools they can help the teaching and administrative staff identify handicapped youngsters.

On the secondary level they can assist guidance counselors and others to help handicapped young people find suitable training opportunities as well as appropriate job placement in the community.

We know too that prevention of handicapping conditions is at least as important as dealing with disabilities once they occur.

For this reason, the Department of Education should exert leadership to promote courses in health education in the schools of this state.

Recruitment and training of competent rehabilitation personnel is another high priority.

Degree programs and special courses should be developed within the state, especially at the university.

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* Delivered before the Governor's Conference on Rehabilitation Needs, Augusta, Maine, October 29, 1968.

Tri-state planning with the New England Center for Continuing Education might make these training programs available to rehabilitation personnel in Maine and in our neighboring states of New Hampshire and Vermont.

I am prepared to propose this development of a training curriculum through the New England Governor's Conference.

If highly skilled people are essential to the rehabilitation effort, we must improve the pay scale for both rehabilitation and correctional personnel.

More realistic caseloads and working hours are also important priorities.

These concerns will be reflected in the new salary plan proposed by the Department of Personnel, and in institutional budget estimates submitted to me for my work in preparing the state's budget for the 104th legislature.

The commission has proposed a plan for developing our existing resources to provide an overall pattern of comprehensive care.

The plan includes, as a long-range goal, the development of a comprehensive rehabilitation center in the southern part of the state where medical rehabilitation programs are already well under way.

A center of this kind would provide the variety of services required to meet total medical, vocational and social rehabilitation needs within the state.

Vocational adjustment and eventual job placement must become a major thrust of our rehabilitation program.

There is, in this connection, a definite need to establish transitional adjustment and sheltered employment workshops for persons of all ages and disabilities, including the retarded.

We know that there are many persons considered "disabled" whose abilities, through proper training and placement, can become marketable.

A greater effort must be made to equip these disabled persons for suitable jobs, and then to match the job and the person through a computerized data processing system.

A list of known handicapped citizens will be kept up to date, and once the list has been established on a statewide basis, local employment offices will be able to locate within minutes a rehabilitated worker ready for placement.

To further this effort as time and funds permit, we need to go on and establish regional information and referral centers functioning as satellites of a central information and referral service.

Many public and private agencies operate or provide auxiliary services to rehabilitation programs.

Too often these agencies are physically separated from each other and operate without sufficient knowledge for adequate referral services.

A major goal for Government should be comprehensive social service centers—operating on a regional basis—which would pull together existing services and improve cooperative approaches to solving individual case problems.

I intend to ask the State planning office, the Bureau of Public Improvements and all State agencies to cooperate in planning this system.

I would expect that when they recommend financing, staffing and organization patterns their proposals would take into account your suggestion for a State information and referral service.

To further expand the availability of the State's vocational rehabilitation services, the State's Vocational Rehabilitation Act, which limits eligibility for these services, should be revised to conform more closely with the liberalized Federal statutes.

I expect to see a newly revised State act presented to the 104th legislature.

The legislature should also consider broadening the coverage of the architectural barriers law so that public buildings will be more accessible to our physically handicapped citizens.

To help implement these and a number of the other recommendations, I propose to revitalize the committee on employment of the handicapped by establishing it on a sound legal base and increasing its membership.

I have asked the committee to draft such legislation to be introduced at the next session.

In the meantime, I am issuing an executive order which will perpetuate the committee until permanent legislation can be enacted.

I believe that strengthening this committee and giving it permanent status will add immeasurably to the end result of all our rehabilitation efforts—namely, providing suitable employment to every man and woman who can be rehabilitated.

This is a realistic goal, and it is one in which the private employer has a great stake.

Many nationwide studies have shown beyond question that the handicapped, when properly trained and placed, are often above average in dependability and overall job performance.

In the recent survey of employer attitudes conducted by the commission, 85 percent of the firms interviewed who hired handicapped workers rated these employees "average" or "above average".

This sampling of experienced employers should encourage other employers to take advantage of the abilities that these handicapped persons can contribute.

The measures I have discussed so far reflect, in large part, the careful judgments of the commission on rehabilitation needs.

These judgments are only the beginning of a long process of implementation and further planning.

As Dr. Mayo pointed out earlier, the commission is only one of several planning groups that has been studying state services involved with the development of our human resources.

The commission has wisely maintained a close working relationship with these other groups, and particularly with the citizens task force on intergovernmental welfare problems.

Both groups recognized that persons in the lowest income brackets are far more prone to disabling illness and other handicapped conditions than the rest of the population.

Both groups have directed their efforts towards a common goal—substituting pay checks for welfare payments.

And both groups have developed programs that promise important new services for the people of our State.

To implement these programs will require time and money, though we should remember that we are aiming for the implementation of recommended programs by 1975.

Thus I am hopeful that the 104th Legislature will react favorably to many of the major recommendations of the Commission on Rehabilitation Needs, including the appropriation of increased funds for rehabilitation services.

Such an increased appropriation would entitle Maine to realize three times the amount of its appropriation in Federal monies earmarked for rehabilitation.

In the past, Maine has passed up more than one and a quarter million dollars in Federal funds because of the failure to appropriate its one-third matching share.

In 1970, the Federal matching component under present law will increase to four dollars of Federal money for each State dollar appropriated in cash or furnished in kind.

In our long-range planning, therefore, we must make a special effort to ensure that these Federal appropriations which we need and should have are not passed on to other less needy States.

I have singled out the legislature as having a major responsibility for ensuring that our handicapped citizens receive a fair chance for a useful, productive life.

Yet the legislature's effort can only be part of the story.

The rehabilitation process, leading to personal independence and economic self-sufficiency, requires all of our agencies, public and private, to pool their resources and adopt a team approach to each client and his family.

The employment security commission plays a vital role in matching clients and job opportunities.

Community action programs seek out the disabled poor and administer to local needs.

In the final analysis, however, it must be all of our citizens who insist that our priceless human resources are no longer wasted.

The very fact that all of us are here today is clear evidence that the need is recognized—and that there are many who are willing to assist in this vital enterprise.

I ask you, therefore, to share your knowledge and convictions with your fellow citizens, so that we can enlist them, too, in what should be our common cause.

WHAT ARE WE PREPARED TO REPORT TO THE GOVERNOR, THE LEGISLATURE, AND THE PEOPLE?

(By Senator Bennett D. Katz)

One of the characteristics of the public school education received by those of us who have reached middle age, is a most remarkable retention in our minds of words memorized an incredibly long time ago.

Remember the lines that Lieut. McCrea wrote "In Flanders Fields?" "To you from failing hands we throw the torch. Be yours to hold it high! If ye break faith with us who die, we shall not sleep, though poppies grow in Flanders Fields."

This afternoon, I think we are in the process of doing a little of this passing of the torch business, yet before we take our hands completely off the torch, we are going to be very sure it is grasped safely and surely.

When a group of men and women have devoted almost two years of their lives to a cause, there is an innate determination that the effort shall not have been in vain.

We who have served on the Maine Commission on Rehabilitation Needs were chosen from widely dissimilar ways of life, yet we have ended up with a common denominator—a zealous determination to make a lasting contribution to the cause of the handicapped.

When John Reed invited me to serve, at the end of 1966, my immediate reaction was to send my regrets. As the incoming Chairman of the Legislative Committee on Education, it was clear to me that I'd have my hands full in living up to heavy responsibilities in offering whatever leadership I could in the field of education. Yet I accepted, and now two years later, I have a deep feeling of gratitude to Gov. Reed and to his dynamic successor, Gov. Curtis, for permitting me the opportunity to serve in this stimulating project.

I have never devoted time in an area of human needs, where the needs were any clearer, nor the necessity for filling the needs any more pressing. I have never served in a project more capably led, nor more professionally staffed. George Nilson, our first chairman was a superb choice, and when regretably he left Maine, filling his shoes was a difficult challenge. The choice by Gov. Curtis of Dr. Leonard Mayo was warmly applauded by us all. Gov. Curtis, as a pretty successful politician himself, knows that we Republican Senators do not *necessarily* wax ecstatic over his every appointment. In this case, Gov. Curtis has hit a home run. Leonard Mayo has stepped in as a relief pitcher and has won the respect and admiration of us all.

So, here we are today, making a report to the Governor and to the people of

Maine. On September 5th, before the Maine Conference of Social Welfare at the Samoset in Rockland, I presented a detailed preliminary report of our recommendations.

At that time, I went into substantial detail as to the specific nature of our proposals. I laid out our suggested roadmap for progress in meeting unfilled rehabilitation needs in Maine. It was, I said, a distillation of about 26 pounds of facts, surveys and reports, representing the thinking of thousands of Maine citizens. Using a system of regional task forces, we have, in effect, asked Maine people to hold up a giant mirror of self-evaluation.

Today, we are making our report to the Governor. We are documenting with evidence the fact that there are thousands of Maine people who are handicapped and who are not receiving the help which they need. We are recommending several changes in governmental structure to serve these needs more adequately. We are recommending the creation of a new Division of Rehabilitation within the Department of Health and Welfare, to join and consolidate several presently separate agencies which work in the field of rehabilitation.

In the field of corrections, we are recommending a whole new exciting concept of attitude towards the convicted offender, long overdue in Maine, where the entire emphasis will be transferred from punishment for all, to rehabilitation for the greatest possible numbers. In this area, the implications for state institutions are substantial. We recommend that sentencing offenders to a certain institution for a prescribed length of time should be discontinued in favor of sentencing to the Bureau of Corrections. The Bureau, after knowledgeable professional evaluation of the individual prisoner, motivated heavily in the direction of maximum rehabilitation, will be responsible for ultimate disposition of each case.

As a member of the Maine Senate, sorely disturbed about the shortcomings of the education of our children, I feel my heart leap at the perceptive findings of the Commission with respect to handicapped children. The wording in the report reads, "Early remediation for handicapped children, socially maladjusted and mentally retarded should be given greater attention by all responsible agencies."

Let me pause here, and declare very clearly, that in my opinion, the education of our handicapped children is today the largest unfilled need of education in the State of Maine. In the category of the emotionally disturbed alone, there are 16,000 school age children who are indeed disturbed to the extent that they must be considered handicapped. They desperately need help—help far beyond what even a devoted classroom teacher can offer. They need our help—and they are not getting it.

I can think of no other area where there is so much loss of human potential, and where so little is being done to make progress.

The emotionally disturbed child disrupts his class—or withdraws into a shell. Frequently, he becomes a drop-out and we label him a failure. We set programs into motion to seek him out to bring him back to school, to make up for his failure—yet, it is not the disturbed child who has failed—it is we who should recognize his problems and offer timely professional help—before it is too late. And so often, it is too late, when the elementary child has become a young adult, and has passed from the responsibility of the Department of Education, to the Department of Social Welfare, or predictably, the Bureau of Corrections.

Yes, the education of our handicapped children is, today, the largest unfilled need of education in the State of Maine. I am very proud that the Maine Education Council, of which I am a member, will support legislation before the 104th Legislature, which, in proposing revisions in the all-important school subsidy bill, calls for state aid in the case of the handicapped child at a level 300% that of the ordinary pupil.

We, on the Maine Commission on Rehabilitation Needs, declare to you today that for the handicapped, education and training is the pass-key to human dignity and personal fulfillment. We declare that this education, this training is the responsibility of government, and the undeniable right of the handicapped individual.

Where is the money going to come from? Who will pay the cost implicit in the meeting of the needs of our handicapped people? Who will pay for their medical rehabilitation? Their education? Their training?

If we are to succeed, and succeed we must, we need an effectively functioning partnership—between government and the private sector. Each must assume that share of the burden which it can handle most effectively. The general hospitals, the sheltered workshops, the mental retardation and cerebral palsy groups, the Pine Tree Society and all the other associations of devoted workers in the vineyard of compassion—all must assume a proportionate share of the larger burden ahead.

In government, there must be renewed dedication to the importance of our tasks.

And in both sectors the most crying need is for increasingly dynamic leadership for those with responsibilities, and ever increasing understanding and support from the people.

But where will the money come from? Let me speak for the state.

Governor Curtis is presently wrestling with a budget which surely must seem improbable, if not impossible. When it arrives in the form of a program for consideration by the 104th Legislature, it will contain demands for record-breaking appropriations. Just to support presently authorized programs will require some $20 to $25 million dollars in additional revenue per year.

The cost of local education will continue to rise. Support of our newly expanded University of Maine system will make heavy demands. Expansion of state parks and recreation, increasing activity in air and water pollution control, restructuring and modernization of our cumbersome and archaic social welfare programs—all these will add to the insatiable demands for more money. Improvement of state institutions, continued maintenance and improvement of our highways, airports and port facilities, more realistic state retirement programs and more competitive pay scales for state employees who are continually pinched as the cost of living increases, broader promotion of Maine by DED, better protection of our people in the fields of banking, insurance and securities—all these require ever increasing support.

Yet, in a state of only a million people with limited resources, there is not an endless amount of money available, regardless of how worthy the purpose. And incredible though it may seem, Maine has never established any program of long range state goals and priorities.

When it comes to buildings—to bricks and mortar, we have indeed established priorities. Each biennium, the Bureau of Public Improvements takes all the requests from all state departments which are already in an intradepartmental priority listing, and integrates them in a single tally of requested capital improvements—listed in priority of statewide needs.

It do not suggest that this list is sacrosanct—that a determined governor or a nonconformist legislature never deviates, but in the BPI report we get a clear picture of all the non-highway capital needs of the state with an easily understood recommendation of relative urgency.

Not so however, in the biennial appropriations from the general fund and accumulated surplus. Here we have a Senate and a House reacting as effectively as possible to a proposed program of a governor, plus the demands of hundreds of legislative documents proposed by individual legislators.

Here, in the organized confusion of a legislative session there are no long-range guidelines apparent within which to operate. Here, a $10,000 request to underwrite the cost of attempting to encourage a few more Maine youngsters to attend dental school competes with a request by DED for more national advertising promoting our state—and a proposal to put much needed funds to expand a very successful apprenticeship program—and a request to support a program for practical nursing at one of our vocational technical institutes—and an appropriation to acquire land for the initial development of a state park—and many, many more. All worthwhile—All needed if we are to make progress. But we don't have money to do everything now.

The other day I heard of a proposal by a candidate for the Legislature to offer tuition-free education for any Maine youngster through 4 years of college. As Chairman of Education, one would expect me to support this as a meaningful method of increasing post high school opportunities. Instead, I found myself saying, "No! No! No!"

Sure, it would be nice to do this. But can we afford to consider seriously doing something because it would be "nice to do?"

In any system of priorities, with the urgent needs of so many people unfilled, can we afford to divert *any* tax monies to programs we don't deem absolutely essential?

When I hear of an eight year old boy who moves from one side of his room to another by crawling across the floor, when I know of youngsters whose untreated speech defects may relegate them to lives far short of their innate potential development, when I consider a father in his forties, suddenly disabled, with a life of fear and bitterness ahead of him, then I begin to develop my own set of priorities.

We vigorously support the establishment of long range state goals and priorities, and declare our belief that by any standard, meeting the needs of the handicapped must be given a high priority.

In my opinion, the absence of a system of long range state goals and priorities is a barrier to the successful recognition and realization of our goals.

In my opinion, the biennial system of legislative sessions is a barrier to the successful recognition and realization of our goals.

In my opinion, the combination of factors which in recent years has caused a turnover of some 53% amongst the ranks of our legislators each biennium—this is a barrier to the successful recognition and realization of our goals.

In short, I am saying that the absence of a system of long range state goals and priorities, developed by the executive combined with the existence of a legislature which meets too infrequently, is by weight of numbers one of the largest in the United States, which by its appallingly high turnover of members must surely be one of the most inexperienced in the nation—this in my opinion operates as a very significant barrier to the successful recognition and realization of our goals.

We acknowledge to the Governor our deep appreciation for the understanding, encouragement and complete cooperation he has given us from the start. He has shown a deep awareness of the importance of our task.

This then, is the report I make to the Governor. This then is the challenge which we lay before him and the people of the State. It is a challenge of heroic proportions, with no easy answers, no simplistic solutions. We eargerly await his response.

I speak as a Republican member of the Maine Senate, and say that there are no partisan implications in our concern for the less fortunate. I pledge to our Democratic Governor that, God and the electorate willing, I will work with him in any way, in every way, in a bi-partisan partnership to translate our words into action, our programs into service.

There are thousands of people, not here today, who are depending on us. They are not as vocal as we. They are not as mobile as we.

But their cause is our cause.

And in their cause, let us be tenacious, dedicated and in the end, effective.

We must do no less!

THE LATE SENATOR HARRY FLOOD BYRD

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. DOWNING. Mr. Speaker, only recently my attention was drawn to a column which appeared in the Los Angeles Times on October 29, 1966, under the byline of Raymond Moley. I was struck with the manner in which the columnist recounted significant events of our history and the warmth with which he described the character of the great American, the late U.S. Senator Harry Flood Byrd.

The legend of Harry Flood Byrd will continue to be expounded as the years roll by. It was my personal privilege to have known him during some of those years of greatness. I offer the column for inclusion in the RECORD in tribute to our dear friend and former colleague, as follows:

Perhaps had Mr. Roosevelt known that his decision would place in the Senate a man who over the years would, always with discretion and courtesy, oppose his favorite policies, he might have hesitated to create the vacancy from Virginia. For the new senator proved himself as the years passed a resolute warrior for fiscal responsibility and a valiant opponent of growing federal power.

The strength and influence of Byrd grew until, as chairman of the powerful Senate Finance Committee, he was the leading American exponent of sound fiscal policy and of the constitutional balance of powers between states and the federal government.

Moreover, Sen. Byrd at all times stood for something greater than himself. He represented all the fine traditions so cherished by the great state of Virginia. He maintained organized political authority in his state, and through his influence that state met its problems of growth with enlightened responsibility. In a nation in which so many states have become mere fiefdoms of a federal bureaucracy, Virginia has maintained its sovereignty and its capacity to speak for itself.

Back in 1941 Sen. Byrd, deeply concerned about the growth of bureaucracy and of improvident spending, secured the creation of the Joint Committee on Reduction of Non-Essential Federal Expenditures, of which he was chairman. It was a tribute to the confidence in him in the Senate that twice when Republicans controlled the Senate he was retained in that chairmanship. Month after month his committee provided the record of the nation's finances and the number of federal employees.

The traditions which Byrd represented were Wilsonian. But far back before President Wilson—and even beyond the Confederacy—the roots were in the principles for which great Virginians fought before the Revolution. Whoever visits Williamsburg and is moved by the reminders there of Wythe, Washington, Jefferson, Madison, Monroe and George Mason should remind himself that nearly two centuries later Harry Byrd stood firmly for the faith of those men. His memory is with them in a great tradition.

In writing a history of the First New Deal—now completed—I often had the feeling of cutting a way through a thicket of memories peopled by near-forgotten ghosts. But what I witnessed on March 4, 1933, stands out clearly from all the rest of those days. For I saw the Senate called to order minutes after Franklin D. Roosevelt finished his inaugural address. In the chair was John N. Garner, who had just taken his own oath of office.

A great and awesome stillness prevailed in a stricken and frightened country. Three years of depression had culminated in the closing of the banks. And the business before Congress in the week to come was to validate the President's order closing the banks and to provide for the banks' reopening. It was that, perhaps, which made this opening of Congress so significant.

A minor incident is memorable. For on that day, after the Vice-President called the Senate to order, the venerable gentleman from Virginia, Carter Glass, rose from his seat and offered the credentials which admitted to membership in the Senate a man who in age might have been his son.

That man, in his 46th year, was Harry Flood Byrd. The appointment of the junior senator by Virginia's governor came, interestingly enough, because of a decision by Mr. Roosevelt. Mr. Roosevelt sought, by the appointment of Virginia's already aging Sen. Claude Swanson as secretary of the Navy, to achieve two things. One was to permit Key Pittman, a stalwart supporter, to move up to the chairmanship of the Foreign Relations Committee. The other was to place the custody of his beloved Navy with a completely sympathetic secretary.

If we look for an explanation of Byrd's lasting influence we must find the answer in his character. In a tribute to Byrd, this was said:

"Issues are eternally debatable: but character is not. Harry Byrd symbolizes a vanishing era of public men who stood to the end in awareness that their true and ultimate responsibility was to country and to history."

FORMER SENATOR WAYNE MORSE SPEAKS TO AMERICAN HOSPITAL ASSOCIATION ON HEALTH CARE

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, February 18, 1969

Mr. YARBOROUGH. Mr. President, at the midyear Conference of the American Hospital Association, a meeting of the officers of each State hospital association, which was held in Chicago last week, former Senator Wayne Morse spoke challengingly about some of the problems and issues facing hospitals.

As usual, Senator Morse's comments were timely and informative, and the Committee on Labor and Public Welfare will miss his contributions as we work on the health problems of the Nation. However, because he shows his continuing ability to contribute to the dialog of the health needs of the country, I ask unanimous consent that his speech be printed in the Extensions of Remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE INDUSTRIALIZATION OF HEALTH CARE: A CHALLENGE TO THE VOLUNTARY HEALTH FIELD

The problems and issues that the American Hospital Association grapples with as an organization, and that each hospital faces in its daily operation, impress this observer with the extent to which medical care has in recent years moved into the mainstream of the industry of America. The recent changes in the organization of the American Hospital Association reflect your full appreciation of the demands upon you from American society, and your need to respond to them.

The last decade has seen a virtual revolution in the attitude of Americans toward health care, and consequently in the demands made upon the health professions. A reasonable, consistent degree of prosperity has enabled our people to think more in terms of minimum standards, rather than absolute necessities. It is axiomatic in your profession that health care has moved dramatically from a privilege to a right, or at least to a service that the average citizen feels he is entitled to, irrespective of his financial condition.

This changed attitude has reflected itself in many ways, and in many programs initiated and sometimes financed by the federal government. Undoubtedly, medicare is the most significant. Its enactment established the principle that the financial circumstances and resources of each, individual citizen, need not be the limiting factor in the state of his health, nor in seeking the professional help he needs. Once that principle was established, it spread—and is still spreading—to other aspects of health care.

Hospital administration is now in the process of adjusting, revamping, and reorganizing to meet this change. Congress is in the process of enacting new programs and appropriating new funds to keep up with the demand it created, both directly and indirectly, by medicare.

For it is not help in paying for a hospital stay that the public now expects. It expects the full benefit of the most advanced techniques and procedures known to medical science, even though the cost of such techniques and procedures may be so high as to preclude all but the most affluent from paying their full cost.

Congress bears a good deal of the responsibility for having created that demand, too. Federal financing of medical research, already high, rose from $750 million in 1964 to $1 billion, $258 million in fiscal year 1969. This record was achieved under the leadership of the incomparable Lister Hill of Alabama. Senator Hill served as chairman of both the Health Subcommittee of the Senate Committee on Labor and Public Welfare, where substantive legislation was prepared, and the Health Appropriations Subcommittee of the Senate Appropriations Committee, where the money was provided. In that dual capacity, he led the nation in its most far-reaching exploration of the nature and treatment for human disease and disability.

Some medical scientists believe we made as much progress in our knowledge of medicine in the last 25 years as was added during all of the preceding years in the history of medicine. We have virtually eliminated many of the infectious diseases. We have developed new drugs for controlling illnesses that in the past took a heavy toll in death and disability. We have devised new surgical techniques that have greatly extended the span of life. If we are to continue the progress we have already achieved, we must continue to provide for an adequate investment in health research.

But we are now challenged to make this knowledge available to those in need of it. Not those who can pay for it: *to those who have need for it!*

How to do this is a challenge to *you*, and to Congress.

The first responsibility is yours. Whatever else Congress does, it is not likely to make it a federal project to operate and manage the nation's hospitals. You can expect help in those areas where your own resources are inadequate. But the major task of organizing health services will be in your hands.

It will be necessary for hospitals to devote themselves entirely to the service of the public, and to the needs of the patient. To that end, they will have to organize the services of the doctors who use the hospitals, as well as the service of the care itself. To those few remaining medical practitioners who think of a hospital as a place where a doctor practices medicine, I say: you will have to reorient your thinking!

There will be less and less room for the use of the hospital for the benefit of the technical expert. The issue you currently grapple with over allowing technical experts to bill patients directly for their services performed during a hospital stay will yield to the requirement of mass health care that the hospital be the unit the patient deals with.

It is hospital administrators who will bear the burden of keeping the cost of hospitalization as low as possible, consistent with good care. A plausible question arises of what pressures will contribute to that end? To the extent that your product is increasingly regarded as a public service and not a competitive contest with a rival hospital, that particular pressure to keep costs down is removed. In fact, there is increasing pressure that service—not necessarily costs—be improved by a greater sharing of facilities, rather than duplication which either raises costs exorbitantly or deprives a patient entirely of a service that may be available in another hospital nearby.

I may say parenthetically that our education system is being pressed in the same direction. The sharing of a single, highly expensive experimental piece of equipment for use by the physics departments of several neighboring institutions has become quite common. Colleges are taking the next step of integrated curricula, whereby the student attends more than one institution, to receive instruction in the various courses that make up his major field of study.

Greater specialization is possible; so is the student able to avail himself of a wider scope of study than he could get at all but the biggest and most comprehensive institutions.

The medical sciences are moving in the same direction. But this is not competition; this is collaboration for the benefit of the patient. Does it remove the incentive to keep costs as low as possible? Does the high degree of federal subsidization further remove that incentive?

Perhaps the answer to both is in the negative. But in any event, soaring costs will always be a prime object of a Congress and a Department of Health, Education, and Welfare who are responsible for paying much of the bill.

Eliminating duplication of expensive facilities, and the cooperative use of them by more than one institution can turn out to be a cost-reducing practice, as well as one calculated to give the patient the best care available, no matter which of several hospitals he may enter.

How this can best be done in each locality is for you to determine.

Congress met a part of the same problem with its Regional Health Center Act of 1965. Its purpose was to create some 55 regional centers, to serve as depositories for the most advanced information on treatment for heart disease, cancer, and stroke victims. It was contemplated that the center would be administered by a university, school of medicine, a research center, or some other public or nonprofit agency or institution, making possible demonstrations, consultations, research, and training in these diseases for physicians and hospitals within the area served. This was a major means whereby each institution could draw upon a pooling of services, insofar as information was concerned.

Budgetary problems in the last two years have severely curtailed the funding of the Heart Disease, Cancer, and Stroke Act. But it is a major step in bringing the fruits of research to each American citizen. It is as important to mass health care as is the common use, or interchange, of facilities.

Still another critical factor in putting health care onto a mass consumption basis is that of manpower. Testimony last year to the Labor and Public Welfare Committee disclosed that we need 50,000 more physicians than we now have. There is a shortage of virtually every category of health workers. We need more nurses, and x-ray technicians. A joint study of this Association and the Public Health Service showed that hospitals alone needed an additional 79,000 professional nurses in 1966.

In combatting the nurse shortage we face a complex problem. First, the proportion of high school students choosing nursing as a career has declined. This factor is compounded by the extremely high attrition rate that prevails for schools of nursing. Only two-thirds of the entering students at nursing schools stay on to graduate.

Furthermore, hospital schools of nursing that supply almost three-fourths of the graduates in nursing are closing in increasing numbers due primarily to the high costs of training programs. Nursing education at hospitals is normally subsidized to some extent through patient charges, but federal reimbursement formulas under Medicare do not permit the inclusion of the expenses due to nursing education. As a result of the curtailment of nursing schools at hospitals, we admitted 2,000 fewer new nursing students in 1967 than in 1966.

To reverse this trend we must provide full funding of the Health Professions Educational Assistance Act of 1963 and its amendments under the Health Manpower Act of 1968. Among all health professions, it is the rising demand for care and not the absolute decline in people entering the field, that is responsible for the shortage. In 1950, 2.3 per cent of the labor force was in the health field; by 1960, it was 3.7 per cent of the labor force. But it is not enough; by 1975, it is estimated that over 4 per cent of the labor force will be engaged in providing for the health needs of the American people.

Here, too, budgetary limitations have produced a large backlog of applications for construction grants to build school buildings and related facilities under the Health Professions Act. The Act was designed to make it easier for students to enter these fields of study by providing them financial assistance. It sought to enhance the capacity and upgrade the instruction in the schools in nurses training and in allied medical fields. Medical record library sciences, medical technology, occupational therapy, physical therapy, and radiologic technology require a doubling of their present number just to meet current needs. The Manpower Act extended through fiscal year 1970 the authorization for Allied Health Professions Training.

In this connection, I would like to remind you that many hospitals do not seem to be utilizing one of our education programs as a source of capable but unskilled manpower. This is the work-study program for college students. It enables them to attend school and to earn expense money by working part-time. Many non-profit institutions have found their local colleges and universities to be a good source of this kind of help, and certainly it should be fully exploited by hospitals.

The genuine concern of Congress, and the Senate in particular, for the nation's health needs, is reflected in the fact that both Senator Hill and the new Chairman of the Senate Committee on Labor and Public Welfare, Senator Yarborough of Texas, have chosen the health subcommittee for their personal attention. I know that Senator Yarborough is much aware of the need in the manpower field. His subcommittee will devote much of its time to that problem in the months ahead.

Upon taking over the Department of Health, Education and Welfare, Secretary Robert Finch pointed out quite correctly that the statutes are on the books that deal with our most urgent needs in health and education. What is, and has been, the bottleneck has been the lack of funding. This is as true in health as it is in education, where I guided to passage the most far-reaching legislation to upgrade the nation's education in the history of the country. But laws of this kind are empty without the money to carry them out. Whatever else may be on your agenda for Congress and the Administration in 1969, the full funding of these laws should have your top priority.

Another issue you will be discussing in the halls of Congress is that of amending the Hill-Burton Act to permit more federal money to go into the modernization of existing hospitals. As you know, this provision was passed by the Senate, but dropped in conference with the House when Congressman Staggers expressed the wish to have the House Interstate and Foreign Commerce Committee hold hearings on it. Certainly the medical publications are full of design plans and architectural plans that show how much time and manpower could be saved by automation not only in buildings under construction, but in the modernization of old hospitals. The increased use of computers, not only for keeping track of supplies, but in the care of patients, offers an area of cost saving and manpower saving that would be well worth the initial expense. Senator Javits, the sponsor of this amendment last year, points out that one-third of existing hospital facilities are considered obsolete. That degree of obsolescence means a waste that we cannot afford at a time when all medical services are so strained.

All this adds up to the entry of medicine into a full public service role. What has happened to you in recent decades is comparable to the changeover of industry from cottage industry to mass production industry. Coverage in 1966 of many hospital employees under the minimum wage law was one recognition of this change. Increased demands for collective bargaining rights and collectively bargained working conditions is another. In fact, the establishment of procedures whereby employees can be dealt with as unions and without work stoppages is one of the frontiers you are facing. Greater use of mediators and voluntary arbitration seems to be an appropriate direction to take, but most governmental entities and other administrators in public service have been rather slow to explore the field.

It should be great consolation to you, and a challenge as well, to know that yours are the problems of growth and expansion. In cooperation with Congress, and with state and local governments at all levels, I feel confident that you will meet them, and that in both quality and availability, the health care of the American people will continue making us among the healthiest people in the world.

BOY SCOUTS UNDER RED ATTACK

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. RARICK. Mr. Speaker, the Boy Scouts of America have been historically a cherished training organization in the principles of Americanism for our youth.

The official publication of the Boy Scouts is Boy's Life.

I was flabbergasted to discover in the October 1968 issue of Boy's Life an article, "Folk Songs," by one David Bittan. The article dwells at great length on such un-American individuals as Pete Seeger and the late Woody Guthrie—notorious, identified Communists.

The usual generalization of "Oh well, a lot of people became Communist back in the depression" cannot be applied to Pete Seeger. His record shows continuous diligent activity for the Communist Party through 1968. And Guthrie was known to use his musical talent as an entre to youth at clubs and recreational facilities.

I realize, of course, that most local Scoutmasters are probably not aware of the background and purposes of these individuals. But certainly, could not the editors of Boy's Life advise the youthful readers and their parents that these so-called great musicians are enemies of the American people hard at work to overthrow the United States?

Mr. Speaker, I place a list of officers of Boy's Life and the identification of Pete Seeger and Woody Guthrie from various reports following my comments:

LIST OF OFFICERS OF BOYS' LIFE

Lyndon B. Johnson, Honorary President.

Irving Feist, President.

Alden G. Barber, Chief Scout Executive.

Oliver S. Johnson, Publisher and General Sales Manager.

Edward L. Kern, Marketing Director.

Robert Hood, Editor.

Walter Babson, Executive Editor.

Andrew Lessin, Art Director.

Bert Marsh, Art Editor.

Dick Pryce, Senior Editor, Special Features.

Louis Sabin, Articles Editor.

Ernest Doclar, Regular Features Editor.

Ellen D. Small, Copy Editor.

Jean Pharo Lilly, Fiction Editor.

William K. Powers, Editorial Promotion Director.

Contributing editors: Frances Smith, Movies, TV, Travel; Bill Hillcourt, Scoutcraft; Glenn Wagner, Hobbies; Al Stenzel, Cartoon Features.

Book Department: Stanley Pashko, Director.

Production: Thomas R. Marvel, Director; Gene Allendorf, Advertising Production Manager.

Advertising: James N. Greaney, Eastern Advertising Manager; Kirkwood Sampson, Western Advertising Manager; Frank X. Simonds, Pacific Coast Advertising Manager; Dorr & Doty, New England Representatives; Robert L. Goldsmith, Promotion Director; Frank J. Rowe, Assistant to the Publisher.

Circulation: Lloyd Eberhart, Business and Circulation Director; William E. Downs, Circulation Promotion Director; John J. Duffy, Subscription Director.

Boys' Life Committee: William Harrison Fetridge, Chairman; Philip C. Carling, Richard W. Darrow, Francis W. Hatch, James B. Kobak, Charles B. McCabe, Charles F. McCahill, Kenneth Dale McCormick, Herbert D. Maneloveg, Chester L. Posey, Vittz-James Ramsdell, Frank C. Rand, Jr., Warren J. Reynolds.

PETE SEEGER

Pete Seeger has claimed to have been born in New York City on May 3, 1919, the son of Charles Louis and Constance deClyver Edson. In 1943 he married one Toshi Aline Ohta. Three children—Daniel Adams, Mika Salter and Virginia were born of this union.

In the past Pete Seeger was employed as an Assistant to the Curator in the Archives of the American Folk Songs of the Library of Congress. In the 1940's he teamed with Woody Guthrie and has stated he toured the South, Southwest and Mexico and "collaborated on writing labor and anti-Fascist songs." Seeger is reportedly a member of the editorial staff of *Sing Out* Magazine and is recognized as a folk singer and composer.

The September 19, 1968 issue of the New Guard noted "identified Communist Party member Pete Seeger is now writing for the *Daily World*, the Communist Party newspaper. Seeger was named in congressional testimony as a member of the Communist Party and was also identified as a member of the Music Section of the Cultural Division of the Communist Party according to the Daily Worker of May 4, 1949."

In August, 1955 Pete Seeger was a witness before a hearing of the House Committee on Un-American Activities. Seeger refused to answer questions dealing with Communist activities and associates. Specifically, he refused to answer whether he had been a member of the Communist Party since 1947. As a result of Seeger's refusal to answer questions of the Committee, he was cited for contempt of the House of Representatives on July 25, 1956.

Seeger was convicted of the contempt charges in the U.S. District Court in New York City on March 29, 1961. His conviction was reversed by the U.S. Court of Appeals on May 18, 1962 on the grounds of procedural errors in the trial in the lower court. The reversal was based solely on faulty wording in the grand jury's indictment which the court claimed failed to state as it should have, that the subcommittee of the House Committee on Un-American Activities before which Seeger testified had authority to conduct that particular hearing.

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, U.S. HOUSE OF REPRESENTATIVES

Date: June 7, 1968.
For: Hon. Edwin E. Willis.
Subject: Peter Seeger.

This Committee makes no evaluation in this report. The following is only a compilation of recorded public material contained in our files and should not be construed as representing the results of any investigation or finding by the Committee. The fact that the Committee has information as set forth below on the subject of this report is not per se an indication that this individual, organization, or publication is subversive, unless specifically stated.

Symbols in parentheses after the name of any organization or publication mentioned herein indicate that the organization or publication has been cited as being subversive by one or more Federal authorities. The name of each agency is denoted by a capital letter, as follows: A—Attorney General of the United States; C—Committee on Un-American Activities; I—Internal Security Subcommittee of the Senate Judiciary Committee; J—Senate Judiciary Committee; and, S—Subversive Activities Control Board. The numerals after each letter represent the year in which that agency first cited the organization or publication. (For more complete information on citations, see this Committee's "Guide to Subversive Organizations and Publications.")

COMMUNIST PARTY MEMBERSHIP

Harvey Matusow, a witness in public hearings before the House Committee on Un-American Activities, February 6, 1952, testified that he had been a member of the Communist Party from October 1947 to January 1951, and that he had known Peter Seeger to be a member of the Communist Party in New York City [Communist Activities Among Youth Groups (Based on the Testimony of Harvey M. Matusow), February 6 and 7, 1952, pages 3288 and 3297] *Note:* see attached memo, "Significance of Testimony of Harvey Matusow."

(Note in the reference under Testimony by subject, below, that Peter Seeger refused to state in public testimony whether or not he was or had been a member of the Communist Party.)

TESTIMONY BY SUBJECT

Peter Seeger was subpoenaed to testify before the Committee on Un-American Activities, August 13, 1955. When asked if he was then or had been a member of the Communist Party, he refused to answer these and numerous other questions about activities in association with cited Communist organizations. [See the following attachment: "Proceedings Against Peter Seeger," July 15, 1956, which contains Mr. Seeger's testimony.]

LEGAL PROCEEDING

Year 1956: As a result of his refusals to answer questions of the committee without giving a valid reason for doing so, Mr. Seeger was cited for contempt of the House of Representatives, July 25, 1956. [See attached reproduction of "Proceedings Against Peter Seeger."]

Year 1961: He was convicted of the contempt charge in the United States District Court in New York City on March 29, 1961. [See attached reproduction of an article from the New York Times, March 30, 1961, p. 20]

Year 1962: His conviction was reversed by the U.S. Court of Appeals, May 18, 1962, on the grounds of procedural errors in the trial in the lower court. [The conviction was reversed not for any error, omission or improper action by the committee in the Seeger hearings or in the Committee's or the House of Representatives' citation of him for contempt. Neither Matusow's identification of Seeger nor his subsequent and completely unsubstantiated claims that he had given false testimony were at issue in the case and had nothing to do with the reversal. The reversal was based wholly on faulty wording in the Grand Jury's indictment of Seeger which failed to state, as it should have, that the Subcommittee before which he testified had authority to conduct the particular hearing.]

(NOTE.—The following is a record of Seeger's activities subsequent to his testimony before the Committee on Un-American Activities on August 18, 1955.)

COMMUNIST PARTY PUBLICATIONS

People's World (C–1941; S–1955), 1958: Sent congratulations on its 20th Anniversary (L.A. Edition, People's World, January 4, 1958, p. 4).

New Horizons for Youth (C–1962), 1962: Granted an interview to a representative of the periodical which was presented, complete and unedited, in its April–May 1962 issue, pp. 10 and 11.

American Dialog (C–1967), 1965, 1966, 1967: Sponsor (American Dialog, May–June 1965, contents page, November–December 1966, contents page, and Spring 1967, contents page). Writer of article to appear in autumn issue of American Dialog (National Guardian, October 28, 1967, p. 10 (ad)).

Freedom Ways (C–1962), 1965, 1968: Entertained at its program honoring Paul Robeson, April 22, 1965, New York City (Freedomways, Summer 1965, p. 364; National Guardian, April 17, 1965, p. 11; The Worker, May 2, 1965, pp. 3 & 11). Entertained at its "DuBois Centennial Celebration," Carnegie Hall, February 23, 1968 (National Guardian, February 3, 1968, p. 4 (ad); The Worker, February 6, 1968, p. 6 and March 3, 1968, pp. 3 & 14).

Metropolitan Music School (C–1947), 1954–57: To appear at concert on June 12, 1954, presented by the school; proceeds to go to the school's Scholarship Fund (Daily Worker, official organ of the Communist Party, June 10, 1954, p. 7). Instructor (School Catalog for 1955–56, p. 12). Featured artist at its annual concert series, May 19, 1957; proceeds to go to the school's Scholarship Fund (Daily Worker, May 10, 1957, p. 7).

National Lawyers Guild (C–1944; I–1956), 1956, 1957: Furnished entertainment at its 1956 and 1957 conventions (Lawyers Guild Review, publication of the NLC, Spring 1956 issue, p. 32; and the National Lawyers Guild 20th Anniversary Convention Program, February 21–24, 1957, p. 11).

Emergency Civil Liberties Committee (C–1958; I–1956), 1957, 1962, 1963: Scheduled to participate in its conference on January 30, 1957 (Handbill of the organization). Accepted its invitation to attend a Victory Celebration Reception" on June 14, 1962 (Ad, National Guardian, June 4, 1962, p. 10; also reported in The Worker, June 12, 1962, p. 6). Scheduled to participate in a concert at a theater party arranged by the ECLC to be held on February 21, 1963, the proceeds to go to the organization's campaign against the McCarran (anti-Communist) Act (The Worker, January 29, 1963, p. 8).

California Labor School (A–1948; C–1956; S–1957), 1958: One of a group of "lecturers and guest artists" who, in the past, appeared at a steady stream of important affairs" at the now closed California Labor School. (A pamphlet of the school, entitled Once They Did It To Speak-Easies, Now They Do It To Schools!", May 15, 1958, p. 6).

National Council of American-Soviet Friendship (A–1947; C–1944; I–1956), 1958, 1960, 1962, 1964: Scheduled to give a concert under the auspices of the Chicago Chapter of the organization on October 25, 1958 (The Worker, September 21, 1958, p. 12). Scheduled to entertain at a Rally of the organization on November 8, 1960 (Ad, The Worker, October 30, 1960, p. 11). Entertained at a reception given by the National Council for the Cherman Titova on the eve of their flight back to the Soviet Union (New World Review (C–1959; I–1956), June 1962, p. 4; The Worker, May 15, 1962, p. 8). Entertained at its 23rd Annual Meeting which celebrated the 47th Anniversary of the Russian socialist revolution and the 31st year of diplomatic relations between the U.S. and the Soviet Union (The Worker, November 17, 1964, p. 7).

National Committee To Abolish the Un-American Activities Committee (C–1961), 1960, 1966: Present among the 34 members of the organization who met at the Taft Hotel on October 11, 1960, to map plans for nationwide actions against the Committee on Un-American Activities (The Worker, October 16, 1960, p. 10). Sponsor (Letterhead of January 8, 1966 with attached list of sponsors).

New York Council to Abolish the House Un-American Activities Committee (C–1961), 1961, 1962, 1965: Attended a rally on April 21, 1961 (The Worker, April 30, 1961, p. 10; a letterhead of the Rally to Abolish . . . , dated April 21, 1961; and The Worker, April 16, 1961, p. 10). Was on the platform and sang at a rally of the organization which also urged clemency for Frank Wilkinson and Carl Braden, convicted for contempt of Congress (their convictions were upheld by the Supreme Court decisions handed down February 27, 1961) (Abolition, a publication of the New York Council, November 1961, pp. 1 & 6; The Worker, November 28, 1961, p. 8 and December 3, 1961, p. 9; National Guardian, December 18, 1961, p 3). Scheduled to entertain at a reception held by the New York Council on February 1, 1962 in New York City (Ads in The Worker, January 28, 1962, p. 11 and January 30, 1962, p. 6; and the National Guardian, January 22, 1962, p. 3 and January 29, 1962, p. 4). Scheduled to participate in a rally on October 24, 1962 at Manhattan Center, N.Y.C. (Letter of October 12, 1962 with attached handbill; The Militant, October 22, 1962, p. 3). Scheduled to participate in a meeting on April 11, 1965, in New York City (Ads in the National Guardian, April 3, 1965, p. 8 and April 10, 1965, p. 9).

National Guardian (C–1956), 1961, 1964–67: Entertained at its picnic on September 16, 1961 (National Guardian, August 21, p. 6, August 28, p. 5 and September 25, 1961, p. 9). Scheduled to entertain on the "Guardian Boat Ride," on June 22, 1961 (National Guardian, May 22, p. 9, June 5, p. 3 and June 12, 1961, p. 3). Scheduled to entertain at the annual Guardian picnic, September 19, 1964 (Ad, "Picnic with Pete!", August 15, p. 5, August 22, p. 6, August 29, p. 5, September 5, p. 4, September 12, p. 3, and September 19, 1964, p. 3, issues of the National Guardian). Entertained at annual Guardian picnics, September 18, 1965, September 17, 1966 and September 16, 1967 (National Guardian, October 2, 1965, p. 10, September 24, 1966, p. 2 and September 9, 1967, p. 4 (ad)).

Veterans of the Abraham Lincoln Brigade (A–1947; C–1944), 1961, 1962, 1967: Recorded songs of the Abraham Lincoln Brigade which were offered for sale by the Guardian Buying Service (National Guardian, July 24, 1961, p. 8). Entertained at its rally on February 25, 1962, which was also a demonstration against the McCarren Act. The money collected was to be used in the fight against the Justice Department to keep the organization from registering as a "Communist front" as ordered by Attorney General Robert Kennedy. (The Worker, March 4, 1962, p. 12; National Guardian, February 12, 1962, p 10; The Worker, February 4 and 13, 1962, pp. 9 and 2 respectively; and a handbill of the organization). Member of Committee of Sponsors for a VALB dinner in tribute to Dr. Edward K. Barsky on the 30th Anniversary of the war in Spain, to be held February 24, 1967 in New York City; proceeds are to be used to establish a "defense fund for those young men and women in the United States and in Spain who are today on the firing line of the fight for peace, civil rights and civil liberties." (January 31, 1967 letterhead with attached invitation.)

World Youth Festivals (Communist-dominated), 1962, 1965: Scheduled to lead a "Folk and Jazz Concert" to raise funds for the U.S. Festival Committee on April 25, 1962, the proceeds to be used to help send representatives to the 8th World Youth Festival, Helsinki, Finland (The Worker, April 24, 1962, p. 6; ad in the National Guardian, April 16, 1962, p. 11, placed by the U.S. Festival Committee). Scheduled to entertain at a "Festival Folk Concert," June 1, 1965 in New York City, sponsored by the American Youth Festival Committee, the administrative body established to process all applications for the 9th World Youth Festival to be held in Algiers (the 9th World Youth Festival was cancelled at a later date) (Ads in the National Guardian, May 29, 1965, p. 10, and The Worker, May 30, 1965, p. 10; handbill: "The American Youth Festival Committee Presents, June 1, 1965 . . .")

World Peace Council (C–1951), 1963: Entertained at meeting in San Francisco on May 7, 1963, of the Continuations Committee of the 1962 World Congress on General Disarmament and Peace (held by the World Peace Council, July 9–14, 1962 in Moscow) (The Dispatcher, April 19, 1963, p. 4; undated handbill, rec'd May 1963: People's World, May 11, 1963, p. 12).

National Committee to Secure Justice for Morton Sobell (C–1956), 1966, 1967: Honorary sponsor of its Committee to Free Morton Sobell (Letterheads of the Committee to Free Morton Sobell, August 29, 1966, June 6, 1967 and December 1967).

Spring Mobilization Committee to End War in Vietnam (C–1967), 1967: Participated in its April 15th demonstration in New York City (National Guardian, April 8, 1967, pp. 1 & 3, and April 22, 1967, p. 5; New York Times, April 13, 1967, p. C–29 (ad); People's World, April 15, 1967, p. 12).

ADDITIONAL PERTINENT INFORMATION

Fifth Avenue Vietnam Peace Parade Committee, 1965, 1966 (The committee's report on the "Communist Origin and Manipulation of Vietnam Week (April 8–15, 1967)," released March 31, 1967, states on page 48 that the Fifth Avenue Vietnam Peace Parade Committee "is a New York City antiwar-in-Vietnam organization which, like the Spring and Student Mobilization Committees, has a mixed group of identified Communists, notorious fellow travelers and pacifists in its leadership.") Entertained at its "Sing-In for Peace" at Carnegie Hall, September 24, 1965 (The Worker, September 21, 1965, p. 8; National Guardian, October 2, 1965, p. 4). To participate in a meeting on August 25, 1966 in New York City (National Guardian, August 27, 1966, p. 8 (ad)).

Fort Hood Three Defense Committee, 1966, 1967 (Our report on the "Communist Origin and Manipulation of Vietnam Week (April 8–15, 1967)," released March 31, 1967, states on page 24 that "Like a number of other organizations mentioned in this report, the Fort Hood Three Defense Committee is supported by a mixed group of professed and identified Communists, fellow travelers, and pacifists.") Entertained at meeting on October 9, 1966 in New York City (The Worker, October 16, 1966, p. 1). Sponsor (Letterheads of the committee dated from October 25, 1966 through July 17, 1967). Signer of the organization's petition to the President urging him to "exercise clemency and elementary justice in the case of James Johnson, Dennis Mora and David Samas, and to release them immediately from prison, and thus restore them as American citizens with full rights to civilian life." (Ad, New York Times, March 26, 1967, p. E–5) (James Johnson and David Samas were sentenced by an Army general court martial panel at Fort Dix, New Jersey to 5 years imprisonment, dishonorable discharge and forfeiture of pay for refusing to obey an officer and refusing to fight in Vietnam. Dennis Mora was sentenced to a 3-year prison term with a dishonorable discharge and forfeiture of pay. An appeal to stay the court martial ruling against the three soldiers was denied by U.S. Supreme Court Justice William J. Brennan according to The Worker, October 18, 1966, p. 7).

Support of Known Communist, 1967: Sponsor of the William L. Patterson Tribute Committee which held a program in tribute to Patterson on the occasion of his 75th Anniversary, January 26, 1967 (Program, January 26, 1967) (William L. Patterson is a publicly identified Communist Party member.)

[From "Investigation of Un-American Propaganda Activities in the United States," vol. 14 (1941), HCUA, p. 8463]

Testimony of Hazel Huffman Before the House Committee on Un-American Activities on May 22, 1941

According to reports, Woodie Guthrie, known as "Woodie," is a conscriptee and is now at Camp Dix.

Now, Woodie Guthrie, a Communist, is a guitar-playing, ballad-singing entertainer, brought to New York by Will Greer, also a Communist, and incidentally the grandson-in-law of Ella May Bloor, known as "Mother Bloor," Pennsylvania State secretary of the Communist Party.

Woodie Guthrie was brought by Will Greer from Oklahoma and advertised as one of the "Joads," or migratory workers.

During the past 3 or 4 years Woodie Guthrie has become one of the outstanding entertainers in the Communist Party, Communist Party fronts, and other left-wing organization meetings.

Now, at a recent American Peace Mobilization meeting, in fact I might say that at the upper Manhattan meeting, the midtown meeting, one of the large Harlem meetings, a meeting in Queens, and a meeting in Brooklyn, people in the audience, before the meeting had started, did a great deal of rejoicing over the amount of good that Woodie Guthrie could do now that he was in the camp.

He is an entertainer of the droll, homespun variety that tells tales and plays his guitar. And I have heard him on numerous occasions and it is always with this definite Communist Party tinge, and in his singing and in his talk he has never tried

to attempt to conceal the fact that he was the columnist for the Daily Worker or that he was a member of the Communist Party and represented it as such.

Besides mentioning that one particularly, for the boys who are attending the Peace—who are attending these American Peace meetings and have their registration cards or have just been called for their examination, there is always a great deal of, I would say, almost joy over the fact that they are going to get in—not that the boys particularly want to go but they are going to get "work done there in the camp."

The second method of contact is through the families of the boys. Now, in the American Peace Volunteer publication for May 17, 1941, on page 2—may I correct that, please, on page 4 we find an item that: "Staten Island visits families of conscriptees last week. The members of the American Peace Mobilization Council on Staten Island visited the families of 30 draftees. During the course of these visits more than 20 bought A.P.M. literature and promised to come to council meetings."

Now, the fact is that contacting the families of the conscriptees has been discussed not so frequently from the platform at public American Peace Mobilization meetings as it has been discussed by the people who were later the speakers and discussed before the meetings started.

The next form of contact is through club and recreational facilities set up by these groups in areas surrounding the camps.

[From the Worker, Nov. 14, 1967]

STEEL UNION'S TRIBUTE TO WOODY

Woody Guthrie, who died last month at the age of 55, was destined to be one of those persons to be praised in death but whose work was deplored as "revolutionary" by those institutions he attacked in song and verse, for he hated the forces which created the Dust Bowl of the 1930s, which drove farmers and workers to the roads as hoboes and he despised the people of wealth who vowed to fight trade unions with machine guns.

The people whose business it is to name things, like power stations in our vast system of federal dams came up with the idea that one at Grand Coulee should bear Woody's name. This was the same Guthrie who was condemned as an "agitator" of working people in the day of CIO organization because he put to song the hopes and the faith of common people. Guthrie's most lasting "memorial" will be his ballads, sung by other generations and a fulfillment of the promise of America:

"This land is your land, this land is my land.
From California to the New York Island.
From the redwood forest to the Gulfstream waters.
This land was made for you and me."

—From an editorial in Steel Labor, organ of the United Steelworkers union.

INDIANA ARMY NATIONAL GUARD NOW ON DUTY IN VIETNAM

HON. BIRCH E. BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 18, 1969

Mr. BAYH. Mr. President, I have been informed that the only Army National Guard unit now on active duty in South Vietnam is composed of the 200 Indiana guardsmen who were called up last May and who have been stationed near Saigon since December 31. Assigned to a primary role of spying on the enemy, it is interesting to note that this all-Hoosier group has named its base "Camp Atterbury East," after the area where the members had received the bulk of their training while in the Guard.

The former Indiana adjutant general, John S. Anderson, recently had the opportunity to visit these men in Vietnam and has reported enthusiastically on their activity. The commander of this unit is Capt. Ronald E. Himsel, a graduate of Purdue University, who succeeded his brother, Maj. Kenneth W. Himsel, an Indiana University graduate who is now serving with another outfit in Vietnam.

I ask unanimous consent that two articles published in the Indianapolis Star describing General Anderson's visit and the high morale, living conditions, and mission of this unit be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Indianapolis (Ind.) Star, Jan. 10, 1969]

GENERAL ANDERSON TO SEE INDIANA'S GUARD IN VIET

Indiana Adjutant General John S. Anderson will leave tomorrow for South Vietnam to visit an Indiana National Guard unit which has arrived there for combat duty.

Yesterday the Defense Department announced that the unit, Company D (Long Range Patrol) of the 151st Infantry, arrived in Vietnam on Dec. 31 from Fort Benning, Ga.

Anderson will not be going as a representative of the state but as a general officer since he will not be the adjutant general under Governor-Elect Edgar D. Whitcomb.

Company D is made up mostly of men from the Greenfield, Muncie and Evansville areas. It was called to active duty last May.

At that time its commander was Capt. Kenneth W. Himsel, 30 years old, Indianapolis. He since has been promoted to major and is serving with another unit in Vietnam.

His brother, Capt. Ronald E. Himsel, 27, Indianapolis, who had been the company's executive officer, now is the commander.

The two officers are sons of Mr. and Mrs. Luther J. Himsel, R.R. 1, Jasper.

Before going on active duty, Major Kenneth Himsel, an Indiana University graduate, was a supervisor in the data processing division of the All-State Insurance Company here.

Capt. Ronald Himsel, a Purdue University graduate, was in sales work for the International Harvester Company.

After completion of advanced training last month at Fort Benning, high Army officials said Company D was the best unit ever trained there.

Three years ago the company also was rated the best that had ever received jungle warfare training in Panama.

The 200 members of the company, the only National Guard unit in Vietnam, are paratroopers. Their visitor, Gen. Anderson, was a paratrooper in World War II.

The duties of long range patrol units, such as Company D, include going far into enemy territory to observe movement of troops and supplies.

[From the Indianapolis (Ind.) Star, Jan. 23, 1969]

AT CAMP ATTERBURY EAST: 200 INDIANA GUARDSMEN SPY ON FOE IN VIETNAM JUNGLE

Two hundred Indiana National Guardsmen are spying on the enemy in Vietnamese jungles from a base near Saigon they have named Camp Atterbury East.

They are members of Company D (Long Range Patrol), 151st Infantry, who were called to active duty last May and arrived in Vietnam on Dec. 31. Before going on Federal duty last May much of their training had been received at Camp Atterbury near Edinburg, Ind.

This week members of the all-Hoosier unit started going out into the jungles on reconnaissance patrols.

Before they started out on missions in six-man patrols, the Hoosiers received an Indiana state flag from their former commander, John S. Anderson of Shelbyville, who had been Indiana adjutant general until early this month.

The flag, along with a letter, were sent to them by Governor Edgar D. Whitcomb. In the letter, the Governor said he was extremely proud of the guardsmen and "know that you will be successful in any mission to which you are assigned."

Members of the company, the only Army National Guard unit on duty in Vietnam, have an extremely high morale, according to Gen. Anderson.

Anderson said he learned from a visit last week with the company at its base camp northeast of Saigon that "their biggest objective is to make Indiana proud of them."

As evidence of their objective, they have printed on their company headquarters sign these words, "Indiana's Finest."

Anderson said the Hoosiers have excellent living quarters in spite of the fact they are in "the boonies." They are living in barracks built of metal with showers in each building. Their food is excellent and they even have ice with their fruit punch at mealtime, Anderson said.

Anderson, a veteran of some of the fiercest battles in Europe in World War II, said the company is one of the best supported he has ever seen. The company has all new equipment, including automatic weapons.

Many of these comforts will be given up by the guardsmen from five to 10 days at a time while they are in the jungles on patrol.

They may walk into their patrol area, be taken in by helicopter or dropped by parachute from fixed-wing airplanes.

If they get into tight spots they may have to fight their way out or be lifted out by helicopter. Their role on the patrols will be to try to avoid combat as they report on enemy troop and supply movements.

The company is commanded by Capt Ronald E. Himsel, 27 years old, Indianapolis. He is a son of Mr. and Mrs. Luther J. Himsel, R.R. 1, Jasper, and a graduate of Purdue University.

Gen. Anderson said he received no complaints from the guardsmen but has many requestes to call wives, parents and girl friends to tell them not to worry and that the company will be back in Indiana next December to rejoin the Indiana National Guard.

WHAT NEW SPACE PROJECT WILL SOVIETS ATTEMPT NEXT?

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Charlotte Saikowski, staff correspondent for the Christian Science Monitor, in an editorial dated January 29, 1969, reviews the development of the Soviet space program and the significant effort that the Soviets are making in space. The article points out that the Soviet Union is continuing to place major emphasis on its space effort despite the strain on its own resources that is required. Because of the significance of this article I commend it to the reading of all Members, as follows:

WHAT NEW SPACE PROJECT WILL SOVIETS ATTEMPT NEXT?

(By Charlotte Saikowski)

Moscow.—What next in space for the Russians?

This is the intriguing question, now that the Soviet Union has performed a docking between two manned spacecraft in near-earth orbit and shifted men from one orbiting spacecraft to another.

Soviet scientists say that they are not racing the Americans to land a man on the moon. Their space programs are geared to broad and long-range planetary exploration.

There are two basic methods of reaching the moon with today's space technology. The more-direct flight plan calls for a rocket as large as—or larger than—the American Saturn 5. There is no sign the Russians have been testing a rocket of this size.

IMPORTANCE STRESSED

The more-indirect flight plan would call for assembling an earth-satellite station, with several launchings involved, and then assembling the moon rocket in stages at the earth-satellite. Since the moon rocket would already be in earth orbit at time of launching, it would need much less size and power to reach the moon.

The successful linkup of the Soyuz 4 and the Soyuz 5, and the switchover of spacemen, are a step in the direction of the construction of an orbital station. The Russians now have proved they can dock, transfer crews, and put something together in orbit.

As their next logical step, say the experts, the Soviets may try to build something in near-earth orbit.

Indeed, ever since the Soyuz 4 landed in Kazakhstan on Jan. 17 there has been an outpouring of comments by Soviet scientists on the significance of the flights for building orbital stations.

A Soviet physicist says that the manual linkup "is the first step towards creation of orbital space stations who significance it is hard to overestimate." It makes possible the delivery of cargoes to such stations, the replacement of crews and repair work, he adds.

This theme is echoed by a famed Soviet scientist, Anatoly Blagonrayov, who comments that specialists will now be able to go to orbital stations and return to earth when they need to. "The time when we shall become eye-witnesses of such business trips to outer space is not far ahead," he remarks.

The Russians, of course, do not mention rockets or a moon launch or a lunar landing in this connection. The orbital stations are always described as serving as space laboratories to carry out planetary research and, as one engineer comments, "tackle various applied practical problems."

LANDING CRAFT NEEDED

Speculating on the possibility of a Soviet moon landing of "lunar-ologists" poses still another question: What would the Soviet cosmonauts land in? The United States has been working on the lunar module or "bug" in which it plans to land its spacemen. On Feb. 28 the Apollo 9 mission will practice separating the lunar spacecraft and the two-man lunar module in near-earth orbit and then docking the two. The latter is an operation performed by the Soyuz 4 and Soyuz 5.

It is not known, however, whether the Russians have a landing vehicle. Conceivably they might try to land the moon-orbiting spacecraft itself—an exceedingly difficult operation.

Whatever their approach, the Russians are undoubtedly working toward manned flights to the moon. The Soviet Zond 5 and Zond 6 spacecraft, which traveled to the vicinity of the moon in 1968, carried living creatures and are admitted to be adaptable for piloted flights. Scientific observers believe the Zond and the Soyuz ships are in fact the same.

The problems of building in near-earth orbit—if this is what the Soviet scientists attempt next—are mammoth. The simplest work with hand tools has turned out to be immensely difficult for pressure-suited, weightless astronauts.

A WHOLE NEW WORLD

And as watchers of Apollo 8 telecasts saw for themselves, it is a whole new world out there, where there is no up or down with which to anchor tools and materials. They merely float.

Along with manned flights, the Soviets, of course, continue their vast program of interplanetary research. In this field they have an edge over the United States, which cut back its program for budget reasons.

Despite an even bigger strain on their own resources, the Russians are forging ahead with probes to far planets. Two unmanned stations are now on their way to Venus and are expected to soft-land on the planet in May. It is thought that during the next "window" opening or favorable opportunity—in March—the Russians will send a probe to Mars.

As for a manned planetary landing, the moon is seen to be the only practical goal for the Americans and the Russians at this stage of space exploration. Hence it is reasoned that sooner or later the Russians will be there.

SEVEN OUTSTANDING AMERICANS ARE SYMBOLS OF SUCCESS EVEN THOUGH HANDICAPPED

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 18, 1969

Mr. RANDOLPH. Mr. President, we often cite the stories of persons or point to individuals whose lives are an inspiration to others. We describe friends who, through their courage, determination, and initiative, have overcome tremendous obstacles in achieving success or in leading a full life. Today I call attention to the inspiring story of the physically and mentally handicapped Americans who accomplish much or who—and this is a fantastic achievement in so many of these severe cases—are gainfully employed, productive members of our society.

I extoll the virtues and characteristics of handicapped persons leading productive lives. Our Nation has a commitment to afford the disadvantaged an opportunity. We support these programs and those who are participating. But it is only when we study the history of a handicapped person that a true awareness is realized. Then, we really sense their courage, perseverance, and motivation in a realistic degree.

Mr. President, it has been my privilege to serve as a member of the President's Committee on Employment of the Handicapped, and to have been reappointed recently to another 3-year term. Our committee continues its vital work through a program of information and education for employment of the handicapped with the cooperation of public and private groups. We strive to foster more enlightened attitudes toward the work capabilities of the handicapped. Each year in the discharge of our responsibility more and more "success stories" are presented to the citizenry of this Nation. In this connection, the February issue of Performance, the monthly publication of the President's Committee on Employment of the Handicapped, contains a feature on "Seven Outstanding Americans." They are handicapped citizens, and they are inspirational examples for all of us.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEVEN OUTSTANDING AMERICANS

CHARLES E. BENNETT

Congressman Charles E. Bennett has shown that the handicapped can succeed in politics.

A Member of Congress from Florida for over 19 years, Congressman Bennett is known as "Mr. Ethics" within the Congress and was named as the first chairman of the House Ethics Committee. He has led the fight to make public buildings accessible to the handicapped, and legislation first introduced in the House of Representatives by Congressman Bennett has recently been enacted into law.

He also holds the all-time voting record for the Congress, not having missed a roll call vote since June 4, 1951.

He contracted polio in 1945 in Northern Luzon, the Philippines, where he was leading 1,000 guerrillas in mountain and jungle fighting. Two years later he walked out of a hospital on two canes determined to win a seat in Congress, although he was sometimes confined to a wheelchair.

Since 1951, he has introduced numerous bills in the House of Representatives, several of which have become major enactments in the field of government ethics. In the first session of the 90th Congress, the House established a permanent ethics committee.

Early in his career in the House of Representatives, Congressman Bennett started working on a Code of Ethics for Government Service. This Code of Ethics, adopted in 1968, covers all government employees, including Members of Congress and employees of the Legislative Branch of government. The Chairman of the Civil Service Commission, Mr. John W. Macy, Jr., said in a letter that the Code of Ethics for Government Service was "a major contribution in this field. It has done much to stimulate awareness of responsibility for employee conduct, and to emphasize to employees the importance of their duties."

Congressman Bennett knows first hand the inconsiderate manner in which many public buildings have been and are being designed.

As a result of this on behalf of all handicapped persons, he was the first Member of Congress to introduce correctional legislation. His bill, which was signed into law on August 12 by President Johnson, requires that federally financed buildings be constructed in such a manner as to be accessible to the handicapped. This legislation is designed to eliminate the "second class status" which has been forced on many handicapped persons who have tried to gain access to publice buildings and facilities through freight elevators, kitchens, and other such means. Once these handicapped individuals manage to get inside these buildings they find internal design to be just as obstructive.

In a recent tribute to Congressman Bennett on the floor of the House, as a result of his all-time voting record, Congressman Paul Rogers remarked, "The voting record is of particular importance to Congressman Bennett because of his handicap and stellar war record. To gain this all-time record of 17 years without missing a record vote, he has overcome snowstorms, grounded airplanes, slow trains, broken legs and recently a fractured knee."

Congressman Bennett married after being elected to the Congress and has four children. His hobby is history, and he is the author of *Laudonniere and Fort Caroline* and *Settlement of Florida*, both published by the University of Florida Press. He has also written over 20 articles for various publications, ranging from *Pageant* to the *Florida Historical Quarterly*.

DONALD E. BOTHUN

Donald E. Bothun is 40 years old. Since his high school days he has been confined to a wheelchair due to muscular dystrophy. His muscular deterioration is such that he has no use of his legs and must use both hands to lift objects like a telephone receiver.

Yet, he maintains a physical pace that would be admired by most men and his mental energies are described by a business colleague as "boundless."

As a young man, Mr. Bothun faced a bleak future. His family was not financially able to offer him a college education, nor was he physically able to attend. His medical diagnosis was one of continued physical deterioration with an uncertain life expectancy. Even public agencies working with the handicapped could not offer him suggestions as to how he might become gainfully employed.

But—he was determined not to become a burden upon his family or society.

One of his first business ventures was tying fishing flies at home and offering them for sale. His orders for fishing lures gradually increased until he was hiring several neighborhood housewives to assist him. This business expanded from his home to a one car garage, and eventually to a main street commercial building.

In 1963, he incorporated his business under the name LeRoy Products Corporation, and in 1965 he obtained a Small Business Administration loan to purchase a building and additional equipment. This was the only substantial financial assistance he has ever received.

Though the firm still manufactures fishing lures, they now comprise only about 10 percent of the sales, and 15 other items have been added. The dollar volume of sales have increased from about $50,000 to $\frac{1}{3}$ of a million in 10 years. LeRoy Products Corporation today employs 60 people, including several handicapped, with a payroll of $147,000. It paid over $35,000 in Federal and State income taxes alone in 1967.

Donald E. Bothun has not only not become a burden to his family or society, he has become a substantial businessman and community leader. He has also helped countless other handicapped men and women to become productive self-supporting citizens.

HAROLD V. KNIGHT

The editor of a Colorado newspaper summed up Harold V. Knight with these words: "He is very much a 'newspaperman's newspaperman'—collecting, editing, writing, and distributing the legislative news material that has given him the reputation with Colorado editors of being one of the few men who really know the inside operations of State government."

Mr. Knight was born with cerebral palsy. The only formal therapy he has had was when he was 30 years old, when he went to New York City for a year of therapy.

He has difficulty in speaking, walking, and using his hands. Because his handwriting is quite illegible—even to himself—he has developed a keen memory and a style for quoting the essence of a speaker or interviewee. His reputation for accuracy is unquestioned by the scores of editors who use his reports regularly. A slow typist, he revises in his mind and does little rewriting.

Yet—he keeps up with other reporters.

He is the author of *With Liberty and Justice for All—The Meaning of the Bill of Rights Today*, published in 1967 by Oceana Publications of New York. It is now in its second printing.

Concern for workers and small farmers has been his lifelong dedication. For years he edited the *North Dakota Union Farmer* and subsequently was the executive director of the American Civil Liberties Union of Colorado.

Such devotion to the cause of civil liberties and the hard work it requires—is "often unpopular, usually unpublicized, and almost always unpaid," according to Knight's publisher. Harold V. Knight has never been satisfied to worry only about himself and his handicap, he has through the years fought to make the world a better place for all men.

WILLIAM PASSMORE

William Passmore is an inspiration to young people, to handicapped people, to despairing people.

For the past 20 years, he has helped others in East Chicago, Ind., to live more fully. Today, he works with disadvantaged youth through the Neighborhood Youth Corps.

He is teacher, counselor, friend, taskmaster, and in a sense, parent to the enrollees in the program. In addition, he has found jobs for any number of these young men and women in private industry—jobs which are their key to an independent future.

Life was not always so full and rewarding for William Passmore. His father died when he was five leaving his mother to raise a family during the grim days of the depression.

He understands loneliness. He knows pain. In 1945, a football accident confined him to a hospital bed for 3 years, and later cost him his legs. His spirit escaped.

What would be insurmountable difficulties to others, he has overcome—not with ease, but with persistence, good humor, and courage.

His first job was as a dispatcher for a cab company, working the midnight shift for 11 years. He is also a reporter for the Chicago Defender, and for 18 years readers have enjoyed his column "East Chicago on the Go."

During these years he has made friends with practically the entire city of East Chicago, Indiana—58,000 people. He is a bridge between all sectors of the city built around heavy industry and sharply divided by economic, ethnic, and racial barriers.

He is also a leader, and is active in the National Association for the Advancement of Colored People, the Northern Indiana Political Action Group, St. Mark's AME Zion Church, the East Chicago Junior Chamber of Commerce, and the Anselm Forum—an interracial, interreligious, and multiethnic group working toward better human relations in the community.

An example of his firm roots in the community was when the police sought him out for his advice on handling what could have been a serious youth disturbance early last year.

He regularly visits the community hospitals to talk with patients and offer encouragement. He also visits the State prison at least twice a month to help with their rehabilitation program.

No stranger to awards, Mr. Passmore was the local Jaycee "Man of the Year" in 1962, received the "Citizen of the Month" award from the Mayor of East Chicago, and "Visitor of the Year" in 1967 from the local hospital.

MARTIN RAVFLETTE

Born without arms, Martin Ravelette has managed with courage, initiative, and resourcefulness to overcome his handicap and to lead a surprisingly normal life.

He has refused to say "I can't do it." In fact, he has shown that he can indeed do most things done by "normal" persons—including driving a car, pitching a ball, swimming, hunting, fishing, and a host of other activities.

In addition, he holds a full-time job as custodian at the Lane Community College in Eugene, Oreg.

He is a source of inspiration and encouragement to all handicapped.

His handicap began at birth. His parents, feeling unable to care for him, put him at the age of two months into a combination orphanage-crippled children's home. He remained there until he was 16.

He then finished high school, helped his parents farm, and even attended college until he had to drop out because of financial problems.

Ravelette is married and his wife also was born without arms. The couple have a normal 3-year-old daughter, and Mrs. Ravelette cares for the child and manages their home with no outside help.

The Ravelettes hope someday to work with persons born with similar defects. They are particularly interested in working with the "thalidomide babies" of Europe.

They actively seek out parents of children born without limbs and offer them both help and hope in coping with their child's problems. They have traveled throughout Oregon to meet such families and show by example that no handicap is hopeless—that they have succeeded by faith and feet.

"I learned to use my feet as hands at an early age, and other children born without arms will get more out of life if they can learn to use theirs." Ravelette says . . . "I think because I have a handicap, I can be of more inspiration and help to them by showing what can be done than a person could by just telling them."

GEORGE E. STOCKING

Twelve years ago, two military jets collided in mid-air leaving two men dead and two seriously injured. One of the pilots was burned so badly that his family was told not to expect his recovery. After three months on the critical list, the doctors said that they had never known anyone to live with the type of facial burns that the pilot had sustained. He was left with literally no face—no eyes, nose, ear, or scalp.

Yet the pilot's spirit was not burned away. Today, more than 100 operations later, George E. Stocking has completed his Master's Degree in Education at the University of Miami, and is working as a psychology technician at the Veterans Hospital in Miami, Florida.

Married and the father of three children, Stocking is especially sensitive to the rehabilitation needs of others. His scarred face is a badge of courage for others to see and the way he has adjusted to total blindness is an inspiration to the clients with whom he works.

His enthusiasm and dedication to his job have restored the lives of countless other handicapped people.

He set an example for his community. Because of his successful employment, the Florida Council for the Blind employed a blind counselor; the Social Security Administration is setting up a training program for the blind as service representatives.

STEVIE WONDER

Stevie Wonder is 18 years old, a top popular singer, and totally blind.

His great love is music, "I began singing on front porches and in backyards and in church," he says. By the age of 10, he was able to play the piano, harmonica, and drums, an ability which he describes as "a gift from God—I never had any lessons."

He made his first hit record at the age of 12, and quickly went on to establish an outstanding career as a recording artist and performer.

As he is unable to read printed music, he has developed the use of earphones with the lyrics read to him a phrase ahead of the music.

He doesn't neglect other interests. He attends the Michigan School for the Blind in Lansing, and when he is traveling, he is accompanied by a special teacher.

He urges that other handicapped people be given the opportunity to demonstrate what they can do. He is active in programs for the blind, disadvantaged, public offenders—providing entertainment, encouragement, and musical and show business tips.

He seems older than most people his age—partly, he explains, because music has given him direction, and partly, because as he puts it, he has "seen" a lot of life.

Blind at birth, he was the third of six children in a poor ghetto family.

He speaks with wisdom about his generation. "Teenagers want a chance in life," he says. "They're concerned about the problems in the world. They want immediate change, but you can't change the world that fast."

He hopes to finish high school this June. Then, he intends to study composing and arranging at the University of California.

His singing engagements have already taken him across the United States, to Europe and Japan, and he is looking forward to touring Africa and South America.

He has appeared on major television programs and in two movies. He has worked with such start as the Supremes, Red Buttons, Frank Sinatra, Jr., April Stevens, and Ray Charles (whom he admires most).

"Everyone asks me the disadvantages of being blind, but no one ever asks about the advantages. When I meet a girl, for instance, I don't see her physical appearance. You might meet her, take one look and because she's not what you had in mind, forget her. But I don't have that handicap. I can develop the relationship and probably find she is a very beautiful person," he said in an interview with a disc jockey.

Being blind has helped him in another way, he points out. Since he has never experienced sight, colors are only labels to him. He classifies people by personality and character, not color.

NEW FEDERAL HIGHWAY REGULATIONS FOR PUBLIC HEARINGS ON HIGHWAY LOCATION AND DESIGN DECISIONS

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. RUMSFELD. Mr. Speaker, the Federal Highway Administration of the Department of Transportation has taken a noteworthy stride toward fulfilling both the letter and the spirit of the freedom of information law.

In new regulations published in the Federal Register on January 17, 1969—pages 727–730—the agency has set forth sound procedures which will encourage greater public participation during the planning stages for location and construction of new Federal-aid highways.

The right, and the desirability, of citizens involvement in major governmental decisions affecting their lives have always been clear. A democratic system of government cannot function well or fairly without such involvement, and the importance of the new highway regulations is that they provide one more avenue for effective public participation.

It was in the interest of fuller information and greater citizen participation that I testified before the Federal Highway Administration on December 16, 1968, in support of predecision hearings on new highway proposals.

The new procedures, which apply to all Federal-aid projects administered by the State highway departments provide for:

Two public hearings on major Federal-aid projects, one preceding route selection and another preceding design decision.

One combined public hearing on design and location decisions on lesser highway construction projects.

In addition, the regulations require the State highway agencies to consider the social, economic, and environmental factors in roadbuilding decisions; to provide comprehensive information about alternative routes and designs under consideration; to give adequate notice of all hearings on proposed projects, and to solicit the views of other State, Federal, and local agencies affected by the development or improvement of highway corridors.

Some critics of the new regulations have argued that highway programs will be slowed by public participation in the decisionmaking process. I do not believe this will be the case if State agencies move quickly and cooperatively to implement the new policies in the spirit of Federal freedom of information requirements.

The Federal Highway Administration deserves praise for adopting an open-door policy on highway planning.

The text of my testimony during the Federal Highway Administration hearings on December 16, 1968, follows:

STATEMENT OF THE HONORABLE DONALD RUMSFELD, CONGRESSMAN FROM THE STATE OF ILLINOIS

Mr. RUMSFELD. My Chairman, I welcome this opportunity to express my views on the proposed new highway hearing procedures which have been put forward by the Federal Highway Administration and I congratulate the Department for holding the hearing on this subject.

I view these proposed procedures as representing an important step forward. In two basic and essential ways they constitute a landmark effort in the administrative of the Public's business.

First, the new procedures, designed to expand the role of the individual in governmental decision-making, are being initiated by the Executive Branch of the Federal Government.

We have heard much in recent years of the need for Government to consult with and involve citizens in the decisions of government, such as in proposals for an ombudsman, a public consumer counsel, local control of community action and other anti-poverty programs. Generally, these proposals represent at least in part, attempts to preserve a degree of local and individual involvement in view of the trend toward centralization. As society grows more complex and as the problems of urban life seem to multiply, the pressures which lead to this trend will unquestionably continue—and so too will the need and desire for some reaction to these pressures.

The proposed procedures represent a commendable effort to increase the degree of meaningful citizen participation in an area of life which is of great importance to an increasng number of citizens.

These new procedures should, in my judgment, contribute positively to improving public understanding, resolving many disputes, reducing much unavoidable resentment and resistance, and to advancing a more constructive transportation system in our country. This would be accomplished under these procedures by providing for a greater degree of local resolution of local issues through timely, pre-decision hearings; by assuring that Federal and State highway agencies consider fully the social, economic and environmental effects of proposed highway locations; by stimulating a closer coordination of Federal, State and local planning agencies; and by providing a timely opportunity for the consideration of the pros and cons of the alternatives available as was intended by the Congress.

Second, and even more important, the new procedures would implement the Federal Public Records Law, known as the Freedom of Information law, in a manner more constructive, more far-reaching and more in the true spirit of that law than yet achieved by any other agency of the Federal Government heretofore.

As a co-sponsor of that law, and as a member of the Committee and Subcommittee of the House which shepherded it through the legislative process, I would place particular emphasis on the importance to its implementation through the adoption of these new procedures. Full and timely access to information is essential if citizens are to be sufficiently informed so that they may participate wisely in the affairs of government and if they are to be in a position to make known the best interests of their communities.

As we know well, tremendous pressures are being exerted today upon our society and upon our form of government. While the various political and social protests with which we have become familiar often appear to be exclusively negative and destructive in nature, some cannot be dismissed as simply as that.

We are witnessing, I believe, an awakening in our society by individuals from all walks of life who are resisting—some intelligently, some otherwise—the processes of the effects which an advanced, highly technical society seems to impose upon them. We are witnessing man's attempt to preserve or regain that which is so precious—self-respect and a degree of control over the decisionmaking in his affairs.

Those in government, in the schools and universities, in business and labor—in all walks of life—can attempt to resist, block or simply ignore these activities for a time. But eventually, we must recognize the frustrations which cause them, and attempt to channel those energies in all directions, in directions which will permit the timely and informed expression of views and thereby strengthen our system of government.

The initiative was taken by the Federal Highway Administration in proposing these new hearing procedures represents, in my opinion, a recognition of the need to permit the involvement of the individual more completely and positively in the workings of society.

Let there be no doubt, there will be participation. The question is whether it will be constructive and useful, or erratic and wasteful. The proposed procedures constitute a path-breaking effort to encourage the former, which can only aid in the development of our society.

The general right and desirability of participation in the democratic processes by the citizens is clear. The problem is the practicality of that participation. If citizens in this society are to have an input to the decisions of government, they must know what that government is planning and doing. Without information on the problems, the alternatives, and an actual opportunity to express views, the superstructure of our system is without foundation. Any degree of participation in decisions of government is meaningless unless the participants are informed.

And, it is not enough today to say the

knowledge is not there, therefore the participation is not merited and should be denied. Rather, we must understand that the participation will be there—either useful or wasteful—and it is our task to see that it is the former by providing the information, the timely opportunity, and the access.

This recognition motivated those Members of Congress who worked for the nation's first comprehensive Freedom of Information Law. In signing the law, the President of the United States said:

"A democracy works best when the people have all the information that the security of the nation permits. No one should be able to pull curtains of secrecy around decisions which can be revealed without injury to the public interest."

The spirit of the law—in fact, its language—supports the stated procedures for disclosure which the Federal Highway Administration has proposed. As one who has thoroughly and carefully studied the applications of the law, it is my view that the procedures under consideration would carry out the intent of the Congress and of the sponsors of the legislation.

A careful reading of the language of the Freedom of Information Law clearly encourages the adoption of the disclosure procedures now being considered. The law was drafted to grant individual citizens access to information which would permit intelligent participation in the processes of government.

The procedures now being considered would place before the public the basic information about proposals for highway construction and location—certainly an important aspect of government's activity.

If adopted, the new procedures for hearings on highway locations would be published in the Federal Register. That is the intent of the Freedom of Information Law. For example, the first section of the law clearly states that "each Agency shall separately state and currently publish in the Federal Register for the guidance of the public . . . rules of procedures." The reason for this requirement in the law is that without publication for the rules by which the Government conducts the people's business, the public cannot be aware of its rights. And that is the reason advanced for a portion of these proposed procedures.

The spirit of the law is reflected in the proposed procedures for hearings on highway location, for the proposal would require the news media and the affected, Federal, State and local agencies to be informed on highway location plans.

In our society, the public has a right to know the general plans of government agencies which will affect them. The public has a need to know before the plans are solidified into final programs—before it is too late. Without timely and complete information, the public is unable to participate.

This principal was recognized by the Congress which passed the Freedom of Information Law and by the President who signed it. This law and this ideal of public participation are effectively implemented by the proposed procedures for public access to information concerning highway location plans.

To conclude, I wish to emphasize that I do not believe that these new procedures will either increase Federal control or have the effect of causing excessive delays in highway construction as some seem to fear.

Federal control over the present highway program has historically been strongest in precisely those cases in which local authorities have been unable to solve their problems locally. When citizens have felt—rightly or wrongly—that local agencies at times have been secretive, unresponsive or unfair, their complaints have traditionally escalated to anyone who would listen; the Congress, the Federal Highway Administration, the Secretary of Transportation, and the courts. By providing an effective basis for dialogue between local authorities and an informed public, Federal control over the highway program very probably will be diminished, not increased.

Similarly, excessive delays in urban highway construction are so common today as to be the rule rather then the exception. By providing a mechanism for resolving highway disputes on a local level and at an early stage, the new procedures may well have the effect of speeding up needed highway construction rather than slowing it down.

But even if this were not the case, the argument that Government "efficiency" must supersede a citizen's right to know is, in my opinion, profoundly wrong. Freedom of information is the foundation upon which a free society rests. To destroy or unduly restrict the information and access which is the basis of informed and timely participation is to undermine our society.

GEN. THADDEUS KOSCIUSZKO DAY, FEBRUARY 12

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. ROONEY of New York. Mr. Speaker, on February 12 we paused to join our loyal Polish-American friends in honoring that great adopted Polish soldier and statesman, Thaddeus Kosciuszko.

Americans cannot recall without deepest emotion this young patriot's completely selfless devotion to the cause of our own liberty and freedom. Exiled from his beloved Poland for resisting its dismemberment by Russia, Prussia, and Austria, Kosciuszko transferred his determined quest of freedom for his own countrymen to aiding the American colonists to throw off the shackles of British domination.

Even before our Declaration of Independence was signed this young Polish officer sailed across the Atlantic and appeared before Gen. George Washington to volunteer his military skill and training to help create a telling military force from the fledgling Continental Army.

Kosciuszko was commissioned a colonel of engineers in the Continental Army with the task of strengthening the breastworks at Saratoga as well as the fortifications along the Delaware River and at West Point. The ardor and the zeal of this young officer were equaled only by his courage. It is small wonder that Thomas Jefferson hailed him as "the purest son of liberty I have ever known."

Throughout the six long and bleak years of the American Revolution, Kosciuszko devoted himself to helping General Washington win the war. In addition to his engineering prowess which meant so much to the Continental Army, this talented officer fought valiantly on the battlefields in the North as well as in the South. Leading cavalry troops through the bitter campaign of the Carolinas, he played a major role in driving the British out of Charleston.

Not only did Kosciuszko endear himself to his superior and his fellow officers but with the surrender of the British forces and the assurance of independence and peace, the Continental Congress voted him a grant of 500 acres of land and over $12,000 as a cash award. He never used these funds, but as a further gesture of his passion for giving freedom to all mankind, he gave Thomas Jefferson his will which directed that his estate be used to purchase freedom for Negro slaves.

Kosciuszko might have chosen to dwell in America and enjoy the love and acclaim of the American people while making continued contributions to our Armed Forces of which he was now a full fledged general officer. The grateful Congress, in addition to land and money, had bestowed upon him all the rights and privileges of American citizenship.

Kosciuszko chose to return to Europe and to his native Poland where he issued a call to arms. Polish patriots rushed to his side to begin a telling battle for Polish independence. Unfortunately, the military might of Catherine the Great was so enormous, the efforts of Kosciuszko and his followers were in vain. The gallant leader was captured at the battle of Maciejowice and imprisoned in a dungeon. Only upon the death of Catherine was he liberated—sorely ill and suffering physically, but still with a burning passion for freedom.

Mr. Speaker, few men have contributed more to the gaining and preservation of liberty in this country than did Gen. Thaddeus Kosciuszko. None of our heroes is more deserving of our affection and our warmest praise. It is no wonder that since our own freedom was so significantly influenced by such Polish patriots as Kosciuszko, Pulaski, and others, we have such deep bonds of friendship with the Red-dominated people of Poland today. We can only repay our debts to these great colonial heroes by constantly championing the rights of the Polish people for the return of their independence and self-determination. To this end we should rededicate ourselves on the anniversary of one of our greatest Polish-American citizens.

LITHUANIAN INDEPENDENCE

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 18, 1969

Mr. SCOTT. Mr. President, this year marks the 51st anniversary of the restoration of the independence of Lithuania. Lithuania was once an ancient civilization. Its roots reach back to the second century. In modern times, it was a thriving nation with a highly commendable political, economic, and social record. But her life as a proud nation was snuffed out in 1940, along with the lives of many thousands of her citizens, when the Soviet Union moved troops into Lithuania and the neighboring Republics of Latvia and Estonia.

The recent invasion of Czechoslovakia was a dramatic illustration of the lengths to which the Soviet Union will go to suppress the yearnings for liberalization and freedom. Both in Czechoslovakia and the Baltic States, the Russians have learned that freedom is the most irrepressible

and contagious of men's desires. We in the free world who have the liberty to speak, must give voice to the muffled longing of those whose cry cannot be heard. We must not relax our pressure on the Soviet Union to make it live up to the charter and principles of the United Nations. We shall continue our support for the noble aspirations of all men and nations to freedom and self-determination.

HUNGER IN AMERICA—PART I

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. RYAN. Mr. Speaker, in a country as rich as ours it is a disgrace that any of our citizens should still suffer from hunger and malnutrition. Yet, as numerous investigations and studies have shown, the threat of starvation is a constant reality for millions of Americans.

A series of articles by Homer Bigart, which started in Sunday's New York Times dramatically portrays the plight of these citizens and the opposition faced by those attempting to alleviate this blight. I will bring these articles to the attention of my colleagues as they appear.

There follows the first article in the series entitled "Hunger in America: Stark Deprivation in a Land of Plenty," which appeared in the New York Times on February 16, 1969:

[From the New York Times, Feb. 16, 1969]

HUNGER IN AMERICA: STARK DEPRIVATION IN A LAND OF PLENTY—PART I

(By Homer Bigart)

BLUFFTON, S.C.—Hunger is a noun that means, among other things, a compelling desire for food, a nagging emptiness of stomach and gut. Persons old enough to remember the Great Depression may recall going hungry, but today it is a sensation generally reserved for those mired in poverty.

Chronic hunger seems so remote in this bounteous land that reports of extreme malnutrition among Negroes in the rural South, among migrant farm workers, among Mexican-Americans and reservation Indians have been set down as exaggerations and lies, the observers frequently assailed as charlatans or do-gooders who would sap the initiatilve of the hungry poor by expanding "giveaway" Federal food programs or even conspiring for adoption of a guaranteed minimum wage.

Here in Beaufort County, Donald E. Gatch, an intense youthful-looking country doctor, has been shunned by the white community for insisting that hunger is a daily fact of life among the black families of this mossy tidewater.

He began losing his white patients two years ago after he charged publicly that he had seen children dying of starvation, that most black children of his area were infested with worms, and that families were living in hovels worse than the pigsties of his native Nebraska.

The Beaufort Gazette accused him of "running his mouth." Every other doctor in the county signed a statement deploring his "unsubstantiated allegations," contending that the "rare cases of infant malnutrition" that came to their attention were invariably due to "parental inexperience, indifference or gross neglect." And the County Health Officer, Dr. H. Parker Jones, said he had "never seen a case of starvation or extreme malnutrition."

Ostracized by the staff of Beaufort County Memorial Hospital, annoyed by threatening telephone calls, boycotted by white patients, Dr. Gatch closed his Beaufort office, sold his home and moved with his British-born wife and two young sons back to Bluffton (pop. 356), where he had started his practice 10 years ago.

One chilly, overcast day at the tag end of January Dr. Gach consented to take a visitor on a tour of Negro shanties near Bluffton.

LIKE A MISSIONARY OUTPOST

The doctor, who sometimes appears disconsolate and withdrawn, peered gloomily at the scene through horn-rimmed spectacles that kept sliding down his nose. From the clay road the weathered shanties, woodsmoke curling from the chimneys, looked quite charming. But Dr. Gatch, in his low, tired voice, spoke only of the overcrowding, the filth and the smell of poverty within.

The Gatches had taken over a group of summer cottages on the bank of a tidal creek, living in one, using another for frequent guests (nutritionists and sociologists from all over are coming to see him) and hoping to convert a third into a clinic. (The doctor maintains a large, well-equipped office in the center of the village.)

The Gatch compound, shaded by live oaks decked in Spanish moss, had the quiet, mournful isolation of a missionary outpost in central Africa. The African connection was further strengthened when Dr. Gatch remarked that he had treated several children for kwashiorkor, a disease generally thought to exist only in underdeveloped countries.

Kwashiorkor is a Ghanian word meaning literally "the disease that takes the child after it leaves the mother's breast." It is a disease of extreme protein deficiency, a starvation often brought on by a mother's inability to breast-feed an infant.

Down a dirt road Dr. Gatch paused at the decaying stoop of a family named Kinnard. Silent children with skinny legs sat listlessly on floors and beds. Fifteen people lived in the shack, Dr. Gatch said, and there was no privy.

COMFORTABLE WHILE STILL

He went directly to a young woman who was holding a crying, seven-month-old baby girl. He had examined the baby before, he said, and had detected symptoms of both kwashiorkor and scurvy. He remarked how the baby's hair had thinned, how the hairline had receded about an inch, and how the hair color had changed from black to dirty gray. These were the stigmata of kwashiorkor, he said.

He took the infant girl from the mother's arms and placed her on a sofa. The baby kept her matchstick legs drawn up and raised her arms until the tiny hands were bent close to her head. Then she stopped crying.

"As long as the baby is completely still, she's comfortable," Dr. Gatch said, "but pick her up and she'll start crying again."

He noted the extreme dryness of the skin, the absence of subcutaneous tissue. He said the baby's diet was so deficient in iron that her hemoglobin count was "half of what it should be."

The baby's mother had been out of work since December. Dr. Gatch said the infant was now getting some baby formula food. It would probably live, he said, but he feared it had suffered irreversible damage through growth retardation of bones and brain cells.

As he left, Dr. Gatch noticed a 3-year-old girl sitting on the stoop, staring vacantly at the brown fields. Her legs and face were bloated by edematose swellings, the result probably of Vitamin A deficiency, the physician said, and the same deficiency was impairing her vision.

"There's just no excuse for rickets in this country," complained Dr. Gatch as he drove to another shack, hunting this time a whole family that he said was rachitic, a mother and five children.

Rickets is a disease of infancy and childhood resulting from a deficiency of vitamin D and characterized by soft, deformed bones. The rachitic family was not at home, but Dr. Gatch found them on the stoop of a neighboring house.

ALL HAVE MISSHAPEN LEGS

The victims had gotten some relief and were now on a proper diet, Dr. Gatch said. All had misshapen legs. The mother, who seemed stout and cheerful, was very bowlegged; her children were either bowlegged or knock-kneed. Dr. Gatch commented that the legs of the three older children seemed to have straightened somewhat, but the twisted spindly legs of the two youngest remained badly deformed.

Milk is the main source of vitamin D, Dr. Gatch noted, and the family might never have been blighted with rickets if fortified milk had been available to them.

But the Government's food donation programs for the domestic poor did not provide fortified milk until the end of 1968. Dr. Gatch might have been angrier had he known that since 1965, at the insistence of the United States Public Health Service, the Department had been shipping dry milk enriched by vitamins A and D to American aid programs overseas.

The three-year gap during which fortified milk was sent overseas while being denied to the poor at home came to light last month in testimony before the Senate Select Committee on Nutrition and Human Needs.

Dr. Gatch stopped at an abandoned country store. Inside, two bedridden old ladies had found terminal shelter. One of them, crippled by rheumatoid arthritis, had been rescued from a mouldering shack where the bedding stank of urine and feces. The other was afflicted by Wernicke Syndrome, which Dr. Gatch said was characterized by loss of memory and confabulation (filling in a memory gap by falsifications that the patient accepts as correct.)

DIET OF RICE AND GRITS

Dr. Gatch said he believed Wernicke Syndrome could have been induced by lack of thiamine, which is essential for growth, normal function of the nervous system and normal metabolism. Thiamine is found in liver, lean meat, eggs, whole grain or enriched cereal and cereal products. The old ladies, Dr. Gatch suspected, had been eating little more than rice and grits.

Now they were on Medicare and presumably getting a better diet. The old store was spotlessly clean, neater than most nursing homes.

Dr. Gatch was asked if he had encountered pellagra, one of the more dreaded of the dietary deficiency diseases. This disease, caused mainly by a deficiency of niacin, but also of thiamine, riboflavin, folic acid and other essential nutrients, is marked in its late stages by the classical four D's: dermatitis, diarrhea, dementia and death.

Dr. Gatch said it was not even rare. He produced an old man of about 70 who, he said, had pellagrin symptoms, including hyperpigmentation of elbows and knees. There the flesh had thickened and roughened until it felt like sandpaper.

How many pellagra victims had he seen? "I would guess 150 to 200 cases," Dr. Gatch replied.

Deaths by starvation, deaths by any of the diseases of malnutrition, were never counted, he said. Too many death certificates simply read "natural causes," Dr. Gatch said, and he intended to campaign for post-mortems in those cases.

Over the years Dr. Gatch became convinced that there was close correlation between malnutrition and intestinal parasites. Most of the undernourished children he examined were wormy. Many Negro shacks, he observed, had no privies; people relieved themselves in the fields and woods. Children treated for worms quickly became reinfested by stepping on feces that contained the eggs of parasites.

"If you have 100 or 200 of these foot-long roundworms in your belly they're going to take a lot of food," he said. "They migrate to the stomach and actually get the food before the child does."

Some notion of the extent of infestation in the Negro children of Beaufort County was given a few days later. A study of 178 Negro preschool children showed that nearly three of every four had intestinal parasites, either ascaris (roundworm) or trichuris (whipworm), or both.

"Fantastic," said Dr. James P. Carter, nutritionist of the Vanderbilt University School of Medicine, who participated in the survey. "Parasitism in Beaufort County ranks with some Central American countries and with Egypt."

In Nashville, Dr. Carter said the nutritional status of the 178 children was "in most cases inadequate and in all instances minimal." He said that by minimal he meant that the children had a low margin of safety, particularly from pneumonia and diarrhea.

The survey, financed by the Field Foundation, was conducted by researchers from the University of South Carolina, the Meharry Medical College, in Nashville, and Vanderbilt University.

The results were considered so shocking that some even suggested that the data be withheld from general publication. Many white Southerners feel that poverty conditions among the rural blacks have been exploited by civil rights zealots.

Dr. E. John Lease, nutritionist of the University of South Carolina, was among those who feared that the report, if given wide publicity, would anger the white establishment and perhaps wreck the chances of cooperation on remedial projects.

Dr. Lease wrote to his collaborators suggesting that the distribution of data be restricted and that "none of the work coming from the University of South Carolina should be published or mentioned on radio or television as the results of the university or any of its staff members."

Later, Dr. Lease apparently had a change of heart, for the material was released to the press in Columbia, S.C.

There were other indications that the establishment now wanted the situation exposed. On Jan. 31, to the astonishment and gratification of Dr. Gatch, Senator Ernest F. Hollings, the former Governor, turned up in Bluffton and made the hunger tour.

FEDERAL DELAYS CHARGED

The Senator saw a near-starving baby, a reputed pellagrin, a rachitic child and another child said to be recovering from scurvy. Deeply impressed, Senator Hollings said he would demand an end to "Federal roadblocks and red tape," which, he said were frustrating local efforts to help the poor.

The local State Senator, James M. Waddell, also blamed the "Feds." He charged that the Office of Economic Opportunity had refused to fund a project that included privies for the poor.

"We can send a man to the moon," he cried on the floor of the South Carolina Senate, "but we can't build an outhouse."

Senator Hollings plans to testify next week before the Senate Select Committee on Nutrition and Human Needs.

The committee, headed by Senator George S. McGovern, Democrat of South Dakota, and dominated by liberals, had been planning field trips to suspected areas of hunger in a dozen states.

However, last week the Senate Rules Committee, dominated by conservatives, slashed the select committee's $250,000 budget request by $100,000. Senator Jacob K. Javits of New York, minority leader of the select committee, said he intended to carry the fight for the full appropriation to the Senate floor. But if the cut remains, the committee will have to curtail its travel plans, visiting perhaps only five or six states.

It means that the committee members will not see Beaufort County.

They still plan to visit the camps of migrant farm workers, such as those in Immokalee, Fla., where life seems even more degrading than in the shacks of Beaufort County.

HUNGER IN AMERICA—PART II

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. RYAN. Mr. Speaker, in the second in his series on "Hunger in America" Homer Bigart has described graphically the plight of migrant farmworkers and the intolerable conditions under which so many live in migrant labor camps.

In Collier County, Fla., neither the food distribution program nor the food stamp program is available to the migrants because of the refusal of county officials to participate in those programs. This illustrates the need for the Department of Agriculture to immediately set up procedures to bypass local officials so that people are not permitted to starve.

The article which appeared in the New York Times on Monday, February 17, 1969, follows:

[From the New York Times, Feb. 17, 1969]

HUNGER IN AMERICA: POVERTY LEAVES MIGRANTS PREY TO DISEASE—PART II

(By Homer Bigart)

IMMOKALEE, FLA.—Ten miles southwest of here, strung out like garbage along the edge of a cypress swamp, is Smith's Camp, a gathering place for some of the migrant farm workers who flock here in winter to pick the vegetable crops.

It consists of a dozen or more windowless plywood shacks, all without toilets or running water, all painted a dull green and all facing a dark slough choked with bottles and trash.

Some distance away there are three smaller shacks, two of them privies, the third a cold-water shower. None shows signs of recent use. Few migrants are hardy enough to take cold showers out of doors in the dead of winter, even in Florida, and the latrines are unspeakably filthy, seat and floors smeared with dried defecation. So the people use the woods.

A spigot planted in the ground provides water for the shacks. But the 20 or 30 migrants who live here say the water is foul smelling and foul tasting. The only apparent amenity is the naked electric light bulb hanging from the ceiling of each shack.

Such a place is Smith's Camp, its condition of poverty far removed from the showy affluence of nearby Gulf Coast resorts and its people, during frequent periods of unemployment, vulnerable targets for hunger and disease. A Senate committee investigating hunger will be in the area March 10.

GATHERED IN CANTEEN

On a recent Saturday, a visitor found most of the camp's adult population assembled in the canteen. The migrants had just been paid, apparently, and several men and women were finding release from the surrounding squalor by getting themselves soddenly drunk.

One woman, still sober enough to talk, said that in good times she made as much as $60 for six days work in the fields, picking beans and peppers, but now work was slack because cold weather had retarded the crops.

"We've got to pay $10 a week for these huts," she said. "Last week the water was up so high we had to wade to the door. I never would've left Carolina, but they told us the rent was free."

Someone had skinned a possum in front of one of the shacks, then left the meat for the flies. The cadaver of another skinned animal floated in the slough.

A man who introduced himself as "Hobo Bob" reeled out of the canteen and proudly produced an old photo that showed him with a wine bottle in one hand and a pistol in the other, a cigarette dangling from lips creased in a grin. He said he was sending the photo to a cousin in South Carolina, to show the relative what a happy life migrants could lead.

"That's Hobo Bob," he laughed, patting the photo.

Retrieving a cardboard box from his shack, Hobo Bob offered visitors some cold grits mixed with beans and fatback.

Smith's Camp is one of 60 or 70 accommodations for migrants around Immokalee. Other camps seem less appalling in physical appearance but hold a greater potential for human degradation and misery because they swarm with children.

UNEMPLOYMENT HEAVY

Albert Lee, an energetic young Negro who heads the local antipoverty project, the Community Civic Workers, said it was a bad season for migrants, with heavy unemployment.

Immokalee, a town of 3,000 near the northern edge of the Everglades, normally has a mid-winter population of 12,000 migrants, he said, but now there were only about 10,000. Many who normally wintered in Immokalee had gone to Texas instead.

Immokalee is in Collier County. Many well-to-do retired people live in Naples, the county's biggest community, and this element, plus the big farm owners, have insured a highly conservative county government.

The county has a long history of snubbing Federal aid, even during the Depression era, and in recent years the county commissioners have stoutly rejected the food distribution programs of the Department of Agriculture.

Today Collier County offers neither direct food distribution nor the food stamp program. Migrants who run out of money here are out of luck.

How do they keep alive Mr. Lee was asked.

He said he had received on Christmas Eve $500 from the Office of Economic Opportunity. The instructions were that the money could be distributed only for emergency food.

PINCHING AND PINCHING

"Now I've got a few dollars left," he said, "but I've been pinching and pinching and pinching."

He explained how he made the money last. He was doling out $1 a day per person to the most desperately hungry, then cutting them off after 14 days.

"That's it," he said. "After 14 days if they can't get handouts from the neighbors they don't eat."

Two young lawyers from the O.E.O.-financed South Florida Migrant Legal Services Program, T. Michael Foster and William F. Dow 3d, said that their organization had been trying for years to get Federal food sent into Collier County.

Last summer Mr. Foster wrote to the then Secretary of Agriculture, Orville L. Freeman, telling of hunger and malnutrition in the labor camps, reporting the refusal of Collier County to participate, like most Florida counties, in making food surpluses available to the poor, and pleading for intervention.

ATTITUDE OF COUNTY AIDES

Washington did nothing. Congress had authorized the O.E.O. to take over the distribution of food in the poorest counties, which, for one reason or another, were not participating. But Collier County was not poor enough to qualify; the median annual family income, thanks to the wealthy Gulf Coast resorts, was $4,673 a year.

"I've seen hunger in Immokalee as bad as in Latin America," said Mr. Dow, a graduate of Yale and Columbia, "yet the Collier County commissioners always say the problem doesn't exist, that the county always looks after its own 'worthy poor'."

Observers noted that the rural admonition, "root hog, or die," seemed to express the commission's attitude toward migrants. They recalled that at a hearing last August Vice Chairman A. C. Hancock warned: "There are those sitting with their hands out waiting to be fed, and that's a situation we won't go for."

Other officials expressed the fear that if migrants were given food they would not work. Others thought that free food would drive the corner grocery into bankruptcy.

Immokalee, which calls itself the "watermelon capital of America," is a flat, sprawling, dusty town where people of different colors, black, brown, red and white, live in strict residential segregation. Smith's Camp, out in the swamp, is all black, but there are several other Negro camps inside the town.

These are in "The Quarters," an area that contains not only the Negroes but "Utopian Homes" of concrete-block huts occupied by Mexican-Americans. Outside "The Quarters," scattered around the rest of the town, are camps for white migrants. A few score Seminole Indians live in grass huts on the eastern edge of the community.

RENT OF $10 TO $20 A WEEK

Most of the camps are clusters of wooden shanties, concrete huts, trailers. Rents range from $10 to $20 a week, plus utilities. Flush toilets are a rarity, most camps providing a communal latrine. Regardless of the color of the occupants, the camps appear universally mean and squalid.

Mrs. Angela Spencer, 38, and two small pallid children occupied a trailer in one of the white camps.

"I was lucky enough to get three days work this week," she said.

She said she had been averaging two and one-half days of work a week, earning $25, out of which she had to pay a baby sitter $3. The rent was $15. That left $7 for food and all other expenses. She owed $19 in back rent, she said, and $100 in doctor's bills.

There was a platter of green beans and hominy on the stove. Clouds of flies wheeled about. The refrigerator was empty except for three sticks of margarine, a partly empty bottle of milk and a box of powdered milk.

She had been helped from Albert Lee's meager allotment of cash, as had Mrs. Caroline Conner, an attractive blonde who lived in another white camp and was 10 days out of the hospital after delivering a baby girl. Her husband had abandoned her.

"We were real desperate," Mrs. Conner said of herself and the baby. "If it weren't for my friends, I wouldn't have been able to make it."

LIKES MICHIGAN BEST

Mrs. Conner said she had been migrating from Florida to the Great Lakes and back for the last four years, following the spring strawberry crop to northern Florida, then Arkansas, Illinois and Michigan; picking Michigan's blueberries, peaches and grapes during late summer and early fall, then going back to Immokalee for winter tomatoes, peppers and "cukes," or cucumbers.

She liked Michigan best, she said, because migrants got free quarters there. In Immokalee her rent was $20 a week, and she had just about run of out the money she had received from Albert Lee.

"Whether she feels well or not, she's gotta go to work," Mr. Lee said.

"I got to do something," Mrs. Conner agreed.

Down in The Quarters, an elderly black named James Kelley and his yellow dog, Lady, found a way to beat the rent. A tolerant crew leader had let them take over an old abandoned bus.

Mr. Kelley, a diabetic whose fingers were gnarled and disfigured, was wearing two pairs of pants against the cold. An unvented oil heater had been installed near the front of the bus, and he had to keep a window open to avoid suffocation from the fumes.

He and Lady slept on piles of rags near the rear, where there was a little cookstove. The only food visible was a pan of fatback and some pieces of fish heavily salted for preservation. Mr. Kelley said he had not worked in eight months, but he seemed happy. He had just received $7 from Mr. Lee.

TEN CHILDREN IN HUT

In a black camp near Mr. Kelley's bus, Mrs. Pauline Milton and 10 children were crammed into a two-bedroom-and-kitchen hut.

"Me and two of the little ones sleep in this bed," said Mrs. Milton," and there are two beds in the other room and one in the kitchen for the rest."

She had worked two days that week, earning $11.05 each day, and paying $2 a day for baby sitters.

"I couldn't afford to give them breakfast," she said, surveying the hungry brood, "but we have boiled beans, rice and potatoes for lunch, and I'll give them the same for supper."

Mrs. Milton is one of a comparatively few migrants eligible for county welfare, for she has lived in Immokalee for seven years. She said she had applied, but had been told that her application would take 30 to 45 days to process.

Of all the ethnic groups, the Mexican-Americans probably suffered most during times of hunger, Mr. Dow said as he drove past "Utopian Homes." Some of the Mexicans had tried to alleviate the bleakness by planting flowers around the huts.

"Mexicans are proud," Mr. Dow explained, "and feel they are violating cultural mores if they ask for help."

Mr. Foster said that the Florida State Board of Health had denied the existence of widespread malnutrition in Collier County.

PARASITIC INFECTION CITED

"People are hungry, no one can quibble about that," he insisted. "And there is a tremendously high incidence of parasitic infection."

Last March the state health board issued a report saying that a team of doctors had "closely observed" some migrant children at play or in schools and clinics and that "none had gross signs of malnutrition."

The report said that pellagra, a severe dietary deficiency disease, had been noted but only in "known chronic alcoholics."

In riposte, friends of the migrants released next day the results of clinical examinations of 23 migrant farm children of Immokalee by the Variety Children's Hospital of Miami.

The sampling uncovered 38 clinical diseases in the 23 children, ranging from pneumonia to worms.

The hospital's executive director, Gerald W. Frawley, described the findings as "rather incredible . . . a most extraordinary morbidity rate" and concluded: "The migrant population must be about the most underprivileged in the nation, at least in terms of medical attention."

In a few weeks Collier County will feel the spotlight of national publicity. The Senate Select Committee on Nutrition and Human Needs is making this county its first stop on a tour of suspected hunger areas.

The committee is seeking information on the failure of the Federal food programs to reach millions of poor Americans.

FILLING THE MILITARY'S HERITAGE GAP

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. HELSTOSKI. Mr. Speaker, I am particularly proud to submit an article which appeared in the February issue of Air Force and Space Digest, the magazine of aerospace power, published by the Air Force Association, which gives recognition to one of my constituents, Maj. George M. Boyd. He is commander of Detachment 19, 4500th Support Squadron—TAC—McConnell Air Force Base, Kans., a 23-year Air Force veteran and a resident of Leonia, N.J.

Major Boyd's biography and the article follow:

BIOGRAPHY OF MAJ. GEORGE M. BOYD

Prior to his arrival at McConnell Air Force Base on 5 December 1966, Major Boyd served as Chief of a Command Assistant Manpower Team, Headquarters Pacific Air Forces (PACAF) at a base in Southeast Asia.

Major Boyd was commissioned a Second Lieutenant in December 1948 and received his rating as Radar Observer (Jet All Weather) in July 1952.

He graduated from the Leonia High School, Leonia, New Jersey, in 1944. Later, in 1964, he received a B.A. in Economics from Park College, Parkville, Missouri. His professional military education includes Air Command and Staff College, Industrial College of the Armed Forces, and the Air War College. He is also a graduate of the Air Force Manpower and Management Engineering School.

Besides serving in Southeast Asia, he has held tours of duty in Greenland and Japan.

During his service in the Air Force, Major Boyd has been instrumental in developing several navigational and electronic devices to aid pilots flying military aircraft. He is the author of articles which have been published in various aviation magazines and periodicals.

Major Boyd and his wife, a Captain in the Air Force Reserve Nurse Corps, the former Mattie L. Sheppard of St. Louis, Missouri, reside at 2904 Westover Drive, McConnell Manor.

Major Boyd's present assignment is Commander of Manpower and Management Engineering Detachment 19, 4500th Support Squadron, Tactical Air Command, with operating location at McConnell Air Force Base, Kansas. His Air Force specialty code is manpower and management engineering staff officer.

FILLING THE MILITARY'S HERITAGE GAP

(By Maj. George M. Boyd, U.S. Air Force)

(NOTE.—The author, Major Boyd, is a twenty-three-year Air Force veteran assigned to a manpower post in a Tactical Air Command unit at McConnell AFB, Kan. During his career he has served in Southeast Asia and on Greenland and Japan, and is a graduate of the Air Force Manpower and Management Engineering School. This article reflects the author's personal views and should not be construed as necessarily representing official Defense Department or US Air Force policy.)

In a period of rapid and sometimes violent change, as an active-duty Air Force officer I am sincerely concerned with those aspects of leadership that involve more than the "tunnel vision" usually ascribed to military thinking. I believe that there are many aspects of service life and responsibility related to the cultural revolution which we.

as military men, must recognize and become constructively involved in without degrading our primary task of military preparedness.

Responsible leadership is more important today than it has ever been, especially in the armed forces. And the key to that kind of leadership is human understanding. We must understand our people individually and collectively. Of particular concern, in the face of national unrest, is the role the military must play in its relationships with our civilian population. We are committed to the augmentation of local police forces for the purpose of maintaining law and order. Although the preservation of order is normally a function of civilian law-enforcement agencies, we recognize that civilian law-enforcement agencies cannot always cope with extraordinary situations. Thus, it is obvious that military leadership must be concerned with the current national crisis.

The days have long since passed when military officers could study basic military tactics in a private world of weaponry, protocol, and national security objectives, while completely ignoring the social and political trends across the nation. This means that the peripheral vision of military officers, at all levels of command, must be broadened to prepare them for meaningful contributions to society.

It is not easy to analyze the social aspects and trends in contemporary society. Our military forces are subordinate to our civilian government and rightfully so. This is their charter under the Constitution. But at the same time, military men, especially officers, must know our system of government, must understand the people and their problems. Without such understanding, military leadership, no matter how sincere, will not be adequate. Indeed, it will be sterile.

There is a moment of truth when American military men must face American citizens to quell disorders. In most cases, military personnel do not know why this situation has degenerated to a state of confrontation. Normally the military is called out in a crisis on short notice and instructed to secure certain objectives, as part of a mission directive. Under such circumstances, many a commander has been faced with the soul-searching problem of analyzing his own beliefs and convictions as they relate to his duty to enforce the law.

How do we improve our leadership so that we as military officers can meet our mission objectives using minimum force and completing the operation with a maximum of understanding and compassion for our fellow citizens? These are not questions of mere physical control. The problem is much deeper, and to solve it, new and imaginative techniques are needed.

I have come to believe that all military officers should be exposed to a course of training that analyzes the citizens of the United States in terms of who and what they are, what their problems are, the basic causes for their grievances, and what reactions can be expected from them under varying circumstances. This information is generally available and can be made a part of the over-all continuous military training program.

Most of what I have said up to now has had to do with officer leadership. But I believe that enlisted personnel in the armed forces should eventually receive such training too. There is no reason to believe that this cannot be accomplished within our current military structure and resources.

There are many people in the United States who have occupations involved in the total defense effort. These individuals must maintain their objectivity in spite of changing social pressures and situations. The military officer is committed to the defense of the entire nation, as is every serviceman. To do this he has to know what his job is and that his job is bigger than his own aspirations and grievances. The first item in the Code of Conduct for Members of the Armed Forces says, "I am an American fighting man. I serve in the forces which guard my country and our way of life. I am prepared to give my life in their defense."

This means that a Negro serviceman who is discouraged from swimming on the beach of a southern state must be prepared to defend that same beach with his life, if necessary, without evasion of purpose or mental reservation. This thought can be hard to live with. But duty requires, too, that a white serviceman must be prepared to protect the right of a Negro student to attend a college or grade school that the white soldier may believe it is wrong for Negroes to attend. Leadership in such a climate is difficult. The country cannot afford to ignore the problem of training men to cope with such conflicting ideas. Military men who are charged with the preservation of the nation itself must be prepared for such complex responsibilities.

As a black American and as an Air Force officer with many years of service, I have thought long and hard about some of the causes of the current social unrest in our country.

It appears to me that the main cause is what I call a heritage gap. It stems from the pattern of segregation instigated against the Negro after the Civil War as a result of economic pressures. I refer to the competition in the labor market between freed slaves and free labor already in the market. The hatred, suspicion, and misunderstanding of that time have survived to the present. When a Negro child looks at a school book, he sees no one who looks like himself in a position of authority or in a hero's role. He identifies himself with servants and menial workers. He knows that the Negroes were freed more than 100 years ago. Yet, he wonders, what have they accomplished except becoming a "problem"? He is not aware of his heritage. He does not know that members of his ethnic group have made major contributions in every walk of life.

The white child has a reverse problem. When he opens the book, he notes that the former masters and slave owners look like himself, and so do the "heroes," good or bad. He, too, is aware that the Negroes were freed over 100 years ago, and he does not know what they have accomplished to improve their position in society.

Thus, from two vantage points, we have what I call a heritage gap. A partial solution to this problem is to add more Negro culture to the school book at all levels. I note that in the past several years more and more Negro oriented messages and advertising has become evident. This is an important step toward understanding and respect and recognition. But more can be done, especially in the military environment, to help close this heritage gap.

I recommend a Department of Defense agency that would have the mission of disseminating historical reference data about ethnic groups, in terms of their contributions as members of our armed forces, both past and present. Such an effort would by no means solve all the problems, but I do contend that such positive action within our present capability is a valid "mission requirement."

There are many sources of historical reference which could be compiled by the Department of Defense's research people. This information could be used in military writings of a public-information nature. I recognize that there are some scattered efforts in this direction. However, I believe we must sharply increase and focus such programs.

There is certainly precedent. In each military branch of the Department of Defense there are programs and briefings on the customs and characteristics of the people of other lands where we have military personnel stationed. Certainly, it is time American servicemen become educated about their fellow citizens. Such an effort, geared to study of minority groups of America and minority-group military contributions, is an essential endeavor in terms of promoting understanding among our servicemen and, indirectly, among all Americans.

Recognizing that the military services are dedicated to the common defense of the total United States population, it should be clearly understood that such a proposal encompasses the contributions of all ethnic groups to the American military heritage.

The Department of Defense has been and continues to be a leader in advancing race relations. In these times of strife and turmoil, part of our contribution should concern itself with enhancing positive aspects of our history. Millions of Americans pass through the military services in a relatively short period of time. Obviously these men and women return to civilian life with experiences that they would not otherwise have had. This fact alone is justification for a vigorous in-service national heritage program, one that has the specific purpose of helping create a sense of identity and pride among the many peoples who together make up the American people.

To my way of thinking, the knowledge and understanding that will contribute to the personal dignity of those Americans who have been hitherto deprived of such advantages are not only worth working for, but are, in fact, aims we have a moral obligation to advance.

I also believe that military personnel should participate in our total national commitment without sacrificing the historical mission of defending the nation. I firmly believe, too, that, in addition to pursuing our role of national defense, the Department should conduct its business in ways to help solve pressing domestic problems. I hope that what I have written may contribute in some small way to our total national welfare.

END OF THE SIT-IN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. DERWINSKI. Mr. Speaker, during the past few weeks we have seen a new wave of campus unrest which included outbreaks at three major universities in Illinois.

It is obvious to objective observers that there is a basic pattern involved in the student demonstrations and that university officials have not been effective in handling the radical behavior of their students.

The Chicago Tribune editorial Saturday, February 15, commenting on the end of a sit-in at the University of Chicago carries some practical suggestions which merit consideration.

The article follows:

END OF THE SIT-IN

Nobody emerges with much credit at the end of the 15-day sit-in by student rebels at the administration building of the University of Chicago except the great majority of students whose resolute refusal of support caused the collapse of the protest. Leaders of the squatters admitted that the lack of campus backing was the reason for their failure.

The university administration will no doubt assert that its policy of passive resistance had something to do with the outcome. If so, it was a triumph for flabbiness. The insurrectionists wore themselves out punching a bag of mush. The university wouldn't negotiate and it wouldn't call the cops. It just went limp.

Altho the university did refuse the rebel demand for amnesty, and altho it has instituted disciplinary proceedings against some members of the occupation force, there is implicit in its attitude some suggestion that students are a privileged class, exempt from the processes of authority and law which govern all others.

This outlook is reflected in some rather muzzy rhetoric with which President Edward H. Levi saluted the end of the sit-in. He said that universities are different "from other institutions of modern life." By extension, we suppose, students also are to be considered different from the common herd, whose actions are governed by a healthy respect for the arm of the law.

As the distinguished Charles B. Huggins said, the hard-core revolutionaries who seek to bring America to its knees seized university property and engaged in other criminal acts. Dr. Huggins was almost alone among the members of the administration and faculty to voice censure of this behavior in unmistakable language.

If any ordinary person had tried to take possession of someone else's property the law would be breathing down his neck in an instant. But the university, with vast forbearance, put up with this intolerable act of aggression for 15 days. We have said repeatedly that any institution or official with a decent respect for law and property rights would not have stood still before this challenge but would have cleared the building without delay. A threat of expulsion nipped a similar invasion of the university's administration building within 20 minutes last May.

We do not see any material difference between the invasion of the premises of a private university and the invasion of a private home. Both are acts of lawlessness, and they invite the penalties written into law that apply to everyone.

By turning the other cheek the university encourages a repetition of these tactics, and the revolutionists promise to satisfy this death-wish. The rebel circular announcing the end of the sit-in said, "It's over for now." The operative words are "for now."

The intention was repeated by a leader of the squatters in saying, "But let the university know this: We will be back. We must regroup and plan new strategies. We may wait until spring or this fall, but we will be back."

There is one thing the university can do to protect itself against the threat, and that is to throw the book at everyone who had a hand in bringing disgrace to the institution. The lot of them should be sent packing. Any other university which wants them can have them, but it is warned what to expect.

A GEN. DOUGLAS MACARTHUR COMMEMORATIVE STAMP

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. BIAGGI. Mr. Speaker, I wish to urge the issuance of a Gen. Douglas MacArthur commemorative stamp.

Issuing such a stamp would be but a small tribute to a man who was in every sense a heroic American. Our country will not soon produce another man of MacArthur's greatness. He belonged to an age which acknowledged the imperatives of duty, honor, and country.

We can find no better words to live by, this side of Scripture, than his, given at his last public appearance at West Point:

> The shadows are lengthening for me. The twilight is here. My days of old have vanished—tone and tint. They have gone glimmering through the dreams of things that were. Their memory is one of wondrous beauty, watered by tears and coaxed and caressed by the smiles of yesterday. I listen vainly, but with thirsty ear, for the witching melody of faint bugles blowing reveille, of far drums beating the long roll . . . But in the evening of my memory . . . always there echoes and re-echoes: Duty, Honor, Country.

A stamp would be an appropriate tribute to the memory of Douglas MacArthur, but the record of his life will always be his finest memorial. Graduated from West Point in the class of 1903, he had a 4-year average of 98.14—a scholastic record unequaled for 50 years. He won his "A" in athletics and the rank of first captain of the corps.

As a young officer in Mexico, MacArthur was with the U.S. expedition that seized Veracruz in 1914. He led a scouting mission so daring that he was recommended for, but not awarded on that occasion, the Medal of Honor.

In World War I he was wounded twice and decorated 13 times. He was called the "greatest leader of troops we have" by the commander of the American Expeditionary Force, Gen. John J. Pershing.

After serving as the Army's youngest Chief of Staff, MacArthur arrived in the Philippines in 1935 to map defenses for the islands. On orders from Washington, MacArthur turned over to Gen. Jonathan Wainwright the task of defending Bataan and Corregidor and moved to Australia to direct the war in the Pacific. He vowed: "I shall return." He did.

On October 20, 1944, the General waded ashore with his troops at Leyte. Nine months later, liberation of the Philippines was completed. On September 2, 1945, aboard the battleship *Missouri* in Tokyo Bay, General MacArthur accepted the Japanese surrender and embarked on a new career which some say was his greatest.

As the Supreme Commander in Japan, he wrote the constitution that shaped that country's democratic future. He transformed a feudal, militaristic nation into a peaceful democracy and a staunch ally.

At 70 years of age, MacArthur again commanded troops. His defeat of the North Koreans was brilliant. Then Red China entered the war, and MacArthur was forbidden to carry the initiative into China.

The general passed away in 1964. However one judges his role in history, none would deny the impressive impact he made on all by his outstanding qualities of leadership, his profound dedication to whatever he undertook, his sense of justice, his high principles, and his firm ideals.

So that this Old Soldier will never die in our memory, let us urge the approval of the issuance of a stamp to commemorate proudly the memory of one of our Nation's greatest military leaders.

MILT EVATT OF CALIFORNIA: WARRIOR, ENTERTAINER, MARSHAL, PLANNER, SHIPBUILDER, AND FRIEND

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. LEGGETT. Mr. Speaker, on January 28 last the wonderful career of my friend, Milton J. Evatt, came to a close.

Uncle Milt was a little-sung hero but one of those rare individuals who in one lifetime could manage a dozen separate careers and bring a little guidance and light into the lives of those he touched.

Milt was an unsung hero of a generation of very talented people—self-taught—not by any college or any training school. He many times mused over his teenage tenor 3-hour night club engagements when his repertoire would extend from Irish lullabys to Yankee Doodle Dandy.

A soldier during World War I, he not only entertained the troops but ended up in the hospital, a poison gas victim.

After the war he returned to Vallejo where he started at the bottom in ship construction and rose to assistant manager of the progress section, a position he gallantly filled during World War II.

He volunteered to emcee the Elks USO show during the war years when he matched wits entertaining troops with the best acts of the last generation. He worked for many years on the Elks Sick Committee having a main concern for his buddies and comrades of World War I. He also served as Commander of American Legion Post 104. He retired with 30 years' service from the Navy yard in 1952.

No man to retire before his time, Uncle Milt was recruited as Assistant Solano County Probation Officer where he worked for another decade with hard-to-handle juveniles—his advice was 14 carat.

He worked for years in civic development, rising to the position of chairman of the Vallejo Planning Commission.

Upon reaching mandatory county retirement, he worked for a half dozen years as an assistant Federal marshal in San Francisco.

He was later to emcee my first organizational dinner in my bid to this seat in the U.S. Congress.

An adviser to my office for many years on the problems of the elderly, his counsel will be missed and his friendship treasured.

Part of his newspaper epitaph reads as follows:

MILTON J. EVATT TAKEN BY DEATH

> Milton J. (Milt) Evatt, 77, of 301 Butte St., Vallejo resident prominent in community activities for the past half-century, died Monday night in a local hospital after a brief illness.
>
> Mr. Evatt, a native of San Francisco, came to Vallejo in 1919 following Army Service in Europe in World War I. He was employed as a pipe fitter at Mare Island, and retired in 1952 as a progressman.
>
> He was a survivor of the San Francisco earthquake and fire of 1906 in which his

family home was destroyed. His late father, John W. Evatt, was a career officer on the San Francisco Police Department.

OTHER POSTS

After his retirement from Mare Island, Mr. Evatt served as an assistant Solano County probation officer for five years, then served part-time with the U.S. Marshal's office.

He was the husband of the late Mary A. Evatt, who died in 1960; the father of Edward Vincent Evatt and Mrs. Beverly Ann Whorton, both of Vallejo. Five grandchildren also survive.

Mr. Evatt's community activities included nine years of service on the Vallejo Planning Commission, with terms as chairman; as a member of the board of directors of Catholic Social Service, and as chairman of the 1960 March of Dimes in Solano County.

ELKS MEMBER

He had been a member of St. Vincent's Parish since coming to Vallejo in 1919. From 1943 to 1946, as a member of Vallejo Elks Lodge 559, Mr. Evatt was director of the lodge's canteen for servicemen and for this voluntary work, he was presented with an Award of Merit from the Grand Lodge of Elks.

Mr. Evatt was a member of the Last Man's Club of Solano County, an organization formed in 1937 with a roster of 37 veterans of World War I who have met annually for a reunion on Armistice Eve. He also was a past commander and adjutant of American Legion Post 104, a member of Carl H. Kreh Post 1123, Veterans of Foreign Wars; and of the Association of the 363rd Infantry Regiment, Co. C., 91st Division, American Expeditionary Force.

He was a member of Solano Chapter 16, National Association of Retired Civil Employees, and of Samoset Tribe 22, Improved Order of Red Men.

A popular master of ceremonies throughout his years in Vallejo, Mr. Evatt was a member of American Guild Variety Artists, an organization of show business people. He also was a life member of Eagles Aerie No. 5, of San Francisco.

GIVE PRIORITY ON POSTMASTER JOBS TO CAREER POSTAL WORKERS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. DULSKI. Mr. Speaker, I favor taking the selection of postmasters out of politics and I have developed far-reaching legislation toward this end in the postal reform bill—H.R. 4—which I introduced on the opening day of the 91st Congress.

At the same time, I believe that we should give initial consideration to our career employees in selection of postmasters—even as the Department has been doing for years with its noncompetitive examinations for postmaster candidates. In more and more cases, in recent years, our new postmasters have come from the ranks.

However, in announcing his policy on selecting postmasters, Postmaster General Blount has eliminated the "promotion" prospect for career postal workers. He would have only the open competitive examination. This is a mistake.

I am introducing legislation today which will give priority to career postal workers in selecting postmasters.

It requires that a competitive examination be given first to career postal workers when a postmaster vacancy develops. If there is no qualified postal worker, then an open competitive examination can be given to all who wish to apply.

The examinations would be given by the U.S. Civil Service Commission as they have been right along.

The Postmaster General would be required to select for appointment the top qualified individual from the list which would be certified by the Commission. Political clearances would be barred.

It is my firm belief that selection of postmasters should be on the basis of merit and experience.

U.S.S. "PUEBLO": MISTAKES THAT CANNOT BE IGNORED

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. ASHBROOK. Mr. Speaker, the temporary relief which came at the release of the men of the U.S.S. *Pueblo* has now been replaced by an anxious concern. Across the Nation people are examining reports from the inquiry by the Navy and expressions of interest by various congressional committees.

No greater interest in the men of the *Pueblo* and the ramifications of the incident has been indicated than by the Newark, Ohio, Advocate. Their constant probing for answers, their constant reminders, and attempts to distill facts from contradictory reports, have been helpful to the people of their area and have also provided a fine standard of journalistic interest and expression.

This newspaper recently published three editorials on the incident. Three more in a long series. First, a comment of December 23 following release of the crew. Second, a statement of January 14 which calls for an investigation by Congress. Third, a statement 1 year after the seizure directed at an examination of the roles played before and after the surrender and seizure.

The concern of the paper and the people of that area has also been brought to the attention of the distinguished chairman of the House Armed Services Committee, in a continuing attempt to have the problems clarified and the answers given.

The point of it all is simple: mistakes of this magnitude over such a long period cannot be ignored.

I insert the editorials at this point:

HONOR VANQUISHED

The men of the Pueblo are free.

That is good.

Eighty-two of them are still alive.

But that is where the goodness stops. From there, negligence, incompetence, cowardice in the face of the enemy and humiliation take over. It is time for investigation.

We have bemoaned the fact that a fourth-rate power like North Korea could so easily defeat the United States of America.

Well—look at the facts and the mystery disappears:

1. North Korea showed greater nationalistic pride and purpose than our leaders judged them to have when they approached the Pueblo with armed ships.

2. Their military men showed more personal courage and national dedication than U.S. fighting men when they captured by force of arms an American ship on the high seas.

3. North Korean leaders showed superior dedication, planning and tactical ability when they delivered the Pueblo to a North Korean port while our leaders wallowed in indecision and self-pity.

4. Once they had our ship, our men and our national pride, North Korean leaders proceeded to out-negotiate us with a decisiveness of purpose, which has become foreign to our own diplomats and military leaders.

5. In the final humiliation, our leaders agreed to a statement that could have been signed months ago. North Korea made the United States dance to its tune until it was tired of playing.

6. They have our ship, our national defense secrets and a big chunk of our national pride.

7. That makes North Korea a fourth-rate power with first-rate national pride, courage, decisiveness and dedication. The United States of America is stuck with the role of being a first-rate power with fourth-rate military and diplomatic leaders.

Shame on us.

These seven points make one thing very clear: The incompetence, cowardice and indecisiveness must be removed from our military and diplomatic services, for another Pueblo can never happen.

The role of our leaders—from the highest general to the officers of the Pueblo—must be investigated by Congress. Congress alone knows the dedication, courage and pride of the American people. Let it act swiftly to remove those military and diplomatic leaders who do not truly reflect these great qualities.

We dare not lose time. If these so-called leaders had been men of honor, they would have resigned their commission by now. In the absence of honor, let us at least have justice and safety for the American people.

INVESTIGATION, NOT VENGEANCE

The Advocate is seeking congressional investigation of the Pueblo fight. We single out military and diplomatic leaders simply because they are responsible. Regardless of who did what in the fight, those who accept the honor of their positions must accept the responsibility when things go wrong.

Top Navy and Pentagon officials are presently preparing a "court of inquiry" involving the Pueblo's crew. Well, the Pentagon can have its little witch hunt. It's not the Pueblo's men who need investigating in this fight. America needs to investigate the investigators—and the sooner the better.

The Advocate does not seek vengeance. We seek information on behalf of the people, just as we do when local public officials refuse the people public information. The Advocate has gone to court on many occasions to establish the "People's Right to Know." We can do no less on matters of national or international injustices. In that area we are indeed a small voice, but that does not excuse us from speaking.

Only Congress can get at these men of high position because they have built buffers and platoons of "yes men" to keep the public ignorant of their weaknesses, fears and mistakes. They often treat the public like employes who are given information when or if they feel it is necessary.

As most Americans, The Advocate is angered by the seizure of the Pueblo. We were concerned about the fate of the 82 deserted Americans. We were ashamed by the treatment we got and accepted at the hands of an outlaw nation—treatment that was greeted by silence or glee by other nations of the world.

But we are horrified at the thought of such a blow to our national safety happening again or even becoming commonplace. We know the military and diplomatic leaders who let the Pueblo fight happen did not allow it on purpose—that they are sorry. We know that all men are subject to mistakes and many can be ignored or forgiven.

But mistakes of this magnitude over such a long period cannot be ignored. They must be probed until all the weaknesses and fears have been fully bared and defined. Only in this way will we and other nations of the world know that it will not be permitted to happen again.

Only then can we safely announce in advance what we will do if any outlaw nation tries it again. It is childish to expect the generals of the Defense Department or the diplomats of the State Department to wash their dirty linen in public.

Career men run those departments and they would already have resigned if they intended to dash their own careers and those of their associates in weakness and fear.

It has come down to this: Only one man and his associates can protect America against the threat of such fights in the future. He is most emminently qualified.

This man is Cong. L. Mendell Rivers of South Carolina, chairman of the House Armed Services Committee. Our plea for investigation rests with him because Congress is where our hope lies.

Write to Cong. John Ashbrook and Cong. Rivers, House Office Building, Washington, D.C. Tell them in your own words why America must have this investigation.

SCAPEGOAT—No, No, No

It is fitting for The Advocate, and every concerned American, to make special note of this date—the first anniversary of the Pueblo fight. It is not a time for breast-beating about our loss but rather a time for reasoned investigating into causes and preventive measures.

The Navy and the Pentagon are at this moment trying to make Commander Lloyd M. Bucher scapegoat of the whole affair with the dishonest hope that this will satisfy the American people.

Well, it won't.

The investigators need investigating.

We believe they should and will be. We are not qualified to make a judgement or even comment upon the guilt or innocence of Commander Bucher. But we know for certain that the full responsibility for this shameful incident in American history does not rest upon the shoulders of one frail man.

The most shameful roles in this incident were played before and after the surrender and seizure.

FFA WEEK

HON. MARK ANDREWS

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. ANDREWS of North Dakota. Mr. Speaker, as a recipient of the FFA honorary State Farmer Award, I wish to call to the attention of my colleagues that February 15 to 22 is FFA Week in America. The theme of National FFA Week is "An Opportunity for You."

FFA provides an opportunity for youth in agriculture to learn, to do, to earn, and to serve. The FFA organization does not make these young people great. But rather it provides them the opportunity to excel, to grow, and become outstanding youth leaders for agriculture in America.

Experience in leadership, citizenship, and cooperation, and the pursuit of vocational and educational objectives provide these young people with opportunities for personal growth. Participation by members at local, State, and national levels within the organization is the basic plan.

An FFA member begins his career as a student of vocational agriculture. He has thus elected to begin his career in agriculture. He and the others like him find common goals and objectives in FFA.

His opportunities in FFA are many; much more than the awards or contests which are important in providing competition, experience, incentive, and encouragement. The member can apply what he learns in the classroom to his personal agricultural situation. Through active participation, the member can demonstrate his ability in public speaking, parliamentary procedure, or livestock judging. He also takes part in establishing chapter goals, and just as important—helps accomplish them. Many typical chapter activities include earning their own resources and providing community services.

Through the FFA, a member can develop skills and prepare himself for his vital role as an adult leader in American agriculture. Millions of young people have grasped these opportunities and progressed. Many more will find opportunities in FFA to learn, to do, to earn, to serve.

MID-DECADE CENSUS BILL

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. ASHLEY. Mr. Speaker, today I am introducing a bill which provides for a mid-decade census of population, unemployment, and housing in the year 1975, and every 10 years thereafter.

This legislation is not new and, in fact, passed the House of Representatives in August of 1967 but, unfortunately, it failed enactment by the Senate during the 90th Congress. I urge its adoption by both Houses as quickly as possible, because there appears to be universal agreement that an inventory at 10-year intervals of the most important resource of our country—its people—is altogether too infrequent. We are in fact now paying the price for failure to act years ago to provide for a 1965 census by having to use obsolete 1960 figures in appraising our condition and needs, and in the planning and conduct of vital programs in education, poverty, roadbuilding, and many other fields. Not only the Federal Government, but State and local governments, business and other interests, are suffering from a lack of timely and reliable data. Much money has been spent to fill in the statistical gaps with surveys and estimates but the results fall short in comprehensiveness and reliability of what a mid-decade census would have produced.

Other national censuses—agriculture, manufacturing, retail and wholesale trade and services, mineral industries, transportation, State and local government—have by law been placed on a 5-year basis. This bill would restore the most important and widely used census to an equal footing with the others in terms of frequency.

I would like to cite some events which have taken place in Toledo, Ohio, in the Ninth Congressional District which clearly illustrate the need for a mid-decade census.

Toledo, Ohio, has grown by 20 percent since the last census was taken 8 years ago. This is one of the fastest growth rates in the State of Ohio, and the city's largest population boom in nearly half a century.

But because most Federal and State programs returning tax dollars to local communities are funded under formulas based on the 1960 census—the only recent official figures available—this tremendous growth has cost the city of Toledo hundreds of thousands of dollars.

Toledo's largest documented loss is the forced return of more than half a million dollars in local government fund payments because the census did not show that 81 percent of the residents of Lucas County live in incorporated areas. The last census figures showed 79 percent of the county's population living in incorporated areas, 2 percent less than the number required by law to enable the city to get a 70–30 split of the local government fund.

After 1963, when city officials knew that the 81-percent figure had been passed, largely by virtue of annexations, it began claiming a 70–30 split and the money was granted by the State. However, the county filed a claim for return of $377,831 on the basis that the city-county fund had to be based on the latest census figures and the county won in court. The city was therefore ordered to repay the money.

The dispute over the funds has taken on many additional arguments on both sides and the city has been ordered to repay $445,000 and $176,000 in fund overpayments. But the basic dispute goes back to the census figures and based on four appeals, court decisions have gone against the city in the past 15 months.

These rulings have gone against the city despite the fact that the Toledo-Lucas County Plan Commission has said that by 1964 as many as 85 percent of the county's residents were living in incorporated areas. The Commission estimates that 90 percent of all Lucas Countians live within incorporated areas now.

In addition to the money the city has been ordered to repay, the outdated 1960 census figures have cost Toledo and other incorporated communities in the county thousands more than could have been claimed if the official figures were up to date.

Another example of the need for a mid-decade census is illustrated by the results of the Supreme Court's one-man, one-vote edict in 1962 requiring redistricting of congressional districts and reapportionment of State legislatures. In Ohio, as in other States, officials used estimates of current population in getting in line with the equal vote dictim. But those plans using the current population estimates were overturned when justices ruled that official figures—even though outdated—had to be used.

In the past 8 years we have witnessed a dramatic rise in the number of Federal programs designed to aid States and localities and various segments of our population in such areas of education, health, regional development, housing, transportation, urban renewal, and resource development. We have appropriated millions of tax dollars to these all-important efforts to improve our domestic welfare. It is imperative that these tax dollars go where they are needed and planners can only assure that this is done if they have the official statistical data giving them an accurate picture of where the need lies.

As the Congress strives to enact the programs which will improve the environment and opportunities of all our citizens, we must be certain that we act on the most up-to-date and accurate information available. We do not have this data now. With the dynamics of economic and social change constantly accelerating, the need for timely accurate statistics will be even greater in future decades. It is our responsibility to see that this data is at our fingertips—that it is available for use by all public officials and planners—and as we seek the assistance of private industry and organizations in efforts to make this country a better place in which to live surely we have an obligation to give them the facts as they are.

RELEASE OF LT. JOSEPH P. DUNN FROM RED CHINA

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. CONTE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following resolution by the Commonwealth of Massachusetts:

RESOLUTIONS URGING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO OBTAIN THE IMMEDIATE RELEASE OF LT. JOSEPH P. DUNN, OF RANDOLPH, FROM RED CHINA

Whereas on February 14, 1968, Lt. Joseph P. Dunn of Randolph, a U.S. Navy pilot, was shot down in the China Sea and has been detained by the Red Chinese government, although Peking has acknowledged publicly only the fact of his crashing; and

Whereas the unreasonable detention of Lt. Dunn tends to heighten the already tense relationship between Red China and this country while his family and friends attempt to endure the agonizing wait for information as to his well being: Now, therefore, be it

Resolved, That the Massachusetts Senate respectfully urges the President and the Congress of the United States to use all reasonable means to obtain the immediate release of Lt. Joseph P. Dunn from the control of the Peking government; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of the Congress and to the members thereof from the Commonwealth.

Senate, adopted, February 5, 1969.

NORMAN L. PIDGEON,
Clerk.

Attest:

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

OUR FORMER COLLEAGUE, BARRATT O'HARA

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. MADDEN. Mr. Speaker, Rabbi Harold P. Smith, of Congregation Agudath Achim of South Shore, 7929 Yates, Chicago, Ill., extends a great tribute to our former colleague, Barratt O'Hara, Rabbi Smith is a former chairman of the Rabbinical Council of America with a host of friends in the House of Representatives where he was former acting chaplain. He was invited by the Chicago Daily Calumet on January 24, 1969, to write a "Viewpoint" column for the religious community of the Calumet area. I take pleasure in extending my remarks to include this column which pays tribute to our former colleague, Barratt O'Hara:

APPLAUSE FOR O'HARA

(By Rabbi Harold P. Smith)

I have been invited to write this "Viewpoint" column today, and although I am an Orthodox rabbi I want to follow the unorthodox procedure of dedicating this column to one faithful individual in public life whose unmatchable faithful service to our Southeast area constitutes, in itself, a very beautiful chapter in public service. I do so because all too often we take such rare individuals for granted.

I refer to the outgoing Congressman of our Second Congressional district, Barratt O'Hara.

You should know if you don't already know, that Barratt O'Hara has been one of the most beloved and most revered men in the United States Congress. Having been chairman of the Rabbinical Council of America, I have been in position to observe, often from close quarters, how deep and abiding has been, and still is, the reverence and love with which the legislators regard Barratt O'Hara.

It is not merely because he is one of the few still surviving veterans of the Spanish-American war. It is not merely because he has been one of the most informed, most intelligent men in the United States Congress and has remained remarkably alert and knowledgeable despite his 87 years. It is not merely that he is such a very loveable man who constitutes a personal embodiment of the Biblical ideal that "Thou shalt love thy neighbor as thyself." It is all of these things and many more.

But the big quality I would point out here is the remarkable and extraordinary sense of loyalty and faithfulness which Barratt O'Hara has manifested to every single citizen who has been one of his constituents. I would assert with confidence and without fear of contradiction that no citizen of our Second District, however unimportant he may consider himself, has ever gone to Barratt O'Hara's office in Washington without getting the highest possible level of attention, courtesy, and friendship from Barratt O'Hara himself, personally.

What has all this to do with religion? A great deal! The quality of gratitude is the very essence of religion, and ingratitude nothing short of religious desecration.

Prayer, in its highest form was never intended to be exclusively petitionary, i.e., asking the Good Lord for things we want. Much more was it intended to provide us an opportunity to give expression to our feelings of thanks and gratitude for the blessings which are Divinely bestowed upon all of us.

The proper development within us of the fine human quality of gratitude and appreciation is, in a very real sense, as religious a process as prayer.

As Barratt O'Hara leaves office after all these years of loyal and faithful service far beyond the call of duty, I am wondering whether there is in our hearts an adequate measure of gratitude.

I don't think we ought to let such a venerable man merely fade out of office without any expression of public thankfulness. It is my "Viewpoint" that we ought to have a public testimonial dinner in our district where nobody wants anything from anybody—no fund raising, no political motivations, nothing—only to express appreciation to a wonderful human being who has faithfully and capably served our area.

I am hereby making the first reservation.

CORALVILLE DAM

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. SCHWENGEL. Mr. Speaker, when spring draws near in Iowa, especially after a severe winter such as the State has experienced this year, thoughts naturally turn to the problem of possible floods. It can be a frightening time of year for those who live in areas subject to flooding. The personnel of the Corps of Engineers and other State and Federal officials concerned, assure me that their contingency plans are in order, and that they will be ready and able to cope with any problems which may arise.

In this respect the Iowa City Press Citizen recently featured an excellent editorial on the background and function of the Coralville Dam, which relates to this problem. Under unanimous consent I include the editorial in the RECORD, as follows:

ANOTHER TEST?

The Coralville Dam and Reservoir have been in operation about a decade now. That's long enough for it to become accepted as a part of the landscape, long enough to make it difficult to recall when the river in Iowa City wasn't turned on and off like the water from a spigot. It's even long enough so that the bulk of controversy about water levels and discharge rates is confined to election years.

But what is the reservoir? It is:

At summer level, 680 feet above sea level, it is the second largest body of water now existing in the state of Iowa—only Spirit Lake is larger—with a surface area of 4,900 acres. (Completion of the Red Rocks and Rathbun Dams and Reservoirs soon will take the Coralville Reservoir down a couple of places in the rankings.)

During the summer months, June 15–Sept. 25, the reservoir holds more than 17½ billion gallons of water which, its operators, the Army Corps of Engineers, calculate would make 281 billion cups of coffee. At that level, the conservation pool extends 21.7 miles upstream.

During the spring, Feb. 1 to June 15, the level is lowered to 670 feet above sea level to store any flood waters which may come down the Iowa River. The aim, the purpose for which the dam was built, is downstream and on the Mississippi below to reduce flood crests on the Iowa River the point at which the Iowa enters the larger stream at that low level, to which the reservoir is being reduced now, it will extend upstream 17.4 miles and hold 5½ billion gallons of water.

If the reservoir were ever used to capacity, it could hold 156 billion gallons of water, cover 24,800 acres and extend upstream 41.5 miles. It never has been full.

As a recreational attraction, it drew 750,000 visitors during 1968.

Most importantly, as a means of reducing floods on the Iowa and Mississippi Rivers, the dam already has proved its value. In its first years, the reservoir cut down one flood approximately the size of that of 1947, one of the greatest ever on the Iowa. And it has reduced crests on the Mississippi by a foot or so at times when that foot might be the difference between safety and disaster.

If the advance indications are borne out by developments during the next few weeks, the Coralville Reservoir will be tested again, for those indications point to another flood.

COURTS BROKE DOWN FIRST

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. MICHEL. Mr. Speaker, as we all know, one of the major topics of conversation in recent months has been the serious crime problem here in the District of Columbia and many theories have been advanced as to the principal causes. There is general agreement, however, that our overburdened court system and some of the policies pursued by the courts has been a major contributor to the frightening growth in the crime rate, with particular emphasis on the weaknesses of the bail bond law now operative in the District.

An editorial appearing in the February 11, 1969, edition of the Peoria Journal Star, discusses these points in considerable detail and I include the editorial in the RECORD at this point:

CRIME IN WASHINGTON: COURTS BROKE DOWN FIRST

(By C. L. Dancey)

In the last few years Washington, D.C., has become the crime capital of the world, and in 1969 even that high rate of crime has exploded into a new epidemic.

The courts are inundated so completely that they cannot begin to cope with the cases and hundreds of persons captured and facing robbery charges are loose in the streets on bond.

In one case that came through personal contact to my attention, two men entered a business place, one with a sawed-off shotgun, the other with a pistol, took the money, handed it to a confederate and then returned for no other apparent purpose than to shoot the proprietor and patrons. The proprietor opened fire himself and shot both of them.

That was two weeks ago. One of these wounded armed bandits is still in the hospital. The other is out and freed on his own personal bond!

The "wheel of joy" that we once attacked locally in these columns began in Washington, D.C., with the practice of the courts there of assuming that the Constitution requires that bond be given, regardless of the offense, the circumstances, or the character of the accused.

Then the last Congress passed a new beautifully "enlightened" bail bond law.

Soon, a host of persons caught in connection with the crime wave was back on the streets under "reasonable bond" awaiting trial. Meantime, they were under greater pressure for cash than before, even, with the need to "beat the rap" later. If they happen to be revenge-minded, they have also been given their chance. If there were witnesses, they have the chance before trial to do something about them.

Many got caught again—and turned loose on bond the second time, with two "trials" pending, presumably.

Then, as might be expected, the wheel took another turn, as the system itself built up the pressure, and the crime wave took another staggering leap forward.

Now, the courts have so many cases, they can't begin to try them, and they are obliged to turn these desperate men loose on bond—some of them for the third time without any real action!

There are more than 500 robbery cases alone backlogged!

Most cab drivers won't work after 11 P.M. anymore because even for them the streets aren't safe. (But business is good for taxis people with three blocks to go ride cabs—they are afraid to walk.)

On "open store" nights, the downtown is deserted.

Almost every citizen you meet, except the big shots, has had an experience with some form of robbery or assault, and the big shots, from the President down, have had it happen to their employes.

A church that was never closed for generations has closed its doors because a young woman was knifed to death while praying at its altar one evening—because this was not the first such incident there.

Meanwhile, the "government by oratory" goes on in the U.S. Senate, and "government by seminar" goes on in the Supreme Court.

This underlines the problem in all American cities, where in varying degrees crime has also blossomed in recent years.

In Peoria, most of it is juvenile crime, and the massive professional crime problem of not many years ago has been hit some pretty solid blows—with a long list of convictions, a court calendar that is under control, and better bail bond policies.

The fact that it is most unmanageable of all in Washington, D.C., which has the largest per capita police force, and undoubtedly one of exceptional training and selection, is significant.

The problem is not in the police, and not in the "Peorias" policies. The problem had its origins in Washington where all the courts are, in effect, federal courts, and where the judges are so sensitive as to presume that bail is a constitutional requirement.

This is only a clue to their exaggerated sensitivities about other Supreme Court decisions on police actions, evidence restrictions, etc., and accounts for the most massive court breakdown in the land coming in Washington—followed by the inevitable enforcement breakdown.

In fact, while 40 states have clear constitutional requirements for bail—Heaven help them!—in all but capital cases, the federal constitution's requirement for "reasonable bail" is directly out of the old English law which has never applied to anything but bailable cases.

It has always been and still is equally established in English law that a person whose record or circumstances of arrest suggests a serious potential threat to honest citizens may be deemed ineligible for bail of any kind.

It has always been accepted by the Supreme Court that bail can be denied in capital cases—those involving death—and this was the obvious intent of the framers at a time when virtually all present felonies were, indeed, capital cases under law punishable by death.

Yet, senators and judges and lawyers are busy arguing the purity of form instead of the reality of fact . . . and the beneficaries are the criminals of this land, especially, right there in Washington. No wonder they are making the most of it!

Here at home, where the juvenile problem has taken over center stage in the crime problem, it would do us well to look again with a very critical eye at the rash of new juvenile laws which pursue some very pretty theories.

It is time to judge whether those theories have proven sound, or whether we have instituted special practices for juveniles that have not solved the problem, but given it epidemic impulse.

Meanwhile, those who find fault with the police are not looking responsibly to find the real source of "where we went wrong." And we will have to go to the source to set it right.

OUR NATIONAL CEMETERY SYSTEM MUST BE REORGANIZED

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. DULSKI. Mr. Speaker, there is urgent need to reorganize and consolidate our national cemetery system.

I am introducing legislation today to centralize the control and responsibility of national cemeteries in the Veterans' Administration.

This would replace the present ridiculous division of authority over national cemeteries among five different agencies.

The present pattern of national cemeteries is clearly inadequate. There is heavy concentration in the eastern part of the Nation, but even those cemeteries are becoming filled and lack provision for expansion.

For example, in my own State of New York, there are three cemeteries under Army control—the Long Island National Cemetery at Farmingdale, Woodlawn National Cemetery at Elmira, and the Cypress Hills National Cemetery in Brooklyn—and the Veterans' Administration cemetery at Bath.

Of the three Army-controlled cemeteries, Brooklyn is already closed, Elmira is expected to be filled this year and Farmingdale is estimated to reach capacity by 1975. The VA cemetery at Bath is expected to reach capacity by 1976.

Here in the Nation's Capital, restrictions have been placed on burials in Arlington National Cemetery. This cemetery is excepted from the provisions of my bill because the Committee on Veterns' Affairs, recognizing the division of opinion over operation of this site, has asked for further study and recommendations.

The committee, of which I am a member, has looked very carefully into the present status of our national cemeteries and has concluded that the consolidation under the Veterans' Administration is the only solution.

Under the present divided authority, there has been completely inadequate and uncoordinated planning. Indeed for nearly 20 years, there has been a policy opposed to expansion of the cemetery system in the face of more and more need for burial space for our Nation's veterans.

The present disorganized system cannot be allowed to continue.

Mr. Speaker, I am also introducing today legislation to increase the allowance for burial and funeral expenses of veterans. I believe that the time has come to increase the present $250 allowance to $450.

THE BUREAU'S NCIC—INFORMATION IN A HURRY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. ASHBROOK. Mr. Speaker, to law enforcement officers throughout the country the fantastic service provided by the FBI's National Crime Information Center is both familiar and appreciated.

Picture a car being stopped in Baton Rouge, La., for disregarding a stop sign. Because of suspicious circumstances, the number of the operator's license is transmitted to the NCIC in Washington where the computer goes to work. Word comes back to the apprehending officer that the individual is wanted by the FBI in connection with a bank robbery in Queens, N.Y. The entire operation took less than a minute.

The uniqueness of this instant-information setup explains why in only 2 years 47 States, plus the District of Columbia and Canada, are now capitalizing on this invaluable service. In 1968 the NCIC computer handled a message from local, State, or Federal police agencies—on an average of every 3 seconds of each day.

Briefly, NCIC is a computerized system which stores information concerning wanted criminals and stolen property, including vehicles, guns, securities, and other identifiable items. With unbelievable speed an officer on the west coast can have for his reference pertinent data on a suspect from the huge storehouse of information assembled in Washington. As far as persons are concerned, the data pertains to criminals only, and is for use solely by law enforcement personnel.

In Pennsylvania, the city of Philadelphia, recognizing the potential of the new program, was one of the first to participate. Police Commissioner Frank Rizzo is understandably "high" on NCIC as a weapon to help protect the law-abiding citizens of that city. The Philadelphia Inquirer, in its Sunday issue of February 9, gave a detailed description of how the system operates. Written by Saul Kohler of the Inquirer Washington Bureau, the article, "FBI's Incredible Computers Tighten the Noose on Criminals," points up the tremendous assistance rendered to both Philadelphia and the State of Pennsylvania by this FBI-pioneered development.

Director J. Edgar Hoover is quick to point out that "much of the center's success is due to the excellent cooperation and enthusiastic interest shown by local and State police agencies in connection with its development." Certainly, the Bureau and its State and local counterparts are to be commended for their efforts in this venture.

Who knows how many would-be criminals might think twice about NCIC and their ever-decreasing chances of success—and go out and get an honest job.

I insert the above-mentioned article by Saul Kohler in the Philadelphia Inquirer of February 9, 1969, in the RECORD at this point:

INSTANT DATA FOR POLICE EVERYWHERE: FBI'S INCREDIBLE COMPUTERS TIGHTEN THE NOOSE ON CRIMINALS

(By Saul Kohler)

WASHINGTON.—Crime doesn't pay, and every day it's paying a little less because of a new era of cooperation between city, state and federal authorities.

Spearheaded by the Federal Bureau of Investigation just two years ago, the National Crime Information Center has become one of the most valuable tools available to officers of the law. Its value is incalculable and the number of policemen's lives it will save could run into the hundreds.

FBI Director J. Edgar Hoover has hailed the NCIC as "a real break-through in fighting crime." And his enthusiasm is matched by local officials. Philadelphia Police Commissioner Frank Rizzo calls it "tremendous" and points with pride to the fact that the city was one of the first to join.

Col. Frank McKetta, Commissioner of the Pennsylvania State Police, uses the same adjectives, but goes a step further—he would like to see every local police department give the system the same selfless cooperation which his own force has shown.

You have to know about computers to appreciate the inner workings of the system. But let it suffice to say that in a demonstration for the Inquirer Washington Bureau, agents of the FBI were able to get a "no record" response to the name of the reporter, his birth date and his Social Security number.

And it took three seconds.

DOSSIER IN 9 SECONDS

The next test took a little longer. An agent-supervisor fed the machine the name of Charles Lee Heron, one of the FBI's 10 Most Wanted Men. The result was: His name, his description, his aliases, the fact that he was one of the most wanted, the details of a holdup he committed in New Jersey, his charge of murder in Kentucky and the warning that he was armed with a revolver.

That took nine seconds.

Philadelphia Police Inspector James Herron, who is in charge of communications and computers for the force, calls the speed of the system "remarkable." And so it is:

In Baton Rouge, La., a detective stopped a car for going through a stop sign. He didn't like what he heard in reply to his questions. He asked the driver to wait a moment and used his radio. In less than a minute he had his answer: The car was stolen, the driver was wanted for robbing a bank in New York two days earlier.

On the Pennsylvania Turnpike, a state trooper sees a car speeding. He telephones the information to regimental headquarters, right from his car and even as he follows the speeder. He gets a report that the driver is wanted and may be armed. He gets help and approaches the speeder with caution. Perhaps even with his revolver drawn.

Montana State Police stop a car hauling a trailer. A man and a woman are in the vehicle and it looks as innocent as the day is long. While one officer keeps the couple under surveillance, the other uses his equipment. Moments later (it really takes longer to tell about it than to live it), this information cames back: The trailer was stolen in California, the car in North Dakota; the woman is wanted in North Carolina and the man is being sought by Florida authorities.

NARROWING THE ODDS

Incredible? Yes, it is. But that's the way they do things these days—and they're going to do them a lot better before too long.

Inspector Herron would like to see the day when the "MO" of each wanted criminal is placed into the data bank so the search can be narrowed down when there is a particularly unusual crime. He wants to see the criminal history of each wanted man and woman entered into the files.

In short, Herron—like all police officers and most citizens everywhere—wants to eliminate the even break for criminals and give society the long end of the odds.

He, Rizzo and McKetta are lavish in their praise of the FBI, which pioneered this system. The bureau is proud of what is has accomplished in two years, feels it can make even greater strides in the coming years and points out that the system is paid for by the Federal Government—except for the local police officers and clerks needed to run the terminals.

Rizzo uses eight policemen and two clerks to staff his terminal 24 hours a day, seven days a week. And if you closed the center, you'd cut a little out of Frank Rizzo's success story.

It has worked so well that the medical profession is interested in starting something similar—putting patient information on a national circuit so a man from Philadelphia can be treated in Los Angeles if he is taken suddenly and inexplicably ill out there.

"But in medicine, you would be dealing with the personal lives of innocent people," an FBI agent said. "And that's something we don't do here at the center."

LIMITED TO LAW AGENTS

"This is not a 'Big Brother' operation, not by any means. This is strictly information on actively wanted persons, and the users of the information must be law enforcement agencies staffed by law enforcement personnel."

If it has a number, it can be placed into the discs which comprise the data banks of the machines located in FBI headquarters here. They used to use rolls of tape, but now even the computers have become more sophisticated.

Everybody smiles, because the equipment is manufactured by International Business Machines, and the Justice Department—parent organization of the FBI—has gone after IBM in the Federal courts, charging violation of the antitrust laws.

But they point out quickly that the IBM equipment interfaces with machinery manufactured by other companies, and that no police agency anywhere is told which equipment to buy.

A total of 78 police forces in 47 states—plus the Royal Canadian Mounted Police—are part of the system. Only Wyoming, North Carolina and Alaska still haven't joined, and this, too, will be taken care of soon.

"In Alaska, there is a geographical problem, but we are solving that—after all, Hawaii is in the system," an agent said. "Wyoming and North Carolina have internal problems, such as whether the Bureau of Investigation or the Highway Patrol should be the participating agency.

"When their legislatures meet and iron out the details, they'll join in."

All the police involved have one common comment—you get out of the system only as much as you put into it.

"I think it already has proved its worth, but I feel that many departments still must gear up for NCIC to reach its full potential," Col. McKetta said. "They may think they have one terminal in Harrisburg for the State Police, but I consider that we have 96 terminals—at least one in every county.

"I like to think of our entire teletype network as being part of this system and that each man on patrol in a radio-equipped car also is a part of it."

The commissioner is so high on the program that he's planning orientation courses for the smaller police departments around the commonwealth, to teach them the best way to use the system for the good of society.

The system is unique because of its speed, and for this reason it has drawn observers from all over the world. Israel, for example, is attempting to set up a similar operation.

"They have it a little easier than we do," an FBI official said, "because when they started their little country they gave everybody a number for identification purposes. This is something we have never done in the United States."

How about Social Security numbers? Well, that's a start, but it is simple for a man—so far, at any rate—to get a couple of different ones. And anyway, criminals don't contribute to Social Security. But there are other numbers available to NCIC.

The speed is important in another way. Sure, it saves the lives of officers who ask for help if they are told there is danger. But it keeps police within the letter of the law.

The Supreme Court has ruled that a policeman must have "probable cause" to search and hold a man. A quick exercise in NCIC-manship establishes that probable cause, if it exists.

SCORE ON FIRST DAY

"We are proud to have been a part of this system since its beginnings two years ago," Commissioner Rizzo said. "In fact, we made the first 'hit' on it the day it went into operation. A car had been stolen in New York and it turned up in our city.

"I consider the cost very, very small—the Federal Government pays most of it through an appropriation by the Law Enforcement Assistance Agency—but whatever it is, it's worth it."

Rizzo pointed out that in addition to people the system helps track down cars, license plates, typewriters and other office machines, cameras and firearms.

And the FBI added currency, securities, government bonds, travelers' checks—indeed, anything that can be traced by a number.

The agents who man the center (most of them have the square jaw of Dick Tracy and the habit of quoting J. Edgar Hoover instead of themselves) try to be blase about their system. But there is a hint of pride in everything they say when they talk about it.

They consider the Philadelphia and Pennsylvania State Police forces their best customers—in a typical week early this year the city police used the system 6880 times and the state troopers 4200 times—and they note that their services include 50 statewide systems, 100 major cities and 800 small police departments who come for help.

"The idea originated in this bureau and Director Hoover gave it his wholehearted support," the agent supervisor said. "He is a great champion of NCIC, and to use its services must make you an advocate of it."

Inspector Herron is living proof of that statement.

RAPID AND ACCURATE

"You can't give enough credit to the FBI," he said in an interview while visiting Washington. "They came up with the idea and we in the Philadelphia Police Department consider this one of the greatest strides forward in the history of police work.

"This is the only area where the city, state and Federal authorities work together and do it well and effectively. The NCIC system is marked by speed and accuracy, and that's what we need the most."

A by-product of the system itself is the manual for its operation, rapidly becoming the bible of communications between jurisdictions.

"The departments have to talk to each other, so they have to talk the same language," the FBI spokesman said.

He smiled as he looked over the busy terminal room, which looks for all the world like an insurance office.

"You must keep it going and you must keep it updated," he said. "This is a pretty fast-moving operation."

"We have to give credit for a lot of the success to the participating departments. After all, the success has been based on their cooperation—and if we had a few more Philadelphias and a few more like the Pennsylvania State Police, we'd be even better."

Better? It may seem impossible, but the FBI feels there is room for improvement, even in the present scope of the operation.

The agents can't emphasize enough the need for speedy reporting to the data bank.

"A car is stolen in Philadelphia and the thief can be in New Jersey in 10 minutes," the agent said. "An hour later he can be in New York, Delaware or Maryland.

DATA INSURE "HITS"

"Someone might spot that car. Some officer somewhere might stop the driver for speeding. But if there is no information in the system, they'll let him go. I've seen 'hits' inside of two hours—and only because the departments which form the system cooperated with it."

There are certain ground rules, of course. In addition to human beings, the data banks will accept the numbers of stolen firearms regardless of value, and description of stolen property other than guns if that property is worth $500 or more.

"There is an exception," the FBI man said. "If the property is necessary in an investigation, we'll take it regardless of the value. For instance, the kidnap victim might be wearing a watch worth $5, but it might lead to the kidnaper."

As for people, the NCIC is not interested in traffic violators. The offense must be a felony or serious misdemeanor. In short, would the state which is searching for the micreant go through the trouble of extraditing him if he is arrested in another jurisdiction?

If the answer is yes, the center is ready, willing and able to help, regardless of the hour or the day of the week.

In one 24-hour period last month, the computer received and transmitted 72,618 messages in servicing local, state and Federal law enforcement agencies.

Other Federal "clients" include the Immigration and Naturalization Service, the Internal Revenue Service, the postal inspectors and the Federal Narcotics Bureau.

The computer itself is connected to special equipment operated by the local agencies all over the country. In Philadelphia, the terminal is at the "Roundhouse," the Police Administration Building.

In Harrisburg, it is located at regimental headquarters of the State Police, in the Highway and Safety Building of the Capitol.

The participating agencies need only type the information on teletypewriters—and voila, it is stored for reference. To withdraw information, these agencies type their requests and get their replies in seconds. Once the data is placed in the system, its processing is completely automatic.

"You might say it is untouched by human hands," the FBI declares in a rare display of joviality.

Indeed, once the information is fed into the computer, anyone anywhere can draw it out at once.

AVERAGE OF 25,000 TRANSACTIONS DAILY

The FBI even goes so far as to make certain that the local police aren't asleep at the switch. They'll call the attention of the inquiring agency to a "hit" in the interest of justice and cooperation.

Two years ago—the system got under way on Jan. 27, 1967—the NCIC was operating about two hours a day. In January 1969, there was an average of 25,494 transactions a day (one about every three seconds), with roughly 200 "hits" daily.

As of the new year, a total of 754,429 records were on file at the center.

Actually, the NCIC should provide an example, and a deterrent, to young people who think a life of crime is the good life.

"Some people keep on brushing with the law," the FBI man said. "The trouble was that before the inception of this system, the law couldn't put it all together. Now it can."

The idea for NCIC grew out of the need for vital information in a hurry. But Frank Rizzo looks at it another way.

"Let's say there is a killer at large," he said. "Our officers are supposed to check the files before reporting for duty. But we're human, and some day some patrolman is going to miss some flyer—and that killer may slip through our fingers.

"This way, let's say the policeman stops a car. The man shows him a driver's license. While the officer is questioning him, his companion can call in the information and within seconds, we'll have it.

"If the man is not wanted, there was no harm done. If he was the killer, we've helped the cause of justice."

To carry it a step further, supposing a lone policeman stops a car on a back road somewhere. He approaches and the killer, seeing the uniform, panics. He fires at the officer—and another lawman has lost his life in the pursuit of his duty.

But if the car can be checked out, the policeman might save his own life by placing a request for an NCIC check on the air—and holding off for the few seconds it takes to get the results.

Because this essentially is a numbers game, the FBI has set these standards for making inquiries:

Guns—Local police must have the make and serial number.

Articles (such as TV sets)—Type and serial number.

Vehicles—The identification number, or license number and state of registration.

Securities—Type, denomination and serial number.

Wanted persons—The name and date of birth or any other "personal descriptor."

HOW SPEED PAYS OFF

The term "personal descriptor" includes any military number, alien registration number, mariner's document number, police identification number, passport number, port security card number, Selective Service number, Veterans' Administration claim number, driver's license number and, of course, the Social Security number that has become so popular in identification.

Any department having any of this information is able to draw from the "bank" of data which not only is unbelievable but is impossible for the layman to fathom.

Think of two million pieces of information on a single disc light enough for a child to hold in his hand—with the ability to search out the proper fact at random in a matter of seconds—and you have some idea of what NCIC is and how it functions.

In fact, when you think about it, there is more time spent in typing out the request than in getting the information.

Because police can hold suspects for a reasonable time only the speed is important.

A man was arrested for disorderly conduct in a New Orleans taproom. He was taken to headquarters for booking and while he was being entered in the "blotter," a request went out to NCIC. Before the desk sergeant could complete the entry, the reply was received.

The man was wanted for murder in California.

In the past, the suspect would have been held a short time, brought before a magistrate and fined $5. He would have paid the fine and the police would have released him. And by the time there was an exchange of fingerprints with the FBI, he would have been anywhere.

"BANK" FOR FINGERPRINTS

The point is he would have been anywhere but New Orleans and he might have eluded officers again and again—and possibly killed again and again.

The FBI, when it has sweet dreams, envisions using a similar data bank in the National Crime Information Center to store fingerprint facts. But this is so far in the future they're reluctant to talk about it.

Meantime, they're anxious for every shred of information possessed by local and state police. And men like Frank McKetta are cooperating.

"We collect information from local police departments into our own data bank," the State Police Commissioner said. "Eventually we will include all our own data in the NCIC, and then Pennsylvania will have a truly integrated system."

McKetta envisions tying the system in with the Department of Revenue, which has control of car registrations in Pennsylvania—and sharing with the rest of the nation the information which he has at his disposal.

Rizzo puts it another way:

"We feed the system every day and we draw on it every day. The human factor is eliminated, and I believe we should be feeding even more information into it.

"It's tremendous and the Philadelphia Department is doing all it can to help expand this system to its full capability."

The FBI believes "full capability" will have been achieved only when wanted men are at an absolute minimum and when pictures in the post office are there strictly for decorative purposes.

RESCHEDULE OF PAY—ARMED SERVICES

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. TIERNAN. Mr. Speaker, in the 90th Congress, I sponsored H.R. 15507, a legislative proposal to equalize the compensation of military retirees by basing their retired pay upon current active duty rates, as provided by law prior to 1963.

At that time, the Department of Defense opposed the measure primarily upon the grounds that the issue had already been resolved by Congress. However, they also issued some figures showing that if the recomputation system were restored for the future, the cost would grow in a little over 70 years to a rather staggering figure each year, assuming the maintenance of forces of the present strength throughout the entire period.

I believe that military people, both active and retired, who entered military service prior to June 1, 1958, when the recomputation principle was suspended, have the right to have their retired pay computed no less favorably than was provided by law when they undertook the obligation of a military career in anticipation of such benefits.

I am today introducing a simplified version of H.R. 15507, which would accomplish the basic purposes of the previous legislation through an amendment to chapter 71 of title 10 of the United States Code.

This amendment would provide recomputation generally for retirees who entered the service prior to June 1, 1958. The new proposal, by eliminating the application of the legislation to those persons who entered the service after the system had been changed, would reduce the ultimate cost. It would cost the same as the original proposal only for the first year of its effectiveness and would show a cost savings from the Defense estimate beginning in 1978, with the savings rapidly escalating in future years.

I also believe that restoration of these earned benefits would have so favorable an effect upon the active duty forces that savings would result from a more favorable retention rate in the active force.

I urge my colleagues to join with me in support of this much needed amendment.

ROCKY: HIGH TAX OR SKINFLINT?

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. BRASCO. Mr. Speaker, since the recent election day, Gov. Nelson A. Rockefeller, of the State of New York, apparently embarked upon a change of policy and a change in his image. Assemblyman Stanley Steingut, the distinguished Democratic minority leader of the New York State Assembly, has had occasion to reflect publicly upon this transformation at the annual dinner of the Empire State Chamber of Commerce, in the presence of the Governor, on Tuesday, February 4, 1969, in Albany. I believe that our colleagues would like to share Mr. Steingut's reflections. The text of Assemblyman Steingut's address follows:

I am delighted to join with leaders of the business communities this evening. And I am grateful for the opportunity to share this platform with the distinguished Governor of our State, Nelson A. Rockefeller.

I have been a member of the State Assembly during the entire period that Governor Rockefeller served as Chief Executive. It has been my privilege to support the Governor on some of his programs and policies. On other occasions, it has been my duty and responsibility to oppose them.

That does not mean that I am ambivalent towards the Governor. I have deep affection for him as a human being. I admire his courage and envy his talents.

Frankly, I don't really believe any of this. But so much of that old brotherhood and good will is oozing out of the atmosphere tonight, that I feel constrained to be on my best behavior, lest my hosts, the Empire State Chamber of Commerce, never invite me again as a cad and a clod.

Actually in the recent past, the Governor and I have been drawn very close to each other. That's because we shared a common disaster.

A funny thing happened to the Governor on his way to the White House. And a funny thing happened to me in the Assembly on my way to the rostrum.

It has been truly written that adversity is an ennobling experience. In both the Governor's case and mine, our normal sympathies for the alienated and disaffected has been enlarged to embrace each other.

Indeed, herein lies the basic reason why I resigned as Chairman of the Kings County Democratic Committee, when I was elected Minority Leader. I just could not see myself walking into a Rockefeller office and pretend to be a Boss. I had no recourse but to accept gracefully my demotion to Minority Leader.

I confess to a feeling of disadvantage, in appearing on the same platform with the Governor, at a meeting of business executives of our great State. I assume all of you share the Governor's view that an increase in State income taxes will create so massive an exodus of executive talent, as to make the Biblical Exodus appear like a promenade.

I concede that I lack the Governor's perceptive insight into what makes the executive talent click. In my ignorance and naivete, I wouldn't give two cents for an executive who finds happiness in his tax haven in Waukegan.

Try as I might, I can't figure out what Jack Benny would be doing at this moment, had he never left Waukegan.

As a member for many years of the State Legislature, I am certain that all of us, Democrats and Republicans alike, share the Governor's concern over the character of the Budget for the next fiscal year. Those of us, who have served in the Legislature, during the Governors terms of office, are convinced that it was only with greatest reluctance that he recommended reductions in education, health, and welfare programs and in State aid to localities programs. To paraphrase a slogan that achieved questionable popularity, just a little more than four years ago: In his heart, the Governor knows he is wrong.

In his Budget Message, the Governor called upon the Legislature, and the public generally, to view our fiscal problems in "their larger perspectives." It is not out of generosity of spirit that I join in the Governor's recommendation to so view the budget. In fact, I suggest that it is imperative that we do so.

It is just little more than a month ago, that we all glowed with pride over the Apollo flight to the moon, and we all glowed in the reflected glory of the courage and skill of the Astronauts, and in the scientific and technological achievements we demonstrated. As a Nation, we can reach the moon. As a Nation, we have millions of children whose reach fall short of their daily bread.

In what proved to be his last speech as Ambassador to the United Nations, Adlai Stevenson said: "We travel together, passengers on a little space ship, preserved from annihilation only by the care, the work, and I will say the love we give to our fragile craft."

The conditions under which life can survive and grow are so limited that, to the best of our knowledge, they exist only on the surface of the earth. Even if we land men on the moon, they can survive there only to the extent that they are linked to the earth, as by an umbilical cord.

Throughout the Nation, economic and social forces, seemingly beyond control, are driving increasing numbers of people from the farms to the urban centers. Industrial smog spreads from our cities to the countryside, while sewage and chemical effluent pollute our rivers, our lakes, and our water resources.

In the larger perspective in which, at the Governor's urging, we examine the budget, let us not forget that the vast majority of babies born today will witness the dawn of the 21st Century. Our Budget for the next fiscal year is not only a fiscal plan for the year ahead. It is also a blueprint for tomorrow; it sets the framework through which we should see a picture of the kind of heritage we leave for our children and our grandchildren, when they face the brave new world of the 21st Century.

We are an affluent society. Yet there is a malaise in the land. Hunger stalks our land; fear stalks our streets; and remorse stalks our conscience over the rising tide of racial discord and violence. Too many of our youngsters resort to drugs and narcotics to ease the pain of their daily life.

As we glimpse the future, we know that we shall need more rather than less education, to cope with the growing complexities of life and with the needs of a growing technological society. Our people will refuse much longer to suffer the indignities of slum life, the enduring disabilities of inadequate education, maternal and infant mortality rates so high that they demean our society. As we glimpse the future, we know that we shall need more rather than less public services.

As a nation, we spend millions on ballistic missiles, hundreds of millions on anti-ballistic missiles, and billions on anti-anti-ballistic missiles, as if our Nation's security depended on the endless proliferation of prefixes. Certainly we must reorient our priorities, to bring rays of hope to the nation of poor, within our Nation, whose daily lives are circumscribed by an endless struggle for the basis necessities of life—food, clothing, shelter.

In his Budget Message, the Governor called for a program of Federal revenue sharing, in order to preserve the relative competitive position of the individual States, in relation to attracting and retaining industry and commerce. No one can quarrel with the Governor's recommendation.

However, it is also true, that within our State, counties, cities, towns, and villages also compete for commerce and industry. And the State aid to localities programs, at least in part, tended to equalize the relative competitive positions of our local governments. Indeed, the shift of the burden of government costs to property taxation will tend to destroy the relative competitive positions of the localities. I suggest, further, that such a shift to property taxes, will impair the competitive position of the State as a whole. Corporate executives, seeking locations for new plants, are more concerned over property taxes, than they are over most other taxes.

And let us not be blind to the revolt of the homeowner and the business man over increasing property taxes. In recent years, an increasing number of school districts in our State found their school budgets rejected by the people, because the budget required an increase in property taxes. In Youngstown, Ohio, schools were closed for a full month, because of a revolt of the property tax payer. We certainly want no Youngstowns in New York.

It is within this context, and from this larger perspective, that the people of our State, through their local public officials, through spokesmen of business, industry, and labor, through civic and community leaders, will make known their views on the Governor's Executive Budget, at legislative hearings next week.

It is my fervent hope, that as a consequence of those hearings, that the Governor and I will not once again share a common disaster.

That would be tragic for both of us. The Governor and I remain of an age, that across the horizon new conquests beckon us. And we are prepared to face those challenges, with the political skills that so recently failed us.

We all know that the Governor is now busily engaged in making whistle stops to change his image. Before too long, he will no longer be known as High Tax Rocky. We shall soon affectionately call him Skinflint Rocky.

Just the other day, the Governor spoke enviously of how more pleasant things were in Arkansas. Here in New York, the Governor said, we get back only five cents for each dollar the Federal government takes from us. Arkansas gets back three Federal dollars for each dollar in Federal taxes.

As a native, and life-long resident of Brooklyn, I never thought I would see the day when a Rockefeller would find greener the grass in another man's field.

But it figured. I discovered that the greener grass in Arkansas belonged to his brother.

There is comfort in all of this for the Governor. He is the only person in the United States who, for 27 months, has his own, private, hand-picked United States Senator. Our Constitution thus makes our Governor the equivalent of half a State. Among his intimates, he is now known as Half-Nelson.

As I leave the rostrum in behalf of the Governor, I trust that this evening, in relation to me, he will be only Half-Hard.

TRANSFER OF TITLE OF BROOKLYN NAVY YARD TO CITY OF NEW YORK REQUESTED

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. ROONEY of New York. Mr. Speaker, some 2½ years ago with little regard for fact, history, or consequences of the act, the New York naval shipyard, known as the Brooklyn Navy Yard, was closed by the Department of Defense. Almost 10,000 skilled, loyal workers found themselves looking for other employment. It was, in short, a very tragic time, a bitter time, a time of anger. Bitterness and anger, yes. Despair, no. For the people of Brooklyn refused to quit and together with their elected representatives in the city and State governments and the Congress have fought continually to once again make the navy yard area a productive area.

On January 27, 1969, the distinguished minority leader of the New York State Assembly, the Honorable Stanley Steingut, addressed the State assembly on the navy yard problem. Following his remarks the State assembly and the Senate approved a resolution requesting the Congress "to approve as expeditiously as possible proposed legislation to permit the transfer of title to the New York naval shipyard to the city of New York, without cost, for the governmental purpose of redevelopment of such property as an industrial park."

Under the permission heretofore granted me by unanimous consent, I include the remarks of the Honorable Stanley Steingut and the resolution as approved by the New York State Legislature:

REMARKS OF THE HONORABLE STANLEY STEINGUT

In June, 1966, the New York Naval Shipyard, in the Borough of Brooklyn, was closed down and declared surplus Federal property. The consequences of the Shipyard closing were tragic for the people of our Borough.

To us it meant the loss of one of our most cherished landmarks and the loss of an institution, almost as old as our Republic, which had served as a vital link in our Nation's defense since 1801.

To ten thousand skilled and trained workers, the closing of the Naval Shipyard resulted in loss of jobs, uprooting their families, and in some cases daily commutation to Philadelphia, for jobs where their skills would be fully employed.

To the people of our City and State, the closing of the Naval Shipyard meant the loss of employment opportunities for the jobless, financial losses to vendors and suppliers of the Shipyard, and economic losses suffered by the community as a whole, when so significant an industrial operation ceases to function.

Monumental efforts were promptly taken to bring new life and vitality into the area. Mayor Lindsay, the Board of Estimate, and his Administration have devoted unstintingly of their time and energies to plan for the redevelopment of the Naval Shipyard, in a manner to best serve the interests of our people. The same is true of Governor Rockefeller and his Administration.

In our own Borough, the Borough of Brooklyn, leaders of commerce, industry, and labor, community and civic and minority group leaders, organized the Commerce, Labor and Industry Corporation of Kings, commonly known as CLICK, to plan for the development of the industrial park, to inspire the interest and investments of commerce and industry in the area, and to insure a flow of manpower into the area for decent jobs, with adequate training programs, to provide for the upward mobility of labor from unskilled and semi-skilled jobs to skilled classifications. CLICK has been officially designated by the Mayor and the Board of Estimate as the agency responsible for the project.

I am among those who initiated the organization of CLICK and I am proud of the progress we have made. Mr. Hilly, and those who have worked with him, have tackled the problem with zeal and imagination. Having worked so hard and diligently on this project for two and a half years, we now can almost see the day when the real, hard work begins—to make a reality of the challenge that has been before us.

This past Friday, Vice President Spiro Agnew and Mayor Lindsay, in a joint conference made public policies of the Nixon Administration to make available surplus Federal properties, at below market values, to permit their development for commerce, industry, and economic expansion. Such a policy is essential for the economic growth of our Nation. Such a policy will bring jobs to the unemployed, reduce mounting welfare costs, and bring a better quality of life to those subsisting at poverty levels.

The Vice-President suggested the possibility that property may be transferred to the City without cost—a prospect whose consummation is devoutedly to be wished. The transfer of this property to the City at below market value, or without cost, does not involve a major change in Congressional policy. Surplus Federal properties may, at the present time, be sold at below market value, where the property will be used for park or recreation purposes. All that is necessary is for Congress to give to the war against poverty, to the need for economic growth and expansion, the same National properties which the Congress has long since given to parks and recreation.

The urgency for immediate action is clear. A developer stands ready to invest more than $50 million dollars to install facilities that will provide 3,000 jobs. We cannot delay too long, without fearing the loss of the prospective investor and the 3,000 jobs.

In so far as the State Legislature is concerned, I am pleased to acknowledge that it has done what is necessary to move this redevelopment program to reality. In 1967, and again in 1968, on Home Rule Messages from the Mayor and the City Council, the State Legislature adopted laws giving the City of New York power and authority to develop the Naval Shipyard area. The Resolution before you today simply confirms action we have taken in the past and attests to our continued concern and interest in this problem.

Governor Rockefeller, and Mayor Lindsay are in Washington today meeting with Vice President Agnew, our two United States Senators, and representatives of the Brooklyn Congressional delegation. The Resolution before us now is designed to add our voice to the massive efforts now under way to bring the redevelopment plans for the Naval Shipyard to the point where they can be put into operation. What we have in Brooklyn is a blueprint for progress. I urge adoption of this Resolution, so that the promised economic development and job opportunities may become a reality.

RESOLUTION No. 37

Concurrent resolution of the New York State Legislature memorializing Congress to act expeditiously on proposed legislation to transfer title to the property known as the New York Naval Shipyard, in the Borough of Brooklyn, to the city of New York for redevelopment as an industrial park

Whereas, The New York Naval Shipyard, in the Borough of Brooklyn, was closed in June, nineteen hundred sixty-six, and such closing resulted in the loss of ten thousand skilled and well-paying jobs, in the impairment of employment opportunities for others, and adversely affected the economy of the Borough of Brooklyn and of the City and State of New York; and

Whereas, The Legislature of this state has already demonstrated its approval of the redevelopment program by enacting chapters five hundred eighty-two and seven hundred fifty-seven of the laws of nineteen hundred sixty-seven and by enacting chapter ten hundred sixty-one of the laws of nineteen hundred sixty-eight, such laws authorizing and empowering the City of New York to undertake such redevelopment program; and

Whereas, The Mayor of the City of New York, the members of the Board of Estimate, the Governor and concerned departments of the State and City of New York, and the Commerce, Labor and Industry Corporation of Kings (CLICK), a non-profit corporation representing commercial, industrial, labor, community and civic leaders of the Borough of Brooklyn, have jointly developed plans for the redevelopment of the New York Naval Shipyard as an industrial park; and

Whereas, The successful completion of such redevelopment will result in the creation of twenty thousand on-site jobs and an equal number of off-site jobs among vendors supplying materials, goods, and services to industries located on the site; and

Whereas, The creation of such jobs will create employment opportunities for the unemployed, reduce the burdens of welfare costs, and promote the economy of the Borough of Brooklyn, the City and State of New York and of the Nation; and

Whereas, It is essential for the development of the industrial park that the federal government transfer the property as expeditiously as possible to the City of New York at below fair market values; now, therefore, be it

Resolved, (if the Senate concur), That the Congress be, and hereby is, memorialized to approve as expeditiously as possible proposed legislation to permit the transfer of title to the New York Naval Shipyard to the City of New York, without cost, for the governmental purpose of redevelopment of such property as an industrial park; and be it further

Resolved, (if the Senate concur), That copies of this resolution be transmitted to the Congress of the United States by forwarding one copy thereof to the Secretary of the Senate, one copy to the Clerk of the House of Representatives and one copy to each member of the Congress from the State of New York.

By order of the Assembly.

DONALD A. CAMPBELL,
Clerk.

CRISIS IN WORLD STRATEGY: PROGRAM FOR THE NEAR EAST

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. RARICK. Mr. Speaker, the 7-day Arab-Israel war of June 1967 closed the Suez Canal, diverted European shipping around the Cape of Good Hope and disrupted world commerce. Since then, a series of incidents between the Arabs and Israelis has repeatedly emphasized the deadly struggle in that ancient crossroads—a struggle that antedates Alexander the Great.

As stated by General MacArthur in his immortal 1951 address to a joint session of Congress, this struggle is global and so interlocked that to consider the problems of one sector, oblivious to those of another, is but to court disaster for the whole.

As demonstrated by recent events other focal points in the world situation are—

First. The Denmark-Alps line in Europe where Soviet forces in 1968 occupied Czechoslovakia and face the forces of NATO nations.

Second. Southeast Asia where the United States is carrying the greatest part of a major war that has already claimed over 37,000 American lives.

Third. Southern Africa, where our own Government has applied mandatory economic sanctions against Rhodesia, thus opening the backdoor to war with South Africa and other countries in that vast area, for which effort the once great Carnegie Endowment for International Peace has prepared a general staff type of war plan.

Fourth. Panama, where officials in one government have jeopardized limited ownership and control of the strategic Canal Zone territory and the Panama Canal in an area of endemic revolution and endless political instability that is acutely vulnerable to Communist revolutionary subversion.

Eminent students of world strategy have written extensively about all of these focal points and some of their commentaries are recorded in the CONGRESSIONAL RECORD. My statement, "Crisis in World Strategy: An Appraisal," in the Appendix of the CONGRESSIONAL RECORD of April 18, 1967, before the Arab-Israel war of that year, is but one example.

The latest contributions to the literature in world strategy are a four-part series of articles by Dan Smoot, an exceptionally able and careful writer, in the January 20 and 27, and February 3 and 10, 1969, issues of the Dan Smoot Report. In these, he presents the key problems of the Near East and offers a realistic plan of action for the United States.

The four indicated articles follow and are commended for study by all Members of the Congress and cognizant officials of the executive branch as well as editors and professors:

[From the Dan Smoot Report, Jan. 20, 1969]

ISRAEL—PART I

Palestine is a region of some 10,000 square miles (about the size of New Hampshire) at the southeastern end of the Mediterranean Sea. It is the Canaan or Promised Land to which Moses led the children of Israel who fled from bondage in Egypt. Many centuries passed, however, before the Jews built a strong, national state in Palestine.

For a brief time at the beginning of the 10th century before Christ (during the reign of King David), the Jewish nation included in one dominion all of Palestine (and a little more). But before long, the nation had split into two Hebrew kingdoms: Israel, the larger of the two, occupying most of Palestine north of Jerusalem; and Judah, a diminutive kingdom which included the city of Jerusalem and some contiguous territory. Assyrians conquered the northern kingdom of Israel in 722 B.C. One hundred and thirty-five years later (587 B.C.), Nebuchadnezzar conquered Jerusalem. The Babylonian Captivity began, and the kingdom of Judah vanished.

The Maccabees established a new Jewish nation in Palestine in the second century, B.C., but it lasted only 79 years.

For the next 2000 years, Palestine was a province or protectorate of various empires. Since the 7th century A.D., Palestine has been occupied largely by Arabs.

When the Ottoman Turks captured Egypt in 1517, Palestine became a province of the Ottoman Empire, and remained in that status for four centuries.

In the late 19th century, the zionist movement emerged in Europe and the U.S. The purpose was to colonize Palestine with Jews from Europe and elsewhere until there would be enough Jews there—controlling the wealth and industry of the land—to create a Jewish nation.

Actual colonization (by a few European Jews, financed by the fabulously wealthy Rothschild family) began in 1883. International political zionism, as a movement to reclaim Palestine for the establishment of a Jewish state, was formally organized four years later, in 1897. Since then, the movement has been largely financed and directed by American Jews.

Simultaneously with the emergence of zionism, Arabs in Palestine were developing a strong sense of nationalism, yearning to throw off the Turkish yoke and to establish an independent Arab nation.

At first, there was little conflict between zionism and Arab nationalism—primarily because an insignificant number of Jews chose to immigrate to Palestine. In 1914, for example, after 31 years of zionist colonization, 94% of the Palestine population was still Arab.

When World War I began in 1914, Turkey became an ally of Germany. On August 30, 1915, the British promised to support Arab independence for all Arab lands (including Palestine) within the Turkish empire, if Arabs would support Great Britain's war against Turkey. Arabs revolted against Turkish rule on June 5, 1916; and Arab guerrilla forces were organized to support the British military campaign against the Turks.

But the British were also making deals with Jews—not because of any military assistance Jews could give in Palestine, but because of the enormous wealth, power, and influence of world Jewry, especially in America.

In November, 1917, the Earl of Balfour, British minister of foreign affairs, issued the Balfour Declaration, giving a British pledge to world Jewry that a "National Home for the Jewish People" would be established in Palestine, with a proviso that the religious and civil rights of other sections of Palestine's population were to be safeguarded. Winston Churchill later (in 1922) asserted that the Balfour Declaration merely intended to support the idea of a Jewish *home* in Palestine and that the creation of a "wholly Jewish Palestine" was never contemplated. The British also later asserted that their 1915 promise to Arabs did not contemplate Arab political control of Palestine.

Whatever the intent of the British, Arabs helped the British in World War I because they thought they had the British promise to support Arab political control of all Arab lands, including Palestine; and the zionists considered the Balfour Declaration a promise to support the establishment of a Jewish nation in Palestine.

In December, 1917, British military forces, with the help of Arab guerrillas, wrested Southern Palestine from the Turks. Arab guerrillas were subsequently organized into an Arab national army, which helped the British smash the Turks in 1918. This was the deathblow to the old Turkish empire, and it ended Turkish control of Arab lands.

Following the cessation of military action (October 30, 1918), the British placed the head of the Arab national army in charge of the military administration of Syria and much of the surrounding territory. The British army administered Palestine and adjacent areas.

In 1923, the League of Nations mandated Palestine and Iraq to the British as protectorates, and mandated Syria and Lebanon to the French. The Palestine mandate incorporated the Balfour Declaration, provided for increased Jewish immigration into the country, and stipulated that Jews should be encouraged to settle on the land.

With their technical skills, hard work, and enormous financial support from world Jewry, the Jews, in the relatively limited areas they colonized, accomplished more in a few years (irrigating land, creating industries, building cities) than Arabs had accomplished in centuries.

Arabs—knowing they could not compete with these able and industrious aliens who had almost limitless financial backing from abroad—became hostile. Arabs felt they had been betrayed by the League of Nations. They regarded the alien Jews coming into the Arab homeland as shock troops of Western imperialism, whose intent was to subjugate Arabs in their own land, as they had been subjugated by the Turks for 400 years.

Hostility between Arabs and Jews deepened in the mid-1930's, when nazism in Germany stimulated large-scale Jewish immigration to Palestine. Before 1932, the British mandatory government had never admitted more than about 5000 Jewish immigrants a year. In 1932, 9533 Jewish immigrants were admitted; 30,327 in 1933; 42,359 in 1934; 61,854 in 1935.

The influx of aliens into a small, desert country with a primitive economy created intolerable problems. Between 1936 and 1939, native Arabs staged several rebellions against the mandatory government. Arab guerrillas committed acts of terrorism against Jews, and Jewish guerrillas retaliated in kind.

Hostilities subsided in the latter part of 1939, after the British imposed restrictions on Jewish immigration—and after many of the young militants, both Jews and Arabs, had enlisted in military units under British command to fight nazis in World War II.

On November 3, 1942, the British defeated the Germans at El Alamein in North Africa, thus putting an end to German ambitions in the Middle East. Immediately afterward, a secret Jewish army was formed in Palestine; and bands of Jewish guerrillas spread death and terror throughout the Arab population. The Jews got their arms and ammunition by thefts from British Middle Eastern forces. Jewish leaders officially expressed disapproval of the lawlessness and terrorism, but did not cooperate in bringing the lawbreakers to justice.

In 1944, both Republican and Democrat parties (bidding for the big Jewish vote in New York) promised U.S. support of the zionist demand for unrestricted Jewish immigration into Palestine.

President Franklin D. Roosevelt publicly expressed sympathy with certain zionist aims, but also gave Arabs assurances which they regarded as U.S. commitments not to support any Palestine program objectionable to Arabs.

On March 3, 1945 (after a trip to the Near East), Roosevelt said a Jewish state in Palestine could be established and maintained only by military force. On April 5, Roosevelt wrote a letter to the King of Saudi Arabia, confirming an earlier personal promise that the U.S. would not support the zionist aim of establishing a Jewish state in Palestine. A week later, Roosevelt died. Within a few days after Harry Truman succeeded to the presidency, the Secretary of State (Edward R. Stettinius, Jr.) briefed him on Palestine.

The position of the U.S. State Department was the same as that of the U.S. Joint Chiefs of Staff—namely, that the oil and strategic location of the Middle East made the area vital to U.S. interests; that Arab governments and populations (totaling more than 100 million people) were traditionally friendly toward the U.S.; that U.S. support of the zionist program in Palestine would alienate Arabs and drive them into the Soviet orbit. Stettinius warned Truman that zionists would put heavy pressure on him to support their aims.

The Egyptian prime minister wrote President Truman directly, saying:

"It is greatly to be regretted that persecutions of the Jews in certain European countries . . . should have been seized upon by certain political elements to advance the politico-racial theories of Zionism and to appeal to the world at large for the support of their program. Unfortunately, the brunt of their effort has concentrated on Palestine where the Arabs, who, throughout their history, have shown great tolerance and even hospitality toward the Jews, are the innocent victims. . . . Why . . . one small nation of 1,000,000 people living in a very small territory should be forced to accept in 25 years immigrants of an alien race up to nearly 50 per cent of their own number is hard to understand. . . .

"Now, the guests at the Arab's table are declaring that . . . they are going to bring in large numbers of their kinsmen, take over all of his lands, and rule to suit themselves."

Truman assured the Arabs and his own State Department that he would keep Roosevelt's promises with regard to Palestine. At the same time, he was demanding that the British immediately admit 100,000 European Jews into Palestine.

In his memoirs, Truman says:

"My efforts to persuade the British to relax immigration restrictions in Palestine might have fallen on more receptive ears if it had not been for the increasing acts of terrorism . . . committed [by Jews in] Palestine. . . .

"The Jews themselves . . . [were] making it almost impossible to do anything for them."

Concerning Jewish pressures on him. Truman says:

"I do not think I ever had as much pressure and propaganda aimed at the White House as I had in this instance. The persistence of a few of the extreme Zionist leaders—actuated by political motives and engaging in political threats—disturbed and annoyed me. Some were even suggesting that we pressure sovereign nations into favorable votes in the General Assembly."

Nonetheless, Truman continued pushing the British to lift restrictions on Jewish immigration into Palestine. He says he acted not in response to Jewish demands, but out of compassion for the suffering of Jewish refugees in Europe who did not want to return to their nations of origin. Truman also says he felt a responsibility to implement the Balfour Declaration of 1917—though he never explains why an American President should be bound by a British promise which the British themselves were denying.

Unable to find a solution satisfactory to Truman, the Jews, and the Arabs, Great Britain eventually referred the Palestine problem to the UN.

On November 29, 1947, the UN General Assembly adopted a resolution sponsored by both the U.S. and the U.S.S.R. According to the resolution, the British mandate over Palestine was to end not later than August 1, 1948; independent Jewish and Arab states were to be formed not later than October 1, 1948; and an international administration was to be set up for the Jerusalem area.

Meanwhile, terrorism continued in Palestine. The worst incident occurred on April 9, 1948, when a Jewish terrorist band murdered all inhabitants (men, women, and children) of an Arab village near Jerusalem.

Soon thereafter, the British said they would end their mandate and withdraw from Palestine by the middle of May, 1948. A special session of the UN General Assembly was called. The U.S. supported a plan for a UN trusteeship over Palestine; but on May 14, 1948, zionists proclaimed the State of Israel. Eleven minutes after this proclamation was made in Palestine, the White House in Washington announced U.S. recognition of the new State. The U.S. delegate at the UN was caught still arguing the virtues of the trustee plan when Truman acted.

The day the new state of Israel was proclaimed, the Arab-Israeli war of 1948 began.

Later: Details on the three Arab-Israeli wars since 1948, commentary on contemporary events, and suggestions about what the U.S. should do now.

[From the Dan Smoot Report, Jan. 27, 1969]

ISRAEL—PART II

(NOTE.—Policies of the U.S. government are responsible, to a considerable degree, for the dangerous situation in Palestine. Unless those policies change, they will eventually get us into a war in the Middle East. This is the second in a series of articles attempting to outline what those policies are, and how they evolved.)

Palestine has been the homeland of Arabs for 2000 years. Throughout the Middle Ages (and afterward), when there was harsh hostility between Christians and Jews in the Christian nations of Europe, Jews and Arabs got along well together. The relatively few Jews who sought refuge in Arab lands were welcome.

No real conflict between Arabs and Jews developed until late in the 19th century, when the movement known as zionism was formally launched.

Just as many Negroes in the United States have been deceived into supporting the communist-planned civil-rights movement, thinking it was a humanitarian effort to improve the lot of Negroes, many Jews throughout the world have been deceived into supporting zionism, thinking it was: (1) a humane effort to provide a refuge for persecuted Jews; and (2) a religious movement to establish a national headquarters for the Jewish faith.

Actually, zionism always has been a political movement, whose purpose was to colonize Palestine with enough alien Jews to take the land away from Arabs and create a Jewish political state.

The zionist claim, that Palestine is historically Jewish land, rests on the historical fact that a Jewish nation existed there for a brief period almost 3000 years ago. By the same logic, present descendants of Indians who inhabited the Americas 400 years ago could lay claim to ownership of the entire Western Hemisphere.

The zionist claim that homeless Jews were entitled to a refuge in Palestine has had strong humanitarian appeal. But what about Arabs who—in almost exactly equivalent numbers—were despoiled of their lands and other property and driven into squalid refuge camps in the process of making Palestine a haven for Jews?

The conflict in Palestine between zionism and Arab nationalism could never have escalated into its present dangerous importance, without the machinations of political leaders in Great Britain, the United States, and the Soviet Union.

Great Britain started zionism and Arab nationalism on a collision course during World War I—by promising Arabs political independence in Palestine, while also promising to support the zionist program for Palestine. Harry Truman engineered the collision in 1948 by supporting the establishment of a zionist state in the heart of the Arab homeland. The Soviets—by using Arab hatred of Israel and resentment of the United States to promote Soviet expansionist aims in the Middle East—have aggravated the problem into an explosive situation that could shatter the world.

The first Arab-Israeli war began May 14, 1948, when zionists in Palestine suddenly and unilaterally proclaimed the Jewish state of Israel. Eleven minutes later, a spokesman for President Truman in Washington announced U.S. diplomatic recognition of Israel.[1] Truman was facing a presidential election which few thought he could win. He needed the votes and powerful influence of Jews, especially in the key political state of New York where, in one city alone, at least two million Jews resided. There was no politically important "Arab vote" or "Arab influence" in the United States.

As soon as the state of Israel was proclaimed on May 14, 1948, troops from Egypt, Jordan, Iraq, Syria, Lebanon, and Saudi Arabia entered Palestine to help the Arabs. They wrested a part of northern Jerusalem and the Jewish quarter of the Old City from the Israelis. The UN Security Council ordered a cease-fire, which went into effect on June 11, 1948. While UN representatives were in Palestine trying to mediate a settlement, the Israelis smuggled in, by air and sea, huge quantities of arms. On July 9, the Israelis suddenly renewed hostilities, and successfully routed the Arabs on all fronts. Thereafter, the Israelis ignored all UN Security Council cease-fire orders that did not suit their immediate needs.[2]

Sporadic fighting continued until January, 1949. A formal armistice agreement was made February 24, 1949. In that first Arab-Israeli war of 1948, about one million Arabs were driven from their homes, their farms, their businesses in Palestine. Most of them took refuge in the Gaza Strip (a narrow piece of desert on the Mediterranean coast) and in other Arab territory, where they and their progeny are still living, in hopeless poverty, surviving on an American dole administered by the United Nations.

Arab refugees—homeless and propertyless, embittered and desperate, and now numbering almost two million—have created grave economic, social, and political problems in the Middle East. They supply the recruits for the *fedayeen,* guerrilla groups that make retaliatory and terroristic raids on Israel. In the smaller Arab nations that have tried to remain pro-Western, and moderate in their attitude toward Israel (Jordan and Lebanon), the *fedayeen* often have more public support, and therefore more strength, than the official governments. They are sometimes beyond the control of government even in the strongest Arab countries.

The precise boundaries of the state of Israel are not known. A United Nations partition plan of November 29, 1947, assigned 4300 square miles of Palestine for an Arab state, 5700 square miles for a Jewish state. In the 1948 war, Israel seized and kept 1400 square miles of territory that had been assigned to Arabs.[2]

Israel thus annexed almost a third more territory than was allotted to it under the UN partition plan. Egypt took over the Gaza Strip. Jordan annexed the west bank of the Jordan River, including the Old City of Jerusalem. Israel was in possession of the New City of Jerusalem. The UN plan for an internationally administered Jerusalem was dead.

Harry Truman won his election in 1948; but political wars never really end. Congressional elections came up in 1950, and Democrats made another strong bid for zionist support. In May, 1950, the Truman administration entered a joint agreement with France and England to aid any victim of aggression in the Middle East. This meant, of course, protecting Israel in the possession of Arab territory seized during the 1948 war.

In 1952, both Republican and Democrat parties pledged the American government to defend any Middle Eastern nation against aggression.

On April 10, 1956—continuing crises in the Middle East having come to another crescendo—President Eisenhower announced that the U.S. was "determined to support and assist any nation which might be subjected to . . . aggression [in the Middle East.]" At that time, it looked as if the "aggression" would be committed by Arabs trying to take back some of the territory seized from them in 1948.

But a few months later, all went topsy turvy. In July, 1956, Nasser of Egypt nationalized the internationally-owned Suez Canal, and closed it to Israeli shipping. In October, Israel suddenly attacked Egypt, driving deep into the Sinai Peninsula and occupying the Gaza Strip. Great Britain and France joined Israel two days later, attacking Egyptian airfields and making paratroop landings in the Canal Zone.

Clearly, someone was a "victim of aggression," and we were on record to defend *any* such victim.

Egypt was in the hands of a dictator who was a virtual puppet of our enemy, the Soviet Union. France, Great Britain, and Israel were presumably our best friends; but they had plunged into war, in an area where we had dangerous commitments, without discussing the matter with us or even giving us advance notice. Was Egypt the aggressor for provoking Israel? Or was Israel the aggressor for making a military attack on Egypt?

What should we do?

This hard decision confronted President Eisenhower a few days before the 1956 general election when American voters would decide whether to return him to office or to replace him with Adlai Stevenson; and, at that time, political analysts were predicting the contest would be very close.

Candidate Stevenson spoke on the issue first, saying the U.S. should intervene—*on the side of Israel.* The public was alarmed at the prospect of American intervention in the Middle Eastern war.

President Eisenhower took his stand on the evening of October 31, 1956, saying:

"The United States was not consulted in any way about any phase of these actions [against Egypt by Israel, Great Britain, and France]. Nor were we informed of them in advance. . . . In the circumstances. . . . there will be no United States involvement in these present hostilities."

That turned the trick in the 1956 elections. Eisenhower won handsomely.

Eventually, France, England, and Israel responded to U.S. and U.N. pressures for a cease-fire. Israel withdrew from the Sinai Peninsula and the Gaza Strip. The U.N. sent a 6000-man peacekeeping force to patrol the Egyptian side of the 170-mile frontier between Israel and Egypt.[3]

Then, with the election safely behind him, President Eisenhower reached into the pockets of American taxpayers to reward our allies for stopping the war they had started: a $500 million loan to Great Britain, forgiving an $83 million interest payment due on previous loans; a promise of oil and other aid to all of Europe to keep it from suffering the consequences of the brief Middle Eastern war.

Soviet influence waxed and American influence waned in the Middle East, following the 1956 war. In an effort presumably intended to retrieve some of the Arab friendship we had lost, President Eisenhower (in January, 1957) asked Congress to approve the Eisenhower Doctrine. This Doctrine (which Congress approved, though public opinion was 9 to 1 against it) was a promise of limitless military aid, including the use of American armed forces (with the proviso that our troops would be under the "overriding authority of the United Nations Security Council"), to any Middle Eastern nation requesting such aid against "overt armed aggression from any nation controlled by international communism." [4]

The 1957 Eisenhower Doctrine did not deter Soviet penetration of the Middle East. Its chief result was a 10-year armaments race. The U.S. helped finance both sides, giving military aid to Israel and Arab nations.[5] France and England (with American tax money which had been given or lent by our government) also helped finance both sides. The Soviets, pursuing their strategy of encouraging Arab-Israeli hostility to widen the rift between the U.S. and its former Arab friends, gave military aid only to the Arabs.

In 1967, Nasser of Egypt demanded withdrawal of the UN force that had been in Egypt patrolling the Egyptian-Israeli border since the 1956 war. The UN complied. Nasser blustered about closing Suez and the Strait of Tiran (passage to the Gulf of Aqaba) to Israeli shipping, and about an Arab holy war to destroy Israel. The Middle East, heavily armed and fully mobilized, was a tinderbox.

Both sides accuse the other of making the first strike in the 1967 war. Facts indicate that Israel struck first. At any rate, Israel struck, efficiently and furiously, on June 5, 1967, destroying Arab air power on the ground.

In six days, Arab forces were utterly smashed. Israeli casualties were 679 killed, 2563 wounded, 16 captured. Arab casualties were 15,000 killed, 50,000 wounded, 11,500 captured. Of the some $700 million in military equipment (mostly Soviet) lost by the Arabs, a great deal was not destroyed, but was captured by the Israelis. Israel seized from Syria, Jordan; and Egypt territory four times bigger than the nation of Israel before the 1967 war; [6] and she immediately began building roads linking the conquered Arab lands to Israel, thus giving rather convincing proof of her intention to keep them permanently.[7]

In the 1967 war, Israel brilliantly demonstrated a military principle which all Americans should yearn for their own government to heed: namely if you are going to fight a war, fight it—quickly, fiercely, totally, aiming for nothing less than complete victory at the earliest possible moment.

FOOTNOTES

[1] *Memoirs,* by Harry S. Truman, Doubleday, 1956, Vol. II, pp. 132–69.

[2] *The Encyclopedia Americana,* 1961 edition.

[3] *U.S. News & World Report,* June 19, 1967, pp. 44–6.

[4] Message to Congress, by Dwight D. Eisenhower, Jan. 5, 1957.

[5] *U.S. News & World Report,* June 26, 1967, p. 28.

[6] *U.S. News & World Report,* June 26, 1967, pp. 11, 26, 27.

[7] *U.S News & World Report,* Jan. 20, 1969, p. 48.

[From the Dan Smoot Report, Feb. 3, 1969]

Israel—Part III

Without U.S. political support, the state of Israel probably never could have been created. Without U.S. economic support, Israel probably could not have survived.

U.S. government aid to Israel has totaled about $1.5 billion in 20 years—which means that Americans have been taxed to provide approximately $600 for every man, woman, and child presently living in Israel. The federal government also helps Israel economically by granting tax exemption to organizations whose primary purpose is to raise money for Israel from private sources in the U.S. High officials of our government often make speeches at rallies to promote fund-raising for Israel.

When the 1967 Arab-Israeli war began, the United Jewish Appeal (which exists to raise money in the U.S. for Israel, and which enjoys federal tax exemption) asked for $200 million in contributions for Israel. Many individual gifts of $1 million, and several in six figures, were made immediately. In New York City alone, $20 million was raised in a day or two; $3.5 million in Chicago, $3 million in Philadelphia; $2.5 million in Boston.[1]

The United Jewish Appeal has raised as much as $365 million a year for Israel.[2] Most of this money is contributed by wealthy people who deduct the contributions from their federal income taxes. Other Americans must be taxed, of course, to make up the resulting loss of tax revenue for the federal government. The vast annual flow of tax-free money to Israel also adds greatly to the U.S. balance-of-payments deficit, which has created the worst U.S. monetary crisis in this century.

In short, Americans have been very generous to Israel—so generous, in fact, that Israeli leaders seem to think Israel can count on U.S. support even if Israeli actions are embarrassing or damaging to the United States.[3] In a sense, the mighty U.S. has become a captive of the little socialist nation of Israel which our politicians helped create and which the bounty of our people and our government has subsidized.

For example, Israel unilaterally decided to invade Egypt in 1956—knowing this would bring on a long chain of serious consequences for the U.S., but so unconcerned about our reaction that she did not even give us warning.

The most brazen demonstration of Israel's indifference to, or contempt for, U.S. public feeling and U.S. national interests occurred in 1967.

In the spring of that year, when war clouds were darkening over the Middle East, an Israeli official publicly announced that the United States had committed the U.S. Sixth Fleet (based in the Mediterranean) to help Israel. The U.S. denied that any such commitment had been made.[4] This denial made no difference to Arabs. The Israeli statement sounded like the truth to them.

Arab resentment of the United States flared into violence. Mobs stoned and burned U.S. diplomatic facilities. Lives of American tourists and businessmen were in danger. By the first of June, it was apparent that evacuation of some 20,000 American citizens from Arab countries would soon be necessary.

On June 2, 1967, the U.S.S. *Liberty*, a U.S. Navy communications ship, with a crew of 275, left Rota, Spain, bound for the Eastern Mediterranean. Her mission was to assure communications between U.S. government posts in the Middle East and to help with communications problems involved in the massive evacuation of Americans.

While the *Liberty* was enroute, the Arab-Israeli war began, June 5. On June 8, the *Liberty* was cruising at 5 knots in international waters about 15 miles off the coast of the Sinai Peninsula (Egyptian territory). At about 1:30 p.m., two Israeli jets flew over the *Liberty*, taking a good look at her. Seas were calm. Visibility was practically unlimited. The American flag was flying on the ship, and her name and other identification marks were prominently in view.

At about 2:00 p.m., three Israeli jets made several strafing runs on the *Liberty*, splattering decks and hull with some 821 rocket and cannon hits. The *Liberty* (armed only with four 50-caliber machine guns) never returned the fire. Some crewmen apparently were killed before they could reach their battle stations. About 20 minutes after the strafing, three Israeli patrol boats appeared and attacked the *Liberty* with guns and torpedoes. One torpedo-hit flooded a compartment and drowned 24 crewmen. Total American casualties in the two attacks which lasted about 30 minutes: 34 dead, 75 wounded. Damage to the ship was critical.

Soon after the attack by Israeli patrol boats, another Israeli boat and a helicopter came by and apologized, saying the *Liberty* had been mistaken for an Egyptian ship. Later, the Israeli government formally apologized.

The U.S. government accepted the apology but rejected the explanation that the attack was accidental. On June 10, 1967, the U.S. Defense Department released a statement saying:

"[We] cannot accept an attack upon a clearly marked noncombatant U.S. naval ship in international waters as 'plausible' under any circumstances whatsoever. . . .

"The suggestion that the United States flag was not visible and the implication that the identification markings were in any way inadequate are both unrealistic and inaccurate. The identification markings of U.S. naval vessels have proven satisfactory for international recognition for nearly 200 years."[4]

Obviously, the attack on the *Liberty* was a deliberate decision by some important Israeli officer.

One published account in June 1967, said the Israelis deliberately tried to sink the *Liberty*, knowing it was American, because it had intercepted and recorded messages proving that Israel had started the war with surprise attacks. Israeli and American officials denied this story—on the grounds that it was "unthinkable," because Israel regards the U.S. as her chief ally.[4]

Israeli behavior in 1968, however, suggests the possibility that Israel feels safe in defying her "chief ally" at will—believing that zionist economic and political influence in the U.S. is strong enough to guarantee U.S. support of Israel regardless of what Israel does.

On December 26, 1968, two Arab terrorists attacked, with hand grenades, an El Al (Israeli) commercial airliner at the airport in Athens, Greece. One Israeli citizen was killed, another wounded. The plane was severely damaged. The terrorists were arrested immediately and jailed in Athens, where they will stand trial under Greek law. The Arabs were carrying leaflets of the Popular Front For the Liberation of Palestine, an Arab commando group (*fedayeen*) which has offices in several Arab countries, including Lebanon. The Israeli government said the two men traveled to Athens on a commercial airliner which they boarded at Beirut, Lebanon.[5]

There is no indication that Lebanon was responsible in any way for the two men.[6] Apparently, they are not even Lebanese citizens, but are from a camp of refugees driven from their homes in Palestine by the Israelis. In fact, Lebanese and Israeli officials had a meeting the day after the attack on the El Al plane at Athens. The Israelis made no protest about the attack, and said nothing about Lebanese responsibility.[7]

Nonetheless, Israel retaliated against the nation of Lebanon.

On December 28, 1968, a strong detachment of Israeli soldiers, traveling in military helicopters, made a 45-minute raid on the Beirut airport. They inflicted no personal injuries, and sustained none; but they destroyed on the ground all airplanes with Arab markings, after removing from the planes, at gun point, passengers and personnel. Published reports said 13 commercial airplanes (representing half of Lebanon's entire commercial airlines fleet) were destroyed. Eight of the planes belonged to Middle East Airlines (which is partially owned by the U.S. Commodity Credit Corporation, an agency of the U.S. government); two belonged to Lebanese International Airways (55% of whose stock is owned by U.S. shareholders); three belonged to Trans-Mediterranean Airways (owned by Lebanese private interests).[8] Israeli defense minister Moshe Dayan—acknowledging in a TV interview that the Beirut airport raid was an official Israeli army operation—said 14 planes were destroyed.[8] Ownership of the 14th plane has not been disclosed.

The fact that Israel—presumed throughout the world to have a virtually unbreakable hold on United States support, including military support if needed—would attack a sovereign nation, in retaliation for the crimes of two individuals for whom the nation had no responsibility, raises a fearsome possibility: the possibility of some aggressive Israeli action, over which we have no control, involving us in war.

All major powers denounced Israel. The British said the Israeli attack on Beirut airport illustrates a "terrifying trend." The French called it deplorable. The Soviets said Israel should be compelled not only to pay damages, but to punish Israeli personnel who participated in the attack. U.S. Ambassador to the UN, J. R. Wiggins, called the raid on Beirut airport "a most regrettable Israeli action which my government condemns,"[6] saying there is a "difference between the acts of two individual terrorists and those of a sizeable official military force operating under government orders."[9]

Walter W. Rostow, President Johnson's special assistant for national security affairs, said:

"We think it is a grave matter for regular forces of the government of Israel to attack a civil international airport in a country which has been striving toward moderation in the Middle East."[6]

A special session of the UN Security Council was convened Sunday night, December 29, 1968. On December 31, all 14 nations represented (including the U.S. and the U.S.S.R.) voted unanimously to condemn Israel for its "premeditated military action in violation of its obligations under the [UN] charter and the cease-fire resolutions."[5] The resolution of denunciation asserted that Lebanon is entitled to redress for the destruction it suffered, and warned Israel that UN Security Council "would have to consider further steps to give effect to its decisions" if Israel repeats such adventures as the raid on Beirut airport.[10]

The Israelis are contemptuous of UN resolutions. They also show contempt for the United States.

Lebanon, with a population (half Christian, half Moslem) about the size of that of Israel (2.5 million) is traditionally pro-Western,[11] and is America's closest remaining friend in the Arab world.[8] Hence, the Israeli raid on Beirut airport—coming the day after announcement that the U.S. would sell 50 jet fighter aircraft to Israel for $200 million, and lend her part of the purchase price—was more than an embarrassment to the United States. It was a deliberate affront.

An AP dispatch from Tel Aviv, January 1, 1969, asserts that Israelis generally are boastful that the United States cannot "exert its will on Israel." Israelis proudly point out that "the likelihood of American disapproval did not deter the Israelis" from making the raid on Beirut airport.[10]

Footnotes at end of article.

Outraged public feeling in Lebanon is pushing that once-neutral nation toward the militant Arab groups and their Soviet sponsors; and United States influence in Lebanon is rapidly disappearing—all of which, well informed Lebanese say, is exactly what Israel wants.

Pro-American Lebanese officials believe Israel is determined to alienate the U.S. from the entire Arab world, and to force a U.S. confrontation with the U.S.S.R. over the Middle Eastern problem, feeling that the United States will inevitably take the side of Israel.[12]

Not only among pro-American Lebanese officials, but also inside the U.S. State Department, there is strong opinion that Israel is deliberately using terrorist tactics against moderate Arab regimes in Lebanon, Jordan, Saudi Arabia, and Kuwait, to drive these nations into the Soviet orbit and further away from the U.S. The purpose is to leave the U.S. with only one "client" or "friend" in the Middle East: Israel.

This conviction in the State Department (that Israel's truculent behavior is designed primarily to divest the United States of any remaining vestiges of Arab good will in the Middle East) was very strong following the Israeli attack on the Beirut airport. Influential U.S. officials wanted to cancel all U.S. arms deliveries to Israel. They were restrained from making this decision by President Johnson's orders to leave major policy changes to the incoming Nixon administration.[7]

What should President Nixon do? We will deal with that question next week, when concluding this four-part series of Reports on Israel.

FOOTNOTES

[1] "From U.S., A Flood Of Aid To Israel," U.S. News & World Report, June 19, 1967, p. 8

[2] The (Flagstaff, Arizona) Sun, Apr. 25, 1968

[3] The Wall Street Journal, Dec. 31, 1968, p. 6

[4] U.S. News & World Report, June 26, 1967, pp. 33–4

[5] Time magazine, Jan. 3, 1969, p. 26 and Jan. 10, 1969, p. 27

[6] The Dallas Morning News, Dec. 30, 1968, p. 1

[7] "Washington Wire," The Wall Street Journal, Jan. 10, 1969, p. 1

[8] Mike Wallace interview with Moshe Dayan, on the CBS 60 Minutes TV program, broadcast Jan. 21, 1969

[9] Editorial, The Dallas Times Herald, Dec. 31, 1968

[10] The Dallas Morning News, Jan. 1, 1969, p. A4

[11] Extension of Remarks of U.S. Rep. John Rarick, Congressional Record (daily), Jan. 6, 1996, pp. 250–251

[12] "Frictions With Israel Push Lebanon Toward Aggressive New Policy," The Wall Street Journal, Jan. 14, 1969, pp. 1, 10

[From the Dan Smoot Report, Feb. 10, 1969]

ISRAEL—PART IV

Israel and the Soviet Union display bristling hostility toward each other, while the U.S. and Israel are still regarded as inseparable friends. Yet, there is more ideological and cultural kinship between Israel and the Soviet Union than between Israel and the United States.

Though our government has been socializing the U.S. economy (in violation of our Constitution), our government officials still pay lip service to "free enterprise." A preponderant majority of Americans (though accepting socialism under false labels) are emotionally and historically committed to a free-enterprise economy. They reject the *idea* of converting America into a socialist state. The Soviet Union, on the other hand, is historically and ideologically committed to socialism. So is Israel. Most of Israel's agricultural production is on collective farms like the collective farms of communist China and the Soviet Union. Indeed, many entire settlements in Israel are communal communities of the type which is the ideal and ultimate goal of communism.

Concerning the cultural kinship between the Soviet Union and Israel, note this important fact: in recent years, European (or Western) Jews have been leaving Israel in significant numbers. Simultaneously, there has been an influx into Israel of oriental Jews (sometimes called "Arab" Jews).[1] Today, in Israel, oriental Jews (whose cultural roots are in the East, as Russia's are), outnumber European Jews (whose cultural roots are in the West, as America's are).

The historical record shows that American Presidents have been pro-Israel ever since Israel came into existence. President Truman's role in helping create the state of Israel, in defiance of the counsel of his own diplomatic and military advisers, is well known. Recently (January 5, 1969), on a nationwide tv broadcast, Senate Majority Leader Mike Mansfield said "Presidents Eisenhower and Kennedy indicated that we have a moral and emotional commitment to Israel."[2]

There can be no doubt about President Johnson's pro-Israel bias. When the 1967 Arab-Israeli war erupted, a U.S. State Department official said the U.S. attitude was "neutral in thought, word, and deed." This aroused the ire of President Johnson, who did not try to conceal his bias toward Israel.[6] Johnson would have ordered military action on the side of Israel in the 1967 war, if Israel had appeared to be losing. Hence, the quick Israel victory, obviating need for U.S. intervention, pleased the President.[3] After the 1967 war, Johnson supported Israel's position that there should be no Israeli withdrawal from conquered territory until secure and recognized boundaries were established.[4] It was Johnson who asked congressional authorization for the sale of 50 jet fighters to Israel to replace planes lost or damaged in the 1967 war. Hubert Humphrey, as a spokesman for the Johnson administration, was aggressively pro-Israel.

Between the 1956 and 1967 Arab-Israeli wars, the Soviet Union gave a huge quantity of aid to Arab countries; and so did the U.S. ($3.4 billion in U.S. economic aid to Arabs; $300 million in military aid).[5] But the *per capita* aid which the U.S. government gave Israel in the 1956–1967 period was at least seven times greater than the *per capita* aid it gave Arab countries.

Clearly, in the eyes of the world, the opposing sides in the 1967 war were "client" states: Israel, client of the U.S.; Arab nations, clients of the U.S.S.R.

At first glance, the Soviet Union may seem to have been on the losing side: Arabs were shattered, with humiliating ease and speed. Yet, when the war ended, the Soviets were nearer than ever before to one of their most cherished goals in the Middle East—eliminating American influence in the Arab world, establishing Soviet dominance.

There has been speculation that the Soviets encouraged Egyptian bluster and truculence to give Israel provocation for initiating the 1967 war—to increase Egyptian dependence on the Soviet Union. At any rate, Soviet influence on Egypt did become much stronger after the 1967 war. One significant result is that the Soviet Navy now has Mediterranean bases in Egyptian ports—an ancient Russian ambition which previous communist leaders and the czars before them were never able to realize.[7]

The Israeli raid on Beirut airport (December 28, 1968) brought more significant gain for the Soviets in the Middle East, loss for the United States. On January 2, 1969, for example, the Lebanese cabinet decided to admit Soviet Navy ships to Lebanese ports upon request, but ruled that U.S. naval vessels would no longer be welcome—because of the U.S. sale of jet fighters to Israel. This was a sharp reversal of Lebanese policy, which theretofore had been distinctly more friendly to the U.S. than to the Soviets.[8]

Behold, then, this strange situation: Israel and the Soviet Union, while excoriating each other with harsh words, are pursuing a common objective in the Middle East: to isolate all Arab countries from the United States and drive them into the Soviet orbit.

The U.S. government's attitude toward the Middle East armaments race is equally strange. On December 27, 1968, U.S. officials announced that 50 jet fighters would be sold to Israel. On December 28, Israeli airborne troops raided the Beirut airport. On December 29, U.S. officials denounced Israel for the Beirut raid. On December 30, U.S. military sources said they expect the Soviets to sell Egypt 200 more jet fighters, and to make other arms deals with Arab states, as a result of the U.S. sale of jets to Israel.[9] And on December 30, 1968, the U.S. government issued a plea for Middle Eastern disarmament.[10]

What will President Nixon do about the Middle East? At present, it is hard to tell.

The 1968 Republican Party platform said:

"In the tinderbox of the Middle East . . . we will seek an end to the arms race through international agreement and the stationing of peacekeeping forces of the United Nations in areas of severe tension . . . .

"Nevertheless, the Soviets persist in building an imbalance of military forces in this region. The fact of a growing menace to Israel is undeniable. Her forces must be kept at a commensurate strength both for her protection and to help keep the peace of the area. The United States, therefore, will provide countervailing help to Israel, such as supersonic fighters, as necessary for these purposes."[11]

During the 1968 campaign, Richard Nixon sounded even more pro-Israel than Lyndon Johnson. Speaking to B'nai B'rith, Nixon promised military aid to "tip the balance" of Middle Eastern military power in Israel's favor. This Nixon promise was intended not only as a bid for zionist political support, but also as an effort to eliminate the hostility of the news media, most of which is pro-Israel.[12]

Having squeaked through to victory, without zionist support, Nixon apparently tried to back off a bit from his promise to help Israel achieve military superiority over the Arabs.[12] Nixon's emissary to the Middle East, William Scranton, came home saying the U.S. should pursue a more "even-handed" policy in the area—that is, a policy less partial to Israel.[13]

Zionists howled; and Nixon tried to placate them by granting a much-publicized interview with Moshe Dayan, Israeli defense minister. Prior to that, the President-elect had stood firm on the position that he would see no foreign leaders until after his inauguration.[12]

What *should* President Nixon do about the Middle East?

There is really only one safe and sensible way out of the harassing dilemmas which our political leadership has created for us in the Middle East and elsewhere—and that is, to return, as quickly as possible, to the policy of benign neutrality which George Washington recommended in his Farewell Address and which this nation followed for more than a century. Neither give offense to other nations, nor take any. Neither grant special favors to a foreign nation, nor expect any. Show partiality to none. Sternly reject all foreign influence on American policy, whether exerted from within or from without. Keep our government out of the wars, revolutions, and political turmoil of other countries. We have enough problems of our own.

It was tragically wrong for us to get in-

Footnotes at end of article.

volved in the Middle Eastern mess in the first place. But, having made the error, must we perpetuate it? We are so deeply involved now that we probably should not instantly wash our hands of the problem. We could and should, however, immediately stop all direct U.S. government intervention in the Middle East. Specifically, the U.S. government: should officially declare its neutrality in the Middle East and strictly observe neutrality in deed and word; should stop giving aid of any kind to Arab nations and to Israel; should stop the sale of the 50 jet fighters to Israel, and prohibit any other sales of armaments either to Israel or to Arab countries; should eliminate the privilege of tax exemption for any organization that collects funds in the U.S. for transfer to Israel or to Arab countries, and take any other steps necessary to prohibit the flow of tax-free private funds from the U.S. to Israel or from the U.S. to Arab countries.

While withdrawing from direct intervention, the U.S. should work diplomatically for a solution to dangerous Middle Eastern problems which our meddling helped create. Our efforts should be made through traditional diplomacy, and not through the United Nations, because the UN is worse than useless as a means of solving international problems and settling international disputes.

Our diplomacy should be aimed at the accomplishment of a three-point program:

(1) The historical boundaries of the land known as Palestine prior to the creation of the state of Israel should be identified; and a new political state, with dominion over the entire area, should be created. It should not be a Jewish-governed state, or a Christian-governed state, or a Moslem-governed state, or any other kind of theocratic state, which is an anachronism in our time. It should be a state ruled by a representative government, answerable to all inhabitants, of whatever creed, who qualify as voters.

(2) The property and other rights of all present inhabitants of Palestine should be scrupulously protected.

(3) All Palestinians—Moslem, Christian, Jew, or otherwise—who have been driven from their homelands as a consequence of Arab-Israeli conflicts should be repatriated and indemnified for loss of property. The indemnification should be determined and provided by the government of the new nation of Palestine.

That program, if accomplished, might achieve a just and enduring peace in the Middle East.

The people and governments of the area may not respond to U.S. diplomatic pressures and leadership toward accomplishing such a program. The hatreds and entrenched interests may be so deeply rooted that no fair and sensible program can be adopted.

But our government should try, because its previous actions have given it a responsibility. If, in the end, all U.S. efforts fail, we can at least get out with good conscience.

Would American neutrality ease and speed communist control of all Arab states? No one knows; but we do know that American intervention in the Middle East turned the once-friendly Arabs away from us, and toward our deadliest enemy.

Though Arab states, like Israel, have adopted the subtle form of communism called *socialism,* undisguised communism is repugnant to most Arabs, because it is openly atheistic; and most Arabs are Moslems. Generally, Moslems are such militant fighters for their religious faith that they scorn close alliance with atheists. This condition is reflected by the fact that the Communist Party is still outlawed in most Arab countries, despite the vast amount of aid they have received from the Soviets.[14]

Arab bitterness toward the United States for its role in helping carve a zionist state from the heart of the Arab homeland made it possible for procommunist dictators like Nasser to push the Arab world into the Soviet orbit—during the very period when Arabs were receiving even more aid from the U.S. than from the Soviets.

From the record, it is plausible to assume that communist influence in the Arab world would decline, rather than grow, if the United States adopted a clear policy of impartial non-intervention.

But (plausibilities and assumptions aside) the important thing is to get the U.S. out of all treaties, agreements, and programs with inherent possibility of involving us in a Middle Eastern war—before the desert sands are red with American blood.

FOOTNOTES

[1] Human Events, Dec. 28, 1968, p. 13

[2] AP dispatch from Washington, The Dallas Morning News, Jan. 6, 1969, p. A4

[3] U.S. News & World Report, June 26, 1967, p. 34

[4] The Dallas Morning News, Jan. 1, 1969, p. A4

[5] U.S. News & World Report, June 26, 1967, p. 28

[6] U.S. News & World Report, June 19, 1967, p. 28

[7] "Intelligence Report," Parade, Dec. 17, 1967, p. 5

[8] Extension of Remarks of U.S. Rep. John Rarick, Congressional Record (daily), Jan. 6, 1969, p. 250

[9] The Dallas Morning News, Dec. 31, 1968, p. A3

[10] The Dallas Times Herald, Dec. 30, 1968, p. A1.

[11] 1968 Congressional Quarterly Almanac, p. 994

[12] "Israeli Overkill?", National Review, Jan. 14, 1969, p. 15

[13] Time magazine, Jan. 3, 1969

[14] "Middle East: Tom Anderson Reports From the Scene," American Opinion, February, 1969, p. 48

U.S. PASSENGER SHIPS: CAN THEY BE SAVED?

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. ASHLEY. Mr. Speaker, the restoration of health to the American-flag passenger fleet is a matter of concern to all of us interested in maritime affairs. As a long-time member of the Merchant Marine and Fisheries Committee, I have been worried about the steady decline of the U.S. passenger ship fleet. While the passenger ships of other nations—most particularly of Russia—increase in number, ours has shrunk. The flourishing cruise trade operating throughout the Caribbean out of Miami consists totally, for instance, of foreign-flag ships. In recent days the S.S. *Independence* has been laid up and the company that operates her is seeking permission of the U.S. Maritime Board to abandon passenger operations altogether.

There is, however, a ray of hope on the horizon. Negotiations are going on to consolidate three U.S. passenger ship operations into one so that five major American-flag ships can be kept afloat. The National Maritime Union and its President Joseph Curran have been participating in these important negotiations. In the current issue of the NMU publication, the Pilot, there is an excellent account of the discussions currently in progress. I insert this article in the RECORD at the conclusion of my remarks:

CONSOLIDATION OF U.S.-FLAG PASSENGER FLEET MAKES PROGRESS—NMU PLAYS AN ACTIVE ROLE IN HIGH LEVEL DISCUSSIONS; UNION HOPES THAT CURRENT NEGOTIATIONS WILL WORK OUT

A major move to save the American-flag passenger fleet through establishment of an independent company that would consolidate operations is making progress.

The new company would operate five ships currently belonging to United States Lines, Moore-McCormack and American Export Isbrandtsen. The five ships are the SS United States, Constitution, Independence, Argentina and Brasil.

NMU PARTICIPATES

Vice President Mel Barisic and the National Maritime Union have been participating in the high-level discussions that are directed toward the retention of United States passenger shipping. The discussions have been taking place with officials of the present Maritime Administration, the three companies and the National Maritime Union and other maritime unions.

The new company, Curran pointed out, would help cut the disproportionately high administrative cost and general overhead expenditures that have seriously hampered American-flag passenger shipping. It also would, he said, lead to improved passenger facilities in New York City, refurbishment of the five ships to make space more salable, and more flexibility for the ships to compete both for regular service and in the cruise trade.

EXTREMELY HOPEFUL

Curran said that he was "extremely hopeful" that the current negotiations would be successful. "By all odds, U.S. passenger ship service should not be allowed to disappear from the American scene or in competitive world travel service," he said.

The move to establish the new company represents a culmination of a long fight by the National Maritime Union. In October, 1965, when the Maritime Interagency Task Force recommended a phasing out of U.S. passenger ship operations, NMU led the campaign against the government and some of the industry. Now the strong support which MarAd is giving to the establishment of the proposed new company attest to the rightness of NMU's fight against phasing out passenger ships.

NMU LEAVES NOTHING TO CHANCE

"The future of American-flag passenger ships will stand or fall on the ability of a passenger ship company to successfully operate the present passenger ships," Curran said. "We are leaving nothing to chance as far as NMU is concerned. We must and we will do everything reasonable to make it a success. NMU members are completely aware of the continuing need for superior service to passengers. The NMU members know that when the new company proves successful, the present ships will be replaced and additional passenger ships will be built."

Curran further added that he felt the future of ocean travel was bright.

"Regardless of the continued growth of air travel, there is a solid market for ocean travel, both for regular service and in the cruise trade," he said. A certain body of travelers will always desire ocean transportation. This market should be adequately serviced.

"There is a definite market for travel by ship which is limited only by the ability and imagination of Government, labor and management to seize upon it. An appreciable portion of the U.S. travelling public will always be attracted to ocean travel. Until now this has been a luxury which millions cannot afford. We should make it possible for these millions to secure voyages at sea to fit their pocketbooks."

MANAGEMENT MUST BE STREAMLINED

Curran pointed out that American-flag passenger ships were constructed at a time when the full impact of overseas air transportation could not be accurately projected. "Now, many of these passenger ships have been operating at or below the nonprofit level," he said. "The changes that have occurred in recent years—in traffic patterns, modal travel demand and the like—require more streamlined central management to successfully operate."

SOYUZ AND APOLLO

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Mr. Robert Hotz, in the January 27, 1969, issue of Aviation Week and Space Technology discusses the progress of the Apollo lunar program and the Soviet manned space effort. Mr. Hotz, in his editorial, points out the rigorous schedule and difficult decisions that were necessary for the United States to develop its manned space flight capability and develop a significant effort in the field. He cautions the Nation that the Soviets should not be counted out of manned lunar exploration and that it will not be easy for the United States to achieve a lunar landing this summer. I commend this thoughtful and important editorial to my colleagues and the general public:

SOYUZ AND APOLLO

(By Robert Hotz)

The recent successful manned space flights of the Soviet Soyuz 4 and 5 in earth orbit and the U.S. Apollo 8 in lunar orbit appear to have stimulated some basic misconceptions in the popular press about the nature and progress of these programs.

Flawless performance of the Apollo 8 astronauts in their spacecraft in orbiting the moon has apparently convinced many people that the toughest part of the Apollo mission is over and that a manned landing is certain for this summer.

The excellent performance of Soviet cosmonauts in docking and exchanging crews between Soyuz 4 and 5 in earth orbit has also produced a feeling outside the USSR that the Russians have really abandoned their oft-announced plans to land man on the moon and, instead, are concentrating on earth orbital space stations.

Both assumptions are very wrong. The Soviets still are aiming for the moon. The toughest part of the Apollo lunar landing mission still lies ahead.

It should be remembered that when the USSR and the U.S. first began to contemplate design of manned orbital spacecraft, the perfect sphere appeared to offer the best engineering solution. The Soviets, being first to develop actual hardware, proceeded with the spherical concept. They have expanded it through Vostok, Voskhod and Soyuz, although the latter has been enlarged by other modules coupled to its still basically round re-entry vehicle. The U.S., starting later, was able to utilize some significant research from the National Advisory Committee for Aeronautics' Ames laboratory on ICBM nose cones for spacecraft. This became the basic design for Mercury, Gemini and Apollo, the Langley laboratory development of a blunt-nose.

Similarly, the manned lunar landing concept as originally developed in both countries envisioned use of an earth orbiting space platform for launching a manned vehicle to the moon. This is the course the Soviets are still pursuing. Again, because the U.S. was so obviously lagging behind the USSR in the early era of manned space flight, the new National Aeronautics and Space Administration had an overpowering sense of urgency in searching for a faster alternative to the earth orbital route. For then, the lunar landing race already appeared hopelessly lost to the Soviets. Again, a group of brilliant researchers at the Langley laboratory came up with an answer, providing the required docking and launch maneuvers in lunar orbit instead of earth orbit. This offered an opportunity to slice as much as a year from the Apollo development time. After a searching, critical review by the NASA hierarchy, the lunar orbiting concept was approved in 1962 for the Apollo mission. Key manned space flight program managers thought it could give the U.S. a slightly better-than-even chance to beat the Russians with men on the moon.

However, the Russians, for a variety of reasons, have stuck to their original program of assembling an earth orbital platform from which to launch their lunar landing mission to the moon. The docking and crew transfer of Soyuz 4 and 5 were an essential milestone in Soviet progress to build this earth orbital launching platform. They have never abandoned their lunar landing goal. They are now well along their chosen path to achieve it. Nor do we think they will abandon it, even if U.S. astronauts are the first to set foot on the lunar surface. The moon is far too valuable as a base for future space exploration and scientific study for the Soviets to ignore it simply because some other flag was planted there first.

Not all U.S. manned space flight experts were convinced that the lunar orbital concept was the most prudent course. They maintained that the earth orbital method, while possibly slower, offered a broader and more useful base for future manned space operations than lunar orbiting hardware. In fact, NASA's decision to go the lunar orbital route was a strong stimulus for the Air Force to develop its own manned orbiting laboratory (MOL), leading to a militarily vital manned reconnaissance satellite. The Soviets, who have never noticeably suffered from this dichotomy between military and civil in their space program, are developing both a moon launching platform and a manned reconnaissance satellite with their Soyuz hardware. They will have the manned reconnaissance capability for at least several years before the USAF MOL reaches an operational stage. There are some who argue that achieving this military manned reconnaissance capability is a much more important element in keeping peace on this small planet than achieving a lunar landing.

But, as any quarterback can tell you, the pressures of coming from behind and playing catch-up football always force decisions and impose risks that are not necessary when enjoying a comfortable lead. This aspect of the U.S. space program provides yet another example of the staggeringly high cost in the end of unimaginative economy in the beginning of any new technical exploration project.

Apollo 8 was a smashing success in transporting man across half a million miles of space and giving his eyes the first long look at his own planet and the first close look at the moon. But, in the perspective of the ultimate Apollo goal, it was an operational reconnaissance that executed only two-thirds of the final mission. The toughest portion lies ahead, for it is the lunar module (LM) that is the most advanced and complicated part of the Apollo spacecraft system. It also is the most vital to the success of the landing mission. It will not get its first manned flight test in earth orbit until at least next month on Apollo 9. Nor, will it be tested in lunar environment until late this spring on Apollo 10. Only when the lunar module proves as reliable as the rest of the Apollo system can the landing mission be attempted.

So, let's not count the Soviets out of manned lunar landing exploration nor assume that we already are a cinch to put men on the moon this summer.

REFLECTIONS ON LIFE IN THE CITY

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, in recent weeks several Members of this body offered unsolicited advice to newly elected Members of Congress concerning their place of residence while pursuing their duties as legislators. The implication was that the District of Columbia offered choice residential, educational, and cultural facilities as opposed to those of nearby Maryland and Virginia. There was further, in the unsolicited advice, a sort of veiled threat that unless new Members partook of the residential opportunities in the District they would be negligent in pursuing their constitutional duties.

In response, Mr. Speaker, I labeled this advice as poppycock, which is what it was. No constitutional provision sets forth residential requirements for any Member of Congress in the Washington area. I also used the opportunity to point out the safety, freedom, progress, and future of suburbia, and urged new Members not to overlook these areas where a child can walk to school unmolested and a housewife shop in reasonable security.

On the heels of my response, the editorial writers of our Washington dailies in nauseating repetition attacked me by charging that my interest was purely financial because a few members of my family own real estate businesses in the northern Virginia suburban district I represent.

The point I made, and they ignored, Mr. Speaker, is that the District of Columbia as it is presently being run is unsafe for civilized Americans, and it will remain so until drastic changes are made, which the Congress should make with the greatest of haste.

I now note, Mr. Speaker, that a young woman living in the District, named Anne Chamberlin, in an article appearing in the Washington Post, of all newspapers, entitled "Reflections on Life in the City," used her personal story of mugging and death as a rapier and scalpel to dissect the fear and nonsense allowed on the streets and highways of the District of Columbia.

I commend Miss Chamberlin's article, Mr. Speaker, not only to the new Members of Congress for thoughtful consideration, but also to the editorial writers of our daily newspapers whose heads have too long been buried beneath the muck and misery their blindness to fact has helped create in the Nation's Capital.

She was on the street, Mr. Speaker, where the action is, and where the editorial writers avoid the heroic stance they often assume in the security of their think tanks.

The article reads as follows:

Reflections on Life in the City

(By Anne Chamberlin)

(Note.—This article represents the personal viewpoint of Miss Chamberlin, a Washington-based writer for the late Saturday Evening Post. The editors of Style welcome contributions to "Point of View.")

I was reflecting the other evening, as I scraped the pavement out of my left kneecap, took inventory of my bruises and reassembled my groceries, that you newcomers moving to Washington this January have a lot more to consider in selecting a place to live than they did, say, the year Mr. Nixon didn't quite make it.

I should perhaps explain that my knee got scraped when I was thrown to the ground by four teen-age toughs who had followed me home from the market. The bruise above my mouth was from the heavy glove which had stifled my cries for help. My coat pocket was torn loose by their hasty search for my wallet. My dinner was trampled as they made their escape. It happened at 7:15 in the evening.

Half running, aware they were behind me, I had gotten half way down the driveway of my own apartment building, 10 yards from the lobby, the switchboard, the closed-circuit TV security system, and about 15 feet from a police patrol car. So it wasn't as if they had all day.

But I really only wanted to make the point that a newcomer here used to choose his neighborhood for touchingly Old World reasons—schools, trees, gardens, lawns, neighbors. These days, you choose according to your taste in crime. (During the election campaign they tried to downgrade our crime standing to somewhere between Montgomery, Alabama, and Leopoldville in the Congo. But now that we can get back to telling it like it is, if they don't move us back to the top three, we should demand a recount.)

I have a friend, for example, who is passionately devoted to the Cleveland Park area. She has had four break-ins. She has awakened in the night to see a pair of hands prying apart the bars on her bedroom window. She has seen an arm reach in and remove her purse from her desk in the living room. She just asks the management to keep installing thicker bars. She is now happily ensconced in a sort of tastefully upholstered tank trap, and as she keeps telling me, she gets home in one piece with her groceries.

A lot of people will try to tell you Chevy Chase is where the action is. At least you won't have to plan any after-dinner entertainment. At a small party there a few Saturdays ago the front door burst open and the next thing everybody knew they'd been separated from their money and jewels, the men had been bound, gagged and stacked in the living room, while one wife was escorted upstairs and raped. Neighbors were home and awake, lights blazing all over the block, but when the "entertainers" had finished their act, so to speak, they faded into the night unimpeded.

Georgetown, of course, is still full of charm, and I lived there myself for years. But even I could kick open the delightful French doors that gave access to and from the garden, which backed onto a dark alley. And I got tired of the nightly ritual, before going out to dinner or upstairs to bed, of preparing the place to be ransacked. The purse open and conveniently placed by a lighted lamp, the jewelry spread out on the bureau, the antique Korean chest unlocked, so it wouldn't be necessary to have at it with an axe to discover it was full of nothing but old tablecloths. It always reminded me of those snacks we used to leave out for Santa Claus on Christmas Eve when we were children.

In the New Southwest, where I now live, I inhabit a cement box. It would take a block and tackle and pitons to climb to my windows and I've added a police-approved drop-bolt second lock to the door. The management requires a key, but I have to assume they aren't passing out samples in the neighborhood. As the new Prime Minister of Canada says, "You've got to believe somebody."

There's just the matter of shopping. They run a pretty taut ship at Peoples Drug, where there are often two cops with guns patrolling the candy counter and a squad car outside with the motor running. But for the younger set, not big enough for wallet-snatching, the Safeway is a razzle-dazzle year-round smorgasbord party. The first course is usually fruit—a few grapes here, an apple, orange or banana there. At this season it's pomegranates. Around the store it's sip and munch as you go. Pit, skin, pith, core, seeds or empty Pepsi cans get spat or tossed into the bins with the frozen broccoli. Sometimes the pomegranates fall apart sooner and land among the butter and eggs. One night when I was there a young man made off with eight steaks. When I visited my friend's Cleveland Park Safeway, she remarked, a little louder than I thought necessary, that it "must seem odd for a Southwester to bother with the checkout counter."

There is quite a selection of parks, by the way. Rock Creek, where the wife of a high State Department official was raped by three teen-agers as she was walking her dogs—at mid-morning, in plain view of Massachusetts Avenue—has retired the rape trophy. (The fourth member of the band obliged by holding her dogs. *Question de nuance.*) The Chesapeake and Ohio canal towpath, rescued from the bulldozers by Mr. Justice Douglas and his ragged band of nature lovers, is perfectly beautiful, especially in the spring and fall. A friend of mine was murdered there in broad daylight, within hailing distance of the Georgetown Esso Station.

You might want to consider your Police Precinct. Here again my friend in Cleveland Park is almost obnoxiously enthusiastic about Number 8. Having naturally seen quite a bit of them, she enjoys a very warm relationship, often inviting the investigating officers to stay for a cup of tea when they've finished taking notes. "The Captain says you have a very nice place here," one of them confided the last time around (TV set, clothes, typewriter.)

Along with the addresses of caterers and part-time butlers so vital to Washington social life, you will find your address book will soon include the names and direct telephone numbers of the detectives assigned to your various confrontations.

Your wife may want to reappraise her wardrobe. Every day on the Society pages, of course, you see pictures of our Beautiful People attired in minis, maxis and genuine Puccis. Although she was asked to go home and pile on more clothes, one of our social leaders actually *turned up* at the Smithsonian in a see-through. But in general it's better to strip down to go out than to dress up. Remove watch and rings. Conceal credit cards around house in case it's broken into while you're out. Wear an old pair of glasses. Your wife might as well wear heels. She couldn't outsprint these pursuers if she wore cleats. They're *motivated* and all she is is scared.

Self defense? There can't be any such thing. A friend once gave me a tear gas pen and when I drove alone to parties at night I carried it in my purse. But I was in such constant terror that I'd inadvertently empty some movie theatre or pollute the mousse at the French Embassy, that I finally had to give it up. It seems to me that if you carry a gun, at the speed of the usual scenario you'll be lucky if all you do is shoot yourself in the foot.

Unless you want the police to think you're a boob, you should start training yourself to remember what the man with his foot on your windpipe *looks* like. This requires as much mental discipline as Black Belt Judo—which it would be a good idea to take up, by the way. The unschooled mind focuses on useless irrelevancies, like survival, which is no help to the police. In vain have I studied the etiquette for these occasions. When my turn came I *fought* for my wallet. I had the absurd conviction that it was *my money*. My mother gave me the wallet last Christmas and, idiotically I even wanted to hang onto *that*.

The policeman knew the trails across the No-Man's Land between the lighted highrises and the dark brick shanties with the broken bottles and beer cans in the yard like the inside of his pocket. It was horribly dark and God-forsaken, and it seemed to me, as he spotted the foursome crossing a vacant lot, stopped the car and got out, that we were edging into a bad Clint Eastwood movie, and I wished I hadn't offered to come along.

"I want to talk to you fellas," he said, as he got out. I don't remember that his hand even brushed his gun. But it was an understood quantity.

They didn't answer. But they moved closer to the car, slowly raised their hands, and leaned forward against it, their chins on the roof, while he ran his hands down their sides. I gathered they'd had this conversation before.

I'd *seen* it before myself. Once outside a Safeway on P Street (that one of my friends affectionately calls The Addicts' Safeway.) Once outside the National Gallery. It's one of our ceremonial sights in Washington, our local *lingua franca*, like the mating dance of Australian bower birds.

I suspect now that they *were* the ones. But in the searchlight they looked smaller, even vulnerable. I had to confess I wasn't sure, and he sent them on their way.

"I'm sorry this happened to you," he said, closing his black notebook back in the brightly lighted lobby. "It's a horribly upsetting thing." He seemed very young and it was a thought I was surprised he'd had time for.

"If you'd been five seconds sooner . . ."

"If I'd seen them," he said, "I'd have shot them."

I've tried to stay on the right side of this argument, and on the wrong side of Mayor Daley. And my Due Process speech was out before you could say Gideon v. Florida. But to be honest, I was only being polite. The thought of that foursome lying in traction in D.C. General didn't bother me one bit.

That's the problem, you will find. Principles so nobly held as abstractions seem to evaporate in the crunch.

I remember, at my friend's funeral, the difficulty I had in digesting the comfort offered by the man who brought God's Word to us across her casket:

We must pray for the poor man who murdered her.

The message seemed to imply that it was somehow *her* fault for being alive, talented, beautiful and vaguely apart. You might call it class. She got her breaks by *birth*. Now give the Little Fellow his chance.

The same unspoken thread seemed to underlie the defense of the man accused. "This little man," his lawyer kept calling him. His circumstances were punishment enough. Society should not inflict any more. The argument, I was later told, broke along those lines in the Jury Room. He was acquitted.

So, if you run into trouble with your responses, you're not the only one. It will take a lot more practice for all of us before we learn to serve gracefully as vehicles for self-expression in a language that is so unfamiliar to us.

Well, I didn't mean to ramble. I only meant to say Welcome to your new neighborhood, wherever it is. And Lots of Luck.

THE DYING LAKE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD another frightening warning of what man is doing to his environment. This last of many warnings appeared in the Wall Street Journal on Monday, February 10, entitled "The Dying Lake." That grim and heart-rending article points out that some biologists find pollution of Lake Erie growing out of control.

The article follows:

THE DYING LAKE: SOME BIOLOGISTS FIND POLLUTION OF LAKE ERIE GROWING OUT OF CONTROL—INDUSTRIAL WASTES, SEWAGE CAUSE HUGE ALGAE PILES, DESTROY FISH AND BIRDS—STRANGE TASTE IN THE WATER

(By Kenneth G. Slocum)

CLEVELAND.—The oil-slicked Cuyahoga River, which oozes its way through this city to Lake Erie, catches fire periodically, earning it the dubious title of "the only body of water ever classified as a fire hazard."

The bacteria count of the chocolate-brown river water, which bubbles like a witch's brew because of fermenting gases on the bottom, often matches that of pure sewage. The river's mouth, once a wonderful spot to catch black bass, now is so contaminated that surprised scientists have found it doesn't even contain sludgeworms, which thrive on waste. Moreover, most local folks agree, the Cuyahoga stinks.

The Cuyahoga and dozens of other polluted Lake Erie tributaries are the focus of a historic and stormy struggle to save the fourth largest of the Great Lakes from becoming useless to man.

"Lake Erie represents the first large-scale warning that we are in danger of destroying the habitability of the earth," says Barry Commoner, a Washington University biologist and critic of current efforts to curb Erie pollution. "Mankind is in an evironmental crisis, and Lake Erie constitutes the biggest warning."

A "BIOLOGICAL EXPLOSION"

Not all pollution experts will go that far, but there is general agreement on one thing: In little more than 50 years, man has wrought on the world's 12th largest lake a startling ecological change. And, biologists agree, the lake may be on the verge of a "biological explosion." They also agree, however, that there's still a lot they don't know about Lake Erie. "We're only now beginning to understand the lake," says one biologist.

Experts figure the 9,940-square-mile lake, gouged out by glaciers 12,000 years ago, has been artificially "aged" 15,000 years in the past half century. The obvious by-products of pollution and aging abound. For 40 miles along the Cleveland area, Lake Erie waters, contaminated with slugs of raw sewage, human excrement, oil and chemicals, are generally unfit for swimming.

Algae, organisms invisible to the eye in a healthy lake, litter the Erie shoreline in long, rotting piles, clog city water intakes and add objectionable taste to many communities' drinking water. During summer, the algae collect in the western basin in an 800-square-mile mass two feet thick, turning the lake into a solution resembling pea soup.

KILLING FISH AND DUCKS

Pollution also has killed most of the lake's commercial and game fish, such as Northern Pike, Blue Pike, sturgeon and cisco. Now the lake is populated by scavenger varieties, such as suckers and carp, which have little commercial value. In addition, the pollution is a significant factor in the sharp decline of wild ducks on Lake Erie and its tributaries. On the Detroit River, where in 1899 ducks were so plentiful one hunting club bagged 122 in a single hour, 10,000 ducks were destroyed by oil pollution in 1960 and huge numbers shared similar fates each year since then, according to Federal wildlife experts.

The chemical interaction that has led to this massive devastation of Lake Erie was little understood until recently. Scientific information on lake ecology generally is at least 50 years behind that of rivers, according to one expert. And even now some aspects, particularly the effectiveness of recommended cures for Lake Erie, are controversial to say the least.

In the main, according to a five-year, $3 million Federal study recently completed, Lake Erie is choking to death on city sewage, although scientists prefer to call it over-enrichment or eutrophication. By far the biggest polluter, the study found, is the Detroit area, which contributes more troublesome municipal waste to Erie than all other U.S. cities combined. (Michigan denounces the study and is demanding sections referring to it be withdrawn.) The Cleveland-Cuyahoga River Basin ranked second. The lake is bounded by Michigan, Ohio, New York, Pennsylvania and Canada.

PIPING IN RAW SEWAGE

One obvious source of the pollution is raw, untreated sewage, piped into the lake as a result of inadequate or faulty sewer systems. For the last half of 1968 in Cleveland, for instance, a main sewer line was under repair and during that time up to 30 million gallons of raw sewage daily was channeled into the Cuyahoga River. The same situation prevailed for six months in 1967 while the line was down for repair. All told, the same line in Cleveland, whose residents recently voted $100 million to upgrade its antiquated sewer system, has had major breaks in each of the past four years.

Vast amounts of raw sewage also are channeled to the lake by combined storm-sanitary sewer systems, which during rains divert sewage through overflows. "Probably no city in the country has so many overflows, and each one is a source of pollution," states a recent city-financed study of the Cleveland sewer system.

For decades, pollution experts assumed such raw sewage was primarily responsible for lake pollution and ecological damage. As the organic material is broken down by bacteria, it uses up the water's oxygen, killing small and beneficial forms of animal life and even fish themselves.

But of late investigators have found that even greater devastation to the lake results from sewage plants, which had been considered modern and adequate. After treatment to remove indigestible solids and to break down organic material, sewage is discharged as about 85% inorganic products, particularly nitrate and phosphate. These consume no oxygen, and it was long assumed they were swept harmlessly on to eventually reach the sea.

Now the scientists believe that most of this phosphate and nitrate remains in the lake, where it fertilizes monstrous growths of algae, which bloom and quickly die. Although the phosphate and nitrate don't consume oxygen, the algae do use up enormous supplies of it. Total oxygen demand on Lake Erie from algae is placed at 18 times that of organic material from sewage plants.

As a result, nearly 25% of the bottom of Lake Erie is almost completely devoid of oxygen in certain periods, a situation that wreaks havoc on the ecology. Such life as nymphs of may flies, a choice food for such popular fish as bass and long considered the most common animal in Lake Erie, no longer exists in huge areas of the lake. Instead, sludgeworms abound at up to 30,000 per square yard. Similarly, fish that require high oxygen content, including pike, have been largely replaced by those requiring less, such as suckers and carp.

Worse, say biologists, the lake may be on the verge of a "biological cataclysm," involving sudden release of pollutants collected for a century in Lake Erie's bottom mud, which ranges from 30 to 125 feet thick. The result would be depletion of most Lake Erie oxygen, which could have an enormous additional impact on lake life. Even use of the lake as drinking water—it currently is used by some 11 million people—could be threatened, the biologists maintain.

THE FUSE ON THE BOTTOM

The fuse of this biological bomb, scientists contend, is a thin skin of ferric iron overlaying the mud bottom of Lake Erie. With ample oxygen, ferric iron forms hard insoluble complexes with materials on the bottom, sealing off the deposits from the water above. But with depletion of oxygen ferric iron can become soluble, and materials in the mud then can dissolve in the water above. The release of enormous quantities of these materials, ranging from nutrients such as nitrate and phosphate to insecticides and industrial chemicals, has already begun, according to some experts.

Municipal waste, although Lake Erie's biggest problem, is not the only one. An industrial complex ranging from Detroit's auto plants and Cleveland's steel mills to Erie, Pa., paper operations and Akron rubber plants, constitutes the second biggest source of pollution. An estimated 11 million pounds of chlorides and undetermined amounts of cyanide, acids, oil and similar industrial pollutants are dumped into the lake every 24 hours.

The exact impact of these, particularly on reproduction of fish and birds, isn't known But pollution experts say the danger is growing.

Despite the awesome proportions of the problem, many pollution experts are confident Lake Erie can be salvaged. "There's no question but that the lake can be saved, but I don't know that it will be," contends George Harlow, director of the Lake Erie office of the Federal Water Pollution Control Administration. "We can't fool around any longer."

SOME RECOMMENDATIONS

The key to saving the lake, pollution experts figure, is removal from waste of most phosphorus "because it is the one essential nutrient for which control measures are best known." Some 137,000 pounds of phosphorus are dumped into the lake daily, with 72% of that stemming from municipal waste, studies show. About two-thirds of the phosphorus in city waste stems from detergents.

To remove phosphorus and cut down on untreated sewage, chemicals and other pollutants, the Federal Government is recommending immediate expenditures of $1.1 billion by cities and $285 million by industry.

But at least one biologist contends Lake Erie probably won't be saved even if all the steps recommended by the Federal Government are carefully followed.

"The idea of cleaning up Lake Erie by cutting back phosphates won't work," declares Mr. Commoner. "Nitrate levels also are serious." He adds further, "The job can't be done until we come to grips with the stuff on the bottom. To clean up Lake Erie may require the dimensions of the space program, and in the end it may even be irreversible."

LITHUANIAN INDEPENDENCE DAY

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. ROONEY of New York. Mr. Speaker, last year we joined with our warm friends of Lithuanian extraction in celebrating the 50th anniversary of Lithuania's independence. On yesterday, 51 years have elapsed since the day when these proud freedom-loving people gained their first taste of liberty after five generations of enslavement.

The free world rejoiced at this historic event. Messages of congratulations came from heads of state throughout the world. Men who covet liberty and enjoy freedom were gratified indeed that one more great nation had achieved independence and sovereignty. The oppressive bonds of Russia and Germany had been severed—Lithuania was free and its hardy people could now select their own leaders, speak openly on issues without fear of the sinister acts of the secret police, and worship where and as they chose.

The full meaning of that historic day was shared by hundreds of thousands of Americans—the relatives and friends of the Lithuanian people and the Americans who had long worked with and admired the qualities of our loyal Lithuanian-American neighbors.

These same Americans who shared in the joy of the long overdue independence were not only shocked and saddened at the sudden loss of this cherished freedom but were appalled at the illegal and inhuman acts of the Soviet Union against Lithuania and her sister Baltic States in the chaotic days which followed the Axis surrender ending World War II.

Mr. Speaker, this Nation can be proud of the fact that we have never recognized the Soviet grab of the Baltic States. We can be proud that we continue to accredit the governments in exile as the official representative of the Lithuanian, Latvian, and Estonian people. But, Mr. Speaker, this Nation should hang its head in shame because for the past 28 years we have put forth only meager and futile efforts to restore freedom to our trusted friends.

It is true that we have protested, we have resolved publicly and we have proclaimed officially our continued opposition to the unwarranted takeover of these sovereign states by the Red Communists, but we have done all too little to enlist the support of the rest of the free world to join us in applying various sanctions against Russia and her Communist stooges.

It is my deepest hope that during this 51st year of Lithuania's independence we may take positive steps to restore freedom to our enslaved friends. This we can do by supporting the splendid works of the loyal Lithuania-American organizations and the Assembly of Captive Nations; this we can do by forcing the Soviet Union to defend its gangster acts before a tribunal of the United Nations; and this we can do by taking both independent as well as joint action with other powers in applying telling sanctions against the U.S.S.R.

I am proud to assure my Lithuanian-American friends, both here and in their homeland, that I shall dedicate my efforts to obtaining positive action which will once again permit the sons and daughters of Lithuania to regain their long-sought independence and to have restored their rights and blessings of a sovereign nation.

I am certain that many of my colleagues will join me in these assurances to all Americans who glory in their Lithuanian extraction and heritage. This is the least we can do for an outstanding segment of our society that has demonstrated by hard work, by meticulous law observance and by wholehearted support of our domestic and foreign programs their earned rights as true American citizens.

Mr. Speaker, I commend all of them and congratulate them on their achievements. May our help give them courage to intensify their efforts in achieving freedom for their loved ones.

THE FREEDOM LAND

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. HUNGATE. Mr. Speaker, Metropolitan Opera Singer George London, who recently was appointed musical administrator of the John F. Kennedy Center for the Performing Arts, suggests that Congress commission a leading poet to write new words to the tune of "The Battle Hymn of the Republic."

A constituent, Glorietta I. King, of St. Charles, Mo., has written the following lyrics to that tune:

THE FREEDOM LAND

(By Glorietta I. King)

1

America, the beauty, lies between two mighty seas
Propagated by the heirs of Israel's decrees
Molded into glory by the brave and loyal men
Who signed with freedom's pen.

CHORUS

Glory to our mighty Nation,
Praise the God of our salvation,
Honor Him with high elation
For freedom's promised land:

2

America was bought with blood of war for free men's cause,
Established on foundations made from God's own basic laws
Forests, rivers, mountains, deserts, plains beyond compare,
Are here for free men's care.

3

This land became a haven for unhappy refugees;
The poor and wretched from the countries out beyond the seas
Were melted with a fervor in the great refiner's flame
To bring our country fame.

NATIONAL DEBT INCREASE—AGAIN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. RARICK. Mr. Speaker, a few months ago Congress was pressured by the then administration-in-power to raise the national debt ceiling to an historic record high of $365 billion.

Last week Congress and the Federal judges were given a pay raise. Then, Treasury Secretary, David M. Kennedy, announces he will request the debt ceiling be hiked by $10 to $12 billion.

Now the President is urged to continue the 10 percent surtax—a tax on the duty to pay taxes.

The American people have been told that there was little difference in the two major national parties—not a dime's worth of difference. This may refresh their memories.

Mr. Speaker, in these days of runaway inflation and endless government spending, our people cannot afford to increase the debt any further.

Today, the American taxpayer is being taxed as never before in the history of our Republic. We must exert leadership for commonsense fiscal sanity. We cannot continue to escalate taxes in excessive percentages without expecting a tax backlash from the people who rightfully should demand that the Federal Government get off the merry-go-round.

Mr. Speaker, I include news clippings from the Washington, D.C., Evening Star for February 12 and 13, 1969, on these subjects following my remarks:

PERMANENT 10 PERCENT SURTAX IS URGED: PROPOSAL TO AID STATES IS MADE BY ROCKEFELLER

(By Garnett D. Horner)

New York Gov. Nelson A. Rockefeller proposed to President Nixon and his Urban Affairs Council today that the 10 percent federal income tax surcharge be made permanent as a national tax for the support of state and local governments, particularly for education.

He also proposed using 25 percent of the cumulative growth of federal revenues to finance national standards for welfare and to take over the full cost of welfare programs, now shared by the states.

THIRTY BILLION DOLLARS IN 4 YEARS

Rockefeller estimated that these two programs would give the states and cities about $6.5 billion in the first year, growing to $30 billion in four years.

And Rockefeller proposed a government-sponsored compulsory health insurance program. This, he said, would provide a "first line of defense against costs of illness."

Nixon acted as chairman of the Urban Affairs Council at the start of a session at the White House in which Rockefeller submitted his suggestions for a major redistribution of tax revenues.

Nixon moved on 35 minutes later to preside at a meeting of his National Security Council, in session at the same time, leaving Vice President Spiro T. Agnew presiding for the remainder of the urban affairs meeting.

At noontime, Nixon laid a wreath at the Lincoln Memorial during brief ceremonies marking the 160th anniversary of Abraham Lincoln's birth today.

The President, obviously cheerful and without a topcoat despite cold winds, paused only twice during the noon commemoration.

Once he placed the wreath in position in front of the massive statue of Lincoln, and later traded pleasantries and handshakes with persons in the crowd of 400 on hand for the ceremonies.

The Nixon appearance was the high point of the traditional marking of the day. Since 1923 every president except John F. Kennedy has attended such an event, which today included a military band, honor guard and the massed flags of all 50 states. The Gettysburg Address was read by Sen. Charles McC. Mathias, R-Md.

FINCH IS OPPOSED

After the urban affairs meeting, Secretary of Health, Education, and Welfare Robert Finch, a member of the council, noted that he and Nixon have advocated national minimum standards for welfare, but took a dim view of Rockefeller's other proposals.

Asked about Rockefeller's suggestion that the government take over the full cost of the welfare program, Finch said that to keep HEW from becoming a "department of the dole" he thought there should be a kind of balance between its activities in health, education and welfare—leaving the states their share of responsibility in all these fields.

On the Rockefeller proposal to make the surtax permanent as a means of financing more school aid to the states, Finch said he doubted if it would be good strategy to try to earmark revenue from the surcharge for a particular purpose in arguing for its extension in Congress. He said he thought the funds needed for education could be provided otherwise.

Rockefeller argued at the urban affairs meeting that state and local spending to meet human needs has been rising much more rapidly than federal spending for domestic purposes, although the federal government collects two-thirds of all tax revenue.

He said the remaining one-third of tax revenues collected by state and local governments are inadequate to meet such needs as rising costs of primary and secondary school education and to reduce welfare inequities.

Under Rockefeller's proposal, the federal government would turn over 25 percent of the 10 percent income tax surcharge yield to the states in the first year, adding 25 percent each year until all this revenue was going to the states in the fourth year.

Rockefeller estimated that at the end of four years the surcharge would yield $14 billion, and the earmarking 25 percent of other federal revenues for welfare would provide another $16.75 billion—a total of $30.75 billion a year after four years.

He urged that such aid be distributed in "block" grants, consolidating present categorical grants-in-aid.

As alternative to such block grants, he suggested that the federal aid funds be given to the states on a per capita basis.

Urging the establishment of federal standards for welfare payments across the nation—long an Agnew proposal—Rockefeller proposed that over a 4-year period the federal government take over the complete cost of welfare using 25 percent of the growth in federal revenues apart from the income tax surcharge to finance it.

He also urged a national contributor health insurance system as a first line of defense against rising health costs.

BID TO LIFT DEBT LIMIT BY $10 BILLION SLATED

(By Lee M. Cohn)

The Nixon administration soon will ask Congress to raise the $365 billion federal debt ceiling by about $10 billion or $12 billion, informed sources said today.

They said it will be difficult to obtain the increase over stiff opposition by congressional economizers in both parties.

Treasury Secretary David M. Kennedy announced in a speech last night that the administration will request an increase, but offered no details.

An "immediate" increase will be needed to get past seasonal squeezes just before the big tax collections in mid-March and mid-April, he said in a speech to a Lincoln Day dinner in Dallas.

In addition to this temporary relief, he said, the ceiling must be raised to accommodate the debt in fiscal 1970, the year starting next July 1.

Debt ceiling legislation always provokes congressional battles, and the fight may be rougher than usual this year.

Rep. Wilbur D. Mills, D-Ark., chairman of the House Ways and Means Committee, was assured by Treasury technicians last June that no increase in the ceiling would be needed in fiscal 1969 if Congress enacted the income surtax and expenditure ceiling, which it did.

Relying on these assurances, Mills said in a House speech that the debt ceiling issue would NOT plague Congress again in fiscal 1969.

Administration officials realize that Mills, whose committee handles debt legislation, hates to back down from public commitments. They expect to have a hard time persuading him that legislation is needed now, especially since revenue collections are running higher than expected.

The usual political problems are aggravated by the shift to a Republican administration.

House Republicans have opposed debt ceiling increases by big margins in the past, leaving it up to the Democrats to pass the legislation.

Unless the Nixon administration can switch a lot of Republican votes, congressional Democrats said, the debt ceiling increase will be in trouble.

With a Republican in the White House, they said, it is not realistic to expect the Democrats to bail him out.

Analysts said the Treasury might be able to squeak through March within the present debt limit, and an increase of only about $1 billion probably would be adequate for April—barring bad breaks.

The debt will decline seasonally after mid-April, so no insoluble problems would be expected even if the limit dropped to $358 billion for one day on June 30, as provided by existing law.

But the debt will rise seasonally next fall and winter. Rather than going back to Congress again to deal with this problem, the administration is expected to request a high enough debt ceiling in the next few weeks to take care of fiscal 1970, too.

Assuming no big changes in the Johnson administration's forecast of small budget surpluses in fiscal 1969 and 1970, analysts estimated, the Treasury will need an increase of about $10 billion or $12 billion in the debt ceiling.

The debt subject to the $365 billion ceiling totaled $362.9 billion Feb. 7, the latest date for which figures are available.

Even with the projected budget surpluses of $2.4 billion in fiscal 1969 and $3.4 billion in fiscal 1970, the debt will rise from time to time because of seasonal fluctuations in spending and tax collections.

Another reason for debt ceiling problems even when the budget has a surplus is the need for the Social Security and other government trust funds to invest their spare cash. The Treasury must issue securities, which count in the debt, to provide the trust funds with investment vehicles.

One way to avoid this problem would be to apply the debt ceiling only to debt held by the public, excluding the $90 billion to $100 billion of debt held by the trust funds.

Although the Treasury has considered this approach, informed sources said they doubt the administration will try this time to sell the idea to Congress.

NEW INITIATIVES TOWARD CHINA NEEDED

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. FINDLEY. Mr. Speaker, last week in my weekly radio, television, and newspaper report to the people of my district I urged that the Nixon administration undertake new initiatives to break the political deadlock between the United States and China. In my remarks I urged, as a logical first step, that the President appoint a special ambassador to conduct the Warsaw talks on February 20 with the Chinese Communists. I also urged that the embargo on trade with China be lifted so that trade with her will be on the same basis as trade with the Soviet Union. I believe we should offer to exchange scientific, cultural, and economic delegations with China; study the possibilities of aviation links with China; and indicate our willingness to permit the establishment of a Chinese news agency office in the United States. To facilitate contact and trade, the United States should offer to establish a trading mission in China or consular relations, as other countries have done.

The seizure of three yachts last weekend by the Chinese near Hong Kong illustrates the need for better communication.

Mr. Speaker, I place the full text of my report in my remarks at this point:

WEEKLY RADIO, TV, AND NEWSPAPER REPORT TO PEOPLE OF THE 20TH DISTRICT OF ILLINOIS

(By Representative PAUL FINDLEY, of Illinois)

A new United States "open door" policy to China is needed to replace the present unsuccessful one. Any discussion of our difficult relations with China must begin with the realization that China is a nation older than history and determined to be independent. Her people, the most numerous on earth, have the capacity for patience, labor, and industry which for three millennia has compensated for China's lack of collective method and cohesion. The result has been a very special civilization which has affected our own development.

China is a tremendous country, geographically compact, extending from Asia Minor and the steppes of Europe to the long shoreline of the Pacific, and from the ice of the north to the tropical regions of India and the Gulf of Tonkin. For a thousand years instinctively inward looking and scornful of foreigners, but conscious and proud of her ancient traditions, she has striven to master internal problems. So ancient is China that she among all nations has earned the one ascription "eternal".

Since the Communists came to power in the "gates of heavenly peace" in Peking an enormous effort has been required for the exploitation of natural resources, industrial development, agricultural production, national education, and the struggle against the scourges inherent in China—hunger, pestilence, erosion, and floods. As has always been the case in the Communist system, what was achieved involved terrible suffering among the people, implacable constraint for the masses, tremendous losses and waste of property, and the collapse of countless human values. Notwithstanding all of this and the throes of her most recent cultural revolution, China has achieved a centralized government which for the first time in eight hundred years exercises effective, albeit ruthless control over the mainland.

Originally we in the United States perceived China as a satellite of the Soviet Union. But the illusion has been dispelled. Doubtless there are certain doctrinal solidarities and common interests between Moscow and Peking. Yet aside from this there is an inevitable difference in national policies. The vast frontier between the two states is the longest that exists in the world. Russia's interest is to conserve and maintain that status and China's is to grow and to acquire. Thus their interests are diametrically opposed.

The United States sought originally to isolate and contain China. She has been contained but she is not isolated. President Nixon himself said in his inaugural speech that the United States seeks to isolate no nation; indeed we cannot isolate a nation such as China. In the years since the Communists came to control the mainland an increasing number of states have given diplomatic recognition to Communist China. When Canada and Italy have followed through on their announced plans to establish relations with Peking, a majority of our NATO allies will have established formal diplomatic relations and already the majority of our SEATO allies have done so. Today two-thirds of China's total trade is with the western countries, compared with only one-third a few years ago.

There is no political settlement notably with regard to Cambodia, Korea, Laos, Vietnam, India, Pakistan, Afghanistan, or Japan which does not concern or affect China. There is neither a war nor a peace imaginable on the whole Asian continent without China being involved in it. Considering all this the United States must be able to listen to China directly and also make ourselves heard.

It would seem to me that the advantages to the United States in improving relations with China are obvious. The relative permanency of the Communist control of the mainland, the deep divisions and effects of the Sino-Soviet split, the growing military power of China, the normalization of relations with China by our European allies, the likely departure from leadership of Chairman Mao and perhaps other present leaders during the next four to eight years—all make this the appropriate time to institute a series of steps which would improve relations. In a recent meeting with Dr. Henry Kissinger, Special Assistant to the President for National Security, and in a memorandum to the Secretary of State I have urged this series of steps to improve political relations with China. For political reasons full diplomatic relations may be neither prudent nor possible at this time.

However, in the meantime other means may accomplish much of what we hope would result from full diplomatic relations. The legal tangle over the implications of diplomatic relations, our relationship with Formosa, and the U.N. seating for China might be so acrimonious and embarrassing as to defeat or reduce largely the hoped-for benefits for taking the move in the first place.

Between these extremes of no relations with China or full normalization of relations lies a prudent course consisting of several small steps—a course which would not force a showdown over the larger controversial issues, but nevertheless measures which taken together would open the door to China.

These steps would serve to encourage moderate elements in the Chinese leadership. They would remind the Soviets that American policy towards China is independent and does not exist to serve Moscow's interests. Hopefully these steps would lead to settlement of smaller outstanding differences including the release of American prisoners, among which is Major Phillip Smith of Roodhouse.

Key elements of the policy should be that the United States:

1. Aims ultimately at normalization of relations with China.

2. Has no military designs, direct or indirect, on the mainland of China. We stand by our commitment to defend Formosa and the off shore islands, but do not intend to provoke war with China and have no intention of supporting or countenancing military action against the mainland.

3. Rejects the idea of an unending or protracted conflict with China. We believe our differences can ultimately be resolved.

4. Wishes to communicate with China. We are respectful of legitimate Chinese complaints and understand—even though we cannot always support—Chinese views on certain matters.

5. Will not join with the Soviet Union in attempting in any way to "gang up" on China.

6. Will keep policies towards China always open to review and modification as changed circumstances justify.

In order to implement a policy which would be built around the above elements, I feel that the President of the United States by Executive Order should remove the complete embargo on trade with China, and the trade with China should be placed on the same basis as trade with the Soviet Union. As a minimum, the United States should permit the sale of grain and other foodstuffs to the Chinese. It makes little sense to deny American farmers a market of 700 million Chinese when our allies including Canada and Australia are selling agricultural products there.

China is potentially a great customer of U.S. food products. As a nation we look foolish acting as if China does not exist while at the same time selling wheat and generally seeking a detente with the Soviet Union, a nation which possesses a far greater and more immediate threat to our security. Trade arrangements could be facilitated by proposing the opening of a trade mission or consul in China. This would give the United States a political and economic presence in China such as Italy and Lebanon have. Indeed Germany is now considering such an arrangement with China. Consular relations between the United States and China would enable each nation to communicate on an informal basis while temporarily avoiding the more complicated question of formal diplomatic recognition. This is so because consular relations do not imply diplomatic recognition.

On February 20 the United States will hold its first meeting with the Chinese in Warsaw, Poland in thirteen months. In order to upgrade the level of the talks, I proposed to the President and the Secretary of State that the United States should designate a special ambassador with expertise in Chinese matters to conduct our side of the Warsaw talks. This individual should be a person other than the ambassador to Poland who of course is primarily responsible on U.S.-Polish matters. The talks in Warsaw are now more than ten years old. They have become formalistic and have none of the give-and-take that is necessary for realistic diplomatic understanding. New initiatives are needed at Warsaw. I believe the selection of a person with ambassadorial rank for the express purpose of conducting negotiations would show the significance we place on talks with the Chinese. It would be worthwhile even if it meant flying this ambassador to Warsaw for each meeting. In the event this would be inconvenient, consideration could be given to moving the site of the talks back to Geneva where they were held originally or perhaps to London or Paris where special U.S. Ambassadors could be permanently stationed.

Other steps can be undertaken to improve relations. The exchange of scientific, cultural, and economic delegations is possible. There may be American air carriers who are interested in air links with China because of the growing passenger service between China and Indonesia, Japan, and other points in the Far East. The Chinese government could be informed that the United States is willing to permit the establishment of a New China News Agency Office in the United States.

These steps, taken together, would constitute a policy change on the part of the United States of sufficient substance and breadth to test the interest of China in a new, more moderate policy. At best, these actions would lead in time to a new Open Door policy towards China with normal communication between the two countries.

At worst, if China made no reciprocal moves and rejected each opportunity for cooperation, our initiatives would nevertheless enhance our prestige in the eyes of the world and encourage moderate elements in China to work and hope for better days. We cannot of course nurse illusions in this regard. Nor by undertaking these steps do I mean to express any approval of the political system which at present prevails in China.

In summary, perhaps the best argument for providing diplomatic relations and improved relations with China was that made by Winston Churchill in the House of Commons on the occasion of Britain's formal recognition of China in 1950. He told the House of Commons, "We send an ambassador to Peking not to confer a favor, but to secure a convenience for His Majesty's government."

UKRAINE'S 50TH ANNIVERSARY OF ACT OF UNION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD a resolution adopted by Americans of Ukrainian descent who assembled at Fitzgerald Auditorium in Warren, Mich., to commemorate the 51st anniversary of the independence of the Republic of Ukraine and the 50th anniversary of the Act of Union of the Ukrainian people:

RESOLUTIONS ADOPTED AT THE COMMEMORATION OF THE ANNIVERSARY OF UKRAINE'S INDEPENDENCE AND THE ANNIVERSARY OF THE ACT OF UNION, FEBRUARY 9, 1969

Whereas, January 22, 1969 marked the 51st Anniversary of the Proclamation of Ukraine's Independence and the 50th Anniversary of the Act of Union; and

Whereas, the independence of Ukraine was proclaimed in Kiev, the capital of Ukraine, on January 22, 1918 and the Act of Union took place a year later on January 22, 1919, also in Kiev; and

Whereas, young Ukrainian democratic republic was immediately recognized by a number of foreign governments, including that of Soviet Russia; and

Whereas, the Soviet Russia, almost simultaneously with recognition, began a large-scale invasion of Ukraine, which alone and unaided, succumbed to the superior forces of Communist Russia; and

Whereas, the freedom loving people of Ukraine have not accepted Soviet Russian domination and have been fighting for the re-establishment of their independence by all means at their disposal;

Now, therefore, we Americans of Ukrainian descent, from the State of Michigan resolve as follows:

1. To take into proper consideration heroic struggle of the Ukranian people who strongly

oppose enforced Russification, aiming at the cultural and linguistic genocide of the native population;

2. To assist by all possible methods the Ukrainian nation in their struggle for freedom and independence;

3. To support the political action of the United States Government in its struggle with Communism, particularly with Russian imperialistic Communism;

4. To give moral support to all of those Ukrainians, who presently are engaged in active struggle against Communist advances;

5. To request the United States Government and both legislative bodies to redouble their efforts in promoting and extending the application of the principles of human rights to the Ukrainian people, enslaved by Communist Russia, and to help the Ukrainian nation in achieving their freedom and self determination.

DETROIT, MICH., *February 9, 1969*.

THE GREAT AMERICAN FRUSTRATION

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. CONTE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article, entitled "The Great American Frustration," written by Archibald MacLeish, which appeared in the July 13, 1968, issue of the Saturday Review:

THE GREAT AMERICAN FRUSTRATION

(By Archibald MacLeish)

(NOTE.—This article is based on the first Milton Eisenhower Lecture, delivered by Mr. MacLeish at the Johns Hopkins University. *"The Wild Old Wicked Man" and Other Poems,* a collection of Mr. MacLeish's lyric poetry, will be published by Houghton Mifflin in September.)

That Americans have changed their nature since Andrew Jackson's day or Theodore Roosevelt's or even Harry Truman's is now taken as self-evident—at least among the Americans. No visiting European from Crévecoeur to Somerset Maugham would have reported us to the world in the terms in which we now report ourselves, nor would Charles Dickens, who liked us least and used almost every other derogatory term to describe us, have used the word we repeat most frequently today. Arrogant, perhaps. Self-confident and bumptious, certainly. But frustrated? If there was one people on earth incapable of frustration it was the people who inhabited the United States . . . a hundred years ago.

But not now. Not to us. Not in the newspapers or the television programs or the lecture circuits or anywhere else our national mania for prodding and poking at our national psyche indulges itself. For a time last winter the word frustration was almost as frequently seen and heard in those quarters as the word America itself, and when Robert Kennedy was shot in Los Angeles, though the talk was all of the "sickness of American society," it was still the American sense of frustration and helplessness which spoke. We have not only accepted our frustration, we have embraced it. To the young it seems somehow to explain what is otherwise inexplicable in the numb uneasiness with which they approach their lives. To the old it provides an alternative to the exhausting labor of struggling to comprehend an increasingly incomprehensible epoch.

But what the great frustration actually means is not so obvious. Most of us, questioned about it, would reply Vietnam, meaning one of two quite different things: either that the stupidity of our involvement in the war in Vietnam has shaken our confidence in our ability to manage our own affairs, or that our astonishing failure to win the war once we had involved ourselves has undermined our belief in our greatness as a world power. But is either reply correct? Would we believe in our greatness as a world power today if we had used our incontestable superiority in weapons to blast what Governor Reagan refers to as "a water buffalo economy" off the earth? Or would we now regain our political self-confidence if we were to repudiate the President, whoever he was, who involved us in Vietnam in the first place? I doubt it. I think any such washing of the hands would end where, indeed, it has already ended; in the realization that no one, whether Eisenhower or Kennedy or Johnson, can usefully be blamed for the events which led to our involvement in Vietnam because no one of them was really in control of those events. And that realization, far from curing our sense of frustration, would only deepen it.

Or, more precisely, it would show us what this frustration which we confess so readily really is. It is not, as we like to think, Vietnam. Not the sense of individual helplessness which plagues the citizens of a large country when they become aware of the blindness and ineptitude of their rulers, the stupidity of those in power. Not the impotent rage which follows the failure of events to conform to expectations, the failure of history to keep to the plot as written—the refusal of the water buffalo economy to collapse before the electronic power. Not the first mistake which committed us to the Asian war, or the last mistake which has left us in it, or anything else which has to do with Vietnam alone—which began in Vietnam and will end there. It is none of these things but something larger and more troubling: a numb, uniformed, persistent sense, like the hinting pinch of a pain which is not yet brutal hurt but will be that we, as Americans, we perhaps as members of our generation on this earth, have somehow lost control of the management of our human affairs, of the direction of our lives, of what our ancestors would have called our destiny.

It is a sense we have had in one form or another for a long time now, but not as an explicit, a formulated fear until we found ourselves deep in the present century with its faceless slaughters, its mindless violence, its fabulous triumphs over space and time and matter ending in terrors space and time and matter never held. Before that there were only hints and intimations, but they were felt, they were recorded where all the hints and intimations are recorded—in poems, fictions, works of art. From the beginning of what we used to call the industrial revolution—what we see today more clearly as a sort of technological coup d'état—men and women, particularly men and women of imaginative sensibility, have seen that something was happening to the human role in the shaping of civilization.

A curious automatism, human in origin but not human in action, seemed to be taking over. Cities were being built and rebuilt not with human purposes in mind but with technological means at hand. It was no longer the neighborhood which fixed the shape and limits of the town but the communications system, the power grid. Technology, our grandfathers said, "advanced" and it was literally true: it was technology which was beating the tambours, leading the march. Buildings crowded into the air not because their occupants had any particular desire to lift them there, but because the invention of electric elevators and new methods of steel and glass construction made these ziggurats possible and the possibility presented itself as economic compulsion.

Wildness and silence disappeared from the countryside, sweetness fell from the air, not because anyone wished them to vanish or fall but because throughways had to floor the meadows with cement to carry the automobiles which advancing technology produced first by the thousands and then by the thousand thousands. Tropical beaches turned into high-priced slums where thousand-room hotels elbowed each other for glimpses of once-famous surf not because those who loved the beaches wanted them there but because enormous jets could bring a million tourists every year—and therefore did.

The result, seen in a glimpse here, a perception there, was a gradual change in our attitude toward ourselves as men, toward the part we play as men in the direction of our lives. It was a confused change. We were proud—in England, and even more in America, raucously proud—of our technological achievements, but we were aware also, even from the beginning that these achievements were not altogether ours or, more precisely, not altogether ours to direct, to control—that the *process* had somehow taken over leaving the purpose to shift for itself so that we, the ostensible managers of the process, were merely its beneficiaries.

Not, of course, that we complained of that, at least in the beginning. A hundred years ago, with the rare exception of a Dickens or a Zola, we were amenable enough—amenable as children at a Christmas party. Inventions showered on our heads; steam engines and electric lights and telegraph messages and all the rest. We were up to our knees, to our necks, in Progress. And technology had made it all possible. Science was the giver of every good and perfect gift. If there were aspects of the new world which were not perfect—child labor for example—progress would take care of them. If the ugliness and filth and smoke of industrial cities offended us, we put up with them for the sake of the gas lights and the central heating. We were rich and growing richer.

But nevertheless the uneasiness remained and became more and more evident in our books, our paintings, our music—even the new directions of our medical sciences. Who were we in this strange new world? What part did we play in it? Someone had written a new equation somewhere, pushed the doors of ignorance back a little, entered the darkened room of knowledge by one more step. Someone else had found a way to make use of that new knowledge, put it to work. Our lives had changed but without our changing them, without our intending them to change. Improvements had appeared and we had accepted them. We had bought Mr. Ford's machines by the hundreds of thousands. We had ordered radios by the millions and then installed TVs. And now we took to the air, flew from city to city, from continent to continent, from climate to climate, following summer up and down the earth like birds. We were new men in a new life in a new world . . . but a world we had not made—had not, at least, intended to make.

And a new world, moreover, that we were increasingly unsure, as time went by, we would have wanted to make. We wanted its conveniences, yes. Its comforts, certainly. But the world as a world to live in? As a human world? It was already obvious by the beginning of this century that many of our artists and writers—those not so silent observers of the human world who sit in its windows and lurk in its doorways watching—were not precisely in love with the modern world, were, indeed, so little in love with it that they had turned against life itself, accepting absurdity and terror in its place and making of human hopelessness the only human hope. And there were other nearer, stranger witnesses. Before the century was two-thirds over numbers of our children—extraordinary numbers if you stop to think about it—were to reject, singly and secretly, or publicly in curious refugee encampments, the whole community of our modern lives, and most particularly those aspects of our lives which were most modern: their conveniences, their comforts . . . their affluence.

It was inevitable under these circumstances that some sort of confrontation should occur between the old idea of man as the liver of his own life, the shaper of his own existence, and the new idea of world, the newly autonomous world—world autonomous in its economic laws, as the Marxists hoped, or autonomous in its scientific surge, its technological compulsions, as some in the West began to fear. And, of course, the confrontation did occur: first in rather fatuous academic ructions in which science and the humanities were made to quarrel with each other in the universities, and then, in 1945, at Hiroshima. What happened at Hiroshima was not only that a scientific breakthrough—"breakthrough" in the almost literal sense—had occurred and that a great part of the population of a city had been burned to death, but that the problem of the relation of the triumphs of modern science to the human purposes of man had been explicitly defined and the whole question of the role of humanity in the modern scientific age had been exposed in terms not even the most unthinking could evade.

Prior to Hiroshima it had still been possible—increasingly difficult but still possible—to believe that science was by nature a human tool obedient to human wishes and that the world science and its technology could create would therefore be a human world reflecting our human needs, our human purposes. After Hiroshima it was obvious that the loyalty of science was not to humanity but to truth—its own truth—and that the law of science was not the law of the good—what humanity thinks of as good, meaning moral, decent, humane—but the law of the possible. What it is possible for science to know science must know. What it is possible for technology to do technology will have done. If it is possible to split the atom, then the atom must be split. Regardless. Regardless of . . . anything.

There was a time, just after Hiroshima, when we tried—we in the United States, at least—to escape from that haunting problem by blaming the scientists as individuals: the scientists, in particular, who had made the bomb—the mysterious workers in the cellars at Stagg Field and the laboratories of the Manhattan Project. And the scientists themselves, curious as it now may seem, cooperated; many of them, many of the best, assuming, or attempting to assume, burdens of personal guilt or struggling, somehow, anyhow, to undo what had been done.

I remember—more vividly perhaps than anything else which happened to me in those years—a late winter evening after Hiroshima in a study at the Institute at Princeton—Einstein's study, I think—when Niels Bohr, who was as great a man as he was a physicist, walked up and down for hours beside the rattling radiators urging me to go to President Truman, whom I did not know, to remind him that there had been an understanding between Mr. Roosevelt and the scientists about the future neutralization of the bomb. I gussed that Bohr, even as he talked that evening, realized there was nothing Mr. Truman or anyone on earth could do to unknow what was known. And yet he walked up and down the freezing study talking. Things, of course, were "done"—attempted anyway. In the brief time when we alone possessed what was called "the secret," the American Government offered to share it with the world (the Baruch Plan) for peaceful exploitation. What we proposed, though we did not put it in these words, was that humanity as a whole should assert its control of science, or at least of this particular branch of science, nuclear physics, limiting its pursuit of possibility to possibilities which served mankind. But the Russians, with their faith in the dialectics of matter, demurred. They preferred to put their trust in things, and within a few short months their trust was justified: they had the bomb themselves.

The immediate effect in the United States was, of course, the soaring fear of Russia which fed the Cold War abroad and made the black plague of McCarthyism possible at home. But there was also a deeper and more enduring consequence. Our original American belief in our human capability, our human capacity to manage our affairs ourselves, "govern ourselves," faltered with our failure to control the greatest and most immediate of human dangers. We began to see science as a kind of absolute beyond our reach, beyond our understanding even, known, if it was known at all, through proxies who, like priests in other centuries, could not tell us what they knew.

In short, our belief in ourselves declined at the very moment when the Russian belief in the mechanics of the universe confirmed itself. No one talked any longer of a Baruch Plan, or even remembered that there had been one. The freedom of science to follow the laws of absolute possibility to whatever conclusions they might lead had been established, or so we thought, as the unchallengeable fixed assumption of our age, and the freedom of technology to invent whatever world it happened to invent was taken as the underlying law of modern life. It was enough for a manufacturer of automobiles to announce on TV that he had a better idea—any better idea: pop-open gas-tank covers or headlights that hide by day. No one thought any longer of asking whether his new idea matched a human purpose.

What was happening in those years, as the bitterly satirical fictions of the period never tired of pointing out, was that we were ceasing to think of ourselves as men, as self-governing men, as proudly self-governing makers of a new nation, and were becoming instead a society of consumers: recipients—grateful recipients—of the blessings of a technological civilization. We no longer talked in the old way of The American Proposition, either at home or abroad—particularly abroad. We talked instead of The American Way of Life. It never crossed our minds apparently—or if it did we turned our minds away—that a population of consumers, though it may constitute an affluent society, can never compose a nation in the great, the human, sense.

But the satirical novels, revealing as they were, missed the essential fact that we were becoming a population of consumers, an affluent society, not because we preferred to think of ourselves in this somewhat less than noble role but because we were no longer able to think of ourselves in that other role—the role our grandfathers had conceived for us two hundred years ago. We were not, and knew we were not, Whitman's Pioneers O Pioneers.

It is here, rather than in the floundering failures and futile disappointments of Vietnam, that this famous frustration of ours is rooted. Vietnam alone, disastrous as that whole experience has been, could never have have produced, in a confident and self-reliant people such as the Americans once were, a mood like the American mood of these past months. Not even the riots of last summer and this spring could have afflicted us as we are now afflicted if we had still believed that our principal business was the making of a nation, the government of ourselves. Indeed the riots are, if anything, the consequences, not the cause, of our self-doubt—or, more precisely, the consequence of the actual causes of that doubt. It is not without significance that the targets of the mobs in the burning streets are supermarkets and television outlets rather than the courthouses and city halls which would have drawn the mobs of earlier times. Courthouses and city halls stand—or stood once—for The American Proposition. Supermarkets and television outlets are the symbols of The American Way of Life. Mobs strike for the Bastille in any rising and the Bastille in the United States today is whatever stands for the American Way of Life: the goods and services, the material wealth, which the majority claim as the mark of their Americanism and which the minority are denied.

It is because we are unwilling to recognize this fact and unable to face the crisis as a crisis in the long struggle for the creation of a true Republic—because, indeed, we are no longer primarily concerned with the creation of a true Republic—that the majority respond to these riots with nothing but a demand for more police and more repression, while the Congress sits impotent and paralyzed in Washington.

Which means, of course, however we put it, that we no longer believe in man. And it is that fact which raises, in its turn, the most disturbing of all the swarming questions which surround us: how did we come to this defeated helplessness? How were we persuaded of our impotence as men? What convinced us that the fundamental law of a scientific age must be the scientific law of possibility and that our human part must be a passive part, a subservient part, the part of the recipient, the beneficiary . . . the victim? Have the scientists taught us this? A few months ago one of the greatest of living scientists told an international gathering composed of other scientists: "We must not ask where science and technology are taking us, but rather how we can manage science and technology so that they can help us get where we want to go." It is not reported that Dr. René Dubos was shouted down by his audience, and yet what he was asserting was precisely what we as a people seem to have dismissed as unthinkable: that "we," which apparently means mankind, must abandon our modern practice of asking where science and technology are "taking us," and must ask instead how we can" manage" science and technology so that they will help us to achieve our purposes—our purposes, that is to say, as men.

Dr. Dubos, it appears, scientist though he is and great scientist, believes rather more in man than we do. Why, then, do we believe so little? Perhaps we can answer that question best by asking another: how was our original, American belief in man achieved? Where did it come from? Thomas Jefferson, who had as much to do with the definition of our American belief as anyone, reflected on that subject toward his life's end. It was that famous trio at William and Mary, he decided, who "fixed" his "destinies." It was his education in his college, the teaching of Small and Wythe and the rest, which shaped his mind, gave it its direction. John Adams would have said the same and doubtless did: it was in Harvard College that he found those Greeks and Romans who taught him what a man could be and therefore should.

Is it our education, then, which has shaped the very different estimate of man we live by? In part, I think; in considerable part. Education, particularly higher education, has altered its relation to the idea of man in fundamental ways since Adam's day and Jefferson's. From the time when Harvard President Charles Eliot introduced the elective system there—from the time, that is to say, of the renunciation by the university of an intention to produce a certain kind of man, a man shaped by certain models, certain texts—the university's concern with "man" as such has grown less and less and its concern with what it calls "subjects" has become greater and greater. The important thing has become the academic "offering" (revealing word). the range of subjects from which the student, with his eye on his career, may choose. And the ultimate consequence, only too evident in the time we live in, has been the vocationalization of the higher schools.

The college no longer exists to produce men qua men, men prepared for life in a society of men, but men as specialized experts, men prepared for employment in an industry or a profession.

Getting ahead in the world," says Professor Allen Tate of the University of Minnesota, "is now the purpose of education and the University must therefore provide education for our time, not for all time; it must discover and then give to society what society thinks it wants. . . ." Some of us, looking at the present state of American society—the decay of its cities, the bewilderment of its citizens—may wonder whether the university has really provided "education for our time," but no one, I think, will deny that Professor Tate's emphatic irony has its bite. The vocationalism which a technological society demands of the graduate schools has produced a secondary vocationalism which the graduate schools impose on the colleges, and the result is that undergraduate education—far more important to the preparation for citizenship than graduate education—is increasingly affected by the vocational taint.

What is happening, and in the greatest universities as well as in the less great, is that the entire educational process is becoming fixed—hung-up as the phrase goes now—on its vocational end result. The job out there in the profession or the industry dictates the "training" (their word, not mine) in the graduate schools, and the graduate schools dictate the preparation in the colleges, and the whole system congeals from the top down like a pond freezing. The danger is that, the society may congeal with it, for nothing is more certain in the history of our kind than the fact that frozen societies perish.

As specialized, professional training, higher education in the United States today is often magnificent. Young doctors are better and better as their specialties become more specialized: so much better that it is now a recommendation in almost any field to say of a young doctor that he is young. Student physicists in the great graduate schools are so notoriously productive at twenty-two that a professional physicist of thirty regards himself, or is regarded by his juniors, as middle-aged. But the educated *man*, the man capable not of providing specialized answers, but of asking the great and liberating questions by which humanity makes its way through time, is not more frequently encountered than he was two hundred years ago. On the contrary, he is rarely discovered in public life at all.

I am not arguing—though I deeply believe—that the future of the Republic and the hope for a recovery of its old vitality and confidence depend on the university. I am confining myself to Dr. Dubos's admonition that we must give up the childishness of our present attitude toward science and technology, our constant question where *they* are taking *us*, and begin instead to ask how *we* can manage *them* "so that they can help us get where we want to go." "Where we want to go" depends, of course, on ourselves and, more particularly, on our conception of ourselves. If our conception of ourselves as the university teaches it or fails to teach it is the conception of the applicant preparing for his job, the professional preparing for his profession, then the question will not be answered because it will not be asked. But if our conception of ourselves as the university teaches it is that of men preparing to be men, to achieve themselves as men, then the question will be asked *and* answered because it cannot be avoided. Where do we want to go? Where men can be most themselves. How should science and technology be managed? To help us to become what we can be.

There is no quarrel between the humanities and the sciences. There is only a need, common to them both, to put the idea of man back where it once stood, at the focus of our lives; to make the end of education the preparation of men to be men, and so to restore to mankind—and above all to this nation of mankind—a conception of humanity with which humanity can live.

The frustration—and it is a real and debasing frustration—in which we are mired today will not leave us until we believe in ourselves again, assume again the mastery of our lives, the management of our means.

AMERICAN CATTLEMEN'S ASSOCIATION OUTLINES POSITION ON TAX ISSUE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the American National Cattlemen's Association at its recent national convention adopted resolutions on several important tax questions effecting the livestock industry. The association has been concerned for some time about the impact of Federal estate taxes on farm and ranch land and supports legislation which would provide for a more realistic evaluation of farm and ranch property based on productivity or earning capacity.

A resolution was adopted reaffirming support of the principle that farmers and ranchers should be permitted to average losses and profits over a several-year period, compatible with price and climatic cycles effecting the livestock industry.

The association also passed a resolution opposing the proposals which would force farmers and ranchers to use an accrual method of accounting rather than the cash or unit livestock method.

Mr. Speaker, the resolutions which I have referred to are included as a part of this statement, as follows:

RESOLUTION NO. 1—TAXATION

Whereas, a proposal has been made in Congress that would, in effect, require or force farmers and ranchers to change from the cash or unit livestock price method of accounting to the accrual method, and limit the right of farmers and ranchers to claim capital gains of sales of breeding livestock; and

Therefore be it resolved, that the American National Cattlemen's Association oppose the adoption of any rule or regulation or the passage of any legislation that would require or have the effect of requiring or forcing farmers and ranchers to change from the cash or unit livestock basis, to the accrual method of accounting, that would change, restrict or limit the right of farmers and ranchers to claim capital gains on the sale of their breeding stock as under existing law, that would in any way discriminate against persons engaged in farming or ranching by imposing on them restrictions with respect to deductibility of losses incurred in their farming and ranching operations when such restrictions do not apply to persons engaged in other business activities; and

Be it further resolved, that the American National Cattlemen's Association recognizing that there do exist problems caused by a very few persons entering the farming and ranching business for the purpose of making a "tax profit" as opposed to an economic profit, support and encourage the strict and rigid enforcement of existing federal tax and securities law, so that this problem can be eliminated, and further pledge its support and will work for the enforcement of rulings and regulations under present law which will eliminate this problem, but which will not adversely affect bona fide operators of farms and ranches.

RESOLUTION NO. 2—ESTATE TAXES

Whereas, for federal estate tax purposes farm and ranch land is being assessed on the basis of its current sales price reflecting an inflated and speculative value; and

Whereas, these values represent unreasonable levies against the estates of stockmen; and

Whereas, a more realistic valuation of farm and ranch property can be determined based upon productivity or earning capacity;

Therefore be it resolved, that the American National Cattlemen's Association endorses the principle that the valuation of farms and ranches for federal estate tax purposes be made on the basis of the value of the farms and ranches for agricultural production; and

Be it further resolved, that the American National Cattlemen's Association commends Senators Fred Harris (D-Okla.), former Senator Frank Carlson (R.-Kan.) and Carl Curtis (R-Nebr.) for the introduction of Senate Bill 2600, and commends Congressmen Graham Purcell, Jr. (D-Tex.), Al Ullman (D-Ore.), James Battin (R-Mont.) and former Congressman William Harrison (R-Wyo.) for sponsoring House Resolution 14249, all in the past session of Congress, and recommends that similar bills be introduced and passed in the current session of Congress.

RESOLUTION NO. 8—REAFFIRMATION ON TAXES

Whereas, the livestock price and production cycles, as well as the climatic cycle affecting stockgrowers are such that the period over which losses can be carried forward and back, and the base period used for computing income, subject to averaging for federal income tax purposes are too short to provide the necessary relief to the livestock industry;

Therefore be it resolved, that the Association hereby go on record that the federal income tax laws should be amended to provide the stockgrower with a better opportunity to offset losses against past or future profits, particularly by extending the loss carry-forward and carry-back period and the income averaging base period to a number of years more nearly compatible with the price, production and climatic cycles affecting the livestock industry.

LITHUANIAN INDEPENDENCE

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. ESCH. Mr. Speaker, on February 16, Americans of all nationalities join with the American Lithuanians in celebrating the 51st anniversary of their proclamation of independence. However, in Lithuania itself, the celebration is not so joyous. For although February 16, 1918, marks the date of the Lithuanian proclamation of independence, these courageous people are again living under the suppression of the Russians and must observe their anniversary quietly.

It is easy to understand the pride Lithuanians feel about their native land. They have fought valiantly over the centuries to retain their sovereignty. And in the face of harsh adversity, have resisted the total sublimation of their national origins.

On July 27, 1922, the United States recognized the independent Lithuanian Government and has never recognized this nation's incorporation into the Soviet Union. We as the leader of the free world, must continue to espouse the cause of liberty and freedom so that a gallant people such as the Lithuanians may again be free from the yoke of Russian tyranny.

SCIENCE SHIRKS HONEST INQUIRY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. RARICK. Mr. Speaker, no society can be built on a foundation of myth.

The egalitarians have promoted their doctrine in such an extremist fashion that any proposed search for truth by impartial scientific methods is bitterly denounced as "racist" and "neofascist."

The internationalists have become so adamant in obstructing research that even the National Academy of Science is intimidated from pursuing its scientific duty to separate a perhaps painful truth from a profitable myth.

The Academy, in its magazine, Science, disavows any consideration of the question of heredity versus environment. Unadmittedly, their dereliction stems from fear of the catcalls and smears by the egalitarians; yet, they seek to justify their inaction with the excuse that any scientific inquiry "might be destructively exploited by racists if the Academy even ratified it as the right question."

When has Science feared to ask a question or seek the answer?

The taboo on race discussion continues as a device to allow the liberal left to exploit more and more of the productive citizens' tax dollars—for such emotional goals as "full equality," "brotherhood," to fight poverty, to appease criminals, and to rebuild the slums. No one dares question this utopian soft-sell because it is predicated upon a philosophical dogma that "all men are equal."

Mr. Daniel P. Moynihan, recently appointed Special Assistant on Urban Affairs, in his book, "Negro Families: The Case for National Action," illustrates well the use of the myth by his assertion that:

> There is absolutely no question of any genetic differential: intelligence potential is distributed among Negro infants in the same proportion and pattern as among Icelanders or Chinese or any other group.

Thus, he feels cultural differences are strictly environmental and all injustices can be corrected by rebuilding the environment—a noble experiment. But always with taxpayer's billions—and with the profit going to the already wealthy financiers of the egalitarians. A highly sophisticated form of blackmail.

Yet, even the retreating National Academy of Science on October 17, 1967, at Ann Arbor, Mich., admitted the fallacy of Moynihan's rationalization by reporting:

> There is no scientific basis for a statement that there are or that there are not substantial hereditary differences in intelligence between Negro and white populations.

But, the taxpayers are made to invest billions in the egalitarians' unfounded, but profitable, adventures in experimental culture without any degree of scientific workability.

The American people are victimized by the taboo on open, frank discussion of racial and cultural differences. In the vacuum resulting from deprivation of freedom to gain the truth, the majority suffers from a guilt complex while some minorities suffer from resentment. The guilt neurosis in the white leaves them overly permissive—tolerant of acts of violence and destruction as if a compensatory repayment of past injustices. On the other hand, the egalitarians who have successfully stymied a search for truth and reason based on scientific study of heredity and environment have so incited the Negro he feels he has a grudge against the white man which, unless immediately remedied, justifies riots, crime, and extra privileges.

Unless the American people are given an impartial, scientifically oriented report on heredity versus environment and a full, frank discussion on the necessity of freedom of individual cultures there will be no peace, no law and order, nor sanity in our land. And based on a half-truth—a lie—all of the proposed tax spending and rebuilding will be for naught.

We must free our scientists from the chains of superstition and fear of persecution should they dare to seek the truth.

An addendum by Mr. Carleton Putnam prepared for inclusion in the new edition of his book, "Race and Reality: A Search for Solution," is must reading for all our colleagues who are truly interested in searching for truth and finding solutions instead of provoking more antagonisms in our society.

Mr. Speaker, I place Mr. Putnam's addendum and a release from the AP science writer at this point in the RECORD:

(NOTE.—The attached addendum was prepared for inclusion in a new edition of Race and Reality: A Search for Solutions. Remembering that a copy of the first edition was sent to you about two years ago, I trust you will find this short up-dating of the book of interest.—Carleton Putnam.)

ADDENDUM

The back of the jacket of Race and Reality contains a quotation from Dr. William Shockley, a Nobel laureate whose activities in the two years since this book was published deserve brief mention here.

Dr. Shockley has a special contribution to make to the race controversy. He is personally one of the most distinguished members of our scientific establishment. The fact that he is a physical or "hard" scientist rather than a "life" scientist gives him a detachment of approach which in itself, under current conditions, has value. As a scholar of exemplary scientific training, yet as one who comes to the subject of race with a fresh viewpoint unbiased by the turmoil of past debate, his qualifications for testifying to what he finds are unique.

Shockley received his Nobel prize for his part in the discovery of the transistor. Previously he had been awarded the Medal for Merit for his work as Director of Research of the Anti-submarine Warfare Operations Research Group of the United States Navy during World War II. He also holds the Holley medal of the American Society of Mechanical Engineers, the O. E. Buckley prize of the American Physics Society, the Comstock prize of the National Academy of Sciences and the Morris Liebmann prize of the Institute of Radio Engineers. He received his doctorate from the Massachusetts Institute of Technology. He became the Director of the Transistor Physics Department of the Bell Telephone Laboratories in 1953 and, in addition to this work, is presently Poniatoff Professor of Engineering Science at Stanford University.

Shockley, in other words, knows something about scientific method and has a broad acquaintance throughout the highest echelons of our scientific hierarchy. What he has found and reported in regard to the suppression of the existing evidence on genetic race differences, as well as to the avoidance of additional research, is of more than passing interest.

Early in the fall of 1966 Shockley started his appeals to the National Academy of Sciences to sponsor its own race studies. In a speech on October 17 of that year, he urged the establishment of a summer study group to seek new approaches to the "environment-heredity" uncertainty, remarking that "I evaluate the marrow of the city slum problem to be our uncertainty about its genetic aspects and our fears to admit ignorance and to search openly for relevant facts." When the National Academy was unresponsive, Shockley began to talk about "entrenched dogmatism." In April of 1967, in another speech to the Academy, he stated: "Results I obtained in a few days of research convinced me it must be a thinking-block rather than the difficulty of doing research that has kept such research from being done." He added that he estimated that at a cost of less than ten mililon dollars, and in less than a decade of time, reliable answers could be obtained.

His pleas to the Academy finally reached the point where its Council apparently felt some action on their part was required. As the magazine *Science* put it, "Shockley's vigorous advocacy has been a matter of some discomfort to the Academy, which finds itself situated between its traditional belief in free inquiry and its realization that the formulation of heredity versus environment adds up to a loaded question that might be destructively exploited by racists if the Academy even ratified it as the right question." So the Council appointed a Committee which on October 17, 1967, at Ann Arbor, Michigan, rendered a report remarkable in two particulars.

First, it stated that "there is no scientific basis for a statement that there are *or that there are not* [emphasis mine] substantial hereditary differences in intelligence between Negro and white populations." For a group officially designated as the scientific advisory agency of the United States government—a group which, since the beginning of the Boaz era in anthropology some forty years ago, has been consistently condoning the saturation of the American public in the no-genetic-differences dogma—to come forward now with a statement that there is no scientific basis for such a dogma, is startling to say the least.

But even more surprisingly, the report recommended the rejection of Shockley's pleas for further research on the grounds that "none of the current methods can produce unambiguous results. To shy away from seeking the truth is one thing; to refrain from collecting still more data that would be of uncertain meaning but would invite misuse is another." I leave the evaluation of this statement to the reader. And I would venture the assertion that if such excuses had been adopted by scientists in the past no scientist would ever have discovered anything. One can see why Shockley found himself that autumn "in profound disagreement with the position endorsed by the Council."

Nor is it difficult to understand the frame of mind in which Shockley made his most recent speech to the Academy on April 24, 1968. This speech is noteworthy in that in addition to his continuing appeals for Academy-sponsored research and his protest at their rejection, he now records the results of his own investigations into the *presently existing* evidence. He says in part:

"During the past two years of my part-time investigations I have come to accept as facts, not yet perhaps facts at the level of pure mathematics or physics, but nonetheless facts that I now consider so unassailable that I present them before fellow members of the National Academy of Sciences with a clear scientific conscience. The basic facts are these: Man is a mammal and subject to the same biological laws as other animals. All animals, including man, have inheritable behavioral traits. *The concept of complete environmental plasticity of human intelligence is a nonsensical, wishful-thinking illusion*. . . .

"The most dangerous illusion . . . facing humanity today is the belief [which] most scientists lack the courage to doubt, at least for the record, typified by the expressions of our government through its Department of Labor and echoed by the Office of Education. I quote: 'There is absolutely no question of any genetic differential: Intelligence potential is distributed among Negro infants in the same proportion and pattern as among Icelanders or Chinese or any other group.'[1] The only reason that I do not characterize this statement as a lie, and in my opinion a damnably evil lie, is that I have no way to appraise the intellectual acumen of its authors. They may actually believe it."

He then goes on to what is perhaps the most trenchant sentence in this speech: "An objective examination of relevant data leads me inescapably to the opinion that the major deficit in Negro intellectual performance must be primarily of hereditary origin and thus relatively irremediable by practical impovements in environment." Such has been the impact upon a trained scientist and Nobel laureate of experiences and observations similar to those recorded by the author in Chapters II and III of Race and Reality. The difference is that the first are reported by an expert within the Anglo-American scientific hierarchy, the others by a layman on the outside.

I believe I speak for Shockley as well as everyone else on the side of the realities in this debate when I say that we have no intent to deny the existence of injustice in our society nor the need to correct it. The Negro has been done injustice, in the United States and elsewhere, throughout history. So have other races and individuals, here and abroad. The error lies in preaching that these injustices have been the primary cause of poverty and inequality when the truth is that poverty and inequality are primarily the result of genetic variability in human capacity. If every social injustice on earth were removed tomorrow there would still be many people who would be relatively poor and there would still be widespread differences in status.

The most serious result of the denial of this truth, as events since the publication of *Race and Reality* have continued to prove, has been that it has given the Negro the idea that he has a grudge against the White man and the White man the notion that he should feel guilty about the Negro far beyond anything that can be relieved by the practicable correction of existing injustices. The grudge incites the Negro to riots and crime, and the guilt leads the White man to a policy of perpetual permissiveness and appeasement. Thus is created an adult society which is bewildering and disillusioning to the young, both white and black. Nothing is less to be respected, or more certain to be disobeyed, than an adult world weltering and fawning in an orgy of misconceived guilt. It will lack all force, all leadership, all credibility and all authority. Hence comes the current epidemic of juvenile delinquency from the home to the campus to the courts.

Meanwhile, and for identical reasons, we witness the steady erosion of the principles underlying our constitutional, representative republic, always in the name of "justice" and always in the direction of a "pure" democracy, the latter being a fatal corruption of our heritage. The one-man-one-vote principle, for example, or the increasing taxation of success to support failure (which not always, but more often than not, means the punishment of excellence to reward its opposite), will undermine any stable, free society, but especially one which is racially mixed and which pits politicians against each other in bidding for the votes of the least qualified segments of our society. The behavior of the leaders of our liberal-minority group coalition, both Republicans and Democrats, is characteristic, along with the redundant references to "justice" as the blanket excuse for each descending step.

The only sickness in our nation today is a public attitude of mind. This attitude has been conditioned and nourished by a fallacy spawned by a small but powerful group in our scientific hierarchy forty years ago and promoted by an equally powerful mass and educational media ever since. Our politicians of all parties have lacked the courage to examine it, and our courts have hastened to enshrine it in our Constitution. But beyond anything else at the moment one must regard as deplorable the performance of the National Academy of Sciences. The irresponsibility and the timidity which have led these men to stumble over their own feet in prononuncements like the one from Ann Arbor in 1967 will someday, I hope, become obvious even to them.

The fundamental scientific points is this: the overwhelming preponderance of the existing evidence indicates that one American Negro out of five surpasses the average White man, while four out of five fall below him, in those qualities of mind and character needed to maintain and advance our Western civilization. The same evidence also indicates that the difference is primarily due, not to injustice, but to genetic limitations inherent in the Negro race. These, in turn, appear to be related to a difference in evolutionary grade. Dr. Coon has estimated the gap at perhaps 200,000 years. No contradictory evidence is of record.

The question therefore arises whether the American people are entitled to know what the available evidence discloses so that it may be considered in the forming of public policy. Changes in laws and customs which have as their purpose, or will produce as a result, the infusion into our White gene pool of perceptible amounts of Negro genes, or the alteration of White standards and traditions to accommodate those of Negroes, will in all probability in the long run have a profound and adverse effect upon our society. If our people as a whole want to take this risk, let them take it, but let them at least know what is going on.

And above all let them examine their guilt complex in the light of the known facts. The threat of genetic alteration is bad enough. The danger of a falsely inspired attitude of permissiveness and appeasement toward crime and disorder is equally serious and more immediate.

CARLETON PUTNAM.

[From the Jackson Daily News, Feb. 6, 1969]

STUDY REVEALS DIFFERENCE IN RACIAL MENTAL ABILITY—160 EACH NEGRO, WHITE CHILDREN CHECKED BY RESEARCH EDUCATORS

(By Ralph Dighton)

LOS ANGELES.—Recent studies of 160 Negro and 160 white children in California show "obvious differences in inborn mental ability," an educator says.

"It is a reasonable hypothesis that hereditary factors as well as environmental factors play a part in this difference. The bulk of the evidence is that three-fourths of the variability of intelligence is accounted for by genetic factors in our present society," said Dr. Arthur R. Jensen, director of the Institute of Human Learning at the University of California at Berkeley, where he is a professor of educational psychology.

He said the white children averaged "significantly greater ability" to grasp abstract concepts, an ability he described as necessary for intellectual pursuits such as science and engineering. He said Negro children are not deficient, however, in rote learning.

Jensen, here for a symposium today on "Race and Intelligence" at the annual convention of the American Educational Research Association, told an interviewer:

"Our research should be redirected to capitalize on the strengths of all segments of our society. We must find better ways to help the disadvantaged in our schools, such as the use of computerized teaching consoles which enable the teacher to fit the training program to the individual student's ability."

A spokesman for the association said it is the largest in the United States devoted to research in education. He said more than 4,000 educators and psychologists are attending sessions in two downtown hotels.

Jensen reported on a study he made of 160 white and 160 Negro children aged 5 to 10 in the San Francisco Bay area.

"We asked them to recall a number of familiar objects in four different categories, shortly after showing them the objects," he said. "The white children showed a significantly greater ability to conceptualize the objects, the difference being greater with age and with the number of times the objects were shown.

"A strong indication that the difference might be genetically based came when the results were compared with a similar study made earlier of Liberian Negro children, who had scored about the same as the American Negro children. The California Negro children resembled the Liberian children far more closely in this respect than either resembled the California white children."

Jensen said his and other studies have shown "the American Negro child is not deficient in rote learning, but in abstract reasoning and conceptual learning."

"Our educational system is geared, however, to abstract learning. The I.Q. test is primarily a measure of abstract conceptual ability and that is why Negro children on an average score lower than white children."

He said the national average I.Q. for whites is 108, against 85 for Negroes. "And the difference in scholastic performance is comparable," he said.

On the basis of his studies, Jensen recommended changes in U.S. school methods.

"All the basic learning skills—the three Rs—can be achieved by rote learning, and this is the way many disadvantaged children should be taught," he said.

"All children should be taught in accordance with their learning pattern ability, and this calls for a greater number of options for student and teacher than we now have in our schools."

Jensen said he does not believe it necessary to segregate schools to provide different training programs for Negroes and whites.

"A promising alternative", he said, "is computed-assisted training, in which the program can be adjusted to the individual student. In this way rote learning can be emphasized for some and abstract learning for others, according to ability.

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[1] The quotation is from Daniel P. Moynihan, *The Negro Family: The Case for National Action*. Moynihan has been appointed Special Assistant to the President on Urban Affairs in the Nixon administration.

"By not recognizing these differences we run the risk of failing to develop the various capabilities of all our peoples."

THE PLEDGE OF ALLEGIANCE

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. HUNT. Mr. Speaker, known to all of us as a long-time entertainer and spirited comedian is Red Skelton.

As may be the case with all comedians, their moments of thoughtful seriousness are the more impressionable because it seems, perhaps, "out of character". Such an instance arose when on January 14, 1969, Red Skelton took a pause from the lighthearted and jovial atmosphere of his hour-long TV show, and in a moment of quiet reflection, spoke of his feeling on the Pledge of Allegiance which, I am sure, inspired all who listened.

Because of these trying times, Mr. Speaker, and the ever-present need, by word and deed, to reaffirm our dedication in "one Nation, under God," I include Mr. Skelton's words at this point in the RECORD:

THE PLEDGE OF ALLEGIANCE

[From the Red Skelton Hour, January 14, 1969]

I remember this one teacher. To me, he was the greatest teacher, a real sage of my time. He had such vision. We were all reciting the Pledge of Allegiance, and he walked over. Mr. Lasswell was his name . . . He said:

I've been listening to you boys and girls recite the Pledge of Allegiance all semester and it seems as though it is becoming monotonous to you. If I may, may I recite it and try to explain to you the meaning of each word:

I—me, an individual, a committee of one.

Pledge—dedicate all of my worldly goods to give without self-pity.

Allegiance—my love and my devotion.

To the Flag—our standard, Old Glory, a symbol of freedom. Wherever she waves, there is respect because your loyalty has given her a dignity that shouts freedom is everybody's job.

Of the United—that means that we have all come together.

States—individual communities that have united into 48 great states. 48 individual communities with pride and dignity and purpose, all divided with imaginary boundaries, yet united to a common purpose, and that's love for country.

Of America.

And to the Republic—a state in which sovereign power is invested in representatives chosen by the people to govern. And government is the people and it's from the people to the leaders, not from the leaders to the people.

For which it stands.

One nation—meaning, so blessed by God.

Indivisible—incapable of being divided.

With liberty—which is freedom and the right of power to live one's own life without threats or fear or some sort of retaliation.

And justice—the principle or quality of dealing fairly with others.

For all—which means it's as much your country as it is mine.

Since I was a small boy, two states have been added to our country and two words have been added to the Pledge of Alliance—"under God."

Wouldn't it be a pity if someone said, "That's a prayer" and that would be eliminated from schools, too?

FEBRUARY 15–22 IS FUTURE FARMERS OF AMERICA WEEK

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. KLEPPE. Mr. Speaker, February 15–22 is National Future Farmers of America Week. During this period, members of the 65 chapters of the North Dakota Association of FFA will join with 450,000 FFA members in the 9,000 chapters throughout the Nation in sponsoring special activities focusing attention on the importance of agriculture.

The theme of National FFA Week is "An Opportunity for Youth." Certainly this is a top priority item today. The steady decline in the Nation's farm population, particularly among younger people, has wrought vast changes not only in agriculture but in the tens of thousands of small communities across the country whose economy rests largely upon agriculture.

There is urgent need for more job opportunities in rural America. The vocational agriculture departments of our schools are helping to meet that need.

I join with Americans across the country in saluting members of the Future Farmers of America and the great work they do.

During November of 1928, a small group of high school vocational agriculture students met in Kansas City and decided to form a national organization of boys studying vocational agriculture under the provision of the Federal Smith-Hughes Act. North Dakota was represented at that meeting by two delegates. The group decided on the name Future Farmers of America.

On May 11, 1929, a small delegation of vocational agriculture students from 29 North Dakota schools met at the North Dakota Agricultural College, now the North Dakota State University, and decided to organize a State FFA association and ask for a State charter. The charter was granted October 7, 1929. The association was the 30th State association to receive a charter from the national organization.

This June, 750 FFA members and advisers representing approximately 3,500 members of the 65 North Dakota chapters, will gather at NDSU for their 40th State FFA convention.

The FFA has come a long way since its humble beginning in 1928. The organization has taken its place among the many other national organizations whose primary purpose is the improvement of agriculture and the enriching of country life. Today, 41 years after that organizational meeting in Kansas City, the FFA is recognized as one of the most highly respected youth organizations in the world with approximately 450,000 members in 9,000 chapters in 50 States and Puerto Rico.

The FFA's force for good is felt in every community where there is a local chapter. The primary purpose of the FFA is to develop competent, aggressive agricultural leadership. The organization has been built on the foundation of leadership, cooperation, thrift, character, patriotism, improved agriculture, and service. The organization's motto expresses this purpose well: "Learning To Do, Doing To Learn, Earning To Live, Living To Serve."

The FFA is composed of chartered State associations which are made up of local chapters in public secondary schools having recognized departments of vocational agriculture. Boys enrolled in vocational agricultural courses are eligible for FFA membership, but membership is entirely voluntary.

Officers are elected annually for each unit of the FFA—local, State, and national. Approved parliamentary procedures and ceremonies are used for conducting meetings and for passing qualified members to the different degrees of active membership, but there is no secrecy in the organization. Vocational agriculture instructors serve as chapter advisers, and State supervisors of agricultural education serve as advisers of State associations. The director of the agricultural education branch of the U.S. Office of Education is adviser of the national organization.

There are four degrees of membership: Greenhand, Chapter Farmer, State Farmer, and American Farmer. Advancement from one degree to the next depends on the member's accomplishments in his farming program and in leadership, scholarship, citizenship, and cooperation. When a boy first joins a local FFA chapter, he holds the Greenhand Degree. He may be advanced to the Chapter Farmer Degree by the local chapter. The State Farmer Degree is awarded by the State association and is limited to 2 percent of the association's active members. The national organization confers the American Farmer Degree, highest recognition a member may attain.

Richard Frith, Devils Lake, is the North Dakota State FFA President. Other officers of the State association are Kenneth Frey, Minot, vice president; Marvin Witt, Rugby, secretary; Carl Berger, Leeds, treasurer; Dennis Boyle, Enderlin, reporter; and Richard C. Larsen, Williston, William Ongstad, Fessenden, Rodney Schaaf, Bowman, officers-at-large.

Ernest L. DeAlton of NDSU is State adviser. Winston H. Dolve and Shubel D. Owen, also of NDSU are assistant advisers.

LITHUANIAN INDEPENDENCE DAY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1969

Mr. WOLFF. Mr. Speaker, today is the 51st anniversary of the Declaration of

Independence of Lithuania. Fifty-one years ago, in the same spirit of freedom and self-determination that led to the founding of our great country, the people of Lithuania undertook to create a free and open society.

But in 1940 the Soviet Union, in an all too typical and unacceptable act of aggression, invaded and occupied Lithuania. Since that time the people of Lithuania have been held captive in an illegal occupation.

The United States, along with the other free nations of the world, condemned the Soviet action in 1940 and has remained steadfast in refusing to recognize the illegal Soviet takeover. The many Americans of Lithuanian descent have justly held the hope that someday their homeland will again be free and this dream is shared by all Americans as it is shared by all freedom-loving peoples.

So today, on the anniversary of the Declaration of Independence of Lithuania, we pause to again commit ourselves to the eventual freedom of the people of Lithuania just as we are committed to the eventual freedom of all the peoples of the world.

“BARBERS FOR NIXON” MOVES INTO FIELD OF WORLD PEACE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, my friend, Albert J. “Red the Barber” Rothe, who headed the “Barbers for Nixon” drive during the presidential campaign just ended, has now formed a new group, to be known as the “Barber to Barber Foundation.”

The purpose of this group, as Mr. Rothe explains it, is to make the views and policies of our new administration known throughout the world by enlightening the barbers of the world’s leaders so that they, in turn, might enlighten their famous and powerful clients.

An article concerning Mr. Rothe’s new foundation appeared in the Northern Virginia Sun, a daily newspaper in Arlington, Va., on Saturday, January 4, 1969. I commend the following article to my colleagues so that they might know of the effort of this truly dedicated man:

“BARBERS FOR NIXON” MOVES INTO FIELD OF WORLD PEACE

(By R. C. Monk)

ARLINGTON.—Albert J. (Red the Barber) Rothe, who headed the “Barbers for Nixon” drive during the presidential campaign, announced today that the group will be continued as the “Barber-to-Barber Foundation.”

Its purpose will be to broadcast Nixon’s views and policies, Rothe said.

“We will be sending all over the world a message for peace,” the former Navy barber said.

“Every leader in the world has a barber, and if the barbers can be sold on peace, then they can sell it to their leaders.

“We are even willing to contact Ho Chi Minh’s barber to get him to help bring about peace.”

Explaining his motives for wanting to promote world unity through the Barber-to-Barber Foundation, Rothe said, “If you ever put a year on a Stryker Frame with 40 per cent of your body burned, you know what it is like to experience hardship and pain.

“After that, you can never forget how lucky you are to be alive, so you want to help others. You want to do something for the world.”

(Rothe was burned badly in an accident in 1952. He was given no chance to survive, but after 18 operations and more than 300 blood transfusions, he returned to barbering. He met then Vice President Richard M. Nixon during his recovery, and Nixon and U.S. Rep. Joel T. Broyhill, R–10 District, of Arlington were instrumental in helping him establish in 1955 a barbershop at 2117 Wilson Blvd., Clarendon.)

A former Easter Seal chairman, Rothe mentioned a little-known side of Nixon which prompted him to help form the Barbers for Nixon Committee.

“Nixon was always a man to do something for the disabled. I remember one time when I was cutting his hair at the Senate Office Building. A group of disabled high school students were being given a tour then.

“One boy, who was partially paralyzed, had spilled soup over his tie during lunch. He was in an awkward position in his wheel chair and the soup spilled staining his tie. Mr. Nixon, noticing the boy’s discomfort, took off his own tie and gave it to him.”

Rothe added that he found out later the tie had been a favorite of Nixon’s, but the vice president never hesitated in giving it up.

He also mentioned that he has often heard the President-elect say that the condition of the mind was directly related to the condition of the body.

“Mr. Nixon is very anxious to build a healthy, vigorous America,” Rothe said.

He predicts that the foundation, presently consisting of 250 members in the United States, soon will be expanding to countries all over the world.

He anticipates help from many organizations, from the Rotary Club to the Peace Corps, and predicts that through their barbers, people around the globe will develop a “better impression of America.”

CRIME IN THE 13TH CONGRESSIONAL DISTRICT, BROOKLYN, N.Y.

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. PODELL. Mr. Speaker, during the month of September the people of this area were the victims of a total of 1,905 major crimes in the seven categories used by the FBI Crime Index. This amounts to 63 major crimes every day or 2½ major crimes every hour. During this month, the people in the district suffered 24 larcenies of $50 and over every day, 19 burglaries, and 16 car thefts daily.

The cumulative statistics for the first 9 months of 1968 reveal a total of 17,118 major crimes reported in the district as follows:

January	1,775
February	1,630
March	1,797
April	1,901
May	1,960
June	2,115
July	2,050
August	1,985
September	1,905
Total	17,118

The Crime Index trend for the month of September and for the first 9 months of 1968 follows:

	September 1968	1st 9 months, 1968
Crimes against the person:		
Murder and nonnegligent manslaughter	1	16
Forcible rape	6	38
Robbery	49	553
Assault	75	729
Total crimes against the person	131	1,336
Crimes against property:		
Burglary	568	5,646
Larceny, $50 and over	725	5,718
Motor vehicle thefts	481	4,418
Total crimes against property	1,774	15,782

It should be observed that the statistics do not disclose the full picture of criminal activity in the congressional district. The statistics do not include crimes omitted from the FBI Crime Index. Nor do they include crimes not reported even though included within the FBI major crime categories.

The police precinct and station house addresses in this district are: 60th Precinct, 2951 West Eighth Street; 61st Precinct, 1423 Avenue U; 66th Precinct, 5822 16th Avenue; 67th Precinct, 35 Snyder Avenue; and 70th Precinct, 154 Lawrence Street.

Attached are two charts, one showing criminal statistics for the 13th Congressional District during the month of September and the other the 9-month cumulative total.

SEPTEMBER 1968 STATISTICS

Precinct	Murder, nonnegligent manslaughter	Forcible rape	Robbery	Assault	Burglary	Larceny, $50 and over	Motor vehicle thefts	Total
60	0	1	12	37	124	97	60	331
61	1	2	10	13	130	254	181	591
66	0	0	9	14	126	101	75	325
67	0	1	9	4	68	105	66	253
70	0	2	9	7	120	168	99	405
Total	1	6	49	75	568	725	481	1,905

CUMULATIVE STATISTICS, JANUARY–SEPTEMBER 1968

Precinct	Murder, nonnegligent manslaughter	Forcible rape	Robbery	Assault	Burglary	Larceny, $50 and over	Motor vehicle thefts	Total
60	5	13	158	354	1,144	899	515	3,088
61	5	7	109	115	1,449	2,052	1,704	5,441
66	4	3	69	93	923	694	673	2,459
67	0	5	110	85	863	869	567	2,499
70	2	10	107	82	1,267	1,204	959	3,631
Total	16	38	553	729	5,646	5,718	4,418	17,118

REPORT TO CONSTITUENTS

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include the following report to my constituents:

MEMO

TAX REFORM

As I reported in an earlier Memo, I have made one of my prime legislative objectives early action by Congress to revise and reform our federal tax laws. The goals should be fairness and greater simplicity. Numerous inequities and complications have crept into the tax laws since the last revision in 1954 and this job must be gotten under way if the people are to retain confidence in the system. I am glad to be able to report progress toward action by Congress:

COMMITTEE

The Ways and Means Committee (on which I serve) will start tax reform hearings this week, beginning with the subject of tax-exempt foundations, and will continue for a number of weeks covering 17 different broad subjects. My hope is that the Committee will report legislation for consideration by Congress this year.

ADMINISTRATION

I met with President Nixon and Wilbur Mills, Chairman of Ways and Means, at the White House and the President has agreed that tax reform would become part of the program of his Administration. This was followed by a statement issued by the Secretary of the Treasury promising cooperation with the Committee in its studies and stating that the Administration would later be sending up its proposals in this area.

PUBLIC

Widespread interest in tax reform has been evidenced in the press and among the public, indicating the underlying need for prompt action and increasing, through the operation of public opinion, the chances for legislation in this area. My own mail, for example, following public statements I have made on the need for tax reform, reflects a deep interest across the country in action at an early date.

POSTMASTERS

I can also report progress on another front. I have long urged the removal of post office appointments from politics and I have introduced legislation in the last three Congresses to accomplish that objective. I have also announced that I would not recommend postmaster and rural carrier appointments on a political basis in our district. I was pleased, therefore, when President Nixon and the Postmaster General announced their intention to remove postal appointments from politics by eliminating the political advisor system and requiring Civil Service examinations for all vacancies. Political appointment is only one of the things wrong with our present postal system, but its early removal is an important step toward modernizing the Post Office Department in order to insure prompt and efficient service.

CRIME

President Nixon is being given high marks in Washington for the emphasis he is giving on an attack on crime in the District of Columbia as part of an over-all program to alleviate this nation-wide problem. He has asked for more police; more judges and a reform of a bail law which permits hardened criminals to go free and commit more crimes while awaiting trial, as well as for efforts to get at the basic causes of crime, including dope addiction and the spread of narcotics.

DISTRICT TRIP

Because of a congressional recess, I was able to spend most of last week in the District visiting with many of you during office hours in Green Bay, Manitowoc, and Appleton. The views, ideas, and suggestions given to me during these visits are going to be very helpful to me during the course of what promises to be a busy session.

CONCERN FOR OUR BELOVED COUNTRY

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. POLLOCK. Mr. Speaker, I would like to place a letter into the CONGRESSIONAL RECORD which I received in the mail a few days ago. Though I cannot share all the opinions of the writer and in particular those regarding the legal profession, I would like my colleagues to share the concern of one person for what is happening to our beloved country.

The letter follows:

AMERICAN EMBASSY,
Balboa, Canal Zone, January 30, 1969.
Hon. HOWARD W. POLLOCK,
House of Representatives,
Washington, D.C.

DEAR MR. POLLOCK: For many years now I have been greatly concerned about the degeneration of our society. When I first became aware of this degeneration, I was confident the enlightened members of Congress would take necessary corrective action. My confidence in our elected representatives has been severely shattered.

I have watched the disappearance of a moral principle that honesty is a desirable trait of the American people. In lieu of this trait, I have seen the development of a moral principle which states that an honest man is a sucker and it is all right to lie and cheat if you gain a material advantage from it. Why has this happened?

I have watched the disappearance of respect for the law and in its place I find disdain for the law. This has happened even though an extremely high percentage of our law enforcement officers are honest, hard working, dedicated, people with morally sound principles. Why?

I remember when a scream for help would have brought every able-bodied person within hearing, running to assist. Today you can be beaten to death on the street within sight of twenty witnesses and not one will raise a finger to assist you. They won't even call the police. Why?

Today, a man injured in an accident can bleed to death for the want of simple first aid. This can happen even with a doctor in a crowd watching the man bleed to death. Why?

I have watched nationalism wane and now anarchy is speeding to replace it. Why?

I have observed self-confessed criminals, convicted by a jury, who received no punishment for their crimes because an appellate court threw out the decision of the jury. Why?

I have watched the importance of the jurys verdict decline to such a low level that today a jury trial is nothing more than a prelude to the real trial. The only power a jury has left is to declare a defendant "not guilty." Why?

I have watched the Supreme Court consistently violate the Constitution it is sworn to uphold by enacting legislation through court decisions. Why?

The Congress has sat idly by while the Supreme Court, again and again, usurped the legislative powers reserved to the Congress by the Constitution. Why?

The Congress has permitted the Supreme Court, under Mr. Warrens leadership, to become a super legislative power in direct violation of our Constitution. Why?

The intent of the Bill of Rights has been distorted to permit the individual to usurp the rights of the majority in a nation that is supposed to be governed by the will of the majority. Why?

Both the Congress and the Supreme Court have completely disregarded the all important precepts set forth in the preamble to our Constitution. Why?

Rioting, looting, arson, and mugging have become common occurrences on the streets of this nation. Why?

The anarchy now being practiced in our schools and universities by a minority of students and professors, in disrupting the educational progress of the majority who wish only to further their education. We are permitting this to happen. Why?

An extremely high percentage of otherwise honest citizens now knowingly and willingly cheat on their income tax. Why?

Corruptive practices and dereliction of duty have become condoned acts of high government officials. Why?

The degeneration which already exists in this great nation has created a disrespect for the government, a disrespect for the law, mass civil disobedience, riots, looting, arson, anarchy, a general disdain for authority, and an almost complete lack of discipline.

During my extensive travels throughout five continents of the world, I have had the misfortune of being present in several countries whose governments were toppled by a military coup d'etat. The reasons, given by the military for their actions, are all contained in the preceding paragraph. I don't know about you, but I am seriously concerned that conditions are fast approaching a state that can only result in a military coup d'etat or a revolution followed by a military takeover.

You, as a member of Congress and the action arm of the people, have an extremely difficult task before you. It has been made doubly difficult for reasons you may not be aware of.

Permit me to give you an opinion. I ask only that you give it due consideration. In about 1932, the average American citizen had developed such an apathy toward politics that he no longer took an active interest in the political system of this country. By 1942 his only participation was in marking his ballot on election day. Even his participation in this was very poor. He knew almost nothing about the candidate or how his name happened to be on the ballot. Politically speaking, he had become a sheep in a very large flock.

At the same time the average citizen was developing his apathy toward politics, a small professional group was becoming extremely active in our political system. They came from all ethnic groups, all religious sects, and they had various political beliefs. However, they all had the same profession, the same educational background, and they were all taught to believe in a perculiar basic philosophy.

Their infiltration into both major political parties was fast and furious. By 1942 they had gained absolute control of our political system. They had absolute control of the Senate, absolute control of the appellate court system including the Supreme Court, and effective control of the House of Representatives.

The lawyer profession was now in a very unique and enviable position. They now had the power to make our laws, judge our laws,

prosecute our laws, defend our laws, interpret our laws, or change our laws. To put it bluntly, they now had the power to effectively establish a clandestine dictatorship over the American people. They could now run this country according to their own philosophy and could now create provisions in our laws which would absolutely guarantee the propagation of their own profession.

I have no way of knowing if the action they took was the result of malicious intent or if it was the natural result of their peculiar basic professional philosophy. In any case the result of their actions was disastrous for the American people. The rule of law was on its way out.

Criminals became the unfortunate victims of their environment. An insane person could no longer be held responsible for his crime because to punish him would be punishing an innocent man. The "real him" hadn't committed any crime. A man is murdered but no one is guilty of the crime. The lawyers have rode this horse to death. Every trial involving a major crime, now almost automatically includes sanity hearings.

Law enforcement officers were prohibited from collecting evidence by a succession of court decisions which created clearly defined and unduly restrictive mandatory procedures.

Law enforcement officers were prohibited from using modern investigative techniques.

Even if the police collected a preponderance of truthful, factual, relevant evidence and it was later found that one insignificant bit was obtained in violation of an existing law, the criminal was freed. Justice wasn't even a consideration, the lawyer philosophy of protect the criminal at all costs prevails.

At the same time the police investigative powers were being destroyed the criminal was being protected and shielded from arrest and conviction by the Supreme Court decisions issued under the guise of the protection of individual rights. Through these decisions the Supreme Court also amended our Constitution. The Supreme Court is prohibited from doing this by the Constitution but so what. The decisions substantially and materially benefit the lawyer profession so who in the Senate is going to object.

Are you familiar with the Warren Court's decision in the Miranda v. Arizona case? If you aren't, you should be. In addition to amending the 6th Amendment to the Constitution, it served three purposes. It freed a *self-confessed* rapist and kidnaper; it dealt a devastating blow to all law enforcement agencies, and it guaranteed the propagation of the lawyer profession.

During the time all of the above was taking place, the lawyer profession was creating a fantastic monstrosity known as the individual income tax laws.

Included in this monstrosity are more injustices, more inequities, more favored special interest groups than you can find in a month of concentrated study. I get absolutely sick with anger every time I go through this horrendous monument to the lawyer profession. There have been hundreds of articles written pointing out both specific and general problems with these laws. I will assume you have read at least a few of these articles. Of all the articles I have read, none of them proposed a solution that I consider adequate. I do not believe these laws can be modified to produce a just and equitable method of collecting revenue. They should be scrapped and a completely new set of laws established. I would even suggest you pursue the feasibilty of a modified federal sales tax which would tax all exchanges of property, goods, and services having a monetary value. Everyone would then pay as they go, and nobody would be exempt. Furthermore, a law based upon this principle would automatically create a tax obligation in direct proportion to the amount of the individual's income.

If you seriously consider proposing such a system, you will run into frantic opposition by the lawyer profession, because it would eliminate a very lucrative source of income for them. It would also drastically reduce the number of personnel required in the Internal Revenue Service, so you would get some opposition from this quarter too.

Let me suggest a very quick and effective method that will permit you to identify some of the most blatant injustices in our tax laws. Request the Internal Revenue Service to furnish you with the files of all people who had a personal income in 1967 of $50,000 or more and *who did not pay a single penny of income tax.* If you do this, you will receive an excess of 36,000 files. Add up the total combined gross income reported on these tax returns. Be generous and take only 10% of this amount. You will end up with a figure of approximately $2,000,000,000. The average American citizen paid the income tax for these people. Why? Search out the answer to this question and you will know *some* of the injustices that need correcting in our tax laws.

Why have the American people, who once valued honesty above all other traits, become dishonest in their daily lives? Because now, it pays to be dishonest. Why should a man be honest if he is penalized for it?

Why do the American people have a disrespect for our laws? The application of our laws is inequitable and unjust. Why should anyone respect such laws?

Why do the American people openly exhibit a disdain for our law enforcement agencies? Our law enforcement agencies have been legislated into such a weak and ineffective group that they can no longer cope with the criminal element or maintain law and order in our streets. Why should anyone respect such a group?

Why do the people of this nation turn their back on a desperate call for help? The people of this nation are afraid of being sued for such a humanitarian action. Why should they place their entire livelihood in jeopardy just to aid a stranger?

Why has the spirit of nationalism disappeared from the American scene? The people of this nation have a disrespect for our government. How can anyone be nationalistic under these circumstances?

Why can a self-confessed criminal, convicted by a jury, be freed by the decision of five Supreme Court Justices? Because the Congress has been derelict in allowing the Warren Court to usurp the legislative powers reserved to the Congress by the Constitution. Why shouldn't the lawyer profession take advantage of a group that doesn't have the guts to protect itself?

Why has the trial by jury lost its value? The members of the lawyer profession have destroyed its effectiveness to guarantee the protection of their criminal clients. Why shouldn't the lawyer profession destroy the jury trial if the people are too apathetic to even register a protest?

Why have the Supreme Court and the Appellate Courts consistently violated our Constitution by enacting legislation through court decisions? Because the Congress has been derelict in carrying out its responsibilities. There are too many lawyers in the Congress who saw nothing wrong with the decisions. Why should lawyers protest a legislative decision that supports their own philosophy?

Why has the intent of the Bill of Rights been distorted to permit the individual to usurp the rights of the majority? Because of the distorted thinking and unconstitutional actions of the five members of the Warren Court and dereliction of duty by the Congress. Why shouldn't Warren cram his stupid decisions down our throat, if we don't have the guts to stop him.

Why is the youth of our nation involved in rioting, looting, arson, and anarchy in our school system? The youth of this nation look around them, see the existing mess, and take the first course of action available to them to let off some steam. God help us if they recognize the source of these injustices before you are able to bring into effect the changes necessary to start this sick nation on the road to recovery.

Why do the people of this nation, who live in the most affluent society in the world, have a disrespect for their government? By now, I think you should be able to answer this question yourself.

I beg you to take whatever action you can to ensure that this Congress will be a "do something useful" Congress.

A democracy can exist only if its laws, and the application of those laws, are based on the will of the majority.

A dictatorship can exist only if its laws, and the application of those laws, are based on the will of the dictatorship.

I ask you to give serious consideration to all aspects of our system of Justice as it now exists. After you have done this, I would like for you to answer the following question:

Do our laws and the application of our laws reflect the will of the majority, or do they reflect the will of the lawyer profession?

I also ask you to read the preamble to the Constitution. You will notice our founding fathers accepted the fact that no government can be perfect. The Constitution reflects that they also knew a government based on the will of the majority is the most perfect form that can be established. It is time we accepted this fact, too.

Consider the preamble to the Constitution. Do our laws "establish Justice"? No, they do not. Do our laws "insure domestic tranquility"? No, they do not. Do our laws "provide for the common defense"? Yes, they do. We have been so successful in this that we have created a monstrous military machine which we, at present, are still able to control. Do our laws "promote the general welfare"? If socialism (the creation of a welfare state) is the promotion of the general welfare, then we have made too much progress. Do our laws "secure the blessings of liberty to ourselves and our posterity"?????

I have refrained from mentioning the so called "race problem" because I do not believe we have one. What we do have is a morals problem. Eliminate this problem and the so called "race problem" will automatically disappear.

I do not believe in any of the recognized religions of the world, because I do not believe they represent the true word of God. However, I do believe the basic teachings of all of these religions are beneficial to mankind. Our founding fathers were religious men. When they included in our Constitution the provision "Congress shall make no law respecting the establishment of religion, or the free exercise thereof" I believe it was their intent to prevent the establishment of a single official religion and permit us to believe and freely practice the religion of our choice. A vast majority of us believe in some form of a Supreme Being. Why then, did the Warren Court illegally amend our Constitution to prohibit the majority the free exercise of their religion when he issued his decision in the school prayer case? Why did the Congress, who represents the majority, permit this to happen?

The recent active participation of our youth in the grass roots politics of this nation during the political campaigns, brought forth a ray of hope. They more than offset the actions of the mislead, misused youth who took to the streets in Chicago. Anything you can do to encourage the youth of this nation to take an active part in the grass roots politics of our political system will be a great service to this nation. These young people will, only too soon, be the older generation. Let us do everything we can to ensure that *their* children will respect them for their accomplishments, instead of taking to the streets in pro-

test. If we can't throw off the lawyer dictatorship, let us at least give the youth of the nation the power to do so. It can't be done peaceably unless all of the people start taking and continue to take an active interest in the grass roots politics of this nation.

I recommend the immediate enactment of a federal law which will require all educational institutions to include in their curriculum, at every grade level, a course of instruction on our Constitution and our political system. The course must be designed to ensure that all students will gain full knowledge of our Constitution, and our political system. Successful completion of this course should be mandatory for promotion to the next higher grade or graduation. This must be done even if an amendment to the Constitution is necessary to accomplish it. This will serve two purposes. It will educate our youth and encourage their participation in our political system. It will eliminate the Warren court's legislative decision which makes all citizens legally ignorant of their rights.

Some information about myself: I am a Class I Foreign Service Staff Officer with 25 years of government service. I am presently assigned to the American Embassy in the Republic of Panama. I am a citizen who is seriously concerned about the future of my beloved country. Please! help heal our sickness. We are in serious trouble.

Very truly yours,

FRANCIS W. COX.

REVISED VERSION OF THE ELECTRIC RELIABILITY ACT

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. REID of New York. Mr. Speaker, today I am cosponsoring, with the gentleman from California (Mr. Moss) and the gentleman from New York (Mr. OTTINGER), a revised version of the Electric Reliability Act. The bill will be sponsored by Senator EDWARD KENNEDY in the Senate.

The legislation is designed to assure an abundant supply of reliable electric power to meet our growing national needs and insure against large-scale blackouts of the kind that recently occurred in Florida and Massachusetts, and in the Northeast in 1965. A massive blackout can literally paralyze an entire region in this day when we count on electricity to perform so many functions. The mechanisms in this bill for avoiding such disasters closely parallel those recommended by the Federal Power Commission and the administration in the last Congress.

In addition, this bill contains new protections for the consumer and for the quality of our environment, through the establishment of a National Council on the Environment to assure that generation and transmission projects shall not be responsible for environmental deterioration; new procedures to assure that new thermal and hydro generating plants do not contribute to environmental pollution; and full protection for parks, shrines, national monuments and Indian reservations, among other things. In my judgment, it is essential that such safeguards accompany any effort to strengthen our electric power supply system.

LITTLE LEAGUE BASEBALL

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. SCHNEEBELI. Mr. Speaker, two recent articles dated February 15 and 17 in the Christian Science Monitor by its chief sports columnist, Ed Rumill, are properly complimentary to the vast activities of Little League baseball. He describes the involvement of 2,000,000 Little Leaguers as "one of the most efficient and worthwhile youth programs in the world today." The news articles describe the fine influence and excellent direction given by its first and still very active president, Peter McGovern, and state that he is "just as dedicated as the people he directs—perhaps even more so."

Continuing, the articles state:

> Peter McGovern and his staff . . . make a religious effort to keep faith . . . and forever uphold the high ideals of Little League baseball.

These observations of the worldwide movement benefiting our male youth should receive national attention. Hence, they are presented herewith:

TWO MILLION LITTLE LEAGUERS

(By Ed Rumill)

WILLIAMSPORT, PA.—The grandstand, diamonds, and other playgrounds covering 50 acres behind Little League headquarters are deserted these days. The calm and chill of winter have thrown a blanket of inactivity over the entire recreational area.

But inside the three-storied headquarters building there is a mid-season liveliness. Peter J. McGovern, president of Little League baseball, has a staff of more than 40 people getting ready for a 1969 program that will spread over 22 countries and involve a record two million youngsters.

"This is the time of the year we mail in excess of a million manuals, rule books, handbooks, and other pieces of information that will assist the thousands of volunteers who make our program possible," McGovern explained, smiling.

WHERE WILL IT ALL END?

It was in 1952 that McGovern came here as a representative of the United States Rubber Company to better organize the Little League setup. "U.S. Rubber had become interested in Little League ball," Peter continued, "but suddenly it became so big and involved that better administration was needed. They sent me here from New York in '52 to put it on sounder footing. The plan was that I'd stay for two or three years. I'm still here."

There were 900 leagues in the Little League division in '52. Today there are about 5,800 leagues, plus 1,600 more in the recently added senior division, and an expected 200 more in the newly organized big-league division.

I asked McGovern where it would all end—just how big Little League ball might eventually grow.

He thought about it for only a moment, then said: "Well, the growth was as much as 30 to 50 percent back in the early days, but there's been a leveling off. In '68 the increase was just five percent. Growth should be even less in '69. We've reached a point where we can be more select. But I think the final answer will come from the population explosion. If a greater percentage of youngsters is available, and the parents want it, Little League will continue to grow."

I asked McGovern the inevitable question: how did he feel about the occasional charges that Little League ball is injurious to many boys—mostly because defeat often is hard for the little fellows to take?

"I think that most of this criticism has come from people unfamiliar with Little League ball," Peter replied. "And although it has become a paramount criticism that keeps coming up, if acceptance were not there, how could the program keep growing?"

McGovern laughed, then continued: "The people who work at this Little League business—and I'm referring to those volunteers who are out in the field directing leagues and teams—are the most intensively devoted and dedicated group that I have ever encountered. This is one of the reasons why I'd better do my job right. Because if I ever let the standards and ideals of the Little Leagues be lowered or tainted, these people would descend upon me with bats and clubs. And," he quickly added, "I would not blame them."

Of course, Little League ball need have no fear of this happening. The man who sits in the president's chair, in the attractive office overlooking the diamond where the Little League World Series is played every August, is just as dedicated as the people he directs—perhaps even more so.

It is fortunate, too, that there is a Peter McGovern in the driver's seat, for there is a sad lack of interest at the major-league level in this wonderfully beneficial program for the male youth of the United States and a number of foreign countries.

MAJORS SHOW LITTLE INTEREST

"Most of our money comes from public contributions," McGovern explained. "A great percentage of it donated by the parents of the boys playing the game. Men like Walter O'Malley and Dan Topping have also been helpful. But we wish big-league baseball felt our program was worthy of their overall support."

Who can deny that Little League ball is an incubator for the pros? This is more evident now than ever before, with the new big-league division joining the Little League and senior groups.

"Our program can now take a boy nine years of age right on up to college age," stressed Bob Stirrat, public relations director at Little League headquarters. "Little League ages run from nine to 13, the senior group from 13 to 15, and the big-league group right up to college-class ball."

The only trouble with Little League ball, President Joe Cronin of the American League once said, is the parents.

"We try to educate the parents to act like adults," Peter McGovern said, again smiling. "A parent naturally wants his or her boy to win. But the chief object is to help these little fellows get started on the right road to manhood. We like to think our program is educational—a wholesome, beneficial experience for everyone involved. That is our main objective."

HOW LITTLE LEAGUE PROTECTS YOUNGSTERS

(By Ed Rumill)

WILLIAMSPORT, PA.—Have you ever sat on a wooden bench on a summer afternoon and thrilled as your boy, in red or blue helmet and baggy pants, raced around the bases for a home run?

Now that he has grown to manhood, has a career and family of his own, do you ever let your memory dream back to those wonderful Little League days and all the fun you had together?

Perhaps very few parents who uniform their youngsters the Little League way, and cheer through their victories and defeats, are fully aware of the intense, dedicated work that goes on behind the scenes, making these games possible.

Little League baseball, as presided over and directed by Peter J. McGovern, is one of the most efficient and worthwhile youth programs in the world today.

CONSTANT RESEARCH IN SAFETY

The Little League Pledge goes, "I trust in God, I love my country and will respect its laws; I will play fair and strive to win; but win or lose I will always do my best."

Peter McGovern and his staff, at headquarters here just across the Susquehanna River from downtown Williamsport, make a religious effort to keep faith in this pledge and forever uphold the high ideals of Little League baseball.

But just as important in the overall operation, which comes to an exciting climax in the stadium behind the headquarters building in late August with a nationally televised and written-about World Series, is the protection given every one of the more than two million boys who will compete in the 1969 program.

"Safety has always been one of our chief concerns," said McGovern. "We had to feel our way along in the beginning, of course, and learn by trial and error. But for more than 10 years now Dr. Creighton J. Hale, formerly of Springfield (Mass.) College has carried on a concentrated research program for us in safety. Dr. Hale has, I believe, disproved the myths of long standing concerning the capacity of young boys to play baseball and other sports without harmful consequences."

Not only has research contributed much towards improving the safety-on-the-field factor through better equipment, better facilities, and better training, but Dr. Creighton has even come up with improvements that have spread to the major leagues.

"Dr. Creighton has a mechanism in our basement that can propel baseballs at controlled speeds," explained Bob Stirrat, director of public relations for Little League ball. "And, perhaps surprisingly, he discovered that the helmet originally used by the major leagues could be shattered by a pitch traveling only 80 m.p.h. Also, the ball could strike the helmet on one side and shatter the material on the other.

"When the new and tougher helmet was manufactured, Dr. Creighton added the wrap-around ear flaps. All the majors did was cut the flap off on one side. Suspension straps inside the helmet were discarded for foam-rubber padding. Metal shoe clips were exchanged for rubber cleats."

"Research revealed that among boys in the Little League class, ages nine through 12, 90 percent of the injuries were above the belt," Stirrat said. "In the senior group, ages 13 through 15, it was just the opposite—approximately 90 percent were below the belt. When we found this out we made the senior group use rubber cleats. They had asked for the metal spikes the first year."

Dr. Creighton has improvised a flap above the catcher's chest protector, in the form of a padded collar, that guards against the troublesome foul tip in the throat. Out of all this has developed a safety booklet which is distributed to more than 7,500 leagues that will operate this year in the Little League, senior, and big-league divisions throughout the United States and more than 20 foreign countries.

All boys who play Little League baseball in all three groups, as well as the adults who voluntarily serve without pay as managers, coaches, umpires, player agents, safety officers, and official scorers must be covered adequately by accident insurance. In the insurance departments at Little League headquarters are files containing every claim made since the protection was inaugurated soon after McGovern's arrival here in 1952.

The complete story of Little League baseball, of course, fills a fair-sized volume. Some of the more worthy sides of the story have been overlooked here. But anyone who has taken part in the program, or who has come here and visited men like Peter McGovern and Bob Stirrat, quickly get the feel of the Little League—become immediately aware of the tremendous job that is being done for the male youth of the world.

LEGION FAVORS STRONG MERCHANT MARINE

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. GARMATZ. Mr. Speaker, as you know, the American Legion will celebrate its 50th anniversary beginning on March 15 of this year. We are all familiar with the Legion's several programs of service to the State and Nation over the past half century, particularly in the field of youth activities, Americanism, and rehabilitation of disabled veterans. However, among other lesser known activities, the Legion has also insisted that our country maintain a strong national defense posture, including a merchant marine second to none.

On January 29, 1969, Mr. James R. Wilson, Jr., director of the Legion's national security division, addressed a seminar in Washington, D.C., on "Maritime Outlook 1969" sponsored by the Maritime Trades Department of the AFL–CIO. Mr. Wilson's remarks are timely and, under permission to extend my remarks, I am including the full text of his statement:

REMARKS OF JAMES R. WILSON, JR.

In somewhat more than a year, I've been privileged to speak to two meetings of the Maritime Trades Department of the AFL–CIO. By way of reciprocity, Paul Hall consented to address the National Security Commission prior to our national convention in New Orleans, Louisiana.

We were extremely proud when Mr. Hall said his "appearance gave him the chance to say 'thank you' to the American Legion for the continued fight it has waged to make our merchant fleet a strong partner in America's defense structure. No group in the United States," he said, "has been more vigorous in its support of the U.S. Flag fleet than the American Legion . . . and you deserve a vote of thanks for the work that you have been doing."

As an organization which has among its membership of more than 2,600,000 many laboring men and many others who derive their livelihood from the sea, I am grateful for this opportunity to present my views on what the future holds for the merchant marine.

Let it be clearly understood we recognize you as the experts, but even though we are generalists who in broad terms understand the role of the merchant marine, we share with you this common bond of concern for its well being.

At our national convention in New Orleans, the American Legion unanimously adopted resolution No. 552 which will be the base for our support of the American merchant marine during this vital year. The resolving clause of that resolution urged that a strong, vibrant merchant marine be proclaimed as one of our prime national goals; that a program to build 35–40 new merchant ships each year in United States shipyards be implemented immediately; that we fully develop the potential of nuclear power in our merchant fleet; and that the American flag be restored to its rightful position of leadership on the high seas.

When the law revitalizing the American merchant marine is written, the "nuts and bolts" of the law will be the work of experts like you who know and appreciate what it takes to build and maintain this "fourth arm of defense." Let me assure you that our organization will stand shoulder to shoulder with you in seeking the achievement of this objective.

Represented here among you today are men influential in shipbuilding, ship operation, both labor and management. For as long as I can remember, there has been unanimity of opinion in recognizing that the American merchant marine is in serious straits and in desperate need of help. For some unknown reason, however, the elements that support the building of a strong American merchant marine have never gotten together in a massive coordinate effort to bring about the legislative, administrative and fiscal reforms vital to its rejuvenation.

Those who support the need, no . . . the imperative requirement, for rebuilding and maintaining a strong American owned and operated merchant marine must wonder what it takes to do the job.

Last year, for example, legislation designed to overcome the deficiencies in our merchant marine and to begin the task of restoring it to its rightful position was introduced in the Senate by Warren G. Magnuson, Chairman of the Senate Commerce Committee, and Edward Garmatz, Chairman of the House Merchant Marine and Fisheries Committee. Despite widespread support, this timely proposal was not enacted into law. The proposals of the Johnson administration presented last May fell woefully short of our maritime needs and was characterized by our national commander as a "betrayal of the American merchant marine and all it stands for in the building of this Nation's past, present and future."

Despite the past, I am optimistic about the future and what it portends for the American merchant marine. Meetings, like this, are indicative of the desire of management, labor, government and the private sector to join hands to assure that corrective steps are taken.

Certainly the impetus to set about the task is apparent all around us. It is a well established and oft repeated fact that the United States has steadily, year by year, drifted down the ladder of standings in world shipping.

This Nation, once first, has become a fifth-rate maritime power. Today, our active merchant fleet is less than one-fifth the size of our World War II fleet. Then we were building about a thousand freighters a year; now we are building 11–13 ocean-going cargo liners a year. Even the Soviet Union has more merchant ships in her active fleet than we do, and soon her tonnage will surpass ours.

Although it should be manifestly clear to everyone, Viet Nam proved again that the only way to move massive amounts of materiel at a cost we can afford is by water. Take the present back-breaking commitments of our fleet serving Viet Nam. Our aging active merchant fleet, supplemented by World War II relics from the reserve fleet, is carrying roughly 98 per cent of our supplies and equipment moving daily to our fighting forces there.

Finally, the emergence of the U.S.S.R. merchant navy as an instrument of its forward looking foreign policy, may shake up the elements which give "lip service" to rebuilding the American Merchant Marine sufficiently to get together for a united effort.

The threat to the world of the Soviet merchant marine build-up is best summarized by the chief of naval operations who recently said: "This merchant fleet is a major instrument of Soviet national power. These ships flying the Red flag do more than just transport cargo. Theirs is a strategic function as well. Soviet merchant ships now visit 600 ports in over 90 different countries . . . and never lose sight of the fact . . . at every port which a Russian merchant ship visits, there must be some form of Russian trade organization and Soviet consular representation. As the U.S.S.R.'s merchant fleet expands, and her commercial dealings with the world expand, the Soviet commercial and consular penetration of the nations of the world must also expand."

If I had a crystal ball, I could give you a ready answer to "Maritime Outlook 1969." The fact that several very important representatives of the Congress, management and labor have been invited here to speak indicates your desire to peer into the future.

A most hopeful sign are the statements of President Nixon which give great promise of new life for American-flag shipping. He has said, "it is essential to increase U.S.-flag participation in our overseas trade as part of our export promotion policy—we must set as our goal, a sharp increase in the transport of U.S. trade aboard American-flag ships (at least 30 per cent)."

We sincerely hope the new administration goes forward with this bold new program to revitalize all segments of the American Merchant Marine. The President has pledged this. His campaign position paper on the merchant marine stated: "The time has come for new departures, new solutions and new vitality for American ships and American crews . . ." I am certain each of us fervently pray the program will be forthcoming from the White House, and soon.

At that time the Congress and the industry must lend their full support to put this proposal into effect. It is only through direct courses of action that the American Merchant Marine can again assume its rightful place as the leader among the merchant fleets of the world and regain her lost supremacy on the high seas.

I personally believe Mr. Nixon will carry through on his promises to restore America as the world's leader in seapower. The American Legion will be following closely the President's actions in subsequent months concerning the American Merchant Marine. As I said, I believe he's a man of his word.

For the good of the country's economic development and its national security, as they concern the merchant marine, we sincerely hope he will fulfill his promises.

WELCOME TO THE AMERICAN DIETETIC ASSOCIATION

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. GROVER. Mr. Speaker, the American Dietetic Association, with a membership of 20,000 trained in the profession of dietetics, has members living in every State of the Union. This organization will soon celebrate its 52d year as a group dedicated to a continuing program of sound nutrition for everyone.

At this time, when we hear so much about malnutrition and the tragedy of Biafra, the efforts of the members of this fine group take on added significance. Recently the American Dietetic Association created the position of legislative liaison within its staff so that the expertise of dietitians could be more readily offered in the legislative area, as appropriate. I hope the Congress will listen and, hopefully, find a successful solution to our continuing war against hunger in America.

It is my pleasure to welcome the association to Washington. I do hope that the knowledge of their profession will be utilized as we work to eradicate not only malnutrition in this country, but also in our efforts to assist emerging nations in the crisis in nutrition worldwide. The association has a part to play in achieving better health not only through practical research but in day-to-day application of improved nutritional practices.

ROTARY INTERNATIONAL PRESIDENT

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. PETTIS. Mr. Speaker, one of my constituents, Mr. William E. Walk, of Ontario, Calif., has been selected to serve as president of Rotary International starting July 1, 1970. As you know, Mr. Speaker, Rotary International is the world's largest and oldest service club with a membership of 600,000 business and professional men around the world, devoted to the work of improving their communities, their countries, and all mankind.

The honor of Mr. Walk's election to this august position is of great significance. The last American to hold this office was Mr. Richard Evans, of Salt Lake City, and before that, former Governor and former Secretary of Commerce, Mr. Luther Hodges. The fact that a good friend and a citizen of my district has achieved such eminence fills me with pride.

Rotary will be well served by Mr. Walk, an attorney with a long and distinguished record of service to his community and to Rotary. He is a graduate of the University of Southern California and a partner in the law firm of Walk, Etchason, Davidson & Liesch in Ontario. He also is a director of the First National Bank & Trust Co.

A Rotarian since 1948, Mr. Walk served as vice president of Rotary International 2 years ago. He is a member and past president of the Ontario Rotary Club, served as district governor in 1957 and chairman of the constitutional and bylaws committee in 1965. Last year he was chairman of the organization's convention in Mexico City. He is active in the State bar association and the San Bernardino County Bar Association where he served on the board of directors. He is a member of the American Bar Association and the National Trial Lawyers Association of California.

Mr. Walk was one of the founders of the San Bernardino-Riverside County Blood Bank and now is serving on the advisory board of San Antonio Community Hospital in Upland, Calif. He served as president of the Ontario-Montclair School District for 12 years.

Mr. Walk and his wife, Louise, have two fine children—Barbara, a high school teacher, and William E. Walk III, a premedical student at the University of Redlands.

As a Rotarian myself, I know that Mr. Walk's outstanding record fully qualifies him to lead this worldwide organization whose motto is, "Service Above Self."

LITHUANIAN INDEPENDENCE

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. HUNT. Mr. Speaker, repression and domination of once sovereign nations by the Communist regime of Soviet Russia is well documented in the annals of history.

Self-determination, freedom, and independence, won in these United States by great sacrifice and sustained only by determined vigilance and a dedication to these principles for which men continue to give of their lives and fortunes, must not be denied to any nation whose spirit is bolstered by the hope that the United States will advance their cause. To retreat from this challenge is to diminish our own security as a free nation.

I gladly take this opportunity, Mr. Speaker, to join other of my colleagues in the recognition of Lithuania's 51st anniversary of the declaration of independence, February 16, 1969. Ironically, Lithuania is the only country unable to commemorate this occasion except in the undying spirit of her peoples that Lithuania will again one day be restored to independence.

The following is a statement of dedication and appeal, prepared by the Lithuanian American Council, Inc., on behalf of Americans of Lithuanian descent:

PRO MEMORIA ON LITHUANIA'S INDEPENDENCE

Soviet Russia's invasion and occupation of Czechoslovakia in 1968 was a dramatic reminder to the free world of the identical Soviet invasion and occupation of Lithuania and the other two Baltic States in 1940. In both instances the Soviet aggression was unprovoked, in flagrant violation of existing treaties and international law, and against the free will of the people.

The United States Government sternly denounced this wanton Soviet aggression in July 1940 and has steadfastly refused to recognize the illegal annexation of Lithuania by the Soviet communists. This just and honorable position, a basic tenet of United States policy, has been maintained by all succeeding administrations.

Despite the condemnations of the occupation by the free world, the Soviet Union still forces Lithuania and its people to suffer oppression and exploitation under despotic communist rule. Lithuanian national culture is gradually being destroyed and russification of the country and its people is being brought about. Yet, even though their country has been converted into a colony of the Soviet empire, the people of Lithuania—and the patriotic Americans of Lithuanian descent—demand freedom and independence for Lithuania!

We are sincerely grateful to the United States Government for its continued firm refusal to recognize the consequence of Soviet aggression. However, this stand in itself is not sufficient to bring about the liberation of presently-subjugated nations.

It is our firm conviction that strong and steady pressure must be exerted upon the rulers of Soviet Union by the governments and peoples of the free world to effect the liberation of Soviet-captive nations. We demand, and ask the free world to join us in demanding, that the Soviets withdraw their army, police and ruling apparatus from Lithuania, so the people of Lithuania could freely elect a government of their own choosing, in accord with the Atlantic and United Nations Charters and the principle of self-determination which the Soviets demand for the peoples of Asia, Africa and Latin American countries.

As citizens of the United States, we Americans of Lithuanian descent appeal to you to urge the United States Government to take all possible peaceable means to restore the freedom and independence of Lithuania, Latvia, Estonia, and all other captive nations.

LITHUANIAN AMERICAN COUNCIL, INC.

DAVY CROCKETT HAD A WORD FOR IT

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. BROCK. Mr. Speaker, I recently had the opportunity to reread an episode from the life of a great Tennessean who once served in this Chamber. The lesson it teaches about public funds and public responsibilities is a great one, and I include it in the RECORD because of its value:

NOT YOURS TO GIVE

One day in the House of Representatives, a bill was taken up appropriating money for the benefit of a widow of a distinguished naval officer. Several beautiful speeches had been made in its support. The Speaker was just about to put the question when Crockett arose:

"Mr. Speaker—I have as much respect for the memory of the deceased, and as much sympathy for the sufferings of the living, if suffering there be, as any man in this House, but we must not permit our respect for the dead or our sympathy for a part of the living to lead us into an act of injustice to the balance of the living. I will not go into an argument to prove that Congress has no power to appropriate this money as an act of charity. Every member upon this floor knows it. We have the right, as individuals, to give away as much of our own money as we please in charity; but as members of Congress we have no right so to appropriate a dollar of the public money. Some eloquent appeals have been made to us upon the ground that it is a debt due the deceased. Mr. Speaker, the deceased lived long after the close of the war; he was in office to the day of his death, and I have never heard that the government was in arrears to him.

"Every man in this House knows it is not a debt. We cannot, without the grossest corruption, appropriate this money as the payment of a debt. We have not the semblance of authority to appropriate it as a charity. Mr. Speaker, I have said we have the right to give as much money of our own as we please. I am the poorest man on this floor. I cannot vote for this bill, but I will give one week's pay to the object, and if every member of Congress will do the same, it will amount to more than the bill asks."

He took his seat. Nobody replied. The bill was put upon its passage, and, instead of passing unanimously, as was generally supposed, and as, no doubt, it would, but for that speech, it received but few votes, and, of course, was lost.

Later, when asked by a friend why he had opposed the appropriation, Crockett gave this explanation:

"Several years ago I was one evening standing on the steps of the Capitol with some other members of Congress, when our attention was attracted by a great light over in Georgetown. It was evidently a large fire. We jumped into a hack and drove over as fast as we could. In spite of all that could be done, many houses were burned and many families made houseless, and, besides, some of them had lost all but the clothes they had on. The weather was very cold, and when I saw so many women and children suffering, I felt that something ought to be done for them. The next morning a bill was introduced appropriating $20,000 for their relief. We put aside all other business and rushed it through as soon as it could be done.

"The next summer, when it began to be time to think about the election, I concluded I would take a scout around among the boys of my district. I had no opposition there, but, as the election was some time off, I did not know what might turn up. When riding one day in a part of my district in which I was more of a stranger than any other, I saw a man in a field plowing and coming toward the road. I gauged my gait so that we should meet as he came to the fence. As he came up, I spoke to the man. He replied politely, but, as I thought, rather coldly.

"I began: 'Well, friend, I am one of those unfortunate beings called candidates, and—'

" 'Yes, I know you; you are Colonel Crockett. I have seen you once before, and voted for you the last time you were elected. I suppose you are out electioneering now, but you had better not waste your time or mine. I shall not vote for you again.'

"This was a sockdolager . . . I begged him to tell me what was the matter.

" 'Well, Colonel, it is hardly worth-while to waste time or words upon it. I do not see how it can be mended, but you gave a vote last winter which shows that either you have not capacity to understand the Constitution, or that you are wanting in the honesty and firmness to be guided by it. In either case you are not the man to represent me. But I beg your pardon for expressing it in that way. I did not intend to avail myself of the privilege of the constituent to speak plainly to a candidate for the purpose of insulting or wounding you. I intend by it only to say that your understanding of the Constitution is very different from mine; and I will say to you what, but for my rudeness, I should not have said, that I believe you to be honest. . . . But an understanding of the Constitution different from mine I cannot overlook, because the Constitution, to be worth anything, must be held sacred, and rigidly observed in all its provisions. The man who wields power and misinterprets it is the more dangerous the more honest he is.'

" 'I admit the truth of all you say, but there must be some mistake about it, for I do not remember that I gave any vote last winter upon any constitutional question.'

" 'No, Colonel, there's no mistake. Though I live here in the backwoods and seldom go from home, I take the papers from Washington and read very carefully all the proceedings of Congress. My papers say that last winter you voted for a bill to appropriate $20,000 to some sufferers by a fire in Georgetown. Is that true?'

" 'Well, my friend; I may as well own up. You have got me there. But certainly nobody will complain that a great and rich country like ours should give the insignificant sum of $20,000 to relieve its suffering women and children, particularly with a full and overflowing Treasury, and I am sure, if you had been there, you would have done just as I did.'

" 'It is not the amount, Colonel, that I complain of; it is the principle. In the first place, the government ought to have in the Treasury no more than enough for its legitimate purposes. But that has nothing to do with the question. The power of collecting and disbursing money at pleasure is the most dangerous power that can be intrusted to man, particularly under our system of collecting revenue by a tariff, which reaches every man in the country, no matter how poor he may be, and the poorer he is the more he pays in proportion to his means. What is worse, it presses upon him without his knowledge where the weight centers, for there is not a man in the United States who can ever guess how much he pays to the government. So you see, that while you are contributing to relieve one, you are drawing it from thousands who are even worse off than he. If you had the right to give anything, the amount was simply a matter of discretion with you, and you had as much right to give $20,000,000 as $20,000. If you have the right to give to one, you have the right to give to all; and, as the Constitution neither defines charity nor stipulates the amount, you are at liberty to give to any and everything which you may believe, or profess to believe, is a charity, and to any amount you may think proper. You will very easily perceive what a wide door this would open for fraud and corruption and favoritism, on the one hand, and for robbing the people on the other. No, Colonel, Congress has no right to give charity. Individual members may give as much of their own money as they please, but they have no right to touch a dollar of the public money for that purpose. If twice as many houses had been burned in this county as in Georgetown, neither you nor any other member of Congress would have thought of appropriating a dollar for our relief. There are about two hundred and forty members of Congress. If they had shown their sympathy for the sufferers by contributing each one week's pay, it would have made over $13,000. There are plenty of wealthy men in and around Washington who could have given $20,000 without depriving themselves of even a luxury of life. The congressmen chose to keep their own money, which, if reports be true, some of them spend not very creditably; and the people about Washington, no doubt, applauded you for relieving them from the necessity of giving by giving what was not yours to give. The people have delegated to Congress, by the Constitution, the power to do certain things. To do these, it is authorized to collect and pay moneys, and for nothing else. Everything beyond this is usurpation, and a violation of the Constitution.

" 'So you see, Colonel, you have violated the Constitution in what I consider a vital point. It is a precedent fraught with danger to the country, for when Congress once begins to stretch its power beyond the limits of the Constitution, there is no limit to it, and no security for the people. I have no doubt you acted honestly, but that does not make it any better, except as far as you are personally concerned, and you see that I cannot vote for you.'

"I tell you I felt streaked. I saw if I should have opposition, and this man should go to talking, he would set others to talking, and in that district I was a gone fawn-skin. I could not answer him, and the fact is, I was so fully convinced that he was right, I did not want to. But I must satisfy him, and I said to him:

" 'Well, my friend, you hit the nail upon the head when you said I had not sense enough to understand the Constitution. I intended to be guided by it, and thought I had studied it fully. I have heard many speeches in Congress about the powers of Congress, but what you have said here at your plow has got more hard, sound sense in it than all the fine speeches I ever heard. If I had ever taken the view of it that you have, I would have put my head into the fire before I would have given that vote; and if you will forgive me and vote for me again, if I ever vote for another unconstitutional law I wish I may be shot.'

"He laughingly replied: 'Yes, Colonel, you have sworn to that once before, but I will trust you again upon one condition. You say that you are convinced that your vote was wrong. Your acknowledgment of it will do more good than beating you for it. If, as you go around the district, you will tell people about this vote, and that you are satisfied it was wrong, I will not only vote for you, but will do what I can to keep down opposition, and, perhaps, I may exert some little influence in that way.'

" 'If I don't,' said I, 'I wish I may be shot; and to convince you that I am in earnest in what I say I will come back this way in a week or ten days, and if you will get up a gathering of the people, I will make a speech to them. Get up a barbecue, and I will pay for it.'

" 'No, Colonel, we are not rich people in this section, but we have plenty of provisions to contribute for a barbecue, and some to spare for those who have none. The push of crops will be over in a few days, and we can then afford a day for a barbecue. This is Thursday; I will see to getting it up on Saturday week. Come to my house on Friday, and we will go together, and I promise you a very respectable crowd to see and hear you.'

" 'Well, I will be here. But one thing more before I say good-by. I must know your name.'

" 'My name is Bunce.'

" 'Not Horatio Bunce?'

" 'Yes.

" 'Well, Mr. Bunce, I never saw you before, though you say you have seen me, but I know you very well. I am glad I have met you, and very proud that I may hope to have you for my friend.'

"It was one of the luckiest hits of my life that I met him. He mingled but little with the public, but was widely known for his remarkable intelligence and incorruptible integrity, and for a heart brimful and running over with kindness and benevolence, which showed themselves not only in words but in acts. He was the oracle of the whole country around him, and his fame had extended far beyond the circle of his immediate acquaintance. Though I had never met him before, I had heard much of him, and but for this meeting it is very likely I should have had opposition, and had been beaten. One thing is very certain, no man could now stand up in that district under such a vote.

"At the appointed time I was at his house, having told our conversation to every crowd I had met, and to every man I stayed all night with, and I found that it gave the people an interest and a confidence in me stronger than I had ever seen manifested before.

"Though I was considered fatigued when I reached his house, and, under ordinary circumstances, should have gone early to bed, I kept him up until midnight, talking about the principles and affairs of government, and got more real, true knowledge of them than I had got all my life before.

"I have known and seen much of him since, for I respect him—no, that is not the word—I reverence and love him more than any living man, and I go to see him two or three times every year; and I will tell you, sir, if every one who professes to be a Christian lived and acted and enjoyed it as he does, the religion of Christ would take the world by storm.

"But to return to my story. The next morning we went to the barbecue, and, to my surprise, found about a thousand men there. I met a good many whom I had not known before, and they and my friend introduced me around until I had got pretty well acquainted—at least, they all knew me.

"In due time notice was given that I would speak to them. They gathered up around a stand that had been erected. I opened my speech by saying:

" 'Fellow-citizens—I present myself before you today feeling like a new man. My eyes have lately been opened to truths which ignorance or prejudice, or both, had heretofore hidden from my view. I feel that I can today offer you the ability to render you more valuable service than I have ever been able to render before. I am here today more for the purpose of acknowledging my error than to seek your votes. That I should make this acknowledgment is due to myself as well as to you. Whether you will vote for me is a matter for your consideration only.'

"I went on to tell them about the fire and my vote for the appropriation and then told them why I was satisfied it was wrong. I closed by saying:

" 'And now, fellow-citizens, it remains only for me to tell you that the most of the speech you have listened to with so much interest is simply a repetition of the arguments by which your neighbor, Mr. Bunce, convinced me of my error.

" 'It is the best speech I ever made in my life, but he is entitled to the credit for it. And now I hope he is satisfied with his convert and that he will get up here and tell you so.'

"He came upon the stand and said:

" 'Fellow-citizens—It affords me great pleasure to comply with the requests of Colonel Crockett. I have always considered him a thoroughly honest man, and I am satisfied that he will faithfully perform all that he has promised you today.'

"He went down, and there went up from that crowd such a shout for Davy Crockett as his name never called forth before.

"I am not much given to tears, but I was taken with a choking then and felt some big drops rolling down my cheeks. And I tell you now that the remembrance of those few words spoken by such a man, and the honest, hearty shout they produced, is worth more to me than all the honors I have received and all the reputation I have ever made, or ever shall make, as a member of Congress.

"Now, sir," concluded Crockett, "you know why I made that speech yesterday.

"There is one thing now to which I will call your attention. You remember that I proposed to give a week's pay. There are in that House many very wealthy men—men who think nothing of spending a week's pay, or a dozen of them, for a dinner or a wine party when they have something to accomplish by it. Some of those same men made beautiful speeches upon the great debt of gratitude which the country owed the deceased—a debt which could not be paid by money—and the insignificance and worthlessness of money, particularly so insignificant a sum as $10,000, when weighed against the honor of the nation. Yet not one of them responded to my proposition. Money with them is nothing but trash when it is to come out of the people. But it is the one great thing for which most of them are striving, and many of them sacrifice honor, integrity, and justice to obtain it."

THE MEHAFFEY BRIDGE

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. SCHWENGEL. Mr. Speaker, Pat Meyers of Solon, Iowa, has written a short history of the efforts to obtain the Mehaffey Bridge across the Coralville Reservoir near Solon.

Written for a class project at the University of Iowa, the paper pays proper tribute to the Mehaffey Bridge Committee which worked so hard and long on behalf of the new bridge. Their continuing efforts have been justly rewarded.

The above-mentioned material follows:

THE MEHAFFEY BRIDGE

Thirteen residents of Johnson County organized in 1956, during the construction phase of the reservoir, when it became apparent that the old Mehaffey Bridge would be removed, and there was no plan for a new one. This small group was composed largely of Solon and North Liberty residents plus those of rural areas between these towns. They decided they needed a name for their group and after much discussion decided to call themselves the Mehaffey Bridge Committee. This committee took action against the federal government to seek a bridge over the Coralville Reservoir between North Liberty and Solon.

The Solon Community School building was designated as their meeting place. These thirteen residents met several times to plan and to study what steps they should follow to preserve this bridge. They gathered information about the value of the bridge to the developing area along the reservoir and Lake McBride and about its importance to other residents of the county. They sought information from whomever might have it.

The main purpose of this committee was to try and save the present Mehaffey Bridge because the government plans were to take it out when the Coralville Dam Project was completed.

This group decided to start with petitions in the area. One man was made responsible for petitions. It was his duty to get them written up and to see that they were circulated around the surrounding communities. They were signed by 2500 people. Then this committee met with the local Board of County Supervisors at Iowa City. They had the supervisors draw up a resolution asking that the bridge be restored. This resolution and the petitions were sent to our Senators and Congressmen at Washington, D.C.

Many citizens of the area were contacted by telephone and also many were contacted personally and were asked to attend the meetings of this group, so as to stir up more interest in the project. At some meetings over 200 persons attended from all surrounding communities. These people were asked to write letters into Washington D.C. to plead their case. The response was very successful.

A survey was conducted by local people and also the Highway Commission to see how many cars and trucks crossed the bridge each day. An attorney was consulted to see if something legally could be done to retain this bridge. Property owners of Lake McBride were contacted individually about the position they took on this matter.

This group prepared a report on why this bridge was so essential to many citizens of Johnson County. This report listed many of the vital reasons why this bridge must stand. It read as follows:

1. It is a necessary public convenience and without a crossing serious economic loss to the public will occur.

2. The Iowa Highway Commission has made a study of the traffic and estimates that between 400 and 500 vehicles a day would use the crossing on week ends.

3. It would save the motorists traveling between North Liberty and Solon about 12 miles.

4. It would give much better access for people coming from the west and southwest to the Coralville reservoir and Lake McBride.

5. It would give direct access from Iowa City to the area set aside for the University of Iowa to be used for recreational teaching and camping facilities.

6. It would provide better fire protection, shorter school bus route, better medical service, delivery of food, fuel, and mail, and would relieve traffic on other roads around Iowa City.

7. Many farmers in the area need the bridge as they have land on both sides of the river.

This committee arranged meetings with Sen. Thomas E. Martin and Congressman Fred Schwengel. Congressman Schwengel visited the area and inspected the bridge. It was decided by Congressman Schwengel to present a resolution to the Public Works Committee asking consideration of building a new bridge to replace the old bridge. The committee's secretary wrote letters to Senator Martin and Senator Hickenlooper asking for support of this resolution. Letters were also written to the Chief Engineer at Washington, D.C.

The group decided they needed more publicity on this project so they contacted radio stations and daily papers and asked their help in presenting this problem to the public. They appointed the editor of the Solon Economist newspaper to take care of the publicity. Many editorials and articles were written about the work of this committee and the progress they had made. The Iowa City Press-Citizens and Cedar Rapids Gazette carried the stories, and many articles were made public nation wide through the Associated Press. This publicity stirred up much needed interest by the public.

The Iowa City Boat Club did not support the Mehaffey Bridge Committee because their prime interest was to remove the old bridge immediately so the water level could be raised to 680 feet. They had no interest in the new bridge and accused the committee of petitioning the Board of Supervisors for their own interests. One Iowa City Boat Club member stated that the Bridge Committee was blackmailing Congress by holding the old bridge until there was a new one. After this feud took place it was made public by local newspapers, and the press did more harm by stating that the bridge would only serve local people. This publicity was damaging to the cause this group was trying to accomplish.

After several meetings with the Boat Club and many hours of presenting their reasons for the necessity of the bridge to the entire state and revealing the hundreds of hours of work in planning, talking, and sending letters committed on this project, the Boat Club began to feel differently about the situation. The members finally gained the support of this Club, and they began to realize the Bridge Committee was working for the good of all the people and that no selfish motive was involved. The Bridge Committee learned from this experience that they must be patient and must continue their monthly meetings so interest would stay alive in their project.

The group decided to send some representatives to Washington, D.C. to plead their cause to Congress. They asked for donations from business men and the people in the surrounding communities. They received financial support from over 200 people. They gathered all their material, which consisted of road maps, historical background, future development of the area, and all their reasons for the need of the bridge. Then four able men were sent to Washington, D.C., which consisted of two engineers, a member of the Conservation Commission and Senator Nolan. This trip proved very successful.

A bill presented by Congressman Schwengel, known as the Mehaffey Bridge Bill became a law when President Eisenhower signed the bill. Now that the bill was passed, the next concern was to get Congress to appropriate the money for the bridge.

Discouragement would have led many to give up during these days, but the small committee spent countless hours with the County Board of Supervisors, with county officers, state legislators, state officials, the Corps of Engineers, members of the U.S. House of Representatives and Senators. Still no funds were allotted for the new bridge. New legislation was required to get the money for the bridge, but the committee knew that this responsibility was with Sen. Martin, Sen. Hickenlooper and Congressman Schwengel. The committee wrote more letters and made more trips into Washington, D.C. They had to raise more money to finance these trips, and this was accomplished by donations.

In 1961, $70,000 was made available by the Public Works Appropriation Bill. In 1962 $40,000 was made available for the bridge by another bill. In 1963 a bill made it possible to finance the bridge when enough money was obtained. These bills were signed by the late President Kennedy.

A cost of $1.2 million bid was submitted jointly by the Iowa Bridge Company of Des Moines and F. A. Moser, Incl. of Farmersburg for the new Mehaffey bridge over the Coralville reservoir.

Few people would have given this natural group of individuals a chance of succeeding in their objective. Many compared them to David and Goliath, and as this familiar story ended, so did the Mehaffey Bridge Project end. It wasn't the giant who emerged the victor.

The efforts of this natural group assured the county a new bridge. On October 27, 1966, the bridge was opened to the public for use. It is the highest and most expensive bridge in Johnson County history. The new Mehaffey Bridge is an asset to Johnson County providing a crossing of the Coralville Reservoir-Iowa River between the Butler Bridge just north of Iowa City and the Highway 218 bridge at Mid-Rivers. It is valuable to the residents of the area on either side; it is valuable to the residents of Iowa and the thousands of people who come each year to the reservoir and Lake McBride for recreation. Its value will increase each year, and all who use the bridge in the years ahead can thank a small natural group, called the Mehaffey Bridge Committee, who worked for many long years in the face of tremendous obstacles to make it possible.

FATHER OF JUNIOR ROTC

HON. EDWIN W. EDWARDS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. EDWARDS of Louisiana. Mr. Speaker, as you know, ROTC programs have become the target of attacks by the leftist students on our college campuses. Much to my chagrin, the administration at institutions where such unrest is occurring have not always stood firmly behind the ROTC program.

Among our Ivy League schools, Yale, Harvard, and Dartmouth have stripped the ROTC program of academic credit, and it is feared that more institutions will follow suit.

A determined effort is being made, however, to halt the attacks being leveled at the ROTC programs, and institutions are being urged to defend and stand behind the reasons for providing the programs with academic credit.

F. EDWARD HÉBERT, a ranking member of the Armed Services Committee, is leading this effort. He is especially close to ROTC, and over the years has earned the title of "Father of Junior ROTC."

He also is chairman of the subcommittee with jurisdiction over the ROTC programs—junior and senior. Mr. HÉBERT set forth his attitude in a speech before the National Association of Military Schools, and I hope that every Member of Congress, after reading it, will rally behind him.

The speech follows:

TEXT OF SPEECH OF U.S. REPRESENTATIVE F. EDWARD HÉBERT DELIVERED BEFORE THE NATIONAL ASSOCIATION OF MILITARY SCHOOLS, FRIDAY, FEBRUARY 14, STATLER HOTEL, WASHINGTON, D.C.

Colonel Williams, Members of the National Association of Military Schools, and Friends: I genuinely appreciate the opportunity to talk to you today since there is perhaps no other group in the country which is as close to the ROTC philosophy as are you.

Both the Senior and Junior ROTC programs are essential to the future wellbeing of our nation. These programs represent the well-spring from which are derived the men who at some future date will direct the destiny of our nation in its continuing effort against aggression.

Since before the dawn of civilization man has been concerned with the problem of security.

Security against the ever-present grim specters of hunger, disease, and war. But of all these concerns—the most critical by far has been the problem of war—the problem of insuring against aggression.

Man's continuing advances in his fight against hunger and disease have, most significantly been accomplished only after he has established an environment and climate of relative peace and tranquility. In short—man's freedom from fear of aggression is an essential condition precedent to genuine human progress—and one attainable only through military security.

Yet, despite this most evident fact, there is incontrovertible evidence to indicate an organized and determined effort on the part of some segments of our society to discredit, disparage, and destroy our traditional respect for the honorable profession of soldiering.

Only a few days ago, the faculties of three prominent Eastern Universities, Yale, Dartmouth, and Harvard, took steps to strip military training of its academic standing and voted to relegate the Reserve Officer Training Corps at those institutions to the status of an extracurricular activity.

I am told that the Chairman of the Yale Faculty Committee on the Curriculum went so far as to say that—

"ROTC is like singing in the Wiffenpoofs—a perfectly fine activity but one that we don't think merits any academic standing."

Besides being an utterly asinine statement, the observation made by this not so distinguished gentleman at Yale, is intellectually dishonest.

No effort was apparently made by the Chairman of the Yale Faculty Committee to explain why Yale had for many years given academic credit for ROTC courses and was now suddenly constrained to change its policy.

No evidence was forthcoming that the caliber of teaching or training provided ROTC students had suddenly deteriorated.

No evidence was forthcoming that the military personnel who were teaching these courses had demonstrated their failure to maintain the same competence formerly exhibited by their predecessors.

No action, to my knowledge, was taken by any of these schools to present evidence of a deterioration in the content of the ROTC courses heretofore given academic credit.

These facts make it abundantly evident that the faculty had simply succumbed to the demands of the Students for a Democratic Society who have publicly announced their determination to destroy the ROTC programs on our campuses throughout the nation.

The action taken by the faculties at these institutions is only another illustration of the "jellyfish" attitude adopted by many of our so-called leading educators" who evade issues by pretending they don't exist.

Make no mistake about it, the action taken by these schools in withdrawing academic credit from the ROTC program was not motivated by any "concern for academic standards" but rather fear of a reprisal from the student far left.

The gentlemen from Yale, Harvard, and Dartmouth, and any other schools who choose to adopt this course of action by explaining it away as a concern with academic standards—are, in my view, forfeiting any possible claim to intellectual honesty and objectivity.

These gentlemen are patently and clearly guilty of the rankest discrimination against the profession of soldiering by discouraging any military presence on campus.

It is inconceivable to me that these ivory tower "scholars" could possibly insulate themselves against even an elementary awareness that progress in the "educational community" could not have been achieved without the protection and the freedom provided through our National Defense Forces.

How would Yale, Harvard, and Dartmouth with their great reputations for academic freedom fare in a world which was allowed by default to fall under the sway of communism such as we find in Cuba today where there is in fact no truth but the "party truth?"

How much good would all the liberal arts degrees in the world be today if there were not the freedom in which to profess and practice these arts?

Obviously, none.

A contemporary writer perhaps best states the necessity for the maintenance of a competent military establishment when he said:

"One can only abjure violence because others are prepared to commit violence on their behalf."

Those educators who wish to demean the military profession should pause for a moment and reflect on the essentiality of these forces to our future as a nation.

No one can quarrel with the fact that our Ivy League schools have contributed tremendously to the greatness of America. They have produced graduates who have wielded untold influence on the policies of our nation. These schools, therefore, have an awesome responsibility to all of America to insure that the wisdom and the abilities of their graduates permeate the highest echelons of our government so as to insure America's greatness for the future.

I, therefore, find it impossible to comprehend the determination of the faculties to dry up, if you will, the opportunity for Ivy League graduates to influence military policy as members of that noble profession.

The faculties of these schools in stripping ROTC of academic credit are, in truth, making a conscious and deliberate effort to ignore their responsibility to our country.

It is time that we in America who still believe in our country and old fashioned patriotism stand up and be counted.

I, for one, intend to do just that.

We can not acquiesce in any action which will dilute or detract from the excellence and prestige of our ROTC programs.

Do you know that the major source of officer procurement for the Army is the ROTC program?

Do you know that most of the senior Army generals in Vietnam today are ROTC products?

As a matter of fact, 5 of the 7 Army divisions in Vietnam are now commanded by general officers who received their commissions in the ROTC program. Is it any wonder then that I and many other Members of Congress are greatly disturbed by the action taken by these schools in stripping their ROTC programs of academic credit?

As a member of the House Committee on Armed Services, I intend to urge the Department of Defense to withdraw ROTC units from institutions which have stripped the ROTC program of academic credit. I am sure that I will be joined in this demand by the vast majority of the members of the Committee on Armed Services and its Chairman, the Honorable L. Mendel Rivers.

The withdrawal of senior ROTC units from these schools will not adversely affect the production of ROTC graduates since there are literally hundreds of schools throughout the country who are eagerly awaiting the opportunity to install an ROTC unit and provide it with appropriate academic credit.

In addition, I will urge the House Committee on Armed Services to review other statutory avenues which the Congress can utilize to insure that ROTC will remain a permanent military program observing its high traditional standards and providing our nation with its military leaders for the future.

STATISTICS SHOW 1968 DISTRICT OF COLUMBIA CRIME RATE UP NEARLY 25 PERCENT

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. MIZE. Mr. Speaker, the Washington, D.C., Metropolitan Police Department has released figures which show dramatic increases in serious crime in the Nation's Capital for the year just ended.

Rapes increased 51.1 percent over 1967, and armed robberies were up 49.7 percent. It is little wonder that President Nixon, in one of his first acts as Chief Executive, outlined a comprehensive crime-fight plan for the District.

In my opinion, the figures released last week indicate that there is pressing need for bail reform in the Federal courts. I have joined other Members in introducing legislation which would implement bail reform—a vital aspect of the President's program to reduce serious crime in Washington.

Because of the special interest all Members have shown in this critical problem, I insert an article from the February 12 issue of the Washington Post in the RECORD at this point:

SERIOUS CRIME IN 1968 ROSE NEARLY 25 PERCENT

(By Alfred E. Lewis)

Reported serious crime in Washington in 1968 was up 24.7 per cent from the previous year, with much of it reflected in armed robberies and rape.

The increase was disclosed in final figures for both the calendar year and the month of December, 1968, released yesterday by the Metropolitan Police Department.

In comparing tabulations for December with those of the same month in 1967, officials noted that armed robberies had increased 69.4 per cent; rapes, 20 per cent; homicides, 46.7 per cent; aggravated assault, 8.1 per cent; burglaries, 14.7 per cent, larcenies over $50, 7.8 per cent, and auto thefts, 17.4 per cent.

Comparing figures for the year 1968 with those of 1967, officials noted that reported armed robberies were up 49.7 per cent; rapes, 51.1 per cent; homicides, 7.8 per cent; burglaries, 22 per cent; larcenies over $50, 10.6 per cent and auto thefts, 33.5 per cent.

Among the serious crimes, only reported aggravated assault showed a decrease for the year. It was down 1.3 per cent. Officials attributed the decline to more thorough screening of assault complaints by both police officers and the U.S. Attorney's office.

Overall in 1968, 194 homicides, 260 rapes, 8622 armed robberies, 3102 aggravated assaults, 17,865 burglaries, 7876 larcenies over $50 and 11,354 auto thefts were recorded in Washington.

Police officials said that during December, the 11th Precinct in the Southeast section of the city led in the number of serious crimes reported, with the 13th Precinct in the heart of the city and the Ninth Precinct in Northeast Washington following closely behind.

ECONOMIC ADVISERS FOR BENNETT BILL

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. BENNETT. Mr. Speaker, President Nixon's Council of Economic Advisers has approved my bill, H.R. 951, to establish a Budgetary Information Service in the Congress to promote fiscal responsibility and give the legislative branch of Government computerized analytical capability.

The Council Chairman, Paul W. McCracken, wrote of the bill, which I have introduced over the last several Congresses:

> We approve of this proposed legislation. It is a long-needed step in the direction of enabling the Congress to exercise more effectively and responsibly the task of providing budget authority and reviewing proposed and existing federal programs.

Chairman McCracken said such an agency would work hand in hand with the Government's planning-programing-budgeting system—PPBS.

McCracken wrote:

> For PPBS to work effectively, Congress needs its own budget staff to review and evaluate agency proposals and supporting materials. This bill would fill that need.

The bill would set up an agency in the Congress with a director working with a staff and the most modern equipment available, including computers, to determine the cost/effectiveness of Federal programs.

I believe Congress needs a budgetary information service to bring it into the space age and out of the horse and buggy era. My bill would point out areas of duplication, inefficiency, overlapping of funds, excessive expenditures, and surplus of funds. The Congress is the authorizing and appropriating branch of Government and we should meet our responsibilities in this in an up-to-date manner to save taxpayers money on the operation of their Government.

The bill is pending in the House Committee on Government Operations and I am hopeful for early hearings and approval on the bill. A copy of the bill follows:

H.R. 951

A bill to provide for a congressional Budgetary Information Service to promote fiscal responsibility in the Federal Government

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Budgetary Information Service Act".

SEC. 2. The Congress hereby finds and declares that the increasing growth and complexity of the Federal Government and its budget and fiscal expenditures has created difficulties for the Congress in the evaluation of ideas and untried plans which it must consider and assess. The Congress further finds that there exists a need to study proposals in depth to determine whether planned programs will be economical and effective and what the consequences of plans, programs, and policies will be as against alternative courses of action; and that, under existing procedures, the information necessary for such an evaluation is usually not available or when available is frequently inadequately developed or fails entirely to reach the appropriate legislative committees.

SEC. 3. (a) There is hereby established an agency of the Congress which shall be known as the Budgetary Information Service and which shall be under the direction and control of the Director. The Director shall be appointed by the Speaker of the House of Representatives and the President pro tempore of the Senate, without reference to political affiliation and solely on the basis of his fitness to perform the duties of his office, and he shall hold office for ten years. The Director shall be eligible for reappointment; he may be removed at any time by a concurrent resolution of Congress after notice and hearing, when in the judgment of Congress he has become permanently incapacitated or has been inefficient, guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. Any Director removed in the manner provided in this section shall be ineligible for reappointment to that office. When a Director attains the age of seventy years, he shall be retired from his office. He shall receive the same salary as a Member of Congress.

(b) Subject to the availability of appropriations, the Director shall appoint, remove, and fix the compensation of such employees in the Budgetary Information Service as may be necessary to carry out the work of his office.

(c) The Director is authorized to utilize such equipment as may be necessary to fufill the functions and duties of the Budgetary Information Service. Such equipment may include that needed to provide the agency and the Congress with a complete computerized analytical capability which could be utiilzed by the various committees of both Houses of the Congress and the joint committees should such be the desire of the Congress at some later date.

SEC. 4. The Budgetary Information Service shall be an advisory agency of the Congress and shall not set policy. Under the direction of the Director, it shall provide both Houses of the Congress and individual Members of the Congress with up-to-date budgetary information relating to budgetary proposals and to agency performance. It shall further provide operations analyses by testing in advance of any proposal before either House of the Congress the relative effectiveness of alternative courses of action.

SEC. 5. (a) (1) Every bill reported to either House by a committee of such House shall be accompanied by a report of the Director.

(2) The provisions of this subsection are enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

(b) Where feasible, each report of the Director made pursuant to this section shall contain a cost/effectiveness analysis of the proposal, a projection of the expected long-range cost of the proposal, and an operations analysis of alternative courses of action and their expected long-range cost. In addition, it shall analyze the proposal as against previously enacted legislation so as to point out areas of duplication, inefficiency, overlapping of funds, excessive expenditures, and surplus funds. The Director may provide any other information and analysis which seems to him appropriate and proper, and either House may request such additional information as it may from time to time desire.

SEC. 6. The Director shall make such investigations and reports as shall be ordered by either House of the Congress or by any committee of either House. The Director shall also, at the request of any committee, direct assistants from his office to furnish the committee such aid and information as it may request.

SEC. 7. All departments and establishments of the Federal Government shall furnish to the Director such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them under the security protections established heretofore by law; and the Director, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment. The authority contained in this section shall not be applicable to expenditures made under the provisions of section 291 of the Revised Statutes (31 U.S.C. 107).

A POLLUTED WORLD

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. EDWARDS of California. Mr. Speaker, the problems which beset our environment in the form of air and water pollution are well known. We need only glance at the oil-blackened shores of the California coast for a poignant example of the dangers of manmade disasters. Pollution is no longer a term in the esoteric vocabulary of technical government agencies. It is a danger which our citizens have begun to feel personally and they are now demanding effective action. There is no need for involved rhetoric and complicated statistics to demonstrate the evils of pollution. Its effects are easily seen and understood. No one better understands the spoilage of nature than a child and it is for this reason that I wish to make permanent record of the following letters sent to me by four sixth-grade students of the Lester Shields School in San Jose. Their sincere concern for the destruction of natural beauty demands that something be done and I commend their teacher, Michiko Hashimoto, for her educational technique of merging the school world with the real world and its very real problems:

A POLLUTED WORLD

(By Brian Hoshino)

Pollution is something that fills the air, clouds up the water, and spoils natural things. It could kill us, it could choke us, and yet people don't do anything about it except move away. Pollution is something caused by progress, and if we don't progress fast enough to stop pollution we won't progress anymore.

Pollution cuts down our air and water so we couldn't live breathing carbon dioxide and drink factory waste. It effects us deeply to have our natural resources poisoned, and living things to die. If we don't do something now we will die of air poisoning or of thirst.

The results of all this pollution would be death to all living things on earth. The world would no longer be polluted because all mankind had died. Then the world would be peaceful again as in the beginning of time.

I'm against pollution all the way because I'm an outdoorsman and I like to fish, swim, ride bikes, and play basketball without wearing a gas mask. So I hope you do something like I will try to do to stop pollution.

POLLUTION?

(By Vicki Barton)

Pollution! How do you define the word?
Destruction! Nothing will be left of the world.
Extinction! From which there is no return.
Elimination! Death, that's what we'll earn.
Asphyxiation! We're being driven to it.
Extermination! It sickens me to think of it.
Suffocation! This terrible polluted place.
Death! Very soon I'll loose face.

POLLUTION

(By Gene Ingram)

Pollution is very bad; I don't like it and it's very dirty. People just throw stuff away in the water and think it won't matter. Soon the water will be so bad that no one could clean it. All the factories just dump trash and junk into the water until they won't call it water thy'll call it "wasteland where no one can do anything". They'll keep blaming each other and then when they stop to think about it they'll realize that its partly their fault. But by the time they do something it will be too late and then the world would be thought of as a dump or just a garbageland. Air pollution is bad also. The world is getting uglier and dirtier every day because of all this junk, litter and smoke. If we landed on the moon and started civilization on the moon after a few centuries there would be pollution on the moon, too. So if you don't want to be a person who destroys the world littering try not to be a litterbug.

WATER POLLUTION

(By Nadyne King)

Water pollution is a terrible thing. It is so terrible because it kills plants, trees and many other things of God's creations. It is so terrible also because there are no places where you can go without seeing trash and garbage. Water pollution is mainly caused by factories and by people who think "just this little bit of trash won't make a difference."

Water pollution is a terrible menace to people who are trying to see what is supposed to be beautiful country. Most people aren't aware of this.

Some swimming areas have been closed down because of very unthoughtful people.

I would try to stop water pollution by providing garbage cans or something to throw your garbage away in.

In case there weren't any garbage cans around I would carry a paper bag in the car, and you could too.

I know throwing my trash away doesn't seem like it could help much but I try. Everytime I turn I take I see some kind of garbage and I can tell you I am getting tired of it.

On TV I hear many very good suggestions about water pollution and how to solve it, but all they do is talk and talk about it and they never do anything about it.

I would like you to stop and think. Everytime you throw some trash or garbage down, it's just like throwing a piece of yourself away because it is just being destructive to where you live and grow. So if you want to keep memories when you grow up, please use a trash can and not the ground.

This world was made for love, peace and joy, not for litter.

If you care you can do your part. Think about it.

KANSAS STATE UNIVERSITY HOSTS RURAL COMMUNITY DEVELOPMENT WORKSHOP

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. MIZE. Mr. Speaker, Kansas State University at Manhattan, in cooperation with the senior Senator from Kansas, Senator JAMES B. PEARSON, recently conducted a rural community development workshop. Many persons vitally interested in community and job development in rural Kansas attended, and numerous useful ideas were exchanged during the 2-day conference.

Senator PEARSON has been a leader in seeking Federal legislation to assist rural communities with industrial development. He is a principal sponsor of the Rural Job Development Act of 1969, now pending in the other body. I have sponsored companion legislation in the House.

Every effort must be made at all levels—Federal, State, and local—to assure increased rural job opportunities if our Nation is to continue to prosper. There can be no true affluence if vast stretches of rural America are in a perpetual state of depression. The Kansas State Rural Community Development Workshop was especially productive, for local and State initiatives were discussed, ideas were exchanged, and patterns of successful development in individual communities were explored for the benefit of all participants.

Senator PEARSON took the opportunity to explain his Rural Job Development Act, and many present indicated keen interest in its provisions.

Because of the widespread need for rural job development, I insert in the RECORD a summary of the workshop activities prepared by Mr. Wilbur E. Ringler, assistant director, Division of Extension, Kansas State University:

KANSAS RURAL COMMUNITY DEVELOPMENT WORKSHOP

An estimated three hundred persons, representing communities throughout the state of Kansas, participated in a Kansas Rural Community Development Workshop, December 16–17, at Manhattan, Kansas, sponsored by Kansas State University in cooperation with Senator James B. Pearson.

Several nationally recognized economists, federal and state government officials and representatives of rural Kansas communities participated in the program.

The second day of the workshop featured a "community success" breakfast with participants seated at tables according to the size of their home communities. Representatives of each community had the opportunity to tell of successful programs and projects. Several outstanding ideas resulted.

The workshop clearly demonstrated that community leaders in Kansas are aware of the need of, and are enthusiastic for, economic development within all areas of the state.

Fully realizing that individual communities must take initiative in readying themselves for new industry which will bring new jobs and income (something many are already doing), the community leaders also stressed the need for legislation and services from the federal and state governments which will aid rural areas in attracting new industry.

Jack Lacy, Director of the Kansas Department of Economic Development, told the workshop audience that industries are beginning to look with favor toward rural communities for expansion and relocation purposes. He pointed out that 86 new industries had located in rural Kansas communities with a population under 5,000 during 1968.

"Such incentives to industry as more favorable taxes, a more productive labor force, better community cooperation and in general a more favorable atmosphere have contributed to the flux of industry to small towns," Lacy said. "Small rural communities look to industry and the jobs they provide as a new lease on life. Their desire and efforts to attract and to keep an industry are perhaps the key to rural economic development," Lacy said.

Lacy added that small rural communities are making their communities attractive to industry through active commercial development associations and by enlisting the services of state and federal government.

Senator Pearson, who gave the workshop's keynote address, pointed out that the subject of rural development is a matter of growing interest all across the nation. Within the past two years the general theme of rural development has been enthusiastically endorsed and promoted by an impressive array of the nation's political and opinion leadership.

"This interest has been prompted by a growing recognition that a great imbalance between rural and urban America has developed; an imbalance most dramatically demonstrated by the growing crisis of the cities which we see in terms of festering slums, rising crime rates, disintegrating families, chronic unemployment, riot-torn streets, massive traffic snarls, burdening welfare rolls, polluted air and contaminated water," Senator Pearson explained.

"As we search for the underlying causes of this situation," Pearson continued, "many have come to recognize that these problems, to a very considerable extent, can be attributed to the overcrowding of people and the excessive concentration of industry. Thus, as this recognition has spread, many have begun to accept the idea that in dealing with this crisis, the *challenge is simply not to make the large cities more efficient and livable for more and more people, but to keep more and more people from crowding into them.*"

The primary cause of the migration from rural to urban areas, Pearson said, is the lack of opportunities in the rural community. "Therefore, if we are to influence the present population movement and distribution patterns, we must significantly expand the economic and social opportunities in these rural communities.

The rural development movement is not a "back-to-the-land" movement, Senator Pearson added. "Nor will it mean the death of our New Yorks and Chicagos. But, hopefuly, it will mean a more efficient and common sense geographical distribution of our ever growing population and economic wealth."

"Reduced to its simplest terms the most fundamental ingredient of rural areas development is jobs," Senator Pearson emphasized to the workshop participants. "Unless we can create new jobs, nothing else we do will have any lasting effect, and it has been estimated that it would take at least 500,000 new jobs each year in our rural communities to significantly alter the present rural-to-urban migration patterns."

Pearson told the workshop that "what we seek here is the creation of completely new jobs rather than the transfer of jobs. For if we were to simply take jobs out of Kansas City and put them in Goodland and Liberal there would be no net gain to the state or the nation as a whole."

Pearson explained his Rural Area Job Development proposal to Congress which is designed to help create rural area jobs. "This proposal would seek to encourage new job-creating industries to locate in rural areas by making available to businessmen a series of tax incentives such as credits on building and machinery and accelerated depreciation allowances," he said. "But tax incentives are not alone sufficient for doing the job." Pearson added. "Industrial plant location is influenced by a great number of factors." He listed spirit, determination and leadership of the local community as one. New industries, he said, are also concerned about the quantity and quality of such things as housing, medical services, recreational opportunities, water and sewage systems, electrical power supply, transportation facilities, etc.

"Rural community development is not only a desirable goal for Kansas but for the nation as a whole," Senator Pearson emphasized. "Indeed I would go further and assert that rural community development is, in fact, a national necessity."

ONE FIRM'S HELP

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. STEIGER of Arizona. Mr. Speaker, the Hopi Indian Reservation in northeastern Arizona is completely surrounded by the Navaho Reservation. The Hopis, encircled by another culture and isolated on high, relatively barren mesas, have preserved and cherished their identity and culture. The following letter describes the assistance being provided to the Hopis by the Winslow Mail. Aside from furthering the identity of the Hopis, it allows the outside non-Indian culture to learn more of the triumphs and problems facing their Hopi neighbors.

The letter follows:

NAVAJO COUNTY PUBLISHERS, INC.,
Winslow, Ariz., December 27, 1968.

Hon. SAM STEIGER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN STEIGER: This letter is to inform you of what we think to be a significant contribution to the cultural exchange between the Hopi Indian Tribe and the citizens of Winslow and surrounding areas.

Beginning with the issue of November 14, 1968, the Winslow Mail now incorporates the Hopi Action News. Prior to that time the Hopi Tribe had issued this news in mimeograph form.

With the inclusion of this Hopi News in each weekly issue of the Winslow Mail, we are able to render a great service to our neighbors on the reservation by the inclusion of pictures as well as their news stories.

We feel that a circulation of 1,200 copies of this newspaper to the Hopi Reservation is an excellent medium of exchange of ideas and information between the red and white American.

The Winslow Mail makes no charge of any kind to the Hopi Tribe for the publication of their news, nor do we ask for payment for the 1,200 copies distributed to them each week. We are happy to render this service for the Hopi people. The Winslow Mail is a weekly publication with a total circulation of 3,700 copies.

We would appreciate you bringing this matter to the attention of those interested and concerned. If you are able to read this information into the Congressional Record we would like to have a copy for our files.

Thank you for your consideration, and we wish you much success in the coming year.

Sincerely,

ROBERT DONOVAN,
Editor, Winslow Mail.

THE ELECTRIC RELIABILITY ACT OF 1969

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. OTTINGER. Mr. Speaker, I am pleased to join with my distinguished colleague from California (Mr. Moss) and 38 cosponsors in introducing the Electric Reliability Act of 1969 (H.R. 7052). Companion legislation is being sponsored in the Senate today by the senior Senator from Massachusetts (Mr. KENNEDY).

The legislation that we are sponsoring here today proposes the first major review of the Federal Power Act since the Public Utilities Act of 1935 and represents the culmination of more than 3 years of effort.

The purpose of this bill is twofold.

First, to assure that an abundant and reliable source of electric power is available throughout all U.S. utility systems and to prevent recurrence of the massive, cascading blackouts that have paralyzed whole regions of the country in recent years.

Second, but equally as important, the legislation is designed to assure that the future growth and expansion of generating and transmission facilities will not cause a further deterioration in the quality of our environment. Both of these goals are essential to the well-being of this Nation and our people.

Over the past 35 years we have seen dramatic changes in our social and economic structure.

Our population has soared by 59 percent and has shifted from a rural to an urban base.

Our production, as measured by our gross national product has increased more than threefold.

As a result, our demand for electric power has increased nearly twelvefold and we have come to rely heavily upon electricity not only for industry but for the comfort and safety of our citizens in their daily lives.

RELIABILITY ESSENTIAL

The extent of our reliance on electric power was brought home very forcefully to the people of the Northeast in November 1965 when a single relay—a unit no larger than a toaster—at the Niagara-Mohawk plant on Lake Ontario failed. Within minutes, system after system collapsed and a massive blackout spread over a 30,000-square-mile area, paralyzing six of our most populous and most highly industrialized States. Thirty million people were left without power; some of them, in the Nation's largest city, for as long as 13 hours. Air control systems throughout the entire Northeast failed and a major air tragedy was averted only because the night was clear and there was a full moon. Hospitals were without power. Some 600,000 people were stranded up to 7 hours in the New York City subway system alone.

Subsequent investigations showed that had the utility systems been properly coordinated with an adequate reserve of power available, all of this could have been avoided.

Two years later, this lesson was underscored when an accident involving a temporary transmission line in Pennsylvania precipitated another cascading failure that spread throughout 15,000 square miles of the mid-Atlantic region and deprived 13 million people of power at the height of the evening rush and dinner hour. We were extremely lucky that neither of these power failures precipitated even greater disaster and our luck has held over the past 2 years. The handwriting, however, is on the wall.

In the past 2 years there have been about 190 blackouts of varying degrees of severity in various regions of the country. Of these 37 were classified as major cascading blackouts. According to power experts the only thing that has saved us from a repetition of the 1965 and 1967 disasters is the fact that last summer was relatively cool.

COORDINATION THE KEY

It is possible to coordinate and strengthen our utility system to make such failures impossible and it would be foolish of us not to do so.

The legislation that we are submitting today would give the Federal Power Commission the authority to take the steps that are necessary. It would give the Commission the authority to coordinate the Nation's generating and transmission facilities so as to assure a reliable and abundant supply of power available for each and every system.

Achieving this goal of reliability and maintaining it in the future is going to require substantial expansion in both generation and transmission facilities. FPC experts estimate that merely keeping pace with the demands of our normal rate of growth will require doubling of capacity every 10 years. And not only will we have more plants and transmission lines but they will be considerably larger than today's facilities.

It is vital that we set up the mechanisms to keep these facilities from contributing to the deterioration of our environment.

Today's steam generating plants are a major source of air pollution. Studies released by the Department of Health, Education, and Welfare indicate that they are the third largest source of air pollution in the Nation accounting for some 20 million tons of airborne pollutants each year. In New York, they are actually responsible for more air pollution than the automobile.

Steam and nuclear plants both are sources of thermal pollution of the Nation's waterways. It has been estimated that within 10 years nuclear generating plants will be using one-fifth of the total fresh water runoff in this country for cooling. The cumulative effect of this, as the hot water is poured back into rivers and streams could be devastating. With normal cooling devices, the water discharged from such plants may still be as high as 25 degrees hotter than it was at its intake and the water which is deficient in oxygen and rich in nutrients may eventually "kill" a waterway.

ENVIRONMENTAL THREATS

Because the facilities of the future will have to be so much larger, their potential threat to our environment is much greater. It is projected, for example, that the bulk of our new generation will come from nuclear powerplants. A recent report by the Office of Science and Technology estimated that most of the capacity for the next 20 years will come from about 250 nuclear powerplants, each with a capacity of between 2 and 3 million kilowatts.

In the area of transmission, we are already experiencing serious conflicts between scenic beauty, land use planning, and the needs of our utility system. As I pointed out when I introduced my powerlines legislation in the 89th Congress, 7 million acres of land are devoted to transmission lines. Projections from FPC estimates indicate that by 1980 the amount of land devoted to transmission lines will almost treble to a total of 20 million acres which is practically twice the acreage in our national park system. There will not only be more lines, but they will be substantially bigger. For the future, we are looking to EHV lines double and eventually even triple the largest that are in service today.

PROTECTING THE ENVIRONMENT

The legislation that we are introducing here today would provide the mechanism for assuring that our electric power system will grow without devastating our environment.

It would create a National Council on the Environment consisting of five members with special expertise in environmental service, conservation, and planning. This Council, which would be appointed by the President, would be required to pass upon all proposals before the FPC either for generating facilities or transmission lines. In the event of a conflict between the Council and the Commission, the Council would have special standing to challenge the FPC in court.

To assure maximum coordination of effort, the FPC would be given authority to approve all power generating facilities in excess of 200 megawatts.

At present, the FPC only has authority over hydroelectric facilities involving navigable waterways. Nuclear plants are regulated by the Atomic Energy Commission and its authority extends only to the question of safety. Fossil fuel plants are not subject to Federal regulation in any way.

The legislation we are submitting today would bring all of these plants under the jurisdiction of the FPC, although the AEC will continue to pass upon the safety of nuclear plants. Under this system there would be one agency, and only one agency, responsible for assuring that all generating facilities are wisely and economically integrated into our national power system. And this one agency would also bear the responsibility for assuring that the necessary steps are taken to keep such facilities from contributing to the deterioration of our environment.

Let me briefly outline the key points of this bill.

Regional councils: These councils, established by utilities with the help of the Federal Power Commission, would be composed of all interested utilities in an area. They would plan together the steps to strengthen coordination and insure that all electric systems in a region—large and small, private and public—benefit from cooperative efforts. Experience has shown that regional planning is essential for safe, reliable, and low-cost power and for protection of our natural resources, and that responsible regional councils are a sound approach.

Coordination: Each regional council would be required to file with the FPC a comprehensive development plan, which could be modified or changed at a later time. The FPC could accept or reject the plan and the proposed changes, depending on whether they are consistent with reliability standards and environmental protection. In all of its licensing and other decisions, the FPC would consider the extent to which its action is consistent with the appropriate regional coordination plan or plans.

Criteria of reliability: The FPC is directed to promulgate compulsory regulations on reliability.

Construction of EHV facilities: No extra-high-voltage transmission lines or generating plants can be constructed until the FPC has found the proposed facility to be consistent with the regional coordination plan and with reliability and environmental standards developed by the FPC.

National Council on the Environment: A National Council on the Environment consisting of five members appointed by the President would be established. The Council would pass on all FPC proposals to assure that they do not have an adverse impact on the environment. It would have initial veto power, subject to later reversal by the FPC, over proposals which might have such impact and would have standing to challenge FPC decisions in court. The National Council must include experts in environmental sciences, conservation, and land-use planning.

Restrictions on condemnation: Utilities would not be allowed to exercise the power of eminent domain until the National Council on the Environment had been given a chance to present its views to the FPC on the environmental considerations. If there is an objection to a proposal, no condemnation will be permitted unless the FPC record shows that the proponent has sustained the "burden of proof" that there is no feasible or prudent alternative.

Conservation: Use of park, recreation, wildlife refuge, and historic site land for extra-high facilities is prohibited unless there is no feasible and prudent alternative to such use, and unless all possible planning has been done to minimize harm.

Consumer protection: Consumers would be given a larger voice in regional and interregional utility planning and maximum publicity would be given to regional plans and construction proposals to encourage public participation. Whenever practicable, the FPC would be required to hold public hearings in convenient locations within the regions affected.

Underground transmission lines: The FPC is instructed to study the social and economic impact of overhead transmission lines, including adverse environmental effects. This proposal which I first introduced in the 89th Congress is an essential first step in overcoming the damaging effects that unsightly and dangerous transmission lines have been proven to have on property and community planning.

Other provisions: Among other provisions included in the bill I introduce today are: establishment of a National Electric Studies Committee to facilitate development and exchange of technical information improving reliability; expansion of the FPC's power to require interconnection of electric systems; authorization to the FPC to require common use or ownership of extra-high-voltage facilities, when such cooperation is in the best interests of economy, reliability and environmental protection.

Finally, I would like to express my appreciation to each of the following distinguished Members who have joined in sponsoring this important legislation:

ELECTRIC RELIABILITY ACT OF 1969—SPONSORS

Mr. Glenn Anderson, Democrat, of California.

Mr. Jonathan B. Bingham, Democrat, of New York.

Mr. John Brademas, Democrat, of Indiana.

Mr. Frank J. Brasco, Democrat, of New York.

Mr. George Brown, Democrat, of California.

Mr. Daniel E. Button, Republican, of New York.

Mr. John Conyers, Jr., Democrat, of Michigan.

Mr. James C. Corman, Democrat, of California.

Mr. Dominick V. Daniels, Democrat, of New Jersey.

Mr. Lionel Van Deerlin, Democrat, of California.

Mr. John D. Dingell, Democrat, of Michigan.

Mr. Harold D. Donohue, Democrat, of Massachusetts.

Mr. Thaddeus Dulski, Democrat, of New York.

Mr. Don Edwards, Democrat, of California.

Mr. Joshua Eilberg, Democrat, of Pennsylvania.

Mr. Samuel N. Friedel, Democrat, of Maryland.

Mr. William J. Green, Democrat, of Pennsylvania.

Mr. Seymour Halpern, Republican, of New York.

Mr. William D. Hathaway, Democrat, of Maine.

Mr. Ken Hechler, Democrat, of West Virginia.

Mr. Henry Helstoski, Democrat, of New Jersey.

Mr. Edward I. Koch, Democrat, of New York.

Mr. Richard D. McCarthy, Democrat, of New York.

Mr. George E. Miller, Democrat, of California.

Mr. William Moorhead, Democrat, of Pennsylvania.

Mr. Lucien N. Nedzi, Democrat, of Michigan.

Mr. Thomas P. O'Neill, Democrat, of Massachusetts.

Mr. Bertram L. Podell, Democrat, of New York.

Mr. Adam C. Powell, Democrat, of New York.

Mr. Thomas Rees, Democrat, of California.

Mr. Ogden R. Reid, Republican, of New York.

Mr. Peter W. Rodino, Democrat, of New Jersey.

Mr. Benjamin S. Rosenthal, Democrat, of New York.

Mr. James H. Scheuer, Democrat, of New York.

Mr. Fernand J. St Germain, Democrat, of Rhode Island.

Mr. Frank Thompson, Democrat, of New Jersey.

Mr. John V. Tunney, Democrat, of California.

Mr. Morris K. Udall, Democrat, of Arizona.

TEACHERS' SABBATICAL LEAVE ACT

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. KARTH. Mr. Speaker, the plight of U.S. classroom teachers who want to advance their professional training, but cannot for financial reasons, should be remedied and as quickly as possible.

As a solution to their problem, I recently introduced a bill to provide grant assistance to experienced teachers for improvement of their qualifications in secondary and elementary education.

My proposal, H.R. 6636, the Teachers' Sabbatical Leave Act, would provide grant funds to a teacher—up to $200 per month—for a period not to exceed 12 months, and available not more frequently than once in 7 years. Any qualified teacher who receives aid under the act must be given a leave of absence from his employer with reasonable assurance that his job may be resumed after completion of study.

Mr. Speaker, I believe this bill, if enacted, will present a positive investment in better education. With rapid and dramatic changes being made in all areas of human knowledge, I feel that such a program would be invaluable to working teachers.

Many teachers, already underpaid, can simply not afford the cost of study to keep abreast of expanding professional

knowledge. This bill will provide that opportunity—to the benefit of participating teachers and their pupils. The overall gain to our Nation has enormous promises. I urge my colleagues, therefore, to join me in support of this measure.

THE COMING CRISIS IN EDUCATION FOR THE HANDICAPPED

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. PUCINSKI. Mr. Speaker, one-tenth of the children in America have physical, emotional, or mental handicaps which prevent them from progressing normally in school. Although many of these pupils are capable of the same academic achievement as other children, only a few are afforded the opportunity. Only about 30 percent of handicapped children have access to special education programs, and less than half of the Nation's public school districts offer such programs.

The response of the Federal and State Governments and the local school districts has been callously inadequate to meet this challenge. Furthermore, a worse situation is presently developing. As the New York Times emphasized in an article on February 12, thousands of children handicapped during their mothers' pregnancy by the 1964 German measles epidemic are now ready for school, but the school systems grossly lack the special education programs required.

I hope that this Congress will respond to this challenge by greatly increasing the appropriations under title VI of the Elementary and Secondary Education Act and by passing further legislation which will deepen the Federal Government's commitment to the education of handicapped children.

The New York Times article of February 12 follows, with an article from the Detroit Free Press:

[From the New York Times, Feb. 12, 1969]

GERMAN MEASLES VICTIMS TAX SPECIAL SCHOOLS

(By Richard D. Lyons)

The tiny girl with the infectious smile was trying desperately to understand.

Over and over her teacher was repeating the word "open," a sound that was amplified to the bone-jarring level of a jack hammer and relayed by earphones to the child's profoundly deaf ears. The teacher also mimicked the meaning of the word by opening boxes and cartons.

But it was doubtful that the message was getting through to 4-year-old Li-Ora Rothman, one of the 30,000 surviving children who were born handicapped after the greatest German measles epidemic in a generation swept the nation in 1964.

Li-Ora is fortunate in some ways: Perhaps 15,000 babies died before birth because of the epidemic; about 5,000 who were born died in early infancy, and thousands of the survivors are receiving little or no training or educational help because facilities have been overwhelmed.

Schools for the handicapped in New York and other cities have doubled and even tripled new enrollments in preschool classes. But even this expansion fails to meet the need since the number of children handicapped as a result of the epidemic was five times the number in nonepidemic years.

TIME TO LEARN IS NOW

The lack of special training facilities is particularly tragic for deaf children, about 15,000 of whom were maimed by the epidemic. Most educators agree that the time for these children to try to learn to hear and talk is now since a child starts to talk at the age of 2 and by the age of 4 he should develop all the words necessary for colloquial speech.

"When my wife and I first learned that Li-Ora was deaf we were stunned," said the child's father, Martin Rothman of Flushing. Mrs. Rothman, a teacher, was exposed to German measles when she was pregnant but did not develop the full symptoms of the disease such as rash and fever.

German measles, or rubella as it is known medically, is a viral disease that has mild, innocuous effects on most people. But if an expectant mother develops the disease in the first three months of pregnancy the virus attacks the child's developing organs, especially his ears, eyes, heart and brain. One-quarter of these babies will die before birth, while half will have birth defects.

Mr. Rothman, a psychologist, said that when Li-Ora (Hebrew for "to me light") was a year old "we suspected that something was wrong because she went through the babbling stage and then fell silent." As with many deaf children, Li-Ora slept little as a baby, which left the Rothmans "in a state of chronic fatigue."

COMPARATIVE ADVANTAGES

After medical examinations found that Li-Ora was profoundly deaf, meaning that she could not hear anything but very loud noises, the Rothmans moved from Rockaway, N.J., to Queens so the girl could receive training at the Lexington School for the Deaf in Jackson Heights.

"We're very hopeful for our child's future," Mr. Rothman said. "She's an extremely bright, gutsy little girl who will get on in the world even though she may never be able to speak understandably to anyone but ourselves."

"But we still feel very thankful," he added, "when we see other children who have been afflicted by German measles who are brain-injured or blind."

Physicians who are seeing these children have told poignant stories of such youngsters being abandoned by their parents, or husbands deserting the mothers of children with birth defects, of the development of guilt feelings and antagonism between parents of such children, and of the maladjustment of the children to their siblings.

"The problems are hideous," said Dr. Donna O'Hare, the director of the City Health Department's Bureau for Handicapped Children.

SOME 375 VICTIMS UNDER STUDY

Dr. O'Hare's bureau, together with the National Foundation and the Department of Hospitals, is working with the Rubella Birth Defect Evaluation Project at Bellevue Hospital, which is studying 375 children who were afflicted in some way by the German measles epidemic.

The project's director, Dr. Louis Z. Cooper, an assistant professor of pediatrics at the New York University Medical Center, said that the strains placed upon a family by the problems of a child with birth defects were enormous.

"Some of the children can't even lift their heads, others suffer from periodic rage reactions because their tolerance to stress is low, others scream at night and their parents have to put them to bed in the basement," Dr. Cooper said.

Many parents have difficulty taking their children to special training classes on public transportation or even in taxis, whose drivers often ask embarrassing questions such as "what's wrong with the kid, lady?" he said.

Dr. Cooper, a 37-year-old soft-spoken Georgian, estimated that 50 of every 100 children born with rubella-induced birth defects would have hearing problems, including 20 who would also develop brain damage or behavioral disturbances. In addition, 20 children will have both hearing and sight impairments, and five to 10 others will be so seriously handicapped that they must be permanently institutionalized.

Dr. Cooper estimated at almost $3-billion the total cost of educating, training and institutionalizing the children who have birth defects as a result of the 1964 rubella epidemic.

But even this amount, he said, will only take them through the age of 18 and "assumes that all the children would be able to have specialized help—which they won't."

Bellevue is running an experimental preschool training class for 10 rubella children in a newly decorated, toy-cluttered ward. The children are fitted with special hearing aids through which the teachers may talk or play records.

The aim is to make the children aware that sound does exist and to stimulate their interest in its meaning so that eventually they will connect it with speech and be trained in lip reading and the manual alphabet if it is impossible for them to hear and speak.

Principals of schools for the deaf and handicapped in the New York metropolitan area report that there are many more applicants than places in their institutions.

"In New York State there are 500 such children who can't get into special schools—we have a waiting list a mile long," said Dr. Leo Connor, head of the Lexington School for the Deaf.

Dr. Connor said the Lexington School, which last year moved from Manhattan into a new $10-million building in Queens, now has 135 children under the age of 6 in preschool classes, more than double the number of two years ago.

PUBLIC SCHOOL FACILITIES

In the last decade the city school system has increased the number of schools having classes for handicapped children from five to 34, but according to Richard M. Lubell of the Board of Education, "There still are not enough places to go around—and in the foreseeable future there will not be enough to go around."

Mr. Lubell, who is assistant superintendent for special education, said that it takes "six months just to get through the red tape of rental procedures" to expand facilities.

One parent of a rubella victim, Robert J. Fields of Brooklyn, spent almost a year hounding public officials from Governor Rockefeller on down before his son was placed in a special class last month. Mr. Fields said he felt he was fortunate in finally finding a class for his son but wonders what is happening to the thousands of other children in the country who are not being helped.

In the last two years Congress passed two acts designed to aid handicapped children, yet only $2-million has been appropriated to help plan facilities yet to be built and expand those already in operation. The appropriation works out to 40 cents for each handicapped child in the nation.

Dr. Donald Calvert of the Federal Bureau of Education for the Handicapped estimated that only 100 children who are both deaf and blind "are appropriately placed in the country, yet the total number of such children needing help is 1,600."

"Facilities are very tight," he said, "and the situation is going to worsen because of the rubella epidemic."

[From the Detroit Free-Press, Jan. 30, 1969]

DEAF PUPILS STRAIN SCHOOLS; LEGACY OF 1964 EPIDEMIC

(By Roberta Mackey)

An epidemic of German measles, a disease so mild some people never realize they have it, more than three years later is sending tragic shock waves through special education programs for handicapped children.

The Detroit Day School for the Deaf has enrolled twice as many three-year-olds as usual.

Oakland County has doubled its facilities for deaf and hard of hearing pre-schoolers.

Garden City has identified 14 of the 40 children in its pre-school classes for deaf children as "rubella babies."

They are children whose mothers contracted German measles, more technically known as rubella, during the first three months of their pregnancy.

Deafness is only one of their problems. Other complications may include cataracts, heart or kidney conditions, mental retardation or other handicaps.

Rubella has been recognized for a number of years as a crippler of unborn children, but when the worst epidemic in recorded history began in the East in 1964 and swept west, there was nothing anyone could do except make plans to take care of the babies when they were born.

A doctor from the National Institutes of Health predicted at the time that 30,000 defective children would be born in the United States as a result of the epidemic.

"We certainly have noticed the influx," said a spokesman for the Oakland County Intermediate Board of Education. "We have had to add a second teacher to our pre-school program."

Of deaf children being admitted now, she said, mothers in 70–80 percent of the cases reported a history of rubella or an unexplained rash during pregnancy.

Some of the babies were taken to Oakland schools when they were only a year old, and the county plans to be ready for them when they get to high school.

Expansion of the program, at Bloomfield Hills High School, will be based on the expectation that there will be 50 or 60 handicapped youngsters where now there are only 11.

Now the babies are in the beginning steps—learning to look at people's faces and to realize that that's where the sound comes from.

Their mothers are learning that they must start right away talking to their babies, standing always where the light shines on their faces and placing the baby at a level where he can see what his mother is doing.

Where normally there are 20 or 25 preschoolers in the Detroit Day School for the Deaf there now are 52, and Mrs. Harriet Kopp, the principal, says about 25 of these are rubella babies.

"We need more personnel, and we need to experiment with methods," Mrs. Kopp said. "It is still necessary to work out a program for helping children with this variety of problems."

About 10 of the Day School's 52 three-year-olds are alumni of the school's infant clinic, where children as young as six weeks may be accepted.

"It is so important to begin stimulating their brains as early as possible," Mrs. Kopp said. "We want to get deaf babies thinking in language terms. When you realize that children set their whole thinking pattern before they're five, you can see how much harder it becomes if we don't see deaf children much earlier than that."

The Day School, which is operated by the Detroit Public Schools, is applying for a state grant which will make it possible to hire more personnel and so to try more experimental ways of helping children with multiple handicaps.

It will also make possible a repeat of last summer's highly successful summer preschool.

Meanwhile, scientists are in a desperate race with another epidemic, expected in 1971 if rubella follows its usual pattern.

A vaccine is still in the trial stage, and there is some doubt how soon it can be approved for general use.

Pharmaceutical manufacturers say they'll beat the deadline. Dr. M. K. Agah, director of maternal and child health for the Wayne County Department of Health, is not so optimistic.

"I think it will be two years before the vaccine can be licensed," he said, "and that will not be soon enough."

STATEMENT OF THE NATIONAL RECREATION AND PARK ASSOCIATION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. DINGELL. Mr. Speaker, the National Recreation and Park Association presented an excellent statement last year to the platform committees of the Democratic and Republican Parties. So that my colleagues may have an opportunity to familiarize themselves with the association's views, I submit the text of the statement for inclusion in the CONGRESSIONAL RECORD, as follows:

STATEMENT OF THE NATIONAL RECREATION AND PARK ASSOCIATION

INTRODUCTION

The National Recreation and Park Association is a nonprofit organization with concern for leisure opportunities for all people and with concern for the enhancement of the environment and, in general, for parks, recreation, conservation, preservation and restoration.

A 63-member Board of Trustees representing a cross-section of the nation's business, professional and lay community governs the policies of the organization.

Our membership consists of over 15,000 professional and lay leaders throughout the country with interests in Federal, state, county and municipal parks and recreation systems; hospitals and institutions; colleges and universities; the armed forces at home and abroad; zoological parks and gardens; industrial recreation; private and voluntary recreation; and commercial recreation programs and services.

PREAMBLE

Recreation is a basic human need and essential to the national welfare. We believe that the need for recreation programs, facilities and personnel is increasing rapidly due to the continued growth and urbanization of the population and because of the increase in leisure time, improved transportation and higher standards of living.

We believe that it is the responsibility of local communities to provide recreation areas, facilities and services to the people within their political boundaries through public, private and voluntary agencies. We believe that state governments have the responsibility to assist the communities by enacting adequate enabling laws; by providing advisory and information services; and by providing such complementary recreation areas, facilities and services throughout the state as may be needed.

We further believe that the Federal government has the responsibility for developing recreation resources on federally owned lands and to complement state and local programs in full cooperation with the states and their political subdivisions, without assuming responsibilities that properly rest with the states and their political subdivisions.

We believe it to be the responsibility of the executive and legislative bodies of our country to be sure that appropriate and adequate park, recreation, and conservation legislation is enacted and that assistance be given to all agencies and governments interested, concerned and/or responsible for parks, recreation, and conservation to be certain that they have adequate funds, facilities, leadership, programs and services to meet the recreation needs of our people.

PARKS, RECREATION, AND THE NATION

The population of our country today exceeds 200 million; predictions are that by the year 2000 our population will be 300 million.

The work week of our nation has been reduced from a 60-hour work week in 1900 to an average 39-hour work week today. Predictions are that by the year 1975 we will have a 32-hour work week.

Estimates are that participation in outdoor recreation during 1965 increased 51 percent over 1960 with projections of a 65 percent increase by 1980.

Government (Federal, state, county, and municipal) spending for parks, recreation and conservation in 1967 was at an all time high and estimated in the billions of dollars. If expenditures for these purposes by private and voluntary recreation agencies, hospitals and institutions, armed forces, and commercial recreation agencies were tabulated, the total figures would be increased by several billions of dollars. The American public spends 50 billion dollars a year on outdoor recreation pursuits alone.

Examinations and studies reveal a vast shortage of professional leadership; inadequate public facilities, and programs and services, especially in the urban areas; lack of adequate funds among public and voluntary recreation agencies to meet the recreational needs and demands of our people; a gross inadequacy of services for the disabled and retarded; and inadequate facilities and programs in our schools, institutions, hospitals and military installations.

We also find a need to advance the programs of the cultural and performing arts.

Mass public transportation facilities to reach public parks are most inadequate, especially in the large cities of our country.

No one can deny that much has been done in parks, recreation and conservation. However, much more needs to be done if we are to keep pace with our changing environment and society and the recreation needs and demands of our people.

The need for park and recration facilities and programs is increasing rapidly due to continued population growth, increasing urbanization and mobility, technological advances and a greater public desire for recreation opportunities.

The meaningful use of leisure opportunities is essential to the national welfare. Creative leisure activities affect the moral and physical fiber of this nation.

RECOMMENDATIONS

General

1. *We recommend* the establishment of a special task force to review the recreational needs of the urban areas and to evaluate existing Federal programs in terms of meeting these needs. Professional consultants and lay citizens, together with top officials of Federal agencies and departments having an authorized responsibility in the urban areas, serving as an advisory committee, should be given the responsibility for this evaluation.

2. *We recommend* a continuance of programs designed to improve, enhance and protect our environment and natural resources; including but not limited to grants-in-aid to state and local jurisdictions for undergrounding utility and distribution lines, water and air pollution control, the expansion of parks and recreational areas, and highway encroachment controls.

3. *We recommend* that your leadership

give active support and assistance to officials of local government in providing a program of recreational facilities and to be sure that they are equitably distributed throughout the community.

4. *We recommend* that your Party recognize the urgent need for leadership training in the park and recreation field; that colleges, universities and other training institutions be encouraged to establish practical curricula for supplying such leaders.

5. *We recommend* that your Party give adequate attention to finding ways and means of further strengthening the efforts of the private, commercial and voluntary recreation agencies to be certain that their vast resources and leadership will continue to make substantial contributions toward meeting the leisure time needs of our people.

6. *We recommend* that your Party recognize the value of recreation in rejuvenating the body and mind of individuals, the accumulating effect on the public welfare, inducement toward meaningful uses of leisure time, and advancement of American culture.

7. *We recommend* that your leadership pledge the Party to promote all forms of legislation which will aid and induce governmental agencies at all levels in acquiring and developing recreational resources for the use and inspiration of the people, the preservation of the unique features and wilderness areas of our country, the beautification of our daily environment, the interpretation of our historic and cultural heritage, and in providing inspiring leadership to aid in the wholesome use of our local, state and Federal recreation resources.

8. *We recommend* that your Party pledge support for continual and increased amounts of Federal aid to lesser levels of government, to guard against detrimental intrusion of recreation resources and to broaden the powers of governmental agencies in controlling the character of environment in recreation development areas and projects to the end that orderly and aesthetically attractive regional development may take place; and that the Federal Highway Act of 1966 be amended to permit more beautification and protection of the corridor of scenic highways.

SPECIFIC RECOMMENDATIONS

1. *We recommend* that the office of the National Director of Youth Activities be created, centralizing responsibility for youth programs. Among the responsibilities to be undertaken would be the creation of summer youth conservation teams for 15–18 year olds and that, whenever possible, members of these conservation teams be put to work in their own locales, using existing local youth agencies for organization and supervisory work.

2. *We recommend* that Federal work and education programs be established under a National Service Corps for 18–25 year olds on a year-round basis to assist with park, recreation, conservation, and restoration programs.

3. *We recommend* that priority be given to the distressing shortage of adequate park and recreation space in the disadvantaged sections of core cities using land and water conservation funds and any other available governmental funds.

4. *We recommend* that a unified Federal Park and Recreation Department be created. With more than 90 Federal agencies, boards, councils and/or committees responsible for park, recreation and conservation program services, we see a great need for a centralized approach. With an increase of Federal involvement we have had more and more fragmentation, causing competition among agencies and boards, and duplication and overlaps.

5. *We recommend* that your Party support and enforce the junkyard control provisions of the Highway Beautification Act of 1966.

6. *We recommend* that Federal grants-in-aid in adequate amounts and on a matching dollar basis be provided to local communities for demonstration projects to convert overhead electric distribution lines to underground; further, that you support the adoption of policies undergrounding distribution lines at Federal installations and facilities.

7. *We recommend* that you support the establishment of a Special Roads Fund to provide matching grants to states for the development of scenic road systems and to finance a Federal program for national parkways and scenic roads development.

8. *We recommend* that your Party pledge itself to seek legislation to permit the disposal of surplus lands at no cost to public bodies for park and recreation purposes.

9. *We recommend* that you support the principle that military lands be made available whenever possible for outdoor recreational use.

10. *We recommend* that support be given to create an urban and suburban community forestry program in cooperation with the states to protect, improve, and plant trees in every local community and that the Federal government provide the technical and financial assistance for these programs.

11. *We recommend* that a task force be created to examine, study and report on the adequacy of indoor recreation facilities and programs on a state-to-state basis and that steps be undertaken, as may be necessary, to improve the appropriateness and adequacy of these facilities.

12. *We recommend* that special attention be given to the provision of adequate quality leadership, facilities and recreation programs for the retarded and disabled in our hospitals and institutions; and that there be added emphasis to provide quality recreation programs in our military establishments both home and abroad.

BEALL ADDRESSES COUNTY OFFICIALS

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. MORTON. Mr. Speaker, my good friend and fellow Congressman from Maryland, J. GLENN BEALL, JR., made an interesting address last month to the annual meeting of the Maryland Association of Counties at the Statler Hilton Hotel in Baltimore. In it were several thoughts which struck a very responsive note with me and, I am sure, will with you. His comments on the relationship of Federal to State and local government reflect a deep understanding of the serious problems that face us in this sector of governmental operations.

In my judgment, the entire House should have available the full text of this speech, and, under unanimous consent, I insert it in the RECORD:

SPEECH BEFORE STATE MEETING OF COUNTY OFFICIALS, BALTIMORE, MD., JANUARY 9, 1969

It's a real pleasure to be here and, since this is my first formal speech as a duly sworn Member of Congress, it's a special occasion for me, too.

I can't think of a more symbolic place to launch my new Federal career than with you—Maryland's county commissioners—because, if there's one place where we need some new direction, it's in the field of Federal, State and local relations.

This is a big subject and we have some big problems demanding our attention. As a freshman Congressman, I do not presume to have all the answers but, as a veteran of our State legislature, I do have some definite views.

First, I subscribe to our Founding Fathers' conviction that those governments closest to the people possess the potential to govern best. This means I'm in favor of governmental activity performed locally, as long as it is effective.

Today, one citizen's complaint most frequently heard concerns the inability of government to relate to the people or to respond swiftly to their will. I say that local government has that ability.

Local government can offer citizens the opportunity to participate in the daily decisions which most directly affect their lives. Local government, because it is closest to the people and can be kept small, provides an opportunity for person-to-person contact which no other level of government can offer.

Let's face it, we're a country of 200 million people. We're a rapidly growing state of almost four million people. Certainly, the Federal and, to a great degree now, even the State government, are too big to reach or be reached by the people. That leaves the local government as the best unit to talk to and be talked to by the people. This also means local government remains the best instrument to serve and fulfill the individual.

State government, which often parallels local government in service, is more divorced from personal contact and more remote from individual concerns. Even the issues local government concentrates on are often the most important issues to the local resident. It may be a point as minor as efficient garbage collection or as major as primary or secondary school education, but it's a responsibility first and foremost of local government.

For the average citizen, the zoning policy of their county arouses more interest than the capital construction program of their State because it creates a more immediate impact on his life.

State government deals with the representative, the lobbyist, the civic leadership. Local government deals directly with the citizen.

State government, due to the scale and scope of programs, must act slowly and depend upon the consensus of divergent interests. Local governments require less extensive programs to serve a more homogeneous population. Thus local government can act swiftly, its action simplified by its limited scope. Local government need not always compromise to accommodate a variety of constituents for it serves one basic community of interest, and it may design programs in specific response to that community's needs.

For instance, in many cases Allegany County's problems are quite different from those of Baltimore County and Baltimore City and even those of Wicomico or Worcester or Washington Counties. The State must accommodate the constituents of all subdivisions, but Allegany County need only account for its own.

Each of these points reinforce the premise that local government holds the promise to be the most responsible governmental unit. It has the potential to become the most vital and viable governmental instrument. But, as is the case with all instruments, it requires sharpening to function effectively, continuous care to operate efficiently, and redesign to serve present and future generations.

National, State and local governments each have a part to play in perfecting our Federal system. But leadership for the modernization of local government cannot come from the White House or the State house; it must begin in the county courthouse. No one is closer to your problems than you—the elected local officials—and if you want a partnership with rather than a dictatorship from Washington, you must exercise your responsibilities as well as assert your rights.

While I am the first to favor a considerable loosening up of Federal restrictions and directions, I am also the first to see it must be balanced by an equal effort on the part of local governments.

Professional administration, courageous financing and the ability to plan and execute with imagination are attributes county leadership has all to often accepted in principle but denied in deed. All too often it has been the limited perspective of local officials rather than the rigid requirements of Federal officialdom which has impeded progress. I am not excusing the latter by citing the former. Both practices are detrimental and both should be stopped.

Acceptance of the status quo in county governments discourages initiative in the same way that big bureaucracy suffocates individual service. In both cases defensive and protective attitudes obscure honest evaluation, retard necessary reform and discourage creative development.

It will be to the best interest of all our citizens to guarantee that wherever Federal Government scales down in terms of quantity—county governments scale up in terms of quality.

I believe that any reform to achieve a more responsive Federal system must be viewed as a two-edged sword. I am only being realistic when I say that the Federal Government cannot afford to take unilateral action in this sphere. It cannot consider such monumental steps as revenue sharing or general support grants if this means turning huge sums of money over to unprofessional, inefficient or ineffective local units.

Maryland's county governments stand in a most favorable position when compared with the majority of similar units across the country. Our local governments have benefitted from a concerted effort on the part of past State administrations to strengthen their capacity. To this end, the State fiscal reform program provided both additional revenue and alternative revenue resources for subdivisions. We have also made measurable progress in regional cooperation and several counties are now tackling the critical problem of home rule.

It is my hope that all Maryland's counties will soon undertake this fundamental step toward independence. For it is an essential step toward improving intergovernmental relations. Why? Because it is almost impossible to justify why a county should exercise autonomy over Federal funds when it does not exercise autonomy in other areas.

The next most important step is to assure professional administration. This depends upon the recruitment and retention of well-trained personnel. It requires decent pay and realistic fringe benefits. Most of all, it calls for a climate of opportunity in which creativity is encouraged, ability is rewarded and security is assured for those unafraid to think or do their best.

Maryland's county governments face a particularly difficult personnel problem. They must compete not only with State government but the top dollar bid by nearby Federal Government for able employees. This very real problem is not going to go away or get any easier. I've given it a lot of thought and I'm convinced the one way for you to compete is by offering creative opportunity and responsibility to prospective recruits. One thing is for sure, you are able to guarantee bright young people who want to work, far more work to do. You can assure them more areas to advance new ideas and you can provide new ways for the enhancement of their personal prestige. County governments—like small but thriving industries—can put the accent on authority and advancement which are often more appealing to the ambitious and inventive person.

In turn, the Federal Government has an obligation to take a good hard look at what can be done to improve intergovernmental relations. An obligation I am confident President-elect Richard Nixon intends to fulfill.

During his campaign for the presidency, Mr. Nixon spoke often about the importance of scaling down the colossal federal establishment in order to return balance to our federal system and power to the people.

The President-elect summed up the failures of a big national government perfectly when he said, "as we look back over this middle third of the century we find that we have been getting more and more government for the people, but less and less government of the people and by the people."

To correct this situation, the President-elect has proposed the establishment of a Commission on Governmental Reorganization to study and recommend measures to increase efficiency and responsiveness of Government.

In his essay, "Toward an Expanded Democracy," Mr. Nixon writes that this Commission "would be charged with searching out every feasible means of decentralizing government, of getting it closer to the people, of transferring functions to State and local governments, of creating new instrumentalities where appropriate to involve the people at the community level directly in the decisions that affect their own lives."

Certainly, these words indicate we are about to enter a new and, I believe, better era in intergovernmental relations. The Nixon administration appears intent upon achieving some basic reforms in this sphere and I hope to find the ninety-first Congress of the same mind and spirit.

For Congress holds the power to solve many of our present problems. Reforms of the grants-in-aid program is perhaps the biggest problem. Right now, over 400 grant categories exist but only 30 of these grants claim 89 cents out of every Federal aid dollar. This leaves 370 programs financed by the residual 11 cents per Federal dollar.

Consolidation alone will free more money for the States and subdivisions simply by eliminating the duplication and overlap which now exist.

I believe that one of the first orders of business of the new administration is to bring together programs dealing with the same problems under one agency. While the Federal Government has the capacity to develop new programs, it seems to have the tendency to render them ineffective through confusing administration. The mumbo-jumbo of redtape should be cut so that it is easy for local governmental units to intensify and take advantage of Federal programs. The tendency of the Federal Government to create a new department with each new program developed must be stopped. Federal programs should complement each other rather than lead to competition between agencies for jurisdiction.

Increased use of bloc grants and various revenue sharing methods merit serious consideration by Congress. The former should enable comprehensive planning and the latter should eliminate the unfair art of "graftsmanship" which so often harms the less sophisticated subdivision.

In no case would I endorse any system of Federal aid that would favor one level of government over another. Our goal should be balance. Our objectives should be to assure flexibility and efficiency through comprehensive planning based on critical priorities as determined by the States and their communities.

The priority selection area also, in my opinion, deserves special attention. One of the shortcomings of many of today's Federal programs is the fact that priorities are established in Washington and, in many cases, these priorities do not relate to the local needs. There must be sincere effort to leave the selection of priorities to the local units so that our people's problems are dealt with in the proper order and we receive the maximum benefit from the taxpayer's dollar.

You have my pledge that I shall work toward the development of programs that will substitute cooperation and coordination for the competition that now exists. In turn, Members of Congress will look to you for proof that county governments are fulfilling their potential in terms of professional organization, responsible administration and responsive operations.

All levels of government are in the people business, but it is your level of government which holds the greatest promise to serve people as individuals. It is my hope that you will bring all the tools of modern management, all the wisdom of modern sociology and all of your personal dedication to the task. I am certain that your efforts will win the support of the new administration and the new Congress. I am confident that together we can create a new and more perfect Federal system, where those governments closest to the people govern best.

FAIR TAXES: A KEY TO GOOD GOVERNMENT

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. McCARTHY. Mr. Speaker, I introduced yesterday the second of a series of tax reform measures aimed at eliminating some of the abuses in our tax structure. Loopholes in the tax laws erode public support for good government because they build resistence to activities that should be undertaken now. The defeat of school bond issues and other socially important measures in recent years is partially the result of the average taxpayer's belief that he is bearing more than his fair share of the tax burden. Unfortunately, his belief is correct—the lower- and middle-income taxpayer bears more than his proportionate share of the tax burden. This is an injustice—every American can demand that taxes be applied and collected fairly.

There are certain fundamental duties in our society that should apply equally and fairly on each citizen. Military service, the right to vote, equal treatment under law, taxes, all fall in this category. The history of our country echoes with the struggle to insure that these civic obligations and the rights that accompany them are fairly shared by all. Unfair taxes such as the British Stamp Act, and the Townshend levies on tea, paint, paper, and other items imported by our forebearers were the causes of the end of British rule in the Colonies. It should be clear that unequal application of the fundamental duties of our society, especially when recognized, yet tolerated by public officials, destroys the fabric of that society. It is high time that we correct the abuses and close the loopholes that corrupt our tax system.

I have included in my bill a provision to reduce the depletion allowance now extended to oil, gas, and certain other minerals. Despite high and rising profits in the oil industry, we continue to give special treatment to both oil companies and to individuals who invest in oil companies. The Treasury estimates that it loses $2 to $3 billion each year as a result of the depletion allowance. The depletion allowance and other tax loopholes made it possible for the top 22 oil refiners with a gross profit of more than $5.1 billion in 1964, to pay only 4 percent of that profit as U.S. income tax. By contrast, most companies paid up to 50 percent of their profits as U.S. taxes and most individuals were taxed at 20 to 30 percent of their incomes. The profits of the major oil companies do not show the need for special tax subsidies. My bill reduces the depletion allowance from 27½ to 15 percent, allowing an incentive for the independent oil company to undertake exploratory drilling but removing the gross unfairness of the current allowance.

I have also included in my bill a provision to remove the special tax benefits for those earning income from accumulated wealth or special forms of payment such as stock options. Under present law, a person holding certain types of property that has greatly increased in value since he originally bought it, is not taxed if he gives this property to his heirs on his death. It is estimated that as much as $15 billion in potential capital gains tax is lost each year through this loophole. My bill would also tax stock options at the appreciated value and would raise the gift tax rate to that currently applied to estates. Those able to earn income as a result of accumulated wealth should bear as much responsibility under our tax system as those who work for a wage or ordinary income. Stock options and gifts should not give the wealthy a means to avoid their fair share of the tax burden.

My bill also eliminates a provision in the tax law that allows corporations to artificially organize their activities to avoid the Federal surtax on profits. By splitting their companies into many subsidiaries, some corporations have reduced their tax bill by as much as 28 percent. The Treasury loses an estimated $235 million each year through this loophole. In an era of high corporate profits, partially the result of heavy spending connected with the Vietnamese conflict, there is no excuse for this evasion. This abuse can and should be corrected.

Complex and difficult tasks face our Government today, We face a crisis in our cities. We face demands from the States for a share of Federal revenues to meet rapidly rising expenses. We must bear the costs of an effective, balanced defense system. And all of these tasks will require some assistance from our Government. This assistance will cost money and will require tax support. This support can be lost if we do not constantly work to reform our tax structure. We must move now to pass needed tax reforms.

RECOGNITION FOR POSTAL SERVICE

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. ROYBAL. Mr. Speaker, in her commendable effort to obtain national recognition for the outstanding public service performed by America's postmen, Mrs. Peter B. Kuhl, a constituent of mine residing in our 30th Congressional District, has furnished me with a copy of a resolution adopted by the Los Angeles City Council honoring Postman George Herman Frelo II on the completion of 20 years service to the citizens of the Windsor Square area of Los Angeles.

In addition, Mrs. Kuhl has also been kind enough to send me two items expressing her own personal thoughts on the value of our postal service, as well as the historic connection between February 14, St. Valentine's Day, and the tradition of excellence in postal communication.

Under unanimous consent, I include this material in the CONGRESSIONAL RECORD:

CITY OF LOS ANGELES RESOLUTION

Whereas, the citizens of the Fourth Councilmanic District realize that the postal establishment is in many ways the most human of our national institutions, touching more people in a more personal way and more often than does any other agency of our government, and its success or failure depends basically on the performance of the human beings who work for it, and

Whereas, Postman George Herman Frelo II is one of these trusted representatives, and the members of the community would pause to salute him as he terminates twenty years of service in the home area of Windsor Square to transfer to the business section of Wilshire Boulevard, and

Whereas, Postman Frelo was born August 11, 1921 at Lake Charles, Louisiana, where he graduated from the Second Ward High School June 22, 1939; married Frances Yvonne Hans, is the father of two daughters, Mrs. Virginia Antoinette Johnson and Mrs. Sharon Yvonne Moses and a grandfather of four, and

Whereas, he served in the United States Army August 17, 1943 to January 16, 1946 as a Squad Leader in the Pacific, and

Whereas, George Frelo entered the U.S. Postal Service in Los Angeles, California on December 15, 1947 and was recently the recipient of the 10-Year Safe Driving Award from the Post Office Department, and

Whereas, he is a devoted churchman; a member of the Greater Olivet Baptist Church where he serves as financial secretary and trustee, and

Whereas, Mr. Frelo's hobbies are golf, fishing, bowling and practicing the art of good human relations, and

Whereas, we would salute Postman Frelo in the words of Arthur Chapman who wrote in his book Romance in Business, "We Look for the postman as one waits for the morning, and seldom does he fail us. He serves us well": Now, therefore, be it

Resolved, That the Los Angeles City Council by the adoption of this resolution, recognizes and appreciates the postal service of which George Frelo is symbolic, and extends every good wish for his continued activity and good health in the years to come.

Presented by:

JOHN FERRARO,
Councilman, Fourth District.

Seconded by:

L. T. TIMBERLAKE,
Councilman, Sixth District.

THE LEGEND OF FEBRUARY 14

About the year 270 a young Roman Martyr by the name of Valentine was languishing behind prison bars when he spied a violet growing outside the window; its leaves were the shape of a heart.

He called to the warden who brought him a leaf on which he scratched with his finger nail "I love you" and "Thoughts of thee". It was delivered to his best beloved.

Years later Valentine was canonized on February 14 and ever since on this day mailmen throughout the world have come merrily along under a bag loaded with love—thoughts of thee.

The language of the violet is known as "Thoughts of Thee".

Let us pause to salute these men.

I HAVE A DREAM

It began in 1901 on the Wolfskill orchard tract where I lived for more than a quarter of a century—my birthplace.

The joy of our day was the visit of the Postman; we revered him—and I believe we had the same one through the years.

Especially was he looked for on February fourteenth—no communication gap then between the generations—He always came loaded with love for all.

Since the first mailman for St. Valentine, the Roman Martyr, in 270 A.D. delivered a message on a violet leaf, then to the pony express, the mail coach, the train, the car and now the air, there is still no substitute for all the steps that must be taken in sunshine and snow—day and night. With all the Special deliveries—each postman is a martyr—let this special day canonize him.

GILBERT BILL TO ESTABLISH DEPARTMENT OF CONSUMER AFFAIRS

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. GILBERT. Mr. Speaker, I am pleased to be a cosponsor of a bill to establish a Department of Consumer Affairs to represent the interests of consumers within the Federal Government.

The need for such a Department has long been evident. Even a cursory study of the Federal Government discloses that the agencies which have consumer responsibilities have not been providing the necessary protection. They have not, for the most part, because they are structurally unable to do so.

Some of them, like the Food and Drug Administration, cover too narrow a field.

Others, like the Federal Trade Commission, have been ineffective, largely because of an unclear mandate from Congress.

Still others, like the Departments of Commerce and Agriculture, are torn by a conflict in responsibility between the consumer interest and the interest of their own constituents. The Commerce Department exists to promote the interests of business. The Agriculture Department exists to promote the interests of the farmer. Frequently, these interests run counter to what is best for the consumer, for the American public generally. I suppose if the injury to the consumer is particularly flagrant, these Departments will stand up for the consumers. Yet there is a conflict of interest here, and in the thousands of instances, the "marginal" cases, it will not be the consumers for whom these agencies will look out.

That is why we desperately need a Department of Consumer Affairs.

The executive branch has, for some time, recognized the deficiency that

exists inside the Government of a spokesman for the consumer. Under President Kennedy, a consumer representative became a part of the White House staff. This practice has continued. But under both President Kennedy and President Johnson, the representative was not sufficiently effective, largely because the office was itself powerless. Under President Nixon, a consumer representative has been named about whom I have severe reservations. I think the deficiency will become worse. I believe that the only real solution to the problem is to end the institution of the stop-gap Presidential adviser and replace it with a real and authoritative Department of Consumer Affairs.

What is important about such a Department is that it will have genuine enforcement powers. It will have responsibilities to look out for the consumer interest. It will have programs, a staff, an incentive to serve. We have failed to protect the American public by taking for granted their interests in the realm of consumer affairs, but the evidence has now become overwhelming that this agency is badly needed. I call on my colleagues to join the cosponsors of this measure in supporting a change important to every one of his constituents.

CONSUMER PROTECTION

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. ROSENTHAL. Mr. Speaker, the decision by President Nixon to release Miss Willie Mae Rogers from any responsibility for Federal consumer programs was in the best interest of everyone concerned. I am hopeful that the new consumer adviser to be nominated by the President will represent at the highest levels of Government the importance which this responsibility entails.

On Friday, February 14, 1969, I held a press conference to urge President Nixon to reconsider his appointment of Miss Willie Mae Rogers as his adviser on consumer affairs. Following are my remarks from the press conference, and several editorials which confirm my doubts as to the suitability of Miss Rogers' appointment to that post. I am also including my statement released to the press after Miss Rogers' resignation:

ROSENTHAL STATEMENT

As Chairman of the Special Inquiry on Consumer Representation in the Federal Government of the House Committee on Government Operations, I have been studying for over two years the efficiency and effectiveness of federal programs designed to protect the consumer. We have held hearings on supermarket practices in the ghetto, the sale of government-rejected food items in retail stores, and consumer information responsibilities of the federal government.

We have also been gathering data and information on the 260 consumer protection activities in which 33 federal departments and agencies are engaged. It has taken my staff and myself over two years to begin to understand the consumer programs that are dispersed among those agencies and to comprehend the complexity of consumer needs.

I am distressed about the appointment of Miss Rogers as the President's consumer Advisor, both because of a possible conflict of interest from her association with a questionable profit-making publication, and because of that publication's role in the consumer protection field.

It is all the more important that Miss Rogers' qualifications be scrutinized today because her appointment is not subject to Senate confirmation and therefore she has escaped the customary questioning by congressional committees.

Willie Mae Rogers was sold to the public as a consumer champion based on her reputation as "Keeper of the Seal". It is necessary, therefore, to examine and make public what is known about Miss Rogers as a consumer advocate and about the Good Housekeeping Seal of Approval itself.

The existing office of the Special Assistant to the President on Consumer Affairs operates on an annual budget of $421,000. It is charged with a number of important tasks. No Presidential Consumer consultant can do an adequate job if she or he is working on a part-time basis. One or two days a week is simply not enough. The job calls for an individual actively working full time and dedicated to objectively determining whether the consumer is adequately protected by the federal government and, if not, what can be done to increase that protection.

Miss Rogers' enthusiasm for her new assignment is reflected in the fact that she chose not to resign her job with Good Housekeeping but preferred to moonlight in Washington.

I believe that working on a part-time basis in itself would be enough to disqualify Miss Rogers. But there are other grounds for disqualification. There is a built-in conflict of interest stemming from her association with Good Housekeeping magazine. What this means in cold practical terms is that Miss Rogers, whose salary will be paid by the advertisers of Good Housekeeping, will be expected to cast a critical eye on agencies who in turn are expected to cast a critical eye on her advertisers. Miss Rogers will be advising the President about the consumer protection programs of the Federal Trade Commission, which passes on the truthfulness of the claims made by the manufacturers of the products which have the Good Housekeeping Seal and on the integrity of the Seal itself—the Department of Agriculture and the Food and Drug Administration, which scrutinize the packaging and advertising practices of the food, drug, and cosmetic companies whose advertising fills the pages of her employer, Good Housekeeping—the National Commission on Product Safety before which her employer, Good Housekeeping, refused a request to testify.

You cannot serve the advertisers of Good Housekeeping and the President of the United States at the same time and report to the President objectively. Miss Rogers is put in the difficult role of having to snitch on her friends. Miss Rogers depicts herself as Mrs. Clean and Apple Pie and Motherhood, but her heart belongs to Daddy, and Daddy is Good Housekeeping.

How can she report on the vitality and efficiency of consumer programs administered by federal agencies like the Food and Drug Administration when the very products advertised in her magazine are under suspicion? Products seized by FDA as unsafe still carry the Good Housekeeping Seal and are being advertised in Good Housekeeping magazine.

Miss Rogers' attitudes towards the consumer movement would also disqualify her for the position of special Assistant to the President on Consumer Affairs. What do we know about these attitudes?

In February 1966, she testified before the National Commission on Food Marketing. As a member of that Commission, I was on the panel questioning her—along with Congresswoman Leonor K. Sullivan and Doctor Elmer R. Kiehl of the University of Missouri. Some of her statements before the Commission suggested at that time that she was hardly sympathetic towards or in close touch with consumer problems and the consumer renaissance in America.

Let me quote for a moment from that testimony:

"I don't suppose there is anybody anywhere who thinks the food industry, or any other industry, is like Caesar's wife, above reproach. But I do believe that as in so many instances, their magnificent contribution to the job of making America the best fed nation in the world gets a bit lost now and then in the criticism of a few conditions."

And another quote; when she was questioned:

"Mr. ROSENTHAL. 'If I am not mistaken the President in his State of the Union Message for—called for enactment of Senator Hart's Truth in Packaging bill. I take it you are not in agreement with that?'

"Miss ROGERS. 'No, I just do not think all of it is needed.'

"Mr. ROSENTHAL. 'What portion do you think is not needed?'

"Miss ROGERS. 'Right this minute I could not but in that scrap book that I hope now after I have done it you all will take time to look at it . . .' "

I read that exactly as it was recorded.

In the press conference Miss Rogers held on February 12, 1969, she stated that, "For the first time in the history of a Consumer Affairs Council or Committee within the Government a President has taken a good look at it and has come to somebody who has had practical experience in this whole area." But Miss Rogers' previous experience in this field consists only of positions with Union Electric Co., St. Louis and Admiral Corporation, and her job at Good Housekeeping. At that same press conference Miss Rogers stated: "I think the Government does a marvelous job of protection of consumers." It appears that she has already reached a conclusion about the very area she is charged with investigating. Assigning Miss Rogers to the role of Presidential consultant on consumer affairs is like putting a fox in a chicken coop.

Now let me explain how my subcommittee became involved in investigating Good Housekeeping. We have always been interested in providing the consumer with information on the performance and quality of goods and services. Last fall, we began an investigation into government and private product testing organizations. Good Housekeeping was among the institutions we studied.

Good Housekeeping maintains a testing laboratory which its officials state has an annual budget of $1 million. It tests about 900 products a year.

On December 11, 1968, I sent a letter to the technical director of the Good Housekeeping Institute, requesting that he answer twelve questions pertaining to the procedure Good Housekeeping follows before it endorses or approves a product. In response, two attorneys were sent from Good Housekeeping. We learned the following information about Good Housekeeping and the Seal—which is claimed, by the way, to influence the buying decisions of 42.9 million women.

We learned, first of all, that Good Housekeeping, a successful profit-making commercial organization, apparently makes the seal available to any manufacturer who will advertise in the magazine—with the exception that liquor and contraceptive advertisements are rejected as a matter of policy. Lawyers for Good Housekeeping could not provide a list of advertisers who had been denied the seal. Before 1941, any manufacturer could apply for the seal. In 1941 the policy was changed. The seal became available to only those who advertised.

To keep the Good Housekeeping seal, an

advertiser must continue to allocate a proportionate share of his overall advertising budget to the magazine. In other words, increasing advertising in other magazines or newspapers or radio and television require comparable increases in advertising in Good Housekeeping. The advertiser, therefore, must spend more with Good Housekeeping whenever he increases his total advertising outlays.

These provisions which force advertisers with limited resources who want the Seal, to advertise only in Good Housekeeping—which limits the extent to which it can advertise in competing media—would seem to be highly unethical and may be illegal restraints of trade. Both the Department of Justice and the Federal Trade Commission have indicated an interest in this requirement.

Good Housekeeping, in 1968, paid out an average only 23 claims per month; it rejected 85% of the claims it received. And the lawyers I spoke to said that they could not recall or document any product that lost the Seal.

I'd like to give President Nixon the benefit of the doubt, and assume that, in naming Miss Rogers, he was the victim of bad advice. He probably relied on the Seal of Approval in making his appointment and had been taken in by this program, which is administered by Miss Rogers. He was probably so sure of the integrity of the Seal that he did not check further on her credentials. If he had, he would have found that she had a record of public opposition to the Truth-in-Packaging Law. He would have found that Good Housekeeping was among the major magazines joining grocery advertisers in 1966 in opposition to the then pending Truth-in-Packaging legislation, and that same year Good Housekeeping sponsored the full-page ad I have here before me from the New York Times of November 16, 1966, criticizing the consumer food boycotts in Denver and elsewhere.

Based on everything that is known about Miss Rogers, and about the Good Housekeeping Seal of Approval, I believe that she should have been disqualified for that office before she was ever appointed.

I hope now that President Nixon will reconsider her appointment in light of these circumstances.

On February 15, Miss Rogers resigned as President Nixon's Consultant on Consumer Affairs. Upon hearing this announcement, I released the following statement to the press:

I believe that the severance of Miss Rogers and her role in the business community from the nation's consumer protection program is in everyone's best interest. I commend the President for his action which now makes possible the search for a real spokesman for the country's consumers. I hope he will give his new consumer advisor the authority, staff and representation at the top of the Administration which the consumer deserves.

We have played too long with the notion that part-time advisors, or those with divided interests or inadequate experience can properly speak for the consumer. Let's find the right person now but even more, let's find the right level of representation in the government—at the Cabinet level—for the consumer.

I am attaching, herewith, editorials which appeared in the Washington Post of February 16, 1969, and the New York Times of February 17, 1969:

[From the Washington (D.C.) Post, Feb. 16, 1969]

MISS ROGERS BOWS OUT

President Nixon and Miss Willie Mae Rogers are both to be commended for having thought better of the irregular arrangement whereby Miss Rogers as a paid employe of *Good Housekeeping* magazine would have served as Mr. Nixon's consultant on consumer affairs. Yesterday Miss Rogers declined the appointment, and it was withdrawn. Apparently there had been new conditions attached by the White House which requested that Miss Rogers take a leave of absence from her *Good Housekeeping* job, and apparently Miss Rogers felt that her future effectiveness had been undermined by the criticism of her appointment. One doesn't want to bear down too heavily on either the circumstances of her withdrawal or the official public language in which it was explained. The point is that with unaccustomed speed, an Administration saw fit to rectify a mistake in public, and that act deserves an unreserved welcome.

President Nixon, however, may have been slightly off the point in regretting that "the integrity of Miss Rogers and the organization she represents have come under unwarranted criticism." The eye of the three-day hurricane was not Miss Rogers' integrity, but rather the suitability of her appointment. And whether the criticism of the organization she represents was warranted or not will be somewhat clearer when the findings are all in from the Government Operations subcommittee in the House, which is currently looking into the procedures of the Good Housekeeping Institute and other product-testing organizations. What the fuss has demonstrated is a growing awareness on the part of both the public and its elected officials of the importance of consumer protection—a complicated (and sometimes life-and-death) matter that requires serious and full-time attention from Government. It used to be that consumer affairs were regarded as a marginal issue, and it still is true that for purposes of record-keeping, statistics and political analysis we tend to categorize "consumers" as a separate population group along with, say, labor union members, farmers, nonwhites and blue-collar workers. But in terms of both good politics and good government the classification is illusory. The thing about consumers is that everybody is one.

[From the New York Times, Feb. 17, 1969]

GOODBY, MISS ROGERS

The abrupt exit of Willie Mae Rogers from the White House was the sensible way out of a dreadful appointment. Zeal in protecting consumers is an obvious first requisite for a Presidential adviser on consumer affairs. Miss Rogers' insensitivity to that requirement was made plain by her inability to recognize any incompatibility between her White House role and continued identification with a sales-oriented testing bureau whose quality certifications are linked with advertising in the magazine that runs the bureau.

More interesting than the Rogers departure—an inevitability almost from the moment that the original appointment became known—is the elliptical disclosure in the White House statement announcing her going that President Nixon has a "program to assure American consumers of all possible protection." Since most of Mr. Nixon's emphasis in the campaign was on self-reliance in the market place, it is encouraging to be informed that such a program exists. Its details will be of significance to all 200-million American consumers.

ON CURBING OIL POLLUTION

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. VAN DEERLIN. Mr. Speaker, the Federal Water Pollution Control Administration and the California State Water Resources Council Board today began a series of meetings on pollution problems besetting the coastal areas of the State.

In view of the recent oil discharge in the Santa Barbara Channel, these hearings could hardly be more timely. I am submitting the following statement, for inclusion as part of the record of the hearings, which may be of interest to some of our colleagues:

STATEMENT OF CONGRESSMAN LIONEL VAN DEERLIN

The Santa Barbara Channel oil leak has riveted public attention on the potentially dire effects of pollution on what here in California is certainly one of our most precious natural assets—our shoreline. The swift growth of our population is paralleled by an increase in demands on our beaches. Since the coastline cannot be lengthened or perceptibly altered, our only recourse is to attempt to preserve what we already have.

The millions of people who enjoy and use the beaches of Southern California at this point must think very little of the steps taken so far by the Federal Government to protect these beaches. I blame Washington, rather than Sacramento, since the State Government has imposed more stringent controls on drilling operations in the tidelands under its jurisdiction. I have noted for one thing, that California requires the encasement of drill-pipe to at least 1,200 feet below the ocean floor, while the Interior Department calls for protective casing only 300 feet down—and apparently is prone to waive even that modest standard. I frankly fail to comprehend the logic behind the weaker Federal regulations.

Whatever the merits, or lack of them, of the taking of crude petroleum from the Outer Continental Shelf, it has become a bonanza for the Federal Government. Since 1953, oil and gas revenues have totaled $4.4 billion, and last year alone $1.5 billion in bonuses, royalties and rentals were collected by the Interior Department.

What concerns me, and has prompted this statement, is the allocation of these vast sums. Right now, they're practically all winding up in the general fund of the Treasury Department. Under Public Law 90-401, enacted last year, about $100 million in OCS revenues will be used to make up an expected deficit in the Land and Water Conservation Fund. The rest of the money will go into the Treasury, with no strings attached.

It seems to me that we in the Federal Government, who must assume major responsibility for oil and gas recovery operations on federally leased tidelands, should take it upon ourselves to do more—much more—to prevent accidents of the sort that devastated the Santa Barbara Channel.

I propose that as a start we earmark a certain percentage of the OCS receipts for *research* aimed both at improving drilling procedures and responding more effectively when blowouts do occur.

Currently, the Government is doing next to nothing to support investigations into the causes and prevention of these leaks, whether they occur underwater or in the hold of a tanker. The Federal Water Pollution Control Administration has contracted for some relatively modest research projects in this area, and has kindly provided me with a summary of them. However, studies of this nature, so essential to the integrity of our coastal areas, are not specifically authorized. The FWPCA, in a vivid example of robbing Peter to pay Paul, has had to siphon off funds from other, equally valuable programs to finance these experiments.

A number of agencies and bureaus within the Interior Department are well qualified, because of the nature of the roles assigned them by Congress, to investigate estuarine oil pollution. Besides the FWPCA, the Bureau of Mines and the Geological Survey come immediately to mind. As I see it, the latter two agencies would concentrate on *preventive* measures and the FWPCA would concern itself primarily with the best *remedial* steps to take following one of these disasters.

As one example, we need to know a lot more about the chemicals employed to disperse concentrations of oil. Despite the occasionally extravagant claims for their effectiveness by certain oil companies, there is reason to suspect some of these detergents may be doing more harm to fish and other forms of water life than the raw petroleum itself.

Congress and the White House have not, up to now provided the kind of leadership that is clearly needed if we are to develop a coordinated assault on the off-shore pollution problem. I am told that a year or so ago the Budget Bureau, in a truly short-sighted move, rejected an FWPCA request for $50 million for a five-year examination of all aspects of the oil seepage menace.

With public interest—and concern—greater than ever before, now is clearly the time for action. We must get behind legislation to authorize a concerted research effort that should have been undertaken years ago. And what could be a more logical source of funds for this program than the OCS rentals themselves? Surely we could afford to earmark a small portion of this largesse, say one or two percent, for research. I have no complaint about the diversion of some of these revenues into the Land and Water Conservation Fund—but, laudable as it is, the fund does nothing to remove the potential for contamination of our shore line from which, however indirectly, it is profiting.

I am certain that most of my colleagues in Congress would respond positively to specific proposals by the Interior Department for applying a small fraction of the OCS windfall to a research program for safeguarding our beaches and at the same time banishing forever whatever doubts and fears may have developed in the public mind about the intentions of our Government.

COMPUTERS FOR CONGRESS—A STEP IN THE RIGHT DIRECTION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. MOORHEAD. Mr. Speaker, in a 1965 speech in Pittsburgh, I said:

> Responsible decisionmakers in Government and in industry need new techniques and systems of organizing, storing, retrieving, integrating, analyzing and testing the multitude of factors upon which a rational decision must rest. Now is the time to use these techniques at the highest level of Government where the mass of relevant and important information is the largest, where the complexity of the interrelationships is the greatest and hence, where the decisionmaking is the most difficult.

Again, in 1966, I said:

> Our constitutional government with its delicate system of checks and balances depends on the development of computer capability in the legislative branch. I propose that we bring Congress from the horse and buggy age into the age of the computer.

Last year, I urged that—

> With private enterprise, the executive branch and the state legislatures in the computer age, Congress must change its ways or it will fail the American people. Computers cannot make congressional decisions, but as our world gets more complex, Congress will be unable to make rational decisions without computers.

In the 90th Congress, because of the growing awareness and articulated concern of Members of Congress that we should enter the computer age—because it has become imperative that we have better and more timely information and more sophisticated analysis on which to base our decisions—I introduced legislation to establish a Legislative Data Processing Center for Congress.

This bill, which was unfortunately introduced too late in the last session for hearings, does not contemplate, as some might suppose, turning the U.S. Congress into one giant "think tank," but rather proposes the development of an eventual on-line system serving every Congressman, Senator, and congressional committee, able to communicate with all other on-going systems.

In 1966, except for one small unit which the Library of Congress used to handle its payroll, Congress did not possess one penny's worth of ADP equipment.

Today, the Clerk of the House is doing the payroll and the inventory of mechanical and electrical equipment, furniture, and property through the use of his computer, and considering the merits of an automatic voting system, computerized addressing service, and the possibility of an information retrieval system; the Sergeant at Arms on the Senate side is already doing computerized mailing for the Senators; the Legislative Reference Service at the Library of Congress is publishing the Digest of Public Bills through the use of their computer; and there are proposals to expand LRS's facilities; to establish a new division for information and analysis within GAO; and other proposals. I support the philosophy behind all of these efforts, but in my proposal, these systems could "talk to each other." The keynote is coordination.

Cicero once said:

> If truth were self-evident, eloquence would not be necessary.

In support of my remarks, I would like to include a very eloquent article from the Washington Post of February 16, by writer Richard Lyons, entitled "Hill Takes a Step Into Computer Era," which discusses the new computer capability in the House Banking and Currency Committee.

As a member of the Banking and Currency Committee, I welcome this kind of support; I further think as we go forward—sometimes as it would seem, step by step—that this pilot operation is an excellent example of the need for the type of legislation I am reintroducing today.

I am delighted that my friend and colleague, the Honorable ROBERT MCCLORY, of Illinois, has agreed to cosponsor this legislation. Having the support of the articulate spokesman from the other side of the aisle, an acknowledged leader in this field, is evidence of the bipartisan interest and backing for this kind of endeavor on Capitol Hill today.

Because I feel that this electronic marvel has the versatility, adaptability, and capability to be of great service to Congress and staff alike, I urge your attention to the Post article, and would welcome your support.

The article follows:

HILL TAKES A STEP INTO COMPUTER ERA

(By Richard L. Lyons)

Congress, which cherishes its quill pen and snuff box atmosphere, has taken a first small step into the computer age.

In the offices of the House Banking and Currency Committee is a teleprinter connected with a computer in the Library of Congress that can produce within seconds every detail of the status of the several hundred bills before the Committee.

Type out a question to the computer about a bill, say H.R. 11 to revamp the Federal Reserve System, and out clatters in neatly printed form everything that is known about it. You get the name of the sponsor, the date introduced, a summary of its provisions, whether hearings have been held and if so, the witnesses, whether the bill was amended and how and whether it was approved by the committee, the House and the Senate.

RUNNING DOWN QUERIES

This may not be as important as finding water in an $80 billion defense budget, but it's a start and could spread. The House Appropriations Committee is considering use of computers to try to make sense out of a Federal budget approaching $200 billion.

For members of Congress this first small step is important. One of their most time-consuming chores is to run down queries from constituents on the status of legislation.

Occasional publications that attempt to keep up with legislation usually are obsolete when printed. In two weeks the Banking Committee has found that, at a cost of $350 a month, it can instantly produce all information on the status of a bill as of the day the request is received.

HELP TO COURTS

Committee staff members who worked on the project see a greater future dividend from it than answering daily queries. It could build into the computer a detailed legislative history of the bill that could help courts years later determine the intent of Congress as the courts seek to construe the meaning of a statute. Courts now rely to a great extent on committee reports and floor debate, which is not always precise or even accurate.

The potential use of computers by Congress as it struggles to ride herd on a highly computerized Federal bureaucracy and private industry is probably enormous but at best only dimly understood.

Two years ago, the House finally brought in a computer to handle its payroll and all sorts of other uses suddenly became evident. The computer may soon be tied into the House voting machinery to produce instant and accurate breakdowns of roll call votes.

It may be that after watching helplessly for more than a generation as power shifted downtown to the giant bureaucracy, Congress could make some use of the technological advances of this century and regain a measure of control.

WISN-TV NEWSFILM IS BEST IN THE WORLD

HON. GLENN R. DAVIS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. DAVIS of Wisconsin. Mr. Speaker, I am indeed proud to report that a Milwaukee, Wis., television station, WISN-TV, has won first place for the best TV general newsfilm in the world at the Newsfilm Festival in London. This award was received for the film, "Just Another Day," a poignant Christmas story, filmed by Photographer Mike Crivello, a Ninth District constituent and a personal acquaintance of several years.

The award is the latest in a long series for WISN-TV newsfilm photographers, who received 27 major awards in 1968 alone. That is a record, I daresay, few, if any, stations in the country can challenge.

ORGANIZATION FOR DEFENSE OF THE FOUR FREEDOMS FOR THE UKRAINE

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. HALPERN. Mr. Speaker, in this great Republic there are innumerable groups, organizations, fraternal and welfare societies whose general and avowed aims are to extend some help to the needy, to work for the betterment of social and cultural life in communities, and to carry on welfare and social work.

The number of such groups is legion. Among these are a few organizations whose principal aim and purpose is to rekindle and keep alive the spirit and love of freedom among peoples abroad who are robbed of all freedoms, and are suffering under Communist totalitarian tyranny.

The Organization for Defense of the Four Freedoms for the Ukraine has such a mission: to fight for the defense of four freedoms for the unhappy people in the Ukraine, with all the means and might it can muster among its members and supporters.

Since its formation in 1947, this organization has remained true to its aim and purpose, has gathered strength and has grown in size during the course of its activity in nearly all Ukrainian-American communities throughout the country, and today it can boast 45 local branches.

It has become a nationwide organization, and its headquarters in New York is a busy center of activity. Under its auspices books and monographs on the lot of the people in the Ukraine are published. The organization has its own periodical, Visnyk—herald. And it holds biennial conventions in which prominent authorities deliver speeches on the actual conditions in the Ukraine today. In all this fine work, the organization cooperates with other Ukrainian groups, and is closely affiliated with the Ukrainian Congress Committee on America.

Long before the enunciation of the four freedoms by our wartime President in 1941, all forms of freedom were suppressed in the Ukraine by the agents of the Kremlin. But the noble idea and the spirit were not dead among the people there.

After the last war it was hoped that the people would be allowed at least some freedom, but the Stalinist-inspired regime saw to it that there was none.

At this juncture a group of patriotic Ukrainian-Americans felt that by the formation of an organization here for the purpose of keeping the righteous cause of Ukraine alive was urgent, and set up the Organization for Defense of Four Freedoms for Ukraine.

Mr. Speaker, during the 22 years of its existence, the organization has done fine work, acquainting the public in this country with conditions in the Ukraine under Communist totalitarian tyranny. I wish it more power and strength, and unflagging success in all its endeavors.

SUEZ CANAL STATUS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. RARICK. Mr. Speaker, as all students of Panama Canal history soon discover, the Suez and Panama Canals are parts of a round-the-world canal route. Significant developments at one usually make their impact on the other.

A most informative summary of the present status of the Suez Canal, written in Beirut, Lebanon, by John K. Cooley, staff correspondent of the Christian Science Monitor, was published in a recent issue of that great international newspaper.

In his article, correspondent Cooley stresses, first, that Soviet arms shipments to Vietnam, as a result of the closure of the Suez Canal, have to be shipped around Africa or over the Trans-Siberian Railway; second, that the U.S.S.R. is consolidating its relations with Arab countries along the Red Sea route; third, that the canal closure is indirectly aiding Israel by encouraging the construction of an oil pipeline, new highway and port facilities, making this strategically located country a transit route; and, fourth, that the shipping prospects of the Suez Canal have been seriously affected by the construction of supertankers that will never use it because toll-free voyages around the Cape of Good Hope are more economical.

The indicated article follows as part of my remarks:

CAIRO BACKS SURVEY FOR SUEZ

(By John K. Cooley)

BEIRUT, LEBANON.—The Suez Canal is again a main focus of the Middle East crisis.

For the second time since the canals closing in the June, 1967, Arab-Israeli war, Egypt has authorized surveys aimed at freeing 14 ships trapped there during the war.

Israel complained to the UN Security Council Feb. 13 of Egyptian sniping on the canal-bank cease-fire lines. Egypt countered with a detailed complaint that Israel plans to keep all the territories it took during the June war.

Both the Israeli and Egyptian Armies have moved most civilians out of the canal zone and reinforced their positions.

These developments illustrate the two main currents of crisis. They are parallel but flow in opposite directions; one toward prospective peace arrangements, the other toward possible new fighting.

PEACE STEP SEEN

Egypts apparent willingness to meet the shipowners wishes to free their ships could—but will not necessarily—be a move toward reopening the canal.

Reopening the canal could, in turn, be one step in a phased timetable for peace. Such a timetable is called for by the Soviet peace proposals of last December and has been endorsed by the French and United Arab Republic Governments.

Soviet, French and British diplomats have often suggested Israeli troop withdrawal out of artillery range from the canals east bank as part of a "package deal." This, they say, could end in opening the canal and in Israel's gaining the free access to it which is one of its permanent objectives.

Israeli spokesmen have publicly rejected any "piecemeal" solutions and pressed for a general U.A.R.-Israeli peace agreement.

PLEDGED 25-MILE SURVEY

The UAR Government said Feb. 13 the Suez Canal Authority could supervise the survey of 25 miles of the 108-mile-long canal, from the Great Bitter Lake southward to Suez. The shipowners would pay for it.

The UN truce-observer team in the canal zone might supervise its security, according to a representative of one of the British shipowners.

An American ship, the Observer, is blocked in Timsah (Crocodile) Lake, just south of Ismailia. Farther south, in the Great Bitter Lake, are 14 ships of other nationalities.

On Jan. 25, 1968, Israel told the UN it would permit surveys of the southern but not the northern exit route. UAR divers and boats began to inspect sunken obstacles the next day.

But when canal-authority tugs attempted to enter the canal stretch north of Lake Timsah, the Israelis opened fire and all survey operations stopped.

MISSION STALEMATED

The January, 1968, halt in canal operations was followed by a stalemate in UN Ambassador Gunnar Jarring's peace mission, though for different reasons.

One reason was riots against the regime in Egypt in February which weakened President Nasser's internal position. Diplomatic observers say they believe this is why he then gave up plans to take the unpopular step of sending peace emissaries to hold talks with Dr. Jarring and emissaries of Jordan and Israel in Cyprus.

Now the situation resembles, in some ways, that at the start of canal surveys in January, 1968. Israel says through the UN that clearing can take place, but not in the canal's northern half. Soviet ships are moored in Port Said, at the northern tip of the canal, close to Israeli lines.

Israel charges Egyptian snipers are trying to provoke its troops on the canal. Israeli statements reported firing in the area of Ismailia and near Port Tawfiq at the canal's southern outlet.

COMPLAINTS CALLED PRELUDE

Pro-Egyptian newspapers in Beirut Feb. 14 viewed these Israeli complaints as a prelude to an Israeli attack or raid on the canal. They also said the complaint to the UN mirrored Israeli anxiety over Arab commandos in Sinai. Israeli has charged these are directed by Egyptian Army intelligence officers.

Cairo Feb. 13 released the text of a note from U.A.R. Foreign Minister Mahmud Riyad to the Security Council. It drew attention to Israeli Premier Levi Eshkol's recent Newsweek magazine interview.

Mr. Eshkol's remarks and those of other Israeli leaders, the U.A.R. note pointed out, indicate Israel intends to keep many of its territorial gains instead of withdrawing, as the November, 1967, Security Council resolution specifies.

Britain and the Soviet Union are the two big powers pressing most strongly for Israeli withdrawal from the Suez Canal and its reopening.

SOVIET-VIETNAM OBSTACLE

The canal's closing impedes Soviet arms deliveries to North Vietnam. These have to be sent around Africa or across the long Trans-Siberian Railway route.

Like that of Britain in past centuries Russia's effective presence in the Mediterranean requires free passage for Russian naval and merchant shipping through the Suez Canal. The Soviets have been consolidating relations with Egypt, Sudan, the Somali Republic, and North and South Yemen, the states along their Red Sea communications lines.

The canal's closing has sharply decreased its economic value and indirectly aided Israel, now becoming a transit country for petroleum. The expansion of the Israeli port of Eilat and its linking to the Mediterranean by a new road and pipeline under construction will enhance this role, according to oil experts here, provided Israel continues to receive shipments from the Western oil consortium in Iran.

SHIPPING PROSPECTS ALTERED

Supertankers are changing the prospects for the canal's future. The canal's 1967 capacity was to pass ships of up to 65,000 tons. Egypt had been planning to increase this capacity up to 200,000 tons by 1976.

But oil-industry sources say the supertankers of 200,000 to more than 300,000 tons now on order or under construction in Japan are so economical that, even if canal tolls remain at their June, 1967, level, it would be cheaper for them to use the long route from Middle East oil fields around Africa.

HUNGARY REMEMBERED

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. BROCK. Mr. Speaker, we all remember the heroic days of October in 1956 when the Hungarian people won, for a brief but memorable period, their freedom. The brutal physical repression which followed, and which we have seen repeated so recently in Czechoslovakia, succeeded in conquering the territory, but not the people, of Hungary. In October of 1968, a group of exiled Hungarians gathered from all over the world on the solemn anniversary of the Hungarian Revolution. They issued the following manifesto. Because of the document's historical importance, and because many peoples of the world are still striving to throw off the chains of slavery, I include it in the RECORD:

MANIFESTO ISSUED ON THE OCCASION OF HUMAN RIGHTS' YEAR IN THE INTERESTS OF THE HUNGARIAN PEOPLE AND WORLD PEACE

We, the undersigned Hungarian individuals and organisations in the free world, address the following appeal to world opinion as well as to all Hungarians whether living at home or abroad:

The Hungarians living in freedom, dispersed over the five continents of our globe, remain closely linked with the main body of the nation by bonds of a common history, language and cultural heritage. They are therefore the natural spokesmen of their country, which has lost its independence, and a helping hand extended towards their people living under foreign occupation. More than one million Hungarians in the free world represent a powerful source of strength to the homeland.

Behind the Iron Curtain the seeds sown by the Hungarian Revolution have ripened into a harvest ready to be gathered in. This is evidenced by our neighbours who are struggling to achieve their right to freedom despite the heavy pressure weighing upon them; even their Communist governments are seeking the road to national independence.

Of course, there is no chance as yet for the nations aspiring to independence and freedom to extricate themselves from the abject bondage into which the Second World War had pushed them. The aggression committed against Czechoslovakia on 21 August—which in concert with world-wide indignation we condemn most bitterly—has proved this once again. However, this violation by Soviet force of arms of a "fraternal" Slavonic ally and fellow Communist government of the Soviet Union also proves that irreconcilable contradictions are making their disintegrating effect felt, even within the European zone of the once homogeneous Communist camp.

These are not mere ideological deviations: grave conflicts of interest are involved. Moscow's hegemony has become insupportable. The Communist governments of Eastern Europe are therefore each groping for a way out from the abyss into which political and economic pressures have thrust their countries.

The United Nations Organisation has declared 1968 Human Rights Year in order to recall the Universal Declaration which first formulated those human rights 20 years ago. Respect for this code is binding upon all member nations. Let us therefore summarise those requirements which, in the light of the Human Rights Declaration (hereunder abbreviated to H. R.) appear as indispensable to the maintenance of peace and in the interests of this nation.

1. Our country's sovereignty, infringed by the presence of Soviet divisions, must be restored, in conformity with a number of resolutions passed by the U. N. General Assembly since 1956. Neither the Peace Treaty nor the Warsaw Pact empowers Soviet occupation troops to stay in Hungary. Nor can there be any strategic justification for this occupation as our fatherland has no common frontiers with NATO countries. The occupation of Hungary and its neighbours is dictated by the imperialist policy of the Soviet Union, not its legitimate defence interests. (H. R. Article 4.)

2. Freedom of assembly, the possibility of forming democratic parties and ensuring their functioning, must be guranteed constitutionally. In this world of ours, striving for ever more freedom, party monopolies are out of date; they lead to dictatorship which is profoundly repugnant to the Hungarian soul. (H. R. Article 20.)

3. In the interests of the freedom of the Press and free access to information, foreign agencies and publications must be given full equality of treatment by the government; all discrimination must be abolished (H. R. Article 19.)

4. Freedom of worship must be ensured. An end must be put to the ambiguous situation in which the freedom of religion, guaranteed by the Constitution and advertised to the external world, is in fact obliterated by craftily disguised methods of persecution. Persons imprisoned for giving religious instruction must be released. The adoration of the Golden Calf, whether it be done done under the sign capitalism or Marxism, has stirred up the indignation of youth all over the world. Wherever we may be we should all revert to the correct awareness that "man shall not live by bread alone". (H. R. Article 18.)

5. Political prisoners must be released and Cardinal Mindszenty rehabilitated. He is a victim of the Stalinist Rákosi period which has been condemned even by the present régime. (H. R. Articles 18, 19, and 20, as above.)

6. A new economic order is needed, freed from the fetters of outdated theories and striving only for the true welfare of the people. The primary aim of economic development must be the raising of living standards as quickly as possible. Democracy in industry must be restored, workers being guaranteed a fair share of the goods produced by them, and the independent protection of their interests. Wage-earners must be allowed their just claims even though the State itself is their employer. There is also need for a radical land reform to restore the peasants' interest in their work and thus raise production. The peasants' right to contract out of a co-operative or choose other forms of co-operation is in theory ensured by law. An end must be put to the colonial exploitation of the Hungarian people by the one-sided oppressive system of COMECON,* and the country's economy must be again opened to free exchanges on world markets. (H.R. Articles 17 & 23.)

7. The protection of the family, both morally and materially, must be ensured, for this is the biological basis of the Hungarian people's survival. Even to this present century our nation has been subjected to much blood-letting: let not the embryo be destroyed in the mother's womb for no good reason by "provisions of the law". The statistics of the last few years in this respect are frightening. (H.R. Article 16, paragraph 3.)

8. The social care of the aged and the infirm, who are nowadays hardly able to eke out an existence with their miserable allowances, must be improved. (H.R. Article 25.)

9. Let everybody's right to a passport be respected, and the system of limited permits be abolished. There should no longer be any murderous devices at the frontiers, particularly those with neutral Austria whose peaceful population has lost many a victim amid the mine fields and barbed-wire entanglements. (H.R. Article 13, paragraphs 2 & 14.)

10. Every nation has a right to self-determination. Honest differentiation must begin as a prerequisite to integration in the Danubian Basin which is the keystone of lasting peace in Europe. Let there be neither privileged nor underprivileged nations in the Danubian Basin. That two-faced morality which, by making hypocritical play with the slogans of democracy, used to punish and reward according to the changing moods of great-power selfishness, must be eliminated. In the meantime, inter-governmental agreements should ensure equality of rights for the Hungarian minorities living in the neighbouring countries, in the spirit of the community of fate and fraternal solidarity of all concerned. The future of two million people in Transylvania, 650,000 in Czechoslovakia, and half a million in Yugoslavia—that is a total of more than three million Hungarians—is at stake. (H.R. Article 21.)

It depends on the Hungarian Government how soon and how many of the reforms, indispensable to serve the people's true interests, can be made to materialise. If the reforms are not made, the government will continue to be the mere satraps of an alien power. An independent, democratic Hungary, however, regardless of the party politics pursued by the government of the day, can count on the support of Hungarians living abroad. But the same people protest, and will fight with all their might, against the perpetuation of their homeland's dependent, semi-colonial status.

Lajos Veress de Dálnok, Chairman of the World Federation of Hungarian Freedom Fighters (Great Britain).

Dr. Tibor Eckhardt, a former Chief Delegate of Hungary to the League of Nations (U.S.A.).

Gusztáv Hennyey, former Minister for Foreign Affairs (Federal Republic of Germany).

Colonel General Ferenc Fakas de Kisbanak.

Professor Karoly Kerényi (Switzerland). (Federal Republic of Germany).

Ferenc Marosy, Hungarian Ambassador Madrid (Spain).

Béla Padányi-Gulvás, former Member of the post-1945 National Assembly, former Parliamentary rapporteur of the Foreign Ministry, a former delegate to the Interpaliamentary Union (Switzerland).

Professor Imre Sövalye Tóth (Turkey).

Dr. Victor Stankovich, journalist and broadcaster on international affairs (France).

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*The Soviet-controlled economic groupings in Eastern Europe.

Dr. Béla Teleki, a former Member of the pre-1945 Parliament (USA).

Albert Wass, writer, President American-Hungarian Arts Guild (USA).

World Federation of Hungarian Freedom Fighters (Signed by Dr. András Pogány, Vice Chairman, (USA).

Federation of Former Hungarian Political Prisoners (Dr. Nándor Liszka, Chairman, Sweden).

National Federation of Former Political Prisoners (Tibor Helcz, Chairman, USA).

World Federation of Hungarian Veterans (Major-General Elemér Mészöly, Chairman, USA).

Federation of Free Hungarian Jurists (Dr. László Varga, USA).

Federation of Hungarian Organisations in Germany (László Légrády, Chairman, Federal Republic of Germany).

Hungarian Organisations in Belgium (Dr. Ernö Töttösy, Belgium).

Hungarian Liberation Committee (Erno Rigoni, Chairman, France).

Action Committee for the Preparation of the Unity of Hungarian Emigree Organisations (Ferenc Tury, Netherlands).

Federation of Hungarian Organisations in Switzerland (László Farkas, Chairman, Switzerland).

Viennese Hungarian Federation (Dr. Andor Papp, Acting Vice Chairman, Austria).

Federation of the Free Press (Dr. Zoltán Makra, Secretary General, Federal Republic of Germany).

Canadian Hungarian Federation (György Nagy, Chairman, Canada).

Széchenyi Society (József Fülöp, Chairman, Canada).

Hungarian Cultural Foundation (József Ertavy Barát, USA).

Federation of Hungarian Boy Scouts/Europe (Ferenc Z. Tury, Netherlands).

A. B. N. Mission to the APACLROK (Dr. Lajos Katona, Formosa).

THE AGE OF DISCONTINUITY

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. MARSH. Mr. Speaker, on February 6 and 7, 1969, I took occasion to call to the attention of the House certain thought-provoking excerpts from a book entitled "The Age of Discontinuity," by Peter F. Drucker, which excerpts appeared in the Washington Post.

I now offer for the information of the House a final segment of these excerpts, as follows:

REPRIVATIZATION

Such a policy might more properly be called "reprivatization." The tasks that flowed to government in the last century because the family could not discharge them would be turned over to the new nongovernmental institutions that have sprung up and grown the last 60 to 70 years.

Government would start out by asking the question: "How do these institutions work and what can they do?" It would then ask: "How can political and social objectives be formulated and organized in such a manner as to become opportunities for performance for these institutions?" It would also ask: "And what opportunities for accomplishment of political objectives do the abilities and capacities of these institutions offer to government?"

This would be a very different role for government from that it plays in traditional political theory. In all our theories, government is *the* institution. If "reprivatization" were to be applied, however, government would become *one* institution—albeit the central, the top, institution.

Reprivatization would give us a different society from any our *social* theories now assume. In these theories, government does not exist. It is outside of society. Under reprivatization, government would become the central social institution.

Political theory and social theory, for the last 250 years, have been separate. If we applied to government and to society what we have learned about organization these last 50 years, the two would again come together.

The nongovernmental institutions—university, business and hospital, for instance—would be seen as organs for the accomplishment of results. Government would be seen as society's resources for the determination of major objectives and as the "conductor" of social diversity.

I have deliberately used the term "conductor." It might not be too fanciful to compare the situation today with the development of music 200 years ago. The dominant musical figure of the early 18th century was the great organ virtuoso, especially in the Protestant north. In organ music, as a Buxtehude or a Bach practiced it, one instrument with one performer expressed the total range of music. But as a result, it required almost superhuman virtuosity to be a musician.

By the end of the century, the organ virtuoso had disappeared. In his place was the modern orchestra. There, each instrument played only one part, and a conductor up front pulled together all these diverse and divergent instruments into one score and one performance. As a result, what had seemed to be absolute limits to music suddenly disappeared. Even the small orchestra of Haydn could express a musical range far beyond the reach of the greatest organ virtuoso of a generation earlier.

The conductor himself does not play an instrument. He need not even know how to play an instrument. His job is to know the capacity of each instrument and to evoke optimal performance from each. Instead of "performing," he "conducts." Instead of "doing," he leads.

AUTONOMY IMPORTANT

The next major development in politics, and the one needed to make this middle-aged failure—our tired, overextended, flabby and impotent government—effective again, might therefore be the reprivatization of the "doing," of the performance of society's tasks. This need not mean "return to private ownership." Indeed, what is going on in the Communist satellite countries of Eastern Europe today—especially in Yugoslavia—is reprivatization in which ownership is not involved at all.

Instead, autonomous businesses depend on the market for the sale of goods, the supply of labor and even the supply of capital. That their "ownership" is in the hands of the government is a legal rather than an economic fact—though, of course, an important one. Yet to some Yugoslavs, it does not even appear to be incompatible with that ultra-bourgeois institution, a stock exchange.

What matters, in other words, is that institutions not be run by government but be autonomous. Cooperatives, for instance, are not considered "capitalist" in the Anglo-American countries, although they are "private" in that they are not run by government. And the same applies to "private" hospitals and the "private" universities. On the other hand, the German university has traditionally been almost as autonomous as the American "private" university, even though—as is the case with European universities generally—it is a state institution.

Reprivatization, therefore, may create social structures that are strikingly similar, though the laws in respect to ownership differ greatly from one country to another and from one institution to another. What they would have in common is a principle of performance rather than a principle of authority. In all of them, the autonomous institution created for the performance of a major social task would be the "doer."

Government would become increasingly the decision-maker, the vision-maker. It would try to figure out how to structure a given political objective so as to make it attractive to one of the autonomous institutions. It would, in other words, be the "conductor" that tries to think through what each instrument is best designed to do.

And just as we praise a composer for his ability to write "playable" music which best uses the specific performance characteristic of French horn, violin or flute, we may come to praise the lawmaker who best structures a particular task so as to make it most congenial for this one or that of the autonomous, self-governing, private institutions of a pluralist society.

Business is likely to be only one—but a very important—institution in such a structure. Whether it be owned by the capitalist, that is, by the investor, or by a cooperative or a government might even become a secondary consideration. For even if owned by government, it would have to be independent of government and autonomous—as the Yugoslavs show—not only in its day-to-day management but, perhaps more important, in its position in the market, and especially in a competitive capital market.

CREATED TO CREATE

What makes business particularly appropriate for reprivatization is that it is predominantly an organ of innovation; of all social institutions, it is the only one created for the express purpose of making and managing change. All other institutions were originally created to prevent or at least to slow down, change. They become innovators only by necessity and most reluctantly.

Specifically, business has two advantages where government has major weaknesses. Business can abandon an activity. Indeed, it is forced to do so if it operates in a market—and, even more, if it depends on a market for its supply of capital. There is a limit beyond which even the most stubborn businessmen cannot argue with the market test, no matter how rich he may be himself. Even Henry Ford had to abandon the Model T when it no longer could be sold. Even his grandson had to abandon the Edsel.

What is more, of all our institutions, business is the only one that society will permit to disappear. It takes a major catastrophe, a war or a great revolution to allow the disappearance of a university or of a hospital, no matter how superfluous and unproductive they might have become. Again and again, for instance, the Catholic Church in the United States attempts to close down hospitals that have ceased to be useful. In almost every case, a storm of community nostalgia forces the supposedly absolute bishop to retract his decision.

But when the best-known airplane manufacturer in the United States, the Douglas Co., designer and producer of the DC–3, was in difficulty in 1967, neither the American public nor American Government rushed to its rescue. If a competitor had not bought the company and merged it into his operations, we would have accepted the disappearance of Douglas—with regret to be sure, and with a good deal of nostalgic rhetoric, but also with the feeling: "It's their own fault, after all."

Precisely because business can make a profit, it must run the risk of loss. This risk, in turn, goes back to the second strength of business: Alone among all institutions, it has a test of performance. No matter how inadequate profitability may be as an indicator, in certain respects, it is a test for all to see.

One can argue that this or that obsolete hospital is really needed in the community or that it will one day again be needed. One can argue that even the poorest university is better than none. The alumni or the community always have a "moral duty" to save "dear old Siwash." The consumer, however, is unsentimental. It leaves him singularly unmoved to be told that he has a duty to buy the products of a company because it has been around a long time.

The consumer always asks: "And what will the product do for me tomorrow?" If his answer is "nothing," he will see its manufacturer disappear without the slightest regret. And so does the investor.

This is the strength of business as an institution. It is the best reason for keeping it in private ownership. The argument that the capitalist should not be allowed to make profits is a popular one. But the real role of the capitalist is to be expendable. His role is to take risks and to take losses as a result. This role of the private investor is much better equipped to discharge than the public one.

We want privately owned business precisely because we want institutions that can go bankrupt and can disappear. We want at least one institution that, from the beginning, is adapted to change, one institution that has to prove its right to survival again and again.

If we want a really strong and effective government, therefore, we should want businesses that are not owned by government. We should want businesses in which private investors, motivated by their own self-interest and deciding on the basis of their own best judgment, take the risk of failure.

The strongest argument for "private enterprise" is not the function of profit. The strongest argument is the function of loss. Because of it, business is the most adaptable, and the most flexible, of the institutions around. Therefore, it is the one best equipped to manage.

SOME GLOBAL SUCCESSES

Reprivatization is still heretical doctrine, but it is no longer heretical practice. Reprivatization is hardly a creed of "fat cat millionaires" when Black Power advocates seriously propose making education in the slums "competitive" by turning it over to private enterprise, competing for the tax dollar on the basis of proven performance in teaching ghetto children.

It may be argued that the problems of the Black Ghetto in the American city are very peculiar problems—and so they are. They are extreme malfunctions of modern government. But if reprivatization works in the extreme case, it is likely to work even better in less desperate ones.

One instance of reprivatization in the international sphere is the World Bank. Though founded by governments, it is autonomous. It finances itself directly through selling its own securities on the capital market. The International Monetary Fund, too, is a case of reprivatization. Indeed, if we develop the money and credit system we need for the world economy, we will have effectively reprivatized the creation and management of money and credit that for millennia have been considered the prime attributes of sovereignty.

Again, business is well equipped to become the "doer" in the international sphere. The multinational corporation, for instance, is our best organ for rapid social and economic development. In the Communications Satellite Corp. (Comsat), we are organizing worldwide communications (another traditional prerogative of the sovereign) as a multinational corporation.

A socialist government, the Labor government of Britain, has used reprivatization to bring cheap energy to Britain—in contracts with the multinational oil companies for the exploration and development of the natural gas fields under the North Atlantic Ocean. And the multinational corporation may be the only institution equipped to get performance where the fragmentation into tribal splinter units, such as in the "ministates" of Equatorial Africa, makes performance by government impossible.

But domestically as well as internationally, business is, of course, only one institution and equipped to do only one task, the economic one. Indeed it is important to confine business—and every other institution—to its own task. Reprivatization will, therefore, entail using other nongovernmental institutions—the hospital, for instance, or the university—for other, noneconomic "doing" tasks. Indeed, the design of new nongovernmental, autonomous institutions as agents of social performance under reprivatization may well become a central job for tomorrow's political architects.

We do not face a "withering away of the state." On the contrary, we need a vigorous, a strong and a very active government. But we do face a choice between big but impotent government and a government that is strong because it confines itself to decision and direction and leaves the "doing" to others. We do not face a "return of laissez-faire" in which the economy is left alone. The economic sphere cannot and will not be considered to lie outside the public domain.

But the choices of economy—as well as for all other sectors—are no longer either complete governmental indifference or complete governmental control. In all major areas, we have a new choice: an organic diversity in which institutions are used to do what they are best equipped to do.

In this society, all sectors are "affected with the public interest," whereas in each sector a specific institution, under its own management and dedicated to its own job, emerges as the organ of action and performance.

FIFTY YEARS ASTRAY

This is a difficult and complex structure. Such symbiosis between institutions can work only if each disciplines itself to strict concentration on its own sphere and to strict respect for the integrity of the other institutions. Each, to use again the analogy of the orchestra, must be content to play its own part.

This will come hardest to government, especially after the last 50 years in which it had been encouraged in the belief of the 18th-century organ virtuosos that it could—and should—play all parts simultaneously. But every institution will have to learn the same lesson.

Reprivatization will not weaken government. Indeed, its main purpose is to restore strength to sick government. We cannot go much further along the road on which government has been traveling these last 50 years. All we can get this way is more bureaucracy but not more performance. We can impose higher taxes, but we cannot get dedication, support and faith on the part of the public.

Government can gain greater girth and more weight, but it cannot gain strength or intelligence. All that can happen, if we keep on going the way we have been going, is a worsening sickness of government and growing disenchantment with it. And this is the prescription for tyranny, that is, for a government organized against its own society.

This can happen. It has happened often enough in history. But in a society of pluralist institutions, it is not likely to be effective too long. The Communists tried it, and after 50 years have shown—though they have not yet fully learned—that the structure of modern society and its tasks are incompatible with monolithic government. Monolithic government requires absolute dictatorship, which no one has even been able to prolong much beyond the lifetime of any one dictator.

Ultimately, we will need new political theory and probably very new constitutional law. We will need new concepts and new social theory. Whether we will get these and what they will look like, we cannot know today.

But we can know that we are disenchanted with government—primarily because it does not perform. We can say that we need, in a pluralistic society, a government that can and does govern. This is not a government that "does"; it is not a government that "administers"; it is a government that governs.

RICHARD NIXON, IDEOLOGICAL DESCENDANT OF ABRAHAM LINCOLN

HON. GLENN R. DAVIS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. DAVIS of Wisconsin. Mr. Speaker, on February 12, the 160th anniversary of the birth of Abraham Lincoln, it was my pleasure to speak at the Walworth County Lincoln Day dinner at Delavan, Wis.

In a small way, my theme was a comparison of the responsibility and the approaches of our first Republican President, Abraham Lincoln, and our 15th Republican President, Richard Nixon.

The main thrust of my remarks was as follows:

Certainly, the Republican Victory of 1968, the election of a Republican President, was gratifying to all of us here. By our victory, along with our Republican President we have shouldered significant responsibilities.

In the hour of trial that accompanied Abraham Lincoln's installation in the White House, he found himself with grave problems inherited from his predecessor. James Truslow Adams referred to Abraham Lincoln's tenure as "the hour when America's trial was sorest." He then referred to Lincoln as "the greatest soul that Democracy has yet produced."

In our hour of trial in 1969, each day presents further evidence that a great soul sits in the White House.

Just as in 1860, so in 1968 has a moral and political leader come out of the great west to heal the wounds of a divided nation.

As Abraham Lincoln rebounded from political defeat in 1848 when he fell into such bad political grace that he was denied an opportunity to run for re-election to the House of Representatives, so did Dick Nixon rebound from the assigned political limbo of 1962.

As James Buchanan, the handy Democrat winner of 1856, bowed out of the race four years later before the wrath of disgusted Americans, so did Lyndon Johnson, the handy Democrat winner of 1964, bow out of the race in 1968 before the wrath of similarly disgusted Americans.

As Lincoln gained victory with slightly over 40% of the popular vote, with the remainder split among dissident wings of the previously dominant Democrat party, so did Nixon win under similar circumstances.

As Abraham Lincoln had made himself a familiar figure in Wisconsin before his victory, so did Dick Nixon endear himself to the residents of the Badger State by his frequent appearances here.

Lincoln's early recollections of Walworth County were probably not entirely pleasant, for when he was mustered out of the service in the Blackhawk War at the end of his fourth enlistment on July 10, 1832 near Whitewater, he found himself without a horse (which had become lost, strayed or stolen) and so had to walk from one end of

Walworth County to the other on his way back to Illinois.

But Wisconsin must have left an overall favorable impression on Lincoln for he returned within the next decade to walk from Sheboygan to Milwaukee, with intervening stops, while he considered the possibility of settling and establishing his law practice in the then Territory of Wisconsin. It is interesting to contemplate the changes in the history of Wisconsin and the history in the life of Abraham Lincoln had he decided to remain here. But we must have no regrets for as practical politicians I think we'll have to concede that had he lived in a state so small in population he would not have become our first Republican president.

Lincoln next left his mark on Wisconsin when he spoke at the Wisconsin State Fair on September 30, 1859. The next morning Lincoln traveled through Walworth County to Beloit where he spoke at a meeting of the Beloit Republican Club and later in the day spoke in the Rock County Courthouse in Janesville.

Before leaving the tie-up of Abraham Lincoln and his family with Wisconsin it is interesting to recall that Mrs. Abraham Lincoln, during her prolonged illness after the President's death, spent several months in Waukesha imbibing of our mineral spring water and taking mud baths in an effort to regain her health. Unfortunately for the Chamber of Commerce efforts of the "Saratoga of the West," the treatments did not completely restore Mrs. Lincoln's health.

Then, I recall the personal thrill, when I was a young lawyer in Waukesha, of examining an abstract of title in which was set forth a document signed by Robert Lincoln, the President's oldest son, as trustee for some Chicago interests which owned one of the famous Waukesha resort hotels of the latter 19th century. Robert Lincoln at that time was a well known Chicago attorney.

In our own time and referring to our new great Republican president, it is pleasant to recall that 19 years ago this month our Lincoln Day speaker at Waukesha was a young Republican Congressman from California who enthralled his audience at a dinner held at one of Waukesha's last remaining health spas with a revelation of his role and the role of the House Committee on Un-American Activities in unraveling the bizarre story of Alger Hiss and Whittaker Chambers. Most of us here can gratefully recall the several appearances here in Wisconsin of Dick Nixon in campaigns and at fund raising dinners in non-campaign years. It was a fitting stroke of fate in light of Dick Nixon's affinity for Wisconsin and Wisconsin's affinity for him that our delegation at Miami Beach was permitted to cast the 30 votes that put Dick Nixon over the top as our candidate for president.

It is clear that our 37th President, our fifteenth Republican President, has drawn heavily upon the philosophy the hopes and the dreams of the sixteenth President, our first Republican President, whose memory we honor tonight.

In his 1859 State Fair Speech in Milwaukee, Lincoln said:

"Educated people must labor. Otherwise, education itself would become a positive and intolerable evil. No country can sustain in idleness more than a small percentage of its numbers."

I commend that statement tonight, to those pseudo-educated idlers in Madison who have dishonored themselves, our State University, and our State.

At Concord New Hampshire on February 3, 1968, Richard Nixon said:

"The way to fulfillment is in the use of our talents; we achieve nobility in the spirit that inspires that use.

"The American system of private enterprise is the greatest instrument of change and of progress the world has ever known. And the skills and the resources it now commands are those that we need if new freedoms are to be made a living reality for all of our people."

That, too, I would commend to the Madison campus' predominantly out-of-state long-haired rabble.

In his famous "House divided" speech, which formed a part of the famous Lincoln-Douglas debates, Lincoln said:

"A House divided against itself cannot stand. A nation cannot exist, half slave, half free."

In a speech at New York on December 8, 1967, Richard Nixon said:

"Are we two nations, black and white, confronting each other at opposite poles, separated by irreconcilable issues and posed for irrepressible conflict? There can be only one answer—we are not. We are, and must ever remain, one nation and one people."

In that same New York address, Nixon further said:

"No man can be fully free while his neighbor is not, to go forward at all is to go forward together."

Lincoln said:

"In all that the people can individually do as well for themselves, government ought not to interfere."

". . . The legitimate object of government is 'to do for the people what needs to be done, but which they cannot, by individual effort, do at all, or do so well, for themselves.' . . ."

In his Concord speech, Nixon said:

"The choice we face today, very simply, is this: Do we continue down the road that leads to big government and little people . . . or do we take a new road, one that taps the energies of the greatest engine of productivity the world has ever seen—the engine of American industry and American private enterprise?"

On the issue of law and order, Lincoln said:

"Let me not be misunderstood as saying there are no bad laws, or that grievances may not arise for the redress of which no legal provisions have been made. I mean to say no such thing. But I do mean to say that although bad laws, if they exist, should be repealed as soon as possible, still, while they continue in force, for the sake of example, they should be religiously observed."

In his Inaugural Address, President Nixon said:

"For its part, government will listen. We will strive to listen in new ways—to the voices of quiet anguish, the voices that speak without words, the voices of the heart—to the injured voices, the anxious voices, the voices that have despaired of being heard."

But—

"For all of our people, we will set as our goal the decent order that makes progress possible and our lives secure."

In his second Inaugural, which has become a classic of American literature, Lincoln said at the conclusion:

"With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

Nixon in his Inaugural on January 20 concluded as follows:

". . . I shall consecrate my office, my energies, and all the wisdom I can summon, to the cause of peace among nations.

"Let this message be heard by strong and weak alike.

"The peace we seek to win is not victory over any other people, but the peace that comes 'with healing in its wings'; with compassion for those who have opposed us; with the opportunity for all the peoples of this earth to choose their own destiny.

"The greatest honor history can bestow is the title of peacemaker. This honor now beckons America—the chance to help lead the world at last out of the valley of turmoil, and onto that high ground of peace that man has dreamed of since the dawn of civilization.

"If we succeed, generations to come will say of us now living that we mastered our moment, that we helped make the world safe for mankind.

"This is our summons to greatness."

Who shall say, who indeed among us, can say that Richard Nixon, our fifteenth Republican President, is not the ideological, the philosophical, as well as the political descendant of our first Republican President?

Secure in that assurance, we can hope and believe that the Nixon Administration will manfully, in a Republican manner, cope with the inherited problems of our Country.

Americans continue to grieve at the sore trial of the Pueblo incident. While we were deeply involved with our men and our interests in Vietnam, our enemies struck off North Korea, just as in 1863, the French moved into Mexico, while we were involved in our great fraticidal conflict to set up a puppet emperor across our border.

A Republican President and a Republican Secretary of Defense will not permit Commander Bucher and his crew to be used as the scapegoat for failure in higher places in the Defense Department. It should be kept in mind that the Board of Inquiry is not a trial. Rather, it is more like a grand jury, acting to determine if there is basis of fault or delinquency, and if so, who the responsible people might be. We shall get to the bottom of this disgraceful incident. We shall not stand by to permit the innocent to be persecuted, or the guilty to go free. We shall assure that such a disgrace shall not happen again. And then, ultimately, we shall restore respectability, even as respectability was restored when the puppet French Emperor of Mexico was called to account at the close of the Civil War.

We have inherited the grievous problem of Vietnam. It is our inherited responsibility to bring that dilemma to an honorable solution. We can but say that it had become impossible for the Johnson Administration to find that solution. The Nixon Administration has an opportunity to find it and will find it.

We have inherited the critical problem of inflation, inflation which is the direct result of the repeated huge deficits of our Federal Government. We have been presented with a final Johnson budget which is balanced in technical form but not in actual substance. Stringent measures will be required to bring that budget into line, to permit reduction of the tax burden, and to remove the spending jets which fan the fires of inflation.

President Nixon has come into office at a time when lawlessness and disorder have replaced our traditional law and order. We can take hope and confidence from the knowledge that John Mitchell has been installed in the office of Attorney General; that the frustrations engendered by failures and lack of fulfillment will be, and are being replaced by the confidence engendered by calm action and problem solving.

In his efforts to deal with these inherited problems, our Republican President will need our support and our patience. Richard Nixon is his own man. He is running a taut ship. He is cautiously surrounding himself with people of knowledge and competence. He will use these people for what they know and for what they can do, but in the final analysis, Richard Nixon will make his own decisions. As Abraham Lincoln told his aggressive Secretary of State:

"That which must be done, I myself will do."

Richard Nixon will use the advice and the knowledge with which others can provide him. But in the final analysis that which must be done, Richard Nixon himself will do.

Richard Nixon, fifteenth Republican President of the United States, is indeed the ideological, philosophical, and political descendant of our first Republican President. As a Republican President he is entitled to our prayers, our patience and our support.

COMPETITIVE PLATEAU OF U.S. TRADE

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. DENT. Mr. Speaker, in collaboration with Mr. O. R. Strackbein, chairman of the Nationwide Committee on Import-Export Policy, I am pleased to present this analysis of the foreign trade position of the United States. I hope all Members will study it carefully:

The weak competitive position of American Industry in world trade is beyond dispute.

It may be useful to inquire into the degree of this weakness and to determine in what class of products it is most pronounced. It may also be useful to determine whether we enjoy competitive strength in some products even if the total competitive position is weak.

It may be helpful, further, to inquire into the causes of the competitive weakness from which our trade suffers and to determine what steps, if any, might be taken to overcome the weakness or to adjust to it.

WEAKNESS REVEALED BY TRADE TRENDS

The competitive weakness of this country in world trade has become increasingly visible in recent years. It is especially pronounced in some classes of goods and in our trade with several leading trading nations. It is also visible in the declining share of total world exports enjoyed by the United States.

WEAKNESS BY CLASS OF PRODUCTS

The principal competitive weakness has appeared in the trade in manufactured goods. Because of the most intensive application of labor in producing finished goods, compared with the lesser application of labor in the production of raw materials and agricultural products, the implications of the import trend for employment in this country are serious and will become acute if we return to a peace-time economy.

As recently as 1951 *manufactured goods* represented only 27.0% of our total imports. In 1967 this share had more than doubled, reaching 58.3%.

By contrast the share of our total imports represented by *raw materials*, which in 1951 stood at 50.3%, had declined to 21.3% in 1967.

The meaning of this trend for employment will be better appreciated if we compare employment within this country in the raw-material producing operations, namely, agriculture, mining, lumbering and fisheries, with employment in the manufacturing industries. The raw materials industries, with minor exceptions, supply the materials used in all manufacturing in this country. Exceptions are imported raw materials which represent less than 2% of all materials used by our industries. Raw-material production employed 4,656,000 workers in 1967 compared with 19,339,000 in the manufacturing establishments that processed the materials into finished goods. The ratio of manufacturing employment to employment in raw-material production was therefore over 4 to 1.

As imports shift from raw materials to manufactured goods, as they have in the past fifteen years, it becomes obvious that employment must suffer. The impact has become sharper, moreover, in recent years than in the past because of the heavy movement of workers in this country out of the raw-material-producing field into manufacturing and the service occupations. The shift has been the result of the still rising productivity in agriculture and mining. In 1960, or less than eight years ago, the ratio of manufacturing employment to employment in agriculture, mining, lumbering and fisheries (the raw material industries) was only in the ratio of 2½ to 1, compared to more than 4 to 1 in 1967, as shown above. (Statistical Abstract of the United States, 1968, Tables 317, 318, 320 and 993.)

In other words, our imports have been shifting from goods requiring the least amount of labor to goods requiring the greatest amount. Should, for example, 10% of our raw materials be imported the average straight-line labor displacement in 1967 would have been 465,600 workers, while if 10% of our manufactured goods had been imported the displacement would have been 1,933,900 workers. (The 10% share is for illustration purposes only.)

While it is true that finished manufactures represent about two-thirds of our exports, the share of total exports has remained about the same in recent years. In '58 and '59 the share was 67.8% and 66.5% respectively, compared with 66.2% in 1967. This lack of a trend shows that our manufactured goods as a whole are not gaining ground in foreign markets in contrast to the sharp gains foreign manufactures have made in this country.

COMPETITIVE STRENGTH IN MACHINERY AND CHEMICALS

Nevertheless in some lines we have enjoyed a substantial growth of exports. This is especially true of machinery, including sophisticated products such as computers; and chemicals. Since the share of manufactured goods in total exports has not grown, the gain in exports of machinery and chemicals was necessarily offset by declines in the exports of other products.

HELPED BY FOREIGN INVESTMENTS

Two observations are in order. Our increasing exports of machinery and chemical products has been a parallel of our increasing investment abroad in plants and installations. Our industries have installed a vast amount of American machinery overseas (over $50 billion since 1960); and our chemical plants overseas have consumed great quantities of raw and semi-manufactured chemical products as feeders to their overseas plants.

SURPLUS OF MACHINERY EXPORTS NARROWING

The other observation applies particularly to machinery. Our imports of machinery have grown much more rapidly in recent years than our exports, and the export surplus, while still wide, is narrowing rapidly. From 1960 through 1967 our machinery exports increased 84.9%. During the same period imports of machinery increased 328% or about 3½ times as rapidly as our exports. (Statistical Abstract of the United States, 1968, Tables 1218 and 1219.)

The foreign competitive advantage over us that resulted in the loss of export markets in steel, textiles, sewing machines, typewriters and a number of other products is obviously asserting itself in machinery. The relatively sharp increase in machinery imports is but a forewarning of what may be expected in the future. Thus may be expected the crumbling of our principal remaining export advantage. It will fall for the same reason that caused formerly strong export industries to fall back.

HANDWRITING ON THE WALL

The handwriting on the wall was never clearer. When will those who shape our foreign trade policy recognize the overwhelming evidence? Year after year since 1958 they have said that the trend against this country's export position was only temporary and that the trend would soon right itself. Ten years is a long time to wait for a turn of the tide.

One excuse after another has been worn out during this period. In the most recent years when the tide should already have turned had the previous reassurances had any substance, the explanation advanced was that the prosperous conditions in this country attracted imports while our exporters were not greatly interested in export markets. This style of explanation would, of course, dispose of any and all trends in foreign trade.

CAUSES OF OUR COMPETITIVE DISADVANTAGE

The refusal to face monumental facts is becoming very expensive to a number of industries and poses a serious problem for labor. If and when our economy moves toward a peace basis the harsh facts that have so long been ignored can no longer be brushed aside. It is already very late.

Let us look at the facts and what they mean:

1. Production costs in this country are higher in many lines of products than those of their foreign competitors.

2. Among the high cost elements are the high wages upon which our domestic market depends in the form of consumer purchasing power. Employee compensation represents by far the principal source of effective demand—by far, which is to say, in the magnitude of about 4 to 1 compared with all other sources combined.

3. The wage-gap separating this country from other countries (Canada excepted) is not by way of closing or coming within shouting distance of such an event. The outlook is that it is here to stay for many years.

4. Those who suggest that wages should stand still in this country to permit foreign wages to catch up in point of unit costs, are either deceived, or incapable of recognizing realities or, worse, refuse to see what so clearly and unmistakably stares them in the face.

5. The full impact of foreign competition has not yet been felt; nor the full effect of our foreign investments as a shrinker of export markets for finished manufactures in relation to the gross national product.

6. As a consequence our manufacturers have only one hope to regain a competitive position in the domestic market: namely, if the technology is at hand, to reduce manpower requirements sufficiently to shrink costs materially. Contrary to what mystics and romanticists might think, there is no other way to reduce cost of production significantly.

Also, no one should deceive himself that significant cost-reduction is a mild operation. In terms of employment it is harsh and drastic. We have a classic example in coal mining. In the mid-'fifties this industry was moribund because of encroaching competition from diesel oil, natural gas and imported residual fuel oil. The only hope of survival lay in cost reduction. The objective was indeed accomplished by the introduction of machinery that supplanted men in a gargantuan ratio. The coal industry saved itself but the cost in coal miners' jobs was two out of every three. Employment dropped at a dizzying rate, falling from 480,000 to 140,000 or less in fifteen years. The problem known as Appalachia was a direct result. The cost of relief and inhuman misery was "unthinkable" and had it been appreciated ahead of time, would no doubt have been avoided as intolerable.

The coal example was not as extreme as might be imagined.

Other industries branched out overseas to avoid similar debacles. Today the steel industry faces a challenge, which if less drastic in its exactions, is nonetheless perilous. The shoe industry faces annihilation in a matter of a few years. The textile industry, which, though partially protected against the same disaster, still faces great difficulties. Other industries are not out of the range of the import onslaught. The fisheries on the east coast, the vegetable producers of Florida, and others are in the same corner.

Our merchant marine is totally dependent on subsidization for survival; and has been allowed to fall to the lowest level in our history from lack of adequate support. American flag ships now carry only about 1/16 of our total imports and exports. The facts are muted and smothered lest they awaken the dreamers and mystics who see nothing ominous in the competitive facts in our foreign trade.

7. Cost-reduction is not a monopoly of American industries, though its imperative presses insistently on them. While we continue as the most productive country in the world in terms of man-hour output, other countries, now equipped with our technology, are also capable of reducing their costs. Our own factories overseas, where our direct investments are now in the magnitude of some $60 billion, have introduced American methods of mass production, and other countries have not been backward in adopting the American system. If we automate in this country, so may and do our foreign competitors.

8. The cost-gap, although not uniform, will not go away, notwithstanding the theories of academic economists who apparently do their thinking in a vacuum wherein the realities of both national and international politics are absent. Competitive inequalities among the nations do persist, the economists notwithstanding, simply because free competition is now a museum piece thoroughly bolted down—largely, indeed, as a result of the very policies of those who invoke the free market to justify free trade but who buried free market forces under the weight of governmental controls, restrictions, heavy tax burdens, social welfare loads and other cost-inflaters.

The differential in shipbuilding and ship operation here and abroad is measured periodically by official wage surveys conducted by the Federal government. This differential is slightly over 100% and reflects the higher employee compensation in this country. That such differentials persist, as they may and do persist, despite economic theory that leaves the facts of life out of account, is shown by the fact that the maritime cost differential just mentioned has widened by 10% in the past ten or twelve years.

9. The competitive weakness of this country makes our economy stand like an island plateau against the pounding waves and tidal flows that beset it from all sides. The natural sequence will be a leveling process that will continue, unless it is halted, until we are level with the sea.

FALSE ASSESSMENT OF OUR COMPETITIVE HANDICAP

The competitive situation is serious indeed but is insulated against a remedy by the policy-makers who stubbornly refuse to accept irrefutable facts or insist on evasive interpretations. They will not believe or purport not to perceive that payment of an average industrial wage of $3 per hour in this country demands that our factories be several times as productive as their foreign rivals if they are to compete with them. With the exception of Canada, the highest foreign industrial wages will do well to equal 40% of our $3 level, while in many instances the gap is much wider. The difference in cost, now that our average duty on dutiable items is about 10% on foreign value, and destined to drop to about 7%, must be bridged by a productivity lead of sufficient magnitude to offset the foreign advantage. (For the industrial wage rate of the United States see Current Survey of Business, United States Department of Commerce, September 1968, p. S–15).

It is a favorite but false indictment of American industries that cannot compete with imports to say that they are inefficient. This indictment comes quickly to the tongue of those who continue to see in a free or liberal trade policy the future and the hope of this country's economy. The falsity of the indictment is indeed immediately established when in the next breath those who so eagerly accuse our industries of inefficiency insist that foreign competition is no danger because low foreign wages really reflect the low level of productivity abroad, which is to say inefficiency. We cannot be both too inefficient to compete and at the same time so far ahead of other countries in productivity that their low wages avail them nothing competitively because of their own greater inefficiency.

It was also a favorite and equally false assessment of the competitive situation to say that it was not our high-wage industries that were vulnerable to imports but rather our low-wage or labor-intensive industries. Our high-wage, capital-intensive industries, such as steel and automobiles, were among our leading exporters, thus demonstrating that high wages represented no wage handicap.

The vacuity of this claim has in recent years been demonstrated for all to see. In both automobile and steel our export position has collapsed and we have become net importers of both products. The same is true of other high-wage industries. Whether an industry is "capital-intensive" or "labor-intensive" does not alter the fact that employee compensation is in each case the major element of cost. "Capital-intensive" industries merely spread their costs over a larger number of successive steps of manufacture, as in automobile manufacturing. The Detroit cost, as the Pittsburgh cost in making steel, is only a part of the cost that extends back to mining, agriculture, processing, fabricating, transportation, insurance, financing, warehousing, and all else that is involved in production.

Yet, even as these pillars of economic theory have been knocked out from under the edifice, the economists steadfastly refuse to face reality. They are so inseparably wedded to their vested mental interest that mere facts produce no effect toward relinquishment of their untenable position.

These many years, as just noted, the economists have been at pain to say that our higher wages are attributable to our higher productivity. Therefore, they say, it is wrong to maintain that low foreign wages confer a competitive advantage on foreign producers. Only a rather obtuse mind would fail to perceive the truth of the theory, according to these intellectually elite.

Now that facts to the contrary notwithstanding prove that other countries do enjoy a decisive competitive advantage over us these same economists duly take refuge in charging our industries with inefficiency despite the higher wages they pay—yes, even though high wages, by economic theory, reflect high productivity. By their measure our high-wage industries should have been invulnerable to import competition. The facts have been quite the opposite.

Their edifice having collapsed they seize on other arguments, as previously observed.

The fact is, of course, that considerable discrepancies in wages and costs among nations can and do persist *because free competition no longer exists*. The numerous interferences with the free market that impede free competition were instituted generally with the ardent support of the economists who, when it suits them, like to play as if the assumptions on which they lean so heavily, such as the play of free market forces, were still in operation.

The thrust of their untenable but stubborn contentions is that industry, agriculture and labor of this country are to be exposed to highly-advantaged foreign competition despite the heavy competitive handicaps loaded on the domestic producers by a hundred legislative enactments many of which soon came to rest on production in the form of higher costs.

What is the purpose of such a policy? Is it to disperse our capital to the four corners of the earth? Is it to restrain wage pressures coming from labor?

OPTIONS FACING DOMESTIC INDUSTRY

What, indeed, are the options of industry when it is confronted by import competition that captures an increasing share of the American market year after year?

One option is obviously that of investing abroad. This step has helped in two respects. (1) It has enabled American companies to supply from within some important foreign markets that would otherwise have been lost. (2) It has in many instances increased exports of machinery, equipment and sometimes semi-manufactures and parts, purchased by the foreign subsidiaries or branches.

On the other hand, some of the slow-down in our commercial exports may be attributed to the very act of supplying of foreign markets from within rather than exporting the finished goods from here. To that extent there has been a transfer of jobs or potential jobs from here to foreign countries. Jobs that do not materialize in this country add to the problem of unemployment. We need many hundreds of thousands of new openings to absorb the large numbers of new workers who come on the labor market each year. If potential jobs are transferred abroad the employment opportunities here naturally shrink by that much.

Also, in some instances foreign subsidiaries and branches export back to this country, thus creating additional competition from lower-wage areas. American automobile manufacturers in Europe, for example, sell numerous foreign-made cars in this country; so do American manufacturers of typewriters, transistor radios and other products.

The impact of low-cost products is not confined to finished manufactures, although these predominate today. A number of industries import parts as a means of achieving lower manufacturing costs in this country and thus to fend off eviction from the market for the finished product. It is true that we also export parts, especially for assembly in foreign plants, such as automobiles. Such exports may, however, face a decline since foreign countries have been insistent upon and indeed have required successively the use of higher percentages of locally manufactured parts in places of imports in their native plants.

THE ADJUSTMENT-ASSISTANCE PLOY

In the view of many economists adjustment assistance extended both to labor and to companies or whole industries should compensate for the injury done to domestic industries and labor by imports. Until 1962 it was the national trade policy not to cause injury to domestic industries as a result of larger imports attracted by lower tariffs. In that year the Trade Expansion Act substituted the adjustment assistance program for the peril point and the escape clause which provided a cautious approach to tariff cutting and a remedy for injury.

The justification for adjustment assistance was that the reduction of tariffs and the resulting increase in imports would increase exports. The increase in trade would benefit the whole country. Therefore the public should make good any serious damage done to industries and employees injured as a result of trade agreements, past and future.

That policy, of course, reflected the peculiar mental seizure or lapse that held and still holds imports entitled to eminent domain in our domestic market, and that they should be allowed to push our industries out of the way. Imports, it would seem, are vested with some mystical virtue that gives them priority over domestic industry and employees. What this special virtue is has never been made known to the public. It is simply assumed. Our own industries, although heavily burdened with taxes and other high costs which were not of their own doing, under the new approach of adjustment assistance were to give way to imports from countries that imposed no comparable burdens on their own industries. The demand was so irrational that the fiction of inefficiency, previously mentioned, was invented to justify condemnation of our industry in deference to growing foreign access to our market. Beyond that, of course, was the concealed but powerful motive to help exports of industries that boasted heavy political muscle.

It developed that the adjustment assistance provisions of the Trade Expansion Act were so tightly drawn that none of the score of applicants, including labor unions, succeeded in squeezing through the needle's eye. Not one dollar of assistance was paid in the six years since the law's enactment. The economic distortion caused by the great increase in defense expenditures enabled this country to absorb the great upsurge in imports that would otherwise have worked havoc on numerous industries. Now, however, further absorption will no longer be possible without disruptive effects; and should the economy move back to a peace basis, even if slowly, the exposure that was tolerable during the past few years would become intolerable to a growing number of important industries.

The suggestion is now put forward that adjustment assistance should be made easier to invoke. This suggestion ignores the odd philosophy from which the very notion of adjustment assistance arose in the first place. Legitimate American industry, which pays the high taxes exacted of it, that supports the vast welfare outlays through its high productivity and provides high employment at the world's highest wages, is to move over and make room for imports that achieve their competitive advantage from payment of much lower wages than those required by law in this country and very much lower than the wages above the minimum level paid here. What style of philosophy can so far overlook the fairness of treatment to which domestic industry is entitled, as to advance and support such a suggestion? It represents a philosophy that is essentially hostile to the industrial and economic system that supports the American civilization and the capacity of this country to provide aid to other countries. It demands that American industry be exposed to foreign competition, no matter how injurious it might be, regardless of the competitive handicap under which our industry labors.

Greater efficiency is demanded, as already noted, even if displacement of workers on a devastatingly large scale is involved. The government would assume the cost burden of retraining and possibly relocating the displaced workers. Such a policy strives for multiple Appalachias.

It is not explained why we owe such disruption of our industry to other countries or why some of our industries should be harshly treated, so that other industries might reap the benefit of greater exports. If the intention is, indeed, to drive industries to more rapid and radical automation it seems to be forgotten that the rate of mechanization is already a source of unemployment and needs no additional stimulation. The notion that displaced workers will soon be absorbed by other industries is belied by the stubbornness of the Appalachian problem. This provides further evidence of the sterility of economic theory when it refuses to take into account all the attendant circumstances that migh upset expectations.

Adjustment assistance has little to recommend it if the condition to be remedied was deliberately brought about by pursuit of a policy that may be expeoted to produce the condition. Deliberate action that is expected to result in the serious injury of legitimate industry cannot be said to spring from any considerations of justice or from any concern about equal protection of the law. It is in fact a concept that is alien to the system of private enterprise and should be disowned as a legitimate and justifiable part of public policy.

MARKET SHARING AS A REMEDY

Now that the tariff has been virtually dismantled as a means of offsetting cost differences between this country and its competitors, and since the problem of our adverse competitive cost-handicap remains and bids fair to persist, a different remedy is needed to sustain the productive dynamism of this country.

The concept of market-sharing, implemented by flexible import quotas, offers the mildest form of trade regulation consistent with the extensive regulation of the economy as a whole. To free our external trade when the domestic economy is made competitively rigid *vis a vis* foreign production costs is both illogical and unfair. The heaviest cost factors in this country are very rigid indeed so far as competitive maneuvering is concerned.

Wages move in only one direction, and this movement underwrites expanding consumption so long as inflation does not cancel the higher compensation. Wages are entitled to rise as productivity increases.

Taxes are high and quite rigid and going higher if State and local taxes are taken into account, as they must be. The only opening of any significance therefore lies in the possibility of increasing productivity per man-hour; and, as previously noted, this can be accomplished almost exclusively by reducing the number of workers required per unit of output.

Yet such increase in productivity will not improve our competitive posture toward imports *unless wages are not allowed to rise in proportion*. If wages rise in proportion to the increase in productivity the competitive advantage is automatically canceled.

Therefore those who demand "higher efficiency" in our industries (even though we are productively the most efficient in the world) as a means of remaining competitive or as a means of recapturing our competitive position are committed to frozen wage levels. They cannot in all good conscience insist on supporting a liberal wage policy in this country and at the same time demand higher productive efficiency as a means of meeting import competition. They, of course, wish fervidly to pose as friends of labor while promoting a policy that would strip labor of its compensation for increasing productivity, since increasing productive efficiency as a means of fending off rising imports would lose its effect if wages should increase in proportion.

If, however, ceilings should be established over imports at certain recognized levels that would accord to imports a liberal share of the domestic market, and permit them to increase in proportion to the expansion of the domestic market, the sting of unfairness would be taken out of import competition. Imports would be regulated in keeping with regulation of the domestic economy. They would not have a license to benefit from a competitive advantage that rests in numerous instances on nothing more inspiring than the payment of a level of wages that if paid in this country would subject the employer to a legal penalty. Imports would not enjoy an open field on which to run wild regardless of the havoc they might inflict. Imports would be brought under the restraints that have deprived our industries of competitive flexibility except at the expense of employment. They would not be permitted to exploit the competitive handicap that public policy, supported by a generation of electorate preferences in this country, has placed on our productive enterprise.

They would nevertheless have liberal access to the richest market in the world.

CONDEMNATION OF IRAQI GOVERNMENT

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, all men of decency and justice were horrified and stunned by the recent action of the Iraqi Government in the hanging of 14 alleged spies. This bizarre and grotesque display of injustices and cruelty should and must be condemned by all men who treasure a life and faith of their own choosing. The recent hangings by the Government of Iraq have stifled such freedom. One of the most important and vital tenets of our Government is the first amendment which safeguards every citizen's right to choose his religion and express himself freely. We, as citizens of the United States cannot ignore this serious travesty of our most precious ideals. The great and General Court of Massachusetts has passed two similar resolutions condemning the action of the Iraqi Government. I submit these resolutions for your consideration and for the consideration of my colleagues. Acts against the lives and freedoms of our fellow citizens of the world should not be ignored.

The resolutions follow:

RESOLUTIONS URGING THE PRESIDENT OF THE UNITED STATES TO PROTEST THE RECENT PUBLIC HANGING OF NINE JEWS BY THE IRAQI GOVERNMENT AND EXERT HIS INFLUENCE IN STABILIZING THE CURRENT CRISIS IN THE MIDDLE EAST

Whereas, United States Secretary of State, William P. Rogers, has expressed this nation's sense of outrage over this week's barbaric public hangings of fourteen Iraqis in these words: "The spectre of mass public executions is repugnant to the conscience of the world"; and

Whereas, the atrocities have heightened tensions in the Middle East and greatly increased the threat of war; and

Whereas, The Jewish community of Iraq is now no more than 2500 souls in the total population of more than 8,000,000 for that country and yet 9 of the 14 Iraqis executed were Jews, suggesting, as Pope Paul has pointed out, racist motivation; and

Whereas, If world opinion is quickly mobilized, further hangings may be forestalled; and

Whereas, These savage acts are shockingly violative of all standards of justice and principles of compassion for which the Commonwealth has stood since its founding days: Now, therefore, be it

Resolved, That the Massachusetts Senate respectfully urges the President of the United States to formally protest the recent public hanging of nine Jews by the Iraqi government and to use his powerful office in an immediate attempt to stabilize the explosive crisis in the Middle East; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the Secretary of State, to the presiding officer of each branch of the Congress and to the members thereof from the Commonwealth.

Senate, adopted, January 30, 1969.

NORMAN L. PIDGEON,
Clerk.

A true copy. Attest:

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

RESOLUTIONS PROTESTING THE BRUTALITY OF THE IRAQ GOVERNMENT IN HANGING NINE JEWS

Whereas, The Massachusetts House of Representatives learned with horror of the brutality of the Iraq Government in hanging nine Jews, citizens of Israel; and

Whereas, The Iraq Government, by this wanton and inhumane act not only stands condemned in the eyes of free men everywhere but precipitated a tinder box crisis that could very well lead to a confrontation between the nuclear powers and eventual destruction of all mankind: Therefore, be it

Resolved, That the Massachusetts House of Representatives urges the President of the United States to use the full weight and power of his office in assisting to stabilize this serious situation in the Middle East, guarantee the rights of all nations however small and their people to live, prosper and survive in peace and to lodge a formal protest with the Iraq Government against this barbaric act; and be it further

Resolved, That the United Nations be requested to immediately consider this inhumane act by the Iraq Government, assess responsibility and guarantee to Israel and its citizens protection against the aggressive and lawless acts of its neighboring nations; and be it further

Resolved, That a copy of these resolutions be sent by the Secretary of the Commonwealth to the President of the United States, the Senators and Representatives in Congress representing this Commonwealth and to the Secretary General of the United Nations.

House of Representatives, adopted, January 29, 1969.

WALLACE C. MILLS,
Clerk.

A true copy. Attest:

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

LITHUANIA

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. CONTE. Mr. Speaker, on February 16, 1969, Lithuanians throughout the world observed the 51st anniversay of the Declaration of Independence of Lithuania. The only country in which they were unable to commemorate this memorable event was Lithuania itself.

The courageous citizens of Lithuania established an independent nation on February 16, 1918. They dedicated their nation to the democratic principles which we in this Nation hold so high. For a brief period they were able to practice these principles not only within their boundaries but also in the international community as a member of the League of Nations.

On August 3, 1940, Lithuania was involuntarily declared a constituent Communist republic of the Union of Soviet Socialist Republics. The people of Lithuania suffered severely during the war years under both the Russians and the Nazis. It is most fitting that we pay tribute to their strength and will in the face of overwhelming force 20 years ago. It is equally fitting that we recognize that these brave people have been the victims of oppression since the end of the Second World War.

At this 51st anniversary of their independence, all Americans should join the many Americans of Lithuanian descent to commemorate that occasion.

COMMENTATOR PUZZLED BY NIXON START

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. DERWINSKI. Mr. Speaker, Washington observers are patiently awaiting the end of President Nixon's honeymoon period.

Certainly, when President Nixon becomes subject to the necessary appraisals of his policies, it is well that the commentary be balanced between Nixon supporters and the professional anti-Nixon barrage which will soon be heard from.

One stanch Nixon supporter is Walter Trohan, the eminent Washington correspondent of the Chicago Tribune, who in a very searching commentary Friday, February 7, raises a few interesting questions:

COMMENTATOR PUZZLED BY NIXON START

(By Walter Trohan)

WASHINGTON, February 6.—More in sorrow than in anger, this commentator is beginning to find himself puzzled by Richard Nixon's start in the Presidency.

This commentator was among the first columnists, if not the first, to predict Mr. Nixon would get his party's nomination in 1968. I scolded former President Johnson for what I considered a below-the-belt attack in the 1966 congressional campaign and applauded Nixon's restrained and statesmanlike reply.

In general, the Nixon start has been good. The appointments have been generally commendable. The approach has been businesslike rather than dramatic. The programs are deliberate rather than startlingly new.

Yet there would seem to be some cause for uneasiness. During the campaign, Nixon promised to clean out the state department. He said he would cut into the third and fourth levels.

He pledged himself to restore Otto F. Otepka, a state department officer who was hounded and harassed because of his efforts to deny clearance to appointees regarded as security risks. Otepka is still out in the street, while Idar Rimestad, a man dedicated to keeping him out, has been retained as deputy undersecretary for administration.

FOGGY BOTTOM PRAISE SURPRISING

Secretary of State William Rogers has assured members of Congress that Rimestad's retention is only temporary, but he is being retained altho he has not had long and invaluable experience in the post. And Charles W. Yost, a long-time member of the state department establishment, was named ambassador to the United Nations rather than some deserving Republican. Even more surprising, the post was offered to Hubert Humphrey, the defeated Democratic Presidential candidate; Sen. Eugene McCarthy [D., Minn.]; and Sargent Shriver, brother-in-law of the Kennedys. All turned it down. None of these would signal any policy change.

Even less understandable, perhaps, is the praise Nixon heaped on the state department staff when he called on his round of federal establishments. No less enthusiastic praise has been heaped on others of the entrenched Democratic party. This also contrasted sharply with his call for change during the campaign.

Nixon unwrapped his war on crime in the capital which stressed more policemen, more judges, a new courthouse, more public defenders and supporting personnel. There was nothing new in the anti-crime package. It's not clear how he'll get 5,000 policemen, when the force is running 1,000 under its present quota of 4,000 men.

Democrats have long been meeting any kind of problem by creating more and bigger jobs. Nixon may need more police and more judges, but his package could be no more than another rosy-hued promise that will fade in performance. Also he is being urged to propose a billion dollar program of aid for city schools, largely for blacks.

HOME PROBLEMS NEED ATTENTION

Some are concerned about Nixon's hurry to hit the junket trail. With barely one month in the White House he plans to be off to Paris, Bonn, Brussels, Rome, and London trying to charm foreign leaders and revive the fading North Atlantic Treaty Organization. Perhaps Nixon, who built himself into Republican nomination contention by making himself an expert on foreign policy, thinks he can succeed where other Presidents failed, but it will take a lot of doing. He can hardly expect to charm Charles de Gaulle—or Harold Wilson, for that matter.

Nixon is going to rise or fall on what he does at home. It would seem that he will be reelected in 1972, but not if he goes chasing rainbows in foreign skies. What Americans want is some sort of house cleaning at home and a slowing down of spending, taxes, regimentation, and government power.

PROPOSED POWER DAM ON NEW RIVER BY APPALACHIAN POWER CO.

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. MIZELL. Mr. Speaker, one of the major concerns of constituents of mine who reside in Ashe and Alleghany Counties, N.C., is the proposed power dam on the New River which will necessitate the taking of property of many of them. The pools which these dams require will flood literally hundreds of acres of excellent farmland, making it necessary for these folks to relocate elsewhere. My people have taken this situation pretty much in stride; however, they have looked to these reservoirs as avenues for development of recreational areas. It has been most disappointing to them and to me to realize that the

Appalachian Power Co. intends to control the water levels of both pools of water with drawdowns during strategic "recreation periods" of such volume as to make them unusable for these purposes.

I recently held office hours in both Ashe and Alleghany Counties and interviewed some 300 individuals practically all of whom spoke with concern of this situation. Because I agree with them wholeheartedly and feel that North Carolina's natural resources should be preserved for North Carolinians, I have addressed the following statement to the Federal Power Commission, which agency held hearings last week on the question of whether or not Appalachian Power Co. should be issued a permit for the construction of this dam:

STATEMENT OF CONGRESSMAN WILMER D. MIZELL, OF NORTH CAROLINA, TO FEDERAL POWER COMMISSION REGARDING PROPOSED POWER DAM ON NEW RIVER BY APPALACHIAN POWER CO., FEBRUARY 12, 1969

Gentlemen, I have just finished holding office hours for two days in Ashe and Alleghany Counties, North Carolina, where I had the opportunity to personally interview some 300 people. These two counties in my District provide part of the site for the power and flood control dams proposed by the Appalachian Power Company. I would like to pass on to you the concern of these people regarding these dams as expressed to me.

There are two major points of concern which have been impressed upon me:

1. The effect upon Sprague Electric Company's plant near Lansing, and
2. The fluctuation of the pool during the recreation season.

Sprague Electric Company's plant employs 15% of the labor force in the area; therefore, it makes a vital contribution to the economy of the area. Together with the citizens of Ashe County, I was relieved to learn that anticipated problems did not materialize when Appalachian Power Company and Sprague Electric Company reached an agreement.

The matter of drawdown of water is proving to be a major concern. It is contended that the natural resources of North Carolina above all else should be protected for the benefit of North Carolinians. Since this taking of Ashe County and Alleghany County property and resources for the purpose of creating power for sale in other areas does not in itself benefit residents of this area, then the people look to the resultant lake for the development of recreational opportunities. They would like to have some assurance that the lake will be maintained during the recreation season which extends from April 15th, the beginning of the fishing season to October 15th at a level of no more than a two foot drawdown. It is further desired that the water level should never exceed a five foot maximum drawdown.

For the most part, those who are having to sell their land and relocate have indicated a desire to resettle in the same vicinity, and would like to receive sufficient compensation for their property to permit them to buy land comparable to that which they sell. When you consider that their land is of the finest farm land, this is not an unreasonable request.

Another concern is expressed by those who own lake-front property. They would like to see the restrictions placed on the buffer zone around the lake enforced by the county governments of Ashe and Alleghany Counties rather than by the Appalachian Power Company.

It is further desired that a firm commitment be made both by the State of North Carolina and the Federal Highway Commission for an extensive road building and road improvement program for the area. This would insure that the proposed state park and lake are made more easily accessible as tourist attractions for those who travel the scenic Blue Ridge Parkway and for local residents who wish to enjoy these facilities. Dollars spent on such roadways would be a good investment for these roads, would do a great deal to insure development of the area and provide a boost to the local economy.

The residents of Alleghany County have expressed great concern over the tremendous drawdown proposed for the lower reservoir which Alleghany County borders. It is proposed that the drawndown amount to the astonishing figure of 40 feet! This practically eliminates development around the lower reservoir and certainly limits the possibility of its being used for recreational purposes. It is urgently hoped that this drawdown be reduced to one-half of what is presently proposed.

It is further believed that special emphasis should be placed on reducing pollution downstream by those responsible for this condition so that fewer and fewer quantities of fresh water will be required from the storage area upstream for the purpose of flushing out pollution. Also, a fair share of the responsibility of flushing pollution from the Kanawha River should be shouldered by those causing the condition.

If such pollution is eliminated, we can look forward to a time in the not too distant future when this reservoir will be a beautiful lake for development of recreation in the forms of boating, fishing, swimming, etc., rather than a mudhole for tadpoles. One-half of the proposed drawdown will insure this, and consequently, I am in full agreement with the residents of Ashe and Alleghany Counties in their insistence on this point.

If you authorize the building of these dams, I beseech you gentlemen, to honor the simple and humble requests of these proud and hard-working mountain folks whom I am honored to represent in this Congress.

Respectfully submitted.

WILMER D. MIZELL,
Congressman, Fifth District,

HUNGER IN AMERICA

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. TIERNAN. Mr. Speaker, today's article in the New York Times on "Hunger in America" points out that "by some official estimates there are at least 6 to 9 million Americans for whom hunger may be almost a daily fact of life."

I only hope that my colleagues are following this highly enlightening series. It is to our ultimate benefit as a Nation that we begin to address ourselves to the scope of this problem:

HUNGER IN AMERICA: MISSISSIPPI DELTA

(By Homer Bigart)

YAZOO CITY, MISS.—"They aren't starving, really, but they are undernourished as hell."

Dr. Aaron Shirley, a Jackson pediatrician and civil rights leader, made this diagnosis during a recent visit to Negro homes in the Delta.

The degree of hunger among Delta Negroes has been a political issue ever since April, 1967, when Senator Robert F. Kennedy of New York and Senator Joseph S. Clark of Pennsylvania toured the Delta and reported that many people were "slowly starving."

Indignant denials came from the white establishment. The general response was "we treat our niggers fine," Dr. Shirley recalled. Gov. Paul B. Johnson Jr. reportedly described as "fat and shiny" every Magnolia State Negro that met his eye.

The issue flared up anew after a team of doctors headed by Dr. Raymond M. Wheeler of Charlotte, N.C., reported to the Southern Regional Council a widespread and "desperate" need for food and medical care.

The Federal food programs were not only inadequate, they said, but were run by local authorities with flagrant political or racial bias. The doctors' indictment was harsh: "It is unbelievable to us that a nation as rich as ours, with all its technological and scientific resources, has to permit thousands and thousands of children to go hungry, go sick, and die grim and premature deaths."

Though many people may think first of Mississippi when the subject of hunger comes up, the state actually has a good record of participation in Federal food programs. Every one of its 82 counties is enrolled in either food stamps or direct commodity distribution, a better record than New York, where six counties (Sullivan, Rockland, Putnam, Chenango, Ontario and Otsego) do not participate and have no plans for joining the food programs.

Nor are the Delta counties the hungriest in the land. Stomachs of reservation Indians are probably emptier more often than stomachs of Delta blacks.

No one knows how many Americans are chronically hungry. The best educated guess comes from Dr. Thomas E. Bryant, assistant director of the Office of Economic Opportunity for Health Affairs.

According to Dr. Bryant, there are 12 to 15 million "hard-core poor." The "hard core" are defined as those families with an annual income of less than $2,000, based on a family of four. Since the Department of Agriculture estimates that a family of four must spend $1,284 for an adequate diet, Dr. Bryant concludes that a family earning less than $2,000 would find it impossible to buy enough food to meet minimum nutrition standards after meeting other essential human needs.

At present, the food programs of the Department of Agriculture reach about 6,333,000 persons, many of whom are better off than the "hard-core poor." So, by some official estimates there are at least six to nine million Americans for whom hunger may be almost a daily fact of life.

NEWSPAPERS COVER WALLS

It was cold and rainy the day Dr. Shirley led a visitor into a back-street shack where a Negro couple and several children were huddling at a fireplace. Most of the windows were plugged with cardboard, which rattled dismally against the wind and rain; old newspapers covered the walls.

Eight children were counted in the room and Dr. Shirley, poking carefully into a pile of ragged, musty quilts, found two more infants asleep in the bed. He said the woman had given birth to triplets four months before; one died at birth, and one of the survivors had nearly expired of diarrhea and was just back from a Jackson hospital. The infant was almost certain to get diarrhea very soon again under these living conditions, the doctor said.

The family was unable to get on the welfare rolls because the husband was considered able-bodied. He earned $100 last month, but now, in midwinter, there was no farm work available. The family had nearly used up its food stamps, all that was left was sweet potatoes, condensed milk and grits, the mother said.

Dr. Shirley examined the babies, calling attention to the lack of subcutaneous tissue on their tiny arms and legs. "They need protein, calories and iron," he said.

"Too many people sleeping in that bed," the woman muttered from the fireplace.

"If I can run across a baby bed, I'll get it to you," Dr. Shirley promised.

BUDGET IS DESCRIBED

In another shack, where daylight could be seen through a corner rathole, a mother with seven children, living on social security payments of $95.40 a month, described her budget. She had to make a cash contribution of $38 to obtain $96 in food stamps and "I run out of food in the third week." Her rent, she said, was $16 a month, plus $5 or $6 for gas, plus $8 for lights and $3 for water. That left about $25 for all other essentials—clothes, soap and supplemental food to get eight people through the rest of the month.

Occasional housework for white families paid $3.50 to $5 a day, she said, then she had to hire a baby sitter. Baby sitters charge 50 cents a head, and with four children under six years that would come to $2, leaving $1.50 to $3 for the day's work.

"If you could get a job would you work?" Dr. Shirley asked.

"I sure would," said the mother emphatically. "I never want to be on welfare, period."

"That's the tale you always hear in town: 'They don't want to work,'" Dr. Shirley said.

Negroes who get sick in Yazoo City are sent to the Afro-American Hospital, a county-supported institution that cannot afford a pathologist nor even a laboratory technician.

There, Dr. Cyril A. Walwyn, the director, contended that hunger in the Delta was not decreasing, as most whites insisted; he had seen too many pot-bellied worm-infested youngsters.

"I feel they are slowly starving," he said. Dr. Walwyn was one of the six doctors who wrote the Delta hunger report.

"I have a quarrel with the welfare people," he continued. "They just don't care. Often they show a patronizing attitude toward the poor. If I am not as suppliant and cringing as they think I should be, they won't give me help."

Driving back to Jackson, Dr. Shirley said: "Black people have changed. A lot of the old fear is gone. But people are still dying unnecessarily of disease and poor nutrition has contributed to their dying."

CHANCES ARE DIMINISHED

"A baby's chances of recovering from pneumonia or severe diarrhea are diminished considerably if he's undernourished. So this kid will die, and its listed on the death certificate as diarrhea. Now, this kid didn't starve to death. But if he'd been in fairly good nutritive status he wouldn't have died."

Dr. Shirley said he had seen people eat almost anything they could chew, including tar from telephone poles—"they say its good for the gums"—and even clay. Pregnant women, especially, would pop a piece of earth in their mouths, explaining they "had a taste for it."

"And they might get some essential minerals out of it," he said.

Describing the plight of thousands of Delta families displaced by the mechanization of cotton plantations, Dr. Shirley said he sometimes wondered if Negroes were not better off in slavery days.

"In open slavery times human life was of some value," he mused. "If master paid $100 for a man he'd see that his property was well taken care of, just like a prize bull. But now the black people are no longer on the plantations. There is no feeling of responsibility toward them, no need to help them."

Dr. Shirley, as head of Mississippi Action For Progress, a Head Start program, recently received $106,000 from the Office of Economic Opportunity to provide free food stamps for the desperately poor of three counties—LeFlore, Scott and Claiborne—where the situation was called "critical."

But he accused the state Welfare department of trying to frustrate the effort by refusing to accept checks in payment for the stamps, even though the checks were backed by special cash deposits in the county banks. Meanwhile he had helped some families out of emergencies by giving them cash.

The main complaint about the Federal food programs in the Delta was that they simply were not reaching the most desperately poor.

MYSTERY FINALLY SOLVED

Even though the minimum cash investment for food stamps by the poorest families—those with an income of less than $20 a month—had been reduced from $2 to 50 cents, there were still hundreds of families that couldn't raise 50 cents.

It had taken former Secretary of Agriculture Orville L. Freeman several years to solve the mystery of why the number of participants in food programs always dropped sharply whenever a county switched from free distribution of Federal surplus commodities to food stamps. Finally, some of his aides went to Mississippi and brought back the startling news: "There are families existing with no discernible income."

Today, families in the food stamp program complain that the amount of monthly food they obtain usually is exhausted after the third week. A board of inquiry headed by Dr. Leslie W. Dunbar, executive director of the Field Foundation, and Dr. Benjamin E. Mays, president emeritus of Morehouse College, and sponsored by the Citizens' Crusade Against Poverty, an organization with the backing of the United Auto Workers, reported a year ago that the money value of the stamps fell "consistently and deliberately below the amount necessary to secure a minimally adequate diet."

This indictment was substantiated last month when a preliminary report of the National Nutrition Survey, the first scientific attempt by the Federal Government to measure malnutrition in the United States, called the food programs inadequate.

In Greenville, Mrs. Frances Young said she had to feed herself and nine children on $118 worth of food a month purchased by stamps for which she paid $33. Her monthly income was $55 from Aid to Dependent Children, plus $50 sent by her elderly daughter in Detroit. Total, $105.

Rent took $25 a month, she said, and bills were overdue for gas, electricity and water. She had doctor bills totaling $233.

AGED LIVE IN CABINS

"I can't feed this family," said Mrs. Young despairingly. "We have pinto beans and bread. That's all for supper."

"And this here's what I'm sweeping with," she said, wrathfully snatching up a stringy broom worn down to a final clutch of straws.

But at least the Youngs were better off than some aged and lonely Negroes that remained in rural cabins after their youngsters had gone North to find work. The only nursing home for Negroes in the area burned down on Jan. 18, killing seven of the aged and destitute, including an old woman who had been restrained by chicken wire because she was senile.

The whole town was shocked, but no one, white or black, could find it in his heart to blame Carrie Weaver and her husband Wash, who ran the firetrap. After all, the victims had no other place to live.

Wash Weaver told of finding old Ann House, who must have been 80, he said, lying helplessly in her cabin, wasted down to 100 pounds because no one had brought food.

"She must have been layin' on the floor for days," Wash Weaver said. "I had to cut her clothes off with a knife."

Mrs. House was one of the fire victims.

Down in Isaquena County, one of the poorest counties in the Delta, Mrs. Unita Blackwell, a leader of the Freedom Democratic Party, said a few more commodities had become available under the direct distribution program but that people still weren't getting a balanced diet from the free surplus foods. (The Agriculture Department offers each county a choice between a free but very limited commodities distribution and the stamp program; no county can have both.)

Mrs. Blackwell was worried about the children.

"Grown folks have been hungry a long, long time," she said, "but the kids just got here and we don't want them mixed up with blood disorders. If you can't get enough food, your brain won't work."

There are two developments in the Delta that promise better times.

A distinguished biracial group of Mississippians, including Dr. Temple Ainsworth, former president of the State Medical Association, and the Right Rev. John Allin, Protestant Episcopal Bishop of Mississippi; Dr. Robert E. Carter, dean of the Mississippi School of Medicine, and Dr. Albert B. Britton, a leading Negro doctor in Jackson, have proposed Federal funding for a crash program to lower the infant, maternal and child mortality rates in five Delta counties.

Delta counties have a history of the highest infant mortality rate among Negroes in the country—72.7 per 1,000 live births in 1965. The maternal death rate among Negroes was 25.1 in the same year.

The biracial committee proposes as a "short-term objective" a 20 per cent cut in the excessively high infant, maternal and child mortality rates in the five counties—Sharkey, Issaquena, Holmes, Humphreys and Washington in the first year. Health services in the counties would be strengthened, scores of midwives and health aides trained and sanitation improved. The committee asked the Federal Department of Health, Education and Welfare for $3,405,000.

Some Negro leaders, including Dr. Shirley, have criticized the project, saying it would be dominated by whites. The committee is composed of five whites and four Negroes.

PROJECT IS EXPANDED

The other development is the further expansion of the Tufts Delta Health Project, sponsored by Tufts University, in Bolivar County.

Convinced of the "enormous futility" of trying to tackle health problems without changing other aspects of Delta life, such as housing, employment and education, Jack Geiger, director of the project, and other leaders, are now helping Negroes operate a farm cooperative, rebuild houses and plan Negro enterprises.

With guidance from the Government of Israel—Zev Barash, representative of Histadruth in New York City, has sent several Delta Negroes to Israel to study farm cooperatives there—the project has formed the Northern Bolivar Farm Cooperative, which last year grew over a million pounds of produce on rented land. Starting with 120 acres, the cooperative hopes to expand to 500 acres this year.

CANNERY FOR "SOUL FOOD"

There are tentative plans for a $400,000 cannery that would process "soul food" for the ethnic market, such as collards, gumboes and mustard greens.

Meanwhile, Dr. Roy Brown, associate professor of pediatrics and preventive medicine at Tufts, and Dr. Florence Halpern, a psychologist from New York, are surveying the medical and social backgrounds of 400 Negro children up to age three.

Dr. Brown and Dr. Halpern are convinced that Negro children brought up in the Delta already suffer brain retardation because of crushing poverty before they are old enough—three—to enter the Head Start programs.

"One of the things that pulls them down is the lack of verbal stimulation at home," Dr. Brown said. "Perhaps we should bring them into Head Start programs at three months, instead of three years."

THE AMERICAN CANCER SOCIETY MARKS START OF 55TH YEAR

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. MINISH. Mr. Speaker, we stand today at the threshold of the 21st century. Modern technology has enlarged the scope of our lives and has brought us to the brink of super sophistication. Through our mastery of science, we foresee the creation of the very best environment in which man can live, and we strive now to offer the good life to all our people. A very important part of this search for the ideal existence is man's fight against disease.

It is universally understood that all the discoveries of man will not make life beautiful without the gift of health. Without health, the individual cannot appreciate nor enjoy the environment which his skills have created. Thus, public health is as much a concern of government as it is for the research specialist who seeks the answers to still unsolved medical problems.

A campaign that has been waging for many years is that of cancer control. As in other fields of discovery, we have accomplished much. One in three lives attacked by cancer can now be saved. Uterine cancer deaths, once the chief cause of cancer death in women, have been reduced by 50 percent. It is now known that lung cancer is a largely preventable disease since most lung cancer is caused by cigarette smoking. Surgery, radiation, and chemotherapy are now able to reclaim lives which only a short time ago would have been lost to cancer.

But sadly, the task is not completed nor do we see a conquest immediately in sight. There are still long hours of research yet to be conducted, new controls yet to be established against this disease. The American Cancer Society, a nonprofit volunteer organization beginning its 55th year in the service of the public, is in the forefront of the struggle.

Making those stricken with cancer as comfortable as possible is a major task of the American Cancer Society. The New Jersey Division, a most active arm of the national organization, has the support of more than 50,000 volunteers. In order to aid cancer patients, the Division has organized a homemaker service, nursing service and a motor corps to transport patients to doctors and clinics. The Division also offers payment of medications and treatments for medically indigent patients. For those cured cancer patients, there is a rehabilitation program designed to aid the individual in his readjustment.

Yet another phase of the Society's program is that of public education. The ultimate conquest of cancer will come from discoveries of ways of preventing the disease. Until that day, we must rely on early discovery and proper treatment to effect the recovery of those with cancer. In this respect, the public education program of the Society is perhaps the most important, for by teaching people cancer's seven warning signals and by encouraging annual physical checkups, the Society is assisting the medical profession in combating the disease in the best possible way.

An essential phase of the New Jersey Division's public education program is the annual George E. Stringfellow Cancer Editorial Contest which has been conducted since 1947 and is named for the first president of the Division. The support that the Division receives from the State's newspapers is incalculable, for by contributing an original editorial on the subject of cancer control, the press is able to bring the topic of cancer to the forefront of public awareness.

Armed with cancer facts, people can act to protect themselves and lower the cancer toll. The New Jersey Division is grateful to the press for its continued support of the contest and proudly announces the winners of the 1968 George E. Stringfellow Cancer Editorial Contest.

In the daily category the winner is "Why Die Needlessly?" written by Mr. Frank Hires, of the Atlantic City Press, Atlantic City, N.J.

First place in the weekly category is "Not With Statistics," written by Mr. Marlin S. Morgan, of the New Jersey Herald in Newton, N.J.

The editorials follow:

WHY DIE NEEDLESSLY?

(By Frank Hires, Atlantic City Press, first-place winner, daily)

"Of all sad words of tongue or pen, the saddest are these: 'It might have been.' "

Stating it negatively, about 100,000 Americans will die this year of cancer—many of them quite needlessly.

They just won't do anything about it.

One of the most valuable services rendered by the New Jersey Division of the American Cancer Society is the emphasis it places on public education and information.

It stresses the Society's message that having cancer does not necessarily mean one is going to die. Thousands and thousands of persons could be saved if they simply sought early diagnosis and treatment.

Cancer can be cured, but it's not the sort of thing of which you can say, "If I just ignore it, maybe it will go away."

It won't.

The widespread antipathy to obtaining medical treatment in cases of suspected cancer has caused the Cancer Society to conduct a public opinion survey to find out how people regard cancer and the idea of a yearly checkup.

Naturally, important as this information and warning system is, it is not all that the Cancer Society does.

For a few examples, here in New Jersey, the Division's 21 county chapters during the past year made nearly a million cancer dressings for more than 2,000 patients, provided transportation for more than 400 patients, paid for more than 2,000 Visiting Nurse Association visits, paid for medications for nearly 900 persons and provided rehabilitation services for nearly 900 patients.

All this, plus a professional education program and various other services, costs a lot of money. The Society is presently carrying on its annual drive for funds, and we can think of no better investment than whatever number of dollars you can give.

Remember, also, that the Cancer Society wants you to keep in touch with your physicians, just in case you might have developed cancer. So far as we know NO ONE is immune.

We hope the test shows up negative, and we hope you remember to contribute. You'll be helping someone.

And as the safety experts tell drivers—the life you save may be your own.

NOT WITH STATISTICS

(By Marlin S. Morgan, New Jersey Herald, first-place winner, weekly)

Except to accountants and editorial writers striving to make points, statistics are boring. Figures are cold and meaningless because, for the most part, they fail to relate intimately to the human beings they represent.

For instance, these are statistics:

Currently there are about 22,000 cancer deaths annually of patients aged 15 to 44. Cancer is the leading cause of death among women aged 30 to 54. More than half of all cancer deaths last year were among persons over 65. More men than women died of cancer last year, and this has been the case since 1949. The ratio in 1968 will be about 55 men to 45 women. This year cancer will take the lives of approximately 4,500 children under the age of 15. More than 50 million Americans now living will eventually have cancer.

Those are the negative statistics. Then there are the positive statistics:

About 200,000 Americans will be saved from cancer this year. In the early 1900's few cancer patients had any hope of cure. In the late 1930's fewer than one-in-five was being saved; today the ratio is one-in-three. There are 1.4 million Americans alive today who have been cured of cancer. An additional 700,000 cancer patients diagnosed and treated within the last five years will live to enter the ranks of those who are cured.

These statistics, all supplied by the Sussex County Chapter of the American Cancer Society, give us a calculated picture of what the dread disease is doing to our population. And if you stop and analyze the figures, you will find that the picture is not all black, that there is hope.

But all this tends to leave one cold and disinterested. It is when you start to think of cancer in connection with your loved ones and yourself that the message really reaches home. It becomes meaningful when you stop and think of the number of people yon know personally who are suffering from cancer; when you think of the members of your family who have died from cancer. These are not statistics; these are people who lived and loved, laughed and cried, and who, in one way or another, touched your everyday life.

And when you move cancer from the statistical to the personal, you become conscious of an implacable—but not insurmountable—foe. Then the fight takes on a personal meaning, and one is spurred to enter the fray personally.

The front line of defense is your local Cancer Society Chapter, where your funds to aid in research and education are needed and your services as a volunteer will be welcomed with open arms. At Chapter headquarters, 113 Spring Street, you can convert your personal feelings into personal action. The Society can't fight cancer with statistics, but it can with the financial support and personal aid of all of us.

NIXON CONVINCING IN TELEVISED CONFERENCE

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following column written by Richard Wilson:

NIXON CONVINCING IN TELEVISED CONFERENCE

President Nixon obviously has nothing to fear from televised news conferences. There was no reason to suppose that he would show up unfavorably in this media which he knows how to use effectively to establish regular communication with the American people.

The appearance of candor and rationality, coupled with granting the honest intentions of questioners even when they may seem hostile, mark the difference between a convincing and an unconvincing press conference. Nixon, gaining from long experience, lacks nothing in these respects.

There will come a time when he will have to say more but for a while, if he does not have all the answers, he cannot be accused of evasion or dissembling. What the President obviously knows for sure is that he must appear to be telling as much of the truth as the national interest will permit. He has scored high in this respect also, not hiding his reason for holding off on ratification of the nuclear nonproliferation treaty and the beginning of talks on missile limitation, nor his continued opposition to admission of Red China to the United Nations.

The President's vagueness on methods of curbing crime and halting inflation are understandable at this stage, but it came through clearly enough that he will do something in both fields.

Nixon's predecessor has revealed in writing a farewell analysis of his administration for the 1969 Brittanica Book of the Year what he now realizes was a shortcoming of his administration.

Ex-President Johnson says that if he had it to do over again he would try "to establish better rapport with the communications media." Actually it was not for lack of trying to get his story across through the communications media. No president ever tried harder.

* * * * *

Nixon on the tube and off the tube are about the same, and so there will be no trouble in this respect; the "real" Nixon goes on television, not a distorted facsimile. The same qualities which make Nixon persuasive in his realism at small gatherings or in face-to-face discussions are visible on TV. If, in the end, he fails to communicate it will not be because there is some other Nixon imprisoned somewhere in the works of the TV receivers.

Nixon is much better in this respect than he was during the 1960 campaign. Maturity has been good to Nixon and final victory has given him the assurance he may have lacked at an earlier stage in his career.

With all of Nixon's improved techniques, however, neither an Inaugural Address nor a televised news conference have revealed the lineaments of his policies except in the most general terms.

The "new tactics" at the Paris Peace Conference have not yet become visible; the "fine tuning" of the economy cannot yet be sensed; the new approaches which will cause the Russians to talk about political settlements as well as missile limitation have not been outlined. The City of Washington is hopefully waiting to be made an example for the Nation on how to control crime.

But it was generally judged in Washington, even among Nixon's political opponents, that his measured pace is appropriate and in tune with the times, and most of his prospective critics seem willing to give him plenty of time.

THE CORPORATE FIEFDOM

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. CONTE. Mr. Speaker, one of my constituents, Mrs. William F. Bell, of Lenox, recently brought to my attention a most interesting article about the problems of Appalachia. Because of the importance of the subject matter, I would like to include "The Corporate Fiefdom" by Harry M. Caudill, which was published in the January 24, 1969 issue of Commonweal, in the RECORD:

THE CORPORATE FIEFDOM

(By Harry Caudill)

Bubbling with enthusiasm and filled with grand visions of the impending Great Society, Hubert Humphrey declared during the 1964 campaign that poverty would be driven from America in ten years, and when he signed into law the Appalachian Regional Development Act of 1965, Lyndon Johnson grandiolquently told the 15,000,000 inhabitants of long stagnant Appalachia to take hope. "The dole," he effervesced, "is dead!"

In the last four years life has improved a little for most people in the poverty-plagued Appalachian highlands. Construction of a network of semi-modern highways has been commenced and a string of new vocational schools has been opened for unskilled mountain youths. In Kentucky and West Virginia, poorly supervised works programs—the "happy pappies"—brought some money to empty pockets and new color to the sallow cheeks of many children. Since the advent of medicaid and medicare health standards have improved markedly for thousands of elderly, disabled and dependent people (gains which have been accompanied by many abuses and some shocking debasements of medical ethics).

But in resource-rich Appalachia the dole is not dead and poverty still grips the isolated farms, remote hamlets and shabby towns. The flicker of hope that came in 1964 has died and the old patterns of life continue: the able and discerning flee to the cities and the rest sink into deepening apathy and resignation. And well they may, for the forces that rule their homeland are too powerful and cunning to be resisted. Amid the misery of Appalachian poverty those forces find the meat of prosperity and riches.

The opening words of the report by the President's Appalachian Regional Commission (1964) provide an insight into the territory's vast potential: "Appalachia has natural advantages which might normally have been the base for a thriving industrial and commercial complex. Below its surface lie some of the nation's richest mineral deposits, including the seams which have provided almost two-thirds of the nation's coal supply. The region receives an annual rainfall substantially above the national average. More than three-fifths of the land is heavily forested. Its mountains offer some of the most beautiful landscapes in eastern America, readily lending themselves to tourism and recreation."

Nevertheless Appalachia has enjoyed no normal development of its gargantuan stores of natural wealth. More than 90 percent of its mineral reserves are absentee-owned—held in fee by oil, gas, steel and coal corporations whose principal offices are nearly always outside the mountains. Bought for a pittance in the nineteenth century from ignorant and impoverished highlanders, Appalachian fuels and ores have provided much of America's industrial and military muscle. In the last 85 years, half a trillion dollars worth of raw wealth—coal, oil, gas, limestone, marble, cement rock, copper, iron ore, timber—has been hauled out in a process that brought enormous benefits to the rest of the nation and ever-deepening crisis to Appalachia itself. Today, the huge mineral fields remain in economic and political bondage—fiefdoms of a few score corporations in Pittsburgh, Philadelphia, Baltimore and New York. The extractive industries are practically the only private employers in dozens of counties and, by judicious use of political muscle, manage to control the public payrolls as well.

Eastern Kentucky, the sickest part of sick Appalachia, illustrates with grim clarity the horrible cancer fastened on much of the region and its people by a combination of absentee exploitation and venal government. The map of this once magnificent corner of America is sprinkled with the names of such industrial giants as Ford, International Harvester, U.S. Steel, Republic Steel, Bethlehem Steel, Occidental Petroleum and Columbia Gas. Less famous entities include American Associates, Ltd., Elkhorn Coal Corporation, The Big Sandy Corporation, Virginia Iron, Coal and Coke Company, the Penn-Virginia Company and the Kentucky River Coal Corporation. The two latter companies are almost certainly the most profitable investor-owned corporations in America, retaining as net profit *after taxes* some 61% of gross receipts and paying about 45% of gross receipts to their shareholders.

Great or small, these firms are the masters of Appalachia and their hold on Kentucky is especially tight. The state house and court houses reflect their policies. Governors appoint their officers and friends to the governing and advisory boards of state colleges and to the agencies that manage most of the state's affairs. County Judges appoint their representatives to local taxing bodies—a practice that keeps revenues so low that Perry County is currently paying only 5% of the cost of operating its schools. Well-heeled lobbies dominate legislative corridors so completely that Kentucky's tax structure is a medieval nightmare, totally unbelievable in its oppression of the numerous poor for the benefit of the robber barons. The state levies a 5 percent sales tax on food, clothing, medicines, fuel, building materials, coffins—on every item the ordinary citizen uses between the cradle and the grave. But it exempts diesel oil for locomotives, concrete blocks for oil and gas, and all coal burned in the colossal steam plants operated by T.V.A. and electric power corporations and co-ops! Thus it shamelessly taxes bread for little children and exempts coal for big power plants. It applies to family automobiles and farm trucks but exempts bull-dozers, power-shovels, augers and "continuous miners" used by the coal industry, some of which sell for hundreds of thousands of dollars. The Kentucky tax-collector's net was woven with immense ingenuity to catch the little fish and let the big ones swim safely through its meshes.

Senator Lee Metcalf of Montana has introduced a bill that would correct many of the grotesque tax inequities that have plagued Appalachia for so long. The measure would levy a federal severance tax on all minerals mined in America with full credit allowed the taxpayer for severance taxes paid to the states. Since each state would surely impose severance taxes under these circumstances, the legislation offers a huge windfall to Appalachia. Under it, for example, West Virginia would collect about $45,000,000 annually and Kentucky would receive about $25,000,000. But the governors and U.S. Senators of these states have said no word in support of the proposal.

Eastern Kentucky is still the domain of laissez faire where nineteenth century indifference to human welfare reigns unchecked and, apparently, uncheckable. Profits are habitually placed above lives—a concept that has strewn the land with widows and orphans and made the funeral business a lucrative one indeed.

Practically everyone connected with coal—the president of the United Mine Workers, spokesmen for industry, the Interior Department—pointed out that mining is always perilous and that tragedies such as the Mannington, West Virginia explosion must be expected from time to time. Notwithstanding, mine safety became an issue which required some display of interest, so much so that Kentucky's Governor Louie Nunn (who has shown somewhat more interest in mine safety than either of his last two predecessors) invited Ralph Nader, a serious critic of hazardous underground working conditions, to meet with him for a discussion of the situation. But all alike disclaimed any direct responsibility for lax safety laws and the sustained failure to close dangerous pits.

Explosions are dramatic and deadly but the great enemy of miners is silent and hidden. It is dust from coal, sandstone and shale—dust that can coat a man's lungs with mortar-hard deposits, etch them with scars, pit them with sores and turn them a ghastly black. Mining dust produces silicosis and pneumoconiosis (black lung) and turns men into choking, wheezing, agony-wracked relics. There are between 80,000 and 100,000 of such disabled men in Appalachia and twelve thousand or more of them live in Kentucky. This scandal of American industry is all the worse because so little has been done to prevent it.

Insofar as the dust content of the air is concerned, U.S. safety laws do not apply to the "working face," leaving this critical area to the mercies of state-appointed, company-approved inspectors. Consider what happens here when a giant, $100,000 continuous-miner rams its rotating teeth into a five-foot seam of coal and the bands of sandstone and shale that striate it.

Amid an unearthly screech and din the mineral is clawed from the seam, sending it on a conveyor belt to "shuttle cars" lined up behind the miner. The operators of the machine wear electric lamps on their helmets and the machine sprays a screen of water before it, but in moments clouds of boiling dust turn the room as dark as a cave. The brilliant lamps glow a dull yellow, then fade to dim spots of lesser darkness. The sweating men turn black as the coal they mine and the respirators they wear over nose and mouth quickly choke with dust. As the workingmen grope for the controls they shove the respirators aside and gulp in air and death. Nostrils and mouths fill with the fine grit as foremen push them to meet production schedules. The toll is terrible. Dr. I. E. Buff, a cardiologist of Charleston, West Virginia, believes that at least 50 percent of the nation's miners suffer disability from this industrial scourge. Dr. Jan Lieben, formerly Director of the Pennsylvania Division of Occupational Health, has expressed the opinion that a thousand miners are dying of black lung each year in Pennsylvania alone.

Dr. Lorin E. Kerr of the United Mine Workers' Health and Welfare Fund concurs with these breath-taking estimates!

Once contracted, these dust diseases have no cure and virtually, any degree can be totally incapacitating. Only prevention offers any hope at present. Yet neither the rich mining industry, the miners Union (with more than $83,000,000 in its treasury and another $185,000,000 in its Health and Welfare Fund) nor any agency of State or Federal Government has made any serious, sustained investment in research in this vital field. Little Belgium is currently spending much more money than the U.S. investigating prevention and treatment of miners' lung diseases. Great Britain and the Common Market countries combined are devoting fifteen times as much capital to the problem.

It is certain that miners close to the dusty coal face ought to wear air-tight helmets similar to those used by divers, with air pumped to them from safe areas. But as the coal fields fill with dying men and the welfare rolls balloon to support them and their families, H. N. Kirkpatrick, a mine operator who is also Commissioner of Kentucky's Department of Mines and Minerals, spoke for the industry when he told a mine safety conference in Washington on December 12: "Present laws are basically sound." He heaped fulsome praise on mining companies and urged that no hasty steps be taken for fear of their "economically destructive" impact on the industry. Apparently dying miners are quite acceptable, but lessened profit sheets are altogether unbearable.

In eight years as head of the Department of the Interior, whose Bureau of Mines enforces federal safety laws, Stewart Udall witnessed the ruin of thousands of soft-coal-miners. As uncertain a lance as ever entered the lists, he finally, in the last months of his administration, recommended some tightening of the 1952 U.S. Coal Mine Safety Act.

DECENT WAGES AT LEAST

But if Kentucky's large, mechanized mines are dusty and deadly, they at least pay a decent wage under terms of a union contract. Many small "truck mines" hold their poor, unorganized and helpless employees in peonage. The state has a "compulsory" workmen's compensation law which is blandly ignored by scores of operators. When one of their employees is crushed by a slate fall there is nothing for him or his dependents except the humiliation and near-starvation of public assistance. A good many clever operators, however, have managed to carry a sort of grotesque "compensation in reverse." The policies insure the lives of their miners with the company named as beneficiary! Then a slate fall can be both a blessing and a curse. When Clabe Stacy was killed in Perry County, his widow and 16 children were paid $4,000 by the operator—out of the proceeds of a $10,000 policy. And when Pete Enfuss was killed in Letcher County his employer collected $13,500 but paid the widow a mere $4,400. (See Civil Action No. 2847, Letcher Circuit Court, Whitesburg, Kentucky).

Historically, the state's Commissioner of Labor has taken no action to close mines operating without compensation insurance policies. The lame excuse offered for such inaction is the claim that the agency does not know which mines are failing to maintain the insurances. I once pointed out to a Commissioner that existing law requires each operator to file with the Department of Labor notice of his insurance coverage and to obtain from the Department of Mines and Minerals a permit to operate. The two lists, I suggested, could be occasionally compared. However, such comparisons have not been made.

The United States now claims an ever-growing share of the world's coal market while other countries close mines in order to divert their workmen to more desirable tasks. Much of this cheap coal comes from the Appalachian hills in a half dozen states. There the ghastly bill for this industrial and commercial "success story" mounts inexorably. It is manifest in worn, crippled men on canes and crutches, their pale pinched faces peering from the windows of sagging shacks. It stares out of the vacant eyes of hundreds of people lined up at the first of each month to cash welfare checks and receive "food stamps." It springs from regional statistics that chart declining school enrollments, dwindling birth rates and sustained out-migration. It wells up in the dark eyes of Mrs. Clabe Stacy and it rattles in the convulsed coughing of derelicts who only yesterday were diggers of America's coal.

In America, governments have become big business indeed, but not nearly big enough to divorce themselves from an unholy alliance with the mining industries they are sworn to regulate and police. And until they are big enough and determined enough to assure justice and safety to miners and their communities both, poverty and the dole will remain integral parts of Appalachian life while many administrations come and go.

LITHUANIAN INDEPENDENCE DAY

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. GALLAGHER. Mr. Speaker, last Sunday, the 16th of February 1969, the people of Lithuanian descent in the United States and around the world celebrated a day full of special hopes and special memories. That day was the 51st anniversary of the declaration of Lithuania as an independent nation.

Regrettably, Lithuania no longer basks in the sunshine of freedom; the dark cloud of naked Soviet imperialism has blackened her land.

The Linden branch of the Lithuanian American Council has been kind enough to send me a letter and copy of resolutions adopted in commemoration of past liberty and condemnation of current enslavement. I am privileged to enter these important documents into the RECORD at this point:

LITHUANIAN AMERICAN COUNCIL,
LINDEN BRANCH,
Linden, N.J., February 9, 1969.

Hon. CORNELIUS E. GALLAGHER,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN GALLAGHER: On Sunday, February 16, 1969, Americans of Lithuanian descent all over this country, will observe the 51st anniversary of the formal declaration of Lithuania as a free nation by the Council of Lithuania, in Vilnius.

This anniversary is of deep significance to all who hope that Lithuania eventually will again reestablish her former place among the free and independent nations of this world.

In commemoration of this 51st anniversary, members of the Lithuanian American Council, Linden Branch, meeting on February 9th unanimously adopted resolutions of which a copy is enclosed.

May we again express our gratitude and appreciation for your past efforts directed toward the eventual restoration of Lithuania's freedom. We would be very grateful if you would continue to remember us and our cause in the future.

Respectfully yours,
VLADAS TURSA,
President.

RESOLUTIONS

Unanimously adopted on February 9, 1969, by the Lithuanian Americans of Linden, N.J., gathered under the auspices of Lithuanian American Council, Linden Branch, for commemoration of the 51st anniversary of the declaration of Lithuania's independence

Whereas February 16, 1969 marks the 51st anniversary of the declaration of Lithuania as a free and independent republic; and

Whereas Lithuania, the country of our ancestors, once an independent and flourishing republic, recognized and respected by the world's major powers, was invaded and occupied by the Soviet Union in 1940, to this day its people enslaved and subjugated; and

Whereas commemorating the 51st anniversary the feeling of many Lithuanian Americans may well be guided by the words of our President, Richard M. Nixon, expressed in his inaugural speech, that "No man can be fully free while his neighbor is not—to go forward at all is to go forward together"—Therefore, be it

Resolved, that we hereby reaffirm our determination to continue to carry on the effort whereby Lithuania once again shall regain her freedom and rightful independence; and

Resolved, that it is our hope that the representatives of our Government will firmly continue to maintain the policy of nonrecognition of the incorporation by force of Lithuania in the Soviet Union; and

Resolved, that the Government of the United States be requested to take appropriate steps through the United Nations and other channels to reverse the policy of colonialism by Soviet Russia in the Baltic States and bring about re-examination of the Baltic situation with the view of re-establishing freedom and independence to these three nations; and

Resolved, that copies of these resolutions be forwarded to the President of the United States, His Excellency Richard M. Nixon; to the Secretary of State, the Honorable William F. Rogers; to the United States Ambassador to the United Nations, the Honorable Charles W. Yost; to the United States Senators of New Jersey, the Honorable Clifford P. Case and the Honorable Harrison A. Williams; to the Representatives of the Twelfth and Thirteenth Congressional Districts of New Jersey, the Honorable Florence P. Dwyer and the Honorable Cornelius E. Gallagher, and to the Governor of New Jersey, the Honorable Richard J. Hughes.

VLADAS TURSA,
President.
MARGARITA SAMATAS,
Chairman of Resolutions Committee.

OUR FOREIGN AFFAIRS MACHINERY

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. RUMSFELD. Mr. Speaker, the institutions of the U.S. Government must continue to adapt to meet the demands of our constantly changing world. Increasingly, one hears the suggestion that there has been a lack of coordination and direction of America's foreign policy. However, before changes of significance are contemplated, careful thought, and study should be given to the impact which might occur whenever a change is undertaken. Fortunately, there has been a great deal of study regarding the Department of State.

It is refreshing to note that Mr. Lannon Walker, a young, and obviously able Foreign Service officer, has written an article, "Our Foreign Affairs Machinery: Time for an Overhaul," in the January 1969 issue of Foreign Affairs.

Mr. Walker's call for reform, and his ideas on how to implement the necessary reform are timely and certainly deserve the careful consideration of the administration and the Congress.

The article follows:

OUR FOREIGN AFFAIRS MACHINERY: TIME FOR AN OVERHAUL

(By Lannon Walker)

Recommendations for fundamental reforms in the organization and administration of foreign affairs have been made by high-level committees and task forces on the average of every two years since World War II. Despite the near unanimity of diagnosis, little has been done to deal with the serious problems uncovered; they are still with us, unsolved and debilitating.

Today, the nation may at last be compelled to face up to these problems. The advent of a new Administration, both popular and Congressional disenchantment with the results of America's involvement in the world over the last two decades, and the growing sentiment that we must put our domestic house in order as a matter of first priority, all suggest that the country can no longer afford the inefficiencies which too often have characterized its foreign programs in an era of rising budget curves.

The solution to these problems is not simply "new policies." Foreign affairs are the result of a dynamic interaction among domestic politics, the budgetary process, the foreign policies of other nations, the constraints imposed by the organization of our foreign affairs and the abilities of the people who make up and run that organization. The objects of reforms, thus, become the hierarchy within which decisions are made, the linkages between our objectives abroad and the budget, the way information is handled or mishandled, the manner in which people are organized and their talents developed; these are managerial rather than policy problems.

The reform agenda for 1969 is already apparent. The Chairman of the Senate Foreign Relations Committee has proposed another public commission to take a fresh look into the foreign affairs process. A group of Republican Congressmen has recommended that a new Hoover Commission be appointed to reexamine the entire structure of the Federal Government. The Brookings Institution and the Institute for Defense Analyses, the campaign task forces and other groups have been examining these problems for months past. And so have the professionals in foreign affairs, the men and women most intimately acquainted with the strengths and weaknesses of the institutions they serve. Their own recommendations are a matter of public record.[1]

So political pressures and ideas for reform have again converged. Only the President, however, has the power to begin the process of change. He must begin immediately after January 20, taking full advantage of those precious "hundred days," or run the risk of being captured by the pressure of other crises as well as by the inertia of the system itself. What should the new President and his Secretary of State be looking for? What are the key problems, solution of which will give them the leverage they require if they are to take control of foreign affairs?

There are two basic problems facing the new Administration: one is organizational, the other involves people.

II

The foreign affairs community today is an "antiorganization." In the years after World War II, successive administrations created new agencies to meet new problems, while established agencies sent representatives abroad for the first time in response to the growing commingling of domestic and foreign affairs. There are, for example, 23 agencies crowded under the umbrella of the American Embassy in Paris, each persuaded that it represents the national interest, many often at cross-purposes with the activities of an agency down the hall. In mid-1968 there were reportedly 56 agencies represented at one or more posts abroad.

This proliferation of foreign affairs agencies and programs since World War II has not provided past Presidents, and will not provide the new President, with the organizational benefits normally associated with decentralization. On the contrary, because the structure has no effective central planning mechanism, because there is no integrative catalyst—other than the President himself—because there is no method for assuring that all resources, all relevant data, insight and expertise are brought to bear on a given problem, the next President will often find himself listening and reacting to the most persuasive (and sometimes merely the loudest) of his advisers.

It will be protested that the system has worked. But at what price? The decentralization of agency budgets—as one example—has led each agency and each program to cry "wolf" at budget time, although in fact the total resources allocated to foreign affairs over the past twenty years should have been sufficient to carry on the nation's business abroad. Instead, opportunities were missed in important bilateral relations, surpluses going to waste in one area while crucial needs for the same goods and services were unfulfilled next door. It is not that the nation's resources have not been properly allocated—they haven't been allocated, distributed and used in a rational way at all. How can the nation do a better job, with fewer resources?

It is neither possible nor advisable to shoehorn all of our programs abroad into a single Department of Foreign Affairs. The disruption of people and the distortion of many legitimate interests would be too great a price to pay for the resulting symmetry. It is possible, however, to get at the real problem—which is not the existence of many agencies with many functions, but rather the way in which their efforts are marshalled in a manner consistent with the national interest.

This organizational dilemma adds up to a crisis of leadership. Or to turn it around, all of these problems could have been solved through effective leadership. Between the end of World War II and the mid-1960s, Presidents attacked the question of leadership in foreign affairs in a variety of ways. During the 1950s there was an attempt to center the coordination of policy and operations in a large staff organization centering on the White House. In the early 1960s the process was radically decentralized, reflecting the desire of a young and energetic President to involve himself in the details of foreign affairs. Neither experiment worked because large staffs insulate the President from advisers, because the President cannot make all decisions himself, and because neither the White House staff system nor personalized leadership attacks the problem of interagency coordination at the operational levels.

The current attempt to resolve the leadership crisis in foreign affairs began in March 1966 when the President ordered the Secretary of State to "assume responsibility to the full extent permitted by law for the overall direction, coordination, and supervision of interdepartmental activities of the United

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[1] "Toward A Modern Diplomacy," American Foreign Service Association, Washington, D.C., 1968.

States Government overseas. . . ." In addition to this delegation of authority, the President's directive created three levels of organization for interagency decision-making in Washington—at the individual country level, at the regional level and at the Cabinet level of government—all centered in the Department of State.

The theory behind this new organization was that the Government needed a central mechanism which would coordinate programs, resource allocation and planning on an interagency basis. The highest level of the new structure, known as the Senior Interdepartmental Group (SIG), was to ensure that problems were identified before they became crises, to devise plans for a rational allocation of resources and generally to provide leadership for the foreign affairs community. The SIG system in Washington, added to President Kennedy's decision in 1961 to give the Ambassador abroad clear authority to manage all agencies and programs in his country, should have closed the decision-making circuit and given the President a flexible tool for attacking the major inefficiencies of the system. Its forerunner, the placing by President Eisenhower of coordinating responsibility for foreign military and economic policies in the hands of his energetic Under Secretary of State, was working well before President Kennedy abandoned the concept. But the SIG has not yet worked.

It has not worked because the leadership of the Department of State did not *make* it work. The reasons for this failure of leadership are complex. The Under Secretary of State, in addition to his duties as Chairman of the SIG, has had to act as alter ego to the Secretary, testify before the Congress, speak to the American public, attend diplomatic receptions, receive foreign visitors and attend high-level meetings and conferences abroad. And what time he has left has been spent with the inevitable crisis. The Under Secretary simply does not have the time to do the hard-nosed managerial work that would be required to make the SIG system work. With insufficient impetus from above, the lower levels of leadership in the SIG system, the Interdepartmental Regional Groups, have not been fully tested.

To make the system work will involve giving the Secretary of State something he has never had: (a) the ability to produce alternatives to the recommendations of his line subordinates; (b) the ability to plan systematically and to communicate policy objectives to the other agencies in foreign affairs; (c) the ability to ensure that the resources appropriated for foreign affairs are sensibly allocated among often competing programs; and (d) the ability to monitor agency activities to ensure their consistency with policy.

Giving him these capabilities will alter the process of foreign affairs. It will give meaning to the statement by a distinguished public servant that: "The executive function of the Office of the Secretary of State is to see to it that the foreign policy of the United States operates in all its essential parts. . . . This 'general manager' function includes, but is by no means limited to, administration; its primary concern is with the management of substantive policy and its execution."[2]

The Congress complains that the agencies in foreign affairs are overstaffed. The Congress is right. But it is also wrong. It is right in the sense that too large a proportion of the human resources are concentrated on too small an aspect of foreign affairs. Too many people devote their working hours to France, or cultural relations with Africa, or commercial problems in Latin America. Too few people, however, are concerned with the nation's global preoccupations. Too few reflect the Secretary's responsibility to advance the national, as opposed to the regional or the agency interest.

There is nobody available—and it is not the function of the Policy Planning Council—to dig systematically into a staff paper and offer to the Secretary a set of alternatives from which he can choose. Yet choice is one of the very few sources of power available to the Secretary of State, or even to the President.

There is nobody available to the Secretary of State to see to it that agency budgets reflect his policy decisions. Yet "if what management is all about is making and implementing decisions, then the budget is perhaps the most essential management tool."[3]

These considerations suggest that we need to correct the imbalance between the responsibilities the Secretary of State bears and his ability to discharge those responsibilities when the power inherent in information and money resides elsewhere. The responsibility itself is properly centered, and the best way to correct the imbalance was recommended six years ago in the report of the Herter Committee, which argued strongly for the creation of a position, to be called the Permanent or Executive Under Secretary of State, subordinate only to the Secretary and his immediate deputy. It should be the duty of the Permanent Under Secretary to give his superiors the interagency staff capability they do not now possess. He must, among other things, make the SIG work.

Specifically, the Permanent Under Secretary should discharge four principal functions:

He should manage the Department of State and its missions abroad; this is a responsibility no Secretary of State in the postwar period has had time to assume.

He should see to it that staff papers emanating from within the Department and from the other agencies in foreign affairs are not merely special pleading for particular interests or, when they are, that the alternatives are provided and the implications of each choice clearly spelled out.

He should compel the agencies in foreign affairs to engage in joint, systematic planning in the light of *national* objectives.

And he should ensure that resources for foreign affairs are allocated in the light of those objectives and that planning.

While the case for a single budget in foreign affairs is persuasive, Congressional opposition to the concept is still strong; for the moment, we shall have to behave as though there were such an animal. Had we done so over the past twenty years, there might not have been surpluses in one agency and shortfalls in another, or missed opportunities because of bureaucratic rigidity. Indeed, the nation might have found that the funds appropriated for programs abroad were quite sufficient to do all that really needed doing; and we might thereby have avoided much of the current Congressional revulsion to the foreign-assistance program.

The new President must be very clear about the implications of giving the Secretary of State this kind of interagency staff capability. Doing so will alter most of the existing power relationships within the foreign affairs community. Agency heads will argue bitterly against it. When they advance their arguments, the President must recognize them for what they are: the importunings of men who are losing unrestricted license within their fiefdoms—the complaints of those who are being harnessed to larger, national interests.

The Assistant Secretaries of State, too, carry crushing burdens. Rushed from crisis to crisis, they rarely have time to think ahead, plan or manage. When they do, it is too often on the basis of fragmentary information or informed instinct. In only one bureau of the Department of State has there been any real experiment with systematic analysis of policy alternatives, or of relative costs and benefits. The results have been encouraging. They argue for further strengthening of the Interdepartmental Regional Groups (IRG) chaired by the regional Assistant Secretaries and supported by small but potent staffs, and for highly qualified Country Directors capable of coordinating programs across agency lines. The SIG-IRG-Country Director system exists. It needs only to be given tools and marching orders, then put to work.

There is one other function for which the Permanent Under Secretary should assume responsibility. Although the agencies in foreign affairs are beginning to attack the problems posed by the information and communications explosion and are beginning to put the computer to work, the effort is half-hearted. It lacks the commitment of top management. And yet, at a time when newspaper editorials published abroad are frequently available in Washington before they come to the attention of embassy personnel in the capital concerned, it no longer makes sense to devote uncountable communications to duplicating what is known. By the same token, most important economic indicators are available in published form, and the advantages of having them summarized and reported electronically by an embassy abroad are certainly outweighed by the contribution such communications make to the two million copies of embassy messages which are distributed all over Washington each week. Unless we break these outmoded habits, adding computer facilities to the information circuit would be akin to feeding pastry to a fat man.

What is needed, rather, is high-level commitment to an interagency attack on the information problem. The agencies in foreign affairs urgently require answers to such questions as: What information is relevant at various levels of decision-making? Who reports what and why? Where is information stored and how? What is the most efficient method of making it available to users?

III

One of the most perceptive students of governmental organization has said in these pages that: "The plain fact is that good policy demands *both* good men and good machinery. And although it may be true that good men can triumph over poor machinery, it is also true that they are more effective when they work with good machinery."[4] Assuming that the ideas advanced above will move the Government in the direction of good machinery, what can be said about good men?

It can be said that there are lots of them in foreign affairs and that their talents are squandered scandalously.

It need not have been so. The farsighted professionals and members of both Houses of Congress responsible for the Foreign Service Act of 1946 had different intentions. They looked forward to consolidating the principle established in the mid-1920s that a single professional service should represent the United States abroad, a service responsive to the needs of all the agencies in foreign affairs, open to new ideas and talents, and self-improving. Subsequent events have confounded their dream.

As new agencies mushroomed in response to the growth of American involvement in the world, so did new foreign services created to staff them. And as the traditional diplomats of the Department of State saw their hard-won empire being whittled away by trespassers from Washington, they retreated behind a narrow definition of diplomacy, as fearful of competition as were the "battleship admirals" and "horse-cavalry colonels." The Department and its Foreign Service forfeited an extraordinary opportunity to reach out and draw in the new professionals in foreign affairs.

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[2] Paul H. Nitze in "The Secretary of State," New York: The American Assembly, Columbia University, 1960, p. 5.

[3] Melvin Anshen, "The Federal Budget as an Instrument for Management and Analysis," in "Program Budgeting," David Novick (ed.). Cambridge: Harvard University Press, 1965, p. 3.

[4] Senator Henry M. Jackson, "Organizing for Survival," *Foreign Affairs*, April 1960, p. 447.

The existence of many foreign services has inevitably led to interservice competition, even hostility. None of the services is free of petty parochialism. None can be fully credited with serving the national, as opposed to the agency, interest. Differing regulations, assignment policies and perquisites have bred petty jealousies abroad. And agency barriers have become so impenetrable that productive exchange back and forth is all but nonexistent.

As a result, the economists in the Agency for International Development and information specialists in the United States Information Agency have not been able to deepen their understanding of the political constraints on American activities abroad. And the political specialists of the Department of State have often acquired only the haziest idea of the opportunities for advancing American interests inherent in the programs of AID and USIA. Ironically, the near-monopoly of ambassadorial appointments enjoyed by Foreign Service Officers of the Department of State contributed to its sense of éliteness at a time when its real power in foreign affairs was on the decline. The inaccessibility of such positions and the absence of career status have contributed to a widespread sense among officers of AID and USIA that they are, if not actually second-class citizens, at least so regarded by the "senior service." And the experience of the officers in each of the services who are appointed to high executive positions is often pathetically, even dangerously, narrow.

There have been other serious problems, which are particularly evident within the Foreign Service of the Department of State. One, related directly to the growth of competing services arising out of new ideas and new techniques, has been an overwhelming hostility to anything novel. The old ways, by definition, were the best. Another is that in a system threatened with irrelevance and in which the really good jobs are increasingly rare, the race goes to the loner who travels fast, who best manipulates the guild structure for personal ends, who has a friend who can get him out of the unpleasant job. And the collective well-being has gone glimmering: the old esprit de corps is still being invoked, but by the mid-1960s nobody was making a serious contribution to it.

Professionals have concluded that this state of affairs is due in large measure to the erosion of the concept of a unified Foreign Service of the United States. When the Government set out on the meandering paths of separate personnel systems, without a common guiding principle, without a controlling mechanism, it planted the seeds of systemic competition and distrust. The result has been sterile arguments about élitism versus operational effectiveness, and growing irrelevance to the national interest.

As the original concept of a career service designed to serve first the President and then all foreign affairs agencies was progressively eroded, the institutional safeguards which had been provided by the Act of 1946 were destroyed as well. The Board of the Foreign Service had statutorily independent status, much like the Civil Service Commission, to assure common personnel policies and the rational utilization of personnel resources, as well as to safeguard the system from political abuse. The Director General, also independent, was supposed to administer the Foreign Service of the United States. As the concept of a single service broke apart and its remnants retreated behind agency walls, the Board of the Foreign Service, through successive amendments to the Act of 1946, came to serve only a meek advisory role to the Secretary of State. In fact it meets rarely, to fulfill certain formalistic requirements in the promotion process. The Director General today is a title without a function. Without these safeguards, the Foreign Services have drifted without purpose and have been opened to political abuse.

Is such a system worth saving? Or should the new Administration simply scrap it and start again? The consensus of the professionals in all of the principal agencies is that the present system is not worth saving—but that the system embodied in the Foreign Service Act of 1946 is.

The old dream of a single Foreign Service of the United States is still grand. A single service would substitute a unifying for a divisive influence in the conduct of our foreign affairs. It would provide a base sufficiently broad to make sensible personnel planning worthwhile. It would offer job opportunities attractive to the most competent of young Americans and satisfactions to their elders which have not been fully present for years. In broadening the experience of the unusually talented, it would help to create a badly needed reserve of executive talent. And it would at long last lay to rest the sterile argument about whether the nation requires "generalists" or "specialists" in foreign affairs by admitting that both are essential.

Comprehensive legislation setting up a single "Foreign Service of the United States" is not necessary. Enough authority is available now to begin to act as if there were a single service. Several things *are* necessary, however. One of them is to revitalize the Board of the Foreign Service, give it statutory independence, and make it a truly independent mechanism which assures common personnel policies across agency lines in recruitment, training, assignment, promotion and selection-out.

But much more is required than the benefits of flexibility and wider opportunities for assignment and training. The new Administration needs to attack the main failures of the present personnel system and to begin to change the environment and attitudes of the professionals. To prosecute such a reform program in an innovative and imaginative way, the Director General should become the executive agent of the revitalized Board of the Foreign Service. He must use the most modern personnel techniques, including a computer model of the personnel systems with which to test various assumptions and proposed changes in personnel policy. With such a model, the agencies in foreign affairs could, for the first time in twenty years, make decisions on a rational basis about such critical variables as skill requirements, recruitment, training quotas, promotion and egress rates.

IV

Why should a new President concern himself with these problems? The answer is simple: he must ultimately rely on the professionals for the conduct of the nation's foreign-affairs business. At the same time, he requires of those professionals and of the system they serve: (a) that they reserve the most important decisions for him, bringing problems to him before they become crises and providing him with the relevant facts and advice—the present system is not good enough in this respect; (b) that they be flexible, imaginative and efficient in using scarce national resources abroad—the present system is none of these things; and (c) that they produce from within their own ranks the best talent for the critical jobs—they do not now.

The system and the people will produce if the new President understands that reform is not accomplished by the submission of reports, by comprehensive legislation or by delegations of authority. Real reform requires, first and foremost, the will to change and the commitment to clearly enunciated goals on the part of the President and his top appointees in foreign affairs. The President must appoint reformers if he wants reform—and he must fire them if they do not produce. The reformers already have available to them all the resources and legislative authority that they require. The options are not the poles of unordered decentralization on the one hand and total integration on the other. The options, rather, are centered on the practical, yet revolutionary, middle ground of flexibility and innovation—of integrated planning and decentralized operations.

If the new Permanent Under Seceretary and the members of a revitalized Board of the Foreign Service perform their tasks well, they will accomplish three crucial things: they will make the present system work in the most efficient way; they will free the President and the top leadership of the foreign affairs community to concentrate on the really important issues; and they will lay the groundwork for a new system for the conduct of the President's foreign policies.

And, finally, the new President will have a chance to redraw the circle in such a way as to involve the Congress and the American people more significantly in foreign affairs—and make the professional more sensitive to both. There is no reason why the foreign affairs community should be exempt from the drive toward institutional reform that is so clearly moving the country; constructive change in foreign affairs is as crucial to our national health as is the reform of our domestic priorities and institutions. The goal should be ever-improving communication between the professionals and the American people. This, indeed, appears to have been the dream of Representative Wayne Hays, who offered a bill in 1965 which would, among its other provisions, have offered extraordinary opportunities to increase contacts between the professional and the citizen in business, academia and the private foreign-affairs organizations.

As the line between public service and private preoccupations narrows, it must become increasingly possible to trade information and experience back and forth. An automated data system, compatible, in its nonsensitive aspects, with business and university information requirements, would constitute an enormous step in the right direction. So, too, would a systematically enlarged consortium of talent regularly exchanged between the public and private sectors. Each would profit—in the literal sense—by providing its best employees with new experiences.

By the same token, the attitudes which both the Executive Branch and the Congress bring to their monologues on foreign policy must change. The desultory conservations which the diplomat substitutes for "consultation" must be replaced by honest dialogue extended across a widening series of topics. The shoe is clearly on the diplomatic foot to provide an earnest of its intent to develop shared information and reactions. It will be up to both Houses of Congress, however, to undertake the internal reforms of their own which will enable them to play a more vital role in foreign policy decision-making. At the moment, that role is limited to winning minor arithmetic games in budget season—games which focus on "the going rate" and are no substitute for asking tough questions, compelling clear answers and representing the public's interest effectively.

There will be voices speaking across the political divide against any change in the status quo. Yet the new Administration must hear this signal from the professionals. Reform cannot take place without Presidential commitment. Neither can reform happen without the wholehearted support of the people affected by it. This year, the professionals in foreign affairs are ready—even eager—for reform.

SENATE—*Wednesday, February 19, 1969*

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The VICE PRESIDENT. The Chaplain will offer a memorial prayer.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Lord God of our fathers and our God, we lift our hearts to Thee this day for the good gift of life itself, for its wonder and its mystery, for its joys and its sorrows, for work to do and strength with which to do it and for the sacrament of memory. We thank Thee for the hallowed recollections of Thy servant who walked and worked with us in this place, and we pray that we may prize highly and guard carefully the gifts which his loyalty and devotion have passed on to us. Perfect in us the work of our fathers, and so fit us for our age that the values and virtues of the past may become the pure possession of our children. Accept anew our dedication that we may be true as he was true, loyal as he was loyal, that we may serve our country and our God all the days of our lives until at last with him we hear the triumphant word:

"Servant of God, well done."

"Blessed are the pure in heart for they shall see God."

In the name of the living Lord. Amen.

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, February 18, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

ECONOMIC OPPORTUNITY—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91–74)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

The blight of poverty requires priority attention. It engages our hearts and challenges our intelligence. It can not and will not be treated lightly or indifferently, or without the most searching examination of how best to marshal the resources available to the Federal Government for combatting it.

At my direction, the Urban Affairs Council has been conducting an intensive study of the Nation's anti-poverty programs, of the way the anti-poverty effort is organized and administered, and of ways in which it might be made more effective.

That study is continuing. However, I can now announce a number of steps I intend to take, as well as spelling out some of the considerations that will guide my future recommendations.

The Economic Opportunity Act of 1964 is now scheduled to expire on June 30, 1970. The present authorization for appropriations for the Office of Economic Opportunity runs only until June 30, 1969. I will ask Congress that this authorization for appropriations be extended for another year. Prior to the end of the Fiscal Year, I will send Congress a comprehensive proposal for the future of the poverty program, including recommendations for revising and extending the Act itself beyond its scheduled 1970 expiration.

How the work begun by OEO can best be carried forward is a subject on which many views deserve to be heard—both from within Congress, and among those many others who are interested or affected, including especially the poor themselves. By sending my proposals well before the Act's 1970 expiration, I intend to provide time for full debate and discussion.

In the maze of anti-poverty efforts, precedents are weak and knowledge uncertain. These past years of increasing Federal involvement have begun to make clear how vast is the range of what we do not yet know, and how fragile are projections based on partial understanding. But we have learned some lessons about what works and what does not. The changes I propose will be based on those lessons and those discoveries, and rooted in a determination to press ahead with anti-poverty efforts even though individual experiments have ended in disappointment.

From the experience of OEO, we have learned the value of having in the Federal Government an agency whose special concern is the poor. We have learned the need for flexibility, responsiveness, and continuing innovation. We have learned the need for management effectiveness. Even those most thoroughly committed to the goals of the anti-poverty effort recognize now that much that has been tried has not worked.

The OEO has been a valuable fount of ideas and enthusiasm, but it has suffered from a confusion of roles.

OEO's greatest value is as an initiating agency—devising new programs to help the poor, and serving as an "incubator" for these programs during their initial, experimental phases. One of my aims is to free OEO itself to perform these functions more effectively, by providing for a greater concentration of its energies on its innovative role.

Last year, Congress directed that special studies be made by the Executive Branch of whether Head Start and the Job Corps should continue to be administered directly by OEO, or whether responsibility should be otherwise assigned.

Section 309 of the Vocational Education Amendments of 1968 provides:

> The President shall make a special study of whether the responsibility for administering the Head Start program established under the Economic Opportunity Act of 1964 should continue to be vested in the Director of the Office of Economic Opportunity, should be transferred to another agency of the Government, or should be delegated to another such agency pursuant to the provisions of section 602(d) of the aforementioned Economic Opportunity Act of 1964, and shall submit the findings of this study to the Congress not later than March 1, 1969.

I have today submitted this study to the Congress. Meanwhile, *under the Executive authority provided by the Economic Opportunity Act,* I have directed that preparations be made for the delegation of Head Start to the Department of Health, Education, and Welfare. Whether it should be actually transferred is a question I will take up in my later, comprehensive message, along with my proposals for a permanent status and organizational structure for OEO. Pending a final decision by the Secretary of HEW on where within the department responsibility for Head Start would be lodged, it will be located directly within the Office of the Secretary.

In order to provide for orderly preparation, and to ensure that there is no interruption of programs, I have directed that this delegation be made effective July 1, 1969. By then the summer programs for 1969 will all have been funded, and a new cycle will be beginning.

I see this delegation as an important element in a new national commitment to the crucial early years of life.

Head Start is still experimental. Its effects are simply not known—save of course where medical care and similar services are involved. The results of a major national evaluation of the program will be available this Spring. It must be said, however, that preliminary reports on this study confirm what many have feared: the long term effect of Head Start appears to be extremely weak. This must not discourage us. To the contrary it only demonstrates the immense contribution the Head Start program has made simply by having raised to prominence on the national agenda the fact—known for some time, but never widely recognized—that the children of the poor mostly arrive at school age seriously deficient in the ability to profit from formal education, and already significantly behind their contemporaries. It also has been made abundantly clear that our schools as they now exist are unable to overcome this deficiency.

In this context, the Head Start Follow-Through Program already delegated to HEW by OEO, assumes an even greater importance.

In recent years, enormous advances have been made in the understanding of human development. We have learned that intelligence is not fixed at birth, but is largely formed by the environmental influences of the early formative years. It develops rapidly at first, and then more slowly; as much of that development takes place in the first four years as in the next thirteen. We have learned further that environment has its greatest impact on the development of intelligence when that development is proceeding most rapidly—that is, in those earliest years.

This means that many of the problems of poverty are traceable directly to early childhood experience—and that if we are to make genuine, long-range progress, we must focus our efforts much more than heretofore on those few years which may determine how far, throughout his later life, the child can reach.

Recent scientific developments have shown that this process of early childhood development poses more difficult problems than had earlier been recognized—but they also promise a real possibility of major breakthroughs soon in our understanding of this process. By placing Headstart in the Department of HEW, it will be possible to strengthen it by association with a wide range of other early development programs within the department, and also with the research programs of the National Institutes of Health, the National Institute of Mental Health, and the National Institute of Child Health and Human Development.

Much of our knowledge is new. But we are not on that ground absolved from the responsibility to respond to it. So crucial is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first five years of life. In delegating Headstart to the Department of HEW, I pledge myself to that commitment.

The Vocational Education Amendments of 1968 directed the Commissioner of Education to study the Job Corps in relation to state vocational education programs. I have directed the Secretaries of Labor and of Health, Education, and Welfare, and the Assistant Secretary of Labor for Manpower, to work with the Acting Commissioner of Education in preparing such a report for submission to Congress at the earliest opportunity.

One of the priority aims of the new Administration is the development by the Department of Labor of a comprehensive manpower program, designed to make centrally available to the unemployed and the underemployed a full range of Federal job training and placement services. Toward this end, it is essential that the many Federal manpower programs be integrated and coordinated.

Therefore, as a first step toward better program management, the Job Corps will be delegated to the Department of Labor.

For the Department, this will add another important manpower service component. For the Job Corpsmen, it will make available additional training and service opportunities. From the standpoint of program management, it makes it possible to coordinate the Job Corps with other manpower services, especially vocational education, at the point of delivery.

The Department of Labor already is deeply involved in the recruitment, counseling and placement of Job Corpsmen. It refers 80 percent of all male and 45 percent of all female enrollees; it provides job market information, and helps locate Job Corpsmen in the areas of greatest opportunity.

This delegation will also be made effective on July 1, 1969; and the Departments of Interior and Agriculture will continue to have operating responsibility for the Job Corps centers concerned primarily with conservation.

I have directed that preparations be made for the transfer of two other programs from OEO to the Department of Health, Education, and Welfare: Comprehensive Health Centers, which provide health service to the residents of poor neighborhoods, and Foster Grandparents program. In my judgment, these can be better administered at present, or in the near future, within the structure of the Department.

In making these changes, I recognize that innovation costs money—and that if OEO is to continue its effectiveness as an innovating agency, adequate funds must be made available on a continuing basis. Moreover, it is my intent that Community Action Agencies can continue to be involved in the operation of programs such as Head Start at the local level, even though an agency other than OEO has received such programs, by delegation, at the national level. It also is my intent that the vital Community Action Programs will be pressed forward, and that in the area of economic development OEO will have an important role to play, in cooperation with other agencies, in fostering community-based business development.

One of the principal aims of the Administration's continuing study of the anti-poverty effort will be to improve its management effectiveness. When poverty-fund monies are stolen, those hurt most are the poor—whom the monies were meant to help. When programs are inefficiently administered, those hurt most again are the poor. The public generally, and the poor especially, have a right to demand effective and efficient management. I intend to provide it.

I expect that important economies will result from the delegation of the Job Corps to the Department of Labor, and we shall continue to strive for greater efficiency, and especially for greater effectiveness in Headstart.

A Concentrated Management Improvement Program initiated in OEO will be intensified. Under this program, selected Community Action Agencies will be required to take steps to devise improvements in such areas as organizational structure, financial and accounting systems, personnel training and work scheduling. Standards will be applied under the "management improvement program" to evaluate the operations of Community Action Agencies. We intend to monitor these programs actively in order to insure that they are achieving high-level effectiveness and that they are being administered on an orderly basis.

In the past, problems have often arisen over the relationship of State, county and local governments to programs administered by OEO. This has particularly been the case where the State and local officials have wanted to assume greater responsibility for the implementation of the programs but for various reasons have been prevented from doing so. I have assigned special responsibility for working out these problems to the newly-created Office of Intergovernmental Relations, under the supervision of the Vice President.

I have directed the Urban Affairs Council to keep the anti-poverty effort under constant review and evaluation, seeking new ways in which the various departments can help and better ways in which their efforts can be coordinated.

My comprehensive recommendations for the future of the poverty program will be made after the Urban Affairs Council's own initial study is completed, and after I have reviewed the Comptroller General's study of OEO ordered by Congress in 1967 and due for submission next month.

Meanwhile, I would stress this final thought: If we are to make the most of experimental programs, we must frankly recognize their experimental nature and frankly acknowledge whatever shortcomings they develop. To do so is not to belittle the experiment, but to advance its essential purpose: that of finding new ways, better ways, of making progress in areas still inadequately understood.

We often can learn more from a program that fails to achieve its purpose than from one that succeeds. If we apply those lessons, then even the "failure" will have made a significant contribution to our larger purposes.

I urge all those involved in these experimental programs to bear this in mind—and to remember that one of the primary goals of this administration is to expand our knowledge of how best to make real progress against those social ills that have so stubbornly defied solution. We do not pretend to have all the answers. We are determined to find as many as we can.

The men and women who will be valued most in this administration will be those who understand that not every experiment succeeds, who do not cover up failures but rather lay open problems, frankly and constructively, so that next time we will know how to do better.

In this spirit, I am confident that we can place our anti-poverty efforts on a secure footing—and that as we continue to gain in understanding of how to master the difficulties, we can move forward at an accelerating pace.

RICHARD NIXON.

THE WHITE HOUSE, *February 19, 1969*.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The **VICE PRESIDENT.** Without objection, it is so ordered.

MRS. GANDHI SEES MODERATE SIGNS IN CHINA

Mr. FULBRIGHT. Mr. President, in the February 14 issue of the Washington Post appeared an account by Selig S. Harrison of an interview with India's Prime Minister, Mrs. Indira Gandhi.

I was particularly interested in Prime Minister Gandhi's comments concerning American intervention in Vietnam and about China.

Mrs. Gandhi, when asked if American intervention in Vietnam had helped India in long-term security problems with China, said:

It hasn't made any difference at all in strengthening our position with respect to China as far as we are concerned. As for Vietnam, had there not been a war, both of them would have been in a stronger position to resist China if China ever did wish to menace them. North Vietnam has shown independence of China in not consulting them about the Paris talks.

On the China problem, Mrs. Gandhi said:

For them to be isolated the way they are is dangerous. They believe the whole world is as they're imagining it. I'm sure it would help for them to get their people out and to be more involved.

She continued:

China's basic anger has always been a feeling that "why should two or three powers be the only great powers and China should be left out?" Viewing it from their perspective, your recognition of China as a world power might be helpful in creating a new environment in Asia. But that would still leave the question of what to do with their power.

I believe that my colleagues will be interested in this article, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MRS. GANDHI: MODERATE SIGNS IN CHINA

(By Selig S. Harrison)

NEW DELHI, February 13.—Prime Minister Indira Gandhi said today that she sees "some signs" of a possible moderate trend in Communist China's foreign policy and suggested that American recognition of China as a world power might be helpful in creating a new environment in Asia.

"They seem to be making certain friendly gestures to Burma in quiet ways," she declared in an hour-long interview, "but we don't know yet whether its beginning to change with regard to us. They are beginning to attend diplomatic receptions here and that sort of thing. We would certainly not be adverse to having talks with them if the atmosphere improves."

TERMS SOFTENED

The Prime Minister recently softened India's stand on the terms for a border settlement with Peking for the first time since the Himalayan conflict six years ago. She told a news conference that New Delhi should be ready for "a flexible way out" even if this meant modifying the 1963 Colombo proposals backed by India but rejected by China.

This has stirred an undercurrent of debate here between hard-liners in the governing Congress Party and leading Foreign Ministry officials who point to the forthcoming Sino-U.S. talks in Warsaw and view the threat of accommodation with Peking as a checkrein on Soviet arms aid to Pakistan.

Relaxed and full of banter despite election setbacks for the Congress Party yesterday in West Bengal and two other North Indian states, Mrs. Gandhi, wrapped in a gray kashmir shawl thrown over a bright purple sari, observed that "the Chinese are continuing their propaganda against us, of course, and we cannot ignore that. But this is all part of a larger picture.

"For them to be isolated the way they are is dangerous. They believe the whole world is as they're imagining it. I'm sure it would help for them to get their people out and to be more involved."

CHINA VIEW

China's "basic anger," she continued, has "always been a feeling that 'why should two or three powers be the only great powers and China should be left out?' Viewing it from their perspective, your recognition of China as a world power might be helpful in creating a new environment in Asia. But that would still leave the question of what to do with their power."

Describing proposals for American-Soviet collaboration to contain China as "unfortunate," Mrs. Gandhi said that "any combination against another person provokes that person and must inevitably lead you to some kind of complication." Then she interjected that "a strange situation has been developing" in relations between Washington and Moscow. "While there is a certain amount of Cold War, they do sometimes get together also."

REJECTS INTERPRETATION

Asked whether she had Czechoslovakia in mind and had discussed recent events in Prague with the visiting chairman of the Supreme Soviet, I. V. Spiridinov, who conferred with her immediately before my arrival at her residence, she smiled and said only, "I was thinking of Europe rather than Asia."

Mrs. Gandhi shook her head vigorously in responding to a question concerning the contention of former White House adviser Walt Rostow that American intervention in Vietnam had buttressed India's long-term security against China.

"It hasn't made any difference at all in strengthening our position with respect to China as far as we are concerned," she stated. "As for Vietnam, had there not been a war, both of them would have been in a stronger position to resist China if China ever did wish to menace them. North Vietnam has shown independence of China in not consulting them about the Paris talks."

Alluding to the view often expressed by Rostow and others that the war had provided a protective shield for the economic development effort of Southeast Asian countries, she said that "the whole of Southeast Asia is in rather an explosive state just now. None of those countries can be strengthened under present circumstances. It's so much based on the troops and that cannot be solid or lasting. Even though the countries are small they should be strengthening their economic base and working out regional arrangements of their own that will have some lasting value."

JOHNSON'S IMPATIENT

Former President Johnson was "very impatient of criticism," Mrs. Gandhi said, "and we were a favorite whipping boy for some time, whether it was Vietnam or the Middle East. In fairness, that impatience is perhaps not just his characteristic. It's an American characteristic. But in any case, the public attitude toward the government's Vietnam policy changed gradually in the United States, and fortunately the differences between us have narrowed."

Urging a continuation of American assistance to India under the Nixon Administration, the Prime Minister expressed gratitude for past aid and added that "It has been well used and very effective despite what some people say. We carry the major burden of development ourselves but what we get from outside gives us a margin we need to go ahead.

"I know there is a feeling in the United States that India is too big to tackle, that the poverty is too vast. But we are making steady progress, and we need and desire your help and friendship."

ELECTION DEFEAT

The only moments of tension and reserve in an otherwise free and easy exchange followed persistent questions concerning the implications of the Congress election defeats.

Referring to the Communist sweep in West Bengal, she said that "this has been a surprise to everybody. We had a lot of difficulties with them before, and the situation may be quite difficult. There will be uncertainty in people's minds, in the minds of businessmen. But it's difficult to prophesy."

A series of questions on the current political turmoil in Pakistan brought a cautious response at first that "we are trying very hard to say as little as possible on this subject. It is not our business to pass judgments on them, and we want to keep a good atmosphere in case they should want to make a gesture toward better relations."

After a pause, she added that "obviously, the relations between our two countries are not unrelated to events in both of them. Some people have said that one of the reasons they were not anxious for friendship with India was that Ayub needed tension to justify the denial of democratic rights. I never thought that a military-backed regime was the answer even at the height of Ayub's success. Every system has its good and bad points. There is no easy path to development. We thought democracy as the better path because it educates the people and strengthens them. They gain in experience. The other way they are cut off."

ORDER OF BUSINESS

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. Pursuant to Public Law 89–81, the Chair appoints the Senator from California (Mr. MURPHY) to the Joint Commission on the Coinage in lieu of Senator Kuchel, retired.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT ON GOVERNMENT EMPLOYEES PARTICIPATING IN TRAINING IN NON-GOVERNMENT FACILITIES—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

As required by section 1308(b) of title 5, United States Code, I am transmitting forms supplying information on those employees who, during Fiscal Year 1968, participated in training in non-Government facilities in courses that were over one hundred and twenty days in duration and those employees who received awards or contributions incident to training in non-Government facilities.

RICHARD NIXON.

THE WHITE HOUSE, *February 19, 1969.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of

the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 684) to amend title 38 of the United States Code in order to make certain technical corrections therein, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 684) to amend title 38 of the United States Code in order to make certain technical corrections therein, and for other purposes, was read twice by its title and referred to the Committee on Finance.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report of Secretary of Commerce on Export Control

A letter from the Secretary of Commerce, transmitting, pursuant to law, the 86th Quarterly Report on Export Control covering the fourth quarter of 1968 (with an accompanying report); to the Committee on Banking and Currency.

Report of Federal Commission Pursuant to Fair Packaging and Labeling Act

A letter from the Chairman, Federal Trade Commission, transmitting, pursuant to law, a report pursuant to the Fair Packaging and Labeling Act, for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Commerce.

Steam-Electric Plant Construction Cost and Annual Production Expenses, 1967

A letter from the Chairman, Federal Power Commission, transmitting for the information of the Senate a document entitled "Steam-Electric Plant Construction Cost and Annual Production Expenses, 1967" (with an accompanying document); to the Committee on Commerce.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the Federal Housing Administration's decision not to require builder's cost certification for Rossmoor Leisure World Developments, Department of Housing and Urban Development (with an accompanying report); to the Committee on Government Operations.

Report of Legion of Valor of the United States of America, Inc.

A letter from the National Corporation Agent, Legion of Valor of the United States of America, Inc., transmitting, pursuant to law, the financial report of the Legion of Valor for the period August 1, 1967, to July 31, 1968 (with an accompanying report); to the Committee on the Judiciary.

Report of Department of Health, Education, and Welfare Covering Donation of Personal Property

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report covering personal property donated to public health and educational institutions and civil defense organizations, for the period July 1 through December 31, 1968 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the Lithuanian Council of Miami, Miami, Fla., remonstrating the continued colonization and oppression of Lithuania, Latvia, and Estonia by the U.S.S.R.; to the Committee on Foreign Relations.

A resolution adopted by the board of directors of Carpinteria, Calif., County Water District, praying for favorable and prompt action on the watershed work plan for the Carpinteria Valley Watershed; to the Committee on Public Works.

REPORT ENTITLED "ORGANIZATION AND COORDINATION OF FEDERAL DRUG RESEARCH AND REGULATORY PROGRAMS: LSD"—REPORT OF A COMMITTEE (S. REPT. NO. 91–82)

Mr. RIBICOFF. Mr. President, pursuant to Senate Resolution 186 of the 89th Congress and Senate Resolutions 59 and 214 of the 90th Congress, I submit a report entitled "Organization and Coordination of Federal Drug Research and Regulatory Programs: LSD," and ask that it be printed. The report was approved by the Committee on Government Operations on January 17, 1969.

The report is based on hearings and investigation conducted by the Subcommittee on Executive Reorganization under the chairmanship of Senator Robert Kennedy. Due to Senator Kennedy's death, I am filing this report. The views expressed herein are solely those of the members of the subcommittee who have signed the report.

Robert Kennedy was a vital member of the subcommittee for 3 years. His keen mind, fervent idealism and quick wit made a major contribution to the subcommittee work. He had a deep sensitivity to the issues involved in the urban crisis, drug control and traffic safety. This was complemented by a practical understanding of the steps that must be taken to deal with these problems. Senator Kennedy's death was a grave loss to the Senate and the Nation, for he was a man of great character dedicated to the betterment of his country.

The report summarized the testimony of 17 witnesses from the Government and the private sector concerning LSD. After considering all the evidence the subcommittee concluded that in organization, coordination, and basic research Federal efforts were unequal to the challenge posed by this drug.

The subcommittee made three specific findings: First, the Government did not act promptly to halt the illegal spread of LSD. Although information on how to manufacture the drug became generally available in 1963, according to testimony by Dr. James Goddard, Commissioner of the Food and Drug Administration, Dr. Stanley Yolles, Director of the National Institute of Mental Health, told the subcommittee that the Government did not anticipate extensive misuse of the drug because, "it was the feeling of the people concerned that it was such an esoteric drug that it would never be in widespread use in colleges." Thus, 3 years passed before the Government moved to control the abuse of LSD.

Second, the subcommittee found that when the Government did act it moved in a precipitous manner, thereby impairing research and adding to the notoriety of the drug. In April 1966, when Sandoz, the only legal manufacturer ceased production and withdrew its research plan, the Food and Drug Administration abruptly terminated all but nine of the 70 research projects then in progress. This caused the abandonment of other research projects two witnesses told the subcommittee.

Third, the quality of some of the research done was poor and the research program did not recognize the potential for abuse of the drug. Dr. Goddard acknowledged that—

> There has been a great deal of bad research carried out on this drug.

And it was not until 1965 that the first survey on the extent and pattern of abuse was planned. This demonstrates again that Government response to LSD was tardy.

Control of these substances will become even more difficult in the years ahead. Dr. Yolles told the subcommittee that in the next 10 years there will be a "hundredfold increase in the number and types of drugs capable of affecting the mind."

These developments will confront us with complex scientific and moral questions. The tragic experience which many of our young people have had with LSD, points up the need for sound and reliable information about any new hallucinogenic or other dangerous drug. We must know more than the pharmacology of such drugs and how they are used in the laboratory. We must learn the causes and effects of drug abuse and how to combat them.

Accordingly, the report recommends a review of our drug regulation and research control measures to assure that these programs are properly organized to deal with the foreseeable problems and that the responsible agencies have adequate authority to carry out their tasks.

With specific regard to LSD, the report makes three recommendations.

First, that the new Bureau of Narcotics and Dangerous Drugs and the National Institute of Mental Health undertake a comprehensive nationwide study to determine the causes of LSD use, the adverse physical and psychological effects, the extent of its use, and the best method of prevention and treatment.

Second, that NIH expand its research program on LSD and similar drugs to increase our knowledge of the risks and potential benefits of LSD and the relation between them.

And third, that the Bureau of Narcotics and Dangerous Drugs establish an early warning system so that as the pattern of drug use shifts, Federal research, enforcement and education programs will change also.

In carrying out these recommendations

special concern must be given to our young people. In the past 3 years a significant number of them have experimented with LSD and similar drugs. Their use of these drugs manifests more than youthful curiosity. It denotes at least a temporary withdrawal from the responsibilities of organized society. Preventive and punitive measures must be taken to halt the illicit drug traffic. But these actions alone are not a long-term answer to drug abuse. Society must channel the tensions, pressures, and anxieties which young people feel, into constructive alternatives. Drugs are no answer to today's problems, especially for the Nation's youth. As the report says:

> Young people must be shown that the challenges and rewards of involvement in the real world are more satisfying for the individual and society than the isolation of the world of drugs.

Finally, Mr. President, we must recognize that the problems represented by LSD are not new. They are as old as the relation of government and science. Each new discovery tests the ingenuity of government to guide the results of invention into paths which benefit society. This is a test of men as well as institutions. If we are to master the sometimes menacing product of our increasing scientific knowledge we will need flexible institutions responsive to change and men who can weave the delicate thread that links freedom of inquiry for the individual scientist with enlightened regulation in the public interest.

This will require that government and science realize their reciprocal responsibilities to each other. It is the duty of government to encourage sound experimentation, evaluate critically the results and act appropriately on them. Correspondingly, it is the obligation of the scientist to conduct his work in an objective manner with due regard for its effect upon the public.

This is the foundation for mutual respect and harmony between government and science. Such an attitude and approach can help contain the social poison carried by LSD and similar drugs.

REPORT ENTITLED "THE MIGRATORY FARM LABOR PROBLEM IN THE UNITED STATES"—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 91–83)

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent for the filing of the annual report of the Subcommittee on Migratory Labor, together with the individual views of the senior Senator from California (Mr. Murphy). Approved for filing by the full Committee on Labor and Public Welfare on January 29, 1969, the report is filed pursuant to Senate Resolution 222, agreed to March 15, 1968.

The VICE PRESIDENT. The report will be received; and, without objection, the report will be printed, as requested by the Senator from New Jersey.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 1077. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

By Mr. GURNEY:

S. 1078. A bill to authorize and direct the Secretary of the Treasury to cause the vessel *Moby Dick II*, owned by Richard B. Campbell, of Hollywood, Fla., to be documented as a vessel of the United States with coastwise privileges; to the Committee on Commerce.

By Mr. SCOTT (for himself, Mr. Schweiker, Mr. Javits, Mr. Goodell, Mr. Tydings, and Mr. Mathias):

S. 1079. A bill consenting to the Susquehanna River Basin Compact, enacting the same into law thereby making the United States a signatory party, making certain reservations on behalf of the United States, and for related purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 1080. A bill for the relief of Coe A. Boardman and his wife, Martha E. Boardman, and the estate of Frank J. Smith and his widow, Therese E. Smith; to the Committee on the Judiciary.

By Mr. EAGLETON (for himself and Mr. Symington):

S. 1081. A bill to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library; to the Committee on Banking and Currency.

(See the remarks of Mr. Eagleton when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 1082. A bill for the relief of Arlene W. Chang; and

S. 1083. A bill for the relief of Howard Staub; to the Committee on the Judiciary.

By Mr. HARRIS:

S. 1084. A bill for the relief of Lu Jan Tan; to the Committee on the Judiciary.

By Mr. NELSON:

S. 1085. A bill to be cited as the "Environmental Quality Preservation Act of 1969"; to the Committee on Public Works.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 1086. A bill for the relief of John Lee Adams and the estates of his wife, Altheia J. Adams, and of his sons, David John Adams and Mark Edward Adams; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 1087. A bill for the relief of Vernon Louis Hoberg; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. Schweiker, Mr. Randolph, Mr. Eagleton, Mr. Nelson, Mr. Hughes, and Mr. Murphy):

S. 1088. A bill to be cited as the "Veterans' Employment and Relocation Assistance Act of 1969"; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. EAGLETON:

S. 1089. A bill for the relief of Peter Pock; to the Committee on the Judiciary.

By Mr. MUSKIE (for himself, Mr. Aiken, Mr. Brooke, Mr. Cannon, Mr. Dodd, Mr. Eagleton, Mr. Ervin, Mr. Fulbright, Mr. Harris, Mr. Hart, Mr. Hollings, Mr. Inouye, Mr. Javits, Mr. Jordan of North Carolina, Mr. Kennedy, Mr. McCarthy, Mr. McIntyre, Mr. Mondale, Mr. Moss, Mr. Nelson, Mr. Pastore, Mr. Pell, Mr. Proxmire, Mr. Randolph, Mr. Talmadge, Mr. Thurmond, Mr. Yarborough, and Mr. Young of Ohio):

S. 1090. A bill to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965 as amended, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself, Mr. Bayh, Mr. Brooke, Mr. Eagleton, Mr. Hartke, Mr. Inouye, Mr. Kennedy, Mr. McCarthy, Mr. Metcalf, Mr. Stevens, and Mr. Yarborough):

S. 1091. A bill to amend the Fish and Wildlife Act of 1956 to provide technical and financial assistance to the commercial fishing industry in meeting the requirements of the Wholesome Fish and Fishery Products Act of 1969; to the Committee on Commerce.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself, Mr. Bayh, Mr. Bennett, Mr. Brooke, Mr. Eagleton, Mr. Fong, Mr. Goodell, Mr. Hartke, Mr. Hughes, Mr. Inouye, Mr. Kennedy, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Percy, Mr. Stevens, Mr. Yarborough, and Mr. Young of Ohio):

S. 1092. A bill to regulate interstate commerce by amending the Federal Food, Drug, and Cosmetic Act to provide for the inspection of facilities used in the harvesting and processing of fish and fishery products for commercial purposes, for the inspection of fish and fishery products, and for cooperation with the States in the regulation of intrastate commerce with respect to State fish inspection programs, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S. 1093. A bill to amend the Federal Power Act in order to provide for the regulation of the amount of project reservoir storage capacity that may be allotted for water quality control; to the Committee on Commerce.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 1094. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S.J. Res. 50. Joint resolution to establish a joint congressional committee to study and investigate matters pertaining to national security; to the Committee on Armed Services.

(See the remarks of Mr. Tower when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. ERVIN (for himself and Mr. Jordan of North Carolina):

S.J. Res. 51. Joint resolution to designate the month of May as "National Arthritis Month"; to the Committee on the Judiciary.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

S. 1079—INTRODUCTION OF SUSQUEHANNA RIVER BASIN COMPACT BILL

Mr. SCOTT. Mr. President, I introduce for appropriate reference a bill to grant official congressional consent to the formation of the Susquehanna River Basin compact, and to make the U.S. Government a party to that compact. I am pleased to have joining me as cosponsors in this effort all of the distinguished Senators from the three States primarily involved—Pennsylvania (Mr. Schweiker), New York (Mr. Javits and Mr. Goodell), and Maryland (Mr. Tydings and Mr. Mathias).

The Susquehanna is the last major relatively undeveloped river basin in the Northeast-Middle Atlantic region. The river's West Branch rises in central Pennsylvania; its North Branch issues from Otsego Lake at Cooperstown, N.Y. It flows southward eventually, emptying into the head of the Chesapeake Bay at Havre de Grace, Md. Its length of 448 miles makes it the 24th longest river in the United States. More than 3 million people live in the basin.

Most of the basin lies in Pennsylvania, about 76 percent of it, in an area which comprises approximately 46 percent of the entire Commonwealth. Eighty percent of the basin's total population lives in Pennsylvania, about one-sixth of the State's total.

The area is an extremely valuable asset to the millions of people who reside in it and to the tens of millions who live within a few hundred miles of it. It is an area where many local governments, three States and the Federal Government have major interests and responsibilities. It is an area in need of a comprehensive, coordinated governmental management system which will preserve and enhance its value to its people and their neighbors. This is what the Susquehanna River Basin compact is designed to achieve.

The compact would create the Susquehanna River Basin Commission. Its members would be the Governors of the three basin States—Pennsylvania, Maryland, and New York—or their immediate representatives, and a direct representative of the President. The compact would require the Commission to develop and effectuate plans, policies, and projects relating to water resources of the basin; to adopt and promote uniform and coordinated policies for water resources conservation and management, and to encourage and direct the planning, development, operation, and, subject to the applicable laws, the financing of water resources projects according to such plans and policies.

The core of the compact would be a comprehensive plan "for the immediate and long range development and use of the water resources of the basin" and "a water resources program, based upon the comprehensive plan." This plan is to take into consideration the quantity and quality of the area's water resources needs, existing and proposed public and private projects to meet these needs, and a separate statement of projects which the compact would propose that the Commission undertake. To this end, the Commission would be directed to prepare annual current expense and capital budgets consistent with its program, policies, and projects.

The comprehensive plan and program would deal with such matters as water supply, water quality management and control, flood protection, watershed management, recreation, fish and wildlife habitat, the perservation and enhancement of scenic, cultural, and historical sites, hydroelectric power, and water withdrawals and diversions in protected areas during emergencies.

Although the Commission would be empowered to act as a construction and operation agency, it would be enjoined by the provisions of this bill to "engage in the construction, operation, and maintenance of a project only when the project is necessary to the execution of the comprehensive plan and no other competent agency is in a position to act, or such agency fails to act." The signatory parties would specifically declare it to be their policy "to preserve and utilize the functions, powers, and duties of the existing offices and agencies of government to the extent consistent with this compact," and the Commission would further be "directed to utilize those offices and agencies for the purposes of the compact."

Throughout this bill, the Commission is required to "cooperate" with others and to "encourage" them in activities that will further the purposes of the compact. Moreover, the compact does not preempt the field; whenever appropriate, the powers of the signatory parties are preserved. Article 5, for instance, states:

> Nothing in this Compact shall be construed to repeal, modify, or qualify the authority of any signatory party to enact any legislation or enforce any additional conditions or restrictions to lessen or prevent the pollution of waters within its jurisdiction.

The model for the Susquehanna compact is the Delaware River Basin compact. In 1961, Congress enacted that compact to draw together the efforts of the United States and the States of Delaware, New Jersey, New York, and Pennsylvania in the planning, conservation, development, utilization, management, and control of that basin's water resources. Two of the member States of the Delaware compact—Pennsylvania and New York—are already members of the Susquehanna. That they are again willing to join together with the Federal Government in a venture of this kind is eloquent testimony to their satisfaction with the Delaware compact, and an expression of their confidence in a similar arrangement for the Susquehanna River Basin.

In the middle years of the current decade, the Delaware River Basin experienced a severe water shortage. The Delaware River Basin Commission managed that shortage in such a way that it was not necessary to deny essential water supplies to any public or private entity dependent on basin water, including the tremendous metropolitan complexes of Philadelphia and New York.

The Delaware Commission was successful, too, in formulating and coordinating a set of basinwide water quality standards for submission to the Secretary of the Interior in accordance with the Water Quality Act of 1965. This is the only instance in the entire Nation of such a multistate accomplishment, and it was done in the context of varied and complex water problems.

Today, the Delaware Commission is taking the lead in the necessary studies to protect the environment in the Delaware Water Gap National Recreation Area. This involves the close meshing of the planning, developmental, and conservation activities of three States—Pennsylvania, New Jersey, and New York—and the Federal Government. It is doubtful that this could be undertaken at all in the absence of the Delaware River Basin compact.

Finally, the Delaware commission has acted as the local sponsor of several Federal reservoir projects. Since the benefits of each of these projects will be substantially interstate in character, no one State, and certainly no combination of local governments within a State, could have been in a position to give the necessary local assurances.

I submit, Mr. President, that these several accomplishments illustrate what could be done on the Susquehanna if a similar compact and Federal enabling statute were enacted, as is the purpose of this bill. I think it is worth noting that in all essential respects the Delaware compact, and the proposed compact for the Susquehanna River Basin, are substantially similar. Most of the language of the proposed Susquehanna compact is, in fact, taken from the Delaware. Only in two significant respects do the two differ.

First, the Susquehanna compact would be more explicit in empowering its commission to promote proper flood plain zoning and management. This is a meritorious provision in its own right but, in addition, it is intended to further the policies laid down by Congress in the National Flood Insurance Act of 1968, enacted as title XIII of the Housing and Urban Development Act of 1968. The new Federal law requires, as a condition of eligibility for flood insurance in an area, that it be covered by effective State and local land use management laws or ordinances.

The second difference lies in the greater attention that would be given in the Susquehanna plan to the preservation and enhancement of scenic values and cultural and historic sites. This is particularly significant in the Susquehanna Basin because this is the last remaining relatively undeveloped major basin in the most densely populated part of the entire Nation.

In the compact itself, and in the reservations and conditions of the enabling statute, are to be found the several safeguards that Congress enacted in approving the Delaware compact. Some changes, however, have been made. One of these has to do with making more explicit the position of the U.S. member of the Commission. Unlike the Delaware compact, which left this point to implication, the Susquehanna compact would state specifically that the U.S. member is to be the direct representative of the President. Obviously, this is necessary. The State members are to be the Governors or their immediate representatives. To match their authority for coordination with respect to State agencies, the Federal member must be directly responsible to the head of the Federal executive branch.

Also, the language of the Susquehanna

enabling statute would be more exact in assuring that the responsibilies of other Federal agencies are not affected by this compact, except as specifically required by the compact or by reservations in the enabling act.

Several provisions of the Delaware statute declare that commission to be a Federal agency for some purposes, but not for others. This is necessary because the commission is a hybrid, a concept that has worked well on the whole. In certain respects, however, it seemed appropriate to try to improve on the Delaware model in making this point also in the Susquehanna compact. Therefore, this bill makes it clear, for example, that the proposed Susquehanna River Basin Commission is not to be considered a Federal agency for purposes of the Federal Water Power Act. This reservation continues by providing that no license would be required from the Federal Power Commission to develop a project for hydroelectric generation if the project were authorized by Congress, and if that authorization included electric power.

In the Delaware statute, the Federal Water Pollution Control Administration's jurisdiction over water quality is continued in unmodified form. This, it has been argued, appears to be paradoxical since the Delaware River Basin Commission has regulatory authority over water quality, and one of its members is the President's representative; in fact, the Secretary of the Interior. To avoid the possibility of having two Federal agencies proceeding independently, the Susquehanna compact would provide for a limitation of the Federal Water Pollution Control Act in those instances in which the U.S. member concurs in commission action regarding water quality.

Mr. President, as I stated at the outset, the Susquehanna River Basin is relatively undeveloped. Time is on our side in this instance, but we do not have much time left. Already population pressures are being felt directly, and they are bound to increase. To avert fragmented, duplicated and unplanned development, we need in the Susquehanna River Basin an arrangement that will provide for the legal and administrative coordination of Federal and State activities. The Federal Government and each of the States has major responsibilities—responsibilities that are not to be avoided. This is recognized in this bill's declaration that "the water resources of the Susquehanna River Basin are regional assets vested with local, State, and National interest" for which each of the parties to this compact has "a joint responsibility."

The compact that is embodied in this legislation is one that has been the object of many years of study and negotiation. In May 1962, the Interstate Advisory Committee on the Susquehanna River Basin met for the first time. Comprised of elected and appointed officials of each of the three States of the basin, the advisory committee, after some preliminary studies, appointed a drafting subcommittee in May 1964. The latter group met almost monthly for 22 months preparing successive drafts for review by the parent committee. In April 1966, it approved a version for publication and distribution. Copies were sent to Federal, State, and local agencies and to interested private persons. Many comments and suggestions were received, and many of these were incorporated in the draft document that was presented to the legislatures of the three States. The compact, in its present form, was adopted by Maryland and New York in 1967, and by Pennsylvania in 1968.

All that remains to be written of this story to transform an idea into reality is to secure the consent of Congress for the Susquehanna River Basin compact, and to make the United States a signatory to this compact. For this purpose, I urge the speedy enactment of this bill so that we can begin to bring the greatest benefits to, and to produce the most efficient service in the public interest for, the people of the basin and the Nation.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an explanatory memorandum prepared by the Interstate Advisory Committee on the Susquehanna River Basin.

The **VICE PRESIDENT**. The bill will be received and appropriately referred; and, without objection, the memorandum will be printed in the RECORD.

The bill (S. 1079) consenting to the Susquehanna River Basin Compact, enacting the same into law thereby making the United States a signatory party, making certain reservations on behalf of the United States, and for related purposes, introduced by Mr. SCOTT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

The memorandum, presented by Mr. SCOTT, is as follows:

MEMORANDUM TO ACCOMPANY SUSQUEHANNA RIVER BASIN COMPACT BILL

The Susquehanna is the last major relatively undeveloped river basin in the Northeast-Middle Atlantic Region. Accordingly, it is particularly in need of a Federal-Interstate coordinating mechanism to guide the conservation, development and administration of its resources in a manner which will most efficiently serve the needs of its population, and which will preserve and enhance its value as a scenic and recreational asset for the tens of millions who live within several hundred miles of the basin. Fine as the individual programs of many Federal agencies may be, and valuable as the efforts of the three separate States and each of their agencies may be, a comprehensive and coordinated governmental management instrument is by far the best hope of safeguarding and maximizing the usefulness of the Susquehanna in a way that will accord proper recognition and give effect to the State, regional and national interests involved. Because the extreme population pressure already ringing the basin are bound to accelerate the trend toward fragmented, duplicative and unplanned development, an overall, combined instrument for the legal and administrative coordination of Federal and State activity is urgent. The dangers of fragmentation arise, on the one hand, from the separatism of Federal agencies and, on the other, from the individuality of State programs.

The Susquehanna River Basin Compact can provide the means of overcoming these difficulties. All three basin States (Pennsylvania, New York and Maryland) have already enacted the Compact. If Congress also enacts it, the document will be both Federal and State law. Consequently, all of the governments and agencies working in any part of the basin will be brought within a single framework. The Susquehanna River Basin Commission composed of the very topmost level of State representation (the Governors or their immediate representatives), and a direct representative of the President, will come into operation. While the Commission will be an administrative body in its own right, the Compact contains specific safeguards against its displacing existing agencies—Federal, State or local. Coordination will be achieved, while permitting all existing talents and facilities to be employed.

The Susquehanna Compact would not be the first of its type. In 1961 the Congress enacted the Delaware River Basin Compact. While it was made clear at the time that the Federal-Interstate compact was an experiment, and some Federal agencies took the position that it should not be regarded as a precedent, the record of achievement under the Delaware Compact demonstrates that a similar instrument would be most advantageous for the Susquehanna Basin. The Delaware River Basin Commission successfully managed the acute water shortage of the mid-1960's without denying essential supplies to any of the public and private entities dependent on Delaware Basin water, including the tremendous metropolitan complexes of New York City and Philadelphia. It also succeeded in formulating and harmonizing a set of basinwide water quality standards for submission to the Secretary of the Interior under the Water Quality Act of 1965. This is the only instance of such an accomplishment in the entire nation, and it was done in an area of varied and complex water problems embracing parts of four States. Thirdly, the Delaware Commission is spearheading the studies necessary to protect the environment in the Delaware Water Gap National Recreation Area. Since this involves the close meshing of the planning, developmental and conservation activities of Pennsylvania, New Jersey, New York and the Federal Government, it is doubtful that it could be properly undertaken at all in the absence of the Delaware Compact. Finally, the compact has established the intergovernmental operating agency which was able to act as the local sponsor of several Federal reservoir projects. Since the benefits of each of these projects will be substantially interstate in character, no one State, and certainly no combination of local governments within a State, was in a position to give the necessary local assurances. It is submitted that these four major accomplishments illustrate what could be done on the Susquehanna, if a similar compact and Federal enabling statute were enacted by Congress for that basin.

In all essential respects the Susquehanna and Delaware Compacts are substantially similar. Indeed, most of the language in the Susquehanna Compact is copied from Delaware. Consequently, it cannot be said that the instrument is untried and that the effects of the provisions are unknown. Furthermore, the fact that two of the States in the Delaware Compact—Pennsylvania and New York—have thought well enough of that Federal-Interstate compact to enact virtually the same arrangement for the Susquehanna is practical testimony to the efficacy of the Susquehanna River Basin Compact.

Only in two significant substantive respects do the two compacts differ. The Susquehanna Compact is more explicit in empowering the Federal-Interstate Commission to promote proper flood plain zoning and management. Not only is this an important advance, but it is directly in line with the policies of the Congress which enacted the National Flood Insurance Act of 1968 as Title XIII of the Omnibus Housing Act. This new

Federal statute requires effective state and local land use management in flood plains as a prerequisite to the availability of insurance under the Federal program.

The second difference is in the greater attention to concern with amenities such as scenic values and historical and cultural sites. This is particularly significant for the Susequehanna because as pointed out earlier, this basin is the last remaining relatively undeveloped major basin in the most densely populated part of the entire nation.

The Susquehanna Compact must be part of a Federal statute which will do two things: 1) enact it into Federal law, thereby making the United States a full participant, and 2) contain such auxiliary provisions as are desirable to fit the Compact into the general pattern of Federal law. Section 1 of the bill accomplishes the first task. Section 2 covers the second requirement in much the same fashion as similar provisions of the Federal enabling statute for the Delaware River Basin Compact. However, there are several differences between the Susquehanna bill and the "reservations" included as part of the Delaware statute. These are indicated below, together with the reasons for the changes.

Section 2(q) of the Susequehanna bill is identical with Section 15.1(r) of the Delaware statute, except for the addition of language making it clear that the United States member of the Susquehanna River Basin Commission is to be the direct representative of the President. This is the intent of the Delaware Compact and of the Federal enabling statute. It was recognized that to match the coordinative authority of the governors with respect to the activiies of state agencies, it was necessary that the Federal member of the Commission be directly responsible to the head of the Federal Executive Branch. However, a draft Executive Order recently sent to the Bureau of the Budget by the Water Resources Council would have subjected the Federal members of compact commissions to check by both field level interdepartmental committees and the Water Resources Council. Fortunately, the President has not issued the Order, but the auspices under which it was proposed appears to make it desirable that Congress reinforce its original intent. Impeding and downgrading the President's representative on a Federal-Interstate body would give individual Federal agencies powers of delay and ultimate vetoes properly exercised only by Congress and the President, and would materially impair the coordinating capability of the Compact.

In this same connection, it should be noted that a draft of enabling legislation for the Susquehanna Compact presented to the States by the Water Resources Council would give the United States member a veto over Commission action. The Delaware statute confines such power to Congress and the President and carefully details the procedures and circumstances for its exercise, in order to make clear that any such action is intended to be extraordinary, and only for truly compelling reasons.

Section 2(r) of the Susquehanna bill is equivalent to Section 15.1(s) of the Delaware statute in purpose and meaning. Both provide assurance that, except as specifically required by the compact, or reservations in the enabling statute, the responsibilities of other Federal agencies are unaffected. If it were not for the recent suggestions that individual Executive agencies should be unilaterally free to offer their own interpretations of any other Act of Congress as a basis for disregarding the Compact and the Federal-Interstate Commission, alteration of the Delaware statute's language on this point probably would not have occurred to anyone. However, it now seems desirable to make it even clearer that in enacting the Susquehanna Compact, the Congress reserves its full authority to legislate, and that it is not conferring a like authority on individual segments of the Executive Branch.

Several provisions of the Delaware statute are designed to make the Federal-Interstate commission a Federal agency for some purposes but not for others. On the whole, there is no difficulty with this concept. In fact, the basic value of the Susquehanna River Basin Commission is that it will be a hybrid, able to accomplish tasks that neither Federal nor State Governments could do separately. However, it would be well to improve on the Delaware statute in several particulars.

(a) It has been suggested that in Section 2(l)—the comparable provision to Section 15.1(m) of the Delaware statute—it would be appropriate to make it clear that the Susquehanna River Basin Commission is not a Federal agency for purposes of the Federal Water Power Act. A consequence would be to require the Commission to obtain a license from the FPC if it should decide to develop a project for hydroelectric power generation. The Susquehanna bill incorporates this suggestion, but it also provides that no such license would be required, if the project is one authorized by the Congress, and if the authorization includes hydroelectric power.

(b) The Delaware statute continues the jurisdiction in unmodified form of the Federal Water Pollution Control Administration over water quality in the Delaware River. This seems rather anomalous, because the Federal-Interstate Commission has regulatory authority over water quality and one of the members of the Commission is the President's representative. In fact, on the Delaware River Basin Commission, the Secretary of the Interior is himself the U.S. member. In order to remove this anomaly, the Susquehanna bill provides for a limitation on the applicability of the Federal Water Pollution Control Act in those instances in which the United States member of the Susquehanna commission concurs in commission action regarding water quality control. It seems destructive to authorize the Federal Executive Branch to proceed in two independent and possibly conflicting ways to abate pollution.

(c) The general effect of the Delaware statute and its interpretation by the Civil Service Commission has been to exclude employees of the Federal-Interstate Commission from coverage by the Federal Employees Retirement System and other Federal employee fringe benefits. Since such a commission is not entirely a Federal agency, there is justice in the position. However, it would be desirable to authorize the Federal agencies administering employee benefit plans to make coverage agreements with the Federal-Interstate Commission. If the Commission were willing to pay the full employer's share, and the Commission's employees were required to pay the remainder of the premiums, there would be no cost to the Federal Government. States make such arrangements with interstate agencies in which they participate. Accordingly, Section 2(m) of the Susquehanna bill authorizes the making of coverage agreements. Otherwise, it is identical with the Delaware statute provision.

Finally, two provisions of the Delaware statute have been omitted from the Susquehanna bill, because their purposes are accomplished by provisions of the Susquehanna Compact itself. These provisions of the Delaware statute are: Sections 15.1 (d) and (h).

Mr. GOODELL. Mr. President, I am extremely pleased to join in the introduction of legislation to grant the consent of Congress to the Susquehanna River Basin compact and to make the United States a party to the compact.

The compact is of great importance for the conservation and development of major New York water and related enterprises. Many New Yorkers will share in the benefits of this arrangement. More than one in every 20 people in New York live in the Susquehanna River Basin. The major portion of the basin is in Pennsylvania, but its approximately 6,300 square miles that lie in New York represent nearly one-seventh of the total area of the State.

In addition, the millions of people who reside in the metropolitan areas of New York City, Philadelphia, and Baltimore have an interest in what happens in the basin.

The Susquehanna is the last major relatively underdeveloped river basin in the Northeast-Middle Atlantic region. As such, it will greatly benefit from a coordinated development of its resources through a Federal-interstate arrangement. The Susquehanna compact is closely patterned on the Delaware River Basin compact enacted in 1961. Two of the member States of the Delaware—New York and Pennsylvania—are also members of the Susquehanna.

The record of achievement under the Delaware compact demonstrates that a similar arrangement would be most advantageous for the Susquehanna Basin. We are all aware of the Delaware River Basin Commission's successful management of the severe water shortage of several years ago. The pollution control, environmental planning, and Federal project guarantee activities under the Delaware compact are proving to be of great value and are likely to be even more significant in the immediate future.

The success of the Delaware compact indicates the kinds of achievements which could become a reality in the Susquehanna if Congress enacts the appropriate enabling statute. A thoroughgoing Federal-interstate partnership is the essence of the arrangement. The other signatory parties, the States of New York and Maryland and the Commonwealth of Pennsylvania, have already enacted the compact. Now it is up to the United States to act.

Mr. MATHIAS. Mr. President, I am pleased to join the Senator from Pennsylvania (Mr. Scott) in introducing legislation to give congressional consent to the Susquehanna River Basin compact.

This interstate compact has great importance to Maryland. Although only 300 square miles of the Susquehanna Basin are in Maryland, the Free State is the recipient of all the waters of the river, an average daily flow totaling 25 billion gallons at Conowingo. The Susquehanna provides fresh water for individual, industrial, and municipal use in the vast Baltimore metropolitan area. It contributes well over half of the fresh water flowing into Chesapeake Bay. It provides numerous recreational opportunities for Marylanders and visitors to the State.

Of course, the Susquehanna also contributes pollution, sediment, and floating debris to the Chesapeake Bay. Its seasonal variations produce flood problems at some times, while at other times a low Susquehanna flow into the bay permits saline water to move farther up the bay, altering its natural balance in ways which can be very destructive to marine life.

Thus maintaining a proper flow of high quality water from the Susquehanna is literally a matter of life or death for the renowned oysters, crabs, and clams of Chesapeake Bay. It is a matter of economic health and growth for the Baltimore region. It is also a knotty problem for water management experts and the governments involved.

The river basin compact, developed through over 6 years of painstaking work by representatives of the States involved, provides a framework for sound regional management of the Susquehanna now and in the years ahead. I trust that the appropriate committee will consider this legislation without delay.

S. 1081—INTRODUCTION OF BILL TO PROVIDE FOR THE STRIKING OF MEDALS IN HONOR OF THE DEDICATION OF THE WINSTON CHURCHILL MEMORIAL AND LIBRARY

Mr. EAGLETON. Mr. President, on behalf of myself and Senator SYMINGTON, I introduce, for appropriate reference, a bill which would cause the Secretary of the Treasury to strike a medal in honor of the dedication of the Winston Churchill Memorial and Library at Westminster College in Fulton, Mo., in May 1969.

Mr. President, Winston Churchill delivered his world-renowned Iron Curtain speech at Westminster College on March 5, 1946.

As a high school student, I was privileged to be in attendance at the time of his great address and shall always treasure it as one of the truly unforgettable experiences of my life.

A medal commemorating the dedication of this memorial and library is not only a proper tribute to the occasion at hand, but also a fitting tribute to a world statesman, a tangible recollection of one of the great public addresses of modern times, and a worthy recognition of a fine midwestern academic institution, Westminster College.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1081) to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library, introduced by Mr. EAGLETON (for himself and Mr. SYMINGTON), was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 1085—INTRODUCTION OF THE ENVIRONMENTAL QUALITY PRESERVATION ACT

Mr. NELSON. Mr. President, the most urgent current business of our Nation is to reverse the accelerating deterioration of our environment. We are now moving rapidly on a course that can threaten to destroy man's habitat and that of most other living creatures. Irreparable damage has been done already and great energies must be directed to reversing this alarming trend.

The menace to our environment posed by a vast tide of air and water pollution, by our increasing urban sprawl, and by the products and byproducts of our rapidly burgeoning technology is staggering indeed. The indiscriminate use of poisonous pesticides are contaminating our environment. Pollution has all but destroyed our lakes and it is threatening our supply of fresh water. Many of our Nation's finest forests have been ravaged and destroyed. Stripminers and bulldozers have forever marred the beauty of our natural landscape. Automobiles powered by the internal combustion engine are filling the air we breathe with noxious gases. Industrial plants pour ever increasing amounts of harmful residue into the atmosphere at a terrifying rate. These grim facts are shocking.

In order to help our governments, Federal, State, and local, to meet the environmental crisis, I am introducing today a bill—the Environmental Quality Preservation Act of 1969.

Title I of the bill would create a Council on Environmental Quality in the Executive Office of the President to oversee the programs of the Federal, State, and local governments to determine to what extent these activities are contributing to the achievement of environmental quality and to gather, analyze, and interpret conditions and trends in environmental quality.

The principal task of the Council will be to develop within a 5-year period comprehensive national policies and programs to improve and maintain the quality of our environment. This is a job of enormous import not only to us today but also to many generations to come.

Under title II of the bill, the Secretary of the Interior is authorized to conduct studies of natural environmental systems in the United States to document and define changes in these systems, and to develop and maintain an inventory of natural resource development projects and other related projects which may make significant modifications in the natural environment.

Further, the Secretary of the Interior is directed to establish a clearinghouse for information on ecological problems and studies and to disseminate information about progress in the field and to establish a program in which representative natural environments on Federal lands can be set aside for scientific study and for preservation. Also, the Secretary of the Interior will assist and encourage the establishment of similar natural preserves on State and private lands.

Title III of the bill would establish, under the Secretary of Health, Education, and Welfare, a comprehensive waste management research program, coordinating all such research now being done under a number of different Federal programs. The Secretary of Health, Education, and Welfare is also directed to compile a national inventory of waste management needs and problems and of waste management technology.

In addition, the bill would establish a clearinghouse for information on all aspects of air, water, and soil pollution and waste disposal. This information would be made available to business, industry, municipalities, and the general public.

Our natural resources are a precious commodity and we must begin to more prudently marshal our efforts to stop this senseless destruction of our environment.

The effort that we must make has to be thorough and comprehensive. We need the support of every citizen and of every public official at all levels of government, from city and county government right up to the White House.

The time is long overdue for constructive action and the promulgation of a national directive in this regard.

The Environmental Quality Preservation Act of 1969 can meet this challenging objective.

I ask unanimous consent that this bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1085) to be cited as the "Environmental Quality Preservation Act of 1969," introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 1085

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act may be cited as the "Environmental Quality Preservation Act of 1969".

SEC. 2 The Congress finds and declares—

(a) that the quality of the environment of the Nation—its air, water, and soil—has substantially deteriorated and is continuing to do so at an increasing rate;

(b) that this decline in environmental quality is threatening the health and survival of plant and animal life, and indeed of man himself; is depriving man of esthetic and recreational values increasingly important to his physical and mental health; and is obstructing, and indeed may eventually prevent, the economic, social, and material development necessary to meet the grave problems of an expanding population, and continuing urbanization and industrialization;

(c) that present pollution control programs, directed as they are to specific problems of pollution of water, air, or soil, do not together constitute a comprehensive environmental quality program and cannot maintain overall environmental quality at a level sufficient for the emerging needs of the Nation; and

(d) that the purposes of this Act therefore are to provide for the formulation and recommendation to the Congress of a comprehensive national environmental quality program; to foster interest in and attention to the problems of environmental quality by the Congress and throughout the executive branch; and to recognize and redirect existing research programs, and establish new programs, in order to expand rapidly knowledge of all kinds in the areas of environmental quality, pollution control, and waste management.

TITLE I—COUNCIL ON ENVIRONMENTAL QUALITY

SEC. 101. The President shall transmit to the Congress annually beginning not later than June 30, 1969, an Environmental Quality Report (hereinafter referred to as the "Report") which set forth (1) the status and condition of the major natural, manmade, or altered environmental system of the Nation, including, but not limited to the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; and (2) current and foreseeable trends in management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

Sec. 102. (a) There is hereby created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate, each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret environmental information of all kinds, to appraise the environmental quality programs of Federal, State, and local governments, and to formulate and recommend national policy to promote the improvement of the quality of the environment.

(b) The Council may employ such officers and employees as may be necessary to carry out its functions under this title. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this title, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

(c) It shall be the principal duty of the Council to develop comprehensive national policies and programs to improve and maintain the quality of the environment needed to meet the emerging social, economic, material, and other requirements of the Nation. The recommendations of the Council shall be transmitted by the President to the Congress by January 1, 1973.

(d) In addition to those in subsection (c), it shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the Environmental Quality Report;

(2) to gather timely and authoritative information concerning the conditions and trends in environmental qualities both current and prospective, to analyze and interpret such information and to compile and submit to the President studies relating to such conditions and trends;

(3) to appraise the various programs and activities of Federal, State, and local government for the purpose of determining the extent to which such programs and activities are contributing to the achievement of environmental quality, and to make recommendations to the President with respect thereto;

(4) to make and furnish such studies, reports, and recommendations with respect to matters of policy and legislation as the President may request; and

(5) to foster study and research in the social, technical, administrative, economic, political, and other aspects of environmental quality at institutions of higher learning throughout the Nation.

(e) In exercising its powers, functions, and duties under this title—

(1) the Council shall consult with such representatives of science, industry, agriculture, labor, conservation, State and local governments, and other organizations and groups, as it deems advisable; and

(2) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of public and private agencies, organizations, and individuals, in order that duplication of effort and expense may be avoided.

TITLE II—ECOLOGICAL RESEARCH

Sec. 201. The Secretary of the Interior (hereinafter referred to as the "Secretary"), in order to carry out the purposes of this title, is authorized—

(1) to conduct investigations, studies, surveys, research, and analyses;

(2) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(3) to develop and maintain an inventory of natural resource development projects, engineering works, and other major projects such as, but not limited to, eradication projects contemplated or planned by public or private agencies or organizations which may make significant modifications in the natural environment;

(4) to establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals;

(5) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps;

(6) to initiate and utilize ecological information in the planning and development of resource-oriented projects;

(7) to encourage other public or private agencies planning development projects to consult with the Secretary on the impact of the proposed projects on the natural environment;

(8) to encourage and assist public (non-Federal) or private agencies or organizations, including educational institutions, museums, and botanical and zoological gardens, and other scientific or conservation organizations, or individuals, to acquire, designate, and maintain representative samples of important natural environmental systems, including natural areas for observation and for manipulation, and to encourage such agencies, organizations, and individuals to utilize existing areas under their control or jurisdiction for such purposes;

(9) to establish through interagency coordination, on federally owned lands, a Federal system of natural areas for scientific purposes and develop the means and methods for withdrawal of such areas from nonconforming uses, and provide for their management and protection to serve the natural research needs of all agencies, both public and private; except that in developing standards governing any such withdrawals, the Secretary shall give due consideration to future alternative uses of such areas subject to withdrawal; and

(10) to assist and advise the Council on Environmental Quality established under title I of this Act.

Sec. 202. The Secretary is further authorized for the purposes of this title (1) to make grants and enter into contracts or cooperative agreements with public or private agencies or organizations, or individuals, (2) to accept and use donations of funds, property, personal services, or facilities, (3) to acquire selected areas of lands or interests in lands by donation, acquisition with donated funds, devise, or exchange for acquired lands or public lands under his jurisdiction which he finds suitable for disposition, (4) to administer such lands or interests for experimental purposes, including the observation and manipulation of natural areas, and (5) to issue such regulations as he deems necessary with respect to the administration of such lands.

Sec. 203. Activities authorized under this title may be carried out on lands under the jurisdiction or control of other departments or agencies of the Government only with the approval of the head of the department or agency concerned.

Sec. 204. The Secretary shall consult with and provide technical assistance to departments and agencies of the Government, and he is authorized to obtain from such departments and agencies such information, data, reports, advice, and assistance as he deems necessary or appropriate, and which can reasonably be furnished by such departments and agencies in carrying out the purposes of this title. Any Federal agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement by the Secretary.

Sec. 205. Nothing in this title is intended to give, or shall be construed as giving, the Secretary any authority over any of the authorized programs of any other department or agency of the Government, or as repealing, modifying, restricting, or amending existing authorities or responsibilities that any department or agency may have with respect to the natural environment. The Secretary shall consult with the heads of such departments and agencies for the purpose of identifying and eliminating duplication of effort.

Sec. 206. (a) The Secretary is authorized to establish such advisory committees as he deems desirable for the purpose of rendering advice and submitting recommendations to him relating to the carrying out of the purposes of this title. Such advisory committees shall render advice and submit recommendations to the Secretary upon his request and may submit recommendations to the Secretary at any time on their own initiative. The Secretary may designate employees of the Department of the Interior to serve as secretaries to the committee.

(b) Members of advisory committees appointed by the Secretary may receive not to exceed $100 per day when engaged in the actual performance of their duties, in addition to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

Sec. 207. The Secretary is authorized to participate in environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations if he determines that such activities will contribute to the objectives and purposes of this Act.

TITLE III—WASTE MANAGEMENT RESEARCH

Sec. 301. (a)(1) The Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") shall organize the research and related activities authorized by the Clean Air Act, as amended, and the Solid Waste Disposal Act, as amended, into a comprehensive program for research in waste management. The Secretary shall insure that the program is organized, planned, and conducted with singleness of purpose and maximum effectiveness, and for this purpose the most advanced management and research methods and techniques, including systems analysis and systems engineering, shall be employed.

(2) The Secretary is authorized to consult with the Secretary of the Interior for the purpose of including research and related activities authorized by the Federal Water Pollution Control Act, as amended, in the program authorized in this title, and the Secretary of the Interior is authorized to cooperate to the extent practicable with the Secretary for such purpose.

(b) As a foundation for the work of the waste management research program established by subsection (a) of this section, the Secretary shall have compiled a national inventory of waste management needs and problems, and of present waste management methods, including the costs of these methods.

(c) The Secretary shall also establish within the Department of Health, Education, and Welfare (hereinafter referred to as the "Department") an office to collect from appropriate sources and to disseminate actively to the general public, to agricultural, industrial, and commercial groups and their representatives, and to Federal, State, and local government agencies and their representatives, such information as is available regarding all aspects of air, water, and soil pollution, including in particular the extent and dangers of such pollution, and the financial and technical assistance available from the Federal Government for research on, and prevention and abatement of, such pollution.

(d) The Secretary shall assist and advise the Council on Environmental Quality established under title I of this Act.

Sec. 302. (a) The Secretary shall encourage and arrange for full and complete cooperation between the waste management research programs established under section 301(a), and those programs of other departments and agencies of the Federal Government engaged in research and development work on any aspect of waste management.

(b) The Secretary is hereby authorized to request, and the departments and agencies of the Government are directed to grant, the use of the waste disposal installations and facilities of any such department or agency for the purpose of testing and evaluating new methods, procedures, and equipment for waste management: *Provided*, That in the judgment of the department or agency concerned, such test and evaluation work will not disrupt, disorganize, or in any way interfere with the normal activity, operations, and functioning of such agency or department: *Provided further*, That any expense incurred in such test and evaluation work above and beyond the normal and usual expense of operating the waste disposal installations and facilities of the agency or department concerned shall be borne by the department.

Sec. 303. When used in this title—

(a) the term "waste" means the unwanted solid, liquid, and gaseous materials from agricultural, industrial, commercial, domestic, and community production and consumption activities, discarded or discharged into or onto the atmosphere, water courses, or the ground;

(b) the term "waste management" means the planned, organized, and efficient collection, treatment, reclamation, and disposal of waste to minimize or prevent air, water and soil pollution; and

(c) the term "research" means (1) studies, investigations, and experiments for the development of basic and applied knowledge bearing on waste management in the physical, biological, social, and earth sciences; and (2) the design, development, and testing of equipment, methods, and processes for waste management.

TITLE IV—APPROPRIATIONS

Sec. 401. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1968, and for each of five succeeding fiscal years, such amounts as may be necessary for the purposes of this Act.

S. 1088—INTRODUCTION OF BILL RELATING TO VETERANS EMPLOYMENT AND RELOCATION ACT

Mr. JAVITS. Mr. President, on behalf of myself and Mr. Schweiker, Mr. Murphy, Mr. Randolph, Mr. Eagleton, Mr. Nelson, and Mr. Hughes, I introduce the "Veterans Employment and Relocation Assistance Act of 1969," a measure designed to help Vietnam veterans find job opportunities to match their skills and provide financial assistance where relocation is necessary. This legislation is aimed at assisting veterans returning to areas in which there is no market for the skills they have acquired while in military service. It would direct such veterans away from areas of high unemployment, whether in inner city slums or depressed rural areas.

Approximately 900,000 men will be discharged from the armed services this year and it is estimated that about 450,000 of these men will seek postdischarge employment assistance. This bill would assist our returning veterans in finding employment opportunities which are commensurate with their military training and experience, no matter where such opportunities exist.

Many veterans have had such difficulty obtaining jobs that they have had to rely on unemployment compensation. Throughout the Nation, 168,841 recent dischargees—men who had served in the armed services during 1968—filed for unemployment compensation and drew those benefits for an average total of 9 weeks.

The key feature of the bill I introduce today is job mobility. It is its objective to assist those veterans who would be returning to areas of high unemployment by directing them to other sections of the country where the skills and training they received while in military service are in need and would be utilized. Military service interrupts the life experience of many young men. We should take advantage of this fact and seek to turn such circumstance into an opportunity for significant social and economic breakthrough. Those men who have left depressed urban ghettos to serve in the armed services should have the opportunity, if they wish, of going where employment opportunity exists after their military service has been completed. Not only could such a program benefit the men involved, but it could contribute to the national economy by promoting labor mobility and overcoming manpower skill shortages on a national basis.

Many of our returning veterans acquire skills in the military which have counterparts in the civilian economy. Each servicemen generally learns from one to three "military occupational specialties"—MOS. Many, although not all, of the MOS's have immediate civilian relevance. For those men who are to leave the armed services unequipped to make the transition to civilian life and who need assistance in preparing for a job, in addition to postdischarge training benefits offered under the cold war GI bill, the military is beginning to offer other sources of relevant skill training.

In particular, I refer to Project Transition of the Department of Defense. This program seeks to train men about to be discharged for jobs which will exist, for skills which are needed, in the civilian labor market. This is done by offering specific MDTA courses at each of the armed services separation points in the United States and, in addition, by utilizing direct support from business in the form of company-sponsored courses taught on the bases.

The American Legion magazine of February 1969 reports that the Department of Defense now has in operation VEVER, Vietnam era veterans' employment referral, an automated system whereby a Vietnam veteran who meets certain eligibility requirements may make a single application for civilian employment with Federal Defense or any other agency's installations anywhere in the United States and have it referred to the agencies at the geographic location of his choice. This is a step forward in matching a suitable vacancy in an area selected with skills and employment desires.

The Veteran's Employment and Relocation Assistance Act represents an effort to build upon and to supplement military training and programs such as the Vietnam era veterans' employment referral program and Project Transition. One of the greatest limitations to Project Transition is lack of mobility. In an article in the Reporter entitled "A Belated Job Program for Vietnam Veterans," John I. Brooks noted that—

> Much of Project Transition's success depends on a man's willingness to go where the job is . . . the returning veteran is at "a point of high mobility" in his life because of his recent separation from home and his travels in the service.

This bill would take advantage of that potential mobility. It would seek to stimulate those veterans whose homes are in areas of high unemployment to relocate in those sections of the country where they could more easily acquire useful and relevant employment. This will be done through a process of compilation and matching of relevant data and a program of financial relocation assistance.

Some of the data relevant to this program of veterans' assistance is already available. The U.S. Employment Service of the Bureau of Employment Security in the Department of Labor is presently charged with maintaining a system of employment offices throughout the Nation which collects and furnishes information on employment opportunities in each area. Moreover, these local USES offices are to offer specific job counseling assistance to veterans.

First, this act would require USES to collect and compile information about employment and training opportunities on a national basis through the establishment of a so-called Veterans' employment and relocation assistance center. It would also require the Secretary of Defense to compile, each month, a list of persons who are to be discharged, together with their homes of record and any special education, training, or skill such person may possess, including his MOS, both primary and secondary. This information, which could be crucial to placing a veteran in a civilian job which builds upon his most relevant and most recently acquired skill, is not now generally available nor is it utilized by USES in counseling and placing veterans in jobs.

Second, the act would seek to match the skills the veterans have acquired in the armed services with employment and training opportunities available on a national basis. Each local USES office would continue its present practice of seeking out veterans returning to its area, counseling them, and assisting them to find employment in that area. However, if no employment is available in the veteran's home area, the local USES office would then be required to direct those veterans who so desire to employment or training opportunities, commensurate with their qualifications and training, available in other parts of the Nation. This would be done by using the information compiled by the national relocation center. In this manner, the employment opportunities of each eligible veteran would be extended to a national basis.

Finally, the act would stimulate the potential mobility of these returning veterans through a system of financial assistance for relocation. The Veterans' Administration would pay the reasonable travel expenses of each veteran for whom USES has arranged a job interview at a place other than his home area. In addition, a veteran who accepted an employment or training opportunity in an area other than his home area, would receive, as a veterans' benefit, a moving allowance, to include reasonable travel expenses for his family and himself, reasonable expenses for moving his personal effects and household goods, and the cost of lodging for a transitional period while he sought housing in his new location.

It is my estimate that an expenditure of about $35 million would be adequate to cover the first-year costs of this program, until such time as it has been in operation for a period of time and it would be possible to compute more exactly the number of veterans who would take advantage of its benefits. Presently, about 70,000 men are being discharged each month. If one assumes that about 10,000 of them take advantage of the interview expenses, and 5,000, of the moving expenses each month, these benefits would run to a monthly expenditure of approximately $2.5 million—based on $100 per interview and $300 per actual relocation. Adding an amount for administrative overhead, the potential cost of this program remains but a tiny fraction of the total amount spent on veterans' benefits.

Mr. President, the measure could have social and economic benefits far out of proportion of its costs. The Veterans' Employment and Relocation Assistance Act builds upon and seeks to utilize the skills which a young veteran has acquired while in military service, and takes advantage of the fact that these men are more mobile than most of the unemployed and more mobile than they probably ever have been or ever will be again in their lives. This program should promote labor mobility and thereby ease skill shortages wherever they exist.

Finally, for those veterans who were drafted or enlisted out of our urban ghettos, whose ghetto living experience has been interrupted by military service, this program would seek to reach them before they have returned to areas of high unemployment and would give them the opportunity, if they wished, of utilizing their recently acquired skills and training in areas in which those skills and training will be relevant. Certainly, meaningful employment for our veterans should be a high objective of the society for which they have fought.

I ask unanimous consent that the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1088) to be cited as the "Veterans' Employment and Relocation Assistance Act of 1969," introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1088

Be is enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited by the "Veterans' Employment and Relocation Assistance Act of 1969."

SEC. 2. (a) Part III of title 38, United States Code, is amended by adding at the end thereof a new chapter as follows:

"CHAPTER 42.—VETERANS' EMPLOYMENT AND RELOCATION ASSISTANCE

"Sec.
"2101. Purpose.
"2102. Definitions.
"2103. Entitlement.
"2104. Compilation of necessary data.
"2105. Counseling.
"2106. Administration.
"2107. Relocation benefits.

"§ 2101. Purpose

"It is the purpose of this chapter to accord appropriate recognition to the sacrifices made by eligible veterans in serving their country and to help meet the Nation's economic needs by assisting such veterans who desire meaningful employment to obtain jobs which require skills learned by them while serving in the Armed Forces, and to provide the financial assistance necessary to relocate such veterans in areas where such jobs are available.

"§ 2102. Definitions

"For the purposes of this chapter—

"(1) The term 'eligible veteran' means any veteran who is eligible for education and training benefits under chapter 34 of this title and who is discharged on or after the effective date of the Veterans' Employment and Relocation Assistance Act of 1968.

"(2) The term 'home' means the home of record of the veteran, as indicated in his military record, at the time of his discharge.

"§ 2103. Entitlement

"Any eligible veteran who seeks meaningful employment, on-the-job training, or apprenticeship training commensurate with the skills and training he has acquired during his period of military, naval, or air service and who is unable to obtain such employment, on-the-job training, or apprenticeship training near his home shall be entitled to the employment and relocation assistance provided for under this chapter.

"§ 2104. Compilation of necessary data

"(a) The Secretary of Labor shall establish within the United States Employment Service of the Bureau of Employment Security of the Department of Labor a Veterans' Employment and Relocation Assistance Center (hereinafter in this chapter referred to as the 'Relocation Center'). It shall be the function of the Relocation Center to compile and maintain comprehensive lists of available job opportunities and on-the-job and apprenticeship training opportunities available throughout the Nation and the education, training, and skills required for such opportunities. Each local United States Employment Service office shall periodically compile such a list with regard to the job opportunities and on-the-job and apprenticeship training opportunities available in the particular area served by such office and shall transmit such list to the Relocation Center. Such lists shall be maintained on an up-to-date basis.

"(b)(1) The Secretary of Labor, using every appropriate facility, shall collect and compile information regarding education, training, and skill requirements, occupational outlook, job opportunities, labor supply in various skills, and employment trends on a National, State, area, or other appropriate basis which shall be used in the placement activities carried out under this chapter. The Secretary of Labor shall also place high priority on maintaining in current status the Dictionary of Occupational Titles. The Secretary shall give the highest priority to performing the duties prescribed by this section and shall place particular emphasis on identifying and publishing information relating to those occupations, skills, industries, and geographic areas in which the supply of qualified workers is insufficient to meet existing and foreseeable future needs.

"(2) As soon as practicable after he has collected and compiled the information described in paragraph (1) of this subsection, the Secretary of Labor shall transmit such information to the Relocation Center and the Relocation Center shall utilize such information in carrying out the provisions of subsection (a) of this section.

"(c) The Secretary of Defense shall cause to be compiled at least once each calendar month a list of persons discharged or released from active duty (and who will be eligible veterans), the home of record of each such person, and any special education, training, or skill such person may possess, including his military occupational specialty (both primary and secondary). Such lists shall be transmitted to the Relocation Center for use in carrying out the provisions of this chapter.

"§ 2105. Counseling

"(a) Each member of the Armed Forces shall be advised immediately prior to his discharge or release from active duty of the services available to him under this chapter.

"(b) Each local office of the United States Employment Service shall contact each eligible veteran returning to the area served by such office within a period of sixty days after his discharge or release from active duty and inform such veteran of the employment, training, and relocation assistance available to him under this chapter. Special attention shall be directed by the local offices of the United States Employment Service to eligible veterans who are underskilled or who reside in areas of high unemployment.

"(c) Whenever an eligible veteran does not possess any special training or skill to qualify him for appropriate employment in civilian life, he shall be advised of training opportunities available to him, including, but not limited to, on-the-job training and apprenticeship training.

"§ 2106. Administration

"(a) An eligible veteran may make application for assistance from the Relocation Center at any time within 90 days following the date of his discharge or release from active duty.

"(b) The appropriate local office of the United States Employment Service shall undertake to match the particular qualfications of an eligible veteran with an available job, on-the-job training opportunity, or apprenticeship opportunity which is commensurate with such qualifications of the veteran. If no such opportunity is available in the home area of the veteran, the local United States Employment Service office shall obtain from the Relocation Center a listing of jobs, on-the-job training, and apprenticeship opportunities available in other parts of the Nation which are commensurate with the veteran's qualifications or vocational objective and shall direct the veteran to such opportunities. Every effort shall be made to place the veteran as close to his home area as practicable.

"(c) Whenever the local office of the United States Employment Service has matched an eligible veteran with an available job or on-the-job training or apprenticeship opportunity, such office shall, at the request of either party, arrange for an interview between such veteran and the prospective employer or the training or apprenticeship program director, as the case may be. In each case the local office concerned shall ascertain whether or not (1) the interview was conducted, (2) a job, training, or apprenticeship offer was made to the veteran, and (3) the offer was accepted by the veteran.

"(d) An eligible veteran shall not be obligated to accept any offer of a job, training, or apprenticeship made to him, and a refusal of any such offer for a satisfactory reason, as determined in regulations prescribed by the Administrator, shall not disqualify such veteran for additional assistance under this chapter. If a veteran refuses a job, training, or apprenticeship offered to him through assistance under this chapter without a satisfactory reason therefor, such veteran shall be ineligible for further assistance under this chapter. No veteran shall be eligible for assistance in obtaining a job, training, or apprenticeship if he has refused offers of such jobs, training, or apprenticeship made available to him under this chapter on three occasions.

"(e) Unless otherwise provided in this chapter, the provisions of this chapter shall be carried out through the local United States Employment offices in the several States. The Secretary of Labor and the Administrator shall consult and cooperate in the administration of this chapter.

"§ 2107. Relocation benefits

"(a) The Administrator is authorized to pay the reasonable travel expenses, including per diem for food and necessary lodging, of any eligible veteran in connection with any interview of such veteran with an employer or training or apprenticeship director arranged by a United States Employment Service office. Such expenses may be paid in advance when necessary to avoid hardship to veterans and their families.

"(b) The Administrator is authorized to pay a reasonable moving allowance to any eligible veteran who accepts a job or training opportunity in an area outside his home area. Such allowance may include (1) reasonable travel expenses for the veteran and his immediate family; (2) reasonable expenses for moving his personal effects and household goods; and (3) reasonable expenses for lodging for not more than a two-week period while seeking housing in the new location."

(b) The table of contents at the beginning of title 38, United States Code, is amended by inserting immediately below

"41. Job Counseling and Employment Placement Service for Veterans ---------------------------- 2101".

the following:

"42. Veterans' Employment and Relocation Assistance------------ 2101".

(c) The table of chapters at the beginning of Part III of title 38, United States Code, is amended by adding at the end thereof a new item as follows:

"42. Veterans' Employment and Relocation Assistance------------ 2101".

SEC. 3. The amendments made by the first section of this Act shall become effective ninety days after the date of enactment of this Act.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

S. 1090—INTRODUCTION OF REGIONAL DEVELOPMENT ACT OF 1969

Mr. MUSKIE. Mr. President, I introduce, for appropriate reference, a bill to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965, as amended, and for other purposes.

In title V of the Public Works and Economic Development Act of 1965, the Congress authorized the establishment of Regional Economic Development Commissions to initiate and coordinate economic development programs for multistate regions whose economies lagged behind that of the Nation as a whole. In 1966 and 1967 five such commissions were established, serving the six New England States, the Upper Great Lakes region, the Ozarks region, the Coastal Plains region in the Southeast, and the Four Corners region. These Commissions are provided Federal assistance by the Secretary of Commerce for their administrative expenses and necessary research and planning activities.

In amendments to title V enacted in October of 1967, the Congress provided the Commissions with authority to initiate supplemental grant programs to enable them to begin on a modest scale the important task of spurring their regional economies. In addition, the Congress directed the Commissions to develop comprehensive long-range economic plans which would define regional needs and priorities and serve as the basis for the development of programs addressed to those needs. During the past 2 years the Commissions have made substantial progress in complying with that congressional directive, and have developed specific programs and projects to carry out their development plans.

The primary purpose of the bill I am introducing today is to enable the Commissions to implement the programs and projects developed under their comprehensive long-range economic plans. It would—

First, extend for 1 year, through fiscal year 1971, the authority of the Secretary of Commerce to provide technical assistance to the regional Commissions; existing authority expires at the end of fiscal year 1970;

Second, extend for 2 years, through fiscal year 1971, the authority of the Commissions to carry on supplemental grant programs; existing authority expires at the end of fiscal year 1969; and

Third, provide additional authority and funds to enable the Commissions to carry out activities developed under the long-range comprehensive economic plans approved by the Secretary of Commerce.

Mr. President, in title V of the Public Works and Economic Development Act the Congress laid the foundation for a new form of cooperation between the Federal Government and the States through which their combined resources could be brought to bear on problems which are regional in nature, but relate directly to national goals and objectives. The regional Commissions—consisting in each instance of the Governors of the States involved and a Federal cochairman—have the responsibility for administering and implementing this cooperative venture.

The long-range plans developed by the regional Commissions, when approved by the Secretary of Commerce, represent agreement by both Federal and State Governments on what needs to be done and the apportionment of responsibilities for doing it. Now the regional Commissions need authorization to carry out their plans in accordance with the objectives of the Congress in the enactment of title V of the Public Works Act.

Senator JENNINGS RANDOLPH, the distinguished chairman of the Public Works Committee, has introduced a bill which would extend the supplemental grant authority of the regional Commissions for 1 year. I have joined with others in cosponsoring that bill. However, in my judgment, renewed supplemental grant authority alone does not provide adequately for the implementation of the comprehensive long-range plans of the regional Commissions. Since we have directed the Commissions to develop projects particularly suited to the needs of their regions, we have the responsibility to enable them to act on the same basis. This bill provides the necessary authority and funds for the regional Commissions to move forward to implement their plans. I hope that this bill will be given early and favorable consideration by the Senate, and that it will receive final approval by the Congress, in order that the Commissions can move forward with constructive development programs.

I ask unanimous consent that the text of the bill and a summary of its provisions be printed in the RECORD at this time.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 1090) to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965 as amended, and for other purposes, introduced by Mr. MUSKIE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 1090

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Regional Development Act of 1969".

SEC. 2. Section 505 of the Public Works and Economic Development Act of 1965 is amended by—

(a) in subsection (b), striking out the second sentence and inserting in lieu thereof the following: "Thereafter, such expenses shall be paid 50 per centum by the Federal Government and 50 per centum by the States in the region, except that the expenses of the Federal Cochairman, his alternate, and his staff shall be paid solely by the Federal Government. The share to be paid by each State shall be determined by the Commission. The Federal Cochairman shall not participate or vote in such determination.", and

(b) in subsection (c), striking out "June 30, 1970" and inserting in lieu thereof "June 30, 1971".

SEC. 3. Section 509 of the Public Works and Economic Development Act of 1965 is amended by—

(a) in subsection (c), striking out "in existence on or before December 31, 1967," and

(b) striking out in subsection (d) "the sum of $5,000,000 for the period ending June 30, 1968, and the sum of $10,000,000 for the fiscal year ending June 30, 1969", and inserting in lieu thereof the following: "the sum of $10,000,000 for each of the fiscal years ending June 30, 1970, and June 30, 1971".

SEC. 4. Section 510 of the Public Works and Economic Development Act of 1965 is amended by redesignating such section as section 511 and inserting after section 509 the following new section 510:

"FINANCIAL ASSISTANCE FOR CARRYING OUT COMPREHENSIVE ECONOMIC PLANS

"SEC. 510. (a) The Secretary shall provide funds to each of the Federal Cochairmen of the regional commissions to enable the commissions to carry out activities included within comprehensive long-range economic plans approved pursuant to section 503(a)(2). Activities assisted under this section shall include programs and projects in the fields of natural resources, agriculture, education, training, health and welfare, transportation, and other fields related to the purposes of this Act (including research, planning, and demonstration activities and the acquisition of land or the construction or equipment of facilities). No such program or project shall be implemented until (1) the regional commission involved has approved such program or project and determined that it meets the applicable criteria under section 504 and will contribute to the carrying out of the plan, which determination shall be controlling, and (2) the program or project has been approved by the State member of the Commission in whose State the program or project will be carried out.

"(b) In order to promote maximum efficiency and to avoid duplication of facilities and personnel, Federal departments and agencies having an interest in the subject matter of activities assisted under this section are hereby authorized, to the extent not otherwise prohibited by law or incompatible with the objectives of similar categories of programs or projects, to carry out such programs or projects at the request and on behalf of the regional commissions. The commissions are directed, to the maximum extent practicable, to enter into such cooperative agreements or arrangements as may be necessary to enable such Federal departments and agencies, or agencies of State or local government, to carry out programs and projects assisted under this section.

"(c) The Federal portion of the cost of the acquisition of land or the construction or equipment of facilities in connection with any project assisted under this section shall not exceed the percentage established by each commission for such costs, and shall in no event exceed 80 per centum thereof.

"(d) Financial assistance under this section shall be provided solely out of funds specifically appropriated for the purpose of carrying out this section, and shall not be taken into account in the computation of allocations among the States made pursuant to any other provision of the law.

"(e) There is hereby authorized to be appropriated to the Secretary, to be available until expended, for each of the regional commissions for the purposes of this section $20,000,000 for the fiscal year ending June 30, 1970, and $30,000,000 for the fiscal year ending June 30, 1971."

The analysis presented by Mr. MUSKIE is as follows:

SECTION-BY-SECTION ANALYSIS OF THE REGIONAL DEVELOPMENT ACT OF 1969

Section 1 provides that the Act may be cited as the Regional Development Act of 1969.

Section 2 amends section 505 of the Public Works and Economic Development Act of 1965 to—

(a) make clear that the administrative expenses of regional commissions shall be shared 50–50 by the Federal Government and the States, and that the Federal Government will bear the full cost of the administrative expenses of the Federal Cochairman and his staff, and

(b) authorize the appropriation of $15,000,000 for fiscal year 1971 for technical assistance (including administrative expenses and research and planning funds) to the regional commissions.

Section 3 amends section 509 of the Act to—

(a) make all Federal grant-in-aid programs assisting in the acquisition of land or the construction or equipment of facilities, whenever enacted, eligible for supplementation under section 509, and

(b) authorize the appropriation of $10,000,000 for each regional commission for supplemental grants for each of the fiscal years 1970 and 1971.

Section 4 adds a new section 510 to the Act authorizing the Secretary of Commerce to provide funds to the Federal Cochairmen to carry out activities included within comprehensive long-range economic plans approved by him pursuant to section 503(a)(2). Activities assisted would include programs and projects in specified fields related to the purposes of the Act, including research, planning, and demonstration activities, and the acquisition of land or the construction or equipment of facilities. No program or project could be implemented until (1) the regional commission had approved the project and determined that it met applicable criteria under section 504 and would contribute to the carrying out of the plan, and (2) the project had been approved by the State Member of the Commission in whose State it would be carried out.

In order to avoid duplication of facilities and personnel, Federal agencies having an interest in the subject matter of activities assisted under the section would be authorized to carry out programs or projects at the request of the regional commissions. The commissions would be directed, to the maximum extend practicable, to enter into such cooperative agreements as may be necessary to enable Federal agencies, and agencies of State or local government, to carry out their programs and projects.

There would be authorized to be appropriated for each regional commission $20,000,000 in fiscal year 1970 and $30,000,000 in fiscal year 1971 to carry out activities included within approved comperhensive economic plans.

Mr. KENNEDY. Mr. President, I am pleased to join in cosponsoring the Regional Development Act of 1969, introduced today by Senator MUSKIE. The bill offers vital and urgently needed amendments to the title V regional Commission program under the Public Works and Economic Development Act of 1965, and I welcome the opportunity to help sponsor it.

The original title V program was an important beginning—but only a beginning—toward solving one of the most crucial problems confronting many areas of the country, the problem of finding new ways to coordinate growth and development in various regions having significant economic, social, and cultural ties that transcend State and local boundaries.

I have insisted many times that we must eliminate the excessive fragmentation and decentralization that have so long destroyed any effective effort at coordinated development in the New England area and other parts of the Nation.

As long ago as 1953, President Kennedy, in his first year as a Senator, recognized that the problem cannot be solved without the coordinated efforts of governmental and private organizations. And he stated:

> No Federal programs can solve the problems of the New England economy without action on the State and local level. Indeed, no governmental program can do the job without assistance from private agencies, organizations, and industries. . . . . As the New England Council has often pointed out, and as experience has shown, community leadership and community spirit are of the utmost importance in maintaining the economic prosperity of an area.

A decade later, in 1965, I emphasized to the Massachusetts Legislature that the two most important problems facing the State were the need for greater revenues and the need for coordinated regional development of the entire New England area.

The States of New England have the oldest continuous system of democratic government in the world. But the era of isolated actions and programs by individual States in the area is past. I urged the legislators of Massachusetts to sound a call in Boston that would be heard throughout New England—not only in Boston, but also in Portland and Providence, in Concord, Montpelier, and Hartford. At that time. we first began to plan a major cooperative program to coordinate the development of the region. Subsequently, when I spoke to President Johnson of our program, he assured us of his support for the regional approach.

We then began to lay the early foundation of our regional development program. We documented our common problems: Persistent economic and social ills, especially in the areas of poverty, housing, employment, and education; the departure of dominant industries, leaving in their wake people too specialized in their labor skills to find new employment; the severe pollution of our streams and rivers, as well as other pervasive blights that have marred our beautiful open spaces and forests, our lakes and coastal areas; and power and transportation networks that have served prior generations well, but that we have failed to bring into the mid-20th century.

In response to the need to promote areawide programs, Congress enacted the Appalachian Regional Development Act of 1965 and the Public Works and Economic Development Act of 1965. In those statutes, Congress shifted the emphasis it had traditionally placed on Federal aid programs.

Before, essentially exclusive reliance had been placed on programs designed to rescue single localities. Now, emphasis was placed on coordinated programs to develop entire regions. At last, the Congress began to grasp the reality that particular localities cannot go it alone, that they can effectively upgrade themselves only by participating in programs to upgrade others with overlapping interests and problems.

Late in 1965, we, the New England Senators, strongly urged the Secretary of Commerce to designate our six States as an economic development region under the title V program of the Public Works and Economic Development Act. In March 1966, Secretary of Commerce Connor approved the designation of the six New England States as a title V region. Subsequently, in early 1967, the New England Regional Commission was formally established and began to function.

Our Commission acted immediately to provide research and studies of the broad range of problems facing the New England region. By the end of fiscal year 1968—after 15 full months of operation—the Commission had carried out eight major studies, ranging from a comprehensive economic analysis of key industries in the region, to specific studies of such problem areas as regional transportation, pollution, human resources, and urban development. Continuing into fiscal year 1969, the Commission has authorized further studies in important additional areas, such as health, government services, and rural development. In addition, the Commission has financed significant demonstration projects in the areas of health, manpower, and housing.

In spite of its auspicious start, however, I believe that the regional Commission program has not yet fulfilled the promise with which it was launched. In part, the fault lay in the original enabling legislation, which was too narrow in scope to allow the regional Commissions to operate effectively.

In October 1967, the Public Works and Economic Development Act was amended in two significant respects:

First, the act was amended to authorize the regional Commissions to carry out supplemental grant programs, under which the Commissions can help State and local governments that are unable, because of economic circumstances, to supply the full matching shares required for assistance under certain other Federal grant programs. Although some of the regional Commissions have used the supplemental grant provision to promote essential projects that could not otherwise have been funded in their areas, it appears that the provision in its present form has frequently been of only marginal utility. In many cases as it has turned out, the various Federal aid programs have already been too tightly budgeted to accommodate applications under the supplemental grant provision. As a result the program has not yet had an adequate opportunity to realize its potential.

Nevertheless, it is important to retain the supplemental grant provision in at least its present scope. One of the significant provisions of Senator Muskie's bill is that it will accomplish this result. I hope that in future hearings on the bill, we shall be able to detect the flaws in the present form of the supplemental grant program and eliminate them in our legislation.

In the second, and by far the more important of the 1967 amendments to the Public Works and Economic Development Act, the regional Commissions were required to prepare a comprehensive long-range economic plan for their areas. I welcomed that amendment because it offered the opportunity for the regional Commission program to move beyond the study and demonstration project stage, into the area of comprehensive regional planning that has proved so effective in other Federal aid programs.

The 1967 amendment, however, was not adequate to fully reap the promise of the title V program. No one can deny the need for planning, research and study of regional problems, but the time is long past when funding should have become available for action programs. I believe that the regional Commissions must be given new authority to carry out the plans they have prepared, and to expand their demonstration projects into regionwide programs for the benefit of all citizens in the area.

Senator Muskie's bill makes a significant contribution toward meeting this need, because it amends the 1965 act by adding a new substantive provision authorizing regional Commissions to make action grants for innovative programs in their respective areas.

It is not clear, however, that even this new authority will be enough. For too long, we have taken too shortsighted an approach to the problem of regional development. Our approach has been piecemeal. One step at a time, we have sought to amend the 1965 act to avoid its most glaring deficiencies.

I believe the time has come for a comprehensive reexamination of the entire title V program. For more than 3 years, we have gained extensive experience under that program. It is clear, however, that we are ready to do more. We are now in a position to make a fundamental reappraisal of the title V program. We should treat the 1965 act as a pilot program, on which we can build new and more enduring legislation that will enable the concept of regional development to bear full fruit.

There is an obvious precedent for such action, a precedent that closely parallels the chronology of the present case. In September 1965, we passed the Law Enforcement Assistance Act, a modest program of Federal aid to State and local law enforcement. Last year, profiting by 3 years of experience under the 1965 act, we enacted title I of the Omnibus Crime Control and Safe Streets Act, which provides a comprehensive program of Federal planning grants, action grants, and research grants to assist State and local law enforcement. As we have all recognized, the new safe streets program has immense potential for combating crime throughout the Nation. It also offers us a guidepost by which the experience of the title V economic development program can be transformed into more effective legislation.

There are many goals that we can seek to accomplish through expanded regional development programs. Many of the proposals that I have most strongly urged in the New England area in recent years can be carried out once the title V program is appropriately enlarged. For example:

We can implement an effective regionwide transportation policy, especially in the case of high-speed rail transportation and improved intraregional airports and air transportation.

We can implement effective programs for comprehensive control of the environment, including control of air and water pollution, open space and beautification programs, and new approaches to problems of urban and rural development.

We can implement a comprehensive plan for regional health centers and for the delivery of health and medical services to all parts of the New England region, especially in its sparsely populated areas.

We can improve the training and flow of skilled manpower, especially for disadvantaged individuals and minority groups in the area.

We can undertake a broad program to develop new towns in the area.

We can establish substantial new programs to train officials of State and local governments, with special emphasis on the use of modern techniques and information for planning and providing basic governmental services.

Programs such as these, of course, are not peculiar to the New England area alone. Regional development is a concept that can produce fertile programs in all parts of the country, and it is time for the Senate to take broad action to encourage such programs.

I therefore welcome Senator Muskie's bill to upgrade the regional Commission program, not only because it removes a major deficiency in the underlying legislation, but also because it offers us the opportunity to take a fresh new look at the entire problem of regional coordination and development. I am happy to lend my support to these efforts, and I look forward to the day when we can achieve the goal of the cause I have advocated for so long.

S. 1091—INTRODUCTION OF BILL TO AMEND THE FISH AND WILDLIFE ACT OF 1956

Mr. HART. Mr. President, the proposed fish inspection legislation may be costly to certain processors. This expense will not result from hiring inspectors, a cost that the Federal Government will bear, but from complying with the processing standards promulgated by the Government. If there were no sanitation problem, there would be no legislation. But since there are problems, it is going to be expensive for some persons to upgrade their facilities so that they will be able to meet the minimum Federal standards.

It is extremely difficult to estimate what the costs to industry actually may be. Obviously they will vary from plant to plant depending upon individual conditions. In some cases, the costs of improving facilities, vessels, and equipment may be such that companies will elect to close their doors rather than meet the expense. In other cases, mergers may take place. But in either case the result may be an unfortunate trend toward economic concentration, with the accompanying threat of a reduction in competition within the fishing industry.

Such an eventuality would play a cruel hoax upon the consumer we are seeking to help, and it is a result which we must seek to avoid. Both technical and financial assistance to the industry from the Federal Government may help ease this transition to more rigorous processing procedures. As a result I am introducing on behalf of myself, Mr. BAYH, Mr. BROOKE, Mr. EAGLETON, Mr. HARTKE, Mr. INOUYE, Mr. KENNEDY, Mr. MCCARTHY, Mr. METCALF, Mr. STEVENS, and Mr. YARBOROUGH, a bill which would amend the Fish and Wildlife Act of 1956 to provide technical and financial assistance to the commercial fishing industry in meeting the requirements of the Wholesome Fish and Fishery Products Act of 1969. The proposal would give the Department of the Interior specific authority to provide technical assistance and to make loans to the commercial fishing industry in meeting the requirements of the new legislation. It would increase the fisheries loan fund by $15 million for that purpose.

To my way of thinking, the health of the marketplace is nearly as important as the health of the consumer who shops there. I earnestly hope that this technical and financial assistance program will enable us to pass meaningful inspection legislation without producing any adverse effect on competition within the fishing industry.

Mr. President, I ask unanimous consent that the full text of this bill appear at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1091) to amend the Fish and Wildlife Act of 1956 to provide technical and financial assistance to the commercial fishing industry in meeting the requirements of the Wholesome Fish and Fishery Products Act of 1969, introduced by Mr. HART (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1091

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Fish and Wildlife Act of 1956 (70 Stat. 1121; 16 U.S.C. 742c) is amended—

(1) by inserting before the period at the end of subsection (a) the following: "or new or operating establishments processing fish and fishery products subject to regulations issued under the Wholesome Fish and Fishery Products Act of 1969 and subject to the enactment of such Act";

(2) by inserting immediately after the word "gear" in the first sentence of subsection (b)(4) the words "and establishments processing fish and fishery products", and by inserting before the period at the end of such sentence the phrase "and commercial fish processors";

(3) by inserting immediately after the word "applicant" in subsection (b)(5) the words "for a loan relating to vessels or gear", and by adding at the end thereof the following new sentence: "The applicant for a loan relating to an establishment processing fish and fishery products shall have the ability, experience, resources, and other qualifications necessary to operate and maintain the establishment in a sound business-like manner."; and

(4) by amending the last sentence of subsection (c) of such section to read as follows: "There is authorized to be appropriated to the fisheries loan fund the sum of $35,000,000 to provide initial capital."

SEC. 2. Section 7(a) of the Fish and Wildlife Act of 1956 (70 Stat. 1122; 16 U.S.C. 742f(a)) is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6); and

(2) by inserting after paragraph (3) a new paragraph to read as follows:

"(4) provide technical assistance to the commercial fishing industry in developing economically feasible technical improvements to meet any standards of sanitation and quality control for the processing of fish and fishery products promulgated under the Wholesome Fish and Fishery Products Act of 1969 and any other provisions of such Act, upon the enactment of such Act, and to assure that the processing of all fish and fishery products fully complies with such standards;".

S. 1092—INTRODUCTION OF THE WHOLESOME FISH AND FISHERY PRODUCTS ACT OF 1969

Mr. HART. Mr. President, I rise to introduce on behalf of myself, Mr. BAYH, Mr. BENNETT, Mr. BROOKE, Mr. EAGLETON, Mr. FONG, Mr. GOODELL, Mr. HARTKE, Mr. HUGHES, Mr. INOUYE, Mr. KENNEDY, Mr. MCCARTHY, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MONDALE, Mr. MONTOYA, Mr. MOSS, Mr. PERCY, Mr. STEVENS, Mr. YARBOROUGH, and Mr. YOUNG of Ohio, the Wholesome Fish and Fishery Products Act of 1969. This bill is the third of three recent major proposals designed to safeguard the wholesomeness and quality of our Nation's food supply. The first, the Wholesome Meat Act, was signed into law by President Johnson on December 15, 1967. It extends to intrastate processors of meat the same sanitation and quality control requirements that have existed for interstate processors since the early years of this century. The second bill, the Wholesome Poultry Products Act, was signed into law by President Johnson on August 18, 1968. It also requires continuous inspection of both interstate and intrastate processing activities in order to guarantee that the consumer who buys poultry products can be confident in their wholesomeness and quality. For a good many years, however, our third high-protein food—fish—has had the weakest inspection and quality control program of the three. And the result of this oversight has been a product which occasionally can endanger a person's health and which always varies widely in quality.

Over the past decade meat and poultry consumption has increased substantially in the United States, so that in 1967 each person consumed an average of 178 pounds of red meat and nearly 46 pounds of poultry. At the same time, however, consumption of fish and fishery products has remained relatively stable at about 11 pounds per person each year. This wide disparity in the consumption of the different varieties of high-protein food products need not exist. Unquestionably consumer doubt about the quality of fishery products accounts for much of their poor market acceptance.

In the 90th Congress I sponsored two bills which would provide for the inspection of fish and fishery products. The Commerce Committee, to which these bills were referred, held 5 days of hearings on fish inspection—two in July of 1967, and three in April of 1968. Testimony at these hearings disclosed many serious deficiencies in fish handling and in sanitary practices employed by the fish processing industry.

A speech by Deputy Commissioner Rankin of the Food and Drug Administration, for example, which is included in the July 1967 hearings, described conditions in the smoked fish industry. He stated that an examination of 15 plants engaged in smoked fish processing disclosed that 13 were operated under conditions which were judged to be potentially dangerous and six of these were judged to be imminently hazardous to consumers of the finished product. To illustrate these findings, he quoted from a report on one of these processors:

> The fish were hung on wooden sticks for the processing operation. The sticks and nails were encrusted with rotten fish scales and particles from previous batches. The top of the table, on which the raw fish were scraped and gutted, was pitted. Debris from previous batches of fish were trapped in the knicked table top since no attempt was made to clean and sanitize the table between operations. These residues served to contaminate all batches of fish that passed over the table. No attempt was made to clean the rusty wire dip nets that were used to remove the fish from the thawing and brining casks. The nets had buildups of bits of rotten fish flesh and entrails.

Since that time, the smoked fish industry has worked closely with FDA in developing vastly improved processing procedures. But FDA inspection reports contained in the April 1968 hearings indicate that unsanitary processing conditions can still be found in nearly every segment of the fishing industry.

The 1967 hearings quite clearly established that as a result of these poor conditions, the consumer of fishery products is frequently shortchanged in the quality of the product he buys. Articles from Consumer Reports magazine which are reprinted in the hearings reveal that 50 percent of the frozen breaded fish portions which were tested by the Consumer's Union were judged substandard and 17 out of 18 salmon steaks sampled were rancid. Tests conducted by the Bureau of Commercial Fisheries which also appear in the hearings confirm that a startling percentage of a wide variety of fishery products should be classified as "substandard" or "grade not certified": 55.5 percent of frozen fish portions; 26.2 percent of frozen halibut steaks; 43.2 percent of haddock fillets; 37.7 percent of breaded shrimp; 32.4 percent of flounder or sole fillets; 52.4 percent of cod fillets; and 69 percent of ocean perch fillets. In short, these figures may well reveal why the annual consumption of fish in this country has remained at that surprisingly low level of 11 pounds per capita.

Similarly, testimony at our 1968 hearings emphasized that the unsanitary processing conditions in segments of the industry might even raise serious questions about the wholesomeness of the marketed product. Assistant Secretary Philip Lee of the Department of Health, Education, and Welfare, testified for example:

> In 1963, inadequate safeguards in processing smoked lake fish resulted in a major outbreak of botulism; nine persons died. During one weekend in 1966, about 400 cases of Salmonella poisoning were reported; the illness was directly attributable to smoked fish. Investigations found unsatisfactory sanitary controls and many sources of contamination in the processing plants.
>
> In 1966, more than 250 cases of food poisoning were reported in one city; imported shrimp was identified as the cause.
>
> Infectious hepatitis has been linked to shellfish in four different incidents since 1964. A total of 309 confirmed cases of hepatitis has been traced to shellfish from four eastern coastal areas. These are some of the reported cases. No one knows how many cases of illness attributable to fish go unreported every year. Clearly, unless consumer protection methods are strengthened, further cases of disease or death may be anticipated.

It is difficult for me to believe that in the midst of the space age, large numbers of Americans are becoming seriously ill each year because certain fish processors are still observing quality and sanitation standards which are reminiscent of conditions prevailing in the 19th century. Yet the statistics clearly indicate a startling annual cost in discomfiture, severe illness, or even death from the consumption of fishery products. There is no justification for forcing consumers to play this dangerous game of roulette every time they shop for fish in their local market.

And the severe economic consequences of such health scares to all processors in any indicated segment of the industry are readily imaginable. The 1967 hearings support the worst estimates with hard figures: In 1962 Chicago received 3,700,000 pounds of chubs. In October 1963 the botulism incident referred to earlier broke out, was traced to smoked chubs, and received wide publicity. That year chub receipts in Chicago fell off to 2,700,000 pounds and declined further in 1964 to 1,600,000 pounds—less than half the 1962 figure. Not until 1965, when receipts were back to 3½ million pounds, had the industry recovered from the adverse effects of the health scare.

Unfortunately, the fishing industry is not well adapted to make the improvements which these figures indicate are so essential. The consumer, who purchases a fish product and wants to make sure that the product he is buying is not contaminated, is forced to rely nearly entirely upon the processor. And the well-intentioned processor may nevertheless be forced to cut corners because of the economic pressure exerted by those competitors who process poor quality fish, whenever they think they can sell them, because their costs will be reduced and profits widened. In such a competitive situation, the best available method to upgrade standards is to impose, through law, minimum standards of sanitation and quality control which are to be observed in all fish processing operations. The physical welfare of numerous consumers demands that we do so.

The bill which I introduce today is designed both to protect consumers of fish products and to improve the economic position of the fishing industry. It authorizes the Secretary of Health, Education, and Welfare to make a survey of the fishing industry and, within 1 year after the effective date of the act, to issue such minimum standards of sanitation and quality control for the processing of fish and fishery products. These standards would become effective 1 year after they are promulgated and would apply to fish processing establishments, fishing vessels, and transportation and storage facilities. The Secretary would have the authority to amend or revise these standards from time to time.

To insure that the quality control and sanitation standards are properly observed, the bill would require continuous inspection of all fish processing plants and periodic inspection of fishing vessels and transportation and storage facilities. For interstate plants, the inspection would be conducted by Federal inspectors. For intrastate processors, however, inspection would be conducted by State officials in those States which establish inspection programs which are "at least equal" to the Federal program. Where a State does not have such a program, inspection would be conducted by Federal inspectors. Federal funds would be available to help States establish their own programs, however.

Under the bill, all fish products would be required to bear an official mark or official inspection legend before they can be sold at retail. No product could bear such a mark or legend unless it had been processed under continuous inspection. Nor could it bear the official mark or legend unless all labels or packages had first been approved by the Secretary who would determine that the article was not misbranded. This requirement is similar to provisions contained in both the meat and poultry laws.

To guarantee that the consumer will be adequately protected in purchasing any fish product, and to make sure that domestic processors are not placed at any competitive disadvantage, the bill also provides that no edible fish or fishery product can be imported into the United States unless it was processed in a country which had an inspection program "at least equal to" our own. In other words, any foreign country desiring to export fish to the U.S. market would be required to institute a continuous inspection program to enforce sanitation and quality control standards which are equal to or superior to those required for U.S. vessels and processing plants.

Thus, the bill I am introducing today would create a comprehensive fish inspection program comparable to those which presently exist for meat and poultry. The basic provisions of this bill are identical to those contained in S. 2958 in the 90th Congress—a proposal sent to Congress by the Johnson administration. It contains certain changes, however, which reflect criticisms of that bill. To simplify any analysis of this new proposal, I shall briefly itemize the 10 most significant changes:

First. The new bill specifically provides for the sanitation of shellfish growing waters, as well as for continuous inspection of shellfish processing plants. Although officials from HEW testified last year that they would interpret S. 2958 as authorizing them to set standards for the sanitation of shellfish growing waters as well as for plants and vessels, this new version makes absolutely clear that shellfish are to be included in the wholesome fish program.

Second. The new bill restricts the Secretary's authority to suspend a processor's certificate. Under this new proposal, the Secretary would no longer be empowered to suspend a certificate for "failure to comply with a lawful order for condemnation or detention." And where the certificate is to be suspended because processing activities may pose "imminent harm to consumers," this new version provides that such a determination cannot be delegated to a nonsupervisory official or employee of the Department of Health, Education, and Welfare.

Third. The new bill broadens a processor's rights in a condemnation proceeding. Last year's bill contained a provision stating that if any fish or fishery products were found to be adulterated, they should be immediately condemned, and it provided that failure to comply with an order for condemnation would be grounds for suspension of a processor's certificate. The new bill provides that fish or fishery products are to be immediately destroyed only if no appeal is taken from the order of condemnation. In other words, it insures that the evidence can be preserved when the condemnation order is contested without jeopardizing a processor's right to continue his operations.

Fourth. The new bill clarifies the manufacturer's obligation to pay for overtime inspection. Last year's bill would have required that a processor pay the full cost of any overtime or holiday inspection. Because of the vagaries of the fish processing business—where the time of harvesting and landing fresh fish is normally beyond the processor's control, and the necessity is great for processing them as quickly as possible—the new bill provides that overtime pay is to be borne by the processor only when the processing is conducted at odd hours solely because it is convenient for the manufacturer and not when it is due to the unpredictability of fish harvesting.

Fifth. The bill confers authority on the Secretary to exempt fish houses from the requirement of continuous inspection. At last year's hearing we heard testimony that the fishing industry includes many fish houses where fresh fish are stored prior to shipment to retail markets or to processing plants. Although, these fish houses would normally come under the bill's definition of a processing establishment, there is little sense in requiring continous inspection of a building where fish are merely iced or refrigerated and stored, but are not actually cut up. This new provision, therefore, would permit the Secretary to set standards for fish houses and to waive the requirement of continous inspection.

Sixth. The new bill makes clear that continous inspection will not exempt a manufacturer from product liability under common law. Although, undoubtedly, the original bill would not have been construed to restrict the rights of an individual who had consumed an unwholesome product to proceed against the manufacturer, the new bill specifically states that he will retain this right.

Seventh. The new bill clarifies the Secretary's right to amend sanitation or quality control standards from time to time after the initial standards have been issued.

Eighth. The new bill eliminates the Secretary's discretion to order less than continuous inspection when plants are located geographically near one another. At last year's hearings several processors complained that such a provision was inequitable, since it might subject some processors to less rigorous observation than others. As a result this provision has been eliminated.

Ninth. The new bill makes clear that the official inspection mark or legend need not appear on bulk containers used to ship fish or fishery products between processors prior to their packaging for final sale.

Tenth. The new bill provides an exemption for fish imported into the United States by sports fishermen who catch these fish outside the United States and desire to bring them home for personal consumption.

Briefly then, these are the major changes which we have made in last year's fish inspection bill. I hope they will eliminate some of the objectionable features of that bill. Hopefully, these changes will narrow differences over the bill to one or two major areas.

Assuring the wholesomeness and high quality of our Nation's food supply should be one of the primary objectives of the Federal Government in the consumer field. To do so, however, it is imperative that we raise the standards presently observed in the processing of fish. Since this is the major gap presently existing in our food inspection laws, I anticipate that this proposal will be one of the major consumer bills in the 91st Congress. I hope that we can work constructively with the fishing industry to pass, as quickly as possible, an effective bill which will benefit both processors and consumers.

Mr. President, I ask unanimous consent that the full text of this bill appear at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1092) to regulate interstate commerce by amending the Federal Food, Drug, and Cosmetic Act to provide for the inspection of facilities used in the harvesting and processing of fish and fishery products for commercial purposes, for the inspection of fish and fishery products, and for cooperation with the States in the regulation of intrastate commerce with respect to State fish inspection programs, and for other purposes, introduced by Mr. HART (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1092

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Wholesome Fish and Fishery Products Act of 1969."

CONGRESSIONAL FINDINGS

SEC. 2. Fish and fishery products are an important source of the Nation's total supply of food. These foods are consumed throughout the Nation and the major portion of the supply moves in interstate commerce, some from foreign sources. It is essential that the health and welfare of consumers be protected by assuring that fish and fishery products distributed to them are of good quality, wholesome, not adulterated, and are properly marked, labeled, and packaged. Fish or fishery products which do not meet these standards depress markets for wholesome, not adulterated, and properly labeled and packaged fish and fishery products. Those articles that are unwholesome, adulterated, of poor quality, mislabeled, or deceptively packaged compete unfairly with articles that are of good quality, wholesome, not adulterated, and properly labeled and packaged, to the detriment of commercial fishermen, processors, and consumers of fish and fishery products. It is hereby found that all fish and fishery products regulated under this Act are either in interstate or foreign commerce or substantially affect such commerce, and that Federal regulation and cooperation by the States and other jurisdictions as contemplated by this Act (including cooperation through federally approved state programs for control of shellfish growing areas and shellfish harvesting), are appropriate to prevent and eliminate burdens upon such commerce, to effectively regulate such commerce, and to protect the health and welfare of the consumer.

WHOLESALE FISH AND FISHERY PRODUCTS AMENDMENTS TO THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

DEFINITIONS

SEC. 101. Section 201, as amended, of the Federal Food, Drug, and Cosmetic Act is further amended by adding at the end of such section the following new paragraphs:

"(y)(1) The term 'fish' means any aquatic animal, including amphibians, or part thereof capable of use as human food.

"(2) The term 'shellfish', as used in sections 402(f), 421, and 423, means any species of oyster, clam, or mussel, either shucked or in the shell, and either fresh, or frozen or otherwise processed, or any part thereof.

"(z) The term 'fishery products' means any product capable of use as human food which is made wholly or in part from any fish or portion thereof, except products which contain fish only in small proportions or historically have not been, in the judgment of the Secretary, considered by consumers as products of the commercial fishing industry, and which are exempted from definition as a fishery product by the Secretary under such conditions as he may prescribe to assure that the fish or portions thereof contained therein are not adulterated and that such products are not represented as fishery products.

"(aa) The term 'capable of use as human food' applies to any fish or part or product thereof, unless it is denatured or otherwise identified as required by regulations prescribed by the Secretary to deter its use as human food, or unless it is naturally inedible by humans.

"(bb) The terms 'process', 'processed', and 'processing', with respect to fish or fishery products, mean to harvest, handle, store, prepare, produce, manufacture, process, pack, transport, or hold such products.

"(cc) The term 'official mark' means the official inspection legend or any other symbol prescribed by regulations of the Secretary to identify the status of any fish or fishery product under this Act.

"(dd) The term 'official inspection legend' means any symbol prescribed by regulations of the Secretary showing that an article is in accordance with the provisions of this Act.

"(ee) The term 'official inspection certificate' means any certificate prescribed by regulations of the Secretary for issuance by an inspector or other person performing official functions under this Act.

"(ff) The term 'official device' means any device prescribed or authorized by the Secretary for use in applying any official mark.

"(gg) The term 'vessel' means any watercraft of any description which is engaged in the processing of fish for landing and human consumption in any State.

"(hh) The term 'continuous inspection' means the application of inspection by a full-time inspector.

"(ii) the term 'inspector' means an individual appointed or commissioned as an officer or employee of the Department and authorized by the Secretary to inspect articles under the authority of this Act."

PROHIBITED ACTS

SEC. 102. Section 301, as amended, of the Federal Food, Drug and Cosmetic Act is further amended by adding at the end of such section the following new paragraph:

"(r) Without authorization from the Secretary or contrary to regulations prescribed by him, casting, printing, lithographing, or otherwise making, simulating, using, or failing to use, altering, defacing, detaching, or destroying any form of official mark, official inspection legend, official inspection certificate, or official device; possessing, without promptly notifying the Secretary thereof, any forged, counterfeited, simulated, or improperly altered form of official mark, official inspection legend, official inspection certificate or official device; forging, counterfeiting, simulating, improperly altering any form of official mark, official inspection legend, official inspection certificate, or official device; making any false statement in any shipper's or other certificate provided for in regulations; or falsely or misleadingly representing that any fish or fishery product has been inspected and passed or exempted from such inspection.

"(s) The processing of any fish or fishery products in any establishment or vessel preparing any such article in violation of the requirements of part B of chapter IV and regulations prescribed pursuant thereto.

"(t) The importation of fish and fishery products in violation of section 410(i).

"(u) The failure to maintain, or to afford access to, records as required by section 411 (b)."

ADULTERATION

SEC. 103. Section 402, as amended, of the Federal Food, Drug, and Cosmetic Act is further amended by adding at the end of such section the following new paragraph:

"(f)(1) If it is, or it bears or contains, any fish or fishery product, and it has been processed, stored, or handled in violation of section 410 or 411 or any regulations issued by the Secretary under such sections.

"(2) If it is, or is a product made or derived in whole or in part from, shellfish and such shellfish (A) was harvested in a State or foreign country that did not at the time of harvesting have in effect (i) an annual State plan for classification and control of shellfish growing areas and for regulation and control of shellfish harvesting practices, approved by the Secretary on the basis of standards promulgated by him by regulation, or (ii) in the case of a foreign country, a shellfish control program at least equal to such standards; or (b) was not harvested, or was not purified after harvesting, in conformity with such State plan or foreign program; or (c) was harvested in a growing area that has been declared closed for such purposes by regulation of the Secretary on the basis of a finding of necessity for the protection of the public health."

INSPECTION OF FISH AND FISHERY PRODUCTS, ESTABLISHMENTS, AND VESSELS

SEC. 104. Chapter IV of the Federal Food, Drug, and Cosmetic Act is further amended (1) by inserting "PART A—GENERAL" immediately below the chapter heading, and (2) by adding at the end of such chapter the following:

"PART B—FISH AND FISHERY PRODUCTS

"Subpart 1—Inspection and Regulation of Products, Establishments, and Vessels

"SEC. 410. (a) GOOD MANUFACTURING PRACTICES.—The Secretary shall, either directly or by contract, make, by experts in sanitation or other competent persons, such survey of as many establishments in the United States and vessels which process fish and fishery products for interstate commerce as he deems appropriate to inform himself concerning the operations and sanitary conditions thereof for the purpose of developing adequate standards of good manufacturing practices, including but not limited to sanitation and quality control, under which such establishments and vessels shall be maintained and operated. The Secretary shall thereafter by regulation prescribe standards of sanitation and quality control for the processing of fish and fishery products which shall be applicable to persons covered by this part, and he may from time to time amend such regulations. The initial regulations pursuant to this subsection shall be issued within one year after funds are first appropriated to carry out the provisions of this part. Regulations (including amendments to regulations) prescribed pursuant to this subsection shall become effective upon the date specified in the order prescribing them, but the initial regulations shall become effective one year after the date on which such regulations have been issued, unless the Secretary finds that additional time, not in excess of one year, is necessary to place all or any part of such regulations into effect. On and after the effective date of such regulations no person shall process for interstate commerce fish or fishery products in any establishment under his control without complying with such regulations.

"(b) CERTIFICATION OF ESTABLISHMENTS AND VESSELS.—Thirty-sixty days after the effective date of such regulations, no person shall process for interstate commerce fish or fishery products in any establishment or vessel under his control unless there is in effect for such establishment or vessel a certificate of registration issued by the Secretary. The Secretary shall issue such a certificate upon application accompanied by such assurance as may be required by regulations that such establishment or vessel is and will be maintained in compliance with applicable standards. The Secretary may deny the certificate of registration if an adequate assurance of compliance is not presented, and the denial shall be subject to the opportunity for hearing and judicial review provided by section 412.

"(c) SUSPENSION AND REINSTATEMENT OF CERTIFICATES.—The certificate of registration of any establishment or vessel may be suspended, after opportunity for hearing, for failure to comply with the requirements of this subpart. The certificate may be immediately suspended by the Secretary (1) for failure to permit access for inspection, or (2) where an inspection or investigation discloses violation of any provision of this chapter or any regulation issued thereunder which the Secretary determines would involve an undue risk of imminent harm to consumers if processing were to continue prior to the correction of such violation: *Provided*, That the authority conferred by this sentence may not be delegated to a nonsupervisory officer or employee of the Department. The holder of such suspended certificate may at any time apply for reinstatement, and the Secretary shall immediately grant such reinstatement if he finds that adequate measures have been taken to comply with the provisions of this chapter and the regulations. Suspension of a certificate and the denial of reinstatement shall be subject to the procedures provided by section 412, but a summary suspension shall remain in effect during the pendency of the administrative proceeding under that section. In the event of any judicial proceeding relating to such summary suspension before the proceeding under section 412 the only issue to be judicially determined shall be whether the Secretary had reasonable cause under the circumstances of the case to take summary action.

"(d) INSPECTION.—For the purpose of preventing the use in interstate commerce of fish or fishery products which are adulterated or misbranded, the Secretary shall cause to be made, by inspectors appointed by him for that purpose, a continuous inspection of each establishment where fish or fishery products are processed for interstate commerce. For the same purposes, the Secretary, at his discretion, may require that adequate inspections be made, by inspectors appointed for that purpose, of vessels processing fish or fishery products for interstate commerce. Any inspector appointed for the purposes of this title shall at any time have access to any establishment or vessel where fish or fishery products are processed for interstate commerce. Denial of access to such inspector shall be ground for suspension of the certificate of registration. The Secretary, whenever processing operations are being conducted, may, at his discretion, provide for the sampling, detention, and reinspection of fish or fishery products at each such establishment or vessel. Any fish or fishery products found to be adulterated shall be immediately condemned and segregated and shall, if no appeal is taken from the inspector's determination of condemnation or if upon completion of an appeal inspection such condemnation is sustained, be destroyed for human food purposes under the supervision of an inspector: *Provided*, That any fish or fishery products which may by reprocessing be made not adulterated shall not be so condemned and destroyed if reprocessed under the supervision of an inspector and thereafter found not to be adulterated. Failure to comply with the requirements of the preceding sentence shall be ground for suspension of the certificate of registration. An appeal under this subsection from the determination of condemnation shall be at the cost of the appellant if the Secretary determines that the appeal was frivolous. The cost of inspection (other than any cost of appeal determined to be payable by the appellant pursuant to the preceding sentence) shall be borne by the United States, except that the cost of overtime and holiday pay for inspection service performed, in an establishment subject to inspection, at the convenience of the establishment and not owing to conditions of harvesting or processing beyond the control of the establishment, shall, at such rates as the Secretary may determine in accordance with regulations, be borne by such establishment. Sums received by the Secretary in reimbursement for sums paid out by him for such premium pay work shall be available without fiscal year limitation to carry out the purposes of this section.

"(e) USE OF THE OFFICIAL MARK AND OFFICIAL INSPECTION LEGEND.—When fish or fishery products are processed for interstate commerce in an establishment holding an unsuspended certificate of registration and are placed or packed in any container or wrapper, the person processing such products shall, at the time they leave the establishment, cause a label to be attached thereon which shall bear or contain the official mark or official inspection legend except as may be otherwise authorized by regulation pursuant to clause (2) of section 405.

"(f) LABELING AND PACKAGING.—If the Secretary has reason to believe that any labeling or packaging in use or proposed for use with respect to any article subject to this subpart renders or would render such article misbranded, he may direct that such use be withheld, and the official mark or the official inspection legend not used, unless the labeling and packaging is modified in such manner as he may prescribe to comply fully with this Act. If the person using or proposing to use such labeling or packaging does not accept the determination of the Secretary, such person may request a hearing, but the use of such labeling or packaging shall, if the Secretary so directs, be withheld pending hearing and final determination by the Secretary. Any such determination by the Secretary shall be subject to the opportunity for hearing and judicial review provided by section 412.

"(g) TRADE NAMES AND ESTABLISHED PACKAGES.—Established trade names or other labeling and packaging which are not false or misleading in any particular and which are approved by the Secretary are permitted.

"(h) STORAGE OR HANDLING REGULATIONS.—The Secretary may by regulation prescribe conditions under which fish or fishery products capable of use as human food shall be stored or otherwise handled by any person engaged in the business of buying, selling, freezing, storing, or transporting, in or for interstate commerce, or importing such articles, whenever the Secretary deems such action necessary to assure that such articles will not be adulterated, misbranded, or otherwise in violation of this Act when delivered to the consumer. Violation of any such regulation is prohibited, and fish and fishery products stored or handled in violation of such regulation shall be deemed adulterated under section 402(f) of the Act. Such regulations shall not apply to the storage or handling of such articles at any retail store or other establishment any State that would be subject to this section only because of purchases in interstate commerce, if the storage and handling of such articles at such establishment are regulated, under the laws of the State in which such establishment is located, in a manner which the Secretary, after consultation with the appropriate advisory committee provided for in section 421(a) of this Act, determines is adequate to effectuate the purposes of this subsection.

"(i) IMPORTATION OF FISH AND FISHERY PRODUCTS.—After the effective date of regulations issued under this subpart—

"(1) no fish or fishery products shall be imported into the United States if such articles are adulterated or misbranded or otherwise fail to comply with all the inspection, good manufacturing practice, and other provisions of this Act and regulations issued thereunder applicable to such articles in commerce within the United States: *Provided*, That whenever it shall be determined by the Secretary, in the case of any foreign country, that the system of plant and vessel inspection of fish and fishery products is at least equal to all the inspection, good manufacturing practice, and other provisions of this Act and regulations issued thereunder, and that reliance can be placed on certificates required by regulation of the Secretary as to compliance with the country's inspection, good manufacturing practice, and other requirements, the Secretary may accept such certificates as compliane with the comparable requirements of this subpart: *Provided further*, That any fish or fishery products covered by such certificates shall be marked and labeled as required by regulations for such imported articles: *And provided further*, That (A) nothing in this section shall apply to a person who purchases fish outside the United States for consumption by himself or members of his household except that the total amount of such fish shall not exceed fifty pounds; and (B) the Secretary may further, by or pursuant to regulation, exempt from all or any part of this section, on such terms and conditions as he may deem appropriate, fish that are caught by an individual in the bona fide pursuit of sport and not for commercial purposes in waters outside the United States and that are brought into the United States by such individual by himself or members of his household.

"(2) The Secretary may prescribe, under section 801 of this Act, the terms and conditions of the destruction of all such articles which are imported contrary to this section, unless (1) they are exported by the consignee within the time fixed therefor by the Secretary, or (2) in the case of articles which are not in compliance with this Act solely because of misbranding, such articles are brought into compliance with the Act under supervision of authorized representatives of the Secretary.

"(3) For the purpose of facilitating enforcement of this section and reducing the costs thereof, the importation of fish or fishery products into any port in the United States, except such as may be designated by the Secretary with the approval of the Secretary of the Treasury is prohibited.

"ADMINISTRATIVE AND AUXILIARY PROVISIONS

"SEC. 411. (a) WITHHOLDING, WITHDRAWING, AND REINSTATING CERTIFICATES.—The Secretary (for such period, or indefinitely, as he deems necessary to effectuate the purposes of this Act) may withdraw withhold a certificate of registration under section 410 or may suspend or withdraw such a certificate issued under that section, with respect to any establishment if he determines that the applicant or holder of such certificate is unfit to engage in any business requiring a certificate under that section because such person, or anyone responsibly connected with him, has been convicted, in any Federal or State court, within the previous ten years of (1) any felony, or more than one misdemeanor, based upon the acquiring, handling, or distributing of adulterated, mislabeled, or deceptively packaged food or fraud in connection with transactions in food; or (2) any felony involving fraud, bribery, extortion, or any other act or circumstance indicating a lack of the integrity needed for the conduct of operations affecting the public health. This section shall not affect in any way other provisions of this Act for suspension of a certificate under section 410. For the purpose of this section, a person shall be deemed to be responsibly connected with the business if he was a partner, officer, director, holder or owner of 10 per centum or more of its voting stock, or employee in a managerial or executive capacity. Withholding, withdrawal, and refusal to reinstate a certificate under this section shall be subject to the opportunity for hearing and judicial review provided by section 412.

"(b) MAINTENANCE AND RETENTION OF RECORDS.—For the purpose of enforcing the provisions of this Act, persons engaged in the business of processing fish or fishery products for human consumption in interstate commerce or holding such products after transportation in interstate commerce shall maintain accurate records showing to the extent that they are concerned therewith, the receipt, delivery, sale, movement, or disposition of fish or fishery products and shall, upon the request of the Secretary, permit him at reasonable times to have access to and to copy all such records. Any record required to be maintained by this section shall be maintained for two years after the transaction which is the subject of such record has taken place.

"(c) ADMINISTRATIVE DETENTION OF FISH OR FISHERY PRODUCTS.—Whenever any fish or fishery product is found by any authorized representative of the Secretary upon any premises where it is held for purposes of, or during or after distribution in, interstate commerce or otherwise subject to this Act, and there is reason to believe that any such article is adulterated, or misbranded or otherwise in violation of the provisions of this Act or of any other Federal law, or that such article has been or is intended to be distributed in violation of any such provisions, such fish or fishery products, if not otherwise subject to condemnation under section 410(d), may be detained by such representative for a period not to exceed twenty days pending action under section 304 of this Act or notification of any Federal, State, or other governmental authorities having jurisdiction over such article, and shall not be moved by any person from the place at which it is located when so detained until released by such representative. Such fish or fishery product shall be detained in a suitable manner to prevent decomposition and the costs thereof shall be borne by the owner thereof. All official marks may be required by such representative to be removed from such article before it is released unless it appears to the satisfaction of the Secretary that the article is eligible to retain such marks.

"(d) INSPECTION EXEMPTIONS.—(1) The provisions of this subpart shall not apply to the processing by any person of fish of his own raising or harvesting, and the preparation by him and transportation in commerce of the fish or fishery products exclusively for use by him and members of his household and his nonpaying guests and employees, if such person does not engage in the business of buying or selling any fish or fishery products capable of use as human food.

"(2) The Secretary may, by regulation and under such conditions as to sanitary standards, practices, and procedures as he may prescribe, exempt from specific provisions of this subpart retail dealers with respect to fishery products sold directly to consumers in individual retail stores, if the only processing operations performed by such retail dealers are conducted on the premises where such sales to consumers are made. The Secretary may suspend or terminate any such exemption at any time with respect to any person, upon a finding that the conditions of exemption, prescribed by regulations, are not being met.

"(3) The Secretary may by regulation, under such conditions as to sanitary standards, practices, and procedures as he may prescribe, exempt from the requirement of continuous inspection imposed by the first sentence of section 410(d) any establishment, known in the trade as a 'fish house', in which no processing of fish or fishery products is performed except (A) the unloading of fresh whole fish from vessels into appropriate bulk containers, (B) icing or other refrigeration of such fish, and (C) prompt shipment thereof either (i) to an establishment subject to continuous inspection or (ii) to a retail dealer described in paragraph (2) of this subsection.

"(e) PROCESSORS OF INDUSTRIAL FISHERY PRODUCTS AND RELATED INDUSTRIES.—Inspection shall not be provided under this subpart of any establishment or vessel processing fish and fishery products which are not intended for use as human food, but such articles shall, prior to their offer for sale or transportation in interstate commerce, unless naturally inedible by humans, be denatured or otherwise identified as prescribed by regulations of the Secretary to deter their use for human food. No person shall buy, sell, transport, or offer for sale or transportation or receive for transportation, in commerce, or import, any fish or fishery products which are not intended for use as human food unless they are denatured or otherwise identified as required by the regulations of the Secretary or are naturally inedible by humans.

"OPPORTUNITY FOR HEARING AND JUDICIAL REVIEW OF DENIAL, WITHHOLDING, SUSPENSION OR WITHDRAWAL OF CERTIFICATES AND WITHHOLDING OF APPROVAL OF LABELING OR PACKAGING

"SEC. 412. (a) OPPORTUNITY FOR HEARING.—(1) Any person denied a certificate under section 410(b) or 411(a), or whose certificate has been suspended or who has been denied reinstatement under section 410(c), or who has been refused the official mark for proposed labeling or packaging under section 410(f), or from whom it is proposed to withdraw a certificate under section 411(a), may file objections thereto with the Secretary, specifying with particularity reasonable grounds for his objection, and request a hearing upon such objection. The Secretary shall afford an opportunity for a hearing on such objections, and shall expedite such hearing upon request. As soon as possible after the hearing, the Secretary shall act upon the objections.

"(2) Such order shall be based upon a fair evaluation of the entire record at such hearing, and shall contain findings of fact and conclusions on which the Secretary's action was based.

"(3) The Secretary shall grant such interim relief from any order suspending or withdrawing a certificate as he finds justified upon considering the interests of the person holding the certificate and the necessity for protection of the public health and the interest of consumers.

"(b) JUDICIAL REVIEW.—(1) Any person adversely affected by the Secretary's action on his objections may obtain judicial review by filing in the United States Court of Appeals for the circuit in which he resides or has his principal place of business, within sixty days after the entry of the Secretary's order, a petition for judicial review.

"(2) A copy of the petition shall be transmitted by the clerk of the court to the Secretary, and the Secretary shall file in the court the record of the proceeding. The findings of the Secretary with respect to questions of fact shall be sustained if based upon a fair evaluation of the entire record.

"(3) The judgment of the court affirming or setting aside, in whole or in part, any order under this section shall be final subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

"Subpart 2—Federal and State Cooperation

"SEC. 421. (a) It is policy of the Congress to protect the consuming public from fish and fishery products that are adulterated, misbranded or otherwise in violation of this Act, and to assist in efforts by State or other Government agencies to accomplish this objective. In furtherance of this policy:

"(1) The Secretary is authorized, whenever he determines that it would effectuate the purposes of this Act, (A) to cooperate with the appropriate State agency in developing and administering a State fish and fishery products inspection program in any State which has enacted a State fish and fishery products inspection law that imposes mandatory inspection, reinspection, and sanitation requirements that are at least equal to those under subpart 1 of this part, and provisions of this Act related to such subpart, with respect to all or certain classes of persons engaged in the State in processing fish and fishery products for use as human food solely for distribution within such State; and (B) to cooperate with the appropriate State agency in the development of an effective State program (described in a State plan approved on an annual basis by the Secretary as meeting standards established by him) for the classification and control of shellfish growing areas and for regulation and control of shellfish harvesting practices, including shellfish intended for introduction into interstate commerce.

"(2) Cooperation with State agencies under this section may include furnishing to the appropriate State agency (A) advisory assistance in planning and otherwise developing an adequate State program under the State law, and (B) technical and laboratory assistance and training, including necessary curricular and instructional materials and equipment, and financial and other aid for administration of such program. Grants to any State under this section from Federal funds for any fiscal year shall not exceed 50 per centum of the estimated total cost of the cooperative program in such State. Such cooperation and payment shall be contingent at all times upon the administration of the State program in a manner which the Secretary, in consultation with the appropriate advisory committee appointed under paragraph (3), deems adequate to effectuate the purpose of this section.

"(3) The Secretary may appoint advisory committees consisting of such representatives of appropriate State agencies and representatives of consumers and industry as the Secretary and the State agencies may designate to consult with him concerning State and Federal programs with respect to fish inspection and other matters within the scope of this party, including evaluating State programs for purposes of this part, and obtaining better coordination and more uniformity among the State programs and between the Federal and State programs and adequate protection of consumers.

"(b) The appropriate State agency with which the Secretary may cooperate under this subpart shall be a single agency in the State which is primarily responsible for the coordination of the State programs having objectives similar to those under this Act: *Provided*, That with respect to the shellfish control program referred to in clause (B) of paragraph (1) of subsection (a) such State agency may, in the case of a State in which different functions of its shellfish control program are vested in different State agencies, be an interdepartmental agency if found by the Secretary to be consistent with the purposes of this Act, including this part. When the State program includes performance of certain functions by a municipality or other subordinate governmental unit, such unit shall be deemed to be a part of the State agency for purposes of this section.

"Sec. 422. (a) (1) If the Secretary believes, by thirty days prior to the expiration of two years after the effective date of regulations promulgated under this Act, that a State has failed to develop or is not enforcing, with respect to all establishments within its jurisdiction at which fish or fishery products are processed for use as human food for distribution solely within the State, inspection, reinspection, and sanitation requirements at least equal to those imposed under subpart 1 of this part and other provisions of this Act related to such subpart, he shall promptly notify the Governor of the State of this fact. If the Secretary determines, after consultation with the Governor of the State, or representative selected by him, that such requirements have not been developed and activated, he shall promptly after the expiration of such two-year period designate such State as one in which the provisions of such subpart 1 and related provisions of this Act shall apply to operations and transactions wholly within such State: *Provided*, That if the Secretary determines that there is reason to believe that the State will activate such requirements within one additional year, he may delay such designation for that period, and he shall in that event not designate the State if he further determines at the end of that period that the State then has such requirements in effective operation.

"(2) The Secretary shall publish any such designation in the Federal Register and, upon the expiration of thirty days after such publication, the provisions of subpart 1 and other provisions of this Act related thereto shall apply to operations and transactions and to persons engaged therein in the State to the same extent and in the same manner as if such operations and transactions were conducted in or for interstate commerce.

"(3) Notwithstanding any other provision of this subpart, if the Secretary determines, at any time prior to designation of a State under this section, that any establishment within a State is producing adulterated fish or fishery products for distribution within such State which would clearly endanger the public health, he shall, with a view to achievement of effective action under State or local law, notify the Governor of the State and the appropriate advisory committee provided under this subpart of such fact. If the State does not take action to prevent such endangering of the public health within a reasonable time after such notice, as determined by the Secretary in the light of the risk to public health, the Secretary may forthwith designate any such establishment as subject to the provisions of subpart 1 and related provisions of this Act, and thereupon the establishment and operator thereof shall be subject to such provisions as though engaged in interstate commerce until such time as the Secretary determines that such State has developed and will enforce requirements at least equal to those imposed under such provisions.

"(b) Whenever the Secretary determines that any State designated under this section has developed and will enforce State fish inspection requirements at least equal to those imposed under subpart 1 and related provisions of this Act with respect to the operations and transactions within such State which are regulated under this subsection, he shall terminate the designation of such State under this section, but this shall not preclude the subsequent redesignatoin of the State at any time upon thirty days' notice to the Governor and publication of such notice in the Federal Register, and any State may be designated upon such notice and publication at any time after the period specified in this subsection, whether or not the State has theretofore been designated upon the Secretary determining that it is not effectively enforcing requirements at least equal to those imposed under such subpart and related provisions.

"(c) The Secretary shall promptly upon enactment of this subpart; and periodically thereafter but at least annually, review the requirements, including the enforcement thereof, of the States not designated under this section, with respect to the processing of fish or fishery production and inspection of such operations.

"STATE JURISDICTION

"Sec. 423. Requirements within the scope of subpart 1 of part B of this chapter with respect to any establishment or vessel at which a certificate of registration is required under subpart 1 of this part, which are in addition to or different from those made under such subpart may not be imposed by any State, except that any such jurisdiction may impose recordkeeping and other requirements within the scope of section 411(b) with respect to any such establishment. Marking, labeling, packaging, or ingredient requirements in addition to, or different from, those made under this Act may not be imposed by any State with respect to articles processed at any establishment or vessel in accordance with the requirements under such subpart, but any State may, consistent with the requirements under this Act, exercise concurrent jurisdiction with the Secretary over articles inspected under such subpart, for the purpose of preventing the distribution for human food purposes of any such articles which are adulterated or misbranded and are outside of such an establishment, or, in the case of imported articles which are not at such an establishment, after their entry into the United States. Nothing in this section shall be construed to preclude the establishment and operation and enforcement of a State shellfish program (meeting Federal standards and administered under an annual plan approved by the Secretary) for classification and control of growing areas and for regulation and control of harvesting practices for shellfish, including shellfish intended for introduction in interstate commerce. This Act shall not preclude any State from making requirements or taking other action, consistent with such subpart, with respect to any other matters not regulated thereunder.

INTERDEPARTMENTAL COOPERATION

"Sec. 424. (a) There shall be consultation between the Secretary and the Secretary of the Interior prior to the issuance of standards under this Act applicable to fish or fishery products. There shall also be consultation between the Secretary and an appropriate advisory committee provided for in this Act, prior to the issuance of such standards under this Act, to avoid, insofar as feasible, inconsistency between Federal and State standards.

"(b) For the purpose of facilitating enforcement and reducing the costs thereof, the Secretary may utilize by agreement, with or without reimbursement, law enforcement officers or other personnel and facilities of other Federal agencies to carry out the provisions of this Act. The Secretary is also encouraged to enter into agreements or other arrangements, with or without reimbursement, with any State in carrying out the provisions of this Act, including enforcement."

OTHER LAWS

Sec. 105. (a) Notwithstanding any other provisions of law, the amendments made by this Act shall not derogate from any authority conferred upon any Federal officer, employee, or agency by the Federal Food, Drug, and Cosmetic Act prior to enactment of this Act, by the Fair Packaging and Labeling Act, by the Public Health Service Act, or by any other Act.

(b) Continuous inspection under, and compliance with the requirements prescribed by or pursuant to, the Federal Food, Drug, and Cosmetic Act (including the amendments made thereto by the Wholesome Fish and Fishery Products Act) with respect to fish and fishery products shall not exempt any person from any liability under common or State law.

WHOLESOME FISH ACT

Mr. STEVENS. Mr. President, I have today cosponsored the bill introduced by the senior Senator from Michigan (Mr. Hart) which he designates the Wholesome Fish and Fishery Products Act of 1969. I have also cosponsored his bill which would provide both the technical and financial assistance to the commercial fishing industry which might be needed to assist them in meeting the requirements of the Wholesome Fish Act.

I have cosponsored these two measures with serious reservations, but I have cosponsored them. I attach my name to these two measures because I believe America's commercial fishing industries must produce a product of high quality and unquestioned wholesomeness. The consumer, when he buys fish in the market, must be certain beyond doubt that the product he buys is all that he has every right to expect it to be.

The fishing industry has failed to

grow. While our citizens eat more meat and poultry than they used to, our consumption of fish has remained at a constant level. Fish is a rich source of protein. It is appetizing and economical to serve. There is no reason whatever why it cannot compete on equal ground with meat and poultry. I believe that passage of the Wholesome Fish Act would serve to remove whatever lingering doubts may exist in the consumer's mind over the quality of fish products. I believe that Federal inspection standards would improve the level of fish sales and that the commercial fishing industry would benefit substantially.

I have three reservations:

First. Some fish processing facilities may have to be upgraded as a result of passage of the Wholesome Fish Act. Sanitary conditions, equipment, and facilities vary from plant to plant. Often enough for the smaller processor, it is not easy to obtain funds to buy new equipment or to upgrade the old. If the Federal Government is to impose certain standards, I believe it has a responsibility to assist processors in meeting these standards. This is why I have cosponsored the Senator's bill to provide such assistance. This bill would increase the fisheries loan fund by $15,000,000. It would make available the funds from this long-term, low-interest federally operated loan fund to shore processing facilities as well as fishing vessels. In good conscience, I have great doubt over the wisdom or the fairness of passing the Wholesome Fish Act without at the same time authorizing this Federal assistance to the fish processors, too.

Second. This bill as introduced today provides for continuous inspection. The cost of this inspection would be borne by the Federal Government. It would not be a burden to the processors. I am not worried about the cost of continuous inspection. I am worried about its practicality. Unlike the poultry industry or the meat industry, fish processing plants do not operate on a day-to-day basis. They run when the fish come. During a salmon run, the canneries operate on a 24-hour basis for so long or for so short a time as the fish are available. In my part of the world, there are canneries and freezing plants dotted along the coast of Alaska and down the Aleutian chain. Many of these communities have foggy, unpredictable weather. It might well be that the salmon run could begin at a time when an inspector was not present and weather conditions would make it impossible for him to be on the scene in time to do his job. I doubt, therefore, that continuous inspection would be entirely practical. I also doubt its necessity. I believe that responsible and thorough inspection on a spot check basis would serve the same purpose as continuous inspection. These spot checks should be unannounced and frequent. As such, I believe they would guarantee the maintenance of sanitary standards and quality of the fish product.

Third. The bill as introduced provides that the inspection should be carried out by the Food and Drug Administration. I am not convinced that this is the agency best equipped to do the job. It is not thoroughly familiar with the operation of the fishing industry, its particular problems and needs. It may well be—and I am not certain of this—that the Bureau of Commercial Fisheries would be better equipped to handle these inspection responsibilities. I remember last spring the Food and Drug Administration inspectors placed an embargo on crab products of eight floating processors which had been operating off the island of Kodiak. They did so because of a report that the product was contaminated. Upon the arrival of the processors in Seattle, the Food and Drug Administration inspectors went aboard to inspect the crab. They found no violations. It was decided that the evidence of contamination they had received was insufficient and, as a result, the matter was dropped. Such occurrences as this do no good to anyone—the industry, the consumer, or the Federal Government. For this reason, I am not convinced that inspection responsibilities should be lodged with the Food and Drug Administration.

In spite of these reservations, I have cosponsored the bills. I believe in their basic intent. As a cosponsor, I hope to testify when hearings are held on these bills, to present my views, and to participate in the writing of the measure in its final form.

S. 1093—INTRODUCTION OF BILL TO REGULATE STORAGE AREA FOR RESERVOIR UNDER FEDERAL POWER ACT

Mr. ERVIN. Mr. President, I introduce a bill designed to correct a very serious defect in the Federal Power Act which has been brought to my attention concerning the licensing of multipurpose hydroelectric projects.

In some of the multipurpose hydroprojects, it becomes necessary for the Federal Power Commission to require the storage of water for water quality control and other purposes. If the project involves storage on an interstate river, it raises serious questions for the Power Commission as to the amount of storage for each section of the drainage basin, or, in some cases, more than one river basin. This is a matter of tremendous importance to the sections of the basin above the water quality control project.

Under the present law, there is no standard by which the responsibility of the different sections of the watershed or river basin can be determined. It is my opinion that the amount of storage that can be required of any section of a river basin should be controlled by some standard set by Congress.

I have, therefore, drawn an amendment to the Federal Power Act, setting up such a standard, which I think is fair and just to all parties concerned. The amendment provides that the storage required of the hydroelectric project shall have the same proportion to the total storage required for the water quality control project that the drainage area of the hydro project has to the total area of the river basin or basins involved in the water quality control project.

This problem was brought to my attention by the petition of the American Electric Light & Power Co., through its subsidiary, the Appalachian Power Co., before the Federal Power Commission, project 2317, to construct two high dams on New River, in Grayson County in southwest Virginia, which would flood some 16,000 acres of land in Alleghany and Ashe Counties, N.C., and some 25,000 to 26,000 acres of land in Grayson County, Va.

The petition filed in this matter before the Federal Power Commission has asked that 650,000 acre-feet of storage be provided by this drainage area for pollution control on the Kanawha River in West Virginia, 300 miles below the hydro project. This is half of the total estimated storage required for the quality control project. The drainage area of the hydroelectric development is 1,111 square miles. The drainage area of the Kanawha and New River Basins is 12,260 square miles. Thus, less than 10 percent of the drainage area would be furnishing storage for 50 percent of the water needed in the water quality control project. This is totally unjust and inequitable, as far as the people of upper New River Valley are concerned. It will completely destroy for recreational purposes some 30 miles of one of the most beautiful valleys in the Eastern United States, and will greatly impair the recreational value of the remainder of the proposed development.

During the past 50 years, the people of the upper New River Valley in southwest Virginia and in northwestern North Carolina have made a tremendous effort to lift themselves by their own bootstraps, and have made phenomenal progress. The section of the Kanawha River at Charleston, W. Va., the beneficiary of the pollution control project, is perhaps the greatest industrial chemical complex in the United States, with a payroll in excess of $160 million a year, with giant industry that is expanding every year. To shift 50 percent of the burden of taking care of the waste of this great industrial center to the backs of the people of this more or less isolated section of the Appalachians is, to me, completely at variance with all principles of equity and justice and fair dealing.

The amount of the burden of taking care of this pollution problem shifted to the backs of the people of upper New River Valley should be controlled by law, and should be fair and equitable. This will be accomplished by the amendment to the Federal Power Act which I have introduced.

I ask unanimous consent that my proposed bill be appropriately referred and that a copy of it be printed at this point in the body of the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1093) to amend the Federal Power Act in order to provide for the regulation of the amount of project reservoir storage capacity that may be allotted for water quality control, introduced by Mr. Ervin, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1093

Be it enacted by the Senate and House of Representatives of the United States of Amer-

ica in Congress assembled, That section 10 of the Federal Power Act (16 U.S.C. 803) is amended by inserting at the end thereof the following:

"(j) Any reservoir storage capacity for water quality control purposes which is a part of any overall plan for water quality control proposed by the applicant or required by the Commission shall not exceed such proportion of the total storage required for the water quality control plan as the drainage area of such reservoir bears to the drainage area of the river basin or basins involved in such water quality control plan.

S. 1094—INTRODUCTION OF BILL RELATING TO PERSONS WORKING IN THE COAL MINING INDUSTRY—ANNOUNCEMENT OF HEARINGS ON COAL MINE SAFETY BILLS

Mr. WILLIAMS of New Jersey. Mr. President, as chairman of the Senate Subcommittee on Labor, I announce the opening of hearings on coal mine health and safety legislation on February 27.

The hearings will begin at 10 a.m. in room 4232, New Senate Office Building. The hearing order for that day will be as follows: The senior Senator from West Virginia, Mr. RANDOLPH, will present his two bills for the hearing record, S. 355, to improve the health and safety conditions of persons working in the coal mining industry of the United States, and S. 467, for the elimination of health dangers to coal miners resulting from the inhalation of coal dust.

Other Senators interested in appearing in the opening part of these hearings should give notice of their interest no later than Tuesday, February 25. Telephone communications in this regard may be made directly to the subcommittee staff, extension 3674.

Following the presentations by interested Senators, the subcommittee will hear the opening statements of a representative of coal management and a representative of coal labor.

Additional hearings to receive the views and testimony of all appropriate agencies, groups, and individuals will be scheduled as early as possible in March.

I am introducing at this time a companion Senate bill to H.R. 6540, introduced in the House by Congressman HECHLER, of West Virginia. I am not familiar with the provisions and details of this House bill; however, I am introducing it and making it a part of the hearing record in the interest of having all legislative approaches to the grave questions of coal mine safety examined and analyzed in the hearing process, and made available for consideration by the subcommittee and the full committee.

I would also note that any other bills on this subject submitted by Senators before the February 27 hearings will be welcomed by me and will likewise be made a part of the subcommittee's hearings.

SENATE JOINT RESOLUTION 50—INTRODUCTION OF A JOINT RESOLUTION TO ESTABLISH THE JOINT COMMITTEE ON NATIONAL SECURITY AFFAIRS

Mr. TOWER. Mr. President, I introduce today a joint resolution calling for the establishment of a Joint Committee on National Security Affairs. This committee would be composed of 16 members, eight from each House of Congress, drawn from the Senate Committees on Foreign Relations and Armed Services, the House Committees on Foreign Affairs and Armed Services as well as the Joint Committee on Atomic Energy. The purpose of this committee is in no way legislative and is not designed to infringe on the responsibilities of any other standing committee of either House. What is proposed is the establishment of a committee of knowledgeable Members of Congress to provide for a comprehensive and inclusive analysis of the national security policy similar to the functions of the Joint Economic Committee in the field of economics and government.

I ask for this joint committee only after a long and thorough investigation of the need of such machinery in the Congress. I believe that it is imperative that we have an organization including Members of both Houses of Congress and both political parties to review national security policies and make recommendations to the appropriate legislative committees.

In an era of increasing international responsibility it is necessary that we coordinate better efforts to provide for national defense and security posture. Too often before, these decisions have been made by an administration that has not even bothered to consult the proper authorities in the Congress. The National Security Council, which is responsible to the President, has in the past been the only body in the country with the diversified expertise to research and comment upon the many areas of concern to the national security. The time is now for the Congress to establish its own apparatus and have its separate judgment on which new systems will be needed, which ones are obsolete, which ones we cannot afford, and which ones we cannot afford to be without.

With the great controversy that has recently arisen in many areas of national policy, I am hopeful that members of both parties and of all political persuasions will agree with the need for such a joint undertaking. With the institution of this committee, we will have an instrument which can marshal the diverse expertise and information necessary to form accurate opinions. Our lack of adequate response in the past has too many times proved the need for this.

In closing, Mr. President, I would like to again stress that the Joint Committee on National Security would not usurp any authority from any present committee or joint committee; its powers will be consultative only. However, it will give expert members from these committees the chance to meet from time to time to exchange information, to consult with each other, and to form opinions and give advice based on diverse information. It is a reasonable approach to a complex problem. I hope that it will be favorably considered.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 50) to establish a joint congressional committee to study and investigate matters pertaining to national security, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Armed Services.

SENATE JOINT RESOLUTION 51—INTRODUCTION OF JOINT RESOLUTION TO ESTABLISH MAY AS "NATIONAL ARTHRITIS MONTH"

Mr. ERVIN. Mr. President, today on behalf of myself and Mr. JORDAN of North Carolina, I introduce a Senate joint resolution asking the President of the United States to designate the month of May as "National Arthritis Month." By this action, I believe the Congress will accomplish three independent and useful public purposes.

First, we will increase our own and the public's awareness of the toll of arthritis, its magnitude, and cost, so that we can make wise decisions as to the amount of public effort we assign to combat it and research for its causes.

Second, we will give recognition and impetus to our biomedical research efforts to unlock the secrets of this disease—to alleviate its disabling symptoms and, hopefully, to discover and counteract its causes.

Third, we will give recognition and support to those national institutions that meet the needs of victims and potential victims of arthritis for access to reliable, up-to-date, and relevant information on what medical science and the victim himself can do to reduce the disabling consequences of the disease.

The importance of the problems presented by arthritis is impressive. Mankind has suffered from it ever since Java man, half a million years ago, left us his bones with the unmistakable evidences of this affliction. Tombs and sarcophagi all over the world reveal that no race has been spared its ravages. The U.S. Public Health Service calls it the No. 1 chronic disease.

Arthritis afflicts more than 16 million of our citizens. It causes an estimated 200 million days of restricted activity, 57 million days in bed, 12,200,000 days of work absenteeism, 30 million visits to the doctor, and 1½ million days of hospitalization every year. Its annual cost is $3,645,000,000, including: expenses for drugs, $435 million; lost wages, $1.5 billion; hospital and medical costs, more than $200 million, and large amounts for lost homemaker services and premature death.

In the light of these figures, I think we ought to ask ourselves: How much effort is it worth—how much ought we to spend—in the endeavor to conquer this disease? The army of sufferers exceeds the peak of our Armed Forces in World War II. The ailment costs the Nation each year more than the total we spent to develop the atomic bomb. How large an effort should be mount to wipe it out?

In an age when novelties capture the headlines—when space science and surgical spectaculars command our admiring attention—it is hard to preserve a sense of proportion. There is little that is spectacular about arthritis. It often wounds but seldoms kills. Yet, it is the most common, perhaps the most costly, and certainly one of the most nagging and frustrating of life's painful experiences.

Our Nation has set for itself the goal of preserving and expanding human freedom. But there is little freedom for those 16 million who are tied to their beds, to restricted physical activity, to strict regimens of medical attention, medication, and behavior. Nor to those deluded unfortunates who are deceived by vicious quack nostrums that promise "long-lasting relief" or "an end to suffering within hours." Annually, the blind alley of fraudulent remedies captures $350 million from the foolish, the uninformed, the impatient, and the frantic. Worst of all, these deceptive products waste not only the victims' dollars but the valuable time that could be invested in a program of medical salvage—for quick diagnosis and prompt treatment by a knowledgeable physician can mean the difference between a nearly normal life and a lifetime in a wheelchair.

How much are we spending to seek out the causes and the cure? The answer is that our current research budget in this fiscal year is $15 million for research, plus a small amount for additional work in applied fields.

Then, what is the prospect of success from research into this difficult problem? What further efforts might we make that would be worthwhile—could we usefully sponsor a broader effort?

It would be too optimistic to say that biomedical research stands at the threshold of success. The fact is that the cause of arthritis is still a mystery. Theories are beginning to take form; we are learning where to look for an explanation. But we still do not know. Even so, three significant accomplishments of research deserve our grateful recognition.

First, we have developed an array of medical treatments, specific to the particular forms and stages of arthritis. For arthritis is not one disease but a hundred. Much medical research still needs to be done to sort out the facts about these different, but related ailments. What drugs and what treatments work best with each? In most cases, with early diagnosis and proper medical care, severe crippling can be avoided. In virtually all cases, medical attention can alleviate the symptoms. It can restore many sufferers to active participation in life and work. No case is hopeless.

Early work is in progress to investigate the clinical value of a preparation extracted from bone marrow and cartilage for the treatment of osteoarthritis. Another drug that shows promise is cyclophosphamide. Recently a new drug was added to the arsenal of pharmaceuticals to bring gout under control. These are only illustrative of the many lines of investigation into biochemical treatment of this disease in all its many forms.

Second, biomedical researchers have achieved real progress toward understanding the organism that undergoes degradation—the first step toward total defeat of this tireless plague. In the exploration of the biological molecule, in the elucidation of the chain of metabolic processes, the United States has achieved world scientific leadership. We have contributed signally to world understanding of molecular biology, which is believed to hold many of the keys to unlock the secrets of metabolic disorders—not only arthritis, but also diabetes, obesity, and kidney and blood ailments.

Third, there is progress in research into the causes of arthritis itself. Two competing theories are being painstakingly tested. There is experimental evidence in support of each. One theory holds that rheumatoid arthritis is caused by an infectious micro-organism intermediate between bacteria and viruses. Another theory being tested has to do with the failure of the body's immunological processes, and suggests a possible avenue to general treatment. There is hope here, but no certainty. We must keep plugging away with steadfast determination until we find the answer. Mankind has already suffered from it for half a million years; we can have patience for a little longer.

I spoke critically, a moment ago, about the fraudulent nostrums and pretended cures of arthritis. But fortunately, there are two national organizations on the scene that balance the ledger on the credit side. I should like to give special mention to these organizations that spearhead the campaign to rid our world of arthritis for once and for all.

One is the National Institute of Arthritis and Metabolic Diseases in the National Institutes of Health. It sponsors and conducts much fundamental research in this field. In May 1965, the Surgeon General of the U.S. Public Health Service convened 100 of the top authorities in all fields of health. This convocation recognized that while research should be pursued, we should also make better use of what we already know. Above all, as new techniques are devised they must be quickly put to good use everywhere. This is a tall order.

The other national institution aims to do just that. Is is the Arthritis Foundation, a private and voluntary organization with local chapters of medical people, health officers, and others associated with the field. It works closely with and its high usefulness is recognized by the Public Health Service. Appropriately enough the Arthritis Foundation is ending its 20th anniversary in May 1969. Accordingly, it is appropriate that its contributions to health be recognized in connection with the joint resolution here proposed.

The goal of the Arthritis Foundation is a total answer to the arthritis problem—both prevention and cure. It sponsors research, supports professional education, and coordinates work of local clinics, community health services, and home care programs. One of its most important functions is the distribution of the latest authoritative information about arthritis. Local chapters tailor the information to the particular problems and needs of the individual victim.

In requesting the Chief Executive to designate May as Arthritis Month, the Congress will help to focus public attention and professional skills on the defeat of this incubus. Scientific understanding is the way to scientific achievement. Public understanding leads to public responsibility. Awareness on the part of the victims of arthritis as to the risks of shortcuts and the valued capabilities of medicine today can obviate pain and disability. All of these are proper goals and proper business to command our rigorous prosecution.

Mr. President, I ask unanimous consent that a copy of the joint resolution be printed at this point in the Record.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 51) to designate the month of May as "National Arthritis Month," introduced by Mr. Ervin (for himself and Mr. Jordan of North Carolina), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 51

Whereas arthritis is the nation's No. 1 crippling disease affecting over sixteen million citizens; and

Whereas two hundred and fifty thousand additional Americans are stricken with this dread disease every year; and

Whereas arthritis strikes people of all ages; and

Whereas twelve million days of work and two hundred and five million days of restricted activity are lost each year because of arthritis; and

Whereas the annual cost of arthritis to Americans is estimated to approach $3,500,000,000 annually; and

Whereas the use of medicine can prevent severe crippling in seven out of ten cases of arthritis through early diagnosis and prompt and appropriate treatment; and

Whereas back-to-work programs sponsored by local Arthritis Foundation chapters have shown that many arthritics may be returned to gainful employment; and

Whereas homebound sufferers of arthritis are receiving treatment in many areas from mobile therapy units provided by local Arthritis Foundation chapters; and

Whereas the Arthritis Foundation will complete its twentieth anniversary in May 1969 marking twenty years of progress in research and patient care; and

Whereas there is a great need for trained physicians, therapists, and nurses to provide assistance to arthritics and to carry out research to discover the cause and cure of arthritis; and

Whereas only $15,000,000 was spent in 1968 for arthritis patients and research: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation (1) designating May as "National Arthritis Month", (2) inviting the Governors of the several States to issue proclamations for like purposes, and (3) urging the people of the United States, and educational, philanthropic, scientific, medical, and health care professions and organizations to provide the necessary assistance and resources to discover the cause and cure of arthritis and to alleviate the suffering of persons struck by this disease.

ADDITIONAL COSPONSORS OF BILLS

Mr. SCOTT. Mr. President, at the request of the Senator from Massachusetts

(Mr. Brooke), I ask unanimous consent that, at its next printing, the names of the Senator from Hawaii (Mr. Fong) and the Senator from Alaska (Mr. Gravel) be added as cosponsors of the bill (S. 1070) to establish a commission to be known as the Commission on Air Traffic Control.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MONTOYA. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Indiana (Mr. Bayh) be added as a cosponsor of the bill (S. 740) to establish the Interagency Committee on Mexican-American Affairs.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MONTOYA. Mr. President, I ask also unanimous consent that, at its next printing the names of the Senator from Alaska (Mr. Stevens) and the Senator from Michigan (Mr. Hart) be added as cosponsors of the bill (S. 421) to provide increased annuities under the Civil Service Retirement Act; and the bill (S. 422) to provide that the first $5,000 received as civil service retirement annuity be excluded from gross income for tax purposes; and the bill (S. 423) to provide minimum annuities for civil service retirees.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MONTOYA. Mr. President, I further ask unanimous consent that, at its next printing the name of the Senator from Nevada (Mr. Cannon) be added as a cosponsor of the bill (S. 1063) to temporarily suspend the recent increases in fees for grazing of livestock on public lands.

The VICE PRESIDENT. Without objection, it is so ordered.

INTERSTATE TAXATION ACT—AMENDMENTS

AMENDMENT NO. 91–4

Mr. RIBICOFF. Mr. President, I submit two amendments intended to be proposed by me to S. 916, the Interstate Taxation Act which I introduced on February 4, 1969. These amendments will serve to clarify title III of the bill. When I introduced S. 916 I intended to make two minor changes in title III of the Interstate Taxation Act as passed by the House of Representatives last year. In my introductory remarks I described the purposes and effects of these amendments. Unfortunately, the bill, through an error, did not contain the language to effect these changes and did not conform to the description I made in my remarks. These amendments correct that error.

The VICE PRESIDENT. The amendments will be received, printed, and appropriately referred.

The amendments were referred to the Committee on Finance.

NOTICE OF SMALL BUSINESS SUBCOMMITTEE HEARING

Mr. McINTYRE. Mr. President, I wish to announce that the Small Business Subcommittee of the Committee on Banking and Currency will resume hearings on the handling of the foreign trade zone application of the State of Maine by the Department of Commerce.

The hearing will begin at 10 a.m. on February 24, 1969, in room 5302 New Senate Office Building. Anyone wishing to testify should contact Mr. Reginald W. Barnes, assistant counsel, Senate Committee on Banking and Currency, room 5300 New Senate Office Building, Washington, D.C. 20510, telephone 225–7391, as soon as possible.

COMPREHENSIVE HEALTH PLANNING

Mr. ERVIN. Mr. President, one of my distinguished constituents, Dr. Maurice Kamp, who is a past president of the national association of county health officers and at present the director of health for Mecklenburg County, N.C., has authored an excellent article on comprehensive health planning, which appears in the January issue of American County Government.

Because of the great interest in the intergovernmental aspects of this new legislation, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Comprehensive Health Planning

(By Maurice Kamp, M.D.[1])

The lack of information about comprehensive health planning has created apprehension and even fear in some sectors of the health profession. The laws establishing the concept of comprehensive health planning are: P.L. 89–749, Comprehensive Health Planning and Public Health Service Amendments of 1966, and P.L. 90–174, Partnership for Health Amendments of 1967.

Basically, the law and its amendments consist of two parts:

First, there is an alteration in determining how grant and project funds will be allocated by the Public Health Service (PHS) to the states and through them to the local communities for general public health services, mental health, and some training support. The new laws will permit wider public health services on a more flexible basis than formerly prevailed. The focus of these grants is now redirected from specific or defined categories of disease to the health problems of individuals and families in the community.

The second is comprehensive health planning. The law authorizes the governor of each state to designate or establish a state planning office under the direction of an advisory council. The planning office may be an already established agency, a new agency, or an inter-agency planning unit. The advisory council must consist of a majority of consumer members, that is, non-providers of health care services.

The need for more effective and comprehensive delivery of medical care was highlighted in President Johnson's special message on education and health dated March 1, 1966, when he stated: "Good health for every citizen to the limits of our country's capacity to provide it must be our national goal. The focus of our efforts is the individual and his family, living in his own community. To meet their health needs requires the cooperation of many agencies, institutions, and experts—of state and local government, of doctors, nurses, and paramedical personnel.

"These are the front line fighters in our battle against disease, disability, and death. As in military battle, a winning strategy demands wise and well planned use of manpower. It demands coordinated use of all the resources available.

GREATER FLEXIBILITY

"At present, the federal government offers the states formula grants for categorical programs dealing with specific diseases. This leads to an unnecessarily rigid and compartmentalized approach to health problems. Our purpose must be to help redirect and reform fragmented programs which encourage inefficiency and confusion and fail to meet the total health needs of our citizens. Resources to serve health needs are not evenly distributed throughout the nation. Special problems arise in remote rural areas and the city slums. We need greater flexibility to pinpoint our attack."

Secretary of Health, Education and Welfare (HEW) Wilbur J. Cohen testified before Congress prior to passage of these laws: "Our national health goals are but an expression of the justifiable expectations of the American people—that this country can and will provide the best in health care to all its citizens; that it can and will, under the legislation already enacted, remove financial barriers to health care for our older citizens, and reduce the toll of major killer diseases; that it can and will reduce infant mortality and provide every child with the health care he needs to develop his capacities to the fullest."

The Congress expressed its thinking by stating in the P.L. 89–749's declaration of purpose: "The Congress declares that fulfillment of our national purpose depends on promoting and assuring the highest level of health attainable for every person, in an environment which contributes positively to healthful individual and family living:

"That attainment of this goal depends on effective partnership, involving close intergovernmental collaboration, official and voluntary efforts, and participation of individuals and organizations;

"That federal financial assistance must be directed to support the marshalling of all health resources—national, state, and local—to assure comprehensive health services of high quality for every person, but without interference with the existing patterns of private professional practice of medicine, dentistry, and related healing arts."

These statements and actions taken at face value mean that health is now a human right. If this proposition is accepted, then every person should have access to high quality personal health services and every person should live in an environment safe from preventable hazard and conducive to healthful and productive living. All of us know that these conditions do not prevail today for many millions of our people.

The project and formula grants covered in the law and its amendments, which relate to section 314 of the Public Health Service Act, may not seem important since they only cover certain restricted areas involving generalized public health and mental health services. Funds for air pollution control, Medicare, Medicaid, research, Hill-Burton, and the Children's Brueau are not included. For about two years, funds for tuberculosis and venereal disease control will not be included. Despite this seemingly narrow area of health programming, the funds involved are relatively sizeable. The 1967 amendments authorize an expenditure of $589 million for the next three fiscal years for all types of 314 grants, training, and planning purposes.

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[1] Maurice Kamp, M.D., is the president of the National Association of County Health Officers. He is the director of health for the Mecklenburg County, N.C., Health Department. The following article is an excerpt from a speech given by Dr. Kamp at NACO's Town and Country Conference, July, 1968, in Washington, D.C.

Despite budget cuts this year, the House Appropriations Committee approved an appropriation for Comprehensive Health Planning and Services, section 314 a–e, for a total of $165,604,000 or approximately $25 million more than was appropriated in the last fiscal year. This fiscal confidence implies that Congress' interest continues, even in a time of national stress and financial stringency.

In 1967, the Health and Education Committee of NACO recommended a statutory stipulation that at least 70 per cent of the project and formula grants allocated to the states by PHS be made available for services at the local level. This was incorporated in House Bill 6418 (Partnership for Health Amendments of 1967, P.L. 90–174) and then passed by Congress in November, 1967. It went into effect July 1, 1968.

In carrying out the partnership concept for comprehensive health planning, the states have been given considerable authority for this program. While the law and its amendments are very specific in outlining the authority and the scope of operations of the state, it is not so detailed in the activities of the local or areawide components of the program. It is hoped that each state will develop a comprehensive health program for the entire state, and in doing so will take into account the recommendations and needs of the local communities. A state health plan will not be the sum of the many local plans, but will be one that recognizes individual community needs and problems in formulating a workable state plan.

To date, 54 states and territories have designated the state agency responsible for comprehensive health planning: 35 are vested in the state health departments, 14 are offices of the governors, and five are interdepartmental commissions.

CONSUMER MAJORITY

The fact that the majority of an advisory planning council's membership must consist of consumers has caused considerable concern among physicians and other providers of health services. The professional groups seem reluctant to give up the influence of their specialized knowledge and skills in the important matter of total community health.

In North Carolina, the Office of Comprehensive Health Planning has been established in the governor's Department of Administration. Of the 48 members of the advisory council, 27 are consumers and 21 are health or medically oriented. Of the 21 health members, only seven are physicians, and of these, only two are practicing physicians. Despite this, the state and local medical societies are making sincere efforts to cooperate with the program. It is hoped that this cooperative attitude will prevail in the rest of the country.

Dr. Milford O. Rouse, a past president of the American Medical Association (AMA), may have been thinking of this in one of his editorials in the "Journal of the American Medical Association," where he said that the ". . . responsibility of the physician is to provide the highest quality of health care at a reasonable price to an ever-increasing population. These factors require that the medical profession assume an important role in planning for health care on a community-wide, statewide, and nationwide basis. Indeed, the concept of planning is neither new nor alien to our profession. They have planned and participated in community health, especially in controlling infectious diseases. Through local, voluntary planning bodies, physicians have participated in the planning of hospital services and facilities. More recently, the profession is planning continuing education programs in improved methods of diagnosis and treatment of cancer, stroke, and heart disease.

"By its very nature, planning for health is primarily a local, community affair. Because each community has a unique mixture of health problems, the people involved are better able to identify and to evaluate their needs, to decide on acceptable alternatives, and to provide the capability for solution. Voluntary planning under local control will assure all of the concerned groups a voice in the planning and in the ultimate action.

"Involvement in comprehensive planning does not mean capitulation to the direction of others. Rather, it means active participation, cooperative leadership, and mutual exchange of ideas. It is clear that one of the best ways to preserve the rights of the physician is to meet the overall health needs of the public. Continuing, sincere, and cooperative leadership in health planning is the responsibility and privilege of every physician and every organization."

The AMA House of Delegates at its last clinical convention adopted a report that stated, "The planning, organization, and distribution of health facilities and services are a prime responsibility of organized medicine—a responsibility that should be given higher priority among the various activities of medical societies at the state and local levels." Both attitudes argue well for professional participation in comprehensive health planning.

It does not seem too unreasonable to have a preponderance of consumers in a policy-making and supervisory capacity for total health planning. There are many thoughtful non-professional people everywhere very much concerned about personal and community health. More and more they are called upon to make decisions affecting the health of their neighbors—through bond referendums or hospital construction and tax increases, through support of blood donor programs and of voluntary health agencies. Also, the people must elect their representatives to local, state, and national government who pass laws and set policy for the spending of billions of dollars for health care, health protection, and research. These bodies pass laws setting standards in health areas ranging from drugs to air and water pollution and health care facilities.

The laws do not specify the composition of the local or areawide advisory councils, but HEW has ruled that they parallel the structure of the state-wide groups, and that consumers dominate in representation. State agency approval is required for all areawide projects since July 1, 1968. The areawide councils must receive approval of the locally elected officials. With that approval and an advisory council at the local level having a consumer majority, local fiscal support should be assured.

That areawide planning groups have been established and are functioning is shown that by July 15, 1968, 55 grants totaling over $3 million had been funded for comprehensive areawide health planning under section 314(b) of the Comprehensive Health Planning Law.

A review of the system of federal grants-in-aid for health care points up the need for planning and coordination. Since World War II, federal grants-in-aid have grown in a disjointed fashion, reflecting the relative ability of pressure groups to push their separate categorical or disease oriented interests on the Congress. By 1965, there were some 15 different categories of grants-in-aid to the states administered by PHS. Now, there are over 100 different federal funded programs flowing into the states from various agencies. Planning is done separately under each program.

INTENT OF PUBLIC LAW 89–749

It is the intent of P.L. 89–749 and its amendments to provide a centralized mechanism for planning. It must be realized that if this is successful, the council, even though advisory, may have a profound influence on the governor, the state legislature, and the various state commissions to include other than PHS funds for health care uses in a state.

The net effect of the multiplicity of grants resulted in rigidly circumscribed plans that frequently reflected national, rather than state or local priority. As long ago as 1953, there was a significant swell of uneasiness about the categorization of federal aid for state and local health programs. One can quickly recognize the confusion that results when we think of the multiplicity of grants and of planning devices by merely enumerating some of the agencies and programs involved: the OEO, Medical Society, Model Cities Program, Regional Planning, and various social planning agencies, as well as other public and voluntary health agencies. To develop some coherence and prevent overlapping and duplication, a central planning mechanism is strongly indicated. Even an affluent country like ours cannot afford to meet all the health needs with the present uncoordinated type of programming.

One aspect of this partnership mechanism to be guarded against is that the states and local areas do not become junior partners in the whole enterprise as too often existed in the past. Already, there is a feeling among many officials that the administration is setting its own priorities in the health field. There must be care that grants-in-aid for health purposes should not be controlled by specialists working in the federal government. We must insist that the law means what it states, that the federal partner does not dominate the entire operation. This is part of our concern and so long as we recognize it, much can be done to maintain a harmonious working relationship at all government levels.

The legal propriety of the law and its amendments is open to question. The law changes categorical funding to block grants for federal support of state health program, enabling the states to determine for themselves how they will spend this money. The additional authorization in providing for comprehensive health planning of all health services, public and private, by the states and local communities places the federal lawmakers on thin legal ground. The Constitution does not provide for such wide interest on the part of the federal government. It appears the legal means for enforcing this interest is quite limited, and will be fiscal in nature. Comprehensive planning in the states and localities is a condition of receiving additional federal monies for this activity.

NO LOCAL POWER

The legislation gives the local or areawide planning agencies no power or authority. It remains for the states and local communities to vest them with any degree of status, authority, or legal recognition they may achieve. The federal legislation does not give the areawide planning groups representation on the state planning agencies or a direct voice in the development of the statewide comprehensive health plan. In addition, the local level planning agencies are not given a review responsibility of federal health dollars coming into their own communities. The state-level comprehensive health planning agencies are in a much better position when it comes to legal authority. Although the legislation contains greater requirements and conditions for the state planning agencies, there are many indications that attention is being given administratively at the federal level to interrelate health planning functions among the many agencies.

Two important problems must be overcome. One is the constantly rising cost of delivering comprehensive, high-quality health care both through public agencies and through private practice. The other is the fragmentation of health activities among national, regional, state, local agencies, and between official and voluntary bodies.

We in public health have not been as effective as we would like and must share a part of the blame for this dereliction. Our attack against both has been more verbal than active. We hope we now have the skills, the knowledge, and the experience to deal with them successfully in order to raise the quality of our public and private practice to its highest level to bring the benefits more economically to every citizen. One of our most serious faults is failure to follow through effectively on the ideas and recommendations which have come out of most of our planning in the past. We now recognize that if our planning efforts are to have any meaning they must be continuous in nature and must be equipped with built-in mechanisms for coordinating all the elements for effectively implementing any recommendations and proposals which the planners make.

HOW NOT TO PLAN

Certainly, we have learned how planning should not be done. It should not be limited to crisis situations which have characterized it in the past; it should not be restricted to limited segments of health problems. It should not be attempted by groups composed entirely of persons representing categorical approaches rather than the wide-angled view of health; and it should not result in reports which only gather dust on obscure shelves.

Professor Herman E. Hilleboe, of the Columbia School of Public Health, places many of these thoughts in proper context. He recognizes that the federal agencies have been most aggressive and could dominate the health picture because of the relative power of the federal revenues available to them. However, he believes the health planning legislation goes a long way to provide the states and local areas with motivation and fiscal resources to revitalize leadership roles at the state and local levels in meeting the needs of the American people. He recognizes that the needs of the various states have varied greatly over the years and that at the present time, there is no evidence that any state has achieved a high level of statewide health planning, or, for that matter, a high degree of coordination of health services as implied in the legislation under discussion.

No state or municipality has developed a rationalized system of health services that can serve as a model for what P.L. 89–749 envisages. There is an enormous diffusion of sponsorship and organization of health services, maldistribution of resources, and increasing imbalance between expectations and the availabilities of health services. In addition, great differences exist among federal, state, and local governments in their relationship to the voluntary and private sectors of the health industry. Without denying the substantial contributions by a variety of governmental and non-governmental agencies to the health of the American people, a better coordination of these and related efforts is urgent if we hope to make progress toward obtainable goals of quality, efficiency, and equality of health services.

CRITICAL QUESTIONS

Another matter that is taking place in many areas is a mighty health battle between hospital administrators and health agency administrators on the leadership role in planning for health care. Should the hospital be the focal point with neighborhood health centers the satellites? Or should the comprehensive health centers, located where the people live and work, be the headquarters and the hospitals serve as ancillary units? Where do the private health agencies and their community services fit into the picture? These are some of the critical questions facing the health planners in many communities in our country.

The health planner recognizes that beyond certain minimal requirements of organization and submission of plans, the act displays few sharp teeth. On the other hand, the law's strong invitation to the varied elements of the health industry to find ways and means to seek out mutual advantages, while serving the common good, distinctively keeps within the realities of the American political and social system.

SUMMARY

The Comprehensive Health Planning Law and its amendments appear to be a definite expression of past inadequacies and present and future health needs. Although the planning council has no operational powers and no authority except its influence and the authority to allocate within the state the PHS formula grants for public health programs, this constitutes a powerful beginning and stimulus for more effective coordination and cooperation of all the segments of the health care industry. It now seems fairly well established that good health is not the exclusive property of those who can afford to purchase it, but is an inherent basic right of all of our citizens. Past experience shows that if the providers of medical care fail to accept the responsibility of providing such care, the public through its government is quite likely to seek other means of solving the health care problems. This is the challenge that is offered to us, and the hope that if we accept our responsibilities and act in a manner to fulfill our responsibilities, total quality comprehensive health care can be made available to all our citizens.

SENATOR HARRISON A. WILLIAMS, JR., SCORES LACK OF RELEVANCE IN EDUCATION AND OFFERS A COMMUNITY COLLEGE PROPOSAL

Mr. MONDALE. Mr. President, the Senator from New Jersey (Mr. WILLIAMS) recently spoke before the New Jersey State Federation of District Boards of Education. Citing the "lethargy of traditionalism and the security of the status quo," he said that this country must provide a new level of educational experience for all. He was talking about the need for comprehensive community colleges to meet the new educational requirements of this country. Since his speech, he has acted by introducing legislation which is designed to meet this need: The Comprehensive Community College Act of 1969, which he introduced this past Monday. If enacted, it would be a significant milestone in the effort to provide full educational opportunities to all Americans. I was pleased to join him in sponsoring this important proposed legislation, and I hope that it will be acted upon soon.

The need for this legislation is obvious. The level of expertise required by employers has risen so rapidly the last few years that secondary school training is no longer adequate to prepare its graduates for the work force.

As Senator WILLIAMS put it:

> The three "Rs" must give way to a new "R"—*relevancy*. The lethargy of traditionalism and the security of the status quo have produced failures in our education experience. It shows up in the eyes of a neglected infant in a slum house. It is apparent in the aimless course of a man's life wasting away in the wrong job. It sits heavy in the heart of an elderly woman with only loneliness in her remaining years. And it is evident in the vacant gaze of a runaway youth in a hippie haven. We must find a better way to seek out and develop our best resource. . . . Then we must provide the opportunity for that talent to develop and express itself. Simply doing something for tradition's sake has no place in this picture. . . . Too many teachers, principals, superintendents, and boards of education members have not recognized that the pace of knowledge has accelerated so quickly in the past few years that a high school education carries its own dead-end guarantee. They still insist on the three "Rs"; they are still teaching kids what to think and not *how* to think.

Mr. President, this important speech sets the framework for the Comprehensive Community College Act of 1969. We should take this opportunity to join in Senator WILLIAMS' education sensitivities.

I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE OUTLOOK FOR FEDERAL AID TO EDUCATION IN 1969

(Address by Senator HARRISON A. WILLIAMS, JR., before the New Jersey State Federation of District Boards of Education, Rider College, Feb. 8, 1969)

Last Sunday on "Meet the Press", Robert Finch, Secretary of H.E.W. was asked to name his Department's most urgent problem. He responded by citing the needs of elementary and secondary education—"particularly in terms of bringing the disadvantaged into the mainstream."

It is unlikely that Secretary Finch's remarks were intended as a slur on his predecessors. Nor were they meant to downgrade the enormous progress (55% of the more than 75 programs administered by the Office of Education were enacted in the 88th and 89th Congress—a period from 1963 to 1966) made in the past few years toward an intelligent Federal involvement in all levels of education. I believe he meant to indicate what our first priority should be.

The civil rights, poverty and education legislation of the Kennedy-Johnson years, taken together with a heightened interest on the part of Washington in the condition of the schools, has transformed the Office of Education from a tired and marginal office to a center of action and controversy. It is this office—which is at the disposal of President Nixon—and the education subcommittees in Congress that hold the key to the direction that education will take in the next four years.

What can we expect from this new administration? Certainly more than we heard last fall.

I was interested in the conclusions of Mr. Nixon's own task force on education which is reported to have said that he is not regarded as a particularly "education-minded president." The report criticized him for coming "perilously close" to reopening the church-state issue by supporting general versus categorical aid to education; and creating the impression during the campaign that he would go slow on school desegregation.

These are all issues we have settled, and I for one will have no part in going over these matters again. The crisis in education today demands that we move ahead and move ahead swiftly—each of us doing this thing.

The problems that you *must* tackle—and I will support you at the federal level—are bureaucratic inflexibility, outdated curriculums, and the rigidity of poorly trained teachers.

The three "R's" must give way to a new "R"—relevancy. The lethargy of traditionalism and the security of the status quo have produced failures in our education experience. It shows up in the eyes of a neglected infant in a slum house. It is apparent in the aimless course of a man's life wasting away in the wrong job. It sits heavy in the heart of an elderly woman with only loneliness in her remaining years. And it is evident in the vacant gaze of a runaway youth in a hippie haven.

We must find a better way to seek out and develop our best resource, whether it be in Newark or Ridgewood, in Short Hills or Bridgeton. Then we must provide the opportunity for that talent to develop and express itself. Simply doing something for tradition's sake has no place in this picture.

Elementary and secondary schools have failed for two reasons. First, there is no room for relevancy. Too many teachers, principals, superintendents, and board of education members have not recognized that the pace of knowledge has accelerated so quickly in the past few years that a high school education carries its own dead-end guarantee. They still insist on the three "R's"; they are still teaching kids *what* to think and not *how* to think.

Not only is relevancy missing in the curriculum, but also in your responsibilities as board members to the community. When was the last time your public meetings were not "cut and dry"; when was the last time you sold your school budget to a community in terms of effect on children rather than dollars and cents; when was the last time teachers and students were part of your decision-making process; when was the last time a teacher could come to you as an individual without fear of reprisals; when was the last time you stopped to listen to a student; and when was the last time you communicated your education problems to your local, State and national representatives?

My mail is heavier on humane treatment of animals than it is on education of our children.

The 1965 Elementary and Secondary Education Act is up for extension this year. This bill directly affects your school program, yet how many of you know what title I is? (Curriculum and program development for economically and socially deprived). Has title II met your needs? (Support for library materials, books, film strips, records, etc.). If you have applied for title III (innovation grants for supplemental education centers), how does it relate to your total school program—or do you really care?

Education is *one* of my responsibilities. Education is *your* only responsibility. When am I going to hear from you?

We will fail to improve education programs for two reasons: Political and budgetary realities, and failure of groups like yours to participate in improving them. Starting in a couple of weeks, you will be receiving a special education report from me on a regular basis to help you do just that. These reports will contain budget items, new program descriptions and education philosophy. I hope you will react to them and let me hear from you.

The second reason elementary and secondary schools have failed is the excessive demands society is making on the education process. 100 years ago we assigned the responsibility to secondary schools to produce a finished product. Today, 12 years of learning is at best only a stepping stone for many. But too often a millstone for those who have been neglected in high school and left behind in the arbitrary college admissions procedure.

Fortunately, there is a new level of education emerging in the country. It is a level quite different from secondary education and higher education. It is a level of education which is developing an environment to meet those demands through occupational, adult, technical, community service and remedial programs. It is the comprehensive community colleges.

Last week the fourth "R" we've been talking about took the shape of an informal workshop in my office to discuss the philosophy, movement, programs and Federal role in the comprehensive community college. Ten experts in post-secondary education helped crystallize my thinking in this area. What emerged from this meeting is not completely clear, but two themes clearly developed—and each of you is part of these developments. First, whether as presidents of universities, volunteers in headstart, members of boards of education, or legislators, our first responsibility is to the total network of education in our country. We are educators first, then university presidents, teachers, principals, headstart volunteers. Anyone who doesn't believe that doesn't belong in education—as a policy-maker, as a teacher, as a critic, or as a community representative on an education board.

The second development is that the Federal Government is not now addressing itself in an official capacity to this new level of education. The office of education has a bureau of elementary and secondary education, a bureau of adult vocational and library programs, a bureau of higher education, a bureau of research, and a bureau of education for the handicapped—but there isn't even a single office or individual to handle the specific needs of community colleges.

The need for a new look at the role of higher education at this new stage of educational growth in our country is imperative, from the conclusions of the recent Carnegie Commission on Higher Education. No less than 500 new two-year community colleges are recommended within the next five years to meet the growing demand for this continuing form of education. Thirteen major cities in our country do not have a public community college within the city limits. Twenty-five major cities only have one community college, and the evidence is overwhelming that a major segment of our population is being denied the benefits of a quality education.

As I plan to work for the improvement in elementary and secondary schools when legislation comes before our subcommittee, I plan to do something for community colleges. At the next opportunity I have in Washington, I plan to introduce a comprehensive community college bill which will address itself to the Federal responsibility in this area of education. My bill will isolate this level of education from the responsibilities of the secondary schools and higher education. We will then be able to serve more equitably the needs of all aspects of our society.

DANGER OF COMMUNIST SUBVERSION AT HOME

Mr. MURPHY. Mr. President, recently I received a particularly poignant and moving letter from Mr. and Mrs. Harold Cole of Oakland, Oreg. The Coles, who lost their only child fighting in Vietnam, ask a question posed by so many Americans today: What can an individual citizen do to fight constructively against Communist subversion here at home?

They write that the tragic death of their son, Jerry, "brought the terrible realization that, while he was dying thousands of miles away from us, the same enemy he was fighting is right here in the United States."

The Coles say they want to help in the fight against communism. They ask only where they can start, what they can do.

Mr. President, I have received many letters asking these same questions. I ask unanimous consent to print in the Record my answer to Mr. and Mrs. Cole in the hope that it will be of value to other similarly concerned Americans.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., February 19, 1969.

Mr. and Mrs. Harold Cole,
Oakland, Oreg.

Dear Mr. and Mrs Cole: Thank you for your recent letter. Permit me first to express my deep sympathy to you in your bereavement. The loss of a son is a great tragedy, but the loss of an only child is especially difficult to bear.

I believe that our first duty is to preserve our own country and its institutions. Thomas Jefferson once stated, "The laws of necessity, of self-preservation, of saving our country when in danger are a higher obligation (than strict observance of the written law)." The war in Vietnam is justified as an action that is necessary for the security or self-preservation of the United States. I agree with this judgment, and I believe that your son and all the other brave young men who have given their lives there have done so in a noble cause.

However, I can appreciate your wondering how seriously our government takes the struggle for which it asked your son to give his life. You are by no means alone in calling attention to the paradox of our sending boys thousands of miles to fight communism in Vietnam while we seemingly do very little to combat the subversion of the communists here at home.

The government is not, of course, completely indifferent to the subversive activities of the communists and their allies here at home. The Federal Bureau of Investigation remains under the leadership of J. Edgar Hoover, who is second to none in his understanding of the danger that subversion poses for our country. Please rest assured that the FBI keeps the subversives under close surveillance. Mr. Hoover is very active in writing, speaking and testifying to alert Congress and the public to the need to keep our guard up.

Congress is very much interested in combatting communist subversive activities. The Senate Internal Security Subcommittee under Senator James Eastland and the House Committee on Un-American Activities have carried out extensive investigations and published excellent reports and studies which expose the activities of subversives here at home. They have also published studies on the structure and operations of the international communist conspiracy. Some of the more important publications are on sale to the general public at nominal prices at the Government Printing Office. The most recent of these are *The New Left,* a memorandum by Allan C. Brownfeld, and *Aspects of Intellectual Ferment and Dissent in the Soviet Union,* both published in recent months by the Senate Internal Security Subcommittee, and *Subversive Influence in Riotings, Lootings and Burnings,* published in four parts by the House Committee on Un-American Activities. I would recommend study of these publications to every American who wishes to combat communism. To be effective, we must be well-informed.

Congress has also demonstrated its interest in safeguarding our internal security by passing appropriate legislation. However, it must be admitted that for the past several years the Supreme Court has been steadily pulling the teeth from our internal security legislation. The Court has ruled that it is unconstitutional to require teachers to sign loyalty oaths, that it is unconstitutional to prohibit Communist Party members from working in designated defense plants, that it is unconstitutional to require party members to be registered with the Subversive Activities Control Board, etc. These and other decisions have frequently been passed by the Court majority over the strongly dissenting opinions. They have emasculated much of our internal security legislation, and unless there is a radical change in the attitude of the Court, it is safe to predict that it will be increasingly difficult in the years ahead to defend this country against subversion from within. Incredibly enough, the next major test will probably center around the issue of whether the government itself has the right to require its employees to certify their loyalty to the United States as a condition of federal employment.

I should also point out that in recent years, the Department of Justice was not at all vigorous in enforcing the anti-subversive legislation. The Subversive Activities Control Board was allowed to remain dormant for years. It was narrowly saved from extinction by the vigorous efforts of Senator Dirksen, who finally succeeded in getting the Justice Department to give the Board a small assignment. We have also seen increasing laxity develop in the administration of the government's own security program, which guards against subversive penetration of the government.

I am sure that any velvet-glove approach toward the communists will be discarded by the Nixon administration. President Nixon harbors no illusions about communist intentions either within or outside the United States. I know that he will do all in his power to combat subversion at home, as well as resisting communist aggression abroad.

Nevertheless, he needs the support of citizens such as you to do this job effectively. The communists and their allies can be relied upon to resist bitterly every step that is taken to frustrate their designs on America. Their chief weapons will be criticism and ridicule. This will be heaped upon every member of Congress, every public official and every judge who ventures to support any measures designed to strengthen our internal security. It will be difficult for our public officials to stand up to the abuse of the loudly vocal minority if the great majority who want these measures remain generally silent.

This suggests the answer to your question: what can the private citizen do as an individual?

Every individual who feels as you do can make an important contribution in this great battle. First of all, make your own wishes known to as many people as you can. Make them known to your senators, your congressman, to the chairmen and members of the Judiciary Committee in the Senate and the House, to the editors of newspapers and magazines, and to members of the judicial branch of our government. Be specific in your requests. Ask these people to support measures that will enable the government to take effective legal action against individuals who teach and advocate the overthrow of the United States Government by force and violence. Point out that we must find ways to bar these people from serving as teachers in our public schools and colleges where they can poison the minds of our youth. Urge that the legislation barring them from employment in vital defense plants be reinstated. Insist that appointments to the Federal courts, including the Supreme Court, be made from the ranks of those who agree with Thomas Jefferson that the preservation of the nation must be given precedence over the rights of individuals to work for the destruction of the nation.

Secondly, do whatever you can to encourage your relatives, friends and neighbors to speak up also. Your example alone will do much, but a little persuasion will help also. Too many people take the attitude that their opinions do not matter. They do. This is what our democracy is based on.

I believe that many of our citizens would be aroused to demand action if they were better informed of the extent of subversive activity in this country and of the rapid increase in the strength of subversive groups in the past eight years. The mass media are not doing as an effective job of conveying this information to the public as they could. You should urge that the newspapers, magazines and radio and TV stations improve their service in this respect. This can best be done by calling to the attention of the editors and managers sins of omission and commission. For example, the public did an excellent job of rebuking our great television networks for their one-sided coverage of the riots in Chicago at the time of the Democratic National Convention. At least one of the networks has admitted that it should have done a better job of informing the public of the subversive background of some of the individuals who planned and organized the Chicago demonstrations.

In order to criticize the mass media constructively, you should read regularly some of the specialized publications that provide information about subversive activities not normally covered in the mass media. I would suggest you write to the FBI for recommendations on these. Also, the publications of the Senate Internal Security Subcommittee and the House Committee on Internal Security which may be ordered from the Government Printing Office, will supply you with a list of publications available on request. I might note that a tremendous amount of useful information can be found in the Congressional Record which appears daily when Congress is in session. Your Congressman or Senators may be able to obtain a free subscription for you. If not, you may subscribe through the Government Printing Office.

I thank you for your interest in this matter. I hope that these comments will be of some value to you, and I urge you to continue your dedication to the great cause for which you have already given so much, the life of your only child. You are representative of the spirit that has made this country great, and I have no doubt that we will triumph and that your sacrifices will not have been in vain.

Sincerely,

George Murphy.

THE 91ST BIRTHDAY ANNIVERSARY OF FORMER REPRESENTATIVE ALLGOOD, OF ALABAMA

Mr. SPARKMAN. Mr. President, Alabama has been fortunate over the years in her Representatives in the National Congress. There were such outstanding men as Senator John T. Morgan, three generations of Bankheads who gave distinguished service in both Houses, and Senator Lister Hill, whose great contributions to medicine and health have meant so much to this country and the world. There are many others who could be cited, too numerous to name.

I am reminded of these great predecessors of ours by the fact that a former Alabama Representative, Miles C. Allgood, will be 91 on February 22. Miles still is active and alert. His service in Congress was during the exciting first years of the New Deal, when President Roosevelt was leading the Nation out of the wilderness of depression, and Allgood's contributions were numerous.

Last year on the occasion of Representative Allgood's 90th birthday, Representative Tom Bevill, who represents the same congressional district once served by Representative Allgood, spoke to the House on the fine accomplishments of this distinguished man. His remarks are to be found in the Congressional Record, volume 114, part 4, pages 4029–4030.

Today as Miles Allgood nears his 91st birthday, I should like to pay tribute to him and express my appreciation for his friendship through the years.

Let me say, Mr. President, that my colleague from Alabama (Mr. Allen), whose home is not very far from where Miles Allgood now lives and who knows Mr. Allgood well, has stated his wish to join me in these remarks regarding our good friend, Miles C. Allgood.

SIGNS OF VINTAGE RUSSIAN IMPERIALISM

Mr. JACKSON. Mr. President, in the aftermath of the Soviet-led five-nation invasion of Czechoslovakia in August 1968, Moscow repudiated its oft-repeated principle of "full respect for the sovereign rights" of each Socialist country replacing that principle with the new doctrine of a "Socialist commonwealth" run from Moscow.

Now commonly known as the Brezhnev doctrine, since its elaboration by Soviet Party Secretary Leonid Brezhnev in Warsaw, November 12, 1968, this doctrine constitutes an ominous change in Soviet international legal doctrine. I believe the American people should be further informed on this matter.

In this connection, I wish to place in the Record the analysis which I made on this general subject in a speech to the North Atlantic Assembly in Brussels, Belgium, on November 12, 1968. The speech is entitled "Does the Leopard Change His Spots?"

Mr. President, I ask unanimous consent that the text of this speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Does the Leopard Change His Spots?

(By Senator Henry M. Jackson, before the Military Committee, North Atlantic Assembly, Brussels, Belgium, November 12, 1968)

I

Many people during recent years have believed that the Soviet Union was on a fixed course toward more moderate policies, and that détente had come to stay.

As you may know, I have not shared this optimistic outlook.

But however sanguine any of us may have been about Soviet policy, the brutal invasion of Czechoslovakia has been a sobering experience. It calls to mind a comparable act in Stalin's time—the Kremlin takeover of Czechoslovakia in 1948.

II

In military terms, the Soviet thrust into Czechoslovakia proved what they can do. It was a vivid demonstration of Soviet capability for rapid, selective mobilization, for efficient movement of large combat and support forces over extensive distances, and for the establishment and testing of effective lines of communication in support of military operations far from the Russian homeland. The Soviet capability that was exercised so impressively in Czechoslovakia is available for employment on other tasks.

The invasion of Czechoslovakia certainly made clear that early "political warning" of a Soviet conventional move in Europe cannot any longer be taken for granted. In the Czech assault, until the moment of attack, the political signals of Soviet intentions were at best ambiguous. The lightning-like drive into Czechoslovakia took almost everybody by surprise. And it reminds us once again of the vital role of forces-in-being. NATO combat units, on the line, ready to make a determined stand, have far more deterrent value than mobilizable and deployable forces that might be moved to the scene after the action begins.

III

Also of special significance is the ominous revision of Soviet international legal doctrine in the aftermath of the Czech invasion—a textbook case on the "heads I win, tails you lose" attitude of the Kremlin.

You may recall that in the mid-1930's, the USSR joined the League of Nations and entered alliances with France and Czechoslovakia. At that time, Moscow acknowledged the concepts of national sovereignty and non-interference with the rights of independent states, in part to improve its credentials as a collaborator in international undertakings. Maxim Litvinov, then Soviet Foreign Minister, declared that the USSR would join agreements with other states under conditions that recognized "the extension to every state belonging to such an association of the liberty to preserve . . . its state personality and the economic and social system chosen by it—in other words, reciprocal non-interference in the domestic affairs of the states therein associated . . ."

Ironically, just a few weeks ago Litvinov's grandson, Pavel, was sentenced to exile in Siberia for defending Czechoslovakia's right to "the economic and social system chosen by it."

Since the mid-30's the principle of "reciprocal non-intervention in the internal affairs of other states" had been a recurring concept in Soviet doctrine. As the number of countries calling themselves communist increased and divisions among them became more apparent, Soviet writings had more and more tended to emphasize the "complete equality" of all socialist states and the strict observance among them of respect for independence and national sovereignty. The communiqué from the 1960 meeting of communist party leaders stated: "Every country in the socialist camp is insured genuinely equal rights and independence." As late as last April, during the height of Alexander Dubcek's efforts at liberalization and reform, Kosygin declared that:

"The Soviet state . . . made its invariable principle in international policy the strict observance of equality, national independence, and non-interference in the internal affairs of other states and peoples."

Soon after, on August 20, the Soviets spearheaded the five-nation intervention in Czechoslovakia. For some weeks there was a flurry of inconsistent Soviet explanations and rationalizations. Then *Pravda* struck. In a September 25 article, by Mr. Kovalev, *Pravda* stated that Czechoslovakia's implementation of "self-determination" would have "caused harm to other socialist countries", and that socialist states cannot act independently when such action is contrary to the interests of the "socialist community of nations." Said *Pravda:*

"The sovereignty of each socialist country cannot be opposed to the interests of the world of socialism, of the world revolutionary movement."

Little doubt is left that Moscow intends to determine what constitutes action contrary to the interests of the "socialist community."

Soviet Foreign Minister Gromyko confirmed the new doctrine in a speech to the United Nations on October 3, 1968:

"The Soviet Union and other socialist countries have on many occasions warned those who are tempted to try and roll back the socialist commonwealth, to snatch at least one link from it, that we will neither tolerate nor allow this to happen."

Moscow is saying, in essence: A nation with leanings toward socialism thinks it has the right to independence and self-determination. Well think again! Because you haven't; and we will make international law confirm it. You can have independence and self-determination if we consider it proper for you; you cannot have it if we consider it improper, because we have a doctrine of law that says what is yours is mine and what is mine is mine.

The leopard does not change his spots. The *Pravda*-Gromyko thesis is vintage Russian imperialism.

It should surprise no one that the East German Communist Party promptly praised the idea of a "socialist commonwealth" run from Moscow. For the most part, however, other communist parties have greeted the new doctrine with silence—or with dismay and defiance. No wonder!

It seems to follow logically from the new doctrine, that any country which in the future adopts a communist government, either by revolution or election, automatically becomes a part of the "socialist commonwealth" as defined by the Soviet Union, and as such is subject to the Soviet concept of intervention—military or otherwise—even against the will of the communist party in power.

Some people have seen the point. The British Communist Party voiced strong condemnation of the new thesis in its house organ *Morning Star* on September 27, 1968:

"It is to be hoped that Mr. Kovalev's thesis will be speedily and officially repudiated . . . It would do irreparable damage to the unity of the international Communist movement and relations betwen socialist states if it gained any further currency."

Austrian Communist Party Central Committee member Heno Kostmann, writing in *Volksstimme* of October 9 disavowed the new doctrine as a danger to the survival of the world communist movement: ". . . no norm exists or has existed anywhere giving a socialist country or a group of such countries the right to intervene in a fraternal socialist country. Incidentally, such a right of intervention is in conflict with all existing norms of relations among fraternal socialist countries and among Communist parties. . . . On any basis other than . . . the basis of autonomy, a world Communist movement is not possible."

The Yugoslavs have gotten the message too. President Tito, who for twenty years has fought Soviet attempts to control his party and country, spoke to his countrymen on October 20 and warned the Soviet bloc not to interfere in the affairs of Yugoslavia:

"Comrades, as far as attempts are concerned to justify to a certain extent the case of Czechoslovakia . . . a theory was raised that sovereignty was not vital for small nations. Well, it did not say small nations but that is what was meant . . . the small nations are in danger. The small nations should act unitedly. They should agree . . . that nobody has the right to interfere in their internal affairs. These countries have the right to defend their sovereignty."

The significant point, I believe, is not so much that the Soviets have tried to provide ideological rationalization for what they did in Czechoslovakia, but that they have consciously and deliberately laid the basis for political pressures, blackmail and possible adventures elsewhere.

IV

What can we now say of Soviet intentions?

Moscow's sharp admonition to other socialist parties and states to stay in line—or else—suggests a deep Soviet concern over the kind of urge toward freedom that appeared in Czechoslovakia and that could spread to adjacent regions, including the USSR itself. It suggests a concern in the Kremlin that the whole so-called "socialist commonwealth" might come unglued.

Surely we cannot discount the danger that the course of repression and counteraction in East Europe will produce new crises and disturbances spilling over the frontiers of NATO. There is always the possibility that Moscow may try to restore some unity to the Warsaw Pact nations by creating a major crisis centered on Berlin and West Germany.

So we must see to the readiness of our immediate defenses along NATO's central front. We need to assure ourselves that we have enough high quality, ready forces in position, and prepared for sustained combat, to convince our adversaries that military action against NATO territory would be too hazardous for them.

And we must think hard about the implications of Soviet actions, not only for the central region, but also for NATO's vital flanks.

Looking ahead, what are Soviet intentions toward Austria?

Consider also the problem of Yugoslavia. It is evident that Yugoslavia's territory occupies a key position in relation to NATO's southeast flank. Under hostile control Yugoslavia would constitute a corridor running from Central Europe to the Mediterranean, separating Greece and Turkey from the remainder of the Alliance. What should be our response if the Kremlin seeks at any time to enforce its new doctrine against Belgrade? The understandable uneasiness in Yugoslavia today can hardly be a matter of indifference to NATO.

And what is the meaning of the far-ranging expansion of Soviet naval activity in recent times? The facts are disturbing:

Soviet naval deployments in the Indian Ocean continue. Do they intend a permanent Soviet military presence there? I doubt that all those ships are engaged in operations connected with the Soviet space program.

During the invasion of Czechoslovakia, the Soviet Mediterranean squadron was built up to some 50 ships, about half of which were major combatant vessels, including submarines. There is every indication that the Soviet Navy is in the Mediterranean to stay.

There have been Soviet naval exercises on both sides of the Straits of Gibraltar.

There has been significant Soviet naval activity, on a sustained basis, in the Norwegian Sea. Do they plan a permanent naval presence in that area also?

The USSR is a dangerous and unpredictable opponent, with a military capability whose reach is expanding. We cannot be confident that a Soviet Union that invades Czechoslovakia will not use military force to achieve its purposes on other fronts, when it thinks this can be done without running unacceptable risks.

The uncertainties we confront are compounded by the possibility of further shifts within the Kremlin's power structure, where there is already evidence of a move toward the hard-liners.

V

So we meet today in an atmosphere of turbulence and uncertainty; but we also meet in a spirit of renewed solidarity and confidence. The governments and peoples of our Alliance are facing with a new seriousness the problems posed by Soviet actions.

There is little disagreement in America about the value of the Atlantic Alliance or the importance and firmness of the U.S. commitment to the defense of the North Atlantic area. But I and others in our Congress have had a severe problem in trying to maintain an effective American combat force in Western Europe. That problem resulted in large part from a widespread feeling in my country that so many Europeans were less concerned with the security of their homelands than we were. To many Americans it has seemed that a prosperous Western Europe was not making a reasonably proportionate contribution to the common defense effort.

Clearly, the tasks ahead call for a new

> determination, on both sides of the Atlantic, that will not only see us through this period of crisis but that will serve the Alliance well for the long, hard pull. The burdens of our common security will make substantial demands on us all—for many years to come.
>
> You can understand that I am heartened by the evidence that more of you here in Europe are recognizing that there is a direct relationship between your willingness to draw on your own resources for your own defense, and the willingness of the American people and the American Congress to provide substantial resources and forces for mutual security in NATO.
>
> So I am encouraged by the current initiatives of some European members of the Alliance to reinvigorate NATO. For I am convinced that the future vitality of the Alliance depends in very large measure on the degree and quality of European efforts to keep NATO strong.

THE SPESSARD L. HOLLAND LAW CENTER OF THE UNIVERSITY OF FLORIDA

Mr. ERVIN. Mr. President, one of our distinguished colleagues has received a great and justly deserved honor for his lifetime of devotion to the field of law in active practice, both in the courts at all levels and in the legislative field.

On February 1, 1969, the $3 million new law center of the University of Florida at Gainesville was dedicated in honor of SPESSARD L. HOLLAND, the senior Senator from Florida, whom I have had the honor and pleasure to know for many years.

SPESSARD L. HOLLAND obtained his law degree from the University of Florida in 1916. He was president of the student body, a scholar, and an athlete, having earned membership in Phi Beta Kappa and the position of first-string pitcher on the baseball team.

SPESSARD HOLLAND pursued a course in the active practice of law as prosecuting attorney, county judge, member of the Florida Senate from 1932–40, Governor of Florida from 1941–45, and as a Member of the U.S. Senate from 1946 to date. He is an inactive partner in the law firm of Holland & Knight, one of the largest law firms in Polk and Hillsborough Counties, having offices in Bartow, Lakeland, and Tampa.

The dedication of the new law center provides the University of Florida with one of the finest law school complexes in the country. With the completion of the new structure, the Florida Law School is placed in a position, so far as physical plant is concerned, to attain preeminence.

The dedication of the Spessard L. Holland Law Center was attended by numerous dignitaries. The Chief Justice of the United States made the principal address. The former junior Senator from Florida, George A. Smathers, dedicated the new center in honor of his former colleague, SPESSARD L. HOLLAND. Also in attendance were Florida Gov. Claude Kirk; the attorney general of Florida, Earl Faircloth; the chief justice of the Supreme Court of Florida, Richard W. Ervin; U.S. Court of Appeals Judge Warren Burger; Rprentatives CLAUDE PEPPER, DON FUQUA, and BILL CHAPPELL; University President Stephen O'Connell; dean of the College of Law, Frank Maloney; former president of the university, Wayne Reitz; the president of the Florida Bar Association, Marshall M. Criser; William Reese Smith, Jr., secretary of the American Bar Association; and members of the board of regents.

In all, more than 700 attorneys, State and Federal judges, and representatives of many of the country's major law schools participated in the dedication of the law center and joined in bestowing honor on the senior Senator from Florida, who, throughout his service in the Senate, has fought for the principles of the Constitution and successfully brought about its 24th amendment after a fight of 14 years to abolish the poll tax. That may be regarded as his greatest achievement here.

However, Senator HOLLAND has been in the forefront of many of the legislative battles on constitutional principles, among which are two that I readily recall: the Submerged Lands Act of 1953, better known to many as the Tidelands Act, as to which he participated in the arguments before the U.S. Supreme Court at the request of the attorneys general of the five Gulf States; and more recently, on the Senate floor, the discussion regarding a proposed change in Senate rule XXII. These are only a few of the many legislative marks that have been made by the senior Senator from Florida, marks which will be preserved in history.

I wish to congratulate those responsible for the foresight in naming the new law center at the University of Florida in honor of SPESSARD L. HOLLAND. They could not have chosen a person more dedicated to justice, one more dedicated to the State of Florida, than our distinguished colleague, SPESSARD L. HOLLAND. This could not be attested to more greatly than was done by Governor Kirk, of Florida, when he said:

> This teaching center carries the name of a great student and a great teacher. Pray there will be more like him.

NATIONAL FUTURE FARMERS OF AMERICA WEEK

Mr. YOUNG of North Dakota. Mr. President, this week, February 15 to 22, more than 450,000 young men across the Nation are participating in the observance of National Future Farmers of America Week.

The theme selected for this year's observance, "FFA: An Opportunity for Youth," very fittingly describes the character of the organization throughout its history. Since its founding in 1928, the Future Farmers of America has offered training in technical agriculture, leadership, and character dvelopment to millions of young men.

Built on the foundation of leadership, cooperation, thrift, character, patriotism, improved agriculture, and service, the FFA has produced leaders for all phase of American life.

In my own State of North Dakota, FFA members have left an indelible imprint on their communities. The leadership they have exerted while active in FFA and later has led to improvements in their communities and in our State.

As an integral link in the program of vocational agricultural training in our high schools, FFA has done much to help make American agriculture the envy of the world. Through it, these young men have become aware of the great technological changes taking place in agriculture and how these developments can best be applied to their own situation.

This program has always placed great emphasis on the development of good citizenship and on participation in community, State, and National affairs. It is essential, in these critical times, that we have an aware and active citizenry. FFA is doing an outstanding job of meeting this need for the Nation.

Mr. President, I join people all across the Nation in saluting the Future Farmers of America. This organization has made great contributions to our society in the past, and I look forward to even greater developments in the State.

LITHUANIAN INDEPENDENCE

Mr. RIBICOFF. Mr. President, February marks the anniversary of two important events in the national life of Lithuania. For it was in February 1261, more than seven centuries ago, that this small nation was established as an independent state. It was on February 16, 1918, after many centuries of independence, that she shook off the bonds of more recent Russian domination and German occupation, and declared herself an independent state.

During the years that followed, the nation moved forward in many areas, and her citizenry prospered.

Then, in violation of a treaty signed with Lithuania in 1920, Soviet Russia occupied the Baltic States. Ever since that day in June 1940, the Soviet Union has refused to allow Lithuania to take her deserved place among independent states. The curtailment of the freedoms of the people of Lithuania has been deplorable.

Mr. President, at this time when we celebrate the freedom that was once known by this brave nation, let us declare once again our hope for a future of liberty and self-government for all the peoples of the world.

BIG SPRING, TEX., HERALD CALLS FOR CREATION OF BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, the legendary Big Thicket in southeast Texas is one of the few remaining wilderness areas in our country. The beautiful and majestic land, which once covered some 3.5 million acres of forest and woodlands, stands as a living monument to the biological and historical development of this Nation. The ancient groves of beech and magnolia, the stately loblolly pine, the sleepy river bottoms of crystal waters, the silent cypress swamps—abound with the tales of the frontier and the stories of Texas history.

Once the forests of the Big Thicket were literally filled with wildlife—with black bear, panther, whitetail deer, otter, muskrat, raccoon, opossum, timber wolf, red wolf, red fox, and many other species. The woods rang with the song of countless birds—including the rare ivory bill woodpecker.

Some species still make their home in the Big Thicket, even though its land area has shrunk to barely 300,000 acres—land that has been disappearing at the rate of 50 acres per day. New sounds in the thicket—the persistent hack and grind of ax and saw—give notice that this remaining portion is doomed, unless immediate action is taken to preserve this last remnant of a once magnificent wilderness.

I have introduced a bill, S. 4, which seeks to prevent further exploitation of the area by establishing a Big Thicket National Park of not less than 100,000 acres. This is less than 3 percent of the original acreage, but I feel that a significant representative portion of the Big Thicket can be preserved by such action.

Support for the preservation of the Big Thicket has grown considerably over the last few years. Not only are many local Texas organizations concerned with the project, but numerous nationally known conservationist groups are working for the preservation of the Big Thicket. Due to such widespread enthusiasm and support, I am hopeful that my bill, S. 4, will receive early consideration by the Senate.

Mr. President, the Big Spring, Tex., Herald of February 3, 1969, published an editorial, written by Mr. R. W. Whipkey, editor, endorsing the establishment of a 100,000-acre Big Thicket National Park. This is one of the best editorials that I have seen on the subject. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Big Thicket

Sen. Ralph Yarborough, dissatisfied with some proposals that would create a "monument" or a "playground" in the area, has introduced a bill calling for the creation of a Big Thicket National Park in East Texas of not less than 100,000 acres. This bill expresses in concrete terms a general and unspecific measure he introduced first in 1966.

Most Texans by now probably are aware that there is an area known as the Big Thicket in East Texas. But all too few have actually penetrated that wilderness of great trees and dense undergrowth, of scattered lakes and boggy sloughs, abounding with animal and exotic plant life. The noise and the stress of civilization seem far away indeed around a campfire while the wind sighs among the leaves of the lofty trees.

When the first white man found this wilderness it encompassed an area of approximately 3.5 million acres. But lumbering and agriculture have reduced the Thicket to an area of only about 300,000 acres in Hardin, Liberty, San Jacinto, Polk and Tyler counties. The encroachment proceeds at the rate of about 50 acres a day. It will be gone if prompt steps are not taken to set aside a portion of it for the enjoyment of this and future generations of Americans.

Congress should take action this year to create the Big Thicket National Park. This probably is the last natural area in need of being set aside.

ARAB ATTACK ON ISRAEL EL AL AIRLINER

Mr. SCOTT. Mr. President, all decent people must deplore the cowardly attack by Arab commandos on an Israel El Al airliner in Zurich, Switzerland, yesterday.

In the words of Gideon Rafael, director general of the Israel Foreign Office who was on the plane:

> The terrorists would not observe the neutrality of Switzerland, which even Adolph Hitler did.

It is indeed sad that these hit-and-run killers seem to concentrate on unarmed people. When the Arab terrorists attack, it is seldom ever against a military installation. They seem rather to prefer unarmed travelers, crowded theaters, or schoolrooms.

But the free world must do more than deplore. Now is the time for action and I call upon the United Nations to act promptly and effectively. The U.N., in concert with other nations of the world, must condemn this terror and take specific actions to prevent it from happening again. In the past the United Nations has waited until the Israelis were forced to retaliate and then condemned—not both sides—but Israel alone.

Now we are waiting to see whether the United Nations will act in time to prevent another such terrorist attack against unarmed people.

BENJAMIN BANNEKER AND THE DEPARTMENT OF PEACE

Mr. HARTKE. Mr. President, on February 7, together with the senior Senator from Oregon (Mr. Hatfield) and 13 other Senators, I introduced a bill (S. 953) to establish a Cabinet-level Department of Peace. As I noted at the time, the idea of such a department is nearly as old as the Nation, dating back to an essay of the 1790's which appears in the collected writings of Dr. Benjamin Rush, pioneer medical scientist and a signer of the Declaration of Independence. The date ascribed to it is 1799.

However, the bulk of this four-page article may also be found in nearly identical form, word for word, in the "Almanack and Ephemeris for the Year of Our Lord 1793," published at Philadelphia by Benjamin Banneker, sometimes known as the "black Ben Franklin." Although it appears there without signature, the historian John Hope Franklin considers it a contribution by the Philadelphia doctor to his friend's publication.

However that may be, it is an interesting document. As a result of the introduction of the new bill, which was also introduced in the House by Representative Seymour Halpern, of New York, and 59 other Members of the House, the full text of Dr. Rush's essay was reprinted in the February 15 issue of Engage, a publication of the Board of Christian Social Concerns of the United Methodist Church. On February 14, Mr. William Raspberry in his regular Washington Post column, cited portions of this material and commented on the Hartke-Halpern bill.

I ask unanimous consent that Mr. Raspberry's article and the full text of the essay as reprinted in Engage be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Washington Post, Feb. 14, 1969]

Peace Department Proposal, While Bold, Is 175 Years Old

(By William Raspberry)

Q. Mr. President, as you are aware, I am sure, there has been discussion on the Hill about trying to set up a Department of Peace to include the Peace Corps and the Disarmament Agency and other organizations. I wondered about your reaction to that idea.

"A. In fact, one of my task forces recommended a Department of Peace. I think, however, that derogates, and improperly downgrades, the role of the Department of State and the Department of Defense . . . I think putting one department over here as a Department of Peace would tend to indicate that the other departments were engaged in other activities that were not interested in peace.

From a recent Presidential news conference.

Thus did President Nixon shoot down Sen. Vance Hartke's (D-Ind.) bold, new idea.

Well, bold, anyway. It wasn't exactly new, considering that a very similar proposal was made some 175 years ago by Benjamin Banneker, the black astronomer-mathematician who helped L'Enfant lay out the District of Columbia.

"Among the many defects which have been pointed out in the Federal constitution by its antifederal enemies," Banneker wrote in his *Almanack and Ephemeris for the Year of Our Lord 1793*, "it is much to be lamented that no person has taken notice of its total silence upon the subject of an office of the utmost importance to the welfare of the United States, that is, an office for promoting and preserving perpetual peace in our country.

"It is to be hoped that no objection will be made to the establishment of such an office, while we are engaged in a war with the Indians, for as the War-Office of the United States was established in time of peace, it is equally reasonable that a Peace-Office should be established in time of war."

He then proceeded to outline his plan for the office, to be headed by a "Secretary of Peace" who would "establish and maintain free schools in every city, village and township," and "be responsible for the talents, principles and morals of all his school-masters."

Banneker's draft called for careful instruction in the 3Rs 'and in the doctrines of a religion of some kind; the Christian religion should be preferred to all others; for it belongs to this religion exclusively to teach us not only to cultivate peace with all men, but to forgive, nay more—to love our very enemies."

Further: "Let every family in the United States be furnished at the public expense, by the Secretary of this office, with a copy of an American edition of the Bible. This measure has become the more necessary in our country, since the banishment of the Bible, as a school-book, from most of the schools in the United States."

Banneker's proposal also included repealers of all laws "which authorize juries, judges, sheriffs, or hangmen . . . to commit murder in cold blood in any case whatever," since otherwise "it will be in vain to attempt to introduce universal and perpetual peace in our country."

Hartke's bill begins to look pale in comparison. How would Mr. Nixon have reacted, for example, if the Hoosier had called, as Banneker did, for an end to military shows and even repeal of militia laws?

"Military dresses and military titles should be laid aside," said Banneker. "Reviews tend to lessen the horrors of battle by connecting them with the charms of order . . . military dresses fascinate the minds of young men, and lead them from serious and useful professions; were there no uniforms, there would probably be no armies."

If he had thought of it, I suppose he would have wanted to ban toy weapons for the kids and get rid of the violence on television.

How about it, Sen. Hartke?

[From Engage, Feb. 15, 1969]

A Plan of a Peace-Office for the United States

(By Benjamin Rush, signer of the Declaration of Independence)

Among the defects which have been pointed out in the Federal Constitution by its anti-federal enemies, it is much to be lamented that no person has taken notice of its total silence upon the subject of an office of the utmost importance to the welfare of the United States, that is, an *office* for promoting and preserving perpetual *peace* in our country.

It is to be hoped that no objection will be made to the establishment of such an office, while we are engaged in a war with the Indians, for as the *War-Office* of the United States was established in the *time of peace*, it is equally reasonable that a *Peace-Office* should be established in the *time of war*.

The plan of this office is as follows:

I. Let a Secretary of the Peace be appointed to preside in this office, who shall be perfectly free from all the present absurd and vulgar European prejudices upon the subject of government; let him be a genuine republican and a sincere Christian, for the principles of republicanism and Christianity are no less friendly to universal and perpetual peace, than they are to universal and equal liberty.

II. Let a power be given to this Secretary to establish and maintain free-schools in every city, village and township of the United States; and let him be made responsible for the talents, principles, and morals of all his schoolmasters. Let the youth of our country be carefully instructed in reading, writing, arithmetic, and in the doctrines of a religion of some kind: the Christian religion should be preferred to all others; for it belongs to this religion exclusively to teach us not only to cultivate peace with men, but to forgive, nay more—to love our very enemies. It belongs to it further to teach us that the Supreme Being alone possesses a power to take away human life, and that we rebel against his laws, when ever we undertake to execute death in any way whatever upon any of his creatures.

III. Let every family in the United States be furnished at the public expense, by the Secretary of this office, with a copy of an American edition of the Bible. This measure has become the more necessary in our country, since the banishment of the bible, as a school-book, from most of the schools in the United States. Unless the price of this book be paid for by the public, there is reason to fear that in a few years it will be met with only in courts of justice or in magistrates' offices; and should the absurd mode of establishing truth by kissing this sacred book fall into disuse, it may probably, in the course of the next generation, be seen only as a curiosity on a shelf in a public museum.

IV. Let the following sentence be inscribed in letters of gold over the doors of every State and Court house in the United States: The son of man came into the world, not to destroy men's lives, but to save them.

V. To inspire a veneration for human life, and an horror at the shedding of human blood, let all those laws be repealed which authorize juries, judges, sheriffs, or hangmen to assume the resentments of individuals and to commit murder in cold blood in any case whatever. Until this reformation in our code of penal jurisprudence takes place, it will be in vain to attempt to introduce universal and perpetual peace in our country.

VI. To subdue that passion for war, which education, added to human depravity, have made universal, a familiarity with the instruments of death, as well as all military shows, should be carefully avoided. For which reason, militia laws should every where be repealed, and military dresses and military titles should be laid aside: reviews tend to lessen the horrors of a battle by connecting them with the charms of order; militia laws generate idleness and vice, and thereby produce the wars they are said to prevent; military dresses fascinate the minds of young men, and lead them from serious and useful professions; were there no *uniforms*, there would probably be no armies; lastly, military titles feed vanity, and keep up ideas in the mind which lessen a sense of the folly and miseries of war.

VII. In the last place, let a large room, adjoining the federal hall, be appropriated for transacting the business and preserving all the records of this *office*. Over the door of this room let there be a sign, on which the figures of a lamb, a dove and an olive branch should be painted, together with the following inscriptions in letters of gold: Peace on earth—good-will to man. Ah! Why will men forget that they are brethren?

Within this apartment let there be a collection of plough-shares and pruning-hooks made out of swords and spears; and on each of the walls of the apartment, the following pictures as large as life:

1. A lion eating straw with an ox, and an adder playing upon the lips of a child.

2. An Indian boiling his venison in the same pot with a citizen of Kentucky.

3. Lord Cornwallis and Tippoo Saib, under the shade of a sycamore-tree in the East Indies, drinking Madeira wine together out of the same decanter.

4. A group of French and Austrian soldiers dancing arm and arm, under a bower erected in the neighbourhood of Mons.

5. A St. Domingo planter, a man of color, and a native of Africa, legislating together in the same colonial assembly.

To complete the entertainment of this delightful apartment, let a group of young ladies, clad in white robes, assemble every day at a certain hour, in a gallery to be erected for the purpose, and sing odes, and hymns, and anthems in praise of the blessings of peace.

One of these songs should consist of the following lines.

Peace o'er the world her olive wand extends,
And white-rob'd innocence from heaven descends;
All crimes shall cease, and ancient frauds shall fail,
Returning justice lifts aloft her scale.

In order more deeply to affect the minds of the citizens of the United States with the blessings of peace, by *contrasting* them with the evils of war, let the following inscriptions be painted upon the sign, which is placed over the door of the War-Office.

1. An office for butchering the human species.

2. A Widow and Orphan making office.

3. A broken bone making office.

4. A Wooden leg making office.

5. An office for creating public and private vices.

6. An office for creating a public debt.

7. An office for creating speculators, stock jobbers, and bankrupts.

8. An office for creating famine.

9. An office for creating pestilential diseases.

10. An office for creating poverty, and the destruction of liberty, and national happiness.

In the lobby of this office, let there be painted representations of all the common military instruments of death, also human skulls, broken bones, unburied and putrefying dead bodies, hospitals crowded with sick and wounded soldiers, villages on fire, mothers in besieged towns eating the flesh of their children, ships sinking in the ocean, rivers dyed with blood, and extensive plains without a tree or fence, or any other object, but the ruins of deserted farm houses.

Above this group of woeful figures—let the following words be inserted, in red characters to represent the human blood: "National Glory."

JOHN F. O'LEARY, DIRECTOR, BUREAU OF MINES

Mr. RIBICOFF. Mr. President, the Senate is familiar with the controversy over reported plans to replace John F. O'Leary, Director of the Bureau of Mines in the Department of the Interior.

Mr. O'Leary has held this position only 4 months. But during that time, he has compiled a most unusual and impressive record of public service. This record was reported by New York Times writer Ben A. Franklin on February 17, 1969. Mr. Franklin wrote:

> In his four months on the job, Mr. O'Leary startled the old-line staff at the Bureau of Mines—an agency that the former Secretary of the Interior, Stewart L. Udall, called "timorous and almost apologetic" in its regulation of the mining industry—by insisting that the bureau "represent the public interest rather than the industry alone."
>
> Mr. O'Leary has been reminding his top aides that, despite the bureau's new safety campaign, 42 miners have died in accidents in the 63 working days since the Farmington disaster.
>
> The immediate cause of anti-O'Leary pressure from the industry was the director's order last December to the bureau's 300 mine inspectors to make unannounced spot checks of coal-mine compliance with Federal safety rules. This step involved an element of surprise that the bureau had rarely tried before, although it is directed to do so by legislation. Mr. O'Leary's order was one of several issued after the West Virginia mine explosion.
>
> More than 600 spot checks were made in December alone, compared with 137 in all of 1967. With the power to close mines only with evidence of "imminent disaster" or "unwarrantable disregard" of previously reported safety violations, the inspection staff under Mr. O'Leary's directives since November has ordered workers temporarily out of more than 200 coal mines considered unsafe. During the entire previous 10 months of 1968, only 129 such closure orders were issued.
>
> He has also said the industry's argument that it could not bear the cost of health and safety standards ordered by the bureau and included in new legislation now pending in Congress ceased to be valid in the early 1960's, "when profits began to rise after a period of depression in coal."

Clearly, we need more men like John F. O'Leary in the public service, not less.

Without in any way passing judgment on a possible successor, it is obvious that we must encourage men like John F. O'Leary to stay on the job to continue their dedicated efforts to protect the citizens of this country.

Recruiting men of high caliber for the Federal service is difficult enough. When we have a good man, we cannot afford to let him go, particularly if he is as conscientious as Mr. O'Leary.

Indeed, how ironic that the Government should consider replacing Mr. O'Leary at a time when Americans feel disenchanted and distant from the Government. Perhaps if we had more public officials like John O'Leary, this gap between the people and the Government might not be so great.

It is unwise public policy to replace a man who is dedicated to carrying out the duties of his office and who is fully implementing the laws that he is charged with upholding.

U.S. FAILURE TO RATIFY FORCED LABOR CONVENTION: THE COMPANY WE KEEP—XX

Mr. PROXMIRE. Mr. President, of all the human rights conventions which I have daily urged the Senate to ratify, the Convention on Forced Labor has been ratified by the largest number of nations.

Seventy-five nations have ratified the Convention on Forced Labor since its adoption by the International Labor Organization at Geneva in 1957.

As I have mentioned earlier, this convention which had its initial push from the free American labor movement, has not been ratified by the United States.

But perhaps even more interesting, Mr. President, than our own failure to ratify the Convention on Forced Labor is a look at some of the other nations which have failed to ratify this same treaty: Albania, Byelorussian S.S.R., Bulgaria, Czechoslovakia, Hungary, Rumania, Ukrainian S.S.R., U.S.S.R., and Yugoslavia.

Why have not any of these countries ratified the Convention on Forced Labor?

The answer is completely obvious to every American old enough to read a newspaper or understand a newscast: These nations dominated as they are by the threat or the presence of the Red Army and by leaders who, with some notable exceptions, are not free of Russian domination, are unwilling to have their forced labor practices viewed or reviewed.

But why has the United States refused to ratify this same Convention on Forced Labor?

Our failure to ratify this convention has put us in some very peculiar company relative to the practice of forced labor. Certainly we have nothing to be ashamed of, nothing to hide from probing eyes.

Let the Senate dispel any doubts on the question of forced labor. Let the Senate allow no one to point an accusing finger at the United States. We can do both of these very, very simply by ratifying the Convention on Forced Labor.

FUTURE FARMERS OF AMERICA WEEK

Mr. BURDICK. Mr. President, during November of 1928, a small group of high school vocational agriculture students met in Kansas City and decided to form a national organization of boys studying vocational agriculture under the provision of the Federal Smith-Hughes Act. North Dakota was represented at that meeting by two delegates. The group decided on the name Future Farmers of America.

On May 11, 1929, a small delegation of vocational agriculture students from 29 North Dakota schools met at the North Dakota Agricultural College, now the North Dakota State University, and decided to organize a State FFA association and ask for a State charter. The charter was granted October 7, 1929. The association was the 30th State association to receive a charter from the national organization.

This June, 750 FFA members and advisers representing approximately 3,500 members of the 65 North Dakota chapters, will gather at NDSU for their 40th State FFA Convention.

This week North Dakota FFA members join some 450,000 FFA members in the 9,000 chapters throughout the Nation to celebrate National FFA Week. The theme this year is "FFA—an Opportunity for Youth."

The FFA provides opportunity for youth to participate in activities and to gain experience which leads them to excel, to grow, and to become outstanding young leaders for agriculture in America. FFA members pursue vocational and educational objectives as students of vocational agriculture.

Through the FFA, a member can develop skills and prepare himself for his vital role as an adult leader in American agriculture. Many young people have grasped these opportunities and progressed. Many more in the future will find opportunities in FFA to learn, to do, to earn, to serve.

North Dakota Gov. William Guy honors the FFA members in North Dakota by proclaiming this week as "Future Farmers of America Week" in North Dakota. I ask unanimous consent that the proclamation be printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

PROCLAMATION

Whereas, Agriculture provides job opportunities for over 23,000,000 men and women in our nation, and

Whereas, Agriculture is the largest employer, the biggest producer and the prime consumer in North Dakota, and

Whereas, Production agriculture—farming and ranching—is America's largest industry, employing 7,000,000 people, and

Whereas, Other opportunities in agriculture account for approximately 40% of the nation's private jobs, and

Whereas, The need for technical and professional agriculturists far exceeds the supply, and

Whereas, It is estimated that by the year 2000, America will have 330 million people and food production must be increased 83% on fewer acres, and

Whereas, Vocational and technical education in agriculture educates the student in the science and principles of food production and in other occupations in the spectrum of agriculture, and

Whereas, The Future Farmers of America organization is the leadership training arm of the vocational agriculture program numbering many outstanding leaders among its alumni

Now, therefore, I, William L. Guy, Governor of the State of North Dakota, do hereby proclaim the week of February 15–22, 1969, as "Future Farmers of America Week" and urge all citizens to become better acquainted with and give support to the program of vocational agriculture and the FFA.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of North Dakota to be affixed this 28th day of January, 1969.

WILLIAM L. GUY,
Governor.

Attest:

BEN MEIER,
Secretary of State.

"I AM AN AMERICAN"—POEM RECITED BY WENDY STOUT, SAXAPAHAW, N.C.

Mr. JORDAN of North Carolina. Mr. President, a few days ago I had the pleasure of visiting an elementary school in my home community of Saxapahaw, N.C.

While I was there, one of the students, an attractive fourth-grade girl named Wendy Stout, recited a poem entitled "I Am an American."

She did it beautifully and with a sincerity which impressed me deeply, as did the poem itself.

I do not recall the author's name. The message conveyed, however, was one which I think is important to all of us, young and old, in this time of unrest and uncertainty in our national life as a reminder of some of the truths and values which too many seem to have forgotten or laid aside.

I ask unanimous consent that the text of the poem be printed in the RECORD.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

I AM AN AMERICAN

I am an American.
If you ask me what that means
I'll answer:

I love my country and my God;
I love my parents and they love me.
I respect my neighbors and deal with them fairly.
I am strong; I am happy; I am free.

I can speak without fear and act without shame,
And walk tall among the children of earth.
All the rights that I have I am willing to share.
I am proud of my nation—my birth.

I can work as I wish and play as I wish,
And think what I wish and say what I wish,
And do as I wish and pray as I wish,
So long as I'm decent and true.
My school is free and my church is free,
My country's laws are made for me,
And all in all it is good to be
An American.

I am glad that I am an American.
I am proud of my birthright, but humble, too.
And being an American
These things I must do:

I must speak the truth as I see the truth;
I must play by rules that are fair.
I must not laugh at another's ways,
Or take more than is my share.

I must do nothing that will cause me shame.
I must walk tall and brave and free,
And I must help others to have,
The rights that mean so much to me.

THE RETIREMENT OF CHARLES A. RICHEY, SUPERINTENDENT OF LAKE MEAD NATIONAL RECREATIONAL AREA

Mr. BIBLE. Mr. President, on January 24 of this year, Mr. Charles A. Richey retired as superintendent of the Lake Mead National Recreation Area after 15 years of vigorous and imaginative leadership. I think it appropriate to pay tribute to a man who exemplifies the National Park Service's high standard of excellence.

Chuck Richey was an able administrator and an outstanding organizer, but he will be remembered principally for a creative spirit that fostered a variety of major additions and improvements to the Lake Mead NRA. Under his stewardship, camping and boating facilities were greatly expanded. Water systems were installed. An airstrip was constructed, new roads were added, and parking facilities were increased. A new visitors' center was built, and numerous improvements were implemented in concession operations.

The product of Mr. Richey's tireless efforts is reflected in visitor statistics. From a modest beginning, the Lake Mead National Recreation Area has become the fastest-growing outdoor complex of its kind in America. Last year it attracted 5 million visitors—more, by far, than any other western park or recreation facility, including Yellowstone and Yosemite.

Recognized as an authority in management techniques for water-oriented recreation areas, Mr. Richey's career with the National Park Service spanned 37 years. The capstone of that career came last year when he was invited to Washington to receive the Department of the Interior's Distinguished Service Award. Secretary Udall, in making the presentation, said he knew of no person more deserving of the Department's highest honor—and Chuck Richey's hundreds of admirers agreed.

A graduate of Iowa State University with a degree in landscape architecture, Mr. Richey first became associated with the National Park Service in 1931 when he was employed as a junior landscape architect in San Francisco.

In that position, he was a member of the first team selected to prepare master plans for the development of national parks and monuments in the West and Southwest.

In 1935, he was transferred to Santa Fe, N. Mex., as an associate architect in the Branch of Plans and Design.

Then, in 1940, he was promoted to the position of assistant superintendent—and later to superintendent—of Southwestern National Monuments, administering 28 areas in four States. Three years later he was named assistant director of the service's regional office in Santa Fe, and in that capacity was instrumental in working out the details of a merger of Southwestern National Monuments into the regional organization.

Mr. Richey accepted a promotion to the Branch of Lands in the headquarters office of the National Park Service in Chicago in 1945, and a year later was promoted to assistant chief of Lands and Recreation Planning.

In 1947, he was selected to serve as an advisor to the Supreme Commander of the Allied Powers and the Japanese Government on the reorganization and replanning of the Japanese national parks.

Before leaving Washington in 1954 to assume the Lake Mead superintendency, he prepared a report on land acquisition which has evolved into a statement of policy on this phase of national park administration.

Mr. Richey has been a member of the Boulder City, Nev., Planning Commission and, since 1955, of the executive board of the Boulder Dam Area Council, Boy Scouts of America, which he now serves as a commissioner.

In addition, he is a member of the American Society of Landscape Architects, Rotary Club, the Arizona Park and Recreation Association, in which he has served on the executive board since 1965, the Nevada Park and Recreation Society, and the Alpha Phi Chapter of the Pi Kappa Alpha fraternity. He is a charter member of and helped organize the Southern Nevada Unit of the Coast Guard Auxiliary.

Mr. President, Charles A. Richey has served his Nation with distinction and honor. We are fortunate to have had the benefit of his wisdom and judgment during a critical period in the development of the Lake Mead National Recreation Area. His career represents a chapter of excellence in the history of the National Park Service.

THE VALUE OF FARM PROGRAMS

Mr. YOUNG of North Dakota. Mr. President, largely because of incorrect and adverse articles about agriculture appearing in almost every magazine and other news media, farm programs have become increasingly unpopular. I do not know of any program of the Federal Government that is less understood and more misrepresented than farm programs, particularly the price-support program. Farm price-support programs could and should be improved, but with all their deficiencies they are of tremendous help to farmers.

Land-grant colleges which have made a study of the present programs invariably come up with the answer that if they were abolished farm income would drop as much as another 50 percent. Not only farmers but this whole Nation could be in serious trouble if Congress, through lack of accurate information and understanding, abolishes these programs.

Mr. Alf T. Olsen, farm editor of the Forum, North Dakota's largest daily newspaper, wrote an article published in the February 14 issue relating to this subject. It is an excellent article. It would be of tremendous help if the farm equipment industry, the automobile industry, the fertilizer industry, the chemical industry, the rubber industry, and all others who do a huge business with farmers had a better understanding of the problems of their best customers. There should be, as Mr. Olsen points out in his article, a better relationship between agriculture and industry and, for that matter, all of the people of the Nation.

Mr. President, I believe Mr. Olsen's article is one that would be of great interest to people everywhere. Therefore, I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Sidewalk Farming

(By Alf T. Olsen, Farm Editor)

Farm state politicians, farm organization officials, farmers and agribusinessmen have and are bemoaning the fact that the so-called "farm bloc" in Congress has faded away to ineffectiveness.

It seems that there isn't a day that goes by that someone doesn't point an accusing finger at the lack of an effective farm bloc as the main reason for farmers not getting a fair shake from the nation's legislators.

Well, there still is a farm bloc in existence. An extremely efficient one if an effort is made by farmers and their farm organizations to use it.

The farm bloc I'm talking about is the one made up of the millions and millions of Americans who depend upon the farmers for their daily food, and those of this group whose salaries are dependent upon the economic well-being of the farmer.

Wouldn't it be something if when farm legislation designed to give farmers a fair share of the nation's economy was being considered to see representatives of industry testifying favorably, such as the farm equipment industry, the oil industry, the automobile industry, the chemical industry, the fertilizer industry, the food processing industry, or any other industry for that matter!

The list in the paragraph above is only a partial one. There are few segments of industrial America not dependent upon farmers for their profits.

Has anyone ever invited representatives of industry to come out in favor of giving farmers an equitable share of the nation's productivity? If they have, it's been a deep dark secret.

Sure, there have been some attempts at getting labor union support by some groups. Both the attempts and the resulting action have been half-hearted.

What is needed is nationwide farm pressure on agribusiness, stressing the importance of their support of farmers in their battle to maintain farming as a way of life.

GEORGE J. BURGER: 60 YEARS IN "AUTOMOBILE ROW"

Mr. SPARKMAN. Mr. President, the Automobile Old Timers News has published its January–March 1969 issue on its 30th anniversary. In this issue is an article entitled "60 Years Hence." It is a description of the activities of a man whom we in the Capitol all know, and he is well known by all who have worked in the field of small business. He is George J. Burger, vice president of the National Federation of Independent Business. We all know of the long years of faithful and effective service George Burger has given the cause of small business.

I ask unanimous consent to have the article printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Sixty Years Hence

George J. Burger, our AOT Active member, can give you a tour through more than sixty years of experiences in the automotive industry, association work, and still not show you everything.

In 1909, he entered the auto industry in "Automobile Row" in the area between 50th to 59th Streets on Broadway in New York City. Working in an automobile supply house, stocking tires and accessories, he came in contact with the many dealers representing Oldsmobile, Cadillac, Peerless, Lozier, Buick, Packard, Pierce-Arrow, and others. The tire industry had a good representation through Goodrich, Goodyear, Firestone, and a few others who were in the race.

For a portion of 1910, he worked for the United States Motor Company, which was made up of Stoddard-Dayton, Maxwell Briscoe, Brush, and Columbia—traveling as a bill collector for them.

A business of his very own was established in 1911 on the fourth floor of the Buick Building and known as the H & B Auto Supply Company. In the years that followed, the automobile industry advanced and so did the business grow for George Burger. Buick needed all of their space and this necessitated the move of H & B Auto Supply to another location while increase of business required a second move after that to a larger building. During those years, he served the metropolitan area of New York; particularly, Buick and Cadillac agents who in turn were happy to recommend tires and accessories as supplied by the H & B Company. These years of service were done on the basis of "personal service with good quality merchandise with no exceptions or omissions."

From the Brooklyn Eagle, February 1911, we share with you a clipping that will show the duties of a representative of a product during a show:

"Goodyear Tires At Show

"George J. Burger, the Brooklyn representative of the Goodyear Tire Company, reports that most of the cars shown at the armory are equipped with Goodyear tires. It is evident that Mr. Burger takes great pride in that part for he is constantly on the watch to keep the shoes of the cars looking clean and white. If a tire shows the slightest sign of dirt or grease, one of Mr. Burger's assistants immediately is dispatched to remove it.

"Announcement was made at the Armory yesterday that the Peerless Garage and Sales Company had concluded arrangements to become the representatives of the Goodyear Tire and Rubber Company for Brooklyn and Long Island. The salesrooms will be located at 1525 Bedford avenue. George J. Burger will have charge of this department. Mr. Burger has been in the accessory business for several years. He was formerly connected with the United States Motor Company."

With a keen interest in the protection and growth of independent businesses, George has spent many years of devotion and service on their behalf. Not only has he served with the independent tire dealer association but he was also a founding member of the Greater New York City Tire and Battery Association in 1920; and was President and a founding member of the United Tire Stores of America in 1929.

Early 1935 found him as Secretary and General Manager of the National Association of Independent Tire Dealers, where he remained until 1941.

In 1941, Mr. Burger founded his own Consultant Service for independent tire dealers, the Burger Tire Consultant Service and commenced publishing his own tire trade journal, the *National Independent*. His work was limited generally to tire-dealer problems, until 1947, when he became Vice-President and Board Member of the National Federation of Independent Business, and where he has represented small businessmen at Washington, D.C., for more than 30 years.

His interest has been generally in all things directly or indirectly affecting independent business fair opportunities. His chief concern has been in adequate enforcement of all antitrust laws, at the national, state, and local levels, among businessmen, farmers, labor, and government itself to keep trade channels free of arbitrary restraints. He believes that adequate antitrust enforcement strengthens free enterprises and thereby helps stave off otherwise inevitable trends toward state socialism or greater government interference with business.

Since 1947, Mr. Burger's legislative efforts have helped gain small businessmen the strongest, most effective representation ever in our nation's history in governmental affairs . . . through creation of the permanent Senate Small Business Committee (1950), creation of the Executive Branch Small Business Administration (established in 1953, made permanent in 1958), and creation of the continuing President's Special Cabinet Committee on Small Business. He has also directed efforts which resulted, in 1958, in Congressional enactment of $260 million in special tax revisions for smaller firms, in the Small Business Tax Adjustment Act.

More than this, he has coordinated legislative activities which have helped lead to, among other things, (1) Federal Trade Commission pioneering efforts to establish tire maximum discount ceilings as protections for independent dealers (1947), (2) the successful small business counterdrive against "basing point" proposals which could have wrecked antitrust protections against pricing unfairnesses (1949), (3) enactment of the Celler-O'Mahoney strengthener to Clayton Act prohibitions against monopoly procuring mergers (1950), (4) enactment of the McGuire Fair Trade Enabling Act, and creation of the Smaller War Plants Corporation to integrate small business productive potential into the Korean War programs (1951), (5) successful cooperation with the Independent Bankers Association in securing enactment of the Bank Holding Company Bill (1955), (6) in the period 1958–1964 a number of Congressional enactments helpful to independent enterprise, including measures for speedier enforcement of antitrust orders, the closure of legal loopholes which helped giant chains escape effective antitrust supervision over unfair pricing activities, bills to protect small interstate sellers from multi-state taxation of their incomes, the 1962 and 1964 tax reduction and revision bills, and (7) enactment (1966) of H.R. 318, a bill which requires tire manufacturers to pay Federal Excise Taxes on tires delivered to their factory stores for sale to ultimate consumers on the same basis as competing independent tire dealers are required to pay these taxes (this bill corrects a defect in the original tire excise tax procedure which gave tire factory-owned stores a measurable financial advantage over competing independent dealers).

Additionally, he has directed Federation legislative activities in cooperation with the Hoover Commission which have helped promote a claimed $7.5 billion in savings on government operations, and he has helped set the wheels in motion for elimination of burdensome Federal excise taxes on independents' telephone and telegraph bills, and has provided Capitol follow-up on Federation member wishes to reduce the size and number of Government establishments competing with independent businessmen. Presently, he is working closely with a number of Congressmen on new legislative proposals aimed to require manufacturers who sell through both their own factory store chains and independent dealers, to treat both equally price-wise.

In his years at Washington, D.C., Mr. Burger has been a member of the Small Business Task Force of the National Security Resources Board, a member of the Business Advisory Committee to the President's Council of Economic Advisors, and a member of the Small Business Advisory Committee to the House Small Business Committee. Further than this, he has acted as consultant to both major political parties in drawing up the Small Business planks of their Presidential Year Platforms, testifying before their conventions in 1948, 1952, 1956, 1960, and 1964. Many of his recommendations were incorporated into these platforms, and subsequently voted into law. The Senate Commerce Committee appointed him, in 1961 and again in 1962, as its consultant to investigate small business opportunities for exports to Common Market countries during his trips to Europe.

All during his life he has been interested in organization and prior to 1947, he represented the nation's independent tire dealers at Washington, D.C. In that capacity he shared in leadership of the drives that led to enactment of the Robinson-Patman Law, which put teeth into Clayton Act prohibitions against unfair price discrimination, and that led to enactment of the Miller-Tydings Fair Trade Enabling Act. He worked closely with Congressmen in establishing the temporary House and Senate Small Business Committees in 1940 and 1941, and cooperated closely with these Committees in their studies of tire-dealer problems. These studies have become the "bible" for Government officials working on small business problems to this day. By surveys of national conditions, he helped put the wheels in motion with Justice Department and Federal Trade Commission on projects that have freed independent service-station operators to buy their tire-battery-accessory goods when and from whom they want. By espousal of the Tire Bill, a measure to bar tire manufacturers from selling at retail in competition with their independent outlets, he helped head off disastrous price wars in the rubber industry. In cooperation with the Small Business Committees, he helped lay the groundwork for the Smaller War Plants Corporation, which helped integrate small business into the World War II effort, and for the Government rubber program which integrated tire independents into the war effort.

These past sixty years have been filled with challenges and experiences for George Burger, our devoted member and industry leader. His final message to us is: "With my 60 years in the automobile industry, I will still continue to work for the future success of the independents in that major industry."

GUN CONTROL REGISTRATION

Mr. COOK. Mr. President, it has been brought to my attention that since the Gun Control Act of 1968 went into effect the Internal Revenue Service, by regulation, has been requiring that purchasers of ammunition must furnish information which is tantamount to registration. As the Senator from Montana (Mr. Mansfield) pointed out recently, this is a circumvention of the intent of Congress in adopting the 1968 act. At that time, Congress clearly did not expect the IRS to do by regulation what it had tried to prohibit by law.

The Senator from Utah (Mr. Bennett) on February 4, introduced S. 845 which would eliminate the registration requirement of the IRS regulation for individuals purchasing rifle, shotgun and .22-caliber rimfire ammunition. However, under this bill buyers purchasing ammunition for most pistols and revolvers would still be subject to the regulation

and, therefore, have to provide the required information. I am sure the Senator from Utah chose not to eliminate the regulation, as it applies to ammunition for such hand guns, because statistics have shown overwhelmingly that the vast majority of crimes are committed with the use of these kinds of weapons and not the guns which the sportsman uses.

I believe the regulation requiring the purchaser to, in effect, register before obtaining rifle ammunition will make no meaningful contribution to the war on crime but will only unnecessarily inconvenience the law-abiding sportsman.

NATIONAL ENGINEERS WEEK

Mr. METCALF. Mr. President, under the sponsorship of the National Society of Professional Engineers, the week of February 16 through February 22, 1969 is observed by the Professional Engineers of America as National Engineers Week. This particular week is traditionally chosen each year as it includes the observance of Washington's birth date, our first President himself having been a trained surveyor and builder.

Since the time of Washington's active engineering accomplishments, engineers have continually played a major role in shaping and reshaping our country's face and its fortune, and now paves our way into the vast reaches of outer space.

National Engineers Week is a particularly good time to call the attention of our young people to the opportunities which exist for a career in engineering—opportunity for participation in a vital professional activity with unlimited applications for talent, ingenuity, imagination and personal satisfaction. Active American leadership in tomorrow's world will in part come from the engineering community. A partnership share in this leadership is open to today's young people.

A special article on the role which engineers play in the shaping of urban environment and solution of human needs has been prepared by Prof. John G. Duba, director for urban environmental studies of the Polytechnic Institute of Brooklyn. It will appear in newspapers and magazines across the country during National Engineers Week. It has been brought to my attention by Robert H. Doyle, legislative counsel for the National Society of Professional Engineers. I ask unanimous consent that the announcement be printed in the Record.

There being no objection, the announcement was ordered to be printed in the Record, as follows:

National Engineers Week: Engineers Play Key Role in Shaping Urban Environment and Solving Human Needs

(By Prof. John G. Duba, P.E., director, Center for Urban Environmental Studies, Polytechnic Institute of Brooklyn)

Engineers have been major contributors to the growth and development of cities through the centuries. Some early engineering works such as the roads and aqueducts of Rome still stand today. In our present day society based on science, technology and industrialization, the contributions of engineers to improvement of our urban environment are much greater than in the past and serve an ever increasing population.

Our country's population now totals approximately 202 million and continues to grow. It would take a city the size of Detroit to house just last year's increase in population. In less than two years the nation's population increase will be greater than that of Chicago.

POPULATION FACTORS

Two out of every three persons live in our big central cities or their adjacent suburbs. If we consider the number of persons who live in small cities and towns, almost 75 percent of our total population can be considered urban. It is therefore not surprising that so much attention is being given to the needs of urban areas.

We read and hear much of urban problems—social, economic and physical. Newspaper headlines regularly point out problems of slum and blight; the inadequacy of schools and parks; pollution of the air, water and land; noise; ugliness; traffic congestion and a score of other conditions which affect the urban environment.

Man's environment may be considered as all of the conditions, circumstances and influences surrounding him. Included are the place he lives, the schools attended by his children, the recreation facilities available to him and his family, his place of employment, the transportation facility he uses, public and private utilities and a host of other facilities and services.

In reviewing this list of facilities and services, it becomes immediately apparent that the engineer plays a key role in shaping the urban environment. He may be planner, designer or builder. Or he may maintain and operate the all important urban transit systems, airports, port facilities, roads and bridges, waterworks, sewage treatment plants, incinerators, power plants, communications networks, distribution systems and buildings. The engineer also administers programs of air pollution control, building code enforcement, water pollution control, collection and disposal of solid wastes, traffic control and safety, and other municipal services.

MAJOR CONTRIBUTOR

During the Twentieth Century the engineer has been a major contributor to the growth and development of urban areas. The highways and bridges, transit facilities, jet airports, water supply and sewerage systems and skyscrapers are among his more notable achievements.

We have paid a price for many technological advances made by man. Disposal of untreated industrial wastes has polluted many of our valuable waterways. No longer can the by-products of industrial operations be allowed to foul our natural resources. Highways have sometimes had a detrimental affect on the countryside or caused disruption of urban neighborhoods. The location of such facilities must be guided not only by considerations of design and economics, but must include social and esthetic values. The use of plastic containers has been a boon to both the housewife and the manufacturer, but constitutes a serious problem of disposal. These are but a few examples which illustrate the complexity and diversity of urban problems being faced by the engineer. As our population and cities continue to grow, the problems will also expand.

It is easy for us to comment on current day problems and mistakes of the past as we look backward. But forecasting the effect of today's technological advances and patterns of growth is another matter. Solutions or answers to many of the problems are as yet unknown but will be developed from a planned interdisciplinary approach.

INTERRELATED SYSTEMS

A city may be considered as being composed of a series of inter-related systems or elements which taken as a whole make up the urban environment. Residential, commercial, and industrial areas; education, recreation and health facilities; the transportation system; and utilities may each be considered as an urban system. A change in any one of these systems affects another. It is therefore essential that changes introduced or actions taken to control or improve the urban environment be part of a master or comprehensive plan. This immediately implies the involvement of the citizenry, the elected and appointed officials and a wide range of specialists.

Engineers, architects, planners, political scientists, sociologists, landscape architects, and economists are among the many talented professionals who may be involved as members of interdisciplinary teams working on the development of programs to provide facilities for the growth of our urban population and the creation or renewal of an attractive and satisfying urban environment.

The engineer will continue to play a key role and often will head these interdisciplinary groups because of his involvement, experience, and proven competence in coping with urban problems and shaping the environment for our expanding population. And he will have at his disposal some of our latest technology such as high altitude photo mapping and the computer-oriented approach to design of the various city systems.

CAREER OPPORTUNITIES

Because of the enormity of the challenge, the opportunity to be creative in solving urban problems, and the sense of satisfaction and accomplishment realized when a problem is solved, many young engineers are being attracted to organizations—public and private—working in this area. It is a stimulating and satisfying experience to be a member of the team responsible for improving the quality of life in our urban areas. Today's high school students should consider pursuing a career which will enable them to play a key role in this growing and extremely important field of improving the urban environment.

Interested young people or their parents may obtain a free booklet which gives the basic facts about engineering. The booklet, "Engineering . . . A Career of Opportunity," is available from the National Society of Professional Engineers, 2029 K Street, NW., Washington, D.C. 20006.

PRESIDENT NIXON CONGRATULATED ON HIS PLEDGE FOR WORLD PEACE

Mr. MONDALE. Mr. President, I invite attention to the joint statement by 50 Senators and Representatives on February 8, in which they congratulated the President of the United States on his pledge for world peace and assured their support for four specific measures designed to realize this goal. This timely statement which was endorsed by other distinguished Members of Congress demonstrates the willingness and desire of members of both parties to work toward world peace. The four specific measures for which we pledged our support are:

First. Prompt ratification of the Nonproliferation Treaty;

Second. Meaningful steps to begin talks with the Soviet Government for the purpose of achieving agreements to curb the arms race;

Third. Immediate reconsideration of the ABM system;

Fourth. A thorough analysis of defense spending to locate responsible cuts.

Mr. President, I ask unanimous consent to have printed in the Record the joint statement and the list of Senators and Representatives who signed it.

There being no objection, the items were ordered to be printed in the Record, as follows:

The Joint Statement

As Members of Congress who share a commitment to the development of international cooperation, a strengthened United Nations, and the realization of the United States foreign policy of 'general and complete disarmament under enforceable world law,' we congratulate President Nixon on his pledge to consecrate his administration to the cause of world peace.

We add our own pledge to his. As immediate steps in this direction, we assure our own support for the following:

1. Prompt ratification of the Non Proliferation Treaty, which represents an important safeguard against the spread of nuclear weapons.
2. Meaningful steps to begin talks with the Soviet Government for the purpose of achieving agreements to curb the arms race and reduce nuclear missile stockpiling.
3. Immediate reconsideration of the Anti Ballistic Missile system, the effectiveness of which is questionable and the deployment of which may lead to further intensification of the arms race.
4. Thorough analysis of Defense Spending to locate responsible cuts, and to bring the important contribution of our military into reasonable perspective.

The anxieties of the Nuclear Age have caused an emphasis on military spending which is out of proportion to our security requirements and has inhibited our efforts to meet human needs, both at home and abroad. As Members of Congress, we will seek to bring leadership to these vital issues, and urge all Americans to share in the quest.

Endorsing Members of Congress

Senators Edward Brooke (R., Mass.), Philip A. Hart (D., Mich.), Vance Hartke (D., Ind.), Mark Hatfield (R., Oreg.), Harold E. Hughes (D., Iowa), Jacob K. Javits (R., N.Y.), Eugene J. McCarthy (D., Minn.), George McGovern (D., S. Dak.), Walter F. Mondale (D., Minn.), Frank E. Moss (D., Utah), Edmund S. Muskie (D., Maine), and Gaylord Nelson (D., Wis.); and Representatives Brock Adams (D., Wash.), Thomas L. Ashley (D., Ohio), Jonathan B. Bingham (D., N.Y.), Edward P. Boland (D., Mass.), John Brademas (D., Ind.), George E. Brown, Jr. (D., Calif.), Phillip Burton (D., Calif.), Jeffery Cohelan (D., Calif.), John R. Dellenback (R., Oreg.), Don Edwards (D., Calif.), Donald M. Fraser (D., Minn.), James G. Fulton (R., Pa.), Jacob H. Gilbert (D., N.Y.), William J. Green (D., Pa.), Gilbert Gude (R., Md.), Seymour Halpern (R., N.Y.), Augustus F. Hawkins (D., Calif.), Henry Helstoski (D., N.J.), Robert W. Kastenmeier (D., Wis.), Edward I. Koch (D., N.Y.), Allard K. Lowenstein (D., N.Y.), Richard D. McCarthy (D., N.Y.), Paul N. McCloskey, Jr. (R., Calif.), Abner J. Mikva (D., Ill.), F. Bradford Morse (R., Mass.), Richard L. Ottinger (D., N.Y.), Thomas M. Rees (D., Calif.), Ogden Reid (R., N.Y.), Henry S. Reuss (D., Wis.), Benjamin S. Rosenthal (D., N.Y.), Edward R. Roybal (D., Calif.), William F. Ryan (D., N.Y.), James H. Scheuer (D., N.Y.), Fred Schwengel (R., Iowa), Frank Thompson, Jr. (D., N.J.), Morris K. Udall (D., Ariz.), James W. Symington (D., Mo), and Charles R. Whalen, Jr., (R., Ohio).

TELEVISION PROGRAM ON CHEMICAL AND BIOLOGICAL WARFARE

Mr. KENNEDY. Mr. President, several days ago the NBC television network presented a 1-hour documentary program on chemical and biological warfare—CBW. The program graphically detailed the physiological effects of these dreaded weapons, and discussed the nature and extent of U.S. activity in connection with CBW.

The instruments of chemical and biological warfare can kill in minutes, paralyze and maim with permanent effects, temporarily blind, or otherwise incapacitate persons in order to make them easy targets for conventional weapons, and help destroy in a variety of other ways. They can be the most ghastly weapons ever devised by man.

The sight on our television screens of rats, rabbits, and sheep twitching in uncontrollable convulsions and then dying of asphyxiation—unable to control their breathing muscles—is a shocking reminder of the inhumane brutality of most of these weapons.

The NBC program summarized some of the dread diseases which can be used in biological warfare:

> The Army has catalogued all the diseases which could be used as weapons, either by us or against us. For example, it knows that brucellosis or undulant fever is very disabling, with long lasting severe fever and general aching. It knows that plague produces rapid pulse, rapid breathing, high fever and death. That anthrax causes fever, sores, lesions of the lung and death.

It went on to mention tularemia, plague, Q-fever, Rocky Mountain spotted fever, and viruses such as encephalitis, all transmissible from animals to man, all potential weapons.

There is even a combination of several of these described as sort of a germ cocktail, guaranteed to kill.

Most terrifying of the chemical weapons perhaps is a concentrated liquid nerve gas identified by the code letters G–B. It was described as follows:

> Pure G–B is colorless and odorless in liquid or vapor form. A few drops on the skin or a few deep breaths of concentrated G–B would kill in minutes. Like other nerve gases, G–B is chemically similar to a good bug killer. It attacks the human nervous system . . . just as an insecticide kills bugs.

The documentary covered in general terms and with specific examples the nature of U.S. participation in the development of chemical and biological weapons and in discovering ways to counteract them. It noted some of the universities and military bases where research and testing are carried on. And it pointed out some of the hazards.

In particular, I am sure we all recall the accident in Utah which is now known as the "Skull Valley sheep episode." A herd of about 5,000 sheep were killed after unexpected weather conditions upset spray testing of chemical weapons at the nearby Dugway Proving Ground. The Army buried the sheep and made compensation payments of close to $400,000 to the owners. It has, however, consistently denied any connection between Dugway Proving Ground and the dead sheep.

The program also described the great cloak of secrecy which the Defense Department has drawn over U.S. activities in the area of chemical and biological warfare. I am opposed to this secrecy and feel that the American public has a right to be better informed about what this country is doing.

The NBC program did not discuss the international efforts, both past and present, to bring CBW under control, but I would like to note two present developments which are of particular importance for limiting CBW weapons. As the result of a recommendation adopted unanimously last year, the United Nations is conducting a comprehensive study of the effects of chemical and biological warfare. I am hopeful and confident that this study will serve as a focal point for new proposals at the 18-Nation Disarmament Committee—ENDC—in Geneva and at the United Nations General Assembly this year.

In addition, the British representative to the ENDC last year submitted a working paper which would impose a complete ban on biological warfare, with nations agreeing not to employ it either in first use or in retaliation against another party. It is constructive at least to explore the feasibility of such an idea, and it is expected that the British delegation will push for consideration of their working paper when meetings resume on March 6.

The mysterious area of CBW, as presented in the NBC program, is perhaps best summarized by the following excerpt:

> Some military men believe that biological weapons would determine the balance of world power in the event of effective nuclear disarmament. Some believe that Russia is ahead of us in the development of both chemical and biological weaponry. No one knows for sure, but it is believed that the United States spends a million dollars a day on CBW. Ironically, this is about the same amount Russia spends every day to subsidize Cuba. But we do not know how much Russia spends on CBW. Everyone prefers to think of CBW as a combination of mystery and myth, even if it's history.

Mr. President, CBW need not be either mystery or myth, and I hope that future efforts can remove the shroud of secrecy and lead to constructive limitations on chemical and biological warfare.

Mr. President, I ask unanimous consent that the transcript of the NBC program of February 4, 1969, be inserted in the Record at this point.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

NBC News' Presents First Tuesday, Chemical-Biological Warfare, February 4, 1969

CBW: THE SECRETS OF SECRECY

Vanocur. Tonight, you will see an industrial film about a product called Death. The product is being tested by an agency of the United States government. It is produced by the United States government which is developing a full line of the product under the brand name CBW. As in all good industrial films, the product is demonstrated . . . with emotion or without exaggeration.

Narrator. This laboratory animal is about to be exposed to a nerve gas. An Army Chemical Corps technician draws up a very small amount of the nerve gas, which is in a liquid state. Through an opening in the top of the enclosure, a droplet is released. Exposure to nerve gas now begins. A current of fresh air continuously maintained inside the enclosure draws the nerve gas vapors over the rabbit. Though the amount of nerve gas is minute, and the time of exposure to it probably no more than a few seconds, the animal is already beginning to feel the effects. It becomes increasingly difficult for the animal to stay on his feet. General weakness and lack of muscle control become more apparent. Twitching, convulsions, and gasping now set in and become progressively stronger. After approximately two and one-half minutes, the animal is in the last stages . . . generalized convulsions and unconsciousness. The rabbit stops breathing and finally, death occurs.

Pettit. The United States also has nerve gas for people. These artillery shells are filled with the nerve gas, code designation V–X. V–X is a major weapon in America's arsenal for chemical, biological warfare . . . CBW. My name is Tom Pettit. I have been studying CBW for six months. The report you are about to see was prepared without the cooperation or approval of the Department of Defense. For years, the entire subject of CBW has been shrouded in official mystery, a cult of secrecy.

The U.S. Army arsenal at Pine Bluff, Arkansas, 35 miles southeast of Little Rock is one of the places the Army would not let us enter. The Army has spent more than a hundred million dollars here on biological warfare facilities. Somewhere on these fifteen thousand acres of Arkansas countryside there is a germ factory, a pilot plant to produce microbes for war. The Army does not like unauthorized reports about CBW. It prohibits all photographs beyond the gates of secret bases like Pine Bluff.

The British are much more open at their biological warfare research center. Last fall, we were allowed to photograph some of the laboratories at Porton, 80 miles southwest of London. Even laboratory work can take on the appearance of a medieval executioner's ritual. The British emphasize that the work here is purely defensive . . . designed to develop masks and vaccines. But to do this requires detailed information on how germs can be used as weapons. The knowledge of biological weaponry developed at Porton is given to the United States military for its own use. For one thing, British scientists have learned how to mass produce germs. The first step of the process is called seeding. It is very delicate work, requiring the skill of a master chef, preparing a favorite recipe.

Disease organisms are planted in a gelatin-like substance. This is where they will take root, grow, and reproduce. The British even turn out high-quality germs for export to scientists in other countries. At Porton, as in the United States, scientists have studied anthrax, brucellosis, the plague, and more diseases: Q-fever, encephalitis, rabbit fever. They even combine them in a sort of germ cocktail, guaranteed to kill.

The scientists at Porton have earned an international reputation for their expertise. They also have done major work on immunization using chicken embryos to provide the raw material needed to produce living virus cells. This is how Porton developed new vaccines for undulant fever, anthrax, and the plague . . . all potential weapons. In 1957, they produced a rush order of three-quarters of a million doses of vaccine against the Asian flu. One English commentator interpreted this to mean they could produce three-quarters of a million doses of a disease just as easily. In this sealed air chamber, scientists at Porton have demonstrated that airborne microbes can remain alive and virulent for as long as 24 hours. This laboratory finding proved the military feasibility of biological warfare. Germs sprayed from enemy airplanes would still cause infection when they reached the ground. Any country with a good-sized brewery could manufacture the germs with essentially the same technology used to make beer. Britain actually tested biological weapons in 1941, when there was fear that the Axis powers might use germ warfare. In one test, the remote island of Gruinard, off the northwest coast of Scotland, was sprayed with anthrax bacteria. The targets were sheep. They died. But the anthrax bacteria were so durable that the island still is unsafe for people, 28 years later. It is expected to remain that way for at least another one hundred years.

Vanocur. Some military men believe that biological weapons would determine the balance of world power in the event of effective nuclear disarmament. Some believe that Russia is ahead of us in the development of both chemical and biological weaponry. No one knows for sure, but it is believed that the United States spends a million dollars a day on CBW. Ironically, this is about the same amount Russia spends every day to subsidize Cuba. But we do not know how much Russia spends on CBW. Everyone prefers to think of CBW as a combination of mystery and myth, even its history.

The conventional or accepted history of chemical warfare blames Germany for first using poison gas . . . a chlorine attack against the British and French in April, 1915. But eight months earlier, the French had used tear gas against the Germans. Most people have forgotten that after the first German chlorine attack, both sides used poison gases until the end of the War in 1918. Chlorine, phosgene, and mustard gas. The United States Army organized a unit and called it The First Gas Regiment and it saw action on nearly every section of the western front. It participated in the campaigns of Chateau-Thierry, Saint Mihiel, and Meuse Argonne. The United States spent on the order of seventy million dollars, just to manufacture poison gases for combat, in World War I. In mobilizing for World War II, the United States expanded its poison gas production facilities at Edgewood Army Arsenal, Maryland, and elsewhere. President Roosevelt pledged in 1943 that we would not use such weapons unless they were first used by Germany or Japan. They were not. But by 1945, we had nearly twice the gas supplies of the enemy, though nothing as deadly as Germany's secret nerve gas.

Announcer. Uncovered in the American zone in Germany, 75,000 tons of Nazi poison gas are loaded aboard ships for destruction. One type, deadliest of all, attacks the skin, lungs, and bloodstream and can kill a man in two minutes. The obsolete S.S. Alcobanner heads out on her last journey, for the only practical way to dispose of this deadly gas cargo is to send it to the bottom of the sea.

Vanocur. Germany had not used the nerve gas, presumably from fear of retaliation, even though in fact we did not possess nerve gas. The allies destroyed much of the captured gas, but on the Eastern front, the Russians had captured an entire nerve gas factory, giving them a headstart in chemical weaponry for the Cold War.

Pettit. After the war, and in great secrecy, the United States also went into the nerve gas business. We built at least two full-scale factories to produce nerve gas. One is on the isolated plains of Western Indiana, not far from the small farming community of Newport. It cost more than thirteen million dollars to put up this plant, and for nine years it turned out a high quality nerve gas called V–X. Then last fall, it was quietly decided that American stockpiles of nerve gas are adequate, at least for now. There have been no Pentagon press releases about Newport because the Defense Department seldom publicizes chemical weapons. One rare exception was a film about military Psycho-Chemicals. It was released in the late 1950's and widely shown on national television news programs.

The so called cat and mouse experiment demonstrated a chemical, which would put an enemy soldier out of action but not kill him. In the first part of the experiment, the cat's behavior was normal. Then the chemical, an experimental drug, was administered to the cat. At the time, the name of the drug was withheld, but its effect was self-evident. A complete reversal of normal emotions. The cat became afraid of the mouse. It is now known that this was a demonstration of LSD and the cat was merely on a bad trip. LSD turned out to be impractical but we did develop a number of other chemicals designed to incapacitate. At the same time, production of chemicals that kill went on. Just after the Korean war started, a forty million dollar nerve gas factory was built at the Rocky Mountain arsenal, near Denver. The Army rules on secrecy have been inconsistent, to say the least.

In 1954, the Hearst Metrotone Newsreel company was permited to take these films. But in 1963, NBC was denied permission to enter the plant, even after the Denver Post had been allowed to document the loading of shells, bombs, and rocket warheads with nerve gas in liquid form. One ton tanks of liquid nerve gas were stockpiled in quantity on the grounds of the Rocky Mountain Arsenal. But with air traffic increasing at the adjacent Denver airport, and the city itself expanding, the Army became sensitive about publicizing the storage of nerve gas at the arsenal. The supposedly-secret stockpiles were clearly visible, however, to passengers flying in and out of Denver, even though photographs on the ground were prohibited. The factory itself is no longer producing nerve gas; and then late last summer, the Army started to remove the nerve gas supplies.

Tuttle. This is Lt. Terry Tuttle at the Rocky Mountain Arsenal. This information was released by the Department of the Army on August 22, 1968 concerning the movement of toxic agents at the Rocky Mountain Arsenal. Most of the toxic materials now at the Rocky Mountain Arsenal will be moved. This includes toxic materials of all types. Details are classified.

Pettit. About half the nerve gas at Denver was shipped by rail to a remote Army depot, 35 miles southwest of Salt Lake City. This is the principal nerve gas storage point within the continental United States. The amount stored here is secret. In every other respect, there is more secrecy surrounding CBW in the United States than about hydrogen bombs. Canada also has a CBW establishment. The Canadian base was set up on the bleak prairie of Alberta, early in 1941, when wartime secrecy concealed its existence. Even today, a traveler on the highway southeast of Calgary is not likely to stop for a sight-seeing tour. But there is far less official mystery than in the United States. We were allowed inside on the basis of a single telephone call to the Canadian Defense Research Board. By national policy, the station at Suffield works only on defensive measures.

But the findings are shared with Britain, Australia, and the United States. Samples for some of the experiments are supplied by the United States. This technician is working with a concentrate liquid nerve gas, code letters G–B, the material which was produced at the Rocky Mountain Arsenal. He is diluting it for use in an experiment. Pure G–B is colorless and odorless in liquid or vapor form. A few drops on the skin or a few deep breaths of concentrated G–B would kill in minutes. Like other nerve gases, G–B is chemically similar to a good bug killer. It attacks the human nervous system . . . just as an insecticide kills bugs. Canada does extensive animal studies with G–B. Once the liquid nerve gas is diluted, men can work without masks and usually do. It remains a liquid at room temperature. One carefully measured microgram . . . a few billionths of an ounce . . . of G–B will be dropped into one eye of the rabbit as part of an experiment to study the non-lethal effects of nerve gas. Canada has done exactly the same experiment on human volunteers. Within seconds, the pupil of the eye contracts sharply. This condition, known as miosis, reduces night vision. In combat, this could happen to a soldier before he knew what was happening. Full recovery from miosis takes up to three weeks. This test shows that a nerve gas attack could reduce the fighting effectiveness of unprotected troops, even if they were not killed outright. The Suffield laboratories also are testing new antidotes for victims of nerve gas. So far, they have found nothing better than the standard antidote, a chemical called atrophine. Ironically, nobody knows why atrophine works, but it does. You are looking at a living mouse heart, sustained by oxygen and a nutrient solution. Injection of a nerve agent causes paralysis of the nerve endings; the heart slows down and stops. The electrocardiograph falls to zero. Injection of atrophine, if done quickly enough reverses the nerve paralysis and the heart resumes beating. The Canadian laboratory has been doing animal experiments for many years. For the technician, killing with nerve gas is just part of the day's work. Many people working in CBW today have been in the business for twenty or twenty-five years. They have a vested interest in CBW. Most are convinced that these are the weapons of future wars.

This vial contains the nerve gas G–D in dilute solution for injection into the laboratory mouse. CBW researchers are always trying to improve the product through testing. G–D is one of hundreds of nerve gases, each a slight variation of the same basic formula. G–D is more resistant to atrophine. All of them kill as G–D kills very quickly. Exercise Vacuum was conducted last Fall at Suffield by Canadian, British, and United States troops. While Exercise Vacuum was never announced in America, it was openly reported on Canadian television.

Warren. Military and scientific authorities emphasize that the exercise was strictly a defensive one. It was a test of man, equipment and procedures against the hypothetical enemy equipped with chemical and biological weapons. That means germs and nerve gas, but they don't use the term very often around here. It was the first time Canadian troops have been tested in a full scale CW, that's Chemical Warfare exercise. The men were forced to wear respirators and protective gear for as long as fourteen straight hours while performing their military jobs. The men had simulated nerve gases shot at them, sprayed at them from aircraft and blown up around them in mines in precontaminated areas. The stimulant used was such that a badly equipped or careless soldier suffered irritating symptoms similar to those of a mild shot of tear gas and they discovered that sleeping, eating, and other functions could be difficult in full protective equipment. The scientists say Canada has no weapons for waging chemical and germ warfare . . . only for defense. John Warren, CBC News, at the Defense Research Establishment, Suffield, Alberta.

Vanocur. In contrast to Canada and England, the United States does have weapons for waging chemical and biological warfare. That report will be next.

* * * * *

Vanocur. As we said the United States does have weapons for waging chemical and biological warfare. We test them in Utah at a base which was nicely obscure until an accident last Spring, at the Dugway Proving Grounds, eighty miles Southwest of Salt Lake City. Here is Tom Pettit.

Pettit. The only advertisements for the U.S. test program are placed where almost nobody sees them, on lonely side roads of the great Salt Lake Desert. Dugway Proving Ground is used by the Army, Navy and Air Force to test both chemical and biological weapons. The base is so remote that very few people knew that it existed until last March and what came to be known as the "Skull Valley Sheep Episode". A valuable herd of about five thousand sheep were suddenly wiped out. Most had been grazing in Skull Valley, twenty miles North of Dugway. Some were forty miles away. All were buried by the United States Army. But the military consistently denied any connection between Dugway Proving Ground and the dead sheep. There were many official inquiries. The governor of Utah named a special investigator, Dr. D. A. Osguthorpe, a veterinarian, who looked first for physical damage to the sheep, or what a veterinarian would call "pathology."

Osguthorpe. The main effect is upon the nervous system. There was one thing about . . . I noticed about the sheep, that there was no pathology what so ever with these sheep. The gastro-intestinal tracts, the circulatory systems, musculature were all perfectly normal from a pathological standpoint, but the animals were dead, mainly from suffocation due to the fact that there was no connection between the muscles they used . . . that these animals used to breathe and the respiratory center, and as a result, they were not able to take in sufficient oxygen and they died of suffocation. After several days of, of um, questioning, why the Army finally admitted that they had conducted experiments in the area with nerve gas agents.

General Stone. There are too many confusing aspects. We have been working in this area for twenty-five years, in this particular part of this country. With complete safety and impunity and we have never done anything to damage the surrounding area. If we are the cause of this, we have a problem.

Lieutenant Colonel Black. No other form of animal life has evidenced any symptoms whatsoever, although they are located in the same area where the sheep are dying. Horses, cows, dogs, birds, and rabbits.

Osguthorpe. This is a rabbit showing the effects of the poisoning. This very typical, you can see the tribulation. Notice the trembling of the hair on the rabbit. See there . . . see the very minute tribulation.

Pettit. Did this rabbit die, do you know?

Osguthorpe. This rabbit died, yes. Here again you . . . you just saw the, the muscular incoordination that this compound produces.

Pettit. This is the same thing that happened to the sheep then, that is happening in this rabbit?

Osguthorpe. Yes.

Pettit. The U.S. Department of Agriculture studied the surviving Skull Valley sheep and some animals which the Army tested at Dugway. USDA needed Army clearance merely to report on the findings of the Dugway test.

Van Kampen. These animals were given low levels of the nerve agent. And after a short period of time they developed the same droopiness of the head and twisting in the spine as had been seen in the Skull Valley sheep. Symptoms have persisted for as long as three months in some of the animals.

Pettit. Or longer?

Van Kampen. Or longer. We have several here that have had the symptoms persist for six months.

Pettit. In your view then, there is absolutely no doubt that the cause of the sheep dying and becoming sick in Skull Valley was a nerve agent.

Van Kampen. Certainly connected with the nerve agent, yes.

Pettit. We now know that on March 13, at Dugway, a jet fighter released the nerve gas V-X at an abnormally high altitude. Freak winds carried it even higher, and rain dropped it onto the Skull Valley Pasture. Dr. Osguthorpe feels that the V-X might have been carried even farther.

Osguthorpe. This could have been, very very easily washed into, into one of our reservoirs, our drinking water. Had it been rained out over one of these areas we might have had some real disastrous results. Um, one, one specifically, the Deer Creek reservoir very easily could have got that far had it not been rained out. I'm, I'm sure that had this got into a water supply why, it would have definitely killed people. You cannot conduct these, this type of experiment without endangering the life around you.

Vanocur. To this day the United States Army maintains there is no absolute proof that the Skull Valley sheep were killed by the nerve gas test. But it has agreed to a payment of nearly four hundred thousand dollars to the owner of the sheep. And in recent months the Army has announced more stringent safety regulations for field testing at Dugway. If the sheep episode did nothing else, it stripped away a bit more of the official secrecy surrounding CBW in this country. It also turns out that Dugway is not our only test site after all.

Pettit. The United States headquarters command for testing chemical and biological weapons is designated the Deseret Test Center. Its work is so secret that even its location, Fort Douglas in Salt Lake City was not known until after the sheep episode. The Deseret Test Center plans and conducts America's CBW tests, at Dugway and elsewhere. Military sources have revealed the existence of other test programs directed from here. At Fort Greely, in Alaska. Fort Clayton, in the Panama Canal Zone. And at Fort Huachucha in Arizona. There has even been an ultra-secret test project in the Pacific Ocean, conducted under a cover of bird-banding study. A scientist in California had been asked to develop a bird-counting radar.

Cogswell. There was some possibility of the Department of Defense seeking a, um, test site of some sort or other, I never knew what, in the general region. And were interested therefore in the bird populations and numbers in the region. I did know, also at this time that the Smithsonian Institution or the U.S. National Museum in Washington, D.C. had a project going on at that time in the area, that the area of interest was in the Central Pacific, Southward from the Hawaiian Islands to near the Equator. The whole, the whole Central Pacific area.

Pettit. The Pacific Ocean biological survey has cost the Defense Department more than two and a half million dollars. This amount was paid over the past six years to the Smithsonian Institution. Fred Sibley, a biologist, worked on the project for three years.

Sibley. Um, this was a program administered by the Smithsonian Institution to study distribution and migration of sea birds in the Central Pacific. My job was mainly that of a trip leader, taking four or five people out on a party, and we would land on the various islands, do biological survey on these islands and part of which was banding, a considerable number of birds.

Pettit. This story is picked up by Robert Standen, who took these home movies in true amateur fashion, waved at his own camera.

Standen. On one very dull day, we spent the whole day doing nothing but bagging birds with that long net, which is not much fun, since you can go around and pick them up at night with no trouble at all. Fred felt that we should keep busy. We went about finding out how isolated that area was. In a sense that was part of what we were doing, I would say. Not specifically. Nobody ever said that to me, mind you. But that, I felt, was implied. We did a very intensive biological study of a specified area.

PETTIT. Standen later took part in an ultra-secret military CBW project in the Pacific, which he was not allowed to film. He said the military test involved vectors . . . the scientific term for live animals, which can carry disease organisms. Have you ever told anybody what was done at was done?

STANDEN. No I haven't.

PETTIT. Not even the Smithsonian?

STANDEN. No I didn't. I haven't told a soul. I would like to tell somebody, sometime, because it, it would be just fun to tell somebody. I thought it was extremely interesting.

PETTIT. What was the point of holding this test, that far out in the Pacific?

STANDEN. Well, the vector, the carrier, the biological carrier, didn't live in that place normally, okay. The place was well isolated from other areas, okay. And it would be very easy to eliminate the carrier, once it was over. Therefore it wouldn't introduce a new species into the area. Also, of course, I think, this is worthy of note; since the vector that we used had to be kept alive all the way to the location, you see. This was an experiment in itself. This is where the scientific experiment comes in. There were meteorologists there who observed everything about the conditions of the atmosphere at the time and place, okay. Plus we had an extensive biological staff. We had, literally, guinea pigs on the island.

PETTIT. Where was this?

STANDEN. I can't say.

PETTIT. Roughly.

STANDEN. In the Pacific Ocean.

PETTIT. In the Hawaiian chain?

STANDEN. No.

PETTIT. In the Hawaiian Islands?

STANDEN. I can't say.

PETTIT. Can't say yes or no?

STANDEN. I could say yes or no, but I won't.

PETTIT. Why?

STANDEN. Because I was told not to.

PETTIT. Since talking with Standen, we have learned from other sources that the test was conducted in the Spring of 1965, on an island seventeen hundred miles southwest of Honolulu, just north of the equator . . . Baker Island, a U.S. possession. There is an abandoned World War II airstrip on Baker, but the island is uninhabited. The six-week test involved Army, Navy, and Air Force personnel, commanded by the Deseret Test Center. On the one square-mile Baker Island they were testing animal vectors, or carriers, to see how they would behave in a tropical climate. No germs were involved. In effect it was a check-out of an animal delivery system for CBW. The Smithsonian says it knows nothing about a biological warfare testing program related to its bird-study project. But Joseph Clark of Philadelphia, when he was in the U.S. Senate, learned of a direct connection between the Pacific Bird project and the CBW testing.

CLARK. Well as I understand it, under the screen of the Smithsonian Institute in a bird-banding project, they were looking for a relatively safe place to conduct chemical and biological warfare testings. This resulted in their picking one of the islands in the Hawaiian Chain, probably a pretty small one . . . it is my understanding that they are now on their way to do some testing there.

* * * * *

VANOCUR. The Army has catalogued all the diseases which could be used as weapons, either by us or against us. For example, it knows that brucellosis or undulant fever, is very disabling, with long lasting severe fever and general aching. It knows that plague produces rapid pulse, rapid breathing, high fever and death. That anthrax causes fever, sores, lesions of the lung and death. Much of the research on disease is done in the Army's on secret laboratories or by contract at various universities and private companies. At one time more than fifty different institutions held Army contracts. One of them is the University of Utah. Again, Tom Pettit.

PETTIT. The University of Utah has been doing secret biological research for the Army for sixteen years, but very few people on the campus in Salt Lake City know anything about it. The work is done by an obscure university research organization, housed in these unpretentious quarters. The E and E group, which means Ecology and Epizoological Research has been doing supposedly routine studies of diseases in Utah wildlife. The full nature of the work was not known even to the university president, until last August. At that time a series of false alarms at the main, biology building aroused the curiosity of William Hanly, an associate professor of biology. Hanly already had heard about a secret laboratory in his own building on the main campus.

HANLEY. I knew that something had been going on there which was connected in some way, and I am still not sure, which way with Dugway Proving Grounds here. Um and at the same time connected with the University housed in the same building.

BROWN. The first two runs, we were all restricted from going into the specific area where these alarms were originating from. The University personnel advised us to stay out because of um, disease problems.

HANLEY. I was told by a number of people that in order to enter that area, one had to have immunizations against certain diseases. Diseases such as tularemia, anthrax, plague and various others. One would assume then that these diseases are in that area. The organism which cause those diseases. And in order to get these immunizations, one had to go to the Dugway Proving Ground.

PETTIT. The University, voluntarily showed us its contract with the Army. It reveals a clear-cut relationship with Dugway Proving Ground. Through the Deseret Test Center the E and E group is paid about five-hundred thousand dollars a year. The University insists that it is not involved in weapons testing. But the contract does specify certain diseases: Tularemia, plague, Q-fever, Rocky Mountain Spotted Fever, and viruses such as encephalitis, all transmissable from animals to man, all potential weapons. Until now it has not been generally known that the University of Utah scientists do some of their Army work right at the Dugway Proving Ground. They have done so, since 1952. In 1955 they made this film to document their own activities. Besides their academic study of disease in native animals of the Dugway area, they have performed experiments to induce infections artificially. For these studies, the Utah research group developed laboratory procedures for growing large numbers of ticks. Some ticks are vectors, or carriers of several highly infectious diseases, among them, Rocky Mountain Spotted Fever, Tularemia and encephalitis, ticks are reared by the simple process of letting them feed on living kangaroo rats. As part of its Army work, the Utah research group raises literally thousands of animals. Some have been set out in the field to monitor the spread of biological agents being tested by the Army. The special infection studies are of obvious interest to Army experts on biological warfare. In this case, a deer mouse was prepared for exposure to germs in an aerosol-spray chamber . . . probably to the organism which cause tularemia.

Military men consider aerosol-spray the best system for spreading diseases. They feel germs distributed this way are more efficient at causing disease than germs carried by bugs or animals. The University researchers have done pioneering scientific work in charting the flow of diseases. In other words, how infection is spread from one animal to another. In this experiment, disease organisms were injected into a laboratory guinea pig. The guinea pig was then fed to a wild coyote. This work adds to the Army's knowledge of how germs can be spread, both by nature and by humans' design. But for years, the military implications of the University research were kept obscure. The secrecy syndrome in the chemical biological warfare business is most pronounced when private industry meets with the military. This is a U.S. Navy installation at Port Hueneme, California, where an unpublicized CBW conference was held. Security precautions were extraordinary. Even generals were thoroughly checked. And every person attending was required to have Defense Department clearance for secret information. The conference amounted to a who's who of CBW. Brigadier General James A. Hebbeler, the Army's ranking officer in the field, is Director of all chemical biological, and nuclear operations. Major General Lloyd E. Fellenz, who used to be head CBW, now works for a large chemical company. Colonel Clyde L. Friar, commanding officer of the arsenal at Pine Bluff, Arkansas.

Dr. Jacob Minarik, civilian scientist at Fort Detrick and the foremost expert on defoliation. Norman I. Shapira, chairman of this meeting, a retired Army colonel, now employed by Litton Industries. Many other large companies were represented: DuPont, Alcoa, Dow Chemical, Lockheed, McDonnell-Douglas, North American Rockwell, Aero-Jet General, the Rand Corporation, Goodyear, Honeywell, Monsanto . . . more than forty companies in all. Some who participated in the closed door meetings were willing to discuss their work. One was Roger Eyler, his consulting firm has received more than a quarter of a million dollars from the Pentagon for CBW research. Particularly an analysis of intelligence information.

EYLER. Obviously, the Chinese Communists are behind us. And as a result of their, um um, say, student revolutions, they're getting even further behind, because their technical base is going down. But um, other than that I don't think I can say anything else.

PETTIT. The Soviet Union is not in that same position.

EYLER. No, as a matter of fact the Soviet Union is a very sophisticated enemy. Their threat would be at least on a par with ours.

REINNAGEL. The hardware does exist. Quantity wise, whether one could do this to mount an engagement or not, that is a question I can't answer. But it can be manufactured.

PETTIT. The Hayes Corporation, which wants to manufacture the hardware, already manufactures defoliation equipment for use in Viet Nam, and is actively developing CBW hardware. At its own expense, Hayes is working on a number of weapons systems all listed right in the company brochure. One of them is called, "The Wet-Dry Agent Biological Bomblet", the biological bomblet is not being mass produced right now. This indicates that the United States has the technology for biological warfare, but not a combat capability. At Fort Detrick, Maryland, the U.S. Army has been accumulating biological warfare know-how for nearly twenty-six years. The work started here in 1943 in secrecy equal to that of the atomic bomb project. Today, Fort Detrick, is even more secret than Oak Ridge. Using laboratory animals, the scientists at Fort Detrick have precisely measured the infectivity of nearly every known disease. Especially in the aerosal-spray form of transmission. Aerosol-spray forces microbes deep into the most sensitive part of the lungs. Even human volunteers have been infected this way. Seventh-Day Adventists, serving as conscientious objectors in the army medical corps. One of them was Frank Miyashiro.

Miyashiro. It was somewhat, um, spooky when the light would flash on and you know that um, there are organisms being passed into your body to make you sick. This is the time that you really wonder if you should be there. Um, some of the fellows came down with tularemia, well they started developing symptoms about two days after we received the organisms. I know, um, when, . . . we were all waiting to see who would get hit first. And, um, a friend of mine, um, had violent headaches one night. And his temperature zoomed up to about 103 degrees overnight. We were given . . . our temperatures and our pulse rates were taken every six hours throughout the day and we could see when the temperature started rising that . . . after about two or three days, the fellows, most of the fellows started developing symptoms . . . violent headaches and um, muscular aches and pains, most . . . fellows couldn't even get out of bed. Um, the temperatures, like I said always increased to about 104 degrees. And um, just um a lot of sweating . . . some of the fellows would get up in the middle of the night completely soaked. And it would last for a few days, well a couple of days, and as soon as the doctor knew that you had developed a disease and they were certain that you had developed a disease, they would give you medication.

Pettit. Tularemia is fatal in less than ten percent of the cases. But it is highly disabling and once was routinely suggested for use in Viet Nam. This suggestion was turned down. Instead the military in Viet Nam has turned to chemical warfare: Tear gas on the ground, defoliation of the jungle from the air. C–123 aircraft have dropped tons of chemical weed killers. The spray technique, or a modification of it, could also be used to deliver nerve gas, or even germ weapons, if they were available. In Viet Nam, the military has demonstrated its ability to wage chemical warfare, this is the "C" of CBW. The possibility that chemical or biological weapons might be used against the United States has not gone unnoticed.

Film narrator. A mask filters out dangerous elements in the air, such as gas, germs, or radioactive dusts. Final tests on this mask used volunteers to breathe in a completely harmless test spray. The volunteer children participated with the consent of their parents. The mask will be made in six sizes, to fit all persons from the age of four upward. For children under four, there is a tent like infant shelter.

Pettit. The all-purpose mask was never produced in quantity for civilian defense. No one seriously expects nuclear attack. And nerve gas is primarily a battlefield weapon anyway. But in future wars, biological weapons could be used against civilians.

Despite all the mystery about biological warfare and all the secrecy, there is one simple fact: The United States, today does not have germ weapons ready to go at the push of a button. We know how to build them; we have tested the stuff, but so far at least there has been no order to go into mass production. And until there is an order, the U.S. biological warfare capability will remain only a paper tiger. Of course we don't know about Russia or Red China.

ORDER FOR RECOGNITION OF SENATOR JAVITS

Mr. JAVITS. Mr. President, I ask unanimous consent that at the completion of the memorial statements in memory of our late beloved colleague, the former Senator Bartlett of Alaska, I may have 15 minutes in which to address the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

E. L. "BOB" BARTLETT, LATE A SENATOR FROM THE STATE OF ALASKA

The VICE PRESIDENT. Under the order of Monday the Senate will proceed to eulogies for the late Senator Bartlett.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed at this point in the Record a statement by the distinguished majority leader, the Senator from Montana (Mr. Mansfield), in tribute to the late distinguished Senator from Alaska, Senator Bartlett.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Mr. Mansfield. Mr. President, I join my colleagues today in paying respect to our late beloved colleague Bob Bartlett of Alaska. Senator Bartlett was a dedicated and courageous member of this body. He fought tenaciously, if unassumingly, for what he believed in and for the people whom he represented. To him, more than anyone else, goes the cerdit for the admission of Alaska into the Union.

Bob Bartlett and I served together in the House of Representatives. I watched his dedicated, determined efforts to bring about the change from the territory of Alaska to the State of Alaska. He knew what Alaskans wanted and he worked to persuade Congress to the same point of view.

In the Senate, he showed the same tenaciousness—notably in his work on the Commerce, Small Business, and Appropriations Committees. One of my most pleasant rememberances is of the election and swearing in of this distinguished American as the first Senator from Alaska.

The Senate shares with Alaska a warm memory of Bob Bartlett. Those of us who were his colleagues will remember him for his keen intelligence, his unassuming manner, his innate modesty, and his many legislative achievements for the benefit of the entire Nation.

His graciousness was expressed in many ways, including the frequent presentation of roses grown in his own garden to the distinguished senior Senator from Maine (Margaret Chase Smith), who, as the Senate knows, has a deep affection for the flower. I believe Bob Bartlett's last gesture in the Capitol and in the city of Washington before he left for his final operation was to proffer to Senator Smith a single rose, the last which had bloomed in his garden.

Little things make big men. Bob Bartlett's continued attention to his duties, his devotion to his state and his country, and his thoughtful actions marked him as a man and as a friend. We will miss him because of what he stood for and what he did and, most of all, for what he was—a gentle man.

Mr. KENNEDY. Mr. President, I wish to join my colleagues in honoring the memory of Senator Bob Bartlett of Alaska. Though Senator Bartlett and I were separated by many years in age, and though our homes were on opposite sides of the continent, he was, I am proud to say, my close friend.

Our relationship and our friendship began with the recognition that the well-being and future of the people of the State of Massachusetts, was tied in many ways to the well-being and future of the people of Alaska. This is the great binding force of our Nation, despite other ills and problems we may suffer—we are one people, with common problems and common aspirations.

But beyond that Bob Bartlett and I were drawn together by our common interest in the sea, its beauty, power, and the potential of its bounty. Massachusetts, like Alaska, lives with the sea and has drawn its strength from it. And as he and I worked together a friendship and trust grew between us that was larger than our own making.

But it is more than friendship that prompts me to rise today to speak of Senator Bartlett; it is the respect that I have held for him over the years as a legislator, and as a man of quiet achievement. With a steady persistence that grew out of his love for his State and his people he compiled a legislative record that was remarkable. It was once estimated by the Library of Congress that he had more bills passed into law than any other Member in the history of the Congress. Bob Bartlett was responsible for the nine-mile contiguous fishing zone, for the Federal fish protein concentrate program, for the inclusion of fish products in the food-for-peace program, for the Commercial Fisheries Research Act, and for the passage of the Radiation Safety Act. Many of his colleagues were not aware of his successes in these areas, for it was not in his nature to make much of what he had done—he was more concerned with what he was going to do for Alaska, what he was going to do to repay the people of that frontier State for the opportunity they gave him to speak for them.

Today we in the Senate are paying tribute, and we in the Senate are gratified with the knowledge that in the near future his likeness will be placed in Statuary Hall. Our tribute, however can never match in feeling the love and affection that the people of his State had for him. Alaska and Bob Bartlett were one and the same. He ran for Congress 10 times—as delegate or Senator—and never once was seriously challenged. His last election brought him a majority of close to 80 percent—a vote of confidence and a vote of esteem from all Alaskans—the miners, the fishermen, the oil men, Eskimos, newcomers and oldtimers. He was their man and there will not be another.

So it is as a result of his work that today's Alaska, despite earthquakes, despite floods, despite the transgressions of the past by those who thoughtlessly drained her of her minerals and resources, Alaska stands today with a healthy and growing economy and a confident future.

To his lovely wife Vide and his daughters I once again offer my sympathy for their loss, but in consolation to them and the people of Alaska there are warm memories of a great man who had the rare opportunity to lead a proud State into a nation, and by so doing enriched both his people and our country.

Mr. FULBRIGHT. Mr. President, it was my privilege and honor to have served with Bob Bartlett during the 10 years in which he represented the State of Alaska in the Senate.

History will record that it was for those 10 years that Alaska was first represented in this body, and that Bob Bartlett served as his State's first senior Senator. He played an important role in representing his State before, during, and after the attainment of statehood.

Bob Bartlett was held in high esteem in the Senate, and made a strong contribution during his years of service here.

The overwhelming electoral support he received as an indication of the esteem in which he was held by Alaskans.

An editorial in the Anchorage Daily Times shortly after his death was representative of the way the people of his State felt:

> On 10 different occasions the stubborn, unmanageable, belligerent and politically erratic populace of Alaska handed him the crown with election returns as much as 81 per cent in his favor.
>
> No one in all the state's history has ever enjoyed such frequent and solid support from Alaskans.

Bob Bartlett's death marks the end of an era of transition, one of the most significant chapters in Alaska's history, and one that is virtually a summary of his life and public service.

I felt close to Bob Bartlett. He was a warm and sympathetic person, interested in other people and in the welfare of people. He was deeply appreciated by his own people and everyone who knew him had a deep affection for him.

He will be greatly missed not only by the people of Alaska, but also by the Senate and the Nation as well.

Mr. STEVENS. Mr. President, I rise today to perform a sad task and I hope that never again, no matter how long I shall be here, will the reason be so saddening or compelling.

Senator E. L. "Bob" Bartlett was my friend, and nothing else I could say would be more significant than that. Senators who served with him in the Senate remember him: the Senator who would always chair a hearing, who, as a freshman Senator, uncomplainingly presided over the Senate for long hours, and finally, as a Senator who would not surrender principle for expediency or sacrifice the public good for the sake of partisanship. When Bob Bartlett left the House of Representatives after 14 years as our territory's delegate, he received the unqualified praise of his colleagues from both parties.

It was not my privilege to serve with him in this body, although nothing would have honored me more. However, if that had ever come to pass, I know one thing: even though we were of different parties, separated by this aisle that at times seems so very wide, Bob Bartlett would have worked with me and helped me, for the good of Alaska and the Nation.

Bob Bartlett's legislative achievements are almost too numerous to mention. The results of his tireless efforts within this Chamber have transformed the State of Alaska. When he arrived in Congress as a delegate in 1944, Americans knew Alaska only as an ice-locked wilderness, with names such as Kiska, Attu, and Dutch Harbor more unfamiliar than Guadalcanal or Okinawa. But in 14 years a miracle had occurred: the population had doubled, roads and airports had sprung up and Alaska was on the threshold of statehood. All of this was traceable to Bob Bartlett's ability and dedication of all his accomplishments and dreams, statehood for Alaska was his greatest triumph. As much as any other man he helped add the 49th star to the American flag. A mark of his pride in this achievement could be seen in the Senate garage: instead of the prestigious No. 1 license plate of a senior Senator, his was Alaska No. 49. But for Bob, statehood was only a beginning. Alaska had become a State, and now her potential had to be developed and our vast resources tapped for the good of the Nation and the world. Permission for Japanese pulp mills in Alaska, increased oil and gas revenues to Alaska from Federal leasing, public works projects without number and the infusion of massive amounts of Federal aid after the earthquake in 1964 and the Fairbanks flood of 1967, are but some of his landmark achievements for the State of Alaska.

But it should not be thought that his only concern was for the citizens of his own State. His legislation reflected a tremendous concern for the welfare of all Americans, with such bills as the radiation safety bill, which set sweeping safety standards for all radiation-emitting equipment from television sets to X-ray machines, and the Bartlett act, which provided that all federally funded buildings be constructed so as to provide easy access and use for the physically handicapped.

Senator Bartlett led efforts which resulted in the establishment of the 9-mile contiguous fishing zone as well as the law which gave the Coast Guard the authority it needs to see that our fishing zone and territorial waters are protected from foreign incursion. His concern for the welfare and growth of the American fishing industry produced such legislative achievements as the addition of fish to the food-for-peace program and the Commercial Fisheries Research and Development Act of 1964. As chairman of the Merchant Marine and Fisheries Subcommittee he worked long and he worked hard, firm in his belief that America should have a healthy, modern, and competitive merchant marine fleet. His efforts will provide the foundation on which a new merchant marine policy will be built.

Whatever Bob Bartlett did, he placed the welfare of the people before any partisan consideration. His was a selfless dedication that is so seldom found in life, whether public or private. His work for Alaska's native population was endless: in Bethel, Alaska, where the native population lives in a squalor unequaled by any in America, a new housing project is rising with the work and construction being conducted by the natives themselves.

Mr. President, it is my pleasure to announce at this time that Secretary Romney has today approved the first $1 million for the Bob Bartlett remote housing program He did so, at my specific request, to take place in conjunction with this memorial to our beloved Senator.

Toward the end of his delegate days in the House of Representatives, he said:

> If, during my service in Congress as delegate from Alaska, I accomplished nothing else than to assist in some small measure in making sure that TB would never again take so many lives and cause such heartache and anguish, I should feel that my contribution had been worthwhile.

This concern for the small man and his welfare brought Bob Bartlett the undying affection of the Alaskan people and the admiration of his Senate and House colleagues.

Further, Bob Bartlett never sought the spotlight of national publicity for his accomplishments. What he did was for Alaska and not for himself, but the success of his work can be seen in Alaska's growth and prosperity today: few men can claim over a third of a million square miles and a quarter of a million people as a monument to their life's work. Bob would have been the last to claim such a monument; he would immediately begin speaking of all the others over all the years who contributed to leading Alaska into the forefront of the 20th century. It was typical of the man, that at a memorial dinner in 1964 commemorating 20 years of service in the House and Senate, when his turn came to speak, Bob Bartlett was thanking his friends and the people of Alaska for helping him. And yet, coming from him, it seemed natural and appropriate.

Words are often useless things. We cannot measure a man's life in words, nor can we pay proper tribute with them. If they are any real use at all, it is for us who must now continue the monumental tasks ahead. Perhaps we can draw some little comfort from them, in the painful awareness that we are now less than we were. And if comfort is needed, as it surely is, then Bob Bartlett's favorite poem, which was written by R. L. Stevenson and which was read at his graveside in Fairbanks, can provide more than anything else:

> Under the wide and starry sky,
> Dig the grave and let me lie.
> Glad did I live and gladly die,
> And I laid me down with a will.
>
> This be the verse you grave for me:
> Here he lies where he longed to be;
> Home is the sailor, home from sea,
> And the hunter, home from the hill.

Bob Bartlett is gone. He was my friend and I will miss him.

Alaskans, to a man, will miss him. More than that, however, Alaskans, to a man, are determined that Bob Bartlett's faith in them and his confidence in their ability to build a State will be fulfilled.

Alaska will not fail Bob Bartlett.

Mr. HOLLAND. Mr. President, I have listened with appreciation, sympathy, and complete approval to three fine statements which have been made with reference to our late, beloved friend, Senator BOB BARTLETT; namely the statements made by the Senator from Alaska (Mr. STEVENS), the Senator from Arkansas (Mr. FULBRIGHT), and the Senator from New Hampshire (Mr. COTTON).

I certainly approve and want to join in every statement that each of those three distinguished Senators has made.

Mr. President, our late friend, Senator BOB BARTLETT, was my good friend. I was sincerely fond of him. Mrs. Holland and I are fond of Mrs. Bartlett.

There are many things I could say with reference to the personal loss which we feel.

It seems to me, however, that perhaps the thing which I should say at this time should relate most to the long, finally successful fight which Senator BARTLETT made, before he came to the Senate, when he was the delegate from the Territory of Alaska, to secure statehood for the area which he loved so well and served so ably.

It happened that I was one of the many Senators who thought that Alaska should have statehood, and that while statehood would bring great opportunities to Alaska, Alaska would also bring great values to our Nation; and I believe that both of those objectives still hold true.

However, may I rather briefly speak about a portion of the contributions which Senator BARTLETT made. Not being a Member of the other body at that time, I cannot relate the long debates that took place there. As I remember, he was successful, in the final instance, in fighting off a couple of determined efforts to recommit his bill, and he had a good, stiff fight there before it passed the House of Representatives. I want to take a little time to talk about the things that happened here in the Senate.

I recall that in January 1957, proceeding under the so-called Tennessee plan, which had been followed later by others of our States which have made such great contributions to our Nation since admission to statehood, there was a group, a delegation, here in the Senate, in the gallery just behind the clock on the south side of the Senate Chamber, representing Alaska and Alaska's hope for statehood. May I make a few remarks about that occasion.

Remarks supporting the proposal for statehood for Alaska appear in the CONGRESSIONAL RECORD for January 14, 1957, in volume 103 at pages 466 to 476 of the permanent CONGRESSIONAL RECORD. They show that the people of Alaska had proceeded under the so-called Tennessee plan by holding a constitutional convention and by choosing in an election the Honorable Ernest Gruening and the Honorable William A. Egan to be their first two U.S. Senators and the Honorable Ralph J. Rivers to be their first U.S. Representative.

The delegation from Alaska, consisting of the three gentlemen just named, and our late, distinguished friend, Senator BARTLETT, then the Delegate from the Territory of Alaska, in the House of Representatives, sat in that Senate Gallery and received the plaudits of the assembled Senate. Among those Senators speaking after I began the discussion for myself and the Senator from Louisiana (Mr. LONG), who could not be present that day, were the then chairman of the Senate Committee on Interior and Insular Affairs, Senator Murray from Montana, together with the Senator from California, Mr. Kuchel, the Senator from Tennessee, Mr. Kefauver, the Senator from Wyoming, Mr. O'Mahoney, the Senator from Indiana, Mr. Capehart, the Senator from Oregon, Mr. Neuberger, the Senator from Minnesota, Mr. Humphrey, the Senator from Maine, Mr. Payne, the Senator from Minnesota, Mr. Thye, the Senator from Wisconsin, Mr. Wiley, and the Senator from Oregon, Mr. Morse.

Mr. President, I am sorry that none of those distinguished Senators are here with us now. Of course, we know that some of them have gone to their last reward. I think that my reference to the place where their remarks appear in the CONGRESSIONAL RECORD will enable all who are interested to see the kind of interest manifested in statehood for Alaska that was expressed on that occasion.

Repeated references were made to the fact that our late friend, Senator BARTLETT, had been and was at the time the leader in the Congress for Alaskan statehood and that in the interest of harmony he had stepped aside in favor of the distinguished Alaskans who had been named to be the first Senators and the first Congressman from the proposed new State. I quote, for instance, from the statement of the late Senator O'Mahoney, as follows:

> I should like to say in associating myself with the . . . Senator from Florida that the prospective Senators and Representatives now seated in the Gallery may hope to see the time speedily arrive when Bob Bartlett's bill shall pass both the House and the Senate and become a law. Mr. President, I cannot take my seat without complimenting Mr. Bartlett for the magnificent work he has done in and out of Congress to make statehood a reality for Alaska.

So spoke the late, distinguished Senator from Wyoming, Mr. O'Mahoney.

In the course of the debate, the late Senator Neuberger stated:

> I desire to join in the tribute which the distinguished Senator from Wyoming (Mr. O'Mahoney) paid to Delegate E. L. Bartlett, who has been a leader in the cause of statehood and who unselfishly stepped aside for this delegation of two Senators and one Representative to come to Washington if and when Alaska becomes a State. I believe Delegate Bartlett, when Alaska becomes a State—as I am confident it will—will share a great deal of the credit which is due to all who have worked in this cause. Delegate Bartlett has been a valiant and pioneer advocate of statehood under the dome of our United States Capitol.

Senator Humphrey also stated, relative to former Governor Gruening, of Alaska, and to Delegate BARTLETT, as follows:

> I join in paying tribute to him (Governor Gruening) as I do to Delegate Bartlett who has been with us in connection with every one of the efforts for statehood of the great Territory of Alaska.

We all know that BOB BARTLETT's bill, as it was called by the late Senator O'Mahoney, did pass Congress the next year, in 1958, and that Alaska's admission to full statehood was certified on January 3, 1959.

I should remark that Senator Egan, who sat in the gallery on the day I mentioned, had by that time become Governor Egan, the first Governor of the new State, and that Delegate BARTLETT had become the senior Senator from the new State of Alaska.

Great credit and great honor should go to our late friend, Senator BARTLETT, for that statehood achievement in which he played such a leading part.

Mr. President, there are many other things which I could say—true things—with reference to the industry, the effectiveness, the friendliness, the knowledgeable qualities which Senator BARTLETT showed in committee, and on the floor of the Senate. Especially did I note his effective work in the Appropriations Committee, where we both served. I shall leave them to others, because I want my own remarks to be centered around the fact that I think, without his dedicated effort, devoted and continued effort, Alaska probably would not now be a State and enjoying the privileges of statehood.

In my mind, the fond memory which we should have of him, the high honor which he should always hold in the annals of Alaska and the annals of America, has to do with his magnificent performance as the Delegate from Alaska in being the spearhead of the effort to make that great territory our 49th State.

Mr. President, Mrs. Holland and I wish our affectionate sympathy to Mrs. Bartlett and her family to be of record. I want the RECORD to show that I personally shall miss the smiling, busy, and always effective Senator BARTLETT here on the floor of the Senate.

Mr. COTTON. Mr. President, it is with sadness but a sense of extreme pride that I speak of our beloved BOB BARTLETT as I knew him through years of association and of the deep admiration and fond regard that I had for him.

The late Senator BARTLETT was elected Delegate to the House of Representatives from Alaska in 1944 and served seven consecutive terms. When Alaska was granted Statehood, he was promptly elected Senator and twice reelected. I started my service in the House of Representatives 2 years after BOB's first election and served with him four consecutive terms in that body. During his 10 years in the Senate I was closely associated with him on the Committee on Commerce. Our warm personal friendship started during my first term in the House and continued for 22 years. It is unnecessary to emphasize the high esteem in which he was held in both bodies, for everyone of us who ever served with him is fully aware of it. Not long before Alaskan Statehood I journeyed to Alaska with the late Senator Andrew Schoeppel and held rather extended hearings in both Anchorage and Fairbanks on the then controversial question of the jurisdiction of the Interstate Commerce Commission in the territory. BOB BARTLETT as Delegate accompanied us during those hearings and I had a firsthand opportunity to witness the love and affection that all the people of Alaska had for him. Their devotion to him is a matter of record because during all his years he was overwhelmingly elected and reelected as both Delegate and Senator. For years no political opponent ever entertained any serious expectations of contending with him successfully.

During all his time in the House and Senate, I never knew a single Member of either body or either party who did not like and respect BOB BARTLETT. Some men do not incur animosities simply because they have negative personalities and have little force or influence—not so in the case of BOB BARTLETT. He fought doggedly and determinedly for the principles in which he believed and instantly gave battle whenever the welfare of Alaska or its people were concerned. But he had the rare and priceless faculty of being always firm but never offensive. He could differ without anger. He could lose without rancor. He could win without exultation. In all the years I was associated with him, I never saw him show the slightest sign of losing his temper. His courtesy was unfailing because it was born of a deep affection not only for his associates here but for all men everywhere. No wonder he exercised a mighty, though unobstructive, influence in the Congress. No wonder he accomplished so much for Alaska. No wonder he contributed in such a large measure to the winning of Alaskan statehood.

It was my privilege to go on that last sad journey to Fairbanks as we laid him at rest among those who knew him and loved him from his boyhood days. Mrs. Bartlett and one of his daughters took the long trip back with us to Washington. I have never seen grief more bravely borne. She and both her daughters have the admiration and deepest sympathy of us all.

BOB BARTLETT had a genius for friendship. We think of him today, not so much as a Senator or an associate, but as a companion whose modesty, good sense, and good humor made every moment with him a memory to be enjoyed.

Over whatever seas he is sailing
  Whatever strange winds fan his brow,
What company rare he's regaling,
  I know it is well with him now.
And when my last voyage I am making
  May I go, as he went, unafraid,
And, the Pilot that guided him taking,
  May I make the same port he has made.

(At this point Mr. MONTOYA assumed the chair as Presiding Officer.)

Mr. PROUTY. Mr. President, I saw our late colleague, BOB BARTLETT, for the last time a day or two before he left for Cleveland to undergo heart surgery.

This was in the Senate subway to the Capitol. I knew nothing about the forthcoming operation, and asked him how he was feeling. In reply, he placed his hand over his heart and said: "I'm going to have some repair work done here."

I am sure he was fully aware of the odds. But there was no outward sign. No panic. No expression of self-pity. Just inordinate courage and an ability to face up to adversity.

I wished him good luck, gave him a pat on the back and said: "Goodby, BOB."

This incident characterized BOB BARTLETT in life. He was not a dramatic person, but very wise and very dedicated and very sound in his approach to the grave problems we face as a nation and as a world.

Almost up until the time of his departure from Washington, he was busy in his office devoting attention to the most pressing problems coming within his purview as a Senator.

BOB BARTLETT and I developed a very close personal relationship when we both served in the House of Representatives; he as a nonvoting Delegate and I as a Member of the House.

Every 2 years the people of Alaska returned him to Washington as the sole representative of that vast territory. Year after year he worked zealously to provide statehood for that vast expanse of land and water.

And it was fitting indeed that after BOB BARTLETT had won his fight for Alaskan statehood, its people elected him in 1958 to be their senior Senator. I was elected to the Senate that same year, and BOB and I served together on the Commerce Committee where his great ability and talent contributed so much to the formulation and passage of major legislation.

He symbolized the greatness of the American dream. He shared the hope and pioneer spirit characteristic of his State's present and tremendously potential future of excellence

Our largest State will be forever a monument to BOB BARTLETT's memory because, in a very real sense, he was responsible for adding the 49th star to our Nation's flag.

We shall miss BOB BARTLETT and the skills which he gave to his country and his State. Mrs. Prouty joins me in expressing deepest sympathy to Mrs. Bartlett and her two daughters.

Mr. MONDALE. Mr. President, I rise to participate as the Senate honors today the memory of one of its ablest and finest Members, the late Honorable E. L. "BOB" BARTLETT, Senator from Alaska. His untimely death on December 11, 1968, was greeted with great sorrow both in this Chamber and in the State he loved so thoroughly and served so well for nearly a quarter of a century.

I came to know Senator BARTLETT well and to respect him deeply during the past 4 years. Stanch in his convictions, wise of counsel, humble of spirit and humanitarian to the core, Senator BARTLETT was exemplary as public servant, statesman and man. Many of us separated from him by long years justly counted him as friend and counselor. His passing is all the more painful to the Senate for his friendship and counsel is now denied us.

BOB BARTLETT's contributions are well known to the Members of this body. One of them for which I am personally grateful is the vote he cast in the Chamber for cloture last year that made the fair housing amendment a reality. We could not have done it without him, and BOB BARTLETT was willing to make the difference when it counted.

The greatest tribute paid to any Senator comes, of course, not from this body but from the State he represents. The measure of BOB BARTLETT was best captured, in my judgment, by this excerpt from the Anchorage Daily Times of December 12:

> Senator Bartlett played a key role before, during and after the attainment of statehood. Without his dependable and constant efforts in winning special measures from Congress and the Chief Executive in Washington, the revolutionary changes experienced by Alaskans would have been more difficult.
>
> The loss of our friend is overwhelming. We are so blinded by our sorrow that we tend to overlook the great victory that his life exemplifies and our good fortune in having him so long.

Mr. President, rather than grieving at the loss of one who loved life and served his fellow men so well by the way he lived it, let us join with all the Alaskans who loved him so well in remembering the victories his life exemplified and our own good fortune in having him so long.

Mr. YOUNG of Ohio. Mr. President, while the Senate was in adjournment, death came to one of our most beloved and respected colleagues, a fine, able, dependable gentleman and friend whom we shall remember with respect and a warm feeling of affection. Indeed, I am sure that as we sit here today, each of us feels keenly and in a deep personal sense, the absence of Senator BOB BARTLETT, of Alaska.

I first met BOB BARTLETT when we served together in the House of Representatives. He was Delegate to the Congress of the United States from Alaska and I was Congressman-at-Large from Ohio. Then later I distinctly recall we were sworn into this body the same day. Over the years we became close friends, and I always held BOB BARTLETT in the highest admiration.

No man deserves greater credit than BOB BARTLETT in the prolonged efforts to achieve statehood for Alaska. For 14 years as Delegate to Congress from Alaska he devoted himself and his energy to that cause. The people of his great State showed their appreciation by electing him to the U.S. Senate in 1958, and reelecting him in 1960 and 1966. I recall distinctly in January 1959 walking down the aisle in this Chamber directly behind BOB BARTLETT and his escort and our taking our solemn oaths at the same time as Senators of the United States.

Few Senators were as effective in producing significant gains for their States as BOB BARTLETT was for Alaska. He also served the needs of the Nation so well that he set an example for all Senators to follow. It can truly be said of our beloved colleague that he lived with an abiding faith in the democratic process which he zealously guarded, and in doing so he provided a ringing affirmation of our way of life in these times of trial and torment.

BOB BARTLETT did not elect to make headlines. He chose to work quietly and in his quiet way he achieved. When BOB spoke we listened. His eloquence showed itself in his writing. I shall always recall his words in speaking of his beloved State:

> I love Alaska. My attachment for it, my concern for it, is so deeply imbedded that it is a very part of me. There I have grown, studied, married and worked. I have toiled in her beautiful natural setting as a gold miner. I have learned the life of her towns as a reporter. I have met her people as an appointed administrator and again as Delegate and Senator. As years pile upon years there is a greater personal insistence in drawing upon memory's treasure trove.

When BOB went to Cleveland, Ohio, for heart surgery he was buoyed in the hope that this would restore his health. He knew the odds, but he wanted desperately to be well again so he could continue to serve his State and his Nation.

BOB was buried in Fairbanks, Alaska, where he spent his youth and grew to manhood. The day of his burial, I am told, was overcast but beautiful and quiet; the stillness broken only by the sound of crunching snow as his friends gathered at the graveside. A local newspaper carried a comment which conveyed the spirit of the grieving State:

> It's days like today that remind sourdoughs they're not too big to cry.

BOB BARTLETT will long be remembered in the hearts of all who knew him, worked with him, and had the privilege of his friendship. The Nation has lost one of its finest public servants. I have lost a close personal friend. No words of mine can really assauge the anguish and bereavement of his family, but Mrs. Young and I express our heartfelt sympathy to his lovely wife and helpmate, Vide, and to his daughters, Doris Ann and Sue, for the great loss that they, together with our Nation, have sustained in his passing.

Mr. SCOTT. Mr. President, today we pay a much deserved tribute to a man who was probably as much beloved by his colleagues in the U.S. Senate as any man who has served here. E. L. BARTLETT, or BOB to his 99 friends in the Senate and his thousands of friends outside these walls, was taken from us after recurrent illness last December 11. His passing deprived his home State of excellent representation, his Nation of valuable services, but most of all it deprived men and women who knew him of a warm and loyal comrade.

To his colleagues on the Commerce Committee, BOB BARTLETT was a man we could count on to labor as hard on another's behalf as on his own. He was fair in his judgment of issues and charitable in his judgment of men. He was a leader in the fight for freedom of the seas, and it is his legislation which could, if enforced, stop the sort of gunboat piracy which so recently occurred off the coast of Peru on the high seas. As chairman of the Maritime and Fisheries Subcommittee, he was leader in a host of other legislative contests, too. But even in contests, neither bitterness nor unfriendly act marred BOB BARTLETT's grace. Indeed, his every move seemed based on boundless affection for his colleagues.

That affection was returned a thousandfold, and the affectionate memory of BOB BARTLETT lives with all of us now, and will for years in the future.

Mr. JAVITS. Mr. President, our former colleague, BOB BARTLETT, was a friend of mine. He was a very warm-hearted, generous, and intelligent man.

Very few men who have served here have quite the memorial that BOB BARTLETT has. He has his whole State as his memorial. As has been said by our colleagues, BOB's life was synonymous with the development of our largest State with its untold resources which, in my judgment, will be developed one day as we solve the problems even of climate with our advanced technology into one of the great metropolitan areas of our Nation. It will be his memorial. He is one of the men who helped found it and bring it to statehood, though it was so many miles from the continental United States.

Alaska is the first State to mark the break with the tradition that there had to be attachment to the continental United States. Alaska was followed by Hawaii. It may be followed by others.

BOB BARTLETT was one of the main architects of the statehood of Alaska. His cathedral will be the cathedral of great treasure, vast space, the unplumbed depths, and the frozen seas. In many places, Alaska is a temperate and pleasant land, similar to a great deal of the rest of the territory in the United States.

I will remember BOB beyond everything else for his personal kindness, his delicacy of approach. I do not know of a harsh word he ever said to anyone. It was not in him. I will always remember his cooperation and, at the same time, the decisiveness with which he knew his own mind. One never had to worry about BOB. He would say whether he was going to vote yes or no, and he knew precisely how he stood on any given question.

I join with my colleagues in paying tribute to a friend and Senator. I congratulate Alaska for producing so noble a son.

I express for Mrs. Javits and myself the deepest condolences and sympathy to Mrs. Bartlett and the family.

Mr. BIBLE. Mr. President, BOB BARTLETT was a relative youngster when he first came to Congress back in 1944 as the Territory of Alaska's Delegate. He was working for his Alaska then and he was working for it last year when tragedy ended his great career.

During his 24 years in Congress, 10 of them as a Senator, he became one of the best-liked and most-respected Members. I worked with him on the Senate Appropriations Committee and came to know him and respect him as a personal friend.

But now my words of tribute must have a hollow ring. For how can words do justice to BOB BARTLETT the man and BOB BARTLETT the Senator with a fine record of service to his State and Nation? I only know that the people of the young State of Alaska were fortunate indeed to have men like BOB BARTLETT and Ernest Gruening to represent them as they entered the Union.

Alaska has made great strides since BOB BARTLETT first settled there some 65 years ago, and one big reason was BOB BARTLETT. He was the kind of rugged, self-sufficient man Alaska needed to convert a raw frontier territory into an active, bustling, modern State whose name is synonymous with courage and enterprise.

I submit BOB BARTLETT's name was also synonymous with courage and enterprise—and dedication. He died serving his State in the Senate of the United States. As much as he loved Alaska, I think he would have had it no other way.

Mr. JACKSON. Mr. President, no State or territory has received more dedicated, persuasive representation in this Nation's Capitol than did Alaska receive from Senator E. L. "BOB" BARTLETT.

He was my colleague and my friend of 24 years.

Being from the Northwest United States, my associations with Alaska and BOB BARTLETT have been many. I knew him first when he was sworn in as the Territorial Delegate to the Congress in January of 1945. I was a member of the House Interior Appropriations Subcommittee and Delegate BARTLETT was a nonvoting member of the House Interior Committee. While he could not vote in those years before statehood, he had access to the House floor and committee rooms. His voice was strong and clear in support of the development of the resources of Alaska. We worked hand in hand on a myriad of problems involving statehood, the fisheries, mineral development, native claims, and other questions concerning Alaska.

I was chairman of the Senate Territories Subcommittee at the time of Alaskan statehood. BOB BARTLETT was a wise and ready battler in that debate and statehood could not have been achieved without him.

He served as Territorial Delegate from 1945 until he was sworn in as the elected Senator of Alaska in January of 1959. His tenure as Delegate was the longest served by any person representing that Territory.

He was a great U.S. Senator. His interests extended far beyond the extensive boundaries of Alaska. As a member of the Senate Commerce, Armed Services, Small Business, and Appropriations Committees, he helped devise and affect legislation meaningful to the well-being of all Americans. He was a strong friend of the poor and underprivileged. His heart was out to the underprivileged, particularly the native of his home State whose incidence of illness are much too high and their opportunities for education and work far too low.

He was an articulate voice for a strong nation in the face of challenges abroad. And he was compassionate of the downtrodden in other countries as well as our own.

He wanted a better world and until his final day he worked hard to achieve it.

My wife Helen joins me in extending our deepest sympathies to Vide Bartlett, a remarkable woman in her own right, and to their daughters, Mrs. Doris Ann Riley and Miss Sue Bartlett.

We in the Senate miss BOB BARTLETT, as does Alaska and the Nation. He exemplified the best in the pioneering spirit of the State he represented. He was warm, kind, and dedicated. He will long be remembered.

Mr. SPARKMAN. Mr. President, I join

my colleagues in paying tribute to BOB BARTLETT.

I knew BOB before he came to the House of Representatives as a Delegate. He was associated with Tony Dimond who for years so ably represented the Territory of Alaska in the House of Representatives. BOB BARTLETT succeeded him when Tony Dimond left the House to become a Federal judge in the Territory of Alaska.

I knew BOB well in the Senate. I was very pleased to be associated with him. He and I served on the Small Business Committee here for several years.

He was always interested in small business matters. At various times he had the Small Business Committee, or some part of it, go to Alaska and check conditions there. He was always alert to the needs and the requirements of the great part of the Nation that he represented in the Senate and in the House, when he was a Member of the latter body.

BOB was one of the most personable fellows I have even known. I was pleased always to be able to count him as my good friend. I shall miss him greatly. We shall all miss him in the Senate as time goes on.

Mrs. Sparkman and I extend to Mrs. Bartlett and all his loved ones our sympathy and our feeling of personal loss.

Mr. HANSEN. Mr. President, those of us who represent the less populated States take great inspiration from the life of BOB BARTLETT.

Senator BARTLETT and his fellow Alaska Senators are the only Senators that represent fewer people in the Senate than do the Senators from Wyoming. BOB BARTLETT never let the big States overwhelm him as he constantly put Alaska's interests forward.

Alaska is a State with vexing problems. It is our largest State and at the same time has the smallest population. Her people are scattered and her industries are few. For many years Alaska was a territory of the United States. During World War II Alaska was a battleground. Not only is Alaska remote, her internal communications, roads, and facilities are sparse.

BOB BARTLETT, a true son of Alaska, never gave up the fight for Statehood for his State. Following his election as Territorial Delegate in 1944, he led the fight here in Congress to get Alaska statehood. The awesomeness of his task did not deter him and when success finally came in 1958, Alaska recognized his efforts by electing BOB BARTLETT to the Senate.

Since statehood, Senator BARTLETT was relentless in his efforts to improve conditions in Alaska through Federal programs. Senator BARTLETT was in the forefront of those who want other criteria used in Federal programs than just a per capita distribution.

Senator BARTLETT kept Alaska's needs before the Senate and the Government.

There is another factor to Senator BARTLETT's passing that, so far as I know, has not previously been noted. The retirement of Senator Hayden, or Arizona, and the defeat of Senator Gruening, of Alaska, along with Senator BARTLETT's death, substantially reduced the Members of Congress who had served in these halls since the statehood of their respective States. I consider this a distinctive quality of all of these former colleagues.

I envy the opportunity they enjoyed to see their States obtain statehood and then be able to help their States so well through their infancy.

I find it personally most unfortunate that because of his sudden passing, I was not able to serve with Senator BARTLETT longer on the Commerce Committee.

He leaves a void that will be hard to fill.

Senator BARTLETT was the chairman of the Merchant Marine and Fisheries Subcommittee of the Commerce Committee and was a great ally of those of us who are trying to establish a true national maritime policy.

I am sure his efforts regarding the fishing industry will be noted by those Senators from States with a more extensive coastline than land-locked Wyoming.

However, fishing is an important industry to Alaska and Senator BARTLETT was keenly aware of the industry's problems.

I attended Senator BARTLETT's funeral in Fairbanks and I was impressed by the esteem in which he was held by his fellow Alaskans.

He leaves a memory of achievement and dedication. We miss his wise counsel and friendly ways.

Mr. MUSKIE. Mr. President, it is always difficult to comment on the passing of a colleague, especially so when that colleague was a close friend with whom I had been privileged to have been associated since our election to the U.S. Senate in 1958, and to have been associated in the class of 1958 since that time.

BOB BARTLETT was such a friend, who, in his quiet way, was an indispensable Member of this body. Beloved by his constituents as their long-time representative in Washington, he maintained his qualities of personal concern and unaffected modesty in spite of the honors and the attention which were his over long years of public service.

Alaska owes much to BOB BARTLETT for the labors he performed in making statehood possible. His colleagues owe him much for his quiet competence, his devotion to making the Senate a more responsive body, and his dependability as an associate and a wise counselor. The Nation owes an enormous debt of gratitude to a man who knew the richness of our largest State, the value of its untapped resources, and, above all, the importance of each individual to the strength and greatness of our Nation.

It was my privilege, together with the distinguished Senator from Wyoming, to attend the funeral of BOB BARTLETT in Alaska. I shall never forget the services, in the evening of a cold winter day, in Fairbanks, Alaska, in the shadows of the mountains which he loved so dearly.

It was my privilege to travel to Alaska and return with another good friend, his widow, Vide Bartlett.

I should like to take this opportunity to extend the deepest sympathy of myself and Mrs. Muskie and to assure Mrs. Bartlett of our friendship through the years that lie ahead.

Mr. SYMINGTON. Mr. President, I should like to join my colleagues this afternoon in paying tribute to a great American.

It was my privilege to serve on a committee with BOB BARTLETT when he began his service in the Senate. I was impressed, as were we all, with his complete dedication to his State and to the Nation.

He was a great public servant. Perhaps his outstanding characteristic was his spotless integrity.

My wife and I extend our deepest sympathy to his gracious lady. We all know that in the loss of BOB BARTLETT the U.S. Senate lost one of its finest Members.

Mr. GRIFFIN. Mr. President, I wish to join my colleagues in paying tribute to Senator BARTLETT of Alaska.

It was my pleasure and privilege to work closely with Senator BOB BARTLETT on the Subcommittee on Merchant Marine and Fisheries of the Committee on Commerce. As Senators know, and as all persons in the United States and in the world who are familiar with maritime matters know, Senator BARTLETT rendered distinguished service to our Nation as chairman of that subcommittee and as an expert on maritime affairs.

I had the privilege to be the ranking minority member of his subcommittee. In that capacity—even though my service has been much shorter than that of many others who have spoken today—I had the opportunity to know him well.

His rugged individualism, strength of character, and friendly demeanor were always a source of inspiration to those who knew and worked with him. During the relatively short time I was able to serve with him, he never ceased for a moment being fair, objective, and sincere in the conduct of his senatorial responsibilities. In the work of the subcommittee, he always gave the party opposite him every consideration at all times.

Mr. President, the untimely death of BOB BARTLETT is not just the Senate's loss; it is a loss to an entire Nation and particularly to the great State of Alaska, which finally gained statehood in large measure due to BOB's untiring efforts.

To the members of Senator BARTLETT's family, my wife and I extend our profound sympathy, and we hope that they may be sustained by their pride in his courage, dedication, enthusiasm, devotion to country and the great record he compiled as a U.S. Senator.

Mr. MAGNUSON. Mr. President, today is a very sad day for me in reminiscing the association I have had for so many years with our distinguished colleague, Senator BARTLETT, of Alaska. I suspect that in terms of years I was one of his oldest friends. I knew him before he came to Congress. I have had much association with him in many mutual projects involving the Pacific Northwest and Alaska when it was a territory, and the development of the entire area.

Mr. President, I could stand here all afternoon and talk about the things that he did for what is now the State of Alaska in its development, and the things that were near and dear to Alaskans and to him.

Mr. President, I suppose you could take a trip to the State of Alaska today and no matter where you would stop you would find not only his friends but something that he had helped to develop. He touched every part of that vast State. Of course, the people of Alaska acknowledged his services on many occasions by returning him to Washington.

Over the years he had a great deal to do in the fight for statehood for Alaska, as we in Congress know. He served on my Commerce Committee with me for all the years he was in the Senate, and his contribution to the work of that committee was invaluable.

I know of no one who was more expertise in the field of fisheries, the field of the merchant marine, and numerous other areas, than the Senator from Alaska. We on the committee will miss him greatly. As I have said, I could stand here all afternoon and talk about Bob Bartlett.

In the days when Alaska was a territory they had representation in the House of Representatives but no representation here; and when an Alaskan matter would come to the Senate naturally Bob Bartlett would confer with me about it and we would work together. As a matter of fact, he introduced me on several occasions in those days as "the Senator from Alaska" because they had no Senator.

I could add many, many contributions with respect to Bob Bartlett. When I went to the funeral in Fairbanks, Alaska, the Daily News Miner of Fairbanks published a story which I think probably covers the subject of this great Alaskan much better than I can. The headline on the story states "Bartlett's Last Trip Home—Friends Gather for Final Tribute."

It goes on to say:

> The small and great, the miner and the hunter, the Eskimo and the senator, the trapper and the governor joined today in paying final tribute to their friend, Sen. E. L. (Bob) Bartlett of Alaska.
>
> In this snow-covered city, on the edge of the northern wilderness which comprises so much of the Alaska he loved, funeral services were held for Alaska's senior senator who represented his state in the nation's capital for 24 years.
>
> The 64-year-old former miner and newspaperman died Wednesday in a Cleveland, Ohio clinic of cardiac arrest following an operation in November to relieve blockage of an artery.

Then it goes on to describe what happened and what was said there. This is an unusual tribute, because all of the churches in Fairbanks; Catholic, Protestant, Presbyterian, joined in the service.

Then it goes on to say:

> His body, accompanied by his wife, Vide, his daughters, Doris Ann and Sue, and several close friends, was flown here last night from Washington aboard an Air Force jet. Scores of friends stood in the clear, subzero night to await the plane's arrival.
>
> Shortly after sunrise in this northland city where daylight is less than four hours long on this day, the first of the large crowds began filing past the casket lying in state at St. Matthew's Episcopal Church. Heavy hooded parkas and bright mukluks mingled with dark business suits and fur coats to demonstrate the wide variety of friends who came to pay their final respects.
>
> The simplicity of the setting was much like the man being mourned. A green mat covered the casket, placed in front of the altar. An honor guard of members of Igloo No. 4, stood on both sides of the casket.

Then the Reverend Warren, the Episcopal representative, detailed his long record of service to the State and country. He said:

> "Was his greatness in his warmth? Yes. In his simplicity? Yes. In his unawareness of it? Yes.
>
> "But it was chiefly in his faithful response to his Creator, when our Lord said, 'Inasmuch as you have done it unto one of the least of these, my brother,' Bob gracefull heard and did. When Jesus said, 'All men are your neighbors,' Bob gracefully understood and loved.
>
> "When God said, 'Be come, Edward Lewis,' Bob gracefully began to try and we know he continues to try.
>
> Rev. Warren closed the service with the reading of Robert Louis Stevenson's "Requiem," which he said was Bartlett's favorite poem.

And so, Mr. President, to his great and loyal wife, Vide, who is our warm personal friend of many years, Mrs. Magnuson and I extend, again, our deepest sympathy.

To his fine daughters, and to his hordes of friends our condolences.

Mr. President, I ask unanimous consent to have the complete article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Friends Gather for Final Tribute

> The small and great, the miner and the hunter, the Eskimo and the senator, the trapper and the governor joined today in paying final tribute to their friend, Sen. E. L. (Bob) Bartlett of Alaska.
>
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>
> Mrs. Bartlett was seated in a room to the side, talking quietly with those who came to express their sympathy.
>
> The funeral services, originally scheduled for St. Matthew's, was transferred to the Catholic Cathedral to accommodate the large crowd which heard the Rev. William T. Warren ask God "to continue taking good care of Bob."
>
> The Episcopal Eucharist burial service also included a communion service for the members of Bartlett's family, and others who wished to participate.
>
> Assisting the Rev. Mr. Warren in the service was Bishop William J. Gordon, Episcopal Bishop of Alaska and the Rev. Dean Hickox, pastor of the First Presbyterian Church in Fairbanks. Seated near the altar were Catholic Archbishops Ryan, Bishop of Alaska, Bishop Robert L. Whelan, SJ, and Bishop Francis Gleason.
>
> The Rev. Mr. Warren, after detailing Bartlett's long record of service to his state and country, said:
>
> "Was his greatness in his warmth? Yes. In his simplicity? Yes. In his unawareness of it? Yes.
>
> "But it was chiefly in his faithful response to his Creator, when our Lord said, 'Inasmuch as you have done it unto one of the least of these, my brother,' Bob gracefully heard and did. When Jesus said, 'All men are your neighbors,' Bob gracefully understood and loved.
>
> "When God said, 'Be come, Edward Lewis,' Bob gracefully began to try and we know he continues to try.'
>
> Rev. Warren closed the service with the reading of Robert Louis Stevenson's "Requiem," which he said was Bartlett's favorite poem.
>
> An eight-member committee from the U.S. Senate, with Warren G. Magnuson of Washington as chairman, comprised the honorary pallbearers.

Mr. INOUYE. Mr. President, it is sometimes very difficult to say farewell to a Senator, especially a good friend.

The people of Hawaii were deeply saddened by Senator E. L. "Bob" Bartlett's passing, because they owe a great deal to him for his understanding and cooperation during Hawaii's fight for statehood.

During the darkest moments of our struggle, he remained in the forefront of our cause. For his assistance, the people of the State of Hawaii will always be grateful.

But, most important, we will miss him as a good and compassionate friend. He was truly a most compassionate man who, time and again, demonstrated by deeds his concern for those in need—the poor, the hungry, the sick, and the lame.

Americans across the Nation have felt and benefited from the love Senator Bartlett gave so generously to his country.

We will miss this good and great American, Bob Bartlett.

Mr. GORE. Mr. President, my service with the late Senator Robert Bartlett was a source of pleasure and of reward. His compassion, his fellowship, his faith in mankind, his zest for public life, his penetrating understanding of issues, the trust and confidence which he extended to his fellow Senators, made of him not only a beloved but a valuable colleague. His passing was a great loss to his State, to his Nation, and to this body.

Mr. McCLELLAN. Mr. President, I join with my colleagues in paying tribute to a distinguished American, Senator E. L. "Bob" Bartlett.

Senator Bartlett has a long and meritorious record of public service. In 1944, he was elected Delegate to the Congress for the Territory of Alaska. He served very capably in that capacity for seven successive terms. After Congress approved statehood for Alaska in 1958, Senator Bartlett was overwhelmingly elected U.S. Senator from Alaska. He represented Alaska in the Senate with integrity and dedication until his death on December 11, 1968.

Sometimes, I had occasion to work

very closely with Senator BARTLETT during his tenure in the Senate. We served together on numerous subcommittees of the Senate Appropriations Committee following his appointment to that committee on February 25, 1963. His work exemplified his love and devotion for Alaska and America. I treasured his warm friendship and wise counsel throughout our association.

I count it a great honor and privilege to have known and served with Senator BARTLETT. Mrs. McClellan and I express our heartfelt sympathy to his family.

Mr. MUNDT. Mr. President, I join Senators on both sides of the aisle today in paying tribute to the late Senator E. L. BARTLETT, affectionately known as "BOB" by those of us who served with him during his 10 years in the Senate.

BOB BARTLETT's record of service to his home State of Alaska was well recognized by the voters of the 49th State who elected him by overwhelming majorities to represent them in Washington. He first came to the Nation's Capitol in 1944 when he was elected as a Delegate to Congress from the territory of Alaska. He was reelected six times, and during that period he was Alaska's foremost spokesman for statehood. Certainly no man was more deserving than BOB BARTLETT to move to the Senate on November 25, 1958, as the first senior Senator from Alaska. He was easily reelected to the Senate in 1960 and 1966 although the Republicans carried Alaska for the top of the ticket positions on both occasions.

Only the sting of death could have removed BOB BARTLETT from the Alaska political scene, as it did shortly before Christmas of last year. His loss will be keenly felt by every citizen of his great State as well as by this body. I was honored to have served with him on the Committee on Appropriations, where we admired and respected him as a hard working and fair-minded colleague.

Mrs. Mundt joins me in extending our profound sympathy to his family.

Mr. PASTORE. Mr. President, time is taking its toll of colleagues whose presence in the Senate it was our privilege to share. Their absence makes this Chamber a lonelier place—just as it deprives their State and our Nation of a stalwart son and symbol.

E. L. "BOB" BARTLETT was truly symbolic of Alaska—with great natural endowments—commanding presence—rugged representative of the biggest of our country's possessions.

BOB BARTLETT was brought to Alaska as a babe in arms at the turn of the century. The Alaskan purchase of 1867 was just beginning to lose its name of "Seward's Folly" as the $7 million price to Russia was swallowed in the billions of wealth derived from that great territory.

With BOB BARTLETT it was a case of love at first sight for this land of glaciers and volcanoes, timbered mountains, and gold in the soil and the seas.

With his very hands he mined for gold. As a newsman, he fashioned the current vibrant history of the Territory and proved his love for the great people of the great country which is the meaning of its name, Alaska.

Twenty-five years ago BOB BARTLETT came to Congress as the Delegate from Alaska, and a decade ago he achieved his dream of statehood.

His was the deserved reward of membership in this Senate, and ours was the reward of winning a colleague whom we revered as a friend and recognized for the statesman BOB BARTLETT was.

It was an inspiration to serve with him particularly on the Committee on Appropriations and the Committee on Commerce. Ability, affability, integrity were his attributes. We will always remember him for his impeccable appearance—his genial manner—his ready smile—the lovely touch of a flower in his lapel.

I am told the official flower of Alaska is the forget-me-not.

I am sure the official and popular tribute of Alaska to BOB BARTLETT will be "Forget him never."

To the loved ones of our departed colleague goes our heartfelt sympathy; and from all the Nation goes our everlasting appreciation for a dedicated public servant.

Mr. JORDAN of Idaho. Mr. President, I join Senators in paying tribute to the life and service of our distinguished former colleague, Senator E. L. BARTLETT, who passed away on December 11.

In addition to being an able and just legislator, BOB BARTLETT was a warm, friendly man with a great capacity for human understanding and compassion; our body has been diminished by this loss.

Senator BARTLETT made a lasting contribution to his State and his Nation during his years in Congress, with particular regard to the long but successful struggle he conducted on behalf of Alaskan statehood, and he leaves a record of which his family and friends can rightfully be proud.

Mrs. Jordan and I were saddened by his passing and extend our deepest sympathy to his wife and family.

Mr. JORDAN of North Carolina. Mr. President, I share with each of you in this Chamber today who served with him a sense of personal loss and sorrow because our colleague, BOB BARTLETT, is no longer with us.

His death during the recess period not only left a void in this body, but in a very real sense closed a chapter in the history of his State and of the country as a whole.

He was perhaps more than any one other man responsible for Alaskan statehood—a cause which he made his primary issue in his first campaign as a territorial Representative to Congress in 1944 and for which he fought continuously until it became a reality 11 years later.

Fittingly, he was its first elected Senator under statehood status, and he battled just as hard in the next decade to make Alaska a full partner in the Nation's activities.

I admired and respected him for those fighting qualities and for the courage which sustained him even in the long months of his illness and enabled him to continue his service to the end of the past session.

He was not only a fighter but a prolific worker who produced what, according to a Library of Congress survey, may well be the most legislation ever approved for a single Member.

It is thus that I will remember and honor BOB BARTLETT, the one-time Alaskan gold miner, who struck pay dirt for the territory he loved and served.

Mr. BROOKE. Mr. President, the Senate was deeply saddened by the death late last year of the incomparable Senator from Alaska, BOB BARTLETT.

Senator BARTLETT was a champion of Alaskan statehood. He had lived in Alaska since the turn of the century, and had learned to love its rich natural resources. He first came to Washington as a delegate from the territory in 1944, and served in the Congress until Alaska was admitted to the Union in 1959. At that time he was elected to the Senate for a 2-year term, and easily won reelection in 1960.

Throughout his years of service in the Congress, BOB BARTLETT spoke clearly and well for the rights of the less populous States. He understood the needs of the farmers, the small businessmen, and the sportsmen. But he was able to understand the conditions of city life as well. He appreciated the changes which are occurring in our society, he comprehended the tensions, and he sought to turn the tides to the advantage of the entire country. Senator BARTLETT was a man who saw the long-range needs of this Nation and put them foremost. His counsel and perspective will be sorely missed.

Mr. McGEE. Mr. President, if we measure a man by the service he gives to his fellow men and to the ideas and institutions in which he believes then we must measure BOB BARTLETT, our late colleague from the State of Alaska, as having been quite a man. Indeed, Alaska is a State which demands big men to match its own dimensions, its own promise. In BOB BARTLETT it found such a man, not to mention a sterling advocate who persisted many long years in the fight to have Alaska enter into the Union and takes its place in our Nation's future.

After his own family—his widow, Vide, and his daughters—with whom we share grief and sorrow at his passing, BOB BARTLETT thought first and foremost of the people of Alaska—the natives and the relative newcomers as well—and their well being. Indeed, for many years he and he alone, almost, represented them in the Nation's Capital as the Delegate to Congress from the Territory of Alaska.

In fact, it was back in those days when BOB BARTLETT was the Delegate from the Alaska Territory that I first came to know him. From the year 1950 until his death I had many occasions to learn to trust, admire, and enjoy the friendship of the man. He and I arrived in the Senate at approximately the same time and remained the closest of colleagues throughout our mutual Senate careers.

There was a small family footnote to this friendship of nearly 20 years. It hangs on the magic of the date April 20. While historians will associate that day with Hitler's birth, it had a far greater meaning in the Bartlett and McGee households. It was a birth date shared by BOB BARTLETT and my wife, Loraine.

Appropriately, Senator BARTLETT was elected to the Senate after statehood finally came to his beloved Alaska, and he served his State well and faithfully for the rest of his life. What more, Mr. President, can be said of a public servant?

We can say that we miss his company, his example, his uncommon good sense, and, yes, his rose, as I am sure the people of Alaska do. We share with them this loss. But we also share their pride at having known BOB BARTLETT and having been associated with him through the years. Our devoted, personal friendship will remain a treasured memory.

Mr. HARRIS. Mr. President, high on the list of colleagues whom we have all held in high esteem during recent sessions of the U.S. Senate has been the senior Senator from Alaska.

His premiere position on many Senate lists was accidental. Based upon the process of alphabetical listing, his name was among the first to be called as we voted; and in our congressional directories, which are arranged alphabetically by States, he also was near the front.

But many of us came to think of him as among the first in far more substantive ways. No Senator enjoyed a more widespread popular support among the people of his State. In visits to Alaska I came to know that this affection and respect went far deeper than that required to achieve a steady voting majority in excess of 80 percent. The feeling was almost universal that he represented the interests of his State in the most effective manner possible, and Alaskans loved him for it.

So it became a habit for many of us, especially from developing States like Oklahoma, to seek his guidance. He was a stanch ally in the fight for many important causes. Since both our States have a high percentage of American Indians, I especially recall his efforts on behalf of this most neglected portion of our population. As colleagues on the Select Committee on Small Business I am aware of the fact that the American small businessman has lost a needed and effective friend.

Today I would hope that those of us who were allied with him will not only pay tribute to his memory; we must also pledge our continued and redoubled efforts in those areas where his tasks were unfortunately left unfinished.

Mr. RIBICOFF. Mr. President, Senator E. L. "BOB" BARTLETT was a great Senator and an effective, dedicated spokesman for his State of Alaska. We will miss this true friend and patriot.

I first met BOB BARTLETT in 1949, when both of us served in the House of Representatives.

Although as a Delegate to Congress he did not have a vote, BOB BARTLETT proved to be a distinguished and able Member of the House.

His seven terms in that body earned him a reputation for hard work and uncommon legislative skill.

It was a reputation BOB BARTLETT deserved and one that followed him to the Senate when he came to this body in 1959. By then, however, Alaska had achieved statehood—and its representatives had the right to vote. One wonders if this goal—statehood—would have been reached without BOB BARTLETT.

From the moment he arrived in Congress, this stanch advocate fought hard to make Alaska a State.

He labored tirelessly to achieve this goal—and was one of the key leaders who shaped the strategy that led to statehood in 1958.

Many of his colleagues in the House credited BOB with having played the major role in the effort to give Alaska statehood.

Typical of this sentiment was a speech Representative Stewart Udall gave in the House when President Eisenhower was preparing to sign the Alaska statehood bill. Mr. Udall said:

> As one member of the House Committee on Interior and Insular Affairs who has worked on it in recent years and watched very closely the day-to-day progress of that legislation, it has seemed to me that not enough credit has been given to the man who really led this fight and who over the long years through hard work and through his friendship with Members of this body made this legislation possible. I refer, of course, to the Delegate from Alaska, BOB BARTLETT. To me, BOB BARTLETT has stood out above all the rest and I should like to pay him that tribute here today.

On the same occason, the Fairbanks Daily News-Miner said in an editorial:

> Among the men to whom Alaskans' undying gratitude will flow there is one who stands out above the rest. He has led the statehood fight not just for the last few years but without letup for 14 years, in seven successive Congresses. He has led it not only with faithful determination but with rare skill. This man, of course, is Delegate E. L. (BOB) BARTLETT.

The people of Alaska promptly elected BOB BARTLETT to the Senate. His constituents reelected him in 1960 and in 1966.

BOB BARTLETT once said in his State:

> I love Alaska. My attachment for it, my concern for it, is so deeply embedded that it is a very part of me. There I have grown, studied, married, and worked. I have toiled in her beautiful natural setting as a gold miner. I have learned the life of her towns as a reporter. I have met her people as an appointed administrator and again as a Delegate and a Senator. As years pile upon years there is a greater personal insistence in drawing upon memory's trove.

His was a deep love for Alaska. We can thank BOB BARTLETT for his role in making Alaska a State—and we can thank his State for having given us a great Senator and friend. We will miss him very much.

Mr. McINTYRE. Mr. President, I join in paying tribute to the memory of our late colleague, BOB BARTLETT, the gentle Alaskan whose passing so saddened us and left the Nation diminished in his loss.

He was called the gentle Alaskan because he was just that. But that gentleness neither weakened his tenacity, nor diverted the persistence with which he pursued his causes.

I knew more of BOB BARTLETT than I knew the man himself. I knew how he had championed statehood for Alaska, and how well—first as a Delegate and later as a Senator—he served his beloved State.

I knew how well he had learned the agencies and the programs of the Federal Government—few knew them as well—and how effectively he made use of that knowledge to help the people of Alaska.

But mostly I knew the man from hearing and reading his own words.

They tell what kind of man—what kind of American—BOB BARTLETT was.

He was a man of humor, from whom those of us in this august body who take ourselves too seriously could learn a worthwhile lesson.

Here is BOB BARTLETT on a subject dear to all of us:

> Every so often there is a day in November when you hold your breath and wait. You never know whether the contract will be renewed.

And then there was BOB BARTLETT, the Senator from Alaska. This is how he conceived Alaska's role to be:

> One of the greatest contributions which Alaska can render is to be herself, and to offer still another American alternative to the general pattern of our national life. The Alaska alternative must be unique and treasurable. It must stimulate the searching mind; it must soothe the troubled heart; it must mobilize the restless imagination. As the transportation and cultural links between Alaska and her sister States deepen, as Alaska drinks thirstily from the national cultural cup, we Alaskans must be careful to retain our unique identity.

And then there was BOB BARTLETT, the American, speaking for all Americans:

> Americans of today have an especial responsibility to show the world and to show themselves that our Government, our Constitution, our culture know no color or racial barrier. Guarantees of individual equality and liberty written into the basic documents of our government must be fulfilled. They must be fulfilled, not just because the world is watching, which it is, not just because domestic unrest threatens, which it does, but because they are right.

Finally, there was BOB BARTLETT the man, speaking of man's relationship to man, and man's relationship to his government. This is what he said:

> There are few men or women in the more than two billion inhabiting this earth who do not care and care deeply for human relationships of all kinds, including association with government, which will allow them to enjoy to the limit their individual capacities and desires. So properly stated, the great struggle of our day is between statism and government responsive to the will of its individual citizens.

Thus BOB BARTLETT left us our challenge. Let us work to meet it—while God rests his great soul.

Mr. BAYH. Mr. President, one of the greatest tributes that can be paid a man is the recognition that his community, his State, and his Nation are all the better for having had the benefit of his counsel and service. To the memory of our esteemed late friend and colleague, BOB BARTLETT, such recognition is most certainly due.

One of the last of the great frontiersmen of the hardy American stock developed during the Yukon gold rush days, BOB BARTLETT could always be found in the forefront of efforts to preserve, protect, and develop our national heritage of natural and human resources. His outstanding public career of 35 years encompassed an unusually wide variety of beneficial and self-sacrificing services to the people whom he represented so faithfully and so well.

BOB's associates in the Senate came to know him as an individual not given to spectacular displays of eloquence or temperament, but rather as a person of quiet and unassuming patience, wisdom, and courage. Through uncommonly effective use of these attributes, he was able to make his beliefs and influence felt to the everlasting benefit not only of Alaska but also of the entire United States. To us, BOB BARTLETT was and shall remain in our memories a pillar of strength and a tower of integrity.

The presence in the Senate of this trusted friend and distinguished colleague will be sorely missed. To his family, I extend my deepest sympathies in this time of their sorrow.

Mr. HOLLINGS. As a freshman Senator, it was my privilege to serve as a member of the Merchant Marine and Fisheries Subcommittee of the Commerce Committee under the chairmanship of my friend, "BOB" BARTLETT, the man we honor today.

Senator BARTLETT impressed me from the start as a man who, probably more than any other, actively reflected the spirit of his State. Like his State, "BOB" BARTLETT was a man whose imagination, compassion, and capacity for work seemed to stretch on and on, and he had the vitality and newness necessary to represent a new State. Just as Alaska is a nature's wonderland, "BOB" BARTLETT was both a man of nature and a natural man. Pomposity, personal privilege and spitefulness were total strangers to "BOB" BARTLETT. In the spirit of his State, he was always willing to help the newcomer and I never took a problem to him that did not receive his personal attention.

As my thoughts turned to "BOB" BARTLETT and his loss to this body, it brought to mind words of Robert Burns, who said:

> The voice of Nature loudly cries,
> And many a message from the skies,
> That something in us never dies.

The spirit of statehood that "BOB" BARTLETT brought to Alaska and the spirit of statesmanship that he left this body shall never die.

Mr. DOMINICK. Mr. President, Senator E. L. BARTLETT was a warm human being, sensitive to the needs of people. He imposed upon himself a high sense of duty to the great State of Alaska and the country which he served. These qualities governed his actions throughout his long period of public service.

I became more closely acquainted with Senator BARTLETT when I served with him on the Merchant Marine and Fisheries Subcommittee of the Commerce Committee during the 89th Congress. That experience was both educational and personally rewarding. He brought to any task great balance and integrity and imparted those qualities to all around him.

His efforts and leadership were instrumental in the admission of Alaska as the 49th State of this Union. He brought this leadership to the U.S. Senate and established a tradition of service which shall surely become a standard for all who follow. Senator E. L. BARTLETT was a warm human being.

Mr. HARTKE. Mr. President, I rise to make public note of the character and achievements of the late Senator BARTLETT. He deserves high commendation from his Senate colleagues, his Alaskan constituents, and indeed from the American people as a whole. He was a dedicated public servant and a fine gentleman. He courageously and competently dealt with the difficult issues which faced the Senate; he unstintingly directed his energies toward building public policy that would best serve the Nation.

It was my privilege to serve with him, and thus work closely with him on the Commerce Committee where, as chairman of the Merchant Marine Subcommittee, he performed particularly outstanding work. His daily efforts to fulfill his responsibilities enhanced the quality of legislation that emerged both from that committee and the Senate at large.

Even as his health was failing, he pursued with all his vigor the public interest in guiding through the Senate the Radiation Control for Health and Safety Act, a major consumer protection measure which I had the honor to follow to its final passage as chairman of the conference committee.

His character and his accomplishments have been an inspiration to all of us who knew him. His commitment to service and to principle advanced us all by example and deed, for he brought to the Senate the rugged frontier spirit which came from the Alaska that he loved and represented so well.

Mrs. SMITH. Mr. President, I wish to associate myself with the many tributes made to our beloved departed colleague, BOB BARTLETT.

He was not only a dedicated public servant and capable Senator. He was a warmhearted and kind human being who deeply cared about his fellow men.

He and I had many things in common. One which I shall always remember was our affinity for the rose. The small rose bud on his lapel was one of his hallmarks.

From the Washington rose garden that he and his lovely wife nurtured, he repeatedly brought me the loveliest of roses.

One of the very last things that he did his last day in the Senate before he entered the hospital for surgery was to bring some roses to me.

That is how I shall always remember BOB BARTLETT.

Mr. METCALF. Mr. President, it is with a deep sense of personal loss that I pay tribute to Senator E. L. BARTLETT, the late Senator from Alaska. It also is with a sense of pride—pride that BOB BARTLETT was a friend and colleague, pride that I was associated with a man who was so deeply devoted to his own State and to its people and to all the people of the United States.

Senator BARTLETT and I were first closely associated when we served together on the House Committee on Interior and Insular Affairs in the 83d Congress. He was then the Territorial Delegate. After Alaska achieved statehood, and he became one of the original Senators from Alaska, we were together again, this time in the Senate.

BOB never relaxed his efforts for statehood. Due in large measure to his effective efforts, Alaska has one of the most forward looking constitutions of the 50 States.

But there were other accomplishments of which Senator BARTLETT was justly proud and which will do lasting honor to his memory.

Alaska had a serious tuberculosis problem. Senator BARTLETT was in the forefront of efforts to establish programs to control this disease.

As a territory subject to an "organic act" which gave it its territorial status, Alaska and Alaskans labored under major handicaps. The act, for example, made it impossible for Alaska to establish its own mental hospital, and patients had to be sent all the way to Portland, Oreg., for treatment. Senator BARTLETT fought a long and sometimes bitter battle to get authorization for Alaska to establish its own mental hospital facilities, and he finally won. I know that he was proud of this humanitarian accomplishment.

BOB BARTLETT brought his State—then a territory—under the Federal Highway Aid Act. He worked on behalf of fisheries which would be owned and operated by Alaskans instead of outsiders. Conservationists praise him for the leadership which resulted in the first international conference on the preservation of the polar bear.

We are fortunate to have known and worked with BOB BARTLETT, a great Alaskan, a great westerner, a great Senator, a great American.

Mr. DODD. Mr. President, it is with deep sorrow that we assemble today to pay tribute to our colleague and our friend, the late Senator E. L. BARTLETT, of Alaska.

Working with BOB BARTLETT in this body, and earlier, serving with him in the House of Representatives, has been an inspiring and rewarding experience. I know this feeling is shared by all of us.

Senator BARTLETT's distinguished career began with his appointment as Secretary of Alaska in 1939. For nearly two decades, this far-sighted and courageous man served his State in Congress, working toward statehood for Alaska. His persistence and devotion were finally rewarded in 1958, when Alaska became our 49th State.

Our late President John F. Kennedy once said:

> When at some future date the high court of history sits in judgment on each one of us—recording whether in our brief span of service we fulfilled our responsibilities to the State—our success or failure, in whatever office we may hold, will be measured by the answers to four questions: were we truly

> men of courage—were we truly men of judgment—were we truly men of integrity—were we truly men of dedication.

Bob Bartlett was a man of courage. His voice was never silenced by opposition when the ideals in which he believed were at stake.

Bob Bartlett was a man of judgment. His opinions were sought and respected by his colleagues and his fellow citizens.

Bob Bartlett was a man of integrity. His belief in what was right was never subject to compromise.

Bob Bartlett was a man of dedication. His every word and deed bespoke selfless championship of his State and his country.

He has left behind him a legacy for which his State, his country, and the U.S. Senate will forever be indebted to him.

Mr. RANDOLPH. Mr. President, Bob Bartlett and I were both elected to the Senate in the same month, November 1958. We knew each other well and worked together through the intervening years until his death on December 11 last. I knew him, too, as the delegate to Congress from Alaska, when we worked together in the House of Representatives. He was elected in 1944 and served until 1958, when the territory of Alaska became the State of Alaska, and he became its senior Senator. Statehood for Alaska was a crowning achievement for which Bob Bartlett had labored for years.

To Bob Bartlett, his people of Alaska were his main lifetime concern. He had been a gold miner; he served as Secretary of the Territory for many years before coming to Washington; he was fully aware of the problems of Alaska and gave special attention to the native population of Eskimos, Indians, and Aleuts. He was a man the people loved and he was known on a first-name basis by thousands of citizens in his State.

In the Senate as in the House he worked quietly and efficiently to further the interests of the great new State of Alaska. He and his colleague, former Senator Ernest Gruening, formed a first-rate team in advancing living conditions and the well-being of the citizens of Alaska.

Bob and his wife, Vide, lived in Washington near where I reside. I recall with pleasure many mornings when we would wave to each other as he drove by in his Volkswagen on his way to the Hill. His wife and Mrs. Randolph were close friends.

In the Senate we knew him as a warm, quiet man, casual in manner and strong in character. There was much of the rugged quality of the Great North in his bearing.

One of his many legislative achievements which I especially admired and which was a measure of his concern for the less fortunate, was the successful effort in the last Congress to enact Public Law 480 which insures that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped. This legislation was considered and reported by the Senate Committee on Public Works. I had the responsibility to serve as chairman of the Senate conferees on that bill. This law is another monument to Bob Bartlett's humanitarianism.

I enjoyed his friendship and benefited from our service together. Mrs. Randolph joins me in extending to his beloved widow, Vide Bartlett, and his daughters, Sue Bartlett and Mrs. Burke Riley, our sincere sympathy.

Mr. ALLOTT. Mr. President, I should like to add my thoughts to those of my colleagues who today are paying tribute to the late Senator E. L. "Bob" Bartlett of Alaska.

Having had the opportunity to serve with Senator Bartlett the entire time he was in the Senate, and having come to know and respect him, I was deeply saddened when he lost his last great battle.

Bob Bartlett was a man of conviction who had much to do with Alaska's present status of statehood. He never lost his enthusiasm for working for the interests of his State, the West, and the Nation.

Although we did not agree on all issues, Senator Bartlett was a man of his word who worked tirelessly for his beliefs. He worked hard throughout his life. He earned eternal rest.

May I take this opportunity to express to his family my deepest sympathy and to say to them that Bob Bartlett will be fondly remembered in this body and missed by all.

Mr. AIKEN. Mr. President, it is difficult to eulogize a man like Bob Bartlett. To say that we shall miss him is totally inadequate. To express our condolences to his wife, Vide, is even more inadequate. If we could only have more men of his caliber in Congress and in Government, what a great thing it would be.

So, at this time, the most I can say about Bob Bartlett is: He was a good man; he lived a good life; and he made the world better.

Mr. HART. Mr. President, history, the final judge of public men, will look with favor on Bob Bartlett, gold miner, newsman, Territorial Delegate, senior Senator from Alaska.

History will record that Bob Bartlett had a dream—statehood for Alaska—and that when he entered politics in 1943, he campaigned on that dream, despite advice to the contrary.

The people of Alaska shared that dream, and reelected him Territorial Delegate six times to carry the fight in Washington.

It will be up to future students of the Alaska statehood fight to give credit where credit is due, but I am sure they will be guided by the words of the late Sam Rayburn, a stanch foe of statehood for years who was finally won over by Delegate Bartlett.

When asked how Alaska achieved statehood, Rayburn replied:

> I can tell you in two words—Bob Bartlett.

And then history will list the many Bartlett bills which became law, the many Alaska appropriations secured by this astute student of Washington, and historians will explain that this former gold miner understood that statehood represented a beginning and not the end of the effort to develop the Great Northland.

Perhaps his greatest achievement for the State was winning approval of unprecedented Federal aid given Alaska following the great earthquake of 1964. Alaska recovery programs set a precedent from which many other disaster-struck areas have benefited.

History will also note that as he gained seniority his interests broadened, and he took the lead in such diverse areas as oceanography, fish protein concentrate, merchant marine, radiation safety, and appropriations for health and education programs.

I would like to quote from a letter from Dr. Karl Z. Morgan, director of the Health Physics Division at Oak Ridge Laboratory, written to the Senator's staff the day after Bob Bartlett died:

> I am sending this letter I wrote to Senator Bartlett yesterday although I read the sad news in the morning paper of his death last night. No one in Congress has ever done as much as Senator Bartlett for the protection of man from unnecessary exposure to ionizing radiation. . . . All of us together can hardly take the place of Senator Bartlett, but we must try and we must succeed in developing new legislation that will more specifically reduce unnecessary exposure. . . .

I could cite other accomplishments, but I will leave that to historians, for the written record is there.

But what will history say of the man himself, aside from the printed record? Here it is up to those of us who knew him and worked with him to supply the information for history.

And here I struggle for simple eloquence to express the affection which this body had for this man.

He was a man of courage, as he showed in casting the deciding vote on the motion to invoke cloture on the debate over the Civil Rights Act of 1968. That vote I shall never forget.

He was a man of compassion, as he showed time after time in efforts to help the poor of the Nation.

He was a man of understanding, who was never too busy to listen to and to help a fellow man, whether that man was a U.S. Senator, a constituent, or an elevator operator.

And having said this, I still have not caught the essence of this warm, sincere human being.

To his gracious wife, Vide, and to his daughters, Doris Ann and Sue, I can offer no meaningful consolation, but I want to say that I am a better human being for having known Bob Bartlett; the U.S. Senate is a better institution for his having served in it, and Alaska is a better place in which to live because, as he said himself:

> I love Alaska. My attachment for it, my concern for it, are so deeply imbedded that it is a very part of me.

I know that his family misses him deeply.

We all do, but while we are all poorer because of his untimely death, we are all better for having known and worked with Bob.

Mr. BURDICK. Mr. President, today we, as Members of the U.S. Senate, take a few moments to eulogize a late Member of this body, the Honorable E. L. "Bob" Bartlett of Alaska.

He was a quiet man, not often given

to rhetoric. But his being a quiet man did not in any way mean he was not a forceful man, for he was.

Senator BARTLETT was forceful by nature of his background, raised in the wilds of the Alaskan territory. As a boy and young man, he learned of the force of nature and the dormant power of the natural resources of that great land. Alaska shaped BOB BARTLETT, just as he was to later help shape Alaska.

His deep interest in the land where he lived and his love for its people brought him to the Nation's Capitol as a Delegate to Congress in 1944. Here he began his important work that would culminate with the admission of Alaska to statehood. He worked long hours and long years representing his native land and showing Congress the importance of bringing Alaska into the United States. And so it was that this quiet man, working with Senator Ernest Gruening and other Alaskans, succeeded in adding another star to the American flag.

His work for Alaska did not cease at that point. He worked tirelessly for his native land as a U.S. Senator. The United States gained much by admitting Alaska. It gained in vast natural resources and a thousand other ways. The Senate also benefited directly, for the admission of Alaska to statehood brought E. L. "BOB" BARTLETT to the Senate. The Senate will miss this quiet, forceful colleague.

Mr. RUSSELL. Mr. President, I wish to associate myself with all of those who have expressed their personal sorrow on the passing from the stage of world affairs of our beloved friend and distinguished colleague, Senator E. L. "BOB" BARTLETT. I also wish to extend my deepest sympathy to the members of his family.

It was a high privilege to serve with him in the Congress for many years. I not only served with him in the Senate but for a while he was a member of the Senate Armed Services Committee and we worked together on the Senate Appropriations Committee. His presence, his experience, and patriotism will be greatly missed.

It would be a great thing for the future of America if this country could produce more selfless public servants in the mold of BOB BARTLETT. His first dedication was to the development of his beloved State of Alaska and his activities in this area, including his promotion of statehood, will forever enshrine his name and deeds in the memory of his people. As a devoted patriot, he served the entire Nation with zeal, ability, and distinction.

Those of us who were privileged to know him and serve with him will always be grateful for the warmth of his friendship and the pleasant memories of our association will long dwell in these Halls.

Mr. ERVIN. Mr. President, because of his deep love for Alaska, Robert W. Service must have had BOB BARTLETT in mind when he wrote these words about Alaska in the poem "The Spell of the Yukon":

It's the great, big, broad land 'way up yonder,
  It's the forests where silence has lease;
It's the beauty that thrills me with wonder,
  It's the stillness that fills me with peace.

We shall all deeply miss BOB BARTLETT in the Senate—not only for his kind and gracious personality but also because he represented for us our "great, big, broad land 'way up yonder." In many ways, the public service of Senator BARTLETT reflected the history of Alaska and its fight for statehood. He will certainly be long remembered in the future history of this State he helped to make great. BOB was the Alaskan territory's nonvoting delegate to Congress for 13 years and these years were marked by his tremendous efforts to gain admission to the Union for Alaska. In 1958, after his goal of statehood was obtained, he became Alaska's first Senator.

Mr. President, knowing BOB BARTLETT was a deep pleasure for me which I shall forever cherish. He was one of those rare political individuals who in the words of an Anchorage newspaperman "achieved quiet wonders by gentleness" and his loss will be felt by all of us.

Mr. YOUNG of North Dakota. Mr. President, I wish to join in the eulogies by the Members of the Senate today in honor of our departed friend, the senior Senator from Alaska, Mr. E. L. "BOB" BARTLETT.

I find it exceedingly difficult to find the words to express the great sorrow we all feel in the loss of our beloved friend or to even partially tell of his many tremendously fine qualities.

BOB BARTLETT, as we all knew him, had an unusual personality. He was the kind of a person you could not help but greatly admire and respect. He was kindly and considerate and a loyal friend.

BOB BARTLETT established a record in the Senate equaled by few people. He was an able and effective legislator—industrious and intelligent with all of the qualities that make an effective Senator. During his service in the Senate—and long before Alaska became a State when he served as a Delegate—he accomplished much for his beloved State and he did it in such a way as to win the respect and admiration not only of Alaskans but of everyone who knew him.

We will all sorely miss BOB BARTLETT. To his wife and family I extend my deepest sympathy.

Mr. WILLIAMS of New Jersey. Mr. President, my friend and beloved colleague, Senator BARTLETT, will long be remembered for his gracious presence in the Halls of Congress and for his outstanding service to his State and to this Nation.

It was my privilege and pleasure to serve with Senator BARTLETT in both the House and Senate. I found him to be a rugged, friendly man, tirelessly devoted to the needs of his people and a rewarding friend to all who came under the spell of his warm personality.

He abounded with energy. He had a profound love for his State, which he served long and faithfully before and after statehood and he attracted a multitude of admirers wherever he went throughout his illustrious career. Those who had the good fortune to be associated with BOB BARTLETT in Alaska, in Washington, and wherever duty called him, bear an unforgettable picture of this rare and lovable man, who always extended an affectionate greeting to those around him.

I sincerely regret the passing of this statesman and patriotic American. He was a source of strength to Senators and administrators and an inspiration to all Americans. He labored long and effectively. Now I join the people of Alaska, his family and his legions of friends in sadness. I personally held BOB BARTLETT in highest esteem and admiration. We will miss him but the memory of his radiant character and great achievements will always remain fresh in our hearts.

Mr. President, an article appeared in the Anchorage Daily News entitled, "A Good and Decent Man Once Came Their Way." I think this is a fitting tribute to our deceased colleague. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A GOOD AND DECENT MAN ONCE CAME THEIR WAY

(By Joe Josephson)

It ended for Bob Bartlett in a dreary section of Cleveland, far from the places he knew and loved—places like Fairbanks, where he grew to manhood, and Washington, D.C., and the committee rooms up on Capitol Hill, where he did his best work for Alaska.

He had come to Cleveland for surgery, knowing the risks, but wanting to be made whole again so he could resume effective service as a senator. It was medical treatment that would resolve the half-life of disability, one way or another. There would be pain, the doctors had told him, but he decided to trade pain for a new chance to be productive again.

His personality was known to almost all of us, and we will think now about the meetings and conversations and letters that for each of us seem to capture the man as we knew him.

Yet, there were aspects of that personality known only to a few, who worked for him, or with him. We remember how Bob Bartlett never boarded an elevator, or drank from a water fountain, or got on a subway car in the Capitol, ahead of somebody else; how the freshman senator from Alaska spent more hours presiding over the Senate than anyone—something like a soldier volunteering for K.P.—because Bob Bartlett thought the sacrifice would help him get more effective help for Alaska.

They say no man is a hero to his own valet, but it's a lie when the boss is a true and complete gentleman. Someone once wrote that a gentleman is a man who treats everybody alike, and everybody well—regardless of rank or influence. By that definition, Bob Bartlett was a perfect gentleman. He respected everyone as a member of the human family; he labored for everyone—not just friends, or just contributors, or just Democrats.

If you were an Alaskan, you were entitled to help for any worthy problem. Your residence in the territory was your membership card in the Bob Bartlett Benevolent Society. When you worked for him, you counted on him to be as thoughtful and as considerate of you as he was for the high and the mighty. He didn't let your expectations down, either.

Bob Bartlett had a reverence for life, and he showed it by the way he treated other people. If you were a human being, you had enough in common with him to count in his book. The way you held a cup, or the accent you spoke with, or who your father was, or the size of your bank account, didn't matter.

Some say that his struggle for life in that slate-gray section of Cleveland was all a waste. But it wasn't. Psychiatrists tell us that you can't love others until you like yourself. In the same way, it must be that you can't revere the humanness in other people unless you respect it in yourself. Bob's fight proved again his respect for life, and everything living, and taught us to appreciate our own chance to live and to try to do something worthwhile with it.

His greatness as a person sometimes obscured his grasp of world events and national problems. He didn't wear intellectuality on his sleeve, and he never strove consciously to impress anyone with glibness or smartness. He told Esquire that his favorite movie was a cowboy thing called "Shane," and it was. He wouldn't have mentioned Fellini or Antonini or Bergman. He was a stranger to pretense or pretentiousness. But he was a reader, a thinker, a mind of breadth and depth, and he could master the fine print in a bill or a budget.

If being the complete gentleman made him a little nineteenth century in an unhappily brash and ungracious age, he was on the other hand completely contemporary in the world of ideas, alert to new developments in science and international affairs. He pioneered as a statesman in fields like atomic energy, and his concern about strontium-90, and ecology, especially a quest for a sustaining fishery.

He thought hard about the world's hunger, knew of hunger's pressures on world peace, and found at least partial answers in Fish Protein Concentrate. One day the world will honor him for his leadership—imagination coupled with frontier practicality—in getting the FPC program moving.

He worried about x-ray abuses that endanger life. He convened hearings, brought Ralph Nader up to the committee room to testify, and got the nation listening and aware. He could see decades ahead to technical developments of the communications industry and got COMSAT officials excited about satellite service for Alaska. He saw the shacks and hovels of rural Alaska, knew the TB rate they bred, and by friendship and persuasion and by summoning all the patient skills he learned in 14 years as a non-voting Congressman, he pushed his native housing bill through Congress.

But just as he was a contemporary thinker, he was also the last of an era. We will never see his likes again, because nobody will come to the Senate like he did. He came there as the logical choice for the job. The job sought the man. He had mentioned that he might not run for senator, but for governor, and there was an outcry from everybody so pained, so disappointed, that he announced for the Senate on the following day.

His was the politics of lifelong friendships and a career of sensible public service, completely unsoiled by demagoguery or flamboyance or tastelessness of any sort. His career flowered before the arts of modern media became practiced in Alaska politics. You know Bob Bartlett, and his decency; you trusted and voted for him.

You knew he had been getting the job done in Washington, and you were certain there was no mirage. His was the politics of quite, undramatic, faithful service, and personal contacts with the people. His was the politics you think the nation's founders dreamed of. In his politics, he always emerged successful, in a process that left him undiminished and untarnished.

And now it's over—if we let it be. It is true that there will never be another Bartlett. But perhaps—just maybe—there will be a state where some thousands will remember, and stand a little taller, and live a little straighter, because a good and decent man once came their way, and served them, and believed in them.

Mr. YARBOROUGH. Mr. President, Senator E. L. "BOB" BARTLETT personified the frontier spirit which developed Alaska, turning it from a challenging wilderness to a great State. He demonstrated the toughness which is so necessary for survival in a new territory, but he also showed his deep concern for others, his willingness to pitch in and help those who might need assistance. This readiness to work with and for others was as much a part of that frontier spirit, as was his individualism.

Senator BARTLETT's parents were among the early developers of Alaska. His father had a business in Fairbanks when that city was established in 1903. I feel Senator BARTLETT and I had a great rapport, for his pioneer father, Ed Bartlett, born in Victoria, Tex., was from a Texas family. Senator BARTLETT himself was born in the State of Washington.

Senator BARTLETT's family was a frontier family on the move to new frontiers.

The Senator first worked to develop the territory of Alaska, working in that traditional occupation of the area, gold mining. He later turned to newspaper work, chronicling the story of his State.

Senator BARTLETT then turned to public service and for 3 decades worked for the people of Alaska. He first came to Washington in 1932 as an assistant to A. J. "Tony" Dimond, the territory's delegate to Congress.

After 2 years of working with Dimond, Senator BARTLETT returned to Alaska to take over the family business after the death of his father. Senator BARTLETT wanted to continue to serve the people. He stayed active in public affairs through the years, fighting first to gain statehood for Alaska. When Alaska became a State, he was elected to the Senate as one of Alaska's first Senators in this body.

I had the privilege of serving with Senator BARTLETT on a committee from January 3, 1959, the day he first entered the Senate. We worked together on the Committee on Commerce and later on the Committee on Appropriations. It is well known that "you know best those Senators with whom you serve on committees." Since I worked with him on committees during his years in this body, I feel I knew him well. Our positions were very similar on most measures.

Like the people of Alaska, I found BOB BARTLETT to be a true gentleman—courteous, always with great consideration of others.

He compiled a list of solid legislative achievements for the people of his State and this Nation. He constantly worked to improve the habitat, the education, the health, and the welfare of man.

Senator BARTLETT was also interested in the natural resources of this earth. He worked to improve the fishing off the Alaska coast and all around the world.

He worked to preserve all the natural resources in a way to benefit the welfare of the human race. He was a supporter of seaborne commerce and of the exploration of the ocean resources.

No tribute to Senator BARTLETT would be complete without recognizing his devoted wife, the former Vide Gaustad. Mrs. Bartlett was always at the Senator's side, helping him in health, caring for him in sickness.

Senator BARTLETT, in the final analysis, was a Senate man. His drive was toward the work of the Senate, his devotion was to his labors in the U.S. Senate. The Senate is better for his having served in it.

Mr. CANNON. Mr. President, it is with deep sadness I join in these services for a great American, Alaska's most beloved citizen, Senator E. L. "BOB" BARTLETT.

It was my privilege, my honor, to have served with this outstanding gentleman, to have had the opportunity to know him and work with him on the Commerce Committee.

I like to think that although our homes were thousands of miles apart, BOB BARTLETT and I shared many similar concerns for our States. As a Nevadan, I understand well his love of the great open spaces and his concern over the development of his wilderness State, Alaska.

Son of Alaska pioneers, BOB BARTLETT became a living example of the rugged individualism of his Arctic frontier constituency. He shared his fellow Alaskans' resourcefulness and courage, and reflected these qualities in his 25 years of service to his State.

For 14 years he was the lone voice of Alaska as its delegate, fighting for the "Lower 48's" recognition and acceptance of Alaska's needs, problems, and promises.

We came to the Senate at the same time in 1958, and he immediately compiled a record of significant gains for the young State.

He was an outstanding Senator and contributed greatly to our legislative deliberations because he had the vision to embrace whatever policies he thought would be helpful to the Nation.

To BOB BARTLETT's family I extend my sincerest condolences.

Mr. MURPHY. Mr. President. We in the West have a special understanding and affection for those rare individuals who, even in our modern world, are still frontiersmen, for they are constant reminders that the quest for new horizons which made us great did not stop at the Pacific shoreline.

Such a man—a true frontiersman—was BOB BARTLETT.

Perhaps that is why he represented his great State of Alaska so well, for he not only felt and symbolized the pioneer spirit which is still so strong in that area, but he also conveyed this spirit to those with whom he worked.

But that is only part of the story.

Many of the frontiers which BOB saw so clearly, and which challenged him throughout his entire life, were not just within the boundaries of his own vast State, but rather they were those new and fascinating goals which are sought after by only the most dedicated and visionary of men in the fields of health, knowledge, brotherhood, and natural resources.

BOB BARTLETT accepted the challenge of these broad frontiers and it is to his credit that as a result of his efforts, they are now a lot closer for all of us.

Such men are all too few.

He will be sorely missed.

A MAN WHO MATCHED ALASKA'S MOUNTAINS

Mr. PROXMIRE. Mr. President, Bob Bartlett faced the voters of his beloved Alaska 10 times and 10 times they gave him their overwhelming support at the ballot box and their hearts as well.

That approbation was not a gift, however, as the Anchorage Daily Times made clear in a moving editorial the day after Senator Bartlett's death last December 11. He earned it—every bit of it.

President Johnson, I think, summed up Senator Bartlett's legislative career best in a telegram he sent to a testimonial for Bob Bartlett back in 1965. President Johnson said:

> His accomplishments in both houses of Congress match the high mountains and broad plains of Alaska.

I have known few men with the great warmth and sincerity Senator Bartlett had. He was an extremely attractive human being.

His enthusiasm for and devotion to his State was legendary. He played a pivotal role in the achievement of statehood for Alaska. He was the delegate for the territory of Alaska to the House of Representatives for 14 years prior to the achievement of statehood and he became the new State's first senior Senator.

Senator Bartlett was indeed Alaska's most revered citizen and it is fitting that there are plans to place his statue in Statuary Hall of this U.S. Capitol where the most honored citizens of other States now stand.

Quoting again from the Anchorage Daily Times:

> Senator Bartlett's service to Alaskans went far beyond the normal duties of a public official. He had the unique quality of humility that graced him with an enduring warmth and friendliness for mankind. He was sought after by Alaskans whether or not they needed his help or wanted him to do something. . . . There was no limit to the time and energy that Senator Bartlett was willing to expend in behalf of an Alaskan. It was as though every one of us was a member of his closest family and he was concerned for the total welfare of each. Alaskans mark the death of Bob Bartlett with sorrow but historians will note it as the end of an era. It is the end of an era of transition, one of the most thrilling chapters in Alaska history—one that is virtually a summary of the life and public service of Bob Bartlett.

Mr. THURMOND. Mr. President, today we meet in tribute to a man who served in this body for 10 years. I was privileged to serve with Senator Bartlett on the Commerce Committee and have known him to be a man of both character and ability. He was diligent in attending to his duties as a Senator and was dedicated to the welfare of the people of Alaska.

Senator Bartlett became a resident of Alaska shortly after his birth and in him the people of Alaska had a tireless advocate. He worked hard for Alaskan statehood and served as a Delegate to Congress from 1944 until he was elected to the Senate in 1958.

The faith that Alaska had in Bob Bartlett was amply demonstrated by his seven elections as a Delegate and his three elections to the U.S. Senate.

Bob Bartlett repaid this faith through his steady, dependable work in this body and his zealous advocacy of the best interests of the people of Alaska. Senator Bartlett was also dedicated to the people of the Nation and acquitted himself ably in the halls of the Senate. Senator Bartlett was a man to be admired and a man to be liked. The Senate will miss him.

Mr. BYRD of West Virginia. Mr. President, I knew and served with the late Bob Bartlett in the House of Representatives. We both came to the Senate together in January 1959. We served on the Appropriations Committee together, and I formed a very deep and sincere feeling of fondness and appreciation for Senator Bartlett. I have never seen a Senator who was more congenial and amicable, more agreeable and friendly than was our late departed colleague. He was a man who was completely open and frank and honest.

Someone has said that character is that trait which draws a man toward God and other men toward him. Bob Bartlett possessed that ingredient of character. His big heart and warm disposition, combined with the sterling integrity of the man, drew all toward him.

He was a Christian gentleman. He was a highly respected and very effective Senator. He was a great American.

To his fine wife and family, Mrs. Byrd and I extend our sympathy. We shall never forget our warm friendship with Vide, his wife, and Bob. Not only Alaska has lost a great leader; the Nation has lost a great man.

Beyond these unavailing words of mine, perhaps the thought epitomized by the following lines of simple verse may, for the present, help to sustain his wife and family and make clearer to their vision the broader and more beautiful life which Bob has so lately come to know and will forevermore:

> I watched a sail until it dropped from sight
> Over the rounding sea. A gleam of white,
> A last far-flashed farewell, and, like a thought
> Slipt out of mind, it vanished and was not.
>
> Yet, to the helmsman standing at the wheel,
> Broad seas still stretched beneath the gliding keel.
> Disaster? Change? He felt no slightest sign,
> Nor dreamed he of that far horizon line.
>
> So may it be, per chance, when down the tide
> Our dear ones vanish. Peacefully they glide
> On level seas, nor mark the unknown bound.
> We call it death—to them 'tis life beyond.

Mr. GRAVEL. Mr. President, Bob Bartlett was buried on a slate-gray day in Fairbanks. The temperature was 20 degrees below zero. But his friends were there.

Few men have passed through time with as many friends. They all called him Bob. And in that familiarity there was respect.

Respect for a man with a quick mind, a persuasive manner, a keen sense of compassion. A gentle man.

Most of his adult life was spent right here in Washington, superbly representing the people of Alaska. Yet, he managed to remain close to his land and to his people. They knew him and they trusted him. And on that sad gray day last December they grieved him as they had grieved no Alaskan before him.

Bob Bartlett was tempered in an Alaska where life was hard—a raw frontier of hope and independence. He helped it grow. He helped smooth those rough pioneer edges. He helped reduce the economic hardship and the uncertainty of the hard life.

Above all else, Bob Bartlett was the architect of Alaska statehood. Many participated in that effort. But the quiet, driving leadership was his. I am certain that many of my colleagues can bear witness to that fact. And from statehood has emerged a new Alaska—rich in the benefits that self-government makes possible.

Bob Bartlett understood the new Alaska as well as the old. He never seemed dated, or tired, or out of touch with the moment.

He has left his imprint in countless areas. He has influenced us all in many direct and subtle ways. Most important, is the influence of his example.

Bob Bartlett was a good man. He served the people of Alaska and of our Nation, with all his heart, and with all his energy. And he grew with his success. In fact, he was a living legend in Alaska. Most of us find it difficult to believe he is gone.

A poet once plead in verse for men who were worthy of the frontier. He asked, "Send us men to match our mountains."

Bob Bartlett was a man who matched our mountains. And such men remain, if not in life, then in our souls.

Mr. President, I now offer a series of written statements made by Senator Bartlett during the course of his career. Perhaps they best convey the essence of the man. These statements are followed by a representative cross section of the news stories and articles of tribute written in the immediate aftermath of Senator Bartlett's death. Some of the articles are beautiful expressions of gratitude and commemoration by fellow Alaskans. I also have a statement by Representative Pollock. I ask unanimous consent that these materials be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

THE LATE HONORABLE E. L. BARTLETT

The Speaker pro tempore. The Chair recognizes the gentleman from Alaska (Mr. Pollock).

Mr. Pollock. Mr. Speaker, on this the 10th anniversary of our achievement of statehood for Alaska—the 10th birthday for our 49th State—Alaskans look with pride upon our great accomplishments in so short a period of history; and we look with confidence and courage toward the future, notwithstanding the substantial problems yet to be resolved. But our task will indeed be far more difficult, for we have lost an invaluable friend and advocate, Alaska's most beloved citizen, Senator E. L. "Bob" Bartlett, a man who served in this body with distinction for seven terms as the delegate for the territory of Alaska, and thereafter for 10 years as the senior Senator for Alaska. Senator BARTLETT died on Wednesday, December 11, 1968.

It was my privilege, my honor, to have served with this outstanding gentleman, to have had the opportunity to know him well and to have become his friend despite our political differences. BOB BARTLETT was Alaska's most revered citizen, and I will urge the Governor and the Legislature of Alaska to authorize a statue to be cast and placed in Statuary Hall of this U.S. Capitol in honor of this man who enjoyed more frequent and more solid support than any public figure in Alaskan history.

No words of mine would be adequate to sufficiently honor BOB BARTLETT on this occasion, nor to assuage the anguish of bereavement which his widow, Vide, and his family and friends have sustained in his loss.

STATEMENT BY E. L. BARTLETT

It is the constitutional responsibility of the Congress to see that the public money is well spent and that the common welfare and defense are well provided for. If it is to fulfill its responsibility, the Congress must determine which research is necessary, which deferable; which is to be done first, which is to be done at all. The products of this research and technology are changing the face of the world, the face of our society. Changes will come at ever greater rate. It is imperative that the Congress be aware of what changes it is buying with its research dollar and so to be prepared for these changes when they come.

Merely because treaties have been broken does not mean we should stop making new ones. Merely because attempts to save the peace have failed in the past does not mean that we should abandon these efforts. The whole dance of history can be recounted in three steps forward and two steps back. We do move forward, however, even though sometimes the pace is not perceptible.

We must view the standard of living concept everywhere, but most particularly in Alaska, with greater sophistication. We may then discover that the family with woods to roam, and a great sky overhead, and a felled moose to eat is enjoying a higher living standard—that is a standard more likely to promote personal fulfillment—than the urban dweller with two channels of color TV shows.

It is surely obvious that the complications of today's world demand clear intelligence. Nor is there today, nor was there ever in the past, any substitute for honesty, true dedication to a high moral order and willingness to put service to such moral precepts ahead of personal gain or wishes. Vision is that combination of thought, diligence and imagination behind all action.

In Alaska freedom from elbow rubbing is easily found. And this does something splendid for the inner man. There is room and time to expand, to contemplate, to enjoy; in such surroundings, with such perfect peace, with the nervous strains of city dwelling far removed, there is somehow a restoration and a reassemling until the whole man is himself again.

I do say that the passion for labels can paralyze the passion for wise government.

I have always believed, and now believe, that it is scarcely less advantageous to the white people than to the native people that progress be recorded among the latter.

Every so often there is a day in November when you hold your breath and wait. You never know whether the contract will be renewed.

Perhaps this is the age of specialization in science and technology, but the art of free government must ever remain the art of all the people. No costs and no sacrifices are too great if they serve the cause of freedom and are adopted by the informed people, freely and knowingly. But no costs and no sacrifices, however small, can be justified if they compromise, confuse or disregard the meaning of America.

The Alaska star, the star that makes the 49th in our flag, is fixed in place, secure. It has a magnetic, challenging light which you and I, in our own ways, in love of country, in love of God, in love of humanity, must keep shining bright.

There was nothing in the background of Harry Truman to inform us that, meeting up with destiny, he would and could walk in step with destiny, making without a single error the right response for every great decision he was called upon to face.

The President, after all, is human, the information supplied him is fallible, and yet the Constitution requires that he act, that he decide, that he direct and lead the country. As he goes, so the well-being of the country goes.

We have, in the person of our President, one as able as any in recent history in the power of persuasion and art of negotiation. His surpassing talents in understanding men, their motivation, and their feelings will serve us well as the United States undertakes discussions at whatever level.

There are few men or women in the more than two billion inhabiting this earth who do not care and care deeply for human relationships of all kinds, including association with government, which will allow them to enjoy to the limit their individual capacities and desires. So properly stated, the great struggle of our day is between statism and government responsive to the will of its individual citizens.

If democracy and representative government are to prevail in this Nation it is necessary that the Congress understand the importance of decisions concerning programs and funds for science and technology and that it have a role in making them.

Americans of today have an especial responsibility to show the world and to show themselves that our government, our Constitution, our culture know no color or racial barrier. Guarantees of individual equality and liberty written into the basic documents of our government must be fulfilled. They must be fulfilled, not just because the world is watching, which it is, not just because domestic unrest threatens, which it does, but because they are right.

Teaching the young that freedom is a precious heritage may have far-reaching benefits. The mind that regards liberty as a precious legacy from preceding generations will be a mind which will hold in proper reverence the legacy of our arts and letters, our sciences and our philosophy, our religions and our ethics, our language and our sport.

I am one who believes that our children should receive a broad education founded on the cultural heritage of our western civilization. Let us not send each child forth necessarily as a specialist but as a rounded individual with knowledge that will permit him or her to lead a better and more useful life; and prepared to turn then, if he or she so desires, to some special field.

If we embark now on a concerted effort of research and development of our fisheries, we shall be able to continue to enjoy the benefits of this great resource. If we do not, we may lose one of our most valuable resources as well as a substantial national industry. We cannot continue to ignore the dangers of depletion and overutilization, nor can we fail to develop those fisheries which have not heretofore been developed.

I love Alaska. My attachment for it, my concern for it, is so deeply imbedded that it is a very part of me. There I have grown, studied, married and worked. I have toiled in her beautiful natural setting as a gold miner. I have learned the life of her towns as a reporter. I have met her people as an appointed administrator and again as Delegate and Senator. As years pile upon years there is a greater personal insistence in drawing upon memory's treasure trove.

In about 41 years of flying, most of it within Alaska and starting in the very early days of aviation, I have never had a forced landing. And I attribute this remarkable record less to my own good luck than to the splendid skill of the Alaska aviators who have manned the Alaska skies from then until now.

Democracy, of course, is not primarily a system at all but a set of values. Our ideas of self-government, majority rule, popular sovereignty, all derive from the concept that government is an instrument for service.

Alaska can either be the region furnishing protection for our Nation or it can be the region from which an enemy can reach us. The choice is ours. With respect to Alaska we simply cannot be put in the position of saving a few dollars where that saving would result in peril to this country.

There is an unalterable conflict between our beliefs and those the Communists live by. Necessity may reduce the overt expressions of that conflict and practicalities may compel the Soviet to deviate at times from the rigid Communist creed. The conflict between their creed and ours, however, is as basic and enduring as the conflict between truth and error.

Unless the fisheries are elevated in terms of national policy, disaster may well fall upon this industry, which has been so important in many ways for so long insofar as the United States is concerned but, which, on account of lack of attention, is rapidly going to the bottom of the ocean in every way.

To insure that government has integrity and its devotion turns to the general good; to make sure resources and land are not recklessly surrendered to those who might want to plunder; these, and many others, constitute the high goals for Alaska for which I aim.

The speed of the jet and the perfection of instantaneous communication make leisurely foreign policy a thing of the past. Missiles and H bombs have taken foreign policy from the hands of the few and have made it the business of the many. If we are in danger of being blown up when it goes wrong, it is in our interest to see that it doesn't go wrong. And so it is imperative that we keep straight what is important and true and what is not.

To fulfill our role as a state, Alaska is committed to act with intelligence, honesty and vision. Should any of these be lacking, we shall surely fail even if we possess all other attributes in their highest order.

[From the Anchorage (Alaska) Daily News, Dec. 13, 1968]

A TRIBUTE

State Senator-elect Joe Josephson of Anchorage has written a tribute to Senator E. L. (Bob) Bartlett for publication in the Anchorage Daily News. It is a magnificent piece, an eloquent portrait of this revered Alaskan. We are publishing it on our opinion page today, because Mr. Josephson has said it beautifully—with understanding, with sensitivity.

Mr. Josephson in a very real sense, is a Bob Bartlett protege. He joined his staff in Washington when the late Senator was Alaska's territorial delegate in the House of Representatives. In January of 1959, at the time of statehood, he went with Mr. Bartlett to the Senate where he remained until July 1960. Mr. Josephson then became the Senator's former legislative assistant and moved to Alaska, where he entered the private practice of the law.

A Good and Decent Man Once Came Their Way

(By Joe Josephson)

It ended for Bob Bartlett in a dreary section of Cleveland, far from the places he knew and loved—places like Fairbanks, where he grew to manhood, and Washington, D.C., and the committee rooms up on Capitol Hill, where he did his best work for Alaska.

He had come to Cleveland for surgery, knowing the risks, but wanting to be made whole again so he could resume effective service as a senator. It was medical treatment that would resolve the half-life of disability, one way or another. There would be pain, the doctors had told him, but he decided to trade pain for a new chance to be productive again.

His personality was known to almost all of us, and we will think now about the meetings and conversations and letters that for each of us seem to capture the man as we knew him.

Yet, there were aspects of that personality known only to a few, who worked for him, or with him. We remember how Bob Bartlett never boarded an elevator, or drank from a water fountain, or got on a subway car in the Capitol, ahead of somebody else; how the freshman senator from Alaska spent more hours presiding over the Senate than anyone—something like a soldier volunteering for K.P.—because Bob Bartlett thought the sacrifice would help him get more effective help for Alaska.

They say no man is a hero to his own valet, but it's a lie when the boss is a true and complete gentleman. Someone once wrote that a gentleman is a man who treats everybody alike, and everybody well—regardless of rank or influence. By that definition, Bob Bartlett was a perfect gentleman. He respected everyone as a member of the human family; he labored for everyone—not just friends, or just contributors, or just Democrats.

If you were an Alaskan, you were entitled to help for any worthy problem. Your residence in the territory was your membership card in the Bob Bartlett Benevolent Society. When you worked for him, you counted on him to be as thoughtful and as considerate of you as he was for the high and the mighty. He didn't let your expectations down, either.

Bob Bartlett had a reverence for life, and he showed it by the way he treated other people. If you were a human being, you had enough in common with him to count in his book. The way you held a cup, or the accent you spoke with, or who your father was, or the size of your bank account, didn't matter.

Some say that his struggle for life in that slate-gray section of Cleveland was all a waste. But it wasn't. Psychiatrists tell us that you can't love others until you like yourself. In the same way, it must be that you can't revere the humanness in other people unless you respect it in yourself. Bob's fight proved again his respect for life, and everything living, and taught us to appreciate our own chance to live and to try to do something worthwhile with it.

His greatness as a person sometimes obscured his grasp of world events and national problems. He didn't wear intellectuality on his sleeve, and he never strove consciously to impress anyone with glibness or smartness. He told Esquire that his favorite movie was a cowboy thing called "Shane," and it was. He wouldn't have mentioned Fellini or Antonini or Bergman. He was a stranger to pretense or pretentiousness. But he was a reader, a thinker, a mind of breadth and depth, and he could master the fine print in a bill or a budget.

If being the complete gentleman made him a little nineteenth century, in an unhappily brash and ungracious age, he was on the other hand completely contemporary in the world of ideas, alert to the new developments in science and international affairs. He pioneered as a statesman in fields like atomic energy, and his concern about strontium-90 and ecology, especially a quest for a sustaining fishery.

He thought hard about the the world's hunger, knew of hunger's pressures on world peace, and found at least partial answers in Fish Protein Concentrate. One day the world will honor him for his leadership—imagination coupled with frontier practicality—in getting the FPC program moving.

He worried about x-ray abuses that endanger life. He convened hearings, brought Ralph Nader up to the committee room to testify, and got the nation listening and aware. He could see decades ahead to technical developments of the communications industry and got COMSAT officials excited about satellite service for Alaska. He saw the shacks and hovels of rural Alaska, knew the TB rate they bred, and by friendship and persuasion and by summoning all the patient skills he learned in 14 years as a nonvoting Congressman, he pushed his native housing bill through Congress.

But just as he was a contemporary thinker he was also the last of an era. We will never see his likes again because nobody will come to the Senate like he did. He came there as the logical choice for the job. The job sought the man. He had mentioned that he might not run for senator, but for governor, and there was an outcry from everybody so pained, so disappointed, that he announced for the Senate on the following day.

His was the politics of lifelong friendships and a career of sensible public service, completely unsoiled by demagoguery or flamboyance or tastelessness of any sort. His career flowered before the arts of modern media became practiced in Alaska politics. You knew Bob Bartlett, and his decency; you trusted and voted for him.

You knew he had been getting the job done in Washington, and you were certain there was no mirage. His was the politics of quiet, undramatic, faithful service, and personal contacts with the people. His was the politics you think the nation's founders dreamed of. In his politics, he always emerged successful, in a process that left him undiminished and untarnished.

And now it's over—if we let it be. It is true that there will never be another Bartlett. But perhaps—just maybe—there will be a state where some thousands will remember, and stand a little taller, and live a little straighter, because a good and decent man once came their way, and served them, and believed in them.

[From the Anchorage (Alaska) Daily News, Dec. 12, 1968]

Bob Bartlett: A Man Who Symbolized Alaska

(Note.—This story of Senator E. L. (Bob) Bartlett was written by Daily News staff writer Tom Brown from files and material compiled by Brown and special correspondents John Wiese and Beverly Isenson.)

It was one of those ironic quirks of fate that Sen. E. L. (Bob) Bartlett was born in Seattle instead of Alaska.

For if ever a man came to symbolize Alaska—in action and in the minds of his fellow Alaskans—it was Bartlett, himself the son of Alaska pioneers.

Even after he became a U.S. senator when Alaska gained statehood, Bartlett epitomized the individualism of his Arctic frontier state.

He was informal in dress and manner in a political world often noted for its stiffness. He was friendly and outgoing in a world of political back-biting.

Bartlett was not an eloquent speaker. But his was a voice respected by Alaskans because he seldom wasted words on the unimportant.

He learned much about life throughout his Alaska as a young reporter for the Fairbanks News-Miner.

He worked three years at the classic Alaska occupation—gold mining. He didn't make any money—but he was proud that he payed his debts.

And he devoted more than three decades to public service—first as assistant to A. J. (Tony) Dimond, Alaska's delegate to Congress before statehood; as secretary of Alaska; as delegate, succeeding Dimond; and finally as U.S. senator.

As a result of those years of public life, Bartlett personally knew literally thousands of Alaskans, and he rarely forgot the name or face of anyone he met, in city or remote bush village.

And in Washington, he remembered the things his constituents told him. He introduced and saw passed reams of legislation important to Alaska's development, both as a territory and a state.

Most important, Bartlett thought, he led and won the lengthy battle for statehood.

Bartlett's father, Ed, was a transplanted Texan who, with a brother, made a business of hauling supplies to the placer mines on the creeks of Interior Alaska after moving over from the Klondike country in the Yukon Territory. They worked from Circle and Eagle and then from Fairbanks when it was established in 1903.

In Fairbanks, Ed Bartlett married Ida Doverspike, a gold rush pioneer who had made the trip from Skagway on foot over the Chilkoot trail and down through the Yukon into Alaska.

It was the following year, on April 20, 1904, while the Bartletts were in Seattle on a business trip, that Bob, named Edward Lewis after his father, was born. In 1905 the Bartletts returned to Fairbanks.

The young Bartlett showed himself to be independent-minded from an early age—as became evident when he decided he wanted to be known as Bob.

He disliked being referred to as "Junior"—so much so that as a schoolboy in Fairbanks he began actively seeking a substitute name.

The newspapers and magazines of the day frequently carried stories on the exploits of polar explorers like Vilhjalmur Steffanson. Among those whose deeds were extolled in print was Capt. Robert Bartlett of the Arctic exploration vessel "Karluk."

He was widely known and referred to as Capt. Bob Bartlett. So the Fairbanks schoolboy decided this hero deserved to have his name perpetuated—and adopted it for his own. And he made it stick.

After graduation from high school in 1922, Bartlett attended the University of Fairbanks and the University of Washington at Seattle. But he didn't stick around at either institution long enough to get a degree.

His real education, which left him with a knowledge of Alaska and its people equalled by only a handful of others, began in 1927, when he took a job as reporter for the Fairbanks News-Miner and ended only with his death in a Cleveland hospital.

Bartlett worked for the News-Miner until 1932, serving the paper in all editorial capacities. The work put him in contact with many of Alaska's early-day working newsmen—legendary figures like W. F. (Wrong Font) Thompson, publisher of the News-Miner. From them he learned much about Alaska as it was in the 1890s and through the gold rush era.

He also became well acquainted with other Alaska history makers—men like Dr. Charles Bunnell, who started what is now the University of Alaska; Austin E. Lathrop, who has been dubbed Alaska's first millionaire; and Judge James Wickersham, to name a few.

And he met hundreds of ordinary Alaskans—miners, construction workers, storekeepers; the people who one day would send him back to Washington again and again as their representative.

Paul (IP) Lien, who took over for Bartlett when he left the paper, recalled the future senator's journalistic career as a productive one.

"Bartlett sparked the paper with column after column of local news," he wrote in a Jessen's Daily historical edition. "He gave arrivals and departures on the train, hospital news, the courthouse beat and numerous local happenings he got walking up and down the streets.

". . . News coverage for the most part was turned over to Bob.

"Although Bartlett gave excellent coverage to the Wilkins Expeditions and other very exciting aviation stories, I remember him most vividly for his reports on the World Series games, especially the Cardinals and the Yankees in the twenties; the "Black Bear" mail robbery story and the local hanging of an Indian from the lower Yukon River country, which Bob witnessed."

In 1930, while still working for the News-Miner, Bartlett married Vide Marie Gaustad, an Alaskan girl he had first met at the University of Alaska.

In 1932 Dimond was elected Alaska's delegate to Congress and he took young Bartlett on as an assistant. During the next two years, Bartlett absorbed a great deal of knowledge about the operations of the federal government. He learned his way around the government maze in Washington, helping Dimond, who had no vote but could introduce legislation in the House, to sell Alaska and its causes to congressmen, senators and officials of Franklin D. Roosevelt's administration.

He was on hand and provided first-hand information about the territory when the decision was made, for instance, to settle dust bowl farmers in Alaska.

The Bartlett's first child, Doris Ann, was born in Washington.

In 1934, Bartlett returned to Alaska as assistant territorial director of the Federal Housing Administration (FHA). It was his first official look at Alaska's housing needs. He developed a life-long concern for the subject—and several pieces of special federal housing legislation for Alaska resulted in later years.

His father died in 1935 and the following year Bartlett took over the small placer gold mine his father had worked near Miller House in the Circle district. He operated the mine for three years and was fond of saying, "I was one of the few people to make a success of mining. I didn't make any money, but I did pay back my loans."

In 1939, President Roosevelt appointed Bartlett Secretary of Alaska. He returned to Juneau, carrying in his pocket a gold nugget from the mine for the rest of his years. He would rub the bright lump when he was nervous.

The territorial post of Secretary of Alaska was roughly equivalent to today's Secretary of State—the number two post after the territorial governor.

The man FDR appointed governor, at the same time he appointed Bartlett, was Ernest Gruening.

For the next five years the Bartletts made their home in Juneau. Bartlett's talents complimented those of Governor Gruening and they formed an efficient and compatible team for administration of the territory's affairs.

Susan, the Bartlett's younger daughter, was born during Bartlett's tenure in Juneau.

In 1943 Bartlett's mentor and special friend, Tony Dimond, decided that six terms as delegate to Congress were enough and that he wanted to go home to Alaska when his term expired.

Bartlett considered the situation and decided that if he were going to make a career of government service he should run for the seat. He had been working in an administrative capacity as Secretary of Alaska, but he was quite familiar with the delegate's job because of his two years as an assistant to Dimond.

Some friends and associates tried to dissuade Barlett at first—usually because they wanted to keep his talents in Juneau. But when they recognized his determination they yielded and gave their assistance. Two of his staunchest supporters were Gruening and Dimond.

And there were others—"Doc" Bunnell at the Alaska college; the McCutcheon family of Anchorage; his long-time colleague in government service, Hugh J. Wade; and Chris Hennings, who was a leader among organized mine workers in Alaska.

But none of Bartlett's friends could provide the kind of financial backing he desperately needed to run an effective campaign in the sprawling territory, then home to about 100,000 persons, in the face of tremendous opposition.

With a background steeped in the liberal traditions of President Roosevelt's New Deal, Bartlett had many adversaries in high places in Alaska—especially in the conservative financial "establishment."

Salmon canners wanted no more threats to remove their fish traps and no more cutting into their earnings with taxes that were used to provide economic and social advances in the territory.

Steamship operators wanted no more investigations into their frequently exorbitant profits on the Alaska run.

There were unhappy employers who resented the pressures that had been brought to bear on them for the benefit of Alaska's resident work force by the "Roosevelt Democrats" in Juneau.

And there was a disgruntled and vociferous if not large, group that felt too much had been yielded to the natives of Alaska by Dimond, Gruening and Bartlett.

So Bartlett faced a tough campaign—the toughest of his career, it turned out.

He made it clear that his sentiments lay with the ordinary citizens of the territory and that where their interests conflicted with those of the establishment, he was more than willing to join battle.

Bartlett had, for instance, worked for full rights for the state's native population long before the campaign begin and made his position on the subject clear throughout the campaign.

After his election he said in an interview in Washington that, "These people saw the first white man land on Alaska's shores. When we discriminate against these people we are guilty of aggression and tyranny."

In 1944, Alaska's transportation facilities were made meager and the demands of war had put an even greater strain on them. Bartlett and his wife took their scant savings and rode buses up and down Alaska's few highways to meet the people (they had no car).

That won him the campaign.

He appeared before the voters in person. He didn't make speeches—he had always hated that—he just talked to them. He listened to their problems. And he understood their problems as only another life-long Alaskan could.

The election was close. But Bartlett won it. It was the last time he ever faced serious opposition in an election.

In his first term Bartlett proved himself to Alaska's voters and they sent him back to Washington for a total of six terms as delegate and two as U.S. senator.

Bartlett took his seat in the U.S. House of Representtives in January of 1945, with the end of World War II in sight. Great problems would be facing Alaska in the immediate future—military installations would be closed, construction payrolls cut and Indian fishing rights were a hot issue.

But Tony Dimond believed the territory's future was in good hands when he introduced his successor to Congress:

"I know that my work here in the House of Representatives will be in able hands. I commend to you my successor. His name is E. L. Bartlett—but everyone calls him Bob.

"He is a man of honor, of ability and of integrity."

Bartlett's immediate chore was pushing through Congress an appropriation bill to run the territory. He could introduce legislation and speak on the floor of the house. But he could not vote—and Alaska had no representation at all in the Senate.

He soon formed a close and valuable friendship with Sen. Warren Magnuson, D-Wash. Magnuson had been a four-term congressman before being appointed to the Senate in late 1944. He took on the task of introducing most of Bartlett's legislation in the Senate and guiding it through to passage.

Working for Bartlett in those days was Mary Lee Council, a former Cordovan, who had been Dimond's secretary. She served him as secretary, then as administrative assistant until her retirement in 1967. Bartlett's executive secretary, Margery Goding Smith of Skagway, also came to Washintgon with him.

Mrs. Smith recalls that public speaking was always a terrifying chore for Bartlett. (Once while working for Dimond, the young Bartlett was given the task of delivering a speech in Southeastern Alaska. He wrote it days ahead of time—then edited a little cut of it each night. On the day of the speech he got up, introduced himself, thanked the crowd for coming—and sat down). "Mary Lee and I urged him to take speech lessons and learn golf," Mrs. Smith recounts, "but he never would listen. He was always a one subject man—Alaska politics."

Until he became a senator, with a staff comparable to those of other senators, Bartlett wrote all his own speeches. During the push for statehood, Mrs. Smith recalled, cooperative senators and congressmen agreed to speak on the floor for Alaska statehood.

"George Sundborg did all the writing," she said, "and he managed to make them all sound different."

Statehood was already an issue when Bartlett went to Washington for his first term as delegate. Most Alaskans were for it and those who weren't usually opposed it because they feared their economic interests would be threatened.

In the late 40s and early 50s the statehood fight appeared to be approaching a climax. Bartlett had to overcome the opposition of Southern senators who feared Alaska would send liberals to Congress and Republicans who feared it would send Democrats.

In 1950, approval for statehood was granted by the House, where Bartlett's hard work and close friendships with many representatives paid off. But the statehood bill died in the Senate.

Two years later, the statehood bill finally reached the floor of the Senate, but was sent back to committee by the Southern Democrat-Republican coalition by a vote of 45–44.

Eventually Bartlett made a deal with Lyndon B. Johnson, then at the peak of his power as Senate majority leader, and Speaker of the House Sam Rayburn—an agreement that has remained secret until now. Bartlett apparently pledged allegiance to Johnson in return for his support for statehood.

With Johnson's help, both houses of Congress approved statehood for Alaska in 1958, and Bob Bartlett's greatest battle was won.

After the statehood vote, Bartlett threw himself into the race for U.S. senator and won handily. He picked up more than 81 per cent of the votes cast for himself and two opponents.

Ernest Gruening was the winner of the state's other Senate seat.

The two men flipped a coin to determine who would become the state's senior senator. Bartlett won and drew a two-year term. Gruening became the junior senator and drew a four-year term.

In 1960, Bartlett went before the voters again and was overwhelmingly returned for a full six-year term and was re-elected again in 1966. In both races he faced Dr. Lee McKinley, a conservative Republican from Anchorage.

As a member of the Senate, Bartlett served on the appropriations committee, the commerce committee and the select committee on small businesses.

Though Bartlett never won an academic degree from the University of Washington or the University of Alaska, he did hold, among others, an honorary doctor of laws degree from Union College at Schenectady, N.Y.

That is the college that graduated William H. Seward, who as Secretary of the Interior negotiated the purchase of Alaska from Russia in 1867, and Dr. Sheldon Jackson, the pioneer Alaska missionary whose name is perpetuated by a high school and junior college at Sitka.

The heart trouble that led to the senator's death began in September of 1966. Bartlett spent nine days in the hospital then after a routine medical examination showed he had suffered an undetected heart attack.

Last December he entered a hospital for treatment of pericarditis, an inflammation of the heart lining. He was released Jan. 10, convalesced at home and returned to work in February.

Then on June 6 he went to the hospital for what was diagnosed as lung congestion. He spent 10 days under intensive care and returned home. But shortly after his return, he again complained of shortness of breath and was re-admitted to the U.S. Naval hospital at Bethesda, Md. Once in the hospital, he suffered another heart attack.

The Senator's third heart attack came just before the Democratic National Convention at Chicago in August. Bartlett was taken from the riverboat Delta Queen after suffering a mild heart attack and was admitted to an East Liverpool, Ohio, hospital.

In November, Bartlett entered Cleveland Clinic for an extensive series of tests. Doctors decided to attempt a double internal arterial implant—an operation in which the patients two mammary arteries are implanted into the front and back of his heart's left ventricle in order to bypass clogged arteries and deliver a greater supply of blood to the heart.

Doctors at the clinic perfected the technique and have performed several thousand such operations in the last six years. The survival rate following this type of operation has been about 90 per cent.

After the operation, which lasted 3½ hours, doctors reported they had found the arteries near the Senator's heart to be more clogged than expected. But, they said, the mammary arteries they implanted were in good condition—"like those of a young man."

Furthermore, Bartlett's heart appeared to have suffered little damage despite the three attacks.

Doctors predicted "an entirely normal recovery."

And initially it appeared their prediction would be borne out. Only two days after the operation, Bartlett was sitting up in bed, asking for his robe and slippers and exchanging banter with his wife.

He was soon out of the intensive care unit and there was talk of him leaving the hospital about two weeks after the operation.

But then on Nov. 30, nine days after the operation, Bartlett suffered a cardiac arrest.

Doctors managed to restart his heart through a combination of external and open chest heart massage. But there were complications.

External heart massage, to be effective, requires that considerable pressure—at least 80 pounds—be applied. And when it was administered to Bartlett, one of his ribs broke and penetrated his left lung.

As a result, the lung collapsed.

In addition, a serious chest infection developed.

And Bartlett suffered two more cardiac arrests.

Doctors reopened the senator's chest to clean out the infection and repair the lung damage, but his condition continued to deteriorate.

On Dec. 6, he suffered a bout of heart fibrillation—a condition in which the heart loses its normal beating rhythm and contracts rapidly and without co-ordination. It is a relatively common occurrence following heart surgery—and can be fatal.

Doctors managed to control the fibrillation, but Bartlett remained extremely weak and appeared near death. His condition was listed as "very critical."

Then, unexpectedly and almost miraculously, the infection, which doctors had blamed for his deteriorating condition, began to subside. The senator became more alert. Doctors cautiously pronounced themselves encouraged.

On Dec. 8, Bartlett showed a further slight improvement. He fed himself (broth and jello) for the first time in more than a week—a week in which he had been fed intravenously and hovered on the brink of death, leading a close friend to observe sorrowfully that he was being kept alive "by machines, tubes and hook-ups."

He had something else working for him, too.

"This man's tremendous constitution, and indomitable will to live are working to pull him through," doctors said.

But there are times when even the most indomitable of spirits cannot sustain a body wracked by sickness. Mrs. Bartlett was nearby when the senator died.

Bartlett's illness seldom blunted his humor and good spirits—except when they kept him away from his avocation, Alaska politics.

Every hospital stay was too long for the senator. His staff members suspected he would never admit how badly he felt when he finally got back to work. Mrs. Bartlett and the senator's doctor, Adm. Rufus Pearson, also seemed to suspect he pretended to be better than he actually felt.

Bartlett's heart trouble forced him to live on a strict diet and he lost weight. Though a heavy drinker in his younger days, Bartlett also became a teetotaler as a concession to the diabetes he developed in later years.

But almost until the end he remained a chain-smoker—against doctors' orders. He maintained that a man was entitled to one vice.

His illness made travel to Alaska difficult, for each trip, packed with visits with old and new friends that ran from morning until well past midnight, became a physical ordeal. But Bartlett loved it.

One of Bartlett's most attractive characteristics was his humility and genuine interest in others.

He was always easily approachable, no matter what the occasion or how pressed he was for time and he could always spare a moment to listen to the problems of a constituent, no matter how trivial they may have seemed.

A man who operates the freight elevator in the Senate Office Building, recalls that Bartlett was the only member of the Senate he could recall who was willing to ride in that elevator.

"He always remembered to ask about my family," the man said.

[From the Anchorage (Alaska) Daily News, Dec. 12, 1968]

BARTLETT'S PACT WITH JOHNSON—A STORY NEVER BEFORE TOLD

WASHINGTON.—In the late 1950s, as the long arduous battle for Alaska statehood neared its climax, Sen. E. L. (Bob) Bartlett assured the outcome by pledging his allegiance to Senate Majority Leader Lyndon B. Johnson and Speaker of the House Sam Rayburn in return for their support for statehood.

This intriguing footnote to history was disclosed by sources close to the senator.

Bartlett apparently pledged complete support for Johnson in return for an all-out drive to put the statehood bill over the top, these sources said.

The arrangement was known only to a handful of Bartlett's closest intimates and does not appear in any of the accounts of the fight for statehood.

But Bartlett reportedly kept notes on the agreement in his files and future historians may find the full story there.

Such an agreement could explain why Bartlett confined his legislative efforts mainly to Alaska projects or fields associated closely and unmistakably with the state's needs—fishing, merchant marine, small business loans, public works and the like.

Bartlett supported Johnson in his bid for the Democratic presidential nomination in 1960—as did the Alaska delegation to the Democratic National Convention.

And aside from any deal, Bartlett had always had high regard for Johnson because of his competence as majority leader.

"He always thought LBJ would make a good President because he was such a good majority leader," an aide said.

Earlier this year, after Johnson announced his decision not to run for reelection, Bartlett remarked that the statehood debt had at last been paid.

CITY OF JUNEAU, ALASKA, RESOLUTION NO. 347, A RESOLUTION COMMEMORATING THE LATE U.S. SENATOR BOB BARTLETT

Whereas Bob Bartlett was taken from us in death on December 11, 1968; and

Whereas his official residence as a United States Senator was the City of Juneau; and

Whereas he served Alaska longer than any other repreentative in Congress, having been a delegate for the territory for the final fourteen years before statehood, and having served for the first decade of statehood as one of our Senators; and

Whereas Bob Bartlett, in conjunction with the Alaska-Tennessee Plan delegation and other interested Alaskans achieved for his home country the full sovereignty of statehood and as the 49th State of the Union; and

Whereas both as delegate and as a Senator Bob Bartlett was a tireless, selfless worker for Alaskan causes; and

Whereas during his twenty-four years in Congress he sponsored and guided to passage much of the Federal legislation of special benefit to Alaska; and

Whereas his contributions in the Senate went beyond the borders of his State—to his nation and to international affairs in which his country was involved; and

Whereas over his long years of service Bob Bartlett was responsible for much legislation and administrative action of direct benefit to the greater Juneau area; and

Whereas he was not only a great public servant, but a great human being as well whose friendship was highly valuable in itself, aside from any consideration of power or influence: Now, therefore be it

Resolved by the Council of the city of Juneau, Alaska:

The people of the City of Juneau deeply mourn the passing of Bob Bartlett, our friend, protector and guide. And we convey to his widow Vide, and to his daughters Doris Ann and Sue our heartfelt condolences.

Copies of this Resolution shall be sent to members of Senator Bartlett's immediate family and to the Alaska Congressional delegation at Washington.

Passed and approved this 16th day of January, 1969.

CITY OF JUNEAU, ALASKA,
JOSEPH L. GEORGE,
Mayor.

Attest:

IONA N. STONE,
Deputy City Clerk.

[From the Anchorage Daily News, Dec. 12, 1968]

Bartlett Is Dead

CLEVELAND.—Sen. E. L. (Bob) Bartlett, the son of Gold Rush pioneers and Alaska's senior senator, died Wednesday night of a cardiac arrest. He was 64 years old.

Bartlett died at 8:20 p.m., EST (3:20 p.m. AST) as he chatted cheerfully with a doctor.

Ed Isenson, Bartlett's administrative assistant, said in Washington that Bartlett was talking, with a doctor when he suddenly went pale and collapsed.

Efforts to revive him were unsuccessful.

Bartlett's death opened the way for the appointment, by Gov. Walter J. Hickel, of the state's first Republican senator. During the senator's long illness there was considerable speculation that he might be succeeded by Carl Brady, a close friend of Hickel who lost his bid for re-election to the state Senate in November, or Elmer Rasmuson, who lost to Mike Gravel in the U.S. Senate race.

Bartlett's death makes Senator-elect Gravel, a Democrat, Alaska's senior senator.

His death also ended one of the most fabulously successful political careers in Alaska's history.

Bartlett served 14 years as Alaska's delegate to Congress in territorial days and 10 years, following statehood, as the state's senior senator.

Bartlett's first campaign for delegate, in 1944, was his roughest. After that he was reelected seven times—five terms as delegate and two as U.S. senator—by landslide proportions.

At one time or another he served on most of the important committees in Congress and he contributed more than perhaps any other single individual to the long battle for statehood.

Bartlett's death followed two years of heart trouble.

He suffered his first heart attack in September of 1966 and was in and out of hospitals until his death.

He died following an operation at Cleveland Clinic three weeks ago today to correct an arterial blockage that had been held responsible for the three heart attacks he had suffered.

But the senator's recovery was plagued by an unexpected series of four cardiac arrests—the final one fatal.

Funeral arrangements for the senator are pending. But it was understood he would be buried in Fairbanks, which he has always considered home.

There probably will be a memorial service in Fairbanks.

[From the Fairbanks Daily News-Miner, Dec. 12, 1968]

Bartlett Funeral Here on Saturday—Colorful Career Ends at 64

WASHINGTON.—Alaska's senior U.S. Senator E. L. "Bob" Bartlett, one time gold miner and newspaperman, considered himself an example of the rugged individualism that marked the tough life in his Arctic frontier state.

Bartlett, who died Wednesday night at the age of 64, prided himself on his informal bearing, his goldmining past and the close contact he tried to maintain with the ordinary citizen.

He died of cardiac arrest in a Cleveland, Ohio, clinic where he had been under treatment since a November operation to relieve blockage of an artery.

Funeral service for Sen. Bartlett will be held at 1 p.m. Saturday at St. Matthew's Episcopal Church under tentative plans announced today.

Final arrangements for the service will not be completed until Mrs. Bartlett arrives here tomorrow.

The tentative arrangements call for the Rev. William T. Warren to officiate. Sen. Bartlett's body will lie in state at St. Matthew's at 10 a.m. Saturday. The casket will remain closed. Burial will be in Northern Lights Memorial Park.

Bartlett and Ernest Gruening, also a Democrat, were elected Alaska's first senators in 1960 and Bartlett was deemed senior senator by the toss of a coin.

Gruening was defeated in the primary this year by Mike Gravel who went on to win the Senate seat in the general election.

Bartlett had come to Washington in 1933 as secretary to Anthony J. Dimond, the Alaska Territory's nonvoting delegate to Congress. He returned to Alaska in 1935 to operate for three years the small placer gold mine his father had worked near Miller House, Alaska.

President Franklin D. Roosevelt appointed Bartlett secretary of the Alaska Territory in 1939. In 1944, he succeeded Dimond as Alaska's congressional delegate and was reelected to six two-year terms before becoming a senator.

Before the government service, he had been a Fairbanks News-Miner reporter for six years.

Bartlett was born in Seattle, Wash., April 20, 1904, and was taken by his parents Ed, and Ida Bartlett, to Fairbanks the following year.

[From the Fairbanks Daily News-Miner, Dec. 12, 1968]

L. B. J. Loses a Friend in Death of Bartlett

WASHINGTON.—President Johnson and Vice President Humphrey expressed regret today at the death of Sen. E. L. Bartlett of Alaska.

"America lost one of its most authentic pioneers, Alaska has lost a founding father, and I have lost a friend," Johnson said in a statement.

The President said Bartlett had a rich and varied career, as a construction worker, a reporter, a gold miner and a public servant, and added:

"More than anything else, he'll be remembered as the man who believed in Alaska's potential and devoted his life to that cause.

"He will be sadly missed, but affectionately remembered by the many men and women whose lives he helped to enrich."

Humphrey said: "I am deeply saddened by the passing of Bob Bartlett. He was both a Senate colleague and a personal friend. Mrs. Humphrey and I express our deepest condolences to his family and to the citizens of Alaska whom he served so well. The 49th state has lost one of its finest sons."

[From the Fairbanks Daily News-Miner, Dec. 13, 1968]

Funeral for Bartlett at Catholic Cathedral

Friends from every walk of life, from the nation's capital and from the Arctic bush, began arriving in Fairbanks to pay final respects to Sen. E. L. (Bob) Bartlett, Alaskan miner, newspaperman and statesman who represented Alaska in the nation's capital for 24 years.

Sen. Bartlett died Wednesday in a Cleveland hospital of cardiac arrest. He had been under treatment since a November operation to relieve blockage of an artery.

The anticipated host of mourners was so large that the funeral service at 1 p.m. tomorrow was transferred from St. Matthew's Episcopal Church to the Catholic Cathedral at Peger Road and Airport Road. The cathedral will seat from 500 tc 600.

The body of the Senator will lie in state at St. Matthew's Cathedral from 10 a.m. until 12 noon Saturday to permit friends to pay their respects there. The casket will remain closed.

The Rev. William T. Warren of the Episcopal church will officiate at the service at the Cathedral. Burial will be in Northern Lights Memorial Park, but the family has asked that only members of the family and close personal friends attend the service there.

Buses have been arranged to pick up out-of-town people from the Traveler's Inn, Fairbanks Inn, Golden Nugget Motel and Nordale Hotel and take them to the Cathedral.

From 4 to 7 p.m. a reception will be held in the Gold Room at Traveler's Inn for out-of-town guests.

The Senator's body will be returned to his beloved Alaska for the last time tonight aboard an Air Force jet. The plane is scheduled to arrive at International Airport at 7 p.m. Accompanying the body will be Mrs. Bartlett and her two daughters, Mrs. Doris Ann Riley and Sue and five other close friends.

Another plane carrying the representatives from the United States Senate will arrive at the airport at 11 a.m. tomorrow. Representing the Senate will be Senators Edmund S. Muskie, Maine, unsuccessful candidate for vice president of the United States in the November election; Warren G. Magnuson of Washington, Philip A. Hart, Michigan, and Norris Cotton, New Hampshire.

Rumors that President Johnson might attend the service were widespread in Fairbanks but persons close to the Bartletts discounted the reports. President Johnson has attended funeral services for his former colleagues when he was in the Senate, but no one here, including Federal Bureau of Investigation, has been alerted to such a possibility. The President is in El Paso, Tex. meeting with Mexican President Dias Ordaz to celebrate the end of a century-long border dispute.

Gov. Hickel, who was appointed secretary of the interior on the day Bartlett died, is returning to Juneau today and announced he will attend the service. Also attending will be Keith Miller, secretary of state, who will succeed Hickel as Governor of Alaska.

Both had planned to come to Fairbanks today for the annual Governor's Ball, but it was postponed for a week out of respect to Sen. Bartlett.

A number of U.S. Senators will be honorary pall bearers at the funeral.

So far the list of Senators to attend include: Sen. Warren G. Magnuson of Washington, Sen Norris Cotton of New Hampshire, Sen. Philip Hart of Michigan, Sen. Henry Jackson of Washington, and Sen. Edmund S. Muskie of Maine.

[From the Anchorage Daily News, Dec. 13, 1968]

Bartlett Services Slated Today in Nation's Capital

WASHINGTON.—The body of E. L. (Bob) Bartlett was to be flown here today to lie in state at St. Patrick's Episcopal Church in the nation's capital, where he served 10 years as Alaska's senior senator.

The body of the senator, who died in Cleveland Wednesday at the age of 64, will lie in the church from 1–3 p.m. Washington time.

There will be a special Senate memorial service, attended by the friends and colleagues of his 24-year career in Washington.

Accompanying the body will be Bartlett's family—his wife, Vide, and their two daughters, Doris Ann Riley and Susan.

Following the memorial service, Bartlett's body will be flown back to Alaska for burial Saturday in Fairbanks, the town the senator always considered home.

Funeral services will be held at 1 p.m. at the Catholic Cathedral of the Sacred Heart in Fairbanks. The services had originally been scheduled for St. Matthew's Episcopal Church, but were moved to the much larger cathedral. The Rev. William Warren of St. Matthew's will officiate.

Accompanying Bartlett's family and the body back to Alaska will be Sen.-elect Mike Gravel, who canceled all his appointments for the rest of the week in order to help with arrangements and attend the Washington memorial service and the funeral.

Speaker of the House John McCormack Thursday night appointed Rep. Howard W. Pollock to officially represent the U.S. House at the funeral.

Also attending the funeral will be Gov. Walter J. Hickel, who was appointed Secretary of the Interior in the Nixon administration just after Bartlett's death.

In Anchorage there will be a memorial service at All Saints Episcopal Church at 1 p.m. Saturday—coinciding with the funeral service in Fairbanks. The Rev. Norman Elliott, rector of All Saints, will officiate.

Hickel declared Saturday a day of mourning for Bartlett. The Alaska flag will fly at half-staff.

Bartlett died of a cardiac arrest following two years of heart trouble.

[From the Anchorage Daily Times, Dec. 14, 1968]

Vignettes and Views: Saturday Sundry

(By William J. Tobin)

"Someday," Bob Bartlett said a couple of years ago, "I hope somebody will write the true story of Alaska statehood, the real story. But it won't be me who does it." And he died Wednesday, a sad day, with that dramatic episode in Alaska's history still untold the way he felt it should be—by someone who was not as close as he to the years of struggle, by someone who dispassionately might tell of the successes and failures, the jealousies and the friendships, the heartaches and joys which finally gave birth to the 49th Star.

Sen. E. L. Bartlett, God rest his soul, won't write the story of Alaska statehood. But it is a story he lived, and that is more important. An autobiography, neatly catalogued by chapter and footnote and bound in hard covers and packaged in a slick jacket, is not the legacy he left us. He left us, instead a golden memory brighter by far than the metal he sluiced from streams of the Interior as a youth. Our heritage is richer for the life he led, and that's a gift more precious than gold.

Bob Bartlett was many things, sometimes paradoxically so. He was a humble man, but one who was terribly proud—of his state, his friends, of the loyalty he felt to those who had earned his respect. He was non-political, but a master politician. He was sensitive and shy, but practical and bold. He was quiet, yet with a gifted wit. He was no great orator, but a charming public speaker who could enthrall an audience.

If he was not a writer of books, he was a delightful correspondent. Perhaps because of his days as a newspaperman, he had the style of a superb columnist, a touch with a phrase that made any letter from him a literary treasure to enjoy as you would a familiar classic. He was a master with words, and with them he spread both good humor and sharp scorn as the occasion might demand. With biting but witty irony he could needle a political foe, and with simple kindness he could fashion paragraphs of good will.

But Bob Bartlett lived by actions, not by words. In a way that not many people understand, in a manner that most men in political life are not capable of handling, in a fashion almost out of mode in a society where the stairway to success is made out of ego and brass, our senator achieved quiet wonders by gentleness.

Some day in Alaska there will be another man like Bob Bartlett, and it is no sacrilege to say so. Bartlett would have wanted that, surely—to know that even in the dramatic years that lie ahead, in the years of tumultuous growth, in the years demanding vigor and activity, there will be a premium and a place for one of modesty and dedication to play a role in the great future of the state he helped to make great.

But there is no one now on the scene to wear the mantle that Bob Bartlett tailored, and it is no criticism of Alaska to say that, either. He simply stands out among the leaders of his time, in both public and private life, who worked for the things for which he worked, who helped achieve the things that Alaska achieved, who shaped by their efforts the Alaska of today.

But the mark of Bob Bartlett's greatness was not so much what he accomplished for Alaska, although that was enormous. The true measure of this man was that every Alaskan—nearly everyone who knew him wherever he traveled—called him friend.

Any number of people earn great honors or wealth. The land is filled with men of distinction in science or industry or government or the military. The world is full of its heroes and its stars. But rare indeed is the man who is called a friend by all who pass his way, whose service is not self-serving, whose dedication seeks no personal glory, whose heart is moved in modest wonder at the things goodness can achieve.

Good men do, indeed, finish first. And Bob Bartlett stood first in the hearts of Alaskans.

[From the Anchorage Daily News, Dec. 14, 1968]

Bartlett Services Are Today

A delegation of U.S. Senators, including Edmund Muskie of Maine and Warren Magnuson of Washington, will join Alaskans today in Fairbanks to pay their last respects to Sen. E. L. (Bob) Bartlett, who died Wednesday in Cleveland after a lingering heart illness.

Services will be held at 1 p.m. at Cathedral of the Sacred Heart in Fairbanks. The services originally were planned for St. Matthew's Episcopal Church but were changed to accommodate a larger crowd.

At the same time, services will be held in Anchorage at All Saints Episcopal Church. The Rev. Norman Elliott, rector of All Saints, will preside.

Bartlett's body arrived in Fairbanks Friday night at 7:10 aboard an Air Force plane.

The widow, Vide Bartlett, and her two daughters, Doris Ann Riley of Anchorage and Susan of Washington, D.C., was aboard the plane. With them were Anchorage attorney Stanley McCutcheon, one of Bartlett's oldest friends, and William Foster, a former aide to the senator.

The body will lie in state from 10 a.m. to noon at St. Matthew's. Burial will be in Northern Lights Cemetery.

A delegation of 7 U.S. Senators is scheduled to arrive in Fairbanks about noon aboard an Air Force plane to attend the funeral. On the flight will be Sen. Warren Magnuson, one of Bartlett's closest associates during his 24 years in Washington; Muskie, this year's Democratic vice presidential nominee; Sen. Henry Jackson of Washington; Sen. Philip Hart of Michigan; Sen. Norris Cotton of New Hampshire; Sen. Daniel Brewster of Maryland; and Sen. Clifford Hansen of Wyoming.

Alaska Republican Congressman Howard Pollock; Senator-elect Mike Gravel; Gov. Walter J. Hickel, named Secretary of Interior in the Nixon cabinet; and Secretary of State and Governor-designate Keith Miller also will attend the Fairbanks services.

U.S. Senate majority secretary Stanley Kimmitt and minority secretary J. Mark Trice will fly to Fairbanks with the Senate delegation.

Aides to Bartlett will attend, too. They are administrative assistant Hugh Gallagher; Mrs. Marge Gooding Smith, Bartlett's secretary for 24 years; Jack Cornman and Ed Isenson; and former aides to the senator, Mary Lee Council and Bill Boesch.

Thursday and Friday, flags flew at half mast in the nation's capital in tribute to Bartlett.

Many of Bartlett's Senate colleagues visited St. Patrick's Episcopal Church Friday, where the Senator's body lay in state. They included Sen. Edward Kennedy, Sen. Eugene McCarthy, Sen. Margaret Chase Smith, Sen. Harry Byrd, Sen. Gale McGee Sen. Thomas McIntyre, Congressman Edward Garmatz, Congressman Samuel Stratton—New York.

Others who attended were Mrs. J. William Fulbright, wife of the senator from Arkansas; Mrs. Frank Moss, wife of the senator from Utah; Mrs. Edmund Muskie, wife of the senator from Maine; Mrs. Clare Engel, wife of the late senator from California.

Also attending were Donald McKernan, special assistant for Fisheries and Wildlife in the Department of State; George Sundborg, administrative assistant to Sen. Ernest Gruening; Don Greeley, Gruening's executive assistant; Laura Olson, Gruening's legislative assistant.

[From the Anchorage Daily Times, Dec. 14, 1968]

Alaska Says Goodby to "Bob"—Skies Are Gray, Mercury at −25 for His Funeral

Dreary, slate-gray clouds hung low over Fairbanks today as the Interior city bid a final farewell to its most famous son, the late Sen. E. L. "Bob" Bartlett.

Bartlett's friends, from humble walks of life and from the highest positions of national leadership, gathered in 25-below-zero temperatures to pay tribute to the modest man who dedicated his life to public service to the northland he loved.

Today has been proclaimed a day of mourning by Gov. Walter J. Hickel in memory of Bartlett, 64, Alaska's senior senator, who died Wednesday in Cleveland, Ohio. Flags were to fly at half-staff until after his burial.

His death brought expressions of grief and tribute from across the state and nation. Bartlett had served as Alaska's territorial delegate in Congress from 1945 until statehood in 1959 and as U.S. senator since then. From 1939 until 1944, he was secretary of the Territory of Alaska, a position similar to secretary of state now.

Episcopal funeral services were conducted today at the Sacred Heart Catholic Cathedral in Fairbanks. The Rev. William T. Warren of St. Matthew's Episcopal Church in Fairbanks conducted the simple service following the format of the Book of Common Prayer.

At the same time the Fairbanks services were held, a memorial service was being held at All Saints Episcopal Church in Anchorage.

Before the funeral, Bartlett's body lay in state from 10 a.m. to noon at St. Matthew's. Hundreds of Fairbanks residents filed slowly past the bier.

A nine-member congressional delegation attended the funeral. Sen. Warren Magnuson, D-Wash., was chairman of the delegation.

Other members were Sens. Norris Cotton, R-N.H.; Edmund S. Muskie, D-Me.; Philip A. Hart, D-Mich.; Daniel B. Brewster, D-Md.; Clifford P. Hansen, R-Wyo.; Rep. Howard W. Pollock, R-Alaska; J. Stanley Kimmitt, secretary to the Senate majority, and J. Mark Trice, secretary to the minority.

Alaska's Sen.-elect Mike Gravel also was with the delegation, but Sen. Ernest Gruening, who has been in Puerto Rico the past week, did not attend.

In addition, Adm. Willard J. Smith, Coast Guard commandant, and representatives of the Army, Navy and Air Force were present.

Gov. Hickel and Secretary of State Keith H. Miller were among the mourners.

Pallbearers were Alex Miller and C. R. Snedden, of Fairbanks; Richard McVeigh, Anchorage; state Supreme Court Associate Justice John Dimond, Juneau; Felix Toner, Juneau; Stanley McCutcheon, Anchorage; Hugh J. Wade, Anchorage; James Hurley, Wasilla; James D. Nordale, Fairbanks, and Joe Josephson, Anchorage.

Members of Bartlett's staff were flown to Fairbanks by the Air Force. In the group was Mary Lee Council, for many years administrative assistant to the senator.

The senator's body was flown to Fairbanks Thursday evening from Washington, D.C., where Senate colleagues had paid tribute as Bartlett's body lay in state at St. Patrick's Episcopal Church.

Bartlett's widow, Vide, and daughters, Mrs. Doris Riley of Juneau and Susan Bartlett of Washington, D.C., were aboard the Air Force jet that returned the senator's body to Fairbanks.

Only the family and a few close friends were to be present for Bartlett's burial in Northern Lights Memorial Park on the northern outskirts of Fairbanks.

[From the Anchorage Daily News, Dec. 13, 1968]

KENNEDY PAYS HIS RESPECTS TO BARTLETT—BODY DUE TONIGHT IN FAIRBANKS FOR SATURDAY FUNERAL

Funeral services for Alaska's Sen. E. L. "Bob" Bartlett will be conducted Saturday at 1 p.m. at Sacred Heart Catholic Cathedral in Fairbanks.

At the same time, a memorial service will be held here at All Saints Episcopal Church.

Bartlett's body will lie in state from 10 a.m. to noon Saturday at the cathedral. The body is to arrive at Fairbanks International Airport tonight, accompanied by Bartlett's widow, Vide, and their two daughters, Doris Ann Riley and Susan.

Today, Massachusetts Sen. Ted Kennedy was one of the senators who passed by the bier as Bartlett's body lay in state in St. Patrick's Episcopal Church in Washington, D.C.

The plane bearing Bartlett's body was to leave the nation's capital this afternoon. Another plane carrying senators and members of Bartlett's staff was scheduled to land at Fairbanks at 11 a.m. Saturday.

President Lyndon B. Johnson, who has often attended funeral services for senators, was in Texas today. The White House said it had no word as to whether the President might fly to Fairbanks for the service. Many times, the President's travel plans are not announced in advance.

The Rev. William T. Warren of St. Matthew's Episcopal Church, where the Fairbanks services originally were scheduled, will officiate. The service was moved to the cathedral because it is larger.

The service will follow the office of burial of the dead from the Episcopal Book of Common Prayer. The service will be simple and brief with no eulogies. A number of U.S. senators will be honorary pallbearers, including Warren G. Magnuson of Washington, Norris Cotton of New Hampshire, Phillip Hart of Michigan, Henry Jackson of Washington and Edmund S. Muskie of Maine, Democratic candidate for vice president in the recent election.

Gov. Walter J. Hickel and Secretary of State Keith H. Miller will be among the dignitaries attending the funeral. Political, business and civic leaders from around the state are planning to attend.

When Consolidated Airlines and Alaska Airlines said Friday and Saturday flights to Fairbanks are crowded, but no special flights are planned.

The memorial service at All Saints here will be conducted by Father Norman H. V. Elliott of All Saints, Father Bob Jones of St. Christopher's and Father Alexander Zabriskie of St. Mary's.

The service will duplicate as nearly as possible the service to be held in Fairbanks, where the senator's body will be buried.

The senator's widow, Vide, today received expressions of sympathy from the Alaska Federation of Natives. Directors of the federation sent her a wire saying, "His commitments for a better break in housing, education and employment for Alaska's native people will be missed by us all."

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TOMATO EMBARGO AGAINST MEXICO

Mr. GOLDWATER. Mr. President, on February 4 I drew the attention of this body to a situation which I felt was working an extreme economic hardship on West Mexico and the southern area of Arizona. At that time I spoke in some detail about a tomato embargo ordered by former Agriculture Secretary Orville Freeman as one of his last acts before leaving office. I pointed out that this order banned from importation into the United States medium-sized, vine-ripened tomatoes from Mexico.

And at that time, also, Mr. President, I expressed the hope that the new administration and its Secretary of Agriculture, Mr. Clifford M. Hardin, would speedily issue the necessary order to rescind the embargo and thereby restore a measure of the friendly relations which heretofore existed between our Government and that of Mexico. I am today very unhappy to report that the situation along the American-Mexican border, particularly Sonora and Nogales, has not been corrected and that it daily grows more troublesome and destructive of sound, hemispheric relations.

Mr. President, there is no longer any reason, economic or otherwise, for keeping this embargo in force. According to the "Daily Fresh Fruit and Vegetable Reports" of the U.S. Department of Agriculture, the demand for tomatoes is greater than the supply. As a result—and I might say that my remarks on February 4 indicated that this might happen—the price of tomatoes to the American housewife is moving higher and the consumption of tomatoes is being depressed. Because of the embargo, which you will recall was levied under a little-used marketing act of 1937, the large chainstores in the United States which usually run "specials" on tomatoes at this time of year have not done so because of the short supply of the embargoed product.

Mr. President, while this embargo is costing the economy of the Nogales area in excess of $105,000 a day, I am more concerned with the damaging effect it is having on our already-strained relations with our neighbors to the south. During the Lincoln birthday recess, I had occasion to visit the southern part of Arizona and to talk with some of the Mexican people directly involved. They originally blamed what they regarded as a completely arbitrary and unfair ruling by Washington on the outgoing Democratic administration. They put it down to what I think it actually was—lame-duck mischief-making by a retiring Secretary of Agriculture. However, today the Mexican officials are placing this blame on the doorstep of President Nixon and Secretary Hardin. The Mexicans, quite understandably, regard the tomato embargo as another action in a series of U.S. actions which have eroded the good neighbor policy between our governments along the border. In 1964, you will remember, the U.S. Government arbitrarily ended the bracero work program, much to the anger and distress of people on both sides of the border. Prior to that time thousands of Mexicans had been permitted to cross the border and work in this country under closely supervised conditions. When that program was ended, Mexico suffered substantial economic losses. And the Mexicans, especially nearly 100,000 of them living south of the border near the Colorado River, are denied adequate coverage at Algadones to allow them to use their "green cards" for full implementation of travel to and from the United States, as can be done in other crossing towns. What is involved here is just an insufficient number of United States personnel to handle the problem. I am sure I do not have to explain to anyone acquainted with the abrasive nature of these actions what it means to United States-Mexican relations to have the costly and seemingly unreasonable tomato embargo piled on top of them.

Sometimes, Mr. President, I feel that our overgrown bureaucracy loses complete sight of the larger scope of our national interests. Here, for the sake of a highly technical marketing agreement involving only a fraction of an inch in the diameter size of tomatoes, our Government is endangering relations with a country whose trade represents a favorable balance of payments for the United States. You might not understand how unusual this is, but one glance at the depressing state of our international balance of payments over the past 8 years will convince even the greatest skeptic of how much we should prize relations with a country whose trade balance is in our favor.

I believe, Mr. President, that it would not hurt to include here some little-known facts about Mexican trade with the United States as published by the American Chamber of Commerce of Mexico. These facts show that Mexico imports $1.09 billion worth of goods from the United States every year. In the same period, it sells to the United States $619.4 million worth of goods. These figures exemplify the Mexican economic thesis which says "we want fair trade—not foreign aid from the United States." This attitude also is dramatically unusual and could well be used as an example for the rest of the world, and especially for those people living south of Mexico. But I assure you that we will not continue to have a strong, friendly, economically sound neighbor to our south if we continue making trouble along the border.

In conclusion, I want to say that we have nothing to gain and a great deal to lose by imposing trade restrictions on a friendly neighbor. Believe me, there are no winners in this country when the United States has an unfavorable trade balance with other nations. Business loses and labor loses. So I plead for reason and speed to prevail in a way that will bring a conclusion to the unfair tomato embargo against Mexico.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point several tables to illustrate the situation of which I am speaking, which were compiled by the U.S. Department of Agriculture.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TOMATOES, FRESH MARKET—RAIL AND TRUCK SHIPMENTS FOR FLORIDA AND MEXICO, 1967–69, BY DAYS, PLUS FLORIDA AND MEXICO COMBINED

[Carlo equivalents]

	Florida, rail and truck		Mexico, rail and truck		Florida and Mexico, rail and truck combined	
	1968	1967	1968	1967	1968	1967
Dec. 1	41	151	12	3	53	154
Dec. 2	51	149	16	5	67	154
Dec. 3	95	80	12	3	107	83
Dec. 4	86	73	14	5	100	78
Dec. 5	80	147	13	4	93	151
Dec. 6	77	151	18	14	95	165
Dec. 7	60	103	15	10	75	113
Dec. 8	44	116	13	12	57	128
Dec. 9	51	88	16	16	67	104
Dec. 10	95	53	24	16	119	69
Dec. 11	114	51	50	17	164	68
Dec. 12	84	114	40	11	124	125
Dec. 13	87	80	45	19	132	99
Dec. 14	109	75	43	16	152	91
Dec. 15	49	97	32	15	81	112
Dec. 16	50	146	34	7	84	153
Dec. 17	45	79	47	4	92	83
Dec. 18	41	74	55	17	96	91
Dec. 19	54	101	44	20	98	121
Dec. 20	72	136	54	7	126	143
Dec. 21	79	104	51	23	130	127
Dec. 22	53	110	41	31	94	141
Dec. 23	43	86	35	42	78	128
Dec. 24	78	37	63	31	141	68
Dec. 25	26	15			26	15
Dec. 26	40	27	113	34	153	61
Dec. 27	71	98	53	34	124	132
Dec. 28	121	80	73	36	194	116
Dec. 29	51	83	66	30	117	113
Dec. 30	60	60	82	34	142	94
Dec. 31	109	60	87	37	196	97
Total	2,116	2,824	1,260	553	3,376	3,377

	Florida, rail and truck		Mexico, rail and truck		Florida and Mexico, rail and truck combined	
	1969	1968	1969	1968	1969	1968
Jan. 1	58	20	2		60	20
Jan. 2	54	21	127	38	181	59
Jan. 3	74	94	82	46	156	140
Jan. 4	100	92	87	52	187	144
Jan. 5	45	103	68	42	113	145
Jan. 6	22	112	51	48	73	160
Jan. 7	45	66	75	46	120	112
Jan. 8	34	46	71	31	105	77
Jan. 9	34	114	83	44	117	158
Jan. 10	60	113	86	60	146	173
Jan. 11	51	75	67	53	118	128
Jan. 12	38	89	73	54	111	143
Jan. 13	20	82	68	55	88	137
Jan. 14	49	46	72	62	121	108
Jan. 15	63	23	77	47	140	70
Jan. 16	46	74	84	65	130	139
Jan. 17	67	80	85	84	152	164
Jan. 18	79	73	94	79	173	152
Jan. 19	39	58	82	76	121	134
Jan. 20	27	70	74	77	101	147
Jan. 21	50	31	74	61	124	92
Jan. 22	40	23	102	46	142	69
Jan. 23	35	57	90	49	125	106
Jan. 24	35	61	100	62	135	123
Jan. 25	64	34	94	48	158	82
Jan. 26	27	40	87	44	114	84
Jan. 27	21	61	79	52	100	113
Jan. 28	60	33	84	33	144	66
Jan. 29	71	28	119	41	190	69
Jan. 30	66	97	103	89	169	186
Jan. 31	49	72	114	87	163	159
Total	1,523	1,988	2,554	1,671	4,077	3,659

Note: Data subject to revision.

TOMATOES, FRESH MARKET—RAIL AND TRUCK SHIPMENTS FOR FLORIDA AND MEXICO, 1968–69, BY DAYS, PLUS FLORIDA AND MEXICO COMBINED

	Florida, rail and truck		Mexico, rail and truck		Florida and Mexico, rail and truck combined	
	1969	1968	1969	1968	1969	1968
Feb. 1	79	64	115	99	194	163
Feb. 2	62	101	58	87	120	188
Feb. 3	21	84	61	84	82	168
Feb. 4	70	61	70	71	140	132
Feb. 5	59	38	72	73	131	111
Feb. 6	53	97	78	81	131	178
Feb. 7	47	81	76	92	123	173
Feb. 8	64	51	74	86	138	137
Feb. 9	46	48	79	80	125	128
Feb. 10	25	58	52	75	77	133
Feb. 11	70	37	77	38	147	75
Feb. 12	63	29	90	50	153	79
Feb. 13	48	91	83	51	131	142
Feb. 14	72	61	69	111	141	172
Feb. 15	74	51	99	100	173	151
Feb. 16	60	54	115	50	175	104
Feb. 17		69		92		161
Feb. 18		36		86		122
Feb. 19		36		58		94
Feb. 20		50		62		112
Feb. 21		71		66		137
Feb. 22		66		60		126
Feb. 23		60		69		129
Feb. 24		80		67		147
Feb. 25		43		84		127
Feb. 26		22		80		102
Feb. 27		76		85		161
Feb. 28		75		100		175
Feb. 29		65		97		162
Total		1,755		2,233		3,989
Mar. 1		95		102		197
Mar. 2		98		126		224
Mar. 3		34		122		156
Mar. 4		24		104		128
Mar. 5		77		63		140
Mar. 6		72		51		123
Mar. 7		77		83		160
Mar. 8		71		133		204
Mar. 9		82		136		218
Mar. 10		31		101		132
Mar. 11		40		77		117
Mar. 12		87		70		157
Mar. 13		99		67		166
Mar. 14		95		52		147
Mar. 15		71		52		123
Mar. 16		90		42		132
Mar. 17		52		46		98
Mar. 18		40		42		82
Mar. 19		112		59		171
Mar. 20		99		87		186
Mar. 21		88		73		161
Mar. 22		84		72		156
Mar. 23		133		61		194
Mar. 24		58		43		101
Mar. 25		31		40		71
Mar. 26		108		40		148
Mar. 27		51		44		95
Mar. 28		79		50		129
Mar. 29		58		67		135

TOMATOES, FRESH MARKET—RAIL AND TRUCK SHIPMENTS FOR FLORIDA AND MEXICO, 1968–69, BY DAYS, PLUS FLORIDA AND MEXICO COMBINED—Continued

	Florida, rail and truck		Mexico, rail and truck		Florida and Mexico, rail and truck combined	
	1969	1968	1969	1968	1969	1968
Mar. 30		66		77		143
Mar. 31		34		83		117
Total		2,246		2,265		4,511
Apr. 1		37		65		102
Apr. 2		77		72		149
Apr. 3		80		78		158
Apr. 4		80		83		163
Apr. 5		92		81		173
Apr. 6		124		85		209
Apr. 7		51		72		123
Apr. 8		37		73		110
Apr. 9		95		78		173
Apr. 10		95		78		173
Apr. 11		85		70		155
Apr. 12		85		69		154
Apr. 13		93		44		137
Apr. 14		55		55		110
Apr. 15		25		56		81
Apr. 16		71		50		121
Apr. 17		80		39		119
Apr. 18		54		46		100
Apr. 19		71		53		124
Apr. 20		86		64		150
Apr. 21		41		69		110
Apr. 22		35		55		90
Apr. 23		84		77		161
Apr. 24		108		96		204
Apr. 25		101		91		192
Apr. 26		105		80		185
Apr. 27		158		83		241
Apr. 28		78		82		160
Apr. 29		82		70		152
Apr. 30		124		81		205
Total		2,389		2,095		4,484

Note: Data subject to revision.

MEXICAN TOMATO PRICES—VINE RIPES, F.O.B. NOGALES, ARIZ., 1968–69

1968–69 (1st report)	2-layer (20 lbs.)			3-layer (30 lbs.)			4-layer (40 lbs.), 7 x 8	Cherry-type, 12 pts.	
	5 x 6 and larger	6 x 6	6 x 7	6 x 6	6 x 7	7 x 7		Standards	Large
Dec. 11, 1968	$5.50	$5.00		$7.50	$6.75	$5.50	$4.50–$5.00	$3.00–$3.50	$3.50–$4.00
Dec. 12, 1968	5.50	5.00		[1] 7.00	6.50	5.50	4.50–5.00	3.00–3.25	3.50
Dec. 13, 1968	5.50	4.00		7.00	6.50	5.50	4.50–5.00	[1] 3.00	3.50
Dec. 16, 1968	[1] 5.00	$4.25–4.50		$6.50–7.00	$6.00–6.50	$5.00–5.50	4.50–5.00	2.50–3.00	3.00–3.50
Dec. 17, 1968	$5.00–5.50	4.50–5.00		6.50–7.00	6.00–6.50	5.00–5.50	4.75–5.00	2.50–3.00	3.00–3.25
Dec. 18, 1968	[1] 5.00	[1] 4.50		6.50–7.00	6.00–6.50	[1] 5.00	4.50–5.00	2.50–3.00	[1] 3.00–3.25
Dec. 19, 1968	5.00	[1] 4.50		[1] 6.50	6.00–6.50	5.00	4.50–5.00	2.50–3.00	3.00–3.25
Dec. 20, 1968	5.00	4.00–4.50		6.00–6.50	6.00–6.50	4.50–5.00	4.25–5.00	2.50–3.00	3.00–3.50
Dec. 23, 1968	4.50–5.00	(2)		[1] 6.00	[1] 5.50	4.55–5.00	4.25–5.00	2.50–3.00	3.25–3.50
Dec. 24, 1968 [3]									
Dec. 25, 1968 [4]									
Dec. 26, 1968	[1] 3.50	3.00–3.50		4.50–5.00	[1] 4.00	3.00–3.50	3.00	2.50–3.00	3.00–3.50
Dec. 27, 1968	[1] 3.50	(2)		4.00–4.50	3.50–4.00	3.00–4.00	3.00–3.50	2.25–2.50	3.00–3.25
Dec. 30, 1968	3.00	(2)		3.50–4.00	[1] 3.50	2.50–3.00	2.50–3.00	2.00–2.25	2.50–2.75
Dec. 31, 1968	2.50–3.00	(2)		[1] 3.50	[1] 3.00–3.50	2.50–3.00		[1] 2.00	[1] 2.50
Jan. 1, 1969 [4]									
Jan. 2, 1969	2.00–2.50			[1] 3.00–3.25	[1] 2.50–3.00	2.00–2.50		1.75–2.25	
Jan. 3, 1969	2.00–2.50			3.00–3.25	[1] 2.75–3.00	[1] 2.50		1.50–2.00	[1] 2.00–2.25
Jan. 6, 1969	2.75–3.00			3.50–4.00	3.00–3.50	2.50–3.00		1.75–2.25	
Jan. 7, 1969	[1] 3.00			3.50–4.00	3.00–3.50	2.75–3.00		1.50–2.00	[1] 2.00–2.25
Jan. 8, 1969	[1] 3.00			3.50–4.00	3.00–3.50	2.75–3.00		1.75–2.00	[1] 2.25
Jan. 9, 1969	3.00			3.75–4.00	3.25–3.50	3.00		1.75–2.00	[1] 2.25
Jan. 10, 1969	[1] 3.50			[1] 4.50	[1] 4.00	3.00–3.50		1.75–2.00	[1] 2.25
Jan. 13, 1969	3.50–4.00			4.50–5.00				2.00–2.25	2.25
Jan. 14, 1969	[1] 3.50–3.75			4.50–5.00				[1] 2.00	2.25
Jan. 15, 1969	[1] 3.50–3.75			[1] 4.75–5.00				[1] 2.00	[1] 2.25
Jan. 16, 1969	[1] 3.50			4.50–5.00				[1] 2.00	[1] 2.25
Jan. 17, 1969	[1] 3.50			[1] 4.75				[1] 2.00	[1] 2.25
Jan. 20, 1969	[1] 2.50–2.75			[1] 4.25–4.50				[1] 2.00	2.25
Jan. 21, 1969	2.50–2.75			[1] 4.25–4.50				[1] 2.00	[1] 2.25
Jan. 22, 1969	3.00			[1] 4.50				1.75–2.00	2.25
Jan. 23, 1969	2.50–3.00			[1] 4.50				1.75–2.00	2.25
Jan. 24, 1969	[1] 2.75–3.00			[1] 4.50				1.75	2.00–2.25
Jan. 27, 1969	[1] 2.75–3.00			[1] 4.50				1.75	2.00–2.25
Jan. 28, 1969	[1] 2.75–3.00			[1] 4.50				1.75	2.00–2.25
Jan 29, 1969	2.50–2.75			4.50				1.75	2.00–2.25
Jan. 30, 1969	[1] 2.50			[1] 4.50				1.75	2.00–2.25
Jan. 31, 1969	[1] 2.50			[1] 4.25				1.75	2.00–2.25
Feb. 3, 1969	[1] 2.75			[1] 4.25–4.50				[1] 2.00	[1] 2.25–2.50
Feb. 4, 1969	[1] 3.00			[1] 4.50				2.00–2.25	2.25–2.50
Feb. 5, 1969	3.25–3.50			4.75–5.00				2.00–2.25	2.25–2.75
Feb. 6, 1969	[1] 3.50			[1] 5.00				[1] 2.25	2.50–2.75
Feb. 7, 1969	[1] 4.00			5.00–5.50				2.25–2.50	2.50–3.00
Feb. 10, 1969	[1] 4.00			5.50–6.00				2.50–2.75	2.75–3.25
Feb. 11, 1969	[1] 4.00			5.50–6.00				[1] 2.75	2.75–3.25
Feb. 12, 1969	[1] 4.00			[1] 5.50				[1] 2.75	2.75–3.25
Feb. 13, 1969	[1] 4.00			5.50–6.00				[1] 12.75	2.75–3.25
Feb. 14, 1969	4.00–4.50			[1] 6.00				[1] 2.75–3.00	3.00–3.25
Feb. 17, 1969	[1] 4.00			[1] 6.00				[1] 2.75–3.00	3.00–3.25

[1] Mostly.
[2] Too few.
[3] Prices to be established later.
[4] Holiday.

Source: Daily reports of F. & V. Market News Branch, C. & M.S., USDA.

TOMATOES, FRESH MARKET—F.O.B. PRICES DADE COUNTY, FLA., 1968–69 SEASON

[Dollars per carton, f.o.b. shipping point

Date, 1968–69	Greens, 40-lb. cartons, 85 percent or more U.S. No. 1				Greens, 40-lb. cartons, U.S. No. 2			Greens, 40-lb. cartons, 65 to 80 percent U.S. No. 1			
	6x6 and larger	6x7	7x7	5x6	6x6 and larger	6x7	7x7	5x6	6x6 and larger	6x7	7x7
Dec. 16, 1968 [1]											
Dec. 17, 1968	8.00	[2] 6.00	3.50		5.35–5.50	3.50–4.00	2.00–2.35				
Dec. 18, 1968	8.00	5.00	3.00–3.50	9.00	5.00–5.50	[2] 3.00	[2] 2.00				
Dec. 19, 1968	8.00	5.00	3.00	9.00	5.35–5.50	[2] 3.25–3.50	2.00				
Dec. 20, 1968	8.00	5.00	3.00	8.00–9.00	[2] 5.50	3.00–3.50	1.50–2.00				
Average	8.00	5.25	3.20	8.75	5.39	3.39	1.98				

See footnotes at end of table.

TOMATOES, FRESH MARKET—F.O.B. PRICES DADE COUNTY, FLA., 1968–69 SEASON—Continued

[Dollars per carton, f.o.b. shipping point]

Date, 1968–69	Greens, 40-lb. cartons, 85 percent or more U.S. No. 1				Greens, 40-lb. cartons, U.S. No. 2			Greens, 40-lb. cartons, 65 to 80 percent U.S. No. 1			
	6x6 and larger	6x7	7x7	5x6	6x6 and larger	6x7	7x7	5x6	6x6 and larger	6x7	7x7
Dec. 23, 1968	8.00	5.00	[2] 2.75–3.00	[2] 9.00	5.50	3.00 3.50	1.50–2.00				
Dec. 24, 1968	8.00	5.00	2.25–3.00	[2] 9.00	5.35–5.50	3.00–3.35	1.50–2.00				
Dec. 25, 1968 [3]											
Dec. 26, 1968 [4]											
Dec. 27, 1968	7.00	4.00	[2] 2.00	7.00–8.00	4.50–5.00	2.25–2.65	1.00–1.35				
Average	7.67	4.67	2.60	8.75	5.17	2.96	1.56				
Dec. 30, 1968 [5]											
Dec. 31, 1968	5.00–5.50	3.50	3.50	5.00–6.00	[2] 3.65	2.25–2.35					
Jan. 1, 1969 [3]											
Jan. 2, 1969		3.50	[2] 1.75			[2] 2.25–2.35	1.35–1.50				
Jan. 3, 1969	4.50–5.00	3.50	[2] 1.75	[6] 6.00	[2] 3.35–3.50	[2] 2.25–2.35	[6] 1.25–1.40				
August	5.00	3.50	2.33	5.67	3.50	2.30	1.38				
Jan. 6, 1969 [7]											
Jan. 7, 1969 [8]											
Jan. 8, 1969 [8]											
Jan. 9, 1969	7.00	5.00			3.35–3.65	2.25–2.65		[9] 6.00	5.00	3.50	[9] 1.75–2.00
Jan. 10, 1969 [10]											
Jan. 13, 1969 [11]											
Jan. 14, 1969	7.00–8.00	5.00–6.00		9.00	[2] 4.65–5.00	3.35–4.00					
Jan 15, 1969	[2] 7.50	5.00–6.00			4.65–5.50	3.35–4.00					
Jan. 16, 1969	[2] 7.50–8.00	5.50–6.00			5.00–5.35	3.50–4.00					
Jan. 17, 1969	[2] 7.50	5.50–6.00			5.00–5.35	[2] 3.50–4.00					
Jan. 20, 1969 [12]											
Jan. 21, 1969	7.00	5.00–6.00				[2] 5.00	3.35–4.00				
Jan. 22, 1969	7.00–8.00	6.00–7.00				5.00–5.35	3.35–4.65				
Jan. 23, 1969	6.00–7.00	5.00–5.50				5.00	3.50–4.00				
Jan. 24, 1969	[2] 7.00	5.00–6.00				5.00	3.50–4.00				
Jan. 27, 1969 [11]											
Jan. 28, 1969 [13]											
Jan. 29, 1969		[14] 6.00					3.50–4.00				
Jan. 30, 1969		[14] 6.00					4.00				
Jan. 31, 1969		[14] 6.00					[2] 3.50–4.00				
Feb. 3, 1969 [15]											
Feb. 4, 1969		[14] 6.00					[2] 4.00				
Feb. 5, 1969		[14] 6.00					[2] 4.00				
Feb. 6, 1969		[2] 6.00					[2] 4.00				
Feb. 7, 1969		[2, 14] 7.00					4.50				
Feb. 10, 1969 [16]											
Feb. 11, 1969	[2] 8.00	6.00–7.00				[2] 5.35	[2] 4.65				
Feb. 12, 1969	7.00–8.00	[2] 6.00				4.65–5.35	[2] 4.00				
Feb. 13, 1969	[2] 8.00	6.00				[2] 5.35	4.00				
Feb. 14, 1969	[17] 8.00	6.00				4.65–5.00	4.00				
Feb. 17, 1969 [16]											

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[1] Prices not established.
[2] Mostly.
[3] Holiday
[4] Most booked open; prices to be established later.
[5] Prices generally not established.
[6] Very few.
[7] Weekend rains; no packing, insufficient.
[8] Offerings light; prices to be established later.
[9] Few.
[10] Insufficient quantity (slightly stronger tendency).
[11] Offerings light; prices not established.
[12] Prices generally unsettled.
[13] Offerings increasing; prices mostly not established.
[14] 6 x 7 and larger.
[15] Prices generally unsettled and billed open bases—f.o.b. prices established Tuesday.
[16] Prices to be established later.
[17] Best mostly.

Source: Daily reports of Fruit and Vegetable Market News Branch, C. & M.S., U.S.D.A.

TOMATOES, FRESH MARKET—F.O.B. PRICES IN THE POMPANO, FLA., AREA, 1968–69 SEASON

[Dollars per carton, f.o.b. shipping point, at packinghouses,

Date, 1968–69	Vine ripes, 20-lb., 2-layer cartons, 85 percent or more U.S. No. 1			Vine ripes, 20-lb., 2-layer cartons, "lower" in 10 lots			8-lb. carton
	6x6 and larger	6x7	7x7	6x6 and larger	6x7	7x7	
Dec. 16, 1968 [1]							
Dec. 17, 1968 [2]							
Dec. 18, 1968	6.00	5.00	4.00	5.00	[3] 4.00	3.00–3.25	
Dec. 19, 1968	[3] 6.00	5.00	3.50–4.00	4.50–5.00	[3] 4.00	3.00–3.25	
Dec. 20, 1968	[3] 6.00	[3] 5.00	3.50–4.00	4.50–5.00	[3] 4.00	3.00–3.50	
Average	6.00	5.00	3.80	4.80	4.00	3.17	
Dec. 23, 1968	550–6.00	4.50–5.00	3.50–4.00	4.00–4.50	3.00–3.50	[4] 2.00–2.50	
Dec. 24, 1968 [5]							
Dec. 25, 1968 [6]							
Dec. 26, 1968	[3] 5.50	4.50	3.00	[3] 4.00	3.00	[4] 2.00	
Dec. 27, 1968	[3] 5.00	[3] 4.00	[3] 3.00	3.50–3.75	3.00		
	5.25	4.25	3.00	3.75	3.00	2.00	
Dec. 30, 1968	4.00	3.00	[3] 2.00	[3] 3.00	2.00	[3] 1.50	
Dec. 31, 1968	[3] 3.50	3.00	[7] 2.00	2.50–2.75	[4] 2.00	(8)	
Jan. 1, 1969 [6]							
Jan. 2, 1969	[3] 3.50	2.50–3.00	[9] 1.50–2.00	2.50–2.75	(10)	(10)	
Jan. 3, 1969	3.50	3.00	2.00	[3] 3.00	[9] 2.00		
	3.62	2.90	1.90	2.75	2.00	1.50	
Jan. 6, 1969	3.50	3.00	2.00	[3] 3.00	2.00		
Jan. 7, 1969	3.50	3.00	2.00	[3] 3.00	2.00		
Jan. 8, 1969	3.50			3.00			
Jan. 9, 1969	3.50			3.00			
Jan. 10, 1969	3.50–4.00	(11)	(11)		(11)	(11)	
Average	3.57	2.97		3.00			
Jan. 13, 1969	4.00			3.00			
Jan. 14, 1969	4.00			3.00			
Jan. 15, 1969	4.00			3.00			
Jan. 16, 1969	4.00			3.00			
Jan. 17, 1969	4.00			3.00			
Jan. 20, 1969	4.00			3.00			
Jan. 21, 1969	4.00			3.00			
Jan. 22, 1969	4.00			3.00			
Jan. 23, 1969	4.00			3.00			
Jan. 24, 1969	4.00			3.00			
Jan. 27, 1969	4.00–4.50			3.00–3.50			1.90
Jan. 28, 1969	4.00			[3] 3.00			
Jan. 29, 1969	4.00			[3] 3.00			

See footnotes at end of table.

TOMATOES, FRESH MARKET—F.O.B. PRICES IN THE POMPANO, FLA., AREA, 1968–69 SEASON—Continued

[Dollars per carton, f.o.b. shipping point, at packinghouses]

Date, 1968–69	Vine ripes, 20-lb., 2-layer cartons, 85 percent or more U.S. No. 1			Vine ripes, 20-lb., 2-layer cartons, "lower" in 10 lots			8-lb. carton
	6x6 and larger	6x7	7x7	6x6 and larger	6x7	7x7	
Jan. 30, 1969	4.00			[3] 3.00			
Jan. 31, 1969	[3] 4.00			[3] 3.00			
Feb. 3, 1969	4.00			3.00			1.70
Feb. 4, 1969	4.00			3.00			
Feb. 5, 1969	4.00			3.00			
Feb. 6, 1969	4.50			3.50			
Feb. 7, 1969	4.50			3.50			
Feb. 10, 1969	5.00			[3] 4.00			
Feb. 11, 1969	5.00			[3] 4.00			
Feb. 12, 1969	5.00			[3] 4.00			
Feb. 13, 1969	5.00			[3] 4.00			
Feb. 14, 1969	5.00			[3] 4.00			
Feb. 17, 1969	[3] 5.00			4.00			

[1] Harvest curtailed due to low temperatures.
[2] Offerings very light; too few to quote prices.
[3] Mostly.
[4] Few.
[5] Too few sales.
[6] Holiday.
[7] Few sales; mostly.
[8] Insufficient.
[9] Few sales.
[10] Too few to quote.
[11] Not permitted.

Source: Daily reports of Fruit and Vegetable Market News Branch, Consumer and Marketing Service, Department of Agriculture; Vegetable Branch, Fruit and Vegetable Division, Consumer and Marketing Service, Jan. 16, 1969.

DEPUTY SECRETARY OF DEFENSE DAVID PACKARD

Mr. GORE. Mr. President, last month when the Senate was considering confirmation of the nomination of Mr. David Packard to be Deputy Secretary of Defense, the Secretary of Defense, Mr. Melvin Laird, advised the Senate that he would issue an order that matters affecting the Hewlett-Packard Co., of which Mr. David Packard was the largest stockholder and proposed to continue so to be, would be diverted to some other official for decision, so that, as Senators understood it, Deputy Secretary Packard could not participate in a decision affecting the Hewlett-Packard Co., which company has vast multimillion-dollar contracts to furnish electronic equipment to the Defense Department.

On yesterday, according to press reports, Secretary Laird announced the assignment of Deputy Secretary David Packard to a key role in the decision upon the deployment or nondeployment of the anti-ballistic-missile proposal.

I know of no matter that will come before the Defense Department that will so vitally affect the prosperity and value of the stock of electronics companies, including the Hewlett-Packard Co., as this one. This leads me to wonder whether Secretary Laird did, in fact, issue such an order, and if so, what the contents of the order were.

This is not to imply, Mr. President, that the senior Senator from Tennessee thinks that Secretary Packard will give preference to his personal interests in making such a decision. That is not the question. It was not the question with respect to the confirmation of his nomination. Indeed, on page S837, the RECORD shows that in the debate I made the following statement:

> This is not to question the honesty and integrity of Mr. Packard. That is not the question. It is not to allege or even to suspect wrongdoing. That is not the case.
>
> In dealing with the question of conflict of interest, in considering the nomination of an appointee to a high Government position, we are not dealing with wrongdoing. We are dealing with public confidence. We are dealing with appearances. We are dealing with circumstances which, conceivably, could constitute a conflict on the part of the official between his personal interest and the public interest on the one hand, or circumstances which, on the other, would give rise to suspicion and loss of confidence on the part of the people.

Mr. President, many people will wonder, unfortunately, how objective a judgment can be and will be, by one whose career, whose success, whose involvement, whose environment have been surrounded by success in and association with the very heart of the industrial-military complex on a question involving deployment of anti-missile-missile systems.

I repeat, this is a question of appearances. It does not look good, and it will not look good to millions of Americans. It is not a question of wrongdoing, but a question of circumstances that can give rise to doubt or suspicion, circumstance that could shake the confidence of many people in the Defense Department.

Public officials should abstain from appearances of evil, as well as from evil itself.

Incidentally, it was only last week that Miss Willie Mae Rogers, formerly of Jackson, Tenn., was asked, according to published reports, to give up her livelihood, a job with a magazine, in order to remove her conflict of interest with respect to a position of public trust for which she had been selected.

NATO ALTERS POLICY AFTER CZECH INVASION

Mr. HRUSKA. Mr. President, the invasion of Czechoslovakia last August was a sobering demonstration that freedom and communism are incompatible.

The citizens of the free world who believed that there was a new spirit of cooperation between the Soviet Union and the West had their illusion dispelled. The era of détente was revealed in Czechoslovakia as little more than a glittering delusion for a harsher reality, and in Eastern Europe détente still meant detention and the bars of the Iron Curtain remained intact.

After the invasion of Czechoslovakia, I called on the floor of the Senate for a revitalizing of the North Atlantic Treaty Organization. In those remarks on September 5, 1968, I said in part:

> Mr. President, the deliberate, indefensible attack on Czechoslovakia has shown each of the premises (of detente) to be wrong or misinterpreted. The conclusion drawn from them was a miscalculation. Russia has not been forced to follow peaceful ways.
>
> It is these premises, nonetheless, that have guided the detente mentality of our relations with the Soviet Union in recent years. Always fearing to offend, we pursued foreign relations and national security from a position of self-effacing courtesy rather than a position of strength and firmness.
>
> It is under the protective umbrella of detente that we have allowed NATO to deteriorate, that we have redeployed military forces in Europe, and that we have considered substantial troop reductions.
>
> It is under the protective umbrella of detente that our nation has announced and pursued a program and policy of building bridges from West to East.
>
> On August 20, 1968, it became fatefully obvious that the umbrella was illusory. The premises on which our detente policy was based were swept way when Warsaw Pact troops crossed the borders of Czechoslovakia.

As a member of the U.S. delegation to the Atlantic Assembly meeting in Brussels in November of last year, I felt that a new spirit had been generated in NATO. The Assembly adopted a number of resolutions demonstrating a renewed determination to maintain a strong military deterrent in Europe and a willingness to accept a more equitable sharing of the costs of a strengthened NATO force.

President Nixon's decision to visit West Berlin and the capitals of our allies in Europe this month, shows his clear determination to rebuild our neglected relations with our European allies and to strengthen NATO. This courage and conviction of our President is another welcome sign that as the United States enters, in the words of President Nixon, the "era of negotiation," it will do so with a clear view of reality and from a position of strength.

Mr. President, a feature article appeared in the Omaha World-Herald on

February 12, 1968, entitled, " 'Tanks and Terror' Weakened West." The World-Herald military affairs editor, Mr. Howard Silber, wrote this excellent and detailed study of the possible rebirth of NATO. Mr. Silber is a responsible, competent, and thorough journalist, and his article deserves the attention of my colleagues in the Senate.

Mr. Silber comments, in part:

> Just as the Soviet takeover of Czechoslovakia in 1948 helped make the Marshall Plan a reality, the Soviet invasion of Czechoslovakia in 1968 shoved Article 13 of the North Atlantic Treaty out of the minds of Western diplomats.
>
> Article 13 would open the way for any of the original signatory countries to withdraw from the alliance after 20 years—after April 4, 1969. Now none is expected to withdraw.
>
> The situation today is comparable to the post-World War II period which gave birth to NATO.

Mr. President, I ask unanimous consent that this informative, well-reasoned article by Mr. Silber be printed in the RECORD following these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"TANKS AND TERROR" WAKENED WEST: NATO ALTERS POLICY AFTER CZECH INVASION

(By Howard Silber)

BRUSSELS, BELGIUM.—The North Atlantic Treaty Organization was in an unhappy state last summer. The 15-nation alliance appeared to be dissolving in a pool of indifference and false security.

France had withdrawn its military forces from the NATO high command as President Charles de Gaulle continued to pursue his go-it-alone policy and his determination to weaken American influence in Europe.

The United States, traditionally the principal supporter of NATO, was pumping more of its resources into Southeast Asia, and was faced with an unchecked outflow of gold. So the Pentagon was withdrawing some 35 thousand troops from Europe.

Britain decided to pull about six thousand troops from the continent as part of its economy campaign.

There was bickering. France, which continues its political participation in the alliance, never missed an opportunity to fling barbs at the United States. Denmark and Norway were increasingly critical of the military dictatorship in Greece. Portugal, because of its African policies, was all but ostracized.

BLISSFUL THEME

But, in spite of the surface disharmony, the alliance was busily pursuing its new policy of combining detente with defense. The blissful theme was co-existence with the Soviet Union and its Warsaw Pact partners.

The sweetness-and-light attitude was manifested last June when the NATO foreign ministers, meeting at Reykjavik, Iceland, invited the Warsaw Pact nations to negotiate mutual and balanced military force reductions in Europe.

Then, on the night of August 20, 1968, United States and West German defense radar operators suddenly found their "views" of large areas behind the Iron Curtain blocked.

Communist aircraft were dropping curtains of chaff, the metallic ribbons which resemble Christmas tree tinsel, to mask activities.

Czechoslovakia was being invaded.

By breakfast time on August 21 it was clear to most NATO leaders that the Soviet Union and others of the Warsaw Five were not willing to accept detente.

Detente, an almost untranslatable French word, is described by Harlan Cleveland, United States Ambassador to NATO, as the process of building bridges.

"Only when the Western Europeans and their transatlantic NATO partners began to talk in earnest about bridge-building, did it begin to dawn on the leaders of Russian communism that detente was bound to be deeply disruptive to the status quo in Europe," Cleveland said.

"The more the Eastern Europeans learn about Western Europe, the more they want some of that freedom, too. The more the East Germans learn about the miracle of West Germany, the more the Easterners want some of that Western prosperity.

TANKS AND TERROR

"Since the Soviets didn't want change," Cleveland declared, "they decided that real detente was too dangerous.

"And in August in Prague they made it plain with tanks and terror that the efforts of Dubcek's regime to build a 'socialist humanism' at home and freer relations abroad went well beyond the narrow limits of Soviet tolerance for change in Eastern Europe."

To say that the invasion of Czechoslovakia and the resulting presence of Soviet forces across the border from Bavaria was the catalyst which reversed the dissolution of NATO might not be the whole truth.

But disintegration does appear to have been halted. NATO is adding to its military strength. NATO countries are taking a fresh look at their alliance. With the possible exception of France, there is a renewed belief in the need for a closeknit, powerful Allied military force in Europe. More men and more money are being invested.

No longer is there any real doubt here that NATO, which will observe its twentieth anniversary April 4, will move into its twenty-first year. There was serious doubt until last August 20.

Uncertainty had spread to Washington, where it was nourished by the arguments of two influential members of Congress, Senator Mike Mansfield of Montana, the majority leader, and Senator Stuart Symington of Missouri, who wanted to withdraw all American troops from Europe. August 20 put an end to the argument.

Just as the Soviet take-over of Czechoslovakia in 1948 helped make the Marshall Plan a reality, the Soviet invasion of Czechoslovakia in 1968 shoved Article 13 of the North Atlantic Treaty out of the minds of Western diplomats.

Article 13 would open the way for any of the original signatory countries to withdraw from the alliance after 20 years—after April 4, 1969. Now none is expected to withdraw.

The situation today is comparable to the post-World War II period which gave birth to NATO.

When the United States and other countries of the West were doing everything possible to return to the ways of peace, the Soviet Union of Josef Stalin remained on a wartime footing.

STRONG REACTION

In late 1946, Allied forces in Europe had been reduced to 880 thousand. But the Soviet Union had more than four million men in uniform. Two years later, the Kremlin had control of 390 thousand square miles and more than 90 million people outside Russia. Albania, Bulgaria, Romania, Poland, Hungary, East Germany and Czechoslovakia had come under Soviet domination.

The reaction of the West was strong.

NATO was formed by 12 countries—the United States, Canada, Belgium, France, The Netherlands, Britain, Denmark, Norway, Portugal, Italy, Luxembourg and Iceland. The 12 agreed that "an armed attack against one or more of them . . . shall be considered an attack against them all." Turkey and Greece joined the alliance in 1952. West Germany was admitted in 1955.

The treaty was implemented in 1950 when the NATO Council of Ministers announced plans to create "under a centralized command, an integrated force capable of deterring aggression and insuring the defense of Western Europe."

The command was established in April, 1951, with Supreme Headquarters-Allied Powers Europe at Rocquencourt near Paris.

FIFTY-FOUR DIVISIONS

After de Gaulle announced his decision to withdraw France from the NATO integrated military command, SHAPE was moved to a new 32-million-dollar facility in a French-language rural district about 30 miles southwest of Brussels. NATO's own separate administrative headquarters is at the edge of Brussels.

The various units committed to NATO remain under the control of their own governments. Only during periods of emergency would the forces shift to the command of United States Army Gen. Lyman L. Lemnitzer, Supreme Allied Commander.

NATO lists about 54 army divisions, 24 of them in or near West Germany. There are believed to be about 125 Warsaw Pact divisions arrayed against the West.

But not all divisions are alike. NATO divisions have about 50 per cent more men than their Communist counterparts.

The quality of NATO units varies. Some of the Greek and Turkish outfits are considerably weaker than units of Norway's small but excellent army and air force. By the same token, NATO military men speak much more respectfully of the Soviet military than of the armies and air forces of other Warsaw Pact countries.

The emphasis today is on better and consequently stronger NATO forces.

Ambassador Cleveland warned that "if the Soviets are ready, NATO had better be readier." He pointed out that "every NATO ally has lately been below NATO standards of manning, equipment and training."

SUBSTANTIAL INCREASES

After August 20, every major NATO defense participant agreed to attempt to meet the standards requested by General Lemnitzer.

The NATO mobile force, one of the command's biggest sticks, is to be enlarged. The NATO-committed tactical air forces, which were largely prepared for the use of nuclear weapons, are being converted more rapidly for non-nuclear roles.

Reforger I and Crested Cap, the United States Army and Air Force redeployment exercises which were highlighted by war games near the border between West Germany and Czechosolvakia, were part of the NATO muscle-flexing program.

Last year, the major participants in NATO spent about 4.5 per cent of their gross national product on defense needs. The United States committed about 10 per cent. Much of that, of course, went to meet the burdens of the Southeast Asia war. Last November the European Allies pledged substantial increases.

HAND STILL OFFERED

What about detente? Is the concept obsolete in the face of the Soviet occupation of Czechoslovakia and NATO's resulting body-building program?

Cleveland said he is still hopeful that bridges can be built and used.

"The Soviet action in Czechoslovakia was a deep wound to the agreed Western policy of pursuing detente between East and West," he observed. "During the last 10 days of August every NATO country hastened to dampen contacts, postpone political visits and generally defer the building of East-West bridges.

"The Minnesota Band did not visit the Soviet Union, and the Red Army Choir was not heard in England. The Mayor of Moscow was shipped hurriedly out of The Hague. Ministers in half a dozen Western countries who had been preparing trips designed to bolster their personal contributions to peace suddenly discovered urgent business at home.

"Diplomatic parties celebrating Polish Army Day, the Bolshevik Revolution, and the like, were boycotted by all but minor Western officials.

"The Italian Fair in Moscow went on, but when, in a show of business-as-usual, the top Soviet leaders turned up as visitors, they found that no Italian official of comparable rank had made the trip."

Cleveland said that "on August 20, NATO's hand was outstretched, holding a proposal to talk seriously with the Eastern allies about arms control in Europe.

"The desire for detente is so deep," he continued, "that this welcoming hand will probably not be lenched into a fist. But the staff work on 'balanced and mutual force reductions,' the building of models, the development of concrete proposals are bound to be accorded a low priority within Western governments and in NATO until the Soviets give some sign that they are thinking about them, too."

LESSON IN FEAR

The Ambassador said "the most far-reaching lesson of the brutal action in Czechoslovakia is that Soviet leaders are afraid of detente, afraid of the contagion of competition with the West—still, after 50 years of communism, afraid of bringing out the best, which means the freest, in their own people."

In short, said Cleveland, "it takes two to tango and the Soviet Union is still a wallflower."

Until Russia agrees to dance, NATO is prepared to maintain a strong defense umbrella over the 520 million people of the West.

RE-REFERRAL AND CORRECTION OF BILL

Mr. HOLLAND. Mr. President, I ask unanimous consent to have S. 121, a bill relating to the recognition of Vincent J. Burnelli for his contributions to the growth of aeronautical science and technology in the United States, re-referred from the Committee on Aeronautical and Space Sciences to the Judiciary Committee.

This has been cleared with the chairman of the Committee on Aeronautical and Space Sciences, and it meets with his approval.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. I also ask unanimous consent that at the next printing of the bill, the award to Mrs. Hazel Burnelli, widow of Vincent J. Burnelli, a typographical error be corrected at line 9 to provide the sum of $100,000 in lieu of $10,000 which appears in the bill as a typographical error.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE REORGANIZATION OF THE OEO

Mr. JAVITS. Mr. President, the President today has issued a statement making known his intentions with regard to the Office of Economic Opportunity and the war on poverty.

Some in my State will recall that I made it clear in my campaign last fall that I would have to oppose rigorously even a new President from my own party if he set out on a course which I thought damaging to the antipoverty programs which are so critical in solving the crisis of the cities.

Accordingly, I reviewed the President's statement today with some anxiety and great care. Having analyzed the statement, I can now say that I believe many of the previous fears have proved to be unfounded and that statesmanship and foresight characterize the President's message. Indeed, the President's statement is far more important for its positive approach and tone than for the relatively few organizational changes it makes.

With regard to these organizational changes, or spinoffs of programs to other agencies, the statement is far more important for what it leaves intact than for what it takes away.

In other words, I think it may be properly said that this statement is vital not only for what it does, but also for what it says. And it is also vital for what it does not do.

The President's statement today gives much needed stability to the antipoverty program and puts these fears that have been raised at rest. The heart of the statement is, I believe, the commitment of the new administration to retain the central community action program and to seek an immediate extension of the present authority for the OEO for an additional year beyond its June 1969 expiration date. If there is one thing that the OEO and the community action program have lacked it has been a sense of some life expectancy and confidence in their own future. This they now have.

The President proposes to send up more detailed legislative recommendations to Congress in the late spring, to take effect at the beginning of fiscal year 1971. But, by coupling that with a 1-year extension of the present authority, he gives Congress the opportunity to act with deliberate speed without, at the same time, interrupting program operations.

In this statement, the President announces his intention to delegate the Headstart and Job Corps programs as of July 1, 1969, to the Departments of Health, Education, and Welfare and Labor, respectively. There will be people who will seize upon this act as deleterious to the war on poverty.

But this is no more than the original plan called for in the war on poverty, for it was then thought that mature programs would be spun off to established agencies for continued operation and that the innovation would continue to be left in the Office of Economic Opportunity. There is no truer adage in the Federal Government than that which states that program operations drive out planning and innovation. So if we want the OEO to innovate—and we certainly do—then we have to take mature programs and put them in other agencies.

I would further remind critics of what President Nixon is about to do that they did not object when President Johnson took the much more serious step of delegating the antipoverty program's manpower training efforts to the Department of Labor some years ago, when it was not nearly as ready for transfer as these programs are now.

I raise two items of caution in regard to the President's message.

First, I am concerned with his instruction that "preparations be made for the transfer" of the comprehensive Health Center program to the Department of Health, Education, and Welfare. The Health Center program, incidentally, has been a very special care of the Senator from Massachusetts (Mr. KENNEDY). That program is not yet well enough established, in my judgment, and involves the need for extensive community organization support. I would hope that the President, notwithstanding his message, would reconsider and still leave it in the OEO for a time.

Second, I would hope that the assignment to the Vice President's Office of Intergovernmental Relations of the working out of antipoverty roles for State and local officials will not hamstring the independence of the OEO. Under the Green amendment, Congress made it possible for State and local governments to assume a much greater role in community action programs; and I do not believe that any greater legislative authority is necessary in this regard.

Finally, I point out that the President has wisely protected the role of the community action agencies in continuing operation of Headstart. I am very pleased to note that the community action agencies which have any such programs in hand like Headstart will be permitted to continue to operate them.

Mr. President, the real payoff in the entire message, in my judgment, is the degree of stability and recognition which it gives to the OEO. For example, the President wishes to give the OEO a seemingly expanded important role in the area of community-based economic development.

He also promises, which I believe is clearly extremely important, I should like to read this into the RECORD:

> From the experience of OEO we have learned the value of having in the Federal Government an agency whose special concern is the poor.

He also indicates very clearly—and this should be very reassuring to the program—that to do the job which he expects to have done by the OEO takes money. He recognizes that, and that is critically important.

Mr. President, the President not only provides an innovative role for the OEO but also points out that it is a natural home for economic development activities. I join with the President in that regard, and also in his determination to which I pledge my own very best efforts, to tighten up on management and integrity. As the President says, when money is lost to the program because of defalcation or even inefficiency, that is the worst blow to the poor, because they are deprived of that money hence, the critical importance of keeping a tight rein in respect of management and other techniques.

So I close, Mr. President, as I opened: I believe that the fears of many that President Nixon and the new administration would dismantle the antipoverty program have proved to be baseless. I believed they would be, and I am glad to see that they have been proved to be baseless.

The first step is a reasonable one. The assurances given of the continuance of the OEO, of its assured role in the antipoverty program, and that the war on poverty will continue and will be financed—these stand out as the most critical aspects of the message and should be very reassuring to the country.

STATEMENT OF SENATOR DOMINICK ON THE PRESIDENT'S POVERTY MESSAGE

Mr. President, I ask unanimous consent that a statement by the Senator from Colorado (Mr. DOMINICK) be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. The President's message on poverty brings a measure of reassurance to both the general public and the poor.

Change in this area is long overdue, and certainly welcome.

While I have reservations about the future of the Job Corps, I congratulate President Nixon for his decisiveness in moving immediately in some areas of the poverty program, but holding other recommendations in abeyance pending further review.

His statement recognizes and breathes new life into the original congressional intent that the Office of Economic Opportunity was designed for the purpose of innovation, to develop new programs, test them, and once underway, place them with a permanent agency more equipped for their efficient administration.

Under minority sponsorship, we were successful in 1967 in adding an amendment to the Economic Opportunity Act requiring the General Accounting Office to make a full investigation of the poverty program and report to Congress. That report is due next month, and I concur in the wise judgment of the President that legislative recommendations should await the findings of that office.

Let me turn briefly to a program I strongly support—Headstart.

Senators will recall my particular interest in this program, and authorship of the amendment which passed the Senate last year by a vote of two to one transferring it to the Department of Health, Education, and Welfare. Thirty Republican Senators and thirty Democratic Senators expressed the will of the Senate that Headstart be operated by the Office of Education in that Department. When House Democratic conferees, most of whom were absent and represented by proxies, refused to go along, the compromise language requiring the Presidential study was placed in the Vocational Education Act amendments of 1968.

In delegating Headstart to HEW, the President has made clear his intent that community action agencies can continue to be involved in the operation of this program at the local level. This coincides with the intent and express language of the Dominick amendment.

I note that the President States:

"Pending a final decision by the Secretary of HEW on where within the department responsibility for Head Start would be lodged, it will be located directly within the Office of the Secretary."

It is my understanding that guidelines for the operation of Head Start during the one year delegation period commencing July 1, 1969, will be developed by OEO and HEW, and that legislative recommendations to accomplish a permanent transfer will be sent to Congress later this spring.

I pledge my full cooperation to the Secretary and to the President during the development and formulation of a final decision as to where Head Start is to be placed in HEW. This is a fine program, and I certainly want to see the full range of its education, health, and welfare services preserved while aiming for greater coordination with our school systems.

I am delighted to support the President's suggestions, and feel this is a significant step in the direction of overcoming the problems with which we have been faced in the past.

Mr. SCOTT. Mr. President, I am pleased that the President's message on the Economic Opportunity Act grapples directly with this pressing problem. The President asked to extend the life of the Office of Economic Opportunity, but made it clear that he will ask for views of a wide range of those legislating or administering the poverty program or affected by it, before he makes more detailed recommendations. President Nixon has, in my judgment, made the wisest possible recommendations in this message.

As one who voted for funding OEO in 1968, I am pleased to see that the office is being retained and that it is being evaluated. As one who voted to transfer the Headstart program to the Office of Education within HEW from OEO, I can only applaud the President's move in that direction, and to acclaim his stated reasons for the preliminary steps toward transfer to HEW.

The future of Headstart will be brighter for having all of the related resources of the Department of Health, Education, and Welfare at its disposal, under the monitoring eye of the Secretary, Bob Finch, of HEW. I hope that the functioning and scope of the Headstart program can be expanded and made more effective.

Headstart is of particular interest to me. We have seen in Philadelphia, where children younger than the normal Headstart age are included in a program called Get Set, how important the earliest possible involvement of children in such a program can be. Therefore, I was particularly heartened to note that the President, in discussing early childhood development said:

> So crucial is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first five years of life.

As he pledged himself to that commitment, I am sure Congress will also.

I am personally very persuaded by the logic that Headstart—and hopefully such attendant programs as Get Set—will benefit greatly by association with other child development programs within HEW and with the many research programs through various institutes under the command of HEW.

I accept the President's invitation to make suggestions on Headstart, Get Set, and possibly other programs heretofore administered under the OEO, and I may have more to say on that subject in the near future.

NEW TERRORIST ATTACK ON ISRAELI AIRLINER FURTHER IMPERILS MIDDLE EAST PEACE

Mr. JAVITS. Mr. President, yesterday's attack by Arab terrorists upon a loaded, fully fueled Israeli commercial airline at Zurich's Kloten Airport—the third such attack in recent months—once again inflames the passions of the Middle East and threatens again to explode the present Arab-Israeli "whisper war" into a full-scale conflagration. Once again, the act of a handful of terrorists could bring the United States and the Soviet Union a step closer to the military confrontation both sides are seeking to avoid in this tortured area.

The gravest mistake the world could now make would be to regard this latest attack on an El Al passenger plane as just another isolated incident in the chain of so-called incidents that have violated the cease-fire agreement negotiated in the Security Council to end the 1967 6-day war.

The world reacted in silence to the Arab attack 2 months ago on the Israeli airliner in Athens, only to find its voice in declarations of outrage over the Israeli retaliatory raid upon Beirut International Airport. This made a very bad impression, because it was so onesided in adopting the Security Council resolution.

There are two lessons to be learned, in my judgment, from the first incident in Athens. The first lesson is that the Israeli Government regards an attack on its commercial airline as an attack on its major lifeline with the outside world. Surrounded on three sides by enemies and on the fourth side by the sea, Israel must regard threats to the survival of its airline as threats to its survival as a nation.

The second lesson was the December 31 U.N. Security Council resolution, for which the United States voted, which condemned Israel for its attack on empty aircraft in Beirut, but completely ignored the Arab attack in Athens aimed at destroying an Israeli commercial airliner and all its passengers. This U.N. action obviously did nothing to discourage these outrages, because here we have another, again imperiling passengers and wounding six of them, one very seriously.

What is to be done? I suggest the following. The U.N. Security Council must take a hard and realistic look at the attack in Zurich and must be prepared to act rather than react with discriminatory impotence, as it did before. U.N. Secretary General U Thant has thus far limited himself to a denunciation of the terrorist action and an expression of hope that it "will not be followed by an act of retaliation." He has said terrorist attacks should be condemned by all governments if civil aviation is to be saved "from chaos and anarchy." But he is still to reveal what role, if any, he believes the United Nations can play in bringing this about.

Are we to wait again for the Israelis, angered and frustrated by the silence and inaction of this world body, perhaps to strike out with another retaliatory blow? Or are we ready to confront the Security Council with the full measure of the dilemma of Arab terrorism, including the direct responsibility of the Arab governments for the acts of these terrorist bands?

If we are to have any hope of the Israel Government displaying the restraint asked for by U Thant in the face of this latest attack, we must choose, in my judgment, the course of action of facing the Security Council of the United Nations—and perhaps the General Assembly, if the Security Council will not act—with the situation.

The Israelis must be encouraged to bring their grievance before the Security Council, a body which, incidentally, they now think is a kangaroo court, with six of its 15 seats occupied by nations that do not afford diplomatic recognition to Israel and with a Soviet veto looming over any of its deliberations which might censure any Arab state. If the Security Council proves to be a forum that will not work, then perhaps the General Assembly of the United Nations can do better; and it must be prepared to condemn the Arab governments which give encouragement, financial assistance, and even military training to the terrorist groups.

It must weigh the recent statements of President Nasser and King Hussein in open support of the terrorists against their declarations of seeking a peaceful settlement with Israel. Obviously, a "solution of the Palestine problem," as President Nasser calls it, by illegal terrorist acts, cannot be compatible with sincere peace efforts; and, the support by President Nasser and King Hussein for such acts should be condemned by the United Nations.

The Nixon administration should take the lead both in the U.N. and in the Four Power talks on the Middle East to make an end to terrorist activities an integral part of any move toward a peace settlement suggested to Israel and the Arab States.

It is a tense moment in the Middle East and it is growing more intense. Mr. President, the point I make an effort to show today is that we cannot seek to bring about peace between the parties when there are armed attacks by terrorist bands of organized governments which say they want a peaceful solution. The two do not go together. Nobody is being fooled, because the situation is growing more intense every day.

I invite the attention of our Government and the United Nations, of which we are such an important member, to this situation in the hope that perhaps in the General Assembly, if not in the Security Council, some more constructive move can be made than has been made up to now.

SENTINEL ANTI-BALLISTIC-MISSILE SYSTEM

Mr. KENNEDY. Mr. President, nearly 2 weeks ago Secretary of Defense Laird announced that all construction work on deploying the Sentinel ABM system would be halted, pending completion of a Pentagon review of our major weapons system. This was heartening news to those of us who opposed deployment of the Sentinel, for it seemed to indicate a genuine intent to conduct a dispassionate, inclusive, and exhaustive review of the premises underlying the decision to deploy the Sentinel.

From all available indications, however, this review is not dispassionate; not exhaustive; and not inclusive. In fact, the decision to resume construction on Sentinel deployment seems to have already been made, if it was ever seriously in question within the Pentagon. Today's newspapers carry stories, based on a press conference yesterday by Secretary Laird and Deputy Secretary Packard, that deployment of Sentinel is a virtual certainty, although the form of the system may be somewhat different than that previously planned.

I would point out that as far as I am concerned, it is not the form of Sentinel which so concerns me, as much as it is the substance of it. And a review which urges changes in only the form, as an attempt to mollify those of us concerned with the substance, is really no review at all.

Because of my concern that we in the Congress have as much and as accurate information as possible on the Sentinel system, I have asked two very distinguished Americans to organize and prepare a report for me and my colleagues on all aspects of the Sentinel system. For far too many years, we have not had readily available to the public at large anything but the official administration reports on national defense projects. It is high time, I think, that a non-Pentagon report be made generally available.

The two individuals who will organize this report are Dr. Jerome B. Weisner of the Massachusetts Institute of Technology, and Prof. Abram Chayes of Harvard University. Dr. Weisner was formerly the science adviser to Presidents Kennedy and Johnson, and Professor Chayes the legal adviser to the Department of State from 1961 to 1964. I think they bring to a study of this type a unique mixture of scientific and foreign relations experience at the highest levels of our Government. Dr. Wiesner and Professor Chayes will be joined in their work by other distinguished experts in the technical and policy fields, and they will have their report prepared in 3 or 4 weeks.

I have previously here in the Senate set out my objections to deployment of the Sentinel system, as have many of my colleagues.

I believe that were we to move ahead with deployment of Sentinel, we would have spent what now appears to be in the neighborhood of $10 billion—to provide us not with security, but with false security. I do not think that we should commit, now, these sums to the Sentinel system. We should instead continue our research and development efforts, and seek with greater intensity to begin disarmament talks. For the future of the world lies more surely not in more arms stockpiles, but in less; not in more hostility and distrust, but in greater understanding; not in another round in the arms race, but in cooperative efforts to slow down.

I firmly believe that deploying Sentinel would be a major national error. I shall do what I can to see that it is not deployed.

Mr. GOLDWATER. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY. I am happy to yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I have followed with some interest, not on the floor, but through the press, the efforts engaged in by the distinguished Senator from Massachusetts in this whole field of antiballistic missiles.

It may come as some surprise to the Senator to find out that I am not married to either the thin or the thick system, should one be suggested. I am trying to listen to both sides, in order to make up my mind.

From what I have been able to read in the past week about the position of the Air Force on the anti-ballistic-missile system—and I have not heard this officially from the Air Force or from any friends connected with that organization—it seems that their approach might well be one of dropping the protection of our cities and protecting our hardened sites. If that is the suggestion of the Air Force, would that change the Senator's attitude toward an ABM system, whether thin or thick?

Mr. KENNEDY. I think that the principal objections stated and the reservations given in my letter of 2 weeks ago to Secretary Laird, and here today, are that the whole concept should be reviewed by the appropriate committees. The distinguished Chairman of the Armed Services Committee, the Senator from Mississippi (Mr. STENNIS) indicated just about 10 days ago that his committee would have full hearings. I believe also that we should have some judgments in regard to the implications in the field of foreign policy. As the Senator from Mississippi (Mr. STENNIS) pointed out, in the last hearing we had on the Sentinel program, only Administration witnesses were called. Certainly it seems appropriate that other witnesses should be called who can make helpful and useful comments with regard to the total deployment of this weapons system. Certainly it should be an area on which we should gather information.

At noon today, I had an informative luncheon with Mr. George Rathgens, who has recently written for the Carnegie Endowment for International Peace an extensive analysis of the whole ABM system. He is generally recognized as one of our experts on this subject. He has sincere reservations about deploying Sentinel for the protection of hardened sites. He says that such protection can be provided more effectively with other defensive weapons systems, and that we really would be buying very little protection for the hardened sites. This would be precisely the kind of thing I would hope Senators could get information on, to find out whether the best and most effective way to provide for the protection of these hardened sites is through Sentinel or some other means.

There are reasonable questions about it. I think all of us would like to have the best judgments we can get, in order to respond to those questions. The Armed Services Committee, through its chairman, has indicated that they have many questions to ask, and they want not only administration witnesses, but also other witnesses, so that the Senate itself will benefit from their judgments. I think that is really what my comments relate to.

Mr. GOLDWATER. Mr. President, I think that the Senator from Massachusetts has made worthwhile contributions to this whole field. Undoubtedly, there will be much debate and discussion on it. I think that any additions we can get from the fields of science, engineering, and physics would be wise.

I recall, 4 or 5 years ago, when the test ban treaty was up for discussion, that we heard testimony before the Subcommittee on Preparedness Investigating which caused, I believe, all but two members of that subcommittee to vote against the test ban treaty.

I might say that the information is still there. Unfortunately, it is not available.

I also recall a specific question I asked relative to the ABM system and the test ban treaty. In fact, I remember the rather facetious way I put it—and it is even more facetious now—as I said to this learned doctor, "Suppose I were President of the United States—" He kind of chuckled. I did, too. I continued, "And I asked you to develop an ABM system for me. Could you guarantee that it would work without being tested?"

He replied, "No, I could not."

Thus, I think all of these things bear. In other words, can we develop an ABM system that will work with knowledge gained only by underground testing? These things are all matters that Senators should know about because Senators have suggested, many times, even a thin system that, frankly, I can not buy because its protection is directed only to one area of our great sphere.

If we get into the full field of protection against all sources of atomic or nuclear weapons, it will be a devilishly costly thing. I would hope that we could hear from all sides on this subject. As I have already said, I am not particularly married even to the need for one, at the present time; but I know that we have some very grave problems to consider in developing one.

I think that the Air Force, the Army, and others in the military and scientific fields connected with the Government who will contribute to this, are already concerned about it. I hope that we can spend a good, long, deliberative period here before we do one thing or the other.

Mr. KENNEDY. I want to comment on the remarks just made by the Senator from Arizona because I know considerations of national security have been something in which he has been deeply interested and concerned.

I think that all of us feel that this country is wealthy enough to support whatever efforts are necessary for our security. There have been, over the course of developing this program, some serious questions raised as to how much security such a system would provide.

It was because of that, I think, that the distinguished Senator from Kentucky (Mr. COOPER) and the distinguished Senator from Michigan (Mr. HART), who have been the strong leaders in this field—and many others—were very much appreciative of the indication by Secretary Laird that there would be a total review.

It is because it appears to me, at this time, that such a total review does not appear to be in the cards, that I rose on the floor of the Senate today to make my comments.

Mr. JAVITS. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY. I am happy to yield to the Senator from New York.

Mr. JAVITS. Mr. President, one bit of information which I should like to suggest, because I think it bears exactly on what both Senators have been saying, in the hearings yesterday, before the Committee on Foreign Relations on the nonproliferation treaty, the issue arose whether article 6 of that treaty imposed an obligation on us to try to negotiate first in good faith with the Soviet Union for disarmament, which everyone admitted, including the Secretary of State included the ABM system. Before we went ahead with it in any way, it is a pertinent and a real question, and not just tautological.

But what the Senator is saying, and the Senator from Arizona as well, puts me in mind of the following: That what we need very quickly—and both Senators agree—is some appraisal by the Defense Department, and before our committees, as to the timing of this which the security of our country requires.

In other words, even for the opponents and the proponents, if we all know that 30, 60, 90, or 120 days are not going to make a basic material difference, I think we would be much more reassured in fighting for and sustaining the respective positions, whatever they may be.

The idea that, "Well, nobody knows; we do not know; maybe it is too late now; maybe we have to decide tomorrow," is a very nagging consideration. So, as a part of this record—and I agree that what both Senators have said is splendid—at the very least we ought to know, from very authoritative sources, what maneuverable time we have to discuss the matter, or does anybody claim we are immediately being prejudiced so we cannot talk about it?

Mr. GOLDWATER. Mr. President, will the Senator from Massachusetts yield, so I may answer, in part, the Senator from New York?

Mr. KENNEDY. I yield.

Mr. GOLDWATER. I feel sure that when the Armed Services Committee discusses the nonproliferation treaty many of these questions can be answered. Now, whether they can be answered to the point of where we can satisfy the public, or even the Senate, is a different question, because much of it is very classified information. But with reference to the nonproliferation treaty and the time table, I think the timetable is pretty much up to us.

I think the Soviets have accomplished what they have wanted to accomplish in the field of weapons, for example. They are ahead of us. Whether we are going to get into a race or not is a matter that is up to the Defense Department. We have heard fairly accurate reports, although I would want to field one myself before I would assume it, that they have accomplished an ABM system around their hardened sites, which I would say puts them in a position of being able to bargain.

As far as the timetable is concerned, they are not going to be hurt in their bargaining from a position of strength, while we would be bargaining from a position of weakness. So I think the timetable can work to our advantage, because if we take time, if we do not rush into this thing, if we take time to hear from the scientists and the military particularly, I think we can stretch it out. I think the longer we stretch the suggestion or consideration of the nonproliferation treaty, the better the understanding will be between the Soviets and ourselves as to what we intend to do and what they intend to do.

Mr. JAVITS. Mr. President, if the Senator will yield further, with respect to the pertinent comments that the Senators have made, would it not be of advantage to us to perhaps have the "leapfrogging"? Often it is not a disadvantage if we start a little later and get the benefit of all the mistakes made by the others before us.

Mr. GOLDWATER. I would say, getting into the field of weaponry, that would be a statement that could be substantiated. However, I do not like to see the United States back of any potential enemy. However, we get into a field that has no relation to this, although I feel I have to mention it. In the field of aeronautics we are now definitely behind the Soviets. That is not a matter that we are going to discuss in the treaty as of now. It is a fact. It is a question of whether we are willing to drag on another 8 years without equipment to match them in the air, if we have to do it, over Red China, or the Formosa Straits, or Vietnam. I think this gets into a matter of urgency, whereas I do not think the fact that we are behind the Soviets in weaponry or the ABM makes for any particular need of speedy consideration of a treaty that will have a great bearing on whether we want to catch up with them, and then whether we decide to.

Mr. JAVITS. I thank the Senator.

Mr. KENNEDY. Mr. President, I would like at this time to call attention to the outstanding research and reporting work on the ABM issue done by a newspaper in my home State of Massachusetts.

Mr. Everett S. Allen, assistant to the editor of the New Bedford Standard-Times, has written a 12-part series which examines the ABM issue in great detail. Mr. Allen came to Washington to gather material for this series, and he has presented the entire controversy in depth.

I would like to commend Mr. Allen and the New Bedford Standard-Times for bringing this kind of responsible and pertinent reporting to their readers. I would like as well to call the series to the attention of my colleagues, and I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE CASE AGAINST ABM—I: EVEN MILITARY IS SHARPLY DIVIDED

(NOTE.—Deployment of the multibillion-dollar anti-ballistic-missile system called Sentinel, the first battery of which was scheduled to be located in Greater Boston, has provoked a nationwide storm of criticism and controversy. As a sequel to its initial in-depth survey of ABM conducted more than two years ago, The Standard-Times presents 12 articles, of which this is the first, documenting the case for halting Sentinel deployment.)

(By Everett S. Allen)

WASHINGTON.—"I don't know why a nation that is approaching a trillion dollars in the gross national product can't afford a gadget to protect its civilization," Rep. L. Mendel Rivers, D-S.C., chairman of the House Armed Services Committee, commented in August 1966, in defending deployment of an antiballistic missile system.

Rivers' comment was made to The Standard-Times, which published at that time one of the nation's first in-depth studies of the controversial ABM system and concluded the weapon was too costly, too unreliable and that we should not go ahead with it.

On Feb. 7 of this year, Rivers said he wholeheartedly agreed with the decision of the day before by Defense Secretary Melvin F. Laird to halt work on the Sentinel ABM system, pending high-level review of it.

Said Rivers, "I want to be sure that (it) is the best system and that there isn't a system less costly."

This about-face by the House Armed Services Committee chairman is a direct reaction to the growing tide of broadly based objection to ABM deployment.

That objection was evident on Jan. 29 in Reading, when Greater Boston residents booed Brig. Gen. Robert P. Young of the Army Engineers Corps because he protested, "When you refer to the antiballistic missile system as the Army's program, you must remember it is the nation's program."

The booing symbolized the fact that the ABM is the most controversial weapons system in the history of the United States, that its scheduled "thin line" deployment—ostensibly to protect the nation against Communist Chinese intercontinental ballistic missile attacks—has aroused unprecedented opposition among both experts and the general public.

MILITARY DIVIDED

Even the military is sharply divided on whether the system would work or add anything to our national security.

ABM promises to be one of the major issues facing the Nixon administration and the Congress.

This Standard-Times series, based on interviews with scientists, legislators, records of congressional proceedings and research of Washington files, is designed to define the ABM question and to document the extensive evidence proving that deployment of the system now is a wasteful boondoggle.

The divergent views this subject embraces are made clear in the following comments:

Sen. Russell, D-Ga., urging approval of $387.4 million in procurement and deployment funds for ABM: "If the world ever has to start over with a new Adam and Eve after a nuclear holocaust, then I want them to be Americans, not Russians."

Dr. Jerome Wiesner, former science adviser to President Kennedy on weapons systems: "The ABM system planned by the Pentagon is both needless and useless. I don't think we know how to build an ABM system that would really be any good."

THIN-LINE SYSTEM

The system now under reconsideration is a $6 to $9-billion "thin-line" defense against a Chinese Communist attack, although Russell and many others have pointed out that this setup, called Sentinel, might well be the cornerstone for a full ABM system against Russia that could cost $50 billion, or much more.

Thus far, no one, not even limited ABM proponents, have suggested that the "state of the art" would permit us to build an antimissile system that would be effective against Russia.

The Sentinel system as now planned provides for deployment throughout the United States of from 15 to 20 batteries. The missiles are expected to cost from $1 million to $2 million apiece; each of the related radar units would cost an estimated $100 million, and operating costs for the system have been estimated by the Army at $500 million a year.

Opponents suggest this figure is low, and would more likely reach $1 billion a year.

It was expected that the first battery would be operational in the early 1970s and the entire system within five or six years. The three sites thus far selected include Boston, Chicago and Seattle, and mounting public opposition—for a wide variety of reasons—has erupted in each.

TWO TYPES OF MISSILES

What is the Sentinel system?

It is composed of two types of missiles and two types of radars, the latter feeding impulses to a computerized central "nervous system."

One radar is a Perimeter Acquisition Radar (PAR), a long-range detection and tracking instrument capable of scanning the horizon. The other radar is a Missile Site Radar (MSR), designed to track incoming targets at shorter ranges than the PAR and to track U.S. missiles to their encounter with an attacking missile.

The larger of the two missiles is Spartan, a three-staged rocket with a range of several hundred miles. It carries a nuclear warhead and is designed to intercept incoming mismiles above the earth's atmosphere.

The smaller missile is Sprint. It also is nuclear-tipped; has two stages and, like Spartan, is fired from an underground silo. It has high speed and limited range and is designed to intercept attacking missiles that have pierced the long-range Spartan defenses.

In theory, the system would begin to function when incoming missiles were spotted by PAR more than 1,000 miles away. PAR would track them for a minute or two, establish their trajectory, and feed the data to a computer.

A Spartan missile would be launched to intercept the attacking missiles hundreds of miles distant in outer space. It would fly at about 5,000 miles an hour and, at its nearest point to the enemy missile, explode its hydrogen warhead with the impact of millions of tons of TNT.

BACKUP MISSILE

Any enemy weapons penetrating this nuclear defense would encounter the short-range Sprint, which is capable of climbing thousands of feet in a few seconds, and of making interceptions between 5,000 and 100,000 feet, at ranges between 15 and 25 miles.

Sprint's operation is all within the earth's atmosphere, where it is easier for radar to identify decoys and other devices designed to confuse the defender. Its warhead is smaller than that of Spartan; its explosion probably would be about 20 miles in the air.

Spartan is 55 feet long and 50 times as powerful as the 27-foot interceptor Sprint. As Dr. Ralph E. Lapp, a leading U.S. nuclear scientist, has commented, "(Sprint's) primary purpose is to protect the Sentinel's radar sites, without which the whole system would be useless. In a 'thick' system, however, thousands of Sprints would be required to deal with warheads that have evaded the Spartan defenses."

ABM sites, as demonstrated by that in Greater Boston, the first in the nation, require 180 to 250 acres. In the case of Boston, the PAR would be located in a state-owned forest in North Andover. The remainder of the installation, including the MSR, Sprint and Spartan missile "farms" and auxiliary equipment, would be located at Camp Curtis Guild, which is in Reading, Wakefield and Lynnfield. The commonwealth also owns the Curtis Guild property.

At the Jan. 29 meeting in Reading High School of largely anti-ABM residents, former presidential aide Richard N. Goodwin declared, in referring to the argument that ABMs could be used to destroy enemy missiles fired by accident, "We are reaching a major point in the nuclear era. For the first time in the atomic age (if ABM is deployed), there will be no reasonable time to reach a presidential or cabinet decision about using nuclear weapons."

THE CASE AGAINST ABM—II: REACTION DELAY PUZZLES BRASS

(By Everett S. Allen)

WASHINGTON.—The leisurely crystallization of Greater Boston opposition to ABM (called by one Reading protester the "bomb in the backyard") has mystified some government and Army officials who point out that at least some area residents have known for months what was intended.

In the beginning, only the Camp Curtis Guild proposal attracted much opposition. There was concern about the unpleasant appearance of a military facility in the choice suburban area, the threat of lowered property values, higher insurance rates, and radar interference with television reception.

Yet as recently as the middle of January, Sens. Edward W. Brooke, R-Mass., and Edward M. Kennedy, D-Mass., reported no large volume of protesting mail.

This is not the case now; grass-roots opposition is rising rapidly, and one anti-ABM senator predicted that "the initial flow makes me suspect it is going to get very, very heavy."

ASKS FOR HALT

The rise in protest moved Kennedy on Feb. 1 to ask the administration for a halt in ABM site preparation until Congress can reappraise the system.

The same protest prompted the administration to reply a week later by announcing suspension of work on the $6–$9 billion Sentinel system.

In part, the delay in opposition may have had little to do with the real issues or—public safety and need for effectiveness of the weapon—but may have stemmed from general lack of information and a belief that an ABM site "in the backyard" would be good for the local economy.

A Sentinel Systems Command official to whom I talked cited the case of the civilian at an antimissile briefing who said, "I thought we'd had antimissile missiles deployed for years."

As for the economy, and the community relationship generally, this is what a local ABM site amounts to, as demonstrated by the Reading-Wakefield situation:

The Army proposes spending $100 million on each site. Here in Massachusetts, approximately 1,300 workers would be expected to take two years to complete the project. If the ABM battery is completed, it will be manned by approximately 600 people, including 300 civilians. Barracks would be constructed on the base for an estimated 200 unmarried soldiers.

Electricity and water would be purchased from the town of Wakefield. The payroll for each proposed ABM site has been estimated at from $2 million to $3.5 million annually. Some off-base housing would be required. The Army has said there would be less than "one child per class at the elementary level" added to local school systems.

NO TALL STRUCTURES

In terms of esthetics, the Army has emphasized there would be no tall structures (the MSR building is 30 feet high and 120 feet on a side, trapezoidal); the missiles would be underground, and has promised to plant trees in response to protesters who do not want to look at a missile base.

But the opposition rises, in large measure concerned with what is acknowledged by both pro and anti-ABM camps as the "remote" chance of an ABM accidental explosion. Even though there has been no such accident in all of the 24 years since Hiroshima, Chicago ABM opponents called the possibility a "serious safety threat."

What they are immediately concerned about is the proximity of the ABM sites thus far selected to major population areas. David R. Inglis, senior physicist at Argonne National Laboratory, concluded, "There is no serious reason for the Spartans to be close to cities, since their effectiveness must be nearly uniform over the central part of the 600 to 1,000-mile wide region they attempt to defend.

"Designers have worked hard to make the control devices as effective as possible, and they must be good, for the record is very good. However, the Spartan warhead, described as 'in the megaton range,' indicates a weapon approximately a hundred times as powerful as the bomb that destroyed Hiroshima and took 230,000 lives from a half-mile in the air. Its local fallout from an accidental surface blast would be highly lethal."

At the Reading public meeting on Jan. 29, George Rathjens, MIT faculty member and former deputy director of the Defense Department's Advanced Research Projects Agency (ARPA) under President Kennedy, said the Army feels it must have ABM sites near large cities "for any significant protection against Russia."

Officially, neither the Army nor the government ever has conceded that the present "thin" defense is intended as anything but a shield against the Chinese Communist nuclear threat.

ACCIDENT IMPROBABLE

Dr. Rathjens acknowledged that an accidental explosion at an ABM site is "extremely improbable," but added that if the warhead of a Spartan missile, with an explosive power of 1 million tons of TNT, went off accidentally, it would cause nearly total destruction for a radius of five miles.

Fear of such a possibility, remote though it may be, has prompted the Northern Illinois Citizens Against the ABM to file a lawsuit seeking to force the Army to drop its Glenview site near Chicago.

Reacting to this type of pressure, the Army recently conceded that it would be feasible to install ABMs a hundred miles from Chicago and still defend the city against an unsophisticated Chinese missile threat. But the Army insisted that as Peking improves its missile capability, defenses much closer to the city would be required.

The public safety fear, even though the Army, on the basis of its own record, probably can answer this criticism better than others, seems to be the trigger that has fired the strengthening anti-ABM movement.

If opposition to antimissile deployment ever could have been dismissed as a crusade embraced only by the advocates of "make peace, not war," that is no longer accurate.

There is a broad base of protest, ranging from the scientist who says ABM won't work, including the admiral or general who thinks weapon dollars are better spent on offense, to the taxpayer who says, in effect, "I don't think a military base in my community will be an asset, and I don't want to spend every day wondering whether my community will be the first to break the Army's excellent record of no accidental nuclear explosions."

THE CASE AGAINST ABM—III: SHELTER SYSTEM, A QUESTION MARK

(By Everett S. Allen)

WASHINGTON.—"The presence of an antiballistic missile (site) near a city may require civil defense shelters in order to protect the city, not merely from incoming bombs, but from atomic bombs used by its own ABM.

"The question of the need for civil defense to accompany ABM is in dispute and has not been frankly discussed by the Department of Defense at any great length."

This is the conclusion of an analysis by the ABM committee of the Seattle Assn. of the Federation of American Scientists, headed by Philip A. Ekstrom, predoctoral research associate in physics, at the University of Washington.

Advocates of an ABM-oriented shelter system estimate its cost at $50 billion.

The reference to "atomic bombs used by its own ABM" means the short-range back-up missile, Sprint, designed to explode in the earth's atmosphere, at an altitude of 20 miles or less.

DIVIDED ON CIVIL DEFENSE

The diametric difference of opinion among experts as to the importance of civil defense with relation to ABM is a major contributing factor to the rising public uneasiness that may force the government to permanently halt deployment of the system.

For example, Lt. Gen. Alfred D. Starbird, the Army's manager for the Sentinel system, said, "If it ever became necessary to launch, the missile would leave the silo and fly to an exceedingly high altitude. It would be disarmed; it would continue to be disarmed, throughout much of its flight. It would have to stay disarmed; it could not be armed until it was at an altitude where it cannot harm persons or structures or facilities on the ground . . .

"I have lived with the design and the safety features in weapon systems for a great many years. It is my personal opinion that there cannot be, it is not possible to have, a harmful nuclear explosion with this system, and with the elements as contemplated for deployment."

A related question was included in an Army fact sheet made available last November:

Q. Does the presence of a Sentinel site near a city increase the possibility that the city will be a target?

A. The major cities, of course, are already prime targets due to their larger population and industrial importance. Whether the presence of Sentinel will further increase the priority of any one in the eyes of an enemy power is a matter that is difficult to assess. However, the presence of Sentinel will significantly increase the protection of the populace and the area from missile attack.

SAY REASONS GOOD

However, the Seattle committee concluded that the government's "reticence about including among (ABM site) criteria the fact that the radars and Sprint missiles are to be placed next to cities is understandable because there are good reasons for keeping the sites away from cities."

This view is buttressed by two arguments:

1. The Chinese may attempt to knock out the ABM radar sites in a first-wave of intercontinental ballistic missiles (ICBM) so that following waves would not be blunted by the long-range Spartan missiles, and so might attack the sites heavily. This suggests that the radar sites could become in Dr. Ralph Lapp's phrase, "megaton magnets," drawing a disproportionately large number of atom bombs to the site and, if the sites are next to cities, to the adjoining cities.

Obviously, if the Sprint missile system should fail, this large number of bombs would explode near the sites and their adjoining cities.

2. Even if the system does not fail and Sprints are detonated in the atmosphere above the radar sites, the committee found that "the resulting heat, light and blast may cause very great damage in nearby cities, as Lapp and others have pointed out."

Further, the use of increasingly good decoys by the enemy—acknowledged as inevitable by both pro and anti-ABM forces—presumably would mean that these explosions would occur at lower altitudes, nearer people.

MUST INCLUDE SHELTERS

The Seattle group found that if any ABM system, even an "austere" anti-Chinese system, is to be effective in saving American lives, then it should also include "an adequate shelter system" for our civilian population.

To build an ABM system without providing blast and fall-out protection for the population, the West Coast scientists concluded, "would remove any aspect of credibility in the argument that ABM is primarily intended to defend the population."

This is an important point because the argument has been made in defense of ABM deployment, by Gen. Earle Wheeler, chairman of the Joint Chiefs of Staff, former Defense Secretary McNamara, and former President Johnson.

The Defense Department budget for fiscal year 1969 did, in fact, include $77 million for the civil defense program, of which approximately $31 million was for shelter development and acquisition.

However, the Seattle group compared this figure with estimates of costs for "realistic protection" against nuclear attack made by Holmes and Narver, Inc., for the Oak Ridge National Laboratory in 1965.

This study analyzed the tunnel grid blast shelter concept developed by the Project Harbor Civil Defense Study Group, which was directed by Prof. Eugene Wigner of Princeton University. It provides for one month's occupancy by urban populations, against fallout and to withstand blast overpressures up to 100 pounds per square inch. This degree of blast protection, incidentally, is substantially less than that now given to Minuteman missiles in hardened silos.

The cost for such shelters was estimated to be $515 per person, at 1968 prices. The estimate does not include the cost of land or maintenance and stocking of food and medical supplies. At the estimated price, the cost to afford this degree of protection to our urban population of about 75 million people would be more than $38 billion.

MORE FOR TOWNS

To provide such protection for our population in small towns and rural areas would cost much more. According to this reasoning, protection of our civilian population, which is the principal stated reason for deploying a Chinese-oriented ABM, should cost about 10 times the estimated cost of the ABM hardware (at least $5 billion).

The Seattle group concluded, "Instead, we find that the present Defense Department budget calls for a total civilian defense outlay in fiscal 1969 of only 6 percent of the ABM allocation.

"At this point, one is forced to ask whether the proponents of the ABM system are indeed concerned with saving American lives."

Congressional concern over the type and number of shelters that ought to supplement an ABM system, even a "thin" one, is mounting.

Sen. Kennedy, D-Mass., Democratic whip and in the forefront of legislators who urged reappraisal of ABM, has concluded the antiballistic missile defense is "not valid" without a shelter system, the initial cost of which has been estimated at at least $15 billion.

THE CASE AGAINST ABM—IV: WHO SAYS ABM'S WON'T WORK, AND WHY?

(By Everett S. Allen)

WASHINGTON.—Leading American scientists, including all of the science advisers of the last three presidents, oppose ABM deployment because (a) they are convinced we do not yet know how to build an effective antimissile system, and (b) such a defense as we are able to build can be easily and cheaply overcome.

Former Defense Secretary McNamara, who for years resisted pressures to deploy ABM, who was thoroughly familiar with military and technical factors involved, commented, in urging more research and development, rather than deployment. "Let me make it very clear that the cost in itself is not the problem; the penetrability of the proposed shield is the problem."

The weaknesses of the Sentinel ABM system that the Army now had been authorized to deploy have been stressed repeatedly by members of the scientific community, including Richard L. Garwin, director of applied research at the Thomas J. Watson research center of the International Business Machines Corp., and Hans A. Bethe, Nobel prize winner and physics professor at Cornell University, in the March 1968 issue of Scientific American.

They are summarized as follows:

1. Spartan interceptors would cost $1 million to $2 million. It is reasonable to assume that warheads could be delivered by an attacker for less than it would cost the defender to intercept them.

2. The attacker could concentrate his strike on a few targets so that most of the interceptors would have nothing to shoot at.

EXHAUSTED BY DECOYS

3. Several hundred to several thousand relatively cheap decoys launched by a few large vehicles would readily exhaust a Sentinel-like system. The attack with real warheads then could follow.

4. Since the Communist Chinese ICBM system still is in the early research and development state, it can and would be designed to deal with the Sentinel system, whose interceptors and sensors are nearly in production and are rather well publicized, and would not all be in place until 1975.

5. A variety of penetration aids are available to an attacker. These are inexpensive and include balloon decoys shaped like reentry vehicles that are made of plastic and covered with foil or wire mesh, and fine metal wires of "chaff," scattered in large quantities to confuse the defensive radar.

6. A "blackout" of defensive radar could be caused by the large number of free electrons released by a nuclear explosion. This is because the electrons in an ionized cloud of gas have the property of bending and absorbing electromagnetic waves. This effect can reach such proportions that the defensive radar is prevented from seeing any object behind the ionized cloud.

Such a blackout can be caused both by the defensive nuclear explosions themselves or by deliberate explosions set off at high altitudes by the attacker. The offense might reasonably sacrifice a few early missiles to cause blackout at strategic radar locations.

HAVE MANY OPTIONS

Nuclear scientist Ralph E. Lapp has concluded that, "The Chinese have a variety of options they might exercise to outwit a defense shield. A 'thin' ballistic shield is apt to leak badly if attacked by missiles that deploy decoys and other devises to confuse the defense.

"The Chinese might follow our example by fitting a multiplicity of individual nuclear explosives in each ICBM nose cone. (This is called MIRV (multiple independently targeted re-entry vehicles.) It will enable a single ICBM to carry as many as 10 warheads, each of which can be precisely directed at a particular target.

"The use of large numbers of warheads allows us an attacker to saturate a defense system; he simply fires more warheads into certain ballistic corridors than the 'thin' system's antimissile missiles can handle and thereby simply overwhelms the defense.

"A crude and cheap Chinese copy of MIRV, employing a cluster of warheads and a cloud of decoys on a single target could be the downfall of a Sentinel System."

It also is noteworthy that, since the Chinese would have to shoot their missiles 9,000 miles (2,000 miles farther than would the Soviets) in order to reach America, they might choose not to build an arsenal of land-based ICBMs.

If they fired missiles from either surface or submarine vessels at much shorter range, Sentinel would constitute no defense, since it is not built to repel such an attack.

COULD SMUGGLE BOMB

The ABM Committee of the Seattle Assn. of Scientists of the Federation of American Scientists has pointed out that China also could:

1. Circumvent the ABM system with "an end run." The most dramatic of these is the smuggled bomb. Said the committee, "We have for at least 10 years had in our arsenal a nuclear warhead six inches in diameter, for use in an artillery shell. Even much larger warheads could be smuggled into the country in innumerable ways and delivered by hand to their targets.

2. Detonate a "dirty" bomb upwind from its target. Such a blast could be delivered by missile to a point far from its real target. Winds would deliver the resulting radioactivity to the desired target. Alternately, a "dirty" underwater burst just off our West Coast would "literally rain destruction on coastal cities."

Concluded the University of Washington scientists' committee, "A missile defense against China, effective even until 1980 (Defense Department estimate) would require far more than the proposed Sentinel deployment and would leave us completely undefended against many unconventional, but highly effective, styles of attack."

ALREADY OBSOLETE

Dr. Jerome B. Wiesner, provost of MIT and President Kennedy's science adviser, believes the Sentinel System is technically obsolete already.

Dr. Wiesner said, "I have come to the conclusion that any system that depends on projectiles rather than, say, on nuclear rays or electromagnetic beams or laser beams is fighting a losing fight . . .

"I don't think the defender nation is ever to know what to expect. I am convinced that the variety of techniques available to a nation planning an offensive system is great enough to keep an antiballistic missile system of the kind we are talking about totally off balance.

"Just the thought that we might develop an ABM system and, therefore, that the Russians might do the same caused us to develop a whole set of offensive countermeasures that make our Air Force and Navy confident that we do not have to worry about a Russian antimissile system." (These include missiles carrying several warheads (MIRVs) and the possibility of using the blackout attack against Soviet defense radar.)

"One of the interesting things about the ABM arguments is that the purpose seems very slippery. We were told that the Sentinel was to protect us against irrational behavior of the Chinese. Many people would contend that our already existing deterrent system will do this adequately.

"Further, a careful analysis of the Sentinel system cannot be shown to provide protection against Chinese nuclear weapons for very long unless you make some unbelievably naive assumptions about the Chinese—that they do not have access to our newspapers, or to our journals, or that they are not thinking people.

TIME TO RESPOND

"Many people do not realize that you cannot snap your fingers and wish into existence the kind of an ABM system being argued about. They do not realize that if we build an ABM system and the Russians regard it as something they do not like, they have lots of time to respond; or that if they build an ABM system, we have time to respond."

Dr. Wiesner has called the Sentinel system "senseless and totally unnecessary." He noted that he had opposed it from the beginning because "If it were effective at all, it would be only for a very short time, and I believe that it would be only a matter of time before the pressures would develop to expand Sentinel into a very costly and clearly inadequate anti-Soviet system. The Senate debate of last June shows that those pressures have already begun."

Finally, even Dr. Edward Teller, who favors Sentinel deployment, has acknowledged publicly that, although we have tested the ABM's components separately, including the nuclear device underground, we do not know how they would perform "all in one package" and cannot find out, short of war or accident, because of the nuclear test-ban treaty.

The Case Against ABM—V: ABM Debate in the Senate

(By Everett S. Allen)

WASHINGTON.—Underlying last year's Senate battle, unsuccessful yet valiant, to block ABM deployment, was the suggestion that factors other than national security motivated some members to press for construction of the Sentinel sites.

Sen. Margaret Chase Smith, R-Maine, senior GOP member of the Armed Services Committee, said, "There are strong possibilities, if not probabilities, that by the time this so-called 'thin' defense against Red China is completed, it will have become obsolete because of the rapid rate of development and change in the state of the art.

"This program has strong characteristics of being only a sop to those who have insisted on a full-scale ABM system."

CAN AFFORD TO WAIT

Her statement was extraordinary because Sen. Smith usually is found on the side of the military, yet strength is added to her conjecture because of the largely unanswered arguments against deployment raised by her colleagues.

They may be summarized as follows:

Sen. Hart, D-Mich.: We can afford to wait because according to Assistant Secretary of Defense Warnke, there has been "at least a one-year slip in the Chinese ICBM program beyond what we expected when we made the deployment decision."

Sentinel is not ready for deployment. Important components have not been adequately tested. Deployment will tend to divert resources from needed additional research and development; a delay may, therefore, result in a more effective system. By postponing the deployment, the ABM program will benefit, if it ultimately develops that deployment is in the national interest.

(In testimony before the Senate Armed Services Committee on Feb. 16, 1968, Army Chief of Staff General Harold K. Johnson described the state of development of Sentinel components in terms that hardly suggest the system is ready for deployment.

(Of the first major elements, Spartan and Sprint missiles, perimeter acquisition radar, missile site radar and data processing equipment, only the Sprint had been tested as a unit as of the time of the Senate debate.)

PERCY NOTES TEST

In the course of floor debate last April 18, it was brought out by Sen. Percy, R-Ill., that 11 of 14 test firings of the Sentinel system had been successful. Yet to be effective in actual operation, every element of an ABM system must work perfectly every time.)

Sentinel would hamper prospects for U.S.-Soviet arms control agreement since its deployment clearly would cause the U.S.S.R.

to react to some degree against it by developing countermeasures. At the very least, it will make more remote the possibilities of serious negotiations with the Soviets—which they have requested—over strategic armaments.

A worse possibility is that a U.S. ABM deployment will trigger a race of dangerous new armament programs, which will decrease U.S. security rather than enhance it, at enormous added cost to both sides.

Important dollar savings could be realized by postponing deployment. The cost of the system as presently planned is likely to soar beyond the official figure of $5.5 billion. In addition, in the added time gained, alternative and less costly ways of providing security may be developed, whether in the arms control area or by such means as providing protection for Minuteman ICBMs with increased site hardening. Thus, a decision to spend $1 billion now could mean wasting $5.5 billion and probably much more.

(Last January, former President Eisenhower strongly protested the Sentinel deployment decision, asserting that it was only a first step toward a much costlier Soviet-oriented system which would not do the job for which it was intended.)

CITES CONTRADICTION

Sen. Symington, D-Mo., former Air Force secretary, and member of the Armed Services Committee: "The original argument was that we did not need any (ABM) system, because our offensive capacity was being developed to the point where we could smash any aggressor.

"Then, for some reason never made clear to me, there was proposed a $30 billion defense against the Soviet Union and a $5 billion defense against a possible future threat from Red China; and the Chinese defense was chosen. For reasons I still do not understand, we decided against a defense against the Soviet Union, but did want a defense against a possible threat from China. So we saved $25 billion, just like that.

"Each year the demand for research and development in the Department of Defense increases to the point where it now amounts to $8 billion a year. This money has been put up faithfully on the floor of the Senate, year after year. I now challenge the results. What has come out of these vast sums?

"True, we have had missile program after missile program. Then they put them on the shelf, either because they are obsolete, or because they do not think they will be needed, or because they do not work. We have been getting a lot of gadgets and tricks and theories. But where is the modern hardware? You cannot fight with blueprints."

QUESTIONS JUSTIFICATION

Sen. McGovern, D–S.D.: "We find the secretary of defense and the administration saying that if we could get some kind of agreement with the Soviet Union whereby they would not deploy their ABM system, then we would not deploy ours. What then happens to the argument that we need one against China? If we do need a defensive missile system against China, and if that is the 'marginal' (former Secretary of Defense McNamara's word) reason for the Sentinel, why would we make a deal with the Soviets not to build it?"

Sen. Symington: "Even if we were able to prevent 98 percent of Soviet nuclear missiles from reaching target in an all-out attack—an impossibility, just as it would be impossible for another country to prevent a substantial portion of our missiles from reaching target—2 percent of Soviet missiles hitting their targets could still destroy our cities.

"For years we have been asked to spend billions on maintaining an 'assured destruction' capability on the theory and with the premise against this gigantic cost that the best defense is a good offense.

"And now, after spending these tens of billions on the basis of that premise, we are told this is still not enough; therefore, we must now spend additional billions on this theoretical and admittedly strictly limited defense, the effectiveness of which even the Sentinel's strongest advocates admit is in doubt."

WON'T SIT STILL

Sen. Hart: "The only way I can imagine Sentinel or any other ABM deployment saving lives would be if the Soviet Union—or China, for that matter—do nothing to compensate for the deployment, in order to restore the capability to damage the United States, which had existed before the deployment was undertaken.

"But they could hardly be expected to do nothing; thus, there would be no reason to believe an appreciable number of lives would be saved. In fact, there is good reason to believe that even more lives might well be lost than had the ABM deployment not taken place.

"We must face the very real possibility, if we go ahead with Sentinel, of the Soviets responding with a more than compensating improvement in their offensive systems, especially considering the complexity of the Sentinel system, the fact that it can never be adequately tested short of an actual nuclear exchange, and that it probably will fall far short of performing as well as it is designed to do. The net effect, then, would be an increase, rather than a diminution in damage to the United States in the event war should ever occur."

EXAMPLE OF FUTILITY

Sen. Clark, D-Pa.: "I give you one example of the futility of the defense in trying to catch up with the offense. In 1959, the U.S. Army proposed the deployment of the Nike-Zeus system, the father of the present highly touted Nike X system (from which the Sentinel system was developed). The total cost of deploying this system was then estimated at $13 to $14 billion.

"This proposal was turned down by President Eisenhower, who said that, 'It is the consensus of my technical and military advisers that the system should be carefully tested before production is begun and facilities are constructed for its deployment.'

"We should also heed the words of Defense Secretary McNamara when he referred to the Nike X system in January, 1968. He said, 'Had we produced and deployed the Nike-Zeus system proposed by the Army in 1959, most of it would have had to be torn out and replaced, almost before it became operational, by the new missiles and radars of the Nike X system.

" 'By the same token, other technological developments in offensive forces over the next seven years may make obsolete or drastically degrade the Nike X system as presently envisioned.' "

THE CASE AGAINST ABM—VI: LESS DEBATE IN THE HOUSE

(By Everett S. Allen)

WASHINGTON.—Sen. Kennedy, D-Mass., has called the Senate "remiss" for not obtaining full information on the Sentinel system before approving deployment funds, but the manner in which ABM was ramrodded through the House makes the upper chamber's deliberations leisurely by comparison.

Rep. Leggett, D-Calif., protest, "I find it no real credit to our House system to have the other body debate the ABM construction deployment for a week, passing the item by a close vote of 52 to 34, after our House considered the item and passed over the whole issue without an objection being made."

Rep. Bingham, D-N.Y., added, "I am voting against it (ABM deployment) first, because there has been a disgracefully insufficient time for the House to debate a bill of such magnitude and importance and second, because the bill, as described and defended by the chairman (Rep. Rivers, S.C.) and some members of the Armed Services Committee indicates no recognition of the need to reassess our priorities so as to defer essential or questionable expenditures."

TWO-HOUR DEBATE

Rep. Scheuer, D-N.Y., complained that, "The members have been allowed a mere two hours to debate a bill which will authorize more than a $21 billion expenditure in military procurement and research. We have been virtually denied any opportunity of examining its provisions in depth. We now propose to dispense with more than 10 per cent of the federal budget in 120 minutes; a rate of $175 million a minute. The report of this bill, which runs to 91 pages, was made available only three days ago."

Rep. Keith, R-Mass., noted during the July 11 House debate that, "I regret that we have not had an opportunity for a full debate on the ABM question at an earlier date. It would have been far better to have raised these issues back in April when the House authorized construction on the missile sites. That vote was the first step in the commitment to begin work on the Sentinel and the full range of political, technical and economic issues should have been placed before us at that time."

Keith asked, "Is it worth our money to build a system which may be useless against all but a small attack, such as the Chinese might be able to mount, using relatively primitive missiles?"

Rep. Bates, R-Mass., senior GOP member of the Armed Services Committee, replied, "The answer to that is in the affirmative." Bates commented, "It might well be that we might lose money in this effort (the deployment), but I would rather lose some money than lose our country and we can, if we prove to be wrong on this issue."

Paradoxically, those House members who argued against ABM deployment did so on the grounds that to deploy would "prove to be wrong on this issue."

The case against deployment, as presented by Leggett and others, made these points:

There is clear evidence that the system is not technically feasible at this time and, in all probability, will not be feasible in the future.

MODERN OUTLAY

The original proposal for the Sentinel ABM system envisaged a "moderate" $3.5 billion outlay. This "moderate" $3.5 billion estimate by last summer had risen to a "modest" $5.5 billion. Leggett predicted that by 1975, the target date for full deployment, "the system will have cost $15 billion."

(It is noteworthy that January 1969 estimates of cost have risen to $5.9 billion and Sen. Symington, D-Mo., opponent of deployment, has said he believes it will be closer to $9.4 billion.)

House opposition stressed that:

The system will be no good against a fractional orbit ballistic system, or a southern orbital ballistic system, or a multiple independent re-entry vehicle system, or a group of multiple independent rockets, or against a submarine close-range missile. It is "fully expected" that by 1975, the Communist Chinese will have a diesel submarine ballistic missile capability against which ABM would be ineffective.

Yearly upkeep of the ABM system will cost "at least $1 billion." (This is double the Army estimate.) "Mind you," said Leggett, "this is the very basic cost and the basic estimated cost can be easily exceeded in geometric proportions before the first missile site is positioned. These costs do not include extras or operation and maintenance of hundreds of sites around the country and pay for thousands of military personnel."

WOULD BE USELESS

The California legislator added, "If 20 simple Chinese missiles are launched against a target defended by 50 Spartan ABM's, there is an 81 per cent probability of successful defense. If penetration aids . . . or low-flying missiles (fractional orbital missiles) are employed, the Sentinel system will be useless."

(The June 28, 1968, issue of Congressional Quarterly quoted an unidentified Pentagon official as stating, "for the present time, we can make greater strides (in the direction of an effective ABM) by spending small sums of money to advance technology until we have a really useful capability, rather than spending a lot to produce hardware that we know won't work.")

Rep. Kyros, D-Maine, argued that, "A small fraction of the U.S. missiles surviving a first strike, if directed against China, would destroy half of China's urban population and more than half of its industrial capacity, most of its key governmental, technical, and managerial personnel and a large proportion of its skilled workers would be wiped out.

SUICIDAL ACT

"For the Chinese to attack or to threaten to attack American cities in the face of our strategic superiority would be a suicidal act."

Kyros also noted that, "Former Secretary McNamara, in his speech announcing the decision to go ahead with a 'thin' anti-Chinese ABM system, said, 'The so-called heavy ABM shield, at the present state of technology, would in no effect, be an adequate shield at all against a Soviet attack.' "

Leggett protested that, "debate on this system in my committee lasted about 45 seconds (when the House took up its version of the military construction bill, the ABM was not debated. The construction bill carried money for sites.), but Rep. Rivers, chairman of the House Armed Service Committee replied, in arguing for deployment, "This is a beginning. We are late now. We can move into the more sophisticated areas after we make this first step.

"We do not contend that this system can do everything. It will do what we anticipate we will need in the mid-'70s with respect to Red China."

And that note, although it answered none of the questions that had been raised by dissenters, carried the day, and the House approved funds for starting ABM deployment.

THE CASE AGAINST ABM—VII: THE ARMY'S VIEW

(By Everett S. Allen)

WASHINGTON.—Major criticisms of the ABM, some of them raised specifically by The Standard-Times, have been responded to by the Army's Sentinel System Command and by Dr. John S. Foster, director of the Pentagon's defense research and engineering.

Q. Sentinel inability against decoys:

A. Army: Development and production of effective chaff or decoys to operate against our ABM system, which will be deployed in the 1970s, will require significant effort by the Chinese Communists. The effectiveness of ChiCom penetration aids will depend upon rather specific knowledge of the Sentinel system. Even if this knowledge were acquired by the ChiComs, the Sentinel components have a significant robustness that will make the successful use of penetration aids difficult. Examples include the large kill radius of our Spartan missiles, radar diversity, and defense in depth.

Q. Complications of nuclear blast disrupting any radar system:

A. Army: The uncertainties associated with the effects of high altitude nuclear bursts in creating radar blackout would present an attacker great difficulty in confidently planning an attack depending on this effect. In designing Sentinel, we have taken into conservative account the blackout problem and uncertainties thereto to include geometric diversity of radars and selection of radar frequencies.

CLAIM UNFOUNDED

Q. Civilian fallout shelters for protection from our own defensive missiles:

A. Army: The inference that a major fallout shelter program was, and is, required because of the detonation of defensive nuclear warheads over our cities is without basis. In fact, the intercept altitudes and defensive yields of the Sentinel antiballistic missile defense system would not cause a significant direct threat to our population by either fallout, thermal or blast overpressure effects.

A civil defense shelter program continues to be a complement to active defense which would further reduce casualties due to enemy nuclear weapons.

Q. Defense against submarine-launched missiles:

A. Army: The Chinese Peoples Republic threat against which the Sentinel system is designed to counter does not dictate that it would counter submarine-launched missiles.

However, inherent capabilities of Sentinel make successful engagement of some such missiles highly probable. Further study on this subject is being conducted by the Department of Defense.

Q. Cost versus effectiveness:

A. Army: The question of Sentinel effectiveness must be examined in light of the stated objective of the system. Although we cannot predict with certainty exactly what targets in the United States the Chinese might attack, we can be assured that 10, 20 or 30 thermonuclear warheads detonating over our country could produce many fatalities.

The Sentinel system will produce a high assurance of no fatalities in the event of a Chinese attack for at least a decade after the system attains an initial capability. It is not at all clear that ChinCom offense costs will be less than U.S. defense costs. In any event, the key issue is not whether the United States can afford to defend, but rather can we afford not to defend.

NOT TO TEST VALUE

Q. Why no scheduled Sentinel tests until 1970?

A. Army: These are to "exercise the responses" of the Sentinel ABM system, not an examination or trial to prove value. The Sentinel system represents 12 years of intense research and development effort. A substantial portion of the nation's best scientific and technological abilities have been devoted to its development.

Previous tests have demonstrated that the deployed system can with confidence defend the United States from relatively simple missile attacks commensurate with our estimate of Communist China's capability in this field for the next 10 to 15 years.

(Aviation Week and Space Technology of July 8, 1968, said that in early 1970, it is planned to fire as many as 80 separate Minuteman missiles over a two-year period down-range from Vandenburg Air Force Base into the Kwajalein Atoll in the Pacific.

(It is reported that, "the initial shots in the series are expected to be directed largely at determining whether Sentinel radar can discriminate targets from decoys, and to assess the so-called threat cloud created by warheads and penetration aids.")

Q. Effectiveness of Sentinel?

A. Foster: We never said that we had a 100 per cent confidence in intercepting all, either in the early stages or in the late stages. Rather, that we have high confidence of being able to intercept. There is scientific disagreement and I'm certainly aware of that. I myself have argued on both sides of this issue before making a recommendation to the secretary of defense.

DECOYS CONSIDERED

Q. Many well known scientists have said that the Sentinel system can't meet the objectives that have been stated for it and that it will be swamped by an enemy attack and by the use of decoys, chaff and the like. Has all of this been adequately considered:

A. Foster: I can assure you that all of this has been fully and adequately considered. Before the secretary of defense decided on the deployment, he had available to him the best intelligence evaluations that could be secured. We called in the best brains to consult with us, both those who recommended the deployment and those that did not.

Only after considering all facts that were presented did the secretary of defense decide that deployment must go forward and as quickly as possible. I shall point out, too, that there was no disagreement among the senior individuals concerned after all the facts and advice had been made available.

Q. Why deploy against the Chinese Peoples Republic when a deployment is not being made against the Soviet Union?

A. Foster: We are convinced that the Sentinel deployment can meet effectively the CPR emerging threat, for a period of many years, and at acceptable cost. One can argue that the CPR would be afraid to attack us anyway, but this would not be a prudent course considering that even their emerging small capability could kill many millions of our people.

Since our strategic planning must always be conservative, and must take into consideration even the possible irrational behavior of potential adversaries, I believe the only prudent step is to proceed with Sentinel.

The thin scope of the Sentinel system should not upset the balance of strength between the United States and the U.S.S.R. On the other hand, it appears that a much larger effort would be required to counter full potential capability of the U.S.S.R. by an antimissile system.

Even if that effort were made by the United States, it would be possible for the U.S.S.R. to add to its own force to counter us. For this reason, we continue to count on the deterrent of our existing and improving strategic offensive forces to meet this threat.

DIFFERENT OPINIONS

At the end of an interview with a Pentagon scientist who requested no attribution, I asked: "Why do you think that, for the first time in our history, all four science advisers of the last three presidents are opposed to what you are doing—deployment of ABM? Advising presidents on the worth of weapons systems was, after all, their specialty?"

He replied, "It is simply a difference of opinion."

Assuredly it is, but what ocncerns anti-ABM forces is that the difference is one of diametric opposition, that it involves billions of dollars and what Dr. Jerome Wiesner, one of those presidential advisers, has called our ability to maintain "a rational world."

Further, it is inescapable that those who oppose ABM deployment principally have no professional, political or economic affiliations that would influence their opinions.

THE CASE AGAINST ABM—VIII: THE MILITARY-INDUSTRIAL COMPLEX

(By Everett S. Allen)

WASHINGTON.—To a degree that will remain forever unknown, the decision to deploy the Sentinel system was influenced by factors of politics and economics, rather than national security.

In reporting last June 27 that, according to civilian and military sources within the Pentagon, at least $10.8 billion worth of defense projects could be cut from the current budget without affecting national defense, the respected Congressional Quarterly singled out the ABM for criticism.

Said CQ, "Probably one of the most clear-cut items of (budget) 'fat' in the view of most of our sources, was the ABM system. (They) doubt it will have any chance of working against a realistic attack. . . Thus far, the United States has been unable to attain acceptable reliability with far simpler missile systems designed for anti-aircraft use. In simulated combat tests, these missiles have shown both a low level of readiness and a poor 'kill' ratio."

Congress should have had this information available, yet a majority of its members approved Sentinel system deployment. Why? In part, for reasons of dollars and jobs.

WARNED OF INFLUENCE

In 1961, President Eisenhower warned against "unwarranted influence" with the federal government, and especially the Defense Department, by what he called the "military-industrial complex."

Secretary of Defense McNamara's Sept. 18, 1967, decision to deploy a thin antiballistic missile system has, in the words of CQ, "been widely depicted as one of the greatest victories ever for the 'military-industrial complex.' "

McNamara for years opposed ABM deployment on grounds the system was too expensive and unreliable. However, the more than $2.4 billion spent on research and development over the last decade built a powerful constituency for the program.

It has been estimated that more than 15,000 companies stand to profit from the decision to deploy the ABM system, including several in Massachusetts.

Last year, when Western Electric Co. received Army contracts totaling $475.6 million for continued research and production of the Sentinel system, it announced it expected to subcontract more than 60 per cent of the contracts to more than 3,000 companies.

Major subcontractors for the Sentinel project include General Electric Co., Raytheon Corp., McDonnell Douglas Corp., and Martin Marietta Corp., all of whom have contracts totaling $30 to $50 million.

EMPLOY 1 MILLION

Frederick W. Collins, writing in the New Republic, suggested that 28 of the major contractors for the ABM project employ about one million people in 172 congressional districts in 42 states.

One brokerage firm reportedly told its clients during the sumer of 1967 that the expected decision to go ahead with the ABM would be the "day they will shake the money tree for electronic companies."

During the third quarter of 1967, 75 mutual funds sold $90 million in other stock holdings and invested the proceeds in electronics.

Defense spending in fiscal 1969, apart from costs of the Vietnam war, is expected to be in excess of $50 billion. The fiscal 1967 Defense Department payroll spread among the 50 states totaled $9.3 billion for military personnel, and $8 billion for civilian personnel.

The nation has 991 major private defense plants and defense-oriented government installations, including those owned and operated by or for the armed services, the National Aeronautics and Space Administration and the Atomic Energy Commission. Of these, Massachusetts, for example, has 45, located in every congressional district but one.

FORESEE NEW JOBS

The Wall Street Journal on Dec. 31, 1968, noted that: "Construction unions eye new jobs promised by the Pentagon's Sentinel anti-missile system. Military brass tell union chiefs each of the 15 to 20 anti-missile sites will require employment of 900 to 1,375 construction workers for an average of 22 months."

On Jan. 23 of this year, the Morrison-Knudsen Co., Inc. of New York was awarded a $2.2 million Army contract for construction work at the site of the nation's first Sentinel ABM in North Andover.

Sen. Thruston B. Morton, R-Ky., said President Eisenhower's warning against undue influence by the "military-industrial complex" is "of more significance today than ever before . . . With today's big defense payrolls, it's only natural that defense contractors want to develop a better gun, ship or some other defense mechanism . . . The answer is for the electorate to be aware of this tendency and keep it from getting out of hand."

Writing on the "Growing Threat of our Military-Industrial Complex" in Harvard Business Review, May–June 1968, Jack Raymond warned against the "disparate impulses that go into the military-industrial complex, ranging from a crass desire for profits to honest fear for the safety of the country (that) may coalesce in such a powerful advocacy of more and better weapons and in such potent opposition to arms control that the entire country will be drawn to support this opposition."

ANTI-GOP MISSILE

As for the political aspects of the decision to deploy, Sen. Margaret Chase Smith, R-Maine, ranking GOP member of the Armed Services Committee, said she had heard the ABM system referred to as an "anti-Republican missile defense system."

She added that, "I do not like to think that the Executive Branch would waste the $5–$6 billion that the installation of this system will cost merely to avoid a response on the merits to charges that the United States is without a ballistic missile defense."

In his 1969 book "The Weapon Culture," nuclear physicist Ralph E. Lapp wrote that following the disclosure late in 1966 that the Soviet Union was deploying an ABM system, "prominent Republicans—presidential hopefuls among them—strongly advocated immediate action on U.S. ballistic missile defense.

(In an Associated Press interview in September 1967, Richard M. Nixon called on the United States to "go ahead at all costs" to build an ABM system. When the Senate first authorized Sentinel deployment last year Nixon, then a presidential candidate, called it "a major step toward candor and clarity.")

"With this issue now given a political slant," continued Lapp, "the White House became vulnerable to a 1968 campaign attack that the incumbent administration had failed to provide adequately for the nation's security. Such Republican 'missile attack' involved political warheads whose punch was measured in megavotes, not megatons."

And Dr. Jerome B. Weisner, former science adviser to President Kennedy, said, "We ought to regard the Sentinel as a bad joke perpetrated on us by Mr. McNamara and Mr. Johnson in an election year. It seems to me that their very rationalization—that it was to defend us against China, but we would stop building it if the Russians agreed not to build one—demonstrates that."

THE CASE AGAINST ABM—IX: RECORD OF THE WEAPON BUYERS

(By Everett S. Allen)

WASHINGTON.—Some of the opposition of ABM deployment stems from a civilian skepticism that has been building for several years concerning the military's weapons acquisition processes, its estimates of costs, and its evaluations of what and how much are needed.

Closely allied is the performance of what are known as "high risk" electronics systems, for the Army claims that Sentinel and its radars and computers, a major electronic complexity, are capable of performing the delicately synchronized tasks demanded of an effective antimissile system.

Recently, a report entitled "Improving the Acquisition Process for High Risk Electronics Systems" was made public in Washington.

It was prepared last year to satisfy a course requirement while the author, Richard A. Stubbing, 38, was attending Princeton University. Stubbing is an examiner in the Budget Bureau, where he has been since 1962.

He is a graduate of Notre Dame and the Harvard Business School and at the bureau, has been the examiner for Air Force ballistic missiles, Navy aircraft, tactical aircraft and strategic offensive forces.

Stubbing studied a sample of 13 major Air Force-Navy aircraft and missile programs with sophisticated electronic systems initiated since 1955 at a total cost of $40 billion.

ONLY FOUR RELIABLE

He concluded that of the 13, only four, costing $5 billion, could be relied upon to perform at more than 75 per cent of their specifications.

Five others, costing $13 billion, were rated as "poor" performers, with an electronic reliability of less than 75 per cent.

Two more systems, costing $10 billion, were phased out for "low reliability" after three years, and the last two were cancelled, after an expenditure of $2 billion.

Stubbing noted, "(Thus) less than 40 per cent of the effort produced systems with acceptable electronic performance—an uninspiring record that loses further luster when cost overruns and schedule delays are also evaluated."

He also concluded that:

1. Contractors "in almost every instance" advance for new weapon systems high-risk proposals involving new or modified computers and radars, rather than integrating "off-the-shelf" equipment.

He attributes this to a desire to make the proposal attractive and to gain the added sales volume from designing and developing new electronics equipment.

PERFORMANCE BAD

2. The performance of the multibillion-dollar weapons systems started in the 1950s was bad; those of the 1960s are worse. Stubbing concluded, "The results already in indicate a retrogression in electronics performance, along with a telescoping of development schedules and continued large cost overruns."

3. The record of electronic systems in 12 important military programs begun in the 1950's indicates that only five perform up to standard or better.

4. The aerospace industry, "with a high wage structure and a reputation for inefficiency in production techniques," still achieves a 12 per cent greater return on equity than the average of all U.S. industrial firms.

5. The recent trend in airborne military electronic programs has been toward highly complex, crash programs with "established technical parameters almost impossible of attainment."

6. Competitive development of high-risk electronics systems, now lacking, offers the best prospect of imposing maximum incentives on management and improving the quality and cost of the final product.

COMMENTS ON STUDY

Senator Symington, D-Mo., who noted that "we have a long series of failures in missiles which have cost the American people somewhere between $7 and $10 billion dollars," was moved to comment on Stubbing's study.

Symington said, "As a result of this study, I would hope there would be more understanding of why some of us suggested during the last session that this government continue with research and development on the new ABM system, but not place orders for its production.

"The proposed ABM system is far more complicated than any of the systems referred to in this study.

"Over the years, I have been protesting the 'gadgetry' aspect of our current defense procurement as against the obtaining of workable hardware.

On Nov. 6, 1967, National Observer commented, "Military men are rarely as technically proficient as their industrial counterparts. In short, they don't always know what they're buying.

"If they resist, the companies will go over their heads—a retired general on an industrial payroll will ask a high-ranking military colleague to see 'what the fuss is all about'—and the company often ends up having its way. In addition, defense contractors are always on the lookout to hire retiring officers.

"The point to remember is that retired high-ranking officers have many friends still in the service. Some, they were influential in appointing. Naturally, the retired officers will be listened to."

REMEMBER PRIOR GAPS

Finally, in listening to proponents of the "ABM gap" theory, a fairly large audience remembers the myths of the "bomber gap" from 1955 to 1957, and the "missile gap" from 1957 to 1961.

Both of these alleged "gaps" in American foreign policy proved to be nonexistent, despite the fact that many of the highest strategists in our defense community believed and propagated the greatly erroneous statistics on which the "gap" theory depended.

The fact was that, during the period of the alleged missile and bomber gaps, the Russians produced only four per cent of the missiles and only 20 per cent of the bombers that American Intelligence had claimed they could produce.

The American reaction to these greatly mistaken assessments by "experts" has produced a multibillion-dollar arsenal of nuclear weapons capable of annihilating the Soviet Union as a viable civilization within a day and perhaps within an hour.

Coupled with evidence that the Russians have slowed or halted their limited A B M deployment, our "gap" experience has made Americans less eager to build new weapons every time somebody presses the panic button.

THE CASE AGAINST ABM–X: THE RUSSIAN VIEW

(By Everett S. Allen)

WASHINGTON.—One sound reason for not building an American anti-missile system now is that the Russians, traditionally more interested in defensive than offensive weapons, have spent millions trying to establish an ABM setup and may have wasted much of it because of formidable technical difficulties.

One of their own experts has conceded that the problems of ABM presently outnumber the solutions, a factor that has influenced the Soviets in deciding to slow down, if not actually halt, their deployment efforts.

Some clues to the problems with ABM that the Russians have encountered may be found in a treatise on antimissile weapons—ostensibly, an evaluation of Western systems, yet revealing in its objective analysis of ABM generally—by Soviet scientist N. F. Shibayev. This study was translated into English last year, and a copy of it is in the Library of Congress.

NOTES PROBLEMS

Shibayev makes these points to emphasize the difficulty of creating an effective antimissile defense:

Missile warheads can be screened to prevent radiation, thereby diminishing their vulnerability.

Their trajectories, when they enter dense atmospheric layers, may be turbulent or smooth, or may change the direction of flight.

Warheads may produce active and passive jamming of defense radar stations.

Apart from the high average speed of flight of the ballistic missile, and the consequent lack of time for counteracting it, it is of small dimensions and presents a smooth, streamlined surface which hinders its detection by radar.

It is necessary to destroy all the attacking missiles, and not merely part of them.

Nose sections of the ballistic missiles are "very solid, a fact which hampers their destruction or demolition."

EASILY JAMMED

Radar stations of the antimissile defense are very sensitive and are easily jammed, either by jammers installed in the missile, in a container ejected from the missile, or independently launched jamming sources.

The task of interception would be much more simple if the radar that identified the target were also capable of guiding the interception of the target, but "the two tasks are, in principle, distinct."

The "brain" of the whole system is a high-speed digital computer that provides for the interception of single and group targets and which can carry out 200,000 arithmetical operations per second.

Target identification—that is, identifying warheads on a background of numerous false targets—"is considered to be the weak spot of the entire U.S. antimissile system."

Concluded Shibayev, "All these factors, and others, lessen considerably the effectiveness of the antimissile operation, and the problem of antimissile defense is just beginning."

MOVED BY UNCERTAINTY

An uncertainty as to what the Soviet Union has done in the ABM field as recently as last June gained congressional supporters for the U.S. move to deploy Sentinel—to "catch up,"—but even this motivation has been diminished by additional intelligence on what the Russians really appear to be doing.

In June, arguing for American deployment of the ABM, Sen. Jackson, D-Wash., declared, "We seem to be assuming that Moscow has not deployed an ABM system. They deployed their first system in 1962 around Leningrad. We have not even deployed one as yet. And the lead time is at least five years for the first battery to be ready."

Yet Sen. Hart, D-Mich., and others, have offered an effective refutation to the simplistic thesis that the Russians have an ABM system and we do not.

Said Mr. Hart, "It is clear that the Soviets have not deployed and are not deploying any ABM system which can protect their country against missile attack.

"It is now clear that the Soviet Union's ABM deployment consists of only a small and essentially ineffective deployment around the city of Moscow, using the so-called Galosh missile.

HAVE ABM CAPABILITIES

"Two other systems have been described as having ABM capabilities; one, deployed at the city of Leningrad in the early 1960s, was apparently abandoned when the U.S.S.R. considered it ineffective against the missile threats then in being; the other defensive deployment, called the Tallinn system, after the city of Tallinn where one of the sites was first identified, was for a time considered to have a possible ABM capability.

"By February 1968, however, it was apparent that the Tallinn system does not now have, nor did it ever have, an antiballistic missile capability."

Sen. Jackson has conceded that, "the majority view in the intelligence community—it is not the unanimous view—is that the Russian system is designed primarily as a defense against air-breathing missiles and aeronautical devices (including aircraft) as opposed to a missile defense."

In a letter to former Sen. Monroney, D-Okla., urging a delay in U.S. ABM deployment, Roswell Gilpatric, former deputy secretary of defense, commented, "It seems generally accepted within our intelligence and scientific community that the ABM system which the Soviets have deployed around Moscow has encountered many technical difficulties and is probably of limited effectiveness.

"Since the Soviets have always excelled in defensive systems, it is reasonable to believe that the ABM problems with which they have been afflicted will, in due course, face our scientists.

"If so, more research and development effort should be expended by the United States before any go-ahead on deployment is given . . ."

Editor John W. R. Taylor wrote in the 1968–69 edition of "Jane's All the World's Aircraft": "The Tallinn defense system being set up across the northwest approaches to the Soviet Union is intended to deal with aircraft, rather than missiles."

THE CASE AGAINST ABM—XI: WHAT DID McNAMARA MEAN BY "MARGINAL"?

(By Everett S. Allen)

WASHINGTON.—When former Defense Secretary McNamara reversed a several-year-old stand in 1967 and called for deployment of a "thin" ABM system to defend us against Communist Chinese missiles, he described his decision to do so as "marginal."

The interpretations of what McNamara meant by "marginal," as offered by pro and anti-deployment forces, are as far apart as the forces themselves.

A pro-deployment Pentagon official, who declined to be identified, and who said he participated in the conversations that preceded McNamara's decision, commented, "I am certain that in his use of the word, Mr. McNamara did not refer to doubts about the Sentinel system's effectiveness in protecting us against the Chinese threat, but rather, to the fact that there was a marginal question as to whether the Chinese leadership would be sufficiently irrational as to attack us."

CONTRARY EVIDENCE

However, there is contrary evidence that McNamara did have continuing doubts about the ABM's effectiveness and that probably he was at least including this doubt in his use of the word "marginal" if, in fact, he was not referring to the effectiveness exclusively.

In an introduction to a report on the missile shield controversy made public this month by the Center for the Study of Democratic Institutions, a nonprofit educational group, former Vice President Humphrey commented: "I have always been skeptical in my own mind about the security value of deploying an ABM system . . . I share the reservations stated by Secretary McNamara when he announced the ABM deployment in 1967."

Sen. Young, D-Ohio, recalled, "McNamara brought down on his head the wrath of the leaders of the military-industrial complex and the Joint Chiefs of Staff who were calling for a heavy ABM shield, so-called, when he stated that such a continuing expenditure would provide no adequate protection whatever against a Soviet nuclear attack.

"He stated that adding more billions to the billions already wasted in ringing our cities with ABMs furnished only a strong inducement for the Soviet to vastly increase their own offensive forces. Then we would respond and an arms race would rush hopelessly on, to no sensible purpose for either side.

"That was the wise conclusion of our then secretary of defense.

MADE CONCESSION

"When I listened to Secretary McNamara concede agreement to a thin system as a defense against a possible missile attack from China in 1978, or thereafter, I knew in my own mind he had made this concession and compromise against his better judgment.

"I attended a conference attended by a number of my associates in the Senate and there was ample basis for my conclusion."

Dr. George W. Rathjens was, until June 1968 director of the Systems Evaluation Division of the Institute for Defense Analyses; he now is an MIT professor of political science.

In his study, "The Future of the Strategic Arms Race," published under sponsorship of the Carnegie Endowment for International Peace this month, Dr. Rathjens notes that:

"In announcing the Sentinel decision former Secretary of Defense McNamara made it clear that he regarded the decision as marginal . . .

"Subsequently, other Johnson administration spokesmen claimed the system could deny damage to the United States from a Chinese nuclear attack. However, to have high confidence in the system one must allay doubts of three kinds:

"1. The question of whether such a complicated system will work at all when called upon to do so . . . while component tests will be possible, it will never be feasible to test the full system against a satisfactory simulation of an operational environment.

"This fact, with the history of initial failures of far less complicated systems, leads many experts to believe that the probability of a catastrophic failure of Sentinel, or any other ABM system is high.

COULD DEFEAT SYSTEM

"2. The possibility that the Chinese may develop penetration aids that could defeat the system. This possibility is discussed at some length by Richard Garwin and Hans Bethe (summarized earlier in this series). I am not aware of any convincing rebuttal of their thesis.

"Gen. A. W. Betts, chief of research and development for the Army, in replying to the Garwin-Bethe argument, disputes the contention that development of effective penetration aids would be as easy as claimed. To make his point, he cites American difficulties in developing high-confidence penetration aids. There are, however, two considerations that make this experience largely irrelevant:

"Our program aims at the development of penetration aids effective not only against exoatmospheric defenses, but also against terminal interception. If one has to cope only with the former, which is all that is required in the case of Sentinel, the problem is much less complex.

"Second although the Chinese would probably prefer to have a high-confidence system as a deterrent against the United States, one with a moderate probability of penetrating the Sentinel defenses might be almost as useful to them."

DEMANDING TASK

"3. Damage denial is a much more demanding task than simply reducing damage by small amounts . . . Let it be assumed that a given target is defended by 50 interceptors; that the Chinese have 25 ICBMs with a reliability of 80 per cent, and that each interceptor has an 80 per cent chance of destroying an ICBM. According to this scenario, there is no more than about a 50 per cent probability that Sentinel would succeed in preventing all 25 ICBMs from hitting their target.

"The range of the Spartan interceptor, which is used with the Sentinel system, implies that not 50 interceptors, but about 500, would have to be deployed throughout the United States if every important target were to be within the effective defensive range of 50 Spartan missiles (since the offense can choose any target on which to concentrate his attack and the defender must defend all targets.)

"Thus, even with a 20-to-1 superiority in the number of interceptors over the number of Chinese missiles, the picture is far from comforting.

"When one considers that a single one-megaton warhead detonated over one of the larger U.S. cities would produce about 1 million fatalities, it is clear that those who claim damage-denial or near damage-denial capability for Sentinel are assuming an extraordinary high level of effectiveness."

Twenty-three prominent Americans are listed in the preface to Dr. Rathjens' study and the author comments, "the following persons, who have read the paper and participated in all or part of the discussions, were generally agreed that it presents fairly the facts . . ."

One of the 23 was Robert S. McNamara, former secretary of defense.

THE CASE AGAINST ABM—XII: WHAT ARE THE PROSPECTS FOR ABM?

(By Everett S. Allen)

WASHINGTON.—If the Nixon administration does not press for continuing ABM deployment, construction of the Sentinel system may stop permanently, principally because selection of the first three battery sites has made it an issue at the Main Street level.

Congressional opponents of deployment now find their case buttressed by sacks of opposition mail from the voters, whose anxiety over a "bomb in the backyard" already has prompted important federal action, favorable to antideployment forces.

In a letter to Republican Sen. Cooper of Kentucky, Sen. Stennis, D-Miss., new chairman of the Senate Armed Services Committee, has agreed to the former's request to allow "outside" witnesses to testify on the ABM in open hearings before the committee.

These witnesses will include some of the top-level educators and scientists, including the four former science advisers to U.S. Presidents, who have been outspoken in their opposition to ABM.

AWAITS NIXON'S MOVE

Second, Chairman Rivers, D-S.C., chairman of the House Armed Services Committee, in a letter to Defense Secretary Laird, has said, in effect that, because of the rising controversy, his committee will take no action to approve Sentinel sites until the Nixon administration positively expresses an interest in the project.

Laird's reaction to the rising opposition has been to order a halt in ABM work pending an upper-echelon review of the program.

This was precisely what was called for on Jan. 31 in a letter to Laird from Sen. Kennedy, D-Mass., Democratic whip, who wants a congressional debate on continuation of deployment.

Another factor impelling members of Congress to join the anti-ABM ranks stems from the conversation that Sens. Gore, D-Tenn., and Pell, D-R.I., had with Soviet Premier Kosygin last November in Moscow.

In their report to the Senate, they said, "It seems clear to us that the Soviets are interested in beginning talks on limiting offensive and defensive missiles . . ."

MODERATE VOICE

Sen. Brooke, R–Mass., mentioned this as one of the reasons for his opposition to ABM. As a new member of the Armed Services Committee, Brooke is expected to add a more moderate tone to the group that traditionally favors erring on the side of greater military spending.

Brooke's anti-ABM thinking, shared by many of his colleagues, is based on the belief that we cannot construct an effective system; it is far better to try to get Russia to come to some agreement to limit nuclear weapons, and finally, that an $80 billion defense budget is too high, considering the nation's many domestic needs.

"Aren't we really talking about a $40-$50-billion program, rather than simply the expenditure of $5.5 billion, the figure that has been used?" he was asked by The Standard-Times.

"Experience shows that's the kind of thing that happens," he replied. He added that he had found former Defense Secretary McNamara's decision to deploy "quite a surprise and a disappointment," and said that his votes against ABM had been cast "only after research in depth and consultation with MIT scientists."

FUNDAMENTAL ISSUE

Sen. Kennedy, also among the leaders of the anti-ABM group, called the deployment issue a "matter of fundamental importance," citing the enormous cost factor and the fact that "there is always a question of where we are with regard to security" even if we do build such a system.

He noted that a total system cost of $65 billion had been suggested, and concluded:

"With $65 billion, we could educate every child, unpollute every river, and rebuild every city."

Democratic Senate Leader Mansfield also echoed a growing congressional view when he said, "Usually the Defense Department just has to ask for what it wants, and we give it to them. Last year, for the first time, we questioned the department on various subjects . . . and that time was long overdue."

As of Jan. 31, a Sentinel Systems Command official was willing to guess privately that 48 members of the Senate were opposed to ABM deployment. If this is accurate, it represents a sharp rise in the anti-ABM ranks.

Last year, Senate deployment opponents picked up 10 votes between the first vote April 18—a move to refuse procurement funds—and the Aug. 1 vote on whether to deny construction appropriations. On the April 18 vote, 24 senators went on record against the ABM. On Aug. 1, 34 senators did so—one-third of the membership.

No House rollcall votes on the issue were taken during this period, but on non-record votes, House members upheld ABM funds by a 3-to-1 margin. Rivers' letter to Laird suggests an important erosion of this House margin.

MORE CONSERVATIVE

On Jan. 31, leaders of the Senate anti-ABM effort were slightly more conservative than the Army in estimating their strength. A senator's aide suggested they had 13 Republicans and 26 Democrats, with at least four more—Eagleton, D-Mo.; Cook, R-Ky.; Packwood, R-Ore., and Harris, D-Okla., "leaning our way."

This represents a considerable gain in view of the fact that last year the total of 34 ABM opponents dropped to 25 in the wake of the Russian invasion of Czechoslovakia.

What will the administration do?

Defense Secretary Laird is not opposed to ABM systems in principle. As spokesman for GOP members of the House Defense Appropriations Committee in 1966, he declared critically that a "flaw in the present American strategy is the lack of aggressiveness in the development of an ABM defense system."

On Jan. 30, Laird said the United States, by moving ahead with the Sentinel system, would strentghen its bargaining position in possible talks with the Soviet Union on limiting missiles.

FELT M'NAMARA ERRED

Yet sources close to Laird indicate he felt McNamara made a mistake in deploying a "thin," possibly obsolete system as opposed to a more advanced "thick" ABM system such as more research and develop might make possible. Thus, the defense secretary might be willing to suspend Sentinel deployment.

Further, although President Nixon came out strongly for deployment of the Sentinel before his election, he is said not to be irrevocably committed to the ABM concept.

In part, this may reflect the fact that former President Eisenhower is not convinced of ABM's worth, and opposed its deployment.

There appears a very reasonable chance that the administration will choose not to continue deployment of the ABM system at this time, and the overwhelming weight of evidence indicates this is the course the nation should follow.

Mr. KENNEDY. Mr. President, I would also like to ask unanimous consent that an article which appeared in the National Observer on Monday, February 10, also be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE COMPLEXITIES OF THE SENTINEL PROGRAM: ARGUING THE PROS AND CONS OF THE MISSILE DEFENSE SYSTEM

The ins and outs of emplacement of antiballistic-missile (ABM) systems are not simple—as the following arguments illustrate.

They were made in a symposium sponsored by the Center for the Study of Democratic Institutions at Santa Barbara, Calif. The symposium members discussed the "thin" Sentinel system for defense against China and also the possible "thick" system for defense against Russia as well as the general philosophies surrounding the whole subject of ABMs.

A panel of four men presented papers at the symposium—two in favor of ABMs and two against. Speaking in favor were Dr. Donald G. Brennan, former president of the Hudson Institute, a private study group that often researches questions of public policy, and Leon Johnson, a retired Air Force general who also was director, Net Evaluation Subcommittee, National Security Council, 1961–65. Speaking against the ABM were Dr. Jerome B. Wiesner, a former science adviser to President Kennedy and provost of Massachusetts Institute of Technology, and Sen. George S. McGovern of South Dakota.

Among the participants in a following discussion were Adolph A. Berle, Jr., former assistant Secretary of State; Charles M. Herzfeld, technical director for the Defense Space Group, I. T. & T.; and I. I. Rabi, Nobel Laureate and professor of physics at Columbia University. These are excerpts from the papers and remarks which are to be published this month by the Center and Hill & Wang in a book, "Anti-Ballistic Missile—Yes or No?"

AGAINST: JEROME B. WIESNER

Dr. Karl Compton's sister, when living in India, watched a handyman driving a nail in a wall of her house, tearing up a lot of plaster in the process. In desperation, she finally grabbed the hammer and nail and said: "My God, man, let me do that. Why don't you use some common sense?" He drew himself up in all his dignity and said: "Madam, common sense is a gift of God. I've only got a technical education."

What I have found hardest to learn in 20 years of dealing with military technology and international security problems is how to add a measure of common sense to them.

Many other people have this problem, too. The whole issue of ABM, I believe, ends up as a conflict of judgment rather than one of analysis. Making the analysis is very important because it provides the raw material for judgment; it gives some feeling for what is possible and what isn't. But very often it turns out that analyzing a complex situation offends plain common sense or defies understanding. In studying a complex problem like ABM, certain assumptions have to be made, and if the assumptions are bad, the analysis will simply conceal them.

This happens frequently, and is happening now in the debates about the antiballistic missile. We do not have adequate knowledge about many aspects of an antiballistic-missile duel because we lack vital data about the attacking missiles and about ABM performance. So we just pick some numbers that seem rational and we use them to make whatever point serves our purpose. . . . One man's assumptions give one set of conclusions; another man's assumptions give a different set. . . .

Of course, it gets ever worse than that. When we design a system like the Sentinel and then analyze it, we assume almost idealized conditions. We assume it is going to work as specified, or we quite arbitrarily use some reliability estimate like .95. But we can't know whether that is even close to correct because we have never built or operated anything like the Sentinel before. . . . Here it is, the most elaborate, sophisticated, dynamic combination of rocketry, radars, computers, electronics, and other technology ever proposed, and we are expecting that it will work and work well and not just well but perfectly the first time it is tried in a large-scale test. All kinds of mock tests can be invented for it, but the first genuine one will be when it is used in earnest. . . .

To judge an ABM defense system we must know its purpose. Is it supposed to provide an area defense, or defense of missile sites, or defense of a fleet, or defense of a few cities? It has to have some specific purpose, but one of the interesting things about the argument for the ABM is that its purpose seems very hard to grasp.

We were told at one point that the Sentinel system was intended to protect us against any irrational behavior on the part of the Chinese, though many people would contend that our existing deterrent system will do this adequately now. A careful analysis of the Sentinel system, however, does not show that Sentinel would provide protection against Chinese nuclear weapons for very long unless we make some unbelievably naive assumptions about the Chinese.

We should look at the more general question of large antiballistic-missile systems and concentrate on what the military and the congressional enthusiasts for ABM would like to build, if they could get us to agree. What they have in mind is a much more sophisticated and elaborate antiballistic-missile system that would have the capability of intercepting missiles fired at the United States. The question is: does it make all that much difference to our security if an ABM system can shoot down some fraction of the ballistic missiles aimed at our cities? What, in fact, is the general, over-all effect on our security of creating an ABM system? How does it change our deterrent posture? How much protection, if any, will it give the country at large, or the military installations? What is its effect on our efforts to achieve a more rational world? What does it do to a variety of other military obectives we might have?

Before we approach such questions, there is one important generalization I would like to stress, one that should always be kept in mind while examining strategic-weapons systems but that people almost always forget to take into account. It is that these developments take a long time from conception to effective operational deployment. . . . This whole cycle takes about 10 years.

Some weapons systems are obsolete in the conception, and I think this is probably true for the antiballistic-missile system before us. I have, in fact, come to the conclusion that any system that depends on projectiles—rather than, say, nuclear rays or electromagnetic beams or laser beams—is futile.

An antiballistic-missile system attempts to intercept and destroy ballistic missiles coming in very fast, very high, from long distances. It requires that the defenders fire their own intercepting missiles from the ground after they have detected the incoming missiles with the long-range radar. Detection normally occurs when the attacking missiles are several hundred miles away if their trajectories are normal. They can be detected farther away if forward radars are employed. After detection one makes a rough projection or prediction of the trajectory of the incoming missile and launches an anti-missile, usually a rocket carrying a nuclear warhead, in the direction of the incoming device. The missile-tracking radar on the ground must follow the incoming warhead and it tells the anti-missile rocket where to go. When the defensive rocket gets close enough to the incoming missile its nuclear warhead is exploded and, in principle, destroys the attacking object. This has been demonstrated both by analysis and in field tests to be possible. No one questions that if you set up this kind of system it will work in an ideal situation. . . .

The defender sits and guesses about the attackers' tactics. If he guesses that one thing is going to happen, he invents a technology to deal with it. If he guesses that something else is going to happen, he invents another technology. But there is always the possibility that something quite unexpected will happen. I do not think the defender is ever going to know really what to expect; the variety of techniques available to a nation planning an offensive system is great enough to keep an antiballistic-missile system of the kind we are talking about totally off balance.

As a matter of fact, just the thought that we might develop an antiballistic-missile system, and therefore that the Russians might do the same thing, caused us to develop a whole new set of offensive countermeasures that make our Air Force and Navy confident that we do not have to worry about a Russian antimissile system. We have some new missiles that, instead of a single warhead, carry several and with high accuracy. We have available, and so do they, the possibility of using the black-out attack. One can develop very different kinds of offensive rockets that come in at low altitudes and do various elaborate maneuvers. We can shield against X rays. The choices are endless.

So, as I said in the beginning, anyone who makes calculations about what his defense system can do must make and proceed from a series of assumptions that do not seem to be warranted. But, of course, this does not stop people from making them.

In his 1967 "defense posture" speech, for example, former Defense Secretary McNamara cited some figures still widely quoted. He said a nuclear exchange with Russia in 1967 would cause 120,000,000 American deaths. He then postulated two antimissile defense systems for the United States—one, Posture A, would cost $10 billion, and the other, Posture B, would cost $20 billion. His calculations indicated that the $10-billion system would reduce American fatalities to 40,000,000 deaths, while the $20-billion system would reduce American fatalities to 30,000,000. These are numbers I find hard to grasp, but they obviously are meant to indicate a very substantial improvement in the fatality ratio if we were to build a defense system.

However, more questions were left unanswered than were answered in the calculations. First, Mr. McNamara, I believe, assumed the system would work as planned. But, let me repeat, I have serious reservations about the effectiveness of such an ABM system even if a potential enemy were not devising things to undo its effectiveness. I do not think its performance would be anywhere near the advertised predictions because of its very complexity. Second, Mr. McNamara said he had made his calculations on the basis of the 1967 Soviet offensive missile deployment. But that was not a Soviet deployment the Russians told us about; it was only McNamara's guess, or somebody's guess, about the Soviet deployment. So our defense planners must have had to make certain assumptions not only about our own system's weakness and accuracy but also about how fast the Russian missiles would come in, how well they would be protected, and whether they would bear one warhead or two or more. Maybe Mr. McNamara knew all these things. But I suspect there were a lot of assumptions in his calculations, that might not hold up. Even if they had held up in 1967 when they were made, I doubt that they would be of much use today . . .

Unfortunately, many people do not read the fine print. They do not realize that you cannot snap your fingers and wish into existence [the] kind of antiballistic-missile system being argued about. They do not realize that if we build an antiballistic-missile system and the Russians regard it as something they do not like, they have plenty of time to respond and to figure out how to get their missiles past it, or that if they build an ABM system, we can respond in the same way.

In essence, then, my judgment is that we are just as likely to wind up a captive in the arms race if we start going the way of ABM defense as if we continue to build more and more offensive missiles.

There are people who say that it is better to spend your money on ABM defenses than on more destructive power. If one could do this—that is, freeze the offensive power on both sides and build only defensive systems—this might make ABM a good thing. If Congress, the military, and the manufacturers were happy to build only defenses and did not press us to add to the offensive forces, maybe ABM would be a good buy.

But I do not believe that this is a tenable situation, and this is the reason for one basic disagreement on the ABM. I think we would reach a point in the growth of the ABM defensive system where people would argue that improved defenses mean that the offenses no longer can guarantee deterrence and that we must therefore increase our offensive capability even more.

This is not a matter that anybody can settle with numbers and calculations. It is a judgment. But judgments of this kind are at the heart of the decision to build or not to build an ABM system, not the statistics, the calculations about "cost-effectiveness," or how many people will be killed. These factors are important in the decision, of course. What is most important, however, is the total dynamics and the likely interaction of the policymakers on both sides. I come back to where I began and ask: Can we play this game, which certainly will not buy us real defense, and at the same time achieve a rational world? My answer is no.

FOR: DONALD BRENNAN

On the whole I accept Jerome Wiesner's technical characterizations. I accept, more or less, his characterizations of Sentinel as it was originally envisaged. The views I present here are in supoprt of a defense that would make a substantial difference against a Soviet missile attack, a system of a character and capacity missing in the original conception of Sentinel.

Here is what I deem to be the critical factor: Most of the studies of performance of heavier deployment now possible of ABM defenses against major Soviet attacks—assuming that the Soviets do not make a major increase in their offensive forces in response to our improved defense—have shown that fatalities in the United States might be reduced from a figure in the range of 80 to a 100 to 120,000,000 down in perhaps 20 or 30 or 40,000,000. Using the period of the mid 1970s as a statistical base, this might change the fatality level from half the population to something on the order of 10 per cent. Obviously the remaining prospect of losing 10 percent of our citizens is hardly likely to make one dance. But these calculations could make a great difference in the kind of United States that would exist after an act of nuclear war.

By the same process that might save as much as 90 percent of the populace, we would very likely be saving an even higher percentage of the country's productive capacity, communications, and transportation system. This makes a very great difference in the ability of the society to recover from such a blow. . . .

I concede that the ABM systems are large, complicated, and untested in any final sense. There is some chance they may fail if subjected to the ultimate test of war, in ways that we did not foresee. This is a technical problem, as Dr. Wiesner says, and any scientist must agree it exists. But there is another side to this technical interaction that he did not mention and I would emphasize; that is, the offensive forces that may be fired against this defensive system also are large, complicated, untested systems—untested against the environment in which they are supposed to work. . . .

And if we are talking about the possibility of buying national survival insurance, the fact that there is a degree of risk that the insurance wouldn't pay off under some circumstances does not necessarily negate its value.

This brings us to the technical question of how difficult it is for the offense to nullify an ABM defense. The war-outcome estimates made by Secretary McNamara should obtain, at least if the Soviets do not work very hard at nullifying our defense. If they work very hard at counteracting our ABM system, then they conceivably could cancel the insurance value we expected to purchase with the new defenses. However, it turns out that, as far as we can see, it is difficult for them to shift the balance by further offensive development. This is a point I wish to stress.

One of the considerations that killed Nike-Zeus (and I was among those opposed to deploying it) was that the system looked easy to nullify. It had mechanically slewed radars; it did not have much tracking capability. The conclusion was that it would be fairly easy to design attack systems that would penetrate it. However, the best kinds of defenses that developed in the last several years do not suffer these deficiencies. While I agree with Dr. Wiesner that economic factors do not dominate here, one wants to have some sense of the costs.

If the Soviets could nullify one of these $10 billion or $20 billion ABM defense systems by spending only an additional 1 per cent as much on their offensive force, then I, among many others, would agree that ABM is a very bad buy. It seems, however, not likely to be any such minor economic matter. . . .

I would offer a more technical argument on behalf of the future prospect of defenses. Although, as Dr. Wiesner said, there are many ways one can think of to penetrate a defense, there also are more and more potential ways of building up a defense. I believe that, essentially, all the possible means of penetration are known and openly discussed—warheads that maneuver, that can come in at low angles, or high angles, or in special trajectories; more warheads can be put in, more chaff, more decoys, more jammers.

However, there is a much larger array of technical possibilities in improving the defense. Dr. Wiesner alluded to some of them in passing, like lasers and X rays, and other mechanisms that have been studied for specific application to defense systems. No one of a fairly large catalog of diverse developments may work at the moment, but there is at least some likelihood of contributing to a major breakthrough on the defensive side.

Agreeing that these technical estimates cannot be exact, I believe they are nevertheless very important in establishing ranges for decision-making. For example, if I were convinced that improved ABM defenses could be neutralized for a minor fraction of their cost, or that they would only make a 10 per cent difference in the fatalities in case of nuclear attack, I would lose interest in technical estimates of this kind. As it is, they seem to me to make a case that cannot be ignored.

What Dr. Wiesner refers to as questions of judgment, as opposed to analysis, do intrude when it comes to the ultimate consideration of the requirements of deterrence. If the Soviets begin building up a heavy defense, our military strategists would be apprehensive about the ability of our offense to penetrate it; and this, therefore, would soon upset any understanding about stabilization of offensive forces and would launch a new arms race.

I do not myself believe, as I am sure Dr. Wiesner does not believe, that the United States requires as a fundamental part of its national security some fixed destruction capability—the capacity to destroy, say 74,000,000 Russians, or 78 per cent of Soviet industrial capacity, to cite two figures Mr. McNamara has used in his discussion of requirements for what he calls an assured destruction capacity" for our deterrent force.

As a matter of fact, I do not believe that the United States has any fixed requirement for any large number of Soviet hostages. It seems to me that our basic military requirement is simply to make sure that we are not in an unfavorable position vis-a-vis the Soviets at any given or predictable time. If we are confident we are in a fair military position vis-a-vis the Soviets, there is no fundamental law of nature that requires that we should be able to destroy 74,000,000 Russians. I think that we could begin to work back toward a state in which defenses begin to look more and more effective—and, as far as I am concerned, I am perfectly willing that defenses should look effective on both sides . . .

The policy of the offensive deterrent theory has been increasingly persuasive over the past years. The technical prospects for defense in the later 1950s were rightly judged to be poor. As a result many of us assimilated the doctrine that, since the United States and the Soviet Union could not effectively defend against each other, each had to deter the other with large nuclear capability. As long as there was no really good alternative to a standoff of this kind, the way was open for the emergence of a distorted form of this doctrine of deterrent: i.e., since we must deter, we cannot defend. That, I suggest, is a non sequitur. I believe the United States is coming to a judgment of what Soviet capabilities actually are; and I see nothing in this to preclude deployment of ABM defenses. . . .

I find it very difficult to follow the reasoning that holds that the likelihood of war will go up if missile defenses are deployed. I am among those who argue the other way: We contend that if ABM defenses are deployed, they will at the very least considerably complicate the planning of an attack, and so a rather substantial addition barrier to the initiation of war arises.

The argument is most usually couched in traditional terms of an offenses-defense arms race. ABM becomes a ploy in an unending spiral of defense followed by offense, followed by defense, followed by offense, followed by defense, and so on. I can only say the same thing here I said in relation to the arguments on the fundamental requirements of deterrence: It ain't necessarily so.

The question is basically one of attitude. If the American body politic defines as a fundamental objective for the Department of Defense that it must have an offensive force capable of killing 74,000,000 Russians, and if the Soviets then start building a missile defense that looks as is it would reduce our capability to destroy Russians below that threshold, then, of course, there will be an offensive force response on our side. . . .

But as I have said, it is not a fundamental law of nature that we must be able to maintain a fixed kill ratio of Russians. A much more sensible United States posture, it seems to me, which is in accordance with the dictate of keeping in a good military position vis-a-vis the Soviets, is to deploy ABM defenses instead. From many points of view, as Dr. Wiesner perceived, we should have much more interest in deploying defenses than in deploying offensive forces. I think the policy process in the United States will acquire that perspective sooner or later.

I cannot discern any fundamental necessity for the United States to respond to Soviet defense build-up with increased offensive force increments on our side. As far as one can see, Soviet attitudes are themselves already favorable to a defensive posture. In recent years they have been substantially and sharply increasing their offensive forces, but it is still probable that they have more of a doctrinal emphasis on defense as a way of military life than the United States has had in quite a few years.

I do not want to treat lightly the prospect of an offense-defense arms race, but I believe there is a better way of dealing with it than by abstaining from defense systems, which, as Premier Kosygin rightly put it, will not kill people. The ABM is not intended to kill anything but lethal offensive missiles; it is intended to preserve human lives. Insofar as both we and the Russians cultivate that judgment, we can temper the prospects for an arms race, and in the process buy plenty of insurance for both the superpowers.

FOR: LEON JOHNSON

The strategy of assured destruction, or deterrence through a balance of terror, means that we must have the capability to destroy the Soviet Union as a viable nation even after suffering a surprise first strike.

This is a radically new military concept. Only since the early 1950s have we believed that we must maintain a force in being capable of destroying a potential enemy. Prior to that time the planners held that we needed only sufficient force in being to defend the country while greater forces were created in order to carry the war to the enemy.

Under those circumstances we never insisted that our forces had to be sufficient to devastate an entire country. The ultimate objective was only to muster sufficient strength to defeat the enemy's forces and destroy his war-making potential. The war would end when the enemy sued for peace, surrendered, and accepted defeat. We assumed that victory would come well short of total destruction; and it has been our practice to lend moral and physical assistance to our enemies in rebuilding and resuming their places in the family of nations. We pride ourselves on being builders, not destroyers.

When the most knowledgeable authorities charged with the defense of our country can say that our strategic offensive and defensive forces have the capability to blunt any enemy attack, to keep the damage to our country to an acceptable level, and to permit us to continue as a viable nation, then we can change back from a strategy of assured destruction to the earlier concept of measured damage. It would no longer be essential to destroy an enemy as a viable nation. It would be necessary to inflict only sufficient damage to ensure that he recognized that the employment of armed force against us was not rewarding, and that there are better ways to settle international disputes. . . .

Should the Soviets deploy an ABM system around Moscow and their major cities in the early 1970s, such a condition could be exceedingly destabilizing. Certainly we would not test those defenses. Should the Soviets believe, even mistakenly, that their defenses could blunt an attack of ours, it would be almost as bad for us as if it were true. Should they believe they could blunt an attack, with acceptable losses, and so announce to the world, the world would be prone to believe them. It could be expected that many U.S. citizens would also believe them, and the uproar could be much worse than the cry of "missile gap" we experienced in 1960. If we had in the meantime lost the six years of time necessary to build and install a defensive system of our own, there would be no way to redress the balance. We would be subject to that Soviet nuclear blackmail we avoided for the past 20 years. . . .

It is time to recall that a strategy based on self-interest includes, *ipso facto*, the defense of population regardless of the other side's statements, intentions, or reactions. Failure to realize this will in the long run be tremendously constraining, destabilizing, and costly to our foreign policy and could cause the death of our great country. . . .

AGAINST: GEORGE S. M'GOVERN

The antiballistic missile is a most remarkable device, to say the least. It is remarkable for its technology and for its capacity to devour large sums of money. But most remarkable of all is its political effect—an effect so potent that our country is about to embark on the deployment of this defensive missile system before it has been carefully evaluated, and at a time in our national life when we ought to be most interested in reducing both the costs and the hazards of the arms race.

I believe that an ABM deployment by the United States would actually decrease our security and our capacity to conduct an intelligent and rational foreign policy. It would do this not only because it would be easily penetrated by the Soviet Union at less cost, if they chose to do so, but also because it would lead to a further escalation of the arms race and a worsening of Soviet-American relations.

Beyond these considerations, the allocation of billions of dollars of public funds in ABM at this time would actually threaten our internal national security in a peculiarly painful manner, depriving us of funds urgently needed to cope with the explosive social and economic needs of our own society and of the world in ferment around it.

We could, as a precaution, do what I assume we would do, if we had the good judgment to back away from the actual deployment of this missile system—that is, continue with research and development, even to the prototype stage, on defensive missile systems. Then, if new breakthroughs should occur on the technical front, or if new information comes to us about what our potential enemies are up to, we would be in a position, if necessary, to consider deployment of the system. . . .

Politically, the ability to get support for highly dubious multi-billion-dollar projects such as the ABM rests on two factors: first, exploitation of the national feeling of insecurity that comes any time we debate a proposal with a defense label attached to it; and second, the perfectly legal and very substantial rewards the military sector can bestow upon communities and states whose congressmen are co-operative. . . .

So, let us face it, the antiballistic-missile system is little more than a gigantic make-work welfare project sponsored by the military-industrial complex. I charge that this kind of artificial and unimaginative public spending is degrading rather than strengthening our society, and that it is doing so to an extent that more than offsets any temporary military advantage we may gain from it. . . .

A DISCUSSION

Mr. BERLE. I do not think the antiballistic-missile system should be deployed. The research on it should be done and the information acquired but then we should stop there. I can find no technician who is prepared to say that an antiballistic-missile defense could be airtight. One argument for deploying an ABM system is that it could reduce the number of our fatalities to 10,000,000 or 15,000,000, but we have no way of determining whether we could sustain 10,000,000 or 15,000,000 deaths without having our whole social, governmental, and political system smashed and our country so disorganized that it would be brought to the point of defeat. . . .

Dr. BRENNAN. The technically informed people tell us that if we spent from $10 to $20 billions for ABM it would reduce fatality levels from perhaps 50 per cent of the population to 10 or 15 per cent, and it probably would save an even greater percentage of our industrial resources. This would be true in the kind of war that could happen in the middle or late 1970s, pitting ABM against advanced technology skillfully employed against the United States. It is a combination of these two reductions that would make the difference between having a country that could reconstitute itself within some relatively short number of years (say, 5 or 10) after the war, and having a country whose recovery in any time period would be highly problematical. . . .

Mr. MCGOVERN. What is the evidence that the Soviets are going beyond (a) very limited defensive system deployed around Moscow, and their apparent aircraft defenses around Leningrad? Do we have credible evidence that they are moving ahead on a nationwide defensive missile system?

Dr. BRENNAN. I think the evidence is both ambiguous and undiscussable.

Dr. WIESNER. But mostly negative.

Mr. HERZFELD. Their system around Moscow is comparable to a thin defense.

Dr. WIESNER. No, it is only a small piece of a thin system.

Mr. HERZFELD. It's not all that small.

Dr. WIESNER. It is.

Mr. BERLE. While, as I have said, I am against ABM deployment because I do not think it will be effective, I do not agree with some critics of ABM who say that economically the country cannot afford it. That is nonsense. The maximum estimate is that ABM would cost $50 billion. The United States can afford that, and more. This year, the gross national product will be about $860 billion and the best estimate for the 1969 GNP is $910 billion. We can assume that before ABM would be fully deployed three or four years from now, the GNP would be about a trillion dollars. To detach $50 billion for ABM could be done. It could be done even while we're spending great amounts of money for the social and economic reconstruction of the country. It is true that this would require a political mood of urgency the country does not now have. But, economically, ABM is a manageable proposition. . . .

Mr. RABI. There is no question that we can afford both guns and butter, no question to be put in cold economic statistics. But I am not so sure that economic satistics are a sufficient measurement of what a country can afford. . . .

A country is more than its economic capacity or its material possessions. It has a personal, spiritual, psychological side—it is a culture.

Those of us who are teachers and close to young people know the degree to which they have been alienated by all this expenditure on military things.

When they see the Government putting out tremendous sums of money for military purposes, and then observe the Government's reluctance to invest in the solution of domestic human problems, they see a reorientation of our national policy which they believe is turning us into a garrison state. . . .

I have to say that I find all these statistical arguments, all this war-gaming, rather obscene. It has nothing to do with the meaning of security on a much more profound level. While we are trying to assure the safety of the country, we may be undermining it. . . .

When Mr. Eisenhower was president of Columbia University, he said something that struck me. He had never been interested in defending property, or even lives, he said, as much as he had in defending a way of life. When you look at the proposition inherent in a nuclear exchange, you realize that even minimal losses—such as taking out New York, Chicago, and Los Angeles, and letting everything else stand—would spell the end of the American dream as we know it. . . .

When Russia invaded Czechoslovakia last summer there was no violent resistance by the Czechs. You might ask whether this was wise or not. In one view, the Czech people were "chicken" for not standing up even though the odds were hopeless. But is the survival of a people and their culture not more important than a "heroic" gesture? . . .

Mr. HERZFELD. I am quite aware that even to contemplate the kind of calculations one must make in matters of military security causes real and valid revulsion in many people, and not just among the young. I must point out, however, that this revulsion is the kind that any nonmedical person feels when he accidentally walks into an operating room while an operation is going on. His reaction is valid, but it does not help him understand the problem of medicine very much.

ORDER FOR PRINTING EULOGIES OF SENATOR BARTLETT AS A SENATE DOCUMENT

Mr. GRAVEL. Mr. President, I ask unanimous consent that eulogies of Senator BARTLETT be printed as a Senate document for later distribution.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION DURING ADJOURNMENTS FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES

Mr. KENNEDY. Mr. President, I ask unanimous consent that, during the adjournments of the Senate between today and next Tuesday, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, did I understand the Senator to say from adjournment now until next Tuesday?

Mr. KENNEDY. I am about to make that request.

ORDER FOR ADJOURNMENT TO FRIDAY NEXT AT 10 A.M.

Mr. KENNEDY. Mr. President, I ask unanimous consent that, upon the completion of its business today, the Senate adjourn until 10 a.m. on Friday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM FRIDAY TO TUESDAY, FEBRUARY 25, 1969

Mr. KENNEDY. Mr. President, I ask unanimous consent that immediately upon the conclusion of the reading of the Farewell Address on Friday, the Senate adjourn until noon, Tuesday, February 25, 1969.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO FRIDAY AT 10 A.M.

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. on Friday.

The motion was agreed to; and (at 2 o'clock and 36 minutes p.m.) the Senate took an adjournment until Friday, February 21, 1969 at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate February 19, 1969:

IN THE AIR FORCE

Grant Hansen, of California, to be an Assistant Secretary of the Air Force.

DEPARTMENT OF DEFENSE

G. Warren Nutter, of Virginia, to be an Assistant Secretary of Defense.

IN THE AIR FORCE

John L. McLucas, of Massachusetts, to be Under Secretary of the Air Force.

Curtis W. Tarr, of California, to be an Assistant Secretary of the Air Force.

IN THE ARMY

Thaddeus R. Beal, of Massachusetts, to be Under Secretary of the Army.

Eugene M. Becker, of Illinois, to be an Assistant Secretary of the Army.

William K. Brehm, of Michigan, to be an Assistant Secretary of the Army.

IN THE NAVY

James D. Hittle, of Virginia, to be an Assistant Secretary of the Navy.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

John G. Veneman, of California, to be Under Secretary of Health, Education, and Welfare.

James E. Allen, Jr., of New York, to be an Assistant Secretary of Health, Education, and Welfare.

COMMISSIONER OF EDUCATION

James E. Allen, Jr., of New York, to be Commissioner of Education.

DISTRICT OF COLUMBIA COUNCIL

Gilbert Hahn, Jr., of the District of Columbia, to be Chairman of the District of Columbia Council for the term expiring February 1, 1972.

Sterling Tucker, of the District of Columbia, to be Vice Chairman of the District of Columbia Council for the term expiring February 1, 1972.

Jerry A. Moore, of the District of Columbia, to be a member of the District of Columbia Council for the term expiring February 1, 1972.

HOUSE OF REPRESENTATIVES—*Wednesday, February 19, 1969*

The House met at 12 o'clock noon.

The Reverend Ignatius L. Urbonas, pastor of St. Casimir Church, Gary, Ind., offered the following prayer:

Almighty God, who created all men free and equal, bless this country whose flag is a symbol of freedom to all nations.

God bless our President, our Government, and the Members of this Congress for their efforts in preserving this land free, and bless them for their endeavors for the freedom of other nations.

God bless all nations that seek freedom among which is Lithuania. In the sorrow of her enslavement she commemorates today the 51st anniversary of her declaration of independence.

Almighty God, we beseech You to aid all those who are oppressed and deprived of their freedom, to become free again and live in peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Leonard, one of his secretaries.

ECONOMIC OPPORTUNITY ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–74)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on Education and Labor and ordered to be printed:

To the Congress of the United States:

The blight of poverty requires priority attention. It engages our hearts and challenges our intelligence. It cannot and will not be treated lightly or indifferently, or without the most searching examination of how best to marshal the resources available to the Federal Government for combatting it.

At my direction, the Urban Affairs Council has been conducting an intensive study of the nation's anti-poverty programs, of the way the anti-poverty effort is organized and administered, and of ways in which it might be made more effective.

That study is continuing. However, I can now announce a number of steps I intend to take, as well as spelling out some of the considerations that will guide my future recommendations.

The Economic Opportunity Act of 1964 is now scheduled to expire on June 30, 1970. The present authorization for appropriations for the Office of Economic Opportunity runs only until June 30, 1969. I will ask Congress that this authorization for appropriations be extended for another year. Prior to the end of the Fiscal Year, I will send Congress a comprehensive proposal for the future of the poverty program, including recommendations for revising and extending the Act itself beyond its scheduled 1970 expiration.

How the work begun by OEO can best

be carried forward is a subject on which many views deserve to be heard—both from within Congress, and among those many others who are interested or affected, including especially the poor themselves. By sending my proposals well before the Act's 1970 expiration, I intend to provide time for full debate and discussion.

In the maze of anti-poverty efforts, precedents are weak and knowledge uncertain. These past years of increasing Federal involvement have begun to make clear how vast is the range of what we do not yet know, and how fragile are projections based on partial understanding. But we have learned some lessons about what works and what does not. The changes I propose will be based on those lessons and those discoveries, and rooted in a determination to press ahead with anti-poverty efforts even though individual experiments have ended in disappointment.

From the experience of OEO, we have learned the value of having in the Federal Government an agency whose special concern is the poor. We have learned the need for flexibility, responsiveness, and continuing innovation. We have learned the need for management effectiveness. Even those most thoroughly committed to the goals of the anti-poverty effort recognize now that much that has been tried has not worked.

The OEO has been a valuable fount of ideas and enthusiasm, but it has suffered from a confusion of roles.

OEO's greatest value is as an initiating agency—devising new programs to help the poor, and serving as an "incubator" for these programs during their initial, experimental phases. One of my aims is to free OEO itself to perform these functions more effectively, by providing for a greater concentration of its energies on its innovative role.

Last year, Congress directed that special studies be made by the Executive Branch of whether Head Start and the Job Corps should continue to be administered directly by OEO, or whether responsibility should be otherwise assigned.

Section 309 of the Vocational Education Amendments of 1968 provides:

> The President shall make a special study of whether the responsibility for administering the Head Start program established under the Economic Opportunity Act of 1964 should continue to be vested in the Director of the Office of Economic Opportunity, should be transferred to another agency of the Government or should be delegated to another such agency pursuant to the provisions of section 602(d) of the aforementioned Economic Opportunity Act of 1964, and shall submit the findings of this study to the Congress not later than March 1, 1969.

I have today submitted this study to the Congress. Meanwhile, *under the Executive authority provided by the Economic Opportunity Act,* **I have directed that preparations be made for the delegation of Head Start to the Department of Health, Education, and Welfare. Whether it should be actually transferred is a question I will take up in my later, comprehensive message, along with my proposals for a permanent status and organizational structure for OEO. Pending a final decision by the Secretary of HEW on where within the department responsibility for Head Start would be lodged, it will be located directly within the Office of the Secretary.**

In order to provide for orderly preparation, and to ensure that there is no interruption of programs, I have directed that this delegation be made effective July 1, 1969. By then the summer programs for 1969 will all have been funded, and a new cycle will be beginning.

I see this delegation as an important element in a new national commitment to the crucial early years of life.

Head Start is still experimental. Its effects are simply not known—save of course where medical care and similar services are involved. The results of a major national evaluation of the program will be available this spring. It must be said, however, that preliminary reports on this study confirm what many have feared: the long term effect of Head Start appears to be extremely weak. This must not discourage us. To the contrary it only demonstrates the immense contribution the Head Start program has made simply by having raised to prominence on the national agenda the fact—known for some time, but never widely recognized—that the children of the poor mostly arrive at school age seriously deficient in the ability to profit from formal education, and already significantly behind their contemporaries. It also has been made abundantly clear that our schools as they now exist are unable to overcome this deficiency.

In this context, the Head Start Follow-Through Program already delegated to HEW by OEO, assumes an even greater importance.

In recent years, enormous advances have been made in the understanding of human development. We have learned that intelligence is not fixed at birth, but is largely formed by the environmental influences of the early formative years. It develops rapidly at first, and then more slowly; as much of that development takes place in the first four years as in the next thirteen. We have learned further that environment has its greatest impact on the development of intelligence when that development is proceeding most rapidly—that is, in those earliest years.

This means that many of the problems of poverty are traceable directly to early childhood experience—and that if we are to make genuine, long-range progress, we must focus our efforts much more than heretofore on those few years which may determine how far, throughout his later life, the child can reach.

Recent scientific developments have shown that this process of early childhood development poses more difficult problems than had earlier been recognized—but they also promise a real possibility of major breakthroughs soon in our understanding of this process. By placing Head Start in the Department of HEW, it will be possible to strengthen it by association with a wide range of other early development programs within the department, and also with the research programs of the National Institutes of Health, the National Institute of Mental Health, and the National Institute of Child Health and Human Development.

Much of our knowledge is new. But we are not on that ground absolved from the responsibility to respond to it. So crucial is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first five years of life. In delegating Head Start to the Department of HEW, I pledge myself to that commitment.

The Vocational Education Amendments of 1968 directed the Commissioner of Education to study the Job Corps in relation to state vocational education programs. I have directed the Secretaries of Labor and of Health, Education, and Welfare, and the Assistant Secretary of Labor for Manpower, to work with the Acting Commissioner of Education in preparing such a report for submission to Congress at the earliest opportunity.

One of the priority aims of the new Administration is the development by the Department of Labor of a comprehensive manpower program, designed to make centrally available to the unemployed and the underemployed a full range of Federal job training and placement services. Toward this end, it is essential that the many Federal manpower programs be integrated and coordinated.

Therefore, as a first step toward better program management, the Job Corps will be delegated to the Department of Labor.

For the Department, this will add another important manpower service component. For the Job Corpsmen, it will make available additional training and service opportunities. From the standpoint of program management, it makes it possible to coordinate the Job Corps with other manpower services, especially vocational education, at the point of delivery.

The Department of Labor already is deeply involved in the recruitment, counseling and placement of Job Corpsmen. It refers 80 percent of all male and 45 percent of all female enrollees; it provides job market information, and helps locate Job Corpsmen in the areas of greatest opportunity.

This delegation will also be made effective on July 1, 1969; and the Departments of Interior and Agriculture will continue to have operating responsibility for the Job Corps centers concerned primarily with conservation.

I have directed that preparations be made for the transfer of two other programs from OEO to the Department of Health, Education, and Welfare: Comprehensive Health Centers, which provide health service to the residents of poor neighborhoods, and Foster Grandparents program. In my judgement, these can be better administered at present, or in the near future, within the structure of the Department.

In making these changes, I recognize that innovation costs money—and that if OEO is to continue its effectiveness as an innovating agency, adequate funds must be made available on a continuing basis. Moreover, it is my intent that Community Action Agencies can continue to be involved in the operation of

programs such as Head Start at the local level, even though an agency other than OEO has received such programs, by delegation, at the national level. It also is my intent that the vital Community Action Programs will be pressed forward, and that in the area of economic development OEO will have an important role to play, in cooperation with other agencies, in fostering community-based business development.

One of the principal aims of the Administration's continuing study of the anti-poverty effort will be to improve its management effectiveness. When poverty-fund monies are stolen, those hurt most are the poor—whom the monies were meant to help. When programs are inefficiently administered, those hurt most again are the poor. The public generally, and the poor especially, have a right to demand effective and efficient management. I intend to provide it.

I expect that important economies will result from the delegation of the Job Corps to the Department of Labor, and we shall continue to strive for greater efficiency, and especially for greater effectiveness in Head Start.

A Concentrated Management Improvement Program initiated in OEO will be intensified. Under this program, selected Community Action Agencies will be required to take steps to devise improvements in such areas as organizational structure, financial and accounting systems, personnel training and work scheduling. Standards will be applied under the "management improvement program" to evaluate the operations of Community Action Agencies. We intend to monitor these programs actively in order to insure that they are achieving high-level effectiveness and that they are being administered on an orderly basis.

In the past, problems have often arisen over the relationship of State, county and local governments to programs administered by OEO. This has particularly been the case where the State and local officials have wanted to assume greater responsibility for the implementation of the programs but for various reasons have been prevented from doing so. I have assigned special responsibility for working out these problems to the newly-created Office of Intergovernmental Relations, under the supervision of the Vice President.

I have directed the Urban Affairs Council to keep the anti-poverty effort under constant review and evaluation, seeking new ways in which the various departments can help and better ways in which their efforts can be coordinated.

My comprehensive recommendations for the future of the poverty program will be made after the Urban Affairs Council's own initial study is completed, and after I have reviewed the Comptroller General's study of OEO ordered by Congress in 1967 and due for submission next month.

Meanwhile, I would stress this final thought: If we are to make the most of experimental programs, we must frankly recognize their experimental nature and frankly acknowledge whatever shortcomings they develop. To do so is not to belittle the experiment, but to advance its essential purpose: that of finding new ways, better ways, of making progress in areas still inadequately understood.

We often can learn more from a program that fails to achieve its purpose than from one that succeeds. If we apply those lessons, then even the "failure" will have made a significant contribution to our larger purposes.

I urge all those involved in these experimental programs to bear this in mind—and to remember that one of the primary goals of this administration is to expand our knowledge of how best to make real progress against those social ills that have so stubbornly defied solution. We do not pretend to have all the answers. We are determined to find as many as we can.

The men and women who will be valued most in this administration will be those who understand that not every experiment succeeds, who do not cover up failures but rather lay open problems, frankly and constructively, so that next time we will know how to do better.

In this spirit, I am confident that we can place our anti-poverty efforts on a secure footing—and that as we continue to gain in understanding of how to master the difficulties, we can move forward at an accelerating pace.

RICHARD NIXON.

THE WHITE HOUSE, *February 19, 1969.*

INFORMATION ON EMPLOYEES WHO PARTICIPATED IN TRAINING IN NON-GOVERNMENT FACILITIES IN FISCAL YEAR 1968—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

As required by section 1308(b) of title 5, United States Code, I am transmitting forms supplying information on those employees who, during Fiscal Year 1968, participated in training in non-Government facilities in courses that were over one hundred and twenty days in duration and those employees who received awards or contributions incident to training in non-Government facilities.

RICHARD NIXON.

THE WHITE HOUSE, *February 19, 1969.*

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORIZING COMMITTEE ON PUBLIC WORKS TO CONDUCT STUDIES AND INVESTIGATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 189 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 189

Resolved, That, effective from January 3, 1969, the Committee on Public Works, or any subcommittee thereof designated by the chairman, may make investigations into the following matters within its jurisdiction: In the United States, Commonwealths, territories, and possessions thereof, and Canada, public works projects either authorized or proposed to be authorized relating to flood control and improvement of rivers and harbors, waterpower, navigation, water pollution control, public buildings and grounds, roads and highways, as well as all other public works and economic and regional development matters within its jurisdiction.

For the purpose of making such investigations the committee or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places in the United States, Commonwealths, territories, and possessions thereof, and Canada, whether the House has recessed or adjourned, and to hold such hearings and require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, and documents as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee may attend conferences and meetings on matters within its jurisdiction wherever held within the United States, Commonwealths, territories, and possessions thereof, and Canada.

The committee shall not undertake any investigation of any subject matter which is being investigated by any other standing committee of the House.

Funds authorized are for expenses incurred in the committee's activities within the United States, Commonwealths, territories, and possessions thereof, and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Public Works for expenses of its members or other Members or employees traveling abroad.

With the following committee amendments:

On page 1, strike line 12, and insert in lieu thereof: "diction, and, in Mexico, and those Central American and South American countries in which the Pan American Highway is located, international roads and highways."

On page 2, line 5, strike the words "and Canada," and insert in lieu thereof: "Canada, Mexico, and those Central American and South American countries in which the Pan American Highway is located,".

On page 2, line 17, strike the words "and Canada." and insert in lieu thereof; "Canada, Mexico, and those Central American and South American countries in which the Pan American Highway is located."

Strike all after line 20, page 2, and all of page 3, and insert in lieu thereof:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Public Works of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code, for the purposes of carrying out the committee's authority in Canada, Mexico, and those Central American and South American countries in which the Pan American Highway is located: *Provided*, That (1) no mem-

ber or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

"Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON MERCHANT MARINE AND FISHERIES TO CONDUCT CERTAIN STUDIES AND INVESTIGATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 131 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 131

Resolved, That, effective from January 3, 1969, the Committee on Merchant Marine and Fisheries, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries relating to matters coming within the jurisdiction of such committee, including but not limited to the following:

(1) administration and operation of the Maritime Administration and Federal Maritime Commission and all laws, international arrangements, and problems relating to the American merchant marine;

(2) administration and operation of the United States Fish and Wildlife Service and all laws and problems relating to fisheries and wildlife;

(3) administration and operation of the Coast Guard, Coast and Geodetic Survey, and all laws and problems relating to functions thereunder;

(4) administration and operation of the Panama Canal and all laws and problems relating thereto, together with the necessity of providing additional transiting facilities for vessels between the Atlantic and Pacific Oceans;

(5) the natural resources and environment of the oceans;

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For such purposes the said committee, or any subcommittee thereof as authorized to do so by the chairman of the committee, is hereby authorized to sit and act during the present Congress within or without the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof designated by him may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Merchant Marine and Fisheries of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in execess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska (Mr. Martin) and pending that I yield myself such time as I may consume.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the distinguished gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding.

I rise simply for a point of information in anticipation of a future request for unanimous consent that the various committee authorizations and travel bills might be considered read and printed in the Record. They have been available to the Members. I, for one, have read them in advance. Therefore, if we could have the assurance of the distinguished gentleman from Missouri who is handling the resolutions on the floor, that they are in complete accord with the action of the Committee on Rules and that they are identical with past authorizing resolutions, we might be able to expedite the business of the House today in that manner.

Mr. BOLLING. I can so assure the gentleman from Missouri with regard to the resolutions I am handling. There are three of the group—and one of them has already been passed—that are slightly different than they were last year. But the provisions about which the gentleman from Missouri is concerned and the restrictions that make the Members who use counterpart funds report thereon and so on and on, are present in each resolution. In other words, each one of these resolutions, although as I said previously, some of them are not identical with those of the last Congress, do conform to the policy that was established by the House last year with respect to these resolutions.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I appreciate the gentleman's lucid explanation. I notice that some of the ones we are now considering has the language which has come to be known as the "Hall amendment" which precludes any Member or employee of said committee receiving local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1964, whether he be in one or more different countries, or not.

Can the gentleman assure me that in addition to the language as to the use of counterpart funds, that the Committee on Rules has included this in these resolutions?

Mr. BOLLING. My understanding is that that matter is taken care of—taken care of both by the language of the Committee on Rules and also by the method of its administration by the Committee on House Administration.

Mr. HALL. I appreciate the gentleman yielding and in my opinion we can act accordingly.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON EDUCATION AND LABOR TO CONDUCT CERTAIN STUDIES AND INVESTIGATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 200 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 200

Resolved, That the Committee on Education and Labor, effective from January 3, 1969, acting as a whole or by subcommittee, is authorized to conduct a full and complete study and investigation relating to all matters coming within the jurisdiction of the committee: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purposes of such investigations and studies the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House has recessed, or has adjourned, to hold such hearings and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas shall be issued only over the signature of the chairman of the committee or a member of the committee designated by him; they may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

The committee may report to the House of Representatives from time to time during the present Congress the results of its studies and investigations, with such recommendations for legislation or otherwise as the committee deems desirable. Any report submitted when the House is not in session shall be filed with the Clerk of the House.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Education and Labor for expenses of its members or other members or employees traveling abroad.

Mr. MARTIN (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON SCIENCE AND ASTRONAUTICS TO CONDUCT STUDIES AND INVESTIGATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 192 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 192

Resolved, That, effective from January 3, 1969, the Committee on Science and Astronautics, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries with respect to any matter or matters in or related to the fields of astronautical research and development (including resources, personnel, equipment, and facilities), outer space (including exploration and control thereof, and air and space law), and other scientific research and development (including international scientific cooperation) coming within the jurisdiction of such committee: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act within or without the United States, during the present Congress, whether the House has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member designated by him may administer oaths or affirmations to witnesses.

The committee shall report to the House as soon as practicable during the present Congress the results of its studies, investigations, and inquiries, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Science and Astronautics of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, (1) That no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. MARTIN (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON BANKING AND CURRENCY TO CONDUCT INVESTIGATIONS AND STUDIES

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 152 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 152

Resolved, That, effective from January 3, 1969, the Committee on Banking and Currency, acting as a whole or by subcommittee appointed by the chairman of the committee, is authorized to conduct full and complete studies and investigations and make inquiries with respect to all matters falling within the jurisdiction of the committee under rule XI, clause 4, of the Rules of the House of Representatives or any law of the United States including:

(1) Banking and currency generally.

(2) Control of price of commodities, rents, or services.

(3) Deposit insurance.

(4) Federal Reserve System.

(5) Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.

(6) Gold and silver, including the coinage thereof.

(7) Issuance of notes and redemption thereof.

(8) Public and private housing.

(9) Valuation and revaluation of the dollar.

(10) Export controls.

(11) International finance.

(12) International trade.

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee may report to the House (or to the Clerk of the House if the House is not in session) the results of its investigations and studies, together with such recommendations as it considers advisable, during the present Congress.

For the purpose of carrying out this resolution, the committee, or any of its subcommittees, is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary: *Provided*, That, for the purpose of carrying out this resolution, with respect to paragraphs (10), (11), and (12), the committee or subcommittee is authorized to sit and act outside the United States.

Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee, or any member thereof designated by him, may administer oaths or affirmations to witnesses.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Banking and Currency of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code, for the purposes of carrying out the committee's authority as set forth in paragraphs (10), (11), and (12) of this resolution: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; and (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or, if such transportation is furnished by an agency of the United States Government, the cost of such transportation and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. **BOLLING** (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The **SPEAKER**. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike lines 9, 10, and 11, page 2, and insert in lieu thereof the following:

"(10) Export controls (the Export Control Act).

"(11) International finance (the Asian Development Bank Act, the Inter-American Development Bank Act, the International Finance Corporation, the International Monetary Fund, and the International Bank for Reconstruction and Development).

"(12) International trade (the Export-Import Bank Act)."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING INVESTIGATIONS BY THE COMMITTEE ON AGRICULTURE

Mr. **BOLLING**. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 127 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 127

Resolved, That effective from January 3, 1968, the Committee on Agriculture, acting as a whole or by subcommittee, is authorized to make studies and investigations into the following matters:

(1) The restoration, expansion, and development of foreign markets for American agricultural products and of international trade in agricultural products; the use of agricultural commodities pursuant to Public Law 480, Eighty-third Congress, as amended, and the use of the foreign currencies accruing therefrom; and the effect of the European Common Market and other regional economic agreements and commodity marketing and pricing systems upon United States agriculture.

(2) All matters relating to the establishment and development of an effective Foreign Agricultural Service pursuant to title VI of the Agricultural Act of 1954.

(3) All matters, relating to the development, use, and administration of the national forests, including but not limited to development of a sound program for general public use of the national forests consistent with watershed protection and sustained-yield timber management, and study of the forest fire prevention and control policies and activities of the Forest Service and their relation to coordinated activities of other Federal, State, and private agencies.

(4) Price spreads between producers and consumers.

(5) The formulation and development of improved programs for agricultural commodities; matters relating to the inspection grading, and marketing of such commodities; and the effect of trading in futures contracts for such commodities.

(6) The administration and operation of agricultural programs through State and county agricultural stabilization and conservation committees and the administrative policies and procedures relating to the selection, election, and operation of such committees.

(7) The development of upstream watershed projects authorized by Public Law 156, Eighty-third Congress, and the administration and development of watershed programs pursuant to Public Law 566, Eighty-third Congress, as amended; the development of land use programs pursuant to titles I and IV of the Food and Agriculture Act of 1962; all programs of food assistance or distribution supported in whole or in part by funds authorized to be used by the Department of Agriculture.

(8) The implementation and administration of the Wholesome Meat Act of 1967 and Wholesome Poultry Products Act of 1968, including the establishment and development of inspection services as required by the Acts.

(9) All other matters within the jurisdiction of the committee: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purposes of such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings, to make such inspections or investigations, and to require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths or affirmations to witnesses.

The committee may report to the House (or to the Clerk of the House if the House is not in session) at any time during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the committee for expenses of its members or other members or employees traveling abroad.

Mr. **MARTIN** (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with, and that it be printed in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The **SPEAKER**. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: On page 3, line 25, strike all after the word "deems" and strike all of line 1, page 4, and insert: "necessary: *Provided*, That, for the purpose of carrying out this resolution, with respect to paragraph (1), the committee or subcommittee is authorized to sit and act outside the United States. Subpenas may be issued over the signature of the chairman of."

Strike all after line 11, page 4, and insert:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Agriculture of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code, for the purposes of carrying out the committee's authority as set forth in paragraph (1) of this resolution: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

"Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING INVESTIGATIONS BY THE COMMITTEE ON FOREIGN AFFAIRS

Mr. **MATSUNAGA**. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 143 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 143

Resolved, That effective from January 3, 1969, the Committee on Foreign Affairs acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of all matters—

(1) relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments and agencies engaged primarily in the implementation of United States foreign policy and the oversea operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy;

(2) relating to the carrying out of programs and operations authorized by the Mutual Security Act and to other laws and measures to promote the foreign policy of the United States;

(3) relating to activities and programs of international organizations in which the United States participates;

(4) relating to the effectiveness of the United States programs of assistance and information; and

(5) relating to legislation within the jurisdiction of the Committee on Foreign Affairs pursuant to provisions of rule XI of the Rules of the House of Representatives: *Provided*, That the committee shall not un-

dertake any investigation of any subject which is being investigated by any other committee of the House.

The commmittee shall report to the House (or to the Clerk of the House if the House is not in session), as soon as practicable during the present Congress, the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places, within or without the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Foreign Affairs of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. MATSUNAGA (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with, and that it be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMSAT BOARD OF DIRECTORS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill (H.R. 4214) to amend the Communications Satellite Act of 1962 with respect to the election of the board of directors of the Communications Satellite Corp., and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. RYAN. Mr. Speaker, reserving the right to object, I notice that this bill is being brought to the floor with a report which was printed only yesterday. I am concerned about the functioning of the Communications Satellite Corp., and therefore I would appreciate an explanation of the purpose of this particular bill.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Speaker, I would say to the gentleman from New York that when the Communications Satellite Act of 1962 was originally brought before the House it provided that the board of directors of Comsat would consist of three directors appointed by the President by and with the advice and consent of the Senate, six directors elected by stockholders, who were not communications common carriers, and between one and six, depending on their proportionate ownership of Comsat stock, directors representative of stockholders which were communications common carriers.

When it went to the other body, the other body amended the bill so as to provide for six carrier directors regardless of the amount of Comsat stock owned by them. Originally, the communications common carriers owned 50 percent of Comsat's stock but since that time their share of holdings have dropped to 38 percent.

All we are trying to do in this legislation is to relate carrier representation on the Comsat board of directors to the carriers' stockholdings in Comsat.

I recommend the passage of this bill because all it does, as I say, is to bring about justice where injustice was done by the law in the past.

Mr. RYAN. As the distinguished chairman may recall, at the time the Communications Satellite Act of 1962 was considered originally by the House, I led the floor fight against the proposal and raised a number of public policy issues which I felt then were important, and which I still do feel are important. I am particularly concerned about the control exercised in the Communications Satellite Corp. by the communications common carriers.

I take it the theory of this bill is to diminish their influence on the board of directors proportionately to their stockholdings. I agree—as far as it goes.

On the other hand, I am concerned that the carriers will continue to exercise as much power as this bill will permit.

My basic question is whether or not, by enacting this bill at this time, we will be precluding further consideration of the basic question of the concentration of power on the part of the common carriers.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman.

Mr. STAGGERS. This really takes part of the carriers' representation on the Comsat board away from them and gives it to the public who owns the stock now. That is the reason I say it is purely rectifying an injustice. It was done by stating that six should come from the common carriers. They themselves recognizing the injustice have resigned.

Mr. RYAN. I understand the chairman's position. What I am concerned with more fundamentally is the effect of passing legislation which does not go to the heart of the matter.

Mr. STAGGERS. I understand what the gentleman means. That might come at a later time. We do not know. We simply are trying to rectify an injustice that was done.

Mr. RYAN. If I may ask a further question—since the creation of the Communications Satellite Corp. has the Committee on Interstate and Foreign Commerce had a thorough review of the whole operation of this corporation and, if not, is one contemplated?

Mr. STAGGERS. No, we have not. But we will. The President appointed a task force on communications policy which among other things considered Comsat's operations. I am sure this will be made public shortly. Our committee will then look into the matter.

Mr. RYAN. May I simply urge the distinguished chairman to conduct such an oversight review of the Communications Satellite Corp. and examine many of the basic questions that many of us raised at the time, and these questions I think are still valid.

Mr. Speaker, I thank the gentleman.

Mr. STAGGERS. I thank the gentleman.

Mr. HOLIFIELD. Mr. Speaker, further reserving the right to object, and I shall not object, I make this reservation in order to make an inquiry.

As I understand it, the degree or extent of the stockholders' interest in this corporation has now declined from 50 percent to about 38 percent.

Mr. STAGGERS. That is the stockholding of communications common carriers.

Mr. HOLIFIELD. Yes, the common carriers' stockholders.

Mr. STAGGERS. That is right.

Mr. HOLIFIELD. Does the gentleman happen to have a list of the concentration of stock in the companies involved in that 38 percent?

Mr. STAGGERS. No.

Mr. HOLIFIELD. Is it true that one of these common carriers has about 30 percent of the stock?

Mr. STAGGERS. Approximately, I would say. I am not sure what that amount is. They do have a large amount.

Mr. HOLIFIELD. Let me ask this question. If this be true, under this formula, as I understand it, the election of directors must be made in accordance with the amount of stock owned?

Mr. STAGGERS. No, let us put it this way: When the law was set up, the common carriers were to have six of the directors.

Mr. HOLIFIELD. Yes.

Mr. STAGGERS. The public was to have six directors, and the President was to appoint three directors. Under the provision that we have, two of the directors from the common carriers have already resigned. They have said it was not fair that they be represented on the board.

Mr. HOLIFIELD. Are those the directors that were from ITT?

Mr. STAGGERS. That is correct.

Mr. HOLIFIELD. They also pulled out of the corporation, did they not?

Mr. STAGGERS. No; they still own stock. They still own 100,000 shares of stock.

Mr. HOLIFIELD. But it is their intention to leave the corporation?

Mr. STAGGERS. I imagine they will hold their stock.

Mr. HOLIFIELD. You think they will hold the stock?

Mr. STAGGERS. Oh, I think so.

Mr. HOLIFIELD. But they are voluntarily relinquishing two directors?

Mr. STAGGERS. Two directors; yes.

Mr. HOLIFIELD. That seems a little strange, if they are going to hold the stock, that they are willing to release two directors who ostensibly could guard their interest in stockholders' meetings.

Mr. STAGGERS. The two directors will now come from the public.

Mr. HOLIFIELD. These two directors?

Mr. STAGGERS. Yes; if the bill is passed. The selection of the two directors would go to the public stockholders.

Mr. HOLIFIELD. The formula that you have here would not be applicable to the numbers of stockholders that would be elected by one corporation? In other words, if one corporation owns a block representing thirty thirty-eights of the aforementioned 38 percent, or better than 76 percent, of the 38 percent, would it be entitled to more than one director?

Mr. STAGGERS. Yes; I think they would under the formula that was originally set up.

Mr. HOLIFIELD. Does it concern the committee——

Mr. STAGGERS. It does.

Mr. HOLIFIELD (continuing). That this change in legislation would permit one corporation to have more than one director?

Mr. STAGGERS. The bill would not affect the previous formula whatever, except the fact that instead of directing that six stockholders shall come from the common carriers, the bill provides that the number of Comsat directors representing the carriers shall be proportionate to the carriers' holdings.

Mr. HOLIFIELD. I understand that.

Mr. STAGGERS. The common carriers stockholdings in Comsat have dropped from 50 percent down to 38 percent.

Mr. HOLIFIELD. I understand that. There are two things involved: The drop in interest from 50 percent to 38 percent in the total amount of the common carriers' stock; second—and the point to which I am directing my question to the chairman—is the concern that one corporation owning 76.1 percent of the 38 percent held by common carriers will be entitled to more than one director.

Mr. STAGGERS. Of course, I am concerned, and I think everybody is. But I say again that this provision will help to rectify it, because it would give the public two more directors, which would make the setup 8 to 4 for the general public, and the President appoints three.

Mr. HOLIFIELD. I have a great deal of confidence in the gentleman. I am not well informed on this particular subject. But in reading the report, which I received only 30 minutes ago, the thought occurred to me that this matter should be brought out for discussion. If the gentleman and his committee recommend this, notwithstanding the fact that one corporation would be entitled to a disporportionate amount of the four directors that are left—I would assume on the basis of the stock ownership of the 38 percent that is owned by corporations, that they would be entitled to two or more directors out of the four—if that does not concern the gentleman or his committee, and I assume that the committee has looked into this matter and feel that this is not an undue concentration of power in one participating corporation, I have no objection.

Mr. STAGGERS. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. SPRINGER. Mr. Speaker, reserving the right to object, the Communications Satellite Act, when passed, anticipated that the communications common carriers such as American Telephone & Telegraph, Western Union, and the like would always wish to retain half of the stock of the corporation being set up to manage communications satellites. In the beginning of corporate operation this was so. As time went on, however, one such common carrier saw fit to dispose of a large proportion of its stock to noncommunications stockholders. The stock itself is not divided into classes but the kinds of entities which may own it are so divided, being the communications common carriers and the general public. Because the act provided for the election of directors on the assumption that the stock would be equally or nearly equally divided, it left unprovided for that situation which now exists, that is, a board of directors not representative of the actual stock holdings.

The purpose of this legislation is to amend the act to correct the situation. All parties to the situation agree that it is just and desirable. In fact, the possibility of just this situation was recognized by the House of Representatives in 1962 when the act was first passed but provisions for its resolution were deleted from the final version agreed upon between the House and Senate. And now it is proposed that a formula be included in the law with authorization to the stockholders to amend the articles of incorporation accordingly.

The President chooses three of the 15 directors. The remaining 12 would no longer be chosen one-half by the carriers and one-half by the public stockholders. When carrier stockholdings are between 40 and 45 percent, they will elect five. As the stockholding of the carriers declines—if it does—the number of directors elected by them will also decline, until at 8 percent or under they will elect no directors.

In order to make the procedure simple and orderly, it will be done only at the time of the annual meetings. This may mean that, during any given year, there may be a period of time when the board of directors does not exactly reflect the proportionate stockholdings of the two classes of owners, but this seems to be fair enough and very practical.

There is urgency that the change be made promptly. The annual meeting of the Comsat Corp. takes place in a few months. If notices can reflect this piece of business, it can be handled then. The alternative is a special meeting with all the attendant inconvenience and expense, both of which would be considerable.

One other change in the law included in this bill would allow the corporation, in an emergency situation, to operate without full participation by its board. States and communities have provision for such emergency operation by law. Federal agencies have such authority by a series of Executive orders. Many private concerns have special provisions for operations in extreme national emergency conditions. Obviously none of these arrangements are intended to apply to less than full-scale national catastrophe. In order to leave no doubt of the limitation of the extraordinary authority, the committee has made it applicable only to national emergencies specifically declared in the future. In any full-scale national emergency the functioning of these vital communications links would be essential. The success of all other emergency plans, governmental and otherwise, would require making full use of available communications facilities. The change in the act suggested here should make that more possible as far as satellite communications are concerned.

The temporary international agreement by which Comsat manages the satellites used for international purposes is about to be negotiated. A permanent arrangement is contemplated and it is to be expected that the Communications Satellite Corp. will have some role to play in the carrying out of such final plans. It is well to have the corporation house in good order for this purpose also.

I recommend the legislation as it has come from the Committee on Interstate and Foreign Commerce and urge its passage.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4214

A bill to amend the Communications Satellite Act of 1962 with respect to the election of the board of directors of the Communications Satellite Corporation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a), of section 303 of the Communications Satellite Act of 1962 (47 U.S.C. 733 (a)) is amended to read as follows:

"Sec. 303. (a) The corporation shall have a board of directors consisting of fifteen individuals who are citizens of the United States, of whom one shall be elected annually by the board to serve as chairman. Three members of the board shall be appointed by the President of the United States, by and with the advice and consent of the Senate, effective the date on which the other members are elected, and for terms of three years or until their successors have been appointed and qualified, and any member so appointed to fill a vacancy shall be appointed only for the unexpired term of the director whom he succeeds. The remaining twelve members of the board shall be elected annually by the stockholders. Six of such members shall be elected by those stockholders who are not communications common carriers, and the remaining six such members shall be elected by the stockholders who are communications common carriers, except that if the number of shares of the voting capital stock of the corporation issued and outstanding and owned either directly or indirectly by communications common carriers as of the record date for the annual meetings of stockholders is less than 45 per centum of the total number of shares of the voting capital stock of the corporation issued and outstanding, the number of members to be elected at such meeting by each group of stockholders shall be determined in accordance with the following table:

When the number of shares of the voting capital stock of the corporation issued and outstanding and owned either directly or indirectly by communications common carriers is less than—	But not less than—	The number of members which stockholders who are communications common carriers are entitled to elect shall be—	And the number of members which other stockholders are entitled to elect shall be—
45 per centum	40 per centum	5	7
40 per centum	35 per centum	4	8
35 per centum	25 per centum	3	9
25 per centum	15 per centum	2	10
15 per centum	8 per centum	1	11
8 per centum		0	12

No stockholder who is a communications common carrier and no trustee for such a stockholder shall vote, either directly or indirectly, through the votes of subsidiaries or affiliated companies, nominees, or any persons subject to his direction or control, for more than three candidates for membership on the board, except that in the event the number of shares of the voting capital stock of the corporation issued and outstanding and owned either directly or indirectly by communications common carriers as of the record date for the annual meeting is less than 8 per centum of the total number of shares of the voting capital stock of the corporation issued and outstanding, any stockholder who is a communications common carrier shall be entitled to vote at such meeting for candidates for membership on the board in the same manner as all other stockholders. Subject to the foregoing limitations, the articles of incorporation of the corporation shall provide for cumulative voting under section 27(d) of the District of Columbia Business Corporation Act (D.C. Code, sec. 29–11(d)). The articles of incorporation of the corporation may be amended, altered, changed, or repealed by a vote of not less than 66⅔ per centum of the outstanding shares of the voting capital stock of the corporation owned by stockholders who are communications common carriers and by stockholders who are not communications common carriers, voting together, if such vote complies with all other requirements of this Act and of the articles of incorporation of the corporation with respect to the amendment, alteration, change, or repeal of such articles. The corporation may adopt such by laws as shall, notwithstanding the provisions of section 36 of the District of Columbia Business Corporation Act (D.C. Code, sec. 29–916d), provide in the event of a national emergency for the continued ability of the board to transact business."

SEC. 2. As promptly as the board of directors of the Communications Satellite Corporation shall determine to be practical after the date of the enactment of this Act, a meeting of the stockholders of the corporation shall be called for the purpose of electing twelve members of the board in accordance with subsection (a) of section 303 of the Communications Satellite Act of 1962 as amended by the first section of this Act. The members of the board elected at such meeting shall serve until the next annual meeting of stockholders or until their successors have been elected and qualified.

SEC. 3. The status and authority of the members of the board of directors of the Communications Satellite Corporation who were elected to the board before the date of the enactment of this Act and who are serving as members of the board on such date shall not be in any way impaired or affected until their successors have been elected and qualified in accordance with section 2 of this Act.

COMMITTEE AMENDMENT

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, strike out the sentence beginning in line 4 of the bill (as introduced) and insert in lieu thereof the following: "The corporation may adopt such bylaws as shall, notwithstanding the provisions of section 36 of the District of Columbia Business Corporation Act (D.C. Code, sec. 29–916d), provide for the continued ability of the board to transact business under such circumstances of national emergency as the President of the United States, or the officer designated by him, may determine, after February 18, 1969, would not permit a prompt meeting of a majority of the board to transact business."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill, S. 17, to amend the Communications Satellite Act of 1962 with respect to the election of the board of the Communications Satellite Corp.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 17

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303(a) of the Communications Satellite Act of 1962 (47 U.S.C. 733(a)) is amended to read as follows:

"SEC. 303. (a) The corporation shall have a board of directors consisting of fifteen individuals who are citizens of the United States, of whom one shall be elected annually by the board to serve as chairman. Three members of the board shall be appointed by the President of the United States, by and with the advice and consent of the Senate, effective the date on which the other members are elected, and for terms of three years or until their successors have been appointed and qualified, and any member so appointed to fill a vacancy shall be appointed only for the unexpired term of the director whom he succeeds. The remaining twelve members of the board shall be elected annually by the stockholders. Six of such members shall be elected by those stockholders who are not communications common carriers, and the remaining six such members shall be elected by the stockholders who are communications common carriers, except that if the number of shares of the voting capital stock of the corporation issued and outstanding and owned either directly or indirectly by communications common carriers as of the record date for the annual meeting of stockholders is less than 45 per centum of the total number of shares of the voting capital stock of the corporation issued and outstanding, the number of members to be elected at such meeting by each group of stockholders shall be determined in accordance with the following table:

When the number of shares of the voting capital stock of the corporation issued and outstanding and owned either directly or indirectly by communications common carriers is less than—	But not less than—	The number of members which stockholders who are communications common carriers are entitled to elect shall be—	And the number of members which other stockholders are entitled to elect shall be—
45 per centum	40 per centum	5	7
40 per centum	35 per centum	4	8
35 per centum	25 per centum	3	9
25 per centum	15 per centum	2	10
15 per centum	8 per centum	1	11
8 per centum		0	12

No stockholder who is a communications common carrier and no trustee for such a stockholder shall vote, either directly or indirectly, through the votes of subsidiaries or affiliated companies, nominees, or any persons subject to his direction or control, for more than three candidates for membership on the board, except that in the event the number of shares of the voting capital stock of the corporation issued and outstanding and owned either directly or indirectly by communications common carriers as of the record date for the annual meeting is less than 8 per centum of the total number of shares of the voting capital stock of the corporation issued and outstanding, any stockholder who is a communications common carrier shall be entitled to vote at such meeting for candidates for membership on the board in the same manner as all other stockholders. Subject to the foregoing limitations, the articles of incorporation of the corporation shall provide for cumulative voting under section 27(d) of the District of Columbia Business Corporation Act (D.C. Code, sec. 29–911(d)). The articles of incorporation of the corporation may be amended, altered, changed, or repealed by a vote of not less than 66⅔ per centum of the outstanding shares of the voting capital stock of the corporation owned by stockholders who are communications common carriers and by stockholders who are not communications common carriers, voting together, provided that such vote complies with all other requirements of this Act and of the articles of incorporation of the corporation with respect to the amendment, alteration, change, or repeal of such articles. The corporation may adopt such bylaws as shall, notwithstanding the provisions of section 36 of the District of Columbia Business Corporation Act (D.C. Code, sec. 29–916d), provide in the event of a national emergency for the continued ability of the board to transact business."

Sec. 2. As promptly as the board of directors of the Communications Satellite Corporation shall determine to be practical after this Act takes effect, a meeting of the stockholders of the corporation shall be called for the purpose of electing twelve members of the board in accordance with section 1 of this Act. The members of the board elected at such meeting shall serve until the next annual meeting of stockholders or until their successors have been elected and qualified.

Sec. 3. The status and authority of the members of the board of the Communications Satellite Corporation who were elected in conformity with the provisions of the Communications Satellite Act of 1962 prior to amendment by this Act and who are serving when this Act takes effect shall not be in any way impaired or affected until their successors have been elected and qualified in accordance with section 2 of this Act.

AMENDMENT OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Staggers: Strike out all after the enacting clause of S. 17 and insert in lieu thereof the provisions of H.R. 4214, as passed, as follows:

"That subsection (a) of section 303 of the Communications Satellite Act of 1962 (47 U.S.C. 733(a)) is amended to read as follows:

" 'Sec. 303. (a) The corporation shall have a board of directors consisting of fifteen individuals who are citizens of the United States, of whom one shall be elected annually by the board to serve as chairman. Three members of the board shall be appointed by the President of the United States, by and with the advice and consent of the Senate, effective the date on which the other members are elected, and for terms of three years or until their successors have been appointed and qualified, and any member so appointed to fill a vacancy shall be appointed only for the unexpired term of the director whom he succeeds. The remaining twelve members of the board shall be elected annually by the stockholders. Six of such members shall be elected by those stockholders who are not communications common carriers, and the remaining six such members shall be elected by the stockholders who are communications common carriers, except that if the number of shares of the voting capital stock of the corporation issued and outstanding and owned either directly or indirectly by communications common carriers as of the record date for the annual meeting of stockholders is less than 45 per centum of the total number of shares of the voting capital stock of the corporation issued and outstanding, the number of members to be elected at such meeting by each group of stockholders shall be determined in accordance with the following table:

"When the number of shares of the voting capital stock of the corporation issued and outstanding and owned either directly or indirectly by communications common carriers is less than—	But not less than—	The number of members which stockholders who are communications common carriers are entitled to elect shall be—	And the number of members which other stockholders are entitled to elect shall be—
45 per centum	40 per centum	5	7
40 per centum	35 per centum	4	8
35 per centum	25 per centum	3	9
25 per centum	15 per centum	2	10
15 per centum	8 per centum	1	11
8 per centum		0	12"

No stockholder who is a communications common carrier and no trustee for such a stockholder shall vote, either directly or indirectly, through the votes of subsidiaries or affiliated companies, nominees, or any persons subject to his direction or control, for more than three candidates for membership on the board, except that in the event the number of shares of the voting capital stock of the corporation issued and outstanding and owned either directly or indirectly by communications common carriers as of the record date for the annual meeting is less than 8 per centum of the total number of shares of the voting capital stock of the corporation issued and outstanding, any stockholder who is a communications common carrier shall be entitled to vote at such meeting for candidates for membership on the board in the same manner as all other stockholders. Subject to the foregoing limitations, the articles of incorporation of the corporation shall provide for cumulative voting under section 27(d) of the District of Columbia Business Corporation Act (D.C. Code, sec. 29–911(d)). The articles of incorporation of the corporation may be amended, altered, changed, or repealed by a vote of not less than 66⅔ per centum of the outstanding shares of the voting capital stock of the corporation owned by stockholders who are communications common carriers and by stockholders who are not communications common carriers, voting together, if such vote complies with all other requirements of this Act and of the articles of incorporation of the corporation with respect to the amendment, alteration, change, or repeal of such articles. The corporation may adopt such bylaws as shall, notwithstanding the provisions of section 36 of the District of Columbia Business Corporation Act (D.C. Code, sec. 29–916d), provide for the continued ability of the board to transact business under such circumstances of national emergency as the President of the United States, or the officer designated by him, may determine, after February 18, 1969, would not permit a prompt meeting of a majority of the board to transact business.'

"Sec. 2. As promptly as the board of directors of the Communications Satellite Corporation shall determine to be practical after the date of the enactment of this Act, a meeting of the stockholders of the corporation shall be called for the purpose of electing twelve members of the board in accordance with subsection (a) of section 303 of the Communications Satellite Act of 1962 as amended by the first section of this Act. The members of the board elected at such meeting shall serve until the next annual meeting of stockholders or until their successors have been elected and qualified.

"Sec. 3. The status and authority of the members of the board of directors of the Communications Satellite Corporation who were elected to the board before the date of the enactment of this Act and who are serving as members of the board on such date shall not be in any way impaired or affected until their successors have been elected and qualified in accordance with section 2 of this Act."

Amend the title so as to read: "An act to amend the Communications Satellite Act of 1962 with respect to the election of the board of directors of the Communications Satellite Corporation."

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

TITLE AMENDMENT OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer an amendment to the title of the bill.

The Clerk read as follows:

Title Amendment Offered by Mr. Staggers: Amend the title of the bill to read: "To amend the Communications Satellite Act of 1962 with respect to the election of the board of directors of the Communications Satellite Corporation."

The title amendment was agreed to.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 4214) was laid on the table.

SELECT COMMITTEE ON THE HOUSE BEAUTY SHOP

Mrs. GRIFFITHS. Mr. Speaker, I call up House Resolution 258 and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 258

Resolved, That (a) effective January 3, 1969, there is hereby created a select committee to be composed of three Members of the House of Representatives to be appointed by the Speaker, one of whom shall be designated as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

(b) Until otherwise ordered by the House, the management of the House Beauty Shop and all matters connected therewith shall be under the direction of the Select Committee herein created and shall be operated under such rules and regulations as such Committee may prescribe for the operation and the employment of necessary assistance for the conduct of said Beauty Shop by such business methods as may produce the best results consistent with economical and modern management.

The SPEAKER. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF SELECT COMMITTEE ON HOUSE BEAUTY SHOP

The SPEAKER. Pursuant to the provisions of House Resolution 258, 91st Congress, the Chair appoints as members of the Select Committee on the House Beauty Shop the following Members of the House: Mrs. GRIFFITHS, Mrs. GREEN of Oregon, and Mrs. MAY.

PERMISSION FOR SUBCOMMITTEE ON FISHERIES AND WILDLIFE CONSERVATION OF COMMITTEE ON MERCHANT MARINE AND FISHERIES TO SIT DURING GENERAL DEBATE TODAY

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Fisheries and Wildlife Conservation of the Committee on Merchant Marine and Fisheries be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

THE SST—A BIZARRE ASSAULT UPON GOVERNMENT SOLVENCY AND THE QUALITY OF AMERICAN LIFE

(Mr. PODELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, $500 million in Government funds has already been thrown away on development of the supersonic plane, or SST. A decision shortly must be made regarding further investment of public money in this project; $600 million is the sum in question which we shall have to make available if development of the SST is to continue. I wish to place myself vehemently on record as opposed to further investment in this gargantuan piece of nonsense. Have we not had enough of such incredible boondoggles? Are the American people not utterly disgusted with such astronomical strivings based on business greed and prestige rather than on national necessity and meeting of real needs of our people?

We have poured a fortune into a flying deathtrap called the TFX. Already there is talk that the new Lockheed transport is going to soar in price to the point where Government would find it cheaper to buy Lockheed rather than purchase their plane.

Now the SST is proposed and advocated. What is it? A sonic boom across a continent, shattering our windows, solitude, and peace of mind. And the people behind this unbelievable idiocy demand that Government and the taxpayer subsidize this awful prospect.

People are starving to death in this Nation. Our cities are cesspools of crime, drug addiction, traffic, pollution, and expense. Yet we pour billions down the throats of those who are making it worse, perpetrating such atrocities and who propose to do still more. I say we must stop it.

The SST is as unrealistic in concept and useless in goal as the ABM, foreign aid to our enemies, bigger cars, more cars, the Vietnam tragedy, and orange groves in Greenland. The American public will not subsidize this atrocity.

I pray that the SST be relegated to the junkpile reserved for projects that are nonsensical, useless, and certainly not beneficial to the American national interest.

Aircraft are already in flight which can serve the purposes of the SST, although they will not create a continent-spanning sonic boom. It is my hope that we shall make such craft do the job.

In the meantime, let us put the SST aside and let it collapse quietly as all such projects do when placed strictly upon their merits. How incredible to propose a mode of transport that will get people across a continent faster so they will be able to spend more time in the traffic jams of our cities.

A nation stands or falls on its abilities to ascertain and follow through on national priorities. Placing the SST before ending pollution, mass urban transit, and low-cost housing makes as much sense as trying to obtain light from a cucumber or making a sheep bark.

Mr. Speaker, if we do not unscramble our priorities, our Nation will slide into the abyss. We cannot afford such national stupidities. The Nation demands that we concentrate on the needs of the majority rather than the special interests of the few.

PROPOSAL BANNING ALL CIGARETTE ADVERTISING ON RADIO AND TELEVISION BY FEDERAL COMMUNICATIONS COMMISSION

(Mr. ABBITT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ABBITT. Mr. Speaker, on February 5 the Federal Communications Commission proposed the banning of all cigarette advertising on the Nation's radio and television stations.

This is another example of a growing number of instances in which various Federal agencies have attempted to arbitrarily increase their power and extend the scope of their operations.

The announcement by the Federal Communications Commission is clearly outside the jurisdiction which Congress has delegated to that agency and is designed, in my opinion, to intimidate Congress. It is a clear usurpation of congressional authority and I, for one, propose to do everything I can to prevent the FCC or any other agency from arrogating unto itself powers never intended by the very legislative authority which established the regulatory agency.

This is a subject which has received much attention in recent years. The Cigarette Labeling Act which was passed in 1965 after extensive hearings provides information which reflects the proven facts about smoking and health. Proposals are already pending to extend the current law and it is the business of Congress to take whatever legislative action is necessary in keeping with the public interest.

It is not the prerogative of the FCC to take capricious action to prevent manufacturers of cigarettes from advertising—certainly on the basis of the contradictory medical evidence which is now available.

This is more than a health issue; it is a constitutional question. If the Federal Communications Commission can ban cigarette advertising it can also operate to curtail the advertising of other products—and if this can be done, presumably the authority would extend to outright censorship and complete control of the broadcast content of radio and television.

I do not believe that the American people want or will stand for Government control of what they see or hear on the broadcast media. This is the very thing which many of us have striven to prevent under our democratic form of government. The freedom to speak also carries with it the freedom to advertise—unless there is some proven basis that the product in question is a detriment to the health and well-being of the public. Such a basis has not been proven and many Government agencies disagree on the information which is presently available on this subject.

The proposed edict of the FCC that all cigarette advertising should be banned is nothing more than a grasp for power by a Federal agency and exceeds the regulatory functions which Congress has vested in the agency.

The notice of proposed rulemaking is only a first step in bringing about the control which FCC seeks. Either that is the case or the FCC is guilty of incredible gullibility in accepting one set of conclusions in the matter of smoking and health while utterly ignoring other conclusions of perhaps much greater validity. It is up to Congress to step in and call a halt to this before it gets out of hand. It is equally the duty and responsibility of Congress to protect legitimate industry. The latest proposal together with previous actions by the FCC and other agencies have all the earmarks of the grand strategy to destroy an industry. Those who are concerned about the rights of free speech should also be concerned lest the action sought by the FCC is merely a forerunner to complete Government censorship.

THE COAL MINE SAFETY PROPOSALS

(Mr. SLACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SLACK. Mr. Speaker, many of us who have sponsored proposals to secure stronger mine safety laws have watched events of the past few weeks with consternation.

This is a life-and-death issue for thousands of Americans.

It is not a television spectacular.

It is not a private carriage designed to draw a select few to positions of political prominence.

No miner has died or been crippled underground so that a handful of self-appointed experts can pose dramatically on the public stage as saviors of them all.

But the deadly force of recent mine disasters has directed such attention to the issue that we can say with some certainty the time for remedial legislation has arrived. The public demands it.

And we cannot begin formal consideration of the many pending proposals too soon. The sooner we begin, the quicker we will be able to work out legislation which can be passed, and which can be effective after passage.

The sooner we begin, the quicker we will be able to focus public attention on the facts and shift the emphasis away from the chatterings of the uninformed.

It is my own personal conviction that stronger Federal mine safety legislation alone will not bring completely acceptable conditions of work underground. We must look further afield for that, and only prolonged research will assure us of suitable end results.

But in the immediate present we can reduce the human risk in mining substantially through the adoption of realistic, enforceable additions to the language of present laws.

As a cosponsor of one such proposal, I am dismayed by the trend of recent publicity—by the callous, heartless, self-promotional antics of the few who have appointed themselves arbiters of mine safety standards.

If there is one common denominator among the pending mine safety proposals it is the fact that they all lean heavily on the regulation-enforcement-prosecution process. Pending proposals call for enforcement through penalties on the operators, but also for fines levied against the miners themselves, ranging up to $1,000 for infraction against the new law.

With 6,500 operating mines, we find that the budget for the new fiscal year calls for funds to support less than 300 mine safety inspector positions, and unless we plan to authorize and fund work for several thousand mine inspectors, then we must look elsewhere for the energies to stimulate such a mass compliance and mass education program. In the coalfields, the United Mine Workers of America has the required experience and level of acceptance to do the job. In fact, it is unlikely that any new laws aimed at improving mine safety and health conditions can muster significant impact on present conditions without the active support and dedicated leadership of the United Mine Workers of America as part of its continuing program to improve working conditions in all respects.

The effects of coal mine disasters do not stop with the miner and his family. They are equally disastrous for the union and the operator. They are continuing reminders that conditions must be improved to exert more control over a dangerous environment, and that a careless mistake can be very expensive and totally disruptive for the operator. There is no qualified spokesman for any mining interest who is opposed to safer working conditions, if it can be established that new regulations will mitigate an identified danger without destructive cost increases.

Since there is growing agreement that new safety legislation must come about, we would do well to ask ourselves the purpose behind the recent wave of headline grabbing, and the ugly assertions that neither the operators nor the union really care about safety for the miners. What is the purpose of the effort to sow division and distrust throughout the mining industry?

The situations suggest that they do not want betterment of mine safety conditions, they want exposure for themselves. Like the rioters on our college campuses and in the streets, they are not interested in improved conditions, but only in demonstrations for their own sake.

Under the circumstances we must move to consider the mine safety proposals in committee at the earliest possible date. That is the proper forum for expression of all views. There are medical experts who have taken a stand on both sides of a health controversy. There are experts in all phases of mining who have much to offer us. There are as many unknown as there are known factors to consider. The orderly approach through committee hearings is called for, not a continuing barrage of assertions and unsupported statements.

Meanwhile, let there be a moratorium on silly charges against "the interest," and a pause in the finger pointing at UMWA President Boyle, Vice President George Titler, and their colleagues.

Let us have law, based on fact, and let us define by law what must be done. Having passed a good law, we can be confident that Mr. Boyle, Mr. Titler, and the knowledgeable leadership of the United Mine Workers of America will claim their usual position in the van of a vigorous drive for safer conditions in coal mining.

THE TERRORIST ATTACK ON THE EL-AL AIRCRAFT IN ZURICH, SWITZERLAND

(Mr. FARBSTEIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARBSTEIN. Mr. Speaker, the terrorist attack on the El-Al aircraft as it sat on the runway at Kloten International Airport in Zurich, Switzerland, yesterday can only be considered both cowardly and insane—cowardly because it was again an attack against civilians who have no part in the dispute between the Arab and Israel Governments, and insane because of its possible ramifications.

Now that it is admitted that the terrorist organization that is responsible for this murderous attack—and for the previous attack on another El-Al aircraft on the runway at Athens, Greece, on December 26, 1968—is based in Jordan and the King of Jordan has publicly stated his support for that terrorist organization, will the United Nations, through the Security Council, now act to condemn the Government of Jordan? Or will this attack be called the act of an independent liberation group about which the Jordanian Government disclaims responsibility, or even knowledge. Will the Security Council now pass a resolution looking toward the prevention of similar attacks. I submit the Security Council must fix responsibility on the Government of Jordan from which this terrorist organization emanates and direct the Government of Jordan to take speedy steps toward liquidating not alone that organization but all such organizations based within its territory.

This is economic warfare aimed at the destruction of the Israeli international air services—it is not a war of belligerent armies. Raids such as these cannot be executed without financial and military support from within the Arab community. The Arab governments which have given support to the terrorists must be called to account for the activities of these clandestine organizations.

It is time for the world to see things as they are—and to place the blame where it belong—on the Arab governments who condone these violent acts of terrorism.

Failure on the part of the United Nations to act promptly may well trigger retaliatory action by the Israelis. How long can a nation's patience be taxed? How long will there be one-sided condemnation? If there is to be equal justice for all nations, then the United Nations must act promptly and honestly and condemn, not only the terrorist organization's actions but the government of the country which condones—and even assists—them.

LITHUANIA NEEDS OUR NATION'S HELP

(Mr. MADDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MADDEN. Mr. Speaker, the Reverend Ignatius Urbonas, pastor of St. Casimir's Church, of Gary, Ind., on this date, February 19, 1969, was assigned the honor and distinction of officially opening this session of Congress by offering prayer as substitute Chaplain of the House of Representatives.

Reverend Urbonas is one of the leaders of the Lithuanian American Council who is carrying on the campaign to eventually restore freedom to his native land. I wish to incorporate with my remarks a letter I received today from Albert G. Vinick and Peter Indreika, president and chairman, respectively, of the Lithuanian American Council of the Calumet Region. I also include a resolution unanimously passed at their meeting at St. Casimir's Church hall in Gary, Ind., last Sunday.

LITHUANIAN AMERICAN COUNCIL,
Lake County, Ind., February 16, 1969.

Hon. RAY J. MADDEN,
House of Representatives,
Washington, D.C.

MY DEAR MR. MADDEN: The Lithuanian Americans of the Calumet Region, located in the Northwestern part of Indiana, assembled in St. Casimir's Church Hall, 1390 W. 15th Avenue, Gary, Indiana, on Sunday, February 16, 1969, upon presentation and due consideration, unanimously passed the enclosed resolution.

We sincerely thank you for any help that you may give our people, by placing this resolution where it may do the most good.

Sincerely yours,

ALBERT G. VINICK,
President.
PETER INDREIKA.

RESOLUTION

Whereas, in 1940 the Kremlin rulers in conspiracy with Hitlerite Germany and in brutal violation of the international law, invaded

Lithuania, and against the will of Lithuanian people, annexed her to the Soviet Union.

Whereas, the people of Lithuania have been and still are suppressed by the most cruel means of Communist dictatorship; her culture is distorted, her industry and agriculture ruined, her youth by thousands every year are shipped to indoctrination camps for further training in communism, and

Whereas, the Soviet dictatorship constantly strives to extend its rule over new territories in Europe, in Asia, and in Africa, and seeks to dominate the whole world,

Therefore, be it resolved, that this gathering of Loyal Americans of Lithuanian descent of Lake County, State of Indiana, calls upon the Government of the United States to stand firm against the expansion of communistic imperialism and to do all in its power to prevent further spreading of communism in the free world; be it further

Resolved, that it is our consensus that American leadership in the fight for freedom and peace will be best exerted, by inaugurating strong and dynamic policy aimed not only at preventing further expansion of communist imperialism but also abolishing the fruits of all past Kremlin aggressions and by intensifying the American campaign for truth inside the Iron Curtain, and by enlightening the American people and the peoples of the world as to methods and practices applied by the Soviets in their struggle for world domination.

GROWING PROBLEM OF MISUSE OF DRUGS AMONG YOUNG PEOPLE

(Mr. MARSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARSH. Mr. Speaker, I believe that one of the most urgent and pressing problems confronting Americans today is the growing problem of misuse of drugs, particularly among young people.

It is important that this problem have highest priority in the 91st Congress.

The misuse of drugs, particularly marihuana, is a nationwide problem that is not limited as to race, class, or community. In fact, the smoking of marihuana, sometimes called "pot" or "grass," is plaguing middle-class families and is just as likely to be found in suburbia as in the ghetto.

Educators are concerned about it, not only on the university campus, but also at high schools and even, in some instances, in junior high schools.

It is of mounting concern in the armed services, as evidenced by greater attention to this problem in defense publications and in statements by such civilian leaders as Secretary of the Army Resor, who indicated recently that defense officials were focusing greater attention on this problem.

The danger of the use of marihuana is in creating a dependency on the drug and, second, in marking a first step toward possible addiction to what are called "hard" narcotics.

It is necessary to take a new look at the question of illicit use of, and traffic in, drugs, and the answer is not to be found simply in passing more laws.

Greater emphasis should be placed on education and rehabilitation, with stricter enforcement of narcotics laws on people who peddle drugs and are referred to as "pushers." These are the people who should be prosecuted vigorously and punished.

There is a relationship between the spiraling crime rate and the use of drugs. In fact, the growing rate of theft, larceny and armed robbery is often tied in to drug addiction, in that an addict, to support his habit, will engage in crime as a source of income—it may cost him as much as $100 a day to buy drugs. This may mean stealing $500 in goods, which, when sold to a middleman, usually called the "fence," will net the criminal about $100.

There is a need for a broad, cooperative attack on this problem, coordinating not only all levels of government, but also schools, churches, civic clubs, and parents to help find answers to a growing American dilemma.

Young people need our help—not our condemnation—in this problem.

CALL FOR AN IMMEDIATE CEASE-FIRE IN VIETNAM

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, last night I delivered a speech before the Jaycees in New York City on the subject of an immediate cease-fire in Vietnam and a reinterpretation of the existing legislation covering conscientious objection so as to include the selective conscientious objector. I am including the speech at this point in the RECORD:

ADDRESS BY MR. KOCH

Ladies and gentlemen: I particularly welcome this opportunity to speak tonight to a group such as yours, composed as it is of individuals who are not too old to have forgotten the stresses and strains of youth and not too young to realize that there are at least a few difficulties confronting other generations; and I have chosen as my topic one which I think is uniquely suitable for consideration at this time by your organization.

I don't have to tell you that we live in troubled times. In New York City, it seems as if even the weather has turned bitterly against us. But our major problems in this city and throughout the nation can hardly be blamed on nature.

Once again, in recent days, the deepest ferment is on college campuses of the country. I am sure that all of us have become somewhat hardened to news of student demonstrations at Berkeley and at San Francisco State College, and, I suppose, we are not greatly surprised by similar activities at a big city college, such as CCNY, or at a university with the maverick traditions of Wisconsin. I doubt, however, that many of us expected riots to take place at a traditional Southern school like Duke.

And, mind you, all of these activities of which I speak are not taking place in the spring, when, it might be said, a young man's fancy perennially turns to love—or its opposite; they are occurring in the middle of winter. And they appear to be more violent than ever before.

What's it all about? I certainly don't have the answer, and I don't think there is one solution to the many problems that erupt in the form of student demonstrations, but I do believe I have some facts and figures to support the specific proposals I shall place before you tonight.

I am aware that the avowed aim of the most recent student demonstrations has been a separate department of Negro, black or Afro-American studies to be governed by the black students themselves, and I accept that aim as a sincere one, without going into the merits of it at this time. But I don't believe it accounts fully for the fury with which it has been espoused by black or white students. That fury, or much of it, I submit, is directly traceable to another constant pressure on the nervous system of the young people of this country—the war in Vietnam.

Let me take you back just a bit in the history of student demonstrations, to the "Daddy" of them all, which set the pattern for the current ones—last spring's "strike" at Columbia University. You no doubt remember that the issues at Columbia were the association of the University with I. D. A., the Institute for Defense Analyses, and the construction of a new University in a portion of Harlem's Morningside Heights Park. What you may have forgotten is that President Johnson had, not too long prior to the strike, announced the termination of draft deferments based on attendance at graduate school. To students opposed to the war there was suddenly no way out.

The Cox Commission Report on the Columbia Strike has this to say on the subject, and I quote:

"The Vietnam war is the overriding concern of nearly all students. For them it is a matter of life or death—to kill or be killed. For many, it is an immoral war and all who support it are immoral; it should be stopped at once—how stopped is a detail irrelevant to men of commitment."

So much for the concerns of the student at Columbia. Even more in point are the observations of Dean Truman, the gentleman who was one of the main human objects of student wrath. In his testimony before the Cox Commission, Dr. Truman said this:

"Some of us have felt for a very long time that if it were inescapable that the current war in Vietnam had to continue on, it was debatable whether university communities could survive, because the tension is not only among students but in faculties, and the whole fabric of the institution is strained. (I continue to quote). In a sense there have been two battlefields in the war. One in Vietnam and the other in our university campuses. And they are not good places for battlefields."

Thus spoke, not Mark Rudd, but Dr. Truman.

"And they are not good places for battlefields." Those words were spoken last summer, but they are even more relevant today.

Because of the somewhat flickering spotlight on the negotiations in Paris, I fear that we have tended recently to forget that there remains a battlefield in Vietnam, that the war there is far from over. Of course, it is not, and the terrible consequences of that fact may be brought into focus by a few statistics.

From March 31, 1968, when President Johnson announced a limited cessation of the bombing in North Vietnam, to this past January 25th, there have been no less than 10,290 American soldiers killed in Vietnam.

Since January 1, 1969, a month and a half ago, 567 American boys have been killed in the war, 1,766 have been wounded severely enough to require hospitalization, and another 2,476 have been wounded without needing hospitalization.

I might as well give the whole sad story. In the nine years in which the war in Vietnam has dragged on—31,181 Americans dead; 101,533 wounded and hospitalized; and another 95,272 wounded but not hospitalized.

And the killing and the wounding and the destruction goes on. Our nation is now committed to peace in Vietnam. Our new President has stated that the liquidation of the war there has top priority in the business of his administration. Nevertheless, the killing, wounding and destruction continues. In my mind—and I do not claim to be a great moral philosopher or a military or foreign affairs expert—there is a touch of insanity in this situation.

David Schoenbrun, the news correspondent and author, who does qualify as an expert on Vietnam, in a speech in Chicago last week before a group of business executives, stated his belief that President Nixon would have the war in Vietnam just about ended by this coming June. My comment on that is—"Great! I'm all for it, and I am more than willing to believe at this time that the President can and will do whatever can be done by him to achieve that goal." At least, I intend to hold him to Mr. Schoenbrun's promise!

But I have one or two suggestions for President Nixon for immediate action, even before, hopefully, he ends the war in June.

I did not intend my first suggestion to be the main topic of my speech tonight, and it will not be. After reading the most recent casualty figures, however, I felt obliged to say a brief word on the subject.

I think the time has come for a permanent cease-fire in Vietnam—now, immediately.

We have stopped the bombing of North Vietnam. Now let us stop the killing and the wounding and the destruction in all Vietnam.

The time is ripe. This is the Tet season, the Viet Lunar New Year's Holiday; and the Viet Cong has unilaterally proclaimed a temporary cease-fire for seven days, beginning this past Sunday, if the Cong observes that cease-fire, I can conceive of no good reason why the military forces of South Vietnam and the United States should not honor, and why if so honored, it cannot be extended indefinitely.

Unfortunately, President Nixon has indicated that he thinks otherwise. In his very first public press conference at the end of last month, he gave his opinion that a cease-fire has no "relevance" to the situation in Vietnam. He did not go into the subject very deeply, but he had quite obviously accepted the reasoning of one of his chief advisers on such matters, Professor Henry Kissinger. In the current issue of Foreign Affairs Quarterly, in an article devoted exclusively to the Vietnam negotiations, Professor Kissinger, argues against an immediate cease-fire in Vietnam by contrasting the situation there to the situation in Korea. In brief, the Professor says it is very difficult and potentially dangerous to have a cease-fire in a guerrilla war, where there is not a single, more or less continuous battle-front.

Perhaps it is difficult and dangerous, and I do not propose to try to answer Professor Kissinger's argument in detail, but I do wish to remind you of an analogous situation which will serve to make my point.

Not too long ago, in the course of the same war in Vietnam, we were told by experts that it would be difficult and dangerous to stop the bombing of North Vietnam without jeopardizing the lives of our soldiers in the South and perhaps risking the outcome of the entire war. And because of our refusal to stop the bombing of the North, we held up the beginning of the real negotiations in Paris for many months. Then, suddenly, a few days before the general election in this country last November, at a time hardly dictated by the military or political situation in Vietnam, President Johnson stopped the bombing of the North—and what happened? Have we suffered military reverses as a result of that action? On the contrary, all reports indicate that our forces have been doing very well. As a matter of fact, our ground forces have increased their search and destroy missions and thereby put into doubt our alleged new policy of abandonment of the goal of a military solution in Vietnam.

You don't have to be an expert to know that continuation of armed combat while negotiations for peace are pending constitutes a constant impediment to those negotiations, if not a serious threat to their ultimate success. And so I suggest to Professor Kissinger and to President Nixon that an immediate cease-fire in Vietnam is more than relevant and less than impossible. It is the next logical step on the road to peace and domestic tranquillity. Certainly there are risks, but every action in pursuit of war or peace involves risks—better to take them in pursuit of peace.

My second proposal, and the main topic of my remarks tonight, is really an extension of the first, although it is of a more long-range nature. An immediate cease-fire will bring an end to the killing, which as the Cox Commission Report noted, has been disturbing the minds of our college students—and, I don't doubt, the minds of many other young people. To die in a war to which you are opposed is bad enough. To die in such a war while negotiations for peace are pending is insane.

But it is with the living that we are most concerned: those who have heretofore opposed the war out of conscience and those who are opposed to this war and who have not yet been called to service.

In a letter I sent to President Nixon very recently, I suggested that he take immediate action to grant exemption from military service to young men who are conscientiously opposed to the war in Vietnam. As a corollary to that proposal, I suggested that those young men who have been convicted of draft evasion and those who have left the country to avoid conscription should, as soon as possible, be given the chance to regain their freedom or to return with impunity from their self-imposed exile, as the case may be, by proving before a duly authorized tribunal that they acted as they did because of conscientious objection to the war in Vietnam.

I am referring to what has become known as "selective conscientious objection," the right or privilege of a citizen to claim and receive exemption from military service during a particular war because of his opposition to that war on religious, ethical or moral grounds, even though he is not opposed to all war on such grounds. Of course, those exempted from military service on the basis of selective conscientious objection would be required to perform an acceptable alternative service for the country, in the same way that those exempted from military service on the basis of general conscientious objection are required to do so today.

There is, I submit, an element of timeliness here, too. The President has just taken an important step in recognition of the validity to the arguments against enforced military service by requesting the Defense Department to develop plans for the establishment of a voluntary army as soon as circumstances permit. If it is fair and reasonable and practicable to give a young man a choice whether or not to enter the military service at any time, why isn't it a step in the right direction to allow him to refuse to enter military service because of conscientious objection to a particular war?

And why, under such circumstances, keep in jail or in exile those young men who are there now because of conscientious objection to the war in Vietnam?

Mind you, in this last report, I am talking only about men of true conscience, who because of their moral opposition to the current war, have been willing to go to jail under severe sentences or to live indefinitely away from their family, friends and countrymen. Whether we agree with them or not, there are brave and dedicated human beings. They are at the core of the moral opposition to the war in Vietnam. And let's face it, there has been and is now tremendous opposition to that war in this country, not to mention the rest of the world. It has been, and hopefully will forever be, the most unpopular war in American history.

Here, then, is a splendid opportunity for the President to begin to bind up some of the wounds caused by that war internally, within this country. Here is a way for Mr. Nixon to "cool it," to reduce the tensions afflicting our young people before they grow worse.

You may have read Tom Wicker's column in the New York Times of last Thursday, but in case you have not and you can get a copy of it, I recommend it to you. In that column, Mr. Wicker says the following about amnesty to those in jail and in exile because of their opposition to the war in Vietnam. (Before I quote from the Wicker column, I ask you to bear in mind the fact that Wicker is writing about *automatic* amnesty, which is substantially broader than my proposal.) This is the quote:

"There is an issue which plainly is going to have to be dealt with in Washington—not just because movers and shakers like Bill Coffin (the Chaplain at Yale, to whom Wicker had referred earlier in his column)—not just because movers and shakers like Bill Coffin are involved but because discussion with the student generation, at Yale and elsewhere, suggests that amnesty is as genuinely an issue of concern now as have been the draft itself and the war."

Selective conscientious objection and the form of amnesty I propose, which will be based on proof of such objection, is a logical practical extension of the more general type of conscientious objection long recognized in this country and in other democratic countries. It must stem from deep-rooted religious, ethical or moral conviction—not from mere political beliefs, and certainly not from individual physical, mental, emotional or financial considerations.

It is not surprising, therefore, that it has come to be supported by the leaders and leading organizations of major religious denominations in this country. Shortly before his tragic death, the Reverend Martin Luther King, Jr. said that "Every young man who believes (the Vietnam) war is abominable and unjust should file as a conscientious objector." The late Father John Courtney Murray took a similar position. He said quote:

"We all owe some debt of gratitude to those who, by raising the issue of selective conscientious objection, have undertaken to transform the tragic conflict in South Vietnam into an issue not simply of political decision and military strategy, but of moral judgment as well."

Delegates to the World Council of Churches voted almost unanimously last year, quote, "the churches should give spiritual care and support . . . to those who, especially in the light of the nature of modern warfare, object to participation in particular wars they feel bound by conscience to oppose." (Unquote) In a recent pastoral statement, the National Council of Catholic Bishops of the United States recommended that consideration be given those whose "reasons of conscience are more personal and specific" than "total rejection of military force." (unquote) And also recently, the Governing Council of the American Jewish Congress adopted a resolution expressly stating that they (quote) "support exemption from military service in a particular war for those whose religious, ethical or moral principles compel them to object to participation in that war."

What is a surprise in the history of selective conscientious obection is that Great Britain in 1940, in the darkest hours of World War II, added to the everlasting glory which she achieved at that time, by recognizing selective claims of conscience. Can we do less in this country today?

The President of the United States has the powers to do what I now propose. Legal experts have advised me that the Federal statute governing the law of conscientious objection in this country can properly be construed to include selective conscientious objection, and several Federal district courts have so construed it. Based on that construction, all that the President need do is to order the Director of the Selective Service System to promulgate regulations granting exemption from military service on the basis of selective conscientious objection.

If the President declines to issue such an order, Congress certainly has the power to amend the governing statute, and I am prepared to introduce a bill to that effect or to join with other members of the House of Representatives in doing so. It does seem to me, however, that, particularly at this time in the history of our country, and particularly at this moment in the administration of our new President, executive action would be more appropriate, more expeditious and effective and more beneficial to the country.

There is, of course, no question, that the President has the power, and customarily is the sole exponent of the power, to grant amnesty to Federal prisoners. And I am indebted to Tom Wicker for bringing to my attention, in the article I quoted from a moment ago, some of the historical precedents for the exercise of that power.

The very first President of the United States, George Washington, granted amnesty to the Pennsylvania farmers who staged the Whiskey Rebellion. President Johnson (Andrew, that is) offered the most famous amnesty, in 1868, to Southerners who had fought for the Confederacy in the Civil War. More recently, in another country, but one whose traditions are similar enough to our own to make the actions of its chief executive pertinent in this discussion, President Charles de Gaulle gave amnesty to many who had conspired against the French government on the issue of Algerian independence.

Again, I point out that the amnesty I propose will not be an automatic amnesty. It will be conditional on proof that the claimant is one who could have established his right to exemption from military service based on selective conscientious objection, had that right been available to him before he was sent to jail or went into exile.

How would it work, as a practical matter? How can it possibly be determined whether a claimant for exemption for the draft or for amnesty is entitled to the same on the basis of selective conscientious objection? Please don't be put off by such questions. It is clearly as easy to determine a claim of opposition to a particular war on religious, ethical or moral grounds as it is to determine a claim of opposition to all war on such grounds, and our Selective Service System and courts have been doing the latter for many years now. As a lawyer, I would venture to say it's easier to determine a claim of selective conscientious objection since I find that general principles have no meaning except as they apply to specific cases.

Take for example, the stock question employed today to defeat the claims of those who seek exemption from the draft on the basis of conscientious objection: Would you have felt the same way if you had been called up for military service in World War II? A negative answer to that question results in rejection of the claim for exemption today, provided the claimant is honest enough not to answer affirmatively. If exemption or amnesty were allowed on the basis of selective conscientious objection, one, and I think only one, more question would be required after a negative answer. Why would you not have felt the same way in World War II? It seems to me that the answer to that second question, honest or dishonest, would fairly quickly serve to establish whether or not a claim for exemption or amnesty based on selective conscientious objection was truly rooted in religious, ethical or moral conviction.

Nor need you fear that such claims, if allowed, would flood the Selective Service System and the courts. The history of claims for exemption based on general conscientious objection indicates the contrary, and most of us have had some experience in this respect. We know that the young man is a rare exception who chooses to undergo the rigors of the procedure required to be followed to obtain such exemption if he does not truly believe himself to be a conscientious objector. I don't see why it would be different if claims for exemption and amnesty were allowed on the basis of selective conscientious objection.

I go one step further. If it should prove to be otherwise. If the Selective Service System and our courts were flooded with claims based on opposition to a particular war, wouldn't that be a signal to all of us that we had better reappraise our participation in that war? And, lastly, whatever our decision in connection with any such reappraisal, wouldn't it be better to have our young men challenging that war, or at least their enforced participation in it, in an orderly procedure before a duly constituted tribunal rather than in a violent and destructive demonstration on a college campus or in a city square?

There has been much talk of "cooling it." President Nixon has received some support in the belief or the hope that he might be able to do just that. And a new administration always has a breathing spell because of the patience which even its opponents are required to exhibit toward it for a brief period of time. But no one, not even a newly elected President can "cool it" with words alone for any substantial period. There must be action to back up his words. In a country weary of an unpopular war, many of whose young people seem to have abandoned hope of ending that war or achieving much else through the orderly processes of government, some firm step must be taken to liquidate the war and to encourage youth to believe that their voices will at least be heard and their just grievances redressed by those in authority.

I suggest to you that an immediate cease-fire in the war in Vietnam and immediate action to institute a procedure for exemption from military service and for amnesty based on conscientious objection to that war represent the type of action that is necessary.

KNOX COUNTY, IND., CHAMBER OF COMMERCE IMPLEMENTS PROGRAM FOR RECOGNIZING HONESTY

(Mr. ZION asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZION. Mr. Speaker, the Knox County, Ind., Chamber of Commerce believes that our national crime wave is a result of indifference at the local community level. They are implementing a program for recognizing honesty by designing and presenting an "Honest Abe" award to those people exhibiting the qualities of "Honest Abe."

The chamber of commerce launched its program with this resolution:

Resolution by Knox County, Ind., Chamber of Commerce

Theodore Roosevelt said: "Our first duty is to war against dishonesty—war against it in public life, and war against it in business life. Corruption in every form is the arch enemy of this Republic, the arch enemy of free institutions and a government by the people, and even more dangerous than the open lawlessness of violence, because it works in hidden and furtive fashion".

With this thought in mind, the board of directors of the Knox County Chamber of Commerce, after extended discussion and study considers it their duty to their community, state, and nation, to express a grave concern for the apparent slackness on the part of citizens of this and other communities in demanding honesty from their contemporaries, community leaders, and elected and appointed officials. The board of directors of the Knox County Chamber of Commerce requests and urges:

That every citizen of Knox County become personally involved in perpetuating the principles of good citizenship by:

a. rededicating him/her self to their solemn duty to abide by and support the laws of the land both written and implied.

b. uniting with fellow citizens of Knox County in standing firm against that which is illegal and/or immoral.

c. working with our elected and appointed officials in fighting crime wherever it is found.

Further: That every elected and appointed official responsible for investigation, apprehension, and prosecution of law violators be assured of public support and a personal interest in the prevalence of justice,

Further: That every organization, club, fraternity, or sorority consider adopting a positive program to encourage participation in the governmental process with special emphasis on honesty and justice in order to perpetuate the principles and ideals upon which America is founded,

Further: That resolutions and petitions pledging interest and support of law enforcement and swift dispensation of justice be presented to elected and appointed officials,

Further: That public statements be made joining the members of the Knox County Chamber of Commerce in affirming their belief that law and order begins with and rests upon a solid citizenry dedicated to the elimination of crime irregardless of the stature of the person or persons committing a violation of the law.

D. D. Meyer,
President.

Attested:

Joseph C. Lackey,
Executive Vice President.

Adopted this 12th day of February 1969 by the Board of Directors, Knox County Chamber of Commerce.

FARMERS GRAIN AND SOYBEAN RESERVE ACT OF 1969, H.R. 7004

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEPPE. Mr. Speaker, yesterday I introduced the Farmers Grain and Soybean Reserve Act of 1969, H.R. 7004.

This legislation would lock up, in the hands of farmers, 300 million bushels of wheat, 500 million bushels of feed grains, and 75 million bushels of soybeans.

With net farm income down and with farm operating costs moving higher, immediate action is needed to bolster farm prices. Enactment of the Farmers Grain and Soybean Reserve Act of 1969 would give farmers not only immediate income assistance but new hope for the future.

The American farm economy is in serious trouble. Net realized farm income in 1966 was $16.2 billion; in 1967, $14.2 billion, and in 1968, $14.9 billion. By way of comparison, total farm production expenses amounted to $33.4 billion in 1966; $34.8 billion in 1967, and $35.9 billion in 1968. Thus, total drop in realized net income during that period was $3.3 billion. The total increase in farm production expense during the same time period was $3.9 billion. It is costing the farmer more and more to make less and less.

Mr. Speaker, in North Dakota's Second District, which I represent, wheat is the kingpin of the agricultural economy. And, in terms of constant dollars the price of wheat is lower today than at any time since the depression-ridden 1930's. North Dakota is the Nation's leading producer of Hard Spring and Durum wheat. The business barometer in my district rises and falls with the price of wheat. For some time now, it has been recording "stormy weather."

Apart from the much-needed lift which a strong strategic reserve bill would give to the commodity markets, I believe a sizable stockpile is clearly in the national interest. It would provide insurance against a domestic crop failure or serious disaster. It would enable the United States to meet emergency needs which might arise in friendly countries.

This legislation is aimed at strengthening farm prices by effectively insulating present surpluses from the marketplace. It provides that when farmers are called upon to make delivery of grains they hold in storage under the reserve program, the Secretary of Agriculture may not offer them for sale at less than 100 percent of parity.

This bill would authorize the Secretary of Agriculture to enter into agreements with producers to place wheat, feed grains and soybeans in store, under their control, until needed to meet free market shortages or emergency situations. Commodity Credit Corporation would pay storage charges. There would be no interest charge to farmers participating in the program.

Loans on the stored commodities would be at 115 percent of the present support rate. For wheat, this would be $1.44 per bushel; for corn, $1.21; for soybeans, $2.87.

There is a strict formula governing termination of the contracts. Should the carryover of wheat drop to 15 percent of annual requirements, feed grains to 10 percent, or soybeans to 5 percent, the Secretary would be authorized to terminate enough of the emergency contracts to replenish the free market supply by 5 percent in the case of wheat and feed grains and 3 percent in the case of soybeans.

To illustrate: If annual requirements for wheat totaled 1.4 billion bushels and free stocks fell below 210 million, the Secretary could issue a 60-day call for termination of contracts on 70 million bushels in the reserve stocks. Producers would then commence paying interest and storage charges on the wheat which had been called. They would have the option of selling the wheat and repaying the loan or continuing to hold it at their own expense. They would have 1 year to sell and settle or deliver the collateral.

This time element would give producers additional bargaining power to achieve higher prices. The 100 percent of parity resale restriction would prevent USDA from dumping any grains or soybeans which might be delivered by farmers.

Producers would have the option of terminating their contracts upon notice given not less than 60 days before the beginning of the new marketing year. Rotation of stocks in the reserve to maintain good condition is authorized.

If this Congress undertakes a reserve program, however, every effort must be made to insure that what we are creating is a strategic reserve in fact, not just in name. It is my conviction that it would be better to have no reserve at all than one which would permit stockpiled commodities to be shoveled out of the back door almost as fast as they were being moved into the warehouses.

As a member of the Livestock and Grains Subcommittee of the House Agriculture Committee, I attended extensive hearings on grain reserve legislation 2 years ago. The consensus seems to be that a reserve program is desirable only if it contains safeguards which would effectively insulate the stockpiled commodities from the marketplace.

Under whatever name we seek to set aside a supply of wheat or any other commodity, there remains the cold, hard fact that it still exists. It is a greater potential threat to market prices than a similar quantity of grain in the hands of the private trade. We had a massive dumping program of corn a few years ago. Farmers would not want to see it repeated.

Commodity Credit Corporation currently holds in its uncommitted inventory 102,779 million bushels of wheat, 259,409 million bushels of corn, and 52,132 million bushels of soybeans. For wheat and corn these are minimal inventories, when compared with those of some recent years. And they are now being withheld from sale for unrestricted use. They still pose some threat to the market—because neither the farmer nor the grain trade can ever know for sure what CCC sales policy will be in the future. This uncertainty would be deepened if CCC held a sizable reserve inventory which could be fed back into the marketplace at the first faint sign of a price increase.

Some of the grain reserve legislation before the last Congress did not contain adequate safeguards against future dumping. Nevertheless, I believe an effective reserve bill can be designed. I think the bill I have introduced is basically sound. Under the provisions of this legislation, when farmers are called upon to make delivery of the stored commodities, the Secretary of Agriculture may not offer these grains and soybeans for sale at less than 100 percent of parity.

I regard the quantities of grain and soybeans specified in my bill as minimum figures. Perhaps a larger reserve is needed to meet possible future needs and to help increase prices of these commodities to the desired levels.

This legislation is identical with the bill I introduced in the 90th Congress, and I have had an opportunity to discuss it with a large number of farmers and grain men. I can report that there is broad interest in a grain reserve program. I urge early consideration of this legislation by the 91st Congress.

LONGSHORE STRIKE INCLUDING PORT OF PHILADELPHIA CAUSES CONSIDERABLE ECONOMIC LOSS

(Mr. BYRNE of Pennsylvania asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. BYRNE of Pennsylvania. Mr. Speaker, I am gravely concerned about the current longshore strike within the Port of Philadelphia as this is located in the Third Congressional District which I represent. The strike has not only caused a very considerable economic loss, both to the employers and the employees directly involved, but it is also directly responsible for the closing down of many businesses and loss of employment in areas other than the immediate dockside.

I have reviewed the situation very carefully, and I find the following:

The negotiations began in New York and were attended by representatives of the unions from all of the ports, including the Port of Philadelphia, on the one hand, and by representatives of companies which constitute the largest part of the membership of the Philadelphia Marine Trade Association, and whose principal offices are located in New York. A national contract was finally worked out between these groups and thereupon the ports outside of New York, including the Port of Philadelphia, undertook to negotiate their individual contracts on local conditions.

In the Port of Philadelphia, the employers refused to recognize the results of the negotiations in New York, particularly with respect to the vacation benefits for the fifth and sixth weeks, the containerization plan, and the guaranteed annual wage. Much time was needlessly wasted in the negotiation of these items, and they still have not been concluded. In addition to the national issues worked out between the parties, certain local issues also have been the subject of hectic bargaining. One of these is the so-called setback clause, which enables an employer who has hired longshoremen the day before employment is to begin to setback these men from an 8 o'clock start to a 1 o'clock start with only a 1-hour guarantee instead of the 4-hour guarantee otherwise provided in the contract. This clause has been an especially touchy one with the longshoremen because it is so frequently invoked. An examination of the record shows that this clause has been abusively invoked. When it was first invoked, it was on account of inclement weather, and the employers granted the 1-hour guarantee, whereas the inclement weather clause in the contract provides for a 4-hour guarantee. The arbitrator, it seems clear, erroneously interpreted the agreement to ignore the inclement weather clause and every other clause in the agreement except the setback clause in reaching his conclusions. It appears clear that the complaint of the longshoremen in this regard is fully justified.

As the situation now stands, there are several issues on the table. First is the vacation clause for the fifth and sixth weeks, where the employers seek to change the eligibility provisions for these 2 weeks from what they are in New York. In New York, eligibility for the fourth week determines the eligibility for the fifth and sixth weeks. Here, the employers are trying to increase the number of eligibility hours from 1,500 for the fourth week to 1,700 hours for the fifth

week and 1,800 hours for the sixth week. This would disqualify the vast number of longshoremen in the unit from the benefit of the fifth and sixth weeks and, therefore, make the fifth and sixth weeks only a mirage in the desert.

In New York, the guaranteed annual wage has been fixed at 2,080 hours, from 1,600 hours. In Philadelphia, the guaranteed annual wage was 1,500 hours, and the employers here seek to reduce the 2,080 hours which was won in New York to 1,800 hours.

The setback clause is also an issue, and the union also seeks a guarantee of 5½ million hours into the pension and welfare funds. This appears to be a reasonable demand on the part of the union since in the last 4 years the number of hours worked in the port exceeded that figure. For example, in 1965, the number of hours was 5,616,321; in 1966, it was 5,833,455; in 1967, it was 5,687,037; in 1968, it was 5,900,000. Thus, it appears that the number of hours is gradually increasing over the years, and that the figure of 5½ million hours is a conservative and reasonable one.

In order to reach an agreement with the employers, the union made a sacrifice and agreed to accept the reduction in the guaranteed annual income from 2,080 to 1,800, on condition that the employers accept the union's position regarding the eligibility benefits for the fifth and sixth weeks' vacation and the abolition of the setback clause. I regard this as a very substantial sacrifice by the union, which should have been sufficient to settle the issues. Notwithstanding this, the employers simply accepted the reduction from 2,080 to 1,800 hours and proceeded to bargain on the fifth and sixth weeks' vacation and the setback clause as though the union had agreed to voluntarily reduce, without conditioning the reduction on the other two clauses. Negotiations have continued, and the employers continue to withhold approval of the fifth and sixth weeks' vacation on existing eligibility requirements and continue to hold out for the setback clause.

Extending my inquiry into other ports, I find that the ports of Boston, Baltimore, Hampton Roads, and others, are deadlocked on various issues, and it seems that the Philadelphia employers are prolonging these negotiations in the hopes of nullifying the gains made by the longshoremen in the prior negotiations conducted in New York, between the identical parties, notwithstanding that the PMTA, at least outwardly, stated that they would not be bound by the results of that negotiation.

It is my opinion that the proposal made by the longshoremen reducing the guaranteed annual income from 2,080 to 1,800 hours on condition that the eligibility requirements for the fourth week apply to the fifth and sixth weeks of vacation and that the setback clause be eliminated from the contract was a most reasonable proposal and should have been accepted by the employers. Their failure to do so indicates that they are not bargaining in good faith.

I consider that the union's proposal reducing the guaranteed annual income from 2,080 hours to 1,800 hours on condition that the employers agree to the eligibility benefits applicable to the fourth week be applied to the fifth and sixth weeks and that the setback clause be eliminated from the contract is an extremely fair and reasonable one and should be adopted by the employers. I also recommend that the union's demand for payment into the pension and welfare funds on the basis of 5½ million man-hours is a most reasonable one and likewise should be adopted. These, in my opinion, are equitable solutions to the dispute. I hope that the foregoing will serve to resolve the Philadelphia dispute so that the strike may be ended and commerce resumed in the Port of Philadelphia.

TRIBUTE TO CONGRESSMAN ROBERT A. EVERETT—EIGHTH DISTRICT, TENNESSEE

The SPEAKER. Under a previous order of the House the Chair recognizes the gentleman from Tennessee (Mr. EVINS) for 60 minutes.

Mr. EVINS of Tennessee. Mr. Speaker, a brief period of time of tribute has been set aside today to afford us the opportunity of eulogizing and honoring our beloved friend and late colleague, Congressman ROBERT A. "FATS" EVERETT of the Eighth Congressional District of Tennessee.

"FATS" EVERETT passed away on January 26 last in the Veterans Administration Hospital in Nashville.

He had been ill for some time but he had mustered the strength to return to Washington for the 91st Congress.

This was the last great effort of this dedicated and determined public servant.

After a brief period in Washington he was compelled by his worsening condition, to return to the hospital.

Even in the hospital and through the day before he passed away in the night, he conferred frequently with his office on important matters to assist the people in his beloved district and State of Tennessee.

He literally lived for his district and Tennessee.

He labored day and night for the people who sought his assistance, and for the general growth and progress of the Eighth District, the State, and the Nation.

ROBERT ASHTON EVERETT insisted on being called by his nickname, "FATS."

He was a big man, a tower of strength. Yet he was humble and earthy, a man of the people who sensed their needs and understood their problems.

He was loved by the people of Tennessee.

ROBERT EVERETT was truly a man among men—a giant—not only physically but in his dedication—his legislative ability—and his devotion to his people.

"FATS" EVERETT possessed a wit and humor that unfailingly lightened and brightened the day.

His friends frequently referred to him as the heavy man with the light touch.

"FATS" EVERETT's magnificent sense of humor will give added dimension to the legend of this Paul Bunyan of Tennessee political life.

He rendered great service to our veterans as a member of the Committee on Veterans' Affairs.

This Nation now has the greatest program of veterans benefits of any country, and "FATS" EVERETT sponsored and championed much veterans legislation.

"FATS" EVERETT will also be remembered for his distinguished record of service on the Committee on Public Works.

Many of the great internal improvements of our time were vigorously supported by "FATS" EVERETT because he cared about his country and his beloved State of Tennessee.

I was privileged to attend the funeral services at Union City, his hometown, along with all members of the Tennessee delegation and other colleagues including Senator ALBERT GORE and Senator HOWARD BAKER, and Gov. Buford Ellington, of Tennessee.

Other close friends of "FATS" who attended included Representative OLIN TEAGUE, of Texas; Representative ROBERT E. JONES, JR., of Alabama; Representative FRANK STUBBLEFIELD, of Kentucky; Representative JOHN M. SLACK, of West Virginia; and Representative WILLIAM L. HUNGATE, of Missouri.

The church filled to overflowing—the many friends unable to get inside the church—the many beautiful flowers—all gave silent testimony to the fact that this man was beloved by his people.

"FATS" EVERETT was born in Obion County, Tenn., February 25, 1915.

He was reared on a farm and attended public schools in the county.

He was graduated from Murray State Teachers College in Kentucky in 1936.

He had an illustrious career of public service.

In 1936 he was elected to Obion County court.

In 1938 at the age of 23 he became the Nation's youngest county circuit court clerk.

Following 31 months of service in the Army in World War II, he became administrative assistant to U.S. Senator Tom Stewart of Tennessee.

Later he held the same position with Gov. Gordon Browning of Tennessee.

Later he served as executive secretary of the Tennessee County Services Association.

On February 1, 1958, he succeeded our late colleague Jere Cooper in the House.

"FATS" EVERETT's good humor and warm greetings no longer echo down the corridors of the Capitol.

We shall miss his warm greetings—the pat on the back—his deep booming reassurances of friendship—his hearty laugh—the joyful noise that always preceded him.

He brought happiness to many people—through his humor and through his service.

"FATS" EVERETT will never be forgotten as long as any of his friends walk this earth.

He will live in the hearts and lives of his colleagues and his countrymen.

I know that I express the feeling of our colleagues and friends when I say that we are pleased that he walked our way and shared our life.

We are all richly blessed to have had him as our colleague and friend.

I want also to take this means of joining with others in extending to his mother to whom he was devoted, and other members of the family this expression of my deepest sympathy in their loss and bereavement.

In the words of the Reverend Scott Johnson at the funeral service:

> The one we honor lived a useful, devoted, unselfish life. The world has been made better for his having lived. Surely the congratulatory hand of life's all-wise Judge reaches out to the accompaniment of, "Well done" . . .
>
> For "FATS" life's gavel has struck its final adjournment.

Mr. ALBERT. Mr. Speaker, will the gentleman from Tennessee yield to me?

Mr. EVINS of Tennessee. Mr. Speaker, I am happy to yield to the distinguished majority leader, the gentleman from Oklahoma (Mr. ALBERT).

Mr. ALBERT. Mr. Speaker, I join my distinguished colleague from Tennessee in expressing deep personal sorrow over the death of ROBERT A. EVERETT, whom we affectionately knew as "FATS."

"FATS" EVERETT was one of the friendliest men I have ever known and he was during all of his years in this House a very devoted friend of mine.

I know that, like myself, every Member missed "FATS" during his period of illness.

He was back with us for only a few days during the opening of this Congress.

His personality added a unique flavor to this body.

His huge frame, his strong and friendly voice, his quick wit and flashing eyes, his kindly disposition were characteristics that he alone possessed in such abundance.

"FATS" loved the House and he loved life.

He was a man of broad interests.

He loved the rural America from which he came.

He had a great variety of hobbies and interests.

For instance, he was a rodeo fan.

Every year in September, over many years, he visited me in my hometown of McAlester, and attended with me the Oklahoma Prison Rodeo.

He knew many of the great rodeo artists of the country by their first names and they all were extremely fond of him.

Beneath the refreshing humor of "FATS" EVERETT ran a deep and abiding desire to help solve the great problems of our time.

He loved his country.

He believed in its destiny.

He was a serious student of legislation.

He was knowledgeable in many fields.

He was a dedicated and hard-working member of two great committees where he served our Nation's veterans and looked after our country's vital public works project.

He was a great American and a very outstanding Member of this House.

"FATS" was devoted to his wonderful mother and she to him.

No sorrow is so deep or tender as the sorrow of a mother who must give up her child.

Nothing can completely allay that sorrow, but Mrs. Everett in this hour of sadness can be sure that she has the thoughts and the prayers of every Member of this body.

May God give her the strength to endure her great loss and comfort all those who were privileged to know and love her son.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield to me?

Mr. EVINS of Tennessee. I am glad to yield to the distinguished gentleman from Mississippi (Mr. WHITTEN).

Mr. WHITTEN. Mr. Speaker, surely we all lost a friend in the untimely death of the late ROBERT A. "FATS" EVERETT.

It is indeed difficult to put into words the feelings that we all have for our friend. Truly he was one of the fine people of the world—friendly, always willing and active in the welfare of the people of his district, of his State, and of his Nation. To know him was to love him and, throughout the years of his life I do not believe anyone could have set a finer example of a public servant whether in or out of office. It was "FATS" natural disposition. His contribution to this Nation will live for years to come in the public works improvements that he worked so hard to bring about.

I join here with my friends in the words that have been said, which I have not tried to repeat. I do join with them in extending to his beloved mother and to his relatives our deepest sympathy in their bereavement. We have truly lost one of our greatest Members.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the distinguished gentleman from Florida.

Mr. HALEY. Mr. Speaker, when I walked to my office on Sunday, January 26 and saw the flag at half mast, I thought at once of our friend and colleague, the Honorable ROBERT A. EVERETT because I had known how poor his health was and how silently he had suffered. The policeman on the door told me that our colleague had left us. I knew that his passing would be felt by all who knew him and that everyone who had had the opportunity to be acquainted with him would miss that hearty laugh and booming voice. I was sad and felt the personal loss of a good friend.

Congressman EVERETT served his district and his State well. He was an effective legislator. It was my privilege to sit with him on the House Committee on Veterans' Affairs where he was conscientious and able in his performance. He was a true friend of veterans of all wars.

During the time he served in the Congress, I doubt that any Member who had the opportunity to talk with him ever found him to be other than cheerful and willing to help anyone in any way he could. Certainly "FATS" EVERETT, as he was affectionately known, never met a stranger.

Our lives were enriched by his presence and personality. We have lost a great friend and a happy spirit.

To his mother, his many friends, and to his constituents, I express my deepest sympathy.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to my distinguished colleague, the gentleman from Tennessee (Mr. BLANTON).

Mr. BLANTON. Mr. Speaker, if I had to choose only one of the many pleasurable events which have happened to me during my tenure in Congress, I would have to say that the opportunity to know and work with some of the greatest Americans of our time is one experience which stands out in my mind.

The comradeship, the working together to help move this great Nation and great people forward, truly these have been a profound influence on my life.

When one of our number no longer walks among us, it saddens us all. And today, we are saddened, not only at the loss of a friend, a coworker, a member of our group—but by the loss of a dedicated American who has served his country well.

I speak of the Honorable ROBERT EVERETT, a Member of this body for 10 years, and one of the finest legislators Tennessee has ever sent to Congress.

The many thousands of west Tennesseans who knew Congressman EVERETT simply as "FATS," have lost one of the most effective and influential friends it has produced in many a generation. And I know I speak for all the Tennessee delegation, in saying that Tennessee has lost one of its truly efficient public servants in many decades.

"FATS" EVERETT considered this Hall his home—and his constituents as his adopted family. He lived his life in service to both, and perhaps no legislator loved his work more than he.

My district shares its border with the one of my late colleague and friend. Our people are bound by bonds of common heritage, geography and interests. Perhaps that is one reason I knew "FATS" EVERETT so well, and why he endeavored to help me adjust to this new experience as a Congressman when I first came to Washington in 1967. I am forever indebted for his helping hand, and much richer for his friendship.

No eloquent eulogy, no detailed review of his monumental achievements both here and in Tennessee, can truly reflect the sadness we all feel at his untimely passing.

Mr. Speaker, I wish at this time to respectfully pay tribute to Congressman ROBERT A. "FATS" EVERETT, whose untimely death January 26, has left a sorrowful void in these Halls of Congress. He was loved, respected, and esteemed by his colleagues, his constituents, his family, and friends. He was indeed a friend to all, and this tragic loss will be shared by all.

I respectfully request that the eulogy delivered at the funeral rites of Representative ROBERT A. EVERETT by the Reverend Scott Johnson, of Union City, Tenn., be incorporated into the proceedings of the House of Representatives this day, February 19, 1969. It is my feeling that this message so aptly portrays the character and achievements of the late Representative ROBERT A. EVERETT.

The eulogy follows:

> "Fear not for I am with thee. Be not dismayed for I am God. I will strengthen thee, yea I will help thee. Yea I will uphold thee with the right hand of my righteous-

ness, for I the Lord thy God will hold thy right hand saying unto thee fear not, I will help thee." (Isaiah 41.)

A week after assuming the Pastorate here, I received a letter from Congressman Everett pledging his continued Church support and offering his personal assistance day or night. This characterized Mr. Everett's life. Unselfish service and untiring helpfulness.

The news media termed it a rash that two years ago hospitalized our beloved Congressman. Keenly aware of my pastoral responsibilities, I proceeded to write Mr. Everett in jest regarding his rash, yet assuring him that we had genuine concern for his physical well-being. Three days later, I received a letter thanking me for my concern. However, the burden of his communication had to do with his clarifying my salutation. For you see, I had addressed him "Congressman Robert Ashton Everett." He requested that I call him "Fats" as did all his friends.

This, too, characterized his life, humility and an absence of pride. He refused to change a life-long name among the titles of deserving and recognized honors. To his beloved family and innumerable friends, the nickname "Fats" described not so much his physique as it pictures his heart.

Magnanimous was his soul in its burning zeal to help others. Here he harvested his deepest satisfaction and his highest joy, be it for widow, teenager, governor, or clergyman.

The Angel of Death touched with angelic softness our beloved Fats a little past the noon hour of his life. However, the early hour failed to rob him of a rich and abundant life. He was to taste early the responsibilities reserved for those of more mature years. Here, at this altar in his early 20's, he was ordained as an Elder, the youngest in the Church's history. The year he received his college diploma, he was elected to the court of his native county. Yes, life with its vision filled his vessel early, enabling its outpouring to realize comfortable completeness.

Our jovial giant, our Representative and Legislator, no doubt looks down upon his assembly with approving smiles and celestial joy, for here are gathered his beloved family, his staff, his distinguished colleagues, and his cherished fellow men.

The youth who aspire to heights of political achievement in public service will in wisdom study the life of this great political figure. His was an envious position, coveted by all who seek the opinion of their fellow men at the polls. The answer may or may not be unique. Fats, early in life, sought voters out which he could cultivate as friends, whereas too often, others seek friends out of which they can cultivate voters.

Yesterday, while we mourned his passing, it was as if the angels shed their soft snowflake tears to blanket in white the purity of his native soil. I like to think of this world as a park filled with frozen lakes for skating, playgrounds, trees and grassy lawns, museums and swimming pools. We, like children, are privileged to spend a day in this great park. The time we are privileged to spend is not the same in length, in light, nor in beauty. Some days are long and sunlit; others are cloudy and stormy, as in a winter's tale. Some are able to stay only a few short hours. Some must go home at noon while the sun is still shining. For each of us, the moment comes when the Nurse Death takes us by the hand and quietly says, "It's going time now, my Love . . . come, come with me."

This our beloved one now has answered that summons. For him, the menace of the world has hushed. The fervor of life is over, and his work is done. One need not eulogize his life to you who have known him. His life tells its own story. The friendships expressed here demonstrate his influence. Though he never married, through kindness, hopefulness, encouragement and love, he gathered about him a family synonymous with his stature and his big heart.

Some come to the end of life filled with remorse and regret. "Take my wasted years and bury them with me," said one. He had misused his life and furthered no great cause of human welfare, and buried his abilities in cheap, selfish security. Of such the Master said, "Thou wicked and slothful servant," and instructed that he be cast into outer darkness.

The sweetest words which one can ever hear and the most beautiful benediction that concludes life, the most coveted epitaph, was Christ's farewell, by these words spoken by Jesus when He said, "Well done, thy good and faithful servant, thou hast been faithful over all things. I will make thee ruler over many. Enter thou into the joy of the Lord."

This one we honor led an unselfish, devoted life. The world has been made better for his having lived. Surely the congratulatory hand of life's all-wise Judge reaches out with the accompaniment, "Well done." Death comes to him as a friend. We often wish in a childish wonder why God created the universe, and Death comes to all of us.

We too often feel that Death is an enemy of life, and not a friend, but this is not right. It is the knowledge that our years are limited that makes them so precious. Plato was right when he declared that infinite life on this earth for us human beings would not be desirable even if it were possible. Who would want to live a never-ending existence on earth, through endless years of struggle and revolution, pain and worry, conflict and labor, with no possibility of escape? What drudgery of day would never end? If you toil through the cold bitter damp day looking forward to the evening shadows, time never moves so slowly it seems the day would never end. Then, when evening finally came, how welcome. What peace and embracing rest, what satisfied relief, what a wonderful friend.

Death came as a wonderful friend to this one. The best is yet to be. Death is only a new beginning. It is like going to bed on a bleak night and waking with the sun always shining. Victor Hugo, the French author wrote, "When I go down to the grave, I can say like many others, I have finished my life. My day's work will begin the next day." The tomb is not a blind alley; it is a thoroughfare. It closes on the twilight, and opens on the dawn.

A giant pine, magnificent and bold, stood staunch against the sky, and all around shed beauty and grace and power. Within its folds, birds safely reared their young. The velvet ground beneath was gentle, and the cooling shade gave cheers to passersby. Its towering arms, a landmark, stood erect and unafraid, as if to say "Fear not, my life's love." It fell one day, where it had dauntly stood with loneliness and void, but men who passed paid tribute and said, "To know this life was good; it left its mark on Thee." Its work stands fast, this giant pine, magnificent and bold.

For Fats, life's gavel has struck its final adjournment. It was a great and productive session. The rush and fervor of life is over; the office phone comes to rest in its cradle.

However, "He is not dead. Why should we weep because he takes an hour of sleep? A rest before God's greater morn, answers a new world is born, a world where he may do the things he failed in here, where sorrows, stains, and disappointments yield to joy, where cares and fears cannot destroy. He is not dead. He hurried on ahead of us to greet the dawn, that he might meet the loved who left us yesterday. We are bereaved, but weep not. Hail him where afar he waits for us on some bright star. He is not dead. Beyond all strife at last he wins the prize of life."

Mr. KUYKENDALL. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the distinguished gentleman from Tennessee (Mr. Kuykendall).

Mr. KUYKENDALL. Mr. Speaker, if our dear friend and colleague, "Fats" Everett, were able to speak to us today, I am sure he would say with the poet:

> Sunset and evening star,
>   And one clear call for me.
> Let there be no moaning of the bar
>   When I put out to sea.

For if ever there was a mortal who met the challenges of life with head high and braced for every storm that man was "Fats" Everett. His was a dedicated life—dedicated to love of country, compassion for his fellowman, devotion to duty and country. In the face of vicissitudes which would have made lesser men pale, "Fats" stood tall and strong and seemed to grow in stature with every blow. Surely, it will be many years before the impact he made upon this House is forgotten.

For me, the loss of "Fats" Everett is a personal loss. He was a friend in every sense of the word. I had known him long before coming to Congress, known of his unselfish service to the people he represented from the Eighth District of Tennessee. But I became even closer to him as a freshman Congressman who benefited from his kindness, his consideration and his eagerness to help make my orientation in this honorable body easier. There are others who will detail the life of "Fats" Everett, his honorable service to his country in time of war, his experiences in the State legislature and the record he made in Congress. My purpose is to note that he was among us and is no longer. Because he was here, this body, his beloved State, and our country is better for it.

The mark "Fats" left on the lives of those he touched was made beautifully clear at his funeral services. Strange as it may sound, "Fats'" funeral was not a sad affair and that is the way he would have wanted it. Everyone who ever knew him, and certainly those gathered to bid him farewell were so filled with "Fats'" wonderful philosophy of life that none of us felt he was really gone, but there with us and I am sure, indeed, he was.

No funeral oration was ever filled with greater meaning and significance than that delivered by the Reverend Scott Johnson. I include it, here as a part of this tribute to "Fats."

I would also like to include two editorials from the Memphis newspapers paying tribute to "Fats."

The first, "Robert A. Everett," is from the Memphis Commercial Appeal, and the second, "Representative Robert A. 'Fats' Everett," is from the Memphis Press-Scimitar:

[From the Memphis (Tenn.) Commercial Appeal]

Robert A. Everett

The summer Robert A. Everett was graduated from college he was elected to the Obion County Court. Public service was his life work without interruption.

He learned about methods and personalities of Washington on the staff of a senator, and gained the same knowledge of Nashville on the staff of a governor. There followed four years as the voice and sparkplug of the Tennessee County Services Association, of which he was executive secretary.

More important to him than knowledge of political mechanics was an extraordinary accumulation of friends and admirers in every part of the state. He was one of those personalities of whom country folks used to say, "He never met a stranger." His voice was hearty and his laugh was real, and frequent.

Mr. Everett returned to Washington under his own power as a member of the House in 1958 and has been re-elected ever since. Without oratory or committee room spectaculars, he simply kept in close touch with the people of his district and in tune with their wishes.

The climax came last year, when all other Democrats stayed out of the primary in which he was renominated, and all Republicans stayed away from the opportunity to oppose him in the election.

During most of his years in Congress his district ended at the Shelby County line but many people in Memphis counted him as a friend and called on him when he could be helpful. Adding part of Shelby County to his district was anything but a problem to him or to his new constituents.

In his final year he was a conspicuous defender of the people's tax investments in highways against the threat of bigger trucks. It was a minority position when he took it but as the months passed it became the dominant attitude of Congress.

Death has cut short his career but left an example of service in public office which the new generation will do well to remember.

[From the Memphis (Tenn.) Press Scimitar]

Representative R. A. "Fats" Everett

It is with no disrespect toward Robert Ashton Everett that we include his nickname in the caption of this editorial. Our Eighth District Congressman who died yesterday shortly before he reached the age of 54, himself insisted on the nickname. On his election to Congress in 1958, some newspapers thought it more dignified to drop the "Fats." Everett protested. He had been known by that nickname all his life, and "when they say 'Fats' I know they're talking about me," he said.

The name referred to his great size. He was 6 feet 4 and weighed up to 370 pounds. He was proud of being "the biggest man in Congress."

But "Fats" Everett was more than big in physical size. He had a big heart. And no public official ever was closer to the voters than "Fats." He was a man of the people and never lost communication with them. He was elected last fall to his sixth term in the House, without opposition. He went to Congress after serving as a county court member (at age 21) and circuit court clerk in Obion County, then as executive assistant first to the late Senator Tom Stewart, then to former Governor Gordon Browning.

Congressman Everett was friendly and jolly—the nickname, "Fats," seems to be a mark of likableness for almost anyone who wears it—but he worked constantly and seriously for the best interests of his constituents, among whom were citizens of the northern strip of Shelby County.

He was a conservative Democrat who did not hesitate to vote with the Republicans in Congress when he thought they were right. He was instrumental, as a subcommittee chairman, in getting improved legislation for nursing service for veterans. One of his last and biggest battles in Congress was against the bill to permit extra truck trailers. He helped kill it last year just before he went to the hospital and began his losing fight against ill health. He also opposed congressional pay raises. Two of his major goals for his district, as yet unachieved, were a Mississippi River Bridge between upper West Tennessee and Missouri and a navigable canal between the Obion River and the Tennessee River near Paris, Tenn.

We know of no congressman more beloved by the people who sent him repeatedly to Washington, and few, if any, who were more liked and respected by his fellow members of Congress.

Funeral Message for Robert Ashton "Fats" Everett

(Delivered by Rev. Scott Johnson, Cumberland Presbyterian Church, Union City)

"Fear thou not, for I am with thee; be not dismayed, for I am thy God; I will strengthen thee: yea, I will help thee: yea, I will uphold thee with the right hand of my righteousness. For I, the Lord thy God, will hold thy right hand, saying unto thee, Fear not; I will help thee." (Isa. 41:10–13, A.S.V.)

(There was a prayer and scripture read by Dr. Morris Pepper here.)

A week after assuming pastorate here I received a letter from Congressman Everett pledging his continued church support and offering his personal assistance day or night. This characterized Mr. Everett's life—unselfish and untiring helpfulness.

The news medium termed it a *rash*, nearly two years ago, which hospitalized our beloved Congressman. Keenly aware of my pastoral responsibility, I proceeded to write Mr. Everett in jest of his rash, yet assuring him we had genuine concern for his physical well being. Three days later I received a letter thanking me for my concern; however, the burden of his communication had to do with his clarifying my salutation; for you see, I had addressed him, "Congressman Robert Ashton Everett." He requested I call him "Fats" as did all his friends. This, too, characterized his life—humility and an absence of pride. He refused to change a lifelong name for the pomp or titles of deserving and recognized honor. To his beloved family and innumerable friends the nickname, "Fats", describes not so much his physique as it pictures his heart. Magnanimous was his soul in its burning zeal to help others. Here, he harvested his deepest satisfaction and his highest joy, be it for a widow, a teen-ager, a governor, or a clergyman.

The angel, Death, touched with angelic softness our beloved "Fats" a little past the noon hour of his life; however, the early hour failed to rob him of a rich and abundant life. He was to taste early the responsibilities reserved for those of more mature years. Here in this altar, in his early twenties, he was ordained an elder, the youngest in the church's history. The year he received his college diploma he was elected to the Court of his native county. Yes, life with its apocalyptic vision filled his vessel early, enabling its cutpouring to realize creditable completeness.

Our jovial giant, our representative and legislator, no doubt looks down upon this assembly with approving smile and celestial joy. For here are gathered his beloved family, his staff, his distinguished colleagues, and his cherished fellow-Tennesseans. The youth who aspires heights of political achievement and public service will in wisdom study the life of this great political figure. His was an envious position, coveted by all who seek the opinion of their fellowman at the polls. The answer may, or may not, be unique—"Fats" early in life sought voters out of which he could cultivate friends, whereas too often others seek friends out of which they may cultivate voters.

Yesterday, while we mourned his passing, it was as if the angels shed their soft snowflake tears to blanket in white purity his native soil.

I like to think of this world as a park filled with frozen lakes for skating, playgrounds, trees and grassy lawns, museums, and swimming pools. We, like children, are privileged to spend a day in the great park. The time we are privileged to spend is not the same in length, in light, nor in beauty. Some days are long and sunlit; others are cloudy and stormy, as in a winter's tale. Some are able to stay only a few short hours. Some must go home at noon while the sun is still shining. For each of us the moment comes when nurse, Death, takes us by the hand and quietly says, "It's going home time now, my love; come, come with me."

This, our beloved one, now has answered that summons. For him the business of the world has hushed, the fever of life is over, and his work is done. One need not eulogize his life to you who have known him; his life tells its own story. The friendship expressed here demonstrates his influence. Though he never married, through kindness, helpfulness, encouragement and love he gathered about him a family synonymous with his huge statue and big heart.

Some come to the end of life filled with remorse and regret. "Take my wasted years," said one, "and bury them with me." He had misused his life, had furthered no great cause of human welfare, had buried his abilities in cheap selfish security. To such, the master said, "Thou wicked and slothful servant," and that he be cast into outer darkness.

The sweetest words which one could ever hear, the most beautiful benediction that could conclude life, the most coveted epitaph that could grace one's farewell, would be these words spoken by Jesus when he said, "Well done thou good and faithful servant: Thou hast been faithful over a few things; I will make thee ruler over many things: enter thou into the joy of thy Lord." This one we honor lived a useful, devoted, unselfish life. The world has been made better for his having lived. Surely, the congratulatory hand of life's all-wise Judge reaches out to the accompaniment, "Well done."

Death comes to him as a friend. We often wish in a childish way that life would never end, and in our rebellious moments wonder why God created the universe so death comes at all. We, too often, feel death is an enemy of life—and not a friend. But this is not right. It is the knowledge that our years are limited that makes them so precious. Plato was right when he declared that infinite life on this earth for us human beings would not be desirable, even if it were possible. Who would want to live a never-ending existence on earth, through endless years of struggle and revolution, pain and worry, conflict and labor—with no possibility of escape? What drudgery if day would never end? Have you toiled through the cold, bitter, damp day looking forward to the evening shadows? Time moved so slowly; it seemed the day would never end. Then, when evening finally came, how welcome! What peace and embracing rest; what satisfying release! What a wonderful friend!

Death came as a wonderful friend to this one. The best is yet to be. Death is only a new beginning. It is like going to bed on a cold bleak night, and waking with the sun always shining. Victor Hugo, the French author, wrote, "When I go down to the grave, I can say, like many others, 'I have finished my days' work, but I cannot say, 'I have finished my life.' My days' work will begin the next morning. The tomb is not a blind alley: it is a thoroughfare. It closes on the twilight and opens on the dawn!"

"A giant pine, magnificent and bold, stood staunch against the sky and all around shed beauty, grace, and power. Within its fold birds safely reared their young. The velvet ground beneath was gentle, and the cooling shade gave cheer to passers-by. Its towering arms a landmark, stood erect and unafraid, as if to say, 'Fear naught from life's alarms.' "

"It fell one day. Where it had dauntless stood was loneliness and void. But men who passed paid tribute—said, 'To know this life was good. It left its mark on me; its work stands fast.' And so, it lives; such life no bonds can hold—this giant pine, magnificent and bold." (Georgia Harkness.)

For "Fats", life's gavel has struck its final adjournment; it was a great and productive session—the rush and fever of life is over; the office phone comes to rest in its cradle. However:

THE VICTOR

He is not dead. Why should we weep
Because he takes an hour of sleep,

A rest before God's greater Morn
Answers a new world is born;

A world where he may do the things
He failed in here; where sorrow stings

And disappointment yield to joy;
Where cares and fears cannot destroy?

He is not dead. He hurried on
Ahead of us to greet the dawn,

That he might meet the loved who left
Us yesterday. We are bereft—

But weep not—hail him where, afar,
He waits for us on some bright star.

He is not dead. Beyond all strife
At last he wins the prize of life.

THOMAS CURTIS CLARK.

Mr. ABERNETHY. Mr. Speaker, would the gentleman yield?

Mr. EVINS of Tennessee. I yield to the distinguished gentleman from Mississippi (Mr. ABERNETHY).

Mr. ABERNETHY. Mr. Speaker, "FATS" EVERETT was my very warm personal friend. I came to know him long before he became a Member of this body. His passing hurt me deeply.

"FATS" EVERETT was widely known throughout my State and throughout the entire Midsouth. He made warm friendships in every town and community in that area, as well as throughout this Nation. The Midsouth never produced a more popular or more lovable person.

Mr. Speaker, I recall vividly the election night when "FATS" EVERETT first ran for Congress. On that night other interested Members of this body and I sat in the office of a Memphis newspaper reporter stationed here in Washington. We anxiously awaited the election returns. We waited and waited. Finally the returns began to trickle in. And we were so pleased. "FATS" took the lead from the beginning and held it all the way.

In that campaign and election "FATS" won out over formidable opposition. He was great in victory, and he was great as a servant of the people he represented here in this Congress. He will be as great as he sits at the hand of the One who gave him life on this earth, and who has given him everlasting life above.

Mr. Speaker, "FATS" EVERETT was loved by as many people as any man I have ever known. He was a friend of as many people as any man I have ever known. I have served in this House of Representatives for a long time, and I have seen many Members come and go. A more popular Member never served here. I have heard it said that there are Members who have served without making enemies, or without raising the ire of any of their colleagues. However, some of us sometimes cross the paths of our colleagues and on occasion ill words come between us. But such never happened to "FATS" EVERETT during his service here. He could turn the most controversial argument, the most heated debate into a love feast. And he often did.

He was the close friend of all Members, and every Member of this House loved him. He left a mark in this body which will of itself be a lasting monument to his service and his life. It will not be necessary for the people of his district or of his State to erect any monuments to his service, to his life, or to his memory. "FATS" attended to this with his friendly attitude, with kind words for everyone, with the rendition of extraordinary service to his people and his country, with his statesmanship and with his unusual capacity to spread sunshine on the most cloudy of days and comfort and happiness in hours of despair. Time and tide take their toll of monuments cast in stone; but those which "FATS" erected will live to the end of time.

The passing of "FATS" EVERETT left a void in this House. The void will be a lasting one. His seat will be filled but his place in this body and among his people will be forever vacant. There was but one ROBERT "FATS" EVERETT. There will never be another.

We sympathize with his beloved mother, a mother to whom he was so devoted. We sympathize with other members of his family; and we join with the people of Tennessee in mourning his passing.

Mr. EVINS of Tennessee. Mr. Speaker, I yield to the distinguished gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker with a sad heart, I joined other congressional colleagues from Tennessee and from some other States in a special trip to Union City, Tenn., on January 28, 1969, to pay last respects and bid farewell to a man who had given us all much joy, the Honorable ROBERT A. "FATS" EVERETT.

My own life was much enriched just by having known this big man. He worked harder than anyone I know and he enjoyed serving people more than anyone. "FATS" never shunned problems, people, or work. He met problems head on; greeted everyone with equal gusto and concern no matter what his rank in life; and worked as long as there was anything he could do for his district, his State, or his country.

I was especially fortunate to have "FATS" as a close friend, and always was pleased to pick up the telephone and hear him on the other end of the line. Although we sat on opposite sides of the aisle in the House of Representatives, we spent much time together working for the people of our State—a young military man with a problem, a veteran who needed urgent medical attention, an older citizen who needed a little more money to meet his bills.

"FATS" and I served together on the Veterans' Affairs Committee and the Public Works Committee and thus we spent many hours together in committee work. He worked especially hard for improved medical care for our veterans for he thought that they who had suffered in defending peace and this country should have the best of care.

As a committee member he toured Veterans' Administration hospitals and as he went about his study of the facilities he cheered patients in the rooms and wards along the way. His humor was especially down to earth and no one could help but laugh with him.

Many of his findings showed up in legislation that passed the Congress and that is now providing better medical and nursing care for thousands of veterans.

"FATS" was just as concerned about our work in the Public Works Committee, and never hesitated to speak out. Perhaps one of his greatest ambitions was to see a bridge over the Mississippi River to connect Tennessee and Missouri, and construction has been started.

As evidence of his concern for the land and people of our area, he assumed the presidency of the Lower Mississippi Valley Flood Control Association in late December when he already was very weak from battling his illness.

The story of "FATS" EVERETT is a colorful and exciting one because he made life that way. His friends and constituents always called him the big man with the big heart who wore a big hat. And that is true.

He truly was happy serving his fellowman and thus service was his life.

He served us well in the classroom when he taught, in the military when the Government had to make some extra large uniforms to stretch over his big form, in State and local governments where he held several offices, and then in the Congress of the United States.

Everywhere everyone liked "FATS." Those of us who were fortunate enough to have him as a close friend are thankful for this special blessing.

Mr. EVINS of Tennessee. Mr. Speaker, I yield to the distinguished gentleman from Oklahoma (Mr. EDMONDSON).

Mr. EDMONDSON. Mr. Speaker, I appreciate the opportunity to join in this tribute to a beloved colleague who will be missed for a long time in this House—the Honorable ROBERT EVERETT, of Tennessee.

BOB was an able and effective Member of the Congress, and served with great distinction on the Committee on Public Works. He did a great job for Tennessee and for his district, and was a tireless worker in behalf of his constituents.

There is no one in the House today who would not agree that this big Tennessean was wonderful company in any gathering, and one of our best loved Members.

We will all miss him, and the House will not be the same without him.

Mr. EVINS of Tennessee. Mr. Speaker, I yield to my distinguished colleague, the gentleman from West Virginia (Mr. KEE).

Mr. KEE. Mr. Speaker, I join my colleagues in paying tribute to our departed colleague, the late Honorable ROBERT A. EVERETT.

Congressman "FATS" EVERETT, as he was known, was my friend. He was a friend of all who met him. And he was a dedicated man—dedicated to representing his people in the Congress in the only way that he knew—sincerity of purpose. His deep resonant voice may be stilled, but the spirit of this devoted man will linger on in the hearts of all of us who had learned to love and respect him.

When the news of Congressman EVERETT's death was known on the Hill—I heard it said by one who had worked closely with him over the years "Heaven is a brighter place this morning because 'FATS' has arrived at his eternal home."

The State of Tennessee and the Nation have lost an outstanding citizen, and we in the House have lost a great friend—an accomplished legislator.

Mr. EVINS of Tennessee. I yield to the distinguished gentleman from Tennessee (Mr. BROCK).

Mr. BROCK. Mr. Speaker, I value the opportunity afforded by the gentleman in the well. I would like to join today in paying respect to a man who was one of the most beloved Members of this body.

Besides his distinguished legislative record, which speaks for itself, "FATS" EVERETT made a treasured contribution to the Congress in a less tangible, perhaps, but especially important way—he gave us an unfailing sense of friendship and honest fellowship; for the love in his heart and the laughter in his voice never failed him, even in the midst of grave illness.

An ancient philosopher once wrote that, "honest men esteem and value nothing so much in this world as a real friend."

In "FATS" EVERETT, I was blessed with such a friend, and so were we all. That kindness and humor which helped so much to heal a few bruised spirits after the heat of legislative debate will be a little rarer now. We will miss it, as we will miss "FATS" EVERETT, our beloved colleague.

Mr. ANDERSON of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Tennessee (Mr. ANDERSON).

Mr. ANDERSON of Tennessee. Mr. Speaker, the custom which we observe today is as it should be, for ours is in modesty a small and sorely tested profession; respect and friendship sustained in service here is largely without comfort of illusion or benefit of leisure and must normally survive occasional conflicts over issues of importance and passion. Attachments thus formed are cherished; they run deep and are broken only with great sadness and a profound sense of loss.

Yet there is indeed something unusual about standing in formal eulogy to ROBERT A. EVERETT. He did not pad his life with formality. He was totally devoid of the intensive posturings and even the pompousness which forever tempt holders of high office. Scarcely a Member here ever knew him by name other than "FATS". But such was the nature of the man that this name was worn with unquestioned dignity and imposing power of personality. Certainly he was a formidable opponent and one could not have a more valuable ally, nor a more shrewdly realistic analyst on any item of legislation at issue. I have never known a man less likely to be deluded by flights of fine, pure rhetoric or technical jargon.

In the last analysis, for us of this House, perhaps the finest that can be said of any Member is that "he represented his constituency well and truly." "FATS" EVERETT had the home roots and sensitivity to know Tennesseans well, and the strength of wit and will, the integrity, and the robust conviction to represent them and their interests, as they would have it done, in Congress. They judged it so, and in our society their judgment is the final and unquestioned one. In half of all his many elections to this House, "FATS" EVERETT ran without opposition, and he never once got less than two-thirds of the vote.

The Tennessee delegation lost a good deal of color, character, and power with the passing of this gentleman with imposing presence and booming voice. Congress has lost a contributor of unique style and a talent for humor to match his size. His constituents have lost a representative to whom their interests always came first. We of this House have lost a colleague whose mere word of greeting somehow made the day brighter, and burdens easier to bear.

We shall miss him sorely.

Mr. STUBBLEFIELD. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. Mr. Speaker, I yield to the distinguished gentleman from Kentucky (Mr. STUBBLEFIELD).

Mr. STUBBLEFIELD. I thank the distinguished gentleman from Tennessee for yielding to me in order that I might join my colleagues in paying my respects to my dear friend.

Mr. Speaker, the late beloved Representative ROBERT A. EVERETT was a close personal friend of mine for many years. We were both elected to Congress in 1958, and served neighboring congressional districts. But I am proud to say we were friends long before that, for we first got to know each other 35 years ago when he was a popular student and campus leader at Murray State University in my hometown of Murray, Ky.

It was a great and wonderful thing to have been his friend. He had hundreds of them, because he had a love of life, and for his fellow man, that welled up and touched everyone he met. No friend could have been more loyal, more anxious, and willing to help whoever stretched out a hand in need.

He had an instinctive understanding of young people, too, and they had an affection for him that was amazing in a time when cynicism is such a popular affectation of our youth. During his illness and hospital confinement, students he had befriended at Murray State sent him a get-well telegram with hundreds of signatures. He had attended all of the homecomings there until his health declined in recent years. Wearing a big hat and towering above the crowd at 6 feet, 4 inches, he was a familiar sight at campus gatherings and at football games.

He was a big, big, man with a heart and soul that outmatched even his tremendous frame. His size almost kept him out of the military service, but the Army was so impressed with his patriotism and determination that they tailored his uniforms to order. His origins were in Obion County, Tenn., and his was the simple yet rich heritage of rural Tennessee. It gave him strength and sincerity which inspired the trust of everyone he met.

He always greeted his constituents by their first names. Thousands of them thought he was the best Representative the Eighth District ever had, and maybe the best Congressman in the United States. Beneath his "country boy" exterior he was a skillful leader who knew how to "go to the head of the stream" to get things done. He was a realist, a down-to-earth man who, seeing things as they were, was able to accomplish much during his relatively short life.

Because of his membership on the House Public Works Committee, he was able to make sure that his district was never left out when it came to projects that would help or benefit his constituents. It was he who finally managed to snip away the redtape which had been hindering flood control programs in water-ravaged Obion County for years, thus reclaiming thousands of acres of rich farmland. His sponsorship of the Reelfoot-Indian Creek watershed project saved Reelfoot Lake from imminent destruction and was an invaluable contribution to the conservation and recreation use of Tennessee's water resources. He also managed to obtain final approval of the long-delayed construction of a Mississippi River bridge linking West Tennessee and Missouri.

These projects will stand as permanent memorials to a great man and a great legislator. But his greatest memorial is to be found in the recollections of the thousands of individuals whose lives were affected by the kindnesses, great and small, which he bestowed upon them. He will never be forgotten by the people of the Eighth Congressional District of Tennessee, where he was important to everybody, where he was everybody's friend. He worked for those many friends, right up to the day he died, because that work was more important to him than anything else, including his health.

His untimely death has been a great loss to me and to all his many other friends. I join my colleagues in extending my deepest sympathy to his wonderful mother.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the distinguished gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, our hearts were saddened last month by the passing of one of our best loved Members. The courageous, valiant struggle for life waged by Representative ROBERT A. "FATS" EVERETT for so many months was lost on January 26, 1969. The loss is shared by the people of his district, his State, and his country.

I personally mourn his passing for many reasons, reasons which are shared by a large number of Members. I remember very well the attention and encouragement he gave me as a new Member. I remember the helpful, carefully considered advice he continued to give me whenever I would turn to him.

Mr. Speaker, I have filled the vacancy on the Veterans' Affairs Committee left by "FATS" but not his place or the reputation he made on that committee.

His service in Congress was just short of 11 years. The House of Representatives was privileged to know and to benefit from his service during those 11 years.

Mr. DOWNING. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the distinguished gentleman from Virginia (Mr. DOWNING).

Mr. DOWNING. Mr. Speaker, the passing of our beloved friend "FATS" EVERETT has left a void in the House of Representatives. He was a man of great abilities which he well used on behalf of his district, State, and Nation. But it was that great sense of humor we shall miss the most. A few brief words with "FATS" could make a dull day bright. I suppose he drove home more points with humor than any man has ever done with logic. He was a big man in every respect and his death has left his friends with a big emptiness and sorrow. I extend my deepest personal sympathy to members of his family.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the distinguished gentleman from Kentucky (Mr. CARTER).

Mr. CARTER. Mr. Speaker, certainly it was an honor and a privilege to serve with the Honorable "FATS" EVERETT—that is what he wanted to be called—for the past 4 years.

Most of the Members of this House are political creatures, we might say, and have gone through the fiery furnace of political tribulation and are rather sensitive to the things which go on about us.

Because "FATS" was always cheerful and joyful, I sought his advice on many occasions, and always came away exhilarated, with my attitude improved.

Certainly the gentleman from Tennessee had an excellent effect, a great and a good effect, upon the other Members.

I remember asking him on one occasion how he felt, and he said, "Why, I am just booming. Always be a-booming. It makes your friends happy and your enemies sad. If you feel bad do not tell anybody; they might enjoy hearing it."

Such was the character of the inimitable "FATS" EVERETT.

We have lost a great confrere.

Mr. SLACK. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the distinguished gentleman from West Virginia (Mr. SLACK).

Mr. SLACK. Mr. Speaker, the untimely death of the Honorable ROBERT A. EVERETT, of the Eighth District of Tennessee, came as a personal shock to me, even though I had known of his poor health during preceding months. His passing will leave in this Chamber a void not to be filled except by an individualist of equal caliber.

Widely and affectionately known as "FATS," he had been in Congress only 11 months when I became a Member of the House of Representatives, and by virtue of his generous spirit we soon became good friends. The gentleman from Tennessee was often of great assistance to me, and was ever willing to advise and suggest when I sought his counsel.

He gathered friends easily, because like another American of similar mold, he "never met a man he didn't like." For the pleasure of his company, for his great fund of stories, for his endless pleasantries, he was widely known beyond the boundaries of his native State of Tennessee, and here while on official duty many of us found that a pause to talk with him provided a refreshing break in the concentration required by the day's affairs.

Mr. Speaker, the words of Rudyard Kipling, "If you can talk with crowds and keep your virtue, or walk with kings—nor lose the common touch," best describe "FATS" EVERETT. He was a tireless worker for his district and State, and the smallest problem of a single constituent received the same dedication as a public project involving thousands of dollars.

"FATS" had a favorite saying when confronted with a formidable problem. "Let's go to the head of the stream," he would say, indicating his determination to take his problem to the top. The gentleman would go to the top, and he usually achieved a satisfactory solution in a short time.

Mr. Speaker, this Chamber will not be the same without "FATS" EVERETT. He will be missed by every Member on both sides of the aisle. His passing was a personal loss to me, and I extend my deepest sympathy to his mother and his host of close friends at home in Tennessee.

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the distinguished gentleman from Missouri (Mr. HUNGATE).

Mr. HUNGATE. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, this body can take a great deal of learning and erudition from men of skill, but I think it is the laughter and the humor generated by "FATS" EVERETT which lubricated the discussions in this body.

His funeral was an impressive thing. The music was outstanding, as it should be in Tennessee. There was no singing, but I think I could almost hear "FATS" saying, "I don't want no singing. If they want singing, let's have a dance."

He was a man of great wit.

Albert Camus once said that:

> All great deeds and all great thoughts have a ridiculous beginning. Great works are jokes often born on a streetcorner or in a restaurant's revolving door.

When I was little I always looked forward to the circus coming to town. I used to like to listen to the barker out in the front holler, "See the only armless sculptor in the world." He puts the chisel in his mouth and his wife hits him on the back of the head with a mallet.

My sister-in-law joined a circus as a fire eater but she lost that job when her pilot light went out. One day she hiccupped two bonfires and burned the tent down.

My uncle was with a circus for a while. They introduced him as the petrified man. They had to let him go because it cost too much to keep him petrified.

Then he became a tight wire walker until one night he was tight and the wire was not. Actually he was nearsighted and what he thought was the wire was only a crack in his glasses.

Like great works, deep feelings always mean more to us than we can put into words. In Lawrence Ferlinghetti's works we learn:

This life is not a circus where
The shy performing dogs of love look on
As time flicks out
Its tricky whip
To race us through our paces.
Constantly risking absurdity and death
Whenever he performs above the heads of his audience
The poet like an acrobat climbs on rime
To a high wire of his own making
And balancing on eyebeams above a sea of faces
Paces his way to the other side of the day
Performing entrechats and sleight of foot tricks

And other high theatrics and all without mistaking
Any thing for what it may not be
For he's the super realist who must perforce perceive
Taut truth before the taking of each stance or step.

In his supposed advance
Toward that still higher perch
Where beauty stands and waits with gravity
To start her death-defying leap
And he a little Charley Chaplin man
Who may or may not catch
Her fair eternal form spreadeagled in the empty air of existence.

While still around the circus ring
Lope the misshapen camels of lust
And all of us Emmett Kelly clowns
Always making up imaginary scenes
With all our masks for faces
Even eat fake last suppers at collapsible tables
And mocking cross ourselves in circuit sawdust crosses
And yet gobble up at last to shrive our circus souls
The also imaginary wafers of grace.

I think "FATS" EVERETT'S humor is proof of this.

All great deeds and all great thoughts have a ridiculous beginning. Great works are often born on a street corner.

Standing on the corner, I didn't mean no harm
Along come a Police, he took me by the arm.
It was down in Memphis, corner of Beale and Main
He says "Big boy, you'll have to tell me your name."
I said "You'll find my name on the tail of my shirt."
"I'm a Tennessee hustler and I don't have to work."

I wish I could learn to laugh at myself
Somehow have the wisdom to see
That the very best joke in all of the world
Is the fellow that I call me
I know I'm not Utopia's king
I allow I'm a laughable joint,
But in spite of the fact that I know I'm a joke
I have never quite seen the point
I wish I could learn to laugh at myself
'Twould save me a lot of conceit,
And show me that out of earth's harvest of souls
I'm not quite the choice of the wheat.
'Twould save me from being a Pharisee,
From looking on life so sour
And seriously thinking to save mankind
By the strength of my own great power.

There is no sun without shadow, and it is essential to know the night.

'Tis late and cold; stir up the fire;
Sit close and draw the table higher;
Be merry, and drink the wine that's old,
A hearty medicine 'gainst a cold:
Call for the best the house may ring,
Sack, white and claret let them bring
Plover, partridge for your dinner
And a capon for the sinner,
Welcome, welcome, shall fly round
And I shall smile, tho' underground.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the distinguished gentleman from Colorado (Mr. ROGERS).

Mr. ROGERS of Colorado. Mr. Speaker, the death of Representative EVERETT has saddened all Members of Congress. We who knew him appreciated his character and his willingness to be of service to his constituents and mankind. We are heartbroken.

All his life his ambition was to serve in the Congress of the United States. He obtained that honor and "FATS" was truly a representative of the people.

Constituents in his district expressed the sentiments "We are heartbroken—a great voice has been hushed—our voice." "FATS" EVERETT was a man of simple yet great heritage. Perhaps this is the best way to remember this unusual and gifted man whose love for people turned him into one of the finest and most dedicated civil servants this body has ever known. He was never too busy to talk to anyone and it was a rare occurrence when he could not be reached by telephone. "I will always be as near to you as your telephone or mail box" he said thousands of times, and he meant every word of it. No letter went unanswered.

He knew and loved people from all walks of life—from the poor to the wealthy. He was important to everybody and he was a friend of everybody. He spent his life doing for others. The House of Representatives has lost one of its most colorful leaders.

From the depth of our sympathy and depression we pause in respect and pay tribute to one of our own. Our greatest honor to him would be to resolve to serve every man, every woman, and every child faithfully, honestly and diligently as he has done.

I want to extend my sympathy to his mother as I know her bereavement is great.

Mr. PEPPER. Mr. Speaker, will the distinguished gentleman yield?

Mr. EVINS of Tennessee. I yield to the distinguished gentleman from Florida (Mr. PEPPER).

Mr. PEPPER. Mr. Speaker, I thank the able gentleman from Tennessee who is now in the well for permitting me to join with him and our colleagues here in paying tribute to our beloved departed colleague whom we affectionately knew as "FATS" EVERETT.

When I was a Member of the other body I came to be his friend. He was the administrative assistant to one of our distinguished colleagues, the Honorable Tom Stewart, a Senator from Tennessee. Every Member of the Senate knew "FATS" EVERETT. He was constantly on the floor or in the cloakrooms. They liked him because he had about him that inimitable warm quality of friendship which made everyone love him. He was a man ever eager to do something to be helpful to any Member in any way he possibly could.

When I came to this body it was a great joy to me that we could renew our friendship as colleagues.

Mr. Speaker, "FATS" EVERETT was a big man in stature. But he was also big in many other respects. He had a great heart full of compassion. He had a noble vision. And, above everything else he had a consuming love of his country and we will never be able to acknowledge adequately the great and diligent work which he did for the veterans of our country.

I had an experience last year which shows how devoted he was to the service of our veterans. After participating in the dedication of a veterans' hospital in Miami, I conceived the idea that we needed to establish a system of custodial homes for veterans beyond eligibility for domiciliary institutions or the veterans' hospitals. I came back and went directly to "FATS" EVERETT, chairman of the Hospitalization Subcommittee of the Veterans' Committee, and told him about my idea. He said, "Listen; that is a good idea. Anything we can do for the veteran, for goodness sake, let us do it."

He said, "Let me send our general counsel over there to help draft the bill. Then just as soon as you get the bill introduced you let me know, and I will set up hearings for you before our committee."

That was characteristic of his eagerness to serve the veterans of this country and the people of this country. We will never again have the like of "FATS" EVERETT in this body.

So, Mr. Speaker, as we lament his passing today, I am reminded to paraphrase the words of another, who said we sigh for the touch of a vanished hand that was warm; for a friendly voice that is still. With all of our hearts we extend our sympathy to his beloved and grieving mother, and to his loved ones, upon the passing of "FATS" EVERETT.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we all loved "FATS" EVERETT here on the floor, and I just suppose we all assume that everybody liked him everywhere.

Two years ago I had a unique experience that I would like to share with my colleagues here today. My father visited Washington at the age of 89, and I introduced my father to Congressman EVERETT. My father had grown up in the little community of Dukedom near Fulton, Tenn. That was in "FATS'" district.

They began exchanging names of families that even my father could recall from some 80 years past, and "FATS" knew their sons and daughters and their uncles and their grandparents. He could go back a hundred years into the life of his district. It was such a joy to see the two of them exchange greetings.

Shortly thereafter "FATS" thought that it would be a good idea to invite me to Fulton, Tenn., for the annual Banana Festival. This took place each year because Fulton, Tenn., was an exchange point on the railroad system between Florida and the New York area. One might think it rather odd that they would hold a banana festival, but they do.

We went along with "FATS." It was one of the finest experiences of my life. When we got to the airport near his district, "FATS" was met by an entire coterie of people who were trying to please and to satisfy "FATS." Then, when we got into the little town of Fulton, the highway patrol and the mayor and all the top officials were there to say every kind word to "FATS." When they had the parade, people would wave at him from the windows and from their automobiles and from up in the stands—not just a "hello," but almost a shout, as if they were craving recognition from him. And he never neglected any of them, and he did not miss a name in hundreds and hundreds of times.

This showed to me that in his own district "FATS" was better loved even than he was here—and that is saying a great deal. That is why to them he was the Duke of Dukedom, he was the Pied Piper of that district, he was the Matt Dillon and the Judge Parker. He was the No. 1. I never knew anybody who was nearer to his people and who more directly represented his district than "FATS," because he was a giant of a man with a giant of a heart.

Mr. Speaker, we all extend our deepest sympathies to his mother.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am glad to join my colleagues today to pay deserved tribute to an old friend who served among us in a very special way.

I came to know the man we affectionately knew as "FATS" EVERETT very well. I served with him on the great Committee on Public Works. I can testify to his diligence and to his intelligence, because I saw him there every day we met. I heard him make his probes, his observations, and his contributions. There was where he was most effective—effective because all of us respected him, because he knew what he was talking about, and he understood the problems and he gave thought to sound solutions to those problems. That is what we witnessed of him in that great committee.

Through that association and through association with him on the floor of the House of Representatives, and socially and otherwise, I came to know—as all of us did—that he was truly a friend of everyone. Most of all, you sensed very early that he was a friend of man, and not just a friend of ours. He was a friend of mankind. He had a deep feeling for the urges of mankind and for the needs of mankind. He felt that he should represent them and he did his best to do that.

Then, too, I could perceive as I saw him in our association and as I saw him in his work, he had a deep feel for the system that we are all a part of—this institution of representative government and this Government. He sought always and in every way that he could to make his contribution to it and to strengthen it and to improve it. Yes, he had a deep feel—a keen feel—and it was really real.

He saw the rights of man regardless of creed, color, or station of life. He respected their rights and sought to meet their needs and to fulfill those needs to the limit of his capacity.

He was blessed more I think than any

man I ever knew with this thing that we call commonsense. He had good judgment. He had the capacity to make proper evaluations and come to the right conclusions. So he was intelligent in a very special way—yes, a special way—because through his association and through his attitude and through his feel he had an insight that gave him foresight. This is something that all of us need so much, especially in this arena where we are all trying sincerely to serve our country.

Then also, as so many have said already, he had a wholesome philosophy of life. He could, and did, turn a phrase that got to the nub of the thing. When we were struggling with ways to describe a situation—and I have done this many times—I went to him and said, "'FATS,' what do you think?" Off the top of his head would come his advice and his counsel in a phrase or in a sentence or in a short paragraph.

Then he had a tolerance, that I thought was a peculiar and a special asset, from which we could learn. Well, like so many who have served before us here, because of what he was, we have to admit that "FATS" EVERETT still lives in the hearts and minds of people.

Most of you were here when Sandburg spoke about Lincoln. At the close of that magnificent address, he said,

> And how did Lincoln say he would like to be remembered? By something of what is in this occasion.

Then he told about how Lincoln had received a letter from his friend and Lincoln replied that it was impossible for him to join in the efforts for a marble monument for Lovejoy, the Representative from Illinois, and the last sentence of his letter read:

> Let him have the marble monument along with that well tried and most enduring memorial in the hearts of those who love liberty unselfishly and for mankind.

This can be applied to this man—this ordinary man—but in the very special way a great man too—for he had a great soul.

It has been said that he was big. Well, he was not near as big as his heart, his attitude, his wholesome attitude for his fellowman. One of the highest and most noble things that you could say about a man is that he will be missed and this has special meaning in this instance because he is missed by so many people in every walk of life.

It is evident here and it was evident at his funeral which I was not able to go to. But I have reports on it and many have said that this was one of the greatest funerals and one of the finest tributes ever paid to a man on this kind of occasion.

Well, I miss him but I shall cherish his memory and I join all of you in extending sympathy to his State and to the Nation and to his community and to his friends, and especially to his mother.

Mr. EVINS of Tennessee. Mr. Speaker, I yield to the distinguished gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Speaker, I appreciate the courtesy of my distinguished colleague in yielding. I have listened with great appreciation to the things that have been said. I subscribe to all of them. I attest to the wonderful qualities of our distinguished and beloved colleague "FATS" EVERETT, one of the very finest, one of the most human, and one of the noblest of those with whom I have been privileged to serve in the House. We shall always miss men like "FATS" EVERETT. There are not many of them.

It was a source of particular pleasure for me to have shared his friendship through the years, to have enjoyed his counsel, and to have witnessed his contributions.

He served on the Committee on Veterans' Affairs from the time he was first elected to Congress. He was a diligent, hardworking, courteous, and considerate member of that committee. For several Congresses he was chairman of the Subcommittee on Insurance and played a leading role in the hearings and debate which led to the enactment of the servicemen's group life insurance program providing automatic coverage for all those individuals who serve in our Armed Forces today. He was also chairman of the Special Subcommittee on Intermediate Care which held hearings here in Washington, conducted field investigations throughout the United States, and compiled data which led directly to the enactment of the nursing care program as found in Public Law 450 of the 88th Congress. This law which has already benefited thousands of our older veterans will truly benefit thousands more in the immediate period ahead of us.

We shall miss him greatly in the Congress for his good humor, good commonsense, and devotion to serving the people of his district and our country. I share the deep sense of loss which his family has experiencd and my earnest sympathies are with them in their sorrow.

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Missouri.

Mr. RANDALL. I appreciate the gentleman yielding. I came on the floor not knowing that this eulogy was scheduled for today. But I would not leave until I had this opportunity to make a few remarks about our beloved and now departed friend, ROBERT A. "FATS" EVERETT. He may no longer be with us, but I am sure there is not a Member who served with him who will ever forget our former colleague. "FATS" EVERETT will always live on in the memory of those fellow Members who respected and admired him.

My contribution to this eulogy will be a brief reference to what I regard as two of his outstanding characteristics.

It is a fact that he was a big man. But he had an equally great heart. He was a humanitarian. He served on the House Veterans' Affairs Committee. It was our privilege to serve two terms with him on that committee. I happen to know he is the father of, and certainly the principal advocate of what came to be called the veterans domiciliary-care institutions. As a member of the Veterans' Affairs Committee he believed it was not enough simply to talk about what we were going to do for veterans by providing veterans hospitals. When those hospitals were full, or when the maximum treatment had been given to an ailing veteran, or when the veteran was up in years and was about to be kicked out of a hospital because of lack of room, he proposed and championed the domiciliary-care institutions, to take care of our chronically ill and aging veterans.

It was once my privilege as a fellow member of the committee to journey to the edge of his State, to Bristol, Tenn., to inspect one of those institutions. I doubt if it is generally known that he devoted many, if not most, of his weekends to travel around the country to learn more about the quality of the care received by our veterans in the veterans' institutions, particularly those domiciliary-care institutions, for which he was the leading congressional advocate.

Another of his characteristics which I will take the time to mention was his characteristic of being self-effacing. He was a humble man, and possessed of true humility. I recall that upon one occasion he went into the well of the House and was heard to say he had been here several terms but that he spoke on the floor on the average of less than once a year. When he had finished those remarks I went to him and asked, "Why do you speak so infrequently?"

He answered, "Because I never thought I should make a speech or take the time of my fellow Members unless I thought I knew at least as much as any one of my listeners, and unless I could make some kind of contribution that would be worth their time to listen."

That is the way he was. He was a humble man.

Finally, I should like to refer to his long service on the Public Works Committee. There is some talk of his being honored by the naming of a bridge in northwestern Tennessee, which crosses the Mississippi into our home State of Missouri. I hope that his name may in some way be associated with that project when the time comes to give it an appropriate name.

I join in the expression of others in extending our deepest sympathy to his dear mother.

Mr. EVINS of Tennessee. Mr. Speaker, I yield to the gentleman from Texas (Mr. ROBERTS).

Mr. ROBERTS. Mr. Speaker, I thank the gentleman for yielding. I shall take little of his time since he has asked permission that all Members may have the opportunity to extend their remarks.

I think the greatest accolade paid to a man occurred when the Veterans' Affairs Committee was notified that "FATS" EVERETT had passed away. One of the staff members said:

> Well, heaven is a little brighter this morning with "FATS" EVERETT up there.

I served with him on both the Veterans' Affairs Committee and on the Public Works Committee, and I have never known a finer or greater Member of this House or a greater man.

Mr. Speaker, during the years I have served in the House of Representatives, many of our colleagues with whom we have served here in this Chamber have departed for one reason or another.

Some are naturally missed more than others, simply because of their nature, their disposition, and other characteristics which may more definitely identify them. Because of his friendliness and outgoing personality, Robert A. "Fats" Everett is certainly in this group. "Fats" was indeed a "man of the people." He knew his people and he knew their views and their wishes. Very few men who have served here have worked harder or sought more diligently to meet the wishes of his people.

I knew "Fats" Everett through working with him on the Veterans' Affairs Committee and the Public Works Committee. His vast knowledge and concern never failed to impress me. His district, State, and Nation have lost a most valuable servant and we in the House have lost a true friend.

Mr. ANDREWS of Alabama. Mr. Speaker, I join with my colleagues in the House of Representatives in paying tribute to the late Congressman, Robert A. Everett, of Tennessee. It was my privilege to not only serve in the House of Representatives with Congressman Everett, but it was also my privilege to be his close neighbor in the Congressional Hotel.

Congressman Everett was extremely devoted to his job and no district in the country was represented by a Congressman who gave more time and energy to his constituents than did "Fats" Everett. Not only was he attentive to his job, but he believed in doing it to the best of his ability. And I might add, he did it well. He always worked for the things he felt were in the best interest of his district, State, and country. "Fats" was an extremely warm and friendly person, and, even during his illness, he always had a friendly hello and a big smile for everyone he met.

Congressman Everett's devotion to his job was exceeded only by his devotion to his mother, Mrs. Lelia Ashton Everett. They were extremely close, and all of his friends here in Washington were impressed with the loving attention he gave to her. I have never known a more devoted son.

Mrs. Andrews and I extend to Mrs. Everett our sincere sympathy in her hour of sadness. She is a sweet and lovely lady, and it has also been our privilege to know her.

Mr. HELSTOSKI. Mr. Speaker, I would like to join with my colleagues in the House today to pay tribute to our late colleague, Robert A. Everett. Not only has the State of Tennessee lost a fine, able, and diligent Congressman, but the Members of the House of Representatives have lost a trusted and hardworking friend of 11 years.

As a member of the Veterans Affairs Committee with Congressman Everett, I was privileged to witness his dedication and efforts not only to his constituents, but also to the many veterans who called on him. His tireless application in striving for worthwhile legislation was a tribute to his success and a reason for the high esteem in which he was held.

Congressman Everett was a distinguished and capable legislator with a fine record of public service. He served his constituents and his country well, always keeping their best interests in mind. His faith in the ideals upon which this country is based was always evident by his word and deed.

I extend my deepest sympathy to the family of Congressman Everett. He will be missed by all of us.

Mr. McCORMACK. Mr. Speaker, with deep regret, I mark the passing of our distinguished colleague, the Honorable Robert A. Everett, of the Tennessee Eighth District, a veteran of some 10 years service in the House, and my dear and trusted friend.

As a member of the Committees on Veterans' Affairs and Public Works, Bob Everett established himself, long ago, as a major force in the formation of policies vital to the interests of millions of Americans. In committee, on the floor, and back among his constituents, he constantly displayed the kind of energy, ability, honesty, and purpose that so thoroughly qualified him for public office. And so it was throughout his life.

From 1945 to 1949 Bob Everett served in Washington as administrative assistant to the Honorable Tom Stewart, U.S. Senator from Tennessee, and, from 1950 to 1952, he was administrative assistant to Gov. Gordon Browning, of Tennessee. He was executive secretary of the Tennessee County Services Association, from 1954 to 1958, and when a vacancy was created in Congress, in 1958, following the death of the Honorable Jere Cooper, of the Tennessee Eighth District, Bob Everett ran successfully for election to fill the vacancy. He stood for reelection five times and was invariably successful, the last time without opposition of any kind.

Major achievements marked up by Bob Everett during his service in Washington were numerous. He was, however, particularly proud of his contributions to flood control and water conservation. Vitally concerned about the gradual silt destruction of Redfoot Lake, in west Tennessee, he managed to secure the cooperation of State and Federal agencies in the Redfoot-Indian Creek Watershed project designed to preserve the lake.

Over the years, Bob Everett was one of the leaders in a campaign, in which both Tennessee and Missouri participated, for the erection of a bridge across the Mississippi River in the interest of thousands of Americans. Success came in the twilight of Bob Everett's life, when the project was approved by President Johnson. Bob Everett succeeded, in this regard, where many others previously had failed.

As a member of the Veterans' Affairs Committee, Bob Everett visited many of the veterans' hospitals in the Nation, and served our country's veterans well on all occasions. Four years ago he worked successfully for the passage of a bill reopening veterans' insurance following expiration of the original time limit. He also was sponsor of a measure which has opened insurance to veterans of the war in Vietnam.

Working to the hilt, right up to the end, Bob Everett left a hospital bed to attend a meeting, in New Orleans, in December, of the Lower Mississippi Valley Flood Control Association, and on that occasion was elected president of the body.

He was a brilliant man, whom all regarded as an outstanding Member of the House of Representatives and a great American. His presence will be missed by all who knew him and had the great advantage of working with him in this House he loved so well.

Mr. GERALD R. FORD. Mr. Speaker, today we pay tribute to the memory of one of the most lovable men ever to serve in the U.S. House of Representatives. The late Representative Robert A. "Fats" Everett was a small-town product, the best of what people in the South call "good country folks." He was as friendly as a St. Bernard and as down to earth as a dirt farmer. In short, he was a great guy. And he was one of the most hardworking Members of the House. It was his habit to come in to his office at 7:30 in the morning to open his mail, and he spent long hours at his desk. Bob Everett dedicated his life to public service. Of him it can truly be said, the Congress was his life, and he loved it. We shall miss his friendly presence.

Mr. QUILLEN. Mr. Speaker, I was deeply shocked and saddened at the passing of my good friend and colleague, Robert A. Everett.

I had known him for many years. Our friendship began while I was in the State Legislature in Tennessee and he was active in State government at that time. I shall not forget him, nor will anyone who ever knew him.

He was a great American, a great Tennessean, and a great Congressman. His love and devotion to his country and fellow man extend a challenge for others to follow. He was a man of deep conviction, and fought vigorously in support of his beliefs and philosophy of government, always championing the cause of the little man.

"Fats," as he was affectionately called by his colleagues and friends, had a heart of gold. He always extended a helping hand and he was proud of the people back home. He loved to represent them and to help them in every way.

As has often been said, the true measure of man can be determined by his service to others. So it is with Robert A. Everett's career. He certainly measured up—even went beyond this true measure—in his service to others.

As a valuable and senior member of the Veterans' Affairs Committee of the House, he always fought for the rights of all veterans of this Nation. As a veteran himself, he always handled his veterans' cases personally. He was also a powerful and valuable member of the House Public Works Committee.

His efforts for high principles were long and successful in both committees and on the floor of the House. He served with dedication and without fanfare. He worked diligently and went right to the heart of the issues involved.

Members on both sides of the aisle already miss him, for he was a friend to all. We are all appreciative of the fine contribution he made to the development and preservation of America.

My wife joins me in extending our deepest sympathy to his mother and other members of the family.

Mr. FULTON of Tennessee. Mr. Speaker, Robert A. "Fats" Everett was my friend and I was his. During my privileged service with "Fats" in the House of Representatives, he was ever giving of his sound, practical advice and his warm, sincere strong hand was ever present and available.

His contributions to the House of Representatives will remain forever engraved on the honor roll of the great men of this Nation. Among his many talents, his storytelling, his ability to bring joy and laughter is legendary. Surely, there will be many times when we think we hear thunder from above—but instead, the noise will be a roar of laughter brought about by the presence of "Fats" as he continues to tell his humorous stories to his colleagues in heaven.

Mr. BURKE of Massachusetts. Mr. Speaker, it is with the deepest regret that I note the passing of my friend and colleague the Honorable Robert Everett of Tennessee. It is a terrible loss to his district, the State of Tennessee, this Congress, and the Nation, as well as to myself personally.

Bob Everett was one of the first Members I met upon my entrance as a freshman Representative to the 86th Congress. It was a strong and enduring relationship which grew firmer over the years.

He was a great American, serving his country in the military during World War II, and as an active member of both the Committee on Public Works and the Committee on Veterans' Affairs during his term here. He devoted his entire life to public service, from his initial position as an elected member and clerk of his native Obion County Court, until his untimely death while representing the people of the Eighth District of Tennessee in their National Legislature.

His accomplishments were numerous and significant and he will be sadly missed. In the forthcoming months his dynamic personality and valuable insight will be notably absent from these Halls.

To his family I extend my deepest sympathy. It was a great privilege and honor to have known him. May God rest his soul.

Mr. AYRES. Mr. Speaker, all of us are grieved at the passing of our distinguished colleague, Robert A. Everett.

The Nation has lost a most dedicated servant. He served his country and his State in many important capacities and in each post officiated with distinction.

Robert Everett was a most able legislator. Measures that he sponsored will benefit all of the people of our Nation.

This great public servant was a great humanitarian. His consideration was always for the greatest good for the greatest number.

We who served with him enjoyed the friendship that he extended to us. We often turned to him for legislative guidance and he was most helpful.

For quite a period, we had adjoining offices and he indeed made a wonderful neighbor. In our almost daily conversations, I found that Robert Everett was a great patriot—one who could well rank with the founding patriots of old.

I shall long mourn his passing.

Mr. HOWARD. Mr. Speaker, I am grateful today for the opportunity to join the distinguished gentleman from Tennessee in paying honor to our late friend and colleague, Robert A. "Fats" Everett. His sudden and untimely death has left a deep void in the House of Representatives.

I had the privilege of working with "Fats" Everett on the House Committee on Public Works, and I knew him to be one of the most dedicated, hard-working members of that committee. His efforts in working to improve conditions were directed to the benefit of the entire country—not just his own district, although he cared for his people and their interests with untiring zeal.

A man of amazing stature, his heart would seem to be just as large as he was—large enough to care for the problems and welfare of everyone who knew him. Often, in speaking to the people of his district, he would remark, "I will always be as near to you as your telephone or mailbox." And he kept that promise, opening his heart to all who came to him, 24 hours a day.

As a member of the Committee on Veterans' Affairs, he took a personal interest in the facilities and opportunities available to our veterans. Frequently he made personal visits to VA hospitals, and fought to improve the care and conditions therein.

The loss of this great man is not only a personal loss to me—it is a tragedy that will affect the entire House of Representatives. We will all remember his tremendous energy, his constant good cheer, and his deep devotion to his people. These memories will keep him alive in the minds and hearts of his colleagues for a long time to come.

Mr. FRIEDEL. Mr. Speaker, with the untimely passing of one of our most beloved colleagues—the late Representative Robert A. Everett, of Tennessee, his native State and the Nation lost a great and good man.

Known as "the biggest man in the House" because of his large frame, cowboy hats and boots, he was affectionately called "Fats" by his countless friends. He was a jolly person who loved humor and people. He once said that one of his great pleasures of serving in Congress was that it put him in a position to do things for people.

To do things for others, to help his constituents was his constant aim ever since he filled the unexpired term of the late Representative Jere Cooper after a special election on February 1, 1958. "Fats" served with distinction and the people of the Eighth Congressional District of Tennessee turned to him for such services and help that a Congressman can render. Because of his membership on the House Public Works Committee, he was able to insure that his district would obtain its fair share of Federal projects. He was particularly interested in flood control and played a vital role in connection with the establishment of the Reelfoot-Indian Creek Watershed District.

Our late colleague was one of the leaders in the efforts to have a bridge constructed across the Mississippi River to serve west Tennessee and eastern Missouri. His efforts met with success only a short time prior to "Fats" Everett's passing when President Johnson signed the bill for its construction. I note with considerable satisfaction that a bill was introduced to name this bridge the "Robert A. Everett Memorial Bridge" in his honor.

A true American patriot in the best tradition of his "Volunteer State" of Tennessee, he enlisted in the Army after the bombing of Pearl Harbor and served several years in the Armed Forces of our country. His interest in our men in uniform led to his assignment to the House Veterans' Affairs Committee where he gave this committee the benefit of his experience and deep concern for his fellow serviceman.

The records of the Congress bear testimony to his accomplishments. To say we shall miss him is an understatement for few men have the warmth and humility coupled with ability that "Fats" had. To those he left behind and to his devoted followers and friends we express our deepest sympathy, for to have known him was to have loved him and I am proud to have served with him and enjoyed his friendship for 10 years.

Mr. FALLON. Mr. Speaker, it is with a heavy heart I rise today to pay tribute to a dear friend and colleague, the late Robert A. Everett, of Tennessee.

I knew Robert Everett from the day he first arrived in this body in February of 1958 until his untimely passing. I served with him not only as a Member of this body but as a fellow member of the Committee on Public Works. Bob Everett brought to his task as a Member of Congress and as a member of the Committee on Public Works a dedication and devotion to those principles of government he felt would be best for the welfare of this Nation he loved. He was a warm, lovable human being and he combined with this an ability to express clearly and succinctly his position on all those matters that were important to his district, his State, and his country. Throughout his service in the Congress of the United States and as a member of the Committee on Public Works he was one of those Members who quietly and effectively pushed forward legislation that would be helpful to all. He served with distinction as a member of the Subcommittees on Rivers and Harbors, Flood Control, Roads and the Federal-Aid Highway Subcommittee of the Committee on Public Works.

He devoted his entire career to the public service of his country, State, and Nation, moving from a member of the county court in his immediate area to a position as a Representative in the Congress for the Eighth District of Tennessee. Throughout this period he was always the same—easy-going and affable—a man who had thousands of friends and no enemies. He was known throughout the length and breadth of his State and the lower Mississippi area. At the time of his death he had just assumed the presidency of the Lower Mississippi Valley Association, an organization dedicated to the full-scale development of the entire region Bob Everett served.

I will miss him, and I know we all

will. As we move through life there are many, many people who cross our paths but few who leave that firm, indelible impression that goes with a real man and a real individual. Such a person was ROBERT A. EVERETT.

Mrs. Fallon and I extend our deepest sympathy to his beloved mother, Mrs. Lelia Ashton Everett, on this sad occasion.

Mr. HANLEY. Mr. Speaker, I want to take this opportunity to join with our colleagues this afternoon in paying heartfelt respect to the memory of a great gentleman, the late "FATS" EVERETT. It was my distinct pleasure to have served in the body with "FATS" for 4 years. He was a mountain of a man in more than physical stature, for he had a heart and a compassion to match his size.

I spent many enjoyable hours conferring with "FATS" on problems of mutual interest and I never knew him to be anything but understanding and warm. I shall miss his friendship, his counsel, his jovial wit. Tennessee has lost one of her ablest legislators, and the House one of its finest Members.

My deepest sympathies go out to "FATS'" family.

Mr. HALPERN. Mr. Speaker, I wish to join my colleagues in the House in paying tribute to the late Representative ROBERT EVERETT, whose tragic death on January 26 has so saddened us all. To thousands of his friends and constituents in Tennessee, Representative EVERETT was the best Congressman the Eighth District ever had, and maybe the best Congressman in the country. He loved people, and he spent his whole life serving others—as a teacher, a youth leader, a city and county official, and finally as a Member of Congress.

ROBERT EVERETT grew up amid the rich pioneer heritage of rural Tennessee. He had a farmer's respect for the worth and dignity of every individual, the zest for life spiced with sometimes irreverent but always irrepressible wit and humor, and also a farmer's intensely practical and realistic focus on the problems of life. All of these talents combined to make him a successful political leader.

At Murray State in Kentucky, where he graduated in 1936, he was already a popular student leader and an enthusiastic participant in local politics. Returning to his home in Obion County, he became a teacher and won his first election as a member of the Obion County Court. In 1938 he was elected circuit court clerk.

When the war came, Congressman EVERETT wanted desperately to serve in the Armed Forces. But the Army turned him down when he sought to enlist. Representative EVERETT was such an obviously sincere and dedicated patriot, however, that the Army was persuaded to take him and even had special uniforms made to fit his tremendous frame.

Congressman EVERETT acquired a wealth of invaluable political experience in the years following World War II. After his release from the Armed Forces he served as administrative assistant to Senator Tom Stewart. In 1950 he became administrative assistant to Gov. Gordon Browning. He also spent 4 years as executive secretary of the Tennessee County Services Association. In each of these posts he earned the respect and admiration of his friends and colleagues for his ability to "go to the head of the stream" to get things done, and for his willingness to tackle any problem, great or small, to help someone in need.

You did not have to be wealthy or important or to have "pull" to see Congressman EVERETT. His door was always open, and he always had a sympathetic ear for the problems of the little man, the ordinary man—his people. He got just as much pleasure out of the small favors he was able to do for thousands of individuals as for the very big achievements that benefited his whole district, and hence, the State of Tennessee.

The contribution that Congressman EVERETT made to the Eighth District through his membership on the House Committees on Public Works and Veterans' Affairs was very great. The roads, hospitals, schools, flood control, and water resource conservation projects which he initiated or rescued from governmental redtape will remain as an imperishable monument to his memory.

More than these accomplishments, however, the most enduring memorial to Congressman EVERETT will be the place he built in the hearts of thousands of constituents whose first names he always remembered, those who will never forget him as long as they live. He was a true and loyal friend to all who knew him. He will be remembered with respect and affection, and he will be missed terribly.

To the bereaved mother of Representative EVERETT I extend my deepest sorrow and sympathy.

Mr. JONES of Alabama. Mr. Speaker, it is difficult to speak of our colleague, ROBERT ASHTON EVERETT, as if he were gone.

He was so active and full of life. He was so considerate of others and always willing to shoulder more than his share of the load.

It was my great pleasure to know and work with ROBERT EVERETT during most of the last 22 years.

I met him when I first came to Congress and he was an aide to Senator Tom Stewart of Tennessee. He continued his public service as administrative assistant to the Governor of his State and then as executive secretary of the Tennessee County Services Association.

On his election to the Congress, more than 11 years ago, our association increased, and I became even more aware of his great unselfishness and untiring helpfulness to others whether colleagues or constituents.

As members of the Public Works Committee, we served together on several subcommittees.

He distinguished himself with his thoughtful and worthwhile contributions to the great work of improving this Nation. He displayed a particular interest in the development of water resources projects for the benefit of all the people of the United States.

He was a dedicated and conscientious member of the Flood Control Subcommittee who could be counted on for knowledgeable advocacy of work to properly manage our vital water resources.

ROBERT EVERETT's labors for his country were equaled by his strong sense of responsibility to his constituents. Although seriously ill in the last few months, he carried on his work in behalf of his constituents through correspondence and constant telephone calls.

The universal esteem and high regard of our colleague by the people he served was evidenced by the fact that he was reelected last year without opposition. It is my hope that his gracious and beloved mother can find some consolation in knowing that he lived a useful life, devoted to helping others. The world is certainly a better place for his having been among us.

He was such a wonderful and considerate friend that we shall all miss him very much.

Mr. NATCHER. Mr. Speaker, on January 26 we, in the House of Representatives, suffered the loss of one of our most beloved and respected colleagues in the untimely passing of the Honorable ROBERT A. EVERETT, of Tennessee.

"FATS" EVERETT, as he was known affectionately since boyhood, served his country and his constituents of the Eighth Congressional District of northwestern Tennessee with loyalty and dedication. By virtue of his membership on the Public Works Committee he played a major role in securing numerous flood control projects for his people. He served on the Committee on Veterans' Affairs throughout his entire House tenure, and our veterans had no better friend than this fine gentleman who worked unceasingly to bring about the enactment of legislation to benefit our older veterans as well as countless more to come in the years ahead.

"FATS" EVERETT was a good friend of mine and I shall always consider it a privilege and a pleasure to have served with him in the House. He loved people and, in turn, was loved by them. Indeed it can be said of him that it was not possible to meet "FATS" EVERETT and fail to like him immensely and I am confident that he had as many friends as any single Member in the House.

The problems of his constituents became his problems and his realistic and direct approach enabled him to accomplish much for the benefit of many during his relatively short span of life.

The influence of this servant of the people will be felt for many generations to come because the efforts and example of men of ROBERT EVERETT's caliber are not quickly forgotten.

My heartfelt sympathy is with Mrs. Lelia Ashton Everett in the loss of her beloved son and it is my prayer that she is comforted by an abundance of Divine assistance during these difficult days.

Mr. SMITH of California. Mr. Speaker, I wish on this day, to join my colleagues in tribute to a fine gentleman and Member of Congress, ROBERT A. EVERETT.

Mr. EVERETT on February 1 would have completed one full decade of dedicated service to the Nation and the people of the Eighth District of Tennessee. The confidence shown him by the voters of his district is ample recognition of his fine work in Congress.

We who worked with him knew very well the thoughtful, hardworking approach he took to the problems confronting the Nation.

Mr. Speaker, his absence here will be significant.

Mr. KLUCZYNSKI. Mr. Speaker, it is always difficult to put into words what we feel when we lose an old and valued friend, and "Fats" Everett was a valued friend as well as a respected colleague. It was a real pleasure to work with him, both here in the House and on the Public Works Committee. He was a good companion, and an honest man, intensely loyal to his country and his constituents and his beliefs. He served all three well, with ability and without pretense. If that can be fairly said of those of us he leaves behind when our service is ended, we will be fortunate men.

Mr. GRIFFIN. Mr. Speaker, it is appropriate that we turn from our legislative duties and pay tribute to the life and character of our departed colleague, Robert A. Everett.

"Fats" was one of the most likable individuals I have ever met. There was nothing artificial about him as he always exhibited warmth and good humor.

In many fine ways, "Fats" personified our representative form of government. He knew his district and its people and competently translated their views and opinions into legislative action.

Tennessee and the Nation have lost a valuable public servant. The Members of this body have each lost a friend.

Mr. DULSKI. Mr. Speaker, I join with my colleagues today in expressing grief at the passing of a good friend and colleague, the Honorable Robert A. Everett, of Tennessee.

I came to know "Fats" Everett, as he was affectionately known, when I came to Congress 10 years ago and we were both assigned to the House Committee on Veterans' Affairs.

He was an active and conscientious member of our committee, and I shall miss his comradeship and his good humor in our future sessions of the committee. He was a veteran of World War II and was sympathetic, in a realistic manner, to the needs of our Nation's veterans.

The Nation, and in particular the Eighth Congressional District in Tennessee, has lost a dedicated public servant, and each of us has lost a true friend and colleague.

Mr. ADAIR. Mr. Speaker, all of us who knew and served with him entertained a great affection for the Honorable Robert A. Everett, of Tennessee. Above all, he was an intelligent, warm, understanding human being. To him there was no such thing as a stranger because all with whom he came in contact were speedily engaged in friendly, informal conversation.

He was diligent in representing his constituents and always had their views and well-being in mind. Having served with him on the Committee on Veterans' Affairs, I am particularly aware of the responsibility that he assumed in the day by day work of the Congress. He was conscientious and effective. When "Fats" Everett told you that he was for or against a proposal, you knew that was exactly the way it was and did not worry about a constant change of position.

He was a fine citizen, a great American, and a dedicated legislator. We shall all miss him.

Mr. GRAY. Mr. Speaker, I first want to compliment my dear friend and colleague Congressman Joe Evins of Tennessee for taking this time to pay tribute to the memory and work of one of the greatest Americans that it has ever been my privilege to know. Robert "Fats" Everett was a real gentleman, outstanding Congressman for his district, and a great national legislator.

I well recall many important meetings of the House Committee on Public Works on which we both served, that he was a great force for compromise and his beaming personality was a great contributing factor in helping solve seemingly insurmountable legislative obstacles.

"Fats" Everett had a great common bond with his people. They loved him as we did. He had the true Tennessee heritage of faith and courage and a will steeled for accomplishment. His vitality caught the imagination of many people. In good times and bad, "Fats" walked among the citizens with great concern for their welfare, but everlasting hope for the future.

Those of us who mourn "Fats'" passing must raise our eyes beyond the boundaries of his congressional service and realize that his district in Tennessee and, yes, the Nation will be better because he came our way.

I want to offer my sincere condolences to his loving mother and I know she will take comfort in the fact that her illustrious son was well loved by all.

Mr. DORN. Mr. Speaker, our beloved and much lamented colleague, Robert A. "Fats" Everett, was one of the truly great Congressmen it has been my privilege to know. I knew him well. For many years we served on the Veterans' Affairs Committee and on the Public Works Committee. During his service on the Veterans' Affairs Committee, more legislation was passed benefiting the veterans, their widows and orphans, than any other period in the history of our country. "Fats" Everett's service on the Veterans' Affairs Committee was truly the "era of the veteran."

On the Public Works Committee, Congressman Everett was one of the leaders in promoting some of the most beneficial legislation to the people of our country in modern times. The Appalachia program, economic development, and improvement of our rivers and harbors were constantly on his mind. Our superb Interstate Highway System and pure water received his constant attention.

"Fats" Everett was a national Congressman. Yes, he represented his district ably and well, but he was devoted and dedicated to the welfare of our entire Nation. This Nation is a better place, and the cause of freedom more secure throughout the world due to the service of this great American. Congressman Everett came here as secretary to Senator Tom Stewart and was well-known and beloved on both sides of the Capitol and both sides of the aisle. He loved the people whom he represented and maintained a constant contact with them. He had an attentive ear for their grievances. He maintained communication with his people—all of them. He once told me that he checked every piece of mail personally that came into his office and that he signed the replies personally. He was an ideal Representative. He was likable, jovial, and colorful; and the committees will not be the same without him. He was my warm personal friend. He was devoted to his mother. She is a great lady in the traditions of courtesy, good manners, and womanhood, as exemplified by the women of the Southland.

Mrs. Dorn and my family join me in extending to this noble lady, and to Congressman Everett's people whom he so ably represented, our deepest and most heartfelt sympathy always.

Mr. BROWN of California. Mr. Speaker, I consider it a great honor to have this opportunity to say a few words in tribute for a friend and colleague whose recent death is a tragedy not only for his family and friends, but for his State and the Nation.

Robert A. Everett served in Congress and on the Veterans' Affairs Committtee for 11 years. For the past 6 years I have had the honor and good fortune to serve on that committee with him. I always found him to be a good and genial friend. His work in Congress and on the Veterans' Affairs Committee stands as a memorial to his life as no eulogy ever could.

His diligent work on behalf of the welfare of our Nation's veterans has had many a salutary effect. His particular area of interest was always medical care for veterans and it is in that area especially that the Nation benefited from his dedication. His influence has been felt on more legislation than it is possible to mention. Today there are literally thousands of veterans who, perhaps unknowingly, reap the benefits of his good work. Robert A. Everett could have no more fitting memorial.

We who know him and worked with him will miss his good counsel and tireless efforts.

Mr. MILLER of Ohio. Mr. Speaker, I wish to join my colleagues in paying tribute to our good friend, Robert A. Everett, of Tennessee. He was a statesman as well as an eminent, faithful, and able servant of his district and of his State. Without a doubt, he was one of the most respected Members on either side of the aisle. Having had the pleasure of serving with Mr. Everett on the Public Works Committee. I can especially note the dedication and zeal that marked his work. On the committee, he and I were the junior members of our respective parties, and because of our seating arrangement, I had the opportunity to enjoy "Fats'" keen sense of humor as we conducted the business of the committee.

The shock of his death fills me with a deep sense of loss of a fine friend. Mrs. Miller joins me in extending our deepest sympathy to the family of Mr. Everett.

Mr. PRICE of Illinois. Mr. Speaker, to eulogize our beloved colleague from Tennessee, the Honorable Robert A. Everett, is to pay respect to a man of more than imposing physical dimensions. "Fats" Everett, as he was affectionately known, had other attributes for which he will always be remembered. His legislative ability, his love of life, his dedicated service to the public interest were qualities of his that were as equally as imposing as his large physical stature.

Bob Everett, it can be said, grew up on Capitol Hill. Working as a congressional staff member before his election to the House, "Fats" Everett learned his lesson well because he became one of the House's most effective Members, assuring his constituents of the Eighth Congressional District of Tennessee of able and skilled representation. There was a period in his life when he was a frequent visitor to the National Stock Yards at East St. Louis. He had many close friends there. They are among the many who mourn his loss.

It is not an easy task to talk of the beloved "Fats" Everett in the past tense because he was a man of such vitality and energy. But our fond memories of his daily presence among us for so many years will ease the pain we feel with his loss.

As we pay tribute to this fine man, I want to convey my sincere sympathies to his mother to whom he was so deeply devoted.

Mr. FISHER. Mr. Speaker, the late and lamented Robert Everett was one of the most affable and congenial Members who has served here. At the same time, he was deeply devoted to the well-being of the country and its institutions. He was a patriot who always put the country ahead of partisanship. In all his service he displayed commendable courage and understanding.

Bob Everett will be missed. He served his country well. He commanded respect and he was favored with many friendships. To the surviving members of his family I extend my deepest sympathy in their bereavement.

Mr. CRAMER. Mr. Speaker, I wish to join the House Members in paying our respects today to our late colleague, the Honorable Robert A. Everett, of Tennessee. "Fats," as he was affectionately called, was known and loved by us all. His passing was a great sorrow and those of us who witnessed his daily battle with ill health knew of his courageous struggle against its ravages. Yet, he valiantly joined his colleagues in Washington to be sworn in as a Member of this 91st Congress before making his final journey home. He would not have wanted it any other way, though the pain of that last trip was evident. "Fats" Everett was a man of towering size and character. He took immeasurable pride in his representation of the Eighth District of Tennessee, and he unfailingly served his constituency well. I was privileged to serve with "Fats" on the House Public Works Committee in the 89th and 90th Congresses. As the ranking minority member of this committee, I am pressing for early approval of the resolution to name a bridge now under construction near Dyersburg, Tenn., the "Robert A. Everett Memorial Bridge." This act on our part will in a small way be our tribute to a man who was large among us. "Fats" and I occupied neighboring offices when we first moved into the Rayburn Building. His booming hello and his hearty grin brought a most welcome lightheartedness into the ofttimes heavy legislative days. His outgoing cheer and good will were his distinctive personality traits, and he always seemed to have them with him, fair weather or foul. His joy of living brightened the lives of all of us who were privileged to know "Fats" Everett. The sorrow of his passing is felt by us all.

Mr. CLEVELAND. Mr. Speaker, this is an occasion of real sorrow. The death of Robert A. "Fats" Everett took away a valued friend. This tragedy struck just as he was heading into what should have been the most valuable and productive years of his life. Enriched by experience and rising in rank he was a steadily growing force in the House and in the country. He served on the Veterans' Affairs Committee and was a colleague of mine on the Public Works Committee, and on the Special Subcommittee on the Federal-Aid Highway Program. "Fats" Everett watched and participated in the growth of our great Interstate Highway System. I welcomed his counsel and his friendship in this work and the other work of our committee. His death is a personal loss to me and a great loss to his constituents and to the country. He will be sorely missed in these Halls.

I extend my deepest sympathies to his family.

Mr. MATSUNAGA. Mr. Speaker, I sadly add my voice to those of my colleagues in paying tribute to the late Robert A. Everett, of Tennessee, whose passing is mourned by all who were privileged to serve with him in these Chambers. All who knew him will miss "Fats," as he was affectionately known, for despite his illness he always had a world of cheer for others. I recall how he moved all who were present to laughter, when at one of the subcommittee meetings over which he presided he just could not pronounce my last name right, although I repeated it three times for him. He finally gave up and said, "Dammit, Sparky, I can never pronounce your name right." So I responded by saying, "I'll admit that 'Matsunaga' is a little more difficult than 'Fats.'" His booming laughter lifted the rafters of the hearing room.

A truly great American, "Fats" Everett fought hard for the principles in which he believed since February 1, 1958, when he was elected to fill the unexpired term of his predecessor in the 85th Congress.

His family and host of friends can find a measure of comfort in his notable accomplishments as a Congressman. He was indeed a man who, while living, had earned the respect and affection of his colleagues.

In the death of "Fats" Everett the Nation has suffered a great loss, but it would have been an even greater loss had not this Congress known and felt the presence of this man. Today, our Nation is a better place because of his contributions.

Together with the members of this House, I mourn "Fats" Everett's passing, and I would like to take this opportunity to express my deepest sympathy to the members of his family who survive him.

Mr. MORTON. Mr. Speaker, over the years I have known Robert Everett, I have known also the people of his district. For several years we were neighbors in the Congressional Hotel.

It is hard to believe that any Member of Congress could be more beloved by his constituents than was "Fats," as we affectionately called him. His service to the Congress was classic. He truly understood the meaning of the word "representation." No congressional district has had better representation in Washington than the Eighth District of Tennessee. His willingness to help his colleagues with their problems, his energetic efforts to assist the service veterans of our country were indeed characteristic of the man.

I wish to share with my colleagues the sympathy and respect which we all extend to his family, his friends, and his constituents. We have indeed lost more than a colleague, we have lost a great personal friend.

Mr. PASSMAN. Mr. Speaker, I am greatly saddened at the untimely passing of my friend and collegue, the late Robert A. "Fats" Everett. The State of Tennessee and the whole Nation have lost a devoted and effective public servant in the death of this great man.

Known to his numerous friends as "Fats," Bob Everett was indeed a dedicated, hard-working Congressman. His many accomplishments as a Member of this body will benefit Americans for many years to come. The void left in this House by his passing will not be filled easily.

It was my great privilege to enjoy a warm friendship with Bob Everett. He was always willing to assist and counsel with his many personal friends about any matter, and cheer them with his humorous stories. I shall certainly miss and mourn him, and I would like to extend my heartfelt sympathy to his revered mother, Mrs. Lelia Ashton Everett, in her great loss.

Mr. de la GARZA. Mr. Speaker, I join with my colleagues today to pay tribute to "Fats" Everett. I do so with mixed emotions, Mr. Speaker. I am sad because he is no longer with us and we mourn his loss as we humans will, but then how can anyone who knew "Fats" ever be sad when remembering him, for it was not his nature to be sad, and it rubbed off; it was catching; I would say it was highly contagious. You just felt good and happy all over when he would walk up to you with his hand outstretched and say, "Lord o' mercy, how in the world are you?"

He was a great Member of Congress, Mr. Speaker. He represented his district ably and with distinction.

If there was ever a man who never met a stranger, "Fats" was he. You could see, hear, and feel him down that main street; he knew everyone and he loved everyone he knew.

Yes, Mr. Speaker, we all lost a great deal, for his passing was a loss to his family, his district, his State, his country, and indeed, the human race, for we do not have too many like him. My sincere and heartfelt sympathy is extended to his family and the people of his district and my life will be richer and I will appreciate forever the great privilege of having been numbered among his friends.

Mr. McCLORY. Mr. Speaker, it is with deep sadness that I have learned of the passing of Congressman ROBERT A. EVERETT, of the Eighth Congressional District of Tennessee. BOB EVERETT was one of the most likable and personable individuals which I have had the privilege of meeting since coming to the Congress in 1962.

Congressman EVERETT was never reluctant to involve himself in the controversial issues coming before the Congress and his participation in floor debates was always constructive and effective.

As a fellow Member who was privileged to serve with Congressman BOB EVERETT for the past 6 years, I am proud to pay this final tribute to his memory and to extend to his mother and other members of his family my heartfelt sympathy.

Mr. FOUNTAIN. Mr. Speaker, I want to join the others of this House in a final farewell and tribute to our beloved and now departed colleague, the Honorable ROBERT A. EVERETT.

ROBERT EVERETT was known far and wide, to his constituents at home and his colleagues here, as "FATS" EVERETT. In fact, he insisted on being addressed by that nickname, which, in many ways was appropriate.

He was a huge man, to be sure. And when he entered an elevator, especially one of the more ancient ones still in use in these halls, you knew he was aboard.

But I have strong feelings, based on my service here with "FATS" EVERETT, that his nickname conveyed a meaning of much more than just his physical size.

One of the meanings of "fat" which can be found in a dictionary is "containing something valuable in great quantity."

This, I think, is the other side of "FATS" EVERETT and his nickname.

"In great quantity" certainly was the measure of his friendship, love, and understanding for his fellow man and his dedication to the service of his people.

His reservoir of good will and good humor was equally measurable in "great quantity." So was his devotion to his family, his district, his State, and his country.

We will miss "FATS" EVERETT in this House. We already have. I extend my deepest sympathy to his mother during her hours of sorrow on his untimely passing. We are all the better for having known him.

Mr. HENDERSON. Mr. Speaker, it is a privilege to have the opportunity to join my colleagues and attempt to express what is on our hearts as we honor the memory of our departed colleague, ROBERT A. "FATS" EVERETT.

I am sure that all of us on both sides of the aisle would agree that there was not a more popular or better liked Member of this body than "FATS" EVERETT. He possessed a keen wit, a wonderful sense of humor and a deep compassion for his fellow man.

His congressional district, the State of Tennessee, and the Nation will all keenly feel his loss.

I want to extend my personal condolences to the members of his family and our thanks to them for having permitted us the benefit of his presence in the House of Representatives for 12 years.

Mr. MURPHY of Illinois. Mr. Speaker, I join with my colleagues in paying tribute to my very close friend, the late ROBERT A. EVERETT, of Tennessee.

Mr. EVERETT, a Member of this body since 1958, represented the Eighth District of Tennessee and at the time of his death was a ranking member of the Veterans' Affairs Committee and the Public Works Committee.

For many years, ROBERT EVERETT and I stayed at the same hotel. It was during this period that I came to know him and develop a high personal regard for his integrity, intelligence, perseverance, and good fellowship. His passing is a great loss not only to Tennessee but to the United States.

I join in expressing my deepest sympathies to his mother and his many friends.

Mr. PASSMAN. Mr. Speaker, I am greatly saddened at the untimely passing of my friend and colleague, the late ROBERT A. "FATS" EVERETT. The State of Tennessee and the whole Nation have lost a devoted and effective public servant in the death of this great man.

Known to his numerous friends as "FATS," BOB EVERETT was indeed a dedicated, hard-working Congressman. His service as a Member of this body has benefited all Americans. The void left in this body by his passing will not be easily filled.

It was my privilege to enjoy a warm friendship with BOB EVERETT. He was always willing to assist and counsel with his many personal friends about many matters of which he had great knowledge. His personality was sufficient to cheer all of those with whom he came in contact. I shall miss "FATS," my personal friend, and I want to extend my heartfelt sympathy to his revered mother Mrs. Lelia Ashton Everett, in her hour of sorrow and great loss. My prayers are that our Heavenly Father will sustain her at this time of distress.

Mr. JOHNSON of California. Mr. Speaker, the House of Representatives, the State of Tennessee, and the Nation suffered a great loss when our colleague, Congressman ROBERT A. "FATS" EVERETT, passed away on January 26.

As a member of the Committees on Veterans' Affairs and Public Works, he contributed greatly to programs which vitally affected the welfare of our Nation. I was privileged to serve with him on the Committee on Public Works and I was very much impressed with his legislative ability and his concern for the welfare of our Nation and its people.

"FATS" was a warm, gracious, generous person who merited everyone's respect and admiration. His good humor and warm greetings brightened so many hours of our lives. But most of all it was his stature as a person that will be long remembered.

Mrs. Johnson joins me in extending deepest sympathy to his mother, to whom "FATS" was so devoted, and to his relatives in their bereavement.

Mr. ROONEY of New York. Mr. Speaker, with a great deal of sadness I join my colleagues today in paying tribute to the late Honorable ROBERT A. EVERETT, who, for a little more than 10 years, ably represented the people of Tennessee's Eighth Congressional District. BOB EVERETT, or "FATS" as his friends here affectionately called him, will be sorely missed by all of us for he was a warm, simple, and gifted man proud of a country heritage who was above all a dedicated and sincere servant of the people of his State and district. We shall all miss his humor, booming voice and so human mannerisms. To his mother I extend my deepest sympathy.

GENERAL LEAVE TO EXTEND

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in eulogy of "FATS" EVERETT, of Tennessee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

LITHUANIAN INDEPENDENCE DAY—51 YEARS OF RESISTANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, today we observe the 51st anniversary of the declaration of independence of the Lithuanian people. On November 15, 1917, the Soviet Government under Lenin declared that all the nations of Russia had the right of self-determination, including independence and the formation of sovereign governments. On February 16, 1918, the Lithuanian Council, speaking for all of the people of Lithuania, declared the nation an independent, democratically ordered state. But Lithuania is still not free.

The roots of the Lithuanian independent spirit reach deep into the history of this Baltic nation. During the second half of the 14th century, vast empires were being built by powerful lords who conquered great expanses of land and established dynasties. By the mid-15th century, the Lithuanian empire extended over 300,000 square miles, stretching south from the Baltic Sea to the Black Sea and east almost to Moscow, an area larger than any country in modern Europe. The ruling classes managed to control this vast territory because of their unquestionable political talent and their spirit of religious tolerance. Lithuania at that time was a proud and powerful multinational state and the Baltic peoples who inhabited the land were intensely nationalistic, proud of their religion, language, and customs.

The struggle of these proud peoples to maintain their freedom began in the 16th century when the Russian rulers in Moscow proclaimed themselves czars of all the Russians and began to sweep across the surrounding nations. Russian invasions of Lithuania began in the 17th century and continued for over 100 years, culminating finally in the fall of Vilnius, the capital, during the second invasion in 1721. Her gallant citizens had fought vehemently, but finally the Russian empire proved the stronger. Thus, the inherent right of mankind to liberty and with it man's sense of human dignity were shut in darkness. For the 120 years of the czarist occupation, endless attempts were made to break down the nationalistic spirit of the Lithuanian people in favor of a stronger feeling of oneness with the Russian empire. During these dark times, Lithuanian schools were closed; the land was seized and put in the hands of Russian landlords; Lithuanian language and literature were outlawed; the press became Russian dominated, its principal purpose to spread Russian nationalist propaganda throughout the land; the people's religion was persecuted, and even the name of this once proud state was abolished, the Russians referring to their newest colony as the "territory of the Northwest."

In 1917, Woodrow Wilson's words expressing the right of all peoples to self-determination gave voice to the hopes of the Lithuanians, and the demand for independence, for liberty, flared anew. Throughout the horrors of the German occupation and World War I, Lithuanian statesmen strove for independence, leading delegation after delegation first to Berlin, later to Moscow demanding the right of self-government. On February 16, 1918, at Vilnius, the people of Lithuania declared themselves free.

It was necessary at once for the fledgling government to prove its mettle, for Bolshevik and German eyes were upon Lithuanian soil as fat enrichment of their empires. However, the people had savored the sweet joy of liberty and intended to make it last. In 1921, the country took a proud place as member of the League of Nations in status equal to every other European country, and by 1922, she had been recognized as a sovereign State by all of the major powers of the world. Lithuania was to enjoy 22 years of growth, prosperity, and freedom.

During this consummate period in Lithuanian history, the citizens proved what an energetic and dedicated people they are, for they put themselves to work building the government structure and attacking the problems which must be surmounted to make a sovereign state a great nation. Much had to be done to erase the Russian foundations set up during the 120 years' colonization. Lithuanian spirit ardently burst forth across the land, patriotically, eager to rebuild the Lithuanian homeland. Various social reforms were initiated, new elementary and secondary schools were established as well as vocational schools and many fine colleges. Existing networks of transportation were improved and new ones constructed, and attempts were made to augment industry. As a major step toward a flourishing economy, the people made the most of their greatest asset, the fertile soil, by inaugurating land reforms, establishing new farms, and teaching improved farming techniques. Agricultural exports increased rapidly and the Lithuanian economy began to boom.

Suddenly across the landscape of this rapidly growing and thriving country fell the shadow of the terrifying specter of imperialism. In 1939 the European nations began to comprehend that a massive militant German state, ready to march on sovereign nations, was threatening their liberty. At this time, the Soviet Union began embroiling the Lithuanian Government in complicated diplomatic maneuvers and mutual assistance pacts with hidden strings attached. Soviet armed forces were sent to occupy the country for the purpose of thwarting the Nazi invaders and "protecting" the naive Lithuanian nation. Germany attacked the Soviet Union in 1941 and hapless Lithuania fell to the Nazi.

Then followed the bloodiest period in Lithuanian history. Free men will never fully understand the torments which the terrified people endured during the Nazi invasion and the ensuing Soviet occupation. Under the Soviets, hundreds of thousands of people were rounded up and deported to Soviet camps in Siberia, Thousands more were murdered as political enemies. Hitler's policy of conquering and colonizing resulted in more mass executions and inconceivable abuses to the Lithuanian people. As the Nazi onslaught subsided and the German armies fell back, the Soviet Army moved in to occupy Lithuanian territory again, this time under the noble pretense of freeing the worker and the peasant. Soviet subversion begun in 1939 now showed its strength. The Lithuanian people, who had been terrorized by Nazi power and confused by Soviet pressures for union in complex assistance treaties, had been the victims of skilled subversive tactics. Under the guise of protecting the country against the Nazi invaders, the Soviets had managed to implant Communist rule in every corner of Lithuania, and their lethal subterfuge had undermined the structure of the Lithuanian state. Expulsion of the Soviets after World War II was hopeless. Thus, the gallant citizens once more fell under the yoke of oppression.

The story does not end here; indeed, the courageous resistance of the Lithuanians to Sovietization goes on today in the same way it did during the first Russian occupation under the Czars. The people of Lithuania living today have known freedom; although they have suffered the bitterness of Russian tyranny, they have also tasted the sweet fruits of liberty. Remembrance of their great history and their once proud moment of independence has kept alive their hope of self-determination. Every effort is made to install in the youth this same feeling of pride in the past and determination to achieve liberty in the future. Freedom's spirit endures.

On this 51st anniversary of the declaration of Lithuanian independence, as we pause to honor the brave Lithuanians, let us consider the words of Nadas Rastenis, Lithuanian-born poet and now U.S. citizen:

> For brutal brawls and wicked wars,
> All men are blamable, of course,
> No King, no ruler, ever could
> Disrupt the tranquil brotherhood
> Of men and nations on this Sphere,
> If mortals, honest and sincere—
> The men who think, the men who slave,
> Would rise united, peaceful, brave . . .

Mr. Speaker, the people of Lithuania will again be free.

Mr. STANTON. Mr. Speaker, within the last few days, many of us have been reminded of the 51st anniversary of Lithuanian Independence Day, which we observed on February 16. As we pause each year in solemn tribute to the silent and subjugated status of 3 million of our fellow human beings, we offer hope, not despair, and faith, not resignation. Each of us knows that words are only symbols with which we can communicate our concern. Words, I regret to say, do not provide the Lithuanian people with the self-determination and dignity which all men deserve and seek.

For 20 years Lithuania knew peace and independence. During this period, there was a great renaissance of national literature and culture. No nation has ever demonstrated its capacity and ability for self-government more than Lithuania. Its civic leaders brought about long-needed land reformation, created and expanded industry, established an adequate transportation system, and enacted social legislation and an educational policy which could well be copied by other nations throughout the world.

Mr. Speaker, Lithuania is not merely a captive nation. It is a daily reminder of the fact that we are living in an epoch in which one evil leads inexorably to another. We cannot forget Lithuania, because to do so might allow us to fall victim to the other horrors which lie before us in this unhappy century.

Mr. PATTEN. Mr. Speaker, I am pleased to join my colleagues today in honoring the 51st anniversary of Lithuanian independence. The stoutheartedness of these people to maintain their individual freedom, despite their subjection to Soviet occupation for almost 30 years, is truly an inspiration to us all.

The events of last year in Czechoslovakia, however, point up that we cannot stop for even a moment in our fight to preserve the rights of all those who wish to be free. As a nation founded on the struggle for independence, we must serve as an inspiration and an example of what is right and good in this struggle. It is time to rededicate ourselves and double our efforts to work to free the Lithuanians so that the life they began 51 years ago in such hope may again be a reality for them.

Americans of Lithuanian extraction are among our most patriotic and industrious citizens. Let us join with them in the hope that they may again see their homeland enjoy its independence.

Mr. JOELSON. Mr. Speaker, this week marks the 51st anniversary of the independence of Lithuania. This Baltic nation has been known to history since 1009 A.D. Of its important role during the Middle Ages one scholar has written:

> The Lithuanians furnished a power and a government behind which the Eastern Slavs could live in peace and safety with a freedom that was unknown in Moscovite Russia.

In 1795, Lithuania was annexed by Russia with the tsarist government attempting to replace Lithuanian language and culture with Russian. The Lithuanians resisted, and remained faithful to their religion, language and traditions. Russian domination ended when Lithuania was overrun by German armies during World War I. The defeat of Germany coupled with the revolution in Russia rendered conditions favorable for Lithuanian independence. In 1917 a congress was gathered which proposed an independent Lithuania, based on ethnographical frontiers, and elected a 20-member council. On February 16, 1918, the council proclaimed an independent Lithuanian state based on democratic principles. Lithuania was accorded recognition and admitted to the League of Nations on September 22, 1921.

During the period of independence, great emphasis was placed on improving agriculture and a land reform program was instituted. Progress was made in social legislation, with a labor control law, introduction of the 8-hour day and various other social measures. Lithuanian literature flourished. Writers found inspiration in the national folklore of Lithuania, and achievements were made in opera and music.

With the outbreak of the Second World War, Lithuania was one of the first countries to experience the aggression of both Hitler and the Soviet Union. The Soviets occupied the nation both before and after the Germans had invaded it. Although Lithuania is considered by the Soviet Union today as a component republic of the U.S.S.R., the United States has never recognized its Soviet incorporation. America has not forgotten this nation, and Americans support the Lithuanian people's just aspirations for political, religious, and cultural freedom. We hope that the goal of Lithuanian national self-determination will ultimately be realized.

Mr. BYRNE of Pennsylvania. Mr. Speaker, on February 16, 1969, Lithuanians throughout the world observed the 51st anniversary of the Declaration of Independence of Lithuania. Unfortunately this was a comparatively short-lived independence as the Soviet troops occupied and overran that territory in 1940. Following the German attack on the Soviet Union 10 months later, Lithuania was in Nazi hands until reoccupied by the Soviet Army in 1944.

It is a fact that the people of Lithuania are not and would never become a part of the Soviet Union by choice. Since those days, Lithuanians have not known freedom and happiness. Many have been deprived of necessities and have been enslaved; they have also been deprived of free elections.

Lithuanians throughout the world have not given up hope that once again their nation will walk among the free countries of the world.

Mr. Speaker, let us not forget that the United States continues to recognize the sovereignty of Lithuania and her sister Baltic States, and that it has never recognized the alien subjugation of these nations.

I take this occasion to congratulate my fellow Americans of Lithuanian heritage who have contributed so greatly to the growth and progress of our country.

I sincerely hope we shall soon see the day when we can celebrate this Lithuanian Independence Day with the knowledge that freedom and self-determination have been returned to that valiant nation.

Mrs. REID of Illinois. Mr. Speaker, on this 51st anniversary of the establishment of Lithuania as a democratic and sovereign state, we pay honor and tribute to a gallant people who have won wide respect and admiration. It was 51 years ago, on February 16, 1918, when the people of Lithuania proclaimed the restoration of their independence after centuries of Russian rule.

For 22 years they enjoyed a happy, free and democratic way of life. Then, on June 15, 1940, Lithuania was again invaded by Russia—a ruthless, Communist Russia—which used strong arm methods to take over this and other small Eastern European nations and incorporate them as provinces. This conquest, was particularly brutal. Thousands died, thousands of others were deported, the economy was shattered.

But, despite efforts to suppress the national traditions of these proud people, their spirit and their devotion to the principles of freedom and democracy have endured. The passing years have not weakened their desire for liberty and self-determination.

I am confident that the people of Lithuania will one day regain their freedom, for they are a nation of Christian traditions with the faith to persevere. But we in the free world must give them the encouragement to continue the fight. We must let them know that America still stands devoted, as they do, to the principles of justice and the right of self-determination.

We must not, for a minute, forget the fate of this and other nations who have contributed so much to civilization and whose right to self-government has so brutally been taken from them. All who cherish freedom in the world have a common interest, and likewise we share a common threat. Lithuanian Independence Day, therefore, should be for Americans, a day of prayerful reflection and renewed dedication.

I know the people of my district join me in saluting the courageous people of Lithuania and also in expressing the hope that one day February 16 will again be truly a day of rejoicing for this valiant nation. As long as freedom exists anywhere in the world, and as long as we in the free world continue to give them encouragement, I know that the people of Lithuania will not abandon their dream of liberation.

Mr. McKNEALLY. Mr. Speaker, last Sunday, a brave people observed the 51st anniversary of their country's declaration of independence. There was one place, however, where there could be no such commemoration—in the country itself.

In July 1940, Soviet Russia invaded Lithuania, commencing the occupation which has oppressed that nation. For those of us whose memories might have been dimmed over the ensuing years, the invasion of Czechoslovakia last year should serve as a reminder.

There will be no self-immolations to dramatize the plight of Lithuania, Latvia, or Estonia. These people, and the other captive nations, have long since fallen to the depths of quiet despair.

It is for us here to demand that Soviet Russia grant the same right of self-determination to Lithuania that the Russians demand for the peoples of Asia and Africa.

As a nation which demands justice for all, we can do no less.

Mr. MONAGAN. Mr. Speaker, this month we celebrate the 51st anniversary of the Declaration of Independence of the Lithuanian Republic. Our observance of this anniversary is much more than the marking of an historic event in the history of nations, it is a recognition of the courageous resolve with which the people of that great Republic have steadfastly maintained their love of freedom in spite of circumstances which negate any possibility of individual freedom existing anywhere but as an ideal in the minds of its people.

Lithuania was declared an independent nation on February 16, 1918, and in the short 22 years that it enjoyed independence it made great progress in the areas of labor, education, and land reform. However, the enjoyment of true liberty was brutally cut off in 1940 when the Soviet Union forcefully annexed that Republic with its Union of Socialist Republics, an incorporation which has never been recognized by the United States. Since that date, Lithuania has remained a hapless victim of the oppressive methods and policies of the Soviet Union.

While we deeply sympathize with the people of Lithuania for being crudely enchained in the harsh yoke of communism, we rejoice that their physical bondage has failed to break their constant hope for sovereignty and with it, once again, individual freedom.

While we cannot physically interfere to restore full enjoyment of liberty to the people of Lithuania, we hope that our sincere concern for their plight may serve as a constant source of encouragement for them to maintain their resolve to throw off the chains of communism, and to give notice to the world that Lithuania, an unwilling captive of the Soviet Union, looks to the day when the Lithuanian Republic will once again be allowed to plot its own destiny.

Mr. KLUCZYNSKI. Mr. Speaker, on this occasion, the 51st anniversary of the independence of Lithuania, I wish to restate my feelings of sympathy not only for the courageous Lithuanians still under the thumb of Russian aggression, but for our own citizens of Lithuanian ancestry who feel so keenly the separation from their mother country because they can in no way communicate with their relatives and dear ones there.

Lithuanian Americans, as well as Lithuanians everywhere this side of the Iron Curtain, will observe the day with fitting ceremonies; meanwhile, Lithuanians in the homeland completely shut off by the Iron Curtain will silently and secretly join in observing an independence which has been temporarily put aside.

In the brief span between the two world wars, Lithuania established her right to take her place in the family of free nations. The cause of freedom was precious to her and her progress was remarkable. Today Lithuania as a nation is being exterminated.

Lithuania, together with other nations behind the Iron Curtain, is waging a great struggle against world Communist expansion. Their fight for freedom is not only for their own liberation; it is also a fight for freedom in the world.

Freedom-loving Americans everywhere admire the spirit through which this small country had attained its independence, and it is the hope and prayer of all of us that Lithuania may soon again take its place among the free nations of the world.

Mrs. GRIFFITHS. Mr. Speaker, February 16 marked the 51st anniversary of the Declaration of Independence of Lithuania. Today we in the Congress pause in our deliberations in recognition of this significant event in order to pay tribute to the peoples of Lithuania on their proud but sad anniversary. It is fitting that the Congress devote this time to commend the Lithuanian people and to remind the world that Lithuania and its people continue to fight for the reestablishment of complete independence and self-government. We send greetings from all the American people to the captive peoples of Lithuania along with words of assurance that they will never be forgotten.

On February 16, 1918, the Lithuania nation declared its independence. This was a goal for which the Lithuanian people had been striving throughout a long period of Russian domination—1795–1915—followed by German occupation during World War I. For two decades from that day in 1918, the Lithuanian people lived and thrived in that light of freedom which we Americans believe is the birthright of all men.

During the period of independence, great emphasis was placed on improving agriculture, the primary occupation of the Lithuanians. A land reform program was instituted with the result that Lithuania became a nation of small farmers. Industrialization progressed and employment expanded. Lithuania also made progress in social legislation, with a labor control law, the introduction of the 8-hour day, and various other social measures. In addition, Lithuanian literature flourished and achievements were made in opera and music. However, when the shadows of World War II fell over Europe, Lithuania, along with so many other small nations, was an early casualty. Lithuania fell under Russian domination and at the end of the war the Soviet armies remained and the country was incorporated into the Soviet Union. The United States has never recognized that incorporation and the American people have long exhibited their concern and sympathy for Lithuania—a country who knew freedom only to lose it to Communist enslavement.

Mr. Speaker, in response to the kind invitation of Mrs. Elizabeth V. Paurazas, president of the Detroit Lithuanian Organizations Center, I had the honor of addressing their Lithuanian Independence Day rally at Mercy College in Detroit last Sunday, February 16. The fact that Americans of all origins continue to hold and attend these celebrations proves that the plight of Lithuania and her people has not been forgotten. When Americans, or freedom-loving people anywhere, begin to forget these anniversaries or to simply ignore them that will be a sad day for millions of our fellow human beings who have had their liberty taken away from them. Let us continue to remember until freedom and independence become a reality to all.

Mr. BURKE of Massachusetts. Mr. Speaker, for seven centuries the people of the Baltic countries have had to maintain a constant struggle against the oppression of their larger eastern neighbor, Russia. Since their birth as free and independent nation-states in the 13th century, they have been the victims of the empirical Russian desire to obtain a "Window on the Baltic Sea."

In the end, even as civilization was awakening to the values and virtues of freedom, in the late 18th century, they were ensnared by the Russian Bear. From that day on, the people of Lithuania, Latvia, and Estonia have maintained unceasing efforts to secure their independence and retain the national identities.

Five times, in the century and a half that followed, they rose in revolt against their oppressors, each time to be savagely subdued. Finally, in 1917, they again secured their sovereignty, and became active members of the world community, until once more enslaved by the Soviets, a mere 20 years later.

The Communists have realized that national pride and the longing for liberty are too strong to beat down with a club, and so have undertaken a campaign to destroy the culture, language, and even the population of the Baltic states. They have outlawed their native dialect, attempting to replace it with Russian; they have outlawed all works of art and printing which refer in any way to the three states as distinct entities; and, most disgusting of all, they have even attempted to eliminate them as people altogether, by mass deportations and colonization of their lands.

But still the struggle for self-determination goes on. And so, on this, the 51st anniversary of Lithuanian independence, I pledge my support to the pursuit of freedom, and my hopes that some day soon, the liberty loving people of Lithuania, Latvia, and Estonia will once again be able to govern themselves in peace and freedom.

Mr. McCORMACK. Mr. Speaker, all wars cause desolation and destruction, untold misery and endless suffering to millions of peoples, and they have been the source of many complex international problems which plague us today. Certain wars, however destructive and deadly, do bring at least some good results in their train, by giving freedom to subdued and submerged nations that have long sought and hoped for their independence. The First World War did produce such a happy result. It differed from the last world war in that many nationality groups which had lost their national political liberties for centuries, freed themselves from their oppressors and proclaimed their independence. Lithuania, whose independence day is being celebrated now, was one of the countries that attained its independence in the First World War.

The Lithuanian people are justly proud of their long and glorious history. For centuries the Lithuanian kingdom was a powerful force in Eastern Europe. The Lithuanians not only succeeded in repelling at least some of the incursions of barbarian invaders coming from the East into northeastern Europe, but they also were the champions and the advance guard of Christianity in that part of Europe. Late in the 16th century the Lithuanians united with the Poles, and formed a dual monarchy. The union lasted for about 200 years. During that time the destiny of Lithuania was wedded to that of Poland, and in the late 18th century when Poland was partitioned, a large part of Poland, and with it all of Lithuania, was incorporated into the Russian Empire.

The loss of national independence by Lithuania did not mean the loss of the Lithuanian spirit of independence. Throughout their trying years under czarist domination the Lithuanians learned that individual or group wellbeing could not be fully achieved without national political independence. They learned that in order to enjoy the benefits of their labor, they should have complete freedom in their homeland. Consequently, for more than 100 years, until the day whose 51st anniversary we are now observing, they worked ceaselessly for the realization of their most cherished ideal, for the independence of Lithuania. None of the repressive measures of the Russian regime, none of its harshness, nor its proscription of the Lithuanian language and culture, none of these could dissuade the patriotic and freedom-loving Lithuanians from their firm conviction that no amount of material and even human sacrifice was too much for the realization of their national goal. They fought for it openly as well as secretly. They staged open rebellions against their oppressors more than once, but they had to wait until World War I for the actual achievement of their national independence.

When Lithuania proclaimed its independence, the war was still raging, and most of the country was still under enemy occupation. Soon, however, the war ended and all Lithuanians joined hands, not only in the fullness of joy to celebrate their victory, but also for the rebuilding of their now liberated country. In this difficult task they were remarkably successful. In a few years normalcy was restored, and Lithuania was blessed with prosperity and progress. For more than two decades the Lithuanians lived in the happiness of freedom. Then came the rude shock from the sudden unleashing of evil international forces. Hemmed in between the vast military machines of Nazi Germany and Communist Russia, little Lithuania could not hope to cope with either. In mid-1940 Lithuania was invaded and occupied by the Red army, and then the country was against the will of the people, forcibly incorporated into the Soviet Union.

Since then Lithuanians have not known freedom in their homeland, and today they still suffer under Communist totalitarian tyranny. Of course in Lithuania they are not free to observe their Independence Day, their national holiday. But we in the free world observe the anniversary of that memorable event and hope that these stouthearted people will again quickly regain their freedom and live in peace in their homeland.

Mr. HELSTOSKI. Mr. Speaker, on February 16, Lithuanians in the United States and throughout the world observed the 51st anniversary of the Declaration of Independence of Lithuania.

Ironically, the only country in which this occasion will not be commemorated is Lithuania, itself. Though Lithuanians did proclaim their independence after generations of struggle against foreign domination, though they did make unprecedented strides in securing liberty for all Lithuanian citizens, yet today these courageous people live under Communist tyranny.

This anniversary is a reminder to us all that only a minority of the world's population enjoys the basic freedoms which we often take for granted. Furthermore, it should remind us of the millions who long for independence, especially those who once had their dreams of freedom fulfilled, only to have them shattered again two decades later.

Man has a basic right to choose the type of government under which he wishes to live. Fifty-one years ago the proud and valiant people of Lithuania made that choice; they chose democracy. And today, though illegally dominated by Soviet rule, the Lithuanian people still choose democracy. Even though communism has overrun their country, it can never overrun their minds and hearts. We salute the courage of the Lithuanian people for their undaunting spirit and share with them the hope that their dream of liberty will again be realized for all time.

Mr. Speaker, at this point I would also like to include in the RECORD the following statement by the Lithuanian American Council, Inc.:

PRO MEMORIA: ON LITHUANIA'S INDEPENDENCE

Soviet Russia's invasion and occupation of Czechoslovakia in 1968 was a dramatic reminder to the free world of the identical Soviet invasion and occupation of Lithuania and the other two Baltic States in 1940. In both instances the Soviet aggression was unprovoked, in flagrant violation of existing treaties and international law, and against the free will of the people.

The United States Government sternly denounced this wanton Soviet aggression in July 1940 and has steadfastly refused to recognize the illegal annexation of Lithuania by the Soviet communists. This just and honorable position, a basic tenet of United States policy, has been maintained by all succeeding administrations.

Despite the condemnations of the occupation by the free world, the Soviet Union still forces Lithuania and its people to suffer oppression and exploitation under despotic communist rule. Lithuanian national culture is gradually being destroyed and russification of the country and its people is being brought about. Yet, even though their country has been converted into a colony of the Soviet empire, the people of Lithuania—and the patriotic Americans of Lithuanian descent—demand

FREEDOM AND INDEPENDENCE FOR LITHUANIA!

We are sincerely grateful to the United States Government for its continued firm refusal to recognize the consequence of Soviet aggression. However, this stand in itself is not sufficient to bring about the liberation of presently-subjugated nations.

It is our firm conviction that strong and steady pressure must be exerted upon the rulers of Soviet Union by the governments and people of the free world to effect the liberation of Soviet-captive nations. We demand, and ask the free world to join us in demanding, that the Soviets withdraw their army, police and ruling apparatus from Lithuania, so the people of Lithuania could freely elect a government of their own choosing, in accord with the Atlantic and United Nations Charters and the principle of self-determination which the Soviets demand for the peoples of Asia, Africa and Latin American countries.

As citizens of the United States, we Americans of Lithuanian descent appeal to you to urge the United States Government to take all possible peaceable means to restore the freedom and independence of Lithuania, Latvia, Estonia, and all other captive nations.

LITHUANIAN-AMERICAN COUNCIL, INC.

Mr. MINSHALL. Mr. Speaker, my many Lithuanian friends in the Greater Cleveland area, are well acquainted with the grave concern I feel for their homeland. Year after year, we in the House and Senate rise to pay tribute to the valiant spirit of those Lithuanians behind the Iron Curtain, and the undying desire which lives in all our hearts for a restoration of the independence they marked 51 years ago.

As always on these occasions, I point to positive, peaceful actions which we could take to help make liberty a reality to Lithuania and to all the captive nations under Communist domination. Once again I urge that action be taken on my bill to create a House Committee on the Captive Nations and on my resolution to insist that the Soviet Union be required to abide by its charter commitments regarding the sovereignty of nations and the return of political prisoners to their homelands. These measures are House Resolution 77 and House Concurrent Resolution 59.

I also wish to include with my remarks a memorandum sent to me by the Lithuanian Christian Democratic Union Central Committee of Cleveland, Ohio, and a pro memoria on Lithuania's independence, which I received from the Lithuanian American Council, Inc.

The material follows:

LITHUANIAN CHRISTIAN DEMOCRATIC
UNION CENTRAL COMMITTEE,
Cleveland, Ohio.

MEMORANDUM TO THE HONORABLE MEMBERS OF THE UNITED STATES SENATE AND THE HOUSE OF REPRESENTATIVES

Today marks the Fifty-First Anniversary of the restoration of the independence of Lithuania, once an ancient civilization, whose roots reach to the second century and its kingdom to the thirteenth; that of a nation whose political, economic and social record was as distinctive as it was progressive. It is tragic therefore, that this anniversary is overshadowed by the brutal fact that Lithuania today bears the heavy yoke of Soviet imperialism.

Acting in conspiracy with the Nazi regime (see "Nazi-Soviet Relations 1939–1941", excerpts attached) the Soviet Union broke four major bilateral treaties:

1. The Treaty of Brest-Litovsk of March 3, 1918 in which the Soviet Union forever renounced all claims to Lithuania.
2. The Peace Treaty of July 12, 1920, which defined the common boundaries.
3. The Non-Aggression Pact of September 28, 1926, which was later extended to 1945.
4. The Soviet imposed Mutual Assistance Pact of October 10, 1939.

On June 15, 1940, with the above treaties in full force and effect, the military forces of Soviet Union occupied the territory of Lithuania, and two days later repeated the same attack against the Republics of Latvia and Estonia. Occupation was followed by systematic terror and violence. Religious and political persecutions culminated in mass executions and deportations to the Siberian wastelands. Many sources place the number of such Baltic victims at the one million mark.

Several weeks later, the Soviets staged mock elections and as the result of these, forcibly incorporated Lithuania and the other Baltic Republics into their slave empire.

On July 23, 1940, the United States denounced this aggression, and all Administrations since then have affirmed this stand and have opposed this brutal invasion and forced annexation.

It is difficult to conceive that during the present rise of many former colonies to their rightly deserved national independences, a shroud of silence is maintained about Lithuania and the other Soviet occupied countries whose traditions of statehood reach back for many centuries.

It is even more difficult to conceive that all the international crimes committed by the Soviet Union are still not rectified, nor the criminal punished. It is indeed a crime in itself that Kremlin is still permitted to indulge in international rape, as in the case of Czechoslovakia just a few short months ago.

It is time to raise such questions before international forums and to seek condemnation of the Soviet Union for its genocidal actions. It is also time to investigate the illegal seizure of Lithuania and the other countries of Eastern Europe and to thoroughly study the prevailing conditions in these countries, the results of which should be made public.

At this time there is a plan submitted by the Honorable Frank Annunzio, U.S. Representative from Illinois, in a form of H. Con. Res. 81, which "Expresses the sense of Congress with respect to the incorporation of Latvia, Lithuania, and Estonia into the Union of Soviet Socialist Republics."

We ask all of you to support this Resolution. It is one definite way in which you can help us in our fight for liberty and justice.

Very respectfully submitted.

A. J. KASULAITIS,
President, Central Committee.
K. ALGIMANTAS PAUTIENIS,
Chairman, Commission on International Relations.

NAZI-SOVIET RELATIONS, 1939–41

(Documents from the Archives of the German Foreign Office, edited by Raymond James Sontag and James Stuart Beddie)

[Frames 182–183, serial F 19]

SECRET ADDITIONAL PROTOCOL

On the occasion of the signature of the Nonaggression Pact between the German Reich and the Union of Socialist Soviet Republics the undersigned plenipotentiaries of each of the two parties discussed in strictly confidential conversations the question of the boundary of their respective spheres of influence in Eastern Europe. These conversations led to the following conclusions:

1. In the event of a territorial and political rearrangement in the areas belonging to the Baltic States (Finland, Estonia, Latvia, Lithuania), the northern boundary of Lithuania shall represent the boundary of the spheres of influence of Germany and the U.S.S.R. In this connection the interest of Lithuania in the Vilna area is recognized by each party.

2. In the event of a territorial and political rearrangement of the areas belonging to the Polish state the spheres of influence of Germany and the U.S.S.R. shall be bounded approximately by the line of the rivers Narew, Vistula, and San.

The question of whether the interests of both parties make desirable the maintenance of an independent Polish state and how such a state should be bounded can only be definitely determined in the course of further political developments.

In any event both Governments will resolve this question by means of a friendly agreement.

3. With regard to Southeastern Europe attention is called by the Soviet side to its interest in Bessarabia. The German side declares its complete political disinterestedness in these areas.[34]

4. This protocol shall be treated by both parties as strictly secret.

Moscow, *August 23, 1939*.

For the Government of the German Reich:

V. RIBBENTROP.

Plenipotentiary of the Government of the U.S.S.R.:

V. MOLOTOV.

[Frames 0326–0325, serial F 2]

SECRET SUPPLEMENTARY PROTOCOL

The undersigned Plenipotentiaries declare the agreement of the Government of the German Reich and the Government of the U.S.S.R. upon the following:

The Secret Supplementary Protocol signed on August 23, 1939, shall be amended in item 1 to the effect that the territory of the Lithuanian state falls to the sphere of influence of the U.S.S.R., while, on the other hand, the province of Lublin and parts of the province of Warsaw fall to the sphere of influence of Germany (cf. the map attached to the Boundary and Friendship Treaty signed today). As soon as the Government of the U.S.S.R. shall take special measures on Lithuanian territory to protect its interests, the present German-Lithuanian border, for the purpose of a natural and simple boundary delineation, shall be rectified in such a way that the Lithuanian territory situated to the southwest of the line marked on the attached map should fall to Germany.

Further it is declared that the economic agreements now in force between Germany and Lithuania shall not be affected by the measures of the Soviet Union referred to above.

Moscow, *September 28, 1939*.

For the Government of the German Reich:

J. RIBBENTROP.

By authority of the Government of the U.S.S.R.:

W. MOLOTOW.

[Frame 0329, scrial F 2]

SECRET SUPPLEMENTARY PROTOCOL

The undersigned plenipotentiaries, on concluding the German-Russian Boundary and Friendship Treaty, have declared their agreement upon the following:

Both parties will tolerate in their territories no Polish agitation which affects the territories of the other party. They will suppress in their territories all beginnings of such agitation and inform each other concerning suitable measures for this purpose.

Moscow, *September 28, 1939*.

For the Government of the German Reich:

J. RIBBENTROP.

By authority of the Government of the U.S.S.R.:

W. MOLOTOW.

The Minister then stated that particularly in view of the known attitude of Germany he had omitted one point in the note, which the other Lithuanian Ministers would include in their notes to the governments to which they were accredited, namely, the request that the incorporation not be recognized. The Minister asked whether he could not at least orally present this request here. I rejected this, whereupon the Minister stated that the request was to be considered as not having been made. Finally, the Minister said that he intended to make known his action by an announcement from the Berlin office of the Elte Agency, since this appeared to him necessary for the assertion of his personal attitude toward events.

I requested the Minister to refrain from this, and he promised to comply.

Transmitted to the Reich Foreign Minister through the State Secretary with the request for instructions whether the note should be retained here. The Latvian and Estonian Ministers may be expected to present similar notes here. The Latvian Minister had already made an appointment with me for 5:30 p.m. today.

WOERMANN.

[Enclosure]

THE LITHUANIAN MINISTER IN GERMANY (SKIRPA) TO THE REICH FOREIGN MINISTER

3991 BERLIN, *July 21, 1940*.

HERR REICH MINISTER: I have the honor, Excellency, to bring the following to your attention:

As is already known, on June 14, 1940, the Union of Soviet Socialist Republics presented an ultimatum to Lithuania under flimsy and unjustified pretexts, in which it was demanded:

1. that the constitutional government of Lithuania be forced to resign immediately;
2. that the Minister of the Interior and the Chief of the State Security Police be tried without preferring charges based on law, and
3. that free and unlimited entry of Soviet military forces into Lithuania be granted.

On the following day the Russian Red Army, after having attacked the Lithuanian frontier guards, crossed the Lithuanian border and occupied all of Lithuania. Furthermore, a puppet government was forced upon us by a high Soviet official sent from Moscow for this purpose, and the entire administration was put under the control of the Government of the Soviet Socialist Republics.

In order to incorporate Lithuania fully into the Union of Soviet Socialist Republics, elections to the Seim (Parliament) were ordered on July 14, resulting in the greatest falsification of the will of the Lithuanian population.

In order to quell any expression of resistance, even before the elections all Lithuanian clubs and organizations were suppressed, the Lithuanian press was seized and its editors removed by force, and the more or less influential personalities in public life were arrested. People who previously were considered open enemies of the Lithuanian State were appointed to Government offices, particularly in the State Security Police.

The Communist Party was the only political organization which was allowed to function legally. And it then exerted the decisive influence on the scheduled elections. Only one list of candidates was permitted, namely, the one that was agreeable to the Communist Party.

In order to force the necessary participation in the elections anybody who did not wish to vote was threatened with being declared an enemy of the people, and personal attendance was strictly checked.

It was immediately obvious that the Seim, elected under such circumstances, was only a blind tool in the hands of the Communist Party and thereby of the Government of the Soviet Socialist Republics. Today, on July 21, 1940, the Seim adopted a resolution to establish the Soviet system within the country and to incorporate Lithuania into the Union of Soviet Socialist Republics of Russia.

All these measures of the Government of the U.S.S.R. amount to a flagrant violation of all treaties signed between the Republic of Lithuania and the U.S.S.R., in particular however:

1. of the Peace Treaty of July 12, 1920, by which the U.S.S.R. as successor of the former Russian Tsarist Empire recognized unconditionally the independence and autonomy of Lithuania, and by which she renounced forever all rights of sovereignty which Russia previously had over Lithuania (see article 1);
2. of the Nonaggression Pact of September 22, 1926, and of its renewals of May 6, 1931, and of April 4, 1934. In this Pact the U.S.S.R. obligates herself to respect the sovereignty of Lithuania as well as her territorial integrity and inviolability under all circumstances (see article 2) and to refrain from any use of force (article 3);
3. Of the Mutual Assistance Pact of October 10, 1939, in which the Government of the U.S.S.R. repeats a solemn assurance to Lithuania not to violate in any way the sovereignty of the Lithuanian State, as well as its internal order.

In view of all these circumstances I feel compelled as the Minister appointed by the constitutional agencies of the Republic of Lithuania and accredited to the German Reich to lodge the most solemn and determined protest against the oppression of my country and the deprivation of sovereignty and national independence of Lithuania by the Union of Soviet Socialist Republics, and to declare that because the above-mentioned resolution of the Seim was imposed by Russian occupation authorities it amounts to nothing but the most outrageous falsification of the expression of the will of the Lithuanian people and that it is in the sharpest conflict with the constitution and interests of the Lithuanian State, as well as the free right of self-determination of nations, and that, therefore, it cannot be recognized as valid in any way.

I avail myself of the opportunity to renew to Your Excellency the assurance of my highest consideration.

K. SKIRPA.

[Frames 214780-214781, serial 104]

FOREIGN OFFICE MEMORANDUM

BERLIN, *July 22, 1940*.

The Latvian Minister called on me today and gave me the enclosed letter to the Reich Foreign Minister, in which he as Minister of the "legitimate Government of Latvia" protests against the incorporation of Latvia into the Union of Soviet Socialist Republics. In this connection the Minister remarked that he would not think of creating any difficulties for Germany. None could, in his opinion, result from his entering this protest here.

I told Herr Kreewinsch that I would keep his letter personally for the time being. I would notify him later whether the letter could remain here or not.

In connection with the memorandum of the conversation with the Lithuanian Minister[82] there is transmitted herewith this report to the Reich Foreign Minister through the State Secretary, with the request for action.

WOERMANN.

[Frame 112966, serial 104]

THE REICH FOREIGN MINISTER TO THE GERMAN AMBASSADOR IN THE SOVIET UNION (SCHULENBURG)

Telegram

No. 57. Teletype from Fuschel No. 12 of January 10, 11:45 p.m.

Reference your telegram No. 50 of January 8.[9]

I request you not to broach the question of increased German troop shipments to Rumania with the Soviet Government.

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[34] The German text of this article of the Protocol is as follows: "Hinsichtlich des Südostens Europas wird von sowjetischer Scite das Interesse an Bessarabien betont. Von deutscher Seite wird das völlige politische Desiutercssement an dieseu Gebieten erklärt."

For a statement by the Reich Foreign Minister concerning the discussion of these subjects at the time of the conclusion of the Nonaggression Pact, see Ribbentrop's memorandum for Hitler of June 24, 1940, *post*, p. 157.

[82] *Ante*, p. 168.

[9] Not printed.

Should you be approached regarding the matter by Herr Molotov or some other influential person in the Soviet Government, please say that according to your information the sending of German troops was exclusively a matter of precautionary military measures against England. The English already had military contingents on Greek soil and it was to be expected that they would further increase those contingents in the immediate future. Germany would not under any circumstances tolerate England's gaining a foothold on Greek soil. Please do not go into greater detail until further notice.

RIBBENTROP

[Frames 833–834, serial F 15]

SECRET PROTOCOL

The German Ambassador, Count von der Schulenburg, Plenipotentiary of the Government of the German Reich, on the one hand, and the Chairman of the Council of People's Commissars of the U.S.S.R., V. M. Molotov, Plenipotentiary of the Government of the U.S.S.R., on the other hand, have agreed upon the following:

1. The Government of the German Reich renounces its claim to the strip of Lithuanian territory which is mentioned in the Secret Supplementary Protocol of September 28, 1939[10] and which has been marked on the map attached to this Protocol;

2. The Government of the Union of Soviet Socialist Republics is prepared to compensate the Government of the German Reich for the territory mentioned in Point 1 of this Protocol by paying 7,500,000 gold dollars or 31,500,000 Reichsmarks to Germany.

The amount of 31.5 million Reichsmarks will be paid by the Government of the U.S.S.R. in the following manner: one-eighth, that is, 3,937,500 Reichsmarks, in non-ferrous metal deliveries within three months after the signing of this Protocol, the remaining seven-eighths, or 27,562,500 Reischsmarks, in gold by deduction from the German gold payments which Germany is to make by February 11, 1941 in accordance with the correspondence exchanged between the Chairman of the German Economic Delegation, Dr. Schnurre, and the People's Commissar for Foreign Trade of the U.S.S.R., Herr A. I. Mikoyan, in connection with the "Agreement of January 10, 1941 concerning reciprocal deliveries in the second treaty period on the basis of the Economic Agreement between the German Reich and the Union of Soviet Socialist Republics of February 11, 1940."

3. This Protocol has been executed in two originals in the German language and two originals in the Russian language and shall become effective immediately upon signature.

Moscow, *January 10, 1941*.

For the Government of the German Reich:

SCHULENBURG.

By authority of the Government of the U.S.S.R.:

V. MOLOTOV.

[Frames 112984–112986, serial 104]

THE STATE SECRETARY IN THE GERMAN FOREIGN OFFICE (WEIZSÄCKER) TO THE REICH FOREIGN MINISTER

BERLIN, *January 17, 1941*.

Secret.
St. S. Nr. 52.

By wire by fastest means to the Reich Foreign Minister (teletype or telephone).

The Russian Ambassador called on me this afternoon. On the basis of a memorandum which he handed me later on, he stated the following:

"According to all reports, German troops in great numbers are in Rumania and are now prepared to march into Bulgaria, having as their goal the occupation of Bulgaria, Greece, and the Straits. There can be no doubt that England will try to forestall the operations of German troops, to occupy the Straits, to start military operations against Bulgaria in alliance with Turkey, and turn Bulgaria into a theater of operations. The Soviet Government has stated repeatedly to the German Government that it considers the territory of Bulgaria and of the Straits as the security zone of the U.S.S.R. and that it cannot be indifferent to events which threaten the security interests of the U.S.S.R. In view of all this the Soviet Government regards * * *.

PRO MEMORIA ON LITHUANIA'S INDEPENDENCE

Soviet Russia's invasion and occupation of Czechoslovakia in 1968 was a dramatic reminder to the free world of the identical Soviet invasion and occupation of Lithuania and the other two Baltic States in 1940. In both instances the Soviet aggression was unprovoked, in flagrant violation of existing treaties and international law, and against the free will of the people.

The United States Government sternly denounced this wanton Soviet aggression in 1940 and has steadfastly refused to recognize the illegal annexation of Lithuania by the Soviet communists. This just and honorable position, a basic tenet of United States policy, has been maintained by all succeeding administrations.

Despite the condemnation of the occupation by the free world, the Soviet Union still forces Lithuania and its people to suffer oppression and exploitation under despotic communist rule. Lithuanian national culture is gradually being destroyed and russification of the country and its people is being brought about. Yet, even though their country has been converted into a colony of the Soviet empire, the people of Lithuania—and the patriotic Americans of Lithuanian descent—demand freedom and independence for Lithuania!

We are sincerely grateful to the United States Government for its continued firm refusal to recognize the consequence of Soviet aggression. However, this stand in itself is not sufficient to bring about the liberation of presently-subjugated nations.

It is our firm conviction that strong and steady pressure must be exerted upon the rulers of Soviet Union by the governments and peoples of the free world to effect the liberation of Soviet-captive nations. We demand, and ask the free world to join us in demanding, that the Soviets withdraw their army, police and ruling apparatus from Lithuania, so the people of Lithuania could freely elect a government of their own choosing, in accord with the Atlantic and United Nations Charters and the principle of self-determination which the Soviets demand for the peoples of Asia, Africa and Latin American countries.

As citizens of the United States, we Americans of Lithuanian descent appeal to you to urge the United States Government to take all possible peaceable means to restore the freedom and independence of Lithuania, Latvia, Estonia, and all other captive nations.

LITHUANIAN AMERICAN COUNCIL, INC.

Mr. ZABLOCKI. Mr. Speaker, it is indeed an honor and a privilege to join with my esteemed colleague from Pennsylvania, the Honorable DAN FLOOD, in commemorating the 51st anniversary of the declaration of Lithuanian independence.

The example of the Lithuanian exiles here in this country is a constant demonstration that their memory of the freedom the land of their forefathers once enjoyed has not grown dim. In turn, all Americans must not let the years have a dimming effect on our own memory of Lithuania's independence.

Our commemoration of this people's history of independence is meant not only to stir the fires of freedom in the hearts of Lithuanians, but also to fuel the fires of patriotism in our own hearts.

The Lithuanian American Council, and its counterparts throughout the free world, are to be commended for their determined efforts to restore the freedom which Lithuania knew until 1940. As you know, Mr. Speaker, it was on June 15, 1940, that the armies of Soviet Russia invaded and subjugated the Lithuanian people. Since then one must marvel at the patience, courage, and dedication of the Lithuanian people.

History is actually a story of such human desires and values. Although inventions and material progress seemingly have the greatest impact upon mankind's institutions, it is ultimately the human spirit which marks the destiny of man.

Men, not the machines they create, will decide who shall triumph in the struggle between freedom and totalitarianism. Despite the harrowing power and explosiveness of modern weapons, the human spirit remains the ultimate weapon in any conflict.

This is why it is not only fitting, but indeed necessary, that we pause today in our legislative deliberations to praise the indomitable spirit of the people of Lithuania—a people whose history is filled with courageous deeds in defense of their liberty. These deeds give shining testimony to their devotion to freedom and independence.

For almost three decades now the people of Lithuania have steadfastly and bravely resisted every effort of the Soviet dictators to convert them to the Communist outlook and way of life.

The Lithuanian people continue to hope for, and patiently await the day when liberty and national independence will be restored to them. Their determination and dedication is of the same intensity which has often before changed the course of history.

Today, on this 51st anniversary of their declaration of independence, let us join our hopes and prayers with the Lithuanian people.

We, the people of America, share with them their love for freedom. We, with them, hope for a better, brighter tomorrow when Lithuania once again is free of the yoke of Communist tyranny and can take its rightful place in the world community of nations.

Mr. DONOHUE. Mr. Speaker, it is a particular pleasure and privilege to join with my colleagues here in commemorating the 51st anniversary of the independence of the gallant Lithuanian nation.

Fifty-one years ago, Lithuania stood forth as an independent, democratic republic with a happy, prosperous people who faced the future with confidence in their destiny. In this year of 1969, our observance is unfortunately shaded with sorrow. The bright star of Lithuania's freedom has been clouded over by the violent storms of tyranny. We gaze with sadness upon the advancing tragedy of sacrifice to ruthless imperialism that has enveloped Lithuania; she has ceased to be an independent nation.

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[10] *Ante*, p. 107.

The world does not know all of the terrible details of what has happened to Lithuanians behind the Iron Curtain, but we do know that hundreds of thousands of Lithuanians have been liquidated, martyred for their patriotism, their religious faith, and their steadfast resistance to tyranny. They have been torn from their families and homes for service as slaves in Siberia. We grieve deeply for the terrible catastrophe that has befallen this tiny country.

Under ordinary circumstances, this anniversary commemoration ought to be a day of rejoicing for all Lithuanians, but how can they rejoice when their people are suffering under the oppression of Communist tyrants? We cannot be happy on this occasion, but we can hope and we can pray.

Lithuanians have had times of trial frequently in their history. In days gone by, many foreign tyrants have dominated the freedom-loving Lithuanians. Although these tyrants may have been temporarily able to destroy their liberties, they were never quite able to destroy the dreams of independence in the minds of the Lithuanian people, nor could they destroy the aspirations for freedom everlasting in their hearts.

The last two decades of Lithuanian history are recorded in infamy. The deportations, the enslavements, the destruction of political freedom and economic initiative are facts which have trickled through to the free world despite the curtain of silence behind which the Communists try to hide the countries they have overrun.

We know that the Lithuanians are of stout heart. We know that faith and hope cannot be muffled in the Lithuanian hearts. Inevitably the time will come when the tyrant's grip will weaken, when freedom will win over enslavement, and sorrow will be turned to joy.

The American people and Government have refused to recognize the Soviet Union's annexation of Lithuania. In many ways, America is informing the world of Soviet misdeeds in Lithuania, and is mobilizing the moral force of world opinion against the oppressors in the hope that Lithuania's day of freedom will be hastened and that the Kremlin's rule of misery and hatred will be forever overturned. With the utmost sincerity, I express to all Lithuanians and Lithuanian-Americans my hope and prayer that that happy day will be soon.

Mr. MINISH. Mr. Speaker, it is a privilege to pay well-deserved tribute to Lithuania on the 51st anniversary of its independence.

On February 16, 1918, following more than 100 years of Russian domination and 3 years of occupation by Germany, the nation of Lithuania declared its independence. Despite the great cost of World War I in lives and in the destruction of property, Lithuania was able, during the 1920's and 1930's, to build a viable state and to foster the growth of agriculture and industry. Land reform provides an excellent example of the progress achieved in agriculture. Before World War I approximately 450 families owned more than 20 percent of all the land with a minimum ownership estimated at 2,000 acres. By 1939 there were 335,720 farming units, raising a variety of grains, potatoes, sugar beets, livestock, and poultry. Phenomenal growth also occurred in industry. In 1913 Lithuania had only 151 industrial establishments employing 6,603 workers, while in 1939 there were 16,131 enterprises with 33,000 employees.

Tragically for these hard-working and freedom-loving people, their independence came to an abrupt end with the outbreak of World War II. Occupied by the Red army, Lithuania was declared a component Republic of the U.S.S.R. on August 3, 1940. After a period of control by the Nazis, the Soviet Union reconquered Lithuania in 1944.

Since the end of World War II, the Communists have worked diligently to stamp out all vestiges of the Lithuanians' spirit of freedom and cultural identity. They have not succeeded and we know they never will. Here in the United States our belief in the ultimate triumph of Lithuania is reenforced daily. We have only to observe our own countrymen of Lithuanian descent to know that a strong commitment to freedom and independence lives on, despite Russian tyranny, in the hearts of all Lithuanians.

Mr. FARBSTEIN. Mr. Speaker, today marks the 51st anniversary of the independence of the Lithuanian people. It is with a deep sense of regret that I cannot refer to an independent Lithuania today. Lithuanian independence lasted for only a little over 20 years. However, this rather short period of freedom was characterized by significant reforms in both social and economic areas. This progress was, to the profound regret of all, stifled by the Soviet occupation in 1940 and then by the subsequent German presence. With the elimination of the Nazi scourge, Soviet forces again engulfed Lithuania and have occupied it ever since.

By its military presence and use of terror the Soviet Union has suppressed the freedom-loving people of Lithuania along with Estonia and Latvia. But the idea of freedom cannot be erased from the minds of the people. The mind of man can never be conquered. Independence is and will always continue to be the goal of the great Lithuanian people. I fervently hope that one day Lithuanian freedom and independence will be a fact rather than the mere hope it is today.

Mr. PRICE of Illinois. Mr. Speaker, February 16 marks one of the most important days in the history of man's pursuit of freedom. On that day, 51 years ago, the Republic of Lithuania was established. That occasion was a reaffirmation of the Lithuanian peoples' devotion to the principles of liberty and self-determination. For throughout her history, from the 14th century on, Lithuania has sought her place in the world community as a sovereign nation.

Regrettably, the nation-state proclaimed on February 16, 1918, was shortlived. But during her 22 years, the Republic of Lithuania made great strides in reestablishing her national identity, her culture, her society. It was her unfortunate fate as it was the fate of other Eastern European nations to fall victim to 20th century imperialism.

Though we lament this sad course of events, our hopes for world peace are uplifted by the spirit and legacy the Lithuanian people have bequeathed to the cause of freedom and liberty. Indeed, it would be well for us to pause and to reflect for a moment on the contributions the people of Lithuania have made to the quest for human rights.

We are deeply indebted to these great patriots for their dedicated service to the cause of freedom.

Mr. VANIK. Mr. Speaker, I join my colleagues and the Lithuanian people in celebrating the 51st anniversary of the signing of the Lithuanian declaration of independence. As in our celebration of the American Declaration of Independence, we pay tribute to the cultural and intellectual achievements made possible by the self-government of an inspired people.

When the delegates gathered at Vilnius in 1918 to proclaim the Republic of Lithuania, they initiated 20 years of brilliant cultural, intellectual, and political achievement under a strong republic, and maintained their independence in the face of far more powerful neighbors until the world catastrophe of 1939.

In the 1922 constitution of the republic, the Lithuanian people provided themselves with the fundamental, inalienable rights, and liberties of man—the freedom to speak without oppression, to assemble without fear, and to practice their religion unharassed. This democratic government made the war-ravaged country economically and politically sound, respected by governments of the world, as an independent republic in the family of nations. The Lithuanian people revived their national institutions, and produced such authors as Maironis, Jakspas, Sruoga, Binkis, and others.

The thousands of freedom-loving people of Lithuania who came to the United States—many of whom settled in the greater Cleveland area—have made great intellectual and cultural contributions in the United States, proving once more that man's greatest achievements are inspired by a free people working in a free and democratic society.

Mr. FRIEDEL. Mr. Speaker, notwithstanding the fact that Lithuania is not a free and independent nation and is held captive by the U.S.S.R., we here in the Congress do take note that February 16, 1969, marks the 51st anniversary of Lithuania's declaration of independence.

We do so in order to again reaffirm the official United States stand of nonrecognition of Lithuania's forcible incorporation into the Soviet Union and, thus, help to keep up the spirit and hope for ultimate freedom and independence of Lithuania and all captive nations, in the hearts of the people everywhere.

The teeming millions of oppressed peoples behind the Iron Curtain and under Red Communist domination look to the United States as a citadel of human freedom, for leadership in bringing about their eventual liberation and independence and in restoring to them the enjoyment and benefits of their respective religious freedoms, and of their individual liberties.

Despite the condemnation by the free world of the forced occupation of Lithuania by the U.S.S.R., the Soviet Union still compels Lithuania and other captive nations to suffer oppression and tyranny. To these unfortunate nations and their people we convey our heartfelt sympathy and understanding and appreciation of the reality of the Iron Curtain as a barrier. It signifies a failure on the part of the Soviet system to reach its goals and to provide successful competition with the free world for the minds and loyalties of the captives behind that barrier.

Knowing the sterling qualities of the many Lithuanians who have come to these shores of our country and become citizens of the United States of whom we are very proud, I feel confident that their fellow countrymen will continue in their firm opposition to the Communists. I also wish to assure them of America's commitment to the cause of liberty and international morality. There is no doubt that justice will prevail in the end and that Lithuania will take its place as a truly free and independent nation in the not too distant future.

GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members have 5 days to extend their remarks on the subject of this special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EPIDEMIC PREVENTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. CAHILL) is recognized for 15 minutes.

Mr. CAHILL. Mr. Speaker, as the effects of the recent nationwide Hong Kong flu epidemic subside, I believe it is time for a hard appraisal as to what can or should be done in its aftermath. We must take whatever steps are feasible in order to protect our Nation from a reoccurrence of such crippling epidemics.

Criticisms were made of the drug companies, that they did not work as fast as they could have in producing the necessary flu vaccine. There are indications, however, that, the criticisms notwithstanding, many of the larger drug companies did work diligently. It seems that the problem here was that this was a new virus variant which was not identified until midsummer.

Although the U.S. Health Service has a fairly adequate early warning system for the detection of epidemic-type diseases, it is fettered by a reluctance of the Public Health Service to impose financial risk upon the drug companies.

The way the detection system works is as follows: The Communicable Disease Center in Atlanta, Ga., which is part of the World Health network sponsored by the United Nations, gathers information as to new or potential virus strains throughout the world. That Center then supplies this information to the Advisory Committee on Immunization Practices and to the Division on Biological Standards of the Public Health Service. These two committees then jointly make recommendations to the Secretary of Health, Education, and Welfare as to what vaccines, type, and quality, will be necessary to meet any potential epidemics and also the number of doses that will be necessary.

Thus, while there is a fairly good early warning system for detection of epidemics there is a regrettable and harmful reluctance on the part of both the Public Health Service and the Secretary of Health, Education, and Welfare to call upon drug companies to produce. They are fearful that a drug company after having geared itself for mass production, will suffer great economic loss if the epidemic does not actually occur.

Therefore, Mr. Speaker, I am today introducing legislation which will do two things. It will provide wider latitude of discretion in the Secretary of Health, Education, and Welfare to find and declare epidemics and, secondly, it will guarantee reimbursement of drug companies for any losses which might be sustained.

Under my bill if the Secretary determines that an epidemic may reasonably occur in the United States he shall publish in the Federal Register an epidemic notice which shall contain such determination and shall identify the vaccine that he determines should be used to immunize persons against infection from this specific virus. A "registered" drug company can make application to the Secretary for a production cost guarantee which will, first, specify the amount of vaccine with respect to which the guarantee applies, but not exceeding 20 million doses, and which, second, will obligate the United States for a 6-month period to reimburse the registered drug company for 40 percent of the production cost.

This morning's Washington Post, in an article by Victor Cohn, carries a foreboding article predicting the likelihood of a major epidemic of German measles in the United States in 1970. This, in my judgment, underscores the gravity of the situation which confronts us under present procedures. I believe we must act now to encourage, first, the Secretary of Health, Education, and Welfare to declare the possibility of an epidemic, no matter how remote, and, second, to encourage the drug companies to prepare for production of necessary vaccines without threat of irreparable financial loss.

I am introducing the article by Mr. Cohn into the RECORD along with my remarks:

GERMAN MEASLES VACCINE LIKELY BY FALL—GREATER PERIL REVEALED

(By Victor Cohn)

A German measles vaccine is likely to be available before next fall. One could be licensed as early as April.

There is still doubt whether enough vaccine can be produced in time to prevent a possible 1970 German measles epidemic. Opinions differ on whether an epidemic is likely.

The disease, however, may be a far graver threat than anyone has realized.

All these assessments were made at Bethesda yesterday, as the National Institutes of Health and New York University convened a 25-nation conference on German measles immunization.

Reports will be presented today and Thursday on at least three competing vaccines, all being screened for possible use. The point will be to prevent German measles in pregnant women, because affected mothers may produced deformed babies.

The urgency of developing a vaccine became clearer than ever as NIH Dr. John L. Sever reported that the danger to pregnant women is not confined to the first three months of their pregnancy—the first trimester, medically speaking—as has been thought.

The damage to the babies they carry is almost as great if they develop it in pregnancy's second three months.

This means, Sever said, that another 20,000 babies may have been damaged in addition to the previously estimated 20,000 born with birth defects during the 1964 U.S. epidemic.

These second-trimester defects include a high percentage of hearing problems and mental retardation.

MUST SEEK THEM OUT

"We will really begin to get an idea of their extent," Sever said, when these 1964 babies start going to school this year and next. Meanwhile, he urged in an interview: "We've got to seek them out. They may be going along unrecognized and unassisted."

Sever and colleagues—including Dr. Janet B. Hardy of Johns Hopkins—studied 6161 of 1964's pregnancies. Among these, 128 women developed clearly diagnosed German measles.

Of 42 who caught it in the first trimester, seven (12 per cent) had babies with two or more serious defects—commonly eye and heart defects, often associated with mental and motor (movement) retardation. Of 58 who got the disease in the second trimester, six (nearly 10 per cent) had double defects—mainly mental and motor retardation, hearing loss and some cases of damage to the main artery feeding the heart.

OUTLOOK BRIGHT

The hope of future prevention?

Very good, said Dr. Saul Krugman of NYU, conference chairman, at a news conference. "I would hope we'll have a vaccine before the fall, if all goes well," he said.

He and Dr. Daniel I. Mullally, chief of the vaccine development branch, National Institute of Allergy and Infectious Disease, outlined the reasons at a news conference. An estimated 100,000 persons, mainly children, have been given trial vaccine throughout the world. HVP 77 vaccine, developed at NIH's Division of Biological Standards, stopped a Taiwan epidemic cold.

At least two vaccines—HVP 77 and a Cendehill vaccine produced by the Belgian subsidiary of Smith Kline & French—have been proving both safe and effective in extensive trials. Another vaccine, produced at Philadelphia's Wistar Institute, has had less extensive U.S. tests, but it also is a serious contender.

NO LICENSING PREDICTION

Krugman would not predict which vaccine would be licensed first or just when that would happen.

But an informed NIH source said: "This conference was called for a specific purpose: to try to get all the facts together so a licensing judgment can be made. It will be made just as soon as possible, possibly two months away, no more than three or four months away, I would think."

Discussion at the NIH conference will include one important problem in rubella vaccines. Like, the disease itself, they often cause temporary arthritis or arthralgia (joint pains), especially in women. They may cause it in a third to nearly half of women vaccinated. The symptoms are usually fleeting, but occasionally are painful ones lasting three to six weeks.

Partly for this reason, partly for others, the first rubella vaccinations may be shots for millions of children, and not women at all.

Children transmit the disease to adults, Krugman explained. Vaccinations of children alone have nearly wiped out ordinary measles in both children and adults. The first German measles vaccine supplies will be limited, furthermore, and "probably 90 per cent" of all U.S. women are probably immune to German measles today. The vaccine would be wasted on them.

Will there be a 1970 epidemic? Possibly, believe some public health experts, because peaks of the disease recur in a six-to-nine-year cycle. "I'd predict not," Krugman said. "But I may have to eat my words."

"NO" VOTE IS RECALLED

(Mr. ASHBROOK asked and was given permission to extend his remarks at this point in the Record, and to include extraneous matter.)

Mr. ASHBROOK. Mr. Speaker, in the past I have received a great deal of criticism for voting "no" on many of the bills which come before this body. I am frank to say that I have voted against most of the programs which have made it necessary to increase taxes, raise debt ceilings, and run the Nation's business into deeper debt all of the time.

Recently, the Congress has received criticism about the Federal pay increases. While I have always felt that the President's salary should be increased and other high officials should probably carry higher salaries, I strongly feel that the recent back-door pay boosts were out of line with the realities of our fiscal situation and weakened our ability to affirmatively check inflation. It will be hard to tell others they should live within a 3- or 4-percent increase when we get a 41-percent increase.

How did it happen? Let us go back a few years. I have always supported the moderate pay increases for our postal workers and Federal employees which have been offered. There is no question in my mind that the cost-of-living increases have been justified. I voted against the pay increase in 1967 and my friends in the Federal service were quick to express their disappointment.

A typical letter I received was from my good friend, John Feasel, an officer in the Ohio Federation of United Postal Clerks. Mr. Feasel lives in Ashland and, in part, wrote the following:

> Needless to say, I was quite disappointed when you voted against our pay raise. I was so positive that you were with us all the way and talked to my fellow postal workers in this vein all summer. You can just imagine the ribbing I took when the vote was announced. The ribbing was not important, but I would like to ask, "Why?" I feel that I probably know part of the answer but I want to hear it from you, please.

In my reply to John Feasel I pointed out that, as in many other bills, the issue becomes more complicated than just a straight pay increase of a few percent for those loyal federal employees who deserved it. This is always the problem of a Congressman. The votes are rarely on one simple issue but are usually complex. In the 1964 civil rights bill, as an example, I favored two important sections but opposed others. You always have to weigh the pro and con and vote accordingly. In this case, I was absolutely certain it was necessary to vote against it just as I did in the 1964 civil rights bill.

To Mr. Feasel's letter, I sent the following reply on November 16, 1967:

> The so-called quadrennial commission was totally objectionable. I have always told my friends in the postal service that I would support pay increase legislation if it did not include Members of Congress and top government officials. This was a backdoor approach which I think was absolutely wrong. Everybody who voted for the bill was in effect voting for a substantial pay incerase to top government employees at a time when we are running a $30 billion deficit. For this reason, more than any other, I made every effort to separate this provision from the bill and when it failed, I voted against it on final passage.

All right, I took the heat on my vote and probably made a few friends mad. I will now ask these friends and my constitutents who was right and who was wrong on this issue? On October 11, 1967, the House of Representatives had H.R. 7977 before it. It was a pay increase bill but it also had this quadrennial commission tagged on to it. I immediately understood exactly what it would do—it would give a backdoor pay boost to top officials without a vote of the Members of Congress. We endeavored to have this section removed and on a vote of 199 to 211 were defeated. One hundred and thirty-five Republicans and only 64 Democrats joined in this economy vote with 191 Democrats joining only 45 Republicans in voting for the backdoor commission.

On final passage, having lost this vote, I clearly had the responsibility to vote against the bill even though I favored what might be considered as 95 percent of it. The 5 percent simply outweighed the other good features. The bill passed, 319 to 89 after this critical motion to recommit had been lost. That is the story of how the pay raises of February 14, 1969, came about and it is up to the people themselves to decide who voted for it and who voted against it.

In my experience here, you have to take the knocks when it is necessary to vote in a way that seems unpopular at the time but I feel my constituents can understand just how this happened and know that my vote was a right one in 1967.

What was wrong with the quadrennial commission, you ask? Simply this, it empowered the President to set up a panel of citizens who would recommend levels of pay for the Congress, the Cabinet, the Supreme Court, and judiciary. These recommendations when forwarded from the President to the Congress would go into effect automatically in 30 days unless either the Senate or the House take affirmative action to specifically rescind them. A neat trick. Instead of being confronted with the onerous duty of voting for or against our own pay increase, it would go into effect automatically by the simple expedient of the Congress not taking any action at all. I think this aspect of the recent pay boost controversy, more than any other, upset the people back home. I agree with them and did all I could in 1967, but, like so many other areas, must frankly admit I failed to stop the steam roller.

THREAT TO SOYBEAN PRODUCERS

(Mr. MICHEL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MICHEL. Mr. Speaker, those of us in the Congress representing soybean producing areas have been greatly concerned over a report that the European Economic Community is about to propose a tax on oilseeds and oilseed products. Such a tax would have a serious impact on farm income as well as the U.S. balance of payments and I wrote letters to the Secretary of Agriculture and the Secretary of State expressing my concern and urging that every effort be made to impress upon the EEC the serious nature of this threat.

I was pleased to receive a response from the Acting Secretary of Agriculture, Mr. J. Phil Campbell, advising me that the Department has taken an extremely strong position in opposition to the tax. I also received a similar response from the Department of State and I place this exchange of correspondence in the Record at this point:

January 28, 1969.

Hon. Clifford M. Hardin,
Secretary of Agriculture, Department of Agriculture, Washington, D.C.

Dear Mr. Secretary: As you probably know, there is a great deal of concern among soybean producers throughout the country over a report that the European Economic Community is about to propose a tax on vegetable oil and meal.

As I am sure you can appreciate, such a tax would have a definite and adverse effect on American exports of soybeans and soybean products to the E.E.C.

This action, if it takes place, appears to be a flagrant violation of the Agreement in the Kennedy Round to assure that soybeans would be duty free and I just wanted to express my deep concern and urge that every effort be made by those in your shop responsible for trade negotiations to impress upon the E.E.C. the seriousness of this threat.

Any information or comments you might have would be appreciated.

Sincerely,

Robert H. Michel.
Member of Congress.

Department of Agriculture,
Washington, D.C., February 14, 1969.

Hon. Robert H. Michel,
House of Representatives.

Dear Mr. Michel: Thank you for your letter of January 28, 1969, informing about the concern among U.S. soybean producers over the European Community's proposal to place a consumption tax on oilseeds and oilseed products.

As you may know, on December 19, 1968, the Commission of the European Community submitted to the Council of Ministers (the Community's Executive Body) its long awaited policy program to reform the agricultural sector, including specific provisions relating to fats and oils. The Commission proposes to introduce a tax of $60 per metric ton on vegetable and marine oils and $30 per ton on meals and to take the initiative in launching negotiations for an international arrangement for fats and oils. Such measures ostensibly designed to stabilize the edible fats and oils market, particularly butter, are in fact designed to plug the hole in the otherwise highly protective wall of their Common Agricultural Policy through which oilseeds and high-protein meals enter duty free without restriction.

We consider this to be the most important trade problem that has arisen in agriculture between the United States and the European Community because of the magnitude of our trade in oilseeds and oilseed products—nearly $500 million in 1967/68 and expanding. Impairment of our access to the important European market would have a serious impact on farm incomes and on the U.S. balance of payments. In addition, it is another example of the Community's policy of shifting most of the burden of supply adjustment to third countries through intensification of import restrictions and export aids. We have, therefore, taken an extremely strong position in opposition to the tax.

The U.S. Government has continuously and forcefully warned the European Community that their proposed tax would sharply reduce the Community's imports of oilseeds and oilseed products and would result in a massive impairment of the present access available to American exporters. We made it clear that we could not agree to any action or subscribe to any arrangement which would limit our export opportunities, or deny to us the benefit of concessions negotiated under GATT. We also made it clear that such action would leave us no choice but to retaliate promptly to restore the balance of concessions. You may have seen in newspaper stories the thought that our retaliation might include such important exports as European automobiles, typewriters, office equipment, wines, and similar items that Americans buy from them in large amounts.

What we, in fact, are saying to the European Community is that the enactment of a consumption tax on oilseed products could lead to the most serious trade policy confrontation between the Community and the United States with commercial and political implications extending beyond agriculture.

We will continue to make representations to the Community through all available channels to keep unimpaired our access to Community markets for our oilseeds and oilseed products.

Our latest information is that the Council of Ministers is not likely to act on the proposal in its present form. Final action, if any, is not expected to be taken in the immediate future.

Sincerely,

J. Phil Campbell,
Acting Secretary.

Department of State,
Washington, D.C., February 6, 1969.

Hon. Robert H. Michel,
House of Representatives,
Washington, D.C.

Dear Congressman Michel: The Secretary has asked me to reply to your letter of January 28 regarding your concern about the tax the European Community is considering on vegetable oil and meal.

The Department of State shares your concern. We have made very clear to the European Community our opposition to the proposed tax. We presented a diplomatic note to the Commission of the Community expressing our grave concern and warning that, if the tax should be adopted, we would act swiftly to restore the balance of trade concessions between us. The note was followed up by a personal letter from Ambassador Roth, then the President's Special Trade Representative, to Commission President Jean Rey. Our Ambassador to the Community also met with President Rey and explained the danger of a US/EC confrontation implicit in the proposed taxes. In addition, our Embassies in the Six Member States have explained our position to their host Governments.

The tax has not yet been formally presented for adoption. If it is presented, its consideration is likely to be a lengthy process. We will continue to follow this matter very closely and to take all appropriate steps to protect the market for our soybeans in the European Community.

We appreciate your interest and hope you find the above information helpful.

Sincerely yours,

William B. Macomber, Jr.,
Assistant Secretary for Congressional Relations.

CHRISTINE CASEY: "FREEDOM'S CHALLENGE"

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, every year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a Voice of Democracy contest. This year, over 400,000 school students participated in an essay contest whose theme was "Freedom's Challenge." These students are competing for scholarships which are awarded as top prizes.

The winning contestant from each State is brought to Washington, D.C., as a guest of the Veterans of Foreign Wars to be on hand for the final judging.

Mr. Speaker, I want to commend the Veterans of Foreign Wars for this most worthwhile program. I am proud to say that the winning speech from the State of New Hampshire was written by a young lady from my district. Miss Christine Casey, of Penacook, N.H., expresses her sentiments on a whole range of problems and challenges which face our great Nation. I am pleased to share her essay with my colleagues in the House today, as follows:

Freedom's Challenge

(By Christine Casey)

In a country that thrives on democratic ideals every man becomes confronted by a certain question. What does he want to do with his life? Pleasure and success are very naturally two goals, but alone they do not constitute purposeful living. A meaningful life becomes such as a result of conscious effort towards awareness. The value of awareness becomes tangible in a man's service to his fellow man and to his country. This is freedom's challenge.

Awareness begins when a man evaluates his abilities, his achievements, and his goals—when he asks, "What am I able to do?," "What have I done?," and "What shall I strive for?" Then he reaches beyond his own small realm with a genuine concern for mankind. Poverty, hunger, war and injustice will surely greet his searching. But perhaps most painful to realize will be those things that should be but are not present. A United States Senator expressed it in these words, "Some men see things as they are and say Why? I dream things that never were and say, Why not?" The awareness of basic human needs is a step towards answering freedom's challenge.

Becoming sensitive to the deficiencies in our society is only half the goal, however. Concern must be translated into tangible form—into action and service. And now the question returns: What does a man want to do with his life? It is the answer to this question that determines what substance we give to our lives.

There are as many ways to answer the challenge to serve as there are people. Some may find the way in the business world, in doing their job well, what ever it is, so that life runs a bit more smoothly because of their efforts. Even a mother in her home can contribute to the good of man by being active in her community and helping her children to become fully developed individuals. Each one of us is only one, but there is something each can do.

Poverty, hunger, war, and injustice—all are tremendous and frightening forces. These social ills can be remedied only when people do become aware of the needs of the world in which they live and if their awareness leads to effective service. Poverty is the Appalachian miner who finds no longer any demand for his skills. Hunger is the Biafran child in a refugee camp waiting for the war to end. War is the young soldier who has left behind him a wife and a young child. Injustice is the Harlem boy trapped two blocks away from the opportunity to achieve success.

Each of us, in service, must give our understanding, we must share our material blessings, and we must dedicate our lives. Freedom is a precious and wonderful possession that brings with it a challenge that many men and women, great and small, have willingly accepted.

CLEVELAND AND WYMAN: "THOSE WHO FEAST ROYALLY ON FEDERAL FUNDS SHOULD GIVE FREEDOM A HELPING HAND"

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, my colleague, the gentleman from the First District of New Hampshire, and I are most concerned by the attitude of some of the colleges and universities toward the Reserve Officers Training Corps. We expressed this concern today in a letter to the Secretary of Defense. I think this concern reflects the view of most Members and therefore, under unanimous consent, I offer our letter at this point in the Record.

Hon. Melvin Laird,
Secretary of Defense,
Washington, D.C.

My Dear Mr. Secretary: On behalf of ourselves personally and also constituents, we are deeply concerned by the current actions taken by certain educational institutions which appear to threaten an effective ROTC program.

Consideration of national defense prompts us to urge your careful review of this entire matter. We have been informed that more than half of our officer strength originates from ROTC.

It is our understanding that many of the institutions involved have contracts with the Department of Defense. We would hope that these would be reviewed and that the letter and spirit of these contracts be enforced.

We appreciate that improvements in the ROTC program may be in order; however, we are also aware of the enormous amount of direct and indirect Federal assistance which many of these educational institutions are receiving. It seems incredible to us that these institutions that pride themselves on academic freedom and feasting royally on Federal funds, can be so unmindful of the requirements of our national defense to preserve freedom in the world today.

Sincerely yours,

Louis C. Wyman,
First District, New Hampshire.
James C. Cleveland,
Second District, New Hampshire.

PANAMA CANAL MODERNIZATION: TIME FOR ACTION HAS COME

(Mr. FLOOD asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. FLOOD. Mr. Speaker, on many previous occasions I have addressed this body concerning the vital subject of the Panama Canal. Although there is very little of basic nature that has not been previously stated, the passage of time has sharpened our perspective and the assumption of office by a new administration makes necessary a reappraisal of the canal question in the light of the realistic considerations involved.

In this connection, Mr. Speaker, I would stress that, since the issues are fundamental, they transcend all partisan considerations and must be handled on the highest plane of statesmanship if our course is to be a wise one.

The principal questions in the interoceanic canal problem are:

First, the safeguarding of our indispensable sovereign rights, power, and authority over the Canal Zone for the efficient maintenance, operation, sanitation, protection, and military defense of the Panama Canal; also the security of the Western Hemisphere.

Second, the increase of capacity and operational improvement of the existing canal through the major modification of the authorized third locks project under what is known as the Terminal Lake third locks solution.

Third, the matter of a second canal.

As to the first of the above three points, the Panama Canal is the strategic center of the Americas indispensable for hemispheric defense. Through an ill-advised policy of retreat at Panama and an unwarranted obsession with the glamorous old dream of a sea level canal, the executive branch of our Government has endangered our juridical status on the isthmus and proposed impossible treaty concessions to Panama. These, if adopted, would inevitably bring about chaos and disaster on the isthmus, with a total loss of our investment in the canal enterprise. This investment, including defense, from 1904 through June 30, 1968, was $6,368,009,000. Total recoveries during the same period were $1,359,931,421.66, which sum is only a small portion of the overall investment, making a net investment of over $5,000,000,000.

Fortunately, in 1967 the texts of the proposed giveaway treaties were published and some 150 Members of the House of Representatives introduced resolutions opposing their ratification. In this connection, Mr. Speaker, I would invite special attention of the Congress to the fact that the U.S. treaty negotiating team headed by Ambassador Robert B. Anderson ignored the provision of article IV, section 3, clause 2 of the U.S. Constitution which vests the power to dispose of territory and other property of the United States in the Congress and not in the Senate and executive alone. In either case, Ambassador Anderson and his diplomatic associates revealed their disregard of this vital provision of the Constitution or else sought to conceal it.

In regard to the second point about increasing canal transit capacity, a total of $76,357,405 was expended on the suspended third locks project, largely for huge lock site excavations at Gatun and Miraflores, which are usable in the modernization program espoused by other Members of Congress and myself. In addition, the enlargement of Gaillard Cut at an estimated cost of $81,257,097 is due for completion in 1971. These two projects together totaling more than $157 million represent substantial commitments by our Government for the major increase of capacity of the existing canal—too large an expenditure to be disregarded.

With respect to the third point, Public Law 88–609 authorized a study of the feasibility of constructing a new canal of so-called sea-level design. The reporting date for this study has been extended to December 1, 1970. As pointed out by Senator STROM THURMOND, a careful student of canal problems, in a statement to the U.S. Senate on March 6, 1968, the studies authorized by Public Law 88–609 are of sea level projects and that consideration under it of high-level lake and lock plan does violence to the authorizing statute. Moreover, extensive clarifications in the Congress as to the relative merits of the various canal proposals justify the abandonment of the idea of a sea-level canal and informed congressional opinion concerning the current inquiry is that it is a sheer waste of money.

In line with past practices of mine, after adjournment of the 90th Congress, I made a voyage to the West Coast of South America via the Panama Canal. On the way south, my ship stopped at Balboa, thus affording me an opportunity for discussions with Canal Zone residents and briefings by Panama Canal and military authorities. On the return voyage, Balboa Harbor was so crowded that my ship could not lay over at the Pacific end of the canal as desired but had to transit to the Atlantic. If there had been a summit-level terminal lake at the Pacific end, as there should be, my ship could have laid over at Balboa. Because of the indicated anchorage lack in the Pacific sector of the canal, I would reemphasize as forcefully as possible the tremendous need for such additional anchorage in line with provisions of measures now before the Congress for effectuating the improved third locks project.

Mr. Speaker, those on the Isthmus with whom I discussed canal problems during my recent visit there are well informed. They presented views derived from long experience in the maintenance, operation and defense of our vital artery of commerce in an area of endemic revolution and endless political turmoil, which is especially vulnerable to communistic revolutionary subversion.

After return to Washington, I received a number of letters from the Isthmus expressing appreciation for my interest and suggesting that instead of my having been briefed by those there they should have been briefed by me. In fact, there was a mutual briefing. For the compliment involved, I am very grateful.

In this connection, I wish to invite attention of the Congress, especially of new Members, to the volume of my addresses on "Isthmian Canal Policy Questions," published as House Document No. 474, 89th Congress. This volume, which is based upon careful research and experience over several years of recent canal history, contains a wealth of authentic information on significant aspects of the canal problem.

Returning to my recent visit in the Canal Zone, I would like to summarize informed opinion there as regards the current studies and as to what should be done by our Government as follows:

First, that there is no need for a second interoceanic canal.

Second, that construction of a sea level project in the Canal Zone should not be undertaken.

Third, that the well known Terminal Lake-third locks plan for the existing canal provides the wisest solution of the canal problem and is best for Panama as well as for the United States.

Fourth, that undiluted U.S. sovereignty and ownership over the Canal Zone territory and canal must be retained.

Fifth, that the proposed new treaties of the last national administration providing for complete surrender to Panama of the present canal, as well as a like surrender of any future canal that would be built at tremendous cost to our taxpayers, should be summarily rejected and that authorization should be promptly enacted by the Congress for completion of the informed third locks project.

Mr. Speaker, during the fiscal year 1968, the Panama Canal transited 15,511 vessels. Any waterway that handles such a volume of traffic is not obsolete but efficient. In fact, the canal is more efficient now than when it was opened to traffic in 1914, for efficiency and obsolescence are entirely opposite in character. The canal is, however, approaching saturation of capacity and the time has come for our Government to provide for the necessary increase of facilities as developed from years of operating experience.

To this end, appropriate bills have been introduced in the Congress and are now pending. These measures, if and when enacted, will obviate the necessity for any further study of "sea level" canals. Moreover, they will provide a simple, commonsense, historically based solution that does not require a new treaty with Panama, thus enabling continued undiluted U.S. sovereignty and control of the canal and its protective frame of the Canal Zone and the clearing up of the entire canal situation, all at the least cost to our taxpayers. When the improved third locks project is thus completed it will provide for the needs of world shipping for a great many years. The needs of the present and expanding economy of Panama will be met, Panama will retain its independence, the Canal Zone kept out of Soviet hands, and the security of the United States, the Western Hemisphere and the entire free world will be safeguarded.

Mr. Speaker, these are paramount considerations that cannot be obscured by any amount of sophistry or self-serving propaganda on the part of fatuous thinkers and partisan advocates of the old idea of a so-called sea level canal.

The full text of H.R. 3792 follows:

H.R. 3792

A bill to provide for the increase of capacity and the improvement of operations of the Panama Canal, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this

Act may be cited as the "Panama Canal Modernization Act".

SEC. 2. (a) The Governor of the Canal Zone, under the supervision of the Secretary of the Army, is authorized and directed to prosecute the work necessary to increase the capacity and improve the operations of the Panama Canal through the adaptation of the Third Locks project set forth in the report of the Governor of the Panama Canal, dated February 24, 1939 (House Document Numbered 210, Seventy-sixth Congress), and authorized to be undertaken by the Act of August 11, 1939 (53 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), with usable lock dimensions of not less than one hundred and forty feet by not less than one thousand two hundred feet by not less than forty-five feet, and including the following: elimination of the Pedro Miguel Locks, and consolidation of all Pacific locks near Miraflores in new lock structures to correspond with the locks capacity at Gatun, raise the summit water level to its optimum height of approximately ninety-two feet, and provide a summit-level lake anchorage at the Pacific end of the canal, together with such appurtenant structures, works, and facilities, and enlargements or improvements of existing channels, structures, works, and facilities, as may be deemed necessary, at an estimated total cost not to exceed $850,000,000, which is hereby authorized to be appropriated for this purpose.

(b) The provisions of the second sentence and the second paragraph of the Act of August 11, 1939 (53 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), shall apply with respect to the work authorized by subsection (a) of this section. As used in such Act, the terms "Governor of the Panama Canal", "Secretary of War", and "Panama Railroad Company" shall be held and considered to refer to the "Governor of the Canal Zone", "Secretary of the Army", and "Panama Canal Company", respectively, for the purposes of this Act.

(c) In carrying out the purposes of this Act, the Governor of the Canal Zone may act and exercise his authority as President of the Panama Canal Company and may utilize the services and facilities of that company.

SEC. 3. (a) There is hereby established a board, to be known as the "Panama Canal Advisory and Inspection Board" (hereinafter referred to as the "Board").

(b) The Board shall be composed of five members who are citizens of the United States of America. Members of the Board shall be appointed by the President, by and with the advice and consent of the Senate, as follows:

(1) one member from private life, experienced and skilled in private business (including engineering);

(2) two members from private life, experienced and skilled in the science of engineering;

(3) one member who is a commissioned officer of the Corps of Engineers, United States Army (retired); and

(4) one member who is a commissioned officer of the line, United States Navy (retired).

(c) The President shall designate as Chairman of the Board one of the members experienced and skilled in the science of engineering.

(d) The President shall fill each vacancy on the Board in the same manner as the original appointment.

(e) The Board shall cease to exist on that date designated by the President as the date on which it works under this Act is completed.

(f) The Chairman of the Board shall be paid basic pay at the rate provided for level II of the Executive Schedule in section 5313 of title 5, United States Code. The other members of the Board appointed from private life shall be paid basic pay at a per annum rate which is $500 less than the rate of basic pay of the Chairman. The members of the Board who are retired officers of the United States Army and the United States Navy each shall be paid at a rate of basic pay which, when added to his pay as a retired officer, will establish his total rate of pay from the United States at a per annum rate which is $500 less than the rate of basic pay of the Chairman.

(g) The Board shall appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, a Secretary and such other personnel as may be necessary to carry out its functions and activities and shall fix their rates of basic pay in accordance with chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates. The Secretary and other personnel of the Board shall serve at the pleasure of the Board.

SEC. 4. (a) The Board is authorized and directed to study and review all plans and designs for the Third Locks project referred to in section 2(a) of this Act, to make on-the-site studies and inspections of the Third Locks project, and to obtain current information on all phases of planning and construction with respect to such project. The Governor of the Canal Zone shall furnish and make available to the Board at all times current information with respect to such plans, designs, and construction. No construction work shall be commenced at any stage of the Third Locks project unless the plans and designs for such work, and all changes and modifications of such plans and designs, have been submitted by the Governor of the Canal Zone to, and have had the prior approval of, the Board. The Board shall report promptly to the Governor of the Canal Zone the results of its studies and reviews of all plans and designs, including changes and modifications thereof, which have been submitted to the Board by the Governor of the Canal Zone, together with its approval or disapproval thereof, or its recommendations for changes or modifications thereof, and its reasons therefor.

(b) The Board shall submit to the President and to the Congress an annual report covering its activities and functions under this Act and the progress of the work on the Third Locks project and may submit, in its discretion, interim reports to the President and to the Congress with respect to these matters.

SEC. 5. For the purpose of conducting all studies, reviews, inquiries, and investigations deemed necessary by the Board in carrying out its functions and activities under this Act, the Board is authorized to utilize any official reports, documents, data, and papers in the possession of the United States Government and its officials; and the Board is given power to designate and authorize any member, or other personnel, of the Board, to administer oaths and affirmations, subpena witnesses, take evidence, procure information and data, and require the production of any books, papers, or other documents and records which the Board may deem relevant or material to the performance of the functions and activities of the Board. Such attendance of witnesses, and the production of documentary evidence, may be required from any place in the United States, or any territory, or any other area under the control or jurisdiction of the United States, including the Canal Zone.

SEC. 6. In carrying out its functions and activities under this Act, the Board is authorized to obtain the services of experts and consultants or organizations thereof in accordance with section 3109 of title 5, United States Code, at rates not in excess of $200 per diem.

SEC. 7. Upon request of the Board, the head of any department, agency, or establishment in the executive branch of the Federal Government is authorized to detail, on a reimbursable or nonreimbursable basis, for such period or periods as may be agreed upon by the Board and the head of the department, agency, or establishment concerned, any of the personnel of such department, agency, or establishment to assist the Board in carrying out its functions and activities under this Act.

SEC. 8. The Board may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

SEC. 9. The Administrator of General Services or the President of the Panama Canal Company, or both, shall provide, on a reimbursable basis, such administrative support services for the Board as the Board may request.

SEC. 10. The Board may make expenditures for travel and subsistence expenses of members and personnel of the Board in accordance with chapter 57 of title 5, United States Code, for rent of quarters at the seat of government and in the Canal Zone, and for such printing and binding as the Board deems necessary to carry out effectively its functions and activities under this Act.

SEC. 11. All expenses of the Board shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the Chairman of the Board or by such other member or employee of the Board as the Chairman may designate.

SEC. 12. There are hereby authorized to be appropriated to the Board each fiscal year such sums as may be necessary to carry out its functions and activities under this Act.

SEC. 13. Any provision of the Act of August 11, 1939 (54 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), or of any other statute, inconsistent with any provision of this Act is superseded, for the purposes of this Act, to the extent of such inconsistency.

TREATYMAKING POWER: CONSTITUTIONAL AMENDMENT FOR INCLUSION OF THE HOUSE OF REPRESENTATIVES

(Mr. FLOOD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FLOOD. Mr. Speaker, among the historic achievements of the people of the United States were the acquisition of the Canal Zone territory and the construction of the Panama Canal. Undertaken as a mandate of civilization for the benefit of world commerce and for hemispheric defense, this great interoceanic link has become indispensable as the strategic center of the Americas, shortening the trade routes of the world. The total expenditures of the taxpayers of our country from 1904 through June 30, 1968, on the canal enterprise, including defense, were $6,368,009,000. Total recoveries during the same period were $1,359,931,421.66, making a net investment of over $5,000,000,000, all supplied by taxes imposed upon our citizens.

It was, therefore, with genuine shock that the people of the United States and the Congress in June 1967 learned of the completion of negotiations between the Governments of the United States and Panama for three proposed new Panama Canal treaties that would cede sovereignty over the Canal Zone to Panama, make that small and unstable country a partner in the management and defense of the canal, and eventually give to Panama not only the existing canal but as well any new canal constructed by the United States in Panama at our taxpayers' cost to replace it.

Reactions to these monstrous proposals were prompt, with some 150 Members of the House introducing or cosponsoring resolutions opposing the treaties. Important national organizations, among them the American Legion, likewise adopted strong resolutions in opposition to the projected giveaway of U.S. territory and property.

In this connection, Mr. Speaker, I would emphasize that the founders of our country, when framing the Constitution, realized the danger of the Executive and the Senate alienating territory and property of the United States by treaty without congressional sanction. Moreover, they wisely included in article IV, section 3, clause 2 of the Constitution a vital provision vesting the power to dispose of territory and other property of the United States in the Congress and not in the President and the Senate alone.

As could have been expected by those familiar with constitutional history, the ignoring of this provision by our negotiators in 1967 served to focus wide attention on the treatymaking power of our Government, which is vested in the President and the Senate; and many thoughtful students of government have urged that the House of Representatives be included in this important function.

A study of the proceedings of the Constitutional Convention discloses that the inclusion of the House in the treatymaking power was considered by the framers of the document but not adopted because it was felt that the required secrecy would be more difficult to maintain.

The membership of the First Congress consisted of 26 Senators and 65 Representatives. Today, the Senate has more Members than the Senate and House combined in 1789. Moreover, the organizational structure of both Houses is such as to safeguard classified information.

From these facts, it is obvious that the historic reasons for noninclusion of the House of Representatives in the treatymaking power no longer apply. Moreover there are paramount reasons why the House should be included. Among them are:

First, the origination in the House of revenue bills to implement treaties requiring appropriations;

Second, the Constitutional requirement for congressional authorization for the disposal of U.S. territory and property; and

Third, the more intimate relationship of the House to the electorate. Also there has been in recent years, as there will undoubtedly be in the future, the practice of some elements in our Government to attempt to do by treaty what could never be accomplished by legislation, under the fallacious contention that treaties do not have to conform to the Constitution but need only to be made under the authority of the United States. Coupled with this there has grown up in the executive department the scheme of arranging for international Executive agreements as substitutes for treaties, thus damaging the constitutional processes and reducing the power of the Senate.

To meet the situation as so clearly represented by the proposed Panama Canal treaties, I have introduced House Joint Resolution 394, which provides for the inclusion of the House of Representatives in the treatymaking power and have urged all of my colleagues in the House to introduce or cosponsor like resolutions.

In order that the Congress and the Nation may be fully informed in the premises, I quote as part of my remarks the indicated resolution and a June 12, 1967, pamphlet prepared at my request by the Legislative Reference Service of the Library of Congress in "The Treatymaking Power in the Constitution."

H.J. RES. 394

Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in making of treaties

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (*two-thirds of each House concurring therein*), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE

"No treaty with respect to which the advice and consent of the Senate is required by section 2 of article II of this Constitution may be made without the advice and consent of the House of Representatives, two-thirds of the Representatives present concurring."

THE TREATYMAKING POWER IN THE CONSTITUTION: A SUMMARY OF THE HISTORY RELATING TO THE NONINCLUSION OF THE HOUSE OF REPRESENTATIVES

BACKGROUND

At the Constitutional Convention of 1787 in Philadelphia, the decision concerning how treaties would be made was only a small part of the basic task of devising an effective federal government. The eventual wording of section 2 of Article II that the President, "shall have power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur" reflected the check and balance system which emerged. It also reflected the differences and compromises among the large and small states and those in favor of a strong national government and those concerned with protecting the rights and interests of individual states.

Prior to the Revolutionary War, the foreign relations of the thirteen colonies had been primarily conducted by Great Britain, where the king made treaties and the parliament was not involved unless the treaty needed further implementing legislation. Executive control was the prevailing practice throughout Europe, and one factor in the debates on the treaty-making power was that American representatives would be negotiating with diplomats representing and instructed by the king who would also later ratify any treaty negotiated. However, the Americans were establishing a unique system of government and prevailing practice was modified or abandoned as needed to suit the aims of a democratic, federal republic.

The Articles of Confederation vested the treaty-making power in Congress and required the assent of nine states. Written in 1776 and 1777, and formally entering into effect in 1781, the articles formed the basis of the relationship between the colonies until superseded by the Constitution in 1789. During this period the Congress consisted of delegates appointed by the state legislatures, each with an equal vote, and there was no executive. Although the Confederation Congress later established a Department of Foreign Affairs, it maintained tight control over the Secretary and issued instructions to the negotiators of treaties. Several treaties were concluded with the Continental and then the Confederation Congress in charge of both the negotiating and the ratifying of treaties.[1]

The Articles of Confederation proved inadequate for the basic task of maintaining sufficient cooperation and unity among the states, and particularly for financing the activities of the national government. In regard to treaties, the main problem which emerged concerned the inability of the Central Government to enforce treaty stipulations, particularly those relating to the collection of debts due to British subjects.[2] The framers of the Constitution were intent and agreed upon correcting this situation, which accounts for including treaties among the supreme law of the land. The procedure for making treaties, which is the subject of this report, did not appear to be a matter of either great unanimity or great debate.

HISTORY OF THE TREATYMAKING CLAUSE AT THE CONSTITUTIONAL CONVENTION

Soon after the Constitutional Convention was convened on May 25, 1787, Governor Edmund Randoph of Virginia presented a series of resolutions subsequently known as the Virginia Plan. These resolutions, which formed the main basis for discussion at the Convention and represented the views of the larger states, did not specify how treaties were to be made, referring to treaties only to say that the national legislatures ought to be empowered "to negative all laws passed by the several states, contravening, in the opinion of the national legislatures the articles of Union, or any treaty subsisting under the authority of the union. . . ."[3]

The other major basis of discussion, the New Jersey Plan, which the smaller states proposed as a substitute for the Virginia plan, similarly did not specify how treaties were to be made. It referred to treaties only in connection with the judiciary's authority in the construction of treaties and to provide that treaties shall be the supreme law of the respective states, and that federal authority could be called forth to enforce and compel obedience to the observance of treaties.

However, it has been pointed out that in both plans it was probably assumed that Congress would continue to make treaties as it had under the Articles of Confederation. The New Jersey Plan, for example, specified that the powers granted to Congress under it were in addition to those which had been granted under the articles of Confederation.[4]

Two plans which did not form the basis of substantial discussion[5] did provide for the treaty-making power. In a draft plan of government presented to the Constitutional Convention on May 29, 1787 by Charles Pinckney of South Carolina, the Senate was given the sole and exclusive power to make treaties as well as to declare war, and appoint ambassadors and other ministers to foreign nations.[6] On June 18 Alexander Hamilton presented a plan in which the chief executive, the Governor, would have "with the advice and approbation of the Senate the power of making all treaties."[7]

THE FIRST DRAFT

The first draft of the Constitution gave treaty-making power to the Senate alone. Reported on August 6, 1787, by a Committee of Detail established to prepare a text based on the proceedings to that time, Art. IX, sec. I of the first draft said:

"The Senate of the U.S. shall have power

Footnotes at end of article.

to make treaties, and to appoint Ambassadors, and Judges of the Supreme Court."[8]

When this provision was debated on August 23, 1787, James Madison of Virginia pointed out that the Senate represented the States alone and that for "this as well as other obvious reasons" the President should be an agent in treaties.[9]

Gouverneur Morris of Pennsylvania questioned whether the making of treaties should be referred to the Senate at all, and proposed an amendment adding "but no Treaty shall be binding on the U.S. which is not ratified by a law."[10] Morris' amendment, which would have given both houses of the legislature a role in treaties, was defeated with eight states opposed and only Pennsylvania in favor.

In opposing the amendment requiring ratification of a treaty by a law, Nathaniel Gorham of Massachusetts stated that there would be many disadvantages if treaties of peace and all negotiations had to be ratified in advance, and that if they were not ratified in advance the Ministers would not know how to proceed and would have to go abroad instructed by a different authority than would ratify their proceedings, unlike other countries where the delegates were instructed by the same authority responsible for ratification.

One point of debate on the amendment concerned the effect on making a treaty of alliance. Madison suggested that it would be inconvenient to require a legal ratification of treaties of alliances or treaties for the purpose of war. Morris stated that for treaties of alliance the amendment would require that the foreign ministers be sent to the United States, which he thought was desirable because he was not "solicitous to multiply and facilitate Treaties. . . . The more difficulty in making treaties, the more value will be set on them."[11] On this point Gorham replied that negotiations at home, especially with the whole legislation involved, were undesirable because of the danger of corruption by the foreign Ambassadors. He said that "negotiations on the spot were not to be desired by us, especially if the whole Legislature is to have anything to do with Treaties. It will be generally influenced by two or three men, who will be corrupted by the Ambassadors here. In such a Government as ours it is necessary to guard against the Government itself being seduced."[12]

Speaking in behalf of the requirement for ratification by a law, James Wilson of Pennsylvania stated the view that without such an amendment the Senate alone could require "all the rice of South Carolina to be sent to some one particular port," and that the King of Great Britain was under the same fetters (of requiring subsequent legislation) on important Treaties which required Parliamentary action to execute them. John Dickinson of Delaware said he concurred that the amendment was safe and proper even though he recognized that it was unfavorable to the small states which in the original proposal would have an equal voice in Treaties.

Or the other side, William Johnson of Connecticut thought it was somewhat improper that the acts of a Minister with plenipotentiary powers from one Body should depend upon ratification by another Body. He disagreed that the English case was similar, stating that the King had full power and if Parliament failed to provide the necessary means of executing the Treaty, it would be violated.

The clause was then referred back to the Committee on Detail, Randolph "observing that almost every Speaker had made objections to the clause as it stood,"[13] and Madison suggesting that a distinction in the method of making treaties might be made between different kinds of treaties. He suggested that the President and Senate might be allowed to make "Treaties eventual and of Alliance for limited terms" but that for other treaties the concurrence of the whole legislature be required.

THE SECOND DRAFT

On August 31, 1787, all unfinished parts of the Constitution, which included the clause on making treaties, were referred to a committee composed of one representative from each state. The language on the treaty-making power in the report presented by this committee on September 4, 1787, stated:

"The President by and with the advice and consent of the Senate, shall have power to make Treaties. . . . But no treaty shall be made without the consent of two thirds of the members present."[14]

When this portion of the report was brought up for discussion on September 7, 1787, James Wilson of Pennsylvania immediately moved to add the words "and House of Representatives" after the word Senate. Since treaties were to have the operation of laws, he said, they should also have the sanction of laws. Any necessity for secrecy, so far as it was inconsistent with obtaining Legislative sanction, was outweighed by the necessity for this sanction.

Roger Sherman of Connecticut expressed the view that the only question was whether the power could be safely entrusted to the Senate, and that he believed it could, but the necessity of secrecy, he said, forbade a reference of treaties to the whole Legislature. The motion to include the House of Representatives was defeated, with only Pennsylvania voting in favor and New Hampshire, Massachusetts, Connecticut, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia voting against.

The second clause of the sentence, "But no treaty shall be made without the consent of two-thirds of the members present" was then considered. Wilson of Pennsylvania objected to requiring a two-thirds majority on the grounds that it gave a minority the power to control the majority. Rufus King of Massachusetts supported this view, pointing out that there was already a check since the Executive was also involved.

At one point on September 7 an amendment by Madison to exempt treaties of peace from the regular procedure, so that they could be made more easily than other treaties, was adopted. However, agreement was not reached on what different procedure would be used for peace treaties. The convention defeated a motion by Madison to authorize two-thirds of the Senate to make peace treaties without the concurrence of the President. Madison said the President "would necessarily derive so much power and importance from a state of war that he might be tempted, if authorized to impede a treaty of peace." Pierce Butler of South Carolina concurred, expressing the belief that this was a precaution against ambitious and corrupt Presidents and pointing to the "late perfidious policy of the Statholder in Holland; and the artifices of the Duke of Marlboro to prolong the war of which he had the management."[15]

Others, however, did not agree to having the Senate alone responsible for making peace treaties. Gorham thought the precaution unnecessary since the means of carrying on the war would be in the hands of the Legislature, not the President. Gouverneur Morris thought the President's power would be harmless in this case and that no peace should be made without the agreement of the President who was the guardian of the national interests. Elbridge Gerry of Massachusetts said that a greater proportion of votes, not a smaller, should be necessary in treaties of peace.

"In Treaties of peace the dearest interests will be at stake, as the fisheries, territory &c. In Treaties of peace also there is more danger to the extremities of the Continent, of being sacrificed, than on any other occasions."[16]

The next day, however (September 8, 1787) the Convention agreed to a reconsideration of the entire clause. One member wanted to strike out the exception for treaties of peace. Points made by those in favor of continuing the exception for Treaties of Peace included (a) that if two-thirds of the Senate were required for making peace, the Legislature would be unwilling to make war for that reason on account of the "Fisheries or the Mississippi, the two great objects of the Union,"[17] (b) that if a majority were for peace but were not allowed to make it they would be apt "to effect their purpose in the more disagreeable mode, of negativing the supplies for the war,"[18] (c) that if two-thirds were necessary to make peace, a minority might perpetuate war against the sense of the majority.

On the other hand, those in favor of requiring a two-thirds majority for treaties of peace as for all others contended that in the Senate there could be a majority of the states without a majority of the people, and that eight men who might be the majority of a quorum should not have the power to decide the conditions of peace. The exception for the Treaties of Peace was stricken out by an 8 to 3 vote, with only New Jersey, Delaware, and Maryland in favor of retaining the exception.

Roger Sherman of Connecticut moved that no rights established by the Treaty of Peace should be ceded without the sanction of the Legislature. To this Madison observed that in the present Congress it had been too easy to make Treaties although nine states were required. (In connection with the observation by Madison, that it had been too easy to make Treaties, one authority has pointed out that at that time Treaties had been made with only six foreign countries.)[19]

Several other amendments were also defeated. Wilson of Pennsylvania and Dayton of New Jersey moved to strike out altogether the clause requiring two-thirds of the Senate, but this was defeated with all states opposed except Delaware. A motion by John Rutledge of South Carolina and Gerry to require the consent of two-thirds of all the members of the Senate was defeated with only North Carolina, South Carolina, and Georgia in favor, and a move by Roger Sherman of Connecticut and Gerry to require a majority of the whole number of the Senate was also defeated but by a small margin, with Massachusetts, Connecticut, Delaware, South Carolina, and Georgia in favor and New Hampshire, New Jersey, Pennsylvania, Maryland, Vermont, and North Carolina opposed. A move by Madison that a quorum of the Senate should consist of two-thirds of all the members was also defeated by a 5–6 vote, New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, and Delaware opposed and Maryland, Virginia, North Carolina, South Carolina, and Georgia in favor. A move by Hugh Williamson of North Carolina and Gerry that "no Treaty should be made without previous notice to the members and a reasonable time for their attending" was also defeated, with only North Carolina, South Carolina, and Georgia in favor. Then the clause on treaty-making in the Report of the Committee was passed, although Pennsylvania, New Jersey and Georgia voted against it.

A committee was then appointed to revise the style and arrangement of the articles which had been agreed to, and the text reported back by this committee was compared with the proceedings. As finally approved by the convention, section 2 of Article II stated as it does today:

"He [the President] shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur."

Footnotes at end of article.

ADDITIONAL REASONS GIVEN PRIOR TO ADOPTION OF THE CONSTITUTION

In the explanation and defense of the new Constitution propounded between the signing of the Constitution on September 17, 1787, and its ratification by the necessary nine state conventions and entry into force, further attention was given to the treaty-making procedures. Reasons for not including the House of Representatives along with the Senate and President in making treaties were elaborated to meet criticism which emerged on this point. A major criticism was that if treaties were to be part of the supreme law of the land, the entire legislature should participate; otherwise the President and Senate might legislate through treaties and fear was expressed that the interests of some, such as the navigation of the Mississippi, might be traded away for the interests of others, such as commercial concessions for the northern states.[20] There was also fear among some that the Senate might have been given too much power.

During this period a number of proposals were made for amendments which would have given the House of Representatives a role in making certain types of treaties at least.

For example, Patrick Henry suggested that "no treaty should be made without the consent of a considerable majority of both houses" and when Virginia ratified the Constitution, its legislature passed a resolution suggesting various amendments, one of which was that no commercial treaty should be ratified without the concurrence of two-thirds of the whole number of the Senate and specified treaties should require approval of three-fourths of both houses of Congress:

". . . no treaty, ceding, contracting, restraining, or suspending, the territorial rights or claims of the United States, or any of them, or their, or any of their rights or claims to fishing in the American seas, or navigating the American rivers, shall be made, but in cases of the most urgent and extreme necessity; nor shall any such treaty be ratified without the concurrence of three fourths of the whole number of the members of both houses respectively." [21]

North Carolina suggested the same amendment prior to its ratification.

A conference at Harrisburg, Pennsylvania, in September 1788 petitioned the State legislature to obtain certain modifications of the Constitution, including an amendment to the "supreme law of the land" clause of Article VI which would require the assent of the House of Representatives for a treaty to alter or affect any law of the United States or a particular state. It said:

"That to article 6, clause 2, be added the following proviso, viz.: Provided always that no treaty, which shall hereafter be made, shall be deemed or construed to alter or affect any law of the United States, or of any particular state, until such treaty shall have been laid before and assented to by the House of Representatives in Congress." [22]

None of the proposed amendments concerning treaties were submitted by Congress to the states for ratification.[23]

The need for "secrecy and despatch" were perhaps the most frequently cited reasons for not giving the House of Representatives a role in treaty-making. It was apparently anticipated that in giving its advice and consent the Senate would actively participate in the making of treaties as well as in their ratification, because reference was often made to the necessity for secrecy in negotiations and the difficulty of maintaining secrecy in a large group such as the House of Representatives. Similarly, it was pointed out that it would be inefficient and expensive to require the legislature to be in session while a treaty was being negotiated, whereas the smaller Senate could be convened quickly.

The shorter term of the members of the House of Representatives and the anticipation of frequent turnover was another reason cited. It was claimed that Senators, who were elected for longer periods, would gain valuable experience and that their staggered terms would provide for a continuity which did not exist in the house. In addition, until later changed by amendment, the Senate was to be elected by state legislatures, and the view was expressed that this and the higher age requirement for the Senate would lead to a person more qualified for making treaties than the representatives elected by popular election.

John Jay, who had served as Secretary of Foreign Affairs during the period of the Confederation, wrote in the Federalist:

"The power of making treaties is an important one, especially as it relates to war, peace, and commerce; and it should not be delegated but in such a mode, and with such precautions, as will afford the highest security, that it will be exercised by men the best qualified for the purpose, and in a manner most conducive to the public good. The convention appear to have been attentive to both these points—they have directed the president to be chosen by select bodies of electors, to be deputed by the people for that express purpose; and they have committed the appointment of senators to the state legislatures. This mode has, in such cases, vastly the advantage of elections by the people in their collective capacity where the activity of party zeal, taking advantage of the supineness, the ignorance, the hopes, and fears of the unwary and interested, often places men in office, by the votes of a small proportion of the electors.

". . . They who wish to commit the power under consideration to a popular assembly, composed of members constantly coming and going in quick succession, seem not to recollect that such a body must necessarily be inadequate to the attainment of those great objects, which require to be steadily contemplated in all their relations and circumstances, and which can only be approached and achieved by measures, which not only talents, but also exact information, and often much time, are necessary to concert and to execute. It was wise, therefore, in the convention to provide, not only that the power of making treaties should be committed to able and honest men, but also that they should continue in place a sufficient time to become perfectly acquainted with our national concerns, and to form and introduce a system for the management of them. The duration prescribed, is such as will give them an opportunity of greatly extending their political information, and of rendering their accumulating experience more and more beneficial to their country. Nor has the convention discovered less prudence in providing for the frequent elections of senators in such a way, as to obviate the inconvenience of periodically transferring those great affairs entirely to new men—for, by leaving a considerable residue of the old ones in place, uniformity and order, as well as a constant succession of official information, will be preserved.

* * * * *

"It seldom happens in the negotiation of treaties, of whatever nature, but that perfect *secrecy* and immediate *dispatch* are sometimes requisite. There are cases where the most useful intelligence may be obtained, if the persons possessing it can be relieved from apprehensions of discovery. . . . The convention have done well, therefore, in so disposing of the power of making treaties, that although the president must, in forming them, act by the advice and consent of the senate, yet he will be able to manage the business of intelligence in such a manner as prudence may suggest.

". . . they who have had much experience on this head inform us, that there frequently are occasions when days, nay, even when hours are precious. . . . For these the president will find no difficulty to provide; and should any circumstances occur, which requires the advice and consent of the senate, he may at any time convene them. Thus we see, that the constitution provides that our negotiations for treaties shall have every advantage which can be derived from talents, information, integrity, and deliberate investigation, on the one hand; and from secrecy and dispatch, on the other." [24]

Alexander Hamilton wrote in opposition to including the House of Representatives:

". . . The fluctuating, and taking its future increase into the account, the multitudinous composition of that body, forbid us to expect in it those qualities which are essential to the proper execution of such a trust. Accurate and comprehensive knowledge of foreign politics; a steady and systematic adherence to the same views; a nice and uniform sensibility to national character; decision, *secrecy*, and dispatch; are incompatible with the genius of a body so variable and so numerous. The very complication of the business, by introducing a necessity of the concurrence of so many different bodies, would of itself afford a solid objection. The greater frequency of the calls upon the house of representatives, and the greater length of time which it would often be necessary to keep them together when convened, to obtain their sanction in the progressive stages of a treaty, would be a source of so great inconvenience and expense, as alone ought to condemn the project." [25]

Charles Cotesworth Pinckney, in an address before the Virginia legislature, said on the question of vesting the treaty-making power in the House of Representatives:

"Can secrecy be expected in sixty-five members? The idea is absurd. Besides, their sessions will probably last only two or three months in the year; therefore, on that account, they would be a very unfit body for negotiation whereas the Senate, from the smallness of its numbers, from the equality of power which each state has in it, from the length of time for which its members are elected, from the long sessions they may have without any great inconveniency to themselves or constituents, joined with the president, who is the federal head of the United States, form together a body in whom can be best and most safely vested the diplomatic power of the Union." [26]

A few years later on November 19, 1794, the Jay Treaty between the United States and Great Britain was concluded, one of the first treaties to be negotiated and ratified under the new Constitution. President Washington wrote, in refusing to send the House of Representatives the instructions which had been given to the negotiators for the legislature's consideration of the treaty's effect on existing laws or requirements for implementing legislation:

"The nature of foreign negotiations requires caution, and their success must often depend on secrecy; . . . The necessity of such caution and secrecy was one cogent reason for vesting the power of making treaties in the President, with the advice and consent of the Senate, the principle on which that body was formed confining it to a small number of members." [27]

Thus after the Constitution was adopted the chief reasons cited for confining the treaty-making power to the President and the Senate concentrated on advantages it was expected the Senate would have as a partner in the negotiations as a result of its smaller size: the ability to maintain secrecy, meet quickly, stay in session longer, and act efficiently. During the writing of the Constitution, the delegates also showed their concern for maintaining a system of checks and balances between the Executive and Legislative Branches and for forming a strong central government while still afford-

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Footnotes at end of article.

ing the individual states protection of their rights and prerogatives.

FOOTNOTES

[1] Crandall, Samuel B. Treaties, their making and enforcement. Washington, Byrne & Co., 1916. pp. 24–42.

[2] Butler, Charles Henry. The treaty-making power of the United States. New York, Banks Law, 1902. p. 164.

[3] Resolutions offered by Mr. Edmund Randolph, May 29, 1787. Journal of U.S. Constitutional Convention of 1787. Boston, Wait, 1819. p. 67.

[4] Holt, W. Stull. Treaties defeated by the Senate. Gloucester, Mass., Peter Smith, 1964, p. 3.

[5] Farrand, Max. The framing of the Constitution of the United States, New Haven, Yale, 1913. (1965 ed.) pp. 72 and 89.

[6] Journal of U.S. Constitutional Convention of 1787. Boston, Wait, 1819. p. 77.

[7] U.S. Constitutional Convention, 1787. Notes of Debates in the Federal Convention of 1787 reported by James Madison. Athens, Ohio University Press, 1966. (Hereafter referred to as Madison notes.) p. 138.

[8] Madison notes. p. 391.

[9] *Ibid.*, p. 520.

[10] *Ibid.*

[11] *Ibid.*, p. 520.

[12] *Ibid.*, p. 521.

[13] *Ibid.*, p. 521.

[14] Madison's Notes, p. 575.

[15] Madison's notes, p. 600.

[16] *Ibid.*

[17] *Ibid.*, p. 602.

[18] Gov. Morris, *Ibid.*, p. 602.

[19] Holt, *op. cit.*, p. 11.

[20] Main, Jackson Turner. The Antifederalists. Critics of the Constitution, 1781–1788. Chapel Hill, University of North Carolina Press, 1961, p. 139.

[21] Journal, pp. 422 and 445.

[22] Elliot, Jonathan. The Debates in the Several State Conventions on the adoption of the Federal Constitution as recommended by the General Convention at Philadelphia. Philadelphia, Lippincott, 1836, p. 546.

[23] Crandall, *op. cit.*, p. 63.

[24] Hamilton, John C., *ed.* The Federalist. Philadelphia, Lippincott, 1866, Number LXIV, March 7, 1788.

[25] The Federalist, *op. cit.*, No. LXXV. New York, March 28, 1788.

[26] Elliott's Debates. V. IV, p. 231.

[27] Butler, *op. cit.*, p. 292.

NEW CANAL: WHAT ABOUT BIOENVIRONMENTAL RESEARCH?

(Mr. FLOOD asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. FLOOD. Mr. Speaker, the longer I study the interoceanic canal problems the more I find new angles in it. The latest is a rising tide of criticism from scientists as regards the intermixing of the Atlantic and Pacific oceans by a canal at sea level and the use of nuclear explosives for excavation.

The latest statement in these regards is an article by Marti Mueller in the January 10, 1969, issue of Science, a weekly magazine published by the American Association for the Advancement of Science.

To make the indicated article available to the Congress, I quote it as part of remarks:

New Canal: What about Bioenvironmental Research?

(By Marti Mueller)

The protests of scientists concerned about U.S. plans to build a new interoceanic Atlantic-Pacific sea-level canal seem, like television commercials, to grow louder and longer. These scientists claim that, unless thorough, extensive scientific studies are carried out before the oceans are linked, serious and irremediable ecological consequences may occur.

Since 1906 it has been recognized that eventually another canal would have to be built, as traffic through the Pamana Canal increases. Some 1400 ships now plying the seas cannot pass through the existing canal because of draft and beam limitations. It is estimated that the canal will have reached capacity around 1985, with a flow of 19,000 ships a year. About 13,000 ships now pass through the canal each year.

After the outbreak of civil violence in Panama in 1964, President Johnson asked Congress to establish a five-member Canal Study Commission to lay the groundwork for a new canal project. Members of the commission are Robert Anderson (chairman), a diplomat; Robert Storey, a lawyer; Milton S. Eisenhower, a university president; Kenneth Fields, a former Army engineer; and Raymond Hill, a civilian engineer. The commission has an appropriation of $24 million and has been assigned a final reporting date of 1 December 1970. The commission's task is, among other things, to recommend a location for a second canal, to study the scope of the anticipated negotiations with the country involved, to recommend an excavation technique, to assess costs and means of support, and to consider a defense system for the canal. Some critics say that, with a multitude of political, diplomatic, engineering, military, and financial problems facing the commission, the scientific considerations tend to get lost.

Scientists find two proposals for the canal particularly controversial: a proposal that the channel should be at sea level, thus intermixing the two oceans, and a proposal that atomic energy be used to dig it. They argue that consideration of either of these proposals should be preceded by extensive research into the possible environmental consequences. Scientists fear, for example, that linking the two oceans might result in serious changes in certain species of marine life, which may be genetically different in the Atlantic and the Pacific. They say that interbreeding may lead to sterilization of the offspring in some species. They wonder whether existing predator-prey relationships would be upset, with certain species becoming extinct and others overabundant. They worry lest temperature and water currents might be changed, and the balance of marine life thereby affected. They are also concerned about the sociological effects of the canal upon nearby tribal populations, which might be uprooted from their homes and means of livelihood. They warn that the use of atomic explosives to dig the canal may endanger plant and marine species, contaminate the food chain, and ultimately harm man.

Some scientists note that the only large-scale Canal Commission research program now under way is a Corps of Engineers study of feasible engineering methods. Environmental research pertaining to the canal is only modestly supported and is limited in scope. The Atomic Energy Commission (AEC) and the Smithsonian Institution are conducting research programs specifically designed to yield data on the canal. The commission also has asked the National Science Foundation and the Interior Department's Bureau of Fisheries to orient their own research programs, where possible, with canal studies.

The Smithsonian ecological research is self-supported. Initiated in 1967, it was funded at $55,000 last year and at $73,000 this year. The program focuses primarily on the possible biological consequences of linking the oceans with a saltwater channel, which would make possible the free movement of all types of tropical ocean biota across the isthmus. The Smithsonian's Tropical Research Institute, near Balboa, in the Canal Zone, conducts studies of existing marine life and the ocean environment. Projects vary from a comparative study of the effects of temperature changes on the metabolism of tropical fish to an investigation of behavioral discrimination in Atlantic and Pacific shallow-water sea urchins. Only early results of this research are available—results such as the discovery that certain marine species can be crossbred.

The AEC's research program is supported by the Canal Commission. Begun in 1965, the 5-year, $3-million research project has a more narrow focus than the Smithsonian research. The AEC is responsible for making radiological studies of the safety of nuclear excavation. These AEC bioenvironmental studies are contracted to Battelle Memorial Institute, which, in turn, subcontracts to universities, firms, and individuals. Projects include a study of human, agricultural, freshwater, and saltwater ecology, the construction of predictive models on fallout distribution patterns, and analyses of the transfer of radioactivity through the food chain. The Battelle Institute's programs are still largely in the data-collecting stages. One project which is well advanced, however, is an experimental program with radioactive nuclides. The institute has found nearly 300 nuclides unsafe for biological species.

Canal Commission executive director John Sheffey recently told *Science* that Commission members are in the process of negotiating ecological research proposals with Battelle Memorial Institute, which total $250,000. Sheffey said he has had "very strong assurance" from Commission members who plan to meet next Monday that some of Battelle's projects will be approved. Battelle has primarily proposed completing identification of marine life specimens collected by Gilbert L. Voss, professor of marine sciences at the University of Miami, to learn more about marine life populations.

ADDITIONAL RESEARCH PROPOSED

Some scientists who argue that AEC and Smithsonian ecological research programs are inadequate want the federal government to sponsor a much more comprehensive, indepth environmental study relating to the canal, which would run the cost into the millions figure, instead of thousands. Sidney Galler, Smithsonian assistant secretary for science, feels that such research would cost between $25 and $50 million over a period of 15 to 25 years and would involve numerous government and private institutions. (It is estimated that the chartering, operation, and data collection for one research ship for 1 year would cost about $2.5 million. At least two ships, one on the Atlantic and one on the Pacific side, would be needed to conduct studies over a period of years.) Ecologists recommend that a survey and extensive studies be conducted of both the deep ocean and the continental shelf. The focus, they say, should be on food-chain studies, marine life, ocean currents, fish breeding, temperature differentials, wind conditions, and transplantation possibilities. The first phase of such a research program would be the gathering of fundamental data on biological, physical, and anthropoligical resources in the Pacific and Caribbean. This would be followed by comprehensive testing, by predictions, and possibly by a preventive program, based on systems analysis, mathematical modelings, and pilot testings. This research would be conducted during as well as before construction of the canal, and interim results would be made available for technical applications.

"With the exception of Battelle's work, there has not been a comprehensive research program with the object of ecological evaluation either proposed or supported by the

Commission," Smithsonian's Galler has said. His views are largely shared by Smithsonian scientists Ira Rubinoff, assistant director of marine biology, Smithsonian Tropical Research Institute; I. E. Wallen, director of the Office of Oceanography and Limnology; and David Challinor, deputy director of international activity. The Smithsonian scientists would like to see the federal government establish a national commission of environmental assessment, which would sponsor full scientific research on the possible ecological consequences of construction of the canal and propose prophylactic action where necessary.

In an article in *Science* (30 August) Ira Rubinoff suggested the creation of a multidisciplinary environmental control commission with broad powers to assess potential alterations in the environment. He has also suggested that a scientific advisory panel consisting of oceanographers, ecologists, and marine scientists be convened to discuss the scope of feasible pre-construction experimental research. Challinor recommends training scientists to assess the research needs. He says there is only a handful of scientists in the nation who have the expertise and the reputation to handle the canal-research data.

But the fanciful red brick towers of the Smithsonian are not the only place where comments flow. Richard Rosenblatt, an associate professor of marine biology at Scripps Oceanographic Institute, also feels that present knowledge and research are inadequate. One of his deepest concerns is a fear that the canal will place different morphological species in direct competition with each other, thereby disrupting the marine balance. Perhaps the most outspoken critic of the Canal Commission's proposal to build a sea-level channel is Lamont Cole, an ecologist at Cornell University. He objects to linking the oceans without long-term breeding experiments on what he believes may be genetically different marine populations; he warns that marine life is highly sensitive to even the most minute temperature differentials. On the question of atomic energy, Cole feels that present expertise is not sufficient to prevent dangerous radioactive isotopes from contaminating water and land and eventually upsetting the food chain. "I think this is the most irresponsible suggestion that I can remember since Admiral Byrd's senile proposal to blow ice caps off Antarctica," he says.

Ecologists will fact numerous problems in their efforts to secure an intensive canal bioenvironmental research program. For one thing, an economy-minded Congress indicated last spring that it was not entirely sympathetic with the Canal Commission's financial problems. An extension of the commission's reporting date by a year and a half and an increase of $6.5 million were granted only after considerable debate.

Another problem is that of possible conflicts of interest. The AEC, for example, is charged with promoting the peaceful uses of atomic energy, yet it is also responsible for insuring that safe radioactivity levels are maintained. Thus far there has been little interest shown by any agencies other than AEC and the Smithsonian in canal bioenvironmental research.

Not all of the problems relating to the canal are ecological. Another issue of interest to scientists is the question of the nuclear test ban treaty. If the U.S. Government decides to use atomic energy to build the canal, the present international nuclear test ban treaty, which prohibits nuclear explosions which would cause radioactivity to be present beyond a nation's territorial limits, would have to be changed. Some U.S. officials believe the U.S. could obtain Soviet consent if, in exchange, the U.S. would agree to allow the Russians to use atomic energy to build harbors in the Baltic. But this, of course, is speculation.

There are also vested political considerations involving the Canal Commission, evidenced by a comment from Canal Commission executive director Sheffey: "They [scientists] are interested in research, whereas we are interested in tactical problems." While political, engineering, and legal interests are represented on the five-member Canal Commission, there is no spokesman for scientific interests per se. Sheffey admits that some government officials take the view that "research is nice to have, but not very important," and he adds, "we can't be certain of the biological implications, until after the canal is built anyway—regardless of how much research is done now." Sheffey does not view the potential environmental consequences of a canal as particularly serious. "The possibilities of any serious disruptions to nature are very remote," he says, "and the potential threat to biota is so insignificant that it doesn't merit spending a lot of money on it." Sheffey also added, "it is obvious that Wallen and other Smithsonian scientists adopt the policy of taking an alarmist view to attract attention, and they tacitly admit it."

On the other hand, scientists feel that planning for the canal provides an opportunity to collect and analyze invaluable ecological data through extensive research. "I think its sole justification should be science. . . . This is a tremendously interesting once-in-5-million-years experiment," Wallen says. A lot of ecologists also seem to feel that the planning stages for the new canal provide a classic opportunity for scientists to do what they can to see that man does not manipulate his environment on a major scale without assessing the consequences.

RAISE INCOME TAX EXEMPTION

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I have today sent letters to the President of the United States and chairman of the House Ways and Means Committee urging that the raising of personal tax exemptions be one of the primary goals to tax reform legislation. I would like to include the substance of my communications as part of my remarks:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 18, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Like most of my colleagues, I am pleased that it is your intention to send recommendations to Congress for major tax reform.

Wholesale revisions of the inequitable and unmerciful present tax structure are long overdue, and there is national support for a complete overhaul. I am particularly disturbed at disclosures of cases where individuals with enormously high incomes find ways to escape payment of taxes.

So long as such loopholes exist, the whole purpose of the income tax is perverted. It is past time to prohibit legal tricks that enable the wealthy to avoid tax payment.

Mr. President, tax reform is mandatory, but you and I know that major revisions will require months of preparation and hearings. Meanwhile the Administration could bring a measure of refreshing relief to the overtaxed public without an acute upset in the federal budget by recommending an immediate increase in the personal tax exemption from $600 to $750.

To this end I am writing to Chairman Mills of the House Ways and Means Committee in the hope that he will agree to the change and act as soon as possible on H.R. 2717, which I introduced for this purpose on January 9.

An increase in personal exemptions would provide blanket easing of tax burdens while the overall reform program is in process. The $750 figure can be raised at a later date if determined to be feasible. I am also hoping that more consideration will be given to the single individual in the tax reform program. As you are aware, the current law discriminates against the single person both in application of tax rates and in personal exemptions. Single persons with families to support are especially imposed upon under the provision which deprives them of the joint-return clause available to married couples.

I am confident that your recommendations will initiate a much-needed change in our tax laws. Meanwhile your support of H.R. 2717 will be deeply appreciated.

With every good wish,
Sincerely,

JOHN P. SAYLOR,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 18, 1969.

Hon. WILBUR D. MILLS,
Chairman, House Ways and Means Committee, Longworth House Office Building,
Washington, D.C.

DEAR MR. CHAIRMAN: while awaiting White House recommendations for major tax revisions, I feel that Congress should act quickly to raise personal income tax exemptions. Some of our colleagues have already introduced bills that would double the present $600, but it is my belief that the figure is unrealistic at this time.

On January 9th, I introduced H.R. 2717, which is now before your committee, to increase from $600 to $750 the personal income tax exemption. Enactment would bring a measure of refreshing relief to the overtaxed public without an acute upset in the federal budget, and the figure could be raised at a later date if determined to be feasible.

I shall appreciate your immediate consideration of this legislation.

With every good wish,
Sincerely,

JOHN D. SAYLOR,
Member of Congress.

CONGRESSMAN ANNUNZIO SUPPORTS ELECTORAL REFORM

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, I have joined in sponsoring House Joint Resolution 317 because I agree that it is time—indeed past time—to remedy the defects of our anomalous electoral college system.

We have had warnings aplenty that our method of electing the President and Vice President brings the Nation unnecessarily close to the brink of crisis every 4 years—and we do not have to dig into the pages of history for examples. Two out of the three presidential elections in this decade alone have raised the specter of disaster: in 1960 the total popular vote was very close, within two-tenths of 1 percent, making very real the possibility of a minority President; and in 1968 the strong third-party candidacy of George Wallace meant that a different outcome in just one State, California, would have denied an electoral majority to President Nixon, and the election would have been thrown into the House for decision.

The electoral college system does not fulfill today the function originally envisioned for it; much less does it meet the needs of our complex urban society. I can see very little reason and no excuse for delaying action any longer on this matter.

The measure I am cosponsoring, the same one introduced in the Senate by BIRCH BAYH, of Indiana, calls for direct election of the President and Vice President. Our proposed amendment makes it clear that a presidential ticket would consist of a specific candidate for each of the two positions, to eliminate the possibility of unwise or hasty amalgams crossing party lines. The electors would be the people themselves, each casting a ballot to vote for the ticket of their choice. Eliminated would be the presidential electors who now, by inserting themselves between the people and the final election decision, interfere with the operation of direct democracy.

The presidential ticket receiving the most votes would, very simply, be elected. Gone would be the brokerage system of dispensing electoral votes, whereby a ticket which has narrowly won the popular vote in a given State may add all that State's electoral votes to its column. Gone would be the problem of the "faithless elector" who decides to vote "his conscience" rather than follow the dictates of those who elected him. Gone would be the possibility of a presidential ticket "elected" by a minority of the people.

Should none of the candidates succeed in winning at least 40 percent of the popular vote, our amendment provides that a runoff election would be held between the two tickets with the greatest numbers of votes. Congress is directed to determine the time of such a special election, and the intent is, of course, that it should be held as soon as practicable. Eliminated would be the possibility of a long interregnum between presidential administrations while the Congress wrestled with the dilemma of who was to become the next President.

It is my own feeling, and one shared by many of my colleagues, I know, that merely tinkering with our present electoral system is not enough. Amending the Constitution is a fairly complicated process; halfway measures are not good enough. The major fault of the proportional and district plans is that they do not guarantee that the people's choice will become the Nation's President. And nothing less is appropriate or desirable for a country such as ours, whose very foundations are laid on the basic principles of democratic government.

Testifying before the Senate Subcommittee on Constitutional Amendments in 1967, Dr. Joseph Kallenbach, a noted political scientist, said:

> The elector system has been allowed more or less by default to continue to exist as an operating part of the presidential selection machinery. It has persisted to this day, not because it represents in any important sense the wisdom of the Framers, but because it has turned into a device, awkward though it is, for registering the will of the voters on who, among the final contestants, shall become President. It has saved the nation from no disasters. It constitutes the vestigial remains of a theory of government and of the Presidency that has long since gone out of fashion. It should be eliminated.

I could not agree more. With the near-miss of the 1968 election still clear in our minds, we should take action now to rationalize our electoral process. The election of the President of the United States is too important to be left to the laws of chance. The people, and only the people, should determine who is to govern them every 4 years. Let us give them that opportunity—by amending the Constitution to provide for direct election of the President and Vice President.

CONGRESSMAN ANNUNZIO URGES REVISION OF IMMIGRATION LABOR RESTRICTIONS

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, I rise to speak in support of H.R. 3239 which would amend the Immigration and Nationality Act so that section 212 will operate as it did before the 1965 amendments. An alien seeking to enter the United States to perform skilled or unskilled labor under section 212, must now prove that his addition to the labor force will not glut the market and depress wages. Such burden of proof, with the expense and delay to the immigrant even if he does satisfy it, is unjustified. The burden excludes deserving immigrants from coming to our Nation which was originally built by immigrants' labor.

In response to the plight of such would-be immigrants who ask only for the opportunity to contribute their energy and talents to America's industrial might, I introduced H.R. 3239 at the outset of this Congress. At the same time the bill relieves the immigration applicant of the unreasonable burden of proof, it insures the same present protection against an inflated labor supply. H.R. 3239 provides that protection by allowing admittance under labor preference only if the Secretary of Labor does not make the affirmative finding that a market does not exist in the United States for the applicant's particular skill. Under H.R. 3239, as under present law, no alien would be admitted if his addition to the labor force might tend to adversely affect wages or other working conditions. But the burden of proof would be shifted from the alien, who now has to prove that demand for his services exists, over to the Government which, to deny admission, would have to prove that demand does not exist.

The Department of Labor announces that the unemployment rate is the lowest in decades. I see no reason then, why we should presume that the labor applicant's admission will crowd the market. Surely we can assume that our markets can absorb a labor source which is so small a part of the total supply. Yet, because now the alien must prove that a market for his labor exists, section 212 presently is based on the opposite assumption.

Countries which depend most heavily on labor preference for immigration, rather than, for example, preference for U.S. relatives, are at an unfair disadvantage. Statistics for immigration during 1968 when compared with those for 1965 illustrate that disadvantage. Until the end of 1965, "labor clearance" was granted as my bill would provide, for example—the labor preference applicant automatically secured clearance unless the Secretary of Labor specifically found that his employment in this country might add to a surplus of his particular skill. During that year, the last in which, as just stated, the burden of proof for labor clearance, lay with the Secretary, and not the alien, 5,400 Irishmen immigrated to this country. During 1968, the Irish immigration rate was 3,600, or in other words, almost 33 percent below the rate for 1965. The 1968 figures show that German immigration has decreased from the 1965 rate by almost the same percentage. I cite the German and Irish figures because they represent countries which rely heavily on the labor preference, as opposed to the preference for relatives of U.S. citizens.

This amendment is the same that I introduced in the 89th and 90th Congresses. I say now, as then:

Our country's greatness has been built on the contribution of its immigrants. Continued reduction of labor immigrants can only result in restricting the growth and prosperity of our Nation. The provision of the old law which I ask to be reinstated has survived the test of time—it has worked and worked well—and only by returning to it can we further strengthen our new immigration law.

CONGRESSMAN ANNUNZIO URGES CORRECTION OF INEQUITIES IN 1965 IMMIGRATION AMENDMENTS

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, on January 14 of this year I introduced H.R. 3238, a bill designed to correct certain unforeseen inequities resulting from the 1965 amendments to the Immigration and Nationality Act, which went into full effect in July of last year. My bill has been referred to the Judiciary Committee, and I am hopeful that prompt action will be taken on it, as the problems to which it addresses itself are immediate and pressing.

As you know, the basic purpose of the 1965 immigration amendments was to eliminate the 40-year-old national origins quota system, whereby the quota from each country was determined by a formula based on the origins of the U.S. population at the time of the 1920 census. Under this system, Great Britain's annual quota was 65,361, and Italy's was 5,666, a situation as irrelevant to the facts as it was discriminatory. In 1964, almost 35,000 of Great Britain's allowed quota was unused, while Italy had an oversubscribed quota—a waiting list—of nearly 250,000.

The temporary immigration pool created by the 1965 amendments during the 2½-year transition period between October 1965 and July 1968 did much to alleviate the accumulated backlog, though Italy still has a substantial waiting list. This pooling permitted the unused quotas from the prior year to be used by countries with oversubscribed quotas. The result, to give an example, was that Italian immigration—including immediate relatives not subject to the quota limitation—rose from 9,986 in fiscal year 1965 to 25,994, in fiscal 1967.

On July 1, 1968, the national origins quota system, along with the transitional pooling of unused numbers, was abolished and replaced by a seven-point preference category system, with a certain percentage restriction assigned to each category. In general, the system places priority on reuniting families and attracting professional talent and needed skilled labor into this country. The preference system operates on a first-come first-served basis, regardless of nationality, within the overall limitation of 170,000 from non-Western Hemisphere countries, and a limit of 20,000 per country.

While eliminating the inequities of the national-origins quota system, this new one creates problems of its own, as many of us have become aware. For one thing, national quota oversubscription has been replaced by a different kind of oversubscription, whereby visa numbers are not available in some countries for the lower preference categories because the 20,000 national limit has been reached in the highest categories. As an example, the category of brothers and sisters of U.S. citizens ranks fifth in order of preference. Italy in 1965 had a backlog of approximately 100,000 applicants in this category, and the increase in Italy's national quota to 20,000 has done little to decrease this backlog, because most of the visas have been going to the four higher preference categories: unmarried sons and daughters of U.S. citizens; spouses and unmarried children of aliens admitted to the United States for permanent residence; members of the professions and scientists and artists of exceptional ability; and married children of U.S. citizens.

It is my belief, embodied in the legislation I have introduced, that the oversubscription problems created by the preference category system can be largely alleviated by pooling, the same method used to absorb backlogs in the transition period before total abolishment of the national-origins quota system. My bill would authorize transferral of all visa numbers not issued or otherwise used to an immigration pool for reallocation during the following year. Up to 25 percent of these numbers could be reallocated by the President during fiscal years 1969 and 1970 by proclamation, within certain limitations, to—in the language of the bill—"avoid undue hardship resulting from the reduction in the number of immigrants who may be admitted to the United States caused by the operation of the Act of October 3, 1965." The remainder of the visa numbers in the pool would be available to immigrants who would be admissible except for the oversubscription of visa numbers on a national basis. These visas would be allocated from the immigration pool within the percentage limitations and in the order of priority specified in the 1965 amendments.

Section 2 of H.R. 3238 addresses itself to a second problem inadvertently raised by the 1965 amendments, the brain drain and, most specifically the brain drain from underdeveloped countries and other countries which had had low quotas under the old national origins quota system and are now first in line to send us their most talented. As I noted before, third preference is given to members of the professions and others with exceptional skills and education. I would limit the total number of visas available under this category on a national level, not to exceed 1,700 from a single foreign state a year.

The need for the measures proposed in this legislation may be only temporary. We are still in the transitional phase, and it is difficult to tell how well the 1965 system will work. In the meantime, I believe that the reforms I have proposed are of utmost importance at this time, and I urge the early enactment of this legislation.

HUD ASKED TO INVESTIGATE INSURANCE ABUSES

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, on February 5, I called to the attention of my colleagues in the House an unfortunate situation which exists in ghetto areas throughout America. In my speech, I called for hearings to investigate the charges that the so-called FAIR plans insurance program adopted by the 90th Congress has proven to be a bonanza for insurance companies.

As many of my colleagues who represent ghetto areas throughout the Nation know, since the establishment of the urban insurance program last year, insurance rates have tripled, quadrupled, and in thousands of cases, insurance policies have been canceled outright.

Today I have written to the Honorable George Romney, Secretary of Housing and Urban Development, calling to his attention this serious problem that exists in our Nation. My letter to Secretary Romney follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 18, 1969.

HON. GEORGE ROMNEY,
Secretary, Department of Housing and Urban Development, Washington, D.C.

DEAR MR. SECRETARY: On February 5 I made a speech on the Floor of the House calling to the attention of the Congress a serious situation with reference to insurance that exists in every ghetto in America.

As you know, in the 90th Congress, the Congress passed legislation providing for the FAIR plans insurance program. Since the passage of this legislation, I have received complaints from small businessmen that their insurance rates have tripled and quadrupled, and in many, many instances, their insurance policies have been cancelled outright. The charge has been made that the Congress has provided a bonanza for insurance companies and is not alleviating the plight of small businessmen.

I am enclosing for your information a copy of my speech, articles from the *Chicago Daily News*, and letters from retail associations regarding this problem.

It is my understanding that representatives of HUD are conducting an investigation of these charges and are working closely with the Director of Insurance in the State of Illinois.

I would like to be kept informed of the progress of this investigation, and may I hasten to add, if this investigation does not prove satisfactory, then I plan personally to hold hearings on my own in the City of Chicago in the Federal Building.

I do hope that HUD can correct this situation so that it will not be necessary for me to hold hearings. I await your early reply.

With every best wish, I am

Sincerely,

FRANK ANNUNZIO,
Member of Congress.

I am also including at this point in the RECORD an article from the Chicago Daily News and letters from retail associations regarding this insurance problem:

[From the Chicago (Ill.) Daily News, Feb. 7, 1969]

STATE, U.S. PROBE GHETTO INSURANCE RATES HERE

(By William Clements)

Illinois and federal officials met Friday to study complaints that fire insurance rates in Chicago's ghetto have gone beyond the reach of the average property owner.

James Baylor, state insurance director, planned to discuss the issue with James H. Hunt, of the federal insurance administration.

Baylor also was scheduled to meet with officials of the Illinois Insurance Placement Facility which operates the so-called FAIR plan.

The facility oversees the inspection and rating of ghetto property, and has a direct hand in determining how high the fire insurance rates will go.

The Daily News disclosed last Saturday that rates under the FAIR plan have doubled and even tripled, forcing some small businessmen to complain that the increase could force them out of the city.

Baylor has conceded that the rates in some cases are high, but in general he didn't feel they were out of line.

Insurance companies have been reluctant in recent years to write fire coverage in ghetto areas that may be involved in rioting.

The companies have said that increased premium costs couldn't come near matching potential property loss due to rioting.

Because of this vacuum, last May Congress passed the Urban Insurance Act, designed to provide "fair access to everybody" who wanted fire insurance coverage.

The Illinois FAIR plan, passed last July by the General Assembly, is patterned after the federal statute.

The reports of soaring premiums costs have prompted legislators in Springfield and in Washington to call for an investigation.

U.S. Rep. Frank Annunzio (D-Ill.) has called for a special subcommittee investigation on the congressional level.

Annunzio, a Chicago Democrat, has said the federal act never was intended to have rates jump so high. He helped write the federal statute.

Annunzio said the rising rates are a "cruel hoax."

Rep. Anthony J. Scariano (D-Park Forest) has asked the General Assembly to look into the matter. He said the problem of continually increasing insurance costs in the innercity is becoming "a racket."

Baylor also has dispatched two investigators to Chicago to study the rate structure of premium costs in the ghetto.

Baylor is scheduled to meet with top Democratic legislators in Springfield next Tuesday to report on results of his staff investigation.

SPINDEL INSURANCE AGENCY, INC.,
Chicago, Ill., February 7, 1969.
Representative FRANK ANNUNZIO,
Chicago, Ill.

DEAR REPRESENTATIVE ANNUNZIO: Enclosed herewith is a copy of a letter sent to the following Congressmen, which may be of interest to you: Senator EVERETT M. DIRKSEN, Senator CHARLES H. PERCY, Representative ABNER J. MIKVA.

Very truly yours,
MANFRED S. SPINDEL,
President.

SPINDEL INSURANCE AGENCY, INC.,
Chicago, Ill., February 7, 1969.
Senator EVERETT M. DIRKSEN,
Chicago, Ill.

DEAR SENATOR DIRKSEN: The writer has been an agent/broker in the insurance business for the past twenty seven years. For the past several years, a condition has existed which has become increasingly intolerable. The reasons are as follows:

1. The Fire and Casualty insurance companies have actually (not admittedly) gone out of the Risk business. They are basically investment companies.

2. They have discriminated, and are still discriminating, in the acceptance of risks on the basis of race, color and creed. This is a known fact throughout this nation by every insurance agent and broker operating in any community of any size.

3. The program, which was established in the latter part of 1968, supposedly to provide Fire insurance in the ghetto areas, is *failing miserably*. The Fire and Casualty insurance companies are cancelling and restricting their writings not only in the ghetto areas, but most of the areas within the city limits of a metropolitan area. These same Fire insurance companies are restricting their writings of protection on private dwellings in suburban areas on the basis that their exposure is too great. One of the companies we represent has told us not to submit any risks on a private dwelling in excess of $45,000.

4. The Placement Facility here in Illinois is being misused by the companies, due to the fact, in my opinion, that their acquisition cost, if placed through the Placement Facility, is only 8%, whereas we formerly received a commission of 35% on residential property. Commercial property paid a lesser commission.

5. Most all of the stock companies have reduced the commissions of the independent insurance agents, with the result that the independent agent is being driven out of business. This will result in just a few giant agencies being left to do business in United States.

6. The constant mergers of Fire and Casualty companies have and are reducing the insurance market to a point where, if this practice continues, a virtual monopoly will exist in the insurance Fire and Casualty field.

The writer feels that an apparent lack of interest on the part of our representatives, both national and state, has created this intolerable situation.

Unfortunately, the buying public has not made itself articulate enough by letter as yet, but I can state unequivocally that the resentment of this situation is reaching a boiling point, not only within the negro community, which you and your fellow elected representatives will have to face eventually.

In view of the above statements, I regret that my agency is planning on leaving the Fire and Casualty insurance field, since we can no longer serve our clientele effectively or conscientiously.

Very truly yours,
MANFRED S. SPINDEL,
President.

ILLINOIS LIQUOR STORES
ASSOCIATION, INC.,
Chicago, February 12, 1969.
Representative FRANK ANNUNZIO,
Longworth Office Building,
Washington, D.C.

DEAR CONGRESSMAN: I am in receipt of your timely letter dated February 6, 1969, and am aware of your comments on the floor of the House regarding the basic property insurance program in Illinois. I was reluctant to issue a progress report until the Illinois Placement Facility actually issued policies and quoted rates.

From the inception of the Facility's activities, the first problem was a delay between application by the businessman and inspection of the property by the Facility. The Facility claimed that the backlog was holding up inspections. The next problem concerned the inspection report itself, which failed to specify wherein the property was defective. This prevented the property owner from making the appropriate corrections in order to obtain insurance. The third problem which we have just encountered is the ridiculously high rates which are being charged the intercity property owners and businessmen.

The discrepancy in insurance rates for similar properties in similar locations is alarming. We have evidence in one case where the rate was figured on the basis of $26.00 per $1,000.00 of coverage, while an adjacent similar building was figured at $16.00 per $1,000.00 of coverage. No material difference exists between the conditions of the two properties. As attorney for the business community, we have a committee meeting with Mr. Baylor, the new director of insurance from the State of Illinois. He has promised to look into the problems and take an active interest in the conduct of the Facility.

I have also recommended that the business community form a citizens' group to work with the department of insurance as well as the Illinois Placement Facility.

Thank you for your continued assistance.

Yours very truly,
MORTON SIEGEL,
General Counsel.

It is my fervent hope that the administration and our new Secretary of Housing and Urban Development will take speedy action to investigate these very serious charges and to inform the Congress of the remedial measures they have taken to correct the abuses prevalent in the FAIR plans insurance program.

FEDERAL PRIVACY ACT

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I am today introducing legislation in the House of Representatives calling for the enactment of a Federal Privacy Act. My proposal is designed to protect the individual citizen from unauthorized disclosure or use of personal information collected by various Federal agencies.

We have seen both the Congress and the prior administration take certain limited steps to protect privacy. The Freedom of Information Act is essentially oriented toward the needs of the press and other communications media. In addition, Federal departments have been forced by investigations of congressional committees to modify their methods of securing information.

Yet I find a glaring disregard for the rights of individuals who, in most instances, are not even aware that extremely detailed and personal information is being collected and maintained in various agency files.

There are presently some 20 Federal agencies collecting information about individuals. The Defense Department maintains some 14 million records; Social Security, 160 million files on persons living and dead; Civil Service Commission, 8 million records, of which an estimated 250,000 contain adverse information; and the House Committee on Un-American Activities, which reputedly has files on 1 million people.

All kinds of information is included: academic achievement, health, court cases, credit standing, census data, police records, birth and marriage, employment history, loyalty-security clearances, military service records, tax returns.

A 1966 article in the Nation suggested that much of the data is of bad quality, "acquired by governmental employees of poor judgment" or by various private sources, and not "by skilled investigators." The combination of fact, opinion and rumor may create a false picture. Even the most complicated computer is no better than its program, and no programer can ever organize all the nuances of human existence.

Senator Edward V. Long, in his 1967 book, "The Intruders," stated:

> Never before in our history have such quantities of personal data been collected by so many different groups, about so many people.

Yet, Supreme Court Justice Brandeis spoke of privacy as—the right to be left alone—the most comprehensive of rights, and the right most valued by civilized men.

This continual information gathering at all levels of government presents us with an Orwellian threat. The ordinary citizen simply has no knowledge of the amount, nor of the accuracy of the information being filed about him.

On February 4, I joined with the Honorable CLEMENT J. ZABLOCKI in cosponsoring the Fair Credit Reporting Act. As an amendment to the Truth in Lending Act, this legislation extends consumer protection to the area of credit information and is designed to prevent possible mishandling or misuse of credit information being garnered by private concerns.

The bill I introduce today represents additional and even more needed protection for the individual and will provide the ordinary citizen with a safeguard against abuses to his rights of privacy.

The provisions of the Federal Privacy Act require each agency maintaining such records to notify the individual that the information is on file. The agency is enjoined from unauthorized disclosure of the file except with permission of the individual. A written record must be kept showing the names of all those who inspect the record.

As necessary safeguards, exemptions are made in cases involving national security. The identity of a person furnishing information contained in any record will not be disclosed.

The individual is permitted to examine his own record and have copies made at his own expense. He is also allowed to supplement his file with infor-

mation he deems pertinent for the record. This will allow him the right to rebut any false or incomplete information which might, under ordinary circumstances, be used against him without his full knowledge.

Generally, an individual does not really know who has the information about him, or what is in the file, or how many agencies are using it, or for what purposes. He has no mechanisms for explanations, or to add mitigating circumstances.

This bill is long overdue.

Mr. Speaker, at this time I would like to insert the text of the Federal Privacy Act in the RECORD.

H.R. 7214

A bill to amend title 5, United States Code, to provide that individuals be apprised of records concerning them which are maintained by Government agencies

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter II of chapter 5 of title 5, United States Code, is amended by adding immediately after section 552 thereof the following new section:

"§ 552a. Individual records

"(a) Each agency which shall maintain records concerning any individual which are indexed according to the individual's name and which contain any information obtained from any source other than such individual shall, with respect to such records—

"(1) notify said individual by mail at his last known address that the agency maintains or is about to maintain a record concerning said individual;

"(2) refrain from disclosing the record or any information contained therein to any person, except with permission of the individual concerned or, in the event said individual cannot be located or communicated with after reasonable effort, with permission from members of the individual's family or guardian after a showing of good cause for such information; or in the event that disclosure of said record is required under section 552 of this chapter or by any other provision of law;

"(3) notify each individual by mail at his last known address of all transfers of information concerning such individual to any other agency;

"(4) maintain an accurate record of the names of all persons inspecting such records;

"(5) permit any individual to inspect his own record and have copies thereof made at his expense; and

"(6) permit an individual to supplement the information contained in his record with any information such individual deems pertinent to his record.

"(b) This section may be enforced in accordance with the provisions of paragraph (3) of subsection (a) of section 552 of this chapter.

"(c) Each agency may establish published rules stating the time, place, fees to the extent authorized, and procedure to be followed with respect to making records promptly available to an individual, and to otherwise implement the provisions of this section.

"(d) This section shall not apply to records that are—

"(1) specifically required by Executive order to be kept secret in the interest of the national security;

"(2) investigatory files compiled for law enforcement purposes, except to the extent that such records have been maintained for a longer period than reasonably necessary to commence prosecution or other action or to the extent available by law to a party other than an agency; and

"(3) inter- or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency.

"(e) This section shall not be held or considered to permit the disclosure of the name of any person who has furnished information contained in any record subject to this section.

"(f) If any provision of this section or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of this section and the applicability of such provision to other persons or circumstances shall not be affected thereby.".

(b) The table of sections of subchapter II of chapter 5 of title 5, United States Code, is amended by inserting—

"552a. Individual records."

immediately below—

"552. Public information; agency rules; opinions, orders, records, and proceedings.".

SEC. 2. The amendment made by this Act shall become effective on the ninetieth day following the date of enactment of this Act.

FAIRER TAXATION

(Mr. **MONAGAN** asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. **MONAGAN.** Mr. Speaker, there is public demand for tax reform and for the establishment of a more equitable foundation of tax procedures. The public is much aware of the importance of the hearings being conducted by the House Ways and Means Committee toward these worthy objectives.

Personally, I have had considerable favorable response to my bill, H.R. 6254 which would require the payment of a minimum Federal income tax by individuals and corporations, some of whom in the upper brackets of earnings have found ways and means to remain within the law and yet avoid tax payments. This of course is eminently unfair to the average wage earner.

There is growing support for this legislation and I include here editorials which recently have appeared in the Meriden, Conn., Journal, the Naugatuck, Conn., News and the Waterbury, Conn., American urging adoption of remedial legislation of this type.

[From the Meriden (Conn.) Journal, Feb. 13, 1969]

MONAGAN TAX EQUITY BILL

In 1967 there were 155 taxpayers in the nation who paid no federal income taxes although, their returns showed, they earned more than $200,000. Twenty-one of them reported earnings of more than $1 million without having to pay a dime in federal taxes. Countless others with incomes of more than $20,000 escape federal taxation, and it's all legal because of loopholes in the tax laws and regulations.

So what? Well, for one thing, every person who exempts himself from paying federal income taxes makes it necessary for the rest of us to take up the slack. The inequity of the situation is too obvious to belabor.

Connecticut Fifth District U.S. Rep. John S. Monagan is one who finds the unfairness of it all distasteful. He has filed a bill in Congress that will require individuals and corporations that earn over $20,000 a year to pay a minimum federal tax, loopholes or not.

Rep. Monagan told the House of Representatives: "This unjust and wasteful system of collecting federal revenues must be reformed or the country and the Congress may well face what former Secretary of the Treasury has called a taxpayer revolt. This rebellion will come not from the poor but from the tens of millions of middle-class families. . . with incomes of $7,000 to $20,000. . . and who pay over half of our individual income taxes."

He doesn't feel that requiring those with high incomes to pay a minimum federal tax is discriminatory. Rather, their tax obligations would be brought more into line with those of the majority of taxpayers with medium incomes.

The premise that everyone who is able to do so should share in the cost of running the country is unassailable. Rep. Monagan's bill may be what we need to distribute tax liability more equitably.

[From the Naugatuck (Conn.) News, February 1969]

NEED FOR TAX REFORM

Anyone with even a smattering of modern American history knows that talk of tax reform has been a staple diet for members of the Congress of the United States for untold generations.

Someone is always talking about tax reform, but nobody really does very much about it.

Going back a couple of generations at least, there was the famous FDR credo of "tax and tax and spend and spend and elect and elect" which, as a matter of fact, worked out rather well for the Democratic Party.

That was supposed to be tax reform that "soaked the rich" and took much of the burden off the shoulders of the "little guy—the working stiff."

Well, has it?

It certainly has not, if we can accept the figures offered yesterday by our own Rep. John S. Monagan.

For Mr. Monagan, introducing a new bill into the congressional hopper, offered some rather interesting statistics to back up his current legislative demand for a tax reform.

Mr. Monagan said that middle class families and individuals (whose annual incomes range between $7,000 and $20,000) account for more than one-half of the individual income taxes paid in the nation.

Yet, at the same time, the records show that in 1967 there were 155 cases in which income tax returns were filed with adjusted gross incomes of over $200,000—and not one single penny of income tax was paid. All quite legal, of course!

Mr. Monagan's bill would put a curb on this sort of thing. It would require a minimum income tax for individuals and corporations such as the 155 "exceptional cases" mentioned above.

We heartily approve, with one exception. What we should be concerned about, in cases like this, is not the minimum but the maximum.

This is, at any rate, a step in the proper direction. But what is really needed, and we are sure that Mr. Monagan knows this as well as we do, is not another piecemeal attempt to straighten out some obvious inequities, but a determined and conscientious legislative effort to rewrite and rebuild the entire federal tax structure.

[From the Waterbury (Conn.) American, Feb. 10, 1969]

MONAGAN'S TAX REFORM BILL

U.S. Rep. John S. Monagan's bill on federal tax reforms was filed in Washington this week at a time when the nation was becoming more conscious about evils of the present system. Considerable publicity has been given to the loopholes which enable millionaires to get away without paying much income tax and to the large number of persons in high income brackets who don't have to pay any income tax at all.

Congressman Monagan's bill, which deserves widespread consideration, is aimed at correcting abuses which result from the present system, and to strengthen the country's resources. He told the House of Representatives that there is no question on the need of tax reform, only on the path it should take. His bill spells out some very specific ways to make individual's income tax payments conform with their ability to pay.

The legislator from Waterbury feels a minimum federal income tax should be imposed on individuals and corporations with substantial income, regardless of the exemptions and deductions which would normally reduce their tax liability to nothing.

He pointed specifically to 155 tax returns in 1967, with adjusted gross incomes above $200,000, on which no federal income taxes were due. Twenty-one of these returns listed incomes of over a million dollars. Little wonder that Rep. Monagan and other legislators are beginning to fear a taxpayers' revolt!

Rep. Monagan's bill would not only restore a degree of greater fairness in the system, but it would help produce additional revenue to finance the nation's needed programs.

Persons with small incomes are not necessarily suffering under the present system, which appears to hit most heavily at those with medium incomes. There are plenty of loopholes in the Internal Revenue Service's regulations to aid the very wealthy in saving on taxes, but there are very few which are applicable to middle-income people. When the people with very high incomes pay at least as much tax as those with medium or small incomes, the federal tax system will be approaching the type of fairness that is expected under an equitable tax program.

SHOWDOWN OR COUNTDOWN?

(**Mr. MONAGAN** asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, a new approach to the difficult, frustrating national problems facing the 91st Congress has been proposed by one of America's leading public relations men, George Hammond, chairman of the board of Carl Byoir & Associates, and president of the Public Relations Society of America for 1969. Mr. Hammond is one of my distinguished constituents and for many years has resided in West Redding, Conn., which is located in the Fifth Congressional District.

Mr. Hammond directs our attention to "the gleaming launch pads of Cape Kennedy for a new symbol and a new method of solving the Nation's large and complex problems," such as the urban crisis, pollution, transportation, and education.

The symbol is the countdown. The method is the space program's approach to the tremendous, complex mission of landing an American on the moon within 8 years.

Mr. Hammond suggests, Mr. Speaker, that the space program has given us a lesson many of us have missed:

> This country can attain a goal frankly conceded at its inception as unrealistic at best and impossible at worst by deliberate planning, massive organization, and a systematic commitment of the necessary human and material resources.

He points out that "the space effort is an astonishingly successful blend of Government, industry, universities, science, money and people"—a combination of effort by many segments of our society such as will be necessary to solve our pressing domestic problems.

Mr. Hammond's views on this subject were given fully in a speech which he gave when he was installed as president of Public Relations Society of America. I commend it to the attention of my colleagues and I urge them to give particular attention to his recommendations on tax reform.

I would like to begin with a story that I'm sure has a familiar ring to many of you here.

A company president recently asked that I join him in his board room at 9 a.m. the following day. I knew he was in trouble. He knew it.

The next day about a dozen of us—executives, lawyers and public relations people—sat around a gleaming oval table. I'll never forget the president's first words:

"Now let's not start by bringing everybody up to date."

He didn't want a rehash of where we stood. He wanted us to think our way out of a crisis. He wanted a plan that would work. He had confidence we could come up with one. And he had faith we could make our plan work.

As it turned out, he was right on all counts.

I cite this incident because it probably sums up the mood of the distinguished men who are participating in our outstanding program this year.

They know the fix this country is in today. Each knows his share of the problems only too well. I'm sure they don't mind organizing the facts for one more audience; they know we all must start with the facts.

But I'll bet they harbor a secret hope that this time their listeners will really *do* something—and something *effective*.

John Gardner, one of my great enthusiasms, who will address us tomorrow, made the point clearly and well when he said recently:

"We have a plentiful supply of Americans who are apprehensive or angry over our problems, plenty who shout about them or weave ideological spells over them, plenty who make political capital out of them. But we need more recruits for what I call the 'army without banners,' those who are quietly seeking solutions."

We would not be here today if we did not believe that we can find solutions. That's how we make our living—by helping a wide variety of organizations tackle the crises as they arise.

We know, for the most part, what the organizations we serve must do to meet their goals in the face of irate shareholders, headline-hunting politicians, and professors quick with criticism but slow to shoulder responsibility.

There was a time—and not long ago too—when we could clearly identify the public interest and then work for a sensible accommodation with the private interest.

Today, however, the public interest is not as sharply defined. As a result, each contending group maintains that it alone has the rightful mandate to represent the public interest.

Thus, as the conflicts mount in number and intensity, the zealots stride toward the inevitable showndown: "High Noon" all over again.

As we face a typical public problem today, each of us is likely to see himself as the desperate and tired-eyed Gary Cooper.

In other words, we are terrorized by the bad guys, we often find ourselves unsupported by the good guys, and, in the end, sustained only by the hope that, as in "High Noon," the last bullet—or ballot—will be fired for our side and thereupon save us.

A last-ditch showdown can only relieve incidental crises. It cannot remove the underlying conditions that will bring on more emergencies later.

Also, the showdown today, as a century ago, may leave bodies in the dust and, with the bloodshed, the ultimate triumph of stubbornness and stupidity.

It is a senseless and outmoded way of handling a public problem.

Many today fear our system is heading for a colossal breakdown. Others are feeding this fear with fire-breathing handbills and plays, paralyzing sit-ins, and whatever else they can devise to create and sustain harassment and outrage.

And why? They say that what we have is bad and that they can no longer tolerate the system in its present form.

But my memory for hobgoblins is pretty good.

I remember that 30 years ago Alvin Hansen, then a leading economist, said:

"We are confronted with an economy with no large, rich areas to be occupied anywhere in the world and with a particularly stationary population in the industrial countries."

Obviously, with the frontier closed, he could only conclude that America's economic future looked pretty bleak.

I recall making quite a stir at about that time with a three-day seminar that I organized at the University of Rochester that deliberately took as its theme, "New Frontiers in American Life."

The idea for the seminar came from one of our corporate clients who was convinced that America did have a future, and a highly promising one at that.

So much for hobgoblins.

We now have a proposition before us. It goes like this:

Forces are converging on our society that do threaten to substitute chaos for the millions of interrelated inputs and outputs that make our system work.

What should you and I do about it? What can we do?

Do we have a useful sense of how people feel, think and act? Do we have a reasoning process; a voice that will be listened to, and a grasp of leadership?

Do we have the range of talents required to make wisdom heard, and to give intelligence and good will a continuing opportunity to improve our lives?

Much of the despair we hear today centers on the belief that things were never this bad and that our national experience is of little or no help in meeting the new crises.

I disagree. Let me tell you why.

In doing so I ask that you consider three specific concepts and their implications for us.

The first is embodied in the Constitution and in the unique accomplishment of the Federalists—Alexander Hamilton, James Madison, and John Jay—in achieving its ratification by the original thirteen states.

In a country desolated by war, bankrupt, and with dim international prospects, its leaders—some quite young—shouldered the task of finding answers to unprecedented problems.

They did not flinch. They argued through a hot summer and came up with answers which they incorporated in a new idea for self-government: a national government, but with local autonomy.

But it was just that—an idea. They could not be sure it would work.

What's more, they could not be sure it would even be adopted by the states.

In fact, historians report that a majority of the citizens would have voted against the Constitution had there been a popular referendum that autumn. And here is where Hamilton, Madison and Jay performed a political and public relations miracle.

They sold the merits of the new Constitution one at a time with arguments that were understandable and believable—in 85 essays which became the Federalist papers.

Then they launched a dramatic, thoroughly modern campaign of personal appeals to the influential local leaders, focused on mass persuasion. One by one the states were won over. And this is how the United States of America got started on its remarkable course.

Dr. Allan Nevins, one of America's leading historians, said in his PRSA Foundation lecture six years ago in Boston, that, and I quote:

"Their success constitutes the greatest work ever done in America in the field of public relations." The labors of Hamilton, Madison and Jay, he concluded, "may well be studied by all workers engaged in the varied, complex, and difficult tasks of public relations. They teach certain clear lessons of method; and they teach a still more important moral lesson, for they prove that to men of courage, determination, reason, and tact, no sound public task, whatever the odds, is impossible."

This historical insight can be extremely helpful today.

The major problems facing a nation—even a gestating nation—can be solved if its leaders get to work, and stay at work, until they develop and agree to reasonable and promising solutions.

We should accept the fact that any worthwhile program is certain to be controversial. Indeed, initially it could be actively distrusted by a majority of the people.

But the right kind of public relations—remember the Federalists!—can make the benefits of such a program understood, believed, and, finally, supported by the country.

The second national experience I consider especially relevant today is the passage and eventual impact of the graduated income tax.

To appreciate the necessity for a graduated income tax, as we know it, I need only report that Andrew Carnegie's personal income from his steel company in 1900 alone was $20 million. And he didn't have to surrender a nickel for income taxes.

On the other hand, the average annual income of an American working family that year was less than $500.

Obviously, a financial disparity of this dimension, had it continued, would have become social and political dynamite.

The present income-shifting device had a curious legislative history which I won't detail here. It is a fascinating story and you might be interested to know there had been two earlier Federal income taxes, one during the Civil War period, and another later declared unconstitutional.

The proposed tax eventually became law almost casually. It certainly started its career inauspiciously, as a joint resolution for a Constitutional Amendment voted in 1909 to break a deadlock over the Tariff bill.

The Senate spent less than two hours on the issue and the House an hour longer. No hearings were held and only perfunctory reports were filed.

So the graduated income tax was on its way and less than four years later the final state approved the Amendment. The new tax was appended to the Underwood Tariff bill in 1913. It was not considered separately nor voted upon.

Yet that rider—for which a majority voted merely to provide revenue should additional federal funds be needed someday—is one of the most important laws ever passed in this country, generally credited with playing a major role in the creation of the great American middle class.

There is some relevance, I believe, in this particular experience.

First, the graduated income tax law was not enacted in response to widespread agitation or with massive grassroot support.

Second, the ultimate effects of the law clearly show that it is virtually impossible to predict what will happen when federal taxing power is used impulsively or casually.

Third, and most important, it took decades for the tax to bring about fundamental changes in our society and economy.

In the meantime other non-legislative factors played important roles in bringing about this result—notably, the benefits of mass production, sparked, it should be noted, by Henry Ford's much criticized decision in 1914 to pay $5 for an eight-hour day, when the going rate was $2.40 for a nine-hour day.

In sum, if we have hopes for Congressional action that will bring about another major shift in the nation's income levels to benefit those who now are in desperate need of higher income, we should be prepared for another long haul.

Unfortunately, those in need, as well as nearly all of today's major problems, cannot wait. There must be action soon, and it must become effective relatively soon.

This brings me to my third and final national experience and, perhaps, the most relevant of all. It proposes nothing less than immediate and effective action.

You'll recall I said earlier that this country invariably resorts to a kind of frontier showdown when it tries to resolve important issues that press for solutions.

Needless to say, we must put the showdown—symbolized so well by "High Noon"—behind us. It was designed for a simpler day.

Instead, I suggest we look to the gleaming launch pads of Cape Kennedy for a new symbol and a new method of solving the nation's large and complex problems.

The symbol is the countdown—that deliberate, almost hypnotic ritual which transfixes us as we watch a launching on television.

The method is the space program's approach to the tremendous, enormously complicated mission of landing an American on the moon within eight years.

I am convinced that the greatest lesson of the space program has been missed by many of us. The lesson is this:

This country can attain a goal frankly conceded at its inception as unrealistic at best and impossible at worst by deliberate planning, massive organization, and a systematic commitment of the necessary human and material resources.

The space effort is an astonishingly successful blend of government, industry, universities, science, money and people.

I need not tell you that skilled public relations and the inherent news value of space also played an important part in the success of this program. Without them, confidence and support surely would have waned during the years of research and development.

Many of us have already forgotten that the space program grew out of what we all believed at the time to be a major threat to our pride, security and technical superiority: the flight of Sputnik in October, 1957.

In retrospect, that threat could have been much larger than any that faces us today—the ghettos, pollution, traffic congestion, deficiencies in our educational system, and so on.

What is being done now by hundreds of thousands of persons inside and outside of government—and at the cost of $20,000 million for the Apollo program alone—has given us solid reassurance about our security, as well as inspiration for the future.

For these reasons I believe it important to identify the factors that make this approach a reliable one. In my view, it may be the answer to some of our other major problems. Here, listed in simple terms, are the steps that make up my blueprint for overcoming this country's frustration complex.

First, a completely exhaustive study of every aspect of the problem to be solved. This means understanding the infinite interrelationships of the many parts of the problem and its solution.

Second, agreement on what is available to meet the needs outlined, on what is *not* presently available, and on what can be done and by whom to make it available as soon as possible.

Third, a decision not to be intimidated by the magnitude of the task, its expense, or the time required to perform it.

Fourth, an adequate organization of competent people—every kind of expert able to contribute, backed, in turn, by people specially trained for their varied jobs.

Fifth, absolute refusal to be stampeded into short cuts or unrealistic time schedules for meeting goals.

Sixth, a passion for perfection imposed on every participant and accepted as the norm.

Seventh, an overriding requirement that human life must be protected at all costs, and

Eighth, the capacity to rebound from failure and tragedy and to learn from mistakes.

These eight winning factors accomplished miracles in space.

I urge that we apply this pattern to the solution of the equally vast economic, social and political problems that confront us.

They are similarly made up of knowns and unknowns. They, too, require a new kind of teamwork and staggering amounts of money. They do not lend themselves to quick, easy, or cheap short cuts.

All the other factors vital to our success in space also apply—not the least of which are an overriding concern for human life and an ability to rise above temporary failures.

Our political leaders are not likely to welcome this recommendation. They will fear that their constituents would frown on any such complicated and "long-hair" approach.

Many will say, "You're just asking for more huge government programs." They don't like the idea and would prefer to escape paying the price.

The answer to them is simple: We are trying our best right now, with the methods that seem best suited. The Urban Coalition, the National Alliance of Businessmen, dozens of public and private state and local programs, scores of fine programs by corporations—all are attacking pieces of these vast problems. Most of these efforts are voluntary, however, and they require tremendous, and constant, exhortations.

Among the membership of PRSA and those they counsel are many who have given strong leadership, and I congratulate them. But it is no secret that in the private sector the large corporations are doing the most, and yet what they are doing is not nearly enough. Meanwhile, hundreds of thousands of small businesses and non-profit enterprises and organizations are making hardly any efforts at all—and this situation probably won't change much.

The solutions to urban decay, pollution, poor education, or the welfare load, will not come unless the goals, rules, and costs are apportioned fairly among large and small participants. Above all, it's got to be a game in which *everyone* plays.

It may well be that the next major thrust will come from private industry—as David Rockefeller urged recently—with something like the greatly effective Hoover Commission in mind.

To win in space we invented a pattern for problem-solving on a grand scale. I say let's use it; let's stretch its capability.

If we do, we may win another struggle—the struggle to regain the respect of a rebellious and idealistic youth. If we use our sophistication and competence in an enlightened war on today's national evils, we could very well surprise our young people. After all, this is their goal, too.

I recommend this course because I believe in it. I offer it here because I have confidence in you and because the first need is to stimulate discussion and examine the possibilities.

To urge seriously a countdown in place of a showdown will stir plenty of controversy. And gaining support and acceptance for the idea most likely will be an uphill effort.

But we hold unique positions. Leaders of organizations that reach nearly every segment of society depend upon us for counsel, guidance and achievement. They expect us to do our homework and, based on knowledge and judgment, to suggest workable solutions. As they learn more about the gravity of the nation's problems, I believe they will prefer the comprehensive systems approach to volunteering piecemeal commitments of time, men and money.

Many of you will find fanciful this idea I have put forward. But I believe it will appear less so the more you think about it. I am confident that sometime—let's hope sooner rather than later—this nation's leaders, public and private, will meet as they did in 1787. They will argue first, but finally they will agree to a space-program approach to our problems.

When that happens, we will have our important roles to play. We must make all Americans understand the uniqueness and practicality of the new plan. We must explain its advantages. We must win public support for the adoption of the plan.

The odds, I am happy to say, are in our favor. Almost 200 years ago four million men and women were moved in the right direction by three men. We are now 6,000 in the Public Relations Society of America, with many other competent public relations men and women still to be enlisted. Our chances to win the support of 200 million Americans are mathematically much better.

What we must contribute is the invincible combination of knowledge, skill, emotion, and love of country that made those towering Colonials truly the Founding Fathers both of our country and of our calling.

FEDERAL JUDICIARY ACCOUNTING

(Mr. GROSS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GROSS. Mr. Speaker, with the gentleman from Missouri (Mr. HALL), I have today introduced a bill requiring Federal judges and Justices of the U.S. Supreme Court to file confidential financial statements with the Comptroller General.

This bill is similar to the financial disclosure provisions adopted by both House and Senate in respect to Members of the Congress and certain of their employees.

It is long past time, Mr. Speaker, for legislation of this nature. If nothing else, the revelations last year of the extra-curricular activities of Justice Abe Fortas prove the need for it.

The members of the Federal judiciary are, no less than Members of the Congress, public servants, holding high trust.

I am sure everyone recalls that it was the widely publicized extra-curricular activities of some Members of Congress, plus an especially notorious employee of the other body, that resulted in the belated formation of ethics committees in both branches of Congress.

I am sure that no one in this body wants to see the Federal judiciary receive the same kind of publicity because of the actions of some of its members.

My bill, Mr. Speaker, provides a strong deterrent to judges of the United States who might be tempted, in its absence, to engage in questionable, unethical, or even illegal practices.

I am not accusing any Federal judge of dishonesty, but to anyone who believes that a judge is automatically removed from temptation by his elevation to the bench, I would recommend that he read "The Corrupt Judge," the well-documented and scholarly book on the subject by Joseph Borkin.

Mr. Speaker, my bill requires that Federal judges shall file, each year, copies of their tax returns and statements disclosing their stock holdings, the firms or organizations with which either they or their wives have connections or from which they receive income, and the source of any other outside income.

These sealed records shall be filed with the Comptroller General of the United States, who shall, upon passage of a resolution by either the House or Senate, deliver them to the designated committee of that body for inspection and whatever action it deems advisable.

Failure or refusal to file such a report would subject the judge to impeachment by the Congress.

Mr. Speaker, I do not want to hear any cries that this legislation will make second-class citizens of Federal judges. The American people have demanded that their Congressmen be held to an accounting to which they are now subject. They have a right to insist on at least as much from those who sit in judgment upon them.

EQUAL TAX RIGHTS FOR SINGLE HEADS OF HOUSEHOLDS

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, any unmarried person who maintains his or her own home should be allowed the tax benefits provided for the head of household.

Everywhere in the United States this coming April 15, single men and women will pay income taxes at substantially higher rates than married couples filing joint returns. Recognized tax authorities are agreed that the present income tax law places an unjustifiable burden on single persons.

Particularly unfair to single men and women are the "split income" provisions of the tax law which enable a married couple to divide their income for purposes of computing their income tax. Thus, they can take advantage of the lower marginal tax rates applicable to each of their incomes.

I am introducing legislation today to eliminate this inequity.

Prior to 1948 the same schedule of rates applied to all categories of taxpayers. However, husbands and wives who lived in a community-property State could divide their income between them for Federal tax purposes and pay taxes at the lower rate applicable to each segment of income. In 1948, in order to eliminate the inequities created between taxpayers in community- and noncommunity-property States legislation was enacted to allow income splitting for all married couples who filed joint returns.

The result has been a tax inequity against single persons.

Aside from a discriminatory tax rate, the split income provision is unfair on other counts. It is based on the assumption that the living costs of two persons are twice as high as those for one.

A study published by the Bureau of Labor Statistics indicates married couples without children pay only one-third more to live than single persons.

Another justification given for income splitting is that single people should be taxed more because they do not bear the costs of raising children. But the joint return does no differentiate among married taxpayers. The rate is the same whether they have children or not.

The inequity of the income-splitting provision was modified in 1951 when the head of household category was established for some single persons who maintain a household for certain dependents or who maintain a separate household for parents.

The head of household tax status gives qualifying single individuals about half of the tax advantage that married couples receive in filing a joint return. However, the requirements for this classification are so demanding and restrictive that they exclude the vast majority of unmarried taxpayers.

Numerous bills have been introduced in the past to liberalize head of household benefits. However, many of those had serious limitations.

The single person must have attained a minimum age, usually 30 or 35; or if formerly married, he or she must have been separated or divorced for a specific period of time, usually from 1 to 3 years, to qualify as a head of household.

My bill would extend the head of household rate to any unmarried person who maintains his or her own home or who maintains a household which constitutes the principal place of abode for the taxpayer's father and mother.

Mr. Speaker, let us recognize the responsible single person by helping ease his financial burdens. At the same time we will take a step forward in eliminating the inequities in our tax structure. I urge my colleagues to support this needed legislation.

ALLOWING AN INCOME TAX EXEMPTION FOR THE FIRST $1,500 OF COLLEGE TUITION, BOOKS, AND FEES

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, the cost of sending one or more children to college is one of the major costs facing the American taxpayer with a family.

Today I am introducing a measure to give an income tax credit for the first $1,500 of tuition, fees, books, and supplies for a student at an institution of higher learning.

The need for this tax break is evident when you consider the cost of a college education and the benefits to the economy of the Nation through increased earnings capacity.

There are over 50 million families in this Nation. Of these, 3,474,000 have children between the ages of 18 and 24 who attend college full time. The cost is approximately $2,778 per academic year. The cost of educating a college student has jumped phenomenally.

The pinch is being felt by families who have to pay the full educational costs for their children, but too often cannot.

The $325 maximum credit per student allowed under the provisions of this bill would help the hard-pressed middle income family provide their children with the benefit of a college education.

It would help more students to choose a college on the basis of choice, not economic necessity.

Due to rising costs, the trend in the past few years has been a migration from privately endowed institutions to State-supported universities. In 1967–68 the national average charges for tuition and fees at all privately controlled colleges was estimated to be $1,327, as compared to $292 in tuition and fees for publicly controlled institutions.

The result of this overcrowding in State-supported institutions is a 21-percent increase in expenditures for living facilities.

By implementing the tax credit on the first $1,500 of tuition, fees, books and supplies that this bill offers, a greater percentage of our future college students could choose a private institution. This would take pressure off State schools.

Mr. Speaker, this legislation is a bluechip investment in the future of our Nation. That future depends on the talent and ability of our young people to meet the diverse challenges of this space age.

Peak interest rates and an inflated economy make borrowing for college tuition difficult, if not impossible, particularly when the house is mortgaged and the family car is not yet paid for. Passage of this measure would benefit many potential leaders of our country who might not otherwise be able to attend the college of their choice.

ENCOURAGE, NOT DISCOURAGE, ADVANCE CREDIT WORK BY TEACHERS

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, a group hit hard by the present tax regulations are those investing in a teaching career. What a paradox, when our Nation is becoming increasingly aware of the need for more and better teachers.

Instead of help, our tax regulations penalize those teachers who are interested in self-improvement and advancement.

Under the present Internal Revenue Service regulations, expenditures for education are deductible only if they are made to maintain or improve skills required in one's employment, trade, or business, or if they are required by the employer as a condition for retaining one's salary, status, or employment.

In the case of a teacher, this means that educational expenses are deductible only if additional education is necessary for the teacher to maintain his current position.

A teacher who takes the initiative simply to become better qualified is denied this deduction.

In many colleges and universities throughout the country it is common to find part-time teachers who are working toward advanced degrees. There are also young teachers in secondary and elementary schools who desire improvement.

The purpose of the tax bill I am introducing today is to lift this unfair burden from the shoulders of teachers who are interested in self improvement and advancement. This legislation clarifies the Internal Revenue Code so that educational expenses for teachers can be deducted.

Teachers could deduct expenses for tuition and fees as well as expenses of travel away from home and up to $100 per year for books and related materials.

These deductions could be claimed by part-time or full-time teachers who undertake accredited graduate work. The present regulations allowing teacher deductions would also be retained.

More teachers would be stimulated to return to college for further training and teachers pursuing advanced degrees would be encouraged to teach part time, easing critical shortages.

Mr. Speaker, the enactment of this legislation would encourage better teachers to remain within their profession. Our tax laws should encourage, not discourage, investment in a teaching career.

COMMEMORATING PROFESSIONAL BASEBALL'S CENTENNIAL

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, this year marks the 100th anniversary of professional baseball. As an avid fan of the sport, and as the former president of the Rochester Redwings, I have always taken pride in the fact that baseball was born in my State and much of its history centers there.

Today I am introducing a bill which would mark this historic year by providing that a commemorative stamp be issued to honor professional baseball's centennial.

In the past 100 years baseball has become more than a sport to Americans, it has become a way of life.

Originally derived from a game called "one-o'-cat" by Alexander Doubleday, it was not long before the first amateur baseball club, the New York Knickerbockers, was started in 1845. When the Cincinnati Red Stockings gave up their amateur status in 1869, professional baseball was born.

The birth of professional baseball was the beginning of a great romance between the American public and a sport which was to become "the national American pastime."

"Take Me Out to the Ball Game" and "Casey at Bat" are synonymous with peanuts, popcorn, Crackerjacks, and baseball.

Who has not experienced the thrill of a ball game. The crowd is silent as the pitcher adjusts his cap in the pitcher's box, burying the ball deep in his glove. The batter crouches and digs in deep near home plate. You can just barely see the catcher signaling to the pitcher.

The pitcher unwinds like a snapping spring, and the ball sizzles toward the plate. Suddenly the bat whips out in a fuzzy blur, a crack and the ball is gone. A left-field homer into the stands, bringing with it a mighty roar from the crowd.

Yes, Mr. Speaker, the thrill of a ball game is known to us all. Baseball is a thread woven into the fabric of the American way of life.

Baseball heroes are household words. Babe Ruth, Joe Cronin, Ted Williams, Stan Musial, Joe DiMaggio, Ty Cobb, and Casey Stengel are sports immortals. Sandlot baseball and aspiring Babe Ruths are as common as sunshine in the American summertime.

There is no better way to commemorate this grand old game than to issue a stamp in its honor. I hope that all my colleagues will support this measure before Washington plays host to the 1969 All Star Game this coming July.

EXEMPTING FUNDRAISING ACTIVITIES OF VOLUNTEER FIRE AND AMBULANCE COMPANIES FROM TAXATION

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, I am introducing legislation today designed to exempt special fundraising activities of volunteer fire and ambulance companies from Federal taxation.

When money is raised expressly for the purpose of buying equipment, building new stations, and training personnel in firefighting and lifesaving techniques, taxation by the Federal Government hampers the ability of these companies to protect our lives and property.

At present volunteer fire departments comprise 92 percent of all the fire departments in the country. Of the 24,000 fire departments across the Nation, 22,000 are comprised of nonpaid volunteers.

The biggest problem faced by volunteer fire departments is money. Rising prices for apparatus and equipment has made the operation increasingly difficult.

Firefighting is no longer a question of jumping off the back step and running down the street to a brush fire. The job is bigger and more dangerous than ever before. Special equipment and special training is needed to fight today's fires.

Apparatus and fire equipment designed for individual needs and specific areas is the trademark of the 20th century.

Unfortunately few local fire services have the resources to do the job properly.

Volunteer companies generally do not have the extensive building and training facilities. In addition, these departments are confronted with the problem of raising money for pumper trucks, aerial ladder trucks and special ambulance equipment.

Nearly 60 percent of all the fire stations in use today were built between 1945 and 1960. Only 8 percent have been constructed since 1961. Facilities are still being used that were constructed prior to 1945.

By 1975 we will need 20,000 more fire stations to adequately protect our smaller population centers. The majority of these will be volunteer companies.

Local fire and ambulance departments need every penny of the money that they raise to meet the increasing demand for more facilities, equipment and training centers.

By exempting the funds that go directly to the purchase of fire and ambulance equipment, facilities construction, and training, we are putting this lost tax revenue to work for the community.

The saving of lives and property more than offsets the tax relief provided by the bill. For want of a pumper a factory is lost, as the saying goes.

In times of strife and civil disorder none of us can doubt the worthwhile work of those dedicated to rescue work nor the billions firemen save the American taxpayer.

Safety for our citizens and their property is a prime responsibility of the Federal Government and the Congress. In the interest of public safety I urge my fellow colleagues to move swiftly to enact this needed tax relief.

PROVIDING FOR THE ESTABLISHMENT OF AN ASTRONAUT MEMORIAL COMMISSION

(Mr. FREY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FREY. Mr. Speaker, America's greatness does not lie in its material assets, but rather in the spirit of its people. It is this spirit, evidenced by a belief in God, courage and the will to conquer the unknown that has helped make this the greatest nation on earth.

I do not believe that a better example of the American spirit can be found than in the recent flight of Apollo 8. Our Nation and the world owe a continuing debt of gratitude to the many individuals connected with the space program, but particularly to the men who claim the proud title of astronaut. These men risk their lives daily in the service of their country. Seven astronauts—Chaffee, White, Grissom, See, Bassett, Freeman, and Williams—have been killed in the performance of duty. A fellow astronaut, Edward Givens, died in an automobile accident.

Today, I have introduced a bill providing for the establishment of an Astronaut Memorial Commission to construct, without cost to the Government, a memorial at the John F. Kennedy Space Center or its immediate vicinity. It seems fitting that this memorial should be near the point where each of the astronauts begins the journey into space. This memorial will serve as a small tribute to all astronauts, past, present, and future. And, just as important, it will serve as a constant reminder to all of us that the American spirit will remain strong as long as there are individuals who have the courage to conquer the unknown for the benefit of their fellow man.

A SOUND MESSAGE FROM PRESIDENT NIXON ON ECONOMIC OPPORTUNITY ACT

(Mr. STEIGER of Wisconsin asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. STEIGER of Wisconsin. Mr. Speaker, the message of President Nixon on the Economic Opportunity Act is, in my judgment, a sound and important White House message. I am pleased by President Nixon's statement which both recognizes the role of the Office of Economic Opportunity while it frees OEO to perform innovative functions more effectively. I support wholeheartedly the transfer of Headstart to the Department of Health, Education, and Welfare as well as the transfer of the Job Corps from OEO.

There can be little question that our antipoverty efforts badly need a secure footing. These steps as outlined in the Presidential message will, I believe, go far toward consolidating the gains thus far made while recognizing the limitations placed on OEO by being bound to the operations of certain programs. These antipoverty efforts such as Headstart and Job Corps can become more effective through better coordination with the multitude of on-going programs in existing departments.

This message by the President is heartening to many of us on the Committee on Education and Labor who have spent considerable time in studying the operations of the Office of Economic Opportunity. I commend President Nixon on his forthright statement regarding the Economic Opportunity Act and intend to support him in his efforts to make more effective what the Federal Government is doing in this field.

PETE PETERSON IS STILL ON THE SCENE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, since 1925 I have been a member of Kiwanis International, to me a very meaningful and rewarding experience. I am proud of what Kiwanis has achieved in its many years of existence. One of the men who has been one of the great leaders of Kiwanis is my close friend and neighbor, O. E. "Pete" Peterson, who, with his lovely wife, lives in the same apartment house in which my wife and I live in Miami. The story of "Pete" Peterson's contribution to Kiwanis was partially told in the January issue of the Florida Kiwanian published by the Florida District of Kiwanis International. I am sure many of my colleagues in the Congress are familiar with the magnificent contribution to Kiwanis and to our country which has been made by "Pete" Peterson and will be pleased to read this article. I, therefore, Mr. Speaker, include this article about this distinguished American, great leader of Kiwanis, and my friend and neighbor, following my remarks in the RECORD:

PETE PETERSON IS STILL ON THE SCENE

When Kiwanis International held its 35th annual convention at the Dinner Key Auditorium here in 1950, Secretary O. E. Peterson stage-managed the arrangements for 10,000 visitors.

When the organization returned to Miami for annual conventions in 1954 and again in 1960, tall, angular "Pete" Peterson, as he is familiarly known to multiplied thousands of Kiwanians all over the world, was still at the controls.

And when the group comes back to the Miami-Miami Beach area once again for its 1969 convention, the lanky individual with the infectious smile and a firm handshake will continue his role of influence in the dual capacity of Secretary Emeritus of Kiwanis International and President of the Kiwanis Foundation.

There will be a slight change of address, however. A big man (six-foot-four), Peterson retired as International Secretary at the Chicago headquarters of Kiwanis in November, 1966. But it didn't last long. Leonard Usina, Board Chairman of the Peoples Group of National Banks, lured the ex-Chicagoan back into a life of business activity in South Florida with assurances there was still a lot of mileage left.

Silver-thatched Usina, active himself at 78 as the Dean of Florida bankers, convinced Peterson (now 69) that his experience in handling a $2 million annual budget for Kiwanis International qualified him for reclassification as a banking executive. With that, the deal was struck and Peterson joined the Peoples First National Bank of Miami Shores in 1967 as an assistant Vice President in the Trust Department.

Looking back over his 30 years with Kiwanis—25 of them as International Secretary—the pipe-smoking executive with the calm, steady temperament, the genuine warmth of personality, once told fellow club members that he and his wife, Maurine, had been "singularly blessed in association with men and women whose ideals and principles were long ago took for our own. You have shown that happiness was born a twin. To enjoy it, one must share it with others." That still holds true, and that outlook on life was one of the greatest assets Peterson brought with him when he turned from Kiwanis International to the neighborly atmosphere of community banking in North Dade County.

Born in St. Paul, Minn., Peterson was graduated from the John A. Johnson High School and attended Hamline University in St. Paul, as well as the University of Chicago. He was awarded the honorary degree of Doctor of Humane Letters by Carthage College at Kenosha, Wis., in 1966.

"I started out in life to be a steel man," he says, recalling his early connection with the United States Steel Company in St. Paul, Gary, Ind., and Chicago. "I got my sales experience in the mills, but soon became more interested in the human side of business."

This led him into conducting Americanization classes in the evenings for the foreign-born employees of U.S. Steel at Gary. Although he was employed by the steel company, his citizenship classes were under the auspices of the YMCA, which in turn led Peterson into the YMCA's industrial relations program in South Bend, Ind. Here he spent nine years.

During this period he became active in Kiwanis, joining the Kiwanis Club in Hyde Park, Chicago, in 1929. He retained his membership there until 1967 when he transferred it to the Miami Kiwanis Club. In the meantime, in 1936, he was invited to join the Kiwanis staff in Chicago and accepted. He was appointed International Secretary in 1941.

During his 25 years as managing director of the general office, Peterson led Kiwanis in growth from 113,000 members in 2,220 clubs to 270,000 members in 5,400 clubs. Key Club International was formed, as was Circle K International. Kiwanis moved into its million-dollar home office building in 1959 during his administration, and started its program of international expansion in 1962.

Walls and shelves of Peterson's den at 2121 North Bayshore Drive, where he and his wife reside, are lined with awards, trophies and commemorative plaques presented him through the years. They include the "Liberty Bell" of U.S. Treasury Department memorializing Peterson's chairmanship of the National Organizations Committee for U.S. Savings Bonds, the "Freedom Bell" presented by the Mayor of West Berlin when Peterson was on a Radio Free Europe Mission, a silver award presented by the Boy Scouts of America, a "Certificate of Appreciation" presented by the American Public Works Association, a "Golden Apple" trophy presented by the French-speaking St. Laurent Kiwanis Club of Montreal, and many similar recognitions.

AMBASSADOR JOHN H. CRIMMINS' ADDRESS TO THE AMERICAN CHAMBER OF COMMERCE IN SANTO DOMINGO

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, Mrs. Pepper and I, in attending the recent Seventh Inter-American Savings and Loan Conference in Santo Domingo, January 26–31, had an opportunity to observe and to learn about the outstanding work of our distinguished U.S. Ambassador to the Dominican Republic, the Honorable John Hugh Crimmins. By tact, sincere friendliness, great diligence and the keenest devotion to his work, Ambassador Crimmins, immeasurably aided by his lovely wife, has immensely strengthened the ties of understanding and friendship between the United States and the Government and people of the Dominican Republic. Our Ambassador is highly esteemed and appreciated by the Government and the people of the great Dominican Republic in doing so. We have every reason to be proud of his distinguished work.

On the 21st of November of 1968, Ambassador Crimmins, delivering a very able and eloquent address, before the Amercian Chamber of Commerce in Santo Domingo. In this address our able Ambassador has very effectively presented the program and the policies of our country with respect to the Dominican Republic. I believe the reading of this excellent address will be a source of profit and pleasure to my colleagues and to my fellow countrymen and, therefore, I place it in full in the RECORD at this point in my remarks:

SPEECH OF THE HONORABLE JOHN HUGH CRIMMINS, AMBASSADOR OF THE UNITED STATES OF AMERICA IN THE DOMINICAN REPUBLIC, GIVEN BEFORE THE AMERICAN CHAMBER OF COMMERCE, SANTO DOMINGO, NOVEMBER 21, 1968

It is, as always, a pleasure and an honor for me to have this opportunity to speak to you this afternoon. My satisfaction is clouded somewhat by the knowledge that my appearance follows that of two particularly stimulating and thought-provoking speakers, Don Tomás Pastoriza and Don Rafael Herrera, who have begun this year's Chamber of Commerce cycle with very important and cogent addresses. I hope that my remarks will approach the high standards they have set for the year.

Having in mind that it is just about a year since my last talk, I should like, as the first order of business today, to review major developments during the past twelve months in the programs of the United States Government which are carried out jointly with the Dominican Government in the cooperative framework of the Alliance for Progress. For the sake of continuity and easy comparison, this review will follow generally the same format as my presentation last year and will serve as an updating of the information I provided then.

Following that review, I want to make some observations about the *content* of the U.S. programs of cooperative assistance, particularly against the background of certain myths, misinterpretations and misconceptions which gain currency from time to time. Finally, I will make some brief comments on the future course of U.S. policy toward Latin America and U.S. cooperation with the Dominican Government and people as I myself see it at this moment in time.

First, then, a short review of the evolution during the past year of our programs of financial and technical support for economic and social development efforts in the Dominican Republic. You will recall that in my presentation last year I pointed out that, by the end of the first seventeen months of the Constitutional Government of President Balaguer—that is, through November 1967—the United States Government would have made available in AID grants and loans a total of almost 80 million dollars, which represented an average rate of about $55 million on an annual basis. You will also recall that in my talk last year I said that, because of several uncertain factors, I could not at that time specify what the total level of United States assistance would be during 1968 but that I was confident that it would continue to be of great importance in the development effort.

How have things actually turned out in 1968?

The various agencies and institutions through which the United States Government carries out its contributions to the Alliance for Progress partnership have committed a total of approximately $54.3 million in the Dominican Republic since the last time I spoke to this group. This total is broken down as shown in Table I.

You will note that this overall total of $54.3 for the past year is just about the same as the average annual rate of about $55 million attained in the first seventeen months of the Constitutional Government.

Last year I included in my remarks an account of the unexpended balances of loans from the United States Government available to the Dominican Government as 1968 was beginning. That total—corrected for the carrying over into 1968 of three development loans which both governments expected to have in operation before the end of 1967 but which were actually committed in early 1968—was $27.4 million. The corresponding figure for the pipeline of assistance available to the Constitutional Government at the beginning of 1969 will be $33.8 million. This total is broken down in Table II.

This review establishes that again in 1968 the level of the United States contribution to Dominican development efforts has been very high—higher, in fact, in per capita terms than in any other Latin American country. When added to the amounts made available in the previous year and a half of the Constitutional Government, the contribution since December 1, 1967 of $54.3 million makes a grand total of $132.2 million during the term thus far of the Constitutional Government.

It is clear that this support has permitted the Dominican Government to carry out a very broad range of development activities of an economic and social nature for which its own resources have either been insufficient or unavailable. Furthermore, this support has constituted a most important factor in maintaining the Republic's international accounts in reasonable balance. A somewhat different but likewise significant element in the balance of payments picture has been the continuation, in 1968, by the United States Government of unilateral, special allocations to the Dominican Republic of sugar in the U.S. market. The special allotment of 75,000 tons this year, when added to the special allocations in 1966 and 1967, represents a total, during the term of the Constitutional Government, of slightly more than 300,000 tons—worth about $25 million more than could have been realized on the world market.

This short updating and recapitulation of the size and scope of the U.S. contribution of the Dominican development effort brings me to the second part of my remarks: a brief address to some of the common myths, misconceptions and criticisms about the nature and purpose of that contribution. In itself, incidentally, the first part of these remarks concerning developments in the past year serves as a commentary on the uninformed criticism that U.S. cooperation with the Dominican Republic is insignificant or niggardly.

Before turning to some of the other distortions of reality, I should like to make the general observation that these myths and misconceptions have various origins. Some of their propagators act out of ignorance; others out of honest conviction or misunderstanding; and still others out of deliberate, politically motivated intent to deceive the naive and unwary and to try cynically to frustrate economic and social progress, because that progress runs counter to their clear political purpose. It is not to this last, extremist group that I address these remarks, for it has no concern for objectivity or fact or honesty but only for the pursuit, at any cost, of destructive ends, with no regard for the truth. I address myself, rather, to those who are genuinely concerned with the complex and difficult problems of Dominican development, who have doubts or uncertainties, who are seeking facts, and who are sincerely open to dialogue.

One of the most frequent complaints about U.S. financial and technical cooperation is that it is—allegedly—onerous, either in the sense that it imposes a heavy repayment burden on the Dominican Republic or that it is tied to the procurement of goods and services in the United States. The first myth can be dispelled very quickly with a simple review of the facts. Since mid-1965, when the sharp expansion of U.S. assistance began, the total value of U.S. financial and technical assistance to the Dominican Republic has been $202 millions. Of this amount, $66 million have been in the form of donations, with no repayment required. About $136 million have come in the form of loans. With the exception of $14.4 million in loans from the Eximbank to the CDE—an industrial enterprise capable of amortizing debt over a reasonable period—and the $10.5 million in PL 480 programs, these loans have carried extremely soft terms: 10 years of grace, followed by 30 years for amortization, with interest at a rate of no more than two per cent during the grace period and two and one half per cent thereafter. The terms of the two Exim loans have been three years grace and fourteen years of amortization, with interest at six per cent or lower. The PL 480 loan calls for a five per cent down payment, two years' grace, an amortization period of 19 years, with an interest rate of two per cent during the grace period and two and one half per cent thereafter.

The point can be made in another way. In 1967, the first full year of the present government, the Dominican Republic repaid $5.4 million to the U.S. Government for AID, EXIMBANK and PL 480 loans, and one special U.S. Treasury loan, made since 1962. Also during 1967, AID alone disbursed about $53 million in loans and grants. In 1968, the Dominican Government will repay to the U.S. Government an estimated $4.7 million, while at least $33 million in AID and PL 480 credit programs will have been disbursed. In 1969, the Dominican repayment to the U.S. Government for loans signed as of now will be $4.9 million; in 1970, $5.4 million; in 1971, $4.6 million; in 1972, $4.9 million; in 1973, 1974 and 1975, $5.0 million; in 1976, $6.0 million; in 1977, $7.3 million; in 1978, $8.1 million; and in 1979 and 1980, at the beginning of the next decade, $8.2 million. I submit that by any reasonable and responsible standard that level of scheduled repayments is hardly onerous.

The fact that the dollars provided by U.S. assistance are normally tied to purchases either in the Dominican Republic or the United States has generated a great many myths and misunderstandings, some the result of confusion, others the product of deliberate distortion. One of these holds that all the dollars made available by the United States Government are used exclusively to buy equipment from the United States for use on projects being carried out jointly by the two governments; therefore there is no positive effect on the balance of payments and indeed the loans are merely a clever device to promote U.S. exports. This is false. The reality is that in the Dominican Republic an especially low proportion—about 20 per cent—of dollars from AID loans have been utilized to buy equipment for projects financed by those loans—for example, medical equipment for clinics and hospitals, pumping equipment for the Haina well field, dryers for grain storage silos, etc. The dollars from the remaining 80 per cent, which are used for peso expenditures in the Dominican Republic, have been available to the Dominican Central Bank for financing *commercial* imports that normally come from the United States.

The requirement that U.S. dollars made available on extremely soft terms be utilized for purchases from the United States is in keeping with the practice of other countries which provide development assistance and which are also concerned with their balance of payments situations. In the case of the United States, by far the largest contributor of support to the development efforts of the underdeveloped countries, the necessity to reduce the negative effects of foreign assistance on its balance of payments is especially marked because of the importance to world finance and commerce of the dollar as a reserve currency. It would be highly imprudent under present circumstances for the United States to make dollars directly available for imports from other countries. Even so, it is very important to note that U.S. programs of assistance in the Dominican Republic have also permitted higher Dominican imports of goods produced in countries other than the United States. The Dominican Central Bank has increasingly been abled to finance regular imports from the United States with additional dollars made available through AID loans, and, correspondingly, the Bank has been enabled to reduce the use of its "free" dollars (those accruing from Dominican exports and capital inflows) for U.S. goods. In turn, this has made more Dominican foreign exchange available for purchases from other countries.

What has happened is that, despite the very large transfer of resources from the U.S. Government to the Dominican Government through AID loans, the proportionate share of the Dominican market held by U.S. exporters has not increased significantly while the greater availability of "free" dollars made possible by U.S. balance of payments assistance to the Dominican Republic has enhanced the trading opportunities of other developed countries. Many of those countries are at present in a better balance of payments position than the United States, and all of them, it should be noted, have favorable balances of trade with the Dominican Republic, whereas the United States buys from the Dominican Republic at least 40 per cent more than it sells. (In 1967, for example, the Dominican Republic exported products valued at $134 million to the United States while it imported products valued at $96 million from the United States.) This situation, representing substantial indirect financing by the U.S. Government of the exports of other developed countries, continues to be of concern to us, and its amelioration is the subject of constant study.

There is a further myth involving other developed countries which deserves examination in the cold light of fact and reality. This is the one which claims that the United States desires a monopoly position for its assistance and that in some occult way we are interested in preventing the provision of assistance by other countries. The simple truth is that, ever since the Alliance for Progress took form, the United States has constantly urged friendly developed countries with interests in Latin America to play a more active role in the development process through long-term, low-interest loans and technical assistance grants. We have been aware for a long time that U.S. resources available for the development programs of other countries are insufficient for the enormous task involved. Indeed, the United States Government has been active in forming and participating in lending consortia with European and the Japanese governments and private institutions in underdeveloped countries throughout the world. I want to say as forcefully as I can that it is not the objective of the U.S. Government to exclude assistance from non-U.S. sources and that we have not attempted to dissuade the Dominican Government from obtaining resources elsewhere.

A number of the misconceptions about the programs of economic cooperation in which we participate are encompassed in the general, rather vague statement one hears from time to time that they are not really responsive to Dominican needs or, as the phrase goes, to the Dominican reality. The specifics of this charge—when specifics are given—include the following: Some say that our assistance is too heavily devoted to the agriculture sector and does not pay enough attention to industrial development. To this is sometimes added the claim that the United States is deliberately opposed to industrialization because it wants to keep the Dominican Republic poor and dependent on agricultural exports and as a lucrative market for manufactured exports. Others say that the joint programs financed by the United States do not concentrate sufficiently on agriculture, which is and will continue to be the economic base of the country. Some say that we ignore social progress and reform in favor of economic production. Others say that our assistance is too socially oriented and that resources dedicated to public health and education should be channeled exclusively into the directly productive sectors. Some say that we are interested only in maintaining the status quo and that our assistance does not reach or is not intended to reach "the little man." Others say that our contributions to the Dominican efforts to bring about social and economic progress and reform are creating instability by encouraging the aspirations of the masses of the people.

Although a good many of these complaints are mutually contradictory and inconsistent and are sometimes made indiscriminately out of hostility, I fully appreciate that, when they are advanced by serious-minded persons, they reflect a healthy and laudable preoccupation with the complexities and difficulties of the development process and a natural desire to find as much precision as possible in a necessarily and notoriously imprecise field of human endeavor. The complaints, therefore, warrant examination.

I should like to consider first the question of the significance—and relationship—of the agricultural and industrial sectors. I think it is a truism to say that both sectors demand urgent attention and stimulation because the healthy development of both is essential to sound economic and social progress. Both are receiving that attention and impetus in the projects in which we participate. Because, however, of a number of factors, among them the rich natural endowment of the Dominican Republic, the basic agricultural orientation of its population, the acute problems of the "second nation" as Don Rafael Herrera has described the backward *campo*, the pressing need to meet the difficult balance of payments situation by increasing agricultural production in order to reduce imports and increase exports, and the greater prospects for quick results, the Dominican Government and AID have accorded highest priority to agriculture.

In keeping with this priority, the very promising agricultural sector has received the largest share of U.S. Government resources during the past three years. Of the $71.6 millions of global assistance which have generated pesos for investment purposes since June 30, 1966, $40.8 million, or 57 per cent, have been and are being programmed directly or indirectly for agricultural development. Major new programs of agricultural credit and price stabilization have been and are being mounted. Almost seven million pesos have been and are being used for the rehabilitation of irrigation systems. Additional millions of pesos have been and are being employed to build penetration roads and to improve the existing road network to facilitate the flow of agricultural production to market. Several hundreds of thousands of pesos have been used to build new municipal markets which assures better products and lower prices to the consumer as well as better and more even prices for producers. With both financial and technical assistance, new, higher-yielding varieties of basic agricultural products have been and are being developed in experimental facilities made possible by U.S. resources, and distributed to the *campo*. Better cultivation techniques are being demonstrated to farmers by Dominican and U.S. technicians working together. Seven million pesos have been earmarked by AID to assist in the construction of the Tavera Dam, which is more important to agriculture, through improved irrigation, than it is even to the industrial sector.

In a very real sense, Tavera, it seems to me, epitomizes the impossibility of trying to consider or deal with the two basic sectors of the economy as distinct or competitive. Obviously they are complementary and mutually reinforcing. Despite its basic agricultural orientation and natural advantages, the Dominican Republic cannot assure itself of sound development on the basis of agriculture alone. Much, if not most, of agricultural production requires on-the-spot processing for preservation and marketing purposes. The strength of this assertion should be apparent from recent developments here in the Dominican Republic with respect to tomato products, milk products, *grandules* and beet products.

But there is a further consideration which vitiates the possibility of sustained development based on the agricultural sector alone. As we have learned at great economic and social cost over the past 40 years in the United States, agricultural technology, particularly increased mechanization, has rapidly displaced large numbers of agricultural workers. The lesson, particularly for underdeveloped economies which face high levels of unemployment, is crystal clear. Agriculture by itself is not going to solve the problem of unemployment, at least not in the long run. Industrialization, related not only to the agricultural sector but also to other sectors, for example, minerals and consumer goods, is essential.

Programs in which we have cooperated in the Dominican Republic reflect our appreciation of this fact. In addition to the thermoelectric power plants that the ExIm Bank has financed in Santo Domingo, Puerto Plata and Haina, AID is participating with the Inter-American Development Bank, through the IDB's Fund for Special Operations, about 75 per cent of the capital of which is subscribed by the U.S. Government, in the financing of Tavera. The IDB and AID have helped to capitalize FIDE, the Fondo de Inversiones para el Desarrollo Económico. During the past two years, FIDE has loaned, through commercial banks, the Banco Agrícola, and the Corporación de Fomento Industrial, almost $10 million for new or expanded industries in the Domincian Republic. AID has helped to establish the Financiera Dominicana, a private development bank, which has lent more than $500,000 for industrialization projects in its first few months of existence. A substantial contribution by AID has been indispensable to the completion of the Camer metallurgical complex, now called Metaldom. Technical assistance has also been provided to several institutions which help to promote an accelerated rate of industrialization, and we are very interested in cooperating with sound programs for the development of the tourist industry, which can be of great importance to the growth of the general economy.

The facts about our support for the movement toward industrialization belie by themselves the allegation that we want to inhibit the installation of industries in order to preserve markets for our own manufacturers and to preserve the Dominican Republic as a poor supplier of agricultural products. The inherent contradiction in this formulation which is often advanced by some well-defined groups is obvious, but, beyond that, surely no serious person can think that the United States is unaware of the prime economic fact that the richer and more industralized a country becomes the better market it affords.

Moving from the discussion of our posture toward the relationship between the agricultural and industrial sectors, I want to touch briefly now on the question of our attitude toward the balance between development of those productive sectors and social development. Here again it is simply not possible, in my judgment, to make arbitrary and artificial distinctions. Apart from the existence of the great moral need to satisfy the demands of human dignity, there is the practical consideration that a *campesino* who has access to improved educational and health facilities and attention is very apt to be a more productive member of the society. Surely the child of an urban worker who can enjoy the flexibility of choice of vocation afforded by more modern high schools and who can take advantage of the availability of expanded hospital facilities—surely he is apt to contribute more to the country's well-being than his father had been able to. It is, moreover, no exaggeration to say that a well-trained, adequately paid teacher is the keystone of economic development.

This indissoluble link between social and economic development was a cardinal principle set forth by the Latin American framers of the Alliance for Progress. It has served as the guide to our cooperation with the Dominican Government in the fields of health, education and water supply. During the past three years, AID resources made available to the Dominican Government have played an important role in the construction, expansion, and equipping of urban and rural schools, hospitals and clinics. In that period, about 870 school classrooms, eight hospitals and 14 clinics have been built or expanded with AID funds. Technical assistance has been made available at all levels in education, ranging from primary schools to the three universities in the country. Two of the most recent expansions of the Santo Domingo water supply system—the pipeline from the Haina infiltration gallery and the Haina well field now under construction—have been financed by AID. Earlier this year, AID authorized substantial development loans in health and education, for $7 million and $12 million, respectively. These two loans—both on very easy terms—were jointly prepared by AID technicians and Dominican Government technicians and authorities. They are now under study by the Dominican Government.

The average Dominican, the "little man," to whom I have referred, is, despite the mythical allegations to the contrary, the primary concern of our participation in the economic and social development process in this country. It has always been and will continue to be an objective of the utmost importance for me and the leadership of the AID Mission to find ways in which our assistance can more effectively reach the little man and improve his opportunities for a better life.

I can think of no program in which we are involved which does not, either directly or at but one remove, have as its effect the improvement in some way of the lot of the average Dominican. I should like to invite you to cast your mind over the programs which I have mentioned earlier in other contexts to appreciate their indirect effects. As only two examples, I point out, first, our support of FIDE which stimulates new investment in industries, thus expanding employment opportunities in the cities and, with respect particularly to new agro-industries, in the countryside; and, second, our technical assistance in producing better seeds which enable the small *campesino* to obtain larger and higher quality crops.

Many of the programs provide both immediate and long-term benefits for the average man. For example, those Dominican Government public works programs in which we participate—the rehabilitation of irrigation canals, the construction of feeder roads, potable water systems, hospitals, schools, etc.—have given employment to thousands of workers during the construction phase and, when completed, constitute either improved social services or the means for greater production and an increased number of permanent jobs.

Many other programs work directly with the little man. Small farmers are now benefiting from the substantial resources that have been made available to the *Instituto de Desarrollo y Crédito Cooperativo* (IDECOOP). This assistance, which has included both financial and technical help, has been an important factor in the impressive growth of the Dominican cooperative movement. An indicator of this growth is the number of members of cooperatives: in 1966 approximately 14,000 Dominicans belonged to cooperatives; the current figure is approximately 28,000. The Dominican Government now has under study a $2.6 million development loan authorized by AID earlier this year for the expansion of loans to cooperatives. An important—and increasing—portion of our substantial technical assistance in agriculture is aimed at the small farmer. This technical assistance has permitted the initiation of a major new supervised credit program which has gotten underway in the last few weeks and which should have highly important consequences, both in terms of increased income for the small farmer and new production for local consumption and export.

Almost three million pesos generated by AID programs have been earmarked for the expanding programs of the Agrarian Institute. Together with substantial resources made available by the Government, these pesos have permitted an acceleration of both the distribution of land and the bringing of land into the production of cash crops. In the process, several thousand farm families have shifted from subsistence to cash production, improving their own standard of living and providing additional demand for other products. AID has also made 8.7 million dollars available for the programs of the Office of Community Development, which, in addition to its efforts to improve the economic and social environment of the *campesino*, has brought to the rural areas of the Dominican Republic the concept of the importance of self-help and local initiative. As you probably know, more than one-half of the resources made available for community development projects come from the involved people themselves. Finally, PL 480 programs, both grants and loans, have meant less strain on the pocketbooks of Dominican consumers.

Our efforts to bring the message of the Alliance for Progress to the people have not stopped at the rural areas. AID assistance has been made available to several promising urban development community programs. AID resources are helping the Comisión de Ornato Cívico to improve urbanization in Santo Domingo, particularly the less affluent parts of the city, at the same time providing employment to hundreds of workers. Several hundred thousands pesos have been made available to establish credit resources for artisans and small businessmen. Finally, particularly through the savings and loan associations which are integrated with the Banco Nacional de la Vivienda, but also through the Instituto Nacional de la Vivienda and AID guaranties for lower and middle class housing projects, upwards of $10 million has been made available to families who want to own their own home and who would probably otherwise not have been able to do so.

I have tried to address myself to some of the prevalent misconceptions about the intent and nature of our support of Dominican development. The list is not exhausted, but before I close I want to examine with you perhaps the greatest of these myths. It holds that the U.S. Government is not really interested in sustained economic and social development in Latin America, that it is opposed to fundamental change, and that the resources it makes available are no more than a palliative or window-dressing designed to disguise our commitment to the status quo. Implicit in this myth is the wholly mistaken idea that the United States believes that it benefits, economically or politically or both, from a continuation of existing conditions in Latin America. Nothing could be more erroneous.

There is nothing mysterious or obscure about our reasons for trying to help others to help themselves. They are quite simple. We believe that the people of the United States can live better and more securely in a world in which the disparity between the rich and the poor is diminished, not enlarged. We believe that a world divided between the prosperous and the poverty-stricken is an unstable and an unhealthy world. We believe that, in an age when instability in any country can reverberate around the globe, our own pursuit of happiness, our own quest for the solution of our own great social problems, is enhanced by stability elsewhere. We believe that "stability" and the "*status quo*" are not at all synonymous, because in countries in the grip of the acute economic, social and political problems of underdevelopment, the *status quo* is, soon or late, a likely breeder of instability. We believe that stability can come only with sustained and broad-based development. We believe that the greater the economic and social progress of the developing countries, the greater our own material well-being. We believe that, as hunger and poverty and disease and ignorance retreat, freedom advances; and as they advance, dictatorship and tyranny flourish. We believe that our wealth and our power, our traditions and our values, and human solidarity, oblige us to assist other nations to develop their economies, improve the living conditions of their peoples, and take their rightful place in the world—self-confident, self-reliant, free and independent.

These are the reasons, together with our natural and historic interests in this hemisphere, which have caused us to join with the other nations of the continent in a mutual—not a unilateral—effort called the Alliance for Progress to undertake the enormous task of conquering disease and poverty and ignorance through more rapid economic and social development.

The motives that led us to participate in the Alliance are as valid today as they were in August of 1961 when the Charter was signed, and as they were in September of 1960 when, in the Act of Bogotá, the Government of President Eisenhower and then Vice-President Nixon joined with the Latin American governments to prepare the ground for what a year later was to become the Alliance. This continuity of interest is reflected in the statements of now President-Elect Nixon during the campaign and in his recent post-election declarations. Although I am obviously unable to speak for the new Administration, it is my personal conviction that United States policy toward Latin America will continue to be guided by the basic principles and considerations which have underlain it for a decade. I would expect that, quite naturally, there will be changes in emphasis and style, but that the historic American interest in and concern for Latin America will in no way be diminished.

Here in the Dominican Republic, we hope to conclude a new PL 480 agreement with the Constitutional Government in the near future. This agreement will probably cover the importation until June 30, 1969, of commodities valued at about $9 million, thus relieving the Dominican balance of payments to that extent and generating an equivalent amount of pesos for use in jointly agreed upon projects, particularly in agriculture. There is a good possibility that still another PL 480 program will be considered after June, 1969, for the second half of the year, amounting to approximately $6 million. I have already referred in earlier sections of these remarks to the three development loans for the educational sector, public health and cooperatives totalling $21.7 million which were authorized by Washington earlier in 1968 and which are now being considered by the Dominican Government. In addition, we expect that the feeding programs of the voluntary agencies will be maintained during 1969 as will the provision of substantial donations for technical assistance.

As I conclude this annual address, I believe that I am warranted in saying again this year that, although I am not able to define with precision the amount of our assistance to the Dominican Republic in 1969, I am sure that it will continue to play a role of great importance as a supplement and reinforcement of Dominicans' own efforts. As I trust I have made clear in these remarks, the United States has been engaged in a broad-ranging, complex but balanced program of cooperation with the Constitutional Government. Its fundamental purpose has been to fulfill our obligation under the Alliance for Progress to help improve the life of the little man. That obligation and the reasons for it persist. I am confident that it will continue to be met.

TABLE I.—U.S. ECONOMIC ASSISTANCE, JUNE 30, 1966, TO NOV. 30, 1968

Date	General purpose	Amount (in millions) June 30, 1966, to Nov. 30, 1967	Amount (in millions) Dec. 1, 1967, to Nov. 30, 1968	
AID loans:				
Oct. 5, 1966	Agricultural bank	$9.5		40 years, 10 years grace. Interest: 1 percent 1st 10 years, 2½ percent thereafter; semiannual repayments.
Apr. 26, 1967	Community development	8.7		
June 30, 1966	Plan de emergencia	40.0		
Dec. 9, 1966	do			
Apr. 1, 1967	do			
June 14, 1967	Santo Domingo urban improvement	5.0		
Jan. 10, 1968	Feasibility studies		$2.0	
Do	Educational credit		1.4	
Mar. 28, 1968	Financiera		5.0	
Apr. 1, 1968	Supporting assistance		16.1	40 years, 10 years grace. Interest: 2 percent 1st 10 years, 2½ pcercent thereafter; semiannual repayments.
Subtotal AID loans		63.2	24.5	
Agricultural commodity sales agreements (Public Law 480): Apr. 1, 1968.	Agricultural imports		10.5	5 percent immediate repayment, 2 years grace, 19 years amortization. Interest: 2 percent 1st 2 years, 2½ percent thereafter; annual repayments.
AID grants:				
Food for peace:				
July 1, 1966 to June 30, 1967	Feeding programs	5.2		
July 1 to Nov. 30, 1967	do	.6		
Dec. 1, 1967 to Nov. 30, 1968	do		7.9	
Technical assistance:				
July 1, 1966, to June 30, 1967	Technical advisers, participant training, commodities	6.6		
July 1 to Nov. 30, 1967	do	2.3		
Dec. 1, 1967, to Nov. 30, 1968	do		5.1	
Subtotal, AID grants		14.7	13.0	
Export-Import Bank loan	Thermoelectric energy		6.3	
Total		77.9	54.3	($132.2 for June 30, 1966, to Nov. 30, 1968 period.)

TABLE II.—U.S. LOANS TO THE DOMINICAN REPUBLIC HAVING UNDISBURSED BALANCES AS OF JAN. 1, 1969

[In millions]

	Amount of loan	Estimated undisbursed balance as of Jan. 1, 1969
AID loans:		
National housing bank	$5.0	$1.4
Agricultural bank	9.5	3.8
Community development	8.7	5.0
S.D. urban improvement	5.0	2.5
Feasibility studies	2.0	1.8
Educational credit	1.4	.9
Financiera	5.0	4.0
Supporting assistance	16.1	[1] 8.1
Export-Import Bank loan:		
Electric corporation (CDE)	6.3	6.3
Total of pipeline		33.8

[1] May be disbursed in December 1968.

PUBLIC HEALTH CIGARETTE SMOKING ACT OF 1969

(Mr. FOUNTAIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FOUNTAIN. Mr. Speaker, my 10 colleagues from our State of North Carolina and I are today introducing the Public Health Cigarette Smoking Act of 1969.

The purpose of this bill is simple. It is to keep within the Congress the rightful authority and responsibility to make decisions on public policy involving controversial subjects.

The Federal Communications Commission has served notice on the Congress, which created the Commission, that unless the Congress takes certain action the FCC intends to ban altogether any advertising of cigarettes over the Nation's radio and television stations.

This, in our opinion, is something that the FCC has no statutory or constitutional authority to do. If it can arbitrarily ban one product, however legally manufactured and sold, what is to stop it from banning others?

We do not accept the FCC's interpretation of its responsibilities and obligations, as it has stated them in relation to this subject. And, while we deplore the necessity of Congress having to respond to such threats as the one issued by the FCC, we nevertheless do not hesitate to take the necessary action to reassert the traditional and constitutional role of the Congress in such matters.

The bill we are introducing today

would simply extend and make permanent the present cigarette labeling act which is scheduled to expire June 30.

GENERAL LEAVE

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the Public Health Cigarette Smoking Act of 1969.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

MOVIES FROM HOME

(Mr. RANDALL asked and was given permission to extend his remarks at this point in the Record.)

Mr. RANDALL. Mr. Speaker, because of the Lincoln Day recess, I was denied the privilege to be present at the midwinter conference of the Ladies Auxiliary of the Veterans of Foreign Wars when Sammie G. Feeback, of our home area, was honored at a special award ceremony here in Washington, D.C. It should be recalled that Sammie is the cameraman of WDAF–TV in Kansas City who started putting messages from wives and children on film to send to our servicemen in Vietnam.

Mrs. Lora Waters, president of the VFW auxiliary later adopted the project as a national idea. It expanded and extended to the point that over 3,000 film segments have been sent to Vietnam as of February 1, 1969, from 26 metropolitan cities in 18 States. But it was Sammie Feeback from WDAF–TV in Kansas City who started the idea and who persuaded his employer to make Christmas messages for servicemen in Vietnam as far back as 1964. All told, Sammie Feeback has helped VFW auxiliary members to initiate the filming of 3,000 3-to-5-minute film segments of wives, parents, children, and pets of servicemen overseas.

It is my privilege at this point to acknowledge the contribution to this project and the assistance to Feeback of Richard M. Maloney, a constituent, who heads a Kansas City advertising company and is a colonel in the Air Force Reserves assigned to the 10th Air Force Headquarters at Richards-Gebaur Air Force Base situated in the Fourth Congressional District. It was most appropriate that Colonel Maloney, of Belton, Mo., was present at the Feeback award ceremony as was Gen. William D. Greenfield, commander of the Central NORAD Region, 10th Air Force Command and Col. Thomas A. Personett, representing Richards-Gebaur Air Force Base.

Sammie Feeback who sometimes goes by the description of cinematographer, richly deserves the VFW salute because of his vital role in developing this filming as a national project of the VFW auxiliary. The plaque presented to him reads:

> The Ladies Auxiliary to the Veterans of Foreign Wars salutes Sammie G. Feeback whose generous contribution of time, energy and high professional skill made it possible for thousands of overseas servicemen to receive Movies from Home, February 1969.

TEN THOUSAND HORSES

(Mr. RANDALL asked and was given permission to extend his remarks at this point in the Record).

Mr. RANDALL. Mr. Speaker, Americans are fond of superlatives. This, I suppose, is the underlying reason every Member of Congress is proud to claim a "first" or "biggest," when it happens in his congressional district.

Accordingly, it is with a justifiable measure of pride that I can announce that Houstonia, Mo., which I am privileged to represent, can legitimately lay claim to at least two superlatives. First, it is the home of the first 10,000 horsepower engine with a 12,500 rating, under certain conditions, which is the largest engine used anywhere in the world in the operation of gas transmission. It will be the heart of the largest block of compressed horsepower ever constructed. It can move 475 million cubic feet of gas a day or an amount equal to that used in an entire year by all the residential, industrial and commercial customers in a city the size of Detroit.

The second superlative associated with these 10,000 horses is the fact that this concentration of horsepower and the great capability which it possesses has been achieved for the first time without the usual comparable increase in size. This huge engine is no bigger than twice the height of an average man. This great power in such a small package is another outstanding "first."

The massive engine is the largest along the entire Panhandle system which kicks natural gas along a 1,000-mile journey from the southwest to consumers in more populous sections of the United States and even some provinces of Canada. To show the size of the Houstonia engine, Panhandle Eastern added only 43,000 horsepower to all the stops along its lines in 1968. Yet, this one engine represents roughly one-fourth of the entire horsepower added during all the year.

While the engine is compact and is small in comparison with the usual huge size of an engine with so much horsepower, it weighs 343,000 pounds and when all compressors, manifolds, coolers, turbo chargers and other auxiliary equipment are added, the total weight is 725,000 pounds.

This biggest concentration of horsepower contains so much of a design innovation that a special representative of the manufacturer will have to spend another year at Houstonia, as he puts it, "baby sitting" to be certain no problems develop.

The huge V-type, 16-cylinder reciprocating engine has a 20-inch bore and a 20-inch stroke. More important than these statistics is the fact this engine has much more than size going for it; it has about 2 percent savings in fuel over smaller engines and a substantial saving over the fuel needed if two engines had been installed to achieve the same horsepower capability of this great engine which is known as the Z–330.

It is with justifiable pride that I have taken the time to point out this really important "first" particularly when some of our news media make such a great point and proceed to give so much space to what is played up as so important a thing as the first case of cold sniffles in outer space.

Pettis County, Houstonia, Mo., and all the Fourth Missouri Congressional District can, without being either immodest or appear to be lacking in humility announce to the world that they are the home of a really important superlative. We have the most unique power package of its kind ever assembled with the power of 10,000 horses concentrated in an engine no bigger than twice the height of an average man.

COMPUTERIZED SYSTEM TO KEEP TRACK OF LEGISLATION OF BANKING AND CURRENCY COMMITTEE

(Mr. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLACKBURN. Mr. Speaker, in this session of Congress, the Banking and Currency Committee is instituting the first computerized system to keep track of all legislation which falls under its jurisdiction. This is definitely a major step in the modernization of the procedures of the Congress.

In a letter sent to all Members by Congressmen Patman and Widnall, they stated:

> As you know, a large portion of the workload of the Members of Congress and their staffs is devoted to answering verbal and written requests for the status and summary of legislation pending before legislative committees. Although many of us have come to regard the winnowing of such information as "legislative research", it is nothing of the sort. Instead, we feel that the status and summary of pending measures should be routinely available . . . thus relieving you and your staff for more productive tasks.

I agree wholeheartedly with the above statement and sincerely hope that this system works out.

However, I would like to apply the same logic to committee hearings and legislative reports. A great amount of valuable information is contained in these documents; however, many times, congressional staffs must spend hours ferreting out the needed material. Thus, I am reintroducing a bill to require committee staffs to index all printed committee hearings and legislative reports over 25 pages in length. To a limited extent, the Senate Library indexes some committee hearings, and the House Committee on Internal Security indexes its hearings by witness. I believe that indexing by name of witness, subject matter, date, and other appropriate points of reference would help Members, their staffs and scholars in gathering useful information from committee hearings.

LUCRETIA C. MOTT

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the body of the Record and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, on the opening day of this session, January 3, 1969, I had the distinct pleasure of participating in a most stimulating and thought provoking memorial service for Lucretia C. Mott. This service was held in the crypt of the Capitol and was sponsored by the National Woman's Rights Party, of which Mrs. Emma Guffy Miller is president. Mrs. Miller presided at the service, and by her comments throughout the program, added immensely to its depth and meaning.

The primary purpose of this service was to honor Lucretia Mott, who was one of the founders of the woman's rights movement in this country, and one of the movement's most articulate advocates. The program was even broader in scope, however, and it served to remind us once again of the goals of the National Woman's Party, and the wonderful work which it has accomplished on behalf of women's rights.

Mr. Speaker, the memorial service was of such a high caliber that I would like to share the remarks made during the service with my colleagues. The proceedings were as follows:

LUCRETIA MOTT AND HER CONTRIBUTIONS

Born in the year of 1793, when the nation was four years to live to year 1880 or 87 fruitful years of service to humanity. She was a Quaker by birth and conviction. Her intelligence and capabilities assisted her in becoming a preacher and a great teacher.

Lucretia Mott was the real founder and the the soul of the woman's rights movement in America and England. She was the outstanding feminine worker in the struggle to rid our country of slavery. She advocated labor unions in a day when they were almost unknown and generally considered illegal. She proscribed war and worked diligently for liberal religion. For the true religion—the religion of concern with action.

A woman of rare refinement, yet she was not afraid to challenge the evils of her day, or to speak upon the public platform, an act then considered unwomanly and indecent.

These achievements, combined with her undeniably beautiful character and innate spirituality, is why she is known as the "Greatest American Woman." No woman in American history ever combined so many outstanding talents or participated influentially in so many varied movements, and with such grace of charm, as Lucretia Mott. She was great in deeds, great in womanhood, and great in those attributes of femininity that women strive for, and men demand.

In her many controversies she never lost the poise of womanly dignity. She was always essentially true to her sex. We are told she grew old beautifully, so that every wrinkle in her face was the accolade of Time in the ripeness of experience.

In her day, America, as now, was rocked with a great economic problem—slavery—defended as entrenched greed always is defended. America had its nation-shaking disputes over the Constitution, its vigilantes, and a Supreme Court controversy that came to a climax with the Dred Scott decision. America, then as now, had its conservatives, reactionaries, radicals, liberals and that inert mass of people who talk up progress until suddenly they discover it cannot be accomplished without ridicule and sacrifice of social and business prestige, where-upon they become suddenly very "Sound" in their views and adhere to old abuses.

Our Nation needs today the enlightened liberalism, a spirit of moderation, the sanity, and the sincerity of purpose of this great woman who did much, the women of America, the right to go upon the public forum to discuss living issues of our century. Let us not fail as carriers of the responsibility she entrusted to our hands.

Theodore Tilton, a great journalist of the Civil War period said, "In the same sense in which the greatest man ever produced in this country was Benjamin Franklin, the greatest woman ever produced in this country is Lucretia Mott."

Sensing problems of her time she became a leader and abolitionist. She organized the Female Anti-Slavery Society and became its leader. She journeyed to London, only to be refused admission as a delegate to the World's Anti-Slavery Convention because of her sex. She then went to Elizabeth Cady Stanton in Seneca Falls, New York to organize and began to work for Women's Rights movement.

On religion she boldly prophesied the coming of the day when there would be a universal religion. The Great Spirit of the Indian, the Quaker, the Blessed Mary of the Catholics, and Brahma of the Hindoo would she prophesied eventually to become the same thing. When this was accomplished she said, "There would come such a faith, and such liberty, as should redeem the world."

She would recognize the grouping of churches today and welcome the change. How she would have gloried in that day when all religious leaders joined in the famous march from the Washington monument to the Lincoln monument to hear Martin Luther King utter those famous words "I had a dream."

I gladly join all of you today to honor this great pioneer. This great female character has had a wholesome influence she has had on the lives of millions in her time and millions since her active life was stilled by death. She belongs here in statue form so we may be reminded of the great spirit that should burn in our heart and minds today.

As a paraphrase from the words of Lincoln,

Here truly is a character and life "to hold against the sky to match the mountain and the sea."

I am glad to have the honor to join you in doing honor to her and to be with you as you seek to make other men wiser and better.

QUESTION OF BANK INFLUENCE AT TREASURY DEPARTMENT STILL UNRESOLVED

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, in recent weeks, there has been much concern about potential conflicts among President Nixon's appointees to the Treasury Department.

This morning, the top policymaking officials appeared before the Joint Economic Committee and I questioned them in detail about their connections with the commercial banking industry.

While I have nothing personal against any of these gentlemen, I remain totally unsatisfied that these officials can successfully exercise judgment independent from their present and past ties and associations with the commercial banks.

This morning I questioned the Secretary of the Treasury, David Kennedy, who was chairman of the Continental Illinois National Bank of Chicago. I discovered that he had not disposed of his bank stock, but that he had simply placed it in trust. He estimated that the stock represented a market value of more than $1.2 million.

Although Secretary Kennedy indicated that the trust was independent and that the stockholdings would be diversified, I still do not regard this as a satisfactory arrangement for an official whose day-to-day decisions so closely affect the banking industry. If Secretary Kennedy should leave office tomorrow, next month, or next year, the holdings now in trust would return to his immediate control, including any remaining bank stock.

Mr. Speaker, I am thoroughly convinced that Secretary Kennedy must sell all of his bank stock if he is to successfully carry out his public duties.

Also appearing this morning before the Joint Economic Committee were Charles E. Walker, the former executive vice president of the American Bankers Association, and Paul Volcker, a former vice president of the Chase Manhattan National Bank. Both of these men testified that they did not own stock in commercial banks.

However, Mr. Speaker, it is obvious that all three of these men—who must now set banking policies—cannot disassociate themselves from their past relationships in the banking community. It would have been much better if President Nixon had placed these men elsewhere in the administration, rather than in an area so sensitive to banking.

Recently, J. A. Livingtson, a well known financial columnist, wrote:

> All men are products of their careers. A banker thinks like a banker, a lawyer like a lawyer, a politician like a politician, a newspaperman like a newspaperman. Backgrounds inevitably govern attitudes.
>
> Habits of thought will reinforce any financial conflicts of interest. No matter how objective an official tries to be, he will lean the way he has leaned most of his life.

Mr. Livingston's remarks obviously apply to those three top men at the Treasury Department as well as to the new addition, James Smith, who will be a special assistant for congressional relations. Mr. Smith, of course, was a Washington lobbyist for the American Bankers Association and worked under the direction of Mr. Walker, the chief lobbyist.

Mr. Speaker, this morning's Washington Post carries a column by Rowland Evans and Robert Novak which points up the potential for conflicts of interest in the Treasury Department. This column describes the tax loopholes which exist for commercial banks and on which the Treasury Department now makes decisions.

In making these decisions, can the bankers at the Treasury Department render an independent judgment completely devoid of their past relationships with the banks?

Mr. Speaker, I place in the RECORD a copy of this Evans-Novak column:

BANKS' MOVE TO OPEN OLD LOOPHOLE WILL PROVIDE TEST OF TAX RETURN

(By Rowland Evans and Robert Novak)

The suddenly sprouting Congressional urge for tax reform will get an early test when the banking industry, which usually wins what it wants in Washington, attempts to pry open a recently closed tax loophole.

The closing came last fall in a quiet, clever maneuver by Stanley Surrey, winding up eight frustrating years as Assistant Secretary of the Treasury for tax policy. With a stroke of the pen, Surrey boosted by an estimated $100 million a year taxes paid by commercial banks.

As Surrey was well aware, both the outgoing Johnson team and the incoming Nixon team at the Treasury had ties to the banking industry which made it all but impossible to overrule his regulation. Thus, only Congress can restore the bankers' tax advantage—a preview of similar confrontations between tax reform sentiment and lobbying pressure in the coming tax reform struggle.

Like most big industries, the bankers enjoy a special tax privilege: A tax formula permitting them to take an automatic deduction equal to 2.4 percent of their outstanding loans as a so-called bad debt reserve.

Since *actual* bad debts are well under 1 per cent of loans, this formula amounts to a bountiful gift from Uncle Sam. This was precisely the view of Stan Surrey.

Surrey, an ardent tax reformer, had tasted more failure than success at the Treasury and last fall was chagrined when President Johnson suppressed his tax reform proposals. As a valedictory, therefore, Surrey began rewriting tax regulations in his closing days—including the one on bank taxation.

Instead of reducing the 2.4 per cent, Surrey ruled that the bad debt percentage could not be applied to absolutely safe loans—most notably loans to the U.S. Government. Nobody knows exactly how much that will cost the bankers in 1969, but $100 million is the educated guess. Accordingly, Surrey's stroke of the pen was an instant tax reform of major proportions.

Neither of Surrey's two superiors in the Johnson Treasury—Secretary Henry H. (Joe) Fowler or Under Secretary Joseph Barr—cared for the change. One report circulating among lobbyists is that Fowler was restrained from killing Surrey's rule change only when Surrey threatened to resign with a blast against the Johnson tax policy—a report confirmed by some and denied by others.

Adept at bureaucratic maneuvering, Surrey issued the change in regulations last October while Fowler was in Geneva for a monetary conference. Surrey's action could have been overruled in the Johnson Administration's closing days. But when Fowler resigned as Secretary in December, all hope expired for the bankers.

The reason: Barr, Fowler's successor as Secretary in those closing weeks, had accepted a post-Government job with a leading Washington bank—the American Security & Trust Co. Barr rightly felt constrained from interfering with Surrey's handiwork and so informed the banking industry.

That was particularly glum news for the bankers, because Barr's successor as Secretary in the Nixon Administration, David Kennedy, was coming to Washington from the Continental Illinois Bank in Chicago and was just as unwilling as Barr to bail out the banking industry at the risk of creating a conflict of interest.

The bankers' position became even bleaker when President-elect Nixon named as Under Secretary, No. 2 man in the department, the chief lobbyist of the banking industry: Charles Walker of the American Bankers Association. Walker, taking a surprisingly strong position for tax reform in nonbanking areas, must also avoid any seeming conflict-of-interest as an advocate of bankers' tax privileges.

Thus, bankers know their only hope is Congress. Legislation to overrule Surrey would take too long, but the Joint Committee on Internal Revenue could pass a resolution instructing that Surrey's regulation be revised.

However, leading House tax-writers are unsympathetic to the bankers' position. Indeed, there is some feeling in Congress that Surrey did not go far enough and should have limited the bad debt deduction to the actual amount of losses—running at less than 1 per cent—for an industry enjoying unprecedented profits. Whether that Congressional feeling persists should provide an accurate barometer for general tax reform.

Mr. Speaker, there are, of course, many other areas where Treasury decisionmaking directly affects the commercial banks.

In the banking and business community there is no greater issue than the question of the economic conglomerates being fueled through the one-bank holding companies. The closing of these loopholes in the Bank Holding Company Act will be one of the major legislative issues of this entire Congress.

The Treasury Department will be required to make specific recommendations on this issue. Yet the Secretary of the Treasury participated in the formation of just such a holding company while he served as chairman of the Continental Illinois National Bank of Chicago.

Now this is the man that must decide on the Treasury recommendations on one-bank holding companies. This is the man that must decide whether the holding company that he started in Chicago will continue.

Is this the kind of government in which the people can have confidence?

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CAMP) to revise and extend their remarks and include extraneous matter:)

Mr. CAHILL, for 15 minutes, today.

Mr. CAHILL, for 15 minutes, on February 20, 1969.

Mr. HALPERN, for 15 minutes, on February 20, 1969.

Mr. QUIE, for 15 minutes, today.

(The following Members (at the request of Mr. ANDERSON of California) to revise and extend their remarks and include extraneous matter:)

Mr. COHELAN, for 60 minutes, on February 26, 1969.

Mr. REUSS, for 60 minutes, on February 26, 1969.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. MICHEL and to include extraneous material.

Mr. MONAGAN and to include extraneous matter.

Mr. RANDALL in two instances.

(The following Members (at the request of Mr. CAMP) to revise and extend their remarks and include extraneous matter:)

Mr. ASHBROOK in two instances.
Mr. MIZE.
Mr. O'KONSKI.
Mr. BROWN of Michigan.
Mr. LUKENS.
Mr. ZWACH in two instances.
Mr. WOLD.
Mr. BRAY in two instances.
Mr. ZION.
Mr. CONTE.
Mr. VANDER JAGT.
Mr. MCKNEALLY in three instances.
Mr. CLANCY.
Mr. LATTA.
Mr. WYMAN.
Mr. STEIGER of Arizona.
Mr. NELSEN.
Mr. CUNNINGHAM in three instances.
Mr. RHODES of Arizona in five instances.
Mr. STEIGER of Wisconsin in three instances.
Mr. STANTON in two instances.
Mr. DERWINSKI.

(The following Members (at the request of Mr. ANDERSON of California) to revise and extend their remarks and include extraneous matter:)

Mr. PODELL in three instances.
Mr. PATMAN in two instances.
Mr. PEPPER.
Mr. BRADEMAS in six instances.
Mr. GARMATZ.
Mr. FRASER.
Mr. MINISH in two instances.
Mr. GONZALEZ in three instances.
Mr. VAN DEERLIN.
Mr. FRIEDEL in two instances.
Mr. PICKLE in two instances.
Mr. WOLFF in two instances.
Mr. TIERNAN.
Mr. PATTEN in two instances.
Mr. DORN in two instances.
Mr. HELSTOSKI in two instances.
Mr. LOWENSTEIN.
Mr. TUNNEY in three instances.

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 13 minutes p.m.) the House adjourned until tomorrow, Thursday, February 20, 1969 at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

521. A letter from the Comptroller General of the United States, transmitting a report on the Federal Housing Administration's decision not to require builder's cost certification for Rossmoor Leisure World developments, Department of Housing and Urban Development; to the Committee on Government Operations.

522. A letter from the Under Secretary of the Interior, transmitting a report for 1968 on matters contained in the Helium Act (Public Law 86–777), pursuant to the provisions of section 16 of that act; to the Committee on Interior and Insular Affairs.

523. A letter from the Chairman, Federal Trade Commission, transmitting a copy of a report on the activities of the Commission during fiscal year 1968 under the Fair Packaging and Labeling Act, pursuant to the provisions of that act; to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT (for himself and Mr. Ichord):

H.R. 7167. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. BIESTER:

H.R. 7168. A bill to provide for the elimination of all grade crossings along the high-speed rail line between Washington and New York City; to the Committee on Public Works.

By Mr. CLEVELAND:

H.R. 7169. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM:

H.R. 7170. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. DENNEY:

H.R. 7171. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 7172. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

By Mr. DEVINE:

H.R. 7173. A bill to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mr. ESHLEMAN (for himself, Mr. Goodling, Mr. Nix, Mr. Saylor, Mr. Schneebeli, Mr. Dent, Mr. Williams, Mr. Yatron, Mr. Fulton of Pennsylvania, Mr. Flood, Mr. Whalley, Mr. Johnson of Pennsylvania, Mr. Morgan, Mr. McDade, and Mr. Watkins):

H.R. 7174. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. FALLON:

H.R. 7175. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

H.R. 7176. A bill to amend section 501(c) (14) of the Internal Revenue Code of 1954 to exempt from income taxation certain nonprofit corporations and associations organized to provide reserve funds for domestic building and loan associations, and for other purposes; to the Committee on Ways and Means.

By Mr. FOUNTAIN (for himself, Mr. Jonas, Mr. Lennon, Mr. Taylor, Mr. Henderson, Mr. Broyhill of North Carolina, Mr. Jones of North Carolina, Mr. Galifianakis, Mr. Mizell, Mr. Preyer of North Carolina, and Mr. Ruth):

H.R. 7177. A bill to extend public health protection with respect to cigarette smoking, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 7178. A bill, community college Omnibus bill, to the Committee on Education and Labor.

By Mr. GREEN of Pennsylvania:

H.R. 7179. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 7180. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

By Mr. HOWARD:

H.R. 7181. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

H.R. 7182. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

By Mr. JOELSON:

H.R. 7183. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. KUYKENDALL:

H.R. 7184. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McKNEALLY:

H.R. 7185. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. MACDONALD of Massachusetts:

H.R. 7186. A bill to amend the Federal Power Act to further promote the reliability, abundance, economy, and efficiency of bulk electric power supplies through regional and interregional coordination, to encourage the installation and use of improved extra-high-voltage facilities, to preserve the environment and conserve natural resources, to establish the National Council on the Environment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSEN:

H.R. 7187. A bill to amend section 7701 of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law; to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 7188. A bill to amend the Railroad Retirement Act of 1937 to permit the payment of annuities to a married couple on their combined wage record where that method of computation produces a higher combined annuity; to the Committee on Interstate and Foreign Commerce.

H.R. 7189. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER:

H.R. 7190. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. SAYLOR:

H.R. 7191. A bill to amend section 723, title 38, United States Code, to provide for the payment of dividends on certain national service life insurance issued on the term plan between April 25, 1951, and December 31, 1956, or thereafter converted; to the Committee on Veterans' Affairs.

By Mr. SCHWENGEL:

H.R. 7192. A bill to amend title XVIII of the Social Security Act to eliminate the requirement that extended-care services follow hospitalization in order to qualify for payment thereunder; to the Committee on Ways and Means.

By Mr. SHIPLEY:

H.R. 7193. A bill to expedite the interstate planning and coordination of a continuous Lewis and Clark Trail Highway; to the Committee on Public Works.

H.R. 7194. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. SKUBITZ:

H.R. 7195. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

By Mr. STEIGER of Arizona:

H.R. 7196. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. YATRON:

H.R. 7197. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ZWACH:

H.R. 7198. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7199. A bill to amend title 18, United States Code, to strengthen and clarify the law prohibiting the introduction, or manufacture for introduction, of switchblade knives into interstate commerce; to the Committee on the Judiciary.

H.R. 7200. A bill to amend the Internal Revenue Code of 1954 to permit small employees to deposit the income taxes which they have withheld on their employees on a quarterly (rather than a monthly or semimonthly) basis; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 7201. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

By Mr. BLACKBURN:

H.R. 7202. A bill to require the Secretary of the Army to grant certain easements to owners of real property adjoining reservoirs under his jurisdiction; to the Committee on Public Works.

By Mr. BLACKBURN (for himself, Mr. Anderson of Illinois, Mr. Thompson of Georgia, Mr. Williams, Mr. Riegle, Mrs. Heckler of Massachusetts, Mr. Halpern, and Mr. Cleveland):

H.R. 7203. A bill to amend the Legislative Reorganization Act of 1946 to provide for the indexing of hearings of standing committees of the House of Representatives, and for other purposes; to the Committee on Rules.

By Mr. BYRNES of Wisconsin:

H.R. 7204. A bill to amend title 39, United States Code, to provide for the advancement of a post office of the second or third class to a higher class in unusual circumstances on the basis of estimates of revenue units for that post office by the Postmaster General, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CAHILL:

H.R. 7205. A bill to establish a program under the Secretary of Health, Education, and Welfare to encourage the production of vaccines for purposes of immunization during an epidemic of a virus; to the Committee on Interstate and Foreign Commerce.

By Mr. DULSKI (for himself and Mr. Corbett):

H.R. 7206. A bill to adjust the salaries of the Vice President of the United States and certain officers of the Congress; to the Committee on Post Office and Civil Service.

By Mr. ESCH:

H.R. 7207. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 7208. A bill making an appropriation to the National Commission on Fire Prevention and Control; to the Committee on Appropriations.

H.R. 7209. A bill to amend title 5, United States Code, to improve the basic workweeks of firefighting personnel of executive agencies, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7210. A bill to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations; to the Committee on Post Office and Civil Service.

By Mr. GROSS (for himself and Mr. Hall):

H.R. 7211. A bill to require judges of courts of the United States to file confidential financial statements with the Comptroller General of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.R. 7212. A bill to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library; to the Committee on Banking and Currency.

By Mr. ICHORD (for himself, Mr. Pepper, Mr. Preyer of North Carolina, and Mr. Ashbrook):

H.R. 7213. A bill to amend sections 102 and 104 of the Revised Statutes of the United States to provide that misbehavior in the presence of either House of Congress, or any committee or subcommittee thereof, shall constitute a misdemeanor; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 7214. A bill to amend title 5, United States Code, to provide that individuals be appraised of records concerning them which are maintained by Government agencies; to the Committee Operations.

By Mr. PATMAN:

H.R. 7215. A bill to provide for the striking of medals in commemoration of the 50th anniversary of the U.S. Diplomatic Courier Service; to the Committee on Banking and Currency.

By Mr. PUCINSKI:

H.R. 7216. A bill to authorize a 2-year program of financial assistance for all elementary and secondary school children in all of the States; to the Committee on Education and Labor.

By Mr. TUNNEY:

H.R. 7217. A bill making an appropriation to the Office of Education to carry out the Bilingual Education Act for the fiscal year ending June 30, 1969; to the Committee on Appropriations.

By Mr. BARING:

H.J. Res. 463. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. DEVINE:

H.J. Res. 464. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. FREY:

H.J. Res. 465. Joint resolution providing for the establishment of the Astronauts Memorial Commission to construct and erect with funds a memorial in the John F. Kennedy Space Center, Fla., or the immediate vicinity, to honor and commemorate the men who serve as astronauts in the U.S. space program; to the Committee on House Administration.

By Mr. GALLAGHER:

H.J. Res. 466. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.J. Res. 467. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. RARICK:

H.J. Res. 468. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. WYMAN:

H.J. Res. 469. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. SCHERLE:

H.J. Res. 470. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. SCOTT:

H.J. Res. 471. Joint resolution proposing an amendment to the Constitution relating to the continuance in office of Judges of the Supreme Court and of inferior courts; to the Committee on the Judiciary.

By Mr. WHALEN:

H.J. Res. 472. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. OLSEN (for himself, Mr. Blackburn, Mr. Brown of California, Mr. Conyers, Mr. Daniels of New Jersey, Mr. Edwards of Louisiana, Mr. Eilberg, Mr. Farbstein, Mr. Halpern, Mr. Hechler of West Virginia, Mr. Horton, Mr. Johnson of California, Mr. Leggett, Mr. McDonald of Michigan, Mr. Nix, Mr. Ottinger, Mr. Patten, Mr. Podell, Mr. Pollock, Mr. Pucinski, Mr. Purcell, Mr. Vander Jagt, Mr. Wiggins, Mr. Williams, and Mr. Charles H. Wilson):

H. Con. Res. 144. Concurrent resolution expressing the sense of the Congress with respect to reduced air fares for children, youth, and members of the Armed Forces of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR (for himself, Mr. McCarthy, Mr. Dulski, Mr. Smith of New York, Mr. Hastings, Mr. Johnson of Pennsylvania, Mr. Vigorito, Mr. Clark, Mr. Morgan, Mr. Beall of Maryland, Mr. Staggers, Mr. Mollohan, and Mr. Wampler):

H. Con. Res. 145. Concurrent resolution expressing the sense of Congress that U.S. Route 219 should be designated as part of the Interstate System; to the Committee on Public Works.

By Mr. SCHEUER:

H. Con. Res. 146. Concurrent resolution expressing the sense of the Congress with respect to the emigration of Jewish residents from certain Arab nations; to the Committee on Foreign Affairs.

By Mr. FALLON:

H. Res. 259. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 189; to the Committee on House Administration.

By Mr. MORGAN:

H. Res. 260. Resolution providing for expenses of conducting studies and investigations authorized by House Resolution 143; to the Committee on House Administration.

By Mr. PEPPER:

H. Res. 261. Resolution expressing the sense of the House of Representatives that the United States and other governments of the world offer asylum to Iraqi Jews; to the Committee on Foreign Affairs.

By Mr. SANDMAN:

H. Res. 262. Resolution to amend rule XXII of the Rules of the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

22. By Mr. BARING: Joint resolution by the Assembly and Senate of the State of Nevada vigorously opposing any increase or decrease in the grazing fees on Federal lands until such time as the Public Land Law Review Commission completes its studies and urges the Secretary of Agriculture and the Secretary of the Interior of the United States to reconsider the action already taken to increase such fees; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 7218. A bill for the relief of Mario Cavaliere; to the Committee on the Judiciary.

H.R. 7219. A bill for the relief of Arturo Cortina; to the Committee on the Judiciary.

H.R. 7220. A bill for the relief of Filippo LiParoto; to the Committee on the Judiciary.

H.R. 7221. A bill for the relief of Winston Nurse; to the Committee on the Judiciary.

By Mr. ANDERSON of Illinois:

H.R. 7222. A bill for the relief of Michele Anastasi; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 7223. A bill for the relief of Antonio Campana; to the Committee on the Judiciary.

H.R. 7224. A bill for the relief of Natale Starrantino; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 7225. A bill for the relief of Angela and Konstantinos Pittas; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 7226. A bill for the relief of Franco Avorio; to the Committee on the Judiciary.

H.R. 7227. A bill for the relief of Santo Ciaravino and Lucia Ciaravino; to the Committee on the Judiciary.

H.R. 7228. A bill for the relief of Vito Di Giovanni, Caterina Di Giovanni, and their children, Antonino and Vittorio Di Giovanni; to the Committee on the Judiciary.

H.R. 7229. A bill for the relief of Lourdes P. Laranang; to the Committee on the Judiciary.

H.R. 7230. A bill for the relief of Vita Serafino; to the Committee on the Judiciary.

H.R. 7231. A bill for the relief of Herman James Young; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 7232. A bill for the relief of Rabea Arrad; to the Committee on the Judiciary.

By Mr. BURKE of Florida:

H.R. 7233. A bill for the relief of Mrs. Lee Yin Har; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 7234. A bill for the relief of Josephine Mary Fitzpatrick; to the Committee on the Judiciary.

H.R. 7235. A bill for the relief of Jeannine Gravelle; to the Committee on the Judiciary.

By Mr. CAREY:

H.R.7236. A bill for the relief of Lucrezia Adragna and her children, Gioacchino Adragna and Luciano Adragna; to the Committee on the Judiciary.

H.R. 7237. A bill for the relief of Dr. Eufronio M. Aro and his wife, Lydia Lim Aro; to the Committee on the Judiciary.

H.R. 7238. A bill for the relief of Dr. Aurora B. Capule; to the Committee on the Judiciary.

H.R. 7239. A bill for the relief of Antonio Cipoletta and his wife, Rita Cipoletta, and their children, Gaetano Cipoletta, Patrizia Cipoletta, Sabrina Cipoletta, and Antonia Cipoletta; to the Committee on the Judiciary.

H.R. 7240. A bill for the relief of Socorro Cruz; to the Committee on the Judiciary.

H.R. 7241. A bill for the relief of Herman Hirsch and his wife, Elizabeta Hirsch; to the Committee on the Judiciary.

H.R. 7242. A bill for the relief of Soltan Illovits and his wife, Magdalena Illovits; to the Committee on the Judiciary.

H.R. 7243. A bill for the relief of Mrs. Traiani Lissitsi; to the Committee on the Judiciary.

H.R. 7244. A bill for the relief of Rene Louis and his son, Joseph Serge Louis; to the Committee on the Judiciary.

H.R. 7245. A bill for the relief of Dr. Arvind J. Madhani, and his wife, Mandakini Madhani; to the Committee on the Judiciary.

H.R. 7246. A bill for the relief of Carolina Messina; to the Committee on the Judiciary.

H.R. 7247. A bill for the relief of Miriam Mischel; to the Committee on the Judiciary.

H.R. 7248. A bill for the relief of Melbourne Murray; to the Committee on the Judiciary.

H.R. 7249. A bill for the relief of Giuseppe Namio, and his wife, Anna Namio, and their child, Josefina Namio; to the Committee on the Judiciary.

H.R. 7250. A bill for the relief of Dr. Peter F. X. O'Neill; to the Committee on the Judiciary.

H.R. 7251. A bill for the relief of Mrs. Santa Buffa Pagano; to the Committee on the Judiciary.

H.R. 7252. A bill for the relief of Pasquale Antonio Petagine; to the Committee on the Judiciary.

H.R. 7253. A bill for the relief of Guiseppi Picatagi; to the Committee on the Judiciary.

H.R. 7254. A bill for the relief of Dr. Leonidas B. Pulido and his wife, C. V. Pulido; to the Committee on the Judiciary.

H.R. 7255. A bill for the relief of Ruth Quijano; to the Committee on the Judiciary.

H.R. 7256. A bill for the relief of Alfredo Vacca, his wife, Carmela Vacca, and their child, Sergio Vacca; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 7257. A bill for the relief of Romeo C. del Rosario; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 7258. A bill for the relief of Alejandro Koo Castillo; to the Committee on the Judiciary.

H.R. 7259. A bill for the relief of Araceli O. Dacanay; to the Committee on the Judiciary.

H.R. 7260. A bill for the relief of Felipe Martin De Abia; to the Committee on the Judiciary.

H.R. 7261. A bill for the relief of Louise Segall; to the Committee on the Judiciary.

By Mr. FLOOD:

H.R. 7262. A bill for the relief of Noriko Susan Duke (Nakano); to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 7263. A bill for the relief of Edward Wei-I Chen, his wife, Hean J. Chiang Chen, and their children, Bessie B. Chen, Henry J. Chen, and May J. Chen; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 7264. A bill for the relief of Mrs. Pearl C. Davis; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 7265. A bill for the relief of Piero Andreni and Luigia Andreni; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 7266. A bill for the relief of Dr. James Kurian; to the Committee on the Judiciary.

H.R. 7267. A bill to require the Foreign Claims Settlement Commission to reopen and redetermine the claim of Julius Deutsch against the Government of Poland, and for other purposes; to the Committee on the Judiciary.

H.R. 7268. A bill for the relief of Antonio Papulino; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 7269. A bill for the relief of Anna Anzalone; to the Committee on the Judiciary.

H.R. 7270. A bill for the relief of Rosario Anzalone; to the Committee on the Judiciary.

H.R. 7271. A bill for the relief of Giuseppe Careri; to the Committee on the Judiciary.

H.R. 7272. A bill for the relief of Giuseppina Gabaldi; to the Committee on the Judiciary.

H.R. 7273. A bill for the relief of Democrate Gabaldi; to the Committee on the Judiciary.

H.R. 7274. A bill for the relief of Giuseppe Gugliotta; to the Committee on the Judiciary.

H.R. 7275. A bill for the relief of Candida Lo Gatto; to the Committee on the Judiciary.

H.R. 7276. A bill for the relief of Leandro Napoleone; to the Committee on the Judiciary.

By Mr. HELSTOSKI (by request):

H.R. 7277. A bill for the relief of Napoleon M. Palafas (also known as Peter Steele); to the Committee on the Judiciary.

H.R. 7278. A bill for the relief of Nikolaos M. Parkas; to the Committee on the Judiciary.

H.R. 7279. A bill for the relief of Graziella and Libora Spinnato; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 7280. A bill for the relief of Mr. and Mrs. Alfonso Vancheri; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 7281. A bill for the relief of Miss Ekaterini Thergiaki; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 7282. A bill for the relief of Arthur B. Silverstein; to the Committee on Merchant Marine and Fisheries.

By Mr. McKNEALLY:

H.R. 7283. A bill for the relief of Ludevith Jager; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 7284. A bill for the relief of Guiseppe Carpinteri; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 7285. A bill for the relief of Tribhuran K. Chhatpar; to the Committee on the Judiciary.

H.R. 7286. A bill for the relief of Ohannes Abraham Oglu; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 7287. A bill for the relief of Bong Soon Lee; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 7288. A bill for the relief of Emanuele Alaimo; to the Committee on the Judiciary.

H.R. 7289. A bill for the relief of Maria Casamento and her minor son, Sergio Casamento; to the Committee on the Judiciary.

H.R. 7290. A bill for the relief of Calogero Mendola; to the Committee on the Judiciary.

H.R. 7291. A bill for the relief of Antonio Monticciolo; to the Committee on the Judiciary.

H.R. 7292. A bill for the relief of Carlo Notaro; to the Committee on the Judiciary.

By Mr. REES:

H.R. 7293. A bill for the relief of Mr. and Mrs. Masamitsu Isagawa; to the Committee on the Judiciary.

H.R. 7294. A bill for the relief of Miss Jenny Jo; to the Committee on the Judiciary.

H.R. 7295. A bill for the relief of Consuelo H. Miranda; to the Committee on the Judiciary.

H.R. 7296. A bill for the relief of Meteliko Tuiasoa; to the Committee on the Judiciary.

H.R. 7297. A bill for the relief of Rosie E. Valenzuela; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 7298. A bill for the relief of Pietro Palazzo; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 7299. A bill for the relief of Mrs. Oro Torjman Elancry; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 7300. A bill for the relief of Hortensia del Carmen Rosende; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 7301. A bill to provide for the free entry of one Zeiss planetarium projector for the use of the Chicago (Ill.) Park District; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey:

H.R. 7302. A bill for the relief of Rocco Riccio; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 7303. A bill for the relief of Haviv Schieber; to the Committee on the Judiciary.

By Mr. WYMAN:

H.R. 7304. A bill for the relief of Arminda DeBarros; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

AID FOR BIAFRAN CHILDREN

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. FRASER. Mr. Speaker, one of the most remarkable humanitarian efforts directed at relieving the misery of the Nigerian-Biafran tragedy is known as Aid for Biafran Children—ABC.

One of the principals in this effort is Norman Cousins, editor of the Saturday Review. Another is a pediatrician, Dr. Fergus Pope, of the Mayo Clinic in Rochester, Minn., a man with whom I discussed ABC several months ago in my Washington office.

These men and others in their group have undertaken the organization of a mobile medical program in Biafra, directed chiefly at treating children but turning away no one of any age.

So far ABC has been a modest effort. Dr. Pope, Mr. Cousins, and their associates have limited resources. They are not using a professional fundraising organization and have made no formal appeals. Support for their plan has come mostly from Saturday Review readers and from persons who have heard about the project by word of mouth.

It is an impressive story of humanitarianism, as Mr. Cousins reports on the background and progress of ABC in the following article from the February 1 Saturday Review:

ABC

Over the years, the editor and readers of *SR* have been engaged in various projects that come under the general heading of the human situation. After the end of the Second World War, for example, they accepted responsibility for 400 children in Hiroshima who were orphaned by the atomic explosion. The children were brought up in Japan but their "moral parents" in the United States helped to meet their various needs, including college education in many cases.

A second project involved several dozen girls who had been disfigured or disabled by the atomic bombing of Hiroshima. The girls were brought to the United States for plastic and rehabilitative surgery, and, in some instances, vocational training. The girls returned to Japan after a year in the United States. Many are now married and have families; others are in business for themselves as dress designers or beauty shop operators; some are working for social agencies. An integral part of this project was the training of several Japanese doctors in plastic surgery. These doctors in turn trained colleagues in Japan, the result being that hundreds of disfigured victims of the atomic explosions in Hiroshima and Nagasaki received special surgical treatment.

A third *SR* project involved thirty-five Polish women whose bodies and minds had been badly scarred as the result of their experiences at the Ravensbrueck Concentration Camp in the Second World War. They had been used as involuntary human guinea pigs by Nazi doctors who had cracked open bones in their arms and legs, inserting gangrenous materials such as broken glass or oily rags in order to produce massive and raging infections which they then attempted to check with new sulfa drugs. The project in behalf of these ladies—who had come to be known as the "Ravensbrueck Lapins"—was of a dual nature. One aspect was to bring them to the United States for medical and surgical care. The other aspect was to obtain from the German government at Bonn adequate compensation that would enable them to live without continued and excessive hardship. Both these parts of the project were carried out.

The editors now invite the readers of *SR* to join them in a fourth project. It is called ABC—Aid for Biafran Children. Herewith, some background.

Last September, when the food blockade of Biafra was at its worst, and when thousands of children were dying from protein shortage, it seemed to the editors that it might be useful to evacuate some Biafran children by air. The plan envisioned an airlift to the United States of approximately 150 children who lacked parental care or were homeless and who were in need of urgent hospital treatment. We put the proposal before representatives of the Biafran government and were assured of its full cooperation. We then communicated with hospitals in the New York metropolitan area, asking each one to accept responsibility for one or more Biafran children. The response was immediate and heartening. Some fifty hospitals offered to participate. All 150 children would have hospital beds. Pan American World Airways would provide and equip a plane for the direct flight to the United States. Convalescent care would be undertaken by the New York Center of the American Friends Service Committee, which had mounted the out-of-hospital care programs for the Hiroshima Maidens and the Ravensbrueck Lapins. Many Biafran students from the New York City area volunteered to maintain contact with the children, thereby reducing cultural adjustment problems.

We also appealed to the board of directors of the Schweitzer Fellowship, of which we are a member. The board followed the urgent recommendation of its then-president, Mr. Leslie Paffrath, to finance a relief program for child refugees at the Albert Schweitzer Hospital in Lambaréné, Gabon, only a few hundred miles away from Biafra. The advantage of the Schweitzer Hospital in Lambaréné was that it had accumulated invaluable experience over the years in dealing with children's diseases native to the area.

By a stroke of good fortune, at just about this time, we received a telephone call from Dr. Frank Catchpool in California. Dr. Catchpool, whom we had met for the first time at the Schweitzer Hospital in Lambaréné ten years ago, and who was now doing advanced medical research in the United States, was eager to undertake a medical relief program in behalf of the Biafran evacuees. He was an ideal person to carry out the project at the Lambaréné Hospital under the auspices of the Albert Schweitzer Fellowship. Dr. Catchpool came to New York for extended discussions, then left for Lambaréné, from which he has recently sent exciting progress reports; Biafran children are already at the Schweitzer Hospital and are responding favorably to treatment.

Meanwhile, we also had the good luck to meet Mr. George Orick, who had lived in Nigeria for several years and was working as consultant to the United Nations Children's Fund. Mr. Orick joined our project and proceeded to develop plans for translating the experience of the pilot program into a massive airlift involving 100,000 children or more.

We also talked to Mr. Maxwell T. Cohen, a New York attorney who had just returned from Biafra where he had consulted with government officials about his ideas for bringing Biafra's case before the United Nations. On the basis of his first-hand observations, Mr. Cohen spoke of growing problems confronting evacuation of children by air. He brought us together with Mr. G. A. Onyegbula, Permanent Secretary of Biafra, who had just arrived in New York on a brief government mission. Mr. Onyegbula spoke of the severity of Biafra's needs. Two thousand children and 4,000 adults were dying daily of starvation. Food and medical supplies were being flown into Biafra in larger quantities than had been possible for some months. But the situation continued to be critical and was apt to remain that way until there was a dramatic breakthrough in direct access. He asked whether we would be willing to consider mounting a relief program directly inside Biafra itself.

The shortage of Biafran doctors, Mr. Onyegbula said, was not as acute as had been commonly supposed; the difficulty, he added, was in providing them with adequate medical and surgical equipment and transporting them to the places where they were most needed. He also spoke of a hospital field station inside Biafra for which he hoped we would accept supervisory and operational responsibility, and where American and Biafran doctors could work side by side. We told Minister Onyegbula we would try to help in any way that might be useful.

The more we pondered the Onyegbula proposals, the clearer it became that the massive airlift ought to be deferred in favor of on-site operations. We needed a medical field director. Dr. Catchpool was an obvious choice, but he was already at the Schweitzer Hospital in Lambaréné. Two other names came immediately to mind: Dr. Fergus Pope, of the Mayo Clinic in Rochester, Minnesota; and Dr. Omar Fareed, of the Carr Foundation in Los Angeles, who had undertaken medical field projects in equatorial nations around the world.

Fergus Pope was a footloose young man of twenty-five when he decided in 1956 to motorcycle in Africa. He dropped in on the Albert Schweitzer Hospital in Gabon, helped to fix the hospital generator, and, like many people who were exposed to *"le grand docteur,"* decided the life he had been living wasn't good enough. Though he lacked a science background, he decided to obtain a full medical education in order to serve under Dr. Schweitzer at Lambaréné. He went to London, completed his qualifying studies, then enrolled in the University of London School of Medicine at St. Bartholomew's Hospital. After seven years, he returned to Lambaréné as a full-fledged physician. Following Dr. Schweitzer's death, Dr. Pope decided to specialize in pediatrics. This brought him to the Mayo Clinic in the United States as a resident in pediatrics.

We put in a telephone call to Dr. Pope in Rochester. Would he be able to take a leave of absence from the Mayo Clinic to work with us—for perhaps six months or more? Affirmative response. Two days later, Fergus Pope was at our office in New York, going over the project plans in detail.

Dr. Fareed is a Los Angeles internist who has spent at least half his time traveling to far-off places such as Vietnam, the Congo, and Peru doing medical field work or pursuing projects such as the distribution of "Meals for Millions," an inexpensive, high-protein food. He also worked with AMDOC, a coordinating organization for voluntary service abroad by American physicians.

We reached Dr. Fareed at his home in Los Angeles. Within two or three minutes we had our answer: He would drop everything to serve.

We informed Dr. Nwonye Otue and Raphael Nwakoby of the Biafran mission to the United

States of our readiness to proceed. They suggested that Dr. Fareed, Dr. Pope, and N.C. go to Biafra for joint planning with Bifran officials and for direct observation of some of Biafra's medical needs.

The suggestion was accepted. The day before the scheduled trip to Biafra, N.C. came down with the flu. At his insistence, Dr. Fareed and Dr. Pope proceeded as planned. They flew Pan American World Airways to Frankfurt, where they boarded the Joint Church Airlift plane to Sao Tomé, an island off the coast of Biafra. From there they were flown at night to a secret airstrip in Biafra, where they met with Permanent Secretary Onyegbula, Dr. S. J. Cookey, Commissioner J. Udo-Affia, Dr. E. Ritchie, and Dr. A. Ifekwunigwe.

Dr. Fareed and Dr. Pope were lodged in a guest house in a small town in Biafra. They were taken by jeep to surrounding villages where they were able to see at first-hand the impact of food and medical shortages on people of all ages. When they returned to their lodgings they found the place strewn with casualties. The town had been bombed and strafed; twenty-seven persons were dead and many more were wounded. The American doctors gave emergency treatment to the injured.

When they returned to New York a week later, they brought with them a letter to N.C. from Dr. Cookey, proposing that we undertake a large mobile medical program inside Biafra. Dr. Cookey envisioned a large number of mobile units, directed by American and Biafran doctors and going directly to the villages for on-the-spot medical and surgical care. The emphasis would be on the treatment of children, but no one of any age would be turned away.

Dr. Pope proposed that we begin almost immediately with one or two units as a sort of pilot project. He would be willing to superintend the initial operation himself, working with Biafran doctors who would be made available for this purpose.

Dr. Fareed would be in charge of recruiting American doctors for the post-pilot phase of the project and would go to Biafra later for direct work in the field.

Now came the hard planning. Dr. Pope drew up his requirements for the pilot project. We were appalled at the length and variety of the items on the list—at least two large jeeps, several motorcycles, drugs, food supplies.

Apart from this were the requirements inside Biafra itself. We needed a lot of money. Where would it come from? We told Dr. Pope and Dr. Fareed that we had some fairly strong ideas on the subject. There should be no public fund-raising drives. In the case of SR's previous projects, we employed no professional fund-raisers, made no formal appeals. For the most part, SR's readers volunteered the sums necessary. In return, they got 100 cents on the dollar. None of their money was spent for administrative services or money-raising agencies. Outside SR, individuals heard of the project and asked to participate.

We were confident that we could operate the same way with ABC. Within a few days, this philosophy began to bear fruit. A group of citizens in Minnesota, learning of the project in which Dr. Pope, now a Minnesotan, was engaged, offered a substantial contribution. At the suggestion of a friend, Dr. Pope spoke to Mr. Terry Tearnan of Yamaha International Motorcycle Company. Result: six motorcycles free of charge.

Lawrence Gussman, newly elected president of the Albert Schweitzer Fellowship, obtained many of the necessary medical supplies. At the suggestion of Dr. Fareed, Mr. Dennis Karzag of the Direct Relief Foundation donated $26,000 worth of drugs, and Mr. Sam Berkman of Bioscience Labs gave us a portable laboratory. Finally, Dr. Davida Taylor of Harvard School of Public Health obtained further gifts from drug companies throughout the nation.

Dr. Pope spoke to us about the possible availability in Biafra of extra vehicles, many of which were now disabled by shortage of spare tires. We telephoned Victor Holt, president of the Goodyear Tire and Rubber Company in Akron, Ohio. Rather than wait for the regular processing of the request through company machinery, Mr. Holt personally purchased tires and shipped them to us.

How to get all this material to Biafra? Here a human miracle by the name of Abie Nathan materialized, Mr. Nathan, an Israel citizen, had become a sort of one-man Biafran relief operation. He had managed to obtain the use of a Norwegian freighter, chartered by two relief organizations in Holland. The freighter was now in the United States and was loading up with American supplies.

Mr. Cohen brought Mr. Nathan to SR's offices. We found him as cooperative and agreeable as he was energetic. He said he would happily carry all our supplies to Sao Tomé.

So much for the report to date. Obviously, most of our problems are ahead of us. There is the major problem, of course, of getting Hercules-type freight planes to fly the jeeps and other weighty equipment into Biafra. We know we cannot minimize this difficulty, but we are not without confidence. Besides, Dr. Pope will be at Sao Tomé when Abie Nathan's boat arrives. And Dr. Pope is a most remarkable and effective young man.

JOINT STATEMENT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. DINGELL. Mr. Speaker, under permission granted I insert into the CONGRESSIONAL RECORD an excellent joint statement published on February 6, 1969, by the American Friends of the Captive Nations and the Conference of Americans of Central and Eastern European Descent:

JOINT STATEMENT

(By Msgr. John Balkunas, chairman, Conference of Americans of Central and Eastern European Descent, and Christopher Emmet, chairman, American Friends of the Captive Nations)

The tragic invasion of Czechoslovakia by the U.S.S.R., with the participation of most of the Communist satellite regimes of Eastern Europe, shattered the optimism about "bridge-building" and detente which prevailed in the United States and Western Europe. Though there can be no satisfaction to anyone in these grim events, the fact remains that the skepticism our organizations have often expressed has now been all to graphically confirmed.

Although recently the Soviets have done their utmost to divert our attention from the lessons of Czechoslovakia by temporarily adopting a more conciliatory tone on other matters, the fact is that public confidence in Europe has been weakened by the minimal U.S. and NATO response to Communist encroachments in Berlin last spring, by our silence when Czechoslovakia was threatened before the invasion, and our weak reaction afterwards. Europeans compare it with President Kennedy's call-up of 150,000 Reserves after the building of the Berlin Wall.

The military balance of power has been changed with the presence of more Communist divisions in the forward areas. Both our reliance on warning time for strengthening NATO in case of a crisis, and our estimate of Soviet intentions have proved fallacious. The NATO Commander, General Lyman A. Lemnitzer, has recently warned of an increased threat from the Warsaw Pact countries. And Ambassador George F. Kennan, a former advocate of disengagement in Europe as well as Asia, called the proposed Moscow summit meeting between Johnson and Kosygin "madness," and urged the dispatch of 100,000 more American troops to Europe until the Soviets leave Czechoslovakia. We can ignore all this only at our peril.

The only way now to help the Czechoslovak people and keep their hopes alive is to speak out boldly and repeatedly on their behalf in the United Nations and outside it; to strengthen the defense of the West; to negotiate from strength and hold the line until the pressures for freedom recently revealed, not only in Eastern Europe but in the Soviet Union itself, bring the present nightmare to an end. The Czechoslovak breakthrough to freedom ended in tragedy as in Hungary; but, like Hungary, it proved that freedom in Eastern Europe is again on the march. It will prove unconquerable if we stand firm and thus encourage the continuing passive resistance among the Captive peoples.

1. As part of our political offensive, the U.S. and her NATO allies should move to have the continued occupation of Czechoslovakia formally debated and condemned by the next U.N. General Assembly. If we compare what the U.S. and the U.N. did to protest and expose the Soviet invasion of Hungary with what we have done on Czechoslovakia, we can see how far an increasing timidity has silenced us.

2. We must rebuild the only solid alliance we still have to deter further Soviet aggressions—the NATO Alliance. We must abandon the folly of talking about withdrawing U.S. troops from Europe, at a time when NATO has been expelled from France and weakened by Britain's financial crisis, on top of the shift in the balance of power, which General Lemnitzer referred to.

3. Obviously this cause will be helped by every possible public gesture and utterance by our statesmen of a pro-NATO nature. There should be a NATO summit conference, as Chancellor Kiesinger suggested, instead of a Moscow summit while the Soviet aggressor still occupies Czechoslovakia!

4. The power of NATO to deter aggression depends both on its strength and on confidence in its will to use that strength, if necessary. The NATO information budget should be enlarged to give more publicity in Europe about the continued need for NATO and about the technical progress NATO had made even before Czechoslovakia, despite its ouster from France and its neglect by statesmen and by the news media.

5. A NATO Information Office should be set up in every NATO country, including the United States.

6. We do not have to choose between future negotiations with the Soviets on the one hand and strengthening NATO on the other, because we cannot negotiate with the Communists successfully except from positions of strength. But to avoid misunderstanding by our allies we must not only consult them at every stage, but must prove to them, as well as to the Kremlin leaders, that we have no illusions about Soviet objectives; that we realize one Soviet purpose in such negotiations will be to divide us from our allies and to create an illusion among the Western peoples and Parliaments that further sacrifices for NATO are unnecessary, because we are on the road to arms control agreements. The exaggerated optimism about the scope of the Test Ban Treaty and U.S. pressure on its allies for immediate ratification of the Non-Proliferation Treaty, despite Czechoslovakia, are examples of mistakes which must be avoided.

7. Because of a recent escalation of savage Soviet Cold War rhetoric, especially against West Germany, the U.S. must escalate its defense against this propaganda. To date we

have been virtually silent. As it is, many Europeans fear that the U.S. is unwilling to risk even irritating, not to speak of provoking, the Soviets in our quest for detente. Even if we cannot prevent the Soviet reenslavement of the Czech people, we can at least tell the truth about it, and so make the Soviet action most costly to their influence around the world and hasten the day when they may be forced in their own interests to withdraw. The American people also have a right to frankness from their government about what the Soviets are doing in Berlin, the Near East, Korea and Latin America.

As for the fear that such frankness would endanger the proposed missile talks, when did a so-called "Cold War atmosphere" prevent successful negotiations with the Soviets in Berlin, Korea, Austria or Cuba? The fact is that a willingness to speak out on Soviet acts which deserve criticism is a part of negotiating from strength which will increase our bargaining power. The Soviet leaders themselves always maintain their propaganda pressure. They are cold and realistic bargainers who use propaganda as a weapon in negotiations, not sensitive prima donnas whose policies are changed by verbal irritations.

8. Finally, and not least important, we must use all our economic power in our dealings with the Soviet bloc as a means of pressure and bargaining in negotiations to promote peace and freedom. For whatever one's view of the recent Western policy of extending credits to Eastern Europe and the Soviet Union itself, in order to encourage liberalization and independence from Moscow, such credits now can only strengthen the Soviet effort to end liberalization and independence. This is so because the Kremlin today fully controls the satellite economies, either through direct force, as in Czechoslovakia, or by threat of force as in Rumania.

The economic cost and dislocation within the Communist bloc caused by the invasion of Czechoslovakia, plus the enormous cost of the whole recent Soviet policy of expanding its armed forces and its military aid around the world, from Korea to Cairo, gives the West a new opportunity for economic bargaining to press for political concessions.

Therefore, the export of sophisticated Western plants, "know how" and credits at this time can only help the Soviets to remain in Czechoslovakia, to restabilize their empire elsewhere, to continue the arms race in the Middle East. This kind of Western trade and aid would also reduce the pressure for the economic reforms which the Soviets were forced to adopt at home and tolerate throughout Eastern Europe, in order to compete with the West. Granted that no fully united NATO action along these lines is possible, the more our allies cooperate in this effort, the greater will be our bargaining power for peace, arms control and freedom.

Needless to say, our objection to long-term credits and trade in certain categories of sophisticated and potentially strategic items does not apply to ordinary reciprocal trade, nor to the desirability of promoting cultural contacts on the largest possible scale, provided it is on a reciprocal basis.

ELECTORAL REFORM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. BINGHAM. Mr. Speaker, on February 5, when I testified before the House Judiciary Committee on the subject of electoral reform, I said that there are many serious doubts about the substantive merits of direct popular election, and that it might be better to correct immediately the two major defects in our present system—the faithless elector and the possibility that the election may go to the House—and then thrash out the pros and cons of direct popular election.

The reason for speed in making the first reforms is clear. The reason for delay in approving direct popular election is that there are so many doubts, that there are voices not yet heard.

The New Yorker magazine, which does not often give its first page to political commentary, apparently thinks it so important that its readers know of the dangers of moving to direct popular election that it has led off its February 8 issue with an excellent article, which I recommend highly to my colleagues. The article follows:

THE TALK OF THE TOWN: NOTES AND COMMENT

Last December, as they have done every fourth year since the beginning of the Republic, the newly elected members of the electoral college assembled in every state to choose the President of the United States. This forty-sixth meeting will have been the last if those who advocate the abolition of one of our most venerable institutions win the current battle for electoral change.

The Founding Fathers provided in the Constitution that each state should elect a small group of men who, in turn, would exercise their independent judgment in selecting a President. Each of these men, called an elector, was given one vote, and each state was entitled to a number of electors equal to the combined number of its senators and representatives. As a result, representation in the electoral college, as in the Congress, was roughly proportional to population. And if no candidate received an absolute majority of electoral votes, the President was to be chosen by the House of Representatives. This system has survived to the present day, with one all-important difference. It rapidly became an established custom that all the electors of a state would automatically vote for the candidate receiving most of the state's popular vote. Today, a separate slate of candidates for the post of elector is pledged to each Presidential candidate in every state. When you vote for President, you are in fact voting for the slate committed to your favorite. For example, any New Yorker who voted for Vice-President Humphrey was really voting for the forty-three electors of the Democratic Party. And even though Humphrey received a bare majority of New York's popular vote, he won all forty-three of its electoral votes. (Legally, of course, any of these electors could have voted for someone else, and on a few rare occasions an individual elector has dishonored his commitment.)

Under this system, it is theoretically possible for a Presidential candidate to receive a majority of the electoral votes even though his opponent is the popular victor. To see how this might happen, assume, for a perhaps uncomfortable moment, that the President was chosen by New York and California alone. If Humphrey won New York by fifty thousand votes, and Nixon won California by one hundred thousand votes, then New York's forty-three electors would go to him, and Nixon would receive California's forty. Thus, even though Nixon was fifty thousand popular votes ahead, Humphrey would be elected President, by forty-three electors to forty. The fear that this might happen on a national scale is behind the present demand to eliminate the electoral college and select a President by direct nationwide popular vote. Such a change, which is superficially appealing as a call to democratic principle, might have consequences for the practical operation of our democracy far beyond the intentions of its sponsors. There are some aspects of our present system, of course, that clearly threaten the legitimacy of the democratic process. Certainly electors should not be free to defy the electorate, nor should the House of Representatives under any circumstances be allowed to select a President, being a small group of men susceptible to deals and private pressures. Electors have sometimes acted independently, and the House has on occasion ignored both the popular and the electoral vote in selecting a President. Yet it would be relatively simple to eliminate these possibilities—by, for example, not having individuals as candidates for electors but automatically counting all of a state's electoral votes for the winner of its popular vote, and by providing that the candidate with the most electoral votes would win even if he did not have a majority. Or a runoff popular election could be held if the winning candidate received less than a certain fixed percentage of the electoral votes—say, thirty-five per cent or forty per cent.

However, eliminating the electoral college altogether is another matter. In so doing, we would exchange a clumsy mechanism, but one that has worked, for an ideal construction whose effects are conjectural. Only once in our history has the man who received the most popular votes failed to receive the highest number of electoral votes. That was in 1888, when Grover Cleveland lost the election although he ran a hundred thousand votes ahead of Benjamin Harrison. Andrew Jackson in 1824 and Samuel Tilden in 1876 were deprived of the Presidency despite a popular plurality, but Jackson's defeat came about by decision of the House (Jackson had a plurality of electoral votes as well), and Tilden lost because disputed electoral votes were taken from him by a hostile Congress. Thus, the electoral college has failed to conform to the popular will only once in almost two centuries, and that in a contest so close that it's almost a technical quibble to say that the people's choice was defeated.

Nor do considerations of abstract democratic theory dictate a change to direct popular vote. If democracy requires that those who govern the country be chosen by a national constituency in which all citizens have equal weight, then both the Supreme Court and the Senate fail the test. Yet, on the whole, they help maintain a necessary balance between minority or regional interests and the majority will; the Senate is often more conscious of national needs than the more representative House. Therefore, before changing a system that has worked remarkably well, the American people should be fairly certain that the results will be beneficial. As we see it, the consequences of eliminating the electoral college not only are highly speculative but might be unfortunate.

First, such a reform, as Professor Ernest Brown, of Harvard, has pointed out, could well transform the frequent charges of election irregularity and fraud into demands for a nationwide recount. Since voting is now by states, such charges are usually allowed to lapse, for even if the result in a particular state should be changed, the winner would rarely lose his electoral majority. But if the popular vote alone were decisive, and the election close, there would be every incentive to demand investigations and recounts, and these would inevitably precipitate counter-demands, while the country waited to see who its leaders would be. In addition, a direct popular vote would powerfully tempt the states to compete in lowering voting ages, liberalizing registration requirements, and so on, in order to increase their relative influence on the election.

Another and perhaps more serious, objection to abolishing the electoral college is the threat to the stability of the two-party system, which has been a key element in the endurance of American democracy. Most third-party efforts either have never got off the ground or have proved transient, because, as Professor Alexander Bickel, of Yale, has noted, they have been unable to win electoral votes unless they operated from a regional base. In 1948, for example, Strom Thurmond and Henry Wallace received approximately the same popular vote, but Thurmond got thirty-nine electoral votes and Wallace none. Individuals with a common interest or conviction are restrained from forming an independent party by the knowledge that they cannot carry any states and therefore will not receive any electoral votes, while their activities will tend to subtract votes from the major-party candidate who is ideologically closest to them. With only the popular vote at issue, however, regional roots are irrelevant, and groups united by belief or need—from blacks and those opposed to the war in Vietnam to the John Birch Society—might fragment the electorate into new parties in search of maximum political power. They could, as the Liberal Party has done in New York, bargain with one of the major parties for concessions in return for its endorsement, or offer to withdraw in the midst of a campaign in return for concessions. Such a party might also run candidates in the hope of forcing a runoff election in which its support would be eagerly sought. Most of the election-reform proposals require at least forty per cent of the popular vote for election, with a runoff between the two top candidates if no one gets that much. And although only Harrison received a popular minority and an electoral majority, fifteen Presidents have been elected with less than a majority of the total popular vote. Therefore, almost half of our elections have been contests in which, theoretically, a third party could have held the balance of power. In two of our three last Presidential elections, the popular margin was less than a half-million votes, and in America it is possible—with money and energy—to organize a half-million people for almost anything.

Still another objection centers on the impact that eliminating the electoral college would have on the relative importance of large and small states. Both the advocates and the opponents of reform have assumed that direct popular vote would reduce the emphasis on the large states with the most electoral votes. Yet reform might well have the opposite effect. Usually, campaigns are directed at a swing vote of from ten to twenty per cent of the population, on the assumption that the rest of the voters are pretty firmly committed. Under the reformed system, any candidate in search of those votes would have to concentrate his energies and his startegy on the large states, for that is where the people are, and also where the most volatile vote can be found. For example, Richard Nixon, Southern strategy and all, received about the same number of popular votes in California alone that he received in all nine states of the once solid South. (roughly three and a half million). Even though Nixon ran well ahead of Vice President Humphrey in the South, a change of little more than two per cent of his vote in favor of Humphrey in the four largest states, or a change of less than one and a half per cent in the seven largest, would have cancelled out his entire Southern margin. In fact, about half the popular vote for the two major candidates came from only seven states. No political strategist, therefore, could wisely counsel a candidate to take the slightest risk in the big states in the hope of picking up a few more Southern or border states. (In fact, exactly this kind of risk-taking helped defeat Nixon in 1960.) It is just as likely, and far more economical in terms of energy and expense, that under the new system a candidate would assume a basic minimum of Southern and border votes and shape his campaign to the demands of large-state politics. Why should a Presidential hopeful take positions calculated to win Southern states if those same positions might lose him the two or three per cent of the vote in California, New York, Illinois, and Pennsylvania that would be enough to cancel out all his gains? All this, of course, reflects only the psychology of campaigns, since in fact the electoral vote has followed the popular vote. Yet once political strategists stopped thinking in terms of states and the intricate arithmetic of the electoral college, they would tend to focus on areas where the population is concentrated and on the large television "market areas."' (After all, in the nine Southern states Nixon received forty-seven electoral votes and helped keep twenty-eight more from Humphrey, while California gave him only forty electoral votes. Thus, the Southerner who voted for Nixon actually had more influence on the electoral majority than did the Californian who went Republican.)

None of these are certain consequences of change. Yet they are all possibilities, as are other results, which we cannot now foresee. (Our history is strewn with discarded democratic reforms, such as the initiative and the referendum, that frequently defeated expectations and sometimes became the instruments of those special interests they were designed to protect the country from.) In return, we will be guarded against the possibility that the popular loser will be the electoral winner. Not only is this highly unlikely (in most close elections the electoral-vote majority has far exceeded the popular margin, thus strengthening the position of a President-elect) but even if it should happen it would be in a contest so close that one would be hard put to it to claim that a firm or decisively expressed popular desire had been thwarted. One of the sources of our national stability has been our unwillingness to change the Constitution except when abuses or malfunctions have already manifested themselves. It has never been amended simply because we feared that something might go wrong at some future date. Yet that is what is now being proposed. We will find, however, no system of choosing leaders that is guaranteed to work perfectly. Certainly a great deal of skepticism and prudent hesitation should attend any effort to "perfect" a system that has worked as well as ours.

LITHUANIAN INDEPENDENCE DAY MARKED

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. NELSEN. Mr. Speaker, on February 16, free Lithuanians around the world observed the 51st anniversary of the Declaration of Independence of Lithuania. Sadly, because of Soviet occupation and russification of Lithuania since July, 1940, only those outside this Baltic States's borders were able to observe its memorable anniversary.

This occasion again reminds us that the Soviet's barbarous seizure of lands and peoples in eastern Europe is a great continuing tragedy of the 20th century, unsanctioned by any international law. It again presents the opportunity to condemn such acts of wanton aggression and the continued despotism which prevails in the captive nations.

I am pleased to join our Lithuanian friends in urging the restoration of freedom in these captive lands, and I wish to extend thanks to them for keeping alive their sturdy support for the decent principles of mankind.

A KEY "MONEY MAN" VIEWS THE NATION'S ECONOMY

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. FRELINGHUYSEN. Mr. Speaker, as we all know, a great deal of time is being spent on ways to achieve a reduction in Federal spending, while at the same time meeting our national commitments.

The crisis of confidence in the dollar, inflation, tax reform, budget deficits, unemployment—all are matters with which Congress must deal if we are to maintain a healthy economy and ease the inflationary pressure on the dollar.

These subjects are covered in an article which appeared in the Philadelphia Inquirer on February 9, concerning an interview with David Rockefeller, president of the Chase Manhattan Bank.

Mr. Rockefeller's forthright and perceptive comments on the state of the economy will, I am sure, be of interest to us all.

The article follows:

INTERVIEW WITH DAVID ROCKEFELLER: A KEY "MONEY MAN" VIEWS THE NATION'S ECONOMY

(By Milt Freudenheim)

NEW YORK.—David Rockefeller, one of the world's most influential money men, favors a slowdown in Federal spending for the space program, highways and farm subsidies.

These are the priorities on his list to strengthen the U.S. economy, slow inflation and bolster the world position of the dollar.

Rockefeller, 53, could have had a Cabinet job in the Nixon Administration. But he made known his desire to stay in New York where he is moving up on March 1 from president to board chairman and head of the executive committee of Chase Manhattan Bank, the world's second largest in deposits.

Rockefeller also believes that unemployment has to rise, although the increase should be "moderate" and "temporary."

He sees an increase in the jobless total as part of the price that must be paid to curb inflation.

But he believes that government and business must step up their effort to train and hire "hard-core" unemployed—especially young Negroes in the cities.

WAR'S IMPACT

Furthermore, he doesn't expect serious trouble from the economy when the Vietnam war ends.

Rockefeller put his finger on these crucial sensitive spots in the economic outlook in an interview in his art-filled 17th floor office at the Chase bank.

This platform at Chase, plus the backing of the Rockefeller family's estimated $4 billion fortune, makes him a leading candidate for the unofficial title of "Chairman of the Board of the American Establishment."

David Rockefeller's brothers are Nelson, governor of New York, Winthrop, governor of Arkansas; John D. 3d, builder of the Lincoln Center culture complex in New York, and Laurance, conservationist and new-venture specialist.

Against a muted background of traffic horns echoing outside on Chase Manhattan Plaza, Rockefeller, a Ph.D. in economics from the University of Chicago, folded his six feet of height onto a sofa and replied to questions.

Q. Do you think there is likely to be another dollar crisis this year?

A. Well, I must say I don't think you can rule it out as a possibility. But I think that the position of the dollar is a great deal stronger than it was six months ago. There's no question about that.

Whereas nine months ago there was a real crisis of confidence in the dollar around the world, I think the combination of our tax bill and the troubles in France served to change that very dramatically.

The result is that today the dollar is very much in demand, and of course there's a tremendous flow of long term investment into this country.

Q. But do you feel, sir, that we have our house in order, on our domestic economy?

A. No. I think we've taken the first steps. I think that the new team in the Treasury is absolutely first rate.

Q. Of course we have a Chicago man in Treasury Secretary David Kennedy.

A. He was a candidate of mine. But to answer your question: Have we put our house in order? We have not yet dealt with inflation. And although our balance of payments appears superficially to be much improved, we haven't yet dealt with the most fundamental aspect which is our trade balance, which has continued to decline.

So until we get our inflation down to a very minimum, manageable amount—which I would hope would be under 2 percent, and until we improve our trade balance (what is called the current account), I don't think we can feel comfortable about our situation.

TAX AND SURTAX

Q. Regarding the inflation, are you suggesting that the 10 percent surtax should go on for at least into the next fiscal year?

A. In effect, yes. It's very hard for me to see how the situation could change sufficiently between now and the middle of the year to justify removing the surtax.

Q. What about agitation in Congress to increase the tax burden on upper-bracket incomes?

A. Well, certainly from a political point of view, it is appealing. But the importance from a revenue point of view of the (federal) income that could be derived if you took 100 percent of the highest brackets would be minimal.

It really would be insignificant . . . it has political appeal, but from a purely tax point of view, I don't think it's that important.

Q. This might be an indiscreet question. Of course there are no indiscreet questions, only indiscreet answers. But what about the agitation regarding the oil depletion allowance and the tax setup for oil income?

A. Well, that's quite different. There, the tax that could be derived would perhaps be more significant, although I honestly don't know exactly what it would mean.

I think that there it is a question of what one thinks is good policy in terms of the developments of our petroleum resources.

If we don't think it's important to maintain our known reserves of oil, why, then, a very easy way to eliminate those reserves is to eliminate the depletion amount. If we do think it's important to maintain them, then depletion (allowance) is naturally the essential thing.

SPACE BUDGET

Q. Would you stretch out—that is, slow down—spending in the space budget, for example?

A. I would be inclined to look at that area pretty hard. And I think probably some of the highway programs—again they could be stretched out. They're certainly important, but probably less urgent than some others. I'm sure a lot could be done in the field of agricultural price supports. Economically, this would certainly be desirable. Whether it's politically possible is another question.

Q. How do you weigh the priorities of full employment and inflation?

A. At the present time we have over-employment in many respects, particularly in the skilled trades. There's a real shortage of people—we feel that in the bank. We have hundreds of unfilled requisitions for people.

Q. What does that mean in bank terms—economists?

A. No, just typists, computer operators, and so forth.

I think that an easing up of the economy would take the pressure off the employment market, and I think we're going to see some increase in unemployment as we measure it.

My guess is that when the figure gets below 4 percent (it has ranged around 3.3 percent lately), that the pressures of inflation are apt to be very great.

But that is not to say that we shouldn't continue to work with that portion of the population which is unemployed and which, for all intents and purposes, now are unemployable.

JOB TURNOVER

Q. You are speaking of Negroes, hard-core . . .?

A. Yes. Essentially the groups with the largest percentage of unemployment are people under 25, Negro, and in the large cities.

And I think we should do a lot of work with them and bring them into the labor force. But this is something entirely apart from monetary and fiscal policy.

Q. I'm trying to think concretely. Who are going to be the unemployed when you go up a couple of percentage points to over 4 percent? Who will they be if you're having success, hopefully, bringing these hard-core people in?

A. I suppose what it means is that there's a little bit more time between jobs, that kind of thing . . . that the turnover period is not quite as rapid as it is now.

Q. Are you saying that this is such a big economy that there is room for a few rough edges in that machinery?

A. Right. I'm afraid we had three years of considerable inflation, and I'm afraid that it's not possible to eliminate that, without some price.

And the price means the slowing down of the rate of growth of the economy, and some moderate increase on a temporary basis in the percentage of unemployment.

Q. Do you think Federal spending on problems of the cities and poverty must be increased, despite anti-inflation priorities to hold down the Federal budget?

A. I'm certainly very much in favor of carefully developed and selected programs in terms of job training, education and aid to construction of housing for the lower income groups.

These are the three areas that particularly need help. But I don't think we can afford unlimited expenditure.

Q. Would you include on that list tax relief for businesses that are doing a lot in a training way or are building special plants in the inner city locations?

A. I think there are instances where tax abatement can be a useful tool. Obviously one has to use it sparingly, or else you lose your source of revenue.

DEFENSE BUDGET

Q. How do you feel about the defense budget?

A. Of course, hopefully, the war in Vietnam will come to an end, and this should bring some significant relief.

But I'm afraid we can't look for drastic cutbacks in the general defense budget at the present time. I'm afraid that the action of the Soviets in Czechoslovakia and the Middle East and the Mediterranean and elsewhere is an indication that we're not yet at the point where we can look for a major cutback.

Q. How do you see the problem of adjusting the economy, when the Vietnam war budget is phasing out?

A. I don't anticipate that being an acute problem, or one that would be of long duration. I think I have seen the figure that it would involve a readjustment of the labor force, something on the order of 2 percent.

This is hard on the 2 percent, but this isn't a sufficiently large number so as to cause general disruption in the economy. So I think this need not be a serious thing for us.

Indeed . . . it could be a little bit helpful in slowing up the pace of the economy and helping us cut back during the process of readjustment.

Q. Do you see the gross national product going up over $1 trillion? (It was $860 billion for 1968.)

A. Oh, I think it will, in a year or 18 months.

FURTHER IN RE U.S.S. "PUEBLO"

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. MARSH. Mr. Speaker, whether it represents a blunder or embarrassment—or something more or less serious—the incident of U.S.S. *Pueblo*, now under inquiry by the Navy, has troubled many citizens.

In a column of recent weeks in the New York Times, James Reston raised the question of how national blunders and embarrassments might be evaluated dispassionately for the record of history.

Without specific comment, I include the text of this column, as follows:

COMMANDER BUCHER: WHO WILL INVESTIGATE THE INVESTIGATORS?

(By James Reston)

The Navy Board of Inquiry in the Pueblo spy ship case raises some interesting questions about how we investigate official blunders in the United States.

Obviously, the Navy had to look into the ships mission, its activities off the North Korean coast, its inability to destroy the enemy or itself, and the consequences of its capture, but was this inquiry conducted by the right people, at the right time and in the right manner?

Not only Cmdr. Lloyd M. Bucher, the Pueblo's skipper, is suspect in this tragic incident, but the Navy and the Defense Department are also under suspicion, and the latter are in effect sitting in judgment on themselves.

BUCHER'S ORDEAL

Commander Bucher and his crew clearly had to be questioned quickly and in private on the intelligence aspects of the case while their memories were still fresh, but why a public inquiry before Commander Bucher had regained his composure and under conditions which raise serious doubts about whether the spirit of due process was being followed?

The Navy's handling of the public in the open hearings is also very odd. It concedes the public's right to know what is going on in the open part of the board's hearings and it keeps a transcript of the proceedings, but it refuses to allow the public transcript to be published, or permit the reporters in the open hearings to take down their own transcript. Thus a news reporter who knows shorthand can record the Q and A while another reporter who does not know shorthand can not.

THE LARGE QUESTION

The main question here, however, is not about the transcript or even about the Navy. The Navy is at least following a tradition all too often ignored in other parts of the Government—that is to say, it does investigate error. The question is whether it can really be objective about its own errors, whether in this case it is being fair to Commander Bucher, and even more important, whether we have in this country an adequate system for reaching objective judgments on major policy blunders much more serious than the Pueblo case.

There is, of course, the right of investigative review in the Congress, which in many cases is highly effective, but in some cases is unavoidably political and subjective. The President has the power to set up investigating commissions, as President Kennedy did after the Cuban Bay of Pigs disaster, but again there is the problem of the accused passing judgment on himself.

The British have more effective instruments for dealing with this sort of thing. Being older and therefore knowing more about human weakness, political cunning, and the slippery slopes of truth, they have created the device of the Royal Commission, which can call upon men and women less subject to the usual frailties of ambition and suspicion to sit as a committee of inquiry on the really momentous blunders that trouble a nation.

The United States has recognized the need for some such committee of elders to help us through supreme crises. The Pueblo case is not in this category. It merely raises the questions of right and wrong procedures. But Pearl Harbor and the murder of President Kennedy did force us to experiment with something like the British Royal Commission—something that could minimize doubt in a doubting age, something beyond politics to investigate great political questions.

We did set up a kind of committee of elders to investigate Pearl Harbor and the Kennedy assassination, and, while the prestige of the elders did not avoid controversy, they probably minimized it and suggested a way to deal with such problems in the future.

TIME FOR REAPPRAISAL

Probably the militant young of the present day would reject the whole idea of an outside committee of elders, since presumably some of its members would be over thirty, but even so, something in the investigative procedure is missing, some group of our citizens who would command the maximum of respect, to find out what went wrong on the really spectacular mistakes of national policy.

Even now the nation does not know how we lost our way before the Bay of Pigs, and it is obviously too early to look into the blunders of Vietnam, which have cost us the lives of over 30,000 of our fellow countrymen. But there should be some better way than we have now of studying the past to learn for the future, and the tragic case of Commander Bucher merely reminds us that our procedures of investigation need to be re-examined.

A TRIBUTE TO EDUARDO MONDLANE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. FRASER. Mr. Speaker, one of Africa's exceptional leaders, Dr. Eduardo Mondlane, president of the Mozambique Liberation Front, was assassinated February 2. Dr. Mondlane gave his life to the cause of freedom and self-determination for his people.

In a resolution adopted 2 days after Dr. Mondlane's death, the Board of World Ministries of the United Church of Christ passed the following resolution, a fitting tribute to the fallen leader:

> The United Church Board for World Ministries expresses gratitude for the life of Dr. Eduardo Mondlane for his service to his country, for his example of steadfastness and courage, for his leadership and for his Christian witness to all mankind. This Board is proud to have had a small share in his training and to have been associated with him as a student, as a worthy staff member of the United Nations, as a member of the faculty of a great university and latterly as a far-seeing leader of his people in their struggle for freedom. He excelled and excited the admiration and love of many.
>
> We sorrow over his tragic death and extend to his wife, Janet, and their children our deepest sympathy.

MEETING THE CHALLENGE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. EDWARDS of California. Mr. Speaker, there is much discussion about the failure of our institutions to provide students with skills that will equip them to take their place in the labor force once they have completed their formal education. Unemployment and the resultant social and economic problem it presents often can be traced directly to the lack of skilled training necessary to gain employment. With a vocation comes pride and dignity, and feeling of achievement, and the chance to direct one's life that a person who is unskilled and unemployed does not have.

In our technological society there is an increasing demand for skilled workers. This is a challenge that must be met by our cities and schools. I am proud to say that the city of San Jose Unified School District is doing just this. On January 30, 1969, I had the honor of attending the dedication ceremonies at the San Jose Regional Vocational Center and in a speech Mr. Henry T. Gunderson, a member of the board of education of the San Jose Unified School District, told the audience how San Jose is meeting the challenge through vocational education. I now include Mr. Gunderson's timely comments in the Record, as follows:

> Meeting the Challenge
>
> (By Henry T. Gunderson)
>
> Today we hear a great deal about meeting the challenges that face our schools, and the changing times we are living in, and how we must adjust to keep abreast. This is true, but it is the tempo of change that has been thrust upon us by events over which we had no control that is responsible for the problems to which we now seek solutions. This tempo has greatly accelerated in recent years, due to man's new fund of knowledge and means to apply it, and whether our scientific and technical development was motivated by Sputnik or the arms race, the problems confronting us are no less real.
>
> To fully appreciate this tempo of change, permit me to go back in history and trace a few events that have affected our lives. Please note the time lag ever decreasing, from the time an idea was advanced, to its development and ultimate use.
>
> Hero of Alexandria built a boiler about 150 B.C., and used the steam generated to drive a crude turbine. However, it wasn't until 2000 years later that steam was used to usher in the Industrial Revolution that brought a great change in people's lives. The Industrial Age started a movement from the farms to the cities, and the need for industrial skills.
>
> The first principle of electricity was discovered by Thales in 600 B.C. However, it wasn't until 1894, through the combined genius of Tesla-Edison, Steinmetz, and others, that the first commercial power generating plant was put into service.
>
> In the 16th century Leonardo da Vinci drew plans for an aeroplane, which looked remarkably like contemporary planes, and 400 years later the world moved into the air age.
>
> In 1895 the X-ray was discovered, and only 24 years later, Rutherford split the nitrogen atom by alpha rays. Then, 26 years later, the atomic bomb became an awesome reality.
>
> In 1926 experiments were made with liquid fuel rockets, and in 1957, came Sputnik. Our national attention and energy focused on catching up in the missile race and we moved into the space age.
>
> At present, plans for equipment, jets, and spaceships are becoming almost outmoded before they are built, due to the acceleration of man's fund of knowledge and his ability to store, retrieve, and analyze said knowledge at will, through the use of the computer.
>
> Many of you present here tonight in your life have witnessed more technical and scientific development than in all the rest of the history of the world. We have seen great strides in the field of electronics, transportation, communication, and the conquering of outer space, just to name a few, and with even greater predictions for the future. Each of the events I mentioned has brought with it a constant demand for new skills and knowledge that must be acquired, not only to build and to construct what our engineers design, but to service and maintain them as well. The 20th century has brought with it fantastic developments, and in its wake has created many major problems for which solutions must be found.
>
> The days are gone when man was permitted a slow gradual change, when simple basic skills were handed down from father to son for centuries on end. The problems of present day society permit us no such luxury. Like Alice in Wonderland, we must run twice as fast just to stand still. Vocational training has a greater role to play than ever before, if we are to fully meet our responsibilities to our youth. We must provide them with the skills which will enable them to organize their lives—develop positive goals—and provide for themselves and their families—a life of dignity, fulfillment, and achievement.
>
> Those of you assembled here tonight, that received your first occupational skills at a Vocational school recognize its value. Yet today a large percent of our students are dropping out, or terminating their formal education upon graduating from high school, with no specific skills. Too often they become unemployed statistics, present many of our social problems, and endure needless years of frustration. The Federal government, in response to these problems, has authorized the expenditure of high sums of money for many programs that have one thing in common: to provide the necessary education and acquisition of skills to gain employment. Skills that might have been acquired at schools such as this and must be provided if such conditions are not to be perpetuated.

This new Regional Vocational Center is the response of the district to meet that challenge, to assist students to take that first step on the career ladder of occupational training, and to prepare them for gainful employment upon completion here, or to continue their education in college.

The environment, buildings, and equipment here are outstanding. Architect Allan Walter, working with the administration and staff, has designed an artistic, functional building, incorporating new concepts of space allocations, core center, flexibility and expansion for future growth. As a regional school, we have three other high school districts, Campbell, Santa Clara, and Eastside, sending their vocational students to enroll in an exciting new way to learn.

This joint participation is efficient and practical. It not only frees the districts from the costly duplication of building facilities and the purchase of expensive equipment that too often faces obsolescence, but permits a wider variety of occupational courses to be offered than would otherwise be possible. Team teaching has been introduced, and the faculty is to be commended on their fine cooperation and coordination and enthusiasm. With the full support of advisory committees from business, industry, labor and management, an entirely new curriculum has been developed and modern shops and laboratory equipment installed.

A new approach of training has been introduced, one that provides a good understanding in families of occupation, where basic fundamentals and related subjects are coordinated with shop and laboratory work. This approach will increase the student employment opportunities.

This center is fulfilling a broader community need by providing for adult education, refresher courses for journeymen, and related classes for apprentices, as well as participating in M.D.T.A. and the new WIN programs, which provides training for those who have had to seek public assistance, giving them another chance to acquire the necessary tools to enter the working world. A well trained person is seldom a recipient of public aid. In dedicating this San Jose Regional Vocational Center, let us not feel our task is finished. We must keep aware of new changes in occupations, as well as anticipating industrial trends. Our faculty, counseling and guidance service must not only keep apace, but be sensitive to the students' needs and their cultural background. We must improve the image of vocational training in the homes, schools, and the community if we are going to do an effective job.

We must develop a new respect for work and recognize the important role and valuable contribution that each worker makes to the total effort of society. Without those efforts, any engineering advances and inventive dreams would remain just dreams. We have a challenge to develop a campus environment which builds pride and dignity among the students and acceptance in the community. We can ill afford the price we have been paying for so-called "status" symbols of prestige and the stigma that, in some quarters, has been attached to honest labor.

As no child is born into this world with racial prejudice, no child is born with such intellectual snobbery. We must re-instill a proper appreciation of true values, if we are going to be successful in recruiting large numbers of students whose inclinations, abilities, and interests lie in vocational fields.

We need surveys to follow our students as they enter the field of work to provide feedback information on how well we are meeting our objectives and make the necessary changes where indicated. And, above all, we need the continued support of the community to meet our expectations.

HITTING WHERE IT HURTS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. WYMAN. Mr. Speaker, today's press indicates that the embattled distinguished and genial Dr. Hayakawa of San Francisco State College has started to hit where it hurts in standing up against student and faculty insurrection. At long last he is shutting off the money and this, of course, is what was intended by my amendment among the Higher Education Act Amendments of 1968, empowering universities that did not wish to expel willful disruptors of their administration to cut off any Federal scholarship money.

The principle should apply across the board, both with respect to Federal and State funds. No student who willfully disrupts the administration of a college should receive financial assistance from any public source.

It is all so ridiculous anyway because of course the answer is shown by the excerpt that follows, reflecting the declaration of policy at Notre Dame University. There is no nonsense there and there should be no nonsense anywhere at any self-respecting educational institution.

The long and short of all of this is very simple. If a student wishes to attend a particular school he conducts himself in accordance with the rules of that school or he is out. He agrees to this when he applies for admission. Once expelled he becomes a trespasser on the campus and can be dealt with as any trespasser. Sooner or later, I predict that out of one will be out of all by agreement amongst college administrators nationwide. It is about time.

The news items from the Washington Post of February 18, 1969, follows:

Hayakawa Gets Court To Bar Rebels' Funds

(By Rosa Gustaitis)

San Francisco, February 17.—A Superior Court judge today placed student government funds at San Francisco State College in receivership, thus in effect silencing the two militant campus newspapers and cutting off funds from the Black Students Union as classes resumed for the spring semester.

Judge Edward O'Day, acting on a petition by the State Attorney General on behalf of the college administration, named the Bank of America's trust fund as receiver. He set a hearing for Wednesday on another part of the petition, for removal of the officers of the Associated Students organization on grounds they had misappropriated funds.

The San Francisco State acting president, S. I. Hayakawa, accused student body officers of "dishonest use of public money." He denied that the court action was taken because the group had supported the BSU-led student strike that has kept the campus in turmoil since Nov. 5. The action was, he said, "against gangsterism and common thievery going on in the background of the strike."

Dr. Hayakawa said he had evidence that an Associated Students check had been used to purchase a rifle. However, when pressed for details, he acknowledged that he did not know whether or not the check in question was an employes pay check.

The State Attorney General's petition charged that Associated Students' officers withdrew $114,091 of $225,000 in reserve funds. It alleged that the officers converted $33,425 of the group's assets to their own and others' use.

The officers of the Associated Students declined to comment pending consultation with their attorney. However, a student source close to the operations of that body said it was not unusual to borrow money from savings at the end of the semester to meet current expenses. The Associated Students $417,070 annual budget is financed mainly by $10 fees paid by every student at registration.

The Daily Gater and Open Process, the two campus papers, are financed in part by Associated Student money. It is not expected that they will be allowed to continue publishing.

The campus was quiet today as students trudged to classes on the first day of a semester that promises to be as troubled as the one just ended. For the first time in weeks there were no pickets—but everyone was preparing for a continuation of the long siege.

Notre Dame Adopts Hard Stand on Rebels

South Bend, Ind., February 17.—The President of the University of Notre Dame, acting in the wake of an outbreak in which four persons were injured ten days ago, today laid down a no-nonsense policy of suspension, expulsion and arrest.

The Rev. Theodore M. Hesburgh, in an open letter to students and faculty members, said disrupters "will be given 15 minutes of meditation to cease and desist" before they are punished.

"If they do not within that time cease and desist, they will be asked for their identity cards.

In other developments:

A student group calling itself the "Steering Committee to Reform the University" marched into the office of the President of Pennsylvania State University and laid down a list of demands it said were non-negotiable. The demands included equal rights for women, abolition of ROTC academic credits and a ban on military recruitment on campus.

In West Chester, Pa., the board of trustees of Cheyney State College made permanent the expulsion of six Negro militants for taking part in campus disorders last November.

Six students were suspended from Roosevelt University in Chicago for disrupting a psychology class. Dean of Students Lawrence Silverman had warned student rebels the school "would not permit interference with the right to teach." He said none of the six was enrolled in the class.

A special faculty committee appointed after last spring's student uprising at Columbia University proposed the creation of a University Senate with members from the student body, the faculty and the administration.

HUNGER IN AMERICA—PART III

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. RYAN. Mr. Speaker, I have previously noted the publication in the New York Times of a series of articles by Homer Bigart on "Hunger in America."

The third article in that series, entitled "Negroes in Mississippi Delta Poorly Fed Despite Federal Aid," describes the inad-

equacy of present Federal food programs in the Mississippi Delta area. I urge my colleagues to read Mr. Bigart's description of how the purpose of the food programs passed by the Congress is being frustrated.

The article follows:

[From the New York Times, Feb. 18, 1969]

Hunger in America: Mississippi Delta Poorly Fed Despite Federal Aid

(By Homer Bigart)

Yazoo City, Miss.—"They aren't starving, really, but they are undernourished as hell."

Dr. Aaron Shirley, a Jackson pediatrician and civil rights leader, made this diagnosis during a recent visit to Negro homes in the Delta.

The degree of hunger among Delta Negroes has been a political issue ever since April, 1967, when Senator Robert F. Kennedy of New York and Senator Joseph S. Clark of Pennsylvania toured the Delta and reported that many people were "slowly starving."

Indignant denials came from the white establishment. The general response was "we treat our niggers fine," Dr. Shirley recalled. Gov. Paul B. Johnson Jr. reportedly described as "fat and shiny" every Magnolia State Negro that met his eye.

The issue flared up anew after a team of doctors headed by Dr. Raymond M. Wheeler of Charlotte, N.C., reported to the Southern Regional Council a widespread and "desperate" need for food and medical care.

The Federal food programs were not only inadequate, they said, but were run by local authorities with flagrant political or racial bias. The doctors' indictment was harsh: "It is unbelievable to us that a nation as rich as ours, with all its technological and scientific resources, has to permit thousands and thousands of children to go hungry, go sick, and die grim and premature deaths."

Though many people may think first of Mississippi when the subject of hunger comes up, the state actually has a good record of participation in Federal food programs. Every one of its 82 counties is enrolled in either food stamps or direct commodity distribution, a better record than New York, where six counties (Sullivan, Rockland, Putnam, Chenango, Ontario and Otsego) do not participate and have no plans for joining the food programs.

Nor are the Delta counties the hungriest in the land. Stomachs of reservation Indians are probably emptier more often than stomachs of Delta blacks.

No one knows how many Americans are chronically hungry. The best educated guess comes from Dr. Thomas E. Bryant, assistant director of the Office of Economic Opportunity for Health Affairs.

According to Dr. Bryant, there are 12 to 15 million "hard-core poor." The "hard core" are defined as those families with an annual income of less than $2,000, based on a family of four. Since the Department of Agriculture estimates that a family of four must spend $1,284 for an adequate diet, Dr. Bryant concludes that a family earning less than $2,000 would find it impossible to buy enough food to meet minimum nutrition standards after meeting other essential human needs.

At present, the food programs of the Department of Agriculture reach about 6,333,000 persons, many of whom are better off than the "hard-core poor." So, by some official estimates there are at least six to nine million Americans for whom hunger may be almost a daily fact of life.

NEWSPAPERS COVER WALLS

It was cold and rainy the day Dr. Shirley led a visitor into a back-street shack where a Negro couple and several children were huddling at a fireplace. Most of the windows were plugged with cardboard, which rattled dismally against the wind and rain; old newspapers covered the walls.

Eight children were counted in the room and Dr. Shirley, poking carefully into a pile of ragged, musty quilts, found two more infants asleep in the bed. He said the woman had given birth to triplets four months before; one died at birth, and one of the survivors had nearly expired of diarrhea and was just back from a Jackson hospital. The infant was almost certain to get diarrhea very soon again under these living conditions, the doctor said.

The family was unable to get on the welfare rolls because the husband was considered able-bodied. He earned $100 last month, but now, in midwinter, there was no farm work available. The family had nearly used up its food stamps, all that was left was sweet potatoes, condensed milk and grits, the mother said.

Dr. Shirley examined the babies, calling attention to the lack of subcutaneous tissue on their tiny arms and legs. "They need protein, calories and iron," he said.

"Too many people sleeping in that bed," the woman muttered from the fireplace.

"If I can run across a baby bed, I'll get it to you," Dr. Shirley promised.

BUDGET IS DESCRIBED

In another shack, where daylight could be seen through a corner rathole, a mother with seven children, living on social security payments of $95.40 a month, described her budget. She had to make a cash contribution of $38 to obtain $96 in food stamps and "I run out of food in the third week." Her rent she said, was $16 a month, plus $5 or $6 for gas, plus $8 for lights and $3 for water. That left about $25 for all other essentials—clothes, soap and supplemental food to get eight people through the rest of the month.

Occasional housework for white families paid $3.50 to $5 a day, she said, then she had to hire a baby sitter. Baby sitters charge 50 cents a head, and with four children under six years that would come to $2, leaving $1.50 to $3 for the day's work.

"If you could get a job would you work?" Dr. Shirley asked.

"I sure would," said the mother emphatically. "I never want to be on welfare, period."

"That's the tale you always hear in town: 'They don't want to work,'" Dr. Shirley said.

Negroes who get sick in Yazoo City are sent to the Afro-American Hospital, a county-supported institution that cannot afford a pathologist nor even a laboratory technician.

There, Dr. Cyril A. Walwyn, the director, contended that hunger in the Delta was not decreasing, as most whites insisted; he had seen too many pot-bellied, worm-infested youngsters.

"I feel they are slowly starving," he said. Dr. Walwyn was one of the six doctors who wrote the Delta hunger report.

"I have a quarrel with the welfare people," he continued. "They just don't care. Often they show a patronizing attitude toward the poor. If I am not as suppliant and cringing as they think I should be, they won't give me help."

Driving back to Jackson, Dr. Shirley said: "Black people have changed. A lot of the old fear is gone. But people are still dying unnecessarily of disease and poor nutrition has contributed to their dying."

CHANCES ARE DIMINISHED

"A baby's chances of recovering from pneumonia or severe diarrhea are diminished considerably if he's undernourished. So this kid will die, and it's listed on the death certificate as diarrhea. Now, this kid didn't starve to death. But if he'd been in fairly good nutritive status he wouldn't have died."

Dr. Shirley said he had seen people eat almost anything they could chew, including tar from telephone poles—"they say its good for the gums"—and even clay. Pregnant women, especially, would pop a piece of earth in their mouths, explaining they "had a taste for it."

"And they might get some essential minerals out of it," he said.

Describing the plight of thousands of Delta families displaced by the mechanization of the cotton plantations, Dr. Shirley said he sometimes wondered if Negroes were not better off in slavery days.

"In open slavery times human life was of some value," he mused. "If master paid $100 for a man he'd see that his property was well taken care of, just like a prize bull. But now the black people are no longer on the plantations. There is no feeling of responsibility toward them, no need to help them."

Dr. Shirley, as head of Mississippi Action For Progress, a Head Start program, recently received $106,000 from the Office of Economic Opportunity to provide free food stamps for the desperately poor of three counties—LeFlore, Scott and Claiborne—where the situation was called "critical."

But he accused the state Welfare department of trying to frustrate the effort by refusing to accept checks in payment for the stamps, even though the checks were backed by special cash deposits in the county banks. Meanwhile he had helped some families out of emergencies by giving them cash.

The main complaint about the Federal food programs in the Delta was that they simply were not reaching the most desperately poor.

MYSTERY FINALLY SOLVED

Even though the minimum cash investment for food stamps by the poorest families—those with an income of less than $20 a month—had been reduced from $2 to 50 cents, there were still hundreds of families that couldn't raise 50 cents.

It had taken former Secretary of Agriculture Orville L. Freeman several years to solve the mystery of why the number of participants in food programs always dropped sharply whenever a county switched from free distribution of Federal surplus commodities to food stamps. Finally, some of his aides went to Mississippi and brought back the startling news: "There are families existing with no discernible income."

Today, families in the food stamp program complain that the amount of monthly food they obtain usually is exhausted after the third week. A board of inquiry headed by Dr. Leslie W. Dunbar, executive director of the Field Foundation, and Dr. Benjamin E. Mays, president emeritus of Morehouse College, and sponsored by the Citizens' Crusade Against Poverty, an organization with the backing of the United Auto Workers, reported a year ago that the money value of the stamps fell "consistently and deliberately below the amount necessary to secure a minimally adequate diet."

This indictment was substantiated last month when a preliminary report of the National Nutrition Survey, the first scientific attempt by the Federal Government to measure malnutrition in the United States, called the food programs inadequate.

In Greenville, Mrs. Frances Young said she had to feed herself and nine children on $118 worth of food a month purchased by stamps for which she paid $33. Her monthly income was $55 from Aid to Dependent Children, plus $50 sent by her elderly daughter in Detroit. Total, $105.

Rent took $25 a month, she said, and bills were overdue for gas, electricity and water. She had doctor bills totaling $233.

AGED LIVE IN CABINS

"I can't feed this family," said Mrs. Young despairingly. "We have pinto beans and bread. That's all for supper."

"And this here's what I'm sweeping with," she said, wrathfully snatching up a stringy broom worn down to a final clutch of straws.

But at least the Youngs were better off than some aged and lonely Negroes that remained in rural cabins after their youngsters had gone North to find work. The only nursing home for Negroes in the area burned down on Jan. 18, killing seven of the aged and destitute, including an old woman who had been restrained by chicken wire because she was senile.

The whole town was shocked, but no one, white or black, could find it in his heart to blame Carrie Weaver and her husband Wash, who ran the firetrap. After all, the victims had no other place to live.

Wash Weaver told of finding old Ann House, who must have been 80, he said, lying helplessly in her cabin, wasted down to 100 pounds because no one had brought food.

"She must have been layin' on the floor for days," Wash Weaver said. "I had to cut her clothes off with a knife."

Mrs. House was one of the fire victims.

Down in Isaquena County, one of the poorest counties in the Delta, Mrs. Unita Blackwell, a leader of the Freedom Democratic Party, said a few more commodities had become available under the direct distribution program but that people still weren't getting a balanced diet from the free surplus foods. (The Agriculture Department offers each county a choice between a free but very limited commodities distribution and the stamp program; no county can have both).

Mrs. Blackwell was worried about the children.

"Grown folks have been hungry a long, long time," she said, "but the kids just got here and we don't want them mixed up with blood disorders. If you can't get enough food, your brain won't work."

There are two developments in the Delta that promise better times.

A distinguished biracial group of Mississippians, including Dr. Temple Ainsworth, former president of the State Medical Association, and the Right Rev. John Allin, Protestant Episcopal Bishop of Mississippi; Dr. Robert E. Carter, dean of the Mississippi School of Medicine, and Dr. Albert B. Britton, a leading Negro doctor in Jackson, have proposed Federal funding for a crash program to lower the infant, maternal and child mortality rates in five Delta counties.

Delta counties have a history of the highest infant mortality rate among Negroes in the country—72.7 per 1,000 live births in 1965. The maternal death rate among Negroes was 25.1 in the same year.

The biracial committee proposes as a "short-term objective" a 20 per cent cut in the excessively high infant, maternal and child mortality rates in the five counties—Sharkey, Issaquena, Holmes, Humphreys and Washington in the first year. Health services in the counties would be strengthened, scores of mid-wives and health aides trained and sanitation improved. The committee asked the Federal Department of Health, Education and Welfare for $3,405,000.

Some Negro leaders, including Dr. Shirley, have criticized the project, saying it would be dominated by whites. The committee is composed of five whites and four Negroes.

PROJECT IS EXPANDED

The other development is the further expansion of the Tufts Delta Health Project, sponsored by Tufts University, in Bolivar County.

Convinced of the "enormous futility" of trying to tackle health problems without changing other aspects of Delta life, such as housing, employment and education, Jack Geiger, director of the project, and other leaders, are now helping Negroes operate a farm cooperative, rebuild houses and plan Negro enterprises.

With guidance from the Government of Israel—Zev Barash, representative of Histadruth in New York City, has sent several Delta Negroes to Israel to study farm cooperatives there—the project has formed the Northern Bolivar Farm Cooperative, which last year grew over a million pounds of produce on rented land. Starting with 120 acres, the cooperative hopes to expand to 500 acres this year.

CANNERY FOR "SOUL FOOD"

There are tentative plans for a $400,000 cannery that would process "soul food" for the ethnic market, such as collards, gumboes and mustard greens.

Meanwhile, Dr. Roy Brown, associate professor of pediatrics and preventive medicine at Tufts, and Dr. Florence Halpern, a psychologist from New York, are surveying the medical and social backgrounds of 400 Negro children up to age three.

Dr. Brown and Dr. Halpern are convinced that Negro children brought up in the Delta already suffer brain retardation because of crushing poverty before they are old enough—three—to enter the Head Start programs.

"One of the things that pulls them down is the lack of verbal stimulation at home," Dr. Brown said. "Perhaps we should bring them into Head Start programs at three months, instead of three years."

NANCY A. THOMPSON RETIRES: DEDICATED PUBLIC SERVANT

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. CELLER. Mr. Speaker, Nancy A. Thompson, Assistant Chief of Legislation in the Department of Justice, is retiring after faithfully serving the United States for 31 years.

Miss Thompson embarked upon her dedication to public service in the Treasury Department. In her first 3 years she served in the Treasury, Interior, and War Departments, as well as the NLRB. Then, she began a 28-year career with the Department of Justice.

Miss Thompson is the proverbial "self-made woman." She obtained her college credits, a George Washington University Law School education, and 1½ years of accounting at night while holding down a full-time job.

Prior to assuming her present duties in the Office of the Deputy Attorney General, Miss Thompson served with distinction in the Department's Lands Division, Board of Immigration Appeals, and Office of Alien Property.

Endowed with a keen mind and an exuberant, friendly personality, Miss Thompson exemplifies the highest caliber public servant. The Department of Justice has recognized her outstanding qualities with a Sustained Superior Performance Award and a Special Commendation Award. The Committee on the Judiciary, of which I have the honor to be chairman, is indebted to Miss Thompson for her able, most cooperative assistance in the 10 years during which she has been serving the Congress through the Department of Justice. We will miss her, but she has earned the right to enjoy a long and healthy retirement.

I join with the friends Miss Thompson leaves behind in both the executive and legislative branches in wishing her health and happiness.

FCC REGULATIONS GOVERNING CATV

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. EILBERG. Mr. Speaker, the recent regulations of the Federal Communications Commission governing CATV have caused considerable chaos in the Philadelphia area. I am concerned more particularly because the Jerrold Electronics Corp. in Philadelphia is a major producer of equipment used in this new industry. A substantial number of Jerrold employees, some 2,100 workers, are residents of the Fourth District of Pennsylvania, which I have the pleasure to represent. I am convinced that the regulations are capricious and that a better approach would be for legislative action in the field involved. I implore the Federal Communications Commission to reconsider the action it has taken and at least suspend the effectiveness of its new regulations pending action by the 91st Congress.

The situation is truly stated in a statement by Louis L. Kaplan, international representative, United Electrical Radio & Machine Workers of America—UE—District No. 1, before the Federal Communications Commission on February 4, 1969. Having received permission, I make his statement a part of the RECORD as follows:

STATEMENT OF LOUIS L. KAPLAN

On December 12, 1968, the Federal Communications Commission gave notice of certain proposed rules and regulations governing CATV. At the same time, the Commission froze the processing of all CATV applications and all further developments of CATV stations not already in operation at the time of the notice. It is probable that this freeze will remain in effect for at least a year or more while the Commission deliberates.

The effect of this action has been disastrous to the industry, resulting in the loss of thousands of jobs which doomed not only the affected workers to poverty and hardship but their families as well. Moreover, in upstate New York where TACO is the major or only employer, the hardship is borne by the whole community and the economic well-being of approximately 50,000 people is at stake.

This union does not know the extent of the damage to other areas of the country but we would venture to state that it has been considerable and that the full effect of the Commission's freeze on CATV has not yet been felt.

The freeze on CATV operations has resulted in a suspension in manufacture of equipment for the use of CATV stations. That is the UE's immediate concern—protecting the jobs and working conditions of the workers who make that equipment.

However, we would be opposed to the FCC's freeze on CATV even if the jobs of our membership were not involved. The FCC action would deprive thousands of UE members and millions of Americans who live in fringe areas of full access to television broadcasts.

With those brief remarks, the UE desires to make the following points for the Commissions consideration:

1. In the enabling act of 1934, the Commission was created "for the purpose of regulating interstate and foreign commerce in communication by wire and radio so as to make available, so far as possible, *to all people of the United States* a rapid, effi-

cient, nationwide and worldwide wire and radio communication service *with adequate facilities at reasonable charges.* (emphasis added). This mandate still exists and has been expanded over the years as technological developments made it necessary.

2. In the past 35 years there has been a tremendous growth in the communication industry but, today, the airwaves are dominated by three major networks and will continue to so dominate the air in the foreseeable future. This has resulted in gigantic profits for the networks involved but has not resulted in bringing "to all people of the United States communication services with adequate facilities at reasonable charges." The profits of the networks are assured whatever may happen to UHF or CATV. Therefore, it is in the public interest for FCC to foster expansion of communication services in every way possible to meet the existing need and future needs of the Nation.

3. Our economy is based on competition. It is in the public policy to encourage competition as against the development of massive monopolistic enterprises. Yet the FCC action runs directly counter to public policy. It would discourage competition by small CATV companies and put the nation's air waves more firmly in the grip of the three major networks.

4. The Commission's proposed rules and regulations condemned to death the economic well-being of over 50,000 people who live in Sherburne, Norwich and New Berlin, N.Y. It has seriously crippled the economy of Pennsylvania. It will affect other communities from coast to coast. It will affect the national economy through loss of taxes. None of this is in the public interest.

5. In these days, when poverty is one of our country's greatest burdens, the FCC has paralyzed a new and expanding industry that has provided and can provide thousands of skilled jobs. The Commission's action was not in the public interest.

6. It is also a matter of public policy to actively provide job opportunities for Negroes, including their training for skilled jobs. UE has worked together with management to fully integrate the work force at Jerrold. As a result of our efforts, Negroes comprise approximately 40% of the total employment. Through on-the-job training programs, Negroes have acquired the skills to work at the most skilled jobs together with whites, in substantial numbers and at wages that are among the highest in the industry.

But the FCC action has already resulted in the loss of jobs of 20% of the Negroes among the employees at Jerrold. Many more would be scheduled for layoffs if the FCC policies are continued.

7. By the freeze on CATV development, the Commission has placed an additional strain on communications. Providing the people with adequate communication services is not being done. CATV can jump mountains, dip into valleys and city canyons and provide clear reception, local programs and special events that the networks, for profit reasons, will not or do not carry, or cannot provide. It is in the public interest to foster these additional services.

8. There is no need for this union to point out the obvious but it is well-known to all of us that the major networks are not now providing the diversified programming that can be made available through CATV systems. In fact, the networks would prefer to force upon both UHF and CATV stations the packaged goods produced in their own studios whether or not these systems want them—and, I might add, at prices that would prohibit expansion of the CATV system. CATV stations can also provide programs of local interest such as area sport events, political speeches, proceedings of citizens and educational groups which the networks simply will not provide. It is in the public interest to provide these additional services.

9. It is in the public interest for the Commission to foster "adequate facilities at reasonable charges" which cannot prevail if CATV subscribers must pay for the cable equipment, the receiving sets, the fees demanded by the networks, and meet the demands of performing artists for royalties over and above those already received. This financial burden which would unquestionably be passed on to the individual viewer, would limit subscriptions, restrict expansion of the industry, and overturn the Supreme Court's decision in Fortnightly Corp. V. United Artists Television, Inc. This would not be in accord with the public interest or FCC's mandate.

10. Freezing further development of CATV is contrary to public interest because it is inconsistent with past practices of the Commission when promulgating new rules and regulations. The UE protests this arbitrary action and respectively suggests that the Commission can best serve the public by making its rules and regulations effective on the date a final decision is issued.

11. The present freeze on CATV development will destroy many small manufacturing companies who cannot remain in business while the Commission makes up its collective mind. This restricts free enterprise and is contrary to the public interest. We do not believe that in the coming months while the Commission carries on its deliberations that any major damage will be inflicted on the networks, or even on UHF stations.

12. The FCC has asked why cable broadcasters should get, without charge, programs for which the major TV networks have to pay. The question might be better posed "Why should the major broadcasting companies receive additional subsidies over and above their immensely profitable control of a natural resource?"

13. In informal discussions with officials of the FCC, it has been suggested to representatives of this union that the layoffs that have occurred in the equipped manufacturing shops were not due to the Commission's actions. We reject that suggestion for two reasons: First, it is inconceivable that any company will release from its employment not just production workers but the highly skilled technicians, engineers, administrative and sales employees, which has happened in Jerrold and TACO. Secondly, it is even more incredible that a company would voluntarily endanger its financial standing and court bankruptcy.

14. In conclusion, I would like to say that this union firmly believes that a laborer is worthy of his hire and that we do not reject outright the demands of performing artists for additional royalties for shows carried over CATV. However, we believe it is in the public interest for these royalties to be as low as possible and that in making recommendations to Congress the Commission should lend its influence toward expanding a communication service, regardless of other factors, and that this is most consistent with the Commission's mandate.

Thank you. Do you have any questions?

ARTHUR F. BURNS: UNTOUCHABLES UNENDING

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. RARICK. Mr. Speaker, "Is there a dime's worth of difference?"

To help our colleagues appreciate what is going on in the internal affairs of our country infected by an unending parade of untouchables, I place Frank Capell's Herald of Freedom for February 21, 1969, at this point in my comments:

ARTHUR F. BURNS

With the advent of Richard Nixon to the Presidency of the United States, the "invisible government" is becoming more and more visible. When the Democrats took over in 1961 it was ADA people who moved in in droves; with the Republicans now it is CFR people. The Council on Foreign Relations has been called the invisible government of the United States and the shape of things to come may be glimpsed by a look at its personnel, policies and plans.

We recommend that our readers secure "The Invisible Government" by Dan Smoot and "The CFR" by Phoebe Courtney and read them carefully if they have not already done so. For a brief summary we include here exerpts from the Dan Smoot Report of July 21, 1964 concerning the CFR.

"The people elected and appointed to manage the affairs of the United States Government have, in large measure, become puppets, controlled by powerful persons working in and through a network of tax-exempt organizations.

"At the center of this network is the Council on Foreign Relations (CFR). * * *

"They are an elite who set policies of our federal government; and, through a vast, interlocking combine of educational and opinion-forming agencies, they influence or control propaganda which persuades Congress and the public to accept the policies.

"In short, the Council on Foreign Relations IS the invisible government of the United States. * * *

"The CFR itself is a small organization (1400 members); but it is the control center of a vast complex of multi-million-dollar foundations and myriad other tax-exempt organizations which work in unison toward one-world socialism. The CFR has no formal affiliation with most of the other organizations; but the interlock is shown by their common objective, by their common source of funds, and by the overlapping of officers and membership."

Funds come from the Rockefellers and their funds and foundations, the Carnegie Foundation and the Ford Foundation, among others. Among the interlocking organizations are the Foreign Policy Association, the World Affairs Councils, the Institute of Pacific Relations and the Atlantic Union Committee. This last organization advocated regional unions gradually working up to world government. When the United Nations was formed in San Francisco in 1945 at least forty members of the Council on Foreign Relations were in attendance to help with its birth. Among them were Alger Hiss, Edward R. Stettinius (then Secretary of State), Leo Pasvolsky, John Foster Dulles, Nelson Rockefeller, Adlai Stevenson and Ralph Bunche.

The Council on Foreign Relations was formed after World War I (with a sister organization in England) when the United States disappointed the One-Worlders by not joining the League of Nations. It was incorporated and the papers filed Aug. 5, 1921, with offices at 25 W. 43 Street, New York City. Among the original incorporators were Paul M. Warburg and Otto H. Kahn of Kuhn, Loeb & Co., financiers of the Communist take-over of Russia. Its present headquarters is the Harold Pratt House, 58 East 68th St., New York.

The Council on Foreign Relations is represented in the Nixon Administration by Henry A. Kissinger, William P. Rogers, Charles W. Yost and a new appointment, Arthur H. Burns, among others. On Jan. 23, 1969 President Nixon announced the appointment of Dr. Burns to a post created by his executive order—Counselor to the President which carries with it Cabinet rank.

Arthur Frank Burns was born April 27, 1904 in Stanislau, Austria, the son of Nathan

Burns and the former Sarah Juran.[*] The family immigrated to the United States and settled in Bayonne, N.J. where Arthur attended Bayonne High School, graduating in 1921. He worked his way through Columbia and obtained both his B.A. and M.A. in 1925. While continuing to study for his Ph. D. at Columbia, Burns taught at Rutgers, beginning as an instructor in economics in 1927 and finally becoming a full professor in 1943. He obtained his Ph. D. from Columbia in 1934 and in 1941 returned there as a visiting professor and in 1944 became a full-time professor of economics there.

Beginning in 1930 Burns became associated with the National Bureau of Economic Research, an organization which had been established in 1920. He was a member of the research staff and in 1945 became director of research, succeeding Wesley C. Mitchell, by whom Burns believes himself to have been principally influenced. Mitchell, also a Columbia University professor, had a public record of affiliation with many Communist-fronts. As president of the American Association for the Advancement of Science, he signed a statement on behalf of the Communist Party, U.S.A. Mitchell and Burns coauthored the book, "Measuring Business Cycles," published in 1946. Prof. Wesley C. Mitchell taught at Columbia University from 1913 to 1944 and was Director of Research for the National Bureau of Economic Research from 1920 to 1945. He was a director of the New School for Social Research. The Lusk Committee shows he was connected with the Intercollegiate Socialist Society and was a stockholder in the Liberator, a Communist magazine. Mitchell was a planner for the Roosevelt Administration, being a member of the National Planning Board. His political orientation is quite obvious from his background and his protege, Dr. Burns, is now ready to plan and direct the domestic policies of the new Nixon Administration, Old planners never die, they just pass the work along to their successors.

For a short period of time beginning in 1937 Arthur Burns was a research consultant to the U.S. Treasury Department. Soviet agent Harry Dexter White was assistant director of research for the Treasury Department at this time. The National Bureau of Economic Research worked in cooperation with the National Research Project of the U.S. Government, a division of the Works Progress Administration (WPA), established by President Roosevelt by executive order. Director of the National Research Project was David Weintraub who had been an employee of the National Bureau of Economic Research before leaving to enter government service. During his employment with the private agency he had been loaned to work with Sidney Hillman and the Amalgamated Clothing Workers, David Weintraub and his assistant in the National Research Project, Irving Kaplan, have both been identified by Whittaker Chambers as Communists in sworn testimony. Weintraub, like Burns, was born in Austria and obtained his M.A. from Columbia University.

In 1941 Arthur Burns again joined the Roosevelt Administration, becoming chief economist for the President's Railway Emergency Board. Although he had previously been a Democrat, Burns supported Eisenhower in 1952 and in 1953 was the first member to be named to the Council of Economic Advisers by Eisenhower when he took over the reins of government. His nomination was announced March 6, 1953 and he was confirmed by the Senate March 18, 1953. In his new position with the Nixon Administration no confirmation is necessary. On August 8, 1953 Burns was appointed chairman of the Council, succeeding Leon Keyserling. He remained in this position until 1956.

Burns' friendship with President Nixon dates back to his appointment in 1953. The N.Y. Times profile on Burns states:

"Mr. Burns got where he is not because of his background . . . but because fate happened to make him swim first into the ken, and then win the confidence and respect of Richard M. Nixon. A relationship that began in 1953 has lasted and flowered * * *

"The two men came together in the early days of the Eisenhower Administration. Mr. Burns, then chairman of the Council of Economic Advisers, was impressed with the young Vice President, and Mr. Nixon appreciated the time Mr. Burns was willing to give him."

The Washington Post states: "Nixon is known to have great faith and trust in Burns, having been close to him, especially during the past eight years." This friendship and confidence has now paid off for Dr. Burns in the form of one of the most powerful positions in the U.S. Government. "He would appear to be almost a deputy President for domestic matters," says the Post.

As a member of the Council on Foreign Relations, Burns is a member in good standing of the Establishment. He is also a member of the International Pilgrim Society of which Eisenhower was Honorary President. The Pilgrims were founded in London July 24, 1902 and the Pilgrims of the United States were founded in New York City on January 13, 1903. This is a secret society of international finance, dedicated to the establishment of "One World." The activities of this society, described as "the most powerful international society on earth," have been so wrapped in silence that few Americans are aware of its existence.

Arthur Burns has also been listed as a member of the Research Council for the Institute of World Affairs, Inc. This is another little known but influential organization working on the international scene. It was established originally by Mr. and Mrs. Alexander M. Hadden 45 years ago in Geneva, Switzerland. Its stated purpose is to prepare outstanding youth for leadership and participation in world affairs. An article in the N.Y. Times stated:

"Among the leaders of today's world who attended the institute when they were students are Walt W. Rostow . . . James A. Linen, president of Time, Inc., and Karl H. Knappstein, West German Ambassador to the United States. . . .

"But all is not cerebral. At night the students stage variety shows . . . or sit around swapping stories. And some of them fall in love, like Mr. Rostow, who, in the session of 1937, met the girl he later married."

Who's Who in World Jewry 1965 shows Arthur F. Burns as a trustee of the Twentieth Century Fund, established in 1919 by Edward A. Filene, a wealthy Boston merchant who had an early interest in Communist Russia. Filene was affiliated with the American-Russian Chamber of Commerce which later became the American Society for Cultural Relations with Russia (a cited Communist front). He was affiliated with the American Association for Labor Legislation, the Foreign Policy Association and in 1927 went to the Soviet Union with Communist-fronter Jerome Davis to make an "impartial" investigation of conditions and came back with glowingly favorable reports.

The Twentieth Century Fund conducts studies using teams of specially selected experts, produces films, publishes books, pamphlets, charts, graphics, and a newsletter. The influence of its work is felt throughout the country and its findings and recommendations are guides for the Fabian Socialist Movement. The Fund for years used as an economic adviser Dr. Wesley C. Mitchell, the associate of Dr. Burns who influenced him so strongly. Among the officers and directors of the Twentieth Century Fund have been J. Robert Oppenheimer, Arthur Schlesinger, Jr., John Kenneth Galbraith and Evans Clark, a friend of the Soviet Communists since their "noble experiment" began. He worked under the direction of Ludwig C.A.K. Martens, head of the Soviet Bureau in the United States.

The Reece Committee investigating tax-exempt foundations had this to say concerning the Twentieth Century Fund, "That several such persons (pro-Communists) should be actively and importantly associated with a public trust, Tax Exempt Foundations, spending millions of dollars in public money is, in our considered opinion, highly improper and an utter lack of responsibility by foundation trustees and directors in the discharge of their duties."

The Twentieth Century Fund lost its tax exemption from 1935 to 1939 because of certain propaganda activities. To hold the position of trustee in such an organization one would certainly have to share its views. The Fund sent representatives to the Disarmament Symposium held at the University of Michigan where plans were worked out for the complete and general disarmament of the United States, including the setting up of U.N. Inspection Bases with U.N. "peace-keeping" forces stationed at the bases.

Poor's Register of corporations and directors shows Arthur Burns to be a director of Dividend Shares, Inc. of One Wall St., New York. Out of nine directors, five are members of the Council on Foreign Relations—Arthur F. Burns, Grayson Kirk (forced out of Columbia University by the student riots), Hugh Bullock (international banker), Frank Pace, Jr. of General Dynamics Corp., and Maxwell D. Taylor of the Mexican Light and Power Co. Three of these are members of the International Pilgrim Society. Dividend Shares, Inc. is in the investment business and is shown as having a volume of $12 to $15 million.

Arthur Burns has been a consultant to the Bullock Fund Limited, an investment firm of which Hugh Bullock is president. Frank Pace, Jr. and Maxwell D. Taylor are directors of this firm. Poor's Register shows Arthur Burns as a director of Nation-Wide Security Company, One Wall Street, New York, an investment firm with a volume of $1 to $3 million. Our Council on Foreign Relations and Pilgrim people are also directors of this firm: Arthur Burns, Hugh Bullock, Grayson Kirk, Frank Pace, Jr. and Maxwell D. Taylor.

Arthur Burns became president of the National Bureau of Economic Research in 1956 and has headed it ever since. In 1961 he was a member of President Kennedy's Advisory Committee on Labor-Management Policy. His role during the Eisenhower Administration was assessed by Robert Welch in his book, "The Politician." He described Burns as an "Off-and-on Economic Adviser and Super-adviser to the President," and stated: "Typical of the kind of economic advice Burns hands out were his statements in 1955 that 'our system of free and competitive enterprise is on trial' and that government 'must be ready to take vigorous steps to help maintain a stable prosperity.' It is quite probable that the job of 'economic adviser' has been merely a coverup for Burns' liaison work between Eisenhower and some of his bosses in the Establishment."

Current biography 1953 states that in his book, 'Economic Research and the Keynesian Thinking of our Times," Burns "acknowledged the important contributions Lord Keynes had made by calling attention to the need for maintaining high employment." There is much speculation as to what Burns' role in the Nixon Administration will be. The Washington Post stated: "Burns' role, clearly wide-ranging, is not fully spelled out . . . around the Executive Office Building next to the White House . . . one active rumor is that Burns will stay in the White House only until the Chairmanship of the Federal Reserve Board, or some equally prestigious operating job, opens up."

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[*] Who's Who in World Jewry and Who's Who in America list the mother's maiden name as Juran, while Current Biography lists it as "Joseph."

Even before he was made an official part of the new Nixon government, Burns was busy with advice. The Washington, D.C. Evening Star of January 24, 1969 stated:

"The President's new counselor, Burns, submitted to Nixon on Tuesday a report, based on task force studies, the President's own thinking, the 1968 Republican platform and other sources, which recommend both an immediate and long-term executive and legislative action.

"The report was organized around 18 major issues, including electoral reform; government organization; federal expenditures, taxation, debt and credit programs; science and technology; education; business regulation; resources and environment; health care and welfare; manpower and civil rights and internal economic policies.

"This report is expected to form the basis of Nixon's domestic program during his first year in office. . . .

"In his new capacity, Burns said he would be engaged in enlarging the sphere for presidential action and carrying out Nixon's plans and policies, as well as maintaining a 'contintious inventory' of possible domestic action."

The Dallas News of Jan. 24, 1969 stated:

"President Nixon signaled Thursday a possible major push to get Congress to enact his own legislative program this year.

"This word came from Dr. Arthur Burns, named by Nixon to be counselor to the President with Cabinet rank and charged with developing domestic policies and programs for the new administration.

"Burns is the only member of the White House staff to be accorded Cabinet rank and, so far as could be recalled, is the first presidential aide to have the title of counselor.

"Press Secretary Ronald L. Ziegler was asked whether Burns would be considered the ranking member of the White House staff.

"'I think you could draw that conclusion,' he replied.

"Burns has been present at many of Nixon's major conferences with advisers since the election and was in charge of coordinating reports from task forces assigned by the new President to look into broad problem areas."

The N.Y. Times profile on Burns states:

"Mr. Burns has conceded that his job ranges all the way to helping the President in crisis situations, such as possible riots. How the extra-careful scholar will react in such a situation is one of the great unknowns of the new Administration.

"What no outsider can possibly know, at least not yet, is how much Mr. Burns' personal views will influence the President's decisions on the almost infinite variety of domestic questions. This issue—the role of the White House staff—is a puzzle in every Presidency."

Stating that "this 64-year-old economist has a mandate to superintend the President's entire domestic program," Newsweek magazine of February 17, 1969 states that Burns has already been responsible for 80 Presidential directives to the various agencies. The article indicates that he plans to maintain control over as many areas as possible. "When he heard about a plan last week to set up an interim committee to consider creation of a standing committee on transition to a peace-time economy, 'I blew my top,' he reports. 'It obviously belongs in the Council of Economic Advisers.' "

Arthur Burns was married on January 25, 1930 to Helen Bernstein, a student at the time of her marriage and a teacher for a few years after. They have two sons, David and Joseph. Current Biography 1953 states that Professor Burns' academic societies are the American Statistical Association, the Academy of Political Science, the American Economic Association and that he is a member of the administrative board of the Institute for Urban Land Use and Housing Studies and of the editorial and advisory board of the American Palestine Institute. His N.Y. Times profile states: "Some former associates in New York are said to have found him 'difficult' to work with. Others who have worked with him frankly dislike him." The important thing is not whether his personality is pleasing but whether his political philosophy is acceptable to the American people who have had him thrust upon them as "Deputy President."

ROBERT P. PATTERSON MEMORIAL AWARD GIVEN TO 1ST LT. JAMES S. ZIEBA

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. CONTE. Mr. Speaker, on February 12, 1969, one of my constituents, 1st Lt. James S. Zieba, of Adams, was given the Robert P. Patterson Memorial Award at Fort Benning, Ga. The Robert P. Patterson Memorial Award was established in commemoration of the late Secretary of War and judge of the U.S. Circuit Court of Appeals. It is awarded annually to the outstanding infantry officer candidate graduate. Lieutenant Zieba is to be congratulated for his exceptional record as an officer candidate.

Mrs. Robert P. Patterson was the guest of honor at the presentation of the Robert P. Patterson Memorial Award. At that time Mrs. Patterson gave a memorable speech which deserves serious consideration. Therefore, I insert it in the Record at this point:

Guest Speaker, Mrs. Robert P. Patterson, Robert P. Patterson Award Ceremony, February 12, 1969

Secretary Brehm, General Connor, General Wright and Distinguished Friends of the Infantry Officers Candidate School of the United States Army.

It is a fine experience to participate in this impressive ceremony in honor of the winner of the Patterson Award and Lieutenant James S. Zieba for a prime example of a courageous, able, and fine GI—an enlisted man who has proved himself to be excellent officer material.

Judge Patterson kept very close to the officers during his entire career in the War Department. He expected more of them than competence and judgment. He looked also for the earnestness of the "soldier who knows what he fights for and loves what he knows." For the Judge thought that an officer's value to the nation depends on the deep respect he has for his country and what it upholds, and that the whole Army draws its strength from a feeling—through all ranks—of support for the national purpose which in spite of civil strife has bound us together since Pilgrim days. This unifying purpose was carried out by Judge Patterson through his unfailing respect for the rights of every soldier—officer and enlisted man—and by keeping his own faith and resolve that the great potential of our nation shall be fulfilled.

The Judge kept close to the enlisted man too. He always felt like one of them because as a GI he learned to bear the troubles, to accept the inevitable, go forward doggedly under strain and stress and share their relief when things eased up.

In 1918 the Judge saw the shortage of officers and like the Officer Candidates here, he determined to carry his full load and so he took officer training, I feel sure that he, when he was young, had other things in common with you men here today and that your training will be to you as it was to him—a main asset to the future.

Lieutenant Zieba has won his place among the patriotic officers who build our superb Army Infantry leadership. This achievement is important because such capable and high caliber leadership is the key—in every endeavor and at every level.

At the national level our congratulations go to President Nixon as he begins to lead as Commander-in-Chief. Here's to his great success and wisdom in dealing with the problems so vastly multiplied since our forefathers left the Old War to live in freedom according to their consciences. Today disaster for one country is disaster for all. To my mind, that's why angry isolation is a danger to everyone and why we must try for understanding. Give a chance to men who need fulfillment and offer friendly help and reassurance even to those who have opposed us at home and abroad. That is why America's duty now is to help make the world safe for mankind, and share the role of peacemaker with all who want peace. For this understanding the President asked the help of every nation and every man.

Judge Patterson, as a citizen and soldier, would have responded with all his heart for he believed that the fulfillment of our responsibilities here and in the world is what makes America great; and may America prove as faithful to this duty as the brave GIs in following their platoon leader. For not even the President can reach the objective unless men trust and follow him.

A man burdened with high position needs every bit of training and leadership that he can get and I hope that someday such training will be offered to all who have the courage to undertake a career of responsibility. One of these self-confident men will surely reach the very top, and the faith of a country depends on the capacity of each President in turn to lead the nation forward.

The responsibility the Judge undertook shortly before America entered World War II was to oversee the immense rearmament needed by the United States and her Allies for defense. Military planners estimated huge requirements so that our defenders of freedom would never be defenseless for want of their foresight.

Soon after our soldiers went overseas one distracted General said, "Although we looked ahead and provided for every possible need, war has made shortages and chaos overnight."

In this emergency the Judge begged for the funds to produce every important item recommended by top military experts. He never allowed cut-backs to hamper a new and strategic development—no matter what the cost.

But later it was said that the Judge saved every possible million out of the billions entrusted to him, for after the danger was past and over he worked to take the profit out of war and put back into the taxpayer's pocket every nickel that could be salvaged.

But no expense was spared to stop Hitler, unlike nowadays when a popular fallacy teaches that our armament should be equal but not superior to that of our opponents. This is called parity for peace. The Judge would have thought this idea a death trap for the defenders of freedom. He would be glad for all the strength America has—strength to make the United States respected, strength to enable the President to lead through compassion and magnanimity. He would have thought this approach far better than the dictatorial way that pushes people who want peace into aggressive acts.

Dictatorial pressures have driven Czechoslovakia to make her brave demands to be rid of foreign censorship, investigators, informers and troops within her borders. I wonder how many other Communist nations are tired of being herded in groups, only to find themselves betraying friends abroad and exploiting military supplies to be used against friendly peoples abroad.

Having borne continuous pressure for so long perhaps they're seeking humane and peaceable governments and maybe somehow find them.

By some miracle the Red planners may be taught that aggression does not pay. When the ruinous and fierce attacks cease, then the defenders of freedom will gratefully turn from the present necessity of battle destruction to the glorious job of building an era of prosperity, friendliness and peace.

One of today's brave defenders of freedom—a former GI, a Patterson Award Winner and now a Major, is trying to build peace and security in the midst of war. He writes from Vietnam with a rather wide perspective of his assignment:

"Our country's dynamic and powerful assistance to the Vietnam Republic is producing visible results.

"Public support for the central government grows each day.

"The American troop units are performing valiantly in their day-to-day task of defeating the main force of VC and North Vietnamese.

"They are providing a degree of security in which nation building can progress. Infantry platoon leaders are bearing the brunt of the burden as they provide the dedicated leadership that our troops so rightfully deserve."

These devoted platoon leaders remind me of Lieutenant Michael J. Hayes, a gallant and inspiring platoon leader who was in my husband's company in World War II. When Captain Patterson's morning patrol stumbled on the enemy (supposed to have slipped away into the night) he covered his men's escape, then fell as if dead. After a day flattened out under fire, he got back to the trench. Then he found that his dear friend Mike had led a search for him in no-man's land.

The first to volunteer to go out for his captain said, "I'll go, when do we start." That was big, brawny Pat Carroll. He got over his shrapnel wounds and the others weren't hurt, thank heavens. John Duffy, the salty wit; Peter Finucane, soft-spoken and courageous; Dick Foy, the dare-devil. I am proud to thank them all five, now and always.

The best I could wish, for each of you here today, is that you will have such men to rely on.

These five soldiers risked death for my husband with absoulte devotion. They were brave beyond the call of duty, and each one received Distinguished Service Crosses. They were real Combat Infantrymen—and to my husband there was nothing on earth better than that. His lifelong feeling for them was warmer than gratitude.

Lieutenant James S. Zieba, my husband would be glad you chose this wonderful Infantry Service. Through your training and accomplishments you have won Awards and Medals—The Combat Infantryman's Badge, the Vietnam Parachutist Badge and others.

Among the many fine qualities shown by your rigorous testing there is one which will always be needed whether you serve as a platoon leader or go onto high command. I mean—decision. You do not waver or stand paralyzed. You use your judgment, go forward, do your best, and always look to protect the men who follow.

I would not know what enables you to throw off doubts and go forward. Perhaps your secret, like my husband's, is to be sure of the main objective. Pick the most important thing in each situation and do it first.

Lieutenant Zieba, it's my honor to present to you from the friends who have made this award possible a service pistol, beautifully engraved, a formidable weapon.

And also from them, this very negotiable check.

Congratulations from all the Pattersons.

THE IMPORT-EXPORT CARTELS

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. DENT. Mr. Speaker, I am not surprised by the pledge of the Nixon administration to help the southern textile States by limiting the imports of cotton and manmade fibers. The southern votes in November were a response to that pledge. While campaigning, the President made a similar reference for the benefit of the steel industry, and I believe a like pledge will be forthcoming for that beleaguered industry.

Mr. Speaker, for the past 10 years I have done my best to warn the Congress and the Democratic Party of the impending crisis our Nation will face because of unfair competition from foreign producers. Before too long, practically every industry in the United States will be in a similar or worse position than steel and textiles. Some are at that point now, or have already stopped production or, worse yet, have moved their production to foreign countries while maintaining their American markets.

Mr. Speaker, I will support any action toward relief from imports for American industry when the impact is related to job losses. There is no substitute for jobs in our industrial economy. The President will learn this sooner or later and should know that talk of attacking inflation by creating "some" unemployment without making imports a major consideration in our planning, is courting disaster.

I cannot, however, support privileged relief for textiles, and allow steel, glass, ceramics, sporting goods, automobiles, motorcycles, shoes, and hundreds of other items to go down the drain of diplomatic stupidity and exorbitant profiteering by the import-export cartels.

We have followed the free trade theory of self-styled Government "experts" too long. The idea that this Nation can dissipate its high labor contract productions in favor of sophisticated products is the cause of our loss of job opportunities for the less educated, less skilled workers.

These are the problem children of our times. This Nation can lull itself to sleep in our industrial world if it convinces itself that if everybody graduates from college or learns a trade we can eradicate slums, stop our urban unrest, or truly become "the affluent society" of all time. No nation can become affluent without jobs; jobs for every grade of worker, from top to bottom. Any other kind of affluence will create a two-level society—the rich and the poor. In this type of society, the rich live apart from the poor and their needs, thereby ignoring and contributing to poor food, clothing, and housing. In our society, however, some poor can climb out of the degradation of poverty and want because the middle strata of our society, the stepping stone between poverty and wealth, is the narcotic that keeps the rich and poor from each others throats.

In the kind of affluent society envisioned by free traders, our Nation would not dirty its hands with manual labor or the production of common goods like textiles, pottery, glass, and, in fact, most production goods. We would be a Nation of white collars and colored glasses. The poor would be put into housing projects with all the trimmings except jobs. The middle man between the rich and the poor will either move up with the elite or down to the "free slave quarters."

The trouble with this theory is that sooner or later the low-paid workers in other nations will revolt at being our providers and we will be unable to get our "free slaves" to return to work.

Mr. Speaker, today we watch the Japanese move from the "import junk items" to color televisions—600,000 sets in 1968; black-and-white television—1,400,000 sets; millions of quality motorcycles, cars, transistors, shoes, table china, stainless tableware, sporting equipment, tile, binoculars, and what have you, plus steel, glass, and ships. You name it and they will make it. So Mr. Nixon should prepare to add these industries to his list of those in need of relief from foreign imports.

If Hubert Humphrey could have departed from the outmoded, shopworn trade theories we have been bound to, and pushed the fight for the relief of American industry and jobs, he would have won the election. The textile promise was the real basis of Mr. Nixon's southern victory. Any talk to the contrary is not borne out by our President's actions to date. Some southerners claim they voted for Mr. Nixon because he would support local school autonomy and curtail the efforts of labor unions. Look at his appointments in labor and education to date, and read their public statements.

Mr. Speaker, it hurts me to say it but we Democrats are still living in the early thirties, blaming those trade policies for the great depression. What we will not admit is that our present trade policy is planting the seeds that will bring a harvest of depression and economic destruction such that the great depression will look like a Sunday School picnic. While we lost all we had in the thirties, we had little to lose. But take away our quality of food today, and our cars, televisions, homes, and all the other goodies of our illusory affluent society, and all the heavens will break loose.

So Mr. Speaker, I would like to offer free but, I truly believe, sound advice to our new President. Recognize that the real threat to domestic and world peace and tranquility and economic stability is the false and antiquated concept of free trade we practice today. No trade is free or fair unless both sides to the trade benefit. How can an American jobseeker benefit when we sell $800 million worth of cotton and buy $800 million worth of textiles. We got our money back, but lost over 200,000 textile jobs in the ex-

change. No nation can survive by buying retail and selling wholesale. Even volume will not help.

THE NATO ALLIANCE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. DERWINSKI. Mr. Speaker, on the eve of President Nixon's trip to Europe, it is obvious that his main effort must be to reconstruct the NATO Alliance.

One look at the Mediterranean, with the ever-growing Soviet presence, shows the strategic value of Greece to the Alliance. May I add the observation that among our allies, the Greek Government has consistently given the Alliance maximum cooperation.

Ray McHugh, the scholarly chief of the Copley News Service Washington Bureau, is a penetrating observer of the European scene having covered extensive developments in the area. His column in the Illinois State Journal on Saturday, February 15, commenting on President Nixon and the status of the Greek regime in NATO is especially timely.

The column referred to follows:

GREECE A PROBLEM FOR NATO MEET

(By Ray McHugh)

WASHINGTON.—At some point in President Nixon's discussions with NATO leaders in Brussels late this month, the subject of Greece will come up.

U.S. relations with the strategic Mediterranean country are under review in both the State Department and the Pentagon. Indications are strong that bottled-up NATO arms aid to the military-backed government in Athens will soon begin to flow.

Shipments of military goods have been held up since the bloodless April 1967 coup d'etat by Greek colonels who said they acted to thwart a Communist takeover of the country.

Pressure for the release of these supplies has been mounting, particularly in view of the unsettled Middle East situation and the steady buildup of Soviet naval forces in the Eastern Mediterranean.

Greece occupies a crucial geographic position in NATO defense plans and her base at Suda Bay on the Island of Crete is virtually the only staging area available for Sixth Fleet operations in the Eastern Mediterranean. U.S. naval units operated out of Suda Bay during the tense days of the 1967 Arab-Israeli War. Greece also offers the U.S. fleet hospitality that is unmatched almost anywhere in the Mediterranean.

Although a vociferous liberal bloc in Congress continues to demand a total embargo on aid to Greece, Defense Secretary Melvin Laird reportedly is convinced that supplies must be moving to Athens if the military backed regime is to have a chance to rebuild the nation's parliamentary structure.

The government headed by Premier George Papadopoulus has pledged a return to constitutional rule but has insisted that it first enact orderly reforms. It won overwhelming approval of a new constitution last September.

"It's hard to see how the Greeks can reestablish parliamentary government, if we don't help them," Laird is quoted as saying.

The Athens regime has expressed concern recently about renewed Communist propaganda attacks from nearby Romania and Bulgaria and by threats of new guerrilla activity inside Greece. Relations between Greece and Communist Yugoslavia have been improving since the Soviet invasion of Czechoslovakia posed a Russian threat to the Tito regime.

An official Greek Defense Ministry report says these weapons are due Greece under unfilled NATO assistance programs: 300 tanks, 272 armored personnel carriers, 15 helicopters, 115 armored motor carriers, 24 175mm self-propelled guns, 18 155mm self-propelled guns, 54 105mm self-propelled guns, 8 C–199 cargo planes, 18 RF5A reconnaissance planes.

Large numbers of tanks consigned to Greece are reported in storage in Italy. The Greeks also have asked permission to purchase from the United States ammunition, recoilless rifles and mortars.

The ban on shipment of NATO arms to Greece was actually lifted last November by the Johnson administration, but the order to resume deliveries has not been given.

While Greece has been the target of liberals in and out of Congress, the Athens government has strong endorsements from American military men serving in the Mediterranean and from many prominent Americans including former Secretary of State Dean Acheson and Gen. James Van Fleet, USA (ret.), former head of the U.S. Military Aid Mission, who have vehemently attacked the complaint that the colonels killed democracy in Greece.

Rather than killing democracy, Acheson and others argue, the military coup saved Greece from political chaos that could have led to withdrawal from NATO, conflict with Turkey over Cyprus and possible Communist domination.

KARL MARX: APOSTLE OF COMMUNISM FEARED AND HATED RUSSIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. RARICK. Mr. Speaker, among the ablest publicists that our country has produced since the Korean war of 1950–53 is Maj. Gen. Charles A. Willoughby, who from 1941 through 1951 was chief of intelligence for General MacArthur.

A student of history and strategy, General Willoughby since 1938 has published a Foreign Intelligence Digest that provides a reservoir of useful information reflecting a profound geopolitical insight on the part of its editor.

In the current mounting struggle for world domination there are a number of focal points of conflict: Southeast Asia, Southern Africa, the Near East, and the Caribbean, with the Panama Canal as the key Communist objective.

The crucial line for the defense of Western civilization, however, as emphasized by General Willoughby, is not any one of the areas mentioned but the Denmark-Alps line in Europe. Along this line since World War II the forces of Soviet and Western powers confront each other in undisguised hostility.

In view of the 1968 military occupation by the U.S.S.R. of Czechoslovakia and the present Soviet threats against West Germany in regard to Berlin, two of General Willoughby's 1961 analyses of the writings of Karl Marx should be of special interest to all officials of our Government charged with the formulation of policy in meeting Soviet imperialism.

I include the indicated intelligence digests as parts of my remarks:

[From Foreign Intelligence Digest, Apr. 21, 1961]

KARL MARX: APOSTLE OF COMMUNISM FEARED AND HATED RUSSIA

KARL MARX: CORRESPONDENT FOR A NEW YORK PAPER

Karl Marx, venerated apostle of Communism, feared and hated Czarist Russia and had no desire or concept that Russia should ever become the seat of global Communism. It was Berlin, Paris or London rather than the Kremlin which he envisaged as the citadel of the revolutionary proletariat. Karl Marx served as European correspondent of *The New York Daily Tribune* and wrote significant dispatches, in the period of 1853–1856, from exile in London. These brilliant reports have become a rarity in Western libraries. Naturally, they have been prudently omitted from all Soviet editions of Marx's writings. The "*Tribune*" might do well to reprint them. They represent a brilliant exposé of Czarist expansionism, and a devastating forecast of Communist-Bolshevik evolution and maneuvers in terms of Mongoloid-Panslavism, then and today. A venturesome German publisher (Seewald Verlag) has released a reprint of Marx's dispatches under the suggestive title: "*The Russian Drive for Expansion and the Policy of the Western Powers.*" The reports deal, of course, with an almost forgotten historical background, with the U.S. slowly moving toward civil war and Russia moving toward Constantinople and an outlet on the Mediterranean or the Persian Gulf.

The publication of this series is a political event of considerable significance for it thoroughly destroys the Kremlin legend of Karl Marx, as the champion of Russian claims to Communist universal leadership.

RUSSIAN FOREIGN POLICY: A CONSTANT OF CZARS AND COMMISSARS

Karl Marx's reports are a complete exposé of Russia's messianic complex, an almost pathologic expansionist urge of all Russian rulers—from Ivan the Terrible to the Romanoffs—a calculable "constant" inherent in Russian foreign policy.

Said Marx: "What has changed? Nothing at all! Russia's policy is unchangeable. Russia's methods, tactics and maneuvers may change but the lodestar of Russian policy—world domination—is a fixed star. . . ."

It is all the same whether the "Czar" is called Alexander, Nicholas, Kerensky, Stalin or Khrushchev! The secular aim does not change, whether Russian annexation aids were embellished—as in Czarist days—with the slogan of "protection of Christianity, the Eastern Church or the Slav peoples," or whether they are currently camouflaged by the Soviet regime with social slogans of "the liberation of the world from the Capitalist yoke." Karl Marx defines Czarist-Bolshevik evolution in a terrifying "equation," viz:

Czarist Absolutism; Enslavement of the World.

Communist Absolutism; Enslavement of the World.

No art of interpretation, however skillful, can obliterate the sensational disclosure that in Marx's opinion the struggle between Russia and the West takes precedence over the dialectics between "Capital and Workers" and that, however critical his doctrinaire attitude, his personal sympathies are clearly with the West. It is precisely in assessing the "constants of Russian policy" that Karl Marx, long since endowed with an aura of infallibility by the Communist rulers, is in agreement with such outstanding political thinkers as the French Liberal Alexis de Tocqueville, the Royalist Marquis de Custine, the Spanish Conservative Donoso Cortes or the Ukrainian nationalist theoretician D. Donzov. The picture of Karl Marx which the Kremlin has, with a certain degree of success, presented to the world is thus a fake. In his reports, Karl Marx gives the modern reader a political lesson which is in every respect remarkable and still applicable today.

KARL MARX FORECASTS RUSSIAN EXPANSIONISM

We have selected some of Marx's brilliant thoughts on this subject, viz:

"Panslavism is a form of Russian imperialism—it is not a movement that strives for national independence but a movement which, directed against Europe, would destroy all cultural values that history has created through thousands of years. This could not be achieved without eradicating Austria, Hungary, Turkey and a major part of Germany from the (political) map. . . .

"There is only one way of dealing with an absolute power like Russia and that is by absolute fearlessness. . . .

"A system of intimidation is less expensive than actual warfare. . . .

"Russia hands the Western Chancelleries diplomatic notes—like throwing bones to a dog—in order to give them some harmless pleasure whilst she herself uses this opportunity to gain more time (and space). . . .

"Inasmuch as Russia counts on the cowardice and fear of the Western powers, she intimidates Europe and pushes her demands as far as possible in order to pretend later that she is 'generous' since she will content herself with more immediate though lesser aims."

Karl Marx recognized the enormous dynamic force of the huge Russian Empire with regard to the Turkish question and, with prophetic vision, over a hundred years ago warned against the dangers which could arise for Europe in this connection. (The dissolution of the Near East)

MARX RECOGNIZES A RUSSIAN GAMBIT

However decisive the break of 1917 may have been in the social structure of Russia, the aims of conquest and annexation as key objectives of Russian foreign policy have remained the same, irrespective of the *slogans* Russia uses in order to camouflage her policy of eventual conquest. The fact that opinions on this subject, today more topical and applicable than ever, originate from Karl Marx, the prophet of Communism, makes them all the more interesting. Note the following:

"Czarist Russia fears the revolution which is bound to follow any general war on the Continent more than the Sultan fears an aggression on the part of the Czar. If the other powers remain firm, Russia will most certainly withdraw discretely."

It is a mistake to assume that political propaganda and psychological warfare are an invention of our day. Karl Marx proves convincingly that the methods which are practiced to perfection by the Communist regime today were by no means unknown to Czarist Russia.

Just as Khrushchev conjures up the specter of Stalinism or Mao's world-conquest in order to deceive the West, so the Czars in former days tried out the same methods. Marx has this so say:

"With all due respect to the so-called 'Old Russian Party,' I know from various well-informed Russians—themselves of the aristocracy with whom I frequently associated in Paris, that it has long since died out and is only occasionally resurrected to a sham existence when the Czar needs a bogy to force Western Europe into passive patience as regards Russia's arrogant claims (of the moment). Hence the resurrection of a Menshikov and his appearance in the fairy tale-like, 'old Russian' style."

CZARIST AND COMMUNIST DIALECTICS

The poor Czar is allegedly peace-loving, but Menshikov is the real warmonger! Just as today Khrushchev is allegedly the peacemaker, while the evil Molotov (a Stalinist symbol) appears on the scene from time to time as a warmonger in order to intimidate the West and force it to yield to peace-loving Khrushchev so that "Stalinists" will not return to power!

Compare a Marx statement forecasting the analogous Russian policy of today:

"It must be stressed that Besika Bay is 150 miles away from Constantinople. The Czar claims the right to occupy Turkish territory, but forbids England and France to navigate in neutral waters without his special permission. He extols his own generous patience with which he allowed the Sublime Porte a completely free choice as to the form in which it will renounce its sovereignty.

"The Czar regrets that the West does not recognize the harmless character of Russia's religious protectorate in foreign countries."

Karl Marx's reports are an excellent survey of Russia's policy during fifty years before the Crimean War and of the traditional political maxims of the Russian Empire which go back a long way in history. It is a historical and political expose which does credit to his sharp, analytical powers and to his gift or interpretation. As nowadays, much time and energy were then wasted in futile international conferences. . . .

"After a first triumph (the removal from office of the Serbian Minister Garaschanin) Russia now insists that all anti-Russian officers shall be excluded from service . . ."

Is not Communist Russia doing the same thing nowadays intermittently demanding the dismissal of anti-Russian elements in Western Cabinets?

After a short survey of the methods and principles of Russian policy, the validity of which is applicable in our day, Karl Marx gives an outline of the old Russian game of vacillating promises, political pledges, blackmail and intimidation. He exhorts the Western powers to be on their guard and gives a very apt description of the potential weakness inherent in the division and lack of unity of Europe.

CZARIST RUSSIAN POLICY OF INTIMIDATION AND BLACKMAIL

Marx affirms that the idea of the diplomatic superiority of the Russians owes its effectiveness only to the division and timidity of the Western nations and that it is an error to believe in or accept Russia's superior military strength. He writes:

"The Czar relied to the end on the intimidation of Turkey and the Powers that supported it, namely France and England, as an adequate means of making them accept the demands. . . .

"Menshikov's appearance and behavior in Constantinople were simply those of a tyrant. The proclamations by Nesselrode were the threats of a tyrant. (Exactly like Khrushchev's recent behavior in the United Nations!) . . .

"There is only one way of dealing with a power like Russia and that is by fearlessness. . . .

"In this way, the Western powers have shown their fear of Russia with every step, a fear on which the Czar and his advisers have always relied. They have been intimidated and have done their best accordingly to create precisely the very evil of which they were so afraid. . . .

"The prestige of Russian diplomacy and the renown of Russia's military strength can be maintained far more easily and securely in peace than in war. . . .

"A system of intimidation is far less expensive than actual warfare. . . .

"Russian incursions into Europe will probably be limited to diplomacy and political intrigues, carried out on the one hand by unscrupulous arrogance, and supported on the other hand by weakness and faintheartedness."

These facts recognized by Marx are reminiscent of Russian policy today and of the attitude of the West toward the U.S.S.R.

With reference to the historical Russo-Turkish power struggle, Marx was unable to foresee what central position Constantinople would occupy in Russia's foreign policy—but *without exaggerating the analogy, we should like to add that we have here a clear parallel in the position of Berlin in the present conflict between Russia and the West.*

[From Foreign Intelligence Digest, Apr. 28, 1961]

KARL MARX: APOSTLE OF COMMUNISM FEARED AND HATED RUSSIA

MARX FORECAST COMMUNIST RUSSIA'S DIPLOMACY

The course of current events has shown how accurate Karl Marx was with his analysis of relations between Russia and Austria and/or Russia and Turkey and how justified his warnings to the West, *unfortunately unheeded by the latter.* Since the system of the balance of power in Central and East Europe has meanwhile been destroyed to the advantage of Russia, Marx's criticism of "Germans in Russian service who are hankering after war" assumes a new and highly topical significance in *view of the Russian puppet Governors in the present Soviet Zone of Germany.*

Karl Marx's sympathies in the dramatic conflict between Russia and the West, which has been smoldering for so long, are clearly with the West. In spite of this fact, or to be more exact, precisely because of this fact, he frequently criticizes the policy of the Western Powers. *In his opinion, the Governments of the West are either too foolish or too trusting to see through the perfidious Russian game of intrigue, or they let themselves be overly impressed by a Russian power play, or else are so unscrupulous that they play one against the other and in this way ultimately aid Russia.* Thus the West, whose victory Karl Marx sincerely and profoundly desired, finds in him a relentless but clear-sighted critic, who teaches us a historical lesson which is applicable today and should open our eyes to the hoax of "coexistence." Marx writes:

"The Russian bear will certainly be capable of anything as long as he knows that the other animals with which he is dealing are not capable of anything."

CZARIST POLICY VIS-A-VIS NEUTRALISM

In the terminology of our day, one might, in fact, describe Karl Marx as an "anti-anti-Communist activist." He heaps sarcastic reproaches on the West, particularly the British Government, to the effect that they passively accept Russia's violations of rights and even try to persuade their allies, and Turks, to offer Russia an armistice which is only likely to be of advantage to the latter country. He says:

"The only chance which now remains is that the war should at last cease to be a one-sided affair . . ."

With regard to the Prussian and Austrian policy of neutrality (of that time) he strikes a modern note:

"The efforts of Russian policy are in the first place directed toward securing the neutrality of the German states and preventing them from forming an alliance with the Western powers" (a striking analogy to NATO of today).

In his reports Karl Marx uses language which one would expect of a General in the golden age of Militarism. One of his biographers, Leopold Schwarzschild, has, indeed, rather aptly called him "The red Prussian." Marx maintained:

"Europe may be rotten, but a war should have aroused the healthy elements. A war should have called forth some latent forces. Surely 250 million people should have sufficient courage to carry a decent fight."

CZARIST PAN SLAVISM—COMMUNIST PAN-COMMUNISM

Pan Slavism—a form of Russian expansionism—as a political force has lost none of its significance but is still an occasion util-

ized ideologically by Soviet Russia. Karl Marx has rightly assessed its dynamic power and has explicitly stressed the danger for Europe which may arise out of it.

Nicholas I and then Alexander II threatened Austria with it when expedient:

"Alexander II will set himself up at the head of the Pan Slavist movement and will change his title of Emperor of all Russians to that of Emperor of all Slavs.

"It is the first step toward transferring the war to the entire continent and openly giving it a European character.

"It is no longer a question of who rules in Constantinople but of who rules over all Europe.

"Pan Slavism has nowadays been transformed from an idea into a political program—or rather into a political threat, which is supported by 800,000 Russian bayonets."

Karl Marx on guerillas and conventional armies:

"Every form of insurgent and irregular warfare against a powerful professional army, nowadays needs the support of a regular army, if it is to be successful."

And as regards the fighting strength of the Russian Army (of the 70's), he writes:

"It cannot be denied that precisely at a time when Russian influence on European politics was stronger than ever, the actual efficiency of the Russian army by no means justified such a political position."

Karl Marx was undoubtedly an authority on Russia, but like so many Western politicians, scholars and statesmen, he was influenced by Russian historiographers, and he interpreted the founding of the Kiev principality quite falsely and described it as a "*Russian state.*" The Kiev principality was an Ukrainian state and not Russian.

The Ukraine was closely connected with Greek and Byzantine cultures and Marx's view that Russia's culture was of Greek and Byzantine origin is incorrect, *since the Russians for hundreds of years were more influenced by the Mongols.* As the capital of the Ukrainian state, Kiev was the centre of Greek and Roman culture in the East; Moscow was fundamentally the opposite of the Ukrainian, i.e. the Occidental and Greek way of thinking, and constantly fought it.

U.S.S.R. MONGOLOID PAN SLAVISM

The fact that Pan Slavism was and is a form of Russian imperialism, has been correctly appraised by Marx. But he is wrong in believing that all the Slav peoples were enthusiastic about Pan Slavism. On the contrary, the Poles, Ukrainians, Byelorussians, Slovaks and Croats, all belonging to the Slav race, were nevertheless opposed to Pan Slavism since they were Russia's avowed enemies. If some of the intellectuals among the Czechs or Serbians were in favor of Pan Slavism, it was only because the Serbs or the Czechs erroneously hoped that the Russians would support them in their fight for independence. But they were deceived again and again by the Russians. *Incidentally, just as there is no Pan-Germanism, so too, there is no such thing as Pan Slavism, i.e. as an organic, racially binding idea.* For hundreds of years, Germanic England was the archenemy of Germanic Germany. Germanic Denmark and Norway were hostile to Germanic Germany. Wars were not conducted for racial reasons but for national imperialist reasons. That is why Russian imperialism resorts to all kinds of camouflage in order to have a sham reason for new conquests.

Various ideas which Marx formulates must be rectified, as for example the fact that he uses one term only to designate the entire southern territory of the Russian Imperium—from the Don to the Dniester and from the Don to the Njemen—*namely New Russia or West Russia. It is perfectly obvious that what is meant here is the territory of the Ukrainian nation.*

Marx also refused to recognize the Byelorussian nation—a curious error in his otherwise excellent reportage.

CHILDREN'S AID SOCIETY OF FREDERICK COUNTY, MD.

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Wednesday, February 19, 1969

Mr. MATHIAS. Mr. President, a debt is owed to earlier generations for their care of the children of America, particularly children who are orphans, who are abandoned, or who are disabled or retarded. This debt is owed to the memory of millions who have dedicated a part of their lives to this work. It is a debt that can only be paid by keeping trust through adequate care for all of the children who are now in our charge.

No group in America has earned our gratitude more than the Children's Aid Societies which functioned vigorously throughout the first half of this century in many parts of America. One of the finest of these societies was the Children's Aid Society of Frederick County which not only brought help and happiness to such children but which discharged a great public duty and assisted in maintaining a sense of responsibility and discipline among young people in Frederick County. It is a matter of regret that the work of this society seems to be terminating.

It is true, of course, that times change and institutions must change with them. Various levels of government have taken over much of the work of private institutions. I believe that there is still a role, however, for the private voluntary agency to contribute significant value in the area of counseling and child care and I hope that some way will be found to continue the spirit of compassion and generous assistance that motivated the Children's Aid Society so well for so long.

I ask unanimous consent that the editorial published in the January 20, 1969, issue of the Frederick, Md., News, commenting on the loss that a community suffers when an agency of this sort closes its doors, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Passing of CAS

We note with regret the decision of the Children's Aid Society to suspend its operations after 58 years of service to Frederick City and County.

The Children's Aid Society here was an outgrowth of a movement begun by Henry Watson, a New York City philanthropist who was interested in the welfare of homeless children. The movement spread to Baltimore and thence to Frederick.

While first dealing with homeless children here, the CAS later became the agency concerned with adoptions. Many of the functions of CAS have been taken over by the Department of Social Services (formerly Welfare Department) but one major function remaining has been with counseling of families.

Much of the counseling service offered by CAS is referred to the agency by local school counselors who find that certain problems with children relate to home environmental situations. CAS case workers have been successful in many cases in getting to the root of these home-centered problems, and no agency will be around next month to work in this area.

Although much of the load in foster care has been taken over by the Department of Social Services, the CAS still has used foster homes, especially where strict supervision of youngsters has been needed.

Another area where CAS has been effective has been with families who do not want to go to public agencies but will work with private organizations such as CAS. Because of its nature, CAS is more flexible in its program and does not have the multitudinous rules and regulations necessary to operate governmental programs.

The reason for the demise of CAS here is due to lack of local governmental support. While the CAS is a Community Chest agency, about 75 per cent of the funds came from the county with an assist from Frederick City. Requests by the CAS for city and county funds have been cut until there is not sufficient money to keep the organization going.

Frederick County will suffer a loss when CAS ceases its operations in the next several weeks. It has served the county well, but can only function with the necessary support. Frederick County should give a vote of thanks to all those who served with the agency over the years.

CONSUMER PROTECTION

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. OTTINGER. Mr. Speaker, at long last, the American consumer has become an important focus of attention at all levels of government. Spurred by the efforts of people like Ralph Nader, Congress and the Executive have finally taken positive steps to restore safety and sanity to the marketplace.

One of the great dangers facing us at this time is that of complacency with the legislative achievements of the 89th and 90th Congresses, for important though they may be, they represent only a first step in the consumer protection movement.

An excellent perspective on the problem was given by Mr. Nader in the November 21, 1968, issue of New York Review. I commend it to the attention of my colleagues and present it herewith for inclusion in the Record:

The Great American Gyp

(By Ralph Nader)

Last January a confidential nationwide survey by the Opinion Research Corporation spread considerable alarm among its corporate subscribers. The poll concluded "that seven Americans in ten think present Federal legislation is inadequate to protect their health and safety. The majority also believe that more Federal laws are needed to give shoppers full value for their money." To many businessmen, this finding merely confirmed what speakers had been telling them at trade gatherings during the previous year—that consumers were beginning to fall prey to "consumerism."

"Consumerism" is a term given vogue recently by business spokesmen to describe what they believe is a concerted, disruptive ideology concocted by self-appointed bleeding hearts and politicians who find that it pays off to attack the corporations. "Consumerism," they say, undermines public confidence in the business system, deprives the consumer of freedom of choice, weakens state and local authority through Federal usurpation, bureaucratizes the marketplace, and stifles innovation. These complaints have all been made in speeches, in the trade press, and in Congressional testimony against such

Federal bills as truth-in-lending, truth-in-packaging, gas pipeline safety, radiation protection, auto, tire, drug, and fire safety legislation, and meat and fish inspection.

But what most troubles the corporations is the consumer movement's relentless documentation that consumers are being manipulated, defrauded, and injured not just by marginal businesses or fly-by-night hucksters, but by the US blue-chip business firms whose practices are unchecked by the older regulatory agencies. Since the consumer movement can cite statistics showing that these practices have reduced real income and raised the rates of mortality and disease, it is not difficult to understand the growing corporate concern.

That the systematic disclosure of such malpractice has been so long delayed can be explained by the strength of the myths that the business establishment has used to hide its activities. The first is the myth of the omniscient consumer who is so discerning that he will be a brutal taskmaster for any firm entering the market. This approach was used repeatedly to delay, then weaken, the truth-in-packaging bill. Scott Paper Co. ran an advertising campaign hailing the American housewife as "The Original Computer": ". . . a strange change comes over a woman in the store. The soft glow in the eye is replaced by a steely financial glint; the graceful walk becomes a panther's stride among the bargains. A woman in a store is a mechanism, a prowling computer. . . . Jungle-trained, her bargain-hunter senses razor-sharp for the sound of a dropping price. . . ." John Floberg, Firestone's General Counsel, has been even more complimentary, arguing that consumers can easily discriminate among 1,000 different brands of tires.

However, when companies plan their advertising, they fail to take advantage of the supposed genius of the consumer. Potential car buyers are urged to purchase Pontiacs to experience an unexplained phenomenon called "wide-tracking before you're too old to know what it is all about." Sizable fees are paid to "motivation" experts like Ernest Dichter for such analysis as this: Soup . . . is much more than a food. It is a potent magic that satisfies not only the hunger of the body but the yearnings of the soul. People speak of soup as a product of some mysterious alchemy, a symbol of love which satisfies mysterious gnawings. . . . The term 'pea soup'—mystery and magic—seem to go together with fog. At the same time we can almost say soup is orgiastic. Eating soup is a fulfillment."

A second myth is that most American businesses perform honorably but are subjected to undeserved notoriety because of a few small, unscrupulous merchants and firms. This notion is peddled by so-called consumer protection agencies as well as by the business-dominated Better Business Bureaus. But the detailed Congressional hearings on drug hazards, unsafe vehicles, vicious credit practices, restraints on medically useful or dollar-saving innovations, auto insurance abuses, cigarette-induced diseases, and price-fixing throughout the economy have made it clear that this argument will not hold up.

Most misleading of all is the myth that irresponsible sellers are adequately policed by local, state, and Federal regulatory agencies. Years ago, corporations learned how to handle these agencies, and they have now become apologists for business instead of protectors of the public. First, the agencies are made to operate on a starvation budget. The combined annual budget of the Federal Trade Commission and the Antitrust Division of the Justice Department in 1968 is $23 million, the highest amount yet appropriated. With this sum, they are supposed to collect data, initiate investigations, and enforce the laws dealing with deceptive and anticompetitive practices of an $850 billion economy.

Secondly, political patronage has undermined local and state consumer protection agencies; it has, for example, helped to make the Federal Trade Commission as ineffectual as it is. Third, business lobbying—including campaign contributions, powerful law firms, trade associations, and public relations—works against vigorous enforcement. Finally, so many regulatory officials resign to go into high-paying jobs in the industries they were once supposed to regulate that these government posts are viewed as on-the-job training by cynical appointees.[1] The Federal Aviation Agency, Interstate Commerce Commission, and Federal Communications Commission all carry on a tradition that inhibits officials from action and attracts appointees who are temperamentally reluctant to act.

The increasing irrelevance of these older agencies was made apparent by the unprecedented consumer legislation enacted under the Johnson Administration. After the dismal spectacle of the cigarette labeling act of 1964—which foreclosed action by the states and the FTC in return for a paltry warning on the package that could serve as a company's defense in liability suits—Congress passed a string of important bills and has other legislation near passage. A shift of responsibilities for consumer protection to the Federal government now seems to be taking place: state and local governments have for years defaulted on these obligations to the consumer.

In no other period of history have the safety and prices of marketed products and services received remotely comparable legislative treatment. Sensing this climate, President Johnson has allowed his consumer adviser, Betty Furness, to speak openly to business groups. In 1964, her predecessor, Esther Peterson, could not get White House clearance even to make a public statement about rigged odometers which misled motorists about the accuracy of mileage traveled, enriched car rental companies to the amount of $4 million a year, and encouraged automobile sales. In 1968 Miss Furness was urging appliance manufacturers to tell their customers how long they can expect their products to last. This spring, President Johnson established the post of Consumer Counsel in the Justice Department—a first small step toward the creation of a Federal office which would have powers to intervene in cases before the courts and regulatory agencies as the representative of consumer interests.[2] In July, Vice-President Humphrey said he favored enlarging the counsel's powers to include making complaints about dangers to public health. He also became the first government official to endorse public disclosure of information about consumer products now in the files of the General Services Administration and the Department of Defense. These agencies test hundreds of consumer products—from light bulbs and bed sheets to washing machines—in order to determine which have the best value. But they have refused thus far to release the data that would rank products by quality—a refusal naturally supported by the business community.

The business world, meanwhile, has become increasingly adept in dealing with the rising pressures for consumer legislation. Tutored by their well-connected Washington lawyers, the large corporations and their trade associations can sense the critical moment at which it is wise to stop opposing a bill and begin to cooperate with Congressional committees in order to shape legislation to their liking. For example, after opposing the passage of any auto safety bill whatever, the auto manufacturers relented in the spring of 1966 and hired Lloyd Cutler, an experienced Washington lawyer, who succeeded in weakening the disclosure provisions of the bill and in eliminating all criminal penalties for willful and knowing violations of the law.

Although consumer measures may be weakened in this way, they do at least commit the government to the idea of consumer protection and they lay the groundwork for the stronger legislation that may be feasible should the consumer movement gain more strength. The attack on corporate irresponsibility which produced the recent flurry of legislation in Congress has not, it must be said, been the work of a broad movement but rather of tiny ad hoc coalitions of determined people in and out of government armed with little more than a great many shocking facts. They have gotten important support from Senator Warren Magnuson, Chairman of the Senate Commerce Committee, whose interest in consumer problems set in motion a little-noticed competition with the White House to promote legislation.

What has taken place during the last few years may be seen as an escalating series of disclosures. The charges made by independent Congressmen and people like myself almost always turn out to be understatements of the actual conditions in various industries when those industries are subsequently exposed in Congressional hearings and investigations. As these charges get attention, demands for new legislative action increase. This, at least, has been the case with the exposure of defects in vehicles, industrial and vehicle pollution, gas pipelines, overpriced or dangerous drugs, unfair credit, harmful pesticides, cigarettes, land frauds, electric power reliability, household improvement rackets, exploitation in slums, auto warranties, radiation, high-priced auto insurance, and boating hazards. How many people realized, for example, that faulty heating devices injure 125,000 Americans a year or that poorly designed stoves, power mowers and washing machines cause substantial injury to 300,000 people annually? Or that, as Rep. Benjamin Rosenthal recently revealed, the food rejected by Federal agencies as contaminated or rotting is often rerouted for sale in the market? These abuses are now starting to be discussed in the press and in Congress.

One result of the detailed Congressional hearings has been a broader definition of legitimate consumer rights and interests. It is becoming clear that consumers must not only be protected from the dangers of voluntary use of a product, such as flammable material, but also from *involuntary* consumption of industrial by-products such as air and water pollutant, excessive pesticide and nitrate residues in foods, and antibiotics in meat. A more concrete idea of a just economy is thus beginning to emerge, while, at the same time, the assortment of groups that comprise the "consumer's movement" is moving in directions that seem to me quite different from the ones that similar groups have followed in the past. Their demands are ethical rather than ideological. Their principles and proposals are being derived from solid documentation of common abuses whose origins are being traced directly to the policies of powerful corporations.

This inquiry is extending beyond the question of legal control of corporations into the failure of business, labor, and voluntary organizations to check one another's abuses through competition and other private pressures. It is becoming apparent that the reform of consumer abuses and the reform of corporate power itself are different sides of the same coin and that new approaches to the enforcement of the rights of consumers are necessary. There are, I would suggest, at least ten major forces or techniques that

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[1] The last two chairmen of the Interstate Commerce Commission are now President of the National Association of Motor Business Carriers and Vice-President of Penn-Central. Both industries are supposedly regulated by the ICC.

[2] The first appointee to this job was Mr. Merle McCurdy who died in May. His successor has not been appointed.

now exist in some form but greatly need to be strengthened if we are to have a decent consumer society.

1. **Rapid disclosure of the facts relating to the quantity, quality, and safety of a product is essential to a just market place.** If companies know their products can quickly be compared with others, the laggard will be goaded to better performances and the innovator will know that buyers can promptly learn about his innovation. On the other hand, buyers must be able to compare products in order to reject the shoddy and reward the superior producer. This process is the great justification for a free market system. Manufacturers try to avoid giving out such information and instead rely on "packaging" or advertising. Auto companies refuse to tell the motorist the safety performances of his car's brakes and tires, and concentrate on brand-names—Cougar, Barracuda, Marauder—and vehicle "personality": "Mustang makes dull people interesting. . . ." From cosmetics to soaps and detergents, the differences emphasized are emotional and frivolous and have no relation to functions. This practice permits the producer with the largest advertising budget to make matters very difficult for a smaller competitor or potential entrant into the market who may have a superior product. The anti-competitive effects of such advertising led Donald F. Turner, the former head of the Anti-trust Division of the Justice Department, to suggest that the government subsidize independent sources of consumer information. Senator Philip Hart has gone a step further in proposing a National Consumer Service Foundation to provide product information to consumers at the place of purchase. Computers could help to assemble such information cheaply and quickly. One can, for instance, imagine machines dispensing data on individual products at shopping centers, a plan which Consumer's Union has begun to study.

2. **The practices of refunding dollars to consumers who have been bilked and recalling defective products are finally becoming recognized as principles of deterrence and justice.** More than six million automobiles have been recalled since September, 1966—the date of the auto safety law. The Food and Drug Administration now requires drug companies to issue "corrective letters" to all physicians if their original advertisements were found to be misleading. Nearly thirty such letters have been sent out by drug companies during the twenty months of FDA action. The threat of liability suits and the willingness of the press and television to mention brand and company names in reporting on defects are causing companies to recall products "voluntarily" even where no law or regulation exists. Earlier this year, for instance, Sears-Roebuck recalled some 6,000 gas heaters after public health officials warned of lethal carbon monoxide leakage. After similar warnings by U.S. Public Health officials and the threat of disclosure by a major newspaper, General Electric made changes in 150,000 color TV sets which had been found to be emitting excessive radiation. Some insurance companies are beginning to offer "defect recall" insurance.

The duty to refund remains even less well recognized than the duty to recall a product because of defects. Orders to "cease and desist," the usual decree of the Federal Trade Commission after it catches swindlers, at best stop the defrauder but do not require him to pay back the funds. Without this sanction, a major deterrent is lost. The mere order to "go and sin no more," which replaces it, is easily evaded.

The only enforcement action made by the FTC is pertinent here. For thirty years, the Holland Furnace Company used scare tactics and routinely deceived the public. Its salesmen were encouraged to pose as "safety inspectors" and were trained to be merciless: one elderly and ailing woman was sold nine new furnaces in six years, costing a total of $18,000. Following up on complaints beginning in the Thirties, the FTC secured a stipulation from the company that it would stop its misleading advertising. This had little if any effect. A cease and desist order was entered in 1958 but it was not until January 1965, that the company was fined $100,000 for violating the order and an ex-president was sent to jail. At that point, the Holland Furnace Co. decided to file a petition for bankruptcy. But as Senator Warren Magnuson said: "In the meantime Holland Furnace at the height of its business cost the American public $30 million a year." The FTC's ponderous procedures and anemic enforcement powers (it has no power of preliminary injunction, no criminal penalties, and no power of its own to fine, assess, or award damages) encourage the unscrupulous businessman to continue his abuses; if he is caught later on, he will merely be told to stop.

Two developments in recent years have strengthened private actions against malpractices by established corporations with large assets. The first is the growing practice of filing treble damage suits against violators of antitrust laws. In the early Sixties corporate and government customers of G.E., Westinghouse, and other large companies collected about $500 million in out-of-court settlements after these companies and their officers were convicted for carrying on a criminal antitrust price-fixing conspiracy. Although such punitive damage payments are tax-deductible as "ordinary and necessary business expenses," the deterrent is an effective one. Cases brought by both private and government procurement agencies have multiplied in many other industries recently—from drugs to children's books—and these will increase, especially with tougher antitrust action by the Justice Department and by the states.

The second development is in the use of "class actions" in which suits are filed on behalf of large numbers of people who have been mistreated in the same way. In modern mass merchandising, fraud naturally takes the form of cheating a great many customers out of a few pennies or dollars: the bigger the store or chain of stores, the greater the gain from gypping tiny amounts from individuals who would not find it worthwhile to take formal action against the seller. Class actions solve this problem by turning the advantage of large volume against the seller that made predatory use of it in the first place. Poverty lawyers, supported by the US Office of Economic Opportunity, are just beginning to use this important technique.

A case of great potential significance for developing broad civil deterrence has been brought in New York City against Coburn Corp., a sales finance company, by two customers who signed its retail installment contracts. They are being assisted by the NAACP Legal Defense and Educational Fund. The plaintiffs charge that Coburn violated Section 402 of the New York Personal Property Law by not printing its contracts in large type as specified by law. They are asking recovery of the credit service charge paid under the contracts for themselves and all other consumers similarly involved. If the plaintiffs win, consumers in New York will be able to bring class actions against any violations of law contained in any standard form contracts.

3. **Disputes in courts and other judicial forums must be conducted under fairer ground rules and with adequate representation for buyers.** Here the recent appearance of neighborhood legal service attorneys is a hopeful sign. These poverty lawyers—now numbering about 2,000 and paid by the Office of Economic Opportunity—are representing the poor against finance companies, landlords, auto dealers, and other sellers of goods and services. Because of their work, the law of debtors' remedies and defenses is catching up with the well-honed law of creditors' rights that generations of law students studied so rigorously. These lawyers are bringing test cases to court and winning them. They are gradually exposing the use by slum merchants of the courts as agents to collect from poor people who are uninformed or cannot leave their jobs to show up in court. For the first time, poverty lawyers are challenging the routine contract clauses that strip the buyers of their legal defenses in advance, as well as those involving illegal repossession, unreasonable garnishment, undisclosed credit, and financing terms, and a great many other victimizing practices.

But even many more poverty lawyers could handle only a few of the cases deserving their services. What is important is that recent cases are documenting a general pattern of abuses and injustices in the legal system itself. This is beginning to upset influential lawyers; it may prod law schools to more relevant teaching as well as guide legislatures and courts toward much-delayed reform of laws, court procedures, and remedies. At the same time, wholly new and more informed ways of resolving conflicts are being considered—such as neighborhood arbitration units which are open in the evenings when defendants need not be absent from their work. However, if such developments seem promising they must not obscure the persisting venality of the marketplace and the generally hopeless legal position of the consumer who is victimized by it.

4. **The practice of setting government safety standards and periodically changing them to reflect new technology and uses is spreading, although it is still ineffective in many ways.** Decades after banking and securities services were brought under regulation, products such as automobiles (53,000 dead and 4½ million injured annually), washing machines and power lawn mowers (200,000 injuries annually), many chemicals, and all pipeline systems did not have to adhere to any standards of safety performance other than those set by the companies or industries themselves. With the passage of the auto safety law in 1966, other major products have been brought under Federal safety regulation. To avoid continuing a piecemeal approach, Congress in 1967 passed an act establishing the National Commission on Product Safety to investigate many household and related hazards, from appliances to household chemicals. Moreover, the Commission must recommend by 1970 a more detailed Federal, state, and local policy toward reducing or preventing deaths and injuries from these products.

The Commission's recommendations will probably go beyond household products to the problem of a safer man-made environment. So far, most state and Federal efforts to set meaningful safety standards and enforce them have failed miserably. The only organized and effective pressures on the agencies responsible for setting standards have come from the same economic interests that are supposed to be regulated. Two illustrations of this failure have been the flammable fabrics act of 1953 and the oil pipeline safety act of 1965. In both cases, little has happened because the laws have not been administered. It took three-and-a-half years before the Federal government even proposed oil pipeline standards, and these were taken almost verbatim from the pipeline industry's own code. Similarly, when the General Accounting office recently reviewed the enforcement of the pesticide law by the Department of Agriculture it found that repeated mass violations of the laws between 1955 and 1965 were never reported to the Department for prosecution. This is a typical example of how consumers are deprived of legal protection in spite of a statute intended to protect them.

5. If the government is to impose effective standards, it must also be able to conduct or contract for its own research on both the safety of industrial products and possible methods of improving them. Without this power, the agencies will have to rely on what is revealed to them by industry, and their efforts will be crippled from the start. They will, for example, be unable to determine whether a better vehicle handling system is required or to detect promptly the hidden dangers in apparently harmless drugs. The government could also bring strong pressures on business by using its own great purchasing power and by developing its own prototypes of safer products. The existing safety laws, however, do not even permit the government to find out quickly and accurately whether industry is complying with the law. The National Highway Safety Bureau, for example, has little idea whether or not the 1968 automobiles meet all the safety standards since no government testing facilities yet exist.

But full enforcement of the law also depends on the existence of effective penalties, and in this respect the recent safety laws are feeble, to say the least. There are no criminal penalties for willful and knowing violation of the auto safety and gas pipeline laws; nor have criminal penalties been written into other bills about to be signed into law, such as the radiation control bill. The civil fines are small when considered against the possibility of violations by huge industries producing millions of the same product. Of course, the Washington corporation lawyers who lobby to water down the penalties in these safety laws have no interest in the argument that stronger sanctions would not only act as a deterrent to industry but make enforcement itself cheaper.

6. In the ideology of American business, free competition and corporate "responsibility" are supposed to protect the consumer; in practice both have long been ignored. Price-fixing, either by conspiracy or by mutually understood cues, is rampant throughout the economy. This is partly revealed by the growing number of government and private antitrust actions. Donald Turner, the former head of the Antitrust Division, has despaired of effectively enforcing the law against price-fixing with the existing manpower in the Justice Department. Price-fixing, of course, means higher prices for consumers. For example, the electrical price-fixing conspiracy, broken by the Justice Department in 1960, involved not only G.E., Westinghouse, Allis Chalmers, but several small companies as well; the overcharge to the direct purchasers of generators and other heavy duty equipment was estimated at more than a billion dollars during the ten-year life of the conspiracy that sent several executives to short jail terms.

Even greater dangers arise when the failure of large industry to compete prevents the development of new products that might save or improve the lives of consumers. When such restraint is due to conspiracy or other kinds of collusion, it should be the task of antitrust enforcement to stop the practice of "product-fixing." Traditional antitrust enforcement has been slow to grasp the fact that the restraint of innovation is becoming far more important to big business than the control of prices. New inventions—steam or electric engines, longer lasting light bulbs and paints, and cheaper construction materials—can shake an industry to its most stagnant foundations. For eighteen months the Justice Department presented to a Los Angeles grand jury its charges that the domestic auto companies conspired to restrain the development and marketing of vehicle exhaust control systems. When and if it files its complaint, a pioneering case of antitrust enforcement in a health and safety issue could reveal much about this as yet unused weapon for public protection.

Ideally, one of the most powerful forces for consumer justice would be the exercise of corporate responsibility or private "countervailing" and monitoring forces within the corporate world. Unfortunately for believers in a pluralist economic system, recent decades have shown that the economics of accommodation repeatedly overwhelms the economics of checks and balances.

The casualty insurance industry is a case in point. Logically it should have a strong interest in safer automobiles. In fact it has chosen to raise premiums instead of pressuring the auto industry to adopt safety measures that have been available for a long time. The casualty insurance industry has not demanded legislation to improve the design and inspection of motor vehicles; nor has it encouraged the rating of vehicles according to their safety. It has been equally indifferent to the need to reform methods of fire prevention (where the U.S. is far behind Japan and England) or standards of industrial safety and health. What the industry has done instead is to spend large sums on advertising assuring the public it is concerned about the consumer safety it has declined to pursue in practice.

7. Professional and technical societies may be sleeping giants where the protection of the consumer is concerned. Up to now, such groups as the American Society of Mechanical Engineers, the American Chemical Society, and the American Society of Safety Engineers have been little more than trade associations for the industries that employ their members. It is shocking, for example, that none of these technical societies has done much to work out public policies to deal with the polluted environment and with such new technological hazards as atomic energy plants and radioactive waste disposal. Except in a few cases, the independent professions of law and medicine have done little to fulfill their professional obligations to protect the public from victimization. They have done less to encourage their colleagues in science and engineering to free themselves from subservience to corporate disciplines. Surely, for example, the supersonic transport program, with its huge government subsidies and intolerable sonic boom, should have been exposed to careful public scrutiny by engineers and scientists long before the government rather secretively allowed it to get under way.

The engineers and scientists, however, had no organization nor procedure for doing this. None of the professions will be able to meet its public responsibilities unless it is willing to undertake new roles and to create special independent organizations willing to gather facts and take action in the public interest. Such small but determined groups as the Committee for Environmental Information in St. Louis, headed by Professor Barry Commoner, and the Physicians for Automotive Safety in New Jersey have shown how people with tiny resources can accomplish much in public education and action. If such efforts are to be enlarged, however, the legal, medical, engineering, and scientific departments of universities must recognize the importance of preparing their graduates for full-time careers in organizations devoted to shaping public policy; for it is clear that professionals serving clients in private practice will not be adequate to this task. Had such organizations existed two or three decades ago, the hazards of the industrial age might have been foreseen, diagnosed, exposed, and to some extent prevented. During the recent controversy over auto safety I often speculated that the same kind of reform might have occurred thirty years ago had a handful of engineers and physicians made a dramatic effort to inform politicians about scandals that even then took more than 30,000 lives a year and caused several million injuries. Instead the doctors were busy treating broken bones and the engineers were following corporate orders, while their technical journals ignored a major challenge to their profession. For all the talk about "preventive medicine" and "remedial engineering," this is what is happening now.

8. During the past two decades, the courts have been making important if little noticed rulings that give injured people fairer chances of recovering damages. These include the elimination of "privity" or the need to prove a contractual relation with the person sued; the expansion of the "implied warranty" accompanying items purchased to include not only the "reasonable" functioning of those items but also the claims made in deceptive advertising of them; and the imposition of "strict liability" which dispenses with the need to prove negligence if one has been injured through the use of a defective product. At the same time, the laws of evidence have been considerably liberalized.

This reform of the common law of "bodily rights"—far in advance of other common-law nations such as Great Britain and Canada—has been followed by some spectacular jury verdicts and court decisions in favor of the injured. There are routinely cited by insurance companies as a rationale for increasing premiums. The fact is, however, that these victories still are rare exceptions, and for obvious reasons. Winning such cases requires a huge investment in time and money; the plaintiff's lawyers must collect the evidence and survive the long and expensive delays available to the corporation defendant with its far superior resources. But now the rules give the plaintiff at least a decent chance to recover his rights in court or by settlement. It remains for the legal profession to find ways to cut drastically the costs of litigation, especially in cases where a single product, such as a car or drug, has injured many people.

However, the law of torts (personal injuries) still does not protect the consumer against the pollution of the environment which indiscriminately injures everyone exposed to it. Pollution in Los Angeles is a serious health hazard, but how may the citizens of that besmogged metropolis sue? A group of eighty-eight residents of Martinez, California, is suing Shell Oil's petroleum refinery for air pollution and its "roaring noises, recurring vibrations and frightening lights." In an increasingly typical defense, Shell claims that it meets the state's mild pollution-control regulation. But such standards are largely the result of political pressures from corporations whose profits are at stake. Thus, increasingly, justice in the courts must be paralleled by justice in the legislatures. However, there are some signs that the courts are beginning to take account of the right to a decent environment in cases against industrial pollutants. Last year, a lady in Pennsylvania recovered about $70,000 for injuries sustained from living near a beryllium plant which emitted toxic fumes daily. (The case is being appealed.)

9. One of the more promising developments of the last two years is the growing belief that new institutions are needed within the government whose sole function would be to advocate consumer interests. As I have pointed out, the Johnson Administration has done no more than create earlier this year an Office of Consumer Counsel in the Justice Department—a post that has not yet begun to function. The Executive Branch is hostile to a proposal by Congressman Rosenthal and others for a new Department of Consumer Affairs on the Cabinet level. This proposal has been criticized by Federal officials on grounds that it would duplicate what government agencies are now doing. The fact is, however, that most of the government agencies that are supposed to be concerned with the health and safety of consumers are also

promoting the interests of the industries that cause the consumer harm. The U.S. Department of Agriculture represents the farmers and processors first and the consumers second—whether in controversies over the price of milk or over the wholesomeness of meat and poultry. The regulatory agencies themselves at best merely act as referees and at worst represent business interests in government.

Clearly it would be useful if a new bureau within the government itself could both expose these regulatory agencies and challenge them to take more vigorous action. Senator Lee Metcalf has introduced legislation to create an independent U.S. Office of Utility Consumer's Counsel to represent the public before regulatory agencies and courts. This approach is different from that of Congressman Rosenthal and it remains to be seen which scheme can best avoid the dangers of bureaucratization and atrophy. What is not generally appreciated however is that if they are to succeed, such new governmental units will badly need the vigorous support of organizations outside the government which would have similar concern for the consumer and would also be able to carry on their own research and planning.

10. I have already pointed out the need for independent organizations of professionals—engineers, lawyers, doctors, economists, scientists, and others—which could undertake work of this kind. But they do not as yet exist. Still, we can draw some idea of their potential from the example of people like Dr. Commoner and his associates who have managed to stir up strong public opposition to government and private interests while working in their spare time. Similarly, other small groups of professionals have saved natural resources from destruction or pollution; they have stopped unjust increases in auto-insurance rates; they have defeated a plan for an atomic explosion to create a natural gas storage area under public land, showing that excessive safety risks were involved.

Is there reason to hope that the high energy physicists who lobbied successfully for hundreds of millions of dollars in public funds might be emulated by other professionals seeking to improve the quality of life in America? Certainly there is a clear case for setting up professional firms to act in the public interest at Federal and local levels. While thousands of engineers work for private industry, a few hundred should be working out the technical plans for obtaining clean air and water, and demanding that these plans be followed. While many thousands of lawyers serve private clients, several hundred should be working in public interest firms which would pursue legal actions and reforms of the kind I have outlined here. Support for such firms could come from foundations, private gifts, dues paid by consumers and the professions, or from government subsidies. There is already a precedent for the latter in the financing of the Neighborhood Legal Services, not to mention the billions of dollars in subsidies now awarded to commerce and industry. In addition, groups that now make up the consumers' movement badly need the services of professional economists, lawyers, engineers, and others if they are to develop local consumer service institutions that could handle complaints, dispense information, and work out strategies for public action.

Notwithstanding the recent alarm of industry and the surge of publicity about auto safety and other scandals, the consumer movement is still a feeble force in American power politics. The interests of consumers are low on the list of election issues; the government's expenditures to protect those interests are negligible. Some would argue that this situation will inevitably prevail in view of the overwhelming power of American corporations in and out of government. But, as I have tried to show, new approaches to judging and influencing corporate behavior have begun to emerge in the last few years. It seems possible that people may begin to react with greater anger to the enormity of their deprivation—each year consumers lose half a billion dollars in securities frauds and a billion dollars in home repair frauds, to name only two of thousands of ways in which their income is being milked. The current assault on the health and safety of the public from so many dangerous industrial products, by-products, and foods has resulted in violence that dwarfs the issue of crime in the streets. (During the last three years, about 260 people have died in riots in American cities; but every two days, 300 people are killed, and 20,000 injured, while driving on the highways.) What the consumer movement is beginning to say—and must say much more strongly if it is to grow—is that business crime and corporate intransigence are the really urgent menace to law and order in America.

NEW VISTAS IN TRANSPORTATION

HON. BARRY GOLDWATER

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Wednesday, February 19, 1969

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the RECORD the remarks I made before the 13th Annual Southwest Transportation Seminar at the University of Arizona on February 14.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR BARRY GOLDWATER, OF ARIZONA, AT THE 13TH ANNUAL SOUTHWEST TRANSPORTATION SEMINAR, UNIVERSITY OF ARIZONA, FEBRUARY 14, 1969

Regent Burch, Vice President McMillan, distinguished guests: I am both honored and pleased to be here today in the role of keynote speaker at this extremely important and timely seminar on transportation. I note with considerable interest that the theme of your session is "The Image of American Transportation."

This is a fairly all-inclusive theme, and I should like to address myself to the overall features of that image as I see them today. I don't have to tell you, of course, that transportation is developing at an astronomical pace. It might interest you to know that a man in Los Angeles, whom I don't even recall having met, has reserved for me and several other persons a seat on Pan American Airways' first flight to the moon—if and when such a flight is actually made. I learned of this only recently from a magazine editor who wanted to know if I would make use of the reservation. I told him that I would first like to know whether the gentlemen in L.A. had applied for a round-trip ticket in my case.

Does this sound a little "way out"—to use a phrase popular with today's youngsters? Does it strike you as an exercise in fantasy? Does it surprise you that a perfectly normal human being would make such an application or that an American airline would accept it, even on a contingency basis?

This whole idea illustrates the point I make here today which is that to gauge the true image of American transportation and what lies ahead of it demands that we exercise our imaginations and that we actually credit what only a few years ago would have been regarded as science fiction.

The strides we have made in all branches of transportation have vastly outpaced our efforts in the area of private planning and government policy. I am perhaps more acutely aware of these developments because of my great interest in and love for the United States Air Force and its relationship to flying in general. At the present time my Senate assignments include the Committees on Armed Services and on Aeronautical and Space Sciences. I am sure that I don't have to stress to this sophisticated audience the fact that transportation plays a vital role in virtually all considerations of these two committees.

I believe it is well known that I am greatly concerned about air transportation in the field of our national defense. I believe that under Secretary McNamara our defense planners in the Pentagon were almost criminally negligent in their failure to provide for carry-on bombers and other aircraft related to our national security. I further believe that the Defense Department has permitted us to fall far behind such nations as the Soviet Union in the area of naval vessels and water transport.

But today I should like to talk with you especially about our commercial transportation problems. They are many and varied and exceedingly complicated. They literally cry out for the development of a sound national policy at the federal level. While this nation should be proud of the surging growth of all segments of its civil aviation, it should also be aware that years of neglect at the highest levels of government have produced a grave crisis in air transportation. Fortunately, this state of affairs is well known to the new Republican administration, and President Nixon himself has pledged steps to bring national policy up to date. I am sure you realize what this means. One of the very first problems on the agenda will be to devise means to ease the congestion at our larger airports. Our force of air controllers needs strengthening. The men in it need better working conditions and better training. Better equipment is an immediate necessity.

Some of these problems will undoubtedly be handled at the Federal Government level by agencies such as the Federal Aviation Administration. However, I believe there is room also for a Congressional approach to these and related problems. Accordingly, I am at present studying a number of bills which would establish an independent commission to study problems such as airport congestion, safety and greater passenger convenience. Needless to say, such a commission would be made up of acknowledged experts in the field of civil aviation, including pilots, air traffic controllers, university experts and industry representatives.

I am confident that our private aviation industry with the help of a modernized government policy will be able to remedy our problems and clear the way for an amazing, hard-to-believe era of faster and easier travel in all areas of transportation. At the present time, the railroad industry is experimenting with high speed passenger service between Washington and New York. While this improved service still leaves much to be desired by passengers accustomed to speedy air travel, it holds promise for the future. In another area of land travel, great strides already have been made as a result of the national highway building program inaugurated in 1956 by the Eisenhower administration. I believe it is safe to assume that this program will be improved and developed further under President Nixon who played a prominent role in its inception 13 years ago. During his campaign for election, President Nixon repeatedly voiced his concern over cutbacks which the Johnson administration had made in the interstate highway program. He is determined that the interstate highway system envisioned by the Eisenhower administration be completed as early as possible.

An especially fascinating area of future transportation planning is the one aimed at the mass movement of commuters in the "urban sprawl" sections which now dot the American landscape. All kinds of methods for short haul intercity passenger movement are being explored. Some involve the use of helicopter type planes which would take off from outlying residential areas and put down on tiny landing fields in the downtown areas.

Another mode of transportation being explored is the so-called "air-cushion" vehicles that would shoot through tubes at speeds up to 600 miles an hour, thus connecting all areas of the planned "megalopolises" of the future. Laboratory models of such tube vehicles have already been built at the University of Manchester in Britain and at Massachusetts Institute of Technology in this country. And the Garrett Corporation, a Los Angeles subsidiary of Signal Oil Company, has a federal contract to study the feasibility of the air cushion system.

The system would operate on electromagnetic energy from a power source sunk into a concrete roadbed which would pull wheelless vehicles along at enormous speeds. When at rest, or when slowing down, the cars would settle onto the roadbed, but at other times they would travel inches above the surface. They would blast jets of air against the walls of the tube in order to keep centered above the roadbed and on course. And naturally the tube would muffle noise from the vehicles that otherwise might disturb residential areas along the right-of-way. While most planners believe the tube system is perhaps 20 years away, most agree that such a system would greatly ease the problems of our overcrowded cities.

But it is in the field of air transport that the most exciting possibilities exist for the near future. The supersonic transport (SST) is a much debated project which is receiving top consideration from the new administration and which undoubtedly will become a reality in the next few years. The SST, a transport jet designed to travel 1,400 to 1,800 miles an hour, can take to the air as early as 1972 if encouraged. Aircraft experts believe there is still a question as to whether the SST will ever be able to fly over land because of the grave problem created by the sonic boom. Some of them believe the supersonic transport, at least in its initial stages, will be used almost exclusively over water. Others, however, insist that the problem created by the boom resulting from a run through the sound barrier will eventually be reduced or solved, at least to the extent of making this a surmountable problem in populated areas. It is interesting that some of the pessimists among the aircraft engineers are intrigued with the fact that missiles going straight up through the sound barrier do not create a loud explosive sonic boom. This leads them to believe that some design of the SST may eventually have to be developed that would achieve a vertical take off until the sound barrier had been pierced. At the present time such models of the SST would seem to be some distance from even the drawing board stage but the way this industry is moving, anything is possible for the future.

Now let me really jerk you out of your complacency on the question of air travel. While the supersonic transport has yet to fly, the aerospace industry is already talking about a hypersonic transport. The HST (and I am not referring to my old friend, Harry Truman) could conceivably be put into opertaion in the 1990's. It would, according to some advanced planners, travel 4,000 to 6,000 miles an hour and carry 250 passengers. Such a transport, of course, could get you from New York to Paris in about one hour and it would be extremely convenient for long distance flights to the Orient, to Australia and other far-distant points on the globe. In fact, it could get you from the Atlantic Ocean to the Pacific Ocean, or vice versa, in the time it now takes to get from Dulles Airport into the Nation's Capital.

Of course, the HST is regarded as the ultimate in air travel in this century. But it would not replace other types of supersonic and even subsonic jets. The SST would perhaps be the most popular long distance conveyance within the continental limits of the country, while slower and cheaper subsonic jets would still have a place in the air transportation picture in future years. Mammoth versions of the subsonic jets which fly today will in the future probably hold a place equivalent to the motor bus in today's ground transport system. By this I mean the subsonic jets would be the cheapest means of air travel. They would operate by offering cut-rate international fares.

Some planners, for example, believe that by the late 1970's it may be possible to fly round-trip from New York to London for as little as $150 per person. This would open up foreign travel to an entirely new segment of the traveling public. It would almost overnight strain to the breaking point all the air travel facilities which exist today.

Just think how far we have come in a few short years. It wasn't very long ago that new airports such as the National Airport in Washington, D.C. were being described as white elephants with runways that would never be fully utilized. Today the air traffic problem at Washington's National Airport, coupled with weather, keeps incoming planes stacked up sometimes for as long as two and three hours. Its congestion problem continues even though some fo the jet traffic has been drawn away to Dulles International Airport. And today, strangely enough, Dulles Airport is being described as a white elephant which does not have sufficient business to keep it operating at a normal rate, and in my opinion all airports should be built along similar lines as Dulles. I have no doubt that within a very short time the facilities at Dulles will prove as inadequate as those at National Airport. But when that happens there will be plenty of room for expansion in all directions.

But there is in the development of new planes considerable reason for optimism on this score. The greater size and speed of tomorrow's planes should mean that the number of planes aloft will not grow as rapidly as the number of passengers and the volume of cargo. At a conservative estimate, the airlines' passenger business is expected to more than triple between now and 1980. Air cargo business may increase as much as ten times as capacity climbs and rates decline. But even with the larger and faster planes, the congestion in the skys over America will require elaborate new systems for electronic control of aircraft movements. Airports will have to be completely revamped, and this is the most important element in the whole problem of congestion. New arrangements will be needed for channeling passengers, handling baggage, etc.

In conclusion let me merely point out that if you are surprised at the developments which in two generations have brought us from the horse and buggy era to our first orbit of the moon, you haven't seen anything yet. There are even people in this nation today who are toying with the idea of using rockets to move mail and people at speeds in excess of 10,000 miles an hour. Of course, practical considerations at the present time rule out this possibility because of the limited demand for such flights. What's more, rocket experts in the aerospace industry claim that civilian passengers couldn't be expected to endure the discomfort of high acceleration and deceleration necessary for such trips.

It is safe to say, however, that we have reached a stage in our transportation development whereby the vehicles of the future will be so tremendous that they will be beyond the financial competence of private companies to develop and manufacture. Government help will be an absolute necessity. Consequently, the development of an overall national policy on transportation becomes more imperative every day.

Thank you for this opportunity of meeting with you here today and sharing some of the problems and some of the miracles which lie ahead of Americans in the field of transportation.

IRAQ PROTEST URGED

HON. MARTIN B. McKNEALLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. McKNEALLY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letter published in the Times Herald Record, of Middletown, N.Y., by a distinguished citizen and a longtime Member of the House of Representatives, Hamilton Fish, Jr. Mr. Fish has spoken out on the abominable hanging of the nine Jews in Iraq. Mr. Fish's protest speaks eloquently to the need of strong diplomatic action in behalf of the Jews of Iraq.

The editorial follows:

IRAQ PROTEST URGED

The statement made by Pope Paul that hanging nine Jews in Iraq raises a suspicion of racism and that the executions have "caused dismay and abomination in the world," raises a serious moral, humanitarian issue involving the rights of all free people.

The Pope's statement will be approved on humanitarian grounds by the free people of the world.

Twenty thousand Iraqi soldiers are located in Jordan facing Israel and have indulged in firing mortars, rockets, heavy artillery and machine guns into Israel villages, etc. Iraq has not been invaded by Israel. But racism does exist there as evidenced by the Iraq Army being in Jordan and by depriving Jews of their civil rights.

I urge President Nixon or Secretary of State Rogers, representing our traditional freedoms, to stress the right of all people in every nation to leave the country in which they live on their own free will.

Until the advent of communism, this has been the accepted doctrine throughout most of the world. In behalf of freedom and free people everywhere, the President or secretary of state should appeal to the Iraq government to show to the world that there is no racism there, by permitting 3,000 Jews in Iraq to leave for Israel, or wherever they want.

My grandfather, Hamilton Fish, as U.S. secretary of state, sent a firm protest in 1872 to the Czar's government against the shameful mistreatment of Jews in Rumania, and had copies mailed to all U.S. diplomats in Europe.

F.D.R. was strangely silent about the persecution of Jews in Germany under Hitler's regime and grievously silent later of Hitler's terrible extermination policy. The neutral nations of the world should have been aroused to make a world-wide protest by exposing the ghastly slaughter of millions of innocent women and children.

Abraham Lincoln said "to sin by silence when you should protest, makes cowards of men," and may I add, also of nations.

Unless the U.N. and the great nations of the world protest now, the extermination policy may begin all over again. It must not happen.

CAMP GARY JOB CORPS CENTER, LOCATED IN SAN MARCOS, TEX.

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. PICKLE. Mr. Speaker, at various times in the past, I have called to the attention of the House the fine work that is being done by the Camp Gary Job Corps Center, located in San Marcos, Tex.

Most recently, I spoke to you about the fact that the training cost per student at Gary is the lowest in the country for centers giving similar training.

In light of the recent indications that the administration of the Job Corps will be recommended for transfer to the Department of Labor, I feel it is urgent that we make an effort firmly to realize the importance of urban Job Corps centers like the one at San Marcos.

It is important, I feel, that we realize that the real mission of Gary is to give our young people from disadvantaged backgrounds the opportunity to pull themselves up and improve their potential. It is the job of instilling in them the confidence and the training necessary to get them started on the road to progress.

Camp Gary, with a relatively level enrollment of about 3,000, is rich in stories of the success of its alumni. Just over the past several weeks, I have seen two letters from former Gary corpsmen who have expressed ideas or accomplishments which are particularly noteworthy. Also, I received an especially good letter from a resident of San Marcos explaining his feelings about Gary, and at this point in the RECORD, I would like to insert these letters:

SAN DIEGO, CALIF.,
January 16, 1969.

DEAR MR. DOCKALL: If you take the time to think back to 1967, I believe you'll have very little trouble remembering me. For it was my pleasure to participate in the 1st Plymouth Trouble Shooting Contest for the Job Corps. My partner, Elbert Clark and I were very fortunate to have won. But with all the constant supervision and training it could have been no other way.

Presently, I'm in the Navy aboard the aircraft carrier Ticonderoga. Thanks to the training I received at Camp Gary I was able to obtain a fine job back in Pennsylvania. My former employer, Allentown Chrysler Plymouth, was very impressed with the training I had received in the Job Corps.

Now that I am enlisted in the Navy, I still hear from them. They have been keeping me informed of the latest developments in the Chrysler Products. Hopefully, to keep me up-to-date so that upon discharge from the service, I'll be able to take up where I left off.

Regretfully, though, I don't think I'll be going back to the automotive industry. I've realized that after all the training I had received in the Job Corps, it gave me more than a new insight on the future and the means to obtain a decent job. The Job Corps has given me something far more important. The will to learn, to set my goals higher, yet, to try to reach the unobtainable.

For although I've learned the trade of an auto mechanic, I am not as yet satisfied.

Thanks to the G.E.D. I received while at Gary I'll be able to enter college upon my release from service, not to continue on in auto mechanics, but to enter the field of data processing and computer programming. Quite a switch, but one I believe I am capable of making.

I've found that the climb up the ladder of success is not obtained when you graduate from Gary—far from it; I may have reached the very top there, but training I received at Gary was just the first rung on the ladder—and the most important rung of all—for we have to start somewhere.

Because of my training at Gary, though, I've been able to obtain a responsible job in the Navy. Currently, I am working on jet powerplant maintenance. It's quite different from the four-stroke cycle but with the basics nothing is impossible.

The Herrings, now living in Fairmont, West Virginia, have written me often and have recently stated they had made a return trip to Texas and the Job Corps.

They informed me that the last Trouble Shooting Contest was held at Gary and we came through again. To the team that put into effect the effort of a *team* to win it, my congratulations. For as long as there are qualified instructors at Gary and there are young men willing to learn, there will always be a winning team for Camp Gary.

With Nixon taking office in the next few days, I sincerely hope he'll continue the funds for the Job Corps. For if given the opportunity, a lost individual can find the way to so many doors through which lies a better way of life.

When I left in November, 1967, I promised to write many of the instructors and friends that gave me help and encouragement. Sorry I failed to do this, but I'd appreciate it very much if you would give them my regards and deepest thanks for all they have done for me.

Guess I'd better close for now. It's been a pleasure being a part of Camp Gary and a representative of Job Corps. My constant prayer will be that there will always be a Job Corps or something similar to it, so that young men can find new hope for the future.

Sincerely,

GEORGE L. HEINER,

SANTA ANA, CALIF.,
February 1, 1969.

Hon. J. J. PICKLE,
U.S. House of Representatives, Austin, Tex.

DEAR SIR: The first semester of college has now come and gone. As yet my final grades are not in but they were: Speech-A, Spanish-B, English-B and Geography-C at mid-semester.

During our debating this year several questions have arisen which our library has little information. Does Congress have an effective watchdog committee over the CIA, and has there been any serious violation of secrecy in Congress in recent years? Also, has a compilation of materials been issued on the topic yet by the Legislative Service?

That's what happens when Job Corpsmen go to college. All they have are questions. I'd really appreciate some answers though.

Thanks for everything.

Yours truly,

ERIC SAMUELSON.

SAN MARCOS, TEX.,
February 4, 1969.

Hon. J. J. PICKLE,
U.S. Congressman, House of Representatives, Washington, D.C.

DEAR MR. PICKLE: Having finished my graduate work in Social Work in June, I am now up to my ears in practice in the public welfare field again. It's good to be back in it again but pretty frustrating at times—although I doubt if you are a newcomer to frustrations yourself.

My purpose in writing you is to share with you some of the thoughts and feelings that have occurred to me over the past several months when "Welfare" has been the object of so much attention—and in some ways has been the scapegoat for some of the domestic headaches our land has experienced. I hope you will bear with me.

I keep hearing rumors that the Job Corps will be abolished. Six months ago I would have said, "Have at it." However, since October 1, 1968, I've lived and worked here in San Marcos where is located, as you know, the Gary Job Corps Center with around 3,000 young men enrolled. I have seen the marvelous accomplishments of this program and have recognized that for a surprising number of these young fellows, the Job Corps has been salvation. They have come from some of the most deprived homes in our country and without the training and self-respect afforded them by the Corps these young men would have married only to repeat their own family experiences and perpetuate public dependency, or respond to their sorry situations in some even more detrimental manner. It is contradictory, to me, for us to say we will fight crime and then take away one of the most vital weapons at our disposal.

I know Washington is concerned about dollars. But in the Job Corps we're not talking about dollars; we are talking about young Americans with feelings, hopes, desires, loves, and all things common to humans. We're talking about people whose country has permitted, even forced, them to grow up in unbelievable deprivation, attend schools which prepared them for an adulthood that would never come to them. They are people who would otherwise have no place in their own country.

I had hoped that Uncle Sam would give this program to non-government industry instead of doing away with it. Then, I hear on television and read in the paper of our fears of inflation . . . that the work-training programs in Detroit may have to cease, indeed their enrollments have fallen off because the industries are fearful. Nor do we need any reminders that anger and frustration do not sit idly by in Detroit.

So we are afraid of inflation, I do not question the wisdom of our fears. But does it follow that unemployment, deprivation, need must be initiated to curb this economic bogeyman? Surely greater thinkers than I must devise the plan, but when we have want and need in this great land of ours, in terms of our stated and historical affluence, we are missing something somewhere.

I guess perhaps I am more acquainted with these problems because I am in such close touch with them daily. How many families do I see in a week's time in which the father has gone simply because he had no way to support his wife and children. He leaves and the family deteriorates that much more. Had a job or training been available, the family might have stayed intact and independent. How many youngsters I see who become disenchanted with school because they cannot identify with Anglo-American values and goals—and I must honestly ask, "Why should they identify with these goals?" when realistically they have not been and for years to come will not be truly integral members of the Anglo society. Really, while we brag about being a Melting Pot, we have never melted; we are all Americans, but more, each individual belongs to his own culture be it Latin middle class, Negro upper class, South Texas Latin-poor, East Texas Negro poor, New York Puerto Rican ghetto-ites.

What I think I am saying is that our leadership should recognize this fact and programs should be planned accordingly. Black-owned and operated businesses is just one step in that direction. Black studies in colleges is another. But the elimination of services in existence which meet some of the gaps is not an answer.

I've rambled and maybe have bored you for which I apologize; however, I warned you earlier that this would be a sharing of thoughts. I am deeply concerned about what will happen in our streets and in homes if some of our marvelous resources get the ax.

In a lighter vein, I was amused at my brother's bumping into you and another Congressman in California last year when President Johnson visited Camp Pendleton. My amusement came from the fact that you had already been showered with correspondence from his Texas relatives and your escape from Beards seemed unlikely.

We do appreciate your efforts and are gratified by your always kind and thoughtful responses. Your re-election was a source of pleasure to us and we all wish you a very successful year.

Sincerely yours,

DAVID J. BEARD.

ALF M. LANDON SPEAKS AT INDEPENDENCE, KANS.

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, February 19, 1969

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD an interesting address given by the Honorable Alfred M. Landon at Independence, Kans., on February 18, dealing with Communist China and other matters, and presenting views with which not everyone will agree, but which are extremely cogent and well reasoned.

Having just been a weekend guest of Governor Landon, I am happy to report that he is in excellent health, and presents, as always, evidence of keen thinking and extremely cogent and interesting thoughts on national and international problems.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

EPOCHAL 4 YEARS AHEAD

(Address by Alf M. Landon at annual dinner meeting, Chamber of Commerce, Independence, Kans., Feb. 18, 1969)

Tonight I outline briefly the emotion-packed high-tension decisions in foreign affairs staring our President and the Congress and the governments of the world in the face that will shape the destiny of mankind for years to come. The big powers are all facing internal troubles. The Soviet invasion of Czechoslovakia has split world Communism.

There has been quite a flurry of activity in the last 30 days or so toward better political relations and workable accommodations between governments—rather than building stronger military positions.

1. The prelude was President Nixon's immediate acceptance of China's suggestion last November for a renewal of the Warsaw talks after a year or more had gone by without any meeting.

2. Then came Italy's announcement of negotiations with China, leading to establishing formal diplomatic relations between the two.

3. Then came the French proposal for a four power conference to work for a liveable solution of the perilous guerrilla wars in the Middle East.

4. Now Canada is exploring with China arrangements for establishment of formal diplomatic relations.

Early in 1968, there was the Chinese-Albanian treaty that gave China a military base for the first time in Europe.

That was followed by the Soviet's brutal and barbaric rape of Czechoslovakia that leaves the biggest Russian army in Europe since World War Two.

Put together—these make an impressive list of forces in motion that call for fresh thinking and realistic, responsible decisions leading toward peaceful solutions of unresolved difficulties in foreign affairs.

Nothing will do as much to relieve this tension as the successful outcome of renewal of de facto discussions between China and the United States. Day after tomorrow—on February 20—the conversations start again in Warsaw at the ambassadorial level for the first time in over a year. Their effect may be nothing. Their consequences can be incalculable.

The attention of foreign offices all over the world will be focused on Warsaw next Thursday. China and Russia—the Orient and the Occident—are not natural allies.

As a matter of fact, the United States government gave China de facto recognition in 1955 under President Eisenhower, when we began these ambassadorial talks in Warsaw. Now President Nixon is looking forward to this Warsaw meeting as the opportunity to cover a wide range of Chinese-American affairs, in the light of substantive changes in the past several years in international relations.

The Middle East is linked with Vietnam in the mounting crisis of international relations.

In his presidential campaign, Mr. Nixon said:

"The next President must conduct a series of meetings at the presidential and other levels with the leaders of the Soviet Union. I would always talk with the Soviets. I think we have got to have negotiations with the Soviet Union. There are certain areas—the Mid-East is an example—where the U.S. and the Soviet Union simply have to sit down and talk; otherwise we are headed toward a confrontation that could explode into a nuclear war in the Mid-East."

I would add Vietnam as paralleling the Mid-East—as far as the possibility of a military confrontation with Russia is concerned.

Three weeks ago, the Soviet blamed the United States for increased fighting in Laos. England—co-chairman with Russia to protect the neutrality of Laos—in a formal reply to another Soviet lie—placed the blame for increased fighting in Laos right dab on the Communists.

It has been obvious from the start that the Soviet is the key to a realistic settlement of the Vietnam war—just as it is in the Middle East. The Soviets' ambivalent policy and customary duplicity with Czechoslovakia has heated up the cold war and generated old major questions that fading NATO has never answered. Dennis Healy—British Defense Minister—the other day—pointing to a potential drift of the world into two superpower spheres controlled by the United States and the Soviet Union—warned:

"If Europe is not prepared to maintain a common and unified position on the problems now being debated by America and Russia—then it can hardly expect to have the slightest influence on any such dialogues."

Once more, it has opened the question of whether it is a swing to the beastly barbarianism of Stalin the Terrible of conquering the world by force—and how far the Soviet can be trusted in negotiations for a meaningful—actual—and sincere coexistence based on peace and national growth.

At the same time—inside Russia—freedom has been stifled within the past months by secret trials—censorship and secret police.

Despite all this double talk and the cold war tactics of the Soviet—as I said years ago—as long as we are talking, we are not shooting.

In the Middle East—our President is confronted with explosive events over which he had no control that called for immediate crucial decisions.

Basically, they are of coexistence also. They are the open and continuing adjustment to the first Israeli government—since the Roman conquest. In all the Middle East, there were centuries of relative peace under the Roman Empire—under the Islamic Califs and the Ottoman Empire—when that area slept for centuries except for two Christian crusades. By the beginning of the 20th Century, peace was shattered by the rise of Arab nationalist governments at the time of the first World War and the Israeli government at the end of World War Two—and really has not been restored since then.

In a nutshell, it is the case of two new competing nationalisms that exist elsewhere today.

Another obvious potentially explosive case that will sooner or later dominate international relations is the new developing nationalism of China—a huge country with one-fourth of the world's population—virtually untapped immense natural resources and expanding nuclear power.

Despite our de facto recognition, the United States really refuses to face the fact of the existence of China—just as the Arabs refuse to face the fact of the existence of Israel. President Nixon now has the opportunity—in concert with other Asian allies—to correct our unrealistic China policy based on the premise that America occupied such a pre-eminent position in world affairs that its boycott of China would work.

With one stroke of his pen, President Nixon can make the biggest—the most constructive and substantive change in the world's international affairs—by taking the lead in coordinating normal relations with China—just as President Franklin Roosevelt did in 1933 by establishing diplomatic relations with Russia—after the United States and Soviet Russia had established de facto ties in a number of fields in President Coolidge's administration.

Professor James C. Thomson, Jr., of Harvard—Asian specialist in the State Department from 1961 to 1966—said recently: "There can be no viable peace and little stability in East Asia until deadlock gives way to mutual accommodations in Sino-American relations."

I supported Mr. Roosevelt in this Russian policy. Since 1948, I have urged recognition of the existence of China by the United States and its admission to the United Nations.

For really the first time since President Johnson rejected China's proposal in October, 1964, for a conference of world powers to abolish nuclear weapons—China is showing interest in renewing conversations that can lead to meaningful changes.

Then the Soviet—after two years of silence ignoring it—accepted President Johnson's invitation to discuss limitation of the arms race.

The China policy remains an open question for our new President—who is not tied to a previous fixation that the peace of the world depends on the United States cold war containment policy.

If China is changing its policy of isolation—and other great countries like Italy and Canada are once more establishing normal diplomatic relations—that will be a far better foundation for avoiding a nuclear war than the non-proliferation treaty that is now pending ratification in the U.S. Senate.

As I have said repeatedly in my strong support of President Johnson's building bridges with Russia and China—I did not want to sleep in the same room with Kosygin—with my pocketbook in my pants over the back of a chair. The same goes for Mao.

Diplomatic recognition and diplomatic relations do not involve trust between two governments.

Look at Indonesia. That incipient power kicked out the Chinese Communists' attempt to conquer it by subversive tactics and assassination; yet both countries still maintained their diplomatic relations. Look at India—that still maintains diplomatic relations with China—despite that country's crossing the Himalayas and taking Indian territory by force.

With the substantive changes in the last few years in world affairs—President Nixon has the opportunity to encourage and develop new and better contacts in our de facto relations with China.

China may be thinking that way, too.

Diplomatic relations does not necessarily mean friendly relations. It is the oldest way known to mankind to relieve tensions—by talking.

It can be a big factor in a satisfactory settlement of the Vietnam War—for that war is a part and parcel of entire international relations. It can open big new markets in China for American products—agricultural and manufactured. Oh, yes, I know that transistors, sewing machines, textiles and steel from Japan are selling in American markets. However, a government policy that prevents its citizens from trading with one-fourth of the world's population does not make sense.

The recognition that a Chinese government actually exists in much more than a shift in our foreign policy. Merely developing better diplomatic relations between the United States of America and China will be a change that will be felt around the world . . . a favorable one—except in the Kremlin. It will transform all international relations and shape immediately a new political world.

I am not talking about a treaty of any kind—or the complicated questions involved in China's admission to the United Nations. Nor does it involve any question of so-called hawks or doves—negotiating political problems from superior—or sufficient—military strength—or that political problems must be settled preceding any discussion of limitations on arms. It is just the first step that, in time, can well lead to other more complicated steps. It is simply a thaw that permits work to start in the seedbed of sounder international relations. This will not be accomplished over night or in one harvest.

The simple mutual exchange of embassies between governments enables each country to better understand the thinking of the other.

However, that is more than a procedural form. It provides face to face discussion of more difficult matters. There will be a long way to go to reach any workable settlement of new and viable peaceful international relations in Asia and elsewhere in the world.

Because Mr. Nixon made no fixed and definite prediction in his campaign on his foreign policies, he is now able to take a fresh look at international affairs. He is in a flexible position where he can follow a reasonable and realistic quid pro quo policy.

The London Times describes President Nixon's foreign policy position as an enigma. So far, this mystery has brought about some indications—slight as they may be—of more flexibility in China's and Russia's foreign policies. If President Nixon succeeds in building with China simple diplomatic relations—that means far-reaching changes of infinite importance in our own policy—which was based on the old balance of power theory of Russia and the United States supervising world affairs. President Nixon has already made it clear that his policy will be coordination and cooperation with other governments when and where that is possible.

In a nutshell, the conference to be held at Warsaw between America and China can have more significance than the peace conference now going on in Paris.

That will take some time to develop just what change the Soviet and Mao really intend in their heretofore intransigent positions. It is somewhat obscure whether China really has a stable government. The upheaval in China may have put Mao in a position where he, too, wants to create a diversion. That can also be true of the Soviet.

For sure, one place it can manifest itself is in the Paris Conference with the Vietnamese. For both Russia and China are keys to the settlement that may be arrived at there.

So that change, if any, in Moscow's and Peking's foreign policy is not for the future. It is immediate—not only for the end of the Vietnam War—but also for our domestic problems—for the streets and alleys of America—as well as the jungles and rice swamps of Vietnam.

If we want to move toward a general relaxation of tension in the world, the quickest way is to move toward a basic change in our China policy.

We have been repeatedly admonished that—if we just had patience—we could win the Vietnam War. In a nutshell, I am arguing that we need that same patience to find a sound, peaceful political solution to foreign affairs.

Establishing normal diplomatic relations involves no concessions by either government. The impact of diplomatic relations between China and America will have the same effect on our defensive role in Asia and governments throughout the world as beginning the withdrawal of American troops from South Vietnam.

A reversal of a major policy is never easy for any government. Our President can well be confronted at any time with serious events over which he has no control that will call for immediate crucial decisions.

Mere establishing of diplomatic relations with China is only the beginning of a realistic change in the American concept that Communists are straight from hell and that the Chinese are double-damned. That has been drilled into us for a generation. And, of course, China has that same picture of us. They called our soldiers "foreign devils" and "devil devils." What is evil to the Chinese is not evil to Americans. Anyhow, you do not abolish evil by ignoring it.

These are truly fast changing times. Therefore, it is essential to have the first complete inventory of our world affairs. "The Cost of World Leadership," recently published by the American Bankers Association, is a realistic appraisal of our nation's involvements.

James W. Fulbright, as Chairman of the Foreign Relations Committee of the Senate, has just started the essential sweeping detailed review of our foreign policies—excepting Vietnam. "It is hoped," the powerful and courageous Senator said, "that this review will result in constructive recommendations concerning the involvement of the United States armed forces abroad—the impact of United States overseas commitments and the military capacity to honor them," such as—

1. By treaty, the United States may now be committed under varying circumstances to use its armed forces in defense of 42 countries.

2. Five major congressional resolutions delegate various degrees of authority to the President to involve the United States in military, economic or political action abroad in places such as Formosa, the Middle East, Berlin, Cuba and Southeast Asia.

3. Bilateral economic aid is provided to 73 countries and military aid to 48 countries.

4. The proposed 1971 budget estimates an expenditure of 81.5 billion dollars for national defense, plus 3.7 billion dollars for international affairs and finance.

As Senator Fulbright so correctly said, "These foreign commitments and other foreign involvements which may be short of commitments, obviously have a significant impact on United States diplomacy and vice versa."

Another dire necessity is an inventory that covers the state of our national defenses. Our President has wisely frozen the construction of the "thin" IBM system.

Our national security depends on the efficiency of our national defenses. Our political policies, domestic as well as foreign, depend on the state of our national defenses.

I do not believe the American people are aware of the extent of the lag that has occurred in the last five years in stretching out our military equipment beyond the safety factor because of the cost of the Vietnam War.

This calls for a complete reassessment and re-evaluation of what America needs to provide a margin of safety for its existence as the greatest and most powerful republic in the world. America seeks neither land—nor colonies—nor gold—nor domination of other peoples—as the Russian hierarchy and the Chinese hierarchy do. We do not need any of these for our existence—as the fearful men in Moscow and Peking believe they need for their existence. The growth and development of nuclear weapons and mass communication has not only eliminated the old balance of power policy. That is also restricting dreams of world conquest by any would be conquerers.

In the last five years or so, there has been a dangerous lag in our military hardware equipment inventory—particularly in the Air Force—both in obsolescence of the present equipment and in its numbers.

Senator Stuart Symington told the Senate last October that "The United States has not produced a single new fighter plane since 1955—despite spending billions of dollars on aircraft development. . . . The Soviet Union has flown 18 new fighter models, seven of which were first photographed at the July, 1967, Moscow Air Show."

Without going into details of the hearings before the Armed Forces Committee of the U.S. Senate—this highly dangerous status of our Air Force needs to be corrected forthwith—regardless of cost.

The same is true—to some extent—of the Navy. Building nuclear powered submarines and carriers has lagged—along with the modernization and improvement of our strategic missiles. I quote President Nixon as of last October: "America must come to grips with two critical facts: First, the Soviet Union is making a very impressive bid to become the world's No. 1 sea power. Second, the United States has not been doing what it should to keep them from overtaking us."

There is a drastic need for an overhauling of Defense Department planning and buying methods. I am not advocating a crash program. I am advocating an orderly program that will be based, say, on the next four years—each year fitting into the previous year in the essential and critical rebuilding of our national defenses. The Army, the Navy and the Air Force plan to supplement each other and do the specialized work they are best equipped to carry out efficiently.

Along with the political crisis in world affairs is the monetary maelstrom high-lighted by the failure to find any long lasting solution to the world's currency problems.

I have always believed—and still do—that chronic deficit financing created economic and political instability that produces restlessness, turbulence, uncertainty, trouble, that make difficulties in the development of a sound, equitable policy by a government recognizing its responsibility in maintaining and expanding opportunities for the good life. By that, I mean the happy—healthy life. By and large—our American government has given the American people the greatest measure of happiness of any peoples in the world. That does not mean that we cannot do a still better job now.

National security—full employment—national growth—a rising standard of living and a stable currency are what any one—right or left—would be happy to achieve.

All these factors must be kept in focus—as they are all intermeshed with our foreign policies on trade—the price of gold—confidence in our national administration—ability to keep its agreements with other governments—creating new markets by political and financial assistance—opening up new markets in Africa, Asia and the Western Hemisphere—all with practically unscratched immense natural resources.

The left think that goal can be reached only by a planned and controlled inflation—and that talk of a balanced budget is for the birds. That is the Keynesian theory of the new school of economists—despite the fact that, in all history, there has been no example of a controlled inflation. Yet it is this very lack of balance that underlines that inflation is still a serious problem that handicaps effective organization of sound and workable domestic programs.

They even ignore current history of the United States, England and France—all with that same goal and the same road of mounting inflation, and that the West German mark is the strongest currency because it has followed the old time tested fiscal policies of a balanced budget.

The English pound and the French franc have gone through one crisis after another and have been steadily devalued. The pound sterling is no longer a reserve for banking and government funds in the world. Both the pound and the franc have been saved temporarily from further devaluation only by foreign aid from other countries.

Whether they can survive this year without disastrous devaluation is still a monetary question that directly affects the life of every Frenchman and Englishman and many, many other peoples, also. If the franc and the pound are devalued, the pressure on the American dollar is greatly increased.

Our dollar has been in an extremely precarious position for several years. It was saved two years ago by the courageous action of William Martin, Jr., Chairman of the Federal Reserve Bank, in raising interest rates as a brake on inflation. They were lowered when it accomplished that purpose. They were raised again two months ago to prevent a new surge of inflation. Inflation, in simple terms, means a new surge in boosting the cost of living.

Another courageous and powerful leader in the Congress from Arkansas is Wilbur D. Mills, who—as Chairman of the House of Representatives Ways and Means Committee—actually controls the fiscal legislation of the Congress. Congressman Mills said recently that tax legislation required vigorous and strong leadership by a president.

It can also be said that the support of Chairman Mills and his House Committee is also essential to a president in persuading the Congress to enact his fiscal recommendations. Mounting inflation has changed more governments than wars. Therefore, accord between President Nixon and Chairman Mills on fiscal and trade legislation is of the utmost importance and necessity for our stable national economy, and sound national growth that are the base of our national leadership for world peace.

Last Thursday, Under-Secretary of State Richardson in Paris at the International Economic Forum, clarified another major Nixon policy—pledging the administration's support for "a more open system of world trade." Mr. Richardson—referring specifically to America's monetary policy—said:

"We intend to intensify our efforts to restore price stability and to go about it properly. It is a basic objective of the new administration to regain control of the price and wage situation in the United States. To this end, we shall hold to a sound budgetary position."

Thus, our President continues to waste no time laying the crucial decisions right on the line on foreign policy—national defense—banking and trade—in a strong way that dispels doubts and wins support from bi-partisan sources.

Basically—these vast and intricate issues are as old as the protests of the prophets on the hills of Judea against the leadership of their world; as new as mass communications—mass production—mass population—malnutrition—automation—super jets—spacecraft—and the shadow of mass death in a nuclear war. That is the time we live in.

America—still a young nation—and with the greatest economic resources in the world—the greatest popular government in this world in size—with blocks of voters still influenced in their thinking by older ethnic origins—with a great variety of interests—both domestic and foreign—the Atlantic coast historically more interested in Europe and the Pacific coast in Asia—with the greatest mass communications in the world—requires a national leadership with the backup ability to get over to American voters the soundness of his policies. A president who has that ability can mold the whole atmosphere and tone of American political—social and economic life.

In his hands is the fate of civilization. All over the world, countless millions of faces are turned toward him—watching for his fateful decisions.

That is the destiny of our President. Mr. Nixon is not shrinking from it.

TRANSPACIFIC ROUTE CASE

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. BRAY. Mr. Speaker, Members of Congress are well aware of President Nixon's recent action in requesting the CAB to return to him for review and decision the international phase of the transpacific route case. The President now has a golden opportunity to bring order out of chaos. I call to the attention of Members of the House an article by Mr. Wayne W. Parrish, who is not only the most distinguished publisher in the field of aviation today but an expert whose opinion I commend to the administration. Mr. Parrish has written a no-nonsense article in the current edition of American Aviation which deserves the full attention of the White House and our foreign policy advisers.

The article follows:

PERSONAL VIEW: AN OPEN LETTER

(By Wayne W. Parrish)

Mr. ROBERT ELLSWORTH,
Assistant to the President,
The White House,
Washington, D.C.

DEAR MR. ELLSWORTH: According to the memorandum you issued Feb. 7 to all of the concerned parties, President Nixon has assigned to you the task of co-ordinating the complex and troubled transpacific route case.

You are a three-term congressman from Lawrence, Kan., so you have some knowledge, at least, of the workings of the capital city. At 43, you possess, presumably, a still-young mind. One deeply hopes that you are aware of the magnitude of the challenge before you.

One hopes, also, that you will lift this case out of the muck of ignorance, stupidity, self-serving private interests and the host of rancid pressures, and help to get it settled in the interests of the United States of America, its people, and the traveling public of the world—to say nothing of a settlement that will result in an economically strong air transportation industry.

One hopes that you will start with a fresh and clear mind. Before you begin wrangling with partisan pleas and hired rainmakers, it is hoped that you will ponder these few basic and simple questions: Just what are the air transportation requirements for this vast area of the world? What are the specific and special interests of the United States? How much service is already being provided, and by whom? How much can it stand? Better yet, what is the potential? And will you take the time to consult those who have independent knowledge of the Pacific and its peoples and its trade routes?

It is quite clear that the decision by the Civil Aeronautics Board gives you little to work on. Those five members, frustrated by ignorance, pressures, distortions, commitments and cozy desires to please somebody and offend no one, never really looked at those basic questions and answered them first before divvying up some route plums in a grand neutralization of cross-pressures. The end result was a hodge-podge of service that didn't even please their best friends, although no "winner" would ever show his displeasure out loud. Let's face it, Mr. Ellsworth, the decision was one helluva big bumble.

Now let's look at the Pacific very briefly. There are two distinct categories of air traffic to be considered. One is point-to-point *transportation*, the kind one envisions in a certificate of public convenience and necessity, to transport people in business or government and other walks of life who *have* to travel and want the service available on precise schedules. The other is pleasure, or tourist, or promotional travel, and if you know anything at all about the Pacific you would know that the opportunities for this type of travel are almost unlimited, as Hawaii has demonstrated as a starter. Some airlines are strong in the first category, others are strong in the second.

Let's look, too, at another important factor. The government, meaning both political parties over an extended period of years, seems to have determined that the United States should have, for reasons too numerous and obvious to delineate here, two American round-the-world airline systems. One system is and has been around the world. The second lacked the Hong Kong-mainland segment to complete the global circle. The fact that the CAB *did* decide to complete the circle for the second carrier would seem to indicate that this two-system policy has been unchanged, even though the CAB could hardly have chosen a more ridiculous manner in which to do it.

One of the big problems in the northern Pacific was American Airlines, which wanted very badly to fly to Tokyo via Hawaii. The CAB seemed to agree with this, although its method of requiring through flights and the use of second-rate mainland terminals was as nutty as a fruitcake. But let's ponder this problem. Is a single route to Japan via Hawaii, dead-ending either in Japan or Korea, a really economical and suitable route? We don't think so, not when other considerations need to be made, especially existing competition and the national policy of two round-the-world systems.

And yet here is American, one of the finest airlines in the world, cut off, as of now, from even going to Hawaii. It is incomprehensible how anyone can justify forbidding American to participate fully—inland and from coast cities—in the lush Hawaii tourist travel market. American should be in Hawaii without any per-adventure or doubt. But for its own good, and for other considerations, it should not, at this stage of Pacific development, try to bust into the Tokyo market with a dead-end route.

All right, then, Mr. Ellsworth, what about the second round-the-world system, which happens to be TWA? The logical route, *and the only logical route,* to close the global gap is via Japan. If not Tokyo, then Osaka. It seems very clear that in its fumbling and bumbling, the CAB picked a route across the Central Pacific via Guam simply as a way out of a pressure dilemma. But if common sense and the national interest are the criteria, then TWA should most certainly go from Hong Kong to Japan and then the U.S., via Honolulu, with no ridiculous restrictions.

So now, Mr. Ellsworth, we have removed TWA from the Central Pacific, so what should go there? Easy. This is a promotional route, an area that is susceptible to great development for tourism, an area of romantic islands waiting for hotels and resorts, waiting for an airline that has a will-to-do, a flair for promotion, an airline with a little risk and adventure in its blood. This entire Central Pacific would be a field day for Continental. Give it the *area,* not arbitrary lines; extend it through Guam to Okinawa and then to Taipei and then to Hong Kong. This is the route it wanted, this is the route it can do better with than any other airline we know about, and Continental would make the Pacific as popular and low-cost in its way as the Atlantic and Caribbean are today.

But what do you know, Mr. Ellsworth, the CAB decided to send Continental to New Zealand and Australia, and a more bumbling, cockeyed decision we can't imagine. In the first place, it shows that the CAB didn't do its homework at all, because any U.S. airline that flies to Australasia absolutely, *without any question whatever,* must be strong in the eastern part of the United States, namely New York City. The route to Australasia is essentially a business route. If an airline can't tap traffic coming across the Atlantic, and tap traffic from major industrial cities, and if it operates only in the western U.S., it is a pitiful sitting duck for the strongest airline combination in the world: the British Commonwealth Pool.

Does the CAB know how strong BOAC, Qantas and Air New Zealand really are? Yes, the current traffic figures on the Pacific may not seem too impressive, but the pool is strong and it controls a vast amount of feed-in traffic. And do you know something, Mr. Ellsworth? If you want to cure the meager traffic results and high fare levels in the Pacific, you don't listen to foreign airlines. You put a strong American carrier on the route and traffic will grow. There are three decades of experience to justify that statement. The CAB served a tough deal on Continental because it was compromising compromises without either guts or knowledge entering into the decision, for Continental is not a transcontinental carrier.

So who, then, should fly to Auckland and Sydney? We leave it up to you with this single premise: The only American carrier that can succeed on that route must be strong in the East, especially New York. Since TWA is presumably already in the Pacific and American showed no interest in Australasia, you have a choice of two airlines, United and Eastern. United is the stronger in terms of industrial and traffic-generating cities. Eastern proposed an imaginative and interesting route system that might well be a winning answer to the competitive situation already existing. In the hearing before Examiner Robert Park, Eastern certainly chalked up the highest marks for resourcefulness. But take your pick; here are two A–1 choices, and positively the only ones that can serve that market well.

Now, Mr. Ellsworth, you will be getting a lot of pressure from the State Department transmitting complaints and pressures from other governments. *I say to hell with them.* I say a lot of those pressures are being promoted within the U.S., anyway, for selfish protective reasons. I say it is high time that we tell the Japanese that we are going to have a second round-the-world carrier serving their country and they can take it and like it or we will simply stop giving Japan Air Lines our birthright, a policy that we have been following. Mr. Ellsworth, do you think you could possibly get over a message to our Department of State that it works for the U.S.A.? Do you think you could convince them to tell other peoples, for once, what we want to do and what we are going to do? Up to now, the marshmallows over there have done nothing much but give everything of ours away with minimal benefits in return.

Now of course Australia and New Zealand will protest. They aren't so stupid as not to do so. But how valid are those protests? Are we simply to sit back and guarantee *them* monopolies to carry *our* American traffic, or can't we do some carrying ourselves? Mr. Ellsworth, you have a personal challenge. Need I say more?

Another thing, Mr. Ellsworth. The Pacific has been a football politically for two decades. It has been bottled up. No need to go into all that, but it's been a sort of private enclave. So was the rest of the world until that enclave was busted up and we got some competition, and who is there in heaven or hell who can say that the competition hasn't been healthy for everybody concerned. Let's open up the Pacific to *American* air transportation, but in the name of all that's holy, let's pick the right carriers for the right jobs.

Let's see how well you can do, Mr. Ellsworth. For if you botch this thing up as much as the CAB did, I, for one, will haunt you for years to come. For I'm a very proud American and I know the Pacific and I know the airlines and I want to see something done the right way for once. On with your job, Mr. Ellsworth.

RELIEF FROM "FORMS" FOR SMALL EMPLOYERS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. ZWACH. Mr. Speaker, it is relatively easy today for the citizens to slip into the mistaken belief that the Federal Government is not only the source of new money, but that it is also the producer of new income. With this growing misconception, it is becoming easier for the administration to force more odious and costly chores upon those people who have created the employment so that a portion of the earned income can be collected and directed to the Federal Treasury.

With rapidly increasing Government spending, the Federal Treasury has experienced an ever-growing need for cash, and thus, by regulations, has required small employers to file income tax withholding statements monthly, if the withheld amount equaled at least $100. This, while it may have helped the Government in its solvency problems, has also tripled the amount of bookwork that most small employers are forced to do for their country.

Therefore, I have introduced a bill, to make this filing voluntary, rather than mandatory for those with fewer than 10 employees, or having withheld taxes amounting to less than $1,000 during a month. At the present level of pay, and with the prospect of ever higher labor rates, the previous $100 minimum could be reached with only one employee.

This measure will not only cut down on the number of forms required from 12 to four, if the employer so chooses, but it could also save a great many man-hours of nonproductive labor that the small businessman has previously been donating. It will allow more leeway in the scheduling of employee and employer vacations and activities.

CREATION OF A COUNCIL OF ECOLOGICAL ADVISERS

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. TUNNEY. Mr. Speaker, America has been blessed with abundant resources. Together, all of our resources comprise the basis of the environment of the wealthiest Nation on earth. Until this century, our Nation was primarily occupied with the development of most of those resources—with the mining and processing of mineral deposits, the planting and harvesting of the land, the cutting and milling of timber, the transport and industrial uses of water, and the mining, drilling, and processing and combustion of fossil fuels. In the early part of the 20th century, conservation of some of the overexploited resources of our country became a national interest. The Government began to take steps against the misuse of our most precious national wealth next to our people, the natural resources of America. Characteristically, conservation was first concerned with the most obvious blemishes resulting from earlier misuse—denuded timberland, eroded farmland, very inefficient and wasteful mining and processing operations, and eventually polluted and poisoned waterways.

In the past two decades the concern over the resources of our environment has grown immensely. Not only are we concerned with the impact and effect of that use and misuse of our resources, we are now concerned with the impact and effect of that use and misuse throughout our environment. Man and nature have altered our environment, and in doing so, have altered the ecology of our Nation—the interrelationship interaction of all parts of our environment. We are no longer concerned just with the misuse of mineral deposits and its impact on the land. We are also concerned with the poisoned waters resulting from poor mine drainage. We are no longer concerned just with the agricultural problems which result from the misuse that created the great midwestern dust bowl; we are also concerned with the effects of the dust in the atmosphere and the air breathed by millions of people in those agricultural States. We are no longer concerned just with the inefficiency and waste of poor smelting and metal processing; we are concerned with the impact of poisonous air emissions on the lungs and lives of millions of urban and rural dwellers.

We have not yet dealt with these problems effectively. We have not even considered all of the problems besetting our environment and their effect on our ecology. We have a tendency to deal with problems in a piecemeal manner. We do not anticipate a problem in a so-called preventative fashion. Rather, we let problems reach a point where we must try to cope with them in order to keep them from getting even more out of hand. This certainly has been the case in the area of environmental quality control.

The Congress, State, and local governments, and industries have only recently begun to show their concern and awareness of the problems of air and water pollution in the face of the ever-increasing outcry of public dissatisfaction. We have, however, continued to act in our manner of responding to problems once they have become large enough to attract national attention. We have been caught ill-prepared to deal with these problems, and the indecisiveness of our legislation is indicative of our lack of foresight. While we are presently looking at the two giants in the area of environmental quality control, air and water pollution, we are not viewing them in a sophisticated enough manner, nor are we paying enough attention to their impact on each other and on the entire environment. We are not giving enough consideration to other problems which will increase with our national growth if they continue to go on unchecked.

We have a need to look after the entire environment and the ecology of that environment. We must know the relationship of air to water pollution, and of each to solid waste matter, and of all to each other. We must understand the effects of radiation on all forms of pollution, the effects of pollution on the weather, the relationship of topography to pollution, and the beneficial combinations of urban planning to topography and the relationship of that combination to pollution abatement. We must understand the impact of environmental change on human beings, and how the changes in the quality of the atmosphere and the appearance of the environment affect man both physiologically and psychologically.

We have a need to understand our physical surroundings and the ecology of that environment better, so that we may direct our efforts at beneficially altering our environment, and so that we may be able to foresee future problems that could be averted at an early stage. We must have an overview of our surroundings so that we can understand our strengths, weaknesses and needs, and act accordingly.

At present we are dealing with many of the problems of our environment in many areas of the Government. I do not question that each of these areas has a special and particular interest in its area of authority. The Public Health Service in the Department of Health, Education, and Welfare certainly has appropriate interest in air pollution. For air pollution has direct effects on our health. However, the Department of Transportation also has an interest in air pollution as its relates to automobiles and their ability to create air pollution, and as it relates to decreased atmospheric visibility which affects air transportation. Commerce has obvious interests when one of the great sources of air pollution is industry, and agriculture is keenly interested in the impact of polluted air on crops and vegetation. I do not deny that each of these departments has a specialized and necessary interest in air pollution.

The Department of the Interior has an important concern with water pollution, for it has jurisdiction over the billions of gallons of water which come from areas of Interior's jurisdiction. The Department of Housing and Urban Development also has an intense interest in water use, for it must concern itself with the water needs, and water and sewage systems of the great cities. Agricultural use of high quality water is a need that speaks for itself. Industrial use of water again involves commerce, and there are obvious health needs in water purification systems. Again, I maintain that these areas all have individual, legitimate, and necessary authority in these realms.

The Atomic Energy Commission has obvious authority in the area of radioactive materials. The Department of Health, Education, and Welfare has interests in the health aspects of these potentially harmful materials. The Department of Defense has needs for nuclear fuels, and every department involved with water which is interested in desalinization as a source of additional fresh water has considered atomic facilities for such processes. These interests each have certain special concerns, and I feel that they are rightfully exercising authority in their own particular areas.

I could go on and on, but certainly it is not necessary. There is nothing wrong with this departmental specialization in related fields; it is advantageous for the Government to look at problems from a variety of specialized points of view. There are, however, some major needs which are not being met.

First and foremost is the need to view the entire environment and its total ecological interaction. It is essential to relate all of these areas of interest to each other. The environment is certainly composed of many more elements than have been mentioned here. And the ecology of the environment—the interaction of all of those elements—is something that I could not entirely explain here for we do not yet entirely understand it. That is my point. The understanding of our ecology is essential if we hope to successfully deal with the many problems of our environment. The understanding of our ecology is essential if we hope to create programs that will alleviate our environmental problems, both now and in the future. The understanding of our ecology is essential if we are to make the various individual programs in our Government relate effectively to one another, and to advance our activities in the realm of improving the entire environment. An effective overall view of the environment and its ecology will enable us to evaluate the effectiveness of our present efforts throughout the Government.

It is for this reason that I introduced the "Ecological Advisers Act of 1967." I have reintroduced the bill this year since I feel that the problems of environmental pollution are greater than ever and are threatening the very existence of mankind. Strong action is needed to meet this challenge.

The purposes of this Council are manifold. Primarily this branch of the Executive Office is to provide an overview of the problems of the ecology of the national environment, and to recommend and develop ideas and concepts for the implementation of programs designed to improve, protect, reclaim, restore, and conserve the various aspects of our environment. The Council is to establish devices for reviewing the effectiveness of, and the need for programs throughout the Federal Government, or sponsored or supported by the Federal Government, in related areas of environmental or ecological quality.

The most important of the Council's tasks will be the relating of the various areas of environmental interest to each other, and the development of creative concepts and plans for the continual improvement of the ecological and environmental conditions of the Nation.

The Council is also to direct the coordination of the efforts throughout the Government by its appraisal of programs. Through its staff and research facilities, it is to streamline and coordinate the research activities of the various areas of Federal interest and involvement in ecological questions. The Council will also advise the President on the allocation of funds for the various Federal areas involved with environmental questions.

The overview of the Council will be directed at the entire ecology of the environment—from the point of view of man and his needs. Ecology itself is not a concept which directs itself toward the effect of the interaction of the elements of the environment on one individual organism or element. However, in the case of the Council, we are interested in the environment and its ecology as it relates to man. The Council should not occupy itself with the narrow definition of each constituent element of the environment, but rather with the overall interaction of the constituent elements as they relate to man through their interaction with each other and with man. The Council must take a larger and not a smaller view of the picture of the environment. It must take a creative and comprehensive look at the ecology of our environment, concerning itself not only with the physical implications of the environment, but with the psychological and sociological implications of the conditions and interactions of the ecology of the environment of man. This will certainly include both the manmade as well as the natural elements of the environment.

The need for such a Council is clear. I have been in contact with representatives from industry, Federal departments, the Executive Offices, and scientific specialists, and they all express the idea that, in one form or another, some type of overseeing body is necessary to deal with the ever-increasing and continually proliferating questions and areas of authority concerned with our environment. They all affirm that an ecological view is necessary. There is a need to develop a long range view of the problem, and corresponding long-range plans. There is a need to see that those areas of the Government dealing with various environmental problems are able to bring all resources to bear on those problems, are using all of the material available to the Federal Government, are not duplicating other efforts and programs, and are far reaching and creative in their efforts—with an understanding of the relationship of their projects and work to other related undertakings other places in the public and private realms.

It is only fair to ask questions concerning the placement of such a council at the level of the Executive Office of the President. Once the need for such a body was determined, careful consideration was given for the placement of such an overseeing policy body. During the course of deliberations, the places considered for such a governmental function varied from a new Cabinet-level department to an Assistant Secretary of Health, Education, and Welfare.

It has become increasingly clear that a body created to deal with the entire environmental ecology must be in a commanding place in the Government if it is to be in any position to get an effective overview of national efforts and is to be a far-reaching policy determiner. If it is to be such an overseeing body, it cannot be placed in the structure of any one department involved in any one area of ecological or environmental quality control. It could never oversee or direct the efforts of activities in other departments equal in stature to the department in which it was a subdivision. Therefore, creating an Assistant Secretary, or some such similar position in an existing agency would essentially be impractical and make such a body or position impotent.

On the other hand, there is no desire to create a "superdepartment"—a department to collect all of the various environmental quality research and control functions rooted throughout the various agencies and departments. As stated earlier, there are certain specific areas which are best kept where they now are, and such a massive reorganization would only postpone further the needed advances in this field.

The logical place for this Council, therefore, is at the level of the Executive. There, as a result of its position and its composition, and through its contact with the President, it is in a position to direct and enhance the activities in the Federal interests in environmental quality control, and to exercise independent and creative judgment in a previously much neglected field.

The power of this Council is derived from a number of areas. First and foremost is the position of the Council in the Executive Offices of the President. The ecological advisers should be the executive equivalent of the Council of Economic Advisers, and through their function of reporting directly to the Executive on a regular and frequent basis, and recommending policy, programs and allocations, the advisers maintain a prominent and powerful position in the Government.

The composition of the body also lends itself to authority both within and outside of the Federal structure. The prestige value of a membership composed of experts and outstanding figures from a number of areas of private service should enable the Council to wield a great deal of influence in areas of environmental concern. The arrangement within the Council which enables the advisers to serve on the Council without leaving their important positions in public and private life, enables each individual member of the Council to maintain and enhance his own individual position of status in his area of speciality and influence.

The composition of the Council should be designed to include representatives of science, industry, and areas that are major concerns of environmental quality. The advisers themselves should be individuals who are capable of taking an effective overview of the situation, and not become involved with the particulars of the various programs which come under the purview of the authority of the Council. For this reason I feel that the larger part of the Council membership be composed of social scientists, social and community planners, and public administrators. The great volume of the needed scientific expertise should come from the staff of the Council which will serve on a full time basis. As previously mentioned, the Council members will retain their positions in public or private organizations in order to maintain positions of authority, and to help the member to maintain his specialized expertise and thus contribute more to the Council.

There is one additional underlying question which must be answered. This question deals with the concept of creating a new structure within the Government each time a problem is newly recognized, or appears to have grown or be growing. Should we create some new part of the bureaucracy every time we discover or redefine a problem? Of course we should not in every case, or even in most cases. For we surely have the facilities within our gigantic Federal structure to handle most problems. This question can honestly be asked of any new proposal, and it certainly must be asked of a proposal of such far-reaching proportions.

In the case of this plan I have introduced, I believe wholeheartedly that the need for its creation is clear. Our environment is our most immediate need. It affects us every minute of every day, and the ecology of that environment can alter our lives. This is not a simple problem, and therefore cannot be met by a simple solution. This is a problem that has roots throughout our country, and is dealt with in almost every area of the Federal Government. It is an area which includes environmental elements which must be actively related to each other if any valuable headway is to be made in the field of environmental quality control.

The possibilities of such a plan are very encouraging. The purview of the Council will deal not only with the interrelationship of the elements of the environment, but with the effects of those interrelationships on man himself. Only a council in such a commanding position could be capable of collecting related information, coordinating efforts and projects, streamlining Federal activities in this rapidly growing field of interest, and developing the long-range and creative plans involving all areas of the Government which are necessarily involved in this realm.

Only a council such as the one proposed could have the latitude to develop such new concepts as the psychological implications of life in an urban area in terms of total ecology, and only such a council could be in a position to promote now unknown projects and concepts which are certain to develop in areas of urban and rural social ecology, and total concepts of waste disposal and related pollution abatement projects.

The need for such action is obvious. The environmental problems of this country are increasing daily and we must stop dealing with them only as they appear as blemishes on the national countenance. We must be far reaching in our own efforts to establish a body with needed authority to view an immense problem from a comprehensive position and to develop effective solutions to complex and important problems.

MICHAEL MUNKÁCSY

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, February 19, 1969

Mr. SCOTT. Mr. President, tomorrow, February 20, marks the 125th anniversary of the birth of the great Hungarian painter, Michael Munkácsy. During his visit to America in the late 19th century, Munkácsy became friends with John Wanamaker and his family and stayed with them in Philadelphia. Two great Biblical paintings by the artist hang each year during the Lenten and Easter season in the John Wanamaker store in Philadelphia.

I ask unanimous consent to have placed in the RECORD an article on Michael Munkácsy prepared by Dr. Elemer Bako, of the Slavic and Central European Division of the Library of Congress.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MICHAEL MUNKÁCSY

On February 20, the 125th anniversary of the birth of the great Hungarian painter Michael Munkácsy (1844–1900) it is our privilege to revive the memories of the rich successful life of this important artist, humanitarian and fighter for human rights, especially in the view of the presence of more than 60 works by him in the public and private collections of art throughout the United States.

Munkácsy's early childhood was overshadowed by the oppression of Habsburg tyranny which followed the Hungarian struggle for liberty in 1848–49. The young boy lost his parents, suffered poverty and injustice while working for his livelihood as a carpenter's apprentice. However, after having demonstrated his uncommon talents through some of his drawings, his countrymen bestowed scholarships upon him and enabled him to learn his craft as an artist in Budapest. Another generous prize won by him at an art exhibit enabled him to continue his studies at the then famous Düsseldorf School of Arts in Germany. Among Munkácsy's earliest friends in Düsseldorf was John R. Tait, an American artist, later residing in Baltimore, Maryland, who was attracted by the genius and the warm character of the young Hungarian, and through whom a wealthy American gentleman, Mr. J. Wilstach of Philadelphia gave Munkácsy a commission for a large picture. The resulting work entitled "The Last Day of a Man Condemned to Death" won a medal at the exhibition of the Paris Salon in 1870 and brought sudden fame to the artist all over the world. His great creativity and sublime handling of new, powerful colors met with astonishing success, enabling him to establish his home in Paris as one of the most outstanding meeting places of the prominent, the wealthy, and the famous from the whole of Europe and the United States.

However, his final rise to universal recognition came with his huge canvases, "Christ Before Pilate," painted in 1881, and its companion piece, "Christ on Calvary," which was completed in 1884. These two great works, especially the "Christ Before Pilate," attracted millions of admirers while on tour in Europe, before they were brought to this country following their acquisition by John Wanamaker. The reception of "Christ Before Pilate" (as well as that of the "Christ on Calvary" a few years later) was equally overwhelming in America; millions of people crowded churches and exhibit halls to view the magnificent works and other millions had to be turned away for lack of time or space while the tour lasted.

During his visit to this country in 1886, Munkácsy spent some time in Philadelphia where he enjoyed the hospitality of John Wanamaker and his family. One of the fruits of this meeting is a charming portrait of "Miss Wanamaker" which was completed by Munkácsy while still in New York.

John Wanamaker counted Munkácsy's great Biblical works and several others in his possession among his most treasured holdings. According to his will, and the time-honored custom of his firm, the two huge canvases are hung facing each other in the Grand Court of the John Wanamaker store in Philadelphia during the Lenten and Easter season, for these masterpieces are "as inseparable as cause and effect."

After his tour in the United States and other important stages in his artistic career, Munkácsy was elevated to the nobility by Emperor Francis Joseph I (in his capacity as King of Hungary), was decorated twice with the Legion of Honor in France, and was also awarded other expressions of highest recognition in Europe. However, he remained always the same warm-hearted, well-intentioned man toward others as he ever was; with his inquiring genius he turned toward the humble and the needy, and while creating with an unceasing urge and keeping abreast with the socially prominent in contemporary Paris, he did not forget to immortalize in his paintings the lonely, the poor, the underprivileged, whose millions became exposed for the first time in history to the global challenge of ideas demanding drastic changes in the social and economic structure. The painter listened to the inquiring mind of the self-made man and the understanding heart of the religious personality in Munkácsy, and his works on such subjects as "The Strike" (1895), as well as his earlier ones like the "Yawning Apprentice" (1868), "Nocturnal Tramps" (1873), "Pawn Shop" (1874), and others closely related to his own humble beginnings in his native Hungary point in the direction of general interest and full understanding of the problems of the human being.

It gives a feeling of satisfaction that the present generation becomes increasingly aware of the immortal values of Michael Munkácsy, both as an artist and as a humanitarian; and this feeling of satisfaction is only intensified by recalling the memories of prominent philanthropists in the great city of Philadelphia and elsewhere in this country whose interest in Munkácsy's art was instrumental in promoting the universal recognition of the talents of the Hungarian artist as well as in enriching so many art collections in this country by the acquisition of his works.

DEATH OF WILLIAM F. SMILEY, EDUCATION EDITOR OF SALT LAKE TRIBUNE

HON. WALLACE F. BENNETT

OF UTAH

IN THE SENATE OF THE UNITED STATES

Wednesday, February 19, 1969

Mr. BENNETT. Mr. President, Utah and the Nation lost a strong advocate of better education and a fine journalist in the recent death of William F. Smiley, long-time education editor of the Salt Lake Tribune.

Wherever education was making news in Utah, Bill Smiley was there to report it. Insight, integrity, and incisive writing were the hallmarks of this distinguished newspaperman. His constructive suggestions for the improvement of education for students of all ages will be sorely missed in our State.

One of the finest tributes to Bill was written by his arch news-competitor, Lavor K. Chaffin, education editor of the other Salt Lake City daily newspaper, Deseret News. I ask unanimous consent that Mr. Chaffin's fine tribute, published on February 12, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A PERSONAL TRIBUTE TO A FINE COMPETITOR

(By Lavor K. Chaffin)

This writer, Utah educators and both the schools and the people they serve lost a good friend this week with the death of William F. Smiley, Salt Lake Tribune Education Editor.

Bill, as his friends knew him, was a veteran newsman with a high standard of integrity. During the last decade or so his assignment was to write about the schools. He was a friend of education, but he also was a critic with the courage to speak out when he thought criticism was necessary.

He was accepted and respected nationwide by the tough-minded professional reporters who cover the school beat. He served a term on the executive committee of the Education Writers Association, one of the few westerners to do so.

Bill and I were very strong competitors, but we also were very good friends. Because we often were assigned by our respective papers to cover the same events, we spent a lot of time together. We covered the same stories in almost every sizable city and town in Utah. We also covered events with Utah interests in Chicago, Detroit, Denver, Santa Fe, Seattle, San Francisco, Los Angeles and other cities across the nation.

We often helped each other—in the manner that opposing basketball players help each other to rise from a fall. Because it often was impossible for one individual to keep track of meetings and persons where Utah news was breaking, we checked signals to ensure that Utah readers were better served.

But never in our long association did we act in collusion or compare notes on what we were writing. We worked independently, writing our own stories as we saw them. We worked very hard to beat each other.

I don't know what Bill would have said on the matter, but I know, and I'd like readers to understand, that education stories in the Desert News were better than they might have been if a lesser reporter than Bill Smiley had been representing the opposition. I knew Bill would do a thorough and professional job for his paper and that if I wanted to stay in the game I'd have to do my best. I did a better job because my friend Bill Smiley literally was looking over my shoulder.

Early in our association an incident occurred which provides an insight into the kind of person Bill Smiley was, I was in Atlantic City, N.J., to receive an award for education reporting. As I returned to the convention press room there was a telegram waiting. It read: "Congratulations, honor well-deserved, Bill."

I'd like to suggest that Bill's friends pay him an honor well-deserved by writing a note of appreciation and sending it to Bill's widow, Mrs. Elda Smiley, 1142 E. 27th South, Salt Lake City 84106.

I'm sure, however that I can speak for them in saying we'll miss Bill and that we join his family in appreciation of his contributions.

DR. ALFONSO DELLAPIETRA

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. MONAGAN. Mr. Speaker, with sincere regret I report to my colleagues the death of Dr. Alfonso DellaPietra, an orthopedic surgeon of international repute, who made his home at Middlebury, Conn. He was a native and long-time resident of Waterbury, Conn., and I knew and admired him, not only as a surgeon and a constituent, but also as a friend. Dr. DellaPietra's devoted service to his patients will be his living memorial. In the words of the Waterbury, Conn., American "What Dr. DellaPietra did for his profession will live on in medical journals."

He was only 51 years old when death claimed him and his loss will acutely affect thousands of people throughout the world who quite properly placed their faith in his medical skill for their well-being. Dr. DellaPietra was also well known in Washington, D.C., having graduated from the Georgetown Medical School in 1941. He had visited frequently in Washington.

Mr. Speaker, the Waterbury, Conn., American commented editorially on the unfortunate death of Dr. DellaPietra and with your permission I include the editorial here:

DR. ALFONSO DELLAPIETRA

Thousands of people in many parts of the world who were aided by the medical skill of Dr. Alfonso DellaPietra are deeply affected by his sudden passing. Thousands of others who were exposed to his humanitarian nature, his unbounded energy and gentleness in aiding the sick or downtrodden, his over-abundant generosity, his selflessness as far as his orthopedic practice was concerned share in the sadness that follows his untimely death.

Dr. DellaPietra was devoted to his family, to his church, to the hospital which he served so faithfully in various medical capacities. Virtually every patient he had became an admirer and a loyal friend. His personal good nature and sympathetic understanding supplanted his orthopedic skill and supplied added therapy for the patient who felt particular pain or depression. His pleasing personality and the special charm he had equalled his outstanding ability as a surgeon.

He taught the science and art of orthopedic surgery in Jordan and Brazil and to visiting physicians from many nations as well as at many universities. Yet he never accepted the full credit he deserved for the near miracles he performed in the operating room. "I didn't do it. It's Nature that did the healing," he would say when a patient thanked him for being able to walk, or bend, or work again.

Dr. DellaPietra always advocated thinking big. He promoted big projects for St. Mary's Hospital. He urged big planning for the community. He himself thought big as far as supplying the best medical equipment and care for his patients is concerned.

What Dr. DellaPietra did for his profession will live on in medical journals. He shared his knowledge of orthopedics, and the new techniques he developed, with anyone in the medical world who was interested. The medical knowledge and surgical skills he helped to bring to under-developed nations and other foreign lands will help thousands of people of many generations to come.

The Roman Catholic Church honored him for his humanitarian service. Many organizations made special awards to him. There is probably no greater tribute or one given with greater feeling, however, than that in the heart-felt "thank you" expressed by the countless patients whom he freed from pain and crippling afflictions.

NATIONAL FUTURE FARMERS OF AMERICA WEEK

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, February 19, 1969

Mr. THURMOND. Mr. President, this week, February 15 to 22, is National Future Farmers of America Week. In my judgment, its theme—"FFA—An Opportunity for Youth"—is a most fitting one, for this organization does indeed provide excellent opportunities for high school students studying vocational agriculture.

An editorial published in the Dorchester Eagle-Record, St. George, S.C., on February 13, 1969, points out that the foundation upon which the organization is built "includes leadership, character development, sportsmanship, cooperation, community service, thrift, scholarship, improved agriculture, organized recreation, citizenship and patriotism." The FFA itself, the editorial says, "does not make its members outstanding, but, instead, provides the opportunity for them to excel, grow, and become outstanding."

The excellent editorial concludes that, as long as such organizations as the FFA exist, "We may rest assured that the violence and lawlessness of the dissenters, whose only aim is destruction, will represent the acts of a minority—and a small minority at that."

Mr. President, I ask unanimous consent that the editorial, entitled "A Week To Remember," be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A WEEK TO REMEMBER

The week of February 15 to 22 has been set aside as National Future Farmers of America Week. The theme of this observance is "FFA—An Opportunity For Youth." The Future Farmers of America is a national organization of high school students studying vocational agriculture in our public schools. It is an educational, no-profit, nonpolitical organization of, by and for these students. The foundation upon which it is built includes leadership, character development, sportsmanship, cooperation, community service, thrift, scholarship, improved agriculture, organized recreation, citizenship and patriotism. The FFA itself does not make its members outstanding, but, instead, provides the opportunity for them to excel, grow and become outstanding. Young people in FFA learn the meaning of local initiative. Local FFA chapters provide the strength of the organization. In the local chapters student officers and members develop into agricultural leaders.

As long as we have youth organizations such as the FFA, we may rest assured that the violence and lawlessness of the dissenters, whose only aim is destruction, will represent the acts of a minority—and a small minority at that.

ROGER KELLEY, MAN FOR A JOB

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. MICHEL. Mr. Speaker, needless to say, I was extremely pleased with the election of Richard Nixon to the Presidency and my pleasure has been enhanced since his inauguration by the high quality and stature of the men the President has chosen for the top jobs in his administration.

An excellent example of the high caliber of these appointments was the President's nomination of my good friend and fellow resident of my hometown, Mr. Roger Kelley, for the position of Assistant Secretary of Defense for Manpower.

Serving as a vice president of Caterpillar Tractor Co., Mr. Kelley provided a significant contribution to the continuing success and healthy growth of that company which is known the world over. In addition, and even more importantly, Mr. Kelley took an active part in civic affairs, helping immeasurably to improve the quality of life in our community. Certainly there is great truth in the assertion that Peoria's loss is the country's gain.

I am in complete agreement with an editorial appearing in the February 6, 1969, edition of the Peoria Journal Star, entitled "Roger Kelley, Man for a Job," and I insert the editorial in the RECORD at this point:

ROGER KELLEY, MAN FOR A JOB

President Nixon's nomination of Roger T. Kelley to be his assistant secretary of defense in charge of manpower is excellent news.

From the standpoint of attracting qualified men to perform the important administrative functions of government, the President's bagging of Kelley is an achievement.

There is no question of Kelley's qualifications. His work at Caterpillar in the civilian manpower field was of such a character that more than a few observers have felt he one day probably would be sitting in the president's chair at Caterpillar.

It is no easy task to get such a man to sever his company connection and accept a sub-cabinet post in any federal administration. Kelley may be one of the top 100 men in the Nixon administration, but his pay will be considerably less than Caterpillar offers, his future will be uncertain, and his job will be immeasurably more difficult.

It is good news that Roger Kelley is willing to put aside his career for the interest of the nation. This fact says something not only about Kelley and his family, which obviously goes along with him, but also about the Nixon administration itself.

FIGHTER AGAINST PREJUDICE

Until Kelley's nomination was made, few of us here in Peoria had much first-hand knowledge of the quality of the team President Nixon was putting together. We had only a feeling that the scarcity of recognizable "political" names meant that Nixon was serious about his pledge to get the best men available, and now the Kelley nomination serves to reinforce that feeling.

From the standpoint of assessing the action we may expect from the Nixon administration in the field of human rights, Kelley's selection is a strong contradiction of some of the stories we've seen out of Washington which predict a relaxation of federal effort on that score.

We must assume that Roger Kelley's reputation as a fighter against the prejudice which so bleeds our society was made known to the President. Kelley's efforts here not only brought great credit to Caterpillar, but more importantly his personal initiative has challenged other individuals and institutions in this area to face up to their opportunities to contribute to the solution of the racial problem. We expect Kelley's transfer to the Washington scene will not cause him to be less interested in this vital problem, and we can clearly see that he will be in a position to make particular improvements in the approach of the military establishment.

From the standpoint of the very basic military manpower problem which President Nixon gave voice to last week—finding a way to eliminate the draft—we believe that putting a man of Kelley's capabilities to work on the problem is heartening.

TO TAKE NEW APPROACH

As we move toward the fourth decade of continuous military conscription, only an older minority of our population knows how it was to grow up in a country where every healthy young man and his family did not have to "worry about the draft." We feel as President Nixon does that we ought to get back to some kind of normalcy on this score as soon as the commitment in Vietnam allows it.

Defense Secretary Melvin R. Laird said Kelley will be directed "to initiate an imaginative new look at our total use of manpower resources, military and civilian. The objective will be to eliminate any wasteful and inefficient practices and procedures and to devise and implement innovative programs to achieve increased efficiency in the use of our most precious resource, people."

That's a large order, but it is one which makes as much sense as any we have seen issued in Washington for a long time. Before he took the job, Kelley knew this is what would be expected of him. By accepting the job, he accepted a great challenge.

We think Roger Kelley is equal to it.

THE HUNGER PROBLEM AND HOW ONE TOWN IS BEATING IT; SAN DIEGO, TEX., AND SUPERINTENDENT TAYLOR

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Wednesday, February 19, 1969

Mr. YARBOROUGH. Mr. President, for some time now, the Senate Select Committee on Nutrition and Human Needs has been investigating the tragedy of malnutrition and hunger in America. Along with a great many other Senators, I worked for the creation of this very important committee so that the Senate and the people of America might get some idea of the extent and the nature of the malnutrition that plagues our land. I have played an active role in the very productive hearings that have been held to date.

On January 22, 1969, Dr. Arnold Schaefer, of the Public Health Service, reported to the select committee some preliminary findings of the National Nutrition Survey that his agency is conducting in several States. On that day, we listened to a detailed medical analysis of the nutritional status of 12,000 American men, women, and children who had been surveyed. The results were startling—they compared with what some of us might remember from the dust bowl era in America. They found rickets, goiter, anemia, gum lesions, bowed legs, and other indications that the American people have a serious problem of malnutrition.

Obviously we are concerned. Obviously the committee must take a hard look at our efforts in the field of nutrition and make recommendations for improvement.

Mr. President, there was only one happy moment in the days of hearings that we conducted. That moment was the testimony of Mr. B. P. Taylor, superintendent of schools in San Diego, Tex. Mr. Taylor discussed with us his uniquely successful efforts to do battle against poverty and malnutrition in his school district. His is a remarkable story—it may well be a model from which we all can learn.

Mr. Taylor's philosophy—and the philosophy of the community of San Diego, Tex.—is that "only a healthy child can be taught." With this in mind, Mr. Taylor and his dedicated staff have made good health and good nutrition the first priority in education.

I think that all members of the Senate Select Committee are impressed with Mr. Taylor's testimony. In the February 10, 1969, edition of the U.S. News & World Report, there is an article about this remarkable superintendent and the remarkable town of San Diego, Tex. So that all Senators might have an opportunity to know of their efforts, I ask unanimous consent that the article, "The Hunger Problem and How One Town Is Beating It," appearing in the U.S. News & World Report, be printed in the Extensions of Remarks today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HUNGER PROBLEM AND HOW ONE TOWN IS BEATING IT

SAN DIEGO, TEX.—Here in the desolate brush and range land of south Texas, a rural school district is waging a winning battle against poverty and malnutrition. The district's children—99 per cent of them Mexican Americans—are being educated, nourished with good food and kept in good health.

The success of the San Diego Independent School District has so impressed a committee of the U.S. Senate that the district's program may serve as a model for attacking the malnutrition that appears to be widespread in America.

San Diego, in Duval County, has been hit by the hard times that have come to much of the rural U.S. Both the town, with 4,795 population, and the county, with 13,000, are stagnant economically.

Many stores in San Diego have been closed so long that the wood used to board them up is rotting. The small frame homes, weathered by the elements, need paint and repair.

Some 60 per cent of the families live on less than $3,000 a year. A total of 461 families with children in school are on welfare.

Job opportunities are practically nonexistent. The school district itself is the major employer. Many people work in nearby Alice or Kingsville, and some drive 50 miles to jobs in Corpus Christi. There is no industry and little hope of getting any.

Ranching is a tough proposition. There is so little rainfall that 20 acres of range land is required to support one cow and calf. There is a bit of oil produced in Duval County, but the total tax base comes to only 20 million dollars.

In an atmosphere that could well breed frustration and despair, the San Diego school district is bringing hope to its younger generation by providing the children with wholesome food and caring for their health—free, if a youngster's family cannot afford to pay.

Of the current school enrollment, in grades 1 through 12, 1,600 are Mexican Americans. Only six are "Anglos." Three of these are children of B. P. Taylor, the school superintendent who directs the battle against malnutrition.

FOOD FIRST, THEN BOOKS

"Our whole program," says Superintendent Taylor, "is based on the philosophy that only a healthy child can be taught. If children are to learn at the maximum rate, they cannot be hungry or undernourished."

To go back to the beginning of the San Diego story, in 1959—

Mr. Taylor and his staff knew that hunger was taking its toll especially in the primary grades. Absenteeism was high. Many children were having to repeat the first grade.

Some pupils brought a tortilla for lunch. Others would spend a dime for a bag of potato chips. Recalls one teacher: "There was just no color in their faces and you could see the drowsiness come long before noon."

Despite limited funds, the San Diego school board approved a modest beginning toward providing a better diet for its pupils. With the help of surplus commodities provided to schools by the U.S. Department of Agriculture, a subsidized school lunch was started.

In 1962, the school board took a bold step for a community with so little wealth. A bond issue of 1.6 million dollars was floated and the money used to build a 49-acre school campus, complete with air-conditioned buildings.

By 1964, the school district had expanded its lunch program to all students and was providing medical and dental checkups as well. Follow-up aid was made available for those needing eyeglasses, corrective shoes, hearing aids, even tonsillectomies.

BOOST FROM UNCLE SAM

The San Diego district got a big boost when Congress passed a bill providing federal aid to elementary and primary schools in 1965. Forty per cent of the federal money was—and still is—used for the food and health programs because school officials agree that these are more important than additional equipment or fancy teaching aids.

"All along, it has been a matter of putting first things first," says a school-board official.

In 1966, the district began its breakfast program, opening the school cafeteria early in the morning and sending buses out to bring in students who need a good, warm breakfast.

"It was slow going at first," Mr. Taylor recalls. "Some students didn't eat much because they weren't accustomed to getting breakfast. We had to educate the parents, too."

Teachers and counselors went into homes to explain what the school was trying to do. Mothers were invited to come to the school and talk to home-economics teachers about nutrition.

The program has gained wide acceptance in homes of Duval County. In 1968, 93 per cent of the students ate both breakfast and lunch at school.

Students are charged 15 cents for breakfast and 40 cents for lunch. The school gives free meals to those unable to pay. Their names are not made public. Many high-school students are able to earn money for their meals by working in vocational and work-study programs of the Neighborhood Youth Corps.

BALANCED AND VARIED DIET

Menus, planned by the home-economics teacher, are varied from day to day. A typical day's fare goes like this: for breakfast, apple juice, sausage, biscuits and milk. For lunch, ham with pineapple, macaroni and cheese, buttered corn, green salad, gelatin, rolls and milk.

Before a child enters kindergarten in San Diego, he comes to school for 15 months as part of an expanded Head Start program. He is given a complete physical examination, including inoculations against common childhood diseases.

This spring, school officials plan to experiment by offering 250 students an evening meal. Between the end of regular classes and the evening meal, these students will spend an extra hour studying English and grammar.

"I know a lot of school people think I'm foolish to assume responsibility for the child from 7 in the morning to 6 in the evening," says Superintendent Taylor, "but I think it is up to us if the parents can't afford to buy enough food and they are willing to trust us with their children."

Results of this combined program of food, health and education have been gratifying to the San Diego community. Attendance in school averages 95 per cent or better compared with around 80 per cent before the plan began. There were only 25 dropouts last year.

A MEDICAL APPRAISAL

The San Diego plan was brought to national attention on Jan. 23, 1969, in testimony by Mr. Taylor before the Senate Select Committee on Nutrition and Related Human Needs. Dr. Arnold E. Schaefer, of the U.S. Department of Health, Education, and Welfare, visited this Texas community during a survey of hunger and malnutrition in low-income areas of 10 States. He told the Committee:

"They [San Diego students] had the best teeth we have seen in any place we have surveyed . . . the least number of decayed, unfilled teeth. The blood biochemistries are completely different than what I presented for the over-all picture of this survey. There were very few in the unacceptable level."

San Diego school officials say parents, too, are learning from this novel plan, showing more interest in the quality of food and the medical treatment their children get at home.

Students themselves take pride in their appearance. A visitor here notes that few of them have long, unkempt hair. Most are neat in their dress even though, says one teacher, some have only one set of clothes to wear to school.

How much does all this cost? The annual budget for the San Diego Independent School District is 1.3 million dollars. That covers everything, including teachers' salaries and debt retirement. About a third of this comes from State funds. Federal funds account for $210,000. The balance is from local taxes.

MODEL FOR CITY SLUMS

Mr. Taylor believes the San Diego approach would work in slums of big cities. He says:

"It would take a little more time of the school staff, a little more dedication, and a lot more money. You can't just advertise you are serving free meals. You have to go and get the child, and sell his parents on the program."

The San Diego plan, say local officials, follows the prescription given in these words of Lyndon B. Johnson, reproduced on the wall of the school library:

"In a land of wealth, families must not live in poverty. In a land rich in harvest, children must not go hungry. In a land of healing miracles, neighbors must not suffer and be unattended."

NUMBERS GAME

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. MIZE. Mr. Speaker, the Washington Post on February 11 published a thoughtful editorial supporting careful revision of the Bail Reform Act of 1966. The editorial noted widespread error in various published accounts of the recidivist rate for felonies in the District of Columbia.

When I introduced H.R. 6253, a bill permitting pretrial detention of accused felons who, in the opinion of the presiding judge, would be a threat to the safety of the community, I was not aware of this divergence and error in the reported statistics.

Whether the recidivist rate is approaching 40 percent as the District of Columbia crime rate escalates, or whether the rate is around 10 percent, as some new figures seem to indicate, is irrelevant.

In either case, the rate is unacceptable, and legislation must be enacted to permit the Federal courts some latitude in detaining accused felons who clearly are too dangerous to be permitted to roam the streets.

Because of the special need for reliable information on the extent and nature of the crime threat in Washington, I insert the Post editorial in the Record at this point:

Numbers Game

There are several sets of statistics being used to buttress various arguments for amending the Bail Reform Act. Some of the figures, for example, show that as few as one person in ten who has been released on bail commits another crime. Another study, prepared by the Metropolitan Police Department, showed that as many as one person in three commits a new crime while on bail. We cited the police study as evidence of a clear need to tighten existing bail regulations. Subsequently, the Department of Justice, in a critique of the Police Department's analysis, found "several errors" in the method by which the data were collected and said that the police study "should be considered carefully and with an understanding of its limitations." We agree. But we also do not feel that the errors noted by the Justice Department seriously undermine the basic argument for bail reform of a kind which would permit detention or encourage much closer supervision of defendants with criminal records when there are reasonable grounds for believing that their release on bail would endanger society.

The police study said that of 130 persons indicted for armed robbery (armed with a gun) during the 1967 fiscal year, 45 of them (34.6 percent) were indicted at least a second time for another felony, committed while on bail during the subsequent fiscal year. The Justice Department said that at least some of the new indictments were for crimes committed *before* the suspect was released and that some of the indictments were merely refinements of the original charge. The Justice Department also said that the police study's statistical sample was only for the crime of robbery committed with a gun, an act most often committed by hardened criminals.

That is the nub of the argument for tighter bail policies. Whatever measure is used, there is relationship between the gravity of the crime and the possibility of its repetition. It is that relationship that makes it imperative for a judge to evaluate a record of conviction for crimes of violence or for violation of probation when considering bail for an accused person. It is unfortunate that the Police Department study contained errors. But they do not alter the demonstrable need for a careful revision of the Bail Reform Act.

BARRY R. FLAMM RECEIVES FLEMMING AWARD

HON. DONALD D. CLANCY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. CLANCY. Mr. Speaker, I want to bring to the attention of the House the fact that Barry R. Flamm, son of William Flamm, of Cincinnati, was recently selected as one of the 10 outstanding men in Government service in 1968. The selections committee, whose chairman was Justice Marshall, nominated Mr. Flamm for the Arthur S. Flemming award.

As Director of the U.S. Agency for International Development's Forestry Division in Vietnam for the past 2 years, Mr. Flamm has been helping to reestablish wartorn villages and to teach modern agriculture techniques.

His father, William Flamm, one of Cincinnati, Ohio's retired assistant fire chiefs was present at the junior chamber of commerce ceremony in Washington on February 13, 1969, when the award was presented.

Young Flamm, like his father, turned firefighter near Saigon when several villages were set afire. He organized a group of helicopter crews that ferried large buckets of water and doused the flames from the air.

The citizens of the Greater Cincinnati area are very proud that Barry Flamm, a former Cincinnatian, achieved so high an honor and award. His record was extremely meritorious, and I would like to extend my congratulations to him and to his family.

ECONOMIC AND MONETARY POLICIES AS VIEWED BY FIRST NATIONAL CITY BANK PRESIDENT JOHN EXTER

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, February 19, 1969

Mr. HARTKE. Mr. President, the senior vice president of the First National City Bank of New York is Mr. John Exter, who recently, in an interview distributed by the Chicago Tribune Press Service, expressed his views on the monetary and economic problems we face.

Mr. Exter believes that inflation is likely to get worse because of the "expansionary monetary policy" of the Federal Reserve, a policy which he believes has become "locked in' 'so that it cannot be halted until "market forces" bring about its discontinuance.

Because of the value of these views, and of Mr. Exter's interpretation of the monetary policies of France and Germany, I ask unanimous consent that the interview by Eliot Janeway, as published in the Chicago Tribune of December 5, 1968, be printed in the Record.

There being no objection, the interview was ordered to be printed in the Record, as follows:

In World Money Crisis Something Has To Give

(By Eliot Janeway)

New York, December 4.—The world may or may not be headed toward another 1929, but it does seem to be teetering on the brink of international currency convulsions that undid the prosperity of the 1920s. The prognosis for our international political economy hinges on the race between inflation and productivity, and the latest crisis in France has put every country on notice of what to expect when inflation outruns productivity. For a current reading of how the race is going in America and abroad, this column sought counsel from John Exter, senior vice president of the prestigious First National City bank.

Janeway. What do you think will result from the present international money crisis?

Exter. The whole international monetary system is now subject to enormous strains. At some point something will have to give. I don't know exactly which link will snap first—perhaps the French franc, sterling, or the dollar—but I would still say the upvaluation of the Deutschemark is a possibility.

Janeway. What is the argument for Germany to upvalue the mark?

Exter. There is really no good argument. Yet the market could force it. The upward pressure on the mark really reflects the weakness of the franc, sterling, and the dollar—mostly the dollar. As long as the German central bank buys our dollars by the billions—2 billion dollars in a single recent week—and does not use them to buy our gold, the market pressure will be stronger on the mark than on gold. If the mark should go up, gold will be cheaper in marks, and the market will then buy gold. Germany's central bank could avoid all this by becoming expansionary, but it won't. Germany is exceptionally afraid of inflation—twice within the lives of many Germans the mark has been wiped out. The main goal of the central bank is therefore to maintain price stability and the gold parity of the Deutschemark. Buying gold rather than dollars would help achieve this by shifting market pressure from upvaluation of the mark in gold to devaluation of the dollar in gold. Also, the Germans would be holding something with real scarcity value. The dollars they hold are paper dollars, and they do not want more, because this involves risk—if the mark were upvalued or the dollar devalued, they would lose as holders of sterling did a year ago.

JANEWAY. Do you think that in the end the franc won't be devalued?

EXTER. The Bank of France, which is smaller than the largest of our 12 federal reserve banks, has engaged in what is probably the largest central bank credit expansion in history in a comparable period of time—and also suffered the largest reserve loss. Since May, they have expanded their own credit by about 6 billion dollars. Our 12 federal reserve banks together in the last year have expanded their credit by about 8 billions.

In my opinion, the French authorities overreacted to the shock of the events in May and have engaged in far more monetary expansion than they needed. Now, apparently, they think so too, because they are at last trying to stop. If they do, they can save the franc, but at higher cost in unemployment than with a devaluation. Only time will tell whether France will bear this cost. President [Charles] de Gaulle had the opportunity to devalue dropped in his lap and decided not to take it.

JANEWAY. Do you think there is any prospect of containing inflation in this country?

EXTER. I think inflation will get worse for a while, because I am afraid that the federal reserve is now locked into an expansionary monetary policy that it dares not stop. We take our eye off the ball when we try to judge monetary policy by interest rates. If interest rates go up we call it tight money. In fact, the federal reserve, despite the higher level of rates, is creating its own credit faster than ever. The treasury in the first half of next year might go into a cash surplus. And yet the federal reserve will be compelled to go on creating its credit faster than ever—but not to pay the government's bills. It is afraid of the consequences of decelerating, afraid of throwing the economy into a recession and getting blamed for it.

JANEWAY. How long will this continue?

EXTER. I don't think that it is practical politics to think that anyone will take the responsibility for discontinuing it, so I am inclined to think that events, market forces, will eventually discontinue it.

JANEWAY. Do you think there is a clear awareness of the difference between changes in interest rates and changes in the money supply?

EXTER. No. We worry too little about rising interest rates. Higher interest rates have to be paid out of rising productivity. Our productivity is not nearly that high, so interest can only be paid thru more inflationary financing. As monetary expansion continues domestic prices rise, and as prices rise this inflationary rise gets built into the structure of interest rates. This cannot go on indefinitely.

AWARD OF THE SILVER STAR

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. O'KONSKI. Mr. Speaker, since the deliberations of Congress are a matter of public record, I think it becoming and proper to have printed in the RECORD accomplishments of gallantry and bravery of our young people when they are called upon to serve their country.

The Silver Star was awarded to Alfred D. Fletcher in Vietnam, and the reason for the award is listed in the citation which follows:

DEPARTMENT OF THE ARMY,
HEADQUARTERS, 25TH INFANTRY DIVISION,
San Francisco, October 9, 1968.

AWARD OF THE SILVER STAR

1. TC 320. The following award is announced.

Fletcher, Alfred D. O5339391 (SSAN: 513-44-1895), first lieutenant, Infantry, U.S. Army, Company A, 3d Battalion, 22d Infantry, 25th Infantry Division.

Awarded: Silver Star.

Date action: 29 February 1968.

Theater: Republic of Vietnam.

Reason: For gallantry in action: First Lieutenant Fletcher distinguished himself by heroic actions on 29 February 1968, while serving as a platoon leader with Company A, 3d Battalion, 22d Infantry in the Republic of Vietnam. During a reconnaissance in force mission through an area of dense vegetation, Lieutenant Fletcher's leading element came under intense fire from well concealed enemy positions. Lieutenant Fletcher fearlessly moved through the devastating enemy fire and evacuated the wounded point man. With complete disregard for his personal safety, Lieutenant Fletcher moved forward and assaulted one of the enemy fortifications, single handedly killing all the enemy soldiers in their bunker. Although he was wounded, Lieutenant Fletcher assaulted another enemy position and succeeded in destroying the enemy fortification. His valorous actions contributed immeasurably to the successful completion of the mission and the defeat of the enemy force. Lieutenant Fletcher's personal bravery, aggressiveness, and devotion to duty are in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit, the 25th Infantry Division, and the United States Army.

Authority: By direction of the President under the provisions of the Act of Congress, approved 9 July 1918, and USARV message 16695, 1 July 1966.

GORDON SUMNER, Jr.,
Colonel, GS, Chief of Staff.

For the Commander:
Official:

W. F. FAUGHT,
LTC, AGC, Adjutant General.

As long as we have young men like Alfred D. Fletcher serving our country in its highest tradition, we as Americans can hold our heads high and be certain of our Nation's image, stature, and security.

DAVID ROCKEFELLER VIEWS THE NATION'S ECONOMY

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, February 19, 1969

Mr. SCOTT. Mr. President, on February 9, the Philadelphia Inquirer published an interview with David Rockefeller, president of the Chase Manhattan Bank, on the Nation's economy.

I felt that the views of Mr. Rockefeller would be of interest to Senators, so I ask unanimous consent that the article by Milt Freudenheim be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A KEY MONEY MAN VIEWS THE NATION'S ECONOMY

(By Milt Freudenheim)

NEW YORK.—David Rockefeller, one of the world's most influential money men, favors a slowdown in Federal spending for the space program, highways and farm subsidies.

These are the priorities on his list to strengthen the U.S. economy, slow inflation and bolster the world position of the dollar.

Rockefeller, 53, could have had a Cabinet job in the Nixon Administration. But he made known his desire to stay in New York where he is moving to board chairman and head of the executive committee of Chase Manhattan Bank, the world's second largest in deposits.

Rockefeller also believes that unemployment has to rise, although the increase should be "moderate" and "temporary."

He sees an increase in the jobless total as part of the price that must be paid to curb inflation.

But he believes that government and business must step up their effort to train and hire "hard-core" unemployed—especially young Negroes in the cities.

WAR'S IMPACT

Furthermore, he doesn't expect serious trouble from the economy when the Vietnam war ends.

Rockefeller put his finger on these crucial, sensitive spots in the economic outlook in an interview in his art-filled 17th floor office at the Chase bank.

This platform at Chase, plus the backing of the Rockefeller family's estimated $4 billion fortune, makes him a leading candidate for the unofficial title of "Chairman of the Board of the American Establishment."

David Rockefeller's brothers are Nelson, governor of New York, Winthrop, governor of Arkansas; John D. 3d, builder of the Lincoln Center culture complex in New York, and Laurance, conservationist and new-venture specialist.

Against a muted background of traffic horns echoing outside on Chase Manhattan Plaza, Rockefeller, a Ph. D. in economics from the University of Chicago, folded his six feet of height onto a sofa and replied to questions.

Q. Do you think there is likely to be another dollar crisis this year?

A. Well, I must say I don't think you can rule it out as a possibility. But I think that the position of the dollar is a great deal stronger than it was six months ago. There's no question about that.

Whereas nine months ago there was a real crisis of confidence in the dollar around the world, I think the combination of our tax bill and the troubles in France served to change that very dramatically.

The result is that today the dollar is very much in demand, and of course there's a tremendous flow of long term investment into this country.

Q. But do you feel, sir, that we have our house in order, on our domestic economy?

A. No. I think we've taken the first steps. I think that the new team in the Treasury is absolutely first rate.

Q. Of course we have a Chicago man in Treasury Secretary David Kennedy.

A. He was a candidate of mine. But to answer your question: Have we put our house in order? We have not yet dealt with inflation. And although our balance of payments appears superficially to be much improved, we haven't yet dealt with the most fundamental aspect which is our trade balance, which has continued to decline.

So until we get our inflation down to a very minimum, manageable amount—which I would hope would be under 2 percent, and until we improve our trade balance (what is called the current account), I don't think we can feel comfortable about our situation.

TAX AND SURTAX

Q. Regarding the inflation, are you suggesting that the 10 percent surtax should go on for at least into the next fiscal year?

A. In effect, yes. It's very hard for me to see how the situation could change sufficiently between now and the middle of the year to justify removing the surtax.

Q. What about agitation in Congress to increase the tax burden on upper-bracket incomes?

A. Well, certainly from a political point of view, it is appealing. But the importance from a revenue point of view of the (federal) income that could be derived if you took 100 percent of the highest brackets would be minimal.

It really would be insignificant . . . it has political appeal, but from a purely tax point of view, I don't think it's that important.

Q. This might be an indiscreet question. Of course there are no indiscreet questions, only indiscreet answers. But what about the agitation regarding the oil depletion allowance and the tax setup for oil income?

A. Well, that's quite different. There, the tax that could be derived would perhaps be more significant, although I honestly don't know exactly what it would mean.

I think that there it is a question of what one thinks is good policy in terms of the developments of our petroleum resources.

If we don't think it's important to maintain our known reserves of oil, why, then, a very easy way to eliminate those reserves is to eliminate the depletion amount. If we do think it's important to maintain them, then depletion (allowance) is naturally the essential thing.

SPACE BUDGET

Q. Would you stretch out—that is, slow down—spending in the space budget, for example?

A. I would be inclined to look at that area pretty hard. And I think probably some of the highway programs—again they could be stretched out. They're certainly important, but probably less urgent than some others.

I'm sure a lot could be done in the field of agricultural price supports. Economically, this would certainly be desirable. Whether it's politically possible is another question.

Q. How do you weigh the priorities of full employment and inflation?

A. At the present time we have over-employment in many respects, particularly in the skilled trades. There's a real shortage of people—we feel that in the bank. We have hundreds of unfilled requisitions for people.

Q. What does that mean in bank terms—economists?

A. No, just typists, computer operators, and so forth.

I think that an easing up of the economy would take the pressure off the employment market, and I think we're going to see some increase in unemployment as we measure it.

My guess is that when the figure gets below 4 percent (it has ranged around 3.3 percent lately), that the pressures of inflation are apt to be very great.

But that is not to say that we shouldn't continue to work with that portion of the population which is unemployed and which, for all intents and purposes, now are unemployable.

JOB TURNOVER

Q. You are speaking of Negroes, hard-core . . .?

A. Yes. Essentially the groups with the largest percentage of unemployment are people under 25, Negro, and in the large cities.

And I think we should do a lot of work with them and bring them into the labor force. But this is something entirely apart from monetary and fiscal policy.

Q. I'm trying to think concretely. Who are going to be the unemployed when you go up a couple of percentage points to over 4 percent? Who will they be if you're having success, hopefully, bringing these hard-core people in?

A. I suppose what it means is that there's a little bit more time between jobs, that kind of thing . . . that the turnover period is not quite as rapid as it is now.

Q. Are you saying that this is such a big economy that there is room for a few rough edges in that machinery?

A. Right. I'm afraid we had three years of considerable inflation, and I'm afraid that it's not possible to eliminate that, without some price.

And the price means the slowing down of the rate of growth of the economy, and some moderate increase on a temporary basis in the percentage of unemployment.

Q. Do you think Federal spending on problems of the cities and poverty must be increased, despite anti-inflation priorities to hold down the Federal budget?

A. I'm certainly very much in favor of carefully developed and selected programs in terms of job training, education and aid to construction of housing for the lower income groups.

These are the three areas that particularly need help. But I don't think we can afford unlimited expenditure.

Q. Would you include on that list tax relief for businesses that are doing a lot in a training way or are building special plants in the inner city locations?

A. I think there are instances where tax abatement can be a useful tool. Obviously one has to use it sparingly, or else you lose your source of revenue.

DEFENSE BUDGET

Q. How do you feel about the defense budget?

A. Of course, hopefully, the war in Vietnam will come to an end, and this should bring some significant relief.

But I'm afraid we can't look for drastic cutbacks in the general defense budget at the present time. I'm afraid that the action of the Soviets in Czechoslovakia and the Middle East and the Mediterranean and elsewhere is an indication that we're not yet at the point where we can look for a major cutback.

Q. How do you see the problem of adjusting the economy, when the Vietnam war budget is phasing out?

A. I don't anticipate that being an acute problem, or one that would be of long duration. I think I have seen the figure that it would involve a readjustment of the labor force, something on the order of 2 percent.

This is hard on the 2 percent, but this isn't a sufficiently large number so as to cause general disruption in the economy. So I think this need not be a serious thing for us.

Indeed . . . it could be a little bit helpful in slowing up the pace of the economy and helping us cut back during the process of readjustment.

Q. Do you see the gross national product going up over $1 trillion? (It was $860 billion for 1968.)

A. Oh, I think it will, in a year or 18 months.

AGRICULTURE MUST BE TREATED LIKE BIGGEST INDUSTRY IT IS, SAYS CONGRESSMAN LANGEN

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. ZWACH. Mr. Speaker, one of our best informed men in Congress about the farm program is my colleague from Minnesota (Mr. LANGEN). He has served as chairman of the Republican task force on agriculture and has had practical experience as a farmer and a member of the County Agricultural Stabilization Committee.

Mr. LANGEN is in great demand to address meetings of agricultural producers because of his grasp of the problem facing U.S. producers.

He most recently addressed the 16th annual farm forum at Spokane, Wash., and I am submitting a summary of his statements so that my colleagues can also gain from his keen observations:

SUMMARY STATEMENT

"Agriculture, this nation's largest industry, must be treated with the same respect and economic concern as the other great industries in the United States," said Congressman Odin Langen (7th Dist., Minn.) today before the Sixteenth Annual Pacific Northwest Farm Forum. "If agriculture is allowed to operate in its present economic climate for any continuing length of time," he said, "the very basis for America's strength will be in jeopardy."

Langen, who serves in Congress on the Agriculture Appropriations Subcommittee, cited statistics that showed U.S. Agriculture leading the next eleven largest industries by a substantial margin. "Agriculture ranks first in the total number of workers employed, first in the amount of money expended each year for equipment, and first in total assets," he said. "Those assets, or investment, now total $281-billion, which is more than any combination of six out of the next eleven largest industries. However, the alarming statistic is that gross sales in agriculture amount to only a little over 17% of its assets, compared to an average of the next eleven largest industries of 107% of their total assets."

THE REAL CAUSE OF AGRICULTURE'S DILEMMA

"We have heard many reasons for agriculture's problems," said Langen, "such as surpluses, government programs that haven't done what they ought to, exports, imports, inadequate markets, inflation, high costs of production, labor costs and the like. All are important, but the main cause of agriculture's current problems is simply a matter of an inadequate price to meet the continually growing costs of production. American agriculture is currently operating on a deficit basis, a technique attempted by the Federal Government, but hardly a workable plan for an individual farm."

Langen, serving his sixth consecutive term in Washington, noted the growth of farm indebtedness, or mortgages against the agricultural production unit, as evidence of operating the farm economy on a deficit basis. "Farm debt has increased from $23½ billion in 1960 to $50 billion today, or a rate of about 10 percent a year, while income has remained almost constant. Farmers now pay more than $1½ billion extra in interest each year on that indebtedness than they did in 1960. Eight years ago interest paid by farmers was an amount equal to 11.6 percent of his net income; today it is almost 20 percent, and the average mortgage on a per farm basis has risen by more than $6,000."

Representative Langen wondered out loud if any of the next largest U.S. industries could have survived under such conditions. "Take the automotive industry, or the textile industry," he said. "If their indebtedness had risen by 10 percent a year while income remained the same, we would have heard dire forecasts of a great economic recession. Frankly, the very same thing can well result if we continue to ignore the facts surrounding the direction of our largest industry, agriculture."

SITUATION CAN BE CORRECTED

"It certainly is not necessary to let agriculture drift down its present path," said Langen. "All of us interested in agriculture, our farmers, our people engaged in agribusiness, and especially the consumer, must be alerted to these facts and realities if we are to continue to be the best fed nation at the lowest per income-dollar cost in the world."

WOULD CONSUMER PRICES, EXPORT MARKETS, BE THREATENED?

"There seems to be some fear that an attempt to strengthen farm income would result in undesirable prices of food at the grocery store, or that we would lose some of our foreign markets," noted Langren. "But neither fear is valid."

Langen used the sugar industry as an example of better farm prices without much effect on consumers. "Since 1960, the price to the sugarbeet farmer has gone up 23 percent, his gross income has almost doubled, and his net profit per acre has increased by 20 percent while production doubled. But the price of a pound of sugar on the grocery shelf increased by only about half a penny.

"Wheat prices, on the contrary, fell about 40 percent since 1962, down to just $1.24 these days. But the low price failed to increase our foreign markets for wheat. In fact, our low prices had the reverse effect, forcing foreign nations to increase import fees to protect their own farmers.

"If wheat had increased by the same 23 per cent in price that sugar beets experienced, a bushel of wheat today would be $2.50," said Langen. "What a boon that would have been for rural America! It wouldn't have hurt our exports, and the effect on the consumer would have been very little since the wheat in a loaf of bread constitutes only about 10 per cent of the cost."

AGRICULTURE HAS EARNED CONSIDERATION

Congressman Langen said that U.S. Agriculture and Rural America have earned our attention and consideration. "Our farmers have forged the best production story of any industry in this nation, increasing crop production per man hour by some 148 per cent in the past 20 years and livestock production by 149 percent. Every American has been the beneficiary of quality foods, ample supplies, better packaged foods, and at a cost of a little over 17½ cents out of every income dollar, the lowest percentage in the world. With 82½ cents left to the consumer to spend on other items, the farmer thus becomes the real impetus behind the expansion of our other great industries."

THE CONGRESS AND THE NEW ADMINISTRATION

"It is still too early to tell what suggestions or proposals will come from the new Administration," observed Langen. "There are encouraging signs, however, that more attention will be paid to farm prices, and all of us interested in Agriculture must pursue that pressing concern.

"The Congress, where farm laws and policies are formulated, remains much the same in composition as the preceding Congress," said Langen, "so the basic decisions on the direction agriculture will take in the future must come from people like you, at meetings like this. Your concerns and your decisions must be conveyed to the White House, the Congress and the American public. We who believe that American Agriculture should receive a fair return for the contribution it makes to the nation must have the unanimous support of every agricultural interest, whether farms, agri-business, farm organizations, small towns, or what have you.

"We either stand together, or witness each segment of America's largest industry fall in turn," concluded Mr. Langen. "If we expect Congress to face the challenge, we must first face it ourselves, as a united industry."

KENT STATE UNIVERSITY STUDENTS VOLUNTEER THEIR SERVICES

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. STANTON. Mr. Speaker, in this day of revolt and rebellion on the campuses across the country, it is refreshing and reassuring to read confirmation of a fact that we sometimes lose sight of: the overwhelming majority of today's college students are productive, contributing citizens. The letter below pays well-deserved tribute to the students at Kent State University in my district for their countless hours of volunteer activity in conjunction with community service programs in Kent, Ohio.

The letter follows:

[From the Record-Courier, Feb. 10, 1969]

RETIRING WELFARE DIRECTOR CITES KENT STATE UNIVERSITY STUDENTS' SERVICE

DEAR SIR: Before I leave my office as executive director of The Kent Welfare and Visiting Nurse Association, I wish to publicly express my appreciation and praise to the students of Kent State University who have devoted hours of service to our agency through the years.

They have come as individuals, in groups, from sororities, fraternities, residence halls, and other organized groups on campus, requesting service projects.

We found them to be enthusiastic, with a keen interest, not only in underprivileged children, but with the aged, the blind, families on low income and shut-ins. They have worked well under supervision and have given countless hours of joy to the very young, the very old and those in between.

They have furnished transportation for children to and from parties which they held for children of all ages at Christmas time, for Valentine's Day, and at Easter.

They have taken children on nature hikes, picnics, to ball games and to movies. Even held a story hour at the Public Library. They have tutored children and in many instances have collected clothing and even purchased new clothing. They have shown a great interest in the deaf children.

They have entertained children and sometimes families in their sorority and fraternity houses.

They have visited the blind, read to them, taken them for walks and, in many instances, these visits have been the blind persons' only contact with the outside world.

They have visited the shut-ins, taken them magazines, plants, cookies and scented soap. They have done household chores for them, such as mowing the lawn, shoveling snow, washing windows, turning rugs, putting up curtain rods, and small repair jobs around the house, even to spring housecleaning.

They have adopted families, remembering them on birthdays, often baby-sitting while another group took the mother out for an evening's entertainment. They have collected canned food on many occasions, hundreds of cans, helped in sorting, packing and delivering food baskets.

It is from this source that much of our volunteer help has come, from these young men and women, who are concerned with those less fortunate, who take time out of their busy schedules to give to others. I am sure their lives are enriched from these experiences and the recipients of their good deeds are indeed grateful.

It has been heartwarming to work with these young, thoughtful, students who have such a keen concern for others and who use their time and effort in such a meaningful way. They have helped to make our organization more humane and far reaching. They have given a personal touch that we could not accomplish because of time and limited staff.

So I salute the students of Kent State University who do care about others and who do something about it.

My hope is that you will continue to work with my successor in the same way.

MRS. ELIZABETH FOUST,
Executive Director, The Kent Welfare and Visiting Nurse Association, Inc.

HOUSE OF REPRESENTATIVES—*Thursday, February 20, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Blessed is the nation whose God is the Lord.—Psalm 33: 12.

Our fathers' God, to Thee, author of liberty, to Thee we pray; long may our land be bright with freedom's holy light; protect us by Thy might, great God, our King.

In this temple of freedom we give Thee thanks for the spirit and the service of our first President whom we affectionately call the Father of Our Country. We remember his courage in times of crisis, his fidelity during periods of adversity, and his faith which made him bend his knees on frozen ground that he might find strength and confidence to continue the struggle for independence.

Grant that the remembrance of this great life may strengthen us and our people to live and to labor for the freedom of all mankind. Thus may we ever be one nation, under Thee, with liberty and justice for all.

We pray in the spirit of the Lord of Life. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

GEORGE WASHINGTON'S FAREWELL ADDRESS

The SPEAKER. Pursuant to the order of the House of February 17, 1969, the Chair recognizes the gentleman from Virginia (Mr. WAMPLER) to read George Washington's Farewell Address.

Mr. WAMPLER read the Farewell Address as follows:

To the people of the United States.

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home: your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite movement, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appelation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south*, in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter.—Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western;* whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head: they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of fraction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism.—But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchial cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinions should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachment for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

ELECTION OF MEMBERS TO JOINT COMMITTEES

Mr. ALBERT. Mr. Speaker, I offer a privileged resolution (H. Res. 263) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 263

Resolved, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress.

Joint Committee on Printing: Mr. Friedel, Maryland; Mr. Dent, Pennsylvania; Mr. Lipscomb, California.

Joint Committee of Congress on the Library: Mr. Friedel, Maryland; Mr. Thompson, New Jersey; Mr. Podell, New York; Mr. Corbett, Pennsylvania; Mr. Harvey, Michigan.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON DISPOSITION OF EXECUTIVE PAPERS

Mr. ALBERT. Mr. Speaker, I offer a privileged resolution (H. Res. 264) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 264

Resolved, That the Committee on the Disposition of Executive Papers provided for by section 5 of Public Law 115, Seventy-eighth Congress, shall consist of two members of the Committee on House Administration, to be appointed by the Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF COMMITTEE ON THE DISPOSITION OF EXECUTIVE PAPERS

The SPEAKER. Pursuant to the provisions of 44 United States Code 3305, the Chair appoints as members of the Committee on the Disposition of Executive Papers the gentleman from Michigan (Mr. NEDZI) and the gentleman from California (Mr. PETTIS).

DESIGNATION OF MINORITY EMPLOYEE

Mr. GERALD R. FORD. Mr. Speaker, I offer a privileged resolution (H. Res. 265) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 265

Resolved, That, pursuant to the Legislative Pay Act of 1929, as amended, John J. Williams is hereby designated a minority employee (to fill an existing vacancy) until otherwise ordered by the House, and shall receive gross compensation of $21,792.12 per annum.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I have taken this time for the purpose of asking the distinguished majority leader the legislative program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, Monday is District Day, but there are no District bills, and we are not prepared at this time to announce the program for the balance of next week. We will announce any further program next week.

ADJOURNMENT TO MONDAY, FEBRUARY 24, 1969

Mr. ALBERT. Mr. Speaker, in view of the fact that we have finished the legislative business for the week, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would ask the gentleman from Oklahoma if I am correct in understanding that no program whatever is being announced for next week?

Mr. ALBERT. None is ready at this time. All the committees are working. We have been in touch with all the committees, but none of them have bills which are ready to be brought up.

Mr. GROSS. Monday is not a suspension day?

Mr. ALBERT. Monday is District Day, but there are no District bills.

Mr. GROSS. And there is no program at all for next week?

Mr. ALBERT. Not as of now.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that any business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORIZING THE CLERK TO RECEIVE MESSAGES FROM THE SENATE AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DURING ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

WINNING SPEECH—VOICE OF DEMOCRACY CONTEST

(Mr. WHITTEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHITTEN. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conducts a Voice of Democracy contest. This year over 400,000 school students participated in the contest, the theme of which was "Freedom's Challenge."

I am proud to present to the Members of the House of Representatives the winning speech from the fine State of Mississippi, which was delivered by Mr. Gary E. Evans, of Iuka, Miss., and reads as follows:

FREEDOM'S CHALLENGE

How wonderful it is to be able to rise in the morning with no fear of anyone's forcing himself into my house to take me to prison for some unknown reason, to be able to walk out my door and breathe the fresh air with no fear of molestation, to be able to express my opinions openly, and as I please, to be able to walk down the street unafraid of anyone, to have the right to purchase property as I wish, and the most wonderful of all—to pray and worship God freely. I am also greatly thankful as I realize that we in this great land have all of these freedoms, and that they are protected and insured to us by the Constitution of the United States.

We of the United States enjoy so many privileges that many people of other countries long for but never receive. Do we respect and protect these privileges as we should, or do we degrade them and take them for granted?

We in the United States should, each day, thank God for the freedoms which we have. As citizens of the United States, we have great responsibilities upon our shoulders to protect these freedoms for generations to come, for our children and our grandchildren, and also to make ourselves more worthy of them. Just as our founding fathers sacrificed so that we might have these freedoms, we should also be willing to sacrifice to protect them.

To make ourselves more worthy of these freedoms, we must always show respect for the great American flag which tody is being downtrodden by so many. One of the best ways to become more worthy is to help all of us in the United States keep unmovable faith in God as our founding fathers did. Also we can uphold, in all circumstances, the freedoms and principles upon which our country is based. By simply reminding those around us, who degrade the freedoms which we have, of just how fortunate we are to even live in a country with such privileges, we will be helping to make this land a better place in which to dwell.

As students today, we can help others become more aware of our freedoms. We can work with the leaders of our community, student government councils, faculties, and administrators to help everyone realize that these privileges are ours to protect and increase or to destroy.

To establish an Honor Society in every school would give students a feeling of greater responsibility and thus prevent much of the cheating in the schools today as well as give the students a feeling of accomplishment. Throughout the country young people need to accept more responsibility. We, the young people, need to know and realize that we are not the leaders of tomorrow but are a great part of the leadership of today. We also need to realize that we have a part in our society, and that, unless we function as we should, an important part of our country's accomplishments will be left unfulfilled. Really, this idea would be to help us young people realize more fully the freedoms that are ours to enjoy, rather than just to place responsibilities upon us. But, at the same time it would make better citizens of us in our future lives.

Yes, we Americans do have many freedoms for which to be thankful, but there are also challenges to be met along with the freedoms. Are we going to accept these challenges? I am, and I'm going to do everything in my power to secure and protect the privileges which we have in our great country. Let's all strive diligently to meet "Freedom's Challenge!"

PROPOSAL FOR A MINIMUM TAX

(Mr. KOCH asked and was given permission to address the House for 1 minute.)

Mr. KOCH. Mr. Speaker, I rise on this timely occasion to introduce legislation which would amend the Internal Revenue Code of 1954 by providing for a minimum income tax. It would seem only appropriate that I submit this legislation for the consideration of the Congress at the time when the Ways and Means Committee is undertaking a series of hearings on the general subject of tax reform, including discussion on minimum tax proposals.

It is shocking and immoral to find that 21 people with incomes over $1 million did not pay any income tax in the 1967 returns. Additionally, 134 more, with adjusted incomes above $200,000, paid no income tax.

In these times, moneys are so sorely needed for the rehabilitation of our cities in housing and transportation; for the welfare of our citizens, especially in the inner city, in recreation and employment and education; for food to feed the hungry in the depressed urban and rural pockets of our country.

In the recent past we have witnessed—and strongly protested—the diversion of great quantities of our resources away from such badly needed domestic programs, and the crisis of the cities and the poor and the underprivileged has grown until we can no longer afford to ignore their existence.

Certainly the need to redefine our priorities has been demonstrated by the American people. But the revenues to implement the necessary programs must be found. Simply to increase the already heavy tax burden is not the means. Such proposals as the "temporary" surtax have a way of becoming permanent, and the tax dilemma, especially for the middle- and low-income brackets, becomes a particularly critical burden.

It is the low- and middle-income salaried individual who cannot deduct "business expenses" who suffers under our tax system. It is time that the wealthy and the well-heeled businessman pays his fair share.

Mr. Speaker, the answer lies in sharing the burden so that those who can afford it will pay an equitable share of taxes. These particularly well-heeled elements of our society have found nontaxable but certain profitmaking means of deploying their wealth under the existing provisions of our tax structure.

The proposal I offer today would establish a graduated scale of tax rates on the entire gross income of every individual. The tax table would be as follows:

If the defined income is:	The minimum tax is:
Not over $10,000	0
Over $10,000 but not over $20,000	5% of the excess over $10,000
Over $20,000 but not over $30,000	$500 plus 10% of the excess over $20,000
Over $30,000 but not over $40,000	$1,500 plus 15% of the excess over $30,000
Over $40,000	$3,000 plus 20% of the excess over $40,000

In my view this kind of a graduated system would be the most fair. It would help shift the presently unbalanced payment schedule and provide some relief for the overtaxation of the low- and middle-income tax bracket.

An editorial in the Washington Post of February 12, "Time Has Come for Tax Reform," in stressing tax assistance for the low and middle income, cites the importance of tapping the elusive big incomes which now go untaxed:

> The Treasury experts found that "many persons with incomes of $1 million or more actually pay the same effective rate of tax as do persons with incomes only one-fiftieth as large."

The Treasury Department in its exhaustive study on tax reform, has proposed a minimum tax to correct this deficiency in the law.

Tax reform is something we have all talked long and hard about, and the hour has long passed that action should be taken. Perhaps now we will do something about it.

FEDERALLY CHARTERED BANKS IMMUNE FROM STATE AND LOCAL TAXES

(Mr. PODELL asked and was given permission to address the House for 1 minute.)

Mr. PODELL. Mr. Speaker, the U.S. Supreme Court decision last June held that federally chartered banks were found to be immune from State and local taxes.

Yesterday the highest court in the State of New York, the court of appeals, also held that all federally chartered banks in the State of New York were immune from sales taxes, and nondiscriminatory use taxes.

Mr. Speaker, I am sure you are well aware that this has cost some $30 million to $40 million in States revenue from the national banks throughout the United States.

I have introduced legislation which will remove the immunity of federally chartered institutions from State sales taxes.

I shall shortly furnish the Members of the House with a report setting forth the results of the survey I have taken together with my findings as a result of the informal public hearings. I think it is important that I alert my colleagues to the urgency of this problem particularly at a time when there has been a sharp acceleration of State expenditures and we find that our States have already reached tax capacity.

This discriminatory practice of affording immunity to national banks must be stopped. I hope I can have the support of my colleagues.

THE TFX—AN ATROCITY PERPETRATED UPON AMERICA'S TAXPAYERS

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, the Washington Post of February 14 informs us that another TFX has crashed somewhere in Nevada. This was a scheduled 3-hour flight of about 750 miles. The $6 million aircraft carried two decorated flyers, both veterans of Vietnam.

Eleven of these so-called bombers have crashed in this country and Asia since the dual-service craft was put into operation in 1967.

I have long wished to express myself in regard to this flying deathtrap that an embarrassed Pentagon and a criminally liable corporation have foisted upon an unsuspecting taxpaying public. This plane is such a complete disaster as to now reach the exalted status of a national scandal.

Years have gone by. Billions have been spent. The Soviets have already put two generations of better aircraft into the air from their drawing boards. We are still making excuses for this airborne coffin, loaded down with gadgets designed to "revolutionize" warfare.

Incredible that the Congress and public have remained quiet for so long. Here we see more vividly with each passing day or crash that it is an utter disaster. Yet each time the Pentagon, the five-sided fairy-tale factory across the Potomac, coos sweetly into our ear that every day in every way the F–111A is getting better and better. It will cure cancer next, I suppose. It will do everything except perform its claimed and assigned combat duties and missions.

According to the Pentagon the TFX is about to replace any and all weapons systems devised for air combat since the days of the Renaissance geniuses. It will perhaps walk on water next. But it will not do what it was designed to do.

Mr. Speaker, the TFX is a fraud, a disaster and a grisly monument to all that is evil in the military-industrial complex. Brave men have died flying it, struck down because an American manufacturer cannot turn out an effective piece of hardware. Struck down after the foe in Vietnam failed, because the Pentagon refuses to admit that this plane is a shocking failure and that its own judgment was faulty.

Whenever anyone dares to criticize this gargantuan cropper, reams of press releases pour forth from the criminally liable corporation and the Pentagon. I have but one response to them. After years and billions of dollars and dozens of lives, this plane is a piece of trash, unworthy of being deployed for combat missions in Vietnam; unworthy of being used in any overseas area of American military responsibility and even incapable of making 750-mile, 3-hour training flights with America's top pilots aboard.

If the criminally liable corporation and the Pentagon can prove me wrong as of this writing, I will retract this statement on the floor of the House. I expect that this will happen when someone unties the Belt of Orion. Or when corporations such as the criminally liable one can produce a working piece of hardware in return for the money almost stolen from the public. Or when elephants roost on rosebushes or the Pentagon admits mistakes. Or when the M–16 is as good as the Russian assault rifle being used in Vietnam. Or when cows give beer.

The TFX, Mr. Speaker, is a disaster. A colossal abuse of taxpayer dollars and Government effort. A blood-tinged stain upon our country.

ARAB TERRORISTS ATTACK UNARMED ISRAELI AIRLINER

(Mr. PODELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, again Arab terrorists have attacked an unarmed Israel airliner at an international airport in an neutral country. El Al was simply utilizing its right to pursue a mission of peaceful international trade and travel, utilizing airways. It is that free right to use any international mode of movement that has been challenged through use of terror. All international carriers of any kind are in potential jeopardy through the setting of such precedents. Peaceful pursuit of any goal via international land, sea, and air travel could be compromised.

What if tomorrow Biafra decided to attack Nigerian aircraft at London Airport? Suppose Pakistan sends raiders to shoot up an Indian passenger plane in Istanbul? Or perhaps it will be native guerrillas from Portugal's colonies attacking a Portuguese airliner in Rome? Will the Catholic Irish of the south move against a plane flying out of Ulster? Perhaps next it will be emigres from the Soviet Union using machineguns on an Aeroflot craft. Nothing is too farfetched once precedents have been set.

Yet the world watches calmly while the rights of one small nation to use international air routes are abrogated with impunity by assassins and religious bigots who seek to persecute the Jewish people to death and extinction. The Arabs are inheritors of Hitler's goals.

Already U Thant, has made a few perfunctory blubbering protestations of indignation. They were uttered in one breath, while with the other he swiftly stated his hope that the Israelis would refrain from retaliation.

Mr. Speaker, my contempt for those who will press for Israeli forbearance far exceeds my disdain of the fedayeen. All over the world there will appear statement after statement deploring, condemning, and bewailing. Reams of newsprint will be expended bemoaning the Swiss incident. Airwaves will pulsate with breast beatings about the horror of it all. The perfunctory shredding of garments in Foggy Bottom will be as futile and hypocritical as U Thant's bleatings. It is all useless.

Mr. Speaker, the entire principle of free utilization of the world's airways and sealanes is at stake here. What is being done to Israel will be done to others in the future, utilizing these barbaric acts of senseless bloodshed against peaceful civilian travelers as precedents.

A few weeks ago, Iraq barbarically murdered 14 of her citizens. Nine were Jews. They were executed because of their faith in a manner the Inquisition would have found admirable. The world raged. Israel withheld its hand. What does the world propose that Israel do now? Hand a laurel garland to the terrorists?

Mr. Speaker, the U.N. is an international joke. No one will defend Israel but her own strong hand. She has the right to act in accordance with her international interests. When she strikes to prevent further acts of this kind, I for one do not intend to condemn her, beat my breast in moral outrage or call for improbable solutions to matter-of-fact situations.

SELECTION OF PRESIDENTIAL NOMINEES

(Mr. ECKHARDT asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. ECKHARDT. Mr. Speaker, I shall introduce next week a bill on the democratic selection of presidential nominees. The bill is addressed to the same proposition as that dealt with in the Hughes Commission report which was placed in the Record on October 15, 1968, page 31544, by the gentleman from Minnesota (Mr. Fraser). I invite comment from my colleagues, and after considering such, I should like to prepare a bill which some of them might wish to join. The bill will be introduced on Thursday of next week. Please notify me if you feel you may be interested in cosponsoring it. The tentative draft is as follows:

> A bill to suspend the equal time requirements of section 315 of the Communications Act of 1934 for certain candidates for nomination to the office of President, to provide for television debates for such candidates, and to afford the States a uniform means of selecting and instructing delegates to the presidential conventions of the major political parties to the end that the people will be more directly and equitably represented in the selection of party candidates, that the political processes of the Nation will be more orderly, meaningful, and informative, and that the inordinately high cost of seeking presidential nomination will be reduced

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Television Debate and Presidential Nominee Selection Act of 1969."

TITLE I—SUSPENSION OF SECTION 315 OF COMMUNICATIONS ACT OF 1934

Sec. 101. That part of section 315(a) of the Communications Act of 1934 which requires any licensee of a broadcast station who permits any person who is a legally qualified candidate for any public office to use a broadcasting station to afford equal opportunities to all other such candidates for that office in the use of such broadcasting station, is suspended with respect to the use of a broadcasting station by a candidate for a political party's nomination for President or by a candidate for the office of President in a television program conducted under the provisions of this Act. Nothing in this section shall be construed as relieving broadcasters from the obligation imposed upon them under the Communications Act of 1934 to operate in the public interest.

TITLE II—TELEVISION COVERAGE ASSISTANCE

Sec. 201. Findings and Purpose.—(a) Congress finds that there is presently too little effective political communication between presidential candidates and voters in the nature of debate and presentation of issues. Therefore, to promote the public welfare and to improve the democratic processes of nomination and election to the Presidency, it is essential to recognize the airwaves as part of the public domain, and to reserve television time for dialog on public issues between presidential candidates.

(b) In the construction and implementation of this title, Congress directs that regard be had to its overall objectives, the fair and equitable administration of the programs provided for, without favor to any candidate, and with the sole purpose of informing the public as fully as possible on the qualities and positions of each candidate.

Sec. 202. Political Parties Eligible To Participate.—In order to qualify for participation in nationwide televised debates pursuant to this title, a political party must be a qualified political party under the laws of three-fourths of the States having presidential primary or convention statutes approved by the Attorney General of the United States pursuant to the provisions of this Act.

Sec. 203. Committee on Public Debate.—(a) There is hereby created a Committee on Public Debate to consist of a Chairman and four other members to be appointed by the President, with the advice and consent of the Senate. Each member shall serve for a term of five years except that (1) the four members first appointed (other than the Chairman) shall serve for terms of one, two, three and four years, respectively, and (2) any member may serve after the expiration of his term until his successor has qualified. It is the desire of Congress that the President appoint to this Committee citizens of distinction and proven expertness in judging the effectiveness and fairness of modes of public information with respect to candidates for nomination for the Presidency, as for instance, distinguished persons from the academic, scientific, or journalistic fields.

(b) It shall be the continuing duty of the Committee to—

(1) study possible modes of operating the machinery provided in this title, and possible alternatives thereto, and to report from time to time to the President and to Congress on the results of such study;

(2) cooperate with the Federal Communications Commission with respect to the duties mandated to that agency by this title; and

(3) evaluate the particular mode of implementing this title chosen and followed by the Commission, suggesting improvements to that agency while the work is in progress, and reporting to Congress finally on the efficacy and fairness of the operation of this title with respect to the presidential nominating process.

(c) The first meeting of the Committee shall be called on sufficient notice by its Chairman, promptly after the enactment of this Act, and meetings shall be held thereafter, on call by the Committee at its last meeting or by the Chairman, at such times and at such intervals as may be required in order that the Committee may perform effectively the duties given it in the preceding subsection.

Sec. 204. Personnel.—The Committee is authorized to provide for a staff for the Committee, and to promulgate duties and establish salaries for the members of such staff.

Sec. 205. Debates Among Candidates for Presidential Nomination.—(a) The Commission shall administer this section and section 206 of this title.

(b) The duties of the Commission, with respect to the operation of this title, shall be as follows:

(1) The Commission shall determine, no later than the 31st day of May of each presidential election year, the political parties which have met the requirements of section 202 and shall commence the process of determining who are the leading presidential candidates of each such political party. Such leading candidates shall be selected as follows:

(A) The Commission shall select not more than four nor less than two reliable opinion polling agencies sampling national public opinion.

(B) The Commission shall then select or obtain polls conducted by each of the polling agencies chosen representing an accurate measure of the preference of the voters of a party for the candidate for the nomination of such party for President expressed as a percentage of all persons of the party polled, other than those who are undecided.

(c) The Commission shall then take the average of the polls in order to determine the average percentage of preference for each candidate for the nomination of each party and shall eliminate any candidate having an average percentage of preference of less than two percent within his respective party.

(D) (i) After the Commission has determined the candidates, it shall forthwith notify each such candidate to that effect by the most expeditious means of communication and shall advise such candidate that, unless he requests that his name not be used, his name will be included in the television debates under this section.

(ii) If such candidate requests that his name not be used for the purpose of inclusion in the television debates among the candidates for the nomination of a political party under this section, the Commission shall not certify his name for participation in any television debate under this section among the candidates for the nomination of such party. The Commission shall then notify the political party of the person who has so declined. No candidate shall have his name removed from the ballot of any State by virtue of his refusing to participate in any television debate.

(2) Prior to May 31 of each such presidential election year, the Commission shall invite each of the three major television networks to submit the names of four distinguished and nationally recognized journalists. Of these twelve, the Commission shall select three names, using methods customary in arbitration proceedings, permitting the striking of names by candidates, or employing any other fair and equitable means of selection. The Commission shall keep the Committee fully and currently informed on its selection process.

(3) The Commission shall in every way assist and cooperate with the Committee.

(4) (A) For each political party with two or more presidential candidates certified by the Commission there shall be television programs occupying not less than four hours of prime time without cost to the candidates, the parties, or any agency of government. The Commission shall select television stations to carry such programs. Such shall be done on equitable and fair basis so as to provide coverage throughout each State which is eligible to receive Federal assistance under title III of this Act. Such time shall be used on one or more programs in June of each presidential election year.

(B) Should a political party have only one presidential candidate who qualifies for television time under this title, such candidate shall be entitled to only one program of one hour duration.

SEC. 206. ADDITIONAL PROGRAMS.—In the event that additional time is afforded voluntarily by television stations, the Commission may provide for programs comparable to programs conducted under section 205. In the event that, after the Presidential primary election or convention in a State which has received Federal assistance under title III, there remains any amount not committed to the costs of the elections or conventions in such State's nominating fund established under section 302(b)(1) at the direction of the appropriate authority of the State, the Commission may use such amounts to purchase television time, equally apportioned between the parties which have met the requirements of section 202, for programs which shall follow the same general format as those conducted under section 205, but in which the candidates selected at the national conventions of such political parties may appear and participate in the debate. The television time shall be separately purchased in the States from whence the excess funds come. Broadcasters shall make television time available, and such time shall be purchased only at the rate at which such time is sold to the most favored purchaser.

TITLE III—STATE ELECTION AND CONVENTION PROCEDURES

SEC. 301. PURPOSE.—Congress finds there is little uniformity in the States in selecting delegates to the national conventions of the political parties and that the political processes of the Nation will be more orderly and meaningful if more uniformity is established. Congress also finds that the present conglomeration of delegate selection procedures causes a maximum exposure of candidates to political foment of a demonstration or carnival nature and that this political activity continues over a period of many months, exposing the candidates to a maximum of physical exhaustion and danger and to inordinate expense for a minimum return in informing the electorate of issues and positions of the candidates on them. It is necessary and proper that the States be afforded opportunity to activate a common national method of selecting and instructing delegates from a State to the conventions of the political parties.

SEC. 302. STATE LAW STANDARDS.—The law of a State, to be in compliance with this title so as to afford such State the grants and benefits provided for in this Act, shall contain the following provisions:

(a) General provisions.

(1) Delegates from a State to a national convention of a political party must be selected by a convention system or by an election system. One system of selection shall be used to select all the delegates of a political party but the State need not require all political parties in the State to use the same system of selection.

(2) There shall be reasonable safeguards to assure that the election or convention be properly advertised and that the machinery and facilities for such process are such as to afford fair and equal opportunity to all the qualified voters of a State desiring to participate in the parties' affairs to do so.

(3) The election or convention in which delegates to the national convention are selected shall be held not earlier than the first nor later than the twelfth day of July of that presidential year in which the national convention is held.

(b) If a convention system be used:

(1) Any State convention shall be composed entirely of delegates selected from political subdivisions of the State which in the aggregate comprise the entire State.

(2) Votes at the State convention shall be allocated among the political subdivisions directly in proportion to the votes cast in such subdivision for the electors of the party in the last Presidential election, rounded out to the closest whole number. If the party did not appear on the ballot in the last Presidential election, votes at the State convention shall be allocated among the political subdivisions directly in proportion to their population according to the last decennial census, rounded out to the closest whole number.

(3) The delegates shall be free to nominate persons for the party's nomination for President. They shall then hold one ballot at which the delegates, or the delegations from the subdivisions, shall cast their votes. Such method of voting shall be in accordance with a system which affords proportionate representation, by fair and proportionate representative process, to the voters of the State adhering to each political party qualifying.

(4) When the votes for the party's nomination for President are tallied, it shall be determined what percentage of the total vote was cast for each nominee, and the delegates to the national convention from the party conventions of that State who are supporters of each nominee shall be in proportion to the votes cast for that nominee, to the closest single delegate. There shall be no additional delegates sent from the State to the national convention, such as "at large" delegates. The group of delegates to the national convention, selected as the proportionate representation of each nominee, shall be selected by a caucus of those delegates at the State convention who voted for that nominee.

(5) If any convention of a subdivision, such as the precinct or county convention, elects to send to the next higher convention within the State a delegation which is instructed with respect to the candidates for the Presidency, a like procedure of proportionate representation shall be followed. The group of delegates to the next higher convention selected at any convention in a subdivision of the State, such as a precinct or a county, shall be selected by a caucus of those delegates in that subdivision's convention who voted for that nominee.

(6) In the event that only one nominee is presented at the convention of a State, county, precinct or political subdivision (as in the case of a favorite son nominee) notice may be given by any member of the convention of opposition to such single nominee. In that event, his name shall be presented for votes for or against such nominee and the delegation from the convention shall be constituted in proportion to the yea and nay votes in the same manner as if the yea votes had been cast for one candidate and the nay votes for another.

(c) If an election system be used:

(1) There shall be fair and comprehensive provisions for elections, including qualifications of nominees, the method of placing names on the ballot, and other election details.

(2) When the votes for a party's nomination for President are tallied, it shall be determined what percentage of the total vote was cast for each nominee, and the delegates to the national convention for each of the nominees shall be in proportion to the votes cast for that nominee to the closest single delegate.

(3) The group of delegates to the national convention selected as the proportionate representation of each nominee shall be selected by that nominee or by his designee, which may be his political organization in the State in question, as he shall designate.

(d) Instruction of delegates. Those delegates selected as delegates of a candidate may be bound to support such candidate through the first ballot of the convention and shall not otherwise be bound in any way with respect to support of candidates for presidential or vice presidential nomination. Such instruction shall be imposed only by the body, group or person selecting such delegates as provided in (b) and (c) of this section, and such instruction, if given, must be given in the caucus or in the letter of instruction in which they are named. Such instruction as may be given shall not survive the life of the candidate, and a candidate may personally release such delegates from their instruction by written release delivered to the chairman of the delegation. In the case of such release or in case of death of a candidate, those delegates selected as delegates of such candidate shall not be bound by any instruction with respect to support of candidates for presidential or vice presidential nomination. The rule stated here applies to all convention levels at which there are delegates from a lower convention and applies to delegates to the national convention of a party whether selected under (b) or (c) of this section.

(e) Effect of noncompliance. The failure of State legislation to comply with the uniform standards set out in section 302, or the failure of State legislation to be so certified by the Attorney General, shall not affect the general validity of the State's process for participating in the party presidential nomination procedure but shall render the State ineligible to receive grants or other benefits under this Act.

(e) Financial Assistance to States.

(1) Each State which—

(A) has in effect on January 1 of the calendar year in which the President is elected a primary election statute which the Attorney General has determined is in compliance with this section, and

(B) has established a nominating fund, as provided in this section,

shall receive in such calendar year, as a grant-in-aid from the Federal Government for such nominating fund, twenty cents for each vote cast in such year for a candidate for a party's nomination for President in the primary election held pursuant to the certified State statute to aid in defraying the expenses of such election, to be distributed to or used on behalf of each political party using such primary.

(2) Each State which—

(A) has in effect on January 1 of the calendar year in which the President is elected a convention statute which the Attorney General has determined is in compliance with this section, and

(B) has established a nominating fund, as provided in this section,

shall receive during such calendar year, as a grant-in-aid from the Federal Government, for such nominating fund one dollar per hundred population of the State to be distributed to or used on behalf of each political party using such convention system.

(3) Any State electing to participate in a system of delegate selection provided for in this Act may submit to the Department of Justice proposed legislation complying with the standards set out in this section; and the Attorney General of the United States may give approval to the form of statute, which shall constitute assurance to the State that, if such legislation is enacted, the State will be in compliance with the uniform standards set out in this section. In that event, no further action, other than notification to the Justice Department by the Governor of the passage of the Act, shall be necessary. Upon receiving such notification, the Attorney General shall certify to the Commission that the State's statute meets the requirements set out herein.

(4) In the event that no such prior notice is given to the Justice Department, or the proposed legislation submitted to the Justice Department is amended before enactment by the State, the Governor of the State shall, after the passage of such legislation, certify to the Justice Department that such legislation has been passed. The Attorney General of the United States shall then consider such legislation. If such legislation is in compliance with uniform standards for such legislation set out in this section, he shall so certify to the complying State and to the Commission.

(5) Whenever the Attorney General determines, after notice and opportunity for a hearing, that a State statute approved under subsection (a) or (b) has been so amended that it no longer complies with the requirements set out in section 302, he shall inform such State and the Commission that such State's statute is no longer a State statute which is approved under this section. After the Attorney General notifies such State, no further payments may be made under this Act to such State, or to political parties in such State.

(6) A State shall establish a nominating fund to aid in offsetting the expenses of the primary election or convention process. Such fund may be used by the State in such manner as it may provide by law to further the holding of party nominating conventions or elections and amounts remaining in such after such conventions or elections shall be available for the purposes of section 206. A party's procedure leading to the selection of presidential and vice presidential candidates may be combined with the party's procedures for selecting other party candidates, and expenditures may be made from the fund established under this subsection to pay the cost of such combined procedure. The State may either become the depository of all funds, from whatever derivation, and provide for payment of costs of elections or conventions, or it may provide means by which funds shall go from the State or Federal sources (or both) to the party to conduct such elections or conventions. Thus, if a State generally qualifies to receive grants-in-aid, but because of policy or statutory or constitutional limitation of the State may not receive and distribute such funds to a political party from the State's own treasury of funds, such funds may be distributed directly by the Federal Government to the appropriate political party as the State may direct. No moneys from this fund shall be used for other than the defraying of the costs of an election, a convention, or the costs of the television programs referred to in title II, section 206 of this Act.

Sec. 401. Definitions.—

(a) The term "State" includes the several States, the District of Columbia, and the Commonwealth of Puerto Rico, the Canal Zone, the Virgin Islands, or any other territory or possession allowed to vote in national political conventions.

(b) "Qualified political party" means a party which has qualified for its candidates or electors to be placed on the ballots throughout the State for president and vice president for the current election year; provided, however: If it has qualified in past years and is not yet required to be qualified in a given election year at the time of the applicability of this Act to the action involved, it is a "qualified political party" if its duly authorized agent expresses the intention of the party to qualify giving notice of intent in such manner as the State law may provide. But at any time that it has passed a deadline for qualification in a presidential year, is not yet qualified and may not qualify under the law of the State, it shall not then and thereafter be a "qualified political party."

(c) "Commission" means the Federal Communications Commission.

(d) "Committee" means the Committee on Public Debate.

(e) "Population," wherever used, means population according to the last decennial census.

(f) "Attorney General" means the Attorney General of the United States.

(g) "Justice Department" means the Department of Justice of the United States.

Sec. 402. Effective Date.—This Act (other than sections 203 and 204) shall take effect on January 1 of the year following the year in which it is enacted. Sections 203 and 204 shall take effect on the date of enactment of this Act.

ABM SYSTEM RIDICULOUS

(Mr. DORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. DORN. Mr. Speaker, a thin antiballistic-missile defense system around the United States would be as obsolete as the Great Wall of China. It will be as ineffective as the maginot line. This proposal would be a rerun of the gallant Polish cavalry charging Hitler's panzer divisions. It will be as ridiculous as guerrillas in South Vietnam shooting arrows at low-flying jet bombers.

Mr. Speaker, I remember one day in high school the principal turned out the entire student body to see a picturesque troop of U.S. Army cavalry passing by. I wondered even then how these splendid men would fare in battle with armored tanks and bombers. Since becoming a Member of the Congress, I recall going on a national TV and radio broadcast to debate a retired general who advocated a reactivation of the horse cavalry. I keep on the wall of my office a picture of Billy Mitchell as a constant reminder that we cannot provide security for this Nation and the cause of freedom on military concepts of the past. To do so today will be playing into the hands of our enemies and will be fatal. If we had listened in the early 1930's to those who advocated airpower, tanks, and modernized weaponry, including aircraft carriers, we might have avoided World War II and preserved the peace of the world. No, Mr. Speaker, we must not fall into the error of taking an instrument of war or defense today and base our security on that instrumentality tomorrow. Alexander the Great conquered the world because he developed something new—the Greek phalanx. Rome conquered the world and maintained its power for centuries by developing something new—the Roman legion. Napoleon dazzled Europe with something new—the mass use of artillery in battle. In defense planning we cannot look backward. We must look forward. This money must be used for offensive instrumentalities of defense. No nation will move against America if they are sure of destruction in their own homeland. Tomorrow the only true defense will be an overwhelming offensive power. With our advances in space, we could remain capable of destroying any aggressor on his home ground.

Mr. Speaker, even laymen are aware there is no defense today against a missile in air or a bomb from space with many hydrogen warheads that can separate in flight and change direction to numerous targets. I urge our new and great Secretary of Defense and the Congress to abandon this thin anti-missile defense as utterly inadequate and ridiculous. I urge the Secretary and the Congress to look to the year 2000 and develop an offensive potential which will promote peace throughout the world and preserve the security of the American people.

THE INTERGOVERNMENTAL COOPERATION ACT OF 1969

(Mr. FOUNTAIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. FOUNTAIN. Mr. Speaker, I have today introduced, for appropriate reference, a bill entitled "The Intergovernmental Cooperation Act of 1969." It gives me great pleasure to say that I am joined in cosponsoring this bill by eight distinguished colleagues from both sides of the aisle: the gentlewoman from New Jersey (Mrs. Dwyer), the gentleman from Florida (Mr. Fascell), the gentleman from Wisconsin (Mr. Reuss), the gentleman from Minnesota (Mr. Fraser), the gentleman from New York (Mr. Reid), the gentleman from New York (Mr. Horton), the gentleman from Delaware (Mr. Roth), and the gentleman from California (Mr. McCloskey). The improvement of intergovernmental relations is not and should not be a matter for party politics.

This measure is designed to build on the firm foundation established by the Intergovernmental Cooperation Act of last year—Public Law 90-577—and is geared to strengthening further the management of Federal assistance programs. By focusing on the accounting, auditing, and fiscal reporting of grant funds, by facilitating consolidation of functionally related aid programs, by establishing expeditious procedures for processing projects drawing on more than one such program, and by strengthening congressional as well as executive branch grant-in-aid oversight, this measure faces squarely the key administrative deficiencies at the national level that must be corrected if federalism today is to meet and overcome the divisive challenges confronting it and the American people.

Mr. Speaker, the Intergovernmental Cooperation Act of 1968, which I had the privilege of sponsoring, constitutes the first major step in bringing some order to the confused state of contemporary Federal-State-local relations. By revamping procedures affecting the distribution of Federal grant funds to the States, by authorizing Federal departments and agencies to provide specialized and technical services to other jurisdictions on a reimbursable basis, by mandating a coordinated intergovernmental policy for the administration of development assistance grants, by establishing uniform policies and procedures with respect to the acquisition and disposal of urban land, and by beginning to strengthen congressional oversight over certain grant programs, some of the impediments to the effective operation of our federal system have been removed. How beneficial this legislation will be in the long run depends, of course, on the character of the implementing rules and regulations now being developed by the Bureau of the Budget and on the willingness of Federal departments and agencies to comply with the spirit as well as the letter of the law.

Meanwhile, we must move forward on the legislative front. Many serious problems still face us in the area of Federal-State-local relations. No breakthrough has been achieved in improving the fiscal management of Federal assistance programs. No effort has been mounted on a broad, meaningful basis to reduce to a more manageable number the more than 420 categorical grants through the consolidation of functionally related programs into bloc grants. No meaningful procedures have been developed to facilitate the combining of closely related Federal assistance programs by State and local governments. And much too modest steps have been taken so far to provide Congress with the manpower to strengthen its programs oversight responsibilities, or to improve departmental and Executive Office of the President oversight with regard to these programs.

The lack of adequate action in these areas clearly signifies that further reform of the grant-in-aid system should be made a top priority item for this Congress. In large measure, these assistance programs represent a national response to the severe public service and the fiscal pressures that State and local governments have felt since the end of World War II, and especially during the past decade. Federal aid to State and local governments experienced a nearly fourfold increase between 1957 and 1967, with an average annual rise of over 14 percent. Federal grants now involve well over 420 separate authorizations, as estimated $25 billion for fiscal year 1970, and approximately 18 percent of estimated State and local revenue. At least 280 of these programs have been enacted since 1963.

However meritorious the purposes of Federal grant programs may be, this tremendous expansion of Federal aid has brought major problems as well. The extraordinary number and variety of these programs have created conditions of overlapping, duplication, and fragmentation at all levels. The excessive emphasis on narrow program categories has tended to obscure the need to deal with problems from the broad perspective of each level of government as a whole. Differing financial reporting, accounting, and auditing requirements among the various programs have generated as much conflict as cooperation among the personnel involved in these functions. Furthermore, efforts to develop an overview with respect to the operation of these programs—either within the committees of Congress or within the top management sector of the executive branch—have been largely sporadic and largely unsuccessful.

The legislation I introduce today comes to grips with these administrative defects, which undermine the collaborative basis of our federal system. It does so by concentrating on strengthening the financial management of Federal assistance programs, by authorizing a new way to speed grant consolidations, by establishing new procedures to facilitate the packaging of various aid programs, and by strengthening the monitoring of the operation of these programs by Congress, the departments, and the President.

Each of these provisions has been recommended by the Advisory Commission on Intergovernmental Relations on which I am privileged to serve. The goals of the measure as a whole are supported by the major associations of public officials, including the National Governors' Conference, National Association of Counties, National League of Cities, and U.S. Conference of Mayors. The financial management, Federal assistance consolidations, and joint funding simplification titles, in many instances, reflect changes urged in testimony at hearings Act enacted last year.

Mr. Speaker, if we face a management crisis in federalism, and I am convinced on the Intergovernmental Cooperation that we do, then this legislation is needed. I earnestly hope that early hearings can be scheduled on this measure and that final House action on it can be accomplished this session.

Mr. Speaker, I include as part of my remarks a section-by-section analysis of the Intergovernmental Cooperation Act of 1969):

Section-by-Section Analysis of the Intergovernmental Cooperation Act of 1969

TITLE I—DEFINITIONS

This title contains definitions of two terms used frequently in other titles of the bill.

TITLE II—ACCOUNTING, AUDITING, AND REPORTING OF FEDERAL ASSISTANCE FUNDS

Title II amends the Intergovernmental Cooperation Act of 1968 (P.L. 90-577) by adding a new Title VII which deals with the accounting, auditing, and reporting of Federal assistance funds. Section 701 sets forth the purposes of this new title: to encourage the simplification and standardization of the diverse financial reporting requirements of Federal assistance programs, to promote among Federal grant agencies accounting and auditing policies that rely on those State and local fiscal control systems which meet certain professional standards, and to empower the Comptroller General of the United States to establish rules and regulations for use of certain State and local audits in meeting GAO's responsibilties regarding Federal assistance programs.

More uniform financial reporting

Section 702 authorizes the President, notwithstanding any other provisions of law, to establish rules and regulations that will simplify and, where possible, make more uniform the financial reporting requirements associated with Federal assistance programs. The purpose here is to bring greater order to a situation where widely varying forms, differing time schedules, and divergent data requests have undermined the basic objectives of meaningful fiscal reporting on Federal assistance programs.

Federal agencies reliance on the financial management control systems of States and their political subdivisions

Section 703 declares it to be the purpose of this section that Federal agencies administering assistance programs to State and local governments shall, to the greatest extent feasible, rely on the internal or independent accounting and auditing of these programs performed by recipient jurisdictions. Under this section, heads of agencies are assigned the responsibility of determining the adequacy of the internal financial management control systems utilized by recipient jurisdictions. In meeting this responsibility, such heads will, among other things, ascertain whether accounting records are maintained and reports prepared according to generally accepted accounting principles, whether audits are carried out in a way that meets generally accepted auditing standards, and whether the auditing function is performed in a timely fashion by a qualified professional staff that is sufficiently independent—in an administrative and political sense—from program operations, so that a comprehensive and objective audit can be performed. Where such control systems are found acceptable, agency heads, in the absence of substantial reasons to the contrary, are required to accept the audits performed under such systems as a substitute for those which otherwise would be performed by their own agency personnel. The periodic sample testing technique is cited as the chief means of verifying the continuing reliability of accepted control systems.

In order to strengthen the cooperative relationships among fiscal management personnel, each Federal agency administering assistance programs is required (under Section 703(e)) to maintain continuous liaison with counterpart State and local fiscal control administrators and the interchange of audit standards and objectives and interlevel collaboration in the development of audit schedules are specifically cited as means of furthering this liaison. To reduce the proliferation of accounting and auditing systems within and between Federal agencies, Federal agency heads are required, to the extent feasible and permitted by law, to coordinate and make more uniform the auditing requirements of assistance programs coming under their jurisdiction (Section 703 (f)) and to establish cross-servicing arrangements with other agencies for audit purposes (Section 703(g)). The Bureau of the Budget, or such other agency as may be designated by the President, is authorized to prescribe government-wide rules and regulations for the effective implementation of this section.

Acceptance by the General Accounting Office of audits of States and their political subdivisions

Section 704 of this new title authorizes the Comptroller General to prescribe rules and regulations that would permit the General Accounting Office to accept for its grant audit purposes the auditing performed by recipient State and local governments, provided that such auditing is performed under internal financial management control systems whose procedures meet generally accepted auditing standards and whose personnel are professional and in a position to render a comprehensive and objective audit. As in the case of the previous section, periodic sample testing is relied upon as the chief device for verifying the continued reliability of accepted systems. This section also calls for an annual report to the Congress by the Comptroller General on the operations of this section.

TITLE III—CONSOLIDATION OF FEDERAL ASSISTANCE PROGRAMS

This title further amends the Intergovernmental Cooperation Act of 1968 (P.L. 90–577) by adding another title to it dealing with a new approach to achieving consolidations of Federal assistance programs.

Section 801 declares the title's basic purposes and states that the President from time to time shall examine the various Federal assistance programs and determine what consolidations are necessary and desirable in order to upgrade the management and coordination of individual programs falling within the same functional area, and to promote more efficient planning and use by recipient jurisdictions of such programs.

Section 801(b) establishes a Congressional policy with respect to Federal assistance program consolidations and declares that the better management purposes of this title can best be accomplished by its enactment.

Preparation and transmittal of plan

Under Section 802, the President, after finding that a consolidation of two or more functionally-related aid programs is necessary and desirable to achieve the purpose(s) of this title, is authorized to prepare a consolidation plan and to transmit it to Congress along with a declaration indicating his finding that the plan will further the purposes of this title.

Each consolidation plan transmitted must place responsibility in a single Federal agency for the administration of the consolidated program; specify the new, single matching formula and, where the individual programs being combined have apportionment formulas, such a formula for rendering Federal assistance under the consolidated program; include other conditions and requirements for rendering such assistance, including planning and eligibility requirements, which are suggested by counterpart provisions of Federal assistance statutes affected by the consolidation plan; spell out the differences between the formulas, conditions, and requirements of a consolidation plan and those in such counterpart provisions; provide for the transfer or other disposition of records, property, and personnel of the individual assistance programs involved; arrange for the transfer of those unexpended balances of appropriations and of other funds available for the individual assistance programs affected insofar as the President considers it necessary in light of the functions authorized by the consolidated program (except that unexpended balances thus transferred may be used only for purposes authorized in the original appropriation); and make provision for terminating the affairs of an agency or administrative unit whose programs have been transferred pursuant to the proposed consolidation. With reference to the President's discretion in determining a consolidation plan's formulas, requirements, and conditions, its scope is limited by two factors: first, no such provision can be included that is not present in at least one of the individual aid programs being consolidated, and second, whenever two or more differing matching (or apportionment) ratios are present in such programs the new figure must fall within the bounds set by these ratios.

Finally, this section stipulates that each Federal assistance consolidation plan shall provide for only one consolidation of individual assistance programs and that the President when transmitting such a plan, shall have it delivered to both Houses of Congress on the same date and to each when in session.

Congressional consideration

Sections 803 and 804 of this title set forth the manner in which Congress shall consider Federal assistance consolidation plans. In all major respects the procedure here parallels the provisions that formerly applied under the Reorganization Act of 1949, as amended. One major difference between the two appears in Section 803 which stipulates that a Federal assistance consolidation plan shall only become effective at the end of the first period of ninety calendar days of continuous session of the Congress after transmittal date (rather than sixty calendar days), unless between the day of transmittal and the end of the ninety day period either House passes a resolution not favoring the plan.

Expiration date

Section 805 limits the authority of the President under Section 802 to three years after the date of enactment. This provision is geared to giving both Congress and the Executive Branch an opportunity to review the operation of this title after a reasonable period of time.

TITLE IV—JOINT FUNDING SIMPLIFICATION

Section 401 further amends the Intergovernmental Cooperation Act of 1968 by adding a new Title IX dealing with joint funding simplification. Section 901 states that the purpose of the title is to enable States and localities to use Federal aid programs more effectively and efficiently, to adapt these programs more readily to their individual needs by facilitating the broader use of joint projects involving more than one aid program, and to acquire experience that would lead to additional legislative proposals regarding consolidation, coordination, and simplification of Federal assistance programs. The statement of purpose also indicates the basic organizational focus of the title (which differs from that of predecessor legislation introduced in the 90th Congress) wherein primary emphasis is given to developing widespread use of joint projects and joint funding arrangements within individual departments and placing counterpart efforts at the interdepartmental level on an experimental and limited demonstration basis.

Intradepartmental joint projects

Section 902 deals wholly with procedures involving intradepartmental joint projects and joint funding arrangements. Under it, the head of each Federal department and agency administering more than one Federal aid program is authorized to approve combined applications for joint projects requiring funding from two or more such programs falling under his jurisdiction. To develop the necessary departmental or agency capability for achieving the purposes of this title, Section 902(b) requires departmental heads, among other things, to identify related aid programs within his agency that are likely candidates for joint projects; to develop and promulgate guidelines, joint project examples, common application forms, and other materials that will facilitate development of an interdepartmental joint project program; to review the various administrative requirements of departmental assistance programs in order to identify those that might impede the expeditious processing of joint project applications and where appropriate make the necessary modifications; to establish common technical or administrative rules for related departmental assistance programs; to create common or joint application processing and project supervision procedures—including establishing a single unit for handling these functions; and to develop common auditing, accounting, and fiscal reporting procedures to facilitate establishment of fiscal and program accountability with respect to joint projects approved by him.

In order to provide the means of cutting the red tape arising from the varying procedural requirements associated with individual assistance program, the head of each Federal department and agency administering two or more such programs is authorized under section 902(c) to adopt, subject to such regulations as may be promulgated by the President pursuant to Section 902(f), uniform provisions regarding inconsistent or conflicting agency requirements involving financial administration, the timing of Federal payments, whether assistance must be extended in the form of a grant or a contract, merit personnel systems (but only to the extent that a proposed joint project would cause these requirements to be applied to programs not otherwise subject to them), the accountability for or the disposition of property or structures acquired or constructed with Federal assistance, and other relevant administrative and technical items defined in regulations issued pursuant to subsection (f).

To develop the intradepartmental financial arrangements necessary for expediting joint projects, each head of a department and agency administering two or more Federal assistance programs is permitted under Section 902(d) to set up a single board or panel for the review of combined applications to his department; to prescribe rules and regulations for establishing joint management funds with respect to joint projects approved by him, so that the total amount approved for any project may be accounted for as if the funds had been derived from a single aid program or authorization; to establish uniform rules and regulations governing the fiscal reporting of projects financed through joint management funds; to have access, for the purpose of audit and examination, to relevant records and other data of recipient States and local governments relating to moneys received from joint management funds authorized by him; and to establish a single non-Federal share for any joint project authorized by him and covered in a joint management fund.

Section 902(e) permits such heads of departments and agencies, subject to such regulations as may be established pursuant to subsection (f), to enter into agreements with States to extend the benefits of joint projects and joint management funds to cover combined applications involving not only assistance from programs administered by his department but also from those administered by one or more State agencies. In most instances, such arrangements will be restricted primarily to those program areas where Federal assistance is normally channeled through the States.

Under Section 902(f), the President is authorized to prescribe such rules and regulations as he deems necessary to provide for the more effective administration of funds drawn from more than one Federal assistance program or authorization in support of interdepartmental projects authorized by this section. While fewer administrative problems can be expected to arise in establishing meaningful departmental joint project programs than in the case of interdepartmental projects, energetic and consistent departmental efforts may not always be forthcoming—hence, the need for this section.

Section 902(g) declares that this section shall become effective 120 days following the date of enactment. This extra time is provided to permit departments to develop the necessary internal machinery and procedures for the effective management of a joint project program.

Interdepartmental demonstration joint projects

Section 903 extends selectively the benefits of joint projects and joint management funding on a government-wide basis. This is done in recognition of the administrative difficulties involved in this commendable but complex undertaking. Section 903(a) authorizes the President to approve on a demonstration basis combined applications for joint projects requiring funding from two or more Federal assistance programs administered by more than one Federal department or agency.

Section 903(b) gives to the President with respect to interdepartmental projects authorities comparable to those assigned to heads of departments and agencies under Section 902(b), (c), (d), and (e). This is done in order to facilitate the development of the necessary capability in the Executive Office of the President for processing and administering interdepartmental joint projects and joint management funds.

Section 903(c) authorizes the President to establish rules and regulations requiring the delegation by heads of Federal departments and agencies to other departments and agencies of project or program approval authority insofar as it involves programs or classes of programs included in an interdepartmental joint project(s). Without this authority, it is doubtful whether the goals of this section can be achieved. Such rules and regulations may also call for the delegation to other Federal departments and agencies of powers relating to the supervision of Federal assistance programs. These rules and regulations are conditioned by the proviso that they must be appropriate to assure that the powers and functions delegated are utilized in full conformity with applicable statutory provisions or policies.

Section 903(d) is geared to permitting establishment of joint management funds on an interdepartmental basis. Accordingly, the President is authorized to make rules and regulations, not inconsistent with other applicable law, governing the setting up of joint management funds involving moneys derived from two or more Federal assistanec programs administered by more than one Federal department or agency. These rules and regulations will assure that the necessary accounting, auditing, and other fiscal information will be made available to the departments involved, the Congress, and the Executive Office of the President. They also shall stipulate that any department or agency administering a joint fund shall be accountable for the total amount provided for the purposes of each account established in the fund and shall practice accounting and auditing policies consistent with new Title VII. Such rules and regulations may include procedures for determining on a periodic basis whether amounts in the account are in excess of those required, for returning that excess to participating agencies according to an equitable distribution formula, and for making returns to applicable appropriations, subject to fiscal year limitations.

Section 903(e) requires the President to submit annually to Congress a report evaluating the progress in accomplishing the purposes of this title. This report will be submitted in every January beginning with the first January following the end of the first fiscal year after the effective date of this section.

Section 903(f) underscores the demonstration nature of this entire section. Consequently, individual interdepartmental joint projects initiated under its authority must not exceed 100 in any one fiscal year nor exceed 250 during the three year life of this section.

The final subsection stipulates that this section will become effective 120 days following the date of enactment and will expire three years after it has become effective. Such expiration, however, shall not affect the administration of interdepartmental joint projects previously approved.

Auxiliary provisions

Section 904(a) is designed to help provide technical assistance to State and local governments involved in developing combined applications for joint projects. Under it, appropriations available to any Federal aid program for technical assistance or personnel training may be made available for the provision of such assistance in connection with joint projects involving that program and any other Federal aid program. In addition, the personnel of any Federal agency (pursuant to Section 904(b)) may be detailed from time to time, where necessary, to other agencies to assist in processing combined applications or in administering approved joint projects.

The authority of the Comptroller General of the United States

Section 905 states that the Comptroller General of the United States shall have access to any books, documents, papers, and records of recipients of intradepartmental or interdepartmental joint projects relating to moneys received from joint management funds for the purpose of GAO audit and examination.

TITLE V—CONGRESSIONAL AND EXECUTIVE OVERSIGHT OF FEDERAL ASSISTANCE PROGRAMS

Section 501 of this Act amends the Intergovernmental Cooperation Act of 1968 by adding a new subsection at the end of Section 601. This amendment is designed to strengthen Congressional review procedures for grants-in-aid enacted on or after January 3, 1971 and having termination provisions of three or more years. During the year preceding the date on which the program authority is to expire, the relevant substantive Committees of Congress, either separately or jointly, will conduct studies of the program and advise their respective Houses of their findings with special reference to the factors cited in Section 601(a) (1), (2), (3), and (4). The Committee report will be filed with the respective Houses not later than 120 days before the program is slated to expire.

Section 502 amends Title VI of the Intergovernmental Cooperation Act of 1968 by adding two new sections following Section 603 and appropriately renumbering Section 604. The first of these new sections authorizes establishment of the position of review specialist on each standing committee of the Senate and House responsible for the review, study, and oversight of two or more assistance programs. This additional professional staff member will be selected and appointed by the Chairman of the standing committee with prior approval of the ranking minority member. He would serve on a permanent basis, without regard to political affiliation, and solely on the basis of professional competence. His basic assignment would be to assist the Committee in its performance of functions assigned by this title and he would be under the joint direction of the Chairman and the ranking minority member.

The second new section (Section 605) is geared to strengthening Executive Branch oversight with respect to Federal assistance programs. Under it, heads of Federal departments and agencies administering more than one program would submit annually a report to Congress and the President on the operations of these programs, beginning with the first fiscal year following the date of enactment. These departmental reports among other things would cover the progress and effectiveness of administrative efforts to carry out the programs' statutory goals; the consultative procedures utilized under each program to afford recipient governments a chance to review and comment on proposed administrative regulations and basic program changes; the various intradepartmental and interdepartmental arrangements for achieving proper headquarters-field program coordination; efforts to simplify and make more uniform application forms and procedues as well as fiscal reporting and auditing requirements; the feasibility of consolidating functionally related assistance programs; the practicability of delegating more administrative authority—including project or program approval power—to departmental field offices; whether the purpose, management, administrative procedures and requirements in such programs should be changed; and the degree to which such programs are meeting the growing and changing needs they were initially designed to support.

This new section (Section 605) concludes with the requirement that the President shall submit a summary report on these various departmental studies not later than January 31 of each year following the first fiscal year after the date of enactment. This report would be a synthesis of the materials presented in the various departmental studies and would stress the broad problems confronting grants-in-aid as effective government-wide devices for intergovernmental cooperation. Presidential proposals for reform might well be a concluding feature of this report.

Mrs. DWYER. Mr. Speaker, I submit, for appropriate reference, a bill entitled "The Intergovernmental Cooperation Act of 1969." This measure serves as a followup to predecessor legislation enacted last year—Public Law 90–577—and constitutes a second major step toward strengthening the collaborative relationships among the Federal, State, and local governments. In essence, it is a good-management bill, in that all of its titles seek to overcome antiquated and ineffective techniques of public administration—techniques which must be revamped if American federalism is to adapt to the rapidly changing needs of our times.

Intergovernmental relations have experienced a major transformation since the end of World War II. Three key factors have triggered this dramatic change: the emergence of a greater role for State and local government, an accelerating tendency to rely upon categorical grants-in-aid, and the dramatic emergence of a more urban America.

Rapid urbanization and the rapid expansion of our population have generated tremendous demands from our citizenry for more and better public services during the past two decades. Most of this demand has fallen on State and local governments. Witness the fact that over the past decade expenditures by these jurisdictions rose at an average annual rate of 8.8 percent compared to 6.3 percent for direct nondefense spending by the Federal Government and that these expenditures now represent two-thirds of all civil governmental outlays.

Given these heavy pressures on the fiscal and administrative resources of State and local governments, the National Government was called upon to mount its own response and as a result Federal grant-in-aid programs grew steadily both in volume and diversity in recent years. More than 420 categorical grants are currently in operation, involving approximately $25 billion for fiscal year 1970 and these grant funds account for approximately 18 percent of all State and local revenues. In 1948 by way of contrast, Federal aid amounted to only $1.8 billion and provided only a little over 10 percent of the State and local revenue.

The emergence of a greater role for all governments—especially State and local governments—and the rapid growth of Federal categorical grants are closely linked to the rapid pace of urbanization that the Nation has experienced since 1945. Fifty years ago, less than half of our population was urban. Twenty years ago, 58 percent fell in this category. Today, more than three-quarters of our people live in urban communities. And by the year 2000 when our population will have surpassed the 315 million mark, approximately 19 out of every 20 Americans will be urban dwellers. With this surging pace of urbanization, there has come an increase in the number of jurisdictions in urban areas and in the number and kinds of urban development programs. During the next fiscal year, approximately $16.6 billion of the estimated $25 billion total in Federal aid funds will be spent in metropolitan areas, according to Bureau of the Budget calculations. This figure is nearly twice that spent in 1964 and more than four times that disbursed in 1961.

These developments combine to bring us to a point where the need for intergovernmental administrative reform is mandatory. The Intergovernmental Cooperation Act of 1968, given proper implementation by the Bureau of the Budget and the Federal departments and agencies affected, began the process of bringing greater order to the management muddle that faces our federal system. The measure I introduce today is geared to accelerating the pace of reform.

There is, after all, a need to simplify and systematize financial reporting requirements of Federal assistance programs. There is a need on the part of Federal agencies as well as of the General Accounting Office to recognize that the financial management systems of State and local governments are not necessarily inferior to those utilized at the Federal level. There is a desperate need for agencies administering grants-in-aid to coordinate and make more uniform the auditing requirements of such programs. There is an even greater urgency with respect to the need to reduce the overall number of categorical grants by combining overlapping and functionally related programs into fewer and larger bloc grants. There is an obvious need for new procedures that will facilitate the packaging of aid programs by recipient jurisdictions—procedures that will be used widely and effectively on a departmental basis and operate interdepartmentally on an experimental basis. There is a need on the part of Congress to acquire the professional manpower to assist the substantive committees in their oversight responsibilities with respect to grant programs. Finally, there is a pressing need on the part of Federal department heads, the Congress, and the President to acquire a more comprehensive and systematic view of the operations of Federal assistance programs.

The Intergovernmental Cooperation Act of 1969 establishes ways and means of meeting these needs. Its provisions implement major recommendations advanced by the Advisory Commission on Intergovernmental Relations, on which I am proud to serve as a member, advanced in their massive, two-volume study of "Fiscal Balance in the American Federal System." Most of its provisions have been specifically sanctioned by major organizations representing public officials throughout the Nation—the National Governors' Conference, National League of Cities, National Association of Counties, and U.S. Conference of Mayors. Two of its titles received extensive examination during hearings conducted last year by the Subcommittee on Executive and Legislative Reorganization of the Government Operations Committee and they now include perfecting amendments advanced during the course of these proceedings.

American federalism is at the crossroads. One road leads to continued chaos in contemporary intergovernmental relations. The other points to strengthening the position of political executives at all levels, the top management sector assisting them, and curbing the power of narrow program specialists at all levels. The bill, I introduce, follows this second high and tough road to intergovernmental reform.

Unnecessary complexity, inconsistent requirements, excessively lengthy and duplicating procedures, time-consuming delays, the multiplicity of programs, widely dispersed authority, unclear responsibility and similar bureaucratic inefficiencies have greatly handicapped State and local officials, diminished the value of Federal assistance, frustrated the expectations of beneficiaries, added to the taxpayers' burdens, and weakened the confidence of the American people in their government's ability to help. This bill will go far toward correcting these conditions.

If Congress is to sustain and reassert its traditional role as "umpire of the federal system," action on this legislation should come at an early date. No less than the future of American federalism depends upon how and whether we respond to the crucial questions to which this legislation addresses itself.

Mr. FASCELL. Mr. Speaker, I introduce today, in conjunction with several of my colleagues, a bill entitled "The Intergovernmental Cooperation Act of 1969." The 90th Congress pioneered in efforts to reassert Congress' role as reconciler of conflicts within our federal system. Enactment of Public Law 90–577—the Intergovernmental Cooperation Act of 1968—constituted a first step toward reducing friction in our complex system of intergovernmental relations. The legislation, proposed today provides the basis for taking another giant stride forward. The response of this Congress must be no less positive than that of its predecessor.

As a member of the Government Operations Committee, I cosponsored and fought for enactment of last year's Intergovernmental Cooperation Act but there is need for additional legislation in this area along the lines that I am proposing today. Need for this additional legislation was highlighted in the 10th Annual Report of the Advisory Commission on Intergovernmental Relations. In summarizing developments on the grant-in-aid front during the year 1968, the ACIR declared:

> The year saw a continued "hardening of the categories" in the immense and intricate Federal grant-in-aid system. Many believed that the passage of a Partnership for Health Act in 1966 might begin a trend toward consolidation and combination of categorical grant programs. But progress on this front was painfully slow. The Partnership for Health grant itself was eroded by Congressional categorization of health programs for migrant workers, alcoholics and drug addicts. In mid-year the Secretary of HEW, responding to powerful national education groups, ordered administration of the Elementary-Secondary Education programs to be withdrawn from regional offices back to Washington. The complex of interests—middle management program administrators at all levels, Congressional subcommittees, and pressure groups—that coalesce around the individual grants carried the day far more times than the top policymakers. Thus, more often than not, efforts to achieve a simplified, more flexible federalism were thwarted.

The perennial problem of proliferation, fragmentation, and duplication in the grant-in-aid system continues. The record with respect to consolidating functionally related grant-in-aid programs is less encouraging than it should be. There are continuing efforts to erode the few successful consolidations that have been achieved in recent years. Too often those who call for simplified procedures and more grant consolidations that have been achieved in recent years. Too often those who call for simplified procedures and more grant consolidations are at the same time trying to preserve the status quo in one particular program or another. All of this makes it clear that there is a real need for additional legislation to simplify and make more effective the grant-in-aid system.

In seeking to revamp the grant-in-aid system, I want to stress at the outset that reform is sought because the grant device is well worth saving. It is after all a technique for intergovernmental collaboration that has been with us for more than three-quarters of a century. In general, it has proven to be a realistic, reliable way of sharing Federal funds, while helping to achieve National purposes. In the long run and despite certain recent trends, it has demonstrated its compatibility with our decentralized, open-access, political system. If properly structured, it permits a fairly precise congressional review of appropriation requests and facilitates the job of administrative oversight. When sensitively administered, it assures a significant degree of flexibility and local adaptability. Reform, then, not abolition or a rigid adherence to the status quo, must be our goal.

While continuing to study and explore

other alternatives to assist States and localities, such as tax sharing, we must squarely confront the difficulties facing us in the grant-in-aid area. This system, still stands as the basic mechanism for Federal intergovernmental transfers of funds. It is still the major conditioner of the fiscal and administrative features of our contemporary federal system. Notwithstanding its critics, it is a system that is likely to be around for some time. The road to reform, however, is a rough one. The complexity of the system and the multiple clusterings of forces that swirl around and within each of the individual programs makes this largely a pick and shovel job. Bulldozers, unfortunately, are not available for this tough task of rebuilding.

The measure, I introduce today, deals directly with practical problems facing us now in grant administration. Four management problem areas are considered—fiscal administration, grant consolidation, simplified application procedures, and congressional and executive oversight. The deficiencies in these areas have been fully documented in reports by the Advisory Commission on Intergovernmental Relations, and by subcommittees of the Government Operations Committees of both Houses of Congress.

In the field of financial management, the bill seeks to bring greater order to a situation where widely varying forms, differing time schedules, and divergent data requests have undermined the basic objectives of meaningful fiscal reporting of Federal assistance programs. To reduce some of the double paperwork, the drain on manpower, and some of the conflict among fiscal personnel, the measure requires Federal agencies administering assistance programs to rely—to the greatest extent possible—on the internal or independent accounting and auditing of these programs performed by recipient State and local governments. In a like fashion, it authorizes the Comptroller General of the United States to prescribe rules and regulations that will permit the GAO to accept for its grant audit purposes auditing performed by recipient jurisdictions, provided that it meets certain standards. To curb the proliferation of accounting and auditing systems within departments administering Federal aid programs, agency heads and the Bureau of the Budget are encouraged to coordinate and make more uniform the auditing requirements of these programs.

To reduce the chaos created by the overlapping and heavily fragmented pattern of more than 420 grant-in-aid authorizations, this measure incorporates a new approach to achieving grant consolidation. Under it, the President is authorized to submit consolidation plans to Congress under procedures similar to those formerly used with administrative reorganization plans. Each plan would involve the merging of individual programs within the same or related functional areas and assign administrative responsibility to one Federal agency. It would specify single matching and, where relevant, apportionment formulas, set forth such other requirements as are suggested by the individual grants being consolidated, and describe the differences between these new provisions and those of the programs slated for merger. The plan would become effective at the end of 90 calendar days of continuous session of Congress from the day of transmittal, unless either House passed a resolution opposing it.

This remedy for grant fragmentation is a tough one in the eyes of some. But, in my opinion, strong medicine is needed for a disease that is rampant. To those who endorse bloc grants, I commend this new approach. To those who are seriously interested about developing programs that incorporate broader national objectives and offer a more rapid response to changing conditions, I recommend this title. To those who are weary of the conflicting, overlapping, and uncoordinated requirements and procedures in existing grant-in-aid programs, I call attention to the benefits of this technique. To those who are depressed with the slow pace of legislative consolidations, I stress the real breakthrough that can be made in this area with enactment of this title.

The proposed Intergovernmental Cooperation Act of 1969 also comes to grips with another basic difficulty in contemporary grant-in-aid management—the need to simplify and render more expeditious the process of applying for Federal assistance programs. Federal assistance in recent years has increasingly assumed an interdisciplinary character—as the problems of our urban society, to which more and more of these programs are directed, have become more interrelated and more interdependent. Yet this interdisciplinary approach faces severe, practical hurdles, in that the necessary funds come from several different programs and authorizations. Here again, another byproduct of excessive categorization is encountered.

Title IV of this measure would enable State and local governments to use Federal assistance programs under two or more programs in support of multipurpose projects. Under it, Federal agency heads would be authorized to establish uniform requirements respecting technical and administrative provisions of law so that jointly funded projects would not have to be subject to varying and conflicting rules of procedure.

Such heads could establish joint management funds in their agencies to finance multipurpose projects drawing upon appropriations from several different accounts, thus eliminating the separate funding nightmare that faces State and local officials seeking to package Federal assistance programs. Strong emphasis is given in this title to developing widespread use of joint projects and joint funding arrangements within individual departments and agencies. This is done in recognition of the obvious fact that these units face fewer problems of bureaucratic and program politics in launching a program of this kind than does the President or the Bureau of the Budget. Interdepartmental joint projects, on the other hand, are placed on a wholly experimental and a limited demonstration basis.

To strengthen further congressional oversight with respect to Federal assistance programs, the proposed legislation requires that the relevant standing committees review and report to their respective Houses on future grants-in-aid having a termination date of 3 or more years. To meet the staffing problem that many congressional committees face with respect to their grant oversight responsibilities, the post of review specialist is established on each standing committee charged with overseeing two or more such programs. This specialist would be selected and appointed by the chairman, with prior approval of the ranking minority member. He would serve on a permanent basis, without regard to political affiliation, and solely on the basis of professional competence. His basic job would be to assist the committee in its performance of functions assigned by title VI of the Intergovernmental Cooperation Act of 1968, as amended.

To develop a clearer departmental, Executive Office of the President, and congressional view regarding the operation of grant-in-aid programs, the measure requires departments administering more than one grant-in-aid to submit annually a report to Congress on how its programs are being run. As a followup, the President is required to submit a summary report on these various departmental studies which highlights the materials thus presented and underscores the broad problems confronting grants-in-aid as effective Governmentwide means for intergovernmental cooperation. Presidential proposals for reform, in all likelihood, would be a concluding feature of this report.

In focusing on the fiscal, consolidation, application processing, and oversight dimensions of the grant management problem, this bill pushes boldly into the critical areas that must be probed if our federal system is to be adapted to the needs of the final third of the 20th century. We cannot avoid these areas—though they are controversial and crowded with powerful proponents of narrow program politics. We cannot ignore them and focus simply on easier, more dramatic remedies. We must stand and face these intricate challenges then, as this legislation does. In the final analysis the fate of our governmental system depends heavily on whether we have the capability and courage to bring the benefits of improved public management to these critical areas of intergovernmental administration.

GENERAL LEAVE TO EXTEND

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent that the cosponsors of the Intergovernmental Cooperation Act of 1969 be granted 5 legislative days in which to extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

MEDICINES AND YOUR FAMILY'S HEALTH

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, we have heard so much in recent months about some of the failures and the foibles of the American drug industry that I am afraid we may be losing a bit of our perspective with regard to this great industry.

I certainly would not condone any wrongdoing in this industry or any other. But I do feel that in our investigative zeal we have perhaps tended to obscure the pertinent fact that in the past several decades the American pharmaceutical industry has made nothing short of phenomenal strides in their ability to combat disease.

Many of us can still remember when pneumonia, tuberculosis, syphilis, polio, and many other dread diseases were a scourge and a threat to many families. Today these and many other diseases have either vanished or become almost routine because of the capacity of new wonder drugs.

Surely, in our discussion of this great industry, we ought not to lose sight of these significant achievements of the drug industry and we ought not unwittingly to lay obstacles in the path of the drug industry that might impair their ability to duplicate such feats in the decades ahead.

Under leave to extend my remarks, Mr. Speaker, I include at this point a very informative advertisement which appears in the February 1969 issue of Reader's Digest, sponsored by the Pharmaceutical Manufacturers Association. It outlines some of these accomplishments which we can all be proud of and many of us can also be deeply grateful for.

The advertisement follows:

Medicines and Your Family's Health

Why some medicines can be worthless—even dangerous—unless their quality can be depended upon.

THE DIFFERENCE IN DRUGS—WHAT DIFFERENCE TO YOU?

In the spring of 1962 eight small children in a major West Coast hospital were undergoing a standard treatment for tuberculosis. The drug they were taking was well-tested and had a proven clinical history behind it.

Suddenly it was noticed that the youngsters were beginning to show alarming disorders hitherto unencountered in this treatment.

Hospital authorities and public health officials immediately launched a thoroughgoing investigation. Their judgment: the drug product had been contaminated, probably during manufacture, with a synthetic sex hormone called diethylstilbestrol.

A common incident? No. But one with a significant lesson: a drug product can be worthless and even dangerous *unless its quality can be depended upon.*

This is the reason reputable drug makers, regardless of size, devote so much of their time and money to continuous, meticulous quality control. It's also the reason the Federal Food and Drug Administration seeks to assure that its rules of good manufacturing practices—developed with the cooperation of experienced drug firms—are followed. These firms know that their reputation depends on their products' total performance. Assuring that dependability to you, your physician, and your pharmacist involves detailed control and testing.

For example, to reduce the margin of error to the smallest possible degree, a quality producer of a certain antibiotic insists upon 374 tests, consuming 406 hours through 35 stages of manufacture.

What *kinds* of tests does the producer of reputable pharmaceuticals employ? Many which most people might think hardly necessary, but all of which help assure the quality of his product.

To begin with, the purity of the raw materials must be checked. And the purity of the finished product checked also, to assure that no accidental contamination occurred during the manufacturing process.

With certain drug products the size of the particles is exceedingly important and must be controlled. Since most drug substances are crystalline or powder in form, the size of their particles may be crucial to the rate of absorption, the speed with which the drug takes effect, and the duration of its action. It is not enough merely to *know* that certain particle sizes are important, the reputable manufacturer will analyze samples from each batch of his product to make certain the particle size meets exact specifications.

This is equally true when it comes to the quantity of active ingredients in each drug product. Because reliable pharmaceutical manufacturers seek to leave nothing to chance, they exercise elaborate continuous controls to determine that the products they sell always have the specified amounts of active ingredients. If a manufacturer cannot afford this kind of quality control he runs the risk of producing products where the drug content may vary widely from dose to dose.

Just as important to you and your doctor is the long-term stability of a drug product. For example, a new, ultrafine crystalline form of vitamin C was used in three preparations: an ordinary vitamin C tablet, a vitamin C injectable, and a capsule containing, in addition to the C vitamin, iron, liver, and other vitamins of the B-complex group. Because reputable manufacturers insist upon long-range stability tests as a normal procedure, it was discovered that, while the ultrafine vitamin C remained potent in the tablet and injectable, it rapidly deteriorated when mixed with the other products in the capsule. To assure stability many months after manufacture, the capsules were made *only* with coarser particles of vitamin C.

What do all these quality controls mean to the patient? Greater well-being. The knowledge that every safeguard is being used to assure him that the drug will work as it is supposed to. The confidence that a sustained release tablet, for instance, will release its active ingredients gradually as it should and not with one potentially dangerous jolt.

Quality control is the basis of your physician's confidence that the drug therapy he prescribes will be beneficial—and as safe as science can make it. It means he can trust the makers of reputable drug products to be as careful about your health as you would want them to be.

Is there any other way when it comes to your health?

HOW AMERICAN DRUGS HELPED THE KOREANS TO BETTER HEALTH

At twelve noon on April 5, 1955, a group of men were gathered in the main dining room of the White House. Fifty of them were presidents of American drug companies. Another gentleman was the distinguished physician, Dr. Howard A. Rusk. They had been called together by the White House to help improve the frightful health conditions in war-shattered South Korea.

At White House request, Dr. Rusk had gone to Korea to assess the health situation a number of times. His mission had been sponsored by the American-Korean Foundation under the chairmanship of Dr. Milton S. Eisenhower. Dr. Rusk rose to report his impressions to the assembled group.

"After four years of fighting," he told them, "one third of the buildings have been destroyed, another third have been unroofed. There is only enough fuel for one hot meal a day. Water comes from polluted streams. Almost 13 percent of the people have tuberculosis, everyone has diseases of the skin and intestinal parasites. Polio, leprosy, diseases of all kinds are rampant, and there are virtually no modern medicines or equipment to fight them with. The average life expectancy is 31 years of age."

He described a hospital for war orphans in Seoul—two children in each bed, little or no heat, no advanced drugs or facilities and barely a subsistence diet.

The problems of reconstruction and rehabilitation were so great that they could only be met by the United Nations and the governments of the free world. "But to supplement this official assistance," Dr. Rusk concluded, "Korea must have the warm, personal support of 'people to people.' This we believe to be essential, for our military efforts will have been in vain unless Korea emerges from the war as a strong, independent democratic nation."

Before the meeting was over, each of the 50 drug company presidents pledged the full support of his organization. Within a matter of hours modern medical supplies were being assembled throughout the United States for shipment to Korea.

Along with the contributions of thousands of other Americans—individuals and business firms in many fields—the drug industry has been building a people-to-people bridge to our Asian ally. Year after year a wide range of pharmaceuticals, vitamins and food supplements has been helping the Koreans to better health.

For example, a few years ago, the Minister of Health in South Korea sent out an urgent call for polio vaccine. An all-out campaign of imunization, he believed, could eliminate the scourge from his country. The head of a drug company, one of the large manufacturers of polio vaccine, was told of this request by the American-Korean Foundation. The company immediately promised to provide enough vaccine to inoculate almost a million Korean children. Dr. Kim Taek Il, the Director of Korea's Public Health Bureau, said, "We are very grateful for the donation, which greatly helps our efforts to break the back of polio in this country."

One company alone has contributed a variety of drugs valued at more than a million dollars.

Another not only donated more than a quarter-million dollars' worth of influenza vaccine, but paid the cost of air shipping to Korea.

Still another recently sent 90,000 doses of measles vaccine valued at $78,000.

Back from a visit to Korea in 1967, Dr. Rusk had this to say: "In 1953, the average life expectancy in Korea was 31 years of age. Now it is 63—*more than double!* Tuberculosis, while still a major problem affecting five percent of the population, afflicted almost 13 percent in 1953. Substantial progress has also been made against the age-old enemy, leprosy. Polio is on the way out. While much of this has been made possible by the help of governments and agencies and the courage of the Korean people themselves, the American drug industry has been the largest single private contributor to Korean health rehabilitation."

OUR PRESIDENTS' HEALTH—BEFORE THE ERA OF MODERN MEDICINE

Most of us still think of Washington as the robust, rosy-cheeked President of Gilbert Stuart's famous portrait. But Washington spent the first 30 years of his life plagued by a number of diseases and illnesses that modern drugs, properly administered, do much to cure and, in some cases, even prevent.

Between the ages of 16 and 22, Washington suffered his first attack of malaria, a case of smallpox that left his face badly marked for life, and a serious attack of pleurisy, probably tubercular in origin.

Recovering from these illnesses, he came down two years later with a long siege of influenza. Two years after that, in 1757, he was forced to leave his command of colonial troops in the French and Indian War for several months because of an intestinal infection so severe his physician warned the 25-year-old man his life was in danger.

Just four years later, records show, Washington himself believed he was dying, when he was again stricken with what he thought was malaria, but what, in reality, may have been typhoid fever.

In contrast to the 1st President's early ill-health, Andrew Jackson, the nation's fiery 7th President, survived his youth with attacks of only malaria and small-pox, commonplace diseases in the U.S. then, but no longer, as a result of modern techniques, drugs and vaccines. In 1806, when he was 39, Jackson was wounded in a duel by a 480 grain leaden slug that shattered several ribs and lodged in his chest. The wound never fully healed.

Without modern surgical techniques to extract the bullet, or modern antibiotics to stem the chronic infection it caused, Jackson spent the rest of his life suffering from recurrent attacks of fever, chills, coughing and hemorrhages from the lungs, the result, probably, of a lung abscess caused by the bullet he carried in his chest.

So poor was his health when he took office, many thought he would not survive one term. But Jackson, often weak and in pain, remained active and forceful through two.

President Harrison, inaugurated in 1841 at 68, on the other hand, seemed to be in relatively good physical condition, aside from an apparent tendency to hyperacidity.

Taking the oath of office on one of the coldest inauguration days in history, Harrison nevertheless made the longest inauguration speech on record—an hour and forty minutes. By the time he returned to the White House, he had caught cold. A hectic schedule in the drafty, poorly heated executive mansion further sapped his strength and lowered his resistance.

Two weeks after his inaugural, Harrison grew suddenly worse and doctors diagnosed his condition as pneumonia of the right lower lobe, complicated by congestion of the liver.

Nineteenth century physicians, with little effective treatment at their command, such as that provided by modern drugs, were helpless to change the course of the President's illness.

One month to the day after his inauguration, Harrison was dead, the first American president to die in office.

A later chief executive, James Knox Polk, was more successfully treated for his illness, though not without suffering. Small and frail as a child, he endured, until 1812, when he was 17, the pain and chronic inflammation of what doctors diagnosed as a bladder stone. Their recommendation: surgery.

Surgeons, by then, had made some dramatic advances, but the first use of ether anesthesia in surgery was still 34 years in the future. For young Polk anesthesia was some opium and a slug of brandy. The operation, though short, was agony for the half-conscious patient. The safe pain-killing drugs known today were not available to ease his recovery.

But when Polk returned home some months later, he carried with him—in his hand—a bladder stone the size of a hazelnut.

Even a much more recent President might have been spared the affliction of a disease almost conquered in our country. The paralytic polio that attacked Franklin Roosevelt no longer brings down thousands of youngsters each year, because of modern vaccines.

Today, millions of Americans enjoy the benefits of medical care unknown to the most prominent men of the past. But it is not only the discovery and development of new drugs, and their use by the medical profession, that has helped bring this about. Their availability has also played a significant role. They are there when you need them, almost anyplace you are.

YOUR DOLLAR AND YOUR HEALTH

Although in most places dollars are buying less today, at the prescription counter of your local pharmacy they have greater value than ever before.

During 1968, the government's Consumer Index for all prices reached a new high. Compared to a decade ago the purchasing power of the dollar dropped to a new low of 82 cents.

Yet in buying prescription drugs, your dollar has a value of almost $1.15.

How come?

A number of factors tend to make your money worth more at the prescription counter. For one thing, price and product competition. Thus, such widely used agents as antibiotics and oral contraceptives have fallen in price over the years. Technological advances and marketing efficiency have also helped.

Modern drugs produced by quality-conscious manufacturers often shorten or prevent illness, cut the length of hospital stays, reduce visits to doctors' offices. Some newer drugs, either because they are more effective, or because they cure or ameliorate hitherto untreatable ailments, can lower the actual cost of illness. Others save money since they may be taken less often or for shorter periods, even though the prescription charge at your pharmacy sometimes may be higher than for the less effective drugs they replace.

Individual prescriptions, as every purchaser knows, vary considerably in price. Their research, production, and distribution costs vary. Yet the average prescription costs you, the consumer, only about $3.50 Four out of five cost less than $5.

Today, only a half cent of the dollar and only 9.5 cents of the medical care dollar go into prescription pharmaceuticals, actually less than 10 years ago.

The price you pay is not only for the drugs on your pharmacy's shelves today. Part of it goes into drug company research for new and better drugs that will ease pain and prevent and cure disease tomorrow.

THE 51ST ANNIVERSARY OF LITHUANIAN FREEDOM

(Mr. **STRATTON** asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. **STRATTON**. Mr. Speaker, I am proud to join today in saluting the people of Lithuania and the people of Lithuanian descent here in America and throughout the world, who on February 16 commemorated the 51st anniversary of the independence of their proud country from Imperial Russia.

For 22 years thereafter Lithuania took her rightful place in the community of free nations of the world, until the iron heel of a new brand of Russian imperialism destroyed her precious indepence in the first year of the Second World War.

Yet in Lithuania, as in so many other countries captured and subdued by the Communists, the fierce flame of freedom has never been extinguished by the conqueror. Lithuanians who live under the Soviet yoke still yearn for independence, still keep their rich cultural traditions alive, and still plan for the day when they shall again be free. More than a million loyal Americans of Lithuanian descent take prayerful note of the anniversary of their freedom every year, an observance that cannot be openly made, of course, in Lithuania, by the 3 million people residing there. But millions of Americans are still proud today to join with these Lithuanians in their hearts and with Lithuanian-Americans in their public observances of our common ideals and heritage of liberty in spite of conquest and oppression.

But homage alone, Mr. Speaker, is not enough. We in Congress who represent a variety of people united in many common aspirations, must also take action to match our words. Some years ago I joined with the distinguished gentleman from Pennsylvania (Mr. Flood) in introducing legislation to create in this House a standing Committee on Captive Nations. That bill did not pass; but I feel just as strongly as ever that such a committee would help to focus much more effectively our national efforts to encourage self-determination among all the many nations of the world who are now held under Communist subjugation. I believe we should act on such legislation in this session without further delay, and I have once again introduced my bill in this Congress.

In my hometown of Amsterdam, N.Y., live many families of Lithuanian descent. Each year they meet to observe Lithuanian Independence Day with a colorful and moving ceremony. Many times I have had the privilege of attending and participating in these ceremonies, and have always been most warmly received by those in charge. These rites exemplify for me the strong bonds which Americans of Lithuanian descent have with their relatives on the shores of the Baltic Sea, and with people everywhere who deeply love freedom.

These bonds must and will be kept strong, Mr. Speaker, despite the rigors of Soviet rule and the years of frustration for the people of Lithuania. Let us resolve, as our compatriots of Lithuanian descent have resolved to do on each anniversary of their freedom, to speed the day when men and women everywhere can control their own national destinies—not only in Lithuania, but in the Ukraine, in Latvia, in Poland, in Czechoslovakia, in South Vietnam, and in all other countries now under Communist rule or threatened with Communist aggression or subversion.

INCREASE PERSONAL INCOME TAX EXEMPTION

(Mr. **ROGERS** of Florida asked and was given permission to extend his remarks at this point in the Record.)

Mr. **ROGERS** of Florida. Mr. Speaker, I am today introducing legislation which would increase from $600 to $1,200 the personal income exemption of a taxpayer, including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness.

Under present law, a taxpayer may claim, in the amount of $600, an exemption for a spouse or other dependent. An additional exemption of $600 is allowed if the spouse or dependent is over 65 years of age, and a further exemption of $600 is allowed if the spouse or dependent is blind, regardless of age.

The bill that I am introducing today would increase these exemptions to $1,200 in each category.

At the present time, the $600 exemption is nothing more than token relief to the American taxpayer who must provide clothing, food and shelter to his family at a time when inflation is at a high level, and prices are continuing in an upward spiral.

Meaningful relief to the millions of Americans who must readily feel the effect of taxes should be of principal concern to the Congress, and I am hopeful that this legislation will receive early consideration. I might add that I am pleased that the distinguished chairman of the Committee of Ways and Means, the gentleman from Arkansas (Mr. Mills), has begun hearings on tax reform legislation. I believe that any tax reform measures which may be recommended by the committee should include an increase in the personal exemption.

ABOLISH OFFICE OF ECONOMIC OPPORTUNITY

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, the Nixon administration has recommended that the Office of Economic Opportunity be continued. And at the same spending level. This comes as a disappointment to those of us who believe that OEO is one of the biggest boondoggles in the history of the Federal Government.

Certainly there are some programs—such as Headstart, some of the self-help housing plans, some foster grandparent programs, day care, and a few others which might well be continued after being transferred to other agencies, but the Office of Economic Opportunity will remain as the symbol of waste, inefficiency and disorganization. It should be abolished.

There is mounting evidence, if any more is needed, on the unbelievable boondoggle known as the Office of Economic Opportunity.

OEO itself now admits that the 1968 summer youth programs completely misfired. Of programs in 48 cities, OEO—which is hardly an unbiased observer—could only find 16 "good programs." Of the Washington youth program, OEO found:

> There was no check on income eligibility; and attendance was significantly low. Jobs went to those who knew someone, rather than the poor. Some programs were not in target areas—at least one was found operating near Chevy Chase Circle.

Of the New York attempt, OEO cited it for "nepotism cronyism, and maintenance of effort problems." They called it a monstrosity.

Other OEO programs reflect similar or greater mismanagement. The New York Times recently devoted almost an entire page each day for a week and several pages on Sunday, to the gross theft and embezzlement of funds from OEO programs in New York City. Indictments in that case have just been handed down.

The press here in Washington report that a Federal grand jury is investigating serious charges by the General Accounting Office that a local program has failed to maintain payroll and personnel records, employment tax records, or property management reports. GAO found that in a sample of 104 enrollees in the program, there were 30 allegations of payroll padding and 30 of kickbacks. GAO estimates that 16 percent of the enrollees could not be located during the sample effort. Some addresses were nonexistent, others showed that none by the names listed had ever lived there.

Senator Robert Byrd, of West Virginia, has stated that Department of Labor officials who were responsible for this particular program had not completed its own evaluation of a draft report of its own auditors which was submitted over 6 months ago.

Practically every Member of Congress has noted similar examples of the failure to act by responsible officials engaged in the poverty program. After repeated efforts to have OEO recognize and stop illegal activities of an OEO program in Florida, I requested and received an investigation by the General Accounting Office, which at last brought about some needed reforms. Just this year I have been advised that OEO is going to discontinue another project operating in my district improperly—over 6 months after I brought specific illegal activity to the attention of OEO.

Throughout all of these OEO projects and others, one can only be amazed at the disregard for congressional intent, the wasting of millions of dollars of funds supposedly provided for the poor, and the failure on the part of the poverty agencies to correct wrongdoing even when the facts are presented to them.

As reported in the New York Times, the situation there was well known to officials. One embezzlement alone reportedly totaled $1,750,000. Yet the program continues today, and New York has been given another extension of time to get things worked out.

There are investigations, reports, audits, hearings, and assurances. And there is theft, gross mismanagement, and criminal waste of taxpayers' funds. And perhaps even murder.

Victor Riesel has reported on an antipoverty program in Boston, originally funded at $1.9 million but suspended by the Government on January 3. Mr. Riesel says the program was to train 500 auto mechanics. Twelve were trained in 5 months. In November, some of its trainees, its consultants, and some of its other officials apparently became involved in a power struggle over the money. Five gunmen, all affiliated with the project, shot down three men, all also associated with the project.

Trouble in the Boston case was reportedly known to officials long before the murders took place. Even after murder, funds were not cut off immediately.

There is special significance in the fact that in each of the cases mentioned here, and hundreds or thousands of others, outside action was finally required before the poverty program acted.

OEO is incapable of cleaning up its own house. It should be abolished, not continued at the same spending levels. The decision by the Nixon administration to continue down the same path is a blow to all those who were hopeful for a change in direction in this program. It is not very encouraging to those who feel we must return to fiscal responsibility, to sound administrative procedures, or to realistic approaches to the problems of the poor.

CONGRESSIONAL REFORM

(Mr. CONABLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONABLE. Mr. Speaker, in the Washington Post this morning it was reported, and I have no way of judging the accuracy of the report, that House Democrats in closed caucus, decided after 1½ hours of debate that the answer to the pressure for congressional reform is the increased use of computers.

Increased use of computers is a good idea and I think there will be strong support on this side of the aisle, but it is not a new idea and I am afraid it is only a small part of the problem. I hope this caucus does not mark the end of the interest the majority party has expressed in congressional reorganization.

Obviously little can be accomplished without majority participation in the ultimate decision to modernize our processes. We all know that decision is coming, in one way or another, and that it is long overdue.

Mr. Speaker, I wish to report to my colleagues that another 25 cosponsors for the Legislative Reorganization Act of 1969 have today been added to those already sponsoring these modest but necessary steps toward congressional reform. Those of us now supporting this legislation hope that more Members from both sides of the aisle will join us.

COMPUTERS IN CONGRESS

(Mr. TAFT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAFT. Mr. Speaker, I rise to associate myself with the preceding remarks of the gentleman from New York (Mr. Conable). I noted the same article with regard to the recommendation made to increase the use of computers. It certainly would be only a very small step, although perhaps a very welcome one, to engage in such an activity. But if this is a cutoff of any further consideration of congressional reform, I think it would be too bad, and I trust that it is not.

Computers, I am sure we all recognize, can only find answers and put out solutions to the problems for which they are programed. I hope the interest expressed in computers means that a congressional reform bill, not merely limited to computers, is programed for early action at this session.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I hope the computers, if the Democrats do adopt them, will do a better job than they did over in the De-

partment of Health, Education, and Welfare when someone, in the last year or so, programed obviously incorrect information into the computers and the computers went berserk, authorizing the payment of more than $2 million in overpayments, payroll payments, and so forth and so forth. I hope they will do a better job for them, if they are going to computerize, in running the Democratic Party, or whatever it is you are talking about.

Mr. TAFT. I thank the gentleman.

Again he points out that computers can only put out answers for the programs that are put in.

TIME FOR COLLEGE OFFICIALS TO CLAMP DOWN

(Mr. MICHEL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MICHEL. Mr. Speaker, last year after the disgraceful student riots at Columbia and Northwestern Universities, I took the floor of the House to point out that the time had come for college officials to clamp down hard on instigators of this type of anarchy. Fortunately, a few administrators have made it clear that this nonsense will not be tolerated, but by and large, the picture is not good as anyone can see from watching the evening news reports on television.

I have noticed that some of the columnists have finally come to the conclusion that this disruption of campus life has reached the limit and in that regard I place in the Record at this point a column by Drew Pearson in the February 18, 1969, edition of the Washington Post; a column by Mary McGrory from the Washington Star of February 17, 1969, and, finally, a copy of my remarks on the House floor on May 7, 1968.

[From the Washington Post, Feb. 18, 1969]

It's Time for Crackdown at Colleges

(By Drew Pearson)

Clarksville, Tenn.—During the past twelve months, this writer has visited approximately 50 college campuses, ranging from the University of Warsaw in Communist Poland and the Sorbonne in Paris to the University of Montana, the University of Pennsylvania, the University of Florida, Washington State, MIT, Stout State College in Wisconsin and Austin Peay State College here in Tennessee. It has been a cross-section of colleges, large and small, and at all of the American institutions I have addressed student assemblies and conducted student forums.

From this experience I believe I can accurately report that American students generally are alert, dedicated and far ahead of previous generations in their desire to tackle the problems of the world. They are not interested primarily in becoming engineers, businessmen, or insurance salesmen, as was my generation in college. The majority want to devote at least part of their lives to helping their fellow men. They are interested in the Peace Corps, Vista or going into government.

There was a day when the top graduates of the Harvard Law School were immediately gobbled up by the top Wall Street law firms. That day is over. These graduates and others from the best law schools are now more interested in spending some time in Government or other productive community work. If they do sign up with big New York law firms, many specify that they must have time off to handle indigent clients or other community work.

MINORITY RULE

In contrast, there is a minority in many colleges, led by Negroes, which seems determined to disrupt education altogether. It has done so by reversing the American system of majority rule for a system of minority rule.

It has done this, moreover by, using a technique outlawed by American law and tradition—violence.

Minority rule by force and violence has almost paralyzed San Francisco State College, killed one college president, Dr. Courtney Smith of Swarthmore, and disrupted some of the most liberal institutions in America such as Brandeis, a Jewish university, the University of Chicago under liberal President Edward Levi, and the University of Wisconsin, long proud of its liberal Lafollette tradition. All have tried hard for several years to enlist more qualified Negro students, yet this is one of the demands of the Negro minority.

In each of the above institutions there has been a small minority of students which has used violence to sabotage education for the majority. In Swarthmore forty black students locked themselves into the admission office and disrupted education for a thousand others. At Brandeis the ratio was about the same. At Chicago, 400 students tried to force their demands on the 9000-student University by occupying the administration building. At Columbia, a University where I once taught, about 400 students tied up an institution of 30,000 also by occupying the administration building where they rifled the private papers of President Grayson Kirk.

TOUGHNESS JUSTIFIED

My conclusions from having visited many campuses is that it is time for University authorities to realize that they must provide education for the majority, not submit to disruption by the minority. Otherwise, education in their strike-torn colleges will gradually erode. The easiest way to prevent disruption is to get back to previous disciplinary rules and expel violators immediately.

Today, in contrast with the past, striking students have been mollycoddled, given second and third chances and then allowed to remain in school. All of this puts a premium on violence.

This is unfair to the majority of the students who are trying to get an education; also unfair to the taxpayers who put up the money for education and to the alumni who help to finance private colleges.

In San Francisco State, only 350 teachers out of a total of 1100 belong to Local 1352 of the American Federation of Teachers. And of these 350, only 200 wanted to strike. Yet this minority threw the entire campus into turmoil and got the backing of the San Francisco AFL–CIO Labor Council. This is something AFL–CIO President George Meany would hardly sanction—if he knew the facts.

What minority faculty members have got to realize is that alumni can strike, too. So can majority students. Applicants at Columbia's last freshman class were down 21 per cent, in contrast to Harvard and Yale, which had no riots and whose freshmen applications are up 10 to 15 per cent. Students don't want ~~to~~ enroll at a university that may be riot-torn.

Any business firm that loses 21 per cent of its customers in one year is in danger of going out of business. Columbia can weather the slump. But it has been given a stiff reminder that the majority of students go to college to study, not to demonstrate.

More serious may be a Columbia alumni boycott in fund-giving. This is neither organized nor advertised, but it is a fact. If it spreads to other riot-torn campuses, it could be the most serious boycott of all.

Student Deprivation Hangup

(By Mary McGrory)

The old fogies—which means anyone over 30—are now hopelessly baffled by current campus capers. Whatever happened to goldfish-swallowing and telephone-booth stuffing?

This year's rioter is yesteryear's panty-raider as far as mindlessness goes, granted. But where is the fun for the student who would rather learn than burn?

What tore it for the elders, of course, was the assault on the University of Wisconsin. Nobody with an IQ of 50 could work up a case against that noble tradition of excellence, freedom and dissent practically written into the curriculum.

At Madison, the militants have presented a list of demands that would make Rap Brown blush. The chancellor pointed out that if the "black-only" center, which is supposed to be the militants' main issue, actually ever happened, the university would be in violation of the antidiscriminatory section of the Education Act and thus lose the federal funds which help to keep it going.

Warren Knowles, the governor of the state, sees a pattern in campus turmoil across the country. He's luckier than most.

Who could sort out the new hullaballoo at Berkeley, where a number of students seem to be majoring in rebellion? The University of Chicago sit-in was rendered unintelligible when the fired teacher, presumably its spark, was rehired and refused to accept until "the university has changed."

If there is a common issue in all this, it is probably deprivation. Today's students are deprived. They are deprived of their birthright of struggle and suffering. Affluence and the pill have rendered the old hangups on money and sex obsolete. Their meek parents pay their bills and subsidize their affairs.

They found a conflict in the Vietnam war, which was largely fought by their brothers from the slums and the factories, and they helped to turn it around. Even the old folks could eventually see it was a witless enterprise. They are antiwar, but not antifight, but they have to import the enemy, the police and the National Guard.

Their fathers don't know what lack of trouble means. They were so busy during the Depression scratching for jobs to pay next semester's tuition they had no time to change the system.

The next generation was full of married veterans, hell-bent for degrees. They may have knocked the university in bull sessions; it never occurred to them to try to knock it over.

Cheated of economic pressure and moral strictures, the affluent scholars turned to the blacks for rescue. They have assumed their grievances for their own. They are slaves to changing racial fashions.

Five years ago, integration was in style, and young white students fought, bled, and, in some cases, died in the South for the cause.

Now the militants have changed their minds—separatism is imperative for racial identity. Lads at Wisconsin are storming the barricades for the right of Negroes not to associate with them.

Their lives are without suspense unless they create it for themselves. Their futures are assured. Jobs? Don't be funny. Seniors have to kick suppliant corporation executives off their doorsteps. Government recruiters hang around the Student Union like panhandlers at the Salvation Army.

What is to be done? Richard Scammon, former Census Bureau chief, has suggested prison for rioters—to dignify them. The thought may find a cordial, if secret, seconding among harassed university officials and buffaloed parents.

At least, jail would provide an authentic opportunity to suffer, and a feast for the injustice-collector. Wardens are for the most part not infected with the permissive philosophy; guards would not forgive with the readiness that causes the young to despise the endlessly pardoning authorities who populate their present world.

Who knows, they might find out they really like studying. Prison literature is rich in examples of those who improved themselves behind bars. The rioters do not want to be educated. They won't let others be educated. So they could educate themselves. They could studly swahili to their hearts' content in their cells while their square classmates were trudging to class back on the campus.

Are We Slipping Into a Dark Age

(Mr. Michel asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. Michel. Mr. Speaker, I rise today to point out that our Nation is suffering from a serious ailment—minorityitis. After the disgraceful and sorry display at Columbia University, the latest case is the shameful surrender of authority by Northwestern University which allowed a group representing one sixty-fifth of the student body to rewrite rules and regulations affecting the other sixty-four sixty-fifths. This is an age when majority rights are trampled. This is an age where violence is honored, where obedience and observance of law are shunted aside.

I believe it is time that the parents who are paying tuition, those donors who are paying for other costs, and those in charge of endowments, insist that the officials of our universities make clear that the schools are being run for purposes of education, not as field laboratories for revolution—domestic or imported.

College is not mandatory. Therefore, those who do not like a college or university, should be free to go wherever they believe their peculiar views may be more accepted. The idea of depriving the majority of students, who attend institutions of higher education for the purpose of preparing themselves for jobs requiring university-level knowledge, of the opportunity to learn, by tolerating disruption is an affront to commonsense.

When dissidents resort to violence the answer should be clear—a clampdown of authority and use of the law-enforcement agencies available. It is interesting to note that Stokely Carmichael and Rap Brown, students, perhaps, of the Communist revolution, were among the demonstrators at Columbia University. It is interesting that many others who were arrested also were not students at all.

In all this ferment and fomenting of insurrection at our colleges and universities, one fact stands out—a very tiny minority is responsible. School authorities have been timid and unresponsive to their duties to maintain order and continuity on campus.

The Chicago Tribune of May 6 editorializes on the sad situation at Northwestern University. I believe the paper hits the problem on the nose, and recounts in sorry detail the flaccid surrender of school officials. It is high time that those who are paying for a decent education for their children to go to school to learn, let school officials know that they do not intend to support those who allow one-sixty-fifth of the student body to set the policies of that institution.

Mr. Speaker, I include the editorial from the Chicago Tribune and a column by William F. Buckley, appearing in the Washington Star on May 6, at this point in the Record:

"[From the Chicago Tribune, May 6, 1968]

"A SAD DAY FOR NORTHWESTERN

"Alumni and friends of Northwestern university must be profoundly dismayed by the university's response to the demands of black power insurgents who seized and held the old administration building for 36 hours. At the same time a handful of white student sympathizers took possession of the dean's office and were unmolested in their assertion of squatters' rights.

'The university administration's capitulation is as complete and humiliating as any event since Henry IV crawled on his knees in sackcloth to Canossa and there made penance and the act of submission to Gregory VII.

"This was an invasion, pure and simple, by blacks of the premises of a private institution—in no way different from the occupation of the home of a private citizen.

"A courageous university administration, with a fit sense of values, would have ended this insurrection within the first 15 minutes and driven out the interlopers. It would have said:

" 'This is a private university. You are here on sufferance. You will abide by the regulations which all other students are required to honor. Your color gives you no sanction and no license. If you don't like it here, you are at liberty to go elsewhere. Now, clear out, or the force necessary to throw you out will be mustered at once.'

"The students would then have received a remission of fees and would have been expelled and sent home.

"This would have been within the administration's proper sphere of action. The black power advocates had no more warrant for trespass and seizure than had the Rev. Martin Luther King when he seized a west side apartment building and proclaimed himself conservator for its owner.

"But the university officials lacked the courage of any convictions. They temporized and, in so doing, condoned the lawlessness with which they were challenged. They made common cause with the invaders in their stand that laws do not govern society and are made only to be flouted and ignored.

"The university has announced that no punishment under law or thru university disciplinary action will be sought for the offenders. If a student were caught stealing an examination paper or cribbing on an examination, he would be expelled or placed on probation, but, in Northwestern's new scale of values, no penalty is to attend students who appropriate the business office, where all university records are kept, or the office of the dean, from which all student affairs are directed.

"Forgotten in the disgraceful articles of unconditional surrender signed by university officials was the fact that friends and alumni who had given countless millions of dollars to Northwestern were not contributing to a Tuskegee or Howard university and had never conceived that their gifts were directed toward creating a racial enclave and calling it Northwestern university.

"In other days, the dean of a university was considered a man of stature and learning. At Northwestern we had the spectacle of the dean running back and forth between his own captive office and the captive business office where the black occupation garrison condescended periodically to hear his professions of penitence, while mattresses, blankets, and food were passed in thru the windows.

"The atmosphere was more like that of an outbreak in a penitentiary than of a university dedicated to intellectual freedom and the formation of individual character.

"All the university's spokesmen had to tell the rebels was that when they got out of the building they could state their supposed grievances to a committee.

"Instead, the administration puts its witness to an incredible document—an abject confession that Northwestern is, and has always been, the embodiment of the sins of 'white racism,' that invidious term coined gratuitously by the Kerner commission and eagerly accepted by every masachistic breastbeater in the white 'liberal' community.

"Not content with this fact of self-humiliation, the university then extended its own professed guilt to all other institutions of higher learning in America and to the whole of American society. The soft impeachment will have few takers among the white community.

"The university's frail apology that it really gave away very little beyond what justice demanded is absurd on its face. It has yielded to an infinitesimal minority—no more than 1/65th of the student body—and has made incredible concessions in order to buy peace. It is only buying more trouble and more insurrection in the time to come, for the course of blackmail and appeasement always proceeds progressively.

"Moreover, it has bent the knee to an element that does not ask equal consideration, but special treatment. The Negro militants were not seeking integration or fraternal equality, but their own form of apartheid. They demanded—and got—racial separatism in campus life, and the very nature of their demands showed their hatred of whites.

"Especially brazen was the demand of the rebels—granted without quibble by the administration—for special tuition supplements for blacks at the expense of poor white students, equally deserving of scholarship aid. The effect is to create a special class, based on color alone, and this represents discrimination in its ultimate form.

"Now that this revolt has succeeded, what may we expect next? Are all the members of the Northwestern football squad going to mount a protest strike until they are assured they will be given straight A grades? Every student, and every man who lives, labors under some degree of insufficiency of talent, or energy, or accomplishment. In the name of absolute justice, are we all to be leveled off so that no man possesses any superiorities by reason of endowment or attainment over any other? These are among the implications of Northwestern's surrender.

"The university administration has taken the easy way out. It has abandoned law and principle when it had the chance to demonstrate integrity and character. It has thought more of the value of property than of the verities which it was presumed to serve. The black insurgents had as their hostage the computer, worth hundreds of thousands of dollars, which processes the university's financial records. They said it would be safe unless they were evicted. Their implied threat of sabotage paralyzed the administration.

"So, when this precious instrument came thru unscathed, the administration was lavish in its praise of the black power faction for its sense of 'order' and 'responsibility.' Property was not damaged, and clean-up squads policed the occupied premises. The wreck of the university's reputation is complete but the job was done cleanly. What a consolation!

"When universities all over the country are collapsing before the campus radicals, Northwestern had the opportunity to show that the values of common sense and probity are eternal in its life. It has grievously damaged its hope of public confidence for the future.

"All its alumni and friends must feel sick today. The university has made needless difficulties for itself in commanding continuing loyalty and support. It will learn the validity of the eternal question: 'What is a man profited, if he shall gain the whole world, and lose his own soul?"

"[From the Washington (D.C.) Star, May 6, 1968]

"ARE WE SLIPPING INTO A DARK AGE?

"(By William F. Buckley, Jr.)

"You have, I hope, mediated the meaning of the charges that have been leveled against the New York policemen who liberated Columbia University. Brutality. It apparently has not occurred to a living soul, to judge from published reports, that the caterwauling students who are charging brutality because the police interrupted their week-long, whisky-fed stercoricolous occupation of other people's property could very easily have avoided brutality by simply obeying the policemen when they were finally dispatched to uphold the law.

"In the flat words of the newspaper account, 'The policemen had first read a statement urging the students to leave voluntarily, and the protesters had refused.' In other words, the police had even been instructed to permit the students to leave with impunity—to get off without arraignment on the charge of criminal trespass. But the students refused. So, under the vigilant eyes of radio, television, faculty, press, the Commissioner of Police, and the head of the local Mau Mau, they were dragged away.

"Oh, yes, there were also representatives there of Mayor Lindsay, whose comment the next morning will never perish from this earth. 'Mayor Scores Columbia Sit-Ins—But Backs the Right to Dissent.' That is as if, stumbling into Buchenwald with the liberating army, General Eisenhower had said, waving in the general direction of the corpses, 'I do deplore all of this, but I stoutly defend German dissent from the Versailles Treaty.'

"What is going on? One is increasingly reminded of the observation of Albert Jay Nock, that it would be fascinating to write an essay on how one can tell one is slipping into a dark age. His point is that if we knew collectively that that is what we were doing, we would simply arrest the process.

"One is tempted to observe that it is incredible that so many members of the faculty at Columbia sided with the demonstrators, and now are criticizing President Kirk for having called in the police after six days. But it is not incredible any longer; incredible though that may be.

"Everybody's doing it. Not quite everybody, but, for instance among the students all the leaders of the various student body groups appear to be unanimous in their condemnation of Mr. Kirk. The president of New York University, though declining to promise that under no circumstances would he ever call the police, professed himself as 'revolted' at the use of the police at Columbia, and stuffed a dollar bill into a jar being passed about to collect money to defend the students.

"A young rabbi recently appointed as chaplain to the Jewish students of Columbia was heard declaiming—get this: 'No amnesty for Kirk and the Board of Trustees!' They are not to be forgiven for restoring order to the campus by invoking those whose job it is to restore order when there is disorder. And then the rabbi attempted to assert his impartiality: 'I want to show you I'm going to be consistent,' he said, reminding his audience that he had sided with all of the demands of the rioters except their call for amnesty for themselves.

"In other words, the rabbi is being consistent by insisting that lawbreakers and law enforcers be dealt with exactly alike. Such anfractuosity is best left for advanced schools of sophistry to defend.

"A few days before the police moved in, Prof. Seymour Melman, who will be remembered as the prophet of overkill, suddenly found himself concluding that the opposite situation exists in Columbia. Columbia, he announced jubilantly, simply hasn't the power to discipline the refractory students: 'How can you dismiss several hundred students?'

"There—there is the revolutionary key. 'We won't be going around and around forever,' said the student head of the SDS, who organized the strike. He meant by that that additional forces are accumulating, and that in due course they will crowd in on Columbia and, in effect, dominate it.

"Mr. Kirk, poor Mr. Kirk whose office was smashed, the walls covered with graffiti, broken whisky bottles strewn about, poor Mr. Kirk says that calling in the police was the hardest thing he ever had to do. If that is the case, poor Mr. Kirk should be relieved of his misery, and sent out to pasture. Because Columbia needs someone who will do something a great deal harder. Suspend several hundred students for a year or more, and fire one hundred or so of the instigators. If Columbia can't do that and survive as a university, then it ought not to survive as a university, because the society it seeks to serve is mortally ill."

AWARD TO OKLAHOMA STATE UNIVERSITY

(Mr. CAMP asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. CAMP. Mr. Speaker, it is a pleasure and honor for me to bring to the attention of my colleagues the presentation of an award to Oklahoma State University of Stillwater, Okla.

Last night, February 19, 1969, Dr. Robert B. Kamm, president of Oklahoma State University, was presented with the IIE-Reader's Digest Foundation Award for Distinguished Service.

Oklahoma State University was designated as the only educational institution in the United States to receive the 1969 award for distinguished service in the field of international and cultural relations.

Oklahoma State University has led the academic world in providing enlightened leadership, flexible instruction, valuable research techniques, and technical assistance over a 16-year period, in the field of international education, to a gradually widening circle of world neighbors.

Since 1952 in Ethiopia, 183 university staff members have invested 550 man-years, initiating under a U.S. Agency for International Development contract the establishing, staffing, and operating of a regional technical high school at Jimma—1952; designing, building, staffing, and operating a college of agriculture at Alemaya—1956; planning and staffing an agricultural research station at Bishoftu—Debre Zeit, 1953.

In a 16-year period the Jimma school graduated 600 students; the college of agriculture graduated 365 from Ethiopia, Malawi, Kenya, Tanzania, Uganda, and other African nations.

The university has sent 22 advisers and 11 short-term consultants to three colleges with a combined enrollment of over 1,400 students; 43 Pakistani students have studied on the Oklahoma State campus. In Latin America since 1967, the university has provided consultants and advisers to Mexico, Guatemala, Colombia, Brazil, and Argentina under cooperative programs with MASAU consortium and other agencies.

Oklahoma State University embarked last year upon a program of technical advise and assistance to the Ministry of Education in Thailand for the expansion and development of trade and industrial education, with annual exchanges of students and faculty projected.

Oklahoma State University's international activities have been directed toward creating independent and self-reliant world neighbors. Instead of leaving behind empty buildings and a superimposed educational curriculum in Ethiopia, this university in 16 short years helped Ethiopians to build an educational system that is staffed with native teaching personnel, whose early training in the Jimma school and the college of agriculture has been augmented with master's degrees and doctorates from the finest institutions in America.

Oklahoma State University has set an example for all of us to follow: international students have had a lasting impact upon all university personnel, enriching them with their cultural heritage and deepening the university personnel's understanding of all men's basic humanity.

ABSENTEEISM AND THE BACKLOG OF CIVIL CASES IN THE DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

(Mr. GUDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUDE. Mr. Speaker, an article in yesterday's Washington Daily News dramatized the dilemma of a backlog faced by more than 5,000 persons involved in civil jurisdiction cases in the District of Columbia court of general sessions.

The article indicated that some of this backlog could well be due to prolonged absenteeism on the part of at least one judge. Without passing judgment on the particular instance in question, it should be deemed unacceptable that there be such absenteeism during a time when such a heavy backlog plagues our court system.

President Nixon in his message to Congress on crime in the District of Columbia recommended an increase in the number of judges on the court of general sessions. There is no doubt that this expansion of the bench is gravely needed.

The administration also proposes legislation to increase the effectiveness by revamping the court system. To this end I am sure it will give support to the tenure and reward bill proposed by the Commission on the Administration of Justice. This is one of a package of bills which I am introducing to strengthen our city's crime-fighting machinery.

We must assure that all judges of the bench are able to make a full commitment to their critical duty of rendering prompt justice for all.

ARAB TERRORIST ACTIVITIES

(Mr. HALPERN asked and given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. HALPERN. Mr. Speaker, it was with profound shock, horror, and repugnance that the world learned of yet another Arab attack on an Israeli airliner, this time in Zurich, Switzerland.

I rise today to call upon the administration to take the initiative in the United Nations by calling for a condemnation resolution and whatever U.N. action is necessary to make the perpetrators of these crimes feel the pressure of world opinion and end these tyrannical attacks. I have urged the Secretary of State today that this action must be taken immediately, so that there will be no misake toward whom this condemnation is directed.

This sneak attack is but the latest in a series of Arab terrorist activities which have been concentrated on unarmed civilians. They are obviously designed to hit innocent civilians in marketplaces, in theaters, on buses, in airplanes.

The perpetrators seem to prefer these cowardly types of hit-run attacks, and what makes these tactics all the more reprehensible is that they are condoned and actually supported by the Arab leaders and their governments. Each day brings us further news of an outright support of these activities, the latest being the embracing of the leader of the notorious El Fatah by King Hussein, of Jordan.

Mr. Speaker, the United States must act now. We must speak out in vigorous protest and we must enlist the world community to support a proposal at the International Civil Aviation Organization council meeting urging immediate action against all interference with international aviation.

Decent people everywhere must do more than deplore these acts. The United Nations, which lost no time in condemning Israel for retaliating to a similar attack, should be equally as swift in condemning this latest episode of uncivilized Arab action. Or, must we wait to see if Israel strikes back and then expect a one-sided censure of Israel? This seems to be the tragic routine of U.N. action, and what makes it all the more deplorable is our State Department's acquiescence via its U.N. votes. This is the sorry record of our previous positions at the U.N.

Well, Mr. Speaker, we have a new administration now. Let its spokesman speak out loudly in response to this dastardly act. Let the world community be heard so the Arabs realize the impact of world opinion and world repudiation.

ENDORSEMENT OF PRESIDENT'S DECISION TO DEVELOP ALL VOLUNTEER MILITARY FORCE

(Mr. WHALEN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. WHALEN. Mr. Speaker, I would like to insert at this point in the Record the resolution and the list of those Members who have joined Messrs. **Horton, Shriver, Stafford**, and me in introducing the resolution endorsing President Nixon's decision to develop an all-volunteer military force. We are indeed grateful for the support we have received in this effort and trust that many more of our colleagues will assist us in the coming weeks as the present draft system is again reviewed by the Armed Services Committee. We would hope that a revision of the draft toward the ultimate goal of establishing an all-volunteer Army will be accomplished by this Congress.

Mr. Speaker, following the list of cosponsors, I also am inserting an article from the February 24, 1969, issue of U.S. News & World Report entitled "Volunteer Army—When?"

The material follows:

H. Res. 232

Whereas the need for improving our system of military manpower procurement has grown more and more urgent with each passing year; and

Whereas the present Selective Service System for compulsory military service has forced uncertainty, inequity, and in many cases dissent and doubt on large segments of American youth; and

Whereas many voices in the Congress have sought to encourage steps toward greater reliance on volunteers and recruitment in filling our defense manpower needs; and

Whereas among the uniformed services of the United States (United States Army, United States Marines, United States Navy, United States Air Force, United States Coast Guard, United States Merchant Marine) only the United States Army has relied to a major extent on compulsory service to fill its manpower requirements; and

Whereas the Army and the other services have demonstrated even under present personnel and pay policies that they can attract large numbers of qualified and dedicated volunteers; and

Whereas an all-volunteer military force is inherently compatible with the basic principles of democracy; and

Whereas an all-volunteer military force would be efficient, equitable, and effective in maintaining the national security; and

Whereas in a free society the obligations of service in the armed forces should be enforced through conscription only when necessary to ensure the security of this Nation; and

Whereas an all-volunteer armed forces may be possible within two to five years, if preliminary steps are taken now in pursuit of that objective: Now, therefore, be it

Resolved, That the House of Representatives endorses the President of the United States in his efforts, through the Department of Defense, to begin preparation for an all-volunteer military force through administrative changes in the structure of the armed services, and to place new emphasis on the attraction of greater numbers of qualified volunteers to the military.

Sec. 2. That at a time considered appropriate by the President, the House of Representatives will welcome for consideration legislation needed to implement the concept of an all-volunteer military force with a concurrent gradual reduction in the need for compulsory service.

List of Cosponsors

Mr. Anderson of Illinois, Mr. Andrews of North Dakota, Mr. Bell of California, Mr. Biester, Mr. Brock, Mr. Broomfield, Mr. Brotzman, Mr. Brown of Michigan, Mr. Buchanan, Mr. Bush, Mr. Button, Mr. Cahill, Mr. Clausen, Mr. Cleveland, Mr. Collins, Mr. Conte, Mr. Cowger, Mr. Esch, Mr. Fish, Mr. Frelinghuysen, Mr. Fulton of Pennsylvania, Mr. Gude, Mr. Halpern, Mr. Harvey, Mrs. Heckler of Massachusetts, Mr. Hosmer, Mrs. May, Mr. McCulloch, Mr. McDonald of Michigan, Mr. McKneally, Mr. Minshall, Mr. Mize, Mr. Morse, Mr. Morton, Mr. Pelly, Mr. Reid of New York, Mr. Riegle, Mr. Robison, Mr. Ruppe, Mr. Schwengel, Mr. Sebelius, Mr. Snyder, Mr. Stanton, Mr. Taft, Mr. Thomson of Wisconsin, Mr. Whitehurst, Mr. Widnall, Mr. Winn, and Mr. Zwach.

[From U.S. News & World Report, Feb. 24, 1969]

Volunteer Army—When?

(Note.—Wheels are starting to turn on Mr. Nixon's promise to phase out the draft. The draft law will stay, on a standby basis. But only a flare-up in Vietnam or elsewhere can stop an early, all-out try for a "volunteer Army.")

It is now confirmed that President Nixon is determined to push for an end of the draft and try for an all-volunteer Army.

The President, who campaigned on a "need" to end all drafting at the conclusion of the Vietnam war, is making it clear to Congress and the Pentagon that he means it—and that he wants to get started right away.

As a first step, Mr. Nixon ordered Pentagon officials to draw up a workable plan for creating a volunteer Army. This statement was released by the White House on January 30:

"The Secretary of Defense was advised of the President's conviction that an all-volunteer armed force be established after the expenditures for Vietnam are substantially reduced, and was requested to plan a special commission to develop a detailed plan of action for ending the draft."

What the President has in mind was explained to "U.S. News & World Report" by a top-level Nixon aide. This is the plan:

Keep the draft on the books, continue to register and classify all youths of military age for call in emergency, but gradually cut back on the size of monthly draft calls until they can be suspended altogether.

Reduce the size of U.S. armed forces from 3.4 million men to possibly the 2.6-million level of early 1965, just before the big Vietnam build-up began. This would lessen manpower needs. The cutback will start as soon as possible—by mid-1969, it is hoped.

Raise military pay substantially. Increase other benefits, privileges and prestige factors of military life. Promote recruiting on a major scale.

These steps, the President is said to believe, could bring an end to actual drafting in a relatively short time, at a cost of a few billion dollars a year. No timetable for the shift to an all-volunteer armed force is included in the President's plan. But if the war in Vietnam does de-escalate as hoped, a trial of the all-volunteer approach could start late this year, or early 1970.

Mr. Nixon is aware that manpower officials in the Pentagon have studied this problem for years and have concluded that a total end to the draft would cost untold billions and require a much deeper cut than planned.

The President's theory, however, is said to be that an all-out effort to raise a wholly volunteer Army has never been made since before World War II, so the Pentagon experts do not really know whether it can be done or not.

The history of the 1947–48 effort to do away with the draft tends to support the President's theory. You get that story in the accompanying article, on the next page.

ENLISTMENT UNDER PRESSURE

What is known for sure, as a result of elaborate manpower studies by the Pentagon in the past two years, is this:

The hot breath of today's draft accounts for a large share of the manpower now in uniform. Many more youths are prodded into volunteering by the threat of the draft than are actually drafted into the service.

The most recent Pentagon study shows that 38 per cent of the enlistees in all services would not have volunteered without the pressure of the draft—including 43 per cent of all Army volunteers, 33 per cent of the Navy volunteers, 43 per cent of the Air Force and 30 per cent of all Marines. In the officer corps, the comparable figure is 41 per cent.

Draftees actually comprise only 20 to 25 per cent of the Army's strength. There are no draftees in the Air Force or Navy, only a few in the Marine Corps from time to time. So the basic problem in ending the draft is to find another way to keep volunteering high.

HOW MUCH MORE PAY?

An increase in military pay, the Pentagon studies conclude, may not be enough, by itself, to replace the spur of the draft. Yet better pay is at the top of the list of possible incentives. The big question is how large pay raises must be to lure the needed recruits and re-enlistments.

To maintain a force of 2.6 million men in 1965, the service required an "input" of about 800,000 men during that year, counting inductions, enlistments and re-enlistments.

What it would take to raise that number of volunteers each year without a draft, the manpower experts say, will depend on the state of the nation's economy—just how hard it is to get a good job in civilian life.

Depending on the unemployment rate, Pentagon estimates show that added military-payroll costs would range from 4 to 17 billion dollars a year.

In a year when unemployment reached 4 per cent—compared with the current 3.3 per cent—the most likely minimum cost is given as about 8 billions. Other studies carry more optimistic price tags of from 5 to 7 billions yearly.

But a vital point, military experts note, is that even outlays such as these would not guarantee an adequate supply of the better-educated manpower needed by a force of 2.6 million men in this era of sophisticated warfare.

In particular, they stress, it would be difficult to induce 3,000 or more physicians annually—nearly 50 per cent of those graduating from medical schools each year—to volunteer for military service through increased pay alone.

The same problem is likely to be met, the authorities add, in the case of computer programmers, intelligence analysts, missile repairmen and electronic technicians. Any volunteer plan that is adopted is thus expected to allow for continued drafting of physicians and certain other highly skilled people.

Harold Wool, a top manpower official in the Pentagon for nearly 20 years, gives his view as follows, in a just-published book, "The Military Specialist":

"Exclusive reliance upon wage incentives as a means of increasing the supply of highly qualified volunteers would prove very costly, and probably impracticable, in a high-employment economy."

No halfway system of incentives will work, either, in Mr. Wool's judgment. He puts it this way:

"A comprehensive voluntary recruitment effort must encompass the whole range of living and working conditions which shape the image of military service. . . . It is unlikely that any partial program that does not substantially alter the image of military service can hope to succeed."

Besides higher pay, Mr. Wool sees the need for "better use of individual skills and abilities; opportunities for upward mobility from enlisted to officer ranks; improved housing; and increased emphasis on measures to enhance the status of military personnel" in the American society.

AN ALL-BLACK FORCE?

Would all-out efforts to lure volunteers turn the armed forces into mercenaries, mostly black? This has been suggested by some authorities.

However, a Pentagon study indicates that an all-black military force is not a real possibility. There are not enough Negroes in the U.S., according to the study, to fill up the armed forces, even if every qualified Negro enlisted.

Of the 200,000 male Negroes who turn 18 each year, slightly more than half qualify for the armed forces under present standards. If all qualifying Negroes volunteered and stayed in service for six years, their numbers then would account for only about one quarter of an armed force of 2,6 million men.

On the other hand, if nearly all Negroes concentrated in the Army, and that branch were fixed at a size of 1 million men, Negroes would soon comprise more than half of all U.S. soldiers, under the assumptions stated above.

As a start in efforts to reduce reliance on the draft, Defense Secretary Melvin R. Laird announced February 4 he will seek "major revisions" in military pay to stimulate volunteers.

CONGRESSIONAL HEARINGS

Changes in the way the draft operates, even if on a standby basis, also are in the wind. Chairman L. Mendel Rivers (Dem.), of South Carolina, of the House Armed Services Committee, said February 10 that his Committee will hold hearings this spring and reopen the draft law to congressional review, to include possibly a lottery selection system.

With firm White House backing, and a growing mood for draft changes in Congress, a trial of the "volunteer Army" idea is considered certain. But its timing depends on events in Vietnam and the need for U.S. forces elsewhere.

THE LAST TIME THE UNITED STATES TRIED TO RELY ON VOLUNTEERS

The U.S. sought to get along without a military draft soon after World War II ended in 1945. The effort was limited, and it failed.

Late 1945 and all of 1946 was a time of chaotic demobilization for the armed forces. They dropped from 12 million men to 2 million by the end of 1946. The draft went on, but calls were low, with none at all called in several months.

On March 3, 1947, President Truman told Congress the armed forces were down near the level of 1,641,000 that was the goal for the year starting July 1, 1947.

"The only assured means of maintaining the Army and Navy at their required strengths . . . is through resort to Selective Service," the President said, but added:

"I have decided, however . . . with the earnest desire of placing our Army and Navy on an entirely volunteer basis at the earliest possible moment, that I should not recommend an extension of the Selective Service and Training Act at this time."

As a result the draft law, which expired on March 31, 1947, was not renewed. The Selective Service System was abolished, its records put in storage.

The armed forces launched a recruiting campaign. The Pentagon got special authority to hire civilians to replace enlisted men.

With no draft, however, volunteering lagged. The civilian economy was booming. Jobs were plentiful. Many people, including high officials, thought atomic weapons had made soldiers obsolete, with no future. And there was no pay raise for the military, despite much talk about changes to make service careers more attractive.

By January, 1948, the armed forces had dwindled to 1.4 million men—15 per cent below the authorized levels, which President Truman had described as "absolute requirements" for "reasonable assurance of security."

In March, 1948, Mr. Truman told Congress this:

"I believe that we have learned the importance of maintaining military strength as a means of preventing war. We have found that a sound military system is necessary in time of peace if we are to remain at peace. . . . We have paid a terrible price for unpreparedness."

The President recommended a system of universal military training, obligating youths to serve at age 18 for 12 months, followed by a period in the reserves. A renewed draft was urged for those already past 18.

Congress rejected universal service but renewed the draft. Volunteering picked up immediately. First draft calls for the period from November, 1948, through January, 1949, were cut back, and only 35,000 were inducted.

From mid-January, 1949, through June, 1950, no one was drafted. But the machinery kept going. Youths were registered, classified, deferred, "kept on the hook" through all of this year and a half of a "standby draft."

Then came the Korean War, which ended the draft lull and talk of an all-volunteer military system.

In 1951, Congress even adopted the name, though not the substance, of a universal military training law. It set up the draft system still in use today—and under increasing attack as outmoded after 18 years and the onset of new conditions.

REDUCED AIR FARES

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, I am today joining my distinguished colleague from New York (Mr. SCHEUER) in efforts to amend the Federal Aviation Act to authorize the Civil Aeronautics Board to continue youth fare reductions on commercial aircraft for students under 22 years of age and military personnel. In addition, this legislation authorizes the Civil Aeronautics Board to extend reduced fares to retired senior citizens.

The current policy of reduced youth fares and military fares are under attack in the Federal courts as discriminatory to the general traveler. This litigation is fostered by interstate bus operators who complain about the shift of passengers from bus to air transport. Some of the major air carriers also seek a termination of these reduced rates which have filled otherwise vacant seats on commercial aircraft.

The low-paid serviceman is entitled to ride commercial aircraft at reduced rates—otherwise a 4-day pass would be meaningless. The morale of the soldier is best fortified by a visit to his home.

Reduced air fares for students have served to divert millions of students from the highways to the airplane. They would never travel by bus. Higher air travel rates would force the student group to the private automobile. Student highway casualty rates would multiply. The 6 million student travelers in 1968 filled seats that would otherwise have been vacant.

The benefits of reduced air travel fares should be extended to the elderly on a standby, or seat-available basis. Most elderly citizens living on retirement income cannot afford to travel at regular rates.

Several years ago, the commercial air carriers imposed a penalty on travelers who canceled air travel plans without ample notice. Such penalties do not now exist and today the airlines suffer great expense because of passengers who either make multiple reservations or do not show at all.

The standby traveler who uses airline carrier space on a space-available basis fills a seat which would be otherwise vacant. He takes his chances on travel. He travels at times of low travel density. The reduced standby travel rate promotes more efficient use of the airlines which today operate half-vacant aircraft much of the time. The revenue passenger miles are less than one-half of the available seat-miles.

The elimination of reduced standby fares will only create more vacant seats in aircraft which at present have twice as many seats as there are passengers.

The reduced fare schedule for standby passengers is good for the airlines and good for the general public.

THE "PUEBLO"

(Mr. GROSS asked and was given permission to extend his remarks at this point in the RECORD and to include a letter.)

Mr. GROSS. Mr. Speaker, I have a letter from a good friend—an ordinary everyday citizen—who expresses discerningly and well his sentiments concerning the tragic and sordid case involving the *Pueblo* and her crew.

I am sure he bespeaks the sentiments of many, many Americans who find this whole affair incredible and who demand that never again will honorable citizens of the United States, military or civilian, be abandoned to a fate which in some respects is worse than death.

The letter follows:

> As I read in the newspaper the proceedings of the Navy court of inquiry into the affair of the Pueblo, I feel a deep sense of resentment about the treatment of the officers and men of that ill-fated ship, not only at the hands of the North Koreans but at the hands of their own Government. A sense of shame sweeps over me as I become ever more deeply aware of how these poor souls were allowed to slip away into an environment of Communist torture and hopelessness by the same Government that once nurtured the face of John Paul Jones, and that is today acknowledged as the most powerful in the world.
>
> Why do we persist in publicizing the Navy's exhaustive cross-examination of the Pueblo crew? All we are doing is exposing the weaknesses of our Government, the timidity of our leaders, the pathetic rationalizations of our patent inability to react to a real threat, our obvious unpreparedness, our failure to recognize that the chain of our world-wide defenses is no stronger than its weakest link. Certainly, the examinations taking place at Coronado, California, do not reflect on the men of the Pueblo except to show their status as sacrifices offered up to the Red enemy in favor of "not rocking the boat" or not creating a more serious crisis which might call for firm and truly American action.
>
> Just what are we afraid of? And if we are so afraid of the possible consequences of fast and forceful action on our part, why is it that little nations like North Korea are not similarly afraid? Just how can we expect our military men to carry on in unselfish and dedicated performance of their duties when incidents like the Pueblo demonstrate no real intention to back them up and to move heaven and earth, if need be, in the process. These men of the Pueblo were not cloak and dagger types, operating covertly behind enemy lines. They were not of the sort who, if captured, must never be acknowledged. They were military men, uniformed personnel, performing their mission (even if one of intelligence) in an overt manner. They should have been able to obtain a response to their call for help from any U.S. military capability within range, immediately and without question. The plain truth of the matter is that they were abandoned by their own, shamefully abandoned, and this travesty is still being pursued through the medium of a public court of inquiry.
>
> I wonder and so does many another American what this court of inquiry hopes to prove? So far it proves nothing except abject failure on the part of our civilian and military leadership to deal courageously with a bunch of bandits in North Korea. And in the process it demonstrates beyond belief the failure of our Government to plan in depth an efficient intelligence operation and to effectively protect the interests of the United States abroad.
>
> Hail to the men of the Pueblo! I honor them for enduring their trial of fire—I sympathize with them for what they are going through now—I hope no other Americans will ever have to share their experience—I hope no other American will ever have to feel so alone, so left to his own devices by a country he was born and bred to trust and love and expect great things of.

APPOINTMENT AS MEMBERS OF U.S. TERRITORIAL EXPANSION MEMORIAL COMMISSION

The **SPEAKER.** Pursuant to the provisions of section 1, Public Resolution 32, 73d Congress, the Chair appoints as members of the U.S. Territorial Expansion Memorial Commission the following Members on the part of the House: Mr. HAYS, Mrs. SULLIVAN, and Mr. CAMP.

APPOINTMENT AS MEMBERS OF THE LEWIS AND CLARK TRAIL COMMISSION

The **SPEAKER.** Pursuant to the provisions of section 3(b), Public Law 88–630, the Chair appoints as members of the Lewis and Clark Trail Commission the following Members on the part of the House: Mr. HUNGATE, Mr. REUSS, Mr. BERRY, and Mr. CUNNINGHAM.

APPOINTMENT AS MEMBERS OF COMMISSION TO STUDY MORTGAGE INTEREST RATES

The **SPEAKER.** Pursuant to the provisions of section 4(b), Public Law 90–301, the Chair appoints as members of the Commission To Study Mortgage Interest Rates and the Availability of Mortgage Credit at a Reasonable Cost to the Consumer the following Members on the part of the House: Mrs. SULLIVAN and Mr. BROCK.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The **SPEAKER** laid before the House the following communication from the Clerk of the House of Representatives:

> The Honorable the SPEAKER,
> *U.S. House of Representatives.*
>
> DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives, said to contain a message from the President wherein he transmits a special study regarding the administration of the Headstart program. This envelope was received in the Office of the Clerk at 3:55 p.m. on Wednesday, February 19, 1969.
>
> Sincerely,
> PAT JENNINGS,
> *Clerk.*

SPECIAL STUDY OF HEADSTART PROGRAM, OFFICE OF ECONOMIC OPPORTUNITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–75)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed:

To the Congress of the United States:

Section 309 of the Vocational Education Amendments of 1968 directed the President to make a special study of whether responsibility for administering the Head Start program should be left with the Office of Economic Opportunity, or whether it should be delegated or transferred to another agency. Congress asked that a report of this study be submitted by March 1, 1969.

I am submitting the report herewith.

This report has been prepared in consultation with the heads of the Executive departments and agencies concerned.

The study concludes that Head Start should be delegated to the Department of Health, Education and Welfare. It leaves for later determination the question of whether the program should eventually be transferred. As I have indicated in a message to Congress today, I will present a set of recommendations before the end of the current fiscal year on a permanent status and organizational structure for the Office of Economic Opportunity. At that time, I will make a recommendation on whether Head Start should be transferred, or whether it should remain a delegated program.

Section 308 of the same Vocational Education Amendments of 1968 directed the Commissioner of Education to make a special study of the means by which the existing Job Corps facilities and programs might, if determined feasible, be transferred to State or joint Federal-state operation. The Commissioner was directed to report his findings to Congress by March 1, 1969.

As my message today indicated, responsibility for administering the Job Corps will be delegated to the Department of Labor effective July 1. The question of State or joint Federal-state operation is a complex one which may well be affected by the over-all manpower-development proposals now being prepared by the Secretary of Labor. In light of these developments, and in order to comply with the intent of Congress, I have asked the Secretaries of Labor and of Health, Education and Welfare, along with the Assistant Secretary of Labor for Manpower, and the Director of OEO, to work with the Acting Commissioner of Education in preparing a report responsive to the Congressional directive to be submitted at the earliest possible time. As directed by Congress, the Acting Commissioner will also consult with other Federal officials, with State officials and with concerned individuals.

In its request for these studies, I recognize the interest of Congress in a constant evaluation and review of the way in which new, experimental programs are being administered, and in the measurement of their results. I welcome that interest, I share it, and I will attempt to be responsive to it.

RICHARD M. NIXON.

THE WHITE HOUSE, *February 19, 1969.*

TRIBUTES TO MICHAEL MUNKÁCSY

The **SPEAKER** pro tempore (Mr. Symington). Under a previous order of the House, the gentleman from New Jersey (Mr. Patten) is recognized for 30 minutes.

Mr. PATTEN. Mr. Speaker, February 20, 1969, marks the 125th anniversary of the birth of Michael Munkácsy—1844–1900—Hungary's most prominent painter in the 19th century whose fame and material success were greatly enhanced by the sale of his works—numbering more than 60—to various private and public collections in the United States. At the end of the 1880's, Munkácsy was one of the most celebrated painters in this country. His tremendous success is to be attributed here mainly to his medal-winning oil paintings: "Last Day of a Man Condemned to Death," 1870, "Milton Dictating 'Paradise Lost' to His Daughters," 1878, and his two huge canvases on Biblical subjects, "Christ Before Pilate," 1881, and "Christ on Calvary," 1884, all in possession of American collectors or institutions. His visit to the United States in November and December of 1886 established numerous new contacts between intellectuals and philanthropists in this country and Europe, and reinforced the interests in the freedom-seeking nations of Europe, advocated so eloquently by Louis Kossuth and his exiled associates while on a tour of this land of ours in 1851 and 1852.

Michael Munkácsy's career as an artist was one of the most spectacular ones in the 19th century. Having lost his parents in his early childhood, he earned his living as a carpenter's apprentice when his artistic talents were discovered and he was given an opportunity to receive an education as an art student in Budapest. During these early years the subjects of his interest were connected mostly with the memories of the war lost by Hungary against the invading armies of the Austrian Emperor and the Russian czar in 1849. Also, the social ills, caused mainly by the ensuing military occupation of the country which lasted for more than a decade, were treated vividly by the young artist. A prize received at an art exhibit opened the way for him to Düsseldorf, Germany, then one of the foremost centers of the arts in Europe.

While in Düsseldorf, Munkácsy became acquainted with John R. Tait, a young American artist, whose selfless friendship and high regard for Munkácsy's person and talent resulted in the first commission of real impact for Michael Munkácsy. In response to this commission from J. Wilstach of Philadelphia, the young Hungarian painter created a remarkable work, "The Last Day of a Man Condemned to Death," which won a gold medal at the 1870 exhibit of the Salon in Paris, and made the name of Munkácsy famous all over Europe. From then on, Munkácsy's ascension to world fame, accelerated through the establishment of a splendid residence in Paris, which soon became one of the most important meeting places of the leading spirits of intellectual circles in the French capital, developed as one of the most breathtaking achievements in the drama of human artistic endeavor. His great composition, "Milton Dictating 'Paradise Lost' to His Daughters," 1878, won for him another gold medal at the Salon. After a triumphant tour of the painting throughout England and continental Europe, it was purchased for a large sum for the Lenor Library in New York, as a symbol of the high cultural tasks of that institution. The climax of Munkácsy's artistic career and popularity, however, came with his two great canvases on Biblical subjects, "Christ Before Pilate," 1881, and "Christ on Calvary," 1884, which were acquired by John Wanamaker of Philadelphia for the highest prices ever paid to an artist up to that time. These two huge paintings, while on tour in Europe, and later in the United States, attracted millions of people, and evoked the highest praises from art critics, clergymen, and from viewers of all walks of life.

After his departure from America, Munkácsy was awarded nobility by Emperor Francis Joseph I, as King of Hungary, and was recognized in his native country as one of the greatest sons of Hungary. On two occasions, he was awarded the Legion of Honor in France, and received other high decorations from various countries of Europe. But all expressions of recognition coming from the high and the mighty did not bring about any change in the straightforward outlook and basic honesty of Munkácsy. His warm interest in the problems of the lowly and the poor found its expression in paintings such as "Nocturnal Tramps," 1873, "Pawn Shop," 1874, or "The Strike," 1895, and are recognized by art historians as proofs of his involvement with the issues concerning the forgotten, the underprivileged masses of his time.

Munkácsy's influence upon our society derives not only from the two great Biblical works which, according to John Wanamaker's instructions, are exhibited every year during the Lenten and Easter season in the Grand Court of the Wanamaker store in Philadelphia and viewed by countless numbers of people, many of whom as it is well known travel there for the single purpose of seeing these wonderful works with their own eyes, but also from his numerous other works all over this country which, by themselves, provide an astonishing spectrum of the great qualities of this Hungarian painter both as an artist and as a man of true compassion for his fellow human beings.

I include the following contemporary opinions on Munkácsy's art and personality at this point:

Gotthold Neuda, Paris: "Munkácsy is not only an artist of great individuality; he is also the creator of a *genre;* he is original, not only by his style of painting, but much more so by the choice of his subjects and by the characteristic comprehension of his times, the spirit of which is reflected in his works." ("Milton", 1878)

"At the beginning of his career he chose national, Hungarian subjects, but gradually he widened the scope of his observation and addressed himself to a more universal muse. But whether he leads us into a Hungarian peasant house, a Westphalian tavern, or a Parisian pawnbrokers' office, everywhere his regards penetrate into the immediate and peculiar life of forms and figures, and discover their artistic element; everywhere he gives us well understood and real types, and his paintings, which impress themselves on his contemporaries by force of character and dramatic expression, will in future have the value of historical testimony of the popular life of our time." (1878)

"Therein lies, I believe, the principal excellence of Munkácsy, to which, however, his brilliant talent for colouring and his mastery over all expedients in the art of painting have most powerfully contributed; joined to these, as it were, democratic features of his art, he owes his popularity also to the strong, dramatic instinct, which animates his creations and to the breadth of sombre, suppressed passion, which gives them an overwhelming, tragic expression." ("Milton", 1878.)

"In his 'Milton Dictating Paradise Lost to His Daughters' Munkácsy shows himself a complete master of himself, powerful and original as heretofore, but at the same time free from that dark manner which some critics complain of in his former works, uniting the most brilliant *coloris* with a remarkable simplicity of means." (1878)

Albert Wolf, Le Figaro, Paris "Munkácsy, who lives and works in our midst, should be counted amongst the French; he is more Parisian than Hungarian." (1878)

Gazette du Grand-Duché de Luxembourg: "Munkácsy, by birth Hungarian, has almost become a Luxembourger, as much on account of his yearly prolonged residence amongst us, on his estates in the canton of Redange, as well as by the sympathy which he has always shown to the Grand-Duchy." (1878)

Emile Bergerat, Journal Officiel, Paris: "Of all the paintings exhibited at the Champ-de-Mars, this is the picture one is delighted most to come back. I believe that we have here before our eyes one of those perfectly executed works, to which even the most ill-humoured critic must accord the epithet 'chef-d'oeuvre.' There is but one universal voice as to this Milton being one of the best paintings that have been produced for the last twenty years." (1878)

W. Wyl, Paris correspondent of the Neu Züricher Zeitung: "Never, either in ancient or modern paintings, have I seen an important action of the mind represented in a more captivating manner, never a less ostentatious and simpler use of artistic means. Munkácsy is the painter of this masterwork, which would have delighted Velasquez, the painter of Philip IV., for it is painted with that chaste, natural modesty, which disdains all coquetry." (1878)

Introduction, "Christ Before Pilate, by M. Munkácsy" (Paris, Ch. Sedelmeyer, 1886): "The celebrated painting 'Christ Before Pilate' is uncontestedly the masterpiece of Michael von Munkácsy, the greatest painter of modern time, who is likewise one of the greatest masters of all times, and who has inscribed his name in golden letters in the book of honour of the noble art of painting, which art he has surrounded with a new and imperishable splendour.—Paris, London, Vienna, Berlin, Stockholm, Buda-Pest, Amsterdam, Manchester, Brussels, etc., have had already the opportunity of seeing this picture; two millions of lovers of the Art have admired it; the professional critics of both worlds have paid enthusiastic homage to the powerful creation. And yet the imposing triumphal procession of this great work through Europe is as yet but half accomplished; for Spain, Portugal, Italy, Russia, Roumania and Turkey still await, with unsatisfied longing, that unique sight, which different agents have zealously tried to procure them, even at the greatest sacrifices. The author of the splendid painting and its proprietor and artistic publisher, Mr. Sedelmeyer, have arrested its victorious march through Europe; because the invitations from America have daily become more numerous and more pressing, and because a tribute of due gratitude has to be paid to the United States, whose art-patrons were among the first to recognize and appreciate the genius of the artist."

"To we sure, Europe has followed the development of this chosen artist, first with attention, then with admiration and lastly with enthusiasm; but America may boast of the loftier triumph of possessing the greater number of Munkácsy's paintings, including some of the most important. If Hungary is his native home, and France his artistic one, America is gradually becoming the lasting home of his works."

"Works by Munkácsy are in the collections of Messieurs Vanderbilt, Astor, Marquand, Aug. Belmont, Moris (sic!) K. Jesup, Judge Hilton, Ferd. Blumenthal, C. J. Osborn, O. D. Mann, Mrs. Rob. L. Stuart, Miss Wolfe, W. E. Walters, of Baltimore, J. Wilstach and H. C. Gibson of Philadelphia, (Mr.) Rice of Boston, and others."

The New York Herald, May 30, 1881 (from its Paris correspondent): "The Salon cuts but a poor figure, after all, beside half a dozen private exhibitions now open in various parts of Paris. Munkácsy's single picture of 'Christ Before Pilate' which for some weeks has been attracting thousands to the galleries of M. Sedelmeyer in the Rue Rochefoucauld, is in itself better worth one's study than all that hangs upon the walls of the Palais de l'Industrie. It rises above them all by a head and shoulders—indeed it would be ridiculous to compare it with them. In the one case we have to deal with a work of genius, In the other, at the best, there is only talent."

The American Register, Paris, May 14, 1881: "The great event in the artistic world after the recent opening of the Salon is the exhibition of Munkácsy's painting, 'Christ Before Pilate', which, as our Paris readers know, was finished too late to be received at the Salon, and which the Musée des Arts Décoratifs finally saw fit to decline exhibiting by itself. Since Monday *le tout Paris artistique* and the lovers of art of every nationality have flocked to Sedelmeyer's Gallery, 6, Rue de la Rochefoucauld, to look at and admire the artist's last and probably grandest creation. We would not fail to call the attention of our readers to this unique exhibition, all the more so as we are told that not only have several offers been made for the painting, but that in all likelihood the same may speedily become the property of one of our countrymen, a well-known patron of art."

The Times, London, January 24, 1884 (on "Christ on Calvary"): "This picture is certainly one of the most perfect which have been produced for many a year, combining all the majesty of classic schools with the modern and personal stamp that marks it of the nineteenth century. When one gazes on this picture and hears Munkácsy speak, one realises the feelings which the contemporaries of Rubens, Murillo or Veronese must have experienced when they conversed with those great masters who were destined to be handed down to the admiration of posterity."

New York Times, March 16, 1885: "The 'Calvary' of to-day, over which not only the world of art but the world of fashions, of thought, and of religion is at present wondering, is indeed a marvellous picture. Taking all things into consideration, it is a strange subject to offer in this century of unbelief, of scepticism, and of scoffing. Who has time now to think of the Man of Sorrows? What artist living in Christian England ever dares to offer such scenes to the critical public, and who could imagine such a subject coming from a Paris studio, where even the last rags and shreds of religion are cast scornfully to the winds?"

The Morning Post, London, May, 1884: "Byron wrote to his mother from Florence, on his return from the Pitti Palace, that he was 'drunk with beauty.' The like effect has been produced here by Munkácsy's noble picture of the Crucifixion. Every one is entranced, intoxicated with this most sublime conception, perhaps which has been ever transferred to canvas—of which, by the way, it covers nearly half of an acre. For many centuries past the Crucifixion has been treated *ad nauseam*. The greatest artists, ancient and modern, have represented the awful tragedy with the revolting realism of a murder scene at Madame Tussaud's or the Musée Grevin. Their Crucifixions are as horrible as the wax figures in the famous Fenayrou murder or the horrors of the dissecting room. The great Hungarian has divested the subject of all its hideous realisms, and has set it upon his canvas in all its sublime majesty. The contemplation of the most sacred and solemn event in history appals the gazing multitude, yet attracts them by the exquisite arrangement of the composition; the colouring, the draperies, all are beyond praise. The heart beats with pity, but it is not stirred into repulsion."

Methodist Times, March 12, 1885: "Mr. Munkácsy has given to the world one of the noblest pictures of our incarnate Lord which this century has produced."

The Irish Tribune, March 5, 1887: "Standing in front of this marvelous conception (now being exhibited in Newcastle-on-Tyne), as we did the other day, it was indeed difficult to realize that nineteen centuries have passed away, since the enactment of the most sublime tragedy of the world's history.

"This largest and latest of Munkácsy's works is perhaps the best described by saying that in artistic touch, power of expresssion, and minute faithfulness of detail, it is simply marvellous. A hallowed hush seems to enshrine it, and we can almost feel ourselves shrouded in that deep darkness which was 'over all the earth until the ninth hour'."

Mr. Speaker, I should like to add I would not have had the opportunity to deliver this special order if it had not been for the preparation and research done by my good friend Dr. Elemer Bako of the Slavic and Central European Division of the Congressional Library.

Mr. McCORMACK. Mr. Speaker, great artists are gifts of God to humanity, their importance and their message transcends the national, religious, and historical differences of nations. Today when technology seems to be so much in ascendancy as to relegate the humanistic works of the mind into the background and when art has become abstract and so individualistic that only a few who understand the key to its symbolism can decipher the message and enjoy the medium, it is well to recall the great artists of the past, especially those whose message is modern enough in form and structure to be understood by us.

Such an artist was Michael de Munkácsy, the most famous Hungarian artist-painter of all times. He was not favored by fate in his childhood. His father, a subordinate official in the Austrian customs service, was, despite his German origin, a loyal Hungarian who joined Kossuth's army in 1848–49 to fight for Hungarian independence. In the reverses which followed upon the ensuing Russian occupation in 1849, his father was thrown in jail, fell sick, and died there. The 4-year-old Michael, whose mother died soon after his birth, was adopted by an aunt who was killed by robbers as were Michael's other relatives. He was asleep during the ravage and awakened in the morning to find himself near to the corpse of his aunt. An uncle became his foster-father, but being poor, he apprenticed Michael to a carpenter at Bekescsaba. Michael soon made it to journeyman, and acquired the friendship of some high school students who taught him to write and read. Soon he was reading the German poet Schiller and tried to write poetry himself. As a carpenter he had to do painting and decorations on his chest of drawers. Soon he found that he had the talent for painting.

He persuaded his uncle, who was now in better financial condition, to let him study with a portrait painter. He soon went to Budapest where he succeeded in selling several of his paintings for increasing prices, but unable to enter the Vienna Academy. Despite his failure and the ensuing eye sickness that almost blinded him for a while, he left Budapest again and worked at Munich. Finally fortune favored him. His painting, "The Deluge," won first prize in Budapest and two others also won substantial prizes. One of his contemporary biographers describes him at Düsseldorf as follows:

> He had been attracted thither by the influence of Knaus, but he soon found himself more a master than a pupil. With the hard, dry, conventional Düsseldorf school he had little sympathy. He startled the whole raft of mediocrities there, as the advent of a larger fish might startle the minnows in the pool.

In Düsseldorf, he made his first American contacts, with the painter John R. Tait, the wealthy businessman from Philadelphia, J. Wilstach. The latter commissioned his first major painting: "The Last Day of a Man Condemned to Death," which Munkácsy sent in 1870 to the Paris Salon competition. The painting was considered the picture of the year by the French jury and was awarded a medal. Upon receiving the news Munkácsy returned to Hungary for a visit and then left for Paris. His next work was entitled "War Time," an episode from Hungarian life when the wounded are treated upon their return from the battlefield. Two years later Munkácsy won a second and third medal from the Paris Salon and married the young widow of a rich landed proprietor from the Duchy of Luxembourg—Baron de Marches—and established a home in Paris where princes, world famous painters, artists and businessmen were welcomed and feted. In 1878 at the World Exposition in Paris he won the highest prize with his "Blind Milton Dictating 'Paradise Lost' to His Daughters." This painting now hangs in the public library in New York, and received the Legion of Honor from the French Republic.

His greatest paintings were "Christ Before Pilate" and "Christ on Calvary." Completed in 1881 and 1884, respectively, they toured Europe for years before audiences cumulatively exceeding 2 million people. In 1886, Munkácsy's two masterpieces came to America where they toured the Eastern States. Soon thereupon Munkácsy himself visited New York, Philadelphia, and Washington, D.C., received by Joseph Pulitzer, John Wanamaker who thereafter purchased both paintings, and several other major families of the day on the east coast, painting portraits of several of the Wanamakers and Mrs. Pulitzer. The critics' notices were ravenous, the Mail and Express wrote on November 20, 1886, as follows:

> The most phenomenal career in the art of recent times is that of Michael Munkácsy, who in the space of ten years leaped from indigence and obscurity into opulence and fame, and whose genius, in the painter's thirty-seventh year, culminated in the production of the chef-d'oeuvre of the century.

> Great artists exist among his contemporaries . . . but not one of them exemplifies to the same extent, or gives an equal sense of reality to the idea—rather felt than comprehended by those who entertain it—of inspiration.

Munkácsy was not a painter of the elite. Most of his subjects, except the Biblical ones, deal with small people, even with workers and strikers. However, he always kept his belief in the noble side of man's character and in the divine in history. A modern realist, his Biblical paintings occasioned church services under them while on tour and as the Reverend William M. Taylor stated it in 1882:

> It is not often that a painter becomes a preacher: but it will be long before I can forget the sermon that Munkácsy preached to me.

Mr. GERALD R. FORD. Mr. Speaker, great artists belong to all mankind in their quest for beauty and truth. This is of course true of the greatest artist-painter the Hungarian nation ever produced Michael de Munkácsy, 1844–1900.

Today marks his 125th birthday anniversary, and so we commemorate him as a great artist, a man of inspiration, realism and endless search for the beautiful and noble in men.

Munkácsy was as much at home in painting the most hallowed figure of human history, the Christ, as in depicting the life of simple Hungarian peasants and the poor.

Munkácsy himself experienced the vicissitudes of life in his early childhood and toward the end of his life, despite a meteoric rise to fame and opulence during the 1870's and 1880's when his paintings sold for as much as $150,000 and were seen by 2 million people in Europe alone.

Munkácsy visited America in 1886 and toured New York, Philadelphia, and Washington, D.C. He was received and feted by people like Joseph Pulitzer of the New York World and John Wanamaker.

Munkácsy, while an international painter in his message and style, remained a loyal Hungarian to his death. Except for his Biblical and portraiture work, most of his canvases deal with specifically Hungarian folk themes. One of his famous canvases, "The Coming of the Magyars to Hungary," decorates the hall of the Hungarian Parliament.

Many of Munkácsy's paintings are found in the United States. A former Governor of Michigan, Russell A. Alger, bought some of Munkácsy's paintings and several of them are still in Michigan. But the greatest number are in New York in private and public collections, including one at the public library and one at the Metropolitan Museum of Art. In Philadelphia there are several in the possession of the Wanamaker family. The "Christ Before Pilate" and "Christ on Calvary" are exhibited during Holy Week every year in the Grand Court of the Wanamaker store.

Let us then commemorate the anniversary of this great artist, Munkácsy, the humanist and the loyal Hungarian patriot whose works have become widely known not only in Europe but here in America and whose idea content was never far from the principles of freedom and democracy which the people of this Republic revere.

Mr. MINSHALL. Mr. Speaker, our gifted Hungarian friends have contributed more than their share to the world of the arts. Their many talents glitter in theater, music, literature; in sculpture and painting.

Today marks the 125th birthday anniversary of one of Hungary's finest painters, Michael Munkácsy, whose works are as renowned in this Nation as in Europe. Who is not familiar with his great "Milton Dictating 'Paradise Lost' to His Daughters"? And who has not been stirred by what many consider to be his finest work, "Christ Before Pilate"?

The only Munkácsy original in the Greater Cleveland area hangs in St. Mary's Romanian Orthodox Church on Warren Road. It is his magnificent 41½ by 21¼ canvas, "Transylvanian Peasant."

Truly this inspired Hungarian dipped his brush in a palette of universal communication. His paintings transcend the barriers of language and time.

As one who knows and loves the Hungarian people, who admires their many-faceted culture, it is my distinct pleasure to join in paying tribute to Michael Munkácsy, who translated his devotion to the spirituality of all mankind on canvas, with brilliant and lasting success.

Mr. HALPERN. Mr. Speaker, the celebration of the 125th anniversary of the birth of the most outstanding Hungarian painter, Michael Munkácsy—1844–1900—recalls the memories of times past when this great son of Hungary became one of the most honored figures in the opinion of art lovers not only in Europe but also, and perhaps even more, in this country.

Although many prominent Americans promoted him along with his splendid artistic career, the palm belongs to J. Wilstach and John Wanamaker, both of Philadelphia, who played the most important parts in helping Munkácsy along toward his ultimate triumph as an artist of world fame. The reception accorded him in the great city of New York, during his visit to this country in 1886, and the support and interest of great New Yorkers in Munkácsy's works and personality are regarded similarly as very important factors in shaping the ultimate success of this great painter of the 19th century. As a matter of fact, the purchase of Munkácsy's medal-winning painting, "Milton Dictating 'Paradise Lost' to His Daughters" in 1878, by Robert Lenox Kennedy for the Lenox Library, established the artist's name in the minds of the people of New York as something genuinely their own.

One must look back upon Munkácsy's emergence from the most humble circumstances as carpenter's apprentice in a country town in Hungary. He had to earn his living, having lost his parents in early childhood. As an art student, and a promising young painter, he proved his talents with the pencil and brush and was awarded a scholarship to develop his abilities in Budapest. One can only marvel how this urgently creative artist advanced from one great success to another before he finally won his first gold medal with "The Last Day of a Man Condemned to Death," at the 1870 exhibition of the Salon in Paris.

It gives us a warm feeling that at this important turn in Munkácsy's career a commission was awarded to him by the prominent Philadelphian, J. Wilstach. This made it possible for Munkácsy to achieve that high grade of concentration and devotion without which no intellectual creation can be achieved. This support, awarded to a promising young artist, remains one of the most shining examples of the deeds of great American philanthropists and art lovers, who still today continue to function as the patrons of struggling artists and other intellectuals in various parts of the world.

Munkácsy's rise to world fame and unprecedented material success for a painter came when he completed his first great canvas on a Biblical subject, "Christ Before Pilate," in 1881. Although it could not be exhibited in the Salon, because the artist missed the deadline for the exhibit, the great work shown simultaneously with the Salon's exhibit in a private hall was immediately recognized by experts as "the work of a genius," rising above them all "that hang upon the walls of the Palais de l'Industrie by head and shoulders." This much-loved work was purchased by John Wanamaker, and was first exhibited in New York together with its companion piece, the magnificent "Christ on Calvary," 1884, which also became the property of Wanamaker.

On the occasion of this unexcelled event, New York Hungarians sponsored a dinner honoring Munkácsy. It was presided over by Joseph Pulitzer, another great son of Hungary, who also built a spectacular career far away from his native country. Surrounded by such prominent guests as Mayor-elect Hewitt, Cyrus Field, Henry Ward Beecher, Carl Schurz, Chauncey Depew, and others, Pulitzer greeted the Hungarian artist "because true Americans, having no aristocracy, are ready to worship the aristocracy of virtue and the royalty of genius."

He linked Munkácsy with Louis Kossuth and Franz Liszt, Hungary's other great sons living abroad and finished by saying:

> Tonight we are all Hungarians—we are all Americans.

And Pulitzer's paper, the World, wrote of Munkácsy on November 18, 1886:

> When the few great artists of our age and time shall have won, by lapse of centuries and art periods, and by the power of their work, the title of "old master," as we now understand the term, Michael De Munkácsy, the Hungarian painter, will hold a foremost place among the immortals of the 19th century, secured for him by his masterpiece, the "Christ Before Pilate."

Thus, in the light of these contemporary opinions, it is no wonder that the creator of such masterpieces of true humanitarian content and spirit remained the same honest person as he was when he first approached his great task as a young artist. In spite of the numerous high decorations, praises, and the unparalleled material rewards showered upon him for his subsequent works, his care for the poor and the needy never ceased—time and again he turned to such subjects and they appear in such works as the "Yawning Apprentice," 1868; "Nocturnal Tramps," 1873; "Pawn Shop," 1874; and "The Strike," 1895; a surprising variety of works of art for a man who was elevated to nobility by Emperor Francis Joseph I.

It is our privilege and our duty to treasure the memory of Michael Munkácsy, whose life and works created so many ideas for later generations coming from the shores of the old world in order to enrich the realm of the new.

Mr. ADDABBO. Mr. Speaker, it gives me a great pleasure to join my distinguished colleagues in commemorating the 125th anniversary of the world-renowned Hungarian artist-painter of the 19th century, Michael de Munkácsy, born on February 20, 1844.

Munkácsy was not only a great master of his age, but a fighter for human freedom and human rights. This explains why the works he produced found as much response abroad as in Hungary, and why over 60 of his canvases are today in the United States in museums and private art collections.

Munkácsy's early childhood was overshadowed by the so-called Bach era of Habsburg oppression in Hungary following the tragic end of the Hungarian fight for freedom in 1848–49. Orphaned, the young Munkácsy suffered poverty and injustice and for a while had to earn his living as a carpenter's apprentice. Yet his talents soon won him scholarships and he moved to Budapest. A prize won by one of his canvases won him also a scholarship at the famous Düsseldorf Art School in Germany.

Among his earliest friends was the American artist, John R. Tait, of Baltimore, Md., through whom his patron, J. Wilstach of Philadelphia gave Munkácsy his first commission for a large painting. The work was entitled "The Last Day of a Man Condemned to Death," and won a medal at the Salon at Paris catapulting the young artist to European fame.

His American connections were reenforced by the interest developed in his works, particularly the magnificent "Christ Before Pilate," by the Philadelphia philanthropist, John Wanamaker and the famous editor of the New York World, himself of Hungarian origin, Joseph Pulitzer.

In 1886 Munkácsy visited the United States after a tour of his painting "Christ Before Pilate" on the eastern coast. In New York, Joseph Pulitzer greeted him with a Hungarian-language headline in the World and while in New York he also painted a portrait of Mrs. Pulitzer. James B. Townsend, writing in the November 18, 1886, issue of the World described his work as follows:

> The work is a grandly conceived one; is majestic in its simplicity and tells its dramatic story through no tricks of art, but simply by genius guiding the hand which created it. It satisfies and moves the spectator. "Behold and look if there is any sorrow like unto my sorrow," are the words that come irresistibly to his mind.

The New York Herald also commented on the same day:

> It is an impressive and dramatic scene, and one which grows on the beholder. The "Christ Before Pilate" is a work which will be ranked as one of the most remarkable of the century.

Today the New York Public Library possesses Munkácsy's "Milton" and several other paintings are in private collections all over the country.

Munkácsy's message was both real and ideal. The subjects were either simple people, or religious motives, but the message always expressed real conflicts, social and personal, and tried to ennoble the concept of man and his freedom. His message is timeless and is not limited to Hungarians or Americans. He is striving to express man's universal yearning both for freedom and a meaningful life.

Mr. HELSTOSKI. Mr. Speaker, in joining my distinguished colleague from New Jersey in commemorating the 125th anniversary of the Hungarian artist-painter, Michael de Munkácsy, we are paying homage not only to an artistic genius but to a great champion of human freedom and human rights of his generation.

Hungarian contribution to music is too well known to be emphasized, but usually we are less aware of the artistic genius of Munkácsy who is revered by his fellow countrymen as the greatest artist of Hungarian origin.

He is a representative of the critical realist school, yet the depth and expressiveness and form perfection of his canvases gave him the reputation of an "old master" in Tintoretto's style. His themes were often Biblical and point from the natural to the supernatural sphere, yet he never became an idealizer of life. Rather he tried to grasp the noble sentiments of man, even among those oppressed and underprivileged. His best-known painting in America became the canvas "Christ Before Pilate" and "Golgotha" both of which toured the United States on exhibitions and are annually shown by the Wanamaker family during Holy Week. Munkácsy visited the United States in 1886 and was warmly received not only by John Wanamaker but by Joseph Pulitzer and indeed by all art patrons of the eastern coast.

In the latter part of his life, he was elevated to nobility by Emperor Francis Joseph and decorated twice with the Legion d'Honneur in France and received the most coveted artistic prizes of Europe.

However, in his heart he remained the warmhearted, compassionate man he always had been, and while painting public personages he did not forget to immortalize in his paintings the lonely, the poor, and the underprivileged. His socially reformist paintings included "The Strike," 1895; "Pawn Shop," 1874; and even the early "Yawning Apprentice" to mention only a few.

As his childhood was embittered by the memories of the Austrian oppression in Hungary following the defeat of the Hungarian War of Independence, in his themes man's quest for freedom always occupied an important place. Thus, he is indeed modern as well as classical and we are happy to have more than 60 of his paintings in the United States in public and private collections.

Mr. DULSKI. Mr. Speaker, I am pleased to join my colleagues in paying tribute to the greatest Hungarian artist of all ages, Michael de Munkácsy, upon the 125th anniversary of his birth today.

Munkácsy was a representative of critical realism, but his realistic style did not prevent him from dealing with themes that were religious and idealistic. Some of his most famous paintings were connected with Christian religion, like the two major canvases on "Christ Before Pilate" and the "Golgotha," and the equally famous "Ecce Homo." His paintings also exude a great interest and compassion for those deprived of freedom, and he can be truly called one of the great champions of human rights and freedoms of his age.

Munkácsy's childhood was overshadowed by Austrian oppression in Hungary following the defeat of the Hungarian struggle for independence in 1848–49, and the theme of the proud, unbroken, yet fettered man before his oppressor is also a trademark of his work, including the "Christ Before Pilate."

Munkácsy had many connections with the United States. One of his earliest friends was the American artist, John R. Tait, of Baltimore, Md. Among his strongest backers were Mr. J. Wilstach and Mr. John Wanamaker, both of Philadelphia.

Munkácsy visited the United States in 1886, when he was received warmly in New York by Joseph Pulitzer and the social world, as well as in Philadelphia and Washington, D.C.

More than 60 of his paintings are in American public and private collections, many of which are in New York, including his "Milton" at the public library.

His American contemporaries saw in him another old master of the size of Tintoretto. Not less than nine New York papers commented extensively and favorably on the exhibition of his "Christ Before Pilate" and all compared him to the immortals of his century.

It is, therefore, most fitting to remember both the genius of arts and the champion of the oppressed peoples, fighting for their national and personal freedom, at this anniversary of Munkácsy's birth.

GENERAL LEAVE TO EXTEND

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

NFL FOOTBALL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. CAHILL) is recognized for 15 minutes.

Mr. CAHILL. Mr. Speaker, it may be difficult for many Members of Congress to sympathize with the plight of an athlete who this year is expected to make an income of at least $100,000.

But the plight of O. J. Simpson, gang-tackled as he is by the callous monopoly of professional football, is the plight of more than 1,000 young athletes who are stripped of their freedom each year. Simpson's situation is only more dramatic.

Unless Congress takes steps to correct these flagrant abuses, Simpson will join the eager young recruits and the tested veterans in the lock-step of slavery. He will be a well-paid slave—one of the richest in pro football—but he will be just as much of a slave as the lowest-paid journeyman.

Let us analyze the case of O. J. Simpson to illustrate how each and every pro player is victimized by the current system:

Simpson, in case anyone needs to be told, is the most publicized star of our era—perhaps in the history of college football. A running back blessed with a remarkable combination of size, speed, strength and stamina, he made the University of California at Los Angeles one of the greatest powers in the country. He is possibly the most sought-after player by the pros in history—not only because of his outstanding ability but because of his box-office magic.

But Simpson cannot sell his services as a free man. He does not have the bargaining power of the lowliest laborer in our country. He is told he must play in a certain city. He must play in a designated league. He must come to an agreement on salary with one owner. And if he does not like the terms offered, he has only one alternative. He can quit football. Simpson is now in precisely that situation. He has been drafted by the Buffalo Bills under league practices and is that team's property. His recent retention of legal counsel and threatened court action against the league demonstrate that he is the unwilling property of the Bills.

Such unconscionable restraints stem from two practices: the effective evasion of football's own "option clause," and the common draft of the merged National and American Football Leagues.

In theory, the "option clause" seems justified. It is purportedly necessary to create stability among league members and to curtail wholesale yearly raids on personnel by richer owners. This clause in the standard contract provides in essence that, when a player signs a contract initially, or renews it, he also gives the club an option on his services for the following year under the same terms. However, the player may decline to grant this option and thereby suffer a 10-percent cut in his current contract. In this case, the player can then sign with any team for the following season as a "free agent."

This, in my view, is not an unreasonable restraint. Indeed, the late Bert Bell, former NFL commissioner, argued most persuasively that this "escape hatch" for players effectively removed them from bondage, and thus antitrust prosecution was forestalled. Indeed, it was a factor in persuading Congress to exempt the NFL–AFL merger from antitrust jurisdiction. However, experience in recent years has demonstrated that principle and practice are two different things.

As I told the House last October, there is persuasive evidence that the team owners and commissioner have devised means to deprive players of this "escape hatch," thereby rendering the option clause in violation of antitrust laws. I shall discuss this point in more detail shortly.

Up until a few years ago, there were two separate leagues, each holding its own draft of college players annually. Under this setup, a player had at least a minimal freedom of choice and bargaining rights. He could decide which city and which team offered him the greater advantages, and he could weigh these considerations against the respective salary offers. But with the merging of the leagues, all freedom ended abruptly. Now he goes where he is sent. And if he does not like the city or the team or the coach or the salary, that is just too bad. He is stuck. He is stuck until his legs lose their spring or his arm loses its zip, or the coach decided to trade him. In any case, he has no control over what happens to him.

He has no control because it appears Commissioner Pete Rozelle and other league officials have taken steps to make a mockery of the "free agent" status of athletes who have elected to "play out their option." Last fall, I brought to the attention of the Congress the case of Dave Parks as one of several abuses. It merits review here.

Parks played out his option with San Francisco and signed with New Orleans. It had been the custom up until that time for the new club subsequently signing a player to compensate the old with a player of equal ability and/or cash. This represented a gentlemen's agreement, which in itself was suspect as evading the intent of the option clause. But the NFL went a step further. When the two clubs could not agree on the compensation to be paid for Parks, Rozelle ruled that New Orleans had to give up its first draft choice of 1968—Kevin Hardy, of Notre Dame—plus its first draft choice for 1969.

Let me repeat that this severe penalty meant only one thing, in my opinion. It was a clear warning to players that playing out an option could well result in unemployment; it was an obvious threat to owners that dealing with a free agent would be too expensive. It eliminated the escape hatch of the option clause as effectively as if the provision were physically removed from the contract.

Let me say again that an athlete achieving free-agent status—at a financial sacrifice—can well find himself a drug on the market. Another team will fear to sign him, unless he is a superstar who might be worth the gamble of the probable reprisal.

But even though I have paid particular attention to the case of O. J. Simpson, it is not the superstar I am concerned about. It is the journeyman, the average player with family responsibilities, the athlete with only a year or two left to play in the big time.

In view of this concern, over 3 months ago I requested the Justice Department to investigate the matter with a view to antitrust prosecution. However, in recent communications with the Justice Department's Antitrust Division, I have been informed that no investigation will be undertaken.

The sole explanation offered by Justice Department officials for this refusal is that they "believe the option clause and common draft practices of the NFL to be 'reasonable' restraints under the Sherman Act."

This, in my judgment, ignores both legal precedent established under the Sherman Act and the intent of Congress in permitting a merger of the NFL and AFL. I am convinced that, in its option clause and player draft practices, pro football has deliberately and callously gone beyond the bounds established by the legislation exempting the merger of the NFL and AFL from antitrust jurisdiction. This legislation, a rider to a nongermane bill, merely exempted "a joint agreement by two or more professional leagues," and during House debate proponents made clear that this language only granted exemption to the actual steps necessary to effect a merger of the NFL–AFL. It most certainly did not give pro football a license to flout or evade antitrust laws in its day-to-day operations.

I am further convinced that the Congress must reexamine its decision to permit a blanket merger of the two leagues.

I have therefore requested the chairman of the House Judiciary Committee to authorize a full investigation of the merged NFL. In my judgment, this course of action is the only way to insure that pro football will survive as one of our most popular sports.

INTRODUCTION OF BILL TO ESTABLISH A NATIONAL CEMETERY SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, we are in the midst of a grave crisis. The haphazard, unplanned establishment, and expansion of our national cemeteries has resulted in an ever-increasing shortage of burial sites for those who have earned the privilege of interment in these cemeteries.

This crisis, which has already resulted in an order limiting burials in historic Arlington National Cemetery, comes as no surprise to those of us who have kept abreast of veterans' needs in the United States.

We have had many warnings during the past several years about the need for a workable, long-term plan to establish adequate gravesites for veterans. Yet each time, the warnings have been ignored.

We cannot continue to do this any longer. Unless the Congress takes action promptly, the crisis which has already all but closed down Arlington National Cemetery will spread to other national cemeteries. In fact, according to the American Legion, for all practical purposes we have already run out of available burial sites for veterans.

A prime example of this heightening crisis is Pinelawn National Cemetery on Long Island. When Pinelawn was established in 1937, it was estimated that this would provide gravesites for veterans until 1975.

In recent years, however, it has become apparent that this projection was far too optimistic, and current estimates indicate that the close-out date is almost upon us. Without expansion, Pinelawn is not likely to serve beyond 1970.

Thousands of acres of Government-owned land is available on Long Island for the expansion of Pinelawn. The time to plan such expansion is now, not on the eve of another crisis.

And there are many other national cemeteries throughout the Nation whose future should be outlined in a well-defined plan, also. Such a plan does not exist and will not exist if the legislation aimed at creating it is not acted upon.

Therefore, Mr. Speaker, I am today introducing a bill designed to resolve the heightening national cemetery crisis by eliminating the present outdated system of divided and overlapping jurisdictions and by providing the means to expand existing sites and create additional ones.

This measure would transfer to the Administrator of Veterans' Affairs, jurisdiction over existing national cemeteries presently parceled out to three other agencies, in addition to the Veterans' administration: the National Park Service, the Department of Interior, and the Department of the Army. It would vest in the Administrator of Veterans' Affairs the authority and responsibility for the operation, care and maintenance of these cemeteries.

Further, the bill would direct the Administrator of Veterans' Affairs to plan a system of national cemeteries and to create additional ones so that the capacity and distribution of national cemetery sites shall at all times be sufficient to assure burial in the national cemetery for those who so desire.

To implement this, the Administrator of Veterans' Affairs would be authorized to acquire such lands as are needed: by gift, purchase, condemnation, transfer, or by any other means.

Mr. Speaker, passage of this legislation is vital if we are to be able to continue to properly pay tribute to the men who fight for the honor and freedom of our country. We can no longer ignore the inevitable. The time for action is now.

I, therefore, urge all of my colleagues to join in support of this bill.

CONFLICTS OF INTEREST AND THE HOLDING COMPANY BILL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 10 minutes.

Mr. PATMAN. Mr. Speaker, I am deeply concerned about the potential for conflicts of interest among the new officials of the U.S. Treasury Department.

Mr. Speaker, this concern goes particularly to legislation which might go before the Banking and Currency Committee and on which the Treasury Department must comment. The banker influence at the Treasury is hip deep and it is sure to cast a pall on all banking legislation that is sent forward by the Nixon administration.

As I have pointed out earlier, the top policymaking officials at Treasury come directly out of the banking industry. Here is the way the list reads:

Mr. David Kennedy, Secretary of the Treasury, formerly chairman of the Continental Illinois National Bank of Chicago;

Mr. Charls Walker, Under Secretary of the Treasury, formerly executive vice president of the American Bankers Association; and

Mr. Paul Volcker, Under Secretary of the Treasury, formerly vice president of the Chase Manhattan National Bank.

What deeply concerns me is the effect of this banking background on the one-bank holding company legislation which must be considered early in this session of Congress.

Mr. Speaker, I feel strongly that these Treasury officials cannot divorce themselves from their backgrounds as they make recommendations on these holding companies. Today, I have written President Nixon about this important issue and I have urged that he withdraw these officials from direct participation in the holding company legislation.

Mr. Speaker, here is what I told the President:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 20, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The forthcoming hearings on the Bank Holding Company Act are of vital importance to every segment of our economy and this once again raises the serious problem of the banker influence at the U.S. Treasury Department.

As you are aware, it would be normal procedure for the Treasury Department to make recommendations on these amendments to the Holding Company Act and to comment on the various proposals. Likewise, normal procedure would involve consultation and approval of the Budget Bureau.

However, all Administration officials in a position to advise the Congress on this vital piece of legislation are only weeks away from their jobs in the banking industry which this legislation is designed to regulate and to restrict.

In fact, the Secretary of the Treasury—who would be expected to make the recommendations of the Administration—participated in the formation of a one-bank holding company while he served as Chairman of the Continental Illinois National Bank of Chicago. He must now draft legislation and make recommendations which will, in effect, decide whether the very holding company which he formed will remain intact. Mr. President, I am sure that the Secretary is a man of high integrity, but such a situation places him in an impossible position where he must rule on his own handiwork.

The same situation exists when the matter goes before Mr. Robert Mayo, your director of the Bureau of the Budget. Mr. Mayo, of course, was a vice-president of the Continental Illinois National Bank and presumably participated alongside Mr. Kennedy in forming the one-bank holding company.

I understand that a great deal of the work on the Administration proposal is being performed by Charls Walker, the under-Secretary of the Treasury. Mr. Walker, of course, is former executive vice-president of the American Bankers Association, the lobbying organization largely controlled by the big banks which are now so interested in the one-bank holding companies as a means of expanding their influence in the economy. Mr. Walker has had a close relationship with these banks and has faithfully lobbied for their position on Capitol Hill.

Before he was appointed by you, I am sure that Mr. Walker was in the process of preparing the legislative position of the ABA on the Holding Company Act and it is safe to assume that this position was not contrary to that of the large banks which have formed holding companies.

I am not certain of the role of the other under-Secretary, Paul Volcker, in the holding company talks in the Administration, but I assume that he will have a voice in the final decision. Mr. Volcker, as you know, was vice-president of Chase Manhattan National Bank of New York, which announced plans to form a one-bank holding company just 11 days before Mr. Volcker joined the Treasury.

The background of these policymakers perhaps explains the confusion and constant shifting which seems to be going on inside the Treasury Department on this vital issue. Trying to reconcile their past associations and life-time careers in banking with their current responsibilities, is, I am sure, a difficult, if not impossible task, particularly on an issue as volatile as this.

Originally, I had understood the Treasury Department would send legislation on Bank Holding Companies to Capitol Hill before the Lincoln Day recess. Then later, I noticed in the press that the time table had been changed and that the bill would be forthcoming immediately after the recess, February 17. Later this was changed to February 19 or possibly the 20th "at the latest." Now I understand that all of this scheduling has been changed to next week.

I can only assume that there is some rapid rewriting and re-evaluation going on inside the Treasury Department. I notice in the press that there have been a series of "background briefings" extending over several weeks by an anonymous official of the Department. It is my understanding that these briefings have been taking place not only in the Treasury Department building, but also in the editorial rooms of some of the nation's leading newspapers. Apparently, there is a great effort to justify the Administration's position before it has a position.

What his sifted out of these shifting positions has been discouraging and alarming. The briefings have inspired reports that the Treasury Department wants to give total exemption to all of the one-bank holding companies already formed. Much more serious have been reports that the Administration would weaken the present Bank Holding Company Act through a broader definition of non-banking activities and by splitting the regulation of the holding companies among all the banking agencies.

If these reports are true—and they have not been denied by that anonymous Treasury official—then what we have is a back door assault on the existing regulation, rather than a much-needed strengthening of the Holding Company Act.

All of this points to the extreme difficulty of drafting legislation in a Department dominated by people from the very industry that the legislation purports to regulate.

Therefore, Mr. President, in view of the extremely critical nature of this issue and its far-reaching impact on the entire economy, I respectfully urge you to withdraw the Treasury Department and the Director of the Bureau of the Budget from direct participation in this legislation.

This may seem unusual, but there is, indeed, ample precedent in our system of government for such action. For example, a judge is obligated to withdraw from consideration of a case in which he may have participated as an advocate before taking the bench. And certainly, Mr. Kennedy, Mr. Walker, Mr. Volcker, and Mr. Mayo were advocates for the banks—and bank holding companies—before they took their current appointments.

I am sure that there are others in the Administration—not connected with banks—who could be drafted to work on this legislation and to bring forward your recommendations to the Congress. The Federal Reserve Board, of course, has direct responsibility for the regulation of the registered bank holding companies and I understand that this agency has already studied and prepared extensive legislative recommendations on this issue.

The important thing, Mr. President, is that we have legislation that truly protects the public interest and in which the public can have confidence. This issue involves much more than the narrow banking interests and its resolution should not be left solely to the bankers. It is something that affects the entire business community and the general public.

You have the power to remove the cloud of suspicion that has arisen about the pending Administration proposals. I respectfully urge you to exercise it.

Sincerely,

Wright Patman.

ACQUISITION OF CONTROL OF RAIL, MOTOR, OR WATER CARRIERS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia (Mr. Staggers) is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, today I am introducing two bills having to do with the acquisition of control of a rail, motor, or water carrier. Both bills would amend section 5(2)(a) of the Interstate Commerce Act, which has to do with control, mergers, and consolidations. They are alternative approaches to the same problem.

One would simply change the present statute to make it unlawful for a person which is not a carrier to acquire control of a single carrier. There presently seems to be some doubt in the minds of the Interstate Commerce Commission how far their jurisdiction extends in these cases unless two or more carriers are involved.

The other would add additional criterion to those which the Commission now must consider in the acquisition of control of a carrier by a person not a carrier, namely that such person is engaged primarily in the business of transportation or in a business which is reasonably incidental, or economically necessary or appropriate to the operations of such a carrier or carriers. This is the test which presently applies under the Public Utility Holding Act of 1935. This bill by itself in nowise changes all other restrictions on intermodal control which the act now contains.

I have introduced these bills for the purposes of holding hearings to determine what is the best solution to a problem, which, I think, is of tremendous importance. This problem is whether a railroad or other carrier which is acquired by a person which is not a carrier can fulfill its obligations and responsibilities to the public in providing the kind of service that a common carrier is charged with providing the public.

There are numerous proposed acquisitions of railroads by holding companies, and railroads themselves have former holding companies in their efforts to diversify their current investment. This is true in other carrier fields. I am disturbed, in the absence of adequate information and knowledge about these acquisitions, as to how far they represent and will continue to represent a serious intent to discharge common carrier duties or how far they might chance to be simply erections of financial empires for other purposes. I have introduced these bills therefore as a vehicle for a considered approach to this matter where all aspects thoroughly might be aired.

OKLAHOMA STATE TECH SHARES HIGH HONOR

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oklahoma (Mr. Edmondson) is recognized for 5 minutes.

Mr. EDMONDSON. Mr. Speaker, I am delighted to join my colleague in his salute to Oklahoma State University, which was honored last night for its significant contribution to international education.

Oklahoma State Tech, a vital part of Oklahoma State University, is located in the Second Congressional District at the beautiful city of Okmulgee, and shares in the high honor conferred on the university.

The Oklahoma State Tech facilities and faculty are without a peer in the field of technical education, and this great institution is visited regularly by educators from all over the world who are interested in its programs. Thousands of graduates with much needed technical skills are evidence of its excellence.

As an Oklahoman, I am delighted by the international recognition which was given last night.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Patten) and to revise and extend their remarks and include extraneous matter:)

Mr. Patman, for 10 minutes, today.

Mr. Staggers, for 5 minutes, today.

Mr. Edmondson, for 5 minutes, today.

Mr. Bingham, for 1 hour, on February 26.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks granted to:

Mr. Hall and to include extraneous matter.

Mr. Patten and to include a newspaper article.

(The following Members (at the request of Mr. Camp) and to include extraneous matter:)

Mr. Roth in five instances.
Mr. Findley.
Mr. Brown of Michigan.
Mr. Wyatt.
Mr. Ashbrook in two instances.
Mr. Halpern.
Mr. Berry.
Mr. Dickinson.
Mr. Davis of Wisconsin in two instances.
Mr. Steiger of Arizona.
Mr. Wold.
Mr. Hansen of Idaho.
Mr. Hunt.
Mr. Nelsen.
Mr. Gude.
Mr. Quie.
Mr. Conte.
Mr. Keith.

(The following Members (at the request of Mr. Patten) and to include extraneous matter:)

Mr. Ottinger in two instances.
Mr. Long of Maryland in three instances.
Mr. de la Garza in two instances.
Mr. Green of Pennsylvania in two instances.
Mr. Lowenstein in six instances.
Mr. Helstoski in two instances.
Mr. Podell in two instances.
Mr. Edwards of California.
Mr. Addabbo in two instances.
Mr. Daniels of New Jersey.
Mr. Eilberg.
Mr. Murphy of New York.
Mr. St. Onge in three instances.
Mr. Ryan in three instances.
Mr. Pickle in two instances.
Mr. Rarick in six instances.
Mr. Bennett in two instances.
Mr. Dulski.
Mr. Nichols.
Mr. Minish in two instances.
Mr. Cohelan in three instances.
Mr. Gonzalez in three instances.
Mr. Olsen.
Mr. Farbstein in two instances.
Mr. Scheuer in two instances.
Mr. Patman in two instances.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 11 minutes p.m.), under its previous order, the House adjourned until Monday, February 24, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

524. A communication from the President of the United States, transmitting proposed changes in appropriations for the Department of Agriculture for the fiscal years 1969 and 1970 (H. Doc. No. 91–76); to the Committee on Appropriations and ordered to be printed.

525. A letter from the Comptroller General of the United States, transmitting a report on the audit of the financial statements of the low-rent public housing program fund for fiscal year 1968, Department of Housing and Urban Development (H. Doc. No. 91–77); to the Committee on Government Operations and ordered to be printed.

526. A letter from the Acting Assistant Secretary of the Army (Research and Development), transmitting a report on Department of the Army research and development contracts for $50,000 or more which were awarded during the period July 1 through December 31, 1968, pursuant to the provisions of section 4 of Public Law 557, 82d Congress; to the Committee on Armed Services.

527. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July–November 1968, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

528. A letter from the Comptroller General of the United States, transmitting a report on the need to resolve questions of safety

involving certain registered uses of lindane pesticide pellets, Agricultural Research Service, Department of Agriculture; to the Committee on Government Operations.

529. A letter from the Chairman, Interstate Commerce Commission, transmitting the 82d annual report of the Commission for fiscal year 1968; to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 7305. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ASHBROOK:

H.R. 7306. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by the recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BARRETT (for himself, Mr. Nix, Mr. Byrne of Pennsylvania, Mr. Eilberg, and Mr. Green of Pennsylvania):

H.R. 7307. A bill making a supplemental appropriation for Headstart programs under the Economic Opportunity Act of 1964; to the Committee on Appropriations.

By Mr. BERRY:

H.R. 7308. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 7309. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 7310. A bill to enable citizens of the United States who change their residences to vote in presidential elections, and for other purposes; to the Committee on House Administration.

By Mr. DELANEY:

H.R. 7311. A bill to amend item 709.10 of the Tariff Schedules of the United States to provide that the rate of duty on parts of stethoscopes shall be the same as the rate on stethoscopes; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 7312. A bill to authorize the preparation of a roll of persons whose lineal ancestors were members of the Confederated Tribes of Weas, Piankashaws, Peorias, and Kaskaskias, merged under the treaty of May 30, 1854 (10 Stat. 1082), and to provide for the disposition of funds appropriated to pay a judgment in Indian Claims Commission docket No. 314, amended, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EVANS of Colorado:

H.R. 7313. A bill to incorporate Retired Enlisted Association, Inc.; to the Committee on the Judiciary.

H.R. 7314. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. FOLEY (for himself and Mr. Adams):

H.R. 7315. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, reliability, and effectiveness of medical devices; to the Committee on Interstate and Foreign Commerce.

By Mr. FOLEY:

H.R. 7316. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee (for himself and Mr. Fulton of Pennsylvania):

H.R. 7317. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $2,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse,, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 7318. A bill to amend the Internal Revenue Code of 1954 to equalize the taxation of certain cooperatives (other than marketing and purchasing agencies); to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 7319. A bill to amend chapter 55 of title 10 of the United States Code to provide medical and maternity care in service facilities for certain members of the uniformed services and their dependents after such members are separated from active duty; to the Committee on Armed Services.

By Mr. HALPERN:

H.R. 7320. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 7321. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

By Mr. HUNT:

H.R. 7322. A bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

H.R. 7323. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 7324. A bill to amend title II of the Social Security Act to increase the amount of outside income which a widow with minor children may earn without suffering deductions from the benefits to which she is entitled thereunder; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 7325. A bill to amend the Oil Pollution Act, 1924, for the purpose of controlling oil pollution from vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KOCH:

H.R. 7326. A bill to amend the Internal Revenue Code of 1954 to impose a minimum tax on individuals; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 7327. A bill to reauthorize construction by the Secretary of the Interior of the North Loup division, Nebraska, of the Missouri River Basin project; to the Committee on Interior and Insular Affairs.

H.R. 7328. A bill to increase the personal income tax exemptions of a taxpayer including the exemptions for a spouse and dependents and the additional exemptions for old age and blindness from $600 to $1,200; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 7329. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

H.R. 7330. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 7331. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. MURPHY of New York (for himself, Mr. Brown of California, Mr. Brown of Michigan, Mrs. Chisholm, Mr. Farbstein, Mr. Friedel, Mr. Gallagher, Mr. Gilbert, Mr. Halpern, Mr. Koch, Mr. Kyros, Mr. Lowenstein, Mr. Lujan, Mr. Nix, Mr. Ottinger, Mr. Pepper, Mr. Podell, and Mr. Ryan):

H.R. 7332. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the assignment of surplus real property to executive agencies for disposal, and for other purposes; to the Committee on Government Operations.

By Mr. OLSEN:

H.R. 7333. A bill to promote the peaceful resolution of international conflict, and for other purposes; to the Committee on Government Operations.

H.R. 7334. A bill to designate the lake formed by the waters impounded by the Libby Dam, Mont., as "Lake Koocanusa"; to the Committee on Public Works.

H.R. 7335. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 7336. A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income; to the Committee on Ways and Means.

By Mr. PELLY (for himself, Mrs. Reid of Illinois, Mr. Don H. Clausen, and Mr. Lipscomb):

H.R. 7337. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PODELL:

H.R. 7338. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses; to the Committee on Interstate and Foreign Commerce.

By Mr. POLLOCK:

H.R. 7339. A bill to amend the act of March 4, 1907, to authorize the Department of Agriculture to conduct a regular program of inspection of reindeer meat; to the Committee on Agriculture.

By Mr. QUILLEN:

H.R. 7340. A bill to provide for the orderly expansion of trade in manufactured products; to the Committee on Ways and Means

By Mr. REUSS:

H.R. 7341. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 7342. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H.R. 7343. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 7344. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 7345. A bill to repeal subsection (c) of section 245 of the Immigration and Nationality Act, to permit adjustment of the status of persons from the Western Hemisphere on the same basis as other aliens; to the Committee on the Judiciary.

H.R. 7346. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

H.R. 7347. A bill to amend section 592 of the Tariff Act of 1930 (19 U.S.C.A. 1592), and for other purposes; to the Committee on Ways and Means.

H.R. 7348. A bill to amend the Internal Revenue Code of 1954 with respect to the estate tax treatment of certain interests created by community property laws in employees' trusts and retirement annuity contracts; to the Committee on Ways and Means.

By Mr. ROYBAL (for himself and Mr. Corman):

H.R. 7349. A bill making an appropriation to the Office of Education to carry out the Bilingual Education Act for the fiscal year ending June 30, 1970; to the Committee on Appropriations.

H.R. 7350. A bill to authorize the U.S. Customs Court to maintain an office at the city of Los Angeles; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 7351. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7352. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. SANDMAN:

H.R. 7353. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR (for himself and Mr. Dingell):

H.R. 7354. A bill to amend the Mineral Leasing Act, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHEUER (for himself, Mr. Howard, Mr. Hungate, Mr. Kyros, Mr. Lowenstein, Mr. Lujan, Mr. McCloskey, Mr. Mikva, Mr. Moorhead, Mr. Olsen, Mr. Ottinger, Mr. Pepper, Mr. Podell, Mr. St Germain, Mr. St. Onge, Mr. Tiernan, Mr. Vander Jagt, Mr. Vanik, Mr. Williams, Mr. Charles H. Wilson, Mr. Wolff, Mr. Wright, and Mr. Culver):

H.R. 7355. A bill to amend the Federal Aviation Act of 1958 to authorize reduced-rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHEUER (for himself, Mr. Addabbo, Mr. Anderson of California, Mr. Anderson of Illinois, Mr. Biaggi, Mr. Bingham, Mr. Brown of California, Mr. Coughlin, Mr. Daniels of New Jersey, Mr. Dellenback, Mr. Donohue, Mr. Dulski, Mr. Duncan, Mr. Edwards of California, Mr. Flood, Mr. Fulton of Pennsylvania, Mr. Gaydos, Mr. Gude, Mr. Halpern, Mr. Hathaway, and Mr. Helstoski):

H.R. 7356. A bill to amend the Federal Aviation Act of 1958 to authorize reduced-rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.R. 7357. A bill to amend title 38 of the United States Code to permit veterans to determine how certain drugs and medicines will be supplied to them; to the Committee on Veterans' Affairs.

By Mr. WAMPLER:

H.R. 7358. A bill to amend title 38 of the United States Code to permit certain benefit increases provided for by the Social Security Amendments of 1967 to be disregarded for the purposes of determining eligibility for pension or compensation under such title; to the Committee on Veterans' Affairs.

By Mr. WHALLEY:

H.R. 7359. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. WIGGINS:

H.R. 7360. A bill to authorize the Secretary of the Interior to establish the Richard M. Nixon National Historic Site in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BLATNIK (for himself, Mr. Kluczynski, and Mr. Wright):

H.R. 7361. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. BURKE of Massachusetts:

H.R. 7362. A bill to amend section 815 of the Internal Revenue Code with regard to certain distributions of the stock of wholly owned corporations; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 7363. A bill to amend title 10, United States Code, to authorize the waiver, in certain cases, of claims of the United States arising out of erroneous payments of pay or allowances to a civilian officer or employee of military departments and the Coast Guard or a member or former member of the Armed Forces, including retired or Reserve and National Guard personnel, and for other purposes; to the Committee on the Judiciary.

By Mr. DULSKI:

H.R. 7364. A bill to amend title 5, United States Code, to improve the basic workweek of firefighting personnel of executive agencies, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7365. A bill to amend title 5, United States Code, to provide for the establishment of minimum and maximum age limits governing new appointments of firefighters in the competitive service; to the Committee on Post Office and Civil Service.

By Mr. FOUNTAIN (for himself, Mrs. Dwyer, Mr. Fascell, Mr. Reuss, Mr. Fraser, Mr. Reid of New York, Mr. Horton, Mr Roth, and Mr. McCloskey):

H.R. 7366. A bill, the Intergovernmental Cooperation Act of 1969; to the Committee on Government Operations.

By Mr. MIZELL:

H.R. 7367. A bill to amend the Federal Power Act in order to provide for the regulation of the amount of project reservoir storage capacity that may be allotted for water quality control; to the Committee on Interstate and Foreign Commerce.

By Mr. PELLY (by request):

H.R. 7368. A bill to provide members of the Colville Confederated Tribes with full citizenship and to provide for vesting each tribal member with his equal cash share representing his equity in all reservation assets of the Colville Confederated Tribes in the State of Washington; to the Committee on Interior and Insular Affairs.

By Mr. POLLOCK:

H.R. 7369. A bill to vacate and relinquish the reservation of rights-of-way for certain purposes made pursuant to section 321(d) of title 48, United States Code; to the Committee on Interior and Insular Affairs.

By Mr. ROBERTS:

H.R. 7370. A bill to authorize flood control project on the Sabine River, Tex., and for other purposes; to the Committee on Public Works.

By Mr. RUMSFELD (for himself, Mr. Conte, Mr. Cunningham, Mr. Dennis, Mr. Duncan, Mr. Esch, Mr. Fish, Mr. Gude, Mr. Halpern, Mr. Hastings, Mr. Kleppe, Mr. Lloyd, and Mr. Lukens):

H.R. 7371. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. RUMSFELD (for himself, Mr. Meskill, Mr. Mize, Mr. Pelly, Mr. Pettis, Mr. Reid of New York, Mr. Robinson, Mr. Roth, Mr. Schneebeli, Mr. Sebelius, Mr. Whitehurst, Mr. Zion, and Mr. Zwach):

H.R. 7372. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. STAGGERS:

H.R. 7373. A bill to amend the Interstate Commerce Act to provide that a person which is not a carrier may acquire control of a carrier only with the approval and authorization of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

H.R. 7374. A bill to amend section 5(2)(a) of the Interstate Commerce Act, relating to acquisition of carriers, to add a requirement that any acquiring person not a carrier must be engaged primarily in the business of transportation or a related business; to the Committee on Interstate and Foreign Commerce.

By Mr. DULSKI:

H.R. 7375. A bill to amend title 39, United States Code, to exclude from the U.S. mails as a special category of nonmailable matter certain obscene material sold or offered for sale to minors, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BERRY:

H.J. Res. 473. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

By Mr. GILBERT:

H.J. Res. 474. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H.J. Res. 475. Joint resolution authorizing the President to proclaim the period January through December 1969 as "International DeMolay Year"; to the Committee on the Judiciary.

By Mr. JOHNSON of Pennsylvania:

H.J. Res. 476. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.J. Res. 477. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.J. Res. 478. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. GRIFFIN:

H. Con. Res. 147. Concurrent resolution expressing the opposition of the Congress to the proposed consumption taxes of the European Economic Community on oilseed products; to the Committee on Ways and Means.

By Mr. OLSEN (for himself, Mr. Anderson of California, Mr. Watson, Mr. Thompson of New Jersey, Mr. Miller of California, Mr. O'Neill of Massachusetts, and Mr. Conte):

H. Con. Res. 148. Concurrent resolution expressing the sense of the Congress with respect to reduced air fares for children, youth, and members of the Armed Forces of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHEUER:

H. Con. Res. 149. Concurrent resolution expressing the sense of Congress relating to the furnishing of relief assistance to persons affected by the Nigerian civil war; to the Committee on Foreign Affairs.

By Mr. ASHLEY:

H. Res. 266. Resolution to amend rules X, XII, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 267. Resolution to amend rule XI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. DULSKI (for himself and Mr. Corbett):

H. Res. 268. Resolution authorizing the Committee on Post Office and Civil Service to conduct studies and investigations within its jurisdiction; to the Committee on Rules.

H. Res. 269. Resolution authorizing the Committee on Post Office and Civil Service to conduct studies and investigations within its jurisdiction; to the Committee on Rules.

By Mr. ICHORD:

H. Res. 270. Resolution authorizing the expenditure of certain funds for the expenses of the Committee on Internal Security; to the Committee on House Administration.

By Mr. PATMAN:

H. Res. 271. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 152; to the Committee on House Administration.

H. Res. 272. Resolution authorizing the expenditure of moneys to cover expenses of the Committee on Banking and Currency incurred pursuant to House Resolution 152; to the Committee on House Administration.

By Mr. PERKINS (for himself and Mr. Ayres):

H. Res. 273. Resolution providing for the expenses incurred pursuant to House Resolution 200; to the Committee on House Administration.

By Mr. POLLOCK (for himself, Mr. McClure, and Mr. Steiger of Arizona):

H. Res. 274. Resolution advocating U.S. recognition of Rhodesia; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 7376. A bill for the relief of Gregorio E. Mamerto; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 7377. A bill for the relief of Girolamo and Maria Aspano; to the Committee on the Judiciary.

H.R. 7378. A bill for the relief of Domenica Carlucci; to the Committee on the Judiciary.

H.R. 7379. A bill for the relief of Baldassare Ciaravino; to the Committee on the Judiciary.

H.R. 7380. A bill for the relief of Antonio Giaimo; to the Committee on the Judiciary.

H.R. 7381. A bill for the relief of Giuseppe Naso; to the Committee on the Judiciary.

H.R. 7382. A bill for the relief of Jorge Omar and Lidia Triporo Puricelli and minor children Jorge Favio and Walter Omar Puricelli; to the Committee on the Judiciary.

H.R. 7383. A bill for the relief of Giacomo LaLicata Saccaro; to the Committee on the Judiciary.

By Mr. ANDERSON of California:

H.R. 7384. A bill for the relief of Mrs. Mauricia A. Buensalido and her minor children, Raymond A. Buensalido and Jacqueline A. Buensalido; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.R. 7385. A bill for the relief of Mrs. Il Sun Ko (Baik); to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 7386. A bill for the relief of Mohamad Araghi Heshmati; to the Committee on the Judiciary.

By Mr. CAMP:

H.R. 7387. A bill to require the Secretary of the Interior to transfer title of certain land now owned by the United States; to the Committee on Interior and Insular Affairs.

By Mr. CEDERBERG:

H.R. 7388. A bill for the relief of Shukri Abed Zazou; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 7389. A bill for the relief of Girolamo Asaro, Francesca Asaro, and Maria Antonina Asaro; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 7390. A bill for the relief of Angelo Joseph Bouchard; to the Committee on the Judiciary.

H.R. 7391. A bill for the relief of Richard Couture; to the Committee on the Judiciary.

H.R. 7392. A bill for the relief of Jean Louis Gaumond; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 7393. A bill for the relief of Thomasina Aciarno; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.R. 7394. A bill for the relief of Loi Sing Yip, his wife, Szet Pik Shun Yip, and their minor son, Koon Ying Yip; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 7395. A bill for the relief of Seferino Duna Castrudes; to the Committee on the Judiciary.

H.R. 7396. A bill for the relief of Albert Cohen; to the Committee on the Judiciary.

H.R. 7397. A bill for the relief of Fernando Leano del Fierro, Sr.; to the Committee on the Judiciary.

H.R. 7398. A bill for the relief of Hain Guez, Danielle Cohen Guez, and Michele Guez; to the Committee on the Judiciary.

H.R. 7399. A bill for the relief of Josefina del Fierro Hizon; to the Committee on the Judiciary.

H.R. 7400. A bill for the relief of Jesus Calapatia Leano and Bayani Calapati Leano; to the Committee on the Judiciary.

H.R. 7401. A bill for the relief of Ricardo Galec Macatangay; to the Committee on the Judiciary.

H.R. 7402. A bill for the relief of Leonisa Pedro Martinez; to the Committee on the Judiciary.

H.R. 7403. A bill for the relief of Magtibay Perez Pedro; to the Committee on the Judiciary.

H.R. 7404. A bill for the relief of Fernando Vega Rodriguez; to the Committee on the Judiciary.

H.R. 7405. A bill for the relief of Manual Paredes Santiangco; to the Committee on the Judiciary.

H.R. 7406. A bill for the relief of Salvado Francisco Sugui; to the Committee on the Judiciary.

By Mr. HOGAN:

H.R. 7407. A bill to authorize the Secretary of the Interior to convey certain public lands to Herbert E. Counihan, of Temple Hills, Md.; to the Committee on Interior and Insular Affairs.

By Mr. KOCH:

H.R. 7408. A bill for the relief of Shlomo Zack; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 7409. A bill for the relief of Concepcion Aldover Nipaz; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 7410. A bill for the relief of Mrs. Chin Jaw Dung (also known as Mrs. Joan Faye Yee); to the Committee on the Judiciary.

H.R. 7411. A bill for the relief of Nemecia Macatangay; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 7412. A bill for the relief of Antonietta Daniele; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 7413. A bill for the relief of Dr. Hong-Chien Lin, Tzu-Yung Lin, and Hong-Yih Lin; to the Committee on the Judiciary.

H.R. 7414. A bill for the relief of Gianiale and Anna Russo; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 7415. A bill for the relief of Guiseppe Russo; to the Committee on the Judiciary.

H.R. 7416. A bill for the relief of Haseline Editha Maughn; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 7417. A bill for the relief of Rouhama Lebel; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 7418. A bill for the relief of Freddy Albertus Zwaagstra; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 7419. A bill for the relief of Dr. Esteban G. Friera; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 7420. A bill for the relief of Mr. and Mrs. Vincenzo Culotta, Rosaria Culotta, and Fortunata Culotta; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia:

H.R. 7421. A bill for the relief of Jiang Toy Li; to the Committee on the Judiciary.

H.R. 7422. A bill for the relief of Chung Won Wong; to the Committee on the Judiciary.

H.R. 7423. A bill for the relief of Kowk King Wong; to the Committee on the Judiciary.

H.R. 7424. A bill for the relief of Yee Cheung Wong; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

61. The SPEAKER presented a petition of William Mathias, Joliet, Ill., relative to redress of grievances, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

FREEDOM'S CHALLENGE

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. ZION. Mr. Speaker, it is with a great deal of pride that I bring to the attention of my House colleagues the outstanding oratorical effort of a fine young lady from Indiana's Eighth District. Miss Carolyn Soniat is the winning contestant in this year's Voice of Democracy contest, sponsored by the Veterans of Foreign Wars. This year's theme was "Freedom's Challenge" and Miss Soniat has beautifully put her own feelings on this patriotic subject into winning form. Her bright, young mind has formulated a blueprint that America might well follow:

Freedom's Challenge

(By Carolyn Soniat)

"I dare you: I dare you to look this world in the eye, to meet this world as it is, not as how you'd like it to be. I dare you to see: to see not only what is wrong, but what is right; to see more than dirt and crime; to see new life and beauty and goodness, and I dare you then to choose forever the beauty, and the truth, and the freedom."

So does Freedom challenge me—Freedom in all her guises. Freedom demands more from us each minute that we live. She forces us continually to re-examine—ourselves, our actions, our motives. To meet her dare, I must each day, make myself more myself. I must eliminate all that is not real, not honest. I must cut out and cast off all my petty prejudices, all my vices, anything which weakens me. Only then will I be prepared, fit, not just for the rigors of the battle, but also for the responsibility of victory.

It is on these victories that we must set our sights; the victory over illiteracy, for ignorance is near kin to slavery; the victory over hatred, for malice breeds narrowness and discontent; the victory over prejudice, for injustice is the path to self-destruction. Our victory must be over all our own weaknesses and imperfections which lead away from liberty.

Each of us must begin with himself. Each student must study and learn about his world and specifically about how he personally can contribute to its betterment. It is not enough to be a good student. Each must be the best he can be. We must recreate the passion our founding fathers had to free themselves from all oppression, from within themselves as well as from without. We must find and eliminate whatever force it is that breeds apathy.

It is not enough that America boasts freedom and equality and is satisfied with that. These are never achieved once and for all. There is no room for complacency where freedom and equality are involved. They must be won over and over again, each time in a truer and purer form. Our victory will lie in our struggle for this pure freedom, not just in America, but in people, people everywhere.

Although the words "commitment" and "involvement" are on the verge of being overworked, they do hint at the type of action that must be taken to keep a world spirit of freedom. Organizations like "Head-Start," the "Up With People Sing-Out," and so many community projects have this spirit. But citizens must participate. People of all ages should become active in their local government and politics. We must get away from our self-satisfaction, out of our lethargy. America has never been lazy. She must not become that now.

Our nation must strive with all its power to abandon secularism: and we must maintain and perfect our system of capitalism. America must not deny the principles epitomized in our motto "In God we trust." We must face the truth—that the nations of the world look to the United States of America for an example of right—and we must act on this truth and fulfill their expectations.

The Persian poet Omar Khayyam, an expert on the free life, wrote in verse 76 of his *Rubaiyat*:

"The Moving Finger writes; and having writ,
 Moves on: not all your Piety not Wit
 Shall lure it back to cancel half a Line,
 Nor all your Tears wash out a Word of it."

We have one chance, and only that. America must show the universe for all time that man is noble enough to govern himself, and free enough to create a true civilization.

SAN DIEGO CELEBRATES

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. VAN DEERLIN. Mr. Speaker, San Diego—California's first city and my hometown—is celebrating her 200th birthday this year, and the observances are attracting nationwide notice.

A fine article about San Diego, which was characterized in the headline as the "Turned-On City of 1969," was published in the Washington Post last Sunday. The article, by travel writer Horace Sutton, follows:

San Diego: Turned-On City of 1969

(By Horace Sutton)

San Diego, Calif.—This may be the most turned-on city of the U.S.A.

San Diegans have festooned their city with gold and white bulbs and are preparing to flick the switch every night through 1969. It isn't San Diego's scheme to rival the luminescent superiority of Los Angeles, but a dazzling way to broadcast the celebration of San Diego's 200th birthday. Gold and white are the home colors.

The miracle of the Mazdas celebrates the historical fact that in 1769 the Franciscan priest, Junipero Serra, established the first colony in California at San Diego. Serra's pioneering urban relocation plan with the word California as a new way of life is also being celebrated by Monterey. San Francisco reckons it did enough 20 years ago with the Gold Rush centennial, and Los Angeles is sprawling too fast to think about birthday parties.

San Diego's Kiwanis Club had little trouble putting over its Warm Lights of Welcome idea once they announced it would cost only $5.37 each to hang a string of gold and white lights four hours a night throughout the year. The downtown skyline, where a new tower rises almost weekly, glows like a carnival midway. Naval ships parked in San Diego are wreathed with bulbs, casting a golden glow across the water.

Visitors at San Diego in 1969 will stumble into a bicentennial event nearly every day and night. There will be fiestas, trade fairs, concerts, art exhibits, boat races, parades, golf tournaments, historical pageants, fireworks, water shows, and on through the spectrum of revelry. More than 30 nations will show their colors none brighter than Spain with its royal flamenco dancers, fashion show, art exhibit, costume display and royal Spanish ball, all in April. Each of the 50 states will have a week to do their thing.

By happy coincidence, the bicentennial will mark the arrival of a bridge and a baseball team. Some local folk won't be happy to see the 80-year-old ferry service replaced by a sweeping span joining San Diego and Coronado Island, scheduled for completion this summer. Coronadoans fear the increased traffic will sully their proud ground; others want to save the ferries as San Francisco saved the cable cars. The Padres baseball team, new entry in the National League, will open the season April 15 at San Diego Stadium, 50,000-seat part-home of the Charger football team.

That makes San Diego a big-league town in every sport including whale-watching. If there was any doubt the San Diego Rockets would make the grade in basketball, it vanished this season with the advent of Elvin (Big E) Hayes, the 6-foot-9½ Houston All-American who has become a bigger attraction than the giraffes at San Diego Zoo.

Ironically, the place where San Diego began may fade from the scene in 1969. Mission San Diego de Alcala, where Father Serra built a crude altar in 1769 and where bells rang in the 200th birthday last New Year's Eve, has fallen victim to freeway encroachment. As new roads were laid to serve the nearby stadium, the white stucco mission on the hill was all but swallowed by the concrete landscape. In fact, some maps neglect showing the mission altogether.

Close to a thousand visitors a week came to the mission a year and a half ago, but by late 1968 attendance had fallen off to a few a day. Father Booth, the mission pastor, has put out a brochure describing three routes to the mission—the easy way, the confusing way, the hard way. For the seasoned freeway driver, the easy way isn't hard to find: Interstate 8 to Mission Gorge Road, north to Twain Avenue, left on San Diego Mission Road.

From the bell tower to the cool concrete walls to the brick courtyard alive with bird song, the mission meets perfectly a visitor's expectations. One of the few hints of modernity is the public address apparatus hanging from the chapel ceiling—that and the hum from the highway down the hill.

Come April, the hum will be upstaged by the roar for the home team at neighboring San Diego Stadium. Maybe in the end big-league ball will be a blessing to the all-but-forgotten mission. A certain number of errant motorists and bored box-seat holders are bound to find their way to the mission, perhaps just in time to save it from oblivion. In return, the mission can relay to the nascent San Diego Padres a little bit of providence.

THE LOWLY COLLARD COMES INTO ITS OWN

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. SIKES. Mr. Speaker, collard greens are neither universally known nor ap-

preciated. This in unfortunate. Perhaps you have to be raised with collards to know how good they can taste. I am one of those fortunate individuals who understands that collards are a delicacy. My good friend, Judge E. W. Carswell, formerly Mayor of Chipley and a most capable writer on folklore in northwest Florida, has told in effective language the story of the sometimes lowly collard greens. I recommend it, and I will even help the uninitiated to obtain some west Florida collards if they desire to learn more about good eating.

Judge Carswell's articles which appeared in the Pensacola Journal of February 16, follows:

Lowly Collard Comes Into Its Own

(By E. W. Carswell)

Chipley.—Thanks to the "soul food" craze sweeping the nation, the once lowly collard is coming into its own.

The collard, the uncrowned queen of greens here in the Gulf Coast southland for generations, has found favor among the sophisticated city folks up north.

Other Deep South delicacies now among the "soul food" favorites include black-eyed peas and hog jowls, barbecued ribs, sugar cane syrup, candied yams, fried okra, hamhocks, hog head cheese, crackling bread, pot-liquor, corn pone, hoecake and chitterlings.

The yams in these parts are called sweet potatoes, the hog head cheese is sometimes called souse, pot-liquor is spelled pot-likker, crackling bread is pronounced without the "g" and chitterlings, of course, are "chitlins."

Because of a scarcity of 'possum, that "soul bowl" composed of baked 'possum and sweet potato is yet to be introduced at the gourmet restaurants in the big towns. But give them time—and enough 'possums—and this delicacy may become a franchised item to compare in fame with Kentucky fried chicken.

The mullet fish, which the Florida Board of Conservation has been trying to glorify under the name Lisa, is the number one seafood "soul food" near the Florida Gulf Coast. Maybe the board of conservation is missing a bet by not promoting it as such.

But this is primarily about collards. This has been an excellent season for this supreme queen of edible greens. They're tastier after having been nipped by frost. That happened early last fall, with repeat performances at timely intervals in the meantime. That has kept them at their tantalizing, taste-tempting best throughout the winter.

Science has made it possible, of course, for the frosting to be done artificially by means of the deep freeze. But that is a poor substitute, at best, for the frosting applied by nature.

To be on the safe side, it is well to poke tomorrow's mess of collards into the freezer for a few hours for the frost effect. The greens will come out more tender if covered with water before freezing.

A flavorous delicacy, the collard is enriched by nature with an astonishing variety of vitamins and minerals. Scientists have confirmed that they are blessed far more than most other vegetables with nutritive content.

They are an excellent source of iron, for example, and of vitamins A and C. A couple of ounces of collards, in fact, contain a list of food values to compare with those outlined on the average vitamin and mineral food supplement label.

Those who know collards best agree that the richness of flavor, whether before or after frost, is actually captured in the cooking pot. Recipes and methods are many.

One of the oldest, simplest and most universally used recipes calls simply for tossing a piece of smoked ham, pork or bacon into the collards before boiling them in a little water in an iron pot.

That recipe, handed down for generations, is a favorite of Mrs. Mary C. Davis of Washington County's St. Joseph Community. She likes to chop the leaves before cooking, but many of her neighbors cook the leaves whole and cut them up afterward.

She also likes, particularly if the collard leaves are mature, to bring the mixture to a boil and then drain off and replace the water. She says this improves the flavor.

She usually adds a little cooking oil. Some housewives add a pod or two of pepper, but not Mrs. Davis. Her family likes the collards best without the pepper. But for those who do, she suggests green pepper if it is available. If not, red pepper will do.

Many persons add a zestful dash of pepper sauce. Others insist that collards are flavorful enough without the sauce. Since it is a matter of individual choice, a bottle of sauce is usually made available. Collards are usually served with corn pone or crackling bread.

For those who want their collards Southern fried, the leaves can be chopped up into a little bacon grease and water and fried.

A few collard-lovers enjoy day-old greens warmed over in a frying pan, according to Mrs. Davis. A few (mostly old-timers) also like to cover their collards with sugar cane syrup and then serve with crackling bread, baked sweet potatoes or corn pone. She doubts that this recipe has yet found its way to places like the Waldorf or the White House kitchen.

Collard-cooking success depends largely on how the greens are grown. Collard seed should be sown in a small seedbed in January and no later than February. Transplant to the collard patch in late March or early April.

If you can start your plants earlier than January of the year in which they're to be grown, your plants are likely to run-up or go to seed during the summer. When that happens, the plant becomes tough, fibrous and bitter tasting.

By waiting until January or February to plant, your collards will have the benefit of a full summer's growth—without going to seed—before being flavored by the autumn frosts. Many commercial growers, unfortunately for the flavor of the plant, fail to follow this practice in an effort to shorten the growing season.

Collard pot-likker, the liquid in which the greens are cooked, is unsurpassed for rich vegetable flavor. In the pot-likker is captured that indescribable elixir of the collard pot, a blend of the essence of hickory-smoked ham or bacon and the royal nectar of the supreme queen of greens.

Just crumble a little corn pone or crackling bread into a bowl of collard pot-likker for a brothy, distinctly flavorful culinary combination. With such a "soul bowl," the other gourmet foods—including even chitlins and fried okra—will just have to wait.

ADVANCE FEED-GRAIN AND WHEAT PAYMENTS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. ZWACH. Mr. Speaker, I wish to be associated with the remarks of my colleagues from Washington (Mrs. May), from Iowa (Mr. Mayne), from Texas (Mr. Price), from North Dakota (Mr. Kleppe), and from my own State of Minnesota (Mr. Langen and Mr. Nelsen).

I strongly endorse the announcement by President Nixon and Secretary Hardin that participants in the feed-grain and wheat programs will again receive advance payments of up to 50 percent for voluntary acreage diversion.

I know that many farmers and their suppliers, not only in my constituency but throughout the Nation, depend on these advance payments to meet some of their heavy springtime expenses.

I am pleased that the Johnson budget has been corrected in this instance.

CRIME RATES AND POLICE PROTECTION

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. PODELL. Mr. Speaker, the sharp increase in the incidence of crime in the 13th Congressional District in Brooklyn, N.Y., underscores the inadequacy of police protection not only in my congressional district but in the entire city of New York. New burdens thrust upon the police department by tensions of the urban crisis, by demonstrations, and by strikes that the blue line of police designed to protect our people from normal criminal activity is stretched to the breaking point.

Crime statistics for the 13th Congressional District during the month of October 1968, show the following:

First. During this month a total of 2,160 major crimes in the categories used by the FBI Crime Index were reported in this district. This represents an increase of 13.3 percent over reported crimes during the month of September. Robberies increased from 49 in September to 80 in October for an increase of 63 percent; burglaries increased from 568 in September to 681 in October for an increase of 20 percent; and motor vehicle thefts increased from 481 in September to 538 in October for an increase of 12 percent.

Second. In simplest statistical form, in September 1968, the people of this district were subjected to 63 major crimes every 24 hours. In October 1968 the crime rate leaped to 70 major crimes every 24 hours.

Third. During the first 10 months of 1968 a total of 19,278 major crimes were reported in the district. The monthly incidence of crime in the district was as follows:

January	1,775
February	1,630
March	1,797
April	1,901
May	1,960
June	2,115
July	2,050
August	1,985
September	1,905
October	2,160
Total	19,278

Fourth. During this 10-month period the people of this district were victimized by 6,327 burglaries; by 6,504 larcenies of $50 and over; and by 4,956 motor vehicle thefts. On a daily basis, this amounts to 20 burglaries, 21 larcenies, and 16 automobile thefts.

Fifth. The Crime Index Trend for October and for the first 10 months of 1968 shows the following:

	October 1968	1st 10 months, 1968
Crimes against the person:		
Murder and nonnegligent manslaughter	0	16
Forcible rape	6	44
Robbery	80	633
Assault	69	798
Total crimes against the person	155	1,491
Crimes against property:		
Burglary	681	6,327
Larceny, $50 and over	786	6,504
Motor vehicle thefts	538	4,956
Total crimes against property	2,005	17,787

Sixth. The special police problems in the city of New York were fully set forth in an article written by Peter Kihss, a distinguished reporter for the New York Times, in the December 22, 1968, issue of that paper. After an interview with Chief Inspector Sanford D. Garelick, of the New York City Police Department, Mr. Kihss reported that school problems alone in the fall of 1968 often required the assignment of 3,000 policemen.

The thinness of the blue line against crime—

Mr. Kihss wrote—

is measured by the men actually available for duty. Chief Garelick said only about 4,000 were available on each of three daily shifts—and of these only 2,800 are deployed by the 78 precincts.

Seventh. It is clear that our urban centers have an urgent need for increased and better trained manpower. It is equally clear that the urban centers with their limited taxing powers will be unable to meet this need. The Nixon administration must take every possible step to provide substantial Federal funds for local law enforcement programs as an essential step to eliminate the fears that stalk our people on our streets, in their homes, and in our parks.

Eighth. The following tables show the criminal statistics for the 13th Congressional District for October and the first 10 months of 1968:

OCTOBER 1968 STATISTICS

Precinct	Murder nonnegligent manslaughter	Forcible rape	Robbery	Assault	Burglary	Larceny, $50 and over	Motor vehicle thefts	Total
60	0	1	21	29	134	88	49	322
61	0	1	17	12	175	305	192	702
66	0	0	10	7	124	131	89	361
67	0	2	17	12	111	138	62	342
70	0	2	15	9	137	124	146	433
Total	0	6	80	69	681	786	538	2,160

CUMULATIVE STATISTICS—JANUARY–OCTOBER 1968

Precinct	Murder nonnegligent manslaughter	Forcible rape	Robbery	Assault	Burglary	Larceny, $50 and over	Motor vehicle thefts	Total
60	5	14	179	383	1,278	987	564	3,410
61	5	8	126	127	1,624	2,357	1,896	6,143
66	4	3	79	100	1,047	825	762	2,820
67	0	7	127	97	974	1,007	629	2,841
70	2	12	122	91	1,404	1,328	1,105	4,064
Total	16	44	633	798	6,327	6,504	4,956	19,278

LITHUANIAN INDEPENDENCE

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. GREEN of Pennsylvania. Mr. Speaker, Sunday, February 16, marked the 51st anniversary of Lithuanian independence. For Lithuanians and for freedom-loving people all over the world it was a day of remembrance, not a day of joy, because Lithuania no longer exists as an independent state in the world's nations. She exists as a spirit, as a people with an ethnic and linguistic identity.

Independence for Lithuania has had all too brief an experience in this century. Her freedom was proclaimed in 1918 and it lasted only until 1940 when her borders were overrun by German and Russian Armies. The Soviets annexed this small Baltic country, along with her sister states of Latvia and Estonia. And with the end of World War II, they were absorbed into the Russian political structure.

The strong identity of the Lithuanian people, however, remains. The desire for freedom still burns bright. And as we salute these resolute people on the commemoration of their independence, we join them in their hope for a day when all men will be free to direct their own destinies, and we dedicate ourselves to the realization of these hopes.

BIBLE READING IN OUTER SPACE

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. LATTA. Mr. Speaker, as one might have expected, the voices of the atheists were raised in protest immediately upon the reading of the Bible by our astronauts while in outer space. Personally, I wish to take this opportunity to commend Col. Frank Borman, Capt. Frank Lovell, and Lt. Col. William Anders for their deep religious conviction and for their choice of reading material while in outer space.

I shall always defend and uphold the right of all Americans, including astronauts, to read from the Holy Scriptures wherever and whenever they please. To do less would be to sanction the imposition of a restriction on freedom of religion, which I do not believe straight-thinking people want to impose. I am not alone in my beliefs, and I am pleased to inform the House that a campaign is now underway to obtain 500,000 signatures commending our astronauts for reading from the Scriptures. I understand that the Reverend Fred Taylor, of Toledo, Ohio, and Mrs. Loretta Fry, of Detroit, Mich., are presently directing a campaign to obtain these signatures for presentation to Mr. Paul Haney, the Public Relations Director of NASA, in Houston, Tex., on March 7, 1969. To date, they are reported to have obtained 175,000 signatures, and I wish them Godspeed in obtaining the remainder of them.

PUSEY CAUTIONS STUDENTS ON ATTACKING ACADEMIC FREEDOM

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, this morning's New York Times carried a story about the president of Harvard University, Nathan Pusey, which has great significance.

Dr. Pusey has wisely pointed out that while the dangers to academic freedom traditionally have come from outside the university community, on today's campuses academic freedom is endangered because of coercive methods used by some students within the university community. This note of caution desperately needs to be voiced by men like Dr. Pusey in academic institutions across this country. I include it as such for the information of the Members of Congress:

PUSEY WARNS OF STUDENT ATTACKS ON FREEDOM—HARVARD PRESIDENT DEPLORES USE OF "COERCIVE METHODS"—HE ISSUES STATEMENTS AFTER PROFESSORS PROTEST SIT-IN

(By Robert Reinhold)

CAMBRIDGE, MASS., February 18.—Nathan M. Pusey, the president of Harvard University, warned today against assaults by students on academic freedom. He said that such assaults had accompanied disruptive campus protests.

"Growing numbers of students have chosen to exercise their frustrations in the academic arena in insufficient awareness of what a university properly is and sometimes at the expense of the rights of others," he said.

"Each time we thoughtlessly or emotionally allow ourselves to chip away at the painfully erected structure of academic freedom for which time and time again in our role as leaders we have had to man the barricades we not only do ourselves but also our country an irreparable disservice."

Dr. Pusey's statement came as a response to an open letter signed by more than 100 leading faculty members at Harvard.

SET-IN PROTESTED

The professors protested a recent incident at Harvard in which Negro students had staged a sit-in to force an instructor to scrap the syllabus of a course they felt was racist.

In thanking the professors for reiterating "the ancient privilege of the teacher to teach and the student to learn in an atmosphere of free inquiry," Dr. Pusey said that in the past the chief threats to academic freedom had come from outside the university.

"The irony and tragedy of the present," he went on, "is that now the threats to academic liberty and integrity often come from within.

"Harvard has the right to expect that the members of its faculties and the great majority of its students will have sufficient understanding, historical sense, reason and self-control to insist that coercive methods have no place in this university community."

The faculty letter, published in The Harvard Crimson, called on the Harvard administration to "take measures appropriate to insure the inviolability of instruction and examinations."

A PLEDGE TO FREEDOM

Dr. Pusey, in his reply, did not specify what measures he was prepared to take, except to say:

"I shall do everything in my power . . . to see that the freedom of this university continues unabated, proof against attacks, however well-intentioned or from whatever quarter they may come."

The Harvard faculty has been highly disturbed by the Negro students' coercive action, although most feel that the course in question, which was to have studied means of riot control in the cities, was inappropriate.

However, informed campus sources believe that the Harvard administration is prepared to take no action against the Negro students aside from the general statement of principle expressed in both the faculty letter and Dr. Pusey's report today.

The course, to have been given under the city planning department of the graduate School of Design, has not been canceled but the original syllabus scrapped and replaced by an unstructured seminar in urban studies.

SENTINEL ANTI-BALLISTIC-MISSILE PROGRAM

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. WOLD. Mr. Speaker, in the past month we have seen the Sentinel anti-ballistic missile program go from preliminary acceptance to controversy. In a free system, this is only right, but it seems that judgements affecting the national security of this Nation should be based on cool and rational perspective rather than on emotions.

We in the West, unlike a number of those from other parts of the Nation, are willing to accept the risks that the defense of our Nation entails. I would evidence this by a telegram I received this morning from a group from my district, the great State of Wyoming.

I include at this point the telegram from the Greater Cheyenne Chamber of Commerce and an editorial by the editor of the Wyoming State Tribune, James A. Flinchum in the RECORD:

CHEYENNE, WYO.
February 17, 1969.

Hon. JOHN WOLD,
House Office Building,
Washington, D.C.:

We of the Cheyenne community convey our enthusiasm to have within our community and all Sentinel anti ballistic defenses. We are the home of the first free world. First operational ICBM base and the Minuteman and welcome any further expansion to our area. Your affirmative action will be appreciated.

ROBERT G. SMITH,
Greater Cheyenne Chamber of Commerce.

WELCOME, SENTINEL

Secretary of Defense Melvin Laird's statement yesterday that the Defense Department is considering removal of Sentinel Anti-Ballistic Missile sites from the immediate environs of some eastern metropolitan areas to more remote locations at first glance suggested that some of our western states might be in line for additional ABM locations.

But a more careful examination of Laird's remarks, made on NBC's "Today" show, in reality indicated something else. Laird is thinking of new locations 20 to 30 miles from Boston where a proposed Sentinel installation has produced all sorts of vocal reverberations. Twenty to 30 miles wouldn't make much difference, we believe, in the event of a nuclear accident.

Whether some of the more liberal senators and congressmen such as Massachusetts' Sen. Edward M. (Ted) Kennedy and South Dakota's George McGovern, both Democrats, are really worried about the possibility of nuclear accident, or are opposed to further expansion of our missile and anti-missile systems, is difficult to determine. The latter may be much more probable since it must be recalled that nuclear weapons have been in considerable abundance within the past 10 years on missile warheads and to a much greater degree in B52 bombers over the past two decades.

As a matter of fact, H-bomb equipped bombers located on airfields in this country could have posed a much greater danger than missiles equipped with nuclear warheads.

The fact, of course, that no accident has occurred is no indication that none will; but there seems to be no other choice in this age of sophisticated and devastating weaponry. The H-bomb is something we have got to live with. Hopefully we shall not die by it, either accidentally or deliberately.

If the Nixon Administration finds the metropolitan areas of the country unwilling to allow these installations for their own defense, then possibly some of our remoter and less settled areas such as, well, Wyoming, might be acceptable. Chances are the citizens here wouldn't have any objections; quite the contrary, they probably would welcome further ABM installations than those already proposed.

CONSUMER AFFAIRS MUST BE CONSIDERED IMPORTANT

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

M. O'NEILL of Massachusetts. Mr. Speaker, the nomination of Willie Mae Rogers as assistant to the President on consumer affairs has been withdrawn. This is probably the wisest course of action in this instance.

Comments on the selection of Miss Rogers are still relevant in the context of the importance of consumer protection. If the selection of Miss Rogers is an indication that recent improvements in consumer education and protection are to be ignored, then the Congress must be prepared to work doubly hard on this issue.

The Saturday edition of the Boston Globe included an article by James Doyle of the Globe Washington Bureau. Mr. Doyle's article is relevant today because it questions the role that consumer affairs will play in the new administration. Jim Doyle sees the nomination of Miss Rogers as an indication that consumer affairs may be relegated to the background.

I hope this is not so. Legislation passed by the 89th and 90th Congresses in the area of consumer protection, although meaningful, is only a beginning.

I recommend Mr. Doyle's article to my colleagues, as follows:

NO CHEERS GREET NIXON CHOICE TO PROTECT CONSUMER

(By James Doyle)

WASHINGTON.—When Betty Furness sat down to play consumer protection tunes on the piano, Washington laughed. She turned out to be a strong performer possibly even stronger than President Johnson had in mind.

The new administration gave Miss Furness her walking papers, supplanting her with a woman who claims "every job I have ever had has been one in which, in a sense, I represented the consumer."

Nobody here is laughing.

Willie May Rogers, who collects a salary as the head of Good Housekeeping Magazine's Institute in New York, will be the presidential consultant on consumer affairs.

Both she and President Nixon's press secretary insist that this is an attempt to strengthen the government's efforts at protecting the millions of Americans who can get shortchanged on everything from soup to nuts, who get snookered by misleading claims and phony warranties, and who have no high-priced lobbyists in Washington to present their case to the government.

Remembering the lesson of Miss Furness, most of the consumer interests people have have remained quiet about Miss Rogers. They remember, blushingly, displaying their shock publicly when President Johnson chose a lady best known for opening refrigerator doors, with no experience in consumer affairs on the legislative mills.

Miss Furness, who came to the job with a blank slate, worked out well. Miss Rogers may do as well.

She claims to have spent her life toiling for the consumers, but that claim is disputed by some in the field. Mrs. Erna Angevine, who heads the Washington office of the Consumer Federation of America, notes, "to the best of my knowledge, I've never seen her at what we call consumer meetings."

Dr. Stewart M. Lee, chairman of the department of economics and business administration at Geneva College in Pennsylvania, is more distressed than Mrs. Angevine.

"When Betty Furness was appointed, I was appalled," Prof. Lee says. "She proved how wrong I was, and the rest of us were, in our judgment.

"But she also proved the need for a White House assistant on consumer affairs.

"I'm not impressed by having somebody move in now to see if the job is needed."

Prof. Lee remembers the case of California. "Gov. Pat Brown had a strong consumer council, and Governor Reagan appointed Mrs. Kay Valori, whose job, apparently, was to emasculate the council. And that's what she did."

Gov. Reagan managed this, according to Dr. Lee, despite legislation creating a consumers council. President Nixon would have much less trouble liquidating a job created only by the mandate of his predecessor.

"Lee's views are interesting because he is the co-author of a book called "Consumer Economics," which included in it three pages that discuss the history of Good Housekeeping's Institute from 1912 to 1966. Miss Rogers has been director of the institute since 1953. As soon as Dr. Lee heard about her appointment, he dashed off letters of protest to President Nixon, his senators and his congressman.

Rep. Benjamin S. Rosenthal of New York says "I am distressed about the appointment of Miss Rogers because of a possible conflict of interest with her association with a profit-making publication, because of that publication's questionable role in the consumer field."

It develops that long before the Nixon appointment, Rep. Rosenthal's House subcommittee on Consumer Affairs had been investigating Miss Rogers' institute for the adequacy of its product-testing methods.

Even if she were not continuing under salary in her magazine job, she would not be suitable by Rosenthal's standards. "Miss Rogers is put in the difficult position of having to snitch on her friends," he says.

This very question came up at the Wednesday news conference that Willie Mae Rogers held at the White House. The question won't arise, Miss Rogers said, because any product with the seal of Good Housekeeping wouldn't be found wanting. Rep. Rosenthal suggests he may have evidence to the contrary.

He told a news conference yesterday that Good Housekeeping continued to advertise a product after the Food and Drug Administration had moved against it, and that when the truth-in-packaging bill was being fought by grocery advertisers, Miss Rogers testified against it.

The White House assures questioners that at some future time a replacement for Betty Furness will be named and that meanwhile the old Furness staff will continue to operate within the executive branch. But some of its top members have already left.

The jury is still out on Miss Rogers and on Mr. Nixon's approach to the bread-and-butter issues that affect consumers. It may be that Miss Rogers' appointment will serve as the alarm bell to keep the industry foxes out of the chicken coop.

Robert Smith, assistant director of Consumer's Union, the most respected of the watchdog groups, said yesterday his organization will wait and see before judging Miss Rogers and the Nixon Administration.

But the C.U. monthly magazine noted in its current issue, "during the Kennedy and Johnson administrations, it was evident that consumer affairs occupied a niche somewhere on the government's priority list.

"Whether or not President Richard Nixon considers consumer problems worth paying much attention to remains, at this writing, largely unrevealed."

CU could find little ground for optimism during his election campaign or in his early statements as President-elect.

"The nation will simply have to wait and see."

SP4C. SALVATORE MANCUSO, U.S. ARMY, KILLED IN VIETNAM

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. OTTINGER. Mr. Speaker, it is my sad duty to report that another one of my constituents, Sp4c. Salvatore Mancuso, U.S. Army, of Ossining, N.Y., died in Vietnam on February 5.

I wish to commend the courage of this young man and to honor his memory by inserting herewith, for inclusion in the RECORD, the following article:

[From the Ossining (N.Y.) Citizen Register, Feb. 6, 1969]

MANCUSO AREA'S 10TH VIETNAM WAR VICTIM—WAS OSSINING HIGH SCHOOL THREE-LETTER MAN IN 1966

A 20-year-old Ossining serviceman, Spec. 4 Salvatore Mancuso has been reported killed in Vietnam.

He was the only child of Mr. and Mrs. Peter Mancuso of 231 Spring St., and the 10th from the area to lose his life in Vietnam. He would have been 21 on Monday.

The Mancusos yesterday received notice of their son's death and are awaiting further information from the Army, He was attached to Co. B Second Battalion, 12th Cavalry, 1st Cavalry Division.

Besides his parents, he is survived by his grandfather, Salvatore Mancuso of 66 Wolden Road. His father is the owner of Daddy Pete Inc., 207 Main St.

Salvatore was born in Ossining on Feb. 10, 1948. He attended local schools and was graduated in 1966 from Ossining High School where he received a varsity letter for wrestling, baseball and football.

High school principal George Allison described the youth as a good school citizen, loyal and cooperative. "He was respected by all the faculty and students," he said today.

He was a three-year man on the wrestling team. Salvatore's coach, Michael Nardone credited him as being a hard worker and reliable. "He could always be counted on to do his best," he said.

Following graduation he was employed as a teller with the County Trust Co. in Tarrytown from July of 1966 to June 1967. He was working with his father before beginning military duty.

Salvatore was drafted by the Army on Jan. 8, 1968, and received his basic training at Fort Jackson, S.C., and Fort Gordon, Ga. He was home on leave in June and shipped to Vietnam last June 23.

CAMPUS UNREST

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. TUNNEY. Mr. Speaker, the news is continually dominated by unrest on college campuses. The reasons for the unrest and possible solutions are many and varied. One clear proposition has emerged—solutions in this area will be as difficult and challenging as in other areas. The college campus is caught up in the social problems of the Nation—indeed, of the world. The university campus cannot and indeed must not be isolated from the national environment. In fact, our young people have continually been urged to involve themselves in political and social change. The avenues of active participation in national progress must be widened for young people.

How is this to be done?

How is the college campus to be integrated with national and international goals? These are hard and tough questions—deserving of well-reasoned answers. The answers to these and other similar questions will shape the future for higher education in the United States.

The statement I am inserting in the RECORD today is an enlightened discussion of this problem. The author is Dr. Ivan Hinderaker, chancellor of the University of California at Riverside. I think that in the cloud of smoke raised by a small group of agitators or by undue political interference in campus affairs, the progress of the universities brought about by the endeavors of people such as Chancellor Hinderaker are often obscured.

The statement follows:

THE UNIVERSITY AND RACE RELATIONS

(By Chancellor Ivan Hinderaker)

Two months ago, in my "State of the Campus" message on November 6, I discussed four topics important to this campus: The first was academic freedom and responsibility; the second, the student role in decisionmaking; third, a new academic plan; and fourth, minority students at UCR.

Today, I will talk further about minority students at UCR. In doing so, I want to begin by relating our problems to the black and the Mexican-American movements in our society.

Of the many issues which the United States must decide, one stands out above all the others. It is the most critical question which we, as individuals, are going to be called upon to answer in this century, and, perhaps in the next as well.

Can people whose color is more or less white, and people who are more or less black, or brown, or red, or yellow—can we all, working together, create a society in which equal opportunity genuinely exists for all? That is not really a question. There is no other alternative.

The United States does not offer equal opportunity now. It never has. We have a long way to go.

There is racial discrimination in our society. We all know it. One would have to be unable to hear and unable to see, not to know.

That pattern dates back over 300 years. Its most brutal form was slavery, practiced first in the colonies, and then sanctified in the Constitution from 1789 until after the Civil War.

Only a little less brutal than slavery were the practices used by southern states to undermine the rights given to black people by the 13th, the 14th, and the 15th amendments to the Constitution. The Ku Klux Klan reinforced these practices with its own special brand of terror and intimidation.

What replaced slavery after the Civil War was not freedom. It was not equality of opportunity. It was a kind of "permanent purgatory," somewhat above the hell of slavery but somewhat below acceptance into American society. It was a kind of second, third, or low class citizenship—in job, in house, in school, in church, under the law, at the lunch counter, on the sidewalk, at the drinking fountain, in the restroom, at the voting booth.

Discrimination against black people has not been confined to the South. In different forms, and in some of the same old southern ways, it is found throughout the United States.

Racial discrimination has not been confined to black people. Those who are brown, and red, and yellow, as well, have been the victims of prejudice.

The plain fact is that we who are white have withheld from people who are not white something which should be everyone's sacred right. That is the right of every man, in this his one and only life on earth, to develop himself to the limit of his ability.

A non-white is less likely than a white man to be able to get and to advance in any job to which he might aspire, even if there is no question about his qualifications.

A non-white is less likely to be able to buy or rent any house or apartment he might want, even though he has the cash in his pocket.

A non-white is less likely to be able to achieve any educational opportunity of which he might dream, even if he has the ability and the willingness to work.

A non-white is less likely to be welcome at the door of any church in which he might choose to worship, even though he, too, is a child of God.

Since the Declaration of Independence, we have been telling ourselves and the rest of the world that a new and truly equalitarian social order was emerging in America. We defined this social order as one in which the fortunes of individuals were determined by their ability and willingness to work, rather than by the privileges of caste, or class, or race.

We have given credit to this dynamic system for the rise of the United States as a world power. We have offered ourselves as a model of democracy for other countries of the world to emulate.

We have talked about the importance of individual freedom, about the value of providing an equal opportunity for all, about equal protection under the law, about the dignity, under God, of each human being. We have talked about these ideals for nearly 200 years. But, in the main, it has been whites talking to whites. It has been whites thinking in terms of whites. It has been whites forgetting there were others besides themselves.

When we spoke of race being no bar to opportunity or advancement, what we really meant was that people of Polish, or Irish, or Italian extraction were being allowed to compete on equal terms with Anglo-Saxons. That was about all that was really meant.

But black Americans and Americans of other races regarded themselves as Americans, too. They, too, were listening. They, too, got the message about this Nation's ideals. They, too, thought it was a good message. They wondered why these ideals did not apply to them.

As the answers to their questions became more clear, 300 years of pent-up anger came pouring out in the black rage and the brown rage of this decade of the 1960s.

That there should be fury from those in the minority should cause no surprise. The only wonder is that it took those in the majority so long to become aware of it.

Neither should there be surprise at the white backlash which followed. The habits of majority thinking have developed over generations. They are grounded deep in the emotions. They are hard to change.

And so, in a spiral with a terrible logic all of its own, the tensions continue to build. With each turn of the spiral, the explosions become more destructive and more frequent. If that spiral is not stopped, the result might well be a second civil war.

Is this an unreal threat? I don't think that it is. Neither the Nation, nor we in California, nor we in this area, nor we at UC Riverside, can behave as though it is unreal.

Such a civil war would not be between the North and the South. It would be between some outraged second class citizens and the rest of society, with urban areas all over the country as the battlegrounds.

It would not be fought with massed armies lined up on a Gettysburg farm. Strategy and tactics would be those of guerrilla warfare, with the guerrillas aiming to cut the many vulnerable arteries of our cities.

It would not be over in two, or three, or four years, to be finished with a formal treaty of surrender. It would be stretched out over decades, slowly draining the lifeblood out of America.

Such is the destructive potential of forces at work in our society today. Such are the stakes for all of us in the answer to the question which I first posed. Can we, people of all colors, working together, create a society of equal opportunity for all?

It is time to stop thinking that the problem of racism will go away if only a few rabble-rousers will quit inciting black people, or brown people. Or, that it will go away if only the magazines, the newspapers, and television will quit reminding black people, or brown people, of the inequalities that exist. The problem won't go away.

Neither will it be solved solely by court decisions, or by civil rights acts, or by educational opportunity grants, or by anything which money alone can buy. These things will help. They are necessary. But they cannot, in themselves, solve the problem.

It is time, now, for each one of us, personally, to do something about racism. Us. Today. Our personal commitment must be to the rejection of racism in every facet of our lives. We must do this not only because we are afraid of what will happen if we don't do it. We must do it because we know in our hearts it is right. It is moral. It is what we want to do.

This, then, is the larger context into which we must place the problem of race relations on the campus. What we have is not a game, to be played like a water fight or a panty raid. It is a deadly serious struggle for the soul and for the destiny of America, and we on the college campus are right in the middle of that struggle.

It is necessary for us here to provide an equal chance for all who want to build, an equal chance for all who want to earn the respect of others, an equal chance for all to express themselves in the ways most meaningful to them, an equal chance to feel and to know pride in one's person and in one's culture of whatever color it may happen to be.

It is also necessary for us here to protect the integrity of our institutions from those who despair so deeply or whose anger is so uncontrolled that the overriding emotion is hate; the overriding goal, destruction. Such protection cannot be insured by force alone. Chiefly, our institution is protected through the voluntary consent of its members. For that to be possible, individuals must respect the rights of other individuals. They must respect the institution—its goals, its performance, its leadership, its capacity for change. There must be a feeling by individuals that they have a personal stake in the success of the institution. There must be enough of all of these things so that consent is voluntarily given.

It is necessary for us here to decide what we want to accomplish. If we don't want to get anything done, then it doesn't matter much how we do it. If we do want to get something done, then it matters very much how we do it. Let me cite three examples.

First, there is the problem of timing. Some things are possible today. Some next week. Some next month. Some might take a year. Some, more than that. Just as surely as progress depends on our acting soon enough, so also does it depend on not acting hastily.

Second, there is the problem of pressure. Without strong pressures, even if ideas are good, nothing is likely to happen. But just as surely as progress depends on pushing hard enough, so also does progress depend on not pushing too hard—so hard that we blow both the system and our objectives.

Third, there is the problem of winning support. To win support, it is necessary to attract allies to the cause. To attract allies, it may be necessary to compromise. But to maintain the integrity of the goals, it is necessary not to compromise too much.

I appreciate the dedication of UCR students to constructive achievement. You have concerned yourselves with both your needs and my problems. You have generated both constructive criticism and constructive pressure. You have shown respect for your fellow students and for the needs of the whole campus.

I think we can say that, together, we have made a start toward campus solutions for some of the problems of race. Compared to what we can do, however, it isn't much of a start. Even so, I would like to describe to you some of our beginnings.

Our most rapidly growing project is the Educational Opportunity Program. Its purposes are two. One is to provide financial help for students who would not otherwise be able to attend UCR—particularly from minority groups. The other purpose is to provide special counseling and, if necessary, tutorial assistance.

From five students in 1966, the Program has grown to over 80 students this year. The percentage of entering Freshmen who come from other than white racial backgrounds was doubled over last year, with the total representing nearly ten percent of the class.

The EOP grants $1,900 for each of the student's first two years. This is to permit him to work full time at his studies. Each grant starts with a contribution of $165, raised by the campus. This is matched five-to-one from special funds of the Regents. The Federal Government adds the rest. After the sophomore year, EOP students work part-time to earn one-half of what they need, thus making more grant money available for additional EOP students.

Recently, EOP programs have come under attack because of the activities of some EOP students on such campuses as San Francisco State and San Fernando Valley State. Why, it is asked, should I help contribute to an EOP grant for someone who is not seriously committed to his academic work? Why should the University contribute to a grant for one who is not willing to live within campus rules? Why don't we eliminate the EOP and support instead those students who really want an education?

I can't speak about the substance of these charges as they relate to other campuses. I can state forcefully that they do not apply to UCR.

Furthermore, I am, as Chancellor, working to substantially expand the EOP program of this campus each year for as far as I can see into the future. That expansion should be not only in the number of grants, but in the quality of our programs for counseling and tutoring. And next year, EOP will get underway with still another dimension—a graduate fellowship program.

As I have a responsibility to EOP, so also does each student who is enrolled under the Program. It is his responsibility to do everything in his power to succeed in his academic work. His success will help make the Program succeed. As the Program succeeds, the greater will be the help which will be available for future UCR generations.

The Program is sound. EOP students are doing well. Many of them are represented in the brightest segment of our student population. EOP deserves the support of every one of us.

Closely related to EOP is the policy of the University of California and the State College System which permits a chief campus officer to admit each year, in exception to regular admission rules, a number of students equal to four percent of the total number of entering students. This policy has been in effect for ten years, with the exception level originally set at two percent. Recently, the exception level was doubled to four percent.

Although many of our EOP students have qualified under regular admission requirements, some have not. The latter have been admitted by my special action, on the recommendation of the Dean of the College of Letters and Science after he has consulted with the EOP advisory committee. In each admission, there is a determination made that the student has a good chance for academic success at UCR.

Recently, as with the EOP, this policy of making exceptions to the admission rules has also come under attack. The reasons have been much the same as they were with the EOP; namely, the alleged activities of some special admission students at other college campuses. There are strong pressures to reduce the four percent back to two percent.

Why, critics ask, should students who do not meet regular admission standards be admitted when others who do meet these standards are being turned away from campuses which are already full? That is a difficult question. I will answer it in two parts.

One answer is that, in the experience of UCR, grade reports clearly indicate that special admission students have satisfied UCR's academic requirements. Beyond this, they have made many important contributions to the life of the campus.

The second part of my answer is this. The majority student who did not get into the campus of his choice is more likely to find a satisfactory alternative than a minority student who has the capacity but, for some economic or social or other reason of background, has a record which is technically deficient. Call this discrimination in reverse, if you will, but whatever the term, I believe the policy to be both necessary and desirable. Hopefully, the State, through the University, the State College System, and the community colleges will not allow unsatisfied enrollment demand to build up to the point where it might itself tend to produce its own set of social tensions.

Our UCR four percent special admission program is sound. It is my responsibility to see that it continues to be administered in that way. It is the responsibility of UCR's special admission students to continue to succeed, not only for what that means to them personally, but also for what it means to the continuance of the program.

Both the EOP and the special admissions program have helped to begin to correct some deficiencies of UCR student life which should have been attacked long ago. As UCR has been a white student campus, so also has it been white in its non-academic and academic personnel.

In the field of non-academic personnel, three types of policies have been directed to this particular problem. One is a general push by the administration to have all departments explore thoroughly all recruitment sources, including black and brown, prior to filling a vacancy. Overall, the proportion of UCR non-academic employees from minority groups has been increased by nearly fifty percent over the last two years.

The second of these non-academic personnel policies is illustrated by UCR's membership in the Riverside Job Opportunities Council. The purpose of the JOC is to help find jobs for so-called hard core unemployed persons—persons not likely to be hired because of some physical handicap, or a record of having been in jail, or for such a simple reason as having given up hope of ever having a job. Each of the thirteen employer members of the Riverside JOC has agreed to fill at least fifteen percent of their vacancies from candidate lists developed by the JOC. They have also agreed to supply whatever are the special training needs of the employee to bring him to the standard level of qualifications for the job. Of the 117 persons placed so far by the JOC, eleven are at UCR, and ten of these are members of minority groups.

Third among these non-academic personnel programs is a special drive to recruit for high level decision-making positions from minority groups. Since July, six such appointments have been made. We had been told that there were no blacks or Mexican-Americans qualified for these jobs. The contrary, in fact, was the case.

These three non-academic personnel programs add up to a major plus for UCR. I don't mean this in the sense that it is enough. But I do mean it in a qualitative sense. The functions and life of UCR have been much enhanced by these new presences who are here among us.

The problem in the field of academic personnel is more difficult. The degree of specialization required is so high. Its long-range and short-range aspects tend to be so different.

Presently, in the long-range context, UCR has two members of the faculty who are black, and not many more of Mexican-American extraction. Each of these individuals came here by the traditional route, and that included graduate education at a well-recognized university.

In the filling of vacant faculty positions, all academic departments have been urged to make every possible attempt to find qualified faculty members from minority backgrounds. I expect to have some progress to report before the start of the next school year.

This illustrates the long-range aspect of the problem. It will really be solved only when many more black and brown students go on to undergraduate work, when they decide to make college and university teaching their career, when they go on to graduate school, and when they enter the faculty job market. This is one reason why the continuation and improvement of the EOP and the admission waiver programs are so critical to all of higher education. Each provides a significant assist in increasing the number of black and brown teachers, currently in such short supply.

There are also the possibilities of short-range solutions. A committee of the Academic Senate has made several proposals. They relate both to faculty recruitment and to matters of curriculum, which is the responsibility of the faculty. As has previously been announced, it is my intention to appoint as soon as possible an individual to a high level position in campus administration, whose major responsibility will be in this field, working with the faculty in developing ideas for faculty recruitment and curriculum, and working with the faculty, the students, and the administration in an attempt to put the ideas into practice.

In addition to these functions, this officer will be responsible for coordinating a whole range of other programs. One is the EOP. Another is the Upward Bound project. Still another is UCR's cooperative program with California State College at San Bernardino and neighboring community colleges to enable teachers who have never had an opportunity to complete their education to do so. This officer will also relate closely with such other units as Tutorial Project, the Community Service Office, the School of Education, the Dean of Students, the Admissions Office, and the Riverside Urban Coalition.

The entire University of California has made a major commitment to the urban crisis. Funds which UCR has just received from the President of the University make it possible to apply new ideas to the recruitment of minority students, to give support to the efforts of United Mexican-American Students to provide special services for the Mexican-American community, to assist Tutorial Project in its work with Riverside schools, and to further develop student internship opportunities with task forces of the Urban Coalition. Underway, as well, are programs to bring black and brown, along with white, culture to the campus.

On Friday, primarily through the efforts of the Student Committee on Undergraduate Education and the Black Students Union, you will have the opportunity at noon of hearing Mr. Lou Smith, Director of Operation Bootstrap in Los Angeles. This talk will be followed by a series of encounter groups through which there will be an opportunity for all students to become more aware of, and more sensitive to, those who are different from them. After Mr. Smith's presentation and the Friday afternoon group meetings, the administration, through the Counseling Center, will continue the encounter group program throughout the remainder of the year.

Perhaps there are some who feel that this is a great to-do about nothing. I hope that it is a great to-do. But I assure you that it is not about nothing. It is about the most critical issue in our Nation. It is about the most critical issue at UCR.

I invite you to join with me in the recognition of this fact. I invite you to act with me on the basis of this fact.

IT IS TIME FOR A REAPPRAISAL OF OUR RHODESIA POLICY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. ASHBROOK. Mr. Speaker, as the United States continues to participate in the economic sanctions against Rhodesia and as some press for implementing these and new sanctions with renewed vigor, I suggest that the question be fully reviewed with emphasis on two areas.

First, in discussing the question of Rhodesia and her independence, let us look objectively at the problem and our participation. Second, let us examine this problem in the proper context, the context of Africa.

Too many times and for too long a time we have allowed emotion and our particular political prejudices to govern our actions, and in doing so we have at some moment failed to even apply these standards with consistency.

We are quite naturally prejudiced toward our system of one man, one vote, and believe it best for true self-determination. But there is the practical question of whether it will work, immediately, in all nations, and especially at this time in Rhodesia. If we are to take this position we should at the least apply it to all nations, that is, to all Communist nations, to all dictatorships, and so on. Only emotionalism allows us to cover over our contradiction and double dealing.

Relating to this is the problem of forcing—and we are engaged in just that—a nation with different culture, political heritage, economy, levels of industrial, educational, and agricultural development to assume a potentially dangerous and in many ways alien and unworkable political system. The results of our forcing should it succeed will be the disintegration of a modern state. And with this disintegration the loss of opportunity for the African population which we profess so much concern. It will be a tragic example of political myopia should it happen.

Prof. Svetozar Pejovich recently presented his views on the Rhodesia question during a lecture seminar at De Paul University. I would like to include them in the RECORD. He treats these problems and our policy positions in a controlled, unemotional, revealing manner. I hope they can be examined in the same way. They follow:

RHODESIA TOMORROW: AN EXPERIMENT IN RACIAL COEXISTENCE

(By Svetozar Pejovich, associate professor, Texas A. & M. University)

The proclamation of Rhodesian independence in 1965 has led to a general revolt against this small country. The revolt is spearheaded by the African bloc in the United Nations, and actively supported by the governments of Great Britain, United States and Soviet Union. The justification for economic and political sanctions imposed by the UN, whose explicit goal is to defeat the Rhodesian quest for its independence, was editorially explained by the London *Economist* as follows: ". . . the suburbful of whites who are now attempting to grab for themselves a sunny slice with four million black servants must be convinced, not necessarily gently, that history will not allow it. For Britain, and above all for its Prime Minister, this is one of those moments when destiny throws down the challenge."[1]

The purpose of this paper is to make a contribution towards an objective evaluation of the current crisis over Rhodesia. The paper is divided into three parts: it begins with consideration of the facts of political and social life in Rhodesia, proceeds to the subsequent analysis of two major criticisms against Rhodesia raised by the opponents of that country, and ends with the author's opinionated interpretation of the implicit reasons for the current hostility towards Rhodesia.

I

One could hardly think of a better source of information as to what the government of Rhodesia wants the country to be like than the proposed Constitution. A careful analysis of the 1968 Report of the Constitutional Commission[2] should help the reader to form his own judgment.

The Constitutional Commission was formed shortly after the proclamation of independence in 1965. Its Report was published in the summer of 1968, after rather long and extensive hearings which included representatives of all races and professions. Barring some "external" interferences the proposed Constitution will, in all likelihood, be adopted in the near future.

Some important, and for the purpose of this paper relevant, recommendations of the Constitutional Commission are: *System of Government*. The Report acted for a unitary system of government. It rejected, and the significance of this rejection must not escape us, the policy of separate development of races (apartheid). The Commission found that all races in Rhodesia are already integrated in the economic sphere, and that no majority of any ethnic group supports complete partition.

The Commission also rejected a federal form of government on the ground that in the Rhodesian situation it would be no more than an unhappy compromise between a unitary form of government and complete partition. The Report took some pleasure in quoting Sir Ivar Jennings, who is reported to have said: "Federation is not a magic formula. It is nothing more than a name of a complicated system of government which nobody would wish to see established anywhere if he could think of a better."[3]

Parliamentary Structures. The Commission recommended complete racial parity in the Legislative Assembly as the most practical solution for a multi-racial country like Rhodesia. The recommendation was made in expectations of the following benefits: (1) complete racial parity will tend to remove suspicion among Rhodesians of anyone of the main races or ethnic groups that they may be permanently dominated by one or more of the other main races or ethnic groups; and (2) complete racial parity will keep the representatives of different races together in the Parliament. They will sit there as equals with a likely result that both the elected representatives as well as the people in general will develop confidence in each other.

The Commission rejected the majority rule out of fear that it would lead to the supremacy of one race over all others. Also, the idea of two chambers (one European and one African) was rejected on the ground that it could lead to a strong rivalry between them resulting in frequent deadlocks on legislative matters.

Composition of the Parliament. The Report proposed a Legislative Assembly of eighty seats allocated as follows: forty seats for representatives of European voters, twenty seats for representatives of African voters and twenty seats for representatives elected under a qualified common roll.

It is precisely on this point that the Commission tackled the major issue of the current crisis over Rhodesia. The Report makes it abundantly clear that the white minority will have a majority in the Parliament for an unspecified period of time. Yet, it leaves no doubt that the objective of complete racial parity will be attained as soon as the majority of voters on the common roll are Africans. The important question is how long it will take the Africans to gain a majority on the common roll. Obviously, it depends on the required franchise qualifications and the rate at which black Rhodesians can attain them.

The franchise qualifications are the same for *all* Rhodesians over twenty years of age. They are:

(1) citizenship; *and*

(2) the annual income of not less than £900; *or*

(3) property valued at no less than £3,000; *or*

(4) the annual income of no less than £600 plus four years of secondary education; *or*

(5) appointment to the office of tribal chief or headman; *or*

(6) serving as a member of a religious order which practices a vow of poverty.

How soon the black Rhodesians may hope to attain these qualifications must await a detailed economic analysis. The current situation is as follows: the average wage of about 350,000 Africans (compared to the total white population of about 225,000) is above £200 per year,[4] and the number of African students enrolled in secondary schools is about 14,000.[5]

Senate. The Commission proposed to add a conservative bias to the Rhodesian system of government by recommending the establishment of a second chamber, the Senate. According to the proposed Constitution, the Senate will possess effective power to review and delay the passage of legislative measures. It will consist of six chiefs elected by the provincial assemblies of tribal chiefs, six African members chosen by tribal and urban electoral colleges, twelve Europeans chosen by an electoral college, and seven members appointed by Head of the state.

Head of the State. He will be elected by both houses of the legislature. Head of the State will perform duties of a conventional nature, that is similar to those discharged by the sovereign of Great Britain.

II

Let us now turn to the arguments raised by the opponents of the present government of Rhodesia. They, that is a substantial majority of the United Nations, claim that (1) Rhodesia is a threat to the peace, and (2) its refusal to recognize the one man—one vote principle is a flagrant denial of human freedom.

The Security Council of the United Nations accused Rhodesia of being a threat to the peace by citing statements made by the authorities in Rhodesia such as a threat of economic sabotage against its northern neighbors. Yet, it is generally recognized that Rhodesia's northern neighbors are the ones that threaten to launch attack on a substantial scale. It is from Zambia and not from Rhodesia that radio broadcasts say: "They (i.e. the Rhodesian white) are lice; destroy them; you know how."[6] The terrorist activity in Rhodesia is carried out by saboteurs trained in Zambia and Tanzania. For example, on the night of May 16–17, 1966, Mr. and Mrs. H. Viljoen and their two small children were sleeping in their farm house in the Hartley district. A noise outside the house prompted both parents to get up and investigate. They were gunned down by a group of terrorists armed with made in China weapons.

It would violate one's sense of elementary logic to accept or take seriously the claim that a small country like Rhodesia is a threat to the peace. No terrorist has ever been sent from Rhodesia to another country, no radio broadcast from Rhodesia has ever called on other people to revolt against their governments, and no Rhodesian official has ever threatened other countries with armed intervention. Yet, other countries, who have been doing all those things to Rhodesia have taken it upon themselves to condemn Rhodesia for being a threat to the peace.

The difficulty which arises in substantiating the claim that Rhodesia threatens the peace is readily seen from the following quote: "On the occasion in point, I heard a State Department official answer relevant questions; a doubter put a query: How, in actuality, was the purported miscreant, Rhodesia, threatening the peacs? The answer came: Obviously, the United States could not condone the situation there. The inquirer persisted: What country was Rhodesia presumably about to attack? The answer: Not precisely any country; the situation was subtler than that, some of Rhodesia's neighbors were acutely unhappy about it . . . a sort of thing that could not be accepted. A third question: Wherein precisely was Rhodesia in rebellion? The answer: The British government had left no room for doubt about the matter, and so it would be pointless to go into technicalities."[7]

The second major criticism of Rhodesia concerns its refusal to grant voting rights to all its citizens over twenty years of age. A good many people, by habit and sentiment, subscribe to precepts of majority rule. The United Nations request, as a condition for the recognition of Rhodesia, one man—one vote political system.

In other words, the United Nations reject the system under which the right to the franchise in Rhodesia is independent of race and color, and based on educational and property qualifications. Moreover, the frankness of Rhodesian officials in expressing their fear of the unconditional enfranchisement of Africans has been used to create an impression that the Rhodesian government is keeping Africans in political subjugation. For example the following statement has been attributed to Ian Smith: "There will be no black rule in my time." This alleged assertion made headlines everywhere and it is constantly repeated; but the repeated denials seldom get printed. What Smith had actually said, in a CBS telecast was: "If we had a black nationalist government—a black extremist government in my lifetime, then I believe we would have failed in our policy . . . which has always been no discrimination between black or white."[8]

A somewhat puzzling picture emerges when the behavior of those who preach the one man—one vote system for Rhodesia is examined. The London Economist said: "Britain should make very clear its eventual aim for Rhodesia. This is to reach majority rule there. But it should be made quite plain that when Britain regains control over its colony's destiny it will not hand power over immediately: rather it will go for a slow version of the stage-by-stage advance."[9]

On May 26, 1966, President Johnson said: "The United States could not condone the perpetuation of racial or political injustice anywhere in the world." Yet, at the onset of American independence the franchise was limited to a small portion of American adult

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Footnotes at end of speech.

males, qualified on a basis of property and income. "The Declaration of Independence did not enfranchise females, or any non-whites whatsoever, elevate any Indians, or emancipate a single slave. The realization of American rightly vaunted equality and wide participation in public affairs took much time and effort and even yet does not proceed without disorder."[10]

Finally, the African countries themselves are not known for strict respect of free elections based on the one man—one vote principle.

In summary, the governments of Great Britain, United States and many African countries, whose explicit purpose is to defeat Rhodesia's quest for independence for that country's alleged threat to the peace and its refusal to confer unconditionally the right to vote upon four million tribal Africans, have no moral basis for their criticism. It is not to imply that one should not, given his philosophical orientation, criticize Rhodesia. The point is that those who are most outspoken critics of that country should, for the sake of objectivity, be subjected to the exact same kind of criticism.

III

To discover true reasons for Great Britain, United States and many African countries' hostility towards Rhodesia one must obviously go beyond the facade of words and speculate about various alternative possibilities.

It can be argued that the proposed Constitution and the goal of eventual racial parity is merely a screen of smoke behind which the white minority in Rhodesia is trying to conceal its intention of permanent domination. If this were the case the ruling elite in Rhodesia would pay, sooner or later, for its shortsightedness. Thus, to accept this argument one would have to assume that white Rhodesians are an utterly unrealistic bunch of people.

The recent emphasis on African education in Rhodesia indicates that they may not be that foolish after all. "A team of three Americans headed by Rep. John Ashbrook has recently reported that there have been spectacular advances in education and that the demand for places in secondary schools has yet to equal the supply. Far from being excluded from opportunities, Africans are not yet voluntarily taking advantage of the facilities available."[11] Over two decades (1947–66) the number of African primary and secondary schools operated by the Rhodesian government increased from six to seventy-seven and from one to seventeen respectively.[12] Also, the objective is for 50 per cent of Africans to go to school after age 15, while in Britain only 34 per cent continues to go to school after that age. Finally, expenditure on education stood at 18.5 per cent in the 1966 budget in Rhodesia, and only at 14.3 per cent in Zambia.

Secondly, the concept of racial parity can be criticized on the ground that it prevents the majority race from governing the country. The validity of this criticism depends on a very important assumption that the one man-one vote principle is universally applicable.

This principle was developed by a Western man for a Western community. Its major implication is, upon which the whole concept of classical democracy rests, that the minority can change status quo and become the majority in due time. The only thing the minority has to do is to convince a sufficient number of people to side with it at next election.

The problem is more complicated in a multi-racial African country like Rhodesia. Its two major races belong to two diametrically different cultures. Thus, the majority rule there would render the white minority a *permanent* minority. The minority would stand no chance of changing status quo at next election *via* selling its ideas to the majority. The latter would feel those concepts to be either alien to its structure of value and aspirations or it would simply fail to understand them. Moreover, the problem would be aggravated by racial prejudices. In any case, the majority rule would do to the rise of democracy in Rhodesia just opposite from what it was created to do and has done in the West.

The proposed Constitution in Rhodesia, if analyzed in the light of preceding paragraph, represents an attempt to preserve democracy there by adopting the Western concept of majority rule to the specific conditions prevailing in a multi-racial community where alien cultures meet. Complete racial parity will, it is hoped, free both races from fear of being dominated one by another.

The question that remains to be answered is: why doesn't the Rhodesian government introduce complete racial parity here and now rather than at some future time? The answer can be found, assuming that white Rhodesians are sincere in saying that they want racial parity, in the franchise qualifications. The African representatives in the Parliament will be responsible to those citizens who either have interest in preserving the state (on account of property qualifications) or have become "Westernized" (on account of educational qualifications). In this manner the white Rhodesians hope not only to achieve complete racial parity but to preserve their island of Western civilization in a relatively hostile environment as well. If not, the Africans qualified to vote will know what they are rejecting if they chose to reject it. And many people believe that to reject an alternative with full understanding of what is being rejected is preferred to a rejection based on emotion, hatred and ignorance. In other words, the only hope of survival for white Rhodesians is to have the equal number of representatives of various races working together in the Parliament being responsible to responsible citizens, and eventually gaining enough confidence in each other so that the differences between them could be attributed to differences in policy rather than racial differences.

Finally, the most likely reason for economic and political sanctions against Rhodesia is that "American and British politicians tend to think in terms of the aspirations of African *politicians*. They are not directly concerned with the welfare of the African masses who, unlike their leaders, are not possible future voters at the United Nations; and sometimes the Western politicians seem to think that it is expedient to retain the friendship of moderate leaders in African territories; while even the moderate leaders find it desirable to appease the racial emotions and resentments of the black people. If they did not, they could not survive, it is felt, against more extreme rivals, who feel that they cannot afford the entrenchment of a non-racial political equality, a reasonably achievable franchise available on equal terms for every literate and responsible Rhodesian whatever his color."[13] It is a tribute to the *instinct of survival* of African leaders that they have realized that to defeat Rhodesia is crucial to their accumulation of political power. It is a tribute to their *political skill* that they have been able to conceal that behind the facade of propaganda about the enslavement of black Rhodesians. It would not be a tribute to the intelligence of the reader to let that distinction pass unnoticed.

The major results of discussion presented in this paper are: (1) Rhodesia does not intend to pursue the policy of separate development of races (apartheid); and (2) the proposed concept of complete racial parity, that is one race—one vote principle is an attempt, which some people will approve of while some others will not, yet a *bona fide* attempt to solve the problem of peaceful co-existence of various races possessing completely different cultures.

The future of Rhodesia? It will depend on the extent of true determination of its rulers to carry out the experiment of complete racial parity, as well as on the willingness of other governments to let them do it.

FOOTNOTES

[1] "Tackling Rhodesia," *The Economist*, November 13, 1965, p. 689.

[2] *Report of the Constitutional Commission*, Salisbury, Rhodesia: Government Printer, 1968.

[3] *Ibid*., p. 21.

[4] *Economic Survey of Rhodesia, 1966*, Salisbury, Rhodesia: Government Printer, 1966, pp. 26 and 28.

[5] F. Rich, "The Economics of African Education," *The Rhodesian Journal of Economics*, August, 1967, pp. 13–24.

[6] A. Williams, "Rhodesia—Land of the Fearful," *Houston Post*, April 6, 1966.

[7] C. Marshall, *Crisis Over Rhodesia*, Baltimore: John Hopkins University Press, 1967, p. 4.

[8] W. Hutt, "The Rhodesian Columny," *New Individualist Review*, Winter 1968, p. 8.

[9] *The Economist*, *op. cit*., p. 689.

[10] C. *Marshall, op. cit*., p. 64.

[11] Hutt, *op. cit*., p. 8.

[12] F. Rich, *op. cit*.

[13] W. Hutt, *op. cit*., p. 5.

TRIBUTE TO DR. WELSH

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. MILLER of California. Mr. Speaker, after some 27 years of dedicated public service, Dr. Ed Welsh has resigned. During this period he served directly under two Presidents—Kennedy and Johnson—and has the distinction of being the only formally appointed Executive Secretary in the history of the National Aeronautics and Space Council, a post which he has held with great distinction for the past 8 years.

Thanks to his years of experience on Capitol Hill, he was able to serve the needs of both the executive branch and the legislature in a mutually cooperative and productive manner. During his tenure as Executive Secretary he made numerous appearances before committees of the Congress, and he and his staff have been instrumental in supplying the committees with insights and information which served to promote the most efficient management of the Nation's investment in the space resource. Thanks to his endeavors, the business of the Council and the operations of its staff were organized with great effectiveness. He personally was responsible for the first public articulation of the basic policy of U.S. space activities—that they included space projects to keep the peace and space projects to increase the well-being of all mankind.

He played a key role in Council activities that led to recommendations to the President with respect to the Apollo, MOL, SST, and communications satellite program. He was a principal drafter of the President's basic communications policy statements and of the substantive legislation which established the Communications Satellite Corp.

Thanks to his organizing ability, the Council staff represents a broad spectrum of high professional skills in space and aeronautics activities. It is notable that the Council's staff budget has always been kept small to support only essential functions, and that the present budget is 4 percent less than that initiated in fiscal year 1962.

As a spokesman for the space program, Dr. Ed Welsh has been instrumental in keeping the public informed as to the economic, social, and technological benefits which are constantly being obtained from the national air-space investment. He has also helped to educate the public with respect to the extent and scope of the space and aeronautics accomplishments and potentials of other nations, particularly the U.S.S.R.

So as Ed Welsh departs for new endeavors in an illustrious career, we wish him every success. He will be missed.

MOORHEAD LAUDS PITTSBURGH ACTIVIST

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. MOORHEAD. Mr. Speaker, Mrs. Dorothy Mae Richardson has given more than a few people in Pittsburgh evidence why she merits the description "community activist."

A dynamic perservering woman, Mrs. Richardson has led the fight for better housing in Pittsburgh from the neighborhood level. She rallied her neighbors to fight the environmental conditions that breeds slums and she has seen her efforts blossom.

Defiantly admitting that she lives in a slum, Mrs. Richardson and her organization CASH have worked closely with—and sometimes in defiance of—Pittsburgh housing agencies.

On numerous occasions she provided me with assistance in my urban housing endeavors.

Most recently, she helped coordinate a housing symposium that I initiated in Mrs. Richardson's community, the northside of Pittsburgh.

The February 15 issue of the Pittsburgh Press chronicled the story of Dorothy Richardson and her crusade to better the neighborhood she calls home—and other areas of the city.

Today, I would like to introduce this article into the CONGRESSIONAL RECORD in recognition of an outstanding contribution to Pittsburgh's drive to eradicate its housing problems:

Mrs. Dorothy Mae Richardson is a large woman, with tolerant eyes, a gentle voice, and an overwhelming impatience with the status quo.

But unlike most of us, who are content in our placid routines, she has allowed her discontent to boil over, but in a carefully controlled way. As a result, today Mrs. Richardson has a voice of some power in the community.

"Mayor Barr calls me Dorothy," she confides with a grin, and she's on a similar first name basis with professors, builders, realtors, politicians, churchmen and other leaders.

"Just because a person gets a big job doesn't mean he turns into a sage overnight. They're just people, trying to do a job. Now I'd like to help them do a better job," she says in her slow voice. "They can't know what's going on in the slums unless someone shows them. That's all we're trying to do."

Mrs. Richardson helped found and now heads CASH, Citizens Against Slum Housing. Because of her drive and determination, "120 really hard workers," as she calls them, are chipping away at Pittsburgh slum problems.

"It's frustrating and very slow but I always say that we just have to 'keep on keeping on.' The minute we stop the pressure, it's bad. We just can't afford to get tired."

Mrs. Richardson would make a good general, because she's expert at assigning specific duties. She laughs as she recalls one example:

"Our housing demonstration in City Council—well, we had so much talking round and round the subject, you know, and nothing being said. Well—I put one lady in charge of talking about rats, another one in charge of roaches, another one the high rents and no repairs, the holes in the floor. It was really something. We never let up. They'd try to ramble on and get us off the subject, but we wouldn't let them. Know what—it worked!"

Mrs. Richardson feels she's an authority on slums because she lives in one. North Side's Charles St. winds along the hill from Perrysville Ave. to Brighton Rd., and in the last few years, the lower end of the street has gone from middle class to downright depressed housing. On a cold winter day, driving down the street can be a lesson in desolation. Some houses are boarded up, others sag in forlorn rows, and there are the hallmarks of poverty—rubbish, garbage and trash.

Mrs. Richardson's small brick row house is painted gray, and inside, the living room walls are yellow, the rug is green, the furniture modern, and symphony music plays softly on the hi-fi.

In fact, once you're cozy inside, the tendency is to forget what's outside, but Mrs. Richardson never does.

Her phone is constantly ringing, and she handles problems of procedure, tactics, and very often, personality with some dispatch. She says:

"It's hard to get people to stick to a project. Nobody minds showing up for the speeches or marches, but there's so much groundwork to be done, and it's not glamorous."

She's really dedicated to the "elbow grease philosophy," to the premise that Negroes must learn to help themselves—in running their own organizations, as well as simple housecleaning jobs. She says:

"When we moved here 21 years ago, it was mostly white. It was a nice neighborhood. Then they tore down houses to make room for the Arena, and some Negroes starting moving in. Maybe one family in a block, then all the whites moved out.

KNOWS VIOLENCE FIRSTHAND

"Then the changes came. The streets weren't kept clean, the sewers would stink—but then I was prejudiced myself. I thought I was too good for that rough element moving in. 'My stars,' I used to say to myself, 'soap and water's free—they could at least scrub their floors—but they're just too lazy.'

"But then I thought it out. These young people were brought up during the second World War. Their parents were out working in the steel plants or wherever, and they just didn't get the right bringing up. They just never learned how to clean. That's when we got together some block parties."

This means Mrs. Richardson recruited some women from her church and neighborhood, went around pounding on doors and teaching homemaking skills.

"We scraped grime and grease off baseboards, hauled rubbish away. We got the City to haul 22 truckloads of junk away from one court. We even got the landlord to agree to give us enough poison and spray to fumigate the houses."

The only trouble was, the crew went through the first house from cellar to attic, and used up five gallons of roach spray.

"When we wanted more, the landlord reneged," recalls Mrs. Richardson with a disgusted look. "Now those places are as bad as they ever were, in fact, they're boarded up. Roaches travel, you know, you can see them even on the sidewalk."

(At last report, to Mrs. Richardson's delight, the boarded-up houses are scheduled to be rehabilitated by the North Side Civic Constructors.)

But she doesn't make saints out of tenants and bad guys out of all landlords.

"One woman's house was so awful and we made so much fuss that the City moved her into the projects. Now you should see how she's wrecked that apartment there, and the neighbors are up in arms. We made a real mistake there. She's just not a responsible person."

One of Mrs. Richardson's plus qualities is her humanity and practical frame of mind. She doesn't insist that she's always right. One realtor respects her because she "is militant but in a reasonable way—she knows both sides."

Mrs. Richardson, a widow for two years, trained for her present position all her life without knowing it. She always did church charity work (she's a member of the Tabernacle Baptist Church), is a Democratic committeewoman and Boy Scout den mother.

"We were scared, so we planned our son's activities through Scouting, and planned their friends that way too. (Her two sons are 26-year-old Brother Timothy of the Capuchin Order, and Air Force Sgt. John, 22.) We used to have awful gang fights—they'd use that ball field back of here—one gang from Manchester ripped the boards out of my fence as they marched up the street. That's when I knew it was bad. This kind of violence is awful.

"We always had mischief—boys would steal potato chips or cokes, but this new breed is something else—the ones with the greasy rags tied around their heads and the knives.

"Those kids that steal food—you should see where they live—not a chair to sit on, no table, no heat or light—maybe a pot of greasy cold beans—nothing else. That kid wants something different to eat. I don't approve of it, but I can understand it at least."

So Mrs. Richardson has had much experience with the Youth Squad, Youth Opportunities Unlimited, Action Housing, ministers, priests, social workers, neighborhood groups like Perry Hilltop and Pleasant Valley Council. And, of course, all this training has made her an efficient leader of CASH. She could dramatize slum conditions for City leaders from firsthand knowledge.

And CASH's accomplishments have been steady and gratifying. Pittsburgh now has a Housing Court, a new housing code enforcement division combining City and County inspectors, a City Relocation Agency to help displaced persons find adequate housing; and adoption and enforcement of the State Rent Withholding Law.

And Mrs. Richardson's next project is the Housing Clinic.

"I want to work with sociologists and psychologists at Pitt to find out the best way to set this up—how we can inspire pride and cleanliness in people. You know, there's got to be some way. We have to find a way to teach homemaking."

The clinic, still in the planning stage, is tentatively scheduled for some time this spring.

Her vice chairman in CASH, Carl Brown, has no doubt that the clinic will become a reality.

"Dorothy's like the toughest bulldog you ever saw. Once she's on to something, she never relaxes. And she probably knows Pittsburgh's housing problems better than anyone else in the City. We never worry when she talks—because she's got the facts.

BULLDOG DETERMINATION

"She knows she's fighting a giant—lots of things have been sacred cows for years—like the Housing Authority—but Dorothy doesn't let that scare her.

"And the people she knows are fantastic—who else would have the nerve to march out to Pitt to ask the best people to help us. That's what she does, and it works. She doesn't use fancy words, but she's great with those words 'why' and 'when can we start?'

"She never takes any money for herself, and you can imagine the jobs she's been offered. She's a born organizer, but she thinks if she took money, it would tarnish her and hurt our cause. So she still does occasional day work for one woman. She's really a spiritually strong person.

"Schools used to teach home ec—but now you make a few cookies and that's it. Dorothy knows our girls have to learn housekeeping somewhere—so we'll have a clinic, don't worry."

Mr. Brown considers Mrs. Richardson's ability to get Dr. Clifford C. Ham, urban affairs expert at Pitt, to help CASH with its presentation before City Council, one of her real triumphs.

"Can you imagine what it would have cost if we'd had to pay for this kind of a study? We'd never have been able to do it," he says.

Although Mrs. Richardson is noted for her calm and easy manner, she has been known to show tears and temper as tactics to get things done. She despises violence, suspects many riots are Communist-inspired, and she thinks the Afro haircuts and costumes and separate black nation "a lot of nonsense."

"I don't need that stuff to know who I am. I'm a Negro, but an American Negro. The only way we're going to get anywhere is to live with white people on an equal basis—to work together to live better. It's going to take a long time, but I think we'll make it."

That's the credo of Dorothy Mae Richardson, whose dream is to take the word slum out of the American vocabulary.

FREEDOM'S CHALLENGE

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. BROWN of Michigan. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conducts a Voice of Democracy speech contest. This year over 400,000 high school students participated in the contest competing for five scholarships which are awarded as top prizes.

I am very pleased that the winning speech for the State of Michigan was delivered by a constituent of my Third Congressional District, Miss Bozena K. Bienias of Battle Creek. In order that my colleagues may share its contents and appreciate its message, I insert it at this time in the RECORD:

FREEDOM'S CHALLENGE

(By Bozena K. Bienias)

It is commonly known in every country of this world, that America holds and has to offer the most desperately fought over, and most revered of all man's treasures, freedom. We do not sell America calling it a utopia though. It is enough that we Americans have within our grasp the power to choose. Here lies the difficulty. Here waits the challenge.

We know that the world is not as it should be, that while knowledge has increased, happiness from liberty hasn't always. In the presence of hunger, unemployment, faults in government, and countless other handicaps, it's no wonder that democracy has had a hard time all over the world and in our country too.

America can offer its people a valuable weapon in her constant struggle to keep freedom. A well-planned, coordinated educational system is America's only light to search out and remedy tomorrow's problems. Through education and subsequent knowledge, the individual can learn and come to understand the enormity and awesome complexity of a democracy. Education will develop and nurture what will come to be his own logic and reasoning. From this point, the wisdom required to deal with the problem will come from himself.

Freedom offers its challenge to all of us. Undeniably it is a relatively difficult challenge to accept for those Americans who have felt the agony of its absence in our country. But freedom asks us to exchange our bitterness for the thought of the common good. It is a difficult challenge, and it takes the strength of an American who refuses to let his emotions control his reasoning, justified as they may be. Freedom orders us to demand it of others, but dares us to take it away from them.

I feel happy that every day I can do something for freedom. I can study it, trying to find flaws and ways of eliminating them. I can discuss these questions with my friends, knowing that it will increase stimulation and even implant interest. I can participate in class and thereby double general enthusiasm. In simply living each day, I'm learning about myself and all men. This in itself is a service in the name of freedom, for it isn't a mass of historical puppets that are involved, but humans like myself.

In conclusion, I have hope that my country will forever stand the representative of democracy, as long as she continues on the road that she follows today. As long as we keep on looking to freedom, keep on straining for it, as long as we come near to it, freedom will spread and deepen its influence, convincing the world that it is possible.

JACOB D. BEAM: SAME OLD CROWD

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. RARICK. Mr. Speaker, if there is a national buildup of concern and loss of faith in the leadership of our country do not blame it on the people, their anguished cries are but an effect.

The cause of any citizen's frustration lies in the many provocations from our leaders.

With 200 million Americans to choose from the folks at home just cannot take the same old "soft" crowd. There is bound to be a few pro-Americans who can restore confidence with our people.

Edward Hunter has expressed the sentiment well in Tactics for February 20, 1969, which I ask be reproduced in the RECORD followed by a portion of the Publishers Hall Syndicate column by Evans and Hall.

The material follows:

[From Tactics, Feb. 20, 1969]

SAME OLD CROWD AT STATE DEPARTMENT

The Washington bureau chief of one of the major London newspapers told an American associate that the projected appointment of Jacob D. Beam to be American ambassador to the U.S.S.R. was being interpreted in Europe as the signal to it that the new Administration "is afraid of the Soviet Union." He declared it widely known that Beam's record, clearly documented, portrays a man who is highly vulnerable to intimidation and seduction by pro-Soviet apologists and agents. He stressed that this assessment is accepted in the foreign ministries of Europe, especially in Germany and behind the iron curtain.

Beam's selection, if it goes through, will be regarded as the pivotal choice of the new, Nixon Administration. The attitudes and policies toward it by the European governments will be based on this premise. Even if the appointment were withdrawn at the last minute because this reaction became known at the White House, the damage would not be fully eliminated. The fact that even consideration could be given to such an appointment is damaging.

Beam is well known at the United Nations, where he frequently shuttled during his State Department service domestically. Members of such delegates as Burma, Thailand, the Philippines, and other Southeast Asian states concerned with a longrange solution to the Viet Nam fighting called the prospective appointment "a disaster." A German foreign correspondent accredited to the United Nations obtained this reaction by canvassing the delegates.

The reaction among top American diplomatic and military observers in Washington reinforces this appraisal. They include those who have sat with Beam on the policy planning staff of the State Department or dealt with him as representatives of the Pentagon and the C.I.A. Beam is regarded by them as belonging to the "older generation" of pro-Soviet, socialist-oriented officers closely allied with the younger members of such agencies as the State Department, the National Security Council, and the intelligence agencies.

Included in this element are a number of assistants now in the White House as aides to Henry A. Kissinger, the Nixon Administration's major foreign policy adviser. Knowledgeable observers in Washington note, too, that Beam in Moscow would deal mainly with Helmut Sonnenfeldt in Washington, one of Kissinger's aides, the most important on Soviet affairs, until January, the State Department's top intelligence research official dealing with the Soviet Union.

Sarah McClendon, courageous veteran Washington correspondent, recalled in a recent column that Sonnenfeldt "was the one who predicted the Soviets would never put missiles in Cuba." He scoffed at naval reports that Soviet vessels were transporting these missiles to Cuba, and was instrumental in delaying our reaction until the last, dangerous moment. The common characteristic of today's so-called "liberals" is that they refuse to believe anything opposed to their appeasement line until it hits them—or rather the United States—over the head. Yet these types manage to occupy our most vital research and even policy posts.

The take-over of our foreign service by such types that hitherto denounced Nixon the most has astonished even the ultra-liberal, socialist organs that consistently have been hitting Nixon with a barrage of virtual vituperation. An example is the New

Republic. Its Feb. 15 issue goes into detail regarding the unanticipated staffing of the White House and the State Department by these characters.

An article regarding this phenomenon by John Osborne, New Republic associate editor, entitled "Nixon's Command Staff," declares this of Nixon's prize appointee:

"Kissinger turned to State, Defense, and the academies for a talented staff—'a real powerhouse,' said a departing Johnsonite—that by last week totalled 25 substantive officers and is to peak at around 30, twice the number that served Kennedy and Johnson. It is hardly the aggregation of 'new faces' that Mr. Nixon seemed to have in mind before he took office, but there are dissenters in every establishment and Mr. Kissinger may have some of them among his recruits.

"They include such career Foreign Service men as Viron Vaky (Latin America), Helmut Sonnenfeldt (Soviet affairs), Donald Lesh and Robert Houdek (who worked in Dean Rusk's personal secretariat). Morton Halperin, chief of the McNamara-Clifford policy and arms control planning staff at the Pentagon and a writer of distinction on foreign affairs, is one of three recruits who ranked as deputy assistant secretaries at State and Defense. Another of them is Richard Cooper, a Yale economist and specialist in international monetary affairs. Col. Alexander M. Haig, lately a deputy superintendent at the West Point Military Academy, has been brought in to record the discussions and decisions at NSC (National Security Council) meetings and to assist in NSC staff management. One of Mr. Nixon's campaign advisers, Richard V. Allen, was appointed deputy to Mr. Kissinger before the serious work of staff organization began after the Inauguration. A Kremlinologist with stern views on how to counter Soviet and Chinese Communist power, he has taken some lumps from columnists, and for the present, has been put under wraps in an office well removed from Kissinger's."

Various Senate and House staffs were at first unbelieving and then shocked that Beam could be considered for our decisive Moscow post. "The kindest description that can be made of him is that he's a compromised boob!" a Senate analyst exclaimed. He recalled that Beam was ambassador to Warsaw when the embassy was virtually peopled by Polish mistresses assigned to its staff by the Soviet and Polish intelligence agencies. They idled around the offices, toying even with the files—seeming just to be "toying" with them. Even if the head of such a mission were no communist—and there is general agreement on this as regards Beam—to allow such dangerously scandalous conduct by members of a diplomatic staff would disqualify anyone from any position of trust.

These indiscretions characterized our Warsaw embassy under Beam from top to bottom. Some of the disastrous consequences have become known. We lost the services, for instance, of our top informer-in-place in the Polish capital, the strategically located "Michael Goleniewski," the cover name under which he became widely known in the United States; he now is known as Aleksei Nicholaevich Romanoff. He had to flee to the United States.

When the scandal under Beam became too obvious to be concealed any longer, Irvin N. Scarbeck was surfaced, and returned to Washington for trial and a prison sentence. He probably was the least of the security cases on our foreign service staff in Warsaw. Under Beam's supervision, too, the communists were able to do the actual constructing of our new embassy in Warsaw with such slight control that they could go to fantastic extremes in making it a sieve for their intelligence network, room by room!

Beam allowed the reds to bring the bricks for the new embassy from Yugoslavia, where they were made to custom-made specifications of the communists, so that every critical room in the embassy building, including the decoding and encoding rooms and the top secret file rooms, had listening devices implanted in the walls. Imagine! For at least a year, Moscow and Warsaw agents could sit comfortable in their offices, sipping tea and gulping vodka, while hearing every word of every conversation that took place in our embassy, including the coding and the decoding of the top secret cables by the American coding clerks. They even could keep check on how the girls were doing their job.

Beam, as has become customary in the State Department in such affairs, was promoted. Obviously, there were those who considered this as work well done. Maybe this is why he is slated, as this is being written, to be elevated to the ambassadorship in Moscow. He is ambassador to Prague at present, and was there when we were surprised by the Soviet invasion of the country to which he was assigned, Czechoslovakia.

Moscow already has been contacted in accordance with protocol, this editor has been informed, and asked whether Beam would be acceptable as the new, Nixon ambassador. The Soviet Russians must have laughed as they made their formal acceptance. A communist as envoy would be less useful to Soviet Russia's relations with us, in its preparation to Pearl Harbor our mainland from space, than a compromised boob.

This Warsaw spy and sex scandal, as it is referred to worldwide, covers such an extraordinary area, touching upon all of our worldwide diplomatic undertakings, that it seems unbelievable, even as a fictional spy thriller. Indeed, because of its fantastic ramifications, one Congress staff in discouragement even recommended that no speech be given on the floor in the case, because it would be ridiculed at once by the fake "liberal" press as ridiculous on its face. Indeed, the fantastic proportions of the Warsaw sex and spy scandal have evoked skepticism and even disbelief among even normal critics of the State Department who are unacquainted with this area, and who simply declare, "I just can't believe it."

The sinister background to the bizarre nomination for our vital Moscow ambassadorship includes a press operation. The N.Y. Times and the State Department frequently work hand in glove on critical issues involving American security, particularly as regards Soviet-American relations. The case of John Paton Davies, who was technically cleared as one of the last, sly acts of the Johnson Administration, is a scandalous case in point.

The N.Y. Times came out with a purported "scoop" on Feb. 1, in a 28-inch story by Peter Grose from Washington. It came forth with the flat announcement: "President Nixon has chosen as his envoy to the Soviet Union a cool career diplomat who is well versed in both Communist affairs and disarmament." Thereupon it produced a highly laudatory biography of the amourously hoodwinked gentleman, referring to him as "reticent and discreet." He surely was all of this in regard to the behavior in his embassy at Warsaw.

Not a word was printed, however, regarding this extraordinary experience of his during the period of the sex and spy scandals in this embassy. Indeed, while space is given to practically all his other assignments, this important Warsaw period becomes an un-event. At least, in New York City.

Not so, though, in the N.Y. Times News Service, article, also under Peter Grose's byline, as syndicated across the country, and published, for example, in the Philadelphia Bulletin as a page-one article. This story, also with a picture of Jacob Dyneley Beam—his whole name is given—is 27 inches long. One paragraph of seven lines refers to his service in Poland as follows:

"In 1957, he received his first ambassadorship to Poland, which carried with it conducting negotiations with Communist China. In 1960, he returned to Washington to work with the disarmament agency."

The N.Y. Times knows better than that. This isn't even news management; it is news fabrication, the rewriting of history. Soviet Russian historians are obliged to engage in this practice, conforming to the dialectical materialist conception that some persons are un-persons, some events are un-events—they never existed. An intriquing television program, "My Favorite Martian," has the man from Mars improvising a time clock that can put you back in history to any period, and anything you do then—or don't do—will determine everything that happens afterwards, bringing about changes accordingly. History, under Marxism, is rewritten accordingly, for operational purposes.

Beam did not return to the United States in 1960. He still was ambassador. He remained so for more than a year, to 1962, during the culminating period of the Warsaw sex and spy scandals in his embassy. While detailing his career at all important points, this is what the rewriters of history would want to leave out, as an un-event, in any build-up of the man to pressure President Nixon into appointing him to a new and even more strategic post. The syndicated article, interestingly, does not have the appointment already determined, as was declared in the N.Y. Times, but says: "President Nixon will announce this week his choice" and that it would be Beam, a subtle difference. In one, we have the past tense used; in the other, the future tense.

Actually, the latter was closer to the facts. An article written this way can have either of two purposes, or both. The operation—and in this case it is an operation—may present a desired event as a fait accompli, or as already decided. In the latter instance, this falls into the category of the balloon d'essai, the well-known, political trial balloon that determines public reaction, enabling a politician to find out what he can get away with.

How was Nixon maneuvered into this? He has made himself particularly vulnerable to such intrigue. The recommendation of Beam, a compromised boob with a public record of security laxity extending to his personal life, and administrative incompetence of disastrous proportions, was made by Kissinger and Sonnenfeldt. Both have worked with Beam when he was connected with the Arms Control and Disarmament Agency, and later. Since Secretary of State Rogers and Elliott Richardson, undersecretary for the department of state, both are newcomers, and since Idar Rimestad, undersecretary for administration, also was at the Arms Control agency simultaneously with Beam, the facts known to practically all other persons in the State Department were glossed over or suppressed in presenting Beam's nomination to Nixon.

The operation to put Beam over is a quickie that recalls such similar attempts, as recently with Abe Fortas, that only narrowly we defeated, thanks to the alertness of Sen. Thurmond and his fortunate membership on the Judiciary Committee before which the nomination had to go. Beam already had been returned from Prague conveniently for consultation so he can be on hand for a quickie testimony before the Senate Foreign Relations Committee.

At least two senators have brought the pertinent information graphically to the President's attention. Others unrelated to government have done so likewise. The quickie operation was derailed, and as this is being written, the nomination has not yet been announced, half a month after the N.Y. Times sought to make it a fait accompli. "It's a thing floating around," and "it's dropped out of sight," were two baffled reports from up high, with the emphasized clause added, "for now." Readers of Tactics and their contacts can continue to have such impact, if not distracted by our greatest obstacle, the defeatism in conservative ranks.

Ample warning, reinforced by documentation, was provided by Tactics for this entire operation of infiltrating the Nixon Administration with the people Humphrey likely would have appointed. Tactics ran what constituted a series on this crucial problem. Developments show the accuracy in detail of these analyses, which could have remedied the situation if too many persons had not relaxed into the comforting, "Ain't it awful" syndrome, or simply took refuge in rooting for Wallace. Nothing stopped them from simultaneously exerting tactical influence elsewhere. A major reason for red gains is that they fight in all echelons. We can do so, too, and this case is a fine opportunity.

[From the Publishers-Hall Syndicate]

To the predictable outrage of the anti-Communist far right, their lone representative on the White House staff—Dr. Richard V. Allen—is being quietly submerged in favor of solid, professional foreign policy specialists.

Included among the aides being selected for the Kissinger staff, besides the previously announced Daniel Davidson (presently assistant to Ambassador Averell Harriman), are Mortimer Halperin (an arms control expert) from the Pentagon and Helmut Sonnenfeldt (Soviet intelligence), Lawrence Eagleburger (Under Secretary Nicholas Katzenbach's office), Richard Sneider (Japanese desk) and Viron Vaky (Latin American affairs) from the State Department. From outside the Government, Prof. Robert E. Osgood of Johns Hopkins is a top prospect to join the staff.

WOOING BLACKS

Instead of screaming, Southern political agents of Mr. Nixon have fully backed the Republican National Committee's unannounced decision to lift its 1969 budget for political work among minorities to a record amount for a nonelection year.

The plan, originating with minorities division leader Clarence Townes, is to spend $175,000 at the National Committee to proselytize Negroes and Mexican-Americans for the Republican Party.

Strongly backed by National Chairman Ray C. Bliss, there was nevertheless some opposition among party pros to this high spending among voters who spurned the Nixon-Agnew ticket.

Harry Dent, the Republican South's chief resident political agent in the Nixon White House, heard about the complaints and immediately came down hard for Bliss and Townes. More surprisingly, so did Mississippi State Chairman Clarke Reed.

In 1968, the National Committee allotted $150,000 for election-year work with minorities but spent a good deal more. The budget in 1967 was $90,000—but $124,000 was spent. With Mr. Nixon determined to build a majority party, spending well above the 1969 budget is probable.

WHITHER CHOTINER?

A major question at the Republican National Committee: Will Murray Chotiner go away?

Chotiner—Richard Nixon's first political manager and most controversial adviser—has had a desk at the committee since election day although he is limited to Inaugural activities. Committee staffers are uneasy as to whether he will leave on Tuesday as scheduled or remain as Mr. Nixon's agent.

SOLICITOR STAYS

Another sign of the Nixon policy of maintaining continuity is the decision by Attorney General John Mitchell, likely to be announced Tuesday, to retain Erwin N. Griswold in the key post of Solicitor General at least through the current Supreme Court term ending in mid-June. Griswold, longtime dean of the Harvard Law School and a nominal Republican, had a protracted and congenial conversation with Mitchell two weeks ago.

LAW AND ORDER

HON. MARTIN B. McKNEALLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. McKNEALLY. Mr. Speaker, the national commander of the American Legion, William C. Doyle, recently gave an address before the New York State legislative banquet in which he made some timely remarks concerning the crisis in law and order which confronts this Nation. Under the leave to extend my remarks in the RECORD, I include the following:

AN ADDRESS BY WILLIAM C. DOYLE, NATIONAL COMMANDER, THE AMERICAN LEGION, BEFORE NEW YORK STATE LEGISLATIVE BANQUET, ALBANY, N.Y., FEBRUARY 10, 1969

This traditional dinner in honor of New York State Legislators who are veterans is as venerable as The American Legion itself for this is the 50th Annual event that we participate in here tonight, and next month the Legion observes the 50th anniversary of its founding.

These are golden moments for us, and we trust for you, as we mark a half century of splendid Legion-Legislative relationships here in the Empire State and, for our own organization, a half century of dedicated service to God and Country and to our fellow man.

Unfortunately, we do not observe these golden moments in a bright period of American history where we might reasonably expect to relax for a moment in the reflected glory of past achievement. These are demanding times that exact from each of us full attention to the problems of the moment, with little time for basking in reflected glory.

The American Legion, in observing its 50th Anniversary, is operating this year under the theme of: "Fifty Years of 100 percent Americanism—a Commitment to Freedom." We don't consider that phrase an idle boast or a claim to super patriotism, but a simple statement of fact fully supported by the performance of the Legion over a half century.

However, we have conceded that we cannot rest on performance, but must live with the realities of today and, in the light of those realities, seek to plan for the future as effectively as we can. We have to live with the realities, and give our best efforts to the seeking of sound solutions to the problems of today, or there will be no future for which to plan.

Be assured that the Legion is making plans, and we are making them with confidence, because we are convinced we can unsnarl these terrible problems which seem to be without solution. We are convinced America can produce the leadership to inspire the better qualities of citizenship within each of us, and we believe that right now the very best any of us can produce is demanded of all of us.

It matters little who we are, or what our role may be. What does matter is that each of us is a responsible human being, that our responsibilities are to each other and to the society of which we are a part, and that each of us had better start exercising that responsibility whether it be as a parent, as a leader of men, or as an individual.

We are not going through a period of turmoil and unrest for the first time in the history of this country—not by any means—but what makes this particular period of unrest so important to us is the fact that we are involved in it. As some of you may know, my visit to New York is being interrupted by the annual American Legion pilgrimage to the Tomb of Abraham Lincoln, in Springfield, Illinois.

While we are immersed in our problems of this moment of history, a quick look at the life and times of Lincoln impresses us with the fact that the concerns of other eras were not unlike our own. We are concerned about the rule of law in today's society. We are concerned with the concept of people taking the law into their own hands. We are concerned that some people feel they can be selective in their regard for the law—obeying those laws with which they agree, disobeying those with which they do not agree. We are concerned that some resort to violence, rather than to lawful recourse, to correct their grievances.

There had to be similar problems in Lincoln's day to have prompted this line in a message to the Illinois State Legislature in 1837. Lincoln said then, and we still know it to be true today: "There is no grievance that is a fit object of redress by mob law." This is a typical example of the wisdom of the great emancipator, an example of the timelessness of his pertinent observations about his fellow man and about our form of government.

Our 16th President, long before he assumed the presidency, was well aware of the need for high regard for the law on the part of all citizens and of the insecurity that could come to the many because of the lack of responsibility of the few.

You members of the New York State Legislature, and other distinguished guests of the official family of the Empire State, are as aware of and as concerned about this need for the maintenance of law and order and for the strengthening of our system of justice, as anyone else in this great land.

When I speak of a system of justice, I mean a system that has as great a regard for the rights of law abiding citizens as it has for the rights of the violator of the law. Believe me when I say we stand four-square behind a system of justice that is equally concerned with the rights of every citizen.

A free society is vulnerable to the action of extremists, for extremists too are afforded the protection of a system of equal justice and they are the first to exploit that protection even as they seek to destroy the system that provides it.

We have seen instances time and again across this great land where radicals of one breed or another have taunted and baited the forces of law and order and goaded these forces into action. Then comes the old familiar cry of police brutality. I suspect you and we are in agreement in the belief that there are many more charges of police brutality than there are cases of such brutality.

As a part of this 50th Anniversary observance of The American Legion, we seek new methods of impressing upon all Americans the need for an effective system of law and order. Needless to say, that system must be administered with justice, yet some seem to think they have made a new monumental discovery by adding those two words "with justice," to any mention of law and order.

We see all about us the signs that point up the need for our society to turn again to a healthy respect for law and order. These are tragic signs of the kind we have come to expect from other corners of the world, but not in America.

Among these ominous signs that call a nation and its people to order are rioting, burning, looting, and other criminal acts sometimes masked in the issue of civil rights. Undoubtedly there is a cause and a case for those who labor legitimately in the vineyard of civil rights, but let's recall once more the words of Lincoln: "There is no grievance that is a fit object of redress by mob law."

President Nixon, just days after his inauguration, told a group of employees of the Department of Justice: "There's never been a time in this nation's history when more Americans were concerned about law enforcement," and the very same day that word appeared in our daily papers there was a progress report published by the National Commission on Violence, suggesting the solutions to rising street crime, city riots and campus disorders will demand a national effort embracing "the active engagement and commitment of every citizen."

A most pertinent note in this progress report says: "The key to much of the violence in our society seems to lie with the young."

"Our youth account for an ever-increasing percentage of crime, greater than their increasing percentage of the population. The thrust of much of the group protest and collective violence—on the campus, in the ghettos, in the streets—is provided by our young people. It may be here, with tomorrow's generation, that much of the emphasis of our studies and the national response should lie."

Surely there is a responsibility of government here to determine the underlying causes of this national problem and to seek solutions. However, there is a more fundamental responsibility to these young people—a more personal responsibility—and one which, in the long run, should prove to be more influential than anything the government can do, and that is the proper exercising of family and parental responsibility to our children.

Every parent, every family, has a great deal to do with the way the young people coming out of that family environment will react to society and to life. None of us, as parents, can afford to be too busy to give proper guidance to our children, nor can we afford not to listen to their problems and try to help them solve them.

You and I, as parents, have a great deal to do with moulding the character of our children, and we had better step up to that responsibility or be prepared to accept a major share of the blame for the storms of protest and the backlash of disorder and violence which accompanies it.

Our generation is not totally to blame for what is taking place in this country today, but neither are we without blame if, in any way, we have failed to give guidance and counsel to our youngsters in the home when they have needed and wanted it.

By our teaching and by our example, parents have a great deal to do with the attitudes with which youngsters will face life. It should be in the home that a youngster learns right from wrong, that he learns something of the values for which his country stands, that he learns a respect for law and order and common decency and a respect for the rights of others. The American Legion never has discounted the role of the church and the school in this all-important matter of formulating attitudes of the young, but if a youngster comes out of the home without proper guidance the work of the church and school is made increasingly difficult, if not impossible.

This is one method by which we can shore up our defenses against lawlessness and violence, and one in which every citizen has a part to play.

The interim report, or progress report of the Commission reveals other shocking statistics, such as more than a million persons participating in demonstrations over the past five years. This is less than one-half of one percent of the population, but it still is a lot of people. More than 200 persons have died and well over 8,000 have been injured in violent urban outbursts.

The American Legion's National Executive Committee has given voice to the Legion's concern for this problem and has adopted a resolution calling for the Legion at all levels, and most importantly the Post right in the local community, "to assume positive roles in American communities, whereby Legionnaires at all levels may assist in finding and contributing to solutions to the complex problems that are eroding the peaceful, prosperous life of many cities and towns."

Local Legionnaires and local Posts are best qualified to know local community problems and to devise methods which they feel will be most successful in helping to cope with those problems. We believe we can and should go beyond the matter of recognizing our police for a job well done. We believe we should roll up our sleeves and pitch in and help them get it done. I don't mean to suggest we take the law into our own hands, not at all, but there are things that can reasonably be done to help. For example: Many metropolitan police departments are engaged in activities such as community relations programs, designed as crime prevention programs and through which people get to know them better. Police sponsored athletic programs are a case in point. The Legion can well involve itself in this crime prevention type of activity, and Legion Post homes can be made a haven for activity aimed at the prevention of crime.

We can be of help in other ways, one of which is important to you as members of a state legislature, and I'm here to insure you that you will have the wholehearted support of The American Legion for any legislation you may consider that will strengthen the hand of our courts and our law enforcement agencies in dealing with crime and the criminal.

Finally, there is the matter of student unrest on campuses across the country and this certainly is a problem of considerable concern in New York. The American Legion believes in fredom of speech. The American Legion believes in all freedom, including academic freedom, but we do not believe any freedom is absolute and we are concerned over those who mistake license for liberty.

I have said it before, and I repeat it here: Youngsters who are smart enough to gain admission to our institutions of higher learning are smart enough to know there are rules and regulations by which those institutions are governed. If they don't want to abide by the rules they should get out.

Those in positions of some authority, teaching assistants, or full fledged faculty members, who join in these demonstrations and who encourage them, must shoulder a substantial volume of the blame for these incidents when they become violent and lawless. Lending support to an incendiary situation with the full knowledge that it can get out of hand is just the same as touching a match to that situation.

Are these the kind of people who should be entrusted with the all-important responsibility of teaching our young? I'm simply asking the question, but I think it is a question that should be asked by those who are called upon to support these institutions by tax dollars, and one for which they deserve an answer.

GOVERNMENT CONFUSION

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. STEIGER of Arizona. Mr. Speaker, the enclosed is an excellent editorial written by Mr. Homer Lane, of KOOL radio and television. He points out the schizophrenic character of the Government. The Federal Communications Commission's recent proposal to bar advertising from radio and television stations is discussed in this editorial. The thoughtful points he makes deserve full consideration:

GOVERNMENT CONFUSION

Tobacco companies spend more than 200 million dollars a year advertising on radio and television. That's a lot of money, and because it is, there will be many who think that's the only reason for this editorial. They will be wrong.

Personally, I don't smoke, I used to smoke as many as three packs of cigarettes a day. However, I made the decision not to smoke about ten years ago.

We don't believe that cigarettes are beneficial. We don't know anyone who says they are. However, and we know this is not the popular thing to say, the truth is that no one has ever proven that cigarettes are harmful or that they are the cause of any disease. In fact, there is a large body of research although little publicized, that indicates cigarette smoking to be relatively harmless.

The Federal Government encourages the production of tobacco by subsidies to growers. In fiscal 1968, the government paid out 61 million dollars in price supports. We sent nine and a half million pounds of tobacco to Viet Nam under our food for peace program. Last year, federal, state and local governments collected from the sale of cigarettes four billion, 96 million, 696 thousand dollars in taxes, of which two billion, 66 million went to the Federal Government.

These are some of the reasons we believe it is wrong for the government to say that cigarettes, a perfectly legal product whose production is encouraged by government, from whose sale the government collects billions in taxes, cannot be advertised on radio and television. Now, if the government really believes that cigarettes cause disease and death, then let's make it illegal to grow tobacco and sell cigarettes. Let's not be hypocritical and widen the governmental credibility gap.

CAMPUS DISRUPTIONS

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. VANDER JAGT. Mr. Speaker, Michigan State University president, John M. Hannah, has been named by President Nixon as the Administrator of the Agency for International Development. Dr. Hannah, in his last convocation address, stressed that university faculties must realize the need to provide education for the majority and not submit to the disruptions by the minority.

A fine editorial referring to Dr. Hannah's address and the problem of rebellion on college campuses, recently appeared in the Muskegon Chronicle. Under unanimous consent I include the editorial in the RECORD; it is as follows:

AS THE CHRONICLE SEES IT: A CALL FOR FIRM LINE AGAINST CAMPUS HELL-RAISERS

The farewell "State of the University" address by Michigan State University President John M. Hannah laid directly on the line some important truths about student dissent and anarchism, and the place and responsibility of the university faculty in the face of "the protagonists of disruption."

As he spoke, squads of Lansing, East Lansing and campus police stood guard outside MSU's Fairchild Theater, facing a shouting rabble of student demonstrators who chanted "Open it up or shut it down. Pigs (police) off campus." At the end of the convocation, President Hannah, MSU trustees, faculty members and others who made up the audience had to be escorted by police through the auditorium's back entrance.

The demonstration was thoroughly disgraceful, and it is encouraging to sense that its most probable effect was to underscore and make the more memorable President Hannah's challenge to the faculty—and, by extension, all faculties—to take steps to assure "that those who teach, and those who learn, and those who do research, and those who do public service will not be interfered with by those who would destroy the establishment and who would substitute chaos for order, repression for opportunity, allegiance to their point of view for freedom.

"The basic question," he said, is "only whether you have the courage and the willingness to defend order and freedom and basic decency and ethics, and integrity and morality.

"Or," he asked, "are you going to behave like an ostrich and dive your head into the library or laboratory and say, 'let someone else worry.' If you do, you run the risk of seeing chipped away the very attributes that make your profession attractive to you and useful to society."

The line established on the MSU campus, he said, "is simple and easily understood."

"It is that in granting full freedom to examine, to listen, to speak, to dissent, to picket, that there shall be no interference with the rights of all others to carry on the work that seems to them to be important—to teach, to learn, to do research, to perform public service.

"I hope," he concluded, "you have the courage to hold that position."

So, certainly, do we.

The president called on the faculty to "continue a firm position," supporting and requiring "that whenever the protagonists of disruption interrupt the orderly operation of the university, that at that point the university request the civil authorities to take whatever steps required to permit the university to function in accordance with its objectives."

It is interesting—and relevant—to note that the MSU demonstrations of the past week were triggered by the firing of a member of the facutly—Bertram Garskopf, a psychology professor. Prof. Garskopf, one of the faculty "activists," was on the scene outside during President Hannah's address, rallying the demonstrators and manning a bullhorn, calling for "student action against the establishment."

This brings us to comment on what is the really hair-raising part of the campus protest movements. It is not the irrational, irresponsible and obscene actions of the student demonstrators themselves, although this is ugly enough. What is more unsettling is the eager acquiescence in anarchy on the part of some of the faculty members who purposely promote the disruption of their own institutions by aiding and abetting the rioters and the pornographers.

The sad probability here is that it is the great majority of their dedicated, sober and scholarly colleagues who will wind up with the short end of the stick, facing a public that is becoming increasingly outraged.

Through their own unwillingness to get involved they are turning their campuses over to a rabble of misguided toughs and naive misfits who are being led around by a small coterie of dedicated campus Reds bent, as Dr. Hannah observes, not on the improvement of our society, "but on confusion, disruption, destruction and chaos." The very impracticability of many of their demands shows their true purpose, which is destruction of the university system through hell-raising and commotion.

Only a handful, of course, is speaking. The overwhelming majority of college students would like to get an education. But the handful has demonstrated its horsepower and in many cases the faculties, in the name of academic freedom, are abdicating their responsibilities and, in a real sense, selling out their own futures.

President Hannah is saying that the time has come for faculty, administrations, trustees and regents to decide whether to give battle or surrender. Giving battle will mean the prompt calling of police when classes are interferred with and the free movement of students is blocked. It will mean the prompt dismissal not merely of the ringleaders, but of all who actively participate in riotous efforts to seize control.

University authorities can't win the battle alone. The press, the courts and the general public will have to make it plain—and there are indications they are ready—that the right to teach school overrides any right to wreck a school. Using muscles instead of minds to express dissent has no place in a democratic society.

The way to run a university is to run it, first, and improve it, second. The student activists must understand that the right to attend a university is a privilege. Those who abuse that privilege by striking at the freedom of the university have no just cause for complaint if their misconduct leads to expulsion from the community whose rules they refuse to accept.

BIAFRA

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. LUKENS. Mr. Speaker, it is with a great deal of pride that I was able to visit first the secessionist Republic of Biafra and the Federal Republic of Nigeria. However, this visit filled me with dismay at the future of these two peoples as they struggle to find a means of mutual existence. There are many facts that complicate the Nigerian-Biafran situation. Let me make it clear that I am interested in political, military, and economic neutrality by the United States in this conflict. However, I am deeply disturbed by the feeling that our country has not done enough to aid the starving Biafrans nor to facilitate relief for either side. I do not endorse the proposal of secession for Biafra. I do, however, share the conviction that there is a future for both these peoples and governments living in unity and peace in the future. Although I support the conception of a unified Nigeria, I will not support it now in view of this unity being achieved at the cost of 10 million dead Biafrans.

Starting from this premise then, there must be something that our country can do. I would like at this time to submit eight proposals which I have endorsed on my return from Biafra. My companion for this trip was Fulton Lewis, the well-known news commentator for the Mutual Broadcasting Co. Mr. Lewis has endorsed these proposals and is similarly inclined and active in Biafran relief efforts in the United States.

I, therefore, submit these proposals as a guideline and a source of information for my colleagues.

First. The United States must immediately utilize all of its diplomatic and economic resources for the purpose of bringing about a cease-fire between the Nigerian and Biafran forces. The situation is even worse than has been reported. More than a million Biafrans, mostly women and children, lie dead as a result of 19 months of warfare and millions more face a certain and horrible prospect of death by starvation in the future unless something is done to achieve an end to the fighting and a dramatic increase in relief efforts.

Second. The United States should sponsor the construction of a new airfield inside Biafra which would be operated by neutral international authorities and would be used only for humanitarian purposes. The Biafrans can continue operating the existing Uli airfield at their own risk for whatever purposes they wish, but the new facilities would enable international relief organizations to initiate the daytime mercy flights which will be essential if the current rate of death by starvation is to be curtailed. Present night operations at Uli satisfy only 10 percent of the need for food and medical supplies. In addition, the United States should also take the lead in trying to negotiate the establishment of a demilitarized land route from Port Harcourt to Umuahia and a river passage using channels of the Niger River. Both of these would be used only for humanitarian purpose.

Third. The United States should accelerate sharply its role in the international relief operations and that role should be more realistically geared to the needs of the suffering. At present, 90 percent of the U.S. Government-sponsored relief shipments are sent to Nigerian-held territory where 10 percent of the need exists. Only 10 percent of our shipments reach Biafra where the 90 percent of the need exists. In addition, some 13,000 tons of U.S.-purchased food continues to sit and rot on the docks in Lagos while millions go hungry only a few hundred miles away.

Fourth. The United States should take immediate steps to insure its military neutrality in the Nigerian-Biafran conflict and should insist that neither side use U.S.-made weapons of war. The Nigerians, in particular have used 105-mm. howitzers and 106-mm. recoilless rifles given to them by the U.S. Government prior to—and according to Biafran spokesmen during—the current conflict.

Fifth. Likewise, the United States should adopt a policy of diplomatic neutrality, giving neither side in this war a favored diplomatic status. If present diplomatic contacts are maintained with Nigeria, similar contacts should be opened with the Government of Biafra.

Sixth. The House and Senate Foreign Affairs Committees should immediately appoint a special subcommittee to conduct an on-site inspection of the situation in both Nigeria and Biafra.

Seventh. The Nixon administration should conduct a sharp reappraisal of attitude and policy regarding the situation in western Africa with a view toward adopting a new program which will be in the best interests of our own country, of Africa, and of the people of both Nigeria and Biafra. Such a policy should be consistent with our own professed devotion to the doctrines of justice and the rights of peoples to self-determination. U.S. policy for the entire African continent must be conceived and written in Washington, and not in London. British interests are not always consistent with our own.

Eighth. The Nixon administration

should streamline existing State Department machinery so that when the decision is made to dispatch U.S. relief assistance, these shipments will reach their destination with all possible speed and efficiency. A "relief coordinator" should be responsible for stimulating private relief efforts and for coordinating these with Federal Government relief programs. He would also have the task of working to overcome diplomatic obstacles which frequently delay or divert relief shipments.

Mr. Speaker, it is obvious that the conscience of the American people is growing increasingly outraged over the tragic war between Nigeria and Biafra. As Richard Nixon stated on September 10, 1968:

> The terrible tragedy of the people of Biafra has now assumed catastrophic dimensions. . . . This is not the time to stand on ceremony or to "go through channels" or to observe the diplomatic niceties. The destruction of an entire people is an immoral objective, even in the most moral of wars. It can never be justified; it can never be condoned.

It is a source of great encouragement to me that so many Americans from every part of the Nation, representing every phase of the political spectrum, of every race and religion, the young and the old alike, have joined together to achieve an end to the horrendous suffering which this war has caused. The Vietnam war issue has divided our people. The Nigerian-Biafra war issue has cemented them together into a harmonious chorus which is crying for its leadership to get off the sidelines. On this question, Americans are most definitely marching "forward together."

It is my hope that this "sense of the Congress" resolution that I have introduced—the need for an immediate cease-fire—will get the support it deserves, and the action it demands.

In addition I am including some quotations from Mr. Lewis' weekly newsletter Exclusive which I feel are of major influence as his opinion is respected throughout the United States and in many parts of the world:

[From Exclusive, Dec. 20, 1968]

UMUAHIA, BIAFRA.—"*We are Biafrans, fighting for our freedom!* By the name of Jesus, we shall conquer!" Those are the words of the most popular battle song in this besieged part of the world known as Biafra, and those two sentences express very vividly the strong sentiments of the more than twelve million people who live here.

With the conviction of a *Patrick Henry* and the courage of a *Moshe Dayan*, Biafra has voluntarily proceeded to take on what sometimes must seem like the entire outside world in her struggle to preserve the economic and political independence declared May 30, 1967. With no air force and no navy, and with an army which consisted of only several thousand untrained and inexperienced soldiers—armed with a grand total of 125 rifles—Biafra went to war nearly eighteen months ago against an enemy, the Nigerian Federal government, which boasted an infantry of 50,000, supplied and supported actively by at least two major world powers—Great Britain and the Soviet Union.

Through unexcelled courage and determination, the Biafran forces have defied predictions by international military "experts" who said they would be crushed by the Nigerians in just 48 hours. After a year and a half, the secessionist eastern region of Nigeria continues to exist and may, indeed, be on the verge of scoring some dramatic military victories of its own which could turn the tide of this war.

It is impossible to spend any time at all here without being extremely impressed by the Biafran people. I have had the pleasure of meeting and talking to hundreds of them during the past few days ranging from Lt. Colonel *C. Odumegwu Ojukwu*, the head of state, to a vast array of his military and civil leaders, to civilians in the market place and in the villages throughout the Biafran stronghold. Without exception, they are agreed on a number of points:

(1) Biafra's cause, they say, is a just one. The citizens of this "nation" feel that they have been denied their God-given human rights of life, liberty and the pursuit of happiness by the Nigerian Federal government. As a minority in the Federal setup, they believe they were exploited and persecuted during seven years of Nigerian independence from the British Crown, and now the Biafrans insist that they be allowed to create their own independent country—the Republic of Biafra.

(2) This, Biafrans say, is a war of survival and there is no hope of reunification or even reconciliation with the Nigerian Federal government which, they earnestly believe, is bent on a course of action which can only be defined as genocide. As a number of persons here have expressed it, "If we lose or surrender in our battle, we will be slaughtered. Thus we have no choice but to fight on to the last man, woman or child."

The cost of this war for Biafra has been great. Estimates of starvation are debated even here and there is no way of determining what the actual daily death toll is, but Red Cross officials and others charged with the responsibility of trying to alleviate the hunger in Biafra are agreed that the picture has improved somewhat during the past two months as more relief flights have arrived at Uli airport. Even so, they add, there are a minimum of 5,000 Biafrans—mostly women and children—dying each day through malnutrition (lack of adequate protein or carbohydrate in their diets) or through outright starvation, and this situation is destined to get much worse in the first months of 1969. The basic staples in the daily meal here are the yam and the cassava. The latter is in abundant supply since it can be easily rooted each year from the stalks of the previous year's crop. The cassava, however, has a protein content of only 2%. The yam, which has twice as much protein content, must be planted annually from seeds conserved from some of the previous year's harvest, and these seeds are not available since virtually all of the 1968 crop has been consumed.

In short, the present daily death rate is expected to double or perhaps triple in January and February. The real crisis of Biafra lies ahead.

The Biafran charge of "genocide" is based on several things. In the first place, the citizens here remember the pogroms of July-August and September-October, 1966, when Biafrans were forcibly ejected from Northern Nigeria. An estimated 30,000 Biafrans, mostly members of the Ibo tribe, were murdered as they tried to flee back into the Eastern region. A Time magazine correspondent gave this eyewitness account of one incident in which several hundred Ibos were killed:

"The massacre began at the airport near the Fifth Battalion's home city of Kano. A Lagos-bound jet had just arrived from London, and as the Kano passengers were escorted into the customs shed, a wild-eyed soldier stormed in, brandishing a rifle and demanding, 'Ine Nyamiri'—which is Hausa (a predominately Muslim tribe of Northern Nigeria) for 'Where are the damned Ibos?' There were Ibos among the customs officers, and they dropped their chalk and fled, only to be shot down in the main terminal by other soldiers. Screaming the blood curses of a Moslem holy war, the Hausa troops turned the airport into a shambles, bayoneting Ibo workers in the bar, gunning them down in the corridors, and hauling Ibo passengers off the plane to be lined up and shot.

"From the airport the troops fanned out through downtown Kano, hunting down Ibos in bars, hotels, and on the streets. One contingent drove their Land-rovers to the railroad station where more than 100 Ibos were waiting for a train, and cut them down with automatic weapon fire.

"The soldiers did not have to do all the killing. They were soon joined by thousands of Hausa civilians, who rampaged through the city, armed with stones, cutlasses, machetes, and homemade weapons of metal and broken glass.

"All night long and into the morning the massacre went on. Then tired but fulfilled, the Hausas drifted back to their homes and barracks to get some breakfast and sleep. Municipal garbage trucks were sent out to collect the dead and dump them into mass graves outside the city. The death toll will never be known, but it was at least 1,000."

Such accounts were repeated by eyewitnesses of other massacres. Those Ibos who were fortunate enough to make it back safely to the Eastern or Biafran region—some beaten and burned almost to the point of death—related tales of horror and these have been deeply imbedded in the memory of all surviving Biafrans. They are convinced that Nigerian forces, if successful in their present war effort, will not stop until they exterminate all of the Ibos' population of eight million and the six million other tribesmen who have chosen to associate themselves with the Biafran cause.

If the 1966 pogroms have not convinced Biafrans of the Nigerian "genocide" campaign, recent developments here have.

The Nigerian military effort has been directed primarily against the civilian population, and I can give personal testimony along these lines. At noon on Friday, December 13th, I sat in the office of Biafra's Chief Justice, Sir *Louis Mbanefo*, conducting a taped interview. In the midst of our conversation, there were a series of blasts just outside the window. A Nigerian air attack by two MIG and two Ilyushin 28 bombers (all Soviet supplied) was underway and the rockets and bombs rained down for approximately fifteen minutes. Chief Justice Mbanefo and I continued our interview crouched under his desk and later went outside the building to survey the damage. Less than 100 yards away from the Hall of Justice is a Methodist clinic for underprivileged children; inside, two young boys and a girl lay dead on the floor, victims of the attack. In the market place less than a block away, at least twenty other civilians were killed and scores injured. Across the street, at the Queen Elizabeth Hospital (which has two red crosses painted on the roof), several rockets had killed three nurses and one patient and had injured dozens more. There is no target which in any sense could be considered "military" within five miles of the city of Umuahia.

On Saturday, the following day, I was conducting another interview with General Phillip Efiong, Biafra's Chief of General Staff and the commander of this nation's military forces, while en route to a training center eight miles outside of Umuahia. Another air attack by two MIG's and two Ilyushin 28's forced us to abandon our cars and dive in a roadside ditch. Again, the rockets and bombs were dropped in Umuahia, although as the jets passed overhead at no more than 5,000 feet altitude they would occasionally sprinkle rockets in some of the city's outlying sections. Surveying the damage later, we found that the struck areas were again civilian markets and housing areas. The Red Cross headquarters at the Queen Elizabeth Hospital was hit, as was, ironically a prisoner of war camp. Fourteen Nigerian POW's suffered wounds.

The total casualties in just two days of air attacks were 67 dead, and more than 400 wounded—excluding the prisoners of war, all casualties were civilians.

The Nigerian commander, General Gowon, has stated that his pilots are under orders to strike only military targets but it was very obvious from the raids staged while I was in Umuahia that the attacks did not even come close to hitting areas which have any military significance or importance. Such attacks, therefore, have only reconfirmed Biafran suspicions that the Nigerians are intent upon slaughtering the people of this region including innocent men, women and children—that they are, in short, intent upon committing "genocide."

At least fourteen hospitals throughout Biafra have been either destroyed or attacked, as have dozens of churches and feeding centers. Nigerian air attacks continue to threaten the life-giving airlift of food and medical supplies into Uli, an airlift which is conducted at night under maximum security to avoid the rocket and bombing raids.

The net effect of Nigeria's air campaign has been to make the Biafrans more determined than ever to fight for their survival; thus lessening any hopes for a peaceful settlement of this conflict.

(3) The Biafrans are unanimously convinced that they will be victorious in their uphill battle to preserve their independence. Their unusually high morale, they believe, is their most potent weapon. As they have held on far beyond the predictions of the enemy commanders, they feel that they have created dissension in the ranks of the "aggressors." Nigerian-held cities like Owerri and Enugu are slowly being surrounded and cut off by Biafran guerrilla forces, according to military commanders here, and these will soon be recaptured. Once the tide of the war is turned in Biafra's favor, it is reasoned, the Nigerian troops will retreat in a state of disarray and Biafran leaders are also encouraged by reports of an increasing desertion rate in the enemy army.

Although some of this talk is certainly exaggerated optimism, the Biafrans do have grounds for hope. A team of expert scientists, many of whom have only recently come "home to Biafra" from all over the industrialized world, are working day and night to develop some sophisticated, home-made weapons which will help reduce the odds which are now heavily on the Nigerian side. Grenades, copied after captured Soviet-design Nigerian models, are being mass-produced here already and surface-to-air missiles—heat seeking devices which are fired from something which resembles a stove pipe—have just been introduced in the Biafran defense arsenal. Official reports here claim that one such missile knocked out one of the attacking Ilyushin 28 bombers in last Saturday's attack. Although the plane went down behind enemy lines (and this fact has been confirmed by Nigerian spokesmen although they say only that it "crashed" from undisclosed causes) "guerrilla Biafra forces" identified the jet as bearing the serial number "BJ 10002" and named a Nigerian casualty as "Captain Salami." The three other persons aboard, all killed in the crash, were identified only as "one Russian and two British officers."

The Biafran leaders are now convinced that time will be on their side. They view the next month as being the "critical" period and if their war effort can survive this, they will be on the road to victory.

[From Exclusive, Jan. 10, 1969]

WASHINGTON, D.C.—"*We are willing to pay any price, but tell me:* How much more do we have to suffer? How many more of us will have to die? How much more hell are we expected to endure before we, too, achieve our rights to life, liberty and the pursuit of happiness?"

With this, a Biafran mother in a refugee camp some fifteen miles from Umuahia sat back down on the ground in front of a kindling fire and returned to her daily task of fraying shredded cassava which would then be mixed with water into a mashed potato-like consistency and fed to the camp's 400 children. Africans, for some reason, rarely cry but her eyes were moist and she was obviously a little embarrassed over having been a little too outspoken to the two visiting American guests, Ohio Republican Congressman *Donald Lukens* and me. Later, it was explained to us that this woman had lost her husband in the battle of Enugu. Two of her children had died, one from bullet wounds and the other from starvation—during the long trip back into the Biafran heartland through "enemy" Nigerian lines. One of the two remaining children had died from lack of proper nourishment at the refugee camp. Her last child, a 10-month old son, I was told, is "very sick" which, in Biafran language, means that his chances of survival are virtually non-existent.

This Biafran mother has suffered more than most, but, significantly, she has not slackened or become discouraged insofar as Biafra's struggle for independence is concerned. She asked only how much more she and her fellow countrymen will have to endure before they earn peace and freedom.

Of all my many experiences in Biafra, this brief conversation will be the most difficult to forget. This woman's words typified the attitude of every Biafran I met and they represented the qualities which make the Biafran Africa's most outstanding native product: courage, determination, endurance, faith and confidence.

Biafrans make no secret of the fact that they are disappointed in the United States stand on the 19-month-long war in western Africa. Aware of the fact that the U.S. has sacrificed tens of thousands of American lives fighting for the right of self-determination for the peoples of South Korea and South Vietnam, in conflicts which have been labeled by some as "civil wars," the Biafran questions what makes his cause different.

The analogy between Biafra's situation and that in South Korea and South Vietnam is a valid one. In each case, a formerly united territory (Nigeria, Korea and Vietnam) has been divided into two parts—the people, in one, claiming their right to independence and self-determination, while the leaders of the other initiated military action to force reunification under their domination. In the instances of Vietnam and Korea, the United States was a principal sponsor of territorial division and went so far as to militarily support the sectors which were fighting for independence and the right of self-determination. In these two struggles, American troops were aligned on the side which was combating communist forces.

In the war between Nigeria and Biafra, the United States has adopted a completely opposite policy. It has diplomatically supported Nigeria's demands for reunification, and has thus endorsed the philosophy that the people of Biafra shall not be entitled to their political independence and their right to self-determination. In this conflict, the United States has aligned itself with Moscow's communist rulers who have been the principal contributors to the Nigerian war effort.

State Department officials here offer a weak argument in support of this apparent hypocrisy. To become involved in the struggle in western Africa, they say, would be the beginning of a new Vietnam-like military confrontation between the United States and the Soviet Union. In addition, to take a pro-Biafran stand in this war would be offensive to our allies in Great Britain (who are also supporting Nigeria). For these reasons, our diplomats explain, "The United States is necessarily locked into a position of non-involvement and non-intervention."

From the Biafran point of view, the policy of the United States has been anything but neutral in this conflict. Biafran forces have captured numerous American-made weapons which somehow had made their way into Nigerian hands, including powerful 105 mm. howitzers and 106 mm. recoilless rifles. The Biafrans also feel that they were sabotaged by an American citizen—a bizarre story which was published in the November 22, 1968 issue of "The Leopard," the weekly newspaper of the Biafran armed forces:

"About twelve weeks ago, the enemy entered Aba. Two weeks later, they sneaked into Owerri. Almost at the same time the vandals wangled their way into Okigwi town.

"Few of us knew why the Nigerian vandals moved so fast. The world now knows what happened.

"What really happened? What made the vandals achieve those temporary victories? The answer is British and American treachery!

". . . They got the man who had made millions of dollars from Biafra. His name is *Hank Wharton*—the man who was under contract to fly in the arms we had paid for to supplement our locally made ones. Their agreement with Wharton was that whenever the Nigerians planned a big offensive, Wharton should not fly in vitally needed arms and ammunition into Biafra.

"That was why our gallant forces were issued only five bullets each to defend Aba and Owerri and Okigwi."

Those sharp words printed in "The Leopard" are not exaggerated as they may appear to be. A highly respected and authoritative British magazine that specializes in intelligence and espionage stories—"Private Eye"—wrote in its issue of October 25, 1968:

"The one vital thing Biafra lacked was an outside base from which to fly in arms and other essential materials. The only country willing to give such facilities was Portugal. This decision placed the Biafrans in the hands of the international arms dealer *Pierre Lorez,* a Frenchman with considerable influence in Portuguese government circles. Lorez provided Biafra with Mauser pattern Czech rifles using 7.92 mm. ammunition, a calibre exclusive to that rifle. Biafra had in the meantime tied up with *Hank Wharton,* an American, who organized the airlift into Biafra.

"The then Commonwealth Relations Office, through the British Embassy in Lisbon, had been lobbying persistently to try and persuade the Portuguese to stop helping Biafra but they failed. At the same time, together with representatives of the Nigerian government, the Commonwealth Office tried to bribe Wharton's pilots to hijack planes and land them in Lagos (the capital of Nigeria). They were comparatively unsuccessful in this until August 1968 when they finally succeeded in persuading Wharton to change his loyalties to their side.

"At this time some 15,000 Nigerian troops were attacking Aba and 1,000 Biafran commandos had five rounds of ammunition per man per day to hold their advance. Meanwhile, two million rounds of ammunition were awaiting air shipment in Sao Tome, the Portuguese island south of Biafra. Hank Wharton made several excuses for non-delivery, among them bad weather, flat tires and lack of spares. The Biafrans were finally informed that one of Wharton's aircraft had 'lost' two engines and had been forced to dump eleven tons of vitally needed ammunition in the sea. During last August and early September (for a period of three weeks) the Biafrans received no arms or ammunition at all."

It was during that time that the Biafran forces were pushed back and the Nigerians took three major cities: Aba, Owerri and

Okigwi. Later in September, the Biafran government completely reorganized its plan for importing arms and ammunition. It established a new airlink using new pilots, new aircraft and new spares. This one is being manned by mercenaries from the Scandinavian countries who use Libreville, Gabon as their principal base. More recently, the Biafran forces have been able to launch new offensives. They predict that within the next few weeks they will retake Owerri and Okigwi. If that prediction comes true, these Biafran victories would probably cripple the morale of the Nigerian forces and could turn the tide of this war against Nigeria for the first time.

It is doubtful that Hank Wharton sabotaged the Biafran war effort as part of a pro-Nigerian plot hatched by the State Department or the CIA, but he is nevertheless an American citizen and thus, his actions were understandably interpreted by the Biafrans as being representative of, or at the least condoned by, the United States government. The Hank Wharton incident, coupled with the declared State Department policy of diplomatic support of Nigeria, coupled with the fact that Nigerian forces have blasted away at Biafran troops with American-made weapons—all of this has created an impression in Biafra that the United States is anything but neutral in this conflict. The Johnson Administration has been callously negligent of its responsibility to ensure our neutrality and this fact may indeed be no accident. The man who is in charge of writing U.S. policy for Africa, *Joseph Palmer*, is admittedly pro-Nigeria. He served as the U.S. Ambassador to Lagos before being promoted by LBJ to the position of Undersecretary of State for African Affairs. And there are recurrent and disturbing reports here that the Nixon Administration intends to retain Palmer in his present post after January 20th, which would mean a continuation of the bankrupt American policies toward Africa not just insofar as the Nigerian-Biafran conflict is concerned but as they also apply to: the Rhodesian issue; the white governments in South Africa, Southwest Africa, Mozambique, and Angola; a series of other complex problems involving the black-controlled nations on the African continent—problems which will lead to many future wars in that part of the world if they are not resolved soon.

State Department spokesmen rationalize that if Biafra is allowed to divide Nigeria, it will result in a series of independence movements which will destroy the unity of nearly every other nation on the African continent. There are two answers to that speculation. First, would that necessarily be bad in view of the fact that no African nation today—even those which are united—is a model of political or economic stability. None has fulfilled the State Department's dream of "the newly-emerging democracy." The second answer was told to me by Biafran Chief of State, Col. *Odumegwu Ojukwu:* "Just because you legalize divorce, it doesn't mean that everyone is going to rush out to get one." That is certainly true. The only areas which would pursue their independence would be those which feel that they cannot endure or prosper under their present, oppressive situation and, according to the American philosophy at least, these people have a God-given right to pursue their freedom.

Lastly, it will be necessary for the State Department to distinguish between 'involvement" and "intervention." It is true that the United States cannot spread itself thinly and risk its own national security by intervening in all of the world's disputes as an international policeman. Nobody has suggested this in the case of Biafra. It would be equally dangerous, in this small world of today, however, to ignore conflict like the one in western Africa because there, as in the Middle East and in Southeast Asia, the communists are pursuing a policy of colonization which is part of their overall plan of world conquest. At long last, we have learned of the necessity to become "involved" in the Middle East crisis. We have shipped arms to the Israelis to counterract the massive Soviet military subsidy of the Arab nations. In the Middle East, we have also learned the art of "involvement" without the kind of "intervention" which has cost us the lives of 80,000 American boys in Vietnam and Korea. If the Soviet drive in western Africa is to be stopped, if Moscow is to be denied control of that area's rich oil deposits which are essential to the security of the NATO nations, and if the Soviet Union is to be blocked in its campaign to acquire a seaport on the Atlantic Ocean (Lagos), it will require a considerable amount of U.S. "involvement" in the Nigerian-Biafran struggle. Such "involvement" now will preclude the necessity of "intervention" later.

THE IMPORTANCE OF CONSERVATION

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. CONTE. Mr. Speaker, one of my constituents, Wescott E. S. Moulton, of Williston Academy, Easthampton, discussed the importance of conservation and the very serious problems our industrial society has created for our natural environment. Because of the importance of this subject, I place this speech in the RECORD:

WILLISTON ACADEMY CHAPEL,
February 1, 1969.

My text this morning is taken from various parts of the Bible.

Genesis, Chapter 1, Verse 1: "In the beginning God created the heaven and the earth." 115th Psalm, Verse 16: "The heaven, even the heavens, are the Lord's: but the earth hath he given to the children of men."

In September 1870, on the banks of the Yellowstone River in Wyoming, an exploring party of 19 men sat around their campfire discussing what should be done with this unbelievable country they had been traveling through. Some wanted to stake personal claims for their own advantage, but Cornelius Hodges, a judge in Montana Territory, proposed the idea that Yellowstone's unique natural, spectacular beauty *not* be owned by a few individuals. He said, "I feel it should be a national park."

Thus a wonderful new concept was given its birth. The other men present on that historic night were persuaded and each promised to urge the proposal as vigorously as they could. These men kept their word and such was their prominence, their energy, and their followthrough that Congress two years later, in 1872, established Yellowstone as the first national park in the world.

The idea grew and prospered—You know their names: Sequoia (1890), Yosemite (1890), Crater Lake (1902), Grand Canyon (1919), The Everglades (1947), and many others all over the country even in Alaska and Hawaii.

If ever you have camped and visited such places as the Petrified Forest, White Mountain National Park, hiked the Appalachian Trail (from Maine to Georgia) and other such wonderful nature centers, you have a first-hand idea of how much these parks mean to you and will mean to your children.

If you have been to them recently you know how overcrowded they are.

The danger and the urgency are great. As those men planned way back in 1870, on the banks of the Yellowstone, we not only should protect these parks, we must explore new possibilities for the millions of Americans yet unborn.

I return to the Bible:

Psalm 104, Verse 24: "O Lord, how manifold Thy works: In wisdom hast Thou made all: The earth is full of Thy riches.

And Ecclesiastes, Chapter 1, Verse 4: "One generation passeth away, and another generation cometh: But the earth abideth for ever."

But does it? Listen to these words.

The speed in which our world is being altered is incredible.

Forests are taken down, hillsides eroded and bulldozed. Waters filled in, and air and water polluted.

The hidden danger, the mistaken assumption is that Man is the Master of Nature.

If we so alter our environment eradicate that so it of ingredients we need for life, then we will surely pass the way of other life forms that have become extinct.

Man needs oxygen to live.

It wasn't until green plants and certain ocean plankton had evolved that the natural process was begun by which oxygen is maintained in the atmosphere. This life-giving process is called photosynthesis.

In the United States alone, oxygen-producing greenery is being paved over at a rate of one million acres per year.

The oceans have become the dumping ground for as many as a half million substances, few of which are tested to see if the plankton we need can survive them.

New factories, new automobiles, new homes, and new jet airplanes have incredibly increased the rate at which combustion takes place which results in oxygen being used and replaced in our atmosphere by carbon dioxide and carbon monoxide.

When and if we reach the point where the rate of combustion exceeds the rate of photosynthesis, the oxygen content of the atmosphere will decrease. Indeed there is evidence that it may already have begun to decline around our largest cities.

U.S. and Russian meteorologists agree that air pollution is already causing colder winters.

Recently, deposits of D.D.T. have been found in human beings all over the world. Its extreme danger is that its residue lasts longer and is more deadly than scientists had previously held.

The evidence has become overwhelming that effective pesticides of much lower general toxicity are now available and that the use of D.D.T. should be outlawed.

No one in the world knows, when we aim at a particular pest, which other organism may be eliminated by a ricochet.

If some pesticide, herbicide or defoliant should by inadvertence kill too many of the nitrogen-living organisms—those organisms that enable living things to make use of the nitrogen in the atmosphere—then life on Earth could end.

It is that simple. It is that dependent. It is that fragile.

What can you as an individual do about all this?

You can write your Congressmen. The most effective way to present your view and concern is to write your Senators and Congressmen in your own words by personal letter.

A couple of weeks ago, our teacher, The Reverend Douglas L. Graham, because he was concerned about the nomination of Alaskan Governor Walter J. Hickel to be Secretary of the Interior, wrote to Massachusetts Senator Edward W. Brooke about his concern.

Mr. Graham received a four-page letter in reply.

You, too, can make known your ideas and each one will be counted.

Ecclesiastes, Chapter 5, Verse 9: "Moreover the profit of the earth is for all: The King himself is served by the field."

Here is one urgent example where you can test your importance, influence, and follow-through.

The Everglades National Park in Florida was established in 1947. Now it is facing extinction. Here is 1½ million acres of the largest sub-tropical wilderness in the U.S., with a tremendous variety of plant, animal and bird life.

The Everglades needs water if it is not to become a dump.

It took thousands of years to create the Everglades. Now men have the ability, the machines, and the will to destroy it quickly.

The draining of land for buildings and now the proposed new Jetport in Florida could kill this wonderful recreation area.

The Lord gave us this world, but what we do with it is up to us.

If the Bible teaches us anything, it points the way to keep ourselves and our world livable.

Let us pray—

Oh Lord, give us the wisdom to plan for the future.

Give us the will, the courage and the follow-through to make our constructive ideas known to the leaders of our country.

And help us to preserve your world and ours.

In Thy Name we ask it—Amen.

THE GREATER SIGNIFICANCE OF THE "PUEBLO" CASE

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. WYMAN. Mr. Speaker, the awesome scope of the problems involved in the *Pueblo* case is sharply presented by Herbert W. Armstrong writing in "The Plain Truth Issue" of January 1969. I commend the reading of this article to the thoughtful review of Members of Congress and others who are deeply concerned to assure nonrepetition of such disastrous incidents in the future:

WHAT PRICE HONOR?

(By Herbert W. Armstrong)

Of course we all rejoice that the crewmen of the U.S.S. *Pueblo* are back home safe—even if not as sound as they might have been had they not been subjected to almost unbelievable beatings and inhuman torture.

But many are overlooking the other side of the coin. I'm not a military man. I personally do place the value of human life far ahead of the value of matériel, ships, and military equipment. I did not vote to make the United States a military power. But it is a military power—in a world of military powers. And as such it must conduct itself as military powers are conducted—or lose face, lose honor—and, in the end, lose all freedom!

And this poses some serious questions:

To what depths of disgrace is the most powerful nation in the world willing to stoop? The United States stood disgraced before the world when it allowed the U.S.S. *Pueblo* to be captured, or to be in such position that it could be taken.

WHAT SHOULD HAVE BEEN DONE

To maintain honor and prestige in the world the U.S. Navy should have: (1) either protected the *Pueblo* so that it could not have been taken, or (2) sent superior naval forces immediately after it and taken it back at any cost—even to obliterating all North Korean naval forces. This nation had the power to do it. But that power is not worth much when held in disrespect and contempt by even little nations.

The manner of release of the *Pueblo* crewmen after 11 months of torture and inhuman treatment was one of the most disgraceful and bizarre diplomatic episodes in the history of international affairs. Orientals would die before they would lose face.

If they knew the truth, no nation need ever go to war. But they do not know. And they do go to war. If America is going to be part of such a world, participating in its ways and its wars, it cannot continue to endure as a free country if it is willing to cringe and crawl before little pip-squeek nations like North Korea. Do we not suppose North Vietnam, the Kremlin, and the Chinese Communists are watching and now are laughing contemptuously at us?

Yet big, powerful United States, with the mightiest military power any nation ever had, has lost all pride in that power. It signed a document drafted by North Korea meekly apologizing for offenses it says emphatically it did not commit. It is like signing an unconditional surrender to a conqueror in time of war. The very fact that the United States repudiated the contents of the document, branding its statements as lies before signing, dishonors this nation the more.

If this nation has so little honor left that it publicly confesses to signing officially to a lie, it brands itself as a liar! Military men enlist, or are drafted, as men risking their lives for the honor and freedom of their country. When the United States did have honor, it often lost a hundred times as many men to win a single battle. Military men have taught that human lives in certain instances are more expendable than military equipment or ships. Repeatedly in past wars that policy has been acted on.

But now the weak excuse is that they saved the lives of the men. The men who were not required to sacrifice their lives, are home. But the ship is not. The North Koreans still have it.

Had Theodore Roosevelt been President, the ship would have been rescued immediately after capture. Authorities today protest that to have gone in after the ship would have cost the crewmen their lives. *Of course* we don't want to sacrifice those lives! But when a U.S. Naval ship was attacked and captured by an enemy naval force, that was an act of war. And right or wrong, this nation has adopted the means of war—or maintaining and using military force—to protect its honor, its freedom, and its sovereignty as a free nation. And to accept military defeat, when attacked in an act of war, on the excuse that we were saving the lives of our military men, is to surrender in battle rather than fight and risk the lives of soldiers or sailors. To carry that policy out to its ultimate conclusion, in repeated surrenders, is to lose not only honor, but ultimately all freedom.

UPHOLDING NATIONAL HONOR

In previous wars, the United States has sacrificed hundreds of thousands of lives in uniform—for what purpose? Why, officials would answer, to protect the Nation's honor, and its freedom! No military nation can operate a military force, by accepting defeat in an enemy attack, on the excuse we wanted to save the lives of men who had offered those lives to protect our honor and our freedom!

The United States military saved those lives. We are glad they are home. But at what cost? First, they are home in obvious mental and moral exhaustion. They report having suffered inhuman tortures and beatings, prolonged isolation, attempts at brainwashing. But how many more lives will yet be lost in future battles because enemies will now be emboldened by this display of weakness to anticipate easy victories over a United States that is afraid to fight?

Those lives were put on the block when those men donned their uniforms. If men sacrifice their lives for the honor and freedom of their country, then, even at cost of their lives—the way things are done in this world—the nation's honor should have been upheld before the world. It should have been an example that shouted to the world: "Don't tread even lightly on U.S. honor—because any nation who dares to do so will suffer the consequences." Then we should have been respected.

I have mentioned before how I was standing not more than six feet from former President Theodore Roosevelt, during President Wilson's campaign for a second term in early autumn of 1916. President Wilson was running for re-election on the campaign slogan: "He kept us out of war."

Mr. Roosevelt repeated the slogan contemptuously. Mr. Wilson had been sending the Kaiser note after note, protesting the sinking of United States ships by German submarines.

"I was President for seven-and-a-half years," said Mr. Roosevelt. "And if I were President now, I would send the Kaiser just one note—and he would *know* that *I meant it!* I did send the Kaiser a note when I was President. A German battleship was steaming toward Manila Bay to take the Philippines, then a United States possession. I sent a note to the Kaiser demanding that he turn his battleship back immediately! The Kaiser did not act. Immediately I sent a second note. But I did not send the second note to the Kaiser. I sent it to Admiral Dewey, in command of the U.S. Pacific fleet. My note ordered Dewey to steam full speed upon the German battleship, fire once over her, and order her to turn back. 'And if she does not turn back, sink her!' my note said. The Kaiser learned that I meant it!"

Yes, the United States had PRIDE in its power then. Today we have multiple times that power, but we are afraid to use it.

Not only did this country lose face the world around by this incident, that disgraceful release was made to look like a heroic act. What a travesty on honor!

Of course we are glad these men are back and alive. We would also like to have thousands of others back alive who died in battle to protect their country's honor and its freedom.

Many, many centuries ago, the God of our fathers promised unconditionally to Abraham the overwhelming national greatness, wealth and power that has come to the United States and Britain. In Moses' day it was promised to the children of Israel of that day—*IF* they would be ruled by His laws and statutes. Otherwise, penalties would follow naturally for disobedience, and this great promise would be held back for a duration of 2,520 years. That 2,520 years came to its end in 1800–1803. Since the promise to Abraham had been unconditional, God was bound, and such vast national wealth and greatness as no nations had ever enjoyed came quickly—first to the British, then to America.

But if we disobey God's right laws and reject Him, once He has kept His promise by bestowing on us that promise, He foretold multiplied national punishments, and a complete FALL of our nations. Britain already has been reduced to a third-rate world power. Among the punishments was this: "And I will break the pride of your power" (Lev. 26:19).

This nation has rejected God in its schools and institutions of learning. Science has rejected God (though some scientists as individuals still profess Him), and set itself up as the Messiah to lead us out of our troubles. Our morals have hit a toboggan slide. Our homes and family life are breaking down. Our juveniles are delinquent. A tenth of us are mental cases. We are rapidly becoming a nation with crime running rampant. Our people are taking to stimulants, depressants, drugs, narcotics, in alarming proportions. Respect for law and order is breaking down—and, though we don't seem to know it, our Nation is breaking down!

And here is another example: God has kept His word—He has broken the pride of our power!

HUNGER IN AMERICA

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. TIERNAN. Mr. Speaker, following is the fourth installment of the current series of "Hunger in America" which is running in the New York Times:

HUNGER IN AMERICA: MEXICANS AND INDIANS ITS STOICAL VICTIMS

(By Homer Bigart)

SAN ANTONIO, TEX.—Tacked on the wall of the inner City Apostolate were four new slips from hungry Mexican-American families for food.

The Rev. Ralph H. Ruiz, who runs the mission for the Roman Catholic Archdiocese of San Antonio, glanced at the slips and exclaimed angrily: "The whole welfare system in Texas stinks."

The mission is on the fringe of Alazan-Apache Courts, the city's oldest public housing project, where some 6,000 Mexican-Americans live in wretched poverty and frequent hunger. Of all the nation's ethnic groups—white, black, brown or red—the "Mexicanos" are suspected by nutritionists of being most vulnerable to hunger.

For although there are nearly five million of them scattered through the Southwest, the Mexican-Americans have generally been undemonstrative about their misery, complaining so seldom of empty stomachs that the "Anglos" (the non-Mexican whites) give them scant attention. "Brown Power" has not yet taken to the streets of San Antonio.

Hungrier even than the Mexican-Americans, but less obtrusive because they are smaller in number and confined mainly to isolated wastelands, are the reservation Indians. Of the more than 300,000 Indians living on reservations by far the largest tribe is the Navajo of northeastern Arizona. Altogether, 115,000 Navajos exist on an arid plateau bigger than the whole state of West Virginia.

THE LAST FRONTIER

The western half of this remote region, the state's last frontier, was not opened up by roads until about 13 years ago. Even today there are Navajos who live 50 miles from the nearest improved road. Last year 20 infants were brought in dead at medical stations, according to Dr. George E. Bock, the United States Public Health Service medical director, and 18 of those deaths were attributable to delay in reaching medical aid.

At Tuba City, administrative center for the western half of the reservation, Dr. Jean Van Duzen, chief of pediatrics at the Indian Hospital, reported 27 cases of marasmus (calory starvation) and 17 cases of kwashiorkor (extreme protein deficiency) among Navajo children in the last five years. The high incidence of those two rarely found diseases would be considered fantastic anywhere else in the nation. Dr. Van Duzen said that 15 of the 44 victims died.

Among Mexican-Americans in the slums of San Antonio the ravages of hunger may be less spectacular but more degrading. Father Ruiz said Mexican-Americans found the welfare apparatus unbearably cold and inhuman.

Father Ruiz's irritation with Texas welfare was mainly a recent lowering of the ceiling on monthly welfare payments from $135, for a family of four or more, to $123.

"Texas is the only state, I believe, that requires legislation every time it wants to raise the level of welfare. A referendum to increase the payments was defeated last year. The cut was made because the increasing relief load threatened to exhaust the welfare appropriation. And now there is talk of another cut."

FOOD STAMPS RUN SHORT

He took a visitor on a tour of Alazan-Apache Courts, a sprawling expanse of low, concrete block buildings with small apartments. In one home, sparsely furnished but very clean, Mrs. Joanne Gutierrez told how she and her four children existed on a $123-a-month welfare check.

"I buy no clothes for myself," she said. "I wear castoffs from my mother and sister-in-law."

Each month she paid $54 to get food stamps that bought her $94 worth of commodities. She echoed a familiar complaint about the food stamp program—instead of providing enough food to last a month, the supply ran out in about two weeks. Fortunately two of the children were getting free lunches in school, she said.

The rent was $23 a month, plus $1.20 for extra utilities and 50 cents for "pest control." The baby's diapers required "decent soap", and there were pencils and crayons to be bought for the three daughters of school age. There were only two beds; the three girls, Mrs. Gutierrez explained, "slept crosswise" on one.

In worse plight was a Mrs. Espinosa, found with 10 children in another tiny flat. She, too, was getting the maximum $123 monthly welfare payment, out of which she had to invest $58 to get $128 worth of food stamps and pay $39 rent. That left only $26 for all other expenses. The family subsisted mainly on tortillas and beans. Three of the children had no shoes.

Nothing infuriates a Mexican-American more than to have some Anglo suggest to him that all his troubles would vanish if he would only stop eating beans and tortillas and get on a "balanced diet."

"If you have one dollar," explained Father Ruiz patiently, "and you can buy either one pound of meat or 10 pounds of pinto beans, what are you going to buy? You are going to fill the stomachs of your kids with beans. And they call this ignorance!

"I'd like to meet the home economist who says you can take care of 10 kids on $123 a month! It would take a genius to survive on that amount of money."

He said he had been asked to appear on a television show called "Buen Apetito", an educational program intended to get Mexicans off starch. He had told the producers that the idea was preposterous: the poor simply did not have the means to buy the "balanced" foods.

Downtown, Albert A. Pena Jr., a Mexican-American member of the Bexar (San Antonio) County Commission, said he believed there were "100,000 hungry people" in Bexar (pronounced Bear) which has a population of about 800,000 (48 per cent Mexican-American, 40 per cent Anglo, 12 per cent Negro).

They are hungry, he said, because San Antonio is "a cheap-labor town—about one-third of the wage earners earn less than the accepted poverty level of $3,000 a year."

CITES MEXICAN PRIDE

Yet Anglos, he said, cling to the myth best expressed last year by a state welfare official: "You can give a Mexican mother a bushel of money and she'll still feed her children beans and tortillas."

"This is a base canard and he knows it," Commissioner Pena said.

Many Mexican-Americans are too proud to admit they cannot feed their children properly, Father Ruiz explained, and are bruised by the coldness of welfare personnel. So "cells" have been set up in the housing project to detect and report families in trouble. Rummage sales and bingo parties are held to assist the unfortunate.

Texas was the first state to complete a nutrition study of its low-income population for a national survey by the United States Public Health Service.

The findings confirmed the presence of serious malnutrition among the Mexican-American, Anglo-American and Negro poor.

In the lower Rio Grande Valley, the investigators discovered an infant suffering from marasmus and another afflicted with what Dr. William M. McGanity, one of the directors of the survey, called "pre-kwashiorkor."

The findings of malnutrition and of evidence of growth retardation among children gave some substance to an earlier report by Dr. Francis J. Pierce of the eating habits of low-income families in San Antonio.

Dr. Peirce, who is an associate professor at the Worden School of Social Service of Our Lady of the Lake College, directed a staff of students and faculty in interviews with 967 adults and 561 children, most of them Mexican-Americans.

The findings were somber. Of the children studied, 272, or nearly half, were judged as having an inadequate diet. A total of 650, or 67 per cent of the adults, had inadequate food intake in the 24 hours preceding the interview.

Some critics challenged the validity of Dr. Peirce's survey. Dr. Peirce said he had "great conviction" that it was reliable.

He was pleased that the preliminary report of the National Nutrition Survey tended to support his bleak picture of diet inadequacy. But he said he was disturbed by a tendency to "explain away" the exposed malnutrition as the product of "ignorance."

"Let's face it," he said. "People are hungry because they are poor."

On the windswept Navajo reservation, Indians are suffering the traumas of converting from a pastoral living to a cash economy. Traditionally, the Navajos have been sheep and goat herders. But the land is arid ("it takes 10 lousy acres to graze one sheep," Dr. Van Duzen explained) and the population has grown so rapidly that most Indians can no longer live on goats and sheep.

POVERTY SEEMS TO DEEPEN

Efforts to bring industry have had minimal success, providing a few hundred jobs, mostly for women. For most of the population poverty seems to have deepened. The average Navajo sees about $400 in cash a year, including welfare payments. Dr. Van Duzen said there were many families with no visible income who were kept alive by charity from their clan.

"I'm not saying Navajos are dropping dead of starvation," she said, "but there is hunger—and it shouldn't happen in the United States."

In the children's ward, Dr. Van Duzen observed Navajo infants who she feared had suffered irreversible brain damage from undernourishment. The babies were gaining weight, but some still showed growth retardation. Dr. Van Duzen noted a three-month-old baby described as "marasmic," whose flesh hung loose, like an old man's skin, on pathetically thin arms and legs.

She said she was convinced that many were permanently stunted by hunger.

"Some say these are small little kids that won't grow because they are Navajos," she said. "I say these are small little kids that won't grow because they haven't got food."

At Many Farms, Dr. Robert Roessel, Jr., president of Navajo Community College, the reservation's first junior college, called malnutrition one of the most acute obstacles for Indian children in classrooms.

ATTENTION LIMITED

"They look weak and gaunt to begin with," he said. "Their attention span is abnormally limited."

He charged that some public school superintendents prided themselves on virtually eliminating free lunches for Indian children. They did this, he said, on the mistaken notion that they were "teaching the Navajos responsibility and helping the children adjust to the world in which they live." But they were driving away Indian children unable to pay $1.50 a week for lunches, he said.

The community college is the first reservation school with an all-Indian school board. Six board members have never been to school and the seventh has only a second-grade education. Yet Dr. Roessel said the involvement of Indian parents in the operation of the school had eliminated so many tensions and hostilities that the students were already showing marked improvement in achievement rates.

Impoverished Navajos, he said, received free food under the commodities distribution program. But the commodities available were "woefully inadequate" and "didn't begin to meet the need."

At Window Rock, capital of the Navajo nation, Dr. Bock, the health service director, spoke of some of the difficulties of administering health over the vast reservation with a small, overworked staff.

THIRTY-MILE WALK WITH BABY

He told of a woman who had walked 30 miles from her hogan, the traditional circular hut made of cedar logs and mud, to the nearest traveled road, carrying a sick baby.

He had been urging the training of at least 110 Navajos as local health aides who would teach certain basic health practices and principles to the Indians of their localities. Funds for the project had finally been allocated, he said, but only for the training of 35 to 40 Indians.

Dr. Bock mentioned one promising development—the provision, since Christmas, of supplementary rations for infants and pregnant or lactating mothers who obviously were malnourished. Doctors were authorized to fill out prescriptions for food, he explained, just as though they were issuing prescriptions for medicine.

And the Office of Economic Opportunity has provided $42,000 for the purchase of a special baby formula fortified with Vitamins A, C and D, niacin, riboflavin, thiamin, calcium, phosphorus, and iron to be given to premature babies.

Unfortunately a year's supply of the formula costs $308, so only about 130 infants, or just about half of the 250 to 300 premature babies born each year on the Navajo reservation, will be taken care of.

CHURCH RESOLUTION ON VIETNAM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. FRASER. Mr. Speaker, earlier this month the Council for Christian Social Action of the United Church of Christ adopted a resolution on Vietnam. The resolution began by expressing general support for the emphasis the President placed on peace in his inaugural address. Then it added four suggestions:

First. Negotiation, "unilaterally if necessary," with the North Vietnamese.

Second. The start of troop withdrawals, "with or without the consent of the Saigon government."

Third. Active participation of divergent groups in South Vietnamese politics.

Fourth. Use of multilateral channels for Vietnam's postwar reconstruction.

All these points, Mr. Speaker, are worth the consideration of our Members. Therefore, I place the full resolution at this point in the RECORD:

We welcome the emphasis which President Nixon placed on the attainment of peace in his inaugural address. We believe he was accurate in stating that because the people want peace and the leaders are afraid of war, "the times are on the side of peace," and that America now has "the chance to help lead the world at last out of the valley of turmoil."

The acclaim given at home and abroad to the President's peace theme shows the widespread support he has to move forward in the "era of negotiation." We join in that support and urge prompt action in the most pressing of the negotiations, namely, those dealing with Vietnam.

While the talks continue in Paris, violence and suffering continue in Vietnam itself. We cry out in anguish over each day of delay. We deplore the continued destruction of the Vietnamese people, their children, their land, their culture as well as the loss of American lives. This level of violence is detrimental to peaceful settlement.

We wish to add to our general support for the President, these specific suggestions:

First. Negotiate, unilaterally if necessary, with the North Vietnamese. It is with Hanoi that agreement must be sought for the withdrawal of troops. We believe our Government has been unduly deterred by the footdragging of the Saigon Government. They are the beneficiaries of tremendous American sacrifices, but it is not for them to decide how and when the U.S. reduces its efforts there. It is important to recognize the self-interest of Saigon officials in the U.S. presence, and realize that the U.S. must make its judgment independently.

Second. Begin troop withdrawal, with or without the consent of the Saigon government. We believe a significant consensus has been reached in this country favoring a deescalation in Vietnam, and the beginning of withdrawal of U.S. troops. We share this conviction. This means that the U.S. Government should notify the Saigon Government immediately of this intention in order to give it opportunity and time to adjust itself to the new realities, and if it wishes, to make accommodation or arrangements for internal peace with the divergent forces within South Vietnam. Time is short. These arrangements should be concluded without further delay.

Third. Work for the active participation of all divergent groups in the South Vietnamese political arena. We believe our government should strongly recommend to the Saigon Government that political prisoners be released from jail. Many persons in South Vietnam are represented by neither the National Liberation Front nor the Thieu Government. It is quite likely that only these people in a "third force" can bring stability to that unhappy country by providing a catalyst around which the divergent elements in the population can form a viable government. And it is quite possible that any future economic aid the U.S. might give would be wasted unless a broad national government can be established which should include representation of diverse interests, not excluding the National Liberation Front.

Fourth. Use multi-lateral channels for the post-war reconstruction of all Vietnam. We dare not forget that when the killing has stopped and the immediate suffering has been mitigated, the road to reconciliation is long and the task of reconstruction is massive. We urge the President and Congress to offer ample resources, working through multi-lateral channels, to press forward with haste to bind up the wounds of all the peoples of Vietnam.

With this statement of support and recommendation, we wish the President Godspeed in his quest for peace.

CANAL ZONE WINNER OF VFW VOICE OF DEMOCRACY CONTEST

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. GARMATZ. Mr. Speaker, each year the Veterans of Foreign Wars sponsors a Voice of Democracy contest. This year's theme was "Freedom's Challenge" and over 400,000 students participated in the contest.

The winner from each State and the Canal Zone is brought to Washington for the final competition and will attend the congressional dinner to be held on March 4.

It is my privilege to include in the Extensions of Remarks, the speech of the winner from the Canal Zone, Miss Leslie Marek, which presents some thought-provoking facts:

FREEDOM'S CHALLENGE: THE FIELDS

One bright April morning I set out to explore my surroundings. After an exhausting walk, I reached the crest of a hill. Looking down, I marveled at what I saw. Below me were three fields. The first field was parched and looked as though it had been subjected to drought for several months. Nothing was growing on it but a few weeds which needed little moisture to survive. Crows were hovering over this area in search of the tiniest morsel of food, and, although only a minority were finding something to satisfy their hunger, all of the birds still remained. I couldn't understand this and wondered why they did not seek greener pastures. It was as if there was something present which was preventing them from searching elsewhere. A few of the crows were quarreling over a seed with the smaller bird. Moments later, the little bird, his hunger still with him, flew away. Turning my head, I gazed upon the second field. It had a crop of golden wheat growing on it. At first glance, it appeared to be a very healthy crop. Upon closer observation, however, I noted that each stalk of wheat was surrounded by weeds which were interfering with the growth of the grain. Already some of the wheat was drooping and withered. The thin stalks with so little strength and defense against the weeds, held themselves proudly until they could no longer fight and sadly surrendered to their victors. It was almost high noon, time for me to return home. I faced the third field. Its soil was a rich brown and freshly plowed. Sprouts of wheat were pushing up from the soil. I pondered, "Will this field be faced with drought, invasion by a large population of crows, or destroyed by aggressive weeds?" Slowly walking down the hill, I realized that each person in his own way is a farmer. His crop is freedom, and he must work for this crop and the field on which it is grown if he desires a bountiful harvest year after year. He must first "plow the fields" to prepare himself for freedom and then plant the seeds. How well the farmer cultivates these seeds depends on his character. If he is willing to risk things dear to him and weather the droughts even though the disappointments be great, then his harvest will be rewarding. The two greatest threats to the crop of the freedom farmer are:

(1) Communist aggression, and

(2) The increasing poverty all over the world which has created bitter feelings between those who have and those who have not, and served as a breeding ground for widespread disease and illiteracy.

I returned to the hill some weeks later only to find that the crows still hovered over the drought stricken land and the weeds still choked the wheat stalks of the second field. The green sprouts of the third field were now stalks of wheat. It was a very still day and the sun was beating down on the wheat. As I departed, I noticed a stalk of wheat entangled with a weed and drooping, and heard the caw of an approaching crow.

FLIGHT 1969

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. RANDALL. Mr. Speaker, it was my privilege during the month of January to attend a district meeting of the American Legion Auxiliary and there listen to a prayer in the nature of an invocation, by Mrs. Scott Wilson, of Kansas City, Mo. This invocation impressed me so much at the time that I requested a copy be forwarded to our office in order that I might share it with my colleagues and those who read the CONGRESSIONAL RECORD.

The weather has been so bad in Missouri that the next district meeting was canceled. For that reason, the exact wording of the invocation did not reach my office until a few days ago.

Yet even in the middle of February, the consideration of thoughts on the good human characteristics as well as human frailties, such as procrastination, prejudices, excess mental baggage, chips on the shoulder, and an attitude of humility, all of which are contained in this prayer, deserve to be printed regardless of date. After all, if New Year's resolutions are worth anything in January they should be worth just as much in February. The invocation follows:

FLIGHT 1969

The airport terminal was crowded. It was my annual flight. Often as I had made it, the thrill of adventure, of expectancy was still there in spite of a half-bored anxiety as to how it would come out. I always felt a little afraid. What did this flight hold for me? With mixed emotions I waited for my luggage to be weighed. "Your bags are very much overweight." The extremely courteous voice was apologetic, almost as if he felt sorry for me. "That's all right," I smiled at him. "I'm used to overweight, I'll pay the charges." "I'm sorry," he said, "this time you cannot pay. The flight is crowded. You'll have to reduce your luggage." "That is impossible. It contains only the things with which I always travel." "It will have to be done," he said, and shoved it towards me. "The stewardess will help you." Already my bags were being opened and a hand was rummaging through them. "This is quite heavy," the stewardess said, taking out a big bundle. "These old prejudices have outlived their usefulness. We will throw them away." Into a large receptacle marked "useless" went my prejudices of other days which through the years I had so carefully hoarded. "What ever can this be?" The stewardess was drawing out a big package from the bottom of the bag. "I do declare," she said as she untied the bows of ribbon that I had tried to make attractive, "it is full of 'put-offs.'" "'Put-offs?'" I said, quite puzzled. "Yes, 'put-offs,' all the things you meant to do, letters to write, friends to call, cheery words to speak, and thoughtful attention to bestow. My, my, how did you ever accumulate so much?" Without waiting for my answer, she tossed the whole package, ribbon and all, into a basket marked "too late" and picked up another bundle. "This rattles," she said. "Must be chips you have carried on your shoulder for a long time." She tossed them into the open fire, and up in smoke went by pet grievances. "This is heavy." The stewardess was holding a brightly colored bottle, filled with a dark, heavy liquid. "That," I said with dignity, "is my precious bottle of pride. It perfumes my personality. I'll keep it, please." I held out my hand. "No." The voice was stern. "Its odor is obnoxious. I shall break it." The bottle crashed to the floor, and through my tears I saw its contents ooze away. "Come," the voice was kind again, "your flight is almost ready. I will help you repack. Here, where you had prejudices we will tuck in opportunity. It doesn't weigh anything and fresh supplies are always at hand. New ideas are so wonderful with which to experiment. At the bottom of your bag where you had 'put-offs' we will pack a whole tray of kindness and put them on top for convenience. We'll not bother with fancy bows of excuses, they only add to the weight. In place of shoulder chips, which must have been very uncomfortable to wear, we will put pads of love and understanding. They give perfect contour to the shoulders. Garments worn over them have a beauty that can never be surpassed." Over the loud speaker came a voice, "light 1–9–6–9 Now Loading." I snapped my bag shut. "I am sorry about the bottle of pride," the stewardess said. "It was quite necessary to break it. In its place I have given you the golden bottle of humility, let its mist surround you and you will walk in the aroma of loveliness." "Flight 1–9–6–9, All Passengers Aboard."

The plane lifted and I was away on my flight of 365 days. Old inhibitions dropped away as the ground receded. I settled into my seat and smiled at my fellow passengers. It was going to be a good flight. The flight of 1969. I was going into it with no excess baggage.

UNIVERSITY OF NEBRASKA MARKS 100TH BIRTHDAY

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. CUNNINGHAM. Mr. Speaker, the University of Nebraska, which has contributed much to Nebraska and the American way of life, celebrated its 100th birthday on February 15.

As the university moved toward the close of its 100th year, there was a flurry of activity highlighted by selection of its chancellor, Clifford M. Hardin, to be Secretary of Agriculture, and establishment of the University of Nebraska at Omaha.

Though the December appointment of Chancellor Hardin by President Nixon provided exciting moments in the university's continuing history, perhaps no date will be more important than July 1, 1968. It was on that date that the former Municipal University of Omaha, my alma mater, became the University of Nebraska at Omaha in an impressive ceremony on a midsummer morning.

This added more than 10,000 students and new vistas of academic and service opportunities to the University. As classes began last fall, one of every two students attending college in Nebraska was enrolled at the University. Total enrollment reached 29,812 with 19,024 on the Lincoln campuses and at the Medical Center in Omaha and 10,788 at the University of Nebraska at Omaha.

Mr. Speaker, I am very proud of the University of Nebraska and its accomplishment in its first 100 years. I am certain the next century will find it contributing even more to Nebraska and this Nation of ours.

I commend the following article on the University of Nebraska, which appeared in the February 9 issue of the Omaha World-Herald Magazine of the Midlands to the attention of my colleagues:

THE UNIVERSITY OF NEBRASKA: MANY THINGS TO MANY PEOPLE

On a crisp autumn Saturday afternoon, many people may think of the University of Nebraska in terms of a group of healthy young men in scarlet and cream uniforms upholding the prestige of the state before 66 thousand screaming football fans.

But for a housewife, the university is a place to write seeking information on how to bake a better cherry pie.

For the farmer, N.U. offers an opportunity to learn more about the performance of a certain make of tractor in the field under conditions of stress.

And for a small boy with an inquisitive mind, Nebraska's major institution of higher learning may open the door to a world of physics or engineering.

The University of Nebraska means many things to many people. But just how did the "home of the Cornhuskers" become what it is today—an institution where some 30 thousand young people are savoring the fruits of knowledge?

The university is celebrating its one-hundredth birthday next Saturday, but in the minds of the pioneer settlers—men and women who were thinking of education almost as they sought food and shelter—the university goes back even farther. It was in the mid-1800's—while Nebraska was still a territory—that talk about a state university first began.

In 1855, in his first speech to the first Territorial Legislature, meeting in Omaha, Acting Gov. T. W. Cuming made an impassioned plea for higher education.

At Cuming's urging, the Legislature chartered Nebraska University at Fontanelle and two other institutions in Omaha City and Nebraska City.

Bitten by the education bug, the lawmakers in the next few years approved no less than 24 universities and colleges. One was approved without designation of a site, which led a state senator to declare: "The Nebraska University system apparently is on wheels."

Although nothing came of these early decisions, they were the opening wedge that led Senator Cunningham of Richardson County to introduce a bill on February 11, 1869, which called for the creation of what today still is THE University of Nebraska.

After discussion in both Senate and House—Nebraska until 1937 had a two-house Legislature—the legislation passed on February 15, 1869—the final day of the session. It was sent to Gov. David Butler, who immediately signed the bill into law. Thus next Saturday, February 15, 1969, will mark the Centennial of the signing.

As approved, the act provided: "That there shall be established in this state an institution under the name and style of 'The University of Nebraska.' The object of such institution shall be to afford to the inhabitants of the state the means of acquiring a thorough knowledge of the various branches of literature, science and the arts."

The university's charter provided for these departments or colleges: ancient and modern languages, mathematics and natural science, agriculture, law, medicine, practical science, mechanics and civil engineering. A College of Fine Arts was to be established when the annual income of the university reached 100 thousand dollars.

At first, there were 12 regents—nine selected by the Legislature, plus the Chancellor, the Governor and the superintendent of public instruction. In 1875, when a new State Constitution was written, the size of the Board of Regents was reduced to six, all elected by direct vote. Last fall, a Constitutional amendment was approved which authorizes the Legislature to increase the board's size and to provide for redistricting.

The act establishing Lincoln as the site for the State Capitol also provided for the location of the university in Lincoln.

Some 12 acres on the northern part of the city plot were selected. As one editor of the day put it: "The site must have been selected blindfolded. No angel whispered to them of seats of learning set upon hills. The gentle slopes of this Antelope Creek valley (now southeast Lincoln) were ignored and a site bordering the Salt Creek valley and inevitably in the path of railroads (then imminent) was chosen."

The Legislature authorized 100 thousand dollars, a princely sum, for the first university building. From the very start of construction this structure was the center of a fight involving politicians, architects and educators.

First, a contract calling for an expenditure of $128,480 was approved—more than 25 per cent higher than had been authorized. This brought editorial criticism. Next, before any student was authorized to set foot inside the doors of University Hall, the cry was raised that the building was unsafe.

Repairs were made and, finally, on September 7, 1871, the university opened with an enrollment of 20 collegiate students and one hundred in the Latin School. The state of Nebraska had a university! But rumors continued that the building was insecure. More architects were called to examine the foundations.

Finally, a new foundation was ordered. Foundation walls, as they were torn out, were scrutinized by an architect under the direction of Attorney General J. R. Webster, who reported that the foundation, indeed, had not been built in accordance with the specifications.

But controversy over the safety of the university's one and only building wasn't the sole problem confronting the first Chancellor, A. R. Benton, who came to Lincoln from Alliance, O., where he had served as president of Butler College. There was the matter of his salary. The agreed-upon sum was five thousand dollars, but shortly after he reported for duty it was reduced to four thousand.

Chancellor Benton, in his inaugural address, told Nebraskans: "You have a right to expect constant progress, enlargement, improvement; but we cannot spring into being with the prestige and accumulated resources of some of the other universities at the waving of any magic wand, however potent."

What brought the biggest trouble to Chancellor Benton was not U-Hall or his pay, but his demand for compulsory attendance by students at the daily chapel and Sunday church services. This was the start of difficulties that resulted in his decision in 1876 to leave Nebraska.

Oddly, in view of the heat of the church-vs.-state arguments, the regents chose another churchman to succeed Dr. Benton. He was Dr. Edmund B. Fairfield, who served six years.

Like Dr. Benton, he was caught in the middle between those faculty members who wanted the university to be free of religious influence and, on the other side, the strong moralists. Dr. Fairfield and four of the liberal professors resigned in protest.

Despite its early setbacks, the university was growing and making progress. A graduate program, first west of the Mississippi, was started in 1885, and the Graduate School was established in 1896. Four years later, as the Twentieth Century dawned, Nebraska had granted 131 Masters' Degrees and nine Doctor of Philosophy Degrees.

By 1905 it was apparent that a bigger campus was needed. There was talk of abandoning the "town campus," or what is known today as the Lincoln City Campus, and consolidating all functions of the university at the College of Agriculture campus—identified today as East Campus.

At about the same time there arose talk that an effort would be made to move the university to Omaha. This created fears among Lincoln business men that their No. 1 industry would be lost forever to the state's fastest growing and largest city. This move was squelched.

In 1913, the Legislature asked Nebraska voters to decide whether to move everything to the Ag Campus (except the College of Medicine, which had finally re-opened in 1902 in Omaha), or to maintain two campuses in Lincoln.

Voters approved the dual-campus system, and also okayed a six-year special mill levy for construction, thereby setting the stage for development under a system that remained unchanged until the former Municipal University of Omaha was merged with the University of Nebraska at Omaha.

In the years preceding the 1913 vote, the university was fortunate to have one of its most effective leaders. He was Chancellor E. Benjamin Andrews, a former history professor at Brown University, who served from 1900 to 1908. During his eight years, enrollment increased from 22 hundred to 36 hundred. The faculty increased from fewer than one hundred to more than 350, and legislation appropriations rose from 450 thousand dollars in his first biennium to more than $1,300,000 in his last.

Despite his ability to increase financial support for the university, Chancellor Andrews refused to seek money for himself. The regents offered to raise his salary. He turned it down, explaining: "As the university is compelled to the rigid economy it now exercises, so must I turn down this offer."

The next Chancellor, Dr. Samuel Avery, held the post longer than any other—19 years, from 1908 to 1927. It was during his tenure that the present physical appearance of the university took shape: Teachers College, Social Sciences, Andrews and Bessey Halls, the Coliseum and Memorial Stadium went up.

Dr Avery started the university's Extension Service, which now circles the globe. He was an ardent sports fan, and football during his tenure became big time and attracted new support to the university's functions.

In the depression years of the 1930's, the University of Nebraska, like all institutions—private as well as public—experienced lean days. Serving during this period of economic strife was Dr. E. A. Burnett.

One thing about Dr. Burnett, noted a Lincoln attorney, "He looks like a chancellor!"

History scholar C. S. Boucher succeeded Burnett, and one of his first assignments was to complete the conversion of the old privately-operated university School of Music to a university department and put it on a sound academic footing. He succeeded in the transition, but some of the music teachers and alumni of the old conservatory never forgave him.

World War II came just as the university was recovering from the double blows of drought and depression. Enrollment in 1945 dropped to a low of 3,262 students, of whom 2,045 were women.

During the war, the brand new Love Library served as a barracks for members of the Army Specialized Training Corps, just as the then-new Social Science Building had doubled as a mustering-out station for World War I soldiers in 1918.

In 1946, the regents selected as Chancellor Dr. R. G. Gustavson, a nationally-known chemist from the University of Chicago and Colorado U. Big, burly Gustavson (he didn't look like a chancellor) helped the institution through a trying experience—the educating of World War II veterans who flooded the campus financed by the G.I. Bill of Rights.

During this period, the university's physical plant was overcrowded, its faculty too small for the number of students seeking an education, and yet, some observers call this the university's finest hour. Certainly the veterans were serious students who knew what they wanted and were willing to work to achieve their goals. It was at this time that the married student—heretofore a relative rarity—became commonplace.

Dr. Clifford M. Hardin was hired away from Michigan State University, where he was dean of the College of Agriculture. He assumed the chancellorship on July 1, 1954, and departed last month under a year's leave of absence to become Secretary of Agriculture in the Nixon Administration. During his absence, Dr. Merk Hobson is serving as acting chancellor.

In Dr. Hardin's 14½ years, the University of Nebraska has experienced its largest building drive and enrollment increase in its history.

Last year, a new campus was added to the system when voters in Omaha approved the NU–OU merger.

Since its founding, the University of Nebraska has granted degrees to 82,837 students. Its physical plant is valued at $134,900,000, excluding the UN–O campus, which is valued at $11,025,000.

It is the thirtieth largest university system in the nation in enrollment, serving not only residents of Nebraska but of the other 49 states and many foreign countries. Its full-time faculty, exclusive of medicine, dentistry and UN–O, is 940.

Working with Federal funds, the university helped establish Ataturk University in Turkey and is currently helping the Government of Columbia set up a new program of agricultural education and development.

Looking back on the University of Nebraska after its first one hundred years, it would seem that the prediction of J. Sterling Morton of Nebraska City has more than come true. Morton, a leading citizen of the state who served in President Grover Cleveland's Administration as Secretary of Agriculture, prophesied:

"To graduate from the University of Nebraska shall be an honor among her people even now, and the day is not distant when her diploma shall be set at par with those of Yale, Union, Harvard and other great universities all over the world of art and literature."

DISTINGUISHED ALUMNI

The musical strains of "Dear Old Nebraska U." bring to their feet more than 70 thousand alumni, the great majority of whom have made their homes and built their careers in the Cornhusker state.

On its rolls of persons who received degrees from the University of Nebraska or qualify as alumni because of attendance for two or more semesters, the Nebraska Alumni Association lists more than 41 thousand current residents of the state, engaged in the events of every Nebraska county and community.

With these statistics in mind, it should be noted that the university is engaged in a three-fold mission: to teach, to conduct research in quest of additional knowledge and to serve the state by disseminating information and making available its unique facilities for the benefit of all citizens.

And by fulfilling this mission, the university has been carrying out, over many years, its most important function, developing people—people educated and trained in the skills that sustain and enhance the lives of all.

Since its founding a century ago, the University of Nebraska has awarded 82,837 degrees, and thousands of other men and women who haven't sought degrees have taken varying amounts of academic work on the N.U. campuses and in their home communities.

The impact of these people, whose lives have been touched and influenced by this university, is felt throughout Nebraska and the nation.

In Nebraska particularly, the impact of N.U. alumni is noticeable on the professions. For instance, 937 of the state's approximately 17 hundred physicians are graduates of the university's College of Medicine. More than half of these Nebraska-trained doctors practice in cities and towns outside Lincoln and Omaha.

Official directories of the legal profession list 1,264 attorneys in Nebraska, and three-fourths of them are graduates of the University of Nebraska College of Law. In addition to private practice, these law graduates serve as judges, county and city attorneys and fill many voluntary civic positions. Five of the seven justices of the Nebraska Supreme Court are university alumni.

The College of Dentistry has supplied more than half of the state's 750 practicing dentists, and the College of Pharmacy about 450 of the state's 1,181 registered pharmacists.

A large portion of Nebraska's leaders in the vital fields of agriculture, agri-business, agricultural sciences and services have received their training at N.U. Three-fourths of the county and area agricultural and home economics extension agents who work directly with Nebraska's farmers and homemakers are alumni.

Ten of Nebraska's Governors—George L. Sheldon, Adam McMullen, Arthur J. Weaver, Robert Leroy Cochran, Dwight Griswold, Val Peterson, Victor E. Anderson, Ralph G. Brooks, Frank B. Morrison and Norbert T. Tiemann—are counted among university alumni.

Twenty-three of the 49 members of the current Legislature are also Nebraska alumni.

Through the years the university has produced men and women of national prominence. Great alumni of the past have included Roscoe Pound, a world renowned authority on jurisprudence, and his sister, Louise Pound, an author; Willa Cather and Mari Sandoz, whose writings reflected Nebraska pioneer spirit; Dwight Griswold, Governor, Senator and chief of a post-war American Aid Mission to Greece, and the late Gerald L. Phillippe, chairman of the giant General Electric Corporation.

More familiar today are national figures as Herbert Brownell, former United States Attorney General; entertainer Johnny Carson; Senator Carl T. Curtis, Dr. Walter Judd, former Congressman, missionary, physician and lecturer; Mick Tingelhoff, all-star center for the professional football Minnesota Vikings; Ted Sorensen, former aid to President John F. Kennedy, and Wyoming Governor Stanley Hathaway.

And there are hundreds of others who may not have received such wide national public notice but who have accomplished great things, such as Myers Bud Cather, president of Bristol-Myers; Dr. George Beadle, former president of the University of Chicago and Nobel Prize winner in chemistry; Air Force Lieut. Gen. Earl Hedlund; Dr. Carruth J. Wagner, assistant surgeon general of the United States; Wayne Reed, associate commissioner of the United States Office of Education; Harold Edgerton, professor at MIT and developer of stroboscopic light, and Howard Hansen, composer, conductor and teacher at Eastman School of Music.

In addition, there are thousands of university alumni who fill positions at all levels throughout the society of this state.

Such men as Edward Lyman of Omaha, president of the United States National Bank; Thomas C. Woods of Lincoln, president of the Lincoln Telephone and Telegraph Company; George B. Cook of Lincoln, president of Bankers Life of Nebraska; Carl Olson of Lincoln, president of Olson Construction Company; William Gangel of Columbus, manager of Becton-Dickinson plants in the state, and his brother, Robert Gangel of Nebraska City, head of a tire and recapping company, and Harold W. Andersen of Omaha, president of the World Publishing Company, which publishes The World-Herald. They are a few among the many major leaders in Nebraska's growing business and industrial community.

Nebraska alumni like Dr. Frank H. Tanner of Lincoln, president of the Nebraska State Medical Association; Dr. Harold Helweg of Lincoln, president-elect of the Nebraska Dental Association; Charles S. Adams of Aurora, president of the Nebraska State Bar Association, and Merle Jansen of Columbus, president-elect of the Professional Engineers of Nebraska, are leaders among professionals in this state.

N.U. graduates hold the top administrative post in more than 60 per cent of Nebraska's school districts, including the largest, Omaha, where Dr. Owen Knutzen is superintendent.

Agricultural and agri-business leaders include Don Magdanz of Omaha, executive secretary of the National Livestock Feeders Association; Roland Nelson of Mead, president of the Nebraska Farm Bureau Federation; Albert Ebers of Seward, master of the Nebraska Grange, and Howard Elm of Lincoln, president of the Nebraska Fertilizer Institute and executive secretary of the Nebraska Grain and Feed Dealers Association.

Certainly not all University of Nebraska graduates are company presidents, community leaders, physicians, bankers, lawyers or engineers.

Thousands fill less exhalted roles as accountants, farmers, teachers, nurses, journalists, salesmen, clerks, secretaries, social workers, housewives and many others.

Despite the differences in opportunity or accomplishment, they have much in common—excellent training in the field they chose, an opportunity to make continuing contributions to the society of Nebraska and the nation and they all rise at the playing of "Dear Old Nebraska U."

HUNGER IN AMERICA—PART IV

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. RYAN. Mr. Speaker, the fourth article in a series on "Hunger in America" by Homer Bigart appeared in the February 19 issue of the New York Times. In the article Mr. Bigart vividly portrays the wretched living conditions of many Mexican-American and Indian citizens in the Southwest.

He draws attention to the need to increase food stamp programs to levels that will adequately provide for a family's nutritional needs, a need to which I hope those responsible for this program in the Department of Agriculture will respond. The conditions Mr. Bigart describes makes it clear that present food programs must be expanded if relief is to be provided to those millions of citizens who continue to suffer from the plague of hunger and malnutrition.

The article follows:

[From the New York Times, Feb. 19, 1969]

HUNGER IN AMERICA: MEXICANS AND INDIANS ITS STOICAL VICTIMS—IV

(By Homer Bigart)

SAN ANTONIO, TEX.—Tacked on the wall of the Inner City Apostolate were four new slips from hungry Mexican-American families asking for food.

The Rev. Ralph H. Ruiz, who runs the mission for the Roman Catholic Archdiocese of San Antonio, glanced at the slips and exclaimed angrily: "The whole welfare system in Texas stinks."

The mission is on the fringe of Alazan-Apache Courts, the city's oldest public housing project, where some 6,000 Mexican-Americans live in wretched poverty and frequent hunger. Of all the nation's ethnic groups—white, black, brown or red—the "Mexicanos" are suspected by nutritionists of being most vulnerable to hunger.

For although there are nearly five million of them scattered through the Southwest, the Mexican-Americans have generally been undemonstrative about their misery, complaining so seldom of empty stomachs that the "Anglos" (the non-Mexican whites) give them scant attention. "Brown Power" has not yet taken to the streets of San Antonio.

Hungrier even than the Mexican-Americans, but less obtrusive because they are smaller in number and confined mainly to isolated wastelands, are the reservation Indians. Of the more than 300,000 Indians living on reservations by far the largest tribe is the Navajo of northeastern Arizona. Altogether, 115,000 Navajos exist on an arid plateau bigger than the whole state of West Virginia.

THE LAST FRONTIER

The western half of this remote region, the state's last frontier, was not opened up by roads until about 13 years ago. Even today there are Navajos who live 50 miles from the nearest improved road. Last year 20 infants were brought in dead at medical stations, according to Dr. George E. Bock, the United States Public Health Service medical director, and 18 of those deaths were attributable to delay in reaching medical aid.

At Tuba City, administrative center for the western half of the reservation, Dr. Jean Van Duzen, chief of pediatrics at the Indian Hospital, reported 27 cases of marasmus (calory starvation) and 17 cases of kwashiorkor (extreme protein deficiency) among Navajo children in the last five years. The high incidence of those two rarely found diseases would be considered fantastic anywhere else in the nation. Dr. Van Duzen said that 15 of the 44 victims died.

Among Mexican-Americans in the slums of San Antonio the ravages of hunger may be less spectacular but more degrading. Father Ruiz said Mexican-Americans found the welfare apparatus unbearably cold and inhuman.

Father Ruiz's irritation with Texas welfare was mainly a recent lowering of the ceiling on monthly welfare payments from $135, for a family of four or more, to $123.

"Texas is the only state, I believe, that requires legislation every time it wants to raise the level of welfare. A referendum to increase the payments was defeated last year. The cut was made because the increasing relief load threatened to exhaust the welfare appropriation. And now there is talk of another cut."

FOOD STAMPS RUN SHORT

He took a visitor on a tour of Alazan-Apache Courts, a sprawling expanse of low, concrete block buildings with small apartments. In one home, sparsely furnished but very clean, Mrs. Joanne Gutierrez told how she and her four children existed on $123-a-month welfare check.

"I buy no clothes for myself," she said. "I wear castoffs from my mother and sister-in-law."

Each month she paid $54 to get food stamps that bought her $94 worth of commodities. She echoed a familiar complaint about the food stámp program—instead of providing enough food to last a month, the supply ran out in about two weeks. Fortunately two of the children were getting free lunches in school, she said.

The rent was $23 a month, plus $1.20 for extra utilities and 50 cents for "pest control." The baby's diapers required "decent soap", and there were pencils and crayons to be bought for the three daughters of school age. There were only two beds; the three girls, Mrs. Gutierrez explained, "slept crosswise" on one.

In worse plight was a Mrs. Espinosa, found with 10 children in another tiny flat. She, too, was getting the maximum $123 monthly welfare payment, out of which she had to invest $58 to get $128 worth of food stamps and pay $39 rent. That left only $26 for all other expenses. The family subsisted mainly on tortillas and beans. Three of the children had no shoes.

Nothing infuriates a Mexican-American more than to have some Anglo suggest to him that all his troubles would vanish if he would only stop eating beans and tortillas and get on a "balanced diet."

"If you have one dollar," explained Father Ruiz patiently, "and you can buy either one pound of meat or 10 pounds of pinto beans, what are you going to buy? You are going to fill the stomachs of your kids with beans. And they call this ignorance!

"I'd like to meet the home economist who says you can take care of 10 kids on $123 a month! It would take a genius to survive on that amount of money."

He said he had been asked to appear on a television show called "Buen Apetito", an educational program intended to get Mexicans off starch. He had told the producers that the idea was preposterous: the poor simply did not have the means to buy the "balanced" foods.

Downtown, Albert A. Pena Jr., a Mexican-American member of the Bexar (San Antonio) County Commission, said he believed there were "100,000 hungry people" in Bexar (pronounced Bear) which has a population of about 800,000 (48 per cent Mexican-American, 40 per cent Anglo, 12 per cent Negro).

They are hungry, he said, because San Antonio is a "a cheap-labor town—about one-third of the wage earners earn less than the accepted poverty level of $3,000 a year."

CITES MEXICAN PRIDE

Yet Anglos, he said, cling to the myth best expressed last year by a state welfare official: "You can give a Mexican mother a bushel of money and she'll still feed her children beans and tortillas."

"This is a base canard and he knows it," Commissioner Pena said.

Many Mexican-Americans are too proud to admit they cannot feed their children properly. Father Ruiz explained, and are bruised by the coldness of welfare personnel. So "cells" have been set up in the housing project to detect and report families in trouble. Rummage sales and bingo parties are held to assist the unfortunate.

Texas was the first state to complete a nutrition study of its low-income population for a national survey by the United States Public Health Service.

The findings confirmed the presence of serious malnutrition among the Mexican-American. Anglo-American and Negro poor. In the lower Rio Grande Valley, the investigators discovered an infant suffering from marasmus and another afflicted with what Dr. William M. McGanity, one of the directors of the survey, called "pre-kwashiorkor."

The findings of malnutrition and of evidence of growth retardation among children gave some substance to an earlier report by Dr. Francis J. Peirce of the eating habits of low-income families in San Antonio.

Dr. Peirce, who is an associate professor at the Worden School of Social Service of Our Lady of the Lake College, directed a staff of students and faculty in interviews with 967 adults and 561 children, most of them Mexican-Americans.

The findings were somber. Of the children studied, 272, or nearly half, were judged as having an inadequate diet. A total of 650, or 67 per cent of the adults, had inadequate food intake in the 24 hours preceding the interview.

Some critics challenged the validity of Dr. Peirce's survey. Dr. Peirce said he had "great conviction" that it was reliable.

He was pleased that the preliminary report of the National Nutrition Survey tended to support his bleak picture of diet inadequacy. But he said he was disturbed by a tendency to "explain away" the exposed malnutrition as the product of "ignorance."

"Let's face it," he said. "People are hungry because they are poor."

On the windswept Navajo reservation, Indians are suffering the traumas of converting from a pastoral living to a cash economy. Traditionally, the Navajos have been sheep and goat herders. But the land is arid ("it takes 10 lousy acres to graze one sheep," Dr. Van Duzen explained) and the population has grown so rapidly that most Indians can no longer live on goats and sheep.

POVERTY SEEMS TO DEEPEN

Efforts to bring industry have had minimal success, providing a few hundred jobs, mostly for women. For most of the population poverty seems to have deepened. The average Navajo sees about $400 in cash a year, including welfare payments. Dr. Van Duzen said there were many families with no visible income who were kept alive by charity from their clan.

"I'm not saying Navajos are dropping dead of starvation," she said, "but there is hunger—and it shouldn't happen in the United States."

In the children's ward, Dr. Van Duzen observed Navajo infants who she feared had suffered irreversible brain damage from undernourishment. The babies were gaining weight, but some still showed growth retardation. Dr. Van Duzen noted a three-month-old-baby described as "marasmic," whose flesh hung loose, like an old man's skin, on pathetically thin arms and legs.

She said she was convinced that many were permanently stunted by hunger.

"Some say there are small little kids that won't grow because they are Navajos," she said. "I say these are small little kids that won't grow because they haven't got food."

At Many Farms, Dr. Robert Roessel, Jr., president of Navajo Community College, the reservation's first junior college, called malnutrition one of the most acute obstacles for Indian children in classrooms.

ATTENTION LIMITED

"They look weak and gaunt to begin with," he said. "Their attention span is abnormally limited."

He charged that some public school superintendents prided themselves on virtually eliminating free lunches for Indian children. They did this, he said, on the mistaken notion that they were "teaching the Navajos responsibility and helping the children adjust to the world in which they live." But they were driving away Indian children unable to pay $1.50 a week for lunches, he said.

The community college is the first reservation school with an all-Indian school board. Six board members have never been to school and the seventh has only a second-grade education. Yet Dr. Roessel said the involvement of Indian parents in the operation of the school had eliminated so many tensions and hostilities that the students were already showing marked improvement in achievement rates.

Impoverished Navajos, he said, received free food under the commodities distribution program. But the commodities available were "woefully inadequate" and "didn't begin to meet the need."

At Window Rock, capital of the Navajo nation, Dr. Bock, the health service director, spoke of some of the difficulties of administering health over the vast reservation with a small, overworked staff.

THIRTY-MILE WALK WITH BABY

He told of a woman who had walked 30 miles from her hogan, the traditional circular hut made of cedar logs and mud, to the nearest traveled road, carrying a sick baby.

He had been urging the training of at least 110 Navajos as local health aides who would teach certain basic health practices and principles to the Indians of their localities. Funds for the project had finally been allocated, he said, but only for the training of 35 to 40 Indians.

Dr. Bock mentioned one promising development—the provision, since Christmas, of supplementary rations for infants and pregnant or lactating mothers who obviously were malnourished. Doctors were authorized to fill out prescriptions for food, he explained, just as though they were issuing prescriptions for medicine.

And the Office of Economic Opportunity has provided $42,000 for the purchase of a special baby formula fortified with Vitamins A, C and D, niacin, riboflavin, thiamin, calcium, phosphorous and iron to be given to premature babies.

Unfortunately a year's supply of the formula costs $308, so only about 130 infants, or just about half of the 250 to 300 premature babies born each year on the Navajo reservation, will be taken care of.

CREATION OF A DEPARTMENT OF CONSUMER AFFAIRS

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. PATTEN. Mr. Speaker, a Department of Consumer Affairs should be created to give the consumer permanent representation and protection.

As one of the cosponsors of legislation that would establish such a department on a Cabinet-level, and as a consumer, I believe that the rights of consumers have been long ignored. Unless a department is created, consumers will continue to be exploited. A separate department, however, would enable the Federal Government to concentrate on consumer problems and provide solutions through legislative action.

Until a Department of Consumer Affairs becomes a reality, I strongly believe that a consumer affairs consultant should serve the President on a full-time basis and should also be in a position to be completely independent of influence by firms that make consumer products.

Great progress was made in the 90th Congress under the vigorous and effective leadership of Miss Betty Furness, who was President Johnson's full-time consultant in consumer affairs. I hope that such progress continues during the administration of President Nixon.

The remarkable consumer protection record achieved under the leadership of President Johnson and Miss Furness, will help millions of people because of:

Truth-in-lending; National Commission on Product Safety; fire research and safety; natural gas pipeline safety; flammable fabric improvements; wholesome meat; wholesome poultry; radiation control; an auto insurance study; and others.

Despite this notable record of accomplishment, much more remains to be done. Some of the areas include the providing of reliable electric power; wholesome fish; recreational boat safety; safe drinking water; and several others.

Mr. Speaker, many Members of Congress have been active—and still are—in providing the American people with the consumer protection they deserve. I believe, however, that one Member of this House deserves a special commendation for his deep interest, outstanding ability and strong leadership in the consumer protection field—the gentleman from New York (Mr. ROSENTHAL).

The consumers of America are grateful to him.

REDUCED FARES FOR PERSONS OVER 65

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, I am proud to join with my good friend and colleague, my neighbor from across the Hudson River (Mr. SCHEUER) in cosponsoring legislation to permit reduced fare for persons over 65 years of age.

This would permit seniors to receive the same reduced fares which are offered to servicemen and students.

Mr. Speaker, today the ravages of inflation have hit our senior citizens hard. Too many among this group live on small fixed incomes. Equally tragic is the fact that many older people live alone with their children married and raising their own children. And we are such a mobile society that often great distances separate parents from their children.

If we could make it just a little easier for parents to see their children and grandchildren would not this be a worthwhile endeavor.

Mr. Speaker, among our senior citizens the difference of a few dollars could mean a lot and a small discount might mean the reunion of loved ones. Could there be a more worthy cause than this? It is in our power, Mr. Speaker.

I commend the gentleman from New York who has been one of the most enthusiastic supporters of legislation to benefit senior citizens. As a member of the Education and Labor Committee and as principal sponsor of the Older Americans Act, I have become well aware of his interest in those Americans who have passed their 65th birthday. I hope all Members of this House will join with us in obtaining approval of this bill.

SENATE—*Friday, February 21, 1969*

The Senate met at 10 a.m. and was called to order by the Vice President.

The Right Reverend Monsignor Patrick J. Ryan, major general, U.S. Army, retired, and former Chief of Chaplains, of Washington, D.C., offered the following prayer:

Bless us, O Lord, as we assemble here today to honor the Father of our Country.

May the spirit of dedication, wisdom, courage, and statesmanship with which he was blessed continue with our beloved country.

He was brave in battle, humble in dealing with his fellowmen, opposed to tyranny, strong in his convictions, prudent in judgment, steadfast in danger, and patient in adversity.

His was a vigilant heart. He loved his country with a love second only to his love for God.

May this nobleness of spirit so completely demonstrated in the Father of our Country remain with us and inspire us to the ideals he so completely exemplified. Amen.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair appoints the Senator from Rhode Island (Mr. PASTORE) and the Senator from Pennsylvania (Mr. SCOTT) to attend the Plenipotentiary Conference on Definitive Arrangements for the International Telecommunications Satellite Consortium, to be held at Washington, D.C., from February 24 to March 21, 1969.

ANNOUNCEMENT BY THE VICE PRESIDENT—MESSAGES RECEIVED FROM THE PRESIDENT AND HOUSE OF REPRESENTATIVES DURING ADJOURNMENT

The VICE PRESIDENT. The Chair lays before the Senate sundry messages from the President of the United States and the House of Representatives, received on February 20, 1969, during the adjournment of the Senate, under the order of Wednesday, February 19, 1969, which, without objection, will be printed in the RECORD without being read, and appropriately referred.

REPORT ON STUDY OF HEADSTART PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-75)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, received on February 20, 1969, under authority of the order of the Senate of February 19, 1969, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

Section 309 of the Vocational Education Amendments of 1968 directed the President to make a special study of whether responsibility for administering the Head Start program should be left with the Office of Economic Opportunity, or whether it should be delegated or transferred to another agency. Congress asked that a report of this study be submitted by March 1, 1969.

I am submitting the report herewith.

This report has been prepared in consultation with the heads of the Executive departments and agencies concerned.

The study concludes that Head Start should be delegated to the Department of Health, Education and Welfare. It leaves for later determination the question of whether the program should eventually be transferred. As I have indicated in a message to Congress today, I will present a set of recommendations before the end of the current fiscal year on a permanent status and organizational structure for the Office of Economic Opportunity. At that time, I will make a recommendation on whether Head Start should be transferred, or whether it should remain a delegated program.

Section 308 of the same Vocational Education Amendments of 1968 directed the Commissioner of Education to make a special study of the means by which the existing Job Corps facilities and programs might, if determined feasible, be transferred to State or joint Federal-state operation. The Commissioner was directed to report his findings to Congress by March 1, 1969.

As my message today indicated, responsibility for administering the Job Corps will be delegated to the Department of Labor effective July 1. The question of State or joint Federal-state operation is a complex one which may well be affected by the over-all manpower-development proposals now being prepared by the Secretary of Labor. In light of these developments, and in order to comply with the intent of Congress, I have asked the Secretaries of Labor and of Health, Education and Welfare, along with the Assistant Secretary of Labor for Manpower, and the Director of OEO, to work with the Acting Commissioner of Education in preparing a report responsive to the Congressional directive to be submitted at the earliest possible time. As directed by Congress, the Acting Commissioner will also consult with other Federal officials, with State officials and with concerned individuals.

In its request for these studies, I recognize the interest of Congress in a constant evaluation and review of the way in which new, experimental programs are being administered, and in the measurement of their results. I welcome that interest, I share it, and I will attempt to be responsive to it.

RICHARD NIXON.

THE WHITE HOUSE, *February 19, 1969*.

THE ELECTORAL COLLEGE—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, received on February 20, 1969, under authority of the order of the Senate of February 19, 1969, which was referred to the Committee on the Judiciary:

To the Congress of the United States:

One hundred and sixty-five years ago, Congress and the several states adopted the Twelfth Amendment to the United States Constitution in order to cure certain defects—underscored by the election of 1800—in the electoral college method of choosing a President. Today, our presidential selection mechanism once again requires overhaul to repair defects spotlighted by the circumstances of 1968.

The reforms that I propose are basic in need and desirability. They are changes which I believe should be given the earliest attention by the Congress.

I have not abandoned my personal feeling, stated in October and November 1968, that the candidate who wins the most popular votes should become President. However, practicality demands recognition that the electoral system is deeply rooted in American history and federalism. Many citizens, especially in our smaller states and their legislatures, share the belief stated by President Johnson in 1965 that "our present system of computing and awarding electoral votes by States is an essential counterpart of our Federal system and the provisions of our Constitution which recognize and maintain our nation as a union of states." I doubt very much that any constitutional amendment proposing abolition or substantial modification of the electoral vote system could win the required approval of three-quarters of our fifty states by 1972.

For this reason, and because of the compelling specific weaknesses focused in 1968, I am urging Congress to concentrate its attention on formulating a system that can receive the requisite Congressional and State approval.

I realize that experts on constitutional law do not think alike on the subject of electoral reform. Different plans for reform have been responsibly advanced by Members of Congress and distinguished private groups and individuals. These plans have my respect and they merit serious consideration by the Congress.

I have in the past supported the proportional plan of electoral reform. Under this plan the electoral vote of a state would be distributed among the candidates for President in proportion to the popular vote cast. But I am not wedded to the details of this plan or any other specific plan. I will support any plan that moves toward the following objectives: first, the abolition of individual electors; second, allocation to Presidential candidates of the electoral vote of each State and the District of Columbia in a manner that may more closely approximate the popular vote than does the present system; third, making a 40% electoral vote plurality sufficient to choose a President.

The adoption of these reforms would correct the principal defects in the present system. I believe the events of 1968 constitute the clearest proof that priority must be accorded to electoral college reform.

Next, I consider it necessary to make specific provision for the eventuality that no presidential slate receives 40% or more of the electoral vote in the regular election. Such a situation, I believe, is best met by providing that a run-off election between the top two candidates shall be held within a specified time after the general election, victory going to the candidate who receives the largest popular vote.

We must also resolve some other uncertainties: First, by specifying that if a presidential candidate who has received a clear electoral vote plurality dies before the electoral votes are counted, the Vice-President-elect should be chosen President. Second, by providing that in the event of the death of the Vice-President-elect, the President-elect should, upon taking office, be required to follow the procedures otherwise provided in the Twenty-Fifth Amendment for filling the unexpired term of the Vice-President. Third, by giving Congress responsibility, should both the President-elect and Vice-President-elect die or become unable to serve during this interim, to provide for the selection—by a new election or some other means—of persons to serve as President and Vice-President. And finally, we must clarify the situation presented by the death of a candidate for President or Vice-President prior to the November general election.

Many of these reforms are noncontroversial. All are necessary. Favorable action by Congress will constitute a vital step in modernizing our electoral process and reaffirming the flexible strength of our constitutional system.

Richard Nixon.

The White House, *February 20, 1969.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The **VICE PRESIDENT** laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

The message from the House of Representatives, received on February 20, 1969, under authority of the order of the Senate of February 19, 1969, is as follows:

That the House had passed the bill (S. 17) to amend the Communications Satellite Act of 1962 with respect to the election of the board of the Communications Satellite Corp., with amendments, in which it requested the concurrence of the Senate.

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, February 19, 1969, be dispensed with.

The **VICE PRESIDENT**. Without objection, it is so ordered.

READING OF WASHINGTON'S FAREWELL ADDRESS

The VICE PRESIDENT. Under the order of January 24, 1901, Washington's Farewell Address will now be read by the Senator from Arizona (Mr. Fannin), who has heretofore been designated for that purpose by the Chair.

Mr. FANNIN, at the Secretary's desk, read the Farewell Address, as follows:

To the people of the United States.

Friends and Fellow Citizens: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled be to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given perculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home: your peace abroad; of your safety: of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite movement, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north,* in an unrestrained intercourse with the *south,* protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south,* in the same intercourse, benefiting by the same agency of the *north,* sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north,* it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east,* in a like intercourse with the *west,* already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation.* Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter.—Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western;* whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head: they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and actions of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of fraction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism.—But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for through this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinions should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachment for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest; in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessary parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base of foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens), the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation

invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

The PRESIDING OFFICER (Mr. ALLEN in the chair). On behalf of the Senate, the Chair wishes to express appreciation to the distinguished senior Senator from Arizona for the traditional reading of Washington's Farewell Address, which has meaning to us today just as it did when it was given 173 years ago.

Mr. FANNIN. I thank the Chair.

NOTICE OF HEARING

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, February 25, 1969, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of James F. Battin, of Montana, to be U.S. district judge for the district of Montana, vice William J. Jameson.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi (Mr. EASTLAND), chairman; myself; and the Senator from Nebraska (Mr. HRUSKA).

ADJOURNMENT UNTIL TUESDAY, FEBRUARY 25, 1969

Mr. KENNEDY. Mr. President, as a further mark of respect, appreciation, and admiration for the Father of our Country, I move, in accordance with the order of Wednesday, February 19, that the Senate stand in adjournment until 12 o'clock noon on Tuesday, February 25, 1969

The motion was unanimously agreed to; and (at 10 o'clock and 49 minutes a.m.) the Senate adjourned until Tuesday, February 25, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 20, 1969, under authority of the order of February 19, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Walter H. Annenberg, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Great Britain.

Jacob D. Beam, of New Jersey, a Foreign Services Officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Soviet Socialist Republics.

John S. D. Eisenhower, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium.

U.S. District Judge

James F. Battin, of Montana, to be U.S. district judge for the district of Montana vice William J. Jameson.

Small Business Administration

Hilary J. Sandoval, Jr., of Texas, to be Administrator of the Small Business Administration.

Department of Housing and Urban Development

Lawrence M. Cox, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

Federal Highway Administration

Francis C. Turner, of Virginia, to be Administrator of the Federal Highway Administration.

Department of Transportation

Secor D. Browne, of Massachusetts, to be an Assistant Secretary of Transportation.

Interstate Commerce-Commission

Donald L. Jackson, of California, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1973, vice Grant E. Syphers, deceased.

Department of the Treasury

Eugene T. Rossides, of New York, to be an Assistant Secretary of the Treasury.

United Nations

Lt. Gen. Harry Jacob Lemley, Jr., O19756, Army of the United States (major general, U.S. Army), for appointment as senior U.S. Army member of the Military Staff Committee of the United Nations, under the provisions of title 10, United States Code, section 711.

In the Army

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

To be general

Lt. Gen. Ferdinand Joseph Chesarek, O21177, Army of the United States (major general, U.S. Army).

To be lieutenant general

Maj. Gen. William Eugene DePuy, O34710, Army of the United States (brigadier general, U.S. Army).

In the Navy

Having designated Rear Adm. Edwin B. Hooper, U.S. Navy for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

EXTENSIONS OF REMARKS

SUPPORT FOR ENDING POSTAL PATRONAGE

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Fond du Lac (Wis.) Commonwealth Reporter, Feb. 6, 1969]

At Least a Start

There are so many things wrong with the United States postal service that even a small semblance of effort to improve it and meet some of its problems is more than welcome by the general patronizing public.

President Nixon, at his press conference Wednesday, announced that effective immediately, all postmasterships will be removed from the political patronage system. The President said it was a historic decision to eliminate political considerations which he claimed have been traditionally considered in the election of postmasters since the earliest days of the Republic.

Postmaster Gen. Winton M. Blount participated in the Nixon press conference at which it was claimed that, when future vacancies occur for postmasterships or rural carrier jobs, "The best qualified candidates will be appointed, regardless of politics—indeed without anyone even asking the candidates' political affiliation."

It is strange that rural carriers should be included in the political patronage business, but the records of county party committees, including Fond du Lac, are filled with copies of letters suggesting donations on behalf of the higher-ranking candidates for everything from postmasterships and rural mail carriers to the lesser of all positions—the janitor at the post office.

We suppose there is nothing to prevent senators and representatives and county party chairmen from writing a letter of recommendation for a candidate under the new "policy."

In all job vacancies involved the three top scorers only will be considered after open, competitive civil service examinations, as is supposed to be the case with all career federal positions, the postmaster general said.

Both Nixon and the Postmaster General insisted that politics would play no role in the choice among the three highest candidates for postal positions. They also said that no member of Congress—or politician—would be called upon to recommend which of the top-scoring candidates should be selected.

The White House, it is claimed, will submit nominations on the basis of its own nonpolitical decisions.

Announcements by the President and the Postmaster General must be taken at their face value.

We still are convinced that Rep. William A. Steiger of the 6th District should continue to press for enactment of his proposed legislation to do away with the present requirement that the Senate confirm nominations for postmasterships.

[WHBL editorial, Feb. 10, 1969]

Ending Postal Patronage

President Richard Nixon announced last Wednesday immediate removal of all postmaster and rural mail carrier appointments from political patronage. Such appointments previously have been made through a system involving political favoritism.

For several years, WHBL has editorialized in favor of Nixon's recent action. Several congressmen and senators from Wisconsin, including Rep. William A. Steiger of the Sixth District, have introduced legislation which would have accomplished the same goal.

The President, making the announcement jointly with the Postmaster General, Winton Blount, said that under "an historic new postal policy" such appointments would be made under open examinations with the top qualifiers getting the jobs.

It takes a certain amount of courage for the political party in power to divest itself of the spoils of office, and all thinking Americans should recognize the integrity which the Nixon Administration has exhibited by so doing.

But there is more than political power involved. The U.S. Postal system is in deep trouble. Inefficiencies have crept into the organization over the years. Bureaucratic troubles have increased as the demand for more postal services has grown. Postal rates have skyrocketed in recent years with no end in sight.

By selecting the most competent men to serve as postmasters, at least some of these problems can be tackled. It is a step in the right direction.

But bolder action is called for. A presidential commission headed by the former president of the American Telephone and Telegraph Company recommended that a semiprivate organization operate the postal system, similar to the corporation which operates the communication satellites.

We believe that Mr. Blount and the Nixon administration seriously consider the commission's recommendations in the months ahead.

New efficiencies are needed. Better postal service is needed. Lower postal rates are incumbent. Only through better organization, utilizing the principles of sound business practices can we hope to save the post office from its almost certain disastrous fate.

If it is true that "mail moves the country." then for the sake of the country, we had better solve the postal problem without delay.

[WTMJ-TV editorial, Feb. 6, 1969]

It used to be in the changeover of occupants at the White House that "to the victors belong the spoils." President Nixon is modifying this to the extent that it involves postoffice patronage. Up until now the jobs of postmasters and rural carriers have been handed out with political considerations uppermost in mind. The system, in recent years, has been the target of attack by both Republicans and Democrats. The elimination of the spoils system in the postoffice has had strong bipartisan support among Wisconsin congressmen.

Actually, the appointments throughout the years have caused many a headache. Here in Wisconsin last June five officers of the Marinette county Democratic executive committee resigned because they thought the wrong Democrat got the job of postmaster at Marinette. Only recently former Lieut-Governor Pat Lucey told Dodge County Democrats that they should be "thankful for one small blessing that comes to us out of President Nixon's inaugural. We (meaning the Democrats) are freed of all responsibility for postoffice patronage."

Well, the Republicans are now, too, because of Nixon's action. The President has ordered the civil service commission to conduct open competitive examinations for job vacancies and to fill them solely on merit. Furthermore, Postmaster-General Blount is recommending new legislation to remove the requirement that the senate confirm postmaster appointments. President Nixon and Postmaster Blount are instituting businesslike practices to a government department that is in dire need of being run like a business, instead of being a haven for political lackeys.

NIGERIA AND BIAFRA

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. LOWENSTEIN. Mr. Speaker, I have just concluded my second journey within 6 weeks to Nigeria and Biafra.

Until now, I have refrained from public discussions of these trips and of my impressions of the situation there, in the hope that I might thus be able to be more helpful in the effort to increase the flow of food and drugs into the afflicted areas. The effort to increase the flow of relief must remain a primary concern of men of good will, and since that problem—the problem of finding new ways of getting relief in—is still at a critical point, I will limit comments today to these general observations:

First. The charge that the Federal Military Government of Nigeria is engaged in a campaign of willful genocide cannot be sustained. The fear of genocide among many Biafrans, however, is very deep, and is reinforced by continued bombings which inflict heavy civilian casualties on what can only be described as a random basis not visibly connected to military considerations. The effect of these bombings, in addition to feeding fears of genocide in Biafra, has been to stiffen the general will to resist. This is not, perhaps, a surprising reaction in view of similar experiences elsewhere.

Second. Suffering in Biafra and in the war-torn areas of Nigeria is acute. On the Nigerian side of the front lines, relief operations have been relatively effective in easing the problem of starvation. The authorities in Lagos have generously cooperated with relief workers who have sought to make food and medical supplies available to those in need regardless of tribal origin or political viewpoint. On the Biafran side, the acute protein famine of last summer, which caused somewhat more than a half million deaths, has been eased, but the overall food situation continues to deteriorate. Carbohydrate deficiencies will reach catastrophic proportions in the near future as the last of the seed yams and casavas are consumed, and there is in fact no prospect that internal food production in Biafra will be able to meet more than a third of the need of the population now residing in Biafra. That population can reasonably be estimated at over 7 million people.

Third. Whatever the ultimate political or military resolution of the conflict, to await such a resolution as the best way to cope with the relief problem is to invite into existence an enormous graveyard which must haunt the conscience of the world and dominate the future of the area.

The battle lines have in fact, been largely stabilized for several months, and there is now no prospect of a military decision without great new military exertions. The outcome of these exertions, should they now be forthcoming, will clearly be a major determinant of how the differences between Nigeria and Biafra are ultimately resolved, but unless massive quantities of relief get into the afflicted area in the meantime, this ultimate solution may well be the final one for a great many people, who may by then be dead from starvation. So I think it would be most irresponsible to suggest that there is no need to press for emergency relief efforts pending military developments.

Fourth. On the other hand, the unhappy legacies and memories of colonialism make interventions by Western or white governments or groups, however nobly intentioned, precarious, at best, and potentially quite harmful if these interventions should appear to be in pursuit of particular political or military results.

Ultimately, the matters at issue will have to be worked out by the people of the area involved.

Fifth. Nigeria and Biafra are now much too far apart to hope that acceptable conditions can be found for an early truce or cease-fire, let alone for negotiations that might avert further efforts to achieve a military resolution to the conflict.

We may all continue to hope for developments that will make steps toward peace possible at the earliest possible date. But the fact is that the best hope at this time for decreasing suffering and avoiding greater tragedies lies in the effort to find ways to bring in relief which are not dependent on truce, cease-fire, or successful negotiations for an end to the conflict.

Sixth. In this connection, the outpouring of compassion and concern among people around the world is gratifying and helpful. It would be an appalling indictment of the human race were there not such concern. The great response of children and students to the suffering of faraway contemporaries is especially heartwarming.

In fact, this outpouring of compassion and concern can provide the most hopeful antidote to expanding tragedy, if it leads to intelligent, informed, concerted action by men of good will here and elsewhere. But this action should now be concentrated on the proper—and urgent—effort to implement programs that will ease the suffering of the civilian victims of the war, not futile efforts to impose political solutions on Nigerians or Biafrans.

The notion that it is somehow racist for white people to be concerned about starvation in Biafra puts the situation precisely backward; it would be the absence of such concern that in fact would be racist. To say that because the people starving are black it is no one's business except other people who are black, would be a most pernicious kind of racism.

Seventh. From their public statements—and private assurances—the Governments of Nigeria and Biafra must be assumed to be dedicated to finding ways to permit and expedite massive infusions of relief in the immediate future. I can see no value in doubting the good faith of either side on this critical question at this critical moment.

The world will be waiting to see which side, if either fails, by delay, pretext, or evasion to live up to these assurances. We can meanwhile express our gratitude to the Government of the Republic of Dahomey for allowing relief flights to operate from its territory. If the Dahomey Government had not responded with such compassion and wisdom, the slack caused by the sad decision of the Government of Equatorial Guinea to cancel rather precipitately such flights from its territory would have had tragic consequences for countless additional people.

Eighth. The attitude of the new administration on these questions has been most encouraging. The Government of the United States can do much to ease suffering. Our resources and skills should be more deeply committed. Our good offices should be available.

The magnificent efforts of Caritas, Nordchurch Aid, and the International Committee of the Red Cross have shown that private citizens and voluntary organizations are capable of heroic efforts to meet great needs.

But the need is clearly too great to be met by private citizens and voluntary organizations alone. The policies and energies of the great international organizations—the U.N., the Commonwealth, the OAU, OCAM—as well as those of the Governments of the United States, the United Kingdom, and other concerned countries, should now be coordinated to bring about the immediate acceptance and implementation of a massive emergency relief program.

We are at the point where the next fortnight will tell whether the appalling specter of enormous additional numbers of people needlessly dead from and crippled by hunger and disease is to hang over the rest of this century.

The intricacies of finding a way to get food in to the afflicted areas can be resolved if the forces of good will in and out of Nigeria and Biafra join in the determination to resolve them. I cannot believe that this will not be done in view of what is at stake.

THE 51ST ANNIVERSARY OF LITHUANIAN INDEPENDENCE

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. GERALD R. FORD. Mr. Speaker, I am pleased to add my voice to those of my colleagues who this week have spoken in honor of the 51st anniversary of Lithuanian independence.

Lithuania is a proud nation, and the Lithuanians are a proud people. Every day that the Lithuanian people are denied the freedom and independence they once enjoyed is a cause for shame.

It was in February 1261, more than seven centuries ago, that Lithuania was established as an independent state. It was on February 16, 1918, after centuries of independence, that the Lithuanians broke the bonds of Russian domination and German occupation and declared their nation free and independent.

But in June 1940, in direct violation of a treaty with Lithuania, the Soviet Union occupied the Baltic States. Ever since then the Lithuanians have been forced to live under the Soviet yoke.

Mr. Speaker, Americans of Lithuanian extraction are among our most patriotic and industrious citizens. Let us join with them in the hope that Lithuanians again will see their mother country free—and independent, as she deserves to be.

FREEDOM'S CHALLENGE

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. BERRY. Mr. Speaker, under leave to extend my remarks, I wish to insert in the RECORD the prize-winning speech delivered by William Jockheck in the South Dakota Voice of Democracy Contest.

It is refreshing and encouraging to know that there are young people like Bill who cherish our American freedom and accept the responsibilities that accompany it. It is a welcome contrast to the radical demonstrators on college campuses who demand complete freedom, without regard for the interests of others and without any regulations.

I urge my colleagues to read Bill Jockheck's speech which follows:

FREEDOM'S CHALLENGE

We have just come from a field of battle. In that battle we have selected a president. But in this regular phenomenon there is something singularly unusual. That is the field on which the battle is fought, a background of freedom with a structure of democracy.

This field is of great value but members of my generation are losing sight of just how valuable and how dangerous such a field can be. The last two generations know all too well the cost of freedom, and in their struggles to preserve it they saw it as a glowing gift, an end in itself, to hand to their children.

But he knows not freedom whose freedom has not been threatened. Freedom means nothing lest those having it be threatened with its loss. It is only in this way one can know the meaning of freedom. Just as one does not know the meaning of hunger until he has been starving; one does not know the meaning of freedom until he has been without it.

Thus today, the threat to freedom is not from without so much as from within. Since my generation has known nothing but freedom, we take it for granted. What is worse, many keep grabbing for more and more of their so-called freedoms. They want freedom from morals, freedom from work, freedom from laws.

These individuals can be seen in demonstrations from coast to coast. Somehow, they believe they deserve complete freedom. They are not concerned about how their freedoms affect others. Many times the limits of freedom are described thus: your freedom to swing your arm stops just short of the end of my nose. This means nothing to growing numbers of young people. They think it is their right to be able to destroy public and private property, hold public officials and demand exemption from the laws. Their freedoms are one-sided. If the freedoms they expect were granted for all, there would be anarchy. But anarchy results in elimination of rights and protections. Freedom can only exist within the bounds of regulations. Freedom must be restricted or there can be no freedom for the majority.

These facts are ignored by those idealistic and impractical youths who have known nothing but freedom. This generation raised in permissiveness can not see beyond their own desires. To them, freedom is theirs. They fail to see the situation from a practical standpoint. What would happen if these so-called freedoms were given to all?

These individuals have failed to see what freedom is. Freedom is not a golden god to be worshiped. It is a tool. A tool with which we can improve ourselves, our society and our world. But like all tools it can also be used as an instrument of destruction as well as construction.

Freedom can be easily compared to atomic energy in this sense. The atom used for peace has practically no limits on what it can do. It can power our cities, light and heat our homes, create mutants for greater productivity and on and on the list goes. But as a tool of destruction it is also unparalleled in its potential.

So it is with freedom. Properly used in moderation, with respect for the rights of others and not just our rights, freedom and democracy can lead to peaks of prosperity and peace, but if freedom is only taken, without respect to responsibility, it can be just as destructive as any bomb. Those who want freedom without responsibility have failed. They will turn freedom into a destructive force. But to take freedom and willingly accept its responsibilities, to use it in appropriate moderation, with respect for others, this is freedoms challenge.

PUTTING CURBS ON MAILINGS OF PORNOGRAPHIC MATTER TO MINORS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. DULSKI. Mr. Speaker, our Committee on Post Office and Civil Service has been working diligently in its effort to deal with the continuing problem of obscene material that is being sent through the mails, particularly to our young people.

The Congress has enacted legislation to deal with this difficult matter, but it is clear that further action is necessary.

I am introducing a proposal today which I am convinced will provide tighter control over the mailing of objectionable material to minors.

My bill will impose a stricter ban on the use of the mails, in any way, for the solicitation, sale, delivery or distribution of pornographic material to a minor.

The same ban would apply on mailings to any person with whom a minor resides.

This new authority to the Post Office Department, with enforcement provision, is aimed directly at the area of greatest concern: The continuing unsolicited mailings to our young people.

In trying to curb the flow of smut, I feel it is essential that the law spells out in detail exactly what type of material is objectionable and should be banned from the mails. Such standards are a vital feature of my bill.

The Federal antipandering law, which originated in our committee, has been in operation nearly a year, and has proven its worth in giving recipients of such mail a way in which to halt further solicitations.

Since last April, the Department has received nearly 170,000 complaints about material which the recipients considered to be of the smut variety.

Acting on these complaints, the Department was able to order the removal of names from the mailing lists, under threat of referral of individual cases to the Justice Department.

What we aim to do in the legislation I am introducing today is to stop unsolicited mailings to minors at their source. Certainly, my proposal should provide a strong deterrent to random mailings to homes.

NOW IT'S ROTC THEY'RE AFTER

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. NICHOLS. Mr. Speaker, college campuses across our great country are today being disrupted by students who think they are better qualified to run the schools than experienced administrators are. These militants represent only a small minority of the total number of students in our colleges. The great majority of our college students are sincere, hard-working young people who are trying to prepare themselves for the future. But in many places, these students have had their education disrupted and delayed for months by those who are more intent on promoting discord and violence.

One of the many issues which these militants use as an excuse for their anarchy is the Reserve Officers Training Corps. Students and faculty members alike have raised opposition to military training at our colleges, and in many instances, have succeeded in having ROTC eliminated from the curriculum.

As one who received a commission through ROTC, I am a strong supporter of this program. It distresses me to see it being devalued as a means of supplying our military services with trained and educated officers. I intend to continue to support our ROTC program, and I sincerely hope that other Members of Congress will publicly express their support.

The Talladega Daily Home is also concerned about this matter, and I would like to insert in the RECORD a copy of an editorial which appeared in that paper recently:

NOW IT'S ROTC THEY'RE AFTER

The rabblerousers are now taking off after the Reserve Officers Training Corps.

Not satisfied with all they have been protesting and demonstrating about on the campuses, some of the screwball students and faculty members are now challenging the ROTC, the organization that has done so well through the years in providing officer material to the Army, Navy and Air Force.

This year, for example, there are more than 270,000 men enrolled in the corps program. More than 330 colleges are participating. Under this program the Army will be supplied with 50 per cent of its officers, 35 per cent of the Navy's and 30 per cent of the Air Force's.

Students who sign up for ROTC and who finish the program are commissioned. In the Army they serve two years. In the Navy three and in the Air Force four years. By taking military training while in college the boys succeed in getting a better education and the military has a steady source of officer material. Those who sign for the Air Force pay a penalty in that they must serve four years, whereas if they had volunteered the term would have been much shorter, but also as a private. Proportionately, the same is true of the other services.

Military officials are pooh-poohing the protestors. They are "beatniks", the military folks say. However, college officials and students should be on the alert to spot organized opposition to the ROTC for it borders on the opposition to the Vietnam war demonstrations, and there seems to be a tinge of Communist leanings. Let's watch it.

RED SKELTON EXPLAINS OUR PLEDGE OF ALLEGIANCE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. DULSKI. Mr. Speaker, how often it is that we let the significance of familiar words escape us temporarily.

On one of his recent television programs, Red Skelton, one of the world's great clowns, gave a pointed example which he recalled from his childhood.

This wonderful story, told with all the emphasis and sincerity which Mr. Skelton can muster whether he be comical or serious, gives real meaning to the words we all know so well, that comprise our Pledge of Allegiance.

Even in printed form, the Skelton story has impact and is worthy of repetition—including his pointed closing comment.

The text of Red Skelton's explanation on his January 14 program was reprinted in the February 15 TV Topics supplement of the Buffalo, N.Y., Evening News, as follows:

HOW SKELTON EXPLAINED PLEDGE OF ALLEGIANCE

Getting back to schools, I remember a teacher I had. I only went through the 7th grade in school. I left home at 10 years old because I was hungry. I'd work in the summer and go to school in the winter.

I remember this one teacher. To me, he was the greatest teacher, a real sage of my time. He had such wisdom. We were all reciting the Pledge of Allegiance, and he walked over. Mr. Lasswell was his name . . . Mr. Lasswell. He said:

"I've been listening to you boys and girls recite the Pledge of Allegiance all semester, and it seems as though it is becoming monotonous to you. If I say, may I recite it and try to explain to you the meaning of each word.

"*I*—me an individual, a committee of one.

"*Pledge*—dedicate all of my worldly goods to give without self-pity.

"*Allegiance*—my love and my devotion.

"*To the flag*—our standard, Old Glory, a symbol of freedom; wherever she waves, there is respect because your loyalty has given her a dignity that shouts freedom is everybody's job.

"*Of the United*—that means that we have all come together.

"*States*—individual communities that have united into 48 great states; 48 individual communities with pride and dignity and purpose, all divided with imaginary boundaries, yet united to common purpose, and that's love for country.

"*And to the republic*—republic, a state in which sovereign power is invested in representatives chosen by the people to govern; and government is the people and it's from the people to the leaders, not from the leaders to the people.

"*For which it stands.*

"*One nation*—the nation, meaning, so blessed by God.

"*Indivisible*—incapable of being divided.

"*With liberty*—which is freedom and the right of power to live one's own life without threats, or fear or some sort of retaliation.

"*And justice*—the principle or quality of dealing fairly with others.

"*For all*—which means, boys, and girls, it's as much your country as it is mine.

"And now, boys and girls, let me hear you recite the Pledge of Allegiance:

"I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, indivisible, with liberty and justice for all."

Since I was a small boy, two states have been added to our country and two words have been added to the Pledge of Allegiance: "Under God." Wouldn't it be a pity if someone said, "That's a prayer" and that would be eliminated from schools, too?

L. CPL. BOBBY D. ROGERS KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. LONG of Maryland. Mr. Speaker, L. Cpl. Bobby Dale Rogers, an outstanding young man from Maryland, was killed recently in Vietnam. I wish to commend his courage and honor his memory by including the following article in the RECORD:

L. CPL. BOBBY D. ROGERS KILLED BY VIET LAND MINE

Marine Lance Cpl. Bobby Dale Rogers, a former honor student at Glen Burnie High School, has been killed in combat in Vietnam, the Defense Department announced yesterday.

Corporal Rogers, 20, lived on Magothy road in Pasadena, Md.

He served as a squad leader in Company K, 3d Division, 26th Marines. Drafted in April, 1968, he had been sent to Vietnam last October.

According to the Defense Department announcement, Corporal Rogers and three other marines were killed when one of them stepped on a land mine while on patrol near Quang Nam last Friday.

After graduating with honors from high school in 1966, Corporal Rogers worked for the Baltimore Gas and Electric Company as an apprentice cable splicer.

He is survived by his mother, Mrs. Thelma R. Rogers, and a brother, Danny R. Rogers, both of Pasadena.

THE PLOT AGAINST DEFENSE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. RARICK. Mr. Speaker, when a small militant group of malcontents can become so brazen as to plot against our Government defending its own people from destruction, one wonders if treason and genocide are any less actionable because the culprits are scholars, ministers, or officials?

Whose purpose do they serve?

I include a column by Alice Widener from Human Events for February 22, 1969, as follows:

MARCH 4 STRIKE PROPOSED: THE PLOTTING AGAINST OUR MILITARY DEFENSES

(By Alice Widener)

Acting together in a plot, a leftist group of graduate students and professors, at Massachusetts Institute of Technology in Cambridge and elsewhere, is trying to organize a nationwide strike of scientists and engineers, March 4, 1969, against our military forces and the industrial corporations that construct our military defenses. The aim of the plot is to set our scientists and engineers against the military and the policies of the U.S. government.

The octopus-like tentacles of the plotters reach from the Office of the MIT Provost, Dr. Jerome Wiesner, former science adviser to President Kennedy and longtime advocate of U.S. unilateral disarmament, to universities throughout our nation, to the Fund for the Republic's leftist Center for the Study of Democratic Institutions at Santa Barbara, Calif., to the marble halls of the United States Senate and Supreme Court.

On Jan. 10, 1969, the following letter was sent to top scientists, researchers, professors and corporation engineers throughout our nation:

"SCIENCE ACTION COORDINATING COMMITTEE, MASSACHUSETTS INSTITUTE OF TECHNOLOGY,
Cambridge, Mass., January 10, 1969.

"DEAR FRIEND: As a scientist and an active worker for peace you will be pleased to know that a group of faculty members and students at MIT are organizing against the current trend towards increasing military involvement in scientific research. For this purpose, the Science Action Co-ordinating Committee has been formed and has received wide-spread support in the scientific community at MIT and elsewhere.

"We have set aside a day, March 4th, to begin a vigorous involvement with these issues and during that day we propose that scientists and engineers at MIT and elsewhere, pause in their normal research activities and join us for a day of critical discussion and self-evaluation. The idea has received widespread and enthusiastic support from the scientific community at MIT and all over the country.

"We are enclosing a call describing our motives . . . as well as a statement prepared by the Industry Liaison Committee.

"Strong support by scientists and engineers working for industry is desirable because of the part played by industry in promoting the military uses of science. . . ."

Four days before sending out the foregoing letter, the Science Action Co-ordinating Committee (SACC) issued a "progress report" (Jan. 6, 1969) that stated the group was formed "with the primary purpose of organizing a one-day research strike on March 4, 1969. The official sponsoring organization for this project is now the Union of Concerned Scientists. . . ." Coordinator of the

SACC Committee at MIT is Joel Feigenbaum; Elliot Belasco is in charge of inter-university action.

On March 4 members of the nationwide strike group will hold regional meetings to be addressed, according to present schedules, by Nobel Prize winners Hans Bethe of Cornell and George Wald of Harvard; by Gar Alperovitz, a Socialist Scholar, by Sen. George McGovern (D.-S.D.) and others.

The main objective of the MIT and affiliated groups (who are closely in touch with the Center for the Study of Democratic Institutions through Jerome Wiesner, Sen. McGovern, Supreme Court Justice William O. Douglas and others) is creation of "a politically active scientific community working outside of government and mobilizing popular support" to set scientists, engineers and researchers against the allegedly "destructive" defense policies of our government. The plotters' chief propaganda aim, at present, is to stop our country from building an anti-ballistic missile system. The Soviet Union already has one. It creates a military security gap in favor of the Communists. The over-all aim of the plotters is unilateral disarmament of the United States.

At the center of the anti-ABM campaign is the Center for the Study of Democratic Institutions. On Nov. 1, 1968, it sent a letter to presidents of major industrial corporations engaged in defense work announcing "a public discussion," November 19–20, in New York City on "ABM: Yes or No?"

Chairman of the November 19 meeting at the Hilton Hotel was Supreme Court Justice William O. Douglas, who abandoned a dispassionate role to make a one-sided opening statement. "My lay judgment," said Justice Douglas, "is that the manufacture of these systems of missile defense will make the military-industrial complex rich, will result in the production of huge piles of junk, and will be meaningless in terms of survival."

On November 20 the Center held a closed meeting at the St. Regis Hotel from which the press was barred. The secret talks were attended by four members of the Center staff, including W. H. Ferry and Harvey Wheeler, who are notoriously anti-U.S. government and anti-U.S. military in foreign policy and defense matters.

Among others present were Dr. Jerome Wiesner; Sen. George McGovern; Gen. Leon Johnson, who is in favor of ABM; longtime Socialist Adolph Berle; Prof. I. I. Rabi of Columbia University, participant in Pugwash conferences sponsored by Cyrus Eaton, Lenin Peace Prize winner; and Prof. Franz Shurmann of the University of California at Berkeley, a Socialist Scholar.

The edited version of their secret discussion is being published this month by the Center in a paper entitled "ABM: Yes or No?" Of course, the "noes" have it; the Center wears a figleaf of objectivity to maintain its tax-exempt status, but it has issued over the years a stream of anti-U.S. military, prounilateral U.S. disarmament literature.

The Center's plan to try to stop construction of an American ABM system was formulated as soon as the Johnson Administration proposed building a "thin system," after it became known the Soviets already had a thick one. When President Nixon announced his intention to strengthen U.S. military defenses, the Center intensified its anti-ABM propaganda, using Dr. Wiesner, former science adviser to President Kennedy, as a prime spokesman. Behind the scenes, Wiesner is supporting the leftist-radical Science Action Coordinating Committee's "strike" of scientists and engineers, March 4, 1969, against our government and industrial defense establishments. According to the Boston *Globe*, Dr. Wiesner will kick off the strike on the evening of March 3, along with leftist Prof. Noam Chomsky.

Signers of the March 4 strike call at MIT include the heads of the departments of chemistry, biology, and physics; professors of aeronautical engineering, of mathematics, economics, and electrical engineering. The MIT Science Action Coordinating Group is in touch with Prof. Melvin Rosenberg of the University of Chicago and with Prof. Charles Schwartz of the University of California at Berkeley. The SACC also is cooperating with the revolutionary Students for a Democratic Society and the Socialist Scholars.

Under the alleged moral justification that scientists and engineers should refuse to take part in "destructive" military research, the plotters against an American ABM system and U.S. military defense are trying to persuade such professionals to divorce themselves from U.S. government-sponsored activities.

In the light of the Soviet military invasion of Czechoslovakia, of the growing Soviet nuclear threat in space and on the seas, including the Mediterranean, the American people ought to inform themselves about the true aim of all intellectuals sponsoring the March 4 strike of scientists and engineers. The only ones who could possibly benefit from such a strike are our Communist foes. Those certain to suffer from impaired U.S. military defense are American men, women and children.

THE HOPELESS COMMITTEE

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 18, 1969

Mr. RYAN. Mr. Speaker, in a timely editorial today's New York Times points out the ludicrousness of rechristening the House Un-American Activities Committee. The new name will not change its character, but the broadened mandate proposed in House Resolution 89 will extend its jurisdiction and, the sponsors hope, render it less subject to judicial review. Instead of giving this committee greater latitude to indulge in its familiar tactics, the House should write a finis to its 30-year career. The New York Times observes, "Like the committee itself, this proposal is wholly without merit."

The editorial follows:

[From the New York Times, Feb. 18, 1969]

THE HOPELESS COMMITTEE

The House of Representatives considers today a resolution to change the name of the Un-American Activities Committee and redefine its mandate. Like the committee itself, this proposal is wholly without merit.

It would obviously do no good to change its embarrassing name to the more decorous "Committee on Internal Security" if the committee does not also change its ways.

Representative Richard Ichord of Missouri, the committee's new chairman and sponsor of the proposal to rechristen it and restate its jurisdiction has candidly conceded that the principal purpose of the redefinition is to assist the committee in its endless jousting with the courts. Mr. Ichord believes that the present "vague language is in part responsible for the many restrictive court decisions."

Certainly the groups record in and out of the courts is dismal. Of the 133 contempt citations issued by the committee between 1950 and 1966, only nine resulted in convictions. In the last quarter of a century, it has reported only five bills that became law. Yet every year it gets what is a huge appropriation by comparison with other Congressional committees. Its staff of 46 persons, for example, is more than twice as large as that of the Ways and Means Committee which considers roughly one-fifth of all the bills introduced in the House every year.

Even by its own misguided standards, the committee is a failure. The only real function it seems to serve is to provide publicity and a platform for various crackpots and fanatics of both the extreme left and the extreme right.

Many members of the House are backing a substitute offered by Representative John Culver of Iowa to transform HUAC into a subcommittee of the Judiciary Committee. This would be a modest improvement. But the House would do better to admit after more than thirty years of collisions with the courts that "un-American" and "subversive" are terms that defy definitions. By any name, this is a hopeless committee on a hopeless quest.

ACADEMIC FREEDOM AND THE RIGHT TO DISSENT: THE SEPARATION OF LIBERTY AND LICENSE

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. PODELL. Mr. Speaker, the right to dissent is precious to Western civilization, and to American democracy. Indeed, we believe, it is not only the right, but also the duty, of citizens to speak out on issues in which they have either strong interest or moral concern. Our greatest patriots and philosophers have encouraged us conscientiously to perform this duty. Jefferson declared that the tree of liberty must periodically be watered by the blood of patriots, even as Thoreau pronounced it "not desirable to cultivate a respect for law so much as for the right." We have, as a nation, been molded by the individualistic concept of self-determination and self-reliance. Thus did Emerson declare, in the spirit of frontier America:

> To believe your own thought, to believe that what is true for you in your private heart is true for all men—that is genius.

Translated into political terms, this means, according to J. R. Wiggins:

> That there is . . . a duty [to dissent from the policy of government when that policy seems to the individual citizen to constitute a departure from national interest or moral rectitude]—that . . . such a duty . . . is the very essence of self-government, the very vital spark of a democratic system. A people devoid of this impulse would make the form of government a matter of indifference. And a people with this impulse will invest even the most unsatisfactory system of government with the vigor and force that may make it adequate to deal with society's problem.

An aspect of proper dissent which has particular relevance to the current situation is academic freedom—the birthright of the student population, which is the privilege of speaking one's mind freely, in regard to all topics—including current political issues. The right to academic freedom has been considered sacred by Western democracy, and men have given their lives in its defense.

On the other hand, however, the American heritage is one which emphasizes the importance of law and order, of representative government, of majority rule.

Theodore Roosevelt declared in a classic statement:

> No man is above the law and no man is below it, nor do we ask any man's permission when we require him to obey it.

Or, as Joseph H. Choate explained:

> Law is the expression and the perfection of common sense.

How, then, to reconcile these differing traditions is the problem which confronts us today—a problem not easily resolved.

An article by Washington Post Editor J. R. Wiggins delineates with perception the fine line which must be drawn between proper dissent and its abuse, between liberty and license. Mr. Wiggins relates that in five instances in our Nation's history, popular dissent has altered the course of national policy, forcing a reversal of legislative intent or executive direction. Mr. Wiggins writes:

> Such was the case in 1804, when a Republican defeat of the Federalists nullified the Aliens and Sedition laws. In 1808 it occurred when the Republicans gave in to hot resistance over the Embargo Act. . . . The election of Lincoln climaxed a long period of rising dissent against the pro-slavery policies of the Federal Government [, while] the Civil War—the very embodiment and ultimate in dissent—reversed the national policy and put slavery on the way to extinction. The repeal of the 18th Amendment was another reversal of national policy coerced by the collapse of enforcement in a rising volume of dissent, disobedience and defiance of the law.

The fifth instance cited by Mr. Wiggins, the dissent of civil rights advocates, has already significantly altered Government policy and Federal legislation.

In short, the acceptable kind of dissent, which may be applied toward alteration of Government policy and Federal legislation, has generally been defined as that which cannot find redress under the law—a cause set forth in defense of morality, a cause which uses techniques of dissent which neither produce violence nor infringe upon the rights of others. Thus, in some cases, peaceable assembly and demonstration may be condoned as proposed methods of dissent. It may be observed that in at least two instances in our history, either violence or disobedience have impinged upon the scene—the former in the Civil War, the latter in rejection of the 18th amendment. While both obtain general sanction in retrospect, we would not wish to repeat them today—the prospects of either another Civil War or renewed prohibition are now unthinkable and were, indeed, unique products of unique times.

Thus, the case of current student revolt, civil disobedience, and outright riot—seems somewhat different from the previous five cases cited. For indeed, much of the current dissension—led by both white and black activists—is no more than a crude rejection of all legal processes, a determination to abridge the right to free speech for all but the dissenters. Instead of asking to be heard, instead of using the means of peaceable demonstration and responsible political activity in seeking their goals, these people seem bent upon shouting down their opponents while demanding instant achievement of their demands by whatever means possible—democratic or not. These are the people, writes columnist Max Lerner, who are victims of what he calls instantism—who want "instant victory over the enemy, instant justice, instant vindication of ancient wrongs, instant power." For these people there is neither yesterday nor tomorrow, but only the single dimension of today. And these are the people whom the chancellor of UCLA defines as unable to draw the fine line between personal freedom of choice on the one hand and social necessity on the other. And as former HEW Secretary John Gardner has concluded:

> How can we make people understand that if they expect all good things instantly they will destroy everything? . . . Dissent is an element of dynamism in our system. It is good that men expect much of their institutions, and good that their aspirations for improvement are ardent . . . [But] violence cannot build a better society. No society can live in constant and destructive tumult. . . . The anarchist plays into the hands of the authoritarian. . . . The elements of dynamism must have stabilizing counterparts. . . .

Again, Mr. Wiggins hits the nail squarely on the head:

> There have been frequent demonstrations in which violence has been used to disrupt public meetings and interfere with speakers. This is a technique perfected by the Fascists and the Nazis. Those who are in dissent ought to be the last to encourage a contest in which the side with the most numbers and least scruples is bound ultimately to triumph.

Furthermore, he warns:

> those in dissent, if they are at all farsighted, should be the first to demand for those who speak in opposition to them full personal security. The business of breaking heads is not an enterprise involving so much ingenuity that others cannot be instructed in it or learn to profit by it, if it becomes one of the necessities of public life.

Thus the right to dissent has, of late, been interpreted as the right to disruption of order, destruction of property, and curtailment of the rights of others. What we are witnessing is, essentially, a breakdown in discipline, a refusal by the minority to accept the limitations which proper dissent must take in an orderly society. We see in the ascendant a spirit which holds that any law may be violated at will—not only because it may, or may not, in the eyes of the protester, be immoral, but also, by implication, because it happens to curtail the pursuit of pleasure, or money, or any other desirable end. Thus, murder, arson, extortion, rape—by logical extension, all acts are permissible, and we have arrived, like Dostoevsky's Inquisitor, at a point beyond good and evil, at a point where all things are allowed.

In this connection—

Writes George F. Kennan, by way of parenthesis—

> There are some people, who accept our political system, [who] believe that they have a right to disregard it and to violate the laws that have flowed from it so long as they are prepared, as a matter of conscience, to accept the penalties established for such behavior.

These are not the disrupters of free speech, the looters and burners, but the sincerely conscientious who feel that civil disobedience is the most practical way of changing what are to them immoral laws. Civil disobedience is not new to America. It has attained some respectability. But I would warn of its potential danger: For what may pass as civil disobedience today may become indiscriminate antinomianism tomorrow. And once again, I quote Mr. Kennan:

> The violation of law is not, in the moral and philosophic sense, a privilege that lies offered for sale with a given price tag, like an object in a supermarket, available to anyone who has the price and is willing to pay for it. It is not like the privilege of breaking crockery in a tent at the county fair for a quarter a shot. Respect for the law is not an obligation which is exhausted or obliterated by willingness to accept the penalty for breaking it.

What, then, may properly be expected of those who feel called to responsible dissent, whose watchful vigor is essential to the conduct of responsible government?

Mr. Wiggins writes:

> Of these citizens [I would reply] the Government is entitled to ask forms of dissent and disagreement that comply with our traditions—speech within the limits of parliamentary utterance, actions in conformity with laws adopted by due process. The exact limits on both speech and actions may fluctuate with the occasion, but there surely is a line beyond which such citizens ought not to proceed if they count themselves within the community that does not intend or propose the revolutionary overthrow of this Government by force and violence.

For if the right to dissent is the property of the minority, the right to conform is the right of the majority. These two—minority and majority—do not exist singly but together; and neither can for long survive without the sufferance of the other. Thus—to those who would invoke the sacred name of academic freedom for the purpose of anarchistic violence, let me caution that the minority is always first to lose when the force and validity of law breaks down. But it is also true that if the minority is usurped by the majority, what was formerly the majority is, ipso facto, no longer such. Democracy is a dialectic between the greater and the lesser, and can never be anything else.

Thus, the natural successor to anarchy is tyranny; and, indeed, experience has taught that the primary victims of authoritarianism are all too often the students and intellectuals that have championed the cause of minority rights. The recent unhappy events in Poland serve to illustrate this point only too well. Academic freedom and proper dissent can survive as viable means for promoting change only so long as their proper limits within the boundary of law are respected—by those who invoke their names in the cause of reform. It is reason, not emotion, which must prevail, if American democracy is not to vanish in the smoke of violence and destruction.

NEW KIMBERLY-CLARK PLANT BRINGS AUTOMATION, MODERN PEOPLE POLICIES TO BEECH ISLAND AREA

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. DORN. Mr. Speaker, during the recent recess I had the pleasure and privilege of participating in the dedication of the new consumer products plant built by the Kimberly-Clark Corp., at Beech Island, in my congressional district.

It was a matter of pride to me to hear Mr. Guy M. Minard, president of Kimberly-Clark, say in his dedication speech that this new plant will be automated and have two of the fastest tissue-making machines in the world. This will contribute greatly to the industrial progress of my area.

But I was especially interested in the enlightened remarks of Mr. Minard on what he called "people planning," a viewpoint of industry that will make our new Kimberly-Clark plant a center for social progress as well as manufacturing efficiency.

The substance of Mr. Minard's speech will be of interest, Mr. Speaker, to you and our colleagues, and I insert it at this point in the RECORD:

REMARKS OF GUY M. MINARD, PRESIDENT, KIMBERLY-CLARK CORP.

It is a pleasure to be here today because I feel I'm among very good friends. Kimberly-Clark has received a cordial and helpful welcome to this community and in the South. We are most appreciative. Important things can be accomplished when companies and communities work together as closely and enthusiastically as we have been able to work with you.

At Beech Island, Kimberly-Clark has built one of the country's most advanced paper products plants. The planning for its development began many years ago by men who were keenly aware of the growth potential of our industry. They projected Kimberly-Clark's pattern of expansion, analyzed the operations of all other company mills to isolate the best of these for Beech Island, studied dozens of possible plant sites, and took a hard look at the eastern seaboard market for the products we make now and may make in the future.

Kimberly-Clark has introduced many new ideas in product manufacturing, packaging and handling at Beech Island. For example, the two tissue-making machines here are the fastest in the world. We designed them, and the principle will soon be applied at many of the company's other plants throughout the country. We are proud to have developed a number of other new systems and techniques and to have brought them together here in a highly efficient and productive plant.

At Kimberly-Clark, however, we believe that the tools of production are only one element of growth. Today, I would like to discuss with you another aspect of business success that's not exactly related to markets or machinery. That element is people.

In the early years of this country, you had to own or control real estate if you wanted to enjoy economic power. This was the case until the Industrial Revolution when capital replaced land as the factor that did the most to stimulate progress. Later, as industry developed, growth began to hinge on invention, technology, and scientific break-throughs.

Now a new swing in emphasis seems to be gaining momentum. Economic progress is beginning to focus on human resources and their effective organization and use. More companies are starting to think more about people, and to recognize their technicians, managers, production workers, scientists and executives as perhaps the most critical elements of industrial development.

We all know that good human talent is not very easy to come by. True, there are more people in this country than ever before, but the demand for qualified workers still is running ahead of supply. And according to the Bureau of Labor Statistics, the labor force will grow more slowly in the near future than it did in the recent past. A capable man, in other words, not only is hard to find; he is getting harder to find.

However, I think there are some interesting and realistic solutions to the diminishing supply of good workers and good managers in industry.

Some months ago, the National Industrial Conference Board asked mayors of major cities to indicate where business can make the most significant contribution to jobs, job training, and education. The mayors pointed out several things companies might do to improve their performance in this area:

They should adjust job entry requirements, considering the potential and not just the credentials of the worker. They should create educational programs and on-the-job training designed to close the gap between the disadvantaged and other employees or potential employees. And they should help establish close liaison with local vocational schools both in terms of guidance counseling and the provision of teaching aid and equipment.

Although the occasion to put these ideas to work exists in many business situations, a particularly good opportunity can be found at the many new industrial plants now being built throughout the United States.

By way of example, I would like to mention some of the work we have done here at Beech Island that indicates to me this kind of "people planning" is realistic.

Before ground was broken, Kimberly-Clark prepared a list of objectives for the personnel program at Beech Island that we felt would contribute to the plant's success, both in a social and a business sense.

One of these objectives is a work environment in which the individual will make a maximum contribution so that he and the company will realize maximum return on his work. You might suggest that anyone would be foolish not to have this as an objective. But it's not as easy as it sounds. For one thing, traditional paper mill job organization structures are too rigid for the atmosphere we are trying to create.

So in the place of the traditional and somewhat restraining job progressions, we have established a "cluster concept" of jobs that group several pay levels into one work assignment. A man can be advanced within this system even if no vacancy exists at the time—an opportunity we consider very important to motivation and results.

A second objective is the maximum utilization of this community's labor force. As has been our practice, Kimberly-Clark transferred relatively few people to Beech Island from other areas, and we have not hired experienced operators from local paper mills. This means that special planning for technical training was called for, especially because a large portion of the job applications we received here represented labor unskilled in our kind of technology.

In a number of cases, on-the-job training programs for certain newly hired technicians were established at other Kimberly-Clark mills to provide important operating experience. In others, we worked with vocational and technical schools in this area to help create special training courses for fields in which we were hiring. In all instances, we hired workers who appeared to have high potential without regard to the level of formal training they had achieved. We find this policy yields excellent results in terms of production as well as employee loyalty.

A third objective is free and open communication between management and employees at all levels of the mill operating force. We wanted every employee to have a clear understanding of the purpose and the effect of his work. There is no formalized procedure for communication between management and labor—they just talk. We think this policy is paying off handsomely in terms of understanding.

A fourth objective is complete integration of minority group workers at all levels in the mill and an environment in which they can feel comfortable and confident both when they come here seeking a job and later as members of our team.

As a step toward this goal, we established specific objectives for the employment of minority groups at all levels of the plant organization, including the professional staffs. Department directors are responsible for meeting these targets. Then specialized training programs were worked out in cooperation with the South Carolina vocational and technical school system and with the Augusta Area Technical School to ensure that these employees would have every opportunity to contribute fully. I'm proud to report that this program has already proved highly successful in every respect.

These four examples represent nearly a dozen objectives aimed at creating meaningful employment and a productive mill operation.

I think they are particularly appropriate for discussion at the dedication of a new plant, because new facilities offer new opportunities for working with people creatively.

And the opportunities are growing. Business spending for expansion continues to set records, and this year's projections indicate that total spending will increase by 10 per cent over 1968. Industry is going to build more than 14,000 new facilities with this money in 1969.

Each of these new plants offers a fresh environment for new techniques in forward planning for personnel. And taken as a group, the plants provide a vast arena in which better ways of training, hiring and integrating workers could be tested.

If industry, in establishing these new manufacturing centers, would plan as carefully for people as it does for production, a great many of the industry's and the nation's personnel problems could be diminished or defeated right in the factory.

The companies that put people resources to best use in the decades ahead probably will be the ones that emerge as the leaders in their industries. That's the direction we have taken, at any rate, at Beech Island.

At the outset, Kimberly-Clark located here for selfish reasons—for what the area and its people could do for us. But after that decision was made, we dug very deeply into what contributions we possibly could make in return.

I think you might make a loose comparison of our program here with the well known industrial technique usually called "promoting from within." We're building our own team from within our own community, and we fully expect that team to grow and prosper with us.

This, we feel, brings to Beech Island and vicinity a new opportunity for a great number of people to develop new skills, improve

their economic status, and build a stronger and more secure future. It's a policy that, in the long run, should pay good dividends for us all.

Thank you.

DR. DUBRIDGE GIVES EXCELLENT STATEMENT

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, Dr. Lee A. Dubridge, Director, Office of Science and Technology, today gave an excellent presentation before the Subcommittee on Science Research and Development of the Science and Astronautics Committee.

As the ranking minority member of that committee and a long-time admirer of Dr. Dubridge, it is a pleasure for me to place his fine statement in the RECORD today:

Mr. Chairman, and Members of the Subcommittee: The House Science and Astronautics Committee is devoted to the welfare of science and technology in the United States. So am I. The hearings you are now having are for the purpose of seeking ways to strengthen American science, to strengthen scientific education, and to strengthen the foundations on which these activities are built—namely the American colleges and universities. Because you are already devoted to these goals, I do not have to persuade you of their importance. But you and I are well aware of the fact that not all American people are as committed to the welfare of science and of our universities as you and I are. Therefore, I am requesting the privilege today of speaking—not so much to you, the members of this committee—but through you to the American people.

The confusion which exists in our nation today about the goals and values of science and technology is in a certain sense understandable. We as a nation are confused and troubled on many fronts and on many issues. We are troubled by a costly war in a far distant land. We are troubled by our less than cordial relations with many other nations and peoples on this tiny planet—a planet which seems especially tiny as viewed through the eyes and the cameras of the Apollo 8 astronauts. We are distressed by the troubles in our cities, about the unhappy relations between black and white Americans, about the breakdown of the peaceful and scholarly atmospheres in our schools and colleges. We are distressed by air pollution, water pollution, about the disaster to the Santa Barbara beaches, about noise and traffic on our streets and in the air. The list of our worries unfortunately is almost endless. And many of these worries are closely interrelated.

So it is not surprising, in these troubled times, that many people ask: What is science doing for us? Isn't it true that science and technology are the cause of many of our troubles? Can't we devote our energies and our money to more urgent problems? Why support our colleges when the students themselves—or some of them—do not support them? And, indeed, when some of the faculty have turned against them?

Yes, we live in troubled times. And yet it is necessary for responsible people to stop denouncing our ills and take a long look at where we are—where we have been in the past years—and where we hope to be going in the decades that lie ahead.

If we take a long look back, we can see some astonishing things that have taken place.

Would you trade places today with anyone—rich or poor—who lived on this globe say, 400 years ago? If you think we have poverty today—as indeed we do—read about the poverty-stricken masses in Europe of 400 or 200 or 100 years ago. If you decry the wars and fears of war today, think of the continuous wars that have raged on this earth for thousands of years. If you are unhappy that our schools are not doing as good a job as we think they should, think of the day when education was almost unknown to most people, even in the so-called advanced countries.

If you are saddened by the ravages of illness and disease and inadequate medical care, think of the days not too long ago when human illness was taken for granted, when the most devastating epidemics and plagues went almost wholly unchecked, when medical science had hardly advanced beyond the stage of the witch doctor. And I need not remind you that the material comforts of life which even the poorest person in this country enjoys today are far beyond the wildest hopes the kings and emperors of 200 years ago.

What has happened that has made these profound changes possible? What has happened is that about 300 years ago a few men began to use their brains and their imaginations to seek a better understanding of nature—of the world in which we live—of the universe about us and about the nature and constitution of our own bodies. Instead of wondering idly about what made stones fall, the stars move, crops to fail or illness to befall, men began to ask questions of nature. How do these things happen? Can we understand why they happen? Can we learn enough to predict what things will happen in the future?

The great pioneers of this human intellectual adventure soon came to a surprising conclusion: Nature is not haphazard or fickle; nature is not wholly mysterious; nature operates in regular ways in accordance with what we call natural laws. Furthermore, the human mind is capable of discovering these laws and using them to interpret the phenomena that are observed, to predict, in certain circumstances, and in a given system, what will happen next.

Men, in short, discovered science; invented the scientific method. The age of science began. A new era of human adventure and of human progress was ushered in. The power of prediction is one of the outstanding successes of science.

But man was not content just to know the laws of motion and of gravitation and of energy. He soon saw that he could use these laws to do things he had never done before. He could make steam do his work for him—run his machines, propel his ships and vehicles, lift mighty loads, pull his plows across the fields. Understanding energy, he began to ask about the energy of the human body. Whence does it come? What kind of processes convert the food and water and air which a man takes in to the muscular work which he can put out?

Now once man had learned how to acquire knowledge and use it, things began to change. And as more knowledge was acquired, the rate of change accelerated. More knowledge accelerated the rate of acquiring still more knowledge; accelerated the rate at which knowledge could be put to use. This acceleration is still going on today. The more we learn, the more we glimpse the vast sea of ignorance that lies ahead. But also the more rapidly do we conquer these areas of ignorance.

And so in our own generation (at least in mine!) the modern scientific-technological society has been born. We can now make machines to perform almost any desired task —even going to the moon. We can, through our knowledge of chemistry, make almost any material we want to suit our purposes, including these complex systems of molecules essential to life. We have evolved and used the complex rules of mathematics to solve a host of problems. Our geologists explore the earth, find new resources, trace the history of our planet, and map its unreachable interior. The engineer uses all of these pieces of new knowledge, fits them together and designs and builds a host of things for men to use, from skyscrapers to electric can openers, and at a cost that people can afford to pay.

In the meantime, the physicists have explored deep into the nucleus of the atom—and discovered an unbelievable array of mysteries—plus an incredible new source of energy. The chemists string atoms together to make even the most complex compounds, including those that are essential to life itself. And our astronomers lift our eyes to the stars, show us 100 billion galaxies, each containing 100 billion stars—stretching out into space untold billions of billions of miles, stretching back into time a dozen billion years or more.

And, most startling of all, the chemists, biologists and medical men have uncovered some of the deepest secrets of life itself—the nature of the genetic code, the mechanisms of bodily functions, the causes of most diseases, the sources of health and sickness. And they are now beginning to understand a little bit about the mechanism of the human brain. We have conquered a host of once dread diseases—although heart disease, cancer and some others, including the Hong Kong flu and the common cold, still remain to afflict us—and pose mysteries to challenge us.

Yes, from the material point of view we are vastly more comfortable and healthy than any preceding generation.

But have the benefits been only material? I answer a resounding *No.*

Can a man be quite the same when he has learned of the distant galaxies and has watched other men circle the moon? Can a man fail to increase his respect for the power, dignity and value of every human being when he sees what the human intellect, when driven by a desire to know, can achieve? Is not a man who can penetrate the mysteries of the atom also one who enhances the dignity and worth of all human beings? Is it an accident that the growth of the ideal of a democratic society—based on the dignity of man—has been coincident with the advance of knowledge? Is it not significant that we who live better lives than any of our ancestors have still higher ideals than they could ever have dreamed—dreams of a still better life for all men? In many ways our human and our humane ideals and goals have moved ahead faster than our physical and intellectual abilities to achieve them. Our moral ideas have gone faster than scientific advance, and not the reverse, as some people claim. We no longer are willing to accept the thesis that man was inevitably born into a vale of tears. We insist that he must eventually inherit a land of peace and happiness.

And here we come to the great paradox of our time.

Our success in the search for knowledge and in applying it has far exceeded the wildest dreams of our fathers and mothers. But we want more—much more. We can conquer some diseases, why not all? We can go to the moon. Why can't we clean up our cities? We can fly to Europe in a few hours. Why can't we get to the airport quickly?

The world could grow many times as much food as it needs. Why is there still hunger? We have built a vast educational system that most of the world envies. Why can't we make it still better adapted to match our new needs and our new ideals?

We have, in short, been so successful in many fields that we can no longer tolerate failure in any others.

The automobile is such a marvelous engineering achievement that every one needs and desires one. So our streets are clogged and our air is polluted, and we slaughter each other on our highways at a staggering rate.

We have been so successful in removing the heavy burdens of hard labor which have plagued men for thousands of years that we no longer need unskilled labor at all and our undereducated citizens are out of work.

Our factories, our buildings, our bridges and our highways are far more skillfully designed than ever before, but they still often offend our ever growing sense of the need for more beauty in our environment. The people have forgotten the soft coal smoke of 30 years ago, and which has now disappeared in most U.S. cities.

And so it goes. As we pile success on success in our scientific and technological achievements, we are more and more conscious that our success so far is woefully inadequate.

Is it that we have too much knowledge and have developed too much skill in using it?

Certainly not!

We are only beginning in our search for knowledge. We are still groping to find more effective and more thoughtful and considerate ways of using it.

We *can* reduce air and water pollution—but we need to know more; and we need to discover new ways of using what we do know.

We can abolish poverty—but we must find ways of more effectively addressing the mind of man to the problem.

Our intellectual resources—not our material resources—are the limits to what we can achieve.

Therefore, as we look to the future, we must do more than invent stopgap measures to meet current and urgent crises. We must educate our people better especially those with gifted and imaginative minds. We must intensify our search for more knowledge. We must enhance our efforts to carry on effective research in science, engineering, social science and other scholarly fields.

We are, of course, properly impatient to solve more rapidly our social problems. And greater efforts to apply what knowledge we have to this task are necessary. But here we meet a common fallacy. We hear it said that if we only spent as much money on the problems as we did on the atomic bomb project or on our space program, we could quickly solve our urban crisis. But let us not forget that we launched the Manhattan project and the space program only *after* and not before the efforts in basic research over the previous 30 or 40 years had uncovered the knowledge which showed us *how* we could build atomic bombs and launch payloads into space. In these programs we *used* the knowledge we had largely already acquired. Neither the Manhattan Program nor the space program could have even been dreamed of ten years before they started, because we did not *know* enough to even formulate a development program.

In many, though not all, of our present crises we are in the same position so far as technology is concerned. We do not know enough about certain technologies, and we certainly do not know enough about many social phenomena to justify mounting a concentrated, technically based attack on these problems. We must, of course, enhance our short-term relief measures to relieve immediate suffering and injustice. But at the same time we must encourage and support new efforts to learn more, to extend our base of fundamental knowledge in science, technology and social science, so that we can move sure-footedly toward long-term solutions.

We often think that new technological devices or new social inventions spring suddenly from the minds of a great inventor or from a massive new effort. But in every case the inventor had built upon a vast base of fundamental knowledge that had grown out of the basic research endeavors of previous generations of scholars. The electric light of Thomas Edison would have been impossible without the previous work of Faraday, Maxwell and many others on the nature of electricity and magnetism. The transistor would have been impossible to conceive had it not been for the work of those who developed the quantum theory twenty or more years before—and they in turn built on the work of their predecessors twenty or thirty years before that.

Radio, television, the automobile, the airplane and all the other marvels of modern technology similarly stem from the results of basic research in physics and chemistry which long antedated these apparently "new" inventions. Similarly our modern methods of curing many diseases and alleviating much human suffering were made possible by the work of physicists, chemists, biochemists and biologists stretching back 50 to 100 years. Research carried on by many patient men who studied such unalluring things as fruit flies and sea urchin eggs led to our modern knowledge of cell growth and of genetics—knowledge which is basic to medical progress toward the cure of new ailments.

I trust I have given enough examples to illustrate my point: knowledge must be acquired before knowledge can be put to use so that we can solve the many problems that stand in the way of creating a better life for all people.

And now, Mr. Chairman, I come to the point which is of interest to this committee in these hearings. Whence comes the basic knowledge we need and whence come the trained people who can gain more knowledge and put our existing knowledge to work? From our great colleges and universities, of course. Our fine system of higher education—with all its faults which are so raucously evident today—is still our hope for the future. Until we find new ways of strengthening our universities—through better public understanding of their function and importance and through greater public and private support—we cannot hope to make it possible for us—and those who come after us—to find causes and cures for our ills.

Our universities today are overwhelmed with problems. Student enrollments have grown much more rapidly than funds could be found for new classrooms, laboratories, libraries, educational programs, and for operating expenses. Inflationary forces have struck cruel blows at many plans for improving facilities and curricula. The worries of a troubled world have impinged on our campuses and given rise to student revolts against the establishment which has allowed such things to happen. A university, which never before had the need to build a police force and a court of justice, finds itself helpless in the face of a massive uprising. A few students and non-students, small in numbers but strong in influence, have sensed the underlying discontent and have capitalized on it—much as Hitler capitalized on the discontent in pre-war Germany. And an aggrieved citizenry, outraged at the scenes of violence on our campuses, has turned away from the university, denounced it, withdrawn its support, just at the moment when public support and understanding were most needed. Meanwhile, the great mass of students have real problems that must be constructively approached.

The purpose of your bill, H.R. 35, Mr. Chairman, as I interpret it, is to do something to strengthen our universities at a time when we need them the most. You would be the last to claim that this bill, if passed, would solve all the problems of higher education. There are many things that need to be done to open educational opportunities to all qualified students, to build adequate facilities, and to encourage innovative educational programs, to enhance and improve advanced study and research programs in the humanities, the arts, the social sciences as well as the natural sciences, and to insure the fiscal stability of our whole educational system.

The present Administration, led by the deep concern of President Nixon about these matters, is now studying the ways in which private and public funding can most effectively be mobilized—and public opinion can be mobilized—in support of our great institutions of learning. The President has expressed his conviction that the search for knowledge is not only one of the highest and noblest enterprises of the human species, but is also essential to our survival as a great and free society. President Nixon and his Cabinet officers and staff are now seeking to evolve long-range programs to achieve, not only through a federal but through a *national* effort, the goal we all seek of making higher education and research an even more powerful force for good in our country.

I compliment you and your distinguished committee for its devoted effort to find some method of relieving one segment of higher education—the scientific segment—of some of the serious problems we face. Thank you.

CHALLENGE TO WORLD HUNGER

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, it is very difficult for the average American to feel any sense of alarm or even concern that the specter of hunger is very real and growing each day throughout the world. Our food supplies are so abundant and so diversified at home that this is understandable. And we would like to keep it that way.

One avenue of promise lies in our continuing support of the ingenious work of agricultural scientists—in the State agricultural experiment stations and our industrial and national laboratories—who are adding fantastic new stories to the brilliant annals of our agricultural science record.

In the January 24, 1969, issue of Life magazine, a select group of these experiments with vivid accompanying photographs will startle and please anyone. Here is some of the most unique scheming with nature's tools—sun, water, seed, insect, leaf, bacteria: hypergrowth of the sweet potato in blue light; bubble blowing in corn fields; chemotherapy to help crops survive killing droughts; and incredible oil-eating bacteria that produce protein as nourishing as steak.

This is forward-looking research of the most basic yet most practical kind. I want to make a special point of the hope that such research engenders for human welfare.

Excerpts of the article referred to are inserted herewith, and I am pleased to commend the author, Alicia Hills Moore:

New Challenges to World Hunger

Awash in blue light, imprisoned in a crenulated greenhouse, the sweet potato plant at right is being pushed to the very limits of its productivity. By manipulating its environment, scientists at the Battelle Memorial Institute in Ohio have turned it into a kind of super-plant, an adventurer on the frontiers of hyper-growth. It is here, in these uncharted and exotic regions, that the answer to the cruelest human tragedy of our time—death by starvation—is being sought and may, eventually, be found.

Last year on this planet, 60 million people died. Nearly two-thirds of those deaths were related, in one way or another, to hunger. During the same 12 months, 118 million were born into the world, most of them in underdeveloped countries already short of food. By the end of this century, the world's population is expected to total more than six billion, twice what it is now. Some experts warn that food production must triple in the next three decades, a seemingly impossible task, just to keep up. Despite the recent success of high-yield rice and wheat in Asia, others predict that even before then there will be a worldwide famine.

Without effective birth control—and most authorities feel this is unlikely on a worldwide basis in the 20th Century—there seems no way to break the cycle of being born to starve, crippled physically, and even mentally, by a lack of adequate protein. Yet now an extraordinary new surge of scientific discovery promises to shatter this tragic cycle.

The innermost mysteries of sun and water, of seed and insect and leaf, are being probed by a remarkable band of researchers—botanists, biologists, nutritionists and even space scientists—in search of ways to get more food out of what we grow. At the same time, they are working to develop completely new techniques for extracting nourishment from new and unusual sources.

The scope of their work ranges from the esoterics of pure science to the rattle of manure-stained heavy machinery. Working with corn seedlings, they have identified a hitherto unknown substance that actually controls and orders the steps in a plant's growth cycle. Borrowing from the textile industry, they have put spinning equipment to use turning protein-rich substances into foods that look and taste like chicken and beef. On the following pages Life examines some of the discoveries now being made in this field where, today, hope and need are synonymous.

BUILDING A BETTER CORNFIELD WITH GRIDS AND BUBBLE MAKERS

Photosynthesis is the way green plants—and only green plants—use the sun's light to transform carbon dioxide and water into the chemical compounds the human body needs for growth and energy. Though crucial to all life on earth, the process is not highly efficient—no more than 5% of the solar energy available is converted into useful compounds. A good bit goes to sustain the plant, but even in the most efficient species—such as corn—there is substantial waste. To learn how to reduce such waste and make the conversion of solar to edible energy more efficient, U.S. Department of Agriculture and Cornell University scientists have instrumented an entire cornfield in upstate New York. Using soap bubbles, growth charts, artificial light and a specially designed air-sampling frame, they have meticulously plotted the photosynthesis process. Among other things, they have found that certain kinds of artificial light can make corn more productive and that even distant storm centers, by affecting wind currents, can influence the CO_2 supply—and hence the growth rate. Employing similar research methods, the investigators have also been able to gauge the operating efficiency of the dozens of varieties of corn planted in their instrumented field. This kind of precise and detailed information makes it possible to crossbreed specifically for better photosynthesis—something researchers have never been able to do before.

CHEMICALS TO MAKE A PLANT STOP WASTING WATER

Because of the delicate nature of living things, plant doctors must have a perfect sense of botanical balance—they must be able to improve productivity without upsetting natural growth. Green plants, for example, take in carbon dioxide through thousands of tiny mouths—known as stomata—in the surface of their leaves. Yet at the same time they allow equally indispensable water to escape in the form of vapor. As much as two thirds of all rainfall is wasted in this way, researchers estimate, and the loss may be as much as 3,800 gallons of water a day for an acre of corn. Even a small fraction of the lost vapor would be worth saving. At the Agricultural Experiment Station in New Haven, biochemists treating corn leaves with a variety of special chemicals have succeeded in making leaf pores remain half closed even in bright sunshine, conserving water but not seriously affecting the intake of CO_2. The widespread use of such plant chemotherapy could help crops survive killing droughts—and make it possible to farm some semiarid land that is not now tillable.

With more exotic chemical treatments and a full understanding of photosynthesis, some scientists believe they may even be able to control the way plants use oxygen and CO_2—and thereby increase their nutritional value. Thus a lush but nutritionally poor patch of jungle could conceivably be transformed into a food-rich "farm" simply by spraying it from the air.

NEED TO PIN DOWN THE DETAILS OF AN APHID'S HABIT? JUST BUG THE BUG

After years of using massive amounts of insecticides—and still losing some $4 billion worth of crops annually—scientists are beginning to fight the battle of the parasite with biology as well as chemistry. They have found, for example, that an insect can be forced to "grow to death" with a dose of its own hormones and that flashes of light in the middle of the night can upset some insect feeding patterns. Much of the experimentation leading to such discoveries is bizarre, but seldom has any been stranger than the bug-bugging operations shown here. The tiny insect in question is the aphid, a notorious spreader of viral diseases. In minutes, an aphid can fly to two or three plants, drawing virus from one and spreading it to others. To find out what goes on when an aphid stops to eat, Dr. G. A. Schaefers of Cornell University wired up one of the insects, turning it into a switch in a delicate electric circuit. Dr. Schaefers first hooked the leaf of a strawberry plant (above) to a small battery, then attached a gold wire 1/10,000 of an inch thick to an aphid and, via a metal washer (far right), to a recording machine. Thus when an aphid put its feeding tube between the cells of the plant (magnified about 1,500 times at right), it closed the circuit. By attaching a graph pen to an amplifier, Dr. Schaefers was then able to plot the aphid's actual feeding sequence and calculate the exact moments at which plant juices—and possibly viruses—were flowing into the insect's digestive tract. Now, he is looking for ways to upset the sequence. One possibility is to use elements that occur naturally in some plants and make them unappetizing to aphids, wired up or otherwise.

A BOTANICAL TRIUMPH THAT COULD TURN CORN INTO A MAIN COURSE

Proteins are indispensable—they are crucial to early growth and development and they help rebuild and repair our tissues as we age. Yet proteins are complex compounds and the body can't put them to work unless all the elements that make them up are present. These building blocks are known as amino acids. The body itself is capable of making some amino acids, but others—the essential ones—only appear in adequate amounts in outside sources such as meat and dairy foods. Green plants can provide certain of them too, but no single plant has all of the essential aminos in quantity. For this reason a person in a country without the agricultural resources to raise livestock can gorge himself on wheat or rice alone and still be starving for protein.

Missing amino acids can be supplied artificially—by mixing particular crops like soybeans and corn together so that they complement each other or by adding aminos in synthetic form. In a remarkable breakthrough, plant geneticists recently produced a new kind of corn with beef-steak protein bred into it. Edwin Mertz and Oliver Nelson of Purdue University refused to accept what most experts believed: that all types of corn were lacking in certain aminos, lysine and tryptophan. Together they spent months carefully considering more than 100 different varieties—and finally came up with one that was rich in the two aminos. By breeding the high-lysine gene from the new corn, called opaque-2, into productive hybrids, they developed a variety that is easily grown, yet has a high protein content. Seeds of the new corn have been shipped to researchers in many countries, including protein-poor nations like Colombia and Kenya. Other Purdue researchers, meanwhile, are using radioactive trace agents to figure out why opaque-2—and no other type of corn—contains adequate amounts of the critical aminos. If they can explain the mystery, then perhaps other crops can be made to produce a full supply of essential aminos too.

OIL-EATING BACTERIA AND A HYDRA WHO IS ALL TASTE

Consider this: a pound of bacteria, feeding on a fraction of crude oil so worthless that it is usually burned as waste, can grow fast enough to produce ten pounds of protein in a day. If a yearling calf were able to manufacture protein at the same rate, it would end up the day roughly the size of a three-car garage. And it would have consumed several tons of expensive grain in the process. This comparison may help show why conventional—and largely inefficient—protein production is going to be supplemented by more exotic techniques like farming bacteria, yeasts and other microbes. Already pilot plants in France, Britain and the Soviet Union are in this way turning out micro-organic protein for use in animal feeds.

In the meantime the world is virtually overflowing with other types of protein. Vast quantities of protein-rich organisms inhabit the sea, for example, and green leaves of many kinds can be used as a food source, provided their indigestible cellulose is removed.

No matter how much protein is made available, however, there is still the problem of making it taste good, which in raw form it probably won't. Research in this area has lately focused on a remarkable substance called glutathione, which has the power to affect the taste buds. To figure out how glutathione works, scientists at the University of Miami have been running tests with a tiny aquatic creature called a hydra, which is practically covered with taste buds. Their eventual hope is to develop a kind of universal flavoring that will make anything appetizing. This may seem implausible, but a hydra has been observed trying to eat a glass rod that had been steeped in glutathione.

HOW TO CONVERT A PECK OF SOYBEANS INTO A POUND OF GROUND ROUND

Although toads, termites and worms are highly acceptable foods in certain parts of Africa and Southeast Asia, few Americans—or anybody other than certain Africans and Southeast Asians—would be inclined to eat them. But what if worms—or fish meal or, for that matter, Candida Lipolytica—could be made to look and test like sliced ham or pressed duck? People might still prefer the real thing, but the substitute would be rendered a great deal more attractive. Today in the U.S., facsimile foods—carefully labeled to show what's in them—are being produced, and consumed, in increasing quantities. Using machinery and techniques borrowed from the textile industry, processors are spinning nutritious but unappealing foodstuffs into dozens of edible substitutes. In the picture at right (picture not shown), for example, are (from left) synthetic chicken in chunks and diced; bacon; beef in chunks and ground; and ham in chunks and diced. Made by General Mills, all of them are derived from soybeans like the sackful in the background, and although their taste still won't fool anyone, their color and textures are remarkably like the real thing. The process begins by spinning protein pulp into long, smooth bands of fibers as thin as three thousandths of an inch (*below*). Changes in fiber size determine texture and, with the addition of nutrients, color and artificial flavors, almost any food can be copied—including, perhaps, something resembling toads, termites and worms.

IN THE WAKE OF STARVATION, A WOUND FOOD CANNOT HEAL

A basic assumption about hunger seems to be that you can always cure it with more food. But no amount of food and special treatment, probably, will ever restore this bloated waif—and millions like him—to full health. Since birth he has suffered from undernourishment, and starvation has wounded him in a deep, subtle, and until recently unsuspected way.

Dr. Joaquin Cravioto is a Mexico City pediatrician with experience in treating infants suffering from the protein-deficiency disease called kwashiorkor. Ten years ago he noticed that even after his most severely affected patients recovered, they seemed dull-witted and did far worse on intelligence tests than other children of their age. Their I.Q. scores ranged as low as 25 points below normal. Further testing in mountain villages in Mexico and Guatemala confirmed his findings: poorly fed infants were consistently less advanced than adequately fed ones.

To explain the phenomenon, several possibilities existed. Underfeeding left children vulnerable to a variety of diseases, while conditions among the poorest families invited attacks by parasites and the effects of exposure. Genetics might also help explain why the malnourished children failed to measure up in intelligence.

But biochemists had yet another answer, a far more ominous one. The human brain accomplishes 80% of its growth in the first three years of life, even though the rest of the body grows to only 20% of adult size in the same period. Beginning in the mother's womb at approximately the fourth week after conception, the brain starts to develop, producing new cells by means of chemical reaction involving such crucial ingredients as the amino acids. These aminos are, in the womb, supplied by the mother, who derives many of them from the protein in her own diet; after birth, the infant for a time gets them from the protein-rich mother's milk and then from other food. If at any point in the sequence the amino supply is deficient, the brain growth simply slows. Yet the body will not stop growing. Under the stress of inadequate protein, so often a significant factor of poor diet, instead of expanding with live and functioning brain cells, the nerve tissue may be permanently stunted.

And this appears to be happening to Dr. Cravioto's malnourished children. Their bodies survived deprivation, but their brains in effect did not. Further studies have placed the phenomenon virtually beyond doubt. At Johns Hopkins, a group led by Dr. Bacon Chow subjected rats to fetal malnourishment; even though the babies were well fed after weaning, they turned out to be slow learners. At Cornell, Dr. Richard Barnes noted that early starvation of pigs caused long-term behavior damage.

A still more precise study of effects of nutrition on brain cell growth is under way at the Cornell Medical School laboratories, where Dr. Myron Winick uses a way of accurately counting brain cells by measuring the amount of nucleic acid in the whole brain. With this chemical yardstick, he has been able to determine that a rat brain achieves the bulk of its cells in the first 21 days of life. Now Winick and Chilean researchers are performing similar tests on the brains of children who died from malnutrition in Santiago, Chile. They have already determined that the bulk of cells in the human brain are grown in the first six months of life. Some post-mortems have revealed that undernourished children lack up to 20% of the brain cells normal for their age.

The broad implications of these findings are appalling for a generally hungry world. We must now accept the possibility that malnutrition can mean the mental degradation of whole societies, and that rehabilitation efforts may never make up for inadequate feeding during infancy. But not all the news in the field is grim. Researchers at Washington's Children's Hospital report that mongoloid children treated with certain amino acids walk and talk earlier than expected, which may mean that ways will be found to correct nutritional brain damage chemically. Dr. Bernard Rimland of San Diego's Child Behavior Research Institute goes further to suggest that nutritional improvements might someday help raise the average I.Q. level from 100 to 130. For research to proceed from warnings of disaster to a prescription for general betterment is a happy irony, but the disaster is much nearer at hand.

ALICIA HILLS MOORE.

THE TAX TREATMENT OF PROFESSIONAL ASSOCIATIONS AND CORPORATIONS

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. NELSEN. Mr. Speaker, I am once again introducing a bill to amend the Internal Revenue Code so as to clarify the tax status of professional corporations.

This matter has been the subject of bills introduced by myself and others in both the 89th and 90th Congresses. I would hope that the House Ways and Means Committee to whom this legislation will be referred will see fit to hold early hearings to resolve the issues raised by the bill.

Very simply stated, my bill would permit professional businesses to legitimately organize as associations and corporations under State laws with some assurance of continuity in Federal tax policy with respect to such organization. We are overdue in acting to guarantee this same right of organization to professional persons that we have always given other forms and types of businesses.

Briefly, Mr. Speaker, the situation which prompts introduction of this bill is this:

First. Statute and legislative reference indicates that Congress has historically intended to classify business organizations according to local law for Federal income tax purposes, subject to necessary and logical Federal guidelines.

Second. Cases and regulations over the 50 years prior to 1960 tended to classify any professional business whose organization was in the doubtful category, as an association rather than a partnership. This classification system acquired the force of law.

Third. In 1960, the so-called Kintner regulations changed this longstanding classification system. Issued to clarify the status of professional corporations, they indicated the characteristics required, but primarily were keyed to local law. As a result, many States, Minnesota included, passed laws enabling incorporation under these regulations. Assuming the air was cleared, many corporations were formed. However, in 1965, the Internal Revenue Service issued new regulations reversing its position, which if upheld, make it almost impossible to create a professional corporation, regardless and in spite of State laws permitting the same.

No business can operate without some basis of continuity of the ground rules. If any set of rules should be stable, the rules governing the basic tax classification of businesses for tax purposes should be stable and not subject to administrative whim. Businesses, almost without exception—except for the professions with which this bill deals—are now allowed to decide whether to adopt the partnership, association, or corporate form under applicable State laws. There is no logical reason for denying this choice to persons who are rendering personal services in the medical or legal fields. Fairness and equity in application of the Federal income tax laws demands that all businesses be treated alike in this sense.

The only apparent reason for the 1965 amendments to the regulations was to prevent a possible reduction in Federal revenues. I am certainly convinced that this is not an adequate reason for ignoring years of legal precedent and congressional intent in this field. Furthermore, the providing of health, pension, and profit-sharing plans through tax incentives under the corporate structure is a worthy objective and a legitimate use of the tax laws. Indeed, I am advised that any possible total tax revenue loss will be minimal when it is realized that most profits will be ultimately taxable, even though such taxation might be immediately deferred.

The position taken by the Internal Revenue Service in 1965 is untenable. It violates fairness, equity, reasonableness, years of legal precedent, and the intent of Congress as to the tax treatment of business organizations operating legitimatetly under State law. I would urge all my colleagues to support hearings and passage of this needed legislation at the earliest possible date.

This entire issue is given a quite exhaustive analysis in a fine article by Prof. Stephen B. Scallen, associate professor and assistant dean of the University of Minnesota Law School, in the March 1965 issue of the Minnesota Law Review. Mr. Speaker, I insert the summary and conclusions of Professor Scallen's study at this point in the Record, along with the text of my bill:

SUMMARY AND CONCLUSION

The various versions of the statute and legislative history suggest Congress probably intended, in the beginning, to classify business organizations according to local law for federal income tax consequences. This classification was apparently to be made by local law label, so long as the label was not a sham. It was recognized that the difference in form of organization under local law could result in different consequences to businesses similar in all respects except for the formal structure under local law. It was recognized that personal service corporations were so like partnerships that, for a brief period, they were treated as partnerships for tax purposes; but it was decided to revert to taxing personal service corporations as corporations, according to the local law classification.

The courts, largely following the regulations, tended to classify borderline groups as associations. The courts looked to the agreement governing the relationship of the parties in finding characteristics which supported classification of these groups as associations. In all the medical cases litigated, the groups have been classified as associations. Clearly the professional would be classified under the cases as corporation and association corporation and professional association for federal income tax purposes.

For 50 years the regulations consistently tended to classify borderline cases as associations. At one point Congress reversed this tendency for certain groups strongly resembling partnerships. The regulations spoke of various factors as indicators of corporateness, and seemed to emphasize local law in discussing these indicators, although without explicitly rejecting the agreement of the parties as relevant. Under this long line of regulations, classification of professional associations and corporations would clearly be as corporations. This long-standing regulatory approach to the classification question was abruptly changed in the wake of the *Kintner* case by the publication of the Kintner Regulations which seemed to place ultimate reliance on the significance of local law in applying each criterion of corporateness, and which reject the use of the agreement between the parties as a source of corporate characteristics, although not as a source of diluting corporate characteristics. Nevertheless, classification of professional associations and corporations would probably be as associations and corporations, rather than as partnerships, under these regulations, because these groups seem to have the required characteristics for corporateness. Finally, in the recent amendments to the Kintner Regulations, the Internal Revenue Service has pushed to an extreme and suggests that professional associations and corporations are partnerships, rather than associations and corporations, for federal tax purposes. Thus, the system is changed from the pre-Kintner regulations sweeping all doubtful cases into the association category, to a more neutral position in the Kintner Regulations based on heavy reliance on local law, and finally to the amended Kintner Regulations sweeping all "doubtful" cases (or at least professional associations and corporations) into the partnership category. These amendments grasp for any distinction between what they refer to as typical business corporations and professional groups. Then the thin distinction is magnified into a universal indication of the absence of corporateness. These amended regulations appear to use local law, professional ethics, and the agreement governing the relationship of the parties, wherever possible, to *deny* classification as association or corporation; but on the other hand, they *ignore* the agreements between the parties when they attempt to impute a corporate characteristic to the organization in its natural form under local law. When practicalities detract from corporateness, they are emphasized; when they tend to support the presence of a corporate characteristic, they are ignored.

Under these amendments, professional associations and corporations would probably be classified as partnerships. The Kintner Regulations and the amendments require *better than* two out of four of the corporate characteristics for classification as an association or corporation; the presence of only two out of four requires classification as a partnership.

The Kintner Regulations in some respects are inconsistent with the earlier regulations and with the cases; the amended regulations are almost wholly inconsistent with them. If the principles of the amendments were applied to the entire classification system, not just to professional groups, the result would probably be that no closely held, personal service organization could be a corporation for federal income tax purposes. Since that broad change of approach to the problem probably was not intended, the result appears to be a special set of rules—not entirely consistent with the general rules—for classification of professional groups. Why these groups require special, discriminatory-in-application, rules is not readily apparent.

All these systems of classification seem to apply, rather shallowly, certain differences between corporations and partnerships, without an examination of the relevance of the differences for federal income tax consequences. Where this application is a result of mere adoption of the local law classification, it is understandable as consistent with what was probably the legislative intent; but the relevance of the highly strained and extreme distinctions drawn under the amended Kintner Regulations is less evident. Whereas the cases and the regulations appear to give more weight to, for instance, limited liability, the Kintner and amended Kintner Regulations weigh each "characteristic" the same, and omit certain characteristics which once were used to justify classification of groups as associations.

Of course, nothing in the statutes *compels* a court to take one view or the other on this classification question. With a wide possible range of interpretations of the statutory "definitions" that might be considered by a court, or by one who predicts what a court might do, or by one who suggests what a court *should* do, it is necessary to develop a framework for deciding which classification system should be followed in these cases The issue is: How should professional associations and corporations, as described earlier in this article, be classified for federal income tax purposes?

The case for classifying these groups as partnerships depends upon several contentions but primarily upon the alleged adverse revenue consequences. The revenue question, however, has several aspects. One aspect is the matter of whether less revenue will be collected as a result of classifying these groups as associations rather than as partnerships. The only self-evident truth is that the revenue considerations will vary in different circumstances. *Less* revenue will be collected when the recipient of deferred income paid from a pension or profit sharing plan (either the employee or his beneficiary) is in a lower marginal tax bracket; the *same amount* of revenue will be collected when the taxpayer is in the same marginal tax bracket at the time of receipt as the employee was in the year in which the benefit was earned; and *more* revenue will be collected when the recipient is in a higher tax bracket than was the employee when the benefit was earned. It is not readily evident which of these situations prevails overall. Some of the benefits are earned in years when the employee is in a low bracket. By retirement time his income from all sources may be much higher. Even if the income is earned at a time of fairly high personal service income, income from investments may become substantial in later years. Obviously, therefore, there will not be a revenue loss in all cases.

Furthermore, there will be an immediate, if temporary, *increase* in the tax paid by many professional groups changing from the partnership to the corporation form. If the partnership has been operating on a taxable year that is not a calendar year, income from the partnership has been reported for the calendar year during which the partnership year ends, thus causing a deferral of taxation of partnership income. When the group changes to the corporation form, the salaries paid to the doctor employees will be taxable in the year received, not later, and consequently there will be both acceleration and bunching of income, with considerably greater tax paid, and paid sooner, as a result.

At least it is apparent that in the arithmetic of national finance, the alleged adverse effect will not be great. After all the economy withstood a substantial tax cut without suffering. Furthermore, just one revenue ruling, such as the recent ruling on deductibility of treble damage judgments, may have revenue consequences of about the same magnitude.

Another aspect of revenue considerations is the deferral of recognition of income which will clearly result through the typical pension and profit sharing plan adopted by professional associations and corporations. The impact of this deferral is not likely to be great in any particular year, however, because the transition of these groups to association form, and then the implementation of full pension and profit sharing benefits are likely to consume many years. Also, a large number of professional groups, perhaps more than half, never will change. In any event the income *will* be reported sooner or later.

The relevance of either the assumed revenue loss or the effect of deferral of income to this classification problem is doubtful. They are not supposed to control the deciding of particular tax cases, and they should not be considered when there is as much history—legislative, judicial, and administrative—as in the instant case to provide the basis for decision. To change a long standing rule merely because the revenue considerations have changed does not seem to be a proper use of the power to promulgate interpretive regulations.

Another reason advanced to justify the amended regulations is that doctor and lawyer groups have always been taxed as partnerships and, therefore, Congress intends to continue to tax them as partnerships. Besides the obvious non sequitur, the first difficulty with this argument is that some medical groups have long been operated in the form of associations. The prospect of the application of the amended regulations to those groups serves to put the consistency matter in issue rather clearly and to rebut the factual assertion. The second difficulty is that Congress has evidenced absolutely no intention to restrict these groups to one form or another for federal income tax purposes. The congressional form and intent never included, or froze into the tax law, state-created bars to the practice of professions in the corporate form.

It has been stated that although doctors and lawyers *could* change their forms of organization enough to be classified as corporations or associations, both the professional association discussed herein and some professional corporations have not changed enough. The regulations go far beyond this reasonable, if not persuasive, position. But a position on the classification issue depends on how one reads the authorities, and why. If you start with the Kintner Regulations as gospel, ignore the previous decades of cases and regulations, assume ultimate construction of these enabling statutes in the least helpful way, and then apply the Kintner Regulations in as hostile a manner as possible, you can logically defend the conclusion that these groups are not associations. Whether the doctors and lawyers have arranged for *enough* legislative change to enable these groups to achieve association or corporation classification for tax purposes, can also be answered either historically or in terms of the relevant policy considerations. Herein it is argued that history strongly supports the classification of these groups as associations, and that policy reasons require association classification where elected by the group through adopting the association or corporation form under local law. Why the answer should rather be found in a harsh reading of some regulations which are in many respects inconsistent with the cases and the long-standing regulations preceding is not clear.

Another reason given for denying the corporateness of some organizations is that the state laws have as their sole object the changing of the federal tax treatment of these groups. Presumably, such reasoning also asserts that something is sinister about that objective, and apparently assumes that compelling reasons are present for continuing the traditional classification of these particular groups for tax purposes. The last point is dealt with above. The sinister character of these acts is not apparent. These acts do not affect just federal taxation, but also affect local taxation, and presumably in the same way as the federal revenue is affected. The argument is that the federal courts should not recognize this blatant attempt to change the federal tax consequences to taxpayers by a mere change of state law.

Another way of looking at the matter is that Congress left the matter of form of business to the states, in spite of the resulting differences in taxation of otherwise identical businesses; the statutes enacted are well within the range of that delegation; the states have only acted to remove a traditional bar to doctors and lawyers using the corporate form; these statutes have substantial local law effects, on the same technical level as the admitted differences in corporations and partnerships; and these statutes do have local law tax consequences of the same quality as the federal tax consequences (and if harmful for federal purposes, harmful for state revenue purposes also).

Consequently, it might be argued, the more appropriate role for the federal courts is to recognize these state acts for federal income tax purposes, as Congress no doubt intended, and not to jump to the conclusion that something is sinister and wrong with the removal of a state created bar to practicing law and medicine in the corporate form. If federal tax consequences gave the final push to the state decision to change what were, at most, emotionally based prohibitions, *so what?* Federal tax consequences, and in some cases limited liability, are about the only substantial considerations in choosing the form for doing business, as a result of decades of lawyer ingenuity in removing the other differences. The states, not surprisingly, are finally recognizing this fact and allowing professional groups, as other businesses, to elect federal tax consequences by their choice of the local law form for doing business.

Presumably, the tax base is not significantly involved in this controversy since the income of the business, with quite minor exceptions, will be taxed eventually. Deferred compensation benefits under an employment contract, pension benefits, and profit sharing benefits all will eventually be included in *someone's* income. Although total exclusion from the tax base is allowed for qualified sick pay and for funds spent on such fringe benefits as group life insurance, these benefits are rather minor and are not important enough in revenue effect to be considered.

There seems to be a lack of discussion of the effect of the incorporation of these groups on the progressive character of our income tax, and the policies served by a progressive tax. Considering revenue considerations, the discussion set forth above applies. On the level of policies served by progression, it is difficult to see how those revenue considerations are so compelling, if of any merit at all, as to justify different treatment of two groups of "businessmen" in the business of rendering personal services, assuming both groups desire to be classified as associations or corporations. Furthermore, the tax system may be too progressive for personal service income, and yet too riddled with exceptions available to corporate executives and owners, but not to partners.

Finally, the attitude of the Internal Revenue Service might be attributed to a belief that the provisions of the Code on fringe benefits are too liberal, and also have been abused. If so, the remedy is not to deny these benefits to one group of businessmen, while allowing the other groups to retain those benefits. The answer is to attempt reform of the basic provisions applicable to all.

The case for classifying these groups as associations and corporations as intended by their owners, is simple enough. The classification for tax purposes was intended by Congress to be primarily a local law classification, even if subject to some federal limits. Since the cases and regulations for 50 years tended to classify doubtful groups as associations, that classification system acquired the force of law. The recent attempts to change the law by regulation should not receive favor by the courts. Furthermore, these professional businesses are entitled, so far as federal tax law is concerned, to choose whatever local law form the states will tolerate. Other businesses may decide whether to adopt the partnership form or the corporation form, and no good reason has been given to deny this choice to those who are in the business of rendering personal services in the medical or legal fields. Stated another way, there is no good reason for treating these businesses differently than other businesses for federal income tax purposes. At stake is the basic element of fairness and equality that should be used in the application and administration of the federal tax laws. The change proposed by the amended Kintner Regulations is one—hazarding a prediction—that Congress would never adopt. Furthermore, for nontax reasons pensions and profit sharing plans are desirable and worthy of some tax benefits. These plans provide incentive for these employer-owners to fund their own retirement through such plans, rather than leave retirement funding to chance. Providing tax incentives to this worthy objective is a legitimate use of the tax laws.

The above analysis calls for a framework to allow these benefits to doctors and lawyers, if they are willing to adopt the appropriate business form, rather than a framework that seems to deny it. In coming to this conclusion no difficulty should be raised by the observation that many will not be able to obtain these benefits—for instance those employed by corporations who have no such plans or those not eligible for coverage under plans adopted. Some day that inequity may be rectified. Therefore, a framework should be adopted consistent with allowing these professional groups to organize under local law as associations and corporations. The framework could be that vague one developed under the cases and pre-Kintner regulations. Classification of these groups as associations and corporations would seem to follow easily.

On the technical level, the reeanactment and long-standing rules do give considerable weight to the earlier approach leading to classification of groups as associations. There is no clear authority that the Commissioner can change interpretative rules that have survived many reenactments and that have received "the force of law" by courts adopting the criteria they provide.

But if the Commissioner should be able to change the approach taken in such regulations, the question remains: when, or in other words, for what reasons? Certainly there is merit in consistency in such regulations. Once a position is taken and widely adopted by the courts, it is best to continue the approach, because it is desirable for taxation rules to have good predictability of result, especially on the basic question of what form a business organization shall have for federal income tax consequences. If change occurs, a period of great turmoil results. Good reasons are needed to support such a change, and minor shifts in revenue advantage are not good enough reasons.

If changes are to be made, the Internal Revenue Service should be respectful of the authorities—legislative history and declarations, and the decided cases of the courts. Sometimes the regulations do have to be changed. The *Clifford* Regulations are an example. But they were bottomed on the *Clifford* case, and served the great need of providing detailed rules for predicting consequences of certain very common arrangements.

The Kintner Regulations, although representing some change of emphasis, do have some utility as a framework for deciding these cases by assuming a reasonable, not a strained and hostile, interpretation of those regulations. The technical, local law approach of those regulations has merit. The criteria of the cases and pre-Kintner regulations was not founded on practicality, and in that respect the Kintner Regulations are no worse. They do provide some ease of application, some predictability. Serious reservations remain concerning the weight of each of the Kintner Regulations criteria. Clearly, in the cases and the pre-Kintner regulations, not all these criteria are of equal importance. Yet the Kintner Regulations make them equal. Clearly, limited liability is of greater importance and has greater weight than the other criteria; perhaps this importance could be reflected by giving that criterion double weight, if a fairly mechanical system must be used. Another advantage to using the Kintner criteria is that they were partly designed to settle the troublesome problem of classification faced by the oil and gas industry. It would not be desirable to unsettle that area by throwing out the Kintner criteria entirely, and it is not necessary to do so since medical and legal groups setting up to do business under the professional corporation and association acts could qualify under the Kintner Regulations, reasonably interpreted, as associations. While approving the Kintner Regulations might seem to be a slight compromise with the history of the pre-Kintner regulations and cases, it can be defended as a useful and fair compromise. More important, it can also be defended as a return to what Congress probably intended originally, to let local law determine the form of business and to let tax classification normally follow. The pre-Kintner regulations and the cases were not necessarily well balanced or justified in their tendency to classify all doubtful cases as associations.

The amendments to the Kintner Regulations, on the other hand, have no support historically, are not a balanced, fair approach to the problem, and discriminate against certain professional groups without justification. Consequently, a court need not follow such changes unless the Commissioner convinces it that compelling reasons of legislative policy justify the change, and that the court is a better forum for the legislative change than the legislature. That should be the burden of the Internal Revenue Service in these cases.

The Kintner Regulations, before amendment, are a good illustration of the proper exercise of the power to change interpretative regulations, if it exists, since they more faithfully interpret the original content of Congress, since they aid predictability, and since they have the practical value of avoiding excursions into a morass of facts.

H.R. 3564

A bill to amend section 7701 of the Internal Revenue Code of 1954 to clarifry the tax status of certain professional associations and corporations formed under State law

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following provisions of section 7701(a) of the Internal Revenue Code of 1954 (relating to definitions) are amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) PERSON.—The term 'person' shall be construed to mean and include an individual, a trust, estate, partnership, or corporation."

(2) Paragraph (3) is amended to read as follows:

"(3) CORPORATION.—The term 'corporation' includes associations, joint-stock companies, and insurance companies. It also includes professional corporations and professional associations formed under the laws of any State, the District of Columbia, or any United States possession."

(3) Paragraph (7) is amended to read as follows:

"(7) STOCK.—The term 'stock' includes shares in any corporation."

(4) Paragraph (8) is amended to read as follows:

"(8) SHAREHOLDER.—The term 'shareholder' includes a member of any corporation".

SEC. 2. For taxable years beginning prior to January 1, 1965, the determination as to whether a professional association or professional corporation formed under State law is to be treated as a corporation for purposes of the Internal Revenue Code shall be made as if this Act had not been enacted and without inferences drawn from the fact that this Act is not made applicable with respect to years before 1965.

SEC. 3. The amendments made by the first section of this Act shall apply to taxable years beginning after December 31, 1964.

TRIBUTE TO DR. C. A. ROBINS

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. HANSEN of Idaho. Mr. Speaker, recently one of Idaho's most beloved citizens quietly observed his 84th birthday. Dr. C. A. Robins served as Governor of the State of Idaho from 1947 to 1951.

I first met Dr. Robins while serving as State president of the Future Farmers of America when it was my privilege to present to him the honorary State farmer degree in recognition of his outstanding leadership in improving and strengthening public education in Idaho.

Over the past three decades I have been deeply in Dr. Robins' debt for his friendship, for his wise counsel, and for his encouragement to me to pursue a career in public service.

Dr. Robins' public service and private life have been characterized by a deep love and understanding of his fellow man, a compassion for the underdog and a faith in the future. Idaho has produced many great public figures but none for whom the people have greater affection than this kind, gentle, and soft spoken physician.

I include as part of my remarks a recent article by Robert E. Smylie, former Governor of Idaho, published in the Idaho Observer paying tribute to Dr. Robins:

THE MAN WHO LED IDAHO INTO MODERN STATEHOOD

(By Robert E. Smylie)

Sometime in December Governor C. A. Robins had a birthday. He was 84, and I presume, as was his right, that he passed the day in quiet contemplation. The *Lewiston Morning Tribune* published a notable interview with him, but as far as I know the date was otherwise unmarked.

It would be natural that I should hold the good, grey doctor in affectionate and honored esteem. He set my course toward public service, and opportunities unlimited for an exciting and rewarding life. Even so, I would have passed his anniversary unnoticed but for the story in the *Tribune*.

C. A. Robins was our first four-year Governor and the first to come to power after the years of World War II. His years in the Governorship (1947–1951) really mark Idaho's transition from colonial status to modern statehood. It was not all accomplished in his time, nor is the work yet done, but the foundations were put in place in those years, and the spirit and the manpower were gathered under his guidance that have made much that has happened since seem almost inevitable in retrospect.

The Governor was first of all a physician. If you were close to him in the years of his incumbency you could detect this in many ways. He was careful and cautious in prescribing remedies, yet bold and decisive when the decision was made to act. He was a kind man, gentle, soft-spoken and slow to anger.

I remember finding in the drawer of that big desk in the corner office of the Statehouse what must have been the notes to one of his speeches on the state of the State. It was written in ink on smallish paper in his careful and very readable script, much as a Doctor might have prepared a prescription. I recognized what I had found, for I heard it spoken and the handwritten text checked very closely with the Senate Journal for the day that the message was received.

Governor Robins' most massive accomplishment in the Statehouse was the reorganization of Idaho's Public School District System. The enactment and implementation of that program has to be one of the quietest revolutions in history. It was not less than that. The number of school districts was reduced from upwards of 1,200 to not more than 125. School administration laws were enacted that have provided the foundation for most of the progress in that field that has occurred since.

His administration also witnessed the commencement of our efforts in highway department reorganization. These in the fullness of time resulted in the superb organization that now administers our wideranging highway construction and maintenance program.

The Southern Branch became Idaho State College in those years, and commenced its march toward full University status. This achievement was uniquely Governor Robins' personal accomplishment. He was the first North Idaho Governor and could assuage like none of the rest of us could the fears of the friends of the University of Idaho. A bill which in any other session would have produced fratricidal conflict of massive proportion was skillfully and peacefully guided to unanimous passage. The floor leader who managed the bill in the Senate was the Senator from Latah County.

The Robins' administration also marked the commencement of modernization of the State's efforts in conservation of our endowment resources. This slow and still unfinished work of preserving our forests, our fish and wildlife, our park areas and our rangelands also traces its modern history back to the Robins' years. On his accomplishments in these fields we have built one of the finest wildlife conservation agencies in the West. and have finally achieved a State Department of Parks that promises soon to equal the accomplishments of its older brother in conservation.

The beginnings of Idaho's modern state library and museum also are marked in the years between 1947–1951. Those commencements were modest indeed, but the splendid building that will soon grace the Capitol Mall as a permanent home for the Library will be in part at least, a memorial in spirit to those venturesome years.

Doctor Robins' inauguration marked the commencement of the now quarter century long Republican incumbency in the Statehouse. It marked the end of what had been a decade of biennial changes in command. He came later to the Governorship than most, and his wisdom was mellowed with the experience of years, and long and consequential legislative service. It was one of the myths of that time that he really never wanted to be Governor. I do not believe it. He had some onerous and disappointing experiences, but on balance I think he rather liked making things happen. He was modest and unassuming; perhaps more so than the governorship of any state really permits, but his friends were people who would go to the well for him, together or all alone. He was not elected to the Senate when his term as Governor ended, but there are many who thought then that he should have been; and they still think so.

The Robins' years left Idaho an important legacy of talent. For one reason or another he attracted young people to public service like no other man of his time. The accomplishments of Louise Shadduck, who was his secretary, have become almost a legend in her own time. Edward Woozley came from Oneida County to be Robins' State Land Commissioner. He went on to hold near cabinet rank in the Department of the Interior. Clay Spear was a trusted political lieutenant who became District Judge and is now a Justice of the Supreme Court of Idaho. Perry Swisher, who was one of his youngest and strongest adherents, developed into the most effective legislator in Idaho's modern history. Scattered all through the state government are people like George Denney who came to the state service as youngsters in the Robins' years and stayed for years of distinguished service to the State.

The good doctor also had the wisdom to not always prefer the young simply because they were young. Some of us were disappointed when he sent "old" Henry Dworshak back to the Senate, but the Governor was right. Dworshak ended his years in the Senate after more than a decade as probably the most effective Senator in all of Idaho's history.

It would be fair to say that in the case of Governor Robins, I am a biased observer. He put my own feet upon the rainbow. Nonetheless it is a fair statement that his incumbency as Governor of the State of Idaho marks the time of the State's transition from awkward adolescence, into the first stirrings of vigorous maturity.

In retrospect it somehow seems fitting that for those years we chose a physician to be Governor, and to guide us.

We chose well and it is a pleasure to remember that we did.

MUNKÁCSY: A GREAT HUNGARIAN PAINTER

REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. ST. ONGE. Mr. Speaker, I am glad to join with several of my colleagues in commemorating the 125th anniversary of the birth of the internationally renowned Hungarian painter, Michael de Munkácsy.

Munkácsy experienced firsthand the sufferings of the Hungarian people in his childhood. His father died in an Austrian prison following the defeat of the Hungarian fight for freedom in 1848–49. That struggle was finally crushed by the armies of Russia, just as the 1956 attempt to restore Hungary's freedom was met with Russian tanks and infantry divisions.

In his youth, Munkácsy was sent to work as a carpenter's apprentice by his foster parents. His talents were, however, soon recognized and a scholarship enabled him to travel to Budapest for further study. A prize awarded for one of his paintings allowed him to continue his studies at the Art Academy of Düsseldorf, Germany. Here he made the acquaintance of the American artist, John R. Tait, and through him received a commission from the American philantropist J. Wilstach, of Philadelphia.

Wilstach's commission enabled him to paint his first world-renowned canvas: "The Last Day of a Man Condemned to Death." The painting received the coveted prize of the Paris Salon in 1870, establishing Munkácsy's European reputation. In Paris, he devoted himself to canvases of Biblical themes, but with a modern style and message. The best known ones are "Christ Before Pilate" and "Christ on Calvary," both purchased by John Wanamaker, of Philadelphia. They are regularly exhibited in the Grand Court of the Wanamaker store in Philadelphia to this day during Holy Week.

The two paintings were also exhibited on tours in Europe and the Eastern States of the United States and produced great enthusiasm and religious fervor among the audiences. Munkácsy visited the United States in 1886, staying in New York, Philadelphia, and Washington, D.C. He was proclaimed as one of the great masters of the 19th century. A contemporary pamphlet by the editor of the National Academy Notes, Charles M. Kurtz, attests that during its European tours between 1881 and 1886, more than 2 million people saw the two paintings in Europe alone. In the United States, in less than 5 months, 150,000 people saw them before John Wanamaker had purchased them for $150,000 and 500,000 francs, respectively.

Munkácsy, in his paintings, was seeking to express the nobility and dignity of the human race. His subjects are often contemporary, he even depicted strikers and workers, but in expressing their degradation his characters are always possessed of a certain hope and nobility of spirit. A realist, he still knew that the best instincts of man must be portrayed in order to preserve what is good and beautiful in mankind.

Munkácsy is another example of what a free Hungary gave to the world. This is not possible under Communist oppression.

FARMING SHOULD BE LIMITED TO FARMERS—TAX LEGISLATION TO BENEFIT THE FAMILY FARMER

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. PATMAN. Mr. Speaker, I have today introduced a bill to amend the Internal Revenue Code so as to limit the amount of farming losses which nonfarmers may use as an offset against their nonfarm income. A 2-year study by the Treasury Department, which was released on February 5, establishes the fact that these taxpayers are more interested in farming the Internal Revenue Code than they are in farming the land.

Briefly, the bill permits farm losses to be offset in full against nonfarm income up to $15,000 for those whose nonfarm income does not exceed that amount. For those with nonfarm income in excess of $15,000 the amount against which farm losses may be offset is reduced dollar for dollar for income above $15,000. For a number of years now there has been grave concern about the tremendous tax benefits enjoyed by wealthy individual investors and multiple-purpose corporations who acquire farms simply as a means of incurring losses with consequent income tax savings on an annual basis coupled with eventual capital gains treatment when the agricultural asset is finally sold.

According to Treasury's study these tax losses arise from deductions taken because of capital costs or inventory costs and thus represent an investment in farm assets rather than funds actually lost. When these tax losses, which are not true economic losses, are deducted from high bracket nonfarm income the result is a large tax savings on income that would otherwise be taxed at ordinary income tax rates.

According to some Treasury officials, the attractive tax benefits to wealthy persons have enabled them to bid up prices of farmland, thus forcing upon the ordinary farmer a detrimental competition on farmland purchases. Further, special farm accounting rules which were developed by the Treasury Department to ease the bookkeeping chores for ordinary farmers are the vehicles now used by nonfarmers to make the life of the true farmer more difficult. The true farmer must now compete in the marketplace with wealthy taxpayers whose interest in a fair profit in their farming activities is guided not by their needs but by their nonfarm tax bracket.

Legislation similar to this was introduced in the Senate in the 90th Congress and reintroduced as S. 500 in this Congress. Last year both the Departments of Agriculture and Treasury endorsed the bill as a means of not only closing the tax loophole but securing social and economic justice for people who are sincerely interested in making a living from farming.

An identical measure has been included as part of the extensive and noteworthy tax reform legislation introduced by the distinguished gentleman from Wisconsin (Mr. REUSS). Title XII of his bill and S. 500 are both identical to the bill I have introduced today.

The Dallas Morning News on November 20, 1968, published an excellent article by Walter B. Moore, editor of the Texas Almanac, entitled "Farming the Tax Law: Rich Makes Money by Losing It."

Mr. Speaker, I include the article in the RECORD.

The Committee on Ways and Means is urged to give this bill its earliest possible consideration.

The article follows:

FARMING THE TAX LAW: RICH MAKE MONEY BY LOSING IT

(By Walter B. Moore)

Wealthy Americans are making money farming or ranching while losing it. They do this through provisions of present income tax laws. It's entirely legal. But the Treasury

Department, Department of Agriculture, many members of Congress and others think laws should be changed.

Here's an example of how the law benefits those in the maximum income tax bracket. It's cited by the Treasury Department in a report in the Congressional Record of last Sept. 19.

The well-to-do investor whose main source of income is something else buys a cattle breeding herd. He chooses not to capitalize his cost of raising the cattle, amounting to $200,000, and not to use an inventory method of accounting.

His $200,000 expenses are deducted from his other income, saving $140,000 in income taxes. Then, when his cattle are sold, he pays the 25 percent capital gains tax. On the $200,000 portion, this totals $50,000 which is $90,000 less than the $140,000 he would have had to pay.

Citrus orchards offer similar tax-saving opportunities. Many urban businessmen have found it profitable to have income tax savings from ranching and farming, even though they aren't in quite as high a tax bracket.

Those who have to depend on farming or ranching for all or most of their living say this is hurting them. They say that movie stars and many other wealthy persons don't even have to see their cattle or citrus; they hire firms that specialize in managing the whole deal.

Last year Black Watch Farms, which helps clients raise cattle, reported profits exceeding $5 million on $15 million gross revenues. Harold L. Oppenheimer of Kansas City has written books, "Cowboy Arithmetic," and "Cowboy Economics," dealing with the topic. He coauthored "Cowboy Litigation" on tax and legal aspects of ranching.

Treasury officials have said "the attractive tax benefits to wealthy persons have enabled them to bid up prices of farm land beyond those which would prevail in a normal farm economy . . . the ordinary farmer must compete in the marketplace with these wealthy farm owners who may consider a farm profit—in the economic sense—unnecessary for their purposes."

Agriculture Secretary Orville Freeman advocates changing the tax laws to eliminate farm tax havens for corporations or individuals that have major nonfarm sources of income.

Here in Texas, studies by Texas A&M economists indicate that the productive value of land for farming and ranching today has almost no relationship to current inflated prices.

One agricultural worker recently told me he knew of no place in Texas now where land can be bought at a price that will yield adequate returns from farming.

Another sold Brazos bottomlands and put his funds in higher-yielding investments. A Hill Country editor told me landowners in his country are selling out to San Antonio businessmen and putting the money in stocks and bonds.

I should emphasize that city businessmen who farm or ranch often help rural areas. Their spending for supplies, labor and equipment benefits small towns and the people who live there. They can afford to try new things and often contribute to progress.

Everyone I know associated with agriculture agrees that this trend is a mixed blessing as well as a problem. Almost everyone also thinks something should be done about the tax law.

When Congress convenes next year, it will be asked to revise the tax laws. This has been tried before, but nothing happened.

Leader in efforts to change the laws has been Sen. Lee Metcalf, D-Mont. He introduced bills, then revise them at the suggestion of the Treasury and USDA. At the recent session, these were SB 4059 and HR 19916, a companion bill in the House.

Basic provisions of the Metcalf proposals include these:

Nonfarm income up to $15,000 could be completely offset by farming or ranching losses in paying income taxes. This should protect the person who is primarily a farmer or ranchman but has a part-time job or other supplemental income.

Each $1 of nonfarm income between $15,001 and $30,000 would reduce the original tax deductions allowed by $1. This means that those with over $30,000 nonfarm income could not deduct losses from farming. (There are some exceptions for local taxes, etc.)

Advocates of these measures argue that they will not keep the city man from having a farm. They will merely prevent him from misusing tax provisions developed primarily to benefit the bona fide ranchman or farmer.

Some say, that many of the problems of surpluses and inflation that face agriculture today are rooted in this absentee ownership and tax-loss farming.

It has been said that this hurts Texas producers more than all of the imports of agricultural products from abroad and that producer groups should spend more time trying to change the tax laws than trying to hike import barriers.

Farmer's Union, the National Grange and American Farm Bureau Federation will support some such legislation in the future, probably Metcalf's proposals. But many agricultural organizations have members who benefit from the tax setup and will oppose proposed changes.

Remember, also, that Congress now is urban minded. Rep. Jamie Whitten, D-Miss., recently said that only 47 out of 435 House members now have as much as 20 per cent of their constituency primarily engaged in agriculture. It is hard to pass agricultural legislation under such conditions, especially tax law changes that are opposed by businessmen who benefit from the status quo.

INDIVIDUAL INCOME TAX EXEMPTION

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. MINISH. Mr. Speaker, I am today reintroducing legislation which I sponsored in the 90th Congress to increase the individual income tax exemption rate per dependent from $600 to $1,000 a year.

Over the past three decades, the cost of living in the United States has more than tripled. During this same period the personal exemption rate, originally designed to relate to the cost of living and the cost of raising a family, has been increased only once and then by only $100. As a further proof of just how outdated the personal exemption rate has become, the Department of Health, Education, and Welfare reports that it now costs an average of over $1,400 per year to raise a child to the age of 18. To then provide this same child with a college education now costs American parents approximately $2,500 per academic year.

Needless to say, the hopelessly inadequate exemption rate most adversely affects the ordinary wage earner situated between poverty and wealth. It is to this group that former Secretary of the Treasury Joseph M. Barr referred when he said recently:

> We face the possibility of a taxpayer revolt if we do not soon make major reforms. The revolt will come not from the poor, but from the tens of millions of middle class families and individuals with incomes of $7,000 to $20,000, who pay over half of our individual income taxes.

The Federal Government itself has consistently recognized the inadequate nature of the present individual exemption rate. For example, we now spend about $2,300 a year to maintain one inmate in a Federal prison; and the Cuban refugee program assumes that a child needs $1,200 a year for minimum upkeep, $2,200 if the child is in school.

As for the revenue loss resulting from the enactment of this measure, it is by now evident to all concerned that plugging only a few of the many blatant loopholes written into our present tax laws would more than offset the cost of raising the exemption rate to the more realistic and equitable level of $1,000 per year. For example, the elimination of the disgraceful oil depletion allowance alone, as my bill, H.R. 6517, proposes, would result in increased revenues of around $2 billion a year to our National Treasury. Overall, many experts have estimated the total potential savings to our Nation through the elimination of all tax loopholes to be in the vicinity of $50 billion a year.

Mr. Speaker, we can no longer in good conscience tolerate a tax system which provides a ridiculously low and inadequate $600 individual exemption, while simultaneously permitting 155 Americans who earned over $200,000, including 21 with incomes of more than $1 million, to escape paying taxes altogether in 1967. I strongly urge the Committee on Ways and Means to give my measure to increase the individual exemption rate to $1,000 full consideration in its hearings which began this week on tax reform. I believe the enactment of this measure, along with the passage of other worthwhile and long-overdue proposals for reform of our tax structure, will result in a more just and equitable system for all our citizens.

GLENDALE HONORS APOLLO

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. STEIGER of Arizona. Mr. Speaker, the personal dignity, courage, and honor of the crew of the Apollo 8, along with the technical excellence and uniqueness of that flight, moved the Glendale, Ariz., Union High School Districts' Board of Education to name its new high school, the Apollo High School. Hopefully, its students will choose to emulate the characteristics and the excellence of the men and the expedition.

Mr. Speaker, I include with my remarks a letter in this regard, addressed to Col. Frank Borman, Jr., Air Force Systems Command, Houston, Tex.:

FEBRUARY 4, 1969.

Col. FRANK BORMAN, Jr.,
Air Force Systems Command, Scientific and Technical Liaison Office, NASA Manned Spacecraft Center, Houston, Tex.

DEAR COLONEL BORMAN: The Board of Education of the Glendale Union High School District No. 205, at their meeting January 6, 1969, named the sixth school in the district "Apollo" in honor and appreciation of the accomplishments of the participating astronauts.

"Apollo" High School is now on the drawing board of our architects, the site is owned by the district, and the taxpayers of the district have approved bonding for the school. Construction is expected to start in June of this year with anticipated completion for occupancy in September of 1970.

We wish to extend an invitation to you and the other members of the Apollo 8 crew to participate in the dedication ceremony in August or September of 1970, with the exact date to be established so it fits within your schedule.

Sincerely yours,

MRS. GRAYDON B. HALL,
President.
REV. EVERETT B. LUTHER,
Clerk.
DR. ARTHUR N. LINDBERG,
Member.
DR. JOSEPH P. VOORHEES,
Member.
ARNOLD H. ROVEY,
Member.

VOICE OF DEMOCRACY CONTEST, VETERANS OF FOREIGN WARS OF THE UNITED STATES

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. WYATT. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a Voice of Democracy Contest and this year approximately 400,000 school students throughout the United States participated therein. The theme of this year's contest was "Freedom's Challenge." The Oregon winner in the contest was Miss Teri Little, of McMinnville, Oreg., and I include herein her prize-winning speech:

FREEDOM'S CHALLENGE

(By Teri Little)

Hello, America. I guess it is about time we have a man to country talk. We've been drifting farther and farther apart, you and I. We've needed a talk for a long time. I think we both realize that. We're beginning to lose our understanding of each other and our love is wavering in that loss. To regain our understanding and to reinforce our love, we must talk to each other if we both would fulfill our destinies. Both of our destinies are wrapped up in freedom—and, America, that's what we have to talk about.

The freedom you have given me is more, much more than a gift. It is a challenge, it is an exciting challenge and I am ready to meet it. But, must it be accepted on your terms alone? You have given me the freedom to express myself openly. You have given me the freedom of speech and of the press. But does freedom of speech mean I can speak from my convictions? And freedom of the press—can I print my deepest concerns? I'm not sure anymore. America, is there a limit to freedom? And is that limit on the freedom of speech that point at which I begin to say "no"? That point at which I march in a street with a printed sign or sit firmly outside the head office of Dow Chemical? America, does dissent frighten you? I believe it does. And because of that fear are you going to leave the word "No" out of the vocabulary encompassed by freedom? America, where does my freedom to dissent end? Or do I even have that freedom?

I think we're having a lovers quarrel, you and I. Caring for someone enough to come right out and tell them when something is wrong is an act of love. Wanting for someone what is best at any cost is also an act of love, and I love you, America. But at times I do not agree with some of the things you are doing. It is at these times I must come right out and express my feelings. It is at these times I take up the challenge of freedom, the challenge you yourself have given me—the freedom to be me. Why can't you listen to me? Your torch of freedom has shown bright over all the world. You have proclaimed your challenge to many nations. But will your ears be clear enough to hear my cries here at home? Will your eyes be open enough to see my tears and will your heart be sensitive enough to feel my longing for peace of mind? Please, leave yourself open to my words, the words I speak in reaction to your challenge of freedom. You speak for what you believe and you want everyone to listen. I speak for what I believe and all I ask is that you listen. Will you listen? Or once again will police dogs be set on me in Birmingham? Will you listen? Or once again will I be beaten to the streets of Chicago? Will you listen or once again will I die in vain in Viet Nam.

America, listen to your people's pleadings. For our understanding of each other is the only hope of bridging a glorious past to a free and challenging future!

GONZALEZ BILLS BENEFIT LOCAL AND FEDERAL FIREFIGHTERS

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. GONZALEZ. Mr. Speaker, I am introducing today legislation on behalf of some of the most faithful and most hard-working public servants in American society today—the firefighters.

Recognizing their contribution and at the same time recognizing the obvious and underlying hazards that face them daily, I am reintroducing a bill which would provide for the inclusion of Federal firefighters under the hazardous occupations retirement provisions of title 5, United States Code. The bill would thus provide Federal firefighting personnel the opportunity to retire at age 50 with minimum service of 20 years, with full annuities, providing the head of the agency so recommends that the Civil Service Commission approves. Federal law-enforcement officers are now covered under this provision, and so are the District of Columbia firemen.

Last fall I testified in behalf of the Senate-passed bill and my similar bill before a subcommittee of the House Committee on Post Office and Civil Service. I cited figures of the high fatality rate among firemen. I cited figures that lost time due to injuries for firemen is higher than for any other profession. I argued that these facts demonstrated the hazardousness of the duties of Federal firefighters, and that they should, in all justice, be included among the hazardous duty occupations of the Federal service.

The subcommittee voted to report this legislation favorably to the full committee. When a committee quorum could not be reached in the hectic press of adjournment business, the bill was brought to the floor of the House under unanimous consent rules. When an objection to this procedure was raised and sustained the bill was recommitted to committee and thus killed. I am optimistic that the Congress will quickly enact this legislation into law. Only in this manner can we show that we are not blind to the inequity that exists now.

My second bill, which I also sponsored in the last Congress, would improve the basic workweeks of firefighting personnel of executive agencies. Not only are firefighters not accorded the same benefits given another group for performing hazardous duties, but they are required to work a 72-hour week for 52 weeks a year, including holidays and Sundays. My bill stipulates that the basic workweek of each Federal firefighter not exceed 120 hours within each 2-yeew pay period, the hours of duty of each work shift being consecutive. For hours of duty in excess of the regular hours of duty—40 hours—the firefighter would be entitled to overtime, night, Sunday, and holiday pay rates.

Also during the last session, I thought perhaps the most comprehensive way to aid both local and Federal firefighters, as well as the general public, would be to establish a reputable body of research into fire prevention and control. We need to know more about effective measures for reducing the destructive effects of fire, throughout the country. We need to evaluate the present and future needs for trained, and educated firemen; we need to know whether the public's demand for competent firemen requires Federal grants for their education, or possibly a national policy of draft deferment for firemen, or both. Therefore, I introduced a joint resolution to establish a National Advisory Commission on Fire Prevention and Control.

I am very pleased indeed that this Commission was incorporated within Public Law 90-259, which Congress passed last March. Title II establishes the Commission. The Commission would be composed of the Secretaries of Commerce and Housing and Urban Development and 18 other members appointed by the President, plus four advisory members from Congress. The Commission is to report its findings in 2 years.

At long last, the morbid evidence of deaths, injuries, and property damage pressed the need for comprehensive research into this area. But fortunately, although the law was passed and the need was recognized, appropriations were not approved because of the cutback in Federal expenditures. So now the law exists, but the Commission cannot be organized nor its studies begun. To rectify this, I am introducing a bill to appropriate $665,000 for implementation of this important Commission. The figure is the Department of Commerce's estimate of the total costs of the Commission. The rewards shall be greater than this sum.

Accordingly, I urge the Congress for favorable consideration of this appropriation bill and the two bills that benefit Federal firefighters.

FREEDOM'S CHALLENGE

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. WOLD. Mr. Speaker, today the Nation is beset by discord; by those who would use its freedom to abolish that very freedom. But many Americans, indeed most Americans, have learned the hard and bitter lesson from men who struggled and died for freedom at Valley Forge, at Shiloh, at Chateau-Thierry, at Bastogne, at Chosin Reservoir, and who fight in the humid tropics of Vietnam even today.

The lesson is that freedom must be defended.

And the lesson of the rise of communism and fascism is that we must be ever vigilant to insure our precious freedom is not used by revolutionary radicals to destroy that freedom.

Those who would destroy our social fabric can afford to lose every struggle, every election, because freedom allows them to try again and again and again. But if freedom ever loses once, it could be lost forever.

The Veterans of Foreign Wars have been stanch defenders of the American ideal. And they have developed programs to broaden freedom's cause.

Mr. Speaker, I include the paper of Miss Debra D. George, a constituent in my district, the great State of Wyoming, and winner of the Department of Wyoming's Voice of Democracy contest, in the RECORD:

FREEDOM'S CHALLENGE

(By Debra George)

"I want!" they cried, and seventeen selfish students closed an entire college.

"I want!" they cried, and a hand full of loud-mouthed demonstrators forced a presidential candidate from the podium.

"I want!" they cried, and a gang of neighborhood ruffians conveniently had an excuse to break shop windows to fill their pockets, and to destroy four church buildings within a week.

"I want!" she cried, and a sixteen-year-old girl found herself too deeply involved in drugs, and felt suicide was the only answer.

Freedom—Each of these wanted freedom; not as it was offered, but selfishly and blindly. In trying to grasp such a shallow freedom, how much tighter did they secure the bonds of all Americans?

Freedom—How? For whom?

Is the businessman for whom it is no longer safe to walk home from work at night, free? Is the rabbi who is forced to put up barbed wire to protect his synagogue, free? Is the candidate for president who must compete against his audience to present his ideas, free?

I shudder to think that my brother, my father, or my husband would fight with such determination to make a dream come true for their children and have it taken away by some self-centered radical who has yet anything to yell except "I want!"

And yet—freedom was a dream; a dream for which men fought and died. This dream became a blessing and was given to all Americans. Not just to an over-eager teenager, not just to an under-privileged street-walker, not just to a rebellious student, but to each and every American. And each and every American has this freedom to do with as he wishes, as long as he sees his neighbor as an American with rights, too.

Freedom is the right to find yourself as an individual. But does this necessitate the pollution of one's body and mind with deadly drugs?

Freedom is the right to speak, but why should this right belong only to a minority of the audience, and not to the man for whom the assembly was specifically called?

And—yes—every American, no matter who or what he is, has the right to freedom and opportunity. But if he feels cheated, from where does he get his right to loot or destroy another's property?

I, too, want freedom: The freedom for which my ancestors fought and died. But I realize that freedom, like all good things, has to be earned and protected. Such a prize, bombs, guns, and stones will not protect. It must be guarded with an ever alertness and awareness of our responsibilities as citizens of a great nation, and with a courtesy and a consideration of our neighbors as fellow citizens of these United States.

When we, as American's, are ready and willing to accept these responsibilities and look upon our neighbors with the respect they deserve, then will our forefathers' dream be fulfilled—and truly we will have accepted Freedom's challenge!

VIET WOUNDS KILL JACK E. CAMPBELL

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. LONG of Maryland. Mr. Speaker, Sp4c. Jack E. Campbell, a fine young man from Maryland, was killed recently in Vietnam. I would like to commend his bravery and honor his memory by including the following article in the RECORD:

VIET WOUNDS KILL JACK E. CAMPBELL—ELLICOTT CITY ARMY SPECIALIST WAS 19, JOINED LAST YEAR

Army Spec. 4 Jack E. Campbell, of Ellicott City, has been killed in hostile action in Vietnam, the Defense Department reported yesterday.

Specialist Campbell, 19, died last Saturday from wounds received in a firefight in Pleiku province, where he was serving as an infantryman in Company B, 1st Battalion, 35th Infantry, 4th Infantry Division.

He was first reported missing in action. His parents, Mr. and Mrs. Jack Campbell, of 704 Race road, Ellicott City, were told of his death Wednesday.

"He never wrote much about the place," his mother said yesterday, "but sometimes he mentioned how awful it was, how the people had to live and what they ate."

ENLISTED LAST FEBRUARY

In one letter, Mrs. Campbell said, her son wrote "how he had seen a little boy eating from a garbage can and he bought him a hamburger and stayed with him all day."

A graduate of Westchester Avenue Elementary School, Specialist Campbell attended Catonsville Junior High School and worked in the mail room of the Ellicott City Times.

He enlisted in the Army last February and was sent to Vietnam in September.

In addition to his parents, his survivors include three brothers, Michael Campbell, Ronald Campbell, and Clyde Campbell, and two sisters, Brenda Campbell and Carolyn Campbell, all of Ellicott City.

NEED FOR BAIL REFORM

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. HUNT. Mr. Speaker, the case for bail reforms is built on volume after volume of facts, many times tragic, over the years which, I feel, clearly reveal the deficiencies of present-day bail standards. The newspapers, in recent months, have helped to focus public attention on this issue, and, indeed, Congress seems in the mood to act, without fanfare, but in recognition of the need to promote the general welfare and safety of the public by making the release of criminal defendants on bail less of a formality.

Today, therefore, I am introducing a companion bill to those introduced by several other Members in both Houses that would authorize the conditional pretrial release or detention of certain persons who have been charged with noncapital offenses.

In my estimation, Mr. Speaker, the bill shows a great deal of restraint and can certainly not be attacked for being unreasonable. It is not a "lock the door and throw away the key" approach. It should be emphasized that the judicial officer has substantial leeway in imposing conditions of release to assure the appearance of a defendant as required and, likewise, to reasonably assure the defendant will not pose a danger to the community or to any person or property in the community. If in the latter case all lesser conditions are inadequate to the particular situation, in the discretion of the judicial officer, the defendant may be detained.

In addition, the mandatory penalty provisions, upon conviction, for willfully failing to appear or for committing any offense while released under the provisions of the act should certainly deter violations of the conditions under which a defendant is released.

Among the many news articles on this subject is one which contains the "testimony" of perhaps the most professional of the experts, because it is that of one defendant who has benefited many times over from the laxity of current bail standards. The article is reprinted at this point in its entirety for the interest of those who may still doubt the need for bail reform:

[From the Washington Sunday Star, Feb. 16, 1969]

ROBERT EARL BARNES URGES TOUGHER STANDARDS FOR BAIL

(By John Fialka)

Although a Senate subcommittee has received testimony from a number of impressive witnesses on ways to change the Bail

Reform Act, it has not heard from the man who considers himself the best bail risk "who ever lived to be at large on bail."

The man is Robert Earl Barnes, perhaps the most famous burglar in recent Washington history. In a recent letter to a U.S. District Court judge, Barnes called for more prompt trial dates and tougher bond standards.

"Once I reached the age of 17, I jumped on the bail bond wagon and have been on it ever since," Barnes wrote, giving examples of the revolving door pattern of arrest, bail and rearrest that has marked 20 years of his life.

Part of the "bondwagon" include Barnes' experiences in and around Washington in 1964 and 1965. He cites his own record, which includes a total of $48,000 in bail bonds set by area judges and promptly posted by Barnes' bondsmen so that he remained free on all of the charges (most of them housebreaking) simultaneously:

Date and jurisdiction:	*Bond*
Apr. 10, 1964, Montgomery County	$6,000
Apr. 24, 1964, Washington	3,000
May 12, 1964, Washington	5,000
July 25, 1964, Washington	10,000
July 28, 1964, Washington	5,000
Sept. 4, 1964, Prince Georges	3,000
Sept. 12, 1964, Prince Georges	1,000
Oct. 12, 1964, Washington	5,000
Dec. 9, 1964, Prince Georges	10,000

This record is small, Barnes points out, compared to $112,000 worth of bonds he made during a cycle of 10 burglary arrests in St. Louis, Mo., between February and June 1961.

Barnes charges that the current bail law is "ridiculous" because he observed it perfectly, never forfeiting a bond because of a missed court appearance. Yet, he admits, his criminal record while out on bail was "devastating.'

He noted that his career in burglary was somewhat slowed after the first arrest in a cycle because he had to take time out for frequent court appearances for various stages of his cases.

"I was making so many court appearances that the courthouse staff began to think I was an attorney," Barnes said.

Although Barnes' only legal background has been gained in trying to unravel his incredibly complicated court record, his proposals on the subject of bail reform are similar in many respects to those of the legal experts who appeared recently before Sen. Sam J. Ervin's subcommittee.

He urges accelerated trials for all defendants charged with a crime of violence. Further bonds should be denied to anyone who is charged with a crime while free on bond, he states.

Barnes asserts that heroin addicts should be made to submit to a weekly test while on bond to see if they have returned to the use of drugs.

The Bail Reform Act of 1966 is irrelevant to the criminal repeater, Barnes charges. The law allows release on personal (non-money) bond to persons with good community ties.

"Few individuals with criminal records depend on the courts to release them on personal bonds. They depend on the professional bondsman. They are often released by the bondsman on a promise of money, and have to return to an act of crime in order to pay the bond fees to remain on the streets," he adds.

Barnes called for an end to the system of professional bondsmen and said this would help reduce the city's crime rate.

"Often before he commits any crime, he (the criminal) will employ the bondsman to take him out if he is apprehended. You take this precious bond, this precious key away from the bondsman and the criminal will find himself in trouble."

The professional burglar said he agrees with the conclusions of judges, attorneys and other witnesses who appeared before the Ervin subcommittee that unless there are enough D.C. Bail Agency workers to supervise those out on bail, any restrictions imposed upon them by judges are meaningless.

He disagrees strongly, however, with attorneys and some newspaper columnists who have taken the position that the Constitution guarantees the right to bail, a position that the Supreme Court has never clearly ruled upon.

Noting that the only reference to bail in the document is the Eighth Amendment's statement that "excessive bail shall not be required" in cases where bail was allowed, Barnes gives his opinion.

"Remember, the right to bail is a right, like Hell. There is no such thing."

Barnes was recently paroled by Maryland to the District, where he will begin to serve 4 sentences of 5 to 15 years each, to run consecutively.

He confessed to heading a housebreaking ring in the city in 1964 and 1965 and later gave testimony that led to the conviction of three Metropolitan policemen and six civilians in connection with the ring.

DR. ROBERT GOLDSTEIN

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. ADDABBO. Mr. Speaker, Dr. Robert Goldstein, son of Mr. and Mrs. Sam Goldstein, of South Ozone Park, N.Y., is now a prominent engineer—a supervisor of the antiballistic missile department of the Aero Jet Co. in California.

Bob's family, my constituents and neighbors, are quite proud of their son, and rightly so.

In 1959, Robert Goldstein addressed the Joint Industry Board scholarship breakfast to thank the board for his scholarship award and to give his views on the importance of a broad, liberal education.

After his student days at Columbia, including an exchange tour in Norway, Bob received his master's degree and his doctorate in physics and science at the California Institute of Technology. During his studies, Bob received four fellowships, one scholarship, and then eight assistantships. He spent 6 years in space technology research and now has assumed the important responsibility of engineer supervisor at Aero Jet's IBM department.

Mr. Speaker, often statements made in the past are quite timely when read in the light of present situations.

For that reason, I insert in the RECORD the text of Dr. Robert Goldstein's address to the Joint Industry Board scholarship breakfast on May 16, 1959:

ADDRESS BY ROBERT GOLDSTEIN

Mr. Chairman, for fifteen minutes I have been sitting here, wondering, trying to figure out what I have in common with 1,400 people and it finally came to me. We are all sitting here, wondering how we got here, how we were able to get here at 8 o'clock in the morning. I may not know what or how I got here but I do know why I am here. It is a rare opportunity when one gets a chance to say thank you to such a large group to whom he feels great gratitude, especially years after receiving an award and having time to realize its full worth. I know I am also speaking for every recipient of the Joint Industry Board scholarship the past twelve years, in expressing my thanks to the Union officials, the electrical contractors and the Joint Industry Board. You've given us a fantastic opportunity. In talking about this scholarship, there is one point I want to impress upon you and now I am speaking directly to these young people sitting before me who didn't win today.

It is very nice to have won a scholarship but the most important thing is to further your education, whether this be with or without aid. Of course, the scholarship made getting this education much easier for me but the value of an education doesn't change with the ease or difficulty in obtaining it and sometimes when it doesn't come so easy, the student is able to realize the full worth of education to a greater extent. I can't impress this upon you enough. Mainly, that you must continue your education. There are a few other points I'd like to make and I'd like to use personal experience to illustrate them. Education can be a funny thing. Because of a technicality, five years ago this was, I was not eligible for the Joint Industry Board scholarship when I graduated from high school and I went to a four year engineering school, a very good school, my freshman year and I won this award at the end of this freshman year. This introduced a problem to me. I—well sort of—I was very well set in this old school. I had received very good marks. I had made an awful lot of close friends. I had joined a fraternity and I was very well set into the routine and I enjoyed it and I just didn't know whether or not to accept the award and transfer schools. The primary factor in my finally deciding to go to Columbia was—and this may sound very funny—that I felt ignorant. Ignorant in most things besides engineering, science and math. I felt my education had been geared too narrowly. I needed, well, broader interests and I felt Columbia would help me get this. I think I was right. Not that I am all knowing in all fields now but I have at least been exposed to many of the things that can be listed under the general heading of a liberal education and I have been made to realize that these things have great value and that they can be very enjoyable. Music, art, philosophy, psychology—all have something to offer the person who is willing to take the effort to introduce himself to them. The person who specializes in one field and only one field loses so much of life. By acquiring wide interests and this doesn't have to be done only under the scope of education or under college or a school, this person adds much to his enjoyment of life. Again I am going to repeat, this applies not only to students but to everyone, being an electrician, an electrical contractor, a housewife or even a college professor. Find out about other things in life. You may enjoy them.

The last point I'd like to make I am directing to those students behind me who have just won scholarships. As I mentioned before, I had done very well in my freshman year and so when I came to this scholarship breakfast four years ago, I actually expected to win and I did. In fact, most of my life, I have had extreme confidence in myself when it came to academics and schooling, even to the point of being cocky but life can play funny tricks. Last term I applied for a National Science Foundation Fellowship to MIT and a few months ago, I received their answer. It said simply, although they sent my name to the National Committee, I had been turned down. I stared at this letter and gradually the idea sunk in. I had been refused, turned down. I had lost. Somehow I began to realize my foolish attitude. I felt I had to impress it into my mind as a lesson to myself. I hung that letter right above my desk where every time I start working it is able to remind me that

I am not infallible. I can be turned down and that if you want to get something, you have to continue working for it and not live on laurels. If I get this one point across to you, I will be satisfied. Confidence is great to have but watch when this "I am great" attitude starts sneaking up on you. It can be very deceiving and destroying. Winning a scholarship is a great honor and you probably earned it but don't stop there. If you want to go further, you've got to keep earning it. Let the scholarship be a beginning and an incentive for you.

KATZENBACH'S MANSION DEAL—FOR NAUGHT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. RARICK. Mr. Speaker, the recent $125,000 profit Nicholas Katzenbach made on the sale of his "white elephant" manor to be a benefactor of his former administration days was all for naught.

You see, this "made over" Republican is being retained as an "adviser" by the new President. He could have kept his house—did he not know there was not a dime's worth of difference?

Mr. Speaker, I submit a report from the Chicago Tribune of December 18, 1968, and portions of Paul Scott's report of January 24, 1969, for inclusion in the RECORD, as follows:

[From the Chicago Tribune, Dec. 16, 1968]

KATZENBACH MAY FACE PROBE IN SALE, U.S. LOAN

(By Walter Trohan)

WASHINGTON, December 15.—Two congressional watchdogs of public funds have been asked to look into the $180,000 sale of a remodeled $55,000 house by Undersecretary of State Nicholas Katzenbach.

The high state official sold his house last month to Timothy B. Atkinson, general counsel of the Asian Development bank. Katzenbach helped the bank to get 200 million dollars from Congress.

The house is a sprawling Victorian frame structure, built at the turn of the century, with wide porches and ornamented gables, which had been considered a white elephant. The Katzenbachs added a large living room and a swimming pool.

Sen. John J. Williams [R., Del.], the one time feed and grain merchant, and Rep H. R. Gross [R., Ia.], the former newspaper and radio reporter, are interested in knowing whether the sale had any relation to the appropriation for the development bank. The two members of Congress are widely known for their singlehanded battles to save tax dollars.

On Oct. 2, 1967, Katzenbach, as acting secretary of state, sent a letter to the Senate foreign relations committee urging the passage of the appropriation for the bank. The letter was addressed to Chairman J. W. Fulbright [D., Ark.].

PATH TO AN EARLY IMPROVEMENT

"Lasting peace in east and southeast Asia depends upon the belief of the peoples of this region that there is a practical and peaceful path to an early improvement of their social and economic status," he said. "Only this belief can eliminate the tempting alternative presented by the false promise of quick and violent solutions to deep-seated problems."

Katzenbach urged the passage of the appropriation as representing "a sound and conservative investment in the future peace of this troubled area of the world." He offered to furnish additional testimony for the bill if the committee desired.

Curiously enough on Feb. 27 of this year, five months after Katzenbach submitted his letter to Sen. Fulbright, Rep. Wright Patman [D., Tex.], chairman of the House banking and currency committee, received the same letter—word for word—over the signature of Secretary of State Dean Rusk in support of the appropriation. It is not clear whether Katzenbach wrote the original letter or whether it was prepared for him in the department.

Last May 9 Katzenbach appeared before the House banking and currency committee to urge passage of the related 480 million dollar appropriation for the International Development bank. He asked for 160 million in the current year. He said that delay in the appropriation might "seriously interrupt the flow of development resources to many countries."

DEPRIVED OF RESOURCES TO HELP

"Development—as we have learned to our sorrow—is not only a foreign problem," Katzenbach said. "We have seen in our own country what can happen when people are forgotten and deprived of the resources to help themselves. The politics of despair are no different abroad than they are at home. But the results of continued neglect may be even more explosive than what we have ourselves thus far experienced."

The Katzenbach sale has upset the real estate market in Washington's Cleveland Park area. Prices may never be the same, especially at 3141 Highland place, N.W., where the Katzenbachs entertained Princess Margaret on her visit to Washington in 1965.

Katzenbach sold in advance of his impending departure, forced by the Republican victory in November's election. He was one of the first leading Democrats to sell his home here. His sale has upped the asking prices of other Democrats being forced into retirement.

Walt W. Rostow, the special White House assistant on foreign affairs, has put his Cleveland Park home on the market. He is reported to have paid $75,000 for the home in 1962 and is now asking $150,000 plus the agent's fee.

THE SCOTT REPORT

WASHINGTON, January 24, 1969.—For one pledged to carry out a thorough housecleaning of the State Department, President Nixon appears to be going at it in a very strange way.

As a starter, the President has retained as foreign policy consultants several of the Johnson and Kennedy Administrations' most controversial advisers in a bid for unity.

Most prominent of those being kept on as consultants to the State Department and White House are George Ball, former U.S. Ambassador to the United Nations, and Nicholas DeB. Katzenbach, former Under Secretary of State and Attorney General.

Katzenbach's retainment as a State Department Security consultant is also being taken by GOP members of the Senate Foreign Relations Committee as another sign there will be no general house-cleaning.

During the closing days of the Johnson Administration, Katzenbach sent a memorandum to several government agencies saying that the issuance of a security clearance to former State Department aide John Paton Davies, Jr., "would be clearly consistent with the interests of national security".

The Davies case.—John Foster Dulles, President Eisenhower's Secretary of State, announced on November 5, 1954, that Davies was being dismissed "on the grounds of lack of judgment, discretion, and reliability."

Davies, most of whose 23 years of service had been in the Orient, was one of the China hands in the State Department who were charged by Senator Joseph McCarthy and others with having undermined American policy toward China and contributed to the Communist victory there in the late nineteen-forties.

Katzenbach's memorandum clears the way for Davies to be appointed as a consultant to the State Department and the Arms Control Disarmament Agency on U.S. policies toward Communist China.

Requests of Congressional backers of Otepka to Katzenbach to intercede for the veteran Security officer were denied. Katzenbach indicated his support of Otepka's removal.

Other controversial Johnson Administration officials tapped by Nixon to stay on are Helmut Sonnenfeldt, Director of the State Department's research office on Soviet Union affairs, and Ambassador Harlan Cleveland, U.S. Representative to NATO.

A BILL TO AMEND THE FEDERAL AVIATION ACT

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. SCHEUER. Mr. Speaker, I have today reintroduced with 42 cosponsors a bill to amend the Federal Aviation Act to provide for the establishment of reduced air fares for senior citizens, young adults, and military personnel.

The recent, adverse ruling by an examiner for the Civil Aeronautics Board—CAB—makes it imperative that prompt legislative steps be taken to continue the special, low air fares for young people and to provide for similar reduced fares for senior citizens, aged 65 or older.

A CAB examiner ruled on January 21 that the special youth fares were unjustly discriminatory and should be canceled. This ruling is now being reviewed by the CAB. Should the Board affirm the examiner's findings, existing youth fares would be abolished.

My proposal would specifically authorize the CAB to permit reduced air fares for senior citizens, students, and military personnel on a space-available basis. With the passage of this bill there will no longer be any doubt about the legality of standby fares.

Under the measure, senior citizens are defined as individuals aged 65 or older, youths as individuals over the age of 12 and under the age of 22, and military personnel as members of the U.S. armed services traveling at their own expense, in uniform of those services, while on official leave, furlough or pass.

One of the most common complaints I hear in conversations with older people is about the problem of loneliness caused, in part, by being cut off from family and friends by the high cost of transportation to other parts of the country.

Too many of our old people are caught in a cruel paradox. They have more time than any other groups to visit friends and relatives and yet, because of high

travel costs and fixed low incomes, they are often unable to make these visits. As with our youth, the special reduced air fares will help to alleviate this plight of our senior citizens.

Joining me as cosponsors of the bill are: Mr. ADDABBO, Mr. ANDERSON of California, Mr. ANDERSON of Illinois, Mr. BIAGGI, Mr. BINGHAM, Mr. BROWN of California, Mr. COUGHLIN, Mr. CULVER, Mr. DANIELS, Mr. DELLENBACK, Mr. DONOHUE, Mr. DULSKI, Mr. DUNCAN, Mr. EDWARDS of California, Mr. FLOOD, Mr. FULTON of Pennsylvania, Mr. GAYDOS, Mr. GUDE, Mr. HALPERN, Mr. HATHAWAY, Mr. HELSTOSKI, Mr. HOWARD, Mr. HUNGATE, Mr. KYROS, Mr. LOWENSTEIN, Mr. LUJAN, Mr. McCLOSKEY, Mr. MIKVA, Mr. MOORHEAD, Mr. OLSEN, Mr. OTTINGER, Mr. PEPPER, Mr. PODELL, Mr. ST GERMAIN, Mr. ST. ONGE, Mr. TIERNAN, Mr. VANDER JAGT, Mr. VANIK, Mr. WILLIAMS, Mr. CHARLES H. WILSON, Mr. WOLFF, Mr. WRIGHT.

A BILL TO AMEND THE OIL POLLUTION ACT OF 1924

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. KEITH. Mr. Speaker, over the years, my position on water pollution has become well known. In introducing my bill today to amend the Oil Pollution Act, 1924, and authorize the Secretary of the Interior to study the possibility of establishing marine sanctuaries, I simply want to put into the RECORD remarks which I offered in hearings before the Merchant Marine and Fisheries Committee in April 1968. My remarks are even more pertinent today than they were last year. If you, Mr. Speaker, or any of my colleagues have questions, I would be delighted to answer them.

The remarks follow:

STATEMENT OF HON. HASTINGS KEITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

Mr. Chairman, I would like to state the problem which we are here to consider today by quoting the recent Report of the President on Marine Resources and Engineering Development. Under the heading "Rational Uses of the Coastal Zone"—meaning the nation's shore areas and coastal waters—the President's Report says the following:

"This area of inshore waters is ecologically fragile and complex in its natural state. It is nevertheless subject to ever more intense pressures for varied uses which may both conflict among themselves and degrade the natural environment * * *.

"Only rarely have lands and waters of the Coastal Zone been subjected to planned and controlled development. Further, the planning which has been done has not always resulted in effective allocation of resource uses among competitors.

"As a consequence, the trend in some places has been toward single-purpose uses, determined by immediate economic advantages to individuals, firms, and local governments."

What the bill before us intends to do, Mr. Chairman, is fully in line with these observations. It seeks to encourage balanced, compatible uses of our offshore waters—first, by identifying alternative uses, and then by ensuring compatibility among these competing values and resources.

The need for this effort, Mr. Chairman, is made clear by recent developments on both the East and West coasts of the United States. Several major oil companies have, in the expectation of finding petroleum deposits below the continental shelf, been investigating the sea bottom off the coast of Massachusetts and New England. They will soon enter their 3d season of exploratory testing, which will run from May to September, and which will include the highly valuable fishing grounds of the Georges Bank.

For the present, in this stage of exploration and testing, conflicts have been avoided by the cooperation of all the parties involved. The Geological Survey office of the Interior Department, which has authority to issue permits for exploration activity, now consults and cooperates with the Bureau of Commercial Fisheries to ensure that approved operations will not result in harm to fish resources. Fishing representatives are consulting continuously. with oil representatives in the Boston area, and both are consulting with the Interior Department.

But we must be concerned with the future, when the most serious conflicts are likely to arise. What will happen when the oil companies request leases from the Interior Department to begin drilling operations? Will they be allowed to drill in the most productive fishing areas? Or are certain well-tailored restrictions necessary to ensure that oil rigs and pipelines and allied operations do not harm or interfere with commercial fishing?

These are the kinds of questions which the present legislation is designed to answer. The study called for in the bill would determine the likely impact of new industrial activities on the other natural resources and values of cetrain marine environments. It would determine whether some kind of "ocean zoning" is necessary to make these various uses compatible, and whether certain portions of our offshore environments should be sanctuary areas, closed to new industrial activities.

Mr. Chairman, I recognize that there are certain drafting weaknesses in it, and I hope that the observations of the witnesses in these hearings will help us clear them up. Firstly, "marine sanctuaries" is not fully defined. Let me spell out very clearly, then, what the Secretary of Interior could consider as a marine sanctuary.

A marine sanctuary area would be an ocean area which is especially distinctive for its commercial fishing uses, and for its scenic, recreation, and wildlife conservation values. In such an area, the Secretary of Interior would be authorized to restrict, prohibit, or prescribe the conditions under which industrials activities could be carried on, including the mining of gas or oil deposits.

This bill calls primarily for a study, which is a necessary preliminary for designating any area as a marine sanctuary. No area could actually be so designated without further action by the Congress. It is important to make this clear. The purpose of our proposal is simply to determine whether any area should be considered by the Secretary and by the Congress as a restricted zone.

Secondly, the bill provides for an interim moratorium on new exploratory activities. The moratorium would apply to any area which the Secretary is in process of studying as a possible marine sanctuary. The purpose of this section 4(a), is to ensure that, once the Secretary is actively considering an area as a potential marine sanctuary, new industrial activities will not come in and destroy the environment before the study is even finished.

It has been brought to our attention that this moratorium is perhaps too broad in its application, and may deprive those who have already established a claim to use of the affected areas, of their proper rights and privileges. Accordingly, we have drafted two alternatives to this section. Either one would protect the rights of any person who has a legitimate claim arising from previous investments or activities. The longer of these two alternatives, which are attached to my brief, would provide for public hearings on any claim.

In closing, Mr. Chairman, I would like to point out and emphasize that our objective is not to inhibit development of new mineral resources in America's offshore waters, but to establish a rational balance of uses in our marine environments. As our industrial technology begins to reach out further and further into the ocean's depths, it is vital to the present and future generations of Americans to foster and promote balanced use of this rich environment.

Industrial and mining development can go hand in hand with fishing, recreation, conservation, and scientific uses of the seas, if we are wise enough to see that these various uses are made compatible with each other. The objectives of H.R. 11584 are fully in tune with the broad purposes of the Marine Resources and Engineering Development Act of 1966, which purposes are to inaugurate the new era of oceanography on a rationally planned basis and to maximize the benefits of this new ocean frontier for all Americans.

With a far-sighted approach we can avoid some of the mistakes of our Nation's earlier frontier experience in exploiting our irreplaceable natural resources. The tragic waste and destruction which has come to many of the Nation's estuarine areas must not be allowed to happen to the vast new wealth which is opening up before us in the depths of the oceans.

So what we have done is ask in this legislation for a study of the areas in which there are potential conflicts of uses, and we ask that this study be made by the Department of the Interior. And since that time I have had second thoughts about that and would, I believe, be more in favor of a study to be made by an independent agency, one outside the Government, of the stature of the kinds of commissions that have been established for similar purposes in the field of oceanography in recent years.

We feel that in the public interest we must plan for the future and the proper utilization of our coastal waters, including all the waters of the Continental Shelf, as well as adjacent estuarine areas.

I have, Mr. Chairman, some editorial comments that I think would lend to the interest and knowledge of the committee, and which would help to motivate us in our deliberations.

There was an editorial in the Cape Cod Standard Times dealing with this subject, suggesting that oil exploration proceed only with great caution. There are editorials from numerous papers throughout the country, on the west coast and in the central areas of our country, as well as on the shore lines of the east coast.

There are news stories describing miles of dead fish sighted where oil companies were conducting exploration.

The area that is of particular interest to me, and I believe to the Nation, is George's Bank, a fishing area which is the most prolific in the world. Thirteen nations fish here, and 1,650 million pounds of fish are caught here each year. The U.S. fisheries catch used to be almost 1 billion pounds there. It is now down to slightly under 700 million pounds per year. Of this, the Massachusetts catch is about half a million pounds.

By far the largest percentage of edible fish consumed in the U.S. markets comes from George's Bank, and it represents 12 percent of the world's fish catch.

What a tragedy it would be if there were alternative sites for the digging for oil, or drilling for oil, to those on George's Bank. And yet the possibility exists that this might be one that was most desirable from an oil industry point of view for early exploitation.

So this is one of the areas that needs to be studied first, insofar as its utilization as a natural and national resource is concerned.

THE CONCERNED SEEK WAYS TO MAKE MINING SAFE

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. PATTEN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article which appeared in the February 19, 1969, issue of the Washington, D.C., Evening Star:

THE CONCERNED SEEK WAYS TO MAKE MINING SAFE

(By Shirley Elder)

Death comes in many forms as it stalks the coal miner. It comes slowly in black dust so fine it cannot be seen. It comes swiftly in highly explosive odorless gases. It comes in weak mine walls and roofs deep underground, or cave-ins, or wrong-way maps. It comes in any one of a dozen little accidents that can suddenly take a life.

Year after year, the miners themselves have shrugged off the dangers and plunged into the earth. It is part of the job, they would say, and the pay is good.

This attitude of fatalism has been one of the greatest barriers to making the mines safe, according to the director of the Interior Department's Bureau of Mines, John O'Leary.

Stewart L. Udall, the former interior secretary, said the same thing in December at a special meeting called after 78 men were buried in a fiery mine explosion in Mannington, W. Va.

"We consider ourselves an enlightened people," Udall told the assemblage of industry, union and government men. "Ours is an affluent society, technologically as advanced as any on earth.

"Yet, we accepted, even condoned, an attitude of fatalism that belongs to an age darker than the deepest recesses of any coal mine."

IMPROVES INSPECTIONS

He said the mines must be made safe. And O'Leary agreed.

A man who spends his working life in a mine now faces one chance in 12 of being killed in an accident and at least one chance in 5 of suffering lung disease. Sometimes the ailment, known as "black lung," merely weakens a man; often it puts him out of work.

In an interview, O'Leary talked of his hopes for improving the lot of the men in the mines. "I see the bureau as the trustee for the health and safety of the nation's miners," he said. "I can criticize us for being behind, but now the time has come to move forward."

O'Leary, a 42-year-old career federal officer, has made some changes since Mannington. In a batch of seven directives, he beefed up the inspection system.

Probably the most important advance is the increased number of spot checks of mines. Coal operators often have known in the past when the inspectors were coming and, according to miners and union officials, would hastily cover over safety rule infractions until the inspectors moved on.

KNOW THEIR ROUTINE

"Coal operators know their (the inspectors') routine," W. A. (Tony) Boyle, president of the United Mine Workers, said recently. "This has not changed over the years.

"They know the inspectors visit the large mines three times a year and the small mines twice a year. When the inspector has completed his work and departed, the operator knows he won't be back for four months.

"At the end of about three months and three weeks, the operator, who has ignored the law, starts putting his mine in shape.

"All men who die in disasters die needlessly."

A total of 309 U.S. miners died in 1968. The largest number of deaths, 99, resulted from collapses of roof, face or mine ribs. The next-ranking killer, gas and dust explosions, took 88 lives, including the 78 at Mannington.

Also, 38 men died in haulage accidents; 17 in electrical mishaps, and 15 through machinery breakdowns.

PRE-18TH CENTURY

West Virginia led the list of mine deaths with 150 men killed.

"It's not only shocking. It's pre-18th century," said Rep. Ken Hechler, a Democrat from West Virginia's 4th District, a large coal-producing area. "But the guilt must be shared. Both Congress and the state legislatures have been notoriously negligent in writing strict mine safety laws.

"I certainly am guilty for not jumping up and down sooner," Hechler said. "I was taken in by the loud noises from the experts (such as union leaders). I thought they knew what they were doing."

He also accused the United Mine Workers of concentrating too much on wage demands and too little on health and safety and of being willing to compromise year after year with something ineffective.

Now, Hechler has struck out on his own in a one-man crusade for strict health and safety measures in the mines. Seizing the disaster at Mannington as a take-off point, he has launched a barrage of statements, appeals, legislative proposals.

Along the way, he has joined, or been joined by: A trio of West Virginia doctors campaigning against the "black lung" disease, pneumoconiosis; veteran consumer champion Ralph Nader, and, finally, the miners themselves.

DIVINE RIGHT TO LIVE

"Today is a history-making day for West Virginia and the nation," Heckler shouted at a miners' rally in Charleston two months after the Mannington mine was sealed. "You are assembled here to secure your rights . . .

"Yes, coal miners have a divine right to live, to breathe fresh air, to be compensated for black lung, to work in safe surroundings, to be protected by 20th century safety standards, and to keep the precious gift of good health.

Back in his office, the generally soft-spoken Hechler mused, "Nothing like that ever happened before. There were 3,000 miners at that meeting."

At the rally, he had twice offended the UMW. First, urging support for his own bill in Congress, Hechler said a UMW plan to split health and safety proposals into separate legislation would kill them both.

"I predict today," he said, "That if you allow health and safety legislation to be separated, the steam will go out of the public support which you have for the legislation and you'll wind up with the same kind of weak bill which is now on the statute books."

WOULD FINE MINERS

To that Hechler added his opinion that coal miners themselves ought to be fined if they willfully violate safety standards.

"I disagree with Tony Boyle on this," he said, referring to the UMW chief, "I think it is unfair to the thousands of coal miners who follow the safety standards to have some oddball with a cigarette come along and blow the rest of you up."

In a statement surprising even to some union men, Boyle said he doubted whether any coal miner had violated mine safety laws. But even if they had, Boyle said, full responsibility rests with the operators; miners pay the penalty with their lives.

At one point during his campaign, Hechler read a statement prepared by his collaborator, Nader.

Nader assailed coal companies for "corporate profiteering" at the expense of miner's health and safety and said union leadership has been "insensitive and inactive" toward the needs of the very men they are supposed to represent, the miners.

"Yes, the United Mine Workers Journal gives you the comforting words and the sad regrets: But when the chips are down, the UMW leadership follows the lead of the coal mine operators in Washington and in the coal mining states," Nader wrote.

UMW JOURNAL REPLIES

That was the final straw for the UMW. Its journal, which comes out twice a month, rushed to press with a page one message to union members from editor Justin McCarthy:

"There are some arrogant troublemakers scurrying about—or sending messages to the coal fields these days trying, for devious motives of their own, to convince the members of the UMW that your union is not doing its job in behalf of safety and health for coal miners."

UMW International Vice President George J. Titler took the time to remind Hechler, in a long letter, that the UMW had been one of his supporters.

He said he was "astounded" by Hechler's remarks and his alliance with Nader—"I wondered why you had turned on your friends." He advised Hechler to become a cosponsor, along with West Virginia congressmen, of the two UMW-written health and safety bills. And he warned that future Hechler re-election campaigns might be run without UMW help.

STANDS BY BILL

Hechler said he will stand by his bill, which covers both health and safety.

He said the UMW already has given up on the effort to force coal operators to strengthen and enforce healthier working conditions.

Despite public pronouncements to the contrary, UMW is saying "behind the scenes" that the health bill cannot pass, Hechler said. "I don't like that."

McCarthy said Hechler just doesn't understand the facts. He pointed out that UMW has been fighting for better mine conditions for 78 years. But the issues are complex and the study of miners' lung disease is new and controversial, he said.

The editor indicated the union feels Congress will act on only one thing at a time, and that safety has a better chance than health at this time. But, he said, the UMW will push for both.

SEES BETTER GOP BILL

Mine Bureau Chief O'Leary, like Hechler, wants a single bill. Two proposals were prepared by the outgoing Democratic administration, and introduced in Congress.

O'Leary said the Repblicans also will offer their own bill, which he predicts will be better written and stronger, to Congress within the next couple of weeks.

O'Leary said he sees the forces of reform coming together uniquely this year in a winning combination, largely galvanized by the Mannington disaster.

At the Interior Department, there is a new administration and new determination for something to be done.

On Capitol Hill, there is Hechler's drumbeat for action, aided by others from mining districts who are perhaps less vocal but equally concerned. Hearings will begin March 4 in the House.

In West Virginia, the doctors fighting "black lung" are swept along—and into public attention—by the horror over Mannington.

A bill in the state legislature would extend workmen's compensation to men disabled by lungs coated with black dust. It has been estimated that as many as 125,000 of the nation's 144,000 coal miners suffer from some degree of coal dust disease.

RESISTANCE IN INDUSTRY

Among coal producers, there is continuing resistance. Washington representatives refused to comment on pending legislation, but in West Virginia, they have described the current drive as an "unrealistic attack" and "highly emotional."

They speak of the wealth the coal industry has restored to Appalachia and the enormous cost to the industry of imposing stiffer standards and penalties.

Yet, the coal industry is doing better than it was a few years ago. The National Coal Association refers to its product as the "fuel of the future." Use of coal by electric utilities alone offers enormous growth, and research in converting coal to oil and gas also is under way.

The coal association estimates that total U.S. coal consumption will reach 643 million tons by 1972 of which the utilities will use 367 tons.

Coal demand could rise to a billion tons a year by 1980—twice the 1967 output—if gas and oil experiments develop as expected. Even at that pace, U.S. reserves now estimated at 3.2 trillion tons, would last 3,000 years.

UNITED STATES FAR AHEAD

U.S. coal production outstrips the rest of the world at a dramatic rate, creating profits certainly, but also creating problems.

The association's latest statistics show the average daily coal output per miner in the United States is 18.52 tons, compared to a 2.87-ton average in England and 3.23 in West Germany.

At the same time, however, European safety standards are higher and more strictly enforced.

One of the explanations for the greater productivity in this country also is a cause of growing cases of lung disease, the "continuous" use of mining machines.

Controlled by one man, these machines tear the coal from the earth's black seam with spinning steel teeth at rates as high as 12 tons per minute. They also churn up unparalled amounts of dust.

FIVE-STEP PROCEDURE

The so-called conventional system is a five-step procedure. Mobile cutters, built like giant chain saws, carve into the coal. Holes are drilled and the chunks of coal blasted loose with non-fiery chemicals. The coal then is ripped out and scooped up onto conveyers that carry it out of the mine.

If Congress accepts coal dust standards suggested by the Public Health Service (three milligrams per cubic yard), producers would have to give up the continuous mining machines or devise a system for dampening or diluting the dust.

The stage is set for a real battle as the scene shifts to Capitol Hill. The question now will be whether coal producers, medical experts and congressmen all can agree on what to do.

COMMEMORATE THE BIRTH OF THE REPUBLIC OF ESTONIA

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. CONTE. Mr. Speaker, Americans of Estonian descent in the United States will celebrate the 51st anniversary of independence of the Republic of Estonia proclaimed on February 24, 1918.

After the outbreak of the Second World War, Estonia suffered at the hands of both the Russians and the Nazis. The brave people of Estonia have remained victims of oppression since that time.

It is fitting on this anniversary that we join the many Americans of Estonian descent in looking to the day when Estonia and the other Baltic States are rejoined into the free community of nations. The people of our country are willing and determined to lend their moral support to the rightful aspirations of Estonia. In recognition of such determination, we join on this 24th day of February in commemorating the birth of the great Republic of Estonia.

H.R. 338 AND H.R. 340 GAIN PRESS SUPPORT

HON. WILLIAM V. ROTH, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. ROTH. Mr. Speaker, I believe the Members of this body would be interested in the continuing support shown by the press for the Program Information Act, H.R. 338, and for the Executive Reorganization and Management Improvement Act, H.R. 340. There two bills are now cosponsored by 185 Members and by 166 Members respectively. A few examples from across the Nation follow:

[From the Quincy (Ill.) Herald-Whig, Jan. 26, 1969]

CONGRESSIONAL REFORM

Typical, perhaps, of the kind of thinking that may motivate the 91st Congress, now getting under way under a new President, are two bills launched by a Delaware Republican congressman, William V. Roth, Jr., who has gained a co-sponsoring support that embraces nearly a third of the House, on a bipartisan basis. The bills call for full public information on federal assistance programs and for the establishment of a Hoover-type commission to create some reforms in government organization.

The two-pronged attack which the two bills would mount stem from an eight-month study Roth reported to Congress last June. Among other disclosures, the study noted that while the federal government is spending some $20 billion a year on federal assistance programs, "no one, anywhere, knows how many programs there are; information on some programs is virtually impossible to obtain; and a significant lack of coordination between federal agencies has created scores of overlapping and duplicate programs."

The first of Roth's bills, which has been co-sponsored by 165 members of Congress, from both sides of the aisle, requires full disclosure of information relating to all federal programs in a comprehensive catalog. It also requires the President to make annual recommendations to simplify and consolidate programs, wherever possible. A companion bill is being introduced in the Senate by Sen. J. Caleb Boggs, R-Del., and nine co-sponsors.

Roth, it might be added, has no illusions about his reforms. Of his information bill, for example, he has commented: "This legislation is essential but it is not a cure-all. It is, however, a building block—a badly needed building block—to make our federal assistance programs more meaningful, more manageable and more creative."

It is that attitude, perhaps, which has attracted such a bipartisan support. Locally, for example, co-sponsors of the bill include our own 20th Illinois District Republican Rep. Paul Findley, and Democratic Rep. Bill Hungate, who represents the vast northeast segment of Missouri.

There is almost equal co-sponsorship for Roth's second bill, with 155 congressmen backing it. (Findley and Hungate are also co-sponsors of this proposal). And another Delaware Republican, Sen. John Williams, who has been an outspoken fiscal reform sponsor, is introducing a parallel bill in the U.S. Senate.

That second Roth bill proposes creation of a 10-member Hoover-type commission "to objectively analyze the federal government and the federal system and give recommendations on how it can operate more effectively and more efficiently." That, admittedly, is a very large, very open, order.

Roth says his second bill differs essentially from the Hoover Commission Act because it would establish a commission charged "with studying government on a vertical plane; that is, studying the impact and effect of federal, state and local governments, especially from the standpoint of preserving and strengthening our decentralized system of government."

The proposed commission also would be charged "with the responsibility for recommending how the resources of the various levels of government can be better marshaled to meet the critical problems of the present and future. . ."

Despite their remarkably large initial support, Congressman Roth's two bills could get lost in the shuffle—or in the grinding partisan politics the 91st Congress may produce. But both deserve the most serious consideration. Study may show the need for some minor changes, but it is difficult to see how either can be faulted when considering the goals of each.

[From the Huntington (W. Va.), Advertiser, Jan. 27, 1969]

STUDY OF U.S. AID PROGRAMS

Any proposal of Republican congressmen to investigate programs initiated under a Democratic administration is suspect on general principles.

The measures proposed by Rep. William V. Roth Jr., R-Del., with the cosponsorship of more than one-third of the membership of the House, however, may be an exception.

One of the bills calls for full information on all federal assistance programs, and the other would open the way for creating a commission for developing recommendations to improve government through reorganization.

The proposed legislation grew out of an extensive study of the $20-billion annual assistance program by Rep. Roth last year.

Regarding the study, he said, "No one, anywhere, knows how many programs there are; information on some programs is virtually impossible to obtain; and a significant lack of coordination between federal agencies has created scores of overlapping and duplicative programs."

How much partisan political motivation there is behind the bills we do not pretend to know, but controversies over the operations of the various agencies indicate that information about them might help clear up some of the difficulties.

A particularly valuable provision in the Program Information Act would be that requiring the President to make annual recommendations for simplifying and consolidating programs.

Government agencies organized to meet critical needs have a way of branching out and overlapping. Even when emergency needs are met offices sometimes continue to operate in the neglected ramifications of forgotten areas.

Eliminating the agencies no longer needed and consolidating those duplicating efforts would be one of the objectives no doubt of the proposed study commission.

Rep. Roth said the commission would study "the impact and effect of federal programs and activities upon the interrelationships of federal, state and local governments, especially from the standpoint of preserving and strengthening our decentralized system of government.

"Also," he said, "the commission would be charged with the responsibility for recommending how the resources of the various levels of government can be better marshaled to meet the critical problems of the present and future, and would consider ways of improving federal government administration other than just reshuffling and restructuring agencies and programs."

New brooms proverbially if not persistently sweep clean, and a great many Republicans will doubtless go through the motions in the next few months of rescuing the nation from the effects of Democratic management.

But a proper study of various agencies created in recent years can doubtless improve services and reduce expenditures. That should be the purpose of this proposed new legislation.

[From the Davenport (Iowa) Times Democrat, Jan. 22, 1969]

Two-Pronged Attack

The first step to clean up the federal establishment, determine the number of federal bureaus, agencies, departments and what not and to find out where duties and programs overlap has been launched.

A bill sponsored by U.S. Rep. William V. Roth Jr., R-Del., and backed by more than one-third of the membership of the House of Representatives, is the opening shot in a two-pronged attack aimed at providing needed reforms in the federal establishment. It also will be introduced in the U.S. Senate by Sen. J. Caleb Boggs, R-Del., where it has nine co-sponsors.

The second prong of the attack will be another bill to be introduced in the House by Roth and in the Senate by Sen. John Williams, R-Del.

The first bill, now under study, would require full information disclosure on all federal assistance programs, and the other would create a modern Hoover-type commission.

Roth's bills follow an eight-month study of federal assistance programs. He described his first bill as "the opening shot, demonstrative of the thinking and sentiment of Congress" and "An early indicator of some of the things members of the 91st Congress will be trying to do."

He noted that while the federal government is spending more than $20 billion a year on federal assistance programs, "no one, anywhere, knows how many programs there are; information on some programs is practically impossible to obtain, and a significant lack of cooperation between federal agencies has created scores of overlappings and duplicative programs."

The first of the two Roth bills is titled, "Program Information Act," and the second, "Executive Reorganization and Management Act."

The former requires full disclosure of information relating to all federal programs each year in a comprehensive catalog. It also requires the President to make annual recommendations on simplifying and consolidating programs, their guidelines and access requirements.

"This legislation is essential," he said, "but not a cure-all. It is, however, a building block—a badly needed building block—to make our federal assistance programs more meaningful, more manageable and more creative."

The second bill would require the creation of a 10-member Hoover-type commission to objectively analyze the federal government and the federal system and give recommendations on how it can operate more effectively and efficiently.

The bill differs in two main areas from traditional Hoover Commission bills, Roth said.

"Besides the traditional functions of Hoover Commissions, under this bill the commission would be charged with studying government on a vertical plane; that is, studying the impact and effect of federal programs and activities upon the interrelationship of federal, state and local governments, especially from the standpoint of preserving and strengthening our decentralized system of government," he said.

"Also, the commission would be charged with the responsibility for recommending how the resources of the various levels of government can be better marshaled to meet the critical problems of the present and future, and would consider ways of improving federal government administration other than just reshuffling and restructuring agencies and programs."

Evidently what Rep. Roth would like to do is have the way paved for an understandable table of organization in the government, with each agency, bureau and department occuping its individual line. Then, if two or more agencies appear qualified for a certain line, examine them, retaining the proper agency and eliminating the others.

Such a program could not only help the taxpayer, but the system of government as well, Rep. Roth's bills have merit.

[From the San Diego (Calif.) Tribune, Jan. 24, 1969]

Overhaul of Federal Systems Deserves Bipartisan Support

One goal of President Richard Nixon that is assured of significant support in the Democrat-controlled Congress is overhaul of federal government procedures.

House bills introduced last week by Rep. William V. Roth, Jr., R-Del., call for disclosure of full information on all federal assistance programs and the creation of a new "Hoover Commission."

The bills are co-sponsored by more than one-third of the membership of the House of Representatives, both Democrats and Republicans.

Democratic Congressional leaders have been calling for revisions since the mass of Great Society legislation in 1964 and 1965.

According to a study concluded last June, the federal government is spending more than $20 billion annually on federal assistance programs, "but no one, anywhere, knows how many programs there are; information on some programs is virtually impossible to obtain; and a significant lack of coordination between federal agencies has created scores of overlapping and duplicative programs."

Since 1953, however—the last time a Hoover Commission took a look at government organization—the government has taken on 100 new major activities. Grant-in-aid programs to state and local governments have jumped from a handful to more than 160. They are managed by 21 agencies, 150 bureaus and 400 regional and field offices.

There are 57 programs in job training, 35 in housing, 20 in transportation, 62 in community facilities, 32 in land use, 28 in recreation and culture, 65 in health and almost 100 in education.

Those figures merely emphasize the magnitude of the task of cutting red tape and duplication. Methods of counting vary, so there is little agreement on the number of federal programs.

The Program Information Act introduced by Roth would require full disclosure of information in a catalogue form relating to all government programs each year. It would require the President to make annual recommendations on simplifying and consolidating programs, their guidelines and access requirements.

The second bill would require the creation of a 10-member commission to analyze objectively the federal government and recommend means to make it operate more efficiently and effectively.

The Commission would focus primarily on the interrelationships of federal, state and local programs with the intention of preserving a decentralized system of government.

Mr. Nixon has indicated he will concentrate on trying to make old programs work rather than seeking new ones. First, of course, he must determine what the old programs are.

Majority Leader Mike Mansfield, D-Mont., and former vice presidential candidate Sen. Edmund S. Muskie, D-Maine, have called upon the Senate for reform. In the House, Ways and Means Committee Chairman Wilbur Mills, D-Ark., has advocated creation of a new Hoover Commission.

Despite the bipartisan support, reform will meet with resistance. Shifting of programs means that chairmen of some of the appropriations committees lose influence.

It is apparent, however, that some legislation is essential to make federal assistance programs more meaningful.

The Roth bills are a first step. The reception they receive in the House and Senate will be an early indicator of the attitude of the 91st Congress toward bringing efficiency to government.

[From the Johnson City (Tenn.) Press-Chronicle, Jan. 24, 1969]

Can We Control It?

More than 150 congressmen have joined in an ambitious effort to make the federal government more efficient and understandable. We wish them success.

Led by Rep. William V. Roth of Delaware, their immediate objectives include passage of bills (1) to require disclosure of full information on all federal aid programs, and (2) to create a modern version of the Hoover Commission to make an objective analysis of government operations.

These measures are outgrowths of a report last year by Roth that while the government is spending more than $20 billion a year on assistance programs, "no one, anywhere, knows how many programs there are, information on some of them is impossible to obtain, and a significant lack of coordination between federal agencies has created scores of overlapping and duplicative functions."

Under the disclosure bill, details of all federal programs would be compiled and published each year in a comprehensive catalog which would be made available to federal, state and local governments. Under the government operations bill (Hoover-type commission), a 10-member commission would make a penetrating study of government in all its aspects, particularly the inter-relationships of federal, state and local units. It would bring in recommendations for more efficient administration.

The *Johnson City Press-Chronicle* supports both these bills. Unless government is brought within control of the people by these and similar measures, the reverse may happen—that is, people may find themselves controlled by government without hope of rescue.

The very bigness of the federal structure has caused some to liken it to a Frankenstein. We created it. Theoretically, it is responsible to us. But its growth is so stupendous that some fear it is beyond control. We do not take this negative view. We believe the people still have the power to control their government—if they will only exercise it.

[From the Berwick (Pa.) Enterprise, Jan. 25, 1969]

A Needed Reform

We were glad to see that Rep. Herman Schneebeli, who formerly represented this district, is among the more than one third of the U.S. House of Representatives who are joining in what has been described as the "opening shot of a two-pronged attack aimed at providing some needed reforms in the Federal establishment."

Led by Rep. W. V. Roth, Jr., (R-Del) the group seeks the reforms through passage of a bill to require full information disclosure on all Federal assistance programs. It also seeks a bill to create a modern Hoover-type Commission.

Roth made an eight-month, intensive study of Federal "assistance" programs and he is well aware that something needs to be done.

He has pointed out—in the Congressional Record—that while the Feds are spending more than $20,000,000,000 per year on so-called Federal assistance programs, "no one, anywhere, knows how many programs there are; information on some programs is virtually impossible to obtain and a significant lack of coordination between Federal agencies has created scores of overlapping and duplicative programs."

It is known there are roughly ten times the number of assistance programs there had been when the Eisenhower Administration ended.

Roth feels duplication of cost and effort, plus worthless programs that merely make it possible to have a lot of people in jobs at high salaries, should be eliminated. He also feels the whole matter should be brought out into the open, so that those who are paying the bill can know where their money is being wasted. Then, we presume, they will do something about it.

It would seem that President Nixon's work is cut out for him, in eliminating some of the horrible waste, among other important tasks. The Roth movement should be a big help in getting the routing-out started.

[From the Columbia (S.C.) State, Jan. 29, 1969]

Fight Against Odds

The honor of being a "David" of the 20th Century by rights must go to Rep. William V. Roth, the Delaware congressman who is tackling the Goliath known as federal assistance.

Last year, climaxing eight months of arduous and often unrewarding study on his part and that of his limited staff, Representative Roth came up with an eye-opening—and jaw-dropping—report on the magnitude of federal assistance programs. Although thwarted time and again in his efforts to enumerate all such programs, the Delaware congressman nevertheless managed to pinpoint something like 1,090 programs which he listed (at considerable length) in the *Congressional Record* of last June 25.

Those thousand programs, by the way, came to light with only 520 answers to the 1,271 questionnaires he sent throughout the federal establishment. He sent 478 questionnaires to agencies of the Department of Health, Education and Welfare alone, receiving only 21 back before some high-ranking bureaucrat directed HEW program managers to send the Roth questionnaires to him rather than to Roth.

Speaking to the House, Roth said that "not only will they not provide the information about their activities, the HEW officials with whom I have had to deal seem unconcerned about, even unaware of, the information needs of our state and local officials who must apply for federal programs and for whom the programs were established in the first place."

But the HEW episode represents only one of the frustrations encountered by Congressman Roth, as witness this statement to the House:

"We found that no one, anywhere, knows exactly how many federal programs there are.

"We found that nowhere is there a central, comprehensive repository where meaningful information on all operating programs can be found.

"We found that more than $20 billion a year is being spent on such programs, yet only with long and great effort can one begin to find meaningful information about all of them . . ."

This year, Representative Roth and more than 150 of his colleagues are picking up where he left off last year. They are sponsoring two pieces of legislation:

A "Program Information Act" which would require full disclosure each year in catalog form of information relating to all federal programs, along with presidential recommendations for simplifying and consolidating such programs.

"An Executive Reorganization and Management Improvement Act" which would create a 10-member, Hoover-type commission to analyze the federal government and the federal system with the aim of developing greater effectiveness and efficiency.

What Representative Roth is proposing by way of legislation should be a challenge for executive action by President Nixon. Much of what the congressman seeks in the way of information could be provided through determined action by the executive department. And the whole tenor of the Nixon campaign argues for executive cooperation in the Roth effort.

But if it be appropriate to liken Mr. Roth to David, as we did at the outset, it may be equally fitting to indicate that he will need the patience of Job before his task is done.

We wish him God-speed.

THE 48TH ANNIVERSARY OF THE ARMENIAN REVOLT AGAINST THE SOVIETS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. DERWINSKI. Mr. Speaker, February 18 marked the 48th anniversary of the Armenian revolt against the Soviet Union which was holding their area illegally. Despite the heroism of the Armenian people during the revolt, they were overcome by force of arms of the overwhelming manpower of the Communist forces and remain to this day captives of communism.

The Armenian uprising was especially tragic in that Soviet control of the area was reasserted just 2 months earlier under the pretext of providing freedom and protection.

In this day and age when colonialism is still a major issue on the U.N. agenda, we must reemphasize that the only major colonial power existing today is the U.S.S.R.

We must further reemphasize that the Armenian people and other captive nations of communism must be free if the principle of self-determination of peoples is to be effectively honored.

Mr. Speaker, we must take practical steps on behalf of the oppressed people of Armenia and other captives within the U.S.S.R. Neither the Voice of America nor Radio Free Europe is doing an effective job of broadcasting behind the Iron Curtain. We must take practical steps to see that a message of trust rather than appeasement of communism is beamed to the patient people of Armenia so that they will continue to realize that one day their hopes for freedom will be rewarded.

PARTICIPATORY POLITICS COME TO WALL STREET

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. EDWARDS of California. Mr. Speaker, we are in a period in our history when young people are clamoring for an opportunity to participate in the decisions and institutions which shape their lives and affect the fabric of our society at large. Wise leaders have been willing to accept the legitimate role of young people in these activities and have moved in the direction of what has come to be known as participatory democracy. It is interesting to note that participatory democracy is not the province solely of our educational and political institutions, but also business institutions.

For example, the recent remarks of Mr. Howard Stein, president of the Dreyfus Fund, would seem to indicate that participatory democracy has arrived on Wall Street. Mr. Stein's comments, which I insert at this point in the Record, testify to the positive and innovative results which can accrue when young people are given an opportunity to direct their initiative, creative talents, energy, and enterprise toward responsible tasks.

The remarks follow:

Remarks of Howard Stein, Institutional Investor Conference, January 23, 1969

Wall Street, like everyone else, has its generation gap. The Campus has its restless rebels; we have our hedge funds and conglomerates.

To me there is a very clear parallel between the excitement for change on campus, and the young, bold, imaginative, sometimes brash and sometimes irritating behavior of the investment and corporate Swingers.

In each case, there have been excesses—on campus, the often reckless and self-defeating attempts at takeover for its own sake; in the investment community an equally indiscriminate hunger at times for instant gratification.

In each case, there is easy temptation to be repelled by the outward unpleasantness of these symptoms of change. But just as no university president can afford to ignore student demands, neither can we of the Establishment afford to ignore the challenge now being hurled at traditional Establishment principles of money management.

I think we owe a debt of gratitude to the Swingers. Despite their abandon and their abrasive techniques they have created the tensions that drive us, that make it a little harder for us to doze off on past performance.

I think it would be a serious mistake to write off the new Swingers and their works as merely a passing aberration.

I suggest that they are clues to deep and permanent changes, that we must know about and must be prepared to act on.

The keynote of this change is participation:

Not just for material rewards—but participation in the decisions that are made, the quality of the decisions, and what is created by these decisions.

It would be a bad reading to see in the temper and behavior of the young no more than a desire to drop out. I think for the most part they want to drop in. They want to take on The Establishment, not destroy it—modify it so they can participate in a way that will give them not only profit but authority as well.

Nobody should know better than we about the value of participation. Few among us would have believed 20 years ago that the upstart mutual funds would have become the means by which millions of individuals came to participate in our great industrial growth. What many regarded as a threat has become a means through which the investment community has created the largest public constituency in his history, at the same time contributing to the depth and strength of the market.

We should be the last to deny the same kind of participation to the young people and to the go-go breed—and for good sound practical reasons. For no matter how Establishment we are, we have to admire and have to enlist their initiative, creativity, energies and enterprise. These are all virtues in every field—the qualities that set them off from the run of the mill people.

How can we in the Establishment make use of these new forces?

First we have to give up our superficial prejudices toward some of the strange folkways of the new Swingers.

What separates us now is an unwillingness of either side to pay attention to the other. It is hard to say who is more impatient, the young who see the Establishment as paralyzed by the past, or the Establishment who sees the young dizzy with unreality.

This generation gap is a cut apart, as different of its kind as when the schools began to teach that the earth goes around the sun instead of the other way around.

The day you could buy participation with a title, and a key to the washroom, and the pension plan is over.

The good grey corporation, no matter how much it pays, will be unable to keep the kind of talent it will need to perform in today's world.

We must learn to distribute the risk-taking responsibility, together, with the here and now rewards.

The man with the qualities that we admire in the new Swingers is not looking for jobs or for security. He is pursuing a life style.

For that reason, beyond a certain wage level, the corporation that enjoys a reputation for promoting its free spirits will almost automatically command the best performance.

One of the most exciting incentives that we have to offer the new Swingers lies in our responsibility to light fires under caretaker and custodial managements grown comfortable under the protective wing of custodial money managers. It's an idling reciprocating engine.

By this I do not mean the answer lies in the indiscriminate use of investment power to heat up earnings, or give a misleading picture of hyper-performance. I mean the disciplined and imaginative use of our abilities in pursuit of our responsibilities.

Another incentive we have to offer is the chance to be "where the action is." As a number of us in the investment community have come to know, true performance is good management; performance investing is knowing what the facts are; performance investing is mobilizing more data; performance investing is thinking logically; performance investing is throwing out all the gossip and old wives' tales that have made up so much of the literature and the practice in investment.

Yet another incentive is our capacity to put into being concepts and ideas with ease and rapidity; to find ways to use ideas and imagination.

I have spent a lot of time talking about participation and incentives. Our own response to these trends will take the form of incentives based upon the performance of each of our new funds. In turn, these will be reflected in incentive payments to the individuals who participate in the management of these funds. If approved by the regulatory bodies the incentive payments will fluctuate in relation to the revenues we receive from the performance of each of these funds. I believe this is the basic concept of participation. It is my best hope that it becomes the pattern for the institutional investment industry to adopt for its own needs.

In paying attention to these interesting new challenges, we should not overlook an old problem that is still with us.

There is a present and continuing danger in treating speculation and performance as if they were interchangeable, and I think we are at a point where some reasonable concern needs to be expressed about what I believe can be called not just the cult of performance, but the cult of performance in search of instant gratification.

Speculation has always been with us in the marketplace. Individual speculators can move in and out of the market with ease. If the individual speculator does well, it adds zest to the market, and when individual speculation goes badly, it is too small to be a spoiler.

My concern with institutional speculation is with the tendency of institutional investors to imitate the movements of the individual speculator.

Not only mutual funds but insurance companies, pension funds and universities are following the speculator in search of immediate fast performance.

Traditionally, the role of the fiduciary institution has been to preserve capital, rather than seek capital appreciation, and speculation for the fiduciaries, was a "no man's land."

The speculator, as he has been understood, has been thought of as a single investor with a responsibility no larger than his own cash.

The speculative direction being taken by some fiduciaries threatens to upset the traditional balance in the marketplace between the single speculator and the fiduciary dealing with large sums of money and a collective responsibility.

If the performance cult becomes the continuing objective of fiduciaries, the future excessive adjustments could make the marketplace a wasteland.

In a very large measure, I think the fiduciaries were forced, as a defensive measure, to adopt the cult of performance as their own Over the years, the fiduciaries understood the term responsibility to mean custodial and conservative.

If nothing else the Swingers have taught us that fiduciary responsibility is more than mere caretaking. Our responsibility involves the capacity to respond to change and to new ideas.

How do we cultivate and maintain this capacity? Add a good dose of participation together with meaningful incentives; stay alert to the ideas and experiments that come from our activists and militants; search and dig for innovative techniques that give flexibility to a large, institutional portfolio; actively search for people able to make decisions—when you find one hire him first and worry about what he will do afterwards; and by all means avoid time-consuming committee meetings.

One more thing: We have to avoid the kind of self-serving activity that may in the end be hazardous not only to ourselves individually, but to the entire community.

A few years ago, a book appeared on the market entitled, "How Much Does It Cost When It's Free?" When the temptation to instant gratification arises, as it does often these days, we ought to ask ourselves before plunging after it: How much will today's techniques used in performance cost us tomorrow?

GREAT PUBLIC SERVANTS FROM TEXAS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. PICKLE. Mr. Speaker, when President Johnson left office, the event not only marked his closing out a 37-year career in Washington, but it also marked a break in the public careers of many other dedicated officials.

A number of these men were Texans, and I would like to take a moment to reflect on some of the ones who carried the heaviest burdens during President Johnson's term.

As I think back on the men who worked under our former President, it is difficult to single out those to mention. Of course, there were many fine people associated with the Johnson administration, but there were only a few Texans who attained positions of the highest trust and responsibility. During the Johnson years, there were three Texans who were appointed to Cabinet-level posts. Also, there were two top-level White House advisers from my hometown of Austin, and I would like to pause a moment to review the background and accomplishments of these men.

W. Marvin Watson began his career in Longview, Tex., as a special assistant to the president of Lone Star Steel Corp. From that post, he radiated to public service, and soon became executive secretary for the Texas State Democratic Executive Committee. It was from this position that he began his career in Washington, coming to join the White House staff soon after President Johnson took office.

As you know, Mr. Watson ultimately was appointed to the job of Postmaster General and attained great credit for his outstanding job in working to improve postal service. In his short term as Postmaster General, he left a mark which is still with us today. In the course of his 15-hour days, 6-day weeks, he came up with far-reaching recommendations on improvements we now are seeing brought about. Marvin Watson tackled this job with the attitude that it could be just as important as he wanted to make it, and he can certainly be proud of his fine efforts and of the position of high esteem he has achieved.

Former Attorney General Ramsey Clark is noted for his outstanding academic accomplishments both in law and in government. He began his legal career with 10 years of service in a Dallas law firm and became eminently acquainted with the day-to-day confrontations seen in the law. His first position in public office was as Deputy Attorney General for the Lands Division, and he served here with distinction. From this position he was elevated to serve as Deputy Attorney General immediately under Attorney General Nicholas deB. Katzenbach. Mr. Clark later succeeded his own boss and became well and widely known for his intelligent and courageous efforts as Attorney General.

Ramsey Clark is an able and dedicated public servant. He is a gentleman in the first sense of the word, and he believed deeply in the protection of rights for all citizens. He rendered distinguished service to his country—and at a critical time during domestic crises which required a cool head.

C. R. Smith, former Secretary of Commerce, was one of the original founders of American Airlines. His service and success in the aviation industry corresponds with the fantastic growth of aviation itself, and the mark of distinction he won in private enterprise ably fortified him to represent the commercial activity and industry of the greatest Nation in history.

As Secretary of Commerce, Mr. Smith's job was to keep tabs on the commercial activities and growth of our country, and he was both eminently and immediately qualified for these responsibilities. Mr. C. R., as we affectionately call him, proved himself a friend of business, and a protector of the American public. He understood the problems of business and commerce, yet he knew progress was a partnership between business and labor, and that the public interest must come first.

As a final word about each of the Cabinet officers just mentioned, I would note that to the man, each stayed at his desk right up to the last hour—working around the clock—and I feel that they are due a great deal of credit for the smooth transition we recently enjoyed.

In addition to these three Cabinet members, there were two Texans from Austin who earned and deserved special positions of trust.

George Christian joined the White House staff from a full and varied background of journalism, generally at the State level. A former writer for the International News Service, he served as special assistant to Texas Govs. Price Daniel and John Connally. His service with President Johnson immediately involved him in one of the most sensitive jobs anyone could have. He served as White House Press Secretary for over 3 years and in retrospect, I believe we could say that he always handled himself with the poise and dignity so essential in this position.

George Christian, often referred to as "Mr. Unflappable," is truly a man who understands the feelings of those with whom he deals and who is always aware of the winds and currents presented in any situation. He was as steady as a rock of Texas granite.

Larry Temple also served as special assistant under Texas Gov. John Connally and enjoyed a most successful career at the White House. An honor student at The University of Texas School of Law, he engaged in the private practice of law for 3 years in Austin. Both during the years he served under Gov. John Connally and President Johnson, he has displayed a never ending countenance of quiet understanding, pleasant cooperation, and unique ability. It is unusual that a man so young in years could be so trusted by two of the top leaders of our country. But he never failed that trust—neither to the men and institutions he represented; nor to the dedication and spirit needed for his duties; nor to the public.

As has almost always been the case, men from Texas have done well when they came to Washington. Whether in an elective office or not, they have demonstrated a high sense of dedication to their responsibilities, and they have maintained a balanced view of the authority they have acquired. In my view, it is rewarding that we have had men of such high capabilities serve us, and that they were available at the proper moment in history. I wish I could mention all the able Texans who have served us so well, but I am pleased to point out a few who were here when the close of this administration took place.

I am proud to have been associated with each of them, and I know that in whatever new endeavors they may have assumed, they will continue, in their own way, to give our country the strength and purpose which comes from such leaders.

WHAT'S IN A NAME?

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. MIZELL. Mr. Speaker, on Tuesday of this week, the House passed, by a record vote of 305 to 79, House Resolution 89 to change the name of the Committee on Un-American Activities to the Committee on Internal Security. I am pleased to say that I was one of the 305 Members to cast a vote for this measure.

I am impressed by the fact that the majority of the membership of the House is intent upon ferreting out subversive elements wherever they exist, and working in conjunction with our Department of Justice in exposing them. The fact that the committee has, from time to time, been condemned by the Communist Daily Worker and its ilk reasserts the need for such an investigative group to bring to light subversion wherever it seeks to undermine our way of life.

The change in name in no way diminishes the committee's scope nor authority. But by changing its name to Committee on Internal Security, it better defines what its true role is and that is to defend the rights of all American citizens—which in effect it always was. Those of us who supported this proposal believe it will increase the efficiency of the committee to deal effectively in areas where its attention is needed.

The chairman of this committee emphasized that one of the areas where they are going to take a hard look is the disturbances nationwide on our college campuses.

LITHUANIAN INDEPENDENCE

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mrs. DWYER. Mr. Speaker, the week beginning February 16 occupies a special place in the minds of men to whom the pursuit of personal freedom and national independence is a noble and continuing purposes, for it was on this date—51 years ago—that the courageous people of Lithuania won back their freedom and established the independent Republic of Lithuania.

Though their freedom was destroyed and their independence denied as a result of the Soviet invasion of June 1940, the Lithuanian people at home and abroad, supported by freedom-loving friends throughout the world, have never surrendered their commitment to freedom.

This anniversary, therefore, is deeply significant to all who retain the hope that Lithuania will eventually reestablish herself among the independent nations of the world.

Despite Soviet oppression, the light of liberty still flickers strongly in Lithuania and throughout Eastern Europe as we have seen most dramatically in Czechoslovakia in recent months. This is why, Mr. Speaker, it is so important that we in the Congress continue to give what encouragement we can through such means as annual observances of the independence days of nations like Lithuania.

In further tribute to their indefatigable love of freedom, and for the information of our colleagues, I include as a part of my remarks in the RECORD the texts of resolutions adopted, first, by the members of the Linden, N.J., branch of the Lithuanian American Council and, second, by the Lithuanian people at a mass meeting in Newark sponsored by the Lithuanian Council of New Jersey.

The resolutions follow:

RESOLUTIONS

Unanimously adopted on February 9, 1969, by the Lithuanian Americans of Linden, N.J., gathered under the auspices of Lithuanian American Council, Linden branch, for commemoration of the 51st anniversary of the declaration of Lithuania's independence.

Whereas February 16, 1969 marks the 51st anniversary of the declaration of Lithuania as a free and independent republic; and

Whereas Lithuania, the country of our ancesters, once an independent and flourishing republic, recognized and respected by the world's major powers, was invaded and occupied by the Soviet Union in 1940, to this day its people enslaved and subjugated; and

Whereas commemorating the 51st anniversary the feeling of many Lithuanian Americans may well be guided by the words of our President, Richard M. Nixon, expressed in his inaugural speech, that "No man can be fully free while his neighbor is not—to go forward at all is to go forward together"—Therefore, be it

Resolved, that we hereby reaffirm our determination to continue to carry on the effort whereby Lithuania once again shall regain her freedom and rightful independence; and

Resolved, that it is our hope that the representatives of our Government will firmly continue to maintain the policy of non-recognition of the incorporation by force of Lithuania in the Soviet Union; and

Resolved, that the Government of the United States be requested to take appropriate steps through the United Nations and other channels to reverse the policy of colonialism by Soviet Russia in the Baltic States and bring about re-examination of the Baltic situation with the view of re-establishing freedom and independence to these three nations; and

Resolved, that copies of these resolutions be forwarded to the President of the United States, His Excellency Richard M. Nixon; to the Secretary of State, the Honorable William F. Rogers; to the United States Ambassador to the United Nations, the Honorable Charles W. Yost; to the United States Senators of New Jersey, the Honorable Clifford P. Case, and the Honorable Harrison A. Williams; to the Representatives of the Twelfth and Thirteenth Congressional Districts of New Jersey, the Honorable Florence P. Dwyer and the Honorable Cornelius E. Gallagher, and to the Governor of New Jersey, the Honorable Richard J. Hughes.

VLADAS TURSA,
President.
MARGARITA SAMATAS,
Chairman, Resolutions Committee.

RESOLUTION

(Unanimously adopted at a meeting of American-Lithuanians and their friends living in New Jersey, sponsored by the Lithuanian Council of New Jersey, held on Sunday, February 16, 1969 at St. George's Lithuanian Hall, Newark, New Jersey, in commemoration of the 51st anniversary of the establishment of the Republic of Lithuania on February 16, 1918.)

Whereas the Soviet Union took over Lithuania by force in June of 1940; and

Whereas the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty which they rightly and deservedly enjoyed for more than seven centuries in the past; and

Whereas the Soviets have deported or killed over twenty-five per cent of the Lithuanian population since June 15, 1940; and

Whereas the House of Representatives and the United States Senate (of the 89th Congress) unanimously passed *House Concurrent Resolution 416* urging the President of the United States to direct the attention of the world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples; now, therefore, be it

Resolved, That we, Americans of Lithuanian origin or descent, reaffirm our adherence to American democratic principles of government and pledge our support to our President and our Congress to achieve lasting peace, freedom and justice in the world; and be it further

Resolved, That the President of the United States carries out the expression of the U.S. Congress contained in *H. Con. Res. 416* by bringing up the Baltic States question in the United Nations and demanding the Soviets to withdraw from Estonia, Latvia, and Lithuania and be it further

Resolved, That the pauperization of the Lithuanian people, conversion of once free farmers into serfs on kolkhozes and sovkhozes, as well as exploitation of workers, persecution of the faithful, restriction of religious practices, and closing of houses of worship, and be it finally

Resolved, That copies of this resolution be forwarded this day to the President of the United States, Secretary of State William Rogers, United States Ambassador to the United Nations Charles Yost. United States Senators from New Jersey, Members of U.S. Congress from New Jersey, and the press.

LITHUANIAN COUNCIL OF NEW JERSEY,
VALENTINAS MELINIS,
President.
ALBIN S. TRECIOKAS,
Secretary.

TARIFF COMMISSION DAIRY REPORT INCLUDES INSIGHT ON IMPORT SITUATION

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. NELSEN. Mr. Speaker, one of the last official acts performed by President Johnson was to restrict a number of areas of dairy imports. He implemented the recommendations of the majority of the members of the U.S. Tariff Commission, as listed in their report released January 10, 1969, but in the eyes of many dairy authorities, he overlooked the major problems of dairy imports today: The subsidized dumping of European dairy surpluses.

The argument against simply limiting the amounts of certain types of dairy imports has been most lucidly stated in the statement of Commissioner Penelope H. Thunberg in which Commissioner Bruce E. Clubb concurred.

Commissioner Thunberg points out that closing a door here or there simply means that the import effort will be directed to other areas.

For the reference of the Members, I include the statement in my remarks at this time:

STATEMENT OF COMMISSIONER THUNBERG IN WHICH COMMISSIONER CLUBB CONCURS

Mounting agricultural surpluses—including surpluses of dairy products—which are presently inundating the European Economic Community (EEC), buttressed by the Community's policy of subsidizing exports, make it clear that milk products from Europe can be landed in the United States at price levels substantially below those which have prevailed in this country in recent years. Pressures to minimize the costs of the Community's Common Agricultural Policy will, moreover, encourage the conversion of milk into any product which can be sold abroad for more than the cost of delivering it. In addition, excess dairy product output in the EEC has caused the accumulation of surpluses in other dairy-producing countries which formerly had exported sizable quantities to members of the Common Market. Exports of these third countries (primarily Denmark, Switzerland, Finland, and Austria), having been replaced by domestic output in the EEC, are increasingly seeking outlets in the high-priced U.S. market. The existence of this surplus milk production in Europe makes practically certain mounting imports of virtually all dairy products whose entry into the United States is not subject to quantitative restrictions.

These facts—surplus production and subsidized exports abroad—combined with the near-term likelihood of continuing price rises in the United States clearly imply that an attempt to regulate only imports of low-priced cheese is futile. Permitting unrestricted entry to table-quality cheese priced higher than a stated minimum (e.g., higher than 37 or 47 cents per pound) will cause increased production and exports of this type of cheese from the surplus countries to the United States market. Other things being equal, as costs of U.S. dairy farmers continue to increase, present percentages of parity prices can be maintained only by raising U.S. support prices. With higher support prices imports would increasingly displace U.S. domestic production. Quite apart from the difficulties of administering such a price-determined quantitative restriction, therefore—and these administrative difficulties are many—relative price conditions are such that unrestricted imports of high-priced table-quality cheeses would be disruptive to domestic support programs. The requirements of section 22 of the Agricultural Adjustment Act, as amended, therefore, make essential restrictions on all imports of dairy products—of products, that is, in which the cost of milk or butterfat represents a significant fraction of total cost.

An estimate of the amount of dairy products which could be imported into the United States without endangering the price-support program for milk is especially difficult both because of the many policy decisions required by law of the Secretary of Agriculture and the President in regard to prices, support levels, parity and production, and because of varying prices and agricultural policies abroad. Nonetheless a study of recent market trends suggests that imports in the range of one to one-and-a-quarter billion pounds (milk equivalent) could be absorbed with no further accumulation of Government stocks, given present levels of production, consumption and prices.[1]

My recommendations for quantitative restrictions on imports of the dairy products under investigation, together with those restrictions already existing, aggregate approximately one billion pounds. Because U.S. price-support programs do not include milk other than cow's milk (such as sheep's milk or goat's milk), my estimate of aggregate import capability is concerned with cow's milk and cow's milk products. My recommendations for quantitative restrictions consequently exclude products of milk other than cow's milk and are distributed among the categories under investigation in proportion to U.S. imports in 1965–67 (average) as shown in the accompanying table.[2] Because milk accounts for nearly 50 percent of the cost of producing chocolate crumb in the United States, I have included within the proposed quotas articles provided for in TSUS item 156.30 if containing over 5.5 percent by weight of butterfat (except articles which are ready to eat and are in retail packages of not over one pound net weight).

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[1] During the first part of the year 1966 at the then prevailing prices demand and supply relationships for dairy products in the United States appeared to be in approximate balance. Aggregate stocks, commercial and Government, appeared stable at about 4.5 billion pounds (milk equivalent); imports amounted to nearly one billion pounds at an annual rate.

During the preceding four years, 1962–65, total stocks held in the country had been steadily reduced from a level of 12 billion pounds in 1962. During the same period imports fluctuated around 850 million pounds annually, varying from 800 million in 1962 to 925 million in 1965. This was an interval of stability in parity levels at 75 percent with the CCC support objective for manufacturing milk rising gently from 3.11 cents per pound in 1962 to 3.24 cents in 1965. During these years the market price of butter at Chicago averaged 59 cents per pound.

On June 30, 1966, the CCC support price for milk for manufacturing was raised to 4 cents per pound, or 89.5 percent of parity from a level of 75 percent of parity that prevailed during the period 1962–65. The market price of butter at Chicago rose to 69 cents per pound; imports rose to a rate approaching 3 billion pounds a year and aggregate stocks began again to accumulate.

Because milk represents less than one quarter of the total cost of the chocolate and cocoa items covered by this investigation, other than chocolate crumb, I find no material interference, or practical certainty thereof, with the support programs for milk and butterfat, and, therefore, make no recommendations for quantitative restrictions on such items.

On "aged" Cheddar cheese, I recommend continuation of the existing quantitative restriction of 1,225,000 pounds annually, with country allocations. On the edible preparations in bulk classifiable under TSUS item 182.92 (consisting largely of butterfat-sugar mixtures), I recommend continuation of the existing annual quota of 2,580,000 pounds and redefinition of the quota provision to include the same type products in retail-size containers (now entered under TSUS item 182.95) with no change in the amount of the quota.

The quantitative restrictions I recommend are shown in the following tabulation, which also shows the computations used in arriving at the recommended amounts:

Product (abbreviated description)	Average annual U.S. imports, 1965–67 (million pounds)	Milk equivalent of average imports		Factor used to convert product weight to milk equivalent (pounds)	Recommended quantitative restrictions	
		Quantity (million pounds)	Percent of total		Milk equivalent (million pounds)	Product weight (thousand pounds)
Condensed and evaporated milk and cream	3.5	8.0	2.2	2.20	8.7	3,935
Process Edam and Gouda cheeses	2.7	20.7	5.6	7.58	22.0	2,907
Italian-type cheeses not in original loaves	.7	5.5	1.5	7.98	5.9	740
Swiss or Emmenthaler cheese	13.2	111.9	30.0	8.49	118.0	13,904
Gruyere-process cheese	8.1	73.5	19.7	9.09	77.5	8,528
Certain "other" cheese (except cheese not containing cow's milk)	16.8	130.2	34.9	7.80	137.3	17,606
Chocolate crumb	10.0	22.8	6.1	2.30	24.0	10,436
Total	(1)	372.6	100.0	(1)	393.4	(1)

[1] Not meaningful.

I recommend that the quotas proposed in the tabulation be administered by means of a licensing system, such as that currently employed by the Department of Agriculture in administering quantitative restrictions on U.S. imports of most dairy products, so as to assure an equitable distribution of the quotas among importers, users, and supplying countries. To be equitable in the allocation of the quotas among supplying countries, the distribution of trade should, to the fullest extent practicable, reflect any special factors which may have affected or may be affecting the trade in the product in the representative period. Thus, in the case at hand, special consideration should be given to those countries which have not in recent years disrupted the domestic market—even though they possessed the capability of doing so—by restricting, or by not subsidizing, their exports to the United States. These countries should not now be penalized in the allocation of quotas because of their cooperation in such efforts. Rather, I suggest that the principles of Article XIII of the GATT be fully observed.

LITHUANIAN INDEPENDENCE

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. MINISH. Mr. Speaker, the free world this week is observing the 51st anniversary of Lithuanian independence with deep sympathy and admiration for those courageous people.

It was my honor to join yesterday with our esteemed colleague, the Honorable DANIEL FLOOD, of Pennsylvania, in paying tribute to Lithuania in the House of Representatives.

I am privileged today to call to the attention of Congress an eloquent resolution in commemoration of this historic event that was adopted at a mass meeting held by the Lithuanian people on February 16, 1969, at St. George's Hall, Newark, N.J. Mr. Albin S. Treciokas, Secretary, Lithuanian Council of New Jersey, has kindly sent me the resolution which I am happy to insert at this point in the RECORD:

RESOLUTION OF LITHUANIAN COUNCIL OF NEW JERSEY

Unanimously adopted at a meeting of American-Lithuanians and their friends living in New Jersey, sponsored by the Lithuanian Council of New Jersey, held on Sunday, February 16, 1969, at St. George's Lithuanian Hall, Newark, New Jersey, in commemoration of the 51st anniversary of the establishment of the Republic of Lithuania on February 16, 1918.

Whereas the Soviet Union took over Lithuania by force in June of 1940; and

Whereas the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty which they rightly and deservedly enjoyed for more than seven centuries in the past; and

Whereas the Soviets have deported or killed over twenty-five percent of the Lithuanian population since June 15, 1940; and

Whereas the House of Representatives and the United States Senate (of the 89th Congress) unanimously passed *House Concurrent Resolution 416* urging the President of the United States to direct the attention of the world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples; now, therefore, be it

Resolved, That we, Americans of Lithuanian origin or decent, reaffirm our adherence to American democratic principles of government and pledge our support to our President and our Congress to achieve lasting peace, freedom and justice in the world; and be it further

Resolved, That the President of the United States carried out the expression of the U.S. Congress contained in *H. Con. Res. 416* by bringing up the Baltic States question in the United Nations and demanding the Soviets to withdraw from Estonia, Latvia, and Lithuania and be it further

Resolved, That the pauperization of the Lithuanian people, convention of once free farmers into serfs on kolkhozes and sovkhozes, as well as exploitation of workers, persecution of the faithful restriction of religious practices, and closing of houses of worship, and be it finally

Resolved, That copies of this resolution be forwarded this day to the President of the United States, Secretary of State William Rogers, United States Ambassador to the United Nations Charles Yost, United States Senators from New Jersey, Members of U.S. Congress from New Jersey, and the press.

VALENTINAS MELINIS,
President.
ALBIN S. TRECIOKAS,
Secretary.

FREEDOM'S CHALLENGE

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. DICKINSON. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conducts a Voice of Democracy contest in which over 400,000 students compete for five scholarships. Scholarships in the amounts of $5,000, $3,500, $2,500, $1,500, and $1,000 are awarded to the winners in the contest, the theme of which this year was "Freedom's Challenge."

A winning contestant is chosen from each State and is brought to Washington for the final judging. The scholarship awards are announced at the VFW's annual congressional dinner, scheduled this year for March 4.

Mr. Speaker, Alabama's winner in the Voice of Democracy contest is Miss Patti Mungenast, 116 West Drive, Maxwell Air Force Base, Ala., a resident of my congressional district. I commend Miss Mungenast for this accomplishment, and I wish her the best of luck in the national judging. I am inserting the text of Miss Mungenast's speech in the CONGRESSIONAL RECORD so that other Members of Congress may benefit from reading the work of this fine young American:

FREEDOM'S CHALLENGE

(By Miss Patti Mungenast)

"This is your newscaster with the 12 o'clock report. Good afternoon. Today the world mourns the loss of the second Kennedy brother. Robert F. Kennedy died early this morning after a struggle of nearly twelve hours. Doctors account for his death by a bullet which penetrated the skull causing the fatal wound. The Senator's body will be shipped to Arlington Cemetery, Wednesday, and will be laid next to his slain brother President John F. Kennedy who was assassinated four years ago.

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[2] For purposes of the 50-percent clause in the first proviso to section 22(b), the representative period for imports of the articles under investigation would thus become the calendar years 1965–67, inclusive.

"Meanwhile, FBI are still looking for James Earl Ray, accused assassin of the Reverend Martin Luther King, Jr. King, shot and murdered three weeks ago, was the father of the Negro search for equal rights and was the principal character in forming resurrection city.

"In a moment we'll be back with more news after a word from our sponsor."

How often have we turned on our television sets only to hear something to this effect? Is this the United States? Is this the leader of the free world?

I don't think so. Too much emphasis today is placed on the riots and demonstrations and not enough on the good taking place around us. We live in a pessimistic society waiting impatiently for the H-Bomb to fall down upon us. We live on the evil printed in our newspapers and broadcasted on our T.V.'s. These are the things that are slowly tearing our nation apart.

This is freedom's challenge—to piece our country back together—to bind the wounds that prejudice and hatred have caused.

This challenge lies on the shoulders of each individual. John F. Kennedy in his Inaugural speech said, "Ask not what your country . . ." So many times people have asked "How can I do anything worthwhile for my country?" not realizing how much this nation depends upon these individuals themselves.

In the busy hustle and bustle of our twentieth century world, the individual seems to be lost. But he's not really. He's just hiding in the small communities. He may be a mayor or a PTA president. He may be a truck driver or a small business man. He may be a husband and he may be a father. He may be you.

But what makes him so very different? What makes him stand apart? It's all spelled out in a fourteen-letter word—Responsibility.

Our nation is a parasite. It thrives on you, the individual. Without you, it will wither and die; with you, we'll prosper and flourish.

We as students can only prepare ourselves for the future so that we may be able to support our country in action. To many, voting or obeying traffic laws may seem insignificant, but they are only a small part of a citizen's duty. We as Americans must ward off destruction to our democratic society and protect the love and respect for our country. Unfortunately, there aren't many people like this today.

You ask, "Is it too late? Has our time run out?"

One way to look at this is by viewing statistics. The average age of the world's greatest civilizations has been two hundred years.

These nations have (1) risen from slavery or bondage to a spiritual faith; (2) from spiritual faith to great courage; (3) from courage to liberty as did our own thirteen colonies; (4) from liberty we have grown into abundance; (5) from abundance to selfishness; (6) from selfishness to apathy; (7) from apathy to dependence; (8) from dependence back again to bondage.

In eight years our own United States will be two hundred years old. Will we, too, resort to selfishness and apathy?

It depends on you.

I was born 17 years ago, one in a long line of fourteen children, in Urbana, Illinois. Because my father is in the Air Force, I have had the opportunity of visiting many of the states and a few foreign countries such as Germany and Canada. These tours have given me an insight into other people's customs and I have gained many lasting friendships. I arrived in Alabama three years ago and entered Montgomery Catholic High as a freshman. Since then I have had offices in Student Council, twice as president of my class. I hold an A-B average and speech, English, and history, are my favorite subjects. In my spare time I like to read and occasionally write poetry.

CUSTOMS COLLECTIONS REACH RECORD TOTAL

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. ST. ONGE. Mr. Speaker, one of the few Government agencies which turns a profit while doing an extraordinarily competent job for the American people is the U.S. Customs Service, under the able leadership of Commissioner Lester D. Johnson. It is reassuring to know that we have within the executive branch of Government such a fine and dedicated group of public servants as those in the Bureau of Customs.

Even under the best conditions, Customs is a hard and thankless job, but we hear little about it. It is my pleasure to bring to the attention of my colleagues a press release issued recently by the Bureau of Customs on the occasion of its 180th birthday, reflecting some of the results of its hard work. It reads as follows:

CUSTOMS COLLECTIONS FOR 1968 BREAK ALL PREVIOUS RECORDS

A record total of $3,179,762,090—an increase of 16.2% over the previous year—was collected by the Bureau of Customs during the calendar year ending December 31, U.S. Commissioner of Customs Lester D. Johnson announced today. It was the first time in its 180-year history that Customs revenues exceeded the three-billion-dollar mark.

Another record was broken by the number of persons entering the United States, including U.S. residents going abroad, foreign visitors, etc., and going through Customs processing. The total was greater than the entire population of the country—219,581,549 which represented a 4.8% increase over the 1967 total of 209,443,247.

Commissioner Johnson also reported substantial increases in the number of formal and informal customs entries of 13.8% and 14.9% respectively. Mail packages received rose from 54,351,384 to 58,068,349 (6.8%).

Reflecting the general upswing of business activity, customs invoices increased by 18.3% from 3,605,315 to 4,263,562.

Figures on aircraft arrivals rose by 9.6% from 298,848, to 327,456. Vehicles and trains, including freight cars, increased 4.3% from 62,159,768 to 64,826,836. Vessels and ferries rose 2.2%.

Commissioner Johnson said that the U.S. Customs Service, which is now in its 180th year of operations, has been able to absorb its soaring workload only with considerable difficulty in view of restraints on hiring which have applied during recent years.

"There appears no reason to believe," Mr. Johnson said, "that the Customs workload which is increasing more rapidly in some major instances than projected in our last budget estimate, will do anything but continue its upward spiral."

The Bureau of Customs has a wide range of responsibilities apart from collecting duty on imports and processing travelers. It enforces statutes for about 40 other government agencies such as the Neutrality Act, the Export Control laws, anti-smuggling laws, etc.

For more than a century following its creation by the second, third and fifth acts of the First Congress in 1789, the Customs Service provided the federal government with most of its operating revenues. It financed the purchase of the Louisiana, Florida and the Alaska territories, and has played a key role in the development and expansion of the economy of the United States.

The ten collection districts, with each district designated by its headquarters port and showing the New York seaport and the New York Kennedy International Airport separately, having the largest total collections for calendar year 1968 were as follows:

Total customs collections, calendar year 1968

1. New York Seaport	$939,620,702.71
2. Los Angeles	236,035,956.72
3. Detroit	226,716,550.79
4. New York Airport	192,846,974.17
5. Philadelphia	162,972,437.29
6. Chicago	153,200,463.59
7. San Francisco	138,713,523.05
8. Cleveland	134,398,639.49
9. Boston	118,326,591.43
10. Baltimore	92,684,109.94

Total customs collections, calendar year 1967

1. New York Seaport	$816,419,067.00
2. Detroit	195,481,303.00
3. Los Angeles	190,665,083.00
4. New York Airport	162,830,529.00
5. Philadelphia	145,709,164.00
6. Chicago	135,020,365.00
7. San Francisco	115,177,606.00
8. Cleveland	110,502,860.00
9. Boston	109,782,947.00
10. Baltimore	78,235,640.00

HUNGER IN AMERICA—PART V

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. RYAN. Mr. Speaker, today's New York Times carries the fifth and last of a series of articles by Homer Bigart on the extent of hunger in the United States. In this article Mr. Bigart reports on the dire poverty and malnutrition which prevails in the hollows of Appalachia. Like his previous articles, this article should awaken the executive branch and the Congress to the need for immediate actions to make our agricultural abundance available to all of our people. This highly regarded journalist has rendered a signal service by focusing attention on these intolerable conditions which Government has a responsibility to wipe out. The article follows:

HUNGER IN AMERICA: APPALACHIA ILL-FED DESPITE A NATIONAL EFFORT

(By Homer Bigart)

PRESTONSBURG, KY.—The hollows of Appalachia and their hidden nests of tar paper shacks are breeding another generation stunted by hunger and programmed for a lifetime of poverty.

Eight years have passed since President Kennedy focused the nation's attention on the hardships of thousands of unemployed miners and marginal farmers and their families existing in these mountains. Vast sums of Federal money have been poured into the area. There has been a reduction in human misery. The miners no longer riot. But unemployment is heavy and poverty remains endemic.

When Senator Robert F. Kennedy visited this area a year ago, he found a county (Wolfe) where some 5,000 of the 6,500 residents lived below the poverty line—an income of $3,000 a year for a family of four—and where half the total amount of food consumed was acquired through the Federal food stamp program. Today the reliance on Federal help has not diminished.

Here in eastern Kentucky as in the rural South, in the migrant farm labor camps of Florida, in the Mexican-American slums of San Antonio and in the Indian reservations of the Southwest a visitor hears this constant complaint: the Federal food programs, whether food stamps or direct distribution of surplus commodities, do not provide enough sustenance each month to stave off hunger.

The monthly allotment of food for a family usually runs out in the third week. People complain that the food stamps cost too much, although there is general agreement that the stamp program, in principle, is better than free distribution of commodities that often fail to meet nutritional requirements.

Persons eligible for stamps pay in "an amount equivalent to their mormal expenditure for food," according to the plan, and then exchange the stamps, which are worth more than their pay-in value by varying amounts, for any food of their choice at groceries.

But the plan is unrealistic, Marian Wright Edelman, civil rights lawyer and counsel to last year's Poor People's March on Washington, explained in the capital, because despite some lowering of the buy-in scale, the assumption remains that people with little or no income need less to eat than people with more income. Families with no income—and there are many of them, she said—can hardly have a "normal expenditure for food."

Robert B. Choate, a transplanted Boston Brahmin who became a leading advocate in Washington for the hungry poor after a decade of philanthropic involvement with poverty programs in the Southwest, raised additional criticisms.

He noted that in Appalachia, fair distribution of food to the needy was impeded more by political and economic considerations than by racial bias. Here, as well as in much of the rest of rural America, most of the abject poor are not only white but Anglo-Saxon and Protestant as well. Of an estimated total of 12 million rural poor in the nation, he said, only three million were black.

ROLE OF COUNTY POLITICS

Mr. Choate said that welfare in Eastern Kentucky was often dominated by the county political machines, and a man's eligibility for food was conferred as a political favor.

He was not impressed by the Department of Agriculture's contention that all but 472 counties and independent cities in the United States were participating (or about to participate) in either the food stamp or the commodities program.

"Many counties," he charged, "have less than 10 per cent of their poor involved in the programs." (The latest Department of Agriculture figures—for November 1968—show 3,672,000 enrolled for commodities and 2,661,000 for food stamps, a total participation of 6,333,000. The department estimates that 8 to 10 million Americans are eligible.)

Recalling a trip through Eastern Kentucky last May, Mr. Choate said that fundamentalist preachers, who always thrive in areas of poverty, seemed to "condone" conditions of hunger, ignoring the mental and physical retardation that accompanies the phenomenon and dooms another generation to a life of deprivation.

A liberal Republican, Mr. Choate has been quietly urging friends in the Nixon Administration to drastically revise the handling of the food programs. He believes there may be as many as five million "chronically hungry" Americans and five to ten million more undernourished because of poverty-induced diets.

He would reduce the price of food stamps and expand the volume and variety of the free commodity distribution program to insure that every stomach got at least a minimum balanced intake. And while reluctant to join others who demand that the food programs be transferred from the Department of Agriculture to the Department of Health, Education, and Welfare, Mr. Choate conceded that the Agricultural Committees of Congress, dominated by conservatives and inclined to look upon the food programs as mechanisms for getting rid of surpluses and shoring up farm prices, showed little empathy for the poor.

Back in the hollows, meanwhile, the Appalachian Volunteers, an antipoverty organization, reported finding many mountaineers still ignorant of their rights to receive welfare payments and participate in the food programs. Rejected by the county officials in a first bid for welfare, the hungry parents would often return dejectedly to cabins swarming with children without first demanding a hearing.

During a tour of Floyd County hollows, when shanties perched precariously above the sulphur-polluted creeks, Hank Zingg, an Appalachian Volunteer, showed a visitor some families that had been refused relief because the father, an idle miner, was considered able-bodied.

In one cabin, Russell Johnson, 41, father of seven small children, produced a letter from a doctor saying that Mr. Johnson had silicosis, a disease of the lungs common among miners, induced by the inhalation of coal dust, and that "any type of exertion causes shortness of breath and smothering."

But Mr. Johnson said he had been turned down by the welfare board because he was not considered "totally and permanently disabled."

THREE DOLLARS RARELY AVAILABLE

His family's only income, he said, was the few dollars his wife earned keeping house for her grandfather. The family had to pay $3 a month to obtain food stamps worth $82, and because it rarely had $3 available at one time the amount had to be provided by the food emergency fund of the Office of Economic Opportunity. Even so, the food seldom lasted into the third week, Mr. Johnson said.

"The rest of the month it's nothing but bread and gravy," he said.

And some families had to start watering the gravy during the fourth week.

"They're all puny but I never had no sickness out of 'em," declared Mrs. Milford Newsome, surveying some of her nine pallid children in a cabin beside a mine spur on the Ligon Branch. She was comparatively well-off, getting a total of $309 a month from welfare and Social Security. But she had to pay out $94 a month to obtain $144 in stamps, she said, and the rent was $15 a month plus light bills and the books for the seven children who were going to school.

She said the children received "free worm medicine" 18 months ago, thanks to a state demonstration anti-worm project, and she was getting free "blood pills" for anemia through Medicaid.

Up another hollow, two old ladies, one crippled by arthritis, the other ill with diabetes, said they had to drop out of the food stamp program because they could not afford to pay $5 for transportation into Prestonsburg.

EMERGENCY FOOD FUND

Last year Congress approved an emergency food and medical fund to be used by the O.E.O. for families who were too destitute to pay even 50 cents for food stamps or who had run out of stamps and were on the verge of starvation.

But the fund was inadequate.

At Whitesburg, Ky., Mrs. Irene Whittaker, coordinator of O.E.O.'s emergency program for Letcher, Leslie, Knott and Perry Counties, said that only about $3,500 a month was available for emergency food supplement for the four counties, plus $800 for medicine for diseases of malnutrition.

This monthly allocation was quickly exhausted, Mrs. Whittaker said, pointing out that one-third of the 95,000 residents of the four counties belonged to families with incomes of less than $1,500 a year.

She could not say whether hunger was becoming more acute, but disclosed that during January, in Letcher County alone, 40 new families reported incomes of less than $29 for the month, thus becoming eligible for the minimum (50 cents) pay-in for food stamps.

Mrs. Whittaker said she was troubled by the people she could not help. Some local observers said that her compassion was more the rule than the exception among the dispensers of welfare, that very few were callous although many were often made to appear insensitive because of the inadequacies and red tape of the programs.

Sometimes, even in the deep South, state and local officials are angels, they said. One who came to mind was William H. Burson, the 39-year-old State Welfare Director of Georgia.

Mr. Burson, a war correspondent with United Press international in Korea and a former aide to Senator Herman E. Talmadge, startled conservatives in the administration of Gov. Lester G. Maddox by vigorously attempting to install Federal food aid programs in every Georgian county, often over the opposition of county leaders.

In a telephone interview from Atlanta, Mr. Burson said that every county except Troup, a relatively high income area, was now on commodities or stamps. "Some of the other counties had denied any hunger existed,"* * * feed 'em they won't work.' "

Particularly troublesome was Glascock County. There, Mr. Burson recalled, Sheriff James English ran two welfare representatives out of the county, declaring that a food program would "just mean a lot of niggers lined up."

Eventually the Federal Department of Agriculture had to come in and set up a program, paying the administrative costs that the county had refused to pay, Mr. Burson said. But he had heard Glascock was reconsidering, and might cooperate on food stamps.

Elsewhere in the nation, local resistance to food programs seems to be softening. Nutritionists and social workers are discovering they can talk about the existence of hunger without being accused of giving aid and comfort to the Communists. They were helped by the publication in January of a preliminary report on a sampling of the United States Health Service's national nutrition survey, the first scientific attempt to measure malnutrition in America.

The report revealed an "alarming prevalence" of diseases associated with undernourished groups and was based on examinations of 12,000 persons selected at random in low-income areas of Texas, Louisiana, Kentucky and New York (but mostly in Texas and Louisiana).

Dr. Charles Upton Lowe, chairman of the Committee on Nutrition of the American Academy of Pediatrics and a member of a group that will interpret the ongoing survey, commented:

"This unambiguous and objective data documents scientifically that substantial malnutrition exists in the United States.

"We cannot tolerate malnutrition in this country."

Dr. Lowe is convinced that proper nutrition is the key to normal development of infants. He feels that the quality and quantity of nutrition given during the first two, three or four years of life may have the effect of "programming" the child for all the years of his life.

This country could wipe out malnutrition with an added expenditure of a billion dollars, Dr. Lowe said. He saw an "overlay of puritanism" in the opposition to adequate food programs, an opposition reflected, he thought, in the notion that "it's bad to give anything away."

But a billion dollars is insignificant, he said, compared with the social costs of abject poverty and hunger.

"Poverty is much more than a lack of cash," he said. "It is a way of life, all pervading, crushing, immobilizing, and destructive. It is self-perpetuating and infectious, spreading through regions like an infectious illness. And it is cruel, enervating, and dehumanizing."

Estimates of mental retardation among the impoverished were staggering," he said.

"Can anyone, Dr. Lowe demanded, measure the social cost of high infant mortality, high maternity death rate, prematurity, mental retardation, school dropouts and crime?"

LIBERALS LINKED TO COLLEGE RIOTS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. ASHBROOK. Mr. Speaker, I totally agree with the ranking member of the Education and Labor Committee that it is at best difficult to see the reasoning of those who would continue to finance the activities—through their education—of campus radicals with Federal funds.

Congresswoman GREEN has my support for legislation which would separate from Federal funds those students fomenting anarchy on our campuses.

Dr. James E. Allen, Jr., and Peter P. Muirhead have both criticized such legislation but Mrs. GREEN has spotlighted the problem. In a press report from the Baltimore Sun of February 19, Mrs. GREEN is quoted as saying that she is at a loss to understand the logic of those who would cut off Federal funds to school districts that do not obey Federal desegregation guidelines but oppose the same action against anarchists.

In addition, she has made a valid point that anarchists are encouraged by some within the liberal community.

At this point I insert the Baltimore Sun article and small article from the New York Daily News containing the comments of Dr. Allen on the same topic:

[From the Baltimore (Md.) Sun,
Feb. 19, 1969]

LIBERALS LINKED BY EDITH GREEN TO COLLEGE RIOTS

(By Alvin P. Sanoff)

ATLANTIC CITY, February 18.—Representative Edith Green (D. Ore.) accused campus liberals today of encouraging the activities of student anarchists.

The ranking member of the House Committee on Education and Labor said that riots have been occurring "on colleges with the most liberal traditions" because "a large element of liberals have been going along with campus militants."

Mrs. Green charged that liberals who attacked Senator Barry Goldwater in his 1964 presidential campaign for his comment that "extremism in the defense of liberty is no vice," are now "doing and saying the same thing they criticized Goldwater for."

COHEN SCORED

The Oregon Democrat, who has spearheaded the passage of legislation calling for the cut-off of federal financial aid to students involved in campus riots, sharply criticized Wilbur J. Cohen, the former Secretary of Health, Education, and Welfare, for his criticism of the legislation.

Mrs. Green said that when she hears Mr. Cohen "oppose the cut-off of funds to students participating in riots and at the same time support the cut-off of federal aid to school districts that do not obey federal desegregation guidelines," she is at a loss to understand his logic.

A somewhat different view of student protests was taken by Peter P. Muirhead, acting United States commissioner of education. Mr. Muirhead warned against "the all too easy solution of enacting laws that require universities to cut off federal aid to students who take part in campus protests."

THE ROOT OF UNREST

He said that any decision of depriving a student of federal aid "ought to be left to the institution itself."

Mr. Muirhead said that the root of campus unrest was the desire by students to have "an adequate say in determining what happens to them in our institutions of higher learning."

He said that "it is neither intelligent nor effective to try to reply to student protest simply and solely by repressing it."

Mr. Muirhead and Mrs. Green spoke before different groups here as part of the convention of the American Association of School Administrators.

[From the New York (N.Y.) Daily News,
Feb. 14, 1969]

ALLEN RAPS CURB

ALBANY, February 13—State Education Commissioner James E. Allen Jr., who will leave soon to become federal education commissioner, attacked today a state senate-passed bill that would withhold state financial aid to college students convicted of crimes on college campuses. "Scholarships and other forms of student aid are awarded as recognition of achievement and academic promise," Allen said. "They should not be used as a disciplinary measure." Allen said disciplining of disruptive students should be left to school and college authorities, "and when appropriate to civil action."

BEYOND THE PALE ON CAMPUS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. WYMAN. Mr. Speaker, it is significant that the well known and widely read national columnist, Drew Pearson, is fed up with campus rioting. A recent Pearson column indicates his feelings in this regard after visiting some 50 colleges and universities both inside and outside the United States.

I commend the reading of this column to all concerned with this continuing problem:

UNIVERSITIES SHOULD CRACK DOWN ON TROUBLEMAKERS—VIOLATE OTHERS RIGHTS

(By Drew Pearson)

CLARKSVILLE.—During the past 12 months, this writer has visited approximately 50 college campuses, ranging from the University of Warsaw in communist Poland and the Sorbonne in Paris to the University of Montana, the University of Pennsylvania, the University of Florida, Washington State, MIT, Stout State College in Wisconsin and Austin Peay State College here in Tennessee. It has been a cross-section of colleges, large and small, and at all of the American institutions I have addressed student assemblies and conducted student forums.

From this experience I believe I can accurately report that American students generally are alert, dedicated and far ahead of previous generations in their desire to tackle the problems of the world. They are not interested primarily in becoming engineers, businessmen or insurance salesmen, as was my generation in college. The majority want to devote at least part of their lives to helping their fellow men. They are interested in the Peace Corps, Vista or going into government.

There was a day when the top graduates of the Harvard Law School were immediately gobbled up by the top Wall Street law firms. That day is over. These graduates and others from the best law schools are now more interested in spending some time in government or other productive community work. If they do sign up with big New York law firms, many specify that they must have time off to handle indigent clients or other community work.

MINORITY RULE

In contrast there is a minority in many colleges led by Negroes, which seems determined to disrupt education altogether. It has done so by reversing the American system of majority rule for a system of minority rule.

It has done this, moreover, by using a technique outlawed by American law and tradition—violence.

Minority rule by force and violence has almost paralyzed San Francisco State College, killed one college president, Dr. Courtney Smith of Swarthmore, and disrupted some of the most liberal institutions in America such as Brandeis, a Jewish university, the University of Chicago under liberal president Edward Levi, and the University of Wisconsin, long proud of its liberal LaFollette tradition. All have tried hard for several years to enlist more qualified Negro students, yet this is one of the demands of the Negro minority.

In each of the above institutions there has been a small minority of students which has used violence to sabotage education for the majority. In Swarthmore 40 black students locked themselves into the admission office and disrupted education for a thousand others. At Brandeis the ratio was about the same. At Chicago, 400 students tried to force their demands on the 9,000-student university by occupying the administration building. At Columbia, a university where I once taught, about 400 students tied up an institution of 30,000 also by occupying the administration building where they rifled the private papers of President Grayson Kirk.

TOUGHER TACTICS JUSTIFIED

My conclusions from having visited many campuses is that it is time for university authorities to realize they must provide education for the majority, not submit to disruption by the minority. Otherwise education in their strike-torn colleges will gradually erode. The easiest way to prevent disruption is to get back to previous disciplinary rules and expel violators immediately.

Today, in contrast with the past, striking students have been molly-coddled, given second and third chances and then allowed to remain in school. All of this puts a premium on violence.

Even the 400 who occupied Columbia's administration building and rifled the papers of President Kirk have been reinstated. And at San Francisco State, President S. I. Hayakawa, the toughest of the college administrators, has not suspended the original 639 strikers. He has only warned them that they will be suspended if arrested the second time.

This is unfair to the majority of the students who are trying to get an education; also unfair to the taxpayers who put up the money for education and to the alumni who help to finance private colleges.

San Francisco's minority band of student rioters should be given 90 days of cleaning the oil off Southern California's polluted beaches. There is ample law to cover this, both local law and federal law under the 1917 Sedition Act. College faculty members who want to put minority rule ahead of majority rule should also get the gate. There has been too much worry over the rights of minority disruptive faculty members and not enough concern over the rights of the majority.

In San Francisco State, only 350 teachers out of a total of 1,100 belong to Local 1352 of the American Federation of Teachers. And of these 350, only 200 wanted to strike. Yet this minority threw the entire campus into turmoil and got the backing of the San Francisco AFL–CIO Labor Council. This is something AFL–CIO President George Meany would hardly sanction—if he knew the facts.

What minority faculty members have got to realize is that alumni can strike too. So can majority students. Applicants at Columbia's last freshman class are down 21 per cent, in contrast to Harvard and Yale which had no riots and whose applicants are up 10 to 15 per cent. Students won't want to enroll at a university which may be riot-torn.

Any business firm which loses 21 per cent of its customers in one year is in danger of going out of business. Columbia can weather the slump. But it has been given a stiff reminder that the majority of students go to college to study, not to demonstrate.

More serious may be a Columbia alumni boycott in fund-giving. This is neither organized nor advertised, but it is a fact. If it spreads to other riot-torn campuses, it could be the most serious boycott of all.

CENSORSHIP—HIDING WHAT CANNOT BE DEFENDED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. RARICK. Mr. Speaker, the Baltimore-Washington Newspaper Guild—joined by the Washington AFL–CIO Central Labor Council—has announced a program of censorship over truth in news reporting.

To be precise, they have voted to condemn "the practice of stating irrelevant racial designations in crime stories." Why did they not include censorship of racial designations by photographs and demand removal of racial designations from the so-called black programing pervading the entire communications media.

Nor can the proposals of these "book-burning" groups explain the blackout in reporting the trial of the terrorist accused of senselessly assaulting and murdering two unarmed, uniformed, U.S. Marine officers from nearby Quantico, Va., exercising their civil rights to buy hamburgers at a public eating establishment in our Nation's Capital.

The murder trial is now underway. Yet, last night there was but a small news item in section B of the paper. This morning and tonight there was no coverage. The same papers carried large reports of student protests and demonstrations to take over the educational institutions, teach Afro-American studies, and promote Swahili as a language.

Every effort to promote a belief in black accomplishment—but concerted efforts to conceal black destruction.

Likewise, we might remember the national public indignation that was heaped upon the American people from the news media over the murder of a uniformed Negro lieutenant colonel in Georgia.

Compare, also, the insignificant attention given the murder trial here in our Nation's Capital with the exposure given the American people over the murder trial in San Francisco and another trial in Memphis.

A young marine from my congressional district was murdered on the military reservation in North Carolina during a robbery. The racial designations of all involved parties were omitted. By whom and why? I ask: Did it accomplish anything when all knew what the racial designations were?

Truth can be temporarily concealed, but sooner or later the truth will out.

Mr. Speaker, I insert several news articles and releases following my remarks:

[From the Washington (D.C.) Evening Star, Feb. 15, 1969]

NEWS GUILD HITS LISTING BY RACE

The executive board of the Baltimore-Washington Newspaper Guild has voted to condemn "the practice of stressing irrelevant racial designations in crime stories" by daily newspapers.

The guild leaders, in unanimous action taken at a Wednesday meeting, particularly were critical of "deliberate racial orientation in selecting crime stories and identifying suspects."

The guild is the bargaining agent for most editorial and commercial employees of the three Washington daily newspapers. The board said it took action in recognition of its constitutional responsibility "To guarantee . . . constant honesty in the news (and) to raise the standards of journalism and ethics of the industry. . . ."

[From the Washington (D.C.) Evening Star, Feb. 20, 1969]

CLC JOINS GUILD IN RACIAL PROTEST

The Washington AFL–CIO Central Labor Council has joined the executive board of the Washington-Baltimore Newspaper Guild in condemning what the groups feel is a practice of stressing irrelevant racial designations in crime stories.

The guild, which represents editorial, advertising and clerical employees of most daily newspapers in the Washington-Baltimore area, passed a resolution last week condemning the practice.

The local guild is a member of the American Newspaper Guild, an AFL–CIO affiliate.

[From the Washington (D.C.) Evening Star, Feb. 19, 1969]

SURVIVING MARINE TELLS OF M STREET KILLING OF TWO

(By Donald Hirzel)

A racial taunt led to the slaying of two young Marine officers and the wounding of a third in a Georgetown Little Tavern last June, the surviving Marine told a District Court jury yesterday.

Second Lt. Ellsworth R. Kramer, 26, of Arlington, was the first major witness to take the stand for the government in the trial before Judge Gerhard Gesell of Gordon Alexander, 27, of San Jose, Calif., and Benjamin Murdock, 20, of Los Angeles.

They are charged with the murders of Second Lts. William King Jr., 21, of Orlando, Fla., and Thaddeus Lesnick, 23, of Fishtail, Mont.

In addition, each is charged with four counts of assault with a dangerous weapon and one count of carrying a pistol without a license.

Kramer testified that he and four fellow Marines from Quantico, Va., and a girl entered the Little Tavern Restaurant, 3331 M St., NW, about 3 a.m. June 5. As they entered he noticed three men seated on stools at the counter.

The marines and the girl stood at the take-out counter near the door and ordered hamburgers and coffee.

Kramer said one of the seated men, later identified as Alexander, kept staring at him and he stared back. He said the three were dressed "eccentrically," explaining that they had African bush haircuts and goatees.

"Alexander looked at me steadily," Kramer said. "I returned the look. We stared at each other for an indefinite time."

He said Alexander may have found the white dress uniforms the Marines were wearing as eccentric as he found their appearances to be.

Kramer said he turned to the counter and felt a tap on his shoulder and turned around to face Alexander, who tapped Kramer's nameplate on his tunic and said: "Kramer, do you want to come outside and talk about it more? I'll turn you into a Little Red Riding Hood."

Kramer said he later learned the term "Little Red Riding Hood" meant that Alexander intended to "bloody me." Even though he did not know the term at the time, he said, he took it to be a threat.

At this moment, according to Kramer, King stepped to his side and said: "What do you goddamned niggers want?" Kramer said Alexander reached into his coat and pulled out a revolver, cocking it as he pointed it at arm's length at King. Kramer said Alexander replied, "I'll show you what I want."

Murdock, who had gone out the door with the third man who had been seated at the counter, returned at this moment and "then shooting began," Kramer said.

Kramer was not able to tell who fired the first shots, but William H. Collins Jr., an assistant U.S. attorney prosecuting the case, said in his opening statements that the government would attempt to show that only Murdock's weapon was used.

Kramer said he felt a "strike to the head" and fell with a scalp wound.

"As I was dropping to the deck (the floor) I looked to Murdock. He was in a crouch and was firing . . ."

Kramer said Alexander and Murdock ran

out the door with Murdock still shooting. Kramer then tried to assist the two Marines who had been shot, he said. They were dead on arrival at the hospital.

Prosecutor Collins in his opening statement said the defendants were arrested a short time later in their car in the 3300 block of N Street NW. The third man in the restaurant with the defendants was Cornelius Frazier Jr., 23, also of San Jose, who originally was arrested on a murder charge but was never indicted.

The trial resumes today.

[From the Washington (D.C.) Evening Star, June 5, 1968]

TWO SLAIN IN SHOOTING ON M STREET

Two young marine lieutenants were fatally shot and a third officer and a young woman were wounded early today in a burst of gunfire at a Georgetown hamburger shop.

Police arrested three men a block from the scene, the Little Tavern at 3331 M St. NW, and charged them with homicide. The three, all Negroes, gave California addresses.

One told police he had come to Washington late last week to join the Poor People's Campaign. He told police he was living in a 14th Street apartment and not at Resurrection City.

POLICE LIST NAMES

Police listed the dead officers as Lt. William King, 21, and Lt. Thaddeus Lesnick, about 20, who had come to Washington with three other officers late last night after a social function at the marine base at Quantico, Va.

The wounded man, police said, is Lt. Ellsworth R. Kramer, 26, who suffered a scalp wound. The young woman with him, Barbara Kelly, 28, of the 1800 block of Metzerott Road, Adelphi, Md., was shot in the hip.

All the victims are white.

Charged with homicide are Gordon Alexander, 27, and Cornelius Frazier Jr., 23, both of San Jose, Calif., and Benjamin Murdock, 20, of Los Angeles.

The other two lieutenants from Quantico were identified by police as Daniel LeGear Jr., 26, and Frank R. Marasco, 23.

According to police, the five officers came to Washington still in their dress white uniforms, visited a Georgetown night spot and called on some friends.

Finally the five, accompanied by Miss Kelly, went to the hamburger shop and were at the counter when some words were exchanged with three men after one of them made a remark about the name of one of the Marine officers, displayed on his uniform, police said.

POLICE CONVERGE ON AREA

The three civilians left, but returned in a matter of minutes and shooting began, police said. Police said they later recovered two guns. One witness reported that nine shots were fired.

Police converged on the area after the shooting, which took place about 3 a.m. Pvt. Junior Webster, alone in a scout car, said he heard the shots and took off after a Mustang racing from the scene and captured the three suspects.

Lesnick was pronounced dead at 3:15 a.m. at George Washington University Hospital, and King at 3:50 a.m. at Georgetown University Hospital.

Kramer was taken to the GWU hospital and later moved to Bethesda Naval Hospital where his condition was called satisfactory. Miss Kelly was in the GU hospital also in satisfactory condition.

Police identified Alexander as the suspect who said he had come here to join the Poor People's Campaign. They quoted him as saying he did not come East with the other two suspects but became acquainted with them here.

[From the Baton Rouge (La.) State-Times, Nov. 28, 1968]

THREE ARE HELD IN PROBE OF BR MARINE'S DEATH

CAMP LEJEUNE, N.C.—Three men, reported to be Marines, are being held in connection with the fatal beating of Pvt. Thomas L. Morrow III, 26, Baton Rouge, a spokesman at Camp LeJeune said yesterday.

Names of the three suspects were being withheld pending further investigation.

Morrow, son of Mr. and Mrs. Thomas Lindsey Morrow of 2024 Cloverdale and a graduate of Baton Rouge High School, was attacked on the base last Thursday night and died shortly after midnight Monday.

A base spokesman said Morrow suffered a fractured skull in the attack, which occurred in the Montford Point area of the base. Robbery was thought to have been the motive.

The young marine had been beaten and robbed on the base last Thursday night while he was walking back to his barracks. He was hospitalized at the U.S. Naval Hospital at Camp LeJeune.

Morrow was a student in the Marines' service support school training to work in the Corps' disbursement section, the information officer said.

The death is under investigation by the provost marshal at the camp. No affirmative results have been reported so far, the officer said.

Morrow's parents were at his bedside over the weekend.

They were returning to Baton Rouge this afternoon.

A graduate of Baton Rouge High School, Morrow, 26, received a bachelor's degree in wildlife and forestry from LSU in 1964. This June he received a master's degree in wildlife management from Colorado State University.

He graduated with honors from both universities and received numerous academic awards while he was a student.

He was with the Peace Corps briefly before joining the Marines. Morrow received his basic training in California and had been transferred to Camp LeJeune shortly before the fatal beating.

[From the Baton Rouge (La.) State-Times, Feb. 10, 1969]

LOCAL MARINE'S SLAYER IS METED 15-YEAR SENTENCE

JACKSONVILLE, N.C.—A Camp Lejeune Marine court martial board Friday convicted Pfc. Clarence E. Johnson, 20, of Kansas City, Mo., of murder and larceny in the slaying of another Marine from Louisiana.

Johnson was sentenced to 15 years at hard labor, dishonorable discharge, reduction in rank to enlisted man, and forfeiture of pay. The maximum penalty would have been life imprisonment.

He had been charged with murder and robbery in the death on the post of Pvt. T. L. Morrow, 26, of Baton Rouge, La.

Johnson's lawyer said he would ask the 10 members of the general court martial board to recommend clemency—a reduction of the sentence. Three-fourths of the board, or eight members, would have to assent. Johnson also can appeal through military channels.

Johnson and two other Marines were originally charged in the case. One of them, Pfc. Adam L. Vanlandingham, 18, of Baltimore, was acquitted of a murder charge last Friday. But he was convicted of larceny and sentenced to a bad conduct discharge and six months at hard labor.

Witnesses at the Vanlandingham trial testified that Morrow was knocked to the ground by another marine, kicked in the head, and robbed of $60.

The third original defendant, Pfc. Harold McDonald, whose address was unavailable, had been charged only with robbery. This charge was dropped Wednesday, the day Johnson's court martial opened.

AIR ACCESS TO OUR CITIES

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. MURPHY of New York. Mr. Speaker, I have long been concerned with aviation safety and also the impact of aviation upon life in the environs of our airports. I shall continue to be concerned with these matters. But I am also concerned with another aspect of aviation—its importance in keeping our great cities easily accessible to the business and tourist traveler.

Continued lack of adequate airports and airways facilities will have an adverse economic impact on some of this country's most important centers of commerce and trade. Nowhere is this more evident than in New York City which, through easy access by air, has become the world's richest gateway.

In a recent article in the New York Times, Richard Phalon reported on the unfavorable economic impact continued airports-airways congestion will have on the New York area. While New York may have the most to lose in this regard, other major U.S. cities face similar unfavorable economic consequences unless adequate airports and airways systems are provided nationwide. Therefore, I believe Mr. Phalon's article may be of interest to my colleagues from other cities. Under the leave to extend my remarks, I submit it for inclusion in the CONGRESSIONAL RECORD:

[From the New York Times, Feb. 16, 1969]

EFFECT OF AIRPORT DELAY ON CITY ECONOMY WORRIES MANY—DOMESTIC PASSENGER TRAFFIC AT KENNEDY SHOWS FIRST DIP

(By Richard Phalon)

Congestion and delay at the major airports here have so far had only a limited effect on the city's business life and tourist trade, but there are signs that passenger traffic is beginning a shift from New York that could have serious economic consequences.

Some of the indications of the trouble in the future are:

Domestic passenger traffic at Kennedy International Airport declined last year for the first time in the airport's 20-year history. The number of international travelers at Kennedy grew by 10 per cent, while passenger traffic in the nation as a whole continued to expand at a level of almost 13 per cent.

Some travel agencies in other sections of the country are becoming increasingly reluctant to ticket their clients through the once-traditional gateway of New York on their way to Europe. A Chicago agency, the Trans Continental Travel Bureau, for example, urges customers to fly abroad directly from that city or connect with international flights in Montreal or Toronto.

The Ford Motor Company has suggested to its thousands of employes that they avoid using Kennedy Airport on domestic trips wherever possible. The company is already booking trips that detour around New York on employes on foreign assignments.

The Federal Government has begun taking "remedial" measures against New York's air congestion that may accelerate the bypassing of the city by commercial airlines.

NEW YORK SKIPPED

The Civil Aeronautics Board, for instance, recently authorized Northeast Airlines to open a new route between New England and five cities in the middle West, with the proviso that flights skip New York to avoid the bottleneck here.

The agency is currently considering establishing direct routes between Europe and half a dozen East Coast cities whose residents frequently fly here to board international flights.

In an attempt to tackle the immediate congestion problem, the Federal Aviation Administration has made plans to curtail sharply the use of the major airports here and in Washington and Chicago, starting April 27, by limiting the flights that will be allowed each hour in periods of poor visibility.

The Nixon Administration has ordered a restudy of this plan. But the alternatives may be to permit congestion to develop much as it did at the height of last summer's travel season, or limit the expansion of the major fields here and in the other two cities affected.

The delays became a nightmare last summer for tens of thousands of air travelers as peak demand saturated airport capacity and air traffic controllers began spacing air traffic "by the book" as part of their campaign to force improvement of the air traffic system.

It became routine for planes to arrive two or three hours late because of congestion-produced aerial stacking and long queues on the ground.

FLIGHTS DIVERTED

Some of the drop in Kennedy's domestic passenger traffic last year reflected the diversion of flights to La Guardia and Newark Airports because of the congestion. The shift indicates that Kennedy is "bumping much closer to saturation" than the other two airports, a Port of New York Authority spokesman said.

Some observers fear that the inevitable leveling off of the growth curve at the airports here may be portending a serious loss in the city's $1.5-billion annual tourist trade.

"There are no numbers to prove it," says John R. Wiley, director of aviation for the Port Authority, which runs the airports, "but it's my impression that we just aren't getting as many people bound overseas stopping over in New York to see the shows and do some visiting as we used to."

Ben Emden, executive secretary of the Restaurant League of New York, said, "Anything that fouls up air traffic or disrupts easy access to the city disrupts our business."

Easy access by air is one of the factors that has made New York the world's richest gateway. It is also one of the considerations that has led many of the nation's big corporations to make their headquarters here.

Projections made last year by the Regional Plan Association indicate that white-collar work holds the biggest growth potential for the metropolitan area's job market, and airport congestion could affect that potential by making the city less attractive for businesses.

The slowdown in the growth rate of international air travel here cannot be blamed solely on traffic problems. No city could long keep a hold on the commercial aviation market.

An effort is being made to improve the situation. In the last 20 years the Port Authority has put more than $600-million into the three major airports. Additional millions are being invested by the authority and the airlines to expand Kennedy, La Guardia and Newark for the era of jumbo jets and supersonic jetliners.

Almost all segments of the industry, however, including the Port Authority and the Federal Aviation Administration, have underestimated the growth rate for both commercial and general aviation.

Plans for a fourth jetport have been stymied by community objections, and the F.A.A. has been slow to push for more efficient control equipment. The result, particularly in bad weather, has been congestion, with too many planes bidding for too little space.

The competition—Chicago, Philadelphia and Montreal—has been quick to respond. Thus, from a near monopoly in the piston-driven days after World War II, New York's share of trans-Atlantic travel fell to 82 per cent in 1963, to 80 per cent in 1965, and to 77 per cent last year.

NEW JETPORT CALLED KEY

Mr. Wiley, who has been in the van of the Port Authority's efforts to establish a fourth jetport, said that "with additional airport capacity we need not be losing market position at all."

Constantine Sidamon-Eristoff, the city Transportation Administrator, makes much the same point. "When you're locked in and can't expand," he said, "there's nowhere to go but down. In this economy if you stand still, you lose ground."

The region has a lot to lose. The 55,000 people who work at the Port Authority airports earn $500-million a year, and this does not include payrolls on the $400-million in construction planned over the next several years.

Perhaps the most striking example of how much air access means to the city's economy emerged two years ago when a strike by the International Association of Machinists shut down five domestic airlines for seven weeks at the peak of the summer tourist season.

Reservations at 34 of the city's biggest hotels declined 1,500 rooms a day and retail sales fell by almost $20-million during the period.

There were labor problems in the background again last summer when the F.A.A. flight controllers, in a demand for more help and better equipment, began running flight separations "by the book." The slowdown, coupled with the big vacation push, resulted in jamups that eddied all over the country.

HOTELS LOSE BUSINESS

Hotel occupancy rates here declined somewhat. How much of the dip was due to national publicity over the condition of the city's air space and how much of it was due to the tourists' concern over the possibility of summertime disorders in the city's streets could not be determined. Both were factors in a combined squeeze that probably cost the city's tourist trade more than $1-million a day.

Thus far there has been no attrition the city's traditional function as the nation's "front office."

Leased office space increased by two million square feet here in the first 11 months of last year, and one out of every three of the nation's 500 biggest corporations call the New York metropolitan area home, a concentration unequaled in any other part of the country.

They do so for many reasons, not the least of which is efficient air transportation.

[From the New York Times, Feb. 16, 1969]

Experts Propose Ways To Ease Air Congestion

Development of STOL ports for short-range aircraft, additional runways for long-range flights and a system of satellite airports for private craft could help to ease air congestion here—even if a fourth jetport never materializes.

What would it cost the city if none of those steps is taken and Kennedy, La Guardia and Newark Airports reach complete saturation? About $200-million a year by 1975, according to R. Dixon Speas Associates. The management consultants, who specialize in airline problems, base the figure on current growth rates.

They estimate that the two airports will lose about 3.8-million passengers because of inadequate facilities. The bulk of the potential loss—$162-million—is in airline airport-employe wages; the balance in tourist spending.

ZURICH ATTACK

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. EILBERG. Mr. Speaker, this week's commando raid on an El Al airliner should provide us with incontrovertible evidence as to who is trying to plunge the Middle East into a new, more terrible war.

I was encouraged by the State Department's announced concern Wednesday that the attack represented "a grave threat to life and safety" and their reported interest in "prompt international efforts to safeguard air commerce against all acts of unlawful interference."

Is that enough?

Let us not forget that these marauders are so unresponsive to international sentiment that they chose to launch their attack in Zurich, Switzerland, that haven, traditionally neutral even in Europe's darkest hours.

Let us remember they attack life, not equipment. Six persons on that Boeing 707 plane from Amsterdam to Tel Aviv were wounded.

Let us note that the plane carried an American citizen, Dr. Marvin Bacher, who has said that were it not for the quick and courageous response of an Israeli security guard, some on the plane would have been killed.

We should take note that the Popular Front for the Liberation of Palestine, a Marxist organization based in Amman, Jordan, boasted of the attack and proudly took credit for it.

We should remember that the weapons used were Russian-made Kalashnikov submachineguns.

And finally we should not forget who our friends have been.

Can we still ask who is the aggressor, who attacks women and children, who interdicts international commerce, who seeks war not peace?

I include two telegrams I received this morning:

Telegrams

We were horrified—but not surprised—by the latest expression of international gangsterism against the El Al plane in Zurich. Once again, the lives of innocent travelers were placed in jeopardy and Israel's international air links threatened. Even United Nations Secretary General U Thant has warned that civil aviation is threatened with chaos and anarchy.

The responsibility for this act clearly lies with the Arab governments. Every civilized government has the responsibility to do all in its power to stop international murderers from operating from its soil. But Egypt, Syria, Jordan, Iraq and Lebanon, to the contrary, have encouraged the terrorists, financed them and armed them.

Only this past week, President Nasser of Egypt enthusiastically praised the terrorist organizations and promised continued support. And only yesterday, King Hussein of Jordan met with the leader of El Fatah to give his encouragement. Indeed, the announcement of the murderous attack in Zurich was made from Amman, Jordan.

Rather than preventing such terrorism, the United Nations Security Council's one-sided condemnation of Israel last Dec. 31 had the effect of encouraging Arab terrorists in the belief that they are immune from international censure. This most recent attack is another consequence of that unevenhanded action.

The act of the Security Council was predictable in that six of its members have no diplomatic relations with Israel and one permanent member, the Soviet Union, has consistently exercised its veto to protect its Arab clients from condemnation for 20 years.

Nevertheless, we urge the United States Government to give leadership to secure unambiguous action from the United Nations to put responsibility for these acts of terror where they belong—upon the Arab governments nurturing the terrorist movements.

If the United Nations fails to take prompt action, then it should be incumbent upon the United States and other nations to halt acts of terrorism against all civilian air carriers through all appropriate measures, which could include the boycott of air travel to those countries which refuse to take steps to control terrorists based on their soil and operating with their consent and encouragement.

THEODORE R. MANN,
President, Jewish Community Relations Council of Greater Philadelphia.

The latest act of terrorism by the Arab world is tragic both in its results and implications. Not only were the lives of innocent men and women once again threatened by such irresponsible acts, but the freedom to travel of the entire world is at stake if such terror tactics are permitted to go unchallenged and unchecked. Israel was condemned by the United Nations for responding to a similar attack in Athens and this action apparently is interpreted as protection for further such outrageous deeds as is shown in the experience in Zurich.

It is idle to debate where the responsibility and blame must lie. The Arab countries can put a stop to this threat to world security if they wish to do so. On the contrary, they gloat publicly over these brutal experiences and proclaim their pride rather than their blame.

We join with others in urging the United States Government to take the lead in securing international condemnation for these repeated acts against innocent lives and against the rights of all people to travel freely on peaceful missions. It is our belief that all countries should join not only in deploring these tragic incidents but in banning the use of their airports by those countries which by their very acts challenge the security of all nations.

We earnestly beseech your personal efforts to place the responsibility where it belongs to condemn these acts of violence and to assure the security of civil aviation around the world.

SYLVAN M. COHEN,
President.
DONALD B. HURWITZ,
Vice President, Executive Director, Federation of Jewish Agencies of Greater Philadelphia.

MINNESOTA WINNER: FREEDOM'S CHALLENGE

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. QUIE. Mr. Speaker, it is reassuring to know that not all of America's students advocate revolution and the destruction of the "establishment." I believe that the vast majority of our young people recognize and appreciate the values in our society, but they are not as vocal or demonstrative as their counterparts on the extreme fringes.

Miss JoAnne Sigurdson, of Albert Lea, Minn., prepared the prize-winning speech in the Minnesota Division of the Veterans of Foreign Wars contest. The theme this year is "Freedom's Challenge." Miss Sigurdson has pinpointed the challenges and the opportunities afforded today's youth. Her approach is a rational, constructive one which I commend to all of our youth who may be searching for answers to the meaning of life for themselves in today's society. I further commend the reading of this speech to my colleagues and insert at this point in the RECORD:

FREEDOM'S CHALLENGE

I dare you! How many times have you heard someone say that phrase? I am sure most everyone has heard it sometime or other. To dare is to challenge. It is, indeed, a great challenge to meet the responsibilities of a teenager in today's changing world. Therefore, I dare myself as a teenager to accept Freedom's challenge of becoming a good responsible citizen of this wonderful country of which I am very definitely a part. Certainly my greatest responsibility is to be a good American citizen.

The word responsible is defined as able and ready to meet obligations, and responsibilities is defined as duty or trust. We are all responsible for doing our share to keep our country great and strong, so it would be wise, first, to acquaint ourselves with the ideals upon which our nation is founded. In order to do this, there are some qualities that we should try to develop as early in life as possible, such as: good leadership, cooperation and self control, good sportsmanship, to be understanding, honest, and to learn to give and take, also, practice persistency and determination. All of these can be accomplished if we try.

Education is essential. I am very fortunate that I live in a country that is dedicated to learning. It is my responsibility to get all the education I can. The opportunities offered in this area are unlimited. I can learn much by keeping myself informed about what is going on. In addition to our schools, a great deal could be learned by watching and listening to our teachers and leaders of today. Strive to be an informed citizen and know what is going on in our local and state governments. We cannot successfully be a part of something of which we know nothing, so participation in public affairs and local events is not only necessary, but it is a great experience. We learn by doing, and experience is a great teacher.

We are free to select our own reading material. Reading of good books should be encouraged. Those not read are more apt to succeed.

It is important that we all enjoy and make use of our religious freedom, and it is imperative that we also have some Christian education as well. The churches also have many institutions of higher learning, and it encourages its youth to attend them. It is good to get a healthy and holy attitude toward life in our early years. I firmly believe that an education with some Christian background helps us to be more unselfish and to perhaps understand ourselves better.

It is sometimes believed that most of the followers of the so called hippies and the drug users do so because of a lack of understanding and wanting to find themselves. There certainly are other ways of understanding ourselves than through the use of LSD. We are also free to select our friends. It is important to select good friends and seek clean wholesome entertainment. Fellowship together building character and personality. A group of teenagers gathered together does not have to mean trouble. The responsibility for good behavior lies squarely on our own shoulders. If we keep ourselves busy doing something constructive, we won't find ourselves doing something destructive. It is true a teenager likes to be independent, but, at the same time, it is not necessary to let our growing independence become a stumbling block. We can learn to express our opinions in such a way so as to be heard with respect, not with protests or demonstrations such as we read about in our daily newspapers.

It is generally regarded that maybe our forefathers did not have so much to protest about. I disagreed wholeheartedly. It's true, we live in a changing world, but remember, it was a changing world for them, too. When our parents were teenagers they had many of the same problems we do today, such as money, jobs, entertainment, yes and even love. It is very important that we learn to respect our parents. Get to know them and socialize with them. Believe it or not, it is possible to have fun with your mom and dad. It's a lot easier to talk things over with them and get their advice and help if you are on a friendly basis with them, and even though we sometimes think it's hard to understand parents at times, it must be just as hard for them to understand us at times, too. Freedom of speech is meant for parents as well, so we should listen to them. Even though our friends are always available for advice, we must realize that they usually just agree with our way of thinking. Boys and girls should get to know their parents before they start to break away from their dependency.

Another freedom we enjoy is the privilege of choosing our own careers. After studying our talents and interests to find what is best suited for us, we should make up our mind what we want to do and stay with it. Be persistent and determined. Set a high standard and then try to attain it even though it may be too high to reach. We will still improve our standards by having to reach upward. Let the type of education you receive serve as your launching pad from which to move out and upward toward the goal you have selected for yourself. This will not only benefit the person working to reach his goal but will also aid in the welfare of his community. One person can do a lot. Be a good model. Prepare yourself today for your future tomorrows. We are the future generation.

With all the challenges of the freedoms of today, there are many gates left open, beckoning us to enter. We must be careful not to take the road that leads to a dead end.

FEDERAL EXECUTIVE, LEGISLATIVE, AND JUDICIAL SALARY REFORMS OF 1969

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. UDALL. Mr. Speaker, many concerned citizens have been asking why it was necessary to increase congressional salaries at this time. As chairman of the Subcommittee on Compensation and author of the plan which resulted in these salary increases, I want to make clear that this action by the Executive in effecting increases for Federal executives, judges, and Members of Congress represented a giant step forward in Federal personnel management.

For the benefit of my colleagues, who have asked for further background on this question, I have prepared an analysis which, without objection, I will insert in the RECORD at this point.

In addition, I want to call my colleagues' attention to two editorials which shed further light on the need for these salary reforms. I will insert them at the conclusion of my analysis.

The material referred to follows:

FEDERAL EXECUTIVE, LEGISLATIVE AND JUDICIAL SALARY REFORMS OF 1969

(An analysis by Representative MORRIS K. UDALL, chairman, Subcommittee on Compensation, U.S. House of Representatives)

Why was it necessary to increase the salaries of Members of Congress in 1969, just four years after a pay increase that met with considerable public criticism? Why was it necessary to go to $42,500, an increase of nearly 42 percent? Why were huge increases necessary for cabinet officers and Supreme Court judges? How can such increases be justified when the country is being asked to tighten its belt to hold inflation in check?

Questions like these are being asked by people who see these recent pay increases as a kind of betrayal of public trust. But those familiar with the history of Federal executive, legislative and judicial salaries know that this was *not* the case. In fact, the recommendations of the Quadrennial Commission, established by Congress to study these top-level salaries, gained the support, with some downward revisions, of both the outgoing Johnson Administration and the incoming Nixon Administration. They had the support of the leaders of both parties in the Congress. They were strongly endorsed by the American Bar Association, all the major Federal employee organizations, and innumerable leaders of private industry throughout the country. They were the result of a procedure set up by act of Congress two years ago to take such management decisions *out of the hands of Congress* and to institute some resemblance of rationality into a salary system which heretofore has been a hodgepodge of politics, folklore and mysticism.

THE BASIC PROBLEM

Congress in 1962 established a regular, orderly procedure for determining the pay of the vast majority of Federal employees. This procedure attempts to make the pay of each Federal employee *comparable* to the pay of people doing the same type of work in private industry. With passage of the Postal Revenue and Federal Salary Act of 1967 Congress, for the first time, made this policy a reality by voting a three-stage increase for all Federal workers, closing the "comparability gap" which had existed in most classifications. That act would have been a farce, however, if provision had not been made to adjust the salaries of those officials whose level of compensation constitutes an absolute ceiling on the classified service. If the comparability system was to be rational, to work at all levels of the classified Federal service, some means had to be found to provide for the same kind of regular, orderly adjustment of this "ceiling" as changes were made in the pay structure of the classified system as a whole.

The answer to this problem took the form of a provision in that 1967 pay act creating a Commission on Executive, Legislative and Judicial Salaries, to be formed every four years for a review of these upper-echelon jobs in the Federal service. Basically, the jobs involved are those of cabinet and subcabinet officials appointed by the President, of all Federal judges, and of Members of Congress. Significantly, it is only the congressional salaries which have prompted any great criticism or received any attention from the press.

Last year President Johnson appointed the first Quadrennial Commission to make a study of salaries in these areas of government. Its chairman was Frederick R. Kappel, retired Chairman of the Board of American Telephone and Telegraph Co. Other members were George Meany, president of the AFL–CIO; John J. Corson, consultant and corporate director; Stephen K. Bailey, dean of the Maxwell Graduate School at Syracuse University; Sidney J. Weinberg, senior partner of Goldman, Sachs and Co., investment bankers; Edward H. Foley, former Undersecretary of the Treasury; William Spoelhof, president of Calvin College; Arthur H. Dean, partner in the prominent law firm, Sullivan and Cromwell; and William T. Gossett, president of the American Bar Association.

After a thorough study of salaries paid executives in all levels of government and in private industry, the Kappel Commission made a report to the President drawing this conclusion concerning the rates of pay then designated for the officers holding the highest responsibility in our Federal government:

"The conclusion to us is inescapable that present salary levels are not commensurate with the importance of the positions held. They are not sufficient to support a standard of living that individuals qualified for such posts can fairly expect to enjoy and in many instances have established. We should expect the compensation of those to whom we entrust high responsibilities and authority in government to bear some reasonable relationship to that received by their peers in private life. This expectation, however, is not now met."

As a result of its study, and in keeping with its responsibility as set forth in the 1967 pay act, the Commission recommended new salary levels for each of the categories covered. It proposed that cabinet officers be paid $60,000, Supreme Court justices $65,000, Members of Congress $50,000, and other officers lesser amounts in keeping with the relative responsibility of their jobs.

Under provisions of law those recommendations could be accepted or scaled down, but not increased, by the President. In his message of January 17, 1969, President Johnson recommended implementation of nearly all of the Commission's proposals *except* that for Members of Congress. On the advice of many in Congress who objected to the amount of the increase proposed for them, the President chose to reduce that figure to $42,500.

Once submitted by the President, the new salary schedule would become law within 30 days unless one house of Congress acted first on a resolution of disapproval. Fortunately, such disapproval was *not* voted, and the new schedule *did* become law.

As the author of the Quadrennial Commission approach to the thorny problem of executive, legislative and judicial salaries, I believe we have now taken this issue out of the arena of political posturing and introduced an element of rational management into the Federal pay structure. Henceforth, Members of Congress will not be put in the preposterous position of having the sole responsibility for fixing their own salaries. I trust we will never return to such a system. I believe it is a sound principle of government that no public official should be permitted or asked to be the judge in his own case.

THE PROBLEM OF EXECUTIVE RECRUITMENT

I'm sure there is no argument about the importance of filling the top jobs in government with the best qualified public servants available. You wouldn't take a file clerk, a mechanic or a Social Security pensioner and make him president of a giant corporation, meanwhile asking him to remain at his old pay level. Yet that is precisely what many unthinking citizens seem to suggest when they equate the pay of a cabinet officer or congressman with their own level of compensation. In truth, the irrational pay structure in the upper levels of the Federal government has deprived us of the services of many of the best qualified managers and administrators our country has to offer. Of course, it's almost always possible to find someone to fill a job; that's not the issue. The issue is whether we can get the *best* man for the job.

In the course of the last eight years I have been interested to read the criticisms leveled against pay increases for government executives by certain press organizations whose own executives are in the over-$100,000 category. In truth, there isn't a major city in the United States which lacks executives in its local government, its school systems, its public utilities and private corporations making substantially more than we have been paying the Secretary of Defense, Director of the Central Intelligence Agency, Chief Justice of the Supreme Court and other government officials right up to the present moment.

In order to recruit and retain the kind of people who can manage the Federal establishment as it *ought* to be managed there has to be some proximity between private industry salaries and those in the Federal government. This is especially true of subcabinet people, whose jobs lack the glamor, the publicity and the prominence of cabinet posts. Very few men are willing to take a cut of 50% or 75% in salary in order to render essentially anonymous service, yet that is what we have been asking our sub-cabinet people to do.

In the judgment of those men—in both parties—who have had to wrestle with the problem of executive recruitment the Nixon Administration would have had a very difficult time recruiting good men for its upper-level administrative jobs if these pay increases had not taken effect.

It's important to note, also, that under the procedure established in the 1967 pay act there could be no revision of the schedule submitted by the President. Congressmen couldn't have reduced their pay increase and left the cabinet and sub-cabinet pay proposals intact; the only options were accepting or rejecting the total package. Rejecting it might have been politically popular for congressmen sensitive about their own salary increases, but it would have been a disaster to the Nixon Administration in its recruiting efforts.

THE PROBLEM OF COMPRESSION

Through the years the Congress has always refused to assign salaries to sub-cabinet personnel higher than those paid Members of Congress. This is understandable, since obviously an Assistant Secretary of Agriculture, for example, carries no more responsibility than a senator or congressman—if as much. However, unwillingness of the Congress to raise congressional salaries has created a whole chain of problems:

It has made recruitment of sub-cabinet personnel difficult.

It has made commonplace the situation in which the head of an important agency, having major responsibility, finds himself being paid essentially the same salary as several of his subordinates having only a fraction of that responsibility.

It has denied to career public servants in the top grades of the classified service the salary increases they would otherwise receive through the comparability mechanism established by Congress. For example, one career executive I know, a veteran of 23 years of Federal service, classified as G.S. 18, has been held to a salary of $28,000, even though the full rate of pay for his job ought to be $30,239. Now, thanks to the actions of the Kappel Commission and the President, that ceiling has been removed, and he will start receiving his full pay for the first time.

For all of these reasons it was necessary, from the standpoint of good, sound business management, to find an orderly and rational procedure for adjusting *all* of these interrelated salaries, including those at the top causing the compression. The quadrennial review initiated last year by the Kappel Commission is such a procedure.

COMPETITION WITH STATE AND LOCAL GOVERNMENTS

Surely there is no reason why salaries paid at the Federal level should be less than those paid for essentially the same jobs at the state and local level. In making its studies the Kappel Commission looked at the salaries now in effect throughout the country. Some examples were these:

Governor of New York	$85,000
Manager, Los Angeles Airport	44,000
Inheritance tax attorney for Orleans Parish, La	80,000
General manager, Public Service Board, San Antonio, Tex	40,000
Administrator, University of Alabama School of Medicine	50,000
President, University of Washington	50,000
Chief engineer, New York Port Authority	45,000
Executive director, New York Port Authority	70,000

It should be obvious there was something wrong with a system that paid $70,000 to the head of the New York Port Authority but only $35,000 to the Secretary of Defense, whose duties involved administering a budget of $80 billion. There was obviously a need to correct a situation in which a lawyer assisting in the collection of inheritance taxes in Louisiana was paid $80,000 while the head of the Central Intelligence Agency received only $30,000.

COMPARABILITY WITH PRIVATE INDUSTRY

Similarly, the Kappel Commission made a study of salaries paid executives in private industry. Following are a few examples:

President, Doyle, Dane Bernbach, Inc., Advertising Agency	$117,211
Executive vice president, the Boeing Aircraft Co	109,620
President, Seagram Distillers	331,475
Executive vice president, Safeway Stores	115,769
President, Phillip Morris, Inc	112,500

In case these salaries might be thought unusually high I might point out that studies were made of the average salaries paid the chief executive officers in private industry. It was found, for example, that the average compensation of the chief executive officers in companies manufacturing durable goods with sales over $1 billion was $269,500. That's not the top salary in such a job; it's the average.

To put this in perspective, I might add that in the entire Federal government there are only two or three departments with budgets under $1 billion, and there are a number of agencies, without department status, having budgets far exceeding that amount. It seems obvious to me that the kind of managerial talent required to administer such budgets cannot differ greatly between private industry and government. Only in the matter of compensation has there been any essential difference.

No one is suggesting, and least of all the Kappel Commission, that Federal executives be paid anything like $270,000. But this comparison by the Commission should make clear the need for the kind of upward adjustment it has recommended and which has now taken effect.

CONGRESSIONAL SALARIES—SIX INCREASES SINCE 1865

Many people who object to the Kappel Commission report have the opinion that congressional salaries are increased frequently. Nothing could be further from the truth. In fact, there have been only six congressional salary increases since 1865.

In its report the Kappel Commission recommended that the salary of senators and congressmen should be raised to $50,000. Members of the Commission made this recommendation, not because they considered 42 per cent as the proper cost-of-living adjustment, or whatever, but because they were attempting, for the first time, to arrive at a rational pay structure for these positions of high responsibility in our government.

In spite of the Kappel Commission's recommendation President Johnson did not assign a $50,000 salary figure to the Congress. He reduced the amount at the request of many of us in the House and Senate who felt that this was excessive and, furthermore, that Members of Congress might find it necessary to reject the entire package if such an increase were designated for their own salaries. The $42,500 figure was the result of these pressures for a cutback.

Fortunately, Members of Congress need never again have the sole responsibility for fixing their own salaries, and in all probability no increase of such proportions as this will ever again be necessary. Released from a system which allowed only six pay increases in 104 years, congressional pay can be adjusted in small amounts as changes in our economy warrant. And the remainder of the Federal establishment can be assigned rational compensation, free from this arbitrary and unfair barrier.

In view of the great good that will come from this important step toward responsible personnel management throughout the Federal government it is my judgment that rejection of the Kappel Commission recommendations would clearly not have been in the public interest. Allowing the recommendations, as amended by the President, to become law will have far-reaching effects, in my judgment, in attracting ever more qualified men into government service. If that occurs, the slight additional cost of establishing a rational pay system will be more than compensated by the long-term savings made possible through increased efficiency and economy in our many governmental operations.

[From the New York Times, Dec. 26, 1968]

PRICE TAG ON TALENT

"The ability of our nation to meet the challenges of these troubled times depends on the leadership of those who place their talents and energies at the service of their country," says the Commission on Executive, Legislative and Judicial Salaries in its report to President Johnson.

The report, now circulating among key officials although not formally released, recommends large salary increases for Senators, Congressmen, Cabinet members, judges and others. Salaries of the President, the Vice President and the Speaker were technically outside the commission's purview, but it suggests boosts for them, too.

These increases for Federal officials are long overdue. The present, grossly inadequate pay scales penalize public-spirited citizens seeking to serve their nation. They cause some to decline to serve. They drive others out of Government employment.

The commission was headed by Frederick R. Kappel, retired head of the giant American Telephone and Telegraph system. The President is expected to use the recommendations in framing Federal salary scales in his budget message; unless Congress specifically acts to overturn these scales, they will become law.

"We should expect the compensation of those to whom we entrust high responsibilities and authority in government to bear some reasonable relationship to that received by their peers in private life," says the commission. It recommends that the salaries of Senators and Congressmen be increased from $30,000 to $50,000, Cabinet officers from $35,000 to $60,000. Noting that it would be utterly impossible to fix a value on the President's "unique" services, it nonetheless suggests that equity in pay structures demands a doubling of the present $100,000 salary.

The top salaries paid executives in private industry in 1967 were listed last June in Business Week magazine and they are pertinent: Neil H. McElroy—once a Secretary of Defense—and Howard J. Morgens of Procter & Gamble each made $325,000; Samuel Bronfman of Distillers Corp.-Seagrams, Ltd., made $331,475; Harold Geneen of International Telephone and Telegraph received $250,000 in salary and $235,000 in other compensation; P. B. Hofmann of Johnson & Johnson made $277,000 in salary and $209,142 in additional compensation.

Government need not match these stratospheric rewards. There are compensations in public service that private employment cannot duplicate, but the financial sacrifice required of men of talent and dedication should be far less than it is.

[From the Wall Street Journal, Feb. 6, 1969]

MONEY ISN'T EVERYTHING

The U.S. Senate was wise to allow debate, and to put itself on the record, in approving the proposed salary increases for upper-level Federal employes, including the lawmakers themselves. If they had merely sat on their hands, the pay boosts would have gone into effect automatically on Feb. 14.

Tuesday's Senate debate didn't change anything, and perhaps that was the best result. In inflationary times like these, though, the public deserves at least a little fuller explanation of why Federal lawmakers and officials should get such substantial increases.

The largest boost, a doubling of the President's $100,000 salary, was approved by Congress before Mr. Nixon's inauguration; under the law no Chief Executive's pay can be raised while he is in office. But that increase—after taxes—did not even come close to equalling the rise in the cost of living in the two decades since the President last got a raise.

There isn't the same justification for the other boosts. Members of Congress and many high-level officials last got increases in 1964. While the cost of living has climbed about 14% since then, most of the raises are a good deal larger than that.

One answer could be that the existing Federal salaries were too low, even in 1964. Former President Johnson presumably thinks so: "The salaries we pay our top officials are clearly inadequate," he told Congress. "The proposals I make today are long overdue."

It's certainly true that it's difficult to induce large numbers of top-notch individuals to serve in Government or to run for Congress; President Nixon's recruiters can provide ample, current testimony to that. Whether the difficulties have increased or diminished in recent years, however, may be to some extent a function of the observer's personal political viewpoint.

It's also true that many Congressmen, either from need or desire, cling to outside sources of income while serving. Rep. Wright Patman of Texas has proposed that, in return for the raise, the lawmakers give up any outside employment or business interests. Whether they go that far or not, the lawmakers' increased affluence should prod them to provide a fuller accounting of their potential conflicts of interest—something they're always worried about when they consider appointees to the executive branch.

In any case, the establishment of suitable salary scales is only part of the task of improving Federal management. That fact was clearly recognized by the Committee for Economic Development several years ago when it began its drive for better Government executive performance.

The business-supported research group, in a 1964 study, listed numerous steps toward upgrading management throughout the Government; next to last among its recommendations was "increased compensation at upper levels in Federal service." Assigned at least equal, if not higher, priority was better personnel administration, including executive development and recognition of ability (and inability).

The Government, after all, is a huge business, and people are people, whether they work for the Defense Department or for General Motors. Slipshod procedures, overlapping responsibilities and meaningless tasks can make any job unrewarding for a conscientious individual, no matter how high the salary may be.

Unfortunately the Federal establishment has more than its share of just such jobs. In one area, Congress for once could show the way for the rest of the Government if it would overhaul its seniority system in which the quality that counts is the ability to keep getting elected.

A thorough job of revitalizing Federal management, in other words, must involve a revitalization of the Government itself. If the Government were a better place to work, Federal recruiters would find it easier to attract the caliber of executives who would help make the establishment more efficient and effective.

In an organization of such size, change won't come quickly or easily. And we trust that the legislators, as they await their fatter paychecks, will remember that money is by no means everything.

FLORIDA JOINS THE UNION: 1819–1969

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. BENNETT. Mr. Speaker, the permanent settlement of what now is the United States began in 1564 when Rene Laudonniere founded Fort Caroline, near present-day Jacksonville, Fla., for the French. A year and a half later, Pedro Menendez attacked Fort Caroline and defeated the French, leading to the establishment of St. Augustine, in 1565, by the Spanish. So we are just past the 400th anniversary of our beginnings in the United States of America.

And, Mr. Speaker, the 150th anniversary of Florida joining the United States occurs in the present year.

On February 22, 1819, Spain ceded Florida to the United States for $5 million. Two years later, on February 22, 1821, the treaty was proclaimed and ratified by President James Monroe.

Florida at that time was divided into two separate provinces, West Florida and East Florida, controlled by Spain.

Secretary of State John Quincy Adams negotiated the treaty, which stated:

> His Catholic Majesty cedes to the United States, in full property and sovereignty, all the territories which belong to him, situated to the eastward of the Mississippi, known by the name of East and West Florida.

This transaction underlined the decline of the great European powers at that time and the expansion of the United States of America.

After the signing of the treaty by President Monroe, he named Gen. Andrew Jackson as the "Commissioner of the United States with full power and authority to him to take possession of and to occupy the territories ceded by Spain to the United States." This was on March 10, 1821. While Jackson was the first military governor of Florida, William P. Duval, of Kentucky, was the first civilian governor, taking over his duties on June 20, 1822, from Andrew Jackson.

It is significant that my hometown, Jacksonville, Fla., is named after Jackson, and my home county, Duval, is named after Governor Duval, who is buried here in the District of Columbia. It was in 1845 that Florida became a State.

Mr. Speaker, today Florida is one of our Union's biggest and most productive States. We are ninth in size. We have a rich historical tradition like no other State, and we are in the forefront of man's greatest exploration—sending a man to the moon. We have maturity and we have youthfulness. Our sesquicentennial as part of America is a proud moment.

GORDON W. BLACKWELL AND BENJAMIN E. MAYS: MEN OF THE YEAR

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. MANN. Mr. Speaker, two of our Nation's most distinguished educators, Dr. Gordon W. Blackwell, president of Furman University, and Dr. Benjamin E. Mays, president emeritus of Morehouse College, were honored recently by the Greenville, S.C., Chapter of the Society for Advancement of Management. In presenting the society's coveted Man of the Year Award to Dr. Blackwell, Mr. Arthur Magill, internationally known businessman and philanthropist, read the following citation:

TO GORDON WILLIAMS BLACKWELL

For Distinguished Leadership in the fields of sociology and higher education, as a social scientist, teacher, and college administrator. For working steadily to build with intelligence and thoughtful long-range purpose, the potential of the South.

For Serving, while still a young college professor, as Director of the Institute for Research in Social Science at the University of North Carolina, vastly extending its program in the areas of social psychology, urban studies, and political behavior, and bringing to it also the vital funds in grants and contracts which made its success more sure.

For Establishing, while Chancellor of the Woman's College of The University of North Carolina at Greensboro, a nursing program, and a four-year program in medical technology, for initiating a doctoral program there, and for helping materially to solve critical racial problems in the community.

For Moving Florida State University forward as its president, increasing its enrollment from 9,000 to 12,000 doubling its annual budget, increasing its average faculty salaries by 50 percent, and responsibly handling $32 million invested or committed in building and improving the physical plant.

For Contributing to the knowledge of our world by scholarly research and published writing in the field of sociology.

For Serving our country during World War Two as a community organization specialist in the Office of Civilian Defense.

But Chiefly Because, as president of your alma mater, Furman University, you have brought this illustrious college rapidly forward, both as an administrator and as a leader in higher education in this state. You have set high goals of good intent for Furman. You have in less than four years raised average faculty salaries by over 40 percent, added men and women of stature to a faculty already recognized as among the finest in the Southeast, and raised the intellectual quality of the student body. You have embarked upon a long-range campaign for capital improvement which is realistic, bold, imaginative, and emblazoned with success. But above all, you have held steadfastly to your goal of bringing Furman University into—and not short of—a posture of excellence by national standards in a manner to bring credit upon yourself and upon your institution.

ARTHUR MAGILL,
Awards Chairman.

In presenting the society's Man of the Year Award to Dr. Mays, Mr. Magill read the following citation:

TO BENJAMIN ELIJAH MAYS

In 1940, on assuming the presidency of Morehouse College, some of the trustees of that institution, because of the difficulty of operating a college with an enrollment of just over 300 in a war-time economy, were in favor of closing Morehouse for the duration, and you decided that to close "The candle in the dark" would be a catastrophic blow to the progress of your race, so instead, against all odds, you decided to keep it open.

During the 1940–1967 period, enrollment increased from 300 to its present level of just under 1,000 students. In 1940 Morehouse had 23 full-time faculty members, two of whom had earned PhD degrees. Morehouse presently has 65 full-time professors, more than half of whom hold doctorates.

You are the author of the following statement, "I am not naive enough to believe that a teacher is a better teacher because he holds an MA, BD, or PhD degree. I am not arguing

that a teacher is more honest, or loves his students more dearly because he has an advanced degree. I am arguing, however, that less training does not make him a better teacher or a more honest man. There is no virtue in an academically weak faculty." During the 1940–1967 period the floor space of Morehouse increased three-fold, land area doubled, and the market value of its endowment rose six-fold. Morehouse's 1940 budget was $130,000, and the money spent from all sources in the 1967 period was just under $2,000,000.

Twenty colleges now have, or have had, Morehouse graduates as their presidents. One alumnus was a Nobel Prize winner, another was a member of the Atomic Energy Commission, and countless alumni have distinguished themselves throughout the world.

You have served your country and your church in posts too numerous to be mentioned. Twenty-three honorary degrees are but a slight indication of the high regard in which the educational institutions of this country hold you.

But without a question the sign post of your success cannot be measured in dollars, or square feet, or honorary degrees received, or posts held with distinction, but rather the quality, and character, and integrity, and high-mindedness of the graduates of Morehouse College. Just as we judge parents by their children, so are you judged by the quality of the alumni of the great institution which you so ably guided for twenty-seven years.

Never has so much been achieved with so little and against such great odds. In all humbleness this organization salutes and commends you with the wish that the greatest tribute which could be paid you would be for young men and young women of both races to emulate the example which you in your life have set.

ARTHUR MAGILL,
Awards Chairman.

In accepting their awards, Dr. Blackwell and Dr. Mays spoke of our country's needs for quality education and racial harmony. Believing that their addresses will enlighten and inspire Members of Congress and citizens generally, I include them here as extensions of my remarks:

OUR MOST PRECIOUS RESOURCE

(By Gordon W. Blackwell)

Certainly I am honored by this award. Being cognizant of the caliber of those who have been so recognized in the past, I am deeply appreciative. I hope too that I am sufficiently humble because in your selections this year—more than honoring two particular men—I believe you have chosen to give recognition to the crucial importance of colleges and universities. For, after all, it is to these institutions that Dr. Mays and I have devoted the most of our energies.

Along the pipelines that come from Texas and Oklahoma, it is necessary to have pumping stations every few miles. Even when the oil goes downhill it will not go by itself; it's too sluggish. A civilization is like that. Without conscious propulsion, it becomes stagnant. Without thoughtful and sometimes sacrificial effort by the people, a civilization can lose its standards of beauty, right, and truth: art and music become mere decoration; philosophy and religion become sophistry and speculation; and science becomes only technology. Then man is the prisoner of his appetites and his ignorance. We need colleges and universities to encourage the development of new ideas and standards, as well as to communicate the truths of the ages. As Elton Trueblood has put it, "The college is an alternative to triviality."

Here in the Piedmont, with a fine assortment of colleges and universities, we are located in what I believe to be the heart of the new, the ever new, the forever new South—a term that has become a cliché in technicolor. Old paths from everywhere now run into the freeways as the region moves at a dizzying pace. The modernity of our urban architecture soars high above the old white columns of the land. As Jonathan Daniels has pointed out, we have suffered long enough from the caricature and the calumny about us, and from the romanticism and nostalgia of our own making. Our bootstraps are torn from our tugging on them. Nevertheless, the South appears to be rapidly entering the mainstream of American life.

Education is undoubtedly the most crucial of man's institutions in this movement into the mainstream. For education can raise the quality of human resources through the developed capacities, motivations, and aspirations of the people. It can be a direct influence in determining the kinds of industries which develop in a region. Furthermore, research in university laboratories provides much of the basic knowledge out of which come technological developments. Indeed, through service to people and communities, higher education can provide the single most vital thrust in regional development.

We must, then, consider quality higher education as an investment in human resources as it upgrades the capabilities of a people. In a maturing economy such as we have in the South, by raising the abilities of the labor force education can hasten the trends which are changing the employment mix. These occupational trends include a decreasing proportion of the labor market employed in goods-producing industries and a higher proportion in professional, technical, and service industries where higher levels of education are required. At the same time automation is reducing the proportion of workers in semi-skilled and unskilled jobs. Fully three-fourths of those in technical and professional occupations have some college work. Particularly are we seeing a rapid increase in scientific and engineering employment.

In other words, with a greater emphasis upon white collar than upon blue collar jobs in the Piedmont area, the role of education in upgrading workers becomes increasingly important and demanding. This effort by education must be viewed as an investment.

Theodore W. Schultz, economist of the University of Chicago, has pointed out that investment is "the formation of capital, whether in the form of material things or in human capabilities." In stimulating the economic growth of a region we must make policy choices among investment opportunities, including education. Not until we come to understand that support of education must be viewed as an investment, not a consumption item, will we utilize education wisely in regional development. Among other perspectives, education must be evaluated as capital formation which contributes to economic growth.

Wherever the levels of both education and income are relatively low, as in the South, the return on inevstment in education is high. In other words, a million dollars invested in education in the Piedmont area will currently yield greater returns than if the investment were made in New York or California.

You are familiar with the figures for variation in average lifetime income according to level of education. For men aged 25 through 64 with less than eight years of elementary school, the expectation is $106,449; for those with four years of high school, $215,487; and for those with four or more years of college, $366,990. Thus, education more than triples the lifetime earning ability of a college graduate as compared with an elementary school dropout. Quoting Professor Schultz again: "When a person improves his capability, it represents an investment in human capital. Such an investment always entails costs; when it enhances the future earnings of the person these earnings are the returns to what has been invested." He makes the point that human capital has become increasingly important in our technologically advanced economy and that the rate of return on investment in human beings has been higher than that on investment in non-human capital.

But, you say, higher education is certainly much more than an *economic* investment in people. What about the values of having educated mothers, educated neighbors, improved race relations, reduction of poverty accompanied by reduction in delinquency and crime? What about the social and cultural values of education? Does not education increase the range of human choice in our dynamic society? And, of course, the answer to all these questions is definitely "Yes."

In light of this crucial importance of colleges and universities, it is not surprising that American higher education is in the midst of a development which surely would have staggered the imagination of the leaders in the last century. It is true that we have serious problems in our nation, especially with respect to the distribution of opportunity. But it is also true, and we have been prone to forget this in the recent phase of self-flagellation, that we have broadened educational opportunity at an astounding rate in the last twenty years.

This development has come about both because we can afford it and because we need it. We can afford it because of the increases in productivity, which make possible for young men and women a later entry into the labor pool, as well as an earlier retirement for the older people. We need it because, as I have already noted, the requirements for productive, personally satisfying participation in our society are changing; what agricultural skill was to our forefathers and industrial skill to our fathers, intellectual skill is to our children.

Some decades ago, the intellectual leadership of our nation was coming largely from twenty or so universities. Most of them were private institutions. These elite schools produced nearly all of the leaders in the learned professions, the research scholars and scientists, the shapers of thought and policy.

Twenty years from now our country will need several hundred universities and colleges of genuine quality—both public and private—whose primary responsibilities will be threefold: education for leadership, active pursuit of research and creative efforts, and provision of supporting services which will be diffused throughout society. These several hundred institutions of top rank will comprise less than ten percent of all institutions of higher learning, though they will certainly have more than ten percent of the students. The point is that they will constitute a specialized group, performing a crucial part of the higher education effort.

Among these institutions, the colleges will have one big advantage, that of relatively small size so that the human dimensions of education can be preserved. For example, at Furman with 1900 students we have only now reached what we believe to be that imprecise, minimum critical size for a diversified, intellectually stimulating campus with economical operation. On the other hand, there is no reason to believe that we shall allow Furman to approach the also imprecise point at which an institution becomes so monstrous as to lose its cohesion.

The size limitation of the college, however, will accentuate the hard choices which such institutions face. We and other similar colleges will fulfill our proper role only if we realize that no one college can do everything. Each must keep all of its basic programs at least at a respectable level of acceptability and must have some programs which are truly superior. For each individual institution, its own peaks of excellence—high enough for all the world to see—will depend on its historical development, community and regional needs, and faculty strength and interests.

But academic programs of quality are not sufficient. There is an ever present danger that our colleges and universities will not relate meaningfully to the needs of the region. Many of them are in the words of Jonathan Daniels, just up the hill from our vilest slums or just across the broomsedge from the cabin where the old door hangs on one hinge. We have stood too aloof from these problems, both as institutions and as individuals. We have dared to be irrelevant! But all this must change. We must take an active part in helping the region develop sound policy so that rapid urbanization will result not in blight and despair but in hope and opportunities for humane living.

Finally, we can no longer neglect statewide planning and coordination in higher education. There needs to be increased voluntary cooperation between institutions of similar type, resulting in strengthened programs and more economical operation. Furthermore, each state—South Carolina, for example—should determine the most desirable institutional mix to maximize its contributions through higher education. At each institution, public and private, the proper student mix by level—lower division, upper division, graduate—must be determined as part of the statewide plan. The State, in its planning, should give careful nurture to private institutions because of their current and potential contributions. As part of this coordination, admission and retention standards should be published by all institutions in order to help prospective students distribute themselves appropriately throughout such a diversified system.

In summary, my proposition is simple and direct. Young people constitute our most precious resource. In today's world, higher education is required to enable many of them to make their maximum contribution. There must be a minority of institutions of first rank to educate leaders. Furthermore, support of education must be looked upon as capital formation which contributes to regional growth. In this great undertaking there is no place for unnecessary duplication and wasteful competition between institutions. Statewide planning and coordination are required to assure the optimum functioning of all institutions.

It is for these reasons, then, that I say again it is heart warming that those responsible have seen fit tonight to recognize the importance to our society of the higher learning.

THE PEOPLE HAVE DRIVEN ME ON

(By Benjamin E. Mays)

I may not have done much in these three score years and ten. I may not have contributed much to the uplift of mankind. But if I have contributed anything at all, I am in debt to the people. The people have driven me on. Without them, I would be nothing. My mother could neither read nor write. She was born during the Civil War. My father could read printing fairly well, but he couldn't read handwriting. He was born in 1856, nine years before the close of the Civil War.

When I was born, there wasn't much going for me nor for the Negro in the United States. Under the tutelage of my oldest sister, I had learned my alphabet, could read a bit and could count to a hundred when I entered the one-room, four-months school at the age of six. Some of the people who drove me on even at six years old were those who entered with me, many older than I, who did not know their alphabets, and could not read or count. They and the teacher thought I was exceptional. The teacher spread the news at church on the second Sunday that I was gifted. The church people thought I was smart. These people in their comments about me helped to drive me on at the tender age of six.

When I was eight or nine, I "spoke my piece" on Children's Day at the church, reciting the fifth chapter of the Gospel of Matthew. After all these years, I can still see and hear the reaction of the crowd. Men stamped their feet, women waved their handkerchiefs, and the whole audience clapped their hands loudly. Despite the fact that we were poor, and no one in my family had anything, and that Negroes were generally badly treated in my early years, it was predicted by the people in the church and in the community that "Bennie" would go far in the world. Although too young to reason it out well, I felt that I was obligated to make their predictions came true. How, I did not know. The confidence the rather unschooled people in my church had in me, and the faith the fifth grade pastor had in me, motivated me beyond measure. I felt I could not let the people down. As I moved away from them, I felt their eyes were upon me.

The years passed; and I was nineteen years old before I could stay in school more than four months out of the year. When finally I could remain in school for the whole nine-month term, and eventually graduated as valedictorian of my class from the high school department of South Carolina State College in Orangeburg, my host of witnesses had greatly increased. By then there were not only the people in the county church in Greenwood County and my parents who expected me to do well, but the faculty and friends at State College also seemed to expect much of me. I had no money. My father was a renter and never owned any land. I had nothing but a determined will, a strong body, and an insatiable desire to get an education and to be somebody worthwhile. I could see no way to accomplish these things; but the eyes of the people at Zion Church, and now my friends in Orangeburg, drove me on.

The people continued to drive me on. Being desirous of competing with men of other ethnic and racial groups in order that I might test my mental ability, despite untold handicaps and many crippling circumstances I found my way to Bates College in Lewiston, Maine. The competition was keen and the weather was cold. My first winter out of South Carolina, the first year I was in Maine, the temperature dropped to 44 below zero. I say jokingly now, but with an element of truth in it, that my feet got cold in Maine in 1917 and they haven't been warm since! As proof of this, I have on two pairs of socks now!

Believing that God was no respecter of person, and that all groups are potentially equal, I wanted to compete with men other than Negroes. At Bates College I received the reassurance that I needed. I knew that my parents, the people in my county church and the people in Orangeburg were expecting me to do well. Many eyes were upon me, for so few Negroes in Greenwood County had the opportunity to further their educations. The people were still driving me on.

I did well at Bates. I won a prize in public speaking, served as president of three college organizations, took part in dramatics, was elected Class Day Orator by my class, graduated with honors and was finally elected to membership in Phi Beta Kappa. To me, these successes were not mine alone but belonged to the people who had driven me on. All down the line, they had encouraged me, not with money but with words of cheer and goodwill. I am sure I might have yielded to many temptations were it not for the fact that I knew I could not afford to let the people down. All through my life, the people have driven me on. I have wanted to live up to their expectations of me.

As I moved on to do graduate work at the University of Chicago, my host of witnesses had increased even more. The Bates College professors, my friends and classmates at the College, all had expressed the belief that I would make it in life. I had a larger audience now. But above all, the prayers of my untutored mother were constant and continuing. She believed God would answer her prayers in my behalf.

So, the years rolled on; and I earned both the A.M. and the Ph.D. degrees from the University of Chicago. These successes meant to me a mandate from the people all the way from South Carolina to Maine and from Maine to the University of Chicago which said "do not let us down."

Many honors have come my way. Many honorary degrees have been conferred upon me. I have been fortunate enough to have the opportunity to travel in North America, Europe, Asia, and Africa. I have represented my government and religious organizations both at home and abroad. All of these things have placed me in the debt of the people. I have no right to be unduly proud, because I am what the people have made me. I can never repay the people for what they have done for me and for what they have meant to me.

In fact, every man who does anything worthwhile and who achieves any success in life owes a debt to the people. No man is an island unto himself. The politician who wins an election owes his victory to the people who believed in him. The business man who makes a profit owes it to the people who buy his product. The painter can be called great only by the people. The greatest singer isn't great without the acclaim of the people. The people make us what we are.

I thought now that I have reached three score and ten I would be through with being obligated to the people for what they have done for me. But tonight, here you come, the Society for the Advancement of Management, with your fine honor, thus placing me deeper in the people's debt. I am deeply grateful for this Award here in my home state, not far from Epworth Post Office where I was born. Whether I deserve the honor of being considered one of South Carolina's distinguished sons, I cannot say. I accept your judgment. I have tried to give a good account of the State in every part of this nation and in the world at large. Your honoring me here tonight is a gratifying and a humbling experience. I am reminded of the words of Paul Laurence Dunbar, the great Negro poet, when he said:

"Mere human strength may stand ill fortune's frown;
So I prevailed, for human strength is mine;
But from the awful throes of great renown,
Naught can protect me save a strength divine.
Help me, O Lord, in this my trembling cause;
I scorn men's curses, but I dread applause!"

I assure you, I shall not relax in my advancing years, but will still let the people drive me on. How can I relax? As long as our soldiers are dying in Vietnam for a cause still unclear, I cannot relax. As long as half of the people of the earth are starving, are illiterate, and have diseased bodies, I cannot have peace of mind. I am no better than they. As long as there are millions in this great country of ours living below the poverty line, I cannot be satisfied with my comfort. As long as the gap between black and white seems to be widening, I can have no peace of mind. All of us are under orders from God to do our bit to make our community, our state, our nation, and the world a better place for all of us to live. Whatever our station in life may be, we are no better than our fellows. Eugene Debs was not wholly in error when he

> said, in essence: "As long as there is a lower class, I am in it. As long as there is a criminal element, I am of it. As long as there is a man in jail, I am not free."

TEXTILE QUOTAS COULD HURT SOYBEAN MARKETS

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. FINDLEY. Mr. Speaker, as the world's leading trading nation, what we do during this session of Congress may well establish the pattern of trade for the decade to come. We have the opportunity to exercise leadership and diplomacy to overcome the obstacles to trade expansion and lead the world to a greater exchange of goods and services on a worldwide basis. Or we can succumb to the age-old remedy of building a tariff wall and retreating behind it.

Now that the obstacles are formidable—the bugle of retreat has been sounded.

Our patience is being tried. Soybean producers in my district and in those of the districts of other Congressmen in more than 20 other leading soybean-producing States are deeply disappointed in the European Common Market tax proposal. It calls for a tax of $60 per ton on most vegetable oils and $30 per ton for oilseed, cake, and meal. These taxes would add the equivalent of 35 to 40 percent ad valorem import duty on our principal trade item, soybean meal. Its impact would affect about 450 to 500 million dollars in U.S. exports. This tax is being proposed by the community to solve its unfortunate dairy surplus.

The U.S. Government has protested this proposal in the strongest possible terms and has reiterated on a number of occasions that action of this kind would substantially damage U.S. trade and would bring swift counteraction, including retaliation, to restore the balance of trade.

This action I subscribe to for I feel it is decidedly in the national interest. We cannot afford to lose a substantial part of a half-billion-dollar annual market which shows promise of further growth without taking suitable retaliatory action.

We must be certain to make the community realize that creating a new problem to solve an existing one is not a constructive way out of the dairy surplus impasse. Their idea is to raise the price of vegetable oils which compete with animal fats such as butter, at the same time introducing some form of consumer subsidy in an effort to encourage increased butter consumption.

Furthermore, the EEC proposal would increase the cost of protein feeds, mainly soybeans, thus shifting a major part of the cost of the solution of the dairy surplus problem from the Common Market finance ministries to the American farmer. This we cannot and will not accept.

When I was in Bonn, Germany, recently, I warned Finance Minister Franz Josef Strauss that the proposed tax might trigger retaliation in unfortunate forms. He promised me his opposition, but new factors—like the textile quotas—could cause reevaluation.

It is too early to tell the success of our diplomatic offensive on this front, but while the battle is being waged, we should be certain to take no action which would impair chances for success.

Yes, I am afraid that we are about to embark on an action which will turn possible success into almost certain failure. That action is a possible approach on textiles now contemplated at the White House level. In his February 6 press conference, President Nixon said:

> Exploratory discussions have taken place and will be taking place with major countries involved to see if we can handle this on a volunteer basis rather than having to go to a legislation which would impose quotas, and I think would turn back the clock in our objective to achieve freer trade.

The President was referring to the textile situation which he characterized as "a special problem which has caused very great distress in certain parts of this country, and to a great number of wage earners, as well as to those who operate our textile facilities."

Undoubtedly, it is true there have been serious dislocations within the textile industry and that there have been American workers thrown out of jobs and textile facilities that have been forced to close. However, the overall condition of the U.S. textile industry appears to be healthy. In fact, the other side of the textile story as reported by the American Importers Association is that profits in the textile industry more than doubled from 1961 to 1968 with an increase in profits of 35.2 percent for the first three quarters of 1968 compared to the first three quarters of 1967.

The same association reports that for the apparel industry, sales grew from 12.4 billion in 1961 to almost 20 billion in 1968, an increase of about 60 percent. Profits from the apparel industry grew from $331 million in 1961 with an estimated $856 million in 1968, an increase of about 160 percent. In the first three quarters of 1968, profits were up 27.6 percent over the same period in 1967.

Granted that the imports of some categories of textiles are at record levels—nonetheless, it appears that at a very minimum, substantial elements of the U.S. textile industry are enjoying a very healthy and profitable condition.

I wish only that U.S. farmers enjoyed a profit position even remotely comparable.

Certainly textile interests have not been neglected by the U.S. Department of Agriculture. In 1967 the cost to taxpayers of the cotton program actually exceeded the entire market value of the crop. The program, which is still operating, was sold to Congress as necessary to improve the competitive position of cotton textiles.

However, even accepting the argument that the U.S. textile industry has some special problems, it would seem advisable that they be weighed carefully in the national interest rather than become the subject of an immediate approach to the world for a so-called voluntary agreement restraining exports of textiles to the United States.

At this moment, I am not aware that the President has appointed a special trade representative. Furthermore, plain American horsesense indicates that no foreign country is going to participate in a textile arrangement without exacting stiff concessions.

According to the New York Times editorial on February 7:

> The European Economic Community is likely to demand the reciprocal right to impose a special tax on oilseed products, a measure that could jeopardize nearly $500 million of United States soybean exports. In Japan, which is being asked to lift import quotas and loosen restrictions on investment by American auto companies, protectionist sentiment would be greatly strengthened.

It appears to me that the U.S. farmer is being asked to pay the price for economic adjustment in the textile industry, thereby placing the great rich land areas of the Midwest and Southwest in jeopardy.

I take the position that by vigorous action, the United States can continue to fight the battle for the growth of trade rather than restrict trade and that this is best accomplished by taking positive aggressive action and not seeking agreements.

Everyone knows that when you accept a voluntary agreement—it ceases to be voluntary—it then becomes mandatory.

On February 10 the American Farm Bureau Federation's official newsletter quoted the president, Charles Shuman, as saying:

> U.S. agriculture will decline and decay if it is forced to shrink production to the needs of the domestic market. There is no need for farmers to accept this fate. We have the most highly diversified and most efficient agricultural production in the world. Farmers and ranchers can compete in world markets.

Mr. Shuman went on to say that in order to give farmers an opportunity to compete for world markets, Congress should adopt a trade expansion act which would authorize the President to pursue trade negotiations designed to reduce restrictions on world trade with nations which are prepared to offer reciprocal benefits to U.S. exports.

> Future negotiations must not only include—they must emphasize—trade and agricultural progress.

Mr. Shuman also pointed out that the Farm Bureau opposes any attempt to set agricultural trade apart from industrial trade and to allocate international agricultural markets through the use of international commodity agreements.

On the same basis I think we should oppose international agreements whether labeled as voluntary or not, which tend to allocate industrial markets.

At this moment, the new administration is contemplating the possible reduction in the price-support level for soybeans. Reasons for the likely reductions are to discourage overproduction, but also to make soybeans more competitive in overseas markets where soybean oil must compete with other sources of vegetable oils.

So at a time when soybean farmers—most of them in agreement are about to make a painful adjustment—why should the U.S. textile industry be protected against adjustments which will improve its competitive position?

In the long run, I feel the U.S. textile industry will be more prosperous and will provide more jobs for American wage earners if it is not encumbered by so-called voluntary international agreement than if it now succumbs to the easy temptation of gaining momentary advantage through such course of action.

I now call to your attention a publication issued by the University of Minnesota Agricultural Extension Service called the Protectionist Mood in Midwest Agricultural Trade. This publication was developed by the North Central Public Affairs Subcommittee on Agricultural Trade.

In its analysis of "the consequences of protection," this publication concludes that:

> Perhaps the most dramatic consequence of increasing protection is that foreign nations usually retaliate by increasing their tariffs and other trade barriers against the products of the protecting nation. One reason that world trade volume declined almost 50 per cent in the thirties was that the depression-induced tariff increases of the United States were met by retaliatory tariff hikes in other nations. Their hikes led to another round of tariff increases and more retaliation. This action and reaction intensified and prolonged the worldwide slump in economic activity.
>
> Today many of our foreign customers, especially those in Western Europe already operating complex, non-tariff trade restrictions that limit our potential export volume. They do it mainly to protect their own farmers from internal competition. It would take only a modest tightening of these restrictions to deeply cut into U.S. farm exports.
>
> When one nation retaliates against another, the burden of reprisal falls on industries and sectors other than the one that gains the initial protection. Unfortunately, the protecting nation cannot select the sectors that will take the counter blow. This is left to the discretion of the retaliatory. But usually the revenge will fall on export industries that generally are among the most efficient in the country. So more jobs may be lost and more resources idle from the retaliatory effect that have been sustained by the protection.

So, I again call your attention to the fact that we are now engaged in a battle to offset the attempt by the EEC to strike a severe blow at one of our greatest sources of renewable wealth—agriculture. While we are in the midst of this battle, we should not compromise our capability to win by asking for a concession in the form of a voluntary textile agreement.

By asking for this concession, we limit our offensive action and invite the world to name its price—and from experience you and I know that when the United States is asked by the world to pay a price—that price is frightfully high.

So I call upon the President when he journeys to Europe on his important mission not to make commitments on a voluntary textile agreement—in order not to compromise the action of those who fight against soybean taxes in the Common Market and certainly not to jeopardize negotiations in Japan aimed at market liberalization in that country.

Japan, incidentally, is this Nation's leading importer of U.S. agricultural production. While the past administration was unsuccessful in its yearend attempt to gain liberalization for U.S. farmers in that market—there are reasons to believe that the new administration will be more successful. But why should this possibility be jeopardized by first asking for restrictions which might well trigger retaliation.

Consequently, it appears to me there is nothing to gain and everything to lose by rushing into a textile agreement. I call upon the administration to carefully weigh the matter—to take the time for it to be thoroughly studied and analyzed and reviewed by those skilled and experienced in international trade and familiar with the financial crisis and balance-of-payments problem facing this Nation.

Certainly in the meantime the interests of farmers in Illinois and throughout the Midwest should not be scuttled—perhaps never to be retrieved.

FOUNDATIONS: TAX-FREE POLITICS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. RARICK. Mr. Speaker, while our sons are used as sacrificial lambs for $185 per month in a no-win war against Communist aggression—and their parents labor under the highest taxes ever saddled on the American people—the tax-exempt Ford Foundation has felt impelled to find "a suitable expression of sympathy" over the death of a politician, and has awarded eight of his former political staff members grants totaling over $131,000.

President Bundy would justify this featherbedding maneuver with an alibi that the grants are merely to help "ease the transition between public and private life."

Just think what $131,000, or even a part of it, would mean to any of our districts back home.

This discrimination in favor of special-interest groups and against the taxpaying citizen is the reason I introduced in the 90th Congress and have reintroduced House Resolution 39 to establish a Select Committee To Investigate Tax-Free Foundations.

I include several news reports and the text of House Resolution 39, as follows:

[From the Washington (D.C.) Evening Star, Feb. 12, 1969]

EIGHT R. F. K. STAFFERS GOT FORD FOUNDATION GRANTS TOTALING $131,069 FOR TRAVEL AND STUDY

Eight former aides of the late Sen. Robert F. Kennedy have been awarded Ford Foundation travel and study grants totaling $131,069, records of a House Small Business subcommittee showed today.

The subcommittee, headed by Rep. Wright Patman, D-Tex., has been investigating tax-exempt foundations for more than eight years. Patman, who has been at odds with Ford Foundation President McGeorge Bundy, is to be the opening witness at tax reform hearings beginning Tuesday before the Ways and Means Committee.

In reply to questions by Patman, David E. Bell, acting chief executive officer of the Ford Foundation, said the awards to the former Kennedy staffers were in line with its practices and purposes.

(United Press International said the grants were offered as part of a program to ease the transition between public and private life for the former staffers.)

The recipients and the purposes for which the grants were made were listed as:

Jerry Bruno, Kennedy's chief advance man, $19,450 for a seven-month study of methods and styles of national political campaigning in the United States.

Joseph Dolan, former administrative assistant, $18,556 for a six-month study of teaching methods, text materials and other writings used in law school and university courses dealing with the lawyer's role in the legislative processes.

Peter Edelman, legislative assistant, $19,901 for a five-month study of community development and social programs in various countries of Europe, the Far and Middle East and Africa, with special emphasis on the degree to which participation of individual citizens is encouraged in planning and policy making.

Dall Forsythe, staff assistant, $6,390 for a four-month study of the changes that have occurred in participation by citizens in political processes, especially in the nominating processes of the Democratic party.

Earl Graves, staff assistant, $19,500 for a six-month study of opportunities for black citizens to engage in small business in the United States.

Thomas Johnston, assistant, $10,190 for a study of the feasibility of a national or international newspaper transmitted by television.

Adam Walinsky, legislative assistant, $22,200 for a six-month study of community self-determination, self-control and self-improvement, with special attention to particular urban areas and experiments in Eastern European countries.

Frank Mankiewicz, press secretary, $15,692 for studies of the effects of Peace Corps community development projects in Latin American and Carribean countries.

Bell wrote in reply to questions by Patman that the qualifications of recipients had been reviewed under the foundation's normal procedures and the costs of their programs calculated in the usual way.

"The only unusual feature of these cases is that all of the individuals were associated with one man," he said.

"It seems generally recognized that Sen. Kennedy had gathered around him a staff of great ability and energy, a staff which was cast adrift through Sen. Kennedy's sudden and terrible death.

"We believed that certain of these men qualified for the foundation's travel and study awards, that their talents, through service to an important public figure, had made a significant contribution to the life of the country, and might continue to be applied to the public well-being . . . and that their collective association with Sen. Kennedy ought not to prevent recognition of their individual promise."

[From the Washington (D.C.) Evening Star, Feb. 20, 1969]

Bundy Defends Ford Grants as Show of R. F. K. Sympathy

(By Shirley Elder)

McGeorge Bundy said today that the Ford Foundation, which he heads, was searching for a suitable expression of sympathy over the death of Sen. Robert F. Kennedy last year when it decided to award $131,000 in travel grants to eight of the senator's former aides.

These were men of special promise who had suffered a special blow, Bundy told the House Ways and Means Committee, which is probing tax-free foundations. And he said he felt the awards fit Ford's basic charter role.

"The number (of grants) was unusual," Bundy said. "The case was unusual. The quality of the (Kennedy) staff was unusual. And I expect the results to be good."

Rep. John Byrnes of Wisconsin, the committee's top Republican, asked "whether we haven't gone a little too far in this area."

Bundy defined the action as fully justified. He said the "fundamental protection" against abuses is the public accountability of foundation expenditures.

Explaining the Kennedy staff grants, Bundy started with the first of last spring's two tragic deaths, the assassination of Dr. Martin Luther King Jr. in April. Ford Foundation officials discussed what to do and decided to continue a grant to King's Southern Christian Leadership Conference and to give $8,000 for a compilation of the King papers.

When Kennedy was killed, Bundy said, the same questions were raised. There was nothing to offer the family but sympathy and concern, he said, and, looking to Ford's long tradition of individual grants, decided on the eight awards to the Kennedy staff.

He said the men are unusually talented, dedicated, devoted and concerned citizens—"what were they going to do?"

The foundation action also won support from Rep. Hugh Cary, D-N.Y., who praised the Kennedy staff as "uncommonly intelligent and industrious." All served at salaries lower than they could have gotten elsewhere, he said, and all had received lucrative offers after Kennedy's death.

The grants were not rewards, but rather assistance so they could continue to serve their country, he said.

Bundy, a friend of the Kennedy circle, served as a high-level adviser to both Presidents John F. Kennedy and Lyndon B. Johnson.

Bundy also told the committee that a number of congressmen and an aide to former President Lyndon B. Johnson had received four grants at various times. The aide, Joseph Califano, got $12,000, he said.

Bundy said the congressmen generally received travel grants to attend international meetings or to inspect urban centers.

Rep. James Burke, D–Mass., asked whether such grants might influence votes and demanded the names of all congressmen who have accepted such money.

Bundy said he would supply them later.

Bundy said the grants are not designed to "buy votes." He said the projects are seen as "educational" and in the public interest.

Without waiting for specific questions, Bundy defended contributions to the Congress of Racial Equality and others in Cleveland. Rep. Wright Patman, D-Tex., had suggested a link between the Cleveland grants and the subsequent election of Carl B. Stokes as mayor.

Of the grants to CORE and others—totaling $475,000 in two years—Bundy said voter registration was the smallest of the programs aided. Moreover, he said, arrangements were made to have a special consultant to make sure the activities aided did not overlap into any actual political campaign.

"We accepted our responsibility to help patrol that boundary," he said.

In prepared testimony, Bundy said proposals to restrict the stock holdings of foundations might impede several social action programs his institution is considering. He also said the proposal to limit foundation holdings to no more than 20 percent of the stock of any one company would have prevented establishment of the Ford Foundation and several others.

If the limit were imposed now, Bundy said, programs now under consideration by Ford to stimulate business in ghettos, provide jobs in the South and assist construction of integrated housing might be impeded.

However, Bundy told the committee, the Ford Foundation, which is worth $3.5 billion, hopes as a matter of "prudent investment policy" to reduce its holdings of Ford Motor Co. stock to less than 20 percent of the firm's total stock by 1971.

When the foundation was started, 90 percent of its financing was a gift from the auto company.

"We don't own more than 20 percent," he said, but "this has nothing to do with control" of the firm since it is in nonvoting stock.

A better guarantee against foundations getting too involved in profit-making businesses would be to set up an independent board of trustees, rather than "a prohibition of equity hearings," Bundy testified.

The investigation into tax exemptions for all charitable foundations, is being conducted by the House Ways and Means Committee as part of a comprehensive study of tax reform.

At yesterday's session, Chairman Wilbur Mills of Arkansas said he wants to explore with each foundation the question of whether conditions have changed since the tax breaks first were acquired.

H. Res. 39

Resolved, That there is hereby created a select committee to be composed of nine Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation and study of organizations which have been granted exemptions from Federal income taxes under section 501(c) of the Internal Revenue Code of 1954, for the purpose of determining whether such organizations comply with the provisions of such section, and whether modification of such provisions would be in the public interest by restoring to taxable revenue the incomes presently declared tax free.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

ISRAEL TELLS ARABS TO BLOCK GUERRILLAS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the Record, I include the following article from the Washington, D.C., Evening Star of February 19, 1969:

The United States moved quickly on several fronts today to head off Israeli retaliation for the Arab attack on an El Al airliner in Zurich yesterday.

In a strong statement, the State Department said that the United States will raise "this general matter" at the council meeting Monday in Montreal of the International Civil Aviation Organization, the special United Nations agency dealing with air traffic.

Department spokesman Robert J. McCloskey said the United States hopes to have a "specific proposal" ready for action. He also tied this latest shooting with another problem closer to home—the hijacking of American commercial airliners to Cuba.

On the Arab-Israeli situation, the State Department also announced that Israeli Minister Shlomo Argov met this morning with Joseph Sisco, assistant secretary of state for middle eastern affairs.

During the meeting at the State Department, Sisco is understood to have explained the American initiative, leaving the "implication" that the United States does not want Israel to blame Lebanon for the Arab attack on an Israeli jet at Athens in December. Israeli commandos subsequently struck Beirut's International Airport and destroyed 13 Lebanese planes.

Carmel said the hijack of an El Al plane to Algeria last July and the attacks in Athens and Zurich all originated, in Israel's view, from Lebanon. He said the Popular Front for the Liberation of Palestine took full credit for the Swiss incident in a statement published in Beirut yesterday.

"The responsibility for such acts is not only with the perpetrators but with the Arab states in which these acts are being planned and where the terrorists are being equipped," Carmel said.

He warned of "complete chaos among the airways of the Middle East unless" the attacks are halted, and added: "Safeguarding air safety is important not only to Israel but the Arabs and all the Arab airlines who want to keep their routes open. They should take immediate action."

Carmel had hinted earlier that there might be retaliation for the machine gunning of El Al's Boeing 720 at Zurich's airport. Six persons aboard the plane were wounded. Of the four raiders, one was shot dead and the others, including a woman were arrested.

The transport minister told the Tel Aviv newspaper Maariv: "The Arab governments who are concerned with preserving the international airlinks of their countries would do well to hold back the saboteurs, and thus avoid the deterioration and destruction of the airways of the Middle East."

The U.S. State Department and U.N. Secretary-General U Thant condemned the Arab attack in Zurich, and Thant expressed hope there would be no reprisal. But leading Israeli newspapers promised retaliation.

The semiofficial newspaper Lemerhav declared: "The sabotage of airways cannot be one-sided. The Israeli security authorities must reach the proper conclusions with regard to this extension of Arab terror."

Hayom, published by the rightwing Gahal party, said Israel "must react because her neighbors understand no other language."

The guerrillas opened up on the El Al Boeing 720 from behind a snowbank yesterday as it taxied down a runway at Zurichs Kloten airport to take off for Tel Aviv. Six of the 27 persons aboard, most of them Israelis, were wounded.

The most seriously injured were trainee pilot Yoran Peres, hit in the abdomen by three bullets. He was reported out of danger following an emergency operation at the Zurich Cantonal Hospital.

ISRAELI, THREE ARABS HELD

Zurich police said an Israeli security agent jumped from the plane through an emergency hatch after the first burst of fire and killed one of the attackers with a shot through the head from his automatic pistol.

Swiss firemen raced to the scene and arrested the other three Arabs. They said they had to overpower the Israeli agent "otherwise he would have killed the others as well."

The Israeli and the three Arabs were in custody today and were to appear before an examining magistrate. It was assumed the Israeli agent would plead self-defense.

Sources at Bern, where the Swiss cabinet met to discuss the incident, said Israel was expected to file an early request for the extradition of the three Arabs. But legal experts there said Switzerland is virtually certain to reject this, because the Swiss legal code stipulates jurisdiction over crimes committed in the country.

Police said the attackers also hurled incendiary bombs and hand grenades at the plane, but they failed to explode. Three parcels of plastic explosives were found in the Arabs' rented car.

Soon after the attack on the Amsterdam-Tel Aviv flight, the Popular Front for the Liberation of Palestine, a pro-Marxist guerrilla group based in Jordan, issued a communique assuming "full responsibility" for the attack. It said the raid was in reprisal for "brutality and torture" committed on Arab civilians by Israel authorities in occupied territory.

PFLP is the same group that claimed credit for the hijacking of an El Al plane over the Mediterranean last July 23 and the shooting up of an El Al airliner in Athens Dec. 26. The latter, in which one passenger was killed, prompted the Israeli raid on Beirut.

Foreign Minister Abba Eban said the Zurich attack "demonstrated the murderous characteristics" of Arab guerrilla organizations, encouraged by the "atmosphere of compassion demonstrated toward these organizations after the Athens attack." He said that the U.N. Security Council "issued not one word of condemnation of the Athens attack."

Eban pointedly added that "it will be surprising and astonishing if the conscience of the world is not aroused by this attack on the lives of civilians, on freedom of flight and the sovereignty of a neutral and peace-loving country," meaning Switzerland.

Swiss police said the guerrillas used Soviet Kalashnikov submachine guns. About 50 bullets hit the Boeing, mostly in the forward first-class compartment and cockpit, shattering the instrument panel, navigational and radio equipment.

The Amman communique identified the four guerrillas as Amina Dahbour, a 25-year-old woman schoolteacher from Israeli-occupied Gaza; Ibrahim Tewfik, a laborer from Haifa, Israel's chief port; Abdel Mohsen Hassan, a driver from Lydda, in central Israel, and Mohamed Abu el Haja, a laborer from Nazareth, which also is in Israel.

It was not known here which one was killed.

On the Israeli political front, informed sources said Premier Levi Eshkol had averted a crisis in his Labor party by hinting that he was considering resigning.

It began when Newsweek magazine quoted him as saying Israel does not seek "any part of the settled area of Jordan's west bank," and right-wing parties in the government coalition were angered at this implied hint of territorial concessions to the Arabs and other Labor party leaders were critical of Eshkol's handling of the situation.

But when Eshkol let it be known he was getting "fed up," the dissenters quickly persuaded him to stay on as premier, fearing Defense Minister Moshe Dayan might get a crack at the job. Most Labor party leaders strongly oppose Dayan.

WITHDRAWING APPELLATE JURISDICTION FROM THE U.S. SUPREME COURT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. ASHBROOK. Mr. Speaker, yesterday I introduced H.R. 7201, a bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity. It will be remembered that last year the subject of Supreme Court decisions in the area of obscenity and pornography had arisen during the Senate hearings on the confirmation of Justice Abe Fortas for the position of Chief Justice. Citizens for Decent Literature, a 10-year-old organization of citizens concerned about the enforcement of obscenity and pornography statutes, had its three lawyers review Supreme Court decisions in this area during 1966 and 1967. The results of the review proved to be a real eye-opener. In 1967, for instance, the highest court of the land reversed 23 of the 26 State and Federal obscenity determinations. The community standards of 13 States were upset. Eight findings of fact by juries were reversed. Thus, while the Court in the Roth decision in 1957 emphasized the criterion of contemporary community standards in obscenity cases, the same Court since that time has struck down decisions of juries and State courts at an alarming rate.

The purpose of H.R. 7201 is to return to the States and localities the right to make a determination of fact as to what is obscene. The appellate jurisdiction of the Federal courts is withdrawn in this area, although it must be remembered that a constitutional issue can still be decided by the Supreme Court.

There is no doubt that the citizens of our land are a prime target for the smut peddlers whether here or abroad. The veteran newsman of the Chicago Tribune, Willard Edwards, cited the case of a Paris publisher of pornographic books who came to the United States and observed there seems to be an endless demand for the stuff. The question of how best to approach the problem was spelled out by Mr. Edwards in his column of February 18, entitled "Flow of Smut Remains Issue for Congress," which I insert in the RECORD at this point:

FLOW OF SMUT REMAINS ISSUE FOR CONGRESS

(By Willard Edwards)

WASHINGTON, February 17.—A Paris publisher of pornographic books, on a recent visit to the United States, said he expected to clean up 5 million dollars in six months and exulted:

"There seems to be an endless demand for the stuff."

His statement could not be disputed. Pornography is a billion dollar a year business in the United States.

Why doesn't Congress do something about it? There is no issue commanding greater indignation. But, over the years, anti-obscenity laws invariably get caught up in emotional controversy. They create fears of censorship, of infringement of the first amendment's guarantee of freedom of expression.

The temptation, for example, is to predict swift passage at this session of one new measure. It would impose jail sentences on peddlers of obscene materials who knowingly use the mails to poison the minds of children.

President Nixon has strongly indorsed such a bill and promised vigorous enforcement of it. In the few days of the present session, scores of measures with a similar objective have been introduced. Even the Supreme court, often split on definitions of obscenity for adults, has nodded its approval of laws to protect children's minds from pornography.

FILTH MERCHANTS AREN'T TOO WORRIED

And yet, experience dictates caution in forecasting enactment of even this limited legislative proposal. The merchants of filth are not too worried.

Nearly 100 years ago, Congress banned obscenity from the mails. But the definition of obscenity has been enveloped in a maze of legal cobwebs. The Supreme court has seemed unwilling to find any material illicit that is sold to adults although, as noted, it now concedes states the constitutional right to protect juvenile minds.

In recent years, Congress has been able to agree on only two approaches to the problem, both modest and tentative.

The first step was establishment in October, 1967, of a Commission on Obscenity and Pornography, headed by William B. Lockhart, dean, University of Minnesota school of law. It's 18 members were directed to study the traffic in obscenity, its effect on minors, and to recommend legislative or other action to regulate such traffic "without interfering with constitutional rights."

The commission, however, is not required to report its findings until Jan. 31, 1970. Its existence may be used by some legislators to argue for delay on congressional action this year.

LAW TO CONTROL SMUT IN MAILS

The second step was passage last April 15 of a law which permitted householders to protest the flow of obscene mail, mostly advertising, into their homes. They could notify local postal inspectors to direct mailers to remove their names and addresses from mailing lists. If the mail continued, the attorney general could be requested to seek a court order. Continued violations would subject the mailer to contempt of court citations and penalties.

The response of an outraged citizenry was evidence of nation wide resentment. The post office was flooded with complaints at the rate of 12,500 a month. More than 95,000 prohibitory orders were issued.

Yet this was no more than a tap on the wrist to the big business of pornography which sends 100 million pieces of material thru the United States mails each year.

Two congressional leaders, Sen. Dirksen [R., Ill.] and Sen. Mike Mansfield [D., Mont.] and Rep. John M. Ashbrook [R., O.], believe one solution is to limit the Supreme court's appellate jurisdiction in obscenity cases. The high court then could no longer reverse the factual findings of a jury in obscenity cases.

This proposal has appeal to many in Congress eager to assail the Supreme court on any plane. But waging a legislative war against pornography on this basis will involve a protracted struggle. Less provocative measures like the children's antiobscenity act could get lost in the scuffle.

Mr. Speaker, an indication of the severity of the issue can be gleaned from the fact that both the Democratic and Republican leaders of the Senate, Senators MANSFIELD and DIRKSEN, submitted bills similar to H.R. 7201. Both Senators commented on the merits of this particular approach in their remarks on the Senate floor on September 18, 1968.

Both the Senate and House of Representatives of the State of Tennessee approved a resolution in January of this year which endorses the withdrawal of appellate jurisdiction of the Supreme Court in the area of obscenity. The text of the resolution is as follows:

SENATE JOINT RESOLUTION 8

A resolution to memorialize the Congress of the United States to exercise its power, pursuant to Article III, Section 2 of the United States Constitution, to limit the appellate jurisdiction of the United States Supreme Court relative to its review of any decisions of the courts of the several states or of any United States Court of Appeals in cases involving the regulation, control, censorship or prohibition of the sale, distribution, display or presentation of any printed matter, photograph, drawing, printing, moving picture film, recording or performance, where such regulation, control, censorship or prohibition is exercised on the ground that the same is pornographic or obscene

Whereas, the people of the State of Tennessee deplore the filth and pornography which now infests many of the theatres and news stands in this State; and

Whereas, The prevalence of prurient films, books, and magazines depicting depravity, pornography, and obscenity panders to the lowest elements in human nature and depraves the character of individuals and of the community; and

Whereas, The establishment and maintenance of minimum standards of decency within a community is, and of right ought to be, the privilege and power of the people of that community, acting within reasonable constitutional limits; and

Whereas, The judicial determination of what constitutes legally defined pornography and obscenity is in each case primarily a question of fact, which ought to be decided by the court or jury which tries the facts, and such trial courts and juries are qualified to distinguish between art and pornography and to determine whether statutory definitions acceptable bounds of decency within their communities, and are as qualified to do so as are the justices of the United States Supreme Court; and

Whereas, The United States Supreme Court has shown a deplorable lack of judicial restraint in failing to respect the wisdom and judgment of the Courts of the respective states and the United States Courts of Appeals and in undermining the efforts of responsible state and local law-making and law enforcement officials to protect their communities from the inroads of purveyors of pornography and perversion and has substituted the subjective personal views of some of the justices for the conclusions of the state Supreme Court and the United States Courts of Appeals; and

Whereas, The various opinions of the justices of the United States Supreme Court on the subject of the control of pornography have been confusing and conflicting, so that, they have left the law in a state of uncertainty and have furnished no reliable guides to local officials who are responsible for maintaining decency in their communities; and

Whereas, the alarming increase of even bolder and more vicious pornography throughout this state and nation, and the helplessness of responsible local officials effectively to protect their people from it because of the United States Supreme Court opinions, demonstrate conclusively that the United States Supreme Court should not exercise jurisdiction over such matters; now, therefore,

Be it resolved by the Senate and the House of Representatives of the Eighty-sixth General Assembly of the State of Tennessee, That the General Assembly of the state of Tennessee does hereby memorialize the Congress of the United States to exercise its power, pursuant to Article III, Section 2 of the United States Constitution, to limit the appellate jurisdiction of the United States Supreme Court, so that, it shall have no power to review any decision of the courts of the several states or of any United States Court of Appeals in any case involving the regulation, control, censorship or prohibition of the sale, distribution, display or presentation of any printed matter, photograph, drawing, printing, moving picture film, recording or performance, where such regulation, control, censorship or prohibition is exercised on the ground that same is pornographic or obscene.

Be it further resolved, That this resolution be sent to the legislative assembly of every other state in the union, and that they be urged to join the state of Tennessee in petitioning the Congress for the passage of such legislation, to restore to the States and the people thereof the power to protect themselves from the degrading effects of the public display of pornography and obscenity.

Adopted: January 16, 1969.

FRANK L. GANELL,
Speaker of the Senate.
WILLIAM L. JENKINS,
Speaker of the House of Representatives.

Approved, January 17, 1969.

BUFORD ELLINGTON,
Governor.

Mr. Speaker, it is hoped that the appellate jurisdiction approach will receive consideration in the U.S. House and Senate as it did in the State of Tennessee, and hopefully will receive in other States. It seems almost useless to enact statutes or to make judgments concerning obscenity at local and State levels if the smut peddlers are assured of a reasonable chance of success at the Supreme Court level.

I realize that there will be no lack of opposition to this proposal, but because of the importance of the issue it should be given consideration and voted up or down.

I include the text of H.R. 7201 in the RECORD at this point:

H.R. 7201

A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 71, title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 1466. DETERMINATIONS OF FACT

"In every criminal action arising under this chapter or under any other statute of the United States determination of the question whether any article, matter, thing, device, or substance is in fact obscene, lewd, lascivious, indecent, vile, or filthy shall be made by the jury, without comment by the court upon the weight of the evidence relevant to that question, unless the defendant has waived trial by jury."

(b) The section analysis of that chapter is amended by inserting at the end thereof the following new item:

"1466. Determinations of fact.".

SEC. 2. (a) Title 28, United States Code, is amended by adding at the end thereof the following new chapter:

"CHAPTER 176—ACTIONS INVOLVING OBSCENITY

"Sec.
"3001. Judicial review.

"§ 3001. JUDICIAL REVIEW

"(a) In any criminal action arising under any statute of the United States for the prosecution of any person for the possession, sale, dissemination, or use of any obscene, lewd, lascivious, indecent, vile, or filthy article, matter, thing, device, or substance, no court of the United States or of the District of Columbia shall have jurisdiction to review, reverse, or set aside a determination made by a jury on the question whether such article, matter, thing, device, or substance is in fact obscene, lewd, lascivious, indecent, vile, or filthy.

"(b) In any criminal action arising under any statute of any State or under any law of any political subdivision of any State for the prosecution of any person for the possession, sale, dissemination, or use of any obscene, lewd, lascivious, indecent, vile, or filthy article, matter, thing, device, or substance, no court of the United States shall have jurisdiction to review, reverse, or set aside a determination made by a court of such State on the question whether such article, matter, thing, device, or substance is in fact obscene, lewd, lascivious, indecent, vile, or filthy."

(b) The analysis of title 28, United States Code, preceding part I thereof is amended by adding at the end thereof the following new item:

"176. Actions involving obscenity.... 3001".

(c) The chapter analysis of part VI, title 28, United States Code, is amended by adding at the end thereof the following new item:

"176. Actions involving obscenity.... 3001".

THE U.S. ECONOMY IN THE 1970'S

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. ST. ONGE. Mr. Speaker, I wish to commend to the attention of my colleagues a very interesting article on the outlook for our economy in the 1970's. It is written by Laurence J. Ackerman, president of the Norwich Savings Society, Norwich, Conn., in my congressional district.

I have known Mr. Ackerman for many years as a keen observer of economic problems, and taught under him when he was dean of the School of Business Administration at the University of Connecticut. His views on the subject and his look ahead should be of considerable interest not only to the Congress, but also to those in the executive branch of our Government dealing with economic problems, as well as to economists, industrialists, bankers, and business people generally.

The article reads as follows:

NEARING THE 1970'S, ECONOMY SIGNS ARE OUTSTANDING

A tremendous boom in the Seventies is seen by Laurence J. Ackerman, president, Norwich Savings Society in this look at the economy: Titled, A Glance Backward—A Glance Forward, he reports:

In November the American electorate decided that 1969 would be the year of political transition. Will 1969 also be a year of economic transition—a movement from an overheated inflationary race to a less exuberant, more sustainable rate of economic expansion.

The years 1960–1968 witnessed the greatest and longest sustained economic boom in American history. Industrial production, Real Gross National Product, corporate profits, interest rates, personal consumption expenditures, all moved forward in an almost uninterrupted fashion.

In 1968 faced with a series of national and international economic crises, two fundamental moves were made by our national administration to create economic normalcy. A temporary tax increase was voted by Congress and governmental spending cuts were ordered. As a result of these steps, economists forecast a cooling-off of the economy by mid-1968. The predictions turned out to be wrong. The economy failed to slow down. Two major reasons were offered for this unexpected result. The proposed government cut proved illusory.

The budget deficit was predicted at 5 billion. It will be closer to 12 billion. But the big kicker was the American consumer. His reaction to higher taxes since July has been to go on a spending spree fueled by a reduction in his savings and an increase in his debts. The business and financial community has, in turn, reacted to this consumer stance by betting on continued inflation and by behaving accordingly.

The failure of a tighter fiscal policy—federal budget cutting and increased taxes—to slow the expansion in the economy has pointed up the division between the two predominant schools of economic theory. The followers of the so-called "new economics" regard fiscal policy as the most direct and potent method to regulate the economy.

In opposition to this group are the monetary theorists who argue that monetary policy especially changes in the supply of money represents the dominant economic influence. This latter group claims that a prime reason for the failure of the fiscal restraints to brake the economy decisively was the comparatively easy monetary policy that the Federal Reserve Board followed during the first half of 1968.

The Board permitted the money supply (currency outside banks plus demand deposits) to expand rapidly in most of 1968. It was growing up to July at a rate of nearly 7 per cent. In defense of the Board's alleged mistake, it was probably influenced by the need to assist the Treasury to finance the enormous budgetary deficits that were then imminent. In addition there was the potential of an economic overkill from the fiscal moves and the Board feared a recession rather than a mere slowing in the rate of expansion.

The Federal Reserve soon recognized this miscalculation and instituted restrictive monetary policies by raising the discount rate and leaving unchanged the maximum rates payable on certificates of deposit and time deposits.

Since mid-summer there is evidence of this posture—the money supply has been increasing at only a 2 per cent to 3 per cent annual rate.

All of this sets the stage for 1969. The evidence seems to point to a less rapid economic pace. Retail sales while quite high have been edging down since mid-summer. Summer spending should be dampened in the first half of 1969 (a) increased Social Security tax collections begun in January; and (b) increased tax payments—or reduced funds—to make up for the retroactive portion of the surtax yet to be paid.

The prospects for federal government spending are reasonably within the realm of control in 1969.

The expectations are for less upward thrust in federal expenditures in 1969 than in any of the three preceding years. This flows from the legislated hold-down in spending and to the prospects for a significantly smaller rise in defense outlays, even if the Vietnam war continues.

On the State and local government scene, the vistas are gloomy. There seems to be no end in sight for increased spending. In response to the mounting pressure of population growth and demand for more and better public services, outlays will rise at a substantial rate.

In the business sector prospects for plant and equipment expenditures are surprisingly strong. The McGraw Hill survey suggests a rise of 8 per cent for 1969.

Over all the nation's total output of goods and services should rise by some 6 per cent in 1969, a considerably slower rate of growth than the 9 per cent for 1968.

What about interest rates? With the more stringent monetary policy of the Federal Reserve and the demand for funds from the private sector of the economy at a high rate, interest rates will continue to be high.

In fact some are asking: will we have a credit crunch like 1966? The general feeling is that we will not experience such a severe test again. The monetary base has grown substantially as pointed out previously.

The result is that more money and credit are available although admittedly at high rates. Further, financial institutions are more liquid than they were in 1966. To sum up on interest rates, they may recede modestly from their current peaks but it seems unreasonable to expect any major decline.

The mortgage market should benefit from the slight easing of general financial pressure. There should be mortgage money but the interest rates should continue at their present level.

Fueled by the combustible mixture of available funds and a substantial backlog of unsatisfied housing demands, residential building should be on the upbeat. This is so despite high land and construction costs. Most of the action will be in the multi-family sector to satisfy the demands for rental units by our increasing number of younger and older households.

What does the economic crystal ball hold for the next decade—the seventies. Our guess is a spectacular prosperity similar to the sixties but for different reasons. The boom of the sixties was fueled by capital spending. The boom of the seventies will stem largely from the consumer. The two major forces will be governmental activities and the population changes.

Government spending on the federal and local levels will expand considerably—especially in the areas of defense and social welfare. Despite a slowdown in the relative growth of the total population in the next ten years, the young people coming into the labor market will accelerate tremendously.

These young adults have never known anything but prosperity. They will spend and borrow freely. These factors augur for a tremendous consumer boom in the seventies.

CRIME RATES AND ARREST RATES

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. PODELL. Mr. Speaker, during the recent campaign we heard a great deal about law and order. For some time now, I have carefully studied crime rates in my congressional district. Rates of arrest shed further light on the problems of crime and law enforcement.

On December 3, 1968, I dealt with this subject at a meeting in my district sponsored by the Gerrittsen Beach Property Owners Association. The text of my remarks at that meeting follows:

CRIME RATES AND ARREST RATES

I am delighted to spend some time with you this evening. It has been my pleasure to meet many of you in the course of my campaign activities and at other community meetings. It is interesting how you run into the same faces at different civic meetings. It proves that those who take seriously their responsibilities as citizens find the time to engage in a variety of civic improvement projects.

As citizens of this community, you have every reason to be concerned about crime and narcotics.

During the first nine months of this year, the people of this Congressional District were the victims of 17,118 major crimes used by the F.B.I. Crime Index. And these are major crimes: murder and nonnegligent manslaughter, forcible rape, robbery, assault, burglary, larceny of $50 and over, and motor vehicle theft.

That total nine month figure of 17,118 such major crimes reported may not mean much, unless you break it down into small components. In September, a typical month, 1905 such major crimes were reported in our district. During this month, the people in this congressional district suffered 24 larcenies of $50 and over every 24 hours; we were the victims of 19 burglaries and 16 automobile thefts every day. In its simplest form, 2 and one-half major crimes were committed here every hour.

Nor do these statistics tell the whole story of crime. In the first place, they deal with only seven crime categories. For example, the sale and use of narcotics is not included in those categories; nor is vandalism, arson, and a great many other crimes.

Moreover, these statistics deal only with "reported" crime. But a great many crimes are committed and not reported. If any of you have been the victims of a crime and reported the incident, you might well decide not to report such a second time.

In brief, this could well be your experience. Your car is stolen and you report it. The police catch the thief. You have to go to the police precinct to sign a complaint. You have to go to a grand jury meeting. You go to court, and the case is adjourned. You come to court a second time, and the case is adjourned a second time. In the meanwhile you lose time from your work, or you are forced to neglect your business. The case finally comes to trial, and much to your surprise, the defendant is permitted to plead guilty to petty larceny, winds up with a slap on the wrist, and he is back on the streets, ready to resume his criminal career. By the time you get finished, you are no longer sure whether you or the defendant is the criminal. Many crime victims choose not to go through this experience twice.

The commission of the crime is one side of the story. The other side is to catch a thief. Unfortunately, we do not have arrest figures for this district; nor do I know whether they may be meaningful.

A person who commits a crime in this District could be arrested for it elsewhere. And a person can be arrested in this district for a crime committed elsewhere.

But we do have statistics for the city as a whole. In September a total of slightly over 43,000 major crimes were reported in New York City. During the same month, there were only about 18,000 arrests in the city. Putting it another way, if you are mugged on your way home from this meeting, the chances are two to one that they will never catch the mugger.

The odds in favor of the criminal are, in fact, much better than that. The arrest figures include persons arrested for felonies, misdemeanors, and other violations. The crimes included in the FBI index are mainly felonies. In September, only 5,400 felony arrests were made, as against 43,000 major crimes reported. So the chances of a criminal being arrested for one of these major crimes are approximately eight to one in his favor. And his chances of being convicted and winding up in jail are very slim. As you can see, there is not much truth in the rumor that crime doesn't pay.

With the odds so much in favor of the criminal, it becomes hardly surprising to find narcotics pushers openly conducting their dirty business in the streets of our neighborhoods particularly near schools.

It is a tragic fact that the number of narcotics users is increasing among people in all social and economic levels. What is particularly tragic is the sharp increase in drug abuse among young people.

Before I became a Congressman, I served as chairman of the New York State Joint Legislative committee on penal institutions. In that capacity I had a unique opportunity to observe at first hand the extent of increased use of drugs and the tragic consequences of drug abuse. Our best estimates indicate that there are 200,000 drug addicts in our city.

Commissioner Laurence W. Pierce, the chairman of the States narcotic addiction control commission, estimates that between 23,000 and 25,000 college students are placing their lives and their futures in jeopardy through experimentation with drugs. And the use of drugs also leads to crime.

It is reliably estimated that New York City addicts steal goods valued from half a billion to a billion dollars every year to feed their drug habit. This accounts for about 50 percent of all thefts in our city.

A great deal needs to be done and can be done to reduce crime. Clearly we need a larger police force. Of a total police force of approximately 30,000 only 4,000 are available for duty in any one shift. That is a figure recently made public by Commissioner Howard Leary.

More policemen on the street will deter crime.

A greater proportion of arrests will deter crime.

Streamlined procedures in our courts will deter crime.

I suggest, too, that there must be greater discipline in our society. The papers this morning were filled with stories of bands of students rampaging through the streets. That was hardly surprising.

Over the week-end, members of the so-called governing board of Ocean Hill publicly announced that they would seize J.H.S. 271—an act which falls little short of the firing on Fort Sumter, that began the Civil War. I don't know how you can teach law and order, and respect for authority, to young people, when adults take the lead in law breaking. And it will be interesting to observe what penalties will be imposed on those who seized J.H.S. 271, and drove out a State appointed administrator for the school district.

In the face of those events, responsible parents and community leaders are confronted by an extremely difficult time to preserve law and order. Yet it is a task to which we must dedicate ourselves, if our social structure is to function properly and peacefully. I know that those of you here tonight, and people throughout this neighborhood will do all we can to protect the quality of life in our community.

TWO MARINES, GI SLAIN IN VIETNAM—HETTINGER, KLINE, AND TAYLOR ADDED TO STATE'S LOSSES

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. LONG of Maryland. Mr. Speaker, Marine Cpl. Mark L. Kline, Marine Pfc. Michael P. Taylor, and Army Sgt. Robert L. Hettinger, three fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memory by including the following article in the Record:

Two Marines, GI Slain in Vietnam—Hettinger, Kline, and Taylor Added to State's Losses

Two marines and an Army sergeant from Maryland have been killed in Vietnam, the Defense Department announced yesterday.

They were:

Marine Cpl. Mark L. Kline, 20, son of Mr. and Mrs. Maynard O. Kline, of 115 Arch street, Cumberland.

Marine Pfc. Michael P. Taylor, 19, son of Mrs. Cecelia Taylor, of 638 North Streeper street, Baltimore.

Army Sgt. Robert L. Hettinger, 20, son of Mrs. Mabel R. Hettinger, of Oliver Beach, Baltimore county.

Corporal Kline died February 13 from wounds received during an enemy mortar attack in Quang Tri province near the Laotian border.

Corporal Kline, who was a leader of a rifle team, had enlisted in the Marines in September, 1967, and was sent to Vietnam April 1, 1968.

He was awarded the Purple Heart for shrapnel wounds he received in August, 1968.

He was a graduate of Fort Hill High School in Cumberland, where he played varsity football, baseball and track. After graduation he worked as an ambulance driver for the MacDonald Ambulance Service.

ENLISTED LAST JUNE

Besides his parents, Corporal Kline is survived by a sister, Mrs. Lester Crawford, of Eckhart, Md., and a grandfather, Joseph Kline, of Wiley Ford, W. Va.

Private Taylor was also killed by mortar fire during an attack on his defensive position near the formerly demilitarized zone in Quang Tri province. He died February 11.

A graduate of Hampstead Hill Junior High School, he worked as a gas station attendant before enlisting in the Marines in June, 1968. He was sent to Vietnam 55 days ago.

According to his brother, Edward, Private Taylor's letters home conveyed the general impression "that he was confident of what he was doing and not afraid."

Besides his mother and brother, he is survived by two sisters, Barbara Taylor and Judy Taylor, both of Baltimore.

Sergeant Hettinger died from wounds received in an encounter with the enemy February 9 eleven days before his 21st birthday.

He enlisted in the Army January 30, 1968. He received his basic training at Fort Bragg and his advanced infantry training at Fort Lewis and attended non-commissioned officer's school at Fort Benning. He was sent to Vietnam December 30, 1968.

Sergeant Hettinger was a graduate of Kenwood High School and attended Essex Community College before enlisting.

According to his mother, Sergeant Hettinger was a car enthusiast and spent "two whole years" building a dragster.

Besides his mother, he is survived by two brothers, Frederick Hettinger, of Oliver Beach, and Walter Hettinger, a senior at the Johns Hopkins University.

U.S.-RHODESIA FOREIGN POLICY DISAPPROVED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. RARICK. Mr. Speaker, a private poll has been conducted among U.S. citizens relative to our highly unpopular foreign policy against the Government of Rhodesia.

I think most of our colleagues will find the poll report of interest and I insert the results at this point in the Record:

High-Level Americans Appeal To Disapprove U.S.-Rhodesia Policy

By percentages ranging from 74.9 percent to 99.9 percent, a national panel of American men and women whose attainments have been recognized in the leading business and professional directories disapprove the current U.S. trade sanctions against Rhodesia, and want our country to disentangle itself from the Johnson administration's policy, wherein it joined African nations and Britain in UN condemnation of Rhodesia.

During the first six weeks of 1969, the Long National Opinion Poll mailed intricate two-page questionnaires to several thousands of prominent men and women in all 50 states, asking them to respond with firm "yes" or "no" answers to seven questions which summarized the current state of U.S. relations with Rhodesia. Respondents were asked to study a situation summary, and then state their candid opinions, including personal comments with reference to both situation and survey in their own handwriting.

With a response of over 20 percent tabulated and analyzed, preliminarily, as of February 14, W. H. Long, president of the research company conducting the poll—W. H. Long Marketing, Inc., Greensboro, N.C.—stated that "opinions of these thinking Americans, all people of distinguished attainments residing in over 250 communities, are so overwhelmingly in favor of changing the government's present attitudes toward this country which has always been our friend, that remaining response to the poll will not alter the figures very much."

Some idea of the quality and demographic character of the poll may be seen in these figures: Over 85 percent of respondents college-trained (32.7 percent with graduate degrees, 31.9 percent with college degrees, 24.1 percent attended but did not graduate). Almost 50 principal occupations recorded (28.3 percent executives, 12.3 percent educators, 11.3 percent each self-employed and housewives). Over 70 percent of respondents in vital 31–60 age groups that formed the vast majority of voters in 1966 and 1968 Congressional elections. Over 85 percent church-affiliated and over 88 percent own their homes. Place-of-residence distribution: 36.6 percent towns (10–100,000 population); 28.4 percent cities (100,000–1 million); 13.5 percent small towns (3–10,000); 10.7 percent large cities (over 1 million); 5.8 percent farm-rural; 5 percent village (under 3,000).

Responses as of February 14 to the seven questions are:

1). *Should the United States support the demand by some black-ruled nations for war on Rhodesia to overthrow its Government and establish black majority rule there?* No, 99.8 percent; Yes, 0.2 percent.

2). *Should the United States aid the armed bands of blacks, now being trained in Zambia by Chinese sent from Peking to organize bombing and killing raids into Rhodesia?* No, 99.9 percent; Yes, 0.1 percent.

3). *Should the United States demand that the UN impose on all nations the same one-man one-vote conditions for voting in Rhodesia, without regard for literacy, that the UN has prescribed for Rhodesia?* No, 74.9 percent; Yes, 25.1 percent.

4). *Should the United States halt its trade with all countries that have not adopted a one-man one-vote standard for voting?* No, 92.4 percent; Yes, 7.6 percent.

5). *Should the United States back British Prime Minister Wilson's claim that Britain has a right to specify voting requirements in Rhodesia?* No, 86.2 percent; Yes, 13.8 percent.

6). *Should the United States back UN sanctions short of war that are intended to force Rhodesia to adopt black majority rule?* No, 83.7 percent; Yes, 16.3 percent.

7). *Should the United States refuse involvement in the demands of black-ruled nations, the claims and counter-claims of Britain and Rhodesia, steer clear of the whole issue, and follow a policy of friendliness toward all who are friendly with us?* Yes, 81.7 percent; No, 18.3 percent.

The polling firm, which believes polls taken among decisionmakers and opinion leaders, by mail, in their own homes, whereby they write in their own answers on a firm Yes-No basis, are more indicative of actual personal beliefs than sidewalk or front-door polls, expressed itself as surprised with the great number of comments written on the survey forms by respondents. Less than two-tenths of one percent of respondents noted they thought the poll was biased in any manner.

It is expected that results of the poll will be of keen interest to the new administration, members of Congress and trade groups.